JANUARY 11, 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 January 11, 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.

A.C. Gonzalez
City Manager

12.16.16
Date

for Edward Scott
Elizabeth Reich
Chief Financial Officer

12/16/16
Date

RECEIVED
2016 DEC 16 PM 6:11
CITY SECRETARY
DALLAS, TEXAS

COUNCIL AGENDA

January 11, 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 Government 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 pistola oculta), una persona con licencia según el subcapitulo h, capitulo 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 subcapitulo h, capitulo 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, JANUARY 11, 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 - 30
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 31 - 35
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 36 - 60

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

AGENDA

CITY COUNCIL MEETING

JANUARY 11, 2017

CITY OF DALLAS

1500 MARILLA

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 December 14, 2016 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize a three-year professional services contract for engineering services to review plats and plans related to construction projects - Dal-Tech Engineering, Inc. in the amount of $6,256,984 and Freese and Nichols, Inc. in the amount of $2,026,238, most qualified respondents of nine - Total not to exceed $8,283,222 - Financing: Building Inspection Current Funds ($8,093,801), and Stormwater Drainage Management Current Funds ($189,421) (subject to annual appropriations)

3. Authorize a three-year service contract, with two one-year renewal options, for stagehand, tech labor, and setup labor for the Office of Cultural Affairs - IAPP, Inc., most advantageous proposer of two - Not to exceed $1,243,167 - Financing: Current Funds ($1,233,167) and Municipal Radio Current Funds ($10,000) (subject to annual appropriations)

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

4. Authorize a five-year concession contract for the operation of food and beverage concessions at the Kiest Softball Complex - Elroy Johnson dba Glow Cones, most advantageous proposer of four - Estimated Annual Net Revenue: $7,250

5. Authorize a two-year master agreement for butterfly valves and actuators - Municipal Valve & Equipment in the amount of $601,500, Mueller Co. LLC in the amount of $55,000, Pumps Valves & Equipment dba The Scruggs Company in the amount of $34,000, and Rexa, Inc. in the amount of $11,000, lowest responsible bidders of four - Total not to exceed $701,500 - Financing: Water Utilities Current Funds

6. Authorize a three-year master agreement for automotive, truck, and heavy equipment batteries - Metroplex Battery, Inc., lowest responsible bidder of five - Not to exceed $1,320,558 - Financing: Current Funds ($1,136,192), Water Utilities Current Funds ($69,568), Sanitation Current Funds ($57,166), Stormwater Drainage Management Current Funds ($35,072), Convention and Event Services Current Funds ($12,394), and Aviation Current Funds ($10,166)

7. Authorize a three-year master agreement for polyaluminum chloride coagulant to be used in the water purification process - Chemtrade Chemicals US, LLC, lowest responsible bidder of five - Not to exceed $1,935,000 - Financing: Water Utilities Current Funds

8. Authorize **(1)** Supplemental Agreement No. 2 to increase the service contract with Lane Staffing, Inc. for citywide temporary clerical and professional services to allow for a transition from the current contractor to the new contractor - Not to exceed $1,500,000, from $20,431,973 to $21,931,973; and **(2)** a three-year service contract for citywide temporary clerical and professional services - Smith Temporaries, Inc. dba CornerStone Staffing in the amount of $28,657,706, most advantageous proposer of six - Total not to exceed $30,157,706 - Financing: Current Funds ($26,243,374), Convention and Event Services Current Funds ($1,956,231), Water Utilities Current Funds ($1,562,782), and Aviation Current Funds ($395,319) (subject to annual appropriations)

9. Authorize Supplemental Agreement No. 24 to increase the service contract with AT&T Corp. for voice and data network services, network management, monitoring, maintenance, information technology security, and related services - Not to exceed $8,789,987, from $70,515,898 to $79,305,885 - Financing: Current Funds (subject to annual appropriations)

City Attorney's Office

10. Authorize settlement of the claim of Timothy Hankins in the lawsuit styled Osric Stevens et al. v. City of Dallas, Cause No. DC-15-02678-H - Not to exceed $188,775 - Financing: Current Funds

CONSENT AGENDA (Continued)

City Attorney's Office (Continued)

11. Authorize Supplemental Agreement No. 4 to the professional services contract with White & Wiggins, L.L.P. for additional legal services in the lawsuit styled Vickie Cook et al. v. City of Dallas et al., Civil Action No. 3:12-CV-03788-N - Not to exceed $75,000, from $280,000 to $355,000 - Financing: Current Funds

Housing/Community Services

12. Authorize contracts with fully-licensed child care providers pursuant to the Child Care Services Program for the period October 1, 2016 through September 30, 2017 (list attached) and with other fully-licensed child care providers selected by eligible parents during the fiscal year - Not to exceed $369,356 - Financing: 2016-17 Community Development Block Grant Funds

13. Authorize a public hearing to be held on February 8, 2017 to receive comments on the proposed sale of one unimproved property (list attached) acquired by the taxing authorities from the Sheriff to City Wide Community Development Corporation, a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City

14. Authorize a public hearing to be held on February 8, 2017 to receive comments on the proposed sale of four unimproved properties (list attached) acquired by the taxing authorities from the Sheriff to South Dallas Fair Park Innercity Community Development Corporation, a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City

Human Resources

15. Authorize **(1)** approval of revised salary schedules for Fire and Police uniform executive staff, adding a 2% top pay step; **(2)** eliminating the start step in each executive rank; and **(3)** implementing step pay increases for Police and Fire uniform executive staff, effective October 1, 2016 - Financing: This action no cost consideration to the City

Mobility and Street Services

16. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation through a grant from the U. S. Department of Transportation Federal Highway Administration to provide cost reimbursement for material and labor costs incurred by the City for traffic signal improvements at Loop 12 (Buckner Boulevard) and Scyene Road; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in the amount of $21,346; and **(3)** the establishment of appropriations in the amount of $21,346 in the Texas Department of Transportation Grant Fund - Not to exceed $21,346 - Financing: Texas Department of Transportation Grant Funds

CONSENT AGENDA (Continued)

Mobility and Street Services (Continued)

17. Authorize 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 - Not to exceed $6,305,000 - Financing: General Obligation Commercial Paper Funds ($3,090,498), 2006 Bond Funds ($2,709,502) and Water Utilities Capital Construction Funds ($505,000)

18. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3001; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law (list attached); and **(2)** a benefit assessment hearing to be held on February 22, 2017, to receive comments - Financing: No cost consideration to the City

19. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3004; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law (list attached); and **(2)** a benefit assessment hearing to be held on February 22, 2017, to receive comments - Financing: No cost consideration to the City

20. Authorize Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design of the precast concrete panel retaining wall and the associated drainage design modification needed for Chalk Hill Road from Davis Street to 800 feet south of IH-30 - Not to exceed $86,040, from $1,344,610 to $1,430,650 - Financing: 2006 Bond Funds

Park & Recreation

21. Authorize **(1)** entering into a Sub-Grant Memorandum of Understanding between the Dallas Parks Foundation (“DPF”) and the City of Dallas, through its Dallas Park and Recreation Department (“City”) to enable reimbursements from the DPF to the City for expenditures made by the City in an amount not to exceed $44,705 for the purpose of implementing a community outreach outdoor program pursuant to a grant agreement between DPF and Texas Parks and Wildlife Department ("TPWD") for the program period May 1, 2016 through November 1, 2017; **(2)** receipt and deposit of funds in an amount not to exceed $44,705 from TPWD through DPF into the City's TPWD Outdoor Adventures at Dallas Grant Fund; **(3)** establishment of appropriations in the TPWD Outdoor Adventures at Dallas Grant Fund in the amount of $44,705; and **(4)** disbursement of funds in an amount not to exceed $44,705 from the TPWD Outdoor Adventures at Dallas Grant Fund - Not to exceed $44,705 - Financing: Texas Parks and Wildlife Department Outdoor Adventures Grant Funds

CONSENT AGENDA (Continued)

Park & Recreation (Continued)

22. Authorize a twenty-year license agreement with the Old Lake Highlands Neighborhood Association for approximately 930 square feet of land in Norbuck Park located near the intersection of Classen Drive and Northwest Highway - Revenue: $10 one-time fee

Sustainable Development and Construction

23. An ordinance abandoning a portion of a utility easement to HCP DR MCD, LLC, the abutting owner, containing approximately 763 square feet of land, located near the intersection of Dollar Lane and Coit Road - Revenue: $5,400, plus the $20 ordinance publication fee

24. An ordinance amending Ordinance No. 29966, previously approved on January 13, 2016, which abandoned a portion of Hobbs Street, located near the intersection of Haskell and Beeman Avenues to Southern Foods Group, LLC to extend the final replat from one year to 18 months - Revenue: $5,400, plus the $20 ordinance publication fee

Trinity Watershed Management

25. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Mamie Lee McKnight, et al., Cause No. CC-16-03466-E, pending in Dallas County Court at Law No. 5, to acquire an improved tract of land containing approximately 8,545 square feet located on Barber Avenue at its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed $31,000 ($28,000 plus closing costs and title expenses not to exceed $3,000; an increase of $2,102 from the amount Council originally authorized for this acquisition) - Financing: 2006 Bond Funds

26. Authorize acquisition from the County of Dallas, of an improved tract of land containing approximately 2,092 square feet located on North Riverfront Boulevard at its intersection with Commerce Street for the Riverfront Boulevard from Cadiz Street to north of the Union Pacific Rail Road Project - Not to exceed $48,072 ($44,572, plus closing costs and title expenses not to exceed $3,500) - Financing: 2006 Bond Funds

27. Authorize Supplemental Agreement No. 2 to the professional services contract with Modern Geosciences, LLC for additional environmental services and assistance with the Upper Chain of Wetlands project - Not to exceed $32,150, from $122,950 to $155,100 - Financing: 1998 Bond Funds

CONSENT AGENDA (Continued)

Water Utilities

28. Authorize a thirty-year contract with the Town of Flower Mound to continue providing water services, from January 22, 2017 through January 21, 2047 - Estimated Annual Revenue: $3,396,051

29. Authorize an increase in the construction contract with Archer Western Construction, LLC for emergency erosion repairs along the bank of White Rock Creek to protect an 84-inch water transmission main - Not to exceed $226,146, from $17,668,400 to $17,894,546 - Financing: Water Utilities Capital Improvement Funds

30. Authorize an increase in the contract with Quest Civil Constructors, Inc. for additional work associated with the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant - Not to exceed $1,777,361, from $46,464,646 to $48,242,007 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

31. 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)

Trinity Watershed Management

32. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Veterans Land Board of the State of Texas and King E. Rhodes, of an unimproved tract of land containing approximately 65,699 square feet, three slope easements containing a total of approximately 35,859 square feet, and two drainage easements containing a total of approximately 3,693 square feet, located on East Wheatland Road near its intersection with Lancaster Road for the Wheatland Road Improvement Project - Not to exceed $92,176 ($88,176 plus closing costs and title expenses not to exceed $4,000) - Financing: General Obligation Commercial Paper Funds

ITEMS FOR FURTHER CONSIDERATION

Housing/Community Services

33. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by C & C Corporation for the construction of houses; **(2)** the sale of 10 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to C & C Corporation; and **(3)** execution of a release of lien for any non-tax liens on the 10 properties that may have been filed by the City - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION (Continued)

Housing/Community Services (Continued)

34. 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 10 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 10 properties that may have been filed by the City - Financing: No cost consideration to the City

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

35. Authorize a development agreement with GPIWE Limited Partnership, to reimburse TIF eligible project costs for streetscape and redevelopment project improvements for the Factory Six03 Project located at 603 Munger Avenue from revenues accruing to Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Not to exceed $4,657,174 - Financing: City Center TIF District Funds (subject to future appropriations from future tax increments)

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

36. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for single family uses on property zoned an NO(A) Neighborhood Office District, north of Forest Lane, east of Abrams Road
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z156-272(SH)

37. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tattoo studio on property within the Subdistrict 1A portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the south line of East Levee Street, between Manufacturing Street and Express Street
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z156-317(JM)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - CONSENT (Continued)

38. A public hearing to receive comments regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, on the south corner of Sam Houston Road and Masters Drive
Recommendation of Staff and CPC: Approval
Z156-345(PD)

39. A public hearing to receive comments regarding an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and deed restrictions on the northwest corner of Haymarket Road and Oakwood Drive
Recommendation of Staff and CPC: Approval with retention of the D-1 Liquor Control Overlay
Z156-347(LE)

40. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict for Subdistrict 3A uses and an alcoholic beverage manufacturing use on property zoned Subdistrict 3A within Planned Development District No. 317, the Cedars Area Special Purpose District; southeast of Cadiz Street, between South Austin Street and South Lamar Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z156-353(SH)

41. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Planned Development District No. 248 for a public school and a public park or playground use on property zoned Planned Development District No. 98 and Planned Development District No. 248, and on the east intersection of North Carroll Avenue and Worth Street
Recommendation of Staff: Approval, subject to a revised development plan, a revised landscape plan, a traffic management plan, and conditions
Recommendation of CPC: Approval, subject to a revised development/landscape plan, a traffic management plan, and conditions
Z156-356(JM)

42. A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the west line of Altaire Avenue, south of East Millett Drive
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z156-361(JM)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - CONSENT (Continued)

43. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District and animal shelter or clinic with outside runs uses on property zoned an MU-3 Mixed Use District on the north line of Dyer Street, west of Greenville Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z156-362(JM)

ZONING CASES - INDIVIDUAL

44. A public hearing to receive comments regarding an application for a new subdistrict for Light Commercial/Office and restaurant with drive-in or drive-through service uses within the Light Commercial/Office Subdistrict of Planned Development District No. 631, the West Davis Special Purpose District and an R-7.5(A) Single Family District on property on the southwest corner of West Davis Street and North Westmoreland Road
Recommendation of Staff and CPC: Denial
Z156-223(SM)

45. A public hearing to receive comments regarding an application for **(1)** a CR Community Retail District with deed restrictions volunteered by the applicant, and **(2)** a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an NS(A)-D-1 Neighborhood Service District with a D-1 Liquor Control Overlay, with an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on the west corner of South Beltline Road and Garden Grove Drive
Recommendation of Staff: Approval of a CR Community Retail District with deed restrictions volunteered by the applicant; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Recommendation of CPC: Approval of a CR Community Retail District with deed restrictions volunteered by the applicant; and denial of a Specific Use Permit
Z156-289(JM)

46. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2099 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 and deed restrictions on the southwest corner of Great Trinity Forest Way and 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 conditions
Recommendation of CPC: Approval for a three-year period, subject to conditions
Z156-310(OTH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - INDIVIDUAL (Continued)

47. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2137 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with D-1 Liquor Control Overlay on the south side of Lake June Road, west of Oak Hill Circle
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals of additional five-year periods, subject to conditions
Recommendation of CPC: Approval for a two-year period, subject to conditions
Z156-359(OTH)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

48. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) for a dance hall and for the sale or service of alcohol in conjunction of a commercial amusement (inside) use on property zoned Subarea 6 within Planned Development District No. 366-D-1 with a D-1 Liquor Control Overlay, on the east side of South Buckner Boulevard, south of Scyene Circle
Recommendation of Staff: Approval for a three-year period, subject to a site plan and conditions
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions
Z156-208(OTH)
Note: This item was considered by the City Council at a public hearing on November 9, 2016, and was deferred until January 11, 2017, with the public hearing open

49. A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and North Prairie Creek Road
Recommendation of Staff and CPC: Approval
Z156-234(JM)
Note: This item was considered by the City Council at public hearings on September 28, 2016 and October 26, 2016, and was deferred until January 11, 2017, with the public hearing open

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL (Continued)

50. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing on property zoned IM Industrial Manufacturing District with deed restrictions, on the north side of Mañana Drive, west of Newkirk Street
Recommendation of Staff and CPC: Approval for a three-year period, subject to a revised site plan and conditions
Z156-331(AR)
Note: This item was considered by the City Council at a public hearing on December 14, 2016, and was deferred until January 11, 2017, with the public hearing open

DESIGNATED ZONING CASES - INDIVIDUAL

51. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict for mixed uses on property zoned Subdistrict A within Planned Development District No. 466 and a portion of Planned Development District No. 466 (not assigned a subdistrict), on property generally bounded by North Hall Street, Flora Street, Watkins Avenue, and Cochran Street
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z145-358(LE)

52. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 30 for cemetery burial sites and a maintenance facility, on property zoned an R-7.5(A) Single Family District, on the northwest corner of West Northwest Highway and Boedeker Street
Recommendation of Staff and CPC: Approval, subject to a revised site plan and conditions
Z156-280(OTH)

53. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multifamily Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and along the northwest line of McKinney Avenue, south of Monticello Avenue
Recommendation of Staff: Approval, subject to a development plan, landscape plan, and staff's recommended conditions
Recommendation of CPC: Approval, subject to a development plan, landscape plan, conceptual rendering, and conditions
Z156-299(SH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

DESIGNATED ZONING CASES - INDIVIDUAL (Continued)

54. A public hearing to receive comments regarding an application for and an ordinance granting **(1)** an amendment to and an expansion of the Subdistrict S-1c, South Zone portion on property zoned Subdistricts S-1c, S-1d, and S-2a, South Zone, within Planned Development District No. 521; and **(2)** rezone a portion of Subdistrict S-1d, South Zone into Subdistrict S-2a, South Zone on property generally along the east line of Mountain Creek Parkway, north of Camp Wisdom Road
Recommendation of Staff and CPC: Approval, subject to conceptual plan and conditions
Z156-327(SH)

55. A public hearing to receive comments regarding an application for and an ordinance granting a WR-20 Walkable Urban Residential District with a Height Map Overlay and a resolution accepting the deed restrictions volunteered by the applicant on property zoned Subdistrict B-1, West Residential Subzone within Planned Development District No. 305 bounded by Blackburn Street, Cole Avenue, Travis Street, and Lemmon Avenue East
Recommendation of Staff and CPC: Approval, subject to a height map overlay and deed restrictions volunteered by the applicant
Z156-333(SH)

56. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for nonresidential uses on property zoned an A(A) Agricultural District generally on the south line of Cedardale Road, west of Cleveland Road
Recommendation of Staff and CPC: Approval, subject to conceptual plan and conditions
Z156-354(SH)

MISCELLANEOUS HEARINGS

Mobility and Street Services

57. A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational characteristic on Pearl Expressway between Pacific Avenue and Live Oak Street from a 5-lane roadway southbound within 85-146 feet of right-of-way to a 2-lane roadway northbound and a 2-lane roadway southbound within 85 feet of right-of-way; and, at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Office of Environmental Quality

58. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by TPUSA - FHCS, Inc., located near the intersection of Connector Drive and Technology Boulevard West and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to 9999 Technology, LP, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

Note: Item Nos. 59 and 60 must be considered collectively.

Park & Recreation

59. A public hearing **(1)** to receive comments on the proposed use of a portion of parkland for an open space easement, totaling approximately 879 square feet of land at Federal Plaza located at 1900 Federal Street; and at the close of the public hearing, a resolution authorizing the proposed use of parkland for an open space easement pursuant to Chapter 26 of the Texas Parks and Wildlife Code; and **(2)** accepting payment for an open space easement - Revenue: $99,785

Sustainable Development and Construction

60. An ordinance abandoning aerial rights over a portion of Wenchell Lane to First Baptist Church of Dallas, Texas, William E. Dalton, Jr., Margaret Shea Powell, David Dalton, Jennifer Davis Sanders, Elizabeth Powell Gallian, Lynn Dalton Lathrop, Jeffery Davis and Pamela Jane Dalton, the abutting owners, containing approximately 1,977 square feet of air space, located near the intersection of St. Paul Street and Wenchell Lane, and authorizing the quitclaim - Revenue: $276,780, plus the $20 ordinance publication fee

Child Care Services Provider's Master List 2016-17
Agenda Item # 12

Provider Name	Address
DBA Armadillos to Zebras Child Care (Knoll Kids, Inc.)	14045 Waterfall Way 75240
Betty Lin Early Childhood	1123 E. Ledbetter 75216
Dallas Can! Early Childhood Development Center	4621 Ross Avenue 75204
Good Street Learning Center	3126 Elsie Faye Heggins 75215
Heavenly Christian Academy	11421 Shiloh Road 75228
Heavenly Child Care	9625 Plano Road # 1700 75238
Jefferson Place Learning Center	3430 S. Marsalis Avenue 75216
Kaleidoscope Child Dev. Center	19310 Midway Road 75287
Kirby's Kreative Learning Center	330 S. R. L. Thornton 75203
Kiddie Korner Private School	328 W. 12th Street 75208
Lots of Luv Child Care	9850 Walnut Hill Lane 75238
Metropolitan Christian Academy	3430 S. Polk Street 75224
Spring Creek Private School	14855 Spring Creek Road 75248
Union Christian Academy	3312 S. Polk Street 75224

Tax Foreclosure and Seizure Property Resale
Agenda Item # 13

Parcel No.	Address	Non-Profit Organization	Mapsco	DCAD Amount	Sale Amount	Vac/ Imp	Zoning
1.	3831 Opal	Citywide Community Development Corporation	65C	$7,000	$1,000.00	V	R-7.5(A)

Tax Foreclosure and Seizure Property Resale
Agenda Item # 14

Parcel No.	Address	Non-Profit Organization	Mapsco	DCAD Amount	Sale Amount	Vac/ Imp	Zoning
1.	4015 Metropolitan	South Dallas Fair Park Innercity Community Development Corporation	46R	$5,000	$1,000.00	V	PD-595
2.	4339 Metropolitan	South Dallas Fair Park Innercity Community Development Corporation	46R	$10,160	$1,000.00	V	PD-595
3.	3614 Carl	South Dallas Fair Park Innercity Community Development Corporation	46Q	$5,000	$1,000.00	V	PD-595
4.	3810 Carl	South Dallas Fair Park Innercity Community Development Corporation	46Q	$5,000	$1,000.00	V	PD-595

Project Group 12-3001
Agenda Item # 18

Project	**Limits**	**Council District**
Palacios Avenue	from Ottawa Road to Canada Drive	6
Alley between Capps Drive and Rexford Drive	from Lemmon Avenue parallel to Glencrest Lane	13
Alley between Hurley Way and Lenel Place	from Williamsburg Road to "T" alley south of Walnut Hill Lane	6
Alley between Manana Drive and Park Lane	from Larga Drive to Marsh Lane	6

Project Group 12-3004
Agenda Item # 19

Project	**Limits**	**Council District**
Stevens Street	from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street	9
Alley southwest and parallel to Shoreview Road	from Forest Trail to Eagle Trail to Nimrod Trail	10

Land Bank (DHADC) Sale of Lots to
C & C Corporation
Agenda Item # 33

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 2630 Camel	66N	8	$ 4,948.24
2. 4534 Cherbourg	56Z	7	$ 3,983.66
3. 4549 Cherbourg	56Z	7	$ 6,109.79
4. 4640 Cherbourg	57W	7	$ 9,444.73
5. 4559 Corregidor	56Z	7	$ 9,243.24
6. 2323 Fatima	65R	8	$ 909.45
7. 2639 Fatima	66N	8	$ 9,411.56
8. 2825 Gooch	66N	8	$16,262.89
9. 2719 Pall Mall	66N	8	$ 7,839.11
10. 7903 Trojan	56V	7	$ 6,727.99

Land Bank (DHADC) Sale of Lots to
Confia Homes, L.L.C.
Agenda Item # 34

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 3107 Reynolds	47J	2	$39,303.21
2. 2021 N. Montclair	44S	6	$14,082.47
3. 1826 Duluth	44N	6	$ 2,868.55
4. 3321 Nomas	43K	6	$15,150.73
5. 1315 McKenzie	46L	7	$ 6,417.30
6. 3513 S. Harwood	46W	7	$ 1,094.20
7. 3212 S. Haskell	47J	7	$ 2,470.33
8. 2611 Kool	66N	8	$ 7,948.74
9. 4006 Soloman	43F	6	$17,372.42
10. 734 Elwayne	57R	5	$15,172.39

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 January 11, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of the December 14, 2016 City Council Meeting
2			All	C	PBD, DEV, FIR, STS, TWM	$8,283,221.52	43.72%	53.75%	Authorize a three-year professional services contract for engineering services to review plats and plans related to construction projects - Dal-Tech Engineering, Inc. in the amount of $6,256,984 and Freese and Nichols, Inc. in the amount of $2,026,238, most qualified respondents of nine - Total not to exceed $8,283,222 - Financing: Building Inspection Current Funds ($8,093,801), and Stormwater Drainage Management Current Funds ($189,421) (subject to annual appropriations)
3			All	C	PBD, OCA	$1,243,166.25	100.00%	0.00%	Authorize a three-year service contract, with two one-year renewal options, for stagehand, tech labor, and setup labor for the Office of Cultural Affairs - IAPP, Inc., most advantageous proposer of two - Not to exceed $1,243,167 - Financing: Current Funds ($1,233,167) and Municipal Radio Current Funds ($10,000) (subject to annual appropriations)
4			4	C	PBD, PKR	REV $7,250	NA	NA	Authorize a five-year concession contract for the operation of food and beverage concessions at the Kiest Softball Complex - Elroy Johnson dba Glow Cones, most advantageous proposer of four - Estimated Annual Net Revenue: $7,250
5			All	C	PBD, WTR	$701,500.00	85.74%	0.00%	Authorize a two-year master agreement for butterfly valves and actuators - Municipal Valve & Equipment in the amount of $601,500, Mueller Co. LLC in the amount of $55,000, Pumps Valves & Equipment dba The Scruggs Company in the amount of $34,000, and Rexa, Inc. in the amount of $11,000, lowest responsible bidders of four - Total not to exceed $701,500 - Financing: Water Utilities Current Funds
6			All	C	PBD, AVI, CCS, CIS, CES, EBS, FIR, STS, PKR, SAN, TWM, WTR	$1,320,557.90	100.00%	0.00%	Authorize a three-year master agreement for automotive, truck, and heavy equipment batteries - Metroplex Battery, Inc., lowest responsible bidder of five - Not to exceed $1,320,558 - Financing: Current Funds ($1,136,192), Water Utilities Current Funds ($69,568), Sanitation Current Funds ($57,166), Stormwater Drainage Management Current Funds ($35,072), Convention and Event Services Current Funds ($12,394), and Aviation Current Funds ($10,166)
7			Outside	C	PBD, WTR	$1,935,000.00	0.00%	0.00%	Authorize a three-year master agreement for polyaluminum chloride coagulant to be used in the water purification process - Chemtrade Chemicals US, LLC, lowest responsible bidder of five - Not to exceed $1,935,000 - Financing: Water Utilities Current Funds
8			All	C	PBD, AVI, CES, HRD, WTR	$30,157,705.85	100.00%	61.90%	Authorize (1) Supplemental Agreement No. 2 to increase the service contract with Lane Staffing, Inc. for citywide temporary clerical and professional services to allow for a transition from the current contractor to the new contractor - Not to exceed $1,500,000, from $20,431,973 to $21,931,973; and (2) a three-year service contract for citywide temporary clerical and professional services - Smith Temporaries, Inc. dba CornerStone Staffing in the amount of $28,657,706, most advantageous proposer of six - Total not to exceed $30,157,706 - Financing: Current Funds ($26,243,374), Convention and Event Services Current Funds ($1,956,231), Water Utilities Current Funds ($1,562,782), and Aviation Current Funds ($395,319) (subject to annual appropriations)
9			All	C	PBD, CIS	$8,789,987.00	70.64%	22.77%	Authorize Supplemental Agreement No. 24 to increase the service contract with AT&T Corp. for voice and data network services, network management, monitoring, maintenance, information technology security, and related services - Not to exceed $8,789,987, from $70,515,898 to $79,305,885 - Financing: Current Funds (subject to annual appropriations)
10			N/A	C	ATT, SAN	$188,775.00	NA	NA	Authorize settlement of the claim of Timothy Hankins in the lawsuit styled Osric Stevens et al. v. City of Dallas, Cause No. DC-15-02678-H - Not to exceed $188,775 - Financing: Current Funds
11			N/A	C	ATT	$75,000.00	NA	NA	Authorize Supplemental Agreement No. 4 to the professional services contract with White & Wiggins, L.L.P. for additional legal services in the lawsuit styled Vickie Cook et al. v. City of Dallas et al., Civil Action No. 3:12-CV-03788-N - Not to exceed $75,000, from $280,000 to $355,000 - Financing: Current Funds
12			All	C	HOU	GT	NA	NA	Authorize contracts with fully-licensed child care providers pursuant to the Child Care Services Program for the period October 1, 2016 through September 30, 2017 and with other fully-licensed child care providers selected by eligible parents during the fiscal year - Not to exceed $369,356 - Financing: 2016-17 Community Development Block Grant Funds

AGENDA DATE January 11, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
13			4	C	HOU	NC	NA	NA	Authorize a public hearing to be held on February 8, 2017 to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to City Wide Community Development Corporation, a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City
14			7	C	HOU	NC	NA	NA	Authorize a public hearing to be held on February 8, 2017 to receive comments on the proposed sale of four unimproved properties acquired by the taxing authorities from the Sheriff to South Dallas Fair Park Innercity Community Development Corporation, a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City
15			N/A	C	HRD	NC	NA	NA	Authorize (1) approval of revised salary schedules for Fire and Police uniform executive staff, adding a 2% top pay step; (2) eliminating the start step in each executive rank; and (3) implementing step pay increases for Police and Fire uniform executive staff, effective October 1, 2016 - Financing: This action no cost consideration to the City
16			5, 7	C	STS	GT	NA	NA	Authorize (1) an Interlocal Agreement with the Texas Department of Transportation through a grant from the U. S. Department of Transportation Federal Highway Administration to provide cost reimbursement for material and labor costs incurred by the City for traffic signal improvements at Loop 12 (Buckner Boulevard) and Scyene Road; (2) the receipt and deposit of funds from the Texas Department of Transportation in the amount of $21,346; and (3) the establishment of appropriations in the amount of $21,346 in the Texas Department of Transportation Grant Fund - Not to exceed $21,346 - Financing: Texas Department of Transportation Grant Funds
17			6	C	STS, WTR	$6,305,000.00	NA	NA	Authorize 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 - Not to exceed $6,305,000 - Financing: General Obligation Commercial Paper Funds ($3,090,498), 2006 Bond Funds ($2,709,502) and Water Utilities Capital Construction Funds ($505,000)
18			6, 13	C	STS, WTR	NC	NA	NA	Authorize (1) street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3001; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and (2) a benefit assessment hearing to be held on February 22, 2017, to receive comments - Financing: No cost consideration to the City
19			9, 10	C	STS, WTR	NC	NA	NA	Authorize (1) street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3004; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and (2) a benefit assessment hearing to be held on February 22, 2017, to receive comments - Financing: No cost consideration to the City
20			6	C	STS	$86,039.14	100.00%	27.81%	Authorize Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design of the precast concrete panel retaining wall and the associated drainage design modification needed for Chalk Hill Road from Davis Street to 800 feet south of IH-30 - Not to exceed $86,040, from $1,344,610 to $1,430,650 - Financing: 2006 Bond Funds
21			All	C	PKR	GT	NA	NA	Authorize (1) entering into a Sub-Grant Memorandum of Understanding between the Dallas Parks Foundation ("DPF") and the City of Dallas, through its Dallas Park and Recreation Department ("City") to enable reimbursements from the DPF to the City for expenditures made by the City in an amount not to exceed $44,705 for the purpose of implementing a community outreach outdoor program pursuant to a grant agreement between DPF and Texas Parks and Wildlife Department ("TPWD") for the program period May 1, 2016 through November 1, 2017; (2) receipt and deposit of funds in an amount not to exceed $44,705 from TPWD through DPF into the City's TPWD Outdoor Adventures at Dallas Grant Fund; (3) establishment of appropriations in the TPWD Outdoor Adventures at Dallas Grant Fund in the amount of $44,705; and (4) disbursement of funds in an amount not to exceed $44,705 from the TPWD Outdoor Adventures at Dallas Grant Fund - Not to exceed $44,705 - Financing: Texas Parks and Wildlife Department Outdoor Adventures Grant Funds

AGENDA DATE January 11, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
22			9	C	PKR, DEV	REV $10	NA	NA	Authorize a twenty-year license agreement with the Old Lake Highlands Neighborhood Association for approximately 930 square feet of land in Norbuck Park located near the intersection of Classen Drive and Northwest Highway - Revenue: $10 one-time fee
23			11	C	DEV	REV $5,400	NA	NA	An ordinance abandoning a portion of a utility easement to HCP DR MCD, LLC, the abutting owner, containing approximately 763 square feet of land, located near the intersection of Dollar Lane and Coit Road - Revenue: $5,400, plus the $20 ordinance publication fee
24			2	C	DEV	REV $5,400	NA	NA	An ordinance amending Ordinance No. 29966, previously approved on January 13, 2016, which abandoned a portion of Hobbs Street, located near the intersection of Haskell and Beeman Avenues to Southern Foods Group, LLC to extend the final replat from one year to 18 months - Revenue: $5,400, plus the $20 ordinance publication fee
25			7	C	TWM, ATT	$31,000.00	NA	NA	Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Mamie Lee McKnight, et al., Cause No. CC-16-03466-E, pending in Dallas County Court at Law No. 5, to acquire an improved tract of land containing approximately 8,545 square feet located on Barber Avenue at its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed $31,000 ($28,000 plus closing costs and title expenses not to exceed $3,000; an increase of $2,102 from the amount Council originally authorized for this acquisition) - Financing: 2006 Bond Funds
26			6	C	TWM, STS	$48,072.00	NA	NA	Authorize acquisition from the County of Dallas, of an improved tract of land containing approximately 2,092 square feet located on North Riverfront Boulevard at its intersection with Commerce Street for the Riverfront Boulevard from Cadiz Street to north of the Union Pacific Rail Road Project - Not to exceed $48,072 ($44,572, plus closing costs and title expenses not to exceed $3,500) - Financing: 2006 Bond Funds
27			4	C	TWM	$32,150.00	0.00%	9.02%	Authorize Supplemental Agreement No. 2 to the professional services contract with Modern Geosciences, LLC for additional environmental services and assistance with the Upper Chain of Wetlands project - Not to exceed $32,150, from $122,950 to $155,100 - Financing: 1998 Bond Funds
28			Outside	C	WTR	REV $3,396,051	NA	NA	Authorize a thirty-year contract with the Town of Flower Mound to continue providing water services, from January 22, 2017 through January 21, 2047 - Estimated Annual Revenue: $3,396,051
29			11	C	WTR	$226,146.00	NA	NA	Authorize an increase in the construction contract with Archer Western Construction, LLC for emergency erosion repairs along the bank of White Rock Creek to protect an 84-inch water transmission main - Not to exceed $226,146, from $17,668,400 to $17,894,546 - Financing: Water Utilities Capital Improvement Funds
30			Outside	C	WTR	$1,777,360.46	13.85%	16.98%	Authorize an increase in the contract with Quest Civil Constructors, Inc. for additional work associated with the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant - Not to exceed $1,777,361, from $46,464,646 to $48,242,007 - Financing: Water Utilities Capital Improvement Funds
31			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)
32			8	I	TWM, ATT, STS	$92,176.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Veterans Land Board of the State of Texas and King E. Rhodes, of an unimproved tract of land containing approximately 65,699 square feet, three slope easements containing a total of approximately 35,859 square feet, and two drainage easements containing a total of approximately 3,693 square feet, located on East Wheatland Road near its intersection with Lancaster Road for the Wheatland Road Improvement Project - Not to exceed $92,176 ($88,176 plus closing costs and title expenses not to exceed $4,000) - Financing: General Obligation Commercial Paper Funds
33			7, 8	I	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by C & C Corporation for the construction of houses; (2) the sale of 10 vacant lots from Dallas Housing Acquisition and Development Corporation to C & C Corporation; and (3) execution of a release of lien for any non-tax liens on the 10 properties that may have been filed by the City - Financing: No cost consideration to the City

AGENDA DATE January 11, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
34			2, 5, 6, 7, 8	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 10 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 10 properties that may have been filed by the City - Financing: No cost consideration to the City
35			14	I	ECO	$4,657,174.00	NA	NA	Authorize a development agreement with GPIWE Limited Partnership, to reimburse TIF eligible project costs for streetscape and redevelopment project improvements for the Factory Six03 Project located at 603 Munger Avenue from revenues accruing to Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Not to exceed $4,657,174 - Financing: City Center TIF District Funds (subject to future appropriations from future tax increments)
36			10	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for single family uses on property zoned an NO(A) Neighborhood Office District, north of Forest Lane, east of Abrams Road
37			6	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 tattoo studio on property within the Subdistrict 1A portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the south line of East Levee Street, between Manufacturing Street and Express Street
38			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, on the south corner of Sam Houston Road and Masters Drive
39			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and deed restrictions on the northwest corner of Haymarket Road and Oakwood Drive
40			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict for Subdistrict 3A uses and an alcoholic beverage manufacturing use on property zoned Subdistrict 3A within Planned Development District No. 317, the Cedars Area Special Purpose District; southeast of Cadiz Street, between South Austin Street and South Lamar Street
41			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Planned Development District No. 248 for a public school and a public park or playground use on property zoned Planned Development District No. 98 and Planned Development District No. 248, and on the east intersection of North Carroll Avenue and Worth Street
42			3	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the west line of Altaire Avenue, south of East Millett Drive
43			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District and animal shelter or clinic with outside runs uses on property zoned an MU-3 Mixed Use District on the north line of Dyer Street, west of Greenville Avenue
44			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for a new subdistrict for Light Commercial/Office and restaurant with drive-in or drive-through service uses within the Light Commercial/Office Subdistrict of Planned Development District No. 631, the West Davis Special Purpose District and an R-7.5(A) Single Family District on property on the southwest corner of West Davis Street and North Westmoreland Road
45			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for (1) a CR Community Retail District with deed restrictions volunteered by the applicant, and (2) a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an NS(A)-D-1 Neighborhood Service District with a D-1 Liquor Control Overlay, with an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on the west corner of South Beltline Road and Garden Grove Drive

AGENDA DATE January 11, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
46			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. 2099 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 and deed restrictions on the southwest corner of Great Trinity Forest Way and North Jim Miller Road
47			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. 2137 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with D-1 Liquor Control Overlay on the south side of Lake June Road, west of Oak Hill Circle
48			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) for a dance hall and for the sale or service of alcohol in conjunction of a commercial amusement (inside) use on property zoned Subarea 6 within Planned Development District No. 366-D-1 with a D-1 Liquor Control Overlay, on the east side of South Buckner Boulevard, south of Scyene Circle
49			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and North Prairie Creek Road
50			6	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. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing on property zoned IM Industrial Manufacturing District with deed restrictions, on the north side of Mañana Drive, west of Newkirk Street
51			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict for mixed uses on property zoned Subdistrict A within Planned Development District No. 466 and a portion of Planned Development District No. 466 (not assigned a subdistrict), on property generally bounded by North Hall Street, Flora Street, Watkins Avenue, and Cochran Street
52			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 30 for cemetery burial sites and a maintenance facility, on property zoned an R-7.5(A) Single Family District, on the northwest corner of West Northwest Highway and Boedeker Street
53			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multifamily Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and along the northwest line of McKinney Avenue, south of Monticello Avenue
54			3	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting (1) an amendment to and an expansion of the Subdistrict S-1c, South Zone portion on property zoned Subdistricts S-1c, S-1d, and S-2a, South Zone, within Planned Development District No. 521; and (2) rezone a portion of Subdistrict S-1d, South Zone into Subdistrict S-2a, South Zone on property generally along the east line of Mountain Creek Parkway, north of Camp Wisdom Road
55			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a WR-20 Walkable Urban Residential District with a Height Map Overlay and a resolution accepting the deed restrictions volunteered by the applicant on property zoned Subdistrict B-1, West Residential Subzone within Planned Development District No. 305 bounded by Blackburn Street, Cole Avenue, Travis Street, and Lemmon Avenue East
56			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for nonresidential uses on property zoned an A(A) Agricultural District generally on the south line of Cedardale Road, west of Cleveland Road
57			14	PH	STS	NC	NA	NA	A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational characteristic on Pearl Expressway between Pacific Avenue and Live Oak Street from a 5-lane roadway southbound within 85-146 feet of right-of-way to a 2-lane roadway northbound and a 2-lane roadway southbound within 85 feet of right-of-way; and, at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

AGENDA DATE January 11, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
58			6	PH	OEQ	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by TPUSA - FHCS, Inc., located near the intersection of Connector Drive and Technology Boulevard West and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to 9999 Technology, LP, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
59			14	PH	PKR	REV $99,785	NA	NA	A public hearing (1) to receive comments on the proposed use of a portion of parkland for an open space easement, totaling approximately 879 square feet of land at Federal Plaza located at 1900 Federal Street; and at the close of the public hearing, a resolution authorizing the proposed use of parkland for an open space easement pursuant to Chapter 26 of the Texas Parks and Wildlife Code; and (2) accepting payment for an open space easement - Revenue: $99,785
60			14	PH	DEV, PKR	REV $276,780	NA	NA	An ordinance abandoning aerial rights over a portion of Wenchell Lane to First Baptist Church of Dallas, Texas, William E. Dalton, Jr., Margaret Shea Powell, David Dalton, Jennifer Davis Sanders, Elizabeth Powell Gallian, Lynn Dalton Lathrop, Jeffery Davis and Pamela Jane Dalton, the abutting owners, containing approximately 1,977 square feet of air space, located near the intersection of St. Paul Street and Wenchell Lane, and authorizing the quitclaim - Revenue: $276,780, plus the $20 ordinance publication fee

TOTAL $65,950,031.12

AGENDA ITEM # 2

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Sustainable Development and Construction
Fire
Mobility and Street Services
Trinity Watershed Management

CMO: Elizabeth Reich, 670-7804
Mark McDaniel, 670-3256
Eric Campbell, 670-3255
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize a three-year professional services contract for engineering services to review plats and plans related to construction projects - Dal-Tech Engineering, Inc. in the amount of $6,256,984 and Freese and Nichols, Inc. in the amount of $2,026,238, most qualified respondents of nine - Total not to exceed $8,283,222 - Financing: Building Inspection Current Funds ($8,093,801), and Stormwater Drainage Management Current Funds ($189,421) (subject to annual appropriations)

BACKGROUND

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

This professional services contract for engineering services to review plats and plans related to construction projects. This contract will supplement staff in providing these services.

The Sustainable Development and Construction Department is responsible for reviewing subdivision plats and private development engineering plans, and overseeing the construction to ensure that the City's infrastructure is built to City Code and adheres to approved plans and contract documents.

Over the past several years, the City has experienced rapid growth in development projects. In FY 2015-16 the City received $4.67 billion in permit value. This agreement will help the City complete engineering and reviews in a timely manner during peak demand periods without having to add additional full-time staff.

BACKGROUND (Continued)

The selected vendors will support City staff by consulting, reviewing, and providing comments for private development engineering plans that are submitted to the City by an applicant to ensure compliance with City Code and standards. The estimated number of annual project reviews for this agreement are:

- Paving and drainage 125 annually
- Water/wastewater 125 annually
- Fire review protection 800 annually
- Floodplain management and drainage review 10 annually

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

- Sustainable Development and Construction (2)
- Trinity Watershed Management (1)
- Mobility and Street Services (2)
- Business Development and Procurement Services (1)*

*Business Development and Procurement Services only evaluated the Business Inclusion and Development Plan.

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

- Experience and qualifications 40 points
- Capabilities 40 points
- Business Inclusion and Development Plan 15 points
- References 5 points

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,604 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.

The recommended vendor meets the wage floor rate of $10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Budget, Finance, and Audit Committee on January 3, 2017.

FISCAL INFORMATION

$8,093,800.40 - Building Inspection Current Funds (subject to annual appropriations)
$ 189,421.12 - Stormwater Drainage Management Current Funds (subject to annual appropriations)

M/WBE INFORMATION

393 - Vendors contacted
388 - No response
5 - Response (Bid)
0 - No response (No Bid)
1 - Successful

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

ETHNIC COMPOSITION

Dal-Tech Engineering, Inc.

White Male	10	White Female	4
Black Male	3	Black Female	4
Hispanic Male	1	Hispanic Female	0
Other Male	1	Other Female	1

Freese and Nichols, Inc.

White Male	194	White Female	90
Black Male	7	Black Female	2
Hispanic Male	19	Hispanic Female	12
Other Male	9	Other Female	4

RESPONDENT INFORMATION

Business Development and Procurement Services received the following responses from solicitation number BNZ1621. We opened them on March 25, 2016. We recommend the City Council award this professional services contract to the most qualified respondents by group. Information related to this solicitation is available upon request.

*Denotes successful respondents

Respondents	Address	Amount
*Dal-Tech Engineering, Inc.	17400 Dallas Parkway Suite 110 Dallas, TX 75287	Multiple Groups
*Freese and Nichols, Inc.	2711 N. Haskell Street Suite 3300 Dallas, TX 75204	Multiple Groups
Salcedo Group, Inc.	400 S. Zang Boulevard Suite 1420 Dallas, TX 75208	Multiple Groups
AECOM Technical Services, Inc.	16000 Dallas Parkway Suite 350 Dallas, TX 75248	Multiple Groups
Arredondo, Zepeda & Brunz, LLC	11355 McCree Road Dallas, TX 75238	Multiple Groups
ARS Engineers, Inc.	12801 N. Central Expressway Suite 1250 Dallas, TX 75243	Multiple Groups
Hayden Consultants, Inc.	5005 Greenville Avenue Suite 100 Dallas, TX 75206	Multiple Groups
O'Brien Engineering, Inc.	2340 E. Trinity Mills Suite 220 Carrollton, TX 75006	Multiple Groups
Walter P. Moore	1845 Woodall Rodgers Freeway Suite 1650 Dallas, TX 75201	Multiple Groups

OWNERS

Dal-Tech Engineering, Inc.

Sedi Toumani, President
Rafik Toumani, Secretary

Freese and Nichols, Inc.

Robert Pence, President
John Dewar, Vice President
Tom Gooch, Secretary
Cindy Milrany, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year professional services contract for engineering services to review plats and plans related to construction projects - Dal-Tech Engineering, Inc. in the amount of $6,256,984 and Freese and Nichols, Inc. in the amount of $2,026,238, most qualified respondents of nine - Total not to exceed $8,283,222 - Financing: Building Inspection Current Funds ($8,093,801), and Stormwater Drainage Management Current Funds ($189,421) (subject to annual appropriations)

Dal-Tech Engineering, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors. Freese and Nichols, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Other Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$3,621,079.38	43.72%
Total non-local contracts	$4,662,142.14	56.28%
TOTAL CONTRACT	$8,283,221.52	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
IEA, Inc.	IMDB38121Y0417	$271,352.20	7.49%
Henry Nguyen Consulting	PMMB64619N0317	$162,986.60	4.50%
Dal-Tech Engineering, Inc.	WFWB63908Y0117	$1,706,248.06	47.12%
Total Minority - Local		$2,140,586.86	59.11%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Obsidian Fire Consulting	WFWB78334N1018	$2,311,725.65	49.59%
Total Minority - Non-local		$2,311,725.65	49.59%

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	$434,338.80	11.99%	$434,338.80	5.24%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$1,706,248.06	47.12%	$4,017,973.71	48.51%
Total	$2,140,586.86	59.11%	$4,452,312.51	53.75%

January 11, 2017

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

Section 1. That the City Manager is authorized to execute a professional services contract with Dal-Tech Engineering, Inc. (262063) in the amount of $6,256,983.42 and Freese and Nichols, Inc. (347200) in the amount of $2,026,238.10 for engineering services to review plats and plans related to construction projects for a term of three years in a total amount not to exceed $8,283,221.52, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Dal-Tech Engineering, Inc. and Freese and Nichols, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Dal-Tech Engineering, Inc. and Freese and Nichols, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $8,283,221.52 (subject to annual appropriations) from Service Contract number BNZ1621.

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: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Office of Cultural Affairs

CMO: Elizabeth Reich, 670-7804
Joey Zapata, 670-1204

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract, with two one-year renewal options, for stagehand, tech labor, and setup labor for the Office of Cultural Affairs - IAPP, Inc., most advantageous proposer of two - Not to exceed $1,243,167 - Financing: Current Funds ($1,233,167) and Municipal Radio Current Funds ($10,000) (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 provides skilled experienced stagehand, tech labor, and setup labor for the Office of Cultural Affairs (OCA) and WRR municipal radio. Stagehand, tech labor, and setup labor will be provided for theatrical performances, concerts, dance programs, plays, remote broadcast events, and special events. OCA facilities that will utilize this service contract are, but not limited to:

- Morton H. Meyerson Symphony Center
- Majestic Theater
- City Performance Hall
- Latino Cultural Center
- Bath House Cultural Center
- Oak Cliff Cultural Center
- South Dallas Cultural Center
- WRR 101.1 FM Classical Radio

Stagehand labor includes, but is not limited to, operation of audio and video equipment, stage lighting systems, follow spot lights, props/scenery, and public address systems before, during, and after a performance.

BACKGROUND (Continued)

Setup labor will include unloading, assembly/rigging, staging, relocation, tear-down of equipment, and props required for any given performance or special event.

This solicitation was structured in a manner which required proposers to submit a response using unit pricing. This proposal resulted in a 1 percent increase on comparable unit prices for the bid awarded in 2012.

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

- Office of Cultural Affairs (3)
- Park and Recreation (1)
- Business Development and Procurement Services (2)*

*Business Development and Procurement Services only evaluated cost and the Business Inclusion and Development Plan.

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

- Cost 35 points
- Experience and capabilities 30 points
- Approach 20 points
- Business Inclusion and Development Plan 15 points

As a part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 520 email proposal 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 contract additional vendors by phone. Additionally, in an effort to secure more proposals, 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.

The recommended vendor meets the wage floor rate of $10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 25, 2012, City Council authorized a three-year service contract for stagehand and setup labor for the Office of Cultural Affairs performing arts centers by Resolution No. 12-1171.

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

Information about this item will be provided to the Budget, Finance, and Audit Committee on January 3, 2017.

FISCAL INFORMATION

$1,233,166.25 - Current Funds (subject to annual appropriations)
$ 10,000.00 - Municipal Radio Current Funds (subject to annual appropriations)

M/WBE INFORMATION

61 - Vendors contacted
61 - No response
0 - Response (Bid)
0 - Response (No Bid)
0 - Successful

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

ETHNIC COMPOSITION

IAPP, Inc.

White Male	354	White Female	104
Black Male	165	Black Female	37
Hispanic Male	66	Hispanic Female	8
Other Male	13	Other Female	4

PROPOSAL INFORMATION

Business Development and Procurement Services received the following proposals from solicitation number BHZ1614. We opened them on July 29, 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
*IAPP, Inc.	2710 Live Oak St. Dallas, TX 75204	85%	$1,243,166.25

PROPOSAL INFORMATION (Continued)

Proposers	Address	Score	Amount
Show Masters Production Logistics, Inc.	6340 Lake Worth Blvd. #302 Fort Worth, TX 76135	65%	$1,193,790.75

OWNER

IAPP, Inc.

Anthony Woodard, President
Ann Crumbley, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract, with two one-year renewal options, for stagehand, tech labor, and setup labor for the Office of Cultural Affairs - IAPP, Inc., most advantageous proposer of two - Not to exceed $1,243,167 - Financing: Current Funds ($1,233,167) and Municipal Radio Current Funds ($10,000) (subject to annual appropriations)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$1,243,166.25	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$1,243,166.25	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%

January 11, 2017

WHEREAS, on April 25, 2012, City Council authorized a three-year service contract for stagehand and setup labor for the Office of Cultural Affairs performing arts centers by Resolution No. 12-1171; and,

WHEREAS, on July 28, 2015, Administrative Action No. 15-6378 authorized Supplemental Agreement No. 1 to extend the term of the service contract for one year from April 26, 2015 to April 25, 2016; and,

WHEREAS, on April 7, 2016, Administrative Action No. 16-5701 authorized Supplemental Agreement No. 2 to extend the term of the service contract for two months from April 26, 2016 to July 1, 2016; and,

WHEREAS, on August 18, 2016, Administrative Action No. 16-6546 authorized Supplemental Agreement No. 3 to extend the term of the service contract for six months from July 2, 2016 to December 31, 2016;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a service contract with IAPP, Inc. (520014) for stagehand, tech labor, and setup labor for the Office of Cultural Affairs for a term of three years, with two one-year renewal options, in an amount not to exceed $1,243,166.25, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to IAPP, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by IAPP, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,243,166.25 (subject to annual appropriations) from Service Contract number BHZ1614.

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: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 4

DEPARTMENT: Business Development & Procurement Services
Park & Recreation

CMO: Elizabeth Reich, 670-7804
Willis Winter, 670-4074

MAPSCO: 53Z

SUBJECT

Authorize a five-year concession contract for the operation of food and beverage concessions at the Kiest Softball Complex - Elroy Johnson dba Glow Cones, most advantageous proposer of four - Estimated Annual Net Revenue: $7,250

BACKGROUND

This concession contract will provide for the operation of food and beverage concessions at the Kiest Softball Complex. The Kiest Softball Complex has a 630 square foot permanent concession building which is equipped with appliances, sink, and built-in food preparation tables. The concession building is open to provide food and beverage concessions when the complex is hosting tournament events and weeknight league play.

Kiest Park is a 263.1 acre park which hosts softball leagues during spring, summer, and fall seasons. On average, 650 patrons visit the Kiest Park Softball Complex weekly. Several tournaments, including a national tournament, are also held throughout the year.

Food and beverage options include:

- Hamburgers
- Hot dogs
- Popcorn
- Snacks
- Fruit
- Snow cones
- Soda and water

BACKGROUND (Continued)

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

- Park & Recreation (2)
- Fire-Rescue (1)
- Aviation (1)
- Business Development and Procurement Services (1)*

*Business Development and Procurement Services only evaluated the revenue structure.

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

- Revenue 40%
- Overall approach 30%
- Capability and experience 20%
- Quality of food and service 10%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,394 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.

The recommended vendor meets the wage floor rate of $10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 15, 2016, the Park and Recreation Board approved this item.

Information about this item will be provided to the Budget, Finance, and Audit Committee on January 3, 2017.

FISCAL INFORMATION

$7,250.00 - Estimated Annual Net Revenue

M/WBE INFORMATION

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

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

ETHNIC COMPOSITION

Elroy Johnson dba Glow Cones

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

PROPOSAL INFORMATION

Business Development and Procurement Services received the following proposals from solicitation number BTZ1614. We opened them on June 16, 2016. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score
*Elroy Johnson dba Glow Cones	14778 Blakehill Dr. Frisco, TX 75035	87.08%
Fletcher's Dollars And More	287 Ashwood Ln. Sunnyvale, TX 75182	74.00%
Right Choice Promotions, Inc.	1015 Seider Ln. Grand Prairie, TX 75052	69.58%
Sunday Morning, LLC	303 Harman St. Duncanville, TX 75116	69.33%

OWNER

Elroy Johnson dba Glow Cones

Elroy Johnson, President

January 11, 2017

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

Section 1. That the City Manager is authorized to execute a concession contract with Elroy Johnson dba Glow Cones (VS90368) for the operation of food and beverage concessions at the Kiest Softball Complex for a term of five years, for an estimated annual net revenue amount of $7,250.00, upon approval as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit all revenues received from Elroy Johnson dba Glow Cones as follows:

Fund	Dept	Unit	Revenue Source	Amount
0341	PKR	5784	7264	$7,250.00

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

AGENDA ITEM # 5

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Water Utilities

CMO: Elizabeth Reich, 670-7804
Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize a two-year master agreement for butterfly valves and actuators - Municipal Valve & Equipment in the amount of $601,500, Mueller Co. LLC in the amount of $55,000, Pumps Valves & Equipment dba The Scruggs Company in the amount of $34,000, and Rexa, Inc. in the amount of $11,000, lowest responsible bidders of four - Total not to exceed $701,500 - 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 a variety of butterfly valves and actuators for Water Utilities. Butterfly valves are used to control the flow of water within the water and wastewater treatment plants. Butterfly valves are utilized during the installation of new water transmission lines, replacement of worn-out distribution system valves and plant control process valves at the water treatment plants. Certain butterfly valves are used to isolate sections of the distribution system to allow repairs to existing water mains and to permit additional construction. Butterfly valves range in size from 6” to 96” with the larger valves requiring additional lead time during production. This agreement allows the City to purchase and warehouse these valves in advance, in order to have them readily available for efficient repairs.

In some applications manual butterfly valves need to be electronically operated, therefore actuators are attached to the valve. Actuators allow for the operation of valves remotely. On average, the City pumps over 417 million gallons of water per day.

BACKGROUND (Continued)

The solicitation was structured in a manner which required bidders to submit a response providing discounts from manufacturer's list price. This bid resulted in an average percentage discount from manufacturer catalog of 14.44 percent compared to an average discount of 23.61 percent for the bid awarded in 2014.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 383 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 August 27, 2014, City Council authorized a two-year master agreement for butterfly valves and actuators for Water Utilities by Resolution No. 14-1350.

Information about this item will be provided to the Budget, Finance, and Audit Committee on January 3, 2017.

FISCAL INFORMATION

$701,500.00 - Water Utilities Current Funds

M/WBE INFORMATION

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

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

ETHNIC COMPOSITION

Municipal Valve & Equipment

White Male	12	White Female	4
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

Mueller Co. LLC

White Male	391	White Female	37
Black Male	64	Black Female	7
Hispanic Male	1	Hispanic Female	0
Other Male	5	Other Female	1

Pumps Valves & Equipment dba The Scruggs Company

White Male	10	White Female	5
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	1
Other Male	0	Other Female	0

Rexa, Inc.

White Male	106	White Female	26
Black Male	6	Black Female	0
Hispanic Male	5	Hispanic Female	1
Other Male	4	Other Female	1

BID INFORMATION

Business Development and Procurement Services received the following bids from solicitation number BM1621. We opened them on September 9, 2016. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders.

*Denotes successful bidders

Bidders	**Address**	**Amount**
*Municipal Valve & Equipment	4547 Westgrove Dr. Addison, TX 75001	Multiple Groups

BID INFORMATION (Continued)

Bidders	Address	Amount
*Mueller Co. LLC	500 W Eldorado St. Decatur, IL 62525	Multiple Groups
*Pumps Valves & Equipment dba The Scruggs Company	8530 Hansen Rd. Houston, TX 77075	Multiple Groups
*Rexa, Inc.	4 Manley St. W Bridgewater, MA 02379	Multiple Groups

OWNERS

Municipal Valve & Equipment

David McGoodwin, President
Randy Greene, Vice President

Mueller Co. LLC

Greg Rogowski, President
Mike Williams, Vice President
Chad Mize, Treasurer

Pumps Valves & Equipment dba The Scruggs Company

James A. Scruggs, President
Jennifer Scruggs, Secretary

Rexa, Inc.

Sam Lalos, President
Geoff Hynes, Vice President
Ken Garron, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a two-year master agreement for butterfly valves and actuators - Municipal Valve & Equipment in the amount of $601,500, Mueller Co. LLC in the amount of $55,000, Pumps Valves & Equipment dba The Scruggs Company in the amount of $34,000, and Rexa, Inc. in the amount of $11,000, lowest responsible bidders of four - Total not to exceed $701,500 - Financing: Water Utilities Current Funds

Municipal Valve & Equipment is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce. Mueller Co. LLC, Pumps Valves & Equipment dba The Scruggs Company, and Rexa, Inc. are non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforce.
PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$601,500.00	85.74%
Total non-local contracts	$100,000.00	14.26%
TOTAL CONTRACT	$701,500.00	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%

January 11, 2017

WHEREAS, on August 27, 2014, City Council authorized a two-year master agreement for butterfly valves and actuators for Water Utilities by Resolution No. 14-1350; and,

WHEREAS, on September 8, 2016, Administrative Action No. 16-6585 authorized to extend the master agreement for five-months from August 26, 2016 to January 26, 2017 with Mueller Co. LLC; and,

WHEREAS, on September 8, 2016, Administrative Action No. 16-6586 authorized to extend the master agreement for five-months from August 26, 2016 to January 26, 2017 with Municipal Valve & Equipment;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of butterfly valves and actuators is authorized with Municipal Valve & Equipment (332290) in the amount of $601,500.00, Mueller Co. LLC (VS0000021750) in the amount of $55,000.00, Pumps Valves & Equipment dba The Scruggs Company (VS0000067360) in the amount of $34,000.00, and Rexa, Inc. (VC14502) in the amount of $11,000.00 for a term of two years in a total amount not to exceed $701,500.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for butterfly valves and actuators. If a written contract is required or requested for any or all purchases of butterfly valves and actuators under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval 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 $701,500.00 from Master Agreement number BM1621.

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: January 11, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Code Compliance
Communication and Information Services
Convention and Event Services
Equipment & Building Services
Fire
Mobility and Street Services
Park & Recreation
Sanitation Services
Trinity Watershed Management
Water Utilities

CMO: Elizabeth Reich, 670-7804
Ryan S. Evans, 671-9837
Joey Zapata, 670-3009
Mark McDaniel, 670-3256
Jill A. Jordan, P.E., 670-5299
Eric Campbell, 670-3255
Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for automotive, truck, and heavy equipment batteries - Metroplex Battery, Inc., lowest responsible bidder of five - Not to exceed $1,320,558 - Financing: Current Funds ($1,136,192), Water Utilities Current Funds ($69,568), Sanitation Current Funds ($57,166), Stormwater Drainage Management Current Funds ($35,072), Convention and Event Services Current Funds ($12,394), and Aviation Current Funds ($10,166)

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.

BACKGROUND (Continued)

This master agreement will provide for the purchase of automotive, truck, and heavy equipment batteries for the City's automotive, light, and heavy equipment fleet. Having batteries readily available provides efficiency in reducing the amount of time in which a vehicle remains out of service. These batteries will be used by City departments for vehicle and heavy equipment such as:

- Sedans
- Police cars
- Rescue units
- Fire engines
- Light, medium, and heavy duty pick-up trucks

The solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 5.7 percent decrease over the comparable unit prices for the bid awarded in 2014.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 432 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 March 26, 2014, City Council authorized a three-year master agreement for automotive, truck and heavy equipment batteries by Resolution No. 14-0500.

Information about this item will be provided to the Budget, Finance, and Audit Committee on January 3, 2017.

FISCAL INFORMATION

$1,136,192.00 - Current Funds
$ 69,567.97 - Water Utilities Current Funds
$ 57,165.35 - Sanitation Current Funds
$ 35,071.80 - Stormwater Drainage Management Current Funds
$ 12,394.00 - Convention and Event Services Current Funds
$ 10,166.78 - Aviation Current Funds

M/WBE INFORMATION

31 - Vendors contacted
31 - No response
0 - Response (Bid)
0 - Response (No Bid)
0 - Successful

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

ETHNIC COMPOSITION

Metroplex Battery, Inc.

White Male	7	White Female	0
Black Male	0	Black Female	1
Hispanic Male	4	Hispanic Female	2
Other Male	3	Other Female	1

BID INFORMATION

Business Development and Procurement Services received the following bids from solicitation number BN1602. We opened them on August 5, 2016. 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 of Bid**
***** Metroplex Battery, Inc.	2750 Electronic Lane Dallas, TX 75220	$1,320,557,55
Continental Battery Company	4919 Woodall Street Dallas, TX 75247	$1,600,110.75
Interstate Battery System International, Inc.	12770 Merit Drive Suite 1000 Dallas, TX 75251	$1,472,427.79
XL Parts Partnership, Ltd.	15701 Northwest Freeway Houston, TX 77040	Non-Responsive**

BID INFORMATION (Continued)

Bidders	Address	Amount of Bid
O'Reilly Auto Enterprises, LLC	233 South Patterson Ave. Springfield, MO 65802	Non-Responsive**

**XL Parts Partnership, Ltd. and O'Reilly Auto Enterprises, LLC were deemed non-responsive due to not meeting specifications.

OWNER

Metroplex Battery, Inc.

Birju Patel, President
Vina Patel, Vice President
Jeremy Haden, Secretary
Shivah Patel, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for automotive, truck, and heavy equipment batteries - Metroplex Battery, Inc., lowest responsible bidder of five - Not to exceed $1,320,558 - Financing: Current Funds ($1,136,192), Water Utilities Current Funds ($69,568), Sanitation Current Funds ($57,166), Stormwater Drainage Management Current Funds ($35,072), Convention and Event Services Current Funds ($12,394), and Aviation Current Funds ($10,166)

Metroplex Battery, Inc. 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	$1,320,557.90	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$1,320,557.90	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%

January 11, 2017

WHEREAS, on March 26, 2014, City Council authorized a three-year master agreement for automotive, truck and heavy equipment batteries by Resolution No. 14-0500;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of automotive, truck and heavy equipment batteries is authorized with Metroplex Battery, Inc. (344403) for a term of three years in an amount not to exceed $1,320,557.90.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for automotive, truck and heavy equipment batteries. If a written contract is required or requested for any or all purchases of automotive, truck and heavy equipment batteries under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval 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 $1,320,557.90 from Master Agreement number BN1602.

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:	January 11, 2017
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Business Development & Procurement Services Water Utilities
CMO:	Elizabeth Reich, 670-7804 Ryan S. Evans, 671-9837
MAPSCO:	N/A

SUBJECT

Authorize a three-year master agreement for polyaluminum chloride coagulant to be used in the water purification process - Chemtrade Chemicals US, LLC, lowest responsible bidder of five - Not to exceed $1,935,000 - 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 agreement will allow for the purchase of polyaluminum chloride coagulant (PACI). Coagulants are used in the water treatment process for the formation of fine particles in the water. These clumped particles then settle to the bottom of the water treatment basins (sedimentation) and are removed.

This coagulant will allow Eastside Water Treatment Plant staff to evaluate PACI as part of an effort to optimize and enhance the coagulation treatment process. Currently, Water Utilities uses ferric sulfate for the coagulation process. However, in an effort to reduce expenditures for water treatment chemicals, small scale tests of PACI have been conducted with promising results. In order to validate these results, a full scale pilot test of the chemical is necessary to make an objective comparison of PACI vs ferric sulfate.

Eastside Water Treatment Plant provides up to 440 million gallons of water per day of treated water for City residents and wholesale customers.

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 822 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' Resource LINK 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)

Information about this item will be provided to the Budget, Finance, and Audit Committee on January 3, 2017.

FISCAL INFORMATION

$1,935,000.00 - Water Utilities Current Funds

M/WBE INFORMATION

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

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

ETHNIC COMPOSITION

Chemtrade Chemicals US, LLC

White Male	13	White Female	10
Black Male	1	Black Female	1
Hispanic Male	1	Hispanic Female	1
Other Male	1	Other Female	5

BID INFORMATION

Business Development and Procurement Services received the following bids from solicitation number BW1602. We opened them on June 10, 2016. 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 of Bid
*Chemtrade Chemicals US, LLC	90 East Halsey Road Parsippany, NJ 07054	$1,935,000.00
Gulbrandsen Technologies	2 Main Street Clinton, NJ 08809-5283	$2,010,000.00
GEO Specialty Chemicals	401 South Earl Avenue Lafayette, IN 47904	$2,175,000.00
Eagle Tech LP	1311 Marilyn Avenue Desoto, TX 75115	$2,775,000.00
Brentag Southwest, Inc.	610 Fisher Road Longview, TX 75604	$2,823,000.00

OWNER

Chemtrade Chemicals US, LLC

Mark Davis, President
Dan Dietz, Vice President
Susan Pare, Secretary
Rohit Bhardwaj, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for polyaluminum chloride coagulant to be used in the water purification process - Chemtrade Chemicals US, LLC, lowest responsible bidder of five - Not to exceed $1,935,000 - Financing: Water Utilities Current Funds

Chemtrade Chemicals US, LLC is a non-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	$0.00	0.00%
Total non-local contracts	$1,935,000.00	100.00%
TOTAL CONTRACT	$1,935,000.00	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%

January 11, 2017

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

Section 1. That a master agreement for the purchase of polyaluminum chloride coagulant to be used in the water purification process is authorized with Chemtrade Chemicals US, LLC (053277) for a term of three years in an amount not to exceed $1,935,000.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for polyaluminum chloride coagulant to be used in the water purification process. If a written contract is required or requested for any or all purchases of polyaluminum chloride coagulant to be used in the water purification process under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval 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 $1,935,000.00 from Master Agreement number BW1602.

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:	E-Gov
AGENDA DATE:	January 11, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Aviation Convention and Event Services Human Resources Water Utilities
CMO:	Elizabeth Reich, 670-7804 Ryan S. Evans, 671-9837 A. C. Gonzalez, 670-3297
MAPSCO:	N/A

SUBJECT

Authorize **(1)** Supplemental Agreement No. 2 to increase the service contract with Lane Staffing, Inc. for citywide temporary clerical and professional services to allow for a transition from the current contractor to the new contractor - Not to exceed $1,500,000, from $20,431,973 to $21,931,973; and **(2)** a three-year service contract for citywide temporary clerical and professional services - Smith Temporaries, Inc. dba CornerStone Staffing in the amount of $28,657,706, most advantageous proposer of six - Total not to exceed $30,157,706 - Financing: Current Funds ($26,243,374), Convention and Event Services Current Funds ($1,956,231), Water Utilities Current Funds ($1,562,782), and Aviation Current Funds ($395,319) (subject to annual appropriations)

BACKGROUND

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

Supplemental Agreement No. 2 to increase the services contract with Lane Staffing, Inc., the current provider, will allow the City to continue to engage temporary clerical and professional laborers while the transition to a new contractor is completed.

The service contract with Smith Temporaries, Inc. dba CornerStone Staffing will provide citywide temporary clerical and professional labor. Temporary staffing agencies provide clerical employees and skilled professionals who will work on a temporary “as-needed” basis.

BACKGROUND (Continued)

Temporary labor contracts allow the City to mitigate employee turnover, retirement, longer than anticipated time frame for hiring new employees, and unplanned or urgent projects. Temporary employees may be hired by the City any time after 12 consecutive weeks of work as a temporary without any additional fees or charges.

Examples of job classifications provided by this contract include:

- Accountant
- Cashier
- Call Taker/CSR Coordinator
- City Council Office Assistant
- Coordinator
- Customer Service Representative
- Executive Assistant
- Executive Secretary
- Human Resource Analyst II
- Office Assistant II
- Program Manager
- Water Instrument Technician

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

- Aviation (1)
- Park and Recreation (1)
- Office of Cultural Affairs (1)
- Human Resources (1)
- Water Utilities (1)
- Business Development and Procurement Services (2)*

*Business Development and Procurement Services only evaluated cost and the Business Inclusion and Development Plan.

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

- Cost 30 points
- Approach to filling positions 20 points
- Experience and capabilities 20 points
- Functional match 15 points
- Business Inclusion & Development Plan 15 points

This solicitation was structured in a manner which required proposers to submit a response using hourly pricing. This proposal resulted in a 20 percent increase over comparable unit prices for the proposal awarded in 2013.

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 345 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 proposals, 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.

The recommend vendor meets the wage floor rate of $10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 11, 2012, City Council authorized a three-year service contract for temporary clerical and professional labor citywide by Resolution No. 12-0159.

On September 25, 2013, City Council authorized a three-year service contract for citywide temporary clerical and professional services by Resolution No. 13-1666.

Information about this item will be provided to the Budget, Finance, and Audit Committee on January 3, 2017.

FISCAL INFORMATION

$26,243,374.06 - Current Funds (subject to annual appropriations)
$ 1,956,230.83 - Convention and Event Services Current Funds (subject to annual appropriations)
$ 1,562,782.27 - Water Utilities Current Funds (subject to annual appropriations)
$ 395,318.69 - Aviation Current Funds (subject to annual appropriations)

M/WBE INFORMATION

74 - Vendors contacted
72 - No response
2 - Response (Bid)
0 - Response (No bid)
0 - Successful

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

ETHNIC COMPOSITION

Lane Staffing, Inc.

White Male	124	White Female	109
Black Male	260	Black Female	292
Hispanic Male	178	Hispanic Female	168
Other Male	29	Other Female	17

Smith Temporaries, Inc. dba CornerStone Staffing

White Male	169	White Female	293
Black Male	246	Black Female	446
Hispanic Male	113	Hispanic Female	228
Other Male	83	Other Female	86

PROPOSAL INFORMATION

Business Development and Procurement Services received the following proposals from solicitation number BEZ1607. We opened them on April 15, 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
*Smith Temporaries, Inc. dba CornerStone Staffing	1845 Woodall Rogers Frwy. Suite 1000 Dallas, TX 75201	84%	$28,657,705.85
A-1 Personnel of Houston	8702 Westpark Dr. Houston, TX 77063	72%	$24,287,004.41
Lane Staffing, Inc.	1810 Park Row Dr. Dallas, TX 75216	71%	$27,852,183.12
Acro Service Corp.	39209 W. Six Mile Rd. Suite 250 Livonia, MI 48152	69%	$39,382,887.92
CTJ Maintenance, Inc.	6565 N. MacArthur Blvd. Suite 225 Irving, TX 75039	58%	$29,588,091.50

PROPOSAL INFORMATION (Continued)

Proposers	Address	Score	Amount
Infojini, Inc.	891 Elkidge Landing Rd. Suite 190 Linthicum Heights, MD 21090	55%	$48,444,246.00

OWNERS

Lane Staffing, Inc.

Carla Lane, President

Smith Temporaries, Inc. dba CornerStone Staffing

Stephen M. Smith, President
Susan Deguire, Vice President
Jody Smith, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** Supplemental Agreement No. 2 to increase the service contract with Lane Staffing, Inc. for citywide temporary clerical and professional services to allow for a transition from the current contractor to the new contractor - Not to exceed $1,500,000, from $20,431,973 to $21,931,973; and **(2)** a three-year service contract for citywide temporary clerical and professional services - Smith Temporaries, Inc. dba CornerStone Staffing in the amount of $28,657,706, most advantageous proposer of six - Total not to exceed $30,157,706 - Financing: Current Funds ($26,243,374), Convention and Event Services Current Funds ($1,956,231), Water Utilities Current Funds ($1,562,782), and Aviation Current Funds ($395,319) (subject to annual appropriations)

Lane Staffing, Inc. is a 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 - THIS ACTION ONLY

	Amount	Percent
Local contracts	$1,500,000.00	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$1,500,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Lane Staffing	BFWBC200550617	$1,500,000.00	100.00%
Total Minority - Local		$1,500,000.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$1,500,000.00	100.00%	$21,931,972.12	100.00%
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	$1,500,000.00	100.00%	$21,931,972.12	100.00%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** Supplemental Agreement No. 2 to increase the service contract with Lane Staffing, Inc. for citywide temporary clerical and professional services to allow for a transition from the current contractor to the new contractor - Not to exceed $1,500,000, from $20,431,973 to $21,931,973; and **(2)** a three-year service contract for citywide temporary clerical and professional services - Smith Temporaries, Inc. dba CornerStone Staffing in the amount of $28,657,706, most advantageous proposer of six - Total not to exceed $30,157,706 - Financing: Current Funds ($26,243,374), Convention and Event Services Current Funds ($1,956,231), Water Utilities Current Funds ($1,562,782), and Aviation Current Funds ($395,319) (subject to annual appropriations)

Smith Temporaries, Inc. dba CornerStone Staffing is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$28,657,705.85	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$28,657,705.85	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Keystaff, Inc	WFWB91526N0917	$6,820,533.77	23.80%
Total Minority - Local		$6,820,533.77	23.80%

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	$6,820,533.77	23.80%	$6,820,533.77	23.80%
Total	$6,820,533.77	23.80%	$6,820,533.77	23.80%

January 11, 2017

WHEREAS, on January 11, 2012, City Council authorized a three-year service contract for temporary clerical and professional labor citywide by Resolution No. 12-0159; and,

WHEREAS, on September 25, 2013, City Council authorized a three-year service contract for citywide temporary clerical and professional services by Resolution No. 13-1666; and,

WHEREAS, on October 19, 2016, Administrative Action No. 16-6726 authorized Supplemental Agreement No. 1 to extend the term of the service contract for six months from November 1, 2016 to April 30, 2017;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute **(1)** Supplemental Agreement No. 2 to increase the service contract with Lane Staffing, Inc. (VS0000050443) for citywide temporary clerical and professional services to allow for a transition from the current contractor to the new contractor in an amount not to exceed $1,500,000.00, from $20,431,972.12 to $21,931,972.12; and **(2)** a three-year service contract for citywide temporary clerical and professional services with Smith Temporaries, Inc. dba CornerStone Staffing (VS0000066539) in an amount not to exceed $28,657,705.85, for a total amount not to exceed $30,157,705.85, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed basis for performance of specified tasks, payment to Lane Staffing, Inc. and Smith Temporaries, Inc. dba CornerStone Staffing shall be based only on the amount of the services directed to be performed by the City and properly performed by Lane Staffing, Inc. and Smith Temporaries, Inc. dba CornerStone Staffing under each respective contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,500,000.00 from Service Contract number BKZ1313.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $28,657,705.85 (subject to annual appropriations) from Service Contract number BEZ1607.

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:	E-Gov
AGENDA DATE:	January 11, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Communication and Information Services
CMO:	Elizabeth Reich, 670-7804 Mark McDaniel, 670-3256
MAPSCO:	N/A

SUBJECT

Authorize Supplemental Agreement No. 24 to increase the service contract with AT&T Corp. for voice and data network services, network management, monitoring, maintenance, information technology security, and related services - Not to exceed $8,789,987, from $70,515,898 to $79,305,885 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This Supplemental Agreement will continue to provide voice and data network services, network management, monitoring, maintenance, information technology security, and related services. This agreement provides 24 hour network and security monitoring, on-site help desk, technical support, network asset management, telecom billing system, as well as local and long distance telephone service.

The services offered by a city government are highly dependent on the telephone and data communication network to conduct business. A sample of some of the critical services that rely on this network include public safety computer aided dispatch (911), customer billing and payment services, the City's voice and data networks infrastructure, 3-1-1, issuance of building permits, and the City's email and internet services. The network supports approximately 500 applications, 12,000 computer devices, and 9,000 telephones. The network transmits over 3 terabytes of data weekly, processes 22,000 local and long distance calls, and 265,000 emails on a daily basis.

BACKGROUND (Continued)

This increase is due to various system upgrades and an increase of devices being supported under the current AT&T managed services agreement such as:

- New and renovations to city buildings (fire stations, recreation centers, and City Hall)
- Network enhancements to Libraries and the WIC Call Center
- Expansion of Wi-Fi (City Hall, libraries, recreation centers, etc.)
- Upgrades to essential systems (City's voice system, Kronos, and Customer Relationship Management System, 311)

This supplemental meets the wage floor rate of $10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 14, 2011, City Council authorized a seven-year service contract, with two two-year renewal options, for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services by Resolution No. 11-3343.

On June 25, 2014, City Council authorized Supplemental Agreement No. 13 to increase the service contract for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services by Resolution No. 14-0988.

Information about this item will be provided to the Budget, Finance, and Audit Committee on January 3, 2017.

FISCAL INFORMATION

$8,789,987.00 - Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

AT&T Corp.

White Male	4,789	White Female	2,658
Black Male	1,366	Black Female	2,245
Hispanic Male	483	Hispanic Female	694
Other Male	588	Other Female	299

OWNER

AT&T Corp.

Ralph De La Vega, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 24 to increase the service contract with AT&T Corp. for voice and data network services, network management, monitoring, maintenance, information technology security, and related services - Not to exceed $8,789,987, from $70,515,898 to $79,305,885 - Financing: Current Funds (subject to annual appropriations)

AT&T DataComm, LLC formally known as AT&T Corp. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$6,209,151.00	70.64%
Non-local contracts	$2,580,836.00	29.36%
TOTAL THIS ACTION	$8,789,987.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Spinsci Technologies, LLC	PFMB38651N0517	$828,258.00	13.34%
Orion Communications, Inc.	WFDB72849Y0417	$788,403.00	12.70%
Total Minority - Local		$1,616,661.00	26.04%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
IPSOFT, Inc.	PMMB41519N1216	$830,000.00	32.16%
Prosys Information Systems	WFWBE378770317	$53,147.00	2.06%
Total Minority - Non-local		$883,147.00	34.22%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$9,805.00	0.01%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$1,658,258.00	18.87%	$11,784,118.00	14.86%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$841,550.00	9.57%	$6,264,222.00	7.90%
Total	$2,499,808.00	28.44%	$18,058,145.00	22.77%

WHEREAS, on December 14, 2011, City Council authorized a seven-year service contract, with two two-year renewal options, for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services by Resolution No. 11-3343; and,

WHEREAS, on May 6, 2013, Administrative Action No. 13-5552 authorized Supplemental Agreement No. 1 to attach the milestone charts for payment for one time charges to Exhibit 4, pricing of the master services agreement; and,

WHEREAS, on May 20, 2013, Administrative Action No. 13-5611 authorized Supplemental Agreement No. 2 to execute services as documented under NI pricing schedule with tracking ID GBS161971; and,

WHEREAS, on January 17, 2014, Administrative Action No. 14-5185 authorized Supplemental Agreement No. 3 to accept wireless terms and conditions and to amend Exhibit 4, Attachment 1: vendor catalog pricing for existing air card product and service offerings; and,

WHEREAS, on April 26, 2013, Administrative Action No. 13-5516 authorized Supplemental Agreement No. 4 to amend contract for review of statement of work (SOW) for professional services to development of a contract center strategy; and,

WHEREAS, on December 20, 2013, Administrative Action No. 13-6996 authorized Supplemental Agreement No. 5 to execute services for performing regression testing of the Dallas Water Utilities Supervisory Control and Data Acquisition Network (SCADA) System designed by AT&T; and,

WHEREAS, on October 15, 2013, Administrative Action No. 14-5297 authorized Supplemental Agreement No. 6 to install, configure and optimize the City's internet, extranet and intranet with TEST and production sharepoint 2013 environments and migrate Dallas City News Room; and,

WHEREAS, on November 27, 2013, Administrative Action No. 14-5419 authorized Supplemental Agreement No. 7 to execute change orders 2, 4 and 5 for enhancement requests to the Pinnacle telecommunications billing system for customizations to system reports, additional professional services to develop a standard operating procedures manual and to modify contract language regarding the electronic processing of telecommunications carrier files; and,

WHEREAS, on February 7, 2014, Administrative Action No. 14-5693 authorized Supplemental Agreement No. 8 to accept Texas House Bill 2128 and SPORT terms and conditions and to amend Exhibit 4, Attachment 1: vendor catalog pricing for telecommunication charges for eligible city facilities; and,

WHEREAS, on February 14, 2014, Administrative Action No. 14-5594 authorized Supplemental Agreement No. 9 to purchase fifty (50) additional Cisco VoIP recording NICE Inform Lite IP licences with application support for the 3-1-1 call center; and,

WHEREAS, on March 13, 2014, Administrative Action No. 14-5654 authorized Supplemental Agreement No. 10 to design, configure and install a Wi-Fi network for internet access in the Dallas Arts District; and,

WHEREAS, on June 2, 2014, Administrative Action No. 14-5968 authorized Supplemental Agreement No. 11 to install a Wi-Fi network for internet access in the Dallas Arts District; and,

WHEREAS, on July 3, 2014, Administrative Action No. 14-6181 authorized Supplemental Agreement No. 12 to implement a framework that will publish and modify data that will be posted on information kiosks; and,

WHEREAS, on June 25, 2014, City Council authorized Supplemental Agreement No. 13 to increase the service contract for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services in an amount not to exceed $7,071,190.00, increasing the contract amount from $63,444,708.00 to $70,515,898.00, by Resolution No. 14-0988; and,

WHEREAS, on November 20, 2014, Administrative Action No. 14-7145 authorized Supplemental Agreement No. 15 due to extra material used and labor performed during the Arts District Wi-Fi installation; and,

WHEREAS, on November 20, 2014, Administrative Action No. 14-7144 authorized Supplemental Agreement No. 16 to include Northpark library in the acceptance of the Texas House Bill 2128 and SPORT terms and conditions that was executed through Supplemental Agreement No. 8; and,

WHEREAS, on February 12, 2015, Administrative Action No. 15-5475 authorized Supplemental Agreement No. 17 to execute change orders 7 and 19 for the expansion of the CIS Pinnacle billing system for additional technology services and the creation of a 3rd hosted environment for software development; and,

WHEREAS, on March 30, 2015, Administrative Action No. 15-5616 authorized Supplemental Agreement No. 18 to make correction to supplement agreement no. 16, to correct Exhibit A; and,

WHEREAS, on May 22, 2015, Administrative Action No. 15-6031 authorized Supplemental Agreement No. 19 for a hardware and software technical refresh to the VoIP IPT system which includes a contract center software version upgrade to 10.5; and,

WHEREAS, on September 18, 2015, Administrative Action No. 15-6888 authorized Supplemental Agreement No. 20 to provide improved internet support, increased circuit capacity for PKR facilities, a Pinnacle version upgrade and to replace end of life equipment that supports 311; and,

WHEREAS, on November 5, 2015, Administrative Action No. 15-7196 authorized Supplemental Agreement No. 21 to improve Wi-Fi connectivity at City facilities; and,

WHEREAS, on March 29, 2015, Administrative Action No. 16-5602 authorized Supplemental Agreement No. 22 to execute 311 contact cent network integration of natural language software; and,

WHEREAS, on June 22, 2016, Administrative Action No. 16-6184 authorized Supplemental Agreement No. 23 to provide continued maintenance and support of the informational kiosk, deployment of new network equipment at Love Field, enhance the Pinnacle system for revenue collection reporting and to program the 311 voice system to allow citizens to complete a post call survey to provide customer feedback to the City; and,

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute Supplemental Agreement No. 24 to increase the service contract with AT&T Corp. (268653) for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services in an amount not to exceed $8,789,987.00, increasing the service contract amount from $70,515,898.00 to $79,305,885.00.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriations in an amount not to exceed $8,789,987.00 (subject to annual appropriations):

FUND	DEPT	UNIT	OBJ	FY	ENCUMBRANCE	AMOUNT
0198	DSV	1510	3070	2017	CT DSV17ATTMGD3	$ 575,640.00
0198	DSV	1510	3070	2018	CT DSV18ATTMGD3	$ 575,640.00
0198	DSV	1510	3070	2019	CT DSV19ATTMGD3	$ 95,940.00
0198	DSV	1510	3053	2017	CT DSV17ATTMGD3	$3,481,277.08
0198	DSV	1510	3053	2018	CT DSV18ATTMGD3	$3,481,277.08
0198	DSV	1510	3053	2019	CT DSV19ATTMGD3	$ 580,212.84

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 # 10

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Sanitation Services

CMO: Larry Casto, 670-3491
Joey Zapata, 670-3009

MAPSCO: N/A

SUBJECT

Authorize settlement of the claim of Timothy Hankins in the lawsuit styled Osric Stevens et al. v. City of Dallas, Cause No. DC-15-02678-H - Not to exceed $188,775 - Financing: Current Funds

BACKGROUND

Plaintiffs Osric Stevens, Antwyon Manoy, and Timothy Hankins filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries sustained in an automobile accident on January 6, 2014 involving a Sanitation Department vehicle. The City and Mr. Hankins have reached a proposed settlement, subject to City Council approval. Mr. Hankins is represented by John R. Salazar, P.C.

The City previously settled the bodily injury claims of Osric Stevens and Antwyon Manoy by paying Mr. Stevens the amount of $15,000.00 and Mr. Manoy the amount of $17,000.00.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council will be briefed in Closed Session on January 4, 2017.

FISCAL INFORMATION

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

$188,775 - Current Funds

January 11, 2017

WHEREAS, a lawsuit styled Osric Stevens et al. v. City of Dallas, Cause No. DC-15-02678-H, was filed by plaintiffs Osric Stevens, Antwyon Manoy, and Timothy Hankins seeking compensation for alleged bodily injuries sustained in an automobile accident on January 6, 2014 involving a Sanitation Department vehicle; and

WHEREAS, Timothy Hankins has agreed to settle his claim whereby the City will pay Mr. Hankins, and his attorney, and all other parties having an interest in the settlement proceeds the total amount of $188,775.00; and

WHEREAS, it is in the best interest of the City to settle the claim of Timothy Hankins in this case; **Now, Therefore,**

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

Section 1. That the settlement of the claim of Timothy Hankins in the lawsuit, styled Osric Stevens et al. v. City of Dallas, Cause No. DC-15-02678-H, in an amount not to exceed $188,775.00, is hereby approved.

Section 2. That the Chief Financial Officer is hereby authorized to pay Timothy Hankins and his attorney John R. Salazar, P.C. and all other persons having an interest in the settlement, the amount of $188,775.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTORM001.

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

AGENDA ITEM # 11

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

CMO: Larry Casto, 670-3491

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 4 to the professional services contract with White & Wiggins, L.L.P. for additional legal services in the lawsuit styled Vickie Cook et al. v. City of Dallas et al., Civil Action No. 3:12-CV-03788-N - Not to exceed $75,000, from $280,000 to $355,000 - Financing: Current Funds

BACKGROUND

Supplemental Agreement No. 4 will authorize White & Wiggins, L.L.P. to provide additional legal services in the lawsuit styled Vickie Cook et al. v. City of Dallas et al., Civil Action No. 3:12-CV-03788-N.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council authorized Supplemental Agreement No. 2 with White & Wiggins, L.L.P., for additional legal services on August 14, 2013, by Council Resolution No. 13-1287.

Council was briefed in Closed Session on January 7, 2015.

City Council authorized Supplemental Agreement No. 3 with White & Wiggins, L.L.P., for additional legal services on January 14, 2015, by Council Resolution No. 15-0144.

Council will be briefed in Closed Session on January 4, 2017.

FISCAL INFORMATION

$75,000 - Current Funds

OWNER

White & Wiggins, L.L.P.

Kevin B. Wiggins, Partner

January 11, 2017

WHEREAS, the City of Dallas has retained White & Wiggins, L.L.P. to provide legal services necessary in the lawsuit styled Vickie Cook et al. v. City of Dallas et al., Civil Action No. 3:12-CV-03788-N; and,

WHEREAS, on November 26, 2012, pursuant to Administrative Action No. 12-2874, the City authorized a professional services contract with White & Wiggins, L.L.P., in an amount not to exceed $25,000.00; and,

WHEREAS, on December 7, 2012, pursuant to Administrative Action No. 12-3112, the City authorized Supplemental Agreement No. 1 with White & Wiggins, L.L.P., in an amount not to exceed $25,000.00, increasing the original contract from $25,000.00 to $50,000.00; and,

WHEREAS, on August 14, 2013, pursuant to Council Resolution No. 13-1287, the City authorized Supplemental Agreement No. 2 with White & Wiggins, L.L.P., in an amount not to exceed $100,000.00, increasing the contract amount from $50,000.00 to $150,000.00; and,

WHEREAS, on January 14, 2015, pursuant to Council Resolution No. 15-0144, the City authorized Supplemental Agreement No. 3 with White & Wiggins, L.L.P., in an amount not to exceed $130,000.00, increasing the contract amount from $150,000.00 to $280,000.00; and,

WHEREAS, the professional legal services of White & Wiggins, L.L.P. continue to be necessary for this matter; **Now, Therefore,**

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

Section 1. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into Supplemental Agreement No. 4 to the professional services contract with White & Wiggins, L.L.P. for additional legal services, in an amount not to exceed $75,000.00, increasing the contract amount from $280,000.00 to $355,000.00.

Section 2. That the Chief Financial Officer is hereby authorized to disburse, in periodic payments to White & Wiggins, L.L.P. an amount not to exceed $75,000.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3033, Encumbrance No. ATT389011J262, Vendor No. 344317.

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 # 12

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: N/A

SUBJECT

Authorize contracts with fully-licensed child care providers pursuant to the Child Care Services Program for the period October 1, 2016 through September 30, 2017 (list attached) and with other fully-licensed child care providers selected by eligible parents during the fiscal year - Not to exceed $369,356 - Financing: 2016-17 Community Development Block Grant Funds

BACKGROUND

On June 22, 2016, City Council adopted the FY 2016-17 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) grant funds. The grant funds are available beginning October 1, 2016, contingent upon approval of the City's FY 2016-17 Action Plan and execution of grant agreements with HUD. The FY 2016-17 Consolidated Plan Budget includes a line item budget for the Child Care Services Program in the amount of $488,826.

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

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

BACKGROUND (continued)

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized contracts with child care providers for the Child Care Services Program on June 22, 2016, by Resolution No. 16-1066.

Information about this item will be provided to the Housing Committee on January 3, 2017.

FISCAL INFORMATION

$369,356 - 2016-17 Community Development Block Grant Funds

Child Care Services Provider Master List 2016- 17

Provider Name / Vendor Number	Contact	Address	Phone #
DBA Armadillos to Zebras Child Care (Knoll Kids, Inc.) VS0000027219	Cindy Knoll	14045 Waterfall Way 75240	972-231-6998
Betty Lin Early Childhood VS0000021867	Sherlene Anderson	1123 E. Ledbetter 75216	214-371-2333 F) 214375-2324
Dallas Can! Early Childhood Development Center VS0000026151	Carol Wentworth	4621 Ross Avenue 75204	214-584-2361 F)214-827-9503
Good Street Learning Center 169527	Gwendolyn Sneed	3126 Elsie Faye Heggins 75215	214-421-7504 F)214-421-2742
Heavenly Christian Academy VS0000013797	Tia Ward	11421 Shiloh Road 75228	972-681-7545
Heavenly Child Care 346147	Kathrene Ward	9625 Plano Rd. #1700 75238	214-343-0216
Jefferson Place Learning Center 343752	Charles Jefferson	3430 S. Marsalis Avenue 75216	214-375-1155 F) 972-230-1153
Kaleidoscope Child Dev. Center 513152	Diana Docherty	19310 Midway Road 75287	972-248-1543 F)972-248-0563
Kirby's Kreative Learning Center 337889	Tina Green	330 S. R.L. Thornton 75203	214-943-7309 F)214-943-4817
Kiddie Korner Private School 248963	Linda Peters	328 W. 12th Street 75208	214-946-3151 F)214-946-2081
Lots of Luv Child Care VS0000053020	Nakeya Chism	9850 Walnut Hill Lane 75238	214-484-4200 F) 214-484-4250
Metropolitan Christian Academy 518139	Joey Allen	3430 South Polk Street 75224	214-375-2227
Spring Creek Private School 200426	Marcia Wentz	14855 Spring Creek Road 75248	972-239-0096 F)972-239-5949
Union Christian Academy VS000016546	Sylvia Martin	3312 S. Polk Street 75224	214-372-9822 F)214-372-9539

January 11, 2017

WHEREAS, the Housing/Community Services Department is administering the Child Care Services Program which initially began in October 1985; and

WHEREAS, the FY 2016-17 Community Development Block Grant (CDBG) budget was approved by the City Council on June 22, 2016, by Resolution No. 16-1066, and included funding for the City Child Care Services Program; and

WHEREAS, the City will make monthly partial payments to the current and new child care providers (the current list of child care providers is attached); and

WHEREAS, the Child Care Services Program pays a portion of child care expenses for working parents whose income falls in the low/moderate range of CDBG eligibility; and

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

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to approve contracts with fully-licensed child care providers pursuant to the Child Care Services Program for the period October 1, 2016 through September 30, 2017 (list attached) and with other fully-licensed child care providers selected by eligible parents during the fiscal year, and execute any and all documents required by the contract.

Section 2. That the Chief Financial Officer is hereby authorized to make payments to fully-licensed child care providers listed in the Attachment and with other fully-licensed child care providers who meet the requirements of the Child Care Services Program from Fund CD16, Dept. HOU, Unit 513A, Object Code 3099, in an amount not to exceed $369,356.

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 # 13

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 65C

SUBJECT

Authorize a public hearing to be held on February 8, 2017 to receive comments on the proposed sale of one unimproved property (list attached) acquired by the taxing authorities from the Sheriff to City Wide Community Development Corporation, a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City

BACKGROUND

The HB110 process of the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions.

Properties eligible for the HB110 process of the City's Land Transfer Program must be sold by quitclaim deeds and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the properties within three years of the non-profit's receipt of the quitclaim deed. The quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code. Per the Code, the sales price of each property is $1,000 for up to 7,500 square feet of land plus $0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records. Prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public.

BACKGROUND (Continued)

City Wide Community Development Corporation (City Wide CDC), submitted a proposal to construct one (1) single-family home containing approximately 1,450 to 1,700 square feet on the one (1) unimproved HB110 process-eligible, Land Transfer Program property, identified on Exhibit A, attached to the resolution, for purchase by low to moderate income homebuyer at a proposed sales price of approximately $130,000 to $150,000 with construction to begin in April of 2017.

This item calls for a public hearing on February 8, 2017, at 1:00 PM in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, to allow the public an opportunity to comment on the proposed sale of the one unimproved property to City Wide CDC. At the close of the public hearing, the City Council will be asked to authorize the sale of the properties to City Wide CDC by quitclaim deed and the release of the City's non-tax liens included in the foreclosure judgment and the post-judgment non-tax liens, if any.

In conformance with the Code, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing will be placed on the property, notification of the public hearing will be mailed to property owners within 200 feet of the property, and notice of the public hearing will be published in the Dallas Morning News.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Housing Committee on January 3, 2017.

FISCAL INFORMATION

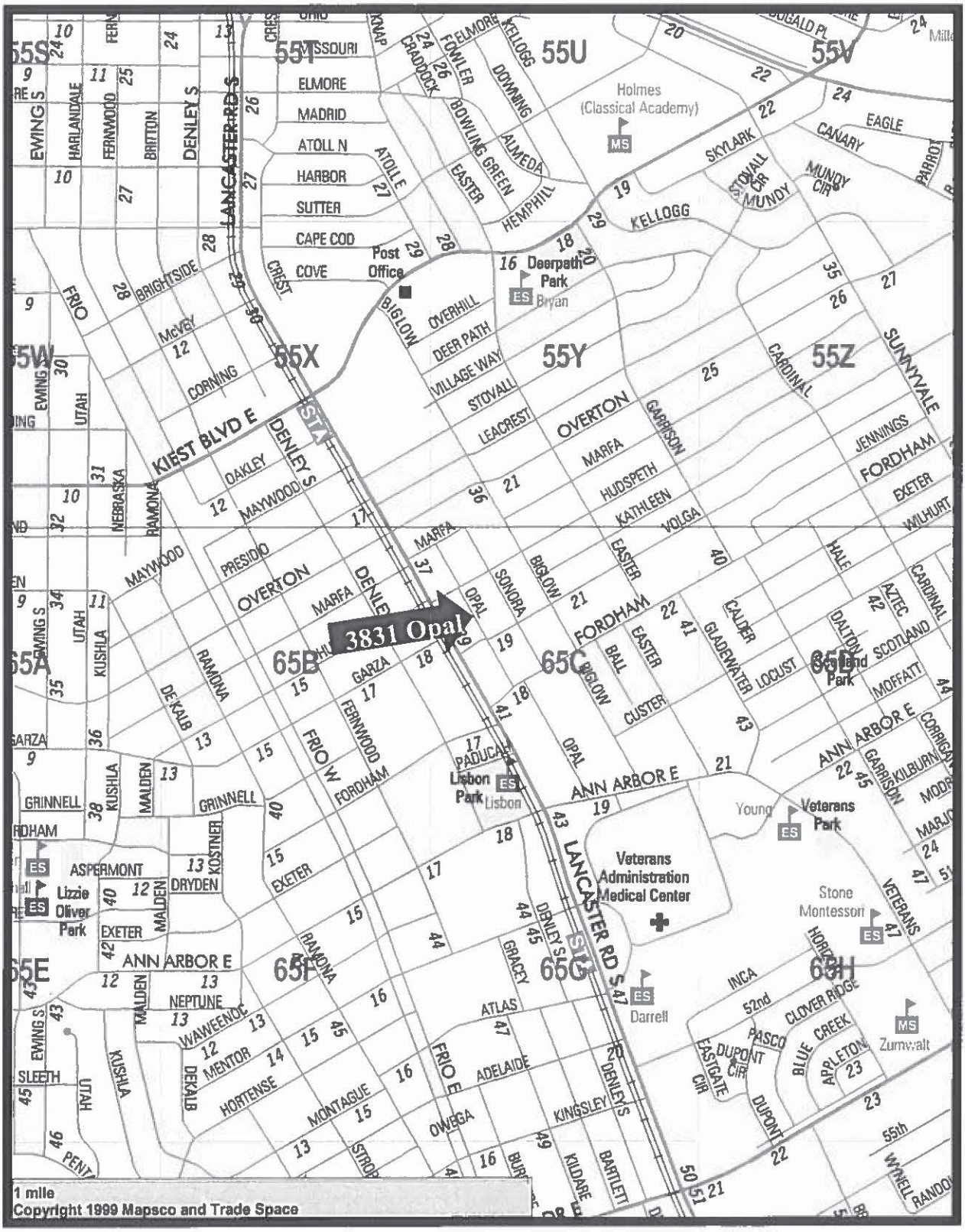
No cost consideration to the City

MAP

Attached

Tax Foreclosure and Seizure Property Resale

Parcel No.	Address	Non-Profit Organization	Mapsco	DCAD Amount	Sale Amount	Vac/ Imp	Zoning
1.	3831 Opal	Citywide Community Development Corporation	65C	$7,000	$1,000.00	V	R-7.5(A)


3831 Opal
LANCASTER RD S
KIEST BLVD E
DENLEY S
OVERTON
FORDHAM
ANN ARBOR E
GRINNELL
EXETER
MARFA
OPAL
Lisbon Park
Lisbon
Deerpath Park
Bryan
Post Office
Holmes (Classical Academy)
Veterans Administration Medical Center
Veterans Park
Young
Stone Montessori
Darrell
Zumwalt
Lizzie Oliver Park
ASPERMONT
DRYDEN
NEPTUNE
WAWEENOC
MENTOR
HORTENSE
MONTAGUE
OWEGA
KINGSLEY
ADELAIDE
ATLAS
GRACEY
INCA
52nd
CLOVER RIDGE
BLUE CREEK
APPLETON
PASCO
DUPONT
EASTGATE CIR
55th
WYNELL
RANDOL
SLEETH
PENT
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 65C

WHEREAS, the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions; and

WHEREAS, property eligible for the HB110 process of the City's Land Transfer Program must be sold by quitclaim deed and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit's receipt of the quitclaim deed; and

WHEREAS, the quitclaim deeds must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code; and

WHEREAS, per the Code, the sales price of each property is $1,000 for up to 7,500 square feet of land plus $0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records; and

WHEREAS, prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public; and

WHEREAS, City Wide Community Development Corporation, (City Wide CDC) submitted a proposal to construct one (1) single-family home containing approximately 1,450 to 1,700 square feet on the one (1) unimproved HB110 process-eligible, Land Transfer Program property, identified on Exhibit A, attached hereto, for purchase by low to moderate income homebuyer at a proposed sales price from approximately $130,000 to $150,000 with construction to begin in April of 2017; and

WHEREAS, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing will be placed on the property, notification of the public hearing will be mailed to property owners within 200 feet of the property, and notice of the public hearing will be published in the Dallas Morning News;

NOW, THEREFORE,

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

Section 1. That the public hearing shall be held at 1:00 p.m. on February 8, 2017 in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, at which time any interested person may appear and speak for or against the proposed sale by quitclaim deed of one (1) unimproved property, identified on Exhibit A, acquired by the taxing authorities from the Sheriff to City Wide CDC, a qualified non-profit organization, in accordance with the HB 110 process of the City's Land Transfer Program.

Section 2. That at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing shall be placed on the property, notification of the public hearing shall be mailed to property owners within 200 feet of the property, and notice of the public hearing shall be published in the Dallas Morning News.

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 TRANSFER PROPERTIES

PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	**3831 Opal** Lot 9, Hillview Addition Block 4/4334	City Wide Community Development Corporation	1	$1,000.00
TOTAL				**$1,000.00**

AGENDA ITEM # 14

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 46R 46Q

SUBJECT

Authorize a public hearing to be held on February 8, 2017 to receive comments on the proposed sale of four unimproved properties (list attached) acquired by the taxing authorities from the Sheriff to South Dallas Fair Park Innercity Community Development Corporation, a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City

BACKGROUND

The HB110 process of the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions.

Properties eligible for the HB110 process of the City's Land Transfer Program must be sold by quitclaim deeds and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the properties within three years of the non-profit's receipt of the quitclaim deed. The quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code. Per the Code, the sales price of each property is $1,000 for up to 7,500 square feet of land plus $0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records. Prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public.

BACKGROUND (continued)

South Dallas Fair Park Innercity Community Development Corporation (ICDC), submitted a proposal to construct four (4) single-family homes containing approximately 1,300 to 1,400 square feet on the four (4) unimproved HB110 process-eligible, Land Transfer Program properties, identified on Exhibit A, attached to the resolution, for purchase by low to moderate income homebuyers at a proposed sales price of approximately $95,000 to $105,000 with construction to begin in March of 2017.

This item calls for a public hearing on February 8, 2017, at 1:00 PM in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, to allow the public an opportunity to comment on the proposed sale of the four unimproved properties to ICDC. At the close of the public hearing, the City Council will be asked to authorize the sale of the properties to ICDC by quitclaim deeds and the release of the City's non-tax liens included in the foreclosure judgment and the post-judgment non-tax liens, if any.

In conformance with the Code, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing will be placed on the property, notification of the public hearing will be mailed to property owners within 200 feet of the property, and notice of the public hearing will be published in the Dallas Morning News.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Housing Committee on January 3, 2017.

FISCAL INFORMATION

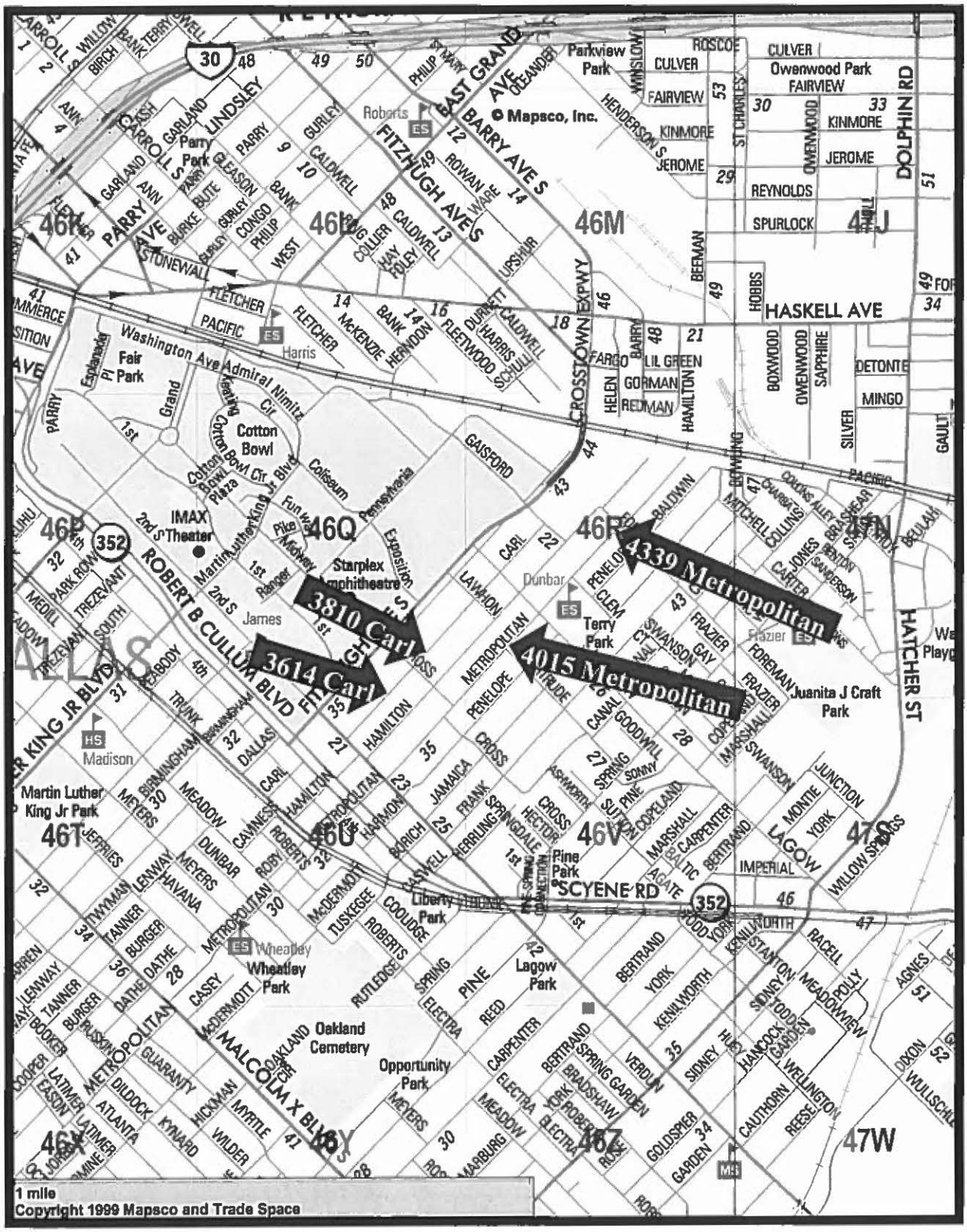
No cost consideration to the City

MAP

Attached

Tax Foreclosure and Seizure Property Resale

Parcel No.	Address	Non-Profit Organization	Mapsco	DCAD Amount	Sale Amount	Vac/ Imp	Zoning
1.	4015 Metropolitan	South Dallas Fair Park Innercity Community Development Corporation	46R	$5,000	$1,000.00	V	PD-595
2.	4339 Metropolitan	South Dallas Fair Park Innercity Community Development Corporation	46R	$10,160	$1,000.00	V	PD-595
3.	3614 Carl	South Dallas Fair Park Innercity Community Development Corporation	46Q	$5,000	$1,000.00	V	PD-595
4.	3810 Carl	South Dallas Fair Park Innercity Community Development Corporation	46Q	$5,000	$1,000.00	V	PD-595



MAPSCO 46Q & 46R

January 11, 2017

WHEREAS, the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions; and

WHEREAS, property eligible for the HB110 process of the City's Land Transfer Program must be sold by quitclaim deeds and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit's receipt of the quitclaim deed; and

WHEREAS, the quitclaim deeds must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code; and

WHEREAS, per the Code, the sales price of each property is $1,000 for up to 7,500 square feet of land plus $0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records; and

WHEREAS, prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public; and

WHEREAS, South Dallas Fair Park Innercity Community Development Corporation (ICDC), submitted a proposal to construct four (4) single-family homes containing approximately 1,300 to 1,400 square feet on the four (4) unimproved HB110 process-eligible, Land Transfer Program properties, identified on Exhibit A, attached hereto, for purchase by low to moderate income homebuyer at a proposed sales price from approximately $95,000 to $105,000 with construction to begin in March of 2017; and

WHEREAS, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing will be placed on the property, notification of the public hearing will be mailed to property owners within 200 feet of the property, and notice of the public hearing will be published in the Dallas Morning News;

NOW, THEREFORE,

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

January 11, 2017

Section 1. That the public hearing shall be held at 1:00 p.m. on February 8, 2017 in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, at which time any interested person may appear and speak for or against the proposed sale by quitclaim deeds of four (4) unimproved properties, identified on Exhibit A, acquired by the taxing authorities from the Sheriff to ICDC, a qualified non-profit organization, in accordance with the HB 110 process of the City's Land Transfer Program.

Section 2. That at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing shall be placed on the property, notification of the public hearing shall be mailed to property owners within 200 feet of the property, and notice of the public hearing shall be published in the Dallas Morning News.

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 TRANSFER PROPERTIES				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**4015 Metropolitan** Lot 35, Camps Second Avenue Addition Block F/1817	South Dallas Fair Park Innercity Community Development Corporation	1	$1,000.00
2	**4339 Metropolitan** Lot 27, Camps Alex Addition Block G/1822	South Dallas Fair Park Innercity Community Development Corporation	1	$1,000.00
3	**3614 Carl** Lot 11 Block 2/1557	South Dallas Fair Park Innercity Community Development Corporation	1	$1,000.00
4	**3810 Carl** Lot 3, 50 x 125 Carl 100FR Cross Block 0/1813	South Dallas Fair Park Innercity Community Development Corporation	1	$1,000.00
TOTAL				**$4,000.00**

AGENDA ITEM # 15

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Human Resources

CMO: A. C. Gonzalez, 670-3302

MAPSCO: N/A

SUBJECT

Authorize **(1)** approval of revised salary schedules for Fire and Police uniform executive staff, adding a 2% top pay step; **(2)** eliminating the start step in each executive rank; and **(3)** implementing step pay increases for Police and Fire uniform executive staff, effective October 1, 2016 - Financing: This action no cost consideration to the City

BACKGROUND

This item will authorize revised salary schedules as a result of revised program goals and budget decisions recently recommended to the City Council.

In an effort to address compensation and improve pay for fire and police uniformed executive staff, the Executive Uniformed Fire and Police salary schedule is revised to add a two percent (2%) top pay step for each uniformed executive rank.

This item also authorizes implementing double merit pay step for uniform executive fire and police staff, effective October 1, 2016. Executive Officers who have at least two steps remaining on the pay schedule for their rank will receive two pay step increases (double steps) if they meet all pay step eligibility requirements. Officers who have one step remaining on the pay schedule for their rank will receive one pay step increase if they meet all pay step eligibility. Steps will be awarded on the executive officers' normal step date.

This action authorizes the elimination of the start pay step in each Uniformed Fire and Police executive rank, effective October 1, 2016.

It is necessary to ratify these actions to the executive uniformed pay plan.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council was briefed on the proposed FY 2016-17 Budget on August 9, 2016.

FISCAL INFORMATION

Funding for this item is included as part of the adoption for the FY 2016-17 budget.

January 11, 2017

WHEREAS, the City Council of the City of Dallas has adopted a budget for the year beginning October 1, 2016; and

WHEREAS, the budget adopted is predicated upon approved salary schedules authorizing a plan of equitable pay; and

WHEREAS, the Executive Uniformed Fire and Police salary schedule is revised to include an addition of a two percent (2%) top pay step for uniformed Fire and Police executive officers, effective October 1, 2016; and

WHEREAS, the Executive Uniformed Fire and Police salary schedule is revised to implement merit pay increase for uniformed Fire and Police executive officers, effective October 1, 2016; and

WHEREAS, the FY 2016-17 Executive Uniformed Fire and Police salary schedules eliminates the start pay step in each executive rank, effective October 1, 2016; and

WHEREAS, it is considered desirable and necessary to ratify these actions and to amend the uniform pay schedules together with the budget providing for these changes.

NOW, THEREFORE,

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

Section 1. That the Executive Uniform Police salary schedule (Police Major and above) reflect an additional two percent (2%) top pay step. All other police salary schedules are revised per the Meet and Confer agreement. (Attachment B-4)

Section 2. That the Executive Uniform Fire salary schedule (Deputy Chief and above) reflect an additional two percent (2%) top pay step. All other fire salary schedules are revised in the Meet and Confer agreement. (Attachment B-5)

Section 3. That pay steps be implemented for Executive Uniformed Fire staff effective October 1, 2016.

Section 4. That merit pay steps be implemented for Executive Uniformed Police staff effective October 1, 2016.

Section 5. That the start pay steps for each Executive Uniformed Fire and Police rank be eliminated effective October 1, 2016.

Section 6. That the City Manager or designee be authorized, upon recommendation from the Director of Human Resources, to make any administrative changes necessary to maintain equity.

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.

Attachment B-4

CITY OF DALLAS
EXECUTIVE
UNIFORMED POLICE SALARY SCHEDULE
Effective October 1, 2016

CLASS CODE	RANK	GRADE-STEP	MONTHLY	ANNUAL
46017	Police Major, 1 Year	P6 - 2	$5,669	$68,025
46017	Police Major, 1 Year	P6 - 3	$5,951	$71,410
46017	Police Major, 1 Year	P6 - 4	$6,250	$74,996
46017	Police Major, 1 Year	P6 - 5	$6,563	$78,759
46017	Police Major, 1 Year	P6 - 6	$6,890	$82,685
46017	Police Major, 1 Year	P6 - 7	$7,234	$86,812
46017	Police Major, 1 Year	P6 - 8	$7,597	$91,163
46017	Police Major, 1 Year	P6 - 9	$7,977	$95,729
46017	Police Major, 1 Year	P6 - 10	$8,376	$100,515
46017	Police Major, 1 Year	P6 - 11	$8,795	$105,541
46018	Police Major	P6 - 12	$8,971	$107,652

CLASS CODE	RANK	GRADE-STEP	MONTHLY	ANNUAL
46027	Police Assistant Chief, 1 Year	P8 - 2	$6,158	$73,895
46027	Police Assistant Chief, 1 Year	P8 - 3	$6,466	$77,590
46027	Police Assistant Chief, 1 Year	P8 - 4	$6,789	$81,469
46027	Police Assistant Chief, 1 Year	P8 - 5	$7,129	$85,543
46027	Police Assistant Chief, 1 Year	P8 - 6	$7,485	$89,820
46027	Police Assistant Chief, 1 Year	P8 - 7	$7,871	$94,454
46027	Police Assistant Chief, 1 Year	P8 - 8	$8,265	$99,176
46027	Police Assistant Chief, 1 Year	P8 - 9	$8,678	$104,135
46027	Police Assistant Chief, 1 Year	P8 - 10	$9,112	$109,342
46027	Police Assistant Chief, 1 Year	P8 - 11	$9,570	$114,841
46027	Police Assistant Chief, 1 Year	P8 - 12	$10,049	$120,583
46027	Police Assistant Chief, 1 Year	P8 - 13	$10,551	$126,613
46027	Police Assistant Chief, 1 Year	P8 - 14	$11,079	$132,943
46027	Police Assistant Chief, 1 Year	P8 - 15	$11,633	$139,591
46028	Police Assistant Chief	P8 - 16	$11,865	$142,382

24433	Police Deputy Chief, 1 Year	P7 - 2	$6,122	$73,464
24433	Police Deputy Chief, 1 Year	P7 - 3	$6,459	$77,505
24433	Police Deputy Chief, 1 Year	P7 - 4	$6,917	$82,999
24433	Police Deputy Chief, 1 Year	P7 - 5	$7,262	$87,150
24433	Police Deputy Chief, 1 Year	P7 - 6	$7,626	$91,506
24433	Police Deputy Chief, 1 Year	P7 - 7	$8,007	$96,079
24433	Police Deputy Chief, 1 Year	P7 - 8	$8,407	$100,887
24433	Police Deputy Chief, 1 Year	P7 - 9	$8,828	$105,931
24433	Police Deputy Chief, 1 Year	P7 - 10	$9,269	$111,228
24434	Police Deputy Chief	P7 - 11	$9,454	$113,452

24312	Police Chief, 1 Year	P9 - 2	$8,065	$96,783
24312	Police Chief, 1 Year	P9 - 3	$8,428	$101,138
24312	Police Chief, 1 Year	P9 - 4	$8,807	$105,689
24312	Police Chief, 1 Year	P9 - 5	$9,234	$110,808
24312	Police Chief, 1 Year	P9 - 6	$9,696	$116,348
24312	Police Chief, 1 Year	P9 - 7	$10,180	$122,166
24312	Police Chief, 1 Year	P9 - 8	$10,690	$128,274
24312	Police Chief, 1 Year	P9 - 9	$11,224	$134,688
24312	Police Chief, 1 Year	P9 - 10	$11,785	$141,423
24312	Police Chief, 1 Year	P9 - 11	$12,374	$148,494
24312	Police Chief, 1 Year	P9 - 12	$12,993	$155,918
24312	Police Chief, 1 Year	P9 - 13	$13,643	$163,715
24312	Police Chief, 1 Year	P9 - 14	$14,325	$171,900
24312	Police Chief, 1 Year	P9 - 15	$15,041	$180,495
24312	Police Chief, 1 Year	P9 - 16	$15,793	$189,520
24312	Police Chief, 1 Year	P9 - 17	$16,583	$198,996
24312	Police Chief, 1 Year	P9 - 18	$17,412	$208,946
24313	Police Chief	P9 - 19	$17,760	$213,124

The police and fire chiefs will receive any additional holidays granted to other police and fire personnel under a meet and confer or collective bargaining agreement for the same length of time that the other police and fire personnel receive the additional holidays under the meet and confer or collective bargaining agreement.

Although pay steps for uniformed staff generally occur in one-year increments, if officers are not given a step pay increase in any fiscal year for budgetary reasons, when step pay increases are resumed in a subsequent fiscal year, it is expected that officers' pay will only increase one step. Officers should not expect a double-step in order to make up for step increases not previously given for budgetary reasons in any fiscal year.

Attachment B-5

CITY OF DALLAS
EXECUTIVE
UNIFORM FIRE SALARY SCHEDULE
Effective October 1, 2016

CLASS CODE	RANK	GRADE-STEP	MONTHLY	ANNUAL
24447	Fire Deputy Chief, 1 Year	F7 - 2	$6,122	$ 73,464
24447	Fire Deputy Chief, 1 Year	F7 - 3	$6,459	$ 77,505
24447	Fire Deputy Chief, 1 Year	F7 - 4	$6,917	$ 82,999
24447	Fire Deputy Chief, 1 Year	F7 - 5	$7,262	$ 87,150
24447	Fire Deputy Chief, 1 Year	F7 - 6	$7,626	$ 91,506
24447	Fire Deputy Chief, 1 Year	F7 - 7	$8,007	$ 96,079
24447	Fire Deputy Chief, 1 Year	F7 - 8	$8,407	$100,887
24447	Fire Deputy Chief, 1 Year	F7 - 9	$8,828	$105,931
24447	Fire Deputy Chief, 1 Year	F7 - 10	$9,269	$111,228
24448	Fire Deputy Chief	F7 - 11	$9,454	$113,452
44011	Fire Assistant Chief, 1 Year	F8 - 2	$6,158	$ 73,895
44011	Fire Assistant Chief, 1 Year	F8 - 3	$6,466	$ 77,590
44011	Fire Assistant Chief, 1 Year	F8 - 4	$6,789	$ 81,469
44011	Fire Assistant Chief, 1 Year	F8 - 5	$7,129	$ 85,543
44011	Fire Assistant Chief, 1 Year	F8 - 6	$7,485	$ 89,820
44011	Fire Assistant Chief, 1 Year	F8 - 7	$7,871	$ 94,454
44011	Fire Assistant Chief, 1 Year	F8 - 8	$8,265	$ 99,176
44011	Fire Assistant Chief, 1 Year	F8 - 9	$8,678	$104,135
44011	Fire Assistant Chief, 1 Year	F8 - 10	$9,112	$109,342
44011	Fire Assistant Chief, 1 Year	F8 - 11	$9,570	$114,841
44011	Fire Assistant Chief, 1 Year	F8 - 12	$10,049	$120,583
44011	Fire Assistant Chief, 1 Year	F8 - 13	$10,551	$126,613
44011	Fire Assistant Chief, 1 Year	F8 - 14	$11,079	$132,943
44011	Fire Assistant Chief, 1 Year	F8 - 15	$11,633	$139,591
44011	Fire Assistant Chief	F8 - 16	$11,865	$142,382

CLASS CODE	RANK	GRADE-STEP	MONTHLY	ANNUAL
24311	Fire Chief, 1 Year	F9 - 2	$8,065	$ 96,783
24311	Fire Chief, 1 Year	F9 - 3	$8,428	$101,138
24311	Fire Chief, 1 Year	F9 - 4	$8,807	$105,689
24311	Fire Chief, 1 Year	F9 - 5	$9,234	$110,808
24311	Fire Chief, 1 Year	F9 - 6	$9,696	$116,348
24311	Fire Chief, 1 Year	F9 - 7	$10,180	$122,166
24311	Fire Chief, 1 Year	F9 - 8	$10,690	$128,274
24311	Fire Chief, 1 Year	F9 - 9	$11,224	$134,688
24311	Fire Chief, 1 Year	F9 - 10	$11,785	$141,423
24311	Fire Chief, 1 Year	F9 - 11	$12,374	$148,494
24311	Fire Chief, 1 Year	F9 - 12	$12,993	$155,918
24311	Fire Chief, 1 Year	F9 - 13	$13,643	$163,715
24311	Fire Chief, 1 Year	F9 - 14	$14,325	$171,900
24311	Fire Chief, 1 Year	F9 - 15	$15,041	$180,495
24311	Fire Chief, 1 Year	F9 - 16	$15,793	$189,520
24311	Fire Chief, 1 Year	F9 - 17	$16,583	$198,996
24311	Fire Chief, 1 Year	F9 - 18	$17,412	$208,946
24311	Fire Chief	F9 - 19	$17,760	$213,124

The police and fire chiefs will receive any additional holidays granted to other police and fire personnel under a meet and confer or collective bargaining agreement for the same length of time that the other police and fire personnel receive the additional holidays under the meet and confer or collective bargaining agreement.

Although pay steps for uniformed staff generally occur in one-year increments, if officers are not given a step pay increase in any fiscal year for budgetary reasons, when step pay increases are resumed in a subsequent fiscal year, it is expected that officers' pay will only increase one step. Officers should not expect a double-step in order to make up for step increases not previously given for budgetary reasons in any fiscal year.

AGENDA ITEM # 16

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 5, 7

DEPARTMENT: Mobility and Street Services

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 48Y

SUBJECT

Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation through a grant from the U. S. Department of Transportation Federal Highway Administration to provide cost reimbursement for material and labor costs incurred by the City for traffic signal improvements at Loop 12 (Buckner Boulevard) and Scyene Road; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in the amount of $21,346; and **(3)** the establishment of appropriations in the amount of $21,346 in the Texas Department of Transportation Grant Fund - Not to exceed $21,346 - Financing: Texas Department of Transportation Grant Funds

BACKGROUND

The City of Dallas was awarded grant funding totaling $6.17 million from the 2015 Highway Safety Improvement Program (HSIP) administered by the Texas Department of Transportation (TxDOT) to upgrade several high accident intersections in the City of Dallas. After further TxDOT review, TxDOT awarded the City an additional intersection (Loop 12 and Scyene Road) for safety improvements and traffic signal replacement.

TxDOT will advertise for construction in February 2017. Intersection improvements will include upgrades to pedestrian features, signage, pavement markings and reconstruction of traffic signals.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on January 9, 2017.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	June 2017
Complete Construction	February 2018

FISCAL INFORMATION

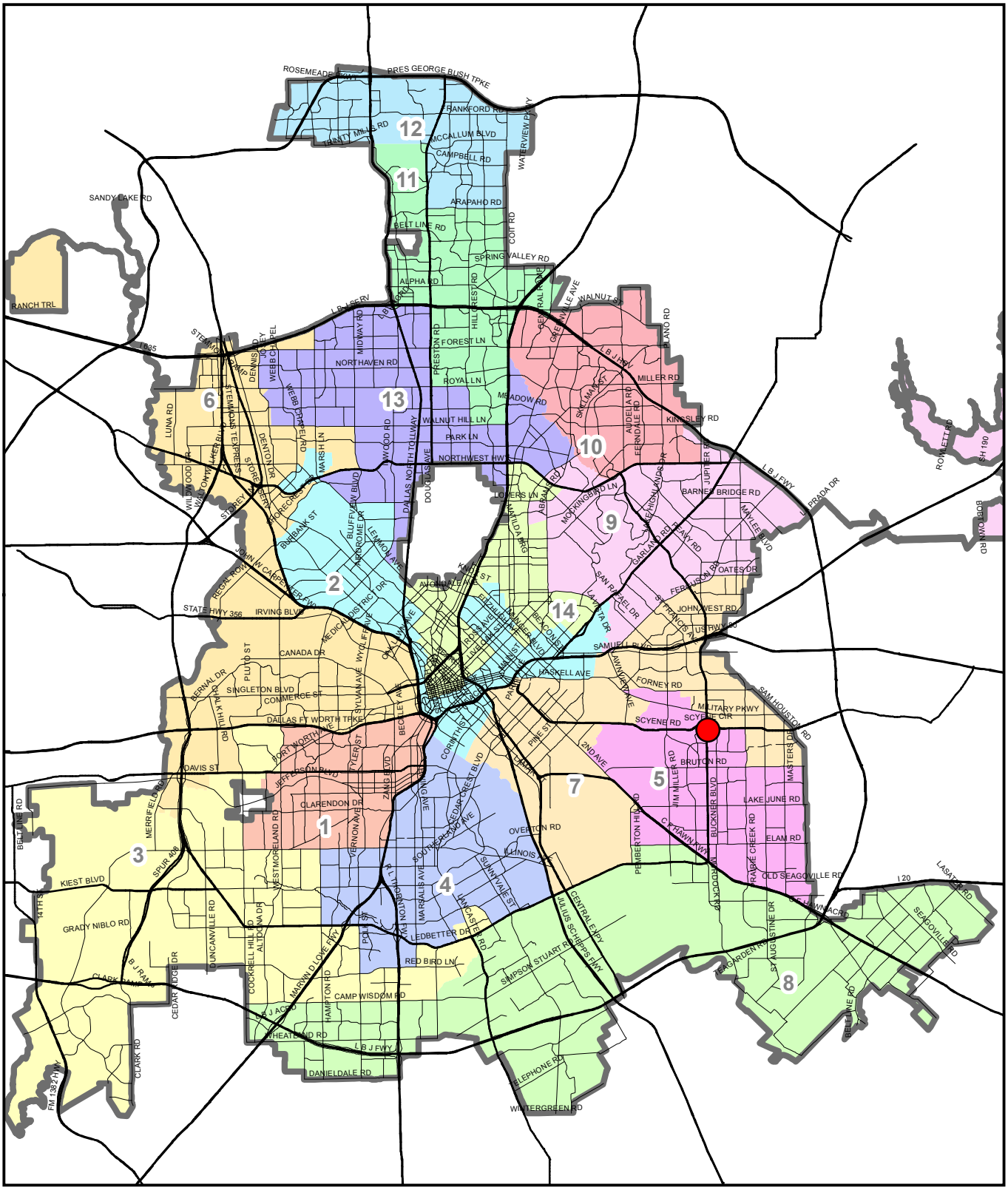
Texas Department of Transportation Grant Funds - $21,345.28

Council District	Amount
5	$ 16,008.96 (75% of the intersection)
7	$ 5,336.32 (25% of the intersection)
Total	$ 21,345.28

MAP

Attached

Loop 12 and Scyene Road
(Buckner Boulevard and Scyene Road)



Council District 5,7
Mapsco Page 48Y

Map by Transportation GIS, November 2016

January 11, 2017

WHEREAS, the Texas Department of Transportation (TxDOT) will provide reimbursement to the City of Dallas for material and labor costs incurred for traffic signal improvements at one on-system location at Loop 12 (Buckner Boulevard) and Scyene Road; and,

WHEREAS, TxDOT will reimburse 100% of labor and material costs in an amount not to exceed $21,345.28; and,

WHEREAS, the City of Dallas desires to enter into an agreement with TxDOT to receive cost reimbursement for material and labor costs incurred for traffic signal improvements at Loop 12 (Buckner Boulevard) and Scyene Road, in the amount of $21,345.28.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute an Interlocal Agreement with the Texas Department of Transportation through a grant from the U. S. Department of Transportation Federal Highway Administration (Agreement number CSJ #0581-01-144/CFDA No. 20.205) for traffic signal improvements at Loop 12 (Buckner Boulevard) and Scyene Road, in the amount of $21,345.28 after it has been approved as to form by the City Attorney. The agreement remains effective as long as the project is incomplete or unless otherwise terminated or modified.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit all reimbursements from TxDOT pertaining to this project in an amount not to exceed $21,345.28 in Fund F8FT, Dept. STS, Unit 88FT, Revenue Source 6506.

Section 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $21,345.28 in Fund F8FT, Dept. STS, Unit 88FT, Act. THRG, Obj. 4820, Major Program STSMJR, Program TPF8FT16.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds from Fund F8FT, Dept. STS, Unit 88FT, Act. THRG, Obj. 4820, Major Program STSMJR, Program TPF8FT16, in an amount not to exceed $21,345.28.

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

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

Section 7. That this 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:	January 11, 2017
COUNCIL DISTRICT(S):	6
DEPARTMENT:	Mobility and Street Services Water Utilities
CMO:	Jill A. Jordan, P.E., 670-5299 Ryan S. Evans, 671-9837
MAPSCO:	42 R V

SUBJECT

Authorize 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 - Not to exceed $6,305,000 - Financing: General Obligation Commercial Paper Funds ($3,090,498), 2006 Bond Funds ($2,709,502) and Water Utilities Capital Construction Funds ($505,000)

BACKGROUND

Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard Project is a partnership project between the City of Dallas and Dallas County. This project was submitted and subsequently selected in Dallas County's Major Capital Improvement Program (MCIP) Third Call for Projects in 2004, and the cost of the project is to be split 50/50 between the City and Dallas County. This action will authorize a Project Specific Agreement with and payment to Dallas County for the City's share of design and construction costs associated with the project.

The project is defined as a new roadway extension of Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard across the Union Pacific railroad tracks with a new bridge and widening 1500 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 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/implementing agency responsible for administering the design and construction. The design for this project is near completion and Dallas County is working on right-of-way acquisition and utility relocations. Construction is estimated to commence in Spring 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
Complete Design	January 2017
Complete Property Acquisition	March 2017
Complete Utility Relocation	December 2017
Begin Construction	March 2018
Complete Construction	April 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Master Agreement with Dallas County governing Major Capital Improvement Program on January 10, 2001, by Resolution No. 01-0104.

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

Authorized a new Master Agreement with Dallas County governing Major Capital Improvement Program on April 13, 2011, by Resolution No. 11-0927.

Information of this item will be provided to the Transportation and Trinity River Project Committee on January 9, 2017.

FISCAL INFORMATION

General Obligation Commercial Paper Funds (2006 Bond Program) - $3,090,498.25
2006 Bond Funds - $2,709,501.75
Water Utilities Capital Construction Funds - $505,000.00

City's share

Engineering Design (this action)	$ 762,500.00
Union Pacific Railroad Agreement (this action)	$ 925,000.00
Right-of-way Acquisition (this action)	$ 175,000.00
Utility Relocations (this action)	$ 75,000.00
Construction (Water) - DWU (this action)	$ 505,000.00
Construction (Paving & Drainage) - STS (this action)	$3,862,500.00
Total	$6,305,000.00

FISCAL INFORMATION (Continued)

County's share

Engineering Design	$ 762,500.00
Union Pacific Railroad Agreement	$ 925,000.00
Right-of-way Acquisition	$ 175,000.00
Utility Relocations	$ 75,000.00
Construction (Paving & Drainage) - STS	$3,862,500.00
Total	$5,800,000.00

Total Estimated Project Costs $12,105,000.00

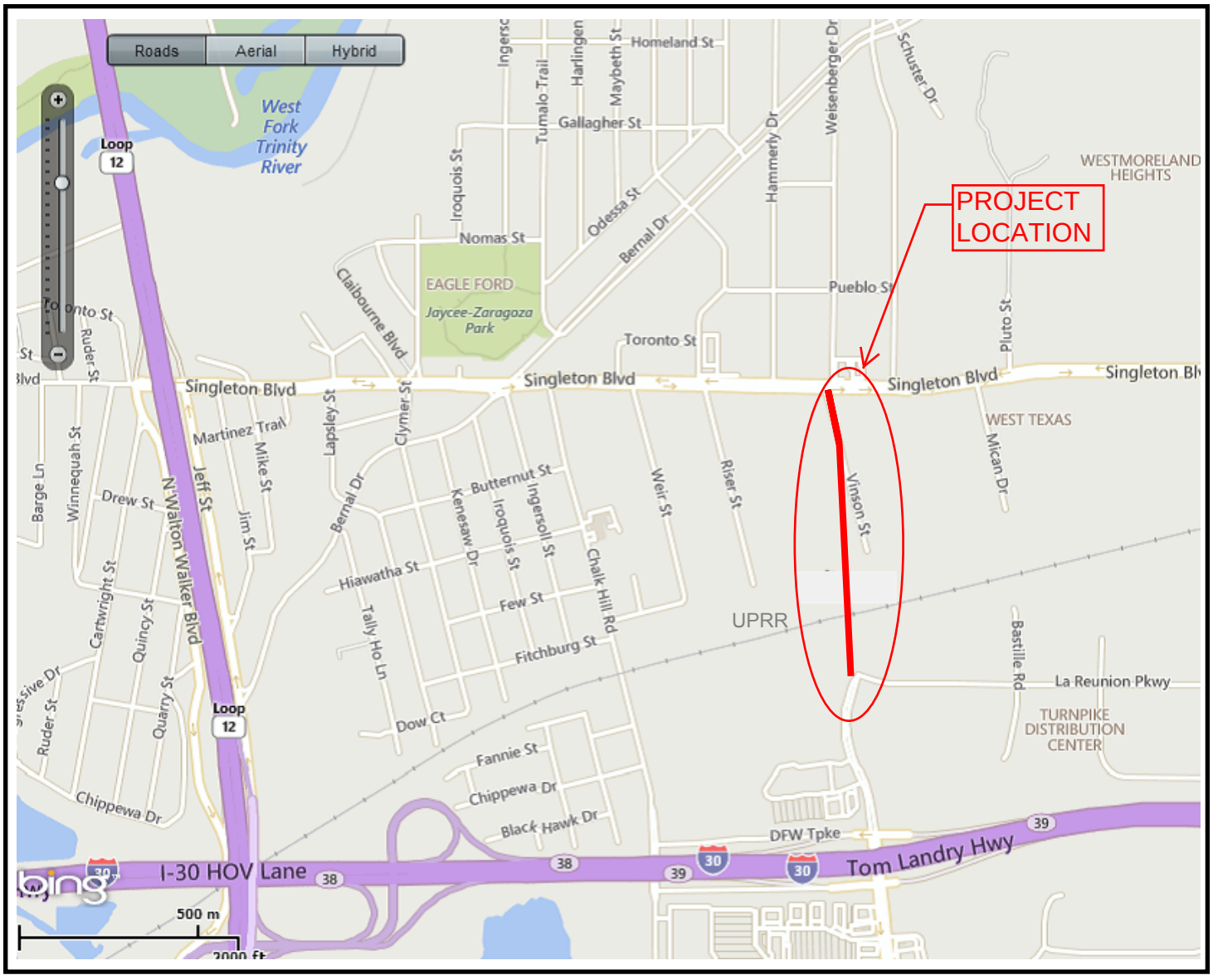
Project Share Cost

City of Dallas (STS)	$5,800,000.00
City of Dallas (DWU)	$ 505,000.00
Dallas County	$5,800,000.00

MAP

Attached.

COCKRELL HILL ROAD PROJECT
FROM LA REUNION PARKWAY TO SINGLETON BOULEVARD



MAPSCO 42R & 42V

January 11, 2017

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

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

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

WHEREAS, on April 13, 2011, Resolution No. 11-0927 authorized a new Master Agreement with Dallas County governing MCIP with Dallas County; 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, it is now necessary to authorize the Project Specific 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.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a Project Specific 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, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Street and Transportation Improvements Fund	
Fund 2T22, Department STS, Unit U205, Act. INGV	
Obj 4510, Program #PB06U205, CT STS06U205D1	
Vendor #014003, in an amount not to exceed	$ 209,644.59

Street and Transportation Improvements Fund Fund 3T22, Department STS, Unit U205, Act. INGV Obj 4510, Program #PB06U205, CT STS06U205D1 Vendor #014003, in an amount not to exceed	$2,499,857.16
Street and Transportation Improvements Fund Fund 4T22, Department STS, Unit U205, Act. INGV Obj 4510, Program #PB06U205, CT STS06U205D1 Vendor #014003, in an amount not to exceed	$3,090,498.25
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Obj 3222, Program #714146X, CT DWU714146EN Vendor #014003, in an amount not to exceed	$ 4,000.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Obj 3221, Program #714145X, CT DWU714145EN Vendor #014003, in an amount not to exceed	$ 20,000.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Obj 4560, Program #714146, CT DWU714146CP Vendor #014003, in an amount not to exceed	$ 220,310.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Obj 4550 Program #714145, CT DWU714145CP Vendor #014003, in an amount not to exceed	$ 260,690.00
Total amount not to exceed	$6,305,000.00

Section 3. That the Chief Financial Officer is hereby authorized to deposit any unused Bond Funds advanced to Dallas County pertaining to the project into Fund 4T22, Department STS, Unit U205, Object 4510.

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 # 18

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	January 11, 2017
COUNCIL DISTRICT(S):	6, 13
DEPARTMENT:	Mobility and Street Services Water Utilities
CMO:	Jill A. Jordan, P.E., 670-5299 Ryan S. Evans, 671-9837
MAPSCO:	23R 24N 34A 42G

SUBJECT

Authorize **(1)** street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3001; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law (list attached); and **(2)** a benefit assessment hearing to be held on February 22, 2017, to receive comments - Financing: No cost consideration to the City

BACKGROUND

Palacios Avenue from Ottawa Road to Canada Drive was requested by property owner petition and accepted on April 24, 2007. The alley between Capps Drive and Rexford Drive from Lemmon Avenue parallel to Glencrest Lane was requested by property owner petition and accepted on December 14, 2007. The alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane was requested by property owner petition and accepted on May 27, 2008. The alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane was requested by property owner petition and accepted on November 17, 2010. All of these projects were subsequently funded in the 2012 Bond Program. A professional services contract for the design was authorized by City Council on January 22, 2014, by Resolution No. 14-0190. This action will authorize the project, partial payment of cost by assessment, and a benefit assessment hearing. The street improvement will consist of upgrading the existing unimproved two-lane asphalt street with 26-foot wide concrete pavement with curbs, sidewalks, drive approaches, installation of a storm drainage system and water and wastewater main improvements. The alley improvements will consist of upgrading the unimproved gravel and dirt alleys with 10-foot wide concrete pavement; drainage improvements and water main improvements.

BACKGROUND (Continued)

The paving assessment process requires the following three steps:

1. Authorize paving improvements
2. Authorize a benefit assessment hearing
3. Benefit assessment hearing, ordinance levying assessments and authorize contract for construction

These actions are the 1st and 2nd steps in the process.

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2014
Completed Design	October 2016
Begin Construction	May 2017
Complete Construction	May 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering services on January 22, 2014, by Resolution No.14-0190.

Information about this item will be provided to the Transportation and Trinity River Project Committee on January 9, 2017.

FISCAL INFORMATION

Design	$ 109,355.50
Construction	
Paving&Drainage (MSS)	$1,030,285.00 (est.)
Water & Wastewater (WTR)	$ 527,324.30 (est.)
Total Project Cost	$1,666,964.80 (est.)

Council District	Amount
6	$1,432,744.30 (est.)
13	$ 124,865.00 (est.)
Total	$1,557,609.30 (est.)

This project does involve assessments.

MAPS

Attached.

Project Group 12-3001

Project	Limits	Council District
Palacios Avenue	from Ottawa Road to Canada Drive	6
Alley between Capps Drive and Rexford Drive	from Lemmon Avenue parallel to Glencrest Lane	13
Alley between Hurley Way and Lenel Place	from Williamsburg Road to "T" alley south of Walnut Hill Lane	6
Alley between Manana Drive and Park Lane	from Larga Drive to Marsh Lane	6

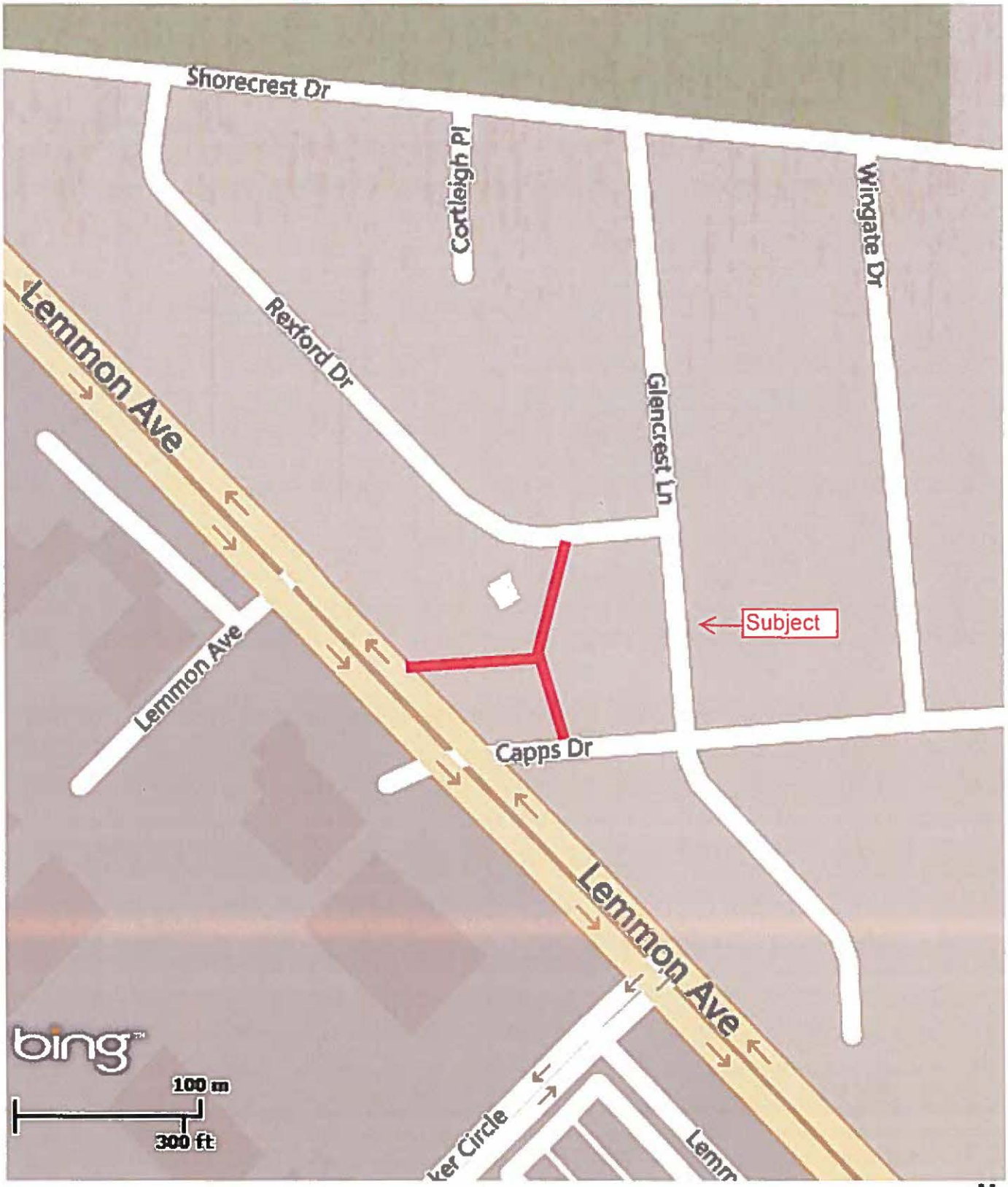
PROJECT GROUP 12-3001



MAPSCO 42G

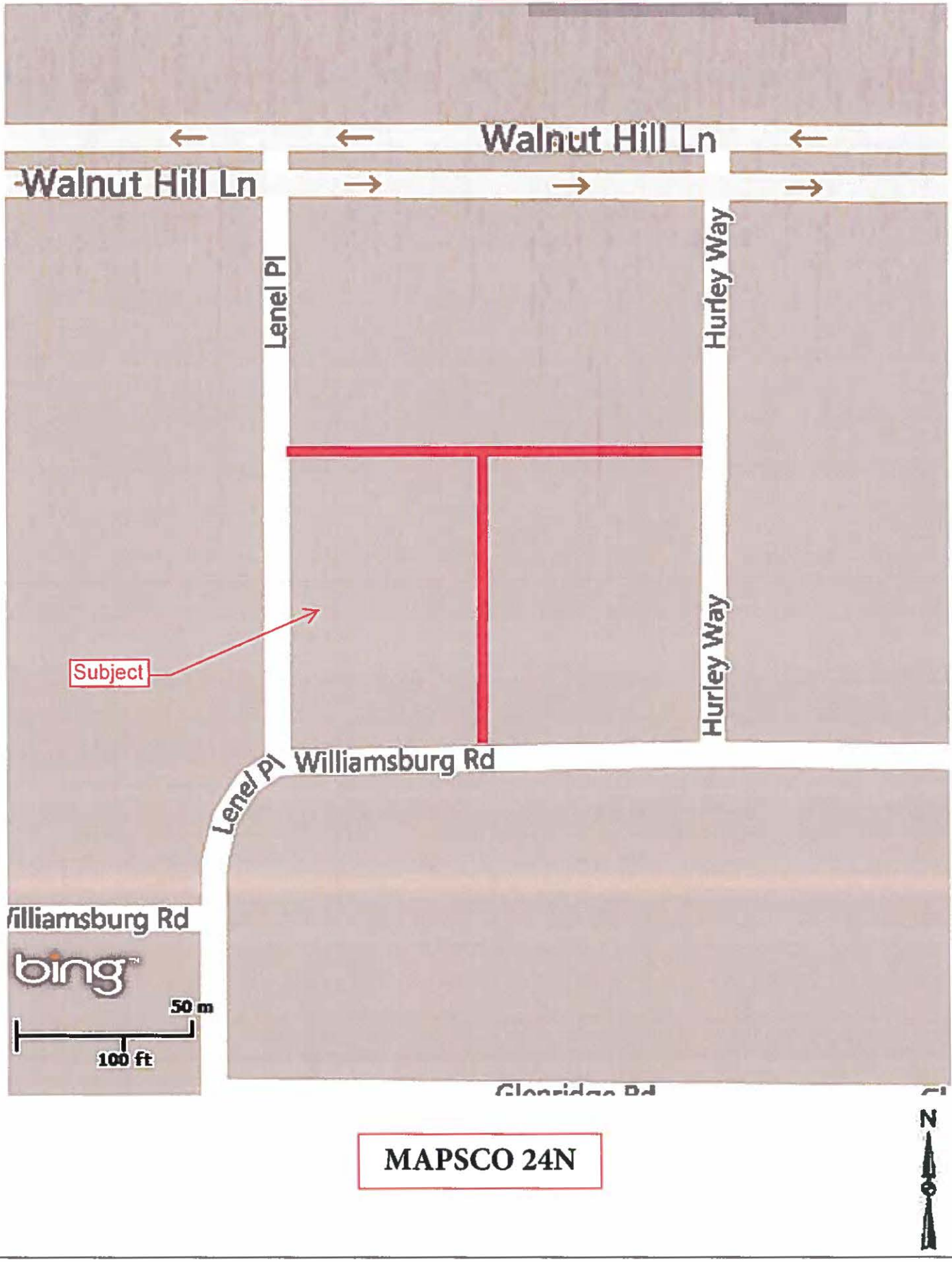
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PROJECT GROUP 12-3001



MAPSCO 34A

PROJECT GROUP 12-3001



MAPSCO 24N

PROJECT GROUP 12-3001



MAPSCO 23R

January 11, 2017

WHEREAS, the City of Dallas deems it necessary to permanently improve the hereinafter named street and alleys within the City of Dallas.

Now, Therefore,

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

SECTION 1. That the following street and alleys

Project Group 12-3001

Street:
1. Palacios Avenue from Ottawa Road to Canada Drive

Alleys:
2. Alley between Capps Drive and Rexford Drive from Lemmon Avenue parallel to Glencrest Lane
3. Alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane
4. Alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane

shall be improved in the following manner, to wit:

(1) That said street and alleys shall be profiled so as to bring same to design grade.

(2) That said street shall be paved from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and,

(3) That said alleys shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick flex base subgrade; and,

That any permanent improvements in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments.

That bids shall be taken for the construction of the work for the type of construction enumerated above, and the work shall be done with the materials and according to plans and methods selected by the City Council after the bids are opened.

That the cost of said improvements shall be paid for as follows, to wit:

(a) That the City of Dallas shall pay only an amount equal to the cost of storm sewers, and all the cost of improving intersections of said street and alleys with other street and alleys, and partial adjusted frontages on side property, except so much thereof as shall be borne by streets, railways, and steam railways, as provided in Subsection (a)

(b) That after deducting the proportion of the cost provided for in said Subsection (a) above, the whole remaining cost, including the cost of concrete curbs or curbs and gutters, driveways, sidewalks and alleys shall be paid by the owners of property abutting on said streets and alleys named to be paved, in the following manner, to wit:

That the cost shall be assessed against said owners and their property respectively, in accordance with what is known as the "Front-Foot Plan", in proportion as the frontage of the property of each owner is to the whole frontage improved and shall be payable in monthly installments not to exceed one hundred twenty (120) in number, the first of which shall be payable within thirty (30) days from the date of the completion of said improvements and their acceptance by the City of Dallas, and one installment each month thereafter until paid, together with interest thereon at the current rate established and adopted by the City Council applicable to Public Improvement Assessment Accounts being paid by installments and not to exceed the statutory rate, with the provision that any of said installments may be paid at any time before maturity by the payment of the principal and the accrued interest thereon. Any property owner against whom and whose property an assessment has been levied may pay the whole assessment chargeable to him without interest within thirty (30) days after the acceptance and completion of said improvements.

Provided that, if the application of the above-mentioned rule of apportionment between property owners would, in the opinion of the City Council, in particular cases be unjust or unequal, it shall be the duty of the said Council to assess and apportion said cost in such manner as it may deem just and equitable, having in view the special benefits in enhanced value to be received by each owner of such property, the equities of owners, and the adjustment of such apportionment, so as to produce a substantial equality of benefits received by and burdens imposed upon such owners.

That no such assessment shall be made against any owner of abutting property, if any, until after the notice and hearing provided by law, and no assessment shall be made against an owner of abutting property in excess of the benefits to such property in enhanced value thereof by means of such improvements.

That the contractor shall be paid for the work performed under the specifications, upon monthly estimates to be prepared by the Director of Mobility and Street Services. That there shall be deducted as a retainage fee, five (5%) percent of such monthly estimates, to be held by the City of Dallas until the contract is performed and executed to the satisfaction of the Director of Mobility and Street Services. The monthly estimates shall be paid on or before the 10th day of the next succeeding month for the work performed during the previous month.

For that part of the cost of the improvements that shall be determined to be levied against the owners of abutting property and their property shall be levied by assessment as herein provided, and said improvements may further be secured by Mechanic's Liens to be executed in favor of the City of Dallas, provided by law in accordance with the terms and provisions of this resolution. Paving certificates evidencing the assessment shall be issued in favor of the City of Dallas for the amount of the assessment, whether the property owners have executed Mechanic's Liens to secure the payment or not, and shall be payable for the use and benefit of the Revolving Fund established for the purpose of financing paving improvements.

That the Director of Mobility and Street Services is hereby directed to prepare at once the specifications and an estimate of the cost of such improvements and file the same with the City Council for the hereinabove described pavement and improvements. That in the specifications prepared, provision shall be made to require all contractors to give such bonds as may be necessary or as required by law.

That such specifications shall require the bidder to make a bid upon the type of improvements above described, with such bonds as may be required.

That the specifications shall also state the amounts of the required bonds, as well as the method by which it is proposed to pay the cost of said improvements, said method being in accordance with this resolution.

SECTION 2. That the City Council, in initiating this proceeding, is acting under the terms and provisions of the Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, and known as Chapter 106 of the Acts of said Session, together with any amendments thereto, now shown as Texas Transportation Code Annotated Sections 311 and 313 (Vernon’s 1996), which said law, as an alternative method for the construction of street and alley improvements in the City of Dallas, Texas, has been adopted and made a part of the Charter of said City, being Chapter XX of said Charter.

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.

NOTICE OF ASSESSMENT PROCEEDINGS AND LIEN UPON ABUTTING PROPERTY

NOTICE is hereby given that the Governing Body of the City of Dallas, in the County of Dallas, in the State of Texas, by Resolution No._____ dated_____ has ordered and directed that the following street in said City be improved, to wit:

Project Group 12-3001

1. Palacios Avenue from Ottawa Road to Canada Drive

West Side of Street

Subdivision	Block	Lot
Joe A Irwin 2	2/7163	12
Joe A Irwin 2	2/7163	11
Joe A Irwin 2	2/7163	10
Joe A Irwin 2	2/7163	9
Joe A Irwin 2	2/7163	8
Joe A Irwin 2	2/7163	19
Joe A Irwin 2	2/7163	18
Joe A Irwin 2	2/7163	17
Joe A Irwin 2	2/7163	16
Joe A Irwin 2	2/7163	15
Joe A Irwin 2	2/7163	13&14

East Side of Street

Subdivision	Block	Lot
Joe A Irwin 2	3/7163	1
Joe A Irwin 2	3/7163	2
Joe A Irwin 2	3/7163	3
Joe A Irwin 2	3/7163	4
Joe A Irwin 2	3/7163	5
Joe A Irwin 2	3/7163	6
Joe A Irwin 2	3/7163	7
Joe A Irwin 2	3/7163	8
Joe A Irwin 2	3/7163	9
Joe A Irwin 2	3/7163	10
Joe A Irwin 2	3/7163	11
Joe A Irwin 2	3/7163	12
Joe A Irwin 2	3/7163	13
Joe A Irwin 2	3/7163	14

2. Alley between Capps Drive and Rexford Drive from Lemmon Avenue to parallel to Glencrest Lane

Northwest Side of Alley

Subdivision	Block	Lot
Shore Crest Terrace	3/5065	10
Shore Crest Terrace	3/5065	9
Shore Crest Terrace	3/5065	6

East Side of Alley

Subdivision	Block	Lot
Shore Crest Terrace	3/5065	5
Shore Crest Terrace	3/5065	4
Shore Crest Terrace	3/5065	3
Shore Crest Terrace	3/5065	1

Southwest Side of Alley

Subdivision	Block	Lot
Shore Crest Terrace	3/5065	7
Shore Crest Terrace	3/5065	8

3. Alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane

West Side of Alley			East Side of Alley		
Subdivision	**Block**	**Lot**	**Subdivision**	**Block**	**Lot**
Glenridge Estate 3	C/6220	8	Glenridge Estate 3	C/6220	4
Glenridge Estate 3	C/6220	9	Glenridge Estate 3	C/6220	5
Glenridge Estate 3	C/6220	10	Glenridge Estate 3	C/6220	6
Glenridge Estate 3	C/6220	11	Glenridge Estate 3	C/6220	7

North Side of Alley		
Subdivision		
Glenridge Estate 3	C/6220	1
Glenridge Estate 3	C/6220	2
Glenridge Estate 3	C/6220	3

4. Alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane

North Side of Alley			South Side of Alley		
Subdivision	**Block**	**Lot**	**Subdivision**	**Block**	**Lot**
Brownwood Park	E/6144	1	Walnut Hill Estates	26/6144	20
Brownwood Park	E/6144	3	Walnut Hill Estates	26/6144	19
Brownwood Park	E/6144	4	Walnut Hill Estates	26/6144	18
Brownwood Park	E/6144	5	Walnut Hill Estates	26/6144	17
Brownwood Park	E/6144	6	Walnut Hill Estates	26/6144	16
Brownwood Park	E/6144	7	Walnut Hill Estates	26/6144	15
Brownwood Park	E/6144	8	Walnut Hill Estates	26/6144	14
Brownwood Park	E/6144	9	Walnut Hill Estates	26/6144	13
Brownwood Park	E/6144	10	Walnut Hill Estates	26/6144	12
Brownwood Park	E/6144	11	Walnut Hill Estates	26/6144	11
Brownwood Park	E/6144	12	Walnut Hill Estates	26/6144	10
Brownwood Park	E/6144	13	Walnut Hill Estates	26/6144	9
Brownwood Park	E/6144	14	Walnut Hill Estates	26/6144	8
Brownwood Park	E/6144	15	Walnut Hill Estates	26/6144	7
Brownwood Park	E/6144	16	Walnut Hill Estates	26/6144	6
Brownwood Park	E/6144	17	Walnut Hill Estates	26/6144	5
Brownwood Park	E/6144	18	Walnut Hill Estates	26/6144	4
Brownwood Park	E/6144	19	Walnut Hill Estates	26/6144	3
Brownwood Park	E/6144	20	Walnut Hill Estates	26/6144	2
Brownwood Park	E/6144	21	Walnut Hill Estates	26/6144	1

In case of conflict between numbers and street names and limits, street names will govern. A portion of the cost of such improvements is to be specially assessed as a lien upon property abutting thereon.

City of Dallas, Texas

By _____
City Secretary

(File in Deed of Trust Records)

January 11, 2017

WHEREAS, the City Council of the City of Dallas is of the opinion that it is necessary to levy an assessment against the property and the owners thereof abutting upon the following:

Project Group 12-3001

Street:
1. Palacios Avenue from Ottawa Road to Canada Drive

Alleys:
2. Alley between Capps Drive and Rexford Drive from Lemmon Avenue parallel to Glencrest Lane
3. Alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane
4. Alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane

for a part of the cost of improving said street and alleys, fixing a time for the hearing of the owners of said property concerning the same, and directing the City to give notice of said hearing, as required by law; and,

WHEREAS, the City Council has heretofore, by resolution, ordered the improvement of the street enumerated above, by paving said street from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and

WHEREAS, the City Council has heretofore, by resolution, ordered the improvement of the alleys enumerated above, by paving said alleys with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick flex base subgrade; and

Any existing permanent improvements in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments; and,

WHEREAS, the Director of Mobility and Street Services of the City of Dallas has, in accordance with the law, filed his report with the City Council, and the property owners, in the cost thereof, together with the names of the owners and the description of said property, and the work to be done adjacent thereto, and the amounts proposed to be assessed against each lot or parcel and its owners and all other matters required by the applicable law.

Now, Therefore,

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

SECTION 1. That the report or statement filed by the Director of Mobility and Street Services having been duly examined is hereby approved.

SECTION 2. That it is hereby found and determined that the cost of improvements on the hereinafter described street and alleys, with the amount or amounts per front foot proposed to be assessed for such improvements against abutting property and the owners thereof, are as follows, to wit:

Project Group 12-3001

Street:
1. Palacios Avenue from Ottawa Road to Canada Drive

Alleys:
2. Alley between Capps Drive and Rexford Drive from Lemmon Avenue parallel to Glencrest Lane
3. Alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane
4. Alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane

shall be improved from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and

shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick flex base subgrade; and

The estimated cost of the improvements is **$1,557,609.30 (est.)**

a. The estimated rate per square yard to be assessed against abutting property and the owners thereof for concrete drive approaches is **$47.21/S. Y.**

b. The estimated rate per front foot to be assessed against abutting property and the owners thereof for concrete alley is: **$18.24/L. F.**

c. The estimated rate per front foot to be assessed against abutting property and the owners thereof for pavement improvements is as follows:

Where Property Classification is WSR-I (R-5(A))
The front rate for 6-inch thick reinforced concrete pavement 13.5 feet wide with curb: **$90.00/L. F.**

The front rate for 4-inch thick reinforced concrete sidewalk is**: $9.43/L.F.**

All assessments, however, are to be made and levied by the City Council as it may deem just and equitable, having in view the special benefits in enhanced value to be received by such parcels of property and owners thereof, the equities of such owners, and the adjustment of the apportionment of the cost of improvements so as to produce a substantial equality of benefits received and burdens imposed.

SECTION 3. That a hearing shall be given to said owners of abutting property, or their agents or attorneys and all persons interested in said matter, as to the amount to be assessed against each owner and his abutting property and railways and street railways and as to the benefits to said property by reason of said improvement, or any other matter of thing in connection therewith, which hearing shall be held in the Council Chamber of the City Hall of the City of Dallas, County of Dallas, on the **22nd** day of **February,** A.D. **2017**, at **1:00** o'clock P.M., at which time all the said owners, their agents or attorneys or other interested persons are notified to appear and be heard, and at said hearing said owners and other persons may appear, by counsel or in person, and may offer evidence, and said hearing shall be adjourned from day to day until fully accomplished.

That the City shall give notice of the time and place of such hearing and of other matters and facts in accordance with the terms of provisions of the Act passed at the First called session of the Fortieth Legislature of the State of Texas, and known as Chapter 106 of the Acts of said session, together with any amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law, as an alternative method for the construction of street improvements in the City of Dallas, Texas, has been adopted and made a part of the charter of said City, being Chapter XX of said Charter. Said notice shall be by advertisement inserted at least three times in a newspaper published in the City of Dallas, Texas, the first publication to be made at least twenty-one (21) days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Act

That the City shall give additional written notice of said hearing by mailing to said owners a copy of said notice deposited in the Post Office at Dallas, Texas, at least fourteen (14) days prior to the date of said hearing, provided however, that any failure of the property owners to receive said notice, shall not invalidate these proceedings.

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.

January 11, 2017

TO THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS

As requested by your Honorable Body, the undersigned has prepared plans and specifications for the improvements of Project Group 12-3001. That said street shall be paved curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and that said alleys shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick flex base subgrade and with estimates of the cost of improving the street and alley as listed thereon, together with the proposed assessments, a part of the cost to be made against the abutting properties and the property owners, and part of the cost to be paid by the City. The report of these improvements is as follows:

Project Group 12-3001

Street:

1. Palacios Avenue from Ottawa Road to Canada Drive

Total Property Owners' Cost - Assessments		$121,249.29
Total Estimated City of Dallas' Cost - Paving	$206,490.71	
Total Estimated City of Dallas' Cost - Drainage	$72,950.00	
Total Estimated Water Utilities Department Cost Water and Wastewater Main Improvements	$223,572.16	
Total Estimated City of Dallas' Cost		$503,012.87
Total Estimated Cost of Improvements		$624,262.16

Alleys:

2. Alley between Capps Drive and Rexford Drive from Lemmon Avenue parallel to Glencrest Lane

Total Property Owners' Cost - Assessments		$11,018.47
Total Estimated City of Dallas' Cost - Paving	$113,846.53	
Total Estimated City of Dallas' Cost		$113,846.53
Total Estimated Cost of Improvements		$124,865.00

3. Alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane

Total Property Owners' Cost - Assessments		$16,452.48
Total Estimated City of Dallas' Cost - Paving	$155,247.52	
Total Estimated City of Dallas' Cost		$155,247.52
Total Estimated Cost of Improvements		$171,700.00

4. Alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane

Total Property Owners' Cost - Assessments		$47,357.14
Total Estimated City of Dallas' Cost - Paving	$262,172.86	
Total Estimated City of Dallas' Cost - Drainage	$23,500.00	
Total Estimated Water Utilities Department Cost Water Main Improvements	$303,752.14	
Total Estimated City of Dallas' Cost		$589,425.00
Total Estimated Cost of Improvements		$636,782.14

Project Group 12-3001

Street:

1. Palacios Avenue from Ottawa Road to Canada Drive

Alleys:

2. Alley between Capps Drive and Rexford Drive from Lemmon Avenue parallel to Glencrest Lane
3. Alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane
4. Alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane

Grand Total Property Owners' Cost - Assessments		$196,077.38
Estimated Grand Total City of Dallas' Cost - Paving	$737,757.62	
Estimated Grand Total City of Dallas' Cost - Drainage	$96,450.00	
Estimated Grand Total Water Utilities Department Cost Water and Wastewater Main Improvements	$527,324.30	
Estimated Grand Total City of Dallas' Cost		$1,361,531.92
Estimated Grand Total Cost of Improvements		$1,557,609.30

The Director of Mobility and Street Services reports that representatives of this Department have studied the actual existing conditions on the ground on these particular streets and alleys, and find that the existing roadways have a narrow asphalt surface with shallow earth drainage ditches; and that there are poor conditions existing on these dirt and gravel alleys which have accessibility and drainage issues. Taking all of this and other factors into consideration; plans and specifications have been prepared for these improvements. We believe that this paving will improve the properties abutting on said streets and alleys, and the proposed assessment is equitable for the enhancement value achieved on the abutting properties. Final determination of assessments will be made based on analysis of enhancement.

Respectfully submitted,



Director, Mobility and Street Services Department

PROJECT GROUP 12-3001

1. PALACIOS AVENUE FROM OTTAWA ROAD TO CANADA DRIVE SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4 OR 5 FEET WIDE WHERE SPECIFIED; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
WEST SIDE OF STREET							
		JOE A IRWIN 2					
JESUS V MASCORRO	12	2/7163	83	FT PVMT	$90.00	$7,470.00	
4028 HAMMERLY DR	**4107**		57	FT WALK	$9.43	$537.51	
DALLAS, TX 75212	**Palacios Ave**		24.4	SY DR(15'Wide)	$47.21	$1,151.92	
							$9,159.43
REYNALDO MARTINEZ &	11	2/7163	50	FT PVMT	$90.00	$4,500.00	
SYLVIA MARTINEZ			35	FT WALK	$9.43	$330.05	
4111 PALACIOS AVE			12	FT DRIVE	No Cost	$0.00	
DALLAS, TX 75212							$4,830.05
REYNALDO MARTINEZ &	10	2/7163	50	FT PVMT	$90.00	$4,500.00	
SYLVIA MARTINEZ	**4115**		50	FT WALK	$9.43	$471.50	
4111 PALACIOS AVE	**Palacios Ave**						$4,971.50
DALLAS, TX 75212							
PAUL ALEMAN JR &	9	2/7163	50	FT PVMT	$90.00	$4,500.00	
MARGARITA ALEMAN	**4119**		50	FT WALK	$9.43	$471.50	
4564 CEDAR PATH DR	**Palacios Ave**						$4,971.50
DALLAS, TX 75211							
SUSANA BARJAS	8	2/7163	50	FT PVMT	$90.00	$4,500.00	
4123 PALACIOS AVE			31	FT WALK	$9.43	$292.33	
DALLAS, TX 75212			14	FT DRIVE	No Cost	$0.00	
							$4,792.33

PROJECT GROUP 12-3001

1. PALACIOS AVENUE FROM OTTAWA ROAD TO CANADA DRIVE SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4 OR 5 FEET WIDE WHERE SPECIFIED; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
		JOE A IRWIN					
CLAUDIA T PRECIADO	19	2/7163	50	FT PVMT	$90.00	$4,500.00	
4127 PALACIOS AVE			17	FT WALK	$9.43	$160.31	
DALLAS, TX 75212			16.3	SY DR(12'Wide)	$47.21	$769.52	
							$5,429.83
DANIEL ESTRADA	18	2/7163	50	FT PVMT	$90.00	$4,500.00	
4131 PALACIOS AVE			34	FT WALK	$9.43	$320.62	
DALLAS, TX 75212			21.3	SY DR(15'Wide)	$47.21	$1,005.57	
							$5,826.19
DALIA SANCHEZ &	17	2/7163	40	FT PVMT	$90.00	$3,600.00	
SAUL SORIA	**4135**		24	FT WALK	$9.43	$226.32	
4809 BERNAL DR	**Palacios Ave**		16	FT DRIVE	No Cost	$0.00	
DALLAS, TX 75212							$3,826.32
BRENDA HINOJOSA	16	2/7163	39	FT PVMT	$90.00	$3,510.00	
4146 MAYBETH ST	**4139**		39	FT WALK	$9.43	$367.77	
DALLAS, TX 75212	**Palacios Ave**						$3,877.77
JOSE A ESCAMILLA	15	2/7163	38	FT PVMT	$90.00	$3,420.00	
4143 PALACIOS AVE			25	FT WALK	$9.43	$235.75	
DALLAS, TX 75212			17.7	SY DR(12'Wide)	$47.21	$835.62	
							$4,491.37

PROJECT GROUP 12-3001

1. PALACIOS AVENUE FROM OTTAWA ROAD TO CANADA DRIVE SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4 OR 5 FEET WIDE WHERE SPECIFIED; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
		JOE A IRWIN 2					
JUSTO HERNANDEZ	13 &14	2/7163	88	FT PVMT	$90.00	$7,920.00	
CONNIE HERNANDEZ			63	FT WALK	$9.43	$594.09	
4147 PALACIOS AVE			24.4	SY DR(15'Wide)	$47.21	$1,151.92	
DALLAS, TX 75212							$9,666.01
EAST SIDE OF STREET							
SAUL SORIA	1	3/7163	45	FT WALK	$9.43	$424.35	
4142 PALACIOS AVE	**4154**						$424.35
DALLAS, TX 75212	**Palacios Ave**						
SAUL SORIA	2	3/7163	34	FT PVMT	$90.00	$3,060.00	
4142 PALACIOS AVE	**4150**		34	FT WALK	$9.43	$320.62	
DALLAS, TX 75212	**Palacios Ave**		17.7	SY DR(12'Wide)	$47.21	$835.62	
							$4,216.24
SAUL SORIA	3	3/7163	35	FT PVMT	$90.00	$3,150.00	
4142 PALACIOS AVE	**4146**		35	FT WALK	$9.43	$330.05	
DALLAS, TX 75212	**Palacios Ave**						$3,480.05
SAUL SORIA &	4	3/7163	42	FT PVMT	$90.00	$3,780.00	
DALIA SORIA	**4142**		22	FT WALK	$9.43	$207.46	
4809 BERNAL DR	**Palacios Ave**						$3,987.46
DALLAS, TX 75212							

PROJECT GROUP 12-3001

1. PALACIOS AVENUE FROM OTTAWA ROAD TO CANADA DRIVE SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4 OR 5 FEET WIDE WHERE SPECIFIED; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
			JOE A IRWIN 2				
DALIA SANCHEZ	5	3/7163	42	FT PVMT	$90.00	$3,780.00	
4809 BERNAL DR	**4138**		42	FT WALK	$9.43	$396.06	
DALLAS, TX 75212	**Palacios Ave**						$4,176.06
DALIA SANCHEZ	6	3/7163	44	FT PVMT	$90.00	$3,960.00	
4809 BERNAL DR	**4134**		44	FT WALK	$9.43	$414.92	
DALLAS, TX 75212	**Palacios Ave**						$4,374.92
FRANCISCO SANCHEZ	7	3/7163	45	FT PVMT	$90.00	$4,050.00	
4130 PALACIOS AVE			27	FT WALK	$9.43	$254.61	
DALLAS, TX 75212			18.4	SY DR(13'Wide)	$47.21	$868.66	
							$5,173.27
FRANCISCO SANCHEZ	8	3/7163	45	FT PVMT	$90.00	$4,050.00	
4130 PALACIOS AVE	**4126**		45	FT WALK	$9.43	$424.35	
DALLAS, TX 75212	**Palacios Ave**						$4,474.35
ROY L THORNE	9	3/7163	47	FT PVMT	$90.00	$4,230.00	
P O BOX 566	**4122**		29	FT WAK	$9.43	$273.47	
DESOTO, TX 75123	**Palacios Ave**		18.9	SY DR(13'Wide)	$47.21	$892.27	
							$5,395.74

PROJECT GROUP 12-3001

1. PALACIOS AVENUE FROM OTTAWA ROAD TO CANADA DRIVE SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4 OR 5 FEET WIDE WHERE SPECIFIED; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
		JOE E IRWIN 2					
RUBEN C MAGANA TR &	10	3/7163	48	FT PVMT	$90.00	$4,320.00	
MARY V MAGANA TR			32	FT WALK	$9.43	$301.76	
4118 PALACIOS AVE			16	FT DRIVE	No Cost	$0.00	
DALLAS, TX 75212							$4,621.76
BENITO HERNANDEZ	11	3/7163	50	FT PVMT	$90.00	$4,500.00	
4114 PALACIOS AVE			38	FT WALK	$9.43	$358.34	
DALLAS, TX 75212			12	FT DRIVE	No Cost	$0.00	
							$4,858.34
QUIRINO MEDINA	12	3/7163	49	FT PVMT	$90.00	$4,410.00	
5230 BRYCE CANYON RD	**4110**		49	FT WALK	$9.43	$462.07	
DALLAS, TX 75211	**Palacios Ave**						$4,872.07
RAFAEL MEDINA	13	3/7163	48	FT PVMT	$90.00	$4,320.00	
3126 HAMMERLY DR	**4106**		36	FT WALK	$9.43	$339.48	
DALLAS, TX 75212	**Palacios Ave**		12	DRIVE	No Cost	$0.00	
							$4,659.48
BEATRICE ORNELAS	14	3/7163	49	FT PVMT	$90.00	$4,410.00	
4102 PALACIOS AVE			30	FT WALK	$9.43	$282.90	
DALLAS, TX 75212			19	FT DRIVE	No Cost	$0.00	
							$4,692.90

PROJECT GROUP 12-3001
1. PALACIOS AVENUE FROM OTTAWA ROAD TO CANADA DRIVE

TOTAL PROPERTY OWNERS' COST ASSESSMENTS		$121,249.29
ESTIMATED TOTAL CITY OF DALLAS' COST - PAVING	$206,490.71	
ESTIMATED TOTAL CITY OF DALLAS' COST - DRAINAGE	$72,950.00	
ESTIMATED TOTAL DALLAS WATER UTILITIES COST WATER AND WASTEWATER MAIN CONSTRUCTION	$223,572.16	
ESTIMATED TOTAL CITY OF DALLAS' COST		$503,012.87
ESTIMATED TOTAL COST OF IMPROVEMENTS		$624,262.16

PROJECT GROUP 12-3001

2. ALLEY BETWEEN CAPPS DRIVE AND REXFORD DRIVE FROM LEMMON AVENUE PARALLEL TO GLENCREST LANE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
NORTHWEST SIDE OF ALLEY						
			SHORE CREST TERRACE			
D MICHAEL CANNADY REVOCABLE TRUST 8723 REXFORD DR DALLAS, TX 75209	10	3/5065	34 FT PMVT	$18.24	$620.16	$620.16
ROBERT L SORRELLS TRUST 8201 PRESTON RD STE 520 DALLAS, TX 75225	9 **8719 Rexford Dr**	3/5065	62 FT PMVT	$18.24	$1,130.88	$1,130.88
THOMAS L ARNOLD LANA M ARNOLD 8715 REXFORD DR DALLAS, TX 75209	6	3/5065	52 FT PMVT	$18.24	$948.48	$948.48
EAST SIDE OF ALLEY						
TRAVIS B SINGLETON 8623 GLENCREST LN DALLAS, TX 75209	5 Acs. 0.230	3/5065	57 FT PMVT	$18.24	$1,039.68	$1,039.68
CHANNING E MILFELD & CHRISTOPHER P MILFELD 8619 GLENCREST LN DALLAS, TX 75209	4	3/5065	63 FT PMVT	$18.24	$1,149.12	$1,149.12
THE BROYLES GROUP LLC 25 HIGHLAND PARK VLG #100 DALLAS, TX 75205	3 **8615 Glencrest Ln**	3/5065	61 FT PMVT	$18.24	$1,112.64	$1,112.64

PROJECT GROUP 12-3001

2. ALLEY BETWEEN CAPPS DRIVE AND REXFORD DRIVE FROM LEMMON AVENUE PARALLEL TO GLENCREST LANE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
			SHORE CREST TERRACE			
JASON & YVETTE COFFMAN 8609 GLENCREST LN DALLAS, TX 75209	2	3/5065	63 FT PMVT 20 FT DRIVE	$18.24 No Cost	$1,149.12 $0.00	$1,149.12
DENNIS SCOTT DAVIS JR & COURTENAY L DAVIS 8603 GLENCREST LN DALLAS, TX 75209	1	3/5065	60 FT PMVT	$18.24	$1,094.40	$1,094.40
SOUTHWEST SIDE OF ALLEY						
MARIVILLA M PARRAMORE & DAVID PARRAMORE 3843 CAPPS DR DALLAS, TX 75209	7	3/5065	57 FT PMVT 6.6 SY DR(15'Wide)	$18.24 $47.21	$1,039.68 $311.59	$1,351.27
SING YEE POONG & NYOK CHING CHEONG 4401 LONE TREE DRIVE PLANO, TX 75093	8 **3839** **Capps Dr**	3/5065	78 FT PMVT	$18.24	$1,422.72	$1,422.72

PROJECT GROUP 12-3001

2. ALLEY BETWEEN CAPPS DRIVE AND REXFORD DRIVE FROM LEMMON AVENUE PARALLEL TO GLENCREST LANE

TOTAL PROPERTY OWNERS' COST ASSESSMENTS		$11,018.47
ESTIMATED TOTAL CITY OF DALLAS' COST - PAVING	$113,846.53	
ESTIMATED TOTAL CITY OF DALLAS' COST		$113,846.53
ESTIMATED TOTAL COST OF IMPROVEMENTS		$124,865.00

PROJECT GROUP 12-3001

3. ALLEY BETWEEN HURLEY WAY AND LENEL PLACE FROM WILLIAMSBURG ROAD TO "T" ALLEY SOUTH OF WALNUT HILL LANE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
WEST SIDE OF ALLEY						
			GLENRIDGE ESTATES 3			
SALVADOR IMPASTATO & LORI IMPASTATO 9918 LENEL PL DALLAS, TX 75220	8	C/6620	76 FT PVMT	$18.24	$1,386.24	$1,386.24
ELINORE C GONDOLF 9922 LENEL PL DALLAS, TX 75220	9	C/6220	70 FT PVMT	$18.24	$1,276.80	$1,276.80
BLAIR W CARPENTER & SUSAN C CARPENTER 9926 LENEL PL DALLAS, TX 75220	10	C/6220	69 FT PVMT	$18.24	$1,258.56	$1,258.56
MARTHA DORA VASQUEZ 9934 LENEL PL DALLAS, TX 75220	11	C/6220	55 FT PVMT	$18.24	$1,003.20	$1,003.20
NORTH SIDE OF ALLEY						
GUIDO BOUMAN 4006 WALNUT HILL LN DALLAS, TX 75229	1	C/6220	122 FT PVMT	$18.24	$2,225.28	$2,225.28

PROJECT GROUP 12-3001

3. ALLEY BETWEEN HURLEY WAY AND LENEL PLACE FROM WILLIAMSBURG ROAD TO "T" ALLEY SOUTH OF WALNUT HILL LANE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
			GLENRIDGE ESTATES 3				
ANTONIA GUERRERO 4016 WALNUT HILL LN DALLAS, TX 75229	2	C/6220	121 FT	PVMT	$18.24	$2,207.04	$2,207.04
WILLIAM E JOHNSON 4026 WALNUT HILL LN DALLAS, TX 75229	3	C/6220	120 FT	PVMT	$18.24	$2,188.80	$2,188.80
EAST SIDE OF ALLEY							
RONALD R DOWD 9923 HURLEY WAY DALLAS, TX 75220	4	C/6220	54 FT	PVMT	$18.24	$984.96	$984.96
A H SYLVESTER 9915 HURLEY WAY DALLAS, TX 75220	5	C/6220	69 FT	PVMT	$18.24	$1,258.56	$1,258.56
WILLIAM A GALLAGHER 9911 HURLEY WAY DALLAS, TX 75220	6	C/6220	70 FT	PVMT	$18.24	$1,276.80	$1,276.80
KELLI A LAOS 9905 HURLEY WAY DALLAS, TX 75220	7	C/6220	76 FT	PVMT	$18.24	$1,386.24	$1,386.24

PROJECT GROUP 12-3001

3. ALLEY BETWEEN HURLEY WAY AND LENEL PLACE FROM WILLIAMSBURG ROAD TO "T" ALLEY SOUTH OF WALNUT HILL LANE

TOTAL PROPERTY OWNERS' COST ASSESSMENTS		$16,452.48
ESTIMATED TOTAL CITY OF DALLAS' COST - PAVING	$155,247.52	
ESTIMATED TOTAL CITY OF DALLAS' COST		$155,247.52
ESTIMATED TOTAL COST OF IMPROVEMENTS		$171,700.00

PROJECT GROUP 12-3001

4. ALLEY BETWEEN MANANA DRIVE AND PARK LANE FROM LARGA DRIVE TO MARSH LANE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMEN
NORTH SIDE OF ALLEY						
			BROWNWOOD PARK			
ISMAEL GARDUNO & MARIA I GARDUNO 9816 LARGA DR DALLAS, TX 75220	1	E/6144	54 FT PMVT	$18.24	$984.96	$984.96
ANTONIO R CRUZ & MARIA J CRUZ 3538 PARK LN DALLAS, TX 75220	3	E/6144	60 FT PMVT 4.1 SY DR(10'Wide)	$18.24 $47.21	$1,094.40 $193.56	$1,287.96
ANTONIO F HUARINGA 3606 PARK LN DALLAS, TX 75220	4	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40
GUADALUPE HERRERA 3548 PARK LN DALLAS, TX 75220	5	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40
AURELIANO URESTI & MARIA URESTI 3554 PARK LN DALLAS, TX 75220	6	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40

PROJECT GROUP 12-3001

4. ALLEY BETWEEN MANANA DRIVE AND PARK LANE FROM LARGA DRIVE TO MARSH LANE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMEN
			BROWNWOOD PARK			
CHARLES VILLASANA & KAY L VILLASANA 11429 SNOW WHITE DR DALLAS, TX 75229	7 **3558 Park Ln**	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40
JOSE A CORDERO & BALBINA P CORDERO 3564 PARK LN DALLAS, TX 75220	8	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40
ALFRED L GONZALES 3568 PARK LN DALLAS, TX 75220	9	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40
PRUDENCIO PINEDA JR 2608 DRISKILL DR EULESS, TX 76039	10 **3602 Park Ln**	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40
ANTONIO HUARINGA 3606 PARK LN DALLAS, TX 75220	11	E/6144	60 FT PMVT 12 FT DRIVE	$18.24 No Cost	$1,094.40 $0.00	$1,094.40
ANTONIO F HUARINGA 3606 PARK LN DALLAS, TX 75220	12 **3612 Park Ln**	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40

PROJECT GROUP 12-3001

4. ALLEY BETWEEN MANANA DRIVE AND PARK LANE FROM LARGA DRIVE TO MARSH LANE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMEN
			BROWNWOOD PARK			
ANTONIO F HUARINGA 3616 PARK LN DALLAS, TX 75220	13	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40
MARTHA DUNGEY 3622 PARK LN DALLAS, TX 75220	14	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40
PEDRO A SANCHEZ 3626 PARK LN DALLAS, TX 75220	15	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40
DAVID C OLIVAREZ 3630 PARK LN DALLAS, TX 75220	16	E/6144	60 FT PMVT 5 SY DR(10'Wide)	$18.24 $47.21	$1,094.40 $236.05	$1,330.45
DAVID URIOSTEGUI & YOLANDA ARAND 3636 PARK LN DALLAS, TX 75220	17	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40
EDUWIGES RAMIREZ & MARIA R RAMIREZ 3640 PARK LN DALLAS, TX 75220	18	E/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40

PROJECT GROUP 12-3001

4. ALLEY BETWEEN MANANA DRIVE AND PARK LANE FROM LARGA DRIVE TO MARSH LANE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMEN
			BROWNWOOD PARK			
FERNANDO QUEZADA 3644 PARK LN DALLAS, TX 75220	19	E/6144	60 FT PMVT 21 FT DRIVE	$18.24 No Cost	$1,094.40 $0.00	$1,094.40
BETTY JOE SCOTT 3650 PARK LN DALLAS, TX 75220	20	E/6144	60 FT PMVT 5 SY DR(10'Wide)	$18.24 $47.21	$1,094.40 $236.05	$1,330.45
RAQUEL H SANCHEZ 1404 LINCOLN DR CARROLLTON TX 75006	21 **3654 Park Ln**	E/6144	79 FT PMVT 9.3 SY DR(23'Wide)	$18.24 $47.21	$1,440.96 $439.05	$1,880.01
SOUTH SIDE OF ALLEY			***WALNUT HILL ESTATES***			
WILLIAM M KEEL ANDREA BRIDEN 3653 MANANA DR DALLAS, TX 75220	20	26/6144	75 FT PMVT	$18.24	$1,368.00	$1,368.00
ZISHA WARIS & SHAZIE YUSUF 1100 DAMSEL GINER LN LEWISVILLE, TX 75056	19 **3647 Manana Dr**	26/6144	65 FT PMVT 5 SY DR(10'Wide)	$18.24 $47.21	$1,185.60 $236.05	$1,421.65
BENITO LUNA BAEZ & MARIA G LUNA 3631 MANANA DR DALLAS, TX 75220	18	26/6144	65 FT PMVT	$18.24	$1,185.60	$1,185.60

PROJECT GROUP 12-3001

4. ALLEY BETWEEN MANANA DRIVE AND PARK LANE FROM LARGA DRIVE TO MARSH LANE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMEN
			WALNUT HILL ESTATES			
JOSE C CHAVEZ & GILBERTO GUTIERREZ 3635 MANANA DR DALLAS, TX 75220	17	26/6144	65 FT PMVT	$18.24	$1,185.60	$1,185.60
BENITO LUNA 3631 MANANA DR DALLAS, TX 75220	16	26/6144	65 FT PMVT 12 FT DRIVE	$18.24 No Cost	$1,185.60 $0.00	$1,185.60
EDUARDO L GOMEZ 3625 MANANA DR DALLAS, TX 75220	15	26/6144	65 FT PMVT	$18.24	$1,185.60	$1,185.60
SALVADOR TORRES & NICOLASA TORRES 3621 MANANA DR DALLAS, TX 75220	14	26/6144	65 FT PMVT	$18.24	$1,185.60	$1,185.60
ADOLFA B CRUZ 3615 MANANA DR DALLAS, TX 75220	13	26/6144	65 FT PMVT	$18.24	$1,185.60	$1,185.60
FELIPE MARTINEZ 3611 MANANA DR DALLAS, TX 75220	12	26/6144	65 FT PMVT 14 FT DRIVE	$18.24 No Cost	$1,185.60 $0.00	$1,185.60

PROJECT GROUP 12-3001

4. ALLEY BETWEEN MANANA DRIVE AND PARK LANE FROM LARGA DRIVE TO MARSH LANE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMEN
			WALNUT HILL ESTATES			
GEORGIA MACA 6551 CLIFFBROOK DR DALLAS, TX 75254	11 **3603** **Manana Dr**	26/6144	70 FT PMVT	$18.24	$1,276.80	$1,276.80
GEORGIA MACA 6551 CLIFFBROOK DR DALLAS, TX 75254	10 **3549** **Manana Dr**	26/6144	80 FT PMVT	$18.24	$1,459.20	$1,459.20
JOSE C SOTO & DINA E BARRIOS 3543 MANANA DR DALLAS, TX 75220	9	26/6144	65 FT PMVT	$18.24	$1,185.60	$1,185.60
JAIME CHAVEZ TREJO & NERI ELSA TREJO 3539 MANANA DR DALLAS, TX 75220	8	26/6144	60 FT PMVT	$18.24	$1,094.40	$1,094.40
JULIA ELIZABETH MERID/ 3533 MANANA DR DALLAS, TX 75220	7	26/6144	65 FT PMVT	$18.24	$1,185.60	$1,185.60
JOSE L LOPEZ 3529 MANANA DR DALLAS, TX 75220	6	26/6144	65 FT PMVT	$18.24	$1,185.60	$1,185.60

PROJECT GROUP 12-3001

4. ALLEY BETWEEN MANANA DRIVE AND PARK LANE FROM LARGA DRIVE TO MARSH LANE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMEN
			WALNUT HILL ESTATES			
HAYDEN J LAND 3523 MANANA DR DALLAS, TX 75220	5	26/6144	65 FT PMVT	$18.24	$1,185.60	$1,185.60
JOHN P FOWLER & NANCY V FOWLER 4331 SOUTHCREST RD DALLAS, TX 75229	4 **3519** **Manana Dr**	26/6144	55 FT PMVT	$18.24	$1,003.20	$1,003.20
GASPAR M RODRIGUEZ 3515 MANANA DR DALLAS, TX 75220	3	26/6144	55 FT PMVT	$18.24	$958.00	$958.00
DINORAH CRUZ 3509 MANANA DR DALLAS, TX 75220	2	26/6144	55 FT PMVT 6.3 SY DR(14'Wide)	$18.24 $47.21	$1,003.20 $297.42	$1,300.62
DONNA LEHMAN 3503 MANANA DR DALLAS, TX 75220	1	26/6144	66 FT PMVT	$18.24	$1,203.84	$1,203.84

PROJECT GROUP 12-3001

4. ALLEY BETWEEN MANANA DRIVE AND PARK LANE FROM LARGA DRIVE TO MARSH LANE

TOTAL PROPERTY OWNERS' COST ASSESSMENTS		$47,357.14
ESTIMATED TOTAL CITY OF DALLAS' COST - PAVING	$262,172.86	
ESTIMATED TOTAL CITY OF DALLAS' COST - DRAINAGE	$23,500.00	
ESTIMATED TOTAL WATER UTILITIES DEPARTMENT COST WATER MAIN IMPROVEMENTS	$303,752.14	
ESTIMATED TOTAL CITY OF DALLAS' COST		$589,425.00
ESTIMATED TOTAL COST OF IMPROVEMENTS		$636,782.14

AGENDA ITEM # 19

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	January 11, 2017
COUNCIL DISTRICT(S):	9, 10
DEPARTMENT:	Mobility and Street Services Water Utilities
CMO:	Jill A. Jordan, P.E., 670-5299 Ryan S. Evans, 671-9837
MAPSCO:	27T U 38L

SUBJECT

Authorize **(1)** street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3004; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law (list attached); and **(2)** a benefit assessment hearing to be held on February 22, 2017, to receive comments - Financing: No cost consideration to the City

BACKGROUND

Stevens Street from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street was requested by property owner petition and accepted on August 9, 2010. The alley southwest and parallel to Shoreview Road from Forest Trail to Eagle Trail to Nimrod Trail was requested by property owner petition and accepted on January 22, 2009. These projects were subsequently funded in the 2012 Bond Program. A professional services contract for the design was authorized by City Council on January 22, 2014, by Resolution No. 14-0190. This action will authorize the project, partial payment of cost by assessment, and a benefit assessment hearing. The street improvements will consist of upgrading the existing unimproved two-lane asphalt street with 26-foot to 36-foot wide concrete pavement with curbs, sidewalks, drive approaches, installation of a storm drainage system and water and wastewater main improvements. The alley improvements will consist of upgrading the unimproved gravel and dirt alley with 10-foot wide concrete pavement and water main improvements.

BACKGROUND (Continued)

The paving assessment process requires the following three steps:

1. Authorize paving improvements
2. Authorize a benefit assessment hearing
3. Benefit assessment hearing, ordinance levying assessments and authorize contract for construction

These actions are the 1st and 2nd steps in the process.

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2014
Completed Design	October 2016
Begin Construction	May 2017
Complete Construction	May 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering services on January 22, 2014, by Resolution No.14-0190.

Information about this item will be provided to the Transportation and Trinity River Project Committee on January 9, 2017.

FISCAL INFORMATION

Design	$ 61,069.75
Construction	
Paving&Drainage (MSS)	$733,805.00 (est.)
Water & Wastewater (WTR)	$152,923.76 (est.)
Total Project Cost	$947,798.51 (est.)

Council District	Amount
9	$664,746.74 (est.)
10	$221,982.02 (est.)
Total	$886,728.76 (est.)

This project does involve assessments.

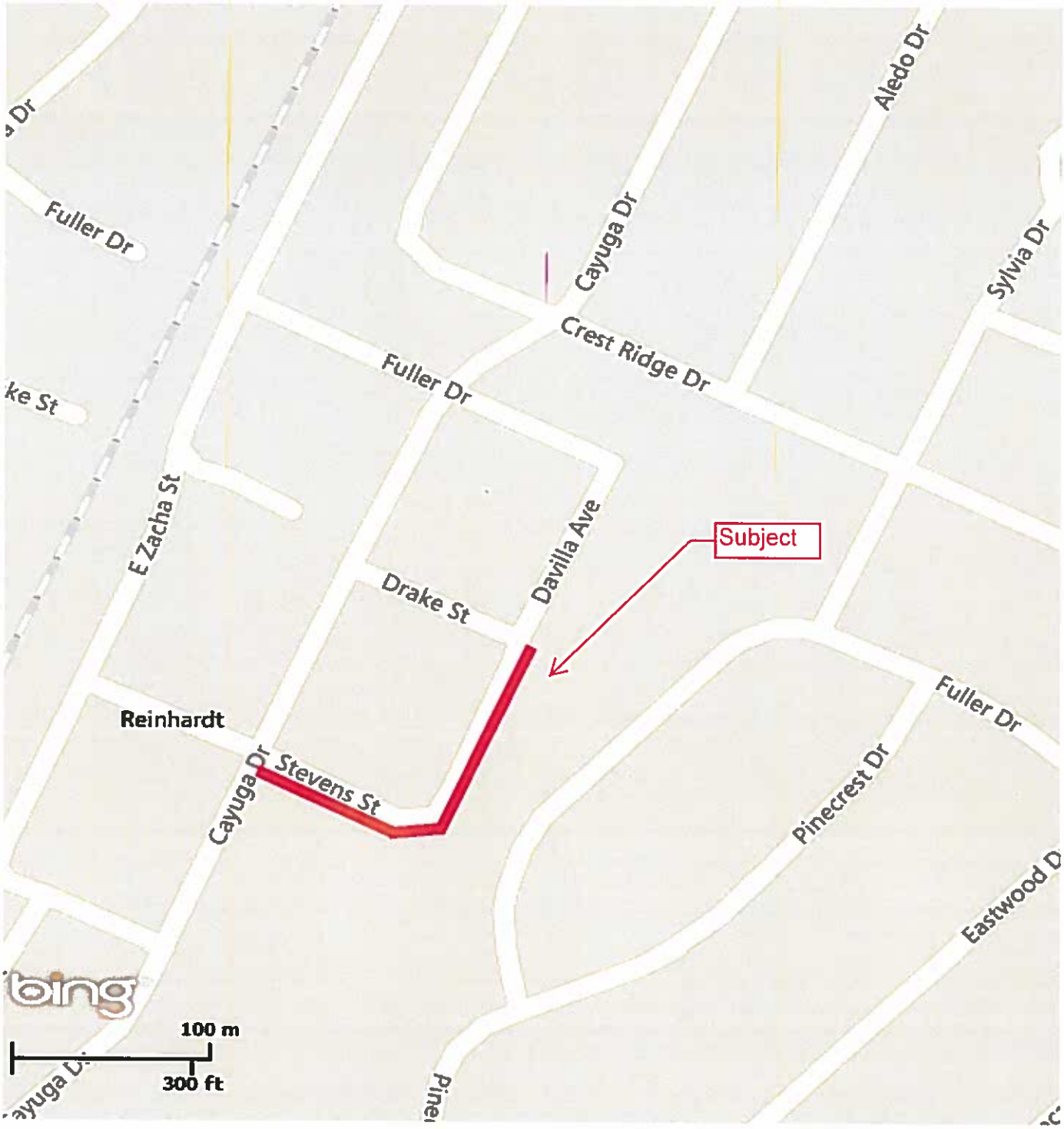
MAPS

Attached.

Project Group 12-3004

Project	**Limits**	**Council District**
Stevens Street	from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street	9
Alley southwest and parallel to Shoreview Road	from Forest Trail to Eagle Trail to Nimrod Trail	10

PROJECT GROUP 12-3004



MAPSCO 38L

PROJECT GROUP 12-3004



MAPSCO 27T, U

January 11, 2017

WHEREAS, the City of Dallas deems it necessary to permanently improve the hereinafter named street and alley within the City of Dallas.

Now, Therefore,

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

SECTION 1. That the following street and alley

Project Group 12-3004

Street:
1. Stevens Street from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street

Alley:
2. Alley southwest and parallel to Shoreview Road from Forest Trail to Eagle Trail to Nimrod Trail

shall be improved in the following manner, to wit:

(1) That said street and alley shall be profiled so as to bring same to design grade.

(2) That said street shall be paved from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 and 36 feet in width; and,

(3) That said alley shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick flex base subgrade; and,

That any permanent improvements in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments.

That bids shall be taken for the construction of the work for the type of construction enumerated above, and the work shall be done with the materials and according to plans and methods selected by the City Council after the bids are opened.

That the cost of said improvements shall be paid for as follows, to wit:

(a) That the City of Dallas shall pay only an amount equal to the cost of storm sewers, and all the cost of improving intersections of said street and alley with other street and alleys, and partial adjusted frontages on side property, except so much thereof as shall be borne by streets, railways, and steam railways, as provided in Subsection (a)

(b) That after deducting the proportion of the cost provided for in said Subsection (a) above, the whole remaining cost, including the cost of concrete curbs or curbs and gutters, driveways, sidewalks and alleys shall be paid by the owners of property abutting on said streets and alleys named to be paved, in the following manner, to wit:

That the cost shall be assessed against said owners and their property respectively, in accordance with what is known as the "Front-Foot Plan", in proportion as the frontage of the property of each owner is to the whole frontage improved and shall be payable in monthly installments not to exceed one hundred twenty (120) in number, the first of which shall be payable within thirty (30) days from the date of the completion of said improvements and their acceptance by the City of Dallas, and one installment each month thereafter until paid, together with interest thereon at the current rate established and adopted by the City Council applicable to Public Improvement Assessment Accounts being paid by installments and not to exceed the statutory rate, with the provision that any of said installments may be paid at any time before maturity by the payment of the principal and the accrued interest thereon. Any property owner against whom and whose property an assessment has been levied may pay the whole assessment chargeable to him without interest within thirty (30) days after the acceptance and completion of said improvements.

Provided that, if the application of the above-mentioned rule of apportionment between property owners would, in the opinion of the City Council, in particular cases be unjust or unequal, it shall be the duty of the said Council to assess and apportion said cost in such manner as it may deem just and equitable, having in view the special benefits in enhanced value to be received by each owner of such property, the equities of owners, and the adjustment of such apportionment, so as to produce a substantial equality of benefits received by and burdens imposed upon such owners.

That no such assessment shall be made against any owner of abutting property, if any, until after the notice and hearing provided by law, and no assessment shall be made against an owner of abutting property in excess of the benefits to such property in enhanced value thereof by means of such improvements.

That the contractor shall be paid for the work performed under the specifications, upon monthly estimates to be prepared by the Director of Mobility and Street Services. That there shall be deducted as a retainage fee, five (5%) percent of such monthly estimates, to be held by the City of Dallas until the contract is performed and executed to the satisfaction of the Director of Mobility and Street Services. The monthly estimates shall be paid on or before the 10th day of the next succeeding month for the work performed during the previous month.

For that part of the cost of the improvements that shall be determined to be levied against the owners of abutting property and their property shall be levied by assessment as herein provided, and said improvements may further be secured by Mechanic's Liens to be executed in favor of the City of Dallas, provided by law in accordance with the terms and provisions of this resolution. Paving certificates evidencing the assessment shall be issued in favor of the City of Dallas for the amount of the assessment, whether the property owners have executed Mechanic's Liens to secure the payment or not, and shall be payable for the use and benefit of the Revolving Fund established for the purpose of financing paving improvements.

That the Director of Mobility and Street Services is hereby directed to prepare at once the specifications and an estimate of the cost of such improvements and file the same with the City Council for the hereinabove described pavement and improvements. That in the specifications prepared, provision shall be made to require all contractors to give such bonds as may be necessary or as required by law.

That such specifications shall require the bidder to make a bid upon the type of improvements above described, with such bonds as may be required.

That the specifications shall also state the amounts of the required bonds, as well as the method by which it is proposed to pay the cost of said improvements, said method being in accordance with this resolution.

SECTION 2. That the City Council, in initiating this proceeding, is acting under the terms and provisions of the Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, and known as Chapter 106 of the Acts of said Session, together with any amendments thereto, now shown as Texas Transportation Code Annotated Sections 311 and 313 (Vernon’s 1996), which said law, as an alternative method for the construction of street and alley improvements in the City of Dallas, Texas, has been adopted and made a part of the Charter of said City, being Chapter XX of said Charter.

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.

NOTICE OF ASSESSMENT PROCEEDINGS AND LIEN UPON ABUTTING PROPERTY

NOTICE is hereby given that the Governing Body of the City of Dallas, in the County of Dallas, in the State of Texas, by Resolution No._____ dated_____ has ordered and directed that the following street in said City be improved, to wit:

Project Group 12-3004

1. Stevens Street from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street

West Side of Street

Subdivision	Block	Lot
Reinhart Town of	14/5358	1 & S 1/2 of Lt 2
Reinhart Town of	14/5358	12 & S 1/2 Lt 11
Eastwood Park	2/5344	21
Reinhardt	14/5358	9
Reinhardt	14/5358	8
Reinhart Town of	14/5358	7

East Side of Street

Subdivision	Block	Lot
Eastwood Park	2/5344	10
Eastwood Park	2/5344	9
Eastwood Park	2/5344	8
Eastwood Park	2/5344	Pt 20
Wincorn Add	13/5357	3A

Acs. 6451

2. Alley southwest and parallel to Shoreview Road from Forest Trail to Eagle Trail to Nimrod Trail

Northwest Side of Alley

Subdivision	Block	Lot
White Rock North 3rd Inst	A/5705	14
Lake Ridge Estates	A/5705	13
Lake Ridge Estates	A/5705	12
Lake Ridge Estates	A/5705	11
Lake Ridge Estates	A/5705	10
Lake Ridge Estates	A/5705	9
Lake Ridge Estates	A/5705	8
Lake Ridge Estates	A/5705	7
Lake Ridge Estates	A/5705	6
White Rock North 34d Inst	A/5705	5

Southeast Side of Alley

Subdivision	Block	Lot
White Rock Highlands	9/5445	16
White Rock Highlands	9/5445	15
White Rock Highlands	8/5445	14
White Rock Highlands	8/5445	13

In case of conflict between numbers and street names and limits, street names will govern. A portion of the cost of such improvements is to be specially assessed as a lien upon property abutting thereon.

City of Dallas, Texas

By _____
City Secretary

(File in Deed of Trust Records)

January 11, 2017

WHEREAS, the City Council of the City of Dallas is of the opinion that it is necessary to levy an assessment against the property and the owners thereof abutting upon the following:

Project Group 12-3004

Street:

1. Stevens Street from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street

Alley:

2. Alley southwest and parallel to Shoreview Road from Forest Trail to Eagle Trail to Nimrod Trail

for a part of the cost of improving said street and alley, fixing a time for the hearing of the owners of said property concerning the same, and directing the City to give notice of said hearing, as required by law; and,

WHEREAS, the City Council has heretofore, by resolution, ordered the improvement of the street enumerated above, by paving said street from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 and 36 feet in width; and

WHEREAS, the City Council has heretofore, by resolution, ordered the improvement of the alley enumerated above, by paving said alleys with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick flex base subgrade; and

Any existing permanent improvements in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments; and,

WHEREAS, the Director of Mobility and Street Services of the City of Dallas has, in accordance with the law, filed his report with the City Council, and the property owners, in the cost thereof, together with the names of the owners and the description of said property, and the work to be done adjacent thereto, and the amounts proposed to be assessed against each lot or parcel and its owners and all other matters required by the applicable law.

Now, Therefore,

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

SECTION 1. That the report or statement filed by the Director of Mobility and Street Services having been duly examined is hereby approved.

SECTION 2. That it is hereby found and determined that the cost of improvements on the hereinafter described street and alley, with the amount or amounts per front foot proposed to be assessed for such improvements against abutting property and the owners thereof, are as follows, to wit:

Project Group 12-3004

Street:

1. Stevens Street from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street

Alley:

2. Alley southwest and parallel to Shoreview Road from Forest Trail to Eagle Trail to Nimrod Trail

shall be improved from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 and 36 feet in width; and

shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick flex base subgrade; and

The estimated cost of the improvements is **$886,728.76 (est.)**

a. The estimated rate per square yard to be assessed against abutting property and the owners thereof for concrete drive approaches is **$47.21/S. Y.**

b. The estimated rate per front foot to be assessed against abutting property and the owners thereof for concrete alley is: **$18.24/L. F.**

c. The estimated rate per front foot to be assessed against abutting property and the owners thereof for pavement improvements is as follows:

Where Property Classification is WSR-I (Residential R-7.5(A))

The front rate for 6-inch thick reinforced concrete pavement 13.5 feet wide with curb: **$90/L. F.**
The side frontage rate for 6-inch thick reinforced concrete pavement 2.5 feet wide with curb: **$18.82/L.F.**
The rear rate for 6-inch thick reinforced concrete pavement 10 feet wide with curb: **$18.24/L.F.**
The front rate for 4-inch thick reinforced concrete sidewalk is**: $9.43/L.F.**
The side frontage rate for 4-inch thick reinforced concrete sidewalk is: **$4.71/L.F.**

Where Property Classification is WSR-III (Commercial)

The rate for 6-inch thick reinforced concrete pavement 13.5 feet wide with curb: **$90.00/L.F.**
The rate for 4-inch thick reinforced concrete sidewalk is**: $9.43/L.F.**

All assessments, however, are to be made and levied by the City Council as it may deem just and equitable, having in view the special benefits in enhanced value to be received by such parcels of property and owners thereof, the equities of such owners, and the adjustment of the apportionment of the cost of improvements so as to produce a substantial equality of benefits received and burdens imposed.

SECTION 3. That a hearing shall be given to said owners of abutting property, or their agents or attorneys and all persons interested in said matter, as to the amount to be assessed against each owner and his abutting property and railways and street railways and as to the benefits to said property by reason of said improvement, or any other matter of thing in connection therewith, which hearing shall be held in the Council Chamber of the City Hall of the City of Dallas, County of Dallas, on the **22nd** day of **February,** A.D. **2017**, at **1:00** o'clock P.M., at which time all the said owners, their agents or attorneys or other interested persons are notified to appear and be heard, and at said hearing said owners and other persons may appear, by counsel or in person, and may offer evidence, and said hearing shall be adjourned from day to day until fully accomplished.

That the City shall give notice of the time and place of such hearing and of other matters and facts in accordance with the terms of provisions of the Act passed at the First called session of the Fortieth Legislature of the State of Texas, and known as Chapter 106 of the Acts of said session, together with any amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law, as an alternative method for the construction of street improvements in the City of Dallas, Texas, has been adopted and made a part of the charter of said City, being Chapter XX of said Charter. Said notice shall be by advertisement inserted at least three times in a newspaper published in the City of Dallas, Texas, the first publication to be made at least twenty-one (21) days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Act

That the City shall give additional written notice of said hearing by mailing to said owners a copy of said notice deposited in the Post Office at Dallas, Texas, at least fourteen (14) days prior to the date of said hearing, provided however, that any failure of the property owners to receive said notice, shall not invalidate these proceedings.

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.

Engineer's Report

January 11, 2017

TO THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS

As requested by your Honorable Body, the undersigned has prepared plans and specifications for the improvements of Project Group 12-3004. That said street shall be paved curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 and 36 feet in width; and that said alley shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick flex base subgrade and with estimates of the cost of improving the street and alley as listed thereon, together with the proposed assessments, a part of the cost to be made against the abutting properties and the property owners, and part of the cost to be paid by the City. The report of these improvements is as follows:

Project Group 12-3004

Street:

1. Stevens Street from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street

Total Property Owners' Cost - Assessments		$61,901.49
Total Estimated City of Dallas' Cost - Paving	$475,185.51	
Total Estimated City of Dallas' Cost - Drainage	$35,388.00	
Total Estimated Water Utilities Department Cost Water and Wastewater Main Improvements	$92,271.74	
Total Estimated City of Dallas' Cost		$602,845.25
Total Estimated Cost of Improvements		$664,746.74

Alley:

2. Alley southwest and parallel to Shoreview Road from Forest Trail to Eagle Trail to Nimrod Trail

Total Property Owners' Cost - Assessments		$18,154.18
Total Estimated City of Dallas' Cost - Paving	$143,175.82	
Total Estimated Water Utilities Department Cost Water Main Improvements	$60,652.02	
Total Estimated City of Dallas' Cost		$203,827.84
Total Estimated Cost of Improvements		$221,982.02

Project Group 12-3004

Street:

1. **Stevens Street from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street**

Alley:

2. **Alley southwest and parallel to Shoreview Road from Forest Trail to Eagle Trail to Nimrod Trail**

Grand Total Property Owners' Cost - Assessments		$80,055.67
Estimated Grand Total City of Dallas' Cost - Paving	$618,361.33	
Estimated Grand Total City of Dallas' Cost - Drainage	$35,388.00	
Estimated Grand Total Water Utilities Department Cost Water and Wastewater Main Improvements	$152,923.76	
Estimated Grand Total City of Dallas' Cost		$806,673.09
Estimated Grand Total Cost of Improvements		$886,728.76

The Director of Mobility and Street Services reports that representatives of this Department have studied the actual existing conditions on the ground on these particular streets and alleys, and find that the existing roadways have a narrow asphalt surface with shallow earth drainage ditches; and that there are poor conditions existing on these dirt and gravel alleys which have accessibility and drainage issues. Taking all of this and other factors into consideration; plans and specifications have been prepared for these improvements. We believe that this paving will improve the properties abutting on said streets and alleys, and the proposed assessment is equitable for the enhancement value achieved on the abutting properties. Final determination of assessments will be made based on analysis of enhancement.

Respectfully submitted,

Director, Mobility and Street Services Department

PROJECT GROUP 12-3004

1. STEVENS STREET FROM CAYUGA DRIVE TO DAVILLA AVENUE AND DAVILLA AVENUE FROM STEVENS STREET TO DRAKE STREET SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 8-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4 OR 5 FEET WIDE WHERE SPECIFIED; SO THAT THE ROADWAY SHALL BE 26 AND 36 FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
WEST SIDE OF STREET							
		REINHART TOWN OF					
RICHARD WINCORN	1 &	14/5358	130	FT PVMT	$18.82	$2,446.60	
10118 CAYUGA ST STE 1	S 1/2 Lt 2		108	FT WALK	$4.71	$508.68	
DALLAS, TX 75228	**10202**		17	SY DR(12'Wide)	$47.21	$802.57	
	Cayuga Dr						**$3,757.85**
KENNETH W OCHS	12 &	14/5358	67	FT PVMT	$90.00	$6,030.00	
1212 ELMWOOD DR	S 1/2 Lt 11		47	FT WALK	$9.43	$443.21	
RICHARDSON, TX 75080	**1638**		15	SY DR(10'Wide)	$47.21	$708.15	
	Stevens St						**$7,181.36**
		EASTWOOD PARK					
KENNETH W OCHS	21	2/5344	58	FT PVMT	$90.00	$5,220.00	
1212 ELMWOOD DR	**1600**		58	FT WALK	$9.43	$546.94	
RICHARDSON, TX 75080	**Stevens St**						**$5,766.94**
		REINHARDT					
ARNULFO LOPEZ	9	14/5358	35	FT PVMT	$90.00	$3,150.00	
10215 DAVILLA AVE			23	FT WALK	$9.43	$216.89	
DALLAS, TX 75228			12	FT DRIVE	No Cost	$0.00	
							$3,366.89
ESTATE OF	8	14/5358	50	FT PVMT	$90.00	$4,500.00	
FAUSTO RODRIGUEZ			38	FT WALK	$9.43	$358.34	
10219 DAVILLA AVE			12	FT DRIVE	No Cost	$0.00	
DALLAS, TX 75228							**$4,858.34**

PROJECT GROUP 12-3004

1. STEVENS STREET FROM CAYUGA DRIVE TO DAVILLA AVENUE AND DAVILLA AVENUE FROM STEVENS STREET TO DRAKE STREET SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 8-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4 OR 5 FEET WIDE WHERE SPECIFIED; SO THAT THE ROADWAY SHALL BE 26 AND 36 FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
			REINHART TOWN OF				
JESUS RODRIGUEZ	7	14/5358	50	FT PVMT	$18.82	$941.00	
1641 DRAKE ST			30	FT WALK	$4.71	$141.30	
DALLAS, TX 75228			18.3	SY DR(10'Wide)	$47.21	$863.94	
							$1,946.24
EAST SIDE OF STREET							
			EASTWOOD PARK				
NEVILLE CROWELL &	11	2/5344		NO ASSESSMENT			
ANN R CROWELL	**10243**			EASEMENT INTERVENING			
1122 CORDOVA ST	**Sylvia Dr**						
DALLAS, TX 75223							
NICHOLAS J BALTHROP	10	2/5344	60	FT PVMT	$18.24	$1,094.40	
10239 SYLVIA DR			19.4	SY DR(20'Wide)	$47.21	$915.87	
DALLAS, TX 75228							**$2,010.27**
DAVID CLEMENTS	9	2/5344	51	FT PVMT	$18.24	$930.24	**$930.24**
5505 ANGLEBLUFF PL	**10233**						
PLANO, TX 75093	**Sylvia Dr**						
HAWKINS WILLIE &	8	2/5344	32	FT PVMT	$18.24	$583.68	**$583.68**
ANITA WILLIE							
10227 SYLVIA DR							
DALLAS, TX 75228							

PROJECT GROUP 12-3004

1. STEVENS STREET FROM CAYUGA DRIVE TO DAVILLA AVENUE AND DAVILLA AVENUE FROM STEVENS STREET TO DRAKE STREET SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 8-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4 OR 5 FEET WIDE WHERE SPECIFIED; SO THAT THE ROADWAY SHALL BE 26 AND 36 FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
			EASTWOOD PARK				
JESUS ALVAREZ &	Pt 20	2/5344	152	FT PVMT	$90.00	$13,680.00	
PATRICIA C ALVAREZ			119	FT WALK	$9.43	$1,122.17	
1651 STEVENS ST			21.7	SY DR(23'Wide)	$47.21	$1,024.46	
DALLAS, TX 75228							**$15,826.63**
RICHARD WINCORN	3A	13/5357	160	FT PVMT	$90.00	$14,400.00	
10118 CAYUGA DR STE 1	Acs. 6451		135	FT WALK	$9.43	$1,273.05	
DALLAS, TX 75228			25	FT DRIVE	No Cost	$0.00	
							$15,673.05

PROJECT GROUP 12-3004

1. STEVENS STREET FROM CAYUGA DRIVE TO DAVILLA AVENUE AND DAVILLA AVENUE FROM STEVENS STREET TO DRAKE STREET

TOTAL PROPERTY OWNERS' COST ASSESSMENTS		$61,901.49
ESTIMATED TOTAL CITY OF DALLAS' COST - PAVING	$475,185.51	
ESTIMATED TOTAL CITY OF DALLAS' COST - DRAINAGE	$35,388.00	
ESTIMATED TOTAL DALLAS WATER UTILITIES COST WATER AND WASTEWATER MAIN CONSTRUCTION	$92,271.74	
ESTIMATED TOTAL CITY OF DALLAS' COST		$602,845.25
ESTIMATED TOTAL COST OF IMPROVEMENTS		$664,746.74

PROJECT GROUP 12-3004

2. ALLEY SOUTHWEST AND PARALLEL TO SHOREVIEW ROAD FROM FOREST TRAIL TO EAGLE TRAIL TO NIMROD TRAIL SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
NORTHWEST SIDE OF ALLEY						
			WHITE ROCK NORTH 3RD INST			
MATTHEW HOPE & JENNIE-LAURIE DEVANE 9246 SHOREVIEW ROAD DALLAS, TX 75238	14	A/5705	70 FT PVMNT	$18.24	$1,276.80	**$1,276.80**
			LAKE RIDGE ESTATES			
GEORGE B DAVIS 9252 SHOREVIEW RD DALLAS, TX 75238	13	A/5705	70 FT PVMT	$18.24	$1,276.80	**$1,276.80**
SUZANNE BLACKNELL LARRY FLOURNOY JR 9306 SHOREVIEW RD DALLAS, TX 75238	12	A/5705	70 FT PMVT	$18.24	$1,276.80	**$1,276.80**
ERIC THOMAS BARNHART JENNIFER ADAY 9310 SHOREVIEW RD DALLAS, TX 75238	11	A/5705	70 FT PMVT	$18.24	$1,276.80	**$1,276.80**
BRIAN ANDERSON & STACIE ANDERSON 9316 SHOREVIEW RD DALLAS, TX 75238	10	A/5705	70 FT PMVT	$18.24	$1,276.80	**$1,276.80**

PROJECT GROUP 12-3004

2. ALLEY SOUTHWEST AND PARALLEL TO SHOREVIEW ROAD FROM FOREST TRAIL TO EAGLE TRAIL TO NIMROD TRAIL SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
			LAKE RIDGE ESTATES			
SCOTT BREEDLOVE & JULIE BREEDLOVE 9320 SHOREVIEW RD DALLAS, TX 75238	9	A/5705	70 FT PMVT	$18.24	$1,276.80	**$1,276.80**
THOMAS LAMSON & ESTRELLA LAMSON 9326 SHOREVIEW RD DALLAS, TX 75238	8	A/5705	70 FT PMVT	$18.24	$1,276.80	**$1,276.80**
DAVID E HARNDEN & LYNN HARNDEN 9330 SHOREVIEW RD DALLAS, TX 75238	7	A/5705	80 FT PMVT	$18.24	$1,459.20	**$1,459.20**
THOMAS J HOWELL & JANE D HOWELL 9336 SHOREVIEW RD DALLAS, TX 75238	6	A/5705	80 FT PMVT	$18.24	$1,459.20	**$1,459.20**
TONI SCOTT REED & JOE REED 9342 SHOREVIEW RD DALLAS, TX 75238	5	A/5705	100 FT PMVT	$18.24	$1,824.00	**$1,824.00**

PROJECT GROUP 12-3004

2. ALLEY SOUTHWEST AND PARALLEL TO SHOREVIEW ROAD FROM FOREST TRAIL TO EAGLE TRAIL TO NIMROD TRAIL SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
SOUTHEAST SIDE OF ALLEY						
			WHITE ROCK HIGHLANDS			
VIRGIL V POPE 8061 FOREST TRL DALLAS, TX 75238	16	9/5445	50 FT PMVT	$18.24	$912.00	**$912.00**
VIRGIL V POPE 8061 FOREST TRL DALLAS, TX 75238	15 **8058** **EAGLE TRL**	9/5445	50 FT PMVT	$18.24	$912.00	**$912.00**
EAGLE TRAIL INTERSECTS						
PHILLIP G POLITO 8057 EAGLE TRL DALLAS, TX 75238	14	A/5445	50 FT PMVT 17.5 SY DR(15'Wide) 10 FT DRIVE	$18.24 $47.21 No Cost	$912.00 $826.18 $0.00	**$1,738.18**
ROY C LIERMAN 8051 NIMROD TRL DALLAS, TX 75238	13	8/5445	50 FT PMVT 10 FT DRIVE	$18.24 No Cost	$912.00 $0.00	**$912.00**

PROJECT GROUP 12-3004

2. ALLEY SOUTHWEST AND PARALLEL TO SHOREVIEW ROAD FROM FOREST TRAIL TO EAGLE TRAIL TO NIMROD TRAIL
SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE

TOTAL PROPERTY OWNERS' COST ASSESSMENTS		$18,154.18
ESTIMATED TOTAL CITY OF DALLAS' COST - PAVING	$143,175.82	
ESTIMATED TOTAL DALLAS WATER UTILITIES COST WATER AND WASTEWATER MAIN CONSTRUCTION	$60,652.02	
ESTIMATED TOTAL CITY OF DALLAS' COST		$203,827.84
ESTIMATED TOTAL COST OF IMPROVEMENTS		$221,982.02

AGENDA ITEM # 20

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Mobility and Street Services

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 42U Y 52C

SUBJECT

Authorize Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design of the precast concrete panel retaining wall and the associated drainage design modification needed for Chalk Hill Road from Davis Street to 800 feet south of IH-30 - Not to exceed $86,040, from $1,344,610 to $1,430,650 - Financing: 2006 Bond Funds

BACKGROUND

On January 23, 2008, Resolution No. 08-0324 authorized a professional services contract for two projects with Parsons Brinckerhoff, Inc. for the engineering design of street paving, storm drainage, railroad crossing, water and wastewater main improvements on Chalk Hill Road from Davis Street to 800 feet south of IH-30 eastbound frontage road and Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard.

The Park and Recreation Department has requested widening the 5-foot sidewalk proposed for Chalk Hill Road to a 12-foot wide bicycle facility to connect the project's dedicated on-street bicycle lanes with the planned Dallas County Chalk Hill Trail project. This will require substantial cutting through the escarpment zone. In an effort to minimize impacts to the escarpment, it is necessary to provide precast concrete panel retaining walls to support the bicycle facility.

This action will authorize Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design services needed to design the precast concrete panel retaining wall required to support the 12-foot wide bicycle trail, modify the drainage design as needed to accommodate the proposed widening, tree survey, wetlands investigation and the preparation of a Corps of Engineers Wetland Permit, if required.

ESTIMATED SCHEDULED OF PROJECTS

Began Design	February 2008
Complete Design	June 2017
Begin Construction	July 2017
Complete Construction	December 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Parsons Brinckerhoff, Inc. on January 23, 2008, by Resolution No. 08-0324.

Authorized approval of the proposed alignments for Chalk Hill Road between Davis Street and Singleton Boulevard on May 26, 2010, by Resolution No. 10-1330.

Authorized Supplemental Agreement No. 1 to the professional services contract with Parsons Brinckerhoff, Inc. on December 8, 2010, by Resolution No. 10-3076 and Resolution No. 10-3077.

Authorized paving improvements and a benefit assessment hearing for Chalk Hill Road from Davis Street to 800 feet south of IH-30 eastbound frontage road held on November 10, 2015 to receive comments on September 22, 2015, by Resolution No. 15-1772.

Authorized a construction contract with Pavecon Public Works, LP for Chalk Hill Road from Davis Street to 800 feet south of IH-30 eastbound frontage road on November 10, 2015, by Resolution No. 15-2130.

Authorized a benefit assessment hearing and ordinance levying assessment on November 10, 2015, by Resolution No. 15-2131.

Authorized a professional services contract with Alliance Geotechnical Group, Inc. for construction material testing services for Chalk Hill Road from Davis Street to 800 feet south of IH-30 eastbound frontage road on November 10, 2015, by Resolution No. 15-2131.

Authorized Supplemental Agreement No. 2 to the professional services contract with Parsons Brinckerhoff, Inc. on December 9, 2015, by Resolution No. 15-2221.

Authorized Change Order No. 1 to the construction contract with Pavecon Public Works, LP on September 14, 2016, by Resolution No. 16-1458.

Information about this item will be provided to the Transportation and Trinity River Project Committee on January 9, 2017.

FISCAL INFORMATION

2006 Bond Funds - $86,039.14

Design	$ 971,714.50
Supplemental Agreement No. 1	$ 236,037.80
Supplemental Agreement No. 2	$ 94,000.70
Supplemental Agreement No. 3	$ 42,857.14
Supplemental Agreement No. 4 (this action)	$ 86,039.14

Construction (Chalk Hill Road from Davis Street to 800 feet south of IH-30)

Paving & Drainage - STS	$ 7,676,673.42
Water & Wastewater - DWU	$ 1,422,988.82
Construction Material Testing	$ 90,924.50
Change Order No. 1	$ 357,142.86

Construction (Chalk Hill Road from the IH-30 to Singleton Boulevard)

Paving & Drainage - STS	$ 6,400,000.00 (est.)
Water & Wastewater - DWU	$ 1,200,000.00 (est.)

Total Project Cost $18,578,378.88 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Parsons Brinckerhoff, Inc.

African American Female	1	African American Male	5
Hispanic Female	2	Hispanic Male	5
White Female	9	White Male	31
Other Female	4	Other Male	10

OWNER

Parsons Brinckerhoff, Inc.

Robert M. Brown, P.E., Vice President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design of the precast concrete panel retaining wall and the associated drainage design modification needed for Chalk Hill Road from Davis Street to 800 feet south of IH-30 - Not to exceed $86,040 from $1,344,610 to $1,430,650 - Financing: 2006 Bond Funds

Parsons Brinckerhoff, 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	$86,039.14	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$86,039.14	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Caye Cook & Associates	WFWB56133Y0618	$398.75	0.46%
Total Minority - Local		$398.75	0.46%

Non-Local Contractors / Sub-Contractors

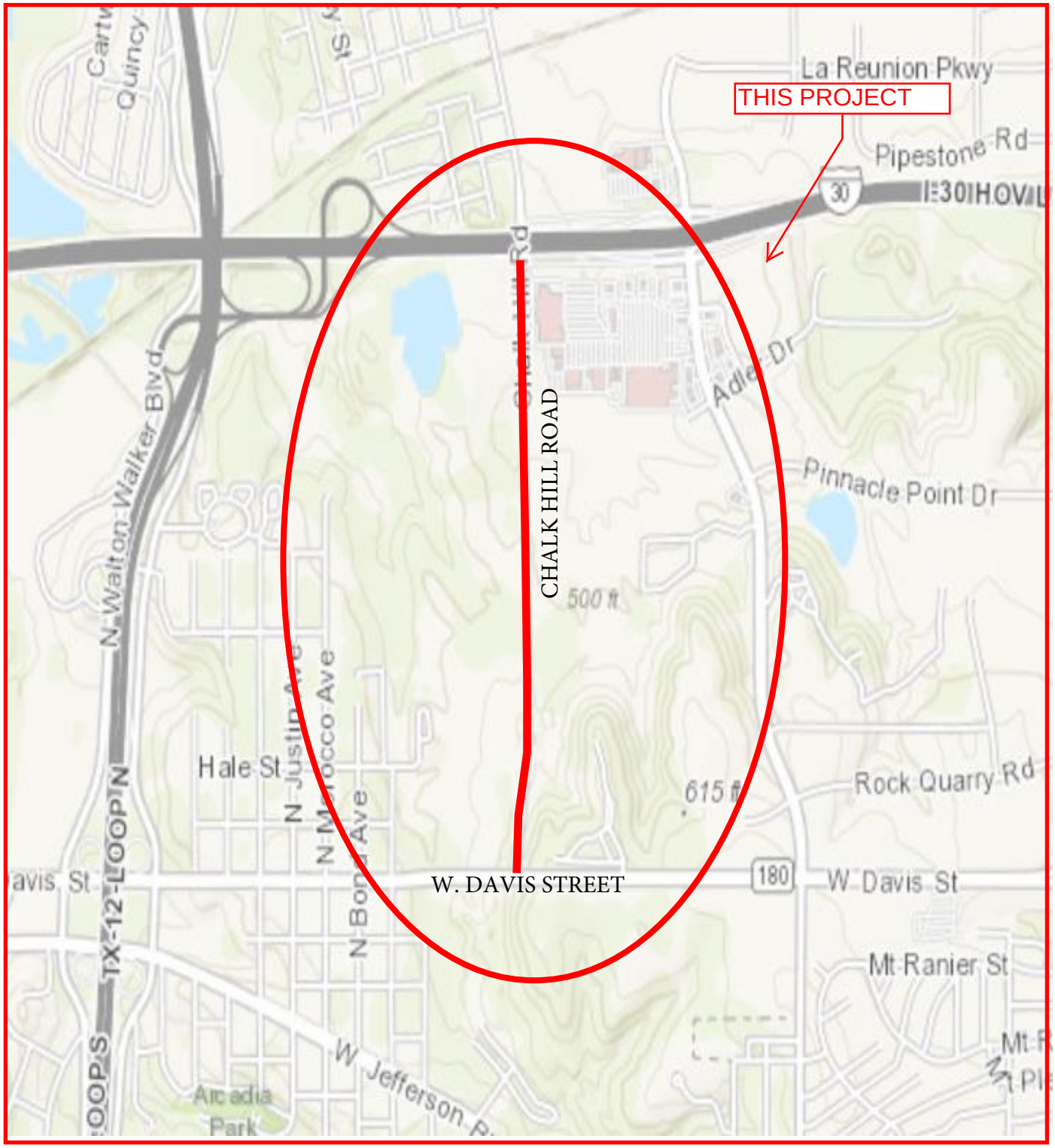
None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$20,325.00	2.74%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$129,460.00	17.46%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$398.75	0.46%	$56,421.25	7.61%
Total	$398.75	0.46%	$206,206.25	27.81%

CHALK HILL ROAD

FROM DAVIS STREET TO 800 FEET SOUTH OF IH-30



MAPSCO 42U, Y, 52C

WHEREAS, on January 23, 2008, Resolution No. 08-0324 authorized a professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for the design of thoroughfares projects for: Chalk Hill Road from IH-30 frontage road to Singleton Boulevard and Chalk Hill Road from Davis Street to 800 feet south of IH-30 in the amount of $971,714.50; and,

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

WHEREAS, on December 8, 2010, Resolution No. 10-3076 authorized Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services for Chalk Hill Road from Davis Street to 800 feet south of IH-30 eastbound frontage road in the amount of $54,551.50, from $464,096.20 to $518,647.70; and,

WHEREAS, on December 8, 2010, Resolution No. 10-3077 authorized Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services on Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard in the amount of $181,486.30, from $507,618.30 to $689,104.60; and,

WHEREAS, Resolution No. 10-3076 and Resolution No. 10-3077 should have been authorized as Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services under the same action in the amount of $236,037.80, from $971,714.50 to $1,207,752.30; and,

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

WHEREAS, on September 22, 2015, Resolution No. 15-1772 authorized street paving improvements and a benefit assessment hearing for Chalk Hill Road from Davis Street to 800 feet south of IH-30 eastbound frontage road; and a construction contract with Pavecon Public Works, LP for the construction of street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of IH-30 eastbound frontage road in the amount of $9,099,662.24; and,

WHEREAS, on November 10, 2015, Resolution No. 15-2130 authorized a benefit assessment hearing; an ordinance levying assessment; and,

WHEREAS, on November 10, 2015, Resolution No. 15-2131 authorized a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of IH-30 eastbound frontage road in the amount of $90,924.50; and,

WHEREAS, on December 9, 2015, Resolution No. 15-2221 authorized Supplemental Agreement No. 2 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering services for Chalk Hill Road from Davis Street to 800 feet south of the IH-30 and Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard in the amount of $94,000.70, from $518,647.70 to $612,648.40; and,

WHEREAS, Resolution No. 15-2221 should have authorized Supplemental Agreement No. 2 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering services for Chalk Hill Road from Davis Street to 800 feet south of IH-30 and Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard in the amount of $94,000.70, from $1,207,752.30 to $1,301,753.00; and,

WHEREAS, on September 13, 2016, Administrative Action No. 16-6617 authorized Supplemental Agreement No. 3 for additional engineering services and geotechnical investigation services for Chalk Hill Road from Davis Street to 800 feet South of IH-30 with Parsons Brinckerhoff in the amount of $42,857.14, from $1,301,753.00 to $1,344,610.14; and,

WHEREAS, on September 14, 2016, Resolution No. 16-1458 authorized Change Order No. 1 to the construction contract for Chalk Hill Road from Davis Street to 800 feet South of IH-30 with Pavecon Public Works, LP for additional work associated with the construction of a 12-foot wide bicycle facility that will connect the Chalk Hill Road project's dedicated on-street bicycle lanes with the planned Chalk Hill Trail Project in the amount of $357,142.86, from $9,099,662.24 to $9,456,805.10; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design of the precast concrete panel retaining wall and the associated drainage design modification needed for Chalk Hill Road from Davis Street to 800 feet south of IH-30 in the amount of $86,039.14, from $1,344,610.14 to $1,430,649.28.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design of the precast concrete panel retaining wall and the associated drainage design modification needed for Chalk Hill Road from Davis Street to 800 feet south of IH-30 in the amount of $86,039.14 from $1,344,610.14 to $1,430,649.28, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Street and Transportation Improvements Fund	
Fund 3T22, Department STS, Unit U781, Act. THRF	
Obj. 4111, Program #PB06U781, CT PBW06U780D1	
Vendor #134356, in an amount not to exceed	$86,039.14

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 # 21

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

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize **(1)** entering into a Sub-Grant Memorandum of Understanding between the Dallas Parks Foundation ("DPF") and the City of Dallas, through its Dallas Park and Recreation Department ("City") to enable reimbursements from the DPF to the City for expenditures made by the City in an amount not to exceed $44,705 for the purpose of implementing a community outreach outdoor program pursuant to a grant agreement between DPF and Texas Parks and Wildlife Department ("TPWD") for the program period May 1, 2016 through November 1, 2017; **(2)** receipt and deposit of funds in an amount not to exceed $44,705 from TPWD through DPF into the City's TPWD Outdoor Adventures at Dallas Grant Fund; **(3)** establishment of appropriations in the TPWD Outdoor Adventures at Dallas Grant Fund in the amount of $44,705; and **(4)** disbursement of funds in an amount not to exceed $44,705 from the TPWD Outdoor Adventures at Dallas Grant Fund - Not to exceed $44,705 - Financing: Texas Parks and Wildlife Department Outdoor Adventures Grant Funds

BACKGROUND

The Texas Parks and Wildlife Department (TPWD) is offering a CO-OP grant to agencies for the purpose of providing outdoor education and programming to underserved populations. The Dallas Parks Foundation (DPF) has been awarded the CO-OP grant from TPWD. The City of Dallas, through its Park and Recreation Department (City) will implement a community outreach outdoor program pursuant to the grant agreement between the DPF and the TPWD. DPF will reimburse the City for expenditures in the amount of $44,704.80 to implement the grant program. The City staff has identified the following programming categories: Archery, Jr. Angler, Camping, Geocaching, Mountain Biking and Nature Photography. The program will serve 50% low income, and 50% ethnic minority and physically/mentally challenged youth. 50% of the participants will be female. DPF will receive additional monies from TPWD in the amount of $4,967.20 for the purpose of paying registration fees and lodging for City staff training and purchasing additional supplies and equipment on behalf of the City for the outreach program.

BACKGROUND (Continued)

The MOU will be subject to the following terms:

1. The grant performance period is from May 1, 2016 to November 1, 2017.

2. Authorize the Dallas Parks Foundation (DPF) to receive the grant from TPWD on behalf of the City and reimburse the City for approved expenses to implement the program.

3. Permit the City to accept reimbursement funds from DPF in an amount not to exceed $44,704.80.

4. The City will provide staff and implement the community outreach outdoor program.

5. The City will be responsible for completing quarterly reports.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 20, 2016, the Park and Recreation Board authorized the Sub-Grant Memorandum of Understanding.

Information about this item will be provided to the Quality of Life & Environment Committee on January 9, 2017.

FISCAL INFORMATION

Texas Parks and Wildlife Department Outdoor Adventures Grant Funds - $44,704.80

January 11, 2017

WHEREAS, the City Charter provides for the Park and Recreation Board to approve agreements or contracts within the department for the acceptance of grants as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and the Dallas Parks Foundation (DPF), desire to enter into a Memorandum of Understanding (MOU) for the purpose of implementing a community outreach program pursuant to the terms of the MOU; and

WHEREAS, the City will purchase materials and supplies, and provide the in-kind staffing to support the program, target specific audiences to participate in the program, and receive reimbursement in an amount not to exceed $44,704.80 from DPF pursuant to the terms of the MOU.

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 enter into a Memorandum of Understanding with the Dallas Parks Foundation for the acceptance of a grant from the Texas Parks and Wildlife Department through the Dallas Parks Foundation (Grant No. 52-000631) for the implementation of a community outreach outdoor program for the program period of May 1, 2016 through November 1, 2017 to enable reimbursements from the DPF to the City for expenditures made by the City in an amount not to exceed $44,704.80.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the MOU with DPF, after approval as to form by the City Attorney.

SECTION 3. That the program implementation will be performed by City staff.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $44,704.80 into the TPWD Outdoor Adventures at Dallas Grant Fund S309, Dept. PKR, Unit 1959, Revenue Code 6516.

SECTION 5. That the City Manager is hereby authorized to establish appropriations in the TPWD Outdoor Adventures at Dallas Grant Fund S309, Dept. PKR, Unit 1959, Object Codes 2261 and 3099 in an amount not to exceed $44,704.80.

SECTION 6. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $44,704.80 from the TPWD Outdoor Adventures at Dallas Grant Fund S309, Dept. PKR, Unit 1959, Object Codes 2261 and 3099.

SECTION 7. That this resolution shall take effect immediately from and after its passage in accordance with the provision 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: January 11, 2017

COUNCIL DISTRICT(S): 9

DEPARTMENT: Park & Recreation
Sustainable Development and Construction

CMO: Willis Winters, 670-4071
Mark McDaniel, 670-3256

MAPSCO: 27Y, Z

SUBJECT

Authorize a twenty-year license agreement with the Old Lake Highlands Neighborhood Association for approximately 930 square feet of land in Norbuck Park located near the intersection of Classen Drive and Northwest Highway - Revenue: $10 one-time fee

BACKGROUND

The Park and Recreation Department had previously granted the Old Lake Highlands Neighborhood the right to place a neighborhood portal in Norbuck Park in 1951. In 2003 and 2012 the agreement was renewed as a lease agreement. This proposed agreement replaces the existing lease agreement with a long-term license agreement.

This item authorizes a license agreement to the Old Lake Highlands Neighborhood Association for approximately 930 square feet of lane to occupy, maintain, and utilize a monument sign in Norbuck Park near the intersection of Classen Drive and Northwest Highway.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 17, 2016, the Park and Recreation Board authorized a twenty-year license agreement.

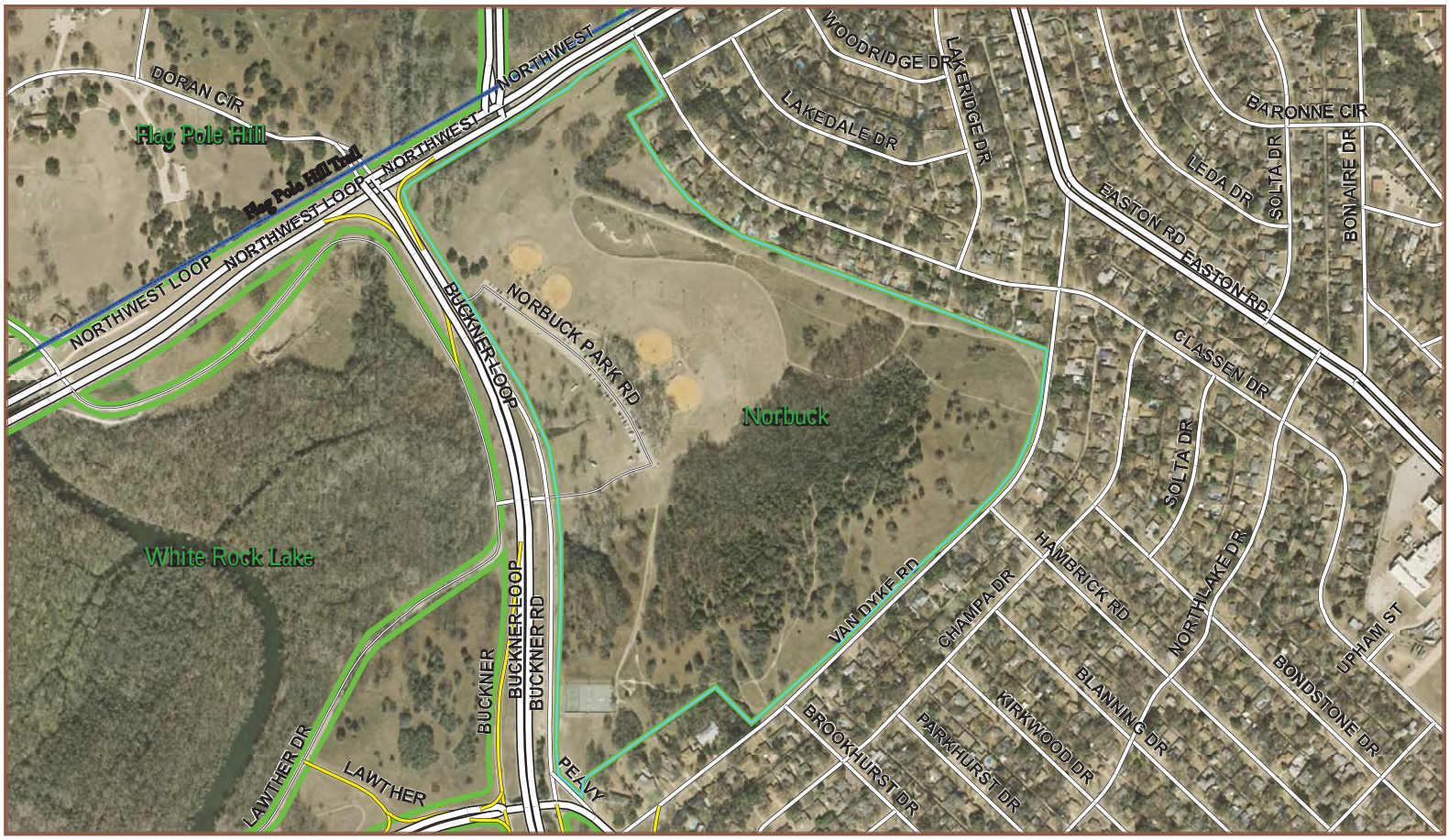
Information about this item will be provided to the Quality of Life & Environment Committee on January 9, 2017.

FISCAL INFORMATION

Revenue: $10 one-time fee

MAP

Attached



0 195 390 780 1,170 Feet

dallas Park & Recreation

Norbuck Park
200 N. Buckner Blvd

27 Y Z

District 9

6/23/2014

January 11, 2017

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a license agreement, between Old Lake Highlands Neighborhood Association, a Texas non-profit corporation, as Licensee, and the City of Dallas, as Licensor, hereinafter referred to as "City", for approximately 930 square feet of land located at the intersection of Classen Drive and Northwest Highway, Dallas, Dallas County, Texas (the "Property"), as shown in Exhibit B for the non-exclusive right to maintain one monument sign and landscaping.

SECTION 2. That the special terms and conditions of this License Agreement are:

(a) The license is for a term of twenty (20) years beginning December 15, 2016 ending December 14, 2036.

(b) Licensee shall pay a one-time license fee of $10.00.

(c) Licensee is non-exclusive and the City reserves full ingress and egress rights and the right to grant use to other parties.

(d) The license and the licensed right to use the Property is terminable by the City at its convenience upon 90-days written notice of said termination. Upon expiration or termination of the license for any reason, the licensee shall cease using the property; remove its improvements, if any, on the Property as directed by the City.

(e) The Property is licensed "AS IS, WITH ALL FAULTS" and the City is under no obligation to make any improvements or modifications to the Property.

(f) Licensee will maintain the Property by mowing grass and removing debris and all maintenance obligations.

(g) Licensee shall be responsible for obtaining any utilities deemed necessary, appropriate or desirable for its use of the Property and shall pay all such utilities, during the term of the license.

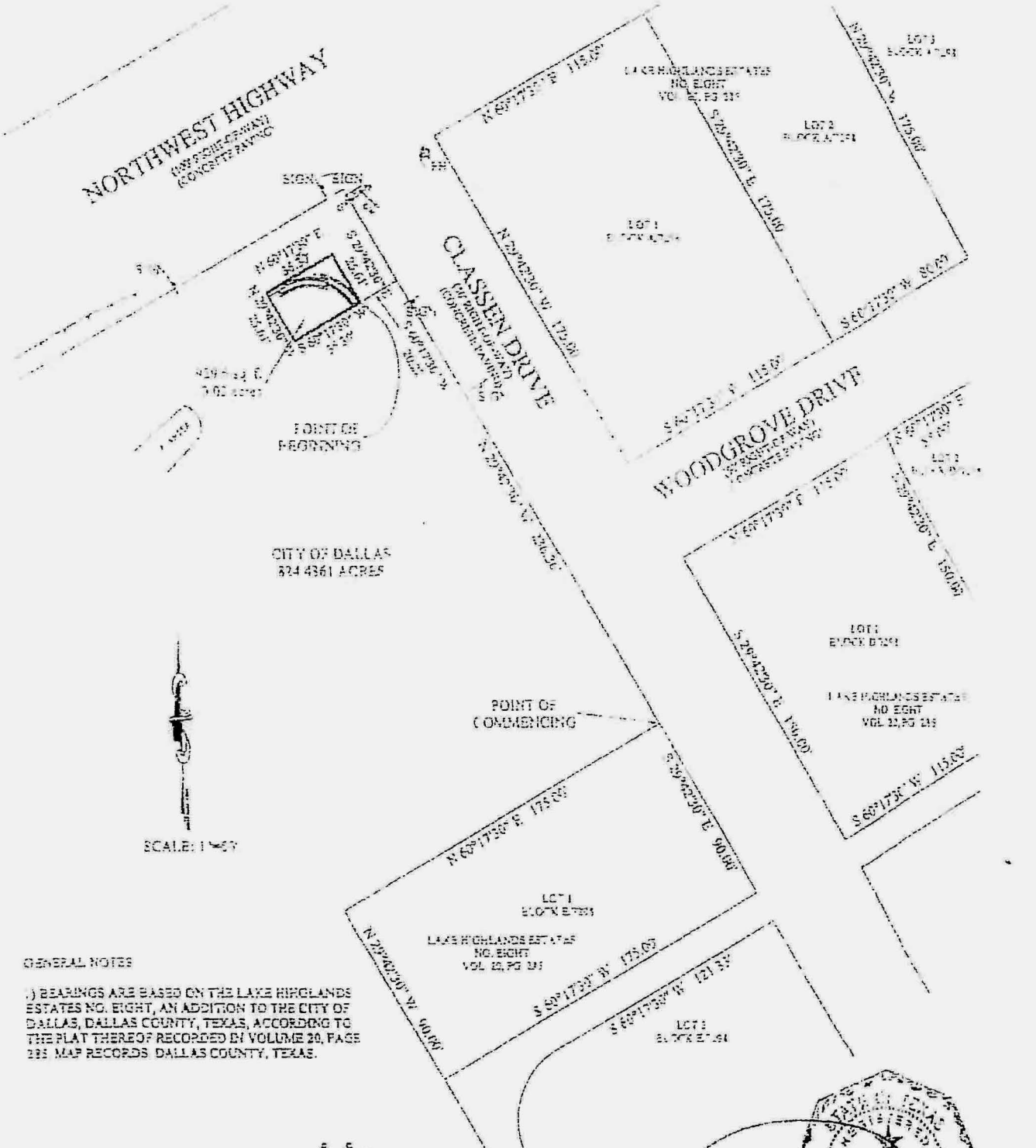
(h) Licensee shall pay any taxes and assessment levied or assessed against the Property attributable to licensee's use and shall secure such insurance coverage as the City shall deem appropriate, during the term of the license.

(i) Any modifications to the monument require the Park and Recreation Board approval.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit proceeds from this license in Fund 0530, Department PKR, Unit P516, Revenue Code 8471.

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 B



GENERAL NOTES

1) BEARINGS ARE BASED ON THE LAKE HIRGLANDS ESTATES NO. EIGHT, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 20, PAGE 235 MAP RECORDS DALLAS COUNTY, TEXAS.

SURVEYING LLC

P.O. BOX 550205
DALLAS, TEXAS
PH: 214-613-8291
FAX: 469-533-1570
E-MAIL:
SURVEY@5882SURVEYING.COM

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JONATHAN M. QUIRK
REGISTERED PROFESSIONAL
LAND SURVEYOR REGISTERED
FENCE INSPECTOR #1137

SHEET 2 OF 2
JOB NO. 11-0972
DRAWN BY: T.O

AGENDA ITEM # 23

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 11

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 16W

SUBJECT

An ordinance abandoning a portion of a utility easement to HCP DR MCD, LLC, the abutting owner, containing approximately 763 square feet of land, located near the intersection of Dollar Lane and Coit Road - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of a utility easement to HCP DR MCD, LLC, the abutting owner. The area will be included with the property of the abutting owner for the installation of electrical components needed to upgrade the electrical system serving three buildings and two parking garages. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on January 9, 2017.

FISCAL INFORMATION

Revenue: $5,400, plus the $20 ordinance publication fee

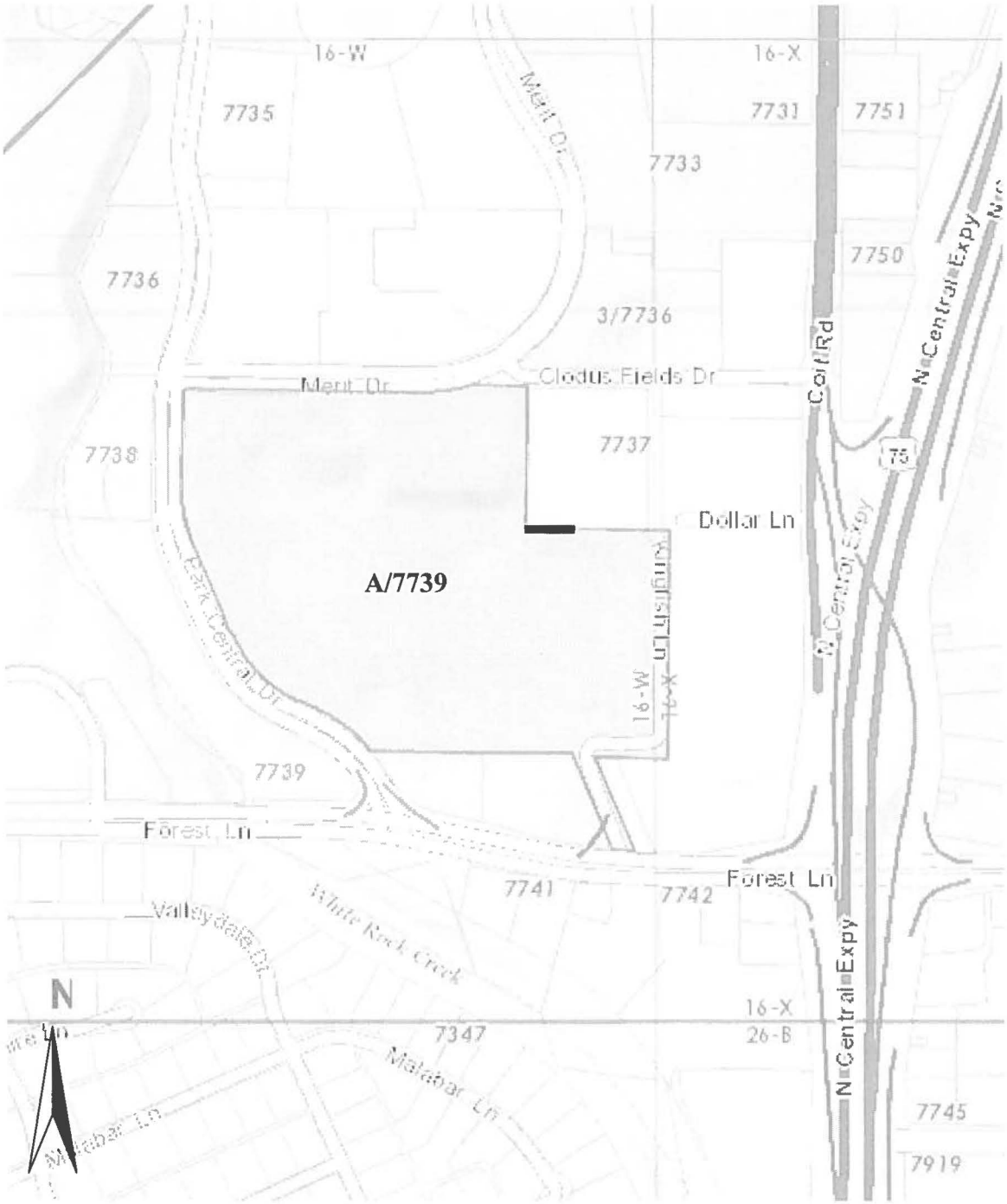
OWNER

HCP DR MCD, LLC

Lauralee E. Martin, President

MAP

Attached



Abandonment area = ▬

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a portion of a utility easement, located in City Block A/7739 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to HCP DR MCD, LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of HCP DR MCD, LLC, a Delaware 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 portion of 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 authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General 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 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE,** its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 10. That this ordinance 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 of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

EXHIBIT A

6' UTILITY EASEMENT
PARTIAL ABANDONMENT
FOURTH REVISION, MEDICAL CITY-DALLAS ADDITION
LOT 1C, BLOCK A/7739
IN THE
M.J. SANCHEZ SURVEY, ABSTRACT No. 1272
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 763 square foot tract of land situated in the M.J. Sanchez Survey, Abstract No. 1272, City of Dallas, Dallas County, Texas, being part of a 6' Utility Easement as created by plat recorded in Volume 83070, Page 3495, Deed Records, Dallas County, Texas, being part of Lot 1C, Block A/7739, Fourth Revision, Medical City-Dallas Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat recorded in Volume 2003234, Page 45, Official Public Records, Dallas County, Texas, being part of that tract conveyed to HCP DR MCD, LLC by Special Warranty Deed recorded in Instrument Number 20070051667, Official Public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner, said rod being a north ell corner of said Lot 1C and the southwest corner of Lot 1, Block 2/7737, Green Oaks Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat recorded in Volume 83033, Page 2621, Deed Records, Dallas County, Texas, said rod being the northwest corner of said 6' Utility Easement;

THENCE South 89° 30' 55" East along the north line of said Lot 1C and the south line of said Lot 1 a distance of 127.18 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner, said rod being the southwest corner of a 15'x40' Water Easement created by said plat of Green Oaks Addition;

THENCE South 00° 29' 05" West, departing the north line of said Lot 1C and the south line of said Lot 1, a distance of 6.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner on the south line of said 6' Utility Easement;

THENCE North 89° 30' 55" West along the south line of said 6' Utility Easement a distance of 127.18 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner, said rod being the southwest corner of said 6' Utility Easement;

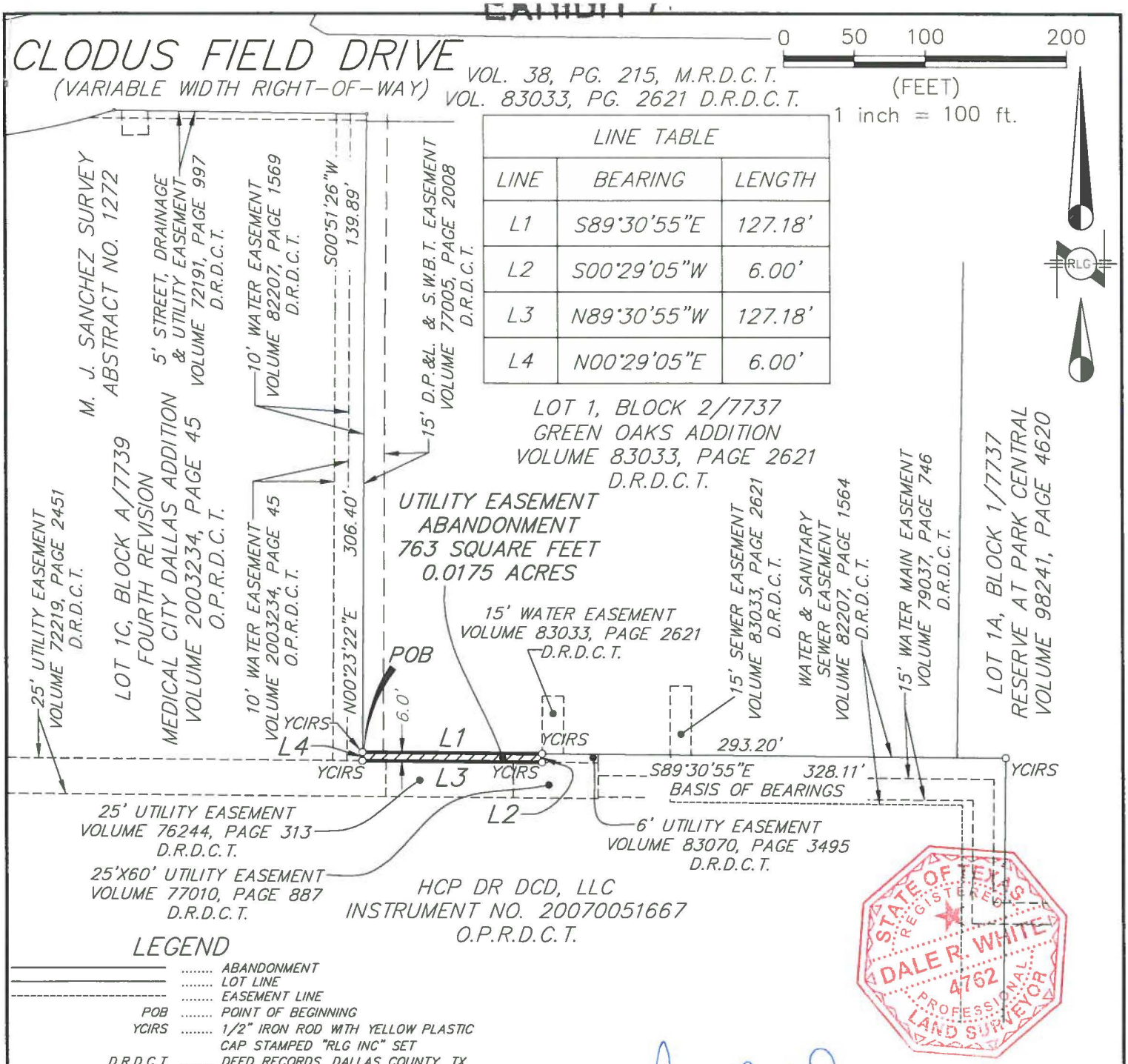
THENCE North 00° 29' 05" East along the west line of said 6' Utility Easement a distance of 6.00 feet to the **POINT OF BEGINNING**, containing 763 square feet or 0.0175 acres more or less.

Basis of Bearings: The most easterly north line (S89°30'55"E) of Lot 1C, Block A/7739, Fourth Revision, Medical City-Dallas Addition recorded in Volume 2003234, Page 45, Deed Records, Dallas County, Texas.

Dale R. White R.P.L.S. No. 4762
03-08-2016
09-29-2016 Revised



(For SPRG use only)
Reviewed By: JD
Date: 10/5/2016
SPRG NO.: 3868



LEGEND

———	ABANDONMENT
———	LOT LINE
- - - - -	EASEMENT LINE
POB	POINT OF BEGINNING
YCIRS	1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "RLG INC" SET
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TX
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TX
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TX

CONTROLLING MONUMENTS: 1/2" IRON ROD FOUND AT THE MOST NORTHERLY NORTHWEST CORNER AND A HILTI NAIL FOUND IN THE WEST LINE AT THE SOUTH END OF 263.38 FOOT TANGENT LINE OF LOT 1C, BLOCK A/7739, FOURTH REVISION, MEDICAL CITY-DALLAS ADDITION RECORDED IN VOLUME 2003234, PAGE 45, DEED RECORDS, DALLAS COUNTY, TEXAS.

DALE R. WHITE R.P.L.S. No. 4762
03-08-2016
09-29-2016 REVISED

RAYMOND L. GOODSON JR., INC.
5445 LA SIERRA, STE 300, LB 17
DALLAS, TX. 75231-4138
214-739-8100
rlg@rlginc.com
TEXAS PE REC #F-493
TBPLS REC #100341-00

6' UTILITY EASEMENT PARTIAL ABANDONMENT

FOURTH REVISION, MEDICAL CITY-DALLAS ADDITION
LOT 1C, BLOCK A/7739

IN THE
M.J. SANCHEZ SURVEY, ABSTRACT No. 1272
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: JD
Date: 10/5/2016
SPRG NO.: 3868

SCALE	1" = 100'	DATE	03-09-2016	SHEET	2 OF 2
JOB NO.	15083.20	E-FILE	15083.20AB	DWG NO.	26,328X

AGENDA ITEM # 24

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 47 J

SUBJECT

An ordinance amending Ordinance No. 29966, previously approved on January 13, 2016, which abandoned a portion of Hobbs Street, located near the intersection of Haskell and Beeman Avenues to Southern Foods Group, LLC to extend the final replat from one year to 18 months - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the amendment of Ordinance No. 29966, which abandoned a portion of Hobbs Street, previously approved on January 13, 2016, that will allow for the extension of the final replat from one year to 18 months to Southern Foods Group, LLC, the abutting owner.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 13, 2016, City Council approved Ordinance No. 29966.

Information about this item will be provided to the Economic Development Committee on January 9, 2017.

FISCAL INFORMATION

Revenue: $ 5,400, plus the $20 ordinance publication fee

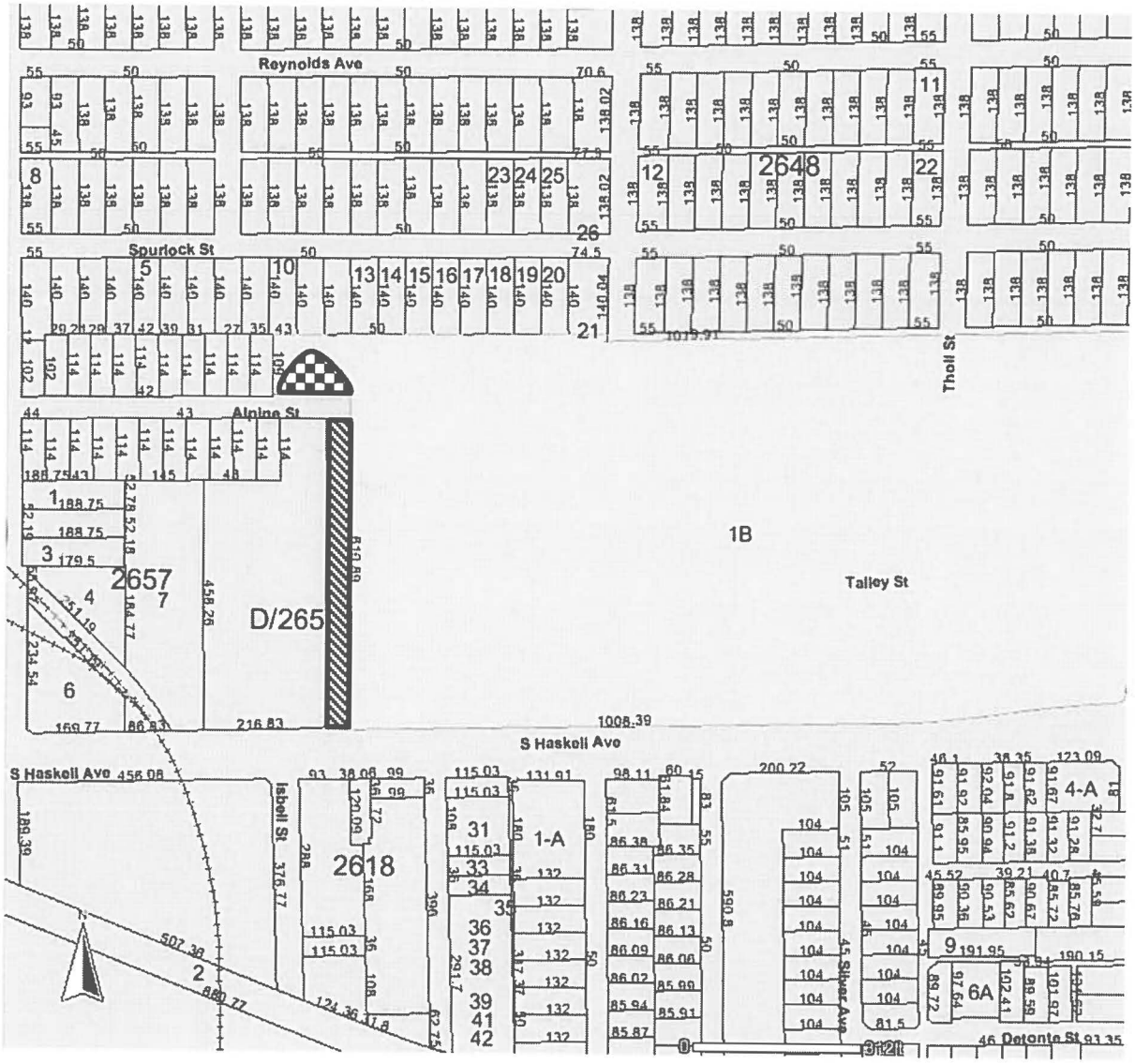
OWNER

Southern Foods Group, LLC

Gregg A. Tanner, Chief Executive Officer

MAP

Attached



Log #: 40373

Mapsco: 47J

Applicant: Southern Foods Group, LLC

= Abandonment Area

= Dedication Area

ORDINANCE NO. _____

An ordinance amending Ordinance No. 29966, by altering Section 9 to extend the 12 month deadline to record the final replat; 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. 29966 adopted by the City Council of the City of Dallas on January 13, 2016, be and the same is hereby amended by altering Section 9 to read as follows:

> **"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~~ 18 months of the effective date of this ordinance showing the fee simple dedication of not less than 4,469 square feet of needed right-of-way in City Block 2656. 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 2. That, as consideration for amending Ordinance No. 29966, Southern Foods Group, LLC 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 authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General 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 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8416.

SECTION 4. That the terms and conditions of Ordinance No. 29966 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, and the filing of the final replat set for forth in Section 9, and completion of the dedication set forth in Section 9, 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 ordinance shall take effect immediately from and after its passage and publication in accordance with the provision 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 of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____

AGENDA ITEM # 25

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Trinity Watershed Management
City Attorney's Office

CMO: Mark McDaniel, 670-3256
Larry Casto, 670-3491

MAPSCO: 47T

SUBJECT

Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Mamie Lee McKnight, et al., Cause No. CC-16-03466-E, pending in Dallas County Court at Law No. 5, to acquire an improved tract of land containing approximately 8,545 square feet located on Barber Avenue at its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed $31,000 ($28,000 plus closing costs and title expenses not to exceed $3,000; an increase of $2,102 from the amount Council originally authorized for this acquisition) - Financing: 2006 Bond Funds

BACKGROUND

On March 23, 2016, the City Council authorized the acquisition of this property, by Resolution No. 16-0465. The property owner was offered $25,898, which was based on a written appraisal from an independent certified appraiser. The property owner did not accept the offer and the City filed an eminent domain proceeding to acquire the property. After a hearing before the Special Commissioners on November 17, 2016, the property owner was awarded $28,000. This item authorizes deposit of the amount awarded by the Special Commissioners for the property, which is $2,102 more than the City Council originally authorized for this acquisition, plus closing costs and title expenses not to exceed $3,000.

The City has no control over the Special Commissioners appointed by the judge or any award that is subsequently rendered by the Special Commissioners. The City, in order to acquire possession of the property and proceed with its improvements, must deposit the amount awarded by the Special Commissioners in the registry of the Court.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on March 23, 2016, by Resolution No. 16-0465.

Council will be briefed by memorandum on January 4, 2017.

Information about this item will be provided to the Transportation and Trinity River Project Committee on January 9, 2017.

FISCAL INFORMATION

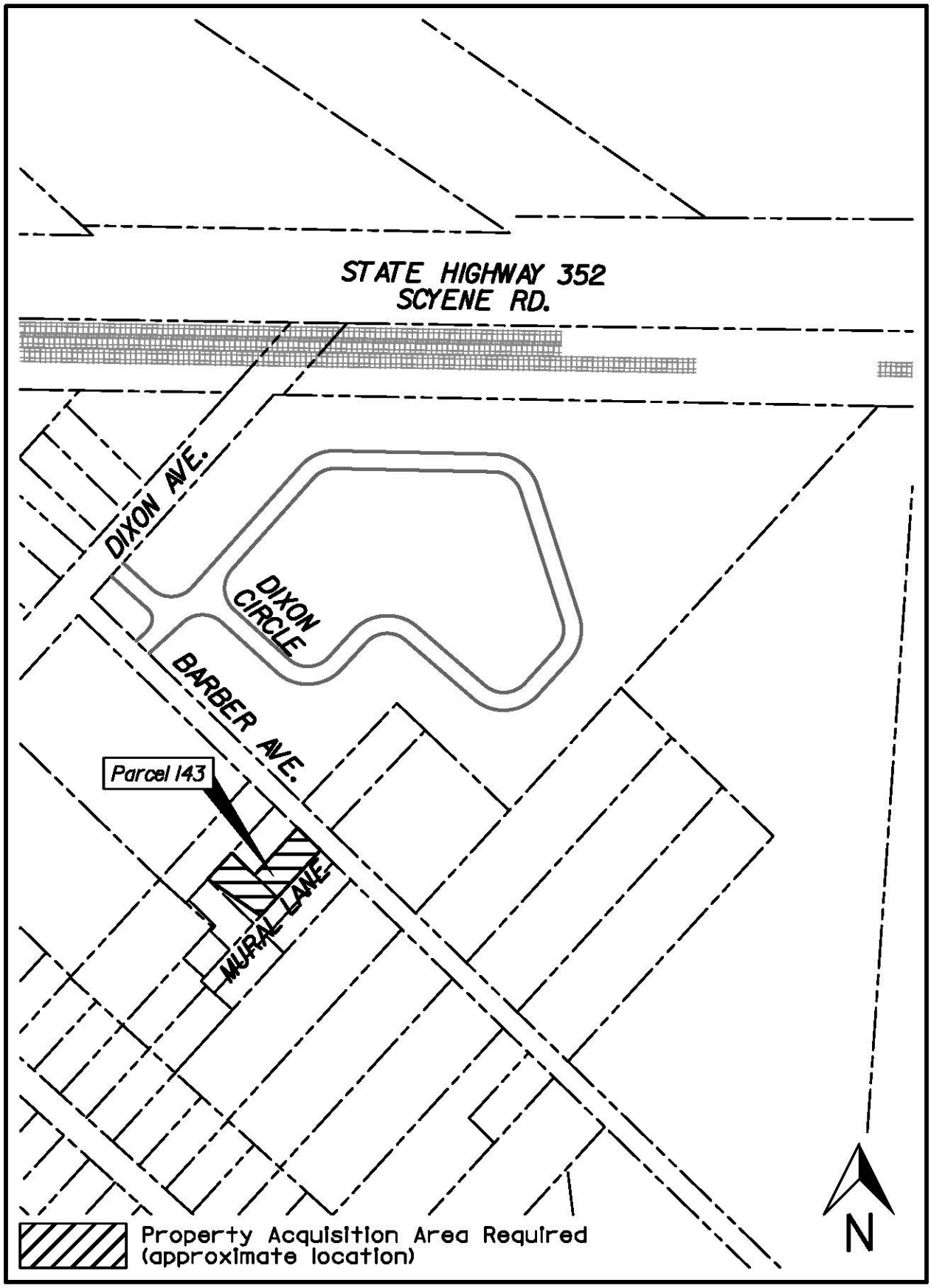
2006 Bond Funds - $31,000 ($28,000 being the amount of the award, plus closing costs and title expenses not to exceed $3,000; an increase of $2,012 from the amount Council originally authorized for this acquisition)

OWNER

Mamie Lee McKnight

MAP

Attached


STATE HIGHWAY 352
SCYENE RD.
DIXON AVE.
DIXON CIRCLE
BARBER AVE.
Parcel 143
MURAL LANE
N
Property Acquisition Area Required
(approximate location)

January 11, 2017

A RESOLUTION AUTHORIZING THE DEPOSIT OF A SPECIAL COMMISSIONERS AWARD AND SETTLEMENT OF THE CONDEMNATION PROCEEDING AND IF OBJECTIONS ARE FILED, SETTLEMENT OF THE CONDEMNATION LAWSUIT FOR AN AMOUNT NOT TO EXCEED THE AWARD.

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

CONDEMNATION PROCEEDING: Cause No. CC-16-03466-E, in Dallas County Court at Law No. 5, and styled City of Dallas v. Mamie Lee McKnight, et al., filed pursuant to City Council Resolution No. 16-0465.

PROPERTY: Approximately 8,545 square feet of property located in Dallas County, as described in the CONDEMNATION PROCEEDING.

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

OFFICIAL OFFER: $25,898.00

AWARD: $28,000.00

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

AUTHORIZED AMOUNT: Not to exceed: $31,000.00

DESIGNATED FUNDS: AWARD payable out of the 2006 Bond Funds, Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT- TWM06T525H15, CLOSING COSTS AND TITLE EXPENSES payable out of the 2006 Bond Funds, Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT- TWM06T525H16.

WHEREAS, the OFFICIAL OFFER having been made and refused, the City Attorney filed the CONDEMNATION PROCEEDING for the acquisition of the PROPERTY for the PROJECT; and,

WHEREAS, the Special Commissioners appointed by the Court in the CONDEMNATION PROCEEDING made the AWARD, which the City Council wishes to deposit with the County Clerk of Dallas County, Texas, so that the City may take possession of the PROPERTY; and,

WHEREAS, the City Council desires to authorize the City Attorney to settle the CONDEMNATION PROCEEDING and, if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING for an amount not to exceed the AWARD;

Now, Therefore,

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

SECTION 1. That the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the AWARD payable to the County Clerk of Dallas County, Texas, to be deposited by the City Attorney with the County Clerk and in the amount of the CLOSING COSTS AND TITLE EXPENSES payable to the title company closing the transaction described herein. The AWARD, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 2. That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING, for an amount not to exceed the AWARD.

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.

APPROVED AS TO FORM
LARRY E. CASTO, City Attorney

By: _____
Assistant City Attorney

AGENDA ITEM # 26

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Trinity Watershed Management
Mobility and Street Services

CMO: Mark McDaniel, 670-3256
Jill A. Jordan, P.E., 670-5299

MAPSCO: 45N

SUBJECT

Authorize acquisition from the County of Dallas, of an improved tract of land containing approximately 2,092 square feet located on North Riverfront Boulevard at its intersection with Commerce Street for the Riverfront Boulevard from Cadiz Street to north of the Union Pacific Rail Road Project - Not to exceed $48,072 ($44,572, plus closing costs and title expenses not to exceed $3,500) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 2,092 square feet of land improved with trees, grass and a sprinkler system, from the County of Dallas. This property is located on North Riverfront Boulevard at its intersection with Commerce Street and will be used for the Riverfront Boulevard from Cadiz Street to north of the Union Pacific Rail Road (UPRR) Project. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on January 9, 2017.

FISCAL INFORMATION

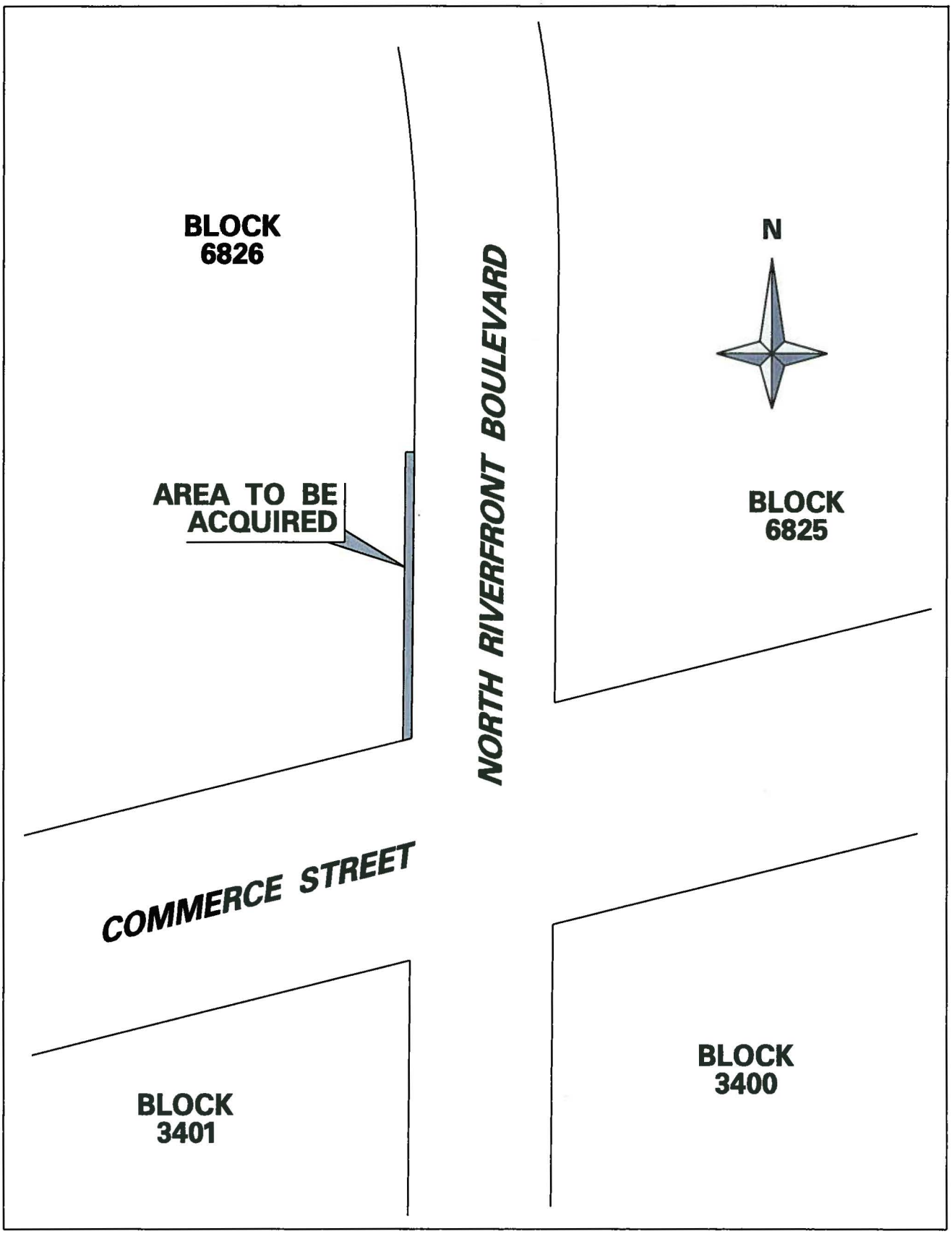
2006 Bond Funds - $48,072 ($44,572, plus closing costs and title expenses not to exceed $3,500)

OWNER

County of Dallas

MAP

Attached


BLOCK
6826
N
NORTH RIVERFRONT BOULEVARD
AREA TO BE
ACQUIRED
BLOCK
6825
COMMERCE STREET
BLOCK
3401
BLOCK
3400

January 11, 2017

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 2,092 square feet of land located in Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Riverfront Boulevard from Cadiz Street to north of the Union Pacific Rail Road Project

"USE": The construction, installation, use, and maintenance of a realigned section of roadway, together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

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

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

"PURCHASE AMOUNT": $44,572.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,500.00

"AUTHORIZED AMOUNT": Not to exceed $48,072.00

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Street and Transportation Improvements Fund, Fund No 2T22, Department STS, Unit U215, Activity INGV, Program No. PB06U215, Object 4210, Encumbrance No. STS06U215L1. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

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

BY _____
Assistant City Attorney

Parcel 4 – Riverfront Boulevard
Field Notes Describing a 2,092 Square Foot (0.0480 Acre)
Right of Way to be Acquired In Block 6826
From "DALLAS COUNTY, TEXAS"

EXHIBIT A

BEING a 2,092 square foot (0.0480 acre) of land situated in the John Beeman Survey, Abstract No. 209, in the City of Dallas, Dallas County, Texas, (Official City of Dallas Block No. 6826) and being part of Tract B, a called 225,699 square foot tract of land conveyed to "Dallas County, Texas" by Warranty Deed recorded in Volume 78085, Page 0313 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being further described as part of Lot 1 in Block 6826 of the "Dallas County Criminal Courts Facility", an addition to the City of Dallas, Texas as recorded in Volume 89122, Page 0663 (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" capped iron rod (controlling monument) found at the most southerly corner of said Lot 1, Block 6826, same being the most southerly corner of a called 10.160 acre tract of land conveyed to Dallas County, Texas by deed recorded in Volume, 78085, Page 3585 (D.R.D.C.T.), and located in the existing northerly right of way line of Commerce Street (a variable width R.O.W.);

THENCE North 75°09'08" East, along the common southerly line of said Lot 1, Block 6826 and the existing northerly right of way line of said Commerce Street, passing the most southerly southeast corner of said Dallas County 10.160 acre tract and the most southerly corner of said Tract B at a distance of 517.31 feet, and continuing for a total distance of 796.34 feet to a set 5/8" iron rod with cap marked "LTRA" (hereafter referred to as set 5/8" iron rod) at the **POINT OF BEGINNING**;

THENCE North 00°19'43" West, departing the common southerly line of said Lot 1, Block 6826, same being the southerly line of said Tract B, and the existing northerly right of way line of said Commerce Street, over and across said Lot 1 in Block 6826, being 8.0 feet perpendicularly distant westerly from and parallel with the existing west line of Riverfront Boulevard (130.00 foot R.O.W.), a distance of 262.52 feet to an "X" Cut set in concrete;

THENCE North 89°40'17" East, continuing over and across said Lot 1 in Block 6826, a distance of 8.00 feet to an "X" Cut set in the common easterly line of said Lot 1, Block 6826, same being the easterly line of said Tract B, and located in the existing westerly right of way line of Riverfront Boulevard (130.00 foot R.O.W.);

THENCE South 00°19'43" East, along the last stated common line, a distance of 260.45 feet to the common existing southeast corner of said Lot 1, the existing southeast corner of said Tract B, the northeast corner of a called 2,695 sq. ft. right of way dedication as conveyed in said Dallas County Criminal Courts Facility Addition, and located in the existing northerly right of way line of said Commerce Street, from which point an "X" Cut found (controlling monument) bears North 71°44'45" East, a distance of 0.27 feet;

FIELD NOTES APPROVED:
DER 9-15-15

Parcel 4 – Riverfront Boulevard
Field Notes Describing a 2,092 Square Foot (0.0480 Acre)
Right of Way to be Acquired In Block 6826
From "DALLAS COUNTY, TEXAS"

EXHIBIT A

THENCE South 75°09'08" West, departing the common easterly line of said Lot 1, Block 6826 and the existing westerly right of way line of said Riverfront Boulevard, and along the common existing southerly line of said Lot 1, the existing southerly line of said Tract B, the northerly line of said 2,695 sq. ft. right of way dedication, and the existing northerly right of way line of said Commerce Street, a distance of 8.26 feet to the **POINT OF BEGINNING** and containing approximately 2,092 square feet or 0.0480 acre of land more or less.

BASIS OF BEARING: State Plane Coordinate System, Texas, North Central Zone 4202, North American Datum of 1983.

A Survey Plat of even date accompanies this property description.

I, Isaac Worley, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.

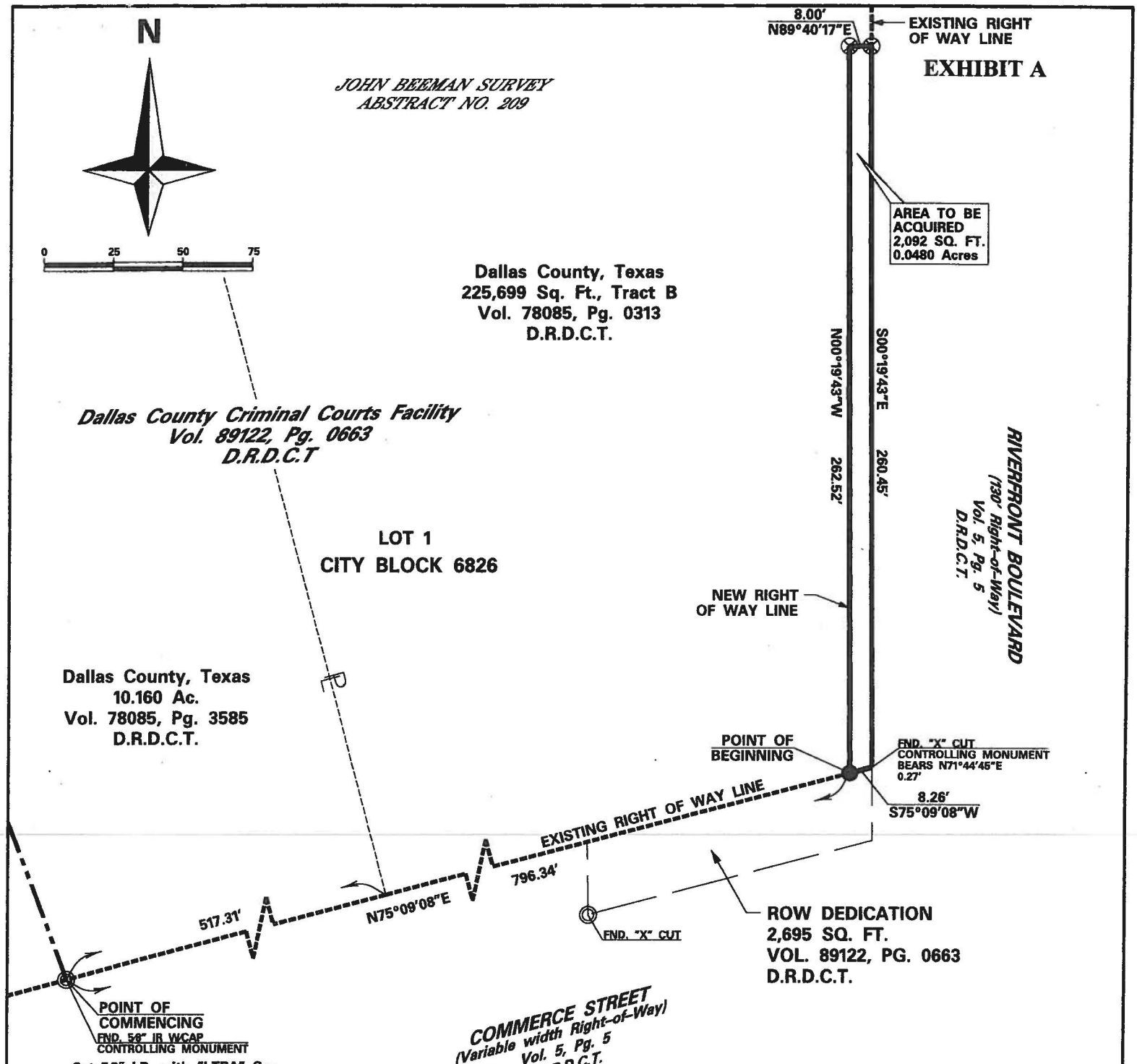


Isaac Worley 8/20/2015

Isaac Worley, R.P.L.S. Date
Texas Registration No. 4559

Lina T. Ramey & Associates, Inc.
3320 Belt Line Road
Farmers Branch, Texas 75234
Ph. 214-979-1144
TBPLS FIRM NO. 10140700

FIELD NOTES APPROVED:
DER 9-15-15



- ● Set 5/8" I.R. with "LTRA" Cap (Unless Otherwise Noted)
- △ Set Magnetic Nail
- ◎ Found Monument (As Noted)
- ⊗ Set "X" Cut
- Right of Way To Be Acquired
- Z Common Ownership

M.R.D.C.T.	=	Map Records Dallas County Texas
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
ADDITION LINE	=	
R.O.W. LINE	=	

BASIS OF BEARING: Bearings are based upon State Plane Coordinate System, Texas, North Central Zone 4202, North American Datum 1983 (NAD83).

STATE OF TEXAS
REGISTERED
ISAAC WORLEY
4559
PROFESSIONAL
LAND SURVEYOR

Isaac Worley 8/20/2015

ISAAC WORLEY, R.P.L.S. NO. 4559 DATE

Sheet 3 of 3

LTRA

LINA T. RAMEY & ASSOCIATES, INC.
3320 Belt Line Road
Farmers Branch, Texas 75234 - 214-979-1144
FIRM REGISTRATION NO. F-782
TBPLS REGISTRATION NO. 10140700

DEPT. OF PUBLIC WORKS & TRANSPORTATION

Parcel 4 – Block 6826

RIVERFRONT BOULEVARD

OWNER: Dallas County, Texas

OPER.NAME	DESIGN FILE NAME		SCALE	DATE
B. Herrera	Riverfront\Parcel4.dgn		1"=50'	8-20-2015
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.	
R. Holley	I. Worley			

EXHIBIT B

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any or all of the following information from any Instrument that transfers an interest in real property before it is filed for record in the public records: Your social security number or your driver's license number.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §

KNOW ALL BY THESE PRESENTS:

COUNTY OF DALLAS §

That the **County of Dallas**, a political subdivision of the State of Texas, ("Grantor"), pursuant to a duly executed Commissioners Court Order No. 2017-_____ dated _____, 2017, for and in consideration of the sum of FORTY-FOUR THOUSAND FIVE HUNDRED SEVENTY-TWO AND NO/100 DOLLARS ($44,572.00), has Granted, Sold and Conveyed, and by these presents does Grant, Sell and Convey, without warranty, express or implied, and subject to the terms, covenants, conditions, reservations, restrictions and exceptions hereinafter made unto the **City of Dallas**, a Texas municipal corporation, of 1500 Marilla Street, Dallas, Texas, 75201 ("Grantee"), all of the property as described in Exhibit A, which is attached hereto and made a part hereof ("Property").

Grantor reserves all of the oil, gas and sulphur in and under the land herein conveyed but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the Grantee to take and use all other minerals and materials thereon, therein and thereunder.

This conveyance is executed and delivered subject to all easements, reservations, conditions, covenants and restrictive covenants as the same appears of record in the Real Property Records of Dallas County, Texas, or apparent on the ground, and to all encroachments, zoning, regulations and ordinances of municipal and/or other governmental authorities, if any, which affect the property herein conveyed, to the extent they are valid and subsisting and are enforceable against a political subdivision of the State of Texas.

As a material part of the consideration for this deed, GRANTOR and GRANTEE agree that, to the maximum extent allowed by law, (a) GRANTEE is taking the Property "AS IS, WHERE IS, WITH ALL FAULTS", (b) GRANTOR disclaims responsibility as to the accuracy or completeness of any information relating to the Property, (c) GRANTEE assumes all responsibility to examine all applicable building codes and zoning ordinances to determine if the Property can be used for the purposes desired and to check for outstanding or pending code enforcement actions including but not limited to repair or demolition orders, and (d) GRANTOR expressly disclaims and GRANTEE expressly waives, any warranty or representation, express or implied, including without limitation any warranty of condition, habitability, merchantability or fitness for a particular purpose of the Property. Without limiting the foregoing, GRANTOR makes no representations of any nature regarding the Property and specifically disclaims any warranty, guaranty or representation, oral or written, express or implied, past, present, or future, concerning: (i) the nature and condition of the Property, including without limitation, the water, soil and geology, and the suitability thereof and the Property for any and all activities and uses which GRANTEE may elect to conduct thereon, and the existence of any environmental

substances, hazards or conditions or presence of any endangered or protected species thereon or compliance with all applicable laws, rules or regulations; (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; (iii) the compliance of the Property or its operation with any law, ordinance or regulation of any federal, state, or local governmental authority; and (iv) whether or not the Property can be developed or utilized for any purpose. For purposes hereof, "environmental substances" means the following: (a) any "hazardous substance" under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. Section 9601 et.seq., as amended, (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code, Section 26.261, et. seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubrication oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C.A. Section 651 et. seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901 et. seq., as amended, (f) asbestos, (g) polychlorinated biphenyls, (h) underground storage tanks, whether empty, filled, or partially filled with any substance, (i) any substance, the presence of which is prohibited by federal, state or local laws and regulations, and (j) any other substance which by federal, state or local laws and regulations requires special handling or notification of governmental authorities in its collection, storage, treatment or disposal. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

TO HAVE AND TO HOLD the premises herein described and conveyed, together with all and singular the rights, appurtenances and hereditaments thereto in anywise belonging unto the said Grantee, its successors and assigns, forever; and Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the rights and title to said premises unto the Grantee, its successors and assigns, against every person whosoever lawfully claiming or to claim the same or any part thereof, by through, or under Grantor; but not otherwise.

(signature page follows)

EXECUTED this _____ day of _____, 2017.

*Approved as to Form:

SUSAN HAWK
DALLAS COUNTY DISTRICT ATTORNEY

By: _____
Sherri L. Turner
Assistant District Attorney

COUNTY OF DALLAS, TEXAS

By: _____
Clay Lewis Jenkins
Dallas County Judge

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

ACKNOWLEDGMENT

THE STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on the _____ day of _____, 2017, by Clay Lewis Jenkins, County Judge for the County of Dallas, Texas, on behalf of the County of Dallas, Texas, a political subdivision of the State of Texas.

_____
Notary Public, State of Texas
My Commission Expires_____

GRANTORS ADDRESS: RETURN ORIGINAL TO GRANTOR:
County of Dallas
411 Elm Street, 3rd Floor
Dallas, Texas 75202
Attn: Assistant Director
Public Works Property Division

Project: No. PB06U215 Riverfront Blvd. & Street Improvements
(Seg. B - Cadiz Street to Union Pacific Railroad)
Parcel: 4

AGENDA ITEM # 27

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 4

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 55D 56A

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Modern Geosciences, LLC for additional environmental services and assistance with the Upper Chain of Wetlands project - Not to exceed $32,150, from $122,950 to $155,100 - Financing: 1998 Bond Funds

BACKGROUND

The Upper Chain of Wetlands (UCOW) Cells A, B, and C are being constructed by the U. S. Army Corps of Engineers (USACE) on a site located within the Dallas Floodway Extension on the west side of the Trinity River between the Cedar Crest Boulevard Bridge and the Central Wastewater Treatment Plant. Previous subsurface investigations revealed elevated soil concentrations of lead above the regulatory limits set by the state regulatory agency, Texas Commission on Environmental Quality (TCEQ).

The City of Dallas is required to remediate the lead contaminated soil prior to the start of the USACE's UCOW construction project. This contract with Modern Geosciences, LLC will assist with the remediation design, prepare the required soil treatability study, and finalize the Soil Management Plan for the UCOW as required by TCEQ. Additional subsurface investigation is needed during construction to verify soil acceptance at all three designated landfills and complete the project.

This action will include technical support and further investigation of 45 soil borings necessary to aid in soil characterization and reuse decisions. This work will determine if further stabilization is required or if soil can be disposed of as non-hazardous waste.

ESTIMATED SCHEDULE OF PROJECT

Began Design	August 2013
Complete Design	January 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Modern Geosciences, LLC on August 14, 2013, by Resolution No. 13-1383.

Authorized Supplemental Agreement No. 1 to the professional services contract with Modern Geosciences, LLC, on March 26, 2014, by Resolution No. 14-0562.

Information about this item will be provided to the Transportation and Trinity River Project Committee on January 9, 2017.

FISCAL INFORMATION

1998 Bond Funds - $32,150.00

Professional Services Contract	$ 73,950.00
Supplemental Agreement No. 1	$ 49,000.00
Supplemental Agreement No. 2 (this action)	$ 32,150.00
Total	$155,100.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Modern Geosciences, LLC

Hispanic Female	0	Hispanic Male	0
African-American Female	0	African-American Male	0
Other Female	1	Other Male	0
White Female	4	White Male	7

OWNER

Modern Geosciences, LLC

Kenneth Tramm, Principal

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 2 to the professional services contract with Modern Geosciences, LLC for additional environmental services and assistance with the Upper Chain of Wetlands project - Not to exceed $32,150, from $122,950 to $155,100 - Financing: 1998 Bond Funds

Modern Geosciences, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$0.00	0.00%
Non-local contracts	$32,150.00	100.00%
TOTAL THIS ACTION	$32,150.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

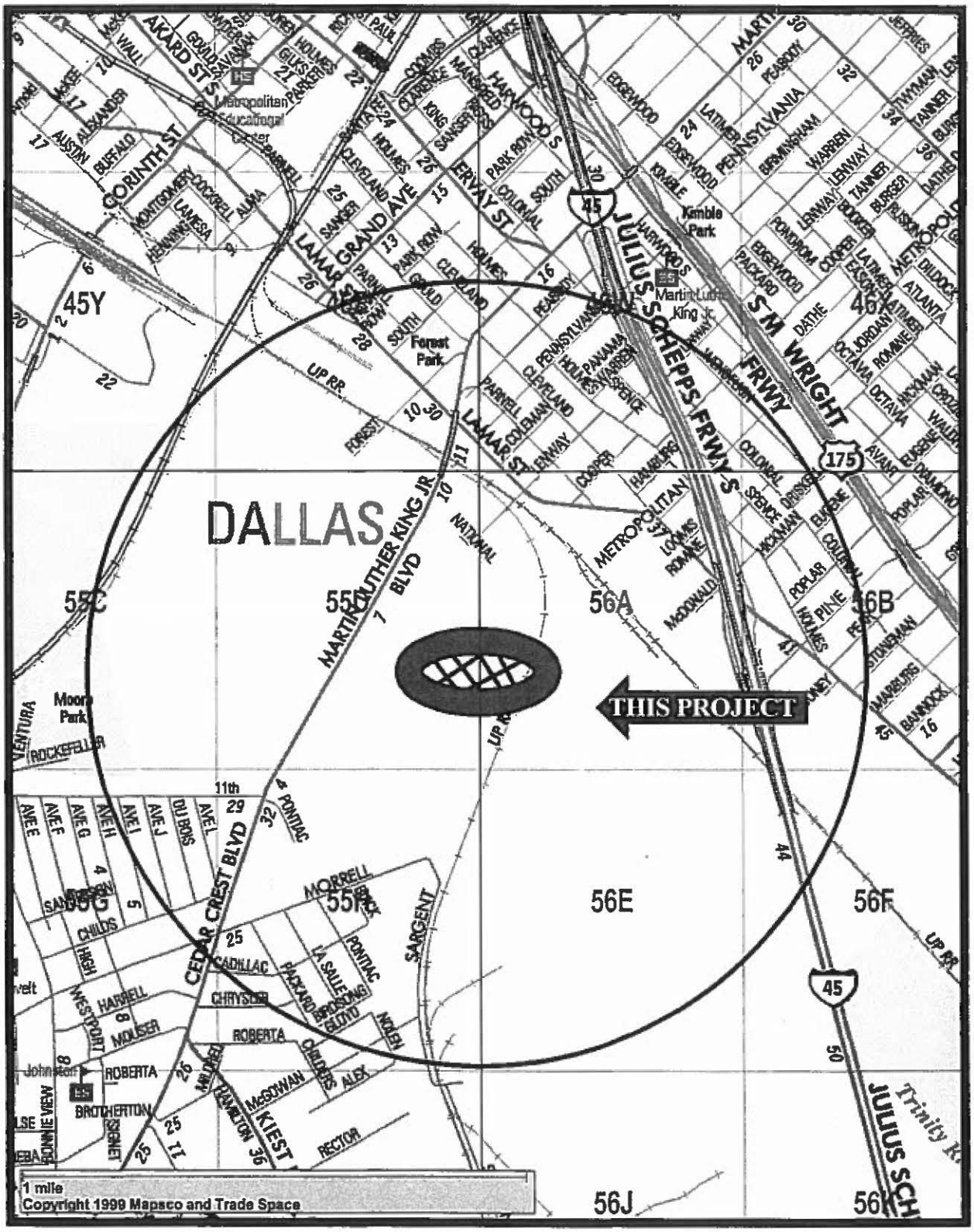
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Sunbelt Industrial Services	WFWB64135Y0217	$5,750.00	17.88%
Total Minority - Non-local		$5,750.00	17.88%

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	$5,750.00	17.88%	$14,000.00	9.02%
Total	$5,750.00	17.88%	$14,000.00	9.02%

UCOW REMEDIATION



MAPSCO 55D, 56A

January 11, 2017

WHEREAS, on August 14, 2013, Resolution No. 13-1383 authorized a professional services contract with Modern Geosciences, LLC, for the preparation of the soil remediation and municipal setting designation for the Upper Chain of Wetlands Project, in an amount not to exceed $73,950; and,

WHEREAS, on March 26, 2014, Resolution No. 14-0562 authorized Supplemental Agreement No. 1 to the professional services contract with Modern Geosciences, LLC for additional environmental services and assistance with the Upper Chain of Wetlands project in an amount not to exceed $49,000, increasing the contract from $73,950 to $122,950; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 2 to the professional services contract with Modern Geosciences, LLC for additional environmental services and assistance with the Upper Chain of Wetlands project in an amount not to exceed $32,150, increasing the contract from $122,950 to $155,100.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 2 to the professional services contract with Modern Geosciences, LLC for additional environmental services and assistance with the Upper Chain of Wetlands project in an amount not to exceed $32,150, increasing the contract from $122,950 to $155,100, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

1998 Bond Fund
Fund 5P14, Dept. TWM, Unit N962, Act. TRPP
Obj. 4113, Program PB98N962, CT PBW98N962L4
Vendor # VS0000063453, in an amount not to exceed $32,150

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 # 28

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Water Utilities

CMO: Ryan S. Evans, 671-9837

MAPSCO: Outside City Limits

SUBJECT

Authorize a thirty-year contract with the Town of Flower Mound to continue providing water services, from January 22, 2017 through January 21, 2047 - Estimated Annual Revenue: $3,396,051

BACKGROUND

This item is for authorization to enter into a new wholesale water contract with the Town of Flower Mound, Texas. This entity is currently receiving City of Dallas water services under an existing wholesale water contract which will expire on January 21, 2017.

The Town of Flower Mound is located within Dallas Water Utilities' service area and desires to continue to purchase water services from the City of Dallas under the terms of a standard wholesale water customer contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 21, 1987, the City Council authorized Wholesale Water Contract with the Town of Flower Mound, by Resolution No. 87-0284.

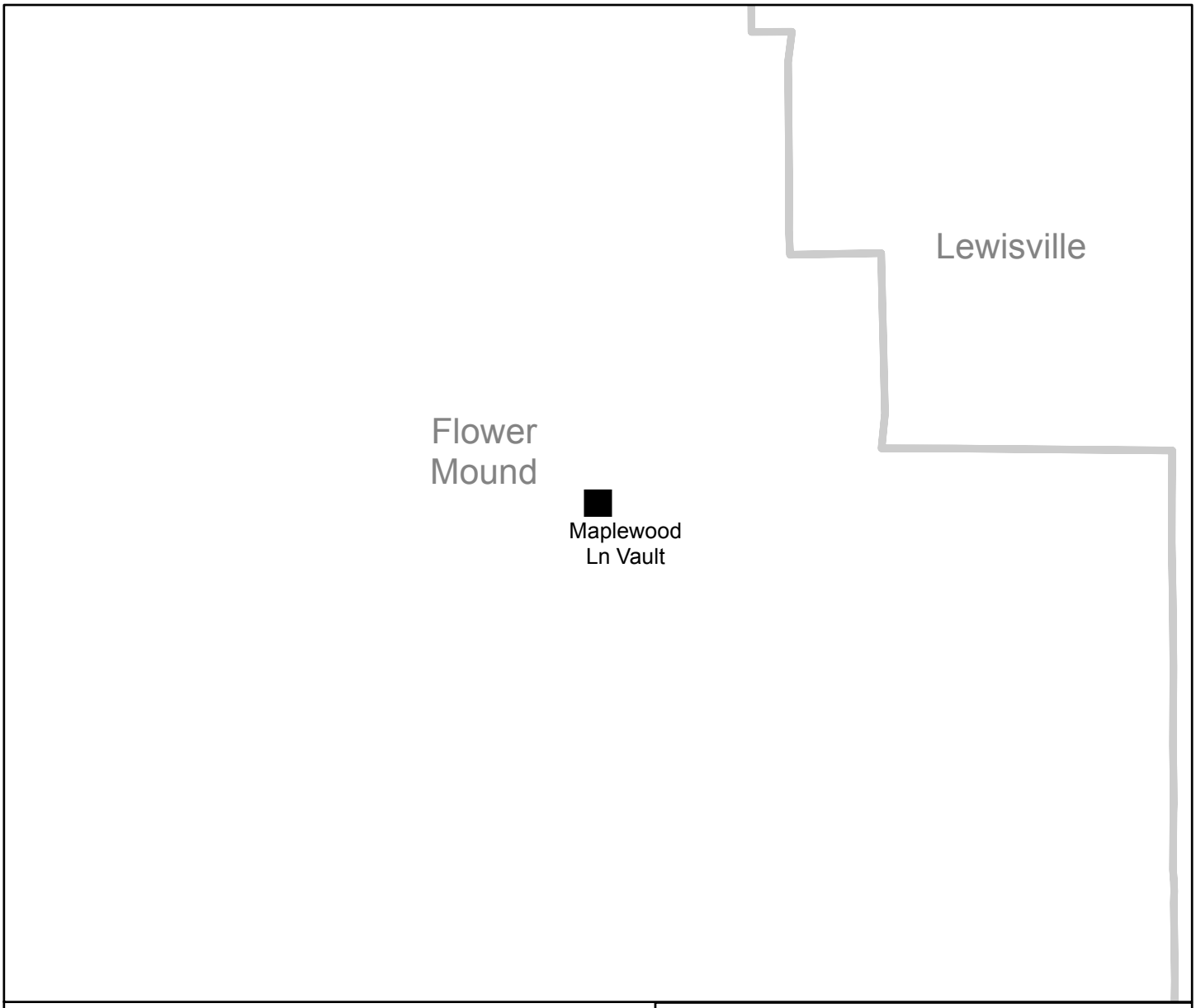
Information about this item will be provided to the Budget, Finance, & Audit Committee on January 3, 2017.

FISCAL INFORMATION

Estimated Annual Revenue: $3,396,051 (at current wholesale water rate)

MAP

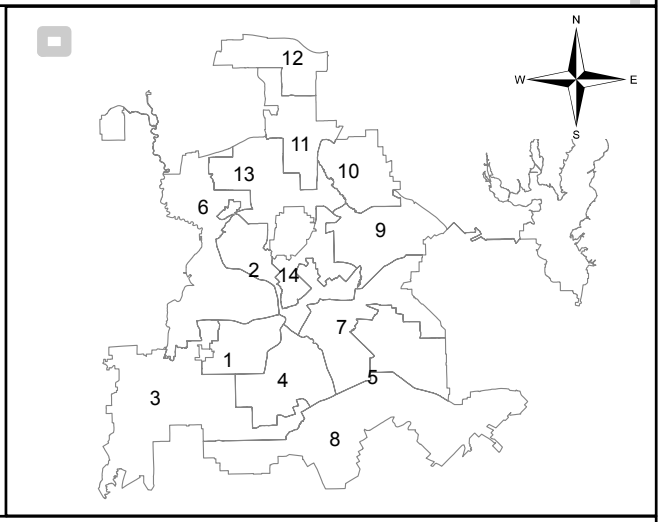
Attached



Location: Flower Mound Maplewood Ln Vault

Council Districts: Outside City of Dallas

Department: DWU



Flower Mound Wholesale Treated Water Contract

January 11, 2017

WHEREAS, the Town of Flower Mound, Texas currently purchases wholesale water services from the City of Dallas, and Dallas currently provides wholesale water service to Flower Mound as set forth under the terms, covenants, and conditions stated in a Wholesale Treated Water Contract between the City of Dallas and the Town of Flower Mound dated January 21, 1987; and,

WHEREAS, Flower Mound's current wholesale water contract with Dallas will expire on January 21, 2017; and,

WHEREAS, Dallas and Flower Mound desire to enter into a new Wholesale Water Contract; and,

WHEREAS, the term of the new 30-year Wholesale Water Contract will be January 22, 2014 through January 21, 2047; and,

WHEREAS, approval of the new contract would be in the best interest of the City of Dallas as well as the Town of Flower Mound.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a Wholesale Water Contract with the Town of Flower Mound to purchase wholesale water services from the City of Dallas for the period January 22, 2017 through January 21, 2047 in the estimated annual amount of $3,396,051 after approval of the contract documents by the City Attorney.

SECTION 2. That the Chief Financial Officer is hereby authorized and directed to deposit receipts for service provided under this contract to the Water Utilities Current Fund as follows:

FUND	DEPT	UNIT	FUNC	RESOURCE REVENUE CODE
0100	DWU	7005	7REV	7836

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 # 29

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 11

DEPARTMENT: Water Utilities

CMO: Ryan S. Evans, 671-9837

MAPSCO: 16 S W

SUBJECT

Authorize an increase in the construction contract with Archer Western Construction, LLC for emergency erosion repairs along the bank of White Rock Creek to protect an 84-inch water transmission main - Not to exceed $226,146, from $17,668,400 to $17,894,546 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This action consists of work associated with emergency erosion repairs along the bank of White Rock Creek adjacent to Park Central Drive between Merit Drive and Churchill Way. This work is needed to protect the existing Dallas Water Utilities 84" White Rock water transmission main.

Trinity Watershed Management is currently designing permanent erosion repairs to White Rock Creek at this location and anticipates awarding the construction project in Spring of 2017. While coordinating with their Engineer, it became evident that the erosion was progressing at a higher rate than anticipated. Not only had the erosion forced the relocation of the White Rock Trail, but it also had the potential to undermine the embedment of the 84" White Rock transmission main, resulting in its failure.

The White Rock water transmission line is a fifteen mile, 84-inch diameter pipeline which is used to transfer treated water from Jim Miller Reservoir located on Jim Miller Road, just south of R.L. Thornton Freeway, to Beltwood Reservoir in far north Dallas. The water main supplies over 25 percent of the potable water within the City of Dallas, including service delivery to customer cities. The failure of this line could jeopardize DWU's ability to distribute potable water to the citizens of Dallas and customer cities, fire suppression capabilities and lead to possible institution of emergency water use restrictions.

ESTIMATED SCHEDULE OF PROJECT

Began Repairs November 2016
Complete Repairs December 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a contract with Archer Western Construction, LLC for the construction of rehabilitation improvements to the Activated Sludge Influent Pump Station at the Central Wastewater Treatment Plant on August 26, 2015, by Resolution No. 15-1576.

Information about this item will be provided to the Transportation & Trinity River Project Committee on January 9, 2017.

FISCAL INFORMATION

$226,146.00 - Water Utilities Capital Improvement Funds

Construction Contract	$17,668,400.00
Change Order No. 1 (this action)	$ 226,146.00
Total Construction Cost	$17,894,546.00

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

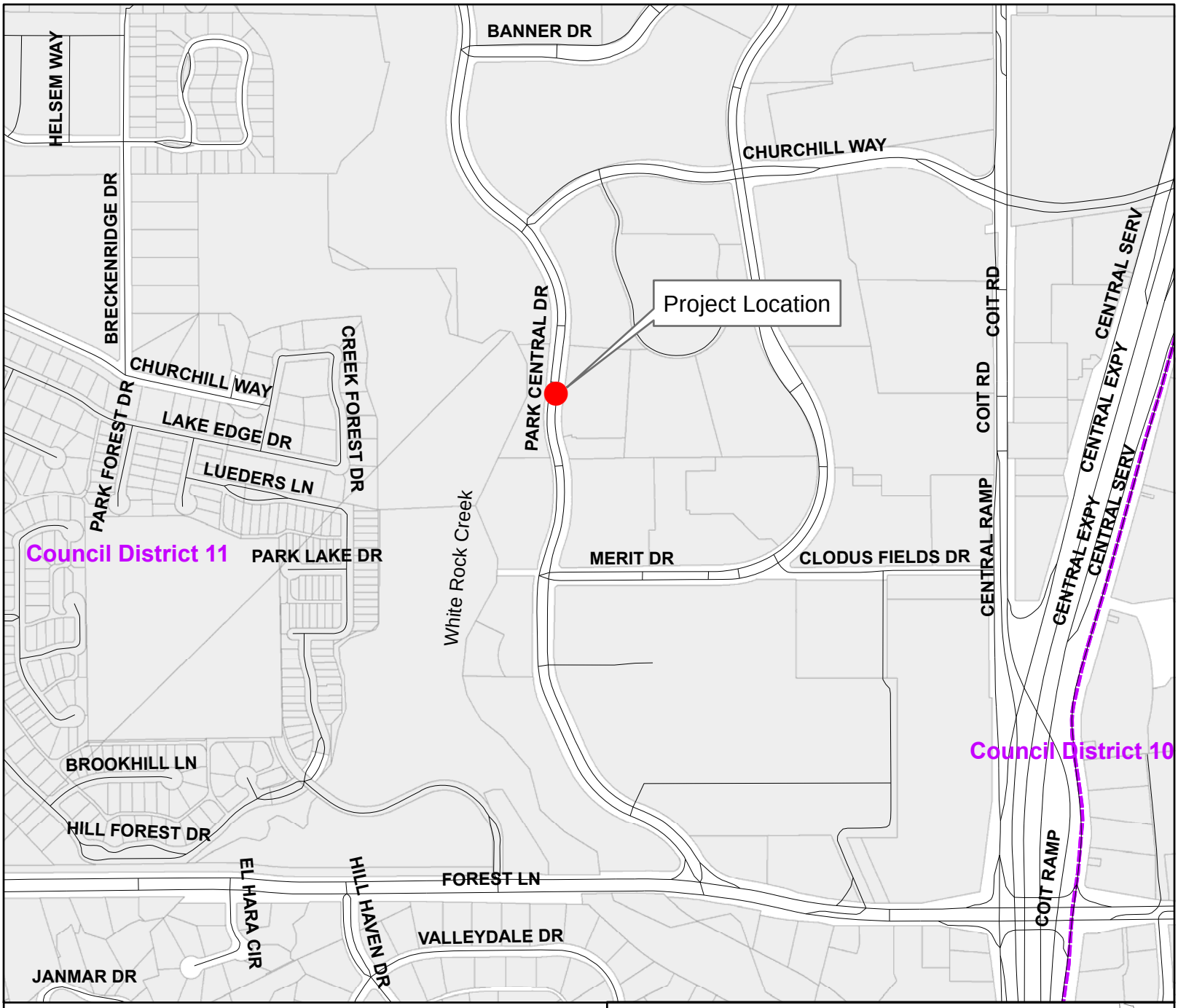
OWNER

Archer Western Construction, LLC

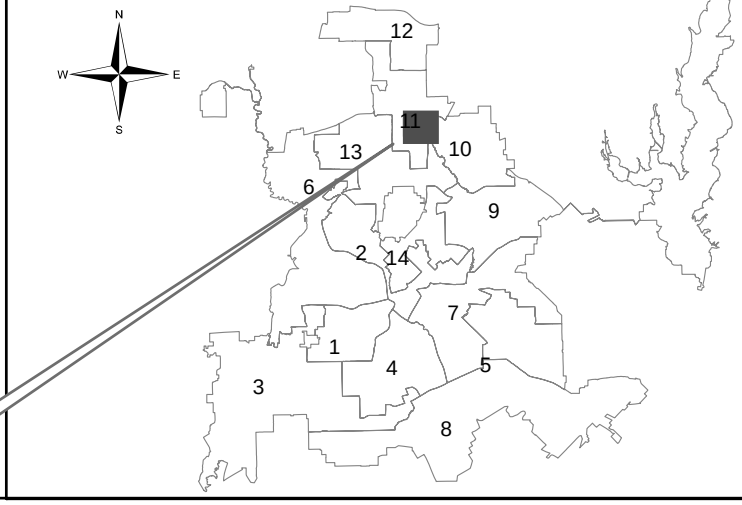
Daniel P. Walsh, President

MAP

Attached



Mapsco: 16 S, W



Council District: 11

Dallas Water Utilities
Contract No. 15-060, Change Order No. 1
Emergency Erosion Repairs to Protect
84-inch White Rock Water Transmission Main

January 11, 2017

WHEREAS, on August 26, 2015, the City Council awarded Contract No. 15-060 in the amount of $17,668,400.00, by Resolution No. 15-1576, to Archer Western Construction, LLC, for the construction of rehabilitation improvements to the Activated Sludge Influent Pump Station at the Central Wastewater Treatment Plant; and,

WHEREAS, the City of Dallas has identified a need to proceed with emergency erosion repairs to protect an 84-inch water transmission main along the bank of the White Rock Creek adjacent to Park Central Drive between Merit Drive and Churchill Way; and,

WHEREAS, Archer Western Construction, LLC, 1411 Greenway Drive, Irving, Texas 75038, has submitted an acceptable proposal for this additional work; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 15-060 be increased by $226,146.00, from $17,668,400.00 to $17,894,546.00.

Now, Therefore,

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

Section 1. That the proposed Change Order No. 1 be accepted and that Contract No. 15-060 with Archer Western Construction, LLC, be revised accordingly.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $226,146.00 from the Wastewater Capital Improvement Fund as follows:

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
3116	DWU	PS30	4330	715060	CT-DWU715060CP	VS0000064407

Archer Western Construction, LLC - (Contract No. 15-060) - $226,146.00

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

AGENDA ITEM # 30

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Water Utilities

CMO: Ryan S. Evans, 671-9837

MAPSCO: 2 T

SUBJECT

Authorize an increase in the contract with Quest Civil Constructors, Inc. for additional work associated with the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant - Not to exceed $1,777,361, from $46,464,646 to $48,242,007 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The Elm Fork Water Treatment Plant located in Carrollton, Texas, is the second largest of three water treatment plants serving customers of the City of Dallas. On May 27, 2015, the City Council awarded the cleaning and rehabilitation of an existing 145 acre residuals basin site used for the collection of treatment process residuals.

This action will authorize additional work identified as a result of unforeseen subsurface site conditions during the construction of the residuals basin site improvements. This work includes an additional 281,000 cubic yards of soil excavation to reach suitable foundation soils for the basin site berms, as well as the blending of 318,000 cubic yards of soil to achieve the desired soil properties needed for the construction of the berms. Also included in this work is the realignment of a new storm water box culvert around an existing, unmarked fiber optic ductbank and the removal of excess debris in the 54-inch sediment discharge line.

This project is the first one associated with the implementation of the $300 million dollar Elm Fork Water Quality Improvements program and will help facilitate implementation of upcoming projects at the plant. This project is needed to address aging infrastructure and process changes, including residuals management, as recommended in the 2010 Water Quality Study. Residuals are a normal by-product of the drinking water treatment process and consist of solids removed from the source water by the addition of coagulants and a sedimentation process.

ESTIMATED SCHEDULE OF PROJECT

Began Design	November 2012
Completed Design	January 2015
Began Construction	June 2015
Complete Construction	May 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a contract with Quest Civil Constructors, Inc. for the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant on May 27, 2015, by Resolution No. 15-0978.

Information about this item will be provided to the Transportation & Trinity River Project Committee on January 9, 2017.

FISCAL INFORMATION

$1,777,360.46 - Water Utilities Capital Improvement Funds

Construction Contract	$46,464,646.00
Change Order No. 1 (this action)	$ 1,777,360.46
Total Construction Cost	$48,242,006.46

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Quest Civil Constructors, Inc.

Hispanic Female	1	Hispanic Male	10
Black Female	0	Black Male	1
White Female	0	White Male	18
Other Female	0	Other Male	1

OWNER

Quest Civil Constructors, Inc.

Howard Birch III, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Quest Civil Constructors, Inc. for additional work associated with the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant - Not to exceed $1,777,361, from $46,464,646 to $48,242,007 - Financing: Water Utilities Capital Improvement Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$246,095.00	13.85%
Non-local contracts	$1,531,265.46	86.15%
TOTAL THIS ACTION	$1,777,360.46	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
RAMA Enterprises, LLC	HMDB97541Y0717	$94,550.00	38.42%
QN Management Solutions, Inc.	PMDB31601Y0717	$7,200.00	2.93%
Total Minority - Local		$101,750.00	41.35%

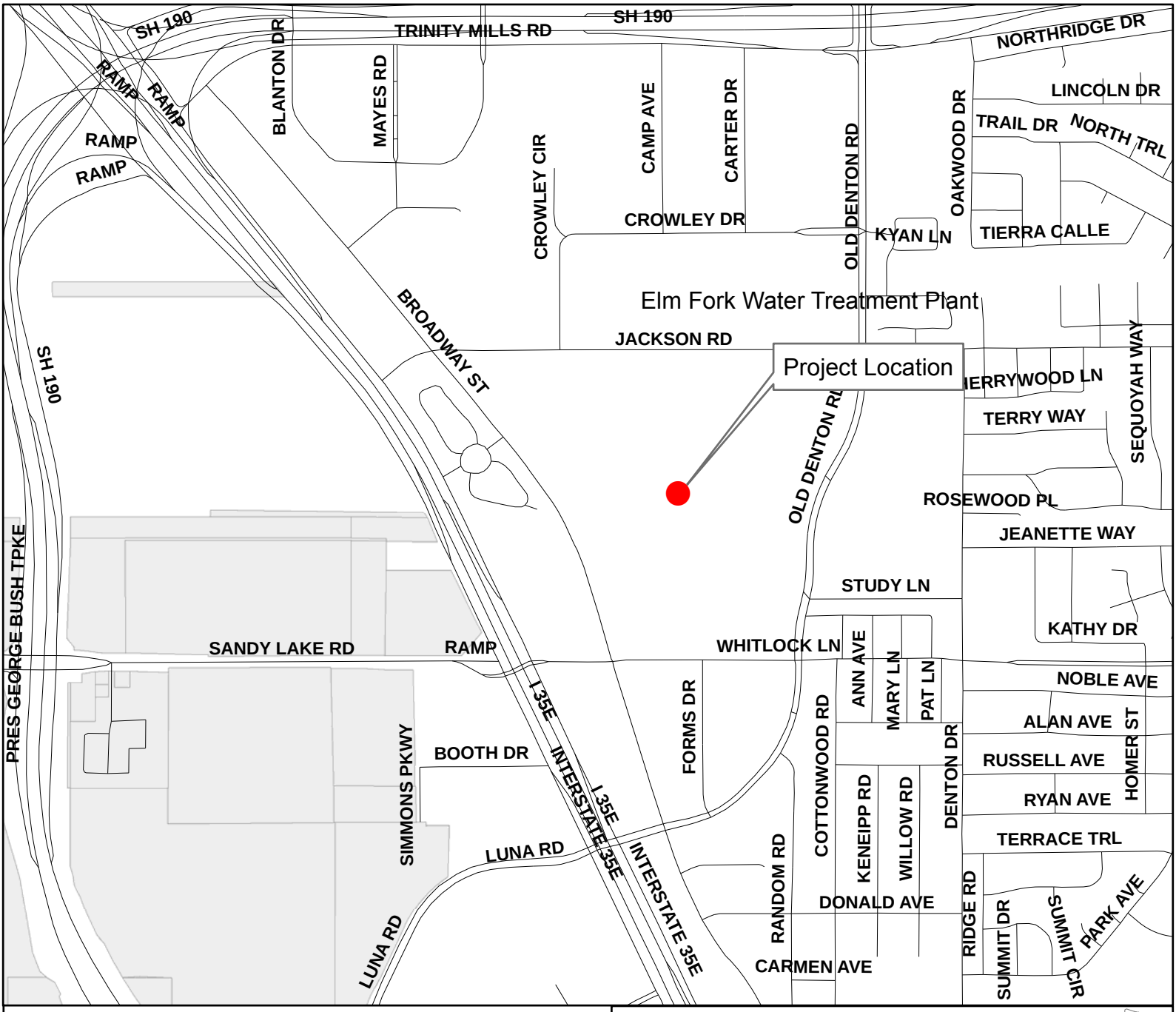
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Ricochet Fuel Distributors, Inc.	WFWB63913Y0117	$100,000.00	6.53%
Fleet-Lube, LLC	WFDB11375Y0717	$10,000.00	0.65%
Sunbelt Industrial Services	WFW864135Y0217	($4,500,000.00)	-293.87%
Total Minority - Non-local		($4,390,000.00)	(286.69%)

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

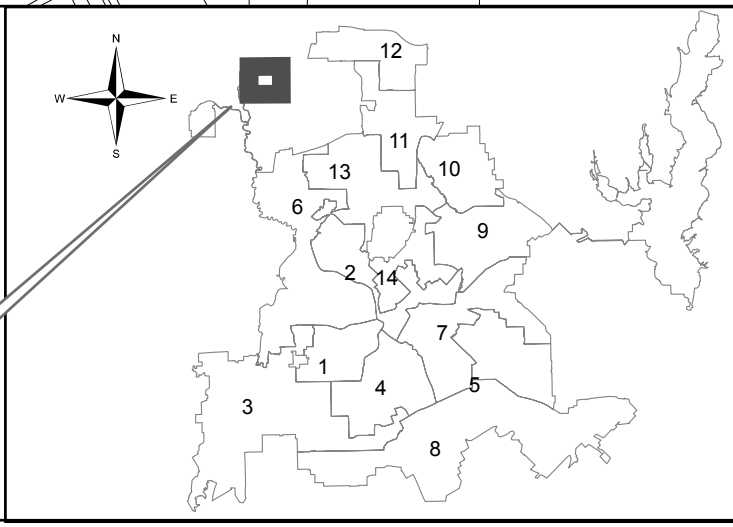
TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$94,550.00	5.32%	$2,766,732.00	5.74%
Asian American	$7,200.00	0.41%	$49,750.00	0.10%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	($4,390,000.00)	(247.00%)	$5,374,184.00	11.14%
Total	($4,288,250.00)	(241.27%)	$8,190,666.00	16.98%



Mapsco: 2 T

Council District: Outside City Limits



Dallas Water Utilities
Contract No. 15-005, Change Order No. 1
Elm Fork Water Treatment Plant
Cleaning and Rehabilitation of Residuals Basins Site

January 11, 2017

WHEREAS, on May 27, 2015, the City Council awarded Contract No. 15-005 in the amount of $46,464,646.00, by Resolution No. 15-0978, to Quest Civil Constructors, Inc., for the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant; and,

WHEREAS, Dallas Water Utilities has a need to perform additional work at the residuals basin site; and,

WHEREAS, Quest Civil Constructors, Inc., 1903 West Parkside Lane, Suite 100, Phoenix, Arizona 85027, has submitted an acceptable proposal for this additional work; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 15-005 be increased by $1,777,360.46, from $46,464,646.00 to $48,242,006.46.

Now, Therefore,

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

Section 1. That the proposed Change Order No. 1 be accepted and that Contract No. 15-005 with Quest Civil Constructors, Inc., be revised accordingly.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,777,360.46 from the Water Capital Improvement Fund as follows:

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
2115	DWU	PW31	4320	715005	CT-DWU715005CP	VS0000038219

Quest Civil Constructors, Inc. - (Contract No. 15-005) - $1,777,360.46

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 # 32

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	January 11, 2017
COUNCIL DISTRICT(S):	8
DEPARTMENT:	Trinity Watershed Management City Attorney's Office Mobility and Street Services
CMO:	Mark McDaniel, 670-3256 Larry Casto, 670-3491 Jill A. Jordan, P.E., 670-5299
MAPSCO:	75D

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Veterans Land Board of the State of Texas and King E. Rhodes, of an unimproved tract of land containing approximately 65,699 square feet, three slope easements containing a total of approximately 35,859 square feet, and two drainage easements containing a total of approximately 3,693 square feet, located on East Wheatland Road near its intersection with Lancaster Road for the Wheatland Road Improvement Project - Not to exceed $92,176 ($88,176 plus closing costs and title expenses not to exceed $4,000) - Financing: General Obligation Commercial Paper Funds

BACKGROUND

This item authorizes the acquisition of an unimproved tract of land containing approximately 65,699 square feet, three slope easements containing a total of approximately 35,859 square feet, and two drainage easements containing a total of approximately 3,693 square feet, from Veterans Land Board of the State of Texas and King E. Rhodes. This property is located on East Wheatland Road near its intersection with Lancaster Road and will be used for the Wheatland Road Improvement Project. The consideration is based upon an independent appraisal, reviewed and adjusted by staff.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on December 14, 2016, by Resolution No. 16-1941.

Information about this item will be provided to the Transportation and Trinity River Project Committee on January 9, 2017.

FISCAL INFORMATION

2006 Bond Funds (General Obligation Commercial Paper Funds) - $92,176 ($88,176 plus closing costs and title expenses not to exceed $4,000)

OWNERS

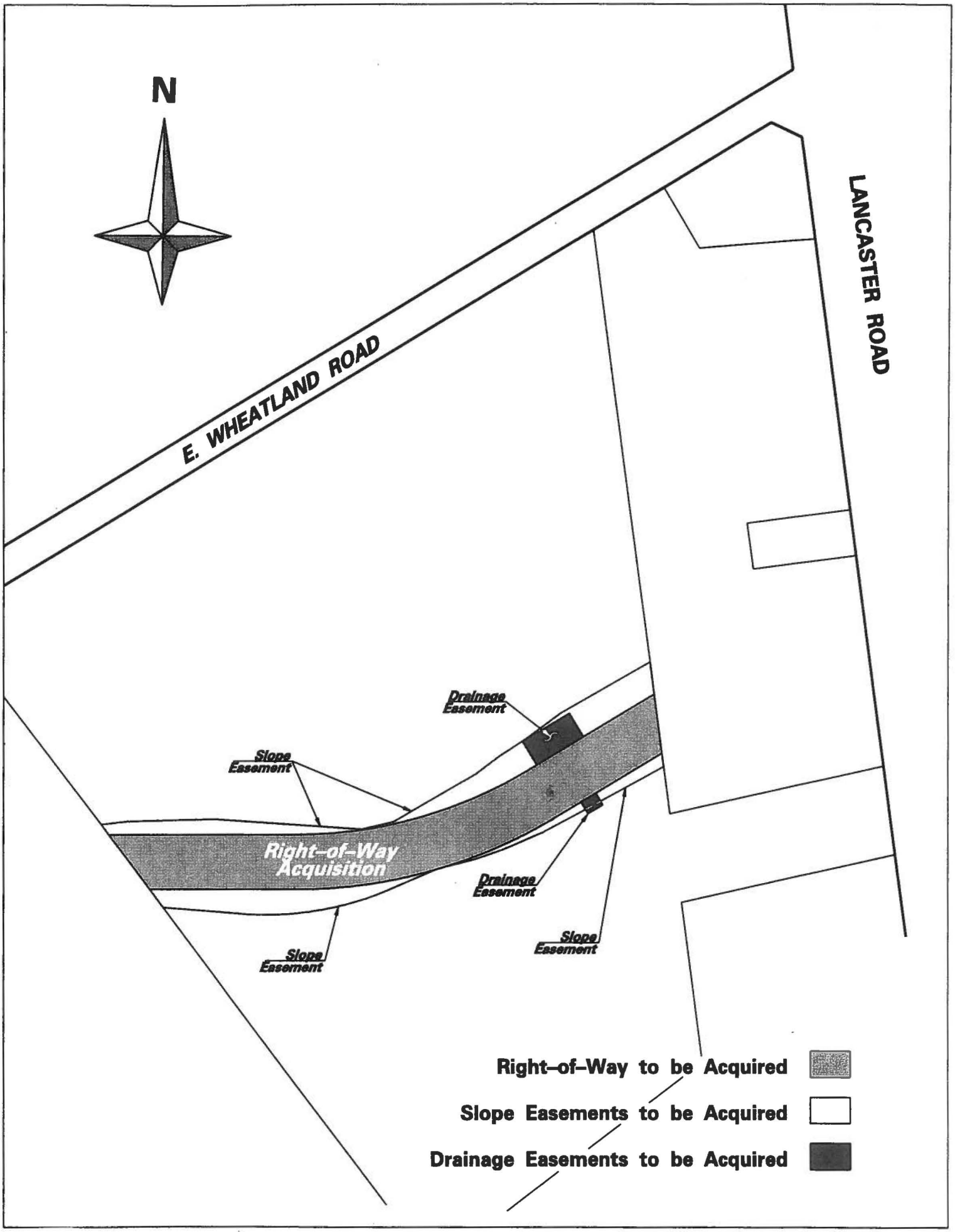
Veterans Land Board of the State of Texas

Matthew Elledge, Executive Secretary

King E. Rhodes

MAP

Attached


N
E. WHEATLAND ROAD
LANCASTER ROAD
Drainage Easement
Slope Easement
Right-of-Way Acquisition
Drainage Easement
Slope Easement
Slope Easement
Right-of-Way to be Acquired
Slope Easements to be Acquired
Drainage Easements to be Acquired

January 11, 2017

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

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

"CITY": The City of Dallas.

“PROPERTY": Six tracts containing a total of approximately 105,251 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

“PROJECT”: Wheatland Road Improvement Project

“USE”: The construction, installation, use, and maintenance of a new section of roadway, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Parcel No. 3 - Fee Simple, Parcel Nos. 3A, 3B & 3C - Slope Easement, and Parcel Nos. 3-ia & 3-ib - Drainage Easement

"OWNER": Veterans Land Board of the State of Texas and King E. Rhodes, provided, however, that the term “OWNER” as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": $88,176.00

"CLOSING COSTS AND TITLE EXPENSES ": Not to exceed $4,000.00

"AUTHORIZED AMOUNT": $92,176.00

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

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

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

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 4T22, Department STS, Unit U803, Activity THRF, Program No. PB06U803, Object 4210, Encumbrance No. CT-STS06U803A3, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 4T22, Department STS, Unit U803, Activity THRF, Program No. PB06U803, Object 4230, Encumbrance No. CT-STS06U803A4. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary proceeding(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation proceedings or suit(s).

SECTION 8. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the City Attorney files a condemnation proceeding because the OWNER refused to accept the OFFER AMOUNT; and in the event the special commissioners appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed $4,000.00 for CLOSING COSTS AND TITLE EXPENSES in favor of the title company closing the transaction described herein. The Award, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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.

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

BY _____
Assistant City Attorney

Field Notes Describing a 65,699 Square Foot Tract of Land To Be Acquired in Block 7609 From King E. Rhodes

Being a 65,699 Square Foot (1.5082 Acre) tract of land situated in the Robert Simonton Survey, Abstract No. 1277, in the City of Dallas, Dallas County, Texas, lying in Block 7609 (official City of Dallas Block Numbers), and being a portion of the 22.0197 acre tract of land conveyed to King E. Rhodes by Contract of Sale and Purchase, recorded in Volume 2002187, Page 125 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at the most Westerly corner of said 22.0197 Acre tract, lying on the Southeast Right-of-Way line of Wheatland Road (a 50' Right-of-Way) and being also the most Northerly corner of a tract of land conveyed to Crescent Real Estate Equities Limited Partnership by deed recorded in Volume 97092, Page 2778 of the Deed Records of Dallas County, Texas, from which a ½ inch dia. Iron Rod found bears North 33°44'10" West a distance of 1.24 feet:

THENCE South 37°05'20" East, departing the last said Southeast Right-of-Way line of Wheatland road and with the common line between said Rhodes and Crescent Real Estate tracts, a distance of 394.78 feet to a 5/8 in dia. Iron Rod with cap marked "DALLAS" (hereinafter referred to as "5/8" I.R. w/COD cap") set at the Northwest corner and **POINT OF BEGINNING** of the herein described tract of land:

THENCE North 90°00'00" East, departing the last said common line between said Rhodes and Crescent Real Estate tracts, a distance of 275.64 feet to a 5/8" I.R. w/COD cap set at the Point of Curvature of a Curve to the Left:

THENCE Northeasterly along said Curve, having a Radius of 660.00 feet, a Central Angle of 31°16'43", an Arc Length of 360.31 feet and a Chord which bears North 74°21'38" East a distance of 355.85 to a 5/8" I.R. w/COD cap set at the Point of Tangency:

THENCE North 58°43'17" East a distance of 211.47 feet to a 5/8" I.R. w/COD cap set at the Northeast corner of the herein described tract of land, on the common line with a tract of land conveyed to the Sun NLF Ltd. Partnership by deed recorded in Volume 95125, Page 768 of the Deed Records of Dallas County, Texas:

THENCE South 7°19'12" East with the common line between said Rhodes and Sun NLF Ltd. tracts a distance of 87.54 feet to a 5/8" I.R. w/COD cap set at the Southeast corner of the herein described tract of land:

THENCE South 58°43'17" West, departing the last said common line between the Rhodes and Sun NLF Ltd. tracts, a distance of 175.92 feet to a 5/8" I.R. w/COD cap set at the Point of Curvature of a Curve to the Right:

Field Notes Describing a 65,699 Square Foot Tract of Land To Be Acquired in Block 7609 From King E. Rhodes

THENCE Southwesterly along said Curve, having a Radius of 740.00 feet, a Central Angle of 31°16'43", an Arc Length of 403.98 feet and a Chord which bears South 74°21'38" West a distance of 398.98 feet to a 5/8" I.R. w/COD cap set at the Point of Tangency:

THENCE South 90°00'00" West a distance of 215.16 feet to a 5/8" I.R. w/COD cap set at the Southwest corner of the herein described tract of land, on the above referenced common line between the Rhodes and Crescent Real Estate tracts:

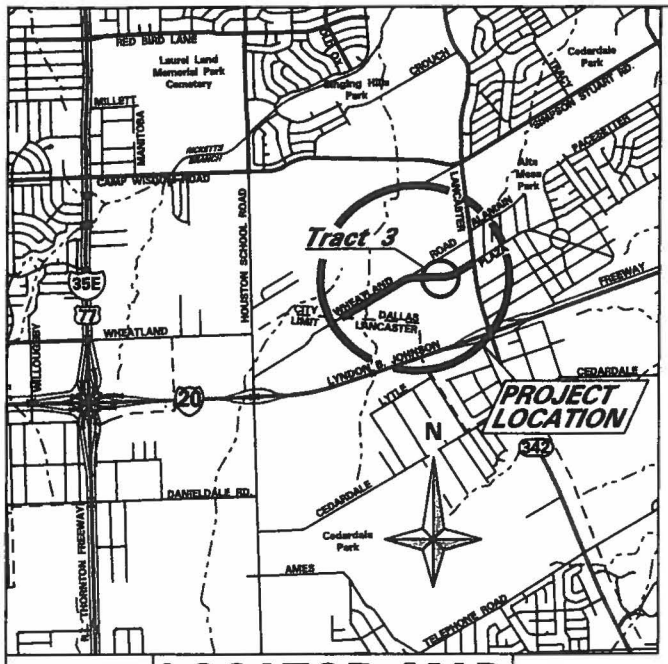
THENCE North 37°05'17" West along the common line between said Rhodes and Crescent Real Estate tracts a distance of 100.29 feet to the **POINT OF BEGINNING**, containing 65,699 Square Feet, or 1.5082 Acres of land.

BASIS OF BEARINGS: Bearings are based on the common line between the King E. Rhodes and Crescent Real Estate Equities Limited Partnership tracts, at South 37°05'17" East, monumented as noted and derived from Global Positioning System observations using the North Texas Cooperative Real Time Kinematic Survey, Virtual Reference Station System, North American Datum of 1983.

Scott Holt

7/6/2016





LOCATOR MAP
NOT TO SCALE

WHEATLAND ROAD (50' R.O.W.)

1/2" I.R. Found CONTROLLING MONUMENT

Charles O. Monroe Vol. 97178, Pg. 0071

5/8" I.R. Found

1/2" I.R. Found

3/8" I.R. Found

2" I.P. Found

UNPLATTED

1,110.28'

Sun NLF Ltd. Partnership Vol. 95125, Pg. 0768

LANCASTER ROAD

BLOCK 7609
UNPLATTED

King E. Rhodes
Vol. 2002187, Pg. 0125

865.53'

RR Spike Found

1/2" I.R. Found

PK Nail Found

BLOCK 7616

1/2" I.R. Fnd.; Bears 1.24' N33°44'20"W. POINT OF COMMENCING

65,699 Square Foot (1.5082 Acre) Tract To Be Acquired

394.78', S37°05'17"E

Rad. = 660.00'
Δ = 31°16'43"
Length = 360.31'
Chord Brs: 355.85'
N74°21'38"E

211.47'
N58°43'17"E

87.54'
S07°19'12"E

3/8" I.R. Found

323.35'

175.92'
S58°43'17"W

5/8" I.R. wCOD Cap Set
POINT OF BEGINNING

275.64'
N90°00'0"E

100.29'
N37°05'17"W

215.16'
S90°00'0"W

Rad. = 740.00'
Δ = 31°16'43"
Length = 403.98'
Chord Brs: 398.98'
S74°21'38"W

1,185.43'

698.15', N37°05'17"W

3/8" I.R. Found

N

0 100 200 300

ROBERT SIMONTON SURVEY
Abstract #1277

Crescent Real Estate Equities Limited Partnership
Vol. 97092, Pg. 2778

BLOCK 7609
UNPLATTED

1/2" I.R. Found CONTROLLING MONUMENT

5/8" I.R. wCOD Cap Set

Property to be Acquired

Sheet 3 of 3

LOCATOR MAP: Parcel No. 3

Wheatland Road			
From Lancaster City Limits to Lancaster Road			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPER. NAME	DESIGN FILE NAME		SCALE / DATE
S. Holt	N:\ENGR\SURVEY\HOLT\Wheatland\Wheatland Field Notes.dgn		As Noted / 5-27-10
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
J. Chambers	S. Holt	Block 7605	311D-4147-12

Field Notes Describing Slope Easements To Be Acquired in Block 7609 From King E. Rhodes

PARCEL 3-A:

Being a 10,619 Square Foot (0.244 Acre) tract of land situated in the Robert Simonton Survey, Abstract No. 1277, in the City of Dallas, Dallas County, Texas, lying in Block 7609 (official City of Dallas Block Numbers), and being a portion of the 22.0197 acre tract of land conveyed to King E. Rhodes by Contract of Sale and Purchase, recorded in Volume 2002187, Page 125 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch diameter Iron Rod with cap marked "CITY OF DALLAS" (hereinafter referred to as "5/8" I.R. w/COD cap") set at the intersection of the South line of the approved realignment location of Wheatland Road (an 80-foot Right-of-Way per approved Council Alignment) with the Southwest boundary line of said King E. Rhodes tract, being also the Northeast line of a tract of land conveyed to Crescent Real Estate by Deed recorded in Volume 97092, Page 2778 of the Deed Records of Dallas County, Texas, from which a ½ inch diameter Iron Rod found at the common Southeast corner of said Crescent Real Estate and King E. Rhodes properties bears South 36°16'35" East a distance of 655.22 feet:

THENCE North 90°00'00" East with the said approved South line of Wheatland Road, departing the common line between said King E. Rhodes and Crescent Real Estate properties, over and across a portion of said King E. Rhodes property a distance of 215.16 feet to the Point of Curvature of a Curve to the Left:

THENCE Northeasterly, continuing with the said approved South line of Wheatland Road and along said Curve to the Left, having a Radius of 740 feet, a Central Angle of 15°50'11", an Arc Length of 205.54 feet and a Chord which bears North 82°04'54" East a distance of 203.88 feet to the most Easterly corner of the herein described tract of land (not monumented):

Thence South 66°41'28" West, departing the said approved South line of Wheatland Road, continuing over and across a portion of said King E. Rhodes property a distance of 70.88 feet to the Point of Curvature of a Curve to the Right (not monumented):

THENCE Southwesterly, continuing over and across a portion of said King E. Rhodes property and along said Curve to the Right, having a Radius of 545.76 feet, a Central Angle of 27°55'21", an Arc Length of 221.62 feet and a Chord which bears South 80°39'09" West a distance of 219.43 feet to the Point of Tangency (not monumented):

Field Notes Describing Slope Easements
To Be Acquired in Block 7609
From King E. Rhodes

THENCE North 85°23'10" West, continuing over and across a portion of said King E. Rhodes property a distance of 116.01 feet to the intersection with the above said common line with the Crescent Real Estate property, being also the Southwest corner of the herein described tract of land (not monumented):

THENCE North 37°05'17" West with the common line between said Crescent Real Estate and King E. Rhodes properties a distance of 32.93 feet to the **POINT OF BEGINNING**, containing 10,619 Square Feet, or 0.244 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, North American Datum of 1983, Texas North Central Zone 4202 (2011).



Scott Holt

Field Notes Describing Slope Easements
To Be Acquired in Block 7609
From King E. Rhodes

PARCEL 3-B:

Being a 3,558 Square Foot (0.081 Acre) tract of land situated in the Robert Simonton Survey, Abstract No. 1277, in the City of Dallas, Dallas County, Texas, lying in Block 7609 (official City of Dallas Block Numbers), and being a portion of the 22.0197 acre tract of land conveyed to King E. Rhodes by Contract of Sale and Purchase, recorded in Volume 2002187, Page 125 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" I.R. w/COD cap set at the intersection of the South line of the approved realignment location of Wheatland Road (an 80-foot Right-of-Way per approved Council Alignment) with the Northeast boundary line of said King E. Rhodes tract, being also the Southwest line of a tract of land conveyed to Sun NLF Limited Partnership by Deed recorded in Volume 95125, Page 768 of the Deed Records of Dallas County, Texas, from which the Southwest corner of said Sun NLF Limited Partnership tract bears South 07°19'12" East a distance of 86.79 feet:

THENCE South 07°19'12" East, departing the last said approved South line of Wheatland Road and with the common line between said King E. Rhodes and Sun NLF Limited Partnership properties a distance of 19.88 feet to the Southeast corner of the herein described tract of land (not monumented):

THENCE South 61°07'54" West, departing the common line between said King E. Rhodes and Sun NLF Limited Partnership properties, over and across a portion of said King E. Rhodes property a distance of 147.93 feet to an outside corner of the herein described tract of land (not monumented):

THENCE South 62°15'33" West, continuing over and across a portion of said King E. Rhodes property a distance of 52.24 feet to an outside corner of the herein described tract of land (not monumented):

THENCE South 66°44'50" West, continuing over and across a portion of said King E. Rhodes property a distance of 46.70 feet to the Point of Curvature of a Curve to the Right (not monumented):

Field Notes Describing Slope Easements
To Be Acquired in Block 7609
From King E. Rhodes

THENCE Southwesterly, continuing over and across a portion of said King E. Rhodes property and along said Curve to the Right, having a Radius of 524.98 feet, a Central Angle of 10°55'50", an Arc Length of 100.15 feet and a Chord which bears South 72°12'44" West a distance of 100.00 feet to the intersection with the said approved South line of Wheatland Road, being also the most Westerly corner of the herein described tract of land (not monumented):

THENCE Northeasterly, continuing over and across a portion of said King E. Rhodes property and with the approved South line of Wheatland Road, along a curve to the Left having a Radius of 740.00 feet, a Central Angle of 13°43'29", an Arc Length of 177.26 feet and a Chord which bears North 65°35'01" East a distance of 176.84 feet to the Point of Tangency (not monumented)

THENCE North 58°43'17" East, continuing with the said approved South line of Wheatland Road, over and across a portion of said King E. Rhodes property a distance of 175.92 feet to the **POINT OF BEGINNING**, containing 3,558 Square Feet, or 0.081 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, North American Datum of 1983, Texas North Central Zone 4202 (2011).



Scott Holt
8/12/14

Field Notes Describing Slope Easements
To Be Acquired in Block 7609
From King E. Rhodes

PARCEL 3-C:

Being a 21,682 Square Foot (0.498 Acre) tract of land situated in the Robert Simonton Survey, Abstract No. 1277, in the City of Dallas, Dallas County, Texas, lying in Block 7609 (official City of Dallas Block Numbers), and being a portion of the 22.0197 acre tract of land conveyed to King E. Rhodes by Contract of Sale and Purchase, recorded in Volume 2002187, Page 125 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" I.R. w/COD cap set at the intersection of the North line of the approved realignment location of Wheatland Road (an 80-foot Right-of-Way per approved Council Alignment) with the Northeast boundary line of said King E. Rhodes tract, being also the Southwest line of a tract of land conveyed to Sun NLF Limited Partnership by Deed recorded in Volume 95125, Page 768 of the Deed Records of Dallas County, Texas, from which the Southwest corner of said Sun NLF Limited Partnership tract bears South 07°19'12" East a distance of 174.51 feet:

THENCE South 58°43'17" West, over and across a portion of said King E. Rhodes property and with the said approved North line of Wheatland Road a distance of 211.47 feet to a 5/8" I.R. w/COD Cap set at the Point of Curvature of a Curve to the Right:

THENCE Southwesterly, continuing with the said approved North line of Wheatland Road, over and across a portion of said King E. Rhodes property and along said Curve to the Right, having a Radius of 660.00 feet, an Central Angle of 31°16'43", an Arc Length of 360.31 feet and a Chord which bears South 74°21'38" West a distance of 355.85 feet to a 5/8" I.R. w/COD Cap set at the Point of Tangency:

THENCE South 90°00'00" West, continuing with the said approved North line of Wheatland Road, over and across a portion of said King E. Rhodes property a distance of 275.64 feet to a 5/8" I.R. w/COD Cap set at the intersection with the Southwest boundary line of said King E. Rhodes tract, being also the Northeast line of a tract of land conveyed to Crescent Real Estate by Deed recorded in Volume 97092, Page 2778 of the Deed Records of Dallas County, Texas, from which a ½ inch diameter Iron Rod found at the common Southeast corner of said Crescent Real Estate and King E. Rhodes properties bears South 36°16'35" East a distance of 788.44 feet:

Field Notes Describing Slope Easements
To Be Acquired in Block 7609
From King E. Rhodes

THENCE North 37°05'17" West, departing the said approved North line of Wheatland Road and with the common line between said Crescent Real Estate and King E. Rhodes properties a distance of 18.43 feet to the Northwest corner of the herein described tract of land (Not monumented):

THENCE North 88°33'03" East, departing the common line with said Crescent Real Estate property, over and across a portion of said King E. Rhodes property a distance of 127.99 feet to an outside corner of the herein described tract of land (not monumented):

THENCE Easterly and Northeasterly, continuing over and across a portion of said King E. Rhodes property the following courses and distances:

South 85°50'27" East a distance of 72.24 feet to an inside corner of the herein described tract of land (not monumented).

South 86°07'45" East a distance of 144.10 feet to an inside corner of the herein described tract of land (not monumented).

North 76°45'04" East a distance of 47.07 feet to an inside corner of the herein described tract of land (not monumented).

North 60°03'00" East a distance of 140.31 feet to an inside corner of the herein described tract of land (not monumented).

North 52°52'07" East a distance of 45.38 feet to an outside corner of the herein described tract of land (not monumented).

North 56°50'17" East a distance of 46.57 feet to an inside corner of the herein described tract of land (not monumented).

North 53°20'07" East a distance of 61.88 feet to an outside corner of the herein described tract of land (not monumented).

North 59°58'58" East a distance of 149.21 feet to the intersection with the above referenced common line with the Sun NLF Limited Partnership tract, being also the Northeast corner of the herein described tract of land (not monumented).

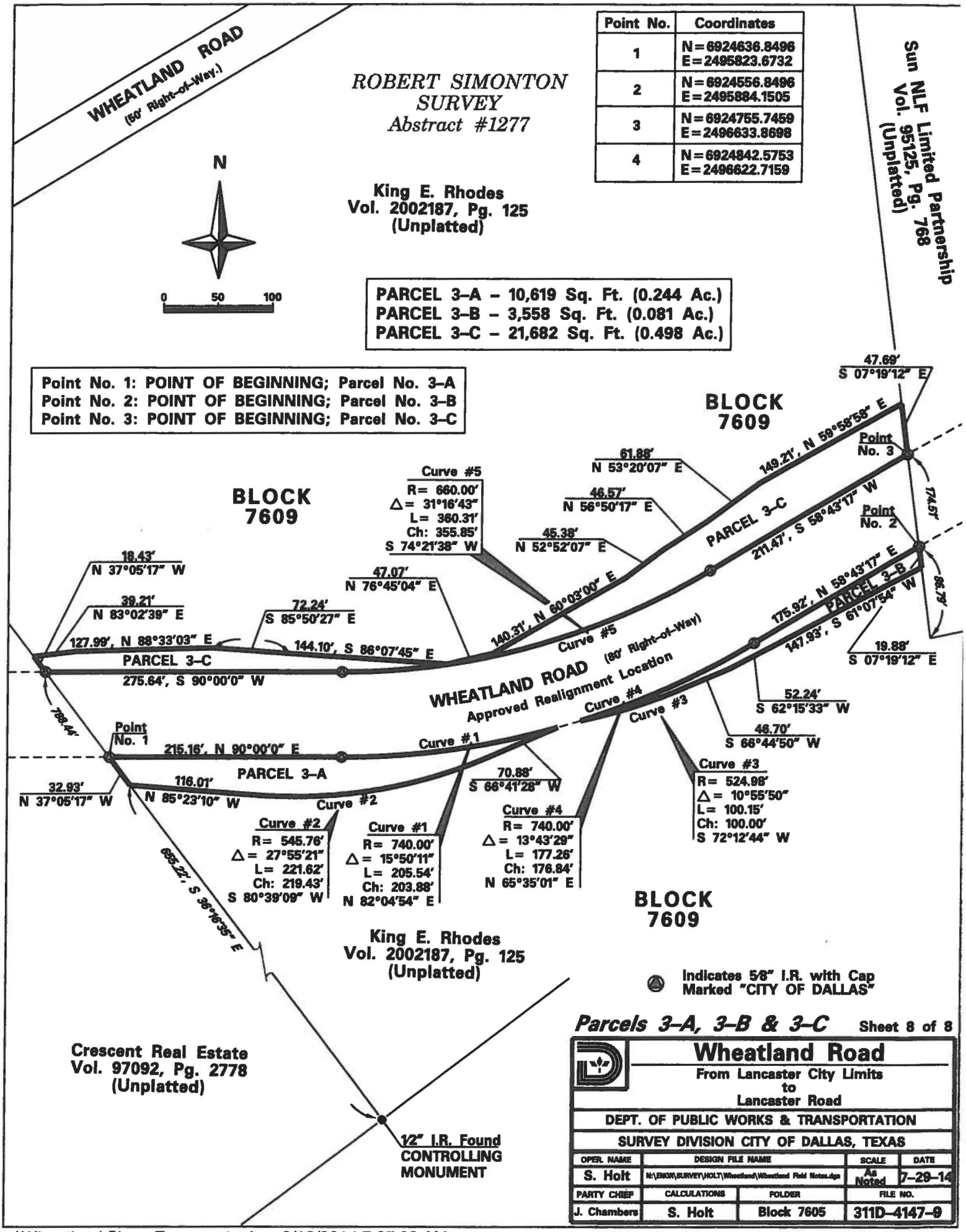
Field Notes Describing Slope Easements
To Be Acquired in Block 7609
From King E. Rhodes

THENCE South 07°19'12" East with the said common line between the King E. Rhodes and Sun NLF Limited Partnership properties a distance of 47.67 feet to the **POINT OF BEGINNING**, containing 21,682 Square Feet, or 0.498 Acres of Land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, North American Datum of 1983, Texas North Central Zone 4202 (2011).



Scott Holt
8/12/14



Parcels 3-A, 3-B & 3-C Sheet 8 of 8

Wheatland Road

From Lancaster City Limits
to
Lancaster Road

DEPT. OF PUBLIC WORKS & TRANSPORTATION

SURVEY DIVISION CITY OF DALLAS, TEXAS

OPER. NAME	DESIGN FILE NAME		SCALE	DATE
S. Holt	M:\ENGR\SURVEY\HOLT\Wheatland\Wheatland Field Notes.dgn		As Noted	7-29-14
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.	
J. Chambers	S. Holt	Block 7605	311D-4147-9	

...\Wheatland Slope Easements.dgn 8/12/2014 7:07:08 AM

Field Notes Describing a 501 Square Foot (0.012 Acre) Drainage Easement To Be Acquired in Block 7609 From King E. Rhodes

PARCEL 3-ia:

Being a 501 Square Foot (0.012 Acre) tract of unplatted land situated in the Robert Simonton Survey, Abstract No. 1277, in the City of Dallas, Dallas County, Texas, lying in Block 7609 (official City of Dallas Block Numbers), and being a portion of the 22.0197 acre tract of land conveyed to King E. Rhodes by Contract of Sale and Purchase, recorded in Volume 2002187, Page 125 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8 inch diameter Iron Rod with cap marked "CITY OF DALLAS" set at the Point of Tangency of a Curve on the Southeast Right-of-Way line of the approved relocation alignment of Wheatland Road (a planned 80-foot wide Right-of-Way):

THENCE North 58°43'17" East with the said approved Southeast line of Wheatland Road, over and across a portion of said King E. Rhodes property a distance of 36.72 feet to the most Southerly corner and **POINT OF BEGINNING** of the herein described tract of land (not monumented):

THENCE North 58°43'17" East, continuing with the said approved Southeast line of Wheatland Road, over and across a portion of said King E. Rhodes property a distance of 25.17 feet to the most Northerly corner of the herein described tract of land (not monumented):

Thence South 30°44'14" East, departing the said approved Southeast line of Wheatland Road, continuing over and across a portion of said King E. Rhodes property a distance of 20.04 feet to the most Easterly corner of the herein described tract of land (not monumented):

THENCE South 59°15'46" West, continuing over and across a portion of said King E. Rhodes property a distance of 25.17 feet to the most Southerly corner of the herein described tract of land (not monumented):

THENCE North 30°44'14" West, continuing over and across a portion of said King E. Rhodes property a distance of 19.80 feet to the **POINT OF BEGINNING**, containing 501 Square Feet, or 0.012 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, North American Datum of 1983, Texas North Central Zone 4202 (2011).

Scott Holt



Field Notes Describing a 3,192 Square Foot (0.073 Acre) Drainage Easement To Be Acquired in Block 7609 From King E. Rhodes

PARCEL 3-ib:

Being a 3,192 Square Foot (0.073 Acre) tract of unplatted land situated in the Robert Simonton Survey, Abstract No. 1277, in the City of Dallas, Dallas County, Texas, lying in Block 7609 (official City of Dallas Block Numbers), and being a portion of the 22.0197 acre tract of land conveyed to King E. Rhodes by Contract of Sale and Purchase, recorded in Volume 2002187, Page 125 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8 inch diameter Iron Rod with cap marked "CITY OF DALLAS" set at the Point of Tangency of a Curve on the Northwest Right-of-Way line of the approved relocation alignment of Wheatland Road (a planned 80-foot wide Right-of-Way):

THENCE North 58°43'17" East with the said approved Northwest line of Wheatland Road, over and across a portion of said King E. Rhodes property a distance of 9.74 feet to the most Southerly corner and POINT OF BEGINNING, of the herein described tract of land (not monumented):

THENCE North 31°16'43" East, departing the last said approved Northwest line of Wheatland Road and continuing over and across a portion of said King E. Rhodes property a distance of 39.90 feet to the most Westerly corner of the herein described tract of land (not monumented):

THENCE North 58°43'17" East, continuing over and across a portion of said King E. Rhodes property a distance of 80.00 feet to the most Northerly corner of the herein described tract of land (not monumented):

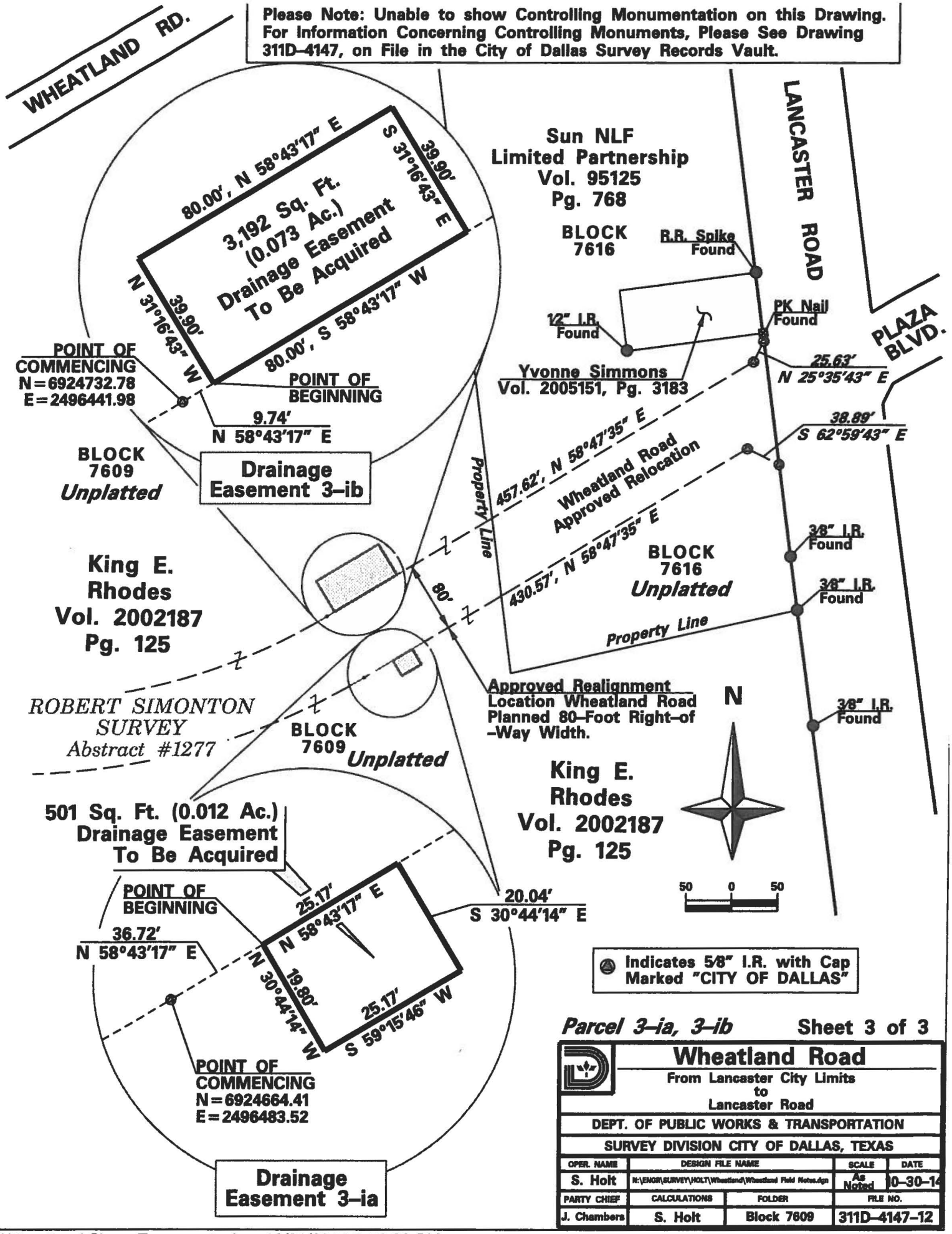
THENCE South 31°16'43" East, continuing over and across apportion of said King E. Rhodes property a distance of 39.90 feet to the intersection with the above said approved Northwest line of Wheatland Road, being also the most Easterly corner of the herein described tract of land (not monumented):

THENCE South 58°43'17" West, with the said approved Northwest line of Wheatland Road and continuing over and across a portion of said King E. Rhodes property a distance of 80.00 feet to the POINT OF BEGINNING, containing 3,192 Square Feet, or 0.073 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

Scott Holt
10/31/2014





Parcel 3–ia, 3–ib Sheet 3 of 3

Wheatland Road

From Lancaster City Limits to Lancaster Road

DEPT. OF PUBLIC WORKS & TRANSPORTATION

SURVEY DIVISION CITY OF DALLAS, TEXAS

OPER. NAME	DESIGN FILE NAME		SCALE	DATE
S. Holt	N:\ENGR\SURVEY\HOLT\Wheatland\Wheatland Field Notes.dgn		As Noted	10–30–14
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.	
J. Chambers	S. Holt	Block 7609	311D–4147–12	

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AGENDA ITEM # 33

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 7, 8

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 56V Z 57W 65R 66N

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by C & C Corporation for the construction of houses; **(2)** the sale of 10 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to C & C Corporation; and **(3)** execution of a release of lien for any non-tax liens on the 10 properties that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor 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.

C & C Corporation has submitted a proposal and development plan to DHADC for 10 lots shown on the attached list. The DHADC board of directors has approved the development plan and sale of the 10 lots, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by C & C Corporation to DHADC, the sale of those lots from DHADC to C & C Corporation and the release of lien for any non-tax liens 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 C & C Corporation will contain a reverter that returns the property to DHADC if a construction permit is not applied for by C & C Corporation and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

C & C Corporation will build houses on the lots. The approximate square footage and sales prices of the houses will be from 1,300 to 1,600 square feet and from $160,000 to $165,000. The lots will be deed restricted for sale to eligible families.

DHADC will receive $50,000.00 for the sales price of the vacant lots to C & C Corporation, as calculated from the 2016-17 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, by Resolution No. 04-0458, 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.

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 October 20, 2016, the DHADC board of directors approved the development plan and sale of 10 lots from DHADC to C & C Corporation.

Information about this item was provided to the Housing Committee on December 5, 2016.

On December 14, 2016, this item was deferred by Councilmember Tiffinni Young.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

C & C Corporation

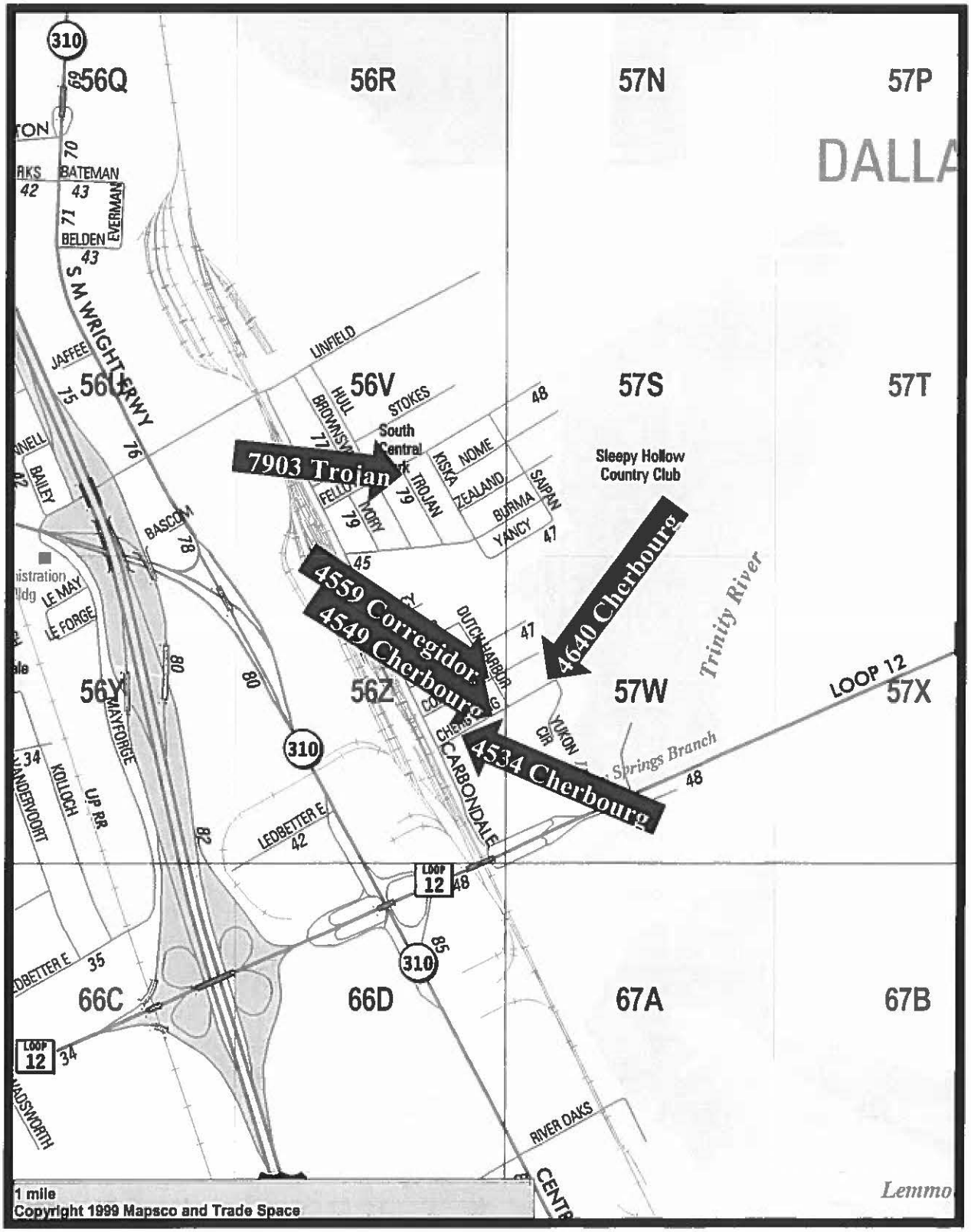
Stacie Stewart, Chief Operating Officer

MAPS

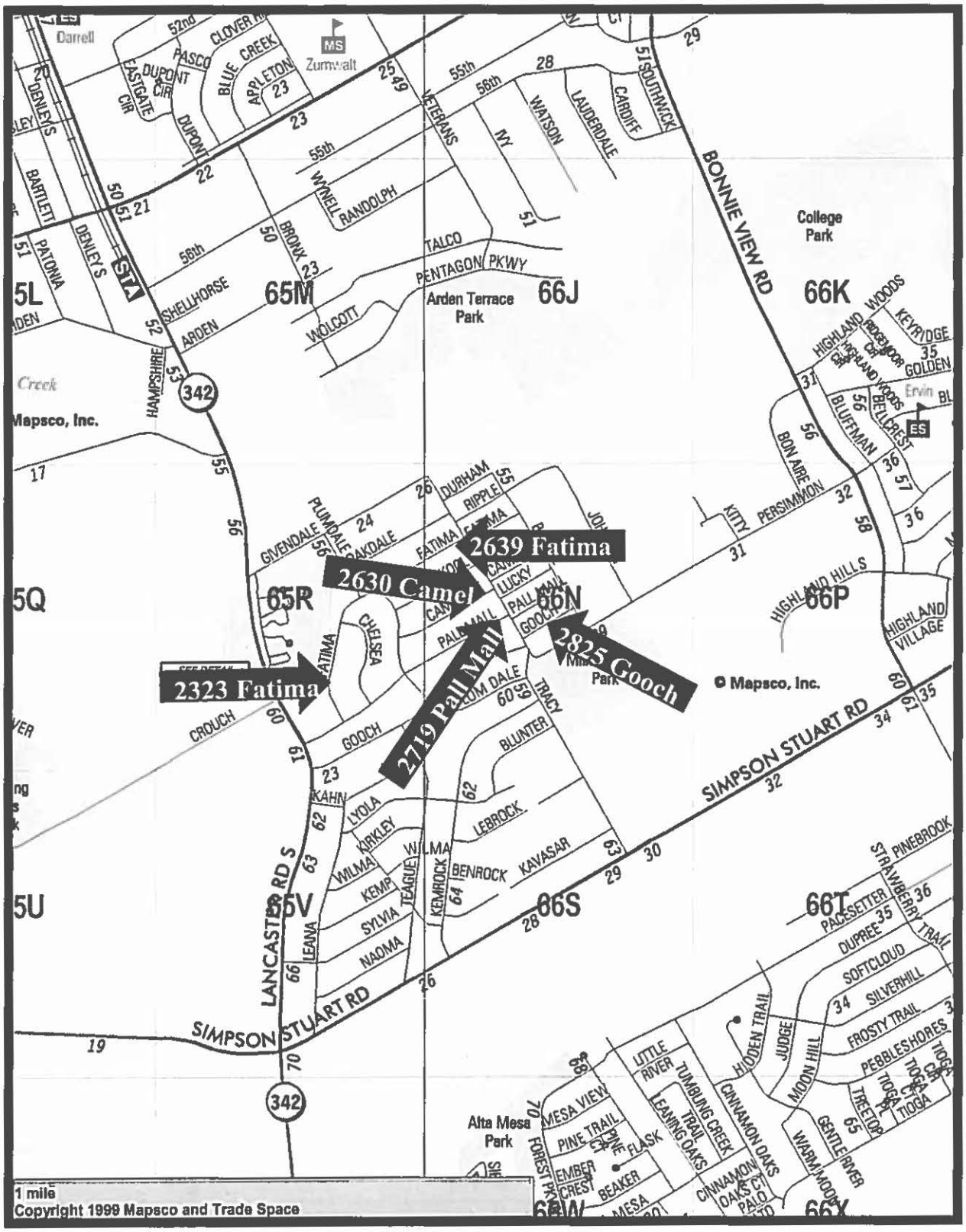
Attached

Land Bank (DHADC) Sale of Lots to
C & C Corporation

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 2630 Camel	66N	8	$ 4,948.24
2. 4534 Cherbourg	56Z	7	$ 3,983.66
3. 4549 Cherbourg	56Z	7	$ 6,109.79
4. 4640 Cherbourg	57W	7	$ 9,444.73
5. 4559 Corregidor	56Z	7	$ 9,243.24
6. 2323 Fatima	65R	8	$ 909.45
7. 2639 Fatima	66N	8	$ 9,411.56
8. 2825 Gooch	66N	8	$16,262.89
9. 2719 Pall Mall	66N	8	$ 7,839.11
10. 7903 Trojan	56V	7	$ 6,727.99



MAPSCO 56V,56Z,57W



MAPSCO 65R & 66N

January 11, 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, C & C Corporation submitted a proposal and development plan to DHADC for 10 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 sales price ranges of the proposed houses submitted by C & C Corporation and authorize the sale of 10 lots from DHADC to C & C Corporation 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 sales price ranges of the proposed houses submitted by C & C Corporation and the sale of 10 lots shown on Exhibit "A" from DHADC to C & C Corporation is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a Deed without Warranty and releases 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	**2630 Camel** Lot 27, Carver Heights Addition Block 7/6889	C & C Corporation	1	$5,000.00
2	**4534 Cherbourg** Lot 10, Central Avenue Addition No. 4 Block A/7649	C & C Corporation	1	$5,000.00
3	**4549 Cherbourg** Lot 27, Central Avenue Addition No. 2 Block F/7647	C & C Corporation	1	$5,000.00
4	**4640 Cherbourg** Lot 6, Seely Circle Addition Block A/7654	C & C Corporation	1	$5,000.00
5	**4559 Corregidor** Lot 30, Central Avenue No. 2 Addition Block D/7647	C & C Corporation	1	$5,000.00
6	**2323 Fatima** Lot 12, Alameda Heights Addition No. 2 Block 1/6888	C & C Corporation	1	$5,000.00
7	**2639 Fatima** Lot 24, Carver Heights Addition Block 10/6889	C & C Corporation	1	$5,000.00
8	**2825 Gooch** Lot 12, Chesterfield Heights Addition Block H/6881	C & C Corporation	1	$5,000.00
9	**2719 Pall Mall** Lot 23, Carver Heights No. 1 Addition Block 7/6889	C & C Corporation	1	$5,000.00
10	**7903 Trojan** Lot 31, Central Avenue No. 1 Addition Block C/7646	C & C Corporation	1	$5,000.00
TOTAL				**$50,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 10

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

See Exhibit A

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 1 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 10
Square Footage **range** of each home 1,300-1,600
Number of Bedrooms/Baths in each home 3 to 4 / 2
Number of Garages 1 Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer Brick Which sides Brick
Your Sales Price **range** without Subsidies to Qualified Low Income Buyer 160-165k

Single Family Home (to be sold to low income households between 81% and 115% 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_____

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: 60
Completion of Construction: 60

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: 30 days after completion of first house

EXHIBIT A

2630 Camel
4534 Cherbourg
4549 Cherbourg
4640 Cherbourg
4559 Corregidor
2323 Fatima
2639 Fatima
2825 Gooch
2719 Pall Mall
7903 Trojan

AGENDA ITEM # 34

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 2, 5, 6, 7, 8

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 43F K 44N S 46L W 47J 57R 66N

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 10 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 10 properties that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor 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 10 lots shown on the attached list. The DHADC board of directors has approved the development plan and sale of the 10 lots, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Confia Homes, L.L.C. to DHADC, the sale of those lots from DHADC to Confia Homes, L.L.C. and the release of lien for any non-tax liens 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 sales prices of the houses will be from 1,236 to 1,600 square feet and from $109,900 to $134,900. The lots will be deed restricted for sale to eligible families.

DHADC will receive $50,000.00 for the sales 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, by Resolution No. 04-0458, 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.

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 October 20, 2016, the DHADC board of directors approved the development plan and sale of 10 lots from DHADC to Confia Homes, L.L.C.

Information about this item was provided to the Housing Committee on December 5, 2016.

On December 14, 2016, this item was deferred by Councilmember Tiffinni Young.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Confia Homes, L.L.C.

RobertsCarrillo Management, Inc., Manager

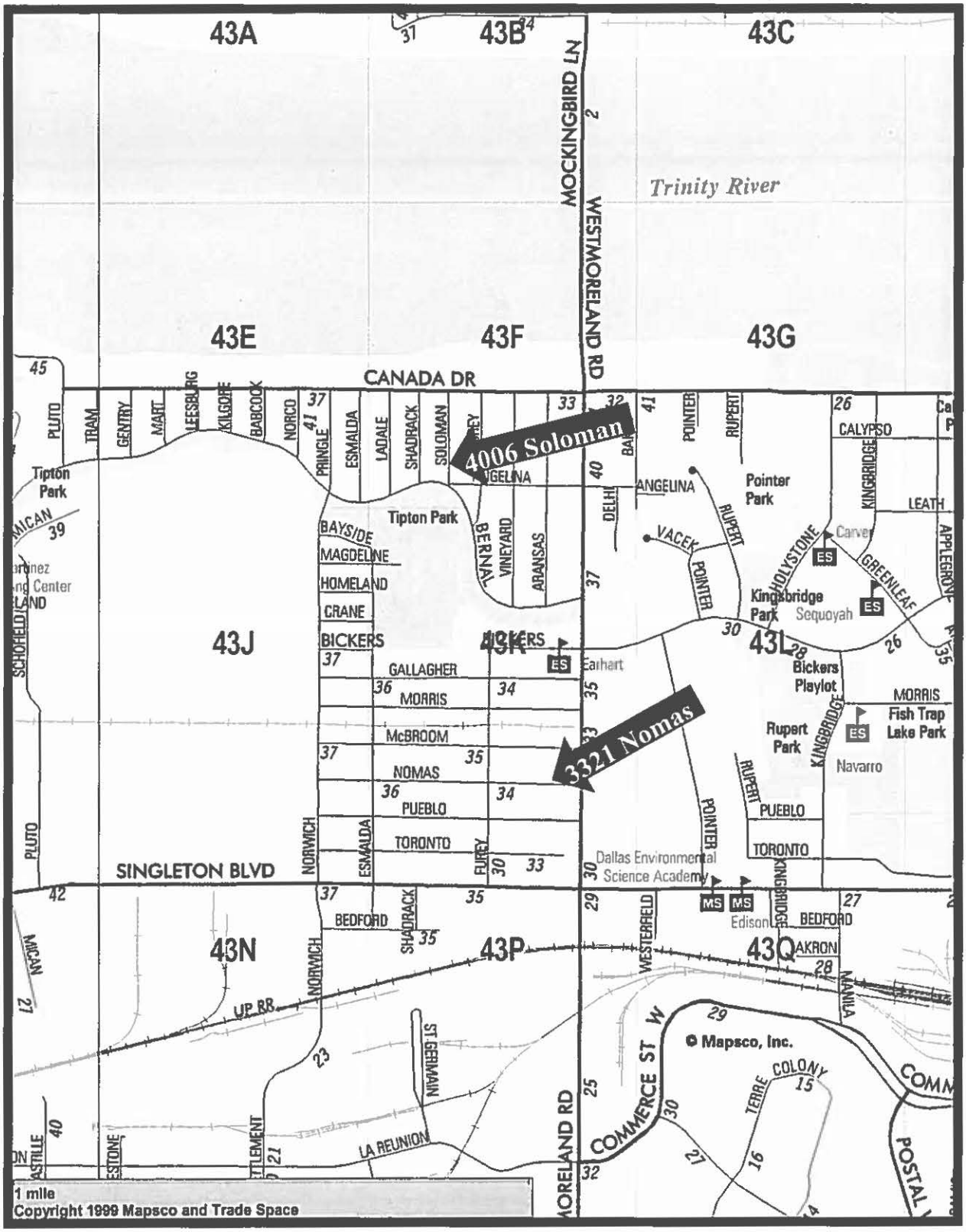
Kenneth E. Roberts, Chief Operating Officer
Ricardo Alonso-Carrillo, President

MAPS

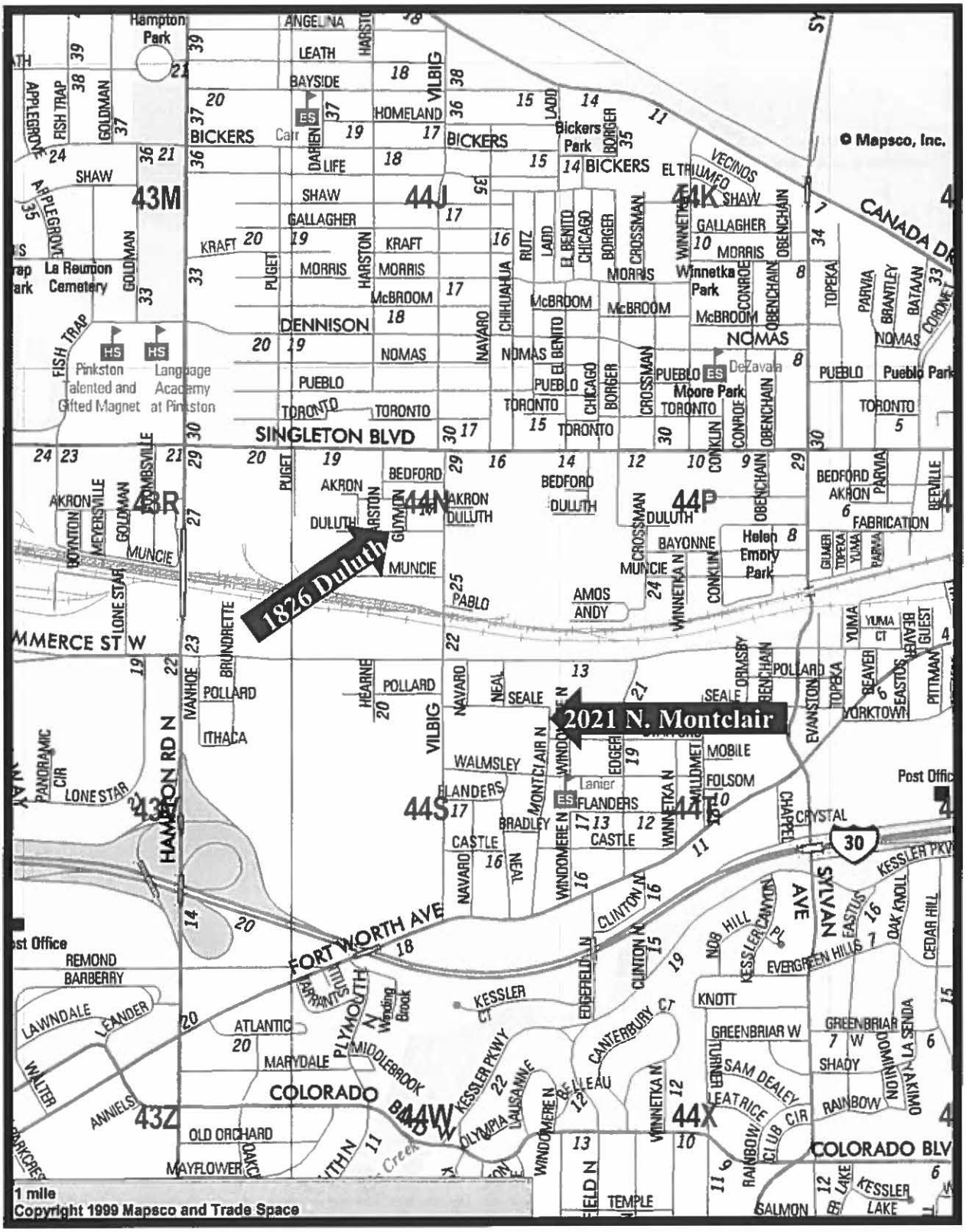
Attached

Land Bank (DHADC) Sale of Lots to
Confia Homes, L.L.C.

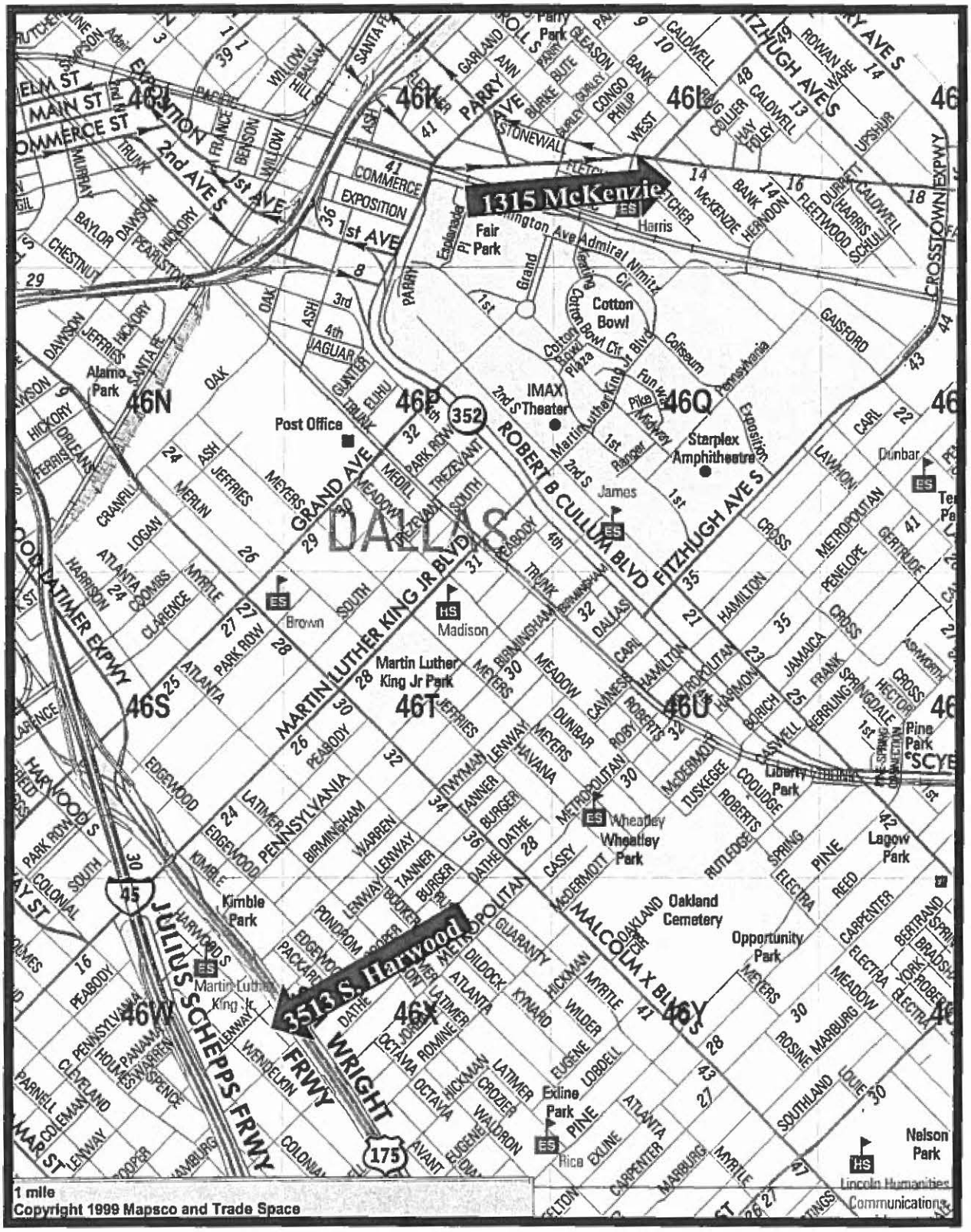
Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 3107 Reynolds	47J	2	$39,303.21
2. 2021 N. Montclair	44S	6	$14,082.47
3. 1826 Duluth	44N	6	$ 2,868.55
4. 3321 Nomas	43K	6	$15,150.73
5. 1315 McKenzie	46L	7	$ 6,417.30
6. 3513 S. Harwood	46W	7	$ 1,094.20
7. 3212 S. Haskell	47J	7	$ 2,470.33
8. 2611 Kool	66N	8	$ 7,948.74
9. 4006 Soloman	43F	6	$17,372.42
10. 734 Elwayne	57R	5	$15,172.39



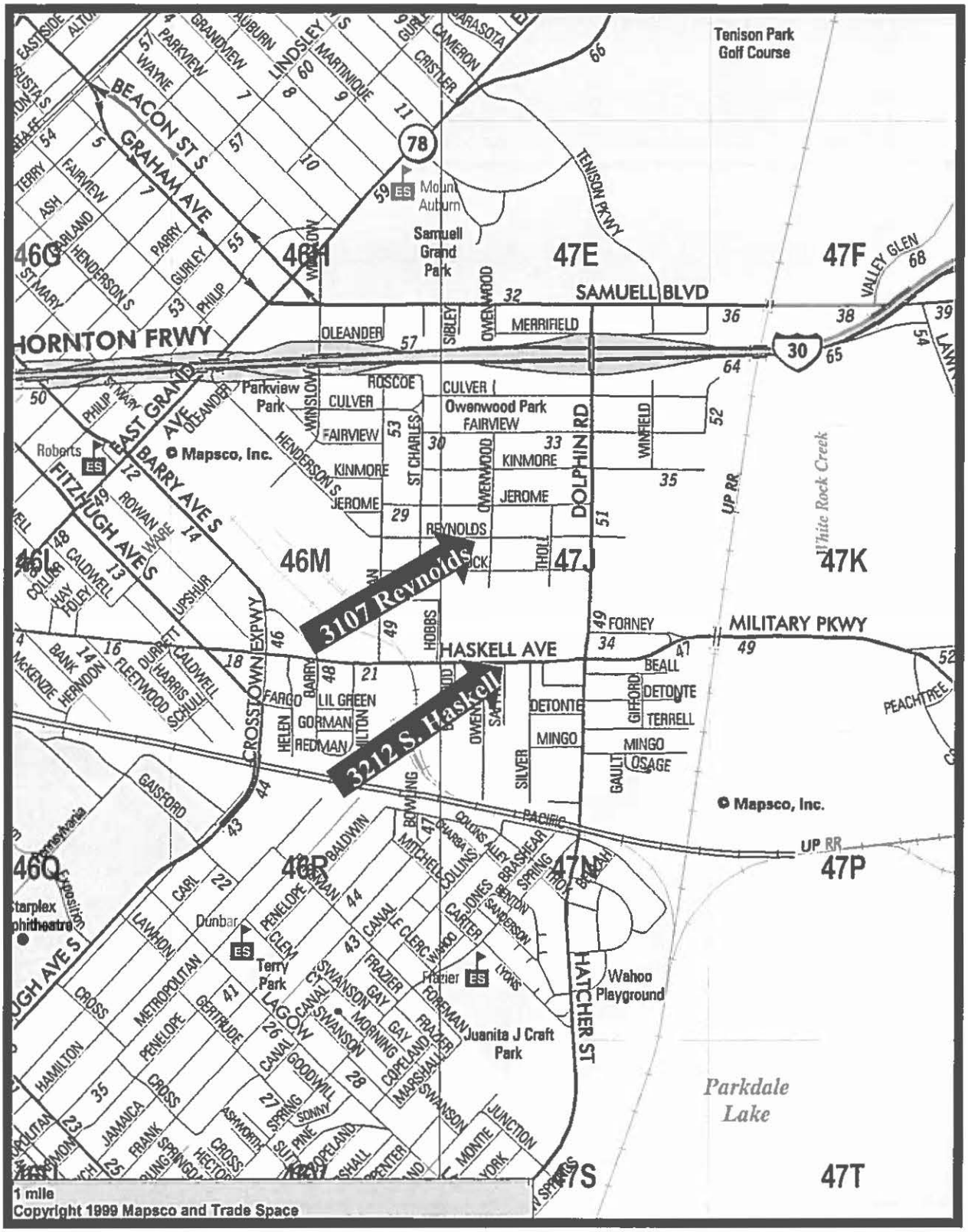
MAPSCO 43F & 43K



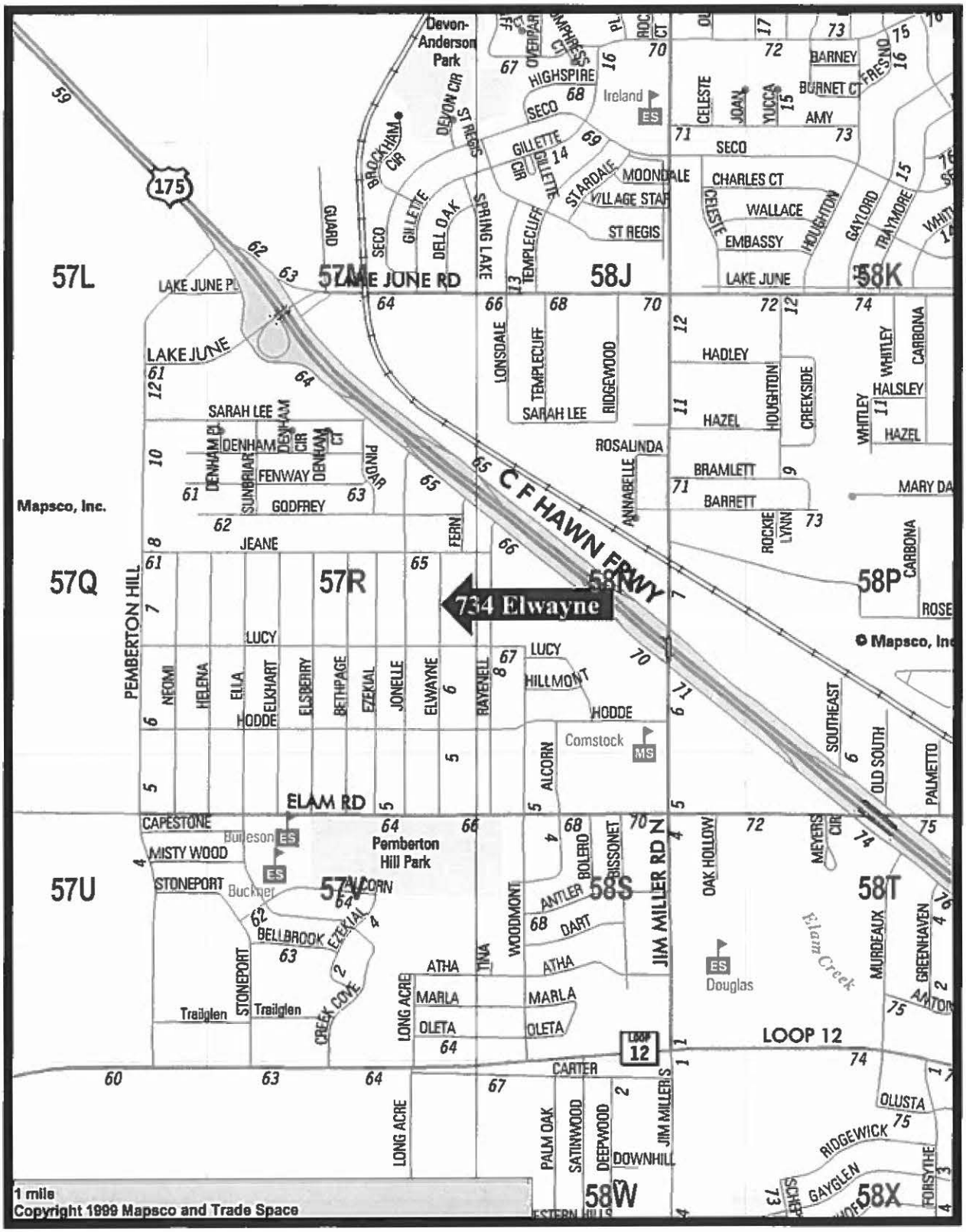
MAPSCO 44N & 44S



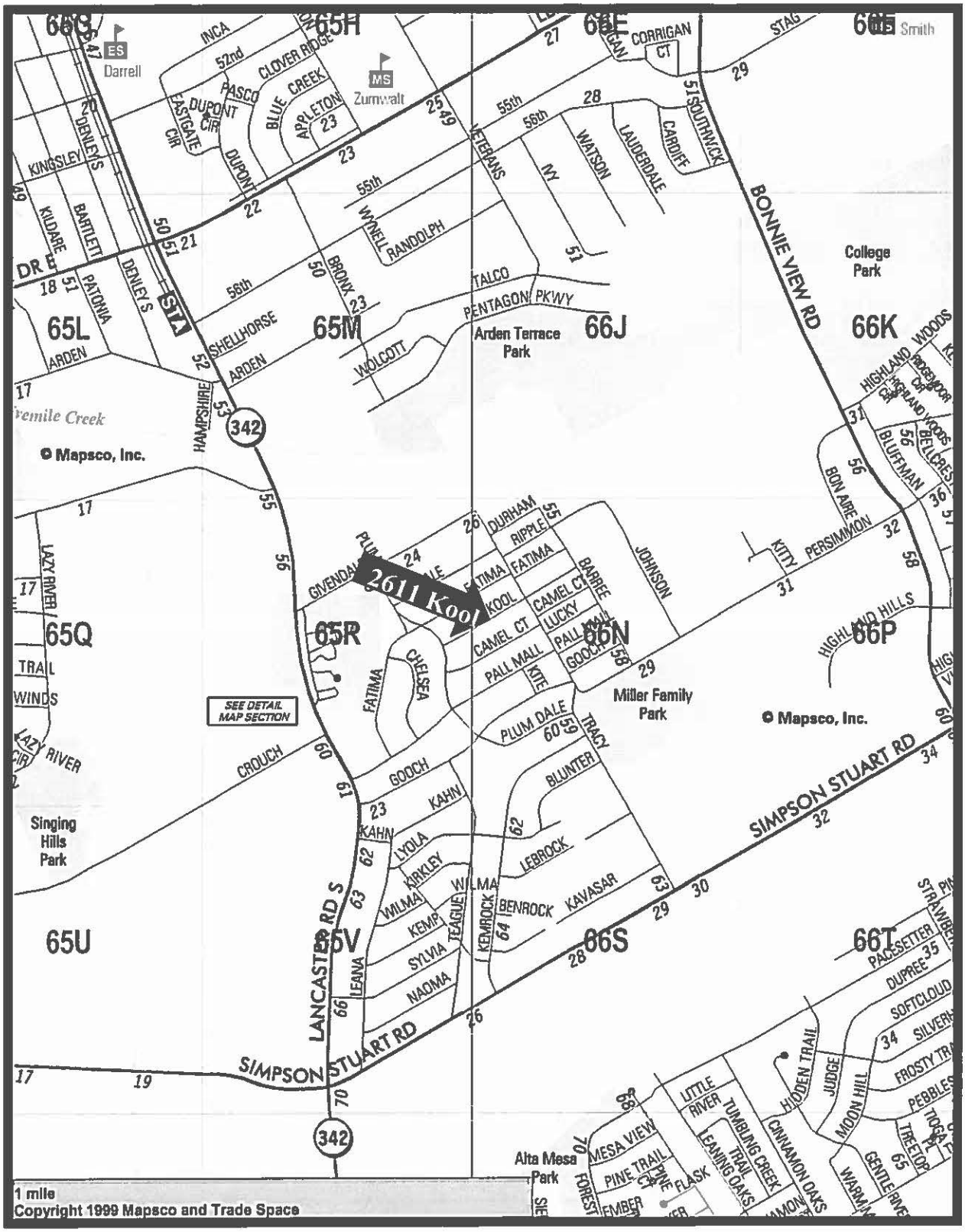
MAPSCO 46L & 46W


3107 Reynolds
3212 S. Haskell
Tenison Park Golf Course
Mount Auburn
Samuell Grand Park
Parkview Park
Owenwood Park
Roberts
Dunbar
Terry Park
Frazier
Juanita J Craft Park
Wahoo Playground
Starplex Amphitheatre
White Rock Creek
Parkdale Lake
SAMUELL BLVD
MILITARY PKWY
HASKELL AVE
FORNEY
MERRIFIELD
OLEANDER
ROSCOE
CULVER
FAIRVIEW
KINMORE
JEROME
REYNOLDS
MINGO
DETONTE
BEALL
TERRELL
OSAGE
GAISFORD
LAGOW
CANAL
SWANSON
FRAZIER
GAY
MORNING
COPELAND
MARSHALL
JUNCTION
MONTIE
YORK
SPRING
SONNY
PINE
GOODWILL
ASHMONT
JAMAICA
HAMILTON
CROSS
PENELOPE
GERTRUDE
METROPOLITAN
LAWHON
CARL
CLEM
LE CLERC
WAHOO
LYONS
FOREMAN
SANDERSON
BENTON
JONES
CARTER
COLLINS
ALLEY
BRASHEAR
SPRING
BROWN
BALDWIN
MITCHELL
BOWLING
PACIFIC
UP RR
HOBBS
SILVER
GAULT
GIFFORD
PEACHTREE
CROSSTOWN EXPWY
FITZHUGH AVE S
BARRY AVE S
EAST GRAND AVE
GRAHAM AVE
BEACON ST S
HORNTON FRWY
DOLPHIN RD
TENISON PKWY
VALLEY GLEN
SIBLEY
OWENWOOD
WINSLOW
ST CHARLES
HENDERSON S
ROWAN
WARE
CALDWELL
HAY
FOLEY
UPSHUR
DURRETT
HARRIS
SCHULL
FLEETWOOD
HERNDON
BANK
MCKENZIE
FARGO
LIL GREEN
GORMAN
REDMAN
HELEN
WINFIELD
HATCHER ST
46C
46H
47E
47F
46L
46M
47J
47K
46Q
46R
47M
47P
47S
47T
1 mile
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MAPSCO 47J


734 Elwayne
57L
57M
58J
58K
57Q
57R
58P
57U
57V
58S
58T
58W
58X
LAKE JUNE RD
LAKE JUNE
C F HAWN FRWY
PEMBERTON HILL
ELAM RD
JIM MILLER RD N
LOOP 12
Devon-Anderson Park
Pemberton Hill Park
Ireland ES
Comstock MS
Burleson ES
Buckner
Douglas ES
Trailglen
Elam Creek
SARAH LEE
DENHAM
FENWAY
GODFREY
JEANE
LUCY
HODDE
ATHA
MARLA
OLETA
CARTER
DOWNHILL
HADLEY
HAZEL
BRAMLETT
BARRETT
ROSALINDA
HIGHSPIRE
SECO
GILLETTE
DELL OAK
SPRING LAKE
TEMPLECLIFF
RIDGEWOOD
LONSDALE
STARDALE
MOONDALE
VILLAGE STAR
ST REGIS
CHARLES CT
WALLACE
EMBASSY
BARNEY
BURNET CT
AMY
CELESTE
JOAN
YUCCA
FRESNO
GAYLORD
TRAYMORE
HOUGHTON
CREEKSIDE
WHITLEY
CARBONA
HALSLEY
ROCKIE LYNN
ANNABELLE
MARY DA
ROSE
SOUTHEAST
OLD SOUTH
PALMETTO
MEYERS CIR
OAK HOLLOW
MURDEAUX
GREENHAVEN
OLUSTA
RIDGEWICK
GAYGLEN
FORSYTHE
BISSONET
BOLERO
ANTLER
DART
WOODMONT
TINA
LONG ACRE
CREEK COVE
BELLBROOK
STONEPORT
MISTY WOOD
CAPESTONE
ALCORN
NEOMI
HELENA
ELLA
ELKHART
ELSBERRY
BETHPAGE
EZEKIAL
JONELLE
ELWAYNE
RAYENELL
PALM OAK
SATINWOOD
DEEPWOOD
JIM MILLER S
1 mile
Copyright 1999 Mapsco and Trade Space
Mapsco, Inc.

MAPSCO 57R


2611 Kool
65R
66N
65Q
65U
65V
66S
65L
65M
66J
66K
66P
66T
College Park
Arden Terrace Park
Miller Family Park
Singing Hills Park
Alta Mesa Park
SIMPSON STUART RD
LANCASTER RD S
BONNIE VIEW RD
HAMPSHIRE
SHELLHORSE
ARDEN
CROUCH
GOOCH
KAHN
LYOLA
KIRKLEY
WILMA
KEMP
TEAGUE
SYLVIA
NAOMA
LEANA
KEMROCK
BENROCK
KAVASAR
LEBROCK
BLUNTER
TRACY
PLUM DALE
PALL MALL
CAMEL CT
FATIMA
CHELSEA
KITTY
JOHNSON
BARREE
LUCKY
GOOCH
DURHAM
RIPPLE
PERSIMMON
BON AIRE
BLUFFMAN
HIGHLAND HILLS
WOODS
TALCO
PENTAGON PKWY
WOLCOTT
WYNELL
RANDOLPH
BRONX
VETERANS
WATSON
LAUDERDALE
CARDIFF
SOUTHWICK
CORRIGAN CT
STAG
55th
56th
52nd
INCA
CLOVER RIDGE
PASCO
BLUE CREEK
APPLETON
DUPONT
DUPONT CIR
EASTGATE CIR
KINGSLEY
DENLEY'S
KILDARE
BARTLETT
PATONIA
LAZY RIVER
LAZY RIVER CIR
TRAIL WINDS
GIVENDALE
SEE DETAIL MAP SECTION
Darrell ES
Zumwalt MS
Smith
342
342
DR E
STA
Mapsco, Inc.
Mapsco, Inc.
Juvenile Creek
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 66N

January 11, 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 10 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 sales price ranges of the proposed houses submitted by Confia Homes, L.L.C. and authorize the sale of 10 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 sales price ranges of the proposed houses submitted by Confia Homes, L.L.C. and the sale of 10 lots shown on Exhibit "A" from DHADC to Confia Homes, L.L.C. is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a Deed without Warranty and releases 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	**3107 Reynolds** Lot 22, Parkview Annex Addition Block D/2134	Confia Homes, L.L.C.	1	$5,000.00
2	**2021 N. Montclair** Lot 8, Cedar Dale Addition Block 3961	Confia Homes, L.L.C.	1	$5,000.00
3	**1826 Duluth** Lot 6, Riggins College Park Addition Block H/7238	Confia Homes, L.L.C.	1	$5,000.00
4	**3321 Nomas** Lot 33, Westmoreland Park Addition Block 2/7144	Confia Homes, L.L.C.	1	$5,000.00
5	**1315 McKenzie** Lot 11, Donovans Addition Block 1438	Confia Homes, L.L.C.	1	$5,000.00
6	**3513 S. Harwood** Part of Lot 3, W.C. & B. Doerring's Addition Block 4/1187	Confia Homes, L.L.C.	1	$5,000.00
7	**3212 S. Haskell** 60'x90' Tract in John Beeman Section of Thomas Lagow League Block 2619	Confia Homes, L.L.C.	1	$5,000.00
8	**2611 Kool** Lot 14, Carver Heights Addition Block 9/6889	Confia Homes, L.L.C.	1	$5,000.00
9	**4006 Soloman** Lot 2, Westmoreland Park No. 3 Addition Block 18/7146	Confia Homes, L.L.C.	1	$5,000.00
10	**734 Elwayne** Lot 10, Pleasant Heights Addition Block 2/6251	Confia Homes, L.L.C.	1	$5,000.00
TOTAL				**$50,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 10

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

See Attachment # 2.

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 3
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 _____
Your Sales Price **range** without Subsidies to Qualified Low Income Buyer $109,900-$134,900

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built 7
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 $109,900-$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

ConfiaHomes

Attachment # 2 – Land Requested for Development

No.	Address	Legal Description
1	3107 Reynolds	BLK D/2134 LT 22, PARK VIEW ANNEX
2	2021 Montclair	BLK 3961 LT 8, CEDAR DALE
3	1826 Duluth	BLK H/7238 LT 6, COLLEGE PARK (RIGGINS)
4	3321 Nomas	BLK 2/7144 LT 33, WESTMORELAND PARK
5	1315 McKenzie	BLK 1438 LT 11, D S DONOVAN
6	3513 S Harwood	BLK 4/1187 PT LT 3 50X160, W C & B DOERING
7	3212 S Haskell	BLK 2619 60X90, SAPPHIRE
8	2611 Kool	BLK 9/6889 LT 14, CARVER HEIGHTS
9	4006 Soloman	BLK 18/7146 LT 2, WESTMORELAND PARK NO 3
10	734 Elwayne	BLK 2/6251 LOT 10, PLEASANT HEIGHTS

AGENDA ITEM # 35

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Mark McDaniel, 670-3256

MAPSCO: 45J 45K

SUBJECT

Authorize a development agreement with GPIWE Limited Partnership, to reimburse TIF eligible project costs for streetscape and redevelopment project improvements for the Factory Six03 Project located at 603 Munger Avenue from revenues accruing to Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Not to exceed $4,657,174 - Financing: City Center TIF District Funds (subject to future appropriations from future tax increments)

BACKGROUND

The West End Marketplace, located at 603 Munger Avenue in the historic West End District of downtown Dallas, was built in stages between 1903 and 1923. The building, which will be called Factory Six03, was originally built as the Brown Cracker and Candy Company and over the years, until its closing over ten years ago, held a variety of tourist and destination activities. Some of those uses, including a movie theater, affected the structure and rendered the building unfit for future uses. Granite Properties purchased the 182,000 square foot building (plus 28,000 square feet basement space) in July 2015 with the intent of returning the historic structure as a downtown anchor by creating approximately 10,000 square feet of ground floor restaurants/retail space and over 200,000 square feet of creative office space. The improvements include additions to both the four story and seven story structures.

Upon acquisition of the property, Granite Properties began negotiating public incentives for the project. They agreed to proceed with the project at their own risk in hopes that City Council would ultimately approve incentives for the project. They considered timing of the construction of the renovated facility as crucial as the public incentives (developer did not want to miss market opportunity). As such, they began renovating the building and planning for the open space plaza improvements. The privately owned plaza created by the intersection of two street grids forms the entry to the project from the south and helps connect the project to Victory Park. The negotiated TIF incentives are similar to other similarly situated properties.

BACKGROUND (Continued)

The proposed TIF funding would focus on renovation of the building's ground floor improvements and streetscape improvements. The ground floor will be used primarily to house restaurants, spilling out into the old dock space, as well as serve as the office lobby. Streetscape improvements will take place on all sides of the building. The plaza space will be repositioned as a gathering space in the West End Historic District and a space that transitions from downtown to the Sports Arena/Victory area. TIF funds would also be used to assist with renovations to the historic façade and historic structure.

The renovation of the West End Marketplace building is anticipated to be a catalyst project to the West End Historic District as Granite Properties repositions the unused historic building as creative office space as well as restaurant/retail uses. The renovation work includes repairing and replacing key internal structural components that were removed in 1985 as well as reconditioning historic windows, masonry walls and historic exterior. The basement will be converted into 55 parking spaces. Both the four story and the seven story portions of the building will have additions to the top for an executive office, tenant lounge and conference center. A new entrance will be added to the building as well. All additions will be reviewed and approved by the National Park Service, in compliance with national historic renovation guidelines.

The interior of the building will be completely refurbished including new electrical, mechanical, elevator and fire control systems.

ESTIMATED PROJECT SCHEDULE

Project Start Date	September 2016
Project Completion Date	September 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 11, 2016, the City Center TIF District Board of Directors reviewed and recommended approval of a development agreement with GPIWE Limited Partnership for TIF incentives and dedication of TIF funding for TIF-eligible project costs associated with redevelopment of the West End Marketplace building located at 603 Munger Avenue in an amount not to exceed $4,657,174, subject to (1) sufficient public access assurance and (2) satisfying Peer Review's comments.

Information about this item will be provided to the Economic Development Committee on January 3, 2017.

FISCAL INFORMATION

$4,657,174 - City Center TIF District Funds (subject to future appropriations from future tax increments)

OWNER

GPIWE Limited Partnership
c/o Granite Properties

David R. Cunningham, Director
5601 Granite Parkway, Suite 800
Plano, Texas 75024

DEVELOPER

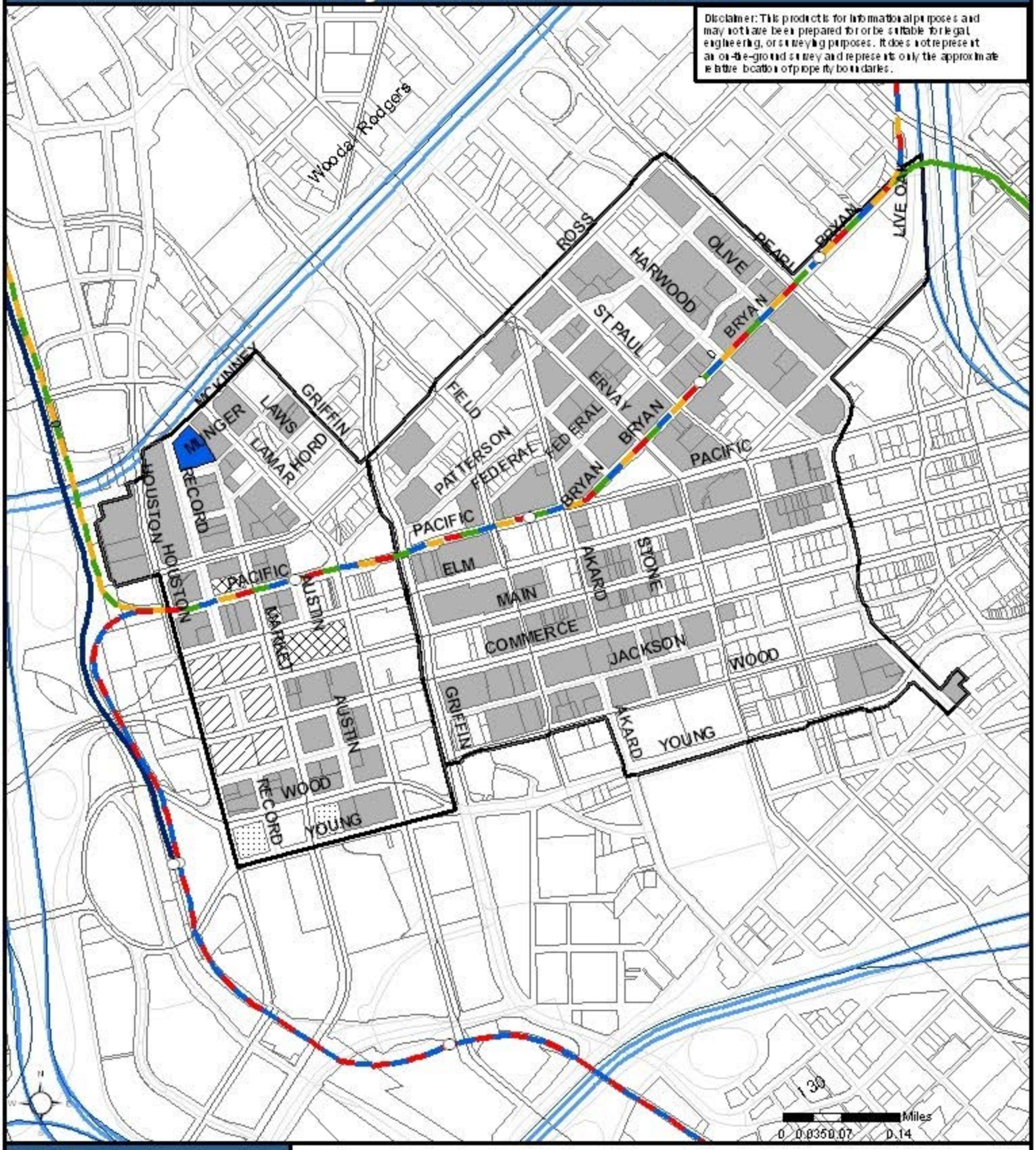
GPIWE Limited Partnership
c/o Granite Properties

David R. Cunningham, Director
5601 Granite Parkway, Suite 800
Plano, Texas 75024

MAP

Attached

West End Marketplace Location Map - City Center TIF District



DALLAS
ECONOMIC DEVELOPMENT

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Legend

- 603 Munger - West End Marketplace
- Center Center TIF Properties
- CityCenter-West End TIF Boundary

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

WHEREAS, on June 26, 1996, City Council pursuant to Ordinance No. 22802, established Tax Increment Financing Reinvestment Zone Five (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311, hereafter the "Act") to promote development and redevelopment in the City Center area through the use of tax increment financing as amended; and

WHEREAS, on February 12, 1997, City Council, pursuant to Ordinance No. 23034, authorized the City Center TIF District Project Plan and Reinvestment Zone Financing Plan for the City Center TIF District, as amended; and

WHEREAS, on December 12, 2012, City Council, conducted a public hearing, received comments and approved amendments to the City Center TIF District Project and Reinvestment Zone Financing Plans and authorized Ordinance No. 28865 amending Ordinance No. 22802, previously approved on June 26, 1996, and an Ordinance No. 23034, previously approved February 12, 1997, to: (1) create two sub-districts within the City Center TIF District: (a) City Center Sub-district (original district boundary) and (b) Lamar Corridor/West End Sub-district; (2) increase the geographic area of the City Center TIF District to add approximately 27.14 acres to create the Lamar Corridor/West End Sub-district; (3) extend the current termination date of the City Center TIF District from December 31, 2012, to December 31, 2022, for the City Center Sub-district and establish a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) increase the City Center TIF District's budget from $87,567,717 total dollars to $151,968,546 total dollars; and (6) make corresponding modifications to the City Center TIF District boundary, budget and Project and Reinvestment Zone Financing Plans; and

WHEREAS, on August 11, 2016, the City Center TIF District Board of Directors reviewed and recommended approval of a development agreement with GPIWE Limited Partnership for TIF incentives and dedication of TIF funding for TIF-eligible project costs associated with redevelopment of the Factory Six03 building located at 603 Munger Avenue in an amount not to exceed $4,657,174, subject to (1) sufficient public access assurance and (2) satisfying Peer Review's comments; and

WHEREAS, in furtherance of the City Center TIF District Project Plan and Reinvestment Zone Financing Plan and to promote within the City Center TIF District: (1) development and diversification of the economy, (2) elimination of unemployment and underemployment, and (3) to provide economic incentives to GPIWE Limited Partnership, for the Factory Six03 Project in the City Center Sub-district of the City Center TIF District as depicted in the project's renderings and elevations attached hereto as **Exhibit A**; and

WHEREAS, the expenditure of TIF funds supporting this redevelopment project is consistent with promoting development and redevelopment of the City Center TIF District in accordance with the purposes for its creation, the City's revised Public/Private Partnership Guidelines and Criteria, the ordinance adopted by the City Council approving the Project and Financing Plan, as amended, and is for the purpose of making public improvements consistent with and described in the Project and Financing Plan, as amended, for the City Center TIF District.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney is hereby authorized to execute a development agreement with GPIWE Limited Partnership and the City of Dallas for the Factory Six03 Project located at 603 Munger Avenue and that future City Center TIF revenues in an amount not to exceed $4,657,174 is hereby dedicated to TIF-eligible project costs associated with the Factory Six03 Project, as shown in **Exhibit B** – TIF Budget. TIF reimbursable project costs include, but are not limited to, environmental remediation and demolition, street improvements, landscaping and façade restoration.

Section 2. That the Chief Financial Officer is hereby authorized to encumber and disburse funds from future tax increments and subject to future appropriations from:

Fund 0035, Department ECO, Unit W136, Object 4510, Activity TCCN, Program No. CCTIF0014, CT ECOW136K288-01, Vendor No. VS91487, in an amount not to exceed $2,250,000; and

Fund 0035, Department ECO, Unit W136, Object 3072, Activity TCCN, Program No. CCTIF0014, CT ECOW136K288-02, Vendor No. VS91487, in an amount not to exceed $2,407,174.

Total amount not to exceed $4,657,174.

Section 3. That nothing in this resolution shall be construed to require the City to approve future dedications of City Center TIF revenues (the "TIF Subsidy") from any source of the City funds other than the City Center TIF District Fund. Any portion of the TIF Subsidy that remains unpaid due to lack or unavailability of City Center TIF District**.**

Funds shall no longer be considered project costs of the City Center TIF District or the City and the obligation of the City Center TIF District to pay the Owner shall automatically expire.

Section 4. That in addition to the conditions set out in the Sections above, the Development Agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

A. Minimum private investment (acquisition, construction and construction related soft costs) of $54,000,000 for the Project, as defined below.

   The term "Invest" or "Investment" means the sum of all acquisition costs, construction costs (hard and soft) paid, payable or actually incurred by or on behalf of the Owner, with respect to the Project and the improvements thereon. Construction related soft costs include the following items: architecture and engineering, interior design, consulting, construction management. Construction management is solely intended to cover fees paid to an outside consultant or third party who confirms the quality of the work. Construction management fees must be invoiced with a detailed description of work performed. Carrying or other similar costs shall not be considered toward this definition of project investment. The owner must provide verification of all expenditures. Any work completed prior to the execution of an agreement may be counted toward the minimum investment requirement but it is still subject to M/WBE requirements.

B. Redevelopment of the 603 Munger building shall include the following (collectively, the "Project"):

   a. Minimum of 9,000 square feet of newly converted ground floor retail/restaurant space;
   b. Renovation of at least 165,000 square feet of office space; and
   c. Streetscape and plaza improvements

C. Obtain a building and/or demolition permit from the City and start construction for the Project by September 30, 2016;

D. Obtain a Certificate of Occupancy (CO) for a minimum of 165,000 square feet of rentable office space by September 30, 2017;

E. Obtain final acceptance of public infrastructure improvements associated with the Project, as evidenced by the issuance of a Green Tag from the Public Works and Transportation Department by September 30, 2017, and submit documentation to the Office of Economic Development (the "OED");

Section 4. (Continued)

F. If applicable, execute an Operating and Maintenance agreement for non-standard public infrastructure improvements associated with the Project (i.e., possibly for those improvements located on City right of way) by the earlier of project completion or September 30, 2017, for a period of 20 years. If Developer chooses to forgo the TIF Subsidy or if the TIF development agreement terminates due to an uncured default by Developer; Developer shall remain responsible for the maintenance of those non-standard public improvements that it has installed for the term of the Operating and Maintenance agreement;

G. A minimum of 50% of the newly converted ground floor retail/restaurant space must be occupied prior to TIF Reimbursement and shall not permanently discontinue or close at any time during the TIF reimbursement payment period;

H. Prior to City Council consideration, Design Review by the Urban Design Peer Review Panel, an independent group of design, engineering, and/or planning professionals selected by the Dallas City Manager, is required for all City Center TIF District projects. The Project's design plans shall include:

   a. A site plan showing the location of parcel boundaries clearly differentiating publically accessible space from private space;
   b. A pedestrian lighting plan for the site showing existing lighting and location of new pedestrian lighting using lighting acceptable to the City;
   c. A sidewalk plan for the Project;
   d. Elevations for all sides of the building visible from the public right of way, focusing on the ground floor; and
   e. Signage plan for the building;

I. Owner shall construct public and private improvements (Project) that conform in design and materials to images and site plans approved by the City Center TIF Board of Directors, the Dallas City Design Studio and Dallas City Council as shown in **Exhibit C** - site plan, preliminary conceptual renderings, and building materials unless modifications are approved by the Director;

J. Owner shall submit to the Director of the OED a quarterly status report for ongoing work on the project, as well as public improvements. Status reports will be due once every three months after the Council approval date;

Section 4. (Continued)

K. Owner shall make a good faith effort to (i) comply with the Business Inclusion and Development ("BID") goal of twenty-five percent (25%) Minority/Women-owned Business Enterprise (M/WBE) participation for TIF reimbursable improvements and (ii) achieve a goal of 25% certified M/WBE participation for total private improvement construction expenditures for the Project, and meet all reporting requirements for each; and

L. Owner shall provide evidence that plaza shall remain open to the public by executing a public access easement or other similar instrument; and

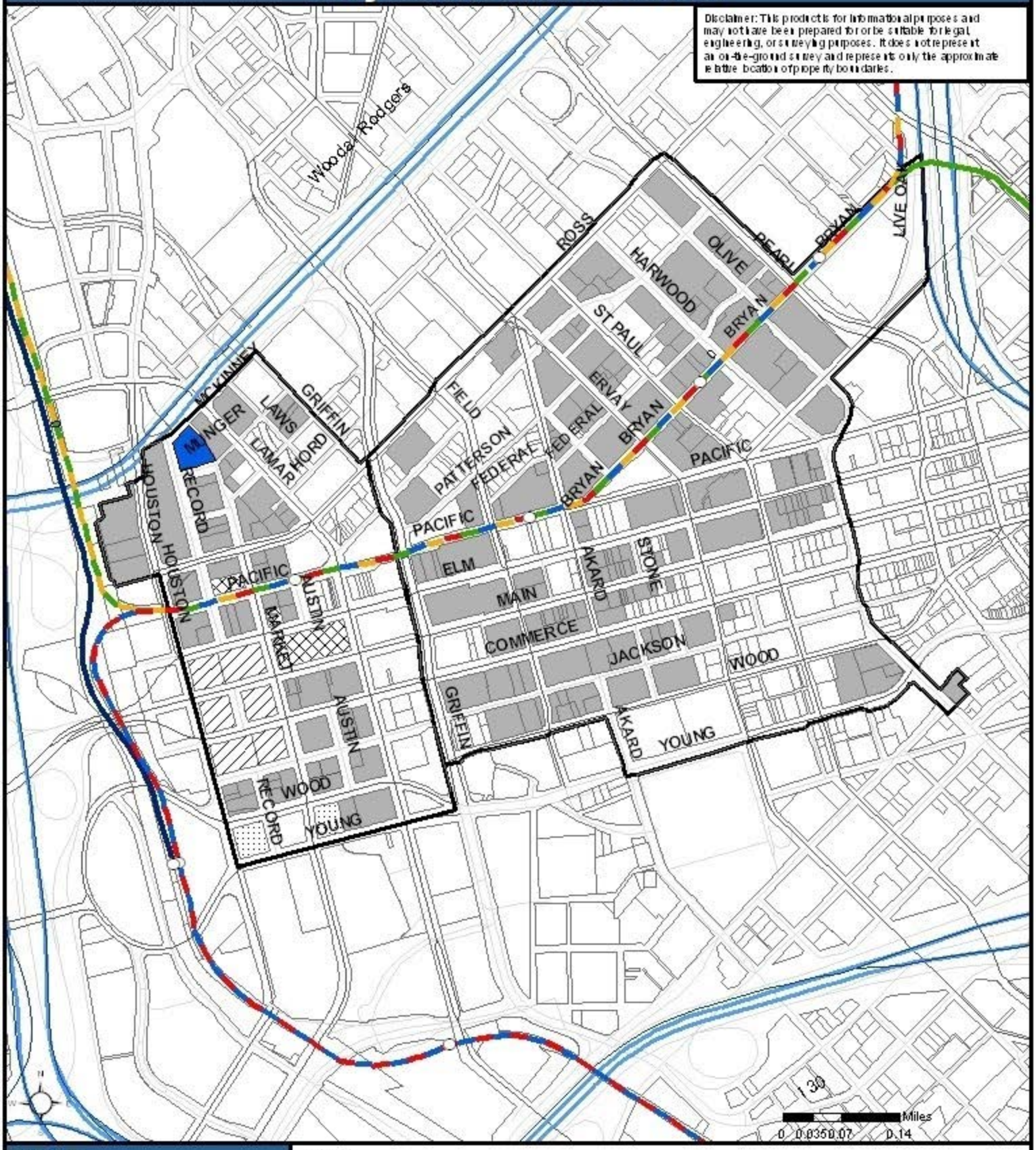
M. If necessary, the Project deadline can be extended up to 6 months, subject to the Office of Economic Development Director's and City Center TIF District Board of Director's approval.

Section 5. That should GPIWE Limited Partnership, not perform one or more of the contingencies listed above, the City Manager is authorized to terminate the development agreement and disallow the total TIF Subsidy up to an amount not to exceed $4,657,174.

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.

West End Marketplace Location Map - City Center TIF District

EXHIBIT A



DALLAS
ECONOMIC DEVELOPMENT

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Legend

- 603 Munger - West End Marketplace
- Center Center TIF Properties
- CityCenter-West End TIF Boundary

Exhibit B - TIF Budget

If all conditions of the agreement are met, a maximum of $1,250,000 may be released prior to the expiration of the City Center Sub-District (December 31, 2022 with last collection and disbursement 2023), unless funds are available after all City Center Sub-District obligations have been fulfilled. The remaining TIF funds may be reimbursed from the West End/Lamar Sub-District, beginning in 2023, with 2024 collections.

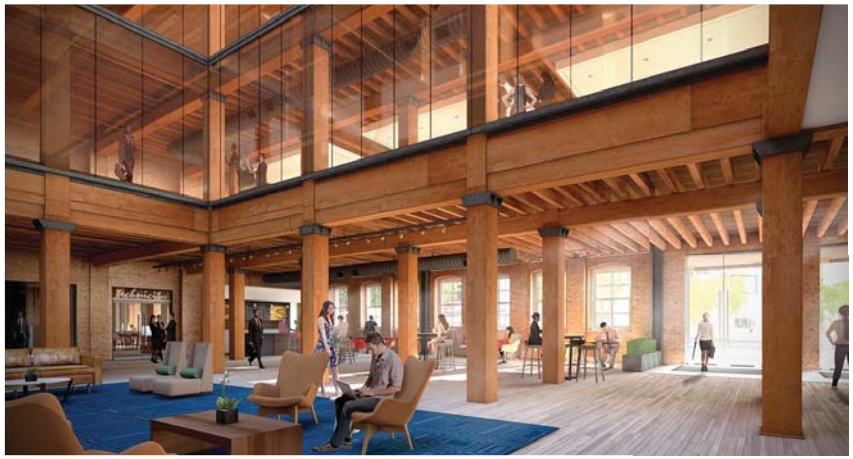
Description	Amount
Public Infrastructure Improvements *Streetscape improvements, Landscaping, Lighting, Signage, Design and Engineering, Contingency Costs (5%)*	*$2,250,000*
Redevelopment/Development Projects *Environmental Remediation, Interior & Exterior Demolition, Façade Improvements, Storefront Improvements, Design and Engineering, Contingency Costs (5%)*	*$2,407,174*
Total TIF Funding Recommended	**$4,657,174**

Exhibit C



FACTORY
SIX03
EST.
1903





Granite

AT
ARCHITEXAS

gff ARCHITECTS



ENLARGED MCKINNEY AVE. ELEVATION
1/8" = 1'-0"



5 ENLARGED MCKINNEY AVE. ELEVATION
1/8" = 1'-0"



4 ENLARGED RECORD ST. ELEVATION
1/8" = 1'-0"



3 ENLARGED RECORD ST. ELEVATION
1/8" = 1'-0"



2 ENLARGED MUNGER AVE. ELEVATION
1/8" = 1'-0"



1 ENLARGED PLAZA ELEVATION
1/8" = 1'-0"



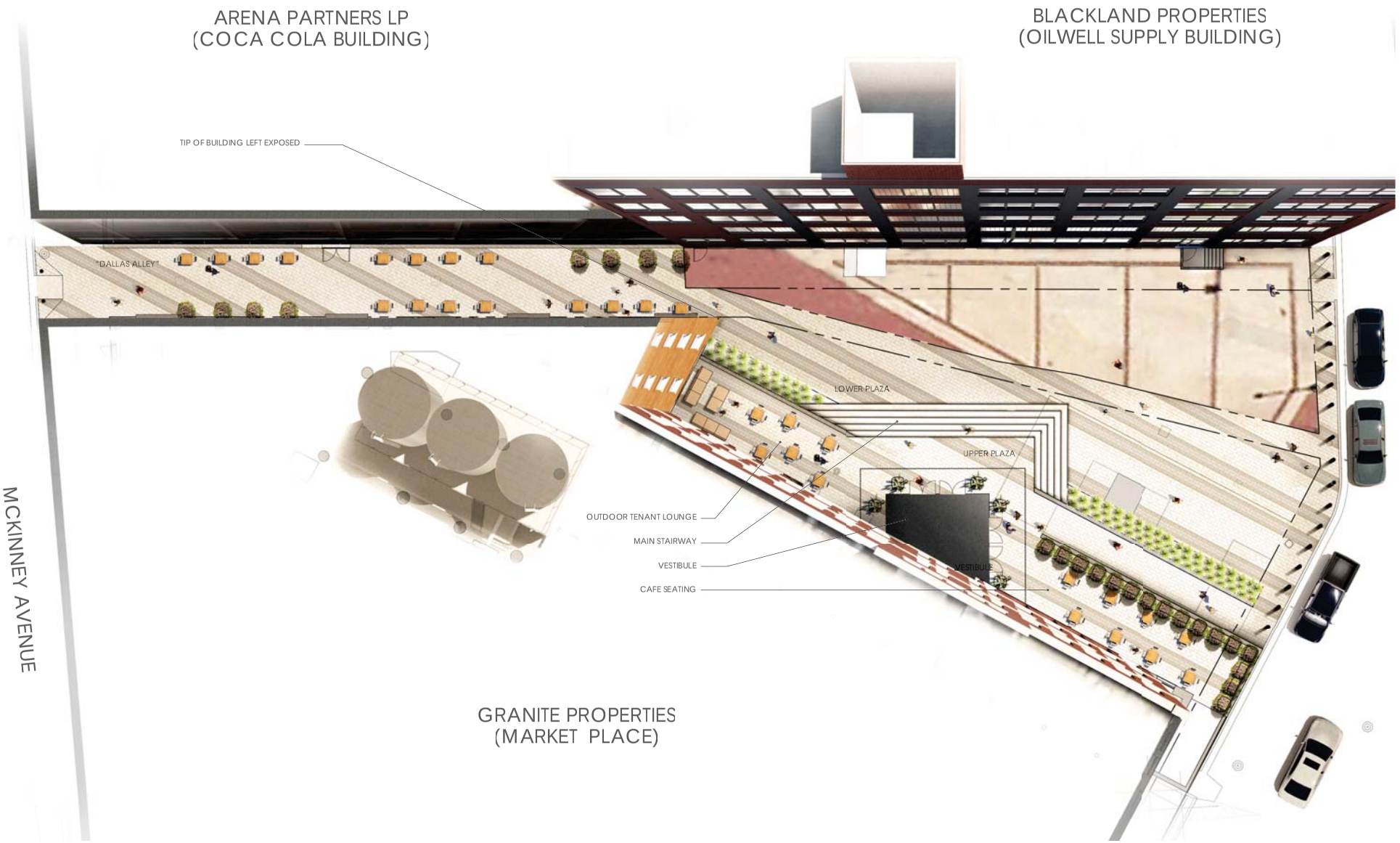
COMMON
OFFICE TENANT
RETAIL/RESTAURANT TENANT
TENANT AMENITY

Granite

AT ARCHITEXAS

gff ARCHITECTS

FACTORY SIX03 EST. 1903



NORTH SCALE 1" = 10'- 0"

MARKET PLAZA MASTER PLAN (REDUCED)

AUGUST 10, 2016

MESA

AGENDA ITEM # 36

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 10

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 17 X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for single family uses on property zoned an NO(A) Neighborhood Office District, north of Forest Lane, east of Abrams Road
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z156-272(SH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-272(SH) **DATE FILED:** August 16, 2016

LOCATION: North of Forest Lane, east of Abrams Road

COUNCIL DISTRICT: 10 **MAPSCO:** 17-X

SIZE OF REQUEST: ±9.54 acres **CENSUS TRACT:** 190.35

REPRESENTATIVE: Peter Kavanaugh, Zone Systems, Inc.

APPLICANT/OWNER: Disk Development, LLC

REQUEST: An application for a Planned Development District for single family uses on property zoned an NO(A) Neighborhood Office District.

SUMMARY: The purpose of this request is to allow for the construction of a single family residential development on 9.54 acres of land. The proposed development will consist of a maximum of 80 dwelling units, each with a minimum lot size of 1,200 square feet; a reduced side yard setback requirement; and, frontage onto a street, shared access area, or common area. Primary access to the site will be via an access easement from Forest Lane with the residential lots being served by an internal street network constructed in the Woonerf style. The Woonerf-style street, or shared access area, will have a minimum width of 20 feet and will provide shared space between pedestrian users and automobile users. Lastly, the Woonerf style street will have no curb and gutter, which is anticipated to facilitate easier pedestrian access.

CPC RECOMMENDATION: **Approval**, subject to a conceptual plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a conceptual plan and conditions.

BACKGROUND INFORMATION:

- The ±9.54-acre request site is currently undeveloped and possesses natural vegetation at its perimeter. An existing creek traverses the site from a northwest to southeast fashion.

- The applicant is proposing a new planned development district to facilitate a single family residential development consisting of a maximum of 80 dwelling units. The Dallas Development Code requires all lots to front upon a dedicated public or a private street, unless this requirement is waived by an ordinance establishing a planned development district in which adequate access is provided by access easement. This planned development district proposes primary access to the site via an access easement from Forest Lane and the LBJ Freeway. Each individual lot within the development will front upon either a dedicated public street, shared access drive, or a common area.

- The residential lots within the development will be served by an internal street network constructed in the Woonerf style. The Woonerf-style street, or shared access area, will have a minimum width of 20 feet and will provide shared space between pedestrian users and automobile users. It will have no curb and gutter, which is anticipated to facilitate easier pedestrian access. Bollards or other similar traffic barriers will be located in areas of the street to direct and control automobile traffic.

- The proposed PDD conditions limit the development to main uses currently permitted in the R-5(A) Single Family District, which will be compatible with development in the area. There is a townhome development located immediately north of the subject site and a multifamily development adjacent to the site to the east. Office, retail, and other neighborhood serving uses border the site to the south and west.

Zoning History:

1. **Z145-112:** On January 28, 2015, the City Council approved an application for a Specific Use Permit for a mini-warehouse use on property zoned a CR Community Retail District.

2. **Z134-306:** An application on the same site as the subject request for a Planned Development District for single family uses on property zoned an NO(A) Neighborhood Office District. This case was withdrawn by the applicant.

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:

Primary access to the site will be via an access easement from Forest Lane.

Thoroughfares/Street	Type	Existing ROW
Forest Lane	Principal Arterial	6 lanes divided, 120' R.O.W.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

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 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

Policy 5.5.1 Promote pedestrian-friendly streetscapes.

The proposed development meets the vision of the *forwardDallas! Comprehensive Plan* by providing an additional housing opportunity adjacent to an established residential community. According to the Comprehensive Plan, "objective standards help establish a level playing field and take the guesswork out of the development process for both developers and neighbors." The proposed single family development will provide a streetscape that will accommodate pedestrian use and encourage walkability, thus making it a unique and desirable housing option within the community.

Surrounding Land Uses:

	Zoning	Land Use
Site	NO(A)	Undeveloped land
North	TH-2(A); A(A)	Townhomes; Undeveloped land
East	MF-1(A)	Multifamily
South	CR	Mini-warehouse
West	CR	Office

Land Use Compatibility:

The approximate 9.54-acre site is currently undeveloped and possesses natural vegetation at its perimeter. The applicant is proposing to develop the site with a single family residential development consisting of a maximum of 80 detached dwelling units. The site will be developed either as a shard access development or traditional single family subdivision. An existing creek traverses the site from a northwest to southeast fashion and is anticipated to be developed into a water feature that will serve the residential development.

The proposed 80-lot, single-family development will be compatible to the uses in the immediate adjacent area. Surrounding land uses consists of mixed density residential developments comprised of townhomes to the north and detached single family and multifamily developments to the west. Various office, retail, and lodging uses are developed on property to the south and west of the subject site. With the smaller lot sizes and immediate access to open space the proposed pedestrian-friendly residential development will promote a sense of intimacy and provide a unique and desirable housing option that does not yet exist in the area. The variety of neighborhood serving uses located within close proximity to the development will attract families to the area and enhance the community's overall appeal.

As depicted on the conceptual plan, the proposed development will have two primary access points from a 45-foot wide paved access easement that extends from Forest Lane, a major thoroughfare to the nearby LBJ Freeway. The residential lots within the development will be served by an internal street network constructed in the Woonerf style. The Woonerf-style street, or shared access area, will have a minimum width of 20 feet and will provide shared space between pedestrian users and automobile users. It will have no curb and gutter, which is anticipated to facilitate easier pedestrian access. Bollards or other similar traffic barriers will be located in areas of the street to direct and control automobile traffic.

The main uses permitted within this PDD will include single family detached homes and other uses consistent with the R-5(A) zoning district. The PDD is being requested to establish development standards that will promote a more dense and walkable

residential community. The PDD proposes maximum lot coverage of 80 percent, minimum lot sizes of 1,200 square feet, and a maximum height of 36 feet. While these development standards differ from what is allowed in the R-5(A) zoning district, which is the most dense single-family zoning district, they provide for a residential development that will be more consistent to the TH-2(A) townhouse development that is located immediately north of the subject site.

Development Standards:

District	Setbacks		Height	Lot Coverage	Lot Size	Primary Uses
	Front	Side/Rear				
R-5(A)Residential:	20'	5' .	30'	45%	5,000 sq. ft.	Single Family Residential
TH-2(A) Townhouse	0'	0'	36'	60%	2,000 sq. ft.	Single Family Residential
PDD Residential:	0'	0' .	36'	80%	1,200 sq. ft.	Single Family Residential

Parking:

The development will provide parking at a ratio of a minimum of 1.5 spaces per dwelling unit. According to the PDD conditions, parking spaces are not required to be on the same lot as the dwelling units in which they serve. While some of the units adjacent to the Woonerf-style street will have immediate access to garages that are incorporated into the actual dwelling structure, most of the dwelling units will be served by off-site parking spaces. These parking spaces will be open or covered with a maximum distance of 200 feet between the dwelling unit and the nearest available parking space. For shared access developments, parking spaces in a shared access area can be counted towards required parking. Required parking may be reduced by one space for every on-street space provided in the public right-of-way within the development.

The applicant has indicated that parking spaces that are located on lots that are not occupied by a dwelling unit will be owned by the Homeowners Association. Some of these parking spaces will be enclosed and rented to homeowners for a contractual fee amount. These remote parking garages will be constructed on an as-needed basis and will be the only parking spaces that will be rented to homeowners.

Landscaping:

Landscaping for any single family development will be provided in accordance with the shared access development, other than single family districts requirements, which are outlined in Article X. This will allow for flexibility in the placement of required landscaping throughout the development. The applicant has proposed three additional trees that are not currently included on the approved tree list and the City Arborist has cited no objection.

Environmental:

The site possesses significant natural vegetation which will require a tree survey to be provided prior to development of the site. Additionally, a creek traverses the area through this property in a northwest to southeast fashion. The applicant has indicated that future development plans may include improving the creek into a water feature that will serve the proposed residential development. Lastly, designated flood plain is found east of the site's eastern boundary.

Prior to the issuance of any building permits, the applicant will be required to plat the site. It should be noted that the ultimate configuration of lots and streets or shared access areas will be determined after staff's review of the plat with consideration of the environmental features present in the area.

CPC ACTION – December 1, 2016:

Motion: It was moved to recommend approval of a Planned Development District for single family uses, subject to a conceptual plan and conditions on property zoned an NO(A) Neighborhood Office District, north of Forest Lane, east of Abrams Road.

Maker: Housewright
Second: Schultz
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 7

Notices: Area: 500 Mailed: 139
Replies: For: 20 Against: 5

Speakers: For: Peter Kavanaugh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

List of Officers

Disk Development Shareholders:

Diane Cheatham

Proposed Conditions

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 at the northeast corner of LBJ Freeway and Forest Lane. The size of PD _____ is approximately 9.54 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Definitions

Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

(1) WOONERF means a street with no curb and gutter to accommodate pedestrian use and allow storm water to drain as a sheet flow across the street.

(b) Unless otherwise stated, all references to code 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. EXHIBITS.

The following exhibit is incorporated into this article: Exhibit ___A: conceptual plan.

SEC. 51P-___.105. CONCEPTUAL PLAN.

Development and use of 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 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 R-5(A) Single Family District, subject to the same conditions applicable in the R-5(A) Single Family District as set out in Chapter 51A. For example, a use permitted in the R-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-5(A) Single Family District is subject to DIR in this district; etc.

(b) The following uses are permitted by right:

- Private recreation center, club, or area, no greater than 2,500 square feet
- Parking garages that serve single family houses in this Planned Development District

SEC. 51P-____.108. 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 community center (private).

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) Front yard. No minimum front yard is required.

(b) Side and rear yard. No side or rear yard is required

(c) Density. Maximum number of dwelling units is 80.

(d) Floor area ratio. No maximum floor area ratio.

(e) Height. Maximum structure height is 36 feet.

(f) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations and surface parking lots are not.

(g) Lot size. Minimum lot size is 1,200 square feet.

(h) Stories. Maximum number of stories is three.

SEC. 51P- _____.110. DESIGN STANDARDS FOR STREETS.

(a) Dwelling units must be accessed by a public street or a shared access area.

(b) Minimum pavement width for a public street or shared access area is 20 feet.

(c) Public streets and shared access areas must be built as Woonerfs. Bollards or other traffic barriers must be located in areas of the street to direct and control automobile traffic.

SEC. 51P- _____.111. 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 single-family and handicapped group dwelling unit uses, a minimum of 1.5 spaces per dwelling unit are required.

(c) Parking spaces are not required to be on the same lot as the dwelling unit.

(d) Enclosed parking spaces must be on a platted lot.

(e) Parking spaces in a shared access area count towards required parking.

(f) The maximum distance between a dwelling unit and the nearest available parking space is 200 feet.

(g) No setback from the right-of-way or shared access area is required for enclosed parking that can be entered directly from the right-of-way or shared access area if the enclosed parking space has an automatic door opening system that can be operated from a vehicle.

SEC. 51P-___.112. ON-STREET PARKING REDUCTION.

(a) Except as provided in this section, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(b) 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.

(c) 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.

SEC. 51P- ____.113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-_____.114. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) For a shared access development, landscaping must be provided as if the shared access development is in a district other than a single family district.

(c) Landscaping may be completed in phases. Each phase must be indicated on a landscape plan submitted with the construction documents. All landscaping in a phase must be complete prior to final inspection of the last structure built in that phase.

(d) Additional approved replacement trees include the following:

(1) Dawn Redwood (Matasequoia glyptostroboides)
(2) Japanese Maple (Acer palmatum)
(3) October Glory Maple (Acer Rubrum)

(e) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- ____.115. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII.

(b) The only signs permitted are subdivision signs and directional signs.

SEC.51P-____.116. SCREENING.

Screening is not required except that along the north side of the Property a solid screen must be composed of the garages and fencing as shown on the conceptual plan.

SEC. 51P- ____.117. ADDITIONAL PROVISIONS.

(a) The requirement that all lots front upon either a dedicated public street or a private street is waived.

(b) The site can be developed as a shared access development or a traditional residential subdivision. A shared access development is limited to a maximum of 80 lots.

(c) The Property must be properly maintained in a state of good repair and neat appearance.

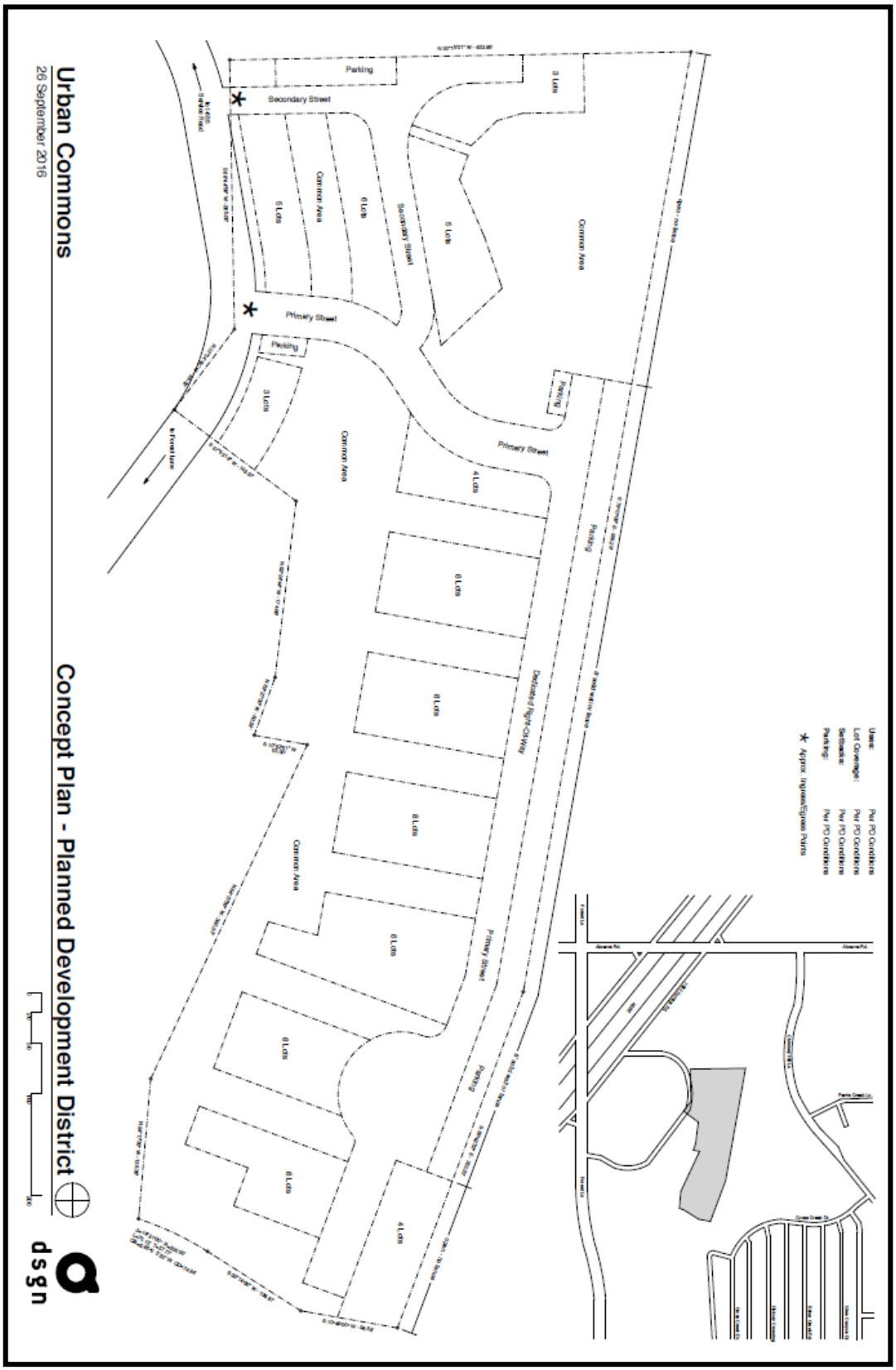
(d) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-____.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 city.

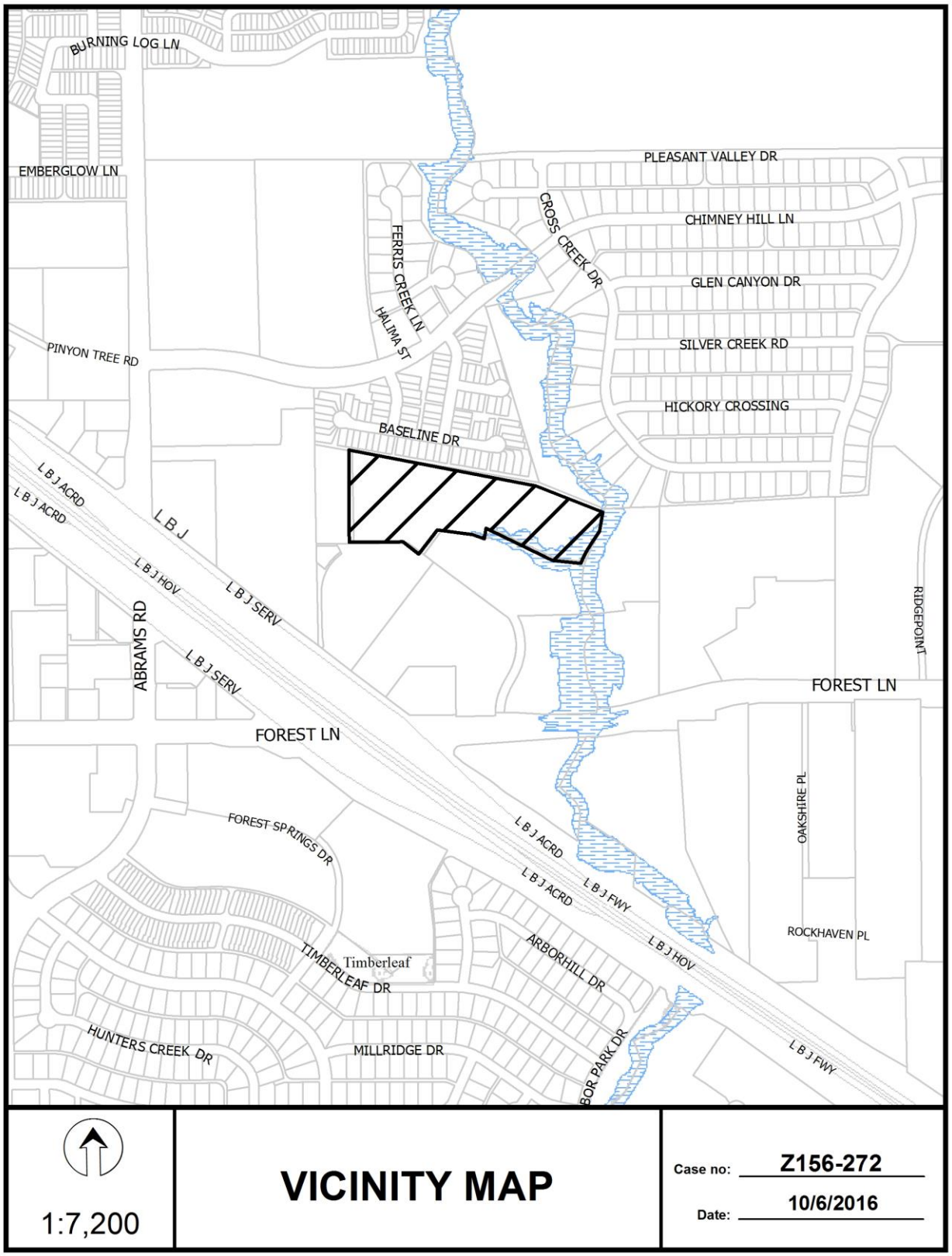
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

Proposed Conceptual Plan



Diagrammatic Site Plan
(for illustrative purposes only)



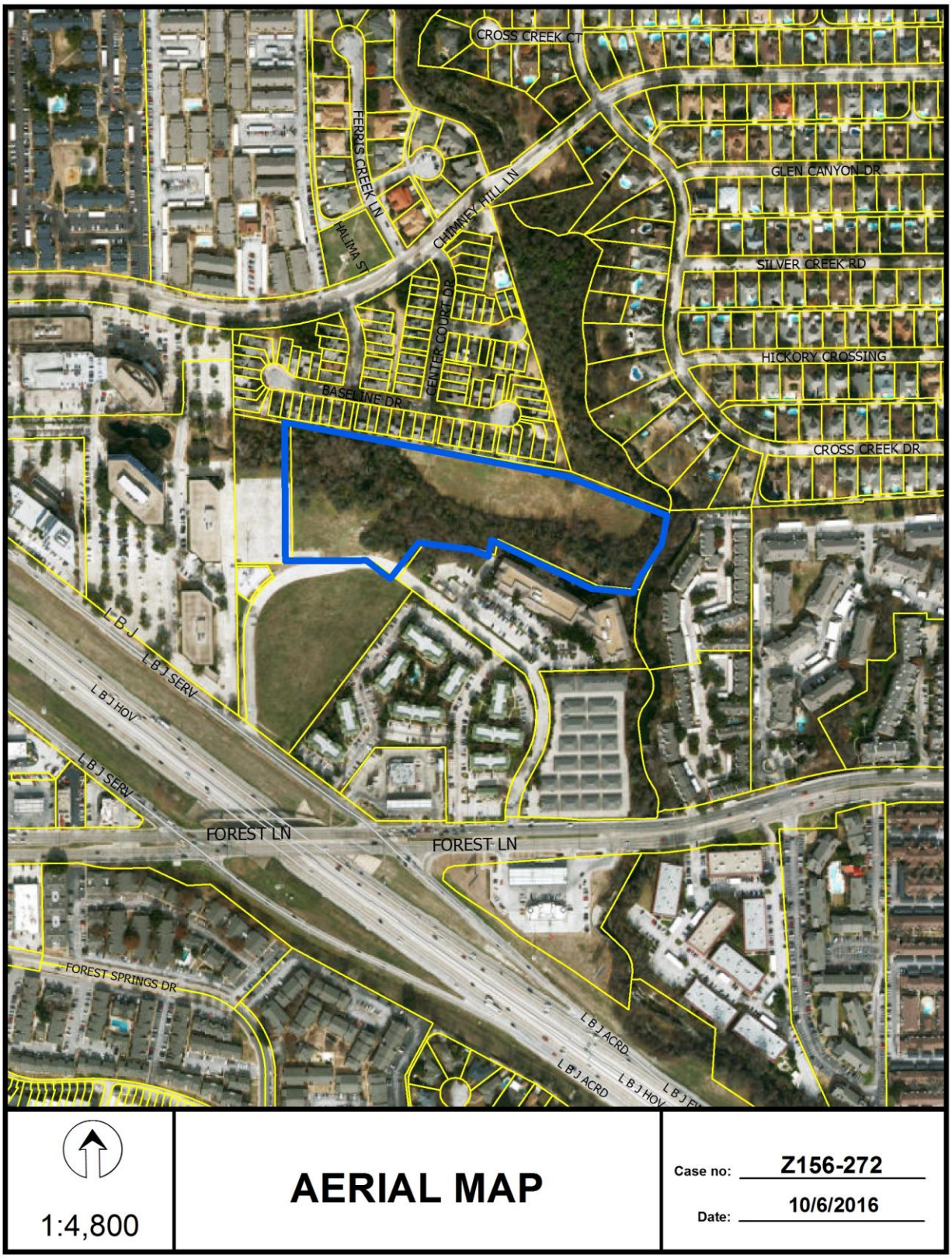


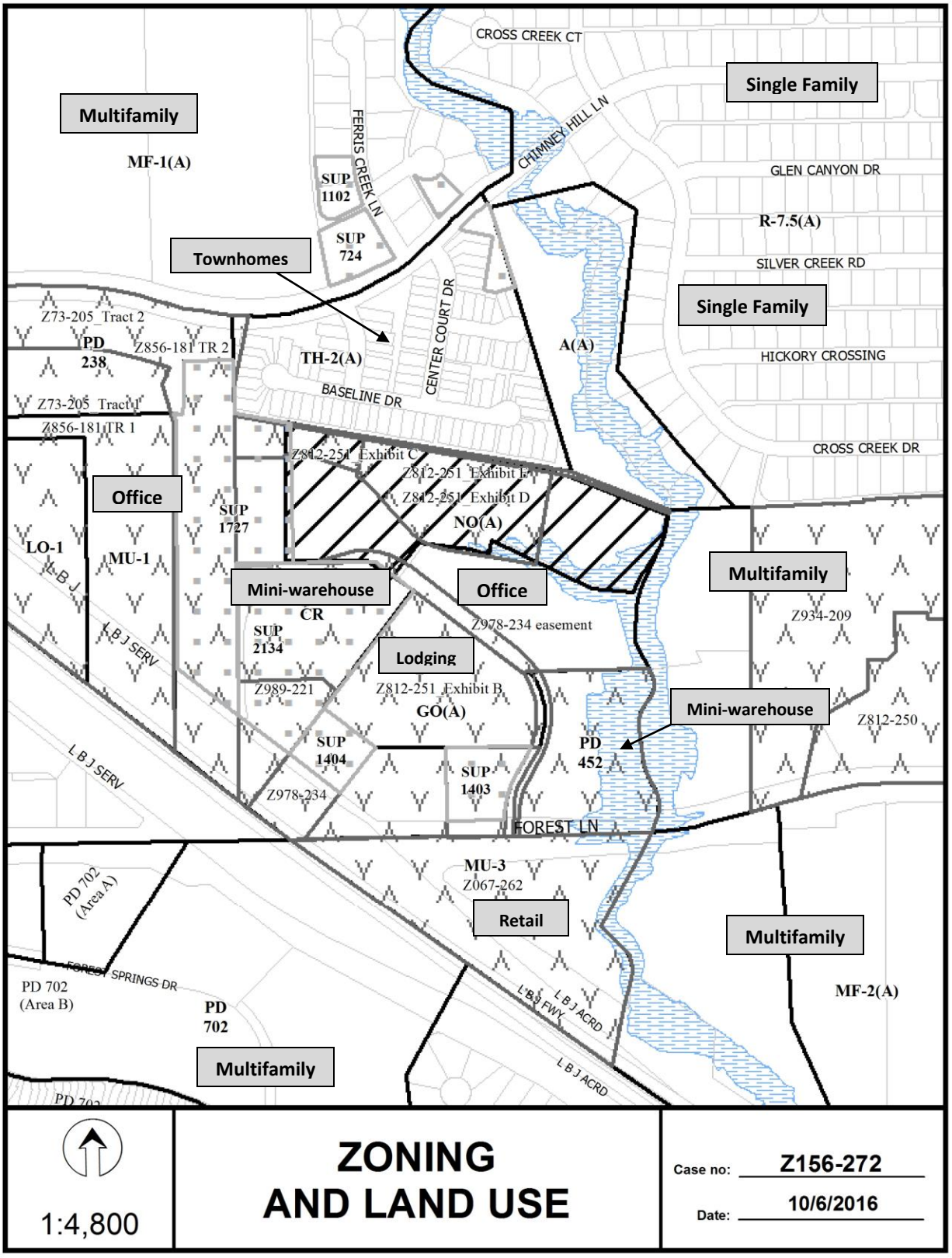
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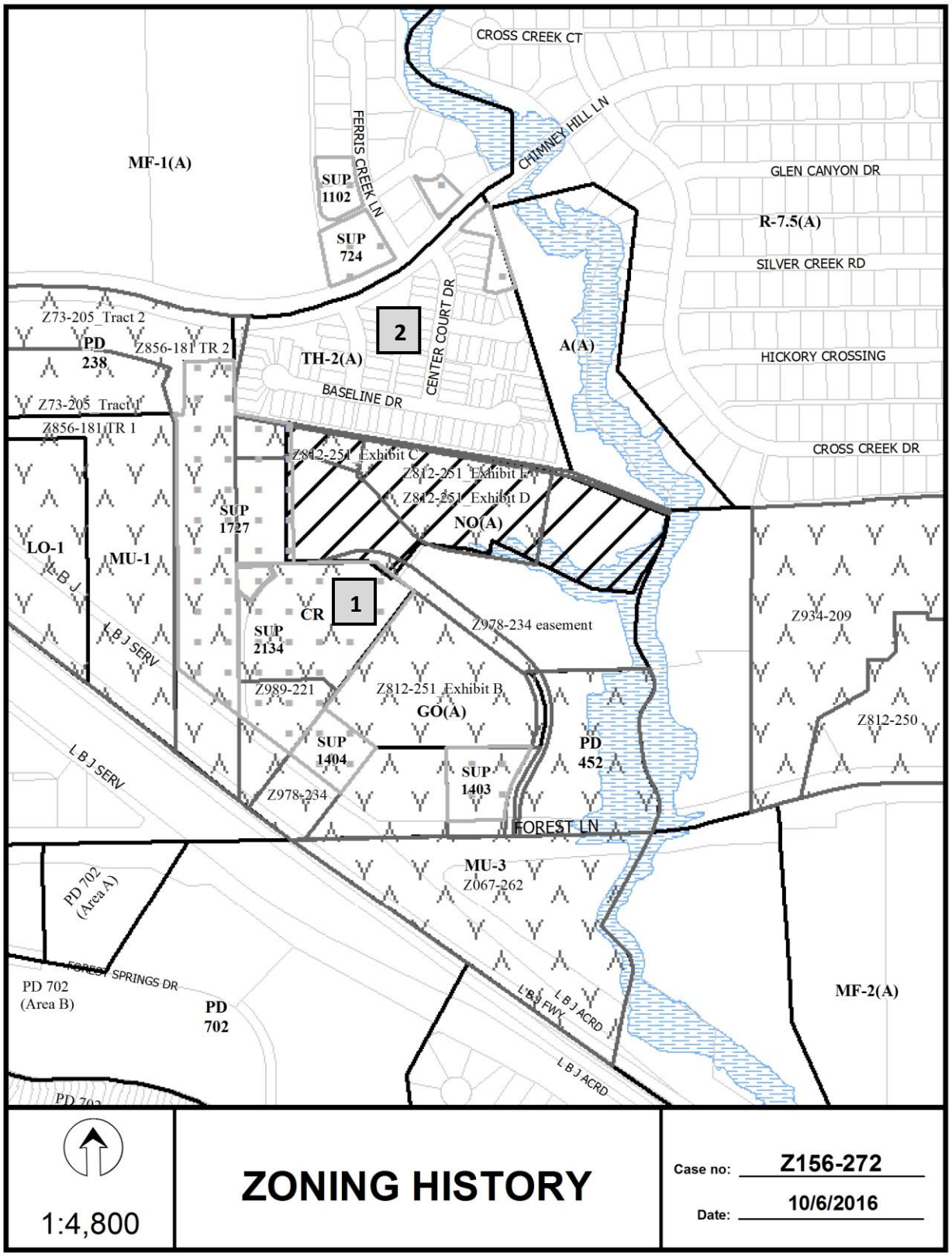
VICINITY MAP

Case no: Z156-272

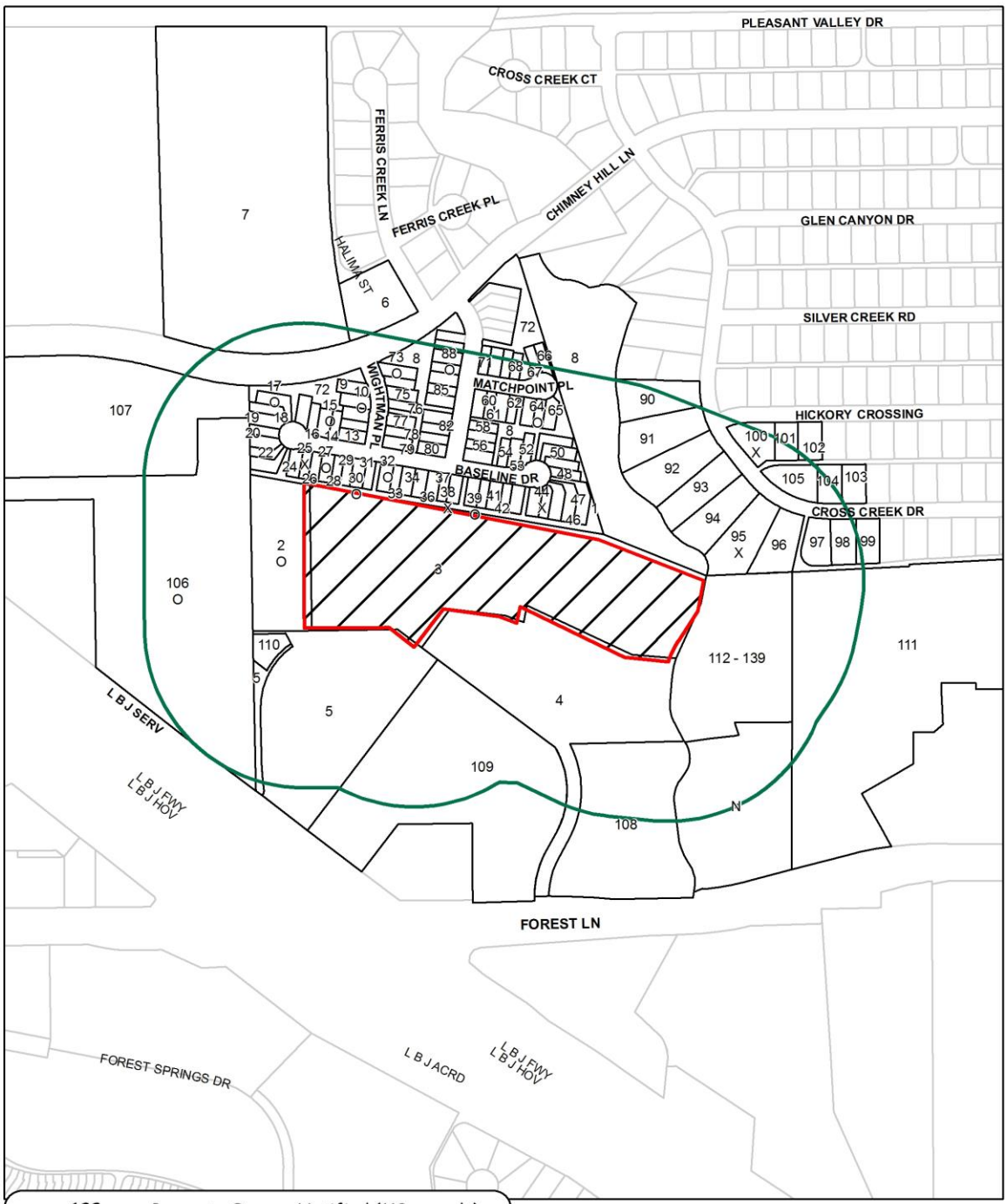
Date: 10/6/2016


CROSS CREEK CT
FERRIS CREEK LN
PALIMA ST
CHIMNEY HILL LN
GLEN CANYON DR
SILVER CREEK RD
HICKORY CROSSING
CROSS CREEK DR
CENTER COURT DR
BASELINE DR
L B J
L B J SERV
L B J HOV
L B J SERV
FOREST LN
FOREST LN
FOREST SPRINGS DR
L B J ACRD
L B J ACRD
L B J HOV
1:4,800
AERIAL MAP
Case no: Z156-272
Date: 10/6/2016


Multifamily
MF-1(A)
Single Family
CROSS CREEK CT
CHIMNEY HILL LN
FERRIS CREEK LN
SUP 1102
SUP 724
GLEN CANYON DR
R-7.5(A)
SILVER CREEK RD
Townhomes
Single Family
Z73-205_Tract 2
PD 238
Z856-181 TR 2
TH-2(A)
CENTER COURT DR
A(A)
HICKORY CROSSING
BASELINE DR
Z73-205_Tract 1
Z856-181 TR 1
Z812-251_Exhibit C
Z812-251_Exhibit A
Z812-251_Exhibit D
CROSS CREEK DR
Office
SUP 1727
NO(A)
LO-1
MU-1
L B J
Mini-warehouse
Office
Multifamily
CR
Z978-234 easement
Z934-209
SUP 2134
Lodging
L B J SERV
Z989-221
Z812-251_Exhibit B
GO(A)
Mini-warehouse
Z812-250
SUP 1404
PD 452
SUP 1403
Z978-234
FOREST LN
MU-3
Z067-262
PD 702 (Area A)
Retail
Multifamily
FOREST SPRINGS DR
PD 702 (Area B)
PD 702
L B J FWY
L B J ACRD
MF-2(A)
Multifamily
L B J ACRD
PD 702
1:4,800
ZONING AND LAND USE
Case no: Z156-272
Date: 10/6/2016


CROSS CREEK CT
CHIMNEY HILL LN
FERRIS CREEK LN
MF-1(A)
SUP 1102
SUP 724
GLEN CANYON DR
R-7.5(A)
SILVER CREEK RD
HICKORY CROSSING
CROSS CREEK DR
CENTER COURT DR
BASELINE DR
TH-2(A)
A(A)
2
Z73-205_Tract 2
PD 238
Z856-181 TR 2
Z73-205_Tract 1
Z856-181 TR 1
Z812-251_Exhibit C
Z812-251_Exhibit E
Z812-251_Exhibit D
NO(A)
SUP 1727
LO-1
MU-1
L B J
L B J SERV
CR
1
SUP 2134
Z978-234 easement
Z934-209
Z989-221
Z812-251_Exhibit B
GO(A)
Z812-250
SUP 1404
SUP 1403
PD 452
Z978-234
FOREST LN
MU-3
Z067-262
PD 702 (Area A)
FOREST SPRINGS DR
PD 702 (Area B)
PD 702
L B J FWY
L B J ACRD
MF-2(A)
1:4,800
ZONING HISTORY
Case no: Z156-272
Date: 10/6/2016

CPC Responses



11/30/2016

Reply List of Property Owners

Z156-272

139 Property Owners Notified ***20 Property Owners in Favor*** ***5 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	9999	BASELINE DR	CHIMNEY LN PATIO HOME
O	2	9441	LBJ FWY	SHAWNEE INC
	3	9400	LBJ FWY	DISK DEVELOPMENT LLC
	4	9535	FOREST LN	9535 FOREST LANE LLC
	5	9467	LBJ FWY	CRS FOREST LANE LLC
	6	9709	CHIMNEY HILL LN	ABSAR LLC
	7	9655	CHIMNEY HILL LN	LACKLAND FOREST LP
	8	9650	CHIMNEY HILL LN	CHIMNEY LN PATIO HOMES
	9	12219	WIGHTMAN PL	PRADO ALEX
O	10	12215	WIGHTMAN PL	EZZELL KATHLEEN S
O	11	12209	WIGHTMAN PL	BLAYLOCK MATTHEW A
	12	12205	WIGHTMAN PL	KEENE ANNE
	13	12201	WIGHTMAN PL	CURRAN NEIL THOMAS &
	14	9631	BASELINE DR	HAIR ELAINE &
O	15	9627	BASELINE DR	CLARK ANTHONY R & NORA S
	16	9623	BASELINE DR	SHOOK TONNI L
O	17	9611	BASELINE DR	JALA CAPITAL INVESTMENTS LLC
	18	9607	BASELINE DR	HOLT KENNETH A
	19	9603	BASELINE DR	SEYFU GEBRIEL
	20	9602	BASELINE DR	WIELER ROBERT & LESLIE
O	21	9606	BASELINE DR	MOELLER LAWRENCE B &
	22	9610	BASELINE DR	DAVIS RASHONDA P
O	23	9614	BASELINE DR	ALLEN KIMBERLY
	24	9622	BASELINE DR	LEE ALEX
X	25	9626	BASELINE DR	MORRIS YVONNE R
	26	9630	BASELINE DR	TAICHHOLZ LEONARD

11/30/2016

Reply	*Label #*	*Address*		*Owner*
O	27	9634	BASELINE DR	CURRAN NEIL & JO ANN
	28	9638	BASELINE DR	ROBERTSON CONSTANCE E
	29	9642	BASELINE DR	MORRIS DAVID &
O	30	9646	BASELINE DR	FREEMAN VAN A
	31	9650	BASELINE DR	CHILDS HAROLD K
O	32	9704	BASELINE DR	SLONECKER WILLIAM G TR &
	33	9708	BASELINE DR	PEGUES PHILLIP E JR
	34	9712	BASELINE DR	ODOHERTY ELAINE
O	35	9714	BASELINE DR	SMITH BETTIE H
	36	9718	BASELINE DR	BENNETT OLIVIA C &
	37	9722	BASELINE DR	YANDELL KORY R
X	38	9806	BASELINE DR	LISENBEE SHIRLEY A
O	39	9810	BASELINE DR	SLOCUM JAMES C
	40	9814	BASELINE DR	SPRINGFIELD VALERIE L
	41	9818	BASELINE DR	NEWTON STEPHEN & SHARON
	42	9822	BASELINE DR	FINE KAREN J
	43	9830	BASELINE DR	VITOSKY JOIE D
X	44	9834	BASELINE DR	WEISE TIMOTHY F
	45	9838	BASELINE DR	ELLIS LANA SUE
	46	9842	BASELINE DR	BISHOP RACHIEL STONE
	47	9846	BASELINE DR	SIKES JAMES D &
	48	9847	BASELINE DR	BARROW RUTH J
	49	9843	BASELINE DR	TRUE LYNNE MARIE
	50	9839	BASELINE DR	EVANS JIM F & DIANE M
O	51	9835	BASELINE DR	COLE JAMES P & GAIL C
	52	9827	BASELINE DR	KARACIC KSENIA
	53	9823	BASELINE DR	JENNIGES EVE JANE
	54	9819	BASELINE DR	ANDERSON ROSA
	55	12204	CENTER COURT DR	TRAN LAM TONY
	56	12208	CENTER COURT DR	CAMPBELL JANICE W
	57	12212	CENTER COURT DR	DIXON KIRK D

11/30/2016

Reply	*Label #*	*Address*		*Owner*
	58	12216	CENTER COURT DR	JOINER PATRICE PLOCEK
O	59	9806	MATCHPOINT PL	HALL STEPHEN
	60	9808	MATCHPOINT PL	KUHN JULIA C
	61	9810	MATCHPOINT PL	MOOMAW MARTIN R
	62	9812	MATCHPOINT PL	BROWN PATSY
	63	9814	MATCHPOINT PL	LYONS CAITLYN
O	64	9816	MATCHPOINT PL	GLASER RICHARD E
	65	9818	MATCHPOINT PL	CANAFAX THOMAS D EST OF
	66	9821	MATCHPOINT PL	BROWN ELIZABETH
	67	9819	MATCHPOINT PL	WHITEHEAD CHRISTIAN A
	68	9815	MATCHPOINT PL	CREIGHTON ISLA B LIVING TRUST
	69	9809	MATCHPOINT PL	PADILLA RAMON JR
	70	9807	MATCHPOINT PL	RENFRO NIGEL MITCHELL & DANIELLE MORRISSA
	71	9805	MATCHPOINT PL	ANSTEAD CHLOE M & TIMOTHY
	72	9630	CHIMNEY HILL LN	CHIMNEY HILL LANE
O	73	12226	WIGHTMAN PL	BANKS CHELLE BOVIS
	74	12222	WIGHTMAN PL	ALCERRECA HILDA M
	75	12218	WIGHTMAN PL	SMITH ROBERTA L
	76	12214	WIGHTMAN PL	CARRILLO HIRAM & PATRICIA ESCOBAR
	77	12210	WIGHTMAN PL	KWONG AMT S & DAVID
	78	12206	WIGHTMAN PL	CHASSE JONATHAN
	79	12202	WIGHTMAN PL	FALY MAMADOU A
	80	12203	CENTER COURT DR	DORSEY BRENDA L
O	81	12207	CENTER COURT DR	MIRANDA MARIA A &
	82	12211	CENTER COURT DR	WIELER ROBERT H & LESLIE L
O	83	12215	CENTER COURT DR	STEVENS ELIZABETH
	84	12219	CENTER COURT DR	PURCELL NANCY B
	85	12223	CENTER COURT DR	ELLINGTON ROBERT W JR
	86	12227	CENTER COURT DR	FORBUS GREGORY D
	87	12231	CENTER COURT DR	HUGHES DANIEL T
O	88	12235	CENTER COURT DR	CHANDLER TRUDY JOYCE

11/30/2016

Reply	*Label #*	*Address*		*Owner*
	89	12239	CENTER COURT DR	HUD
	90	12227	CROSS CREEK DR	HESTER BRETT EVAN
	91	12223	CROSS CREEK DR	NAKHODA ZAKIRHUSEIN &
	92	12219	CROSS CREEK DR	MOLINA JOEY C & JULIA A
	93	12215	CROSS CREEK DR	HAMILTON MARK D & SHERYL
	94	12211	CROSS CREEK DR	OEFINGER DAVID M & LILA F
X	95	12207	CROSS CREEK DR	MEANS DOUGLAS A &
	96	12203	CROSS CREEK DR	YOUNG JOE W &
	97	12137	CROSS CREEK DR	SMITH SHIRLEY H & WILLIAM TRAVIS
	98	12133	CROSS CREEK DR	CHANDLER J D
	99	12129	CROSS CREEK DR	BEAKLEY JOEL W & ERIN O
X	100	9902	HICKORY CROSSING ST	KINDER STEVEN W &
	101	9906	HICKORY CROSSING ST	KILE REX STEPHEN &
	102	9910	HICKORY CROSSING ST	METZGER KENT A & NANCY L
	103	12136	CROSS CREEK DR	MEDLIN JAMES MARSHALL &
	104	12140	CROSS CREEK DR	PAULMAN RONALD G &
	105	12204	CROSS CREEK DR	HARRISON DOUGLAS A &
O	106	9441	LBJ FWY	SHAWNEE INC
	107	12160	ABRAMS RD	AREA EY NCLBJ LLC
	108	9555	FOREST LN	SECURITY PORTFOLIO V LP
	109	9519	FOREST LN	BIGELOW ARIZONA TX 348 LP
	110	9400	LBJ FWY	SBA TOWERS III LLC
	111	9637	FOREST LN	INTERGERMAN CHIMNEY LP
	112	9601	FOREST LN	LYNAL LLC
	113	9601	FOREST LN	FLORES KRISTINA
	114	9601	FOREST LN	AZIZ MOHAMMED
	115	9601	FOREST LN	STURDEVANT SCOT A
	116	9601	FOREST LN	LYNAL LLC
	117	9601	FOREST LN	MCGRAW SHANNON BAILEY
	118	9601	FOREST LN	HIGHLAND PARK EXECUTIVE GROUP LLC
	119	9601	FOREST LN	TEXAS RIVERSIDE PROPERTIES LLC

11/30/2016

Reply	*Label #*	*Address*		*Owner*
	120	9601	FOREST LN	MTA PARTNERS LLC
	121	9601	FOREST LN	LYNAL LLC
	122	9601	FOREST LN	BD PROPERTY GROUP 2 LLC
	123	9601	FOREST LN	ABAZIE SAMUEL C
	124	9601	FOREST LN	LYNAL LLC
	125	9601	FOREST LN	SUMMER HEIDI FOO LLC
	126	9601	FOREST LN	ABUHAZIRA MATAN
	127	9601	FOREST LN	PANMANEE PATCHARAPORN
	128	9601	FOREST LN	NA & LA MACKAY LLC
	129	9601	FOREST LN	BWANA INVESTMENTS LLC
	130	9601	FOREST LN	SUMMER HEIDI FOO LLC
	131	9601	FOREST LN	MILLER JACQUELYN
	132	9601	FOREST LN	ALL DONE LLC
	133	9601	FOREST LN	SU YONG CHENG & LIANG MEIFANG
	134	9601	FOREST LN	ORTIZ JUANA E
	135	9601	FOREST LN	LHU ASSETS LLC
	136	9601	FOREST LN	AYROM MEHADI D
	137	9601	FOREST LN	MELQUIOND RICHARD WEST
	138	9601	FOREST LN	FLUELLEN LEWIS C JR &
	139	9601	FOREST LN	CASTRO HERIBERTO &

AGENDA ITEM # 37

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 44 G

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tattoo studio on property within the Subdistrict 1A portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the south line of East Levee Street, between Manufacturing Street and Express Street

Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions

Z156-317(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-317(JM) **DATE FILED:** July 26, 2016

LOCATION: On the south line of East Levee Street, between Manufacturing Street and Express Street.

COUNCIL DISTRICT: 6 **MAPSCO:** 44-G

SIZE OF REQUEST: Approx. 5,004 sq. ft. **CENSUS TRACT:** 100.00

APPLICANT: Freddie Trevino

OWNER: Wristen Trust, Cathy and Donald Wristen (Trustees)

REQUEST: An application for a Specific Use Permit for a tattoo studio on property within the Subdistrict 1A portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District.

SUMMARY: The applicant proposes to operate a tattoo studio in an existing 2,580 square foot structure. The applicant has provided hours of operation, between 10:00 a.m. and 8:00 p.m., Monday through Friday; and between 12:00 p.m. and 9:00 p.m. on Saturday, and provided a new site plan to show revised parking.

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 ±2,580 square foot building is currently vacant. This is a new SUP request.
- The applicant proposes to operate a tattoo studio, which is identified as a personal service use. This use requires an SUP in the Subdistrict 1A portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District.
- Subdistrict 1A is for transit-oriented, mixed use, but retains the potential for limited industrial and warehouse uses (along with seven other subdistricts).
- The request site is primarily surrounded by commercial and business service and office/showroom warehouse uses to the north, east, and west. The south boundary is the levee to the Trinity River.

Zoning History: There is no recent zoning history.

Thoroughfares:

Thoroughfare/Street	Type	Existing ROW
Levee Street	Local	70’

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. The comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration* is comprised of a series of Building Blocks that depict general land use patterns.

Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur. The Plan identifies the request site as being within an *Urban Mixed Use* Building Block. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area.

The proposed SUP request for a tattoo studio will add to the mix of uses provided to

visitors and residents of the area. Currently, while the intent is for this area to be mixed-use, the existing land use along this street is largely office, showroom/warehouse. The addition of a new business-type will encourage overall redevelopment and investment in the area by attracting new visitors to the shops.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.1 Implement the Trinity River Corridor Plan.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Plan: Additionally, the comprehensive plan was amended by the *Trinity River Corridor Comprehensive Land Use Plan* in 2005. The request area is located within the Trinity River Corridor. "The Trinity River Corridor is a unified collection of diverse neighborhoods and business centers at the heart of a unified and thriving Dallas, connected by a ribbon of blue water and green spaces that is the Trinity River,". A future land use plan for the corridor region provides preferred redevelopment scenarios. The site is located in a Mixed Use/Adaptive Reuse land use module. The proposed personal service use will provide a new service to the community not currently available in the area. Surrounding land use patterns are mostly office, showroom/warehouse uses. Creatively reusing the structure to provide a new service and attract new foot traffic to the neighborhood aligns with the intent of the Trinity Plan, Building Block, and PD No. 621 classification for mixed-use.

The Trinity Corridor also has district plans. The subject site is within the Downtown-Lakes District. This district is one of two districts that blend both sides of the Trinity River. It is the recognized core of the city of Dallas and includes the city's founding site as well as major civic and cultural institutions located Downtown. Mixed Use – High Density; Mixed Use – Adaptive Reuse; Residential Urban and Residential Riverside modules are all included in the plans for this district. The result should be a variety of exciting new urban neighborhoods and business areas. The proposed redevelopment of a previous office/showroom warehouse use into personal service will complement the changing area.

Land Use Compatibility: The approximately 5,004 square foot site is currently vacant. The applicant proposes to operate a tattoo studio, which requires a specific use permit. This is a new SUP request for the site, as it previously operated as an office/showroom warehouse use.

	Zoning	Land Use
Site	PD 621, Subdistrict 1A	Vacant
North	PD 621, Subdistrict 1A	Office showroom/ warehouse
East	PD 621, Subdistrict 1A	Office showroom/ warehouse
South	A(A)	Levee; Trinity River Greenbelt
West	PD 621, Subdistrict 1A	Office showroom/ warehouse

The site is located in PD No. 621, which was adopted by the City Council on August 28, 2002. Prior to the creation of the district, the ±422 acre area was home to various commercial, business service, and industrial uses. PD No. 621 provides a commitment to design standards, enhanced open space, and a variety of mixed uses, all within close proximity to mass transit and components of the trail system.

The surrounding uses are greatly commercial and business service, and wholesale, distribution, and storage uses. As the area has shifted into mixed use, as allowed by the PD, new uses have entered the region, including retail and personal service uses. The proposed business supports that mix by providing a new personal service use and is helping to develop the character of the neighborhood. The applicant has offered hours of operation between 10:00 a.m. and 8:00 p.m., Monday through Friday; and between 12:00 p.m. and 9:00 p.m. on Saturday. These limited hours provide a protective measure for potential mixed uses including residential.

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 proposed personal service use compatible with the surrounding commercial and business service, and wholesale, distribution, and storage uses. Adding a new use to the area will complement the direction of redevelopment as provided for in PD No. 621. Staff believes that the new service may enhance the district by adding new traffic and potential customers to the area. Limiting the hours of operation should help alleviate any potential negative impact. The short time period will allow the use to be re-evaluated as to the compatibility with the area.

Parking: Pursuant to PD No. 621, the off-street parking requirement for a tattoo studio use is one space per 275 square feet of floor area. However, a portion of the site will be utilized as an art gallery. Under PD No. 621, an art gallery use is required to provide one space per 600 square feet of floor area. Since each use will have a separate certificate of occupancy, each will provide parking per the PD.

Therefore, the 2,580 square foot unit requires two parking spaces for the 571 square feet of tattoo studio area (retail and personal service use), and three parking spaces for the 2,009 square feet of art gallery (retail and personal service use). PD No. 621 allows on-street parking to count towards required parking, but handicapped parking is not allowed on-street. Five spaces are provided on-street. One handicapped space is provided with sufficient maneuvering space on the east side of the structure. The applicant has provided sufficient parking as identified on the amended site plan provided.

Landscaping: The applicant does not propose new construction at this time; therefore, no landscaping is required.

CPC Action
November 10, 2016:

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tattoo studio for a two-year period, subject to a site plan and conditions (as briefed) including limiting the tattoo studio use to a floor area of 571 sq. ft., on property within the Subdistrict 1A portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the south line of East Levee Street, between Manufacturing Street and Express Street.

Maker: Anantasomboon
Second: Davis
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 7

Notices: Area: 200 Mailed: 14
Replies: For: 0 Against: 5

Speakers: For: Freddie Trevino, 2025 E. Levee St., Dallas, TX, 75207
Mark Hall, 1322 Easton Rd, Dallas, TX, 75228
Secily Hall, 1322 Easton Rd, Dallas, TX, 75228
Linda Trevino, 329 Hemlock, Grand Prairie, TX
Against: Bob Darrouzet, 5445 Caruth Haven Ln., Dallas, TX, 75225

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a tattoo studio.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan. 2,580

3. TIME LIMIT: This specific use permit is expires on (two years).

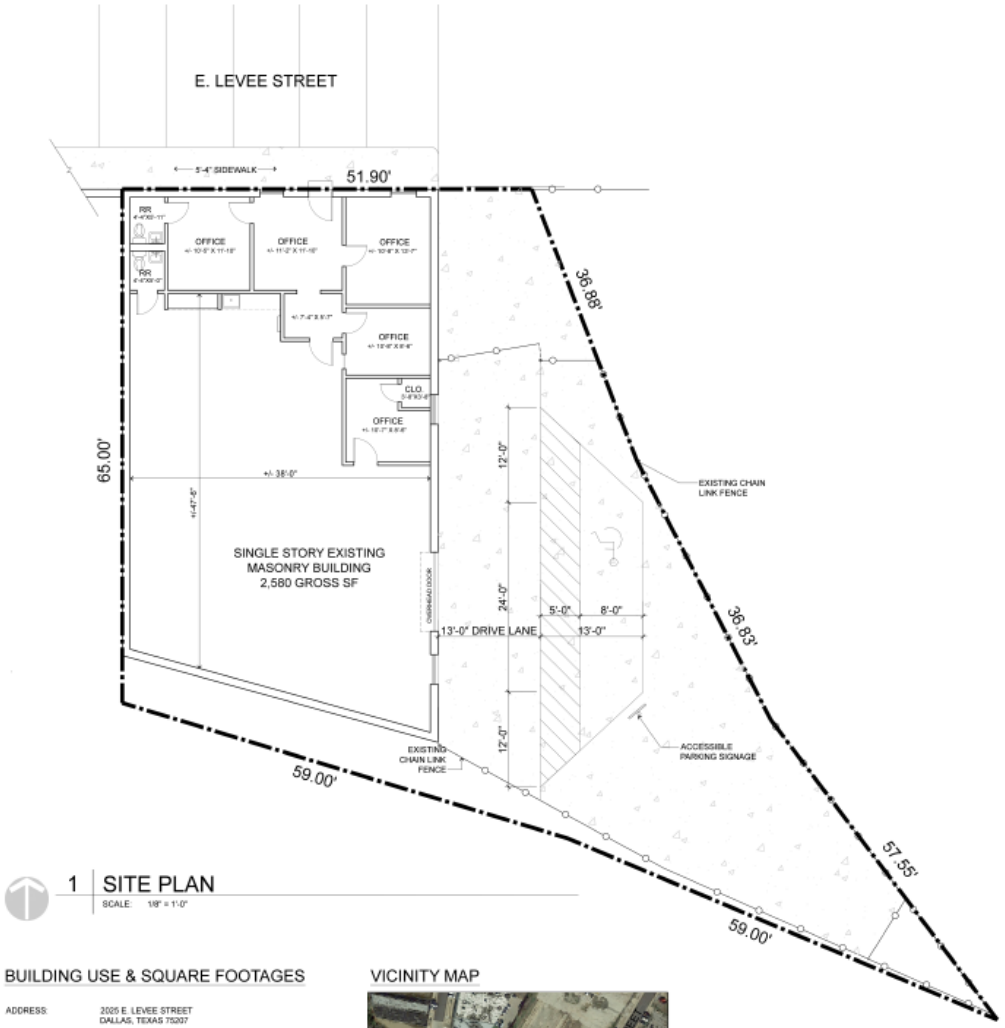
4. FLOOR AREA: The maximum floor area for a tattoo studio is 571 square feet.

5. HOURS OF OPERATION: The tattoo studio use may only operate between 10:00 a.m. and 8:00 p.m., Monday through Friday; and between 12:00 p.m. and 9:00 p.m. on Saturday.

6. MAINTENANCE: The property must be properly maintained in a state of good repair and neat appearance.

7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Site Plan



1 SITE PLAN
SCALE: 1/8" = 1'-0"

BUILDING USE & SQUARE FOOTAGES

ADDRESS:	2025 E. LEVEE STREET DALLAS, TEXAS 75207
MAPSCO:	44-G
FLOOD ZONE:	X PROTECTED BY LEVEE
ZONING:	PD 621, SUBDISTRICT 1A
ZONING USE:	PERSONAL SERVICE USE
BUILDING USE:	TATOO STUDIO - BY APPOINTMENT ONLY THIRD EYE GALLERY
GROSS BUILDING SQUARE FOOTAGE:	2,580 SQUARE FEET
SQUARE FOOTAGE BY USE:	
TATOO STUDIO:	571 SQUARE FEET
ART GALLERY:	2,009 SQUARE FEET

VICINITY MAP



PARKING ANALYSIS

ANALYSIS:
PURSUANT TO 51P-621.110, PERSONAL SERVICE USE = 275 SF PER PARKING SPACE
PURSUANT PD NO. 621, ART GALLERY USE = 600 SF PER PARKING SPACE

REQUIRED PARKING:	571 SF / 275 SF = 2 SPACES 2,009 SF/600 = 3 SPACES
	5 SPACES REQUIRED
PROVIDED PARKING:	5 SPACES

THRASHER WORKS
architecture | design | graphic design
WWW.THRASHERWORKS.COM
428 W Davis,Studio3, Dallas, Tx 75208

THIRD EYE GALLERY
2025 E. LEVEE STREET
DALLAS, TEXAS 75207

issue date:
DATE OF ISSUE MM.DD.YYYY
ZONING 10.27.2016

zoning case no.:
Z156-317 (JM)

06.22.16

SITE PLAN

A1.0


WYCLIFF AVE
MANUFACTURING ST
PACE ST
FARRINGTON ST
IRVING BLVD
IRVING BLVD
Trinity Strand Trail
EXPRESS ST
TURTLE CREEK BLVD
LEVEE ST
RIVEREDGE DR
SYLVAN AVE
Trinity River Greenbelt
1:4,800
VICINITY MAP
Case no: Z156-317
Date: 9/20/2016

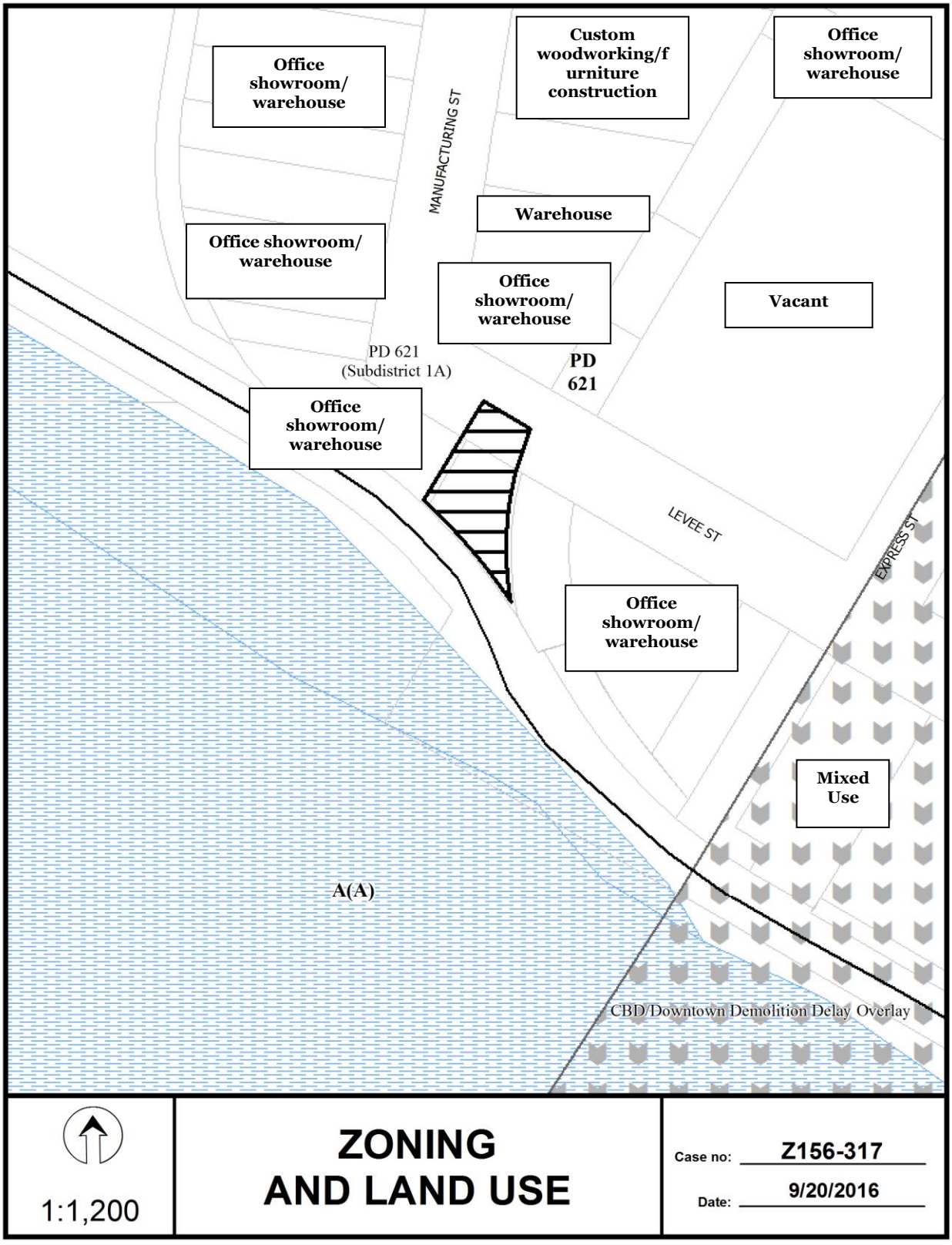


1:1,200

AERIAL MAP

Case no: Z156-317

Date: 9/20/2016


Office showroom/ warehouse
Custom woodworking/f urniture construction
Office showroom/ warehouse
MANUFACTURING ST
Warehouse
Office showroom/ warehouse
Office showroom/ warehouse
Vacant
PD 621 (Subdistrict 1A)
PD 621
Office showroom/ warehouse
LEVEE ST
EXPRESS ST
Office showroom/ warehouse
Mixed Use
A(A)
CBD/Downtown Demolition Delay Overlay
1:1,200
ZONING AND LAND USE
Case no: Z156-317
Date: 9/20/2016

CPC Responses



11/09/2016

Reply List of Property Owners

Z156-317

14 Property Owners Notified ***0 Property Owners in Favor*** ***5 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2025	LEVEE ST	WRISTEN DONALD F
X	2	2029	LEVEE ST	ARTE DE ARQUITECTURA DE
X	3	100	MANUFACTURING ST	GRG GROUP INC
	4	110	MANUFACTURING ST	JBJACKSON PROPERTIES LLC
	5	9025	MANUFACTURING ST	OUELLETTE JARRETT
	6	2001	LEVEE ST	DMPT HOLDINGS LLC
	7	115	MANUFACTURING ST	BURDINE C E
X	8	101	MANUFACTURING ST	IPENEMA INVESTMENTS LTF
	9	109	MANUFACTURING ST	CADDO RETAIL LTD
	10	107	MANUFACTURING ST	HAMILTON JACK &
X	11	111	MANUFACTURING ST	MADDOX WILLIAM P JR &
	12	2121	IRVING BLVD	WARREN BROTHERS CO
	13	2021	LEVEE ST	MADDOX WILLIAM P
X	14	2100	IRVING BLVD	MADDOX WILLIAM P JR &

AGENDA ITEM # 38

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 49 U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, on the south corner of Sam Houston Road and Masters Drive
Recommendation of Staff and CPC: Approval
Z156-345(PD)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-345(PD) **DATE FILED:** August 23, 2016

LOCATION: South corner of Sam Houston Road and Masters Drive

COUNCIL DISTRICT: 7 **MAPSCO:** 49U

SIZE OF REQUEST: ±1.294ac **CENSUS TRACT:** 121.00

OWNER: Phinias Pfuridzo

APPLICANT/REPRESENTATIVE: Dr. Don Any, ADI Engineering Inc.

REQUEST: An application for an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District.

SUMMARY: The applicant proposes to develop the property with a single story, 16 dwelling unit convalescent, and nursing homes, hospice care, and related institutions use. The zoning change will allow all uses within the MF-1(A) district.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The site is approximately ± 56,382 square feet.
- The site is heavily wooded and has never been developed.
- The applicant proposes to construct a 16-unit convalescent, and nursing homes, hospice care, and related institutions use.
- Building permits for an assisted living facility were applied for in June 2016 however permits were denied based on zoning prohibiting the use.
- Allowed in the MF-1 District, the convalescent, and nursing homes, hospice care, and related institutions use is subject to Residential Adjacency Review.

Zoning History: There have been no recent zoning changes in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Sam Houston Road	Minor Arterial	100 feet of ROW
Masters Drive	Minor Arterial	100 feet ROW

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the zoning change will not have a detrimental 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 site meets the following goals and objectives of the comprehensive plan.

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.

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.

Implementation Measure 1.1.5.4 Provide appropriate transitions between non-residential uses and neighborhoods to protect stability and quality of life.

Surrounding Land Uses:

	Zoning	Land Use
Site	NS(A)	Undeveloped
Northwest	TH-3(A) with deed restrictions	Single Family
Northeast	City of Mesquite	Single Family, Vacant
South	CR-D-1	Undeveloped
Southwest	MF-2(A) and R-7.5(A)	Multifamily, Vacant & Undeveloped
Southeast	CS-D-1	Warehouse, Storage

STAFF ANALYSIS:

Land Use Compatibility:

The request site is approximately 56,382 square feet of land that has never been developed. The current zoning of the property is NS(A) Neighborhood Service District. The applicant's request for an MF-1(A) Multifamily District will allow for the development of a convalescent and nursing homes, hospice care, and related institutions use on the property.

The request site is adjacent to high density single family uses to the northwest; vacant, undeveloped and multifamily uses to the southwest; warehouse and storage uses to the southeast; and retail and undeveloped uses to the south. To the northeast is a vacant tract and single family uses that lie within the city limit boundary of Mesquite. The multifamily zoning district will not only be consistent with the overall land use pattern of dense land uses but will also serve as a buffer separating the residential land uses to the northwest, community retail district to the south and commercial service district to the southeast.

The development potential is also limited because the property is directly adjacent to residential uses which subjects the institutional and community service use to Residential Adjacency Review. Residential Adjacency Review will limit the height of the structure, location of parking, and necessitate increased screening. Therefore the integration of the multifamily zoning district will not only complement the adjacent residential land use-types but will not serve to debase or change the already established residential landscape. Therefore staff strongly believes that a variety of different land uses can coexist under the same umbrella while maintaining the character of the neighborhood. Thus, staff recommends approval of the MF-1(A) Multifamily District.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
NS(A) Neighborhood service	15’	20’ adjacent to residential OTHER: No Min.	0.5 FAR	30’ 2 stories	40%	Proximity Slope from SF, TH & MF	Retail & personal service, office
Proposed							
MF-1(A) Multifamily	15’	10’	Min lot 3,000 sq. ft. 1,000 sq ft – E 1,400 sq. ft – 1 BR 1,800 sq ft – 2 BR +200 sq ft each add BR	36’	25%	Proximity Slope from SF, TH	Multifamily, duplex, single family

Landscaping: Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

City Plan Commission Action:
November 17, 2016:

Motion: It was moved to recommend **approval** of an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, on the south corner of Sam Houston Road and Masters Drive.

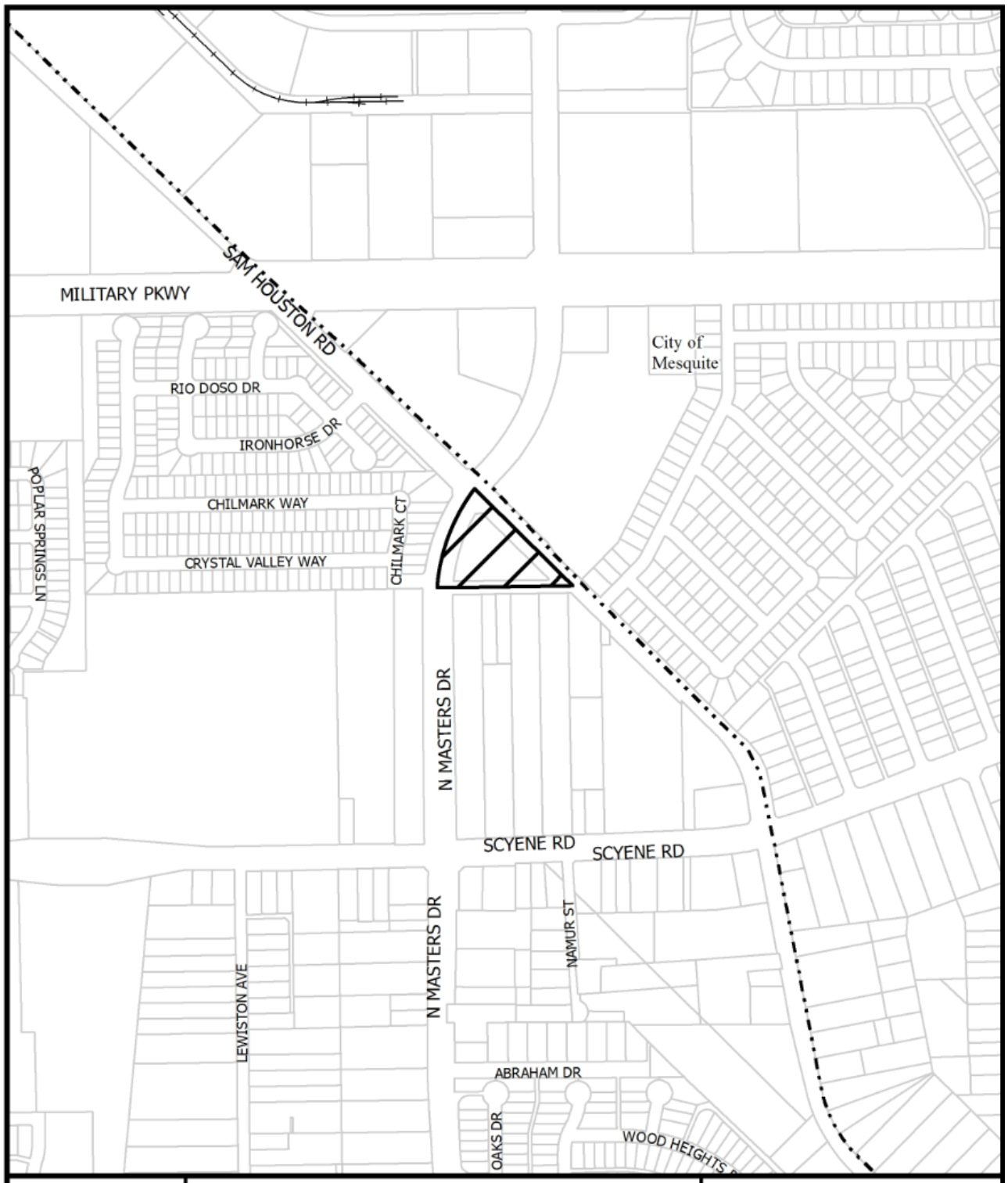
Maker: Houston
Second: Jung
Result: Carried: 13 to 0

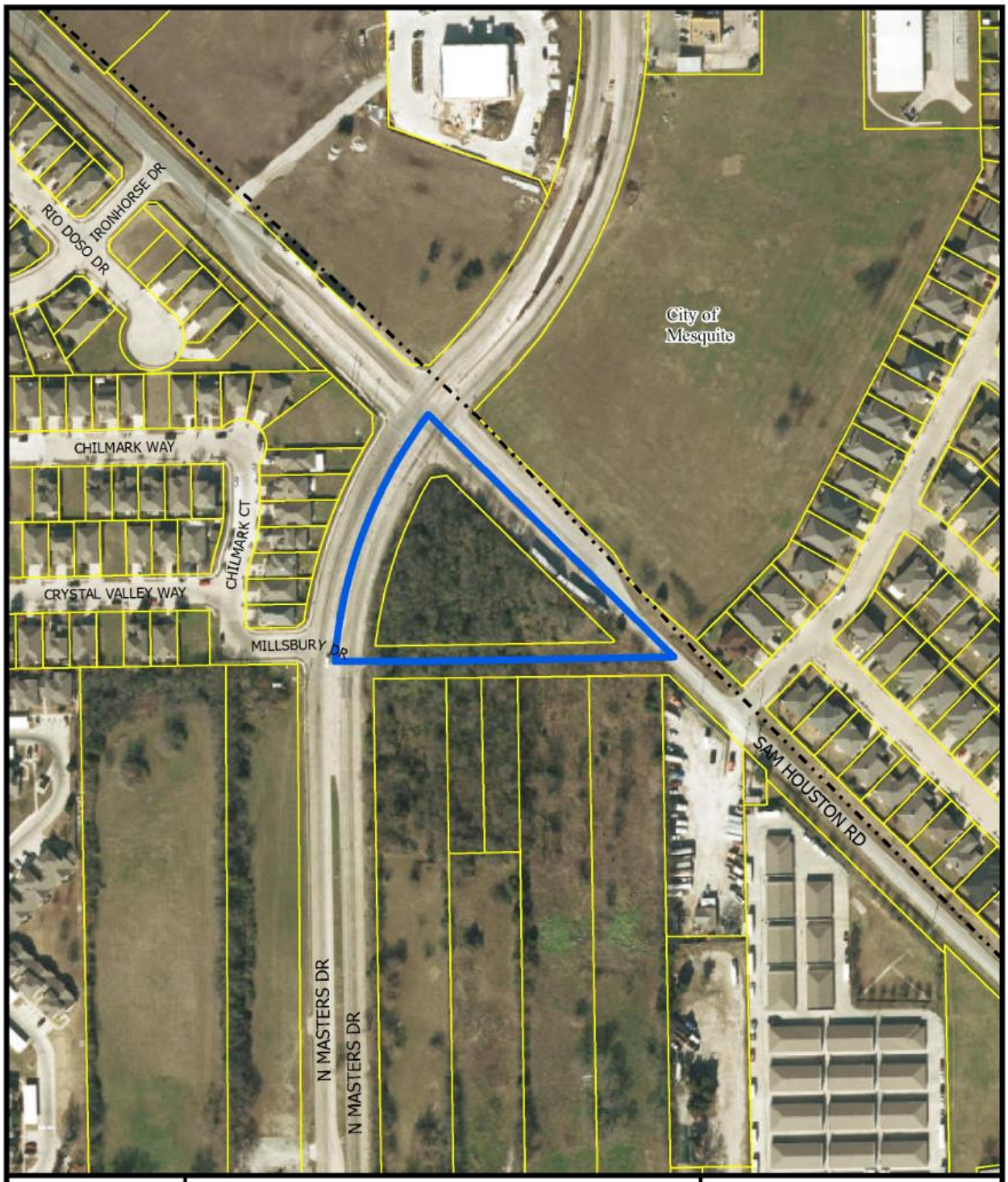
For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

Notices: Area: 300 Mailed: 42
Replies: For: 0 Against: 2

Speakers: None


MILITARY PKWY
SAM HOUSTON RD
City of Mesquite
RIO DOSO DR
IRONHORSE DR
POPLAR SPRINGS LN
CHILMARK WAY
CHILMARK CT
CRYSTAL VALLEY WAY
N MASTERS DR
SCYENE RD
SCYENE RD
N MASTERS DR
NAMUR ST
LEWISTON AVE
ABRAHAM DR
OAKS DR
WOOD HEIGHTS
1:6,000
VICINITY MAP
Case no: Z156-345
Date: 11/1/2016

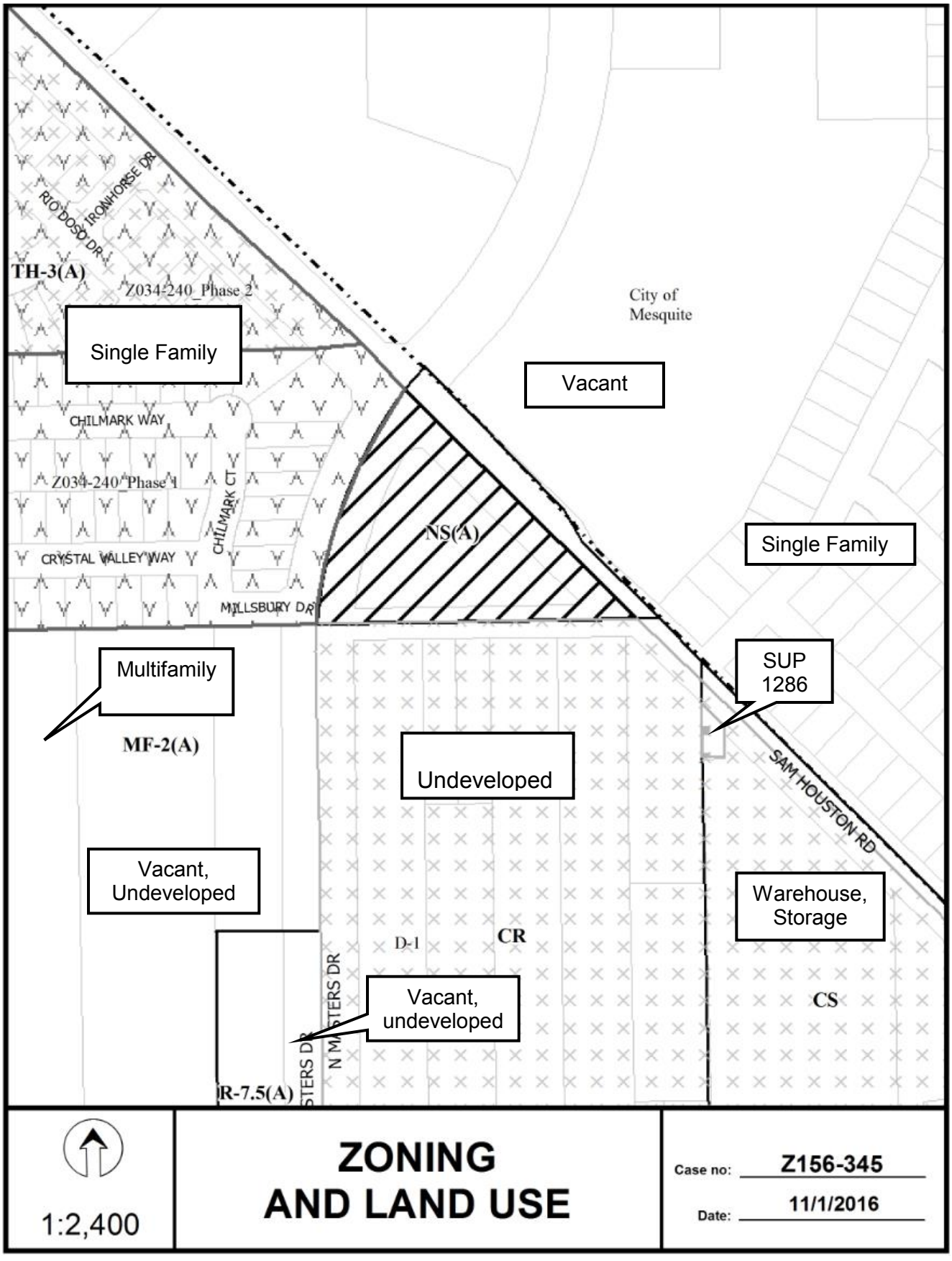


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AERIAL MAP

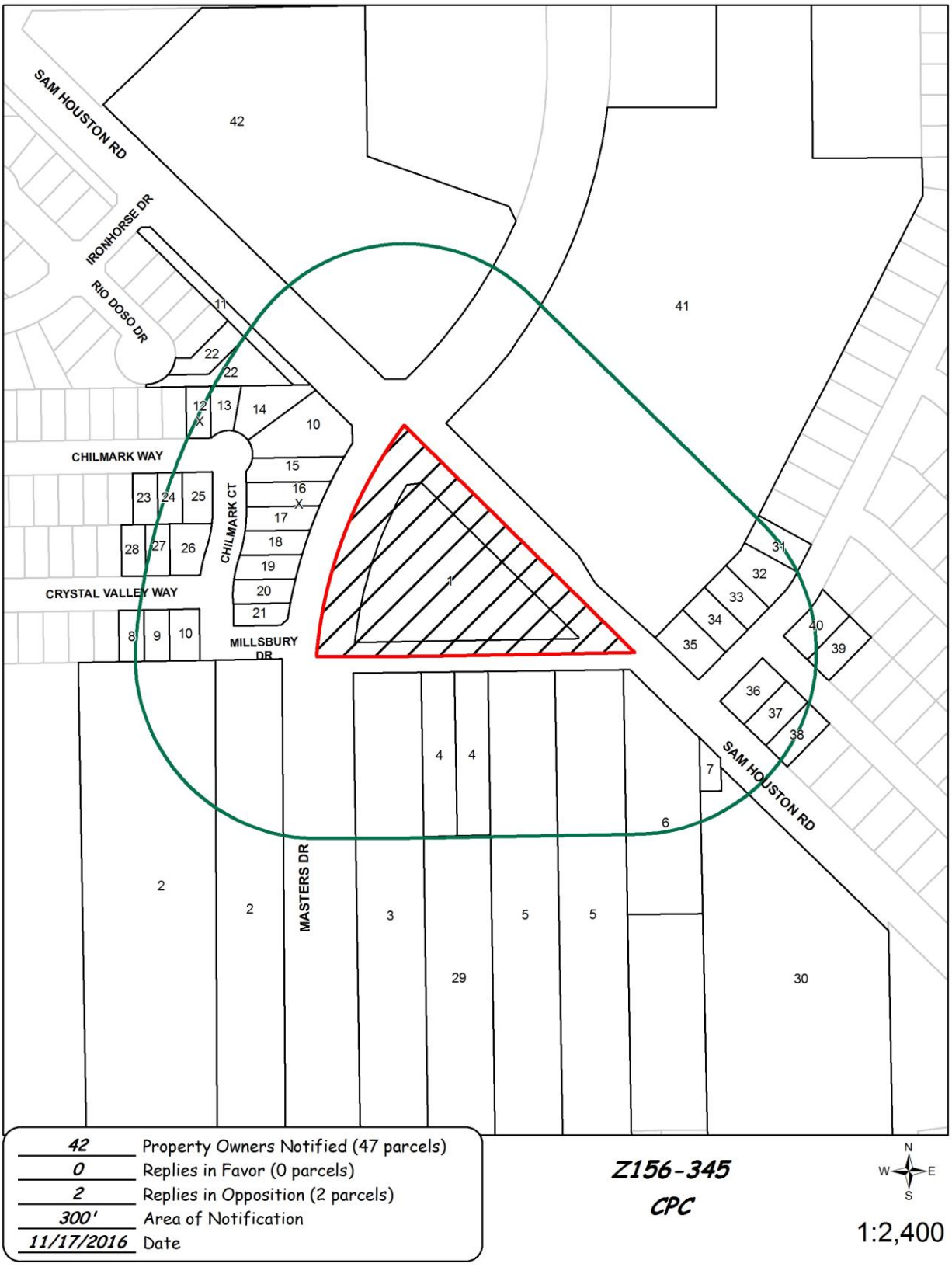
Case no: Z156-345

Date: 11/1/2016


TH-3(A)
Z034-240_Phase 2
Single Family
RIO DOSO DR
IRONHORSE DR
CHILMARK WAY
Z034-240_Phase 1
CHILMARK CT
CRYSTAL VALLEY WAY
MILLSBURY DR
City of Mesquite
Vacant
NS(A)
Single Family
Multifamily
MF-2(A)
SUP 1286
Undeveloped
SAM HOUSTON RD
Vacant, Undeveloped
Warehouse, Storage
D-1
CR
CS
N MASTERS DR
Vacant, undeveloped
R-7.5(A)
1:2,400
ZONING AND LAND USE
Case no: Z156-345
Date: 11/1/2016

Z156-345(PD)

CPC RESPONSES



11/16/2016

Reply List of Property Owners

Z156-345

42 Property Owners Notified ***0 Property Owners in Favor*** ***2 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3401	SAM HOUSTON RD	PFURIDZO PHINIAS &
	2	10121	SCYENE RD	UNITED HOLINESS
	3	10209	SCYENE RD	POOLE ANNE FRANCES
	4	10210	MILLSBURY DR	MOTLEY SAM H
	5	10221	SCYENE RD	PAYMA KHAJEHNOORI FAMILY TRUST THE
	6	3207	SAM HOUSTON RD	GARCIA JUAN CARLOS & ALMA ROCIO
	7	10317	SCYENE RD	MILLWEE STEPHEN M
	8	9948	CRYSTAL VALLEY WY	GARCIA FRANCISCO & VIRGINIA SILVA
	9	9950	CRYSTAL VALLEY WY	JOYA THELMA
	10	9952	CRYSTAL VALLEY WY	SHEPHERD PLACE HOMES INC
	11	1	IRONHORSE DR	PARKWAY VILLAGE HOMEOWNERS
X	12	9953	CHILMARK WY	JONES VICKIE
	13	9955	CHILMARK WY	WEBB LATONYA &
	14	9957	CHILMARK WY	REYNOLDS GARRETT
	15	3528	CHILMARK CT	MOLINA ROBERT III &
X	16	3524	CHILMARK CT	NATIONAL FUNDING SERIES 1 LLC
	17	3520	CHILMARK CT	BRAZLE VAUGHN
	18	3516	CHILMARK CT	OLLOQUI JUAN
	19	3512	CHILMARK CT	PROX OSCAR
	20	3508	CHILMARK CT	NAVARRO HECTOR
	21	3504	CHILMARK CT	MACES ARTURO MARTINEZ &
	22	9991	RIO DOSO DR	IDAYI CHIEDU
	23	9948	CHILMARK WY	MSR I ASSETS CO LLC
	24	9950	CHILMARK WY	TZENG REALTY LLC
	25	9952	CHILMARK WY	ANDERSON DWAYNE
	26	9953	CRYSTAL VALLEY WY	PARRA RAMON &

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	27	9951	CRYSTAL VALLEY WY	RODAS PATRICIA & JOSE
	28	9949	CRYSTAL VALLEY WY	REYNA RUBY
	29	10215	SCYENE RD	FARAN DENTAL ASSOCIATES
	30	10331	SCYENE RD	SCYENE STORAGE LP
	31	305	STONERIDGE DR	SUTTLES VICKI
	32	309	STONERIDGE DR	MALVEAUX KASHONA
	33	313	STONERIDGE DR	RODRIGUEZ DANIEL GARCIA
	34	317	STONERIDGE DR	EDWARDS UDUAK
	35	321	STONERIDGE DR	JORDAN WILLIAM &
	36	2937	MEADOWLARK DR	MURILLO LAURA
	37	2933	MEADOWLARK DR	TINOCO MICHELE
	38	2929	MEADOWLARK DR	GAHA FAMILY NO 10 LLC
	39	2928	MEADOWLARK DR	PALUMBO BRITTANY N &
	40	2932	MEADOWLARK DR	MENSAH MICHAEL K &
	41	3000	S TOWN EAST BLVD	BOWIE WILLIAM H ET AL
	42	3200	MILITARY PKWY	BOWIE WM H ET AL

AGENDA ITEM # 39

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 69 M

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and deed restrictions on the northwest corner of Haymarket Road and Oakwood Drive
Recommendation of Staff and CPC: Approval with retention of the D-1 Liquor Control Overlay
Z156-347(LE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-347(LE) **DATE FILED:** August 24, 2016

LOCATION: Northwest corner of Haymarket Road and Oakwood Drive

COUNCIL DISTRICT: 8 **MAPSCO:** 69-M

SIZE OF REQUEST: ±.78 acres **CENSUS TRACT:** 116.02

APPLICANT/OWNER:	Pedro F. Alvarez
REQUEST:	An application for an R-7.5(A) Single Family District on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and deed restrictions
SUMMARY:	The applicant proposes to develop the property with a single family residence. The zoning change will allow all uses within the R-7.5(A) District. The property is currently undeveloped.
CPC RECOMMENDATION:	**Approval** with retention of the D-1 Liquor Control Overlay.
STAFF RECOMMENDATION:	**Approval** with retention of the D-1 Liquor Control Overlay.

BACKGROUND INFORMATION:

- The site is approximately ± .78 acres in size and is currently undeveloped.
- The request is to rezone the property to allow for a single family residence.
- There are deed restrictions on the property that limit the use of the property to 'garden shop, plant sales, or green house use and all uses permitted in a R-7.5(A) zoning district.'
- A garden shop, plant sales, or green house use is not permitted in the R-7.5(A) District. Deed restrictions cannot permit a use that is prohibited by zoning.

Zoning History: There have been no recent zoning changes in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	R.O.W.
Oakwood Drive	Minor Arterial	60'
Haymarket Road	Minor Arterial	60'

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	CR-D-1 w/ deed restrictions	Undeveloped
North	R-7.5(A)	Single Family
South	R-7.5(A)	Single Family & Undeveloped
East	A(A)	Undeveloped
West	CR-D-1 w/ deed restrictions	Single Family & Retail

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. However, there are no specific goals and policies in the fowardDallas! Comprehensive Plan that either supports or discourages the proposed development. Staff supports the zoning change based on land use compatibility.

STAFF ANALYSIS:

Land Use Compatibility:

The request site encompasses approximately 33,977 square feet of undeveloped land. The existing zoning of the property is CR-D-1 Community Retail with a D-1 Liquor Control Overlay. There are also deed restrictions on the property that limit the allowed uses to: garden shop, plant sales, or green house use and all uses permitted in a R-7.5(A) District. The applicant is requesting the zoning change in order to build a single family residence on the property.

The property is surrounded by single family and undeveloped uses to the south; undeveloped uses to the east; single family use to the north; and single family and retail uses to the west. The deed restrictions will remain on the property, but garden shop, plant sales, or green house uses will not be allowed as the uses are not allowed in the R-7.5(A) District.

Staff has reviewed the applicant's request and supports the request for an R-7.5(A) District. The proposed zoning district and use of the property will be compatible with the surrounding zoning and development in the area.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
CR-Community retail with deed restrictions	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	garden shop, plant sales, or green house use and all uses permitted in a R-7.5(A)
Proposed							
R-7.5(A) Single Family* (*Deed Restrictions will remain on the property, but garden shop, plant sales, or green house uses will not be allowed)	25'	Side 5'/ Rear 10'	1 Dwelling Unit/7,500 sq. ft.	30'	45%		Single Family

CPC Action
November 10, 2016:

Motion: It was moved to recommend **approval** of an R-7.5(A) Single Family District with retention of the D-1 Liquor Control Overlay on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay with deed restrictions on the northwest corner of Haymarket Road and Oakwood Drive.

Maker: Haney
Second: Peadon
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

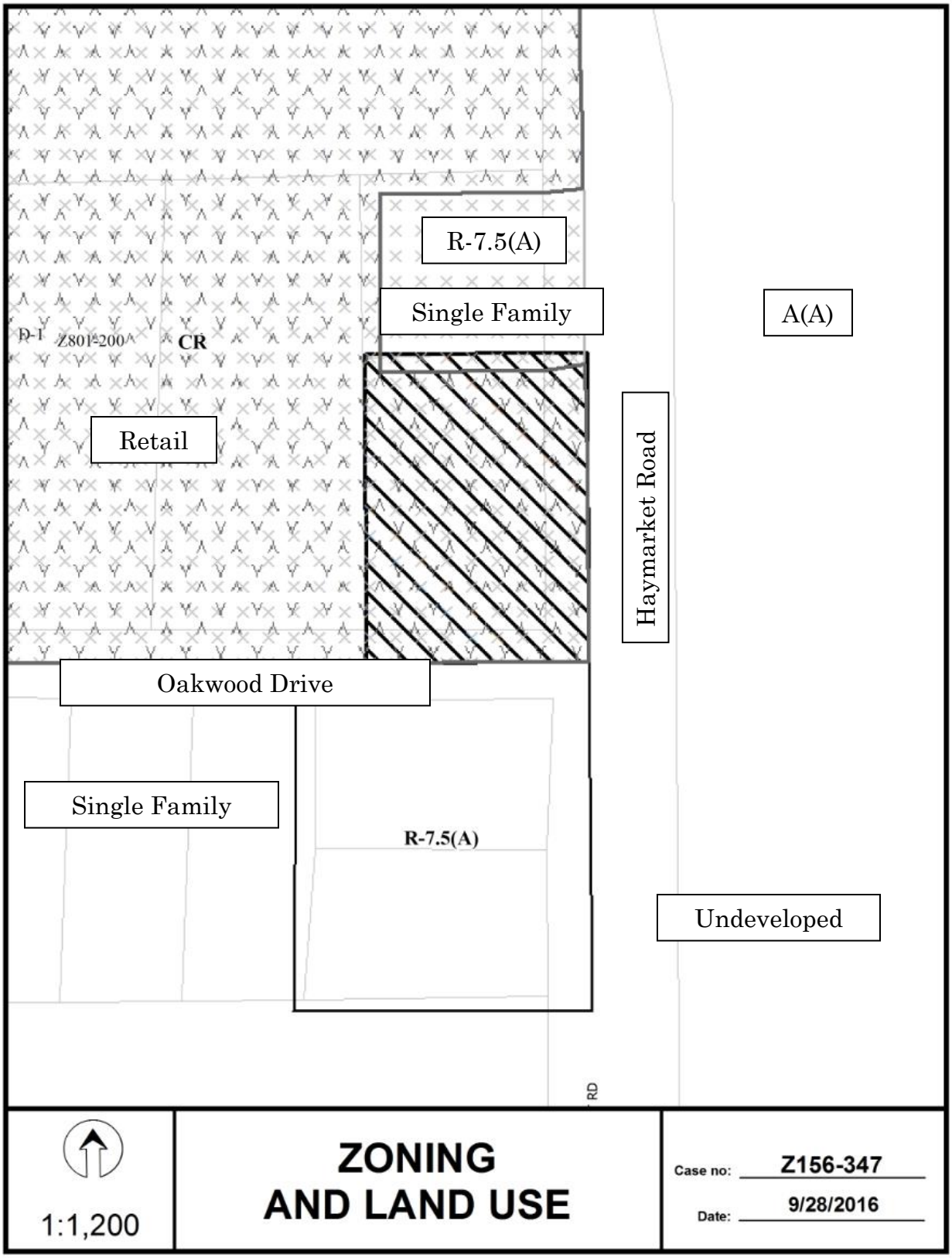
Against: 0
Absent: 0
Vacancy: 1 - District 7

Notices: Area: 200 Mailed: 8
Replies: For: 0 Against: 0

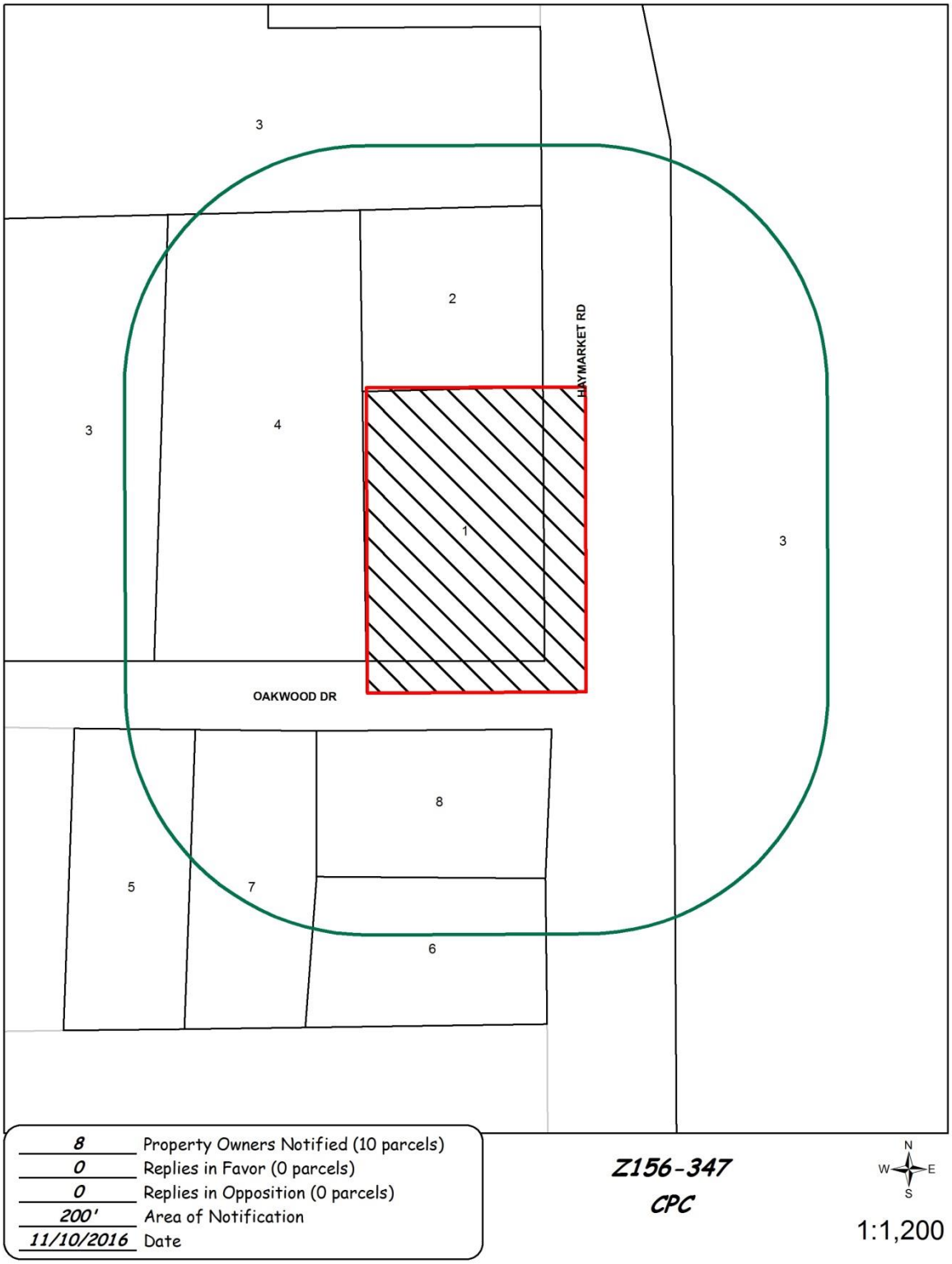
Speakers: None


L B J FWY
L B J ACRD
SEWELL DR
HAYMARKET RD
OAKWOOD DR
TEAGARDEN RD
1:4,800
VICINITY MAP
Case no: Z156-347
Date: 9/23/2016


HAYMARKET RD
OAKWOOD DR
1:1,200
AERIAL MAP
Case no: Z156-347
Date: 9/23/2016


R-7.5(A)
Single Family
A(A)
D-1
Z801-200
CR
Retail
Haymarket Road
Oakwood Drive
Single Family
R-7.5(A)
Undeveloped
RD
1:1,200
ZONING
AND LAND USE
Case no: Z156-347
Date: 9/28/2016

CPC Responses



09/23/2016

11/09/2016

Reply List of Property Owners

Z156-347

8 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	10540	OAKWOOD DR	ALVAREZ PEDRO FERNANDO
	2	1699	HAYMARKET RD	SOSA JOSE HUGO & KAREN
	3	1651	HAYMARKET RD	RUIBAL FARMS LP
	4	10531	OAKWOOD DR	BAKER GERALD A
	5	10526	OAKWOOD DR	ESPINO GONZALO
	6	1723	HAYMARKET RD	SWEET BILLIE JEANE
	7	10530	OAKWOOD DR	MEDINA ARACELI &
	8	9999	OAKWOOD DR	GUTIERREZ ADEL

AGENDA ITEM # 40

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 45 T

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict for Subdistrict 3A uses and an alcoholic beverage manufacturing use on property zoned Subdistrict 3A within Planned Development District No. 317, the Cedars Area Special Purpose District; southeast of Cadiz Street, between South Austin Street and South Lamar Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z156-353(SH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-353(SH) **DATE FILED:** August 29, 2016

LOCATION: Southeast of Cadiz Street, between South Austin Street and South Lamar Street.

COUNCIL DISTRICT: 2 **MAPSCO:** 45-T

SIZE OF REQUEST: Approx. 0.93 acres **CENSUS TRACT:** 0204.00

OWNER: Design and Production, Inc.

APPLICANT: TOD Dallas Acquisition, LLC

REPRESENTATIVE: William S. Dahlstrom

REQUEST: An application for a new subdistrict for Subdistrict 3A uses and an alcoholic beverage manufacturing use on property zoned Subdistrict 3A within Planned Development District No. 317, the Cedars Area Special Purpose District.

SUMMARY: The purpose of this request is to allow for the adaptive reuse of a portion of the existing industrial building on the subject site for a distillery [Treaty Oak Distilling Company]. The conditions propose to limit the size of the area devoted to manufacturing, blending, fermentation, processing, and packaging of alcoholic beverages to no more than 10,000 square feet. The proposed use will include accessory retail and food sales, as well as a tasting room and tours. The remainder of the structure will continue to be occupied by the existing office showroom/warehouse use.

CPC RECOMMENDATION: **Approval**, subject to conditions

STAFF RECOMMENDATION: **Approval**, subject to conditions

BACKGROUND INFORMATION:

- The request site is currently improved with an industrial building that is occupied with an office showroom/warehouse use.

- The applicant proposes to utilize a portion of the existing building for a distillery; however, an alcoholic beverage manufacturing use is currently not a permitted use within Subdistrict 3A of PDD No. 317. The applicant's proposed conditions will limit the floor area devoted to manufacturing, blending, fermentation, processing, and packaging of alcoholic beverages to no more than 10,000 square feet.

- The proposed use will include accessory retail and food sales, as well as a tasting room and tours. The remainder of the structure will continue to be occupied by the existing office showroom/warehouse use

Zoning History: There has been one zoning case in the area over the past five years.

1. **Z145-342** On November 10, 2015, the City Council approved a Demolition Delay Overlay District in the greater Downtown area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
South Austin Street	Local Street	60 feet
South Lamar Street	Principal Arterial	80 feet

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed redevelopment will have no significant impact on the surrounding street system.

Surrounding Land Uses:

	Zoning within PDD No. 317	Land Use
Site	(Subdistrict 3A)	Office Showroom/Warehouse
Northeast	(Subdistrict 3A)	Undeveloped Land
Southeast	(Subdistrict 3A)	Restaurant *(Gilley's Music Hall)*
Southwest	(Subdistrict 3A)	Surface Parking Lot
Northwest	(Subdistrict 3A)	Theater *(Alamo Drafthouse Cinema)*

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.1.5 Use Vision Building Blocks as a general guide for desired development patterns.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

The Plan classifies the area as an Urban Mixed Use Building Block. Urban mixed-use areas provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. By creating an appealing streetscape, the proposed development will allow people on foot or bike to enjoy an interesting storefront at ground level, which is aligned with the attributes of an urban mixed use area. They are also typically characterized by having large parking areas and other auto-oriented land uses located at the edges, which is consistent with the character of the proposed development. The proposed distillery will include accessory retail and food sales, as well as a tasting room and tours, which are all complementary to the variety of the uses in the immediate area. The proposed use promotes walkability in the area as well as encourages a combination of transportation nodes due to its close proximity to the Cedars DART station.

STAFF ANALYSIS:

Land Use Compatibility:

The subject site is currently improved with an industrial building, occupied with an office showroom/warehouse use. The property to the southeast is occupied by a restaurant and a theater is located immediately northwest of the subject site. The property to the northeast across South Lamar Street is undeveloped, with community service and multifamily uses located beyond the vacant parcel. The properties to the southwest contain an undeveloped tract of land, a parking lot, and railroad tracks.

Per the PDD, the purpose of Subdistrict 3A is to:

> *Encourage high-density residential, retail, office, and lodging uses in compatible combinations within walking distance of DART light rail stations; and to encourage development that supports day and night-time activity, use of mass transit, increased pedestrian and bicycle use, and more efficient use of parking spaces.*

The applicant proposes to utilize a portion of the existing building for a distillery; however, an alcoholic beverage manufacturing use is currently not a permitted use within Subdistrict 3A of PDD No. 317. The applicant's proposed conditions will limit the floor area devoted to manufacturing, blending, fermentation, processing, and packaging of alcoholic beverages to no more than 10,000 square feet. The applicant has indicated that retail and food sales, as well as a tasting room and tours will be additional uses that will occupy the remainder of their lease space. The remainder of the structure will continue to be occupied by the existing office showroom/warehouse use.

In order to promote a more walkable, pedestrian-friendly development, the applicant is proposing enhanced pedestrian amenities along the South Lamar Street and South Austin Street frontages. The site is in close proximity to the Cedars DART Station, and in combination with the adjacent land uses, the proposed development will support day and night-time pedestrian activity.

Landscaping:

Landscaping will be in accordance with the landscaping requirements in PDD No. 317.

Parking:

The minimum required parking for the proposed use is consistent with Chapter 51A requirements and the PDD conditions further specify that the food preparation area will be parked at the same ratio of retail sales and seating. The proposed parking is as follows:

Use	Required off-street parking
Alcoholic beverage manufacturing	One space per 600 sq. ft. of floor area
Storage	One space per 1,000 sq. ft. of floor area
Retail sales and seating *(PD includes food preparation areas)*	One space per 100 sq. ft. of floor area

Per Chapter 51A regulations, special parking may not account for more than 50 percent of the off-street parking required for any use. However, the PDD proposes that there be no limitation on the percentage of required parking spaces that can be provided by remote parking or other special parking. In addition, the PDD also proposes a 40 percent parking reduction, and increases the allowable walking distance for remote parking from 300 feet to 1,300 feet.

In order to take advantage of these incentives, the applicant is proposing to provide a variety of enhanced pedestrian amenities. Enhanced pedestrian amenities refer to a higher standard of improvements aimed at increasing the attractiveness of the street for pedestrians. The PD conditions provide for the following amenities:

a) Planter boxes will be installed and maintained along the Lamar Street curb having a minimum width of 12 inches and a minimum soil depth of 14 inches and planted with evergreen and seasonal plantings. The length of the adjacent street frontage occupied by the planter boxes will be between 40 and 50 percent. Planter boxes will be constructed of fiberglass, concrete or metal and not exceed 24 inches in height;
b) Screening meeting the requirements of Section 51A-4.602 will be provided for the length of the loading dock area along S. Austin Street, except for visibility triangles;
c) Windows will be provided within the S. Austin Street façade;
d) The sidewalk along Austin Street to the northwest of the property will be extended along the Austin Street side of the property, and a pedestrian scaled light fixture will be installed adjacent to the sidewalk, if permitted by the director of public works; and
e) Trash receptacles will be provided along the Lamar Street and Austin Street sidewalk areas.

These amenities will improve the Lamar Street and Austin Street frontages and encourage pedestrian activity thus allowing for a more walkable development. In addition to these site enhancements which promote walkability, staff supports the proposed parking reduction and increased walking distance to remote parking because the lot is already fully developed at 100 percent lot coverage, adjacent surface parking lots are in close proximity to the site, and the DART station is within walking distance. Furthermore, the proposed use will allow for the reuse of an older industrial building, which is consistent with the spirit and intent of this proposed subdistrict within PDD No. 317.

CPC ACTION – November 17, 2016:

Motion: It was moved to recommend **approval** of a new subdistrict for Subdistrict 3A uses and an alcoholic beverage manufacturing use, subject to conditions on property zoned Subdistrict 3A within Planned Development District No. 317, the Cedars Area Special Purpose District, southeast of Cadiz Street, between South Austin Street and South Lamar Street.

Maker: Rieves
Second: Houston
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis*, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 15
Replies: For: 1 Against: 0

Speakers: For (Did not speak): Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
Against: None

Applicant Partners/Principals/Officers

President:
Adam Williams

PROPOSED PDD CONDITIONS

Note: Due to the size of the PD, only the portions of the conditions pertinent to this request are included in this report.

SEC. 51P-317.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless the context clearly indicates otherwise, in this article:

(1) AREA means one of the areas referred to in Section 51 P-317.105 of this article.

(2) DIR means development impact review pursuant to Division 51A-4.800.

(2.1) ENHANCED PEDESTRIAN AMENITIES means improvements located in the enhanced pedestrian amenities area that are designed to encourage pedestrian traffic, and that meet all of the standards set forth in Section 51P-317.112.1(c).

(2.2) ENHANCED PEDESTRIAN AMENITIES AREA means an area used by pedestrians adjacent to a street, and that meets all of the standards set forth in Section 51P-317.112.1 (c).

(3) LARGE TREE means a tree of a species which normally reaches a height of 30 feet or more upon maturity.

(3.1) LEGACY BUILDING means a building constructed on or before January 1, 1960.

(4) OWNER means the owner or owners, from time to time, of property in this district.

(5) PARAGRAPH means the first division of a subsection. Paragraphs are designated by arabic numerals in parentheses, e.g. “(1).”

(6) PARKWAY means that portion of the street right-of-way located between the street curb and the front lot line.

(7) PROJECTED STREET CURB means the future location of the street curb consistent with the city’s thoroughfare plan, as determined by the director of public works and transportation.

(8) RAR means residential adjacency review pursuant to Division 51A-4.800.

(8.1) RECYCLABLE MATERIALS means clothing, aluminum cans, steel cans, glass, paper, plastics, and household and industrial metals.

(9) SECTION means a section of this article.

(10) SUBPARAGRAPH means the first division of a paragraph. Subparagraphs are designated by capital letters in parentheses, e.g. “(A).”

(11) SUBSECTION means the first division of a section. Subsections are designated by lower case letters in parentheses, e.g. "(a)."

(12) SUP means specific use permit.

(13) THIS DISTRICT means the entire planned development district created by Ordinance No. 20395, as amended.

(b) Unless otherwise stated, the definitions contained in Chapter 51A apply to this article. In the event of a conflict, this article controls.

(c) Unless otherwise stated, all references to code divisions or sections in this article refer to divisions or sections in Chapter 51A.

(d) The provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," relating to site plans, conceptual plans, and development plans do not apply to this district.

(e) Section 51A-2.101, "Interpretations," applies to this article.

(f) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only.

(3) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(4) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803. ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800.)

(5) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, 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.)

(g) 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:

(1) this district and each subdistrict within this district except Subdistrict 1 is considered to be a "nonresidential zoning district"; and

(2) Subdistrict 1 is considered to be a residential district. (Ord. Nos. 20395; 24826; 24872; 25160; 29197)

SEC. 51P-317.105. CREATION OF SEPARATE SUBDISTRICTS.

This district is divided into ~~10~~ 11 subdistricts: 1, 2, 2A, 2B, 3, 3A, , 3C, 4, 4A, 5, and 6. The boundaries of all subdistricts are verbally described in Exhibit 317A. A map showing the boundaries of the subdistricts is labeled Exhibit 3178. If there is a conflict, the verbal descriptions in Exhibit 317A control over the graphic description in Exhibit 3178. (Ord. Nos. 24503; 24826; 24872; 25160; 27194; 27402; 29197)

SEC. 51P-317.111. USE REGULATIONS AND DEVELOPMENT STANDARDS.

The following use regulations and development standards apply in the various subdistricts and are summarized in the chart attached as Exhibit 317D. In the event of a conflict, the text in this section controls over the graphic representations and text in Exhibit 317D.

(d) Subdistrict 3A and 3C (Transit-oriented High Density Mixed Use).

(1) Purpose. To encourage high-density residential, retail, office, and lodging uses in compatible combinations within walking distance of DART light rail stations; and to encourage development that supports day and night-time activity, use of mass transit, increased pedestrian and bicycle use, and more efficient use of parking spaces.

(2) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Building repair and maintenance shop.
-- Custom business services.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Job or lithographic printing.
-- Machinery, heavy equipment, or truck sales and services.
-- Medical or scientific laboratory.
-- Technical school.

(C) Industrial uses.

-- Alcoholic beverage manufacturing. *[Permitted in only in a legacy building in Subdistrict 3C. The floor area devoted to manufacturing, blending, fermentation, processing, and packaging of alcoholic beverages must not exceed 10,000 square feet, and any spent grains stored outside are in sealed containers. Food service and meeting and event space are permitted with this use.]*
-- Art or craft production facility.
-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(D) Institutional and community service uses.

-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center.
-- Convalescent and nursing homes and related institutions.
-- Convent or monastery.
-- Foster home.
-- Hospital.
-- Library, art gallery, or museum.
-- Public or private school.

(E) Lodging uses.

-- Hotel or motel.
-- Lodging or boarding house.

(F) Miscellaneous uses.

-- Carnival or circus (temporary). *[By special authorization of the building official.]*
-- Temporary construction or sales office.

(G) Office uses.

-- Financial institution without drive-in window.
-- Medical clinic or ambulatory surgical center.
-- Office.

(H) Recreation uses.

-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(I) Residential uses.

-- Duplex.
-- Handicapped group dwelling.
-- Multifamily.
-- Single family.

(J) Retail and personal service uses.

-- Animal shelter or clinic without outside run.
-- Auto service center.
-- Bar, lounge, or tavern.
-- Business school.
-- Commercial amusement (inside).
-- Commercial parking lot or garage.

-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store more than 3,500 square feet.
-- Household equipment and appliance repair.
-- Liquor store.
-- Motor vehicle fueling station.
-- Nursery, garden shop, or plant sales.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service.
-- Temporary retail use.
-- Theater.

(K) Transportation uses.

-- Heliport.
-- Helistop. *[SUP]*
-- Railroad passenger station. *[SUP]*
-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[SUP]*

(L) Utility and public service uses.

-- Commercial radio or TV transmitting station.
-- Electrical substation. *[SUP]*
-- Local utilities. *[SUP or RAR may be required. See Section 51A-4.212(4).]*
-- Police or fire station.
-- Post office.
-- Tower/antenna for cellular communication. *[SUP. See Section 51A-4.212(10.1).]*
-- Utility or government installation other than listed.

(M) Wholesale, distribution, and storage uses.

-- Mini-warehouse.
-- Office showroom/warehouse.
-- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
-- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*
-- Warehouse.

(3) Accessory uses. As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217.For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this subdistrict:

-- Accessory outside sales.
-- Accessory pathological waste incinerator.
-- Day home.
-- General waste incinerator.
-- Private stable.

(B) In this subdistrict, the following accessory use is permitted by SUP only:

-- Pedestrian skybridges.

(C) In this subdistrict, an SUP may be required for the following accessory use:

-- Accessory medical waste/infectious waste incinerator. *[See Section 51A-4.217(3.1).]*

(4) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this paragraph and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. No minimum front yard.

(B) Side and rear yard.

(i) Except as provided in this paragraph, n[~~N~~]o side or rear yard is required; however, if a side or rear yard is provided, it must be a minimum of 10 feet.

(ii) For a legacy building in Subdistrict 3C, if a side yard is provided, it may be less than three feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 4.5 for a structure with at least 50 percent of its total floor area devoted to residential uses and 50 percent or more of the ground floor area is restricted to retail and personal services uses; and

(ii) 4.0 for all other structures.

(E) Height. Maximum structure height is:

(i) 270 feet for a structure where at least 50 percent of its total floor area devoted to residential uses and 50 percent or more of the ground floor area is restricted to retail and personal services uses; and

(ii) 90 feet for all other structures.

(F) Lot coverage.

(i) A lot [~~in this subdistrict~~] with frontage on Lamar Street or Bellview Street is permitted 100 percent lot coverage if the owner of the lot provides and maintains enhanced pedestrian amenities in the enhanced pedestrian amenities area for that lot. See Section 51P-317.112.1(c) for enhanced pedestrian amenities regulations.

(ii) Maximum lot coverage is 80 percent in all other cases.

(iii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading.

(A) In general. Except as provided in this article, consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(B) Tandem parking. For single family, duplex, and multifamily uses, tandem parking is permitted.

(C) Multifamily. One off-street parking space per bedroom per dwelling unit is required; not less than one space or more than two spaces are required for each dwelling unit.

(D) Alcoholic beverage manufacturing in Subdistrict 3C. Off-street parking for food service preparation and seating areas must be provided at a ratio of one space per 100 square feet of floor area.

(E) On-street parking credit. Required parking for nonresidential and multifamily uses may be reduced by one space for every parking space in the street right-of-way abutting the use. To receive credit, parking spaces must be marked per city regulations and must be approved by the director of public works and transportation.

(i) An on-street parking space may not be used to reduce the required parking for more than one use (i.e. it cannot be counted more than once as a space for a use), except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(ii) 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.

(iii) If the director of public works and transportation determines that on-street parking in the street right-of-way abutting the use, approved in accordance with Paragraph (5)(D), has become a traffic hazard and prohibits the on-street parking, the on-street parking credit will be treated as a delta credit.

(F[~~E~~]) Pedestrian amenities parking reduction.

(i) Parking for uses on a lot that are located within 1,500 feet of a Dallas Area Rapid Transit (DART) light rail station may be reduced by 40 percent if enhanced pedestrian amenities are provided.

(ii) To qualify,

(aa) the enhanced pedestrian amenities must be located within the pedestrian amenities area on the lot or on the parkway abutting the lot receiving the reduction, and

(bb) the enhanced sidewalk must provide the shortest walking pathway to the DART light rail station.

(iii) See Section 51P-317.112.1(c) for enhanced pedestrian amenities regulations.

(G[~~F~~]) Remote parking.

(i) Remote parking may be located within a maximum walking distance of 1,300 feet from the use served by the remote parking if there are enhanced pedestrian amenities in the enhanced pedestrian amenities area connecting the lot to the remote parking lot. See Section 51P-317.112.1(c) regarding enhanced pedestrian amenities.

(ii) For a legacy building in Subdistrict 3C, there is no limitation on the percentage of required parking spaces that can be provided by remote parking or other special parking.

(H) Loading docks. For a legacy building in Subdistrict 3C, uses may share loading docks.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations.

(A) In general. This subdistrict is exempt from compliance with Article X of Chapter 51A, except that Article X requirements for street trees, site trees, parking lot trees, parking lot screening, garbage storage screening, and off-street loading screening, apply in this subdistrict, as modified in this paragraph.

(B) Street trees. The city arborist recommends the list of trees set forth in the street tree subparagraph of the landscaping regulations for Subdistrict 1 as being most suitable for planting in this subdistrict, and the city strongly encourages the use of these trees as street trees. It is the responsibility of the property owner to apply for and obtain a

parkway landscape permit before locating street trees in the parkway. For more information regarding the parkway landscape permit requirement, consult Section 51 P-317.112 of this article.

(C) Parking lot trees. A parking lot may not contain more than 60,000 square feet of paved area uninterrupted by a row or cluster of trees.

(D) Site trees.

(i) No site trees are required in this subdistrict for a lot with frontage on Lamar Street or Bellview Street if the lot has 100 percent lot coverage and the owner of the lot provides and maintains enhanced pedestrian amenities (see Section 51 P-317.112.1(c)) along the frontage of the lot.

(ii) Alternate methods of compliance. In all other cases, the site tree requirements of Division 51A-10.125, "Mandatory Provisions," of Article X apply with the following additional provisions. If a property owner in this subdistrict cannot plant all of the required site trees on the lot, the property owner may comply with one of the following two requirements for up to a maximum of 50 percent of the required site trees:

(aa) Plant the trees in the parkway along the frontage of the lot, in addition to required street trees, with the written permission of the building official.

(bb) Make a payment into the Cedars Open Space Fund.

(iii) Cedars open space fund. The department of development services shall administer a city account to be known as the Cedars Open Space Fund. Funds from the Cedars Open Space Fund must be used only for acquiring park and open-space property, and for the purchase, planting, and maintenance of landscaping on public property in Subdistrict 3A. The amount of the payment required for each site tree not planted is calculated by using the formula for appraising the value of a two-inch tree, as derived from the most recent edition of the Guide for Establishing Values of Trees and Other Plants published by the Council of Tree & Landscape Appraisers, unless another publication is designated by the building official, and adding the cost of planting and maintaining a two-inch tree for two years.

(E) Nonpermeable coverage.

(i) A lot in this area with frontage on Lamar Street or Bellview Street may have a maximum of 100 percent non permeable coverage if the owner of the lot provides and maintains enhanced pedestrian amenities along the frontage of the lot. See Section 51P-317.112.1(c) regarding enhanced pedestrian amenities.

(ii) Maximum nonpermeable coverage of a lot is 90 percent in all other cases.

(8) Additional provisions.

Minimum sidewalk width.

(A) All lots with frontage on Lamar Street or Bellview Street must have a sidewalk along the Lamar Street or Bellview Street frontage with a minimum unobstructed width of seven and one-half feet.

(B) All other lots must have a sidewalk along the street frontage with a minimum unobstructed width of six feet.

SEC. 51P-317.112.1. PEDESTRIAN AMENITIES IN THE PARKWAY.

(a) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners, or with the written consent of the owners, to the tenants ("property owner") of all parkway property in Subdistrict 1, 2, 3, 3A, 3C and 4 (the "premises") for the exclusive purpose of authorizing compliance with the enhanced pedestrian amenities provisions of this article. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway amenities permit in accordance with the Dallas Building Code, or Subsection (b) of this section. This private license shall not terminate at the end of any specific time period, however, the city council reserves and has the absolute right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city of the necessity for such termination shall be final and binding and the city shall become entitled to possession of the premises without giving any notice and without the necessity of legal proceedings to obtain possession whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a public safety issue. Upon termination of the license by the director, each property owner shall remove all improvements and installations in the public rights-of-way in a manner satisfactory to the director of public works and transportation.

(2) A property owner is not required to comply with any enhanced pedestrian amenities requirement if compliance is made impossible due to the property management director's revocation of a parkway amenities permit or the revocation of the license granted herein affecting enhanced pedestrian amenities.

(3) Upon the installation of enhanced pedestrian amenities in the parkway, the property owner shall procure, pay for and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the license granted herein, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, with a $2,000,000 annual aggregate. Coverage under this liability policy shall be on an "occurrence" basis and the city shall be named as additional insured. Proof of such insurance shall be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201 and the policy shall provide for 30 days prior written notice to the office of risk management of cancellation, expiration, non-renewal or material change in coverage. All subrogation rights for loss or damage against the city are waived to the extent same are covered by the liability insurance policy.

(4) Each property owner shall be responsible for maintaining the enhanced pedestrian amenities in good repair and condition and to keep the premises safe and from deteriorating in value or condition, at no expense to the city, and the city shall be absolutely exempt from any requirements to make repairs or to maintain the enhanced pedestrian amenities. The granting of a license for enhanced pedestrian amenities under this section does not release the property owner from liability in the installation or maintenance of trees, landscaping, and enhanced pedestrian amenities in the parkway.

(b) Parkway pedestrian amenities permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway pedestrian amenities permit before locating trees or other amenities in the parkway. An application for a parkway pedestrian amenities permit must be made to the director of public works and transportation before an application for a building permit is made for work on the lot.The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the construction and planting or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the director shall issue a parkway pedestrian amenities permit to the property owner; otherwise, the director shall deny the permit.

(3) A parkway pedestrian amenities permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way.

(4) A property owner is not required to comply with any enhanced pedestrian amenities requirement of this section if compliance is made impossible due to the director's denial or revocation of a parkway pedestrian amenities permit.

(5) The issuance of a parkway pedestrian amenities permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees or other amenities in the public right-of-way.

(c) Enhanced pedestrian amenities. Enhanced pedestrian amenities refer to a higher standard of improvements in the enhanced pedestrian amenities area, aimed at increasing the attractiveness of the street for pedestrians. These amenities may be provided by property owners in order to take advantage of such incentives as increased ground coverage, reduced parking requirements, increased remote parking distance, and exemption from minimum permeable surface and site tree requirements.

(1) An enhanced pedestrian amenities area may not extend more than 30 feet from the curb, and must be accessible to the public at all times.

(2) To qualify, enhanced pedestrian amenities must be located on the lot or in the parkway abutting the lot receiving amenities credit.

(3) The following minimum amenity standards must be provided in order to qualify for the enhanced pedestrian amenity incentives provided in this article:

(A) Street trees. A minimum of one street tree per 25 feet of frontage in the pedestrian amenities area.

(B) Enhanced sidewalks.

(i) Enhanced sidewalks must be located within the pedestrian amenities area. (See Section 51P-317.111 for minimum unobstructed sidewalk requirements for each subdistrict.)

(ii) For lots fronting on Akard Street, Belleview Street, East Griffin Street, West Griffin Street, and Lamar Street, a minimum sidewalk width of 10 feet must be provided.

(iii) For lots fronting on all other streets, a minimum sidewalk width of eight feet must be provided.

(iv) For lots with structure constructed before March 27, 2002 (effective date of Ordinance No. 24872 that established the pedestrian amenities regulations), if the building official determines that a structure's location makes the required minimum sidewalk width regulations unenforceable,

(aa) a minimum sidewalk width of six feet must be provided if the sidewalk is abutting an existing curb, or

(bb) a minimum sidewalk width of five feet must be provided if the sidewalk is not abutting the existing curb.

(C) Canopies and awnings. A minimum of 20 percent of the street facing facade width.

(4) The following optional amenities are encouraged and may be provided in addition to the minimum requirements specified above. These optional amenities are considered to be enhanced pedestrian amenities for the purpose of Subsections 51P-317.112.1(a) and (b), and are subject to the conditions in Paragraph 51P-317.112.1(c)(4):

(A) Flag poles.

(B) Public art.

(C) Tree or shrub planters.

(D) Water fountains.

(E) Newspaper racks.

(F) Pedestrian street lamps. A minimum of one per 50 feet of frontage in the pedestrian amenities area.

(G) Bicycle parking racks. A minimum of 5 bicycle parking spaces per 100 foot of frontage in the pedestrian amenities area.

(H) Benches. A minimum of one per 100 feet of frontage in the pedestrian amenities area.

(I) Trash receptacles. A minimum of one per 100 feet of frontage in the pedestrian amenities area.

(5) The following conditions must be met for provision of enhanced pedestrian amenities:

(A) All amenities must be placed in a manner that does not impede the movements of pedestrians on the sidewalk and automobiles on the street.

(B) All amenities must be placed in a manner that does not obstruct visibility triangles at street intersections. (Ord. Nos. 24872; 25160; 27133; 27322)

(6) For a legacy building in Subdistrict 3C, the following enhanced pedestrian amenities are the only pedestrian amenities that must be provided in order to qualify for 100 percent lot coverage under Section 51P-317-111(d) (4) (F), the 40 percent parking reduction under Section 51P-317.111(d) (5) (F), and the 1,300 foot extension of the walking distance for remote parking under Section 51P-317.111(d) (5) (G):

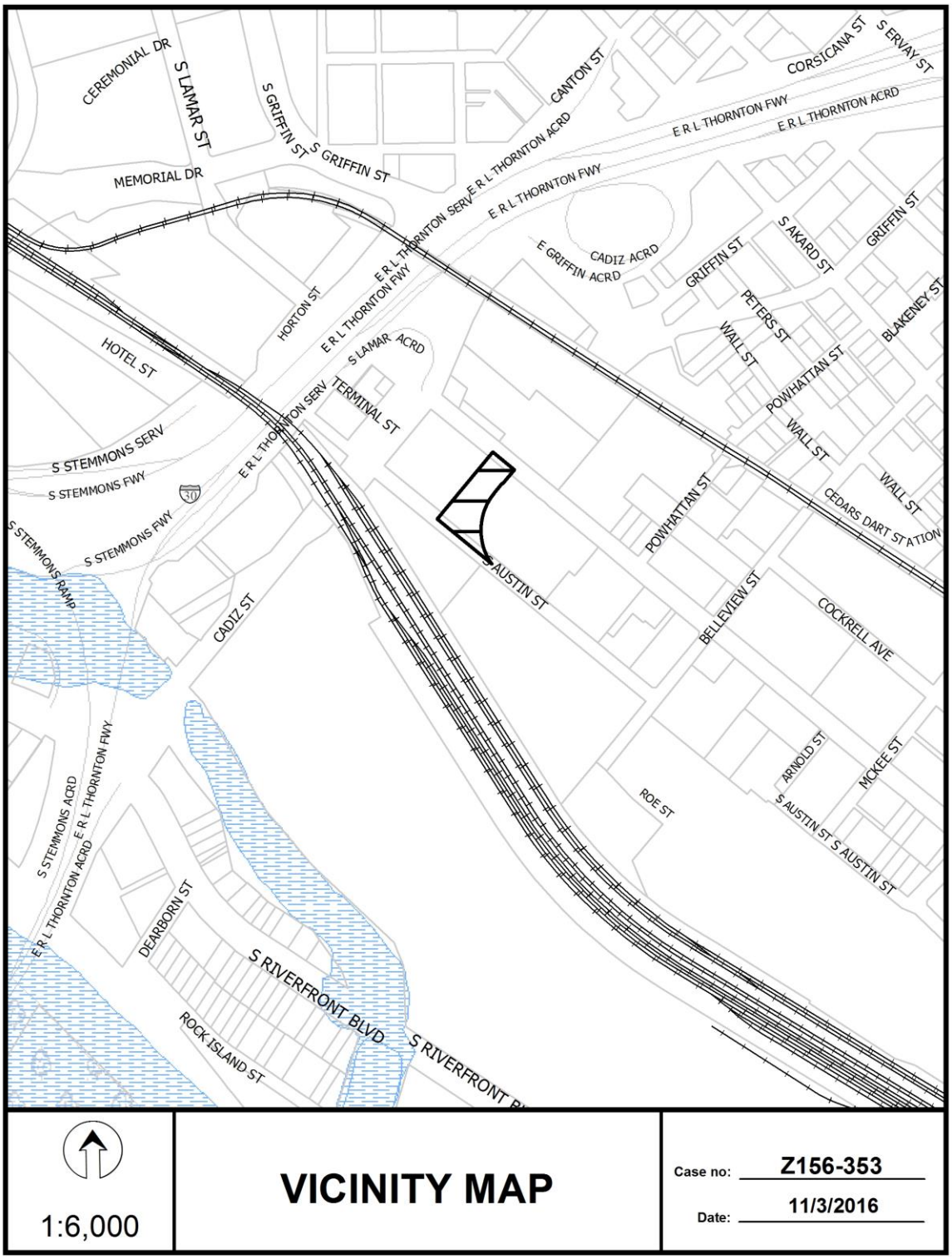
(A) Planter boxes must installed and maintained along the Lamar Street curb having a minimum width of 12 inches and a minimum soil depth of 14 inches and planted with evergreen and seasonal plantings. The length of the adjacent street frontage occupied by planter boxes must be between 40 percent and 50 percent. Planter boxes installed pursuant to this subparagraph must be constructed of fiberglass, concrete, or metal and not exceed 24 inches in height;

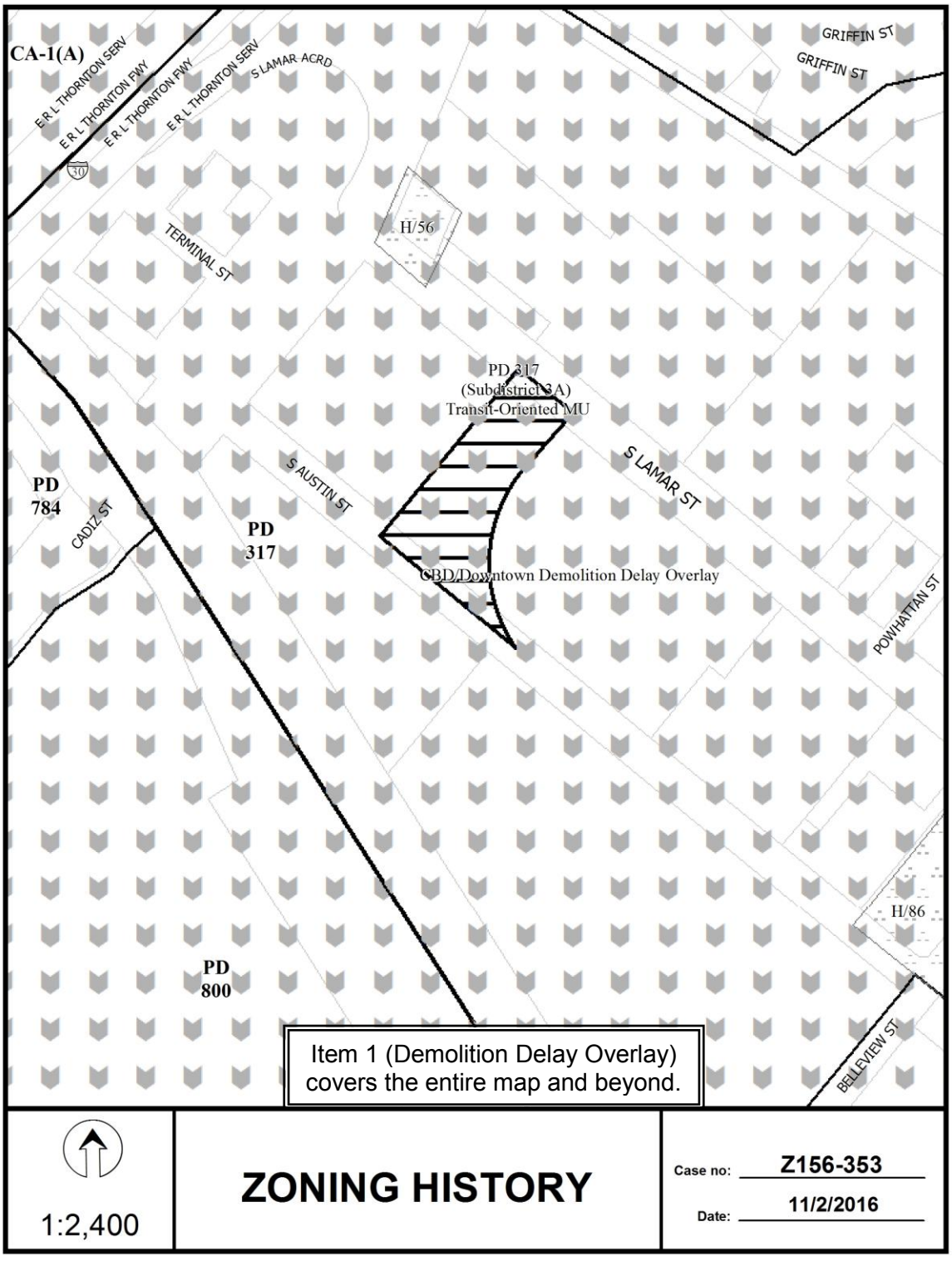
(B) Screening meeting the requirements of Section 51A-4.602 must be provided for the length of the loading dock area along Austin Street, except for visibility triangles;

(C) Windows must be provided within the Austin Street facade;

(D) The sidewalk along Austin Street to the northwest of the property must be extended along the Austin Street side of the property, and a pedestrian scaled light fixture must be installed adjacent to the sidewalk, if permitted by the director of public works; and

(E) Trash receptacles must be provided along the Lamar Street and Austin Street sidewalk areas.


CEREMONIAL DR
S LAMAR ST
S GRIFFIN ST
MEMORIAL DR
CANTON ST
CORSICANA ST
S ERVAY ST
E R L THORNTON FWY
E R L THORNTON ACRD
E R L THORNTON SERV
E GRIFFIN ACRD
CADIZ ACRD
GRIFFIN ST
S AKARD ST
PETERS ST
WALL ST
POWHATTAN ST
BLAKENEY ST
HORTON ST
S LAMAR ACRD
TERMINAL ST
HOTEL ST
S STEMMONS SERV
S STEMMONS FWY
S STEMMONS RAMP
CEDARS DART STATION
S AUSTIN ST
CADIZ ST
BELLEVIEW ST
COCKRELL AVE
ARNOLD ST
MCKEE ST
ROE ST
S STEMMONS ACRD
DEARBORN ST
S RIVERFRONT BLVD
ROCK ISLAND ST
1:6,000
VICINITY MAP
Case no: Z156-353
Date: 11/3/2016


CA-1(A)
E R L THORNTON SERV
E R L THORNTON FWY
E R L THORNTON FWY
E R L THORNTON SERV
S LAMAR ACRD
GRIFFIN ST
GRIFFIN ST
30
TERMINAL ST
H/56
PD 317
(Subdistrict 3A)
Transit-Oriented MU
S AUSTIN ST
S LAMAR ST
PD
784
CADIZ ST
PD
317
CBD/Downtown Demolition Delay Overlay
POWHATTAN ST
H/86
PD
800
BELLEVIEW ST
Item 1 (Demolition Delay Overlay) covers the entire map and beyond.
1:2,400
ZONING HISTORY
Case no: Z156-353
Date: 11/2/2016

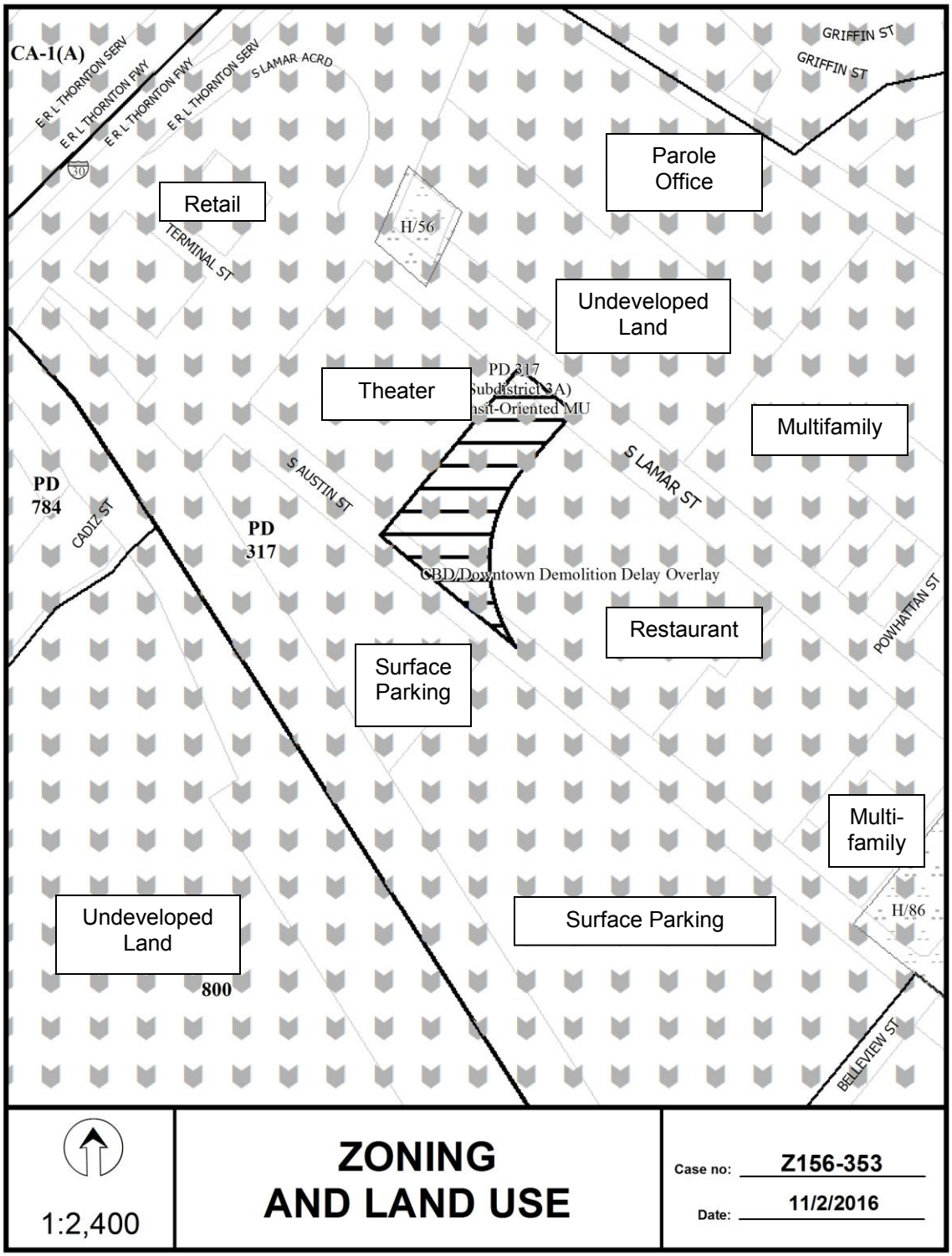


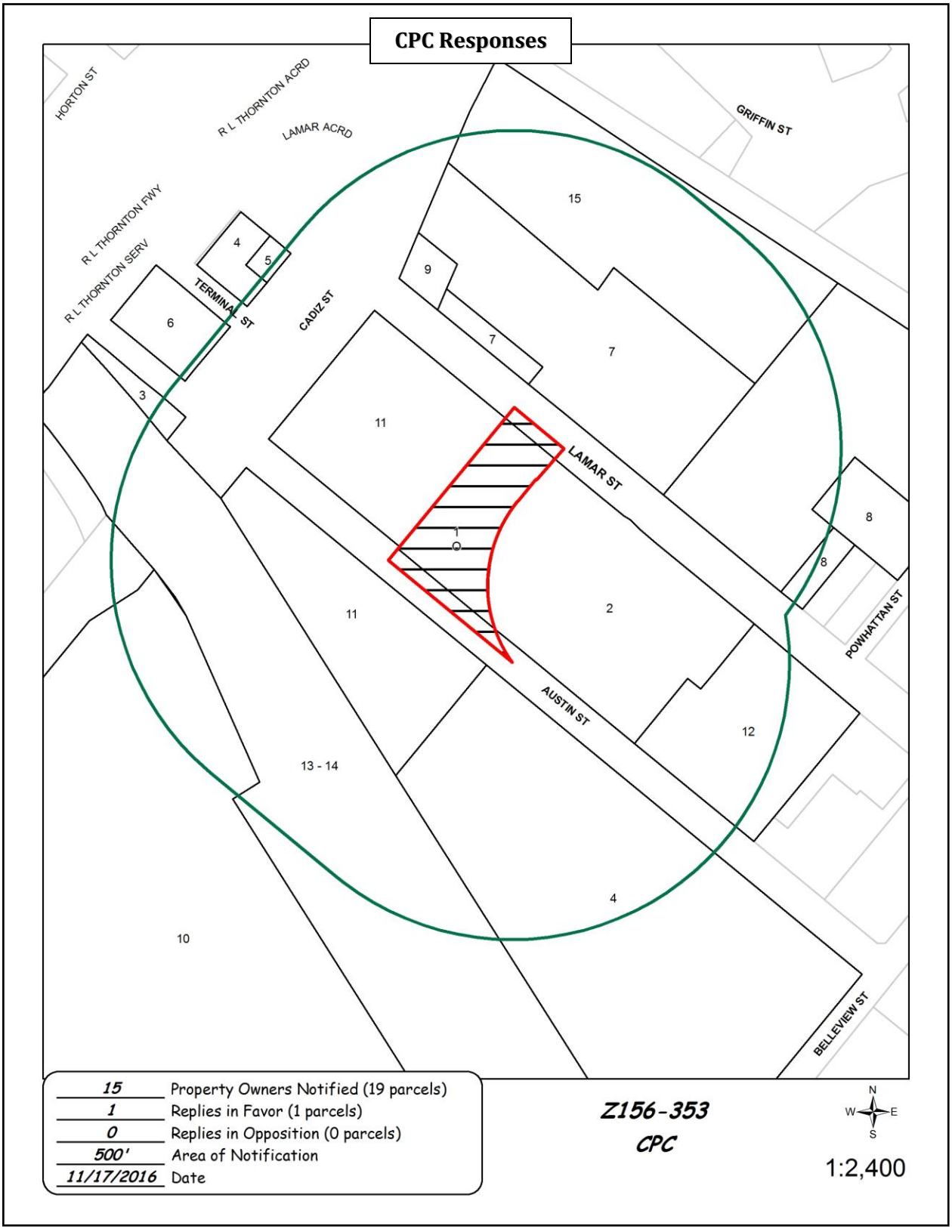
1:2,400

AERIAL MAP

Case no: Z156-353

Date: 11/3/2016


CA-1(A)
E R L THORNTON SERV
E R L THORNTON FWY
E R L THORNTON FWY
E R L THORNTON SERV
S LAMAR ACRD
GRIFFIN ST
GRIFFIN ST
Parole Office
Retail
TERMINAL ST
H/56
Undeveloped Land
PD 317
Subdistrict 3A)
nsit-Oriented MU
Theater
Multifamily
S AUSTIN ST
S LAMAR ST
PD 784
CADIZ ST
PD 317
CBD/Downtown Demolition Delay Overlay
POWHATTAN ST
Restaurant
Surface Parking
Multi-family
H/86
Undeveloped Land
800
Surface Parking
BELLEVIEW ST
1:2,400
ZONING AND LAND USE
Case no: Z156-353
Date: 11/2/2016


CPC Responses
HORTON ST
R L THORNTON ACRD
LAMAR ACRD
GRIFFIN ST
R L THORNTON FWY
R L THORNTON SERV
TERMINAL ST
CADIZ ST
LAMAR ST
AUSTIN ST
POWHATTAN ST
BELLEVIEW ST
15
4
5
9
6
7
7
3
11
1
Q
8
8
11
2
12
13 - 14
4
10
15 Property Owners Notified (19 parcels)
1 Replies in Favor (1 parcels)
0 Replies in Opposition (0 parcels)
500' Area of Notification
11/17/2016 Date
Z156-353
CPC
N
W
E
S
1:2,400

11/16/2016

Reply List of Property Owners

Z156-353

15 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	1111	S LAMAR ST	DESIGN & PRODUCTION INC
	2	1135	S LAMAR ST	SCHEPPS LIBBIE LLC
	3	905	S LAMAR ST	DALLAS TERM RY & UN DEPOT
	4	969	S LAMAR ST	CCH LAMAR PARTNERS I LP
	5	969	S LAMAR ST	LIM SCOTT
	6	969	TERMINAL ST	PRASIFKA J A
	7	908	CADIZ ST	MLW HOLDINGS LTD
	8	913	POWHATTAN ST	SAMADIAN MALEK M
	9	904	CADIZ ST	ANDERSON BARRY
	10	318	CADIZ ST	TEXAS CENTRAL REAL ESTATE
	11	1000	S AUSTIN ST	CCH ALAMO LP
	12	1221	S LAMAR ST	BOSSON LLC
	13	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	14	9999	NO NAME ST	UNION PACIFIC RR CO
	15	1010	CADIZ ST	B H DALLAS PORTFOLIO LLC

AGENDA ITEM # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 46 E; F

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Planned Development District No. 248 for a public school and a public park or playground use on property zoned Planned Development District No. 98 and Planned Development District No. 248, and on the east intersection of North Carroll Avenue and Worth Street
Recommendation of Staff: Approval, subject to a revised development plan, a revised landscape plan, a traffic management plan, and conditions
Recommendation of CPC: Approval, subject to a revised development/landscape plan, a traffic management plan, and conditions
Z156-356(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-356(JM) **DATE FILED:** September 7, 2016

LOCATION: On the east intersection of North Carroll Avenue and Worth Street

COUNCIL DISTRICT: 2 **MAPSCO:** 46-E, F

SIZE OF REQUEST: ± 2.87 acres **CENSUS TRACT:** 15.02

APPLICANT/OWNER: Dallas ISD

REPRESENTATIVE: Karl A. Crawley, Masterplan

REQUEST: An application to amend and expand Planned Development District No. 248 for a public school and a public park or playground use on property zoned Planned Development District No. 98 and Planned Development District No. 248.

SUMMARY: The applicant proposes to add a new parking lot and queuing area for DISD's Ignacio Zaragosa Elementary School.

CPC RECOMMENDATION: **Approval**, subject to a revised development/landscape plan, a traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised development plan, a revised landscape plan, a traffic management plan, and conditions.

BACKGROUND INFORMATION:

- The existing school was constructed in 1988, has 78,950 square feet of floor area, and is up to 30 feet high. Current enrollment is 385 students in pre-kindergarten to 5th grade. There are no requests to add floor area, height, or increase enrollment at this time.

- The request is to add a parking lot and queuing area by removing a piece of land from PD No. 98 and adding it to PD No. 248 - enlarging PD No. 248. However, the two planned development districts refer back to Chapter 51 and are not allowed to be enlarged. In order to add the new parking and queuing area, PD No. 248 has to be amended so all conditions match Chapter 51A.

- There is no existing traffic management plan for PD No. 248. As part of the request, a traffic management plan has been reviewed and accepted by the Engineering Division. A study of the effectiveness of the plan is due in three years. Biennial updates will be required thereafter.

- The applicant has requested a combined development/landscape plan. Staff does not support this combined plan. It is difficult to read and can be confusing to deal with.

- The City Plan Commission chose to allow the applicant to proceed with a combined development/landscape plan after confirming with the city's chief arborist that the landscape is adequately depicted in the plan.

Zoning History: There have been three recent zoning cases in the vicinity in the last five years.

1. **Z156-267:** On September 1, 2016, the City Plan Commission recommended approval of an application for a Planned Development District for an R-7.5(A) Single Family District and multifamily uses on property zoned an R-7.5(A) Single Family District with Historic Overlay No. 63 (David Crockett Elementary School). *Pending CC.*
2. **Z145-126:** On December 15, 2014, a request was received to amend PD No. 98 to create a new tract to allow multifamily uses. *This case was withdrawn.*
3. **Z145-237:** On August 12, 2015, the City Council approved a request for a CR Community Retail District on property zoned an MF-2(A) Multifamily District and located on the southeast line of Columbia Avenue, between South Carroll Avenue and South Colson Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Carroll Avenue	Local Street	variable
Worth Street	Local Street	50 ft.

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. The traffic management plan provided was approved and should improve traffic at peak hours from the school.

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 comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration* is comprised of a series of Building Blocks that depict general land use patterns.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT
GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC EVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

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.

Land Use Compatibility: The request site is developed with a 30 foot tall building containing approximately 78,950 square feet and has been in operation with a public school other than an open-enrollment charter school use since 1988, according to DCAD and City records. The site is part of a block that includes Buckner Park. Improvements to the park are occurring concurrently. This is a joint effort between the Park and Recreation Department (PARD), and the Dallas ISD. The PARD manager provided comments in support of the request, noting the diligent efforts of the applicant to develop the plans to improve the park and school properties.

Other surrounding uses include single-family and an automotive repair shop to the north and northwest, respectively. There are single-family and multifamily uses to the south.

Crockett Park lies to the southwest adjacent to a historic school building currently seeking the right to be redeveloped into multifamily units. Additional retail and personal service uses are found to the west.

	Zoning	Land Use
Site	PD No. 248; PD No. 98	Public School; Park
Northwest and North	PD No. 98 and CR-D-1 w/Historic Overlay 72 (Peak's Suburban Addition)	Single-family; Vehicle or engine repair or maintenance
Northeast, East, and Southeast	PD No. 98	Park
South and Southwest	R-7.5(A) and R-7.5(A) w/Historic Overlay 63 (Crockett Elementary School) w/Proposed PD for MF uses	Park; Historic school building
West	CR	Retail and Personal Service

Updating PD No. 248 into the currently adopted Chapter 51A code is optimal. The changes being sought will ease traffic in the area. The traffic management plan is also an added measure which will require biennial updates for continuous optimization of traffic controls. The continued and improved operation of this school will increase the overall quality of life for the area by getting traffic off of the street, enhancing landscaping, and through coordination with the PARD to update playground structures and facilities.

Landscaping: Landscaping is being enhanced as per the development/landscape plan provided. Staff found the plan difficult to read. The new parking lot area is the only portion which is subject to new landscaping. The existing school had an approved landscape plan, which is being substituted for the combined plan. Staff does not support this portion of the request. To alleviate potential confusion on the plan and details, staff recommends the submittal of separate landscape and development plans.

While the proposed landscaping is not per Article X, the arborist found it to be acceptable for the use.

Parking: The requirement for off-street parking for the school is derived by the following criterion: 1) the number of classrooms, and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The total number of proposed classrooms determines the number of required parking spaces. The Dallas Development Code requirement for off-street parking for a school is as follows:

- one and one-half spaces for each kindergarten / elementary school classroom;

There are 20 existing classrooms. The number of required off-street parking spaces for the school is 30 spaces. The school currently has five off-street parking spaces on campus. An additional 55 spaces are located on park property, but used for the school. These spaces are noted on the plan, but are outside of the area of request. The proposal at hand is to add a parking lot and queuing area to help alleviate congestion during peak school hours for drop-off and pick-up. According to the traffic management plan, about 70% of students access the school via private vehicles. The added queuing area will help get vehicles off the street during peak hours. The number of classrooms will not change as a result of the parking lot addition.

DISD Board

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

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District 2	Dustin Marshall
District 3	Dan Micciche, President
District 4	Jaime Resendez, Board Secretary
District 5	Lew Blackburn, Ph.D.
District 6	Joyce Foreman
District 7	Audrey Pinkerton, 2nd Vice President
District 8	Miguel Solis
District 9	Bernadette Nutall

Z156-356

CPC Action
November 17, 2016:

Motion: It was moved to recommend **approval** of an amendment to and expand of Planned Development District No. 248 for a public school and a public park or playground use, subject to applicant's revised development/landscape plan, a traffic management plan, and conditions on property zoned Planned Development District No. 98 and Planned Development District No. 248, on the east intersection of North Carroll Avenue and Worth Street.

Maker: Rieves
Second: Houston
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

Notices: Area: 500 Mailed: 103
Replies: For: 3 Against: 1

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75201
Steven L. Bourn, 4527 Worth St., Dallas, TX, 75214
David Nevarez, 400 S. Houston St., Dallas, TX, 75202
Against: None

Proposed PDD Revisions

ARTICLE 248.

PD 248.

SEC. 51P-248.101. LEGISLATIVE HISTORY.

PD 248 was established by Ordinance No. 19477, passed by the Dallas City Council on February 25, 1987. Ordinance No. 19477 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended.

SEC. 51P-248.102. PROPERTY LOCATION AND SIZE.

PD 248 is established on property generally located at the east corner of Carroll Avenue and Worth Street. The size of PD 248 is approximately ~~**1.838**~~ **2.90** acres.

SEC. 51P-248.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter ~~51~~ 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 ~~51~~ 51A. ~~(Ord. 25711)~~

(c) This district is considered to be a residential zoning district.

SEC. 51P-248.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

Staff Recommendation:

(1) Exhibit 248A: development~~/landscape~~ plan.

(2) Exhibit 248B: landscape plan.

(3) Exhibit 248C: traffic management plan.

CPC Recommendation:

(1) Exhibit 248A: development/landscape plan.

(2) Exhibit 248B: traffic management plan.

SEC. 51P-248.104. DEVELOPMENT PLAN.

For a public school other than open-enrollment charter school and a public park, playground, or golf course, development and use of the Property must comply with the development/landscape plan (Exhibit 248A). If there is a conflict between the text of this article and the development/landscape plan, the text of this article controls.

SEC. 51P-248.105. MAIN USES PERMITTED.

The following uses are the only main uses permitted [~~uses on the Property are a~~]

-- Public school **other than open-enrollment charter school.**

-- Public park.

-- Local utilities.

SEC. 51P-248.105.1. 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-248.106. YARD, LOT, AND SPACE REGULATIONS. [~~LANDSCAPE PLAN.~~]

(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 in the R-7.5(A) Single Family District apply.

(b) Front yard. Minimum front yard is 20 feet.

(c) Side and rear yard. Minimum side and rear yard is five feet.

(d) Lot coverage. Maximum lot coverage is 61 percent. Aboveground parking structures are included in lot coverage calculations, surface parking lots and underground parking structures are not.

[~~Landscaping must be installed in accordance with the landscape plan (Exhibit 248B). All landscaping must be installed prior to the issuance of a certificate of occupancy for any use on the Property. All plant materials must be maintained in a healthy, growing condition at all times.~~]

SEC. 51P-248.107. 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) Parking for a public school other than open-enrollment charter school is allowed in the minimum front yard setback. For parking purposes the entire Property is considered as one lot.

SEC. 51P-248.108. ENVIRONMENTAL PERFORMANCE STANDARDS [~~LOT COVERAGE~~].

See Article VI. [~~Maximum permitted lot coverage is 61 percent.~~]

SEC. 51P-248.109. LANDSCAPING [~~SETBACKS~~].

Staff Recommendation:

(a) Except as provided in this section, landscaping must be provided as shown on the ~~development~~/landscape plan If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

CPC Recommendation:

(a) Except as provided in this section, landscaping must be provided as shown on the development/landscape plan If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(b) Evergreen plant materials must be provided to screen the off-street parking area from the street. Plant materials must be a minimum of 36 inches in height and located in a bed that is at least three feet wide with a minimum soil depth of 24 inches.

(c) Plant materials must be maintained in a healthy, growing condition at all times.

SEC. 51P-248.110. SIGNS.

Signs [~~located on the Property~~] must comply with the provisions for non-business zoning districts [~~contained~~] in Article VII. [~~Chapter~~]

SEC. 51P-248.111. ACCESS.

Ingress and egress must be provided as shown on the development plan.

SEC. 51P-248.112. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of the public school must comply with the traffic management plan (Exhibit 248B).

(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 **November 1, 2019**. After the initial traffic study, the Property owner or operator shall submit biennial updates of the traffic study to the director by November 1 of each odd-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different 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) 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) of Chapter 51A of the Dallas City Code, as amended.

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P-248.113. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

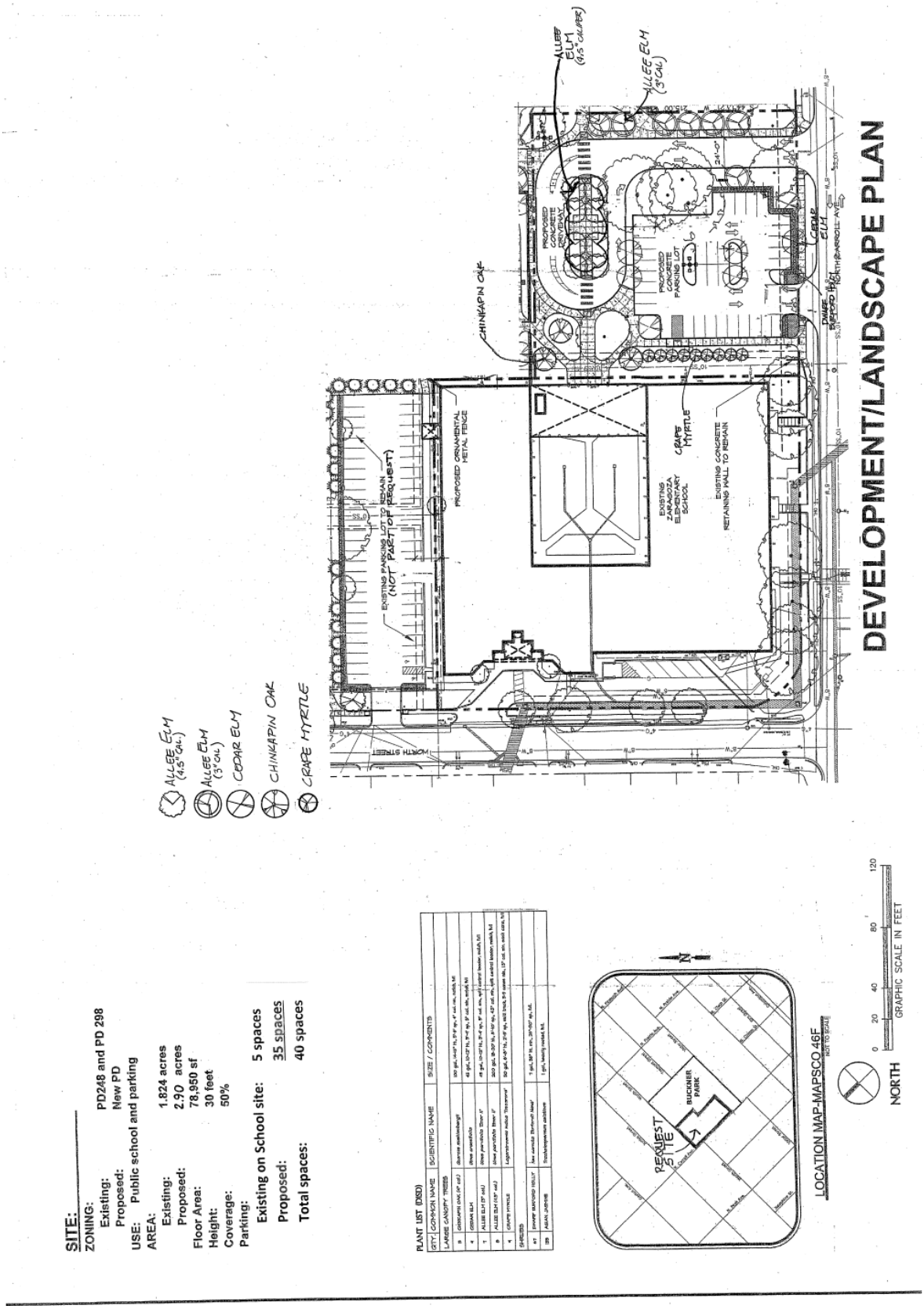
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-248.114. COMPLIANCE WITH CONDITIONS.

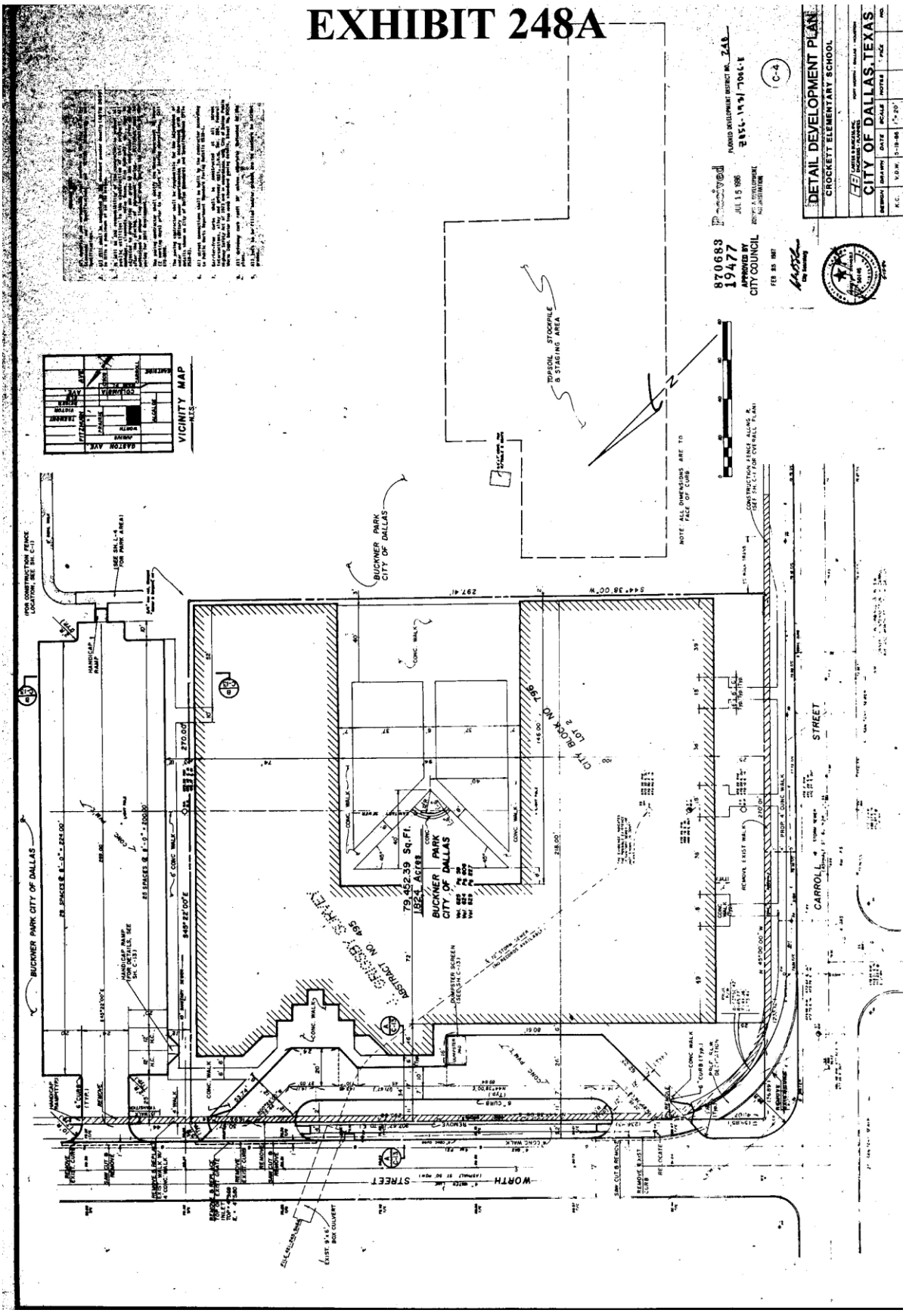
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(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/Landscape Plan

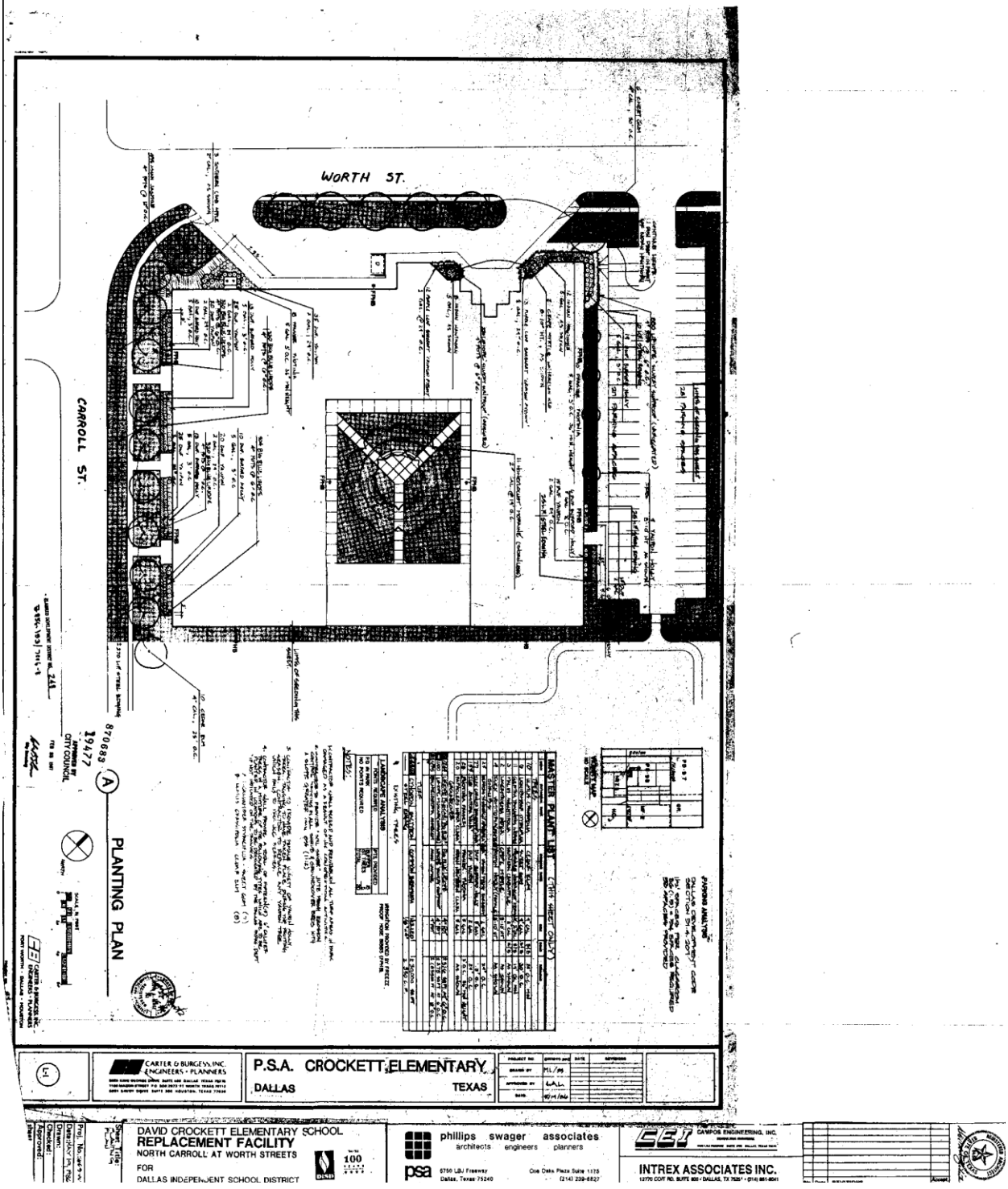


Existing Development Plan



Existing Landscape Plan

EXHIBIT 248B



Proposed Traffic Management Plan

TRAFFIC MANAGEMENT PLAN FOR

DISD IGNACIO ZARAGOZA ELEMENTARY SCHOOL

DALLAS, TEXAS

DeShazo Project No. 16113

Z____-____( )

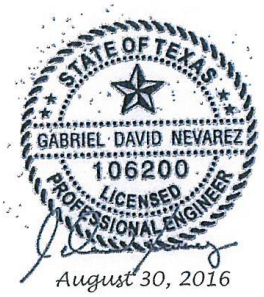
Prepared for:

Masterplan
900 Jackson Street, Suite 640
Dallas, Texas 75202

Prepared by:

DeShazo Group
Texas Registered Engineering Firm F-3199
400 South Houston Street, Suite 330
Dallas, Texas 75202
214.748.6740

August 30, 2016



Z156-356

August 30, 2016

Traffic Management Plan for

Ignacio Zaragoza Elementary School

~ DeShazo Project No. 16113 ~

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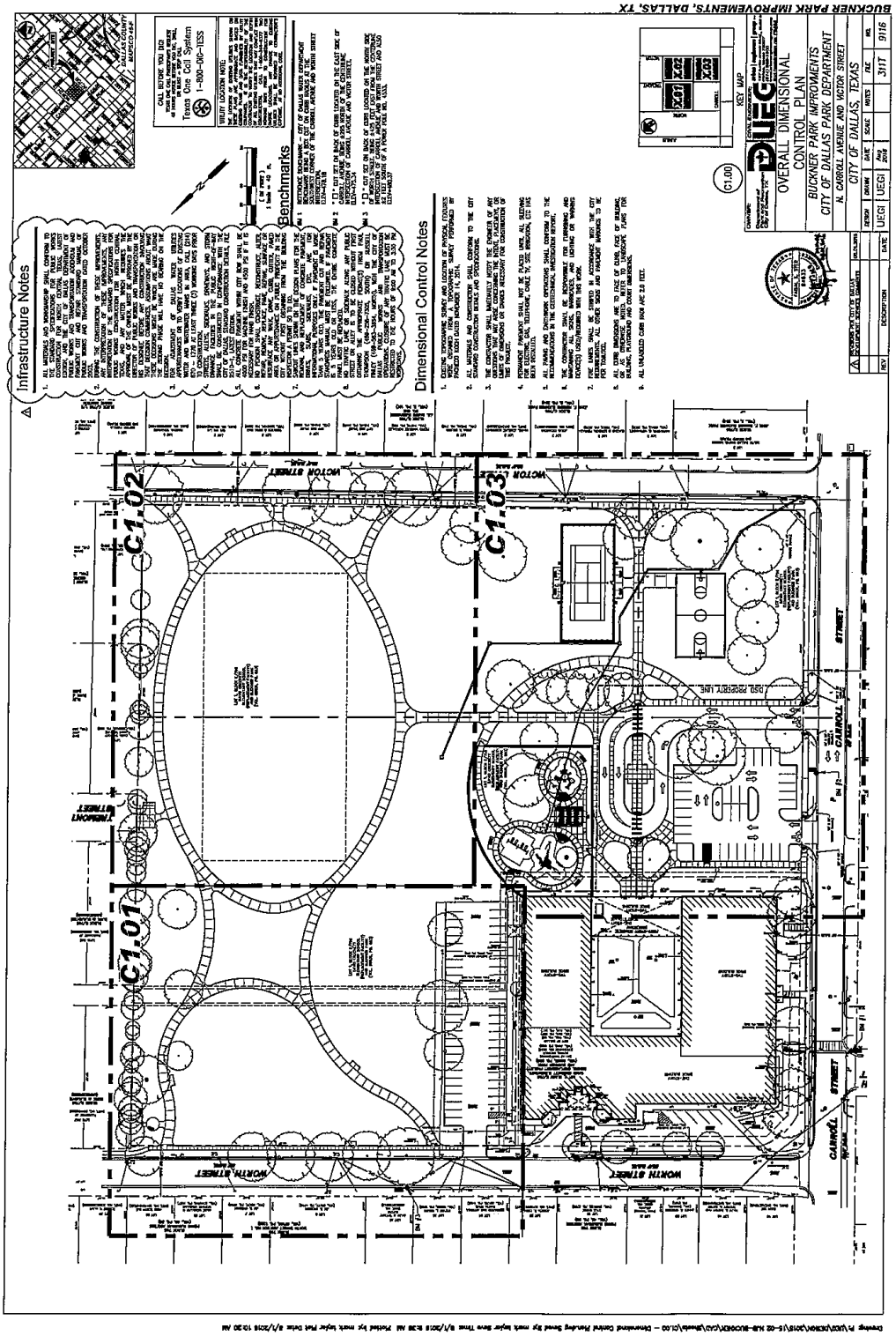
PRELIMINARY SITE PLAN I
INTRODUCTION 1
TRAFFIC MANAGEMENT PLAN 2
School Operational Characteristics 2
Site Access and Circulation 2
Passenger Unloading/Loading and Vehicle Queuing 3
Recommendations 3
SUMMARY & RECOMMENDATIONS 4

LIST OF TABLES:

Table 1. School Operational Characteristics
Table 2. Peak Vehicles Parked and In Queue during Afternoon Pick-Up Period

LIST OF EXHIBITS:

Exhibit 1. Recommended Site Circulation Plan


BUCKNER PARK IMPROVEMENTS, DALLAS, TX
Infrastructure Notes
Dimensional Control Notes
Benchmarks
KEY MAP
OVERALL DIMENSIONAL CONTROL PLAN
BUCKNER PARK IMPROVEMENTS
CITY OF DALLAS PARK DEPARTMENT
N. CARROLL AVENUE AND VICTOR STREET
CITY OF DALLAS, TEXAS
C1.01
C1.02
C1.03
WORTH STREET
CARROLL STREET
VICTOR STREET
MONTAGUE STREET

DeShazo Group

Traffic. Transportation Planning. Parking. Design.

Technical Memorandum

To: Karl Crawley — Masterplan

From: David Nevarez, P.E. — DeShazo Group, Inc.

Date: August 30, 2016

Re: Traffic Management Plan for DISD Ignacio Zaragoza Elementary School in Dallas, Texas
DeShazo Project Number 16113

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering. The services of DeShazo were retained by Masterplan on behalf of the Dallas Independent School District (DISD) to provide a requisite Traffic Management Plan (TMP) for Ignacio Zaragoza Elementary School. The school site is located at 4550 Worth St in Dallas, Texas.

The school has an enrollment of 385 students in Pre-kindergarten through 5th grade. Buckner Park, which is the adjacent property, has proposed renovations including a driveway to the existing school. The school, however, does not anticipate any increase in student enrollment as a result of the proposed park renovations. The proposed site plan prepared by Urban Engineers Group is attached as reference.

The school site is zoned Planned Development (PD) District 248. In order to gain entitlements for the proposed improvements, the school administration is required submit 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.

[NOTE: In this report the term "parent" refers to any parent, family member, legal guardian, or other individual who is involved in the pick-up or drop-off of one or more students at the school.]

400 S Houston St, Suite 330 Dallas, TX 75202 P. 214.748.6740 F. 214.748.7037 www.deshazogroup.com

TRAFFIC MANAGEMENT PLAN

A school TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. By properly managing the vehicular traffic generated during the critical periods, the safety and efficiency of other modes of travel – including walking – will also inherently improve, and the operational impact on the public street system should also be minimized. The TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it should be used as a tool to facilitate a safer and more efficient environment.

The analysis summarized below utilizes the proposed 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 summarizes the known operational characteristics for Ignacio Zaragoza Elementary School assumed in this analysis:

Table 1. School Operational Characteristics

	Existing Conditions	Proposed Condition
Enrollment:	PK - 5th Grade, 385 students	*Same As Before*
Daily Start/End Schedule:	>Start: 7:55 AM >End: 2:55 PM	*Same As Before*
Approximate Number of Students Travelling by Mode Other Than Drop-off/Pick-up:	By School Bus/Van: ≅ 5% By Walking: ≅ 25% By Other: ≅ 0%	*Same As Before*

NOTE #1: To the highest degree practical, the accounts of "existing conditions" presented in this report are based upon actual on-site observations conducted by DeShazo during typical school day(s) conditions and information provided by 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.

Site Access and Circulation

The school site provides one parking lot for school staff at the northwest corner of the site. The site has a total of four driveways. The driveway on Carroll Street allows inbound and outbound access to Carroll Street. The south and central driveways on Worth Street act as inbound and outbound access, respectively. The north driveway on Worth Street provides access to the staff parking lot. Parents arrive at the school site and park on Carroll Street and Worth Street as shown in **Exhibit 1**. A significant number of parents walk to pick-up the students. A minimal number of parents drive into the staff parking lot and park.

The area between the south and central driveway on Worth Street is used by parents in the morning drop-off period and used as van loading area in the afternoon pick-up period. The school provides a loading area for vans at the south driveway on Worth Street during the afternoon pick-up period.

Passenger Unloading/Loading and Vehicle Queuing

DeShazo conducted interviews with school representatives to understand current traffic operations during school drop-off and pick-periods. DeShazo also quantified the peak number of vehicles in queue during a typical school-day afternoon pick-up period based on field observations conducted on August 26, 2016. Queuing and traffic congestion is appreciably more pronounced during the afternoon period. About 70 % of the student population is picked up by parents on personal vehicles. The vehicle accumulation count includes all vehicles in queue, or parked on- and off-campus. A summary of the peak number of vehicles is provided in **Table 2**.

A summary of the projected peak number of vehicles based on site modification is provided in **Table 2**.

Table 2. Peak Vehicles Parked and In Queue during Afternoon Pick-Up Period

Grades	# of Students	Peak Vehicle Demand (Observed)
Pre-K – 5th	385 students	Approximately parent vehicles 45, and 2 school buses

Recommendations

The following recommendations are provided by DeShazo to school officials for the management of vehicular traffic generated by the school during peak traffic conditions. Generally, traffic delays and congestion that occurs during the afternoon pick-up period is notably greater than the traffic generated during the morning drop-off period due to the timing and concentration characteristics. In most instances, achieving efficiency during the afternoon period is most critical, while the morning traffic operations require nominal active management. Therefore, except where stated otherwise, the recommendations provided herein pertain specifically to the afternoon period operations.

General Recommendations

- Staff participating in student drop-off/pick-up operations should, in lieu of simple hand gestures, continue to use reversible hand-paddle signs with the messages for STOP and for SLOW.
- Parents should be encouraged to park only along the school perimeter to improve student safety.
- Parking restrictions should be changed for school drop-off and pick-up period along the site perimeter.
- A formal request to the City of Dallas should be submitted to replace fading and old signs with new ones for better enforcement.
- Sufficient communication at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended.

Queue operations

Based upon a review of the proposed site conditions and the anticipated needs of traffic during peak conditions DeShazo recommends full enforcement of the site traffic circulation plan depicted in **Exhibit 1**. This plan was designed with the intent of optimizing the site vehicular circulation, retention of vehicle queuing in a manner that promotes safety and operational efficiency.

- The plan provides a designated off-street route for Pre-K and Kindergarten student drop-off and pick-up operations. The school provides 353 linear feet of vehicular queuing at the driveway on Carroll Street. This capacity accommodates a projected peak vehicle queue of 15 vehicles.
- School should implement an "In-Advance Passenger Identification System" to expedite queue operations for Pre-K and Kindergarten students. At the beginning of each school term (and as often as needed), parents should be issued hangtags with unique identification that pairs them with corresponding student(s). During the pick-up period, hangtags must be on display through the vehicle's windshield while parents arrive at the pick-up areas. School staff should be positioned at strategic locations ahead of the loading area and relay the sequence of arrivals via hand radio while students are prepped for pick-up. With the assistance of other school staff stationed at the loading area, several vehicles should be loaded simultaneously. After loading, vehicles should be cleared by school staff to carefully exit the queue along the designated route.
- School should install Left-Only sign for outbound traffic at the proposed driveway on Carroll Street with the intention of guiding traffic away from on-street parking/queuing lane along the perimeter.
- Staff should continue install temporary traffic control devices (such as traffic cones, etc.) on the road to regulate on-street parking.

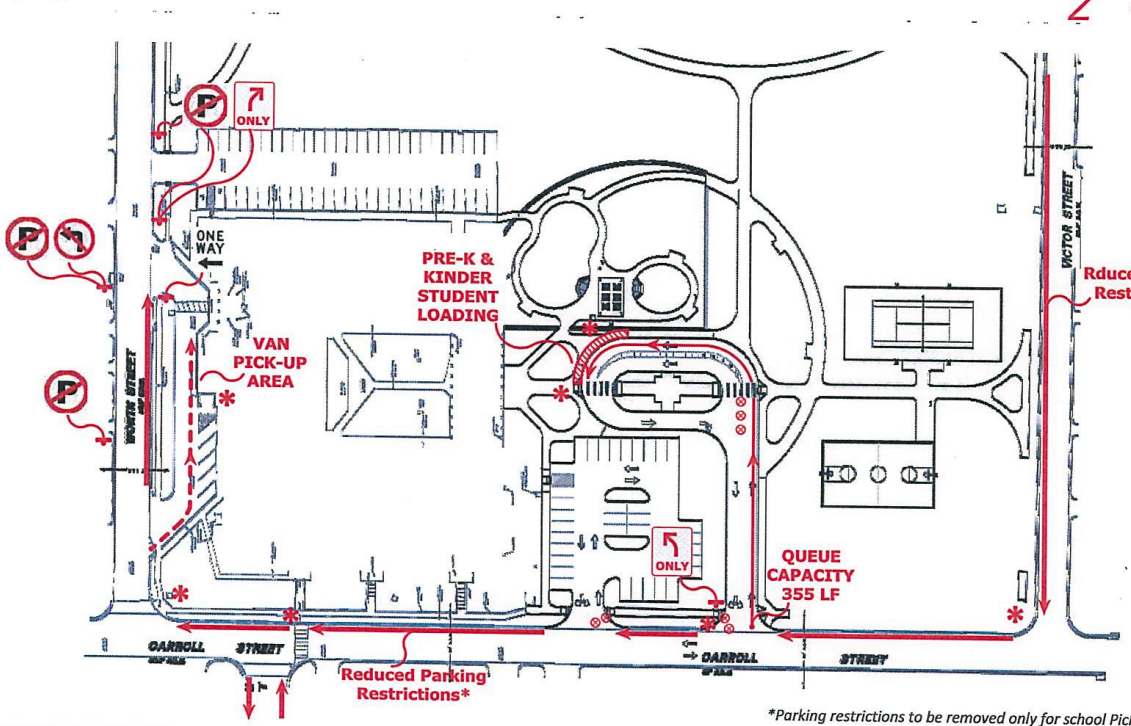
SUMMARY & RECOMMENDATIONS

This TMP is to be used by Ignacio Zaragoza Elementary School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The Plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating vehicular traffic generated by the school 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

DeShazo Group, Inc. Job No. 16113 Exhibit Created on 08-26-2016

Z - ( )



*Parking restrictions to be removed only for school Pick-up and Drop-off periods.

Queuing Summary

Student Group	Student Enrollment	Schedule	Traveling Modes	Vehicular Traffic Demand: Queue	
A) PreK, Kinder	105 Students	7:55 AM-2:55 PM	Pick Up: 95% Van: 5%	Provided: Required: Surplus:	353 LF (15 cars) 353 LF (15 cars) 0 LF (0 cars)
B)Grades 1st-5th	280 Students	7:55 AM-2:55 PM	Pick Up: 70% Walk/Bike: 25% Van: 5%	On-Street: Required: Surplus:	776 LF (33 cars) 776 LF (33 cars) 0 LF (0 cars)

Legend

- School Staff
- Loading Area
- Provided Queue
- Traffic Cones
- Van Route
- Traffic Sign (R3-5L) with times of day plaque (school hours)

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. Details of this plan shall be reviewed on a regular basis to confirm its efficiency. 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 constrains preclude the school's ability to accommodate all vehicular queue on site. While it may not be feasible to eliminate queuing on public rights-of-way, establishing and implementing a designated school route will lessen the impact to neighborhood and background traffic. This option is subject to approval from the City of Dallas Department of Street Services.

EXHIBIT 1

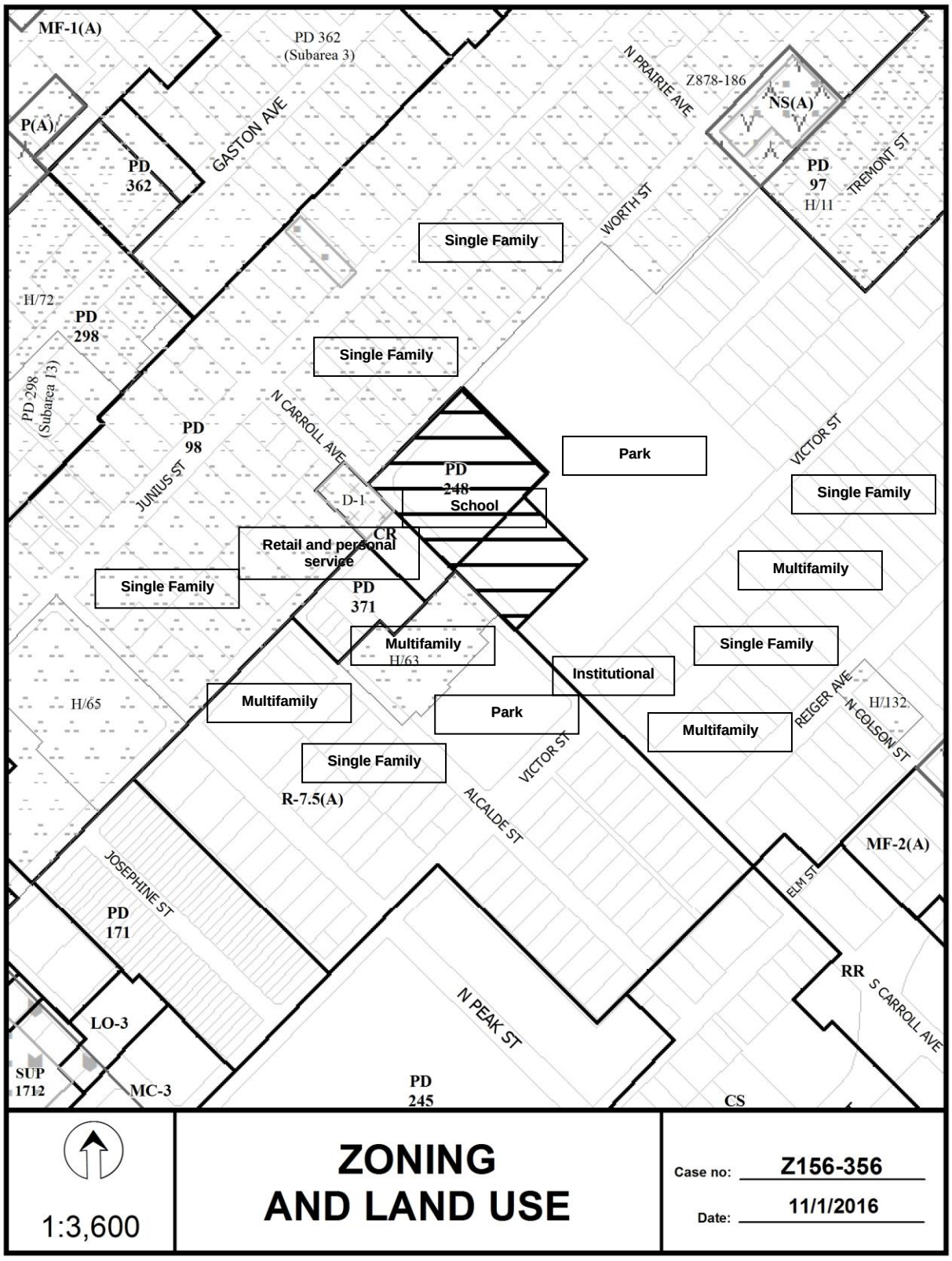
Traffic Management Plan

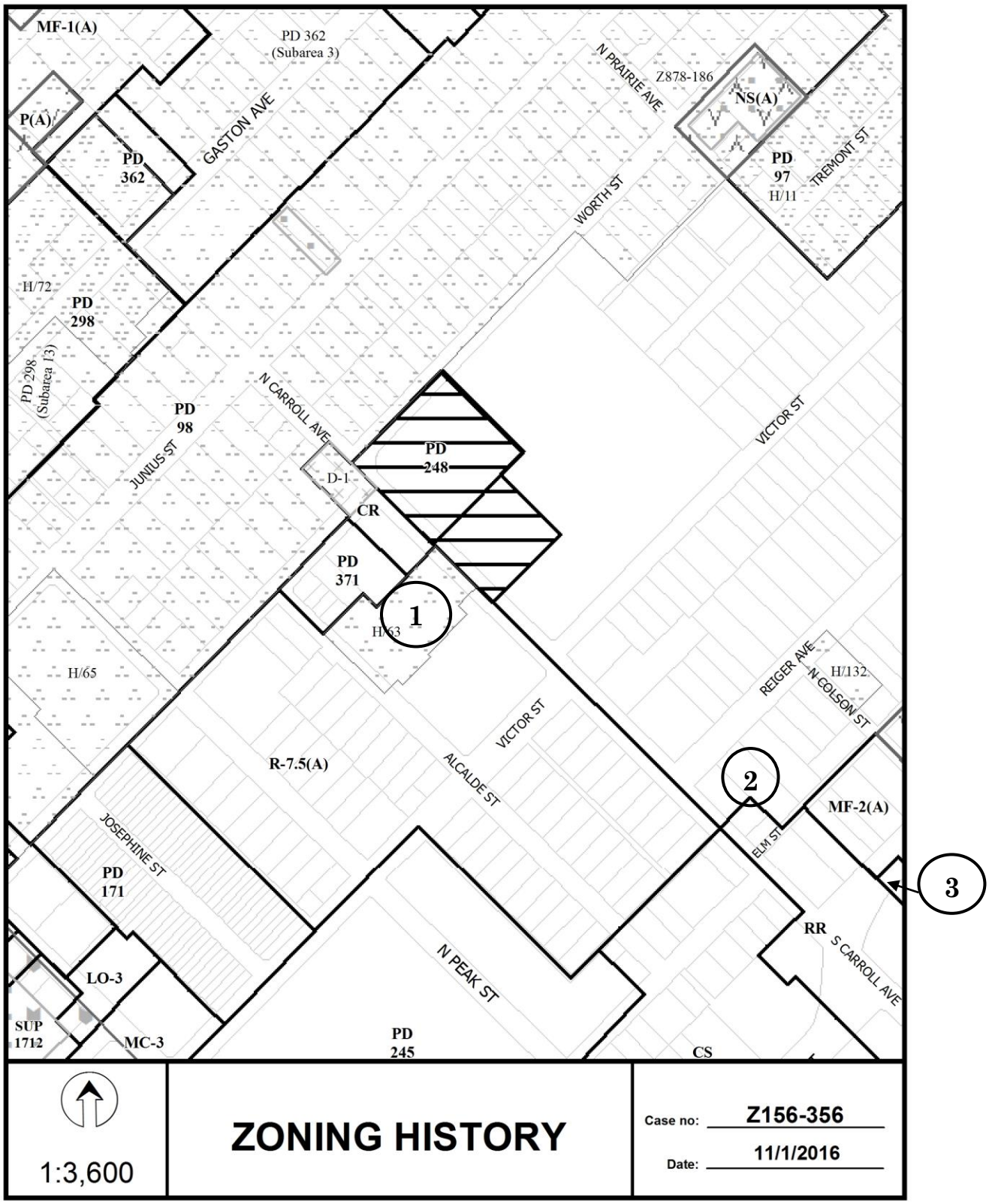
Ignacio Zaragoza Elementary School
4550 Worth Street, Dallas, Texas.

DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748.6740

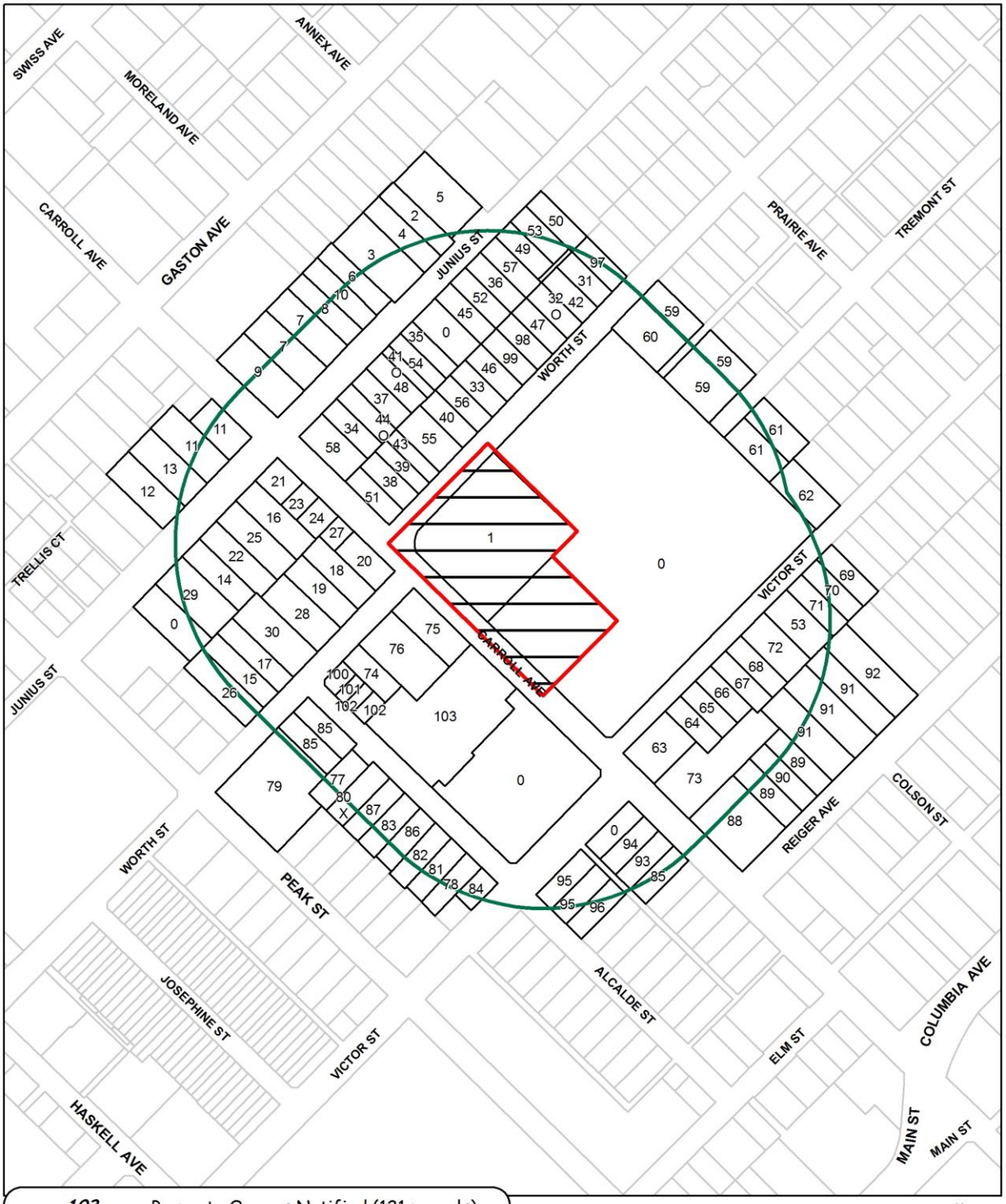
Z156-356(JM)


MORELAND AVE
GASTON AVE
WORTH ST
TREMONT ST
N PRAIRIE AVE
VICTOR ST
TRELLIS CT
JUNIUS ST
REIGER AVE
N COLSON ST
ALCALDE ST
N CARROLL AVE
ELM ST
WORTH ST
JOSEPHINE ST
N PEAK ST
COLUMBIA AVE
COLUMBIA AVE
VICTOR ST
MAIN ST
N HASK
1:3,600
AERIAL MAP
Case no: Z156-356
Date: 11/1/2016


MF-1(A)
PD 362
(Subarea 3)
P(A)
PD 362
GASTON AVE
N PRAIRIE AVE
Z878-186
NS(A)
PD 97
H/11
TREMONT ST
WORTH ST
Single Family
H/72
PD 298
PD 298 (Subarea 13)
Single Family
N CARROLL AVE
PD 98
JUNIUS ST
PD 248
D-1
School
Park
VICTOR ST
Single Family
CR
Retail and personal service
Single Family
PD 371
Multifamily
Multifamily
H/63
Single Family
Institutional
H/65
Multifamily
Park
Multifamily
REIGER AVE
N COLSON ST
H/132
Single Family
VICTOR ST
R-7.5(A)
ALCALDE ST
MF-2(A)
JOSEPHINE ST
PD 171
ELM ST
RR
S CARROLL AVE
LO-3
N PEAK ST
SUP 1712
MC-3
PD 245
CS
1:3,600
ZONING AND LAND USE
Case no: Z156-356
Date: 11/1/2016


MF-1(A)
PD 362
(Subarea 3)
P(A)
PD
362
GASTON AVE
N PRAIRIE AVE
Z878-186
NS(A)
PD
97
H/11
TREMONT ST
WORTH ST
H/72
PD
298
PD 298
(Subarea 13)
PD
98
JUNIUS ST
N CARROLL AVE
PD
248
D-1
CR
VICTOR ST
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371
H/63
1
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REIGER AVE
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H/132
R-7.5(A)
VICTOR ST
ALCALDE ST
2
MF-2(A)
ELM ST
3
JOSEPHINE ST
PD
171
LO-3
RR
S CARROLL AVE
N PEAK ST
SUP
1712
MC-3
PD
245
CS
1:3,600
ZONING HISTORY
Case no: Z156-356
Date: 11/1/2016

CPC Responses



103	Property Owners Notified (121 parcels)
3	Replies in Favor (3 parcels)
1	Replies in Opposition (1 parcels)
500'	Area of Notification
11/17/2016	Date

Z156-356
CPC

N
W E
S

1:3,600

11/16/2016

Reply List of Property Owners

Z156-356

103 Property Owners Notified ***3 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4550	WORTH ST	Dallas ISD
	2	4615	JUNIUS ST	FUENTES JOSE R
	3	4603	JUNIUS ST	JUNIUS LP
	4	4609	JUNIUS ST	PHAM PHUOC VAN & HA CHAN
	5	4625	JUNIUS ST	CUTCHINC PPTIES LLC PPTY SERIES 4625 JUNIUS
	6	4601	JUNIUS ST	ZAVALA MARIA MAYELA
	7	4511	JUNIUS ST	WR JUNIUS LLC
	8	4523	JUNIUS ST	WAHL THOMAS MICHAEL
	9	4503	JUNIUS ST	HAH PAUL S &
	10	4525	JUNIUS ST	KNOCKEMUS REBECCA
	11	4419	JUNIUS ST	MIELKE LEROY W
	12	4403	JUNIUS ST	ROGERS ANNALISA MARIE & SHAWN MICHAEL
	13	4407	JUNIUS ST	JOHNSON GEOFFREY H &
	14	4318	JUNIUS ST	4318 JUNIUS ST LLC
	15	4317	WORTH ST	KARA FAYZAL
	16	4412	JUNIUS ST	PRIEBE TOM S &
	17	4323	WORTH ST	VENTURA HECTOR
	18	4417	WORTH ST	YIP CHUN KEUNG
	19	4413	WORTH ST	HALL DANIEL W &
	20	4423	WORTH ST	JIYUN CHANG
	21	4422	JUNIUS ST	SMITH ROBERT A &
	22	4404	JUNIUS ST	ROBINSON LARRY
	23	621	N CARROLL AVE	621 CARROLL LLC
	24	617	N CARROLL AVE	WILLIAMS WILLIAM RUSSELL
	25	4408	JUNIUS ST	KAMMAN JOSHUA
	26	4313	WORTH ST	GRANADO ROBERT & VICKI

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	27	615	N CARROLL AVE	TAVAREZ IRIS &
	28	4409	WORTH ST	LEVKOFF LINDA M
	29	4316	JUNIUS ST	HO RATHHANN
	30	4403	WORTH ST	YARBROUGH DON & ELIZABETH
	31	4637	WORTH ST	WORTH FAMILY TRUST
O	32	4625	WORTH ST	MYERS MARGARET HEATHER
	33	4527	WORTH ST	BOURN STEVEN L
	34	4508	JUNIUS ST	CLUFF MICHAEL A & CHRISTINE M
	35	4606	JUNIUS ST	GARCIA ROSA G TR
	36	4620	JUNIUS ST	HUGHES CARIN A
	37	4516	JUNIUS ST	TERPSTRA J
	38	4507	WORTH ST	SOCIETY HILL HOMES LLC
	39	4509	WORTH ST	LAND ETEBARI HOLDINGS LLC
	40	4521	WORTH ST	LOBNITZ JESSICA R
O	41	4522	JUNIUS ST	THREE JANES LLC
	42	4629	WORTH ST	ALPHA EXCLUSIVE BUILDERS LLC
	43	4511	WORTH ST	COUNTS RYAN THOMAS
O	44	4512	JUNIUS ST	NELSON ANDREW T
	45	4612	JUNIUS ST	ROLNICK MATTHEW
	46	4533	WORTH ST	SOCIETY HILL HOMES LLC
	47	4619	WORTH ST	KASERMAN SCOTT A & DANIELLE L
	48	4520	JUNIUS ST	HALL ROBERT E & LINDA H
	49	4630	JUNIUS ST	NIEVES JOSE L
	50	4638	JUNIUS ST	WILSON JUSTIN A
	51	4501	WORTH ST	KIM WHA P
	52	4616	JUNIUS ST	BAXAVANIS NICHOLAS
	53	4632	JUNIUS ST	CPP 5X5 TRUST
	54	4602	JUNIUS ST	JIMENEZ JUAN MANUEL &
	55	4517	WORTH ST	ELLIFF JACOB &
	56	4525	WORTH ST	SANTACRUZ BERNARDO &
	57	4624	JUNIUS ST	MEEHAN COLIN RYDER

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	58	4500	JUNIUS ST	OUR FRIENDS PLACE
	59	4708	WORTH ST	PARKMORE JV
	60	4700	WORTH ST	PARKMORE J V
	61	4706	TREMONT ST	CASA TREMONT
	62	4703	VICTOR ST	JUREK PROPERTIES LTD
	63	328	N CARROLL AVE	VICTOR STREET BIBLE CHAPEL
	64	4512	VICTOR ST	HERNANDEZ MARGARITA C
	65	4516	VICTOR ST	PEDRAZA ELIAZAR & LORENZA
	66	4520	VICTOR ST	ESCOBEDO JESUS
	67	4524	VICTOR ST	MARRUFO MARGARITA MICHELLE
	68	4530	VICTOR ST	DELEON ANNA Y
	69	4622	VICTOR ST	YOHANNES FISSEHA
	70	4616	VICTOR ST	LAI CHI WAI
	71	4612	VICTOR ST	DIAZ TOMATEO & ROSA
	72	4600	VICTOR ST	AN JADHAVJI INVESTMENTS LLC
	73	316	N CARROLL AVE	ALBERTANO LINDA J TRUST
	74	4408	WORTH ST	MAY DAWN
	75	4420	WORTH ST	YARA GROUP LLC
	76	4414	WORTH ST	MOD SQUAD PPTIES LP
	77	509	ALCALDE ST	DUBAI INVESTMENTS INC
	78	405	ALCALDE ST	SILVERIO ANGEL & JUANA LEYVA
	79	4300	WORTH ST	EAST DALLAS CHRISTIAN
X	80	505	ALCALDE ST	FUENTES JAIME JR
	81	407	ALCALDE ST	KEMP JACK
	82	413	ALCALDE ST	NAVA ALEJANDRO &
	83	421	ALCALDE ST	TITUS LAURENCE
	84	401	ALCALDE ST	ESCOBEDO FRANK L LIFE EST
	85	4320	WORTH ST	SAFE CAPITAL INVESTMENTS LLC
	86	417	ALCALDE ST	LOERA JOSE
	87	501	ALCALDE ST	FRANCIS DENNY &
	88	4503	REIGER AVE	LEGGIO RICHARD F

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	89	4515	REIGER AVE	TONGRA LP
	90	4517	REIGER AVE	WATSON MAELISSA TR
	91	4523	REIGER AVE	CAVALIER EL CORP
	92	4609	REIGER AVE	PETROVICH CHRISTIAN M
	93	315	N CARROLL AVE	LUPIAN RAFAEL & MARIA
	94	317	N CARROLL AVE	GARZA VICTORIA GUADALUPE
	95	322	ALCALDE ST	PENFOLD CRAIG PPTIES INC
	96	312	ALCALDE ST	ALVAREZ GLORIA &
	97	4701	WORTH ST	CHRISTOPHER R LONG PROPERTIES LLC
	98	4609	WORTH ST	DHARMAGUNARTNE CHARAKA
	99	4601	WORTH ST	DHARMAGUNARATNE CHARAKA
	100	532	ALCALDE ST	WORTH CONSOLIDATED INVESTMENTS LLC
	101	528	ALCALDE ST	WORTH CONSOLIDATED INVESTMENTS LLC
	102	520	ALCALDE ST	WORTH CONSOLIDATED INVESTMENTS LLC
	103	401	N CARROLL AVE	DAVID CROCKETT BUILDING LLC

AGENDA ITEM # 42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 64 V

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the west line of Altaire Avenue, south of East Millett Drive
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z156-361(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-361(JM) **DATE FILED:** September 9, 2016

LOCATION: On the west line of Altaire Avenue, south of East Millett Drive

COUNCIL DISTRICT: 3 **MAPSCO:** 64-V

SIZE OF REQUEST: ± 0.33 acres **CENSUS TRACT:** 112.00

APPLICANT/OWNER: Aaron & Iris Logan

REPRESENTATIVE: Versie Logan Merchant

REQUEST: An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to expand an existing photography business located along the RL Thorton Service Road which is contiguous to the east of the request area. Deed restrictions being volunteered would limit 23 uses. In addition, the applicant will restrict access to Altaire Avenue, directing traffic solely to the RL Thorton Service Road.

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 subject parcel is undeveloped land adjacent to a property developed with a personal service use (photography studio). The photography studio received a certificate of occupancy on May 16, 2000.

- The applicant owns both parcels and would like to expand their business easterly into the existing R-7.5(A) District. No retail or personal service uses are allowed in the residential district; therefore, the applicant is seeking to rezone the property to a CR Community Retail District.

- The proposed CR District would allow 51 new uses. Volunteered deed restrictions limit 23 of the 51 new uses. Eleven of the remaining 28 new uses are conditional uses that require an SUP, DIR, RAR, or other special zoning consideration. A total of 25 uses, either new or previously controlled as a conditional use, would be allowed by right.

- Volunteered deed restrictions also limit vehicular traffic/access onto Altaire Avenue in an effort to minimize impact on the local residential road traffic.

Zoning History: There have not been any zoning cases in the vicinity in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Altaire Avenue	Local	50’

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. The comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration* is comprised of a series of Building Blocks that depict general land use patterns.

The Plan identifies the request site as being between a *Residential Neighborhood* Building Block and a *Commercial Center or Corridor* Building Block. Residential Neighborhoods represent traditional neighborhoods with single-family detached homes as the dominate land use. At times, there are shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents located at the edges or at key intersections. *Commercial Center or Corridor* Building Blocks

primarily function as service and job destinations. The area of request is interesting because it faces the *Residential Neighborhood* Building Block, while abutting a *Commercial Center or Corridor* Building Block. Since the request at hand stems from a proposed expansion of the abutting commercial property, it does not align with the *Residential Neighborhood* Building Block, but with the *Commercial Center or Corridor* Building Block. The nature of the *Vision Illustration* allows these transitional areas to develop based on patterns of use consistent with the area. Several businesses along RL Thorton Freeway are choosing to utilize the abutting properties facing Altaire Avenue, although the majority of the block is undeveloped. Overall, with the proximity of RL Thorton Freeway and other office, retail and personal service uses along this corridor, the request generally supports the changes occurring on this block.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Land Use Compatibility: The request site is undeveloped and abuts an existing retail and personal service use (photography studio) facing the RL Thornton Freeway. The request to rezone is to allow for the expansion of the photography studio towards property facing Altaire Avenue and single family uses. CR Community District would introduce a wide range of uses which could potentially be incompatible with the single family neighborhood.

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped Land
North	R-7.5(A)	Undeveloped Land
East	R-7.5(A)	Single Family
South	R-7.5(A)	Undeveloped Land
West	RR Regional Retail	Retail and Personal Service

Surrounding properties to the west, northwest, and southwest are zoned an RR Regional Retail District and provide a variety of office and retail and personal services uses. Directly adjacent to the north and south are undeveloped parcels zoned for single family use. Across Altaire Avenue to the northeast, east, and southeast are all existing single family uses.

The applicant volunteered deed restrictions to limit 23 higher intensity uses. Additionally, they have offered to restrict access through Altaire Avenue in an effort to minimize impact on the local residential road traffic.

The Dallas Development Code provides additional protective measures to shield residential uses from commercial or higher intensity uses. These include required screening, landscape buffers, and height restrictions.

In this case, the code requires screening for the rear or service side of a nonresidential building if located closer than 150 feet to the boundary line of a residential district. Altaire Avenue, a 50' right-of-way, separates the proposed expansion of the retail and personal service use from a residential district. Therefore, screening must be not less than six feet in height and constructed of a solid material, or combination of landscape, fence, and/or earthen berm, as allowed by the code. Article X of the Dallas Development Code requires a 10 foot perimeter landscape buffer strip to shield residential uses from nonresidential uses. Finally, the residential proximity slope provision applies to this request and will limit the development height at a 1:3 slope, infinitely. This means that for every foot over 26 feet in height, the structure must be setback an additional 3 feet.

Staff recommends approval of the zoning request because the proposed zoning district, constrained by volunteered deed restrictions and the above regulations provide an ideal opportunity for expansion of an existing business.

Development Standards: The proposed development standards will allow for reduced setbacks and greater lot coverage. Additional provisions like residential proximity slope, required screening, and landscape buffering will help to protect existing single family uses to the west.

District	Setbacks		Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear				
Existing: R-7.5(A)	25'	5'/5' res. 10'/15' nonres.	30'	45% res. 25% nonres.	RPS	Single family
Proposed: CR Community Retail with Deed Restrictions	15'	0'/0'	54'	80%	RPS	Commercial and Business Service; Institutional and Community Service; Retail and Personal Service; Office; and Recreation

Land Use Comparison: The following table identifies the changes in allowable uses from the existing zoning designation of R-7.5(A), to the proposed CR. Fifty-one new uses would be allowed under the new CR Community Retail District. These 51 uses are not exclusive of all uses allowed in the CR District. Volunteered deed restrictions limit 23 of the 51 new uses. Eleven of the remaining 28 new uses are conditional uses that require an SUP, DIR, RAR, or other special zoning consideration. A total of 25 uses, either new or previously controlled as a conditional use, would be allowed by right.

	Proposed	Existing
Use	**CR**	**R-7.5(A)**
~~Building repair and maintenance shop.~~	**DR**	
Catering Service.	**X**	
Custom business services.	**X**	
Electronics service center.	**X**	
Medical or scientific laboratory.	**SUP**	
~~Tool or equipment rental.~~	**DR**	
Adult daycare facility.	**X**	**SUP**
Child-care facility.	**X**	**SUP**
College, university, or seminary.	**X**	**SUP**
Convent or monastery.	**X**	**SUP**
Foster home.		**SUP**
Hospital.	**SUP**	
Library, art gallery, or museum.	**X**	**SUP**
Foster home.		**SUP**
Open-enrollment charter school or private school.	**SUP**	

Public school other than an open-enrollment charter school.	**RAR**	
Public or private school.	**See above.**	**SUP**
~~Hotel and motel.~~	**DR**	
~~Lodging or boarding house.~~	**DR**	
~~Overnight general purpose shelter.~~	**DR**	
Attached non-premise sign.	**SUP**	
Alternative financial establishment.	**SUP**	
Financial institution without drive-in window.	**X**	
~~Financial institution with drive-in window.~~	**DR**	
Medical clinic or ambulatory surgical center.	**X**	
Office.	**X**	
Country club with private membership.	**X**	**SUP**
Private recreation center, club, or area.	**X**	**SUP**
Handicapped group dwelling unit.		**Check Use**
Single family.		**X**
College dormitory, fraternity, or sorority house.	**X**	
~~Alcoholic beverage establishments.~~	**DR**	
~~Ambulance service.~~	**DR**	
Animal shelter or clinic without outside runs.	**RAR**	
~~Auto service center.~~	**RAR**	
Business school.	**X**	
Car wash.	**DIR**	
Commercial amusement (inside).	**Check Use (SUP)**	
~~Commercial amusement (outside).~~	**DR**	
~~Commercial parking lot or garage.~~	**DR**	
~~Convenience store with drive through.~~	**DR**	
Dry cleaning or laundry store.	**X**	
Furniture store.	**X**	
General merchandise or food store greater than 3,500 square feet.	**X**	
~~General merchandise or food store greater than 3,500 square feet.~~	**~~X~~**	
~~General merchandise or food store 100,000 square feet or more.~~	**DR**	

~~Home improvement center, lumber, brick or building materials sales yard.~~	**DR**	
~~Household equipment and appliance repair.~~	**~~X~~**	
~~Liquor store.~~	**~~X~~**	
Mortuary, funeral home, or commercial wedding chapel.	**X**	
~~Motor vehicle fueling station.~~	**DR**	**~~SUP~~**
Nursery, garden shop, or plant sales.	**X**	
Pawn shop.	**X**	
Personal service uses.	**X**	
Restaurant without drive-in or drive-through service.	**RAR**	
~~Restaurant with drive-in or drive-through service.~~	**DR**	
~~Swap or buy shop.~~	**DR**	
Temporary retail use.	**X**	
Theater.	**X**	
Private street or alley.		**SUP**
Transit passenger shelter.	**X**	**Check Use**
Transit passenger station or transfer center.	**Check Use SUP**	**SUP**
Commercial radio and television transmitting station.	**X**	
Electrical substation.	**X**	**SUP**
Police or fire station.	**X**	**SUP**
Post office.	**X**	
~~Mini warehouse.~~	**DR**	
~~Recycling buy back center.~~	**DR**	
~~Recycling collection center.~~	**DR**	
X *indicates permitted by right.* ***SUP*** *indicates permitted with a Specific Use Permit.* ***RAR*** *indicates permitted, but subject to Residential Adjacency Review.* ***DIR*** *indicates permitted, but subject to Development Impact Review.* ***Check Use*** *indicates permitted, but that the use must conform to specific regulations in different districts, as outlined in the Development Code.* ***By CBO Authorization*** *indicates that the use may be allowed with permission from the Chief Building Official.* ***~~Strikethrough text~~*** *indicates items which are being voluntary deed restricted (***DR***). Those uses will not be allowed.*		
Alternating color pattern indicates a new category of uses.		

CPC Action
November 17, 2016:

Motion: It was moved to recommend **approval** of a CR Community Retail District with deed restrictions volunteered by the applicant, subject to deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the west line of Altaire Avenue, south of East Millett Drive.

Maker: Houston
Second: Jung
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

Notices: Area: 200 Mailed: 13
Replies: For: 1 Against: 0

Speakers: For (Did not speak): Versie Merchant, 6636 S.R.L. Thornton Fwy., Dallas, TX, 75232
Against: None

Volunteered Deed Restrictions

The following uses are prohibited:

(1) Commercial and business service uses.
-- Building repair and maintenance shop.
-- Tool or equipment rental.

(2) Lodging uses.
-- Hotel and motel.
-- Lodging or boarding house.
-- Overnight general purpose shelter.

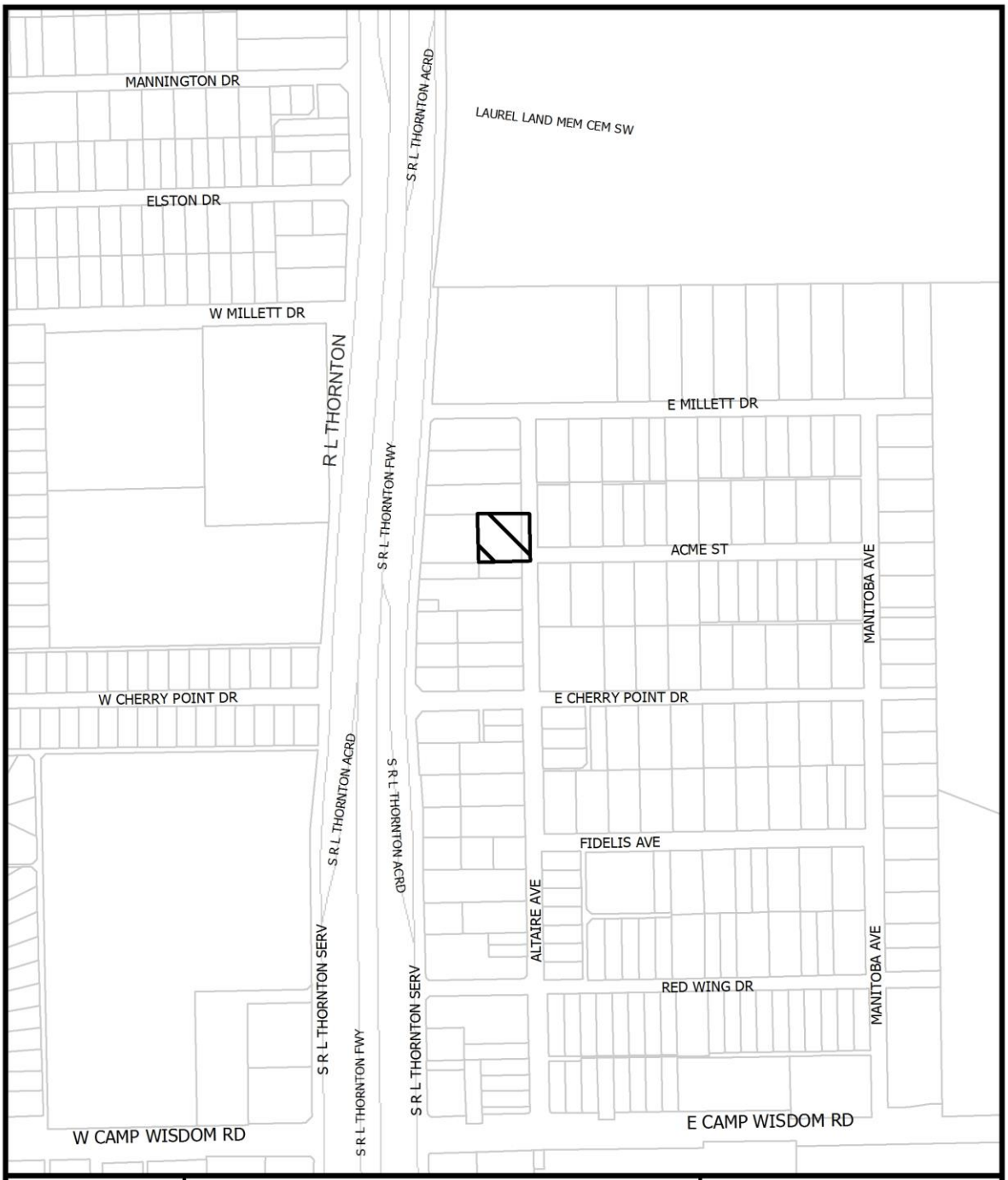
(3) Office uses.
-- Financial institution with drive-in window.

(4) Retail and personal service uses.
-- Alcoholic beverage establishments.
-- Ambulance service.
-- Auto service center.
-- Commercial amusement (outside).
-- Commercial parking lot or garage.
-- Convenience store with drive-through.
-- General merchandise or food store greater than 3,500 square feet.
-- General merchandise or food store 100,000 square feet or more.
-- Home improvement center, lumber, brick or building materials sales yard.
-- Household equipment and appliance repair.
-- Liquor store.
-- Motor vehicle fueling station.
-- Restaurant with drive-in or drive-through service.
-- Swap or buy shop.

(5) Wholesale, distribution, and storage uses.
-- Mini-warehouse.
-- Recycling buy-back center.
-- Recycling collection center.

Additional Conditions:

(1) No vehicular access will be provided along the east property line, onto Altaire Avenue, unless required by the Fire Marshal.


MANNINGTON DR
ELSTON DR
W MILLETT DR
R L THORNTON
S R L THORNTON ACRD
LAUREL LAND MEM CEM SW
S R L THORNTON FWY
E MILLETT DR
ACME ST
MANITOBA AVE
W CHERRY POINT DR
E CHERRY POINT DR
S R L THORNTON ACRD
FIDELIS AVE
ALTAIRE AVE
S R L THORNTON SERV
RED WING DR
W CAMP WISDOM RD
E CAMP WISDOM RD
1:4,800
VICINITY MAP
Case no: Z156-361
Date: 11/1/2016

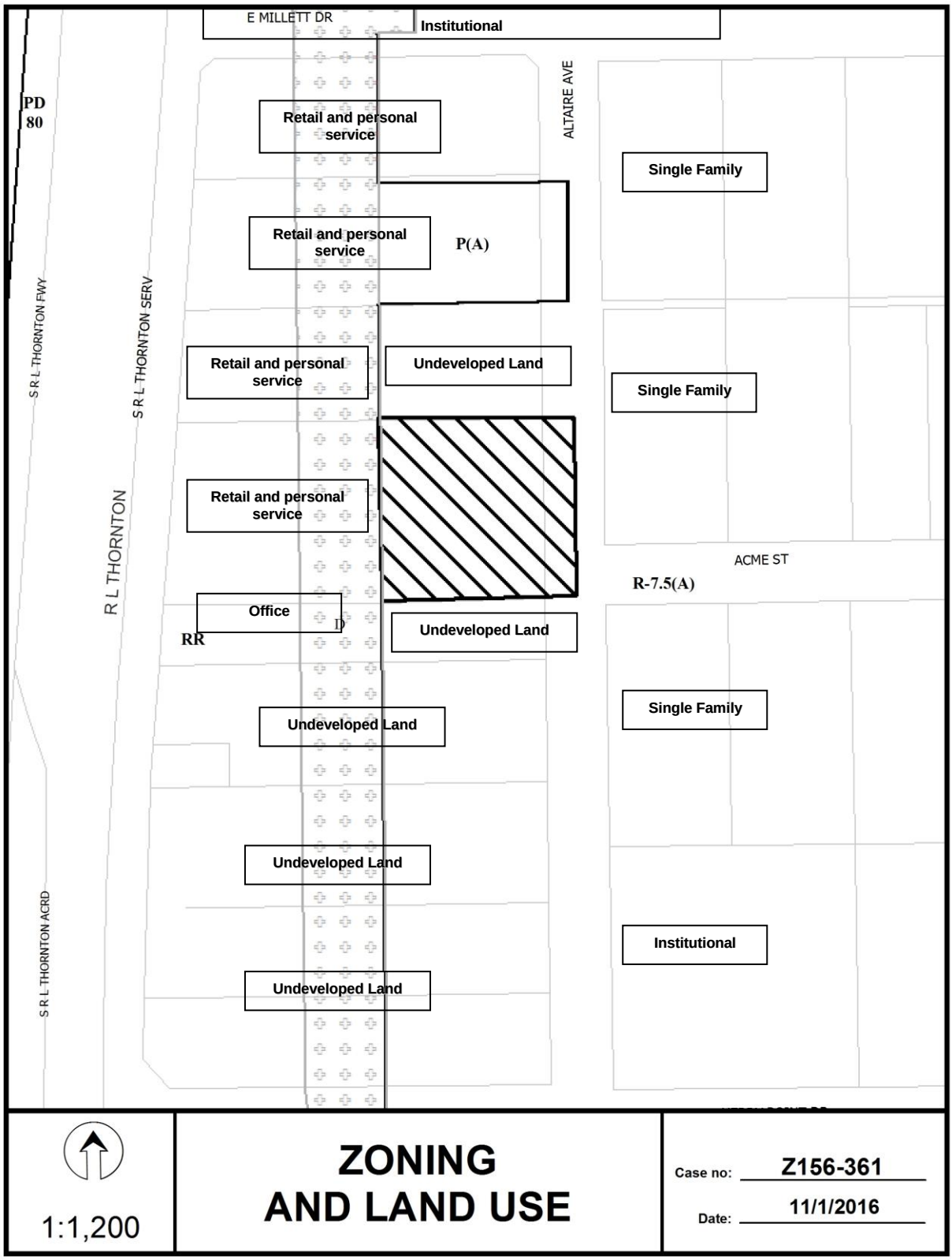


1:1,200

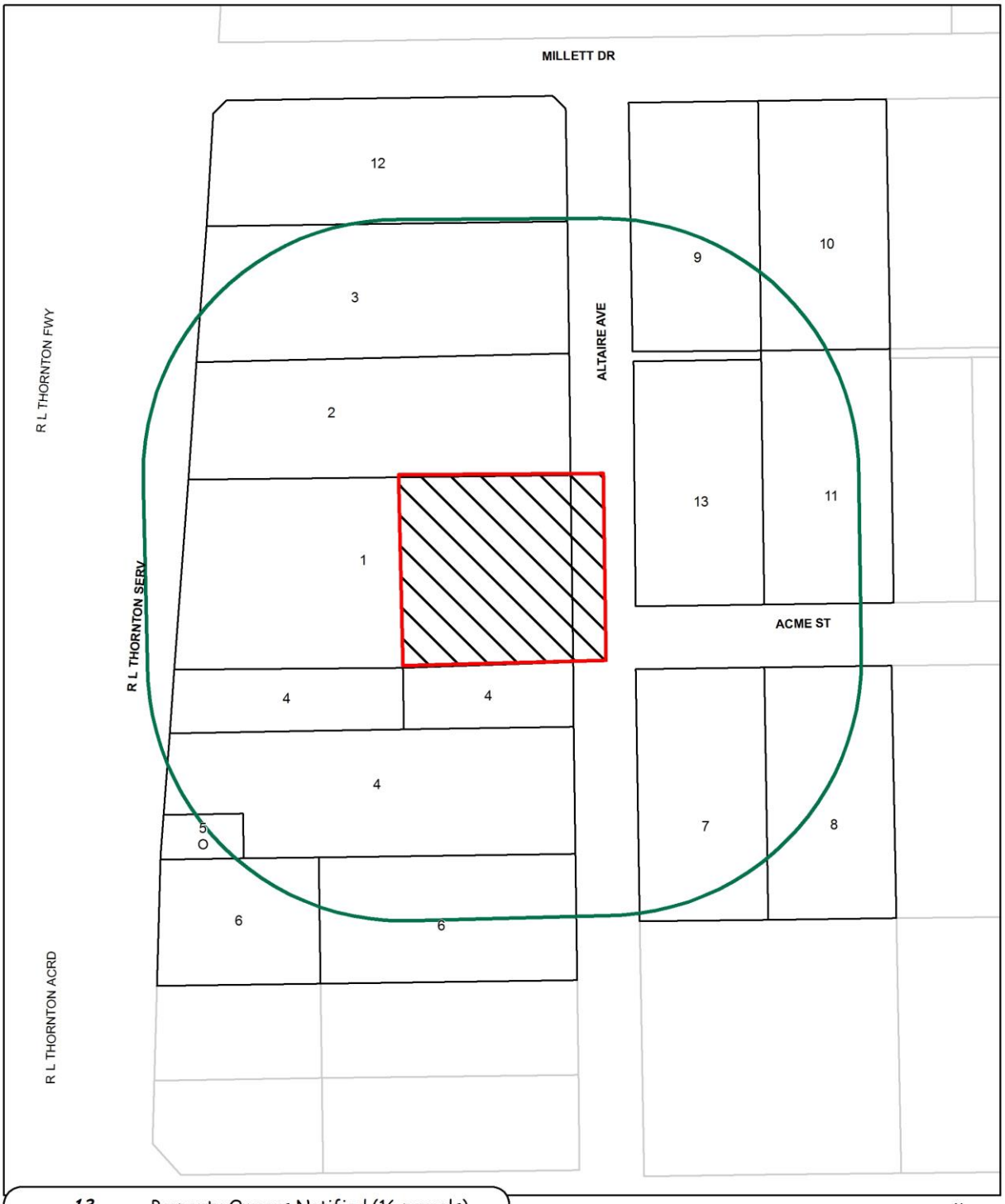
AERIAL MAP

Case no: Z156-361

Date: 11/1/2016


E MILLETT DR
Institutional
PD 80
Retail and personal service
ALTAIRE AVE
Single Family
Retail and personal service
P(A)
S R L THORNTON FWY
S R L THORNTON SERV
Retail and personal service
Undeveloped Land
Single Family
Retail and personal service
R L THORNTON
ACME ST
R-7.5(A)
Office
RR
Undeveloped Land
Single Family
Undeveloped Land
Undeveloped Land
Institutional
S R L THORNTON ACRD
Undeveloped Land
1:1,200
ZONING
AND LAND USE
Case no: Z156-361
Date: 11/1/2016

CPC Responses



13	Property Owners Notified (16 parcels)
1	Replies in Favor (1 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
11/17/2016	Date

Z156-361
CPC

N
W E
S

1:1,200

11/16/2016

Reply List of Property Owners

Z156-361

13 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	6636	S R L THORNTON FWY	LOGAN AARON & IRIS D
	2	6626	S R L THORNTON FWY	LILLY JANICE &
	3	6614	S R L THORNTON FWY	HURST RODRICK L
	4	6704	S R L THORNTON FWY	HURST RODRICK
O	5	6708	S R L THORNTON FWY	PRESCOTT INTERESTS BILLBOARDS LTD
	6	6718	S R L THORNTON FWY	TRUE VINE OF HOLINESS MISSIONARY
	7	206	ACME ST	OSORIO MARIA SANTOS
	8	214	ACME ST	CARTER BRENT CARTER
	9	202	E MILLETT DR	LAGADI PETE REYES
	10	214	E MILLETT DR	LAGADI PETE R JR
	11	215	ACME ST	FLOREZ JOE MAURO &
	12	6606	S R L THORNTON FWY	MARCOS GONZALEZ HAULING LP
	13	207	ACME ST	BLACKMON MALCOLIM &

AGENDA ITEM # 43

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 36 E

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District and animal shelter or clinic with outside runs uses on property zoned an MU-3 Mixed Use District on the north line of Dyer Street, west of Greenville Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z156-362(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-362(JM) **DATE FILED:** September 12, 2016

LOCATION: On the north line of Dyer Street, west of Greenville Avenue

COUNCIL DISTRICT: 14 **MAPSCO:** 36-E

SIZE OF REQUEST: ± 0.34 acres **CENSUS TRACT:** 79.14

APPLICANT: Barking Hound Village (Texas), LLC

OWNER: WLB3 Properties, Inc.

REPRESENTATIVE: Laura Hoffmann & Tommy Mann, Winstead PC

REQUEST: An application for a Planned Development District for MU-3 Mixed Use District and animal shelter or clinic with outside runs uses on property zoned an MU-3 Mixed Use District.

SUMMARY: The applicant proposes to renovate an existing office building to provide a dog daycare and grooming facility with the addition of a secure outdoor play area (also known as outside runs). The applicant is requesting a parking reduction to allow for 10 parking spaces to serve the business after the remodel. The office is currently served by eight parking spaces.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions.

BACKGROUND INFORMATION:

- According to DCAD records, the existing one-story structure is located on two parcels. The parcel adjacent to the alley on the west has a structure that was built in 1959. The second parcel to the east has an adjoining structure that was built in 1971. The total square footage is approximately 7,885 square feet.
- The existing use, an office showroom/warehouse, has had a CO since 1991.
- The addition of the outdoor relief area is what triggers the zoning change.
- The applicant is proposing a planned development district to allow the following:
    - An animal shelter or clinic with outside runs by right, rather than by SUP;
    - To allow the existing nonconforming front yard setback by allowing a 0 foot front yard setback;
    - To provide reduced parking for the proposed use (10 proposed/26 required); and,
    - To amend the animal shelter or clinic with outside runs use by stipulating that the facility is limited to the harboring of domestic animals including, but not limited to dogs and cats. The facility may not harbor large animals, such as horses or other livestock. Diagnosis, treatment, or hospitalization of animals for an animal shelter or clinic with outside runs is not permitted.
- An additional provision was added to the proposed PD conditions to control noxious odors from animal waste on a daily basis.

Zoning History: There has been one recent zoning case in the vicinity in the last five years.

1. **Z145-288:** On October 28, 2015, the City Council approved an amendment to Planned Development District No. 847 and development plans for Subareas 1 & 2.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Dyer Street	Local	50'

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. The comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration* is comprised of a series of Building Blocks that depict general land use patterns.

Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur. The Plan identifies the request site as being within an Urban Mixed Use Building Block. The mixed-use zoning plus the new use will continue to provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

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.

Land Use Compatibility: The request site is developed with a one-story building containing approximately 7,885 square feet and has been in operation with an office showroom/warehouse use since 1991.

	Zoning	Land Use
Site	MU-3 Mixed Use	Office showroom/warehouse
North	City of University Park	Retail and Personal Service
East	MU-3 Mixed Use	Office showroom/warehouse
South	MU-3 Mixed Use	Office showroom/warehouse
West	MU-3 Mixed Use	DART ROW

Surrounding land uses are mostly office showroom/warehouse and retail and personal service uses. The applicant proposes to renovate the structure and provide additional site improvements to screen the outdoor portion of the use to adjacent commercial properties to the north with a six-foot screening wall (alley area). The request also proposes outdoor runs, or also known as an outdoor relief area, for animals. This relief area, or outside run, is located at the north end of the property, along the alley access, with no nearby residential structures. The alley provides an additional buffer to nearby businesses. The screening fence will add to that protection.

Furthermore while there are currently no nearby residences, since the area is mixed-use it helps to have protection from possible disturbances associated with this use. Chapter 7 of the Dallas City Code puts restrictions on animals, including dogs that surrounding neighbors may report to find relief if ever the animals on the request site disturb the peace or neighborhood animals disturb the peace.

Staff recommends approval of the planned development district because the proposed use, constrained by a development plan, conditions, and other City regulations provides a desirable service in an urban, mixed-use neighborhood that is appropriate in an existing commercial building.

Development Standards: The proposed development standards continue to follow the existing zoning of the MU-3 Mixed Use District, while removing the requirement of a minimum front yard setback. This is consistent with the block face of the developed area. Most properties along this section of Dyer Street were developed with little to no front yard. Additionally, bringing structures up to the street creates a vibrant atmosphere consistent with an urban mixed-use area. The structure is already constructed and no lot coverage changes are proposed.

District	Setbacks		Height	Lot Coverage	Special Standards	Primary Uses
	Front	**Side/Rear**				
Existing: MU-3 Mixed Use	15’	0’/0’	270’	80%	RPS	Mixed-Use
Proposed: PDD	0’	0’/0’	270’	80%	RPS	Mixed-Use

Landscaping: Landscaping must be provided in accordance with Article X of the Dallas Development Code.

Parking: If the owner chooses to change uses for the existing building, parking is required for the new use based on the Dallas Development Code. The Dallas Development Code requires one space per 300 square feet of floor area for an animal shelter or clinic use with outside runs. The site has 7,885 square feet of floor area; therefore, 26 spaces are required. Considering the size of the building, it would be difficult to park any use at today's standards.

The applicant hired a professional engineer to conduct a parking study based on their existing business at a different location. The parking study was reviewed by the Engineering Division. The study found that 10 parking spaces are sufficient for the use. The applicant has offered 10 parking spaces, as reflected in the proposed PD conditions and development plan. Eight of those spaces are provided on the site as head-in parking off of Dyer Street. Two will be added at the rear alley-access of the property. An additional provision in the proposed off-street parking regulations allow a credit for on-street parking.

OFFICERS AND DIRECTORS

Tenant: **BARKING HOUND VILLAGE (TEXAS), LLC**

Lisa Jones	Managing Member
Jeremy Jones	Member

OFFICERS AND DIRECTORS

Owner: **WLB3 PROPERTIES, INC.**

William L. Ballard, III	President
William L. Ballard, III	Director
Claudette B. Ballard	Vice-President
Claudette B. Ballard	Director

CPC Action
November 17, 2016:

Motion: It was moved to recommend **approval** of a Planned Development District for MU-3 Mixed Use District and animal shelter or clinic with outside runs uses, subject to a development plan and conditions to include that the 8 foot fence be a solid wooded fence on property zoned an MU-3 Mixed Use District on the north line of Dyer Street, west of Greenville Avenue.

Maker: Houston
Second: Jung
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

Notices: Area: 500 Mailed: 81
Replies: For: 5 Against: 0

Speakers: None

Proposed PDD Conditions

ARTICLE ___.
PD ___.

SEC. 51P-___.101. LEGISLATIVE HISTORY.

PD ___ was established by Ordinance No. _____, passed by the Dallas City Council on _____.

SEC. 51P-___.102. PROPERTY LOCATION AND SIZE.

PD ___ is established on property located on the north line of Dyer Street between Central Expressway and Greenville Avenue. The size of PD ___ is approximately 0.34 acre.

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. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit __A: development plan.

SEC. 51P-___.105. DEVELOPMENT PLAN.

(a) For an animal shelter or clinic use with outside runs, development and use of the Property must comply with the development plan (Exhibit __A). 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-___.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only uses permitted are those main uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-3 Mixed Use District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MU-3 Mixed Use District is subject to DIR in this district; etc.

(b) The following additional main use is permitted:

-- Animal shelter or clinic with outside runs. *[Limited to the harboring of domestic animals including, but not limited to dogs and cats. The facility may not harbor large animals, such as horses or other livestock. Diagnosis, treatment, or hospitalization of animals for an animal shelter or clinic with outside runs is not permitted.]*

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.)

(a) Except as provided in this section, the yard, lot, and space regulations in the MU-3 Mixed Use District apply.

(b) Front yard. No minimum setback is required.

SEC. 51P-___.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 an animal shelter or clinic with outside runs, a minimum of 10 off-street parking spaces are required.

(c) Parking reduction for on-street parking.

(1) Any on-street parking spaces may be counted toward the parking requirement of the use adjacent to the on-street parking space.

(2) 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.

(3) 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.

(4) On-street parking spaces must be marked per city regulations and must be approved by the director of mobility and streets.

SEC. 51P-___.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-___.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-___.112. SIGNS.

Signs must comply with the provisions for business zoning districts contained in Article VII.

SEC. 51P-___.113. ADDITIONAL PROVISIONS.

(a) For an animal shelter or clinic with outside runs, animal waste must be removed from outside runs daily and placed in an odor-controlled container.

(b) Fencing identified on the development plan shall be solid wood.

(b) The Property must be properly maintained in a state of good repair and neat appearance.

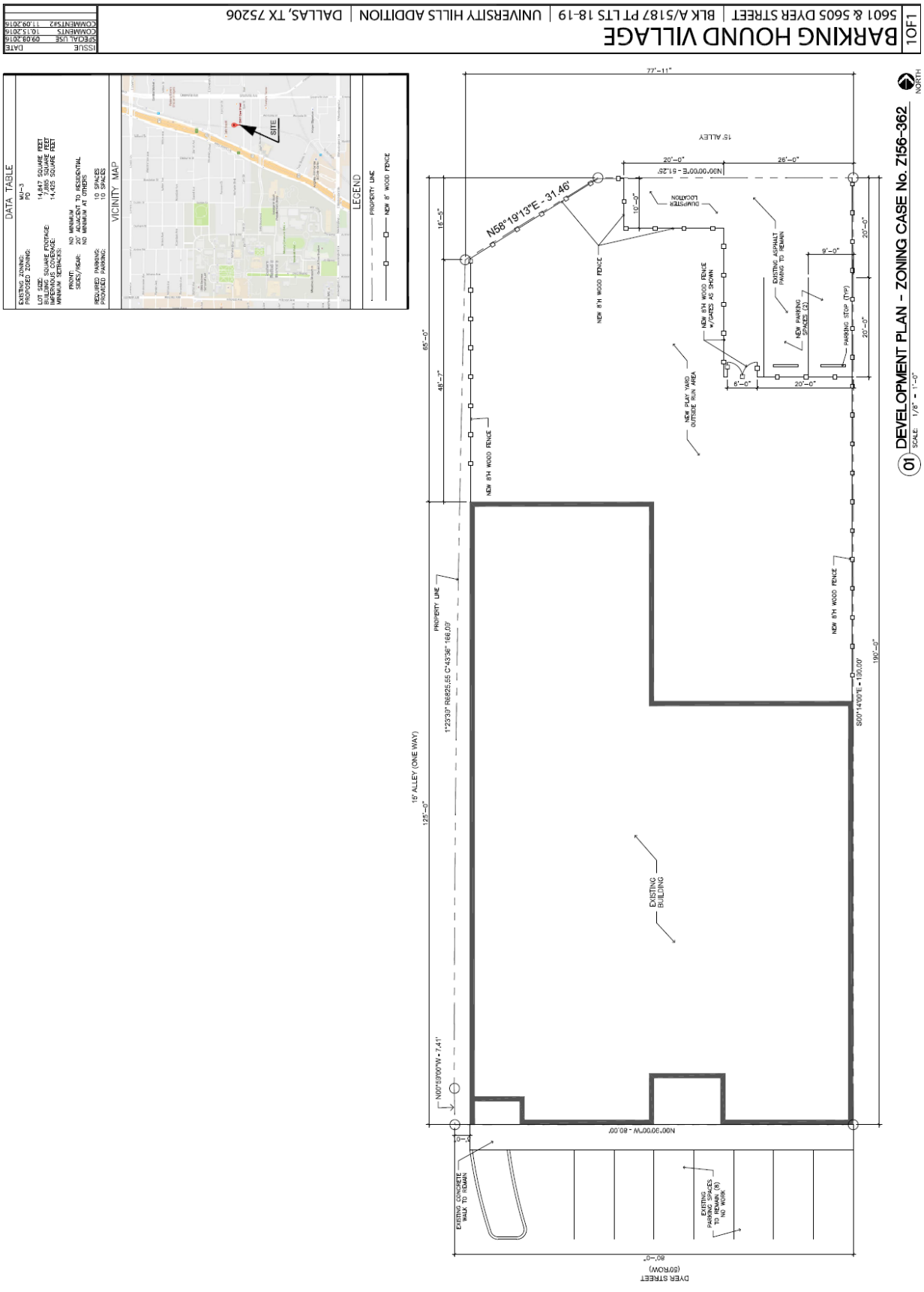
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

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



Parking Study

Kimley»Horn

MEMORANDUM

To: Ms. Lisa Jones
Barking Hound Village

From: Scot A. Johnson, P.E., PTOE
Allyson Richey
Kimley-Horn and Associates, Inc.

Date: August 24, 2016

Subject: Barking Hound Village Parking Study



Summary

Based on the observed parking demand at two existing sites, it is recommended that the new Barking Hound Village location at 5601 and 5605 Dyer Street should provide 10 on-site parking spaces. This supply will completely cover the expected parking demand for the dog boarding and daycare use.

Introduction

Kimley-Horn and Associates, Inc. (KH) was retained by Barking Hound Village (BHV) to conduct a parking study to examine the actual parking demand at their existing BHV pet boarding facility, to assist in identifying the proper parking supply at their new BHV location at 5601 and 5605 Dyer Street. The study observed the existing parking behavior at the existing site and a similar competitor's site, identified the peak parking demands for the pet boarding land use, and then made recommendations about an appropriate parking supply for a similar facility.

Parking Observations

The existing Barking Hound Village location that was evaluated for parking demand is at 5922 Cedar Springs Road. Parking is exclusive to the site, with at least 36 parking spots available near the building. The business offers dog boarding and daycare only, with limited grooming services (e.g., baths) that are part of the boarding service. There are no other pet-related services like training, veterinary care, detailed grooming, or significant retail sales. The business uses 4 staff members on site at a time. Most of the customer activity occurs near the morning and evening commuter peak hours as owners drop off and pick up their pets around a traditional work schedule.

A competitor's site was also identified for study, the Pet Resort Dallas location at 2737 W. Mockingbird Lane. Pet Resort Dallas operates the same type of pet boarding and daycare facility, without other uses on the site. Pet Resort Dallas is part of a mixed commercial development, but has at least 24 spaces available for use immediately adjacent to the facility.

kimley-horn.com | 12750 Merit Drive, Suite 1000, Dallas, TX 75251 | 972-770-1300

Z156-362

The existing BHV site and the competitor's site were observed on August 3, 2016 for both parking supply and parking occupancy. A physical count and examination of each available parking space was made. Observations were conducted on a typical Thursday and included both AM and PM peak hours. AM peak hours included 7 AM to 9 AM, with PM peak hours being 5 PM to 7 PM. No midday peak hours were identified as they were not considered significant enough for study. The hours identified as peaks correlated to drop-off and pick-up around a standard, 9-5 work day. During each peak time, counts were taken at ten-minute intervals at each site, recording the number of spaces occupied by vehicles parked or in the process of parking or unparking. The parking occupancy numbers included any staff vehicles.

Parking Demand Data

A graph summarizing the parking observations for the BHV site can be seen in **Figure 1**. Observations from the data revealed neither the AM nor PM peak proved to be more significant; the parking demand in each peak was virtually identical. The AM peak time period had a noticeable peak where occupancy rose to a maximum and then tapered off. This could be attributed to more consistency in workplace arrivals and start times. The PM peak time period did not peak at any one time, tending more to fluctuate throughout the period. Traffic delays and differences in work day conclusions could be factors in this lack of peak behavior. The maximum observed parking demand at the BHV site was 7 vehicles in the AM time period and 6 vehicles in the PM time period. With 36 parking spots available, most of the on-site parking spaces are never used.

Figure 2 shows the AM and PM occupancy for the Pet Resort Dallas location. Similar trends can be seen between this location and Barking Hound Village, validating observations as a regular trend for similar land uses. The maximum observed parking demand at the Pet Resort Dallas site was 7 vehicles in the AM time period and 6 vehicles in the PM time period. As with the BHV site, most of the available parking spaces are never used.

Figure 1: AM and PM Parking Occupancy for Existing Barking Hound Village



Figure 2: AM and PM Parking Occupancy for Pet Resort Dallas



Proposed New BHV Location

The potential new location of Barking Hound Village is at 5601 and 5605 Dyer Street, between US 75 and Greenville Avenue, just north of SMU Boulevard. The new facility will have the same dog boarding and daycare-only facilities as the existing BHV site on Cedar Springs Road. The facility will have the same staff level of 4 employees at a time, and is expected to have the same customer usage profile as the existing site.

The Dyer site currently has 8 on-site parking spots available on the Dyer Street frontage, and some additional area for parking at the rear of the site. Adjacent to the site are some public on-street parallel parking spaces on Dyer Street, and additional public angled parking on Prentice Street.

Recommended Parking Supply

The observations of two similar facilities showed no parking demand over 7 spaces, including employee parking. This observed demand matches the customer profile of the boarding and daycare users, where customers are on site only for short periods to drop off or pick up pets. With no other activity to prolong the customer visit, there is no significant parking accumulation on the observed sites.

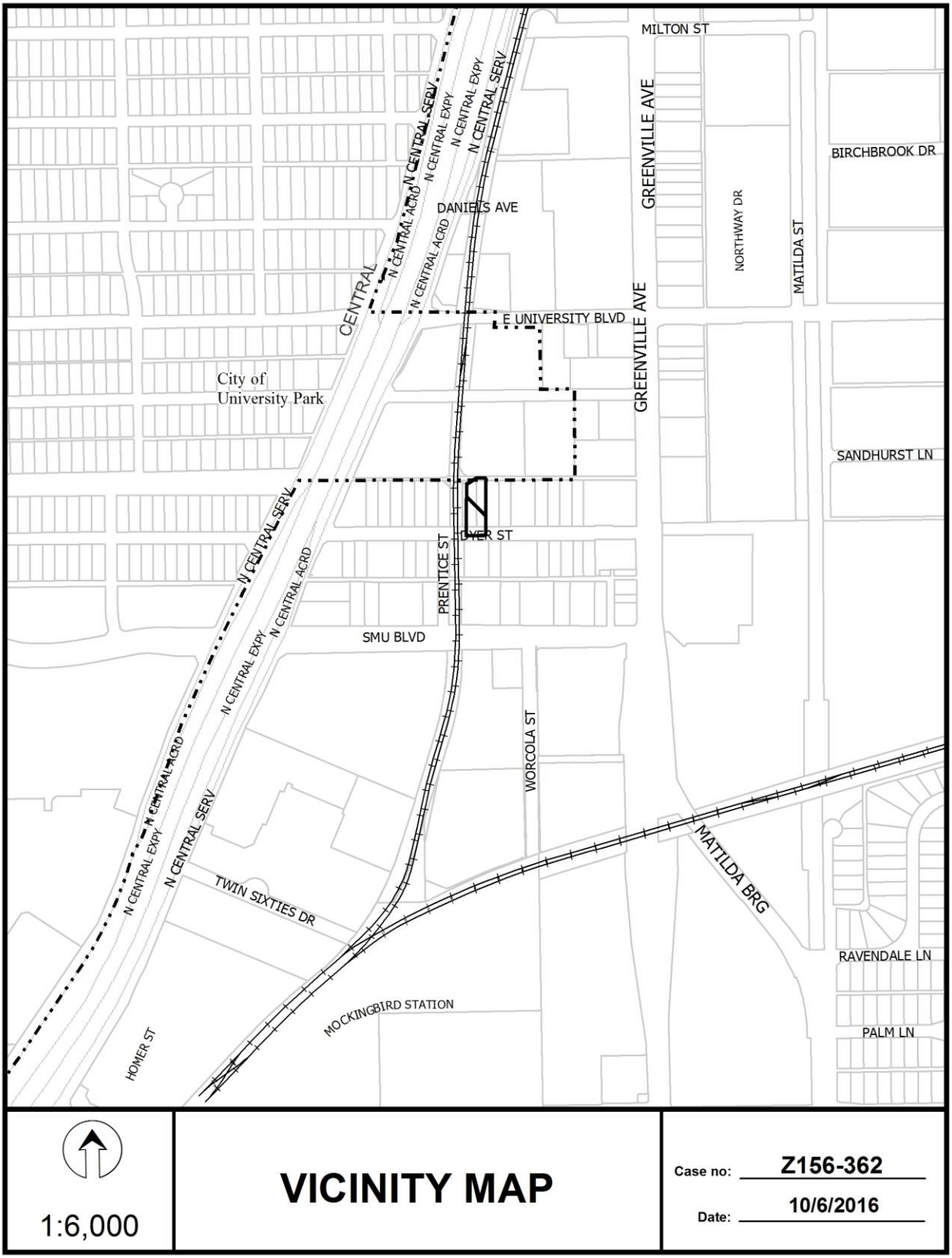
It is recommended that the new Barking Hound Village site should provide 10 on-site parking spaces. This 10 spaces represents a buffer of over 40% above the highest observed parking demand at similar sites, which will ensure that that site can comfortably handle any temporary spikes in parking demand. The nearby public parking provides an additional buffer for exceptional events, but is never expected to be used.

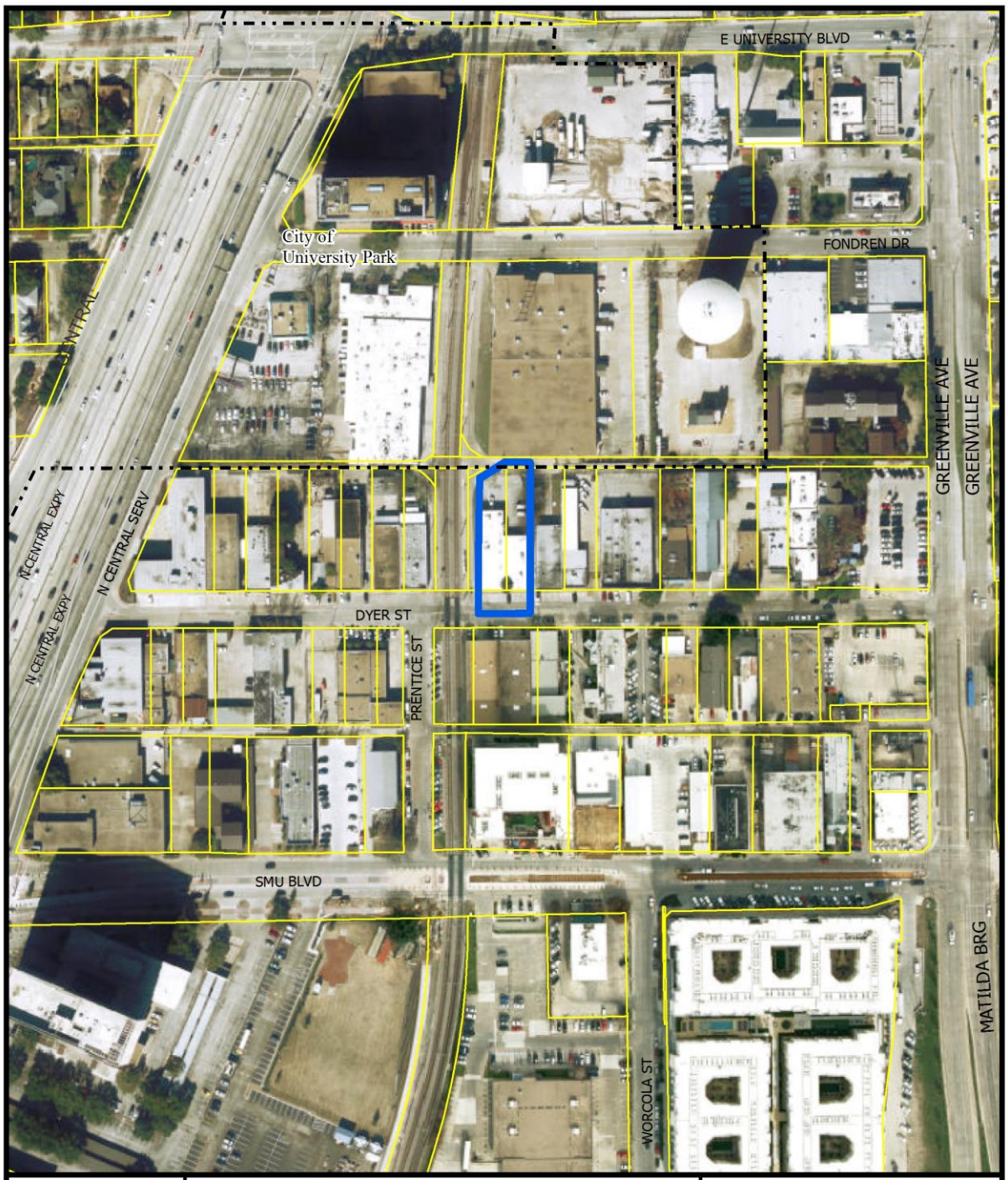
The pet boarding and daycare use is significantly different from other retail or personal services uses, so having a reduced parking requirement is reasonable. This recommendation of 10 spaces is the appropriate supply, preventing the wasteful oversupply of parking spaces which are never used. Excess parking requirements have negative effects on many urban design elements such as neighborhood walkability, storm water runoff, and urban heat island effects.

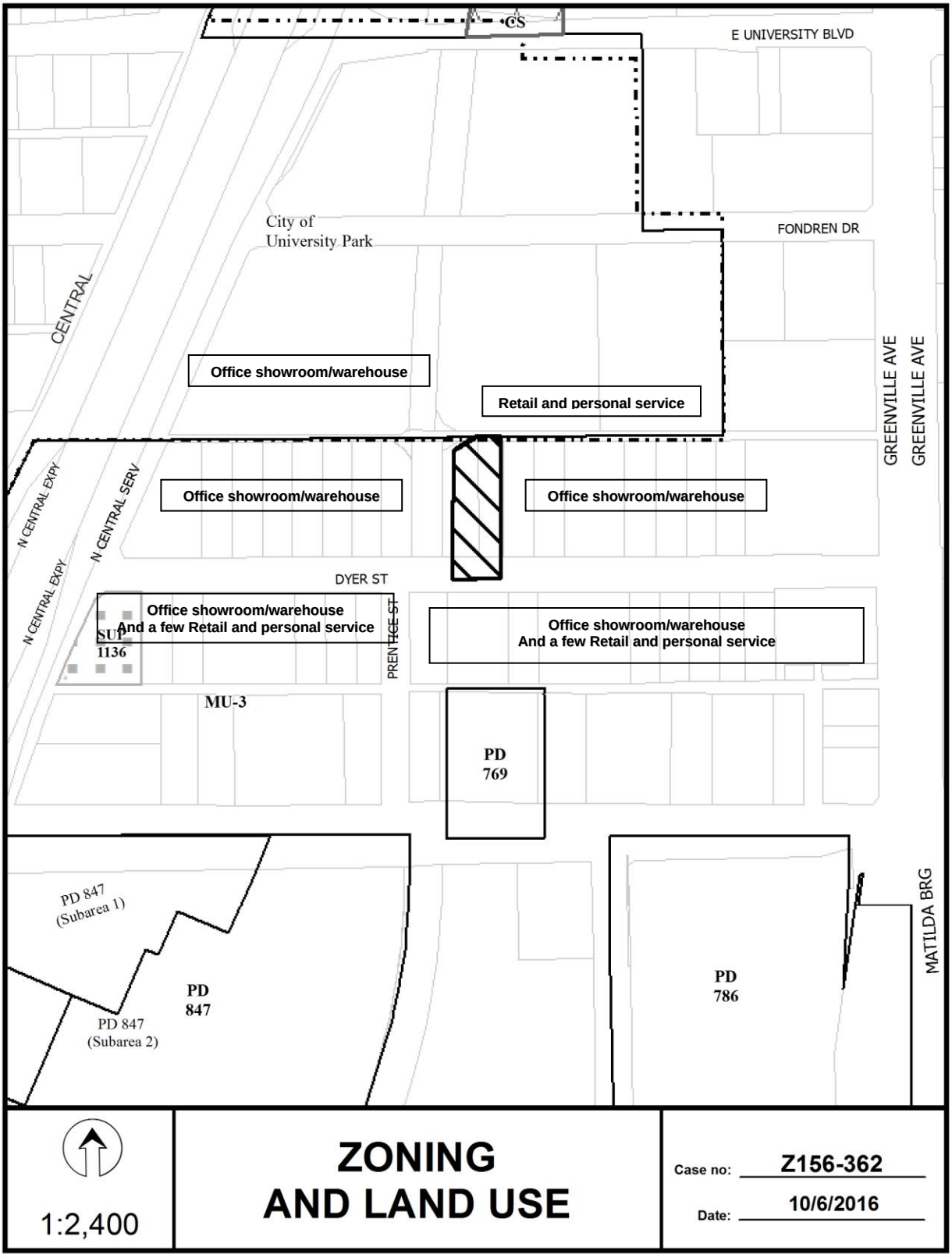
Summary

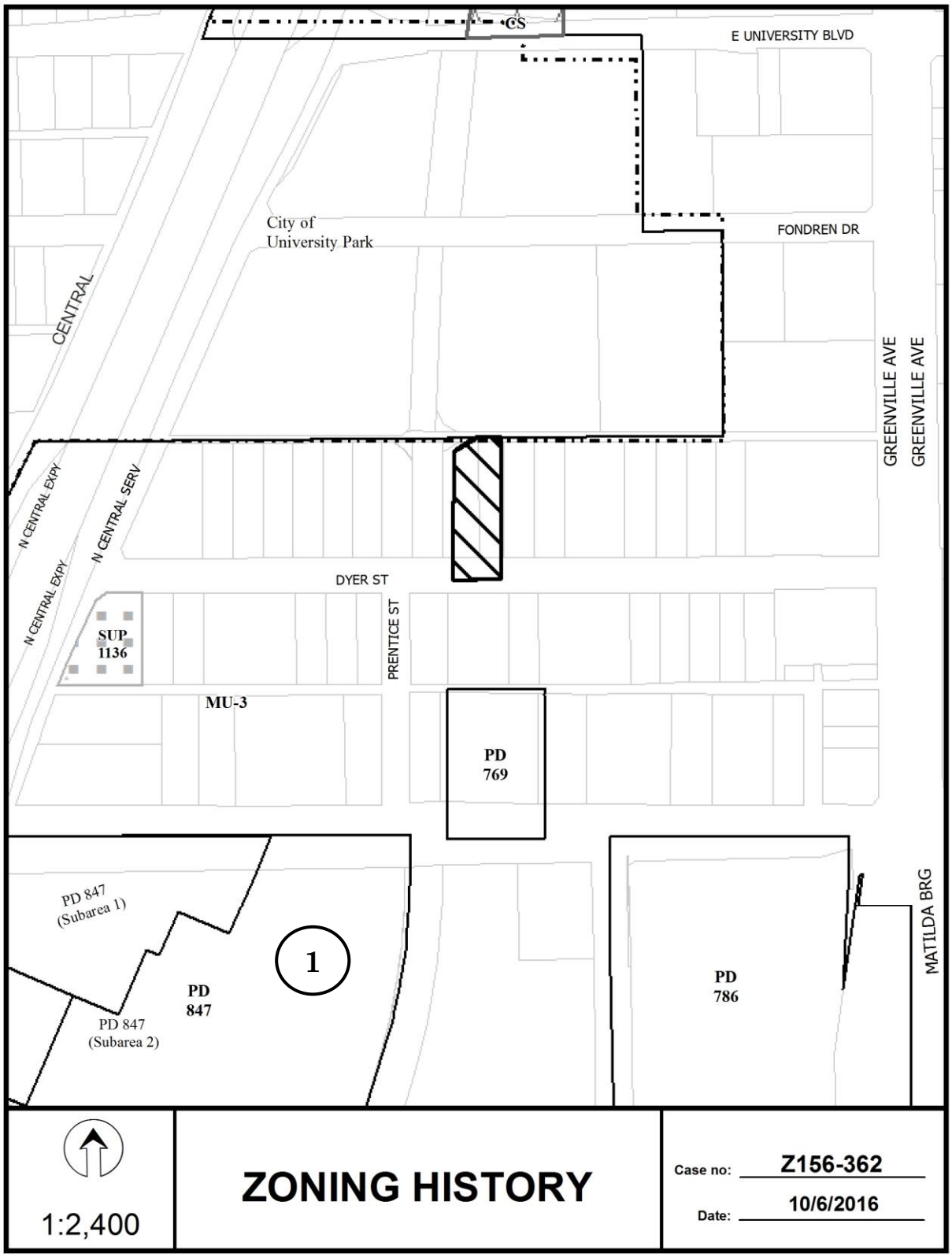
Based on the observed parking demand at two existing sites, it is recommended that the new Barking Hound Village location at 5601 and 5605 Dyer Street should provide 10 on-site parking spaces. This supply will completely cover the expected parking demand for the dog boarding and daycare use.

END

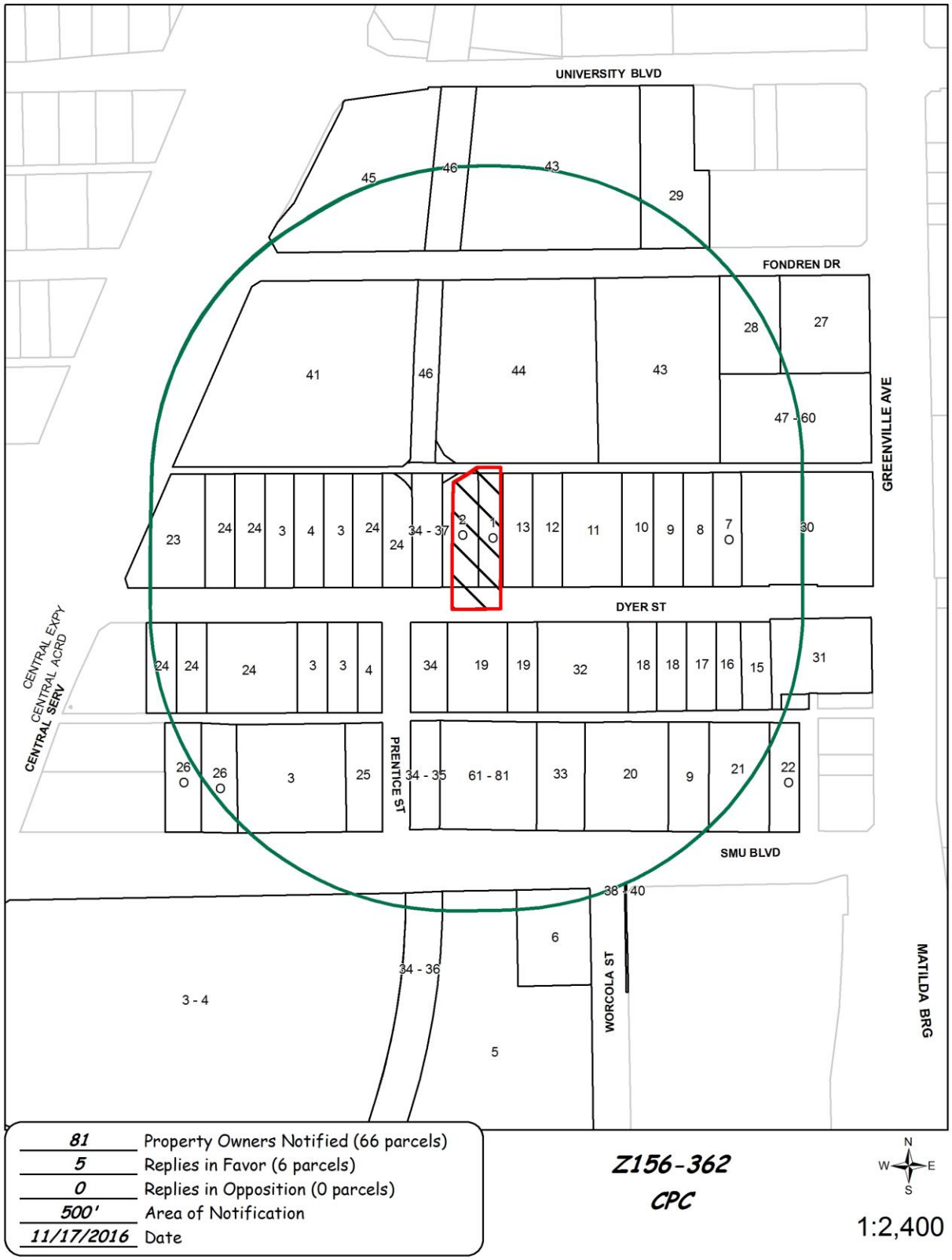

MILTON ST
GREENVILLE AVE
BIRCHBROOK DR
NORTHWAY DR
MATILDA ST
DANIELS AVE
N CENTRAL SERV
N CENTRAL EXPY
N CENTRAL ACRD
CENTRAL
E UNIVERSITY BLVD
City of
University Park
SANDHURST LN
DYER ST
PRENTICE ST
SMU BLVD
WORCOLA ST
MATILDA BRG
TWIN SIXTIES DR
RAVENDALE LN
MOCKINGBIRD STATION
PALM LN
HOMER ST
1:6,000
VICINITY MAP
Case no: Z156-362
Date: 10/6/2016


E UNIVERSITY BLVD
City of
University Park
FONDREN DR
GREENVILLE AVE
GREENVILLE AVE
N CENTRAL EXPY
N CENTRAL SERV
N CENTRAL EXPY
DYER ST
PRENTICE ST
SMU BLVD
WORCOLA ST
MATILDA BRG
1:2,400
AERIAL MAP
Case no: Z156-362
Date: 10/6/2016


CS
E UNIVERSITY BLVD
City of
University Park
FONDREN DR
CENTRAL
GREENVILLE AVE
GREENVILLE AVE
Office showroom/warehouse
Retail and personal service
N CENTRAL EXPY
N CENTRAL SERV
N CENTRAL EXPY
Office showroom/warehouse
Office showroom/warehouse
DYER ST
Office showroom/warehouse
And a few Retail and personal service
SUP
1136
PRENTICE ST
Office showroom/warehouse
And a few Retail and personal service
MU-3
PD
769
PD 847
(Subarea 1)
PD
847
PD 847
(Subarea 2)
PD
786
MATILDA BRG
1:2,400
ZONING
AND LAND USE
Case no: Z156-362
Date: 10/6/2016


CS
E UNIVERSITY BLVD
City of
University Park
FONDREN DR
CENTRAL
GREENVILLE AVE
GREENVILLE AVE
N CENTRAL EXPY
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PD 847
(Subarea 2)
PD
786
MATILDA BRG
1:2,400
ZONING HISTORY
Case no: Z156-362
Date: 10/6/2016

CPC Responses



11/16/2016

Reply List of Property Owners

Z156-362

81 Property Owners Notified ***5 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	5605	DYER ST	WLB3 PROPERTIES INC
O	2	5601	DYER ST	WLB3 PROPERTIES INC
	3	6116	N CENTRAL EXPY	SOUTHERN METHODIST UNIVERSITY
	4	5533	DYER ST	SOUTHERN METHODIST
	5	5606	SMU BLVD	U S POSTAL SERVICE
	6	5612	SMU BLVD	YALE CENTRAL LLC
O	7	5641	DYER ST	SHELBY SHARON A
	8	5639	DYER ST	PORTMANN W KRISTIN &
	9	5631	DYER ST	JACKSON LEASING PTNRS LTD
	10	5627	DYER ST	GRINNAN JOHN MANNING JR &
	11	5619	DYER ST	DYER STREET INVESTORS LP
	12	5615	DYER ST	HAYS JERRY
	13	5607	DYER ST	SKYLINE 5607 DYER LLC
	14	5650	DYER ST	SMITH M NED
	15	5644	DYER ST	HOLLYWOOD OVERHEAD
	16	5642	DYER ST	HOLLYWOOD OVERHEAD
	17	5634	DYER ST	SKYLINE 5634 DYER LLC
	18	5630	DYER ST	JACKSON LEASING PARTNERS
	19	5610	DYER ST	NAK JOINT VENTURE LTD
	20	5629	SMU BLVD	SMU DHG LLC
	21	5641	SMU BLVD	5641 YALE LTD PS
O	22	5645	SMU BLVD	SMITH NED
	23	6300	N CENTRAL EXPY	MANHATTAN CONSTRUC CO INC
	24	5523	DYER ST	PERUNA EAST CORPORATION
	25	5555	SMU BLVD	PERUNA EAST CORP
O	26	5535	SMU BLVD	RAS PROPERTIES LTD

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	27	4645	GREENVILLE AVE	SAYAH INVESTMENTS LP
	28	5620	FONDREN DR	DDW PROPERTIES LLC
	29	5614	E UNIVERSITY BLVD	EMPIRE BAKING COMPANY LP
	30	4615	GREENVILLE AVE	MOONDANCE INVESTMENTS LTD
	31	4529	GREENVILLE AVE	MOONDANCE INV LTD
	32	5622	DYER ST	DYER STREET INVESTORS LP
	33	5619	SMU BLVD	HOLTVET HOLDINGS LLC
	34	555	2ND AVE	DART
	35	555	2ND AVE	DART
	36	555	2ND AVE	DART
	37	555	2ND AVE	DART
	38	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
	39	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
	40	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
	41	6400	N CENTRAL EXPY	MUSTANG MOCKINGBIRD PROPERTIES
	42	6400	N CENTRAL EXPY	DALLAS AREA RAPID TRANSIT
	43	2525	UNIVERSITY BLVD	UNIVERSITY PARK CITY OF
	44	2651	FONDREN DR	JARRELL CREDIT EQUIVALENT
	45	6440	N CENTRAL EXPY	TURLEY WINDLE & SHIRLEY A
	46	2600	FONDREN DR	DALLAS AREA RAPID TRANSIT
	47	4625	GREENVILLE AVE	G R PARTNERS INC
	48	4625	GREENVILLE AVE	STONECOURT INC
	49	4625	GREENVILLE AVE	ROUND HILL ROYALTY LP
	50	4625	GREENVILLE AVE	GIFFORD MYRTLE REVOCABLE TRUST
	51	4625	GREENVILLE AVE	OLIVER FRED L
	52	4625	GREENVILLE AVE	BT FAMILY PARTNERSHIP
	53	4625	GREENVILLE AVE	MARTINEAU DAVID T
	54	4625	GREENVILLE AVE	BRYAN WOODBINE PURCHASING LLC
	55	4625	GREENVILLE AVE	MARTINEAU DAVID T &
	56	4625	GREENVILLE AVE	HALPIN MARILYN K
	57	4625	GREENVILLE AVE	E & M WATERS LTD

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	58	4625	GREENVILLE AVE	ROLLIN COBBS C LP
	59	4625	GREENVILLE AVE	EUBANK RAY H &
	60	4625	GREENVILLE AVE	COBBS ROLLIN C LP
	61	5609	SMU BLVD	DB 5609 RESIDENCES LTD
	62	5609	SMU BLVD	ELDORE MARK &
	63	5609	SMU BLVD	NATHAN KAREN
	64	5609	SMU BLVD	WINTERS ELIZABETH WYNN
	65	5609	SMU BLVD	CL LUXURY PROPERTIES INC
	66	5609	SMU BLVD	BAUGHMAN MICHAEL JAMES &
	67	5609	SMU BLVD	DALAL JAYNEIL H
	68	5609	SMU BLVD	SCHLINKERT ROY J &
	69	5609	SMU BLVD	SCHIFANO ANTHONY M
	70	5609	SMU BLVD	RONDPONT LLC
	71	5609	SMU BLVD	ANDERSON REALTY PARTNERS LLC
	72	5609	SMU BLVD	BILLINGTON MARK
	73	5609	SMU BLVD	DARLING MICHAEL BLAKE &
	74	5609	SMU BLVD	HERZ PAUL F SR
	75	5609	SMU BLVD	REYKRAFFT ARTURO
	76	5609	SMU BLVD	CARNEVALE KAREN CASSIE
	77	5609	SMU BLVD	PEREIRA CECILIO &
	78	5609	SMU BLVD	LACARRA ANTONIO &
	79	5609	SMU BLVD	LIGHT JORDAN BARNETT
	80	5609	SMU BLVD	BREMER VICTORIA
	81	5609	SMU BLVD	LAUGHX3 LLC

AGENDA ITEM # 44

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 53 B

SUBJECT

A public hearing to receive comments regarding an application for a new subdistrict for Light Commercial/Office and restaurant with drive-in or drive-through service uses within the Light Commercial/Office Subdistrict of Planned Development District No. 631, the West Davis Special Purpose District and an R-7.5(A) Single Family District on property on the southwest corner of West Davis Street and North Westmoreland Road
Recommendation of Staff and CPC: Denial
Z156-223(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-223(SM) **DATE FILED:** March 1, 2016

LOCATION: Southwest corner of West Davis Street and North Westmoreland Road

COUNCIL DISTRICT: 1 **MAPSCO:** 53-B

SIZE OF REQUEST: Approx. 0.85 Acres **CENSUS TRACT:** 67.00

APPLICANT/OWNER: POP Holdings, LP – Guillermo Perales, Sole owner

REPRESENTATIVE: Marty Brown

REQUEST: An application for a new subdistrict for Light Commercial/Office and restaurant with drive-in or drive-through service uses within the Light Commercial/Office Subdistrict of Planned Development District No. 631, the West Davis Special Purpose District and an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to renovate and construct additions to the existing structure to (1) enlarge the existing restaurant with drive-in or drive-through service (Popeye's) onto the adjacent undeveloped property to the south and (2) modify landscaping requirements.

CPC RECOMMENDATION: **Denial**

STAFF RECOMMENDATION: **Denial**

BACKGROUND INFORMATION:

- The existing nonconforming drive through restaurant was built in 1981 when the property was located within the GR General Retail District, according to permit records, and contains a nonconforming drive through restaurant with approximately 1,592 square feet, according to Dallas Central Appraisal District records.

- The West Davis Land Use Study was adopted March 27, 2002 and established three goals which eventually created Planned Development District No. 631 that was established by Ordinance No. 25209 on March 26, 2003. The West Davis Land Use Study's identified goals were to: 1) protect residential areas from undesirable land uses; 2) increase the commercial viability along West Davis Street; and, 3) improve the image of West Davis Street.

- The southern residentially zoned portion of the request site has not contained a residential use since at least 1952, according to aerial photography and permit records.

Zoning History: There have been no recent zoning changes requested in the area within the last five years.

Thoroughfare/Street:	Function	Proposed Dimension
West Davis Street	Minor Arterial	Minimum-6 lanes-Divided; 100' ROW
North Westmoreland Road	Principal Arterial	Minimum-6 lanes-Divided; 100' ROW

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. The analysis is based upon the traffic worksheet the applicant provided during the application submittal.

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 EVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

IMPLEMENTATION MEASURE 1.1.5.1 Recognize adopted area/neighborhood plans in guiding development and zoning decisions.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

The Vision Illustration depicts the request site as within a *Residential Neighborhood* and along a *Multi-Modal Corridor*. The request is inconsistent with the Residential Neighborhood Building Block. The request would be more consistent with a Multi-Modal Corridor Building Block if it provided an enhanced landscape buffer to the south. Therefore, staff recommends denial.

West Davis Land Use Study

The West Davis Land Use Study was adopted on March 27, 2002 and was the guiding document for the creation of PD No 631. It identified uses that were incompatible with residential neighborhoods and found the residential adjacency review (RAR) "insufficient review to ensure that residential uses are protected and buffered from these [incompatible] uses" (p. iv). The study also found that the majority of the existing nonresidential building stock was constructed prior to landscaping requirements and has not improved the image of the street; ultimately PD No. 631 relies upon Article X landscaping requirements but makes the applicability much more stringent by requiring compliance with Article X for any increases in floor area or nonpermeable coverage.

On the third and fourth pages of the appendix, the study identifies the uses that should be allowed in the request's land use category, called *Light Retail/Commercial Office,* and are included below (emphasis added).

> First, uses that rely on large amounts of parking to be successful will not be allowed here. This is due either to site constraints or that the amount of traffic would be too great for the amount of residential next to the site. Second, any uses that generate large amounts of noise or other types of pollution will need to locate elsewhere. Again, proximity to residential means that these uses do not

belong here. Finally, **uses such as drive through restaurants,** car washes, gas stations, or banks **will not be allowed here**. While they do not require large amounts of parking, the amount of traffic generated by these uses is too great for the adjacent residential. Examples of uses encouraged here are bridal shops, cellular phone shops, tax preparation services, small grocery store, and small offices (for architects, lawyers, etc.). These are uses that operate mainly during the day and do not encourage large amounts of vehicular traffic.

Staff recommends denial of the request because the West Davis Land Use Study specifically recommends that drive through restaurants should be prohibited.

Surrounding Land Uses and Zoning:

Direction	Zoning	Land Use
Site	PD No. 631 (LCO Tract 2), R-7.5(A)	Nonconforming drive through restaurant, undeveloped
North	PD No. 631 (MCO Tract 1),	Auto repair and Shopping center
East	PD No. 631 (LMU Tract 2), DR No. Z823-180	Retail and gas station
South	R-7.5(A)	Single family
West	PD No. 631 (LCO Tract 2), R-7.5(A)	Vacant to-go only restaurant, Single family

Land Use Compatibility:

The 0.85 acre site is comprised of four 50-foot wide lots (lots one through four, numbered from the north to the south) and is located on the corner of two arterial roadways and contains a nonconforming drive through restaurant. Lots one and two are currently located within PD No. 631 (LCO Tract 2) and lots three and four are located within the R-7.5(A) District. The applicant requests to expand the nonconforming drive through restaurant site that currently occupies lots one through three further into the undeveloped residentially zoned portion of the property in the south, lot four. Opposite the alley to the west of the request site, there is a vacant to-go only restaurant that occupies lots 11 through 13 of the same block and is also split-zoned with R-7.5(A) and PD No. 631 (LCO Tract 2). To the south of the vacant to-go only restaurant and west of the request site, on lot 14 is a single family structure. Directly to the south of the request site is lot 5, which also contains a single family structure. Because the proposed expansion pushes the drive through restaurant closer to these two existing single family structures, special care and consideration is needed.

Lot 5 is directly south of the request site and is very close to the proposed expansion. The lack of physical separation, both with the lack of landscape buffer and nearness to the drive through lane, makes the compatibility of the proposed use to the single family use very difficult to support.

In summary, the request site contains a nonconforming restaurant with drive through window and an undeveloped residential lot adjacent to single family to the south. The applicant has situated the ordering station and pick up window to the west and east, respectively, in an effort to decrease noise generated from those elements towards the single family residences to the south.

Staff recommends denial of the new subdistrict because a drive through restaurant is incompatible when immediately adjacent to single family residential areas.

Landscaping:

PDD No. 631 requires landscaping per Article X of the Dallas Development Code. Due to the site's adjacency to residential uses and in conjunction with the applicant's requested use, additional landscape materials should be provided along the site's southern property line. An enhanced landscape buffer, in contrast to the applicant's proposed absence of landscape buffer, would ensure additional screening/buffering of the site from this residential area and make the application more suitable but still not desirable for the location. Further, the narrow planting beds proposed on the southern property line are unsuitable to create a healthy growing environment for five large canopy trees as proposed.

Therefore, the proposed plans shrink the residential landscape buffer on the south to a point where the large canopy trees that are shown will not be in a healthy planting bed. Due to the lack of landscape buffer and the inadequate tree planting beds, staff recommends denial.

Prior CPC Action – December 1, 2015:

Motion: It was moved to recommend **denial** of a new subdistrict for Light Commercial/Office and restaurant with drive-in or drive-through service uses within the Light Commercial/Office Subdistrict of Planned Development District No. 631, the West Davis Special Purpose District and an R-7.5(A) Single Family District on property on the southwest corner of West Davis Street and North Westmoreland Road.

Maker: Anglin
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: 0
Vacancy: 1 - District 7

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 77
Replies: For: 3 Against: 3

Speakers: For: Marty Brown, 1811 Marydale Dr., Dallas, TX, 75208
Against: None

APPLICANT'S PROPOSED AMENDING CONDITIONS

Note: Due to the size of the PD, only the portions of the conditions pertinent to this request are included in this report.

ARTICLE 631.

PD 631.

West Davis Special Purpose District

SEC. 51P-631.101. LEGISLATIVE HISTORY.

PD 631 was established by Ordinance No. 25209, passed by the Dallas City Council on March 26, 2003. (Ord. 25209)

SEC. 51P-631.102. PROPERTY LOCATION AND SIZE.

PD 631 is established on property generally located along West Davis Street, bounded by Walton Walker (Loop 12) on the west and Hampton Road on the east. The size of PD 631 is approximately 523 acres. (Ord. Nos. 25209; 27949)

SEC. 51P-631.103. CREATION OF SUBDISTRICTS.

(a) This district contains one residential subdistrict: Residential R-7.5(A).

(b) This district is divided into the following nonresidential subdistricts:

(1) Light Commercial/Office.

(2) Light Commercial/Office Area 1.

(3) Light Commercial/Office Area 2.

(4) Medium Commercial/Office.

(5[~~4~~]) Medium Commercial/Office Plus.

(6[~~5~~]) Light Mixed Use. The Light Mixed Use Subdistrict includes the area labelled Light Mixed Use Area-1 on the West Davis Special Purpose District and subdistrict boundary map.

(7[~~6~~]) Medium Mixed Use.

(c) A map showing the boundaries of this district and its subdistricts is provided in this article and labelled as Exhibit 631A. A detailed description of the boundaries of this district and its subdistricts is provided in Exhibit 631D. (Ord. Nos. 25209; 27890; 28915)

SEC. 51P-631.104. DEFINITIONS.

Unless otherwise stated, the definitions contained in Chapter 51A apply to this article. In this district:

(1) DISTRICT means the entire planned development district (the West Dallas Special Purpose District) created by this article.

(1.1) MACHINE SHOP means a facility where material is processed and manufactured by machining, cutting, grinding, welding, or similar processes and is assembled or disassembled wholly within an enclosed building. This use does not include the repair of automobiles, commercial vehicles, engines, or other automobile parts.

(2) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(3) SUBDISTRICT means one of the subdistricts referred to in Section 51P-631.103 of this article.

(4) 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. (Ord. Nos. 25209; 27890)

SEC. 51P-631.105. INTERPRETATIONS.

(a) Unless otherwise stated, all references to articles, divisions, or sections in this article are references to articles, divisions, or sections in Chapter 51A.

(b) 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.

(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 *[L]* appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218, "Limited Uses.")

(3) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only. ["SUP" means "specific use permit." For more information regarding specific use permits, see Section 51A-4.219, "Specific Use Permit (SUP)."]

(4) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, "Site Plan Review." ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800, "Development Impact Review.")

(5) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, "Site Plan Review," a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800, "Development Impact Review.")

(e) If there is a conflict, the text of this article controls over the charts or any other graphic display. (Ord. Nos. 25209; 27890; 28554)

SEC. 51P-631.105.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 631A: West Davis Special Purpose District and subdistrict boundary map.

(2) Exhibit 631B: land use chart.

(3) Exhibit 631C: development standards summary chart.

(4) Exhibit 631D: property description.

(5) Exhibit 631E: Light Commercial/Office Area 1 topography exhibit.

(6) Exhibit 631F: Light Commercial/Office Area 2 development plan.

(7) Exhibit 631G: Light Commercial/Office Area 2 landscape plan. (Ord. Nos. 27890; 28554; 28915)

SEC. 51P- .105.2. DEVELOPMENT PLAN.

(a) In the Light Commercial/Office Area 2, development and use of the Property must comply with the Light Commercial/Office Area 2 development plan (Exhibit 631F). If

there is a conflict between the text of this article and the Light Commercial/Office Area 2 development plan, the text of this article controls.

(b) In the rest of the district, 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-631.106. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE RESIDENTIAL R-7.5(A) SUBDISTRICT.

(a) Main uses permitted. The uses permitted in this subdistrict are those 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 the Dallas Development Code, as amended. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this planned development 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 planned development district; etc.

(b) Accessory uses. As a general rule, an accessory use is permitted in any area 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, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(c) Yard, lot, and space regulations. The yard, lot, and space regulations contained in Section 51A-4.112(f), "R-7.5(A) District," apply to this subdistrict.

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

SEC. 51P-631.107. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE LIGHT COMMERCIAL/ OFFICE AND LIGHT COMMERCIAL/ OFFICE AREA 2 SUBDISTRICTS.

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

-- Catering service. *[SUP]*

(3) Industrial uses.

-- Temporary concrete or asphalt batching. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. *[SUP]*
-- Child-care facility.
-- Church.
-- College, university, or seminary. *[SUP]*
-- Community service center. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[SUP]*

(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.

-- Public park, playground, or golf course.

(9) Residential uses.

-- None permitted.

(10) Retail and personal service uses.

-- Dry cleaning or laundry store.
-- Furniture store. *[SUP]*
-- General merchandise or food store 3,500 square feet or less.
-- Personal service uses. *[Massage establishment and tattoo studio not allowed.]*
-- Restaurant with drive-in or drive-through service. [*In LCO Area 2 only.]*
-- Restaurant without drive-in or drive-through service.

(11) Transportation uses.

-- Transit passenger shelter.

(12) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities. *[See Section 51A-4.212(4). Treat as if in the NS(A) Neighborhood Service District.]*
-- Police or fire station. *[SUP]*
-- Post office. *[SUP]*
-- Radio, television, or microwave tower. *[SUP]*
-- Tower/antenna for cellular communication. *[See Section 51A-4.212(10.1). Treat as if in the NS(A) Neighborhood Service District.]*
-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

-- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any area 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, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory uses are not permitted in this subdistrict:

-- Accessory community center (private).
-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory pathological waste incinerator.
-- General waste incinerator.
-- Private stable.
-- Pedestrian skybridges.

(c) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 15 feet. In LCO Area 2, light poles with a maximum height of 20 feet are allowed in the required front yard as shown on the Light Commercial/Office Area 2 development plan.

(2) Side yard. Minimum side 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, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(C) In LCO Area 2, light poles with a maximum height of 20 feet are allowed in the required side yard as shown on the Light Commercial/Office Area 2 development plan.

(3) Rear yard. Minimum 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, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Density. Not applicable. (Residential uses are not permitted.)

(5) Floor area ratio. Maximum floor area ratio is 0.5.

(6) 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. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 30 feet.

(7) Lot coverage. Maximum lot coverage is 40 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is two. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. Except as provided in this paragraph, s[~~S~~]ee Article X, except as modified by Section 51P-631.112, "Landscaping." In LCO Area 2, landscaping must be provided as shown on the Light Commercial/Office Area 2 landscape plan (Exhibit 631G).

SEC. 51P-631.112. LANDSCAPING.

(a) In general. Except as modified in this section, the regulations in Article X, "Landscape and Tree Preservation Regulations," apply to this district. In the event of a conflict between this section and Article X, this section controls.

(b) Application. Subsection (c) of Section 51A-10.121, "Application of Division," of Division 51A-10.120, "Landscaping," is modified to read as follows: This division becomes applicable to a lot or tract when an application is made for a building permit for construction work that within a 24-month period:

(1) increases the number of stories in a building on the lot;

(2) increases the combined floor areas of all buildings on the lot; or

(3) increases the nonpermeable coverage on the lot.

(c) Light Mixed Use Area-1.

(1) Machine shop.

(A) Prior to the issuance of a certificate of occupancy, landscaping must be provided as shown on the Light Mixed Use Area-1 development plan.

(B) Automatic sprinkler systems are not required for landscaping located within a public right-of-way. Landscaping within a public right-of-way must be located within 100 feet of a verifiable water source.

(2) Private license granted.

(A) 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 Light Mixed Use Area-1 for the exclusive purpose of authorizing compliance with the landscaping requirements of this subsection. 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 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 to the director of public works and transportation.

(B) 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 paragraph.

(C) 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 paragraph, with combined single limits of liability for bodily injury and property damage of not less that $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.

(D) 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 paragraph 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.

(3) Landscape permit.

(A) It is the responsibility of the property owner to apply for and obtain a landscape permit before locating trees, landscaping, or related amenities in the right-of-way. An application for a 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 right-of-way affected and the planting or other amenities proposed.

(B) 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 landscape permit to the property owner; otherwise, the building official shall deny the permit.

(C) A property owner is not required to comply with any landscaping requirement of this subsection if compliance is made impossible due to the building official's denial of a landscape permit.

(D) A 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 right-of-way 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 landscaping requirement of this subsection if compliance is made impossible due to the building official's revocation of a landscape permit.

(E) The issuance of a landscape permit under this paragraph 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. (Ord. Nos. 25209; 27890)

SEC. 51P-631.113. SIGNS.

Signs must comply with the provisions for business zoning districts contained in Article VII, "Sign Regulations." (Ord. 25209)

SEC. 51P-631.114. ADDITIONAL PROVISIONS.

(a) Property within this district must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of property within this district must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. Nos. 25209; 26102)

SEC. 51P-631.115. COMPLIANCE WITH CONDITIONS.

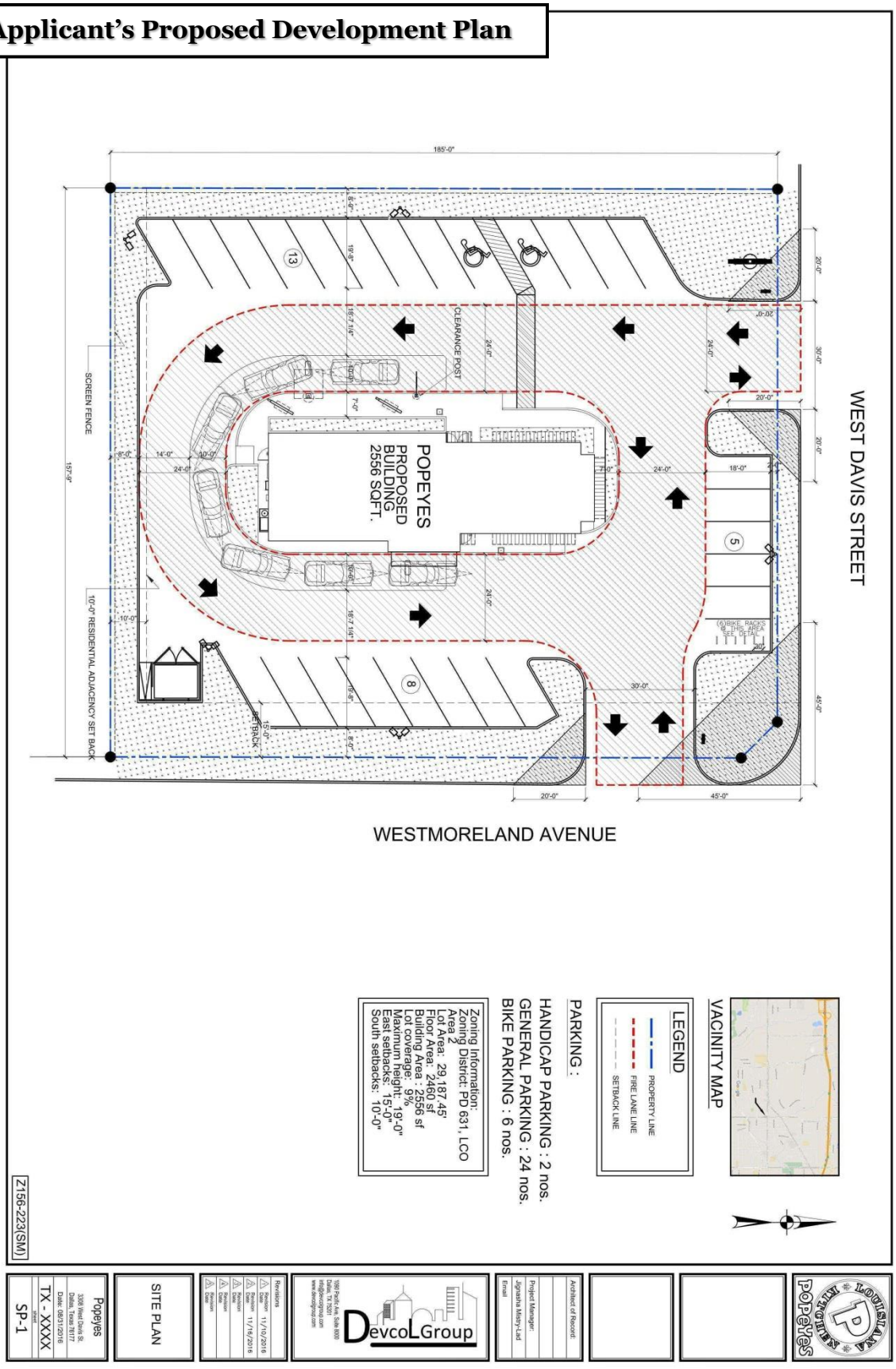
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 25209; 26102)

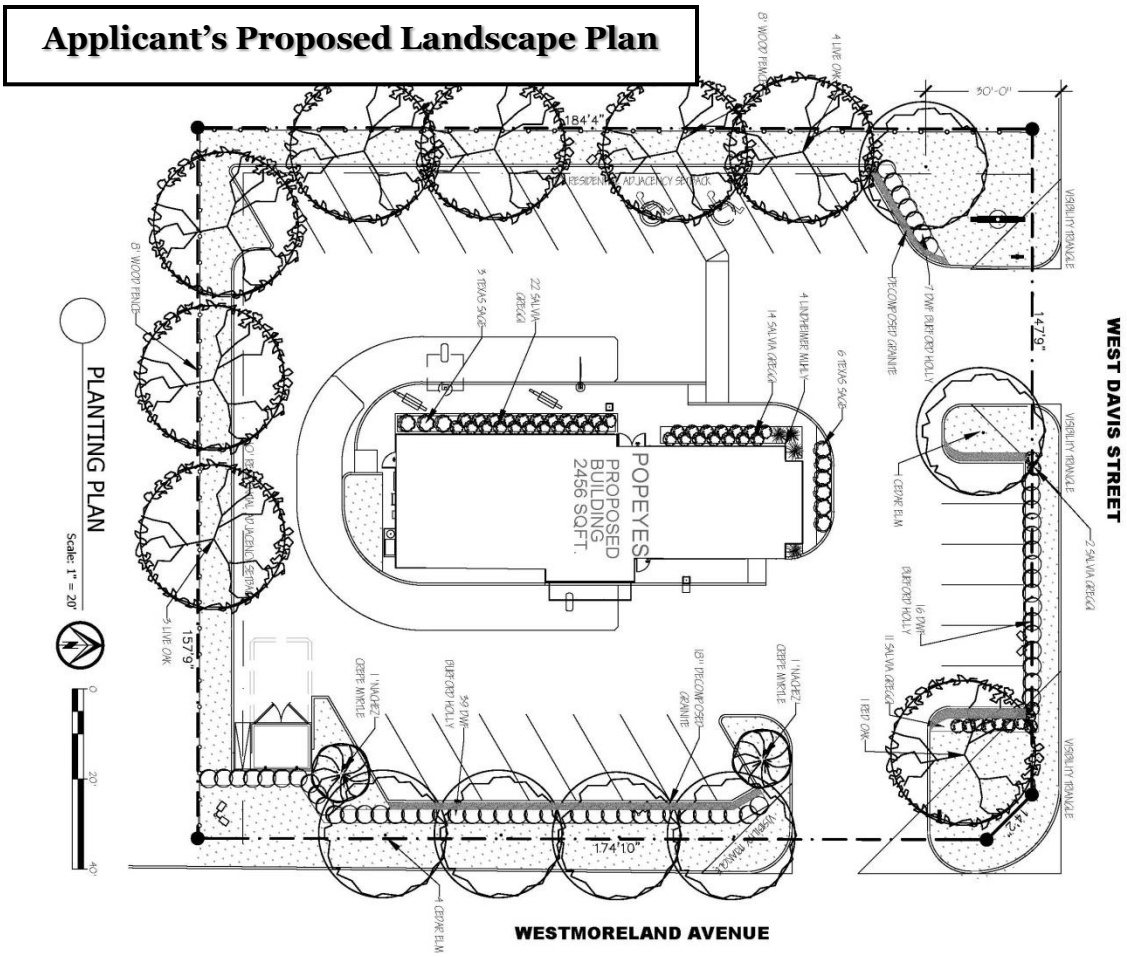
SEC. 51P-631.116. LAND USE AND DEVELOPMENT STANDARDS CHARTS.

A land use chart is provided in this article and labeled as Exhibit 631B, and a development standards chart is provided in this article and labeled as Exhibit 631C. In the event of a conflict between these charts and the text of this article, the text controls. (Ord. Nos. 25209; 28915)

Applicant's Proposed Development Plan



Applicant's Proposed Landscape Plan



Common Name	Botanical Name		Texas Native	Size	Qty	Remarks
Cedar Elm	*Ulmus crassifolia*	Tree	Yes	65 gal	6	3" cal
Crepe Myrtle 'Natchez'	*Lagerstroemia x fauriei 'Natchez'*	Small tree	No	15 gal	2	7' tall at planting
Dwarf Burford Holly	*Ilex cornuta 'Burfordii nana'*	Shrub	No	3 gal	62	
Live Oak	*Quercus virginiana*	Tree	Yes	65 gal	7	3" cal
Salvia greggii 'red'	*Salvia greggii*	Perennial	Yes	1 gal	48	
Shumard Red Oak	*Quercus shumardii*	Tree	Yes	65 gal	1	3" cal
Texas Sage, Compact	*Leucophyllum frutescens 'Compactum'*	Shrub	Yes	3 gal	9	
Decomposed Granite	*Brown tone, 5" compacted to 4.4"*				245	sq. ft.

PLANT LIST

8' WOOD FENCE

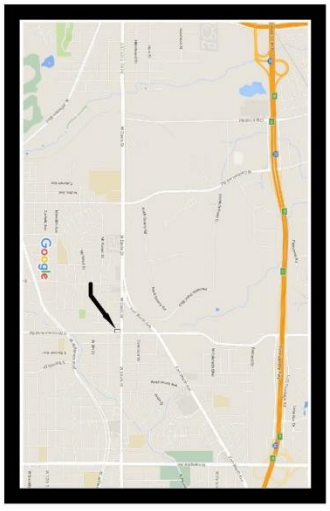
DECOMPOSED GRANITE

PECOFFERY LINE

BERMUDA SOD GRASS

DRAWING KEY

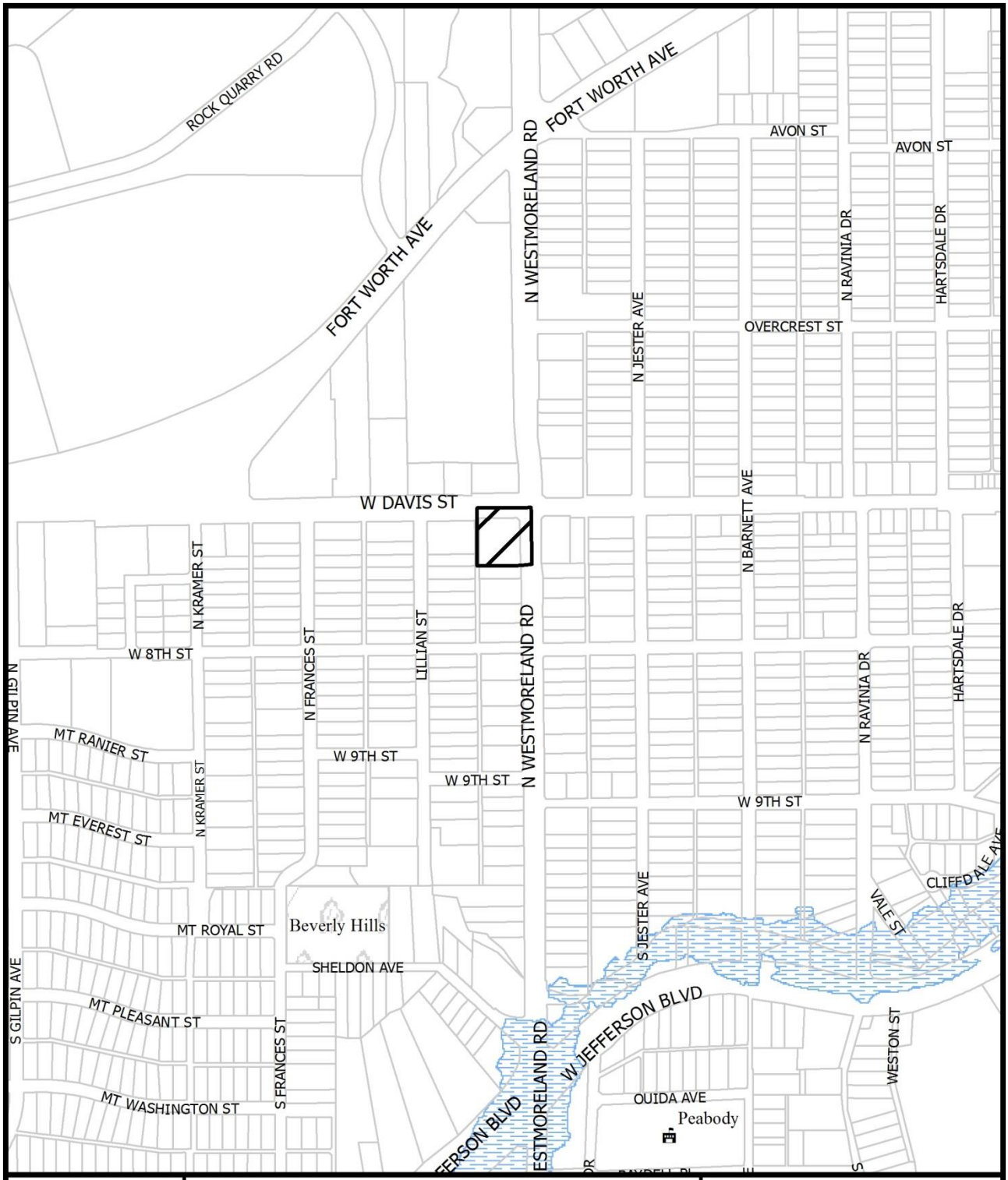
Site Location



Owner & Professionals Information

OWNER
SUN HOLDINGS, LLC
C/O ARMANDO PALACIOS
3318 FOREST LANE #206, DALLAS, TX 75234
214-551-4921

LANDSCAPE ARCHITECT
FELDMAN DESIGN STUDIOS
P.O. BOX 832346
RICHARDSON, TEXAS 75083
ATTN: CAROL FELDMAN 972-980-1730

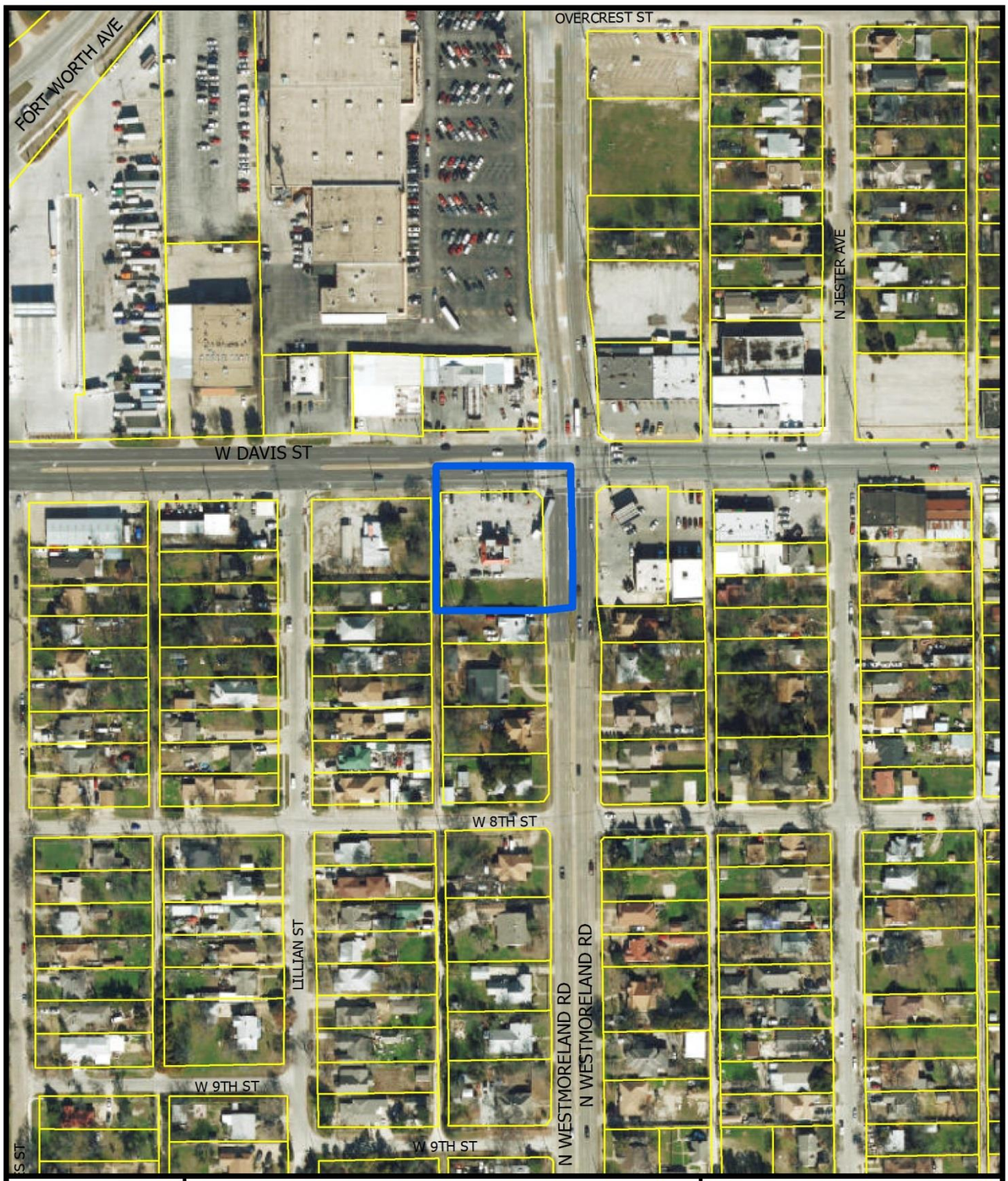


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VICINITY MAP

Case no: Z156-223

Date: 11/17/2016

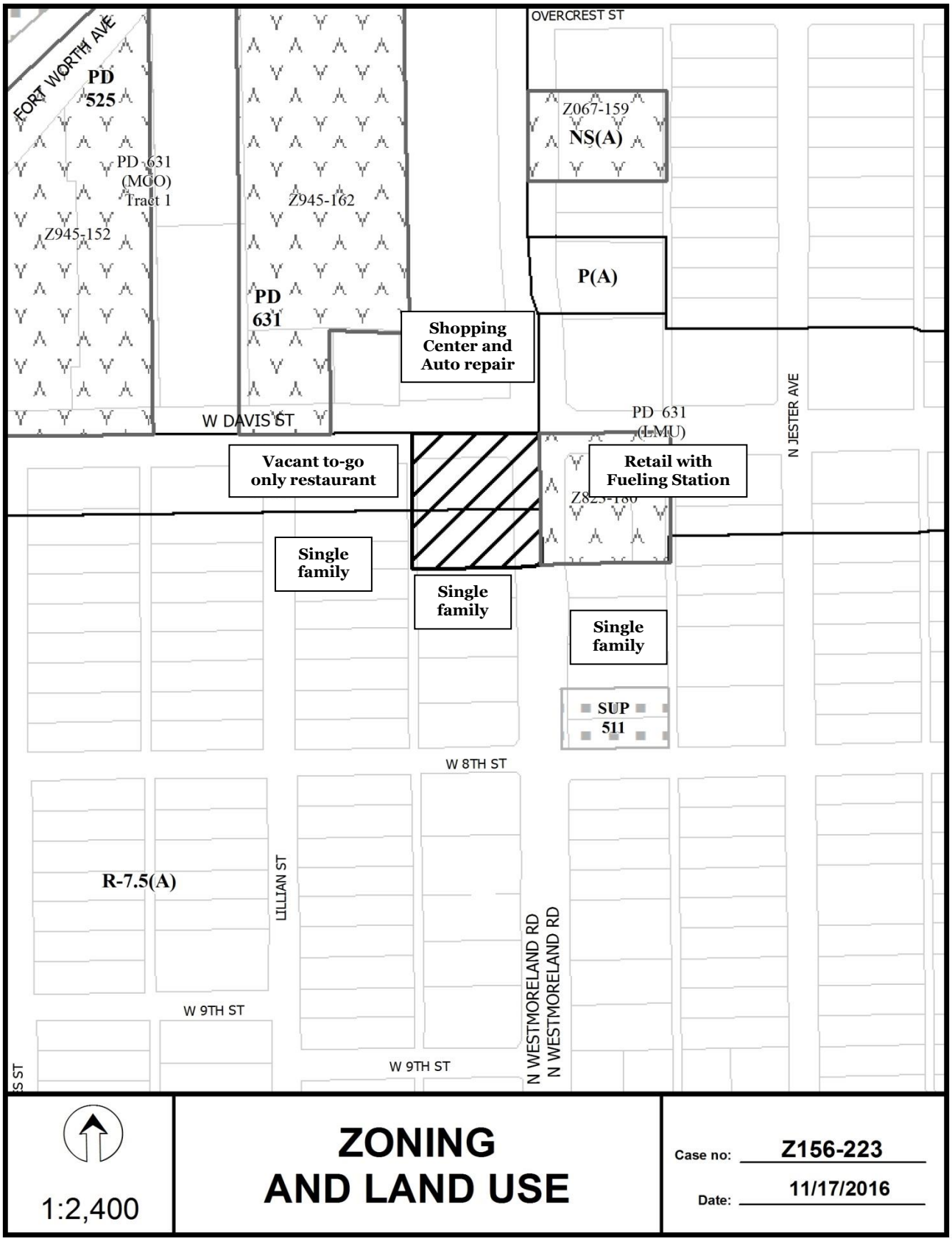


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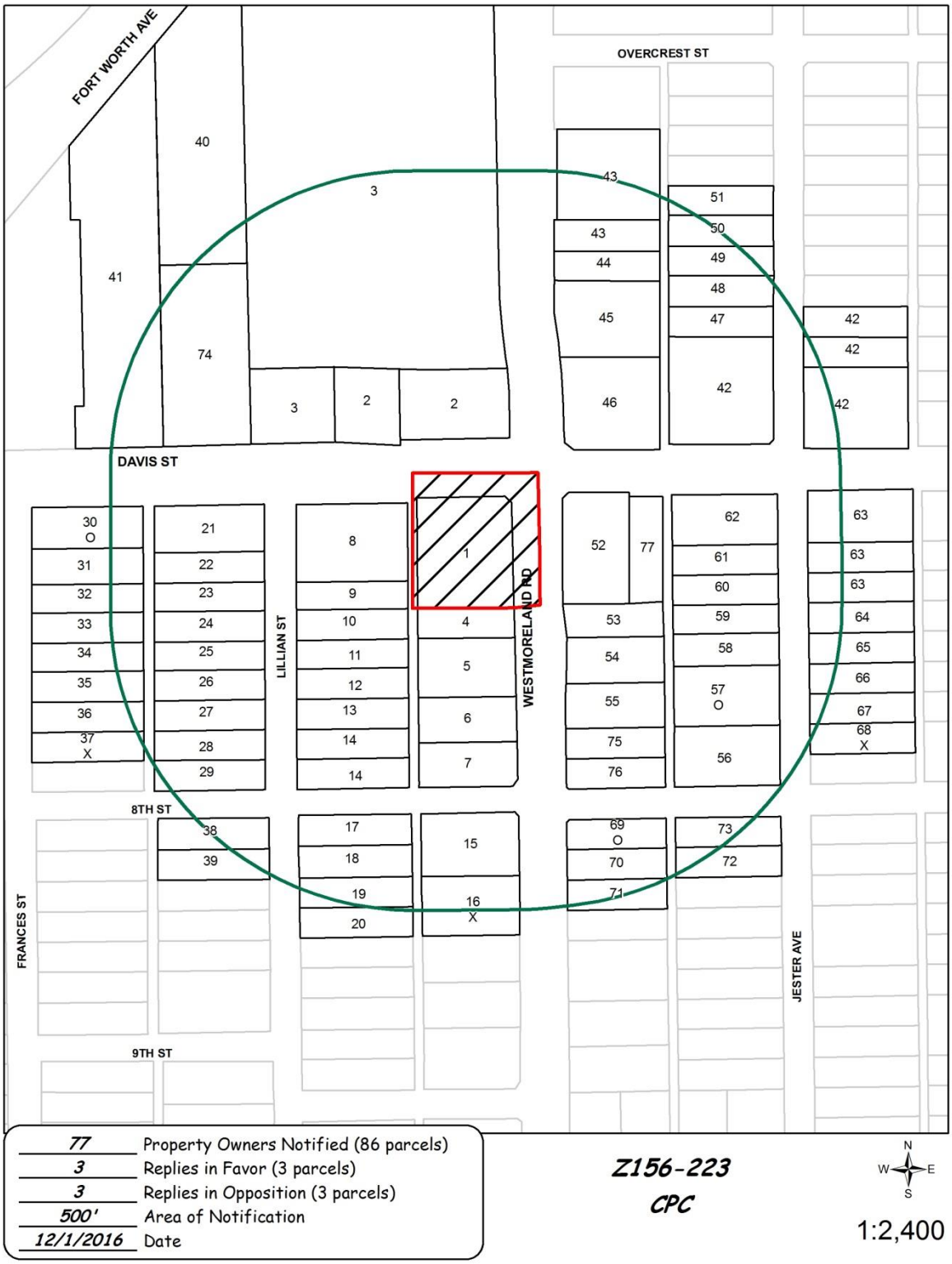
AERIAL MAP

Case no: Z156-223

Date: 11/17/2016


OVERCREST ST
FORT WORTH AVE
PD 525
PD 631 (MCO) Tract 1
Z945-152
Z945-162
PD 631
Z067-159
NS(A)
P(A)
Shopping Center and Auto repair
W DAVIS ST
PD 631 (LMU)
N JESTER AVE
Vacant to-go only restaurant
Retail with Fueling Station
Z823-180
Single family
Single family
Single family
SUP 511
W 8TH ST
R-7.5(A)
LILLIAN ST
N WESTMORELAND RD
N WESTMORELAND RD
W 9TH ST
W 9TH ST
1:2,400
ZONING AND LAND USE
Case no: Z156-223
Date: 11/17/2016

CPC Responses



11/30/2016

Reply List of Property Owners

Z156-223

77 Property Owners Notified ***3 Property Owners in Favor*** ***3 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3308	W DAVIS ST	POP HOLDINGS LP
	2	3317	W DAVIS ST	KANAN NADER
	3	3333	W DAVIS ST	WESTMORELAND PLAZA JV
	4	503	N WESTMORELAND RD	GONZALEZ FELIPE N
	5	415	N WESTMORELAND RD	ROBERTS LUKE J
	6	409	S WESTMORELAND RD	MARTINEZ SILVERIO
	7	403	N WESTMORELAND RD	PALLARES VICTOR M &
	8	3320	W DAVIS ST	SEAFOOD SHACK INC
	9	506	LILLIAN ST	HUERTA MARTA &
	10	504	LILLIAN ST	ESPINOSA VERONICA
	11	418	LILLIAN ST	VILLAGOMEZ R M
	12	414	LILLIAN ST	HERRERA CRISTINA
	13	410	LILLIAN ST	BADILLO SERGIO & OLGA
	14	406	LILLIAN ST	CHAIDES ELIAS
	15	315	N WESTMORELAND RD	MARTINEZ MARIANO & CRYSTAL
X	16	311	N WESTMORELAND RD	HUERTA AMADOR & ROSA
	17	334	LILLIAN ST	GUTIERREZ AMY N
	18	330	LILLIAN ST	JAYME FLORINA B
	19	326	LILLIAN ST	VILLATORO JOSE R &
	20	322	LILLIAN ST	ALCALA ELEAZAR SR & LISA
	21	519	LILLIAN ST	AKPUNKU EMEKA ET AL
	22	517	LILLIAN ST	MARQUEZ SEFERINA SOSA &
	23	507	LILLIAN ST	ARGUMEDO OSCAR &
	24	503	LILLIAN ST	CRAIG VERA LOPEZ
	25	419	LILLIAN ST	VERACRUZ SIMONE
	26	415	LILLIAN ST	LOPEZ TERESA V

11/30/2016

Reply	*Label #*	*Address*		*Owner*
	27	411	LILLIAN ST	RAFAMAN INVESTMENTS LLC
	28	407	LILLIAN ST	GARCIA JESSIE
	29	403	LILLIAN ST	MARTINEZ IVAN
O	30	3434	W DAVIS ST	MILLER NORMAN A II &
	31	510	N FRANCES ST	RESENDIZ HILARIO O &
	32	506	N FRANCES ST	MARTINEZ DANIEL &
	33	502	N FRANCES ST	COUCH TAWANA YVONNE
	34	418	N FRANCES ST	ARELLANO FIDELMAR
	35	414	N FRANCES ST	GARZA LUIS A
	36	410	N FRANCES ST	ARVIZU EUSTACIA
X	37	406	N FRANCES ST	GARCIA DAVID P & MARIA
	38	327	LILLIAN ST	LOPEZ MARTIN &
	39	323	LILLIAN ST	CERPA JESUS FRANCISCO &
	40	3400	FORT WORTH AVE	BRYANT BRADY W
	41	3410	FORT WORTH AVE	FORT DAVIS CAVAZOS I LLC
	42	618	N JESTER AVE	TEMPLO DE PODER Y GOZO
	43	702	N WESTMORELAND RD	SOS CUSTOM HOMES INC
	44	626	N WESTMORELAND RD	ASH LIZ PROPERTIES INC
	45	614	N WESTMORELAND RD	GARZA RICARDO
	46	3217	W DAVIS ST	M CACERES ENTERPRISES INC
	47	619	N JESTER AVE	CAMACHO MIGUEL
	48	623	N JESTER AVE	VASQUEZ ALICIA
	49	625	N JESTER AVE	ALVAREZ MARY LOU &
	50	703	N JESTER AVE	WEBB LARRY M
	51	707	N JESTER AVE	BONILLA ERICK & SONIA
	52	3230	W DAVIS ST	SEJ ASSET MGMT & INV CO
	53	502	N WESTMORELAND RD	GONZALEZ LUCIANO & MARIA D
	54	418	N WESTMORELAND RD	AZPEITIA PEDRO M
	55	414	N WESTMORELAND RD	RIVERA ARMANDO & JUANTIA
	56	403	N JESTER AVE	YPINA ERICA
O	57	415	N JESTER AVE	KREMPIN LINDA R

11/30/2016

Reply	*Label #*	*Address*		*Owner*
	58	419	N JESTER AVE	PEREZ JOSE & ALICIA
	59	503	N JESTER AVE	CERPA CARLOS & VIRGINIA
	60	507	N JESTER AVE	AGUILERA CRISPIN &
	61	511	N JESTER AVE	SANASEROS JESSE
	62	3206	W DAVIS ST	DAVIS NP LLC
	63	3116	W DAVIS ST	MARTINEZ RAUL & LETICIA
	64	502	N JESTER AVE	ESPINOZA DOMINGO ROMAN &
	65	418	N JESTER AVE	RANGEL RIGOBERTO
	66	414	N JESTER AVE	YPINA ISMAEL & EPIFANIA
	67	410	N JESTER AVE	ZARATE ERCILIA C
X	68	406	N JESTER AVE	CORTEZ CRESENCIO RIVAS &
O	69	318	N WESTMORELAND RD	LEONARD J P
	70	314	N WESTMORELAND RD	RODRIGUEZ GILBERTO &
	71	310	N WESTMORELAND RD	RODRIGUEZ GILBERTO &
	72	315	N JESTER AVE	OROZCO CECILIA
	73	319	N JESTER AVE	MARQUEZ ENRIQUE & MARTHA
	74	3407	W DAVIS ST	MARTINEZ FERNANDO &
	75	406	N WESTMORELAND RD	RUIZ JESSE M &
	76	402	N WESTMORELAND RD	MARQUEZ DANIEL H
	77	3220	W DAVIS ST	STANDAR LP

AGENDA ITEM # 45

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 69A M; 70 J

SUBJECT

A public hearing to receive comments regarding an application for **(1)** a CR Community Retail District with deed restrictions volunteered by the applicant, and **(2)** a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an NS(A)-D-1 Neighborhood Service District with a D-1 Liquor Control Overlay, with an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on the west corner of South Beltline Road and Garden Grove Drive

Recommendation of Staff: Approval of a CR Community Retail District with deed restrictions volunteered by the applicant; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions

Recommendation of CPC: Approval of a CR Community Retail District with deed restrictions volunteered by the applicant; and denial of a Specific Use Permit

Z156-289(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-289(JM) **DATE FILED:** June 20, 2016

LOCATION: On the west corner of South Beltline Road and Garden Grove Drive

COUNCIL DISTRICT: 8 **MAPSCO:** 69A-M, 70-J

SIZE OF REQUEST: ±2.3 acres **CENSUS TRACT:** 0171.01

REPRESENTATIVE: Michael R. Coker Company

APPLICANT/OWNER: 1500 S. Beltline, LLC

REQUEST: An application for 1) a CR Community Retail District with deed restrictions volunteered by the applicant; and 2) a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an NS(A)-D-1 Neighborhood Service District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow the applicant to sell alcohol for off-premise consumption in a convenience store. The CR District allows a fueling station by right, and a variety of different sized retail uses. Furthermore, the applicant proposes to volunteer deed restrictions that prohibit certain uses. An amended site plan has been provided.

CPC RECOMMENDATION: **Approval** of a CR Community Retail District with deed restrictions volunteered by the applicant; and **denial** of a Specific Use Permit.

STAFF RECOMMENDATION: **Approval** of a CR Community Retail District with deed restrictions volunteered by the applicant; and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- This development was carefully negotiated to ensure limited disruption to the residential uses along the northwest and southwest boundaries of the site. Staff feels that the proposed development will not be disruptive to the single-family neighborhoods in proximity.

- The site is currently undeveloped. There are several residential developments all along the northwest and southwest boundaries of the site. Land uses along South Beltline and Garden Grove Drive range from commercial at the intersection, and shift rapidly to less intensive residential and agricultural uses.

- The request is made to rezone the parcel from an NS(A) District to a CR District to allow for certain uses to complement the proposed development and surrounding residential uses. A use such as a dry cleaning or laundry store is allowed by right in the current district, but restricted to being less than 3,500 square feet. The applicant would like the right to develop a larger facility. To ease concerns over other uses allowed by the proposed CR District, the applicant has volunteered deed restrictions (attached to this report). The deed restrictions make 30 uses no longer allowed. Some of those uses are currently allowed in an NS(A) District.

- The deed restrictions provide the following conditions:
    - No parking or vehicular traffic along the northeast of the property.
    - No parking along the west of the property.
    - An additional landscape buffer will be provided as follows:
        - 5' along the northeast
        - 3' along the west.

Zoning History:

1. **Z123-223:** On June 11, 2013, staff approved an application for the auto renewal of SUP No. 1886 for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property within Planned Development District No. 777 for NS(A) Neighborhood Service District uses with a D-1 liquor Control Overlay.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
S. Beltline Road	Principal Arterial	80 ft.
Garden Grove Road	Residential Collector	60 ft.

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 Plan identifies the request site is within a Commercial Center or Corridor.

These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other "town center" features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

The proposed CR Community Retail District is described as being for the development of community-serving retail, personal service, and office uses at a scale and intensity compatible with residential communities. This district ultimately supports the intended Building Block and is a less intensive industrial-type of zoning.

Finally, the proposed zoning request meets the following goals and objectives of the comprehensive plan:

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

> Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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.

West Kleberg Community Plan (2007):

The West Kleberg Community Plan identified a vision statement: To reflect "Old Kleberg's" historical heritage, to promote a strong rural atmosphere, to allow for future growth with sensitivity to future amenities and infrastructure of a modern urban environment. Long-time residents seem to have mixed feelings about growth, noting on one side the negative impacts of crowds, noise, traffic, and pollution, while acknowledging the benefits of improved public services, better schools, and new neighborhood-serving retail and commercial business locating to the area.

The subject site is located within Sub-area 1, which is comprised of approximately 2,047 acres of which 46% was vacant or undeveloped, and 33% was comprised of Single Family (SF) uses at publication in 2007.

Commercial service and retail uses are dominant along Highway 175, with a concentration of these uses between Edd and Belt Line Roads. The West Kleberg community desires to encourage economic development along its main corridors, namely Highway 175 and Belt Line Road. A retail gap analysis completed with the plan identified that residents of this area were likely to spend in nearby Balch Springs or the city of Mesquite. Retail facilities are not sufficiently available. This analysis may not accurately reflect the preferences of households within the study area; however, it can serve as a source for future projections for these types of services needed within this sector of Dallas.

The Future Vision Map shows a 1000-foot buffer zone as idea for business development along the Highway 175-freeway corridor. Land assemblage may be required to develop in these areas to construct uses such a hospital, bank, mix use project and so on. Business nodes to possibly stimulate economic activity are earmarked at the intersections of Seagoville and Belt Line Roads, Highway 175 and Belt Line Road and Kleberg and Belt Line Road. The subject site is within that buffer zone. Furthermore, a Visioning Activity conducted at a community meeting identified the top 20 Community “Needs & Desires” as indicated on the following page.

The proposed development could satisfy a few of those desires, namely numbers 8, 16, 18, 19, and/or 20.

TABLE 12: VISIONING ACTIVITY – COMMUNITY "NEEDS & DESIRES"

1. Bank	11. Ice Rink
2. Big Box (Lowe's and Sam's)	12. Mid-rise Mixed Use
3. Bookstore	13. Museum
4. Central Market	14. New Auto Dealership
5. Cinema	15. Office
6. Doctor Offices	16. Outlet and/or Mini-Malls
7. Drug Store	17. Research & Development Uses
8. Gas Station	18. Restaurants
9. Hospital	19. Small Shops
10. Hotel/Conference Center	20. Ice Cream Parlor (i.e., Braum's)

The requested change in zoning and the SUP for the sale of alcohol support the following goals within the community plan:

Land Use & Zoning—Goal 1: Protect the rural character of the community by encouraging commercial development along the commercial corridors.

Economic Development—Goal 1: Economic development that encourages business retention and attracts new "neighborhood serving" business uses to the community.

Surrounding Land Uses:

	Zoning	Land Use
Site	NS(A), D-1 Overlay	Undeveloped
North	R-10(A)	Undeveloped
East/SE	PD No. 777, SUP No. 1886, NS(A), D-1 Overlay	Retail Center, Personal Service Uses, Restaurants, and Undeveloped
South	CR w/ DR	Office and Carwash
West/SW	R-7.5(A)	Single family homes

Land Use Compatibility:

The subject site is currently zoned an NS(A) Neighborhood Service District. The purpose of this district is to accommodate convenience retail shopping, services, and professional offices principally servicing and compatible in scale and intensity of use with adjacent residential uses. Limited institutional and community service, office, and

retail and personal services uses are allowed. The current request is to change the zoning to a CR Community Retail District to allow for general merchandise or food store use larger than the 3,500 square feet or less allowed in the NS(A) District.

Surrounding single family, residential developments to the northwest and southwest must be properly screened from the potential retail development. The Dallas Development Code provides greater consideration when residential adjacency exists. To develop the subject site, a ten foot landscape buffer would have to separate the uses. All off-street loading spaces must be screened from the residential development, as well as the public streets. The dumpster must also be screened. All screening is a minimum of six feet high and solid in nature. The SUP site plan provided identifies screening in compliance with the Dallas Development Code.

There are other retail uses across South Beltline Road and Garden Grove Drive. The overall development of this intersection as a business center or corridor is consistent with the area plan and comprehensive plan. The voluntary deed restrictions will provide for desired development while remaining sensitive to surrounding residential adjacency. The addition of new businesses along this corridor will further promote the long-term vision for land use and development within this area.

The proposed zoning district primarily allows an expanded list of Commercial and business service, Retail and personal service, and Wholesale, distribution, and storage uses.

The proposed development will enhance the area by providing sidewalks for connectivity to nearby neighborhoods. Additionally, the applicant has worked with staff to provide a 15' landscape buffer along the northeast of the property; an additional 5' from what code requires. The applicant has adjusted their building footprint to restrict traffic flow near residential adjacency. No access has been provided along those areas. The revised dumpster location will be accommodated in the furthest area from residences, while allowing for adequate maneuverability for collection trucks. This is subject to the revised plan pending submittal as of November 3rd.

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.

Although the SUP request is for alcohol sales, the store and fueling station will provide immediate access to items not found in immediate walking distance. The nearest general merchandise or food store is across Beltline Road. The heavily residential areas to the north and west do not have walkable access to stores. The public improvements of added sidewalks will help connect the residents to convenience items.

Staff supports this request for an initial short time period with the eligibility for automatic renewals. CPC recommended denial of the SUP. The applicant does not wish to move forward with the SUP request but as it was part of the original request, Council will need to act on both portions of the request.

Development Standards:

District	Setbacks		Height	Lot Coverage	Special Standards	FAR	Stories	Primary Uses
	Front	Side/Rear						
Existing: NS(A)	15'	0' 0'	30' to 35'	40%	RPS	0.5	2	Institutional, few Office, Recreation, and Retail and personal service uses.
Proposed: CR with Deed Restrictions	15'	0' 0'	54'	60%	RPS	0.5 to 0.75	4	Retail and personal service, Commercial and business service, Institutional, Lodging, Office, Recreation, and added Wholesale, distribution, and storage uses. Proposed voluntary deed restrictions will restrict several uses.

Parking:

Parking will be provided according to the Dallas Development Code. The assumption of all uses requiring one space for every 200 square feet of retail floor area has been used, providing 108 parking spaces.

The SUP site area is 3,500 square feet or less. At the maximum of 3,500 square feet divided by the ratio of one space for every 200 square feet of floor area, 18 spaces are required for this use. Handicap parking must be provided as per Sec. 51A. 4.305.

Landscaping and Screening:

Landscaping and screening will be provided per Article X, as amended. In addition, the developer has agreed to provide an extra five foot landscape buffer along the northeast residential adjacent line.

Land Use Comparison:

Use	Proposed	Existing
	CR	NS(A)
Building repair and maintenance shop.	RAR	
Catering Service.	X	
Custom business services.	X	
Electronics service center.	X	
Medical or scientific laboratory.	X	
Tool or equipment rental.	X	
~~College, university, or seminary.~~	~~X~~	SUP
~~Hospital.~~	~~SUP~~	
~~Hotel and motel.~~	~~SUP~~	
~~Lodging or boarding house.~~	~~SUP~~	
~~Overnight general purpose shelter.~~	~~Check Use~~	
Alternative financial establishment.	SUP	
Financial institution with drive-in window.	DIR	
Private recreation center, club, or area.	X	SUP
~~College dormitory, fraternity, or sorority house.~~	~~X~~	~~SUP~~
~~Alcoholic beverage establishments.~~	~~Check Use~~	
~~Ambulance service.~~	~~RAR~~	
~~Animal shelter or clinic without outside runs.~~	~~RAR~~	
~~Auto service center.~~	~~RAR~~	
Business school.		
~~Car wash.~~	~~DIR~~	
~~Commercial amusement (inside).~~	~~Check Use (SUP)~~	
~~Commercial amusement (outside).~~	~~SUP~~	
~~Commercial parking lot or garage.~~	~~RAR~~	
Convenience store with drive-through.	SUP	
Furniture store.	X	
General merchandise or food store greater than 3,500 square feet.	X	
~~General merchandise or food store 100,000 square feet or more.~~	~~SUP~~	

Home improvement center, lumber, brick or building materials sales yard.	**DIR**	
Household equipment and appliance repair.	**X**	
~~Liquor store.~~	~~**X**~~	
~~Mortuary, funeral home, or commercial wedding chapel.~~	~~**X**~~	
Motor vehicle fueling station.	**X**	**SUP**
Nursery, garden shop, or plant sales.	**X**	
~~Pawn shop.~~	~~**X**~~	
Restaurant with drive-in or drive-through service.	**DIR**	
~~Swap or buy shop.~~	~~**SUP**~~	
Temporary retail use.	**X**	
Theater.	**X**	
~~Commercial radio and television transmitting station.~~	~~**X**~~	
Electrical substation.	**X**	**SUP**
Police or fire station.	**X**	**SUP**
Post office.	**X**	**SUP**
Mini-warehouse.	**SUP**	
~~Recycling buy back center.~~	~~**Check Use**~~	
~~Recycling collection center.~~	~~**Check Use**~~	
Accessory helistop.	**SUP**	
Accessory medical/infectious waste incinerator.	**Check Use**	
X *indicates permitted by right.* ***SUP*** *indicates permitted with a Specific Use Permit.* ***RAR*** *indicates permitted, but subject to Residential Adjacency Review.* ***DIR*** *indicates permitted, but subject to Development Impact Review.* ***Check Use*** *indicates permitted, but that the use must conform to specific regulations in different districts, as outlined in the Development Code.* ***By CBO Authorization*** *indicates that the use may be allowed with permission from the Chief Building Official.* ***~~Strikethrough text~~*** *indicates items which are being voluntary deed restricted. Those uses will not be allowed. Furthermore, they have proposed additional deed restrictions, but for uses which are typically allowed by right in the NS(A) District. Those are supplemental and can be seen in the full listed deed restrictions attached.*		
Alternating color pattern indicates a new category of uses.		

LIST OF OFFICERS

1500 S. Beltline, LLC

Noorallah Jooma, Manager

Z156-289

CPC Action
November 10, 2016:

Motion: It was moved to recommend **approval** of a CR Community Retail District with deed restrictions volunteered by the applicant; and **denial** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an NS(A)-D-1 Neighborhood Service District with a D-1 Liquor Control Overlay, on the west corner of South Beltline Road and Garden Grove Drive.

Maker: Haney
Second: Ridley
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 7

Notices: Area: 300 Mailed: 54
Replies: For: 0 Against: 9

Speakers: For: Michael Coker, 3111 Canton St., Dallas, TX, 75226
Against: None

VOLUNTEERED DEED RESTRICTIONS

The following uses are prohibited:

(1) Industrial uses.
-- Gas drilling and production.
-- Temporary concrete or asphalt batching plant.

(2) Institutional and community service uses.
-- Adult day care facility.
-- Cemetery or mausoleum.
-- College, university, or seminary.
-- Hospital.

(3) Lodging uses.
-- Hotel and motel.
-- Lodging or boarding house.
-- Overnight general purpose shelter.

(4) Miscellaneous uses.
-- Carnival or circus (temporary).

(5) Residential uses.
-- College dormitory, fraternity, or sorority house.

(6) Retail and personal service uses.
-- Alcoholic beverage establishments.
-- Ambulance service.
-- Animal shelter or clinic without outside runs.
-- Auto service center.
-- Car wash.
-- Commercial amusement (inside).
-- Commercial amusement (outside).
-- Commercial parking lot or garage.
-- General merchandise or food store 100,000 square feet or more.
-- Liquor store
-- Mortuary, funeral home, or commercial wedding chapel.
-- Pawn shop.
-- Swap or buy shop.

(7) Utility and public service uses.
-- Commercial radio and television transmitting station.
-- Tower/antenna for cellular communication.

(8) Wholesale, distribution, and storage uses.
-- Recycling buy-back center.
-- Recycling collection center.
-- Recycling drop-off container.
-- Recycling drop-off for special occasion collection.

Additional Conditions:

(1) No parking or vehicular traffic along the northeast of the property.

(2) No parking along the west of the property.

(3) An additional landscape buffer will be provided as follows:
a. 5' along the northeast
b. 3' along the west

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less.

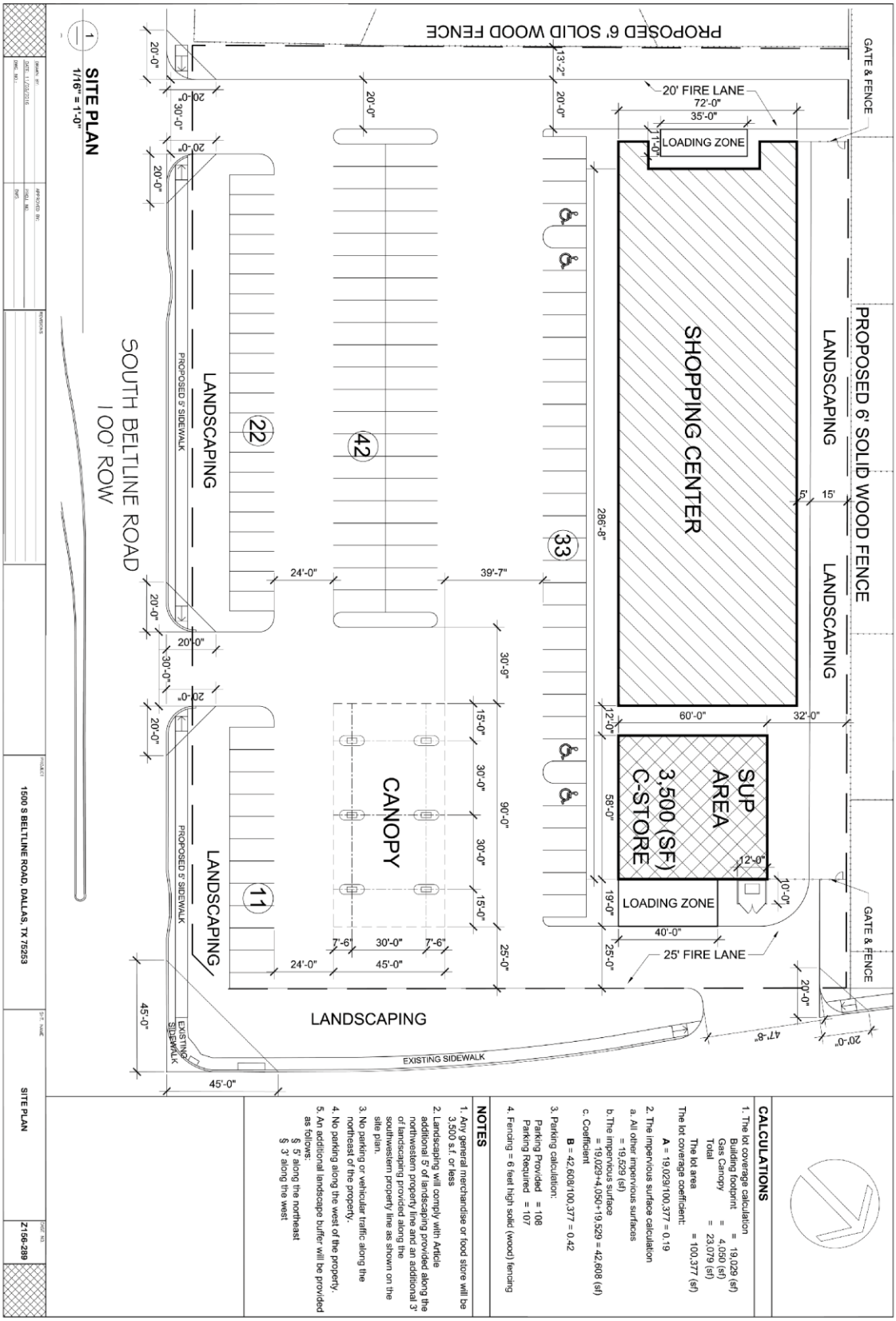
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

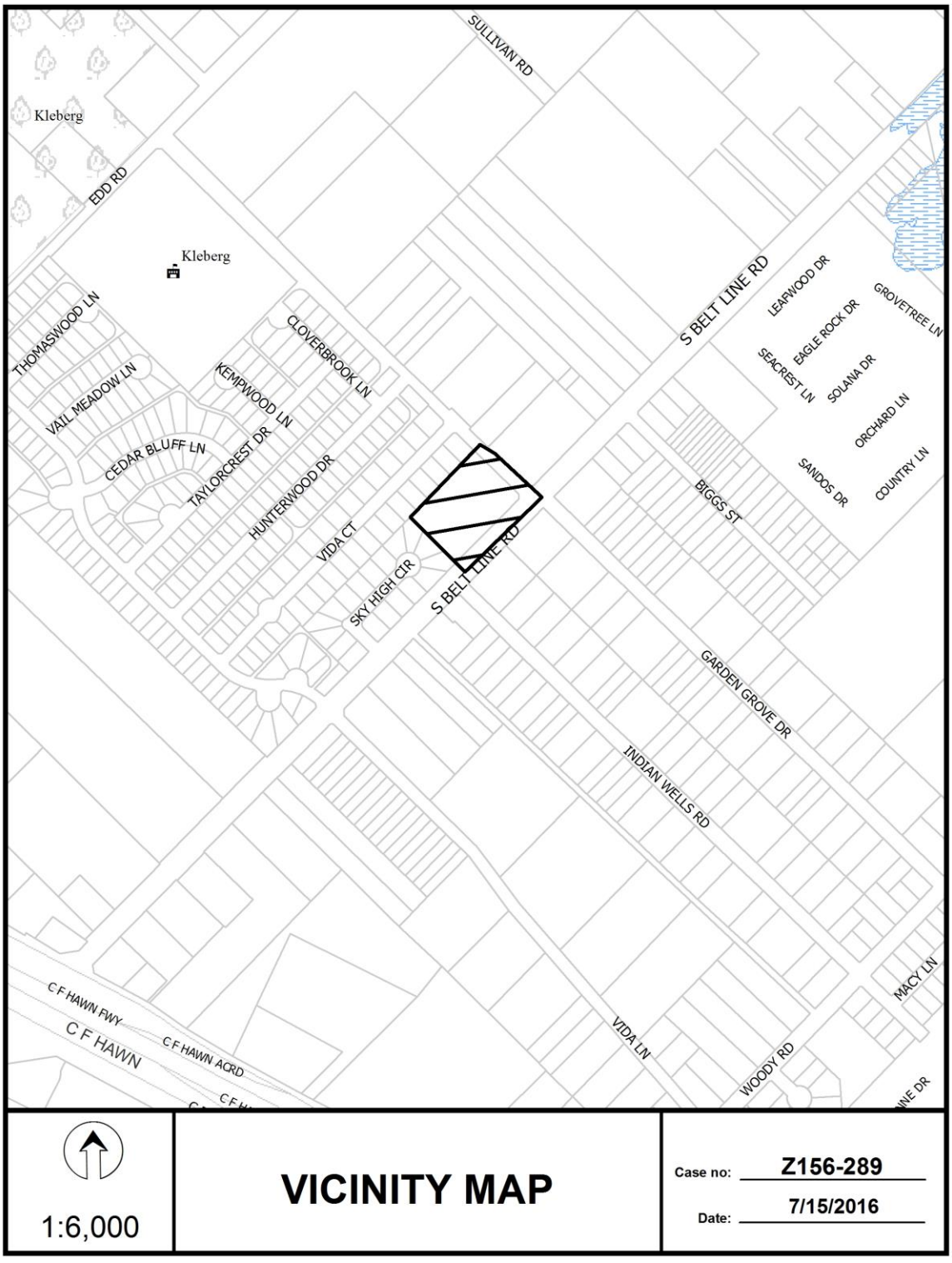
3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).

4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

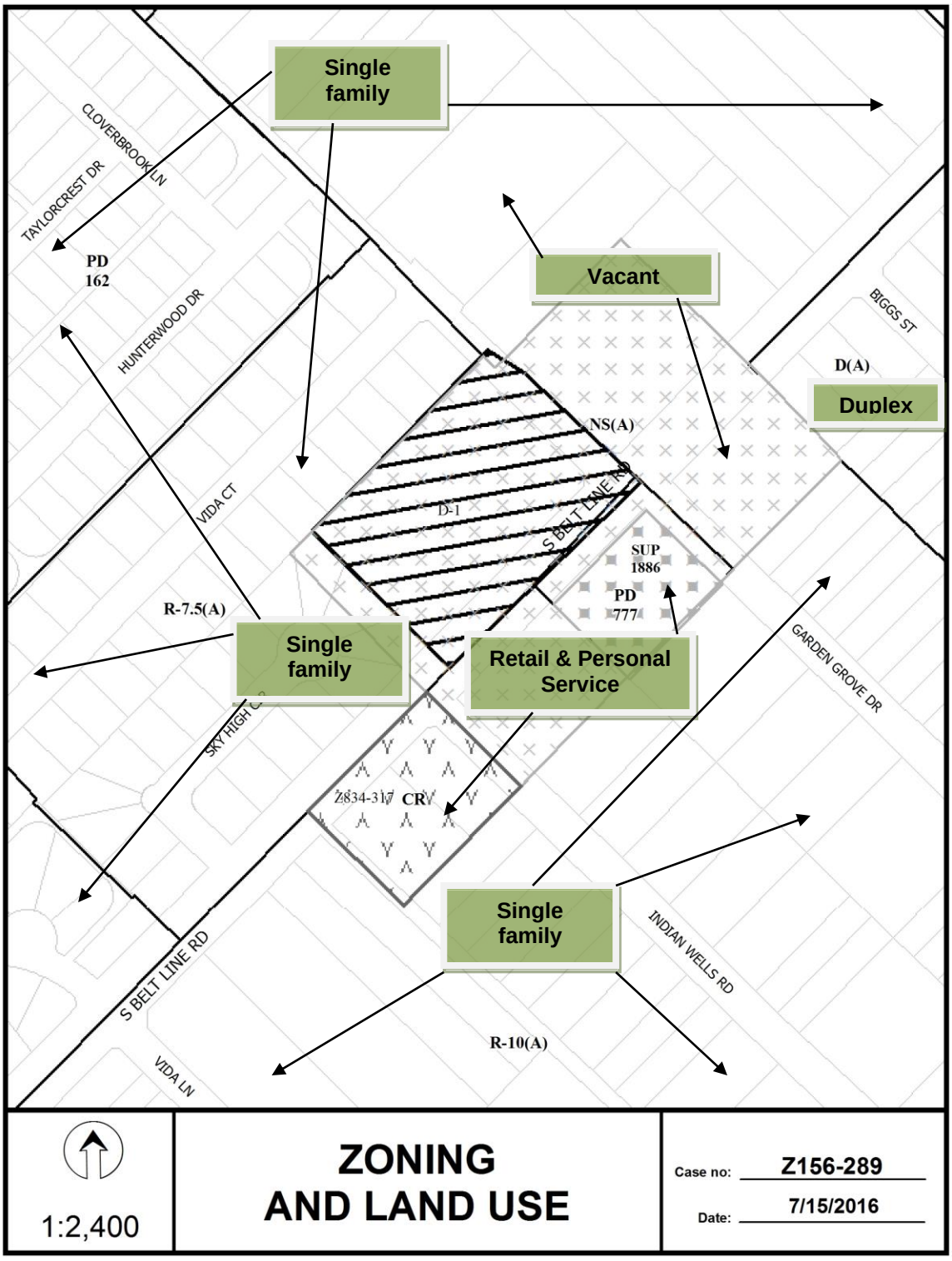
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

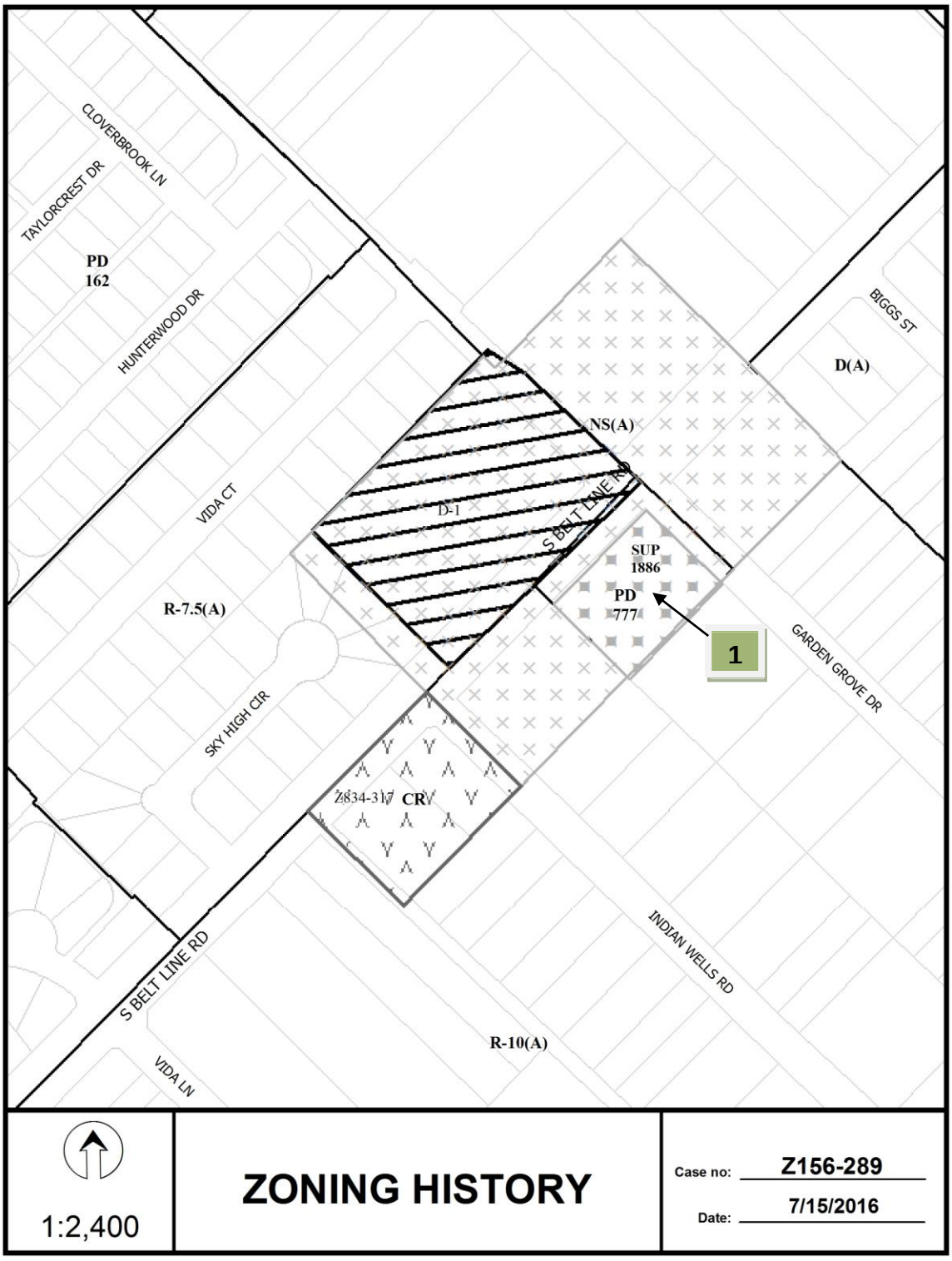
PROPOSED SITE PLAN



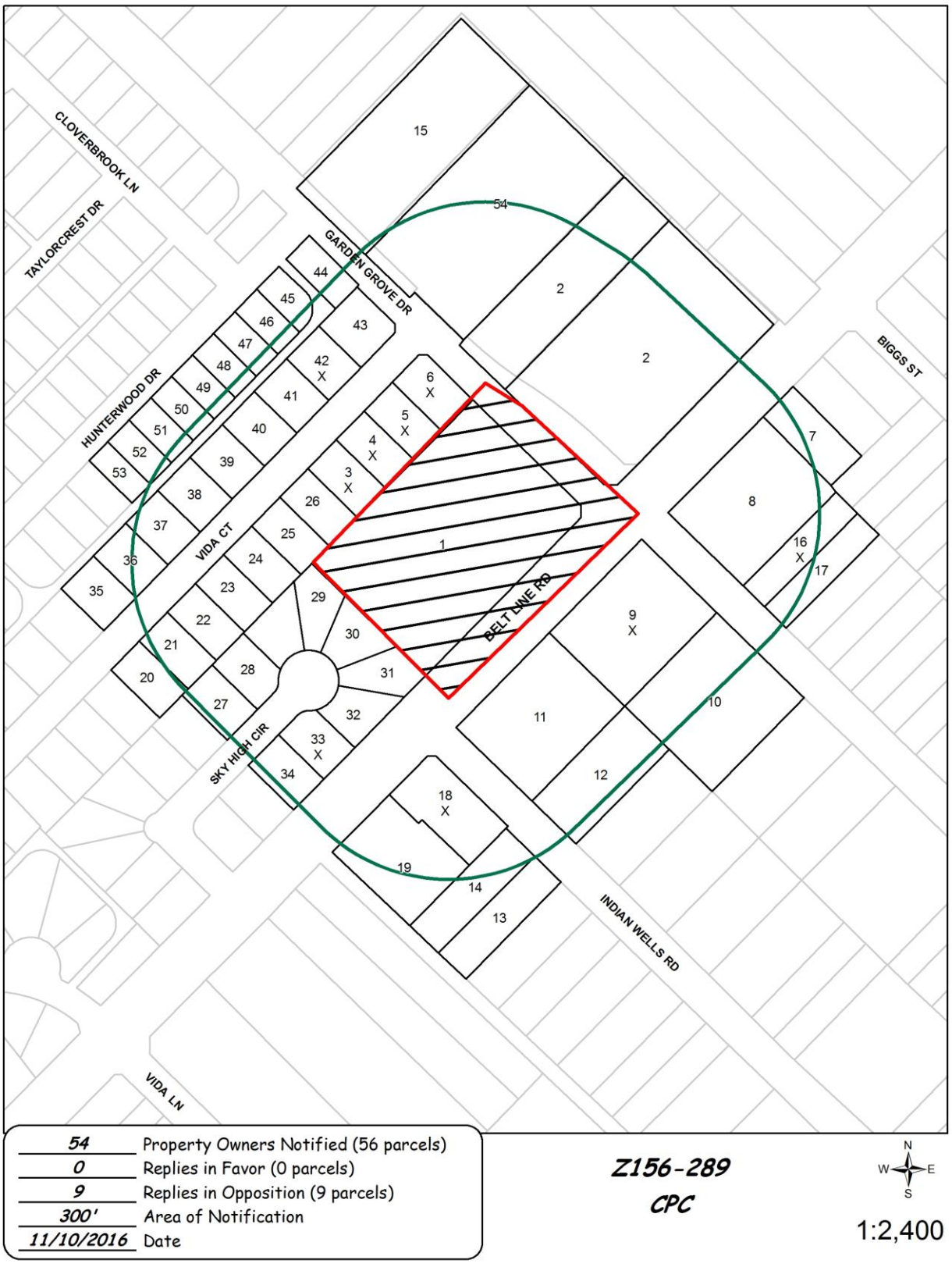

SULLIVAN RD
Kleberg
EDD RD
Kleberg
THOMASWOOD LN
VAIL MEADOW LN
CEDAR BLUFF LN
KEMPWOOD LN
CLOVERBROOK LN
TAYLORCREST DR
HUNTERWOOD DR
VIDA CT
SKY HIGH CIR
S BELT LINE RD
S BELT LINE RD
LEAFWOOD DR
EAGLE ROCK DR
GROVETREE LN
SEACREST LN
SOLANA DR
ORCHARD LN
SANDOS DR
COUNTRY LN
BIGGS ST
GARDEN GROVE DR
INDIAN WELLS RD
C F HAWN FWY
C F HAWN
C F HAWN ACRD
VIDA LN
WOODY RD
MACY LN
1:6,000
VICINITY MAP
Case no: Z156-289
Date: 7/15/2016


CLOVERBROOK LN
TAYLORCREST DR
HUNTERWOOD DR
VIDA CT
BIGGS ST
S BELT LINE RD
S BELT LINE RD
GARDEN GROVE DR
SKY HIGH CIR
INDIAN WELLS RD
VIDA LN
1:2,400
AERIAL MAP
Case no: Z156-289
Date: 7/15/2016


Single family
Vacant
Duplex
Single family
Retail & Personal Service
Single family
CLOVERBROOK LN
TAYLORCREST DR
PD 162
HUNTERWOOD DR
VIDA CT
R-7.5(A)
BIGGS ST
D(A)
NS(A)
D-1
S BELT LINE RD
SUP 1886
PD 777
GARDEN GROVE DR
SKY HIGH CT
Z834-317
CR
INDIAN WELLS RD
R-10(A)
VIDA LN
1:2,400
ZONING AND LAND USE
Case no: Z156-289
Date: 7/15/2016


CLOVERBROOK LN
TAYLORCREST DR
PD
162
HUNTERWOOD DR
VIDA CT
R-7.5(A)
SKY HIGH CIR
S BELT LINE RD
VIDA LN
D-1
NS(A)
SUP
1886
PD
777
1
BIGGS ST
D(A)
GARDEN GROVE DR
Z834-317
CR
INDIAN WELLS RD
R-10(A)
1:2,400
ZONING HISTORY
Case no: Z156-289
Date: 7/15/2016

CPC RESPONSES



54	Property Owners Notified (56 parcels)
0	Replies in Favor (0 parcels)
9	Replies in Opposition (9 parcels)
300'	Area of Notification
11/10/2016	Date

Z156-289
CPC

N
W E
S

1:2,400

11/09/2016
Reply List of Property Owners

Z156-289

54 Property Owners Notified ***0 Property Owners in Favor*** ***9 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	1500	S BELTLINE RD	HALL PATRICIA
	2	1429	S BELTLINE RD	MCDANIEL JOE DOYLE
X	3	1512	VIDA CT	HUNTSBERRY JACQUELINE
X	4	1508	VIDA CT	DIAZ LUIS C & NANCY
X	5	1504	VIDA CT	GASPARMARTINEZ JHONATAN MISCHEL
X	6	1500	VIDA CT	GUILLEN ISAIAS
	7	1442	S BELTLINE RD	HUMPHRIES KENNETH
	8	1448	S BELTLINE RD	MORALES ELSA
X	9	1512	BELT LINE RD	WALNUT HILLTOP CORP
	10	13624	GARDEN GROVE DR	LUNA RUBEN
	11	13601	INDIAN WELLS RD	CHAVEZ RAQUEL &
	12	13621	INDIAN WELLS RD	BANDA MARIA ROSA BELTRAN
	13	13624	INDIAN WELLS RD	YAWS ALYENE
	14	13620	INDIAN WELLS RD	MUNIZ ALBERTO
	15	13405	GARDEN GROVE DR	AMADOR JOSE
X	16	13621	GARDEN GROVE DR	DELEON JOEL &
	17	13625	GARDEN GROVE DR	ROGERS KRYSTAL M &
X	18	1602	S BELTLINE RD	FRANKS J D
	19	1610	S BELTLINE RD	MUNCRIEF MATT
	20	1540	VIDA CT	LOPEZ JESUS & LAURA E MARTINEZ
	21	1536	VIDA CT	RODRIGUEZ JESSIE R
	22	1532	VIDA CT	KIRK CLINTON
	23	1528	VIDA CT	KIKS PPTY DEV LLC
	24	1524	VIDA CT	RICHARDSON VERNON
	25	1520	VIDA CT	ROBINSON NAOMI & KENNETH
	26	1516	VIDA CT	KULICK RONIT

11/09/2016

Reply	*Label #*	*Address*		*Owner*
	27	1615	SKY HIGH CIR	AMERICAN RESIDENTIAL LEASING CO
	28	1611	SKY HIGH CIR	CENDEJAS VICENTE
	29	1603	SKY HIGH CIR	GASPAR MARTIN & SANDRA SALAZAR
	30	1602	SKY HIGH CIR	MACHADO ROSI
	31	1606	SKY HIGH CIR	NAVARRO GLENDA X
	32	1610	SKY HIGH CIR	SBY 2014 I BORROWER LLC
X	33	1614	SKY HIGH CIR	EQUITY TRUST CO
	34	1618	SKY HIGH CIR	KNOSP ROBERT R
	35	1539	VIDA CT	ROLLAND CLEOPHUS
	36	1535	VIDA CT	TRINIDAD RUBEN
	37	1531	VIDA CT	SHAW EDDIE
	38	1527	VIDA CT	RICHMOND KHIANTA
	39	1523	VIDA CT	HOWARD BELVA Z
	40	1519	VIDA CT	WAGGONER DON & ELVIA
	41	1515	VIDA CT	EUCEDA INVESTMENTS CORP
X	42	1511	VIDA CT	KENTVILLE LLC
	43	1507	VIDA CT	KIRKS PROPERTY DEVELOPMENT LLC
	44	1504	HUNTERWOOD DR	GM CAPITAL LLC
	45	1508	HUNTERWOOD DR	WARD OPELENE
	46	1512	HUNTERWOOD DR	CHILDS BRIAN
	47	1516	HUNTERWOOD DR	NASCIMENTO JOAQUIM CARLOS
	48	1520	HUNTERWOOD DR	COBBIN CURTIS L &
	49	1524	HUNTERWOOD DR	JACKSON YVONNE
	50	1528	HUNTERWOOD DR	BENNETT BONNIE K &
	51	1532	HUNTERWOOD DR	RODRIGUEZ OSCAR
	52	1536	HUNTERWOOD DR	MARTINEZ RICARDO Z &
	53	1540	HUNTERWOOD DR	BROOKS JERRY D
	54	13435	GARDEN GROVE DR	ORTIZ JOSE & BELEN

AGENDA ITEM # 46

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 58 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2099 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 and deed restrictions on the southwest corner of Great Trinity Forest Way and 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 conditions

Recommendation of CPC: Approval for a three-year period, subject to conditions

Z156-310(OTH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-310(OTH) **DATE FILED:** July 20, 2016

LOCATION: Southwest corner of Great Trinity Forest Way and North Jim Miller Road.

COUNCIL DISTRICT: 8 **MAPSCO:** 58-W

SIZE OF REQUEST: ± 0.22 acre **CENSUS TRACT:** 116.01

REPRESENTATIVE: Parvez Malik, Business Zoom

APPLICANT: Mohammad Sidiqi

OWNER: Juneja Property Holdings, Inc.
Wazir Juneja, President/Secretary

REQUEST: An application to renew Specific Use Permit No. 2099 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 and deed restrictions.

SUMMARY: The applicant proposes to continue the sale of alcoholic beverages for off-premise consumption in conjunction with the existing convenience store [BZ Food Mart].

CPC RECOMMENDATION: **Approval** for a three-year period, 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 ±0.22-acre request site is developed with a ±2,167-square-foot general convenience store with fuel pumps. No new construction is proposed by this application.

- The general merchandise or food store (convenience store) is permitted by right, but the sale of alcoholic beverages for off-premise consumption in conjunction with the convenience store requires a Specific Use Permit due to the D-1 Liquor Control Overlay.

- Deed restrictions volunteered on July 16, 1986 limit the uses to those allowed in the Chapter 51 General Retail District and limit multifamily uses to no more than 26 units per acre.

- As depicted on the alcohol measurement survey submitted with the application, the request site complies with the 300 foot door-to-door distance requirement from the church to the south.

- SUP No. 2099 was originally approved on December 10, 2014 for a two-year period.

Surrounding Zoning History:

1. Z134-166: December 11, 2013, the City Council approved Specific Use Permit No. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions. Tentative CPC hearing is December 15, 2016.

2. Z167-104: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

3. Z123-337: On December 11, 2013, 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 a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Great Trinity Forest Way	Principal Arterial	160 feet
North Jim Miller Road	Principal Arterial	100 feet

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.

Surrounding Land Uses:

	Zoning	Land Use
Site	CR with SUP No. 2099	General merchandise or food store with sale of alcohol and motor vehicle fueling stations
North	CR-D-1, deed restrictions	Auto service center, church, restaurant
East	CR-D-1, deed restrictions	Undeveloped
South	R-7.5(A), MF-1(A)	Church, undeveloped, single family, multifamily
West	CR-D-1, deed restrictions	Carwash, hotel, undeveloped

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.

Land Use Compatibility:

The proposed site is developed with a general merchandise or food store 3,500 square feet or less and a motor vehicle fueling station. The applicant is requesting that the existing SUP be renewed to continue the sale of alcoholic beverages for off-premise consumption.

The property is adjacent to a car wash to the west. The surrounding uses are auto service center, restaurant, church, undeveloped, and restaurant under construction; to the east undeveloped; to the south undeveloped, single family, church and multifamily; to the west hotel and undeveloped.

An existing church is behind the proposed site. The site meets the minimum required distance to be able to sell alcoholic beverages. The church measurements are from door-to-door and staff estimates that there is a distance of over 450 feet.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the

escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,

The applicant's request conforms to the zoning regulations and standards of the Dallas Development Code. The applicant is in compliance with the convenience store regulations. The proposed sale of alcoholic beverages in conjunction with the existing convenience store does not seem to negatively impact the adjacent properties as shown in the police calls for the past four years. The use is compatible with the surrounding non-residential uses and provides an alternative shopping venue for the neighborhood. The short initial time period will allow re-evaluation of the request to ensure ongoing compliance with the conditions and other City regulations.

Development Standards:

District	Setbacks		Density/ FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR-D-1 Community retail	15'	20' adjacent to residential Other: No min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	RPS Visual Intrusion	Retail and personal service, office

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one space per 200 square feet of floor area; the off-street parking requirement for a motor vehicle fueling station is two spaces. Therefore, the ±2,167-square-foot convenience store with fuel pumps requires 13 parking spaces. The applicant is providing 16 spaces as shown on the existing site plan.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required. Any new development on the property will require landscaping per Article X of the Dallas Development Code.

Police Report:

The Dallas Police Department's provided an incident report for the period from July 1, 2011 to August, 2015 revealed the following results:

Offenses	2011	2012	2013	2014	2015	2016
Forge & Counterfeit	2	0	4	2	0	0
Assault	1	0	0	0	0	1
Robbery individual	0	2	0	4	2	2
Other thefts	0	1	0	1	0	0
Vandalism & Criminal Mischief	1	0	0	0	2	0
Criminal trespass	0	0	0	1	1	6
UUMV	0	0	2	0	2	0
Total 37	4	3	6	8	7	9

CPC ACTION:
November 17, 2016

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a three-year period, subject to conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of Great Trinity Forest Way and North Jim Miller Road.

Maker: Houston
Second: Jung
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

Notices: Area: 200 Mailed: 13
Replies: For: 0 Against: 0

Speakers: For: Parvez Malik, P.O. Box 54803, Hurst, TX, 76054
Against: None

Proposed SUP Conditions
Z134-166(OTH)

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC recommendation:

3. TIME LIMIT: This specific use permit expires on (three years) ~~December 10~~, 2016.

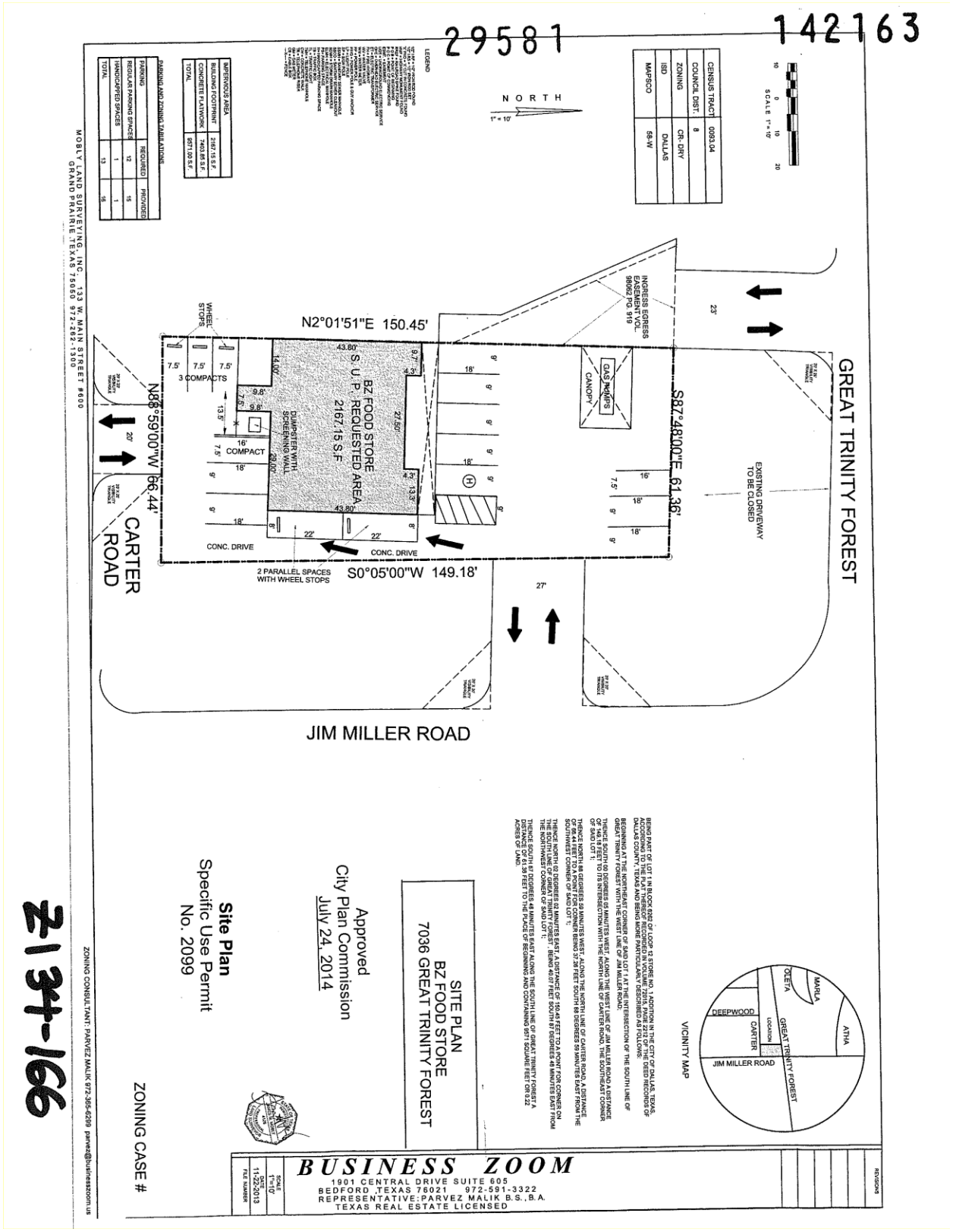
Staff recommendation:

4. TIME LIMIT: This specific use permit expires on (two years) ~~December 10~~, 2016, 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.)

5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING PLAN



Existing deed restrictions

THENCE 01 degrees, 05 minutes, 08 seconds, East, with said North Jim Miller Road a distance of 245.89 feet to an Iron Rod for corner;

THENCE North 89 degrees, 24 minutes, 20 seconds, West, a distance of 20.0 feet to a point for corner;

THENCE North 01 degree, 12 minutes, 00 seconds, East, a distance of 105.00 feet to the PLACE OF BEGINNING and containing 187,146.301 square feet or 4.296 acres of land.

That the undersigned, Paul L. Adams and Jack Kellam, do hereby impress all of the following described property with the following deed restrictions, to-wit:

(1) The only permitted uses on the property are those uses allowed in a General Retail District as defined in the Dallas Development Code, as amended (the "Code").

(2) Multiple-family uses are limited to no more than 26 units per acre in density, as defined in the Code.

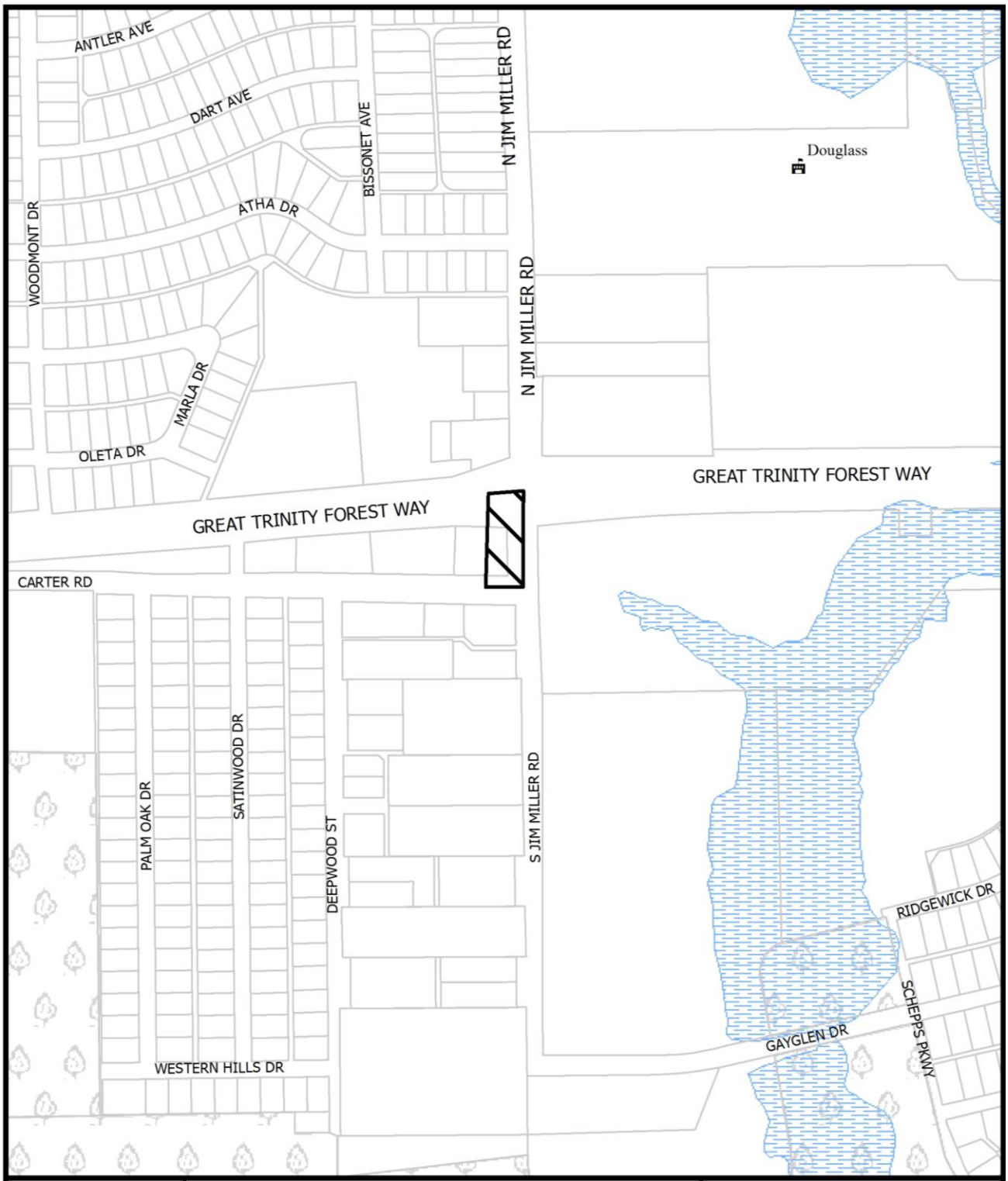
These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional period of ten (10) years unless terminated in the manner specified herein.

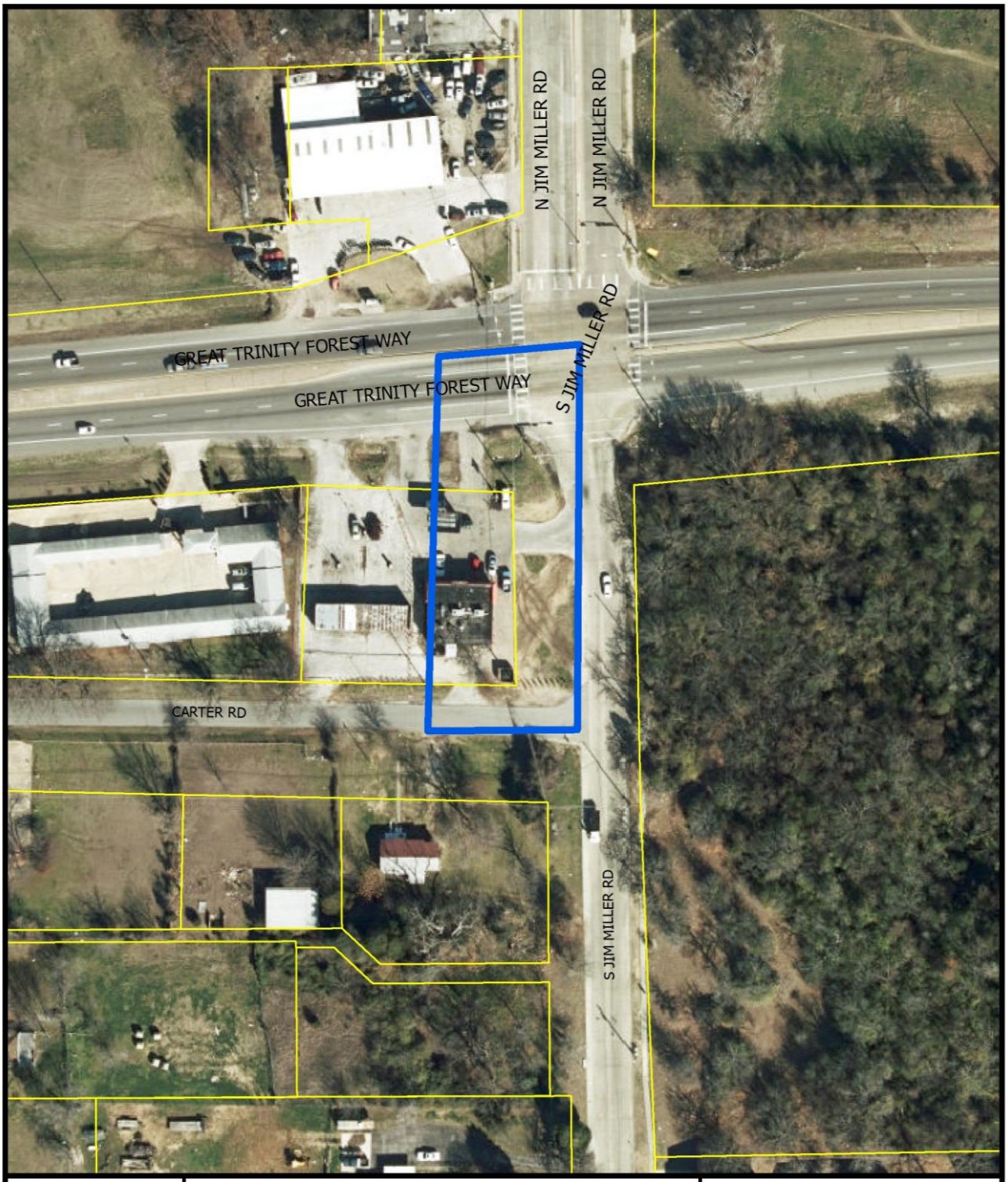
These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

The restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owner hereof does grant to the City of Dallas the right to

86140 2745


ANTLER AVE
DART AVE
BISSONET AVE
N JIM MILLER RD
Douglass
ATHA DR
WOODMONT DR
MARLA DR
OLETA DR
N JIM MILLER RD
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
CARTER RD
PALM OAK DR
SATINWOOD DR
DEEPWOOD ST
S JIM MILLER RD
RIDGEWICK DR
SCHEPPS PKWY
GAYGLEN DR
WESTERN HILLS DR
1:4,800
VICINITY MAP
Case no: Z156-310
Date: 11/1/2016

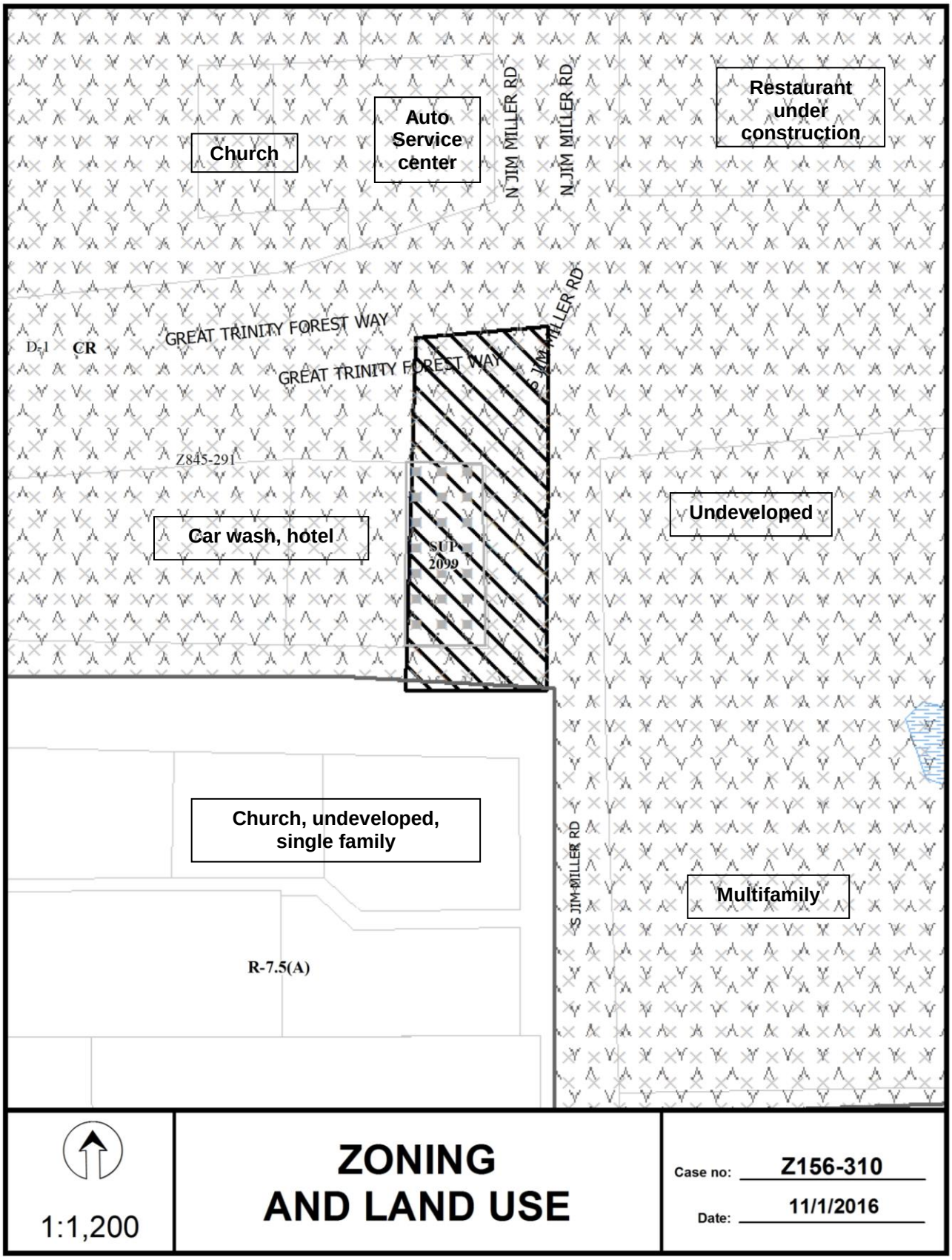


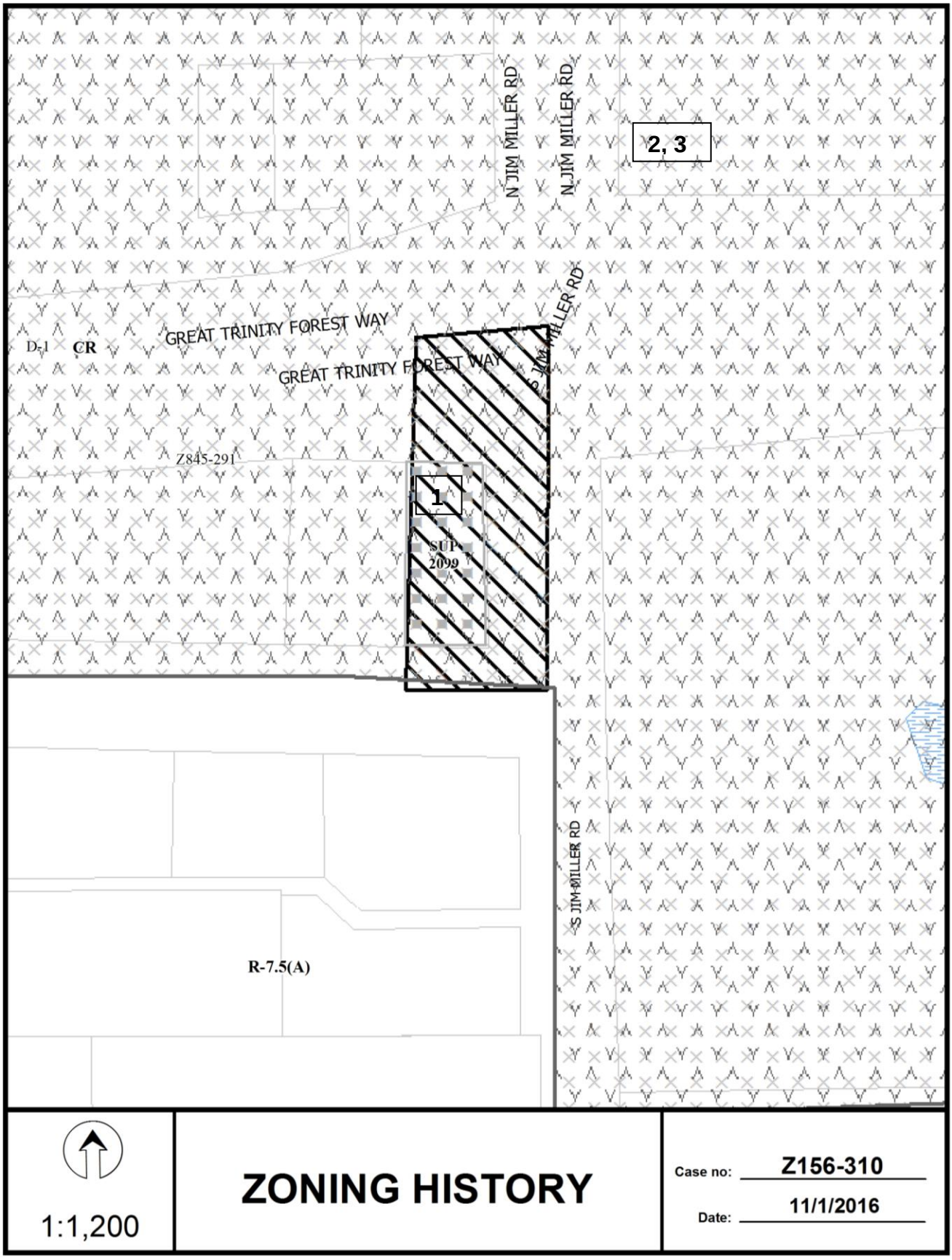
1:1,200

AERIAL MAP

Case no: Z156-310

Date: 11/1/2016


Church
Auto Service center
N JIM MILLER RD
N JIM MILLER RD
Restaurant under construction
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
JIM MILLER RD
D-1 CR
Z845-291
Car wash, hotel
SUP 2099
Undeveloped
Church, undeveloped, single family
R-7.5(A)
S JIM MILLER RD
Multifamily
1:1,200
ZONING AND LAND USE
Case no: Z156-310
Date: 11/1/2016


N JIM MILLER RD
N JIM MILLER RD
2, 3
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
S JIM MILLER RD
D-1
CR
Z845-291
1
SUP
2099
R-7.5(A)
S JIM MILLER RD
1:1,200
ZONING HISTORY
Case no: Z156-310
Date: 11/1/2016

CPC RESPONSES



11/16/2016

Reply List of Property Owners

Z156-310

13 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	7036	GREAT TRINITY FOREST WAY	JUNEJA PROPERTY HOLDINGS
	2	7028	GREAT TRINITY FOREST WAY	PHILLIPS LEO &
	3	6901	GREAT TRINITY FOREST WAY	CATHEDRAL OF FAITH
	4	7015	GREAT TRINITY FOREST WAY	CATHEDRAL OF FAITH
	5	120	DEEPWOOD ST	COX ERMA
	6	137	S JIM MILLER RD	MENDOZA JUAN
	7	7100	GREAT TRINITY FOREST WAY	VSB INVESTMENTS LLC
	8	116	N JIM MILLER RD	SANABEL INVESTMENT LP
	9	7020	GREAT TRINITY FOREST WAY	JUNEJA HOSPITALITY HOLDINGS
	10	7071	GREAT TRINITY FOREST WAY	ALEJANDRE ARCANGEL
	11	7004	CARTER RD	LOVE OF GOD CHURCH
	12	7026	CARTER RD	GIBSON KENNETH E
	13	7040	CARTER RD	HOUSE OF PRAYER

AGENDA ITEM # 47

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 58 M

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2137 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with D-1 Liquor Control Overlay on the south side of Lake June Road, west of Oak Hill Circle
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals of additional five-year periods, subject to conditions
Recommendation of CPC: Approval for a two-year period, subject to conditions
Z156-359(OTH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-359(OTH) **DATE FILED:** September 9, 2016

LOCATION: On the south side of Lake June Road, west of Oak Hill Circle

COUNCIL DISTRICT: 5 **MAPSCO:** 58-M

SIZE OF REQUEST: ± 2.2 acres **CENSUS TRACT:** 92.02

OWNER/APPLICANT: Sikka Investments, LLC

REPRESENTATIVE: Tailim Song and Jin Kim, Tailim Song Law Firm

REQUEST: An application to renew Specific Use Permit No. 2137 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to sell alcoholic beverages for off-premise consumption. The building is currently under construction and the applicant plans to sell alcoholic beverages in the convenience store section of the building [Fox].

CPC RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals of additional five-year periods, subject to conditions.

Background:

- On February 11, 2015, the City Council approved a CR Community Retail District, a D-1 Liquor Control Overlay, 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, and termination of deed restrictions on the subject property.

- The property is presently being developed with an approximately 10,000 square foot structure for a laundromat, convenience store, and a motor vehicle fueling station.

Zoning History of Surrounding Area: There have been five zoning cases within the last five years.

1. **Z123-297** On October 8, 2013 the City Council approved the renewal of Specific Use Permit No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

2. **Z123-161** On March 19, 2013, staff approved the automatic renewal of SUP No. 1866 for the sale of alcohol in conjunction with a general merchandise or food store 3,500 square feet or less, for an additional five-year period.

3. **Z123-228** On June 26, 2013, the City Council approved Specific Use Permit No. 1867 for the sale of alcohol in conjunction with a general merchandise or food store 3,500 square feet or less.

4. **Z123-369** On December 12, 2013, staff approved the automatic renewal for an additional five-year period of SUP No. 1932 for the sale of alcohol in conjunction with a general merchandise or food store greater than 3,500 square feet.

5. **Z134-242** On February 11, 2015, the City Council approved a CR Community Retail District, a D-1 Liquor Control Overlay, 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, and termination of deed restrictions on the subject property.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Lake June Road	Principal Arterial	85 feet
Oak Hill Circle	Local	50 feet

Land Use:

	Zoning	Land Use
Site	CR-D-1, SUP No. 2137	C-Store, laundromat, motor vehicle fueling station – under construction
North	R-7.5(A)	Single family; undeveloped; car wash, auto service center
East	R-7.5(A); CR-D	Auto service center; single family, retail and related uses
South	R-7.5(A),MF-1(A)	Undeveloped, Single family, park
West	CR-D; R-7.5(A)	Carwash; single family, retail and related uses

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.

Land Use Compatibility:

The request site is adjacent to an auto service center and residential to the east, undeveloped, single family and park to the south; a car wash to the northwest corner of the property and an auto service center to the northeast corner of the property. The property is surrounded by undeveloped land and single family to the north; single family residential, retail and related uses and undeveloped land to the east; a public park and single family residential to the south; and single family residential, retail and related uses to the west. There are some businesses along Lake June Road combined with single family residential and undeveloped land.

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 original SUP was approved by City Council on February 11, 2015. The proposed development is along a major thoroughfare with vehicular ingress and egress to the property on Lake June Road. The applicant will also provide a pedestrian access to the site from Oak Hill Circle. These elements help to make the proposed development more compatible in scale with the surrounding single family uses. It is not anticipated that the use will be detrimental to the surrounding area and a short time period will provide an opportunity for evaluation after the construction of the property.

Since the property is still under construction staff is recommending an initial two year period. Once the business is in operation, staff can review the site plan, police records, conditions and other issues in evaluating the automatic renewal.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the existing roadway system.

Parking:

Pursuant to §51A-4.204 of the Dallas Development Code, the off-street parking requirement for a Laundromat and convenience store is one space per 200 square feet, and the motor vehicle fueling station requires two parking spaces. This will total 50 required parking spaces for the proposed uses. The applicant is providing 57 off-street parking spaces, as depicted on the site plan.

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code.

CPC ACTION:
November 17, 2016

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2137 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period, subject to conditions on property zoned a CR-D-1 Community Retail District with D-1 Liquor Control Overlay on the south side of Lake June Road, west of Oak Hill Circle.

Maker: Houston
Second: Jung
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

Notices: Area: 300 Mailed: 53
Replies: For: 0 Against: 0

Speakers: None

Partners/Principals/Officers

Sikka Investments, LLC

Alex Daredia, Officer
Shazeb Deredia, Officer

Proposed SUP Conditions
Z156-359(OTH)

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan. The sale of alcoholic beverages in conjunction with a general merchandise or food stores greater than 3,500 square feet is allowed only in the location shown in the site plan.

   CPC Recommendation:

3. TIME LIMIT: This specific use permit expires on (three years) ~~February 11, 2017~~.

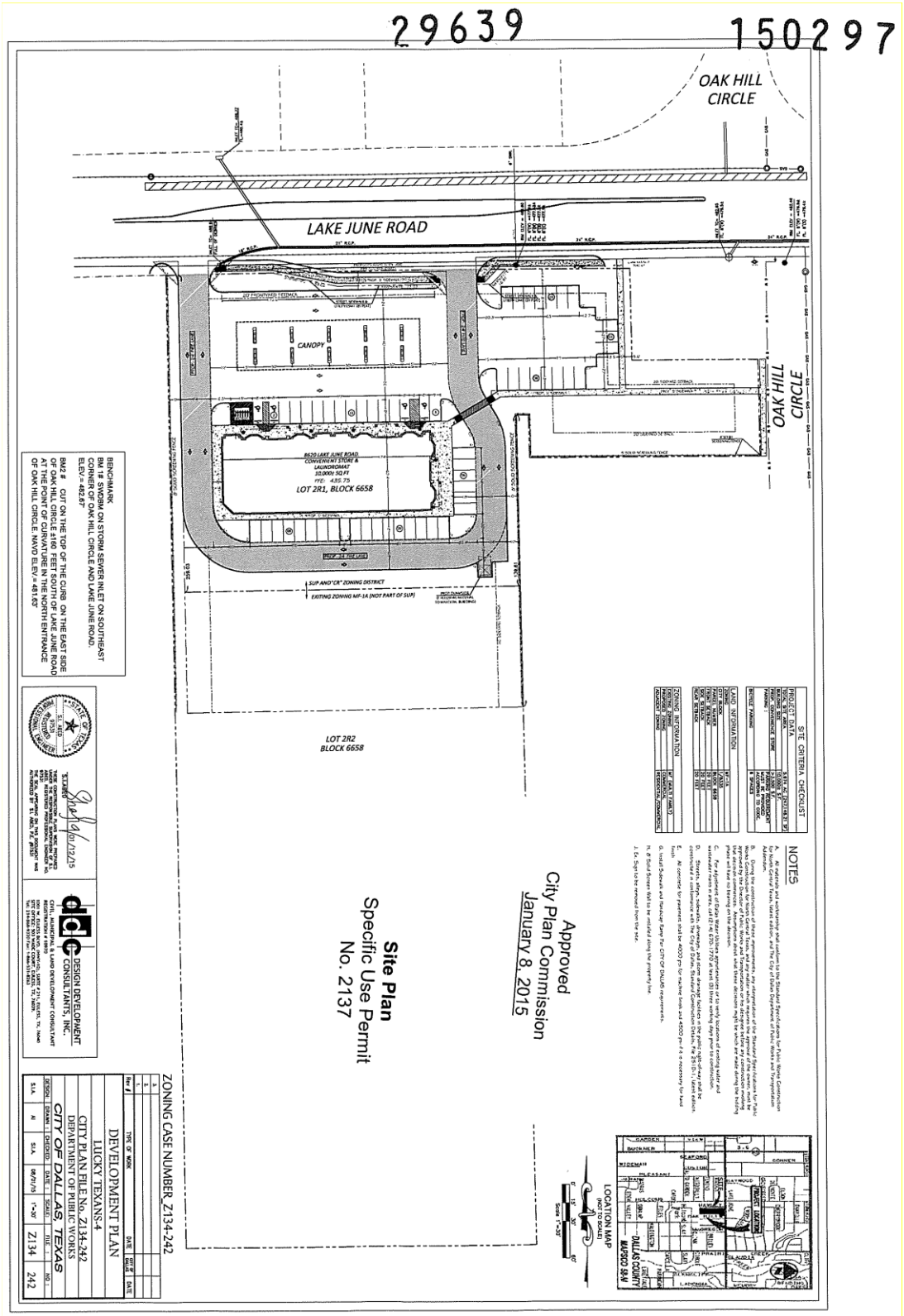
   Staff's Recommendation:

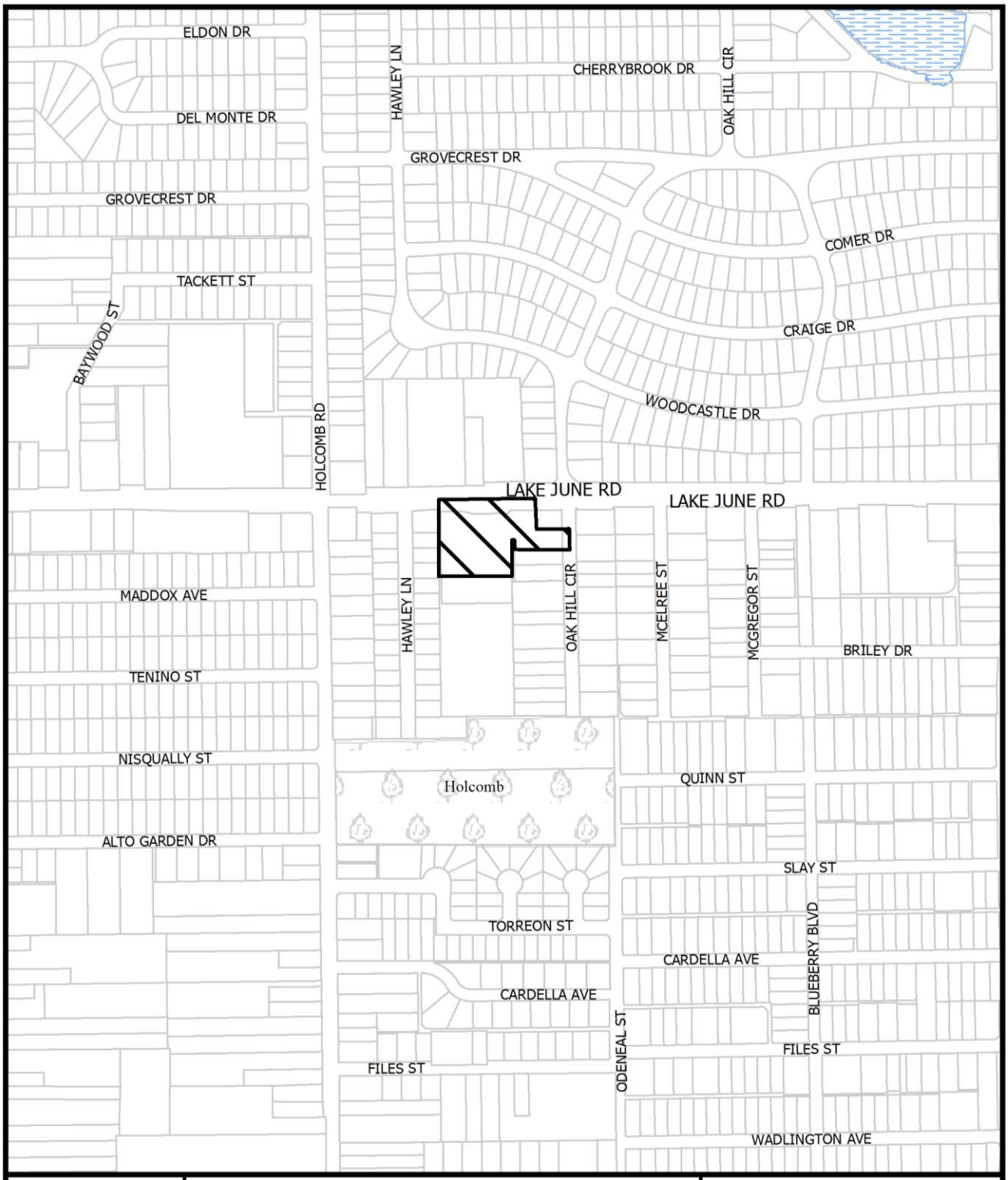
3. TIME LIMIT: This specific use permit expires on (two years) February 11, 2017, but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete 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





1:6,000

VICINITY MAP

Case no: Z156-359

Date: 11/1/2016

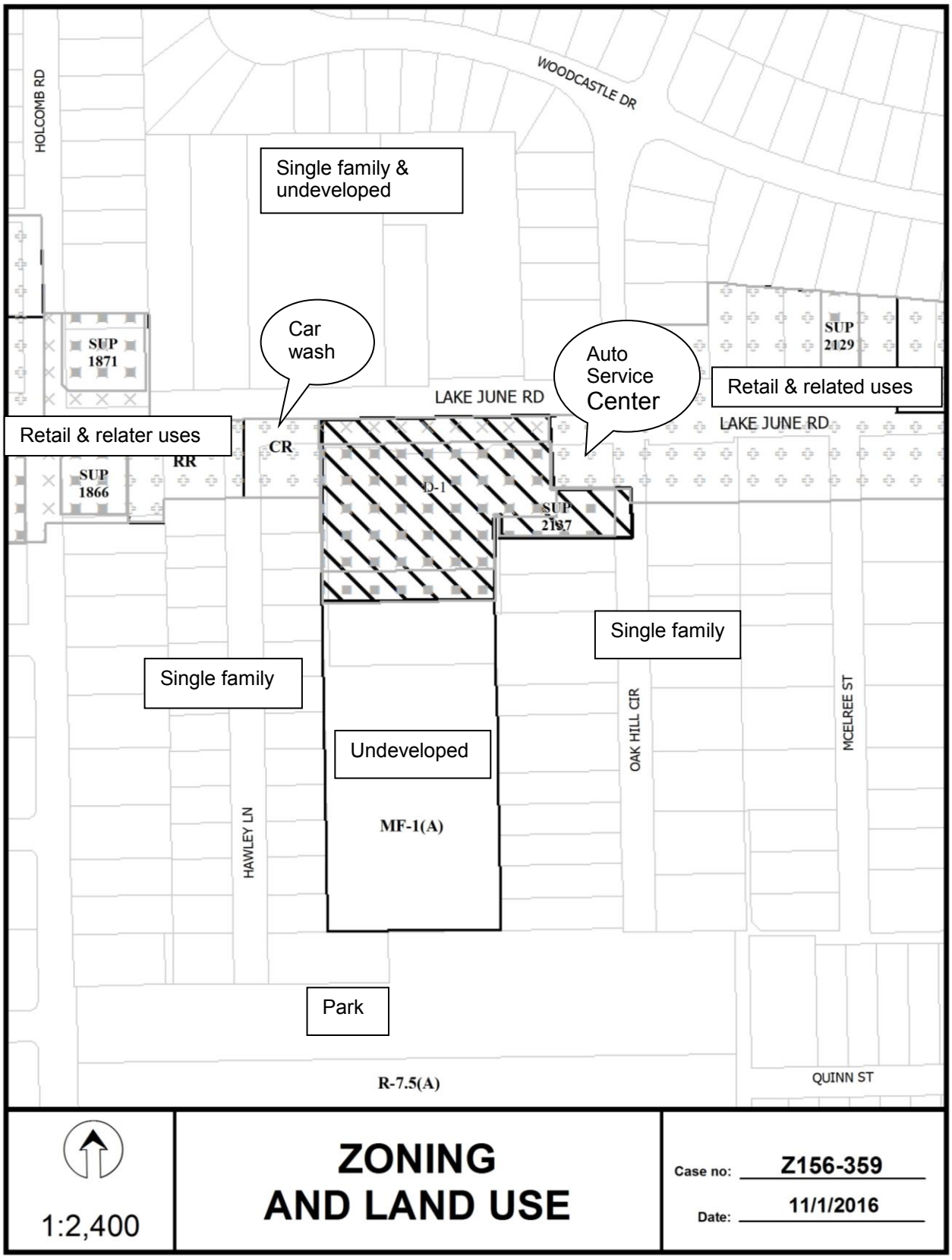


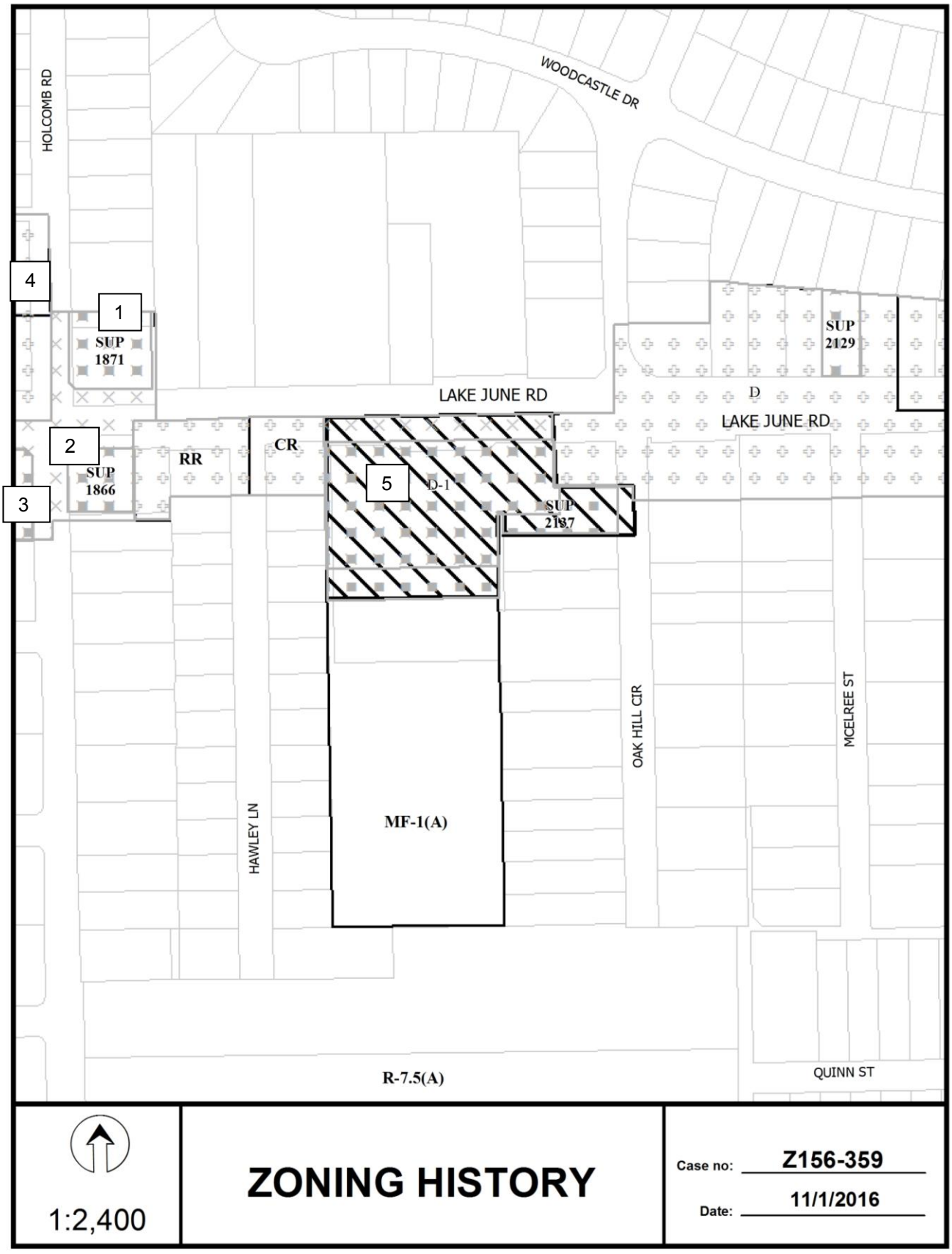
1:2,400

AERIAL MAP

Case no: Z156-359

Date: 11/1/2016


HOLCOMB RD
WOODCASTLE DR
Single family & undeveloped
Car wash
Auto Service Center
Retail & related uses
Retail & relater uses
LAKE JUNE RD
LAKE JUNE RD
SUP 1871
SUP 2129
SUP 1866
CR
RR
D-1
SUP 2187
Single family
Single family
Undeveloped
MF-1(A)
OAK HILL CIR
MCELREE ST
HAWLEY LN
Park
R-7.5(A)
QUINN ST
1:2,400
ZONING AND LAND USE
Case no: Z156-359
Date: 11/1/2016


HOLCOMB RD
WOODCASTLE DR
4
1
SUP 1871
SUP 2129
LAKE JUNE RD
D
LAKE JUNE RD
2
SUP 1866
RR
CR
5
D-1
SUP 2187
3
HAWLEY LN
MF-1(A)
OAK HILL CIR
MCELREE ST
R-7.5(A)
QUINN ST
1:2,400
ZONING HISTORY
Case no: Z156-359
Date: 11/1/2016

CPC RESPONSES



11/16/2016

Reply List of Property Owners

Z156-359

53 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	8640	LAKE JUNE RD	VILLEGAS VICTOR & MARIA
	2	8620	LAKE JUNE RD	SIKKA INVESTMENTS LLC
	3	8601	LAKE JUNE RD	MUMITH FAHIM
	4	8555	LAKE JUNE RD	MUMITH OMRAN
	5	8713	LAKE JUNE RD	GARCIA ROSALBA S
	6	8709	LAKE JUNE RD	LIVAY LLC
	7	8701	LAKE JUNE RD	MONSIVAIS AMALIA A &
	8	1306	OAK HILL CIR	FISHER MICHAEL W & BETTY R
	9	1310	OAK HILL CIR	HERNANDEZ CYNTHIA
	10	8639	LAKE JUNE RD	MONSIVAIS GUADALUPE & YOMHARA
	11	1309	OAK HILL CIR	BENITEZ NORMA
	12	1313	OAK HILL CIR	HENDERSON LYNDELL &
	13	1236	HOLCOMB RD	DURAN JOSE JORGE
	14	1224	HOLCOMB RD	MARTINEZ JACINTO &
	15	1218	HOLCOMB RD	MAGANA MARIA
	16	1212	HOLCOMB RD	LOPEZ JUAN JOSE
	17	1232	HOLCOMB RD	DURAN YOENA
	18	1231	HAWLEY LN	HERNANDEZ ROGELIO
	19	1227	HAWLEY LN	MENDEZ BELEN V
	20	1223	HAWLEY LN	RODRIGUEZ LISA ANN
	21	1219	HAWLEY LN	HARPER EARLIE B
	22	1213	HAWLEY LN	ESTRADA JOSE L
	23	1209	HAWLEY LN	PEREZ CANDELARIO ETUX
	24	1203	HAWLEY LN	JASSO ANTONIO &
	25	1135	HAWLEY LN	GARCIA PAUL M
	26	8600	LAKE JUNE RD	MUMITH FAHIM & OMRAN

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	27	1230	HAWLEY LN	BEDOLLA MARTIN
	28	1226	HAWLEY LN	MECCA APRIL INC
	29	1222	HAWLEY LN	GONZALEZ EFRAIN & ANDREA
	30	1218	HAWLEY LN	GARZA ARTEMIO & CLAUDINA
	31	1212	HAWLEY LN	DENOVA CELESTINO & NORMA P
	32	1208	HAWLEY LN	ORTIZ EUGENIO JR
	33	1202	HAWLEY LN	BRIASHE MANAGEMENT LLC
	34	1134	HAWLEY LN	SORIANO HUBER MALDONADO
	35	1130	HAWLEY LN	GUERRERO UVALDO
	36	1219	OAK HILL CIR	SMITH JIMMIE R EST OF
	37	1207	OAK HILL CIR	BASSDALE INVESTMENTS LLC
	38	1131	OAK HILL CIR	RUEDA JESUS
	39	1203	OAK HILL CIR	ORTIZ JOSE E & VERONICA MENDEZ
	40	1229	OAK HILL CIR	GUERRERO MIGUEL JR
	41	1225	OAK HILL CIR	RUEDA ALFREDO & MAYELA
	42	8700	LAKE JUNE RD	MENDOZA JUAN R &
	43	1232	OAK HILL CIR	THOMAS EMMA EST OF
	44	1214	OAK HILL CIR	MARTINEZ ANTONIO
	45	1208	OAK HILL CIR	SEGOVIA JOSE L
	46	8718	LAKE JUNE RD	LACY INVESTMENTS ENTERPRISE LLC
	47	1231	MCELREE ST	GUZMAN BULMARO F
	48	1221	MCELREE ST	CANO ISABEL C &
	49	1217	MCELREE ST	LLAMAS MARIA C &
	50	1215	MCELREE ST	MENDOZA STEPHANIE N & EDUARDO M
	51	8505	LAKE JUNE RD	CLUB CREEK RENTAL PROPERTY LLC
	52	1228	OAK HILL CIR	RANGEL ISABEL
	53	1224	OAK HILL CIR	EWING MARK

AGENDA ITEM # 48

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 48 U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) for a dance hall and for the sale or service of alcohol in conjunction of a commercial amusement (inside) use on property zoned Subarea 6 within Planned Development District No. 366-D-1 with a D-1 Liquor Control Overlay, on the east side of South Buckner Boulevard, south of Scyene Circle

Recommendation of Staff: Approval for a three-year period, subject to a site plan and conditions

Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions

Z156-208(OTH)

Note: This item was considered by the City Council at a public hearing on November 9, 2016, and was deferred until January 11, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-208(OTH) **DATE FILED:** February 17, 2016

LOCATION: On the east side of South Buckner Boulevard, south of Scyene Circle

COUNCIL DISTRICT: 7 **MAPSCO:** 48-U

SIZE OF REQUEST: ±1.22 acres **CENSUS TRACT:** 90.00

APPLICANT/ OWNER: Teresa Hernandez

REQUEST: An application for a Specific Use Permit for a commercial amusement (inside) for a dance hall and for the sale or service of alcohol in conjunction of a commercial amusement (inside) use on property zoned Subarea 6 within Planned Development District No. 366-D-1 with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to use the property for a commercial amusement (inside) for a dance hall and for the sale or service of alcohol in conjunction of a commercial amusement (inside) use. The applicant proposes to have events such as quinceañeras, graduations, weddings, sweet sixteen and other types of celebrations and allow alcohol to be served during the events.

The City Council, at its August 10, 2016, Council hearing, remanded the case to City Plan Commission to include the alcohol sales and service portion in the SUP. The applicant is not proposing to sell alcohol as part of the business, but would like the ability for patrons to serve it during events.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to a site plan and conditions.

Background:

- The 53,318 square feet property is developed with 6,708 square feet separated in two suites. The property is currently vacant and was formerly used as a pawn shop.
- The applicant proposes to use the property as a commercial amusement (inside) use for a dance hall to rent for events such as quinceañeras, graduations, etc. The applicant would like to have the option to allow patrons to serve alcohol during the events.

Zoning History: There has been one zoning requests in the area within the last five years.

1. Z134-105 On November 10, 2015, the City Council approved 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 for a one year period on property zoned Tract 2A, Subarea 1 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay for a period of one year, located on the northwest corner of Scyene Road and South Buckner Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Buckner Boulevard	Principal Arterial	Variable

Land Use:

	Zoning	Land Use
Site	Subarea 6 w/in PD No. 366 with D-1 Overlay	Vacant structure
North	Subarea 6 w/in PD No. 366 with D Overlay, PD No. 75 and CR	Convalescent nursing home/ medical facility, multifamily & Retail
East	Subarea 6 w/in PD No. 366 with D Overlay	Multifamily & Retail
South	Subarea 6 w/in PD No. 366 with D Overlay	Retail and Mini-warehouse
West	Subarea 2 w/in PD No. 366 with D Overlay	Mini-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.

The request for an SUP for a commercial amusement (inside) limited to a dance hall is located on a property surrounded by retail uses and a major thoroughfare. The property is not adjacent to residential.

The *fowardDallas! Comprehensive Plan* outlines several goal and policy to support 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.

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

Land Use Compatibility:

The 1.22 acres request site is developed with a one story, 6,708 square feet vacant building. The request site is surrounded by a convalescent nursing home/medical facility, multifamily and retail to the north (across Scyene Circle, a six-lane thoroughfare); multifamily development to the east; mini-warehouse and cemetery to the west (across Buckner Boulevard); and mini-warehouse and retail uses to the south.

The applicant proposes to utilize the property for a commercial amusement (inside) for a dance hall and for the sale or service of alcohol in conjunction of a commercial amusement (inside) use. The applicant is proposing to use the property for events such as weddings, birthday parties, 15th and Sweet 16th birthday parties, baptisms, and graduations. The proposed hours of operation for the dance hall and the sale or service of alcohol in conjunction with the dance hall are from Tuesday through Sunday from 12:00 noon until 2:00 a.m. (the following day). The applicant would like the opportunity for patrons to serve alcohol as part of the events.

In addition to the events center, the applicant proposes to have Zumba and exercise classes seven days a week from 9:00 a.m. to 6:00 p.m. in the building.

A commercial amusement (inside) for a dance hall is required to have an SUP within Subarea 6 of PD No. 366. The sale or service of alcohol in conjunction with a commercial amusement (inside) is also required to have an SUP due to the D-1 Liquor Control Overlay. Some commercial amusement (inside) uses are allowed by right (billiard hall, bowling alley or skate rink) and others, like the dance hall, require an SUP. The SUP request would only regulate a dance floor.

The zoning regulations for the property do not allow alcoholic beverage establishments such as a bar, lounge or tavern; a microbrewery, microdistillery, or winery; and private-club bar. A zoning change would be required to allow such 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.

The proposed use is compatible with the surrounding commercial uses. Staff does not foresee any potential adverse effects on the adjacent uses as the operation will cease at a specific time. A short time period is suggested to allow the evaluation of the operations of the use and the impact in the neighboring area.

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:

The property will have two suites, each with a dance floor. Suite A is approximately 2,416 with a 180 square feet dance floor. Suite B is approximately 3,112 square feet and will have a 320 square feet dance floor. Parking must be provided pursuant to Sec. 51A-4.200 of the Dallas Development Code.

The commercial amusement (inside) for a dance hall requires one (1) space per 100 square feet of floor area; the dance hall portion requires one (1) space per 25 square feet of dance floor. For the two suites combined, 5,528 square feet, the parking requirement is 55 spaces. For the two dance floors combined, 500 square feet, the parking requirement is 20 spaces. A total of 75 parking spaces is required for the

proposed uses. The applicant is providing 86 parking spaces as depicted on the site plan.

Landscaping:

Landscaping is required in accordance with PD No. 366. The applicant is not proposing any additions to the existing structure. The construction of the off-street parking will require a building permit, which will include landscaping of the site.

CPC ACTION:
October 6, 2016

Motion: It was moved to recommend **approval** of a Specific Use Permit for a commercial amusement (inside) for a dance hall and for the sale or service of alcohol in conjunction with a commercial amusement inside use for a two-year period, subject to a site plan and conditions on property zoned Subarea 6 within Planned Development District No. 366–D-1 with a D-1 Liquor Control Overlay on the east side of South Buckner Boulevard, south of Scyene Circle.

Maker: Shidid
Second: Schultz
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Davis, Shidid, Anantasomboon*, Haney, Jung, Housewright*, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Houston
Vacancy: 1 - District 7

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 15
Replies: For: 1 Against: 2

Speakers: For (Did not speak): Teresa Hernandez, 804 Trailwood Dr., Desoto, TX, 75115
Against: None

Proposed SUP Conditions

Z156-208

1. USE: The only uses authorized by this specific use permit are a commercial amusement (inside) for a dance hall and the sale or service of alcohol in conjunction of a commercial amusement (inside) use.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC Recommendation:

3. TIME LIMIT: This specific use permit expires on (two years).

Staff Recommendation:

3. TIME LIMIT: This specific use permit expires on (three years).

4. DANCE FLOOR AREA: The dance floor area for suite A is limited to 180 square feet. The dance floor for suite B is limited to 320 square feet.

5. FLOOR AREA: The floor area for suite A is limited to 2,416 square feet. The floor area for suite B is limited to 3,112 square feet.

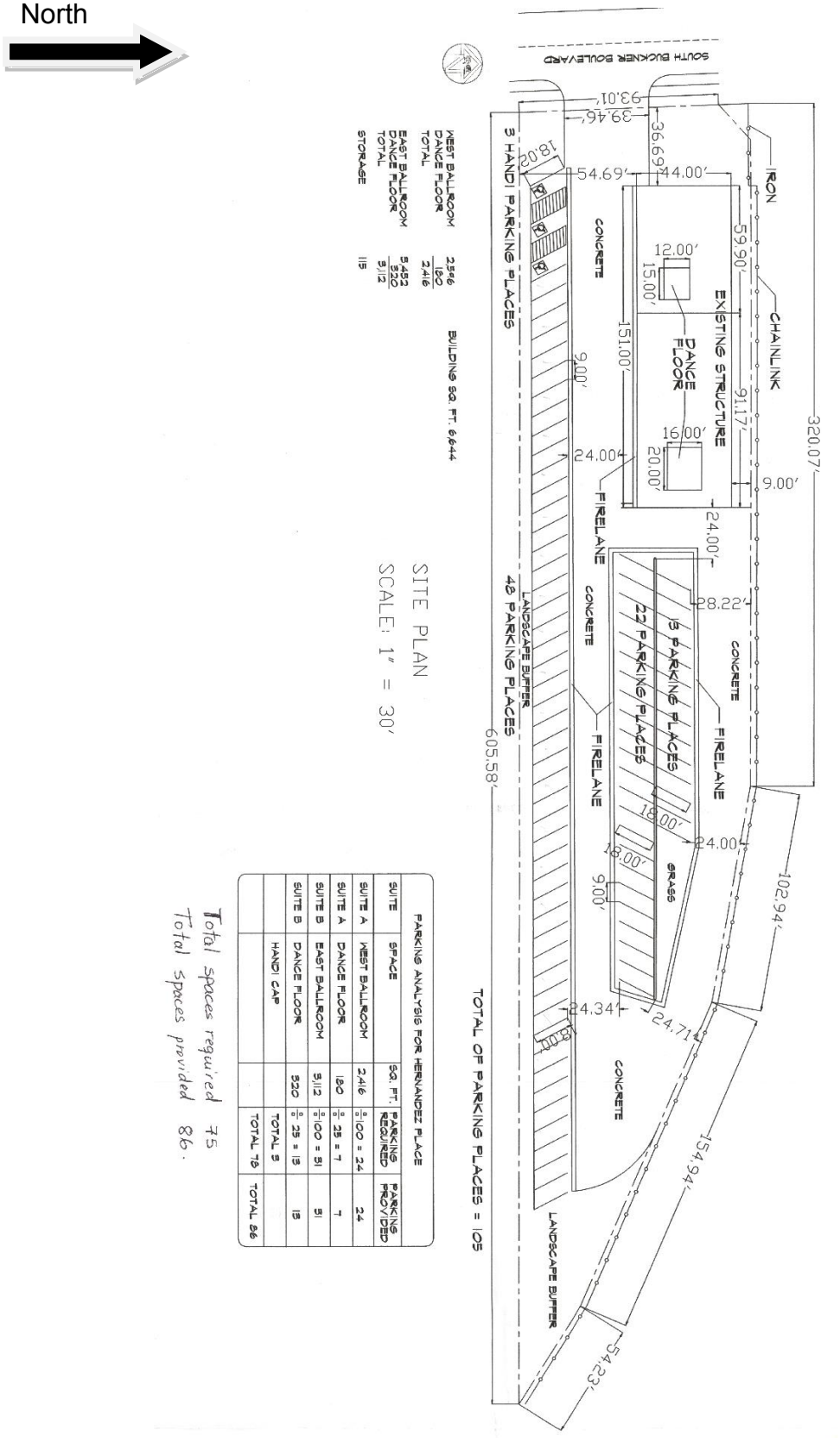
6. HOURS OF OPERATION: The dance hall may only operate from 12:00 p.m. (noon) to 2:00 a.m. Tuesdays to Sundays.

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.

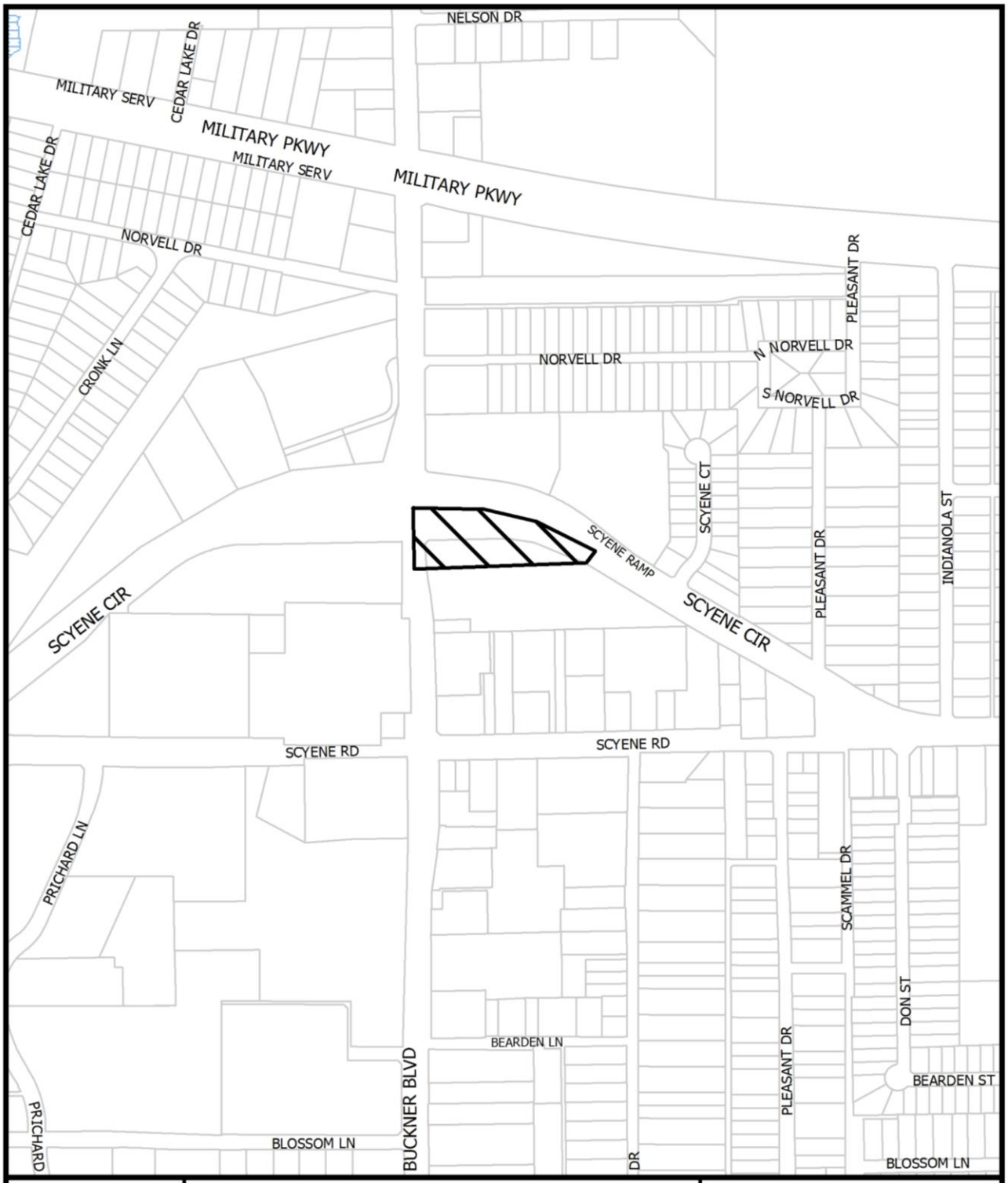
PROPOSED SITE PLAN

North



PARKING ANALYSIS FOR HERNANDEZ PLACE				
SUITE	SPACE	SQ. FT.	PARKING REQUIRED	PARKING PROVIDED
SUITE A	WEST BALLROOM	2416	1/100 = 24	24
SUITE A	DANCE FLOOR	180	1/25 = 7	7
SUITE B	EAST BALLROOM	5112	1/100 = 51	51
SUITE B	DANCE FLOOR	520	1/25 = 13	13
	HANDI CAP		TOTAL 5	
			TOTAL 75	TOTAL 86

Total spaces required 75
Total spaces provided 86.



1:6,000

VICINITY MAP

Case no: Z156-208

Date: 3/9/2016

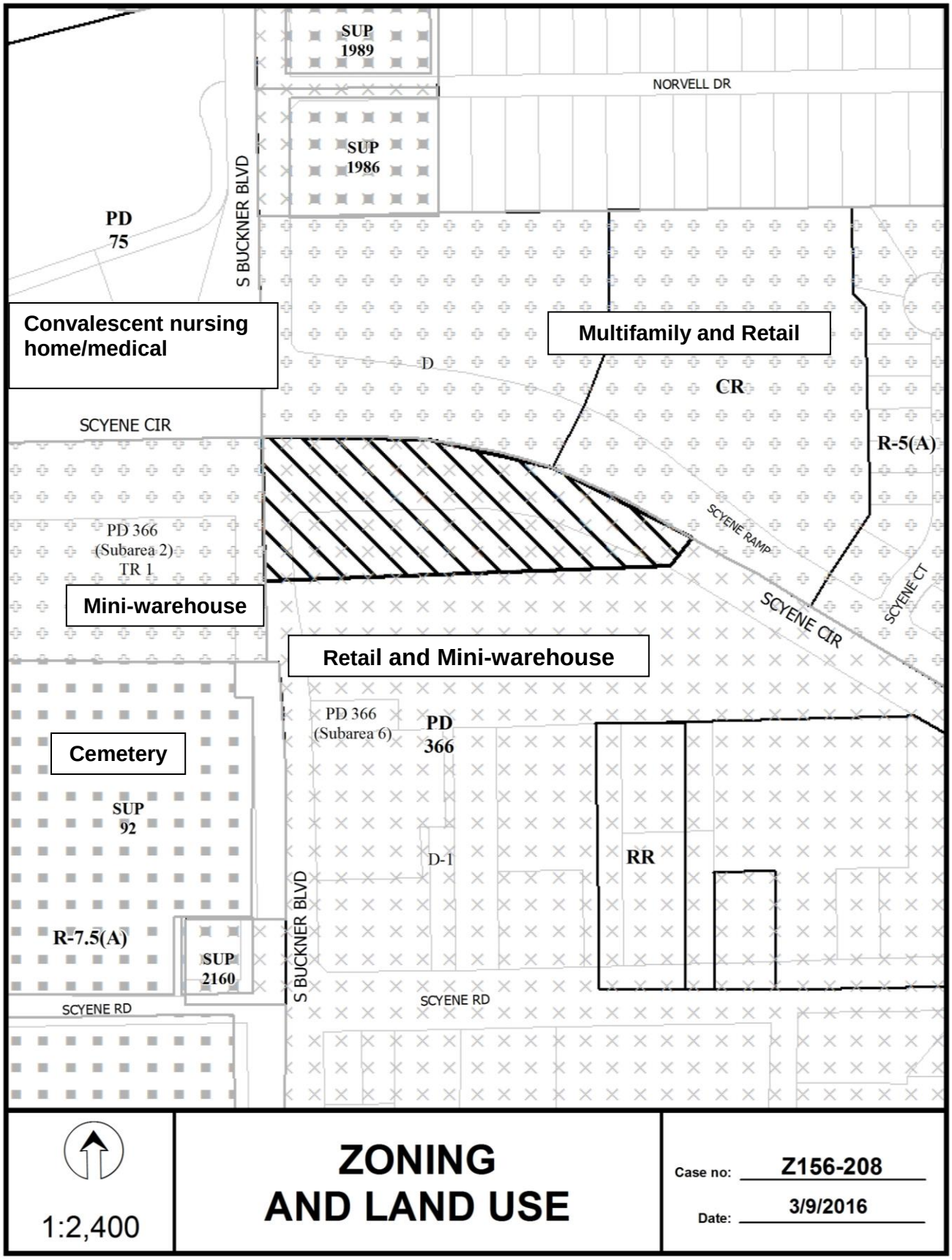


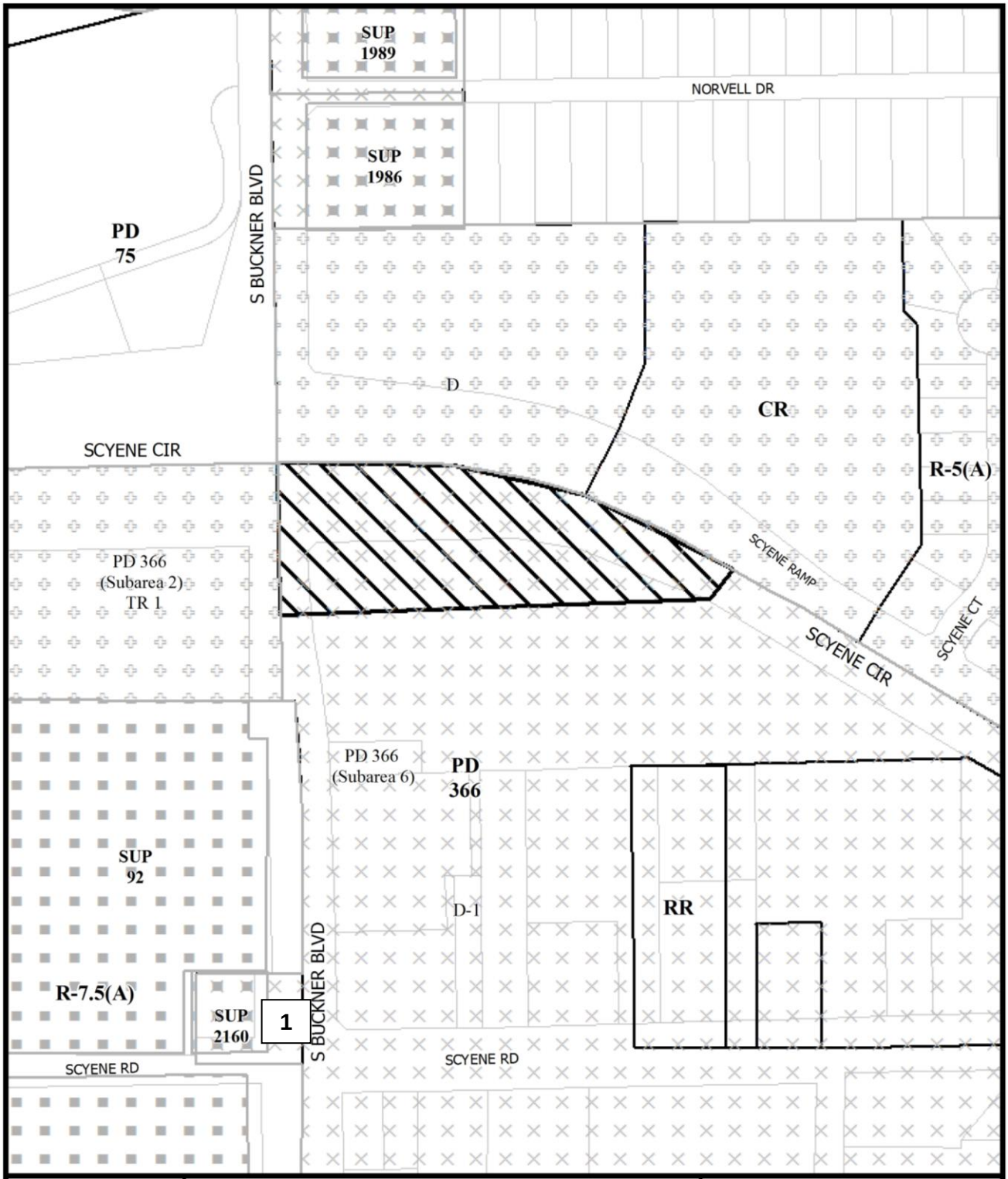
1:2,400

AERIAL MAP

Case no: Z156-208

Date: 3/9/2016


SUP 1989
NORVELL DR
SUP 1986
PD 75
S BUCKNER BLVD
Convalescent nursing home/medical
Multifamily and Retail
D
CR
SCYENE CIR
R-5(A)
SCYENE RAMP
PD 366 (Subarea 2) TR 1
Mini-warehouse
SCYENE CIR
SCYENE CT
Retail and Mini-warehouse
PD 366 (Subarea 6)
PD 366
Cemetery
SUP 92
D-1
RR
R-7.5(A)
SUP 2160
S BUCKNER BLVD
SCYENE RD
SCYENE RD
1:2,400
ZONING AND LAND USE
Case no: Z156-208
Date: 3/9/2016



1:2,400

ZONING HISTORY

Case no: Z156-208

Date: 3/9/2016

CPC RESPONSES



10/05/2016

Reply List of Property Owners

Z156-208

15 Property Owners Notified 1 Property Owners in Favor 2 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	3210	S BUCKNER BLVD	SH 708-716 LLC
	2	3230	S BUCKNER BLVD	MOSLEY L G & JYNNIFER
	3	3151	S BUCKNER BLVD	PLEASANT MOUND CEMETERY
	4	3505	S BUCKNER BLVD	BUCKNER SCYENE SNF LTD
	5	8149	SCYENE RD	WIMBERLY JOANNE
	6	8151	SCYENE RD	VALDEZ ANGEL
	7	8127	SCYENE RD	JACKSON WILLIE RAY
O	8	3118	S BUCKNER BLVD	UGWONALI FELIX C &
X	9	3241	S BUCKNER BLVD	ACCESS-BUCKNER LTD
X	10	8201	SCYENE RD	FORD ROBERT L
	11	3110	S BUCKNER BLVD	FIRST CASH LTD
	12	3311	SCYENE CT	RYAN TIM & KATHLEEN
	13	3307	SCYENE CT	COAHUILAS RAUL B
	14	3303	SCYENE CT	GUEVARA BENITO &
	A1	3402	S BUCKNER BLVD	TACP DCREEK LP
	A2	8181	SCYENE CIR	TACP DCREEK LP

AGENDA ITEM # 49

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 49 N

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and North Prairie Creek Road
Recommendation of Staff and CPC: Approval
Z156-234(JM)
Note: This item was considered by the City Council at public hearings on September 28, 2016 and October 26, 2016, and was deferred until January 11, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-234(JM) **DATE FILED:** March 15, 2016

LOCATION: Southwest corner of Forney Road and North Prairie Creek Road

COUNCIL DISTRICT: 7 **MAPSCO:** 49-N

SIZE OF REQUEST: ±2.4496 acres **CENSUS TRACT:** 121.00

APPLICANT/OWNER: West Texas Rebar Placers, Inc.

REPRESENTATIVE: Marco A. Hernandez

REQUEST: An application for a CS Commercial Service District on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant is requesting the zoning change in order to operate a contractor maintenance yard. The intent is to store heavy equipment on-site, and do necessary maintenance and repairs to that equipment. An office is intended to be on-site, as well.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed zoning district allows uses that are similar, but with greater restrictions for height. The Commercial Service District adds 18 uses, primarily in the retail and personal services, and wholesale, distribution, and storage uses categories. More information is provided under Development Standards and Land Use Comparison sections of this report.

2. Development on this block is similar to the requested use, but not allowed. The property is not currently in use, although there is some machinery being stored pending the outcome of this case.

3. *Traffic impact* – The proposed zoning will not have a negative impact on the existing street system.

4. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in a Business Center or Corridor Building Block. While the proposed district is inconsistent with this building block, it generally supports economic goals within the comprehensive plan. Additionally, the proposed district and use are consistent with surrounding land use patterns.

Zoning History: There have been no recent zoning cases in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Forney Road	Community Collector (S-4-D)	80 feet
Prairie Creek Road	Principal Arterial (M-6-D(A))	100 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction reviewed the proposed zoning and determined it will not have a negative impact on the existing street system.

STAFF ANALYSIS:

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, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within a *Business Center or Corridor*. This Building Block represents major employment or shopping destinations outside of Downtown. Examples include the Galleria area, the NorthPark Center area, Southwest Center Mall area at I-20 and US Hwy 67 and the Stemmons Corridor. Business Centers are usually at major intersections or along highways or major arterials and rely heavily on car access. These areas typically include high-rise office towers and low- to mid-rise residential buildings for condos or apartments and may include multifamily housing. Land uses are typically separated from one another by parking lots, freeways or arterial roads. Streets in these areas emphasize efficient movement of vehicles. Bold lighting and linear landscaping features such as esplanades and tree-lined boulevards can all work to distinguish and identify these areas. Public spaces may be at key entry points and central locations. Gateway landscaping, monuments and other devices will provide visibility from the freeway and guide visitors to destinations. Public transit may play a role in these areas and help create some pockets of transit oriented development. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

The proposed CS Commercial Service District is described as being for the development of commercial and business serving uses that may involve outside storage, service, or display. This district ultimately supports the intended Building Block and is a less intensive industrial-type of zoning.

Finally, the proposed zoning request meets the following goals and objectives of the comprehensive plan:

Vision: Embrace all types of land use. Workshop participants were interested in having a wide range of land use options and scale in Dallas. While some land use types reflect a definite nod toward autos, others focused more heavily on walking and bicycling. Variety is the key in what workshop participants wanted for land use types throughout the city, recognizing differences in appropriateness and scale from place to place.

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS
A business friendly environment is essential for Dallas to maintain competitiveness in the regional and global marketplace.

Land Use Compatibility:

	Zoning	Land Use
Site	LI w/D-1 Overlay	Vacant (storage of equipment)
North	LI w/D-1 Overlay	Vacant land, warehouse & distribution centers (freight terminal)
East	LI w/D-1 Overlay	Tool or equipment rental
South	LI w/D-1 Overlay	Cell tower, railroad, vacant land
West	LI w/D-1 Overlay	Tool or equipment rental

The request site is ± 2.5 acres situated between several industrial parks and business centers. Immediately adjacent zoning is Light Industrial. Surrounding land uses are of an industrial nature. Many have outside storage of semi-trucks and trailers. The proposed CS Commercial Service District and contractor's maintenance yard use seems compatible with the area.

The request to rezone is to allow for a contractor's maintenance yard use, which includes the outside storage of equipment. This will require screening of the entire site. The screening will provide a transitional buffer as the area continues to change over time. While an industrial zoning district like CS Commercial Service is not typically a zoning district that is envisioned for Business Center or Corridor Building Blocks, given that LI is the existing zoning on the property, and because the site and surrounding area are being commercially utilized for industrial uses, the request can be supported. The subject site is adjacent to industrial and business parks on the fringe of Dallas city limits and Mesquite city limits.

Development Standards:

DISTRICT	Setbacks		FAR	Height	Lot Coverage	Primary Uses
	Front	Side/Rear				
Existing						
LI Light Industrial	15'	0'	0.5 to 1.0	70'	80%	Commercial & business service, wholesale, distribution & storage, retail & personal service, office, and utility and public service uses. A few industrial uses.
Proposed						
CS Commercial Service	0'	0'	0.75 to 1.0	45'	80%	Commercial & business service, wholesale, distribution & storage, retail & personal service, office, and utility and public service uses. A few industrial uses.

Land Use Comparison:

	Proposed	Existing
Use	**CS**	**LI**
Vehicle or engine repair or maintenance.	**RAR**	**X**
Alcoholic beverage manufacturing.		**RAR**
Inside industrial.		**RAR**
Temporary concrete or asphalt batching plant.		**By CBO authorization**
Convent or monastery.	**X**	
Public School.	**RAR**	**SUP**
College dormitory, fraternity, or sorority house.	**X**	
Ambulance service.	**RAR**	
Animal shelter or clinic without outside run.	**RAR**	**X**
Alcoholic beverage establishments*	**SUP**	**Check Use**
Commercial amusement (outside).	**DIR**	
Convenience store with drive-through.	**SUP**	
Drive-in theater.	**SUP**	
General merchandise or food store greater than 3,500 square feet.	**X**	
Liquefied natural gas fueling station.	**SUP**	**Check Use**
Liquor store.	**X**	
Mortuary, funeral home, or commercial wedding chapel.	**X**	
Nursery, garden shop, or plant sales.	**X**	
Use	**CS**	**LI**
Outside sales.	**SUP**	
Pawn shop.	**X**	
Swap or buy shop.	**SUP**	
Auto auction.	**SUP**	
Building mover's temporary storage yard.	**SUP**	
Contractor's maintenance yard.	**RAR**	
Petroleum product storage and wholesale.	**SUP**	

Sand, gravel, or earth sales and storage.	**SUP**	
Vehicle storage lot.	**SUP**	
Accessory pathological waste incinerator.	**X**	

X *indicates permitted by right.*
SUP *indicates permitted with a Specific Use Permit.*
RAR *indicates permitted, but subject to Residential Adjacency Review.*
DIR *indicates permitted, but subject to Development Impact Review.*
Check Use *indicates permitted, but that the use must conform to specific regulations in different districts, as outlined in the Development Code.*
By CBO Authorization *indicates that the use may be allowed with permission from the Chief Building Official.*

WEST TEXAS REBAR PLACERS, INC.

10209 Plano Rd. Suite 101
Dallas, Texas 75238

PHONE: (214) 221-1333
FAX: (214) 221-1303

Marco A. Hernandez – President

Magno A. Hernandez – Vice-President

Z156-234

CPC Action:
September 1, 2016

Motion: It was moved to recommend **approval** of a CS Commercial Service District on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and North Prairie Creek Road.

Maker: Anantasomboon
Second: Davis
Result: Carried: 14 to 0

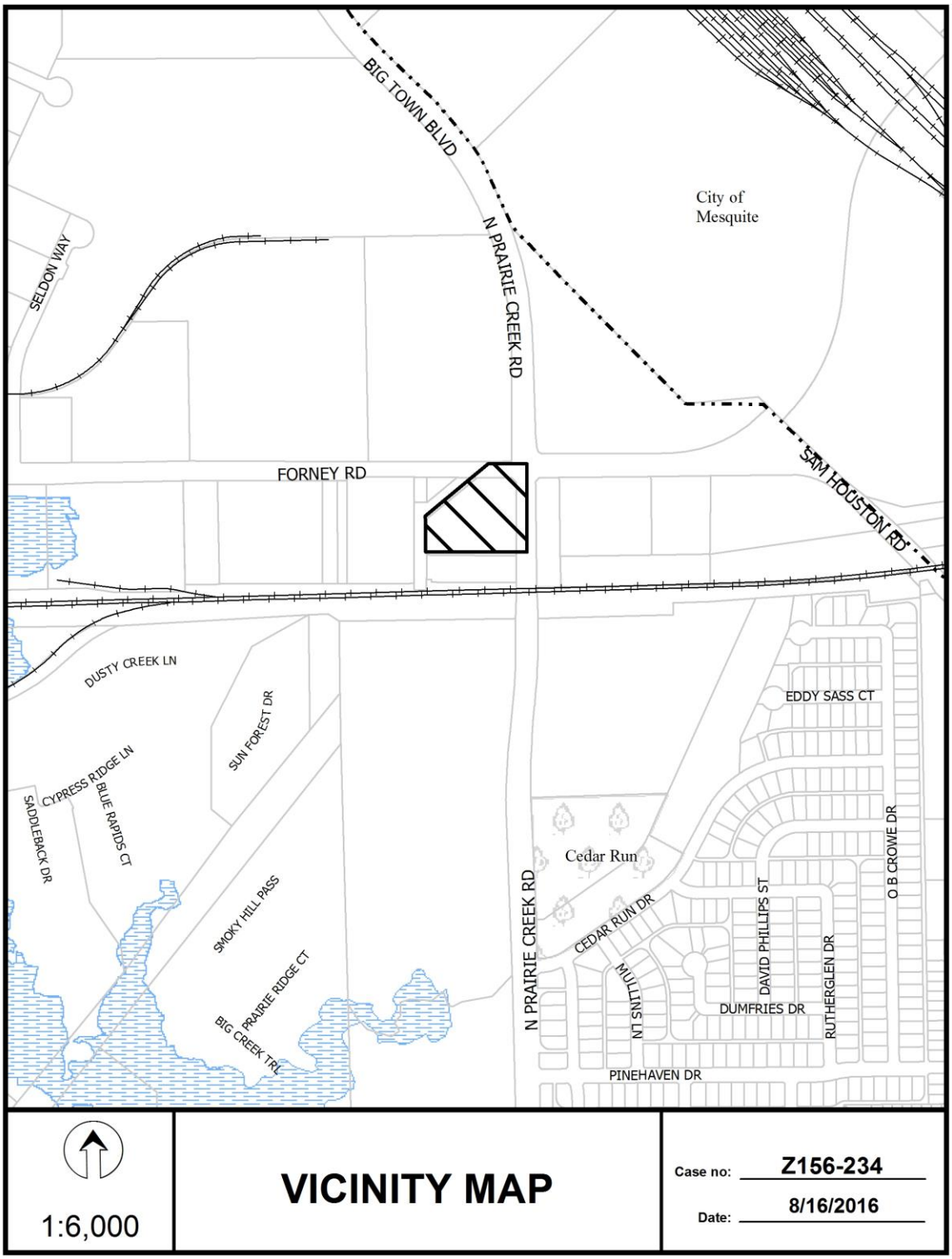
For: 14 - Anglin, Rieves, Houston, Davis, Shidid*, Anantasomboon, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 7

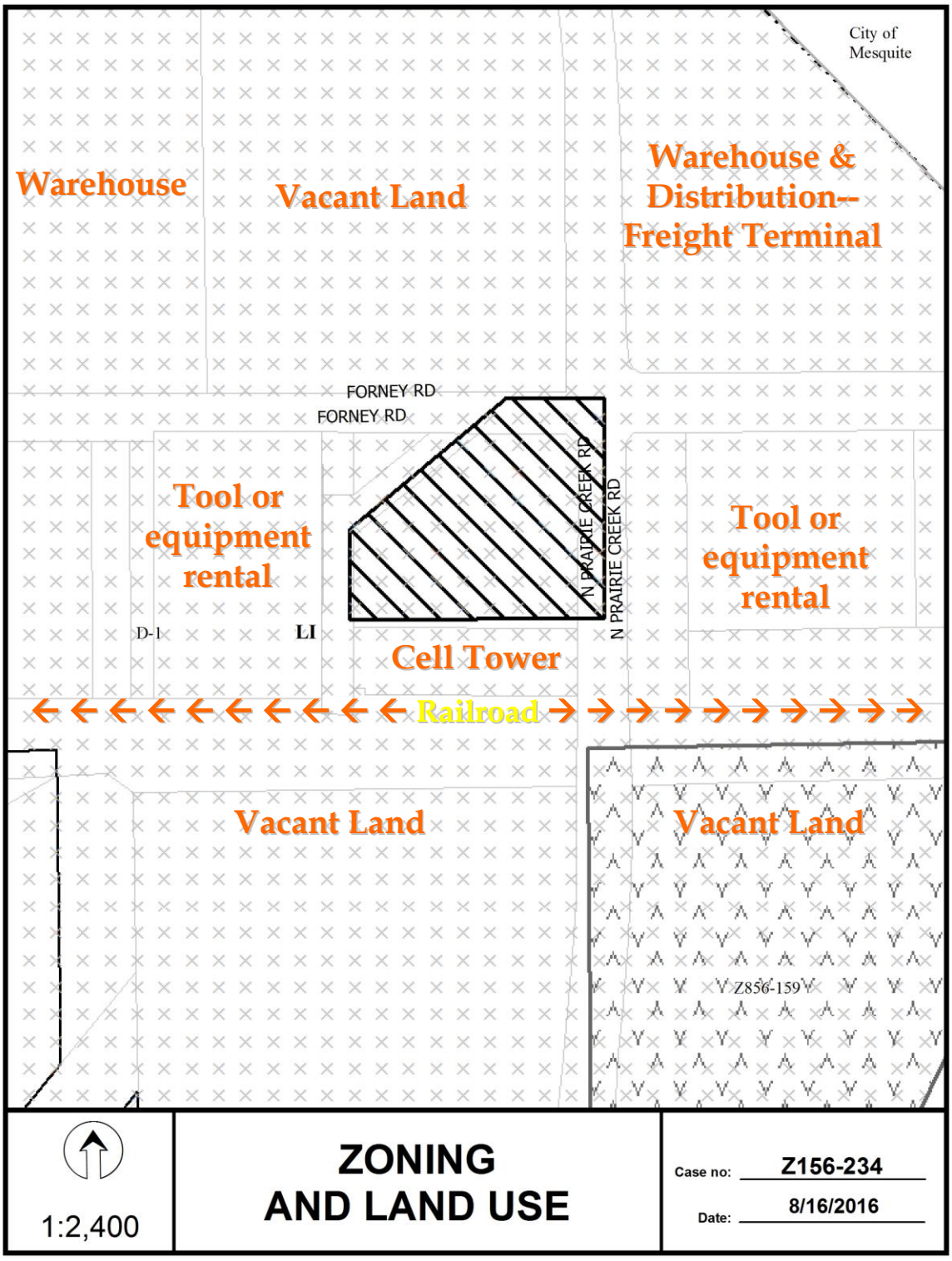
*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 14
Replies: For: 4 Against: 1

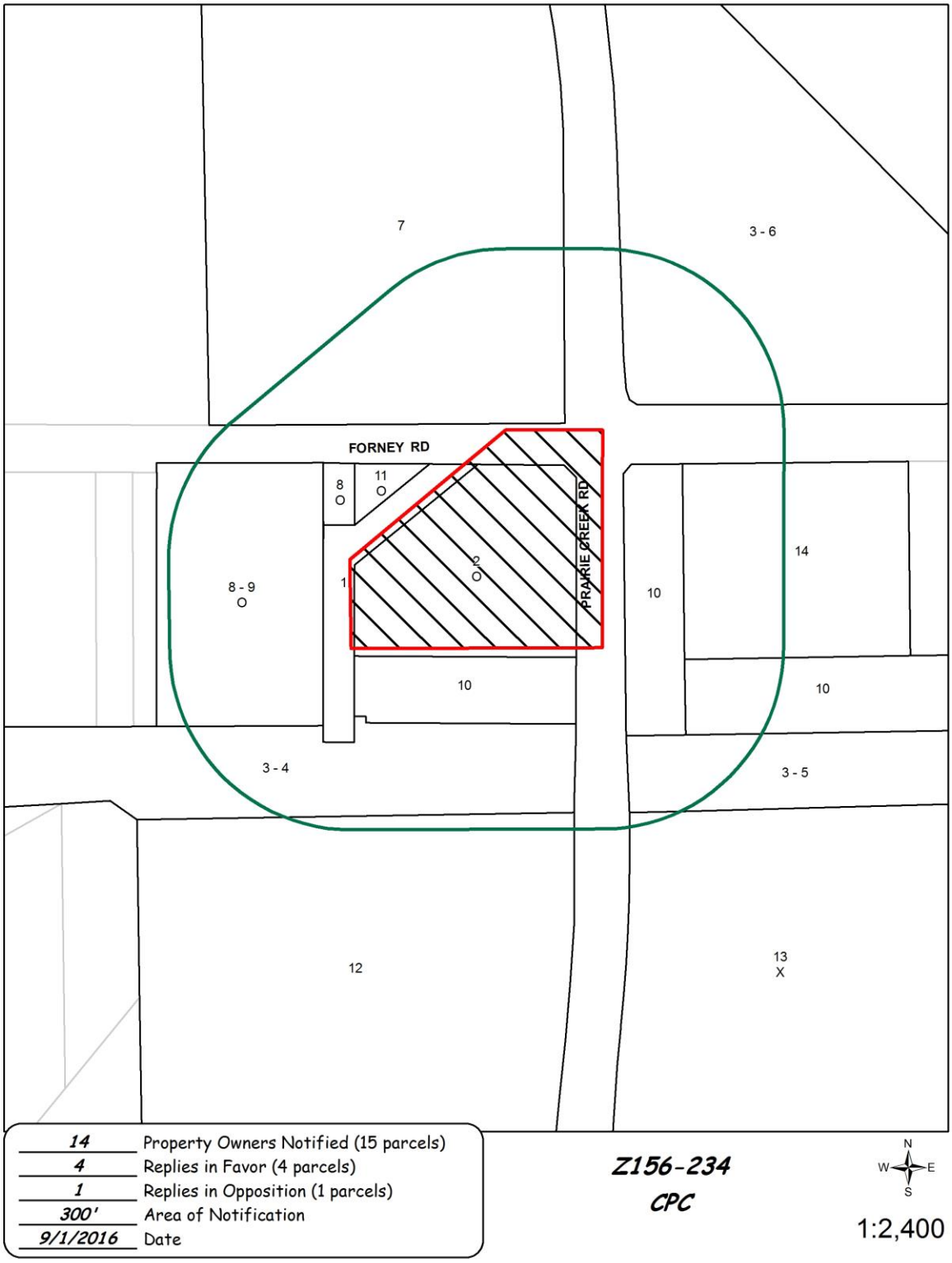
Speakers: None


BIG TOWN BLVD
City of Mesquite
SELDON WAY
N PRAIRIE CREEK RD
FORNEY RD
SAM HOUSTON RD
DUSTY CREEK LN
SUN FOREST DR
CYPRESS RIDGE LN
BLUE RAPIDS CT
SADDLEBACK DR
SMOKY HILL PASS
PRAIRIE RIDGE CT
BIG CREEK TRL
EDDY SASS CT
Cedar Run
N PRAIRIE CREEK RD
CEDAR RUN DR
MULLINS LN
DAVID PHILLIPS ST
DUMFRIES DR
RUTHERGLEN DR
O B CROWE DR
PINEHAVEN DR
1:6,000
VICINITY MAP
Case no: Z156-234
Date: 8/16/2016


City of Mesquite
FORNEY RD
FORNEY RD
N PRAIRIE CREEK RD
N PRAIRIE CREEK RD
1:2,400
AERIAL MAP
Case no: Z156-234
Date: 8/16/2016


City of Mesquite
Warehouse
Vacant Land
Warehouse & Distribution-- Freight Terminal
FORNEY RD
FORNEY RD
N PRAIRIE CREEK RD
N PRAIRIE CREEK RD
Tool or equipment rental
Tool or equipment rental
D-1
LI
Cell Tower
Railroad
Vacant Land
Vacant Land
Z856-159
1:2,400
ZONING AND LAND USE
Case no: Z156-234
Date: 8/16/2016

CPC RESPONSES



08/31/2016

Reply List of Property Owners

Z156-234

14 Property Owners Notified 4 Property Owners in Favor 1 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	9202	FORNEY RD	COUNTY OF DALLAS
O	2	9124	FORNEY RD	WEST TEXAS REBAR PLACERS INC
	3	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	4	9999	NO NAME ST	UNION PACIFIC RR CO
	5	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	6	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	7	1201	BIG TOWN BLVD	BAPTIST FOUNDATION OF TX
O	8	9090	FORNEY RD	GILLIS EDWARD T &
O	9	9090	FORNEY RD	GILLIS EDDIE
	10	4501	PRAIRIE CREEK RD	TEXAS UTILITIES ELEC CO
O	11	9124	FORNEY RD	GILLIS EDWARD TRAVIS & DEBORAH KAY GILLIS
	12	4401	PRAIRIE CREEK RD	DAL TILE CORP
X	13	4400	N PRAIRIE CREEK RD	DWL REAL ESTATE INC
	14	9208	FORNEY RD	BERRY MARK W &

AGENDA ITEM # 50

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 22 P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing on property zoned IM Industrial Manufacturing District with deed restrictions, on the north side of Mañana Drive, west of Newkirk Street

Recommendation of Staff and CPC: Approval for a three-year period, subject to a revised site plan and conditions

Z156-331(AR)

Note: This item was considered by the City Council at a public hearing on December 14, 2016, and was deferred until January 11, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-331(AR) **DATE FILED:** August 11, 2016

LOCATION: North side of Mañana Drive, west of Newkirk Street

COUNCIL DISTRICT: 6 **MAPSCO:** 22-P

SIZE OF REQUEST: Approx. 6.76 acres **CENSUS TRACT:** 99.00

APPLICANT/REPRESENTATIVE: Steven M. Free

OWNER: Steven M. Free, LP

REQUEST: An application for the renewal of Specific Use Permit No. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing on property zoned IM Industrial Manufacturing District with deed restrictions.

SUMMARY: The applicant proposes to renew Specific Use Permit No. 1653 to continue the operation of a wood or lumber processing use. Deed restrictions on the property limit the potentially incompatible industrial (outside) uses to wood or lumber processing by SUP only.

CPC RECOMMENDATION: **Approval** for a three-year period, subject to a revised site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently being used for an outside wood processing facility as allowed by SUP No. 1653 and is surrounded by undeveloped land and industrial uses.

- SUP No. 1653 for a potentially incompatible industrial (outside) use, limited to a wood or lumber processing use was first approved by City Council on February 14, 2007, for a time limit of two years. SUP No. 1653 was amended to clarify parking requirements in the conditions and renewed for three years on January 28, 2009.

- SUP No. 1653 was amended to clarify parking requirements and renewed for three years on January 28, 2009, and renewed for two years on January 14, 2015

- Deed restrictions on the property limit the uses to those in the IR Industrial Research District, allow all industrial (outside) not potentially incompatible uses, and allow the potentially incompatible industrial (outside) use limited to wood or lumber processing by Specific Use Permit.

- The site plan is being revised to add ingress and egress to come into compliance with the existing SUP conditions.

- On February 24, 1982, the City Council approved a Specific Use Permit No. 817 for a Concrete Batching Plant on property zoned a Flood Plain (Industrial-2) District located to the southwest of the subject site.

- On February 21, 1972, the City Council approved a Specific Use Permit No. 563 for a Salvage and Reclamation Yard on property zoned a Flood Plain (Industrial-3) District located to the southeast of the subject site.

Zoning History:

1. Z134-338 On January 14, 2015, the City Council approved an amendment and renewal of Specific Use Permit No. 1653 for a potentially incompatible industrial (outside) use, limited to wood or lumber processing on property zoned an IM Industrial Manufacturing District (subject site).

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Mañana Drive	Minor Arterial	*30 ft.*
Newkirk Street	Minor Arterial	*30 ft.*
Spangler Road	Minor Arterial	*30 ft.*

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 generally supports the characteristics of the *Industrial Area Building Block.* The applicant's use provides jobs in the industrial sector and is located in one of the City's industrial areas. Additionally, there are limited sidewalks in the area, a trait of industrial areas.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Area Plans:

Elm Fork Athletic Complex Master Plan (2007) - identifies the 28 acre floodplain parcel immediately north of the request site as future nature trails. The plan recommends the development of a nature and boardwalk trail that will be integrated into the overall Elm Fork trail system and soccer field complex. The existing wood or lumber processing use is not compatible with the proposed nature trails adjacent to the subject site. However, staff is recommending a short time period so the use can be re-evaluated as the Master Plan is implemented.

Trinity River Corridor Comprehensive Land Use Plan (2009) – this plan designates the area of the subject site as a Heavy Industrial land use. The existing wood or lumber processing use is considered a Heavy Industrial use in the language of this plan and follows the recommendation of the land use in this area.

Land Use Compatibility:

The subject site is approximately 6.76 acres located in an IM Industrial Manufacturing District and is adjacent to an IM District to the north and south and an IR Industrial Research District to the east and west. The subject site is an industrial use and is surrounded by other industrial uses, warehouses, vacant land, and undeveloped land. There are two Specific Use Permits for a concrete batching plant (SUP No. 817) and a salvage yard (SUP No. 563) located to the south of the subject site. The Elm Fork soccer complex is located north of the site and is buffered by a heavily wooded area.

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 existing wood and lumber processing use is compatible with the surrounding industrial uses in the area. The use is one that is needed in the city and should be located in an industrial area. The conditions of the SUP help limit any detrimental aspects of the use by limiting the hours of operation to provide relief for surrounding uses on nights and weekends. The conditions also limit the height of the stacking areas to prevent visual intrusion to the surrounding area. The subject site is screened along Mañana Drive by fencing and trees and is surrounded by a heavily wooded area to the north and east.

The applicant is requesting automatic renewals. However, staff does not support this because of the potential for change in the area due to the new soccer park to the north of the site.

CPC ACTION
October 29, 2016

Motion: It was moved to recommend **approval** of renewal of Specific Use Permit No. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing for a three-year period, subject to a revised site plan and conditions on property zoned IM Industrial Manufacturing District with deed restrictions, on the north side of Mañana Drive, west of Newkirk Street.

Maker: Anantasomboon
Second: Davis
Result: Carried: 13 to 0

For: 13 - Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anglin
Vacancy: 1 - District 7

Notices: Area: 300 Mailed: 4
Replies: For: 0 Against: 0

Speakers: For: Steven Free, 7017 Spanky Branch Court, Dallas, TX, 75248
Against: None

List of Partners
Steven M. Free, LP

- Steven Free

CPC Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is a potentially incompatible industrial (outside) use limited to wood or lumber processing.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. *CPC Recommendation*

TIME LIMIT: This specific use permit expires on (three-years from the passage of this ordinance).

4. Applicant Request

TIME LIMIT: This specific use permit expires~~[automatically terminates]~~ 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.)

5. PARKING: A minimum of eight off-street parking spaces must be provided in the location shown on the attached site plan. All parking, driveways that connect to a street or alley, and vehicle maneuvering areas must comply with Division 51A-4.300, "Off-Street Parking and Loading Regulations," of the Dallas Development Code, as amended.

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. HOURS OF OPERATION: The wood or lumber processing use may only operate between 6:00 a.m. and 5:00 p.m., Monday through Friday, and between 6:00 a.m. and 12:00 p.m., Saturday.

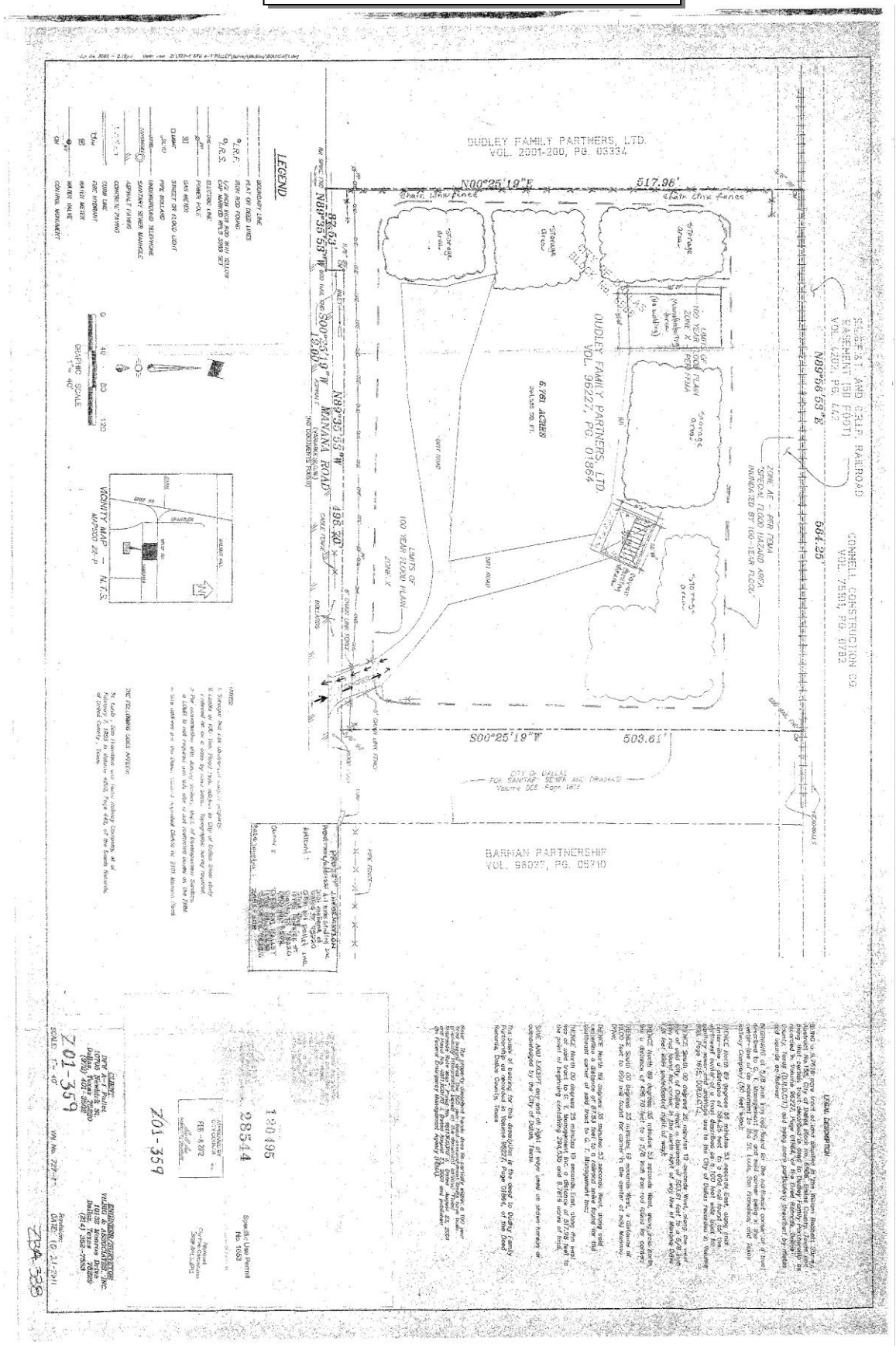
8. STACKING: The maximum stacking height of materials stored outside is 18 feet in the locations shown on the attached site plan.

9. MANUFACTURING AREA: The maximum area for wood or lumber processing is 5,000 square feet in the location shown on the attached site plan as "Manufacturing Area."

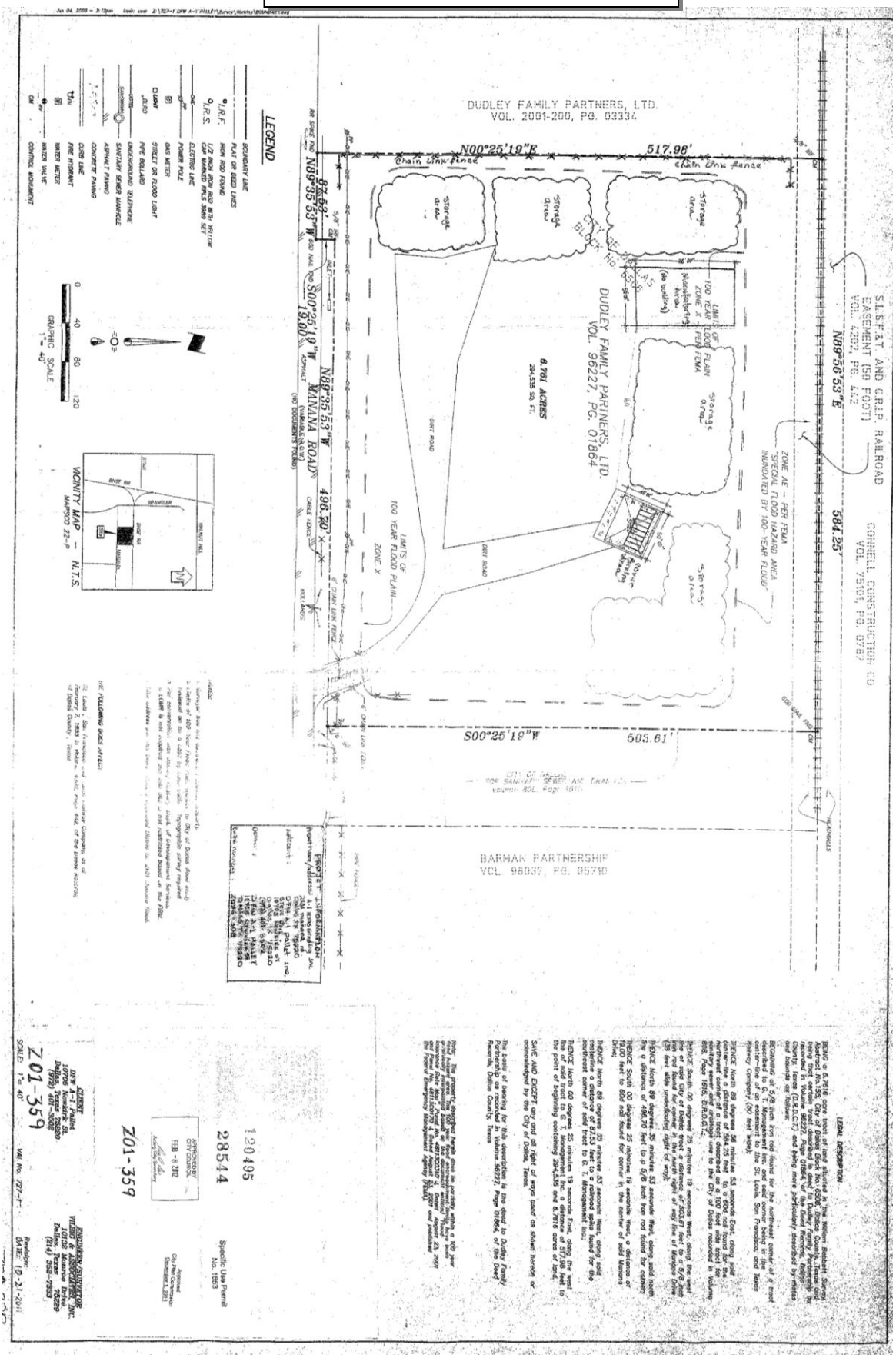
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Site Plan



Existing Site Plan



LEGAL DESCRIPTION

BEING a 6.7616 acre tract of land situated in the William Bodsett Survey, Abstract No.155, City of Dallas Block No. 6506, Dallas County, Texas and being all of that tract of land described in deed to Dudley Family Partners, Ltd. recorded in Volume 96227, Page 01864, of the Deed Records, Dallas County, Texas (D.R.D.C.T) and being more particularly described by metes and bounds as follows:

BEGINNING at 5/8 inch iron rod found for the northeast corner of a tract described to C.L. Management Inc. by deed said corner being in the Manana Parkway (60 feet wide);

THENCE North 89 degrees 56 minutes 54 seconds East, along said centerline a distance of 584.25 feet to a 60d nail found for the northeast corner of a tract described as a 100 foot wide strip for ingress-egress recorded in Volume 4202, Page 1615, D.R.D.C.T.;

THENCE South 00 degrees 25 minutes 19 seconds East, along the east line of said 100 foot wide strip a distance of 517.98 feet to a 5/8 inch iron rod found for corner (35 feet wide monumented right of way);

THENCE North 89 degrees 35 minutes 53 seconds West, along said north line of said 100 foot wide strip a distance of 82.53 feet to a 5/8 inch iron rod found for corner;

THENCE South 00 degrees 25 minutes 19 seconds West, a distance of 19.00 feet to 60d nail found for corner in the center of said Manana Drive;

THENCE North 89 degrees 35 minutes 53 seconds West, along said centerline a distance of 496.70 feet to a railroad spike found for the northwest corner of said tract to C.L. Management Inc.;

THENCE North 00 degrees 25 minutes 19 seconds East, along the west line of said 6.761 acre tract a distance of 503.61 feet to the point of beginning containing 294,559 sq. ft. 6.7616 acres of land;

SAVE AND EXCEPT any and all right of ways used or shown hereon or acknowledged by the City of Dallas, Texas.

The basis of bearing for this description is the deed to Dudley Family Records, Dallas County, Texas.

With a current "Notice" zone "X" (shaded) and "AE" as scaled from the current Flood Insurance Rate Map (Flood No. 48113C0310 J, Dated August 23, 2001 for Dallas County Management Agency, Texas) and Incidental

120495

28544

HONORABLE CITY COUNCIL

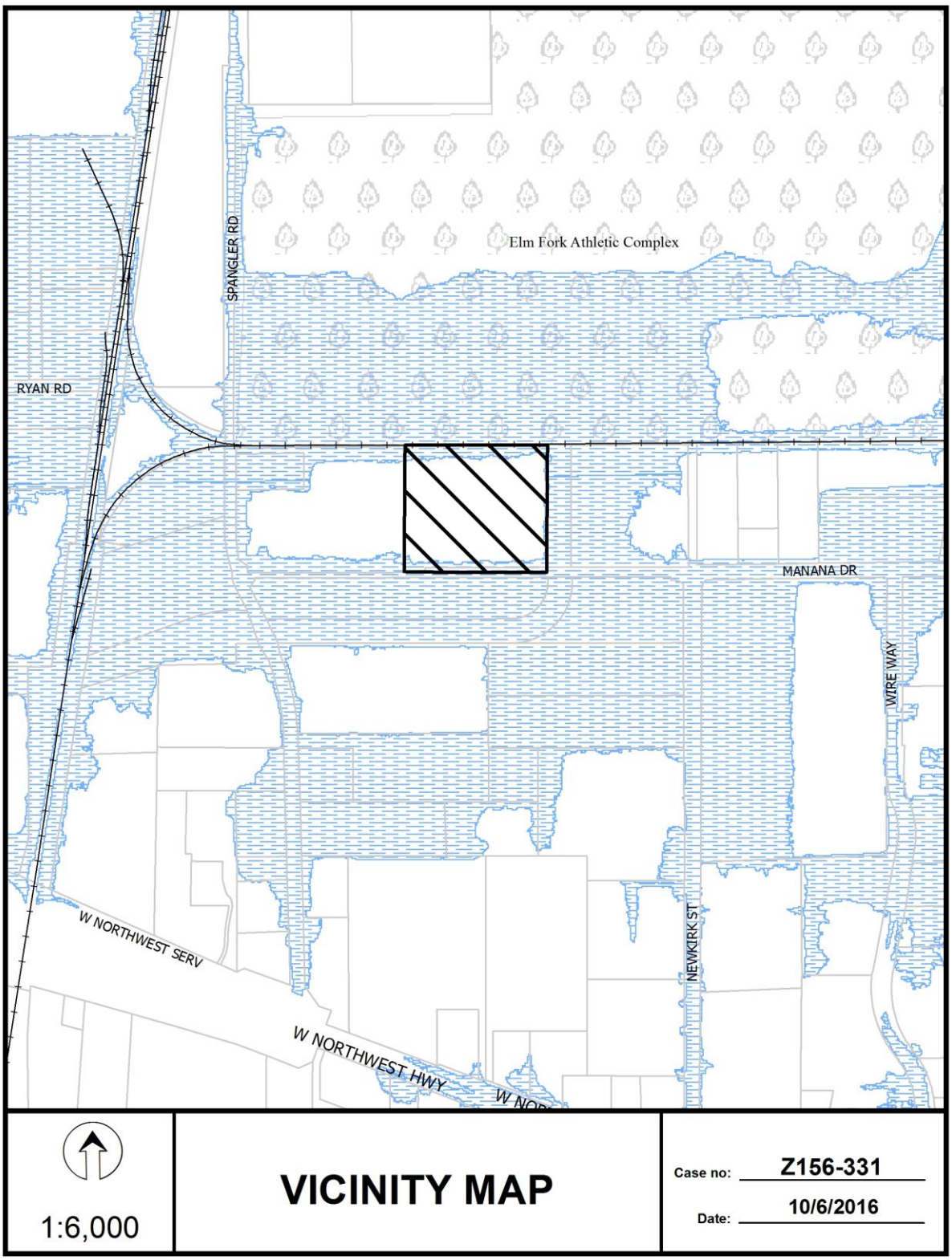
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Assistant City Secretary

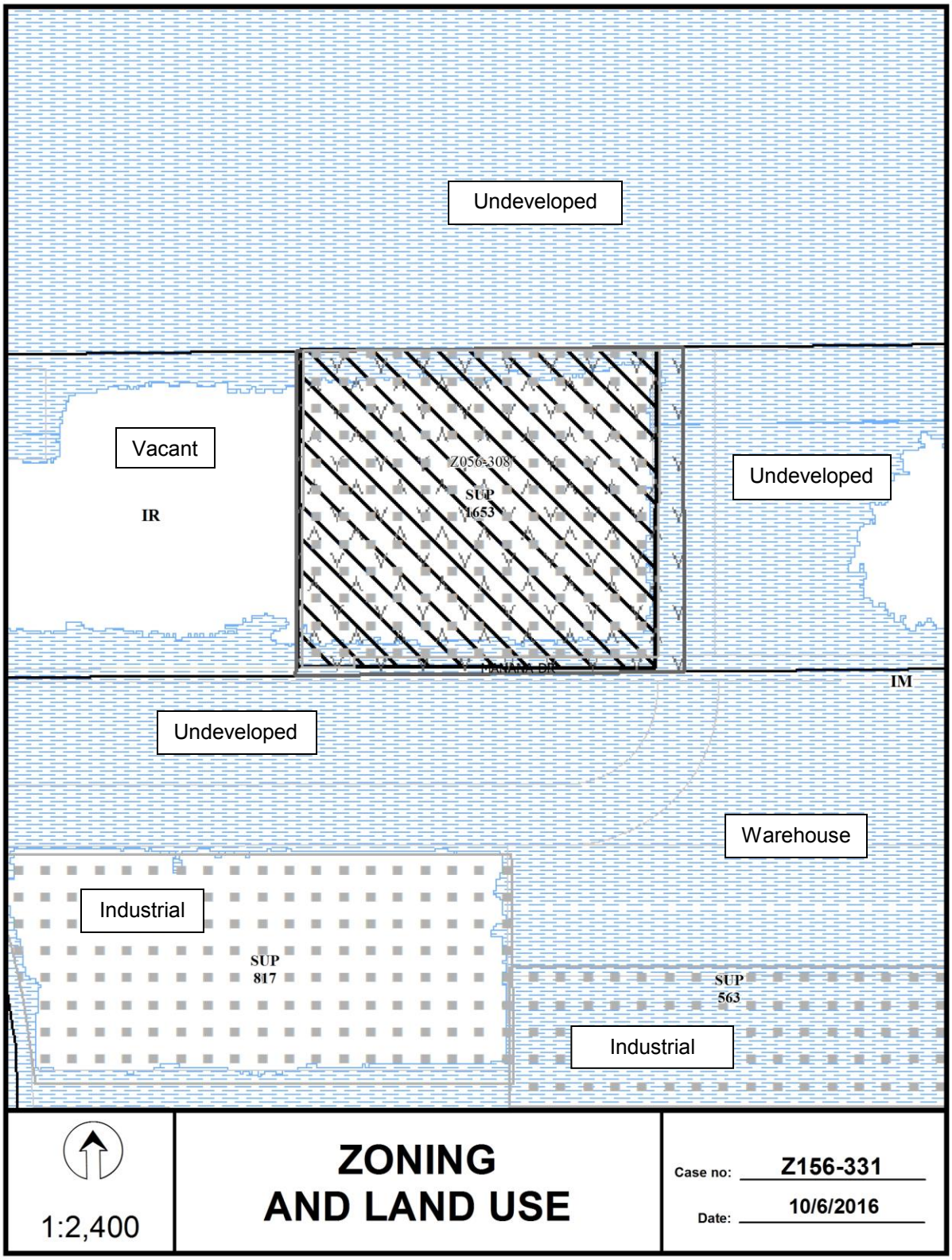
Planner

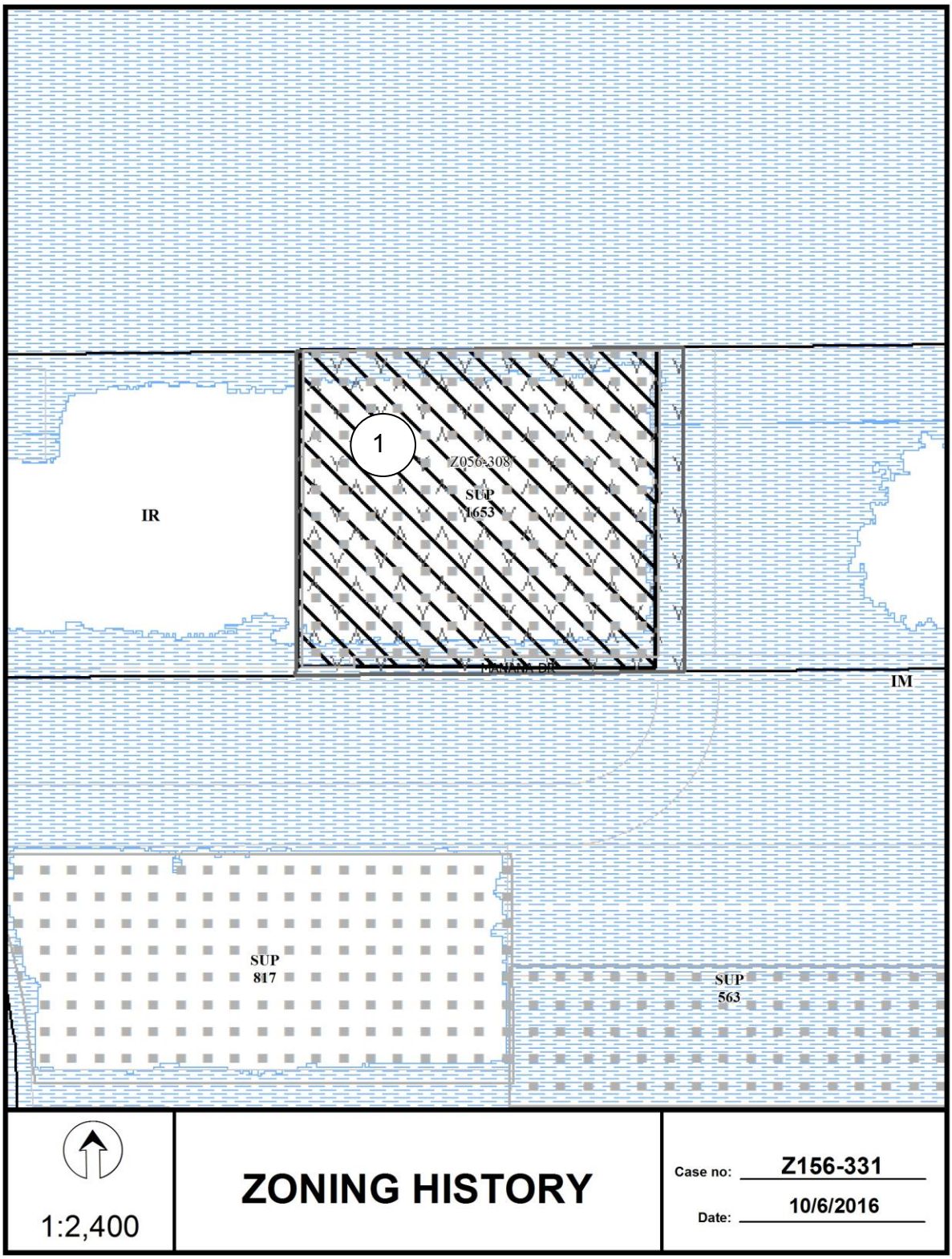
Director, Development Services

ENGINEER/SURVEYOR
WILBIG & ASSOCIATES, INC.
1018 W. Mockingbird Lane
Dallas, Texas 75247
(214) 352-7303

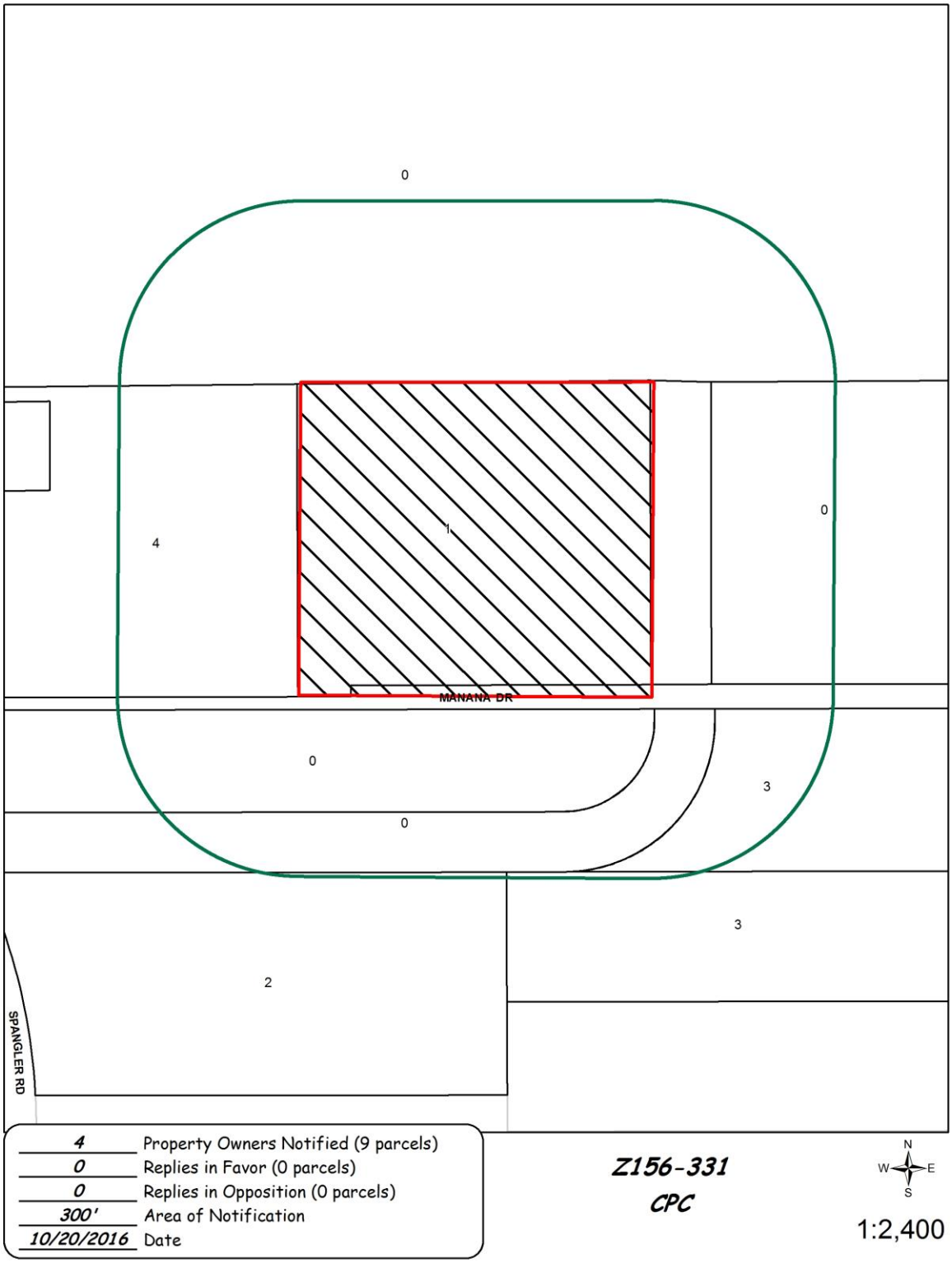

Elm Fork Athletic Complex
SPANGLER RD
RYAN RD
MANANA DR
WIRE WAY
NEWKIRK ST
W NORTHWEST SERV
W NORTHWEST HWY
1:6,000
VICINITY MAP
Case no: Z156-331
Date: 10/6/2016


MANANA DR
1:2,400
AERIAL MAP
Case no: Z156-331
Date: 10/6/2016


Undeveloped
Vacant
IR
Z056-308
SUP
1653
Undeveloped
MANANA DR
IM
Undeveloped
Warehouse
Industrial
SUP
817
SUP
563
Industrial
1:2,400
ZONING
AND LAND USE
Case no: Z156-331
Date: 10/6/2016


1
Z056-308
SUP
1653
IR
IM
MANANA DR
SUP
817
SUP
563
1:2,400
ZONING HISTORY
Case no: Z156-331
Date: 10/6/2016

CPC Responses



10/20/2016

Reply List of Property Owners

Z156-331

4 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2101	MANANA RD	STEVEN M FREE LIMITED PARTNERSHIP
	2	10610	SPANGLER RD	TXI OPERATIONS LP
	3	10733	NEWKIRK ST	BARKER & BRATTON STEEL
	4	2001	MANANA DR	GT MGMT INC

AGENDA ITEM # 51

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 45 G

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict for mixed uses on property zoned Subdistrict A within Planned Development District No. 466 and a portion of Planned Development District No. 466 (not assigned a subdistrict), on property generally bounded by North Hall Street, Flora Street, Watkins Avenue, and Cochran Street

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions

Z145-358(LE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**
ACM: Mark McDaniel

FILE NUMBER: Z145-358(LE) **DATE FILED:** September 15, 2015

LOCATION: Bounded by North Hall Street, Flora Street, Watkins Avenue, and Cochran Street

COUNCIL DISTRICT: 14 **MAPSCO:** 45-G

SIZE OF REQUEST: ±5.049 acres **CENSUS TRACT:** 16.00

APPLICANT: Tommy Mann, Winstead PC

OWNER: Kroger Texas LP

REPRESENTATIVE: Tommy Mann, Winstead PC

REQUEST: An application for a new subdistrict for mixed uses on property zoned Subdistrict A within Planned Development District No. 466 and a portion of Planned Development District No. 466 (not assigned a subdistrict)

SUMMARY: The applicant proposes to (1) create a new subdistrict and (2) provide new development and landscape plans for a mixed-use development consisting of multifamily dwelling units and general merchandise or food store greater than 3,500 square feet.

CPC RECOMMENDATION: **Approval**, subject to a development plan, landscape plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan, landscape plan and conditions.

DESIGNATED ZONING CASE

BACKGROUND INFORMATION:

- On February 26, 1997, the City Council passed Ordinance No. 23048, which established PDD No. 466, a nonresidential zoning district that allows various commercial, institutional, residential, retail, and personal service uses.

- On April 28, 2005, the City Plan Commission approved a development plan for a mixed-use development located within PDD No. 466, which includes the property on the proposed development plan.

- The applicant amended the original request after CPC direction to be more in line with the purpose of PD No. 466. The amended request included a new proposed subdistrict, amended PD conditions, a new development plan, and a new landscape plan.

- The City's M Department requested an additional study for the intersection at Hall Street and Munger Street to determine if a dedicated left turn only lane will be required due to the increased traffic from the development. It was found that stripping Hall Street to three, 10-foot lanes at Munger Avenue/Hall Street intersection to provide a left-turn lane and a through shared right-turn lane on Hall Street in each direction will reduce traffic queuing conditions and improve the traffic operation at the intersection.

- The City Attorney's office has taken the opportunity to update the PD language to what is used today. PD conditions for the new subdistrict have been highlighted for clarity.

Zoning History:

1. Z134-103(MW) On March 25, 2015, the City Council approved two new subdistricts (A & B) and a development plan within Planned Development District No. 466.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
North Hall Street	Minor Arterial	20' and 45'
Flora Street	Minor Arterial	36'
Watkins Avenue	Minor Arterial	36'
Cochran Street	Minor Arterial	36'

Traffic: The City's Mobility and Street Services Department requested an additional study for the intersection at Hall and Munger to determine if a dedicated left turn only lane will be required due to the increased traffic from the development.

It was found that stripping Hall Street to three, 10-foot lanes at Munger Avenue/Hall Street intersection to provide a left-turn lane and a through shared right-turn lane on Hall Street in each direction will reduce traffic queuing conditions and improve the traffic operation at the intersection

Comprehensive Plan: The request site is located in an area considered an Urban Mixed-Use neighborhood in *forwardDallas*! The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum.

Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

The proposed development shares these Urban Mixed-Use characteristics by adding amenities which can be enjoyed at ground level, such as bicycle parking, benches, a six-foot sidewalk along North Hall Street, a pedestrian-only entrance via the patio, as well as an enhanced façade along North Hall Street and Flora Street. The addition of a four-story multifamily complex above the general merchandise or food store creates a mixed-use development, giving residents an area where they can live, work, and play.

STAFF ANALYSIS:

Land Use Compatibility: The site is undeveloped. The areas directly east and south of the site are zoned PD No. 298 and MF-2(A) respectively and have been developed with multifamily residences. The area directly west of the site is undeveloped and abuts to Highway 75. Retail/personal service/office uses are developed along the north area of the site, which is zoned PD No. 466 and WR-5, with multifamily directly adjacent to the north.

The general objectives of PDD No. 466 are to protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, foster economic vitality in the area, promote and develop an urban character along Hall Street, promote diverse housing options and residential development, and to preserve the community characteristics of the neighborhood. A mixed-use development that includes multifamily

as well as a general merchandise or food store, along with amenities such as a parking structure, bicycle parking, benches, a six-foot sidewalk along North Hall Street, a pedestrian-only entrance via a patio for the food store, as well as an enhanced façade along North Hall Street and Flora Street help meet these objectives.

Land Use:

	Zoning	Land Use
Site	PDD No. 466	Undeveloped
North	PDD No. 466, WR-5	Retail/Personal Service, Multifamily
East	PDD No. 298	Multifamily
South	MF-2(A)	Multifamily
West	PDD No. 466, Subdistrict B	Undeveloped; Highway 75

Existing and Proposed Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Parking	Landscaping
	Front	Side/Rear						
Existing								
PD 466	10' min. 15' max.	20' adjacent to res. Other: No Min.	No maximum dwelling unit density	54'/4 Stories	80'	RPS	Division 51A-4.200, plus each ratio is increased by 20% & first 2500sf not used in calculation	Article X
Proposed								
PD 466 New Subdistrict	10'	20' adjacent to res. Other: No Min.	No maximum dwelling unit density	85'/6 Stories	85%	all required setbacks are measured from the property lines depicted on the development plan	Same as above, plus design standards & on-street spaces may count as required parking	Per Landscape Plan

Parking: Current Chapter 51A Single Family parking standards regulate the site. The PD conditions states that the initial 2,500 square feet of floor area is not calculated in the parking or loading and that the parking ratio for each use in 51A-4.200 are increased by 20 percent.

The proposed development requires 323 spaces for the general merchandise or food store and 375 for the multifamily use. Thirty bicycle spaces are also required. The development complies with these regulations by providing 734 parking spaces and 30 bicycle spaces.

In the proposed conditions, parking in the required front yard setback would not be prohibited on lots fronting Hall Street.

Landscaping: The current regulations for landscaping in PD No. 466 are in accordance with Article X. The applicant is proposing a landscape plan for the new Subdistrict, while the rest of the PD will be in accordance with Article X.

The reasoning for having a landscape plan rather than complying with Article X is because the developer is unable to meet buffer requirement of the adjacent multifamily to the west of the project as well as the requirement of one tree per 4,000 square feet of lot area due to the size of the property.

CPC Action
November 10, 2016

Motion: It was moved to recommend **approval** of a new subdistrict for mixed uses, subject to a revised development plan, landscape plan and conditions on property zoned Subdistrict A within Planned Development District No. 466 and a portion of Planned Development District No. 466 (not assigned a subdistrict), on property generally bounded by North Hall Street, Flora Street, Watkins Avenue, and Cochran Street.

Maker: Ridley
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 7

Notices: Area: 500 Mailed: 103
Replies: For: 11 Against: 0

Speakers: For: Tommy Mann, 2728 N. Harwood St., Dallas, TX, 75201
Against: None

List of Partners, Principals, and Officers

Kroger Texas LP

Senior Management
Kathleen Barclay, Senior Vice President of Human Resources
Robert W. Clark, Group Vice President Non-Perishables
Geoffrey J. Covert, Senior Vice President
David B. Dillon, Chairman of the Board
Michael J. Donnelly, Senior Vice President of Merchandising
Kevin M. Dougherty, Group Vice President, Chief Supply Chain Officer
Michael L. Ellis, President and Chief Operating Officer
Christopher T. Hjelm, Senior Vice President and Chief Information Officer
Lynn Marmer, Group Vice President for Corporate Affairs
W. Rodney McMullen, Chairman and Chief Executive Officer
M. Marnette Perry, Senior Vice President, Strategic Initiatives and Operations
J. Michael Schlotman, Senior Vice President and Chief Financial Officer
Reuben Shaffer, Chief Diversity Officer
Erin Sharp, Group Vice President, Manufacturing
Mark Tuffin, Senior Vice President

Board of Directors
Reuben V. Anderson
Robert D. Beyer
David B. Dillon
Susan J. Kropf
David B. Lewis
W. Rodney McMullen
Jorge P. Montoya
Clyde R. Moore
Susan M. Phillips
Steven R. Rogel
James A. Runde
Ronald L. Sargent
Bobby S. Shakouls

PROPOSED PD CONDITIONS

ARTICLE 466

PD 466

Hall Street Special Purpose District

SEC. 51P-466.101. LEGISLATIVE HISTORY.

PD 466 was established by Ordinance No. 23048, passed by the Dallas City Council on February 26, 1997. Ordinance No. 23048 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 23048; 26042; _____)

SEC. 51P-466.102. PROPERTY LOCATION AND SIZE.

PD 466 is established on property generally located on both sides of Hall Street and on the northeast side of Watkins Street between Central Expressway (U.S. Highway 75) and Flora Street/Roseland Avenue. The size of PD 466 is approximately ~~13.47~~12.494 acres. (Ord. Nos. 23048; 26042; _____)

SEC. 51P-466.103. 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. In this district, TANDEM PARKING means one parking space in front of another parking space making it necessary to pass through one parking space to gain vehicular access to the other parking space.

(c) This district has ~~two~~three subdistricts. Subdistrict A, Subdistrict B, and Subdistrict C. A map, ~~labelled~~labeled Exhibit 466A, shows the boundaries of Subdistrict A, Subdistrict B, and Subdistrict ~~B~~C.

(d) This district is considered to be a nonresidential zoning district. (Ord. Nos. 23048; 26042; 29281; _____)

SEC. 51P-466.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 466A: subdistrict boundary map.

(2) Exhibit 466B: Subdistrict B development plan.

(3) Exhibit 466C: Subdistrict C development plan.

(4) Exhibit 466D: Subdistrict C landscape plan. (Ord. Nos. 29281; _____)

SEC. 51P-466.104. PURPOSE.

(a) In general. This article provides standards specifically tailored to meet the needs of the Hall Street area of the city. The general objectives of these standards are to protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, achieve the following:

(1) To foster economic vitality in the area.

(2) To promote and develop an urban character along Hall Street.

(3) To promote diverse housing options and residential development.

(4) To preserve the community characteristics of the neighborhood.

(b) Subdistrict C. Within Subdistrict C, the following additional purposes apply:

(1) To encourage the efficient design and utilization of space while providing adequate view corridors, light, and air to nearby properties; and

(2) To encourage reduced natural resource consumption, enhanced occupant comfort and health, lower utility consumption, minimized strain on local infrastructures, and improved quality of life. (Ord. Nos. 23048; 26042; _____)

SEC. 51P-466.105. DEVELOPMENT PLAN.

(a) Except as provided in this section, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work on a building site in this district. If there is a conflict between the text of this article and a development plan, the text of this article controls.

(b) In Subdistrict B, development and use of the Property must comply with the Subdistrict B development plan (Exhibit 466B). If there is a conflict between the text of this article and the Subdistrict B development plan, the text of this article controls.

(c) In Subdistrict C, development and use of the Property must comply with the Subdistrict C development plan (Exhibit 466C). If there is a conflict between the text of this article and the Subdistrict C development plan, the text of this article controls.

(d) Except in Subdistrict B, the provisions of Section 51A-4.702(c)(2) through (e) do not apply to this ~~PD~~district. (Ord. Nos. 23048; 26042; 29281;_____)

SEC. 51P-466.106. MAIN USES PERMITTED.

(a) Agricultural uses.

-- None permitted.

(b) Commercial and business service uses.

-- Catering service. *[SUP]*
-- Custom business services.
-- Electronics service center.
-- Medical or scientific laboratory. *[SUP]*

(c) Industrial uses.

-- None permitted.

(d) Institutional and community service uses.

-- Adult day care facility. *[SUP]*
-- Child-care facility. *[SUP]*
-- Church.
-- College, university, or seminary.
-- Community service center. *[SUP]*
-- Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(e) Lodging uses.

-- Hotel or motel. *[SUP]*

(f) Miscellaneous uses.

-- Carnival or circus (temporary). *[By special authorization of the building official.]*
-- Temporary construction or sales office.

(g) Office uses.

-- Financial institution without drive-in window.
-- Medical clinic or ambulatory surgical center.

-- Office.

(h) Recreation uses.

-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(i) Residential uses.

-- College dormitory, fraternity, or sorority house.
-- Duplex.
-- Group residential facility.
-- Handicapped group dwelling unit.
-- Multifamily.
-- Retirement housing.
-- Single family.

(j) Retail and personal service uses.

-- Business school. *[SUP]*
-- Commercial amusement (inside). *[SUP]*
-- Commercial amusement (outside). *[SUP]*
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Nursery, garden shop, or plant sales.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service. *[RAR]*
-- Restaurant with drive-in or drive-through service. *[Subdistrict B only.] [RAR]*
-- Temporary retail use.
-- Theater.

(k) Transportation uses.

-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[SUP]*

(l) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities. *[SUP]*
-- Police or fire station.
-- Post office.
-- Utility or government installation other than listed. *[SUP]*

(m) Wholesale, distribution, and storage uses.

-- Recycling drop-off for special occasion collection. *[SUP]*
(Ord. Nos. 23048; 26042; 29281)

SEC. 51P-466.107. 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. (Ord. Nos. 23048; 26042)

SEC. 51P-466.108. YARD, LOT, AND SPACE REGULATIONS.

(a) Front yard.

(1) In general. Except as otherwise provided in this subsection, minimum front yard is 10 feet and maximum front yard is 15 feet.

(2) Subdistrict A. Minimum front yard ~~in Subdistrict A~~ is 15 feet. There is no maximum front yard.

(3) ~~To~~Subdistrict C. Minimum front yard is 10 feet; however, canopies, fences, railings, screening walls, stoops, steps, and retaining walls may extend to the property line if a minimum 10-foot vertical clearance is maintained above the sidewalk. In addition, required pedestrian amenities and on-street parallel parking are permitted within the required front yard. There is no maximum front yard.

(4) Corner lots. Except in Subdistrict C, to encourage construction of plazas and open spaces at the corners on Hall Street, Hall Street lots adjoining a street intersection may have additional setbacks up to 25 percent of the ~~total building length parallel to Hall Street added to the setback for the~~ portion of the building closest to the corner. For example, if a building on a corner lot has a building length parallel to Hall Street of 100 feet, the 25-foot by 25-foot square area of the building closest to the corner may be added to the regular setback, as demonstrated below.

(b) Side and rear yard. Minimum side and rear yard is:

(1) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), ~~THE~~TH, ~~THE~~TH(A), CH, MF, or MF(A) district; and

(2) no minimum in all other cases.

(c) Density. No maximum dwelling unit density.

(d) Floor area ratio. No maximum floor area ratio.

(e) Height. ~~Maximum~~

(1) Generally. Except as provided in this subsection, maximum structure height is 54 feet. Section 51A-~~4.412,~~ "Residential Proximity Slope," does not apply ~~to this PD~~in this district.

(2) Subdistrict C. Maximum structure height is 85 feet.

(f) Stories.

(1) Generally. Except as otherwise provided herein, maximum number of stories above grade is four.

(2) Subdistrict C. Maximum number of stories above grade is ~~four~~six.

(g) Lot coverage.

(1) Generally. Except as provided in this subsection, maximum lot coverage is 80 percent.

(2) Subdistrict C. Maximum lot coverage is ~~80~~85 percent.

(h) Measurement of setbacks. In Subdistrict C, all required setbacks are measured from the property lines depicted on the Subdistrict C development plan (Exhibit 466C). (Ord. Nos. 23048; 26042; _____)

SEC. 51P-466.109. OFF-STREET PARKING AND LOADING.

(a) Generally. In conjunction with the criteria below, consult the use regulations contained in Division 51A- 4.200 for the specific off-street parking/loading requirements for each use.

(b) Parking reductions.

(1) The initial 2,500 square feet of floor area is not calculated in the parking/loading requirements for uses with a minimum of 5,000 square feet of floor area.

(~~c~~2) Parking ratios for each use contained in Section 51A-4.200 are increased by 20 percent. For example, the parking ratio for a restaurant is changed from one space per 100 square feet of floor area to one space per 120 square feet of floor area.

(~~d~~) Parking~~c~~) Location. Except as provided in this section, parking is prohibited in the required front yard on lots fronting on Hall Street. ~~(Ord. Nos. 23048; 26042)~~

(d) Subdistrict C parking. The following, additional regulations are applicable in Subdistrict C.

(1) Unassigned spaces. Unassigned spaces are a portion of, and not in addition to, the required off-street parking.

(2) Tandem parking. Parking spaces reserved for specific dwelling units may be tandem parking spaces.

(3) Loading areas. Operation of a loading dock is limited to the hours between 6:00 a.m. and 12:00 a.m. The loading area must be gated, with the gate remaining closed except for deliveries. An intercom and remote opening system must be installed and must be operated so that delivery drivers must contact building security for admittance through the gate.

(4) Design standards for off-street parking. Surface parking and parking structures must:

(A) be visually compatible with the surrounding development, convenient for users, and mitigate the negative impact of vehicle noise, headlights, lighting, and mechanical systems;

(B) be functionally and apparently integrated into building groups so as to minimize negative impacts on public space and the pedestrian environment; and

(C) reflect the predominant fenestration patterns of area buildings, if applicable.

(5) Ground level design. Except as provided in this paragraph, parking structures must have at least 40 percent ground floor transparency, which may be achieved through the use of windows, faux windows, glazing, spandrel glass, framed or punched building wall openings, or similar means. All levels of a parking structure at or above grade must provide solid screening at least 30 inches in height that prevents automobile headlight projection into neighboring properties. A heavily layered landscape buffer is required where the first floor of a garage structure is present and the garage openings make up more than 70 percent of the street facing facade.

(6) Prohibitions.

(A) No parking structure ramps may be located along façade openings that face any public right-of-way or publicly accessible open space.

(B) Head-in parking may not be located in the required front yard along Hall Street. (Ord. Nos. 23048; 26042; _____)

SEC. 51P-466.109.1. ON-STREET PARKING REDUCTION IN SUBDISTRICT C.

(a) Except as provided in this section, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(b) 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.

(c) 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. (Ord. No. _____).

SEC. 51P-466.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 23048; 26042)

SEC. 51P-466.111. LANDSCAPING.

(a) Application of section. Except in Subdistrict C, Article X becomes applicable to a lot when an application is made for a building permit for construction work that, within a 24-month period:

(1) increases the number of stories in a building on the lot;

(2) increases by more than 25 percent or 5,000 square feet, whichever is less, the combined floor areas of all buildings on the lot; or

(3) increases nonpermeable coverage on the lot by more than 1,000 square feet.

(b) Street trees. ~~A~~Except as provided in this section, a large tree must be provided for each 30 feet of frontage, with a minimum of two trees being provided.

(c) Landscape plan required. ~~A~~Except as provided in this section, a landscape plan must be submitted with each development plan and approved by the city plan commission before issuance of a building permit~~. (Ord. Nos. 23048; 26042~~(d) Subdistrict C. Landscaping must be provided as shown on the Subdistrict C landscape plan (Exhibit 466D). At time of building permit, the building official may approve minor deviations in the location of landscaping and other improvements shown on the Subdistrict C landscape plan due to conflicts with utilities, driveways, or other infrastructure. If there is a conflict between the text of this article and the Subdistrict C landscape plan, the text of this article controls. (Ord. Nos. 23048; 26042; _____)

SEC. 51P-466.112. SIGNS.

Signs must comply with the provisions for business zoning districts contained in Article VII, except that detached non-premise signs are prohibited. (Ord. Nos. 23048; 26042)

SEC. 51P-466.112.1. SUBDISTRICT C URBAN DESIGN STANDARDS.

(a) Purpose. These design standards are intended to ensure that large retail uses are compatible with the surrounding area and mitigate the impact of large retail uses while allowing creativity, flexibility, and variety in design.

(b) Applicability.

(1) These design standards apply to the ground level of general merchandise or food store of 30,000 square feet or more.

(2) If there is a conflict between this section and Section 51A-4.605(a), these design standards control.

(c) Definitions. The following definitions apply to these design standards:

(1) FAÇADE WALL means any separate face of a building, including parapet walls and omitted wall lines, or any part of a building that encloses usable space. Where separate faces are oriented in the same direction, or in the directions within 45 degrees of one another, they are considered as part of a single facade wall.

(2) PEDESTRIAN AMENITY ZONE means the areas designated on the Subdistrict C development plan where the pedestrian amenities required under this section must be provided.

(3) PRIMARY BUILDING means a structure for the support or shelter of any use or occupancy.

(4) PRIMARY ENTRANCE means the door opening of a structure accommodating the majority of pedestrian traffic.

(5) PRIMARY FAÇADE WALL means the facade wall containing the primary entrance. If two or more facade walls have entrances of equal significance, each facade wall will be considered a primary facade wall.

(6) REAR FAÇADE WALL means the façade wall containing service areas.

(7) SECONDARY ENTRANCE means a door opening of a structure that accommodates pedestrian traffic and is not the PRIMARY ENTRANCE.

(8) SIDE FAÇADE WALL means any facade wall that is not a primary façade wall or a rear façade wall.

(9) SERVICE AREA means any area for loading docks, outdoor storage (other than an outdoor display, sales, and storage area), trash collection or compaction, truck parking, or other similar functions.

(d) Sidewalks. A minimum six-foot sidewalk with a minimum four-foot wide unobstructed path and a minimum five-foot planting zone between the back-of-curb and the sidewalk must be provided. The five-foot planting zone is not required when the curb is adjacent to parallel parking.

(e) Pedestrian amenities. Each pedestrian amenities zone must include at least one of the following amenities; provided, however, that at least two of each of the following pedestrian amenities must be provided within this subdistrict:

(1) Benches.

(2) Trash receptacles.

(3) Bicycle racks. Bicycle racks must be able to park a minimum of five bicycles and must be located near primary entrances. Bicycle racks may be provided under the cover of parking structures.

(f) Facade walls.

(1) Design elements. All façade walls must incorporate at least two of the following design elements, the cumulative length of which must extend for at least 40 percent of the facade wall's horizontal length, excluding any service areas:

(A) A repeating pattern of wall recesses and projections (such as bays, offsets, reveals, or projecting ribs) with relief of at least eight inches along the façade walls for the ground level retail use;

(B) Arcades, awnings, canopies, covered walkways, or porticos; or

(C) Display space, faux windows, or decorative windows.

(2) Changes. Facade walls must have at least one of the following changes on the entire building facade from ground floor to roof structure:

(A) Changes of color, texture, or material (either diagonally, horizontally, or vertically) at intervals of not less than 20 feet and not more than 100 feet; or

(B) Changes in plane with a depth of at least 24 inches (either diagonally, horizontally, or vertically) at intervals of not less than 20 feet and not more than 100 feet.

(g) Entrances. At least one primary or secondary entrance is required along Hall Street. To ensure the entrance is architecturally prominent and clearly visible from Hall Street, at least two of the following design elements must be incorporated at the entrance:

(1) Architectural details such as enhanced materials, arches, friezes, tile work, murals, or moldings for the ground level;

(2) Integral planters or wing walls that incorporate landscaping and or seating;

(3) Prominent, three-dimensional features, such as canopies, signage, or awnings;

(4) A repeating pattern of pilasters or wall panels projecting from the façade wall by a minimum of four inches or architectural or decorative columns; or

(5) A minimum two-foot recess or projection in the primary façade plane.

(h) Materials and colors. No more than 85 percent of the area of a facade wall exclusive of fenestration may have a single material or color.

(i) Miscellaneous design standards.

(1) Service areas. Service areas must be screened and designed in a manner that is sensitive to adjacent residential zoning districts. Service areas must be oriented so that they are not visible from abutting public rights-of-way or residential zoning districts, or must be screened from abutting public rights-of-way or residential zoning districts by, for example, rolling doors and gates.

(2) Mechanical equipment. Mechanical equipment on the ground must be screened using materials matching the materials and colors used on the main building, including masonry or louvers. Chain link fence may not be used as a screening material. Mechanical equipment must not be placed in the public right-of-way.

(3) Cart storage. Shopping cart storage areas may not be located outside the footprint of the occupiable building or parking structure shown on the Subdistrict C development plan. Parking spaces utilized for shopping cart storage may not be counted toward the required parking. No more than two shopping cart storage areas (one on each side of an entrance) may be provided on any facade wall. Shopping cart storage areas may not exceed 20 feet in length.

(4) Transparency. Transparency along Hall Street must be a minimum of 40 percent at the ground floor level. Windows, faux windows, glazing, spandrel glass, framed or punched building wall openings, or similar means may be used when building uses or elements prohibit actual transparency.

(j) Required pedestrian connections. An on-site system of pedestrian walkways must be designed to provide direct access and convenient connections to and between the following:

(1) Primary entrances to each primary building, including pad site buildings;

(2) All off-street parking areas or parking structures;

(3) All site amenities or public gathering places;

(4) The public sidewalk system along the perimeter streets abutting the development (or to the curb of an abutting street where there are no public sidewalks); and

(5) Public and private sidewalks on adjacent properties that extend to adjoining land uses, developments, and public facilities such as parks, greenways, schools, recreational facilities and public office buildings. (Ord. No. _____)

SEC. 51P-466.113. MANDATORY REASSESSMENT.

Five years after February 26, 1997, staff shall report to the commission its assessment of the district. Following such a report, the commission may exercise its power pursuant to the Dallas Development Code to call a public hearing to determine proper zoning if the commission determines ~~that~~ the calling of a hearing is warranted. (Ord. Nos. 23048; 26042)

SEC. 51P-466.114. ADDITIONAL PROVISIONS.

(a) The entire Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) ~~Residential~~Except in Subdistrict C, residential uses may not be located on the first floor of any development fronting Hall Street. ~~(Ord. Nos. 23048; 26042~~

(d) No certificate of occupancy may be issued in Subdistrict C until the left-turn lanes located on Hall Street at the intersection of Munger Avenue, as shown on the Subdistrict C development plan (Exhibit 466C) are completed. One year after the issuance of the first certificate of occupancy in Subdistrict C, an updated traffic study must be conducted to determine if any deficiency in circulation exists. (Ord. Nos. 23048; 26042; _____)

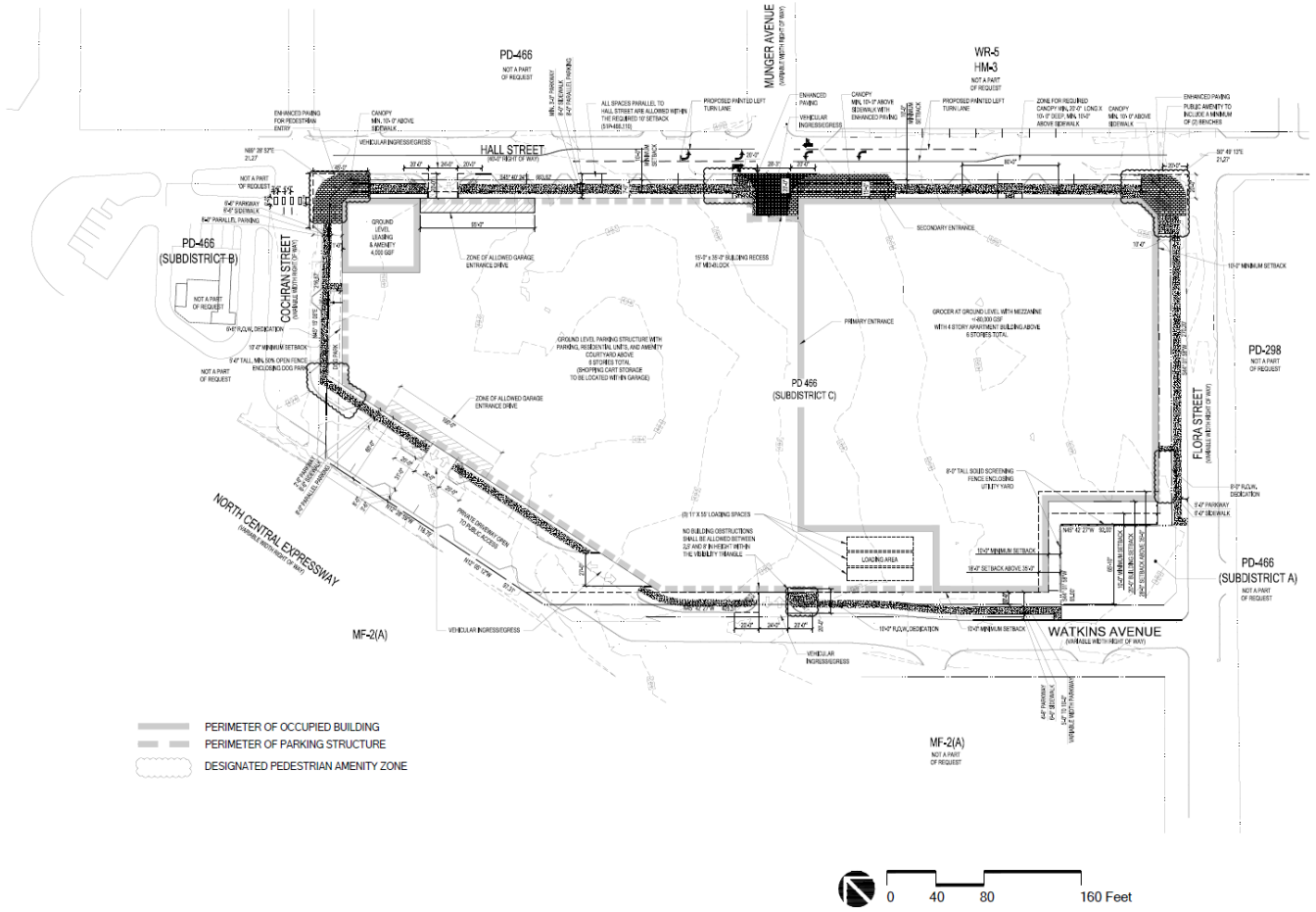
SEC. 51P-466.115. PAVING.

All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 23048; 26042)

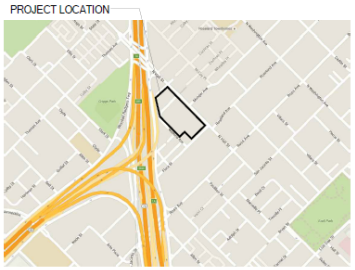
SEC. 51P-466.116. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or certificate of occupancy for a use in this ~~PD~~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. 23048; 26042)

Proposed Development Plan



PROJECT LOCATION



VICINITY MAP

PEDESTRIAN AMENITIES		
STREET NAME	TOTAL LOT FRONTAGE (FEET)	MINIMUM PED. AMENITIES WIDTH
HALL STREET	687	6 INCH
FLORA STREET	265	2 INCH
WATKINS AVENUE	418	4 INCH
COCHRAN STREET	216	2 INCH

PROJECT DATA TABLE	
SITE:	227,200 SF, 5.216 ACRES
USES:	MULTIPLE FAMILY, GROCERY, DRIVE-THROUGH SERVICE.
FLOOR AREA:	
RESIDENTIAL:	400,000 SF
GROUND-LEVEL NON-RESIDENTIAL:	80,000 SF
GROUND-LEVEL LEASING & AMENITY AREA	MAX 4,000 SF
COMBINED FLOOR AREA:	484,000 SF
BUILDING FOOTPRINT	189,100 SF
DENSITY	375 MAX. DWELLING UNITS
LOT COVERAGE	85%
STRUCTURE HEIGHT	85'-0"
MINIMUM PRIVATE OPEN SPACE ABOVE GRADE	20,000 SF

ZONING COMPARISON TABLE		
	PD 466	PROPOSED
BUILDING HEIGHT	54'	85'
STORIES	4 STORIES	6 STORIES
LOT COVERAGE	80%	85%
FAR	NO MAX	NO MAX
DWELLING UNITS DENSITY	NO MAX	375 UNITS MAX
SETBACKS		
FRONT	10' MIN/15' MAX	10' MIN
SIDE	0	0
REAR	0	0

PARKING DATA TABLE				
	SQUARE FOOTAGE/UNITS	PARKING FACTOR (51A-4.200 RATIOS INCREASED BY 20%)	SPACES REQUIRED	SPACES PROVIDED
GROCER	77,500	240	323	
RESIDENTIAL	375			
(TOTAL BEDROOMS)	450	1 SPACE PER 1.2 BEDROOMS	375	
TOTAL			698	734
BIKE SPACES REQUIRED			30	30

ZONING DEVELOPMENT PLAN

Trinsic & Kroger - Hall, US-75 Mixed Use
Dallas, Texas

Job #: 15047.00
File Name: Zoning-Development-Plan.dwg
Date: 11/28/2016
Drawn by: ELB, RR, JAF

TRG TRINSIC RESIDENTIAL GROUP

Kroger

gff ARCHITECTS

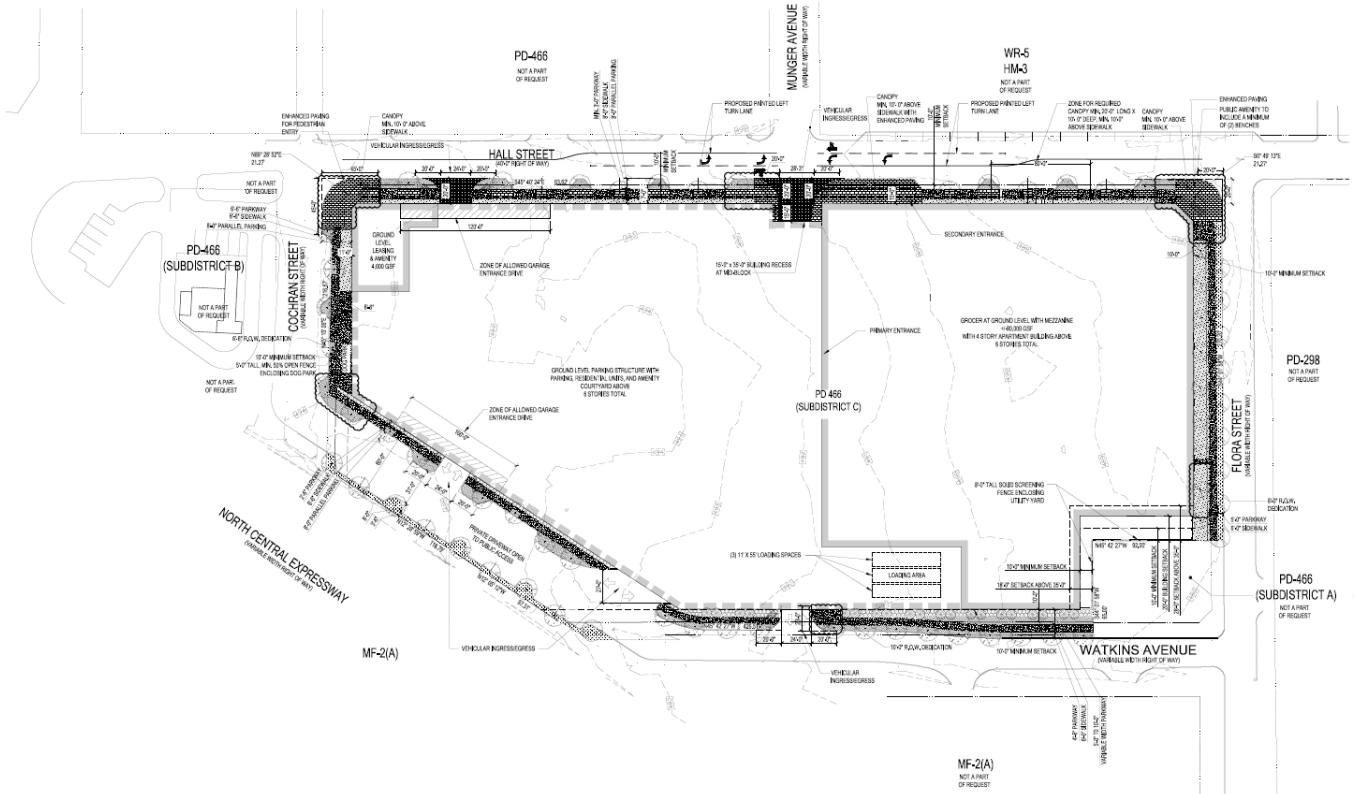
2808 Fairmount Street, Suite 300
Dallas, Texas 75201 | 214.303.1500

3300 West 7th Street, Suite 110
Fort Worth, Texas 76107 | 817.303.1500

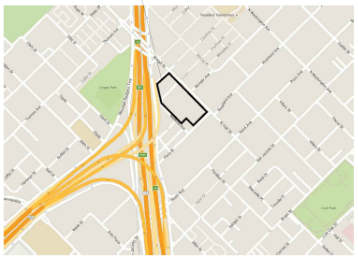
Z 145-358

Z145-358(LE)

Proposed Landscape Plan



PROJECT LOCATION



VICINITY MAP

PROJECT DATA TABLE	
SITE	227,200 SF, 5.216 ACRES
USES:	MULTIPLE FAMILY, GROCERY, DRIVE-THROUGH SERVICE.
FLOOR AREA:	
RESIDENTIAL:	400,000 SF
GROUND-LEVEL NON-RESIDENTIAL:	80,000 SF
GROUND-LEVEL LEASING & AMENITY AREA	MAX. 4,000 SF
COMBINED FLOOR AREA:	484,000 SF
BUILDING FOOTPRINT	189,100 SF
DENSITY	375 MAX. DWELLING UNITS
LOT COVERAGE	85%
STRUCTURE HEIGHT	85'-0"
MINIMUM PRIVATE OPEN SPACE ABOVE GRADE	20,000 SF

PD-466 STREET TREE REQUIREMENT (1/TREE / 30LF)

STREET NAME	TOTAL LOT FRONTAGE (FEET)	ARBITRARY TRU-X DIMENSIONS (FEET)	TREES REQUIRED	TREES PROVIDED
HALL STREET	887	135	18	14
FLORA STREET	265	12	8	10
WATKINS AVENUE	418	133	10	13
PRIVATE DRIVE	496	50	N/A	15
COCHRAN STREET	216	75	5	6
		TOTAL TREES	41	58

PEDESTRIAN AMENITIES

STREET NAME	TOTAL LOT FRONTAGE (FEET)	MINIMUM PED. AMENITIES REQ'D
HALL STREET	887	6 EACH
FLORA STREET	265	2 EACH
WATKINS AVENUE	418	4 EACH
COCHRAN STREET	216	2 EACH

LANDSCAPE LEGEND

- CATHEDRAL LIVE OAK, SKYROCKET LIVE OAK, ALLEE ELM, OR LACEBARK ELM (3" CAL.)*
- ALLEE ELM, LACEBARK ELM, CEDAR ELM OR RED OAK (3" CAL.)*
- STANDARD CRAPEMYRTLE (2" CAL.)
- LITTLE GEM MAGNOLIA OR NELLIE R. STEVENS HOLLY (10' HT.)
- MEDIUM EVERGREEN SHRUB (MIN. 36" HT.)
- 4'x8' ADA METAL TREE GRATE
- MIXED PLANTING AREA
- GROUNDCOVER PLANTING AREA
- LAWN AREA
- CONCRETE WALK
- ENHANCED VEHICULAR PAVING
- ENHANCED PEDESTRIAN PAVING
- DECOMPOSED GRANITE GRAVEL
- DESIGNATED PEDESTRIAN AMENITY ZONE

IRRIGATION NOTE

- ALL LANDSCAPE AREAS WILL BE IRRIGATED BY A FULLY AUTOMATIC IRRIGATION SYSTEM. A PERMANENT DRAINAGE WILL BE INSTALLED THAT COMPLIES WITH INDUSTRY STANDARDS.

SOIL NOTE

- EACH LARGE TREE WILL BE INSTALLED WITH A MINIMUM SOIL DEPTH OF 40 INCHES (25sf OF SURFACE AREA = 83.25cuft.)
- EACH LARGE SHRUB OR SMALL TREE WILL BE INSTALLED WITH A MINIMUM DEPTH OF 30 INCHES (25sf OF SURFACE AREA = 62.5cuft.)

PLANTING LOCATION NOTE

- A MAXIMUM OF FIFTEEN (15) TREES CAN BE ADJUSTED BEYOND LOCATIONS SHOWN ON THIS PLAN IN THE EVENT EXISTING OR PROPOSED UTILITIES OF ANY KIND, TRANSFORMERS, OR GRADE ISSUES CAUSE SUCH LOCATIONS TO BE DETRIMENTAL TO THE TREES LONG TERM GROWTH AND WELFARE.

STREET TREE SUBSTITUTION NOTE

- IF EXISTING OVERHEAD POWERLINES REMAIN IN PLACE, TREES DENOTED WITH A "*" WOULD BE SUBSTITUTED WITH A LACEY OAK OR STANDARD CRAPEMYRTLE

Z145-358(LE)

LANDSCAPE DEVELOPMENT PLAN
Trinsic & Kroger - Hall, US-75 Mixed Use
Dallas, Texas

Job #: 15047.00
File Name: Landscape Development-Plan.dwg
Date: 11/28/2016
Drawn by: MSB

TRG TRINSIC RESIDENTIAL GROUP

Kroger

gff ARCHITECTS

2808 Fairmount Street, Suite 300
Dallas, Texas 75201 | 214.303.1500

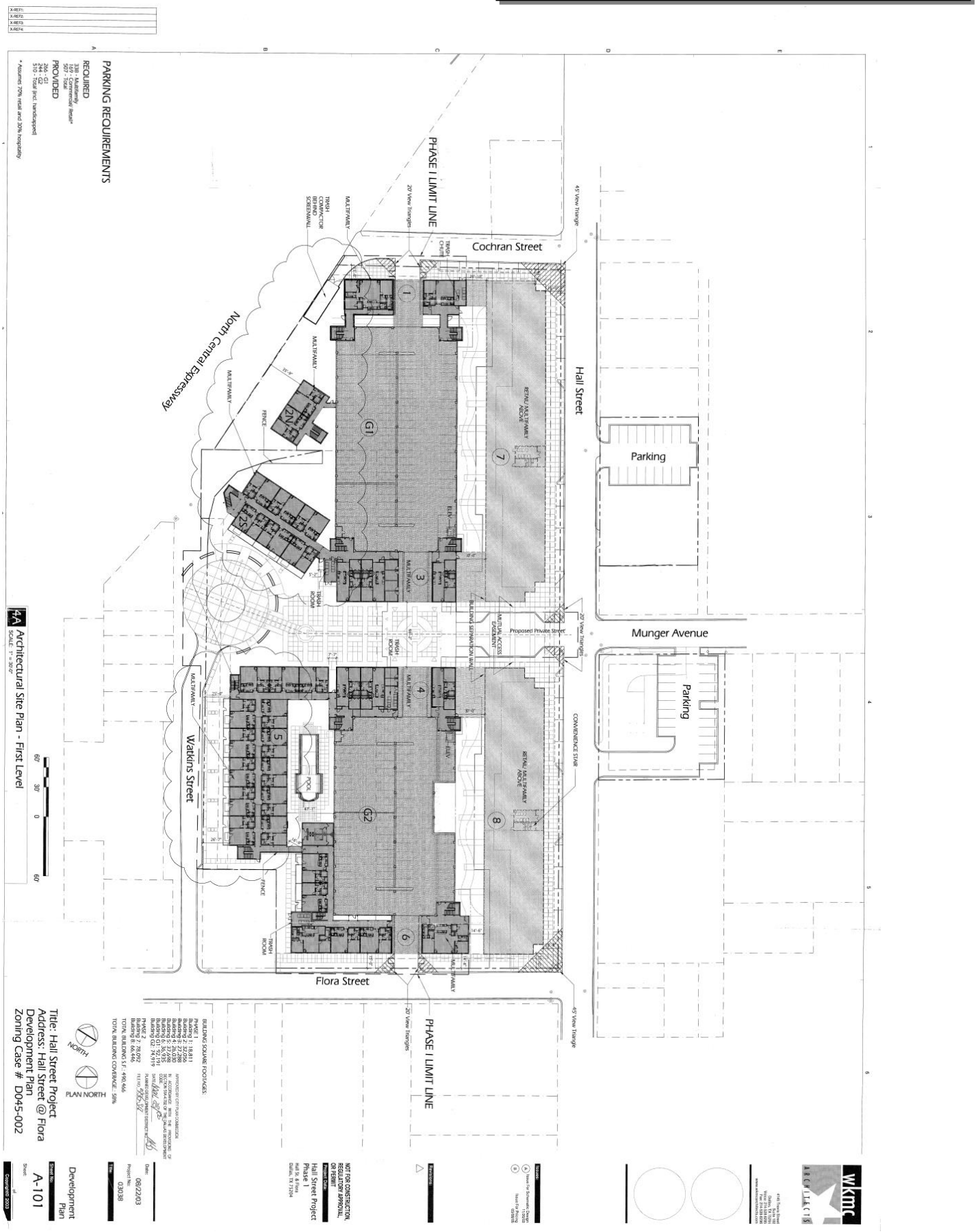
3300 West 7th Street, Suite 110
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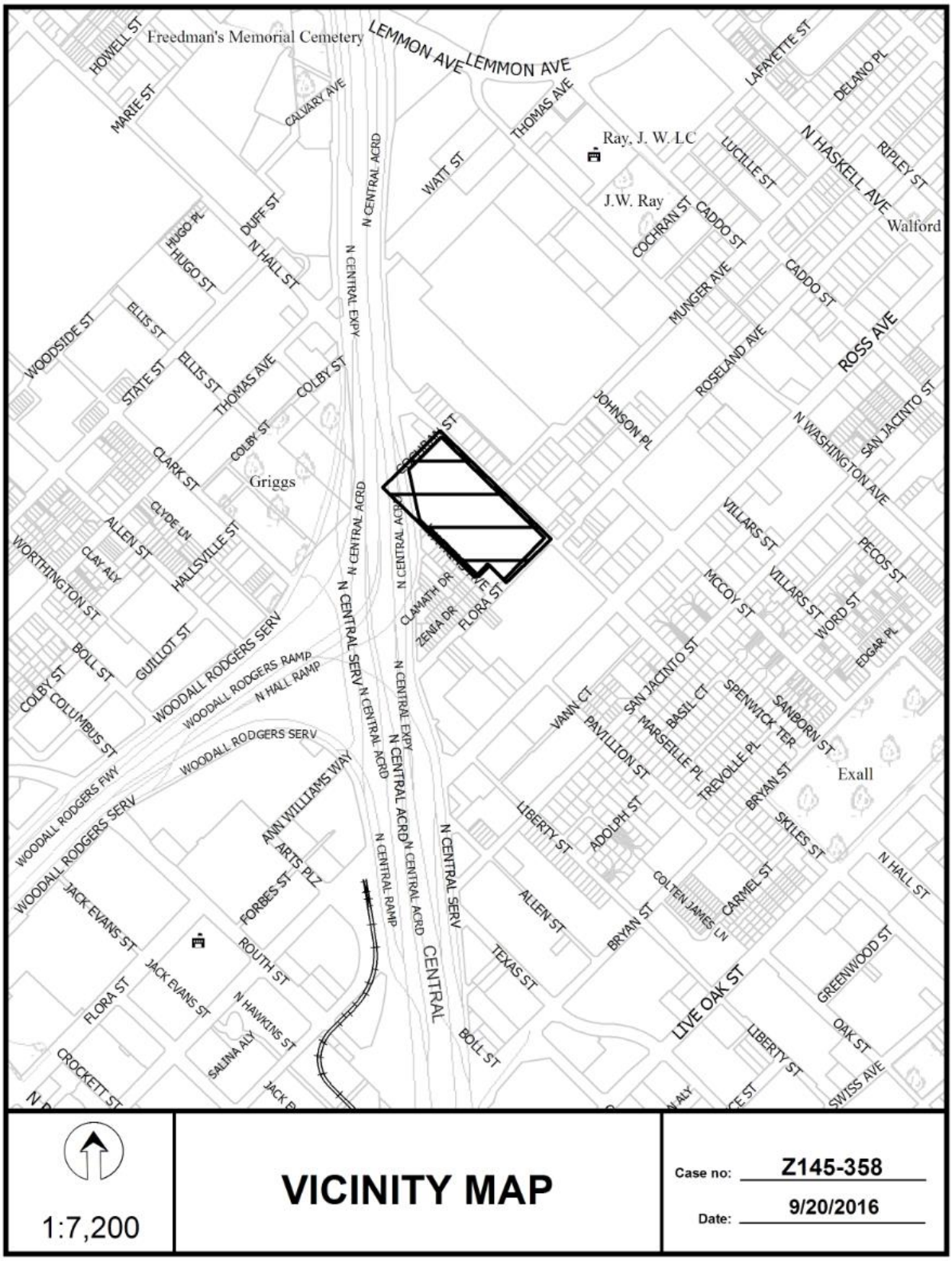
0 40 80 160 Feet

Z 145-358

Z145-358(LE)

Existing Development Plan



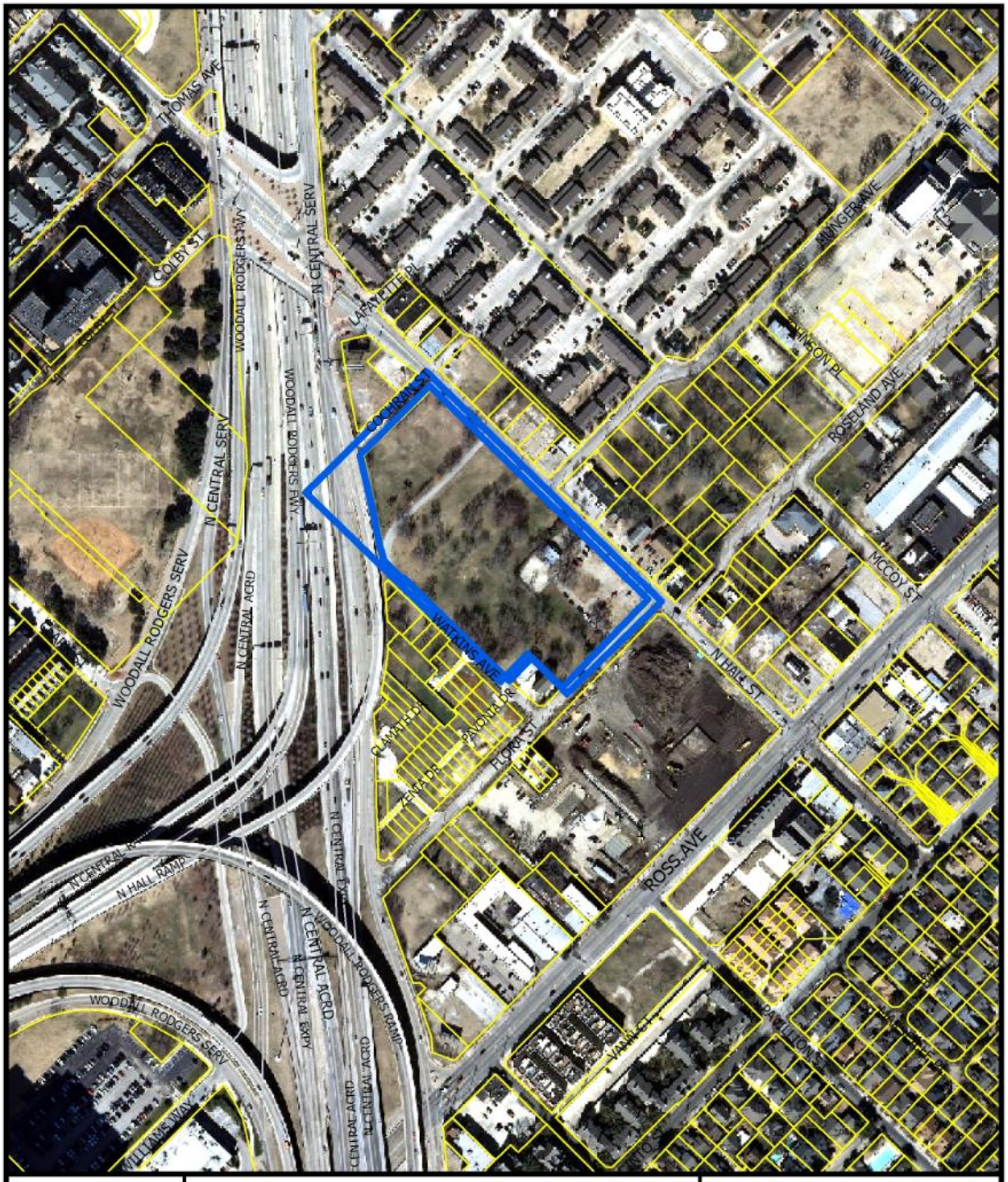


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VICINITY MAP

Case no: Z145-358

Date: 9/20/2016

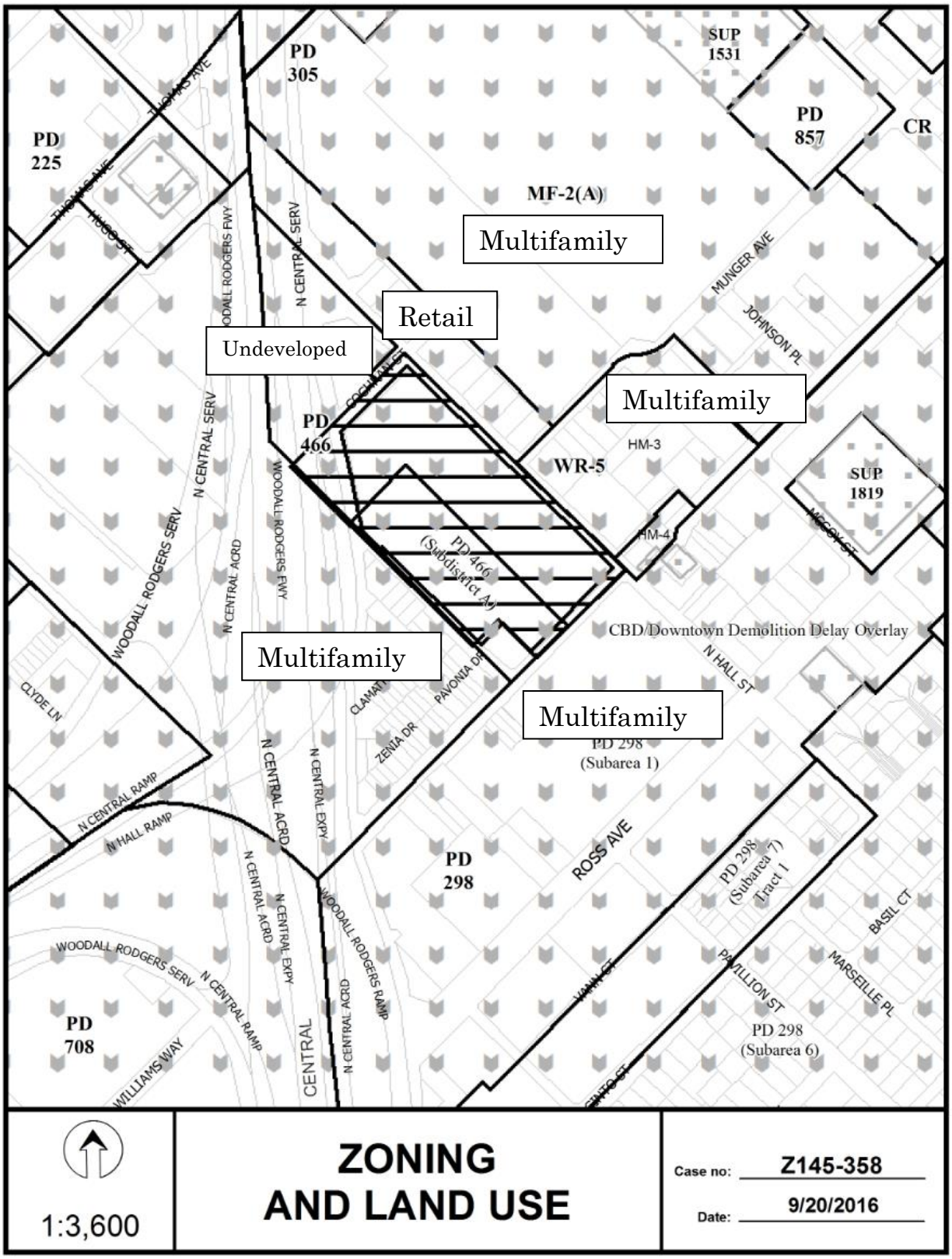


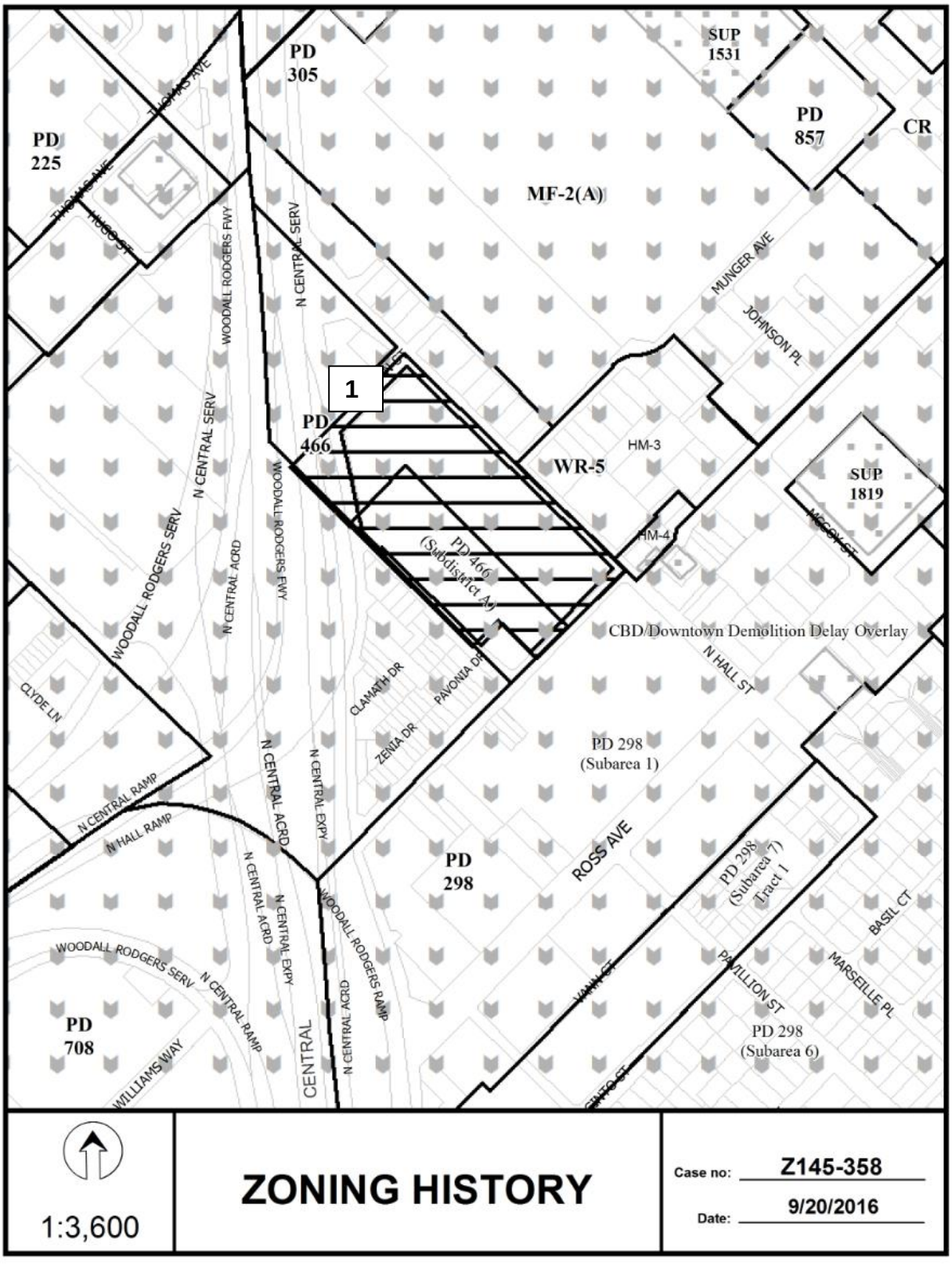
1:3,600

AERIAL MAP

Case no: Z145-358

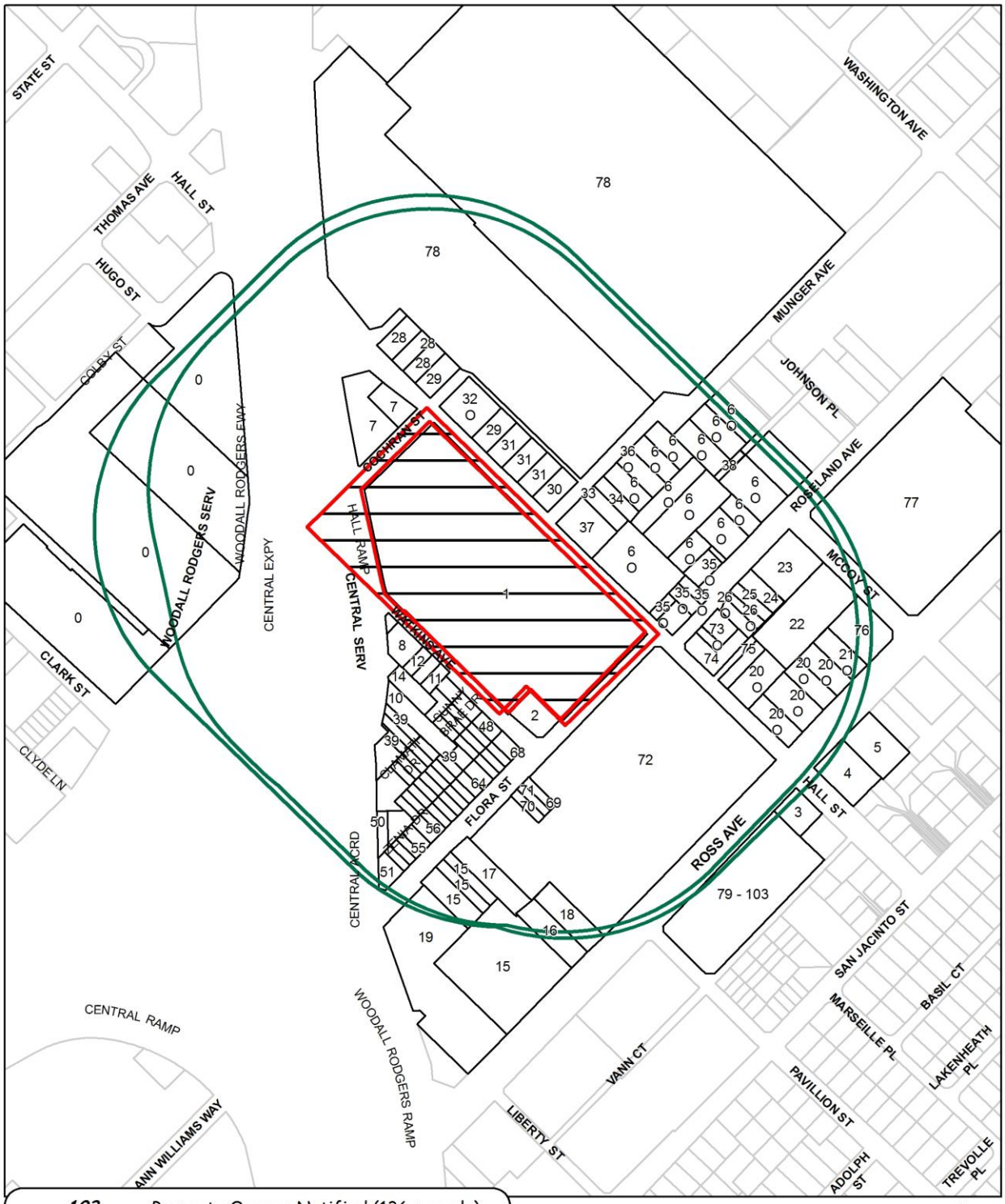
Date: 9/20/2016


Multifamily
Retail
Undeveloped
Multifamily
Multifamily
Multifamily
PD 305
SUP 1531
PD 857
CR
PD 225
MF-2(A)
PD 466
WR-5
HM-3
HM-4
SUP 1819
PD 466 (Subdistrict A)
CBD/Downtown Demolition Delay Overlay
PD 298 (Subarea 1)
PD 298
PD 298 (Subarea 7) Tract 1
PD 298 (Subarea 6)
PD 708
WOODALL RODGERS SERV
N CENTRAL SERV
N CENTRAL ACRD
N CENTRAL EXPY
N CENTRAL RAMP
WOODALL RODGERS RAMP
N HALL ST
N HALL RAMP
ROSS AVE
MUNGER AVE
JOHNSON PL
THOMAS AVE
HUGO ST
COCHRAN CT
CLYDE LN
CLAMATH
PAVONIA DR
ZENIA DR
VANN CT
PAVILLION ST
BASIL CT
MARSEILLE PL
WILLIAMS WAY
CENTRAL
1:3,600
ZONING AND LAND USE
Case no: Z145-358
Date: 9/20/2016


PD 305
SUP 1531
PD 857
CR
PD 225
MF-2(A)
THOMAS AVE
HOGG ST
WOODALL RODGERS FWY
N CENTRAL SERV
MUNGER AVE
JOHNSON PL
1
PD 466
WR-5
HM-3
HM-4
SUP 1819
MCCOY ST
PD 466 (Subdistrict A)
CBD/Downtown Demolition Delay Overlay
N HALL ST
CLYDE LN
CLAMATH DR
PAVONIA DR
ZENIA DR
PD 298 (Subarea 1)
N CENTRAL RAMP
N HALL RAMP
N CENTRAL ACRD
N CENTRAL EXPY
PD 298
ROSS AVE
PD 298 (Subarea 7) Tract 1
BASIL CT
VANN CT
PAILLION ST
MARSEILLE PL
PD 298 (Subarea 6)
WOODALL RODGERS SERV
N CENTRAL RAMP
WOODALL RODGERS RAMP
PD 708
WILLIAMS WAY
CENTRAL
CINTO CT
1:3,600
ZONING HISTORY
Case no: Z145-358
Date: 9/20/2016

Z145-358(LE)

CPC Responses



11/09/2016

Reply List of Property Owners

Z145-358

103 Property Owners Notified 11 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	1823	N HALL ST	KROGER TEXAS LP
	2	3201	FLORA ST	FLORA STREET PROP INC
	3	1623	N HALL ST	SCHWARTZ HYMIE TESTAMENTARY
	4	3300	ROSS AVE	BSK SCHWARTZ LTD
	5	3310	ROSS AVE	BSK SCHWARTZ LTD
O	6	3508	MUNGER AVE	IMP MCR HALL STREET VENTURE LLC
	7	3213	COCHRAN ST	RAIN SCOTT INVESTMENTS LLC
	8	1829	WATKINS AVE	SUBDIVISONS REALTY 4 LLC
	9	1823	WATKINS AVE	BELMORE ERNEST
	10	3108	MUNGER AVE	TWIN LAKES PLAZA LP
	11	1821	WATKINS AVE	1821 WATKINS LAND TRUST
	12	1825	WATKINS AVE	LEVIN M L
	13	1825	WATKINS AVE	TOPLETZ DENNIS D
	14	3114	MUNGER AVE	TEXAS STATE OF
	15	3020	FLORA ST	PATRONMARCHE LLC
	16	3125	ROSS AVE	RESOURCES ASSISTANTS CORP
	17	3024	FLORA ST	CROW STUART
	18	3129	ROSS AVE	IVEY HOLDINGS LLC
	19	3101	ROSS AVE	DUCKINS PARTNERS LTD A TX
O	20	3311	ROSS AVE	3405 DHG LLC
O	21	3405	ROSS AVE	1507 DRAGON STREET LLC
	22	1711	MCCOY ST	GIRMA ASKE
	23	1723	MCCOY ST	HOUSING AUTHORITY OF THE
	24	3404	ROSELAND AVE	ROSE LIMITED PS
	25	3402	ROSELAND AVE	KIM RACHEL
O	26	3400	ROSELAND AVE	WOODARD JOHN R JR

Reply	*Label*	*Address*		*Owner*
O	27	3304	ROSELAND AVE	WOODARD JULIA J ET AL
	28	2012	N HALL ST	HALL STREET PPTIES LLC
	29	2000	N HALL ST	RAZA PERVEZ
	30	1900	N HALL ST	AMOR REAL ESTATE INVESTMENTS INC
	31	1906	N HALL ST	LG NORTH HALL ST LLC
O	32	1922	N HALL ST	RAZA PERVIZ
	33	3310	MUNGER AVE	LUPSHIRE RESTORATION IN
	34	3312	MUNGER AVE	LUPSHIRE RESTORATION INC
O	35	1800	N HALL ST	IMP MCR HALL STREET VENTURE LLC
O	36	3402	MUNGER AVE	IMP MCR HAPP STREET VENTURE LLC
	37	1828	N HALL ST	LUPSHIRE RESTORATION INC
	38	3505	ROSELAND AVE	LAMPO CATALINA LILLIAN ROSE & ETAL
	39	3027	CLAMATH DR	MEGATEL HOMES INC
	40	3018	CLAMATH DR	GREEN JAMES AARON
	41	3020	CLAMATH DR	MABERRY DONNIE R & MELISSA
	42	3022	CLAMATH DR	CRESCENT ESTATES CUSTOM HOMES LP
	43	3026	CLAMATH DR	SCHNEIDER PENNY
O	44	3027	ZENIA DR	SEBASTIAN KRISTEN
	45	3021	ZENIA DR	SHELTON CHRISTOPHER
	46	3017	ZENIA DR	COVER ERIN N
	47	3015	ZENIA DR	CHRISTOPHER NITIN & RACHEL
	48	3113	PAVONIA DR	MEGATEL HOMES INC
	49	3009	ZENIA DR	SINGH AMRIK
	50	3001	ZENIA DR	BIRMINGHAM ANDREW
	51	3002	ZENIA DR	GARCIA RAUL
	52	3004	ZENIA DR	PETERSON ERIK N &
	53	3006	ZENIA DR	CORELLO DANIEL P & DANIELLE M TUCCIO
	54	3008	ZENIA DR	LAPLANTE MARK
	55	3010	ZENIA DR	BENNICK LAUREN ASHLEE
	56	3012	ZENIA DR	ROGERS SCOTT & EUGENIE B
	57	3014	ZENIA DR	HUDSON MICHAEL JAMES &

Reply	*Label #*	*Address*		*Owner*
	58	3016	ZENIA DR	GENO CHRISTOPHER A &
O	59	3018	ZENIA DR	PREISZ MATHIAS
	60	3020	ZENIA DR	DEERING STEVEN L & CHRISTINA K
	61	3022	ZENIA DR	CARPENTER CRAIG C &
	62	3024	ZENIA DR	DEVILLE DAVID SHANE
	63	3026	ZENIA DR	PEKAR CASSANDRA
	64	3102	PAVONIA DR	TOWNSON WALTER K & DONNA S DIZON
	65	3106	PAVONIA DR	JOHNSON AIDEN
	66	3108	PAVONIA DR	KHATTAK ASIF
	67	3110	PAVONIA DR	PRATT ANDREW CLIFFORD
	68	3112	PAVONIA DR	BROWN STEWART
	69	3108	FLORA ST	DELANNEY WENDELL
	70	3108	FLORA ST	STEWART OWEN
	71	3108	FLORA ST	GUIVA ALEXANDER
	72	1707	N HALL ST	SHF I ICON LLC
O	73	3306	ROSELAND AVE	WOODARD JOHN O JR
	74	1722	N HALL ST	HALL & ROSS LTD PS
	75	1716	N HALL ST	HALL & ROSS LTD
	76	3407	ROSS AVE	R & F INVESTMENTS II LTD
	77	3606	ROSELAND AVE	WW ROSS AVENUE LP
	78	3305	MUNGER AVE	DALLAS HOUSING AUTHORITY
	79	3200	ROSS AVE	MERIDIAN BANK TEXAS
	80	3200	ROSS AVE	DASGUPTA INDRANI
	81	3200	ROSS AVE	NOWELL GRANT D &
	82	3200	ROSS AVE	HUNT SELWYN E
	83	3200	ROSS AVE	NIEMAND NOELLE &
	84	3200	ROSS AVE	LIAN HONGBING
	85	3200	ROSS AVE	BYRNES DAVID R JR
	86	3200	ROSS AVE	WESTPHAL MICHAEL F
	87	3200	ROSS AVE	RECORDS JACOB P &
	88	3200	ROSS AVE	YU XIAOYING

Reply	*Label #*	*Address*		*Owner*
	89	3200	ROSS AVE	ALLISON JEFFREY B
	90	3200	ROSS AVE	CRABBE LINDSEY &
	91	3200	ROSS AVE	ANDERSON JOHN R
	92	3200	ROSS AVE	LEE DANIEL
	93	3200	ROSS AVE	KUHN DANIEL E
	94	3200	ROSS AVE	BYERS DENISE L
	95	3200	ROSS AVE	OLATUNBOSUN SAOSAT M
	96	3200	ROSS AVE	SMITH MICHAEL
	97	3200	ROSS AVE	HOWARD ASHLEY L
	98	3200	ROSS AVE	FIGUEROA JOSE G
	99	3200	ROSS AVE	SHIDA GEORGE D JR
	100	3200	ROSS AVE	STILLER WILLIAM REID &
	101	3200	ROSS AVE	KLOCKE JOSH A &
	102	3200	ROSS AVE	CHRISTOPHER NITIN & RACHEL
	103	3200	ROSS AVE	3200 ROSS AVE LP

AGENDA ITEM # 52

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 25 V; 26 S

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 30 for cemetery burial sites and a maintenance facility, on property zoned an R-7.5(A) Single Family District, on the northwest corner of West Northwest Highway and Boedeker Street
Recommendation of Staff and CPC: Approval, subject to a revised site plan and conditions
Z156-280(OTH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-280(OTH) **DATE FILED:** June 10, 2016

LOCATION: Northwest corner of West Northwest Highway and Boedeker Street

COUNCIL DISTRICT: 13 **MAPSCO:** 25-V, 26-S

SIZE OF REQUEST: Approx. 91.123 acres **CENSUS TRACT:** 78.01

OWNER/ APPLICANT: SCI Texas Funeral Services, Inc. a DE corporation

REPRESENTATIVE: Robert Reeves & Associates, Inc.

REQUEST: An application to amend and expand Specific Use Permit No. 30 for cemetery burial sites and a maintenance facility, on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant is proposing to: 1) amend the SUP for a cemetery, updating the name of the use per City Code to a cemetery or mausoleum, 2) build two new structures and expand two existing ones in the site, 3) expand the SUP area on the north side of the property facing Boedeker Street, and 4) amend the site plan to reflect changes.

CPC RECOMMENDATION: **Approval** subject to a revised site plan and conditions.

STAFF RECOMMENDATION: **Approval** subject to a revised site plan and conditions.

DESIGNATED ZONING CASE

BACKGROUND:

- The applicant is requesting to amend and expand Specific Use Permit No. 30. The applicant wants to expand the property by 0.3841-acre of land for a total area of 91.123-acre site. The cemetery and mausoleum of the property is 88.775 acres and the mortuary/funeral home is in a 2.348-acre site.

- The SUP was originally approved in 1964 for a permanent time period for a flower shop, mortuary, church, day nursery, greenhouse and plant nursery.

- On February 24, 1964, the City Council approved an ordinance for Specific Use Permit No. 30.

- On April 19, 1985, and on March 5, 1986, the City Council approved amendments to the SUP.

- On September 14, 1987, the City Council amended the SUP to incorporate a landscape plan and amend the size of the SUP. However, the landscape plan does not comply with Article X and the applicant is requesting that the landscape plan be removed from the SUP requirements. The applicant will comply with Article X for the landscaping required when the additions occur.

- The property is operating with a certificate of occupancy for a cemetery or mausoleum.

- The mortuary, funeral home or wedding chapel use is not a permitted use in an R-7.5(A) Single Family District. However, the existing funeral home or mortuary has been in existence since 1964, and it is listed as a use in the original conditions of the SUP. The Certificate of Occupancy for the mortuary and funeral home was issued on March 10, 1966. Staff has determined this use is non-conforming.

Zoning History: There have been three zoning changes in the area within the last five years.

1. Z123-236 On June 26, 2013, the City Council an amendment approved an amendment to Planned Development District No. 463, subject to a revised conceptual plan, a Tract III (Zone A and B) development plan, and conditions.

2. Z134-342 On August 12, 2015, the City Council approved an amendment to Specific Use Permit No. 1447 for a private school on property zoned an R-7.5(A) Single Family District.

3. Z145-203 On November 10, 2015, the City Council approved an amendment to Planned Development District No. 463.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
W. Northwest Highway	Principal Arterial	100 feet
Boedeker Street	Collector	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined it will not significantly impact the surrounding street system.

Parking:

Pursuant to the Dallas Development Code, off-street and loading required parking must be provided in accordance with Division 51A-4.200 for each use.

The Development Code requires that the funeral home, mortuary or wedding chapel use provides 1 space per 300 square feet of floor area other than the chapel, plus one space for each two seats in the chapel. The Code establishes that a seat is 18 inches. The cemetery or mausoleum requires two parking spaces.

Summary of parking calculations:

Funeral home: 19,215 sq. ft.

Funeral home minus chapel: 17,049 sq. ft.
One space/300 sq. ft. of non-chapel area: 17,049 sq. ft. / 300 sq. ft. = 57 spaces

Chapel: 2,166 sq. ft.
Pews in chapel: 416 linear feet
Chapel: one space per two seats or 3 ft.: 416 ft. / 3ft. = 139 spaces

Total required parking for the funeral home, mortuary or wedding chapel use is:
57 + 139 = 196 spaces

Total required parking for a cemetery or mausoleum: 2 spaces.

Total required parking: 196 + 2 = 198 spaces

Parking provided: 206 spaces

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 Plan classifies the area as green space.

There are no specific goals and policies that support a cemetery.

Surrounding Land Uses:

	Zoning	Land Use
Site	R-7.5(A) with SUP No. 30	Cemetery, mausoleum
North	PD No. 125, PD No. 275 with SUP No. 472 on a portion	Institutional, residential
East	RR	Retail
West	R-7.5(A)	Church
South	PD No. 963, MF-1(A), R-7.5(A), City of University Park	Retail, residential, church, school

Land Use Compatibility:

The request site is approximately 91.123 acres of land and is currently developed with a cemetery and several buildings with an accumulated 120,598 square feet of floor area. The uses for these buildings are mausoleum, a maintenance building, a pavilion, and a funeral home. The existing funeral home is not a permitted use in the R-7.5(A) Single Family District; however, the use has been allowed on the property since the approval of the SUP. The SUP was originally approved on February 24, 1964.

Sec. 51A-4-210(b)(3) defines Cemetery as a place designated for burial of the dead and mausoleum as a building with places for the entombment of the dead. The use is permitted by SUP only in all residential and nonresidential districts except the P(A) and urban corridor districts.

Sec. 51A-4-210(b)(18) defines a mortuary or funeral home as a facility in which dead bodies are prepared for burial, cremation or funeral services are conducted. The use is permitted by right in CR, RR, CS, central area, mixed use, and multiple commercial districts.

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 continued use of the property as a cemetery or mausoleum and funeral home is compatible with the surrounding uses of other institutional and retail uses. The proposed use has existed for over 50 years on a major thoroughfare and serves as an enhancement to the area by providing green space. The cemetery and mortuary use provide necessary services to the City and metroplex. The conditions of the SUP should help mitigate any detrimental aspects of the use.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
Existing							
	Front	**Side/Rear**					
R-7.5(A) Single Family	25’	5’	1 Dwelling Unit/ 7,500 sq. ft.	30’	45%		Single family

Landscaping:

The applicant is requesting to remove the existing landscape plan that was incorporated into the SUP on September 16, 1987. The applicant is proposing some landscaping as indicated on the site plan. In addition to that, the applicant will provide any additional required landscaping in according with Article X regulations.

Additional provisions in the SUP Conditions:

The applicant worked closely with the neighborhood and City Plan Commissioner to ensure the proposed expansion complies with certain design standards such as landscaping, exterior facades and material to be used, and that the construction of the proposed additions are timed in a manner that the impact on the adjacent uses is minimized.

Legislative history of the property:

Date	Ordinance No.	Uses Authorized	Existing Zoning
February 24, 1964	10209	Flower shop, mortuary, church, day nursery, greenhouse and plant nursery	R-7.5
April 19, 1985	10976	Cemetery, church, day nursery, flower shop, mortuary, green house and plant nursery	R-7.5
March 5, 1986	19046	Cemetery, burial sites and maintenance facility	R-7.5
September 14, 1987	19667	Incorporates a landscape plan, reduces the size, and amends the size of the SUP.	R-7.5

Revised Site Plan:

The existing site plan is 28 years old and illegible. The applicant is providing an updated site plan that includes the entire property and shows all existing buildings and future development of the property.

CPC ACTION:
November 17, 2016

Motion: It was moved to recommend **approval** of an amendment to and expansion of Specific Use Permit No. 30 for cemetery burial sites and a maintenance facility, subject to a revised site plan and revised conditions (1:30 p.m. handout) on property zoned an R-7.5(A) Single Family District, on the northwest corner of West Northwest Highway and Boedeker Street.

Maker: Murphy
Second: Davis
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7
Conflict: 2 - Jung, Schultz

Notices: Area: 500 Mailed: 337
Replies: For: 25 Against: 9

Speakers: None

OFFICERS AND DIRECTORS

SCI Texas Funeral Services, Inc.

Director	Janet S Key
Director	Susan L Garrett
Director	Michael White
President	Michael White
Vice President	James J Kriegshauser
Vice President	Curtis G Briggs
Vice President	James R Rosson
Vice President	Michael L Decell
Vice President	Rodney D Molitor
Vice President	Lori E Spilde
Vice President	Aaron Garner Foley
Vice President	Angela Michelle Lacour
Vice President	Maria E Bateman
Secretary	Janet S Key
Assistant Secretary	Susan L Garrett
Assistant Secretary	Brenda K Gibbs
Treasurer	Michael Gene Triesch
Assistant Treasurer	Yuliya Alexsandra Lyubkina

CPC CONDITIONS
Amendment to Specific Use Permit No. 30
Z156-280(OTH)

1. SITE PLAN: Use and development of the Property must comply with the attached site plan. ~~Development of the property must be in compliance with the site plan attached to and made a part of this ordinance.~~

2. USES: The only uses authorized by this specific use permit are ~~any use permitted in an Apartment-1 District, plus~~ the following uses: flower shop, mortuary, church, day nursery, greenhouse and plant nursery, cemetery burial sites, maintenance facility, cemetery, mausoleum uses.

3. TIME LIMIT: This specific use permit has no expiration date.

4. LANDSCAPE PLAN:

Except as provided, landscaping must comply with Article X of the Dallas Development Code, as amended.

b) Landscape Buffer Area:

i) Proposed landscaping must be installed within one year from the passage of this ordinance to complement existing vegetation within the buffer.

ii) Nine Southern Live Oak trees must be a minimum of 2.5 caliper inches and planted greater than 30 feet on-center along the entire southern edge of the drainage area.

iii) Ten East Palatka Holly trees must be a minimum of 2.5 caliper inches and planted greater than 20 feet on-center along, and within 30 feet of the north edge of the property, beginning from the east end of the drainage area and extending for a distance of 400 feet.

iv) A minimum of 80 New Nellie R. Stevens Holly and Texas Privet Hedge combined must be 10 to 12 feet in height at the time of planting and planted no greater than 8 feet on-center along the north edge of the property in alignment with the existing hedge row.

c) Future Building Area 4: In addition to Article X requirements, three Southern Live Oak trees must be a minimum of 2.5 caliper inches and must be planted within 100 feet of the northern corner of the existing maintenance building within one year from the passage of this ordinance.

~~Landscaping of the Property must be in compliance with the landscape plan attached to and made a part of this ordinance. All plant material must be installed within six months of the passage of this ordinance and must be maintained in a healthy growing condition at all times.~~

5. URBAN DESIGN: The exterior façades of a columbarium, mausoleum, or above ground crypts, which are used for the entombment of the dead must be constructed with a minimum of 70 percent brick, granite, stone, concrete, decorative concrete blocks, or tile excluding doors and windows.

6. FUTURE BUILDING AREA 3:

a) Future Building Area 3, as shown on the approved site plan, may only be used for the burial of the dead, inurnment, or entombment of the dead in a columbarium, mausoleum, or crypt.

b) No certificate of occupancy shall be issued for structures located in Future Building Area 3 within five years from the passage of this ordinance.

7. PARKING/LOADING: Parking and loading requirements must comply with the Dallas Development Code, as amended.

~~1. Front Yard required: There shall be a minimum front yard setback of twenty-five feet after dedication, deemed necessary, unless a greater front yard shall be required by a building line established by ordinances.;~~

~~2. That all driveways, entrances and parking areas shall have a minimum surfacing of six inches compacted gravel and two coats of penetration asphalt. The developer shall bear the total cost and maintenance of all such improvements including curb and drainage structures that may be necessary;~~

~~3. That off-street parking shall be provided at a minimum ratio of one and one-half spaces for each apartment unit and other uses shall provide one parking space for 200 square feet on floor area.;~~

~~4. That no signs or billboards other than those pertaining to the occupancy of premises or commodities sold thereon shall be permitted, and such allowable signs shall be of the parapet wall, marquee or flat wall type, except standard pole signs, not exceeding thirty-six square feet shall be permitted for any filling station, drive-in grocery, drive-in laundry pick-up station or similar drive-in facility located within the special area. No sign or billboard shall be permitted of a flashing or intermittently lighted type. Special signs may be approved by the City Plan Commission after submission of plans for same.;~~

~~5. HEIGHT: No building or structure shall exceed two standard stories in height.;~~

~~6. A side yard that is adjacent to any residentially zoned or developed property not separated by an alley, shall provide a 10 foot side yard set back.;~~

8. ~~7.~~ Rear Yard Required: No main building may be located nearer than fifteen feet to the rear property line and no accessory building may be located nearer than five feet to the rear property line nor nearer than three feet to any to any side lot line, nor nearer than fifteen feet to any side street.;

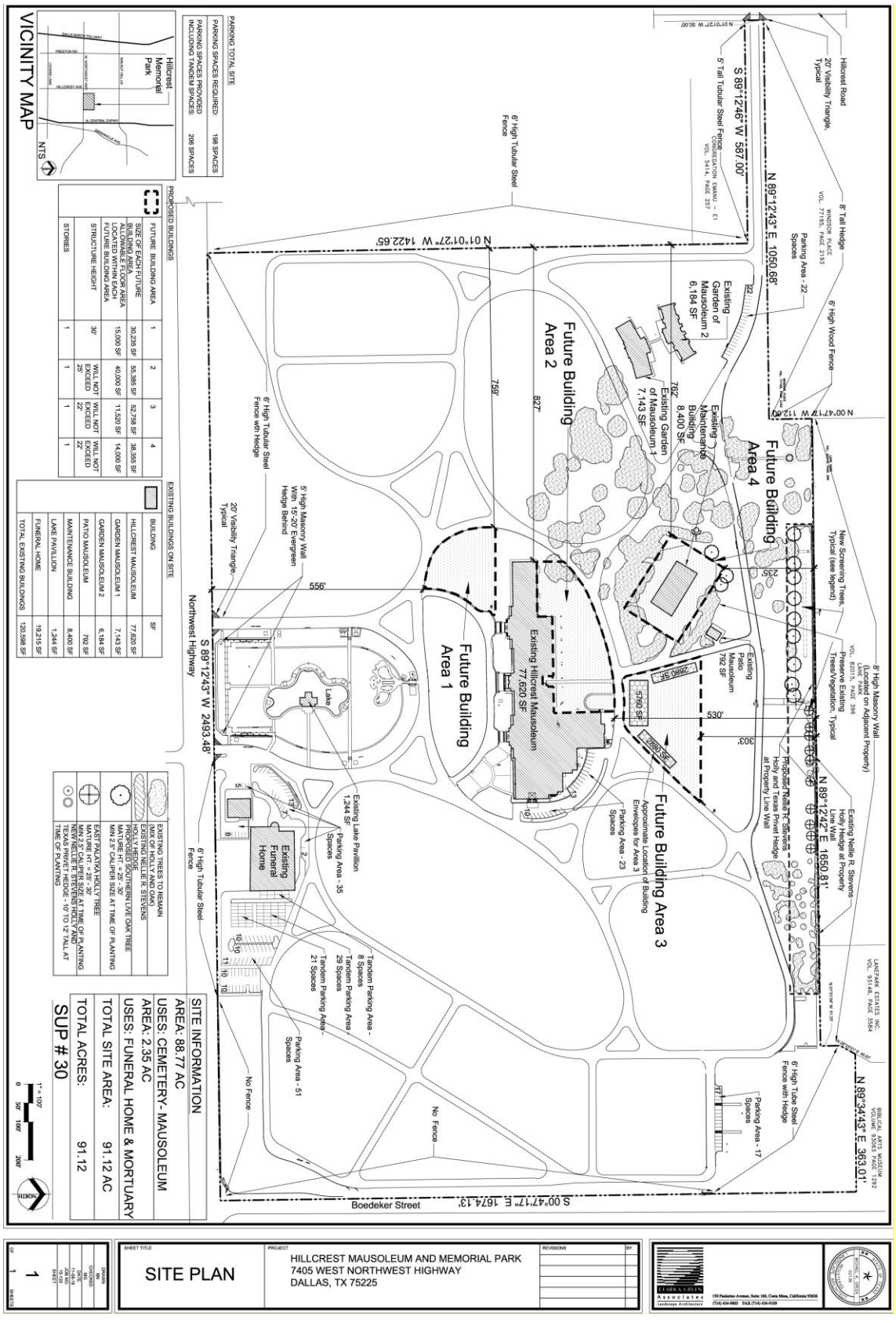
~~8. Prior to the issuance of a building permit, that a subdivision plat of the property should be approved by the City Plan Commission and filed for record at the County.~~;

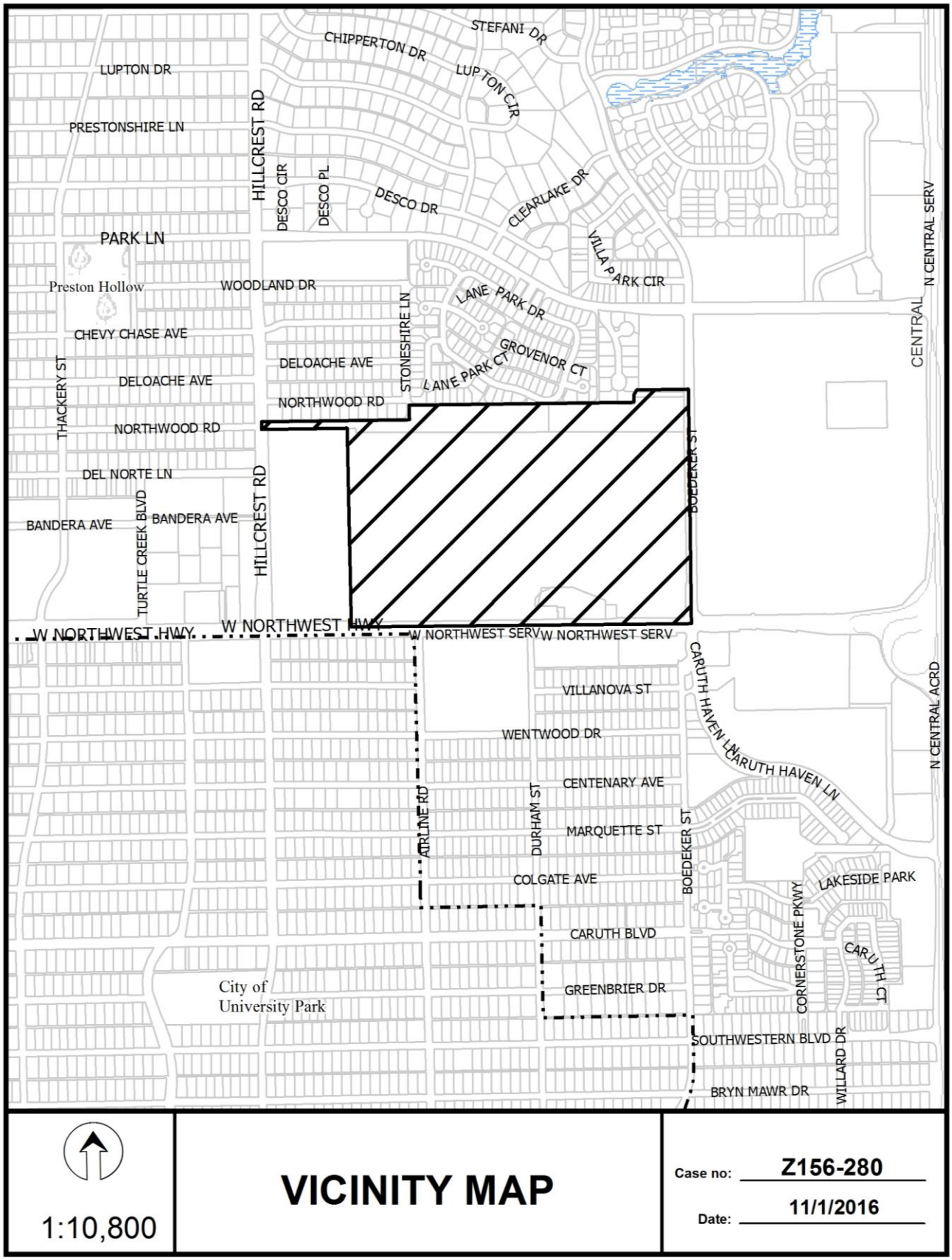
~~9. That prior to the issuance of a building permit, proof must be submitted that a Judgment has been entered in a District Court of Dallas County, Texas, removing the dedication of the above described property for cemetery purposes.~~

9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

10. GENERAL REQUIRMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinance, rules, and regulations of the City of Dallas.

PROPOSED REVISED SITE PLAN



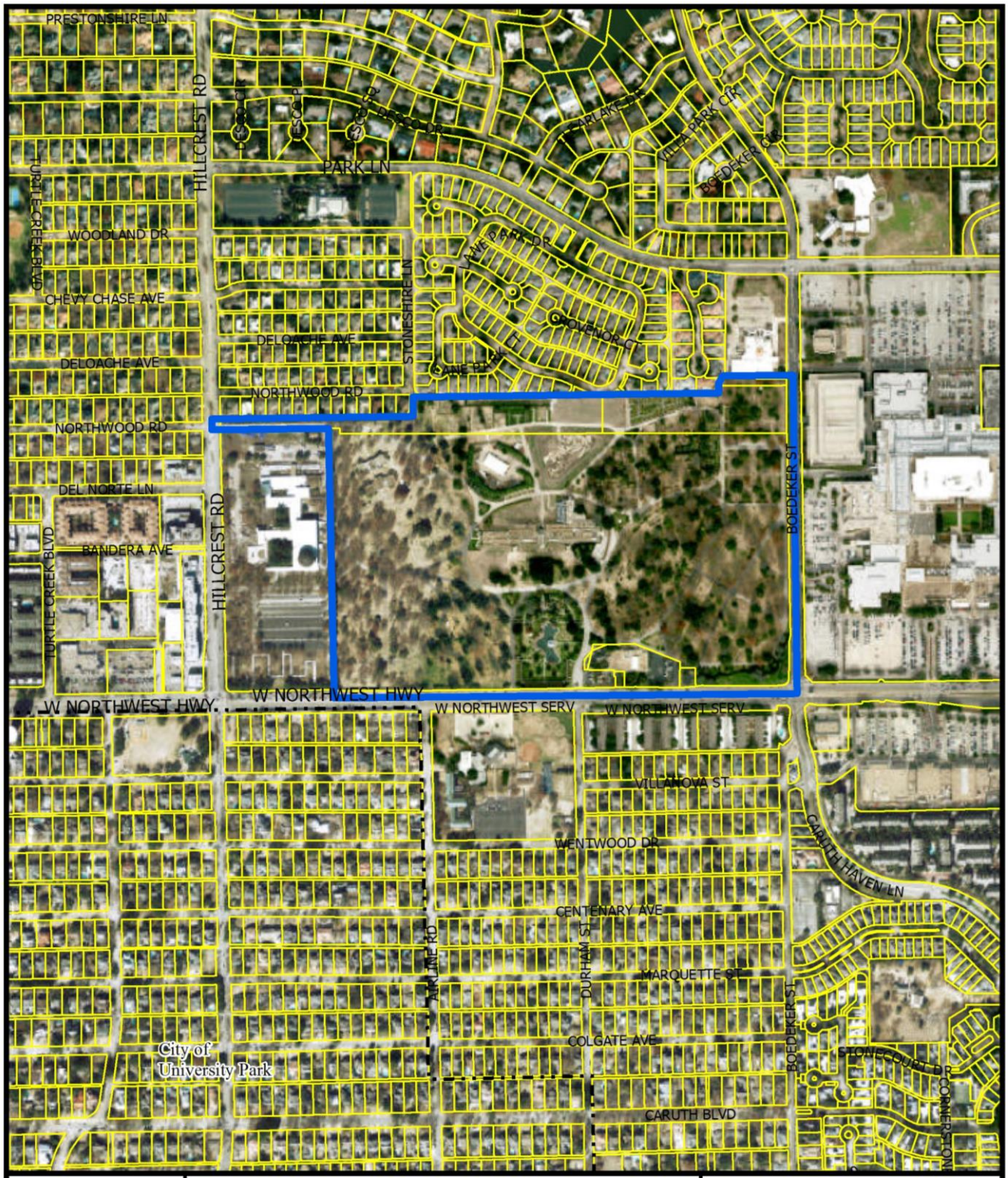


1:10,800

VICINITY MAP

Case no: Z156-280

Date: 11/1/2016

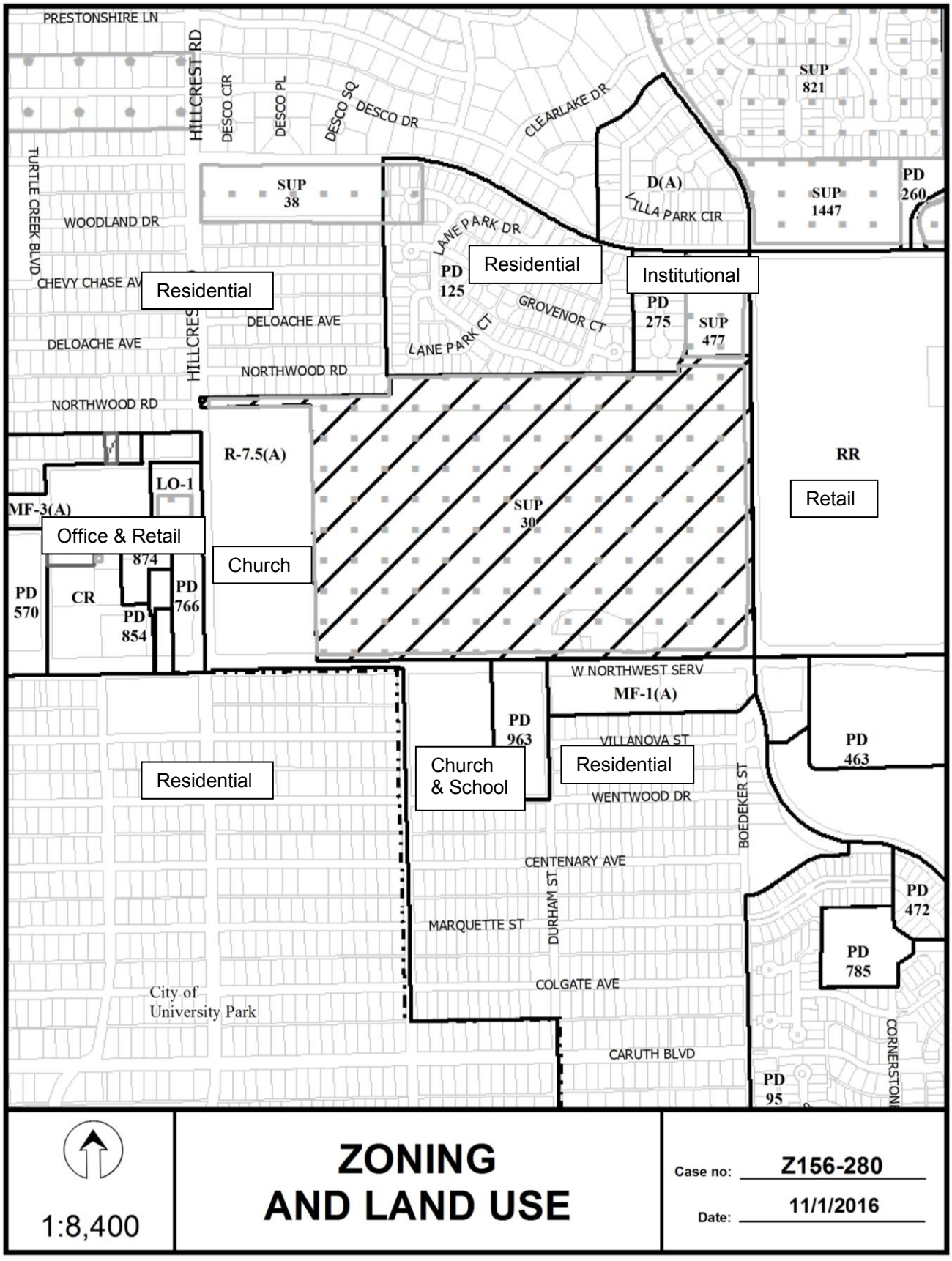


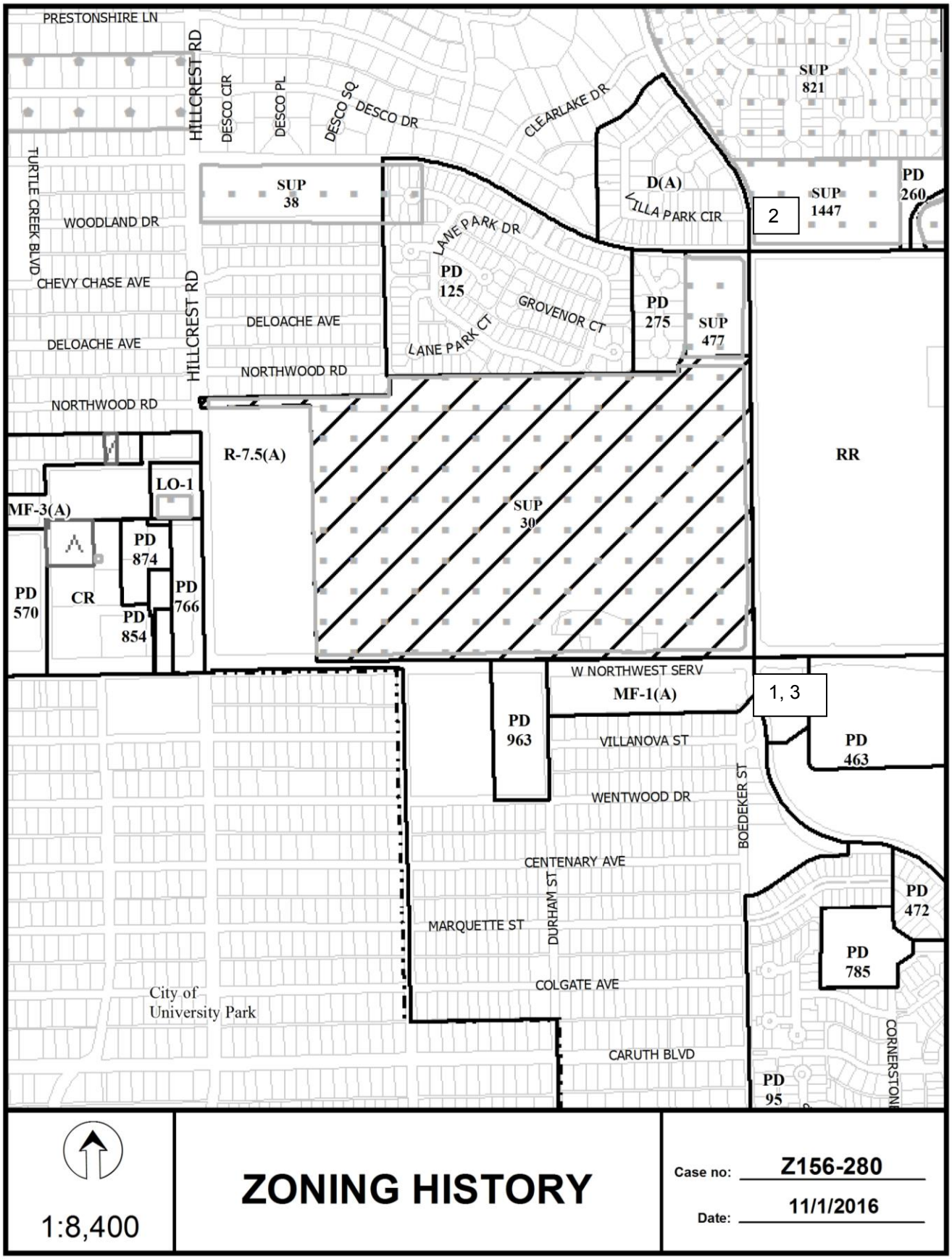
1:8,400

AERIAL MAP

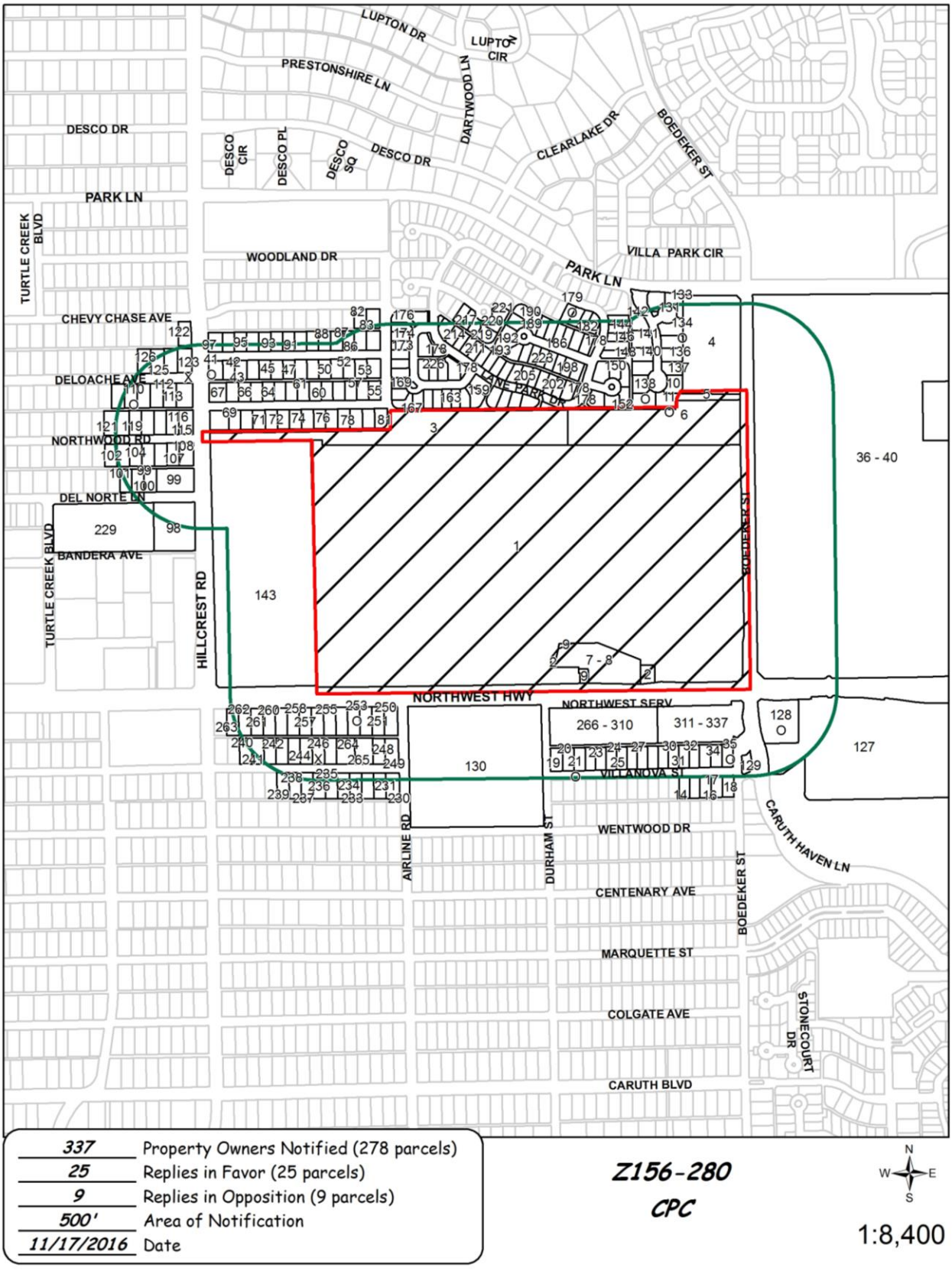
Case no: Z156-280

Date: 11/1/2016


PRESTONSHIRE LN
HILLCREST RD
DESCO CIR
DESCO PL
DESCO SQ
DESCO DR
CLEARLAKE DR
SUP 821
TURTLE CREEK BLVD
SUP 38
D(A)
VILLA PARK CIR
SUP 1447
PD 260
WOODLAND DR
LANE PARK DR
Residential
Institutional
CHEVY CHASE AV
Residential
PD 125
GROVENOR CT
PD 275
SUP 477
DELOACHE AVE
DELOACHE AVE
LANE PARK CT
NORTHWOOD RD
NORTHWOOD RD
R-7.5(A)
RR
LO-1
MF-3(A)
SUP 30
Retail
Office & Retail
Church
874
PD 570
CR
PD 766
PD 854
W NORTHWEST SERV
MF-1(A)
PD 963
VILLANOVA ST
PD 463
Residential
Church & School
Residential
WENTWOOD DR
BOEDEKER ST
CENTENARY AVE
PD 472
DURHAM ST
MARQUETTE ST
PD 785
COLGATE AVE
City of University Park
CARUTH BLVD
CORNERSTONE
PD 95
1:8,400
ZONING AND LAND USE
Case no: Z156-280
Date: 11/1/2016


PRESTONSHIRE LN
HILLCREST RD
DESCO CIR
DESCO PL
DESCO SQ
DESCO DR
CLEARLAKE DR
SUP 821
TURTLE CREEK BLVD
SUP 38
D(A)
VILLA PARK CIR
SUP 1447
PD 260
2
WOODLAND DR
LANE PARK DR
PD 125
CHEVY CHASE AVE
GROVENOR CT
PD 275
SUP 477
DELOACHE AVE
HILLCREST RD
DELOACHE AVE
LANE PARK CT
NORTHWOOD RD
NORTHWOOD RD
R-7.5(A)
RR
LO-1
MF-3(A)
SUP 30
PD 874
PD 570
CR
PD 766
PD 854
W NORTHWEST SERV
MF-1(A)
1, 3
PD 963
VILLANOVA ST
PD 463
WENTWOOD DR
BOEDEKER ST
CENTENARY AVE
PD 472
DURHAM ST
MARQUETTE ST
PD 785
COLGATE AVE
City of University Park
CARUTH BLVD
CORNERSTONE
PD 95
1:8,400
ZONING HISTORY
Case no: Z156-280
Date: 11/1/2016

CPC RESPONSES



11/16/2016

Reply List of Property Owners

Z156-280

337 Property Owners Notified ***25 Property Owners in Favor*** ***9 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	7323	W NORTHWEST HWY	HILLCREST MEMORIAL PARK
	2	7401	W NORTHWEST HWY	SPARKMAN HILLCREST INC
	3	7323	PARK LN	HILLCREST MEM PARK INC
	4	7500	PARK LN	MIRACLE AT PENTECOST
	5	8800	BOEDEKER ST	HILLCREST MEM PARK INC
	6	8500	BOEDEKER CIR	HILLCREST MEM PARK INC
	7	7405	W NORTHWEST HWY	SPARKMAN HILLCREST INC
	8	7403	W NORTHWEST HWY	HILLCREST MEM PARK INC
	9	7405	W NORTHWEST HWY	HILLCREST MEMORIAL PARK
	10	14	SARAHNASH CT	TUROFF STEVEN S & JUNE
O	11	16	SARAHNASH CT	BROWN STEVE F & CHERYL A
	12	13	SARAHNASH CT	KRIEG JOHN B
	13	7361	LANE PARK DR	LANEPARK HOMEOWNERS ASSN
	14	7520	VILLANOVA ST	MESEC NICHOLAS ROBERT
	15	7524	VILLANOVA ST	KING SARAH COKE
	16	7530	VILLANOVA ST	SPETMAN MICHELLE KAY
	17	7534	VILLANOVA ST	JONES RODNEY B & JEANNE V
	18	7540	VILLANOVA ST	PRIDE KARON ASHLEY & MICHAEL M
	19	7403	VILLANOVA ST	THOMPSON GREGORY R &
	20	7407	VILLANOVA ST	HOLMSEN ERIK W & JACQUELYN K
O	21	7415	VILLANOVA ST	RYAN ELIZABETH J
	22	7419	VILLANOVA ST	TUCKER LORI MICHELLE
	23	7425	VILLANOVA ST	WILLIAMS JANA & KYLE
	24	7429	VILLANOVA ST	PERRY JAMES C
	25	7433	VILLANOVA ST	MERCIER DAVID
	26	7439	VILLANOVA ST	WILSON SCOTT & KRISTI

Reply	*Label #*	*Address*		*Owner*
	27	7503	VILLANOVA ST	WILLIAMSON JERRY
	28	7507	VILLANOVA ST	LAIRD GREGORY P &
	29	7511	VILLANOVA ST	SHANNON ROBERT REGAN &
	30	7517	VILLANOVA ST	WITTEN GEORGE R
	31	7521	VILLANOVA ST	ALLEMAN MARTIN J & SARA B
	32	7525	VILLANOVA ST	DAKAN WILL F & KELLY SMITH
	33	7531	VILLANOVA ST	CERCONE ALBERT B
	34	7535	VILLANOVA ST	RAWLINS PATRICIA LOUISE
O	35	7541	VILLANOVA ST	REDDICK EDITH DALE
	36	8850	BOEDEKER ST	NORTHPARK NATIONAL BANK
	37	0	NORTHPARK	NEIMAN MARCUS CO LESSEE
	38	8687	N CENTRAL EXPY	NORTHPARK LAND PARTNERS
	39	8687	N CENTRAL EXPY	NORTHPARK NE PARKING DECK LLC
	40	7901	W NORTHWEST HWY	NORDSTROM
O	41	6902	DELOACHE AVE	WILLIAMS BRADLEY RYAN & KELSEY ANNE
	42	6906	DELOACHE AVE	PATOUT ROBERT
	43	6910	DELOACHE AVE	MILLER DEAN & BRENDA
O	44	6914	DELOACHE AVE	FINLAY RICHARD R
	45	6918	DELOACHE AVE	OBRECHT VERONIKA MANCUSO
	46	6922	DELOACHE AVE	MOOR MALINDA GOLDSMITH &
	47	6926	DELOACHE AVE	ABRAMSON SUSAN B ESTATE OF
X	48	7002	DELOACHE AVE	LAIRD BRANT B
	49	7006	DELOACHE AVE	SLAUGHTER CAROLYN M EST OF
	50	7010	DELOACHE AVE	MJDJ PPTIES LLC
	51	7014	DELOACHE AVE	PATTON HEIDE I
	52	7018	DELOACHE AVE	VAREL LESLIE D
	53	7022	DELOACHE AVE	BOGGESS GLORIA
	54	7026	DELOACHE AVE	BROWN THOMAS L & MARTHA C
	55	7027	NORTHWOOD RD	HUNT JAMES R & BARBARA R
	56	7023	NORTHWOOD RD	UDASHEN LISA
	57	7019	NORTHWOOD RD	COLLINS STEPHEN H

Reply	*Label #*	*Address*		*Owner*
	58	7015	NORTHWOOD RD	SAGE STEPHEN R REVOCABLE
	59	7009	NORTHWOOD RD	ANDERSON GARRY D
	60	7005	NORTHWOOD RD	DRAKE ELEANOR G
	61	7001	NORTHWOOD RD	HEIFNER ANNETTE B
	62	6927	NORTHWOOD RD	GRAFFY GEORGE M
	63	6923	NORTHWOOD RD	CLARKE BAXTER B
	64	6919	NORTHWOOD RD	HOWARD JOHN & DIANE
O	65	6915	NORTHWOOD RD	HOLLIS BARBARA H REVOCABLE TRUST
	66	6909	NORTHWOOD RD	VO LOC
	67	6901	NORTHWOOD RD	MARINO BEATRICE M TR LIFE EST
	68	6902	NORTHWOOD RD	BRUCE DON & MARY E
	69	6906	NORTHWOOD RD	BIRNBAUM STEPHEN L & ROBIN C
O	70	6910	NORTHWOOD RD	HILOU SUSANNE
	71	6914	NORTHWOOD RD	GERON DONNIE T
	72	6918	NORTHWOOD RD	PUGLIESES TIMOTHY M & MIRIAM B
	73	6922	NORTHWOOD RD	ANDROS LAWRENCE R &
	74	6926	NORTHWOOD RD	XI WANG
	75	7002	NORTHWOOD RD	CAIN DOROTHY A
	76	7006	NORTHWOOD RD	HANLEY DONALD W FAMILY TRUST EST OF
	77	7010	NORTHWOOD RD	ARRINGTON WAYNE C & MARGARET S
	78	7014	NORTHWOOD RD	SANDERS ZORA ELIZABETH
	79	7018	NORTHWOOD RD	COLLINS GODFREY M &
	80	7022	NORTHWOOD RD	MCDONALD STEVEN P & GAIL M
	81	7026	NORTHWOOD RD	RAUB ALLEN ANDREW &
	82	7022	CHEVY CHASE AVE	GRANT MARY CARLIN
	83	7026	CHEVY CHASE AVE	FAIN JAMES B
	84	7027	DELOACHE AVE	RESTER D H
	85	7023	DELOACHE AVE	KLIMASZEWSKI DAVID
	86	7019	DELOACHE AVE	BROOME BEVERLY
	87	7015	DELOACHE AVE	WALKER WILLIAM E JR & MARIA MOY
	88	7009	DELOACHE AVE	BROWN MELVILLE M JR & ANNE B

Reply	*Label #*	*Address*		*Owner*
	89	7005	DELOACHE AVE	CARTER TERI A
O	90	7001	DELOACHE AVE	HECKMANN KENNETH H & BRENDA H
	91	6925	DELOACHE AVE	KOCH JANE
	92	6923	DELOACHE AVE	SIBLEY H C
	93	6919	DELOACHE AVE	MORCHOWER CALOLYN L
O	94	6915	DELOACHE AVE	HAMPTON DONALD R &
	95	6909	DELOACHE AVE	CRISSEY HOWARD D JR TR &
O	96	6905	DELOACHE AVE	MONTGOMERY CYNTHIA
	97	6901	DELOACHE AVE	HILGART SARAH PATRICIA
	98	8643	HILLCREST RD	SOUTHWESTERN BELL
	99	6827	DEL NORTE LN	CORRIGAN HOLDINGS INC
	100	6809	DEL NORTE LN	JG RESIDENTIAL PROPERTIES LLC
	101	6801	DEL NORTE LN	CHILDS HAROLD K
	102	6732	NORTHWOOD RD	VERSKA NICHOLAS & MEREDITH
	103	6804	NORTHWOOD RD	MAST HEIDI C &
	104	6810	NORTHWOOD RD	ALOLABI MOHAMAD RAGHID
	105	6816	NORTHWOOD RD	MITCHELL NOAH MALONE IV & FRANCES CANNON
	106	6822	NORTHWOOD RD	IVY RESIDENTIAL LLC
	107	6826	NORTHWOOD RD	RAMSEY SANDRA
	108	6832	NORTHWOOD RD	6832 NORTHWOOD LLC
	109	6804	DELOACHE AVE	DAVIDSOHN REUBEN S
O	110	6810	DELOACHE AVE	LESLIE CRAIG B & ANNETTE
	111	6816	DELOACHE AVE	HEATH CUSTOM HOMES LLC
	112	6822	DELOACHE AVE	NEIL WHITNEY E & FRANCIS J III
	113	6828	DELOACHE AVE	OGDEN JACK &
	114	6834	DELOACHE AVE	WARBURTON DEBRA
	115	6833	NORTHWOOD RD	JORDAN JAMES R
	116	6827	NORTHWOOD RD	SEQUEL HOMES BUILDERS LLC
X	117	6823	NORTHWOOD RD	POTTS BRENNAN RANDALL &
	118	6817	NORTHWOOD RD	MATTHEWS JEFFREY M
	119	6811	NORTHWOOD RD	MOON WILLIAM D & BETSY E

Reply	*Label #*	*Address*		*Owner*
	120	6805	NORTHWOOD RD	DRAPER THOMAS K
	121	6731	NORTHWOOD RD	WILLIAMS JUDITH K
	122	6838	CHEVY CHASE AVE	KASHATA MARSHA MCCRORY
X	123	6835	DELOACHE AVE	COLLIER ROBERT D
O	124	6829	DELOACHE AVE	FOSTER SUSAN L
	125	6823	DELOACHE AVE	FAHR TREVOR & LEIGH
	126	6817	DELOACHE AVE	FERBER DOUGLAS E
	127	7700	W NORTHWEST HWY	INLAND WESTERN DALLAS
O	128	7600	W NORTHWEST HWY	FIRST NATIONAL BANK OF
	129	8420	BOEDEKER ST	RIKE HAZEL M
	130	7202	W NORTHWEST HWY	NORTHWAY CHRISTIAN CHURCH
	131	1	SARAHNASH CT	LANEPARK ESTATES INC
	132	2	NANWAY CIR	VARDEMAN JOE REX
	133	4	NANWAY CIR	ROSE FAMILY LIVING TRUST THE
O	134	6	SARAHNASH CT	IVEY-PETERSEN PATRICIA
	135	8	SARAHNASH CT	HAMMOND LESTER & BARBARA
	136	10	SARAHNASH CT	JOHNSTON DAVID & DI ANN
	137	12	SARAHNASH CT	CANON CRAIG O &
O	138	11	SARAHNASH CT	BRACKBILL ROBERT M
X	139	9	SARAHNASH CT	SALVINO VICTOR E JR
	140	7	SARAHNASH CT	BLACK ROBERT C &
	141	5	SARAHNASH CT	CRAWFORD SHARON J
	142	3	SARAHNASH CT	JACOBSON ROBERT &
	143	8500	HILLCREST RD	CONGREGATION EMANUEL
	144	7266	LANE PARK DR	BAIR JOHN W & JEANNE M CO TRUSTEES
	145	7270	LANE PARK DR	RODGERS LEO M &
	146	7274	LANE PARK DR	HOPKINS HAMMOND W &
	147	7278	LANE PARK DR	KING LOUIS & JO ANN
	148	7282	LANE PARK DR	KARAHAL GEORGE A & GLENDA
X	149	1	CRANSBROOK CT	KNOX LYNN S
	150	2	CRANSBROOK CT	SQUIBB MARTHA

Reply	*Label #*	*Address*		*Owner*
O	151	3	CRANSBROOK CT	KEARINS MICHAEL J & SUSAN M
	152	4	CRANSBROOK CT	SMITH GEORGE REVERE
	153	5	CRANSBROOK CT	BURKE MARK A
X	154	6	CRANSBROOK CT	COLLIER ROBERT D
O	155	7359	LANE PARK DR	KNOX EDWARD CHRISTOPHER &
X	156	7355	LANE PARK DR	BROWN WILLIAM LAWRENCE
O	157	7351	LANE PARK DR	KEENE DANIEL WARD & BONNIE KAYE
O	158	7347	LANE PARK DR	CRAVY C MCCLAIN & SHARON
	159	7375	LANE PARK CT	BRYAN CHARLES T &
	160	7371	LANE PARK CT	ELLIOTT DAVID B
	161	7367	LANE PARK CT	ROGERS H J JR &
	162	7363	LANE PARK CT	TAYLOR ROBERT L JR & BETTY F
	163	7357	LANE PARK CT	HAMILTON WILLIAM N
	164	7353	LANE PARK CT	HANDLEY ROBERT & JANE
	165	7349	LANE PARK CT	RODGERS FAMILY LIVING TRUST
	166	7345	LANE PARK CT	JONES R CLARK & MARILYN
	167	7343	LANE PARK CT	LITTLEJOHN JAMES R & JANA J
	168	7339	LANE PARK CT	LIPSCOMB FORREST F
	169	7335	LANE PARK CT	ELDER WILLIAM L &
	170	7331	LANE PARK CT	HOPKINS ALTON F JR &
X	171	7327	LANE PARK CT	TAYLOR GAYLE
	172	7323	LANE PARK CT	WITHROW NANCY L
	173	7319	LANE PARK CT	ANDERSON ELIZABETH L
	174	7315	LANE PARK CT	WRIGHT LINUS D &
	175	7311	LANE PARK CT	MCDONOUGH JOANN YORK &
	176	7307	LANE PARK CT	BRAYMER GAYL J
	177	7303	LANE PARK CT	ABNEY JAMES K JR &
	178	7	CRANSBROOK CT	LANEPARK HOMEOWNERS ASSN
O	179	7251	LANE PARK DR	WEST DIANE F
	180	7255	LANE PARK DR	WATKINS RICHARD
	181	7259	LANE PARK DR	DOBBS WILLIAM H &

Reply	*Label #*	*Address*		*Owner*
	182	7263	LANE PARK DR	TIPPETT DEBRA L
	183	19	GROVENOR CT	BLACK GEORGIA SUE
O	184	18	GROVENOR CT	MAHONEY JOSEPH E & MARY LOUISE
	185	17	GROVENOR CT	DOOLEY FRANCIS T JR
	186	16	GROVENOR CT	RITTER A WAYNE
	187	15	GROVENOR CT	RIDDLESPERGER JANE J
	188	14	GROVENOR CT	DONOHO MARK B
	189	13	GROVENOR CT	EUBANK RAY H &
	190	12	GROVENOR CT	LAUGHLIN WILLIAM ROBERT & MARY O
	191	11	GROVENOR CT	IANNACONE SUSAN T
	192	10	GROVENOR CT	KIMMER LINDLEY &
	193	9	GROVENOR CT	PRICE JAMES G & LAURA K
	194	8	GROVENOR CT	MAHONEY DANIEL M & LINDY HILL
	195	7	GROVENOR CT	NASSEN JOHN W & CORINNE W
	196	4	GROVENOR CT	CLEMENTS DAVID E &
	197	3	GROVENOR CT	EPHE623 LLC
	198	2	GROVENOR CT	HAYES JERE G & JEAN
	199	1	GROVENOR CT	JESKE EDWARD P TR &
	200	7362	LANE PARK DR	KROEKER CHARLOTTE & ROBERT C MANN
	201	7358	LANE PARK DR	LUTZ EDWARD G & DEBRA B
	202	7354	LANE PARK DR	COPPS PATRICIA A
	203	7350	LANE PARK DR	WILBUR ROBERT E & NANCY H
O	204	7346	LANE PARK DR	SEBEL MAY L TRUST THE
	205	7342	LANE PARK DR	BRILL JAMES B & DAWN S
	206	7338	LANE PARK DR	TURPIN JACK A
O	207	7334	LANE PARK DR	SPIVEY SUSAN
	208	7330	LANE PARK DR	BABCOCK EVELYN E
	209	7326	LANE PARK DR	CLAYTON JAMES B III & SUSAN H
	210	7322	LANE PARK DR	BAIER ROGER R & SUSAN T
	211	7318	LANE PARK DR	RAINWATER PATRICIA
	212	7314	LANE PARK DR	FULKERSON JOHN D

Reply	*Label #*	*Address*		*Owner*
	213	7310	LANE PARK DR	SLEEPER TERESA A
	214	7306	LANE PARK DR	OBRIEN DAVID &
	215	7302	LANE PARK DR	BROWN JACK P & DEANNA R
	216	13	CAVENDISH CT	WOO GEORGE CHOU-TSE &
	217	12	CAVENDISH CT	WHEELER SUSAN WILLIAMSON
O	218	11	CAVENDISH CT	MARTIN JOHN LAURENCE &
	219	10	CAVENDISH CT	SHIELDS JOEL B &
	220	9	CAVENDISH CT	MAIN JAMES E & CAMILLE D
	221	8	CAVENDISH CT	TATUM JOHN P II & LEEANN
	222	6	GROVENOR CT	BLOEDE VICTOR JR &
	223	5	GROVENOR CT	ADAMS STEVEN & LAURA S
	224	7304	LANE PARK CT	ALCANTAR JOSEPH
	225	7348	LANE PARK CT	WILSON TERRY M & BONNIE
	226	7352	LANE PARK CT	SURLS KATHRYN L & LYNN O
	227	7356	LANE PARK CT	HILL THOMAS L & MARY ANN
	228	7360	LANE PARK CT	CARTER HAROLD DEE &
	229	6800	DEL NORTE LN	INTERCITY INVESTMENTS
	230	3201	VILLANOVA ST	RHODES JOHN A & SUSAN S
	231	3205	VILLANOVA ST	ROGERS MICHAEL A & ELIZABETH W
	232	3209	VILLANOVA ST	DENNIS EDWARD J &
	233	3213	VILLANOVA ST	HECKSEL DAVID L & ELIZABETH B
	234	3217	VILLANOVA ST	WRIGHT ANDREW M & LAURA M
	235	3221	VILLANOVA ST	GRASSO ELLEN S
	236	3225	VILLANOVA ST	CARTER FRANK &
	237	3229	VILLANOVA ST	BASSETT CHRISTOPHER B &
	238	3233	VILLANOVA ST	AHMED FAISAL J & DEBORAH
	239	3301	VILLANOVA ST	RIDLEY MATTHEW DAVID
	240	3312	VILLANOVA ST	NEWBERRY RYAN JAY & DIANA
	241	3308	VILLANOVA ST	COSGROVE RYAN
	242	3304	VILLANOVA ST	GALVAN HILDA C & MIKE A
	243	3300	VILLANOVA ST	WARREN JEFFREY L & STACY S

Reply	*Label #*	*Address*		*Owner*
	244	3232	VILLANOVA ST	TERRY TIMOTHY ANDREW &
	245	3228	VILLANOVA ST	WHITE CHASE & KRISTEN
X	246	3224	VILLANOVA ST	3224 VILLANOVA LLC
	247	3220	VILLANOVA ST	PERON STEPHAN P & ASHLEY
	248	3204	VILLANOVA ST	HOLMGREN ERIK B SR &
	249	3200	VILLANOVA ST	GODFREY DAVID G
	250	3201	NORTHWEST PKWY	BROWN CLINTON CARLTON &
	251	3205	NORTHWEST PKWY	BRAY CHARLOTTE ANN
	252	3209	NORTHWEST PKWY	STANLEY FLOYD & BRADLEY IRIS L
O	253	3213	NORTHWEST PKWY	PEABODY D C TR ETAL
	254	3217	NORTHWEST PKWY	HALE CHARLES C &
	255	3221	NORTHWEST PKWY	WATKINS RONALD D & SUSAN L
	256	3225	NORTHWEST PKWY	SRISHNAMOORTHY SREEKANTH S &
	257	3229	NORTHWEST PKWY	WALKER CHRISTOPHER L
	258	3233	NORTHWEST PKWY	SHIPES JOHN K & CINDY Y
	259	3301	NORTHWEST PKWY	HARPER MAX III & ELLEN DEANE
	260	3305	NORTHWEST PKWY	BLAIR KATHERINE L
	261	3309	NORTHWEST PKWY	SUMNER JUSTIN & KATHRYN
	262	3313	NORTHWEST PKWY	PUCKETT JONATHAN A &
	263	3317	NORTHWEST PKWY	STAFFORD AMY M & JAMES B
	264	3216	VILLANOVA ST	EVANS G SCOTT & TERESA C CO TRUSTEES
	265	3208	VILLANOVA ST	BROWNING HAROLD J TRUST
	266	7404	W NORTHWEST HWY	KEELAND KAY L
	267	7404	W NORTHWEST HWY	HACKNEY TATE LOUISE
	268	7404	W NORTHWEST HWY	VICCINELLI GINA
	269	7404	W NORTHWEST HWY	DOYLE JAMES J III & LEIGH A
	270	7404	W NORTHWEST HWY	WEBER ELIZABETH P & WILLIAM R
	271	7404	W NORTHWEST HWY	LOFTIS CARRIE J
	272	7404	W NORTHWEST HWY	DIBELLA HANA S
	273	7404	W NORTHWEST HWY	BURNS RAPLH D & ROBIN
	274	7404	W NORTHWEST HWY	ZEIGER DIMPLE L

Reply	*Label #*	*Address*		*Owner*
	275	7414	W NORTHWEST HWY	GAROFANELLO JOSEPH &
	276	7414	W NORTHWEST HWY	E P W PROPERTIES LLC
	277	7414	W NORTHWEST HWY	BIRES ANDRE G & SUZANN
	278	7414	W NORTHWEST HWY	HARTMANN THEODORE R
	279	7414	W NORTHWEST HWY	ANDERSON PATRICIA F
	280	7414	W NORTHWEST HWY	LEUSCHEL JANICE P
	281	7414	W NORTHWEST HWY	SPOONER THEODORE ROGERS TRUST THE
	282	7414	W NORTHWEST HWY	SOSNOSKIE KEITH D &
	283	7414	W NORTHWEST HWY	DILLARD MARY BEECHERL
	284	7424	W NORTHWEST HWY	HILL JENNIFER & JEREMY
	285	7424	W NORTHWEST HWY	KNEE PATRICIA L
	286	7424	W NORTHWEST HWY	CLARK MARY TITUS &
	287	7424	W NORTHWEST HWY	SLIGER SUNNY L
	288	7424	W NORTHWEST HWY	TAYLOR WILLIAM W &
	289	7424	W NORTHWEST HWY	FORESTWOOD VENTURES LP
	290	7424	W NORTHWEST HWY	HARTMANN ELSA V
	291	7424	W NORTHWEST HWY	FORESTWOOD VENTURES LP
	292	7424	W NORTHWEST HWY	ELGALAD AHMED MOKHTAR
	293	7430	W NORTHWEST HWY	BENES MARTIN & SARAH
	294	7430	W NORTHWEST HWY	SMARTT MICHAEL &
	295	7430	W NORTHWEST HWY	OBOYLE JOHN JAMES & ELIZABETH ANN
	296	7430	W NORTHWEST HWY	BURNS RALPH & ROBIN
	297	7430	W NORTHWEST HWY	RICHER EDMOND & GABRIELA
	298	7430	W NORTHWEST HWY	BOBADILLA ELADIO
	299	7430	W NORTHWEST HWY	GRILLE THEODORE P
	300	7430	W NORTHWEST HWY	SANDER CAROLYN GAIL M
	301	7430	W NORTHWEST HWY	ELLIOTT JOHN R &
	302	7506	W NORTHWEST HWY	WASHAM GERALDINE
	303	7506	W NORTHWEST HWY	EPW PROPERTIES LLC &
	304	7506	W NORTHWEST HWY	SLIGER STEVEN G
	305	7506	W NORTHWEST HWY	SLIGER STEVEN & KATHRYN TR

Reply	*Label #*	*Address*		*Owner*
	306	7506	W NORTHWEST HWY	CLIFFORD MARY NELSON
	307	7506	W NORTHWEST HWY	STILWELL LAURA
	308	7506	W NORTHWEST HWY	HEFNER CHARLES ROBERT JR &
	309	7506	W NORTHWEST HWY	KERLICK DENNIS BRADFORD
	310	7506	W NORTHWEST HWY	SUESSMANN WERNER TR &
	311	7510	W NORTHWEST HWY	MYERS AMY JO
	312	7510	W NORTHWEST HWY	FOSTER TIM & DEBORA
	313	7510	W NORTHWEST HWY	MOORE EDWARD &
	314	7510	W NORTHWEST HWY	CHAPMAN ROBERT J
	315	7510	W NORTHWEST HWY	JONES ORVIL &
	316	7510	W NORTHWEST HWY	FORT DANA & ROBERT
	317	7510	W NORTHWEST HWY	TPR LLC
	318	7510	W NORTHWEST HWY	DARST MARTHA A
	319	7510	W NORTHWEST HWY	MOORE ELIZABETH F D
	320	7520	W NORTHWEST HWY	NEFF PAMELA J
	321	7520	W NORTHWEST HWY	BELL ELIZABETH J
	322	7520	W NORTHWEST HWY	SOETENGA DOUWE H & SUE
	323	7520	W NORTHWEST HWY	WOLLENMAN NANCY
	324	7520	W NORTHWEST HWY	BLACKBURN NORMA
	325	7520	W NORTHWEST HWY	GREENHAW LARRY D
	326	7520	W NORTHWEST HWY	OWENS TAMMY J
	327	7520	W NORTHWEST HWY	SCIORTINO DOMENICA
	328	7520	W NORTHWEST HWY	DONNELLY MARGARET
	329	7526	W NORTHWEST HWY	PATRICK JAMES MICHAEL & ANGIE LYNN
	330	7526	W NORTHWEST HWY	FORD BEULAH A
	331	7526	W NORTHWEST HWY	HORN DAVID & BARBARA INTERVIVOS TRUST
	332	7526	W NORTHWEST HWY	OLALISA LLC
	333	7526	W NORTHWEST HWY	THRASHER DIANE T
	334	7526	W NORTHWEST HWY	DUBORG GEORGE & JANET
	335	7526	W NORTHWEST HWY	COCANOUGHER ANDREW MARK
	336	7526	W NORTHWEST HWY	CONNER ERNEST JR

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	337	7526	W NORTHWEST HWY	THRASHER DIANE T

AGENDA ITEM # 53

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 35 R

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multifamily Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and along the northwest line of McKinney Avenue, south of Monticello Avenue

Recommendation of Staff: Approval, subject to a development plan, landscape plan, and staff's recommended conditions

Recommendation of CPC: Approval, subject to a development plan, landscape plan, conceptual rendering, and conditions

Z156-299(SH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-299(SH) **DATE FILED:** July 26, 2016

LOCATION: Northwest line of McKinney Avenue, south of Monticello Avenue

COUNCIL DISTRICT: 14 **MAPSCO:** 35-R

SIZE OF REQUEST: Approx. 0.97 acres **CENSUS TRACT:** 7.02

OWNER: Chateau Condominiums Owners Association, Inc.

APPLICANT: Trinsic Acquisition Company, LLC

REPRESENTATIVE: Tommy Mann & Laura Hoffman, Winstead PC

REQUEST: An application for a Planned Development Subdistrict for MF-2 Multifamily Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of this request is to allow for the redevelopment of the 0.97-acre subject site with a new multifamily development comprised of a maximum of 125 dwelling units. The proposed development will be served by a ground level parking garage with primary access from McKinney Street. It will incorporate private open space and urban design elements that the applicant contends will promote a walkable and pedestrian-friendly infill housing development. The requested conditions allow for an increased floor area ratio of 3.5 to 1 and an increase in maximum structure height to 85 feet. A minimum 6-foot wide sidewalk will be provided along McKinney Avenue and all adjacent ground-level dwelling units will be required to provide direct access to the sidewalk through private stoops or open space.

CPC RECOMMENDATION: **Approval**, subject to a development plan, landscape plan, conceptual rendering, and conditions

STAFF RECOMMENDATION: **Approval**, subject to a development plan, landscape plan, and staff's recommended conditions

DESIGNATED ZONING CASE

BACKGROUND INFORMATION:

- The request site is currently improved with a 32-unit multifamily development that was originally constructed in 1972.

- The applicant proposes to demolish the existing structure and redevelop the 0.97-acre site with a new multifamily development consisting of a maximum of 125 dwelling units. The proposed development will be served by a ground level parking garage with primary access from McKinney Street.

- The applicant's proposed Planned Development District provides for a floor area ratio of 3.5 to 1 and increases the maximum structure height from 36 feet to 85 feet.

Zoning History: There has been one recent zoning change requested in the area.

1. Z134-147 – On August 27, 2014, City Council approved an amendment to and expansion of Planned Development Subdistrict (PDS) No. 71 for MF-2 Multiple Family Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District on the south corner of McKinney Avenue and Hester Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
McKinney Avenue	Minor Arterial	60 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed redevelopment will have no significant impact on the surrounding street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 193 (MF-2)	Multifamily
Northeast	PDD No. 193 (LC)	Auto Service
Southeast	PDD No. 193 (MF-2)	Multifamily
Southwest	PDD No. 193 (MF-2)	Multifamily
Northwest	PDD No. 193 (LC)	Retail

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.1.5 Use Vision Building Blocks as a general guide for desired development patterns.

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.

NEIGHBORHOOD PLUS

GOAL 6 ENHANCE RENTAL HOUSING OPTIONS

Policy 6.1 Raise the quality of rental property through better design standards.

The Plan classifies the area as an Urban Corridor Building Block. Urban corridor areas are predominately residential with a wide array of housing options & access to transit and retail. The proposed redevelopment of the site will provide for additional housing opportunities within close proximity to various shops and offices in these areas so that the residents can get services and job opportunities within a walkable distance.

AREA PLAN: The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.

The proposed development meets this objective by proposing design elements that are more urban in form with ground-level units that have direct access to the sidewalk, as well as pedestrian amenities and enhanced sidewalks and landscaping along McKinney Street.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

Sidewalk improvements and attractive landscaping along the McKinney Street frontage supports this objective by providing pedestrian friendly access to nearby retail spaces.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

By providing a ground level parking garage that will serve the subject site, this objective will be met.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

In order to provide a development that will be more compatible with the surrounding uses with respect to scale and adjacency issues, staff is requesting that an additional setback be provided along the rear and side property lines to mitigate for the requested increase in height.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

The site is currently within the MF-2 subdistrict of PDD No. 193. The applicant is proposing to utilize the majority of the zoning regulations within the existing MF-2 subdistrict as a basis for redeveloping this site.

(6) To discourage variances or zoning changes, which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

Similar to Objective 5, the existing MF-2 subdistrict standards will be incorporated into the proposed PD conditions.

(7) To promote landscape/streetscape quality and appearance.

Similar to Objective 2, sidewalk improvements and attractive landscaping along the McKinney Street frontage supports this objective by providing pedestrian friendly access to nearby retail spaces

STAFF ANALYSIS:

Land Use Compatibility: The site is currently improved with a 32-unit multifamily development that was originally constructed in 1972. Adjacent to the site to the northeast and southeast are additional multifamily developments in an MF-2 Subdistrict of PDD No. 193. Retail and auto service uses are located immediately to the northeast and northwest of the site in an LC Subdistrict of PDD No. 193. Office uses are further north of the subject site, across Monticello Avenue, and also within an LC Subdistrict of PDD No. 193.

The applicant proposes to demolish the existing structures and redevelop the 0.97-acre site with a new multifamily development consisting of a maximum of 125 dwelling units. The proposed development will be served by a ground level parking garage with primary access from McKinney Street.

In order to promote a more walkable, pedestrian-friendly development, the applicant is proposing sidewalks along McKinney Avenue with a minimum width of six feet and a minimum five foot tree planting zone between the back of curb and the sidewalk. The sidewalk will be enhanced with a minimum of two pedestrian amenities for every 300 linear feet of street frontage.

Staff supports the request with staff's proposed conditions. The proposed multifamily development will be consistent with the objectives of the Oak Lawn Special Purpose District and will provide a new housing opportunity that will enhance the McKinney Street corridor.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Max FAR	PRIMARY Uses
	Front	Side/Rear					
Existing PDD 193 MF-2	15'	10'/15'	800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	50%	None	Multifamily
Applicant Request PDD 193 MF-2	15'	12'/10'	800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	85'	80%	3.5:1	Multifamily
Staff Proposed PDD 193 MF-2	15'	12'/10'*	800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	85'	80%	N/A	Multifamily

**increased setback for portion of building over 36' in height*

Height and Setback:

The applicant is requesting a maximum building height of 85 feet, with a minimum rear yard setback of 12 feet and minimum side yard setback of 10 feet. While staff believes that the increased height is consistent with the objective of achieving buildings that are more urban in form, it is equally important for the development to be compatible with the

adjacent land uses with respect to building scale. As such, staff is recommending that for every three feet in height over 36 feet, an additional setback of one foot is provided for both the rear and side yards, up to a total setback of 20 feet. PDD No. 193 requires a similar tower spacing setback for the MF-3 and MF-4 subdistricts whereby if a building exceeds 36 feet in height, an additional setback must be provided that is equal to one-half of the total height of the building, up to a maximum setback of 50 feet. Since the proposed development is requesting an increase in lot coverage to 80 percent, staff believes that the additional setback is reasonable and should be provided so that the new building will not infringe significantly upon the adjacent land uses.

Landscaping and Screening:

Landscaping for the multifamily development will be provided as shown on the proposed landscape plan. The proposed landscaping will meet the requirements outlined in PDD No. 193 with the exception of the front yard fencing. The applicant is proposing to install a fence that is a maximum of four feet in height and that is at least 40 percent open in the front yard and a fence that is a maximum six feet in height with no restriction on its percentage of openness within the side and rear yards in the locations depicted on the development plan for the purpose of enclosing private open space or an amenity area. Since the ground-level units on McKinney Avenue are proposed to have direct access to the sidewalk through private stoops or open space, staff believes that these fences are necessary to provide adequate privacy and safety to those residing in these ground level units.

Conceptual Rendering:

The conceptual rendering that has been offered by the applicant provides us with a general idea of how the final development may possibly look upon completion. However, it does not specify detailed information such as building materials, facade colors, articulation guidelines, and other design features that would be needed to utilize it as it an enforcement tool. As such, staff recommends that it be removed from the proposed PD conditions and used for illustrative purposes only. Staff notes that the conceptual rendering has been offered as a way to appease concerns that have been raised by some of the adjacent property owners. However, because of its limitations with respect to enforcement, staff has recommended that the applicant revise the PD conditions to incorporate design standards in lieu of the conceptual rendering. The applicant is not in favor of this option.

CPC ACTION – November 17, 2016:

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for MF-2 Multifamily Subdistrict uses, subject to a revised development plan, landscape plan and revised conditions to include the following modifications: 1) Sec.104 – adopt the applicant's request to require an exhibit of the conceptual rendering be attached to the ordinance, 2) Sec.105 – adopt the applicant's request referencing the conceptual rendering, 3) Sec. 108 – require the rear and side yard setbacks as shown on the development plan dated November 16, 2016, and 4) finding that the modifications to the plan (dated 11-16-16) and conditions are not a significate change on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and along the northwest line of McKinney Avenue, south of Monticello Avenue.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis*, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7
*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 174
Replies: For: 2 Against: 0

Speakers: For: Tommy Mann, 500 Winstead Building, Dallas, TX, 75201
Chuck Cole, 4831 McKinney Ave., Dallas, TX, 75206
Against: None

Officers

OFFICERS AND DIRECTORS

Applicant: **TRINSIC ACQUISITION COMPANY, L.L.C.**

Brian Tusa	President
Brian Tusa	Director
S. Joseph Barrett	Vice President
S. Joseph Barrett	Director
Greg Jones	Vice President
Greg Jones	Director
Adam Brown	Vice President
Adam Brown	Director
Vince Spencer	Vice President
Vince Spence	Director
Jack Paauw	Vice President
Jack Paauw	Director
Manny Martinez	Vice President
Manny Martinez	Director

OFFICERS AND DIRECTORS

Owner: **CHATEAU CONDOMINIUMS OWNERS ASSOCIATION, INC.**

Rachel Secore	Secretary
Rachel Secore	Director
Lloyd McDaniel	Vice-President
Lloyd McDaniel	Director
Robert Harrell	President
Robert Harrell	Director
Dawn Dizos	Director
Barbara McDaniel	Director
Dawn Rizos	Treasurer
Barbara McDaniel	Member

PDD CONDITIONS

"**DIVISION S- _____.**
PD 193 SUBDISTRICT.

SEC. S-_____.101. LEGISLATIVE HISTORY.

Planned Development Subdistrict ___ was established by Ordinance No. _____ passed by the Dallas City Council on _____.

SEC. S-_____.102. PROPERTY LOCATION AND SIZE.

PD 193 Subdistrict ___ is established on property generally located along the northwest line of McKinney Avenue, between Monticello Avenue and Hester Avenue. The size of PD Subdistrict ___ is approximately 0.97 acre.

SEC. S-_____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls. In this division:

(1) MULTIPLE FAMILY PROJECT means a multiple family development on the Property that has one or more portions of a structure greater than 36 feet in height.

(2) STOOP means a small porch and stairs leading to the entrance of a residence.

(3) SUBDISTRICT means a subdistrict of PD 193.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this ordinance are to articles, divisions, or sections in Chapter 51.

(c) This district is considered to be a residential zoning district.

SEC. S-____.104 EXHIBITS.

(a) The following exhibits are incorporated into this division:

(1) Exhibit S-__A: development plan.

Staff Recommendation

~~(2) Exhibit S-__B: conceptual rendering.~~

Applicant's Request

(2) Exhibit S-__B: conceptual rendering.

(3) Exhibit S-__C: landscape plan.

SEC. S-____.105. DEVELOPMENT PLAN AND CONCEPTUAL RENDERING.

(a) For a multiple family project, development and use of the Property must comply with the development plan (Exhibit S-___A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

Staff's Recommendation

~~(b) For a multiple family project, development of the multiple family structure must comply with the conceptual rendering (Exhibit S-___C) If there is a conflict between the text of this article and the conceptual rendering, the text of this article controls.~~

Applicant's Request

(b) For a multiple family project, development of the multiple family structure must comply with the conceptual rendering (Exhibit S-___C) If there is a conflict between the text of this article and the conceptual rendering, the text of this article controls.

(c) For all other uses, no development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. S-____.106. MAIN USES PERMITTED.

The only main uses permitted in this subdistrict are those main uses permitted in the MF-2 Multiple-Family Subdistrict, subject to the same conditions applicable in the MF-2 Multiple-Family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-2 Multiple-Family subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP, and a use subject to development impact review (DIR) in the MF-2 Multiple-Family Subdistrict is subject to DIR in this subdistrict, etc.

SEC. S-_____.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-_____.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot and space regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as provided in this section, the yard lot and space regulations for the MF-2 Multiple-Family Subdistrict apply in this district.

(b) Multiple family project.

(1) Front yard.

(A) For any portion of a building 15 feet or less in height, minimum front yard is 15 feet.

(B) For any portion of a building more than 15 feet in height, minimum front yard is 20 feet.

(2) Rear yard. Except as shown on the development plan, minimum rear yard is 12 feet.

(3) Side yard. Except as shown on the development plan, minimum side yard is 10 feet.

(4) Allowed encroachments into required yards.

(A) Stoops, steps, handrails, guardrails, planters, retaining walls up to a maximum of six feet in height, patios, transformers and other utility equipment, benches, pots, raised planters, sculptures, and other decorative landscape features may be located within the required front, side, or rear yards with no projection limitation.

(B) Balconies may encroach into a rear or side yard up to a maximum of five feet if they are a minimum of 10 feet in height above the ground.

(5) Density. Maximum number of dwelling units is 125.

(6) Floor area ratio. Maximum floor area ratio is 3.5:1.

(7) Height.

(A) Except as provided in this subsection, maximum structure height is 75 feet.

(B) Maximum structure height for mezzanine levels is 85 feet in the locations shown on the development plan (Exhibit S-__A).

(C) The following structures may project a maximum of 12 feet above the maximum structure height:

(i) Elevator penthouse or bulkhead.

(ii) Mechanical equipment room.

(iii)Visual screens which surround roof mounted mechanical equipment.

(iv) Parapet walls and guard rails, limited to a height of four feet.

(8) 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.

(9) Lot size. No minimum lot size.

(10) Stories. No maximum number of stories.

SEC. S-_____.109. OFF-STREET PARKING AND LOADING.

Consult Part I of this article for the specific off-street parking and loading requirements for each use.

SEC. S-_____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-_____.111. LANDSCAPING.

(a) Except as provided in this section, landscaping and screening must be provided in accordance with Part I of this article.

(b) For a multiple family project, landscaping must be provided as shown on the landscape plan (Exhibit S-___C).

(c) A fence that is a maximum of four feet in height and that is at least 40 percent open may be located in the front yard and a fence that is a maximum six feet in height with no restriction on its percentage of openness may be located within the side and rear yards in the locations depicted on the landscape plan for the purpose of enclosing private open space or amenity area**.**

(d) Urban design requirements.

(A) Sidewalks along McKinney Avenue must have a minimum unobstructed width of six feet with a minimum five foot tree planting zone between the back of curb and the sidewalk.

(B) A minimum of two of each of the following pedestrian amenities must be provided along McKinney Avenue for each 300 linear feet of street frontage or fraction thereof:

(i) benches

(ii) trash receptacles, and

(iii) bicycle racks (at least one five-bike rack must be provided).

(C) Ground-level units on McKinney Avenue must have direct access to the sidewalk through private stoops or open space.

(e) Plant materials must be maintained in a healthy, growing condition.

SEC. S-_____.112. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

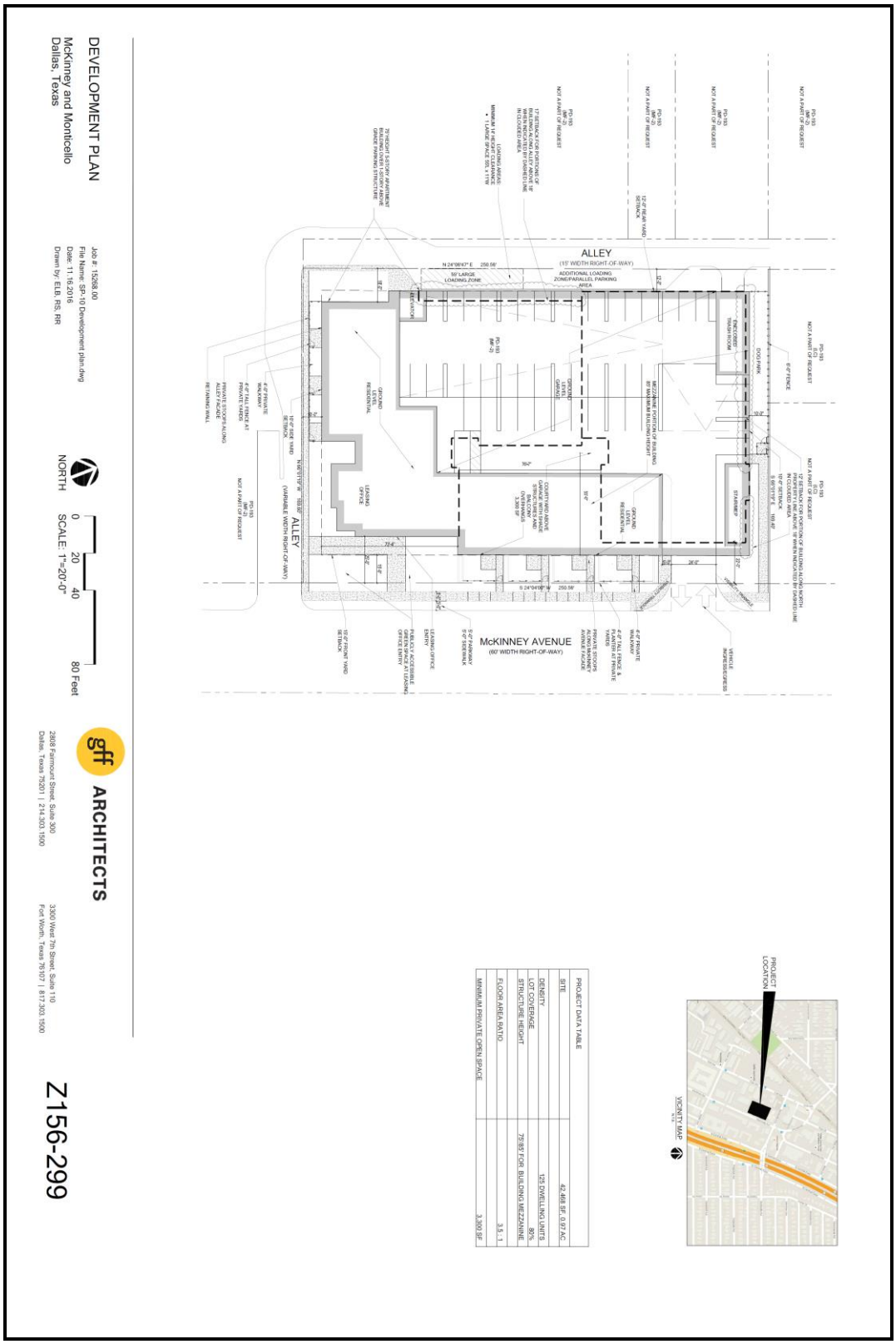
(c) Development and use of the Property must comply with Part I of this article.

SEC. S-____.113. COMPLIANCE WITH CONDITIONS

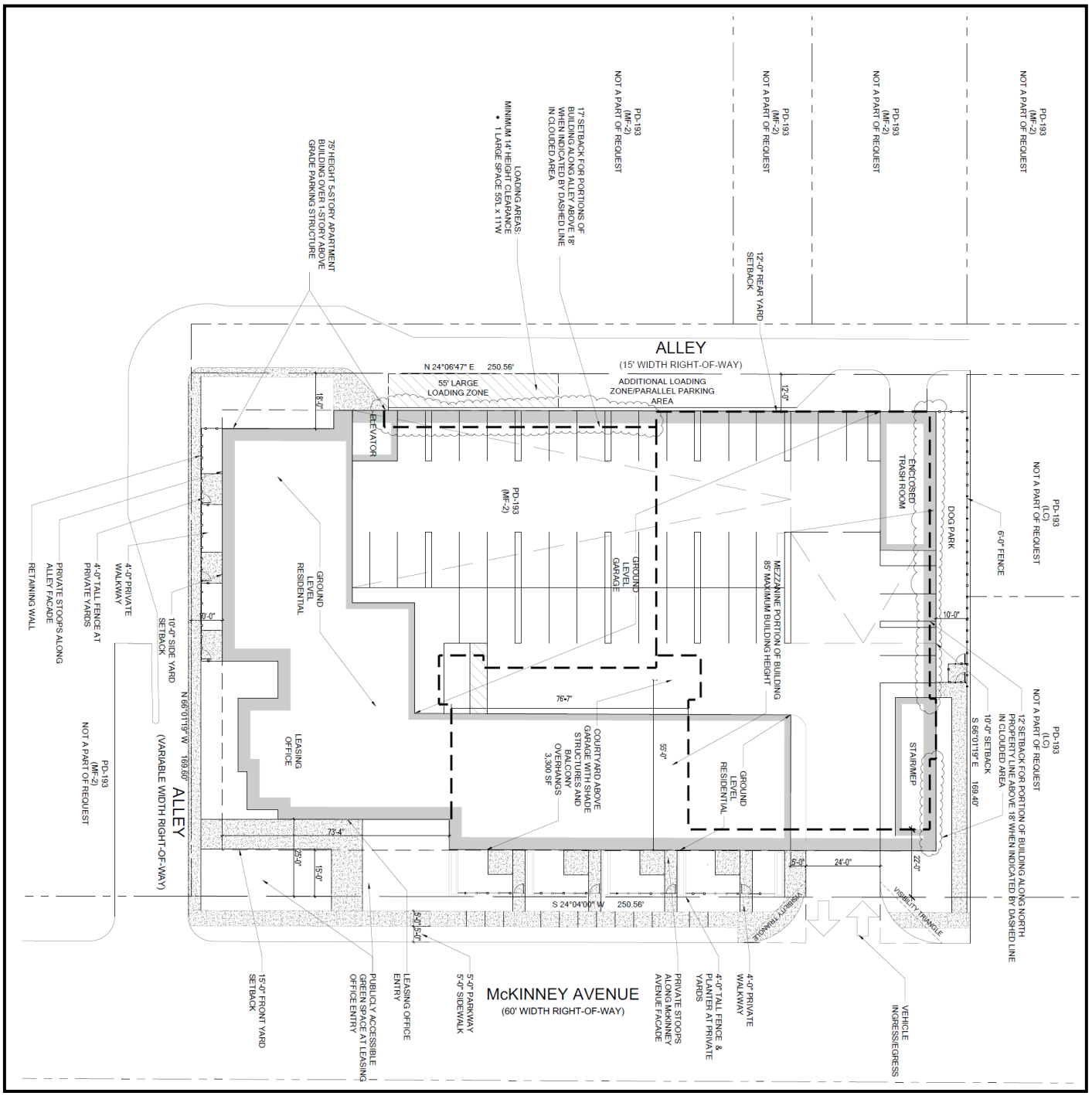
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of thy city, as applicable.

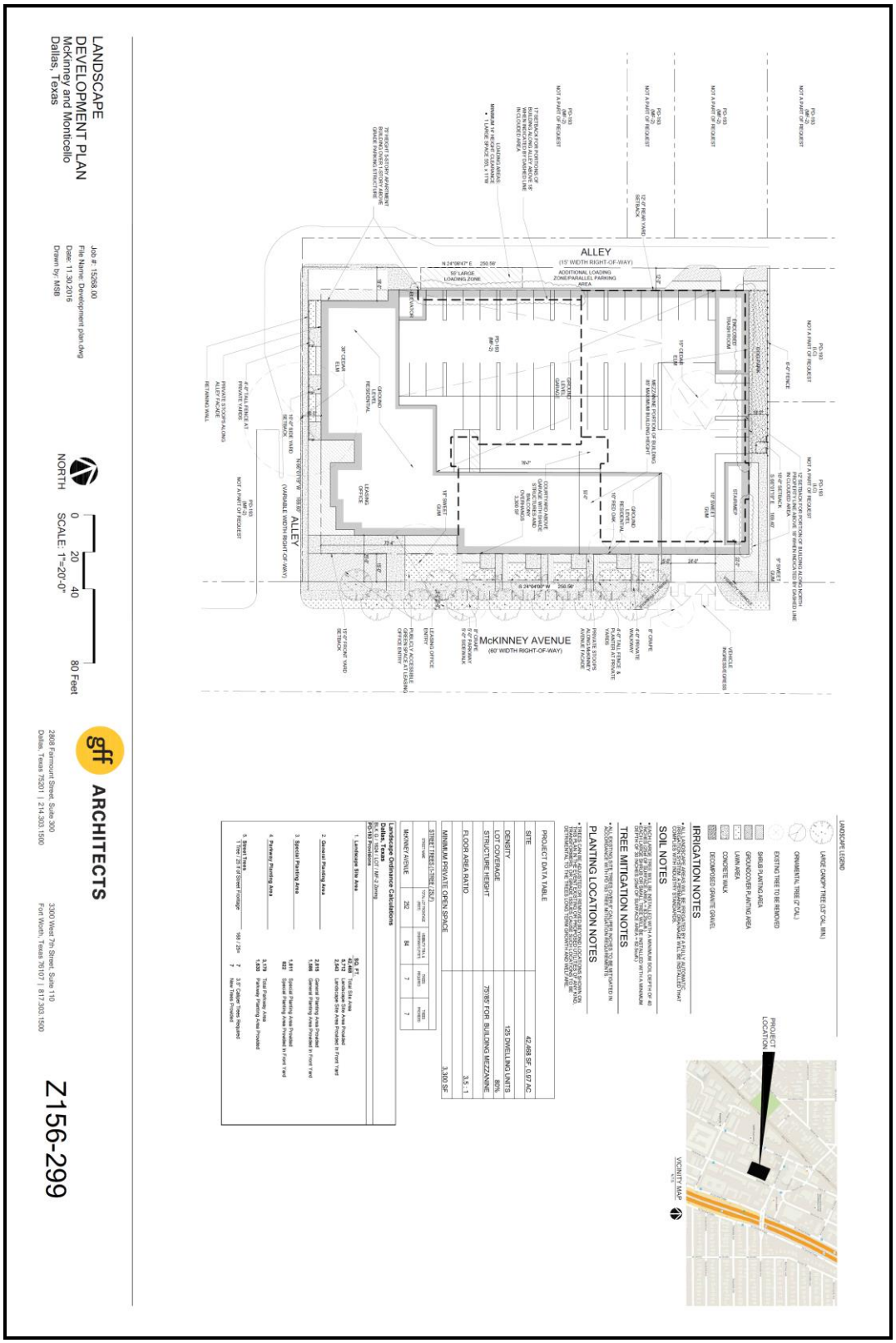
PROPOSED DEVELOPMENT PLAN



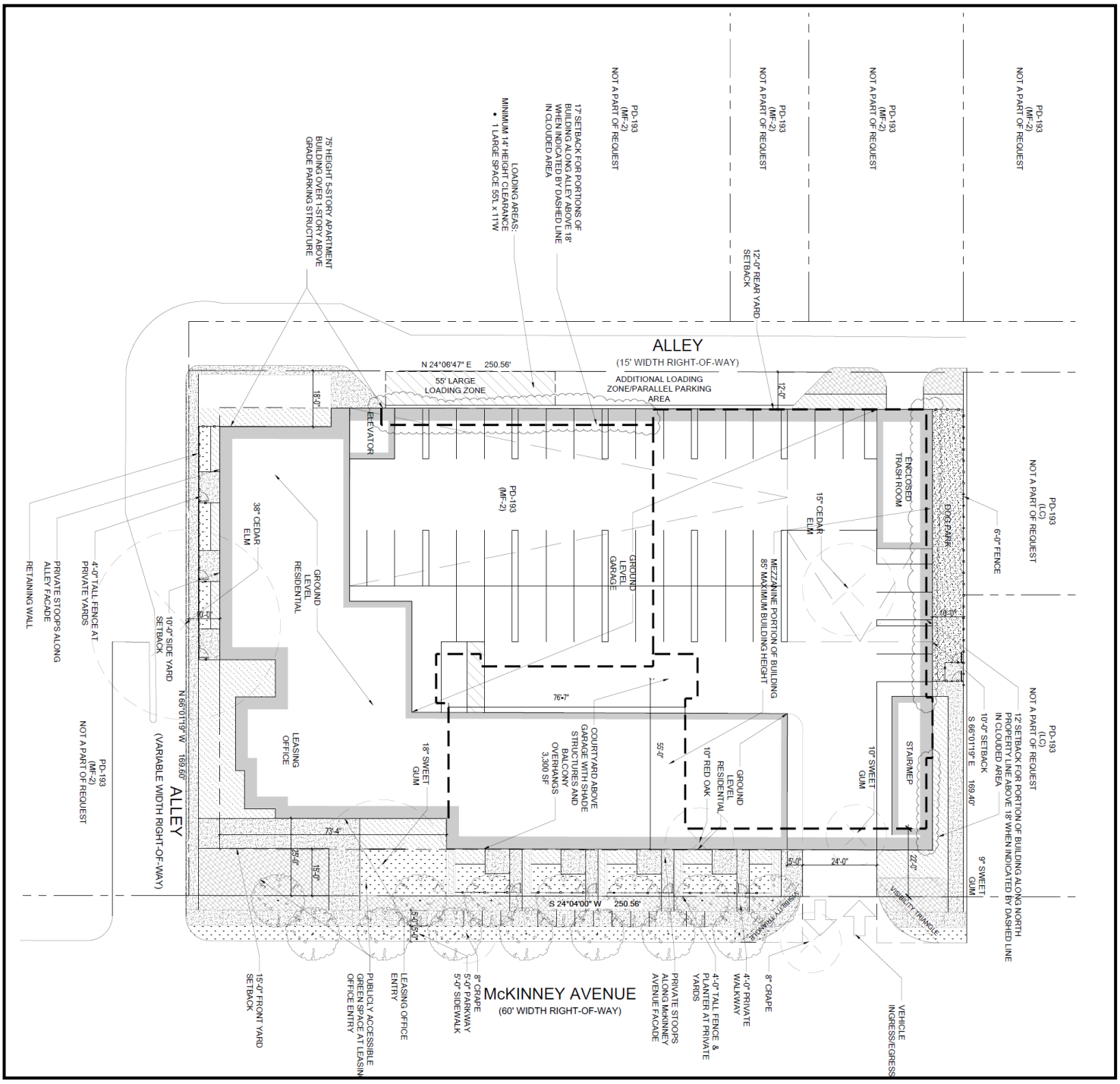
ENLARGED DEVELOPMENT PLAN



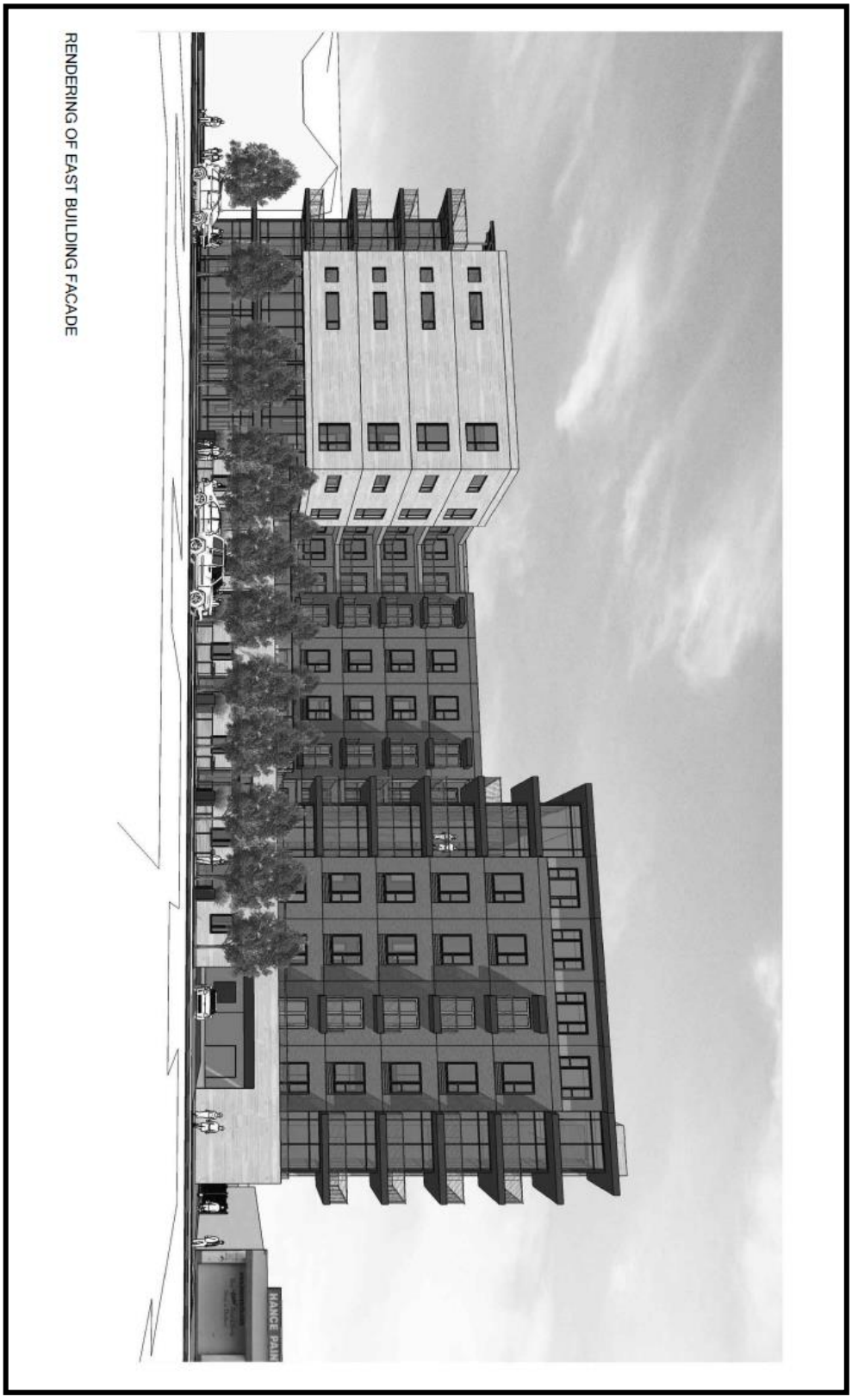
PROPOSED LANDSCAPE PLAN



ENLARGED LANDSCAPE PLAN



PROPOSED CONCEPTUAL RENDERING




Glencoe
LONGVIEW ST
N CENTRAL ACRD
MCCOMMAS BLVD
MORNINGSIDE AVE
HOMER ST
MERCEDES AVE
MERRIMAC AVE
LANERI AVE
MONTICELLO AVE
RIDGEDALE AVE
VANDERBILT AVE
GOODWIN AVE
VICKERY BLVD
MILLER AVE
WILLIS AVE
Town of
Highland Park
Katy Trail
WEBB AVE
MCKINNEY AVE
TRACY ST
HARVARD AVE
ATWATER ALY
ATWATER ALY
TRAVIS ST
HESTER AVE
CENTRAL
N CENTRAL ACRD
N CENTRAL ACRD
INSURANCE LN
KNOX ST
KNOX ST
BUENA VISTA ST
ARMSTRONG AVE
MCKINNEY AVE
TRAVIS ST
N CENTRAL SERV
N CENTRAL EXPY
N CENTRAL EXPY
1:6,000
VICINITY MAP
Case no: Z156-299
Date: 11/1/2016

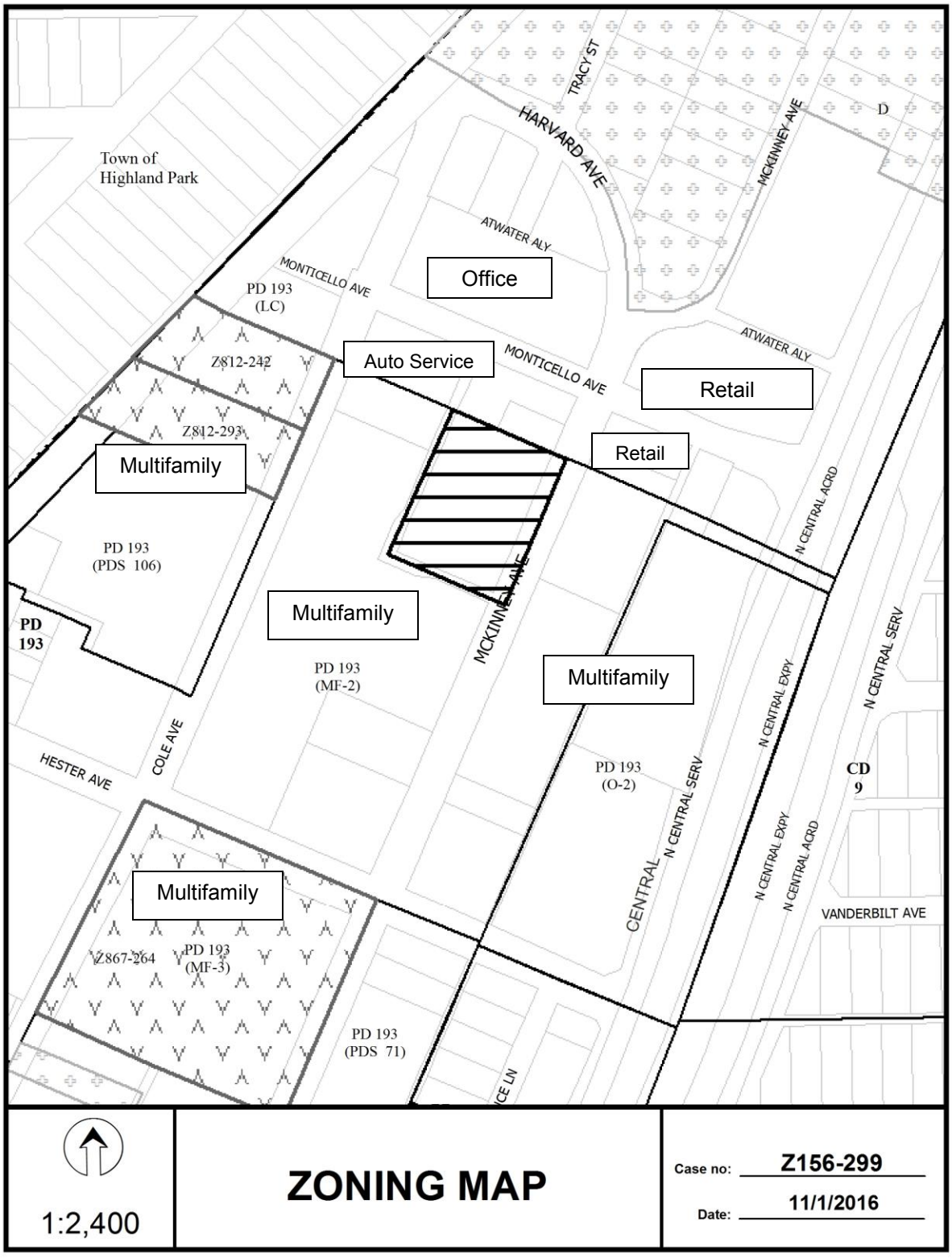


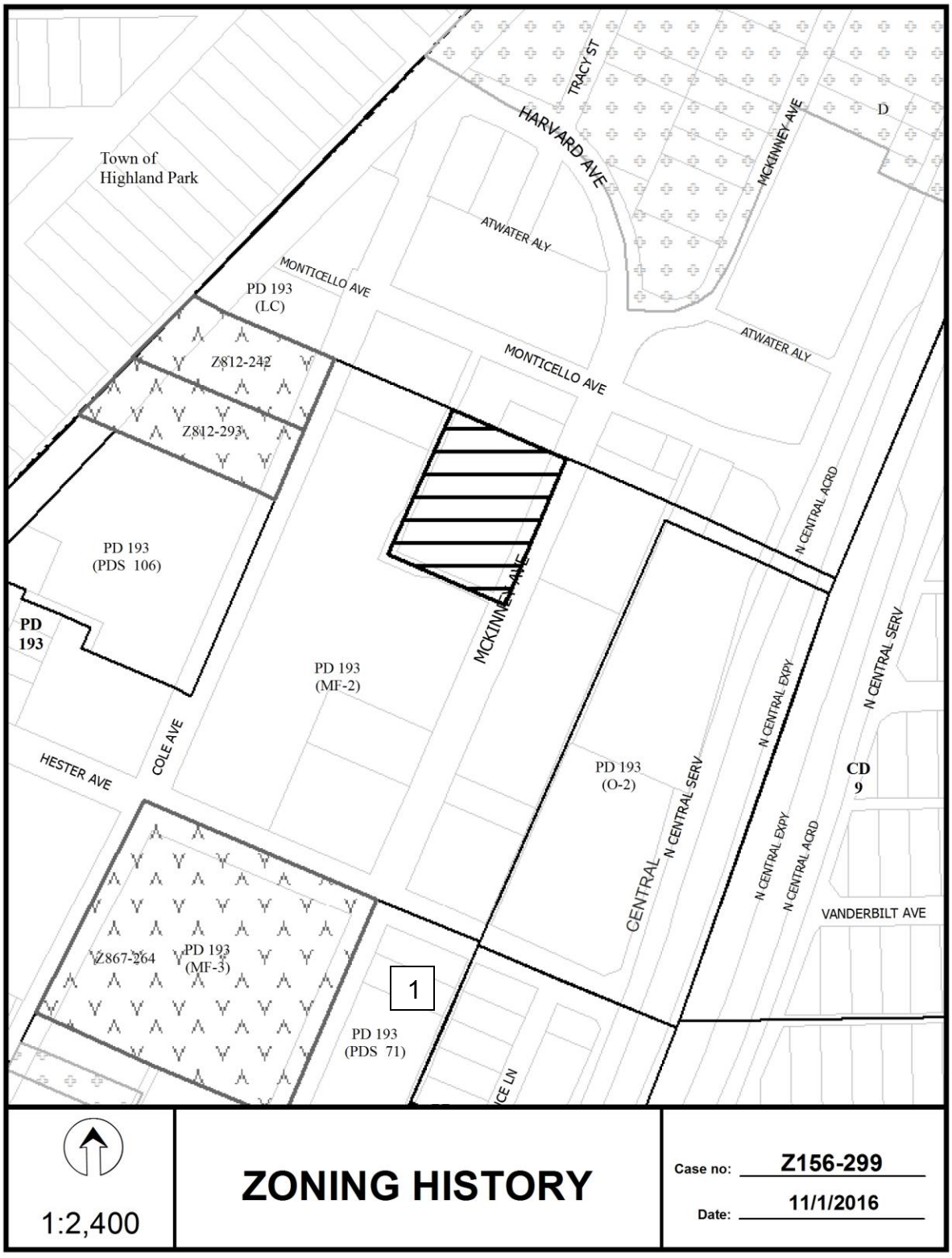
1:2,400

AERIAL MAP

Case no: Z156-299

Date: 11/1/2016


Town of
Highland Park
TRACY ST
HARVARD AVE
MCKINNEY AVE
D
ATWATER ALY
MONTICELLO AVE
PD 193
(LC)
Office
Auto Service
MONTICELLO AVE
ATWATER ALY
Retail
Z812-242
Z812-293
Retail
Multifamily
N CENTRAL ACRD
PD 193
(PDS 106)
PD
193
Multifamily
MCKINNEY AVE
PD 193
(MF-2)
Multifamily
N CENTRAL SERV
N CENTRAL EXPY
HESTER AVE
COLE AVE
PD 193
(O-2)
CD
9
CENTRAL
N CENTRAL SERV
N CENTRAL EXPY
N CENTRAL ACRD
VANDERBILT AVE
Multifamily
Z867-264
PD 193
(MF-3)
PD 193
(PDS 71)
CE LN
1:2,400
ZONING MAP
Case no: Z156-299
Date: 11/1/2016


Town of
Highland Park
TRACY ST
HARVARD AVE
MCKINNEY AVE
D
ATWATER ALY
MONTICELLO AVE
PD 193
(LC)
Z812-242
Z812-293
MONTICELLO AVE
ATWATER ALY
N CENTRAL ACRD
PD 193
(PDS 106)
PD
193
MCKINNEY AVE
PD 193
(MF-2)
N CENTRAL SERV
N CENTRAL EXPY
HESTER AVE
COLE AVE
PD 193
(O-2)
CD
9
CENTRAL
N CENTRAL SERV
N CENTRAL EXPY
N CENTRAL ACRD
VANDERBILT AVE
Z867-264
PD 193
(MF-3)
1
PD 193
(PDS 71)
1:2,400
ZONING HISTORY
Case no: Z156-299
Date: 11/1/2016

CPC Responses



174	Property Owners Notified (46 parcels)
2	Replies in Favor (2 parcels)
0	Replies in Opposition (0 parcels)
500'	Area of Notification
11/17/2016	Date

Z156-299
CPC

N
W E
S

1:2,400

11/16/2016

Reply List of Property Owners

Z156-299

174 Property Owners Notified ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4805	MCKINNEY AVE	MCDANIEL LLOYD H &
	2	4805	MCKINNEY AVE	NOLLEY FRANCES EMILY
	3	4805	MCKINNEY AVE	JONES SANDRA G
	4	4805	MCKINNEY AVE	JONES LAURA E
	5	4805	MCKINNEY AVE	GEIGER KAREN
	6	4805	MCKINNEY AVE	WILDBERGER PAUL L &
	7	4805	MCKINNEY AVE	LLAUDER FITZGERALD
	8	4805	MCKINNEY AVE	SHIN TITUS N
	9	4805	MCKINNEY AVE	SURLS LYNN D
	10	4805	MCKINNEY AVE	DANG YION LLC
	11	4805	MCKINNEY AVE	VILLAGRAN ABEL
	12	4805	MCKINNEY AVE	MCCLURE MICHAEL L & JANIS
	13	4805	MCKINNEY AVE	RIZOS DAWN M
	14	4805	MCKINNEY AVE	RIZOS DAWN M
	15	4805	MCKINNEY AVE	HARRELL ROBERT R
	16	4805	MCKINNEY AVE	SINGHAL VAIBBAV
	17	4805	MCKINNEY AVE	SECORE RACHEL M
	18	4805	MCKINNEY AVE	FISHER MARCIA
	19	4805	MCKINNEY AVE	AHMED MUSTAQUE
	20	4805	MCKINNEY AVE	WIMAN ROSALIE
	21	4805	MCKINNEY AVE	GRAY JAMES & CAROL L
	22	4805	MCKINNEY AVE	RIZOS STRATIS NICK
	23	4805	MCKINNEY AVE	CHEN DANNY S & CELESTINA LIFE ESTATE
	24	4805	MCKINNEY AVE	CHEN DANNY S TR&
	25	4805	MCKINNEY AVE	RIZOS MAX MICKEY
	26	4805	MCKINNEY AVE	MCDANIEL LLOYD H &

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	27	4805	MCKINNEY AVE	KEPLER JERRY &
	28	4805	MCKINNEY AVE	LEE YEW KEONG
	29	4805	MCKINNEY AVE	MCDANIEL BARBARA & LLOYD
	30	4805	MCKINNEY AVE	MCDANIEL BARBARA G
	31	4805	MCKINNEY AVE	DAIL WILLIAM EARL
	32	4855	N CENTRAL EXPY	BLACK VALLEY LLC
O	33	3017	MONTICELLO AVE	NICHOLS MELVIN
	34	4714	MCKINNEY AVE	4714 MCKINNEY LLC
	35	4830	MCKINNEY AVE	BLAINE ROBERT A III
	36	4826	MCKINNEY AVE	HANCE RANDA BARTON
	37	3027	MONTICELLO AVE	FAIREY JEFF
	38	4901	COLE AVE	4901 COLE INC
	39	4900	MCKINNEY AVE	MONTICELLO WEST LTD ET AL
	40	4824	COLE AVE	DUNLAP SWAIN CO
	41	4824	COLE AVE	DUNLAP SWAIN LESSEE
	42	3109	MONTICELLO AVE	COLE CLAUDETTE C &
	43	4719	COLE AVE	TRAVIS COLE APARTMENTS 2012 LP
	44	4825	COLE AVE	WESTDALE MONTICELLO LP
	45	3131	HARVARD AVE	STREETLIGHTS RESIDENTIAL
	46	4920	TRACY ST	BANKERS LIFE INS CO
	47	3130	HARVARD AVE	GUTIERREZ JAVIER
	48	4919	MCKINNEY AVE	SHELLY LAMB ENTERPRISES
	49	4925	MCKINNEY AVE	BANKERS LIFE INS CO
	50	4910	COLE ST	4901 COLE INC
	51	3030	HESTER AVE	BELL FUND V KNOX HENDERSON LLC
	52	4712	COLE AVE	CIM/4649 COLE AVENUE LP
	53	4701	MCKINNEY AVE	MONTICELLO DEVELOPMENT
	54	4809	COLE AVE	RAIM COLE AVENUE LP
	55	4920	MCKINNEY AVE	ESS PRISA II TX LP
	56	401	S BUCKNER BLVD	DART
	57	4902	ABBOTT AVE	DP ABBOTT 4902 LLC

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	58	4904	ABBOTT AVE	DAVIDOW SETH
	59	4906	ABBOTT AVE	RUBIN MARTIN JAY
	60	4908	ABBOTT AVE	MORGAN BLANCHE WILLIAMS
	61	4910	ABBOTT AVE	LECHTENBERG ROBERT K &
	62	4912	ABBOTT AVE	ISTRE TODD
	63	4914	ABBOTT AVE	MARTHENS WILLIAM R
	64	4916	ABBOTT AVE	MARTHENS WILLIAM R &
	65	4918	ABBOTT AVE	BOWER THOMAS K
O	66	4920	ABBOTT AVE	DEMARCO DANIEL C &
	67	4810	MCKINNEY AVE	FALCONE A WAYNE &
	68	4810	MCKINNEY AVE	FALCONE A WAYNE
	69	4810	MCKINNEY AVE	FALCONE A W FAMILY LTD PS THE
	70	4810	MCKINNEY AVE	FALCONE A W FAMILY LTD PS THE
	71	4810	MCKINNEY AVE	A W FALCONE FAMILY LTD PS THE
	72	4810	MCKINNEY AVE	BOLES MARGARET
	73	4810	MCKINNEY AVE	FALCONE A W FAMILY LTD PS
	74	4810	MCKINNEY AVE	BEASLEY NORMA L
	75	4810	MCKINNEY AVE	FALCONE A W FAMILY LTD PS THE
	76	4810	MCKINNEY AVE	B & W INVESTMENTS
	77	4810	MCKINNEY AVE	VICK BURNICE JIM
	78	4810	MCKINNEY AVE	FALCONE A W FAMILY THE
	79	4722	MCKINNEY AVE	HOOVER JENNIFER
	80	4728	MCKINNEY AVE	TIMMERMAN MICHAEL A & SUSAN H
	81	4728	MCKINNEY AVE	NUNEZ RAUL &
	82	4728	MCKINNEY AVE	WEISFELD RONALD A
	83	4728	MCKINNEY AVE	KNOBLER DONALD R
	84	4802	MCKINNEY AVE	RICHARD MICHAEL
	85	4728	MCKINNEY AVE	GALLAGHER KATHLEEN C
	86	4728	MCKINNEY AVE	WEISERT TARI LIFE ESTATE
	87	4728	MCKINNEY AVE	GIANNASI TAYLOR
	88	4728	MCKINNEY AVE	STANTON LIVING TRUST

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	89	4722	MCKINNEY AVE	BUCK JAMES L
	90	4728	MCKINNEY AVE	SCHIMMING VERNON H &
	91	4728	MCKINNEY AVE	ROCHESTER SARAH
	92	4728	MCKINNEY AVE	VILLANUEVA JORGE A
	93	4722	MCKINNEY AVE	CASSADA ROBERT HOWARD JR & CHARLOTTE MCIVOR
	94	4728	MCKINNEY AVE	ESCAMILLA CONSUELO V
	95	4728	MCKINNEY AVE	ESCAMILLA CONSUELO V
	96	4728	MCKINNEY AVE	CRUZ MANUEL
	97	4728	MCKINNEY AVE	CUELLAS JOSHUA J
	98	4728	MCKINNEY AVE	CRONK JOHN A
	99	4728	MCKINNEY AVE	4728 MCKINNEY LLC
	100	4728	MCKINNEY AVE	MALINA JAMES
	101	4728	MCKINNEY AVE	SCHUTZ ERIK R
	102	4728	MCKINNEY AVE	SINGER SUSAN E
	103	4728	MCKINNEY AVE	SYNODIS DONNA L &
	104	4728	MCKINNEY AVE	KILGORE CHRISTOPHER H
	105	4722	MCKINNEY AVE	PASCOE STEVEN J & DEBRA A
	106	4722	MCKINNEY AVE	MCDONALD BILLY LANE
	107	4722	MCKINNEY AVE	KNIGHT WILLIAM R
	108	4722	MCKINNEY AVE	KNOBLER DONALD RICHARD
	109	4722	MCKINNEY AVE	GAUKLER JOSEPH E & LYNNE
	110	4717	MCKINNEY AVE	MCCUTCHEN MARK D
	111	4717	MCKINNEY AVE	BIEGLER MALLORY
	112	4717	MCKINNEY AVE	SCHAFER CHRISTOPHER & TRACI R
	113	4717	MCKINNEY AVE	FREDERICKS ANDREW S & KATHERINE N
	114	4717	MCKINNEY AVE	ROHLEDER MARCIE M
	115	4717	MCKINNEY AVE	ODONNELL GARY & JULIE
	116	4717	MCKINNEY AVE	TRIMMELL JOHN D & SUSAN
	117	4719	MCKINNEY AVE	MURRY SCOTT M
	118	4719	MCKINNEY AVE	BEHNAM SOROUSH
	119	4719	MCKINNEY AVE	MATTHEWS AMANDA L

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	120	4719	MCKINNEY AVE	BUSH DARLA S
	121	4719	MCKINNEY AVE	TRAN HONG
	122	4719	MCKINNEY AVE	AYATS MAS OTILIA
	123	4719	MCKINNEY AVE	BAUMANN RACHEL K
	124	4803	N CENTRAL EXPY	HOPKINS DIANA P
	125	4805	N CENTRAL EXPY	VANSTRAATEN MARINUS P
	126	4807	N CENTRAL EXPY	PHILLIPS DAVID G &
	127	4809	N CENTRAL EXPY	CHUNG YU LIN
	128	4811	N CENTRAL EXPY	CLINE MARY M
	129	4815	N CENTRAL EXPY	BARTELL ANGELLE
	130	4817	N CENTRAL EXPY	BERRY LISA E &
	131	4819	N CENTRAL EXPY	FRANKLIN CHARLESZETTA
	132	4821	N CENTRAL EXPY	PHILLIPS ANN
	133	4823	N CENTRAL EXPY	VAN STRAATEN M P
	134	4825	N CENTRAL EXPY	GARCIA PATRICIA E
	135	4827	N CENTRAL EXPY	VAN STRAATEN MARINUS P
	136	4829	N CENTRAL EXPY	MORRIS TAMECA
	137	4831	N CENTRAL EXPY	KING CHRISTEN C
	138	4833	N CENTRAL EXPY	CERVANTES JULIO CESAR
	139	4837	N CENTRAL EXPY	COSBY DIANA &
	140	4839	N CENTRAL EXPY	LINE WINSTON B
	141	4839	N CENTRAL EXPY	LEE MICHAEL EDWARD
	142	4839	N CENTRAL EXPY	CODDINGTON CAROLYN P
	143	4839	N CENTRAL EXPY	GARCIA WAYNE
	144	4841	N CENTRAL EXPY	PECK ROBBIN M
	145	4841	N CENTRAL EXPY	SUMLIN RICHARD K
	146	4841	N CENTRAL EXPY	ROSE GREGORY D
	147	4841	N CENTRAL EXPY	COSBY DIANA C
	148	4843	N CENTRAL EXPY	JJ REAL ESTATE LLC
	149	4843	N CENTRAL EXPY	MARCOULIDES JAMES E
	150	4843	N CENTRAL EXPY	IPENEMA INVESTMENTS LTF

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	151	4843	N CENTRAL EXPY	MORALES ADRIANA
	152	4845	N CENTRAL EXPY	THRESHER BRENDA ANN
	153	4845	N CENTRAL EXPY	LEWIS DON V
	154	4847	N CENTRAL EXPY	CLORE CHRISTINE W &
	155	4847	N CENTRAL EXPY	KRAUSE MARTHA H
	156	4847	N CENTRAL EXPY	SMITH REBECCA KAY
	157	4847	N CENTRAL EXPY	LOPEZ BENJAMIN
	158	4849	N CENTRAL EXPY	COSBY COLE THOMAS &
	159	4849	N CENTRAL EXPY	COSBY DIANA
	160	4849	N CENTRAL EXPY	SPARKS KRISTEN A
	161	4708	MCKINNEY AVE	COWAN GERALDINE
	162	4708	MCKINNEY AVE	APPLE JAROLD LEE
	163	4708	MCKINNEY AVE	GRAY JUSTIN L
	164	4708	MCKINNEY AVE	J & O BLAKE FAMILY LLC
	165	4708	MCKINNEY AVE	4708 MCKINNEY 202 LLC
	166	4708	MCKINNEY AVE	VEVERA MARK C
	167	4708	MCKINNEY AVE	KOCSI WILLIAM & KATHLEEN
	168	4704	MCKINNEY AVE	BLUE MH TEXAS LLC
	169	4704	MCKINNEY AVE	SUTLIFF ELIZABETH
	170	4704	MCKINNEY AVE	MUELLER JASON E &
	171	4708	MCKINNEY AVE	OWENS GARY ALLEN
	172	4704	MCKINNEY AVE	LOERA SANDRA V
	173	4818	COLE AVE	LESZINSKI LAWOMIR TRUSTEE
	174	4818	COLE AVE	LESZINSKI SLAWOMIR TR

AGENDA ITEM # 54

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 61A U; V; Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting **(1)** an amendment to and an expansion of the Subdistrict S-1c, South Zone portion on property zoned Subdistricts S-1c, S-1d, and S-2a, South Zone, within Planned Development District No. 521; and **(2)** rezone a portion of Subdistrict S-1d, South Zone into Subdistrict S-2a, South Zone on property generally along the east line of Mountain Creek Parkway, north of Camp Wisdom Road

Recommendation of Staff and CPC: Approval, subject to conceptual plan and conditions

Z156-327(SH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-327(SH) **DATE FILED:** August 19, 2016

LOCATION: East line of Mountain Creek Parkway, north of Camp Wisdom Road.

COUNCIL DISTRICT: 3 **MAPSCO:** 61A-U, V, Z

SIZE OF REQUEST: Approx. 104.51 acres **CENSUS TRACT:** 165.21

OWNER/APPLICANT: First Industrial LP

REPRESENTATIVE: Santos Martinez with Masterplan

REQUEST: An application for 1) an amendment to, and an expansion of the Subdistrict S-1c, South Zone portion on property zoned Subdistricts S-1c, S-1d, and S-2a, South Zone, within Planned Development District No. 521 and 2) rezone a portion of Subdistrict S-1d, South Zone into Subdistrict S-2a, South Zone.

SUMMARY: The applicant is requesting an amendment to, and expansion of, the existing Subdistrict S-1c, South Zone as follows: 1) combine Subdistrict S-1c, South Zone with portions of Subdistricts S-1d and S-2a, South Zone; 2) rezone part of S-1d to S-2a, South Zone; 3) create a new use (data center) and corresponding off-street parking requirement; 4) establish regulations for yard, lot, and space, landscaping, and signage; 5) create architectural design standards; 6) identify designated open space and developable areas; and, 7) provide for required transportation improvements, including vehicular access and pedestrian sidewalks.

CPC RECOMMENDATION: **Approval**, subject to conceptual plan and conditions

STAFF RECOMMENDATION: **Approval**, subject to conceptual plan and conditions

DESIGNATED ZONING CASE

BACKGROUND INFORMATION:

- The subject site is comprised of approximately 104.51 acres of undeveloped land and is currently undeveloped and zoned Subdistricts S-1c, S-1d, and S-2a, South Zone, within Planned Development District No. 521.

- On November 10, 1998, the City Council passed Ordinance No. 23711 which established Planned Development District No. 521. It is divided into both north and south subzone with Interstate Highway 20 being the dividing line. PDD No. 521 possesses approximately 2,925 acres and allows for a wide variety of land uses.

- The proposed PDD provides for an amendment to and expansion of the existing Subdistrict S-1c, South Zone as follows: 1) combine Subdistrict S-1c, South Zone with portions of Subdistricts S-1d and S-2a, South Zone; 2) rezone part of S-1d to S-2a, South Zone; 3) create a new use (data center) and corresponding off-street parking requirement; 4) establish regulations for yard, lot, and space, landscaping, and signage; 5) create architectural design standards; 6) identify designated open space and developable areas; and, 7) provide for required transportation improvements, including vehicular access and pedestrian sidewalks

- The site will be developed with industrial uses with a maximum building area of 1,205,280 square feet. The proposed conceptual plan depicts designated open space and developable areas with three access points to the site from Mountain Creek Parkway.

Zoning History:

1. Z145-229 On June 17, 2015, the City Council approved a new subdistrict on property zoned Subdistrict B, North Zone within Planned Development District No. 521.

2. Z134-290 On December 10, 2014, the City Council approved an amendment to Subdistricts A and C within Planned Development District No. 521.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Camp Wisdom Road	Principal Arterial	80 feet
Mountain Creek Parkway	Principal Arterial	100 feet

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed redevelopment will have no significant impact on the surrounding street system.

Surrounding Land Uses:

	Zoning within PDD 521	Land Use
Site	Subdistricts S-1c, S-1d, and S-2a, South Zone	Undeveloped Land
North	Subdistrict B-2 North Zone	Undeveloped Land
East	Subdistrict S-2a South Zone	Undeveloped Land
South	Subdistricts S-2B and S-6 South Zone	Single Family and Open Enrollment Charter School
West	Subdistrict S-1b South Zone	Undeveloped Land

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 1.1.2 Focus on Southern Sector development opportunities.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.4 Support efforts to expand targeted business and industry development within the Southern Sector.

Dallas' future development opportunities and much of the projected growth capacity lie in the Southern Sector, offering a great opportunity to guide development and direct economic activity. The vast majority of vacant land in the city is located in the Southern Sector. As such, developments similar to the proposed request are necessary in order to promote and encourage efforts for continued investment in these underutilized areas of the city.

STAFF ANALYSIS:

Land Use Compatibility:

The 107.51-acre subject site is currently undeveloped. The property is bordered by Interstate Highway 20 to the north, with industrial uses located beyond. A single family residential development and open enrollment charter school are located to the south of the site, across Camp Wisdom Road. The remaining adjacent areas to the east and west are undeveloped.

The subject site is currently zoned Subdistricts S-1c, S-1d, and S-2a, South Zone, within Planned Development District No. 521. The applicant is requesting to 1) combine Subdistrict S-1c, South Zone with portions of Subdistricts S-1d and S-2a, South Zone; 2) rezone part of S-1d to S-2a, South Zone.

Subdistrict S-1c will be developed with industrial uses with a maximum building area of 1,205,280 square feet. The proposed conceptual plan depicts a minimum 26 acres of open space and designates developable areas within the site. The development will be served by three access points from Mountain Creek Parkway.

The PDD proposes to create a new use classified as a data center which is defined as a facility whose primary service is data processing and is used to house computer systems and associated components, such as telecommunications and storage systems, including not limited to web hosting organizations and internet service organizations. The only other uses that will be permitted within Subdistrict S-1c are: industrial (inside) for light manufacturing; church; temporary construction or sales office; local utilities; police or fire station; mini-warehouse; office showroom/warehouse; trade center; and warehouse.

The proposed PDD conditions provide for modifications to the development standards that currently apply to Subdistrict S-1c. While the PDD proposes to double the land area of Subdistrict S-1c, the proposed maximum permitted floor area will be increased from 292,723 square feet to 1,205,280 square feet. Likewise, the proposed FAR will be increased from 0.15 to 0.27. The previous development standards allowed for a FAR of 0.15 and lot coverage of 60 percent, which essentially contradicted one another. Further, with a maximum height provision of 54 feet, the allowable maximum stories of 12 could never be achieved. The PDD proposes to reduce the maximum stories to two feet, reduce the maximum lot coverage to 30 percent, and increase setbacks, allowing for a development that is more compatible with the surrounding neighborhood.

The following table compares the development standards of the existing subdistrict to the proposed PDD conditions:

Development Standards:

DISTRICT	SETBACKS		FAR	Height	Max Stories	Lot Coverage	PRIMARY Uses
	Front	Side/Rear					
Existing PDD No. 521 (S-1c)	15'	5'	0.15	54'	12	60%	Variety
Applicant Request Proposed PDD (S-1c)	*See below	100' – north property line 335' – east property line	0.27	54'	2	30%	Limited

*A minimum setback of 270 feet from Mountain Creek Parkway for a main use. An accessory guard house is permitted with a minimum setback of 100 feet from Mountain Creek Parkway. A minimum setback of 480 feet along Camp Wisdom Road for a main use. An accessory guard house is permitted with a minimum setback of 350 feet along Camp Wisdom Road

Design standards

Architectural design standards have been incorporated into the PDD conditions to encourage quality development that will be compatible to the adjacent built environment. The conditions provide for building articulation standards, allowable exterior building colors and façade material, and regulations for monument signs to ensure that the signs will be aesthetically pleasing.

Landscaping:

Landscaping will be provided in accordance with Article X regulations with the following exceptions. 1) Street trees may be planted within 70 feet from the back of the established curb line, and 2) a landscape buffer, a minimum of 60 feet in width, along the entire length of lot frontage adjacent to Mountain Creek Parkway, excluding points of ingress or egress. In addition to this, the PDD stipulates that sidewalks located along public right-of-way may be placed within the area located behind the back of an established or projected curb line and required berms. If not located in the right-of-way, a sidewalk easement must be dedicated. The sidewalk located in the Open Area A on the Conceptual Plan will be a meandering. Staff is supportive of these modifications as they result from negotiations between the applicant, the City Arborist, and the adjacent residential community.

Parking:

Minimum off-street parking requirements will be subject to Chapter 51A regulations. The PDD proposes a parking requirement for the data center use at a ratio of one space for every 2,000 square feet of floor area. A warehouse use requires one space per 1,000 square feet of floor area up to 20,000 square feet, and one space per 4,000 square feet of floor area over 20,000 square feet. Staff believes that the proposed

parking ratio for the data center use is consistent with this requirement and is supportive of the request.

CPC ACTION – November 17, 2016:

Motion: It was moved to recommend **approval** of an amendment to and an expansion of the Subdistrict S-1c, South Zone portion, subject to conceptual plan and conditions to include a provision that canopy trees must be at or within 20 feet of the crest of the berm (to be shown on the plan) on property zoned Subdistricts S-1c, S-1d, and S-2a, South Zone, within Planned Development District No. 521; and to rezone a portion of Subdistrict S-1d, South Zone into Subdistrict S-2a, South Zone on property generally along the east line of Mountain Creek Parkway, north of Camp Wisdom Road.

Maker: Houston
Second: Anglin
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

Notices: Area: 500 Mailed: 53
Replies: For: 3 against: 4

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Ellen Taft, 7924 Glenway Dr., Dallas, TX, 75249
For (Did not speak): Royal Pratt, 513 Homeplace, Fairview, TX, 75069
Robert Allen, 6431 Chesley Ln., Dallas, TX, 75214
Staff: Phil Erwin, Chief Arborist, City of Dallas
Against: None

List of Officers

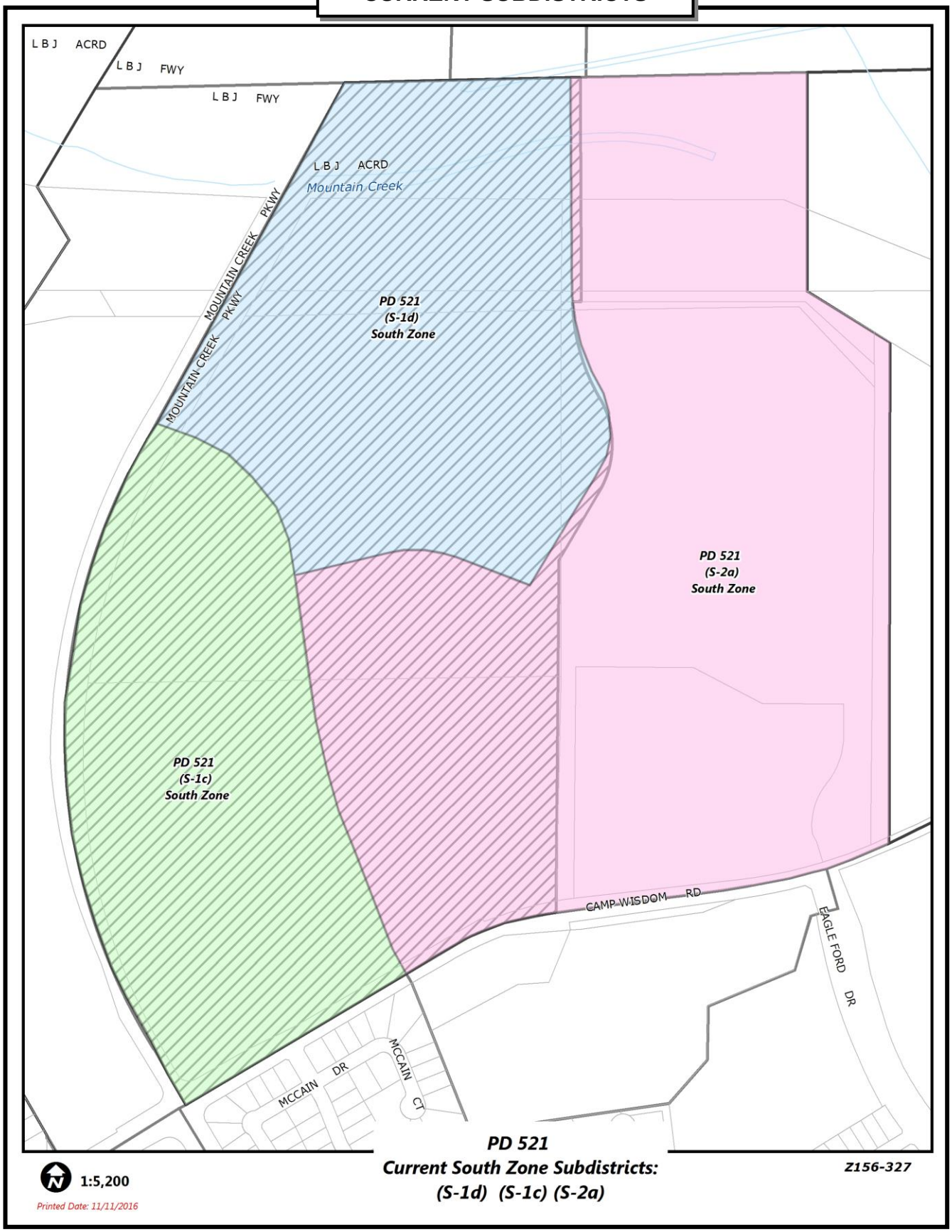
First Industrial LP

General Partner is First Industrial Realty Trust Inc.

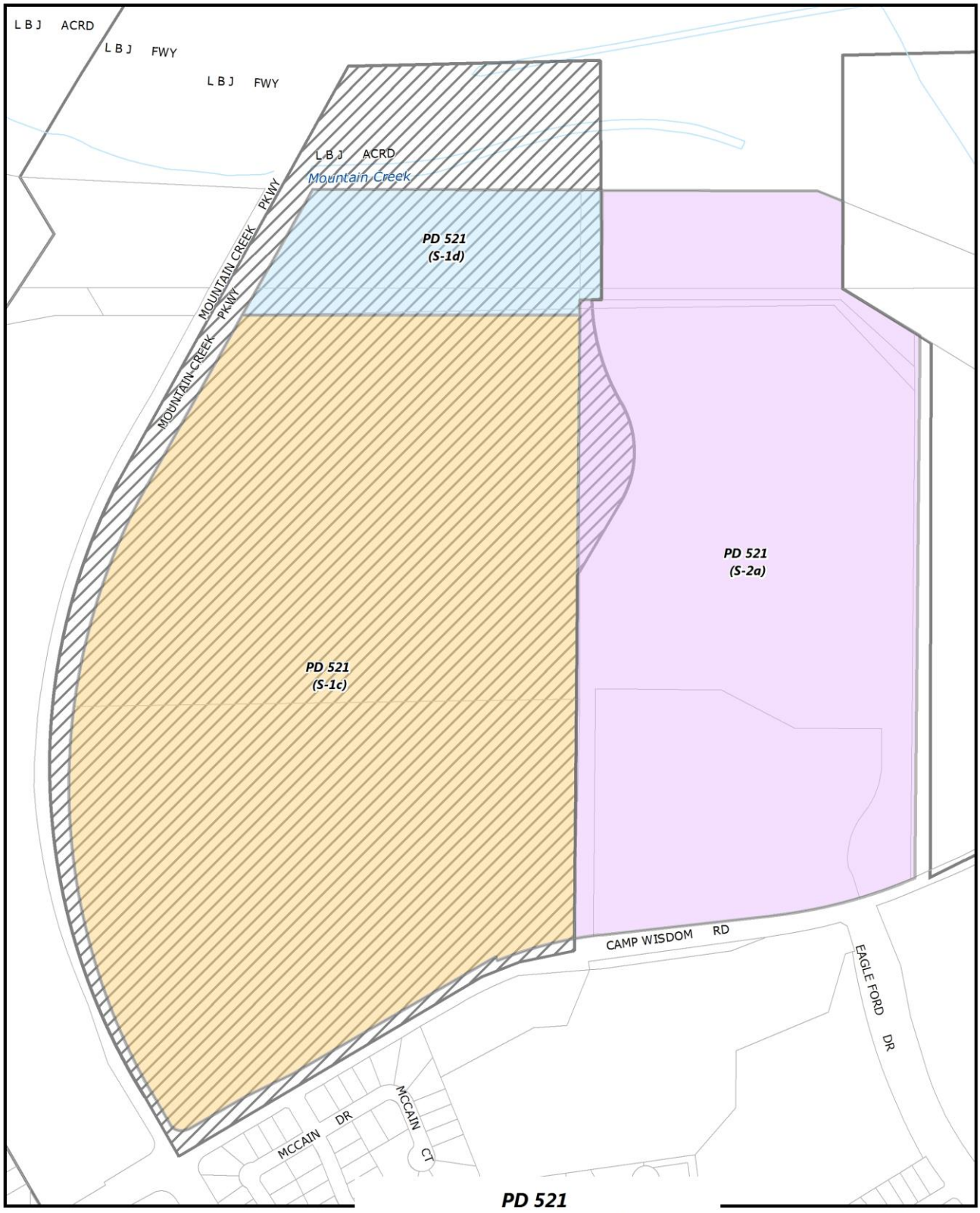
List of Officers for
First Industrial Realty Trust, Inc.

W. Ed Tyler	Chairman of the Board of Directors
Bruce W. Duncan	President and Chief Executive Officer
Matthew Dominski	Director
H. Patrick Hackett, Jr.	Director
John Rau	Director
L. Peter Sharpe	Director

CURRENT SUBDISTRICTS



PROPOSED SUBDISTRICTS



PROPOSED PDD CONDITIONS

Note: Due to the size of the PD, only the portions of the conditions pertinent to this request are included in this report.

SEC. 51P-521.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

(1) SUBDISTRICT means one of the subdistricts in this district. Each zone in this district contains several subdistricts.

(2) THIS DISTRICT means the entire planned development district created by this article.

(3) ZONE means the North Zone or the South Zone.

(4) PARKWAY means the portion of a street right-of-way between the projected curb and the lot line of the Property.

(5) DATA CENTER means a facility whose primary service is data processing and is used to house computer systems and associated components, such as telecommunications and storage systems, including not limited to web hosting organizations and internet service organizations.

(b) Unless otherwise stated, all references to code articles, divisions, or sections are to Chapter 51A.

(c) Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1c, S-1d, and S-10 are considered to be business zoning districts.

(d) Subdistricts S-2a, S-2b, S-3, S-4, S-5, S-6, S-7, S-8, S-9, and E are considered to be non-business zoning districts. (Ord. Nos. 24425; 24914; 25481; 27716; 29785)

SEC. 51P-521.107. MAIN USES.

(a) Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1c, S-1d, and S-10. The following main uses are permitted in Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1c, S-1d, and S-10.

(1) Agricultural uses.

-- Animal production. *[Subdistricts A, B, B-1, B-2, C, D, S-1b, ~~S-1c,~~and S-1d only.]*
-- Commercial stable. *[Subdistricts A, B, B-1, B-2, C, and D only.]*
-- Crop production. *[Subdistricts A, B, B-1, B-2, C, D, S-1b, ~~S-1c,~~and S-1d only.]*

(2) Commercial and business service uses.

-- Building repair and maintenance shop. *[Subdistricts B, B-1, and B-2 only.]*
-- Catering service. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Commercial cleaning or laundry plant. *[Subdistricts B, B-1, and B-2 only; SUP required.]*
-- Custom business services. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Electronics service center. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Job or lithographic printing. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Machinery, heavy equipment, or truck sales and services. *[Subdistricts B, B-1, and B-2 only.]*
-- Medical or scientific laboratory. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Technical school. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Tool and equipment rental. *[Subdistricts A, B, B-1, B-2, C, D, S-1b, ~~S-1c,~~ S-1d, and S-10 only.]*

(3) Industrial uses.

-- Gas drilling and production. *[By SUP only in Subdistrict B-1.]*
-- Industrial (inside) for light manufacturing. *[Subdistricts A, B, B-1, B-2, C, D, S-1b, S-1c, S-1d, and S-10 only.] [In Subdistrict B and S-1c, the floor area limitation for industrial (inside) for light manufacturing in Chapter 51A does not apply; however, this use is limited to the FAR requirements in Sec. 51P-521.109(a)(3)(~~c~~C) and (H).]*
-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

-- Adult day care facility. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.] [Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Cemetery or mausoleum. *[Subdistricts A, B, B-1, B-2, C, and D only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Child-care facility. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.] [Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Church. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*

-- College, university, or seminary. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]* *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

-- Community service center. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]* *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

-- Convent or monastery. *[Subdistricts A, B, B-1, B-2, C, D, and S-10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*

-- Convalescent and nursing homes, hospice care, and related institutions. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]* *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

-- Hospital. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]* *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

-- Library, art gallery, or museum. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]* *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

-- Public or private school. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]* *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

(5) Lodging uses.

-- Hotel or motel. *[In Subdistricts B, B-1, and B-2, SUP required for hotel or motel containing 80 rooms or less; otherwise, by right.]* *[Subdistricts A, C, D, S-1a, S-1b, S-1b, S-1d, and S-10 by right]*

(6) Miscellaneous uses.

-- Carnival or circus (temporary). *[By special authorization of the building official.]* *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

-- Financial institution with drive-in window. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

-- Medical clinic or ambulatory surgical center. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

-- Office.

(8) Recreation uses.

-- Country club with private membership. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Private recreation center, club, or area. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Public park, playground, or golf course.

(9) Residential uses.

-- College dormitory, fraternity, or sorority house. [*Subdistricts A, B, B-1, B-2, C, and D only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Duplex. *[Subdistricts A, B, B-1, B-2, C, and D only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Multifamily. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, and S -10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Retirement housing. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, and S-10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Single family. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.] [Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3) is not met. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.] [Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

(10) Retail and personal service uses.

-- Ambulance service. *[Subdistricts B, B-1, and B-2 only.]*
-- Animal shelter or clinic with outside run. *[Subdistricts B, B-1, and B-2 only.]*
-- Animal shelter or clinic without outside run. *[Subdistricts B, B-1 only.]*
-- Auto service center. *[Subdistricts B, B-1, and B-2 only.]*
-- Alcoholic beverage establishments. *[Subdistricts B, B-1, and B-2 only; SUP required.]*
-- Business school. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Carwash. *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only.]*
-- Commercial amusement (inside). *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only. SUP required in Subdistrict B; otherwise, by right.]*
-- Commercial amusement (outside). *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only. SUP required in Subdistrict B; otherwise, by right.]*
-- Commercial parking lot or garage. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Dry cleaning or laundry store. *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only.]*

-- Furniture store. *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~S-1d, and S-10 only.]*
-- General merchandise or food store 3,500 square feet or less. *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~S-1d, and S-10 only.]*
-- General merchandise or food store greater than 3,500 square feet. *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only.]*
-- Home improvement center, lumber, brick, or building materials sales yard. *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only.]*
-- Household equipment or appliance repair. *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only.]*
-- Mortuary, funeral home, or commercial wedding chapel. *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only.]*
-- Motor vehicle fueling station. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Nursery, garden shop, or plant sales. [Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only.]
-- Outside sales. *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only.]*
-- Personal service use. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Restaurant without drive-in or drive-through service. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Restaurant with drive-in or drive-through service. *[SUP required in Subdistrict B; otherwise, by right.] [Subdistricts A, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 by right]*
-- Surface parking. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Temporary retail use. *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only.]*
-- Theater. *[Subdistricts B, B-1, B-2, D, S-1b, ~~S-1c,~~ S-1d, and S-10 only. SUP required in Subdistrict B; otherwise, by right.]*
-- Truck stop. *[Subdistrict B-2 only.]*
-- Vehicle display, sales, and service. *[Subdistricts B, B-1, B-2, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10 only.]*

(11) Transportation uses.

-- Heliport. *[SUP]* *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Helistop. *[SUP]* *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Private street or alley. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Transit passenger shelter. *[SUP required in Subdistricts B, B-1, and B-2; otherwise, by right.] [Subdistricts A, C, D, S-1a, S-1b, S-1d, and S-10 by right]*
-- Transit passenger station or transfer center. *[SUP required in Subdistricts B, B-1, and B-2; otherwise, by right.] [Subdistricts A, C, D, S-1a, S-1b, S-1d, and S-10 by right]*

(12) Utility and public service uses.

-- Commercial radio or television transmitting station. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Electrical substation. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Local utilities.
-- Police or fire station.
-- Post office. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Radio, television, or microwave tower. *[SUP] [Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Tower/antenna for cellular communication. *[Permitted as if located in a CR Community Retail District; see Section 51A-4.212(10.1).] [Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Utility or government installation other than listed. *[SUP] [Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*

(13) Wholesale, distribution, and storage uses.

-- Auto auction. *[Subdistricts A, C, and D only; SUP required.]*
-- *Data Center. [Subdistrict S-1c]*
-- Freight terminal. *[Subdistricts A, B, B-1, B-2, C, and D only. SUP required in Subdistricts B, B-1, and B-2; otherwise, by right.]*
-- Manufactured building sales lot. *[Subdistricts A, C, and D only; SUP required.]*
-- Mini-warehouse. *[Subdistricts A, B, B-1, B-2, C, D, S-1b, S-1c, S-1d, and S-10; SUP required.]*
-- Office showroom/warehouse.
-- Trade center. *[Subdistricts A, B, B-1, B-2, C, D, S-1b, S-1c, S-1d, and S-10 only.]*
-- Warehouse. *[Subdistricts A, B, B-1, B-2, C, D, S-1b, S-1c, S-1d, and S-10 only.]*

(b) Subdistricts S-2a, S-2b, S-3, S-4, S-5, S-6, S-7, S-8, S-9, and E. The following main uses are permitted in Subdistricts S-2a, S-2b, S-3, S-4, S-5, S-6, S-7, S-8, S-9, and E.

(1) Agricultural uses.

-- Animal production. *[Subdistricts S-2a and E only.]*
-- Commercial stable. *[Subdistrict E only.]*
-- Crop production. *[Subdistricts E and S-6 only.]*

(2) Industrial uses.

-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(3) Institutional and community service uses.

-- Adult day care facility. *[Subdistrict E only.]*
-- Child-care facility.
-- Church.
-- College, university, or seminary. *[Subdistricts S-7 and S-9 only; SUP required.]*
-- Convalescent and nursing homes, hospice care, and related institutions. *[Subdistricts E, S-7, and S-9 only; SUP required.]*
-- Convent or monastery. *[Subdistricts S-7 and S-9 only; SUP required.]*
-- Public or private school. *[SUP]*

(4) Miscellaneous uses.

-- Temporary construction or sales office.

(5) Office uses.

-- Office. *[Subdistricts S-7 and S-9 only; SUP required.]*

(6) Recreation uses.

-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(7) Residential uses.

-- Duplex. *[Subdistrict E only.]*
-- Multifamily. *[Subdistricts S-2a, S-2b, S-9, and E only.]*
-- Retirement housing. *[Subdistricts S-2a, S-2b, S-7, S-9, and E only; SUP required.]*
-- Single family.
-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.*]
-- Group residential facility. *[This use must comply with the provisions of Section 51A-4.209(b)(3). Subdistrict E only.]*
-- College dormitory, fraternity, or sorority house. *[Subdistricts E, S-7, and S-9 only; SUP required.]*

(8) Retail and personal service uses.

-- Dry cleaning or laundry store. *[Subdistrict E only.]*
-- General merchandise or food store 3,500 square feet or less. *[Subdistrict E only.]*
-- Motor vehicle-fueling station. *[Subdistrict E only.]*
-- Personal service use. *[Subdistrict E only.]*
-- Surface parking. *[Subdistrict E only.]*
-- Temporary retail use. *[Subdistrict E only.]*

(9) Transportation uses.

-- Private street or alley.
-- Transit passenger shelter.

(10) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Police or fire station. *[SUP]*
-- Tower/antenna for cellular communication. *[SUP]*
-- Utility or government installation other than listed. *[SUP]*

(Ord. Nos. 24425; 24914; 25481; 27716; 29785)

SEC. 51P-521.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 24425; 24914)

SEC. 51P-521.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, ~~S-1c~~, S-1d, and S-10.

(1) Front yard. Minimum front yard is 15 feet.

(2) Side and rear yard.

(A) No minimum side and rear yard in Subdistricts A, C, D, S-1a, and S-10.

(B) Minimum side and rear yard in Subdistricts S-1b, ~~S-1c,~~ and S-1d is five feet.

(C) Minimum side and rear yard in Subdistricts B, B-1, and B-2 are 10 feet.

(D) Subdistrict S-1c.

(1) Front yard.

A minimum setback of 270 feet from Mountain Creek Parkway for a main use. An accessory guard house is permitted with a minimum setback of 100 feet from Mountain Creek Parkway. A minimum setback of 480 feet along Camp Wisdom Road for a main use. An accessory guard house is permitted with a minimum setback of 350 feet along Camp Wisdom Road.

(2) Side and rear yard.

A minimum side yard of 100 feet along the northern property line. A minimum side yard of 335 feet along the eastern property line.

(3) Maximum floor area ratios (FAR), maximum floor areas, net developable acres, and maximum dwelling unit densities. In these subdistricts, floor area ratio applies only to nonresidential development.

(A) Maximum floor area, dwelling unit density, and net developable acres for Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1c, S-1d, and S-10 are as follows:

Subdistrict	**Net Developable Acres**	**Maximum Permitted Floor Area (In square feet)**	**Dwelling Unit Density (Units Per Acre)**
A	150.0	Refer to Paragraph (4) below	24
B, B-1, and B-2	501.10	Refer to Paragraph (4) below	24
C	150.0	Refer to Paragraph (4) below	24
D	51.77	Refer to Paragraph (4) below	7
S-1a	11.3	113,212	12
S-1b	52.9	345,648	5
S-1c	~~44.~~8 104.51	~~292,723~~ 1,205,280	~~5~~ 0
S-1d	~~35.~~4 12.53	~~231,303~~ 81,871.02	5
S-10	15.5	155,792	24

(B) For Subdistrict A, maximum FAR is as follows:

(i) 0.39 for the industrial (inside) for light manufacturing use, institutional and community service uses, lodging uses, office uses, recreation uses, utility and public service uses, and wholesale, distribution, and storage uses.

(ii) 0.10 for all other uses.

(C) For Subdistricts B, B-1, and B-2, maximum FAR is as follows:

(i) 0.75 for office uses.

(ii) 0.45 for the warehouse use.

(iii) 0.30 for retail and personal service uses.

(iv) 0.5538 for the industrial (inside) for light manufacturing use, institutional and community service uses, lodging uses, recreation uses, utility and public service uses, and, excluding the warehouse use, wholesale, distribution, and storage uses.

(v) 0.1420 for all other uses.

(D) For Subdistrict C, maximum FAR is as follows:

(i) 0.39 for the industrial (inside) for light manufacturing use, institutional and community service uses, lodging uses, office uses, recreation uses, utility and public service uses, and wholesale, distribution, and storage uses.

(ii) 0.10 for all other uses.

(E) For Subdistrict D, maximum FAR is as follows:

(i) 0.507 for the industrial (inside) for light manufacturing use, institutional and community service uses, lodging uses, office uses, recreation uses, utility and public service uses, and wholesale, distribution, and storage uses.

(ii) 0.13 for all other uses.

(F) For Subdistrict S-1a, maximum FAR is 0.23.

(G) For Subdistricts S-1b, ~~S-1c,~~ and S-1d, maximum FAR is 0.15.

(H) For Subdistrict S-1c, maximum FAR is .27.

(I) For Subdistrict S-10, maximum FAR is 0.23.

(5) Height.

(B) Subdistricts S-1a, S-1b, S-1c, and S-1d.

(i) Maximum structure height for non-residential structures is 54 feet.

(ii) Maximum structure height for residential structures is 36 feet.

(6) Lot coverage.

(A) Subdistricts B, B-1, and B-2.

(i) Maximum lot coverage for office uses is 30 percent.

(ii) Maximum lot coverage for all other uses is 60 percent.

(B) Subdistricts A, C, D, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10. Maximum lot coverage is 60 percent.

(C) Subdistrict S-1c. maximum lot coverage is 30 percent.

(7) Lot size. Minimum lot size for a single family residential use is:

(A) 2,000 square feet in Subdistricts A, B, B-1, B-2, C, D, S-1a, and S-10; and

(B) 5,000 square feet in Subdistricts S-1b, ~~S-1c,~~ and S-1d.

(8) Stories.

(A) Maximum number of stories for non-residential structures is 12.

(B) Maximum number of stories for residential structures is three.

(C) Maximum number of stories in Subdistrict S-1c is two.

(9) Lighting.

(A) Subdistricts B, B-1, and B-2, and S-1c. Light fixtures attached to poles may not be located above 35 feet in height. All light sources mounted on poles or attached to buildings must utilize a 15-degree below horizontal, full, visual cut-off fixture. In Subdistrict S-1c, lighting shall be LED or similar lighting and fixtures to lessen the glare and light spillover to neighboring properties.

(B) Subdistricts A, C, D, S-1a, S-1b, ~~S-1c,~~ S-1d, and S-10. Lighting must comply with all applicable height and lighting requirements in Chapter 51A.

(10) Subdistrict S-1c. Structures, except guardhouses, will be limited to the area described as, Building Area on the Conceptual Plan. Guardhouses, parking, drives (except the three drives shown on the Conceptual Plan from Mountain Creek Parkway into Subdistrict S-1c), and other access/maneuvering areas are limited to the area describes as, Developable Area or Building Area, as shown on the Conceptual Plan.

SEC. 51P-521.110. OFF-STREET PARKING AND LOADING.

(a) In general. Except as otherwise provided in this article, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(b) In Subdistricts B, B-1, and B-2. In addition to the authority of the board of adjustment to consider parking special exceptions under Section 51A-4.311, the board of adjustment may grant a special exception to authorize a reduction of up to 75 percent of the number of off-street parking spaces for wholesale, distribution, and storage uses in Subdistricts B, B-1, and B-2. All other provisions of Section 51A-4.311 shall apply to such an exception. (Ord. Nos. 24425; 24914; 25481; 27716; 29785)

(b) Data center use requires one space for every 2,000 square feet of floor area.

SEC. 51P-521.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 24425; 24914)

SEC. 51P-521.112. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in compliance with Article X.

(b) In Subdistricts B, B-1, and B-2, the following additional landscaping requirements apply.

(1) A landscape buffer, a minimum of 35 feet in width, is required along the entire length of lot frontage adjacent to a divided thoroughfare, excluding points of ingress and egress.

(2) A landscape buffer, a minimum of 20 feet in width, is required along the entire length of lot frontage adjacent to an undivided thoroughfare, excluding points of ingress and egress.

(3) Prior to the issuance of a certificate of occupancy for a use with loading docks that face Mountain Creek Parkway, the following must be provided:

(A) A landscape buffer, a minimum of 60 feet in width, along the entire length of lot frontage adjacent to Mountain Creek Parkway, excluding points of ingress and egress.

(B) A minimum five-foot-high landscaped earthen berm with continuous three-foot-high evergreen plantings located within the 60-foot-wide landscape buffer.

(4) Except as provided in this paragraph, a side and rear yard landscape buffer, a minimum of 10 feet in width, is required. If two or three contiguous lots share truck loading areas, no landscape buffer is required along the shared side yard used for truck loading and maneuvering. See Exhibit 521F for an illustration of this landscaping provision.

(A) For industrial uses and wholesale, distribution, and storage uses, a minimum of one large canopy tree must be provided for each 150 linear feet of a side and rear yard landscape buffer, to be planted no closer together than 50 feet on center.

(B) Where a rear yard backs up to a floodway management area or floodway easement, the 10-foot buffer minimum planting requirements do not apply. This provision does not apply to drainage easements erected under direction of the U.S. Army Corps of Engineers.

(5) For the uses listed, a minimum of the following area must be landscaped:

(A) For industrial and wholesale, distribution, and storage uses, a landscaped area consisting of grass, shrubs, or trees equal to five percent of the lot area.

(B) For office uses, a landscaped area consisting of grass, shrubs, or trees equal to 10 percent of the lot area.

(C) For retail and personal service uses and commercial and business service uses, a landscaped area consisting of grass, shrubs, or trees equal to 15 percent of the lot area.

(c) Subdistrict S-1c, the following landscaping requirements apply for any use:

A. Street trees may be planted within seventy (70) feet from the back of established curb line.
B. A landscape buffer, a minimum of sixty (60) feet in width, along the entire length of lot frontage adjacent to Mountain Creek Parkway, excluding points of ingress or egress.

(1) A berm with a minimum height of ten (10) feet tall, minimum width of 100 feet and a maximum slope of 5:1, shall be located on the South side of the Developable Area per the Conceptual Plan. The berm shall be covered in native grasses and within twenty feet from the crest of the berm along the top of the berm a large canopy tree planted a minimum of one for every 150 linear feet of the berm. A continuous evergreen planting of a three foot minimum height shall also be included along the top portion of the berm. The trees located on the berm will be irrigated. The berm landscaping to be maintained by owner.

(2) Three berms with minimum height of ten (10) feet tall, minimum width of 100 feet and a maximum slope of 5:1 shall be located on the West side of the Developable Area per the Conceptual Plan. Each berm shall be covered with native grasses and the top of the berm a large canopy tree planted a minimum of one for every 150 linear feet of the berm. A continuous evergreen planting of a three foot minimum height shall also be included along the top portion of the berm. The trees located on the berm will be irrigated. At each drive off of Mountain Creek Parkway into the property 10 flowering trees (Texas Mountain Laurel, Crepe Myrtle, American Red Bud or similar) will be planted and an approximately 1,000 lb natural stone will be placed on either side of the drive. The berm landscaping to be maintained by owner.

(3) There will be two open space areas per the Conceptual Plan. The Open Space will have a minimum total of 26 acres.

(4) A large canopy tree will be planted and maintained every 150 linear feet along the North side of the PD along the Oncor property.

(5) A large canopy tree will be planted and maintained every 150 linear feet along the South side of the PD along Camp Wisdom Rd.

(6) A large canopy tree will be planted and maintained every 150 linear feet along Mountain Creek Pkwy. (large canopy trees planted on the berms will count towards this landscaping requirement)

(7) A minimum of 5% of the total lot area shall be landscaped

(8) Landscaping will be designed with "water-wise" and native plant materials as approved by the building official.

(9) As approved by the building official, and to the extent the developed site reasonably allows, any required tree mitigation will be done on the Property.

(10) Open space shall remain natural and undistributed except as required for utilities, emergency access, landscaping/mitigation or excavation/grading. If distributed (other than for emergency access, landscaping/mitigation, and/or sidewalks) the area shall be returned to a natural state using native plant materials. Emergency access through the open areas will be constructed using permeable paving material as approved by the building official.

(d) Private license granted in Subdistricts B, B-1, B-2, and S-1c.

(1) The city council hereby grants a revocable, non-exclusive license to the owners, or with the written consent of the owner, to the tenants ("property owner") of all property in this subdistrict for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit in accordance with the Dallas Building Code, or Subsection (~~d~~e) of this section. This private license shall not terminate at the end of any specific time period, however, the city council reserves and has the absolute right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city of the necessity for such termination shall be final and binding and the city shall become entitled to possession of the premises without giving any notice and without the necessity of legal proceedings to obtain possession whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a public safety issue. Upon termination of the license by the director, each property owner shall remove all improvements and installations in the public rights-of-way in a manner satisfactory to the director of public works and transportation.

(2) A property owner is not required to comply with any landscaping requirement if compliance is made impossible due to the director's revocation of a landscape permit or the revocation of the license granted herein affecting landscaping.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the property owner shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the license granted herein, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, $2,000,000 annual aggregate. Coverage under this liability policy shall be on an "occurrence" basis and the city shall be named as additional insured. Proof of such insurance shall be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201 and the policy shall provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent same are covered by this liability insurance policy.

(4) Each property owner shall be responsible for maintaining the landscaping and related amenities in good repair and condition and to keep the premises safe and from deteriorating in value or condition, at no expense to the city, and the city shall be absolutely exempt from any requirements to make repairs or to maintain the landscaping and related amenities. The granting of a license for landscaping and related amenities under this section does not release the property owner from liability in the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(e) Parkway landscape permit in Subdistricts B, B-1, ~~and~~ B-2 and S-1c.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the construction and planting or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the director shall issue a parkway landscape permit to the property owner; otherwise, the director shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees or other amenities in the public right-of-way. (Ord. Nos. 24425; 24914; 25481; 27716; 29785)

SEC. 51P-521.113. SIGNS.

(a) Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1c, S-1d, and S-10.

(1) In general. Except as provided in this subsection, signs in Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1c, S-1d, and S-10 must comply with the provisions for nonresidential zoning districts in Article VII.

(2) Signs in Subdistricts B, B-1, and B-2. The following additional sign regulations apply:

(A) Detached non-premise signs are prohibited.
(B) Roof top signs are prohibited.

(C) No sign attached to a pole support may exceed 25 feet in height.

(D) No detached sign may exceed 400 square feet in effective area.

(E) A detached sign with a maximum effective area of 60 feet may be located up to the property line if the sign does not exceed six feet in height above grade.

(3) Signs in Subdistrict S-1c. The following additional sign regulations apply:

(A) Detached non-premise signs are prohibited.

(B) Roof top signs are prohibited.

(C) A detached monument sign will have a maximum effective area of 60 feet may be located up to the property line if the sign does not exceed six feet in height above grade.

(D) A maximum of three monument signs shall be permitted along Mountain Creek Parkway. One monument sign may be located at each access point to the Property on Mountain Creek Parkway.

(E) Owner to maintain Mountain Creek parkway signage

(F) Attached signs are limited to a maximum of 400 square feet and are not permitted to face Camp Wisdom Road.

~~(3)~~(4) Business Park Entry Feature.

(A) In Subdistrict B, a Business Park Entry Feature that meets the specifications in Exhibit 521G is allowed at the entrance of the Mountain Creek Business Park located at the intersection of Mountain Creek Parkway and the LBJ Freeway (I-20), in a location that is between 160 to 165 feet from the centerline of the LBJ service road.

(B) A Business Park Entry Feature means an entry feature that identifies and contributes to the character or type of development; it is an entry feature which is located at a primary entrance and indicates a uniform development. A Business Park Entry Feature is a monument-style premise sign situated on a grade-level support structure (not a pole support) with no separation.

(C) The city retains its rights to the public right-of-way and easements as may be necessary or convenient for the purpose of erecting, constructing, maintaining, and operating utility over, across, under and through the premises in the designated set-back areas, or within the public right-of-way.

(D) The city retains its rights to remove the Business Park Entry Feature or any sign within the public right-of-way should the director determine that these features have become a nuisance or public safety issue.

(E) The city shall not be responsible for any expenses involved in removal or reconstruction of the Business Park Entry Feature should the director deem it necessary in accordance with Subparagraphs (C) or (D).

~~(4)~~(5) Private license granted.

(A) The city council hereby grants a revocable, non-exclusive license to the owners, or with the written consent of the owner, to the tenants ("property owner") of all property in this subdistrict for the exclusive purpose of Business Entry Feature. This private license shall not terminate at the end of any specific time period, however, the city council reserves and has the absolute right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city of the necessity for such termination shall be final and binding and the city shall become entitled to possession of the premises without giving any notice and without the necessity of legal proceedings to obtain possession whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a public safety issue. Upon termination of the license by the director, each property owner shall remove all improvements and installations in the public rights-of-way in a manner satisfactory to the director of public works and transportation.

(B) Upon the installation of a Business Park Entry Feature, a detached sign, and related amenities, in the public rights-of-way, the property owner shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the license granted herein, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, $2,000,000 annual aggregate. Coverage under this liability policy shall be on an "occurrence" basis and the city shall be named as additional insured. Proof of such insurance shall be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201 and the policy shall provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent same are covered by this liability insurance policy.

(C) Each property owner shall be responsible for maintaining the landscaping and related amenities in good repair and condition and to keep the premises safe and from deteriorating in value or condition, at no expense to the city, and the city shall be absolutely exempt from any requirements to make repairs or to maintain the landscaping and related amenities. The granting of a license for landscaping and related amenities under this section does not release the property owner from liability in the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(b) All other subdistricts. Signs in all other subdistricts must comply with the provisions for non-business zoning districts in Article VII. (Ord. Nos. 24425; 24914; 25481; 26102; 27716; 29785)

SEC. 51P-521.114. FLOOD PLAIN AND ESCARPMENT ZONE REGULATIONS.

Development within this district must comply with Article V. (Ord. Nos. 24425; 24914)

SEC. 51P-521.116. TRANSPORTATION IMPROVEMENTS.

(a) Median openings on Mountain Creek Parkway may be spaced no closer than 1000 feet apart unless closer spacing is approved in writing by the director of public works and transportation.

(b) In order to provide free right turn lanes and dual left turn lanes within this district, where a principal arterial intersects with another principal arterial, a minor arterial, or a freeway, the public right-of-way must be a minimum of 20 feet wider than the right-of-way required for the through lanes for a distance of 400 feet from the intersection. (Ord. Nos. 24425; 24914)

(c) Subdistrict S-1c

1. Median openings located between Camp Wisdom Road and the northern boundary of Subdistrict S-1c shall be located per the Conceptual Plan.
2. Median openings, stacking lane in protected left-turns and driveways openings will be designed to accommodate commercial vehicles for length, width and turning radius.

SEC. 51P-521.117. NET DEVELOPABLE AREA CALCULATIONS.

All residential densities (dwelling units per acre) and all floor area ratios are calculated by using the "net developable area." The net developable area is calculated by subtracting the following from the gross acreage of each subarea:

(1) Thoroughfares shown on the conceptual plans.

(2) Land areas where slopes exceed a 25 percent grade.

(3) Drainage ways.

(4) The escarpment zone. (Ord. Nos. 24425; 24914)

SEC. 51P-521.117.1. SIDEWALKS.

(a) Except as otherwise provided in this article, the standards, provisions, and requirements of the Dallas City Code, as amended, apply to all sidewalks.

(b) In Subdistrict B, a sidewalk a minimum of six feet in width must be provided along the eastern frontage of Mountain Creek Parkway. The location of this sidewalk is subject to the approval of the director, but should be generally located in that area parallel to and between five and 15 feet from the back of the projected street curb. Notwithstanding Subsection (a) above, the sidewalk requirements along the western frontage of Mountain Creek Parkway are waived until the director deems it necessary to construct such sidewalk for safety and mobility issues.

(c) Should the director waive the required sidewalks in Subdistrict B, the waiver does not preclude the city from installing sidewalks at some later time and assessing the abutting owners for the cost of the installation. (Ord. 25481)

(d) In Subdistrict S-1c, sidewalks located along public right-of-way may be placed within the area located behind the back of an established or projected curb line and required berms. If not located in the right-of-way, a sidewalk easement must be dedicated. The sidewalk located in the Open Area A on the Conceptual Plan will be a meandering sidewalk.

SEC. 51P-521.118. ARCHITECTURAL DESIGN STANDARDS

For all uses in Subdistrict S-1c the following design standards must be met:

(a) Building Wall Articulation

1. The height of the exterior walls fronting on a public roadway shall have vertical articulation. Such articulation shall be a minimum of 2'-0" in vertical height in every 150'-0" of horizontal length.

2. At the entry and planned office areas of the building, horizontal recesses and indentations shall be incorporated. Such recesses and indentations shall be a minimum off 3'-0" deep and occur no less than every 25' of horizontal wall distance. The horizontal recess feature shall occur within the first 60' of a corner at any planned office area.

3. At entry and planned office areas of the building, canopies and/or sunscreens shall be incorporated to provide protection from the elements and "shade and shadow" visual effects on the walls.

(b) Exterior Stone

Acknowledging that a wholesale, distribution and storage use has a major portion of the exterior walls accommodating dock doors, trailers, and truck traffic and are generally screened from public view, natural stone veneer shall be incorporated at the entry and planned office areas of the building which are fronting on a public roadway only, which generally occur at the corners of the building. Such stone shall cover a minimum of 20% of the non-glazed portions of those walls to a minimum height of 10'-0" above ground, within a maximum distance of 60'-0" of the corners of the building and not within the truck dock portion of the building.

(c) Exterior Building Colors

The exterior walls of the building, not covered in glazing, stone or other masonry veneer, shall be painted. There shall be a minimum of 2 colors, which shall be complimentary to each other. The colors shall be in "earth-tone" hues, incorporating, but limited to, shades of off-whites, tans, beiges, browns, warm grays, and muted reds, greens, and golds.

(d) Monument Signs

All monument signs adjacent to a public roadway shall be designed and constructed to blend with the building and be complimentary to it. They shall incorporate aesthetics, materials, and colors from the building. Such materials shall include 20% natural stone used on the building. Monument signs shall be externally illuminated utilizing ground-mounted light fixtures, and shall have groundcover and low shrubbery around the sign and screening the light fixtures from view.

SEC. 51P-521.118. ADDITIONAL PROVISIONS.

(a) The entire Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

NOTE: Due to the presence of highly expansive soil conditions on property within this district, the building official, in accordance with the provisions of the Dallas Building Code, currently requires that all building permit applications submitted for structures in this district be accompanied by a letter bearing the seal and signature of a professional engineer registered in the State of Texas and must contain the street address and lot and block of the building site and a statement that the foundation has been designed to soil conditions based on a soil analysis prepared by a recognized testing laboratory in accordance with the Dallas Building Code.

(c) Prior to development plan approval or action on a specific use permit request by the city plan commission in Subdistricts S-2a, S-2b, S-3, S-4, S-5, S-6, S-7, S-8, S-9, or S-10, written notification must be sent to all owners of real property lying within 500 feet of the boundary of the area of request. Measurements and the mailing of notices must be made pursuant to the requirements of Section 51A-4.701(b)(5).

(d) Truck stop.

(1) Showering facilities are prohibited.

(2) Commercial vehicles may not remain on the Property for more than one hour.

(3) Before the issuance of a certificate of occupancy for a truck stop in Subdistrict B-2, an access easement must be recorded to provide vehicular ingress and egress from the northern Property line. The access easement must be in the location shown on the Subdistrict B-2 development plan (Exhibit 521H). (Ord. Nos. 24425; 24914; 26102; 29785)

(e) In Subdistrict S-1c:

1. no access shall be permitted onto Camp Wisdom Road, except as required by the City for emergency access.

2. for an industrial, wholesale, distribution and storage use, a minimum queuing length of 600 feet shall be provided on private property between a guard house and the entry point onto the property for commercial motor vehicles entering the queue lane for the guard house.

3. A minimum distance of 1,000 feet shall be provided between the centerline of any ingress or egress point for commercial motor vehicles and the west bound travel lanes of Camp Wisdom Road at the intersection of Mountain Creek Parkway.

4. No commercial motor vehicle queuing is allowed from the property into the public right-of-way.

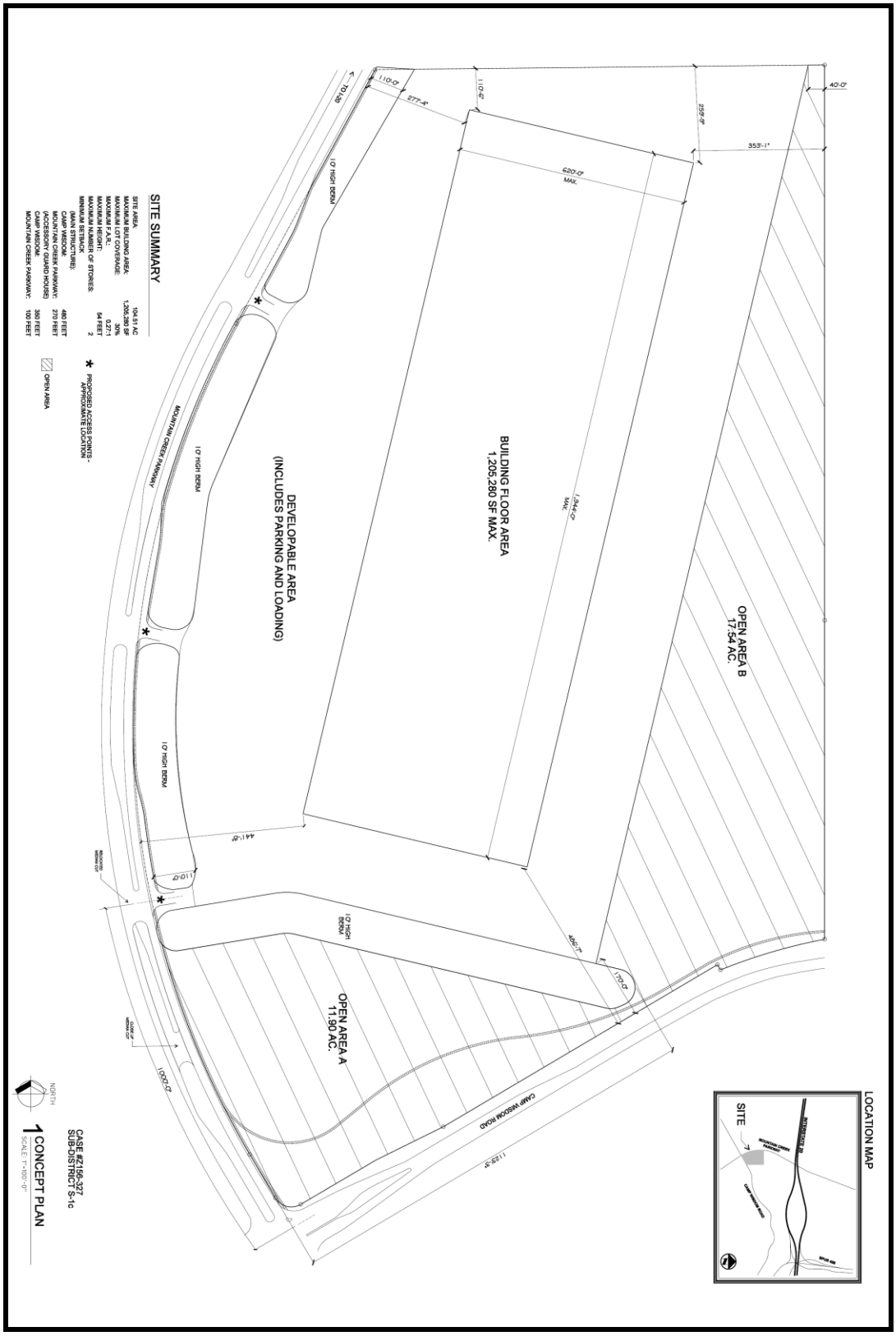
5. Vehicle access to the property from the east of the Subdistrict is limited to emergency access only and shall be controlled by a Knox-box or similar controlled access device limited to public safety access only.

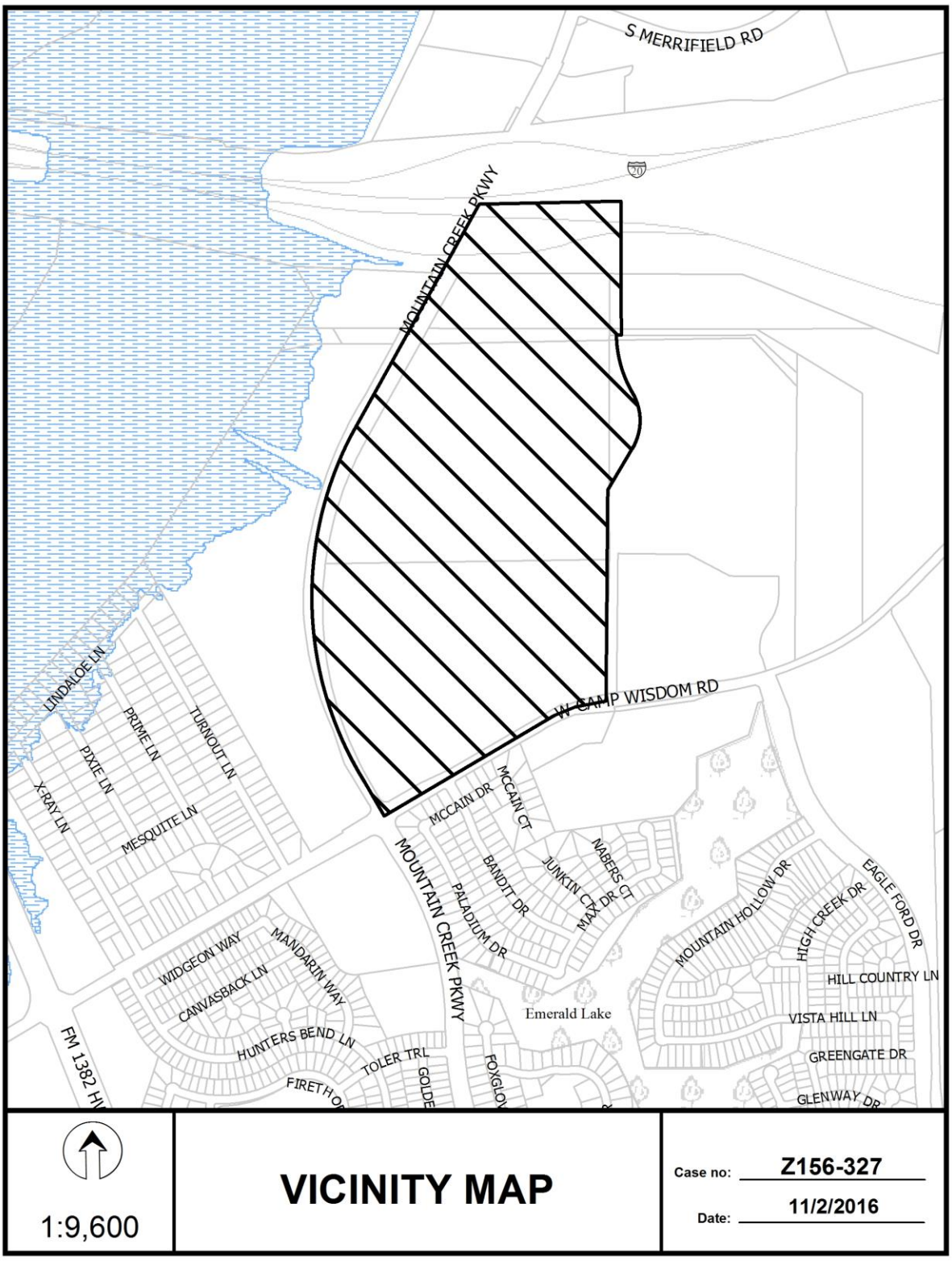
SEC. 51P-521.119. COMPLIANCE WITH CONDITIONS.

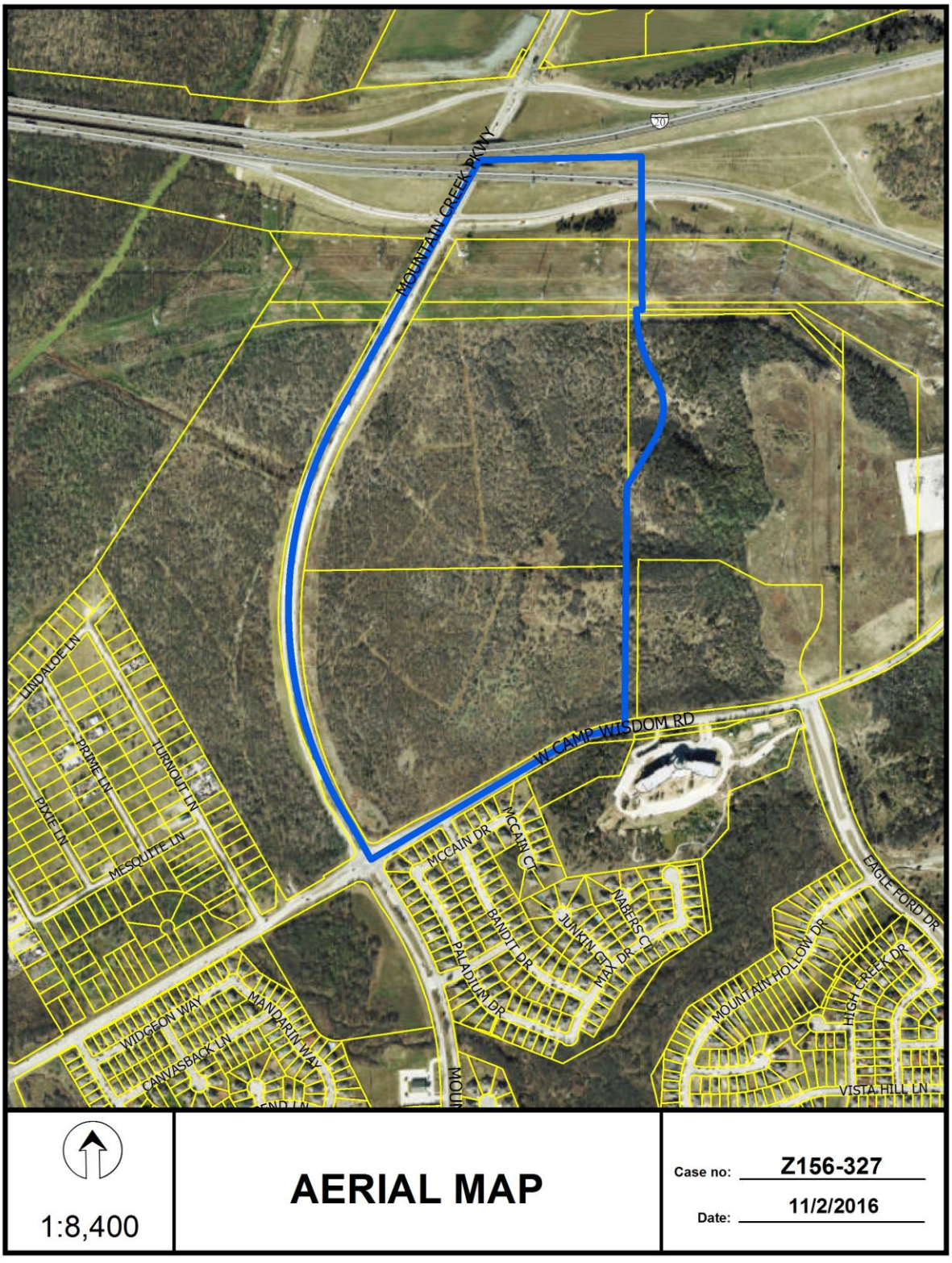
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24190; 24914; 26102)

PROPOSED CONCEPTUAL PLAN




S MERRIFIELD RD
MOUNTAIN CREEK PKWY
W CAMP WISDOM RD
LINDALOE LN
PRIME LN
TURNOUT LN
PIXIE LN
X-RAY LN
MESQUITE LN
MCCAIN DR
MCCAIN CT
NABERS CT
JUNKIN CT
MAX DR
BANDIT DR
PALADIUM DR
MOUNTAIN CREEK PKWY
MOUNTAIN HOLLOW DR
HIGH CREEK DR
EAGLE FORD DR
HILL COUNTRY LN
VISTA HILL LN
GREENGATE DR
GLENWAY DR
WIDGEON WAY
CANVASBACK LN
MANDARIN WAY
HUNTERS BEND LN
TOLER TRL
FOXGLOVE
Emerald Lake
FM 1382 HI
1:9,600
VICINITY MAP
Case no: Z156-327
Date: 11/2/2016

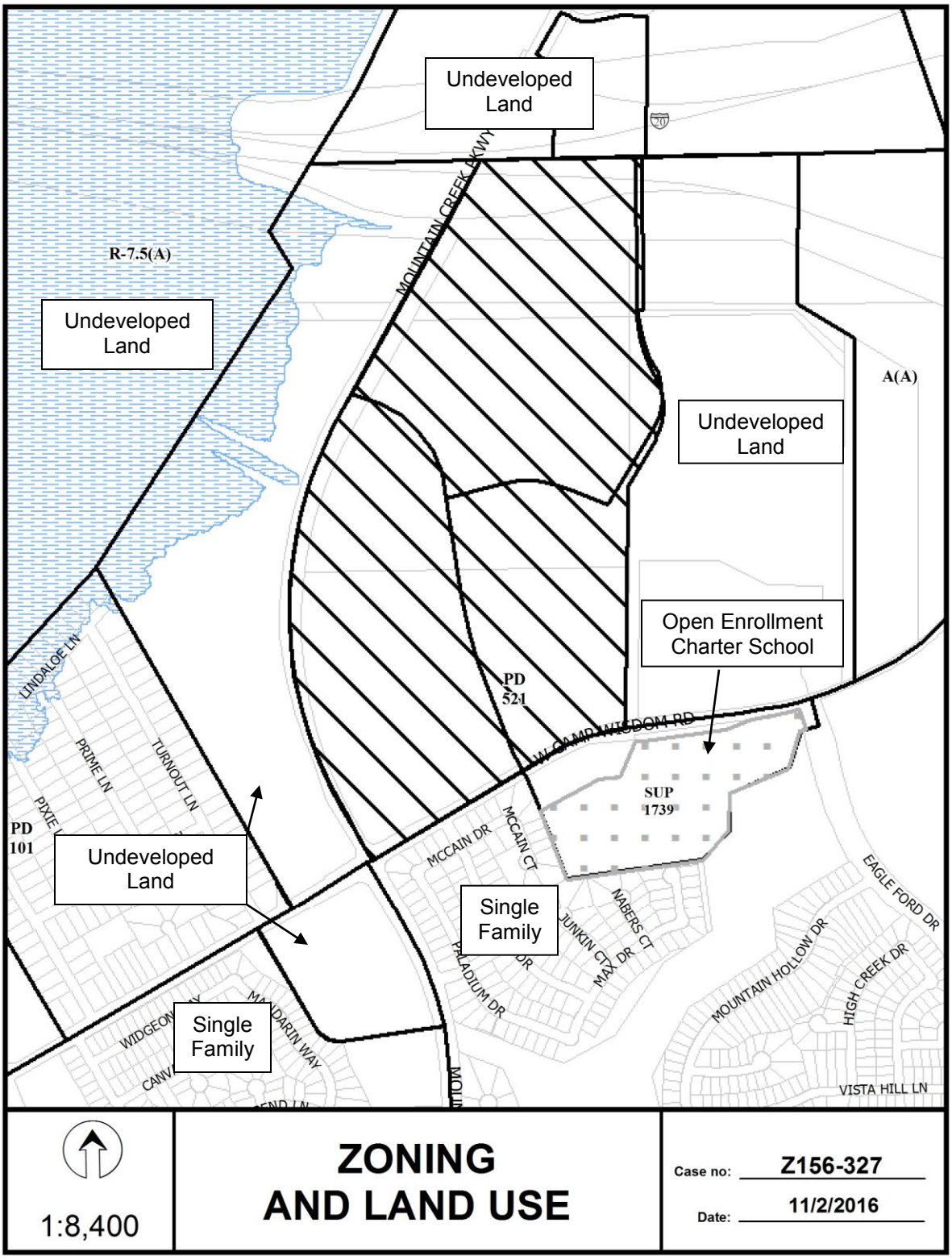


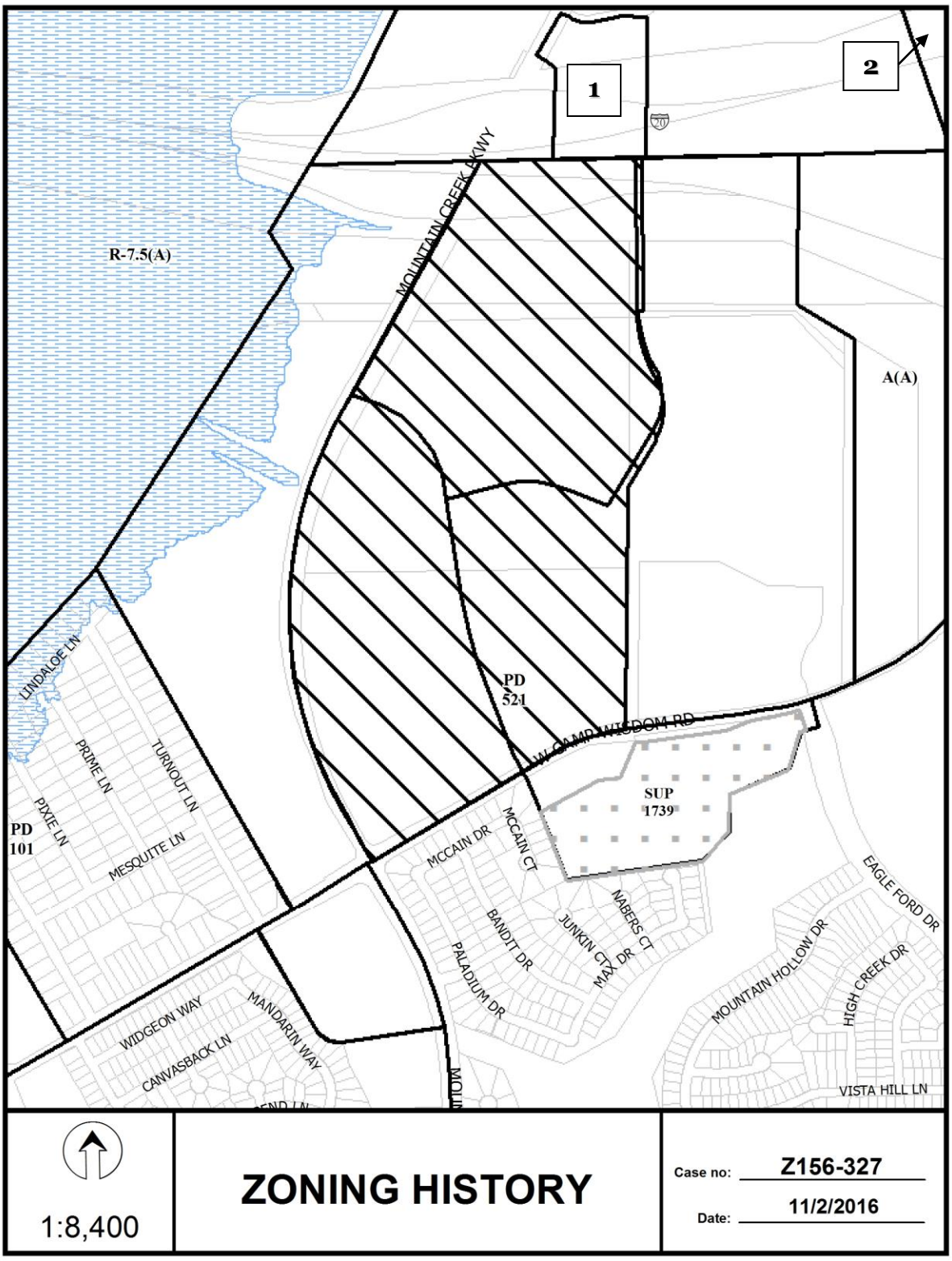
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AERIAL MAP

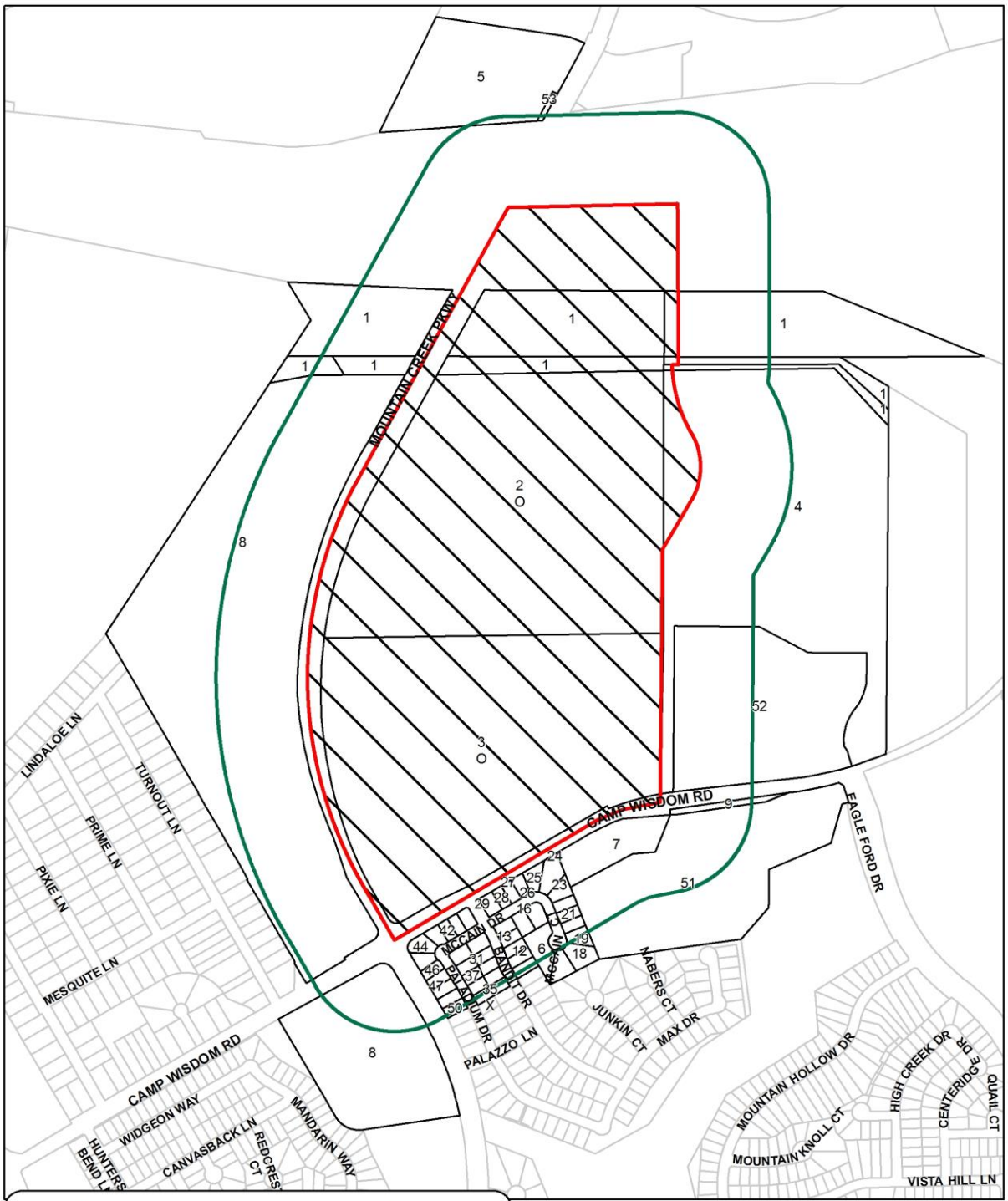
Case no: Z156-327

Date: 11/2/2016


Undeveloped Land
Undeveloped Land
Undeveloped Land
Open Enrollment Charter School
Undeveloped Land
Single Family
Single Family
R-7.5(A)
A(A)
PD 521
PD 101
SUP 1739
MOUNTAIN CREEK PKWY
LINDALOE LN
PRIME LN
TURNOUT LN
PIXIE
MCCAIN DR
MCCAIN CT
NABERS CT
JUNKIN CT
MAX DR
PALADIUM DR
EAGLE FORD DR
MOUNTAIN HOLLOW DR
HIGH CREEK DR
VISTA HILL LN
MANDARIN WAY
1:8,400
ZONING
AND LAND USE
Case no: Z156-327
Date: 11/2/2016


1
2
R-7.5(A)
A(A)
MOUNTAIN CREEK PKWY
PD 521
SUP 1739
PD 101
LINDALOE LN
PRIME LN
TURNOUT LN
PIXIE LN
MESQUITE LN
MCCAIN DR
MCCAIN CT
NABERS CT
BANDIT DR
JUNKIN CT
MAX DR
PALADIUM DR
EAGLE FORD DR
MOUNTAIN HOLLOW DR
HIGH CREEK DR
VISTA HILL LN
WIDGEON WAY
CANVASBACK LN
MANDARIN WAY
1:8,400
ZONING HISTORY
Case no: Z156-327
Date: 11/2/2016

CPC Responses



11/16/2016

Reply List of Property Owners

Z156-327

53 Property Owners Notified ***3 Property Owners in Favor*** ***4 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	5000	MOUNTAIN CREEK PKWY	TEXAS UTILITIES ELEC CO
O	2	5100	MOUNTAIN CREEK PKWY	FIRST INDUSTRIAL LP
O	3	8101	CAMP WISDOM RD	FIRST INDUSTRIAL LP
	4	7901	CAMP WISDOM RD	H198 LLC
	5	4895	MOUNTAIN CREEK PKWY	TC MT CREEK DEVELOPMENT PARTNERS
	6	5520	MC CAIN CT	SBJV RESLAND PARTNERS LTD
	7	8120	W CAMP WISDOM RD	COSMOS FOUNDATION INC
	8	8410	W CAMP WISDOM RD	165 HOWE LP
	9	8120	W CAMP WISDOM RD	HARMONY PUBLIC SCHOOLS
	10	5520	BANDIT DR	EDSON ROBERTA & JON
	11	5516	BANDIT DR	LAFLEUR DIANE D
	12	5512	BANDIT DR	SEIDMEYER ROBERT E &
	13	5508	BANDIT DR	QASEM KARIM & SUZANNE
	14	5504	BANDIT DR	LAWAL SOLARIN SAHEED & KOFO
X	15	8210	MC CAIN DR	BREWER STEVEN T
	16	8206	MC CAIN DR	VAUGHAN DENITREA F
	17	5524	MC CAIN CT	JONES VANESSA
	18	5527	MC CAIN CT	LEWIS LACY P
	19	5523	MC CAIN CT	DRAPER IVAN &
	20	5519	MC CAIN CT	JAMES RUDY JR & ALLISHA
	21	5515	MC CAIN CT	WRIGHT KENNETH
	22	5511	MC CAIN CT	VILLALOBOS JESUS
	23	5507	MC CAIN CT	GORE SHAROLYN L
	24	5503	MC CAIN CT	BUCHANAN ANGELA CAMILLE
	25	8201	MC CAIN DR	GARZA ANGELA P & ERIK PEDRAZA
	26	8205	MC CAIN DR	TIMKO NANCY

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	27	8209	MC CAIN DR	JOHNSON KIMBERLY A
	28	8213	MC CAIN DR	WRIGHT ANGELA R
	29	8217	MC CAIN DR	SALONE SHUNITA L
	30	5505	BANDIT DR	WIGGINS LARYTA
	31	5509	BANDIT DR	JORDAN MONICA
	32	5513	BANDIT DR	LOVE FELICIA N
	33	5517	BANDIT DR	PEART ROBERTO A & KAREN G
	34	5521	BANDIT DR	MENDEZ JOSE
X	35	5522	PALADIUM DR	MCCUIN ROSIE M
	36	5518	PALADIUM DR	ALDRIDGE STACY
	37	5514	PALADIUM DR	YANCEY JAMES JR &
	38	5510	PALADIUM DR	ODELUSI KEVIN
	39	5506	PALADIUM DR	BROWN KARL A &
X	40	8221	MC CAIN DR	CERVANTES EDGAR
	41	8225	MC CAIN DR	ARMOUR REGINALD B & AGNES E
	42	8229	MC CAIN DR	HARRISON HARLAN & FELICIA
	43	8233	MC CAIN DR	MENDOZA CHRISTOPHER J & LAURA PATRICIA
	44	8237	MC CAIN DR	TARBET LLC
X	45	5507	PALADIUM DR	PEREZ KIM
	46	5511	PALADIUM DR	AMH 2014 1 BORROWER LLC
	47	5515	PALADIUM DR	MENLADRGLH NEBIYOU A
	48	5519	PALADIUM DR	HOBSON DONNA B
O	49	5523	PALADIUM DR	SZAFRAN VIRGINIA M
	50	5527	PALADIUM DR	SHINE BRYAN P
	51	8120	CAMP WISDOM RD	COSMOS FOUNDATION INC
	52	7901	CAMP WISDOM RD	EAGLE CROSSING APARTMENTS LP
	53	4800	MOUNTAIN CREEK PKWY	MOUNTAIN CREEK BUSINESS

AGENDA ITEM # 55

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 35 X; Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a WR-20 Walkable Urban Residential District with a Height Map Overlay and a resolution accepting the deed restrictions volunteered by the applicant on property zoned Subdistrict B-1, West Residential Subzone within Planned Development District No. 305 bounded by Blackburn Street, Cole Avenue, Travis Street, and Lemmon Avenue East

Recommendation of Staff and CPC: Approval, subject to a height map overlay and deed restrictions volunteered by the applicant

Z156-333(SH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-333(SH) **DATE FILED:** August 11, 2016

LOCATION: Bounded by Blackburn Street, Cole Avenue, Travis Street, and Lemmon Avenue East

COUNCIL DISTRICT: 14 **MAPSCO:** 35-X, Y

SIZE OF REQUEST: Approx. 7.06 acres **CENSUS TRACT:** 7.01

APPLICANT/OWNER: LG Cityplace, LP

REPRESENTATIVE: Susan Mead and Suzan Kedron, Jackson Walker LLP

REQUEST: An application for a WR-20 Walkable Urban Residential District with a Height Map Overlay and deed restrictions volunteered by the applicant on property zoned Subdistrict B-1, West Residential Subzone within Planned Development District No. 305.

SUMMARY: The purpose of this request is to allow for the redevelopment of the site with a multifamily development consisting of a maximum of 750 units. Deed restrictions have been volunteered by the applicant to help protect the adjacent uses from any potential negative impacts that may be caused by the proposed development. The applicant has provided a height map overlay that will regulate the height of the proposed development to help reduce and create a height separation from the existing adjacent uses. The WR-20 District permits a maximum height of 300 feet, and the proposed development will not exceed this requirement. The proposed multifamily development will comply with the remaining WR-20 development standards.

CPC RECOMMENDATION: **Approval**, subject to a height map overlay and deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to a height map overlay and deed restrictions volunteered by the applicant.

DESIGNATED ZONING CASE

BACKGROUND INFORMATION:

- In February 2009, the City Council approved Article XIII, which created the form based zoning districts. The Form Based Districts provides an additional tool for the implementation of *ForwardDallas!* and to create walkable urban neighborhoods where higher density mixed uses and mixed housing types promote less dependence on the automobiles.

- The request site is currently improved with a multifamily development consisting of 232 dwelling units that was constructed in 1994.

- The applicant is proposing to demolish the existing structures and redevelop the 7.06-acre site with a new multifamily development consisting of a maximum of 750 dwelling units and landscaped open space.

- In order to accommodate the proposed development, the applicant is requesting to rezone the site to a WR-20 Walkable Urban Residential District with a Height Map Overlay. This will allow for a maximum height of 20 stories, or 300 feet. However, the proposed Height Map Overlay proposes various zoned that will limit the maximum height along portions of the perimeter of the development to five stories.

- In order to protect the surrounding land uses from any potential negative impacts from the proposed development, the applicant has volunteered the following deed restrictions: 1) no stucco will be used on a new construction façade facing public streets and Travis Streets; 2) no direct vehicular access to the site will be allowed from Blackburn Street; 3) the property will be restricted to a maximum of 750 units; and, 4) garage access gates on Lemmon Avenue will be setback a minimum of 30 feet from the public right-of-way.

Zoning History: There have been two recent zoning request in the area over the past 5 years.

1. Z156-119 On Wednesday, April 27, 2011, City Council approved a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge, or tavern on property within Subdistrict C of the West Mixed Use Sub-zone of Planned Development District No. 305, the City Place Planned Development District. The SUP was automatically renewed on March 22, 2016.

2. Z134-318 On October 23, 2014, the City Plan Commission recommended denial without prejudice of an application for a Specific Use Permit for a drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Cole Avenue	Minor Arterial	50 ft.
Lemmon Avenue East	Principal Arterial	50 ft.
Blackburn Street	Collector	80 ft.
Travis Street	Local	Variable lane widths

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.

Surrounding Land Uses:

	Zoning	Land Use
Site	Subdistrict B-1, West Residential Subzone, within PDD No. 305	Multifamily
Northeast	Subdistricts B and B-1, West Residential within PDD No. 305	Multifamily
Southeast	Subdistricts C and C-1, West Mixed Use, within PDD No. 305	Mixed Uses (Retail, Restaurant, Multifamily, and Office)
Northwest	PD 193, PDS 99 and Subdistrict B, West Residential, within PDD No. 305	Office and Multifamily
Southwest	PD 193 (MF-2 and O-2) and PD 193 (LC)	Multifamily and Fueling Station

COMPREHENSIVE PLAN: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being within the Urban Mixed Use Building Block.

Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings typically range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. The applicant has asserted that the proposed use of the request area is for a master planned walkable urban residential block, consisting of multifamily uses, live

work units, and landscaped open space. They have stated that the redevelopment aims to promote walkability, reduce vehicular trip generation, and reduce parking demand which meets the intent of the Urban Mixed Use Building Block.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

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 site is currently improved with a 232-unit multifamily development that was originally constructed in 1994. Adjacent to the site to the northeast are additional multifamily developments in Subdistricts B and B-1, West Residential Subzone, within PDD No. 305. Mixed uses including retail, restaurant, multifamily, and office are located to the southeast in Subdistricts C and C-1, West Mixed Use Subzone, within PDD No. 305. The properties to the northwest of the subject site are zoned PD 193, PDS 99 and Subdistrict B, West Residential, within PDD No. 305 and improved with office and multifamily uses. To the southwest of the site are additional multifamily uses and a motor vehicle fueling station within the LC, MF-2, and O-2 Subdistricts of PDD No. 193.

The applicant is proposing to demolish the existing structures and redevelop the 7.06-acre site with a new multifamily development consisting of a maximum of 750 dwelling units and landscaped open space. In order to accommodate the proposed development, the applicant is requesting to rezone the site to a WR-20 Walkable Urban Residential District with a Height Map Overlay. This will allow for a maximum height of 20 stories, or 300 feet. However, the proposed Height Map Overlay will limit the maximum height along portions of the perimeter of the development to five stories.

The WR-20 Walkable Urban Residential District with a Height Map Overlay is intended to provide and meet the following criteria:

- The Walkable Urban Residential (WR) Districts are intended to create residential neighborhoods with mixed housing options in a pedestrian environment.

- The WR District is divided in three intensities: low (WR-3, 5), medium (WR-8, 12), and high (WR-20, 40).

- The WR Districts are intended to accommodate a limited set of development types. In the WR 20 District these development types are limited to apartment, civic building, and open space lot. The applicant's proposed development is classified as an apartment development type.

- Parcels of any size are eligible for a WR District. There is no minimum acreage required for an application for WR District. The WR Districts are intended for locations where a sufficient critical mass of dense, walkable urban mixed use development exists or is definitely planned. The area of request meets this intent as it is surrounded by an area that is comprised of a vast mix of uses including dense residential, commercial, and office which encourages increased walkability, as well as access to transit systems that allow reduced vehicular trip generation and reduced parking demand.

- The WR Districts are intended for use in the vicinity of rail transit station, making this district appropriate for major job centers and concentrations of multifamily housing. The proposed development is within close proximity to the Cityplace/Uptown DART station and is accessible to the Uptown Trolley system.

The table below provides a summary comparison of the development standards for a multifamily use in the proposed WR-20 District against the existing zoning of the subject site (Subdistrict B-1, West Residential Subzone, within PDD No. 305).

Development Standards:

DISTRICT	SETBACKS		Density	Max Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
PDD No. 305 (Subdistrict B-1) *Existing*	15'	10'/15'	54 dua	60'	75%	Multifamily
WR-20 *Proposed*	Primary Street – 5'/15' Side Street – 5'/15' Service Street - none	0' or 15'/5'	N/A	300'	80%	Multifamily

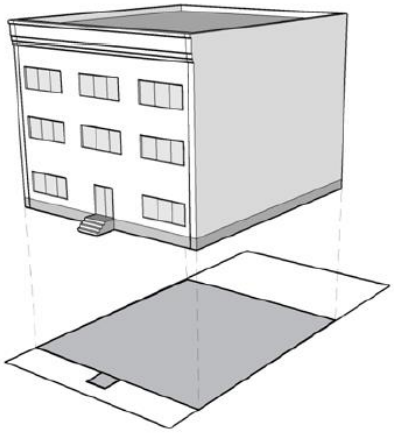
The height map overlay will minimize the impact of the proposed development on surrounding land uses by reducing the structure height along portions of the perimeter of the site to five stories. This height limitation will facilitate a development that is more compatible to the adjacent multifamily development across Blackburn Street which has a maximum height of 60 feet, or five stories. Even though the properties immediately adjacent to the site have maximum height limits that range between 48 feet to 120 feet, there are developments within the vicinity that extend to a height of at least 240 feet, which is consistent with the height of the proposed development. The redevelopment of the site with a maximum 750-unit multifamily development will strengthen the character

of the mixed use neighborhood by providing an additional housing option in a pedestrian friendly environment.

The regulations on the following page apply to the Apartment development type within the WR-20 district.

(e) Apartment.

(1) Definition.



A development type containing three or more dwelling units consolidated into a single structure.

An apartment contains common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building must be pulled up to the street. No on-site surface parking is permitted between the building and the street. On-site surface parking must be located to the rear of the building. The building often shares a common entrance. Primary entrances must be prominent and street-facing. An elevated ground floor for residential uses is recommended to ensure privacy.

(2) Character Examples.

Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.





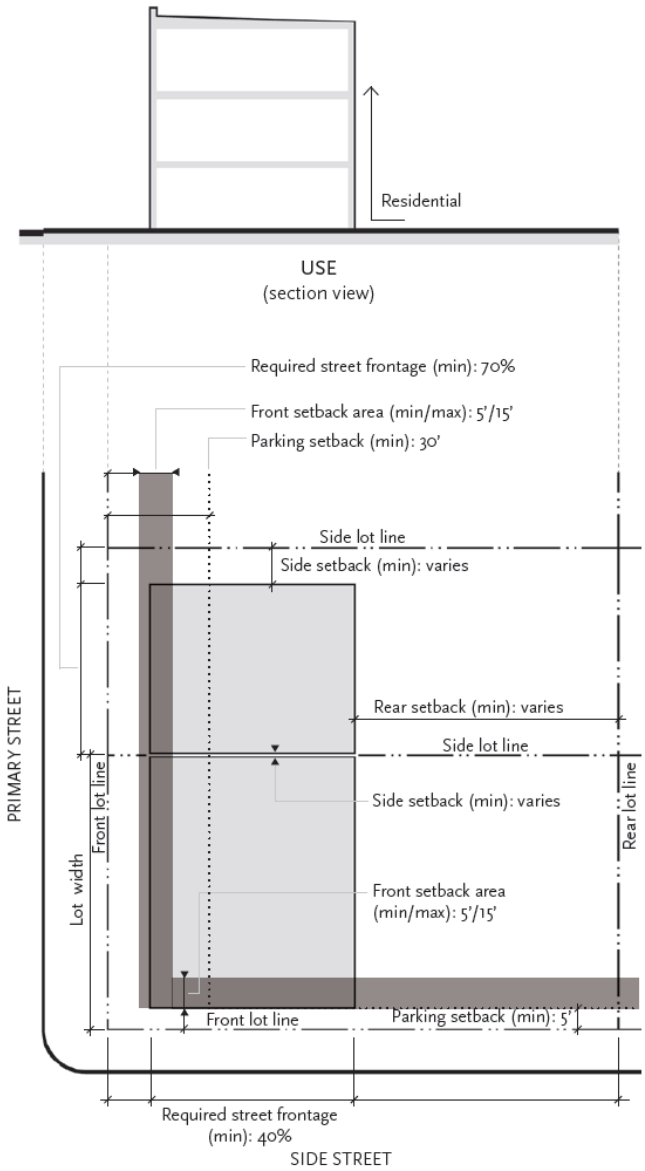




(3) Districts Permitted.

LOW:	WMU-3, WMU-5	WR-3, WR-5
MEDIUM:	WMU-8, WMU-12	WR-8, WR-12
HIGH:	WMU-20, WMU-40	WR-20, WR-40

(4) Use and Placement.



PLACEMENT
(plan view)

BUILDING USE

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

BUILDING PLACEMENT

LOT	
Area (min sf)	none
Area (max sf)	none
Width (min ft)	none
Width (max ft)	none
Lot coverage (max)	80%

FRONT SETBACK AREA	
Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none

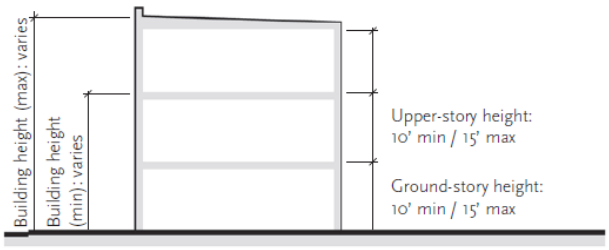
REQUIRED STREET FRONTAGE	
Primary street (min)	70%
Side street (min)	40%
Service street (min)	none

PARKING SETBACK	
From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5

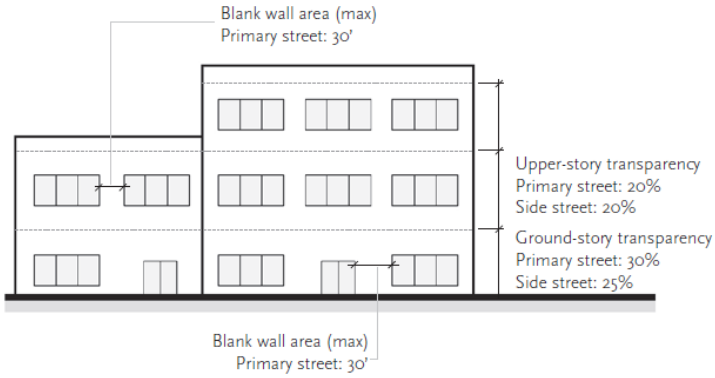
SIDE SETBACK	
Abutting single-family district (min ft)	15
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5

REAR SETBACK	
Abutting single-family district (min ft)	15
Abutting multifamily or nonresidential district (min ft)	5
Abutting alley (min ft)	5
Abutting service street (min ft)	10

(5) Height and Elements.



HEIGHT
(section view)



ELEMENTS
(elevation view)

BUILDING HEIGHT

HEIGHT	
Building height (max stories/ft)	See Section 51A-13.302, "Height"
Building height (min stories)	
WMU-3, -5 , -8, -12 WR-3, -5, -8, -12	2
WMU-20 WR-20	4
WMU-40 WR-40	5

STORY HEIGHT	
Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15

BUILDING FACADE

GROUND-STORY TRANSPARENCY	
Primary street facade (min)	30%
Side street facade (min)	25%
Service street facade (min)	none
Measured from floor to floor.	

UPPER-STORY TRANSPARENCY	
Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
Measured from floor to floor.	

BUILDING ENTRANCE	
Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

BLANK WALL AREA	
Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

(6) Landscaping.

(A) General landscaping standards are set forth in Section 51A-13.304(a)(2), "Landscaping."

(B) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of four site trees must be provided, whichever is greater.

(C) Site trees must be evenly distributed throughout the development.

(D) Required landscaping may be provided aboveground when configured as on-site open space in accordance with Section 51A-13.303, "Open Space."

LIST OF OFFICERS
Gables GP LLC

Name	Title	Address
Susan M. Ansel	President and Chief Executive Officer	3811 Turtle Creek Blvd. Suite 1500 Dallas, TX 75219
Dawn H. Severt	Executive Vice President, Chief Financial Officer, Secretary and Treasurer	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Cristina F. Sullivan	Executive Vice President – Chief Operations Officer and Assistant Secretary	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
Dennis E. Rainosek	Senior Vice President, Assistant Secretary, and Assistant Treasurer	5847 San Felipe Street Suite 3250 Houston, TX 77057
Ashley I. Tewell	Senior Vice President and Assistant Secretary	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Philip E. Altschuler	Senior Vice President	8300 Greensboro Drive Suite 650 McLean, VA 22102
David K. Reece	Senior Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Donna E. Summers	Senior Vice President	3811 Turtle Creek Blvd. Suite 1500 Dallas, TX 75219
Joseph G. Wilber	Senior Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Jean M. Anton	Vice President	225 N.E. Mizner Blvd Suite 400 Boca Raton, FL 33442
Jennifer B. Antos	Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
Tiffany Bakewell	Vice President	3811 Turtle Creek Blvd. Suite 1500 Dallas, TX 75219
Matthew C. Bearden	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
P. Darin Botelho	Vice President	3811 Turtle Creek Blvd. Suite 1500 Dallas, TX 75219

LIST OF OFFICERS
Gables GP LLC

Name	Title	Address
Kenna R. Coulter	Vice President	3811 Turtle Creek Blvd. Suite 1500 Dallas, TX 75219
Cole R. Ferguson	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
F. Gregory Gasior	Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
Genevieve Giannoni	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
William A. Gosnell	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Mary O. Hollands	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Robert D. Lamb	Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
Rosemary LaPrete	Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
Robert K. Presley	Vice President	5847 San Felipe Street Suite 3250 Houston, TX 77057
Pamela A. Wade	Vice President	5847 San Felipe Street Suite 3250 Houston, TX 77057
Michael L. Brown	Regional Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Jorgen Punda	Regional Vice President	8300 Greensboro Drive Suite 650 McLean, VA 22102
David Skinner	Regional Vice President	8300 Greensboro Drive Suite 650 McLean, VA 22102
Nicholas R. Venghaus	Regional Vice President	5847 San Felipe Street Suite 3250 Houston, TX 77057
Anna R. Frenzel	Area Vice President	101 University Blvd. Suite 240 Denver, CO 80206

LIST OF OFFICERS
Gables GP LLC

Name	Title	Address
Timothy R. Hutchinson	Area Vice President	8300 Greensboro Drive Suite 650 McLean, VA 22102
Joshua A. Landry	Area Vice President	5847 San Felipe Street Suite 3250 Houston, TX 77057

CPC ACTION - DECEMBER 1, 2016:

Motion: It was moved to recommend **approval** of a WR-20 Walkable Urban Residential District, subject to a height map overlay with deed restrictions volunteered by the applicant with the following changes: 1) Add provision to require access gate to parking along Lemmon have a 30 ft. setback from the right-of-way to allow for stacking space, pursuant to 51A-8.604(d)(12) and 2) Strike language related to Market Rate within Section III to read as follows: "The property shall be restricted to a maximum of 750 units", on property zoned Subdistrict B-1, West Residential Subzone within Planned Development District No. 305 bounded by Blackburn Street, Cole Avenue, Travis Street, and Lemmon Avenue East.

Maker: Ridley
Second: Shidid
Result: Carried: 10 to 4

For: 10 - Anglin, Rieves, Shidid, Anantasomboon, Jung, Housewright, Peadon, Murphy, Ridley, Tarpley

Against: 4 - Houston, Davis, Haney, Schultz
Absent: 0
Vacancy: 1 - District 7

Notices: Area: 400 Mailed: 274
Replies: For: 84 Against: 15

Speakers: For: Katy Slade, 3711 Cole Ave., Dallas, TX, 75204
Jim Garrett, 3304 Blackburn St., Dallas, TX, 75204
Kevin Curley, 6941 Kenwood Ave., Dallas, TX, 75214
Ryan Garcia, 3901 Travis St., Dallas, TX, 75204
Neal Sleeper, 3324 Blackburn St., Dallas, TX, 75204
David Boldrick, 3223 N. Haskell Ave., Dallas, TX, 75204
For (Did not speak): Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201
Vickie Klise, 3318 Blackburn St., Dallas, TX, 75204
Against: David Flick, 3310 Blackburn St., Dallas, TX, 75204
Karla Barber, 3510 Turtle Creek Blvd., Dallas, TX, 75219
Jane Idzi, 3305 N. Haskell Ave., Dallas, TX, 75204
Leslie Kennedy Barnett, 3821 Travis St., Dallas, TX, 75204
Against (Did not speak): Holly S. Gill, 3510 Turtle Creek Blvd., Dallas, TX, 75219
Frank Cacopardo, 3510 Turtle Creek Blvd., Dallas, TX, 75219
Shirley Black, 3510 Turtle Creek Blvd., Dallas, TX, 75219
Kyle Vannguyen, 3314 Blackburn St., Dallas, TX, 75204

Volunteered Deed Restrictions

(1) No stucco will be used on a new construction façade facing public streets and Travis Street. For purposes of this paragraph:

a. NEW CONSTRUCTION means the erection of new foundation, wall, and ceiling to create a structure. It does not include the physical alteration, rehabitation, renovation, or modernization of an existing structure.

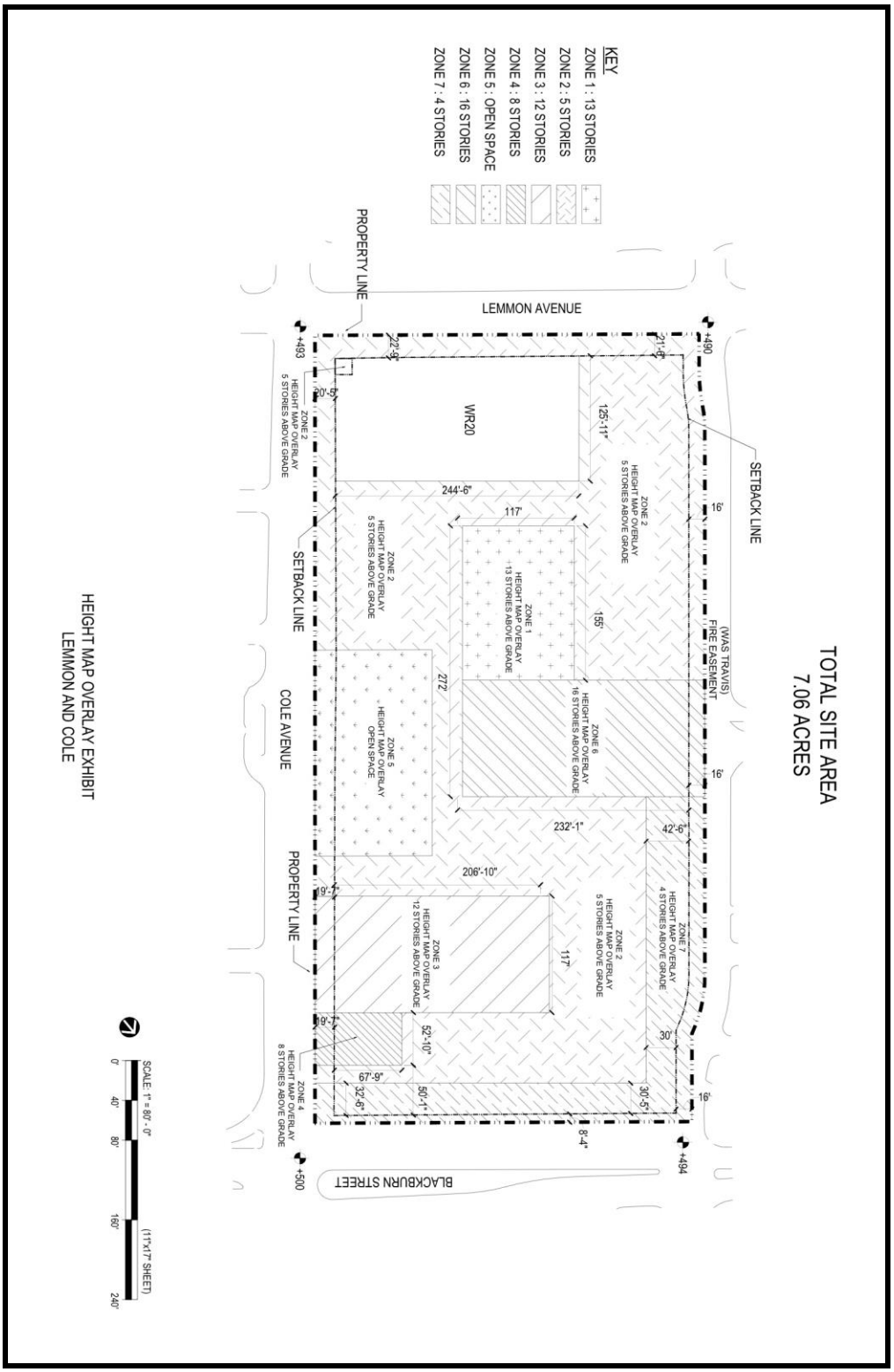
b. STUCCO means a cladding of fine plaster used to coat exterior surfaces which includes portland cement and Exterior Insulation and Finish System (EIFS) products.

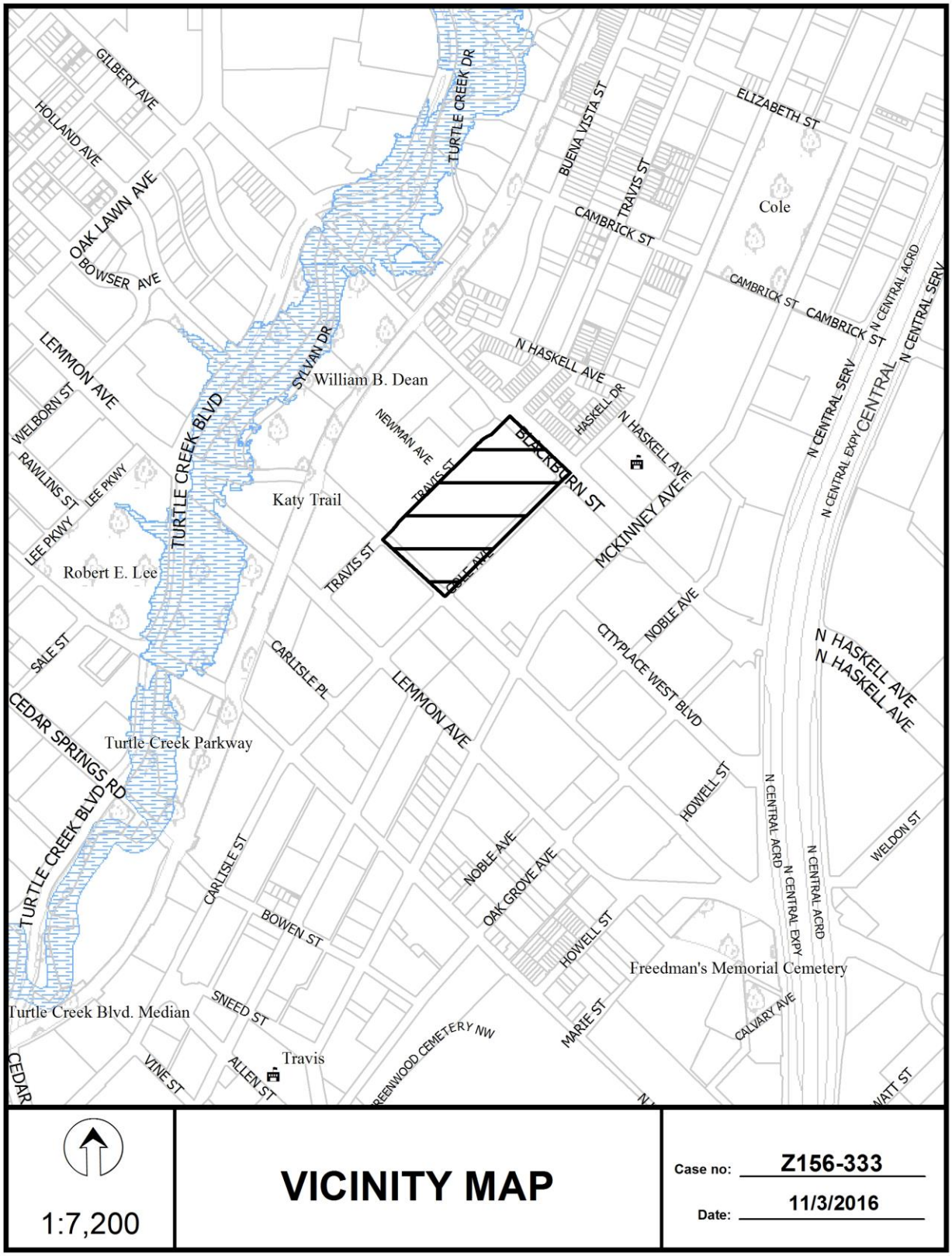
(2) No direct vehicular access to the Property will be allowed from Blackburn Street.

(3) The Property shall be restricted to a maximum of 750 units.

(4) Section 51A-8.604(D)(12) of the Dallas Development Code shall apply to garage access gates on Lemmon Avenue.

Height Map Overlay



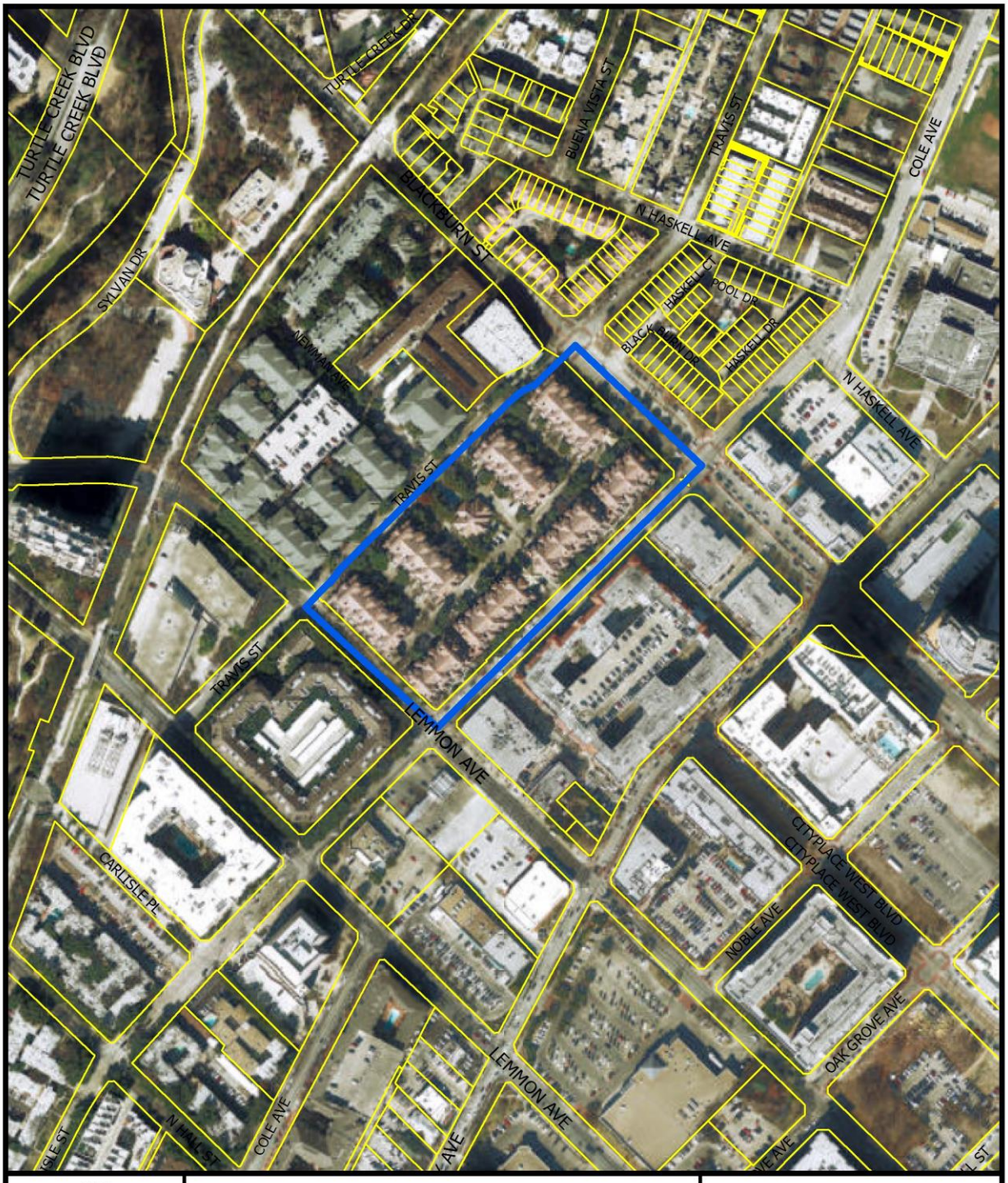


1:7,200

VICINITY MAP

Case no: Z156-333

Date: 11/3/2016

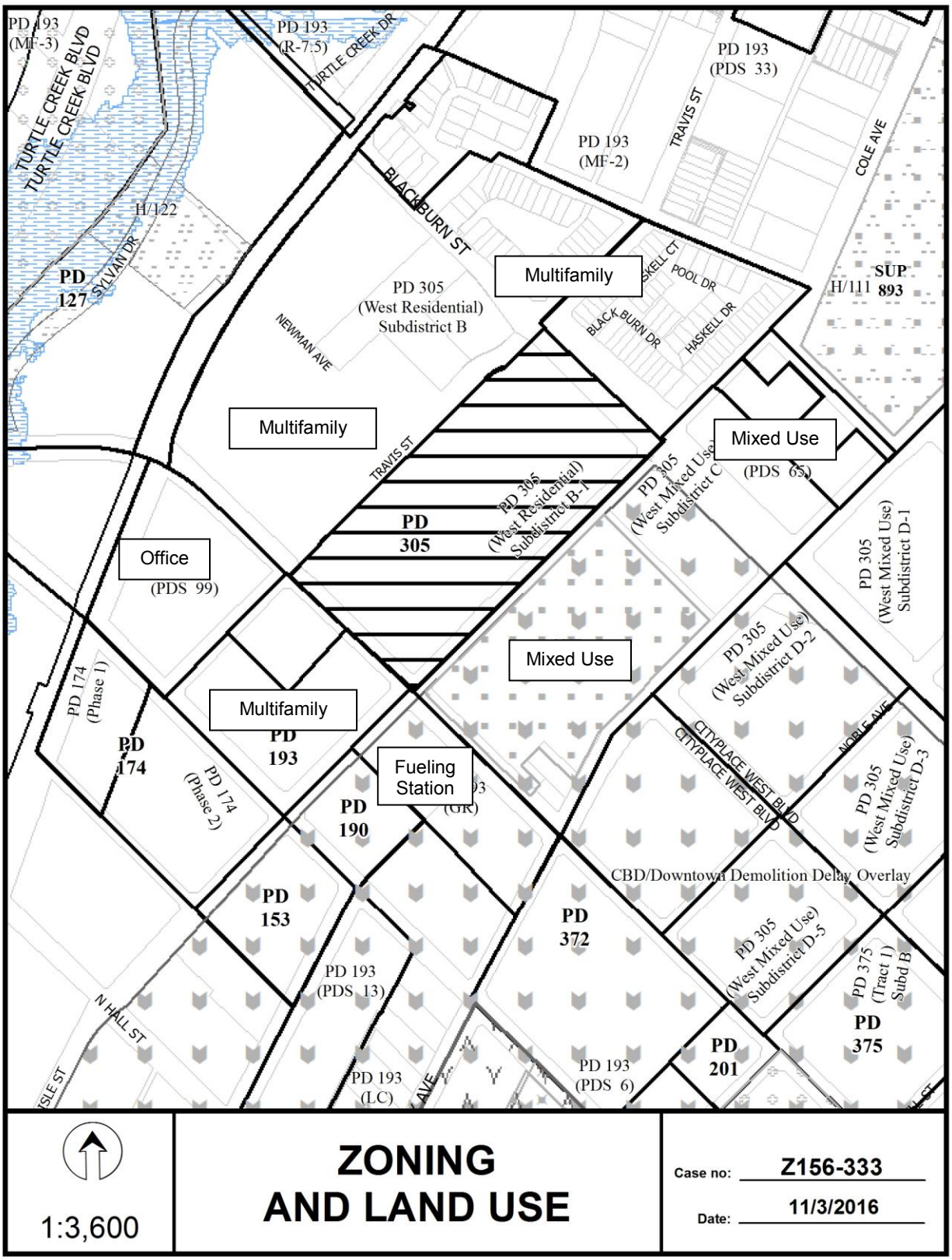


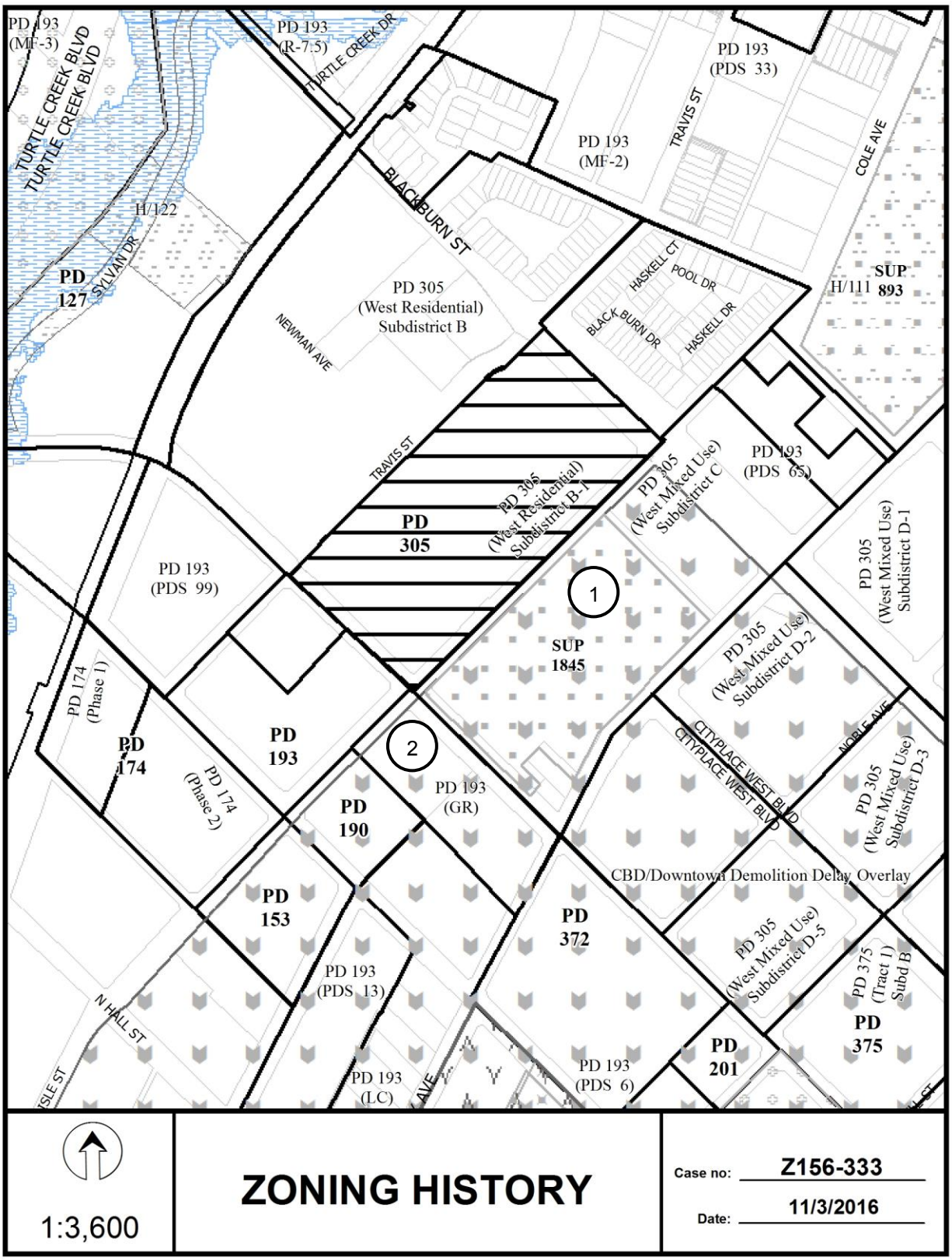
1:3,600

AERIAL MAP

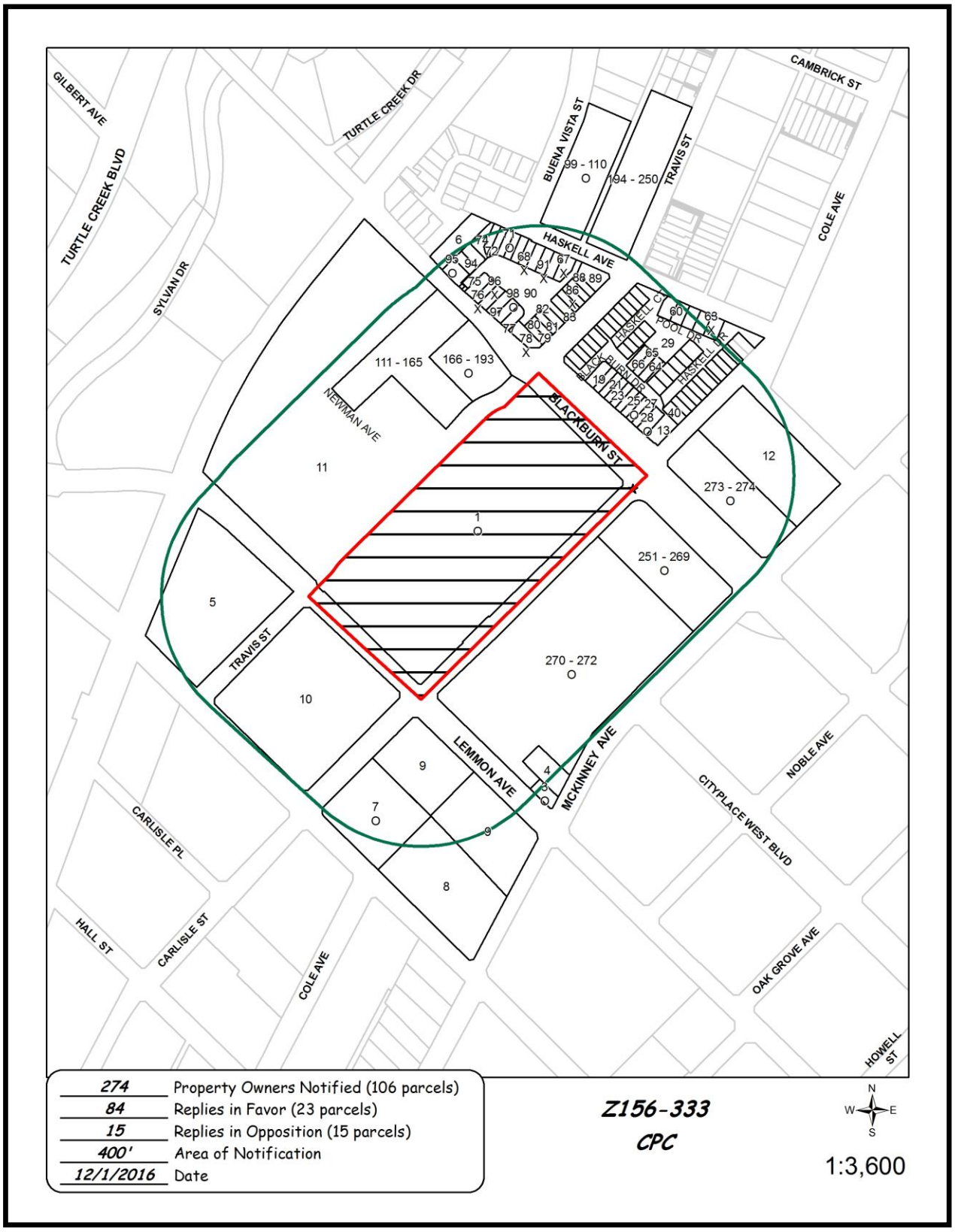
Case no: Z156-333

Date: 11/3/2016


PD 193 (MF-3)
TURTLE CREEK BLVD
PD 193 (R-7.5)
TURTLE CREEK DR
PD 193 (PDS 33)
TRAVIS ST
COLE AVE
PD 193 (MF-2)
BLACKBURN ST
H/122
PD 127
SYLVAN DR
Multifamily
SKELL CT
POOL DR
BLACK BURN DR
HASKELL DR
SUP H/111 893
PD 305 (West Residential) Subdistrict B
NEWMAN AVE
Multifamily
TRAVIS ST
Mixed Use
(PDS 65)
PD 305 (West Residential) Subdistrict B-1
PD 305 (West Mixed Use) Subdistrict C
PD 305
Office
(PDS 99)
PD 305 (West Mixed Use) Subdistrict D-1
Mixed Use
PD 305 (West Mixed Use) Subdistrict D-2
PD 174 (Phase 1)
Multifamily
PD 193
PD 174
PD 174 (Phase 2)
Fueling Station
CITYPLACE WEST BLVD
NOBLE AVE
PD 305 (West Mixed Use) Subdistrict D-3
PD 190
CBD/Downtown Demolition Delay Overlay
PD 153
PD 372
PD 305 (West Mixed Use) Subdistrict D-5
PD 375 (Tract 1) Subd B
PD 193 (PDS 13)
N HALL ST
PD 375
PD 201
PD 193 (LC)
PD 193 (PDS 6)
1:3,600
ZONING AND LAND USE
Case no: Z156-333
Date: 11/3/2016


PD 193 (MF-3)
TURTLE CREEK BLVD
PD 193 (R-7.5)
TURTLE CREEK DR
PD 193 (PDS 33)
TRAVIS ST
COLE AVE
PD 193 (MF-2)
BLACKBURN ST
H/122
PD 127
SYLVAN DR
PD 305 (West Residential) Subdistrict B
NEWMAN AVE
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HASKELL DR
SUP H/111 893
TRAVIS ST
PD 305 (West Residential) Subdistrict B-1
PD 305
PD 305 (West Mixed Use) Subdistrict C
PD 193 (PDS 65)
PD 305 (West Mixed Use) Subdistrict D-1
PD 193 (PDS 99)
1
SUP 1845
PD 305 (West Mixed Use) Subdistrict D-2
PD 174 (Phase 1)
PD 174
PD 174 (Phase 2)
PD 193
2
CITYPLACE WEST BLVD
NOBLE AVE
PD 305 (West Mixed Use) Subdistrict D-3
PD 193 (GR)
PD 190
CBD/Downtown Demolition Delay Overlay
PD 153
PD 372
PD 305 (West Mixed Use) Subdistrict D-5
PD 375 (Tract 1) Subd B
PD 375
PD 193 (PDS 13)
N HALL ST
PD 193 (LC)
PD 193 (PDS 6)
PD 201
1:3,600
ZONING HISTORY
Case no: Z156-333
Date: 11/3/2016

CPC Responses



11/30/2016

Reply List of Property Owners

Z156-333

274 Property Owners Notified ***84 Property Owners in Favor*** ***15 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	2	11111	COLE AVE	CITY PLACE - DALLAS TIF 920
O	3	3128	LEMMON AVE	BLACKBURN CTRL HLDG LP
	4	3605	MCKINNEY AVE	MESSINA MARIO L
	5	3535	TRAVIS ST	CFO2 DALLAS II LLC
	6	3326	BLACKBURN ST	CRISMAN THOMAS L & TINA M
O	7	3130	LEMMON AVE	LEMMON & COLE PARTNERS LP
	8	3501	MCKINNEY AVE	3501 MCKINNEY LTD
	9	3133	LEMMON AVE	RP TOWN & COUNTRY SC
	10	3530	TRAVIS ST	3530 TRAVIS ST APARTMENTS
	11	3377	BLACKBURN ST	TC BLACKBURN
	12	3813	MCKINNEY AVE	Dallas ISD
	13	3201	HASKELL AVE	BLVD BLDRS/VALENCIA LP
	14	3810	TRAVIS ST	SANDERS ANGELA L
	15	3808	TRAVIS ST	BARNETT ROBERT TRACY
	16	3806	TRAVIS ST	METZLER JONATHAN
O	17	3804	TRAVIS ST	MCKENDRY PATRICIA & MATTHEW
	19	3224	BLACKBURN DR	DELPINO CARLOS M & DEBORAH A
X	20	3222	BLACKBURN DR	DOUD BRIAN &
	21	3220	BLACKBURN DR	BARRETT JOHN & LISA
O	22	3218	BLACKBURN DR	MORTENSON TIMOTHY & KATHLEEN
	23	3216	BLACKBURN DR	DUNN JOHN R
	24	3214	BLACKBURN DR	SONTAG GAVIN
	26	3210	BLACKBURN DR	FL DALLAS LLC
	27	3208	BLACKBURN DR	KUMAR RAJESWARI V
	29	3223	POOL DR	HOA OF VALENCIA TOWNHOMES
	30	3835	COLE AVE	HARRIS DARRIUN & KRISTINA HARRIS

11/30/2016

Reply	*Label #*	*Address*		*Owner*
	31	3833	COLE AVE	MAGEE LAURIE LIVING TRUST THE
	32	3831	COLE AVE	HOFF NANCY A
	33	3829	COLE AVE	PARKER RONALD C
	34	3825	COLE AVE	OZBILEK LEVENT & ZEYNEP BURCU
	35	3823	COLE AVE	MINARYJOLANDAN MAJID &
	36	3821	COLE AVE	CHEUNG KENNETH
	37	3819	COLE AVE	DOAN DUC H
	38	3817	COLE AVE	BRYANT DAVID B
	39	3815	COLE AVE	CHRISTOPHERSON AARON M &
	40	3811	COLE AVE	SCIANDRA DANIEL F & LESLIE A
O	41	3815	HASKELL DR	PRITCHARD JEFFREY M &
	43	3819	HASKELL DR	WEIDE MARK
	44	3821	HASKELL DR	WALLACE CHRIS
O	45	3823	HASKELL DR	DE NAPOLI TOM
	46	3825	HASKELL DR	BALL JOHN G
X	47	3820	HASKELL CT	MICHAEL M VICK MANAGEMENT TRUST
	48	3818	HASKELL CT	CONNERS CHRISTOPHER
	49	3816	HASKELL CT	MAH JEFFERY
	50	3814	HASKELL CT	MURPHY CHRISTINE & WILLIAM
	51	3812	HASKELL CT	ETHRIDGE JACOB J & AMANDA B
	52	3812	TRAVIS ST	SMITH TOBIAS
O	53	3814	TRAVIS ST	KAMINSKI ANDRZEJ S
O	54	3816	TRAVIS ST	ASINOF PAULA
	55	3818	TRAVIS ST	LIN XIA
	56	3820	TRAVIS ST	LIN JULIE
	57	3822	TRAVIS ST	ABERNETHY JULIE
	58	3824	TRAVIS ST	MASON ASHLEY L
	59	3231	HASKELL AVE	HAAS CHRISTOPHER M
	60	3227	HASKELL AVE	VELING MARIA
O	61	3223	HASKELL AVE	BOLDRICK DAVID B & SUSAN B
O	62	3219	HASKELL AVE	MESCIOGLU KUTLAY

11/30/2016

Reply	*Label #*	*Address*		*Owner*
X	63	3215	HASKELL AVE	HAMMETT DENNIS R
	64	3230	BLACKBURN DR	MAZUR ORLY & LEONARD
	65	3232	BLACKBURN DR	AK MACK PPTIES LLC
	66	3234	BLACKBURN DR	FARROW PAUL
X	67	3305	N HASKELL AVE	IDZI JANE S
X	68	3317	N HASKELL AVE	HARRINGTON FRANK B &
	69	3319	N HASKELL AVE	NEWELL CHARLES M
X	70	3321	N HASKELL AVE	POLDER BRANDI L
O	71	3323	N HASKELL AVE	KAYE THOMAS &
	72	3325	N HASKELL AVE	WELTY ELIZABETH
X	73	3327	N HASKELL AVE	WATKINS CONSTRUCTION CO LLC
	74	3329	N HASKELL AVE	PERRY ALEXANDER
	75	3314	BLACKBURN ST	VANNGUYEN KYLE
X	76	3312	BLACKBURN ST	GUILTINAN RICHARD J JR & EILEEN R
	77	3302	BLACKBURN ST	RUTHE MARK & KIMBERLY
X	78	3803	TRAVIS ST	HENRY LAUREY
	79	3805	TRAVIS ST	BERRY ROBERT E
	80	3807	TRAVIS ST	STAIGER GARY
	81	3809	TRAVIS ST	DO TUAN & THUY LAM
	82	3811	TRAVIS ST	QUDAH FAIGA J
	83	3817	TRAVIS ST	OLDHAM JOHN W & SUZANNE
	84	3307	N HASKELL AVE	MURPHY SUE P
X	85	3819	TRAVIS ST	MAGNESS SUE ANN
X	86	3821	TRAVIS ST	KENNEDY LESLIE A
	87	3823	TRAVIS ST	BERMAN GEORGE &
	88	3825	TRAVIS ST	BREVELLE JOHNALAINE ALMARIA
	89	3827	TRAVIS ST	PARKER GWENDOLYN
	90	3300	BLACKBURN ST	PORTOBELLO LTD
X	91	3309	N HASKELL AVE	FIELDING JULIA R &
X	92	3315	N HASKELL AVE	MICHEL DONALD H & DEBRA R
X	93	3318	BLACKBURN ST	WISE VICKIE

11/30/2016

Reply	*Label #*	*Address*		*Owner*
	94	3320	BLACKBURN ST	KULKARNI NITIN KRISHNAJI &
O	95	3324	BLACKBURN ST	SLEEPER NEAL D
X	96	3310	BLACKBURN ST	MOOS ROBERT V &
	97	3306	BLACKBURN ST	KINGSTON ADEAN
O	99	3906	BUENA VISTA ST	GRANBERRY JEFFREY D
O	100	3906	BUENA VISTA ST	IPENEMA INVESTMENTS LTD
O	101	3906	BUENA VISTA ST	BOUCHER SUSAN
O	102	3906	BUENA VISTA ST	TOBIN ASHLEY
O	103	3906	BUENA VISTA ST	MARKWALD MICHAEL KENNETH
O	104	3906	BUENA VISTA ST	NASKAR ANJALI MAYA
O	105	3906	BUENA VISTA ST	WEBER KIRSTEN E
O	106	3906	BUENA VISTA ST	WALKER LINDA ENGLAND
O	107	3906	BUENA VISTA ST	MARTIN ANGELA M
O	108	3910	BUENA VISTA ST	LESZINSKI SLAWOMIR TR
O	109	3910	BUENA VISTA ST	IPENEMA INVESTMENTS LTD
O	110	3910	BUENA VISTA ST	BUENA VISTA REALTY LLC
	111	3311	BLACKBURN ST	GEOFFRION TRACY R
	112	3311	BLACKBURN ST	BICHLER BRANDON CLARK
	113	3311	BLACKBURN ST	SMITH WILLIAM
	114	3311	BLACKBURN ST	CITALAN ELVIA M & STEFANO MORO
	115	3311	BLACKBURN ST	SULIT MARIO A
	116	3311	BLACKBURN ST	KATEB MEDHI
	117	3311	BLACKBURN ST	TRAN JOHN
	118	3311	BLACKBURN ST	DUNN CHANELLE L
	119	3311	BLACKBURN ST	BARLOW ERIN MARIE
	120	3311	BLACKBURN ST	MAK NANCY MAN FONG
	121	3311	BLACKBURN ST	BOYLE JAMILA J
	122	3311	BLACKBURN ST	YU KEVIN K
	123	3311	BLACKBURN ST	DANE EUGENE
	124	3311	BLACKBURN ST	COOKE CARRIE A
	125	3311	BLACKBURN ST	PANDYA AMIT & REEMA SHAH

11/30/2016

Reply	*Label #*	*Address*		*Owner*
	126	3311	BLACKBURN ST	NUNEZ CARLOS A
	127	3311	BLACKBURN ST	WILSON DEBORAH &
	128	3311	BLACKBURN ST	WEBB RONALD J
	129	3311	BLACKBURN ST	CONSEMIU REYMUNDO JR
	130	3311	BLACKBURN ST	CASH ERIN TIFFANY
	131	3311	BLACKBURN ST	ASH ELIZABETH
	132	3311	BLACKBURN ST	BRESLIN ALYSON L
	133	3311	BLACKBURN ST	MEADOR KIRSTEN M
	134	3311	BLACKBURN ST	ELLIS RYAN WINSTON
	135	3311	BLACKBURN ST	TCHEN DEXTER & GRACE CHENG
	136	3311	BLACKBURN ST	BUKOLT MARK & CAROLINE
	137	3311	BLACKBURN ST	ARSIANTO JANESA
	138	3311	BLACKBURN ST	SNYDER ANA
	139	3311	BLACKBURN ST	MURPHY MAUREEN J
	140	3311	BLACKBURN ST	MOTLAGH AL
	141	3311	BLACKBURN ST	ROBERTS DIANA
	142	3311	BLACKBURN ST	RUNNELS CASEY
	143	3311	BLACKBURN ST	TORRES DULCE
	144	3311	BLACKBURN ST	NGO HONGVIEN
	145	3311	BLACKBURN ST	CUNNINGHAM JUDITH B
	146	3311	BLACKBURN ST	GREEN PHILLIP WISTER
	147	3311	BLACKBURN ST	TORRES DULCE M
	148	3311	BLACKBURN ST	HERNANDEZ DANIELLE
	149	3311	BLACKBURN ST	J & J LEE COMPANY LLC
	150	3311	BLACKBURN ST	HABERER STEFAN M & ELIZABETH
	151	3311	BLACKBURN ST	KRIVACIC ROBYN
	152	3311	BLACKBURN ST	MAYBEN MICHAEL PAUL
	153	3311	BLACKBURN ST	WONG DEBBY HOI YEE
	154	3311	BLACKBURN ST	SPENSIERI AUTUMN &
	155	3311	BLACKBURN ST	LAROCCA ASHLEY
	156	3311	BLACKBURN ST	GUEST KIM

11/30/2016

Reply	*Label #*	*Address*		*Owner*
	157	3311	BLACKBURN ST	FRANK ROBERT EDWARD
	158	3311	BLACKBURN ST	REYES GARY & FAITH
	159	3311	BLACKBURN ST	MCKINLEY SHARON RUTH
	160	3311	BLACKBURN ST	KROCHESKI MATTHEW J
	161	3311	BLACKBURN ST	FOLEY NICHOLAS & MANJULA
	162	3311	BLACKBURN ST	GAMINI ARSHIN &
	163	3311	BLACKBURN ST	HERRERA MARIA S
	164	3311	BLACKBURN ST	TIMMS RYAN
	165	3311	BLACKBURN ST	GOLDBERG ERIC
O	167	3303	BLACKBURN ST	STRADTMAN CAROL C
O	168	3303	BLACKBURN ST	ABBOTT LUIS
O	169	3303	BLACKBURN ST	RANDALL WESLEY SPENCER & ANGELA
O	170	3303	BLACKBURN ST	THOMAS ATTICUS H &
O	171	3303	BLACKBURN ST	DEAN GLENN MITCHELL JR
O	172	3303	BLACKBURN ST	JOHNSON CAMERON T & JAMIRA V
O	173	3303	BLACKBURN ST	WHITE NOEL FREDERICK &
O	174	3303	BLACKBURN ST	GREEN WILLIAM H & SUE ANN
O	175	3303	BLACKBURN ST	LEOPOLDI ROBERT & DEBRA
O	176	3303	BLACKBURN ST	RODRIGUEZ MARIA E F
O	177	3303	BLACKBURN ST	KURIVILLA MERIN ELIZABETH
O	178	3303	BLACKBURN ST	CULPEPPER SUSAN LOUISE
O	179	3303	BLACKBURN ST	WHEELER JOHN T
O	180	3303	BLACKBURN ST	COMER JOSHUA & SHELLEY
O	181	3303	BLACKBURN ST	MULLEN JOHN M & JANE A
O	182	3303	BLACKBURN ST	ESTES STEVEN E &
O	183	3303	BLACKBURN ST	BHA LLC
O	184	3303	BLACKBURN ST	MOU JAMES & PAMELA
O	185	3303	BLACKBURN ST	PELFREY PATRIZIA
O	186	3303	BLACKBURN ST	BASSETT JOHN W & NOLANA K
O	187	3303	BLACKBURN ST	KEGLEVIC PAUL & KAREN
O	188	3303	BLACKBURN ST	KEENAN TERESA A

11/30/2016

Reply	*Label #*	*Address*		*Owner*
O	189	3303	BLACKBURN ST	SCOTT CAROL
O	190	3303	BLACKBURN ST	DELAURENTIS BRUCE
O	191	3303	BLACKBURN ST	MENDELSON BARRY
O	192	3303	BLACKBURN ST	BROWN DAVID & ANGIE
O	193	3303	BLACKBURN ST	GORDEN CHADD LINDQUIST &
	194	3901	TRAVIS ST	KLINGLER COREY E &
	195	3901	TRAVIS ST	TRANTHAM LAUREN E
	196	3901	TRAVIS ST	GARCIA RYAN
	197	3901	TRAVIS ST	HENNINGSEN JOSEPH H JR
	198	3901	TRAVIS ST	GILLETTE KRISTINE
	199	3901	TRAVIS ST	JEON TINA
	200	3901	TRAVIS ST	DILLOW DANIELLE LEIGH
	201	3901	TRAVIS ST	KISSANE ERIN
	202	3901	TRAVIS ST	WEINBERG ELANDRA B
	203	3901	TRAVIS ST	GILG TERRANCE L
	204	3901	TRAVIS ST	TSAI ROGER W & MARGARET S C
	205	3901	TRAVIS ST	MCMANUS SEAN
	206	3901	TRAVIS ST	BAKER JONATHAN A
	207	3901	TRAVIS ST	GAMPPER CLOYD JOSEPH
	208	3901	TRAVIS ST	CCCC PROPERTY MGMT LLC
	209	3901	TRAVIS ST	SULLIVAN JOHN P REVOCABLE TRUST
	210	3901	TRAVIS ST	DOTLINK LLC
	211	3901	TRAVIS ST	SHERIDAN THOMAS M
	212	3901	TRAVIS ST	SHADLE KATHERINE A &
	213	3901	TRAVIS ST	FRIEDMAN JASON
	214	3901	TRAVIS ST	BRITTENHAM DAVID
	215	3901	TRAVIS ST	CUARTELON ADELE S
	216	3901	TRAVIS ST	WEEDMAN JONATHAN
	217	3901	TRAVIS ST	TSAI TAI CHUN
	218	3901	TRAVIS ST	MOSLEY JULIA E
	219	3901	TRAVIS ST	THOMAS DARIUS & FALLYN

11/30/2016

Reply	*Label #*	*Address*		*Owner*
	220	3901	TRAVIS ST	HALAYDA STEPHEN J
	221	3901	TRAVIS ST	PLEITEZ CLAUDIA
	222	3901	TRAVIS ST	CCCC PPTY MGMT LLC
	223	3901	TRAVIS ST	SENOR CHARLES DAVID & JANE ALLEN
	224	3901	TRAVIS ST	ROUSSON GEORGE & BEATA
	225	3901	TRAVIS ST	WOOD CHARLES MARK
	226	3901	TRAVIS ST	MCALEAVEY DAVID J
	227	3901	TRAVIS ST	REYES JOSHUA P
	228	3901	TRAVIS ST	SMITH ROBERT DAVID
	229	3901	TRAVIS ST	JOHNSON CARRIE L
	230	3901	TRAVIS ST	SMITH SCOTT N & ALYSSA L
	231	3901	TRAVIS ST	MELCHER MARIAH B
	232	3901	TRAVIS ST	APPEL DANIELLE B
	233	3901	TRAVIS ST	COWICK JEFFERY DUANE & CARMEN
	234	3901	TRAVIS ST	BURNLEY ROBERT
	235	3901	TRAVIS ST	HAZELTON GAYLE M
	236	3901	TRAVIS ST	WESTBROOK ASHLY
	237	3901	TRAVIS ST	FOERSTER ASHLEY
	238	3901	TRAVIS ST	HERRERA IGNACIO NICOLAS
	239	3901	TRAVIS ST	SANCHEZ VICTOR G
	240	3901	TRAVIS ST	IVCHENKO NATALIA A
	241	3901	TRAVIS ST	CHEN SHYHDAH &
	242	3901	TRAVIS ST	GOMEZ MARK D
	243	3901	TRAVIS ST	MUNS CHRISTINE AMANDA
	244	3901	TRAVIS ST	FACCA THOMAS PAUL &
	245	3901	TRAVIS ST	MILLER LINDSEY R
	246	3901	TRAVIS ST	CARDASCIA KATHERINE &
	247	3901	TRAVIS ST	BEARIST GROUP LLC
	248	3901	TRAVIS ST	TATUM JOHN & MARGARET
	249	3901	TRAVIS ST	ALESSANDRA LITA
	250	3901	TRAVIS ST	BUIE THOMAS M & CAROLINE P

11/30/2016

Reply	*Label #*	*Address*		*Owner*
	251	3699	MCKINNEY AVE	WEST VILLAGE 2004 PO LTD
O	252	3699	MCKINNEY AVE	WILLIAMSON ANA
O	253	3699	MCKINNEY AVE	KAPORIS HELEN
O	254	3699	MCKINNEY AVE	WILLIAMSON ANA R
O	255	3699	MCKINNEY AVE	SAVAGE TAMARA ANN
O	256	3699	MCKINNEY AVE	STEFKA BRIAN PAUL
O	257	3699	MCKINNEY AVE	WOODWARD MICHAEL BRYAN
O	258	3699	MCKINNEY AVE	SHERWOOD STEVEN TRUST
O	259	3699	MCKINNEY AVE	ROGERS MARTIN
O	260	3699	MCKINNEY AVE	SCHULZE MARK
O	261	3699	MCKINNEY AVE	JOHNSON GLENN
O	262	3699	MCKINNEY AVE	LIVINGSTON WILLIAM CHRISTOPHER &
O	263	3699	MCKINNEY AVE	LEMMA YONATAN SOLOMON
O	264	3699	MCKINNEY AVE	PHILZACH LLC
O	265	3699	MCKINNEY AVE	REBELLO EUPHRASON G
O	266	3699	MCKINNEY AVE	YOUNG FREDERICK C
O	267	3699	MCKINNEY AVE	SEBASTIAN RICHARD
O	268	3699	MCKINNEY AVE	MULVANY STEPHEN J
O	269	3699	MCKINNEY AVE	SHAH SUMMIT J &
O	270	3699	MCKINNEY AVE	3700 COLE AVE LLC
O	272	3699	MCKINNEY AVE	MILLER ANGELA AMHADI
O	273	3839	MCKINNEY AVE	CIM 3839 MCKINNEY AVE LP
O	A1	3802	TRAVIS ST	CURLEY BRINDA HOLT
O	A2	3212	BLACKBURN DR	LATHAM VAN & LYNN
O	A3	3304	BLACKBURN ST	GARRETT JAMES P & TR
O	A4	3303	BLACKBURN ST	PELLETIER BRENT A & MARY A
O	A5	3906	BUENA VISTA ST	IPENEMA INVESTMENTS LTD
O	A6	3910	BUENA VISTA ST	IPENEMA INVESTMENTS LTD
O	A7	3711	COLE AVE	LG CITYPLACE LP
O	A8	3206	BLACKBURN DR	EDGERTON JAMES & LINDA L
O	A9	3817	HASKELL DR	CULLEN JOHN M & CONSTANCE L
O	A10	3839	MCKINNEY AVE	WVII LP

11/30/2016

Reply	*Label #*	*Address*		*Owner*
O	A11	3699	MCKINNEY AVE	SOUTH ALLEY LOFT LLC
O	A12	3699	MCKINNEY AVE	WEST VILLAGE 2004 PO LTD

AGENDA ITEM # 56

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Mark McDaniel, 670-3256

MAPSCO: 76 F; G

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for nonresidential uses on property zoned an A(A) Agricultural District generally on the south line of Cedardale Road, west of Cleveland Road
Recommendation of Staff and CPC: Approval, subject to conceptual plan and conditions
Z156-354(SH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 11, 2017**

ACM: Mark McDaniel

FILE NUMBER: Z156-354(SH) **DATE FILED:** September 2, 2016

LOCATION: South line of Cedardale Road, west of Cleveland Road

COUNCIL DISTRICT: 8 **MAPSCO:** 76 F, G

SIZE OF REQUEST: Approx. 106.55 acres **CENSUS TRACT:** 167.03

OWNERS: Gregory London, Sr.; Betty Garrett; Mack Cumby; Shirley Davis; Jose Carmen Esparza & Maria Luisa Esparza; Santiago Rivera; Vivian Taylor; and Rosalind Perry

APPLICANT: TCDFW Acquisitions, LLC

REPRESENTATIVE: TCDFW Acquisitions, LLC

REQUEST: An application for a Planned Development District for nonresidential uses on property zoned an A(A) Agricultural District.

SUMMARY: The applicant is proposing to develop the site with an industrial warehouse use on 106.55 acres of land. The proposed development is adjacent to Planned Development District No. 761, the Dallas Logistics Port Special Purpose District, and will utilize strategies within this special purpose district as a guide for development. The proposed PDD provides for the following: 1) designate permitted uses and corresponding yard, lot, and space regulations; 2) permit alternative landscape and tree mitigation regulations; 3) specify screening and height regulations for outside storage; and, 4) identify design guidelines, including lighting and sign standards.

CPC RECOMMENDATION: **Approval**, subject to conceptual plan and conditions

STAFF RECOMMENDATION: **Approval**, subject to conceptual plan and conditions

DESIGNATED ZONING CASE

BACKGROUND INFORMATION:

- The request site is approximately 106.55 acres of agricultural land that is heavily wooded and mostly undeveloped, with a few residential dwelling units scattered throughout the site.

- The applicant proposes to develop the site with an industrial warehouse use. The proposed development is adjacent to Planned Development District No. 761, the Dallas Logistics Port Special Purpose District, and will utilize strategies within this special purpose district as a guide for development.

- Per the proposed conceptual plan, the development will consist of two warehouse buildings totaling 1.75 million square feet. Access to the site will be from four proposed driveways along Cedardale Road.

Zoning History: There have been no zoning cases in the area within the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Cedardale Road	Community Collector	60 feet

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will have no significant impact on the surrounding street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	A(A)	Agricultural
North	LI and IR	Agricultural/Residential
East	A(A)	Agricultural/Residential
South	A(A) and LI	Agricultural
West	A(A) and LI	Agricultural

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 1.1.2 Focus on Southern Sector development opportunities.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.4 Support efforts to expand targeted business and industry development within the Southern Sector.

Policy 2.2.4 Focus on logistics-related jobs for the expansion of employment opportunities, particularly in the Southern Sector.

Dallas' future development opportunities and much of the projected growth capacity lie in the Southern Sector, offering a great opportunity to guide development and direct economic activity. The vast majority of vacant land in the city is located in the Southern Sector. As such, developments similar to this are necessary in order to promote and encourage efforts for continued investment in these underutilized areas of the city.

STAFF ANALYSIS:

Land Use Compatibility:

The request site is approximately 106.55 acres of agricultural land that is heavily wooded and mostly undeveloped, with a few residential dwelling units scattered throughout the site. The area immediately surrounding the site is comprised mainly of agricultural farmland with few residential uses. The site is in close proximity to Planned Development District No. 761, commonly known as the Dallas Logistics Port Special Purpose District. The applicant proposes to develop the site using strategies that are consistent with the development guidelines within this special purpose district.

Per the proposed conceptual plan, the development will consist of two warehouse buildings totaling 1.75 million square feet. Access to the site will be from four proposed driveways along Cedardale Road. The proposed PDD provides for the following: 1) designate permitted uses and corresponding yard, lot, and space regulations; 2) permit alternative landscape and tree mitigation regulations; 3) specify an increase of height from six feet to nine feet for required screening of outside storage; and, 4) identify design guidelines, including lighting and sign standards.

To ensure compatibility with other industrial developments in the area, the applicant has proposed land uses that are consistent with the permitted uses in the Dallas Logistics Port Special Purpose District. In addition, the regulations that have been provided for

screening, landscaping and tree preservation, sign standards, and lighting are identical to those in the adjacent special purpose district. Off-street parking and loading will be provided per the requirements outlined in Chapter 51A.

Design Guidelines:

The PDD also proposes design guidelines for the purpose of encouraging quality development that will contribute to the overall aesthetics of the district as a unique place by enhancing the built environment. The conditions specify allowable materials for exterior walls that face a public street, residential use, or public open space. Provisions for vertical articulation stipulate that walls facing a public right-of-way must have vertical accent bands spaced no greater than 150 feet apart. These accent bands must be a minimum of 10 feet in length and must change height by a minimum of three feet materials have been specified. Lastly, roof-mounted mechanical equipment, skylights, and solar panels must be screened or set back so that they are not visible from a point five feet, six inches above grade at the property line. Screening materials must match the materials and colors used on the main building, and chain link fencing may not be used as a screening material. Staff supports these proposed design guidelines as they are intended to ensure that new development and redevelopment will be similar to the Dallas Logistics Port Special Purpose District.

Landscaping

The proposed landscaping is similar to the standards outlined in the Dallas Logistics Port Special Purpose District. Article X requirements of the Development Code will be met, with the additional provisions that at least 15 percent of the area of the street yard must be landscaped and required parking spaces must be within 100 feet of a landscape island as opposed to 120 feet as stipulated in the Code.

Parking

The minimum required parking will be provided per the regulations in Chapter 51A of the Development Code.

CPC ACTION – November 17, 2016:

Motion: It was moved to recommend **approval** of a Planned Development District for nonresidential uses, subject to conceptual plan and conditions on property zoned an A(A) Agricultural District generally on the south line of Cedardale Road, west of Cleveland Road.

Maker: Houston
Second: Jung
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

Notices: Area: 500 Mailed: 33
Replies: For: 1 Against: 0

Speakers: None

List of Officers

TCDFW Acquisitions, LLC Officers

A Delaware limited Liability Company
doing business in Texas as TCDFW Acquisitions I, LLC

By: **TCDFW Development, Inc.**
A Delaware corporation
Its Managing Member
Scott Krikorian, CEO and President

Chief Executive Officer	Scott A. Krikorian
President	Scott A. Krikorian
Executive Vice President	Adam Saphier
Executive Vice President	James H. Matoushek
Executive Vice President	John A. Stirek
Executive Vice President	Matthew J. Nickels, III
Executive Vice President	Michael S. Duffy
Executive Vice President	Scott A. Dyche
Executive Vice President	T. Christopher Roth
Senior Vice President	Joel Behrens
Vice President	S. Denton Walker, III
Vice President	Valarie Gonzales
Secretary	Rebecca M. Savino
Assistant Secretary	Scott A. Dyche
Treasurer	James H. Matoushek
General Counsel	Scott A. Dyche
Director	Michael S. Duffy
Director	Scott A. Dyche

3422 Cedardale Road_TCDFW Acquisitions, LLC Officers

PROPOSED PDD CONDITIONS

ARTICLE XXX.

PD XXX.

SEC. 51P-XXX.101. LEGISLATIVE HISTORY.

PD XXX was established by Ordinance No. _____, passed by the Dallas City Council on _____. (Ordinance No.____)

SEC. 51P-XXX.102. PROPERTY LOCATION AND SIZE.

PD XXX is established on property along the south line of Cedardale Road east of Floyd Branch Creek. The size of PD XXX is approximately 106.55 acres. (Ord. No._____)

SEC. 51P-XXX.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this district:

(1) REVEAL means a recess in a material that is a minimum of ¾" deep and ¾" wide

(2) STREET-YARD means that portion of a lot between a building facade facing a street and the property line.

(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.

(d) In this district, a single family, duplex, or multifamily use creates a residential adjacency as defined in Chapter 51A.

SEC. 51P-XXX.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit XXXA: conceptual plan; and

(2) Exhibit XXXB: vertical articulation

SEC. 51P-XXX.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-XXX.106. DEVELOPMENT PLAN.

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. Development plans may be submitted in phases. If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-XXX.107. MAIN USES PERMITTED.

(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.
-- Custom business services.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Machine or welding shop. *[Inside only. RAR]*
-- Machinery, heavy equipment, or truck sales and services. *[RAR]*
-- Medical or scientific laboratory.
-- Technical school.
-- Tool or equipment rental.
-- Vehicle or engine repair or maintenance. *[RAR]*

(3) Industrial uses.

-- Industrial (inside). *[SUP required if the use is potentially incompatible; otherwise with RAR. See Section 51A-4.203(a).]*
-- Industrial (inside) for light manufacturing.
-- Industrial (outside). *[RAR]*
-- Mining. *[Limited to oil and gas exploration and production; by SUP only; and must be spaced a minimum of 1,000 feet from single family, duplex, or multifamily uses.]*
-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

-- None permitted.

(5) Lodging uses.

-- Extended stay hotel or motel. *[SUP]*
-- Hotel or motel. *[By SUP for a hotel or motel with fewer than 60 rooms; otherwise, with RAR.]*
-- Lodging or boarding house. *[SUP]*

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(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.

-- None permitted.

(10) Retail and personal service uses.

-- Alcoholic beverage establishments. *[See Section 51A-4.210(b)(4). Treat as if in an industrial district.]*
-- Commercial amusement (inside). *[SUP required if required in an industrial district. See Section 51A-4.210(b)(7). Gun range and dance hall uses are not permitted.]*
-- Commercial motor vehicle parking. *[By SUP only if within 500 feet of a residential use.]*
-- 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 *[SUP]*
-- General merchandise or food store 100,000 square feet or more

[SUP Subject to the design standards in section 51A-4.605(a), rather than the design guidelines in Section 51P-XXX.116.]

-- Home improvement center, lumber, brick, or building materials sales yard. *[RAR]*
-- Household equipment and appliance repair.
-- Motor vehicle fueling station.
-- Personal service uses. *[Tattoo studios and piercing salons are not permitted.]*
-- Restaurant without drive-in or drive-through service. *[RAR]*
-- Restaurant with drive-in or drive-through service. *[DIR]*
-- Temporary retail use.
-- Theater.
-- Truck stop. *[SUP]*
-- Vehicle display, sales, and service. *[RAR]*

(11) Transportation uses.

-- Airport or landing field. *[SUP]*
-- Commercial bus station and terminal. *[RAR]*
-- Heliport. *[RAR]*
-- Helistop. *[RAR]*
-- Intermodal railroad facility.
-- Railroad passenger station. *[SUP]*
-- Railroad yard, roundhouse, or shops. *[RAR]*
-- STOL (short takeoff or landing) port. *[SUP]*
-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(12) Utility and public service uses.

-- Commercial radio or television transmitting station.
-- Electrical generating plant. *[SUP]*
-- Electrical substation.
-- Local utilities. *[SUP or RAR may be required. See Section 51A-4.212(4).]*
-- Police or fire station.
-- Post office.
-- Radio, television, or microwave tower. *[RAR]*
-- Tower/antenna for cellular communication. *[See Section 51A-4.212(10.1). Treat as if in an industrial district.]*
-- Utility or government installation other than listed. *[SUP]*
-- Water treatment plant. *[RAR]*

(13) Wholesale, distribution, and storage uses.

-- Building mover's temporary storage yard. *[SUP]*
-- Contractor's maintenance yard. *[RAR]*
-- Freight terminal.
-- Mini-warehouse.
-- Office showroom/warehouse.
-- Outside storage (with visual screening). *[See Section 51P-XXX.110.]*
-- Outside storage (without visual screening). *[See Section 51P-XXX.110.]*
-- Petroleum product storage and wholesale. *[RAR]*
-- Recycling buy-back center. *[See Section 51A-4.213(11). Treat as if in an industrial district.]*
-- Recycling collection center. *[See Section 51A-4.213(11.1). Treat as if in an industrial district.]*
-- Recycling drop-off container. *[See Section 51A-4.213 (11.2). Treat as if in an industrial district.]*
-- Recycling drop-off for special occasion collection. *[See Section 51A- 4.213(11.3). Treat as if in an industrial district.]*
-- Sand, gravel, or earth sales and storage. *[RAR]*
-- Trade center.
-- Vehicle storage lot.
-- Warehouse. *[RAR]*

SEC. 51P-XXX.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-XXX.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A- 4.400, this section controls.)

(a) Front yard.

(1) Except as provided in this subsection, minimum front yard is 50 feet.

(2) Minimum front yard may be reduced to 25 feet if the adjacent right-of-way is less than 72 feet wide, measured from back-of-curb to back-of-curb.

(b) Side yard.

(1) Except as provided in this subsection, minimum side yard is 25 feet.

(2) Minimum side yard for lots abutting single family, duplex, or multifamily uses is 100 feet.

(3) No minimum side yard for lots abutting railroad rights-of-way or rail spurs.

(c) Rear yard.

(1) Except as provided in this subsection, minimum rear yard is 25 feet.

(2) Minimum rear yard for lots abutting single family, duplex, or multifamily uses is 100 feet.

(3) No minimum rear yard for lots abutting railroad rights-of-way or rail spurs.

(d) Floor area.

(1) Except as provided in this paragraph, maximum floor area ratio for all uses combined is 2.0.

(2) No maximum floor area for industrial (inside), industrial (inside) for light manufacturing, or office showroom /warehouse uses.

(e) Height.

(1) Except as provided in this subsection, maximum structure height is 200 feet.

(2) Except as provided in this paragraph, 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. For purposes of this paragraph, the site of origination is any single family, duplex, or multifamily use.

(A) Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less.

(B) Chimneys may project through the residential proximity slope to a height not to exceed 12 feet above the maximum structure height or 12 feet above the residential proximity slope, whichever is less.

(f) Lot coverage.

(1) Maximum lot coverage is 55 percent.

(2) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories above grade is 17. Parking garages are exempt from this requirement, but must comply with the height regulations in Section 51P-XXX.109(e).

SEC. 51P-XXX.110. SCREENING AND HEIGHT OF OUTSIDE STORAGE.

(a) Screening. If an outside storage area is visible from a public right-of-way, visible from a single family, duplex, or multifamily use, or visible from and within 100 feet of an adjoining property with a use other than a residential use, screening of outside storage must be constructed and maintained as follows:

(1) Screening must be constructed of:

(A) brick, stone, or concrete masonry;

(B) earthen berm planted with turf grass or ground cover recommended for local area use by the city arborist;

(C) evergreen plant materials recommended for local area by the city arborist; or

(D) any combination of the above

(2) Screening must be a minimum of nine feet in height and must be provided before the issuance of a certificate of occupancy for the use.

(3) A required screening wall or fence may not have more than 10 square inches of openings in any give square foot of surface.

(4) The berm may not have a slope that exceeds one foot of height for each two feet of width.

(5) Plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. 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. Plant materials must be capable of providing a solid appearance and must provide a visual barrier of the required height within three years of their initial planting.

(b) Height.

(1) Except as provided in this paragraph, maximum stacking height of outside storage is 30 feet.

(2) Maximum stacking height of outside storage within 40 feet of screening is eight feet.

SEC. 51P-XXX.111. OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Consult Division 51A-4.300 for information regarding off-street parking and loading generally.

SEC. 51P-XXX.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-XXX.113. LANDSCAPING

(a) Site trees.

(1) One tree having a caliper of at least two inches must be provided for each 6000 square feet of lot area, or fraction thereof, with a minimum of four trees being provided.

(2) Credit for existing trees. Existing trees may be used to satisfy the site tree requirement pursuant to Section 51A-10.125(b)(3)(B).

(b) Street-yard landscaping.

(1) In addition to any buffer landscaping required under Subsection (c), at least 15 percent of the area of the street-yard must be landscaped.

(2) One tree must be provided within the street-yard for every 50 feet of street frontage.

(3) Trees required in the street-yard also qualify for site trees under Subsection (a) but do not qualify as buffer trees under Subsection (c).

(4) Street-yard landscaping must be provided before the issuance of a certificate of occupancy.

(c) Buffers.

(1) Perimeter buffer. A minimum 10-foot-wide perimeter landscape buffer must be provided along a lot abutting a single family use. One large canopy tree must be provided for every 50 feet of landscape buffer.

(2) Parking lot buffer.

(A) Except as provided in this subsection, a 20-foot-wide landscape buffer must be provided between a parking lot and an adjacent divided thoroughfare.

(B) Except as provided in this subsection, a 10-foot-wide landscape buffer must be provided between a parking lot and an adjacent undivided street.

(C) A parking lot landscape buffer must consist of large shrubs placed a maximum of 36 inches on center over the entire length of the buffer. The large shrubs must be maintained at a minimum height of three feet and must be capable of providing a solid appearance within three years.

(D) The parking lot buffer may be within the street-yard.

(E) Trees required for street-yard landscaping may be provided within a parking lot buffer if the parking lot buffer is located within a street-yard.

(d) Parking lot landscaping.

(1) Parking lot landscaping must comply with the following standards:

(A) Every required parking space must be within 100 feet of a landscape island.

(B) Twenty square feet of landscape area within a landscape island must be provided for every required parking space

(C) Landscape islands must be a minimum of eight feet in width measured from inside-of-curb to inside-of-curb.

(D) Each landscape island must have a minimum of one canopy tree. Trees in landscape islands qualify as site trees under Subsection (a), but do not qualify as buffer tree under Subsection (c).

(E) Section 51A-10.104, "Planting Area Requirements," applies to the parking lot landscape areas.

(2) Parking lot landscape requirements apply only to passenger car parking lots, not parking lots used exclusively for trucks.

(e) Dumpster screening. Dumpsters visible from a public street must be screened on three sides with a minimum six-foot-high opaque screening material (not chain link or wooden fences). The fourth side must be a metal gate.

(f) Artificial lot.

(1) Section 51A-10.122, "Artificial Lot Delineation," applies to this district.

(2) An artificial lot within this district is not required to have street frontage.

(g) Irrigation.

(1) Except as provided in this subsection, all required plant materials must be irrigated by an automatic irrigation system installed to comply with industry standards.

(2) A facility that is landscaped to comply with the LEED NC credit system, LEED certification, or equivalent rating system, including Texas Smartscape, may provide an alternative landscape maintenance program certified as appropriate by a licensed landscape architect or licensed irrigator.

(3) A water maintenance program must be specified on a landscape plan approved by the building official that identifies water sources and the areas where alternative irrigation measures will be used.

(4) If irrigation is provided by an optional collection system, it should be noted on the landscape plan.

(h) Landscape maintenance. Plant materials must be maintained in a healthy growing condition.

SEC. 51P-XXX.114. TREE PRESERVATION.

(a) In general. Except as provided in this section, the tree preservation regulations in Article X apply.

(b) Applicability. Tree preservation regulations do not apply to the following:

(1) Lots smaller than two acres in size that contain single family or duplex uses.

(2) A tree that endangers the public health, welfare, or safety and that must be immediately removed because of poor structural integrity.

(3) Trees planted and growing on the premises of a licensed plant or tree nursery that are planted and growing for the sale to the general public.

(4) A tree that is diseased or infected, damaged beyond the point of recovery, or in danger of falling.

(5) A tree located within designated rights-of-way.

(6) A tree within a designated building foundation area.

(7) A tree within an existing or designated public utility easement area or public drainage easement area.

(8) Trees with a caliper of 12 inches or less.

(9) Cedar (juniper) trees. and Bois D'Arc(Osage Orange(*Maclura pomifera*)

(c) Tree removal permit. In lieu of a tree survey, an applicant for a tree removal permit

may provide an estimate of caliper inches to be removed based on a sampling of trees within the lot or tract to be developed. The sampling must be a minimum of 10 percent of the lot or tract from which the trees are to be removed and approved by the building official.

(d) Alternative methods of compliance.

(1) In addition to the alternative methods of compliance with tree replacement requirements in Section 51A-10.135, an applicant for tree replacement may:

(A) donate land within the city limits to the city for tree preservation purposes using the same standards and procedures as in Section 51A-10.135(a)(4) and (d) (but in fee simple rather than as an easement);

(B) plant replacement trees *on other property* within the district; or

(C) plant replacement trees on property that is within five miles of the tree removal property but still within the city limits.

(2) Trees planted in public property, including public right-of-way, may be used to mitigate trees removed.

(e) Tree replacement credits.

(1) A credit against replacement trees is available for protected trees with a caliper greater than 12 inches preserved within tree preservation areas at a ratio of four caliper inches of credit for each one caliper inch preserved in the tree preservation area. Tree preservation areas must be shown on a landscape plan. The amount of credit for a tree preservation area is determined by:

(A) For tree preservation areas with more than five acres, a sampling of trees in 10 percent of the area to be preserved.

(B) For tree preservation areas five acres or less, a tree survey of preserved trees.

(2) For any platted lot abutting a designated floodplain, a credit against replacement trees is available for protected trees greater than 18 inches preserved in floodplain areas at a ratio of one caliper inch of credit for each one caliper inch preserved. Floodplain areas receiving tree replacement credits must be shown on a landscape plan. If a credit is given for trees preserved in a floodplain area, the floodplain area is not eligible for reclamation under Article V.

(3) Credit against replacement trees is available for meeting the most recent version of the LEED Reference Guide for New Construction and Major Renovations, (the "LEED Guide"). Each LEED credit under the Sustainable Sites or Water Efficiency categories counts as two credits for the purposes of this paragraph.

(A) Sites with 5 credits qualify for a five percent reduction in the total caliper inches of trees required to be mitigated.

(B) Sites with between 6 and 10 credits qualify for a 10 percent reduction

in the total caliper inches of trees required to be mitigated.

(C) Sites with between 11 and 15 credits qualify for a 20 percent reduction in the total caliper inches of trees required to be mitigated.

(D) Sites with between 16 and 20 credits qualify for a 30 percent reduction in the total caliper inches of trees required to be mitigated.

(E) Sites with between 21 and 25 credits qualify for a 40 reduction in the total caliper inches of trees required to be mitigated.

(F) Sites with more than 25 credits qualify for a 50 percent reduction in the total caliper inches of trees required to be mitigated.

(4) No credit may be given for tree preservation that is outside the city.

(f) Location of replacement trees.

(1) Replacement trees may be planted in a parkway provided that they are at least 10 feet from any underground utility and at least 20 feet from overhead utility lines.

(2) Replacement trees may not be planted outside of the city.

(g) Timing for tree planting. Replacement trees must be planted within 12 months after issuance of a tree removal permit in conjunction with a grading permit, or with the completion of a building permit for construction on the tree removal property submitted within 12 months after issue of the tree removal permit.

SEC. 51P-XXX.115. SIGNS.

(a) General. Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

(b) District identification signs.

(1) For purposes of this subsection, the premise is the entire district.

(2) A district identification sign may:

(A) be located within 500 feet of an interstate highway or designated thoroughfare;

(B) not contain more than 200 square feet of effective area;

(C) not exceed 40 feet in height; and

(D) be externally illuminated.

(3) No more than one district identification sign is permitted for every 2,000 feet of street frontage, or portion thereof, if located within 500 feet of an interstate highway or designated thoroughfare.

(4) HBA signs are not permitted.

(c) Movement control signs.

(1) Movement control signs must direct vehicular or pedestrian movement within the district and may include the name, address, logo, and directional symbol of any use located within the district.

(2) Movement control signs may be externally or internally illuminated.

(3) A movement control sign must be located at least 1,000 feet from another movement control sign.

(4) Movement control signs may:

(A) be attached or detached signs;

(B) not exceed 60 square feet in effective area;

(C) not exceed 15 feet in height;

(D) be erected anywhere within the district without limit as to number.

(5) A movement control sign may be located in a public right-of-way subject to the franchise requirements of Chapter XIV of the City Charter; Article VI of Chapter 43 of the Dallas City Code; the Dallas Building Code; and the requirements of all other applicable laws, codes, ordinances, rules, and regulations.

(6) The director of mobility and streets must review the location of any sign located in the public right-of-way to ensure that the sign will not pose a traffic hazard or visibility obstruction.

(7) A movement control sign located outside the public right-of-way must have a minimum setback of 15 feet from the property line. No sign may be located in the visibility triangle.

(8) HBA signs are not permitted.

SEC. 51P-XXX.116. DESIGN GUIDELINES.

(a) Introduction. The purpose of these design guidelines is to encourage quality development that will contribute to the overall aesthetics of the district as a unique place by enhancing the built environment. These guidelines are intended to ensure that new development and redevelopment will be compatible with and enhance the overall appearance of the district.

(b) Materials.

(1) The surface of each exterior wall (excluding doors and windows) facing a public street, residential use, or public open space must consist of stone, brick, glass block, tile, cast

metal, cast or cultured stone, concrete, or a combination of these materials.

(2) Other cement products (such as stucco, Hardy Plank, or other similar materials) are limited to 50 percent of the buildings' exterior finishes.

(3) EIFS is allowed but must be located at least eight feet above grade.

(c) Facades.

(1) Vertical articulation. Walls facing a public right-of-way must have vertical accent bands spaced no greater than 150 feet apart. Such accent bands must be a minimum of 10 feet in length and must change height by a minimum of three feet (see Exhibit XXXB: vertical articulation).

(2) Accent bands. Accent bands must be further accentuated with one of the following:

(A) reveals;

(B) textures;

(C) different colors; or

(D) a combination of the above finishes

(3) Roofs. Roof-mounted mechanical equipment, skylights, and solar panels must be screened or set back so that they are not visible from a point five feet, six inches above grade at the property line. Screening materials must match the materials and colors used on the main building. Chain link fence may not be used as a screening material.

SEC. 51P-XXX.117. LIGHTING.

(a) In general. All lighting must be designed in accordance with Illuminating Engineering Society of North America (IESNA) practices.

(b) Lighting plan review. A lighting plan that complies with the requirements of this section must be approved by the building official with the application for a building permit for work on the building site. Photometric plans must graphically depict illumination layout and foot candle values within the area being lighted and at the property lines. All photometric plans and pertinent illumination design information (including fixtures, electrical design data, and IESNA data for luminaries) must be signed and sealed by a licensed engineer in the state of Texas.

(c) General design. Except as provided in this section, all lighting must provide proper site illumination while directing illumination away from any adjacent property.

(1) Street lighting. Street lighting must conform at a minimum to the Texas Department of Transportation Highway Illumination Manual.

(2) Site lighting. Uses that operate between sunset and sunrise must provide illumination not to exceed a maintained average of two-and-one-half foot-candles at ground level, and must not distribute more than one-quarter of one foot-candle of light on adjacent residential property.

(3) Parking lot lighting.

(A) Parking lot lighting must provide no more than a maintained average of one-and-a-half foot-candles at ground level, and must not distribute more than one quarter of one foot- candle of light on adjacent residential property.

(B) A minimum average of the greater of either one foot candle (maintained) or that required by applicable IESNA practice must be maintained.

(4) Sign lighting. All sign lighting must be designed to minimize uplight. Floodlight use to illuminate signs must be done in a manner that eliminates glare along adjacent roadways and properties.

(d) Light trespass control measures.

(1) Fixture design and location. Any fixture whose distance from a lot line is less than three times its height must be shielded so that all direct light cast in the direction of streets or abutting residential lots is cut off at an angle of no more than 70 degrees measured from a vertical line directly below the fixture. The cut-off may be accomplished either by the fixture photometric properties or by a supplementary external shield.

(2) Lighting shield design. Shields that are installed to control light trespass and glare must be designed so that the parts of the shields that are exposed to the direct light of the fixture and visible from streets or abutting residential lots shall have a flat-black, low reflectivity finish.

SEC. 51P-XXX.118. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

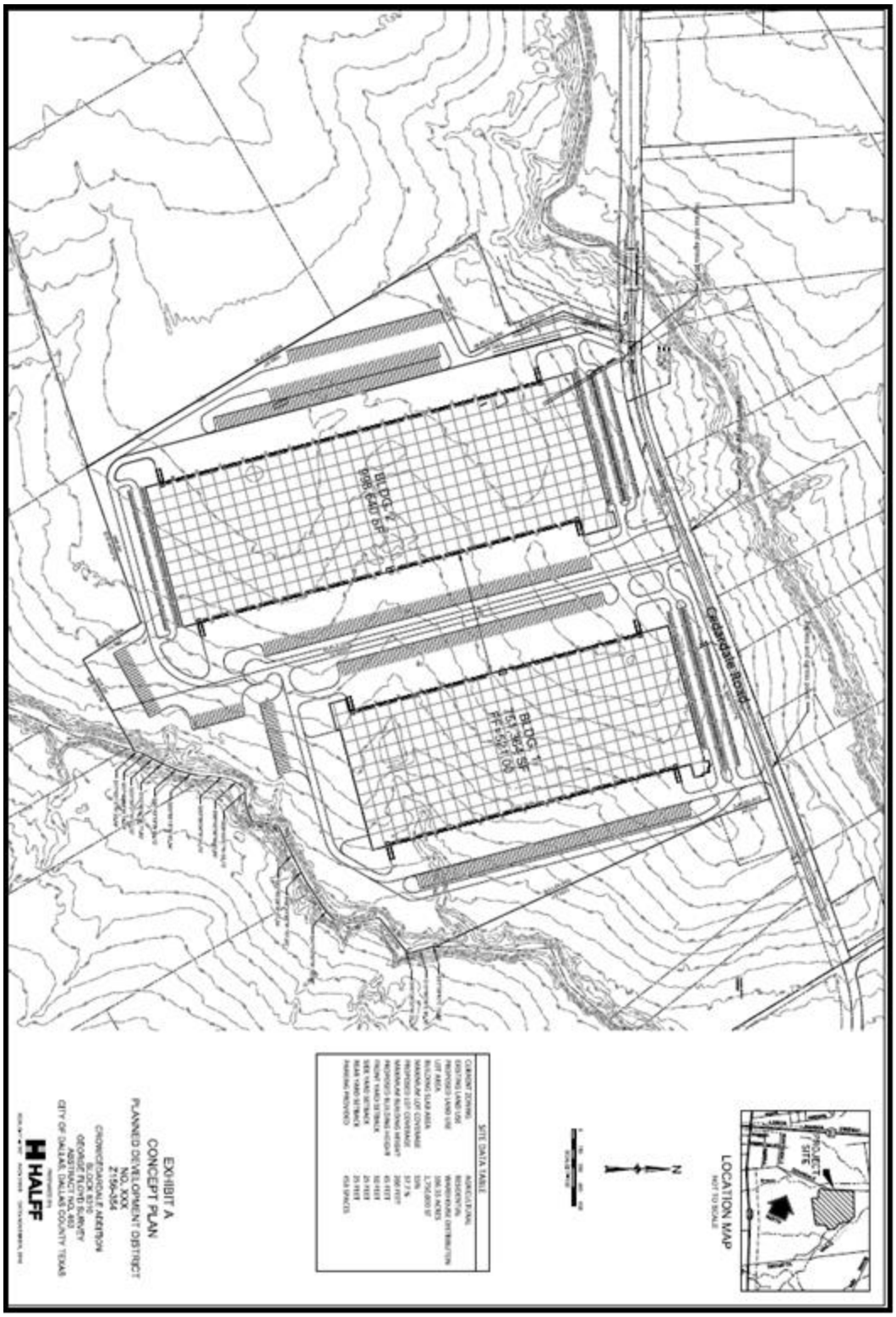
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-XXX.119. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this special purpose district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

PROPOSED CONCEPTUAL PLAN



VERTICAL ARTICULATION

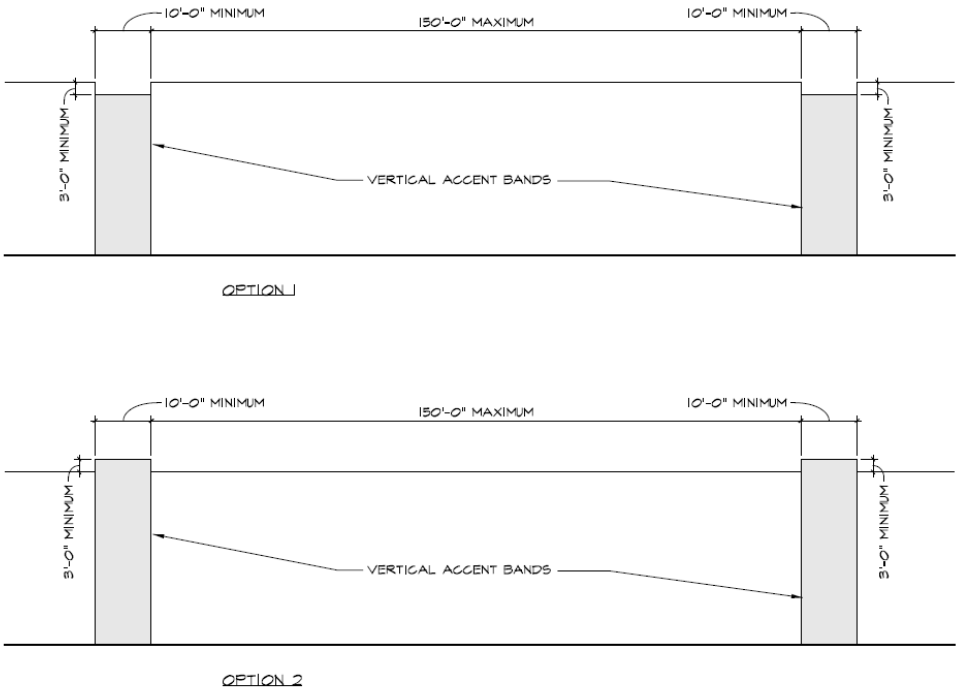
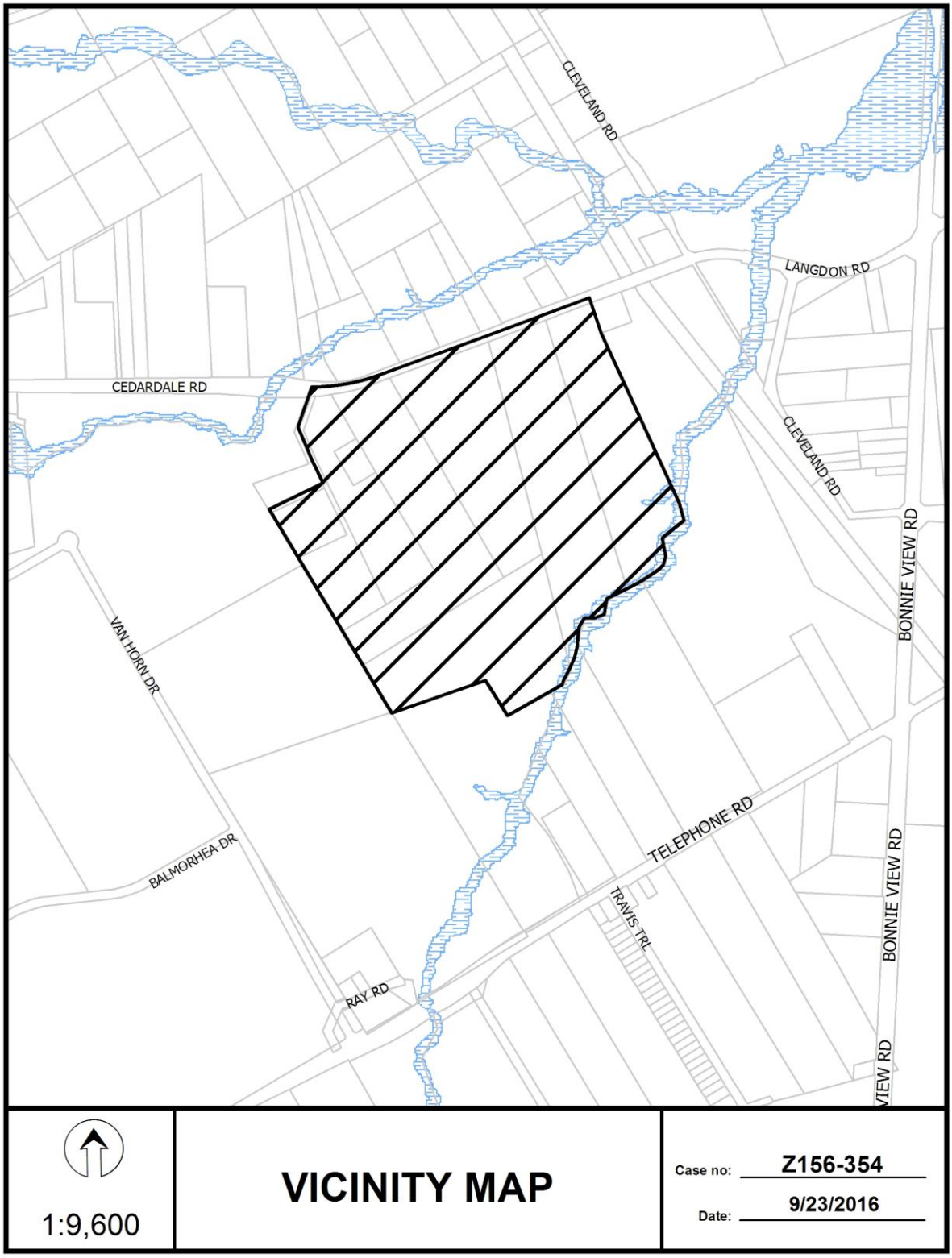
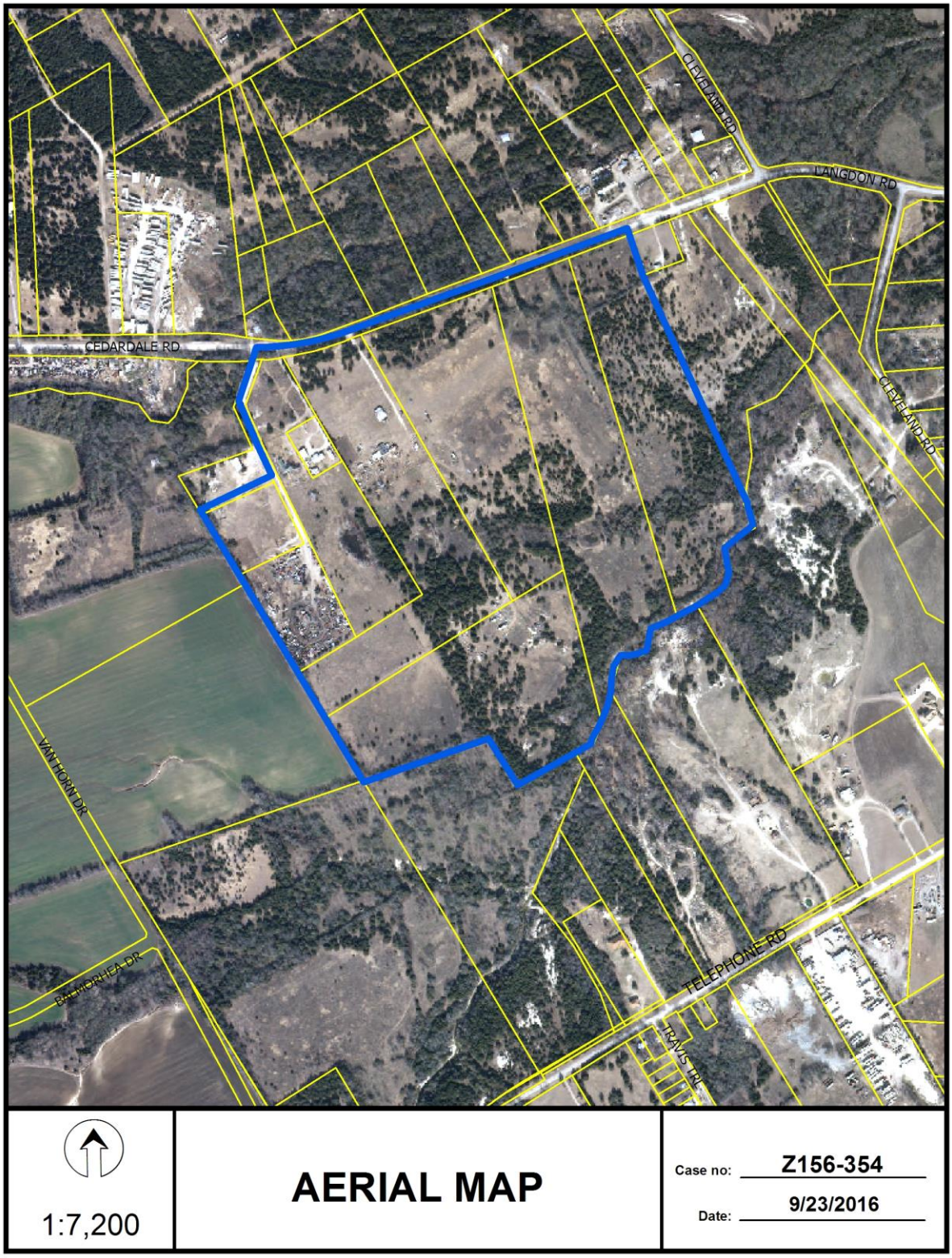
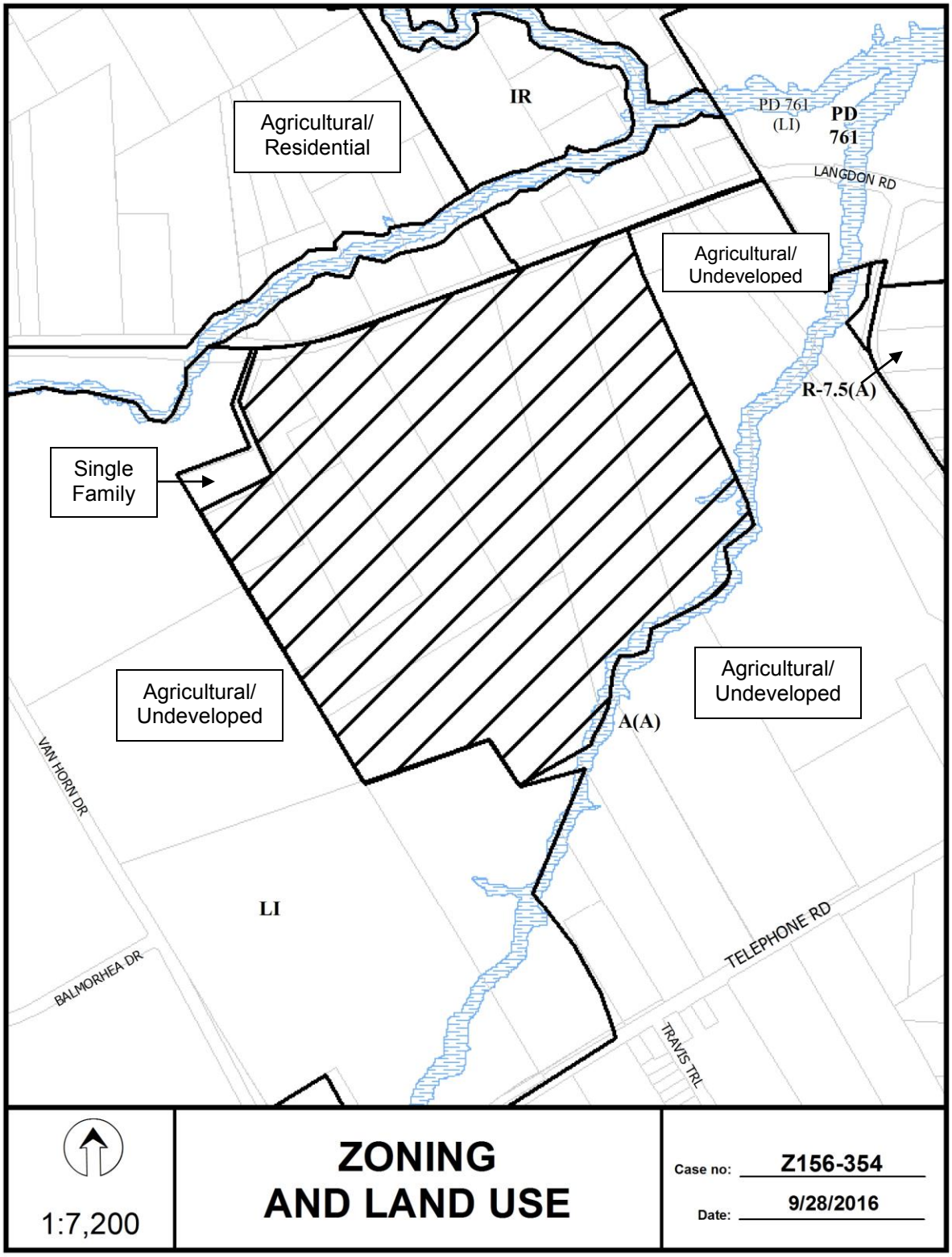


FIGURE 1: VERTICAL ARTICULATION


CLEVELAND RD
LANGDON RD
CEDARDALE RD
CLEVELAND RD
BONNIE VIEW RD
VAN HORN DR
BALMORHEA DR
TELEPHONE RD
TRAVIS TRL
BONNIE VIEW RD
RAY RD
VIEW RD
1:9,600
VICINITY MAP
Case no: Z156-354
Date: 9/23/2016


CLEVELAND RD
LANGDON RD
CEDARDALE RD
CLEVELAND RD
VAN THORN DR
BALMORHEA DR
TELEPHONE RD
TRAVIS TRL
1:7,200
AERIAL MAP
Case no: Z156-354
Date: 9/23/2016


Agricultural/
Residential
IR
PD 761
(LI)
PD
761
LANGDON RD
Agricultural/
Undeveloped
R-7.5(A)
Single
Family
Agricultural/
Undeveloped
Agricultural/
Undeveloped
A(A)
VAN HORN DR
LI
TELEPHONE RD
BALMORHEA DR
TRAVIS TRL
1:7,200
ZONING
AND LAND USE
Case no: Z156-354
Date: 9/28/2016

CPC Responses



11/16/2016

Reply List of Property Owners

Z156-354

33 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3501	TELEPHONE RD	TEJAS INVESTORS
	2	3935	TELEPHONE RD	GIDDENS DONNIE L
	3	4041	TELEPHONE RD	ADAMS JOHN H
	4	4241	TELEPHONE RD	SKIEF CLEMMIE
	5	3930	CEDARDALE RD	MEXTEGA KRISTINA
	6	3900	CEDARDALE RD	TAYLOR JOSEPH &
	7	3422	CEDARDALE RD	DAVIS SHIRLEY
	8	3400	CEDARDALE RD	ESPARZA J CARMEN
O	9	3310	CEDARDALE DR	LONDON GREGORY SR ETAL
	10	3800	CEDARDALE RD	PERRY ROSALIND A &
	11	3434	CEDARDALE RD	PERRY ROSALIND ETAL &
	12	3424	CEDARDALE RD	ESPARZA JOSE CARMEN &
	13	3800	CEDARDALE RD	RIVERA SANTIAGO
	14	3420	CEDARDALE RD	ESPARZA SANTIAGO & IRENE
	15	3609	CEDARDALE RD	MARTINEZ FERNANDO &
	16	3601	CEDARDALE RD	HUERTA PLACIDO VETO &
	17	3605	CEDARDALE RD	LEIB JUNE CAROLE
	18	2946	CEDARDALE RD	KEETON PAUL L JR
	19	3925	TELEPHONE RD	FONSECA GUILLERMO & ELVA J TORRES
	20	3901	TELEPHONE RD	CURRIE JULIAN & GLORIA
	21	4000	CEDARDALE RD	TEXAS UTILITIES ELEC CO
	22	3915	CEDARDALE RD	TRANSATLAS FINANCIAL INC
	23	3923	CEDARDALE RD	DAWSON CHARLES
	24	3423	CEDARDALE RD	ESPARZA JOSE CARMEN & MARIA
	25	3401	CEDARDALE RD	BARAJAS NICOLAS
	26	3525	CEDARDALE RD	CARTER LINDA JO &

11/16/2016

Reply	*Label #*	*Address*		*Owner*
	27	3521	CEDARDALE RD	BARAJAS NICOLAS
	28	3521	CEDARDALE RD	MCCLUNEY MARSHALL W & NIKKI
	29	1	VAN HORN DR	RIDGE SOUTH DALLAS I
	30	1	VAN HORN DR	DALLAS RIDGE INDUSTRIAL II LLC
	31	3400	CEDARDALE RD	MARTINEZ FERNANDO
	32	3700	CEDARDALE RD	DAWSON CHARLES
	33	3883	CEDARDALE RD	NELL ROBERT

AGENDA ITEM # 57

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Mobility and Street Services

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 45L

SUBJECT

A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational characteristic on Pearl Expressway between Pacific Avenue and Live Oak Street from a 5-lane roadway southbound within 85-146 feet of right-of-way to a 2-lane roadway northbound and a 2-lane roadway southbound within 85 feet of right-of-way; and, at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas Mobility and Street Services Department, Engineering Services Division, (formerly the Public Works Department), has requested an amendment to the City of Dallas Central Business District (CBD) Streets and Vehicular Circulation Plan to change the operational characteristic on Pearl Expressway. The proposed change was initially analyzed and recommended in the Comprehensive Transportation Plan for the Central Business District. The plan, unanimously endorsed by the Dallas City Council in June 2005, made several recommendations regarding changes in traffic operations within the CBD including one-way to two-way street conversions.

The proposed segment of roadway is under construction and being realigned to match the segment of Pearl Expressway between Pacific Avenue and Marilla Street (south of the current proposal) approved by Dallas City Council on May 23, 2007. The City Council also adopted the Downtown Parks Master Plan Update in April 2013 designating Carpenter Park as one of the park priorities in Downtown. This project will facilitate the proposed design of planned Carpenter Park improvements and create a more walkable environment. The reconstruction of Pearl Street was funded with 2006 Bond funds.

BACKGROUND (Continued)

Staff recommends approval of the amendment to change the operational characteristic on Pearl Expressway between Pacific Avenue and Live Oak Street from a 5-lane roadway southbound within 85-146 feet of right-of-way to a 2-lane roadway northbound and a 2-lane roadway southbound within 85 feet of right-of-way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The City Plan Commission Transportation Committee acted on this item on May 5, 2016 and followed staff recommendation.

The City Plan Commission acted on this item on May 19, 2016 and referred this case back to City Plan Commission Transportation Committee.

The City Plan Commission Transportation Committee acted on this item on October 20, 2016 and followed staff recommendation of approval.

Information about this item will be provided to the Transportation and Trinity River Project Committee on January 9, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

Pearl Expressway

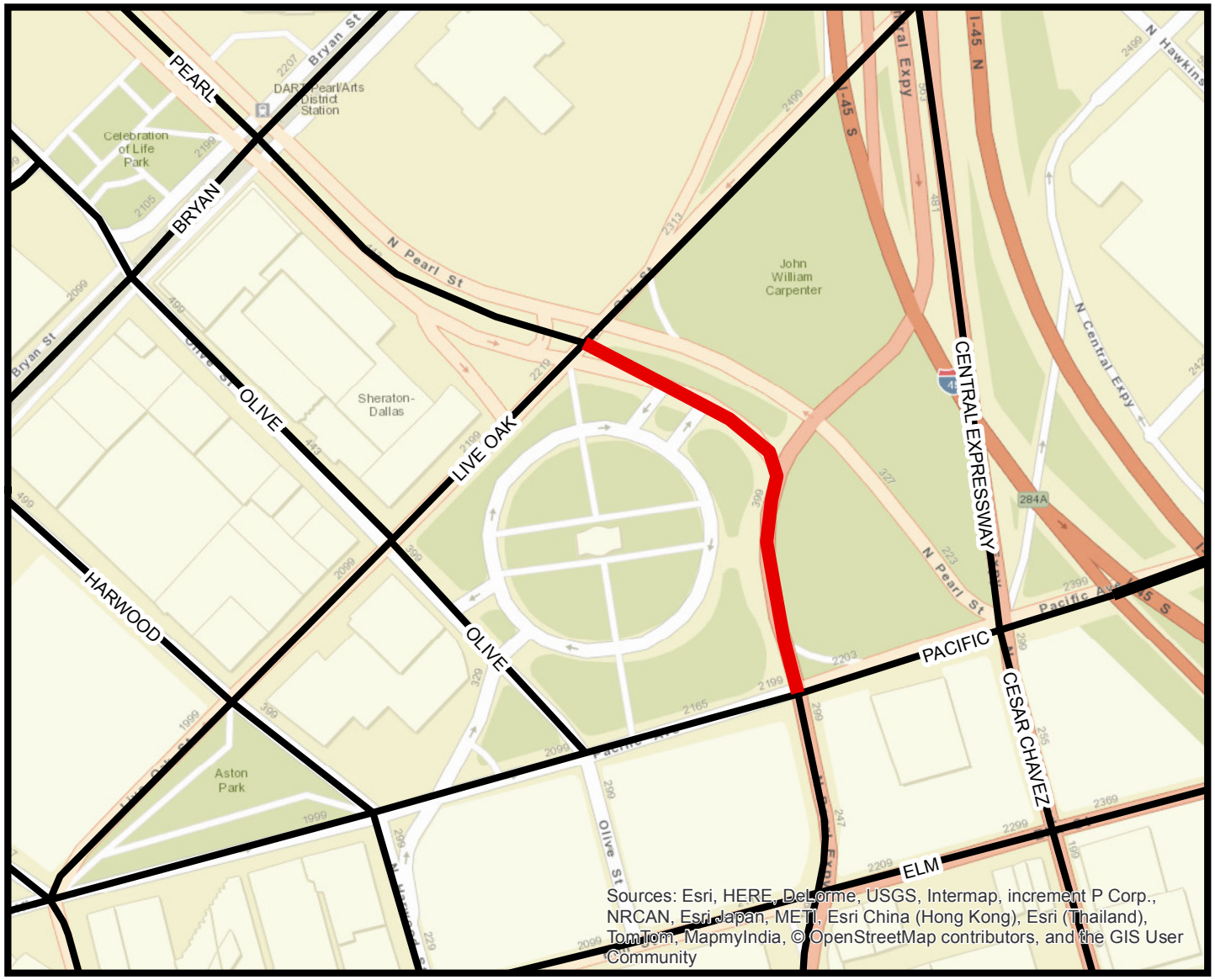
Live Oak Street to Pacific Avenue

Council District: 14

MAPSCO: 45-L

Central Business District
Vehicle Circulation Plan
Amendment Map





AGENDA ITEM # 58

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office Of Environmental Quality

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 22 Z 32 D

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by TPUSA - FHCS, Inc., located near the intersection of Connector Drive and Technology Boulevard West and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to 9999 Technology, LP, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the designated property is underlain by a groundwater bearing zone that is encountered at approximately 15 feet below ground surface (bgs) and extends to approximately 17 to 35 feet bgs where the Eagle Ford formation is encountered. The estimated thickness of the Eagle Ford formation in the area is approximately 200-300 feet thick and consists of shale, sandstone and limestone. The direction of groundwater flow beneath the designated property is to the north and northwest. This shallow groundwater has been affected by arsenic at concentrations above groundwater ingestion standards. The suspected onsite and offsite source of the arsenic is unknown fill material in a former gravel mine located on the northwest portion of the designated property that extends offsite. Part of a gravel mining operation was located on the northwest portion of the property from at least 1942 to 1964, when the property was graded using fill material. Mining activities appeared to cease by 1971. Unknown fill material was used to fill the former gravel mining operation and is believed to be of anthropogenic origin.

A portion of the designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in January 2014 and is designated as VCP Facility ID No. 2630.

BACKGROUND (Continued)

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting will be held on January 4, 2017 to receive comments and concerns. Notices of the meeting were sent to 112 property owners within 2,500 feet of the property and 124 private well owners within 5 miles of the property. The City of Irving is the only other municipality located within one-half mile of the designated property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Connector Drive and Technology Boulevard West including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently the designated property is occupied by a customer service call center. The future use of the designated property is anticipated to be similar to the current use.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life and Environment Committee on January 9, 2017.

FISCAL INFORMATION

No cost consideration to the City

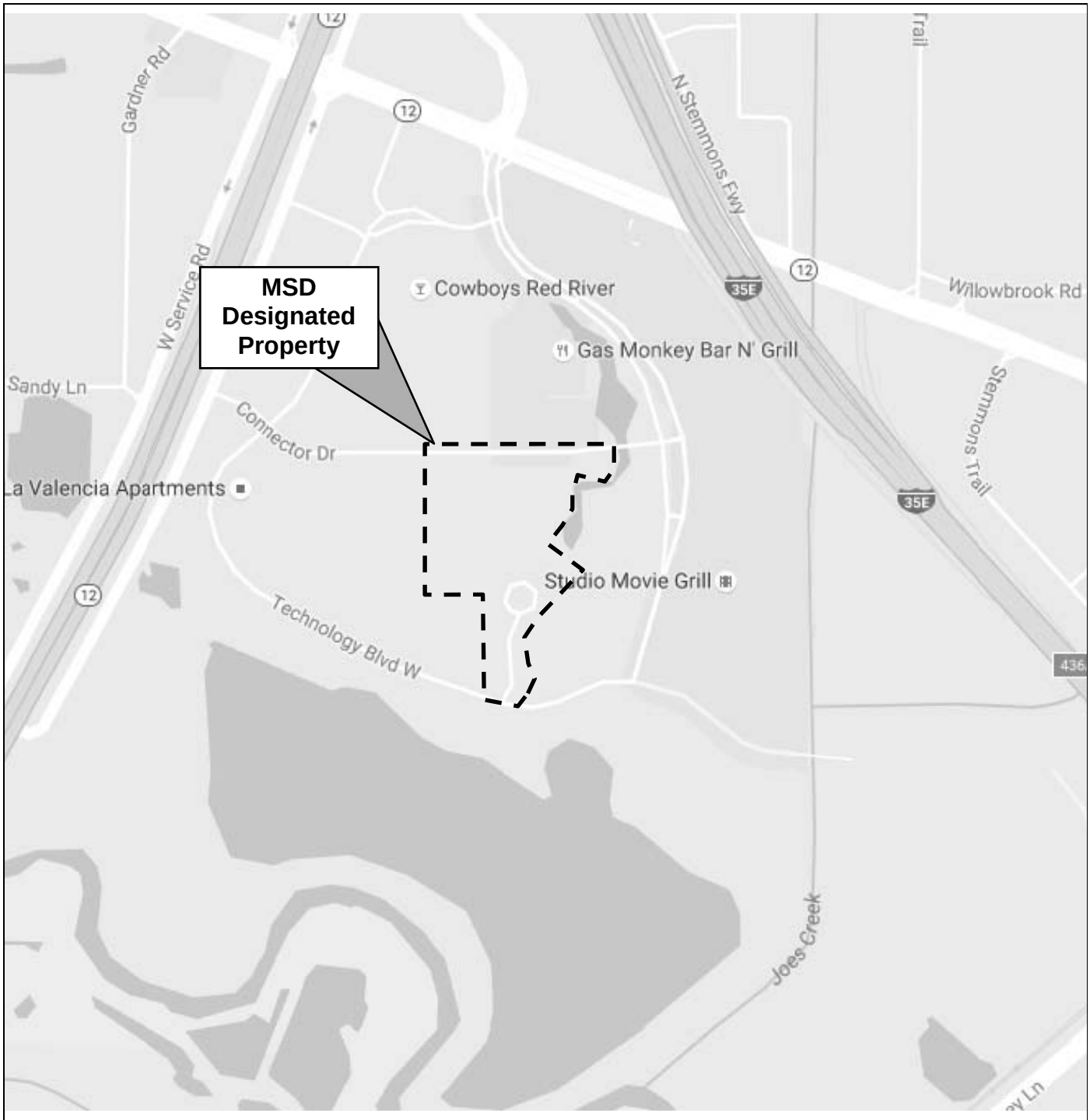
OWNER

TPUSA-FHCS, Inc.

Sandip Sen, President

MAP

Attached



CITY OF DALLAS

Municipal Setting Designation
Designated Property Boundary Map
MSD Log OEQ0062
Applicant – 9999 Technology, LP
Designated Property Address
9999 Technology Boulevard West
Dallas, TX 75220

12-2-16

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 9999 Technology Boulevard West and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, "Municipal Setting Designation Ordinance," of Article VI, "Environmental Performance Standards," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the "designated property" means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, "designated groundwater" means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

(1) Human consumption or drinking.

(2) Showering or bathing.

(3) Cooking.

(4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

(1) The potable use of the designated groundwater from beneath the designated property is prohibited.

(2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.

(3) The portion of the designated property assigned TCEQ Voluntary Cleanup Program Identification No. 2630 must receive a certificate of completion from the Texas Commission on Environmental Quality by no later than January 11, 2019.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

(1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than January 11, 2019. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

(1) allow additional time to address the non-ingestion protective concentration level exceedence zone;

(2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;

(3) recommend to the city council that this municipal setting designation ordinance be repealed;

(4) request additional information or documentation from the applicant; or

(5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed $2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation 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

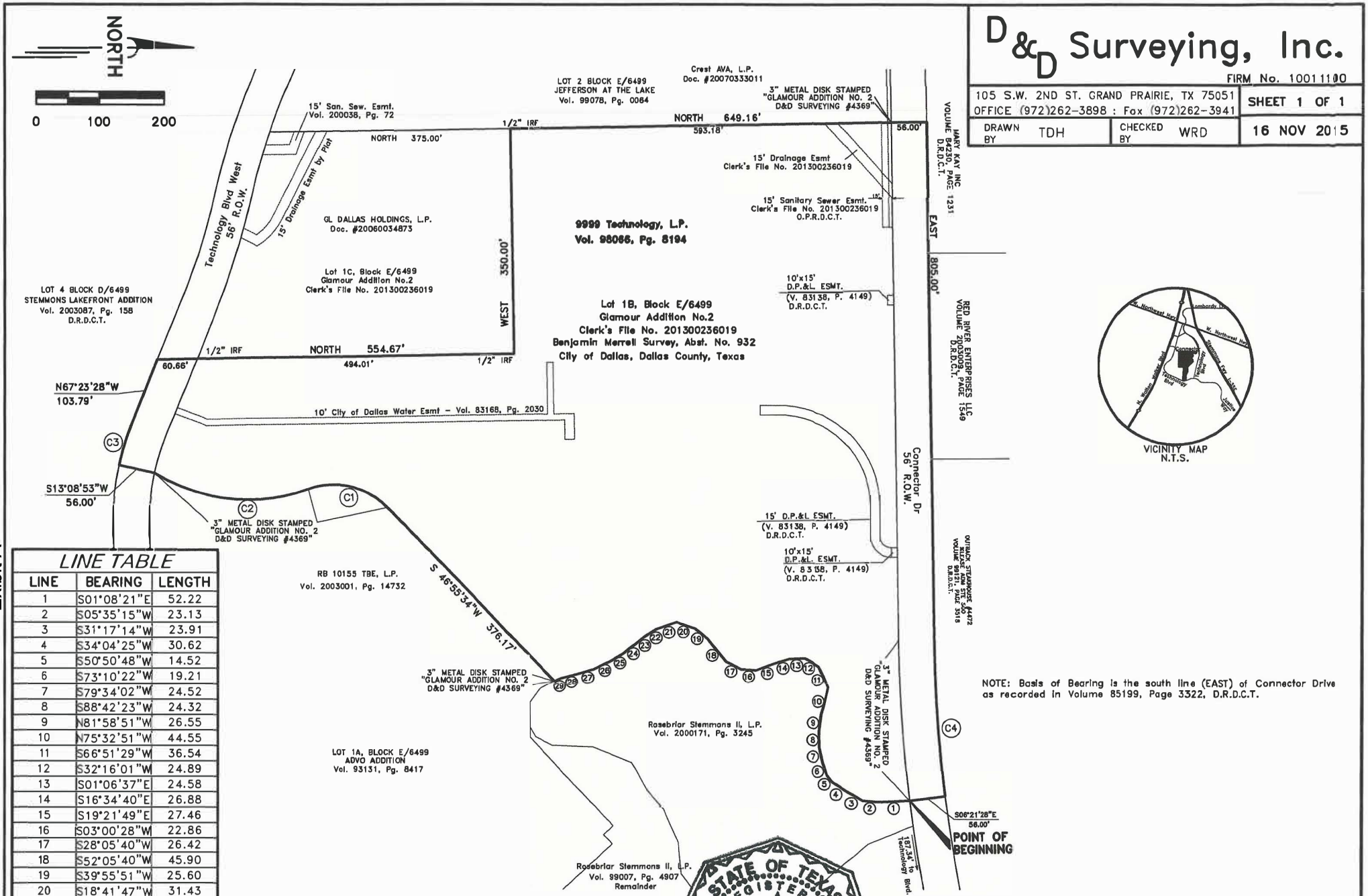
By_____
Assistant City Attorney

Passed _____

D&D Surveying, Inc.
FIRM No. 10011100
105 S.W. 2ND ST. GRAND PRAIRIE, TX 75051
OFFICE (972)262-3898 : Fax (972)262-3941

SHEET 1 OF 1	
DRAWN BY TDH	CHECKED BY WRD
16 NOV 2015	

"Exibit A"



NOTE: Basis of Bearing is the south line (EAST) of Connector Drive as recorded in Volume 85199, Page 3322, D.R.D.C.T.

LINE TABLE

LINE	BEARING	LENGTH
1	S01°08'21"E	52.22
2	S05°35'15"W	23.13
3	S31°17'14"W	23.91
4	S34°04'25"W	30.62
5	S50°50'48"W	14.52
6	S73°10'22"W	19.21
7	S79°34'02"W	24.52
8	S88°42'23"W	24.32
9	N81°58'51"W	26.55
10	N75°32'51"W	44.55
11	S66°51'29"W	36.54
12	S32°16'01"W	24.89
13	S01°06'37"E	24.58
14	S16°34'40"E	26.88
15	S19°21'49"E	27.46
16	S03°00'28"W	22.86
17	S28°05'40"W	26.42
18	S52°05'40"W	45.90
19	S39°55'51"W	25.60
20	S18°41'47"W	31.43
21	S18°17'29"E	31.62
22	S29°58'37"E	17.01
23	S35°57'09"E	28.14
24	S37°26'27"E	18.25
25	S30°17'27"E	24.92
26	S25°12'39"E	29.07
27	S16°04'33"E	26.51
28	S13°12'51"E	26.30
29	S24°29'28"E	10.54

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CH. BRG.	CH. DIST
C1	133.04	115.00	66°16'53"	S13°47'08"W	125.74
C2	248.39	270.00	52°42'37"	S07°00'00"W	239.72
C3	70.67	428.00	09°27'39"	N72°07'18"W	70.59
C4	244.58	2204.09	06°21'29"	N86°49'16"E	244.45

STATE OF TEXAS
REGISTERED
WENDELL R. DAY
4369
PROFESSIONAL
LAND SURVEYOR

11-18-15

MUNICIPAL SETTING DESIGNATION EXHIBIT

LOT 1B, BLOCK E/6499 – GLAMOUR ADDITION No.2
Benjamin Merrell Survey, Abstract No.932
City of Dallas, Dallas County, Texas

9999 Technology Blvd. West
16.615 Acres

COUNTY OF DALLAS)
STATE OF TEXAS)

GIS_Approved

Being a 16.615 acre tract of land situated in the City of Dallas, Dallas County, Texas in the Benjamin Merrell Survey, Abstract No. 932 and being all of Lot 1B, Block E/6499, of the Glamour Addition No. 2 as recorded in Clerk's File No. 201300236019 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and a portion of Connector Drive and Technology Boulevard West as recorded in Volume 85199, Page 3322, Deed Records, Dallas County, Texas, (D.R.D.C.T.), and being more fully described as follows:

BEGINNING at a found in 3" metal disc stamped "GLAMOUR ADDITION NO. 2 D&D SURVEYING #4369" set in concrete in the south line of Connector Drive (56' right=of-way) as recorded in Volume 85199, Page 3322, Deed Records, Dallas County, Texas, (D.R.D.C.T.), being the northeast corner of the said Glamour Addition No.2 and also being the northwest corner of a tract of land conveyed to Rosebriar Stemmons II, L.P. as recorded in Volume 2000171, Page 3245, D.R.D.C.T.;

THENCE leaving the south line of said Connector Drive and along the westerly line of said Rosebriar Stemmons II, L.P. tract along the westerly and northerly meanders of an existing lake the following courses and distances:

South 01 degrees 08 minutes 21 seconds East, a distance of 52.22 feet to an angle point;

South 05 degrees 35 minutes 15 seconds West, a distance of 23.13 feet to an angle point;

South 31 degrees 17 minutes 14 seconds West, a distance of 23.91 feet to an angle point;

South 34 degrees 04 minutes 25 seconds West, a distance of 30.62 feet to an angle point;

South 50 degrees 50 minutes 48 seconds West, a distance of 14.52 feet to an angle point;

South 73 degrees 10 minutes 22 seconds West, a distance of 19.21 feet to an angle point;

South 79 degrees 34 minutes 02 seconds West, a distance of 24.52 feet to an angle point;

South 88 degrees 42 minutes 23 seconds West, a distance of 24.32 feet to an angle point;

North 81 degrees 58 minutes 51 seconds West, a distance of 26.55 feet to an angle point;

North 75 degrees 32 minutes 51 seconds West, a distance of 44.55 feet to an angle point;

South 66 degrees 51 minutes 29 seconds West, a distance of 36.54 feet to an angle point;

South 32 degrees 16 minutes 01 seconds West, a distance of 24.89 feet to an angle point;

South 01 degrees 06 minutes 37 seconds East, a distance of 24.58 feet to an angle point;

South 16 degrees 34 minutes 40 seconds East, a distance of 26.88 feet to an angle point;

South 19 degrees 21 minutes 49 seconds East, a distance of 27.46 feet to an angle point;

South 03 degrees 00 minutes 28 seconds West, a distance of 22.86 feet to an angle point;

South 28 degrees 05 minutes 40 seconds West, a distance of 26.42 feet to an angle point;

South 52 degrees 05 minutes 40 seconds West, a distance of 45.90 feet to an angle point;

South 39 degrees 55 minutes 51 seconds West, a distance of 25.60 feet to an angle point;

South 18 degrees 41 minutes 47 seconds West, a distance of 31.43 feet to an angle point;

South 18 degrees 17 minutes 29 seconds East, a distance of 31.62 feet to an angle point;

South 29 degrees 58 minutes 37 seconds East, a distance of 17.01 feet to an angle point;

South 35 degrees 57 minutes 09 seconds East, a distance of 28.14 feet to an angle point;

South 37 degrees 26 minutes 27 seconds East, a distance of 18.25 feet to an angle point;

South 30 degrees 17 minutes 27 seconds East, a distance of 24.92 feet to an angle point;

South 25 degrees 12 minutes 39 seconds East, a distance of 29.07 feet to an angle point;

South 16 degrees 04 minutes 33 seconds East, a distance of 26.51 feet to an angle point;

South 13 degrees 12 minutes 51 seconds East, a distance of 26.30 feet to an angle point;

South 24 degrees 29 minutes 28 seconds East, a distance of 10.54 feet to a found 3" metal disc stamped "GLAMOUR ADDITION NO. 2 D&D SURVEYING #4369" in the north line of Lot 1A of the ADVO Addition, as recorded in Volume 93131, Page 8417, D.R.D.C.T.;

THENCE South 46 degrees 55 minutes 34 seconds West, departing the west line of said Rosebriar Stemmons II, L.P. tract and along the north line of said Lot 1A of the ADVO Addition, a distance of 376.17 feet to a found 3" metal disc stamped "GLAMOUR ADDITION NO. 2 D&D SURVEYING #4369" for the point of curvature of a curve to the left having a radius of 115.00 feet, which long chord bears South 13°47'08"West, a distance of 125.74 feet;

THENCE Southerly, along said curve to the left, through a central angle of 66°16'53", an arc distance of 133.04 feet to a found 3" metal disc stamped "GLAMOUR ADDITION NO. 2 D&D SURVEYING #4369" for the point of reverse curvature of a curve to the right having a radius of 270.00 feet, which long chord bears South 07°00'00"West, a distance of 239.72 feet;

THENCE Southerly, along said curve to the right, through a central angle of 52°42'37", an arc distance of 248.39 feet to a found 3" metal disc stamped "GLAMOUR ADDITION NO. 2 D&D SURVEYING #4369" for a corner, said point being on the north line of Technology Boulevard West (56' right-of-way) as recorded in Volume 85199, Page 3322, D.R.D.C.T.;

THENCE South 13°08'53" West a distance of 56.00 feet to a point being on the south line of said Technology Boulevard West and being on a curve to the right having a radius of 428.00 feet, which long chord bears North 72°07'18"West, a distance of 70.59 feet;

THENCE Westerly, along said south line and curve to the right, through a central angle of 09°27'39", an arc distance of 70.67 feet to a point of tangency;

THENCE North 67 degrees 23 minutes 28 seconds West,along said north line, a distance of 103.79 feet to an angle point;

THENCE NORTH, passing at 60.66 feet a found 1/2" iron rod at the southeast corner of Lot 1C and continuing along the common line between Lot 1B and Lot 1C a total distance of 554.67 feet to a 1/2" iron rod found for an angle point at the northeast corner of Lot 1C;

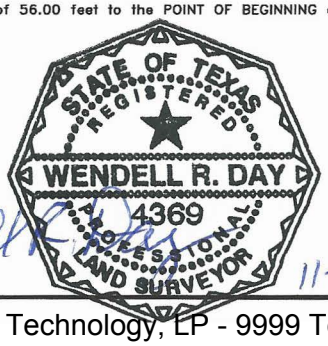
THENCE WEST continuing along the common line between Lot 1B and Lot 1C a distance of 350.00 feet to a 1/2" iron rod found in the west line of said Glamour Addition No.2, said point also being the northwest corner of Lot 1C;

THENCE NORTH, along the west line of said Glamour Addition No.2, passing at 593.16 feet a found 3" metal disc stamped "GLAMOUR ADDITION NO. 2 D&D SURVEYING #4369" at the northwest corner of said Lot 1B and also being in the south line of said Connector Drive and continuing for a total distance of 649.16 feet to a point in the north line of said Connector Drive;

THENCE EAST, along said north line of Connector Drive, a distance of 805.00 feet to the point of curvature of a curve to the left having a radius of 2204.09 feet, which long chord bears North 86°49'16"East, a distance of 244.45 feet;

THENCE Easterly, along said north line and curve to the left, through a central angle of 06°21'29", an arc distance of 244.58 feet to a point for corner;

THENCE South 6°21'29" East a distance of 56.00 feet to the POINT OF BEGINNING and CONTAINING 16.615 acres of land.



Wendell R. Day 11-18-15

D&D Surveying, Inc.
FIRM No. 10011100

105 S.W. 2ND ST. GRAND PRAIRIE, TX 75051
OFFICE (972)262-3898 : Fax (972)262-3941

SHEET 1 OF 1

DRAWN BY TDH | CHECKED BY WRD | 16 NOV 2015

AGENDA ITEM # 59

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

AGENDA DATE: January 11, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 45-L

SUBJECT

A public hearing **(1)** to receive comments on the proposed use of a portion of parkland for an open space easement, totaling approximately 879 square feet of land at Federal Plaza located at 1900 Federal Street; and at the close of the public hearing, a resolution authorizing the proposed use of parkland for an open space easement pursuant to Chapter 26 of the Texas Parks and Wildlife Code; and **(2)** accepting payment for an open space easement - Revenue: $99,785

BACKGROUND

The City of Dallas owns approximately 7,290 square feet of land known as Federal Plaza located at 1900 Federal Street. The adjacent landowners, the Dalton Family, First Baptist Church, et al. located at 502 North St. Paul Street, are entering into a long term lease with Fortis Property Group, who desires to construct a new parking garage adjacent to the parkland to support the corporate headquarters relocation of Jacobs Engineering to downtown Dallas. Jacobs Engineering intends to relocate its corporate headquarters to the Harwood Center, owned by Fortis Property Group, however a condition of their relocation to the Harwood Center is the construction of a parking garage to support their operation. Due to the location and configuration of the parking garage, City building code requires that an open space easement be obtained from the adjacent landowner. The open space easement will be approximately 879 square feet and will be maintained as a non-building improvement area compatible with the adjacent parkland. The owners will pay the City fair market value for the open space easement based on an appraisal.

In compliance with the law, the City has determined that there is a need for an open space easement, 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 park services.

BACKGROUND (Continued)

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 parkland.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 17, 2016, the Park and Recreation Board authorized the public hearing.

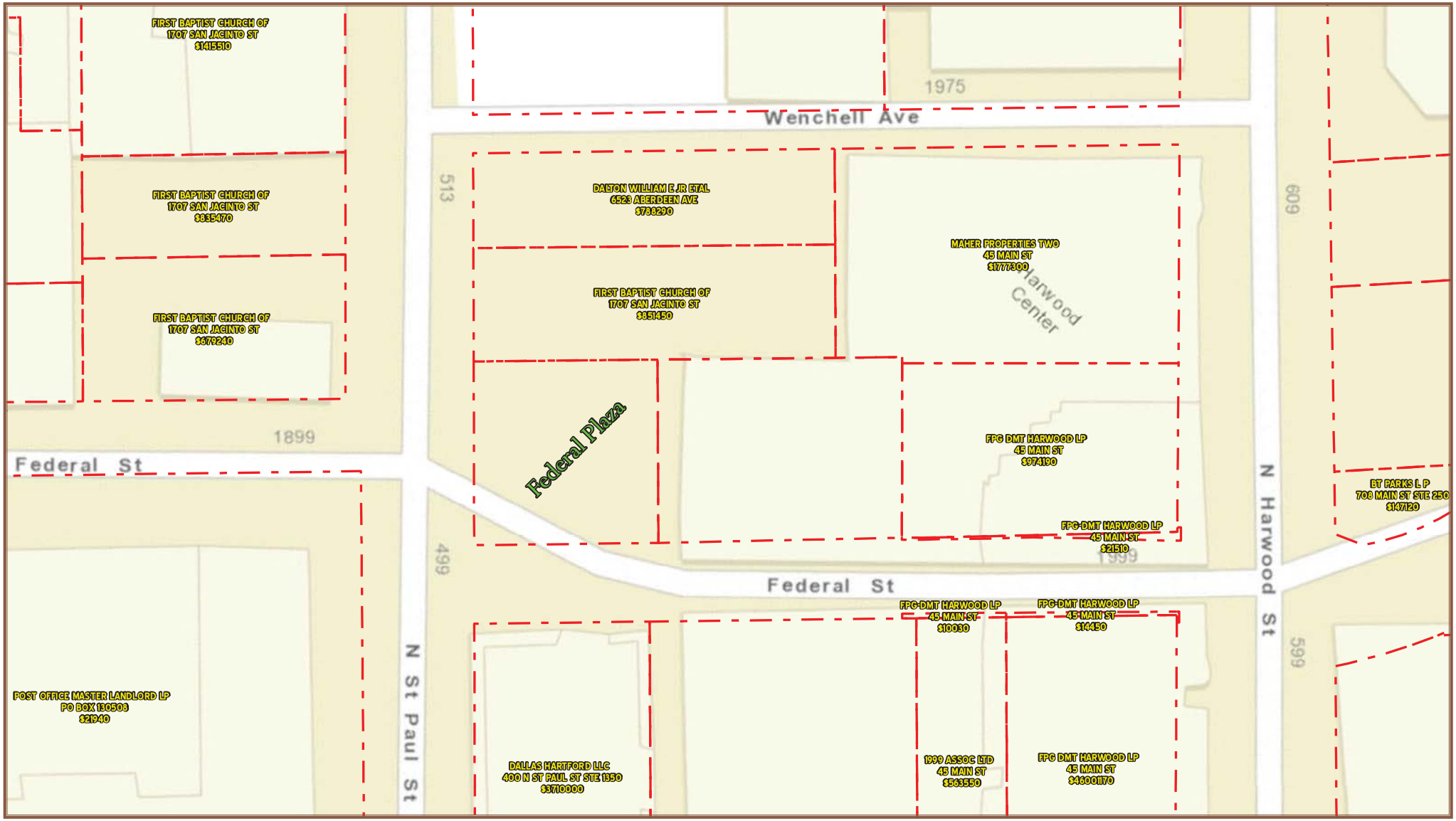
City Council authorized the public hearing on December 14, 2016, by Resolution No. 16-1937.

FISCAL INFORMATION

Revenue: $99,785.00

MAP

Attached



0 20 40 80 120 Feet

M 2, 2016

Federal Plaza
(1900 Federal St)

Mapsco
45 L

District
14

January 11, 2017

WHEREAS, the City of Dallas owns land in Dallas known as Federal Plaza located at 1900 Federal Street, which has been maintained as parkland since 1980; and

WHEREAS, adjacent landowners, the Dalton Family, First Baptist Church, et al. located at 502 North St. Paul Street, has requested the use of approximately 879 square feet of land as an Open Space Easement to satisfy City code requirements for the configuration and construction of a parking garage with natural ventilation adjacent to Federal Plaza, said easement area more fully described in Exhibit A, attached hereto and made a part hereof and the Park and Recreation Board of the City of Dallas is agreeable to providing the property for this use; and

WHEREAS, in consideration for the grant of the Open Space Easement, the Dalton Family, First Baptist Church, et al. will pay the fair market value of this easement ($99,785.00), as determined by an independent appraisal; and

WHEREAS, a public hearing was held, as required by the Texas Parks and Wildlife Code (Chapter 26, Section 26.001 through 26.004), to determine that there is no feasible and prudent alternative to this use of this parkland and that all reasonable planning to minimize harm to Federal Plaza 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 has been taken.

SECTION 2. That, City of Dallas hereby approves and authorizes the grant of an Open Space Easement, by form instrument as approved by the City Attorney, to the Dalton Family, First Baptist Church, et al. to satisfy City code requirements for the configuration and construction of a parking garage with natural ventilation adjacent to Federal Plaza, said easement area more fully described in Exhibit A, attached hereto and made a part hereof.

SECTION 3. That, upon receipt of NINETY-NINE THOUSAND SEVEN HUNDRED EIGHTY-FIVE DOLLARS AND NO/100 ($99,785.00) from the Dalton Family, First Baptist Church, et al, the City Manager or designee, upon approval as to form by the City Attorney is authorized to execute an Open Space Easement for the benefit of Dalton Family, First Baptist Church, et al. for the purposes authorized herein and to provide the following:

Within the Open Space Easement The City is permitted to:

1. Install typical improvements in a yard space such as pavement, plantings, benches, guardrails, etc. which do not exceed forty-two inches in height. Trees with a maximum canopy of six feet wide spaced five feet or more from the property line and a minimum of fifteen feet apart are permitted.

The Open Space Easement holder shall covenant to the City:

1. The Open Space Easement shall revert to the City if a structure is not constructed on the adjacent property or is removed thereafter;

2. To be responsible for all expenses to the City for the cleanup, repairs, and any and all damages or actions deleterious to the park resultant of its actions or negligence.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit funds paid by **GRANTEE** for the open space easement into Capital Gifts, Donation and Development Fund, Fund 0530; Department PKR; Unit 919A; Revenue Code 8428 in an amount not to exceed $99,785.00.

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.

OPEN SPACE EASEMENT

CITY BLOCK 2/243
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 879 square foot (0.0202 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, in the City of Dallas, Dallas County, Texas, City Block 2/243, Official City of Dallas Block Numbers and being a part of that certain tract of land as described in a special warranty deed to the City of Dallas, and recorded in Volume 77171, Page 2952, Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a "X" found for corner, said corner being in the Northeast right of way line of N. St. Paul Street (60 foot right of way) and being the South corner of that tract of land conveyed to First Baptist Church of Dallas, Texas, a non-profit Corporation, by deed recorded in Instrument Number 200600196306, Official Public Records, Dallas County, Texas and the West corner of said City of Dallas tract;

THENCE North 44 degrees 36 minutes 35 seconds East, along the Southeast line of said First Baptist Church tract and along the Northwest line of said City of Dallas tract, a distance of 87.86 feet to a PK nail found for corner and being the West corner of that tract of land conveyed to St. Paul Holdings, LP, a Texas Limited Partnership, by deed recorded in Instrument Number 201200376535, Official Public Records, Dallas County, Texas;

THENCE South 45 degrees 20 minutes 17 seconds East, along the Southwest line of said St Paul Holdings tract, a distance of 10.00 feet to a 1/2" inch iron rod with yellow cap stamped "TXHS" set for corner;

THENCE South 44 degrees 36 minutes 35 seconds West, a distance of 87.92 feet to a "X" set for corner; said "X" being in the Northeast right of way line of said N. St. Paul Street;

THENCE North 45 degrees 00 minutes 00 seconds West, along said Northeast right of way line, a distance of 10.00 feet to the POINT OF BEGINNING and containing 879 square feet or 0.0202 acre of land.

STATE OF TEXAS
REGISTERED
GARY E. JOHNSON
5299
PROFESSIONAL
LAND SURVEYOR

REVIEWED BY: JD
DATE: 12/14/2016
SPRG NO: 3938

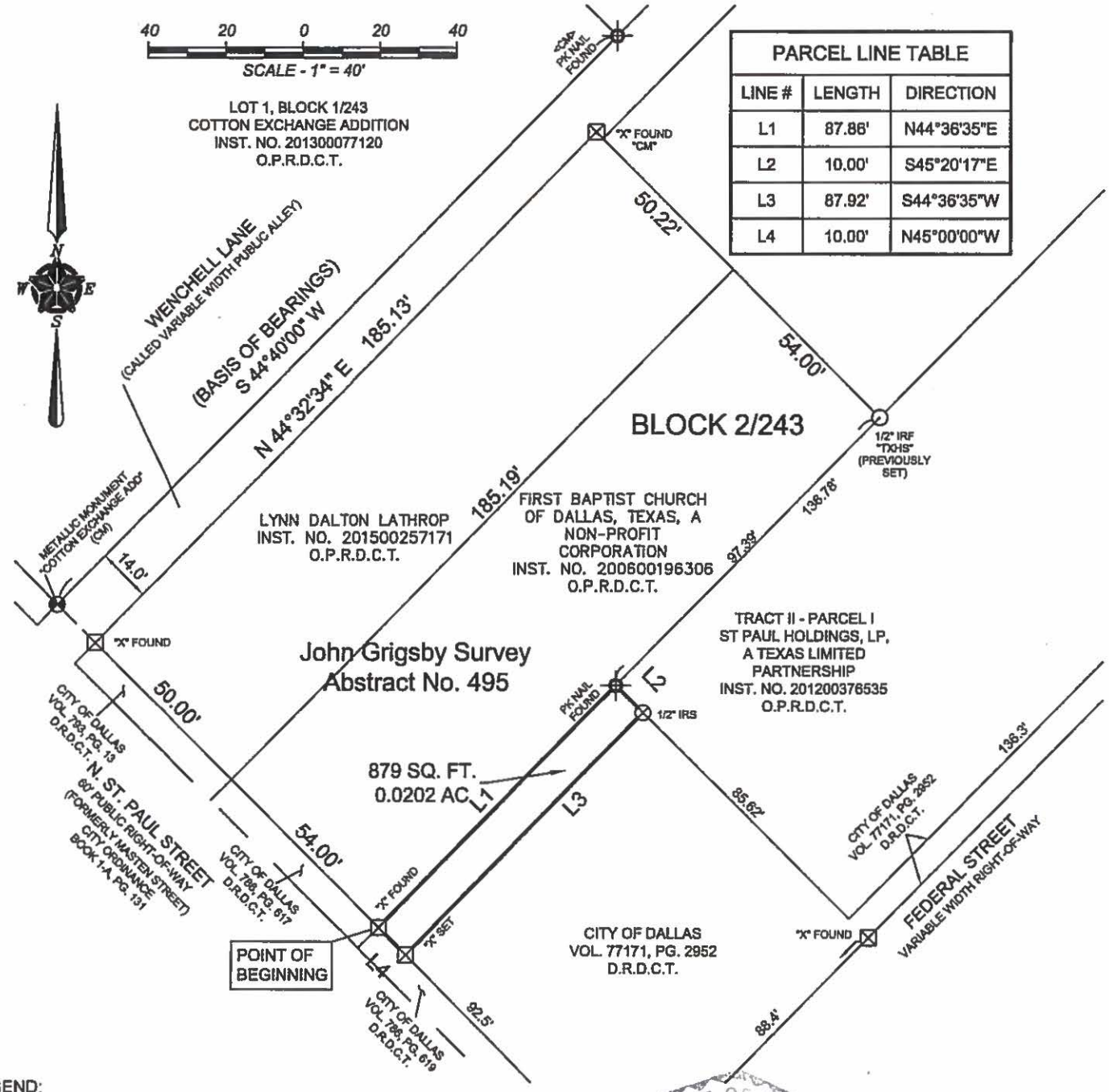
TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm No. 10169300

BEARINGS ARE BASED ON THE NORTHWEST LINE OF WENCHELL LANE PER PLAT OF COTTON EXCHANGE ADDITION, LOT 1, CITY BLOCK 1/243 AS RECORDED IN INSTRUMENT NO. 201300077120 O.P.R.D.C.T. (N44°40'00"E)

JOB #: 1603982-01
DATE: 11/15/2016
PAGE: 1 OF 2
SCALE: 1" - 40'
DRAWN BY: BM

OPEN SPACE EASEMENT

CITY BLOCK 2/243
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS



PARCEL LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	87.86'	N44°36'35"E
L2	10.00'	S45°20'17"E
L3	87.92'	S44°36'35"W
L4	10.00'	N45°00'00"W

LEGEND:

AC	ACRES
CM	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
"X" FND.	X FOUND IN CONCRETE
SQ.FT	SQUARE FEET
D.R.D.C.T	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
IRS	IRON ROD SET WITH YELLOW CAP STAMPED "TXHS"

STATE OF TEXAS
GREGORY D. JOHNSON
5299
PROFESSIONAL LAND SURVEYOR

REVIEWED BY: JD
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JOB #: 1603982-01
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PAGE: 2 OF 2
SCALE: 1" - 40'
DRAWN BY: BM

AGENDA ITEM # 60

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	January 11, 2017
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Sustainable Development and Construction Park & Recreation
CMO:	Mark McDaniel, 670-3256 Willis Winters, 670-4071
MAPSCO:	45L

SUBJECT

An ordinance abandoning aerial rights over a portion of Wenchell Lane to First Baptist Church of Dallas, Texas, William E. Dalton, Jr., Margaret Shea Powell, David Dalton, Jennifer Davis Sanders, Elizabeth Powell Gallian, Lynn Dalton Lathrop, Jeffery Davis and Pamela Jane Dalton, the abutting owners, containing approximately 1,977 square feet of air space, located near the intersection of St. Paul Street and Wenchell Lane, and authorizing the quitclaim - Revenue: $276,780, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of aerial rights over a portion of Wenchell Lane to First Baptist Church of Dallas, Texas, William E. Dalton, Jr., Margaret Shea Powell, David Dalton, Jennifer Davis Sanders, Elizabeth Powell Gallian, Lynn Dalton Lathrop, Jeffery Davis and Pamela Jane Dalton, the abutting owners.

The area will be included with the property of the abutting owners to construct cantilever supports for the development of a new parking garage. The new garage will allow for increased tenant parking which directly influences a headquarters relocation of the Jacobs Corporation to the City of Dallas.

The new garage will be designed to provide for a display window on the St. Paul Street building façade, north of the garage entrance, of a width of at least 3/4 of the length of the façade. The display area will host art or displays on a rotating basis. The southern building façade will be a Green Wall/Green Screen or Green Wall/Living Wall vertical vegetation system. Curb ramping will also occur so that it maximizes the width of a leveled sidewalk.

BACKGROUND (Continued)

The abandonment fee is based on an independent appraisal.

Notices were sent to 16 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on January 9, 2017.

FISCAL INFORMATION

Revenue: $276,780, plus the $20 ordinance publication fee

OWNERS

First Baptist Church of Dallas, Texas
Jerry Grissom, President

William E. Dalton, Jr.

David Dalton

Jennifer Davis Sanders

Elizabeth Powell Gallian

Lynn Dalton Lathrop

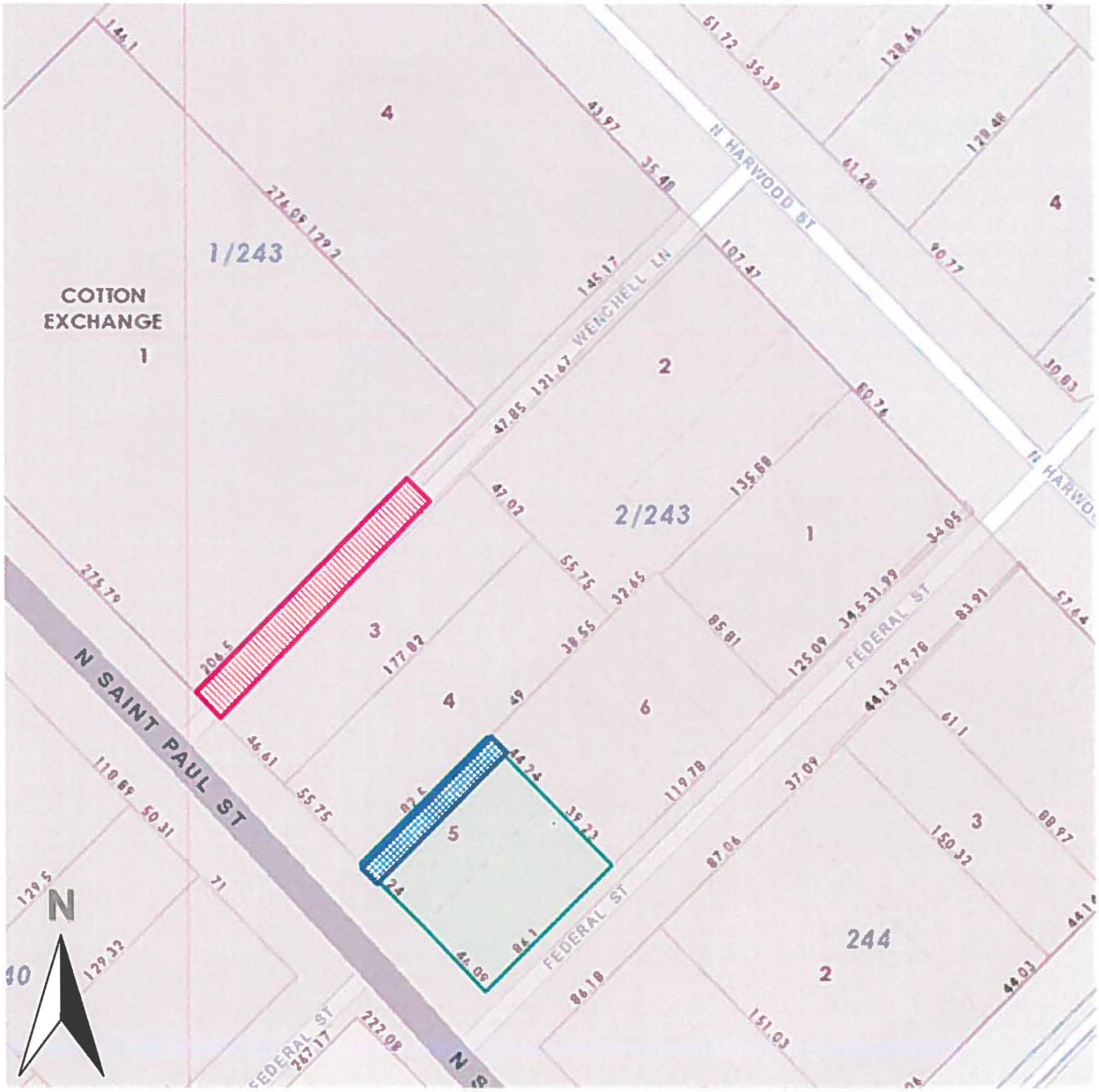
Jeffrey Davis

Margaret Shea Powell
W. E. Dalton, Jr., Power of Attorney

Pamela Jane Dalton
W. E. Dalton, Jr., Power of Attorney

MAP

Attached



Log: 43218

Applicant: First Baptist Church of Dallas, Texas and William E Dalton, Jr., Patricia Dalton Caolo, Margaret Shea Powell, Mary Francis Tart, and Pamela Jane Dalton

Mapsco: 45L

Abandonment area: **Open Space Easement:**

ORDINANCE NO. _____

An ordinance providing for the abandonment of aerial rights over a portion of Wenchell Lane located adjacent to City Blocks 1/243 and 2/243 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to First Baptist Church of Dallas, Texas, William E. Dalton, Jr., Margaret Shea Powell, David Dalton, Jennifer Davis Sanders, Elizabeth Powell Gallian, Lynn Dalton Lathrop, Jeffrey Davis, and Pamela Jane Dalton; subject to reverter, 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; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of First Baptist Church of Dallas, Texas, a Texas non-profit corporation, William E. Dalton, Jr., an individual, Margaret Shea Powell, an individual, David Dalton, an individual, Jennifer Davis Sanders, an individual, Elizabeth Powell Gallian, an individual, Lynn Dalton Lathrop, an individual, Jeffery Davis, an individual, and Pamela Jane Dalton, an individual, hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon and quitclaim, subject to a reverter interest, the hereinafter described space, to **GRANTEE**, and is of the opinion that, subject to the terms and conditions and reverter herein provided, said portion of aerial rights, beginning at an elevation of 477.25 feet above mean sea level and extending to an elevation to 665.25 feet above mean sea level, 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 and reverter, hereinafter more fully set forth; **Now, Therefore,**

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

SECTION 1. That the aerial rights, beginning at an elevation of 477.25 feet above mean sea level and extending to an elevation to 665.25 feet above mean sea level over the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the reverter and conditions, and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **TWO HUNDRED SEVENTY-SIX THOUSAND SEVEN HUNDRED EIGHTY AND NO/100 DOLLARS ($276,780.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9 and 10, the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the reverter interest herein stated, all its right, title and interest in and to the certain area of aerial rights, beginning at an elevation of 477.25 feet above mean sea level and extending to an elevation of 665.25 feet above mean sea level over the tract of land hereinabove described in Exhibit A. Provided however, that if the tract or parcel of land situated on and adjacent to the area to be abandoned is ever: (i) partially demolished, removed or damaged and is not promptly thereafter repaired or rebuilt; (ii) substantially or totally demolished, removed or damaged; or (iii) abandoned in whole or in part by **GRANTEE** and **GRANTEE'S** heirs, 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; 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** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2 and 10, **GRANTEE** accepts the terms, provisions, future effective date 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 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 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 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.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE** and **GRANTEE'S** heirs, 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** and **GRANTEE'S** heirs, 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** and **GRANTEE'S** heirs, 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** and **GRANTEE'S** heirs, 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** and **GRANTEE'S** heirs, successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

a) maintain a building entrance on St. Paul Street and provide for allowable use other than parking in accordance to definition of Article XIII of Dallas City Code.

b) adhere to Dallas City Code minimum height requirements above and over Wenchell Lane that must allow for truck, City of Dallas fire and police services to pass through and must have low clearance signs. Clearance signs must be present if construction, installation or maintenance shall occur that is lower than 20 feet of the described area in Exhibit A.

c) allow city to retain easement rights of existing 6 foot sewer main within the alley until evidence has been provided to Dallas Water Utilities Engineering department that the existing 6 foot sewer main has been killed.

SECTION 10. 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 and upon City Council approval of the Parks and Recreation Department resolution, substantially in the form attached hereto as Exhibit B, that authorizes the grant of an open space easement to **GRANTEE**, in the form as approved by the City Attorney, and in the location described in Exhibit C attached hereto and made a part hereof, pay the monetary consideration required in said Parks and Recreation Department resolution in the sum of **NINETY-NINE THOUSAND SEVEN HUNDRED EIGHTY-FIVE AND NO/100 DOLLARS ($99,785.00)**.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, subject to a reverter interest, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The 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 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 of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

AERIAL ABANDONMENT

EXHIBIT A

PART OF WENCHELL LANE
ADJACENT TO CITY BLOCKS 1/243 & 2/243
BETWEEN THE ELEVATIONS OF 477.25 FEET AND 665.25 FEET MEAN SEA LEVEL
OR BETWEEN 17.00 FEET AND 188.00 FEET ABOVE THE CROWN OF THE ROAD
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 1,977 square foot (0.045 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, in the City of Dallas, Dallas County, Texas, being adjacent to City Blocks 1/243 and 2/243, Official City of Dallas Block Numbers and being a portion of Wenchell Lane (formerly Walker Lane) (a variable width public right-of-way, no dedication found) between the elevations of 477.25 feet and 665.25 feet mean sea level or between 17.00 feet and 188.00 feet above the crown of the road, and being more particularly described by metes and bounds as follows:

Beginning at an "X" found in concrete for corner at the intersection of the Southeast right-of-way line of said Wenchell Lane and the Northeast right-of-way line of St. Paul Street (60 foot public right-of-way), created by Ordinance Book 1-A, Page 131, Volume 787, Page 502, Volume 793, Page 13 and Volume 791, Page 336, Deed Records of Dallas County, Texas, said point being the South corner of herein described tract;

Thence North 45 Degrees 00 Minutes 00 Seconds West, along said northeast right-of-way line of said St Paul Street, a distance of 11.50 feet to a "X" set for corner lying in the Northeast right-of-way line of said St. Paul Street same being the West corner of herein described tract;

Thence North 44 Degrees 40 Minutes 00 Seconds East, 2.5 feet southeast and parallel with the Southeast line of Lot 1, City Block 1/243 of Cotton Exchange Addition, an addition to the City of Dallas, Dallas County, Texas, created by the plat thereof recorded in Instrument No. 201300077120 of the Official Public Records of Dallas County, Texas, a distance of 174.75 feet to a "X" set for corner, said point being the North corner of herein described tract;

Thence South 45 Degrees 00 Minutes 00 Seconds East, a distance of 11.12 feet to a PK nail set in the Northwest line of a tract of land conveyed to Lynn Dalton Lathrop, by deed recorded in Instrument No. 201500257171 Official Public Records, Dallas County, Texas;

Thence South 44 Degrees 32 Minutes 34 Seconds West, along the Northwest line of said Dalton tract, a distance of 174.76 feet to the POINT OF BEGINNING and containing 1,977 square feet or 0.045 acres of land.

STATE OF TEXAS
REGISTERED
GARY E. JOHNSON
5299
PROFESSIONAL
SURVEYOR

Gary E. Johnson, R.P.L.S.# 5299

REVIEWED BY: JD
DATE: 10/27/2016
SPRG No: 3799

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Office 214-340-9700 Fax 214-340-9710
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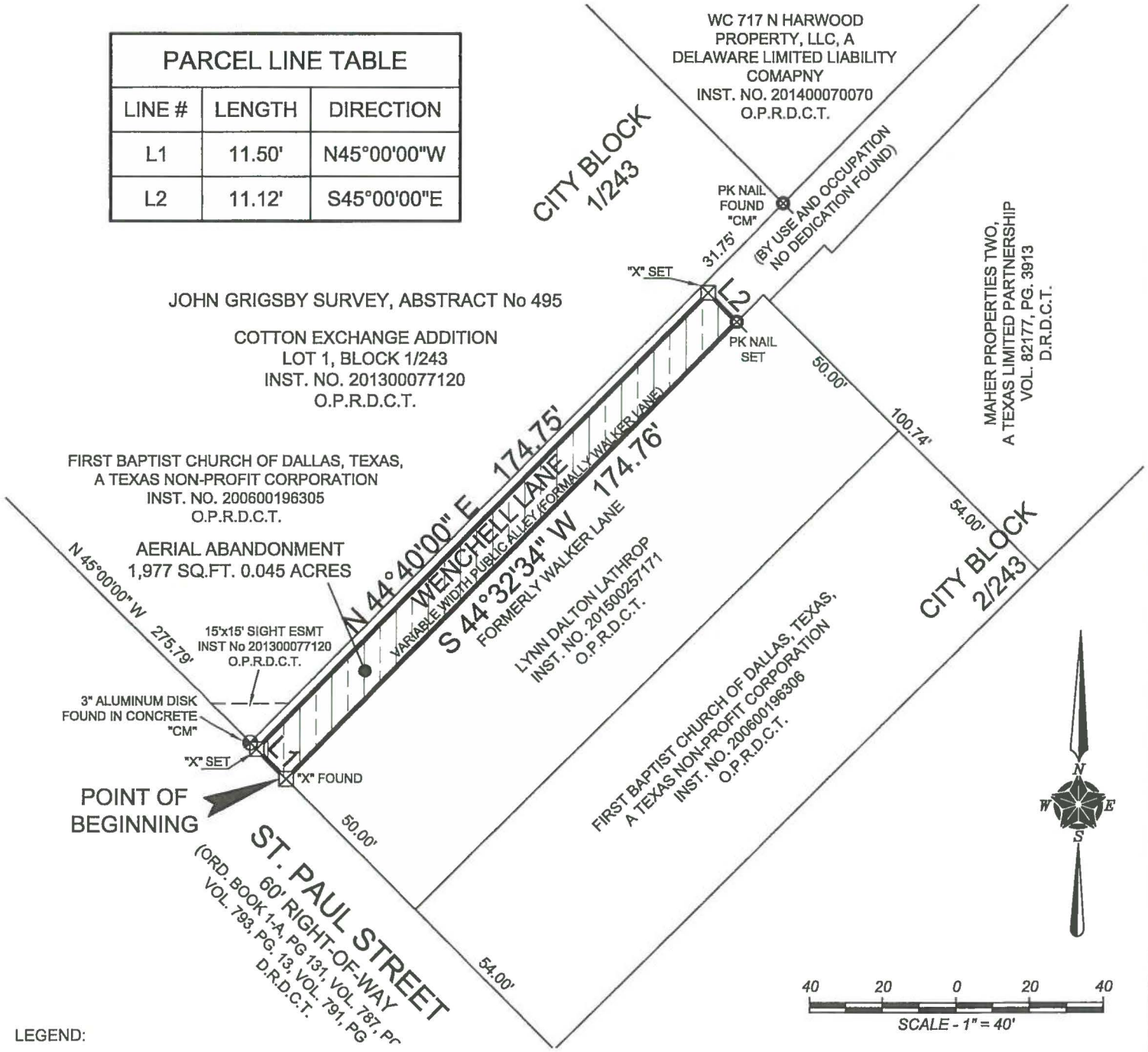
JOB #: 1300503-4
DATE: 07/05/2016
LAST REVISED: 10/24/2016
PAGE: 1 OF 2
SCALE: 1" - 40'
DRAWN BY: ER/JWR

AERIAL ABANDONMENT

EXHIBIT A

PART OF WENCHELL LANE
ADJACENT TO CITY BLOCKS 1/243 & 2/243
BETWEEN THE ELEVATIONS OF 477.25 FEET AND 665.25 FEET MEAN SEA LEVEL
OR BETWEEN 17.00 FEET AND 188.00 FEET ABOVE THE CROWN OF THE ROAD
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PARCEL LINE TABLE		
LINE #	LENGTH	DIRECTION
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L2	11.12'	S45°00'00"E



LEGEND:

CM	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
"X" FND.	X FOUND IN CONCRETE
SQ.FT	SQUARE FEET
D.R.D.C.T	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
IRS	IRON ROD SET WITH YELLOW CAP STAMPED "TXHS"

REVIEWED BY: JD
DATE: 10/27/2016
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JOB #: 1300503-4
DATE: 07/05/2016
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SCALE: 1" - 40'
DRAWN BY: ER/JWR

EXHIBIT B

COUNCIL CHAMBER

January 11, 2017

WHEREAS, the City of Dallas owns land in Dallas known as Federal Plaza located at 1900 Federal Street, which has been maintained as parkland since 1980; and

WHEREAS, adjacent landowners, the Dalton Family, First Baptist Church, et al. located at 502 North St. Paul Street, has requested the use of approximately 879 square feet of land as an Open Space Easement to satisfy City code requirements for the configuration and construction of a parking garage with natural ventilation adjacent to Federal Plaza, said easement area more fully described in Exhibit A, attached hereto and made a part hereof and the Park and Recreation Board of the City of Dallas is agreeable to providing the property for this use; and

WHEREAS, in consideration for the grant of the Open Space Easement, the Dalton Family, First Baptist Church, et al. will pay the fair market value of this easement ($99,785.00), as determined by an independent appraisal; and

WHEREAS, a public hearing was held, as required by the Texas Parks and Wildlife Code (Chapter 26, Section 26.001 through 26.004), to determine that there is no feasible and prudent alternative to this use of this parkland and that all reasonable planning to minimize harm to Federal Plaza 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 has been taken.

SECTION 2. That, City of Dallas hereby approves and authorizes the grant of an Open Space Easement, by form instrument as approved by the City Attorney, to the Dalton Family, First Baptist Church, et al. to satisfy City code requirements for the configuration and construction of a parking garage with natural ventilation adjacent to Federal Plaza, said easement area more fully described in Exhibit A, attached hereto and made a part hereof.

EXHIBIT B

January 11, 2017

SECTION 3. That, upon receipt of NINETY-NINE THOUSAND SEVEN HUNDRED EIGHTY-FIVE DOLLARS AND NO/100 ($99,785.00) from the Dalton Family, First Baptist Church, et al, the City Manager or designee, upon approval as to form by the City Attorney is authorized to execute an Open Space Easement for the benefit of Dalton Family, First Baptist Church, et al. for the purposes authorized herein and to provide the following:

Within the Open Space Easement The City is permitted to:

1. Install typical improvements in a yard space such as pavement, plantings, benches, guardrails, etc. which do not exceed forty-two inches in height. Trees with a maximum canopy of six feet wide spaced five feet or more from the property line and a minimum of fifteen feet apart are permitted.

The Open Space Easement holder shall covenant to the City:

1. The Open Space Easement shall revert to the City if a structure is not constructed on the adjacent property or is removed thereafter;

2. To be responsible for all expenses to the City for the cleanup, repairs, and any and all damages or actions deleterious to the park resultant of its actions or negligence.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit funds paid by **GRANTEE** for the open space easement into Capital Gifts, Donation and Development Fund, Fund 0530; Department PKR; Unit 919A; Revenue Code 8428 in an amount not to exceed $99,785.00.

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.

OPEN SPACE EASEMENT

CITY BLOCK 2/243
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C

Being a 879 square foot (0.0202 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, in the City of Dallas, Dallas County, Texas, City Block 2/243, Official City of Dallas Block Numbers and being a part of that certain tract of land as described in a special warranty deed to the City of Dallas, and recorded in Volume 77171, Page 2952, Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

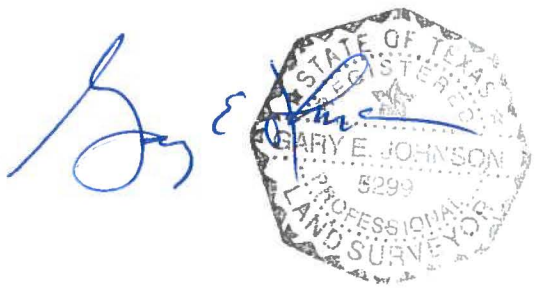
Beginning at a "X" found for corner, said corner being in the Northeast right of way line of N. St. Paul Street (60 foot right of way) and being the South corner of that tract of land conveyed to First Baptist Church of Dallas, Texas, a non-profit Corporation, by deed recorded in Instrument Number 200600196306, Official Public Records, Dallas County, Texas and the West corner of said City of Dallas tract;

THENCE North 44 degrees 36 minutes 35 seconds East, along the Southeast line of said First Baptist Church tract and along the Northwest line of said City of Dallas tract, a distance of 87.86 feet to a PK nail found for corner and being the West corner of that tract of land conveyed to St. Paul Holdings, LP, a Texas Limited Partnership, by deed recorded in Instrument Number 201200376535, Official Public Records, Dallas County, Texas;

THENCE South 45 degrees 20 minutes 17 seconds East, along the Southwest line of said St Paul Holdings tract, a distance of 10.00 feet to a 1/2" inch iron rod with yellow cap stamped "TXHS" set for corner;

THENCE South 44 degrees 36 minutes 35 seconds West, a distance of 87.92 feet to a "X" set for corner; said "X" being in the Northeast right of way line of said N. St. Paul Street;

THENCE North 45 degrees 00 minutes 00 seconds West, along said Northeast right of way line, a distance of 10.00 feet to the POINT OF BEGINNING and containing 879 square feet or 0.0202 acre of land.



REVIEWED BY: SD
DATE: 12/14/2016
SPRG NO: 3938

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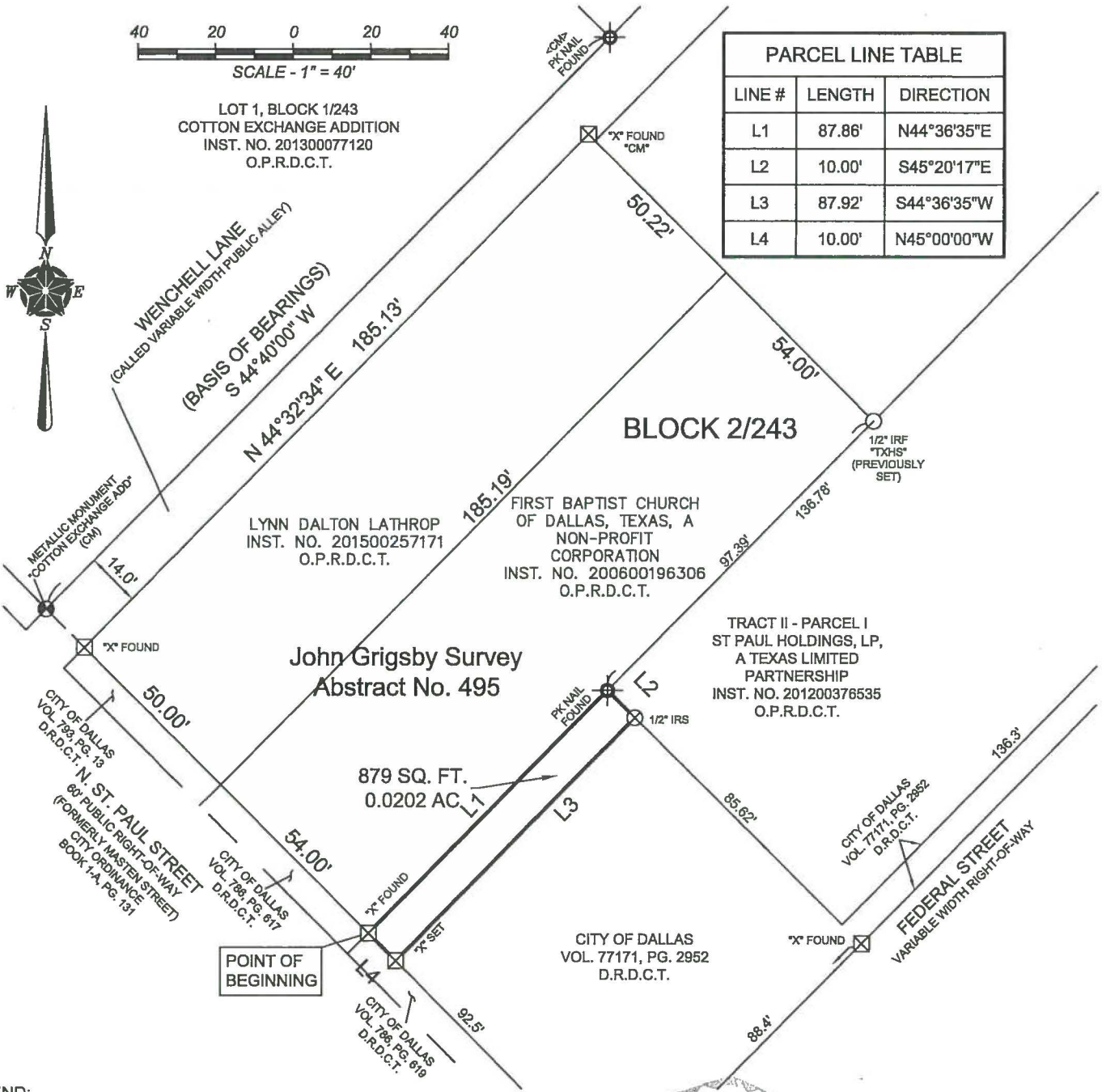
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OPEN SPACE EASEMENT

CITY BLOCK 2/243
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C



PARCEL LINE TABLE		
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STATE OF TEXAS
REGISTERED
GREGORY D. JOHNSON
5299
PROFESSIONAL
LAND SURVEYOR

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SPRG NO. 3938

TEXAS HERITAGE SURVEYING, INC.
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Office 214-340-9700 Fax 214-340-9710
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BEARINGS ARE BASED ON THE NORTHWEST LINE OF WENCHELL LANE PER PLAT OF COTTON EXCHANGE ADDITION, LOT 1, CITY BLOCK 1/243 AS RECORDED IN INSTRUMENT NO. 201300077120 O.P.R.D.C.T. (N44°40'00"E)

JOB #: 1603982-01
DATE: 11/15/2016
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SCALE: 1" - 40'
DRAWN BY: BM