MARCH 26, 2014 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated March 26, 2014. 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

3/7/14
Date

Edward Scott
City Controller

3/7/14
Date

RECEIVED
2014 MAR 14 PM 4:39
CITY SECRETARY
DALLAS, TEXAS

COUNCIL AGENDA

March 26, 2014
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.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 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 en 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.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities 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 retrasara o interrumpirá los procedimientos, o se negara a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben 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 este 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 precisara al oficial que este presidiendo la sesión a tomar acción." Según la sección 3.3 (c) de las reglas de procedimientos del Ayuntamiento.

AGENDA
CITY COUNCIL MEETING
WEDNESDAY, MARCH 26, 2014
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 - 31
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 32 - 36
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 37 - 57

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

AGENDA

CITY COUNCIL MEETING

MARCH 26, 2014

CITY OF DALLAS

1500 MARILLA

COUNCIL CHAMBERS, CITY HALL

DALLAS, TEXAS 75201

9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Special Presentations

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the February 26, 2014 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize a three-year service contract for maintenance and parts for hot water boilers at the Southside Wastewater Treatment Plant - Page Boiler, Inc., lowest responsible bidder of two - Not to exceed $173,888 - Financing: Water Utilities Current Funds (subject to annual appropriations)

3. Authorize a three-year service contract for grounds maintenance service for Library facilities - William C Evans dba W E E Commerce Service in the amount of $514,050 and Good Earth Corporation in the amount of $96,390, lowest responsible bidders of four - Total not to exceed $610,440 - Financing: Current Funds (subject to annual appropriations)

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

4. Authorize a five-year service contract for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas - A.C.A. Industries, Inc. dba American Maintenance, most advantageous proposer of six - Not to exceed $21,253,314 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

5. Authorize **(1)** an acquisition contract for the purchase and implementation of a citywide data storage system in the amount of $1,017,559; **(2)** a five-year service contract for maintenance and support for the Citywide data system in the amount of $427,949; and **(3)** a five-year master agreement for the purchase of additional hardware and software in the amount of $969,834 - ViON Corporation, most advantageous proposer of five - Total not to exceed $2,415,342 - Financing: Current Funds ($1,451,533) and Municipal Lease Agreement Funds ($963,809) (subject to annual appropriations)

6. Authorize a three-year master agreement for the purchase of bagged ice - Emergency Ice, Inc., lowest responsible bidder of two - Not to exceed $343,473 - Financing: Current Funds ($106,928), Water Utilities Current Funds ($224,231) and Stormwater Drainage Management Current Funds ($12,314)

7. Authorize a three-year master agreement for automotive, truck and heavy equipment batteries - Continental Battery Company, lowest responsible bidder of five - Not to exceed $1,260,658 - Financing: Current Funds ($1,155,778), Water Utilities Current Funds ($61,336), Convention and Event Services Current Funds ($19,986), Aviation Current Funds ($11,810) and Stormwater Drainage Management Current Funds ($11,748)

8. Authorize a three-year master agreement for the purchase of anhydrous ammonia - DPC Industries, Inc., lowest responsible bidder of two - Not to exceed $2,636,220 - Financing: Water Utilities Current Funds

9. Authorize a three-year master agreement for the purchase of bulk liquid oxygen - Matheson Tri-Gas, Inc., lowest responsible bidder of two - Not to exceed $6,515,002 - Financing: Water Utilities Current Funds

Code Compliance

10. Authorize a three-year contract with the Texas Department of State Health Services for asbestos abatement/demolition notification - Not to exceed $150,000 - Financing: Current Funds (subject to annual appropriations)

CONSENT AGENDA (Continued)

Equipment & Building Services

11. Authorize a three-year agreement with Invenergy Renewable, LLC, most advantageous proposer of nine in the amount of $1,289,254 for the purchase of renewable energy credits for the calendar years 2014, 2015, and 2016 - Not to exceed $1,289,254 - Financing: Current Funds (subject to annual appropriations)

Housing/Community Service

12. Authorize **(1)** the acceptance of additional grant funds from the Dallas Housing Finance Corporation (DHFC) for Bexar Street Redevelopment corridor maintenance and operating expenses; and **(2)** an increase in appropriations in the amount of $8,000, from $120,000 to $128,000 for operating expenses - Not to exceed $8,000 - Financing: Dallas Housing Finance Corporation Grant Funds

Park & Recreation

13. Authorize a ten-year lease agreement, with one ten-year renewal option, with AT&T and its affiliates, to house electronic equipment for the purpose of serving the Fair Park campus in approximately 675 square feet of building space in the telephone room at the Fair Park Tower Building located at 3809 Grand Avenue - Estimated Revenue: $100

14. Authorize Supplemental Agreement No. 2 to the professional services contract with Dan Shipley Architect, Inc. for additional scope of work for architectural and civil engineering to prepare the following: documents for extension of fire main to include new fire hydrant; design documents for domestic water main; and topographic survey of fire and domestic water lines for the golf club house and maintenance facilities at Luna Vista Golf Course located at 11223 Luna Road - Not to exceed $20,200, from $79,925 to $100,125 - Financing: 2003 Bond Funds

15. Authorize Supplemental Agreement No. 2 to the master agreement for the development and operation of Robert E. Lee Park Hall with the Lee Park and Arlington Hall Conservancy for its share of public improvement costs in connection with further development of the Arlington Hall Master Plan to include construction of a ramp to connect Snyder Union Plaza on the Katy Trail to Robert E. Lee Park located at 3400 Turtle Creek Boulevard - Not to exceed $523,000 - Financing: 2006 Bond Funds ($97,248) and General Obligation Commercial Paper Funds ($425,752)

Public Works Department

16. Authorize a professional services contract with JQ Infrastructure, LLC to provide design services, preparation of construction documents, and construction management services for major maintenance repairs to the Perot Museum of Nature and Science at Fair Park (formerly the Dallas Museum of Natural History) - Not to exceed $148,320 - Financing: General Obligation Commercial Paper Funds

CONSENT AGENDA (Continued)

Public Works Department (Continued)

17. Authorize a professional services contract with Burgess & Niple, Inc. for the engineering design of one bridge repair and three street reconstruction projects (list attached) - Not to exceed $591,593 - Financing: 2006 Bond Funds ($47,949), General Obligation Commercial Paper Funds ($489,003) and Water Utilities Capital Improvement Funds ($54,641)

18. Authorize a professional services contract with Kimley-Horn and Associates, Inc. best qualified proposer of four, to provide engineering services for the runway, taxiway and apron airfield pavement evaluation project at Dallas Love Field - Not to exceed $1,270,000 - Financing: Aviation Capital Construction Funds

19. Authorize a three-year professional services contract with Granzow & Associates, Inc. for elevator and escalator inspections and consulting services (list attached) - Total not to exceed $150,000 - Financing: Current Funds (subject to annual appropriations)

Note: Item Nos. 20 and 21 must be considered collectively.

Street Reconstruction Group 06-618

20. * Authorize **(1)** a contract with Texas Standard Construction, Ltd., lowest responsible bidder of four, in the amount of $12,150,167 for the construction of street paving, storm drainage, water and wastewater main improvements for Street Reconstruction Group 06-618 (list attached); **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $482,214; and **(3)** an increase in appropriations in the amount of $482,214 in the Capital Projects Reimbursement Fund - Not to exceed $12,150,167 - Financing: General Obligation Commercial Paper Funds ($5,174,591), Capital Projects Reimbursement Funds ($482,214), Regional Toll Revenue Funds ($5,575,791), Water Utilities Capital Improvement Funds ($904,371) and Water Utilities Capital Construction Funds ($13,200)

21. * Authorize **(1)** a professional services contract with Kleinfelder Central, Inc. in the amount of $217,516 to provide construction material testing during the construction of Street Reconstruction Group 06-618; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $13,704; and **(3)** an increase in appropriations in the amount of $13,704 in the Capital Projects Reimbursement Fund - Not to exceed $217,516 - Financing: General Obligation Commercial Paper Funds ($94,184), Capital Projects Reimbursement Funds ($13,704) and Regional Toll Revenue Funds ($109,628)

22. Authorize an increase in the construction contract with CORE Construction Services of Texas, Inc. for the addition of folding apparatus bay doors in lieu of rolling sectional doors and modifications to the facility's natural gas piping and meter location for the Fire Station No. 32 replacement facility, located at 4262 North Jim Miller Road - Not to exceed $110,630, from $3,856,780 to $3,967,410 - Financing: General Obligation Commercial Paper Funds

CONSENT AGENDA (Continued)

Public Works Department (Continued)

23. Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to accept additional state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2012 through August 31, 2014 - Not to exceed $49,640, from $844,720 to $894,360 - Financing: Texas Commission on Environmental Quality Grant Funds

Sustainable Development and Construction

24. Authorize acquisition from A. T. Manahan, Trustee, of four tracts of land containing a total of approximately 76,018 square feet, located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $215,000 ($211,178, plus closing costs and title expenses not to exceed $3,822) - Financing: Water Utilities Capital Improvement Funds

25. Authorize moving expense and rental assistance payments for Juan Juarez and Nohemi Maldonado in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 705 Pontiac Avenue for future City facilities - Not to exceed $11,900 - Financing: 2006 Bond Funds

26. Authorize a ten-year lease agreement with Marcer Investments, LLC for approximately 5,000 square feet of office space located at 828 South Carrier Parkway, Suite 100, Grand Prairie to be used as a Women, Infants and Children Clinic for the period May 1, 2014 through April 30, 2024 - Not to exceed $970,000 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

27. An ordinance repealing Ordinance No. 28151 granted to FC Continental Complex L.P., which is now assigned to FC Continental Landlord, LLC and correcting the legal description of the license area to accurately depict the location of the two subsurface ventilation shafts within the licensed area on St. Paul Street right-of-way - Revenue: $1,000 annually, plus the $20 ordinance publication fee

28. An ordinance terminating Ordinance No. 24823 and consolidating the uses into a new ordinance for two sidewalk cafes and two awnings without signs, landscaping, steps and handicap access ramps within the licensed area on Stone Place right-of-way - Revenue: $11,813 annually, plus the $20 ordinance publication fee

29. An ordinance granting an application for a Planned Development District for LO-1 Limited Office District uses and mini-warehouse use and a resolution granting the termination of deed restrictions on property zoned an LO-1 Limited Office District with Specific Use Permit No. 1498 for a government installation other than listed on the southeast corner of East Northwest Parkway and Solta Drive - Z123-363 - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)

Water Utilities

30. Authorize a professional services contract with Halff Associates, Inc. to provide **(1)** architectural and engineering services for the design of roof and HVAC systems; and **(2)** a space utilization study for the Trinity Watershed Management Department - Not to exceed $2,653,129 - Financing: Stormwater Drainage Management Capital Construction Funds ($70,000) and Water Utilities Capital Improvement Funds ($2,583,129)

31. Authorize Supplemental Agreement No. 1 to the contract with the City of Mesquite for Wholesale Wastewater to add Reciprocal Agreement for Water and/or Wastewater Services - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

32. 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)

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

City Center TIF District - Incentives for Hartford Building Renovation

Note: Item Nos. 33 and 34 must be considered collectively.

33. * Authorize a development agreement with The Dallas Hartford, LLC, to reimburse eligible project costs for environmental, demolition, façade restoration, and streetscape improvements associated with the Hartford Building Redevelopment project in an amount not to exceed $1,200,000, from revenues accruing to Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Not to exceed $1,200,000 - Financing: City Center TIF District Funds

34. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Five (City Center TIF District) to reimburse the Dallas Hartford, LLC, up to $1,200,000, for eligible project costs pursuant to the development agreement with the Dallas Hartford, LLC - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

Note: Item Nos. 35 and 36 must be considered collectively.

TCDFW Industrial Development Inc. Project

35. * Authorize a real property tax abatement agreement with TCDFW Industrial Development Inc. located on approximately 79.05 acres north of IH-635 between J.J. Lemmon Road and the Burlington Northern Santa Fe (BNSF) Railroad at 4800 LBJ Freeway, Dallas, Texas in the amount of 90 percent on the value of real property improvements for 10 years in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at $7,173; ten-year revenue estimated at $52,682; (Estimated revenue foregone for a ten-year new business personal property abatement estimated at $474,135)

36. * Authorize a Chapter 380 economic development grant agreement in an amount not to exceed $875,000 with TCDFW Industrial Development Inc. related to the construction of a 500,000 square foot speculative industrial/warehouse facility, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed $875,000 - Financing: General Obligation Commercial Paper Funds ($807,907) and 2006 Bond Funds ($67,093)

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

37. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses on property zoned an IR Industrial Research District, on the northwest side of Kimsey Drive, northeast of Maple Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z123-339(JH)

38. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property zoned an IR Industrial Research District and an MU-3 Mixed Use District, on both sides of Harry Hines Boulevard, northwest of Medical District Drive
Recommendation of Staff and CPC: Approval for a forty-year period, subject to a site plan and conditions
Z134-117(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - CONSENT (Continued)

39. A public hearing to receive comments regarding an application for and an ordinance granting a Subdistrict 1A on property zoned Subdistrict 1 within Planned Development District No. 830, the Davis Street Special Purpose District, on the east side of North Bishop Avenue, north of Neches Street
Recommendation of Staff and CPC: Approval
Z134-127(JH)

40. A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District at the east corner of Fort Worth Avenue and Yorktown Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z134-134(RB)

41. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned Tract 2B in Planned Development District No. 160 on the west side of North Zang Boulevard, north of West Canty Street
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z134-135(MW)

42. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1946 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property within Subarea 2, Tract 3 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the southwest corner of Lake June Road and South Buckner Boulevard
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Z134-148(WE)

43. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 98 within Planned Development District No. 193, the Oak Lawn Special Purpose District on the south corner of Carlisle Street and Routh Street
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z134-151(JH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - INDIVIDUAL

44. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1993 for an industrial (outside) use not potentially incompatible limited to a concrete batch plant on property zoned an IR Industrial Research District on the south side of Crystal Lake Boulevard, west of Dan Morton Drive
Recommendation of Staff: Approval for a five-year period, subject to conditions
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Z134-131(MW)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

45. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for single-family detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z123-135(WE)
Note: This item was considered by the City Council at public hearings on January 22, 2014 and February 12, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

46. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a potentially incompatible industrial use (metal or metal product treatment or processing) on property zoned Tract 1, RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z123-325(WE)
Note: This item was considered by the City Council at a public hearing on February 26, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL (Continued)

47. A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue
Recommendation of Staff: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions
Z123-328(MW)
Note: This item was considered by the City Council at public hearings on January 8, 2014 and February 12, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

48. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a liquor store on property zoned Subarea 10 within Planned Development District No. 298, the Bryan Area Special Purpose District, at the east corner of Live Oak Street and North Haskell Avenue
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewal of additional two-year periods, subject to a site plan and conditions
Z134-108(JH)
Note: This item was considered by the City Council at a public hearing on January 22, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

49. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1711 for a vehicle or engine repair or maintenance use and add an outside salvage or reclamation use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 on the east side of C.F. Hawn Freeway, south of Lake June Road
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z134-114(MW)
Note: This item was considered by the City Council at a public hearing on February 26, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

DESIGNATED ZONING CASES - INDIVIDUAL

50. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property bounded by Hartford Street, Hawthorne Avenue, Fairmount Street west of Kings Road, and Kings Road north of Fairmount Street
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z123-326(RB)

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

51. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan and conditions
Z123-148(WE)
Note: This item was considered by the City Council at a public hearing on February 12, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

52. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 759 for RR Regional Retail District uses generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan and revised conditions
Z123-340(WE)
Note: This item was considered by the City Council at a public hearing on January 22, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

MISCELLANEOUS HEARINGS

Office of Financial Services

53. A public hearing to receive comments on the proposed FY 2014-15 Operating, Capital, and Grant/ Trust budgets - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

Reinvestment Zone and Real Property Tax Abatement Authorization

Note: Item Nos. 54 and 55 must be considered collectively.

54. * A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 83, incorporating approximately 87 acres of property located just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas for the purpose of granting economic development incentives to Courtland Group, LLC (Courtland) - Financing: No cost consideration to the City

55. * An ordinance designating the approximately 87 acres of property located just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas as City of Dallas Reinvestment Zone No. 83, for the purpose of granting economic development incentives to Courtland Group, LLC (Courtland), establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

Reinvestment Zone and Real Property Tax Abatement Authorization

Note: Item Nos. 56 and 57 must be considered collectively.

56. * Authorize a development Agreement with Courtland Group, LLC (Courtland) for the purpose of the extension of Grady Niblo Road from the existing terminus east of Mountain Creek Parkway approximately 2,400 linear feet east in proximity to the planned development site - Financing: No cost consideration to the City

57. * Authorize **(1)** a Phase I real property tax abatement agreement; and **(2)** a Phase II real property tax abatement agreement with Courtland Group, LLC (Courtland) located on approximately 87 acres just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas each in the amount of 90 percent on the value of new real property for ten years in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at $14,864; ten-year revenue estimated at $262,452 (Estimated revenue foregone for ten-year real property tax abatement estimated at $2,618,145)

Professional Services Contract
Agenda Item # 17

Project	**Council District**	**Amount**
Bridge Repair		
Woodmeadow Parkway Bridge over Long Branch	9	$ 47,949.00
Street Reconstruction Local Street		
Langdon Avenue from Thurston Drive to Denton Drive	2	$ 69,680.00
Street Reconstruction Thoroughfares		
Maple Avenue from 800 feet south of Mockingbird Lane to Mockingbird Lane	2	$162,351.00
Woodmeadow Parkway from La Prada Drive west to the end of divided roadway	9	$311,613.00

Elevator and Escalator Service Contract
Agenda Item # 19

Location	Number of Units
1600 Lamar	1
African American Museum	2
Anita Martinez Rec Center	1
Bullington Parking	1, 2
Bullington Truck Terminal	1
Cedar Crest Golf Club	1
Central Police	1
City Hall	13
Communications Building	1
Cotton Bowl	6
Dallas Arboretum	1
Dallas Central Library	8
Dallas Museum of Art	13
Dallas Theater Center	2
DETOX	1
Family Gateway	1
Fire Training	1
General Services	1
Hall of State	2, 1 chair lift
Hampton Library	1 chair lift
Headquarters Building	1
IMAX	2
Jack Evan Police Station	8
Majestic Theater	1
Meyerson Parking	4
Meyerson Symphony	7
Municipal Building	4, 1 material lift
Museum of Natural History	1
New Streets Building	1
Oak Cliff Municipal	3
Old Mill Inn	1
Pan American Building	1
Pedestrian Walkway	2, 4
Police and Courts	2, 2 chair lifts
Science Place 1	2, 1 chair lift
Science Place 2	1
Southwest District Police	2
Texas Discovery Center	1
Sammons Center for the Arts	1
The Women's Museum	2

Street Reconstruction Group 06-618
Agenda Item # 20

Project	**Limits**	**Council District**
Continental Avenue	Core Street to Riverfront Boulevard and Riverfront Boulevard to Houston Street	2
Riverfront Boulevard	Parkhouse Street to Union Pacific Railroad	6

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

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.

2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.

3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.

4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.

5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.

6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.

AGENDA DATE March 26, 2014

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of February 26, 2014 City Council Meeting
2			8	C	PBD, WTR	$173,888.00	0.00%	0.00%	Authorize a three-year service contract for maintenance and parts for hot water boilers at the Southside Wastewater Treatment Plant
3			All	C	PBD, LIB	$610,440.00	96.23%	23.82%	Authorize a three-year service contract for grounds maintenance service for Library facilities
4			2	C	PBD, CES	$21,253,313.20	23.80%	23.80%	Authorize a five-year service contract for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas
5			All	C	PBD, CIS	$2,415,342.00	0.00%	0.00%	Authorize an acquisition contract for the purchase and implementation of a citywide data storage system; a five-year service contract for maintenance and support for the Citywide data system; and a five-year master agreement for the purchase of additional hardware and software
6			All	C	PBD, TWM, WTR	$343,472.35	80.00%	20.00%	Authorize a three-year master agreement for the purchase of bagged ice
7			All	C	PBD, AVI, CIS, CES, EBS, FIR, PKR, SAN, STS, TWM, WTR	$1,260,657.66	100.00%	0.00%	Authorize a three-year master agreement for automotive, truck and heavy equipment batteries
8			All	C	PBD, WTR	$2,636,220.00	0.00%	0.00%	Authorize a three-year master agreement for the purchase of anhydrous ammonia
9			All	C	PBD, WTR	$6,515,002.00	100.00%	0.00%	Authorize a three-year master agreement for the purchase of bulk liquid oxygen
10			All	C	CCS	$150,000.00	NA	NA	Authorize a three-year contract with the Texas Department of State Health Services for asbestos abatement/demolition notification
11			All	C	EBS, PBD	$1,289,253.55	0.00%	0.00%	Authorize a three-year agreement with Invenergy Renewable, LLC, most advantageous proposer of nine for the purchase of renewable energy credits for the calendar years 2014, 2015, and 2016
12			7	C	HOU	GT	NA	NA	Authorize the acceptance of additional grant funds from the Dallas Housing Finance Corporation (DHFC) for Bexar Street Redevelopment corridor maintenance and operating expenses
13			7	C	PKR	REV $100	NA	NA	Authorize a ten-year lease agreement, with one ten-year renewal option, with AT&T and its affiliates, to house electronic equipment for the purpose of serving the Fair Park campus in approximately 675 square feet of building space in the telephone room at the Fair Park Tower Building located at 3809 Grand Avenue
14			6	C	PKR	$20,200.00	100.00%	47.80%	Authorize Supplemental Agreement No. 2 to the professional services contract with Dan Shipley Architect, Inc. for additional scope of work for architectural and civil engineering to prepare the following: documents for extension of fire main to include new fire hydrant; design documents for domestic water main; and topographic survey of fire and domestic water lines for the golf club house and maintenance facilities at Luna Vista Golf Course located at 11223 Luna Road
15			14	C	PKR	$523,000.00	NA	NA	Authorize Supplemental Agreement No. 2 to the master agreement for the development and operation of Robert E. Lee Park Hall with the Lee Park and Arlington Hall Conservancy for its share of public improvement costs in connection with further development of the Arlington Hall Master Plan to include construction of a ramp to connect Snyder Union Plaza on the Katy Trail to Robert E. Lee Park located at 3400 Turtle Creek Boulevard
16			7	C	PBW, OCA	$148,320.00	90.90%	69.82%	Authorize a professional services contract with JQ Infrastructure, LLC to provide design services, preparation of construction documents, and construction management services for major maintenance repairs to the Perot Museum of Nature and Science at Fair Park (formerly the Dallas Museum of Natural History)
17			2, 9	C	PBW, WTR	$591,593.00	32.91%	26.91%	Authorize a professional services contract with Burgess & Niple, Inc. for the engineering design of one bridge repair and three street reconstruction projects
18			2	C	PBW, AVI	$1,270,000.00	93.71%	24.85%	Authorize a professional services contract with Kimley-Horn and Associates, Inc. best qualified proposer of four, to provide engineering services for the runway, taxiway and apron airfield pavement evaluation project at Dallas Love Field

AGENDA DATE March 26, 2014

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
19			All	C	PBW	$150,000.00	0.00%	0.00%	Authorize a three-year professional services contract with Granzow & Associates, Inc. for elevator and escalator inspections and consulting services
20			2, 6	C	PBW, WTR	$12,150,166.20	82.36%	30.34%	Street Reconstruction Group 06-618: Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of four for the construction of street paving, storm drainage, water and wastewater main improvements for Street Reconstruction Group 06-618; and the receipt and deposit of funds from Dallas County in an amount not to exceed $482,214
21			2, 6	C	PBW, WTR	$217,515.25	100.00%	15.00%	Street Reconstruction Group 06-618: Authorize a professional services contract with Kleinfelder Central, Inc. to provide construction material testing during the construction of Street Reconstruction Group 06-618; and the receipt and deposit of funds from Dallas County in an amount not to exceed $13,704
22			5	C	PBW, FIR	$110,629.91	100.00%	25.89%	Authorize an increase in the construction contract with CORE Construction Services of Texas, Inc. for the addition of folding apparatus bay doors in lieu of rolling sectional doors and modifications to the facility's natural gas piping and meter location for the Fire Station No. 32 replacement facility, located at 4262 North Jim Miller Road
23			All	C	PBW	GT	NA	NA	Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to accept additional state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2012 through August 31, 2014
24			Outside	C	DEV, WTR	$215,000.00	NA	NA	Authorize acquisition from A. T. Manahan, Trustee, of four tracts of land containing a total of approximately 76,018 square feet, located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project
25			2	C	DEV, PBW	$11,900.00	NA	NA	Authorize moving expense and rental assistance payments for Juan Juarez and Nohemi Maldonado in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 705 Pontiac Avenue for future City facilities
26			Outside	C	DEV, HOU	GT	NA	NA	Authorize a ten-year lease agreement with Marcer Investments, LLC for approximately 5,000 square feet of office space located at 828 South Carrier Parkway, Suite 100, Grand Prairie to be used as a Women, Infants and Children Clinic for the period May 1, 2014 through April 30, 2024
27			14	C	DEV	REV $1,000	NA	NA	An ordinance repealing Ordinance No. 28151 granted to FC Continental Complex L.P., which is now assigned to FC Continental Landlord, LLC and correcting the legal description of the license area to accurately depict the location of the two subsurface ventilation shafts within the licensed area on St. Paul Street right-of-way
28			14	C	DEV	REV $11,813	NA	NA	An ordinance terminating Ordinance No. 24823 and consolidating the uses into a new ordinance for two sidewalk cafes and two awnings without signs, landscaping, steps and handicap access ramps within the licensed area on Stone Place right-of-way
29			9	C	DEV	NC	NA	NA	An ordinance granting an application for a Planned Development District for LO-1 Limited Office District uses and mini-warehouse use and a resolution granting the termination of deed restrictions on property zoned an LO-1 Limited Office District with Specific Use Permit No. 1498 for a government installation other than listed on the southeast corner of East Northwest Parkway and Solta Drive
30			2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 14, Outside	C	WTR, TWM	$2,653,128.64	97.37%	25.66%	Authorize a professional services contract with Halff Associates, Inc. to provide architectural and engineering services for the design of roof and HVAC systems; and a space utilization study for the Trinity Watershed Management Department
31			All	C	WTR	NC	NA	NA	Authorize Supplemental Agreement No. 1 to the contract with the City of Mesquite for Wholesale Wastewater to add Reciprocal Agreement for Water and/or Wastewater Services
32			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)
33			2, 14	I	ECO	$1,200,000.00	NA	NA	City Center TIF District - Incentives for Hartford Building Renovation: Authorize a development agreement with The Dallas Hartford, LLC, to reimburse eligible project costs for environmental, demolition, façade restoration, and streetscape improvements associated with the Hartford Building Redevelopment project from revenues accruing to Tax Increment Financing Reinvestment Zone Five (City Center TIF District)

AGENDA DATE March 26, 2014

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
34			2, 14	I	ECO	NC	NA	NA	City Center TIF District - Incentives for Hartford Building Renovation: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Five (City Center TIF District) to reimburse the Dallas Hartford, LLC, up to $1,200,000, for eligible project costs pursuant to the development agreement with the Dallas Hartford, LLC
35			8	I	ECO	NC	NA	NA	TCDFW Industrial Development Inc. Project: Authorize a real property tax abatement agreement with TCDFW Industrial Development Inc. located on approximately 79.05 acres north of IH-635 between J.J. Lemmon Road and the Burlington Northern Santa Fe (BNSF) Railroad at 4800 LBJ Freeway, Dallas, Texas in the amount of 90 percent on the value of real property improvements for 10 years in accordance with the City's Public/Private Partnership Program
36			8	I	ECO	$875,000.00	NA	NA	TCDFW Industrial Development Inc. Project: Authorize a Chapter 380 economic development grant agreement with TCDFW Industrial Development Inc. related to the construction of a 500,000 square foot speculative industrial/warehouse facility, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program
37			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses on property zoned an IR Industrial Research District, on the northwest side of Kimsey Drive, northeast of Maple Avenue
38			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property zoned an IR Industrial Research District and an MU-3 Mixed Use District, on both sides of Harry Hines Boulevard, northwest of Medical District Drive
39			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Subdistrict 1A on property zoned Subdistrict 1 within Planned Development District No. 830, the Davis Street Special Purpose District, on the east side of North Bishop Avenue, north of Neches Street
40			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District at the east corner of Fort Worth Avenue and Yorktown Street
41			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned Tract 2B in Planned Development District No. 160 on the west side of North Zang Boulevard, north of West Canty Street
42			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. 1946 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property within Subarea 2, Tract 3 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the southwest corner of Lake June Road and South Buckner Boulevard
43			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 98 within Planned Development District No. 193, the Oak Lawn Special Purpose District on the south corner of Carlisle Street and Routh Street
44			3	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. 1993 for an industrial (outside) use not potentially incompatible limited to a concrete batch plant on property zoned an IR Industrial Research District on the south side of Crystal Lake Boulevard, west of Dan Morton Drive
45			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for single-family detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street
46			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 potentially incompatible industrial use (metal or metal product treatment or processing) on property zoned Tract 1, RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street

AGENDA DATE March 26, 2014

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
47			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue
48			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a liquor store on property zoned Subarea 10 within Planned Development District No. 298, the Bryan Area Special Purpose District, at the east corner of Live Oak Street and North Haskell Avenue
49			5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1711 for a vehicle or engine repair or maintenance use and add an outside salvage or reclamation use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 on the east side of C.F. Hawn Freeway, south of Lake June Road
50			2	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 Multiple Family Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property bounded by Hartford Street, Hawthorne Avenue, Fairmount Street west of Kings Road, and Kings Road north of Fairmount Street
51			11	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive
52			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 759 for RR Regional Retail District uses generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue
53			N/A	PH	OFS	NC	NA	NA	A public hearing to receive comments on the proposed FY 2014-15 Operating, Capital, and Grant/ Trust budgets
54			3	PH	ECO	NC	NA	NA	Reinvestment Zone and Real Property Tax Abatement Authorization: A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 83, incorporating approximately 87 acres of property located just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas for the purpose of granting economic development incentives to Courtland Group, LLC (Courtland)
55			3	PH	ECO	NC	NA	NA	Reinvestment Zone and Real Property Tax Abatement Authorization: An ordinance designating the approximately 87 acres of property located just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas as City of Dallas Reinvestment Zone No. 83, for the purpose of granting economic development incentives to Courtland Group, LLC (Courtland), establishing the boundaries of the Reinvestment Zone and providing for an effective date
56			3	PH	ECO	NC	NA	NA	Reinvestment Zone and Real Property Tax Abatement Authorization: Authorize a development Agreement with Courtland Group, LLC (Courtland) for the purpose of the extension of Grady Niblo Road from the existing terminus east of Mountain Creek Parkway approximately 2,400 linear feet east in proximity to the planned development site
57			3	PH	ECO	NC	NA	NA	Reinvestment Zone and Real Property Tax Abatement Authorization: Authorize a Phase I real property tax abatement agreement; and a Phase II real property tax abatement agreement with Courtland Group, LLC (Courtland) located on approximately 87 acres just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas each in the amount of 90 percent on the value of new real property for ten years in accordance with the City's Public/Private Partnership Program

TOTAL $56,784,041.76

AGENDA ITEM # 2

KEY FOCUS AREA:	Efficient, Effective and Economical Government
AGENDA DATE:	March 26, 2014
COUNCIL DISTRICT(S):	8
DEPARTMENT:	Business Development & Procurement Services Water Utilities
CMO:	Jeanne Chipperfield, 670-7804 Forest E. Turner, 670-3390
MAPSCO:	79G

SUBJECT

Authorize a three-year service contract for maintenance and parts for hot water boilers at the Southside Wastewater Treatment Plant - Page Boiler, Inc., lowest responsible bidder of two - Not to exceed $173,888 - Financing: Water Utilities Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract will include maintenance and parts for hot water boilers located at the Southside Wastewater Treatment Plant. The processing of the residuals at the Southside Wastewater Treatment Plant involves maintaining the temperature at a minimum of 95 degrees Fahrenheit. In order to operate the residual equipment at their optimum performance, the boilers must maintain the internal temperature at a range of 95 to 98 degrees, 24 hours a day. Additionally, the boilers are also used to provide heat for the various offices and process buildings at the Southside Wastewater Treatment Plant. This service contract will ensure the equipment will remain operational at an optimum level.

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 222 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone.

BACKGROUND (Continued)

Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) 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)

This item has no prior action.

FISCAL INFORMATION

$173,888.00 - Water Utilities Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

222 - M/WBE and Non-M/WBE vendors were contacted

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

Page Boiler, Inc.

White Male	11	White Female	2
Black Male	0	Black Female	0
Hispanic Male	1	Hispanic Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BK1327 and were opened on October 16, 2013. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

BID INFORMATION (Continued)

*Denotes successful bidder

Bidders	Address	Amount of Bid
*Page Boiler, Inc.	8413 County Road 592 Nevada, TX 75173	$173,888.00
DMI Corp. dba Decker Mechanical	1002 KCK Way Cedar Hill, TX 75104	$218,325.84

OWNER

Page Boiler, Inc.

Charlie R. Page, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for maintenance and parts for hot water boilers at the Southside Wastewater Treatment Plant - Page Boiler, Inc., lowest responsible bidder of two - Not to exceed $173,888 - Financing: Water Utilities Current Funds (subject to annual appropriations)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$173,888.00	100.00%
TOTAL CONTRACT	$173,888.00	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%

March 26, 2014

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 Page Boiler, Inc. (VS0000071088) for maintenance and parts for hot water boilers at the Southside Wastewater Treatment plant for a term of three years in an amount not to exceed $173,888.00, 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 Page Boiler, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Page Boiler, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed $173,888.00 (subject to annual appropriations).

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:	Efficient, Effective and Economical Government
AGENDA DATE:	March 26, 2014
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Library
CMO:	Jeanne Chipperfield, 670-7804 Joey Zapata, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize a three-year service contract for grounds maintenance services for Library facilities – William C Evans dba W E E Commerce Service in the amount of $514,050 and Good Earth Corporation in the amount of $96,390, lowest responsible bidders of four - Total not to exceed $610,440 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract will allow for ground maintenance service for Library facilities on a predetermined maintenance schedule as well as a provision for service calls on an as needed basis. This service contract will be used to provide mowing, trimming, weeding, fertilization, pest control, leaf and litter removal at 25 branch libraries and the Central Library. Mowing cycles range from 14 days to 30 days year round, with leaf and litter removal conducted on a weekly basis. Additionally, this contract will allow for irrigation adjustments and inspections.

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 710 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) 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 June 9, 2010, City Council authorized a three-year service contract for grounds maintenance services at floodway levees and library properties by Resolution No. 10-1464.

FISCAL INFORMATION

$610,440.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

710 M/WBE and Non-M/WBE vendors were contacted

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

William C Evans dba W E E Commerce Service

White Male	0	White Female	0
Black Male	11	Black Female	6
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

Good Earth Corporation

White Male	14	White Female	4
Black Male	12	Black Female	7
Hispanic Male	79	Hispanic Female	9
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BT1401 and opened on December 19, 2013. This service contract is being awarded to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

BID INFORMATION (Continued)

*Denotes successful bidders

Bidders	Address	Amount
*William C Evans dba W E E Commerce Service	5508 Longleaf Dr Dallas, TX 75232	Multiple groups
*Good Earth Corporation	8020 Heinen Dr. Dallas, TX 75227	Multiple groups
JBa Land Management Management, LLC	10875 Jupiter Rd. Dallas, TX 75218	Multiple groups
Urban Landscaping & Irrigation	700 S. Dallas Ave. Lancaster, TX 75146	Multiple groups

OWNERS

William C Evans dba W E E Commerce Service

William Evans, President
Jonathan Evans, Vice President

Good Earth Corporation

Ron Points, President
George Belk, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for grounds maintenance services for Library facilities – William C Evans dba W E E Commerce Service in the amount of $514,050 and Good Earth Corporation in the amount of $96,390, lowest responsible bidders of four - Total not to exceed $610,440 - Financing: Current Funds (subject to annual appropriations)

William C Evans dba W E E Commerce Service and Good Earth Corporation are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractors.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$587,440.00	96.23%
Total non-local contracts	$23,000.00	3.77%
TOTAL CONTRACT	$610,440.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Nellly's Tree Service	HFDB58255Y0714	$101,900.00	17.35%
Gabino's Advertising	HFDB58779Y0914	$20,500.00	3.49%
Total Minority - Local		$122,400.00	20.84%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Sun Coast Resources	WFWB5951N0115	$23,000.00	100.00%
Total Minority - Non-local		$23,000.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$122,400.00	20.84%	$122,400.00	20.05%
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%	$23,000.00	3.77%
Total	$122,400.00	20.84%	$145,400.00	23.82%

March 26, 2014

WHEREAS, on June 9, 2010, City Council authorized a three-year service contract for grounds maintenance services at floodway levees and library properties by Resolution No. 10-1464;

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 William C Evans dba W E E Commerce Service (VS0000082423) in the amount of $514,050.00 and Good Earth Corporation (510006) in the amount of $96,390.00, for grounds maintenance services for Library facilities for a term of three years in a total amount not to exceed $610,440.00, 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 William C Evans dba W E E Commerce Service and Good Earth Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by William C Evans dba W E E Commerce Service and Good Earth Corporation under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed $610,440.00 (subject to annual appropriations).

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:	Efficient, Effective and Economical Government
AGENDA DATE:	March 26, 2014
COUNCIL DISTRICT(S):	2
DEPARTMENT:	Business Development & Procurement Services Convention and Event Services
CMO:	Jeanne Chipperfield, 670-7804 Forest E. Turner, 670-3390
MAPSCO:	45 P

SUBJECT

Authorize a five-year service contract for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas – A.C.A. Industries, Inc. dba American Maintenance, most advantageous proposer of six - Not to exceed $21,253,314 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract provides event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas (the Convention Center). The Convention Center has over 2.2 million square feet of space that requires janitorial service and hosts in excess of one million visitors each year, creating significant economic impact and contributes to the vitality of the downtown area and surrounding communities.

Daily janitorial maintenance will consist of cleaning of offices, public areas, restrooms, and facility exterior. Event cleaning to include exhibit halls, public areas, meeting rooms, and restrooms**.** Set-up tasks consist of setting chairs, tables, and stages for convention meetings. The vendor is required to provide all supplies, equipment and labor necessary for the performance of the contract. The use of environmentally friendly Green Seal certified cleaning products and supplies is a requirement in this contract. Furthermore, as additional products become Green Seal certified, the vendor is required to incorporate these products at the Convention Center.

BACKGROUND (Continued)

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

- Aviation (1)
- Parks and Recreation (1)
- Convention and Event Services (2)
- Equipment and Building Services (1)
- Business Development and Procurement Services (2)*

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

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

● Experience	35%
● Pricing	30%
● Staffing	20%
● Business Inclusion and Development Plan	15%

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 1046 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) 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 14, 2013, this item was deferred by Mayor Pro Tem Atkins.

On August 21, 2013, City Council authorized the rejection of bids for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1395.

On August 28, 2013 City Council authorized Supplemental Agreement No. 1 to increase the service contract to extend the contract term through February 28, 2014, for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1507.

On March 3, 2014, this item was included as a briefing memo to the Budget, Finance, and Audit Committee.

FISCAL INFORMATION

$21,253,313.20 - Convention and Event Services Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

A.C.A. Industries, Inc. dba American Maintenance

White Male	32	White Female	22
Black Male	78	Black Female	22
Hispanic Male	395	Hispanic Female	318
Other Male	4	Other Female	1

M/WBE INFORMATION

153 - Vendors Contacted
149 - No response
4 - Response (Bid)
0 - Response (No Bid)
0 - Successful

1046 M/WBE and Non-M/WBE vendors were contacted

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.

PROPOSAL INFORMATION

The following proposals were received from solicitation number BKZ1401 and opened on December 5, 2013. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount of Bid
*A.C.A. Industries, Inc. dba American Maintenance	385 West Main St. Babylon, NY 11702	85.46%	$21,253,313.20
Andrews Building Services, Inc.	11503 Reeder Rd. Dallas, TX 75229	83.99%	$21,509,044.80

PROPOSAL INFORMATION (Continued)

Proposers	Address	Score	Amount of Bid
Members Building Maintenance, LLC	11363 Denton Dr. Suite #127 Dallas, TX 75229	74.95%	$16,665,550.00
CTJ Maintenance, Inc.	6565 North MacArthur Blvd. Suite #225 Irving, TX 75039	72.00%	$16,195,475.00
Able Building Maintenance	868 Folsom St. San Francisco, CA 94107	61.80%	$19,280,226.44
UBM Enterprise, Inc.	11102 Ables Ln. Dallas, TX 75229	58.82%	$21,483,640.00

OWNER

A.C.A. Industries, Inc. dba American Maintenance

Christopher Alex, President
Joseph Alex, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas – A.C.A. Industries, Inc. dba American Maintenance, most advantageous proposer of six - Not to exceed $21,253,314 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

A.C.A. Industries, Inc. dba American Maintenance is a non-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	$5,058,289.00	23.80%
Total non-local contracts	$16,195,024.20	76.20%
TOTAL CONTRACT	$21,253,313.20	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
American Corporate Building Maintenance Inc	BFMB59333N1114	$5,058,289.00	100.00%
Total Minority - Local		$5,058,289.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$5,058,289.00	100.00%	$5,058,289.00	23.80%
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	$5,058,289.00	100.00%	$5,058,289.00	23.80%

March 26, 2014

WHEREAS, on August 21, 2013, City Council authorized the rejection of bids for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1395; and,

WHEREAS, on August 28, 2013 City Council authorized Supplemental Agreement No. 1 to increase the service contract to extend the contract term through February 28, 2014, for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1507;

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 A.C.A. Industries, Inc. dba American Maintenance (VS0000081608) for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas for a term of five years in an amount not to exceed $21,253,313.20, 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 A.C.A. Industries, Inc. dba American Maintenance shall be based only on the amount of the services directed to be performed by the City and properly performed by A.C.A. Industries, Inc. dba American Maintenance under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed $21,253,313.20 (subject to annual appropriations).

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:	Efficient, Effective and Economical Government
AGENDA DATE:	March 26, 2014
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Communication and Information Services
CMO:	Jeanne Chipperfield, 670-7804 Jill A. Jordan, P.E., 670-5299
MAPSCO:	N/A

SUBJECT

Authorize **(1)** an acquisition contract for the purchase and implementation of a citywide data storage system in the amount of $1,017,559; **(2)** a five-year service contract for maintenance and support for the Citywide data system in the amount of $427,949; and **(3)** a five-year master agreement for the purchase of additional hardware and software in the amount of $969,834 - ViON Corporation, most advantageous proposer of five - Total not to exceed $2,415,342 - Financing: Current Funds ($1,451,533) and Municipal Lease Agreement Funds ($963,809) (subject to annual appropriations)

BACKGROUND

This acquisition contract will allow for the procurement of a replacement citywide data storage system, including installation, software, maintenance and support. The citywide data storage requirements are expanding at the rate of 30% each year. The current storage system has exceeded its life span and useful capacity and cannot be expanded further to support new applications and storage needs. Features available with the new equipment will provide efficient storage and backup capacity for both server and mainframe-based systems; to include:

- Computer-Aided Dispatch (CAD) for Police and Fire-Rescue
- Court Case Management System
- Citizen Request Management System (CRMS) 311
- Advantage 3 Financial System
- Kronos timekeeping software
- Human Resources Information System (HRIS)/Lawson

BACKGROUND (Continued)

The new technology will provide increased reliability, faster processing capabilities, and allows for larger amounts of storage in a fraction of the space previously needed. The solution proposed will not only improve the City's information technology resources to a more efficient and effective environment, it will also provide a redundant data storage system at an alternate off-site disaster recovery facility to ensure that City information and systems remain secure and accessible in the event of an emergency.

An eight member committee from the following departments reviewed and evaluated the proposals:

- Dallas Water Utilities (1)
- Sustainable Development and Construction (1)
- Communication and Information Services (4)
- Business Development & Procurement Services (2)*

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

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

- Cost 50%
- Service Level Agreement 15%
- Business Inclusion and Development Plan 15%
- Storage Technology 5%
- Autonomic Monitoring Capabilities 5%
- Training 5%
- EfficientPower Management 5%

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 915 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) 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 3, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

FISCAL INFORMATION

$1,451,533.00 - Current Funds (subject to annual appropriations)
$ 983,809.00 - Municipal Lease Agreement Funds (subject to annual appropriations)

M/WBE INFORMATION

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

915 - M/WBE and Non-M/WBE vendors were contacted

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

ViON Corporation

White Male	128	White Female	13
Black Male	5	Black Female	6
Hispanic Male	4	Hispanic Female	1
Other Male	3	Other Female	7

PROPOSAL INFORMATION

The following proposals were received from solicitation number BUZ1321 and were opened on August 8, 2013. These contracts are being awarded in their entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*ViON Corporation	196 Van Buren St. Suite 300 Herndon, VA 20170	80.58%	$2,415,342.00

PROPOSAL INFORMATION (Continued)

Proposers	Address	Score	Amount
Thomas Gallaway Corporation dba Technologent	8105 Irvine Center Dr. Suite 700 Irvine, CA 92618	80.44%	$2,580,052.29
Austin Ribbon and Computer Supplies, Inc.	9211 Waterford Centre Blvd. Suite 202 Austin, TX 78758	75.05%	$2,773,935.00
CDW Government LLC	16633 Dallas Pkwy. Suite 300 Addison, TX 75001	71.80%	$2.709,564.00
CompuCom Systems, Inc.	7171 Forest Ln. Dallas, TX 75230	79.33%	$2,129,500.05

OWNER

ViON Corporation

Benjamin T. Frana, President
Douglas N. Moore, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** an acquisition contract for the purchase and implementation of a citywide data storage system in the amount of $1,017,559; **(2)** a five-year service contract for maintenance and support for the Citywide data system in the amount of $427,949; and **(3)** a five-year master agreement for the purchase of additional hardware and software in the amount of $969,834 - ViON Corporation, most advantageous proposer of five - Total not to exceed $2,415,342 - Financing: Current Funds ($1,451,533) and Municipal Lease Agreement Funds ($963,809) (subject to annual appropriations)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$2,415,342.00	100.00%
TOTAL CONTRACT	$2,415,342.00	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%

March 26, 2014

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

Section 1. That the City Manager is authorized to execute **(1)** an acquisition contract for the purchase and implementation of hardware and software for an enterprise storage system in the amount of $1,017,559.00; and **(2)** a five-year service contract for maintenance and support for an Citywide data storage system in the amount of $427,949.00, with ViON Corporation (352223) in a total amount not exceed $1,445,508.00, 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 ViON Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by ViON Corporation under the contract.

Section 2. That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed $1,445,508.00 (subject to annual appropriations):

FUND	DEPT	UNIT	OBJ	AMOUNT	FY	ENCUMBRANCE
ML14	DSV	E330	4731	$ 963,809.00	2014	CTDSV14SANACQ
0198	DSV	1667	3110	$ 95,876.00	2015	CTDSV15VIONSAN
0198	DSV	1667	3070	$ 53,750.00	2016	CTDSV16SANACQ2
0198	DSV	1667	3110	$ 95,876.00	2016	CTDSV16VIONSAN
0198	DSV	1667	3110	$ 95,876.00	2017	CTDSV17VIONSAN
0198	DSV	1667	3110	$ 95,876.00	2018	CTDSV18VIONSAN
0198	DSV	1667	3110	$ 44,445.00	2019	CTDSV19VIONSAN

Section 3. That a master agreement for the purchase of additional hardware and software is authorized with ViON Corporation (352223) for a term of five years in an amount not to exceed $969,834.00.

Section 4. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for the purchase of additional hardware and software. If a written contract is required or requested for any or all the purchase of additional hardware and software, 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 5. That the City Controller is authorized to disburse funds in an amount not to exceed $969,834.00.

Section 6. That in order to reimburse and finance the lease/purchase acquisition of the equipment described herein over a period not to exceed the estimated useful life (5 years) thereof, any Authorized Officer of the City designated in the Master Equipment Lease/Purchase Agreement (the "Master Lease") between Banc of America Public Capital Corp and the City is hereby authorized and directed to execute, acknowledge and deliver a Schedule A (as defined in the Master Lease) pertaining to such equipment including all attachments, financing statements and schedules thereto, in substantially the form attached to the Master Lease, with such changes as the signing officer shall determine to be advisable. Each Authorized Officer of the City is also authorized to execute, acknowledge and deliver any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Schedule A. The financing terms for such equipment, to be determined pursuant to the provisions of the Master Lease and reflected in such Schedule A, and the granting of a security interest in the financed equipment pursuant to the Master Lease, are hereby approved.

Section 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 # 6

KEY FOCUS AREA:	Efficient, Effective and Economical Government
AGENDA DATE:	March 26, 2014
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Trinity Watershed Management Water Utilities
CMO:	Jeanne Chipperfield, 670-7804 Jill A. Jordan, P.E., 670-5299 Forest E. Turner, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize a three-year master agreement for the purchase of bagged ice - Emergency Ice, Inc., lowest responsible bidder of two - Not to exceed $343,473 - Financing: Current Funds ($106,928), Water Utilities Current Funds ($224,231) and Stormwater Drainage Management Current Funds ($12,314)

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 bagged ice and includes 35 ice storage containers. Ice is an important product for field operation staff as they perform activities and deliver services in an outdoor environment where temperatures can become extreme. City field staff carry water and/or beverages in their vehicles to sustain hydration and keep beverages available in the event remote working locations do not have accessible water. Furthermore, the ice storage containers will be strategically located at facilities that use ice on a consistent basis. These facilities house staff whose core responsibility includes outdoor general field operations, maintenance and construction.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing; this bid resulted in a 23.08% decrease on comparable unit prices for the bid 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 61 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 14, 2010, City Council authorized a three-year master agreement for the purchase of bagged ice by Resolution No. 10-0857.

On May 22, 2013, City Council authorized a three-year master agreement for the purchase of bagged ice by Resolution No. 13-0806.

FISCAL INFORMATION

$224,230.50 – Water Utilities Current Funds
$106,928.25 – Current Funds
$ 12,313.60 – Stormwater Drainage Management Current Funds

M/WBE INFORMATION

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

61 M/WBE and Non-M/WBE vendors were contacted

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

Emergency Ice, Inc.

White Male	8	White Female	4
Black Male	10	Black Female	1
Hispanic Male	34	Hispanic Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BY1405 and opened on February 5, 2014. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount
*Emergency Ice, Inc.	8700 Diplomacy Row Dallas, TX 75247	$343,472.35
Reddy Ice Corp.	8750 N. Central Expressway Dallas, TX 75231	$422,735.20

OWNER

Emergency Ice, Inc.

Earl Toler, President
Paul Toler, Vice President
Donna Toler, Secretary/Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of bagged ice - Emergency Ice, Inc., lowest responsible bidder of two - Not to exceed $343,473 - Financing: Current Funds ($106,928), Water Utilities Current Funds ($224,231) and Stormwater Drainage Management Current Funds ($12,314)

Emergency Ice, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.
PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$274,777.88	80.00%
Total non-local contracts	$68,694.47	20.00%
TOTAL CONTRACT	$343,472.35	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Murphy Scott	WFWB9926N0115	$68,694.47	100.00%
Total Minority - Non-local		$68,694.47	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$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%	$68,694.47	20.00%
Total	$0.00	0.00%	$68,694.47	20.00%

March 26, 2014

WHEREAS, on April 14, 2010, City Council authorized a three-year master agreement for the purchase of bagged ice by Resolution No. 10-0857; and,

WHEREAS, on May 22, 2013, City Council authorized a three-year master agreement for the purchase of bagged ice by Resolution No. 13-0806;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of bagged ice is authorized with Emergency Ice, Inc. (VS0000039972) for a term of three years in an amount not to exceed $343,472.35.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for bagged ice. If a written contract is required or requested for any or all purchases of bagged ice 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 City Controller is authorized to disburse funds in an amount not to exceed $343,472.35.

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:	Efficient, Effective and Economical Government
AGENDA DATE:	March 26, 2014
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Aviation Communication and Information Services Convention and Event Services Equipment & Building Services Fire Park & Recreation Sanitation Services Street Services Trinity Watershed Management Water Utilities
CMO:	Jeanne Chipperfield, 670-7804 Theresa O'Donnell, 671-9195 Jill A. Jordan, P.E., 670-5299 Forest E. Turner, 670-3390 Charles Cato, 670-9194 Willis Winters, 670-4071 Joey Zapata, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize a three-year master agreement for automotive, truck and heavy equipment batteries – Continental Battery Company, lowest responsible bidder of five - Not to exceed $1,260,658 - Financing: Current Funds ($1,155,778), Water Utilities Current Funds ($61,336), Convention and Event Services Current Funds ($19,986), Aviation Current Funds ($11,810) and Stormwater Drainage Management Current Funds ($11,748)

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 8.7% decrease over the comparable unit prices for the bid awarded in 2011.

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 462 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) 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 May 27, 2009, City Council authorized a thirty-six-month master agreement for automotive, truck and equipment batteries by Resolution No. 09-1306.

On November 7, 2011, City Council authorized a three-year master agreement for automotive, truck and equipment batteries by Resolution No. 11-2949.

FISCAL INFORMATION

$1,155,777.66 - Current Funds
$ 61,336.00 - Water Utilities Current Funds
$ 19,986.00 - Convention and Event Services Current Funds
$ 11,810.00 - Aviation Current Funds
$ 11,748.00 - Stormwater Drainage Management Current Funds

M/WBE INFORMATION

44 - Vendors contacted
42 - No response
2 - Response (Bid)
0 - Response (No Bid)
0 - Successful

462 M/WBE and Non-M/WBE vendors were contacted

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

Continental Battery Company

White Male	25	White Female	5
Black Male	3	Black Female	0
Hispanic Male	41	Hispanic Female	1
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BJ1402 and opened on January 30, 2014. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	**Address**	**Amount of Bid**
*Continental Battery Company	4919 Woodall St. Dallas, TX 75247	$1,260,657.66
Metro Battery Distributors, LLC.	9840 Monroe Dr. Ste. 112 Dallas, TX 75220	$1,336,262.51
DT-DO, Inc.	10200 Plano Rd. Ste. 200 Dallas, TX 75238	$1,367,364.61
Freedom Dodge	815 E. Camp Wisdom Rd. Duncanville, TX 75116	$2,083,399.13

BID INFORMATION (Continued)

Bidders	Address	Amount of Bid
TKC Enterprises, Inc. dba Batteries Plus	2703 N. Beltline Rd. Irving, TX 75062	Non-Responsive**

**TKC Enterprises, Inc. dba Batteries Plus was deemed non-responsive due to not meeting specifications.

OWNER

Continental Battery Company

Jim McCann, President
Bill McCann, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for automotive, truck and heavy equipment batteries – Continental Battery Company, lowest responsible bidder of five - Not to exceed $1,260,658 - Financing: Current Funds ($1,155,778), Water Utilities Current Funds ($61,336), Convention and Event Services Current Funds ($19,986), Aviation Current Funds ($11,810) and Stormwater Drainage Management Current Funds ($11,748)

Continental Battery Company 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	$1,260,657.66	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$1,260,657.66	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%

March 26, 2014

WHEREAS, on May 27, 2009, City Council authorized a thirty-six-month master agreement for automotive, truck and equipment batteries by Resolution No. 09-1306; and,

WHEREAS, on November 7, 2011, City Council authorized a three-year master agreement for automotive, truck and equipment batteries by Resolution No. 11-2949;

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 Continental Battery Company (503815) for a term of three years in an amount not to exceed $1,260,657.66.

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 City Controller is authorized to disburse funds in an amount not to exceed $1,260,657.66.

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:	Efficient, Effective and Economical Government
AGENDA DATE:	March 26, 2014
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Water Utilities
CMO:	Jeanne Chipperfield, 670-7804 Forest E. Turner, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize a three-year master agreement for the purchase of anhydrous ammonia – DPC Industries, Inc., lowest responsible bidder of two - Not to exceed $2,636,220 - 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 National Sanitation Foundation 60 anhydrous ammonia to all three City of Dallas Water Utilities purification plants. This chemical is used to disinfect drinking water as required for compliance with Environmental Protection Agency and Texas Commission on Environmental Quality regulations. Proper disinfection ensures the safety of drinking water in the distribution system.

Water Utilities provides service to an estimated 2.3 million people in Dallas and surrounding communities. On average, the City pumps over 417 million gallons of water per day.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 18.73% decrease on comparable unit prices for the bid awarded in 2013.

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services used its procurement system to send out 133 email bid notifications to vendors registered under respective commodities. To further increase competition, Business Development and Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 12, 2009, City Council authorized a twelve-month master agreement for anhydrous ammonia by Resolution No. 09-1882.

On August 25, 2010, City Council authorized a one-year master agreement for anhydrous ammonia by Resolution No. 10-2106.

On September 14, 2011, City Council authorized a one-year master agreement for anhydrous ammonia by Resolution No. 11-2374.

On February 13, 2013, City Council authorized a one-year master agreement for anhydrous ammonia by Resolution No. 13-0292.

FISCAL INFORMATION

$2,636,220.00 – Water Utilities Current Funds

M/WBE INFORMATION

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

133 - M/WBE and Non-M/WBE vendors were contacted

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

DPC Industries, Inc.

White Male	91	White Female	18
Black Male	3	Black Female	3
Hispanic Male	15	Hispanic Female	5
Other Male	1	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BP1414 and opened on February 13, 2014. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount of Bid
*DPC Industries, Inc.	601 W. Industrial Blvd. Cleburne, TX 76036	$2,636,220.00
Tanner Industries, Inc.	735 Davisville Rd. Southampton, PA 18966	$3,116,400.00

OWNER

DPC Industries, Inc.

Rickey C. Karm, President
William L. Hickson, Vice President
Sarah C. Morian, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of anhydrous ammonia – DPC Industries, Inc., lowest responsible bidder of two - Not to exceed $2,636,220 - Financing: Water Utilities Current Funds

DPC Industries, Inc. 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	$2,636,220.00	100.00%
TOTAL CONTRACT	$2,636,220.00	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%

March 26, 2014

WHEREAS, on August 12, 2009, City Council authorized a twelve-month master agreement for anhydrous ammonia by Resolution No. 09-1882; and,

WHEREAS, on August 25, 2010, City Council authorized a one-year master agreement for anhydrous ammonia by Resolution No. 10-2106; and,

WHEREAS, on September 14, 2011, City Council authorized a one-year master agreement for anhydrous ammonia by Resolution No. 11-2374; and,

WHEREAS, on February 13, 2013, City Council authorized a one-year master agreement for anhydrous ammonia by Resolution No. 13-0292;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of anhydrous ammonia is authorized with DPC Industries, Inc. (267202) for a term of three years in an amount not to exceed $2,636,220.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for anhydrous ammonia. If a written contract is required or requested for any or all purchases of anhydrous ammonia 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 City Controller is authorized to disburse funds in an amount not to exceed $2,636,220.00.

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

AGENDA ITEM # 9

KEY FOCUS AREA:	Efficient, Effective and Economical Government
AGENDA DATE:	March 26, 2014
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Water Utilities
CMO:	Jeanne Chipperfield, 670-7804 Forest E. Turner, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize a three-year master agreement for the purchase of bulk liquid oxygen - Matheson Tri-Gas, Inc., lowest responsible bidder of two – Not to exceed $6,515,002 - 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.

The purpose of this master agreement is to provide bulk liquid oxygen for Water Utilities' treatment plants. Liquid oxygen is used in the production of ozone. Ozone is used in the water treatment plants as a primary disinfectant to meet Federal and State Regulation and aids in the control of taste and odor in finished water.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 16.24% decrease on comparable unit prices for the bid awarded in 2006.

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 462 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) 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 May 10, 2006, City Council authorized a thirty-six month master agreement for liquid oxygen and tanks by Resolution No. 06-1384.

FISCAL INFORMATION

$6,515,002.00 - Water Utilities Current Funds

M/WBE INFORMATION

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

462 - M/WBE and non-M/WBE vendors were contacted

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

Matheson Tri-Gas, Inc.

White Male	36	White Female	17
Black Male	4	Black Female	16
Hispanic Male	4	Hispanic Female	2
Other Male	3	Other Female	3

BID INFORMATION

The following bids were received from solicitation number BP1407 and were opened on January 23, 2014. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

BID INFORMATION (Continued)

*Denotes successful bidder

Bidders	Address	Amount of Bid
*Matheson Tri-Gas, Inc.	909 Lake Carolyn Parkway Suite 1300 Irving, TX 75039	$6,515,002.00
Air Liquids Industrial	801 West North Carrier Parkway Grand Prairie, TX 75050	$8,470,000.00

OWNER

Matheson Tri-Gas, Inc.

Scott Kallman, President
Daniel Combert, Vice President
Lisa Kratz, Secretary
Steve Foster, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of bulk liquid oxygen - Matheson Tri-Gas, Inc., lowest responsible bidder of two – Not to exceed $6,515,002 - Financing: Water Utilities Current Funds

Matheson Tri-Gas, 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	$6,515,002.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$6,515,002.00	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%

March 26, 2014

WHEREAS, on May 10, 2006, City Council authorized a thirty-six month master agreement for liquid oxygen and tanks by Resolution No. 06-1384;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of bulk liquid oxygen is authorized with Matheson Tri-Gas, Inc. (387930) for a term of three years in an amount not to exceed $6,515,002.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for bulk liquid oxygen. If a written contract is required or requested for any or all purchases of bulk liquid oxygen 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 City Controller is authorized to disburse funds in an amount not to exceed $6,515,002.00.

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

AGENDA ITEM # 10

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Code Compliance

CMO: Charles Cato, 671-3908

MAPSCO: N/A

SUBJECT

Authorize a three-year contract with the Texas Department of State Health Services for asbestos abatement/demolition notification - Not to exceed $150,000 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

The Department of State Health Services Demolition/ Renovation notification program combines the requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAP) and the Texas Asbestos Health Protection Rules. Both of these regulations require written notifications before beginning demolition projects. The City of Dallas contracts with Texas Department of State Health Services to report any location that is being surveyed for asbestos prior to demolition as required. This contract will provide for required notification and payment of associated fees.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Current Funds - $150,000 (subject to annual appropriations)

March 26, 2014

WHEREAS, the Department of State Health Services Demolition/ Renovation notifications program combines the requirements of the National Emission Standards for Hazardous Air Pollution (NESHAP) and the Texas Asbestos Health Protection Rules; and

WHEREAS, the written notification is required to file with the Texas Department of State Health Services for any location that is being surveyed for asbestos prior to demolition.

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to enter into a three year contract with the Texas Department of State Health Services (214083) for Asbestos Abatement/ Demolition Notification Services in an amount not to exceed $150,000.00.

Section 2. That the City Controller is authorized to disburse funds from Fund 0001, Dept. CCS, Unit 3041, Obj. 3095 in an amount not to exceed $150,000.00 (subject to annual appropriations).

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:	Efficient, Effective and Economical Government
AGENDA DATE:	March 26, 2014
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Equipment & Building Services Business Development & Procurement Services
CMO:	Forest E. Turner, 670-3390 Jeanne Chipperfield, 670-7804
MAPSCO:	Citywide

SUBJECT

Authorize a three-year agreement with Invenergy Renewable, LLC, most advantageous proposer of nine in the amount of $1,289,254 for the purchase of renewable energy credits for the calendar years 2014, 2015, and 2016 - Not to exceed $1,289,254 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

A Renewable Energy Credit (REC) represents the environmental, social and other positive attributes of power generated by renewable resources. The REC is split from the physical electricity and both are sold separately. RECs purchased from a renewable energy source, entitle the owner to claim the benefits of renewable energy. One REC represents one Megawatt hour of energy consumed.

The City has purchased RECs since 2008 as a key component of the City's sustainability efforts. Through 2013, RECs were included in the City's electricity supply agreement. In December 2012, staff negotiated and Council approved an amendment and extension of the electricity supply agreement covering January 2013 - May 2016. The extension provided lower electricity rates for 2013 than the original agreement. A December 2013 briefing to the Budget, Finance & Audit Committee projected 2013 electricity savings of $887,483 and actual savings realized were $1,391,556.17.

RECs for 2014 through 2016 were not included in the extended electricity supplemental agreement in order to pursue for more favorable pricing thought to be available through a separate procurement. REC pricing in the previous contract was $1.50 per REC. The best pricing available during negotiation of the extended electricity supply agreement was $2.75 per REC.

BACKGROUND (continued)

The proposed purchase allows the City to remain the 4th largest local government consumer of green power as recognized by the United States Environmental Protection Agency and continues the City's membership in their Green Power Leadership Club. 50% of the City's electricity consumption and corresponding greenhouse gas emissions would be offset by these RECs, effectively lowering the City's carbon footprint.

A five member evaluation committee was selected from the following departments:

- Equipment and Building Services (1)
- Public Works and Transportation (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 successful proposer was selected by the committee on the basis of the demonstrated competence and qualifications under the following criteria:

- Cost 70 points
- Company Information/Past Performance 10 points
- Payment Terms 5 points
- Business Inclusion and Development Plan 15 points

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services used its procurement system to send out 1561 email bid notifications to vendors registered under respective commodities. To further increase competition, Business Development and Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) 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, BOARD, COMMISSIONS)

On March 3, 2014, the Budget, Finance and Audit Committee was briefed on the purchase of Renewable Energy Credits.

On December 3, 2012, the Budget, Finance and Audit Committee was briefed on the electricity procurement.

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

On December 12, 2012, City Council authorized the City Manager to amend and extend the current electric services contract for an additional twenty-nine months with TXU Energy Retail Company, LLC, resulting in a new contract term from January 1, 2013 through May 31, 2016 by Council Resolution No. 12-3051.

FISCAL INFORMATION

$1,289,253.55 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

1561 - M/WBE and non-M/WBE vendors were contacted

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

Invenergy Renewable, LLC

White Male	330	White Female	67
Black Male	5	Black Female	5
Hispanic Male	21	Hispanic Female	1
Other Male	11	Other Female	1

PROPOSAL INFORMATION

The following proposals were received from solicitation number BDZ1401 and opened on December 12, 2013. This contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

PROPOSAL INFORMATION (continued)

Proposers	Address	Score	Amount of Bid
*Invenergy Renewable, LLC	1 South Wacker Dr. Suite 1900 Chicago, IL 60606	85.33%	$1,289,253.55
Reliant Energy Retail Services, LLC	1201 Fannin St. Houston, TX 77002	82.29%	$1,683,098.35
Just Energy Resources, LLC dba JustGreeen	5251 Westheimer Suite 1000 Houston, TX 77056	79.01%	$1,432,362.00
NextEra Energy Power Marketing, LLC	700 Universe Blvd Juno Beach, FL 33408	77.27%	$1,539,971.65
Iberdrola Renewables, LLC	1125 NW Couch Suite 700 Portland, OR 97209	73.29%	$1,647,252.10
Texas General Land Office	1700 N. Congress Ave. Austin, TX 78701	73.03%	$1,779,872.21
Sterling Planet, Inc.	3500 Parkway Lane Suite 500 Norcross, GA 30092	71.79%	$1,647,216.30
Exelon Generation Company, LLC	100 Constellation Way Suite 500C Baltimore, MD 21202	68.74%	$1,790,361.25
Renewable Choice Energy	4775 Walnut St. Suite 230 Boulder, CO 80301		Non-Responsive**

**Renewable Choice Energy was deemed non-responsive due to not meeting specifications.

OWNER

Invenergy Renewable, LLC

Kris Zadlo, Executive Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year agreement with Invenergy Renewable, LLC, most advantageous proposer of nine in the amount of $1,289,254 for the purchase of renewable energy **c**redits for the calendar years 2014, 2015, and 2016 - Not to exceed $1,289,254 - Financing: Current Funds (subject to annual appropriations)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$1,289,253.55	100.00%
TOTAL CONTRACT	$1,289,253.55	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%

March 26, 2014

WHEREAS, in 2008, the City Council made a policy decision to purchase renewable energy for 40% of its electricity consumption; and,

WHEREAS, the City's current Electricity Supply Agreement does not include renewable energy after 2013; and,

WHEREAS, the City Council wishes to continue its commitment to renewable energy sources;

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 contract with Invenergy Renewable, LLC, VS0000084106 for the purchase of renewable energy credits for the calendar years 2014, 2015, and 2016 for 50% of contracted electricity usage, in an amount not to exceed $1,289,253.55, upon approval as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in an amount not to exceed $1,289,253.55 (Subject to annual appropriations), from Fund 0001, Dept EBS, Unit 3069, Obj 2140.

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: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 56C G L

SUBJECT

Authorize **(1)** the acceptance of additional grant funds from the Dallas Housing Finance Corporation (DHFC) for Bexar Street Redevelopment corridor maintenance and operating expenses; and **(2)** an increase in appropriations in the amount of $8,000, from $120,000 to $128,000 for operating expenses - Not to exceed $8,000 - Financing: Dallas Housing Finance Corporation Grant Funds

BACKGROUND

The City created the Dallas Housing Finance Corporation (DHFC) in April of 1984 to provide financing for affordable single-family home ownership and multifamily rehabilitation and development within the City. Periodically the DHFC provides funding for additional affordable housing purposes.

On February 26, 2003, the City Council approved the Neighborhood Investment Program (NIP) as a strategic approach to target and leverage public resources to achieve sustainable and visible community redevelopment in targeted neighborhoods.

The Bexar Street Redevelopment project is being implemented under the City's Neighborhood Investment Program (NIP) and is located within the South Dallas-Ideal/Rochester Park NIP target area. The project is being implemented in two phases to include a mix of residential, retail, office and neighborhood-serving uses. Funding received from the DHFC is used for Bexar Street corridor maintenance.

On September 22, 2009, the Dallas Housing Finance Corporation voted to provide $120,000 over 2 years for the NIP.

On November 4, 2013, the Dallas Housing Finance Corporation voted to provide an additional $8,000 for Bexar Street.

BACKGROUND (Continued)

This resolution authorizes the City of Dallas to accept $8,000 from the DHFC for the Bexar Street Redevelopment to be used for corridor maintenance and operating expenses.

This resolution also authorizes the City Controller to deposit and disburse the funds and authorizes the City Manager to appropriate the funds for corridor maintenance and operating expenses for the Bexar Street Redevelopment project.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On February 26, 2003, the City Council approved selection criteria that designated certain census tracts (CT 25.00, CT 39.02, CT 101.01, CT 49.00 and CT 89.00) as NIP target areas for a two-year period, beginning October 1, 2003, by Resolution No. 03-0830.

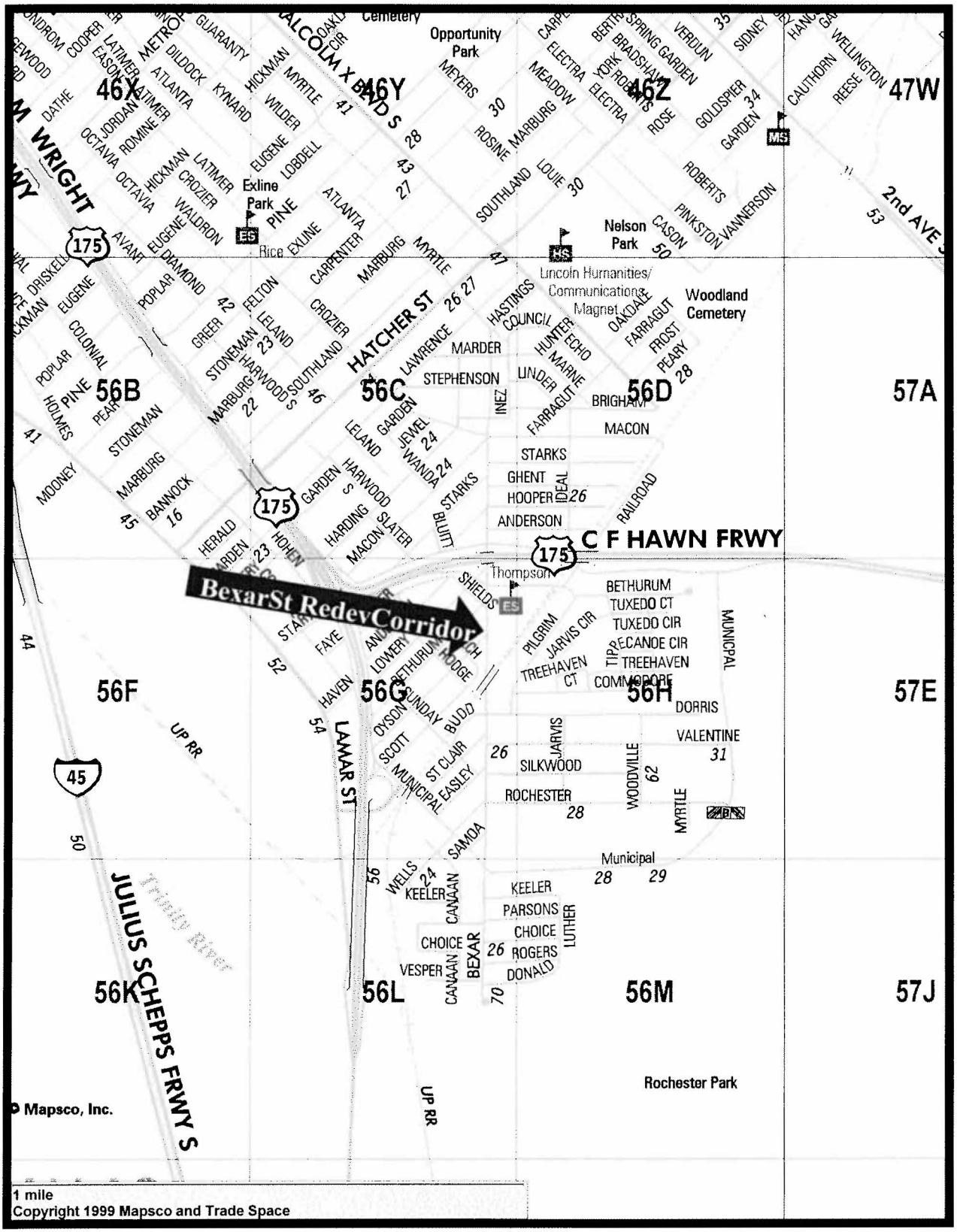
On October 28, 2009, the City Council accepted $120,000 from the Dallas Housing Finance Corporation by Resolution No. 09-2621.

FISCAL INFORMATION

Dallas Housing Finance Corporation Grant Funds - $8,000

MAP(S)

Attached



MAPSCO 56C, G & L

March 26, 2014

WHEREAS, on February 26, 2003, the City Council approved selection criteria that designated certain census tracts (CT 25.00, CT 39.02, CT 101.01, CT 49.00 and CT 89.00) as NIP target areas by Resolution No. 03-0830; and

WHEREAS, on October 28, 2009, the City Council accepted $120,000 from the Dallas Housing Finance Corporation by Resolution No. 09-2621;

NOW, THEREFORE,

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

SECTION 1. That the City Manager is authorized to accept additional grant funds from the Dallas Housing Finance Corporation for the Bexar Street Redevelopment corridor maintenance and operating expenses in an amount not to exceed $8,000.

SECTION 2. That the City Controller is authorized to deposit funds in an amount not to exceed $8,000 into Fund S206, Dept. HOU, Unit 2724, Revenue Source 8411.

SECTION 3. That the City Manager is authorized to increase appropriations in the amount of $8,000, from $120,000 to $128,000 in Fund S206, Agency HOU, Unit 2724, Object Code 3099.

SECTION 4. That the City Controller is authorized to disburse these funds in accordance with the Bexar Street Redevelopment project as follows: Fund S206, Dept. HOU, Unit 2724, Object Code 3099.

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

AGENDA ITEM # 13

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 7

DEPARTMENT: Park & Recreation

CMO: Joey Zapata, 670-3009
Willis Winters, 670-4071

MAPSCO: 46-P

SUBJECT

Authorize a ten-year lease agreement, with one ten-year renewal option, with AT&T and its affiliates, to house electronic equipment for the purpose of serving the Fair Park campus in approximately 675 square feet of building space in the telephone room at the Fair Park Tower Building located at 3809 Grand Avenue – Estimated Revenue: $100

BACKGROUND

On June 17, 1993, the Park and Recreation Board approved a twenty-year lease agreement, with two ten-year renewal options, with Southwestern Bell Telephone Company, now AT&T, for use of approximately 675 square feet of building space in the main telephone room in the Tower Building in Fair Park. The lease agreement was to provide new electronic equipment and associated cable and wiring for World Cup 1994. After the World Cup event, approximately fifty percent of the upgrades and equipment were left in place in order to provide telecommunication services to existing facilities.

On September 22, 1993, by Resolution No. 93-3456, City Council approved the twenty-year lease agreement with two additional ten-year options.

Since 1993, AT&T has been maintaining, upgrading, and repairing the equipment in the telephone room that provides communication service to the Fair Park campus. AT&T has requested a new agreement for use of approximately 675 square feet of building space in the main telephone room in the Fair Park Tower Building. This agreement will provide for the continued successful operation of the AT&T equipment essential for security systems and communications services for Fair Park facilities including the Cotton Bowl, the Fair Park Administrative Offices, the State Fair of Texas Offices, the Texas Discovery Gardens, the Children's Aquarium, Museums, and Rental Buildings.

BACKGROUND (Continued)

General terms of the proposed new lease agreement with AT&T are as follows:

1. Term of the agreement will be ten years from the date of execution with one ten-year renewal option
2. AT&T will pay the City the annual sum of ten dollars, payable in advance on the first day of each and every year
3. Premises are accepted in “as is” condition
4. AT&T will use the premises solely to operate, maintain and repair equipment that supports security and communications on the Fair Park campus
5. All improvements, deemed necessary by AT&T, shall be at the expense of AT&T and with prior approval of the City
6. AT&T will maintain the premises in good repair and clean condition
7. AT&T will provide insurance as determined by the City of Dallas Office of Risk Management
8. City will provide twenty-four hour access to the telephone room
9. Agreement may be terminated by either party with 90-day written notice

PRIOR ACTION/REVIEW (Council, Boards, Commission)

On June 17, 1993, Park and Recreation Board approved a twenty-year lease agreement with two additional ten-year options between City and Southwestern Bell Telephone Company (SWBT), now known as AT&T.

On September 22, 1993, City Council approved said agreement by Resolution No. 93-3456.

On February 6, 2014, Park and Recreation Board approved a ten-year lease agreement with one ten-year renewal option with AT&T and affiliates to house electronic equipment in the telephone room of Fair Park Tower Building located at 3809 Grand Avenue.

FISCAL INFORMATION

Estimated Revenue - $100.00

March 26, 2014

WHEREAS, on September 22, 1993, by Resolution No. 93-3456, Council approved the twenty-year lease agreement with two additional ten year options, and since 1993, AT&T (formerly Southwestern Bell Telephone) has been maintaining, upgrading and repairing the equipment in the telephone room that provides communication service to the Fair Park Campus; and

WHEREAS, on February 6, 2014, the Park and Recreation Board approved authorization of a ten-year lease agreement with one additional ten-year option to renew with AT&T for use of approximately 675 square feet of building space in the main telephone room in the Tower Building in Fair Park in order to provide for the continued successful operation of the AT&T equipment that serves the Fair Park Campus and essential for security systems and communications services for all Fair Park facilities including the Cotton Bowl, the Fair Park Administrative Offices, the State Fair of Texas Offices, Museums, and Rental Facilities; and

WHEREAS, this action will authorize an agreement between AT&T for a ten-year lease agreement with one ten-year option to renew with AT&T and its affiliates to house electronic equipment for the purpose of serving the Fair Park Campus in approximately 675 square feet of building space at the Fair Park Tower Building located at 3809 Grand Avenue.

NOW, THEREFORE,

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

SECTION 1. That a lease agreement be approved with AT&T for use of approximately 675 square feet of building space in the main telephone room in the Tower Building at Fair Park to house electronic equipment and cable necessary for telecommunication services within Fair Park.

SECTION 2. That the term of the lease agreement will be ten years from date of execution with one ten-year renewal option at the rate of $10.00 per year.

SECTION 3. That the City Controller is hereby authorized to receive and deposit revenues to Fund 0001, Department PKR, Unit 5207, Revenue Source 8515.

SECTION 4. That the President of the Park and Recreation Board and the City Manager are authorized to execute the agreement after approval as to form by the City Attorney.

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

AGENDA ITEM # 14

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 22-J

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Dan Shipley Architect, Inc. for additional scope of work for architectural and civil engineering to prepare the following: documents for extension of fire main to include new fire hydrant; design documents for domestic water main; and topographic survey of fire and domestic water lines for the golf club house and maintenance facilities at Luna Vista Golf Course located at 11223 Luna Road - Not to exceed $20,200, from $79,925 to $100,125 - Financing: 2003 Bond Funds

BACKGROUND

The original professional services contract with Dan Shipley Architect, Inc. was authorized by Council on January 9, 2013, by Resolution No. 13-0113, for design services for a new maintenance building for Luna Vista Golf Course at L.B. Houston Sports and Nature Complex, in an amount not to exceed $74,805.00.

Supplemental Agreement No. 1, was authorized by Administrative Action No. 13-1185 on June 27, 2013 for construction materials testing, geotechnical testing, asbestos testing, monitoring and abatement services, in an amount not to exceed $5,120.50, making a revised contract amount of $79,925.50.

This action will authorize Supplemental Agreement No. 2 to the professional services contract with Dan Shipley Architect, Inc., in an amount not to exceed $20,200.00, from $79,925.50 to $100,125.50, for additional scope of work for architectural and civil engineering to prepare the following: documents for extension of fire main to include new fire hydrant; design documents for domestic water main; and topographic survey of fire and domestic water lines for the golf club house and maintenance facilities at Luna Vista Golf Course.

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2013
Complete Design	December 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized award of the professional services contract on December 6, 2013.

City Council authorized award of the professional services contract on January 9, 2013, by Resolution No. 13-0113.

The Park and Recreation Board authorized Supplemental Agreement No. 2 on February 20, 2014.

FISCAL INFORMATION

2003 Bond Funds - $20,200.00

Design Contract	$74,805.00
Supplemental Agreement No. 1	$5,120.50
Supplemental Agreement No. 2 (this action)	$20,200.00
Total amount not to exceed	$100,125.50

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Dan Shipley Architect, Inc.

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

OWNER

Dan Shipley Architect, Inc.

Dan Shipley, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 2 to the professional services contract with Dan Shipley Architect, Inc. for additional scope of work for architectural and civil engineering to prepare the following: documents for extension of fire main to include new fire hydrant; design documents for domestic water main; and topographic survey of fire and domestic water lines for the golf club house and maintenance facilities at Luna Vista Golf Course located at 11223 Luna Road - Not to exceed $20,200, from $79,925 to $100,125 - Financing: 2003 Bond Funds

Dan Shipley Architect, 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	$20,200.00	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$20,200.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
JQ Engineering	IMDB58200Y0714	$18,000.00	89.11%
Total Minority - Local		$18,000.00	89.11%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$1,005.00	1.00%
Asian American	$18,000.00	89.11%	$35,850.00	35.81%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$11,000.00	10.99%
Total	$18,000.00	89.11%	$47,855.00	47.80%



0 300 600 1,200 1,800 Feet

N W E S

February 20, 2014

Luna Vista Golf Course
(11223 Luna Road)

Mapsco 22 J

District 6

March 26, 2014

WHEREAS, on January 9, 2013, by Resolution No. 13-0113, Dan Shipley Architect, Inc. was awarded a professional services contract for design services for a new maintenance building for Luna Vista Golf Course at L.B. Houston Sports and Nature Complex 11223 Luna Road, in an amount not to exceed $74,805.00; and

WHEREAS, on June 27, 2013, Administrative Action No. 13-1185, authorized Supplemental Agreement No. 1, for construction materials testing, geotechnical testing, asbestos testing, monitoring and abatement services at Luna Vista Golf Course, in an amount not to exceed $5,120.50, increasing the contract amount from $74,805.00 to $79,925.50; and

WHEREAS, this action will authorize Supplemental Agreement No. 2 to the professional services contract with Dan Shipley Architect, Inc., for additional scope of work for architectural and civil engineering to prepare the following: documents for extension of fire main to include new fire hydrant; design documents for domestic water main; and topographic survey of fire and domestic water lines for the golf club house and maintenance facilities at Luna Vista Golf Course, in an amount not to exceed $20,200.00, increasing the contract amount from $79,925.50 to $100,125.50.

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 Supplemental Agreement No. 2 to the professional services contract with Dan Shipley Architect, Inc. for additional scope of work for architectural and civil engineering to prepare the following: documents for extension of fire main to include new fire hydrant; design documents for domestic water main; and topographic survey of fire and domestic water lines for the golf club house and maintenance facilities at Luna Vista Golf Course, in an amount not to exceed $20,200.00, increasing the contract amount from $79,925.50 to $100,125.50.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Dan Shipley Architect, Inc., after approval as to form by the City Attorney's Office.

SECTION 3. That the City Controller is hereby authorized to pay the amount of $20,200.00 to Dan Shipley Architect, Inc., as follows:

(2003) Neighborhood Park and Recreation Facilities Fund Fund 5R00, Department PKR, Unit P761, Object 4112 Activity AISF, Program PKP761, CT-PKR13019353 Commodity 92500, Vendor VS0000017827	$567.25
(2003) Neighborhood Park and Recreation Facilities Fund Fund 6R00, Department PKR, Unit P761, Object 4112 Activity AISF, Program PKP761, CT-PKR13019353 Commodity 92500, Vendor VS0000017827	$19,632.75
Total amount not to exceed	$20,200.00

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

AGENDA ITEM # 15

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 35-X

SUBJECT

Authorize Supplemental Agreement No. 2 to the master agreement for the development and operation of Robert E. Lee Park Hall with the Lee Park and Arlington Hall Conservancy for its share of public improvement costs in connection with further development of the Arlington Hall Master Plan to include construction of a ramp to connect Snyder Union Plaza on the Katy Trail to Robert E. Lee Park located at 3400 Turtle Creek Boulevard - Not to exceed $523,000 - Financing: 2006 Bond Funds ($97,248) and General Obligation Commercial Paper Funds ($425,752)

BACKGROUND

On October 14, 1998, Resolution No. 98-2945 authorized a development and operation agreement between the City of Dallas and Lee Park and Arlington Hall Conservancy in connection with the further development of Arlington Hall Master Plan.

On November 13, 2000, Administrative Action No. 00-3399, authorized an agreement between the Lee Park and Arlington Hall Conservancy (Conservancy) and the City of Dallas Park and Recreation Department, to allow the assignment of construction contracts for renovation work at the Arlington Hall facility to the Conservancy, there is no cost for this assignment.

On March 8, 2006, Resolution No. 06-0787, authorized Supplemental Agreement No. 1 to the development and operation agreement for the reimbursement to the Lee Park and Arlington Hall Conservancy for its share of public improvement costs in connection with the further development of the Arlington Hall Master Plan including drainage, renovation of the picnic area, landscaping, irrigation and trail extension at Robert E. Lee Park, in an amount not to exceed $198,028.70.

BACKGROUND (Continued)

This action would authorize Supplemental Agreement No. 2 to the master agreement for the development and operation of Robert E. Lee Park Hall with the Lee Park and Arlington Hall Conservancy for its share of public improvement costs in connection with further development of the Arlington Hall Master Plan to include construction of a ramp to connect Snyder Union Plaza on the Katy Trail to Robert E. Lee Park, in an amount not to exceed $523,000.00.

City will reimburse Conservancy for a total amount not to exceed $523,000.00 when Conservancy submits its invoice to City no more frequently than monthly. Conservancy shall submit the invoice with proper documentation and the invoice must be approved by the Director of the Park and Recreation Department or his designee.

This Supplemental Agreement No. 2 contemplates the dealpoints as follows:

1. City will reimburse Conservancy an amount not to exceed $523,000.00 for its share of public improvement costs in connection to further development and does not exceed 30% of total public improvement costs.

2. City will reimburse Conservancy for a total amount not to exceed $523,000.00 when Conservancy submits its invoice to City no more frequently than monthly. Conservancy should submit the invoice with proper documentation and the invoice must be approved by the Director of the Park and Recreation Department or his designee.

3. City shall have no responsibility for any other cost of design and construction, beyond $523,000.00 regardless of whether or not such cost exceeds Conservancy's construction estimates or budgets.

4. Conservancy expressly agrees to not in any way make a claim against the City in connection with the improvements. City shall have no liability for any claims that may arise out of design or construction of the improvements.

5. The City commits $523,000 toward the project.

6. The Snyders commits $1,220,335 towards the project.

7. The City enters into a development/reimbursement agreement as a supplement to the existing Lee Park and Arlington Hall Agreement to allow Lee Park to manage the project with the City reimbursing them 30% of the contracted amount up to $523,000.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized award of the development and operation agreement on August 20, 1998.

City Council authorized award of the development and operation agreement on October 14, 1998, by Resolution No. 98-2945.

The Park and Recreation Board authorized award of Supplemental Agreement No. 1 on January 12, 2006.

City Council authorized award of Supplemental Agreement No. 1 on March 8, 2006, by Resolution No. 06-0787.

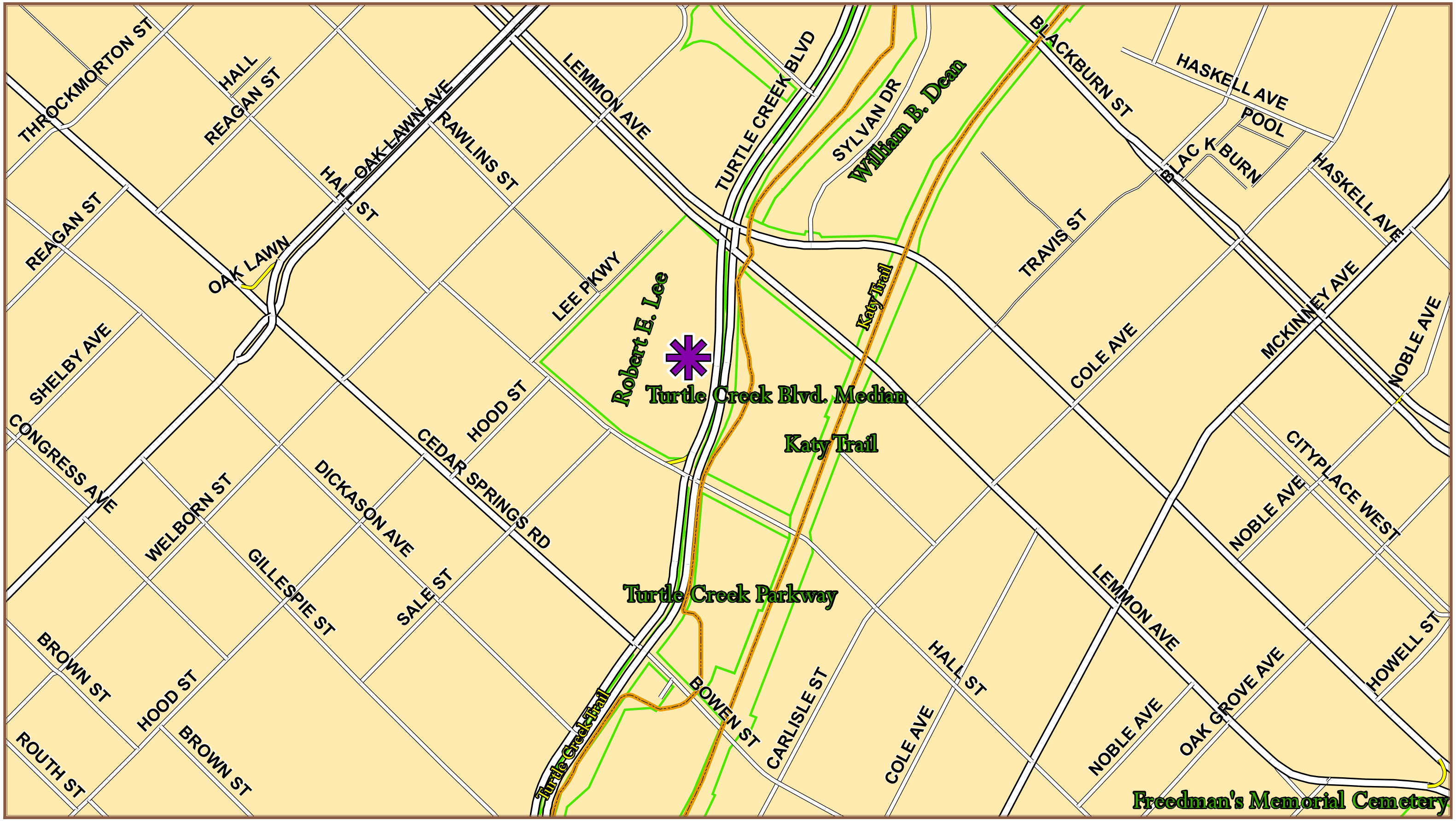
The Park and Recreation Board authorized Supplemental Agreement No. 2 on February 20, 2014.

FISCAL INFORMATION

2006 Bond Funds - $97,248
2006 Bond Program (General Obligation Commercial Paper Funds) - $425,752

MAP

Attached



0 165 330 660 990 Feet

February 20, 2014

Katy Trail Snyder Union Plaza
(3400 Turtle Creek Boulevard)

Mapsco 35 X

District 14

March 26, 2014

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

WHEREAS, the Lee Park and Arlington Hall Conservancy ("Conservancy") is preparing to begin construction on Robert E. Lee Park in connection with the further development of the Arlington Hall Master Plan located at 3400 Turtle Creek Boulevard with private funding; and

WHEREAS, the City is to reimburse the Conservancy for its share of public improvements costs in connection with the further development of the Arlington Hall Master Plan; and

WHEREAS, on October 14, 1998, Resolution No. 98-2945 authorized a development and operation agreement between the City of Dallas and Lee Park and Arlington Hall Conservancy in connection with the further development of Arlington Hall Master Plan; and

WHEREAS, on November 13, 2000, Administrative Action No. 00-3399, authorized an agreement between the Lee Park and Arlington Hall Conservancy (Conservancy) and the City of Dallas Park and Recreation Department, to allow the assignment of construction contracts for renovation work at the Arlington Hall facility to the Conservancy, there is no cost for this assignment; and

WHEREAS, on March 8, 2006, Resolution No. 06-0787, authorized Supplemental Agreement No. 1 to the development and operation agreement for the reimbursement to the Lee Park and Arlington Hall Conservancy for its share of public improvement costs in connection with the further development of the Arlington Hall Master Plan including drainage, renovation of picnic area, landscaping, irrigation and trail at Robert E. Lee Park, in an amount not to exceed $198,028.70; and

WHEREAS, this action would authorize Supplemental Agreement No. 2 to the master agreement for the development and operation agreement for the City to reimburse the Lee Park and Arlington Hall Conservancy for its share of public improvement costs in connection with the further development of the Arlington Hall Master Plan including construction of a ramp to connect Snyder Union Plaza on the Katy Trail to Robert E. Lee Park, in an amount not to exceed $523,000.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into Supplemental Agreement No. 2 to the master agreement for the development and operation agreement for the City to reimburse the Lee Park and Arlington Hall Conservancy for its share of public improvement costs in connection with the further development of the Arlington Hall Master Plan including construction of a ramp to connect Snyder Union Plaza on the Katy Trail to Robert E. Lee Park, in an amount not to exceed $523,000.00.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with the Lee Park and Arlington Hall Conservancy, after approval as to form by the City Attorney's Office.

SECTION 3. City will reimburse Conservancy for a total amount not to exceed $523,000.00 when Conservancy submits its invoice to City no more frequently than monthly. Conservancy shall submit the invoice with proper documentation and the invoice must be approved by the Director of the Park and Recreation Department or his designee.

SECTION 4. That the City Controller is hereby authorized to pay the amount of $523,000.00 to Lee Park and Arlington Hall Conservancy, as follows:

(2006) Park and Recreation Facilities Improvement Fund Fund 8T00, Department PKR, Unit T187, Object 4599 Program PK06T187, CT-PKR14019439, Commodity 91200 Vendor VS0000063523	$97,248
(2006) General Obligation Commercial Paper Fund Fund 2T00, Department PKR, Unit T187, Object 4599 Program PK06T187, CT-PKR14019439, Commodity 91200 Vendor VS0000063523	$425,752
Total amount not to exceed	$523,000

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

AGENDA ITEM # 16

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 7

DEPARTMENT: Public Works Department
Office of Cultural Affairs

CMO: Jill A. Jordan, P.E., 670-5299
Joey Zapata, 670-1204

MAPSCO: 46P

SUBJECT

Authorize a professional services contract with JQ Infrastructure, LLC to provide design services, preparation of construction documents, and construction management services for major maintenance repairs to the Perot Museum of Nature and Science at Fair Park (formerly the Dallas Museum of Natural History) - Not to exceed $148,320 - Financing: General Obligation Commercial Paper Funds

BACKGROUND

The Perot Museum of Nature and Science at Fair Park, located at 3535 Grand Avenue in Fair Park, was constructed as the Museum of Natural History for the 1936 Centennial Exposition. In 1988, a renovation was conducted to expand administrative offices located at the basement level. Dallas citizens approved funding for roof replacement and correction of water infiltration at this facility in the 2006 Bond Program. After a qualifications-based selection process, JQ Infrastructure, LLC was recommended as the most qualified firm for design of the repairs to the facility. JQ Infrastructure, LLC will provide architectural services, civil engineering, structural engineering, asbestos survey, landscape architecture, cost estimating, historical commission reviews, as necessary, and topographical survey.

This action will authorize a professional services contract with JQ Infrastructure, LLC for design phase services and construction management services during construction.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	April 2014
Complete Design	October 2014
Begin Construction	April 2015
Complete Construction	January 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - $148,320

Design (this action)	$ 148,320	
Construction	$1,350,000	(est.)
Owner Development Expenses	$ 70,000	
Contingency	$ 131,680	
Total	$1,700,000	(est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

JQ Infrastructure, LLC

Hispanic Female	2	Hispanic Male	15
African-American Female	1	African-American Male	1
Other Female	1	Other Male	6
White Female	14	White Male	42

OWNER(S)

JQ Infrastructure, LLC

C. Raajan Mehta, PE, Managing Member, Resident Agent
Stephen H. Lucy, PE, Member
Christopher N. Story, PE, Member
Thomas L. Scott, PE, LEED AP, Member

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with JQ Infrastructure, LLC to provide design services, preparation of construction documents, and construction management services for major maintenance repairs to the Perot Museum of Nature and Science at Fair Park (formerly the Dallas Museum of Natural History) - Not to exceed $148,320 - Financing: General Obligation Commercial Paper Funds

JQ Infrastructure, LLC is a local, 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

	Amount	Percent
Total local contracts	$134,820.00	90.90%
Total non-local contracts	$13,500.00	9.10%
TOTAL CONTRACT	$148,320.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

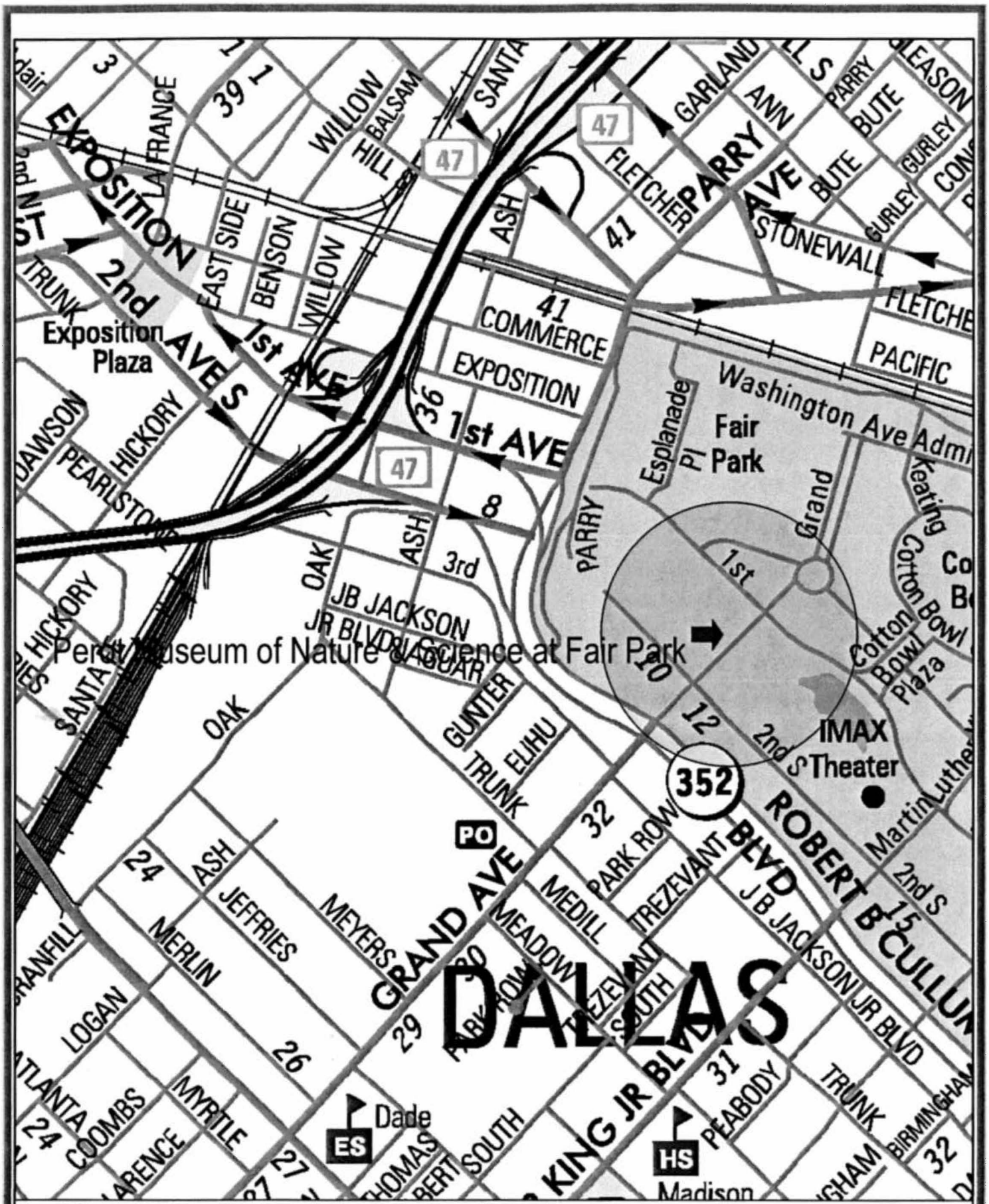
Local	Certification	Amount	Percent
Dry Tec Moisture Protection Technology	HFMB58482N0814	$14,700.00	10.90%
Abadi Accessibility	HFMB60014N0115	$2,200.00	1.63%
JQ Infrastructure, LLC	IMDB58200Y0714	$78,460.00	58.20%
Caye Cook & Associates	WFWB57693Y0614	$8,200.00	6.08%
Total Minority - Local		$103,560.00	76.81%

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	$16,900.00	12.54%	$16,900.00	11.39%
Asian American	$78,460.00	58.20%	$78,460.00	52.90%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$8,200.00	6.08%	$8,200.00	5.53%
Total	$103,560.00	76.81%	$103,560.00	69.82%



Perot Museum of Nature and Science at Fair Park - 3535 Grand Avenue

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MAPSCO

Mapsco 46P

0 Mi 0.13 Mi 0.25 Mi

Scale 1 : 8 166

March 26, 2014

WHEREAS, the Perot Museum of Nature and Science at Fair Park was constructed in 1936 as the Dallas Museum of Natural History on a site located at 3535 Grand Avenue in Fair Park; and,

WHEREAS, the citizens of Dallas approved funding in the 2006 Bond Program for the water infiltration repairs and roof replacement for the facility; and,

WHEREAS, it is desirable to authorize a professional services contract with JQ Infrastructure, LLC to provide design services, preparation of construction documents, and construction administration for the Perot Museum of Nature and Science at Fair Park in an amount not to exceed $148,320.

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 professional services contract with JQ Infrastructure, LLC to provide design services, preparation of construction documents, and construction management services for the Perot Museum of Nature and Science at Fair Park, located at 3535 Grand Avenue, in an amount not to exceed $148,320.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Cultural Arts Facilities Fund Fund 2T49, Dept. PBW, Unit T705, Act. CULF Obj. 4112, Program #PB06T705, CT PBW06T705E1 Vendor #517892, in an amount not to exceed	$132,120
Cultural Arts Facilities Fund Fund 2T49, Dept. PBW, Unit T713, Act. CULF Obj. 4112, Program #PB06T713, CT PBW06T705E1 Vendor #517892, in an amount not to exceed	$16,200
Total not to exceed	$148,320

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 # 17

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2, 9

DEPARTMENT: Public Works Department
Water Utilities

CMO: Jill A. Jordan, P.E., 670-5299
Forest E. Turner, 670-3390

MAPSCO: 33M 34P 39H

SUBJECT

Authorize a professional services contract with Burgess & Niple, Inc. for the engineering design of one bridge repair and three street reconstruction projects (list attached) - Not to exceed $591,593 - Financing: 2006 Bond Funds ($47,949), General Obligation Commercial Paper Funds ($489,003) and Water Utilities Capital Improvement Funds ($54,641)

BACKGROUND

The 2012 Bond Program included funding for several bridge repair and street reconstruction projects. This action will provide for the engineering design of one bridge repair, one local street reconstruction and two thoroughfare reconstruction projects.

The bridge repair will consist of protection walls for the bridge embankment and channel riprap and gabion structures. The local street reconstruction project will consist of 750 linear feet of reinforced concrete pavement. The two street reconstruction thoroughfare projects will consist of 2,800 linear feet of 11-inch thick reinforced concrete pavement and wastewater main improvements. Sidewalk, storm drainage, driveway improvements and other street amenities will also be included in the design of the street projects.

The consulting firm was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines. Following are the locations and design costs for each project.

BACKGROUND (Continued)

Project	Council District	Amount
Bridge Repair		
Woodmeadow Parkway Bridge over Long Branch	9	$ 47,949.00
Street Reconstruction Local Street		
Langdon Avenue from Thurston Drive to Denton Drive	2	$ 69,680.00
Street Reconstruction Thoroughfares		
Maple Avenue from 800 feet south of Mockingbird Lane to Mockingbird Lane	2	$162,351.00
Woodmeadow Parkway from La Prada Drive west to the end of divided roadway	9	$311,613.00

ESTIMATED SCHEDULE OF PROJECT

Begin Design	April 2014
Complete Design	April 2015
Begin Construction	June 2015
Complete Construction	June 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

2006 Bond Funds - $47,949.00
2012 Bond Program (General Obligation Commercial Paper Funds) - $489,003.00
Water Utilities Capital Improvement Funds - $54,641.00

Council District	Amount
2	$232,031.00
9	$359,562.00
Total	$591,593.00

FISCAL INFORMATION (Continued)

Bridge Repair

Woodmeadow Parkway Bridge over Long Branch

Design - PBW	$ 47,949.00
Construction	$522,263.00 (est.)
Total	$570,212.00 (est.)

Street Reconstruction Local Streets

Langdon Avenue from Thurston Drive to Denton Drive

Design - PBW	$ 69,680.00
Construction	$339,500.00 (est.)
Total	$409,180.00 (est.)

Street Reconstruction Thoroughfares

Maple Avenue from 800 feet south of Mockingbird Lane to Mockingbird Lane

Design - PBW	$ 162,351.00
Construction	$1,079,410.00 (est.)
Total	$1,241,761.00 (est.)

Woodmeadow Parkway from La Prada Drive west to the end of divided roadway

Design - PBW	$ 311,613.00
Construction	$2,619,300.00 (est.)
Total	$2,930,913.00 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Burgess & Niple, Inc.

Hispanic Female	0	Hispanic Male	2
African-American Female	0	African-American Male	3
Other Female	0	Other Male	1
White Female	2	White Male	2

OWNER

Burgess & Niple, Inc.

Steven D. Sanders, P.E., PhD., Vice President

MAP(S)

Attached.

Professional Services Contract

Project	Council District	Amount
Bridge Repair		
Woodmeadow Parkway Bridge over Long Branch	9	$ 47,949.00
Street Reconstruction Local Street		
Langdon Avenue from Thurston Drive to Denton Drive	2	$ 69,680.00
Street Reconstruction Thoroughfares		
Maple Avenue from 800 feet south of Mockingbird Lane to Mockingbird Lane	2	$162,351.00
Woodmeadow Parkway from La Prada Drive west to the end of divided roadway	9	$311,613.00

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Burgess & Niple, Inc. for the engineering design of one bridge repair and three street reconstruction projects (list attached) - Not to exceed $591,593 - Financing: 2006 Bond Funds ($47,949), General Obligation Commercial Paper Funds ($489,003) and Water Utilities Capital Improvement Funds ($54,641)

Burgess & Niple, 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: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$194,695.00	32.91%
Total non-local contracts	$396,898.00	67.09%
TOTAL CONTRACT	$591,593.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Criado & Associates, Inc.	HFDB57963Y0714	$49,520.00	25.43%
Pacheco Koch Consulting Engineers, Inc.	HMDB58816Y0914	$97,175.00	49.91%
Charles Gojer & Associates, Inc.	HMDB58160Y0714	$12,500.00	6.42%
Total Minority - Local		$159,195.00	81.77%

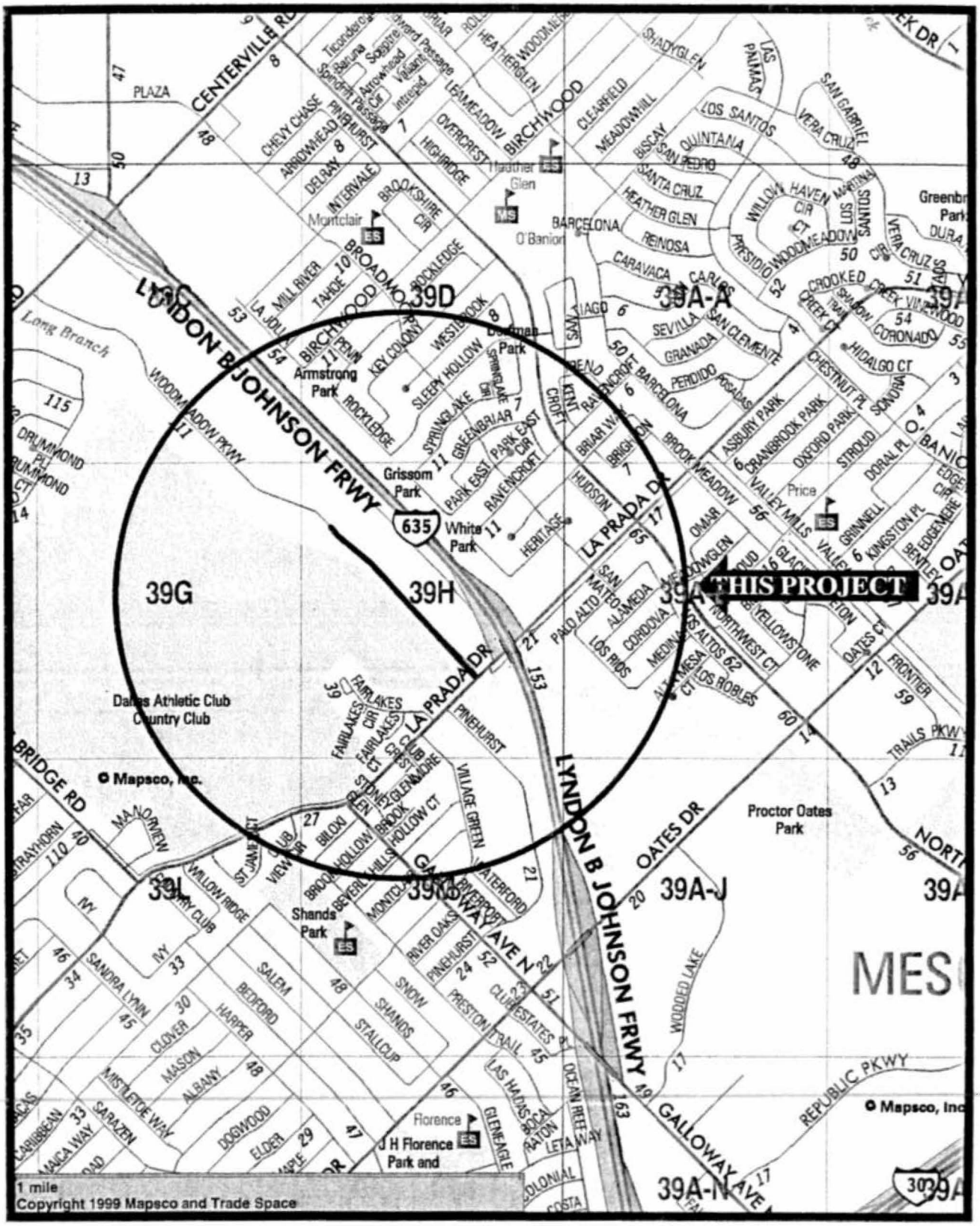
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

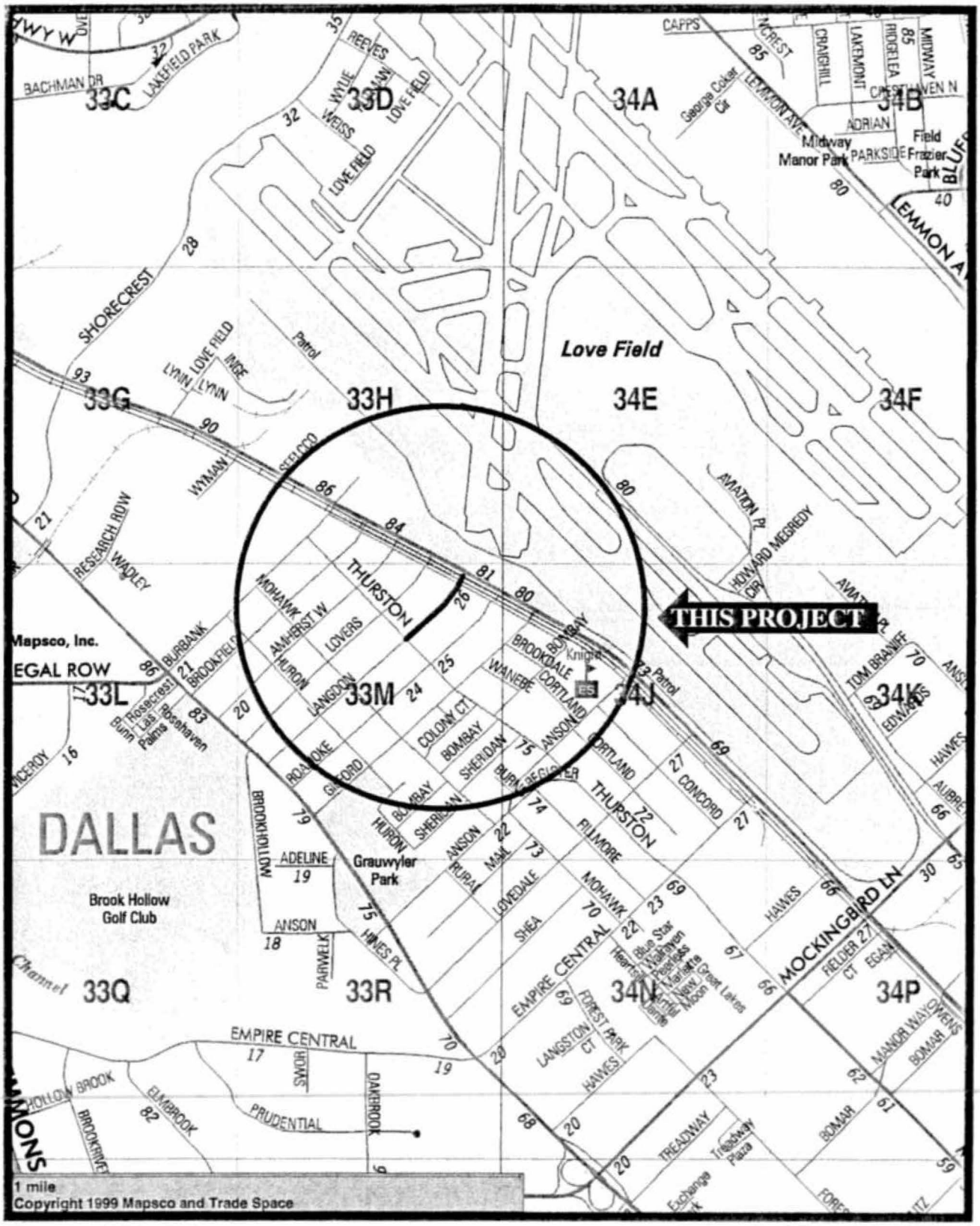
	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$159,195.00	81.77%	$159,195.00	26.91%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$159,195.00	81.77%	$159,195.00	26.91%

BRIDGE REPAIR
WOODMEADOW PARKWAY BRIDGE OVER LONG BRANCH



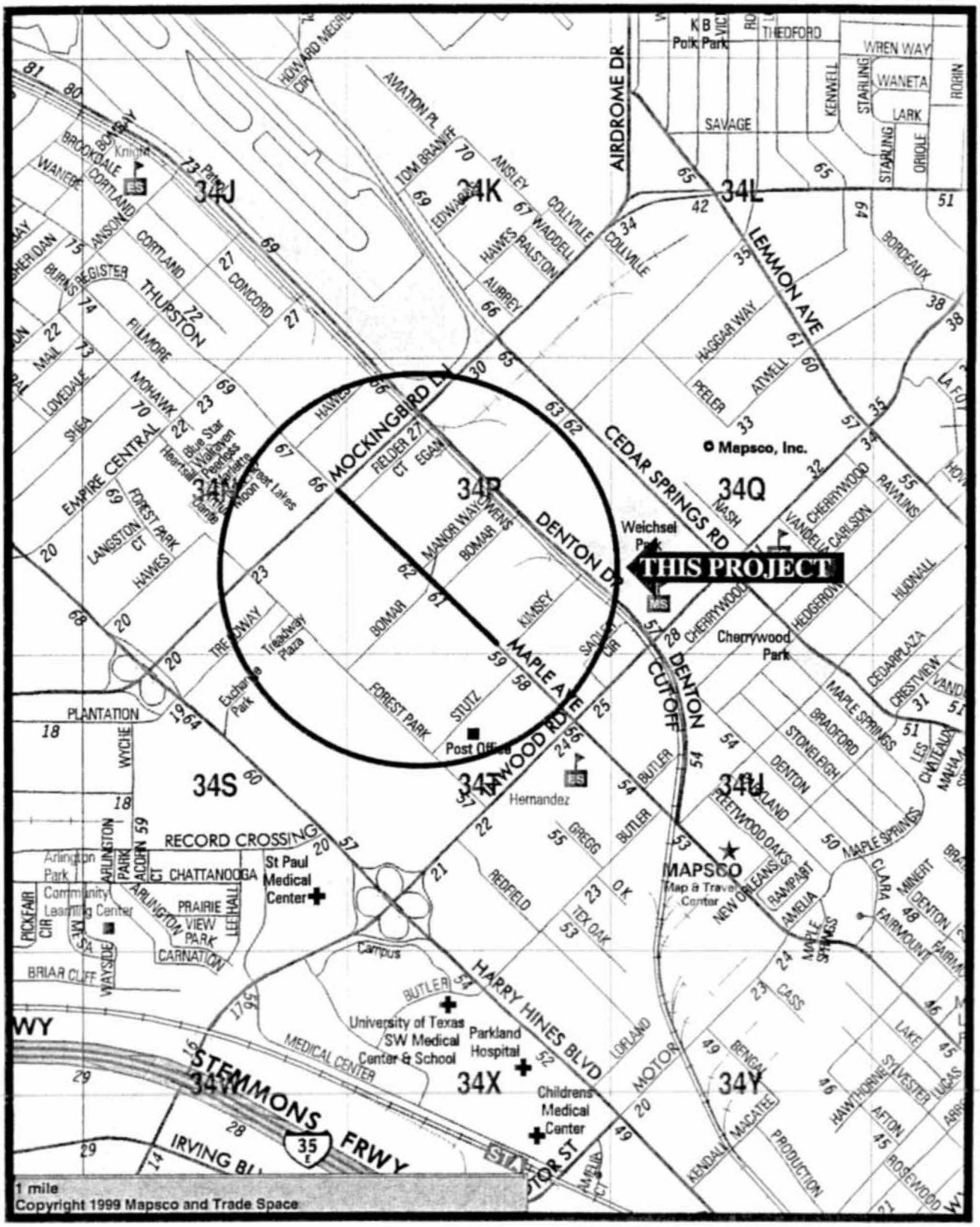
MAPSCO 39H

STREET RECONSTRUCTION
LANGDON AVENUE FROM THURSTON DRIVE TO DENTON DRIVE



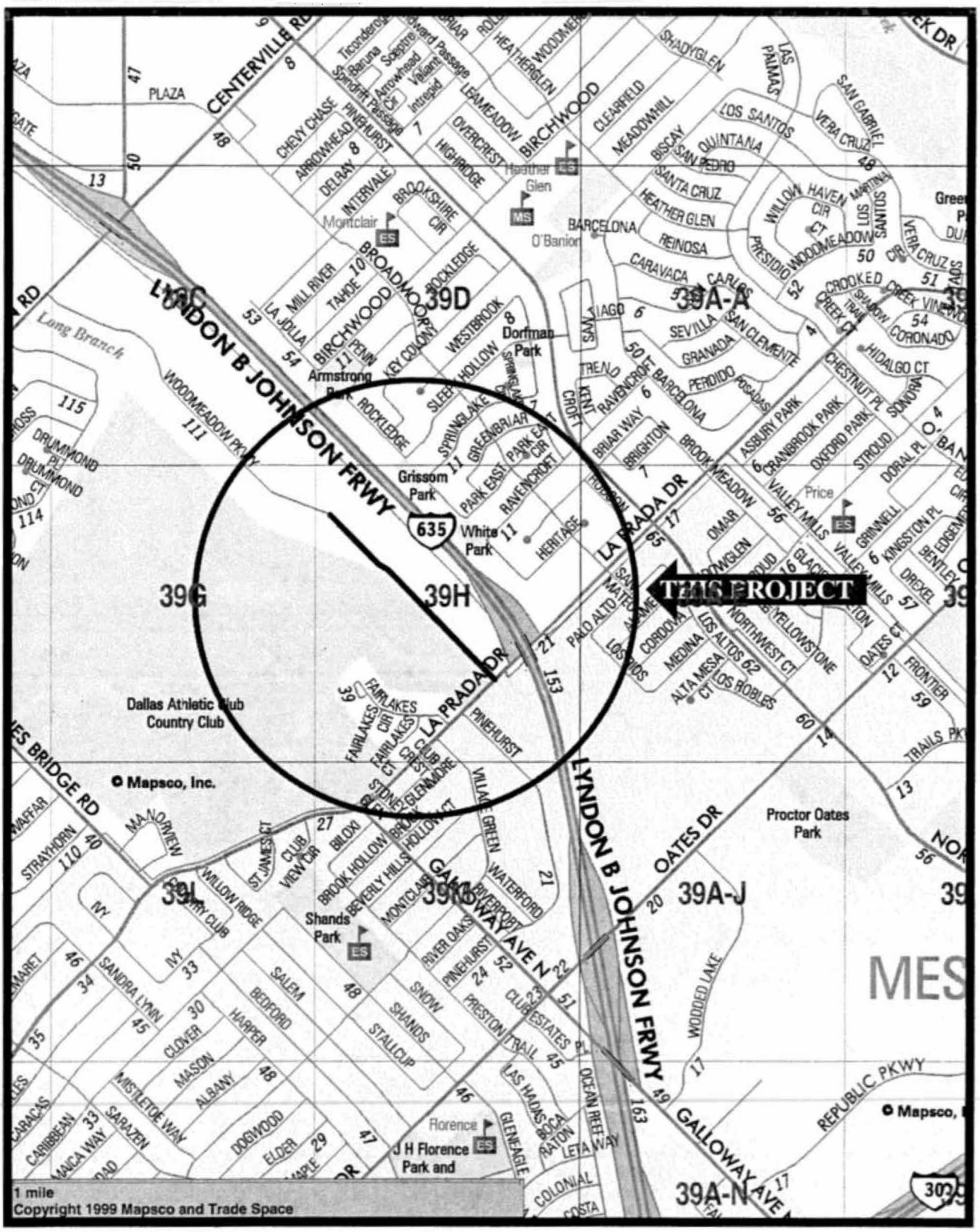
MAPSCO 33M

STREET RECONSTRUCTION
MAPLE AVENUE FROM 800 FEET SOUTH OF MOCKINGBIRD LANE TO MOCKINGBIRD LANE



MAPSCO 34P

STREET RECONSTRUCTION
WOODMEADOW PARKWAY FROM LA PRADA DRIVE WEST TO THE END OF DIVIDED ROADWAY



MAPSCO 39H

March 26, 2014

WHEREAS, Burgess & Niple, Inc. was selected to provide the engineering design for one bridge repair and three street reconstruction projects.

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 contract with Burgess & Niple, Inc. for engineering services for the indicated projects in an amount not to exceed $591,593.00, after they have been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract:

Burgess & Niple, Inc. for the engineering design of a bridge repair project on: Woodmeadow Parkway Bridge over Long Branch; local street reconstruction project on Langdon Avenue from Thurston Drive to Denton Drive; two street reconstruction thoroughfare projects on Maple Avenue from 800 feet south of Mockingbird Lane to Mockingbird Lane and Woodmeadow Parkway from La Prada Drive west to the end of divided roadway:

Street and Transportation Improvements Fund Fund 6T22, Department PBW, Unit P861, Act. BRAM Obj. 4111, Program #PB12P861, CT PBW12P861F1 Vendor #090012, in an amount not to exceed	$ 47,949.00
Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S438, Act. SREC Obj. 4111, Program #PB12S438, CT PBW12P861F1 Vendor #090012, in an amount not to exceed	$ 69,680.00
Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S316, Act. SREC Obj. 4111, Program #PB12S316, CT PBW12P861F1 Vendor #090012, in an amount not to exceed	$141,666.00
Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S320, Act. SREC Obj. 4111, Program #PB12S320, CT PBW12P861F1 Vendor #090012, in an amount not to exceed	$277,657.00

Wastewater Capital Improvement Fund	
Fund 0116, Department DWU, Unit PS42, Act. RELP	
Obj. 4111, Program #714170, REP T2VN, CT PBW714170CP	
Vendor #090012, in an amount not to exceed	$ 54,641.00
Total amount not to exceed	$591,593.00

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 # 18

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Aviation

CMO: Jill A. Jordan, P.E., 670-5299
Theresa O'Donnell, 671-9195

MAPSCO: 23Z; 24W; 33D H; 34A B E F J K

SUBJECT

Authorize a professional services contract with Kimley-Horn and Associates, Inc. best qualified proposer of four, to provide engineering services for the runway, taxiway and apron airfield pavement evaluation project at Dallas Love Field - Not to exceed $1,270,000 - Financing: Aviation Capital Construction Funds

BACKGROUND

This action will authorize a professional services contract with Kimley-Horn and Associates, Inc. to provide engineering services, which include developing a Pavement Condition Index, structural analysis using Falling Weight Deflectometer and Rolling Dynamic Deflectometer, determination of remaining life and update the existing Pavement Management System for the Runway, Taxiway and Apron Airfield Pavement Evaluation Project at Dallas Love Field.

The last airfield pavement evaluation was performed in 2011. As a requirement of the Federal Aviation Administration's grant assurances, Dallas Love Field is required to perform a pavement evaluation of the airfield pavement every three years.

The consulting firm, Kimley-Horn and Associates, Inc. was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

The Runway, Taxiway and Apron Pavement Evaluation will include a five and ten-year Capital Improvement Plan that will conform to Federal Aviation Administration (FAA) and City of Dallas needs assessment criteria. It will lay out the next pavement reconstruction program for Dallas Love Field.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	April 2014
Complete Design	April 2015

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Aviation Capital Construction Funds - $1,270,000

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Kimley-Horn and Associates, Inc.

Hispanic Female	40	Hispanic Male	74
African-American Female	19	African-American Male	26
Other Female	42	Other Male	88
White Female	503	White Male	1145

PROPOSAL INFORMATION

A Request for Proposals (RFP) was issued on October 16, 2013 for the Airfield Pavement Project at Dallas Love Field. Four proposals were received on November 8, 2013. The proposers were ranked as follows:

Proposer	Rank
Kimley-Horn and Associates, Inc.	1
Garver, LLC	2
Applied Pavement Technology, Inc.	3
Jacobs Engineering Group, Inc.	4

PROPOSAL INFORMATION (Continued)

The proposals were evaluated according to the criteria published in the Request for Qualifications and the Request for Proposals. These criteria with respective weights were as follows:

Criteria 1 - Qualifications to undertake this project	25 points
Criteria 2 - Key Personnel	30 points
Criteria 3 - Understanding and Approach	15 points
Criteria 4 - Schedules and Budgets	15 points
Criteria 5 - Past performance and history of complying with DBE goals	15 points

OWNER(S)

Kimley-Horn and Associates, Inc.

John C. Atz, President
Mark S. Wilson, Chief Financial Officer

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Kimley-Horn and Associates, Inc. best qualified proposer of four, to provide engineering services for the runway, taxiway and apron airfield pavement evaluation project at Dallas Love Field - Not to exceed $1,270,000 - Financing: Aviation Capital Construction Funds

Kimley-Horn and Associates, 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

	Amount	Percent
Total local contracts	$1,190,101.00	93.71%
Total non-local contracts	$79,899.00	6.29%
TOTAL CONTRACT	$1,270,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

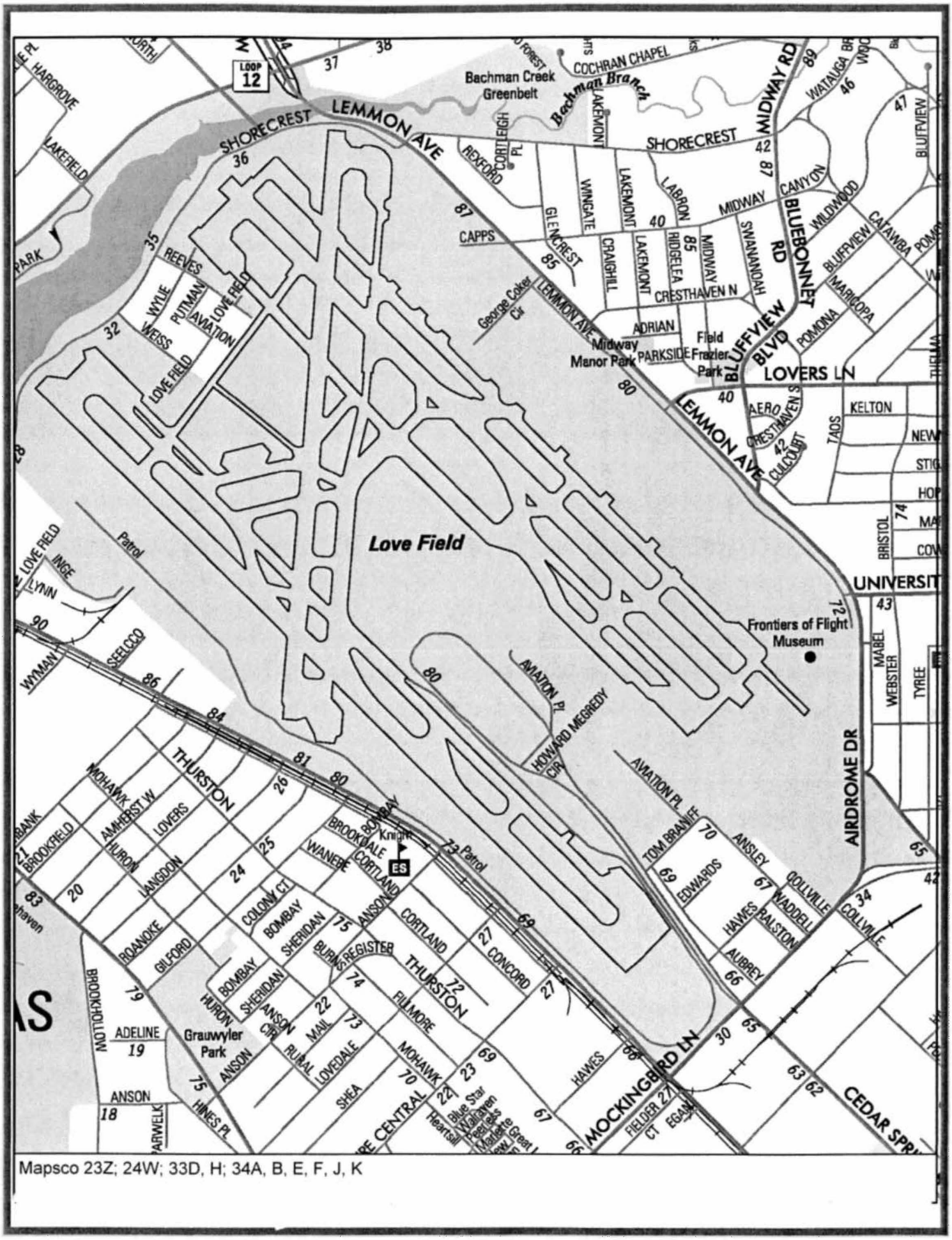
Local	Certification	Amount	Percent
HVJ Associates	BMMB57382N0514	$193,105.00	16.23%
IBARRA Consulting Engineers, Inc.	HFDB56642Y0214	$119,000.00	10.00%
MS Dallas Reprographics	WFWB56940Y0314	$3,500.00	0.29%
Total Minority - Local		$315,605.00	26.52%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$193,105.00	16.23%	$193,105.00	15.21%
Hispanic American	$119,000.00	10.00%	$119,000.00	9.37%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$3,500.00	0.29%	$3,500.00	0.28%
Total	$315,605.00	26.52%	$315,605.00	24.85%



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MAPSCO

Love Field Pavement Evaluation

0 Mi 0.25 Mi 0.51 Mi

Scale 1 : 16 332

March 26, 2014

WHEREAS, it is necessary to perform a runway, taxiway and apron airfield pavement evaluation study every three years, a requirement of the Federal Aviation Administration (FAA) grant assurances to the Federal Aviation Administration; and,

WHEREAS, the last airfield pavement evaluation was performed in September 2011; and,

WHEREAS, to comply with the regulations, a Request for Qualifications and a Request for Proposals were developed to solicit professional services to perform an airfield pavement evaluation at Dallas Love Field; and,

WHEREAS on July 18, 2013 a Request for Qualifications was issued and on August 14, 2013, eight firms submitted their statement of qualifications; and,

WHEREAS, from these submittals four firms were shortlisted and issued a Request for Proposals; and,

WHEREAS on November 8, 2013, four firms submitted proposals to provide professional services for the Runway, Taxiway and Apron Airfield Pavement Evaluation Project at Dallas Love Field as follows:

Proposer	**Rank**
Kimley-Horn and Associates, Inc.	1
Garver, LLC	2
Applied Pavement Technology, Inc.	3
Jacobs Engineering Group, Inc.	4

WHEREAS, Kimley-Horn and Associates, Inc. was selected as the most qualified proposer of the four proposers, as a result of a qualifications-based selection process in accordance with City of Dallas procurement Guidelines; and,

WHEREAS, It is now desirable to authorize a professional services contract with Kimley-Horn and Associates, Inc. to provide engineering services for the Runway, Taxiway and Apron Airfield Pavement Evaluation Project at Dallas Love Field, in an amount not to exceed $1,270,000.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a professional services contract with Kimley-Horn and Associates, Inc. to provide engineering services for the Runway, Taxiway and Apron Airfield Pavement Evaluation Project at Dallas Love Field, in an amount not to exceed $1,270,000.00 after it has been approved as to form by the City Attorney.

Section 2. That the City will apply for Passenger Facility Charge (PFC) funds at a later date for the eligible planning, design and administration costs of the Runway, Taxiway and Apron Pavement Evaluation at Dallas Love Field, and upon the approval of PFC funding from the FAA, the City is authorized to accept such PFC funds. If and when PFC funding is received, the City Controller is hereby authorized to transfer the approved PFC from PFC Fund 0477, Dept. AVI, Balance Sheet Account 0001 (Cash Account) to the AVI Capital Construction Fund, 0131 Dept. AVI, Balance Sheet Account 0001 (Cash Account).

Section 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Aviation Capital Construction Fund	
Fund 0131, Dept. AVI, Unit 9851, Act. AAIP, Obj. 4111	
Program #AV PMT, CT AVIKHA0214, Comm. 92500	
Vendor #135447, in an amount not to exceed	$1,270,000

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

AGENDA ITEM # 19

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Public Works Department

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

MAPSCO: N/A

SUBJECT

Authorize a three-year professional services contract with Granzow & Associates, Inc. for elevator and escalator inspections and consulting services (list attached) - Total not to exceed $150,000 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

On May 19, 2012, Statements of Qualifications for Professional Consulting Services were received by the Public Works Department. Granzow & Associates, Inc. submitted a qualification statement and has been selected to provide elevator and escalator consulting services and inspections for the elevator and escalator equipment managed by the Public Works Department.

This action will authorize a three-year contract with Granzow & Associates, Inc. to provide consulting services relating to the elevator and escalator contracts.

ESTIMATED SCHEDULE OF PROJECT

Begin Professional Services	March 2014
Complete Professional Services	February 2017

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Current Funds - $150,000 (subject to annual appropriations)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Granzow & Associates, Inc.

Hispanic Female	0	Hispanic Male	0
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	0	White Male	1

OWNER

Granzow & Associates, Inc.

Russell Granzow, President

Elevator and Escalator Service Contract

Location	Number of Units
1600 Lamar	1
African American Museum	2
Anita Martinez Rec Center	1
Bullington Parking	1, 2
Bullington Truck Terminal	1
Cedar Crest Golf Club	1
Central Police	1
City Hall	13
Communications Building	1
Cotton Bowl	6
Dallas Arboretum	1
Dallas Central Library	8
Dallas Museum of Art	13
Dallas Theater Center	2
DETOX	1
Family Gateway	1
Fire Training	1
General Services	1
Hall of State	2, 1 chair lift
Hampton Library	1 chair lift
Headquarters Building	1
IMAX	2
Jack Evan Police Station	8
Majestic Theater	1
Meyerson Parking	4
Meyerson Symphony	7
Municipal Building	4, 1 material lift
Museum of Natural History	1
New Streets Building	1
Oak Cliff Municipal	3
Old Mill Inn	1
Pan American Building	1
Pedestrian Walkway	2, 4
Police and Courts	2, 2 chair lifts
Science Place 1	2, 1 chair lift
Science Place 2	1
Southwest District Police	2
Texas Discovery Center	1
Sammons Center for the Arts	1
The Women's Museum	2

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year professional services contract with Granzow & Associates, Inc. for elevator and escalator inspections and consulting services (list attached) - Total not to exceed $150,000 - Financing: Current Funds (subject to annual appropriations)

Granzow & Associates, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to perform the work with its own forces.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$150,000.00	100.00%
TOTAL CONTRACT	$150,000.00	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%

March 26, 2014

WHEREAS, it is necessary to retain a professional consulting firm to provide elevator and escalator inspection and related services; and,

WHEREAS, Granzow & Associates, Inc., a professional consulting firm, was selected in accordance with Administrative Directive 4-5 as the best firm to provide elevator and escalator consultant services; and,

WHEREAS, it is now desirable to authorize a three-year elevator and escalator consultant services contract with Granzow & Associates, Inc. for a total amount not to exceed $150,000, subject to annual appropriations.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a professional services contract with Granzow & Associates, Inc. to provide professional consulting services for a three-year elevator and escalator consultant services contract with Granzow & Associates, Inc. for a total amount not to exceed $150,000, subject to annual appropriations, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract in an amount not to exceed $150,000 from:

2014 Current Funds
Fund 0001, Department PBW, Unit 3040, Obj. 3070
Program #JUX, CT PBWJUXA0001
Vendor #503587

2015 Current Funds
Fund 0001, Department PBW, Unit 3040, Obj. 3070
Program #JUX, CT PBWJUXA0002
Vendor #503587

2016 Current Funds
Fund 0001, Department PBW, Unit 3040, Obj. 3070
Program #JUX, CT PBWJUXA0003
Vendor #503587

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 ITEMS # 20,21

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2, 6

DEPARTMENT: Public Works Department
Water Utilities

CMO: Jill A. Jordan, P.E., 670-5299
Forest E. Turner, 670-3390

MAPSCO: 44M 45J

SUBJECT

Street Reconstruction Group 06-618

* Authorize **(1)** a contract with Texas Standard Construction, Ltd., lowest responsible bidder of four, in the amount of $12,150,167 for the construction of street paving, storm drainage, water and wastewater main improvements for Street Reconstruction Group 06-618 (list attached); **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $482,214; and **(3)** an increase in appropriations in the amount of $482,214 in the Capital Projects Reimbursement Fund - Not to exceed $12,150,167 - Financing: General Obligation Commercial Paper Funds ($5,174,591), Capital Projects Reimbursement Funds ($482,214), Regional Toll Revenue Funds ($5,575,791), Water Utilities Capital Improvement Funds ($904,371) and Water Utilities Capital Construction Funds ($13,200)

* Authorize **(1)** a professional services contract with Kleinfelder Central, Inc. in the amount of $217,516 to provide construction material testing during the construction of Street Reconstruction Group 06-618; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $13,704; and **(3)** an increase in appropriations in the amount of $13,704 in the Capital Projects Reimbursement Fund - Not to exceed $217,516 - Financing: General Obligation Commercial Paper Funds ($94,184), Capital Projects Reimbursement Funds ($13,704) and Regional Toll Revenue Funds ($109,628)

BACKGROUND

A professional services contract with Hayden Consultants, Inc. for conceptual planning, topographic survey and the design of street paving, storm drainage, and wastewater improvements on Continental Avenue from Riverfront Boulevard to IH 35E was authorized by City Council on January 23, 2008. Hayden Consultants, Inc.'s design contract was subsequently amended to expand the project limits on Continental Boulevard from Core Street to Houston Street, and Riverfront Boulevard from Parkhouse Street to the Union Pacific Railroad. This action will authorize a contract with Texas Standard Construction, Ltd. for the construction of street paving, storm drainage, water and wastewater main improvements for Street Group 06-618 and a professional services contract with Kleinfelder Central, Inc. to provide the construction material testing services. The material testing services was previously performed by a master agreement which no longer exists for construction projects. Therefore, a separate agreement is now required for this project.

The two streets included in Street Reconstruction Group 06-618 are Continental Avenue from Core Street to Houston Street and Riverfront Boulevard from Parkhouse Street to the Union Pacific Railroad. The Riverfront Boulevard portion of this project is part of a larger joint City of Dallas and Dallas County project that extends from Parkhouse Street to Cadiz Street. The City is the lead agency for Riverfront Boulevard from Parkhouse Street to the Union Pacific Railroad (segment A), and Dallas County is the lead agency for Riverfront Boulevard from the Union Pacific Railroad to Cadiz Street (segment B). Segment B is estimated to begin construction in October 2014. On January 12, 2005, Council Resolution No. 05-0129 authorized a Project Specific Agreement (PSA) with Dallas County for the Riverfront Boulevard project.

The improvements will consist of replacing the existing pavement with 11-inch reinforced concrete pavement, storm drainage upgrades, bicycle tracks, sidewalks, barrier free ramps, drive approaches, landscaping, lighting, traffic signals, water and wastewater upgrades.

The following chart shows Texas Standard Construction, Ltd. completed contractual activities for the past three years:

	PBW	WTR	PKR
Projects Completed	9	0	4
Change Orders	1	0	4
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2008
Completed Design	January 2013
Begin Construction	April 2014
Complete Construction	March 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Project Specific Agreement (PSA) with Dallas County on January 12, 2005, by Resolution No. 05-0129.

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

Authorized Supplemental Agreement No. 1 for the preparation of an engineering study related to traffic and streetscape improvements on August 13, 2008, by Resolution No. 08-2087.

Authorized Supplemental Agreement No. 3 for additional design services to extend the limits of design on Continental Avenue from Riverfront Boulevard to Core Street to connect to the Trinity Parkway and add the design of Riverfront Boulevard from Parkhouse Street to Union Pacific Railroad on April 8, 2009, by Resolution No. 09-0976.

Authorized Supplemental Agreement No. 4 for a wastewater study for Riverfront Boulevard from Commerce Street to Corinth Street on February 23, 2011, by Resolution No. 11-0551.

Authorized Supplemental Agreement No. 5 for additional design for Continental Avenue from Core Street to IH 35E and Riverfront Boulevard from Parkhouse Street to the south end of the new pavement for the Woodall Rodgers Extension Project on March 28, 2012, by Resolution No. 12-0934.

Authorized Supplemental Agreement No. 6 for additional design for Continental Avenue from Core Street to Houston Street and Riverfront Boulevard from Parkhouse Street to Union Pacific Railroad on November 14, 2012, by Resolution No. 12-2759.

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - $5,268,774.88
Capital Projects Reimbursement Funds - $495,916.84
Regional Toll Revenue Funds - $5,685,418.73
Water Utilities Capital Improvement Funds - $904,371.00
Water Utilities Capital Construction Funds - $13,200.00

FISCAL INFORMATION (Continued)

Resolution 1 - Texas Standard

Council District	Amount
2	$ 900,000.00
6	$11,250.166.20
Total	$12,150,166.20

Resolution 2 - Kleinfelder Central, Inc.

Council District	Amount
2	$ 16,096.13
6	$ 201,419.12
Total	$ 217,515.25

Design	$ 143,344.00
Continental Avenue	
Supplemental Agreement No. 1	$ 79,337.38
Supplemental Agreement No. 2	$ 24,500.00
Supplemental Agreement No. 3	$ 243,980.40
Supplemental Agreement No. 6	$ 88,910.00
Riverfront Boulevard	
Supplemental Agreement No. 3	$1,322,493.60
Supplemental Agreement No. 4	$ 109,488.00
Supplemental Agreement No. 5	$ 449,174.00
Supplemental Agreement No. 6	$ 20,207.75
Construction	
Continental Avenue	
Paving & Drainage - PBW	$4,262,856.40
Water & Wastewater - DWU	$ 265,100.00
Material testing	$ 80,480.64

FISCAL INFORMATION (Continued)

Riverfront Boulevard	
Paving & Drainage - PBW	$6,969,738.80
Water & Wastewater - DWU	$ 652,471.00
Material testing	$ 137,034.61
Total Project Cost	$14,849,116.58

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Texas Standard Construction, Ltd.

Hispanic Female	2	Hispanic Male	74
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	3	White Male	4

Kleinfelder Central, Inc.

Hispanic Female	34	Hispanic Male	79
African-American Female	27	African-American Male	22
Other Female	40	Other Male	63
White Female	426	White Male	1042

BID INFORMATION

The following bids with quotes were received and opened on January 16, 2014:

*Denotes successful bidder

BID INFORMATION (Continued)

BIDDERS	**BID AMOUNT**
*Texas Standard Construction, Ltd. P.O. Box 210768 Dallas, Texas 75211	$12,150,166.20
Gibson Associates, Inc.	$13,752,053.93
Phillips May Corporation	$14,741,806.71
Rebcon, Inc.	$16,228,042.91

Original estimate: PBW - $9,712,315.00
DWU - $ 743,365.00

Total $10,455,680.00

OWNERS

Texas Standard Construction, Ltd.

Ronald H. Dalton, President

Kleinfelder Central, Inc.

Aaron Cotton, Jr., Senior Project Manager

MAP

Attached.

Street Reconstruction Group 06-618

Project	Limits	Council District
Continental Avenue	Core Street to Riverfront Boulevard and Riverfront Boulevard to Houston Street	2
Riverfront Boulevard	Parkhouse Street to Union Pacific Railroad	6

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** a contract with Texas Standard Construction, Ltd., lowest responsible bidder of four, in the amount of $12,150,167 for the construction of street paving, storm drainage, water and wastewater main improvements for Street Reconstruction Group 06-618 (list attached); **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $482,214; and **(3)** an increase in appropriations in the amount of $482,214 in the Capital Projects Reimbursement Fund - Not to exceed $12,150,167 - Financing: General Obligation Commercial Paper Funds ($5,174,591), Capital Projects Reimbursement Funds ($482,214), Regional Toll Revenue Funds ($5,575,791), Water Utilities Capital Improvement Funds ($904,371) and Water Utilities Capital Construction Funds ($13,200)

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$10,007,019.20	82.36%
Total non-local contracts	$2,143,147.00	17.64%
TOTAL CONTRACT	$12,150,166.20	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Kenyatta Sand & Gravel	BMDB58593Y0914	$3,621,695.00	36.19%
Total Minority - Local		$3,621,695.00	36.19%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
A & A Construction	HMDB56675Y0214	$40,000.00	1.87%
Buyers Barricade	WFDB56717Y0214	$20,000.00	0.93%
Magnum Manhole & Underground Co.	WFDB56863Y0314	$4,290.00	0.20%
Total Minority - Non-local		$64,290.00	3.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$3,621,695.00	36.19%	$3,621,695.00	29.81%
Hispanic American	$0.00	0.00%	$40,000.00	0.33%
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%	$24,290.00	0.20%
Total	$3,621,695.00	36.19%	$3,685,985.00	30.34%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** a professional services contract with Kleinfelder Central, Inc. in the amount of $217,516 to provide construction material testing during the construction of Street Reconstruction Group 06-618; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $13,704; and **(3)** an increase in appropriations in the amount of $13,704 in the Capital Projects Reimbursement Fund - Not to exceed $217,516 - Financing: General Obligation Commercial Paper Funds ($94,184), Capital Projects Reimbursement Funds ($13,704) and Regional Toll Revenue Funds ($109,628)

Kleinfelder Central, 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

	Amount	Percent
Total local contracts	$217,515.25	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$217,515.25	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
MasTek Engineering & Associates	BMDB56718Y0314	$16,314.40	7.50%
Alliance Geotechnical Group	BMDB59500Y1214	$16,314.40	7.50%
Total Minority - Local		$32,628.80	15.00%

Non-Local Contractors / Sub-Contractors

None

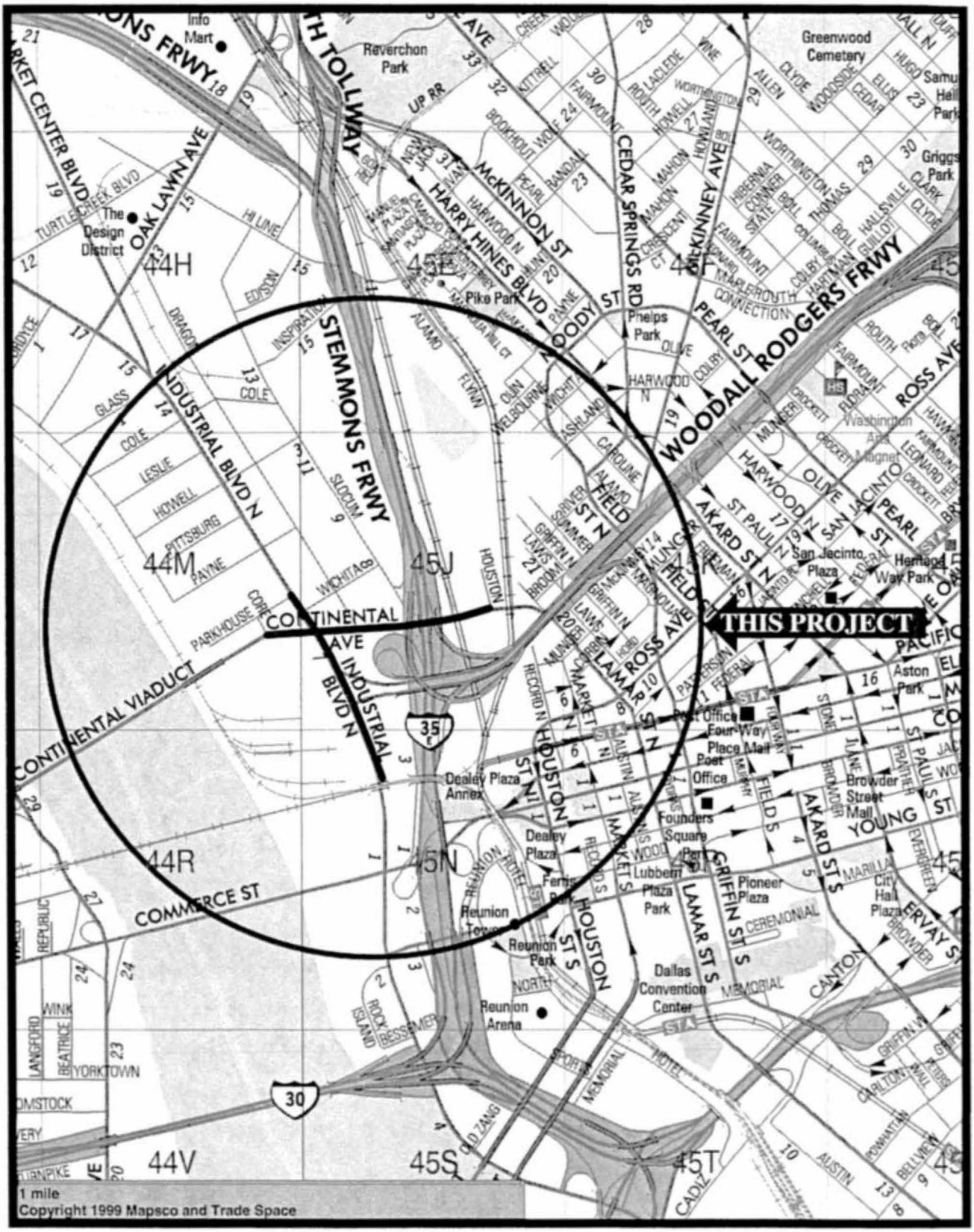
TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$32,628.80	15.00%	$32,628.80	15.00%
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	$32,628.80	15.00%	$32,628.80	15.00%

STREET RECONSTRUCTION GROUP 06-618

CONTINENTAL AVE. FROM CORE ST. TO HOUSTON ST.

RIVERFRONT BLVD. FROM PARKHOUSE ST. TO UNION PACIFIC RAILROAD



MAPSCO 44M & 45J

WHEREAS, on January 23, 2008, Resolution No. 08-0324 authorized a professional services contract for the engineering design of Continental Avenue from Riverfront Boulevard to IH 35 for conceptual planning, topographic survey and the design of street paving, storm drainage and wastewater improvements; and,

WHEREAS, on April 13, 2008, Resolution No. 08-2087 authorized Supplemental Agreement No. 1 to the contract with Hayden Consultants, Inc. for additional detailed engineering study related to traffic and streetscape for Continental Avenue from East Levee Street to Houston Street in the amount of $79,337.38, increasing the contract from $143,344.00 to $222,681.38; and,

WHEREAS, on February 10, 2009, Administrative Action No. 09-0674 authorized Supplemental Agreement No. 2 to the contract with Hayden Consultants, Inc. to obtain a vision development and study other options to develop streetscape concepts according to different right-of-way scenarios and transit options in the amount of $24,500.00, increasing the contract from $222,681.38 to $247,181.38; and,

WHEREAS, on April 8, 2009, Resolution No. 09-0976 authorized Supplemental Agreement No. 3 to the contract with Hayden Consultants, Inc. for additional design services for surveying, street paving, storm drainage, water and wastewater improvements for Continental Avenue from Core Street to Riverfront Boulevard and Riverfront Boulevard from Parkhouse Street to the Union Pacific Railroad in the amount of $1,566,474.00, increasing the contract from $247,181.38 to $1,813,655.38; and,

WHEREAS, on February 23, 2011, Resolution No. 11-0551 authorized Supplemental Agreement No. 4 to the contract with Hayden Consultants, Inc. for a wastewater study for Riverfront Boulevard from Commerce Street to Corinth Street in the amount of $109,488.00, increasing the contract from $1,813,655.38 to $1,923,143.38; and,

WHEREAS, on March 28, 2012, Resolution No. 12-0934 authorized Supplemental Agreement No. 5 to the contract with Hayden Consultants, Inc. for additional design of street paving, drainage, streetscape, surveying, horseshoe culvert rehabilitation and wastewater improvements for Continental Avenue from Core Street to IH 35 and Riverfront Boulevard from Parkhouse Street to the south end of the new pavement for the Woodall Rodgers Extension Project in the amount of $449,174.00, increasing the contract from $1,923,143.38 to $2,372,317.38; and,

WHEREAS, on November 14, 2012, Resolution No. 12-2759 authorized Supplemental Agreement No. 6 to the contract with Hayden Consultants, Inc. for additional design of street paving, drainage, streetscape, traffic signal upgrade and surveying for Continental Avenue from Core Street to Houston Street and Riverfront Boulevard from Parkhouse Street to the Union Pacific Railroad Project in the amount of $109,117.75, increasing the contract from $2,372,317.38 to $2,481,435.13; and,

March 26, 2014

WHEREAS, bids were received on January 16, 2014, for the construction of street paving, storm drainage, water and wastewater main improvements for Street Reconstruction Group 06-618, as follows:

BIDDERS	**BID AMOUNT**
Texas Standard Construction, Ltd.	$12,150,166.20
Gibson Associates, Inc.	$13,752,053.93
Phillips May Corporation	$14,741,806.71
Rebcon, Inc.	$16,228,042.91

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a contract with Texas Standard Construction, Ltd. for the construction of street paving, storm drainage, water and wastewater main improvements for Street Reconstruction Group 06-618 in an amount not to exceed $12,150,166.20, this being the lowest responsive bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to deposit funds from Dallas County in accordance with the terms and conditions in the amount of $482,213.38 into the Capital Projects Reimbursement Fund 0556, Department PBW, Unit U215, Revenue Source 6511.

Section 3. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Department PBW, Unit U215, Object 4510 in the amount of $482,213.38.

Section 4. That the City Controller 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 PBW, Unit U783, Act. THRF
Obj. 4510, Program #PB06U783, CT PBW06U215F1
Vendor #339573, in an amount not to exceed $ 4,262,856.40

Street and Transportation Improvements Fund
Fund 2T22, Department PBW, Unit U215, Act. INGV
Obj. 4510, Program #PB06U215, CT PBW06U215F1
Vendor #339573, in an amount not to exceed $ 911,734.38

Regional Toll Revenue Fund
Fund S227, Department PBW, Unit P640, Act. INGV
Obj. 4510, Program #PBPRP640, CT PBW06U215F1
Vendor #339573, in an amount not to exceed $ 5,575,791.04

Capital Projects Reimbursement Fund
Fund 0556, Department PBW, Unit U215, Act. INGV
Obj. 4510, Program #PB06U215, CT PBW06U215F1
Vendor #339573, in an amount not to exceed $ 482,213.38

Water Construction Fund
Fund 0102, Department DWU, Unit CW42, Act. RELP
Obj. 3221, Program #713023X, Reporting W3KQ, CT PBW713023EN
Vendor #339573, in an amount not to exceed $ 11,200.00

Water Capital Improvement Fund
Fund 0115, Department DWU, Unit PW42, Act. RELP
Obj. 4550, Program #713023, Reporting W3KQ, CT PBW713023CP
Vendor #339573, in an amount not to exceed $ 833,716.00

Wastewater Construction Fund
Fund 0103, Department DWU, Unit CS42, Act. RELP
Obj. 3222, Program #713024X, Reporting T2VR, CT PBW713024EN
Vendor #339573, in an amount not to exceed $ 2,000.00

Wastewater Capital Improvement Fund
Fund 0116, Department DWU, Unit PS42, Act. RELP
Obj. 4560, Program #713024, Reporting T2VR, CT PBW713024CP
Vendor #339573, in an amount not to exceed $ 70,655.00

Total in an amount not to exceed $12,150,166.20

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.

WHEREAS, on January 23, 2008, Resolution No. 08-0324 authorized a professional services contract for the engineering design of Continental Avenue from Riverfront Boulevard to IH 35 for conceptual planning, topographic survey and the design of street paving, storm drainage and wastewater improvements; and,

WHEREAS, on April 13, 2008, Resolution No. 08-2087 authorized Supplemental Agreement No. 1 to the contract with Hayden Consultants, Inc. for additional detailed engineering study related to traffic and streetscape for Continental Avenue from East Levee Street to Houston Street in the amount of $79,337.38, increasing the contract from $143,344.00 to $222,681.38; and,

WHEREAS, on February 10, 2009, Administrative Action No. 09-0674 authorized Supplemental Agreement No. 2 to the contract with Hayden Consultants, Inc. to obtain a vision development and study other options to develop streetscape concepts according to different right-of-way scenarios and transit options in the amount of $24,500.00, increasing the contract from $222,681.38 to $247,181.38; and,

WHEREAS, on April 8, 2009, Resolution No. 09-0976 authorized Supplemental Agreement No. 3 to the contract with Hayden Consultants, Inc. for additional design services for surveying, street paving, storm drainage, water and wastewater improvements for Continental Avenue from Core Street to Riverfront Boulevard and Riverfront Boulevard from Parkhouse Street to the Union Pacific Railroad in the amount of $1,566,474.00, increasing the contract from $247,181.38 to $1,813,655.38; and,

WHEREAS, on February 23, 2011, Resolution No. 11-0551 authorized Supplemental Agreement No. 4 to the contract with Hayden Consultants, Inc. for a wastewater study for Riverfront Boulevard from Commerce Street to Corinth Street in the amount of $109,488.00, increasing the contract from $1,813,655.38 to $1,923,143.38; and,

WHEREAS, on March 28, 2012, Resolution No. 12-0934 authorized Supplemental Agreement No. 5 to the contract with Hayden Consultants, Inc. for additional design of street paving, drainage, streetscape, surveying, horseshoe culvert rehabilitation and wastewater improvements for Continental Avenue from Core Street to IH 35 and Riverfront Boulevard from Parkhouse Street to the south end of the new pavement for the Woodall Rodgers Extension Project in the amount of $449,174.00, increasing the contract from $1,923,143.38 to $2,372,317.38; and,

WHEREAS, on November 14, 2012, Resolution No. 12-2759 authorized Supplemental Agreement No. 6 to the contract with Hayden Consultants, Inc. for additional design of street paving, drainage, streetscape, traffic signal upgrade and surveying for Continental Avenue from Core Street to Houston Street and Riverfront Boulevard from Parkhouse Street to the Union Pacific Railroad Project in the amount of $109,117.75, increasing the contract from $2,372,317.38 to $2,481,435.13; and,

WHEREAS, it is now necessary to authorize a professional services contract with Kleinfelder Central, Inc. to provide construction material testing during the construction of Street Reconstruction Group 06-618.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a professional services contract with Kleinfelder Central, Inc. to provide construction material testing during the construction of Street Reconstruction Group 06-618 in an amount not to exceed $217,515.25, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to deposit funds from Dallas County in accordance with the terms and conditions in the amount of $13,703.46 into the Capital Projects Reimbursement Fund 0556, Department PBW, Unit U215, Revenue Source 6511.

Section 3. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Department PBW, Unit U215, Object 4510 in the amount of $13,703.46.

Section 4. That the City Controller 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 PBW, Unit U215, Act. INGV Obj. 4113, Program #PB06U215, CT PBW06U215F2 Vendor #041746, in an amount not to exceed	$ 13,703.46
Street and Transportation Improvements Fund Fund 2T22, Department PBW, Unit U783, Act. THRF Obj. 4113, Program #PB06U783, CT PBW06U215F2 Vendor #041746, in an amount not to exceed	$ 80,480.64
Capital Projects Reimbursement Fund Fund 0556, Department PBW, Unit U215, Act. INGV Obj. 4113, Program #PB06U215, CT PBW06U215F2 Vendor #041746, in an amount not to exceed	$ 13,703.46

Regional Toll Revenue Fund	
Fund S227, Department PBW, Unit P640, Act. INGV	
Obj. 4113, Program #PBPRP640, CT PBW06U215F2	
Vendor #041746, in an amount not to exceed	$109,627.69
Total in an amount not to exceed	$217,515.25

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

AGENDA ITEM # 22

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 5

DEPARTMENT: Public Works Department
Fire

CMO: Jill A. Jordan, P.E., 670-5299
Charles Cato, 670-9194

MAPSCO: 48N

SUBJECT

Authorize an increase in the construction contract with CORE Construction Services of Texas, Inc. for the addition of folding apparatus bay doors in lieu of rolling sectional doors and modifications to the facility's natural gas piping and meter location for the Fire Station No. 32 replacement facility, located at 4262 North Jim Miller Road - Not to exceed $110,630, from $3,856,780 to $3,967,410 - Financing: General Obligation Commercial Paper Funds

BACKGROUND

Dallas voters approved funding in the 2006 Bond Program for the replacement of Fire Station No. 32, located at 7003 Benning Avenue.

On August 14, 2013, Resolution No. 13-1302 authorized a construction contract with CORE Construction Services of Texas, Inc. for the construction of Fire Station No. 32 replacement facility, to be located at 4262 N. Jim Miller Road, in the amount of $3,856,780.

This Change Order No. 1 action will authorize the addition of four (4) folding apparatus bay doors in lieu of the specified rolling sectional doors for faster emergency response, ($112,073.24); revise the facility's natural gas piping and meter location, ($728.82); and accept a credit for concrete masonry walls that are to stop at the mezzanine height in lieu of roof deck, (-$2,172.15), total amount of $110,629.91.

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2011
Completed Design	January 2013
Began Construction	September 2013
Complete Construction	November 2014

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a design services contract with BRW Architects, Inc. for the Fire Station No. 32 replacement facility on February 23, 2011, by Resolution No. 11-0546.

Authorized a contract with CORE Construction Services of Texas, Inc. for the construction of the Fire Station No. 32 replacement facility, located at 4262 N. Jim Miller Road on August 14, 2013, by Resolution No. 13-1302.

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - $110,629.91

Construction (Original Contract)	$3,856,780.00
Change Order No. 1 (this action)	$ 110,629.91
Construction Total	$3,967,409.91
Land Acquisition/Demolition	$ 366,000.00
Design	$ 395,000.00
Supplemental Agreement No. 1	$ 10,700.00
Construction	$3,967,409.91
Off-site utilities/construction	$ 224,576.00
Oncor (3-phase service)	$ 2,182.00 (est.)
Oncor (remove overhead power-conflict)	$ 12,166.00 (est.)
Time Warner Service (remove overhead cable - conflict)	$ 12,486.00
Fiber Light Service (remove overhead fiber-line-conflict)	$ 34,271.00 (est.)
Permits/Fees	$ 15,000.00
Testing	$ 32,000.00
Furniture, Fixtures, and Equipment	$ 118,000.00
Public Art	$ 37,500.00
Contingency	$ 433,613.09
Total Project Cost	$5,660,904.00 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

CORE Construction Services of Texas, Inc.

Hispanic Female	0	Hispanic Male	23
African-American Female	0	African-American Male	0
Other Female	0	Other Male	1
White Female	1	White Male	9

OWNER

CORE Construction Services of Texas, Inc.

Gary Frazer, President/Chief Executive Officer

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with CORE Construction Services of Texas, Inc. for the addition of folding apparatus bay doors in lieu of rolling sectional doors and modifications to the facility's natural gas piping and meter location for the Fire Station No. 32 replacement facility, located at 4262 North Jim Miller Road - Not to exceed $110,630, from $3,856,780 to $3,967,410 - Financing: General Obligation Commercial Paper Funds

CORE Construction Services of Texas, 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	$110,629.91	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$110,629.91	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

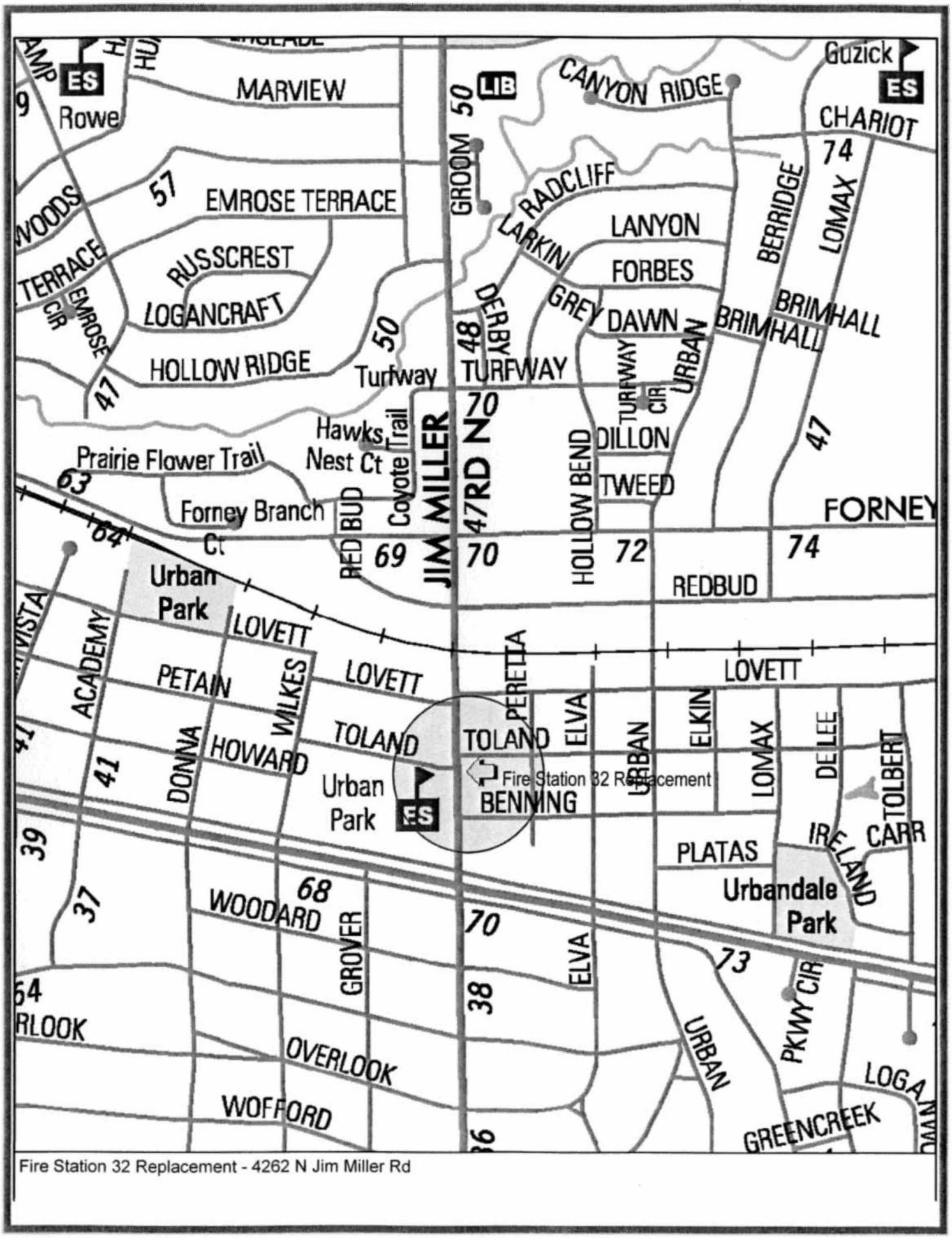
Local	Certification	Amount	Percent
Posada's Painting	HFDB59994Y0115	$250.00	0.23%
American Striping	WFDB56861Y0314	$150.00	0.14%
Total Minority - Local		$400.00	0.36%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$250.00	0.23%	$416,928.00	10.51%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$150.00	0.14%	$610,247.00	15.38%
Total	$400.00	0.36%	$1,027,175.00	25.89%



Fire Station 32 Replacement - 4262 N Jim Miller Rd

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MAPSCO

Mapsco 48N

0 Mi 0.13 Mi 0.25 Mi

Scale 1 : 8 166

WHEREAS, the existing Fire Station No. 32 facility was constructed at 7003 Benning Avenue in 1951 and requires replacement; and,

WHEREAS, in the 2006 Bond Program, the voters of Dallas approved funding for the design, land acquisition, and construction of a replacement facility for Fire Station No. 32; and,

WHEREAS, on March 25, 2009, Resolution No. 09-0765 authorized land acquisition of approximately 7,500 square feet of Lot 34, Block 5823 on Toland Street for a replacement facility for Fire Station No. 32; and,

WHEREAS, on May 27, 2009, Resolution No. 09-1315 authorized land acquisition of approximately 18,956 square feet of Lot 34, Block 5823 on Toland Street for a replacement facility for Fire Station No. 32, which was subsequently appealed; and,

WHEREAS, on June 23, 2010, Resolution No. 10-1626 authorized moving expense and replacement housing payments as a result of an official written offer of just compensation to purchase real property at 7002 Toland Street for the replacement facility for Fire Station No. 32; and,

WHEREAS, on December 8, 2010, Resolution No. 10-3070 authorized the deposit of a Special Commissioners' Award and settlement of a condemnation suit for acquisition of approximately 18,956 square feet of land improved with a single family dwelling located near the intersection of Jim Miller Road and Toland Street for the replacement facility for Fire Station No. 32; and,

WHEREAS, on February 23, 2011, Resolution No. 11-0546 authorized a contract with BRW Architects, Inc. to provide design services, preparation of construction documents and construction administration for the Fire Station No. 32 replacement facility in an amount not to exceed $395,000; and,

WHEREAS, on August 24, 2011, Resolution No. 11-2209 authorized moving expense and replacement housing payments as a result of an official written offer of just compensation to purchase real property at 7010 Toland Street for the replacement facility for Fire Station No. 32; and,

WHEREAS, on September 29, 2011, Administrative Action No. 11-2773 authorized Supplemental Agreement No. 1 to the professional services contract with BRW Architects, Inc. to provide environmental consulting asbestos services for $10,700, increasing the contract from $395,000 to $405,700; and,

March 26, 2014

WHEREAS, on January 11, 2012, Resolution No. 12-0141 authorized acquisition of approximately 7,500 square feet of land improved with a single-family dwelling located near the intersection of Jim Miller Road and Toland Street for the replacement facility for Fire Station No. 32; and,

WHEREAS, on April 11, 2012, Resolution No. 12-1073 authorized a settlement amount for the acquisition of approximately 18,956 square feet of land improved with a single-family dwelling located near the intersection of Jim Miller Road and Toland Street for a replacement facility for Fire Station No. 32; and,

WHEREAS, CORE Construction Services of Texas, Inc. was selected as the best value proposer of the five responsive proposers; and,

WHEREAS, on August 14, 2013, Resolution No. 13-1302 authorized a contract with CORE Construction Services of Texas, Inc., best value proposer of five, for the construction of the Fire Station No. 32 replacement facility located at 4262 North Jim Miller Road in an amount not to exceed $3,856,780; and,

WHEREAS, it is now desirable to authorize Change Order No. 1, with CORE Construction Services of Texas, Inc. for the Fire Station No. 32 replacement facility, increasing the contract by $110,629.91 from $3,856,780.00 to $3,967,409.91.

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 Change Order No. 1 with CORE Construction Services of Texas, Inc. for the Fire Station No. 32 replacement facility located at 4262 North Jim Miller Road in an amount not to exceed $110,629.91, from $3,856,780.00 to $3,967,409.91.

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

Public Safety Facilities Fund	
Fund 2T33, Dept. PBW, Unit T839, Act. FIRF	
Obj. 4310, Program #PB06T839, CT PBW06T839K1	
Vendor #VS0000010088, in an amount not to exceed	$110,629.91

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 # 23

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Public Works Department

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

MAPSCO: N/A

SUBJECT

Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to accept additional state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2012 through August 31, 2014 - Not to exceed $49,640, from $844,720 to $894,360 - Financing: Texas Commission on Environmental Quality Grant Funds

BACKGROUND

Since 1967, the City of Dallas has received various state and federal grants to support the Air Pollution Control Program. The Air Pollution Control Program consists of: (1) monitoring ambient air quality; (2) enforcing the Texas Clean Air Act and the City's Clean Air Ordinance; and (3) reviewing permits for the construction and/or modification of industrial plants which have the potential of emitting airborne contaminants.

Among the monitoring activities conducted for this program, the Texas Commission on Environmental Quality (TCEQ) requests that the City support the National Whole Air Monitoring (BioWatch) Network, on behalf of the Department of Homeland Security (DHS). The BioWatch monitoring network consists of air samplers at various locations throughout Dallas County. The City has supported this effort for the past twelve years.

This action will authorize the acceptance and execution of the second amendment to Contract No. 582-13-30015 for supplementary grant funds to support the purchase and use of new field vehicles.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized Contract No. 582-7-72673 to accept grant funds to operate and maintain whole air samplers and conduct air monitoring activities on June 28, 2006, by Resolution No. 06-1748.

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

Authorized third amendment to Contract No. 582-7-72673 to extend the term of the contract period from September 1, 2008 through August 31, 2009 on June 25, 2008, by Resolution No. 08-1792.

Authorized acceptance of grant funds for the Whole Air Sampling Contract No. 582-10-86403 to conduct air monitoring activities from September 1, 2009 through August 31, 2010 on May 13, 2009, by Resolution No. 09-1170.

Briefed to the Transportation & Environment Committee on May 24, 2010.

Authorized first amendment to Contract No. 582-10-86403 to extend the term of the contract period from September 1, 2010 through August 31, 2011 on June 23, 2010, by Resolution No. 10-1611.

Authorized second amendment to Contract No. 582-10-86403 to extend the term of the contract period from September 1, 2011 through August 31, 2012 on June 8, 2011, by Resolution No. 11-1526.

Authorized acceptance of grant funds for the Whole Air Sampling Contract No. 582-13-30015 to conduct air monitoring activities from September 1, 2012 through August 31, 2013 on June 13, 2012, by Resolution No. 12-1542.

Authorized first amendment to Contract No. 582-13-30015 to extend the term of the contract period from September 1, 2013 through August 31, 2014 on June 26, 2013, by Resolution No. 13-1077.

FISCAL INFORMATION

Texas Commission on Environmental Quality Grant Funds - $49,640.00

March 26, 2014

WHEREAS, there is a continuing need for the City of Dallas to operate an air pollution control program and a network of monitors sampling for aerosolized biological contaminants; and,

WHEREAS, the City of Dallas, Public Works Department has been approved by the Texas Commission on Environmental Quality (TCEQ) to operate and maintain a network of Whole Air Monitors in Dallas County; and,

WHEREAS, on June 13, 2012, Resolution No. 12-1542 authorized Contract No. 582-13-30015 with the TCEQ to accept state grant funds up to $422,360.00 to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2012 through August 31, 2013; and,

WHEREAS, on June 26, 2013, Resolution No. 13-1077 authorized the first amendment to Contract No. 582-13-30015 extending the contract period by one year to August 31, 2014, and increasing the funding from $422,360 to $844,720; and,

WHEREAS, it is now necessary to authorize the second amendment to Contract No. 582-13-30015 with the TCEQ to accept additional state grant funds in the amount of $49,640 to continue to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2012 through August 31, 2014, increasing the contract from $844,720 to $894,360.

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 the second amendment to Contract No. 582-13-30015 with the Texas Commission on Environmental Quality to accept additional state grant funds in the amount of $49,640 to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2012 through August 31, 2014, increasing the contract from $844,720 to $894,360, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to receive and deposit grant funds in Fund F393, Dept. PBW, Unit 3183, Revenue Source 6526, in an amount not to exceed $49,640.

Section 3. That the City Manager is hereby authorized to increase appropriations in the amount of $49,640 from $844,720 to $894,360 in Fund F393, Dept. PBW, Unit 3183, Object Code 3099.

Section 4. That the City Controller is hereby authorized to transfer grant funds in an amount not to exceed $49,640 from Fund F393, Dept. PBW, Unit 3183, Object Code 3099 to Fund 0001, Dept. PBW, Unit 4241, Object Code 5011.

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

AGENDA ITEM # 24

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	March 26, 2014
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Theresa O'Donnell, 671-9293 Forest E. Turner, 670-3390
MAPSCO:	71BL

SUBJECT

Authorize acquisition from A. T. Manahan, Trustee, of four tracts of land containing a total of approximately 76,018 square feet, located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project – Not to exceed $215,000 ($211,178, plus closing costs and title expenses not to exceed $3,822) – Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes the acquisition of four tracts of land containing a total of approximately 76,018 square feet. The tracts will be used for the construction of a 96-inch and 120-inch diameter treated water transmission line from the East Side Water Treatment Plant to Southwest Dallas. The consideration is based on an independent appraisal.

This acquisition is part of the Long Range Water Master Plan and the Water Distribution Master Plan. The water transmission main is required to facilitate conveyance of treated water to the South and Southwest portions of Dallas and its customer cities. Installation of approximately 32 miles of 96-inch and 120-inch water transmission pipeline is needed to meet near term critical demands associated with the population growth as determined through master planning efforts. The overall pipeline is sized to meet future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

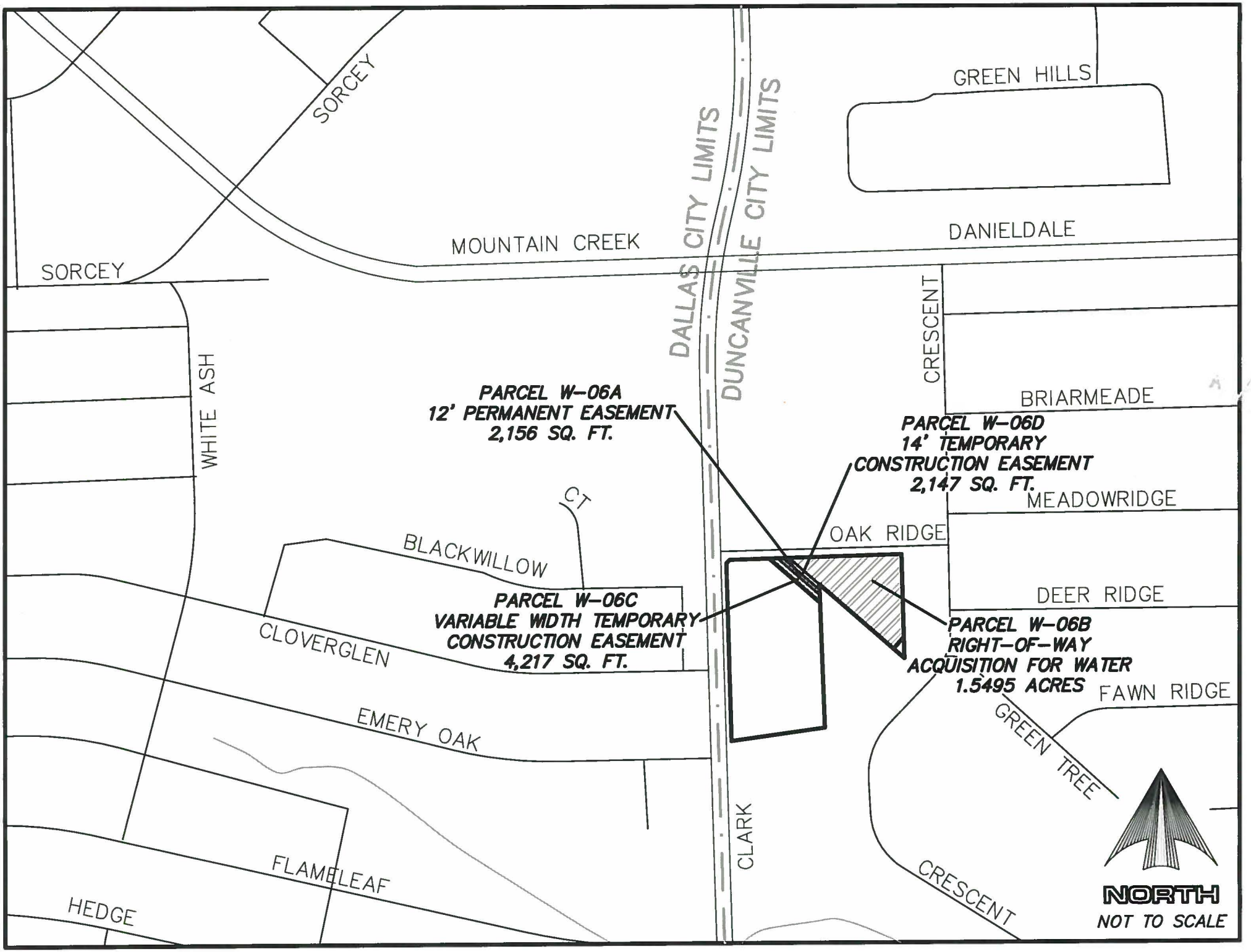
Water Utilities Capital Improvement Funds - $215,000 ($211,178, plus closing costs and title expenses not to exceed $3,822)

OWNER

A. T. Manahan, Trustee

MAP

Attached


SORCEY
GREEN HILLS
DALLAS CITY LIMITS
DUNCANVILLE CITY LIMITS
MOUNTAIN CREEK
DANIELDALE
SORCEY
WHITE ASH
CRESCENT
BRIARMEADE
PARCEL W-06A
12' PERMANENT EASEMENT
2,156 SQ. FT.
PARCEL W-06D
14' TEMPORARY
CONSTRUCTION EASEMENT
2,147 SQ. FT.
MEADOWRIDGE
CT
BLACKWILLOW
OAK RIDGE
DEER RIDGE
PARCEL W-06C
VARIABLE WIDTH TEMPORARY
CONSTRUCTION EASEMENT
4,217 SQ. FT.
PARCEL W-06B
RIGHT-OF-WAY
ACQUISITION FOR WATER
1.5495 ACRES
CLOVERGLEN
FAWN RIDGE
EMERY OAK
GREEN TREE
CLARK
FLAMELEAF
CRESCENT
HEDGE
NORTH
NOT TO SCALE

March 26, 2014

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": Four tracts of land containing a total of approximately 76,018 square feet 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": Southwest 120/96-inch Water Transmission Pipeline Project

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

"PROPERTY INTEREST": Fee Simple and Easement Interests subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the instrument more particularly described in Exhibit "B".

"OWNER": A. T. Manahan, Trustee, 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": $211,178

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,822

"AUTHORIZED AMOUNT": Not to exceed $215,000

March 26, 2014

PROPERTY INTEREST(S)	OFFER AMOUNT	TITLE EXPENSES NOT TO EXCEED	AUTHORIZED AMOUNT
Fee Simple	$202,494	$3,822	$215,000
Water Easement	$ 5,821	included w/above	included w/above
Temporary Easement	$ 1,897	included w/above	included w/above
Temporary Easement	$ 966	included w/above	included w/above

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 City Controller 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 Water Capital Improvement Funds, Fund No 0115, Department DWU, Unit PW40, Activity MPSA, Program No. 706623, Object 4210, Encumbrance No. CT-DWU706623CPCE. 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:
WARREN M. S. ERNST, City Attorney

BY _____
Assistant City Attorney

EXHIBIT "A"
PAGE 1 OF 3

PARCEL W-06A
12' PERMANENT EASEMENT
2,156 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 2,156 square foot tract of land situated in the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas, and being a portion of the remainder of a called 5.8861 acre tract as described in that certain Cash Warranty Deed to A.T. Manahan, Trustee as recorded in Volume 84073, Page 3131 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the north line of the aforementioned 5.8861 acre tract, said north line being the south right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the northeast corner of said 5.8861 acre tract bears N 89°27'42" E (deed-S 89°12'50" E), 406.33 feet;

THENCE S 47°45'36" E, departing the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 167.53 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the most southerly east line of said 5.8861 acre, said east line also being the west line of a called 20.603 acre tract of land (called a 250 foot strip of land) as described in that certain Warranty Deed to Texas Power & Light Company (T.P.&L. Co.) as recorded in Volume 52, Page 1262, D.R.D.C.T., of which the northeast 170 feet of said 250 foot strip was conveyed to Dallas Power & Light Company (described as Tract No. 21-93 and called 14.139 acres) according to the instrument recorded in Volume 206, Page 619, D.R.D.C.T.;

THENCE S 01°04'16" E (deed-S 0°16'10" W), with the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 16.49 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence a 1/2" iron rod found for the southwest corner of said T.P.&L. Co. tract bears S 01°04'16" E (deed-S 0°16'10" W), 307.80 feet;

THENCE N 47°45'36" W, departing the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 191.81 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the aforementioned north line of said 5.8861 acre tract and south right-of-way line of Oak Ridge Drive;

REVISED PER DWR dtd 9/16/10

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES06A-R.dwg

EXHIBIT "A"
PAGE 2 OF 3

PARCEL W-06A
12' PERMANENT EASEMENT
2,156 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

THENCE N 89°27'42" E (deed-S 89°12'50" E), with the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 17.67 feet to the POINT OF BEGINNING and containing 0.0495 acres or 2,156 square feet of land, more or less

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The easements to Enserch Corporation as described in Exhibits A and B in the instrument recorded in Volume 84024, Page 2941 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) do not affect the subject property.

The easement to Enserch Corporation as described in the instrument recorded in Volume 88159, Page 549, D.R.D.C.T., does not affect the subject property.

The easements to the County of Dallas as described in the instrument recorded in Volume 2004048, Page 13, D.R.D.C.T., do not affect the subject property.

REVISED BY LHE 9/16/10

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

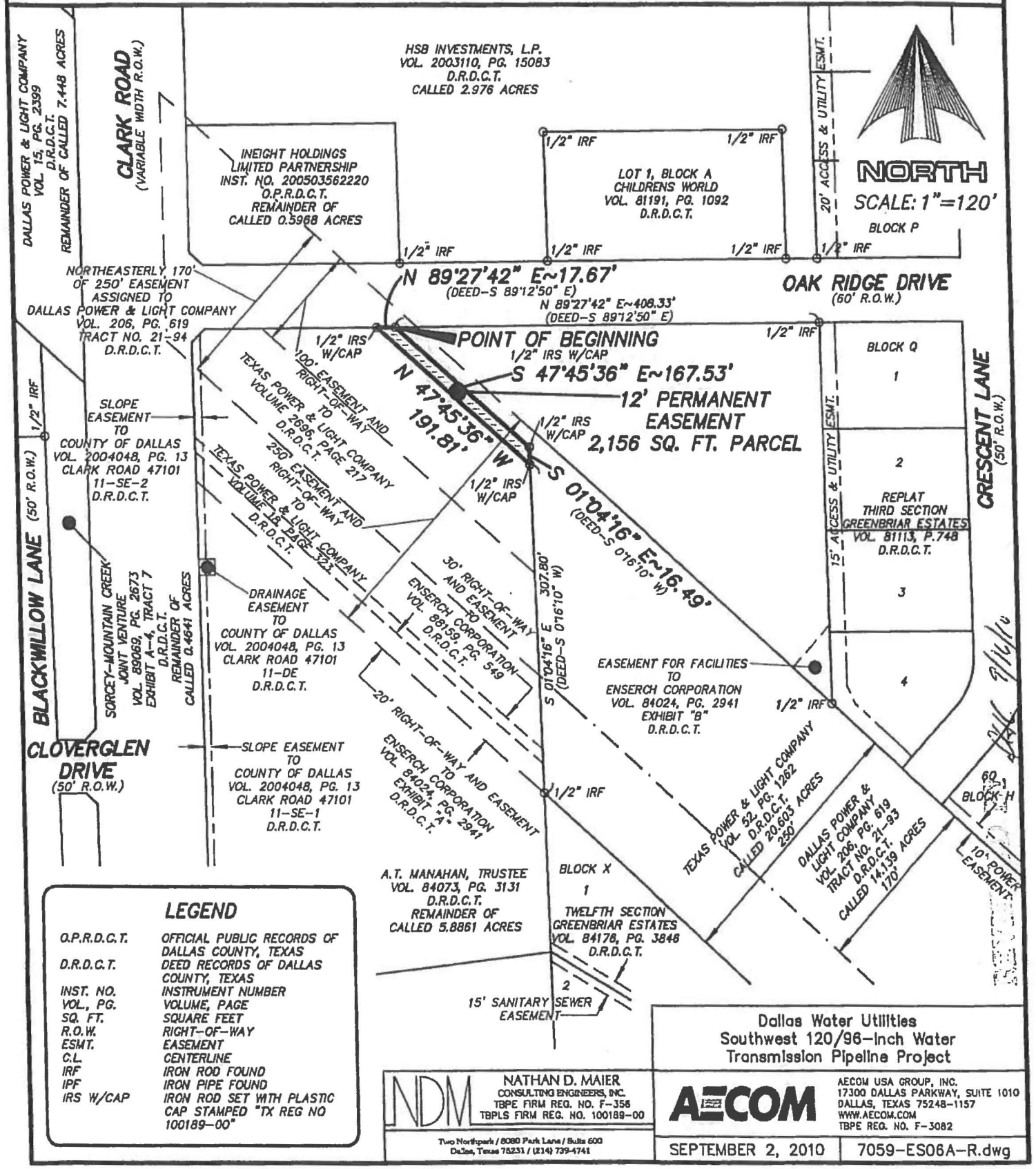
NDM NATHAN D. MAIER
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SEPTEMBER 2, 2010 | 7059-ES06A-R.dwg

EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-06A
12' PERMANENT EASEMENT
2,156 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
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SEPTEMBER 2, 2010 | 7059-ES06A-R.dwg

EXHIBIT "A"
PAGE 1 OF 3

PARCEL W-06B
RIGHT-OF-WAY ACQUISITION FOR WATER
1.5495 ACRE PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 1.5495 acre tract of land situated in the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas, and being a portion of the remainder of a called 5.8861 acre tract as described in that certain Cash Warranty Deed to A.T. Manahan, Trustee as recorded in Volume 84073, Page 3131 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found in the south right-of-way line of Oak Ridge Drive (60' right-of-way) for the northeast corner of the aforementioned 5.8861 acre tract, said corner also being the northwest corner of Block Q of Replat Third Section Greenbriar Estates, an addition to the City of Duncanville, Texas, according to the plat thereof recorded in Volume 81113, Page 748, D.R.D.C.T.;

THENCE S 00°33'16" E (deed-S 0°47'10" W), departing the south right-of-way line of Oak Ridge Drive and with the east line of said 5.8861 acre tract and the west line of said Block Q, 283.39 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for the northeast corner of an easement for facilities to Enserch Corporation as described in Exhibit B of the instrument recorded in Volume 84024, Page 2941, D.R.D.C.T., from whence a 1/2" iron rod found for the most northerly southeast corner of said 5.8861 acre tract, the southwest corner of said Block Q and the southeast corner of said easement bears S 00°33'16" E (deed-S 0°47'10" W), 73.60 feet;

THENCE S 42°14'18" W, departing the east line of said 5.8861 acre tract, the west line of said Block Q and with the northwest line of said easement, 54.01 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for the west corner of said easement in a southwest line of said 5.8861 acre tract, said southwest line also being the northeast line of a called 20.603 acre tract of land (called a 250 foot strip of land) as described in that certain Warranty Deed to Texas Power & Light Company (T.P.&L. Co.) as recorded in Volume 52, Page 1262, D.R.D.C.T., of which the northeast 170 feet of said 250 foot strip was conveyed to Dallas Power & Light Company (described as Tract No. 21-93 and called 14.139 acres) according to the instrument recorded in Volume 206, Page 619, D.R.D.C.T.;

THENCE N 47°45'36" W (deed-N 46°25'10" W), with the southwest line of said 5.8861 acre tract and the northeast line of said T.P.&L. Co. tract, passing at 336.43 feet an inner ell corner of said 5.8861 acre, said ell corner also being the northwest corner of said T.P.&L. Co tract, and continuing a total distance of 475.64 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the north line of said 5.8861 acre tract and the aforementioned south right-of-way line of Oak Ridge Drive;

9/16/10

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
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TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-EX06B-R.dwg

EXHIBIT "A"
PAGE 2 OF 3

PARCEL W-06B
RIGHT-OF-WAY ACQUISITION FOR WATER
1.5495 ACRE PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

THENCE N 89°27'42" E (deed-S 89°12'50" E), with the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 385.71 feet to the POINT OF BEGINNING and containing 1.5495 acres or 67,498 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The 100' easement and right-of-way to Texas Power & Light Company as described in the Instrument recorded in Volume 2698, Page 217 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), does not affect the subject property.

The 250' easement and right-of-way to Texas Power & Light Company as described in the Instrument recorded in Volume 18, Page 323, D.R.D.C.T., does not affect the subject property.

The 170' easement assigned to Dallas Power & Light Company and described as Tract No. 21-94 in the Instrument recorded in Volume 206, Page 619, D.R.D.C.T., does not affect the subject property.

The easements to Enserch Corporation as described in Exhibits A and B in the Instrument recorded in Volume 84024, Page 2941 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) do not affect the subject property.

The easement to Enserch Corporation as described in the Instrument recorded in Volume 88159, Page 549, D.R.D.C.T., does not affect the subject property.

The easements to the County of Dallas as described in the Instrument recorded in Volume 2004048, Page 13, D.R.D.C.T., do not affect the subject property.

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

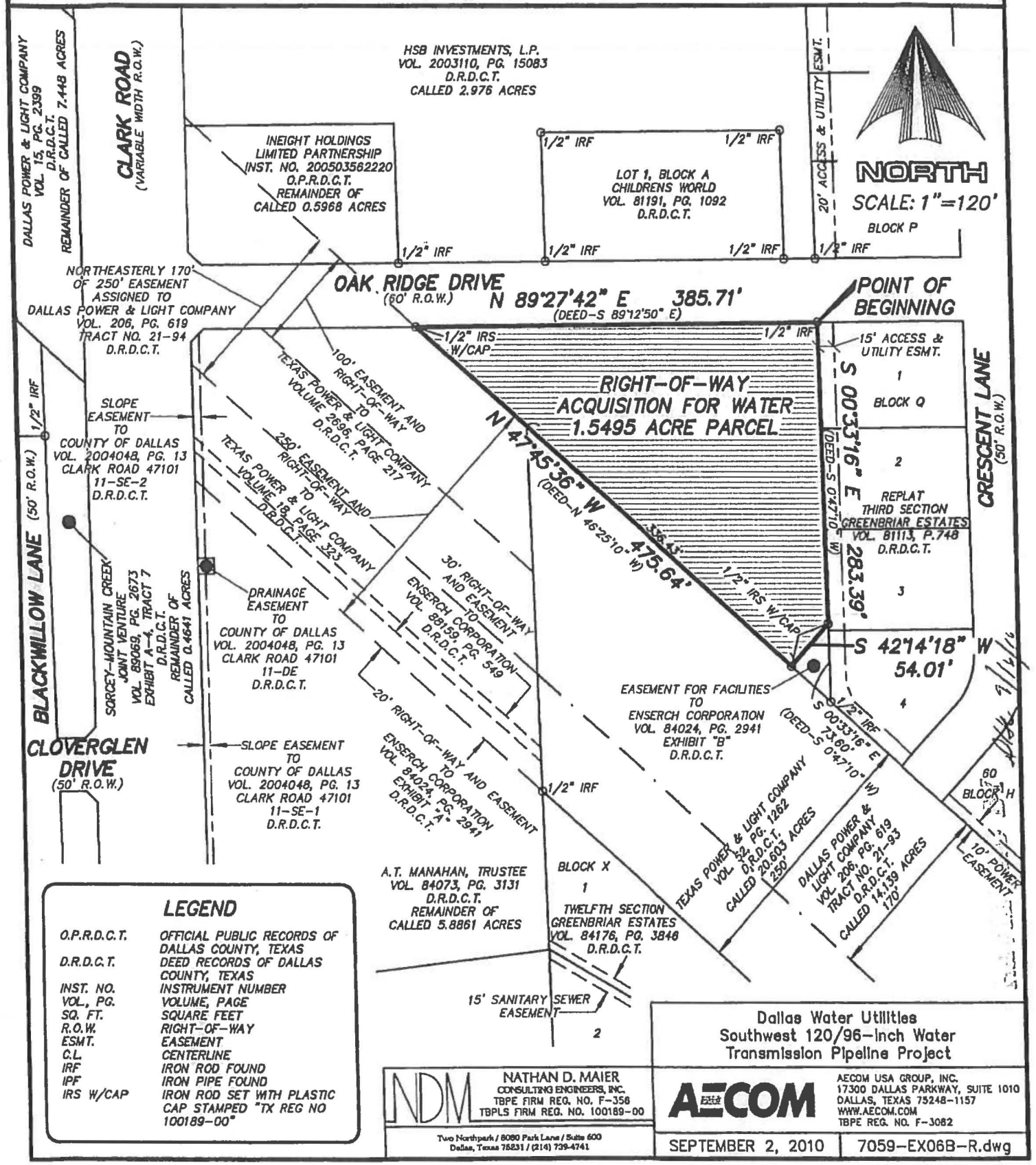
NDM NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

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AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
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TBPE REG. NO. F-3082

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EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-06B
RIGHT-OF-WAY ACQUISITION FOR WATER
1.5495 ACRE PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
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EXHIBIT "A"
PAGE 1 OF 3

PARCEL W-06C
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT

4,217 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 4,217 square foot tract of land situated in the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas, and being a portion of the remainder of a called 5.8861 acre tract as described in that certain Cash Warranty Deed to A.T. Manahan, Trustee as recorded in Volume 84073, Page 3131 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the north line of the aforementioned 5.8861 acre tract, said north line being the south right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the northeast corner of said 5.8861 acre tract bears N 89°27'42" E (deed-S 89°12'50" E), 423.99 feet;

THENCE S 47°45'36" E, departing the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 191.81 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the most southerly east line of said 5.8861 acre, said east line also being the west line of a called 20.603 acre tract of land (called a 250 foot strip of land) as described in that certain Warranty Deed to Texas Power & Light Company (T.P.&L. Co.) as recorded in Volume 52, Page 1262, D.R.D.C.T., of which the northeast 170 feet of said 250 foot strip was conveyed to Dallas Power & Light Company (described as Tract No. 21-93 and called 14.139 acres) according to the instrument recorded in Volume 206, Page 619, D.R.D.C.T.;

THENCE S 01°04'16" E (deed-S 0°16'10" W), with the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 27.56 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence a 1/2" iron rod found for the southwest corner of said T.P.&L. Co. tract bears S 01°04'16" E (deed-S 0°16'10" W), 280.24 feet;

THENCE N 47°50'57" W, departing the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 232.05 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the aforementioned north line of said 5.8861 acre tract and south right-of-way line of Oak Ridge Drive;

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM
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TBPE FIRM REG. NO. F-358
TBPLS FIRM REG. NO. 100189-00
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Dallas, Texas 75231 / (214) 739-4741

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DALLAS, TEXAS 75248-1157
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TBPE REG. NO. F-3082

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EXHIBIT "A"
PAGE 2 OF 3

PARCEL W-06C
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT

4,217 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

THENCE N 89°27'42" E (deed-S 89°12'50" E), with the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 29.06 feet to the POINT OF BEGINNING and containing 0.0968 acres or 4,217 square feet of land, more or less

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The easements to Enserch Corporation as described in Exhibits A and B in the instrument recorded in Volume 84024, Page 2941 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) do not affect the subject property.

The easement to Enserch Corporation as described in the instrument recorded in Volume 88159, Page 549, D.R.D.C.T., does not affect the subject property.

The easements to the County of Dallas as described in the instrument recorded in Volume 2004048, Page 13, D.R.D.C.T., do not affect the subject property.

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

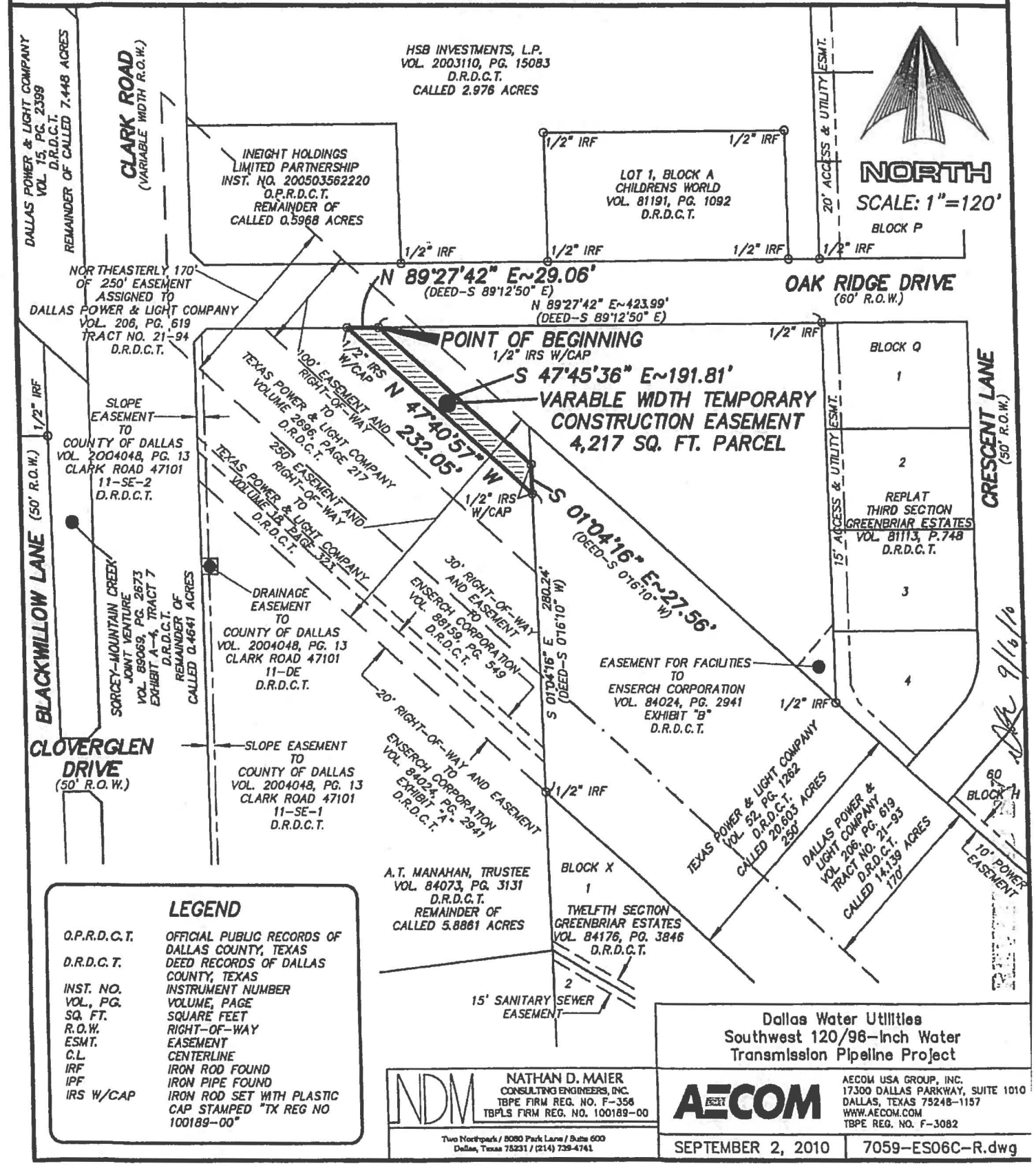
NDM NATHAN D. MAIER
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EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-06C
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT
4,217 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

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EXHIBIT "A"
PAGE 1 OF 3

PARCEL W-06D
14' TEMPORARY CONSTRUCTION EASEMENT
2,147 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 2,147 square foot tract of land situated in the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas, and being a portion of the remainder of a called 5.8861 acre tract as described in that certain Cash Warranty Deed to A.T. Manahan, Trustee as recorded in Volume 84073, Page 3131 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the north line of the aforementioned 5.8861 acre tract, said north line being the south right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the northeast corner of said 5.8861 acre tract bears N 89°27'42" E (deed-S 89°12'50" E), 385.71 feet;

THENCE S 47°45'36" E, departing the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 139.21 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for an inner ell corner of said 5.8861 acre, said ell corner also being the northwest corner of a called 20.603 acre tract of land (called a 250 foot strip of land) as described in that certain Warranty Deed to Texas Power & Light Company (T.P.&L. Co.) as recorded in Volume 52, Page 1262, D.R.D.C.T., of which the northeast 170 feet of said 250 foot strip was conveyed to Dallas Power & Light Company (described as Tract No. 21-94 and called 14.139 acres) according to the instrument recorded in Volume 206, Page 619, D.R.D.C.T.;

THENCE S 01°04'16" E (deed-S 0°16'10" W), with the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 19.24 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence a 1/2" iron rod found for the southwest corner of said T.P.&L. Co. tract bears S 01°04'16" E (deed-S 0°16'10" W), 324.30 feet;

THENCE N 47°45'36" W, departing the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 167.53 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the aforementioned north line of said 5.8861 acre tract and south right-of-way line of Oak Ridge Drive;

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Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
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SEPTEMBER 2, 2010 | 7059-ES06D.dwg

EXHIBIT "A"
PAGE 2 OF 3

PARCEL W-06D
14' TEMPORARY CONSTRUCTION EASEMENT
2,147 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

THENCE N 89°27'42" E (deed-S 89°12'50" E), with the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 20.61 feet to the POINT OF BEGINNING and containing 0.0493 acres or 2,147 square feet of land, more or less

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The easements to Enserch Corporation as described in Exhibits A and B in the instrument recorded in Volume 84024, Page 2941 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) do not affect the subject property.

The easement to Enserch Corporation as described in the Instrument recorded in Volume 88159, Page 549, D.R.D.C.T., does not affect the subject property.

The easements to the County of Dallas as described in the Instrument recorded in Volume 2004048, Page 13, D.R.D.C.T., do not affect the subject property.

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

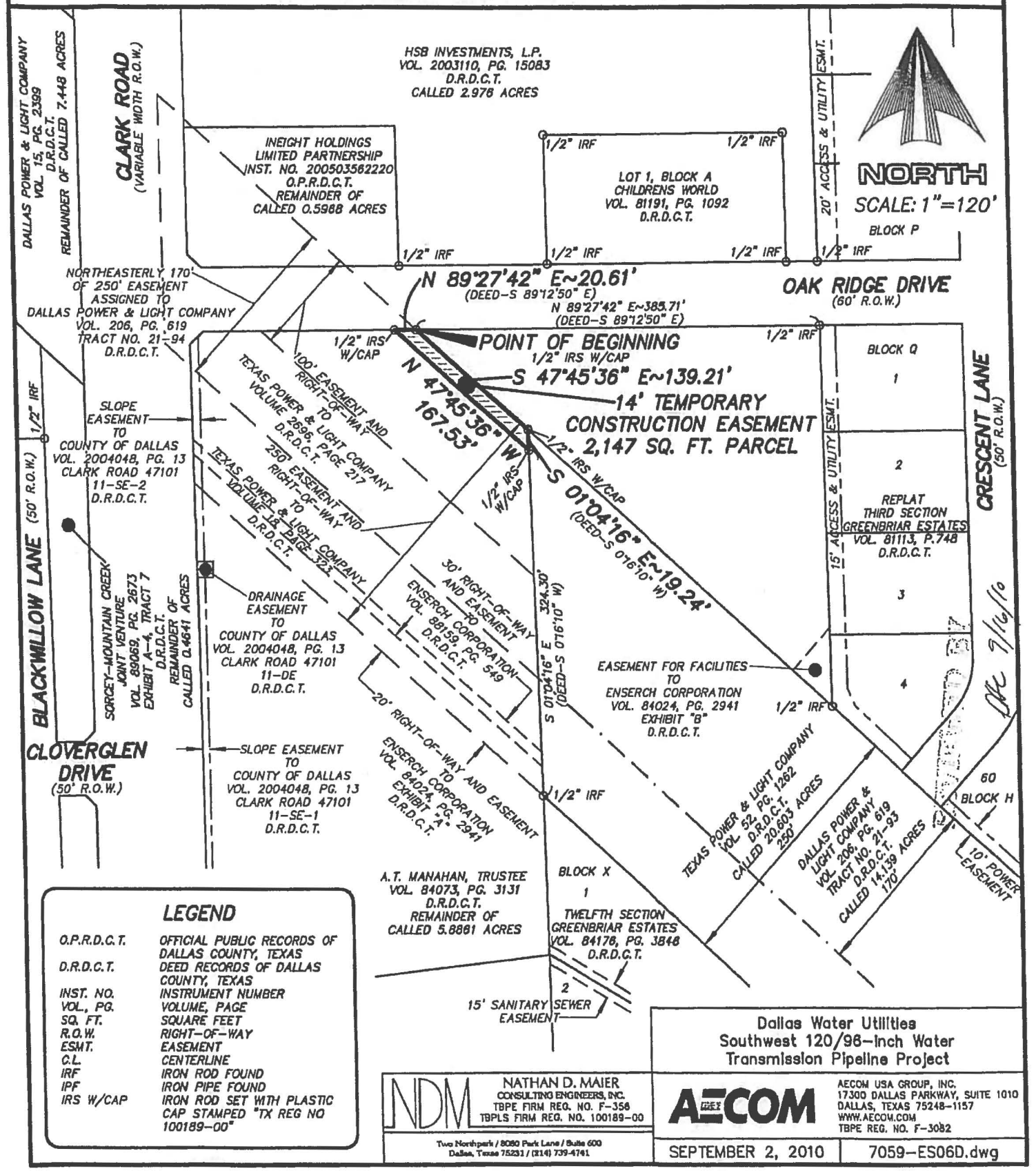
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EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-06D
14' TEMPORARY CONSTRUCTION EASEMENT
2,147 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM
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EXHIBIT B

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

WARRANTY DEED

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

That A. T. Manahan, Trustee (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of TWO HUNDRED TWO THOUSAND FOUR HUNDRED NINETY FOUR AND 00/100 DOLLARS ($202,494.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: None

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

EXECUTED this _____ day of _____, _____.

_____
A. T. Manahan, Trustee

EXHIBIT B

* *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____

by A. T. Manahan, Trustee. .

_____
Notary Public, State of TEXAS

* *

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

Warranty Deed Log No. 36505

EXHIBIT B

EXHIBIT "A"
PAGE 1 OF 3

PARCEL W-06B
RIGHT-OF-WAY ACQUISITION FOR WATER
1.5495 ACRE PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 1.5495 acre tract of land situated in the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas, and being a portion of the remainder of a called 5.8861 acre tract as described in that certain Cash Warranty Deed to A.T. Manahan, Trustee as recorded in Volume 84073, Page 3131 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found in the south right-of-way line of Oak Ridge Drive (60' right-of-way) for the northeast corner of the aforementioned 5.8861 acre tract, said corner also being the northwest corner of Block Q of Replat Third Section Greenbriar Estates, an addition to the City of Duncanville, Texas, according to the plat thereof recorded in Volume 81113, Page 748, D.R.D.C.T.;

THENCE S 00°33'16" E (deed-S 0°47'10" W), departing the south right-of-way line of Oak Ridge Drive and with the east line of said 5.8861 acre tract and the west line of said Block Q, 283.39 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for the northeast corner of an easement for facilities to Enserch Corporation as described in Exhibit B of the instrument recorded in Volume 84024, Page 2941, D.R.D.C.T., from whence a 1/2" iron rod found for the most northerly southeast corner of said 5.8861 acre tract, the southwest corner of said Block Q and the southeast corner of said easement bears S 00°33'16" E (deed-S 0°47'10" W), 73.60 feet;

THENCE S 42°14'18" W, departing the east line of said 5.8861 acre tract, the west line of said Block Q and with the northwest line of said easement, 54.01 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for the west corner of said easement in a southwest line of said 5.8861 acre tract, said southwest line also being the northeast line of a called 20.603 acre tract of land (called a 250 foot strip of land) as described in that certain Warranty Deed to Texas Power & Light Company (T.P.&L. Co.) as recorded in Volume 52, Page 1262, D.R.D.C.T., of which the northeast 170 feet of said 250 foot strip was conveyed to Dallas Power & Light Company (described as Tract No. 21-93 and called 14.139 acres) according to the instrument recorded in Volume 206, Page 619, D.R.D.C.T.;

THENCE N 47°45'36" W (deed-N 46°25'10" W), with the southwest line of said 5.8861 acre tract and the northeast line of said T.P.&L. Co. tract, passing at 336.43 feet an inner ell corner of said 5.8861 acre, said ell corner also being the northwest corner of said T.P.&L. Co tract, and continuing a total distance of 475.64 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the north line of said 5.8861 acre tract and the aforementioned south right-of-way line of Oak Ridge Drive;

NDR 9/16/10

Dallas Water Utilities
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Transmission Pipeline Project

NDM NATHAN D. MAIER
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EXHIBIT B

EXHIBIT "A"
PAGE 2 OF 3
PARCEL W-06B
RIGHT-OF-WAY ACQUISITION FOR WATER
1.5495 ACRE PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

THENCE N 89°27'42" E (deed-S 89°12'50" E), with the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 385.71 feet to the POINT OF BEGINNING and containing 1.5495 acres or 67,498 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The 100' easement and right-of-way to Texas Power & Light Company as described in the instrument recorded in Volume 2698, Page 217 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), does not affect the subject property.

The 250' easement and right-of-way to Texas Power & Light Company as described in the instrument recorded in Volume 18, Page 323, D.R.D.C.T., does not affect the subject property.

The 170' easement assigned to Dallas Power & Light Company and described as Tract No. 21-94 in the instrument recorded in Volume 206, Page 619, D.R.D.C.T., does not affect the subject property.

The easements to Enserch Corporation as described in Exhibits A and B in the instrument recorded in Volume 84024, Page 2941 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) do not affect the subject property.

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Date 9/16/10

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

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TBPE FIRM REG. NO. F-356
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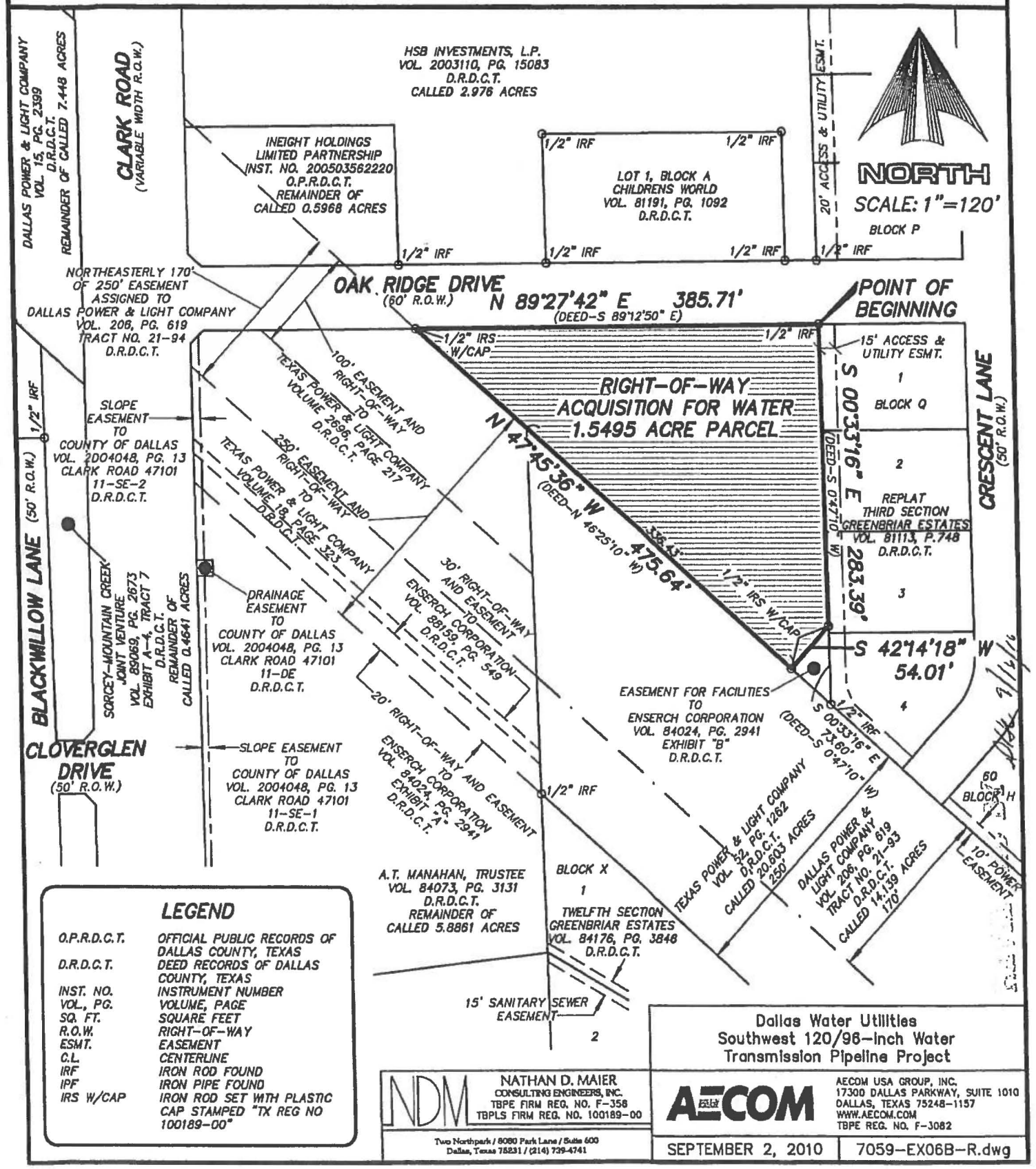
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SEPTEMBER 2, 2010 | 7059-EX06B-R.dwg

EXHIBIT B

EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-06B
RIGHT-OF-WAY ACQUISITION FOR WATER
1.5495 ACRE PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-358
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-EX06B-R.dwg

EXHIBIT B

WATER EASEMENT

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

That A. T. Mahahan, Trustee (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas , for and in consideration of the sum of FIVE THOUSAND EIGHT HUNDRED TWENTY ONE AND NO/100 DOLLARS ($5,821.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, an easement for the purpose of laying, constructing, maintaining, repairing and replacing a City water main or mains and appurtenances and such additional main or mains and appurtenances as are needed in the future in, under, through, across and along all that certain lot, tract or parcel of land described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

The City is acquiring this property for the purpose of laying, constructing, maintaining, repairing and replacing a City water main or mains and appurtenances, and such additional main or mains and appurtenances as are needed in the future, according to such plans and specifications as will, in City's opinion, best serve the public purpose. The payment of the purchase price shall be considered full and adequate compensation for the easement rights herein granted.

Should one or more of the Grantors herein be natural persons and not joined by their respective spouse, it is conclusively presumed that the land herein conveyed is not the residence or business homestead of such Grantor(s). Should one or more of the Grantors herein be a legal entity other than a natural person, it shall be conclusively presumed that the person signing on behalf of such a party has been duly and legally authorized to so sign and there shall be no necessity for a seal or attestation.

The City shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, including, but without limiting the same to, the right of ingress and egress over and across said property to and from said easement for the purpose of constructing, reconstructing, maintaining, inspecting or repairing said main or mains and appurtenances.

The City shall have the right to remove and keep removed from the permanent easement herein granted any and all structures, fences, trees, shrubs, growths or other obstructions which may endanger or interfere with the construction, reconstruction, maintenance, repair or operation of the said main or mains. (Grantor, its successors or assigns, shall not place or store any material upon, or cover, bury, pave over or otherwise obstruct any cleanout, valve, meter or manhole located within the herein described permanent easement.)

EXHIBIT B

Grantor, its successors or assigns, shall not be permitted to plant trees or shrubs of any kind within the boundaries of the herein described permanent easement.

All expenses in the construction and maintenance of said main or mains and appurtenances shall be borne by the City. In the construction of said main or mains and appurtenances, should the City find it necessary to remove any improvements now on the above-described property, all of those expenses shall also be borne by the City. Upon completion of construction, all surplus excavation, debris, trash or litter resulting from construction shall be cleaned up and hauled off the premises, and the easement property, including any fences disturbed, shall be restored to its original contour and condition.

Nothing in this easement shall be construed as a waiver by the City of any connection charge or charges imposed by ordinance or Charter of the City of Dallas.

SPECIAL PROVISIONS: "None".

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

EXECUTED this _____ day of _____, _____.

_____

A.T. Manahan, Trustee

EXHIBIT B

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

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on_____
by A. T. Manahan, Trustee.

_____
Notary Public, State of Texas

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

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Lisa Andrews
Water Easement Log No. 38076

EXHIBIT B

EXHIBIT "A"
PAGE 1 OF 3

PARCEL W-06A
12' PERMANENT EASEMENT
2,156 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 2,156 square foot tract of land situated in the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas, and being a portion of the remainder of a called 5.8861 acre tract as described in that certain Cash Warranty Deed to A.T. Manahan, Trustee as recorded in Volume 84073, Page 3131 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the north line of the aforementioned 5.8861 acre tract, said north line being the south right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the northeast corner of said 5.8861 acre tract bears N 89°27'42" E (deed-S 89°12'50" E), 406.33 feet;

THENCE S 47°45'36" E, departing the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 167.53 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the most southerly east line of said 5.8861 acre, said east line also being the west line of a called 20.603 acre tract of land (called a 250 foot strip of land) as described in that certain Warranty Deed to Texas Power & Light Company (T.P.&L. Co.) as recorded in Volume 52, Page 1262, D.R.D.C.T., of which the northeast 170 feet of said 250 foot strip was conveyed to Dallas Power & Light Company (described as Tract No. 21-93 and called 14.139 acres) according to the instrument recorded in Volume 206, Page 619, D.R.D.C.T.;

THENCE S 01°04'16" E (deed-S 0°16'10" W), with the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 16.49 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence a 1/2" iron rod found for the southwest corner of said T.P.&L. Co. tract bears S 01°04'16" E (deed-S 0°16'10" W), 307.80 feet;

THENCE N 47°45'36" W, departing the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 191.81 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the aforementioned north line of said 5.8861 acre tract and south right-of-way line of Oak Ridge Drive;

REVIEWED BY dfw 9/16/10

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES06A-R.dwg

EXHIBIT B

EXHIBIT "A"
PAGE 2 OF 3

PARCEL W-06A
12' PERMANENT EASEMENT
2,156 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

THENCE N 89°27'42" E (deed-S 89°12'50" E), with the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 17.67 feet to the POINT OF BEGINNING and containing 0.0495 acres or 2,156 square feet of land, more or less

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The easements to Enserch Corporation as described in Exhibits A and B in the Instrument recorded in Volume 84024, Page 2941 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) do not affect the subject property.

The easement to Enserch Corporation as described in the Instrument recorded in Volume 88159, Page 549, D.R.D.C.T., does not affect the subject property.

The easements to the County of Dallas as described in the Instrument recorded in Volume 2004048, Page 13, D.R.D.C.T., do not affect the subject property.

RECEIVED BY Ltr. 9/16/10

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

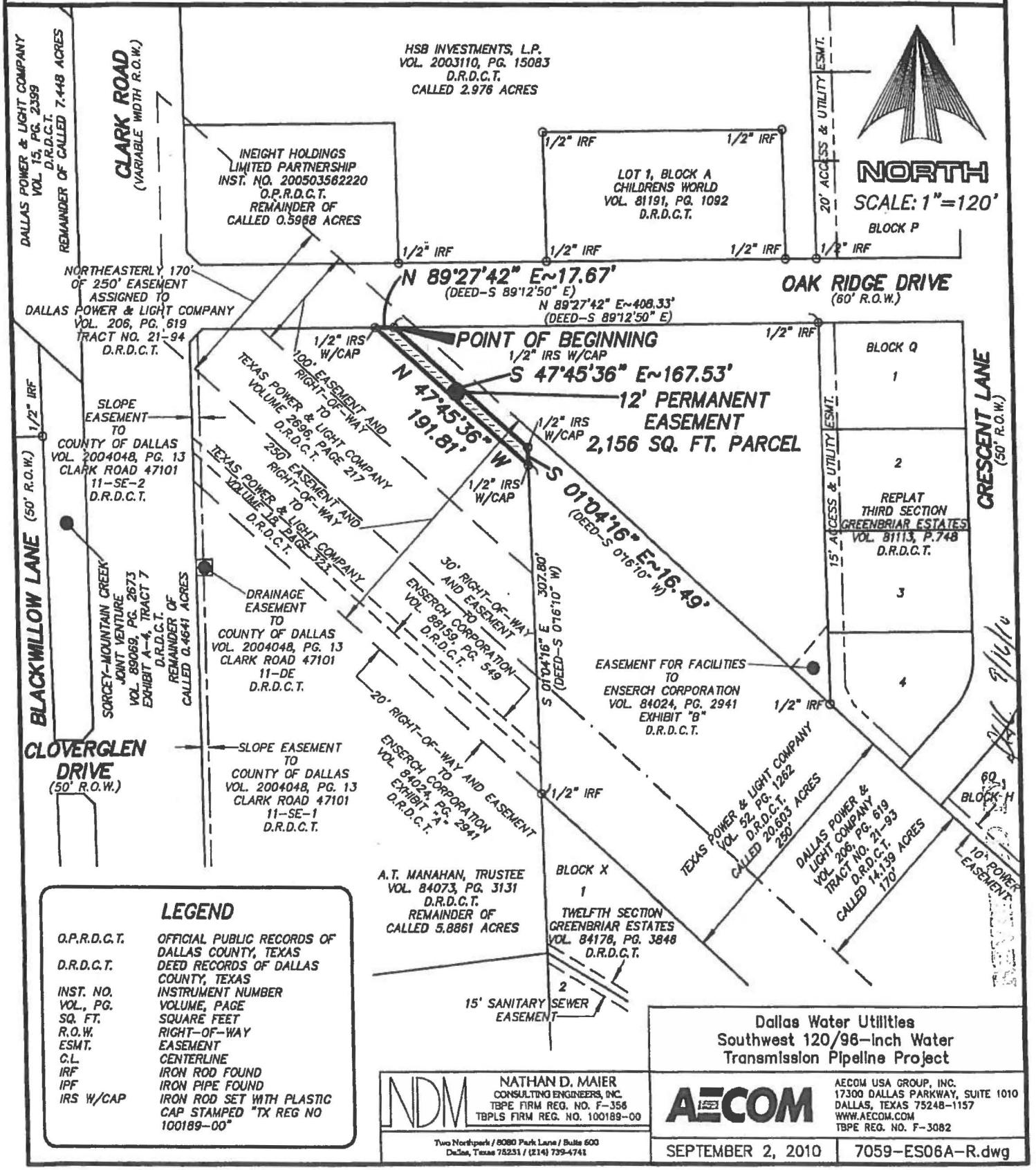
AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES06A-R.dwg

EXHIBIT B

EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-06A
12' PERMANENT EASEMENT
2,156 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES06A-R.dwg

EXHIBIT B

TEMPORARY WORKING SPACE EASEMENT

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

That A. T. Manahan, Trustee (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of NINE HUNDRED SIXTY SIX AND NO/100 DOLLARS ($966.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, a right-of-way under, in and along the property described in "Exhibit A", attached hereto and made a part hereof by reference for all purposes, for the purpose of working space and storage of machinery; supplies, equipment and material in connection with the construction of the Southwest 120/96" Water Transmission Pipeline.

Any and all trees which lie within this temporary working space may be trimmed of low limbs or removed by the City or its contractor without liability to Grantor if deemed essential to allow for the normal use or passage of construction equipment during the construction of said main or mains.

Upon completion of construction, all surplus excavation, debris, trash or litter resulting from said construction shall be cleaned up and hauled off the premises, and said property, including the fences disturbed, shall be restored as nearly as practicable to its original contour and condition.

It is understood and agreed by Grantor that the consideration herein represents full and adequate consideration for the right-or-way granted, together with any and all damages, costs and/or inconvenience that may be incident to the construction.

This grant shall be for a term of 365 days, beginning upon commencement of construction on Grantor's property and terminating upon completion of construction on Grantor's property or expiration of the time period, whichever occurs first, at which time all rights granted under this instrument shall terminate and cease and the described property shall be restored to it's former condition as nearly as possible.

SPECIAL PROVISIONS: None

TO HAVE AND TO HOLD the above described property unto the City of Dallas for the purposes hereinbefore provided, and said City or Dallas, its agents, servants and contractors shall have the right to go upon said property for the purpose of a working

EXHIBIT B

easement and as an easement for the storage of supplies, materials, machinery and equipment for the term herein provided.

EXECUTED this _____ day of _____, _____.

_____
A. T. Manahan, Trustee

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

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on _____

by A. T. Manahan, Trustee.

_____
Notary Public, State of TEXAS

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

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

Temporary Easement Log No. 38078

EXHIBIT B

EXHIBIT "A"
PAGE 1 OF 3

PARCEL W-06D
14' TEMPORARY CONSTRUCTION EASEMENT
2,147 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 2,147 square foat tract of land situated in the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas, and being a portion of the remainder of a called 5.8861 acre tract as described in that certain Cash Warranty Deed to A.T. Manahan, Trustee as recorded in Volume 84073, Page 3131 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the north line of the aforementioned 5.8861 acre tract, said north line being the south right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the northeast corner of said 5.8861 acre tract bears N 89°27'42" E (deed-S 89°12'50" E), 385.71 feet;

THENCE S 47°45'36" E, departing the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 139.21 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for an inner ell corner of said 5.8861 acre, said ell corner also being the northwest corner of a called 20.603 acre tract of land (called a 250 foot strip of land) as described in that certain Warranty Deed to Texas Power & Light Company (T.P.&L. Co.) as recorded in Volume 52, Page 1262, D.R.D.C.T., of which the northeast 170 feet of said 250 foot strip was conveyed to Dallas Power & Light Company (described as Tract No. 21-94 and called 14.139 acres) according to the instrument recorded in Volume 206, Page 619, D.R.D.C.T.;

THENCE S 01°04'16" E (deed-S 0°16'10" W), with the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 19.24 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence a 1/2" iron rod found for the southwest corner of said T.P.&L. Co. tract bears S 01°04'16" E (deed-S 0°16'10" W), 324.30 feet;

THENCE N 47°45'36" W, departing the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 167.53 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the aforementioned north line of said 5.8861 acre tract and south right-of-way line of Oak Ridge Drive;

9/16/10

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES06D.dwg

EXHIBIT B

EXHIBIT "A"
PAGE 2 OF 3
PARCEL W-06D
14' TEMPORARY CONSTRUCTION EASEMENT
2,147 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

THENCE N 89°27'42" E (deed-S 89°12'50" E), with the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 20.61 feet to the POINT OF BEGINNING and containing 0.0493 acres or 2,147 square feet of land, more or less

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.



John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The easements to Enserch Corporation as described in Exhibits A and B in the instrument recorded in Volume 84024, Page 2941 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) do not affect the subject property.

The easement to Enserch Corporation as described in the instrument recorded in Volume 88159, Page 549, D.R.D.C.T., does not affect the subject property.

The easements to the County of Dallas as described in the instrument recorded in Volume 2004048, Page 13, D.R.D.C.T., do not affect the subject property.

Dallas Water Utilities
Southwest 120/96-inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

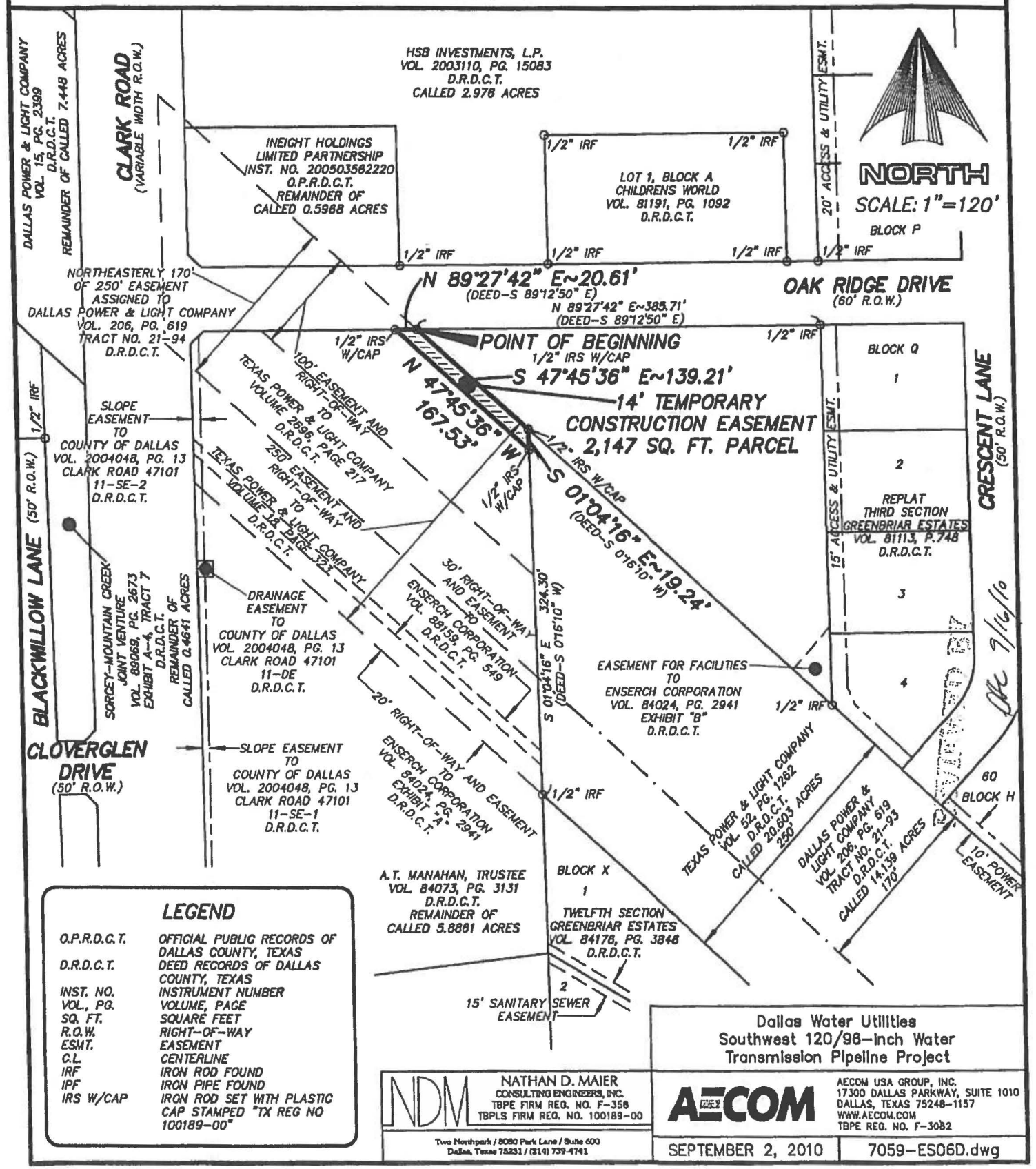
AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES06D.dwg

EXHIBIT B

EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-06D
14' TEMPORARY CONSTRUCTION EASEMENT
2,147 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
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ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES06D.dwg

EXHIBIT B

TEMPORARY WORKING SPACE EASEMENT

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

That A. T. Manahan, Trustee (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of ONE THOUSAND EIGHT HUNDRED NINETY-SEVEN AND NO/100 DOLLARS ($1,897.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, a right-of-way under, in and along the property described in "Exhibit A", attached hereto and made a part hereof by reference for all purposes, for the purpose of working space and storage of machinery; supplies, equipment and material in connection with the construction of the Southwest 120/96" Water Transmission Pipeline.

Any and all trees which lie within this temporary working space may be trimmed of low limbs or removed by the City or its contractor without liability to Grantor if deemed essential to allow for the normal use or passage of construction equipment during the construction of said main or mains.

Upon completion of construction, all surplus excavation, debris, trash or litter resulting from said construction shall be cleaned up and hauled off the premises, and said property, including the fences disturbed, shall be restored as nearly as practicable to its original contour and condition.

It is understood and agreed by Grantor that the consideration herein represents full and adequate consideration for the right-or-way granted, together with any and all damages, costs and/or inconvenience that may be incident to the construction.

This grant shall be for a term of 365 days, beginning upon commencement of construction on Grantor's property and terminating upon completion of construction on Grantor's property or expiration of the time period, whichever occurs first, at which time all rights granted under this instrument shall terminate and cease and the described property shall be restored to it's former condition as nearly as possible.

SPECIAL PROVISIONS: None

TO HAVE AND TO HOLD the above described property unto the City of Dallas for the purposes hereinbefore provided, and said City or Dallas, its agents, servants and contractors shall have the right to go upon said property for the purpose of a working

EXHIBIT B

easement and as an easement for the storage of supplies, materials, machinery and equipment for the term herein provided.

EXECUTED this _____ day of _____, _____.

_____
A. T. Manahan, Trustee

* *

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on _____

by A. T. Manahan, Trustee.

_____
Notary Public, State of TEXAS

* *

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

Temporary Easement Log No. 38077

EXHIBIT B

EXHIBIT "A"
PAGE 1 OF 3

PARCEL W-06C
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT
4,217 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 4,217 square foot tract of land situated in the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas, and being a portion of the remainder of a called 5.8861 acre tract as described in that certain Cash Warranty Deed to A.T. Manahan, Trustee as recorded in Volume 84073, Page 3131 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the north line of the aforementioned 5.8861 acre tract, said north line being the south right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the northeast corner of said 5.8861 acre tract bears N 89°27'42" E (deed-S 89°12'50" E), 423.99 feet;

THENCE S 47°45'36" E, departing the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 191.81 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the most southerly east line of said 5.8861 acre, said east line also being the west line of a called 20.603 acre tract of land (called a 250 foot strip of land) as described in that certain Warranty Deed to Texas Power & Light Company (T.P.&L. Co.) as recorded in Volume 52, Page 1262, D.R.D.C.T., of which the northeast 170 feet of said 250 foot strip was conveyed to Dallas Power & Light Company (described as Tract No. 21-93 and called 14.139 acres) according to the instrument recorded in Volume 206, Page 619, D.R.D.C.T.;

THENCE S 01°04'16" E (deed-S 0°16'10" W), with the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 27.56 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence a 1/2" iron rod found for the southwest corner of said T.P.&L. Co. tract bears S 01°04'16" E (deed-S 0°16'10" W), 280.24 feet;

THENCE N 47°50'57" W, departing the most southerly east line of said 5.8861 acre tract and the west line of said T.P.&L. Co. tract, 232.05 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the aforementioned north line of said 5.8861 acre tract and south right-of-way line of Oak Ridge Drive;

9/16/10

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-358
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES06C-R.dwg

EXHIBIT B

EXHIBIT "A"
PAGE 2 OF 3

PARCEL W-06C
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT
4,217 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

THENCE N 89°27'42" E (deed-S 89°12'50" E), with the north line of said 5.8861 acre tract and said south right-of-way line of Oak Ridge Drive, 29.06 feet to the POINT OF BEGINNING and containing 0.0968 acres or 4,217 square feet of land, more or less

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The easements to Enserch Corporation as described in Exhibits A and B in the instrument recorded in Volume 84024, Page 2941 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) do not affect the subject property.

The easement to Enserch Corporation as described in the instrument recorded in Volume 88159, Page 549, D.R.D.C.T., does not affect the subject property.

The easements to the County of Dallas as described in the instrument recorded in Volume 2004048, Page 13, D.R.D.C.T., do not affect the subject property.

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

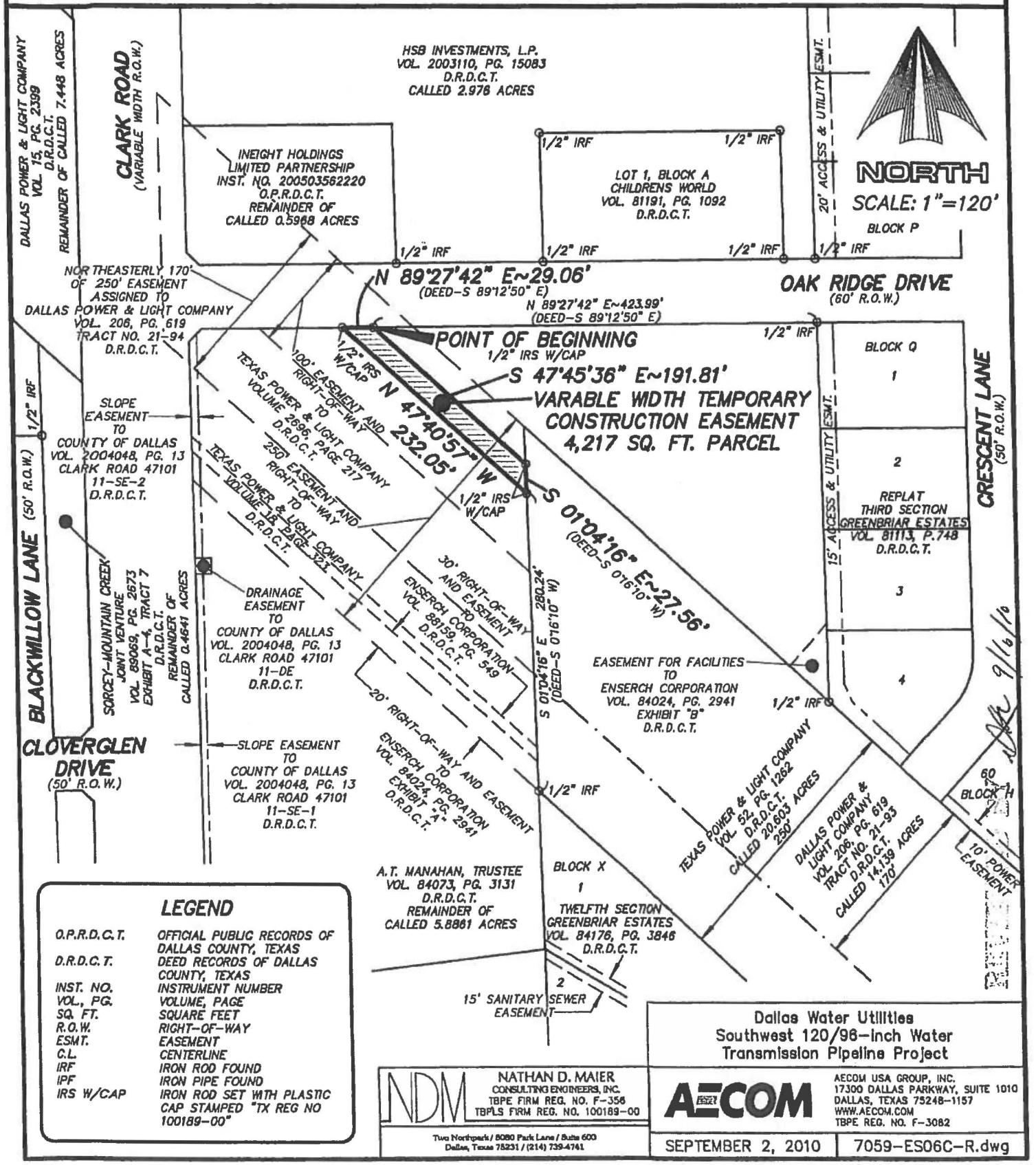
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SEPTEMBER 2, 2010 | 7059-ES06C-R.dwg

EXHIBIT B

EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-06C
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT
4,217 SQ. FT. PARCEL
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

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AECOM USA GROUP, INC.
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WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES06C-R.dwg

AGENDA ITEM # 25

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction
Public Works Department

CMO: Theresa O'Donnell, 671-9195
Jill A. Jordan, P.E., 670-5299

MAPSCO: 55H

SUBJECT

Authorize moving expense and rental assistance payments for Juan Juarez and Nohemi Maldonado in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 705 Pontiac Avenue for future City facilities – Not to exceed $11,900 – Financing: 2006 Bond Funds

BACKGROUND

Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas provides moving expense and rental assistance payments for individuals displaced by the City of Dallas in conjunction with its real property acquisition activities. On August 14, 2013, the City Council approved Resolution No.13-1313 which authorized the acquisition of real property known as 705 Pontiac Avenue for future City facilities. Juan Juarez and Nohemi Maldonado will be displaced as a direct result of this property acquisition. They have qualified for a moving expense payment of up to $1,400 and a rental assistance payment of up to $10,500 pursuant to City Code and will use the rental assistance payment to obtain a replacement dwelling.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 14, 2013, the City Council authorized the acquisition of single family homes in the Cadillac Heights neighborhood for future City facilities by Resolution No. 13-1313.

FISCAL INFORMATION

2006 Bond Funds - $11,900

OWNER

Leticia Gonzalez

TENANTS

Juan Juarez

Nohemi Maldonado

MAP

Attached

Future City Facilities Project
Relocation Assistance



Lot 11, Block 12/6641 - 705 Pontiac Avenue

March 26, 2014

WHEREAS, on November 7, 2006, Dallas voters approved the use of General Obligation Bonds to acquire property for future City facilities; and

WHEREAS, Juan Juarez and Nohemi Maldonado will be displaced as a direct result of this property acquisition and will vacate the property; and

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

WHEREAS, on August 14, 2013, the City Council approved Resolution No. 13-1313 authorizing the acquisition of 705 Pontiac Avenue located in the Cadillac Heights neighborhood, to be used in conjunction with the construction of future City facilities.

Now, Therefore,

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

SECTION 1. That Juan Juarez and Nohemi Maldonado will be displaced in conjunction with the construction of future City facilities and is entitled to moving expense and rental assistance payments pursuant to Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas.

SECTION 2. That Juan Juarez and Nohemi Maldonado are eligible to receive a moving expense payment in an amount up to $1,400 and a rental assistance payment in an amount up to $10,500.

SECTION 3. That the City Controller is authorized to draw warrants in favor of Juan Juarez and Nohemi Maldonado in an amount not to exceed $11,900 representing moving expense and rental assistance payments.

These warrants are to be paid as follows:

Fund	Dept	Unit	Obj	Act Code	Prog No	CT	Vendor No	Amount
8T11	PBW	T825	4240	LAQQ	PB06T825	SUST825ND93	VC0000012437	$10,500
8T11	PBW	T825	4240	LAQQ	PB06T825	SUST825ND94	VC0000012437	$ 1,400

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 # 26

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	March 26, 2014
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Housing/Community Services
CMO:	Theresa O'Donnell, 671-9195
MAPSCO:	51L

SUBJECT

Authorize a ten-year lease agreement with Marcer Investments, LLC for approximately 5,000 square feet of office space located at 828 South Carrier Parkway, Suite 100, Grand Prairie to be used as a Women, Infants and Children Clinic for the period May 1, 2014 through April 30, 2024 - Not to exceed $970,000 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

BACKGROUND

This item authorizes a lease agreement for approximately 5,000 square feet of office space located at 828 South Carrier Parkway, Suite 100. This lease will provide a Women, Infants and Children (WIC) Clinic to continue to serve the residents in the Grand Prairie area. This new site will replace the WIC Clinic currently located at 801 West Freeway, Suite 400, Grand Prairie.

The WIC program is a United States Department of Agriculture program administered in Texas by the Department of State Health Services. The countywide program has been administered by the City of Dallas' Housing/Community Services Department since 1974. The WIC program provides nutritious food, nutrition education, breastfeeding promotion and support, referrals to health services, and immunizations. The program serves infants and children under age 5 and pregnant, postpartum and breastfeeding women.

The lease will begin on May 1, 2014 through April 30, 2024.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

$970,000 – Department of State Health Services Grant Funds (subject to annual appropriations)

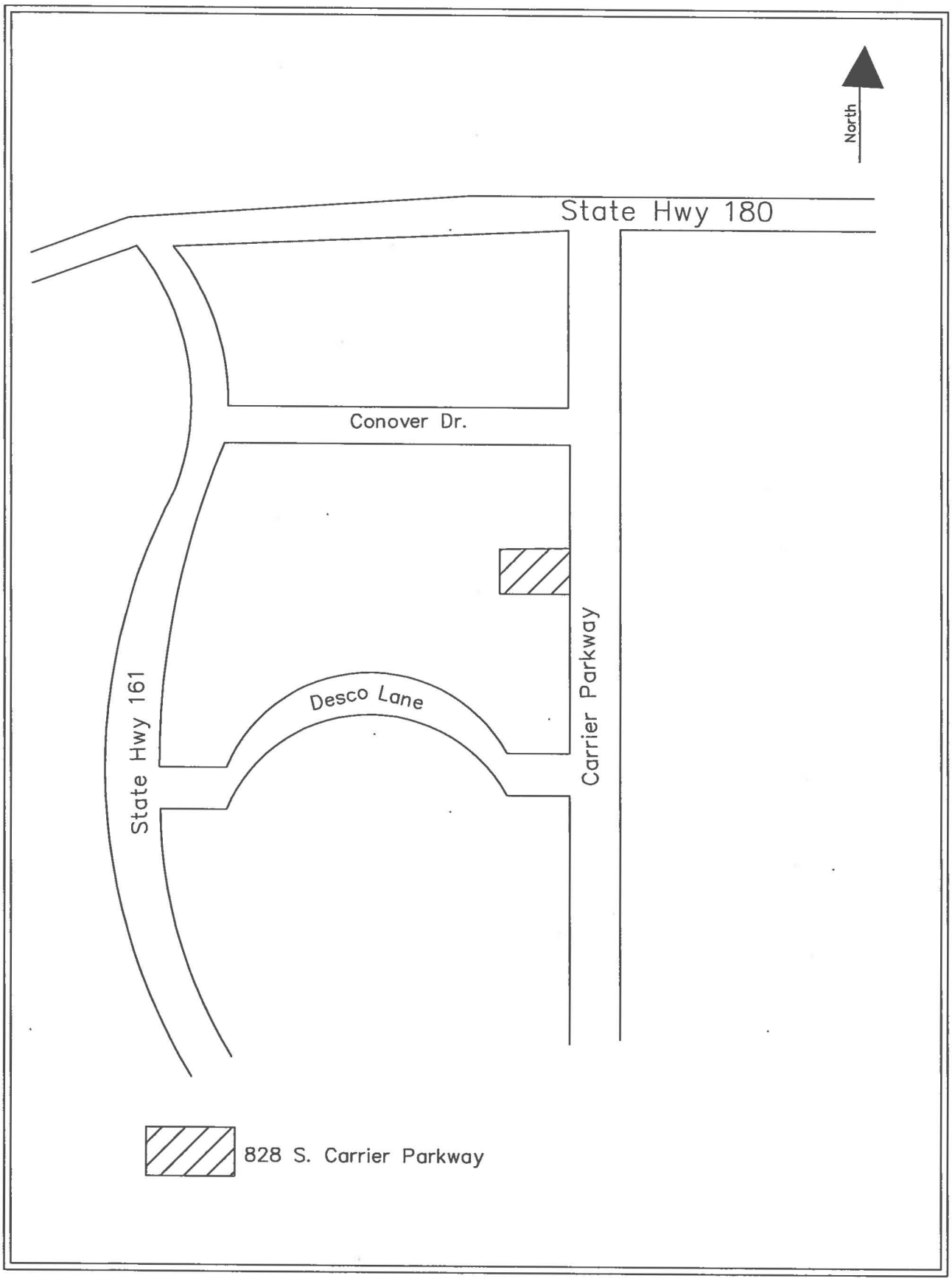
OWNER

Marcer Investments, LLC

Raul B. Estrada, Manager and Director

MAP

Attached


North
State Hwy 180
Conover Dr.
State Hwy 161
Desco Lane
Carrier Parkway
828 S. Carrier Parkway

March 26, 2014

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 lease agreement (the “Lease”) between Marcer Investments, LLC, a Texas limited liability company, or its successor and assigns, as landlord, hereinafter referred to as "Landlord", and the City of Dallas, as tenant, hereinafter referred to as "City" for approximately 5,000 square feet of office space located in a one-story office building at 828 South Carrier Parkway, Suite 100, Grand Prairie, Dallas County, Texas (“Premises”) to be used by the Housing/Community Services’ Women, Infants and Children Program.

SECTION 2. That the special terms and conditions of the lease are:

a) The lease is for a term of ten (10) years beginning May 1, 2014 and ending April 30, 2024.

b) Monthly rental payments during the term shall be as follows (subject to annual appropriations):

May 1, 2014 – April 30, 2015	$6,770.83 per month
May 1, 2015 – April 30, 2016	$6,979.17 per month
May 1, 2016 – April 30, 2017	$7,291.67 per month
May 1, 2017 – April 30, 2018	$7,604.17 per month
May 1, 2018 – April 30, 2019	$7,916.67 per month
May 1, 2019 – April 30, 2020	$8,229.17 per month
May 1, 2020 – April 30, 2021	$8,541.67 per month
May 1, 2021 – April 30, 2022	$8,854.17 per month
May 1, 2022 – April 30, 2023	$9,166.67 per month
May 1, 2023 – April 30, 2024	$9,479.17 per month

The rental payments shall begin upon the later of (i) May 1, 2014, or (ii) the date certain leasehold improvements as specified in the lease are completed and accepted (“Rental Commencement Date”). If the Rental Commencement Date is other than the first of the month rent for the resulting partial month shall be prorated by days.

c) The Landlord agrees to provide the City with a Certificate of Occupancy.

d) The Landlord shall pay all real estate taxes on the Premises during the lease term.

e) The City shall be responsible for the installation, maintenance and expense for telephone, communication and security services to the Premises.

f) The Landlord shall be responsible for the installation, maintenance and expense for the outdoor signage.

g) The City shall pay all charges for utilities and janitorial services to the Premises during the lease term.

h) The Landlord shall provide the City with an asbestos survey at Landlord's expense.

i) The Landlord shall maintain the roof, foundation, exterior walls, exterior lighting, termites and pest extermination, parking areas and all public and commons areas constituting a part of and/or serving the Premises during the lease term.

j) The Landlord shall maintain all equipment and systems, including, but not limited to, all electrical, mechanical and plumbing systems, including heating and air conditioning equipment, front and rear doors, light fixtures and bulb replacements, plumbing and floor drains, exhaust fans, windows, interior walls, ceiling and floors in or constituting part of and/or serving the Premises.

k) The Landlord shall provide certain improvements and repairs (leasehold improvements) to the leased Premises as specified in the lease agreement.

l) The Landlord shall provide City a minimum of thirty-five parking spaces.

m) The Landlord shall provide adequate dumpster facilities for City's trash.

n) The City reserves the right to terminate the lease on the last day of any current fiscal year due to non-appropriation of funds.

SECTION 3. That the City Controller is hereby authorized to draw warrants payable to Marcer Investments, LLC or its successors and assigns on the first day of each month in advance during the lease term beginning May 1, 2014 in the amounts specified below:

May 1, 2014 – April 30, 2015 (subject to annual appropriations)	$6,770.83 per month
May 1, 2015 – April 30, 2016 (subject to annual appropriations)	$6,979.17 per month
May 1, 2016 – April 30, 2017 (subject to annual appropriations)	$7,291.67 per month
May 1, 2017 – April 30, 2018 (subject to annual appropriations)	$7,604.17 per month

SECTION 3. (continued)

May 1, 2018 – April 30, 2019 (subject to annual appropriations)	$7,916.67 per month
May 1, 2019 – April 30, 2020 (subject to annual appropriations)	$8,229.17 per month
May 1, 2020 – April 30, 2021 (subject to annual appropriations)	$8,541.67 per month
May 1, 2021 – April 30, 2022 (subject to annual appropriations)	$8,854.17 per month
May 1, 2022 – April 30, 2023 (subject to annual appropriations)	$9,166.67 per month
May 1, 2023 – April 30, 2024 (subject to annual appropriations)	$9,479.17 per month

SECTION 4. That payments will be charged as follows:

May 1, 2014 – September 30, 2014: Fund F403, Dept HOU, Unit 3897, Object Code 3330, Encumbrance No. HOULEASE037, Commodity Code 97145, Vendor No.VS0000031092.

October 1, 2014 – April 30, 2024: Fund TBD, Dept HOU Unit TBD, Object Code 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No.VS0000031092.

SECTION 5. That the City Controller is hereby authorized to draw warrants payable to the respective telephone, communications, utility and janitorial companies upon receipt of a bill for services or other applicable charges throughout the term of the lease.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM
Warren M. S. Ernst, City Attorney

BY: _____
Assistant City Attorney

AGENDA ITEM # 27

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 45Q

SUBJECT

An ordinance repealing Ordinance No. 28151 granted to FC Continental Complex L.P., which is now assigned to FC Continental Landlord, LLC and correcting the legal description of the license area to accurately depict the location of the two subsurface ventilation shafts within the licensed area on St. Paul Street right-of-way - Revenue: $1,000 annually, plus the $20 ordinance publication fee

BACKGROUND

This item repeals Ordinance No. 28151, by correcting the legal description of the license area to accurately depict the location of the two existing subsurface ventilation shafts under portions of St. Paul Street. The use of this area will not impede pedestrian or vehicular traffic.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

License Ordinance No. 28151 approved on April 13, 2011.

FISCAL INFORMATION

Revenue: $1,000 annually, plus the $20 ordinance publication fee

OWNER

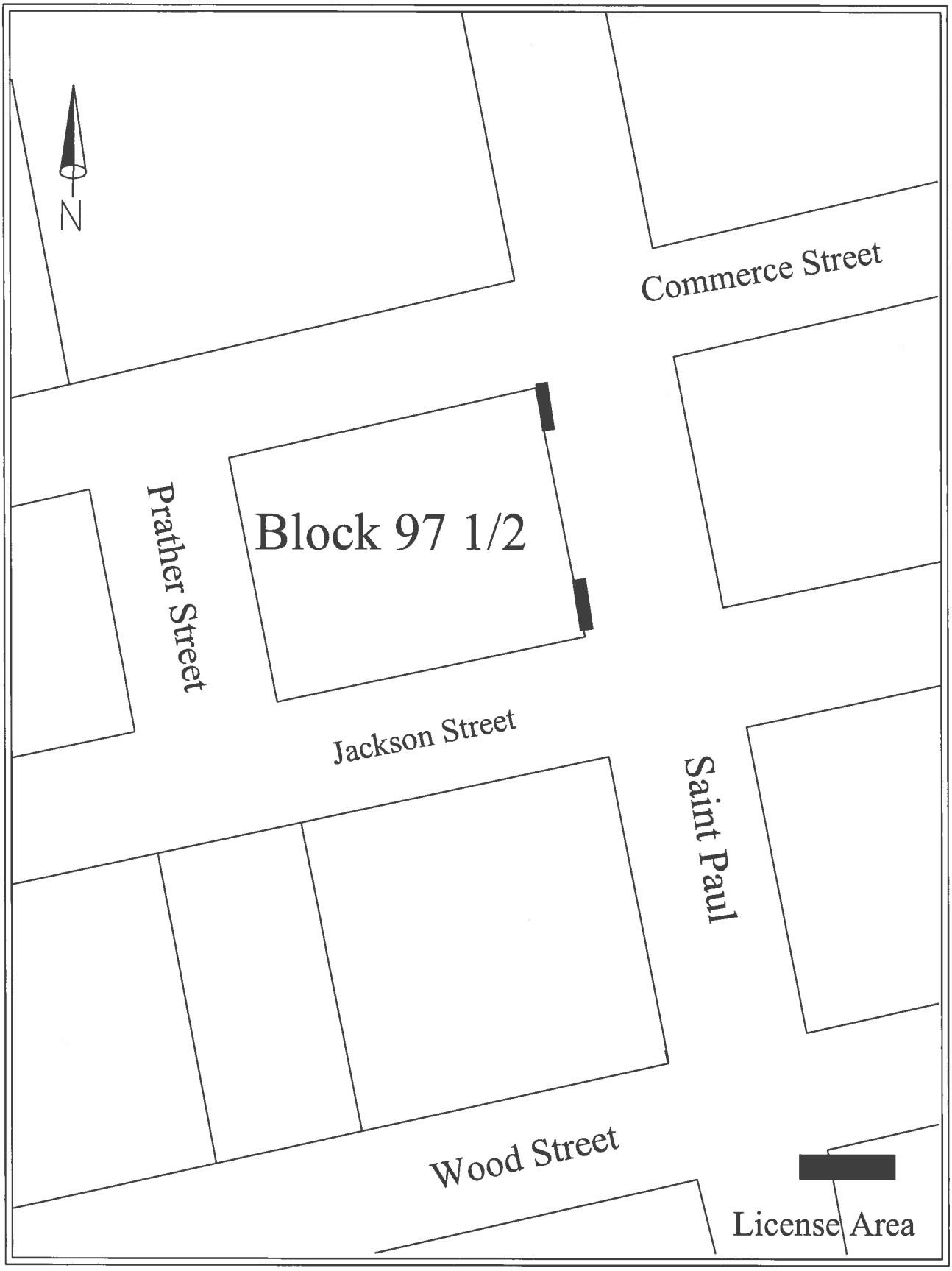
FC Continental Landlord, LLC

James E. Truitt, Senior Vice President

MAP

Attached

Mapsco Page 45Q



ORDINANCE NO. _____

An ordinance providing for the termination of Ordinance No. 28151 previously granting to FC Continental Complex, L.P. a private license to install, maintain and use two subsurface ventilation shafts under portions of St. Paul Street right-of-way; granting a new private license to FC Continental Landlord, LLC for the purpose of continuing the existing previously licensed use stated above in a new location under a portion of St Paul Street right-of-way adjacent to City Block 97 ½ within the limits hereinafter more fully described; providing for the annual compensation to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date of this license and ordinance.

oooOooo

WHEREAS, on April 13, 2011, the City Council of the City of Dallas passed Ordinance No. 28151, thereby granting FC Continental Complex, L.P., a private license to utilize a portion of St. Paul Street right-of-way for the installation, maintenance and use of two subsurface ventilation shafts; and

WHEREAS, FC Continental Landlord, LLC, is now the owner of the real property abutting this license area; and

WHEREAS, the previous legal description used under Ordinance No. 28151 was inaccurate; and

WHEREAS, FC Continental Landlord, LLC has requested the termination of Ordinance No. 28151 and a new license for the continuation of the previously licensed use with a corrected legal description; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the license granted by Ordinance No. 28151 should be terminated and a new license granted to FC Continental Landlord, LLC to use the street right-of-way for said purposes, subject to the conditions hereinafter more fully set out; **NOW, THEREFORE**

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

SECTION 1. That the rights granted by said Ordinance No. 28151 are hereby terminated.

SECTION 2. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to FC Continental Landlord, LLC, a Texas limited liability company, its successors and assigns, hereinafter referred to as **GRANTEE**, to occupy, maintain, and utilize for the purposes set out hereinbelow the tracts of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

SECTION 3. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 4. That **GRANTEE** shall pay to the City of Dallas the sum of **ONE THOUSAND AND NO/100 ($1,000.00) DOLLARS** annually for the license herein granted, said sum to become due and payable on the 2nd day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **ONE THOUSAND AND NO/100 ($1,000.00) DOLLARS** shall become due and payable upon the final passage of this ordinance and shall cover the consideration for 2014. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE.** Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of Sustainable Development and Construction, or his designee, may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the City Controller of the City of Dallas and deposited in Fund 0001, Department DEV, Unit 1181, Revenue Source 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of $25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10% a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 5. That the licensed area shall be used by **GRANTEE** for the following purposes under the direction of the Director of Sustainable Development and Construction of the City of Dallas: use and maintenance of two subsurface ventilation shafts.

SECTION 6. That this license is subject to the provisions set forth in EXHIBIT B.

SECTION 7. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution passed by said Governing Body, to terminate and cancel this license, upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts, **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Sustainable Development and Construction, any improvements and encroachments from the licensed areas at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in EXHIBIT B Subsection (a) as applicable. All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

SECTION 8. That the license is subject to the following conditions, terms and reservations:

a) **GRANTEE** acknowledges that ATMOS has a 6 inch gas main in the public right-of-way. Any relocation will be at **GRANTEE's** expense.

b) **GRANTEE** acknowledges that ONCOR has distribution vaults on each end of City Block 97 ½ that provides service to the Continental Building and requests a 5 foot minimum separation from vault gratings.

SECTION 9. That the license granted hereby shall not become effective until and unless **GRANTEE** files a final acceptance, in writing, to the terms and conditions of this ordinance with the Director of Sustainable Development and Construction and said written acceptance shall be forwarded to the City Secretary of the City of Dallas. In the event said written final acceptance is not filed within six (6) months after the passage of this ordinance as provided for herein, then the Director of Sustainable Development and Construction, or his designee may terminate this license.

SECTION 10. That upon receipt of **GRANTEE'S** final written acceptance, the Director of Sustainable Development and Construction, or his designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Sustainable Development and Construction, or his designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 11. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 12. That this license may not be assigned without prior written approval from the Director of Sustainable Development and Construction, or his designee. Such assignment shall recite that it is subject to the terms, restrictions, and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area, and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Sustainable Development and Construction may terminate this license.

SECTION 13. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Record of Dallas County, Texas, which certified copy shall be delivered to the Director of Sustainable Development and Construction, or designee. Upon receipt of the fee for the year 2014, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director 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 14. 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:
WARREN M. S. ERNST
City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Interim Director of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

EXHIBIT A

LICENSE AGREEMENT
BEING A PART OF ST.PAUL STREET
RIGHT-OF-WAY ADJACENT TO
LOT 7, BLOCK 97 1/2,
SMITH, MURPHY, AND MARTIN ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Description of a 120 square foot tract of land situated in the John Grigsby Survey, Abstract No. 495, adjacent to City of Dallas Block 97 1/2, Dallas County, Texas and being in the right-of-way of St. Paul Street (49.31 feet wide, Vol. 974, Page 190, D.R.D.C.T.); said 120 square foot tract being more particularly described by metes and bounds as follows;

COMMENCING, at a "+" cut in concrete found at the southeast corner of Block 97 1/2, Smith, Murphy and Martin Addition, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 143, Page 403, Deed Records, Dallas County, Texas; said point also being the southeast corner of a tract of land conveyed to FC Continental Landlord LLC, by Special Warranty Deed recorded in Instrument No. 201100224515, Official Public Records, Dallas County, Texas; said point also being at the intersection of the north right-of-way line of Jackson Street (50 feet wide) and the west right-of-way line of said St. Paul Street;

THENCE, North 14 degrees 00 minutes 00 seconds West, with said west right-of-way line and east line of said Block 97 1/2, a distance of 8.00 feet to the POINT OF BEGINNING;

THENCE, North 14 degrees 00 minutes 00 seconds West, continuing with said west right-of-way line, a distance of 16.00 feet to a point for corner;

THENCE, North 76 degrees 00 minutes 00 seconds East, leaving said west right-of-way line, a distance of 7.50 feet to a point for corner;

THENCE, South 14 degrees 00 minutes 00 seconds East, a distance of 16.00 feet to a point for corner;

THENCE, South 76 degrees 00 minutes 00 seconds West, a distance of 7.50 feet to the POINT OF BEGINNING;

CONTAINING, 120 square feet of land, more or less.

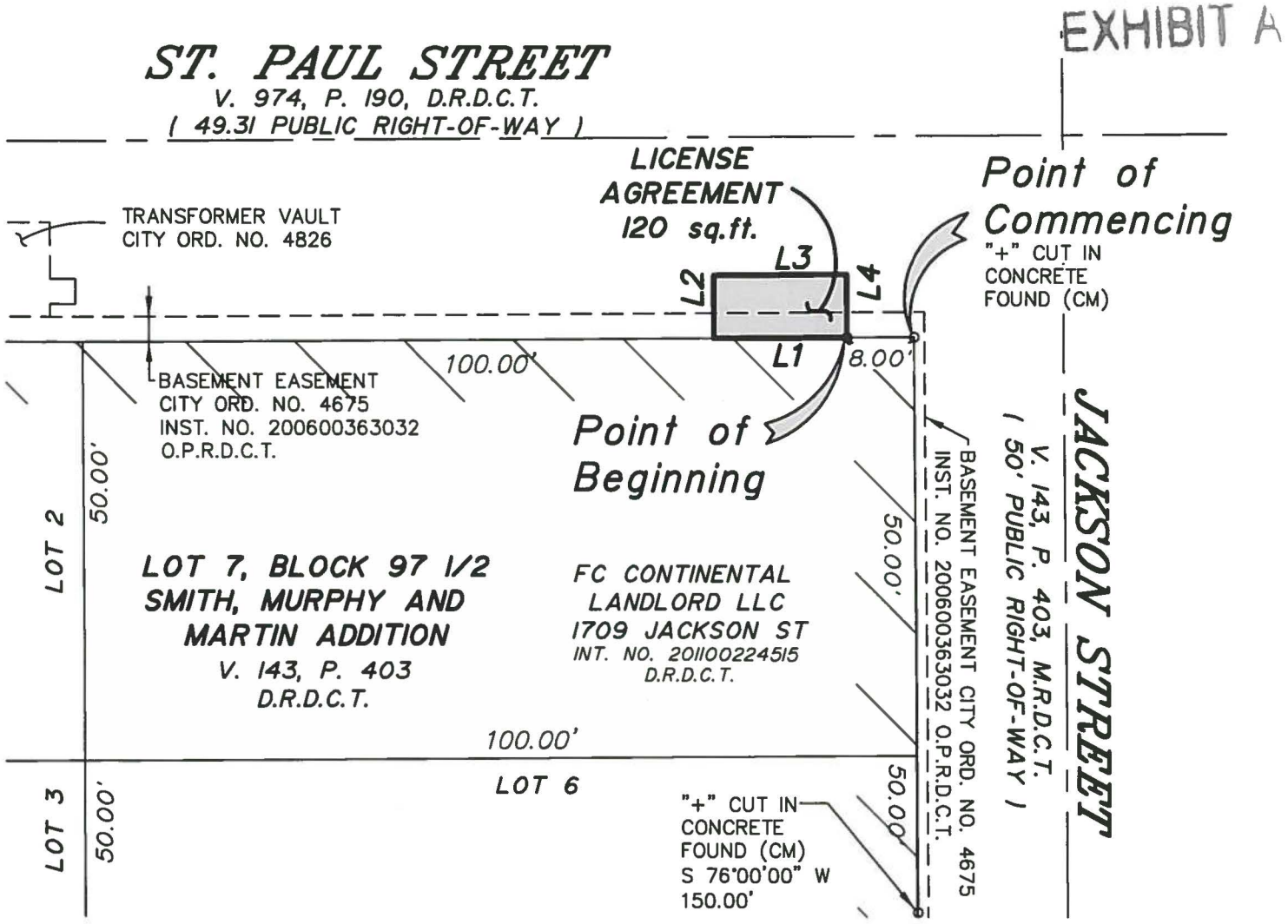
Bearings are based upon the east right-of-way line of St. Paul Street bearing South 14 degrees 00 minutes 00 seconds East, according to the deed recorded in Instrument No. 200503596650, Deed Records, Dallas County, Texas.



12/31/13

(For SPRG use only)
Reviewed by: JL
Date: 1-3-14
SPRG NO: 2702

EXHIBIT A

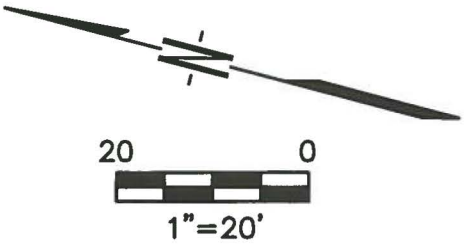


LEGEND

O.P.R.D.C.T - Official Public Records Dallas County Texas
D.R.D.C.T. - Deed Records Dallas County Texas
M.R.D.C.T - Map Records Dallas County Texas
INST. NO. - Instrument Number

LINE TABLE

LINE	DISTANCE	BEARING
L1	16.00'	N 14°00'00" W
L2	7.50'	N 76°00'00" E
L3	16.00'	S 14°00'00" E
L4	7.50'	S 76°00'00" W



STATE OF TEXAS
REGISTERED
ROBERT W. SCHNEEBERG
4804
PROFESSIONAL
LAND SURVEYOR

12/31/13

NOTES:

1. Bearings are based upon the east right-of-way line of St. Paul Street bearing South 14 degrees 00 minutes 00 seconds East, according to the deed recorded in Instrument No. 200503596650, Deed Records, Dallas County, Texas.
2. (CM) - Controlling Monument

(For SPRG use only)
Reviewed by: JL
Date: 1-3-14
SPRG NO: 2702

LICENSE AGREEMENT

BEING A PART OF ST.PAUL STREET RIGHT-OF-WAY ADJACENT TO LOT 7, BLOCK 97 1/2 SMITH, MURPHY, AND MARTIN ADDITION JOHN GRIGSBY SURVEY, ABSTRACT NO. 495 CITY OF DALLAS, DALLAS COUNTY, TEXAS

Gonzalez & Schneeberg 860 N. Central Expressway Suite 250, Plano, Texas 75074
engineers - surveyors (972) 516-8855 Fax:(972) 516-8901

DATE: MAY, 2013 PROJ. NO.: 5456-10-07-07 DWG. NO.:ventshaft-2013

EXHIBIT A

LICENSE AGREEMENT
BEING A PART OF ST.PAUL STREET
RIGHT-OF-WAY ADJACENT TO
LOT 2, BLOCK 97 1/2,
SMITH, MURPHY, AND MARTIN ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Description of a 124 square foot tract of land situated in the John Grigsby Survey, Abstract No. 495, adjacent to City of Dallas Block 97 1/2, Dallas County, Texas and being in the right-of-way of St. Paul Street (49.31 feet wide, Vol. 974, Page 190, D.R.D.C.T.); said 124 square foot tract being more particularly described by metes and bounds as follows;

COMMENCING, at a "+" cut in concrete found at the northeast corner of Block 97 1/2, Smith, Murphy and Martin Addition, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 143, Page 403, Deed Records, Dallas County, Texas; said point also being the northeast corner of a tract of land conveyed to FC Continental Landlord LLC, by Special Warranty Deed recorded in Instrument No. 201100224515, Official Public Records, Dallas County, Texas; said point also being at the intersection of the south right-of-way line of Commerce Street (78.7 feet wide) and the west right-of-way line of said St. Paul Street;

THENCE, South 14 degrees 00 minutes 00 seconds East, with said west right-of-way line and east line of said Block 97 1/2, a distance of 10.00 feet to the POINT OF BEGINNING;

THENCE, North 76 degrees 00 minutes 00 seconds East, leaving said west right-of-way line, a distance of 7.50 feet to a point for corner;

THENCE, South 14 degrees 00 minutes 00 seconds East, a distance of 16.50' feet to a point for corner;

THENCE, South 76 degrees 00 minutes 00 seconds West, a distance of 7.50' feet to a point in the said west right-of-way line of St. Paul Street; said point also being on the east line of said Block 97 1/2;

THENCE, North 14 degrees 00 minutes 00 seconds West, with said west right-of-way line, a distance of 16.50' feet to the POINT OF BEGINNING;

CONTAINING, 124 square feet of land, more or less.

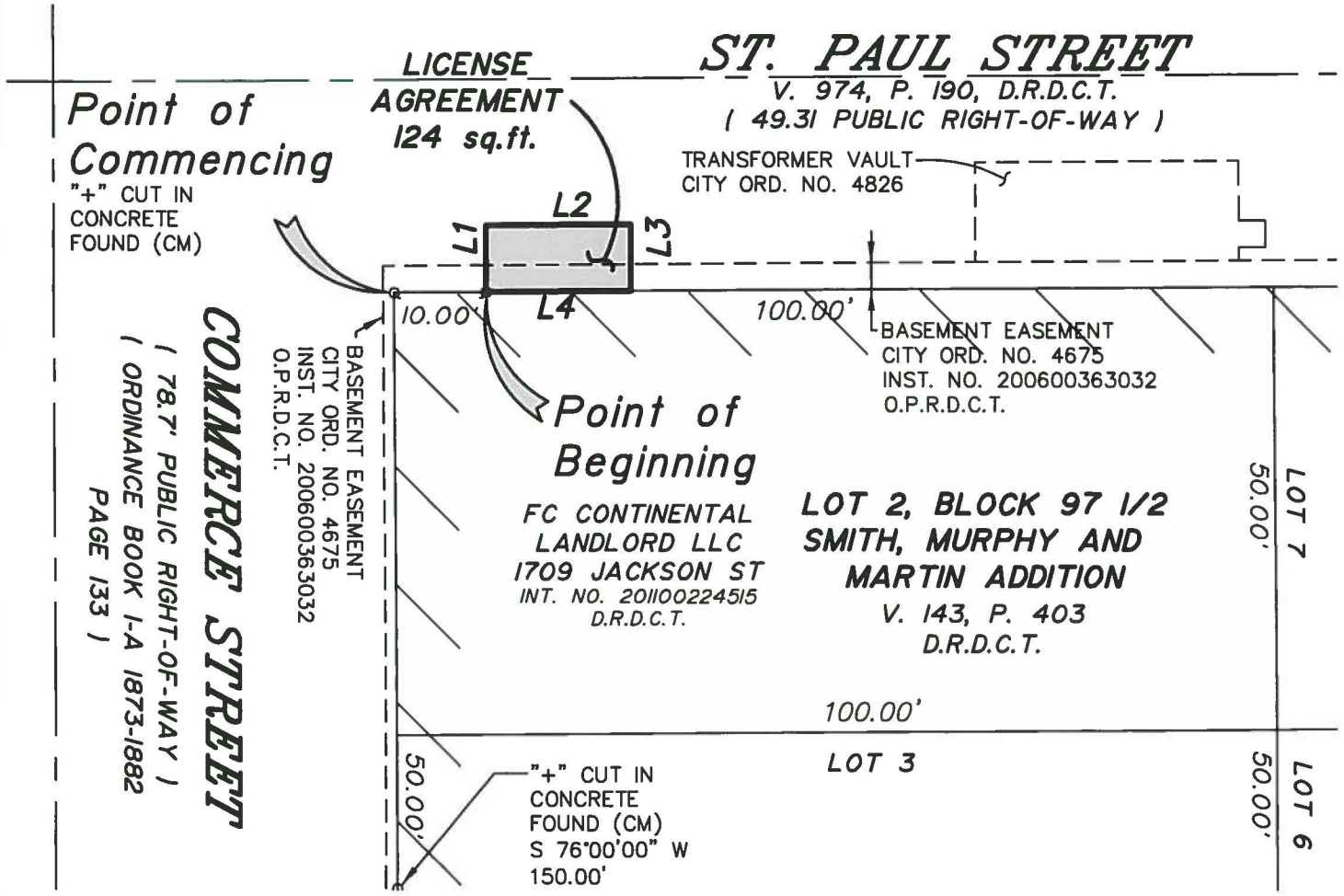
Bearings are based upon the east right-of-way line of St. Paul Street bearing South 14 degrees 00 minutes 00 seconds East, according to the deed recorded in Instrument No. 200503596650, Deed Records, Dallas County, Texas.



12/31/13

(For SPRG use only)
Reviewed by: JZ
Date: 1-3-14
SPRG NO: 2819

EXHIBIT A

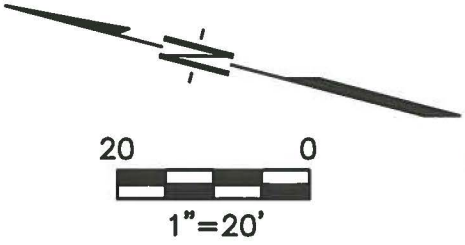


LEGEND

O.P.R.D.C.T - Official Public Records Dallas County Texas
D.R.D.C.T. - Deed Records Dallas County Texas
M.R.D.C.T - Map Records Dallas County Texas
INST. NO. - Instrument Number

LINE TABLE

LINE	DISTANCE	BEARING
L1	7.50'	N 76°00'00" E
L2	16.50'	S 14°00'00" E
L3	7.50'	S 76°00'00" W
L4	16.50'	N 14°00'00" W





12/31/13

NOTES:

1. Bearings are based upon the east right-of-way line of St. Paul Street bearing South 14 degrees 00 minutes 00 seconds East, according to the deed recorded in Instrument No. 200503596650, Deed Records, Dallas County, Texas.
2. (CM) - Controlling Monument

(For SPRG use only)
Reviewed by: JL
Date: 1-3-14
SPRG NO: 284

LICENSE AGREEMENT

BEING A PART OF ST.PAUL STREET RIGHT-OF-WAY ADJACENT TO LOT 2, BLOCK 97 1/2 SMITH, MURPHY, AND MARTIN ADDITION JOHN GRIGSBY SURVEY, ABSTRACT NO. 495 CITY OF DALLAS, DALLAS COUNTY, TEXAS

Gonzalez & Schneeberg 660 N. Central Expressway Suite 250, Plano, Texas 75074
engineers - surveyors (972) 516-8855 Fax:(972) 516-8901

DATE: MAY, 2013 PROJ. NO.: 5456-10-07-07 DWG. NO.:ventshaft-2013

EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

That this license is granted subject to the following additional conditions, terms and reservations:

(a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.

(b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

(c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than $500,000 per occurrence and $500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at is expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.

(e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

(f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.

(g) As a condition hereof, **GRANTEE** agrees and is bound to the extent allowed by law to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of

whether such damage is due to flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

(h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

AGENDA ITEM # 28

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 45K

SUBJECT

An ordinance terminating Ordinance No. 24823 and consolidating the uses into a new ordinance for two sidewalk cafes and two awnings without signs, landscaping, steps and handicap access ramps within the licensed area on Stone Place right-of-way – Revenue: $11,813 annually, plus the $20 ordinance publication fee

BACKGROUND

This item terminates Ordinance No. 24823 and consolidates the uses into a new ordinance for two awnings without signs, landscaping, steps and handicap access ramps within the licensed area on Stone Place right-of-way. This item terminates the rights previously granted by Ordinance No. 24823. The use of this area will not impede pedestrian or vehicular traffic.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

License Ordinance No. 24823 approved on January 23, 2002.

FISCAL INFORMATION

Revenue: $11,813 annually, plus the $20 ordinance publication fee

OWNER

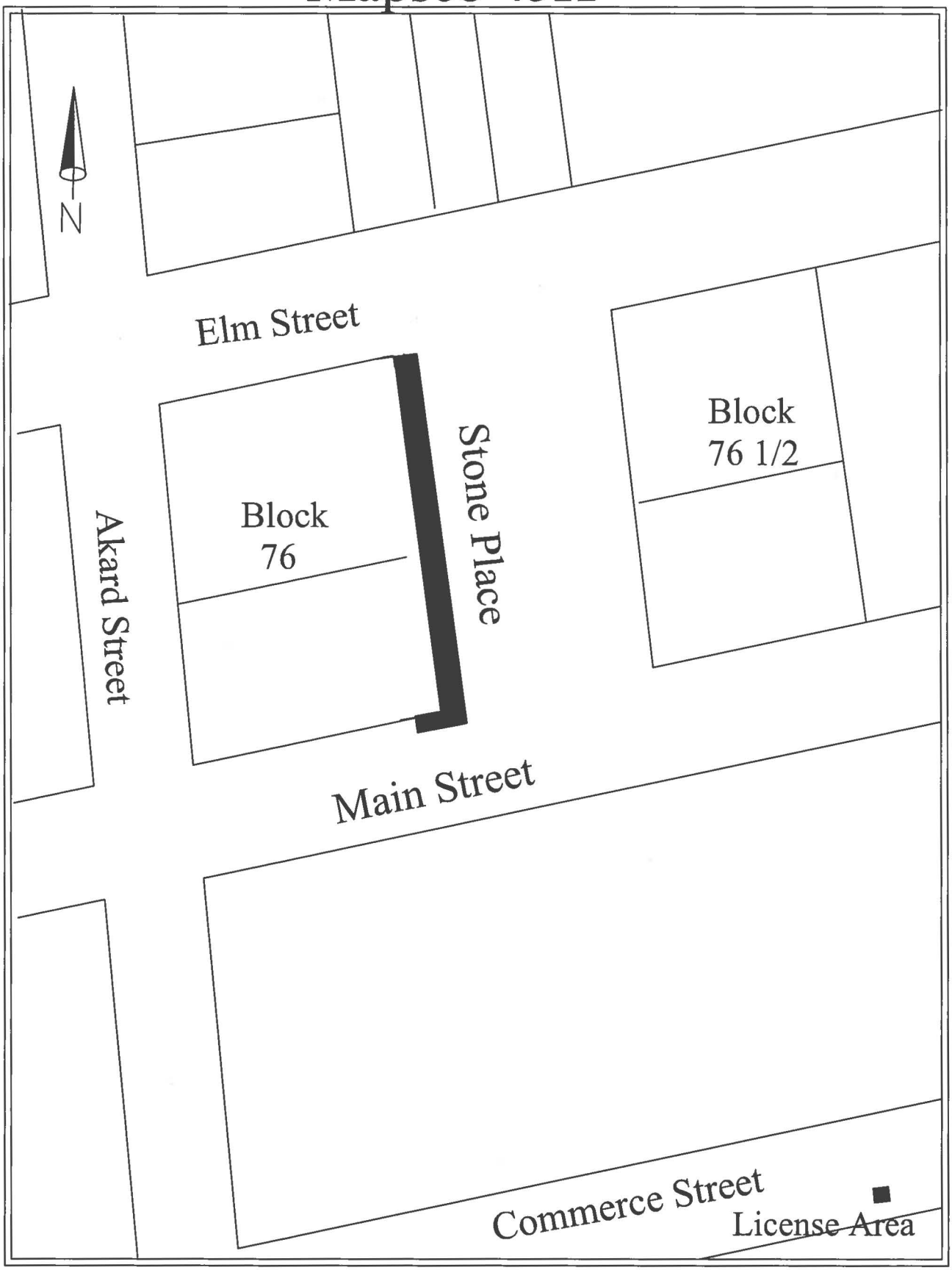
Stone Place Mall Investors I, Ltd.

Thomas W. Taylor, Manager

MAP

Attached

Mapsco 45K


N
Elm Street
Block
76
Stone Place
Block
76 1/2
Akard Street
Main Street
Commerce Street
License Area

ORDINANCE NO. _____

An ordinance providing for the termination of Ordinance No. 24823 previously granted to Stone Place Mall Investors I, Ltd. (mistakenly referred to in Ordinance 24823 as "Stone Place Mall Investors, Ltd.") to install and maintain landscaping, steps, handicap access ramps, two sidewalk cafes and two awnings without signs on certain portions of Stone Place and Main Street rights-of-way; granting a new private license to Stone Place Mall Investors I, Ltd to occupy, maintain, and utilize Stone Place and Main Street rights-of-way, adjacent to City Blocks 76 and 76 ½ within limits hereinafter more fully described for the purpose of maintaining landscaping, steps, handicap access ramps, two sidewalk cafes, two awnings without signs, a retail and food vending kiosk, a water feature, and the installation, use and maintenance of a second floor balcony cafe on certain portions of Stone Place and Main Street rights-of-way providing for terms and conditions of this license; providing for the annual compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

oooOooo

WHEREAS, on January 23, 2002, the City Council of the City of Dallas passed Ordinance No. 24823 thereby granting Stone Place Mall Investors I, Ltd. a private license to utilize portions of Stone Place and Main Street rights-of-way for the installation and maintenance of landscaping, steps, handicap access ramps, two sidewalk cafes and two awnings without signs; and

WHEREAS, Stone Place Mall Investors I, Ltd. is the owner of the real property abutting these license areas; and

WHEREAS, Stone Place Mall Investors I, Ltd. has requested the termination of Ordinance No. 24823 and the incorporation of the rights of use granted thereunder into a new license ordinance with new terms granting similar rights and the addition of new areas for a retail and food vending kiosk and second floor balcony café; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the license granted by Ordinance 24823 should be terminated and that the existing use and rights for landscaping, steps, handicap access ramps, two sidewalk cafes and two awnings

without signs should be incorporated into a new license with Stone Place Mall Investors I, Ltd. that provides for similar rights previously granted and the addition of rights to new additional license uses within the street rights-of-way for said purposes, subject to the conditions hereinafter more fully set out; **NOW, THEREFORE,**

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

SECTION 1. That the rights granted by said Ordinance No. 24823 are hereby terminated.

SECTION 2. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Stone Place Mall Investors I, Ltd., a Texas limited corporation, its successors and assigns, hereinafter referred to as **GRANTEE**, to occupy, maintain, and utilize for the purposes set out hereinbelow the tracts of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

SECTION 3. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 4. That **GRANTEE** shall pay to the City of Dallas the sum of **ELEVEN THOUSAND EIGHT HUNDRED THIRTEEN AND NO/100 ($11,813.00) DOLLARS** annually for the license herein granted, said sum to become due and payable on the 2nd day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **ELEVEN THOUSAND EIGHT HUNDRED THIRTEEN AND NO/100 ($11,813.00) DOLLARS** shall become due and payable upon the final passage of this ordinance and shall cover the consideration for 2014. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE.** Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of Sustainable Development and Construction, or designee, may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the City Controller of the City of Dallas and deposited in Fund 0001, Department DEV, Unit 1181, Revenue Source 8200. In the event **GRANTEE's** check for the license fee is dishonored,

GRANTEE shall pay to the City a processing fee of $25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10% a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 5. That the licensed area shall be used by **GRANTEE** for the following purposes under the direction of the Director of Sustainable Development and Construction of the City of Dallas: use and maintenance of landscaping, steps, handicap access ramps, two sidewalk cafes, two awnings without signs, a retail and food vending kiosk, a water feature, and the installation, use and maintenance of a second floor balcony café.

SECTION 6. That this license is subject to the provisions set forth in EXHIBIT B, attached hereto and made a part hereof.

SECTION 7. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution passed by said Governing Body, to terminate and cancel this license, upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts, **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Sustainable Development and Construction, any improvements and encroachments from the licensed areas at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in EXHIBIT B Subsection (a) as applicable. All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

SECTION 8. That the license is subject to the following conditions, terms and reservations:

a) **GRANTEE** shall maintain clearance around existing ATMOS main lines. If there is a conflict, facilities shall be relocated at **GRANTEE**'s expense.

b) **GRANTEE** shall be advised that AT&T has one manhole in the area and if required to provide service changes, AT&T will need access to the manhole. Please contact Dean Woodruff should any conflicts are discovered at 214-320-6430.

c) **GRANTEE** shall not encumber ONCOR's access to their facilities at any time. ONCOR has major ductbank facilities within Stone Place. The balcony columns cannot be constructed within 6ft horizontal along the entire length of the electric ductbank and must maintain 15 feet vertical clearance over ductbank for permanent structures. For any additional information, please contact Mr. Keith Williams at 817-215-6678.

d) **GRANTEE** shall maintain the water feature that was installed pursuant to that certain City Center Tax Increment Financing District development agreement for Stone Place approved by City Council on February 14, 2001, by Resolution Nos. 01-0559 and 01-0560 and that is located within the licensed area under a prior Temporary License Agreement approved on April 11, 2002. Alternatively, **GRANTEE** may remove or repurpose the water feature for another use subject to all required city approvals including Landmark Commission.

e) **GRANTEE** must ensure the proper clean up and maintenance of the licensed area. The City will not be responsible for maintenance, debris and/or trash pick-up in the licensed area.

f) **GRANTEE** shall grant access to the lighting control timer and meter located within 1520 Elm to Stone Street's abutting property owner as necessary to control and maintain the lighting and electrical utilities for Stone Place. Such access shall be terminated in the event such equipment is relocated to the abutting property owner's property.

SECTION 9. That the license granted hereby shall not become effective until and unless **GRANTEE** files a final acceptance, in writing, to the terms and conditions of this ordinance with the Director of Sustainable Development and Construction and said written acceptance shall be forwarded to the City Secretary of the City of Dallas. In the event said written final acceptance is not filed within six (6) months after the passage of this ordinance as provided for herein, then the Director of Sustainable Development and Construction, or designee may terminate this license.

SECTION 10. That upon receipt of **GRANTEE'S** final written acceptance, the Director of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 11. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 12. That this license may not be assigned without prior written approval from the Director of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restrictions, and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area, and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Sustainable Development and Construction may terminate this license.

SECTION 13. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Record of Dallas County, Texas, which certified copy shall be delivered to the Director of Sustainable Development and Construction, or designee. Upon receipt of the fee for the year 2014, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director 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 14. 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:
WARREN M. S. ERNST
City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Interim Director of Department of
Sustainable Development and Construction

BY Bonnie Meeder
Assistant Director

Passed _____.

License Agreement for
Part of Stone Street Adjacent to Block A/76
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

Being a 1,296 square foot (0.030 acre) of a proposed aerial encroachment of Stone Street, adjacent to City Block No. A/76, being part of the John Grigsby Survey, Abstract No. 495, in the City of Dallas, Dallas County, Texas and being a portion of Stone Place (40.0' right-of-way), adjacent to Block A/76, and also being situated in the **SMITH, MURPHY AND MARTIN ADDITION**, an addition to the City of Dallas, recorded in Volume 143, Page 403, of the Deed Records, Dallas County, Texas (D.R.D.C.T.), and created by Warranty Deed to the City of Dallas, as recorded in Volume 57, Page 434, D.R.D.C.T., said tract being more particulalry described as follows:

BEGINNING at a cut line at the building corner at the intersection of the southerly monumented line of Elm Street (called 80.0' right-of-way) with the westerly monumented line of said Stone Place, said corner also being at the northeasterly corner of Lot 2, Block A/76, of **STONE STREET RETAIL**, an addition to the City of Dallas, recorded in Volume 2001210, Page 70, Deed Records, Dallas County, Texas (D.R.D.C.T.);

THENCE over and across said Stone Place, the following courses and distances:

North 76°00'00" East, a distance of 13.00' to a point for corner;

South 14°00'00" East, a distance of 99.67' to a point for corner;

South 76°00'00" West, a distance of 13.00' to a point for corner in the easterly line of a building, same being the westerly monumented line of Stone Place;

THENCE North 14°00'00" West, along said westerly line of Stone Place, same being the easterly line of said Lot 2, a distance of 99.67' to the **POINT OF BEGINNING** and containing 1,296 square feet or 0.030 of one acre of land, more or less.

Legend:

P.F.C. – Point For Corner

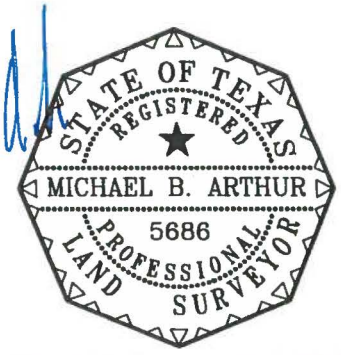
(C.M.) – Controlling Monument

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

1/2" I.R.S. – 1/2" Iron Rod With a Yellow Plastic cap stamped "RPLS 5686" set



Notes:

1. Bearings are based on westerly monumented line of Stone Place, same being the easterly line of Lot 2, Block A/76, as shown on the plat of **STONE STREET RETAIL**, as recorded in Volume 2001210, Page 70, Map Records, Dallas County, Texas; said bearing being, South 14°00'00" East.

DATE:	07/02/2013
REVISED:	02/20/2014
SCALE:	1" = 40'
SHEET NO.	1 OF 2
JOB NO.:	2012-0154

(For SPRG use only)
Reviewed By: DBF
Date: 02.21.2014
SPRG NO: 2721

North Texas Surveying, L.L.C.
Registered Professional Land Surveyors
1515 South McDonald St., Suite 110,
McKinney, Tx. 75069
Ph. (469) 424-2074 Fax: (469) 424-1997
www.northtexassurveying.com

License Agreement for
Part of Stone Street Adjacent to Block A/76
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

L1	N76°00'00"E 13.00'
L2	S76°00'00"W 13.00'

0 40
1" = 40'

N

Elm Street
(called 80.0' right-of-way)

Point of Beginning
Line Cut at Building Fnd. (C.M.)

Line Cut at Building Fnd. (C.M.) N76°00'00"E 75.00' L1 P.F.C.

25' 50' 48' 25'

B&R Investment Co. Vol. 94049, Pg. 5822, D.R.D.C.T.

Tract One Harris Lipsitz, LLC Document No. 201200093332, O.P.R.D.C.T.

N14°00'00"W 100.00'

Stone Place Mall Investors, Ltd. Vol. 2000043, Pg. 3757 and Vol. 2000043, Pg. 3760, D.R.D.C.T.

Lot 2, Block A/76 **STONE STREET RETAIL** Vol. 2001210, Pg. 70 D.R.D.C.T.

N14°00'00"W 99.67'

1,298 Sq. Ft. / 0.030 Acre

S14°00'00"E 99.67'

Elm At Stone Place Holdings, L.L.C. Document No. 200900320541, O.P.R.D.C.T.

Elm At Stone Place Holdings, L.L.C. Document No. 200900320541, O.P.R.D.C.T.

Elm At Stone Place Holdings, L.L.C. Document No. 201100254990, O.P.R.D.C.T.

Block 121/76

John Grigsby Survey Abstract No. 495

P.F.C. L2 P.F.C.

S76°00'00"W 50.00'

SMITH, MURPHY AND MARTIN ADDITION Vol. 143, Pg. 403, D.R.D.C.T.

Legal Aid of the Northwest Vol. 2004035, Pg. 7153, D.R.D.C.T.

Peter D. Fonberg Vol. 90051, Pg. 182, D.R.D.C.T.

1519 Main, L.P. Document No. 200600139621, O.P.R.D.C.T.

Roman Catholic Diocese of Dallas Vol. 911, Pg. 989, D.R.D.C.T.

N14°00'00"W 100.00'

S14°00'00"E 100.33'

Stone Place (40.0' right-of-way) Vol. 57, Pg. 434, D.R.D.C.T.

Block 121/76 1/2

Elm At Stone Place Holdings, L.L.C. Document No. 200900299946, O.P.R.D.C.T.

SMITH, MURPHY AND MARTIN ADDITION Vol. 143, Pg. 403, D.R.D.C.T.

Elm At Stone Place Holdings, L.L.C. Document No. 201100327112, O.P.R.D.C.T.

50' 25' 25' 50' 73'

Line Cut at Building Fnd. (C.M.)

Line Cut at Building Fnd. (C.M.)

S76°00'00"W 75.00'

Main Street
(called 79.5' right-of-way)

** SEE NOTES AND LEGEND ON SHEET ONE OF TWO **

STATE OF TEXAS
REGISTERED
MICHAEL B. ARTHUR
5686
PROFESSIONAL
LAND SURVEYOR

DATE:	07/02/2013
REVISED:	02/20/2014
SCALE:	1" = 40'
SHEET NO.	2 OF 2
JOB NO.:	2012-0154

(For SPRG use only)
Reviewed By: DBF
Date: 02.21.2014
SPRG NO: 2721

North Texas Surveying, L.L.C.
Registered Professional Land Surveyors
1515 South McDonald St., Suite 110,
McKinney, Tx. 75069
Ph. (469) 424-2074 Fax: (469) 424-1997
www.northtexassurveying.com

020319

24823

Exhibit A-2

LICENSE AGREEMENT
STONE PLACE
720 sq. ft.
ADJACENT TO BLOCK 76
CITY OF DALLAS
DALLAS COUNTY, TEXAS

Rev. 6-5-01 JRP LS

BEING a 720 square feet (0.0165 acre) tract of land situated in the J. Grigsby Survey, Abstract No. 495, Dallas County, Texas, adjacent to City of Dallas Block 76, Official City Numbers, further being a portion of Stone Place (40' R.O.W.), said 720 square feet tract being more particularly described as follows:

BEGINNING at a cut line against a two story brick building found for corner at the intersection of the north line of Main Street (80' R.O.W.) with the west line of said Stone Place, at the southeast corner of said Block 76, also the southeast corner of that certain tract conveyed to Stone Place Mall Investors by Special Warranty Deed recorded in Volume 2000043, Page 3760, Deed Records, Dallas County, Texas;

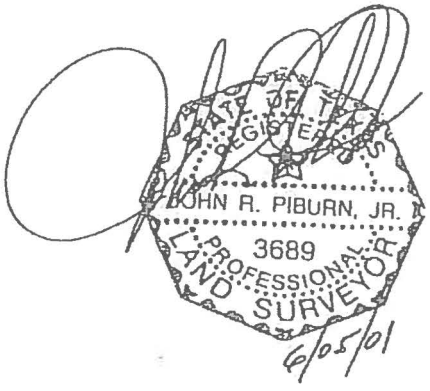
THENCE N14°00'00"W along the west line of said Stone Place, common with the east line of said Stone Place Mall Investors tract, a distance of 60.00 feet to a corner inside said building;

THENCE N76°00'00"E departing the said common line, a distance of 12.00 feet to an "x" cut set for corner;

THENCE S14°00'00"E a distance of 60.00 feet to an "x" cut set for corner in the said north line of Main Street, common with the south terminus line of said Stone Place;

THENCE S76°00'00"W along the said common line, a distance of 12.00 feet to the *POINT OF BEGINNING* and containing 720 square feet or 0.0165 acres of land, more or less.

* Bearings are based upon the west line of Stone Place *(S14°00'00"E)* according to that certain Special Warranty Deed recorded in Volume 2000043, Page 3760, Deed Records, Dallas County, Texas.



JUNE 2001
SHT. 1 of 2

24823

020319

LICENSE AGREEMENT

STONE PLACE
720 sq. ft.
ADJACENT TO BLOCK 76
CITY OF DALLAS
DALLAS COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
JOHN B. PIBURN, JR.
3689
PROFESSIONAL
LAND SURVEYOR
6/05/01

N

SCALE: 1" = 30'

ELM STREET
80' R.O.W.

cut line against bldg found (c.m.)

Stone Place Mall Investors
Vol. 2000043, Pg. 3757

S14°00'00"E - 140.00'

STONE PLACE
40' R.O.W.

MARIAN McCLENDON ET AL
VOL. 95028, PG. 2039

LOT 11

HOMER J RADER, JR.
VOL. 87208, PG 3830

BLOCK 76

BLOCK 76 1/2

Stone Place Mall Investors
Vol. 2000043, Pg. 3760

CATHOLIC DIOCESE
VOL. 911, PG. 989

[DIRECTIONAL CONTROL]
BEARING BASIS

L1

720 sq. ft.
0.0165 acre

L3

c.i.b.

L2

C G H PROPERTIES CORP.
VOL. 93243, PG. 0698

LOT 12

P.O.B.

L4

cut line against bldg. found (c.m.)

MAIN STREET
80' R.O.W.

LINE	BEARING	DIST.
L1	N14°00'00"W	60.00'
L2	N76°00'00"E	12.00'
L3	S14°00'00"E	60.00'
L4	S76°00'00"W	12.00'

NOTES:

(c.m.) = controlling monument
"x" = "x" cut set for corner
c.i.b. = corner inside building

Bearings are based upon the west line of Stone Place (S14°00'00"E) according to that certain Special Warranty Deed recorded in Volume 2000043, Page 3760, Deed Records, Dallas County, Texas.

JUNE 2001

SHT. 2 of

24823

Exhibit A-3

020319

LICENSE AGREEMENT
MAIN STREET
200 sq. ft.
ADJACENT TO BLOCK 76
CITY OF DALLAS
DALLAS COUNTY, TEXAS

Revised by Walter D. Thomas, RPLS

BEING a 200 square feet (0.0046 acre) tract situated in the J. Grigsby Survey, Abstract No. 495, Dallas County, Texas, adjacent to City of Dallas Block 76, Official City Numbers, further being a portion of Main Street (80' R.O.W.), said 200 square feet tract being more particularly described as follows:

BEGINNING at a cut line against a two story brick building found for corner at the intersection of the north line of said Main Street with the west line of Stone Place (40' R.O.W.), at the southeast corner of said Block 76, also the southeast corner of that certain tract conveyed to Stone Place Mall Investors by Special Warranty Deed recorded in Volume 2000043, Page 3760, Deed Records, Dallas County, Texas;

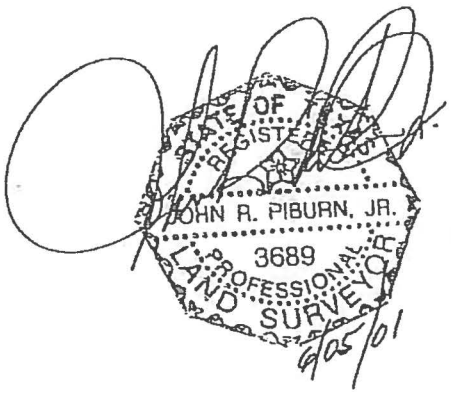
THENCE S14°00'00"E departing the north line of said Main Street, a distance of 8.00 feet to an "x" cut set for corner;

THENCE S76°00'00"W, a distance of 25.00 feet to an "x" cut set for corner;

THENCE N14°00'00"W a distance of 8.00 feet to a cut line against a two story brick building found for corner in the said north line of Main Street, at the southwest corner of said Stone Place Mall Investors tract, also the southeast corner of that certain tract conveyed to Catholic Diocese by deed recorded in Volume 911, Page 989, Deed Records, Dallas County, Texas;

THENCE N76°00'00"E along the north line of said Main Street, common with the south line of said Stone Place Mall Investors tract, a distance of 25.00 feet to the *POINT OF BEGINNING* and containing 200 square feet or 0.0046 acres, more or less.

* Bearings are based upon the west line of Stone Place *(S14°00'00"E)* according to that certain Special Warranty Deed recorded in Volume 2000043, Page 3760, Deed Records, Dallas County, Texas.

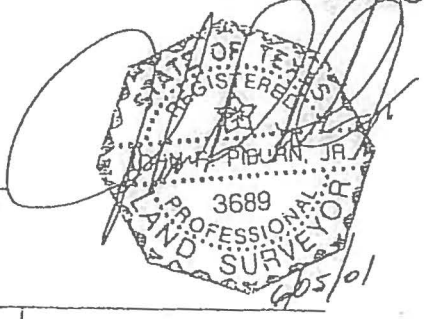


JUNE 2001
SHT. 1 of 2

LICENSE AGREEMENT
MAIN STREET
200 sq. ft.
ADJACENT TO BLOCK 76
CITY OF DALLAS
DALLAS COUNTY, TEXAS

24823

020319



605/01

N

SCALE: 1" = 30'

ELM STREET
80' R.O.W.

cut line against bldg. found (c.m.)

Stone Place Mall Investors
Vol. 2000043, Pg. 3757

MARIAN McCLENDON ET AL
VOL. 95028, PG. 2039

LOT 11

HOMER J RADER, JR.
VOL 87208, PG. 3830

BLOCK 76

[DIRECTIONAL CONTROL] BEARING BASIS
S14°00'00"E - 200.00'

STONE PLACE
40' R.O.W.

BLOCK 76 1/2

CATHOLIC DIOCESE
VOL. 911, PG. 989

Stone Place Mall Investors
Vol. 2000043, Pg. 3760

C G H PROPERTIES CORP.
VOL. 93243, PG. 0698

LOT 12

cut line against bldg. found (c.m.)

P.O.B.
cut line against bldg. found (c.m.)

L4

L3

200 sq. ft.
0.0046 acre

L1

L2

LINE	BEARING	DIST.
L1	S14°00'00"E	8.00'
L2	S76°00'00"W	25.00'
L3	N14°00'00"W	8.00'
L4	N76°00'00"E	25.00'

MAIN STREET
80' R.O.W.

NOTES:

(c.m.) = controlling monument
"x" = "x" cut set for corner

Bearings are based upon the west line of Stone Place (S14°00'00"E) according to that certain Special Warranty Deed recorded in Volume 2000043, Page 3760, Deed Records, Dallas County, Texas.

JUNE 200
SHT. 2 of

24823

020319

Exhibit A-4

LICENSE AGREEMENT
STONE PLACE
480 sq. ft.
ADJACENT TO BLOCK 76
CITY OF DALLAS
DALLAS COUNTY, TEXAS

BEING a 480 square feet (0.0110 acre) tract situated in the J. Grigsby Survey, Abstract No. 495, Dallas County, Texas, adjacent to City of Dallas Block 76, Official City Numbers, further being a portion of Stone Place (40' R.O.W.), said 480 square feet tract being more particularly described as follows:

BEGINNING at a cut line against a two story brick building found for corner at the intersection of the north line of Main Street (80' R.O.W.) with the west line of said Stone Place, at the southeast corner of said Block 76, also the southeast corner of that certain tract conveyed to Stone Place Mall Investors by Special Warranty Deed recorded in Volume 2000043, Page 3760, Deed Records, Dallas County, Texas;

THENCE N14°00'00"W along the west line of said Stone Place, common with the east line of said Stone Place Mall Investors tract, a distance of 60.00 feet to a corner inside said building;

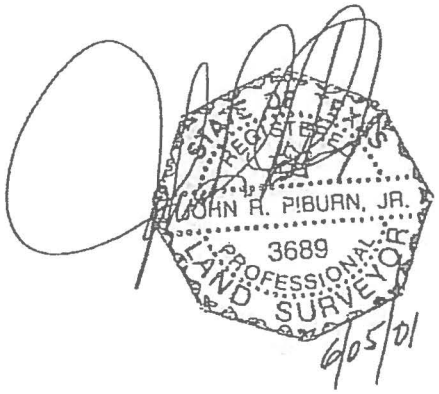
THENCE N76°00'00"E departing the said common line, a distance of 8.00 feet to an "x" cut set for corner;

THENCE S14°00'00"E a distance of 60.00 feet to an "x" cut set for corner in the said north line of Main Street, common with the south terminus line of said Stone Place;

THENCE S76°00'00"W along the said common line, a distance of 8.00 feet to the *POINT OF BEGINNING* and containing 480 square feet or 0.0110 acres, more or less.

Reviewed by Wilkie M. Thomas 7/05

* Bearings are based upon the west line of Stone Place *(S14°00'00"E)* according to that certain Special Warranty Deed recorded in Volume 2000043, Page 3760, Deed Records, Dallas County, Texas.



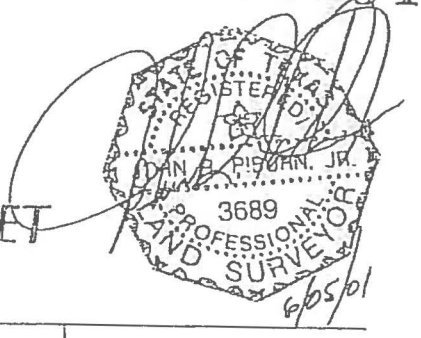
JUNE 2001
SHT. 1 of 2

24823

020319

LICENSE AGREEMENT

STONE PLACE
480 sq. ft.
ADJACENT TO BLOCK 76
CITY OF DALLAS
DALLAS COUNTY, TEXAS





ELM STREET
80' R.O.W.

cut line against bldg found (c.m.)

Stone Place Wall Investors
Vol. 2000043, Pg. 3757

S14°00'00"E - 140.00'

STONE PLACE
40' R.O.W.

MARIAN McCLENDON ET AL
VOL. 95028, PG. 2039

LOT 11

HOMER J RADER, JR.
VOL. 87208, PG. 3830

BLOCK 76

BLOCK 76 1/2

Stone Place Wall Investors
Vol. 2000043, Pg. 3760

CATHOLIC DIOCESE
VOL. 911, PG. 989

[DIRECTIONAL CONTROL]
BEARING BASIS

c.i.b.

L2

L1

480 sq. ft.
0.0110 acre

L3

C G H PROPERTIES CORP.
VOL. 93243, PG. 0698

LOT 12

P.O.B.

L4

cut line against bldg. found (c.m.)

MAIN STREET
80' R.O.W.

LINE	BEARING	DIST.
L1	N14°00'00"W	60.00'
L2	N76°00'00"E	8.00'
L3	S14°00'00"E	60.00'
L4	S76°00'00"W	8.00'

cS:

(c.m.) = controlling monument
"x" = "x" cut set for corner
c.i.b. = corner inside building

Bearings are based upon the west line of Stone Place (S14°00'00"E) according to that certain Special Warranty Deed recorded in Volume 2000043, Page 3760, Deed Records, Dallas County, Texas.

JUNE 2001

SHT. 2 of 2

License Agreement for
Part of Stone Street Adjacent to Block A/76
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

Exhibit A-5

Being a 331.50 square foot (0.008 acre) of a proposed aerial encroachment of Stone Street, adjacent to City Block No. A/76, being part of the John Grigsby Survey, Abstract No. 495, in the City of Dallas, Dallas County, Texas and being a portion of Stone Place (40.0' right-of-way), adjacent to Block A/76, and also being situated in the **SMITH, MURPHY AND MARTIN ADDITION**, an addition to the City of Dallas, recorded in Volume 143, Page 403, of the Deed Records, Dallas County, Texas (D.R.D.C.T.), and created by Warranty Deed to the City of Dallas, as recorded in Volume 57, Page 434, D.R.D.C.T., said tract being more particulalry described as follows:

COMMENCING at a cut line at the building corner at the intersection of the northerly monumented line of Main Street (called 79.5' right-of-way) with the westerly monumented line of said Stone Place, said corner also being at the southeasterly corner of Lot 2, Block A/76, of **STONE STREET RETAIL**, an addition to the City of Dallas, recorded in Volume 2001210, Page 70, Deed Records, Dallas County, Texas (D.R.D.C.T.);

THENCE North 14°00'00" West, along said westerly monumented line of Stone Place, a distance of 63.50' to a point for corner at the **POINT OF BEGINNING** of the herein described tract;

THENCE North 14°00'00" West, continuing along said westerly monumented line of Stone Place, a distance of 25.50' to a point for corner being the northwesterly corner of the herein described property;

THENCE over and across said Stone Place, the following courses and distances:

North 76°00'00" East, a distance of 13.00' to a point for corner;

South 14°00'00" East, a distance of 25.50' to a point for corner;

South 76°00'00" West, a distance of 13.00' to the **POINT OF BEGINNING** and containing 331.50 square feet or 0.008 of one acre of land, more or less.

Legend:

P.F.C. – Point For Corner

(C.M.) – Controlling Monument

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

1/2" I.R.S. – 1/2" Iron Rod With a Yellow Plastic cap stamped "RPLS 5686" set



Notes:

1. Bearings are based on westerly monumented line of Stone Place, same being the easterly line of Lot 2, Block A/76, as shown on the plat of **STONE STREET RETAIL**, as recorded in Volume 2001210, Page 70, Map Records, Dallas County, Texas; said bearing being, South 14°00'00" East.

DATE:	07/02/2013
REVISED:	09/02/2013
SCALE:	1" = 40'
SHEET NO.	1 OF 2
JOB NO.:	2012-0154

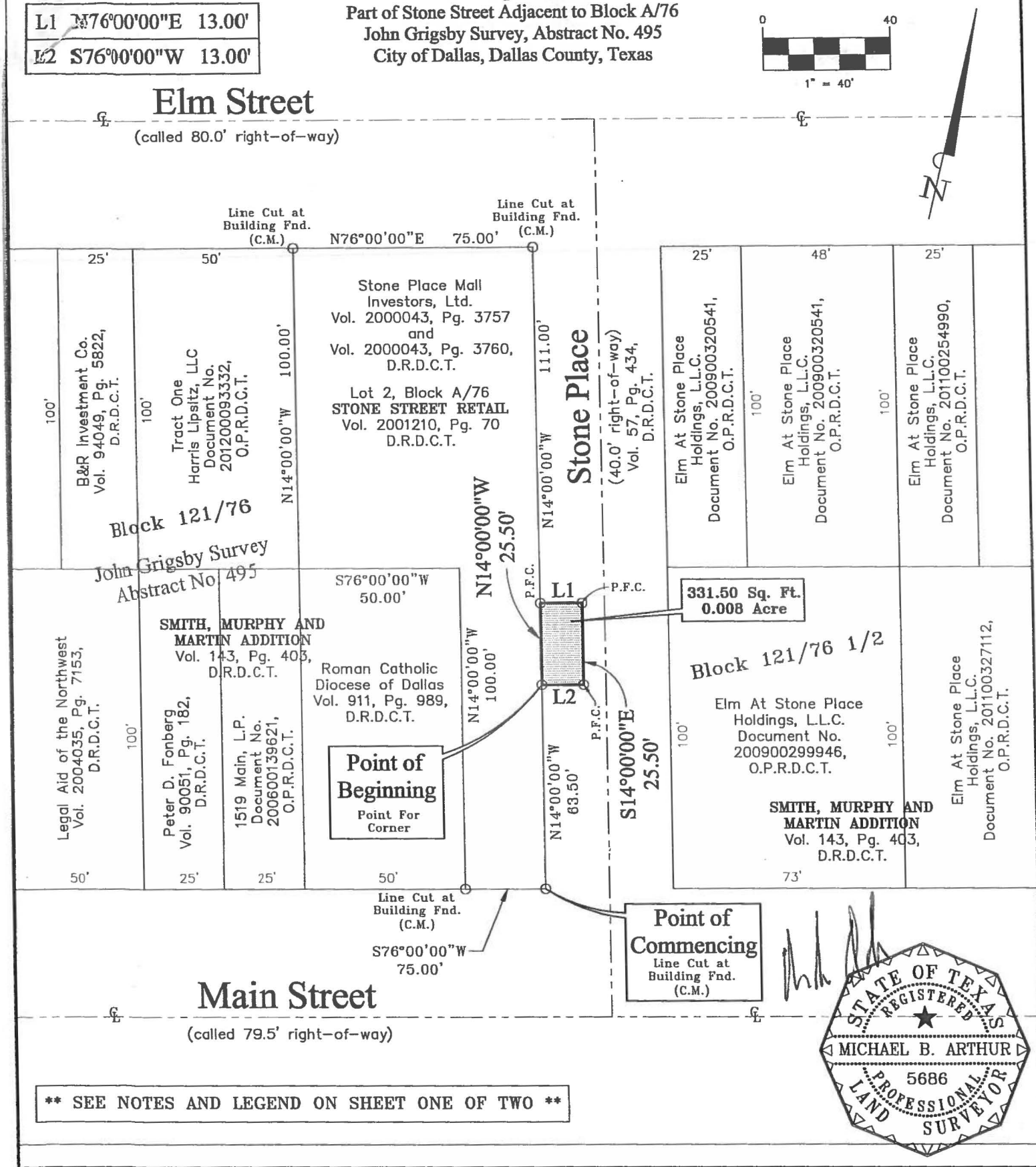
(For SPRG use only)
Reviewed By: DBF
Date: 09·23·2013
SPRG NO: 2723

North Texas Surveying, L.L.C.
Registered Professional Land Surveyors
1515 South McDonald St., Suite 110,
McKinney, Tx. 75069
Ph. (469) 424-2074 Fax: (469) 424-1997
www.northtexassurveying.com

License Agreement for
Part of Stone Street Adjacent to Block A/76
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

L1	N76°00'00"E 13.00'
L2	S76°00'00"W 13.00'

0 40
1" = 40'



** SEE NOTES AND LEGEND ON SHEET ONE OF TWO **

STATE OF TEXAS
REGISTERED
MICHAEL B. ARTHUR
5686
PROFESSIONAL
LAND SURVEYOR

DATE:	07/02/2013
REVISED:	09/02/2013
SCALE:	1" = 40'
SHEET NO.	2 OF 2
JOB NO.:	2012-0154

(For SPRG use only)
Reviewed By: DBF
Date: 09.23.2013
SPRG NO: 2723

North Texas Surveying, L.L.C.
Registered Professional Land Surveyors
1515 South McDonald St., Suite 110,
McKinney, Tx. 75069
Ph. (469) 424-2074 Fax: (469) 424-1997
www.northtexassurveying.com

Aerial License Agreement for
Part of Stone Street Adjacent to Block A/76
Between the Elevations of 454.75' and 466.75' Mean Sea Level or between
above 14.75' and 26.75' above the
the sidewalk paving adjoing Stone Street
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

Exhibit A-6

Being a 819 square foot (0.0188 acre) of an aerial license Stone Street, adjacent to City Block No. A/76, being part of the John Grigsby Survey, Abstract No. 495, in the City of Dallas, Dallas County, Texas and being a portion of Stone Place (40.0' right-of-way), adjacent to Block A/76, and also being situated in the **SMITH, MURPHY AND MARTIN ADDITION**, an addition to the City of Dallas, recorded in Volume 143, Page 403, of the Deed Records, Dallas County, Texas (D.R.D.C.T.), and created by Warranty Deed to the City of Dallas, as recorded in Volume 57, Page 434, D.R.D.C.T., and being between the Elevations of 454.75' and 466.75' Mean Sea Level or between above 14.75' and 26.75' above the sidewalk paving adjoining Stone Street, said tract being more particulalry described as follows:

COMMENCING at a cut line at the building corner at the intersection of the southerly monumented line of Elm Street (called 80.0' right-of-way) with the westerly monumented line of said Stone Place, said corner also being at the northeasterly corner of Lot 2, Block A/76, of **STONE STREET RETAIL**, an addition to the City of Dallas, recorded in Volume 2001210, Page 70, Deed Records, Dallas County, Texas (D.R.D.C.T.);

THENCE South 14°00'00" East, along said westerly monumented line of Stone Place, a distance of 20.00' to a point for corner being at the **POINT OF BEGINNING** of the herein described tract;

THENCE over and across said Stone Place, the following courses and distances:

North 76°00'00" East, a distance of 13.00' to a point for corner;

South 14°00'00" East, a distance of 63.00' to a point for corner;

South 76°00'00" West, a distance of 13.00' to a point for corner in the easterly line of a building, same being the westerly monumented line of Stone Place;

THENCE North 14°00'00" West, along said westerly line of Stone Place, same being the easterly line of said Lot 2, a distance of 63.00' to the **POINT OF BEGINNING** and containing 819 square feet or 0.0188 of one acre of land, more or less.

Legend:

P.F.C. – Point For Corner

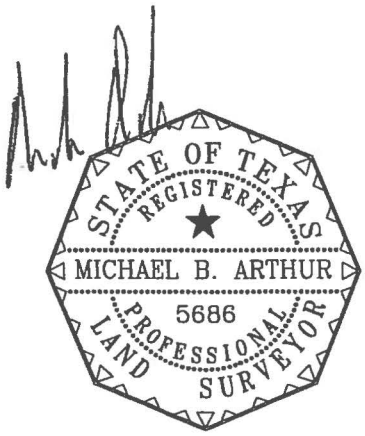
(C.M.) – Controlling Monument

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

1/2" I.R.S. – 1/2" Iron Rod With a Yellow Plastic cap stamped "RPLS 5686" set



Notes:

1. Bearings are based on westerly monumented line of Stone Place, same being the easterly line of Lot 2, Block A/76, as shown on the plat of **STONE STREET RETAIL**, as recorded in Volume 2001210, Page 70, Map Records, Dallas County, Texas; said bearing being, South 14°00'00" East.

DATE:	10/16/2012
SCALE:	1" = 40'
SHEET NO.	1 OF 2
REVISED:	09/02/2013
JOB NO.:	2012-0154

(For SPRG use only)

Reviewed By: DBF

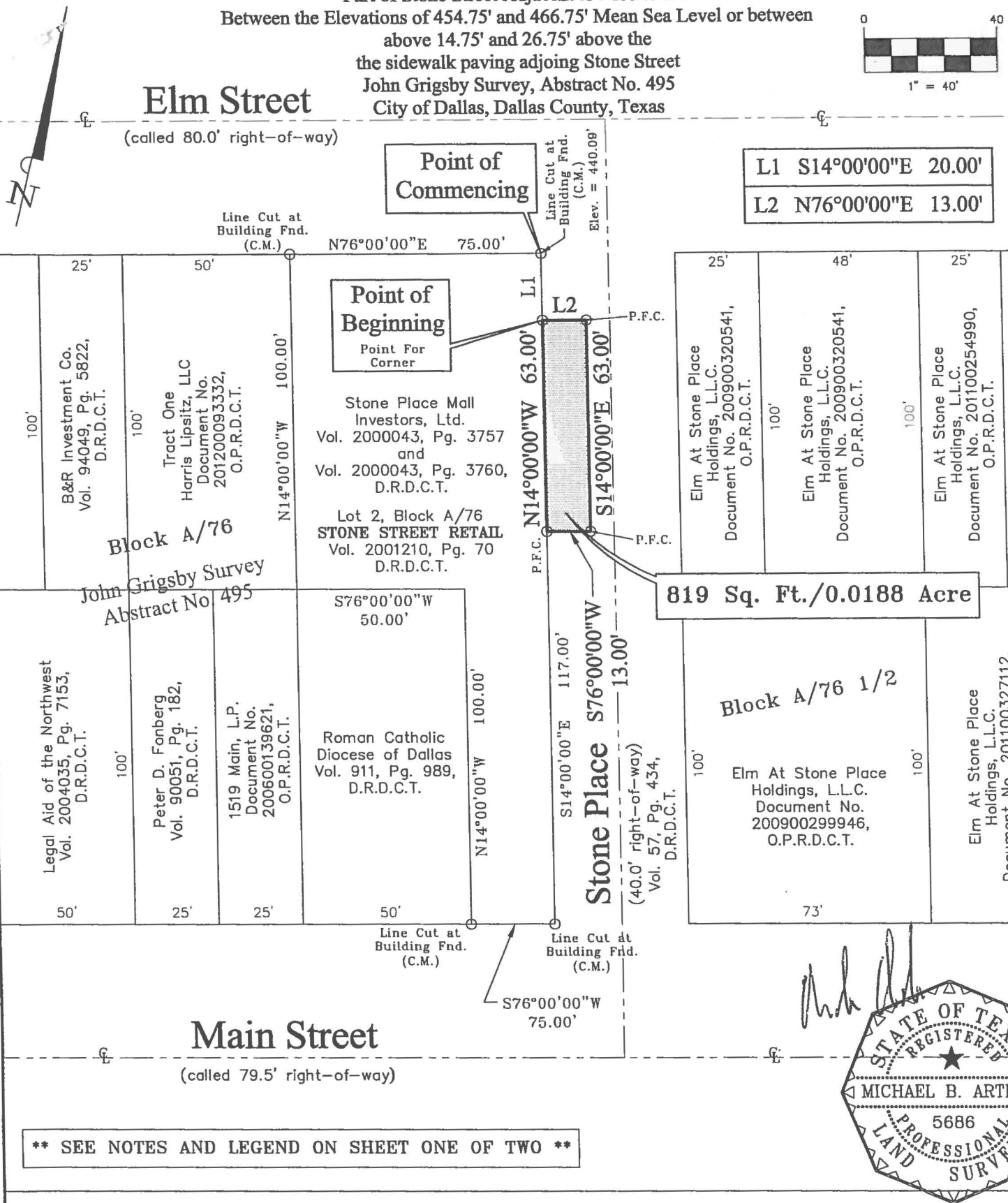
Date: 09.23.2013

SPRG NO: 2722

North Texas Surveying, L.L.C.
Registered Professional Land Surveyors
1515 South McDonald St., Suite 110,
McKinney, Tx. 75069
Ph. (469) 424-2074 Fax: (469) 424-1997
www.northtexassurveying.com

Aerial License Agreement for Part of Stone Street Adjacent to Block A/76

Between the Elevations of 454.75' and 466.75' Mean Sea Level or between above 14.75' and 26.75' above the the sidewalk paving adjoing Stone Street
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas



** SEE NOTES AND LEGEND ON SHEET ONE OF TWO **

STATE OF TEXAS
REGISTERED
MICHAEL B. ARTHUR
5686
PROFESSIONAL
LAND SURVEYOR

DATE:	10/16/2012
SCALE:	1" = 40'
SHEET NO.	2 OF 2
REVISED:	09/02/2013
JOB NO.:	2012-0154

(For SPRG use only)
Reviewed By: DBF
Date: 09.23.2013
SPRG NO: 2722

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EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

That this license is granted subject to the following additional conditions, terms and reservations:

(a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.

(b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

(c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than $500,000 per occurrence and $500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at is expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.

(e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

(f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.

(g) As a condition hereof, **GRANTEE** agrees and is bound to the extent allowed by law to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of

whether such damage is due to flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

(h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

AGENDA ITEM # 29

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 27 Z; 28 W

SUBJECT

An ordinance granting an application for a Planned Development District for LO-1 Limited Office District uses and mini-warehouse use and a resolution granting the termination of deed restrictions on property zoned an LO-1 Limited Office District with Specific Use Permit No. 1498 for a government installation other than listed on the southeast corner of East Northwest Parkway and Solta Drive – Z123-363 - Financing: No cost consideration to the City

BACKGROUND

The City Council, on February 26, 2014, approved a Planned Development District for LO-1 Limited Office District uses and mini-warehouse use subject to a development plan and conditions and the termination of deed restrictions on property zoned an LO-1 Limited Office District with Specific Use Permit No. 1498 for a government installation other than listed on the southeast corner of E. Northwest Parkway and Solta Drive and asked that the ordinance and resolution be brought back on March 26, 2014.

PRIOR ACTION/REVIEW (COUNCIL, BOARD, COMMISSIONS)

On January 23, 2014, City Plan Commission recommended approval of a Planned Development District for LO-1 Limited Office District uses and mini-warehouse use subject to a development plan and conditions and approval of the termination of deed restrictions on property zoned an LO-1 Limited Office District with Specific Use Permit No. 1498 for a government installation other than listed on the southeast corner of E. Northwest Parkway and Solta Drive.

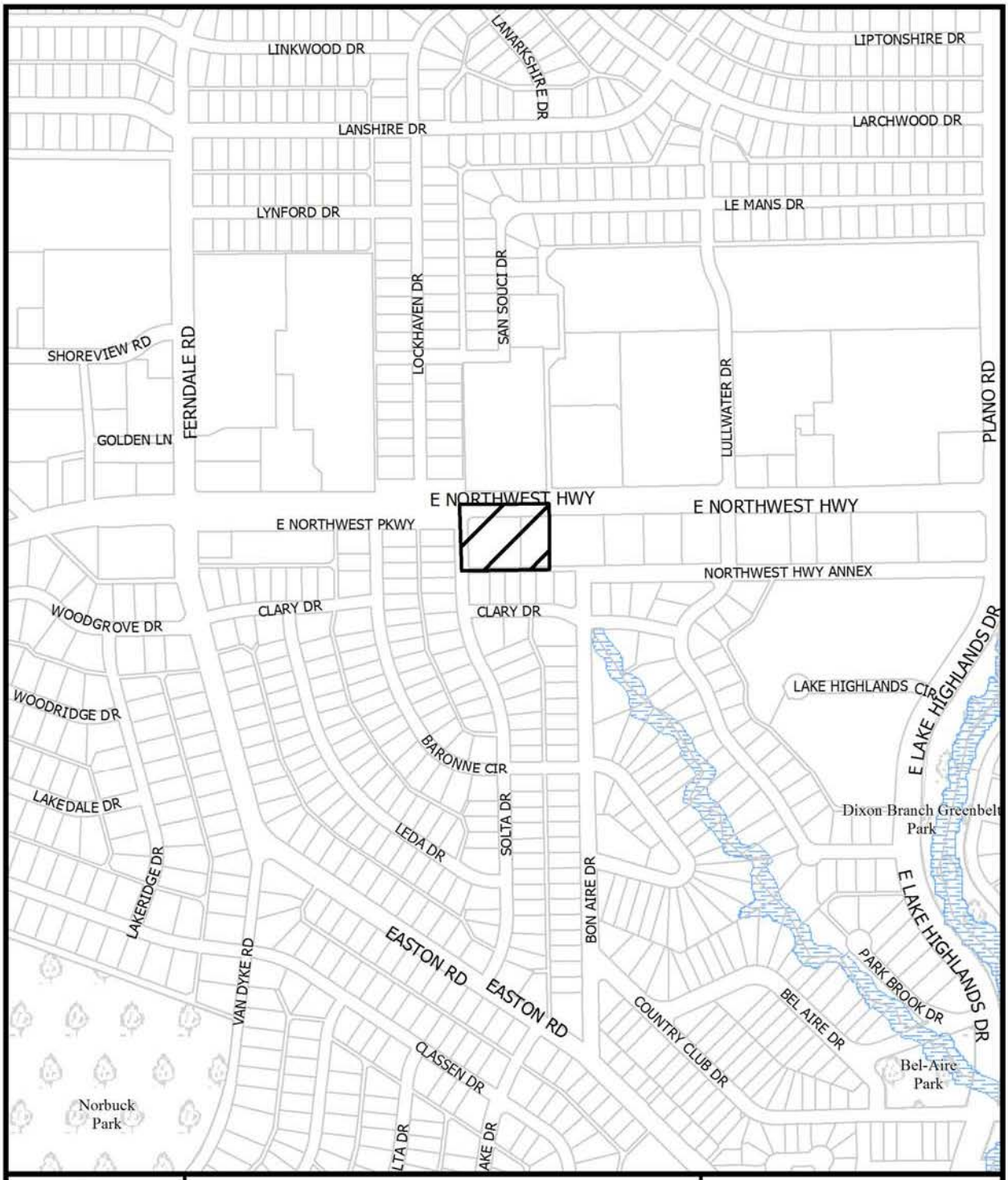
The City Council, on February 26, 2014, approved a Planned Development District for LO-1 Limited Office District uses and mini-warehouse use subject to a development plan and conditions and the termination of deed restrictions on property zoned an LO-1 Limited Office District with Specific Use Permit No. 1498 for a government installation other than listed on the southeast corner of E. Northwest Parkway and Solta Drive and asked that the ordinance and resolution be brought back on March 26, 2014.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached.



1:6,000

VICINITY MAP

Case no: Z123-363

Date: 10/9/2013

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, FEBRUARY 26, 2014**
ACM: Theresa O'Donnell

FILE NUMBER: Z123-363(MW) **DATE FILED:** August 29, 2013

LOCATION: Southeast corner of E. Northwest Parkway and Solta Drive

COUNCIL DISTRICT: 9 **MAPSCO:** 27-Z, 28-W

SIZE OF REQUEST: ±1.4 acres **CENSUS TRACT:** 129.00

REPRESENTATIVE/APPLICANT: Advantage Self Storage

OWNER: Jennifer Wilcox

REQUEST: An application for a Planned Development District for LO-1 Limited Office District uses and mini-warehouse use and the termination of deed restrictions on property zoned an LO-1 Limited Office District with Specific Use Permit No. 1498 for a for a government installation other than listed.

SUMMARY: The applicant proposes to construct a ±89,000-square-foot self-storage facility (mini-warehouse) on the request site.

CPC RECOMMENDATION: **Approval**; subject to a development plan and conditions and approval of the termination of deed restrictions.

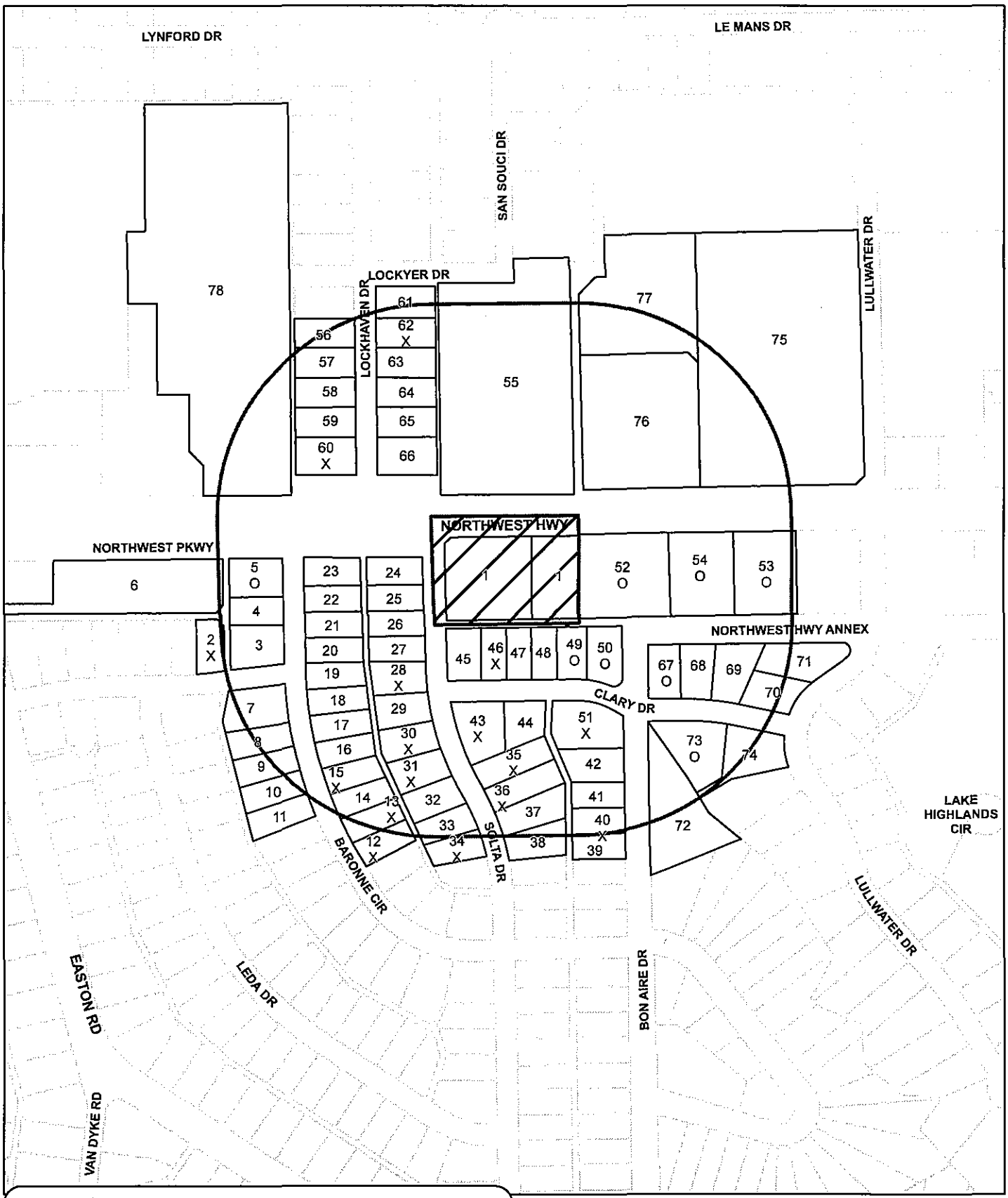
STAFF RECOMMENDATION: **Denial**

DESIGNATED ZONING CASE

Z123-363(MW)

Partners/Principals/Officers:

Applicant: Advantage Self Storage
Richard Jones, President
Kim Jones, Secretary



78	Property Owners Notified (79 parcels)
8	Replies in Favor (8 parcels)
16	Replies in Opposition (16 parcels)
500'	Area of Notification
2/26/2014	Date

Z123-363

CC

N
W E
S

1:3,600

Notification List of Property Owners

Z123-363

78 Property Owners Notified ***16 Property Owners Opposed*** ***8 Property Owners in Favor***

Vote	*Label #*	*Address*		*Owner*
	1	2	NORTHWEST HWY	WILCOX JENNIFER
X	2	10239	CLARY DR	FLETCHER ADA JO
	3	10123	BARONNE CIR	DUNN JACK B
	4	10115	BARONNE CIR	DAHM DEREK
O	5	10111	BARONNE CIR	ABDULRAHMAN ARDULHAMID
	6	10212	NORTHWEST HWY	D TX & ASSOCIATES
	7	10135	BARONNE CIR	Taxpayer at
	8	10139	BARONNE CIR	GALANIS CATHY
	9	10143	BARONNE CIR	MCDONALD RHONDA
	10	10147	BARONNE CIR	CRUMP JAMES F
	11	10153	BARONNE CIR	ANDERSON DORIS ELAINE
X	12	10162	BARONNE CIR	PREAKNESS DALLAS
X	13	10156	BARONNE CIR	WETZIG LEAH C
	14	10152	BARONNE CIR	PARKER SHANNIN
X	15	10146	BARONNE CIR	LAFLAMME FELISSA
	16	10142	BARONNE CIR	BOTTOMLEY JANET A
	17	10136	BARONNE CIR	CASTANEDA JOSE &
	18	10132	BARONNE CIR	PARKS WAYNE M & LINDA H
	19	10126	BARONNE CIR	WAITE GARY C
	20	10122	BARONNE CIR	CEGELSKI MICHAEL B
	21	10116	BARONNE CIR	MCDANIEL JEROD L & LESLIE K
	22	10112	BARONNE CIR	DEWS CLIFTON R
	23	10106	BARONNE CIR	BOREN ELAINE P
	24	10573	SOLTA DR	MORENO VICTOR &
	25	10567	SOLTA DR	KINDLE TERESA M
	26	10563	SOLTA DR	MIHALOPOULOS GUS

Vote	*Label #*	*Address*		*Owner*
	27	10557	SOLTA DR	KINDLE TERSA M
X	28	10553	SOLTA DR	OTOOLE LINDA S &
	29	10547	SOLTA DR	JOLLY GAVIN B &
X	30	10543	SOLTA DR	AGOSTIN RICHARD C III & ELIZABETH B
X	31	10537	SOLTA DR	MCKELLAR ROBERT W
	32	10533	SOLTA DR	NIXON GREGORY J &
	33	10527	SOLTA DR	VALVERDE SALOMON C &
X	34	10521	SOLTA DR	HILKMANN DIRK H
X	35	10534	SOLTA DR	WILDER TIMOTHY A &
X	36	10528	SOLTA DR	WOODARD JERRY M
	37	10524	SOLTA DR	HALL JONATHAN
	38	10518	SOLTA DR	MAJERNIK JAMES A
	39	159	BON AIRE DR	JOLLY KENNETH C
X	40	155	BON AIRE DR	HILLIARD JAMES R
	41	149	BON AIRE DR	BURTON ALYSSA D & JASON M
	42	141	BON AIRE DR	CHENOWITH GARY DWAIN
X	43	10404	CLARY DR	CHILDS RUTH PAULINE TR
	44	10414	CLARY DR	SAHASRABUDHE AMIT M &
	45	10560	SOLTA DR	WATSON KELLY JO
X	46	10409	CLARY DR	NABORS THELMA MARIE
	47	10415	CLARY DR	GLAZE JEFFREY S & BETSY R
	48	10421	CLARY DR	CRAYCRAFT MICHAEL & JESSICA
O	49	10425	CLARY DR	JORDAN ALLENE O LF EST
O	50	10431	CLARY DR	KEIERLEBER MELVIN JR &
X	51	131	BON AIRE DR	BURNS BRIAN
O	52	10440	NORTHWEST HWY	ROYAL DOMINION INV LLC
O	53	10464	NORTHWEST HWY	BAITY RUSSELL W
O	54	10450	NORTHWEST HWY	BEUTELL EDITH
	55	10405	NORTHWEST HWY	NORTH LAKE MERIDIAN LLC
	56	8525	LOCKHAVEN DR	GREEN LINDA HICKS
	57	8521	LOCKHAVEN DR	HOLLAND TYLER J

Vote	*Label #*	*Address*		*Owner*
	58	8515	LOCKHAVEN DR	GREER GEVIN R
	59	8509	LOCKHAVEN DR	JOHNSON SERENA
X	60	8505	LOCKHAVEN DR	STANSBURY CHRISTINE W INC
	61	8528	LOCKHAVEN DR	SHARMA NITIN
X	62	8524	LOCKHAVEN DR	ROBINSON JAMES M &
	63	8520	LOCKHAVEN DR	BARRY ROSS & EMILY
	64	8514	LOCKHAVEN DR	SINNOTT STEFANI A
	65	8508	LOCKHAVEN DR	PIEROTTI MICHAEL E &
	66	8504	LOCKHAVEN DR	IRVING DEMARCUS KENTA & TAWALLA
O	67	10441	CLARY DR	TUMLINSON BARBARA WEST
	68	10445	CLARY DR	BOLDEN DARRELL R &
	69	10451	CLARY DR	KELLEY PAMELA KAYE & HOWARD ANSO
	70	8405	LULLWATER DR	SHADDIX ROBIN
	71	8411	LULLWATER DR	HUNT H KEITH &
	72	154	BON AIRE DR	MORGAN GLENDA
O	73	10440	CLARY DR	WALLS CHARLES B
	74	8365	LULLWATER DR	THORN JOE R & PAT F
	75	8501	LULLWATER DR	CHARTWELL AT LAKE
	76	10409	NORTHWEST HWY	TURTLE CREEK RESERVE LLC
	77	8501	LULLWATER DR	JSC LAKE HIGHLANDS REALTY LP
	78	10233	NORTHWEST HWY	WESTDALE NORTHLAKE LTD

AGENDA ITEM # 30

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 14, Outside City Limits

DEPARTMENT: Water Utilities
Trinity Watershed Management

CMO: Forest E. Turner, 670-3390
Jill A. Jordan, P.E., 670-5299

MAPSCO: Various

SUBJECT

Authorize a professional services contract with Halff Associates, Inc. to provide **(1)** architectural and engineering services for the design of roof and HVAC systems; and **(2)** a space utilization study for the Trinity Watershed Management Department - Not to exceed $2,653,129 - Financing: Stormwater Drainage Management Capital Construction Funds ($70,000) and Water Utilities Capital Improvement Funds ($2,583,129)

BACKGROUND

Roofs and HVAC systems at Dallas Water Utilities (DWU) facilities are generally exposed to aggressive and corrosive environment due to the chemicals used and gas byproducts associated with the water and wastewater treatment processes. With this exposure, materials break down at a higher rate when compared to typical office building facilities. In 2012 and 2013, a condition assessment was performed on all of the roof and HVAC systems at DWU facilities. This included 232 building facilities, 449 roof sections and 2,605 HVAC units. The comprehensive assessment provided a prioritized list of needs that are being addressed under this contract.

Approval of this item will provide the means to design the Priority II roof replacements and the Priority I and II HVAC component repair and replacement at DWU buildings. This includes replacement of 69 roof sections and replacement or repair of 414 HVAC components at multiple DWU facilities. Authorizing this design contract will continue DWU's maintenance program for roof and HVAC systems that protects the various types of production equipment and process controls. Protection of this equipment ensures the continued reliable water and wastewater services that DWU provides to approximately 2.3 million customers in Dallas and its surrounding cities.

BACKGROUND (Continued)

This item also includes a space utilization study for the Trinity Watershed Management Department for their properties on Irving Boulevard. This will provide a much needed strategy for the replacement of aged and dilapidated service facilities critical to the levee and stormwater maintenance activities provided by the Trinity Watershed Management Department.

ESTIMATED SCHEDULE OF PROJECT

Began Assessment and Design	July 2012
Completed Assessment and Design	May 2013
Began Phase I Construction	December 2013
Complete Phase I Construction	September 2014
Begin Phase II Design	April 2014
Complete Phase II Design	October 2014
Begin Phase II Construction	March 2015
Complete Phase II Construction	March 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Conley Group to provide architectural and engineering services to perform condition assessment of the roof and HVAC systems at the Water Utilities Department's 230 facilities on June 27, 2012, by Resolution No. 12-1668.

Authorized a contract with Texas Roof Management, Inc. for major roof repairs and roof replacements at 159 Water Utilities Department buildings located citywide and at Lake Ray Hubbard, Lake Fork, and Lake Tawakoni on November 12, 2013, by Resolution No. 13-1960.

FISCAL INFORMATION

$2,583,128.64 - Water Utilities Capital Improvement Funds
$ 70,000.00 - Stormwater Drainage Management Capital Construction Funds

Assessment and Design	$1,897,800.00
Phase I Construction	$2,708,225.15
Phase II Design, Study (this action)	$2,653,128.64
Total Project Cost	$7,259,153.79

Council District	Amount
2	$ 43,874.04
3	$ 5,042.34
4	$ 1,489.58
5	$ 170,626.46
6	$ 235,106.27
7	$ 747,097.67
8	$ 993,778.37
9	$ 49,545.75
10	$ 7,064.09
12	$ 1,084.39
14	$ 19,918.50
Outside City Limits	$ 378,501.18
Total	$2,653,128.64

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Halff Associates, Inc.

Hispanic Female	15	Hispanic Male	56
Black Female	5	Black Male	9
Other Female	7	Other Male	9
White Female	71	White Male	258

OWNER

Halff Associates, Inc.

Patrick Kunz, P.E., President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Halff Associates, Inc. to provide **(1)** architectural and engineering services for the design of roof and HVAC systems; and **(2)** a space utilization study for the Trinity Watershed Management Department - Not to exceed $2,653,129 - Financing: Stormwater Drainage Management Capital Construction Funds ($70,000) and Water Utilities Capital Improvement Funds ($2,583,129)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$2,583,228.64	97.37%
Total non-local contracts	$69,900.00	2.63%
TOTAL CONTRACT	$2,653,128.64	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
DryTec Moisture Protection Tech Consult.	HFMB58482N0814	$335,500.00	12.99%
Ponce-Fuess Engineering, LLC	HMDB57150Y0414	$13,500.00	0.52%
Meza Engineering, Inc.	HMDB57936Y0714	$10,000.00	0.39%
SWG Consultants, Inc.	WFDB57675Y0614	$252,000.00	9.76%
Total Minority - Local		$611,000.00	23.65%

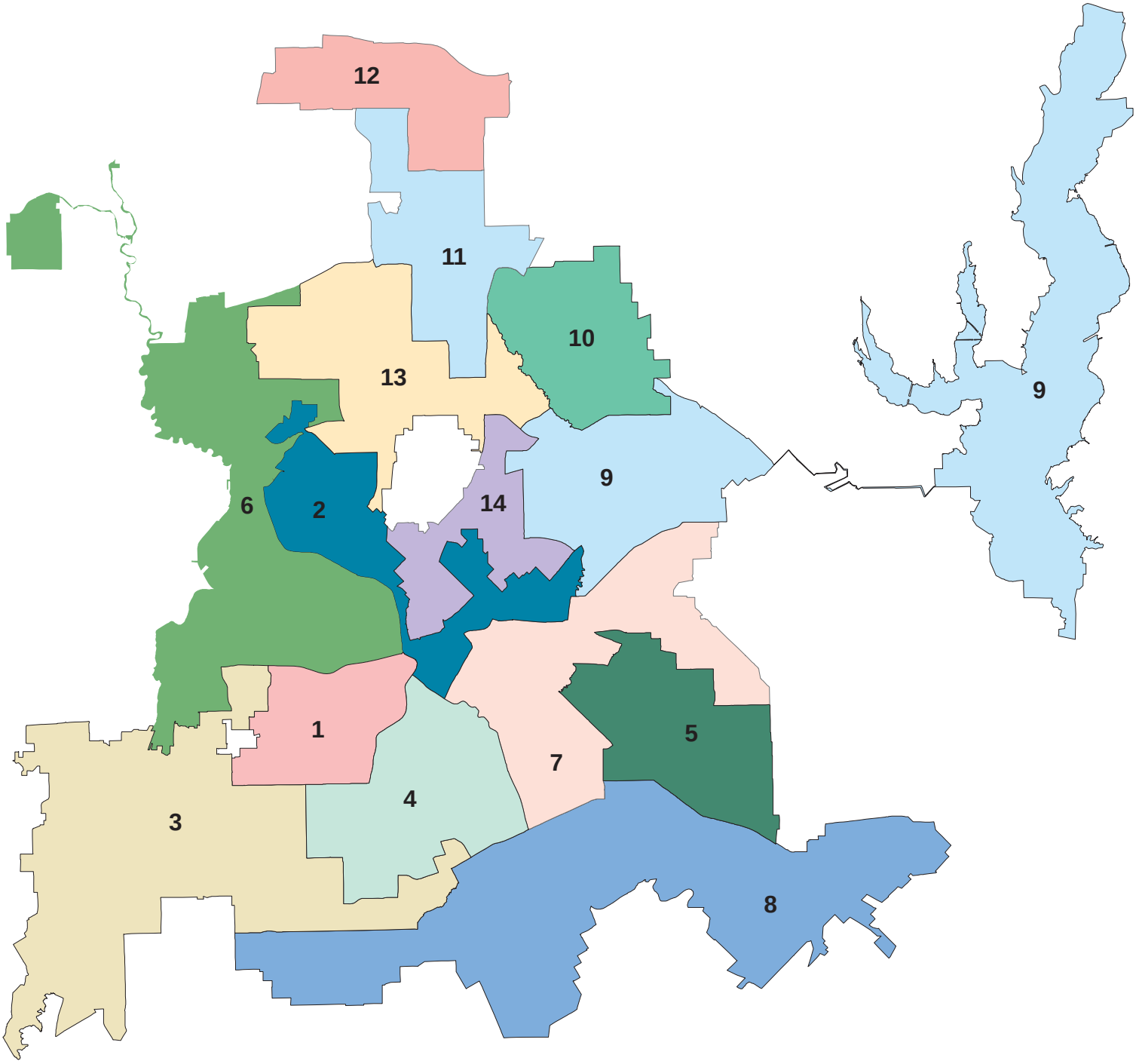
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Apex Cost Consultants, Inc.	BMDB59903Y0115	$29,500.00	42.20%
B & A Laboratories, Inc. dba XENCO Laboratories	HMMB59377Y1114	$40,400.00	57.80%
Total Minority - Non-local		$69,900.00	100.00%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$29,500.00	1.11%
Hispanic American	$359,000.00	13.90%	$399,400.00	15.05%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$252,000.00	9.76%	$252,000.00	9.50%
Total	$611,000.00	23.65%	$680,900.00	25.66%



Water Utilities Department
Contract No. 14-001/002E
Roof and HVAC Systems Design
Trinity Watershed Management Facility Plan

March 26, 2014

WHEREAS, on June 27, 2012, the City Council awarded Contract No. 12-095E/12-096E in the amount of $1,897,800.00, by Resolution No. 12-1668, to Conley Group, to provide architectural and engineering services for a condition assessment of the roof and HVAC systems at the Water Utilities Department's 230 facilities; and,

WHEREAS, on November 12, 2013, the City Council awarded Contract No. 14-003/004 in the amount of $2,708,225.15, by Resolution No. 13-1960, to Texas Roof Management, Inc. for major roof repairs and roof replacements at 159 Water Utilities Department buildings located citywide and at Lake Ray Hubbard, Lake Fork, and Lake Tawakoni; and,

WHEREAS, the comprehensive condition assessment provided a prioritized list of needs; and,

WHEREAS, it is now necessary to design the Priority II roof replacements and the Priority I and II HVAC component repair and replacements; and,

WHEREAS, this contract will continue the Water Utilities Department's maintenance program of roof and HVAC systems, which protects water production equipment and process controls; and,

WHEREAS, Halff Associates, Inc., 1201 North Bowser Road, Richardson, Texas 75081, has submitted an acceptable proposal to provide these architectural and engineering services.

Now, Therefore,

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

Section 1. That the proposal submitted by Halff Associates, Inc. in the amount of $2,653,128.64 be approved and the consultant be authorized to perform the required services.

Section 2. That the City Manager is hereby authorized to enter into a contract with Halff Associates, Inc. to provide **(1)** architectural and engineering services for the design of roof and HVAC systems; and **(2)** a space utilization study for the Trinity Watershed Management Department, after having approval of the contract documents by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of $2,653,128.64 from the Water Capital Improvement Fund and Wastewater Capital Improvement Fund as follows:

FUND	DEPT	UNIT	ACT	OBJ	PRO	REP	ENCUMBRANCE	VENDOR
0115	DWU	PW42	RELP	4111	714001	W3IY	CTDWU714001CP	089861

Halff Associates, Inc. (Contract No. 14-001E) - $1,316,847.40

FUND	DEPT	UNIT	ACT	OBJ	PRO	REP	ENCUMBRANCE	VENDOR
0116	DWU	PS42	RELP	4111	714002	T2UQ	CTDWU714002CP	089861

Halff Associates, Inc. (Contract No. 14-002E) - $1,266,281.24

Section 4. That the City Controller is hereby authorized to pay the amount of $70,000.00 from the Storm Drainage Management Capital Construction Fund as follows:

FUND	DEPT	UNIT	ACT	OBJ	PRO	ENCUMBRANCE	VENDOR
0063	SDM	4793	SD01	4111	SDMFC005	CTSDM4793BM06	089861

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

AGENDA ITEM # 31

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 1 to the contract with the City of Mesquite for Wholesale Wastewater to add Reciprocal Agreement for Water and/or Wastewater Services – Financing: No cost consideration to the City

BACKGROUND

The City of Mesquite receives wholesale wastewater transmission and treatment services from the City of Dallas under a Wholesale Wastewater Contract. The current wholesale wastewater contract does not expire until June 6, 2036. This contract also provides for Mesquite to provide wastewater transportation services to Dallas to transport wastewater from an isolated area of Dallas through Mesquite's wastewater system and back to the Dallas wastewater system.

The City of Dallas and the City of Mesquite's Reciprocal Agreement for Water and Wastewater Service expires on March 1, 2014. Dallas and Mesquite share common corporate boundary lines in southeast Dallas County. Reciprocal water and/or wastewater services are currently provided to retail customers located adjacent to the Dallas/Mesquite corporate boundary line by both the City of Dallas and the City of Mesquite.

Supplemental Agreement No. 1 to the current Wholesale Wastewater Contract with the City of Mesquite will provide for inclusion of the Reciprocal Water and/or Wastewater Agreement in the wholesale wastewater contract. The term of the Reciprocal Water and/or Wastewater Agreement would coincide with the term of the current Wholesale Wastewater Contract which does not expire until June 6, 2036.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized Reciprocal Agreement for Water and Wastewater Service with the City of Mesquite on June 10, 1974, by Resolution No. 74-2436.

Authorized a Wholesale Wastewater Contract with the City of Mesquite, on March 21, 1984, by Resolution No. 84-1062.

Authorized Supplemental Agreement No. 1 to the Reciprocal Agreement for Water and Wastewater Service with the City of Mesquite to extend the term to March 1, 2014, on December 13, 1995, by Resolution No. 95-4084.

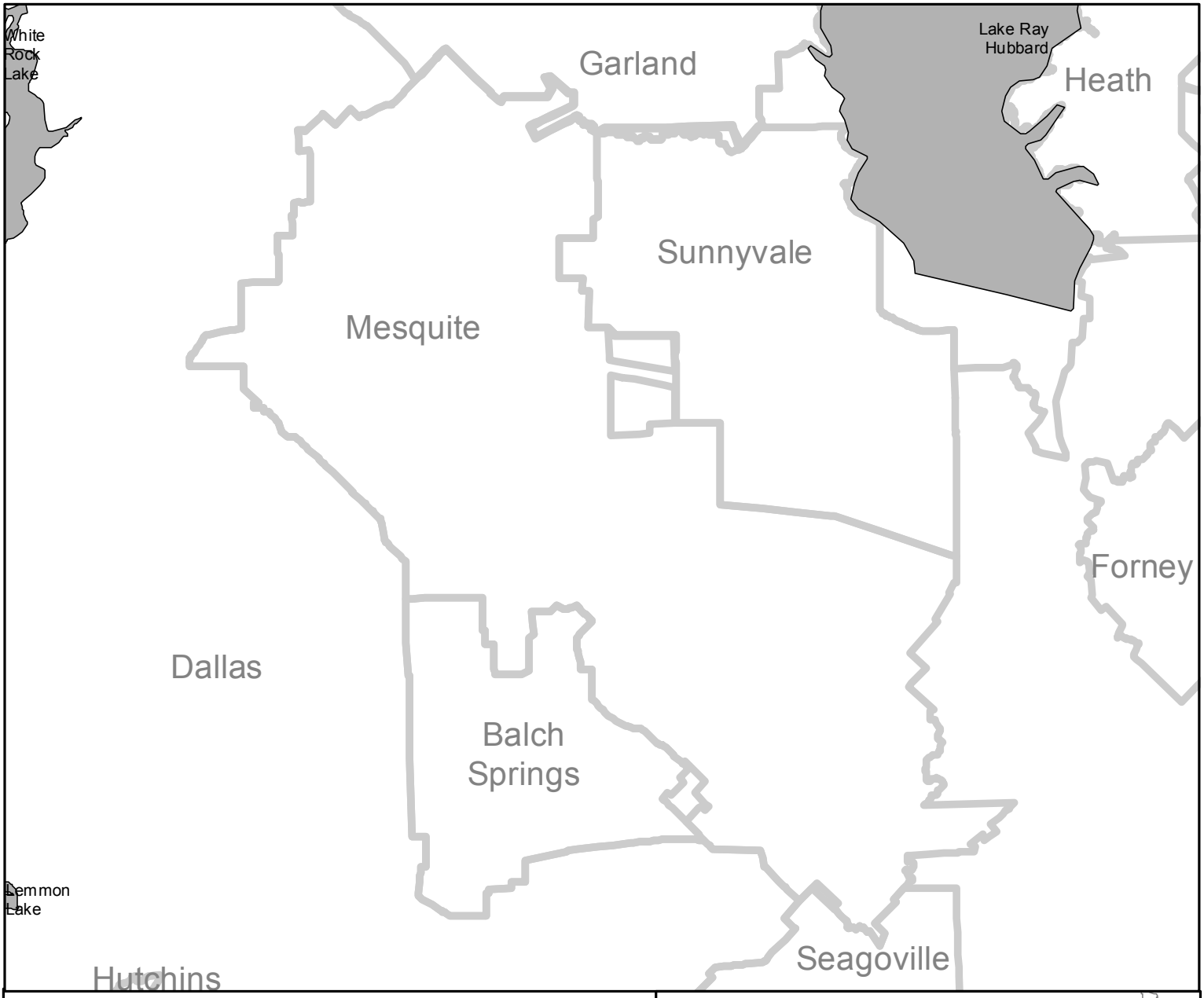
Authorized renewal of the Wholesale Wastewater Contract with the City of Mesquite, on June 14, 2006, by Resolution No. 06-1596.

FISCAL INFORMATION

No cost consideration to the City

MAP

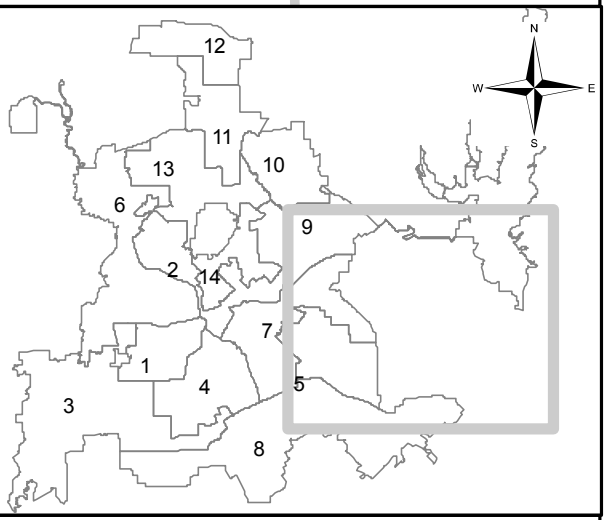
Attached



Location: City of Mesquite

Council Districts: Adjacent to Districts 5, 7, 8 and 9

Department: DWU



Wastewater Treatment Contract with City of Mesquite

D02052014MWW

March 26, 2014

WHEREAS, the City of Dallas and the City of Mesquite currently provide reciprocal water and/or wastewater services under a Reciprocal Water and/or Wastewater Agreement which will expire on March 1, 2014; and,

WHEREAS, from time-to-time, both the City of Dallas and the City of Mesquite continue to have need to request the other to furnish water and/or wastewater service to each other and to each other's customers along common boundary lines wherein only one city has facilities available; and,

WHEREAS, both Dallas and Mesquite desire to continue providing reciprocal water and/or wastewater services; and,

WHEREAS, the City of Mesquite currently purchases wholesale wastewater service from the City of Dallas, and Dallas currently provides wholesale wastewater service to Mesquite as set forth under the terms, covenants, and conditions stated in a Wholesale Wastewater Contract between the City of Dallas and City of Mesquite, dated June 14, 2006; and,

WHEREAS, both the City of Dallas and the City of Mesquite desire to amend the current Wholesale Wastewater Contract by Supplemental Agreement No. 1 to include the Reciprocal Water and/or Wastewater Agreement; and,

WHEREAS, approval of the Supplemental Agreement No. 1 to add the Reciprocal Water and/or Wastewater Agreement to the Wholesale Wastewater Contract between the City of Dallas and City of Mesquite would be in the best interest of both the City of Dallas and the City of Mesquite.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to approve Supplemental Agreement No. 1 to the current Wholesale Wastewater Contract with the City of Mesquite to include the Reciprocal Water and Wastewater Agreement after approval of the contract documents by the City Attorney.

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

AGENDA ITEMS # 33,34

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 L

SUBJECT

City Center TIF District - Incentives for Hartford Building Renovation

* Authorize a development agreement with The Dallas Hartford, LLC, to reimburse eligible project costs for environmental, demolition, façade restoration, and streetscape improvements associated with the Hartford Building Redevelopment project in an amount not to exceed $1,200,000, from revenues accruing to Tax Increment Financing Reinvestment Zone Five (City Center TIF District) – Not to exceed $1,200,000 - Financing: City Center TIF District Funds

* A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Five (City Center TIF District) to reimburse the Dallas Hartford, LLC, up to $1,200,000, for eligible project costs pursuant to the development agreement with the Dallas Hartford, LLC - Financing: No cost consideration to the City

BACKGROUND

The Hartford building, originally built in 1960, was the first Downtown development project by Trammell Crow. The building originally served as the regional office for the Hartford Fire Insurance Group. The building was recently foreclosed on by its lender and today the building is over 50% vacant, with several floors unoccupied for over 10 years.

The building is currently being rented to office and retail tenants.

As part of the project, approximately 161,082 square feet of renovated office/commercial space and approximately 12,396 square feet of ground floor retail/restaurant/commercial space will be renovated. Improvements to the building include environmental remediation, exterior façade improvements, and public improvements to the sidewalks and landscaping.

BACKGROUND (Continued)

The project also includes streetscape improvements and improvements to the open space currently owned by the City of Dallas addressed as 400 N. St Paul Street, directly across Federal Street from the Hartford Building.

The project is considering applying for historic tax credits to assist with project financing.

The total project costs for the Hartford Building project is $5,561,448. The total amount of TIF funding shall not exceed $1,200,000. The total TIF funding proposed for the project will be in the form of a TIF Economic Development Grant to offset the costs of environmental remediation/demolition, streetscape, and façade restoration and to fund open space improvements. Most of the TIF funding commitment is in the form of a grant to enable the development to maximize funding from non-city sources (historic tax credits). Similar smaller TIF deals on smaller buildings like this have reimbursed applicants for costs of environmental, demolition, façade restoration, and streetscape improvements. The funding request for this project is proportional to other similar buildings.

This project continues strategic efforts to redevelop vacant buildings (more than 50% of the Hartford is vacant) in the downtown core, while creating ground floor activity in the downtown area on St. Paul and Bryan Streets.

ESTIMATED PROJECT SCHEDULE

Project Start Date	December 2013
Project Completion Date	December 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 13, 2014, the City Center TIF District board of directors reviewed and recommended approval of a development agreement with the Dallas Hartford, LLC, and TIF funding for the project not to exceed $1,200,000, to reimburse eligible project costs.

On March 3, 2014, the Economic Development Committee was briefed on the proposed The Hartford Building Redevelopment project and recommended approval.

FISCAL INFORMATION

$1,200,000 – City Center TIF District Funds

PROJECT COUNCIL DISTRICT

14

OWNER

The Dallas Hartford, LLC

Ken Good, Principal
2030 Main Street, Ste. 800
Dallas, TX 75201

DEVELOPER

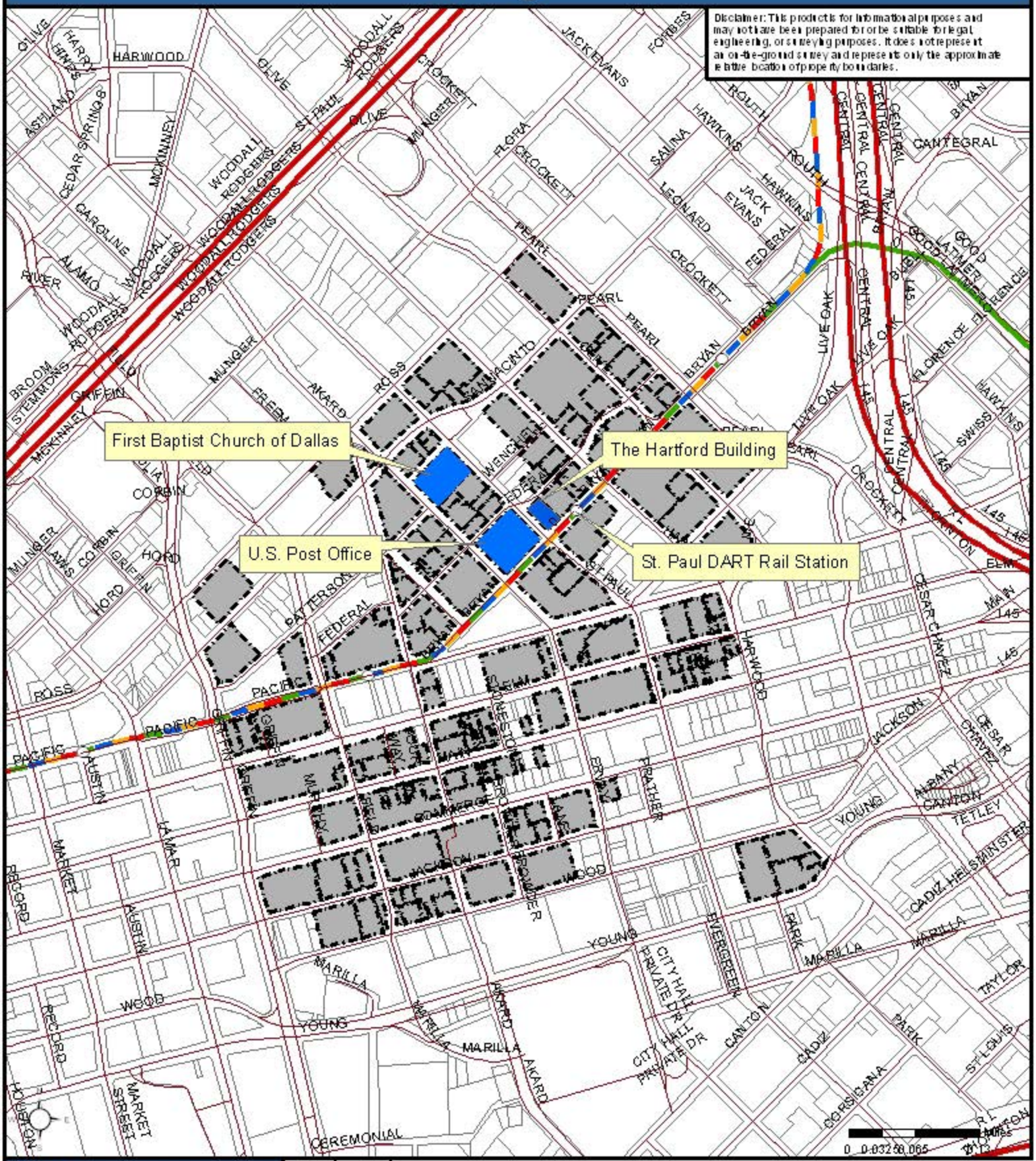
Preserve Liberty, LLC

Ken Good, Principal
2030 Main Street, Ste. 800
Dallas, TX 75201

MAP

Attached.

The Hartford Building - 400 N St. Paul St.



DALLAS
ECONOMIC DEVELOPMENT

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Created MM.DD.YY, Last Updated MM.DD.YY - FileName.ABC

Legend

STREETS

DART Rail Station

STATUS
- Rail Station
- Future Station
- CityCenter TIF Parcels
- Properties Outside of TIF

CITY
- City of Dallas

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. 12-3040 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 February 13, 2014, the City Center TIF District Board of Directors reviewed and recommended approval of a TIF Reimbursement for The Dallas Hartford, LLC in an amount not to exceed $1,200,000, for eligible project costs associated with the Hartford Building Redevelopment project; and

WHEREAS, on March 3, 2014, the Economic Development Committee was briefed and recommended approval of TIF funding for the Hartford Building project in an amount not to exceed $1,200,000; 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) development and expansion of commerce, the City desires to provide economic incentives to the Dallas Hartford, LLC, for the Hartford Building Redevelopment Project in the City Center Sub-district of the City Center TIF District as depicted in the project's Federal Street Elevation Plan, East St. Paul Elevation Plan, West St. Paul Elevation Plan, and Hartford Park Site Plan attached hereto as **Exhibits A**, **B ,C, and D** respectively; and

WHEREAS, the expenditure of TIF funds supporting this development 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 The Dallas Hartford, LLC and the City of Dallas for the Hartford Building Redevelopment project and that future City Center TIF revenues in an amount not to exceed $1,200,000 are hereby dedicated to TIF-eligible project costs associated with the Hartford Building Redevelopment project, as shown in **Exhibit E** – TIF Budget – Eligible Project Costs. These costs include, but are not limited to environmental remediation and demolition, park and plaza construction, public infrastructure improvements and historic façade restoration for the Hartford Building redevelopment.

Section 2. That the City Controller is hereby authorized to encumber and disburse funds from future tax increments and subject to future appropriations from:

Fund 0035, Department ECO, Unit P879, Object 4599, Activity TCCN, Program No. CCTIF0010, CT ECOP879E263-01, Vendor No.VS0000083921, in an amount not to exceed $231,000; and

Fund 0035, Department ECO, Unit P879, Object 3016, Activity TCCN, Program No. CCTIF0010, CT ECOP879E263-02, Vendor No.VS0000083921, in an amount not to exceed $969,000;

For a total amount not to exceed $1,200,000.

Section 3. That nothing in the 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 of $5,000,000 for the Project (acquisition, construction and construction related soft costs).

B. 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, remediation and demolition. Carrying or other similar costs shall not be considered toward this definition of project investment. The owner must provide verification of all expenditures.

   a. Redevelopment of the Project shall include:
   b. Minimum 145,000 square feet of office/commercial space;
   c. Minimum 9,900 square feet of retail/restaurant/office space; and
   d. Minimum 10,000 square feet of improved open space.

C. Obtain a building and/or demolition permit and start construction for the Project by June 1, 2014;

D. Obtain a Certificate of Occupancy (CO) for the Project by December 31, 2015;

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 December 31, 2015 and submit documentation to the Office of Economic Development (the "OED");

F. Execute an Operating and Maintenance agreement for public infrastructure improvements associated with the Project by December 31, 2015, for a period of 20 years;

Section 4. (Continued)

G. A minimum of at least 50% of ground floor space must be occupied prior to TIF Reimbursement;

H. On January 24, 2014, the Project's design was reviewed by the Urban Design Peer Review Panel (the "UDPRP"), an independent group of design, engineering, and/or planning professionals selected by the Dallas City Manager and required for all Sports Arena TIF District projects. Recommendations by the UDPRP specifically related to the project include:

   a. Panel support for including the adjacent park area in the project scope.
   b. The park area be simplified by removing the entire internal wall area except for the existing trees.
   c. Linkage between the park and the building should be made through the use of lighting, materials, landscape, and the proposed shade structure.
   d. The potential impact of the future trolley alignment should be considered and leveraged in the design of both the park area and the public realm adjacent to the building.
   e. The development team should consider either replacing the existing window awnings with the building's historical awnings or as another option, the removal of the window awnings entirely.

I. Comply with UDPRP's design recommendations for the Project as a condition of approval by the TIF Board;

J. Construction of Project and open space improvements shall be in general conformance with design plans approved by the City Center TIF Board of Directors and Dallas City Council;

K. The Project shall be managed by a management company acceptable to the Director of the OED, such approval not being unreasonably withheld;

L. 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;

M. 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;

Section 4. (Continued)

N. If the open space is not improved or if the proposed design plans are not approved, the amount of TIF Reimbursement for the Project will be reduced by to the amount of TIF funds allocated to the improvement of the open space; and

O. 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 The Dallas Hartford, LLC, 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 $1,200,000.

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.

Exhibit A

Federal Street Elevation

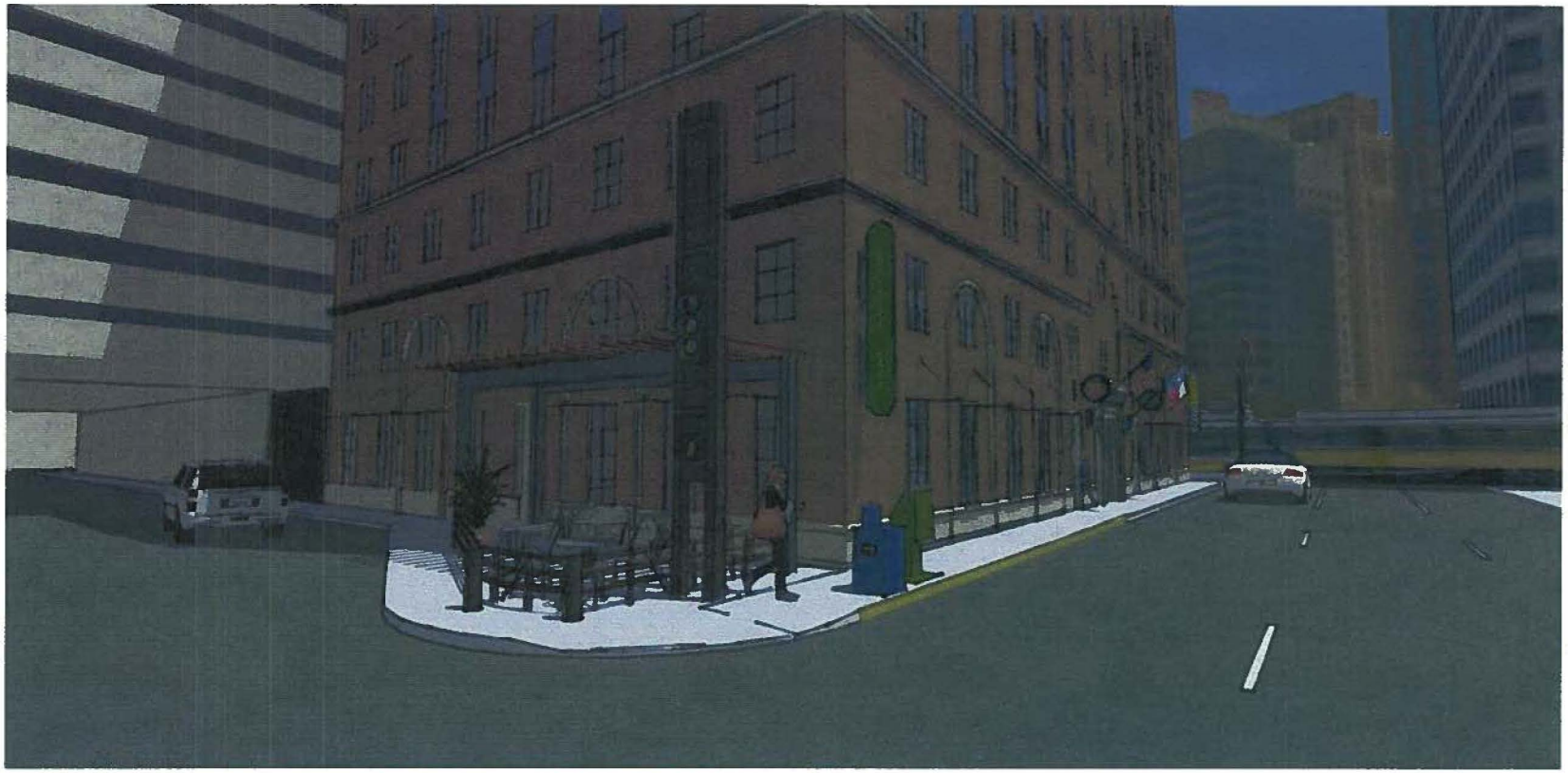


Exhibit B

West St. Paul Street Elevation



Exhibit C

East St. Paul Street Elevation

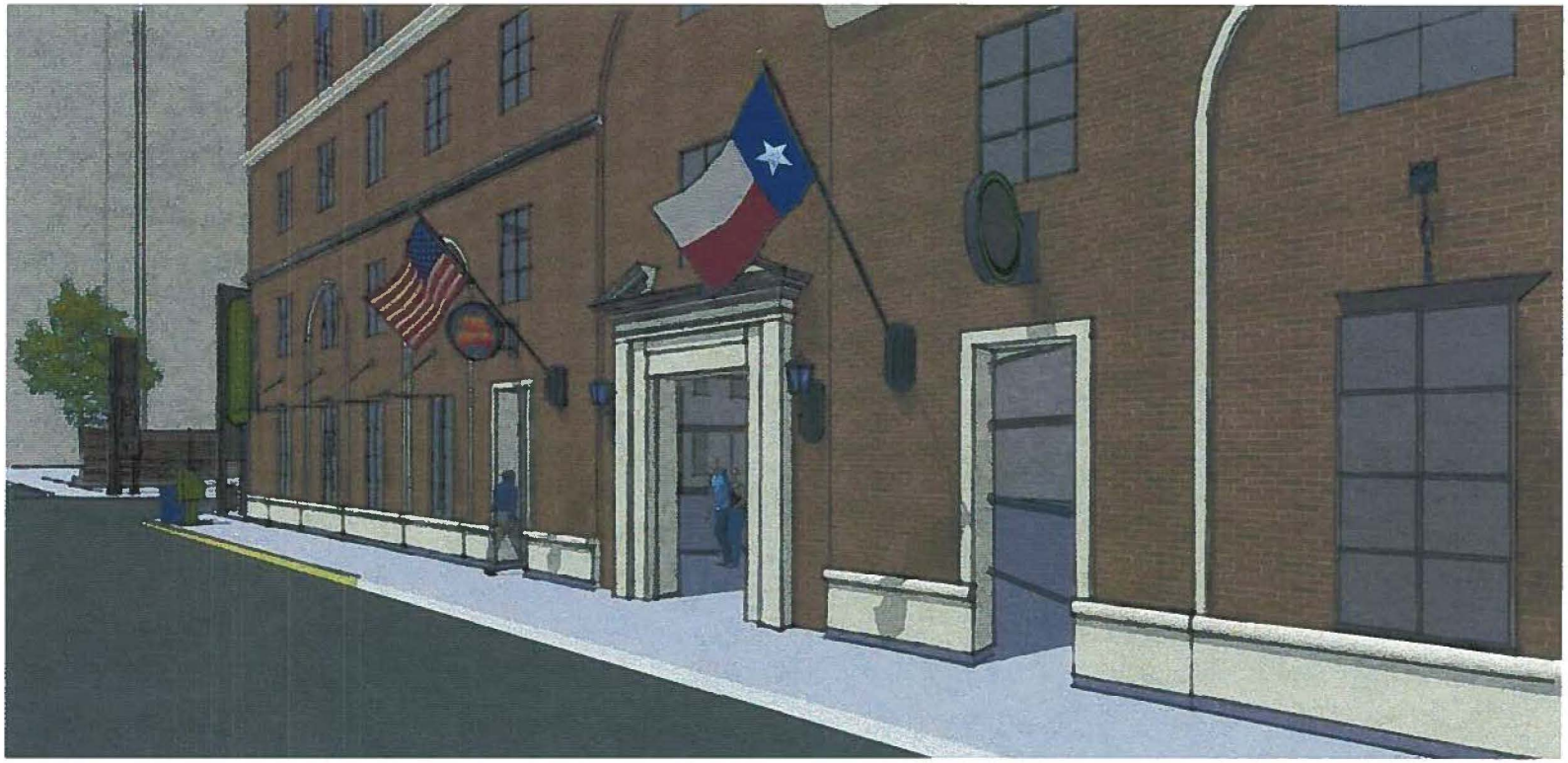
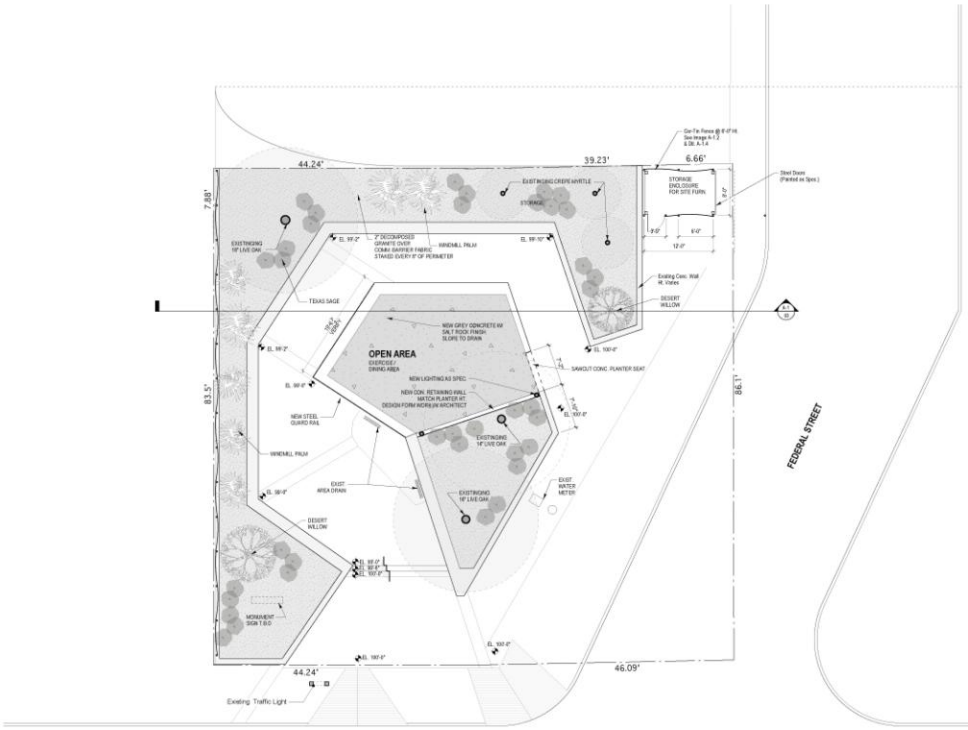
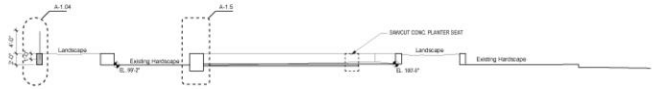


Exhibit D

Hartford Park Site Plan



01 | SITE PLAN



03 | SITE SECTION

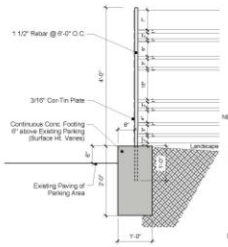


Cor-Tin Fence

Trex Deck

Concrete - Rock Salt Finish

02 | MATERIAL IMAGES



04 | SECTION DETAIL

05 | SECTION DETAIL

LLA architect

january 14, 2014

REVISION

Hartford Park

400 N. ST. PAUL ST. DALLAS TEXAS 75201

FLOOR PLAN / SECTIONS

A-1

Exhibit E

The Hartford Building Redevelopment Project – TIF Budget

Description	Amount
Public Infrastruction Improvements	*$231,000*
Parks and open space	
Economic Development TIF Grant	*$969,000*
Total TIF Funding Recommended	**$1,200,000**

The budget shown above outlines anticipated TIF reimbursements for the Hartford Building Redevelopment project. These reimbursements will be based on actual expenditures as long as the total principal TIF funding does not exceed $1,200,000. No interest shall accrue on any portion of the TIF reimbursement.

Note: The amounts listed above may include engineering, construction, design, construction management, and contingency estimates. 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.

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. 12-3040 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 February 13, 2014, the City Center TIF District Board of Directors reviewed and recommended approval of a TIF Reimbursement for The Dallas Hartford, LLC in an amount not to exceed $1,200,000, for eligible project costs associated with the Hartford Building Redevelopment project; and

WHEREAS, on March 3, 2014, the Economic Development Committee was briefed and recommended approval of TIF funding for the Liberty State Bank Preservation project in an amount not to exceed $1,200,000; 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) development and expansion of commerce, the City desires to provide economic incentives to the Dallas Hartford, LLC, for the Hartford Building Redevelopment Project in the City Center Sub-district of the City Center TIF District as depicted in the project's Federal Street Elevation Plan, East St. Paul Elevation Plan, West St. Paul Elevation Plan, and Hartford Park Site Plan attached hereto as **Exhibits A**, **B ,C, and D** respectively; and

WHEREAS, the expenditure of TIF funds supporting this development 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,

Section 1. That the findings, determinations and certifications contained in the recitals above are incorporated herein for all purposes.

Section 2. That the issuer expects to incur debt as one or more series of obligation for the purpose of paying the costs of the Project. The following is a general functional description of the Project for which the expenditures to be reimbursed or paid and a statement of the maximum principal amount of debt expected to be issued for such reimbursement purposes.

Project Description	**Debt To Be Issued**
Public infrastructure improvements and TIF Grant (for costs associated with environmental remediation, exterior façade improvements and public improvements to the sidewalks and landscaping) for the Dallas Hartford Building Redevelopment Project in Reinvestment Zone Number Five (City Center TIF District).	Not to exceed $1,2000,000 as provided by the Project Plan and Reinvestment Zone Financing Plan

Section 3. That the total City Center TIF District participation in the Dallas Hartford Building redevelopment project shall not exceed an amount of $1,200,000 for TIF-eligible project costs, all in accordance with the terms of the said development agreement.

Section 4. That nothing in the resolution shall be construed to require the City to approve payment from any source of City funds other than the City Center TIF District Fund and/or Tax Increment Bonds. Any funds expended under the development agreement that remain unpaid upon termination of the City Center TIF District, 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 any obligation to pay The Dallas Hartford, LLC shall automatically expire.

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

Exhibit A

Federal Street Elevation

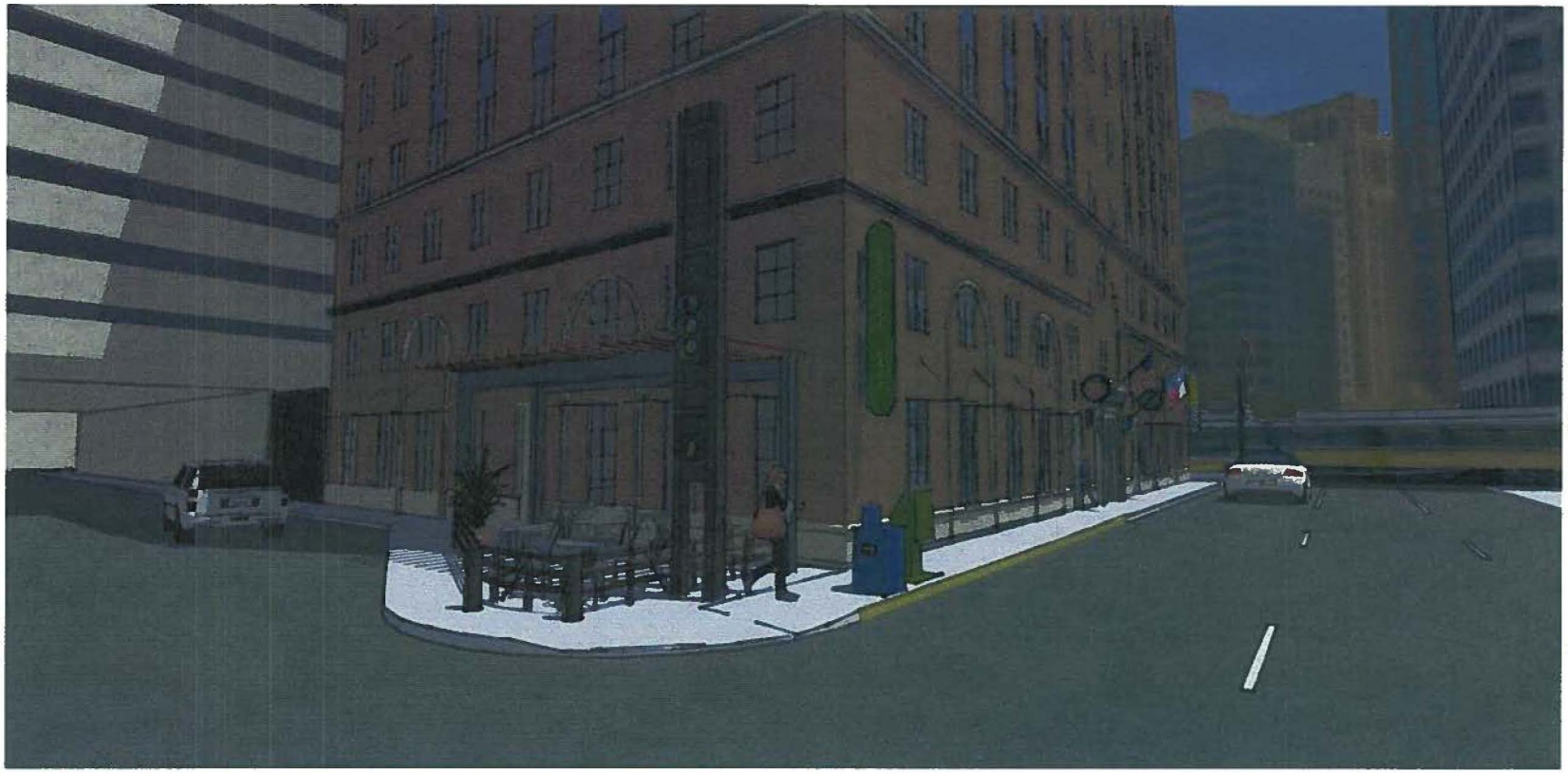


Exhibit B

West St. Paul Street Elevation



Exhibit C

East St. Paul Street Elevation

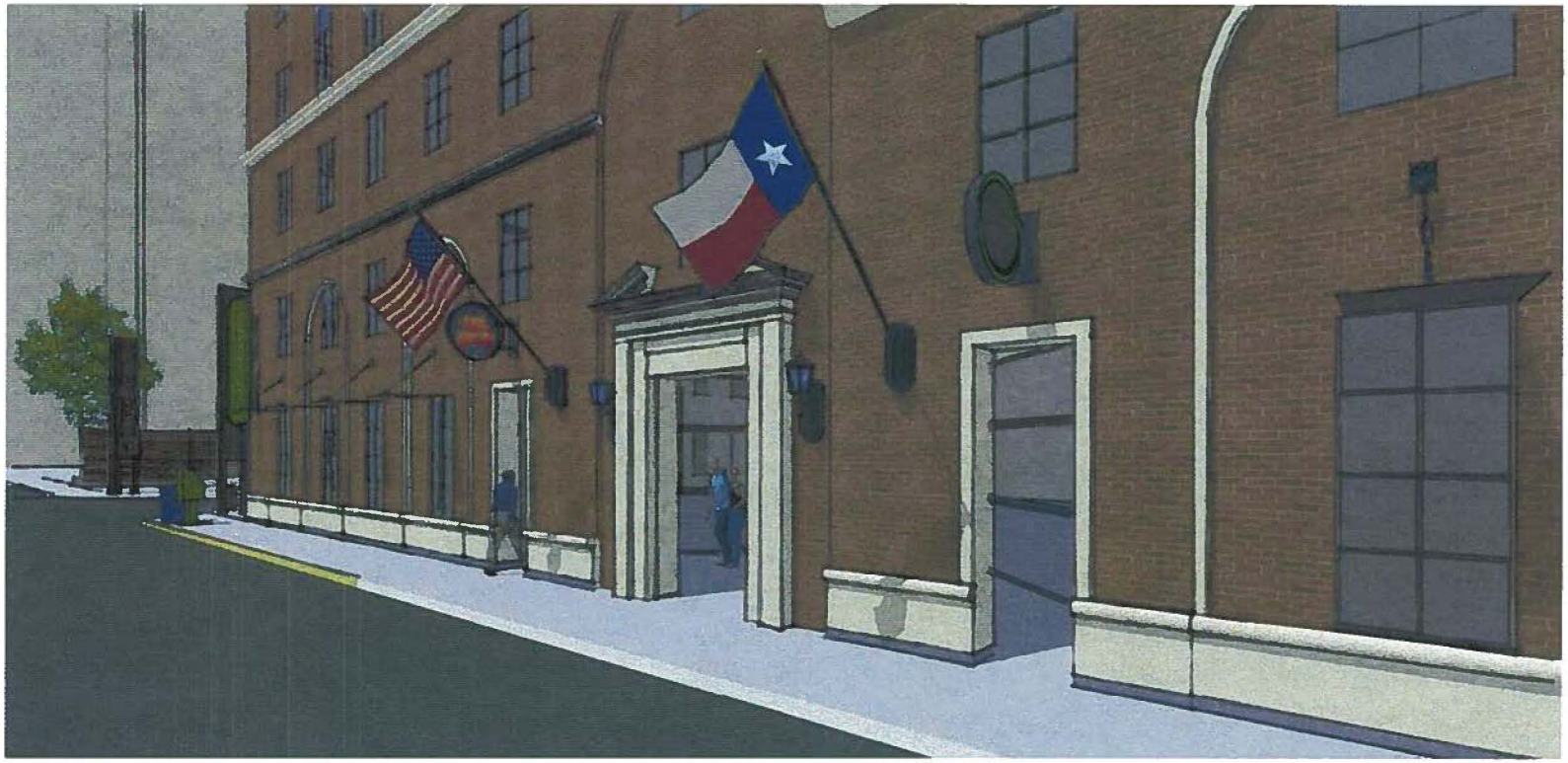
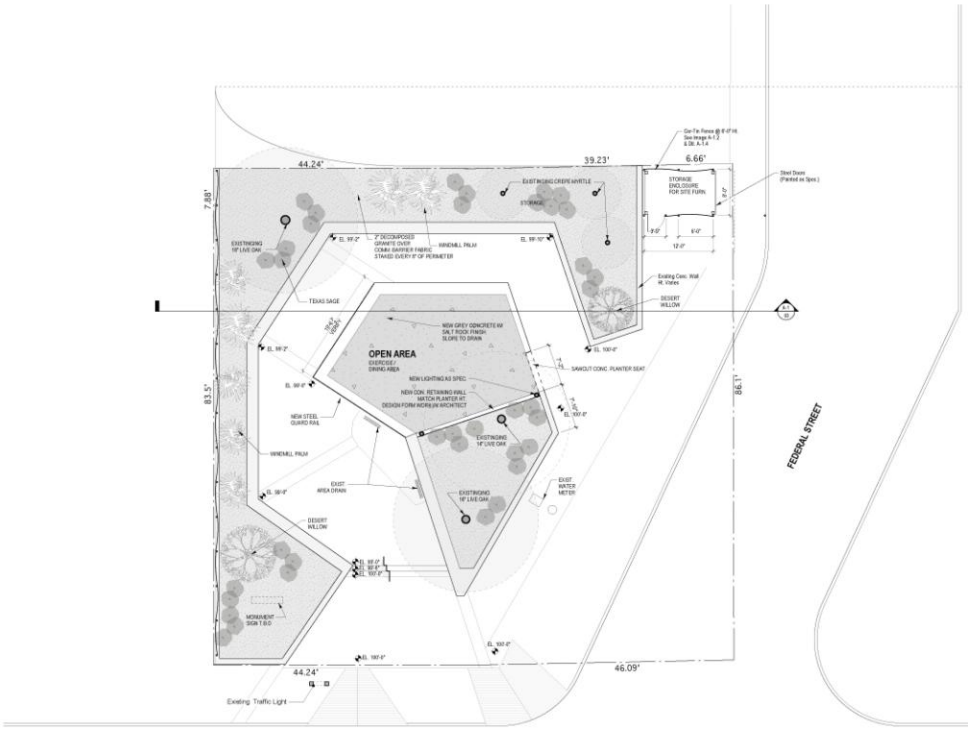
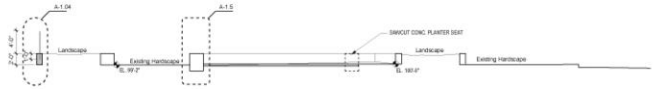


Exhibit D

Hartford Park Site Plan



01 | SITE PLAN



03 | SITE SECTION

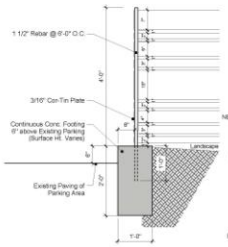


Cor-Tin Fence

Trex Deck

Concrete - Rock Salt Finish

02 | MATERIAL IMAGES



04 | SECTION DETAIL

05 | SECTION DETAIL

LLA architect

january 14, 2014

REVISION

Hartford Park

400 N. ST. PAUL ST. DALLAS TEXAS 75201

FLOOR PLAN / SECTIONS

A-1

AGENDA ITEMS # 35,36

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 8

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 67W

SUBJECT

TCDFW Industrial Development Inc. Project

* Authorize a real property tax abatement agreement with TCDFW Industrial Development Inc. located on approximately 79.05 acres north of IH-635 between J.J. Lemmon Road and the Burlington Northern Santa Fe (BNSF) Railroad at 4800 LBJ Freeway, Dallas, Texas in the amount of 90 percent on the value of real property improvements for 10 years in accordance with the City's Public/Private Partnership Program – Revenue: First year revenue estimated at $7,173; ten-year revenue estimated at $52,682; (Estimated revenue foregone for a ten-year new business personal property abatement estimated at $474,135)
* Authorize a Chapter 380 economic development grant agreement in an amount not to exceed $875,000 with TCDFW Industrial Development Inc. related to the construction of a 500,000 square foot speculative industrial/warehouse facility, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program – Not to exceed $875,000 – Financing: General Obligation Commercial Paper Funds ($807,907) and 2006 Bond Funds ($67,093)

BACKGROUND

City staff has negotiated with Trammel Crow Company regarding construction of a 500,000 square foot speculative industrial/warehouse facility on approximately 79.05 acres north of IH-635 between J.J. Lemmon Road and the Burlington Northern Santa Fe (BNSF) Railroad at 4800 LBJ Freeway, Dallas, Texas located in a Texas Enterprise Zone. Trammel Crow Company will develop this project through an entity called TCDFW Industrial Development Inc. Locally, the Trammel Crow Company has developed over 50 million square feet in industrial buildings, with a strong commitment to Southern Dallas.

BACKGROUND (Continued)

This site has several issues which have increased the property's development costs. A large portion of the property is located within the 100 year floodplain and will require the construction of a mitigation swale to reclaim approximately 12 acres of land. This process also requires the developer to obtain a Fill Permit from the City of Dallas and a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA). A Section 404 Individual Permit from the United States Army Corps of Engineers (USACOE) is also required.Tree mitigation requirements and a significant change in elevation from east to west escalated the project development costs.

TCDFW Industrial Development Inc. seeks City Council approval of a 90 percent real property tax abatement for 10 years and an economic development grant in an amount not to exceed $875,000 to offset public and private improvement costs. TCDFW Industrial Development Inc. will make a minimum of $10,000,000 in real property improvements with construction of the 500,000 square foot speculative industrial/warehouse facility. The economic development grant will be payable upon the substantial completion of a minimum of $10,000,000 in real property improvements by December 31, 2016. The real property tax abatement must begin on or before January 1, 2017. TCDFW Industrial Development Inc. will forfeit the real property tax abatement and the economic development grant if it fails to reach the minimum investment by the required time.

The forgone revenue from the proposed tax abatement is $474,135. The proposed agreement will result in a 10-year net fiscal impact of $161,511 and a $2,202,189 20-year net fiscal impact.

The proposed project meets the minimum eligibility requirements of the Public/Private Partnership Program as adopted by the City Council in Resolution No. 12-1520 on June 13, 2012.

ESTIMATED SCHEDULE OF THE PROJECT

Begin Construction	June 2014
Complete Construction	March 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item was presented to the Economic Development Committee on March 3, 2014.

FISCAL INFORMATION

2006 Bond Funds - $67,093
2006 Bond Program (General Obligation Commercial Paper Funds) - $280,092
2012 Bond Program (General Obligation Commercial Paper Funds) - $527,815

OWNER

TCDFW Industrial Development Inc.

Scott Krikorian, Managing Director

MAP

Attached.

TCDFW Industrial Development Inc.

North of IH-635 between J.J. Lemmon Road and BNSF Railroad at 4800 LBJ Freeway

J. J. LEMMON ROAD

INTERSTATE HIGHWAY NO. 635
(LYNDON B. JOHNSON FREEWAY)
(A VARIABLE WIDTH RIGHT-OF-WAY)

79.05 acres

0 150 300 450 600

SCALE: 1"=300'

Exhibit 001
Economic Development Area
JJ Lemmon tract
DATE: Jan 15, 2014 AVO: 1008149364

HALFF

2/7/2014 5:31:24 PM ehild4 HALFF J:\1008-149364_Ch1_Team_49\WO11 TCRDW\JJ Lemmon\Survey\T01 economic dev exhibit\fig\2D_CLR_FW_300.plt

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

WHEREAS, by resolution approved on June 13, 2012, the City Council authorized the continuation of its participation in tax abatement and established the Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered into by the City as required by the Property Redevelopment and Tax Abatement Act, V.T.C.A. Tax Code, Chapter 312 (the "Act"); and

WHEREAS, the State of Texas established an Enterprise Zone Program in 1993 which was amended in 2003 to designate Enterprise Zones by Census Tract Block Groups effective September 1, 2003; and

WHEREAS, pursuant to Section 312.2011 of the Property Redevelopment and Tax Abatement Act, the Act provides that the designation of an area as an enterprise zone under the Texas Enterprise Zone Act constitutes designation of an area as a reinvestment zone without further hearing or other procedural requirements; and

WHEREAS, the City desires to enter into a real property tax abatement agreement with TCDFW Industrial Development Inc. for added value to real property for the construction of a 500,000 square foot speculative industrial/warehouse facility located on approximately 79.05 acres north of IH-635 between J.J. Lemmon Road and the Burlington Northern Santa Fe (BNSF) Railroad at 4800 LBJ Freeway, Dallas, Texas 75244, located within a State-designated Enterprise Zone.

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 real property tax abatement agreement with TCDFW Industrial Development Inc. for added value to the real property in accordance with the Act and the City's Public/Private Partnership Guidelines and Criteria.

Section 2. That at least seven (7) days prior to the execution of the tax abatement agreement, notice of the City's intention to enter into the tax abatement agreement shall be delivered to the governing bodies of each other taxing unit that includes in its boundaries the real property that is the subject of this agreement.

Section 3. That the approval and execution of the tax abatement agreement by the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

Section 4. That the real property which will be described in the tax abatement agreement, attached hereto as **Exhibit A (Metes and Bounds)** and depicted on the attached site map as **Exhibit B (Map - the "Property")**, is located within a State-designated Enterprise Zone.

Section 5. That the tax abatement agreement shall provide, among other provisions, the following:

(a) The Property subject to tax abatement shall be located entirely within a State-designated Enterprise Zone.

(b) None of the Property subject to tax abatement is owned or leased by a member of the City Council of the City of Dallas or by a member of the City Plan Commission.

(c) That the development of the Property will conform to all requirements of the City's zoning ordinance, and that the use of the Property is consistent with the general purpose of encouraging development or redevelopment in the reinvestment zone during the period the tax abatement is in effect.

(d) The City will provide TCDFW Industrial Development Inc. a 90 percent abatement of the added value to the real property for a period of ten years for real property located within a State-designated Enterprise Zone as provided in **Exhibit A (Metes and Bounds)**. The tax abatement will commence on or before January 1, 2017.

(e) That approximately $10,000,000 will be expended on construction, design, site work and other related hard and soft project costs to be substantially completed by December 31, 2016. The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause.

(f) That a proportionate percentage of the property tax revenue lost as a result of the tax abatement agreement will be recaptured by the City if improvements to real property are not made as provided by the tax abatement agreement.

(g) A description of the kind, number, location and costs of all proposed improvements to the Property will be provided to the Office of Economic Development.

Section 5. (Continued)

(h) That access to the Property will be provided to allow for the inspection by City inspectors and officials to ensure that the improvements or repairs are made according to the specification and terms of the tax abatement agreement.

(i) A requirement that the owner of the Property certify annually to the governing body of each taxing unit that the owner is in compliance with each applicable term of the agreement.

(j) That the Dallas City Council may terminate or modify the agreement if the property owner fails to comply with the agreement.

(k) That the tax abatement agreement shall be personal to TCDFW Industrial Development Inc. and shall only be assignable upon written approval of the assignment by the City's Director of the Office of Economic Development.

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.

Exhibit A – Metes and Bounds

LEGAL DESCRIPTION

BEING a tract of land situated in the Levi Dixon League Survey, Abstract No. 380, and the Ulrich Withrick Survey, Abstract No. 1518 in the City of Dallas, Dallas County, Texas, and being a portion of a tract of land described in General Warranty Deed to the Dallas Morning News, L.P. recorded in Volume 99062, Page 4489 of the Deed Records of Dallas County, Texas(D.R.D.C.T.) and being more particularly described as follows:

BEGINNING at a point for the southwest corner of said Dallas Morning News tract said point also being at the intersection of the north right-of-way line of Interstate Highway No. 635 (Lyndon B. Johnson Freeway) (a variable width right-of-way) with the easterly right-of-way line of Burlington Northern Santa Fe(BNSF) railroad;

THENCE North 02 degrees 13 minutes 27 seconds East, along the west line of said Dallas Morning News tract and along said easterly right-of-way line of BNSF railroad, a distance of 1286.07 feet to a point for the most westerly northwest corner of said Dallas Morning News tract, said corner being on the south line of a tract of land described in deed to Don Gholston, as recorded in Volume 84180, page 3262, D.R.D.C.T.;

THENCE North 59 degrees 18 minutes 54 seconds East, departing said easterly right-of-way line of BNSF railroad and along the common line of said Dallas Morning News tract and said Gholston tract, a distance of 704.61 feet to point for the east corner of said Gholston tract, said corner being on the southwesterly right-of-way line of J.J. Lemmon Road (a called 60 foot wide right- of way);

THENCE South 82 degrees 52 minutes 06 seconds East, along the north line of said Dallas Morning News tract and said southwesterly right- of-way line of J. J. Lemmon Road a distance of 15.82 feet to a point for corner at the beginning of a non-tangent circular curve to the left having a radius of 286.48 feet, whose chord bears North 79 degrees 43 minutes 58 seconds East a distance of 171.33 feet;

THENCE Easterly, with said north line of Dallas Morning News tract and said southwesterly right-of-way line of J.J. Lemmon Road and with said curve, through a central angle of 34 degrees 47 minutes 54 seconds, an arc distance of 173.99 feet to a point for corner;

THENCE North 62 degrees 20 minutes 02 seconds East , continuing with said north line of Dallas Morning News tract and said southwesterly right-of-way line of J.J. Lemmon Road, a distance of 212.89 feet to a point of corner;

THENCE North 70 degrees 28 minutes 03 seconds East, continuing with said north line of Dallas Morning News tract and said southwesterly right-of-way line of J.J. Lemmon Road, a distance of 142.93 feet to a point for corner at the beginning of a non-tangent circular curve to the right, having a radius of 828.00 feet, whose chord bears North 85 degrees 22 minutes 57 seconds East, a distance of 89.51 feet;

THENCE Easterly, continuing with said north line of Dallas Morning News tract and said southwesterly right-of-way line of J.J. Lemmon Road and with said curve, through a central angle of 06 degrees 11 minutes 49 seconds, an arc distance of 89.55 feet to a point for corner;

THENCE North 88 degrees 28 minutes 52 seconds East, continuing with said north line of Dallas Morning News tract and said southwesterly right-of-way line of J.J. Lemmon Road, a distance of 1151.00 feet to a point for corner ;

THENCE South 01 degree 46 minutes 59 seconds East, departing said north line of Dallas Morning News tract and said southwesterly right-of-way line of J.J. Lemmon Road and over and across said Dallas Morning News tract, a distance of 1286.66 feet to a point for corner on the south line of said Dallas Morning News tract and said north right-of-way line of Interstate Highway No. 635;

THENCE South 71 degrees 27 minutes 45 seconds West, with said south line of Dallas Morning News tract and said north right-of-way line of Interstate Highway No. 635, a distance of 807.40 feet to a point for corner;

THENCE South 77 degrees 45 minutes 02 seconds West, with said south line of Dallas Morning News tract and said north right-of-way line of Interstate Highway No 635, a distance of 350.61 feet to a point for corner;

THENCE North 20 degrees 17 minutes 24 seconds West, departing said right-of-way line of Interstate Highway No. 635, a distance of 100.00 feet to a point for corner;

THENCE South 77 degrees 45minutes 02 seconds West, along a distance of 80.79 feet to a point for corner;

THENCE South 20 degrees 17 minutes 24 seconds East, a distance of 100.00 feet to a point for corner on said south line of Dallas Morning News tract and said north right-of-way line of Interstate Highway No. 635 ;

THENCE South 77 degrees 45 minutes 02 seconds West, continuing with said south line of Dallas Morning News tract and said north right-of-way line of Interstate Highway No. 635, a distance of 727.02 feet to a point for corner;

THENCE South 81 degrees 33 minutes 38 seconds West, continuing with the south line of said Dallas Morning News tract and said north right-of-way line of said Interstate Highway No. 635, a distance of 470.73 feet to the POINT OF BEGINNING AND CONTAINING 3,443,521 square feet or 79.05 acres of land, more or less.

Exhibit B
TCDFW Industrial Development Inc.
North of IH-635 between J.J. Lemmon Road and BNSF Railroad at 4800 LBJ Freeway

J. J. LEMMON ROAD

N88° 26'52"E 1278.77'

1151.00'

D=34° 47'54"
R=286.48'
L=173.99'
CB=N78° 43'58"E
CD=171.33'

S82° 52'06"E
15.82'

N82° 20'02"E
212.89'

N70° 28'03"E
142.93'

D=5° 11'49"
R=828.00'
L=89.35'
CB=N85° 22'57"E
CD=89.31'

D=83° 04'53"
R=538.00'
L=702.42'
CB=S59° 55'41"E
CD=657.48'

S28° 36'51"E 408.63'

N59° 18'54"E 704.61'

79.05 acres

S77° 45'02"W
50.79'

N20° 17'24"W
100.00'

S20° 17'24"E
100.00'

S77° 45'02"W 350.87'

907.40'

S77° 45'02"W 727.02'

S61° 33'38"W 470.73'

INTERSTATE HIGHWAY NO. 635
(LYNDON B. JOHNSON FREEWAY)
(A VARIABLE WIDTH RIGHT-OF-WAY)

0 150 300 450 600
SCALE: 1"=300'

Exhibit 001
Economic Development Area
JJ Lemmon tract
DATE: Jan 15, 2014 AVO: 1008149364
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2/7/2014 5:31:24 PM ehild4 HALFF J:\1008-149364_Civil_Team_48\WO11 TCRDW\JJ Lemmon\Survey\T001 economic dev exhibit\fig\2D_CLR_FW_300.plt

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

WHEREAS, the City, pursuant to Resolution No. 12-1520 approved by the City Council on June 13, 2012: (1) adopted revised Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City of Dallas pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code, (the "Act"); and

WHEREAS, on June 13, 2012, the City Council elected to continue its participation in economic development grants pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 12-1520, as amended; and

WHEREAS, the City Council adopted Ordinance 26421 on August 9, 2006 to authorize a bond election to be held on November 7, 2006 authorizing general obligation bonds; and

WHEREAS, on November 7, 2006, Dallas voters approved a $1.35 billion General Obligation Bond Program of which $41,495,000 in bond funding to promote economic development activities which include the construction of certain public improvements including, but not limited to, street improvements, utility and other infrastructure improvements in southern Dallas; and

WHEREAS, the City Council adopted Ordinance 28740, as amended, on August 15, 2012 to authorize a bond election to be held on November 6, 2012 authorizing general obligation bonds; and

WHEREAS, on November 6, 2012, Dallas voters approved a $642 million General Obligation Bond Program of which $55,000,000 in bond funding to promote economic development activities in southern Dallas and promoting economic development in other areas of the City in conjunction with transit-oriented development by providing public infrastructure and funding the City's economic development programs for such areas; and

WHEREAS, the City desires to enter into an economic development grant agreement with TCDFW Industrial Development Inc. for the construction of a 500,000 square foot speculative industrial/warehouse facility located on approximately 79.05 acres north of IH-635 between J.J. Lemmon Road and the Burlington Northern Santa Fe (BNSF) Railroad at 4800 LBJ Freeway, Dallas, Texas 75244.

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 an economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program with TCDFW Industrial Development Inc. for the construction of a 500,000 square foot speculative industrial/warehouse facility located on approximately 79.05 acres north of IH-635 between J.J. Lemmon Road and the Burlington Northern Santa Fe (BNSF) Railroad at 4800 LBJ Freeway, Dallas, Texas 75244.

Section 2. That the economic development grant with TCDFW Industrial Development Inc. in an amount not to exceed $875,000 will be payable upon substantial completion of a minimum of $10,000,000 in real property improvements on or before December 31, 2016.

Section 3. That the City Controller is hereby authorized to encumber and disburse funds from:

Fund 1T52, Department ECO, Unit T808, Object 3016, Activity INFS, Encumbrance No. ECOT808E261-01, Vendor No. VS0000083370, in an amount not to exceed $67,093

Fund 2T52, Department ECO, Unit T808, Object 3016, Activity INFS, Encumbrance No. ECOT808E261-02, Vendor No. VS0000083370, in an amount not to exceed $280,092 and

Fund 2U52, Department ECO, Unit S801, Object 3016, Activity INFS, Encumbrance No. ECOT808E261-03, Vendor No. VS0000083370, in an amount not to exceed $527,815

Total amount not to exceed $875,000.

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 # 37

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 34 P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses on property zoned an IR Industrial Research District, on the northwest side of Kimsey Drive, northeast of Maple Avenue

Recommendation of Staff and CPC: Approval, subject to a development plan and conditions

Z123-339(JH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**
ACM: Theresa O'Donnell

FILE NUMBER: Z123-339 (JH) **DATE FILED:** July 30, 2013

LOCATION: Northwest of Kimsey Drive, northeast of Maple Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 34-P

SIZE OF REQUEST: Approx. 0.77 acres **CENSUS TRACT:** 4.06

REPRESENTATIVE: Rob Baldwin

APPLICANT: Madison Realty Investors, Inc.

OWNER: Freidrich & Christina Stark

REQUEST: An application for a Planned Development District for MF-2(A) Multifamily District uses on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to construct a townhouse-style residential development with up to 20 units. The PD conditions will require six-foot sidewalks, sidewalk connections from the street-facing units to the public sidewalk, and restrict fencing in the front yard.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to conditions based upon:

1. *Performance impacts upon surrounding property (lighting, noise, odor, etc.)* – The residential uses will be compatible with the surrounding residential uses. There are industrial and office uses in the area.

2. *Traffic impact* – The proposed increase in traffic volume is not enough to trigger traffic impact study. The increase in traffic will not negatively impact the surrounding roadway system.

3. *Comprehensive Plan or Area Plan Conformance* – The proposed zoning is supported by *forwardDallas!* and the *Stemmons Corridor - Southwestern Medical District Area Plan*.

4. *Deviation from base zoning* – The PD conditions reduce the parking requirement to remove the on-site guest parking. The PD conditions will require a larger sidewalk, pedestrian connection from the units closest to the street, and limit fencing between the front façade and the street.

BACKGROUND INFORMATION:

- The request site is currently partially developed with single family structures and is approximately 225 feet in width and 150 feet in depth.

- The proposed use is a townhouse-style residential development.

Zoning History:

1. Z101-328	On December 14, 2011, the City Council approved a CS Commercial Service District on property zoned an MU-2 Mixed Use District.
2. Z067-320	On January 9, 2008, City Council approved an MU-2 Mixed Use District on property zoned an MF-2(A) Multifamily District and approved the termination of existing deed restrictions.
3. Z078-182	On May 14, 2008, the City Council approved an MU-2 Mixed Use District on property zoned an IM Industrial Manufacturing District.
4. Z078-288	On November 10, 2008, the City Council approved an MU-2 Mixed Use District on property zoned an IR Industrial Research District.
5. Z112-232	On August 8, 2012, the City Council approved an amendment to Planned Development District No. 865.

6. Z089-186 On April 24, 2009, the City Council approved a Specific Use Permit for a bar, lounge, or tavern on property zoned an IR Industrial Research District.

7. Z123-330 An application is pending for mixed uses on property zoned an IM Industrial Manufacturing district.

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 as being in the Campus Block.

The Campus Building Block focuses on areas around large master-planned educational, institutional or business facilities outside the Downtown. The University of North Texas campus was the motivating factor for creating this Building Block, although other examples exist, such as the areas around the Southwestern Medical District, the Baylor University Medical Center, the Veterans Administration Hospital and Pinnacle Park. Campus Building Blocks often act as smaller versions of a complete community and include a range of single-family and multifamily housing for students, employees and visitors. A variety of offices, shops, services and open space should exist to support the major campus employer and area residents. Over time, areas such as UNT can take on a "university town" feel as they mature. All Campus Building Block areas should have convenient transit options as an integral component. Economic development efforts should capitalize on the spin-off employment opportunities generated by the primary employers.

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.

HOUSING ELEMENT

GOAL 3.2 ANSWER THE NEED FOR HOUSING OPTIONS

Policy 3.2.2 Encourage higher density housing within a quarter-mile of DART stations

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Stemmons Corridor - Southwestern Medical District Area Plan:

The request site is within the Stemmons Corridor - Southwestern Medical District Area Plan and primarily complies with the intent of this plan, adopted June 2010. The Plan identifies the request site as being in the Medical Campus Development Block. The Plan recommends this development block be predominantly medical related offices and facilities; however, it is also envisioned to be home to a highly walkable mix of residential and mixed-use developments accommodating medical district employees. Guidance from the plan for the Medical Campus Development Block on residential developments include they "…should enable residents to easily access work, shopping, and leisure activities by transit and pedestrian-oriented streets as well as by driving." (pg 38) The plan envisions structures in this area to range from 2 to 7 stories, although some medical facilities may include downtown-scale towers.

Land Use Compatibility:

Kimsey Drive is developed with a mix of light industrial/office uses and single family residential uses. In the area northwest and southwest of the request site along Maple Avenue between Bomar Avenue and on Stutz Drive, redevelopment to multifamily uses of previously a mix of light and heavy industrial (inside) uses with scattered single-family uses has been occurring since approximately 2003. The site is in close proximity to the Inwood DART rail station, though just outside of a half-mile walking distance. The proximity of the DART rail station and the UT Southwestern campus are creating the need for additional housing options.

The applicant proposes to construct up to 20 townhouse-style residential dwelling units on 0.86 acres. In reviewing the recommendations of the area plan with the applicant, the proposed PD conditions would increase the sidewalk width, require open fencing in the front yard, and require pedestrian lighting. The fencing restrictions will keep the area between the front façades and the street visually open. These conditions promote a walkable neighborhood per the recommendations of the area plan. Staff supports the applicant's request.

Development Standards:

DISTRICT	SETBACKS Front	SETBACKS Side/Rear	Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
Proposed							
PD Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family
Existing							
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Parking/Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development.

The PD conditions reduce the parking requirement to two spaces per dwelling unit. The applicant proposes guests will park on the street. Staff supports this reduction because there is an area between buildings that will have a gravel surface that will function as guest parking as needed.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Maple Avenue	Collector	60 ft.
Kimsey Drive	Local	50 ft.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code.

List of Partners/Principals/Officers

Madison Realty Investors, Inc.

John D. Gourly, President
Robert Teeter, Vice President

CPC Minutes – February 6, 2014

Z123-339(AB) Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of a Planned Development District for MF-2(A) Multifamily District uses, subject to a development plan and conditions on property zoned an IR Industrial Research District, on the northwest side of Kimsey Drive, northeast of Maple Avenue.

Maker: Soto
Second: Shellene
Result: Carried: 14 to 0
For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 500 Mailed: 40
Replies: For: 5 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Recommended PD 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 _____.

SEC. 51P-XXX.102. PROPERTY LOCATION AND SIZE.

PD XXX is established on property located along Kimsey Drive, east of Maple Avenue. The size of PD XXX is approximately 0.77 acres.

SEC. 51P-XXX.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be residential zoning district.

SEC. 51P-XXX.104. EXHIBIT.

The following exhibit is incorporated into this article: development plan.

SEC. 51P-XXX.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit XXXA). 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.

The only main uses permitted in this subdistrict are those uses permitted in the MF-2(A) Subdistrict, subject to the same conditions applicable in the MF-2(A) Subdistrict. For example, a use permitted in the MF-2(A) Subdistrict only by Specific

Use Permit (SUP) is permitted in this subdistrict only by specific use permit (SUP); a use subject to development impact review (DIR) in the MF-2(A) Subdistrict is subject to DIR in this subdistrict; etc.

SEC. 51P-XXX.108. ACCESSORY USES.

Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations 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 subsection 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 subsection and Division 51A-4.400, this subsection controls).

(a) Except as provided, the yard, lot, and space regulations for the MF-2(A) Multifamily District apply.

(b) Density. Maximum number of dwelling units is 20.

SEC. 51P-XXX.110. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Sections 51A-13.400 through 51A-13.412 for the specific off-street parking and loading requirements for each use.

(b) Multifamily. A minimum of two spaces per dwelling unit is required.

SEC. 51P-XXX.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-XXX.112. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-XXX.113. URBAN DESIGN.

(a) The sidewalks along Kimsey Drive must be a minimum six feet wide.

(b) Individual dwelling units that front on Kimsey Drive must have a pedestrian connection to the sidewalk in the general location shown on the development plan.

(c) Gates are prohibited across driveways.

(d) Fencing between the street facing facade and the front property line is limited to four feet in height and cannot be a solid fence.

(e) Pedestrian scale lighting is required along Kimsey Drive at one light standard per 100 linear feet.

SEC. 51P-XXX.114. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

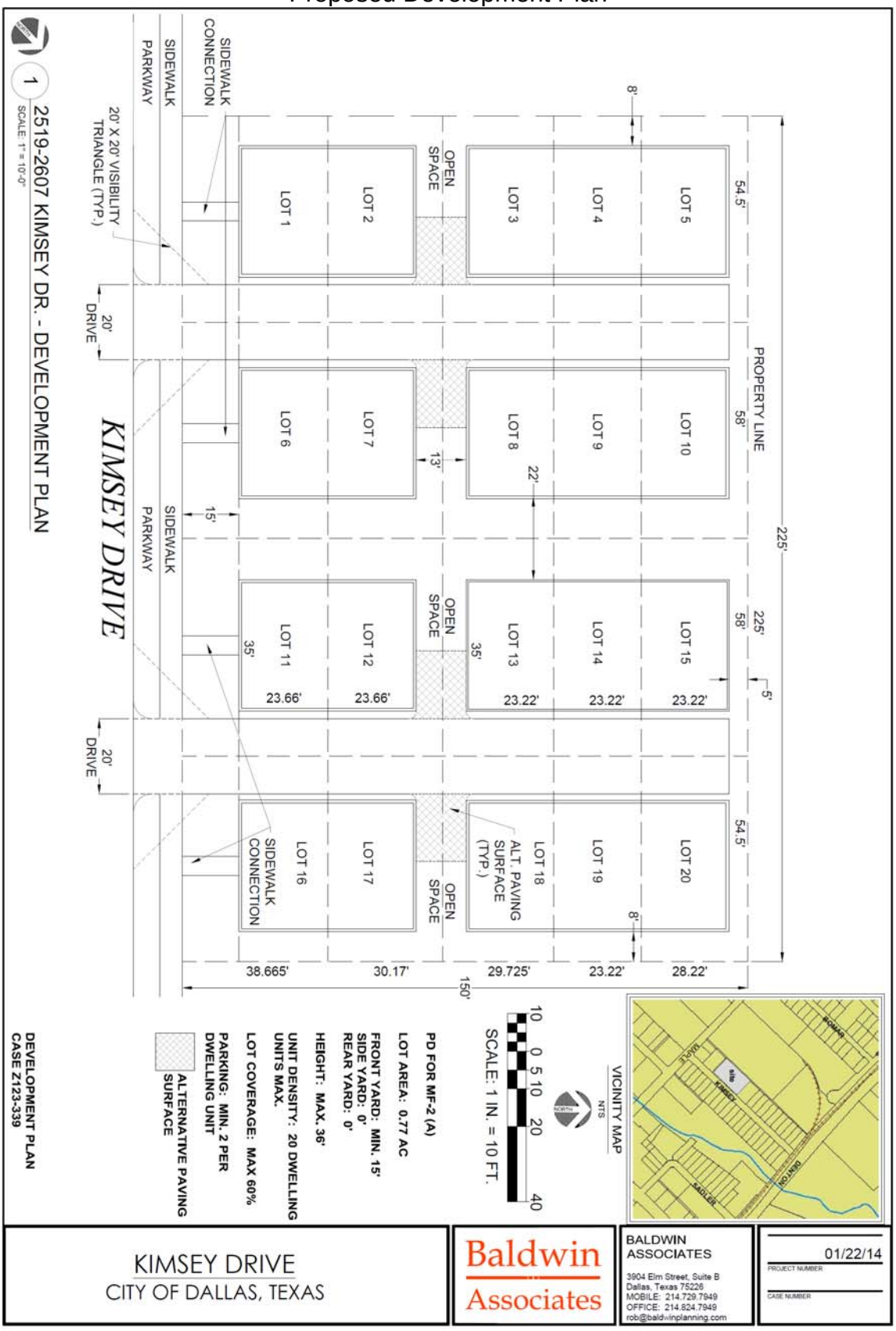
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

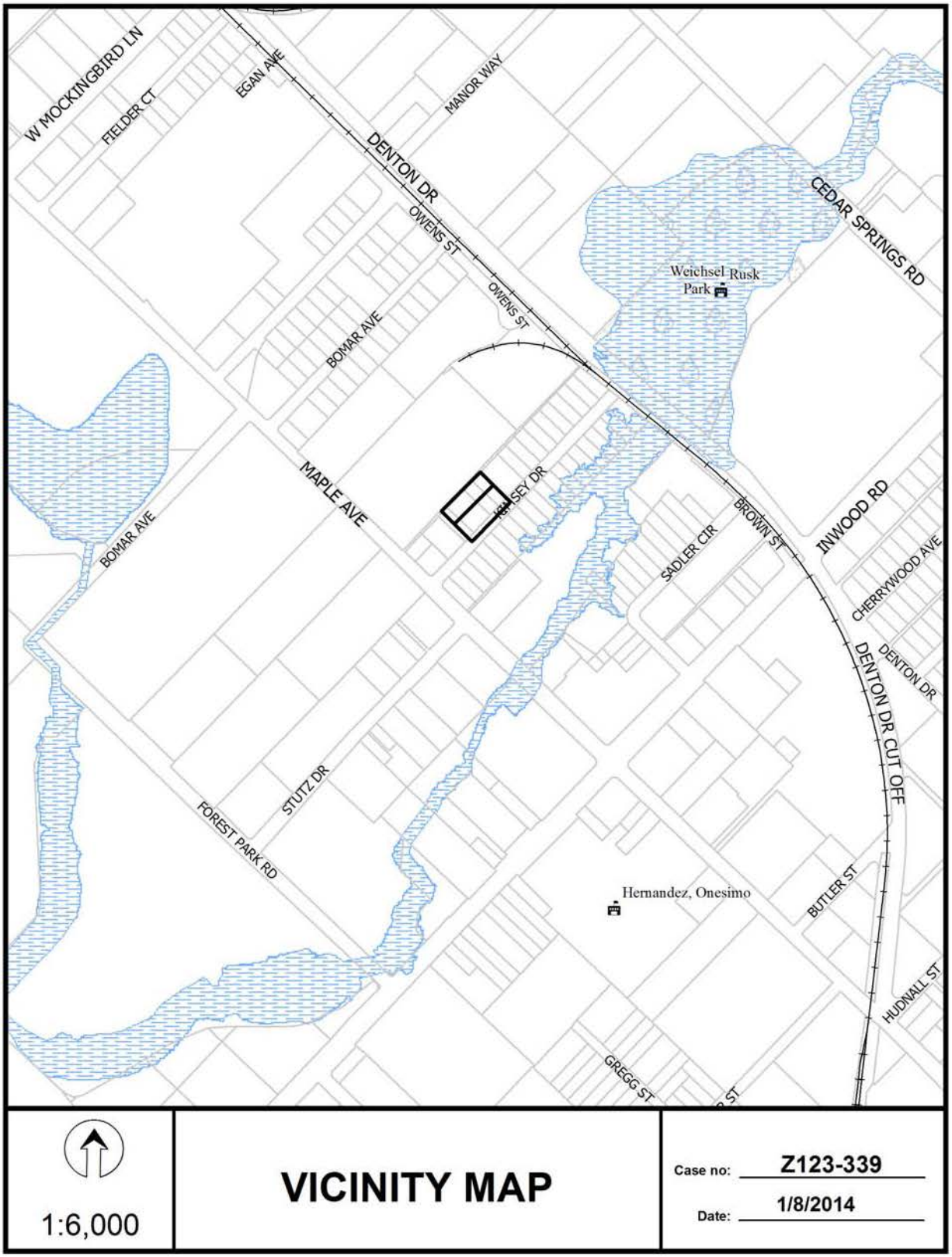
SEC. 51P-XXX.115. COMPLIANCE WITH CONDITIONS.

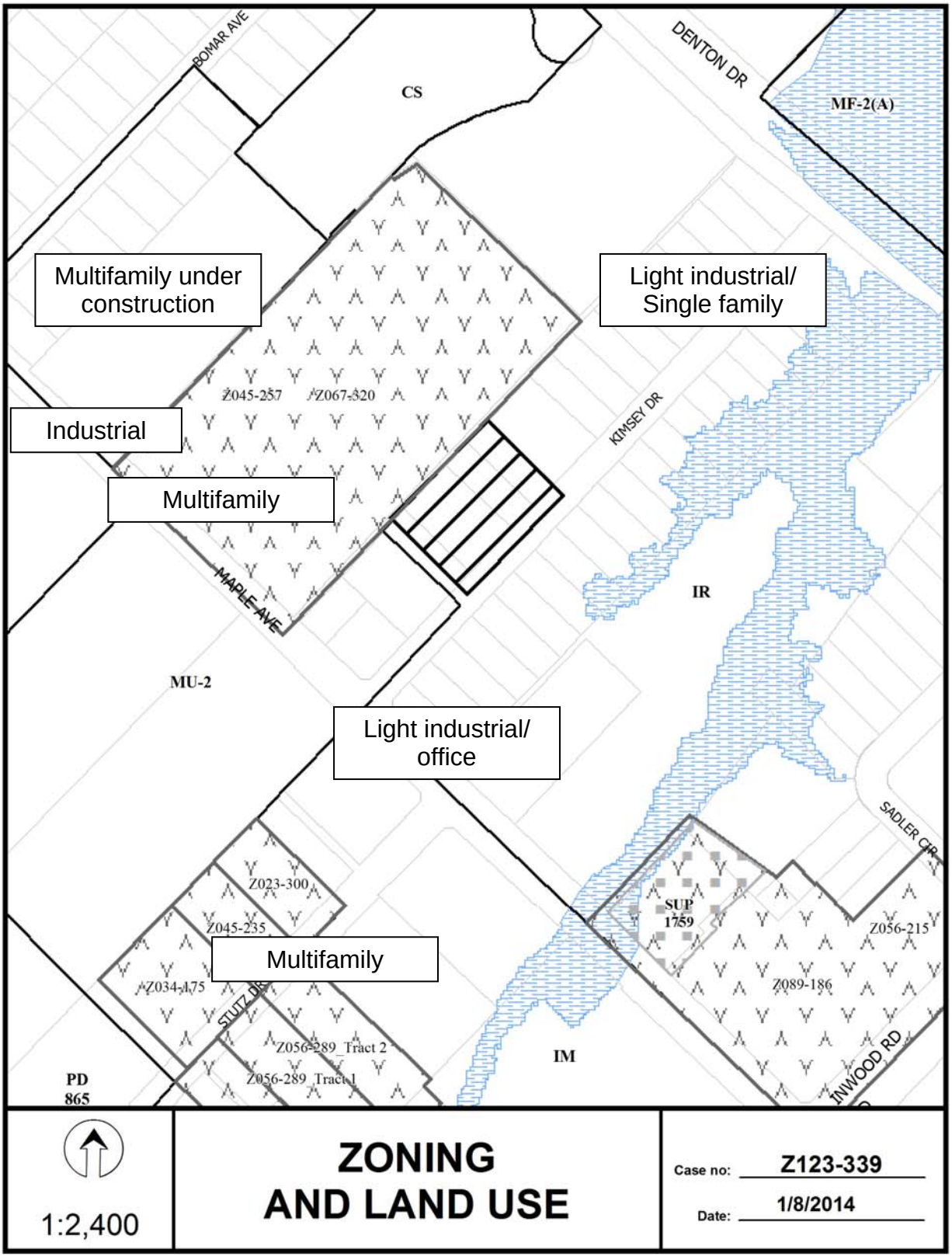
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

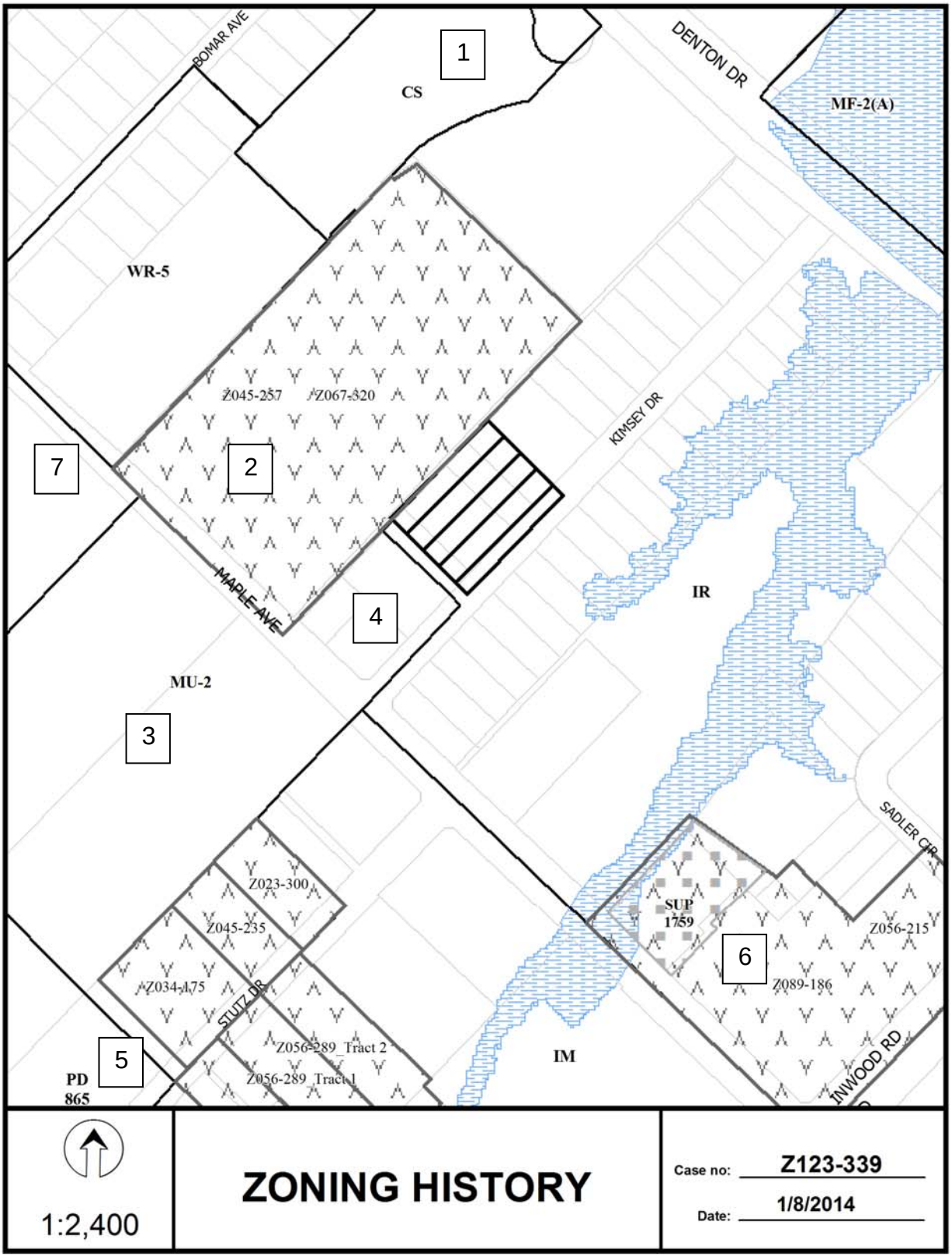
Proposed Development Plan




W MOCKINGBIRD LN
FIELDER CT
EGAN AVE
DENTON DR
MANOR WAY
OWENS ST
OWENS ST
CEDAR SPRINGS RD
Weichsel Rusk Park
BOMAR AVE
MAPLE AVE
KENSEY DR
BOMAR AVE
SADLER CIR
BROWN ST
INWOOD RD
CHERRYWOOD AVE
DENTON DR
DENTON DR CUT OFF
STUTZ DR
FOREST PARK RD
Hernandez, Onesimo
BUTLER ST
HUDNALL ST
GREGG ST
1:6,000
VICINITY MAP
Case no: Z123-339
Date: 1/8/2014


BOMAR AVE
CS
DENTON DR
MF-2(A)
Multifamily under construction
Light industrial/ Single family
Z045-257
Z067-320
Industrial
KIMSEY DR
Multifamily
MAPLE AVE
IR
MU-2
Light industrial/ office
SADLER CIR
Z023-300
SUP 1759
Z045-235
Z056-215
Multifamily
Z034-175
STUTZ DR
Z089-186
Z056-289_Tract 2
IM
Z056-289_Tract 1
PD 865
INWOOD RD
1:2,400
ZONING AND LAND USE
Case no: Z123-339
Date: 1/8/2014


BOMAR AVE
DENTON DR
MAPLE AVE
KIMSEY DR
STUTZ DR
SADLER CIR
1:2,400
AERIAL MAP
Case no: Z123-339
Date: 1/8/2014


BOMAR AVE
CS
1
DENTON DR
MF-2(A)
WR-5
Z045-257
Z067-320
2
7
KIMSEY DR
MAPLE AVE
4
IR
MU-2
3
SADLER CIR
Z023-300
Z045-235
Z034-175
STUTZ DR
SUP 1759
6
Z056-215
Z089-186
Z056-289_Tract 2
Z056-289_Tract 1
5
IM
PD 865
INWOOD RD
1:2,400
ZONING HISTORY
Case no: Z123-339
Date: 1/8/2014

CPC Responses



2/11/2014

Reply List of Property Owners

Z123-339

40 Property Owners Notified 5 Property Owners in Favor 1 Property Owners Opposed

Reply	Label #	Address		Owner
	1	2512	KIMSEY DR	STARK FRIEDRICH
	2	5919	MAPLE AVE	CRP-GREP MAPLE OWNER LLC
O	3	5901	MAPLE AVE	RED BARN HOLDINGS LP
O	4	2419	STUTZ RD	SCHIEFFER PAUL W
	5	5855	MAPLE AVE	STARK O V
	6	5717	SADLER CIR	FEASTER NANCY H
	7	5723	SADLER CIR	RPLB PPTIES 1 LTD
	8	5725	SADLER CIR	PARKER JERRY L
	9	5850	MAPLE AVE	J A M TOWER PPTIES LTD
	10	5830	MAPLE AVE	JAM TOWER LTD
O	11	2504	KIMSEY DR	GARCIA FRANCISCO
	12	2508	KIMSEY DR	SILPAVIVAT CHAVALIT
	13	2518	KIMSEY DR	BANDA PEDRO
	14	2522	KIMSEY DR	LYNN AMY INC
	15	2526	KIMSEY DR	SAENZ JUAN & MARIA
	16	2602	KIMSEY DR	PERKINS JANIE L
	17	2606	KIMSEY DR	COPELAND D K
	18	2614	KIMSEY DR	SOLIS MARTHA M
	19	2618	KIMSEY DR	HEED CYNTHIA LOUISE
	20	2622	KIMSEY DR	MARTINEZ ALEXANDER C &
	21	2626	KIMSEY DR	RODRIGUEZ JUAN &
	22	2702	KIMSEY DR	PATTERSON DAVID C ETAL
	23	2706	KIMSEY DR	PORTILLO SOCORRO H LIFE ESTATE
	24	2710	KIMSEY DR	CORONADO JOSE & ANA M
	25	2714	KIMSEY DR	PECINA DAGOBERTO R &
	26	2718	KIMSEY DR	SOTO GERARDO

2/11/2014

Reply	Label #	Address		Owner
	27	5800	MAPLE AVE	GAS PIPE INC
	28	2611	KIMSEY DR	THE WINE MAISON LLC
	29	2623	KIMSEY DR	ARTEAGA JUAN M & GLAFIRA
	30	2627	KIMSEY DR	ALDAPE GABRIELA
X	31	2703	KIMSEY DR	CALVARY BEN B & DOROTHY
	32	2707	KIMSEY DR	SMITH EDGAR LEE
	33	2711	KIMSEY DR	PECINA DAGOBERTO &
O	34	6115	DENTON DR	6115 DENTON LLC
	35	6102	MAPLE AVE	ENCORE MF MAPLE LP
	36	6114	FOREST PARK RD	DALLAS AIRMOTIVE INC
O	37	5747	SADLER CIR	BLOCK A/5708 INVESTMENT
	38	5760	MAPLE AVE	ADLER PROPERTY CO LLP
	39	6025	DENTON DR	CALVARY BEN
	40	6008	MAPLE AVE	AMLI 6008 MAPLE AVENUE LLC

AGENDA ITEM # 38

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 34 X; Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property zoned an IR Industrial Research District and an MU-3 Mixed Use District, on both sides of Harry Hines Boulevard, northwest of Medical District Drive
Recommendation of Staff and CPC: Approval for a forty-year period, subject to a site plan and conditions
Z134-117(RB)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**

ACM: Theresa O'Donnell

FILE NUMBER: Z134-117(RB) **DATE FILED:** October 22, 2013

LOCATION: Both Sides of Harry Hines Boulevard, Northwest of Medical District Drive

COUNCIL DISTRICT: 2 **MAPSCO:** 34 X, Y

SIZE OF REQUEST: Approx. 4,333 Sq. Ft. **CENSUS TRACT:** 167.01

APPLICANT/OWNER: Dallas County Hospital District

REPRESENTATIVE: Suzan Kedron

REQUEST: An application for a Specific Use Permit for a Pedestrian skybridge on property zoned an IR Industrial Research District and an MU-3 Mixed Use District

SUMMARY: The applicant proposes to construct a pedestrian skybridge across Harry Hines Boulevard, connecting existing and new construction associated with the hospital campus.

CPC RECOMMENDATION: Approval for a forty-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: Approval for a forty-year period, subject to a site plan and conditions.

Guiding Criteria for Recommendation:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The request will be elevated over Harry Hines and its design will compliance with required building code and design criteria (a function of the building permit process).

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – Delivery of service will be enhanced for the hospital while not negatively impacting surrounding uses.

3. *Not a detriment to the public health, safety, or general welfare* – An ability to provide vital services across the medical campus (at this location) is critical for patients and medical personnel. The skybridge will ensure existing vehicular movements along Harry Hines Boulevard are not impacted during these times.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – A private license to cross a public right-of-way will be required as well as compliance with all engineering and building code regulations. No variances or exceptions are requested.

BACKGROUND INFORMATION:

- The request site represents an aerial 'footprint' across Harry Hines Boulevard.

- The applicant is proposing construction of a pedestrian skybridge across the public right-of-way that will provide for a safe and efficient means of connecting two of the structures located within the approximate 47-acre Parkland Hospital campus.

- Additional requirements associated with the requested SUP (design criteria and application for a private license to cross a public right-of-way) will be pursued by the applicant.

Zoning History: There have been no zoning requests in the area within the past five years.

Thoroughfare	Designation; Existing & Proposed ROW
Harry Hines Boulevard	Local; 50' ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's request and determined it will not significantly impact the surrounding street system.

Comprehensive Plan: The request site is located in an area considered a Campus Building Block. The Campus Building Block focuses on areas around large master-planned educational, institutional or business facilities outside the Downtown. The University of North Texas campus was the motivating factor for creating this Building Block, although other examples exist, such as the areas around the Southwestern Medical District, the Baylor University Medical Center, the Veterans Administration Hospital and Pinnacle Park. Campus Building Blocks often act as smaller versions of a complete community and include a range of single-family and multifamily housing for students, employees and visitors. A variety of offices, shops, services and open space should exist to support the major campus employer and area residents. Over time, areas such as UNT can take on a "university town" feel as they mature. All Campus Building Block areas should have convenient transit options as an integral component. Economic development efforts should capitalize on the spin-off employment opportunities generated by the primary employers.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility: The requested pedestrian skybridge will connect two structures located within the Parkland Hospital campus. It is anticipated this additional infrastructure will facilitate a safe and efficient means of connecting various resources available to patients and medical personnel across the campus.

The site is surrounded by various uses that serve the hospital (medical offices, labs, administrative offices). The DART Medical/Market Center District station (located along the western line of the hospital property, west of the westernmost skybridge connection) as well as local bus service provide efficient access options to the medical campus.

Part of the basis for consideration of granting an SUP for a pedestrian skybridge is to, '…promote the health, safety, and general welfare of persons and property within the city by providing for the structural integrity of pedestrian skybridges over public right-of –ways; preventing visual obstruction of public right-of-ways and urban landscapes; facilitating the flow of traffic; encouraging use public skybridges by pedestrians through well designed additions to the existing pedestrian system; minimizing the negative impact of pedestrian skybridges on adjoining properties, communication and utility

company facilities, and public street lighting an safety facilities; and, establishing standards for construction and maintenance of pedestrian skybridges."

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant has worked with staff to ensure all requirements for the location, design, and supporting components associated with the final utilization of this improvement have been, or will be, provided for prior to the issuance of an amended certificate of occupancy for the use.

Urban Design: The Dallas Development Code requires compliance with 19 items associated with the structural design and visual presence of the skybridge. Preliminary drawings submitted by the applicant are in compliance with these provisions.

Private License: In order to cross a public right-of-way with the proposed skybridge, the applicant will be required to submit an application for a private license to the Real Estate Section of the Department of Sustainable Development and Construction. It is anticipated that the requested SUP will be scheduled for City Council at the same time the private license is considered.

With respect to the time period recommended by staff, it is a requirement to recommend a time period that will coincide with the time period for the above referenced private license. The applicant has requested a permanent time period.

Landscaping: Some of the structural support associated with the skybridge will require removal of protected trees. A tree removal permit will be required as will mitigation of any protected trees greater than eight caliper inches.

CPC ACTION

(February 6, 2014)

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Pedestrian skybridge for a forty-year period, subject to a site plan and conditions on property zoned an IR Industrial Research District and an MU-3 Mixed Use District, on both sides of Harry Hines Boulevard, northwest of Medical District Drive.

Maker: Rodgers
Second: Bagley
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 750 Mailed: 9
Replies: For: 0 Against: 0

Speakers: None

Dallas County Hospital District Board of Managers	
Roberto C. de la Cruz, MD	L. Gerald 'Jerry' Bryant
Eddie Reeves	Winfred Parnell, MD
Debbie Branson	Patricia Rodriguez Gorman
Cobie Russell	

Dallas County Hospital District Senior Executives:

Interim CEO	Robert L. Smith
Interim Chief Financial Officer	Walter "Ted" Shaw, CPA, FHFMA
Interim Chief Medical Officer	Christopher Madden, MD
Interim Chief Operating Officer for Hospital Operations, Chief Implementation Officer	Ron Laxton, RN
Interim Chief Operating Officer of Ambulatory and Behavioral Health Services	Sharon Phillips, RN
Executive Vice President, Chief Nursing Officer	Mary K. Eagen, RN
Executive Vice President and General Counsel	Paul Leslie
Vice President of Human Resources	James R. Johnson

CPC RECOMMENDED CONDITIONS FOR SPECIFIC USE PERMIT FOR A PEDESTRIAN SKYBRIDGE

1. USE: The only use authorized by this specific use permit is a pedestrian skybridge.

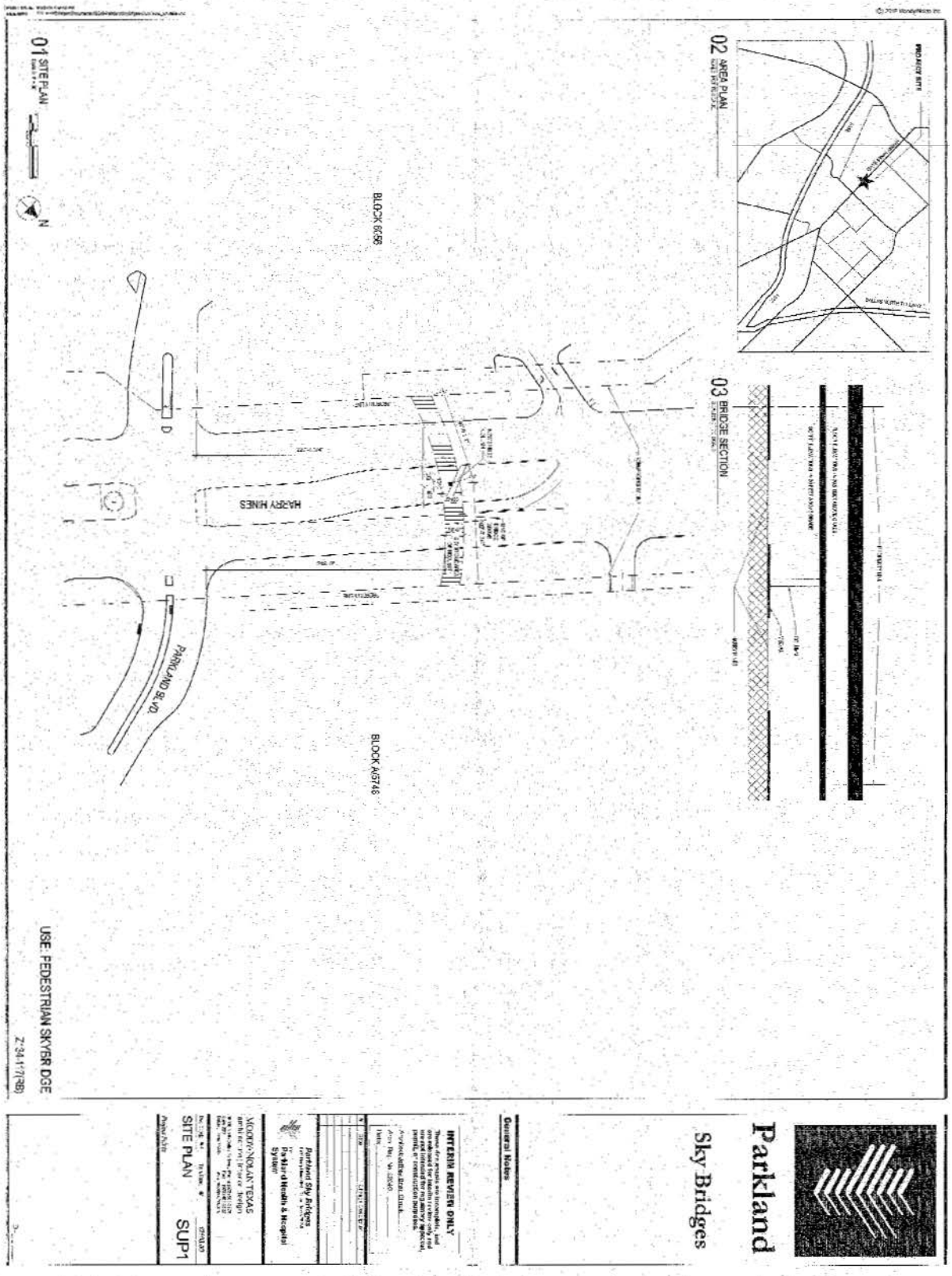
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on (forty years).

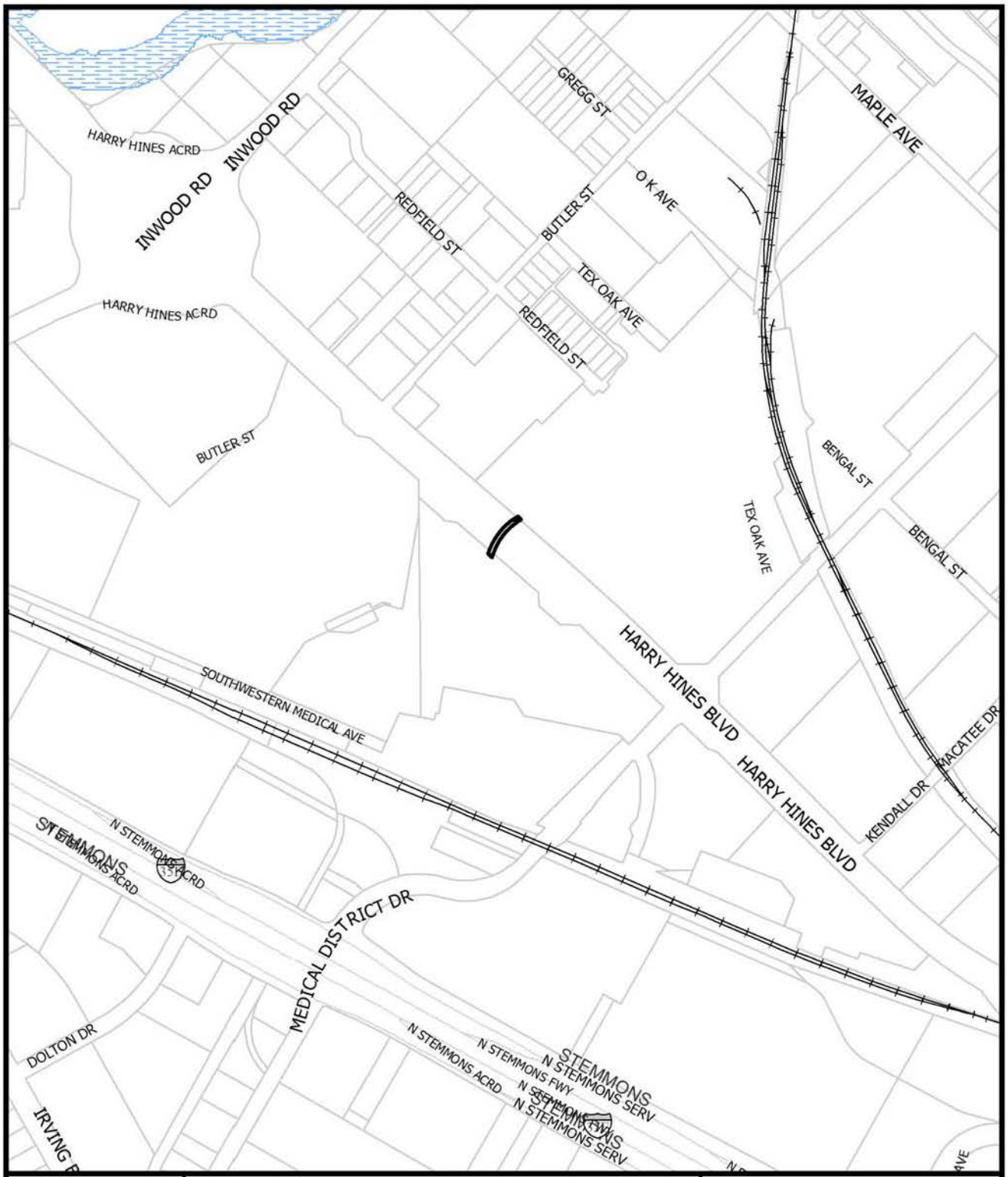
6. COMPLIANCE: The pedestrian skybridge must comply with Section 51A-4.217(b)(12), "Pedestrian skybridges," as amended.

7. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.

8. GENERAL REQUIREMENT: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



Proposed Site Plan

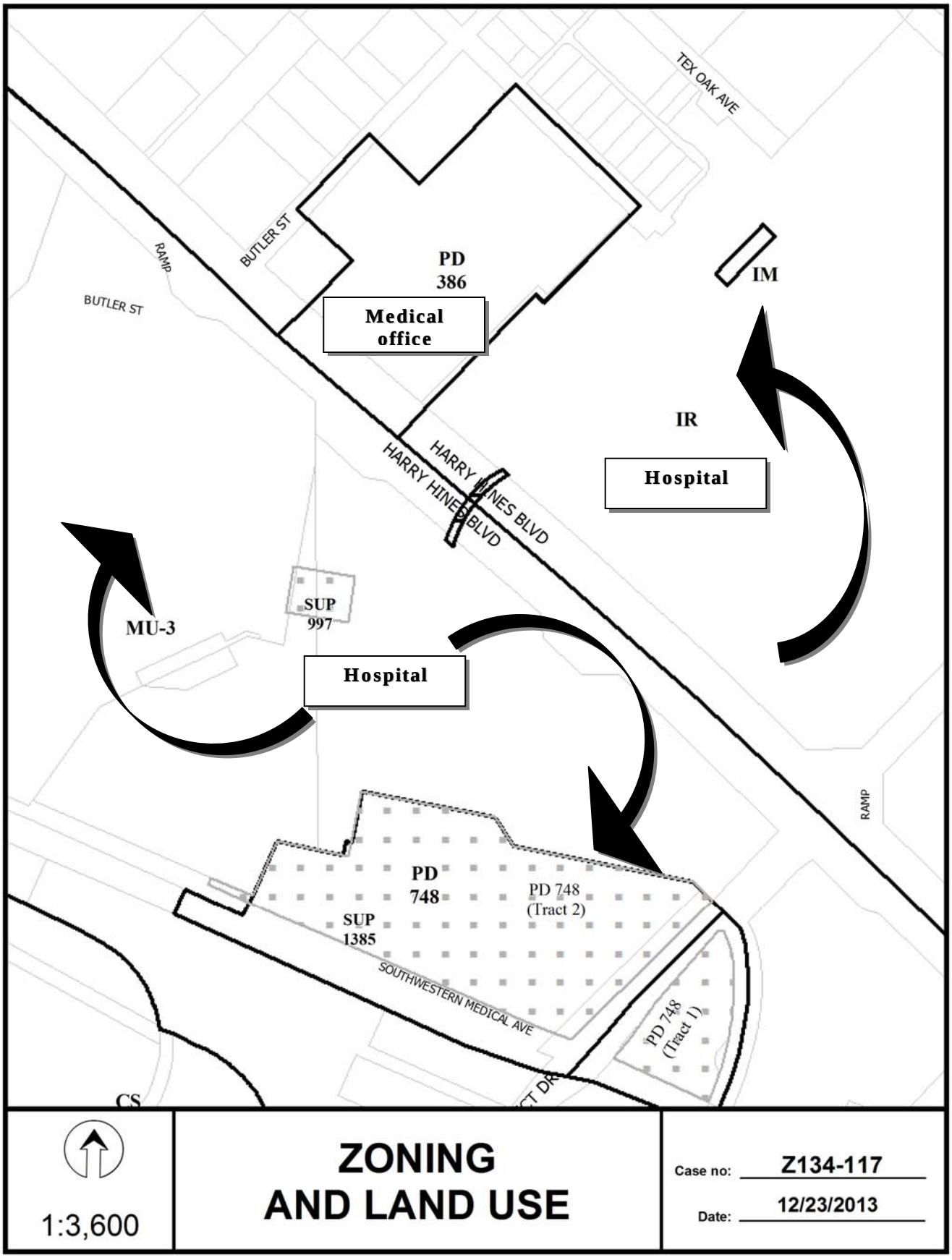


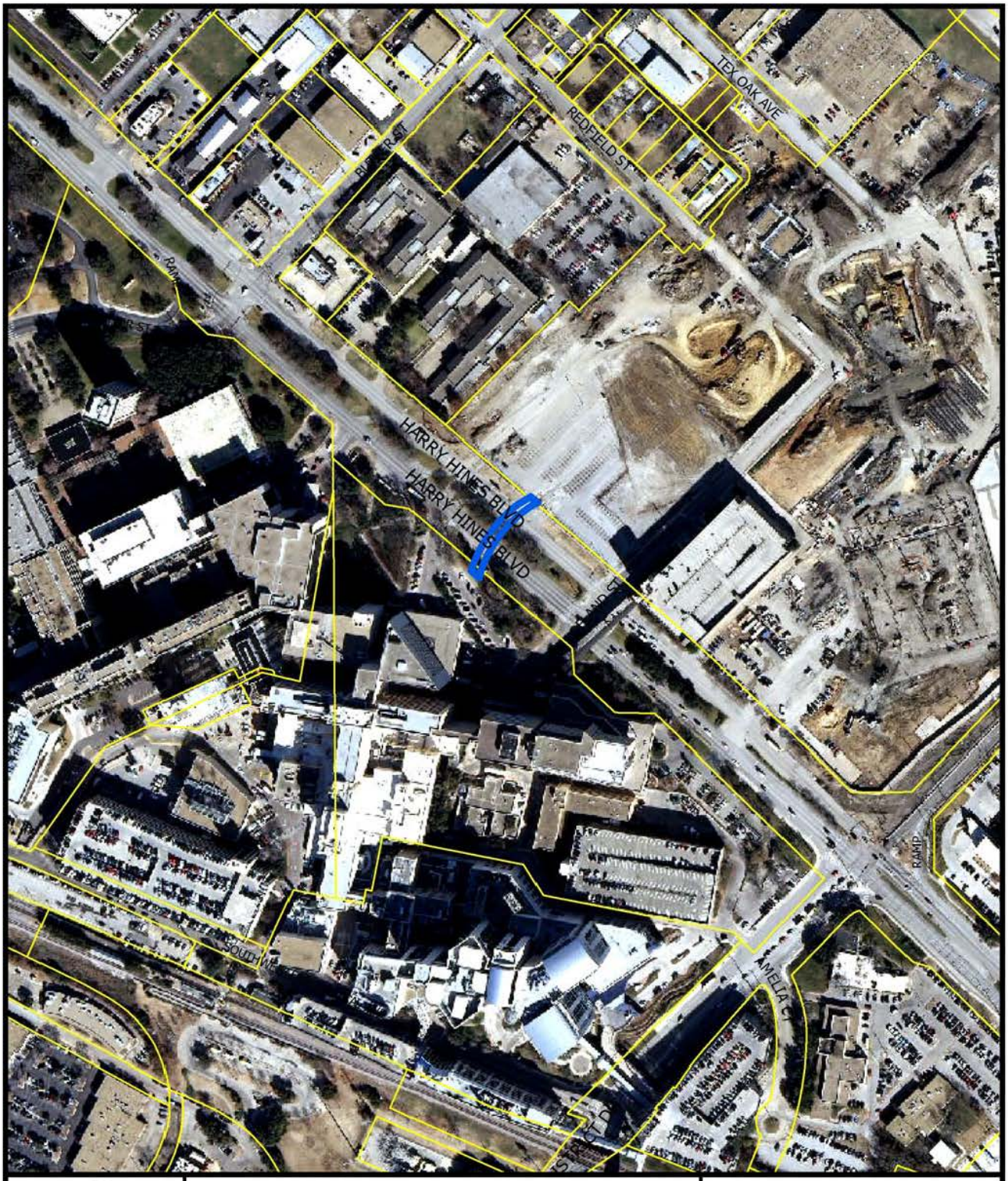
1:7,200

VICINITY MAP

Case no: Z134-117

Date: 12/23/2013


TEX OAK AVE
BUTLER ST
RAMP
BUTLER ST
PD
386
Medical
office
IM
IR
Hospital
HARRY HINES BLVD
HARRY HINES BLVD
MU-3
SUP
997
Hospital
RAMP
PD
748
SUP
1385
PD 748
(Tract 2)
SOUTHWESTERN MEDICAL AVE
PD 748
(Tract 1)
CS
1:3,600
ZONING
AND LAND USE
Case no: Z134-117
Date: 12/23/2013



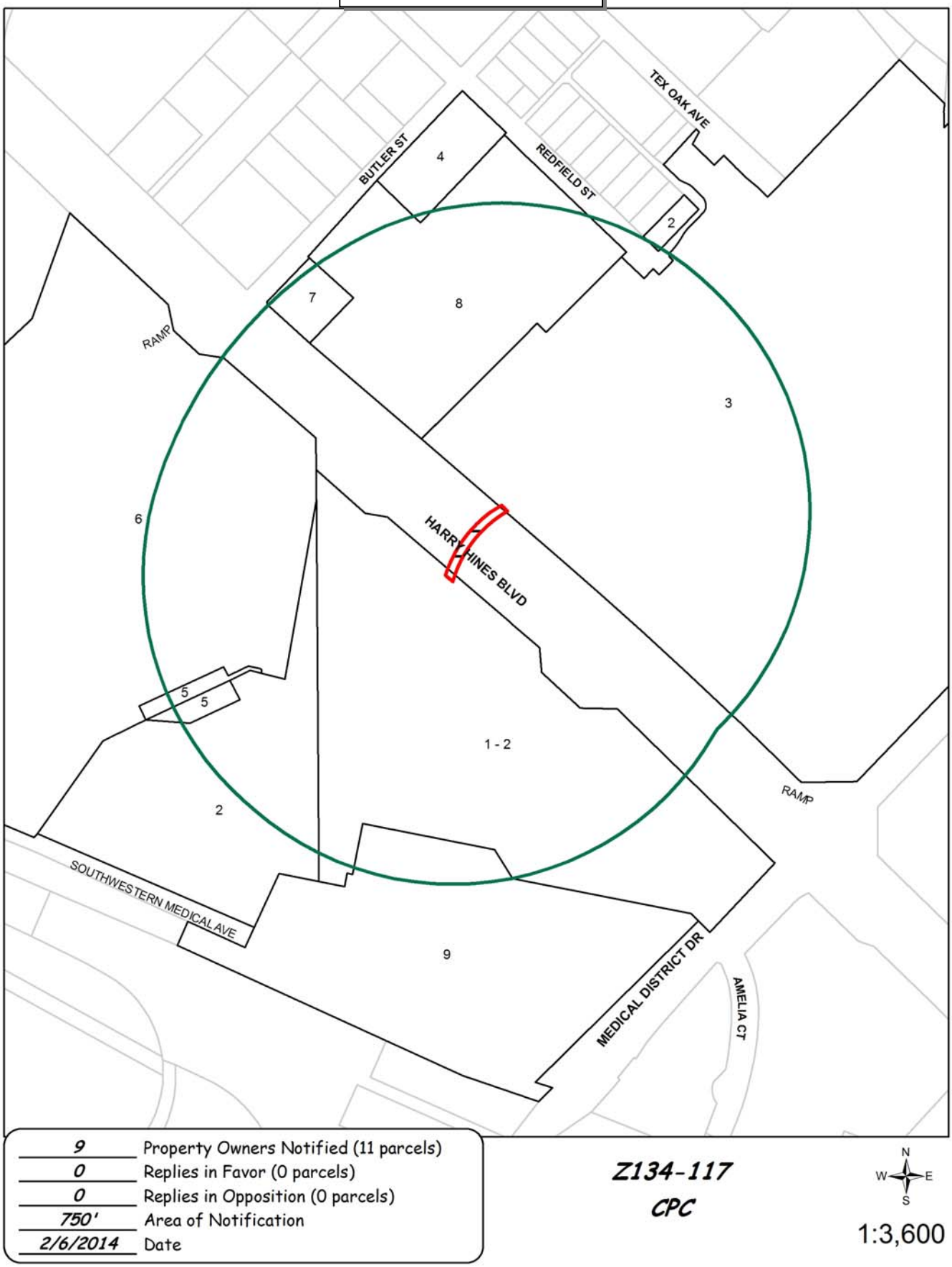
1:3,600

AERIAL MAP

Case no: Z134-117

Date: 12/23/2013

CPC RESPONSES



9	Property Owners Notified (11 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
750'	Area of Notification
2/6/2014	Date

Z134-117
CPC

N
W E
S

1:3,600

2/6/2014

Reply List of Property Owners

Z134-117

9 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	5201	HARRY HINES BLVD	PARKLAND HOSPITAL
	2	5238	REDFIELD ST	DALLAS COUNTY HOSPITAL DISTRICT
	3	5134	HARRY HINES BLVD	DALLAS COUNTY HOSPITAL DISTRICT
	4	2210	BUTLER ST	PAPPAS HARRIS PROPERTIES LLC
	5	5300	HARRY HINES BLVD	County of Dallas
	6	5401	HARRY HINES BLVD	TEXAS STATE OF
	7	5350	HARRY HINES BLVD	FONBERG PETER TR &
	8	5320	HARRY HINES BLVD	SALVATION ARMY THE
	9	1935	MEDICAL DISTRICT DR	CHILDRENS MEDICAL CENTER

AGENDA ITEM # 39

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 44 Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Subdistrict 1A on property zoned Subdistrict 1 within Planned Development District No. 830, the Davis Street Special Purpose District, on the east side of North Bishop Avenue, north of Neches Street
Recommendation of Staff and CPC: Approval
Z134-127(JH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**
ACM: Theresa O'Donnell

FILE NUMBER: Z134-127(JH) **DATE FILED:** November 8, 2013

LOCATION: East side of North Bishop Avenue, north of Neches Street

COUNCIL DISTRICT: 1 **MAPSCO:** Y-44

SIZE OF REQUEST: Approx. 0.3 acres **CENSUS TRACT:** 42.01

REPRESENTATIVE: Audra Buckley, Permitted Development

APPLICANT/OWNER: DEVPROP 1 LLC

REQUEST: An application for Subdistrict 1A on property zoned a Subdistrict 1 within Planned Development District No. 830, the Davis Street Special Purpose District.

SUMMARY: The applicant proposes to use the existing building for an office use without a residential mixed use project.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to conditions based upon:

1. *Performance impacts upon surrounding property (lighting, noise, odor, etc.)* – The applicant requests an office use, which was the previous use of the building. The request simply removes the residential component to the office, which is still permitted. Removing the residential component does not negatively impact the surrounding property given the scale and size of the property.

2. *Traffic impact* – Given that the previous use of this building was office, the traffic patterns were previously established. The surrounding roadway system can accommodate the traffic counts from this use.

3. *Comprehensive Plan or Area Plan Conformance* – The proposed zoning complies with *forwardDallas!*.

4. *Deviation from existing zoning* – The applicant has submitted this request to eliminate the residential component as required in Subdistrict 1. While this request may appear to be spot zoning, it should be noted that staff would support a similar zoning request on the surrounding property. An authorized hearing to address the requirement for a residential component in Subdistrict 1 of PD 830 is anticipated. However, since the adjoining property owners have not joined in this zoning application, staff supports removing the residential component on this site so as not to cause undue burden on the property owner while a city-initiated zoning is completed.

BACKGROUND INFORMATION:

- The ±0.33-acre request site is developed with ±3,408-square-foot building which was constructed in 1969. The building, previously used as a medical office, has been vacant for approximately one year, which has resulted in the loss of its nonconforming status.

- Planned Development District No. 830 was approved by City Council on August 11, 2010.

- In Subdistrict 1 of PDD No. 830, an office use is permitted only as part of a mixed use residential project (MURP). The applicant proposes an office as a main use and requests a subdistrict that will allow an office by right.

- The request site is surrounded by single-family residential homes to the north, east, south, and west.

Zoning History:

1. Z123-252 On September 11, 2013, the City Council approved the application to create a new subdistrict within Subdistrict 1 (Bishop Avenue) of

Planned Development District No. 830, the Davis Street Special Purpose District, on the northwest corner of North Bishop Avenue and West 5th Street.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Bishop Avenue	Collector	100 feet
Neches Street	Local	60 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The Vision Illustration depicts the request site as within an Urban Neighborhood Building Block.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The request is consistent with the following goals and policy 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.

URBAN DESIGN ELEMENT

GOAL 5.2 Strengthen community and neighborhood identity

Policy 5.2.1 Maintain neighborhood scale and character.

GOAL 5.3 Establishing walk-to convenience

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use Compatibility:

Planned Development District No. 830 was approved by City Council on August 11, 2010. In Subdistrict 1 of PDD No. 830, an office use is permitted only as part of a mixed use residential project (MURP). Pursuant to PDD No. 830, a mixed use residential project means "a development that has street-level nonresidential uses with hours of operation that are limited to 7:30 a.m. through 6:30 p.m., Monday through Saturday, and that has residential uses only above street level". Subdistrict 1A was created in late 2013 for a property that was a vacant office building as well. Subdistrict 1A allows for an office without a mixed use component and prohibits dumpsters. The performance standards for development are the same. The requirements for Subdistricts 1 and 1A are attached for informational purposes. However, no changes to the requirements for Subdistrict 1A are proposed.

Due to the nature of this portion Bishop Avenue along a thoroughfare and the request site's previous use as an office, staff supports the applicant's request.

Parking/Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development.

Landscaping:

Landscaping is required in accordance with PDD No. 830.

List of Partners/Principals/Officers

DEVPROP 1 LLC

Jeff Bales, Managing Member
James Bales, Member
Job Bonett, Member

CPC Minutes – February 6, 2014

Z134-127(JH) Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of Subdistrict 1A on property zoned Subdistrict 1 within Planned Development District No. 830, the Davis Street Special Purpose District, on the east side of North Bishop Avenue, north of Neches Street.

Maker: Anglin
Second: Tarpley
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 500 Mailed: 106
Replies: For: 6 Against: 7

Speakers: For: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201
Pam Conley, 901 N. Madison Ave., Dallas, TX, 75208
Against: None

Existing PD Conditions for Subdistricts 1 and 1A

SEC. 51P-830.108. DEVELOPMENT PLAN.

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. 27944)

SEC. 51P-830.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICTS 1 AND 1A: BISHOP AVENUE.

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

None permitted.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Church.

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Office. *[Permitted only as part of a MURP in Subdistrict 1. Permitted by right in Subdistrict 1A.]*

(8) Recreation uses.

-- Private recreation center, club, or area. *[SUP]*
-- Public park, playground, or golf course.

(9) Residential uses.

-- Duplex.
-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*

-- Multifamily. *[Permitted in Subdistrict 1 only.]*
-- Retirement housing.
-- Single family.

(10) Retail and personal service uses.

-- Antique shop. *[Permitted only as part of a MURP.]*
-- Art gallery. *[Permitted only as part of a MURP.]*
-- Remote surface parking lot. *[Permitted only on a lot abutting the lot with the use being supplied with the parking under the remote parking agreement.]*

(11) Transportation uses.

-- Transit passenger shelter.

(12) Utility and public service uses.

-- Local utilities.

(13) Wholesale, distribution, and storage uses.

-- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
-- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

(1) 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 51A-4.217, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory use is permitted by SUP only:

-- Accessory community center (private).

(3) The following accessory uses are not permitted:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory outside display of merchandise.
-- Accessory outside sales.
-- Accessory pathological waste incinerator.

(d) 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 in Division 51A-4.400, "Yard, Lot, and Space Regulations." If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Except as provided in this paragraph, minimum front yard is 20 feet and maximum front yard is 25 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.

(2) Side yard.

(A) Except as provided in this paragraph, minimum side yard is 10 feet or 10 percent of the lot width measured at the front yard street frontage, whichever is less.

(B) For lots 50 feet in width or less and adjacent to a detached single family use, minimum side yard is five feet.

(C) No side yard is required between attached single family uses.

(3) Rear yard. Minimum rear yard is 10 feet.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. No maximum floor area ratio.

(6) Height.

(A) Except as provided in this paragraph, maximum structure height is 38 feet. For a MURP, maximum structure height is 42 feet.

(B) Any portion of a structure over 30 feet in height may not be located above a residential proximity slope.

(i) The residential proximity slope is a plane projected upward and outward at a one-to-two rise over run from private property outside of the district that is zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(ii) 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, provided that the total projections on a building are no more than 20 percent of the building foot print.

(7) Lot coverage. Maximum lot coverage is 60 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) Lot width. Maximum lot width is 150 feet.

(10) Stories. Maximum number of stories above grade is three, plus one attic story.

(e) Architectural design standards.

(1) Except as provided in this subsection, see Section 51P-830.122, "Architectural Design Standards."

(2) Structures with street facing facades exceeding 50 feet in length must have changes in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and depth of at least eight inches.

(f) Dumpsters. Dumpsters are prohibited in Subdistrict 1A. (Ord. Nos. 27944; 29126)

SEC. 51P-830.110. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 2: THE BISHOP ARTS-EIGHTH STREET CONSERVATION DISTRICT.

Subdistrict No. 2 is not part of this PD. *See* Conservation District No. 7 (Bishop/Eighth Street Conservation District) for the use regulations and development standards in that area. (Ord. 27944)

SEC. 51P-830.111. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 3: EAST GARDEN DISTRICT.

(a) Uses. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses. *[Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.]*

-- Catering service.
-- Custom business services.

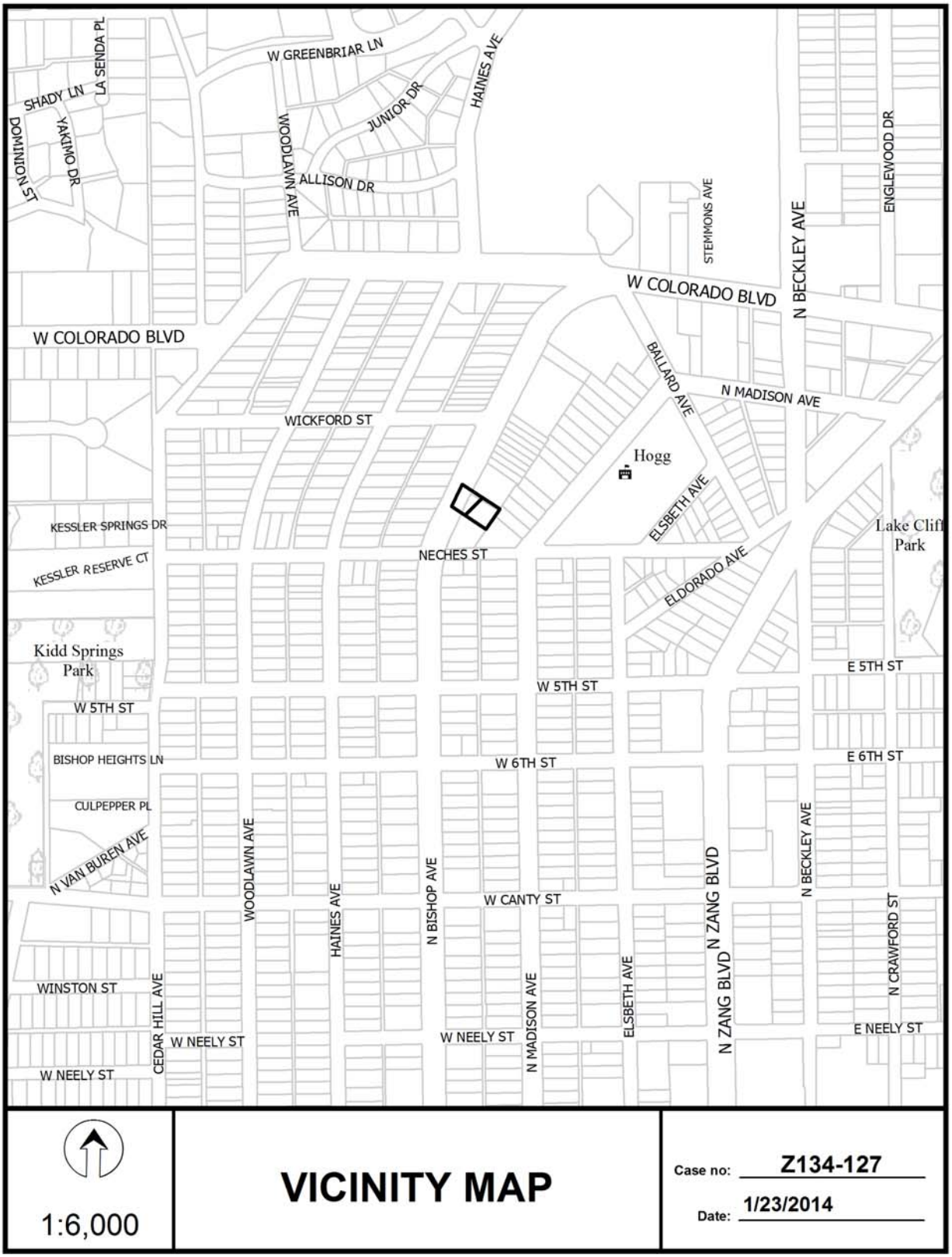
(3) Industrial uses.

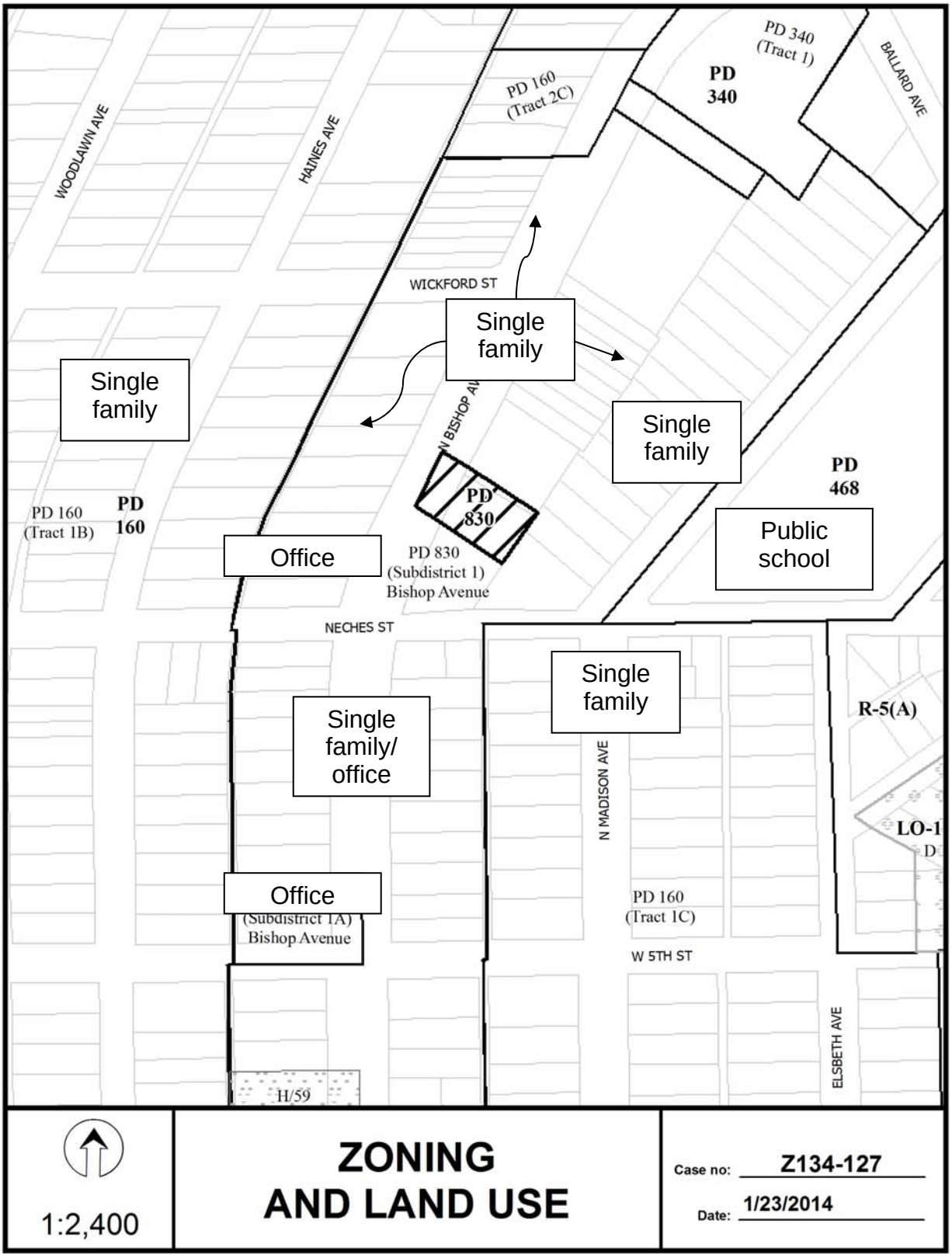
None permitted.

(4) Institutional and community service uses.

-- Child-care facility.
-- Church.

(5) Lodging uses. *[Permitted only on lots fronting on Bishop Avenue or Zang Boulevard.]*


W GREENBRIAR LN
SHADY LN
LA SENDA PL
DOMINION ST
YAKIMO DR
WOODLAWN AVE
JUNIOR DR
HAINES AVE
ALLISON DR
STEMMONS AVE
ENGLEWOOD DR
N BECKLEY AVE
W COLORADO BLVD
BALLARD AVE
N MADISON AVE
WICKFORD ST
Hogg
ELSBETH AVE
KESSLER SPRINGS DR
KESSLER RESERVE CT
NECHES ST
ELDORADO AVE
Lake Cliff Park
Kidd Springs Park
W 5TH ST
E 5TH ST
BISHOP HEIGHTS LN
W 6TH ST
E 6TH ST
CULPEPPER PL
N VAN BUREN AVE
WOODLAWN AVE
HAINES AVE
N BISHOP AVE
W CANTY ST
N ZANG BLVD
N CRAWFORD ST
WINSTON ST
CEDAR HILL AVE
W NEELY ST
N MADISON AVE
E NEELY ST
1:6,000
VICINITY MAP
Case no: Z134-127
Date: 1/23/2014


PD 340
(Tract 1)
PD
340
BALLARD AVE
PD 160
(Tract 2C)
WOODLAWN AVE
HAINES AVE
WICKFORD ST
Single family
Single family
Single family
N BISHOP AV
PD
830
PD
468
PD 160
(Tract 1B)
PD
160
Office
PD 830
(Subdistrict 1)
Bishop Avenue
Public school
NECHES ST
Single family
Single family/ office
R-5(A)
N MADISON AVE
LO-1
D
Office
(Subdistrict 1A)
Bishop Avenue
PD 160
(Tract 1C)
W 5TH ST
ELSBETH AVE
H/59
1:2,400
ZONING
AND LAND USE
Case no: Z134-127
Date: 1/23/2014

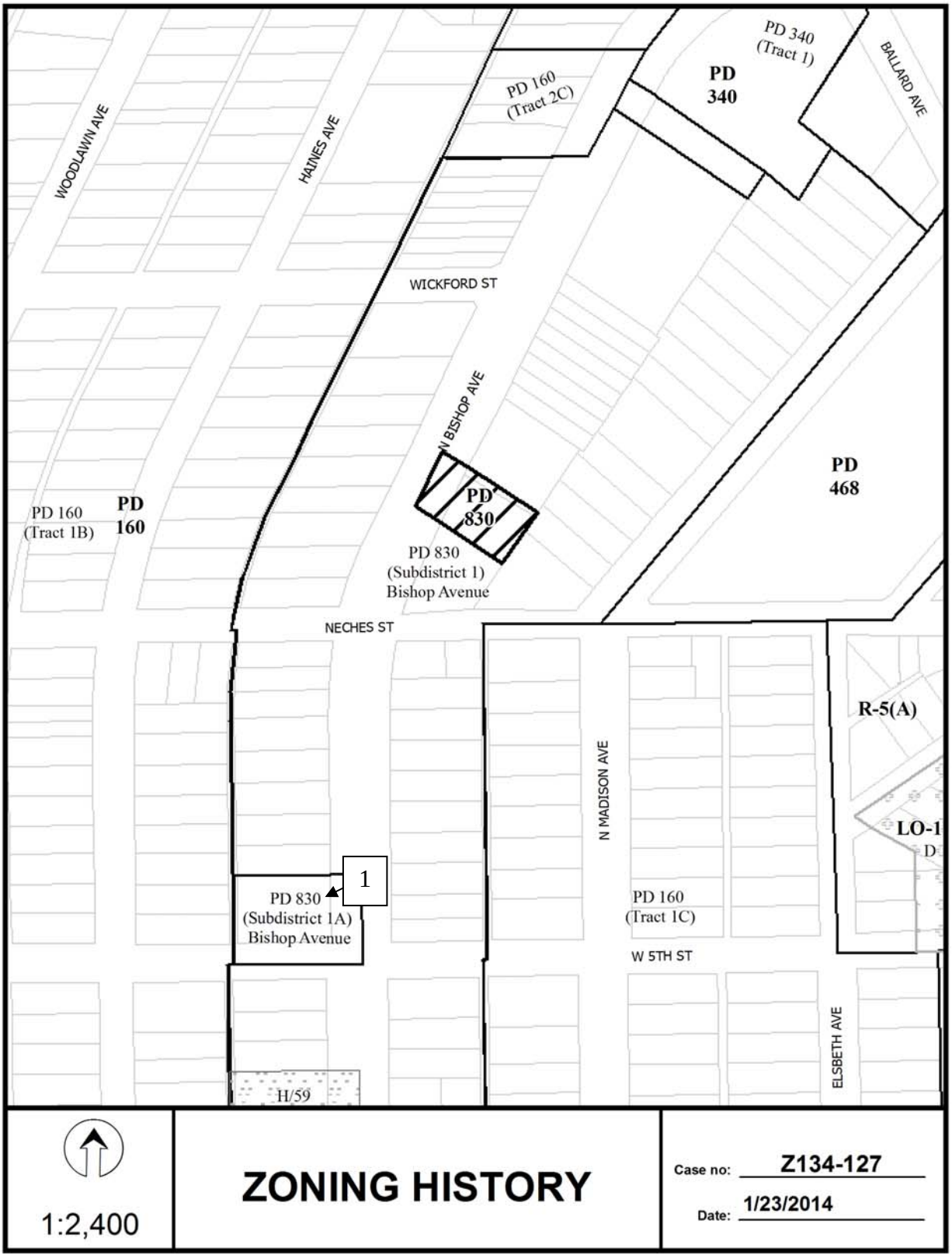


1:2,400

AERIAL MAP

Case no: Z134-127

Date: 1/23/2014


PD 340
(Tract 1)
PD
340
BALLARD AVE
PD 160
(Tract 2C)
WOODLAWN AVE
HAINES AVE
WICKFORD ST
N BISHOP AVE
PD
468
PD
830
PD 160
(Tract 1B)
PD
160
PD 830
(Subdistrict 1)
Bishop Avenue
NECHES ST
R-5(A)
N MADISON AVE
LO-1
D
1
PD 830
(Subdistrict 1A)
Bishop Avenue
PD 160
(Tract 1C)
W 5TH ST
ELSBETH AVE
H/59
1:2,400
ZONING HISTORY
Case no: Z134-127
Date: 1/23/2014

CPC Responses



2/6/2014

Reply List of Property Owners

Z134-127

106 Property Owners Notified 6 Property Owners in Favor 7 Property Owners Opposed

Reply	Label #	Address		Owner
	1	1114	BISHOP AVE	BYERS DR JEROME L
	2	1122	BISHOP AVE	WILLIAMS DEBRA C M K
	3	1024	HAINES AVE	SOTO RAFAEL R
	4	1028	HAINES AVE	LEJEUNE PACIA
	5	418	NECHES ST	JUAREZ MANUEL & IRMA
	6	1034	HAINES AVE	JUAREZ DELFINA
	7	416	NECHES ST	BUSTAMANTE FRANCISCO &
	8	1035	BISHOP AVE	PETERSON JAY R
	9	1033	BISHOP AVE	CHADIMA MICHAEL J ETAL
	10	1021	BISHOP AVE	NG SAMUEL K S
	11	1029	BISHOP AVE	BREEDING ARNITA L
	12	1023	BISHOP AVE	MULAS GERARDO
	13	1019	BISHOP AVE	RENTERIA ROMUALDO D
	14	1015	BISHOP AVE	KAVONIAN GARY D
	15	1006	BISHOP AVE	FISCAL JULIO
	16	1012	BISHOP AVE	COLLIE NOEMI
	17	1016	BISHOP AVE	TODD PANSY
	18	1014	BISHOP AVE	SURETHING JOSHUA
	19	1026	BISHOP AVE	HERRERA RAMIRO
	20	1018	BISHOP AVE	VELASQUEZ JOSHUA
O	21	1030	BISHOP AVE	MENDOZA JESUS G SR
	22	314	NECHES ST	HERNANDEZ FRANCISCO
	23	1034	BISHOP AVE	LOPEZ REFUJO &
O	24	1037	MADISON AVE	CHIBLI EMILIO
	25	1031	MADISON AVE	ROGERS LINDSEY
	26	1023	MADISON AVE	MARTINEZ JESUS

2/6/2014

Reply	Label #	Address		Owner
	27	1025	MADISON AVE	MARTINEZ JESUS &
O	28	1029	MADISON AVE	CHIBLI EMILIO & ANA
	29	1015	MADISON AVE	MARTINEZ MAURICIO
O	30	1019	MADISON AVE	SONICK LLC
	31	1013	MADISON AVE	JENNINGS JENNI D
	32	1012	MADISON AVE	GRAHAM STEPHEN &
	33	1016	MADISON AVE	RANGEL JOSE DE LA LUZ
	34	1034	MADISON AVE	TOBAR SALVADOR
O	35	1036	MADISON AVE	JONISO LLC
	36	212	NECHES ST	CORDOSO ERNESTO
	37	1041	ELSBETH ST	OJEDA ISAIAS &
	38	1020	MADISON AVE	VALADEZ BENITA
	39	1037	ELSBETH ST	CARDOSO PRUDENCIO
	40	1024	MADISON AVE	HOPKINS ALAN
	41	1033	ELSBETH ST	DAVILA PEDRO R &
	42	1027	ELSBETH ST	JIMENEZ MARIA
	43	1028	MADISON AVE	DIAZ CARMEN D
	44	1023	ELSBETH ST	ALMAZAN BENITA DEL CARMEN
X	45	425	NECHES ST	GOOD SPACE INC
X	46	425	NECHES ST	GOOD SPACE INC
	47	1122	HAINES AVE	ABUNDIS FORTINO &
	48	1126	HAINES AVE	MONTERO MARTHA E
	49	1130	HAINES AVE	BREVER JOHN LOUIS &
	50	1136	HAINES AVE	ALBA RICHARD & CARMEN
	51	1138	HAINES AVE	JIMENEZ IGNACIO & ESTELA
	52	1125	BISHOP AVE	SANCHEZ ANGELA FIGUEROA
	53	1121	BISHOP AVE	ELWELL STEVEN J &
	54	1119	BISHOP AVE	VANGOOL ALFRED ET AL
	55	1113	BISHOP AVE	PFLANZER JOSEPH & EVELYN
	56	1111	BISHOP AVE	VANGOOL ALFRED &
	57	1105	BISHOP AVE	SMITH J WAYNE & SHARON A

2/6/2014

Reply	Label #	Address		Owner
X	58	1101	BISHOP AVE	VELEZ WALTER
	59	1139	HAINES AVE	MARALYN ANN HAMAKER
	60	1137	HAINES AVE	HAMAKER MARALYN ANN
X	61	1135	HAINES AVE	JUAREZ CRECENCIO &
	62	1131	HAINES AVE	BLAND DARREN R
	63	1127	HAINES AVE	AGUILAR HENRY R
	64	1123	HAINES AVE	TORRES DESIDERIO A &
X	65	1119	HAINES AVE	MENDEZ NICOLASA
	66	1113	HAINES AVE	MUNOZ JULIA
	67	1111	HAINES AVE	MORENO HECTOR A
	68	1107	HAINES AVE	IBARRA JUAN J & SOCORRO
	69	1211	HAINES AVE	ELLIOTT ANNETTE
	70	1201	HAINES AVE	WILSON PHILLIP L
	71	417	WICKFORD ST	MATYASTIK PAUL J
	72	1208	HAINES AVE	MATYASTIK PAUL J TR
	73	1219	BISHOP AVE	METHODIST HOSPITALS OF DALLAS
	74	1102	BISHOP AVE	ALBA MERCEDES
	75	1147	MADISON AVE	GARY ROLLIN F &
	76	1141	MADISON AVE	OCHOA RENE & DEBORAH
	77	1139	MADISON AVE	ALANIZ MARIA DEL R
	78	1135	MADISON AVE	JC LEASING LLP
	79	1131	MADISON AVE	NAVARRO ADAN &
	80	1125	MADISON AVE	OCHOA RENE A &
	81	1119	MADISON AVE	LOPEZ PEDRO & BEATRIZ
	82	1115	MADISON AVE	TORRES JUAN M &
	83	1111	MADISON AVE	OCHOA JUAN S & MARTHA C
	84	1107	MADISON AVE	VILLEGAS MARY ISABEL
	85	1101	MADISON AVE	ARELLANO JULIO NAVA &
	86	1110	HAINES AVE	WONG JOHN M &
	87	1114	HAINES AVE	HERNANDEZ ERIC LEOPOLDO
	88	1118	HAINES AVE	SLAUGHTER NATHAN J

2/6/2014

Reply	Label #	Address		Owner
	89	1135	BISHOP AVE	VENEGAS PPTY LTD
	90	1215	BISHOP AVE	SMITH RODDIE ROBERT
X	91	1213	BISHOP AVE	ARCHER PHILLIP D
	92	1211	BISHOP AVE	PALCHIK DIANA
	93	1209	BISHOP AVE	BERMAN DOUGLAS M & SUMMER M
	94	1207	BISHOP AVE	PARRISH RESTAURANTS LTD
X	95	1205	BISHOP AVE	HATLEY WARREN G & KAREN
O	96	1203	BISHOP AVE	EVANS MICHAEL M
	97	1144	MADISON AVE	Dallas ISD
	98	1148	BISHOP AVE	SEMOS ANASTASIA K
	99	1144	BISHOP AVE	SCHWAB CHARLES J JR
	100	1142	BISHOP AVE	GROSS MICHELLE O
	101	1140	BISHOP AVE	CARTER BRUCE ALLEN
	102	1138	BISHOP AVE	CHANG BOB W & EVANGELINE CHIANG
	103	1134	BISHOP AVE	BISHOP RAY M & LINDA R
	104	1132	BISHOP AVE	DODSON CHARLES &
	105	1130	BISHOP AVE	MCCOMBS JASON & COREY
	106	1150	BISHOP AVE	OAK CLIFF LAND DEV CO

AGENDA ITEM # 40

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 44 U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District at the east corner of Fort Worth Avenue and Yorktown Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z134-134(RB)

HONORABLE MAYOR & CITY COUNCIL **WEDNEDSDAY, MARCH 26, 2014**

ACM: Theresa O'Donnell

FILE NUMBER: Z134-134(RB) **DATE FILED:** November 25, 2013

LOCATION: Ft. Worth Avenue and Yorktown Street, East Corner

COUNCIL DISTRICT: 6 **MAPSCO:** 44 U

SIZE OF REQUEST: Approx. 7.194 Acres **CENSUS TRACT:** 43

APPLICANT/OWNER: PB & J Landholdings, LLC

REPRESENTATIVE: Brent Jackson

REQUEST: An application for an MU-3 Mixed Use District, with deed restrictions volunteered by the applicant, on property zoned an IR Industrial Research District.

SUMMARY: The applicant is requesting an MU-3 District in order to redevelop the site with a mix of multifamily and retail uses. Volunteered deed restrictions will prohibit certain uses as well as provide for specific development standards.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – As redevelopment will provide for a replacement of an existing industrial use with a new multifamily/retail development. Negative impact on adjacent properties (lighting, noise, odor) is not anticipated.

2. *Traffic impact* – Trip generations, while increasing with the anticipation of supporting retail uses, will be consistent with existing and anticipated (current development from abutting development) demands that will be served by existing roadways.

3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.

4. Subject to the applicant's volunteered deed restrictions, the request maintains the vision of the recent mixed use zoning abutting the site's western boundary, while maintaining a sense of scale of development envisioned for this area.

BACKGROUND:

- The request site is developed with a vacant industrial use (commercial trailer repair).

- The applicant proposes to redevelop the site with multifamily uses as well as providing for a retail component.

- As the representative is involved with developing the abutting mixed use project to the west, it is anticipated this project will be linked (i.e., at grade or above grade pedestrian/tenant access) so as to connect both developments.

- The applicant has volunteered deed restrictions (see attached) that will prohibit certain uses as well as to provide for certain development standards that maintain consistency with the vision of PDD No. 714.

Zoning History:

File No.	Request, Disposition, and Date
1. Z101-279	On December 14, 2011, the City Council approved an amendment to create a new subdistrict within PDD No. 714, subject to a conceptual plan and conditions.

Thoroughfare/Street	Existing & Proposed ROW
Ft. Worth Avenue	Principal Arterial; 100' & 100' ROW
IH 30	Freeway; Variable ROW
Yorktown Street	Local; 50' ROW

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested zoning change in conjunction with the required Traffic Impact Analysis and determined that the proposed development will not significantly impact the street system.

STAFF ANALYSIS:

Comprehensive Plan: The request site lies within an area considered Urban Mixed-Use. 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.

Land Use Compatibility: The site is situated in a retail/commercial/light industrial area. The elevated portion of IH 30 traverses the area south of the site. The area to

the west/northwest captures the eastern areas within PDD No. 714. Residential uses are developed on properties further north of those nonresidential uses fronting Ft. Worth Avenue, as well as south of the elevated section of IH 30.

As noted in this material, the representative for this application is currently developing the mixed use project (Sylvan/30) that abuts the site's western boundary. The attached Site Plan Exhibit (provided for orientation purposes only) depicts the relationship between both developments.

It should be noted that significant private investment has been made in development/redevelopment projects along Ft. Worth Avenue, of which this parcel will benefit from this momentum. To serve existing and future private development in the immediate area, various roadway improvements have been approved (via Thoroughfare Plan amendments) for Sylvan Avenue and Ft. Worth Avenue (see Roadway Improvements, below).

Roadway Improvements:

Fort Worth Avenue

Fort Worth Avenue from Sylvan Avenue to Beckley Avenue is currently planned as a four lane roadway and two-way cycle track within a 100' right-of-way. This cross section will accommodate on-street parallel parking adjacent to the Sylvan/30 project abutting this site's western boundary.

Sylvan Avenue

Sylvan Avenue from I-30 to Fort Worth Avenue was amended to a four lane divided roadway within a 90 foot right-of-way. This new configuration accommodates two bike lanes, on-street parallel parking, a 14' median and five foot sidewalks in the public right-of-way. Additionally, east/west access will be provided through the abutting development and continue through this site, ultimately linking with a future north/south roadway project to align with this site's eastern property line.

Landscaping: The site is void of landscape materials. Development will require compliance with Article X.

CPC ACTION

(February 20, 2014)

Motion: It was moved to recommend **approval** of an MU-3 Mixed Use District, subject to deed restriction volunteered by the applicant on property zoned an IR Industrial Research District at the east corner of Fort Worth Avenue and Yorktown Street.

Maker: Hinojosa
Second: Anglin
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Alcantar

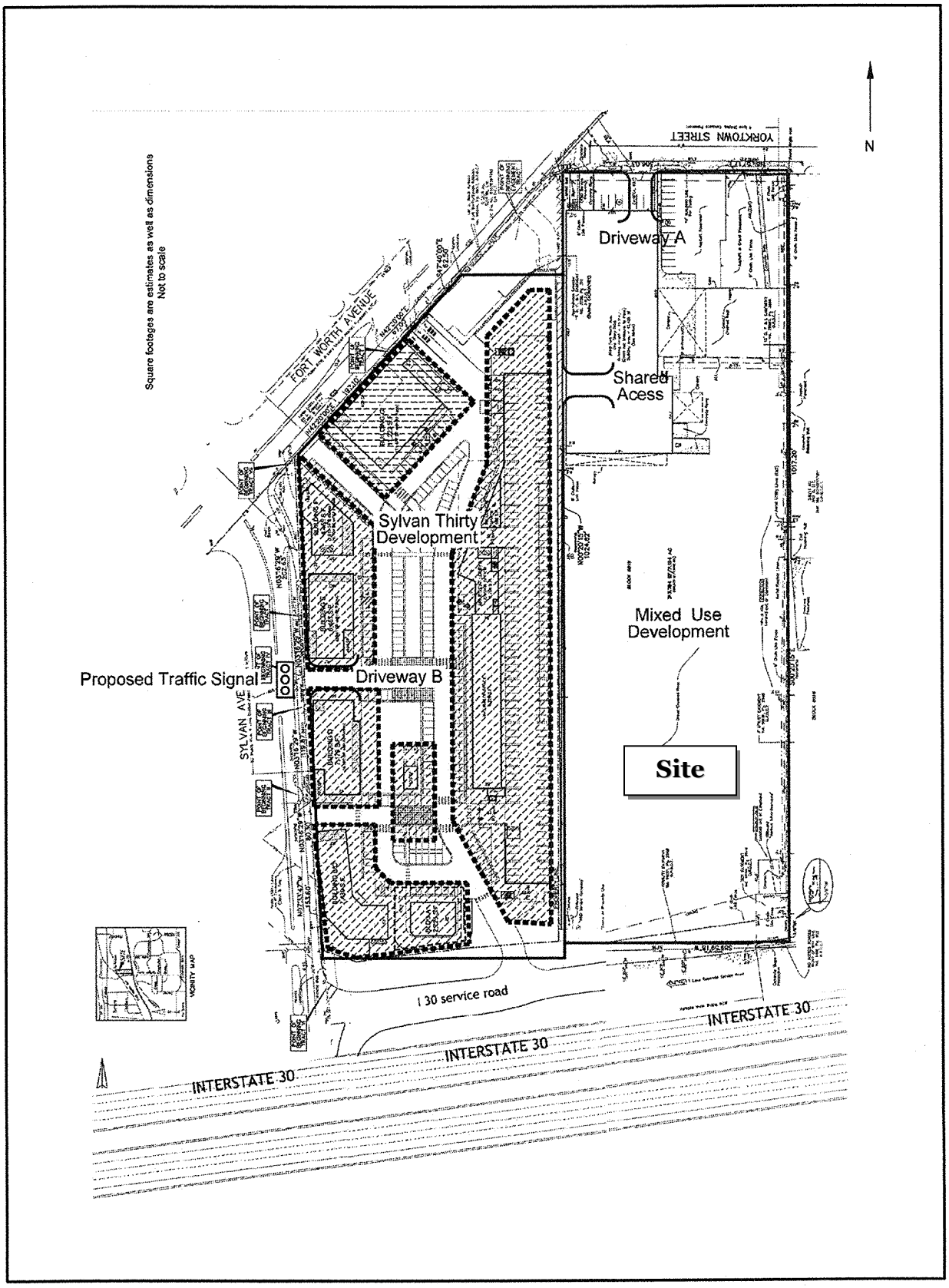
Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 400 Mailed: 24
Replies: For: 4 Against: 1

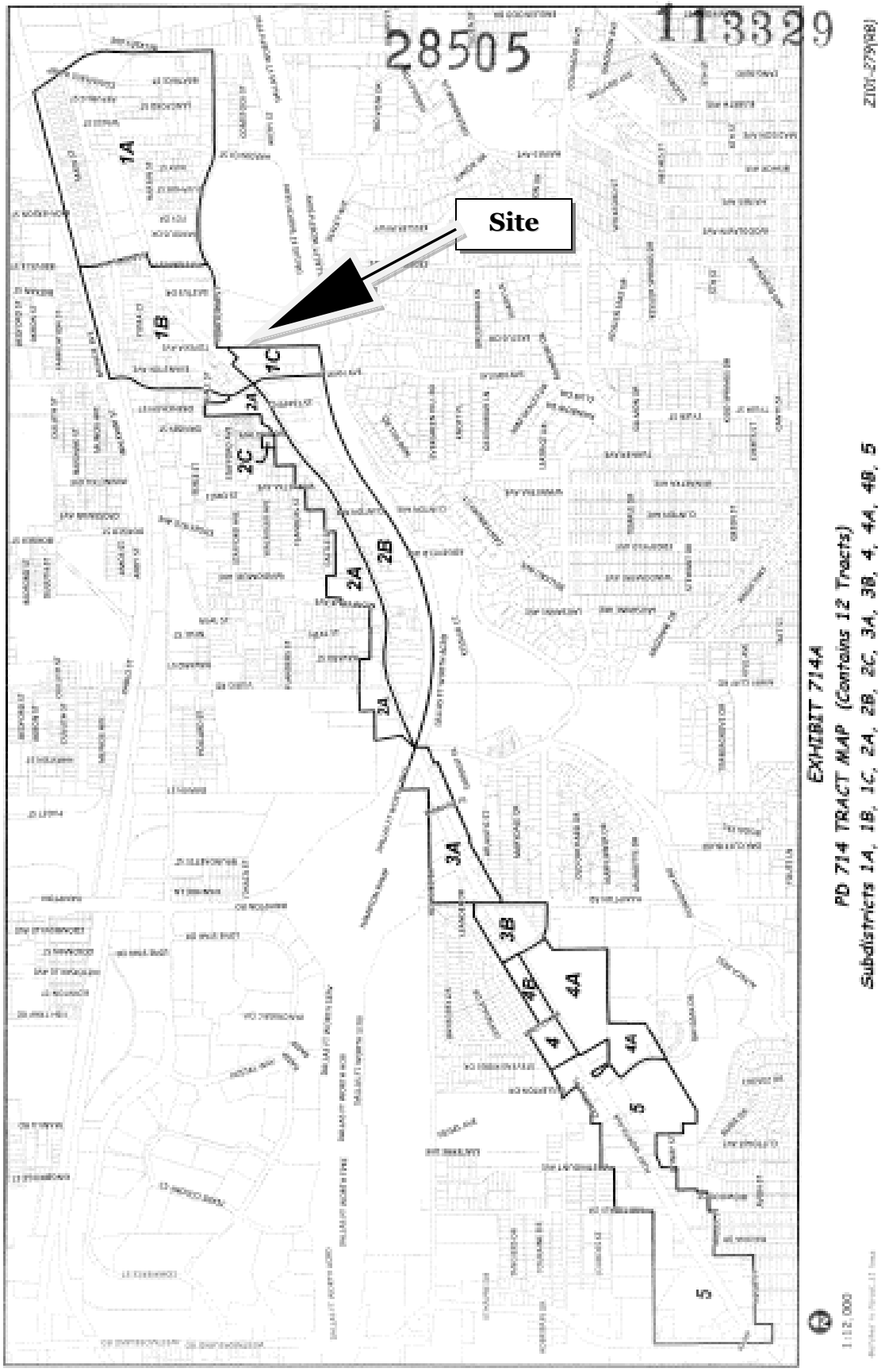
Speakers: For: Brent Jackson, 1910 Kessler Pkwy., Dallas, TX, 75208
Against: Suzan Gandy, 5217 Shadywood Ln., Dallas, TX, 75209

List of Partners/Principles/Officers

PB&J Land Holdings, LLC
Sole Member: Oaxaca Interests, LLC
President: Brent Jackson



Site Plan Exhibit
(provided for orientation purposes only)



Abutting PDD No. 714 Tract Map

VOLUNTEERED DEED RESTRICTIONS

THE STATE OF TEXAS)
) KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF _____)

I.

The undersigned, _____ , a _____ ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the _____ Survey, Abstract No. _____ , City Block _____ , City of Dallas ("City"), County, Texas, and being that same tract of land conveyed to the Owner by , by deed dated _____ , and recorded in Volume _____ , Page , in the Deed Records of _____ County, Texas, and being more particularly described as follows:

[*Insert property description*]

II.

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

(a) The following uses are prohibited:

(1) Miscellaneous uses.

-- Attached non-premise sign.

(2) Retail and personal services.

-- The following Commercial amusement (inside) uses;
-- Bingo parlor, billiard hall, and Class E dance hall.
-- Commercial amusement (outside).
-- Convenience store with drive-through.
-- Liquor store.
-- The following Personal service uses; Massage establishment, Piercing salon; and, Tattoo studio.
-- Swap or buy shop.

(b) Density. Maximum number of dwelling units is 250.

(c) Floor area. The maximum floor area for all permitted nonresidential uses is 10,000 square feet

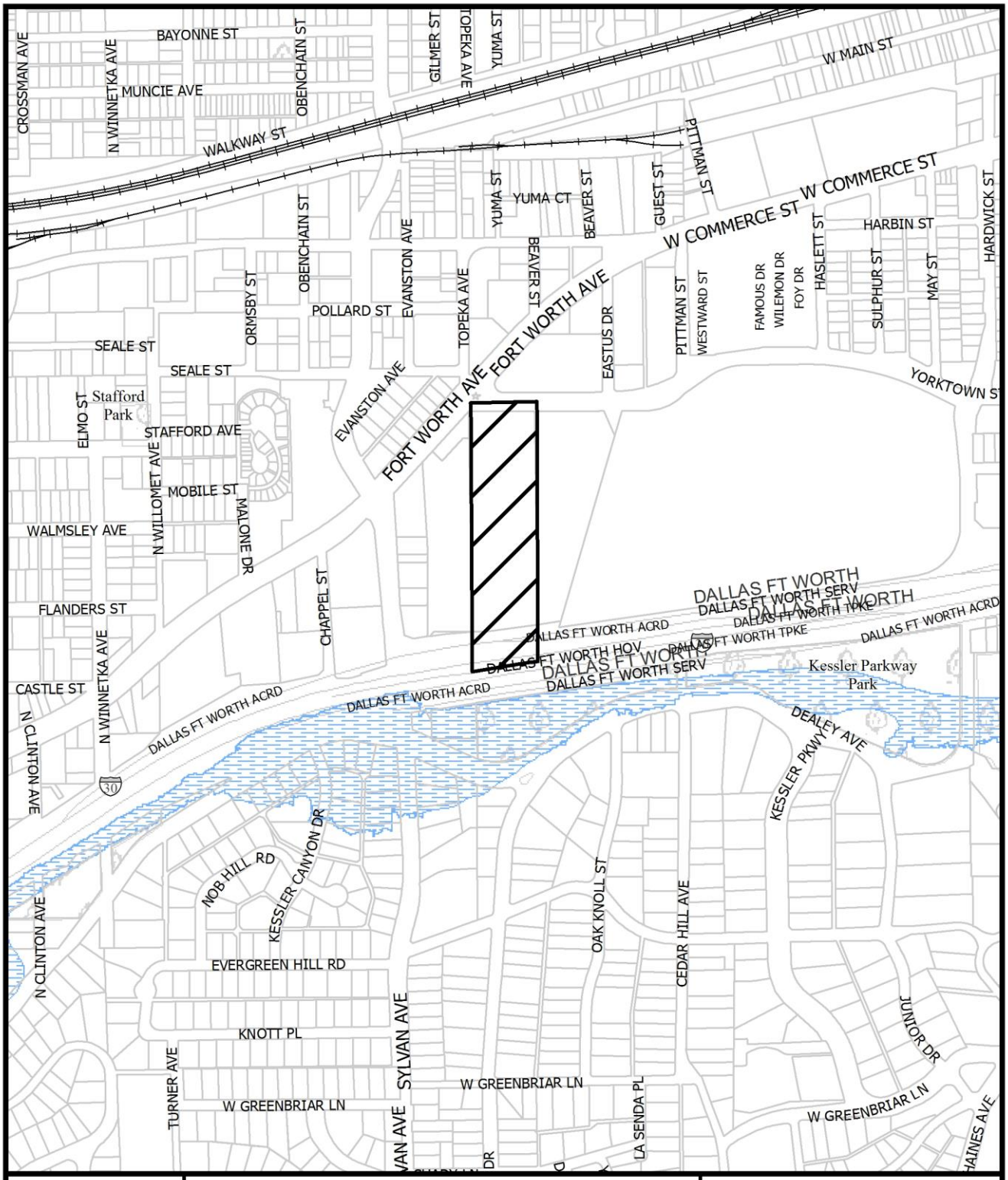
(d) Height. Maximum structure height is 60 feet.

(e) All structures for buildings containing nonresidential uses must be located between the residential uses and the northern Property line.

(f) A minimum of one ingress/egress point must be provided along the western Property line and a minimum of one ingress/point must be provided along the eastern Property line.

g) Operation of outside speakers is limited to the hours between 12:00 p.m. and 10:00 p.m., Monday through Wednesday, and 12:00 p.m. through 12:00 a.m. (the next day), Thursday through Sunday.

h) Nonresidential uses may not operate after 2:00 a.m. All customers must leave the Property by 2:15 a.m.



1:7,200

VICINITY MAP

Case no: Z134-134

Date: 1/7/2014

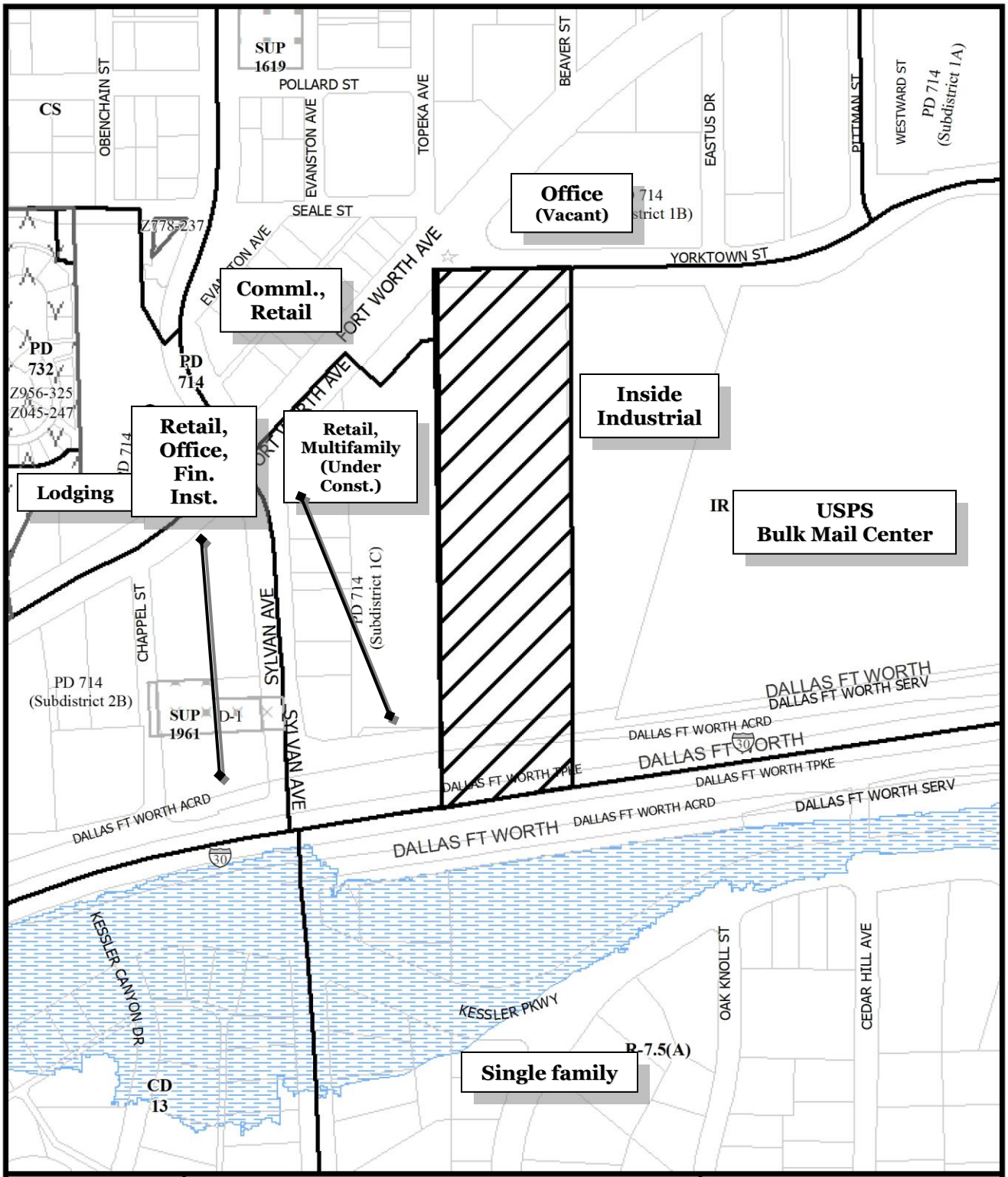


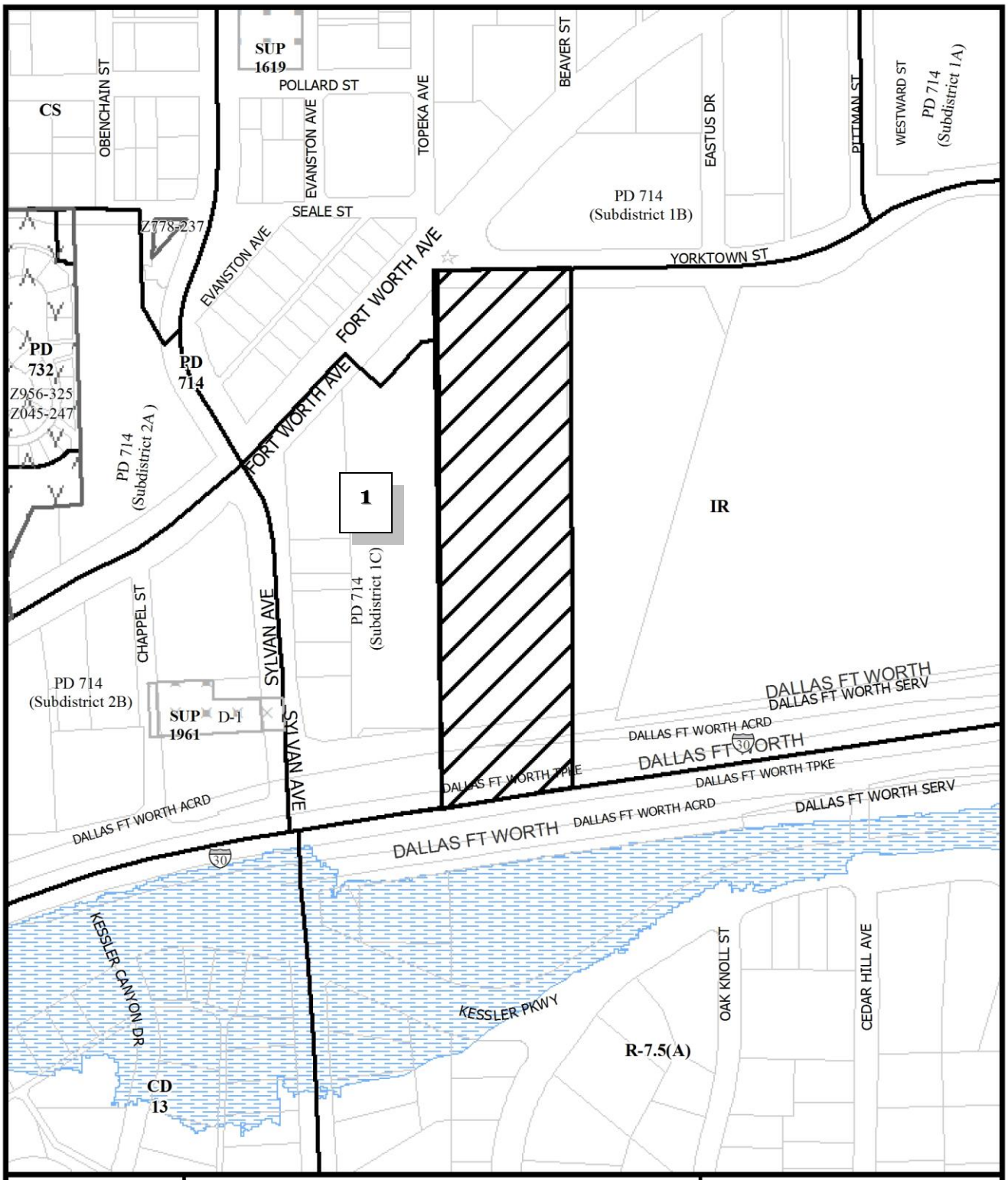
1:3,600

AERIAL MAP

Case no: Z134-134

Date: 1/7/2014


SUP 1619
POLLARD ST
CS
OBENCHAIN ST
EVANSTON AVE
TOPEKA AVE
BEAVER ST
EASTUS DR
PITTMAN ST
WESTWARD ST
PD 714 (Subdistrict 1A)
SEALE ST
Z778-237
Office (Vacant)
YORKTOWN ST
FORT WORTH AVE
Comml., Retail
PD 732
Z956-325
Z045-247
PD 714
Retail, Office, Fin. Inst.
Retail, Multifamily (Under Const.)
Inside Industrial
Lodging
IR
USPS Bulk Mail Center
CHAPPEL ST
SYLVAN AVE
PD 714 (Subdistrict 1C)
PD 714 (Subdistrict 2B)
SUP 1961
D-1
DALLAS FT WORTH
DALLAS FT WORTH SERV
DALLAS FT WORTH ACRD
DALLAS FT WORTH TPKE
30
KESSLER CANYON DR
KESSLER PKWY
OAK KNOLL ST
CEDAR HILL AVE
R-7.5(A)
Single family
CD 13
1:3,600
ZONING AND LAND USE
Case no: Z134-134
Date: 1/7/2014



1:3,600

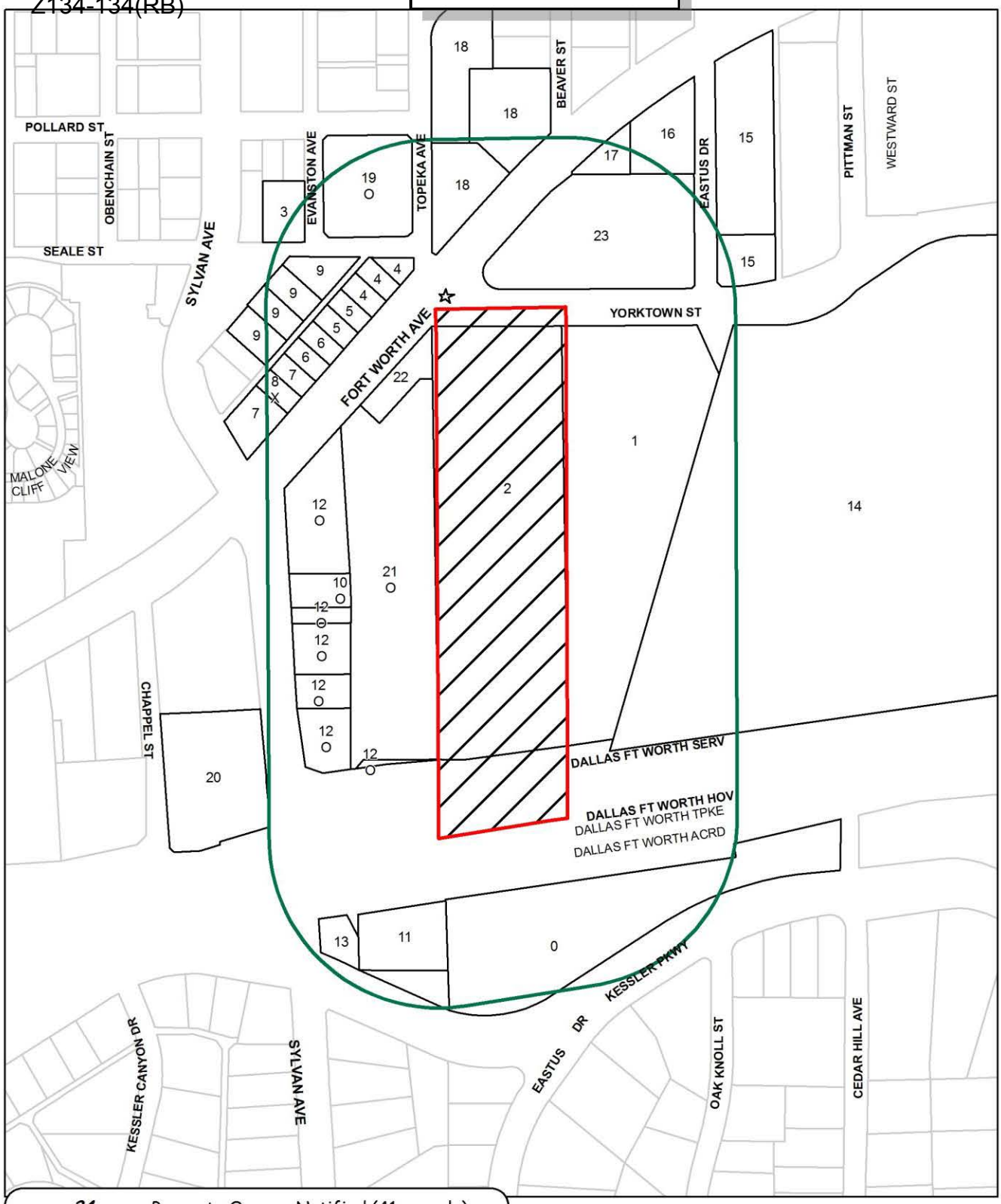
ZONING HISTORY

Case no: Z134-134

Date: 1/7/2014

Z134-134(RB)

CPC RESPONSES



24	Property Owners Notified (41 parcels)
4	Replies in Favor (9 parcels)
1	Replies in Opposition (1 parcels)
400'	Area of Notification
2/20/2014	Date

Z134-134
CPC

N
W E
S

1:3,600

2/20/2014

Reply List of Property Owners

Z134-134

24 Property Owners Notified 4 Property Owners in Favor 1 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	620	YORKTOWN ST	ANG III LLC
	2	660	FORT WORTH AVE	JBC LAND AND CATTLE COMPANY LLC
	3	801	SEALE ST	TAYLOR SMITH DEV CORP
	4	705	FORT WORTH AVE	YAZDCHI KHANOM
	5	715	FORT WORTH AVE	CUIN JOHNNY
	6	723	FORT WORTH AVE	MOXIE INVESTMENTS LTD
	7	731	FORT WORTH AVE	739 FORT WORTH AVENUE LLC
X	8	735	FORT WORTH AVE	739 FORT WORTH AVE LLC
	9	2016	EVANSTON AVE	JARAMILLO R & S INVES LLC
O	10	1830	SYLVAN AVE	LYNXETTE EXPLORATION LLC
	11	710	FORT WORTH AVE	PATEL C B
O	12	1812	SYLVAN AVE	LYNXETTE EXPLORATION LLC
	13	4021	SYLVAN AVE	MCCALL JOHN P JR
	14	2121	HARDWICK ST	U S POSTAL SERVICE
	15	2106	EASTUS DR	BALLAS VICTOR
	16	604	FORT WORTH AVE	TRAMELL JANICE MARIE SNELLING
	17	624	FORT WORTH AVE	TRAMELL JANICE MARIA
	18	635	FORT WORTH AVE	LODOR JOSEPH
O	19	702	POLLARD ST	SONNY SIDE UP INVESTMENTS LLC
	20	1805	SYLVAN AVE	SYLVAN I 30 ENT INC
O	21	712	FORT WORTH AVE	LYNXETTE EXPLORATION LLC
	22	710	FORT WORTH AVE	SLI/FWA LTD
	23	641	YORKTOWN ST	DALLAS POSTAL CREDIT UN
	24	11111	MAIN ST	DALLAS TIF#210 FORT WORTH AVE

AGENDA ITEM # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 54 D

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned Tract 2B in Planned Development District No. 160 on the west side of North Zang Boulevard, north of West Canty Street

Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Z134-135(MW)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**
ACM: Theresa O'Donnell

FILE NUMBER: Z134-135(MW) **DATE FILED:** November 26, 2013

LOCATION: West side of North Zang Boulevard, north of West Canty Street

COUNCIL DISTRICT: 1 **MAPSCO:** 54-D

SIZE OF REQUEST: ± 0.55 acre **CENSUS TRACT:** 42.01

REPRESENTATIVE/APPLICANT/OWNER: Miguel Arellano

REQUEST: An application for a Specific Use Permit for a child-care facility on property zoned Tract 2B in Planned Development District No. 160.

SUMMARY: The applicant proposes to operate a child-care facility in the existing building.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not a Specific Use Permit shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing building and proposed use are compatible in scale and character with the surrounding uses.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed child-care facility is not anticipated to negatively impact the adjacent properties and will provide a valuable service to this area of the city.

3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is not anticipated to be a detriment to the public health, safety, or general welfare.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the request will comply with all applicable zoning regulations and standards. No variances or exceptions are proposed.

BACKGROUND INFORMATION:

- The ±0.55-acre request site is developed with a vacant ±6,700-square-foot building, which was previously utilized as a child-care facility. No new construction is proposed by this application.

- The applicant purchased the property in June of 2013. The previous owners operated a child-care facility under Specific Use Permit No. 1398, which expired in 2010.

- The proposed hours of operation are Monday through Sunday from 6:00 am to 7:00 pm.

- The proposed child-care facility will accommodate a maximum enrollment of 120 children and 18 employees.

Surrounding Zoning History:

There has been no zoning activity in the vicinity of the request site within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Zang Boulevard	Minor arterial	100 feet
Canty Street	Local	60 feet

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Construction and Development has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system. The Traffic circulation will occur as depicted on the proposed site plan.

Surrounding Land Use:

	Zoning	Land Use
North	PDD No. 160 (Tract 2B)	Multifamily
East	LO-1	Office
South	PDD No. 160 (Tract 2B)	Office; dental office
West	PDD No. 160 (Tract 1C)	Single family; dental office

STAFF ANALYSIS:

Comprehensive Plan:

The Vision Illustration depicts the request site as within a *Residential Neighborhood Building Block.* This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

A day care is a service that supports a residential neighborhood. The applicant's proposal is consistent with the Comprehensive Plan.

Land Use Compatibility:

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request conforms with the applicable zoning regulations and standards and is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval for a five-year period with eligibility for automatic renewal for additional five-year periods subject to a site plan and conditions.

Parking:

Planned Development District No. 160, is based on Chapter 51 standards. Pursuant to Chapter 51, a child-care facility requires one off-street parking space for each 500 square feet of floor area. Therefore, the ±6,700-squre foot child-care facility requires 13 spaces, as depicted on the proposed 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.

CPC Action: February 20, 2014:

Motion: It was moved to recommend **approval** of a Specific Use Permit for a child-care facility for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned Tract 2B in Planned Development District No. 160 on the west side of North Zang Boulevard, north of West Canty Street.

Maker: Bagley
Second: Anglin
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices:	Area:	200	Mailed:	21
Replies:	For:	1	Against:	0

Speakers: For: Pam Conley, 901 N. Madison Ave., Dallas, TX, 75208
Anne Campbell, 710 Haines Ave., Dallas, TX, 75208
For (Did not speak): Carolyn Armour, 919 Haines Ave., Dallas, TX, 75208
Beatrice Gonzalez, 1002 Woodlawn Ave., Dallas, TX, 75208
Against: None

Z134-135
CPC Recommended Conditions

1. USE: The only use authorized by this specific use permit is a child-care facility.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

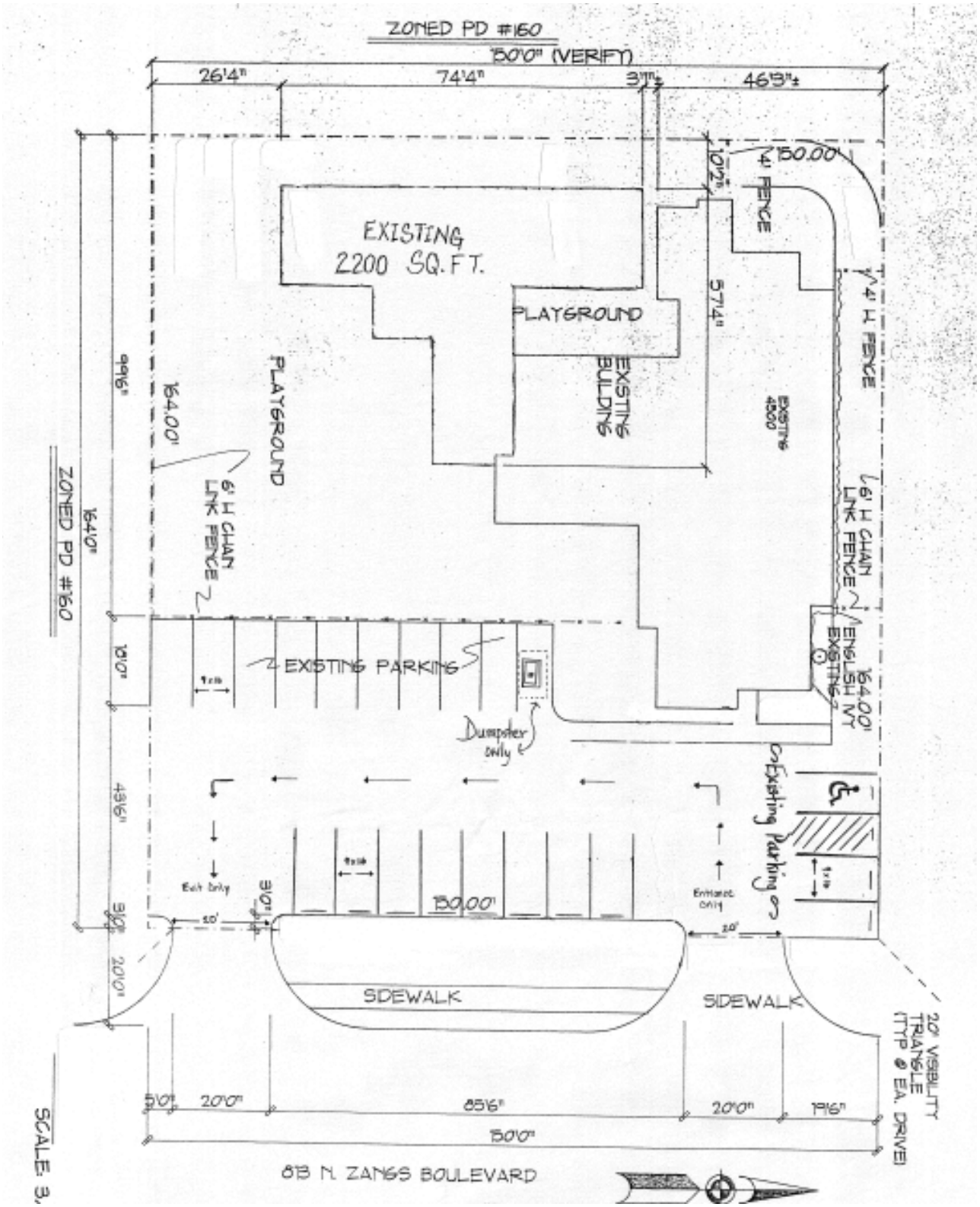
3. TIME LIMIT: This specific use permit is approved for a five-year period, but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the property owner must file a complete 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. HOURS OF OPERATION: The child-care facility may only operate from 6:00 a.m. to 7:00 p.m., Monday through Sunday.

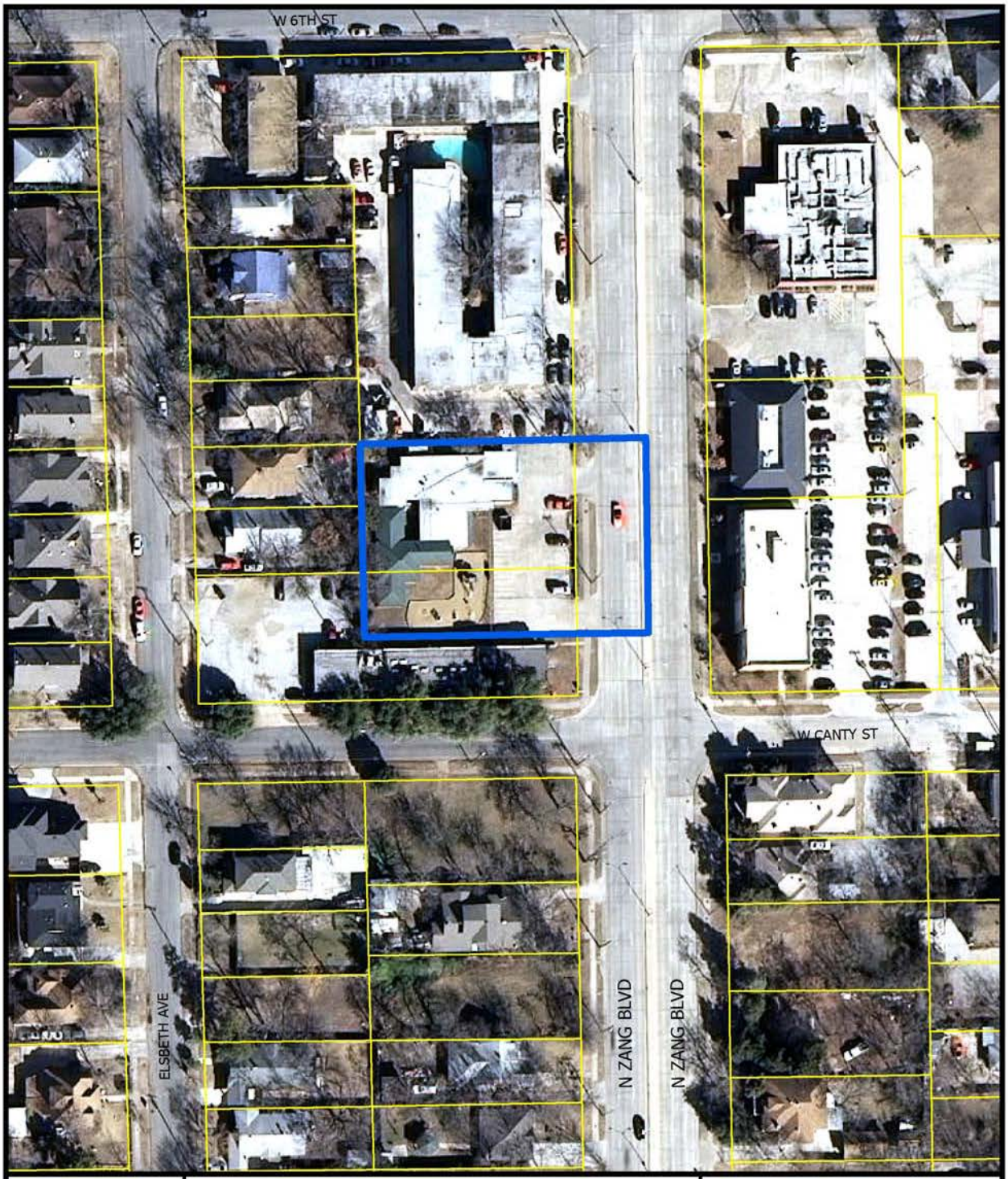
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Site Plan




Hogg
ELSBETH AVE
BALLARD AVE
NECHES ST
ELDORADO AVE
Lake Cliff Park
E 5TH ST
W 5TH ST
E 6TH ST
W 6TH ST
N ZANG BLVD
E 7TH ST
HAINES AVE
N BISHOP AVE
N MADISON AVE
W CANTY ST
E CANTY ST
N CRAWFORD ST
ELSBETH AVE
W NEELY ST
E NEELY ST
N PATTON AVE
W DAVIS ST
E DAVIS ST
E 8TH ST
Eighth & Davis Triangle Park
W 7TH ST
E 7TH ST
E 8TH ST
W 8TH ST
N BISHOP AVE
Adamson
E 9TH ST
1:4,800
VICINITY MAP
Case no: Z134-135
Date: 12/31/2013

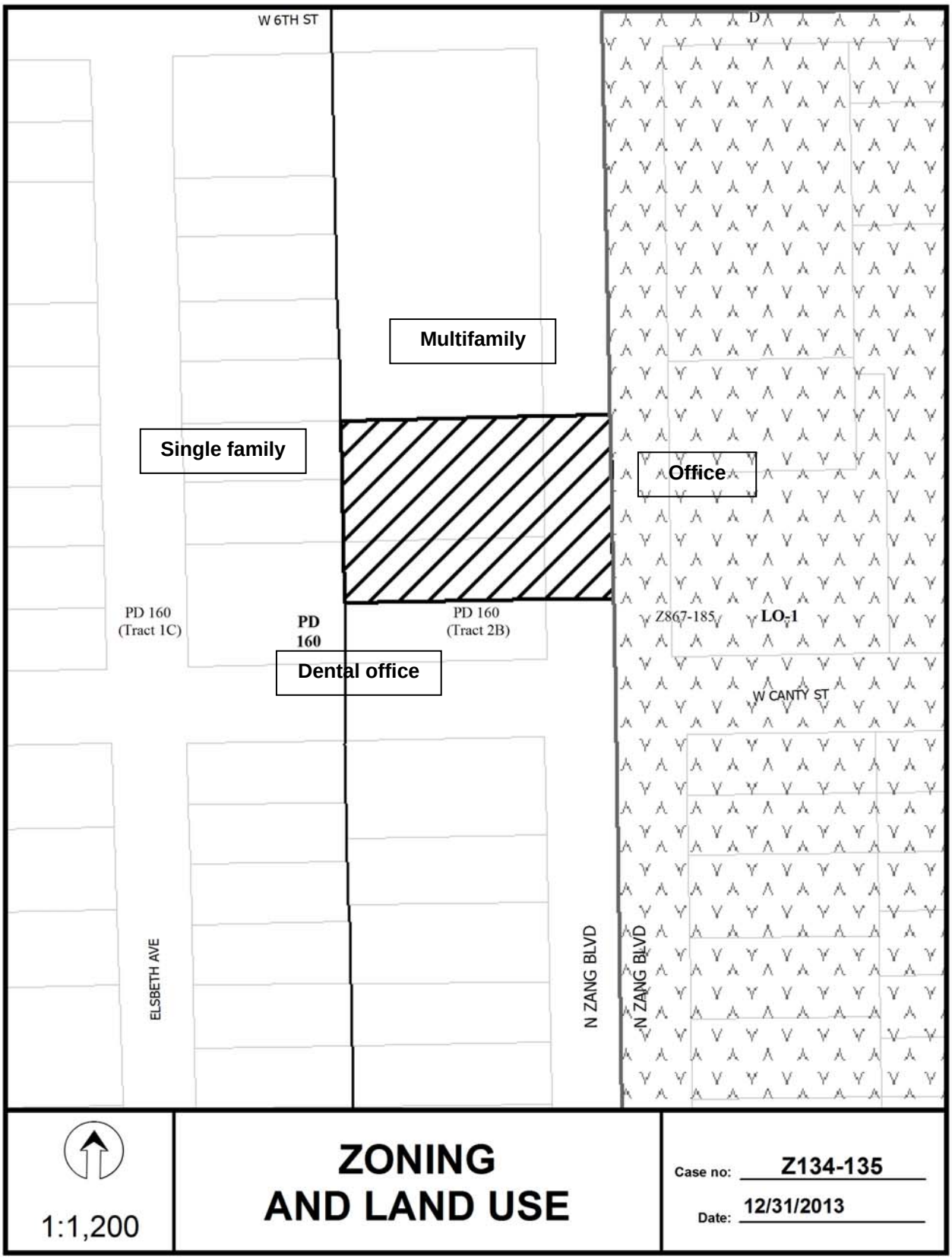


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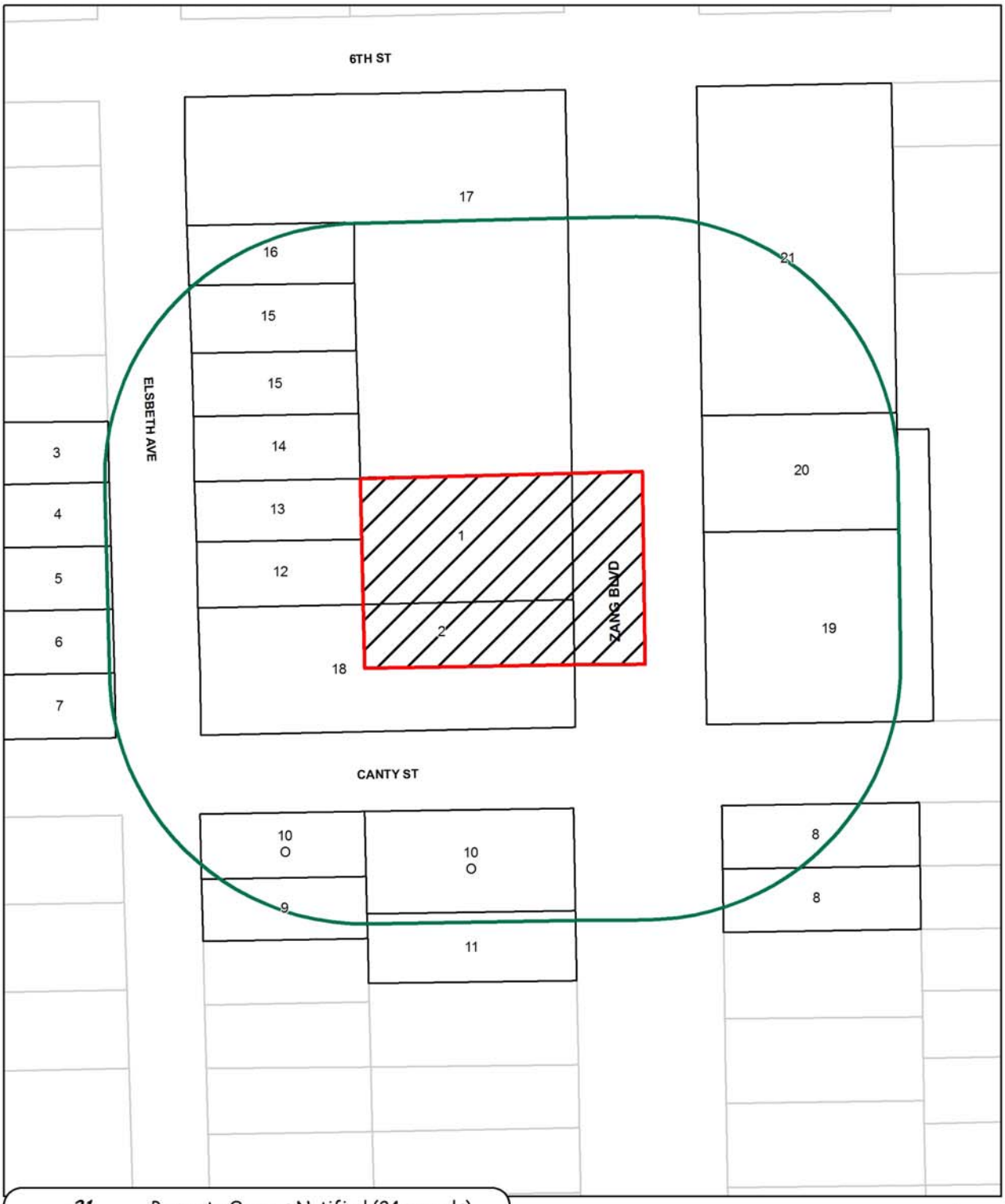
AERIAL MAP

Case no: Z134-135

Date: 12/31/2013


W 6TH ST
Multifamily
Single family
Office
PD 160
(Tract 1C)
PD
160
PD 160
(Tract 2B)
Dental office
Z867-185
LO-1
W CANTY ST
ELSBETH AVE
N ZANG BLVD
N ZANG BLVD
1:1,200
ZONING
AND LAND USE
Case no: Z134-135
Date: 12/31/2013

CPC Responses



2/20/2014

Reply List of Property Owners

Z134-135

21 Property Owners Notified 1 Property Owner in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	813	ZANG BLVD	MINOR TIMOTHY &
	2	807	ZANG PL	MINOR TIMOTHY
	3	815	ELSBETH ST	ROPPOLO MATTHEW J
	4	813	ELSBETH ST	CERVANTES CECILIA H
	5	809	ELSBETH ST	A & E HOUSING LLC
	6	805	ELSBETH ST	MARTINEZ AGUSTIN
	7	801	ELSBETH ST	CLIMER NICHOLAS I &
	8	732	ZANG BLVD	FAZ ISMAEL
	9	734	ELSBETH ST	CASTILLO GERARDO
O	10	736	ELSBETH ST	WHITEAKER BETTYE M
	11	733	ZANG BLVD	PENA JESUS H & IRMA
	12	810	ELSBETH ST	COUCH KEDRIC
	13	814	ELSBETH ST	LOPEZ BENITO JR
	14	818	ELSBETH ST	ELAINE S GORENSTEIN
	15	820	ELSBETH ST	TOVAR MARTIN
	16	828	ELSBETH ST	TUCKER MICHAEL BRITT &
	17	835	ZANG BLVD	GEMSK LLC
	18	801	ZANG BLVD	BECKLEY PROPERTIES LTD
	19	810	ZANG BLVD	AHA GROUP LP
	20	820	ZANG BLVD	NORTH ZANG DEV LTD
	21	830	ZANG BLVD	JT REALTY INC

AGENDA ITEM # 42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 58 L

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1946 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property within Subarea 2, Tract 3 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the southwest corner of Lake June Road and South Buckner Boulevard

Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions

Z134-148(WE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**

ACM: Theresa O'Donnell

FILE NUMBER: Z134-148(WE) **DATE FILED:** December 24, 2013

LOCATION: Lake June Road and South Buckner Boulevard, southwest corner

COUNCIL DISTRICT: 5 **MAPSCO:** 58-L

SIZE OF REQUEST: Approx. 1.48 acres **CENSUS TRACT:** 93.01

APPLICANT: CVS Corporation

OWNER: Gottlieb Martial Trust

REPRESENTATIVE: Santos Martinez, MasterPlan

REQUEST: An application for the renewal of Specific Use Permit No. 1946 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property within Subarea 2, Tract 3 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow the existing general merchandise or food store [CVS] to continue selling alcohol beverages for off-premise consumption. The site plan is being revised to reflect fewer parking spaces. Also, staff is recommending a longer time limit since this use has not been a detriment to the health, safety and general welfare of the surrounding area.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store is compatible and conforms to the adjacent retail and personal service uses. The additional alcohol use within the general merchandise or food store should not impact the surrounding uses negatively from a land use perspective.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – Based upon and evaluation of the uses during the initial time limit, this use has not contributed to or deterred from the welfare of adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – It is not foreseen that this use would be a detriment to the public health, safety or general welfare of the community.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards. The Dallas Police has determined that the request site is in compliance with Chapter 12B.

BACKGROUND INFORMATION:

- In March 28, 2012, 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 for a two-year period.

- The proposed request is to continue selling alcohol for off-premise consumption in conjunction with the general merchandise use on the property.

- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.

- The surrounding land uses consist of a mix of retail and personal service uses and auto related uses.

Zoning History: There have been no recent zoning changes in the surrounding area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Lake June Road	Principal Arterial	100 ft.	100 ft.
S. Buckner Boulevard	Principal Arterial	100 ft.	100 ft.
Trade Village Place	Local	50 ft.	50 ft.
World Store Court	Local	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 366-D-1	General Merchandise store
North	PDD No. 366-D-1	Retail & Personal service
South	PDD No. 366-D-1	Auto related uses
East	PDD No. 366-D-1	Retail & Personal Service, Restaurants
West	PDD No. 366-D-1	Auto related uses, Retail & Personal service uses

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 as being along a Transit or Multi-Modal Corridor

Transit centers support a compact mix of employment, retail, cultural facilities and housing. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof

terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety.

STAFF ANALYSIS:

Land Use Compatibility:

The request site is developed on a city block and is bounded by 2 major arterials and 2 local streets. The request site can be accessed from three of the four existing streets: S. Buckner Boulevard, Lake June Road, Trade Village Place and World Store Court. The surrounding land uses consist of a mix of retail and personal service uses and auto related 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.

Per Dallas Police Department, this property is also regulated by Chapter 12B of the Dallas City Code for Convenience Stores. This chapter applies to all convenience stores, which are defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually. Chapter 12b does not apply to a convenience store greater than 10,000 square feet.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 366	No Min.	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 FAR for any combination of lodging, office, and retail and personal service uses	45' or 3 stories	80%	Proximity Slope Visual Intrusion	Retail & personal service, office

Landscaping: Landscaping of any development will be in accordance with Article X, as amended. However, since the request site is not increasing the floor area, landscaping the site is not required.

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area. The applicant removed a total of three off-street parking spaces from the original site plan, which are adjacent to the drive-through window. The proposed site plan will accurately reflect the number of off-street parking spaces on site. The original approved plan provided 79 off-street parking spaces. The development requires 67 spaces with 76 being provided per the attached site plan. The request will meet the off-street parking requirements with the removal of these three parking spaces.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed change in the site plan will have no impact on the surrounding street system.

Police Report: Prior to issuance of the Specific Use Permit, from March 1, 2010 to March 28, 2012 there were 75 offenses including theft, robbery and assault. After the issuance of the SUP, there were 19 offenses from March 29, 2012 to February 1, 2014.

CPC Action (February 20, 2014)

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1946 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions on property within Subarea 2, Tract 3 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the southwest corner of Lake June Road and South Buckner Boulevard.

Maker: Bagley
Second: Shellene
Result: Carried: 14 to 0

For:	14 - Anglin, Soto, Rodgers, Culbreath, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Alcantar
Against:	0
Absent:	0
Vacancy:	0
Conflict:	1 - Shidid

Notices: Area: 300 Mailed: 49
Replies: For: 2 Against: 1

Speakers: For (Did not speak): Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

LIST OF OFFICERS
CVS

- Thomas Ryan Chairman of the Board
- Larry Merio President, COO
- Thomas S. Mofatt Vice President and Assistant Secretary

LIST OF OFFICERS
Gottlieb Martial Trust

- Brindell Robert Gottlieb – Co Trustee
- Walter L. Weisman – Co Trustee

CPC SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on [~~March 28, 2014~~], (five-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. DRIVE-THROUGH WINDOW: Use of a drive-through window for retail sales of alcoholic beverages is prohibited.

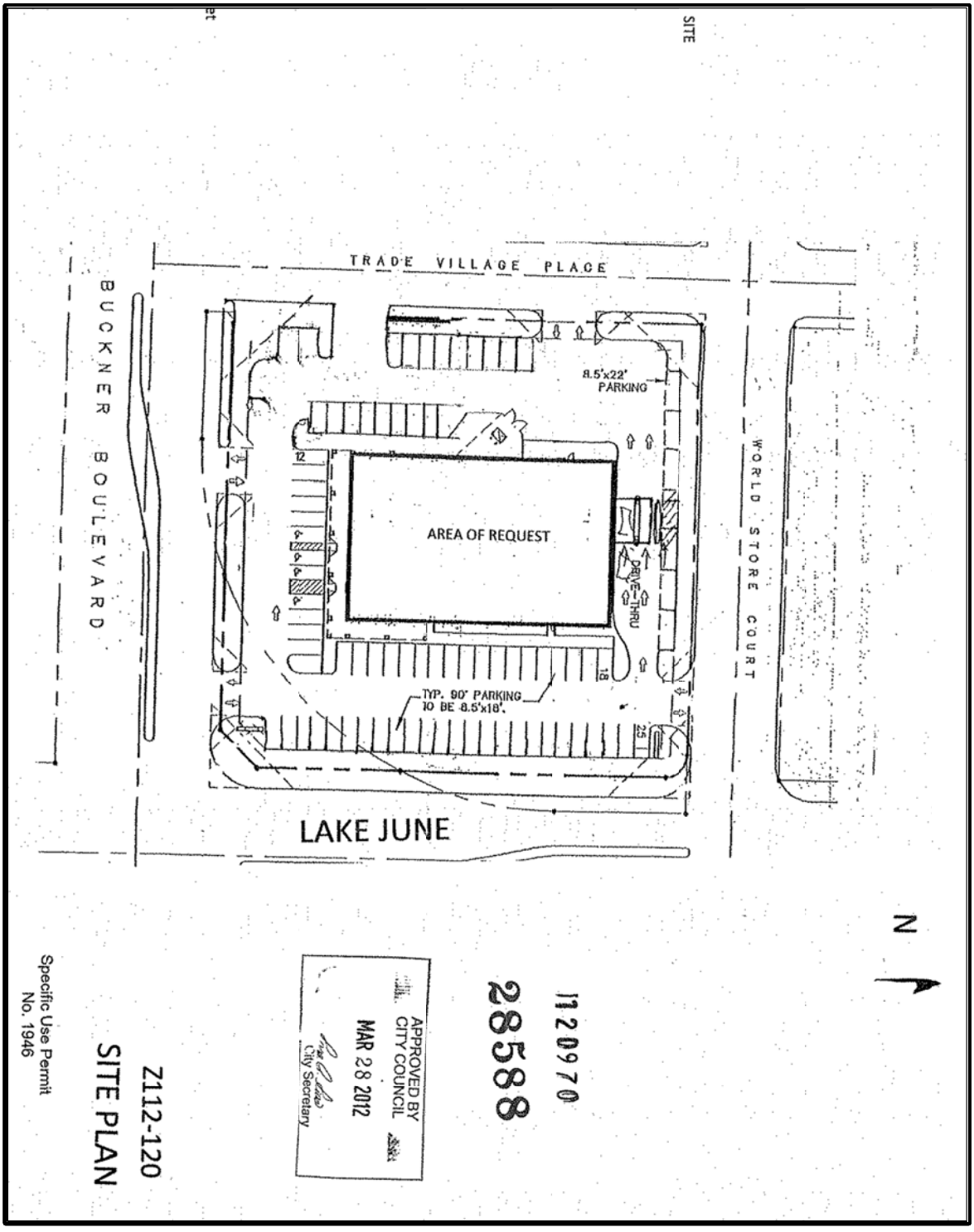
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

6. PARKING: Off-street parking must be provided in the location shown on the attached site plan.

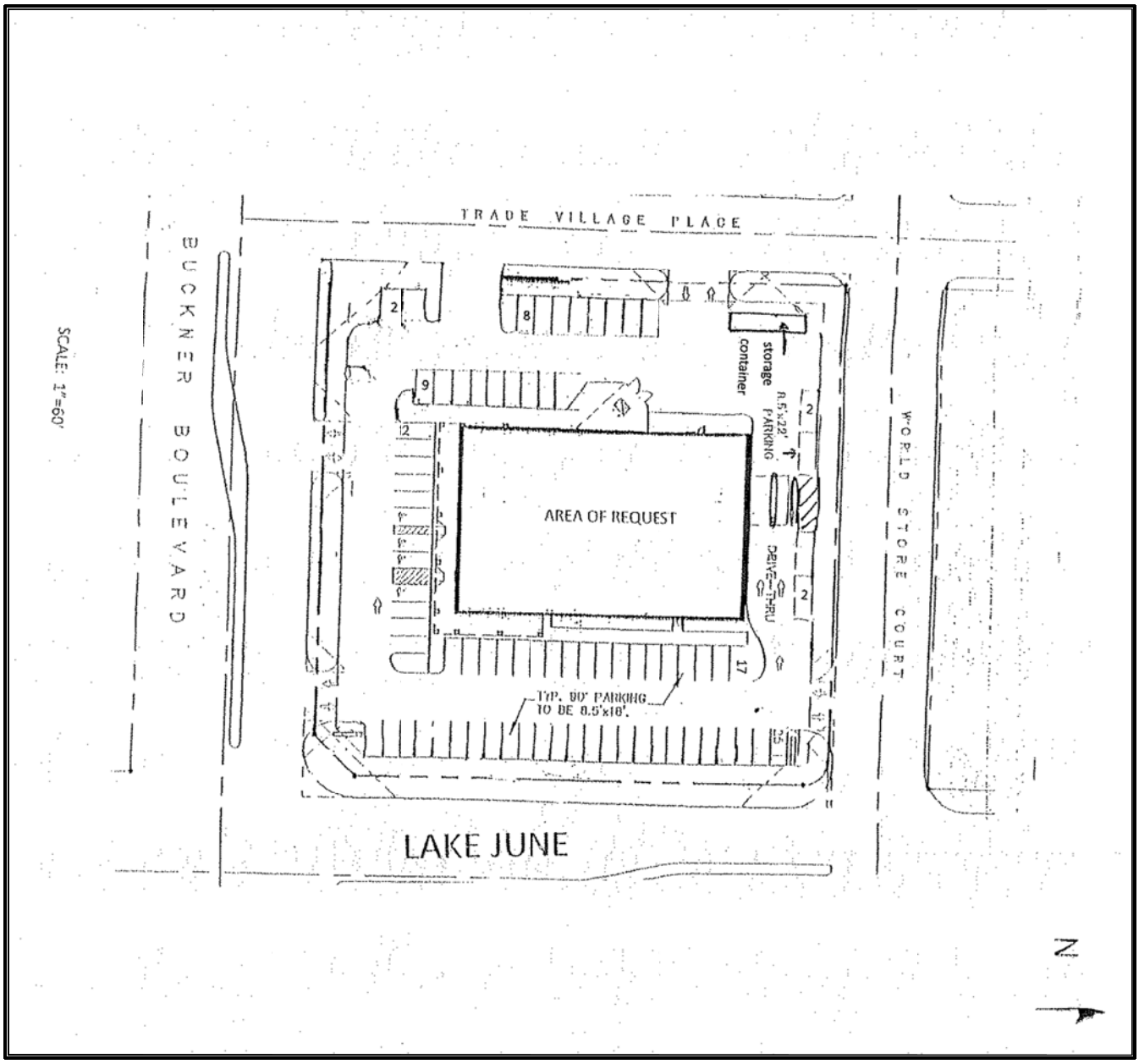
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

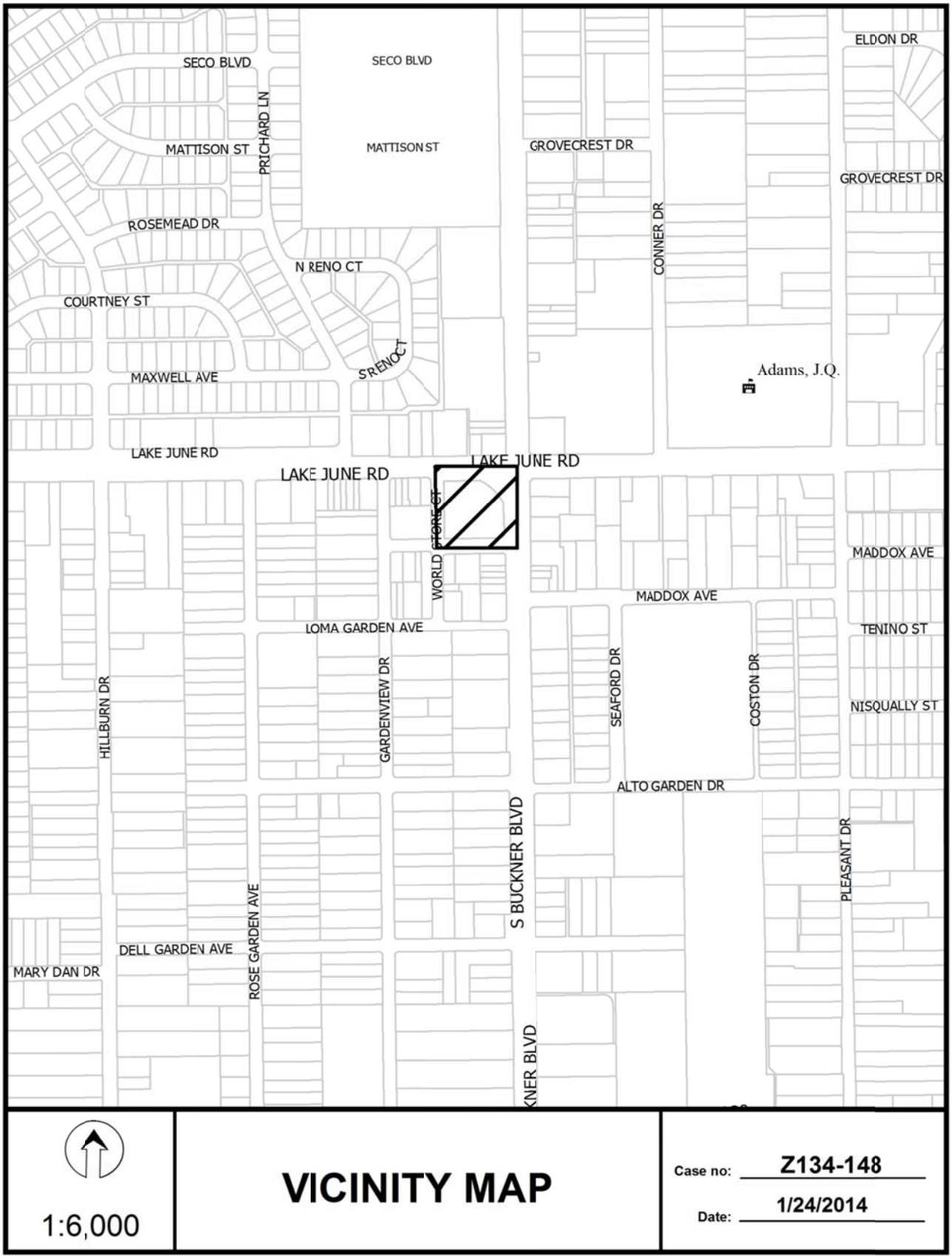
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

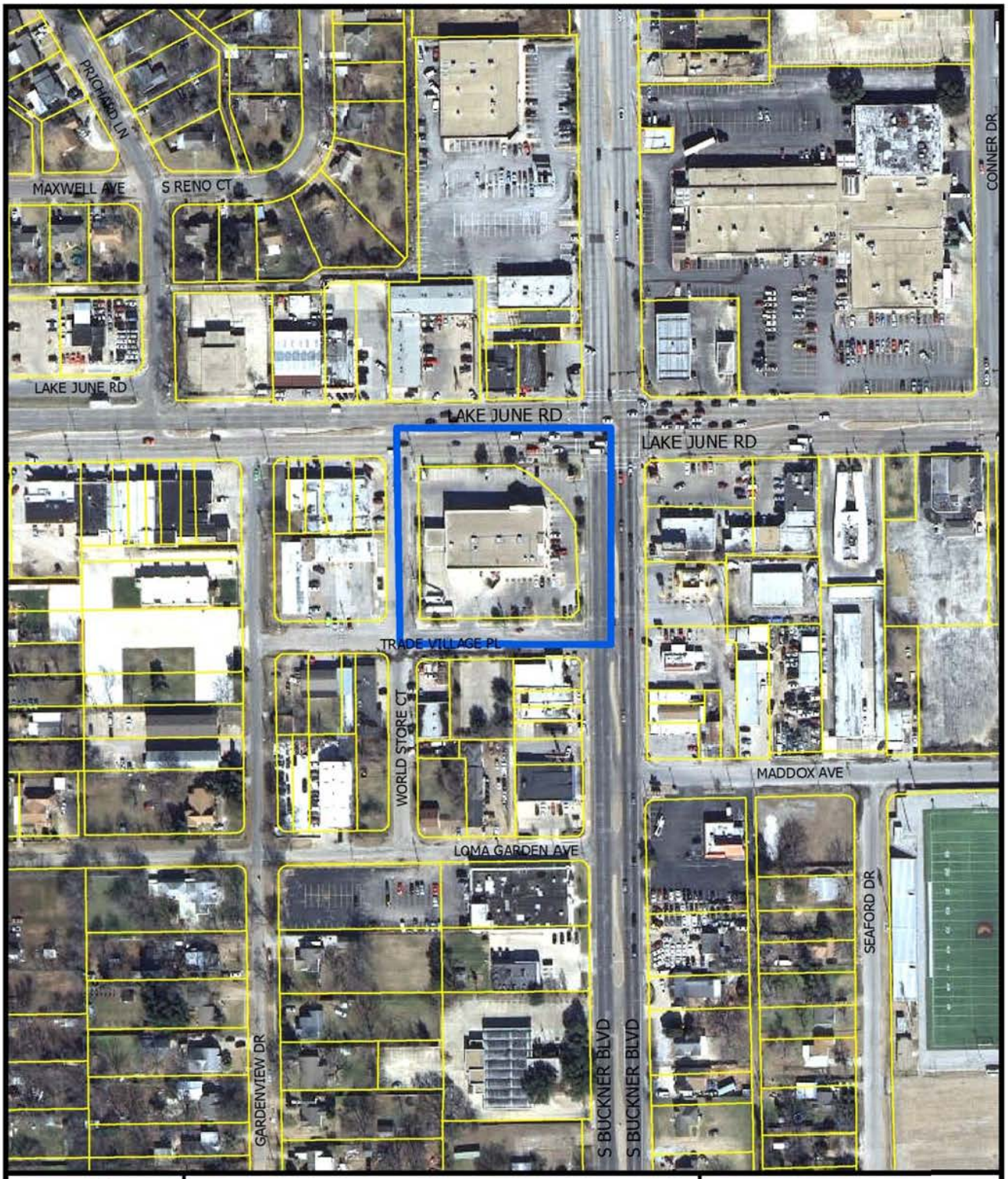
EXISITING SITE PLAN



PROPOSED SITE PLAN




SECO BLVD
SECO BLVD
PRICHARD LN
MATTISON ST
MATTISON ST
GROVECREST DR
ELDON DR
GROVECREST DR
CONNER DR
ROSEMEAD DR
N RENO CT
COURTNEY ST
S RENO CT
MAXWELL AVE
Adams, J.Q.
LAKE JUNE RD
LAKE JUNE RD
LAKE JUNE RD
WORLD STONE ST
MADDOX AVE
MADDOX AVE
LOMA GARDEN AVE
TENINO ST
HILLBURN DR
GARDENVIEW DR
SEAFORD DR
COSTON DR
NISQUALLY ST
ALTO GARDEN DR
S BUCKNER BLVD
PLEASANT DR
ROSE GARDEN AVE
DELL GARDEN AVE
MARY DAN DR
KNER BLVD
1:6,000
VICINITY MAP
Case no: Z134-148
Date: 1/24/2014

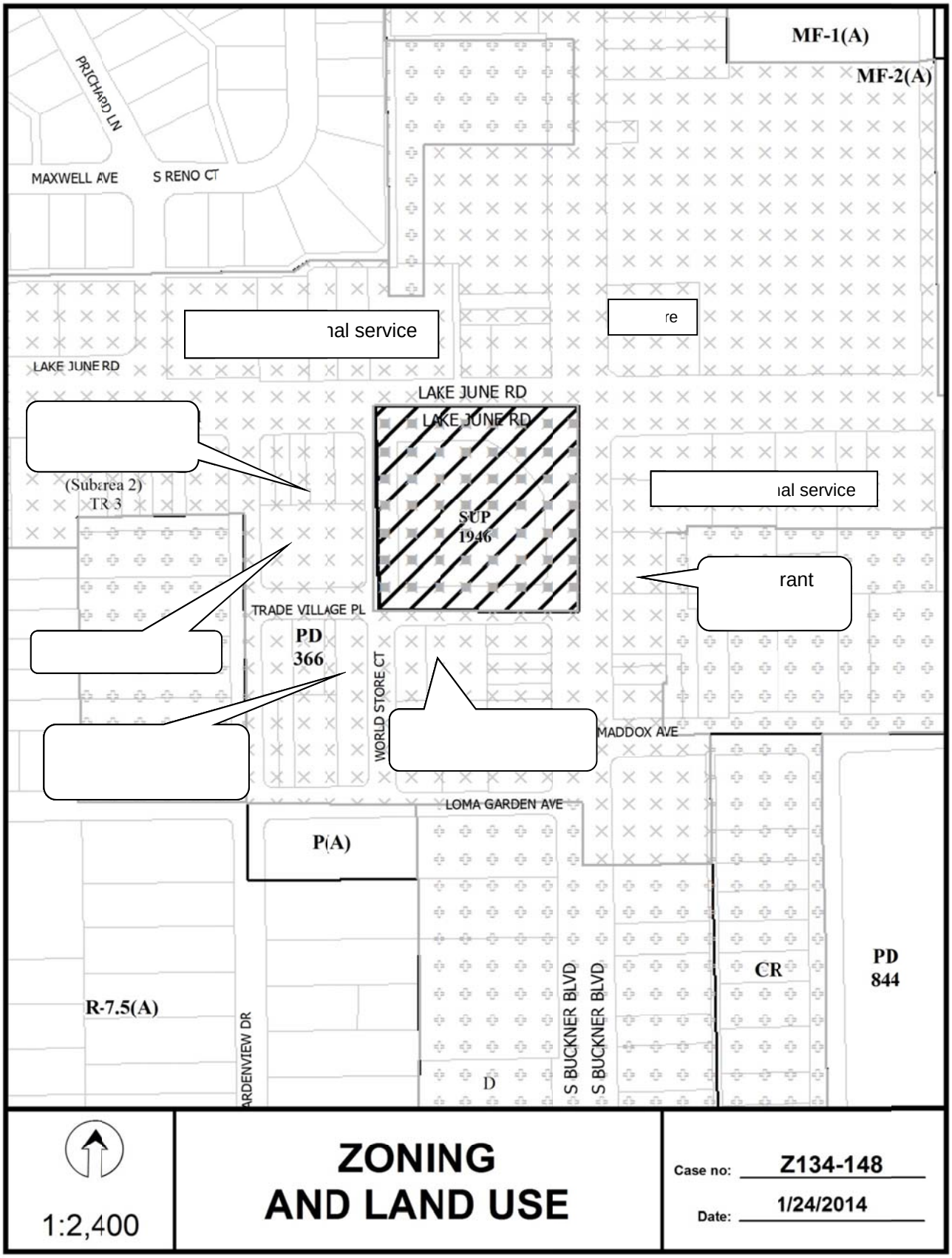


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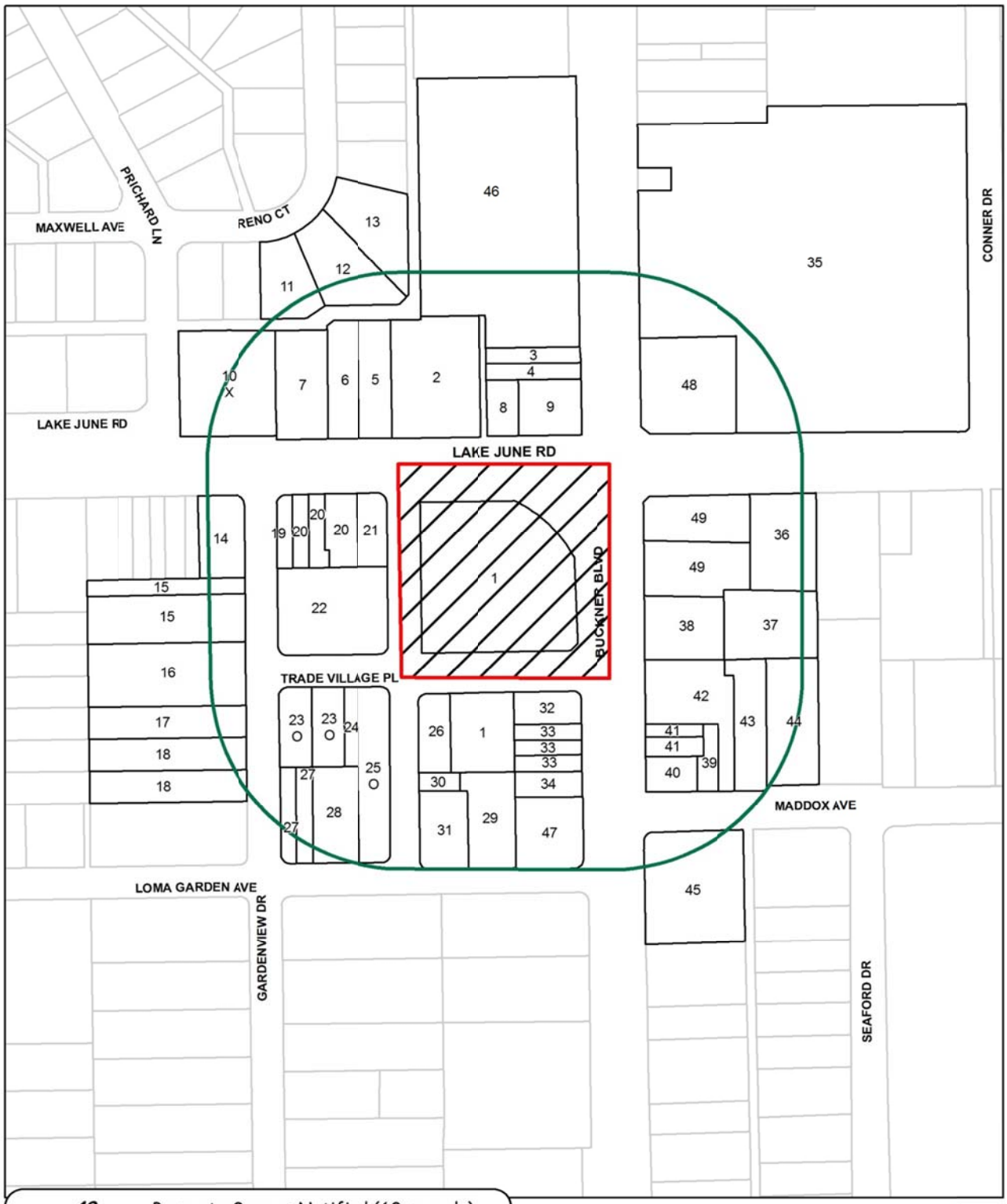
AERIAL MAP

Case no: Z134-148

Date: 1/24/2014


MF-1(A)
MF-2(A)
PRICHARD LN
MAXWELL AVE
S RENO CT
LAKE JUNE RD
LAKE JUNE RD
LAKE JUNE RD
SUP
1946
(Subarea 2)
TR 3
TRADE VILLAGE PL
PD
366
WORLD STORE CT
MADDOX AVE
LOMA GARDEN AVE
P(A)
R-7.5(A)
CR
PD
844
S BUCKNER BLVD
S BUCKNER BLVD
1:2,400
ZONING
AND LAND USE
Case no: Z134-148
Date: 1/24/2014

S



49	Property Owners Notified (60 parcels)
2	Replies in Favor (3 parcels)
1	Replies in Opposition (1 parcels)
300'	Area of Notification
2/20/2014	Date

Z134-148
CPC

N
W E
S

1:2,400

Notification List of Property Owners

Z134-148

49 Property Owners Notified 2 Property Owners in Favor 1 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	1227	BUCKNER BLVD	GOTTLIEB BUCKNER BLVD DRUGSTORE LLC
	2	8017	LAKE JUNE RD	SHIDID TERESA TRUSTEE &
	3	1309	BUCKNER BLVD	HINDI AMGAD HAMED &
	4	1311	BUCKNER BLVD	SANTOS GUADALUPE &
	5	8011	LAKE JUNE RD	RODRIQUEZ ROBERTO & ALMA
	6	8007	LAKE JUNE RD	RODRIGUEZ ROBERTO &
	7	8005	LAKE JUNE RD	L F MARTINEZ INC
	8	8027	LAKE JUNE RD	SHIDID SOLOMON TR &
	9	1301	BUCKNER BLVD	YOUSEF ABDALLA ETAL
X	10	8003	LAKE JUNE RD	CRISTO LA ROCA
	11	8014	RENO CT	DELGADO JOSE L & DELMI E
	12	8018	RENO CT	LOVE JOSEPH B
	13	8022	RENO CT	LLAMAS JAVIER M
	14	7938	LAKE JUNE RD	MARTINEZ RAUL & LETICIA
	15	1233	GARDENVIEW DR	ROSALES THELMA
	16	1223	GARDENVIEW DR	ROSALES MARTIN & THELMA
	17	1219	GARDENVIEW DR	MI HACIENDA PPTIES DEV
	18	1215	GARDENVIEW DR	METOYER GLENN C &
	19	8000	LAKE JUNE RD	JPVOS PROPERTIES LLC
	20	8002	LAKE JUNE RD	VOSBURG PATRICK F &
	21	8014	LAKE JUNE RD	MONTOYA LUPE
	22	1227	WORLD STORE PL	MANUEL IBARRA &
O	23	8000	TRADE VILLAGE PL	SILVA JUAN J &
	24	8010	TRADE VILLAGE PL	SARAZUA NICOMEDES
O	25	8010	TRADE VILLAGE PL	SILVA JUAN J &
	26	8018	TRADE VILLAGE PL	QUINTERO BERTHA LIDIA

2/20/2014

Reply	*Label #*	*Address*		*Owner*
	27	8001	LOMA GARDEN AVE	BALTAZAR BRENDA SILVERIO &
	28	8009	LOMA GARDEN DR	BALTAZAR MARIA SANTOS & FILBERTO
	29	8025	LOMA GARDEN DR	ARELLANO JOSE
	30	8025	LOMA GARDEN DR	QUINTERO BERTHA LIDIA
	31	8019	LOMA GARDEN DR	QUINTERO BERTHA
	32	1221	BUCKNER BLVD	FLORES GUADALUPE F &
	33	1217	BUCKNER BLVD	MARTINEZ FERNANDO &
	34	1209	BUCKNER BLVD	MARTINEZ FERNANDO &
	35	1310	BUCKNER BLVD	R G M EAGLE INC
	36	8124	LAKE JUNE RD	REALEINS PROPERTIES LTD
	37	1214	BUCKNER BLVD	MADDOX STORAGE LTD
	38	1234	BUCKNER BLVD	FRIS CHKN LLC % CAJUN OPERATING CO
	39	8107	MADDOX AVE	WHITE MICHAEL J &
	40	1200	BUCKNER BLVD	WILLINGHAM IMOGENE
	41	1204	BUCKNER BLVD	AKHTAR JUNAID
	42	1212	BUCKNER BLVD	ALAM JAVED
	43	8115	MADDOX AVE	MORA ADELE GARZA
	44	8119	MADDOX AVE	MORA ADELE GARZA
	45	1150	BUCKNER BLVD	GRIFFS OF AMERICA INC
	46	1343	BUCKNER BLVD	PVP NWC BUCKNER & LAKE JUNE LLC
	47	1207	BUCKNER BLVD	LOMBARD FINANCIAL SERVICES LP
	48	1310	BUCKNER BLVD	CIRCLE K STORES INC
	49	1250	BUCKNER BLVD	REALEINS PROPERTIES LTD

AGENDA ITEM # 43

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 45 B

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 98 within Planned Development District No. 193, the Oak Lawn Special Purpose District on the south corner of Carlisle Street and Routh Street

Recommendation of Staff and CPC: Approval, subject to a development plan and conditions

Z134-151(JH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**
ACM: Theresa O'Donnell

FILE NUMBER: Z134-151 (JH) **DATE FILED:** January 3, 2014

LOCATION: Carlisle Street and Routh Street, south corner

COUNCIL DISTRICT: 14 **MAPSCO:** 45-B

SIZE OF REQUEST: Approx. 1.135 acres **CENSUS TRACT:** 18.00

APPLICANT/OWNER: Alamo Manhattan Routh, LLC

REPRESENTATIVE: Karl Crawley, Masterplan

REQUEST: An application to amend Planned Development Subdistrict No. 98 within Planned Development District No. 193, the Oak Lawn Special Purpose District

SUMMARY: The purpose of this request is to amend the development plan and allow for porches, stairs, and stoops to encroach into the front yard setback in order to allow individual access to the sidewalk from ground level units.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to conditions based upon:

1. *Performance impacts upon surrounding property (lighting, noise, odor, etc.)* – The porches, stairs, and stoops will increase the "eyes on the street" and enhance public safety.

2. *Traffic impact* – No change proposed in the number of dwelling units, therefore no change on traffic generation.

3. *Comprehensive Plan or Area Plan Conformance* – The proposed conditions comply with Forward Dallas!, and the Oak Lawn Plan.

4. *Deviation from base zoning* – The porches, stairs, and stoops will encroach into the required front yard, but are necessary to properly meet the ground-level units' entrance requirement.

BACKGROUND INFORMATION:

- The request site is currently undeveloped. Building permits have been issued to allow construction to begin; however, the plans for the building permit utilize at grade ramps to meet the ground-level entrance requirement. The applicant is requesting the PD amendment to allow for porches, stairs, and stoops, which will allow for a more appropriate street appearance and function.

Zoning History: There have been no recent zoning requests in the area since the establishment of PDS No. 98.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Carlisle Street	Minor Arterial	50 ft.
Routh Street	Local	50 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 request site is located in an Urban Mixed-Use Building Block.

The proposed multiple family development will be located within the Urban Mixed-Use Building Block. This 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.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

URBAN DESIGN

Goal 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WORKABILITY

Policy 5.1.2 Define urban character in Downtown and urban cores

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The applicant's request to amend PDS No. 98 for multiple family uses meets objectives 1, 3, 4, and 7 but does not meet objectives 2, 5, and 6. The proposed development cannot comply with a portion of the statement in objective 2 that relates to the continuous street frontage activities in retail areas. The proposed residential development will not have any retail uses that are associated with this development.

As it relates to objective No. 5, PDS No. 98 established the density rights and granted an increase in density. No change to density is proposed with this request. However, for objectives 2 and 6, the applicant's request improves the relationship and appearance with the development and the street. The elevated access to the street is appropriate for residential uses to distinguish from commercial uses.

Land Use Compatibility:

PDS No. 98 was established on February 13, 2013 to facilitate the development of a maximum 216 multiple-family unit project subject to a development plan. The PD conditions require a minimum of five dwelling units along Carlisle Street and a minimum of three dwelling units along Routh Street to have direct access to a sidewalk (Sec. S-98-113(d). However, the development plan and PD conditions do not take into account that porches, stairs, and stoops are structures and would be located outside of the front yard setback. The topography of the site causes the need for ramps or stairs in order to meet the entrance requirement.

Since City Council has determined the original development plan, setbacks, and densities were appropriate for this property and direct access for ground-level units to the sidewalk is an important urban design requirement, staff supports the proposed amendment to PDS No. 98.

	Zoning with/in PDD No. 193	Land Use
Site	PDS No. 98	Undeveloped
Northeast	PDS No. 58	Bank
Southwest	GR	Offices, Parking structure
Southeast	GR	Restaurants
Northwest	PDS No. 93	Multiple Family

Parking/Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development.

No change to parking or traffic is proposed with this application.

Landscaping:

Landscaping is required in accordance with Part I landscaping requirements in PDD No. 193.

List of Partners/Principals/Officers

Alamo Manhattan Routh, LLC
Alamo Manhattan Holdings, Ltd., Member, Manager
Alamo Manhattan, LLC, general partner
Wade Johns, Manager
Matt Segrest, Manager

CPC Minutes – February 20, 2014

Z134-151(JH) Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** of the amendment to Planned Development Subdistrict No. 98 within Planned Development District No. 193, the Oak Lawn Special Purpose District, subject to a development plan and conditions on the south corner of Carlisle Street and Routh Street.

Maker: Bagley
Second: Anglin
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 56
Replies: For: 1 Against: 0

Speakers: None

CPC Recommended PD Conditions

Division S-98.
PD Subdistrict 98.

SEC. S-98.101. LEGISLATIVE HISTORY.

PD Subdistrict 98 was established by Ordinance No. 28916, passed by the Dallas City Council on February 13, 2013.

SEC. S-98.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 98 is established on property generally located at the south corner of Carlisle Street and Routh Street. The size of PD Subdistrict 98 is 1.135 acres.

SEC. S-98.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division:

(1) SPECIAL RESIDENTIAL PROJECT means a development with a:

(A) multiple-family use that occupies a minimum of 95 percent of a building's floor area; and

(B) floor area ratio greater than 2.5.

(2) SUBDISTRICT means a subdistrict of PD 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a nonresidential zoning district.

SEC. S-98.104. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit S-98A: development plan.

SEC. S-98.105. DEVELOPMENT PLAN.

(a) For a special residential project, development and use of the Property must comply with the development plan (Exhibit S-98A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For all other uses and developments, 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, development schedule, and landscape plan does not apply.

SEC. S-98.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the GR General Retail Subdistrict, subject to the same conditions applicable in the GR General Retail Subdistrict, as set out in Part I of this article. For example, a use permitted in the GR General Retail Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the GR General Retail Subdistrict is subject to DIR in this subdistrict; etc.

(b) The following additional main uses are permitted:

-- Multiple-family. *[The additional provisions in Sections 51P-193.107(a)(3)(E)(ii), (iii) and (iv) do not apply.]*
~~-- Uses customarily incidental to a multiple-family use, including accessory community center (private).~~

SEC. S-98.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

(b) The following accessory uses are prohibited:

-- Amateur communication tower.
-- Open storage.
-- Private stable.

SEC. S-98.108. 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 GR General Retail Subdistrict apply.

(b) Front yard. For a special residential project:

(1) Except as provided in this subsection, minimum front yard is 15 feet along Carlisle Street and 10 feet along Routh Street.

(2) Balconies may project a maximum of five feet into the front yard.

(3) Unenclosed porches and stoops up to four feet in height may encroach into the front yard as shown on the development plan, Exhibit S-98A

(4) No setback is required for stairs and steps.

(c) Side yard. For a special residential project:

(1) Except as provided in this subsection, minimum side yard is 10 feet.

(2) Along the southwestern portion of the property, no side yard is required.

(d) Density. For a special residential project:

(1) Maximum number of dwelling units is 216.

(2) A minimum of 85 percent of the dwelling units must be a combination of one bedrooms and studios.

(3) A maximum of 15 percent of the dwelling units may be two bedrooms.

(e) Floor area. For a special residential project, maximum floor area is 200,000 square feet.

(f) Height.

(1) Except as provided in this subsection, maximum structure height is 120 feet.

(2) Except as provided in this paragraph, for a special residential project:

(A) Maximum structure height is 87 feet.

(B) The following structures may project up to 12 feet above the maximum structure height:

(i) Chimneys.

(ii) Clerestories.

(iii) Communication towers.

(iv) Cooling towers.

(v) Elevator penthouses or bulkheads.

(vi) Mechanical equipment rooms.

(vii) Parapet wall limited to five feet in height.

(viii) Skylights.

(ix) Vent stacks.

(x) Visual screens that surround mechanical equipment.

(g) Lot coverage.

(1) Except as provided in this subsection, maximum lot coverage is 80 percent.

(2) For a special residential project, maximum lot coverage is 84 percent.

(3) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

SEC. S-98.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) For an accessory community center (private) use in conjunction with a multiple-family use, one off-street parking space per 1,000 square feet of floor area is required.

(c) For a special residential project, all parking must be located underground or within a structure.

SEC. S-98.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-98.111. LANDSCAPING.

(a) Landscaping and screening must be provided in accordance with Part I of this article.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. S-98.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. S-98.113. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

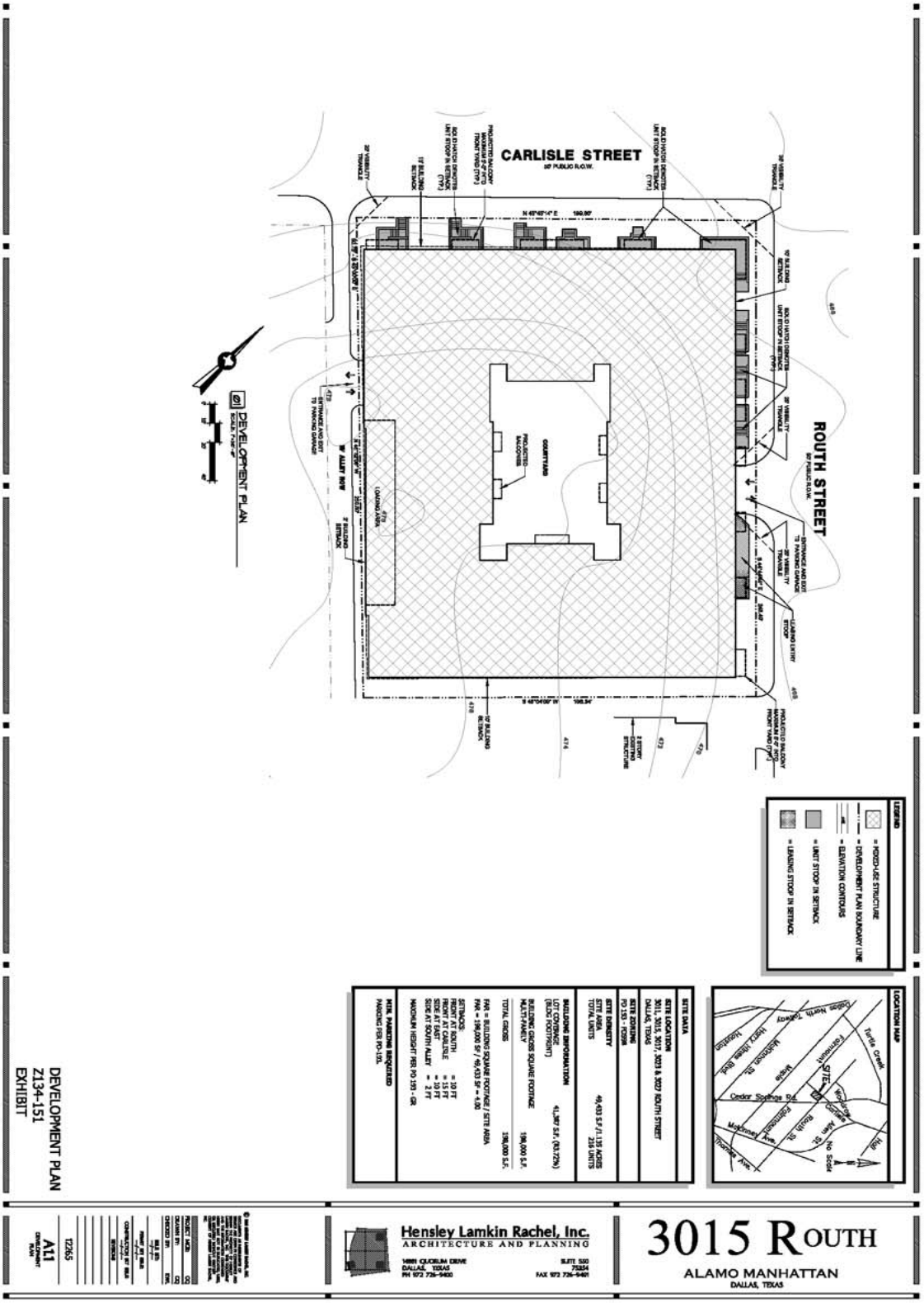
(c) Development and use of the Property must comply with Part I of this article.

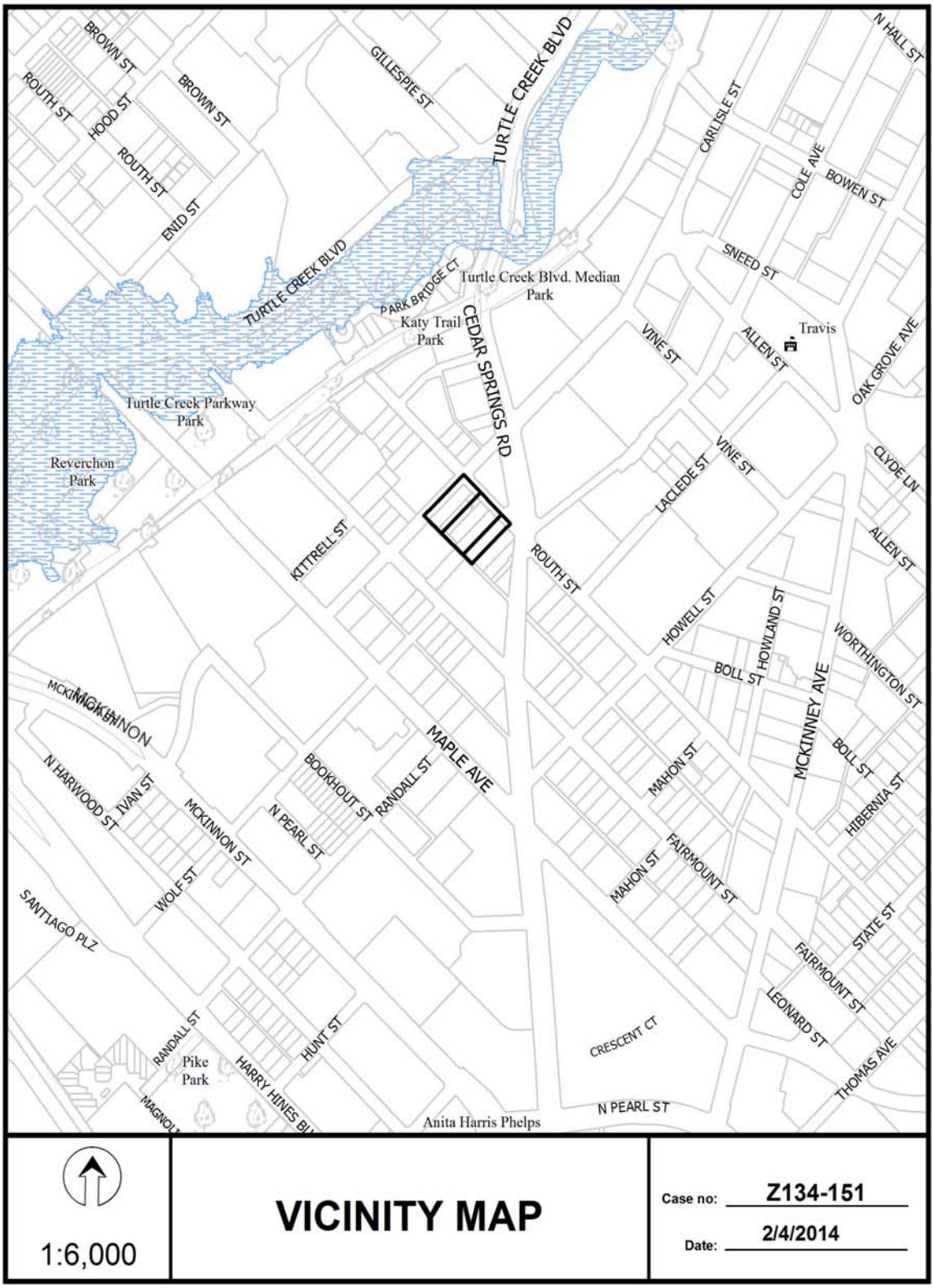
(d) For a special residential project, a minimum of five dwelling units along Carlisle Street and a minimum of three dwelling units along Routh Street must have direct access to a sidewalk.

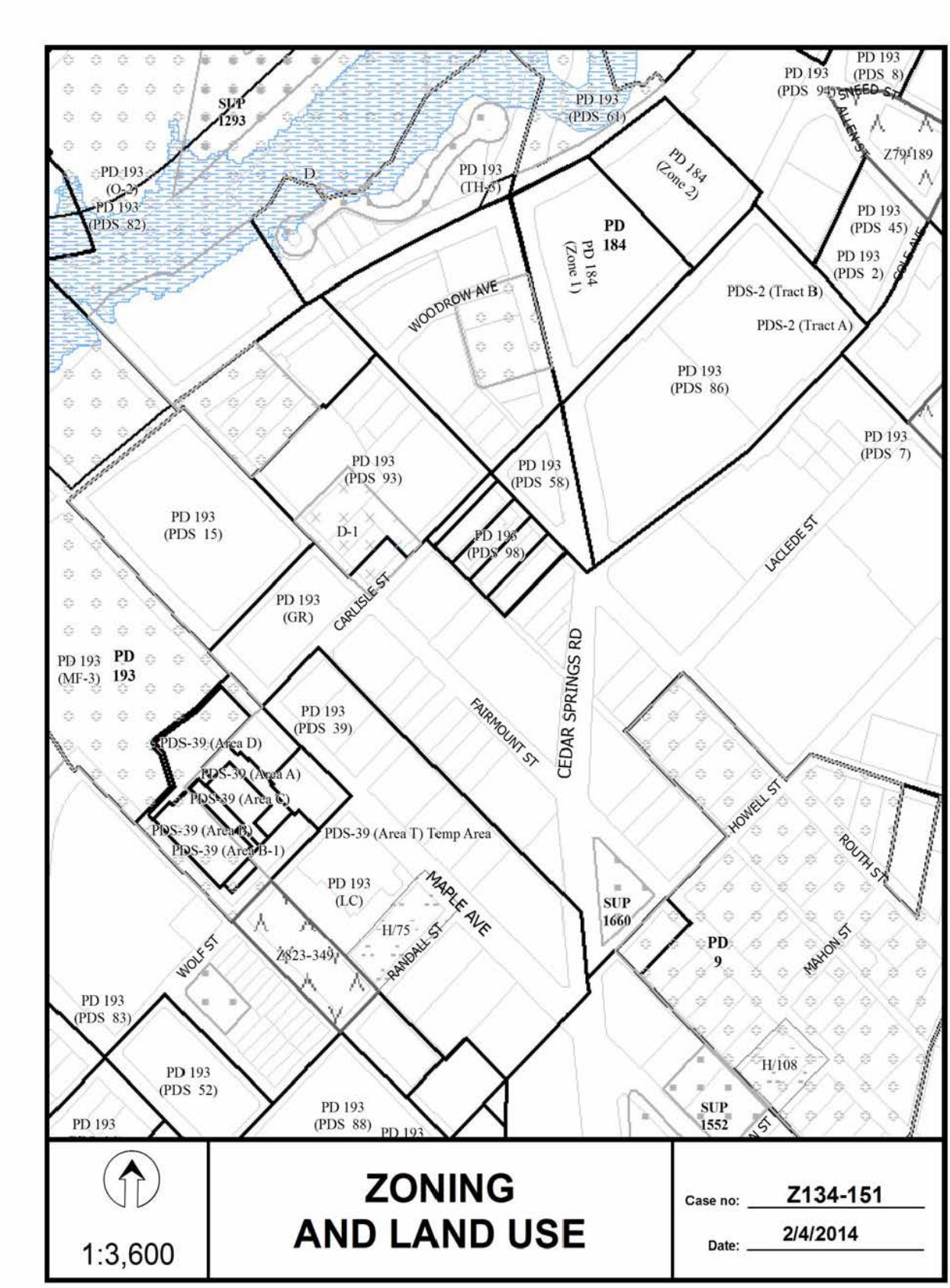
SEC. S-98.114. COMPLIANCE WITH CONDITIONS.

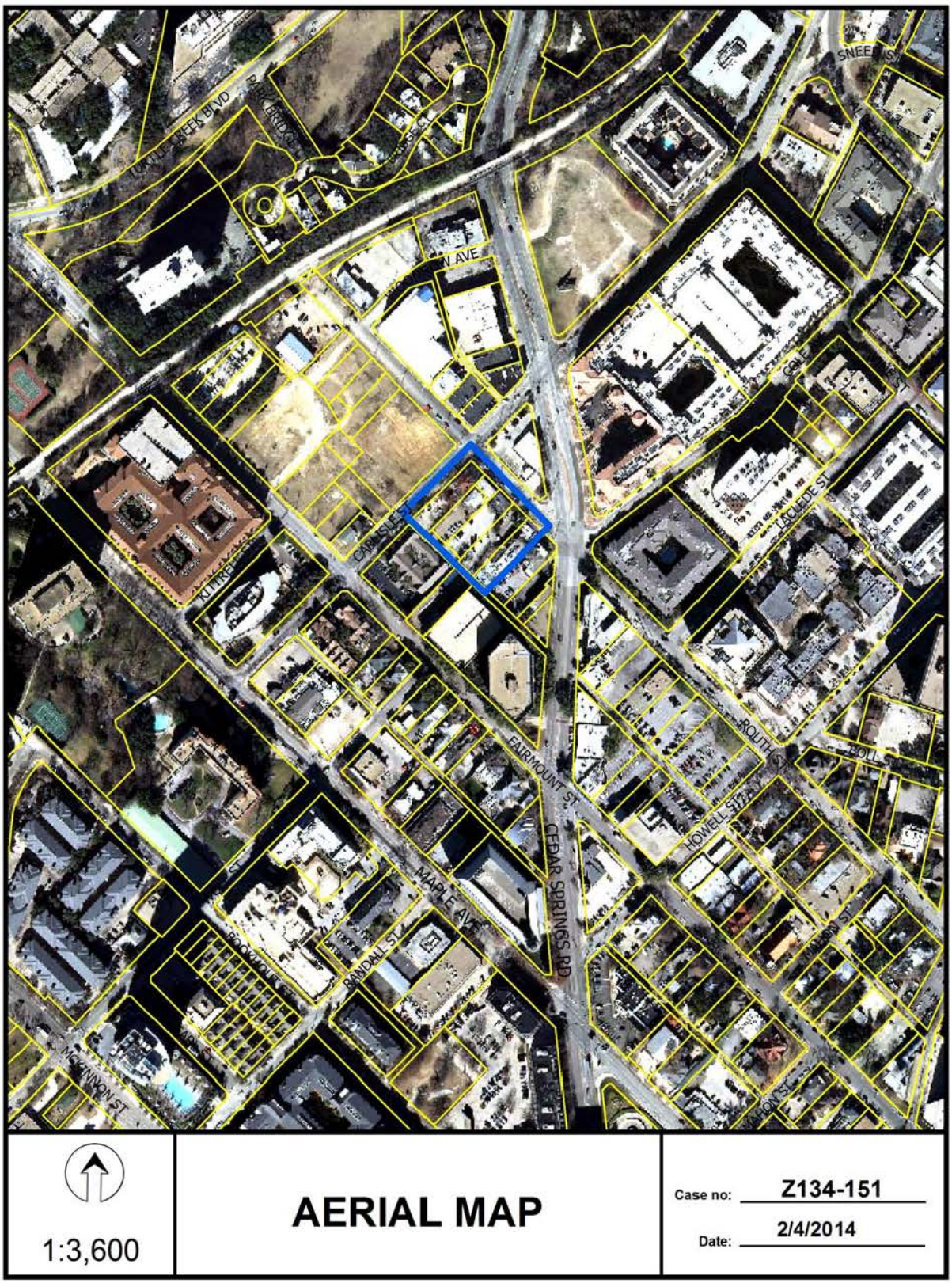
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

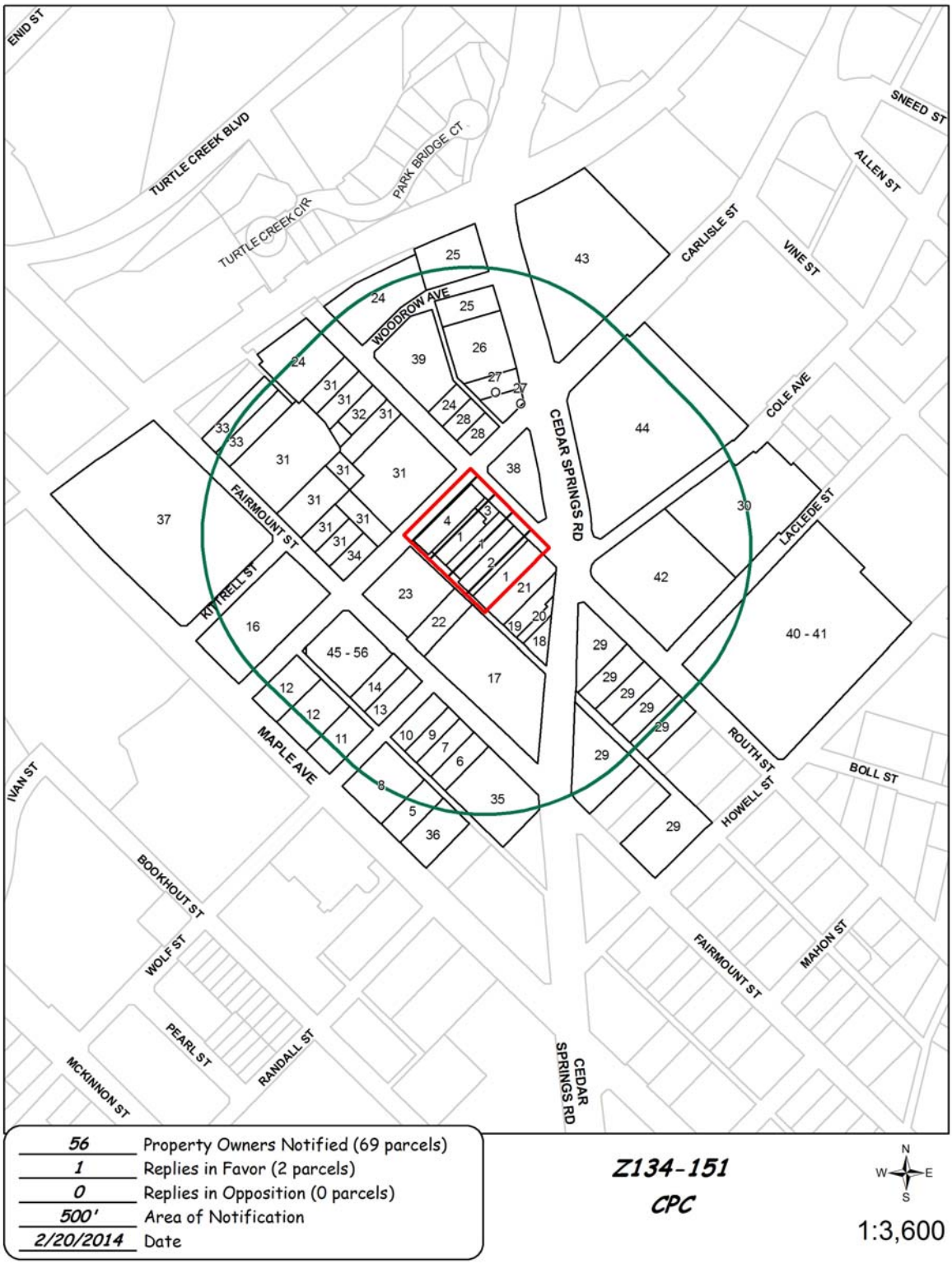

CARLISLE STREET
50' PUBLIC R.O.W.
ROUTH STREET
50' PUBLIC R.O.W.
DEVELOPMENT PLAN
COURTYARD
PROJECTED BALCONIES
LOADING/UNLOADING
10' ALLEY R.O.W.
10' BUILDING SETBACK
2' BUILDING SETBACK
ENTRANCE AND EXIT TO PARKING GARAGE
LEASING LOBBY STOOP
2 STORY STRUCTURE
LEGEND
= MIXED-USE STRUCTURE
= DEVELOPMENT PLAN BOUNDARY LINE
= ELEVATION CONTOURS
= UNIT STOOP IN SETBACK
= LEASING STOOP IN SETBACK
LOCATION MAP
SITE
Cedar Springs Rd
Turtle Creek
Harry Hines Blvd
Lemmon Ave
Knight St
Boston Ave
Fairmount
Maple Ave
Routh St
Mckinney Ave
Thomas Ave
No Scale
SITE DATA
SITE LOCATION
3011, 3015, 3017, 3023 & 3027 SOUTH STREET
DALLAS, TEXAS
SITE ZONING
PD 193 - PDD98
SITE DENSITY
SITE AREA 49,453 S.F./1.135 ACRES
TOTAL UNITS 216 UNITS
BUILDING INFORMATION
LOT COVERAGE 41,367 S.F. (83.72%)
(BLDG FOOTPRINT)
BUILDING GROSS SQUARE FOOTAGE 196,000 S.F.
MULTI-FAMILY 196,000 S.F.
TOTAL GROSS 196,000 S.F.
FAR = BUILDING SQUARE FOOTAGE / SITE AREA
FAR = 196,000 SF / 49,453 SF = 4.00
SETBACKS
FRONT AT SOUTH = 10 FT
FRONT AT NORTH = 15 FT
SIDE AT EAST = 10 FT
SIDE AT SOUTH ALLEY = 2 FT
MAXIMUM HEIGHT PER PD 193 - GR
MIN. PARKING REQUIRED
PARKING PER PD 193
Hensley Lamkin Rachel, Inc.
ARCHITECTURE AND PLANNING
14881 QUORUM DRIVE
DALLAS, TEXAS
PH 972 726-9400
SUITE 550
75254
FAX 972 726-9481
3015 ROUTH
ALAMO MANHATTAN
DALLAS, TEXAS
DEVELOPMENT PLAN
Z134-151
EXHIBIT
12265
A1.1


BROWN ST
ROUTH ST
HOOD ST
BROWN ST
ROUTH ST
ENID ST
GILLESPIE ST
TURTLE CREEK BLVD
TURTLE CREEK BLVD
PARK BRIDGE CT
Turtle Creek Blvd. Median Park
Katy Trail Park
CEDAR SPRINGS RD
Turtle Creek Parkway Park
Reverchon Park
KITTRELL ST
ROUTH ST
LACLEDE ST
VINE ST
VINE ST
ALLEN ST
Travis
CARLISLE ST
COLE AVE
BOWEN ST
N HALL ST
SNEED ST
OAK GROVE AVE
CLYDE LN
ALLEN ST
HOWELL ST
HOWLAND ST
BOLL ST
WORTHINGTON ST
MCKINNON ST
MCKINNEY AVE
BOLL ST
HIBERNIA ST
MAPLE AVE
BOOKHOUT ST
RANDALL ST
N HARWOOD ST
IVAN ST
MCKINNON ST
N PEARL ST
WOLF ST
SANTIAGO PLZ
MAHON ST
MAHON ST
FAIRMOUNT ST
STATE ST
FAIRMOUNT ST
LEONARD ST
THOMAS AVE
RANDALL ST
Pike Park
HUNT ST
HARRY HINES BLVD
CRESCENT CT
N PEARL ST
Anita Harris Phelps
1:6,000
VICINITY MAP
Case no: Z134-151
Date: 2/4/2014


SUP 1293
PD 193 (O-2)
PD 193 (PDS 82)
D
PD 193 (TH-3)
PD 193 (PDS 61)
PD 193 (PDS 94)
PD 193 (PDS 8)
SNEED ST
ALLEN ST
Z79-189
PD 184 (Zone 2)
PD 184 (Zone 1)
PD 184
PD 193 (PDS 45)
PD 193 (PDS 2)
GOLF AVE
WOODROW AVE
PDS-2 (Tract B)
PDS-2 (Tract A)
PD 193 (PDS 86)
PD 193 (PDS 7)
PD 193 (PDS 93)
PD 193 (PDS 58)
PD 193 (PDS 15)
D-1
PD 193 (PDS 98)
LACLEDE ST
PD 193 (GR)
CARLISLE ST
CEDAR SPRINGS RD
PD 193 (MF-3)
PD 193
PD 193 (PDS 39)
FAIRMOUNT ST
PDS-39 (Area D)
PDS-39 (Area A)
PDS-39 (Area C)
PDS-39 (Area B)
PDS-39 (Area B-1)
PDS-39 (Area T) Temp Area
HOWELL ST
ROUTH ST
PD 193 (LC)
MAPLE AVE
SUP 1660
H/75
Z823-349
RANDALL ST
WOLF ST
PD 9
MAHON ST
PD 193 (PDS 83)
H/108
PD 193 (PDS 52)
SUP 1552
PD 193 (PDS 88)
PD 193
1:3,600
ZONING AND LAND USE
Case no: Z134-151
Date: 2/4/2014


LOCUST
CAMP ST
KLYDE
LACLEDE ST
FAIRMOUNT ST
CEDAR SPRINGS RD
HOWELL ST
ROUTH ST
BOLL ST
MAPLE AVE
RANDALL ST
MCKINNON ST
1:3,600
AERIAL MAP
Case no: Z134-151
Date: 2/4/2014

CPC Responses



CPC Responses

2/20/2014

Reply List of Property Owners

Z134-151

56 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

Reply Label #	Address		Owner
1	3011	ROUTH ST	ALAMO MANHATTAN ROUTH LLC
2	3015	ROUTH ST	ALAMO MANHATTAN ROUTH LLC
3	3023	ROUTH ST	ALAMO MANHATTAN ROUTH LLC
4	3027	ROUTH ST	ALAMO MANHATTAN ROUTH LLC
5	2912	MAPLE AVE	FIRST DALLAS HOLDINGS INC
6	2917	FAIRMOUNT ST	CALABAZA HOLDINGS LLC
7	2921	FAIRMOUNT ST	CALABAZA HOLDINGS LLC
8	2926	MAPLE AVE	SHIELDS LTD PS
9	2923	FAIRMOUNT ST	PERKINS JAMES M JR &
10	2925	FAIRMOUNT ST	REILLY PARKWAY LTD PTNS
11	3000	MAPLE AVE	GREENWAY 3000 MAPLE LTD
12	3008	MAPLE AVE	MAPLE TREE PARTNERS LTD
13	3001	FAIRMOUNT ST	FRENCH JAMES F &
14	3005	FAIRMOUNT ST	COVINGTON TERRIE I
15	3000	FAIRMOUNT ST	SLOCUM PROPERTIES INC
16	3102	MAPLE AVE	MAPLE COUNTRY LTD
17	2501	CEDAR SPRINGS RD	CADDO UPTOWN LP
18	2521	CEDAR SPRINGS RD	THORNTON LAURIE L &
19	2537	CEDAR SPRINGS RD	SPURGIN ROBERT B & SALLY
20	2535	CEDAR SPRINGS RD	SPURGIN ROBERT B
21	3005	ROUTH ST	JEH FAMILY TRUST
22	3004	FAIRMOUNT ST	3004 FAIRMOUNT LP
23	3012	FAIRMOUNT ST	MAVINA FAIRMOUNT LLC
24	3136	ROUTH ST	KATY TRAIL ICE HOUSE LP
25	2727	CEDAR SPRINGS RD	2727 CEDAR SPRINGS RD LLC
26	2711	CEDAR SPRINGS RD	STORAGE HOLDINGS CEDAR SPRINGS

2/20/2014

Reply	Label #	Address		Owner
O	27	2705	CEDAR SPRINGS RD	CARLISLE JOINT VENTURE
	28	3104	ROUTH ST	ASEL ART SUPPLY INC
	29	2816	FAIRMOUNT ST	GREENWAY CEDAR SPRINGS LP
	30	2626	COLE AVE	BRI 1853 2626 COLE LLC
	31	3115	ROUTH ST	FAIRMOUNT G/ U LLC
	32	3117	ROUTH ST	L G FAIRMOUNT LP
	33	3210	FAIRMOUNT ST	TEXAS UTILITIES ELEC CO
	34	3104	FAIRMOUNT ST	RIDDELL ROYD L & CONNIE J
	35	2913	FAIRMOUNT ST	GATEGREEN PARTNERS
	36	2906	MAPLE AVE	2906 MAPLE AVE LLC
	37	3200	MAPLE AVE	VILLAS AT KATY TRAIL GRANTOR TRUST
	38	2605	CEDAR SPRINGS RD	GREENWAY-CARLISLE LP
	39	3120	ROUTH ST	STORAGE HOLDINGS CEDAR
	40	2800	ROUTH ST	CLOVER QUADRANGLE CORP
	41	2800	ROUTH ST	THEATRE THREE INC
	42	2600	COLE AVE	GABLES REALTY LTD PS
	43	2728	CEDAR SPRINGS RD	JLB 2728 CEDAR SPRINGS LP
	44	2650	CEDAR SPRINGS RD	LG VILLA ROSA II LP
	45	3033	FAIRMOUNT ST	GIANCASPERO WALDEMAR N
	46	3011	FAIRMOUNT ST	KAMINER MARC
	47	3013	FAIRMOUNT ST	NAGESH KONANUR
	48	3015	FAIRMOUNT ST	BURNELL JEREMY
	49	3017	FAIRMOUNT ST	PARRISH ROLAND G
	50	3019	FAIRMOUNT ST	BAKER JENNIFER ANNE
	51	3021	FAIRMOUNT ST	MEDINA LANA
	52	3023	FAIRMOUNT ST	HIRZEL JEFF L & CAROL A
	53	3025	FAIRMOUNT ST	VAUGHN ROBERTA R
	54	3027	FAIRMOUNT ST	SIMPSON THOMAS A &
	55	3029	FAIRMOUNT ST	LEUNG KEVIN
	56	3031	FAIRMOUNT ST	MOORE CAROL A

AGENDA ITEM # 44

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 62 A; E

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1993 for an industrial (outside) use not potentially incompatible limited to a concrete batch plant on property zoned an IR Industrial Research District on the south side of Crystal Lake Boulevard, west of Dan Morton Drive
Recommendation of Staff: Approval for a five-year period, subject to conditions
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Z134-131(MW)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**
ACM: Theresa O'Donnell

FILE NUMBER: Z134-131(MW) **DATE FILED:** November 11, 2013

LOCATION: South side of Crystal Lake Boulevard, west of Dan Morton Drive

COUNCIL DISTRICT: 3 **MAPSCO:** 62-A; 62-E

SIZE OF REQUEST: 5.0 acres **CENSUS TRACT:** 165.20

APPLICANT/OWNER: Ashley Concrete LLC

REPRESENTATIVE: Audra Buckley, Permitted Development

REQUEST: An application for the renewal of Specific Use Permit No. 1993 for an industrial (outside) use not potentially incompatible limited to a concrete batch plant on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to continue the operation of the existing concrete batch plant [Ashley Concrete] on the property.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to conditions.

STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing concrete batch plant is compatible with the surrounding land uses, which are predominantly industrial in nature. A retaining wall has been constructed in the location shown on the site plan to prevent stockpile materials from encroaching onto adjacent properties.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The facility does not contribute, enhance or promote the welfare of adjacent properties. However, it is also not a detriment.

3. *Not a detriment to the public health, safety, or general welfare* – The concrete batch plant has been operating since May 11, 2011. Conditions, which include a dust control plan, ensure that the use is not a detriment to the public health, safety, or general welfare of the city.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the existing site plan, the request complies with all applicable zoning regulations and standards. No variances or exceptions are proposed.

BACKGROUND INFORMATION:

- The 5.0-acre request site is developed with and is operating as a concrete batch plant comprised of a ±1,875-square foot office, ±21,762-square foot covered truck parking area, and four silos.

- The applicant was issued a temporary Certificate of Occupancy for the use on May 11, 2011 for a six-month period. Specific Use Permit No. 1993 was approved on October 24, 2012 for a two-year period. No expansion or additional site improvements are proposed by this application.

Zoning History:

There has been no zoning activity in the vicinity of the request site within the last five years.

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Construction and Development has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Crystal Lake Boulevard	Collector	50 feet

Surrounding Land Uses:

	Zoning	Land Use
North	IR	Undeveloped
East	IR	Freight terminal
South	IR	Temple
West	IR	Freight terminal

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 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 Vision Illustration depicts the request site as within a *Residential Neighborhood*. While single family dwellings are the dominant land use in such areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

The applicant's request is not consistent with the Comprehensive Plan. However, there is an established industrial development pattern in this area. The Comprehensive Plan is a target vision for 2030. It is not anticipated that the vision for this area recommended in the Plan will come to fruition within the recommended time frame for this Specific Use Permit. Therefore, staff recommends approval. However, no automatic renewals should be granted in order to allow re-evaluation of the site and the surrounding area.

Land Use Compatibility:

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 compatible with the adjacent property and 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 applicant's request; subject to conditions, complies with the general provisions for consideration of a specific use permit. Therefore, staff recommends approval for a five-year period subject to conditions.

Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Parking:

Pursuant to §51A-4.203 of the Dallas Development Code, the off-street parking requirement for the an industrial (outside) use is one (1) space per 600 square feet of floor area plus one (1) space per 600 feet of outside manufacturing area. Therefore, the ±1,875-square foot office associated with the concrete batch plant requires three (3) off-street parking spaces. The use does not involve outside manufacturing. As depicted on the site plan, 16 spaces are provided on site.

Landscaping:

Landscaping must be provided and maintained in accordance with Article X of the Land Development Code. There is no additional impervious area being added to the site. Therefore, no additional landscaping is required.

CPC Action: February 6, 2014:

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1993 for an industrial (outside) use limited to a concrete batch plant for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions on property zoned an IR Industrial Research District on the south side of Crystal Lake Boulevard, west of Dan Morton Drive.

Maker: Rodgers
Second: Bagley
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices:	Area:	300	Mailed:	15
Replies:	For:	0	Against:	0

Speakers: None

Z134-131
CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use to be used as a concrete batch plant.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on _____(five years from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)

4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.

5. DUST CONTROL:

   (a) The following conditions must be met on an ongoing basis:

      (1) Trucks must be loaded through a discharge equipped with a water ring that eliminates visible dust emissions.

      (2) All roads and maneuvering areas shown on the attached site plan must be paved, watered, and swept to eliminate visible dust emissions. Other areas uses for vehicle traffic must be watered as necessary top eliminate visible dust emissions.

      (3) During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.

      (4) The cement storage silos and cement weigh hopper must be vented to a fabric filter to eliminate visible dust emissions.

      (5) During operations, the conveyor charge hopper must have a water spray sufficient to eliminate visible dust emissions.

      (6) To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.

(7) Cement spills must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and/or vehicle traffic are minimized.

(b) Before the issuance of a certificate of occupancy, a ground and dust control plan must be submitted to the director of Sustainable Development and Construction. The ground and dust control plan must be in writing and must describe how the industrial (outside) use limited to a concrete batch plant will comply with the conditions in Paragraph 5(a).

6. FLOOR AREA: The maximum floor area is 23,637.93 square feet in the location shown on the attached site plan.

7. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

8. OFF-STREET PARKING: Off-street parking spaces must be provided in the locations shown on the site plan.

9. RETAINING WALLS:

(a) Retaining walls must be provided and maintained as shown on the attached site plan.

(b) The retaining walls must be designed to prevent stockpile materials from encroaching onto adjacent properties.

(c) The retaining walls must be designed so that they do not impact approved drainage systems or drainage on adjacent properties.

10. STOCKPILE HEIGHT: Maximum stockpile height for concrete materials, including sand, is 10 feet.

11. STORMWATER:

(a) All drainage systems must be kept clear of debris and maintained for designed flow capacity.

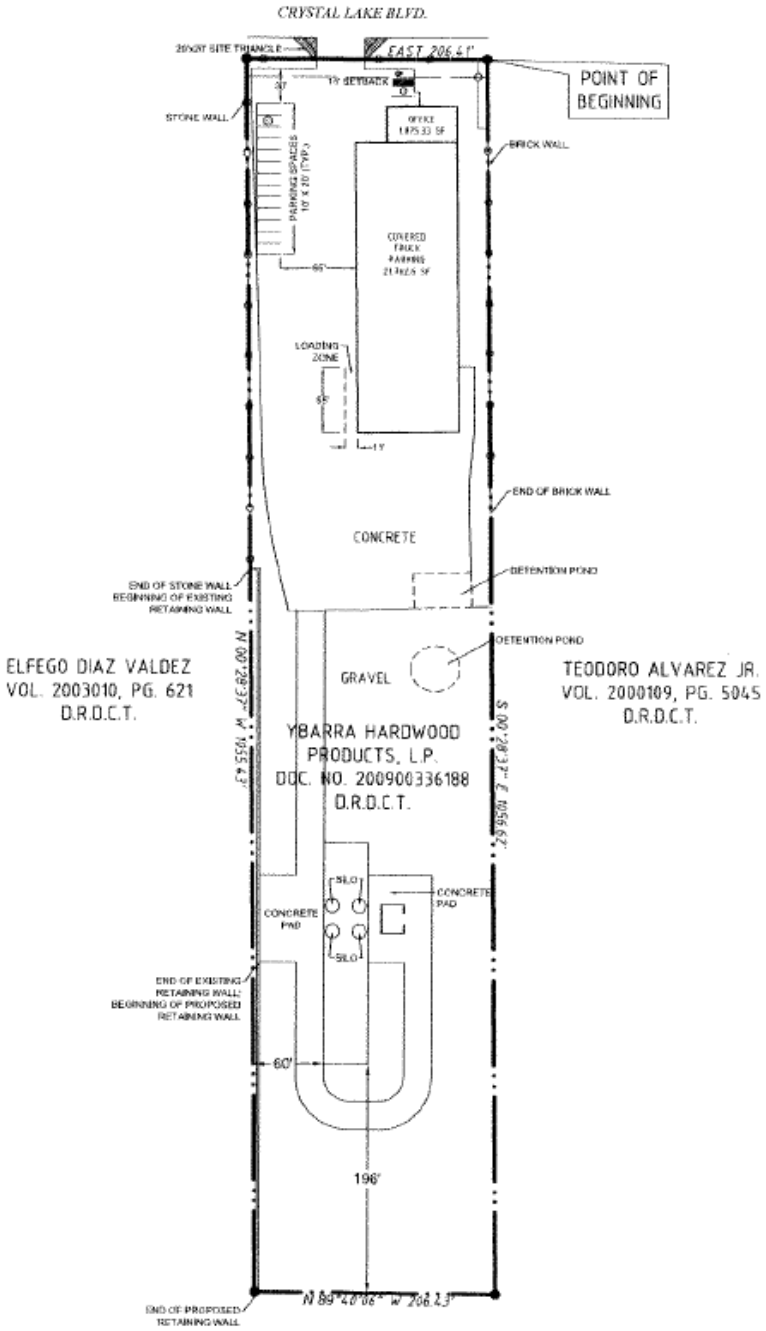
(b) A grading plan and drainage area map that complies with the Drainage Design Manual of the Department of Public Works must be approved by the director of sustainable development and construction and implemented before the issuance of a certificate of occupancy.

12. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

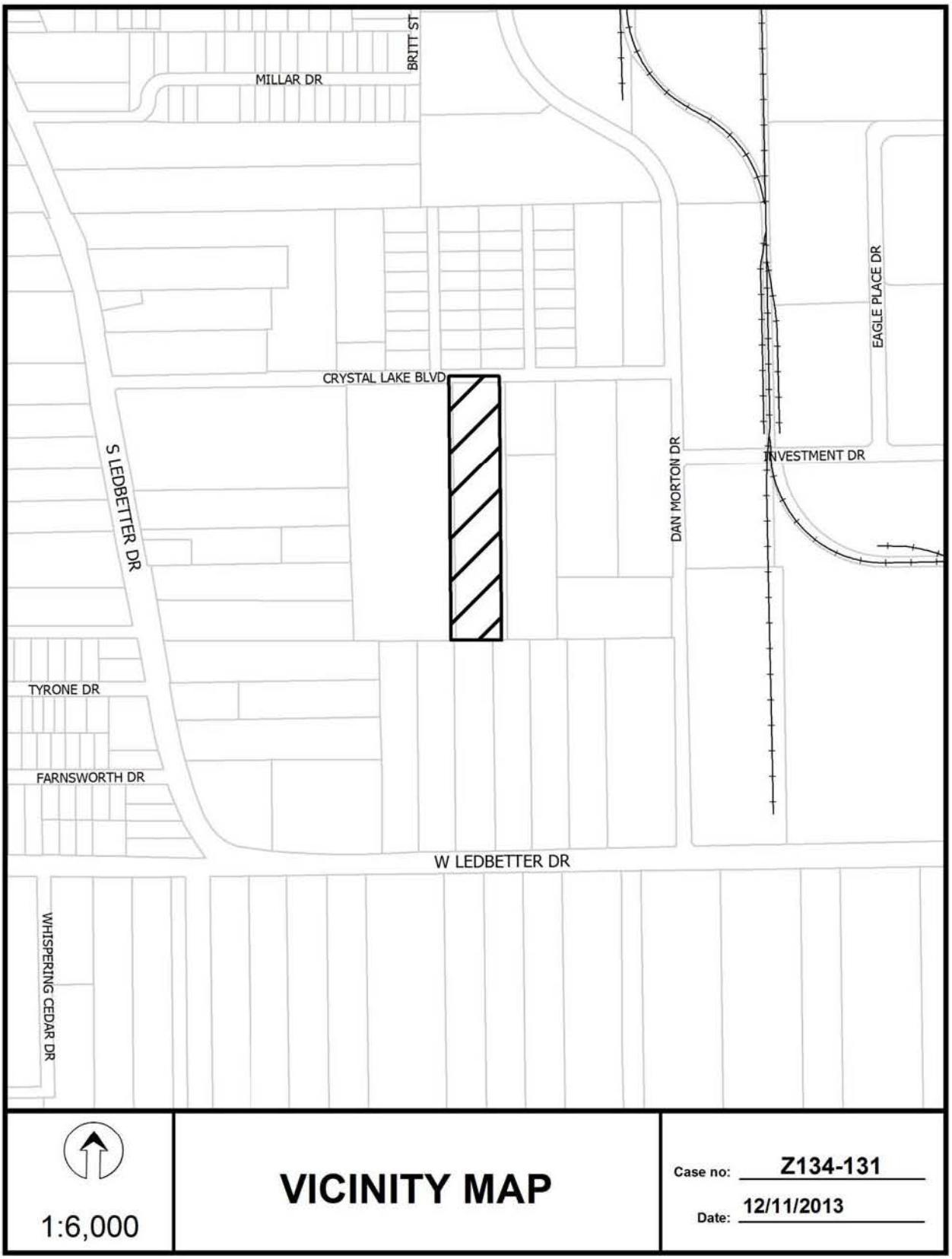
13. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

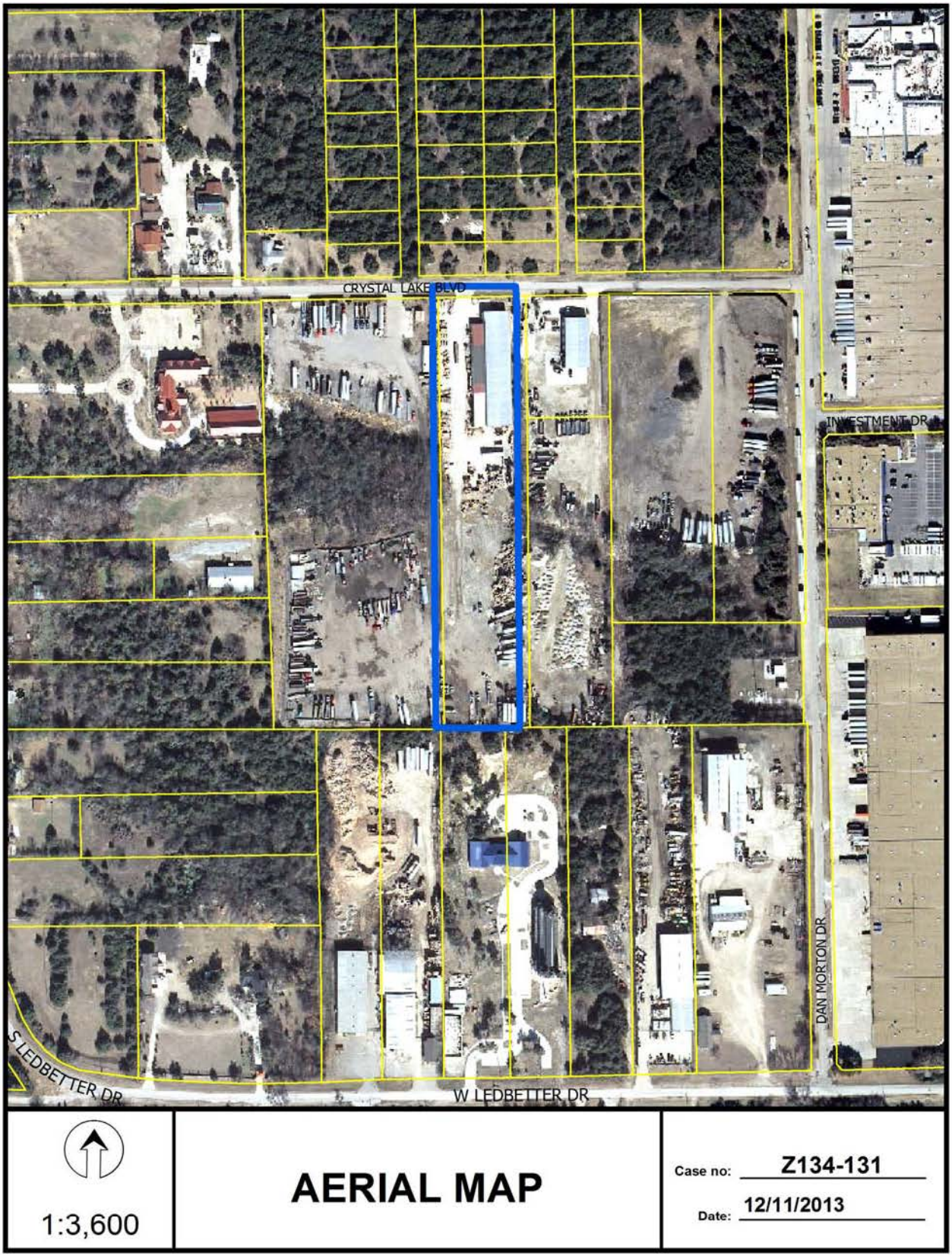
Existing/Proposed Site Plan

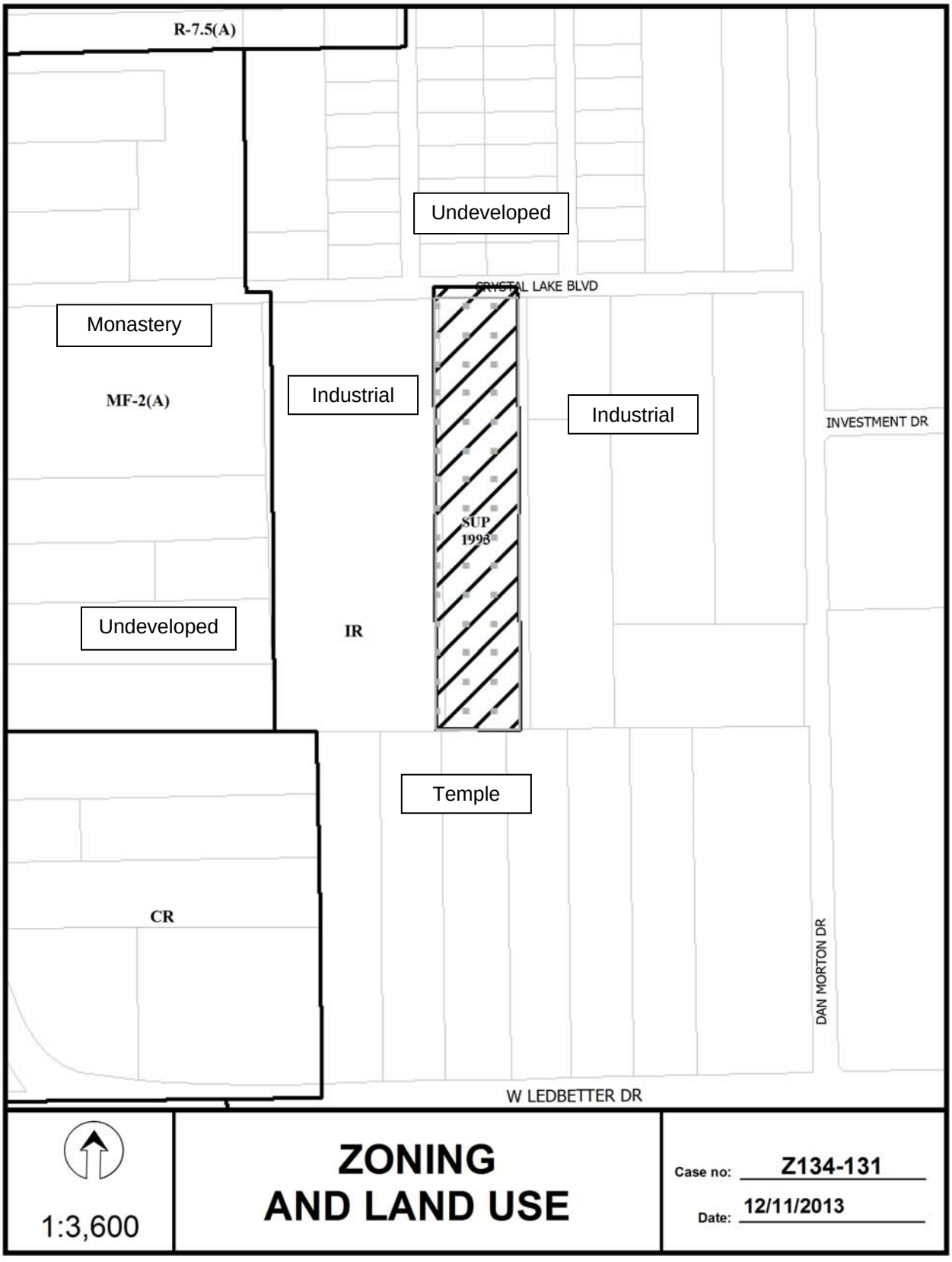
Site Plan
28827



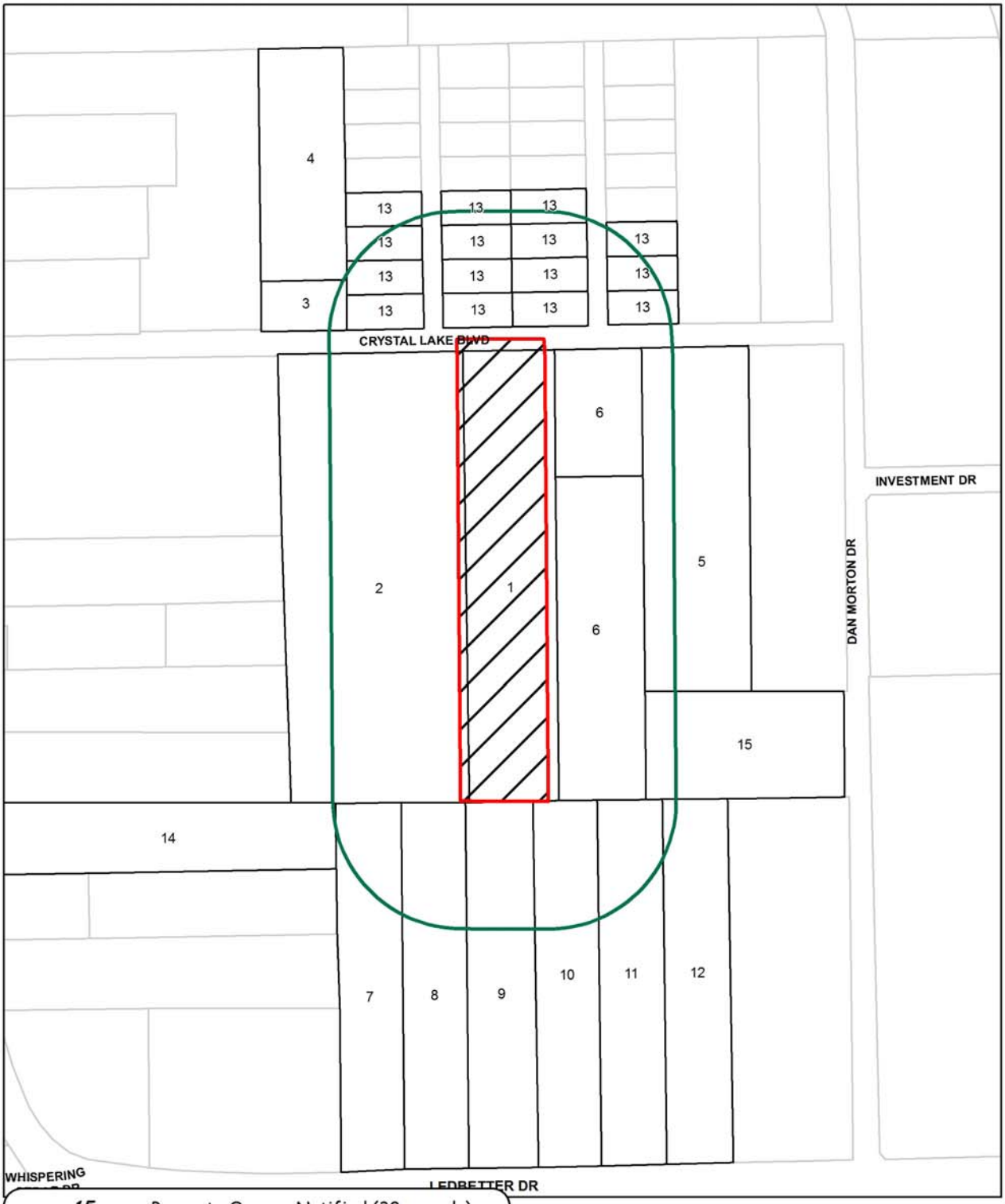
SITE PLAN
SCALE: 1" = 60'-0"


BRITT ST
MILLAR DR
EAGLE PLACE DR
CRYSTAL LAKE BLVD
S LEDBETTER DR
DAN MORTON DR
INVESTMENT DR
TYRONE DR
FARNSWORTH DR
W LEDBETTER DR
WHISPERING CEDAR DR
1:6,000
VICINITY MAP
Case no: Z134-131
Date: 12/11/2013


CRYSTAL LAKE BLVD
INVESTMENT DR
DAN MORTON DR
S LEDBETTER DR
W LEDBETTER DR
1:3,600
AERIAL MAP
Case no: Z134-131
Date: 12/11/2013


R-7.5(A)
Undeveloped
CRYSTAL LAKE BLVD
Monastery
MF-2(A)
Industrial
Industrial
INVESTMENT DR
SUP
1995
Undeveloped
IR
Temple
CR
DAN MORTON DR
W LEDBETTER DR
1:3,600
ZONING
AND LAND USE
Case no: Z134-131
Date: 12/11/2013

CPC Responses



15	Property Owners Notified (30 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
300'	Area of Notification
2/6/2014	Date

Z134-131
CPC

N
W E
S

1:3,600

2/6/2014

Reply List of Property Owners

Z134-131

15 Property Owners Notified 0Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	5526	CRYSTAL LAKE BLVD	ASHLEY CONCRETE LLC
	2	5610	CRYSTAL LAKE BLVD	VALDEZ ELFEGO DIAZ
	3	5623	CRYSTAL LAKE BLVD	GINGERICH JAMES F ETAL
	4	5623	CRYSTAL LAKE BLVD	BIESE LUCILLE
	5	5450	CRYSTAL LAKE BLVD	ROBINSON CHRISTIAN
	6	5520	CRYSTAL LAKE BLVD	ALVAREZ TEODORO JR
	7	5711	LEDBETTER DR	M & H METAL SPECIALTIES
	8	5623	LEDBETTER DR	GWINN ROBERT D
	9	5611	LEDBETTER DR	CAO-DAI TAY-NINH TEMPLES
	10	5535	LEDBETTER DR	CAO DAI TAY NINH TEMPLES
	11	5625	LEDBETTER DR	REAL EQUIPMENT LLC
	12	5511	LEDBETTER DR	CITIQUEST CO LLC
	13	5	CRYSTAL LAKE BLVD	SOHN YOUNG JIN
	14	4040	LEDBETTER DR	TUCKER MALCOLM G TR &
	15	4101	DAN MORTON DR	TIME WARNER CABLE OF DAL

AGENDA ITEM # 45

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 34 Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for single-family detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street

Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions

Z123-135(WE)

Note: This item was considered by the City Council at public hearings on January 22, 2014 and February 12, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-135(WE) **DATE FILED:** November 13, 2012

LOCATION: Northwest line of Hawthorne Avenue between Production Dr. and Afton Street

COUNCIL DISTRICT: 2 **MAPSCO:** 34-Y

SIZE OF REQUEST: Approx. 5.509 acres **CENSUS TRACT:** 4.01

APPLICANT / OWNER: Texas Intownhomes, LLC.

REPRESENTATIVE: Robert Baldwin

REQUEST: An application for a Planned Development Subdistrict for single-family detached dwellings 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 construction of a single family development and a community service center. The maximum number of single family dwellings proposed is 118.

CPC RECOMMENDATION: Approval, subject to a conceptual plan and conditions

STAFF RECOMMENDATION: Approval, subject to a conceptual plan and conditions

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The request site is currently zoned for MF-2 Multiple Family Subdistrict uses and could be developed with multiple family uses, however, due to certain limitations to the MF-2 development standards, the applicant requested a Planned Development Subdistrict to develop the site. The proposed 118 single family development is compatible with the surrounding development.

2. *Traffic impact* – The Engineering Section of the Department Sustainable development and Construction has reviewed the request an determined that it will not impact the surrounding street system for the proposed development.

3. *Comprehensive Plan or Area Plan Conformance* The proposed request is in compliance with the *forwardDallas! Comprehensive Plan*.

4. Justification for PD Planned Development District Zoning as opposed to a straight zoning district – The proposed Planned Development Subdistrict is justified because the existing MF-2 Multiple Family Subdistrict prohibits certain development rights and standards the applicant is proposing in the single family development.

BACKGROUND INFORMATION:

- The request for a Planned Development Subdistrict is to construct a 118-single family detached development is twofold: 1) increase the structure height from 36 feet to 58 feet and 2) modify the yard, space and yard regulations in an MF-2(A) Subdistrict. The MF-2 Subdistrict development standards are more restrictive than wants is proposed by the applicant to construct the single family development.

- The Medical District Tax Increment Finance District has reached an agreement with the applicant to receive funds for the site's redevelopment. As part of the agreement, the developer has agreed to allocate approximately 20 percent of the units as affordable units.

- On October 25, 2013, the Peer Review Panel will review and comment on the applicant's proposed plan. The Peer Review Panel consists of a Panel from the Design Team. The Review Panel is the first of two review committees that will consider the applicant applicant's request to receive TIF funding. The applicant will have to receive final approval from TIF Board and City Council to receive the funds for the proposed development.

- The surrounding land uses consist of single family uses to the northeast and an elementary school (PDS No. 28) to the southeast, which is across Hawthorne Avenue. A flood plain borders the request site's northwestern and southwestern

boundaries that separate the industrial and commercial type uses that are on Macatee Drive and Production Drive, respectively.

Zoning History: There have been two recent Board of Adjustment cases requested in the area.

1. BDA101-011 On May 17, 2011, the Board of Adjustment Panel A granted a variance of 15 feet to the front yard setback regulations at 2201 kings Road.

2. BDA101-040 On May 17, 2011, the Board of Adjustment Panel A granted a variance of 15 feet to the front yard setback regulations at 4701 Bengal Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Hawthorne Avenue	Local Street	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	MF-2 w/in PDD No. 193	Undeveloped
Northeast	MF-2 w/in PDD No. 193	Single Family
Southeast	PDS No. 28 w/in PDD No. 193	Elementary School
Northwest	IR	Industrial
Southwest	IR	Industrial, Warehouses

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 being within the Urban Mixed Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options

and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

LAND USE:

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

GOAL 3.1 ENSURE A SUSTAINABLE AND EFFICIENT LONG-RANGE HOUSING SUPPLY

Policy 3.1.2 Encourage alternatives to single-family housing developments for homeownership.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The applicant's request for a PDS for a single family development meets objectives 1, 4, 6 and 7. The request does not meet the remaining objectives, 2, 3, and 5 because the proposed development will not have a retail component nor is located in a commercial area. The proposed single family development will only provide the appropriate off-street parking requirements necessary to service the development.

STAFF ANALYSIS:

Land Use Compatibility: The 5.509 acre site is undeveloped and is adjacent to a floodplain which flows along the request site's northwestern and southwestern property lines. The surrounding land uses consist of primarily residential uses, however there is an elementary school that is southeast of the site, across Hawthorne Avenue and industrial type uses (e.g., warehouse uses) to the southwest, across Production Drive.

The applicant's request for a Planned Development Subdistrict for single detached dwellings will permit the construction of a 110-single family shared access development. The applicant has requested several modifications to the MF-2 Subdistrict's development standards and regulations to allow for the proposed single family development to be developed. These modifications refer primarily to the yard, lot and space regulations, and parking regulations. The MF-2 Subdistrict development standards are more restrictive than is proposed by the applicant to construct the single family development. The MF-2 Subdistrict permits a front yard setback of 20 feet, a side yard setback of 10 feet and a rear yard setback of 15 feet. The proposed development will allow for zero yard setbacks. In addition, the City Council approved a similar development in the Farmer's Market area that is being proposed on the request site.

In addition, the applicant and the Medical District Tax Increment Finance District have reached an agreement to allocate approximately 20 percent of the units as affordable units. Also, the Medical District Tax Increment Finance will provide some financial funding for the site's redevelopment. On October 25, 2013, the Peer Review Panel, which consists of the Design Team, will review and comment on the applicant's proposed plan. The Review Panel is the first of two review committees that will consider the applicant's request to receive TIF funding. The applicant will have to receive final approval from TIF Board and City Council to receive the funds for the proposed development.

Staff's recommendation is for approval, subject to a conceptual plan and staff's recommended conditions.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
MF-2 – existing Multiple Family	15'	10/15'	Min lot 2,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%		Multifamily, duplex, single family
PDS for single family - proposed	0'	0'/0'	Min lot 2,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	58'	90%		Multifamily, duplex, single family

Landscaping: Landscaping of any development will be in accordance with Part I landscaping requirements in PDD No. 193.

Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

Miscellaneous – Conditions: Staff has reviewed supports the applicant Planned Development conditions. However, there are some provisions in the conditions that are not supported by staff and will be reflected in the appropriate sections.

As of November 21, 2013, staff has not received any revisions to the PDS conditions or conceptual plan that may reflect the Peer Review Team's comments. The Peer Review Team reviewed the applicant's project on October 25, 2013.

CPC Action (August 8, 2013)

Motion: In considering an application for a Planned Development Subdistrict for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street, it was moved to **hold** this case under advisement until September 26, 2013.

Maker: Wally
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 10

Notices: Area: 500 Mailed: 76
Replies: For: 3 Against: 0

Speakers: None

CPC Action (September 26, 2013)

Motion: In considering an application for a Planned Development Subdistrict for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue; between Production Drive and Afton Street, it was moved to **hold** this case under advisement until October 24, 2013.

Maker: Wally
Second: Tarpley
Result: Carried: 14 to 0

For: 14 - Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Davis
Vacancy: 0

Notices: Area: 500 Mailed: 76
Replies: For: 4 Against: 0

Speakers: None

CPC Action (October 24, 2013)

Motion: In considering an application for a Planned Development Subdistrict for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street; it was moved to **hold** this case under advisement until November 7, 2013.

Maker: Soto
Second: Ridley
Result: Carried: 12 to 0

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene*, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 76
Replies: For: 4 Against: 0

Speakers: For (Did not speak): Robert Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action (November 7, 2013)

Motion: In considering an application for a Planned Development Subdistrict for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street; it was moved to **hold** this case under advisement until December 5, 2013.

Maker: Soto
Second: Tarpley
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 500 Mailed: 76
Replies: For: 4 Against: 0

Speakers: None

CPC Action (December 5, 2013)

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for single detached dwellings, subject to a revised conceptual plan and revised conditions on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue, between Production Drive and Afton Street.

Maker: Soto
Second: Shellene
Result: Carried: 12 to 0

For: 12 - Soto, Rodgers, Shidid, Hinojosa, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 3 - Anglin, Culbreath, Bagley
Vacancy: 0

Notices: Area: 500 Mailed: 76
Replies: For: 4 Against: 0

Speakers: None

LIST OF OFFICERS
Texas in Townhomes, LLC

- Frank M. K. Liu, President
- Ming Liu, Vice-President
- Helen Ghozali, Vice-President

CPC PROPOSED PDS CONDITIONS

SEC. S-__.101. LEGISLATIVE HISTORY.

PD Subdistrict ____ was established by Ordinance No. _____, passed by the Dallas City Council on _____.

SEC. S-___.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict ___ is established on property generally located on the northeast corner of the intersection of Hawthorne Street and Production Drive. The size of PD Subdistrict ____ is approximately 5.509 acres.

SEC. S-___.103. PURPOSE.

The general objectives of these standards are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and, in part, to achieve the following:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment by encouraging the development of residential structures in an urban context.

(3) To encourage a mix in the design of residential structures.

(4) To promote landscape/streetscape quality and appearance.

(5) To provide visual buffering and enhance the beautification of the city.

(6) To safeguard and enhance property values and to protect public and private investment.

(7) To conserve energy.

SEC. S-___.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part 1 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 1 of this article, Part 1 of this article controls. In this division,

(1) COLORED CONCRETE means concrete with one or more pigments added to it.

(2) SUBDISTRICT means a subdistrict of PD 193.

(3) TYPE A UNITS means a unit that has a two car garage.

(4) TYPE B UNITS means a unit that has a one car garage.

(b) Unless otherwise state, all references to articles, divisions, or sections in this division are articles, divisions or sections in Chapter 51.

(c) This subdistrict is considered to be a residential zoning district.

SEC. S-___.105. EXHIBIT.

The following exhibit is incorporated into this division:

Exhibit S-__A: conceptual plan.

SEC. S-___..106. CONCEPTUAL PLAN

Development and use of the Property must comply with the conceptual plan (Exhibit S- __). If there is a conflict between the text of this division and the conceptual plan, the text of this division controls.

SEC. S-___.107. DEVELOPMENT PLAN

(a) Except as provided in this section, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this subdistrict. If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For property developed as a Residential Development Tract, a final plat may serve as a development plan.

SEC. S-___.108. HOMEOWNERS ASSOCIATION.

Prior to final plat approval, the owner of the Property must execute an instrument creating a homeowner's association for the maintenance of common areas, screening walls, landscape areas (including right-of-way landscaping areas), and for other functions. This instrument must be approved as to form by the city attorney and filed in the Dallas County deed records.

SEC. S-___.110. MAIN USES PERMITTED.

(a) The following uses are the only main uses permitted in this subdistrict:

- Accessory community center (private).
- Handicapped group dwelling unit.
- Local utilities.
- Single-family.
- Temporary construction or sales office.

SEC. S-___.111. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-___.112. 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 1 of this article. In the event of a conflict between this section and Part 1 of this article, this section controls.)

(a) Single-family uses.

(1) Front yard. No minimum front yard.

(2) Side and rear yard. No minimum side or rear yard.

(3) Density. The maximum dwelling unit density is 118 units.

(a) At least 80% of the total units must be Type A units.

(b) no more than 20% of the total units can be Type B units.

(4) Height. Maximum structure height is 58 feet to the midpoint of the roof. Rooftop projections, trellis projections and other architectural features may exceed the height by 12 feet.

(5) Projections. Windows, sills, belt courses, cornices, or other architectural features may project no more than 12 inches into the right-of-way with a City of Dallas license for use of the public right-of-way. Cantilevered roof eaves, steps, stoops and balconies may project no more than three feet in the right-of-way with a City of Dallas license for use of the public right-of-way.

(6) Lot coverage. Maximum lot coverage is 90 percent. For purposes of lot coverage, the entire property [~~subject to these regulations~~] will be treated as a single lot.

(7) Lot size: No minimum lot size.

(8) Stories. No maximum stories.

(9) Plat requirements. In this subdistrict, a minimum of 10 feet must be provided by plat between each group of no more than eight single family structures.

(10) Platted lots. Each dwelling unit must be located on a separate lot. Platted lots may have frontage on two opposite sides.

SEC. S-___.113. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult Part 1 of this article for the specific off-street parking and loading requirements for each use.

(b) Parking for Single-family Residential Uses.

(1) Type A Units: Two off-street parking spaces are required per unit.

(2) Type B Units: One off-street parking space is required per unit.

(c) Guest Parking. A total of .25 parking spaces are required and these spaces may cross lot lines and may be located in the public right-of-way.

(d) Parking Space Dimensions. Except for on-street parallel parking spaces along Bengal Drive and Hawthorne Avenue, off-street parking spaces must be a minimum of 18 feet long by eight feet wide.

(e) There is no parking requirement for accessory uses, such as a sales office, accessory community center (private) or fitness center, provided the accessory use is principally for the residents.

(f) Accessory community center (private). Off-street parking is not required for an accessory community center (private) use.

SEC. S-___.114. RESIDENTIAL DEVELOPMENT TRACT PAVEMENT WIDTHS.

(a) The access drives must be provided as shown on the conceptual plan.

(b) Single-family lots may front on access drives.

(c) The residential development access area must have a minimum width of 20 feet, and a minimum pavement width of 20 feet. Pavement widths are measured perpendicularly from the edge of the pavement to the opposite edge of the pavement.

(d) Minimum visibility triangles are required at all driveways and intersections with public streets. At all driveways and intersections, visibility triangles must be 10 feet by 10-feet for driveways and 20 feet by 20-feet at street intersections.

SEC. S-___.115. PARAPET WALL.

Parapet walls are required. A four-foot tall opaque parapet wall is required on all dwelling units facing the eastern property line.

SEC. S-___.116. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-___.117. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping and screening must be provided in accordance with Part 1 of this article.

(b) Street trees. Street trees must be planted at one tree for each 30 linear feet of frontage along the perimeter of the property, exclusive of the visibility triangles and points of ingress and egress.

(1) A minimum of four caliper inches must be planted.

(2) Tree branches must not hang lower than 13.5 feet above the street or sidewalk pavement.

(3) On Hawthorne Avenue, all street trees must be planted within a four (4) foot-wide planting area that is adjacent to the curb.

(4) Any shrubs provided must be at least 18 inches in height and may be planted in a planter or a metal or concrete pot.

(5) Trees, shrubs, water features, benches, mailboxes and other amenities may be provided in open space easements provided by plat.

(c) Sidewalks.

(1) A minimum sidewalk width of 5 feet must be provide along Hawthorne Avenue.

(2) A minimum sidewalk width of 10 feet, with 7.5 feet unobstructed by any structure or planting, must be provided along Bengal Street.

(3) Sidewalks elsewhere in the interior of the subdistrict are allowed but not required. Interior sidewalks must be a minimum of three feet wide.

(4) Sidewalks can be constructed with concrete, colored concrete or pavers.

(5) Sidewalks can be located within Floodway Management Areas, provided that permeable materials are used.

(d) Maintenance. Plant material must be maintained in a healthy, growing condition.

SEC. S-___.118. URBAN DESIGN CONSIDERATIONS.

(a) Building materials. A minimum of 40 percent of total building facade area, excluding openings, must incorporate stone, brick or a combination of those materials. Hardi-board may be used on all facades.

(b) Drive-through porte-cocheres. Drive-through porte-cocheres must have a minimum height of 18 feet and may be located across shared drives.

(c) Outdoor lighting.

(1) Along Bengal Street and Hawthorne Avenue, light poles must be located a minimum of 50 feet and a maximum of 100 feet on center with a minimum of one foot-candle at the mid-point between fixtures.

(2) Outdoor light sources must be indirect, diffused, or shielded-type fixtures, installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited.

(3) Fixtures must be attached to buildings or mounted on permanent poles at a maximum height of 20 feet.

(4) Fixtures may be located within the public right-of-way with a City of Dallas license or on adjoining property.

(5) Pedestrian areas must be lighted beginning one-half hour after sunset and continuing until one-half hour before sunrise.

(d) Tree grates. Tree grates conforming to state and federal standards and specifications adopted to eliminate, insofar- as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth may be provided for all trees planted within a public sidewalk~~, but are not required~~.

(e) Fencing.

(1) Solid fencing is allowed.

(2) Wrought iron fencing with or without gates is permitted between buildings along the perimeter of the subdistrict.

(3) Maximum fence height is eight feet.

(f) Pavement markings. Pedestrian crosswalks across ingress and egress driveways and interior drives or streets must be clearly marked by colored concrete or patterned or stamped concrete and must be consistent.

(g) Common areas. Mailboxes, water features and community service (private) use, pools, pool houses and accessory structures are allowed in common areas.

(h) Translucent windows.

(1) Translucent glass must be used on any windows located on the first two stories of any dwelling units that are adjacent to single family units on Afton Street.

(i) Dumpsters. Dumpsters are prohibited in this district.

SEC. S-___.119. SIGNS.

Signs must comply with the provisions for residential zoning districts in Article VII.

SEC. S-___.120. ADDITIONAL PROVISIONS.

(a) A maximum of 118 single family lots can be platted in a residential development tract.

(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.

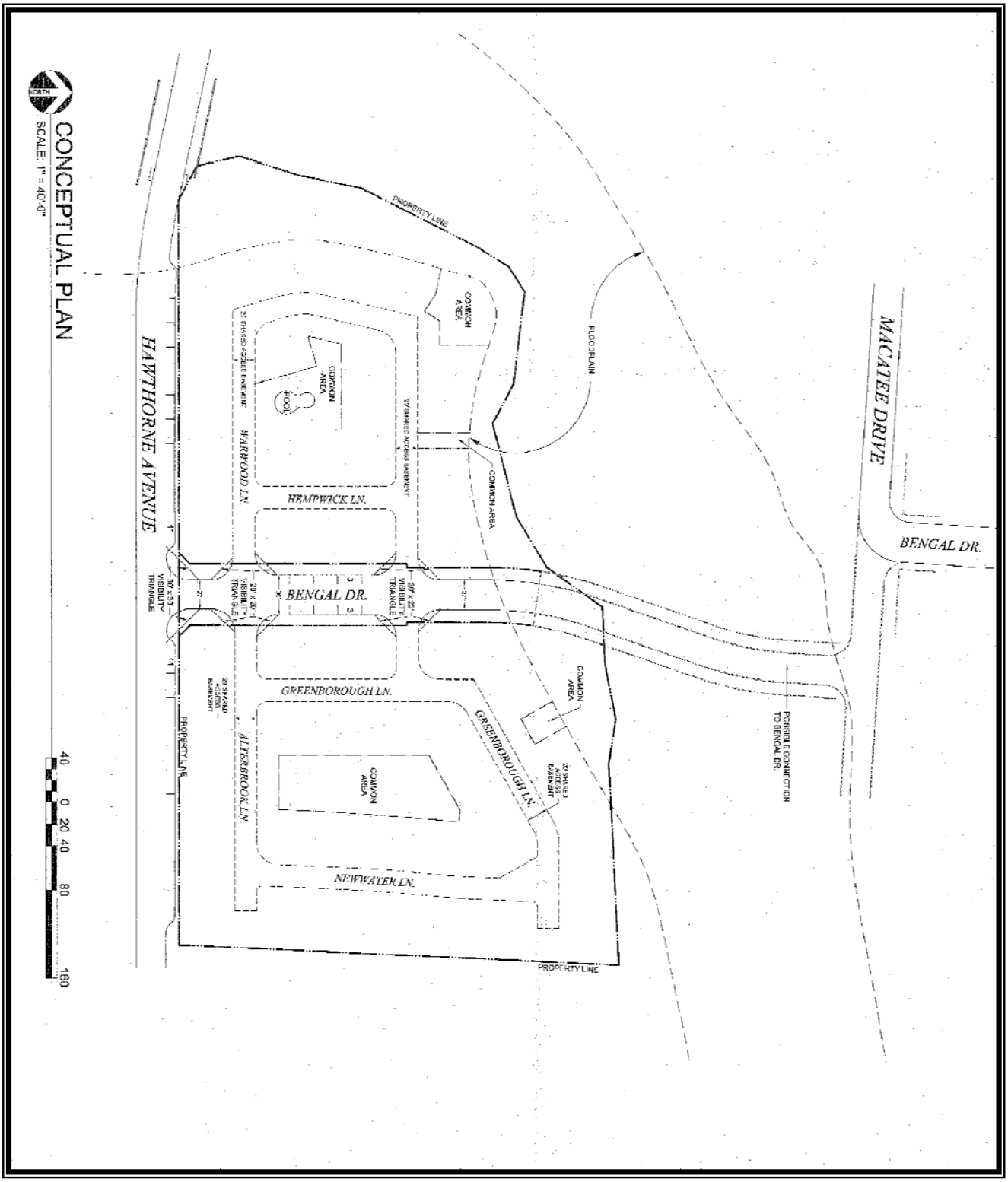
(e) Development and use of the Property must comply with Part 1 of this Article.

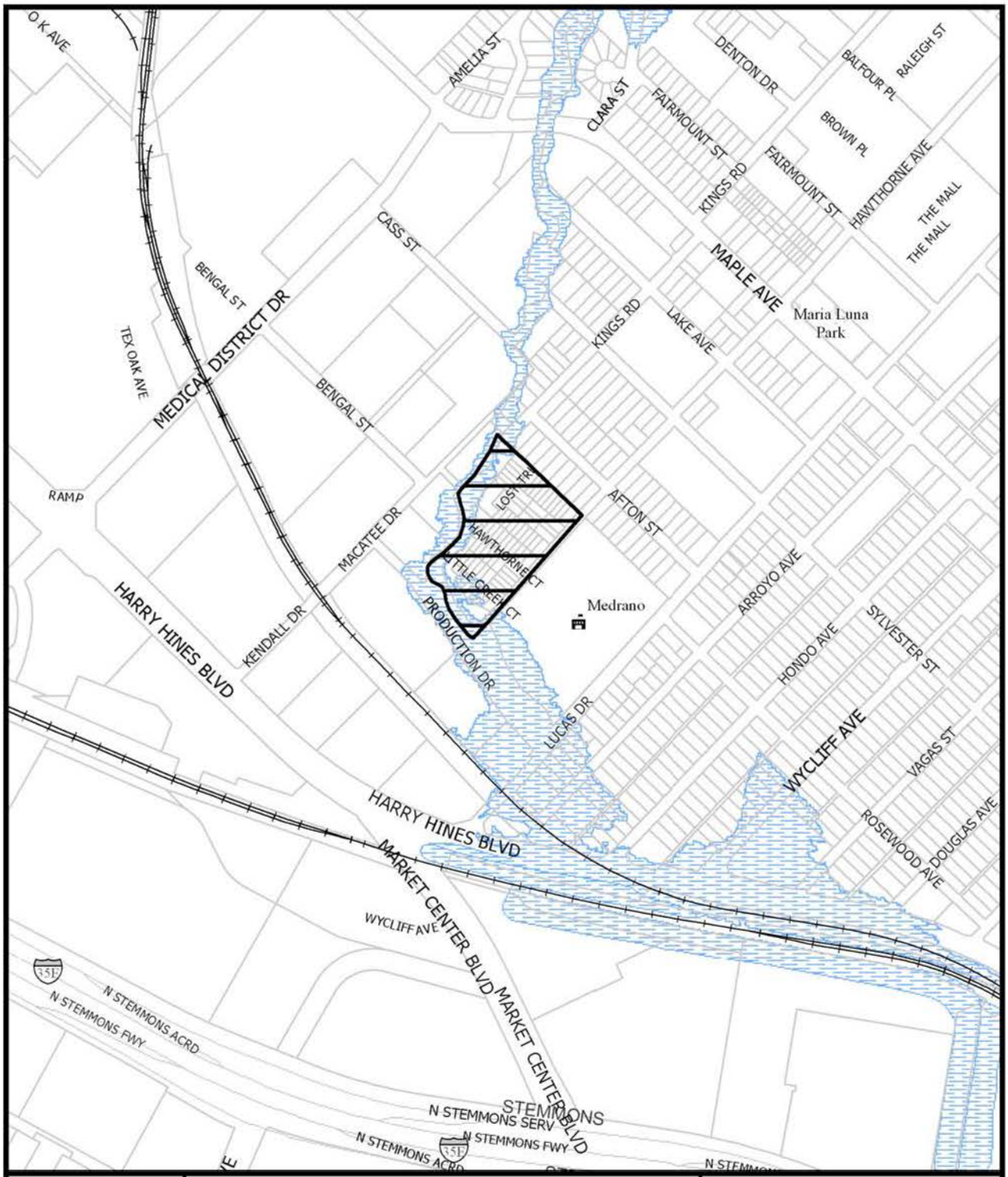
SEC. S-___.121. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this 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.

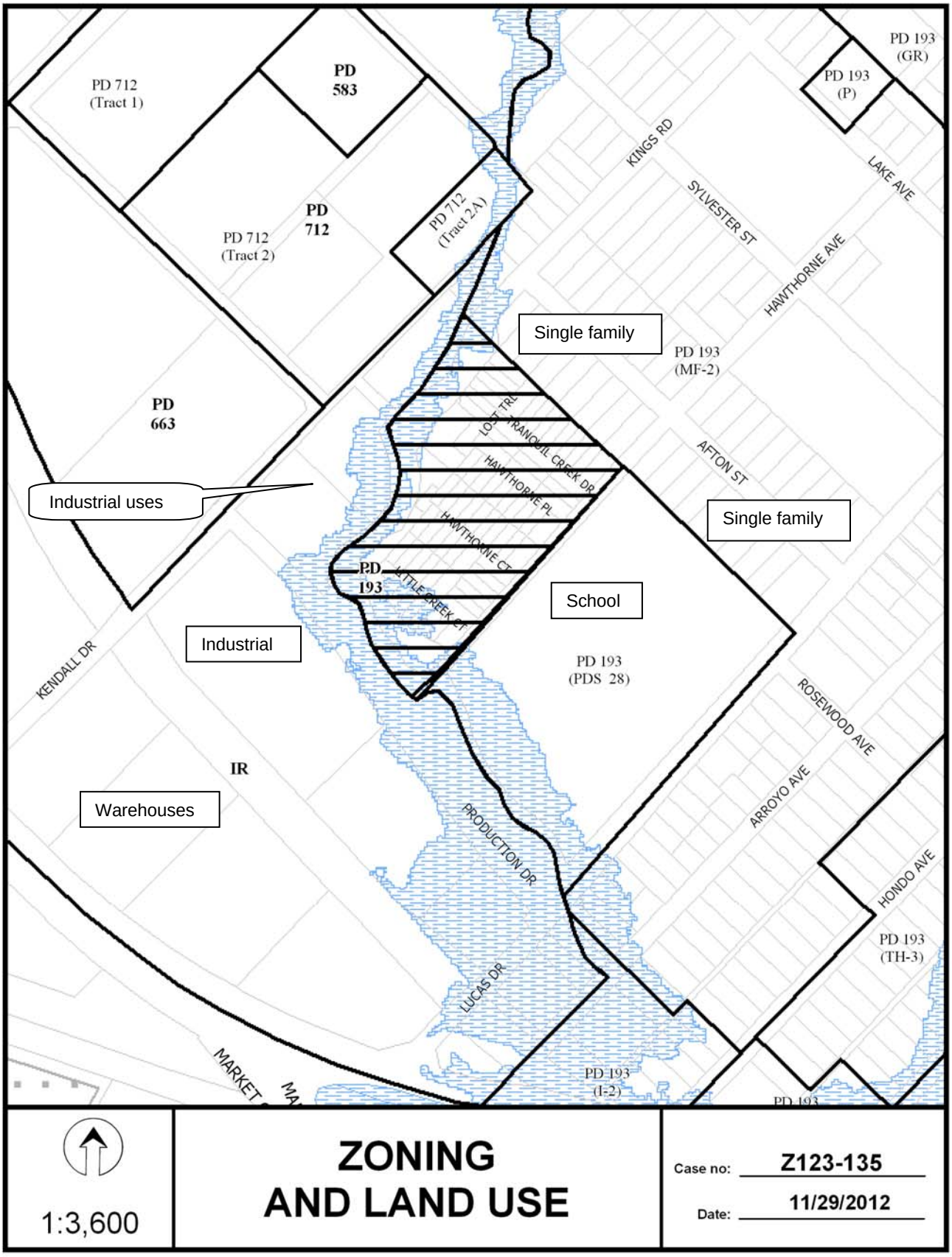
PROPOSED CONCEPTUAL PLAN

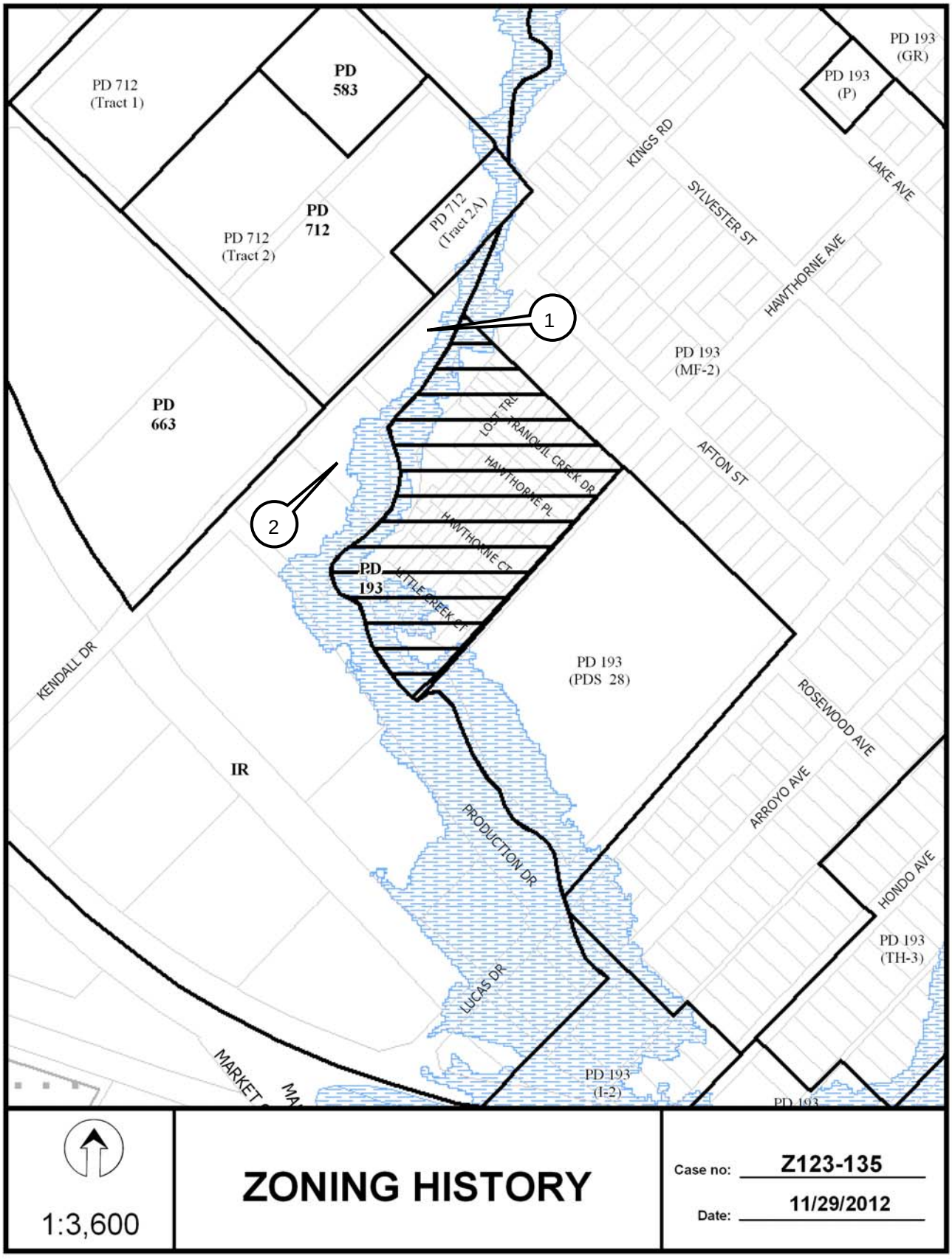



O K AVE
AMELIA ST
CLARA ST
DENTON DR
BALFOUR PL
RALEIGH ST
FAIRMOUNT ST
BROWN PL
KINGS RD
FAIRMOUNT ST
HAWTHORNE AVE
THE MALL
THE MALL
CASS ST
MAPLE AVE
Maria Luna Park
BENGAL ST
KINGS RD
LAKE AVE
TEX OAK AVE
MEDICAL DISTRICT DR
BENGAL ST
RAMP
LOST TR
AFTON ST
HAWTHORNE CT
MACATEE DR
LITTLE CREEK CT
Medrano
ARROYO AVE
HARRY HINES BLVD
KENDALL DR
PRODUCTION DR
HONDO AVE
SYLVESTER ST
LUCAS DR
WYCLIFF AVE
VAGAS ST
HARRY HINES BLVD
ROSEWOOD AVE
DOUGLAS AVE
MARKET CENTER BLVD
WYCLIFF AVE
N STEMMONS ACRD
N STEMMONS FWY
STEMMONS
N STEMMONS SERV
N STEMMONS FWY
N STEMMONS ACRD
1:7,200
VICINITY MAP
Case no: Z123-135
Date: 11/29/2012

Ariel Map


PD 712
PD 712 (Tract 2)
BENGAL
PD 663
MACATEE
IR
PRODUCTION
LOST
TRANQUIL CREEK
PD 193
PD 193 (MF-2)
PD 193 (PDS 28)
TAFTON


PD 712
(Tract 1)
PD
583
PD 712
(Tract 2)
PD
712
PD 712
(Tract 2A)
PD
663
PD
193
PD 193
(GR)
PD 193
(P)
KINGS RD
LAKE AVE
SYLVESTER ST
HAWTHORNE AVE
Single family
PD 193
(MF-2)
LOST TRL
TRANQUIL CREEK DR
HAWTHORNE PL
HAWTHORNE CT
LITTLE CREEK CT
AFTON ST
Single family
Industrial uses
School
Industrial
KENDALL DR
PD 193
(PDS 28)
ROSEWOOD AVE
IR
ARROYO AVE
Warehouses
PRODUCTION DR
HONDO AVE
PD 193
(TH-3)
LUCAS DR
MARKET
PD 193
(I-2)
PD 193
1:3,600
ZONING
AND LAND USE
Case no: Z123-135
Date: 11/29/2012


PD 712
(Tract 1)
PD
583
PD 712
(Tract 2)
PD
712
PD 712
(Tract 2A)
PD
663
PD 193
(GR)
PD 193
(P)
KINGS RD
LAKE AVE
SYLVESTER ST
HAWTHORNE AVE
1
PD 193
(MF-2)
LOST TRL
TRANQUIL CREEK DR
HAWTHORNE PL
HAWTHORNE CT
AFTON ST
2
PD
193
LITTLE CREEK CT
KENDALL DR
PD 193
(PDS 28)
ROSEWOOD AVE
IR
ARROYO AVE
PRODUCTION DR
HONDO AVE
PD 193
(TH-3)
LUCAS DR
MARKET
PD 193
(I-2)
PD 193
1:3,600
ZONING HISTORY
Case no: Z123-135
Date: 11/29/2012

CPC RESPONSES



Notification List of Property Owners

Z123-135

76 Property Owners Notified ***0 Property Owners Opposed*** ***4 Property Owners in Favor***

Vote	*Label #*	*Address*		*Owner*
O	1	2201	KINGS RD	CRASH INC
O	2	4622	TRANQUIL CREEK DR	TEXAS INTOWNHOMES LLC
	3	4525	SYLVESTER ST	TUNG CHYUAN INV INC
	4	2319	HAWTHORNE AVE	DELGADO SALVADOR & DINA
	5	4601	SYLVESTER ST	MALAGON MARTIN & GADRIELA
	6	4607	SYLVESTER ST	LOEZA CRISTINA
	7	4615	SYLVESTER ST	GARCIA BRENDA N
	8	4619	SYLVESTER ST	GANDARA AURELIANO &
	9	4623	SYLVESTER ST	HOLGUIN FERNANDO &
	10	4625	SYLVESTER ST	KEMP JACK R
	11	2330	KINGS RD	HYDE HEATH
	12	2251	KINGS RD	SINGER ARTURO
	13	4634	AFTON ST	CHANDLER NANCY ANN S TR
	14	2324	KINGS RD	SANCHEZ MARIA
	15	4703	SYLVESTER ST	CARRILLO CIRILO ESTATE OF
	16	4707	SYLVESTER ST	SEPULVEDA JAMES L &
	17	4711	SYLVESTER ST	BARRIOS JOSE LUIS &
	18	4719	SYLVESTER ST	HOLGUIN DANIEL &
	19	2200	KINGS RD	ODONNELL AUDREY L
	20	4508	AFTON ST	AGUINAGA JOSE A & ALICIA
	21	4514	AFTON ST	DAO CUONG P & QUYEN T VO
	22	4518	AFTON ST	MARTINEZ MARIA CARMEN
	23	4522	AFTON ST	HERNANDEZ EPIFANIO
	24	4526	AFTON ST	CORTEZ ANGEL &
	25	4530	AFTON ST	NGUYEN HOANG
	26	4534	AFTON ST	LE HOA THI XUAN

Thursday, November 07, 2013

Vote	*Label #*	*Address*		*Owner*
	27	4538	AFTON ST	OSORIO ISRAEL ANTUNEZ &
	28	4542	AFTON ST	MEDRANO PROPERTIES LLC
	29	4600	AFTON ST	GALINDO XOCHILT
	30	4606	AFTON ST	RAMIREZ JOSE &
	31	4610	AFTON ST	MEDINA ADAN V &
	32	4614	AFTON ST	VO HUONG THANH
	33	4618	AFTON ST	DINH MY HOANG
	34	4622	AFTON ST	LE MINH HOANG
	35	4624	AFTON ST	LE KY VAN &
	36	4630	AFTON ST	NGUYEN THANH PHONG
	37	4501	AFTON ST	LIVE MODERN HOMES LLC
O	38	4515	AFTON ST	URBINA CELIA
	39	4519	AFTON ST	PEREZ JENNIFER
	40	4523	AFTON ST	YOHANNES KIDUS
	41	4527	AFTON ST	RODRIGUEZ JUAN P
	42	4531	AFTON ST	ZUNIGA ANTONIO JUAN
	43	4533	AFTON ST	DEITELHOFF KATRINA
	44	4535	AFTON ST	QUINONES DANIEL G
	45	4543	AFTON ST	MANUEL CLEMENTE
	46	4601	AFTON ST	DICKERSON DOROTHY
	47	4607	AFTON ST	GALINDO JOSE H & ROSA
	48	4611	AFTON ST	PEREZ DENISE
	49	4615	AFTON ST	FRANCISCO TOMAS
O	50	4619	AFTON ST	CAO TRANG THI
	51	4623	AFTON ST	NGUYEN VAN NGOC
	52	4699	PRODUCTION DR	RUPLEY HELEN GAIL
	53	2023	LUCAS DR	WALRAVEN A T III &
	54	4525	PRODUCTION DR	PRODUCTION PPTY PTNR LLC
	55	4641	PRODUCTION DR	GREENWAY 4641 PRODUCTION
	56	4600	HARRY HINES BLVD	UNIVERSITY OF TEXAS
	57	4640	HARRY HINES BLVD	SOVRAN ACQUISITION LTD PS

Vote	*Label #*	*Address*		*Owner*
	58	4714	CASS ST	KALOGRIDIS REAL EST LTD
	59	4814	BENGAL ST	TCF INTERESTS PARTNERSHIP
	60	4722	BENGAL ST	FOSTER M POOLE JR
	61	4815	CASS ST	UNION GOSPEL MISSION
	62	2313	HAWTHORNE AVE	JORY ROBERT
	63	4611	SYLVESTER ST	GUZMAN JOSE GUADALUPE
	64	2359	KINGS RD	BOUNNHING SAY
	65	2355	KINGS RD	GOMEZ ELPIDIA
	66	2351	KINGS RD	LARA OLGA L
	67	4637	AFTON ST	NGUYEN DIEM TRANG HOANG
	68	4633	AFTON ST	NGO HUNG VI &
	69	4629	AFTON ST	NGUYEN MINH
	70	2221	LUCAS DR	Dallas ISD
	71	4700	BENGAL ST	TCF INTERESTS PARTNERSHIP LTD
	72	4816	BENGAL ST	TCF INTERESTS PS LTD
	73	4816	BENGAL ST	POOLE FOSTER M JR
	74	4707	BENGAL ST	RONALD MCDONALD HOUSE OF
	75	2140	MEDICAL DISTRICT DR	MOTOR STREET APTS LP
	76	555	2ND AVE	DART

Thursday, November 07, 2013

AGENDA ITEM # 46

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 45 V; 46 V

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a potentially incompatible industrial use (metal or metal product treatment or processing) on property zoned Tract 1, RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street

Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions

Z123-325(WE)

Note: This item was considered by the City Council at a public hearing on February 26, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-325(WE) **DATE FILED:** June 27, 2013

LOCATION: South Harwood Street and Coombs Street, north corner

COUNCIL DISTRICT: 7 **MAPSCO:** 45-V, 46-V

SIZE OF REQUEST: Approx. 12,000 sq. ft. **CENSUS TRACT:** 34

APPLICANT: Bonifacio Soriano

OWNER: R.J. Andres

REPRESENTATIVE: Jose Garcia

REQUEST: An application for a Specific Use Permit for a potentially incompatible use (metal or metal product treatment or processing) on property zoned an RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas / Fair Park Special Purpose District.

SUMMARY: The purpose of this request is to allow the applicant the ability to resurface raw metals with a material that is weather-resistant through a metal coating and finishing process. The procedure will require submerging various types of materials into a chemically treated liquid.

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.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval, subject to the site plan and conditions are based upon:

1. *Compatibility with surrounding uses and community facilities* –The level of chemical processing is not anticipated to be incompatible with the surrounding industrial area. However, there is a PDD that permits a combination of industrial and multifamily uses. A portion of PDD No. 513 is developed with multifamily uses and is located approximately within 60 feet north of the request site. Staff believes that this use does not pose concerns due to the tank's limited capacity to store the chemicals (not large enough to cause concern) and the processing being located totally within an enclosed building. There is somewhat concern with the potential of odor. The proposed two-year period will allow the City an opportunity to evaluate the facility's performance in the area.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed request will not contribute to, enhance or promote the welfare of the area.

3. *Not a detriment to the public health, safety, or general welfare* – The entire process will be contained inside the building. Ventilation is only required during the process of treating the metals. The applicant has indicated that the chemicals produce very little odor. Therefore, staff does not believe it will be a detriment. The proposed two-year period will allow the City an opportunity to evaluate the facility's performance in the area.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The proposed Specific Use permit for industrial (inside) potentially incompatible industrial use will comply with all applicable zoning regulations and standards. No variances or exceptions are requested.

BACKGROUND INFORMATION:

- The applicant will use an existing 8,427-square-foot warehouse to perform the metal coating and finishing process. The applicant will receive the various materials from a local business.

- The overall metal finishing alters the surface of metal products to enhance: corrosion resistance, wear resistance, electrical conductivity, electrical resistance, reflectivity and appearance (e.g., brightness or color), torque tolerance, solderability, tarnish resistance, chemical resistance, ability to bond to rubber (e.g., vulcanizing), and hardness.

- The adjacent land uses consist of Planned Development District No. 513 and an industrial use. The main uses that are permitted in PDD No. 513 are multifamily and industrial uses. Properties south and southwest of the site, across North Harwood

Street, consist of several industrial uses. Several warehouse uses are developed southeast of the request site, across Coombs Street.

- **Zoning History:** There have not been any recent zoning changes in the area.

Land Use:

	Zoning	Land Use
Site	RS-I with/in PDD No. 595	Vacant building
Northeast	PDD No. 513	Undeveloped
Southeast	RS-I with/in PDD No. 595	Warehouse
Southwest	RS-C with/in PDD No. 595	Industrial
Northwest	RS-I with/in PDD No. 595, PDD No. 513	Industrial/Multifamily

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 being in an Urban Mixed Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

Even though the Comprehensive Plan identifies this area as an Urban Mixed Use, the established development pattern is predominately industrial uses. While it is anticipated that this area will develop to support a variety of mixed uses, a land use study to support a work/live environment has not been initiated. The *forwardDallas! Comprehensive Plan* is a guide for future development.

The request site is located within an industrial area and the applicant will use four tanks, of which two tanks will be filled with the chemicals, to chemically treat the metals.

LAND USE:

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility:

The applicant has identified four tanks in the southwest quadrant of the warehouse that will be used to chemically treat the metals. The four tanks consist of the following liquids and hydrochloric acid and zinc phosphate. The total procedure to chemically treat the metals is approximately 30 to 45 minutes.

The surrounding land uses consist of industrial uses; however, the request site is adjacent to PDD No. 513 where the uses are a mix of industrial and multifamily. PDD No. 513 is currently developed with multifamily uses and is located between 30 and 60 feet from the request site. However, the remaining portion of PDD No. 513, is undeveloped and could be developed as industrial uses. A portion of PDD No. 513 is adjacent to the request site. The property east of the site, across Coombs Street, is a warehouse for produce.

Even though there are multifamily uses within 60 feet of the request site, the applicant will have to comply with all city, state and federal regulations and OSHA regulations as it relates to the chemicals being used in the procedure.

Staff's recommendation is for approval for a two-year period, subject to a site plan and conditions. Staff believes that the amounts of chemicals being stored in the tanks would not adversely impact the surrounding areas.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
RS-I Regional Service Industrial	15'	15' adjacent to residential OTHER: No Min.	1.0 combined 1.0 office 0.5 retail	70' 5 stories	80%	Proximity Slope Visual Intrusion	Commercial and business service, office, Industrial

Landscaping: Landscaping of any development will be in accordance with Article X, as amended.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South Harwood Street	Collector	60 ft.	60 ft.
Coombs Street	Collector	80 ft.	107 ft.

Parking: The parking requirement for an industrial (inside) potentially incompatible industrial use is one space per 600 square feet of floor area. The request site is developed and the proposed use is not required to provide any additional off-street parking spaces.

CPC Action (December 19, 2013)

Motion: In considering an application for a Specific Use Permit for a potentially incompatible industrial use (metal or metal product treatment or processing) on property zoned Tract 1, RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas / Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street, it was moved to **hold** this case under advisement until January 9, 2014.

Maker: Bagley
Second: Tarpley
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers*, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 9
Replies: For: 0 Against: 1

Speakers: None

CPC Action (January 9, 2014)

Motion: In considering an application for a Specific Use Permit for a potentially incompatible industrial use (metal or metal product treatment or processing) on property zoned Tract 1, RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas / Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street, it was moved to **hold** this case under advisement until January 23, 2014.

Maker: Bagley
Second: Culbreath
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 200 Mailed: 9
Replies: For: 0 Against: 1

Speakers: None

CPC Action (January 23, 2014)

Motion: It was moved to recommend **approval** of a Specific Use Permit for a potentially incompatible industrial use (metal or metal product treatment or processing) for a two-year period, subject to a site plan and conditions on property zoned Tract 1, RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas / Fair Park Special Purpose District on the north corner of South Harwood Street and Coombs Street.

Maker: Bagley
Second: Shidid
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Notices: Area: 200 Mailed: 9
Replies: For: 0 Against: 1

Speakers: None

CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an industrial (inside) potentially incompatible industrial use.

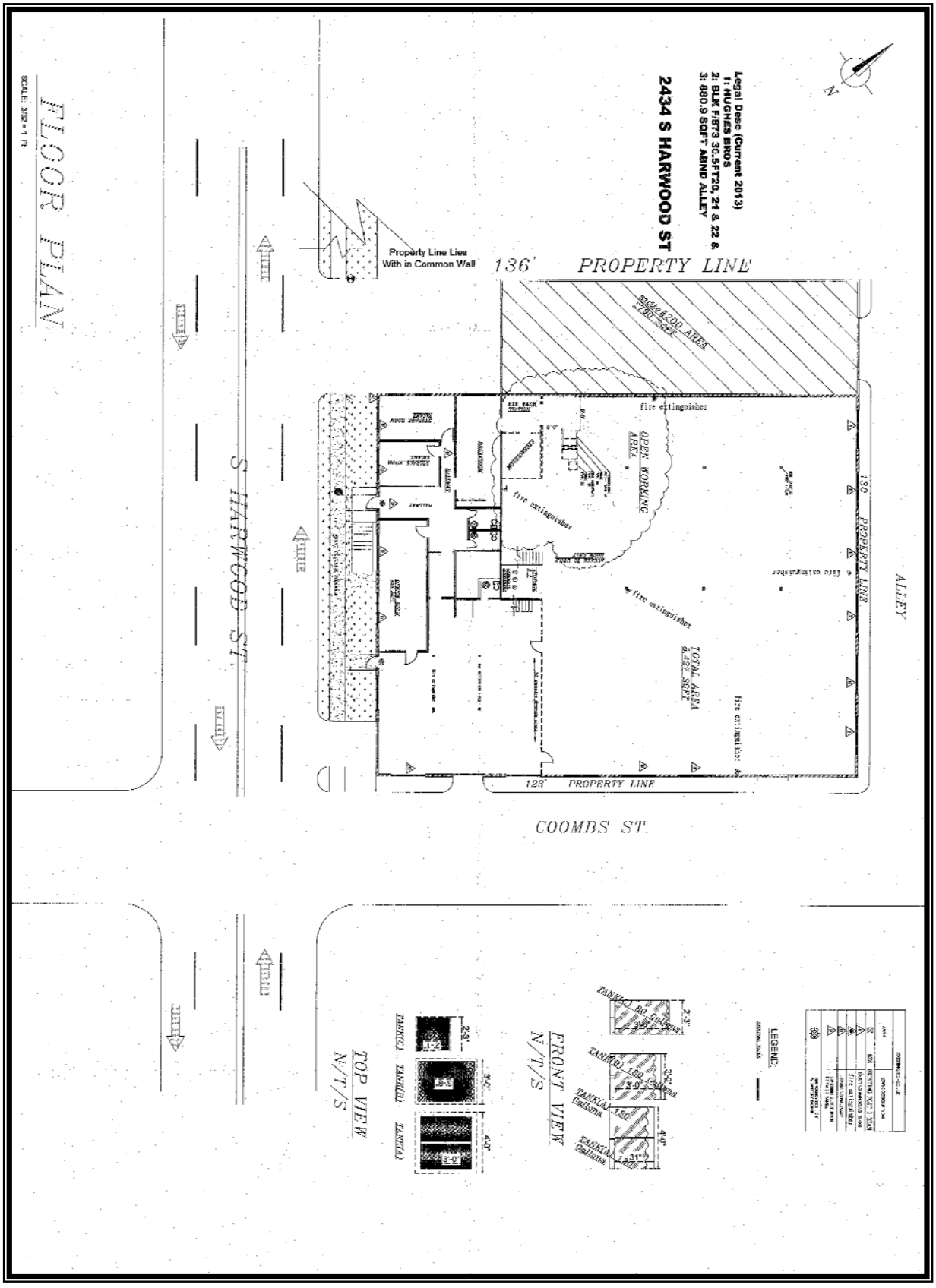
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

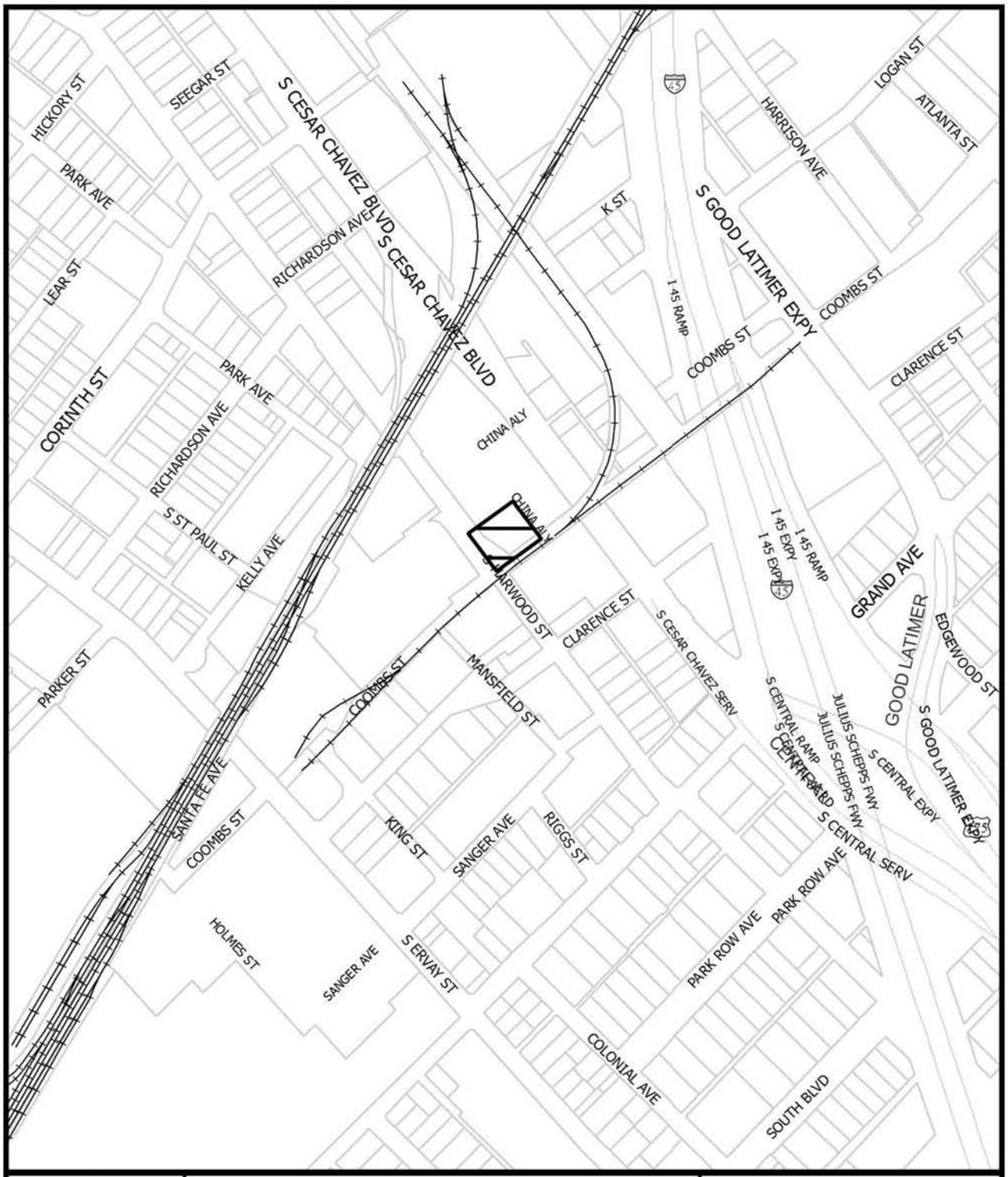
3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance.

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





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VICINITY MAP

Case no: Z123-325

Date: 11/19/2013

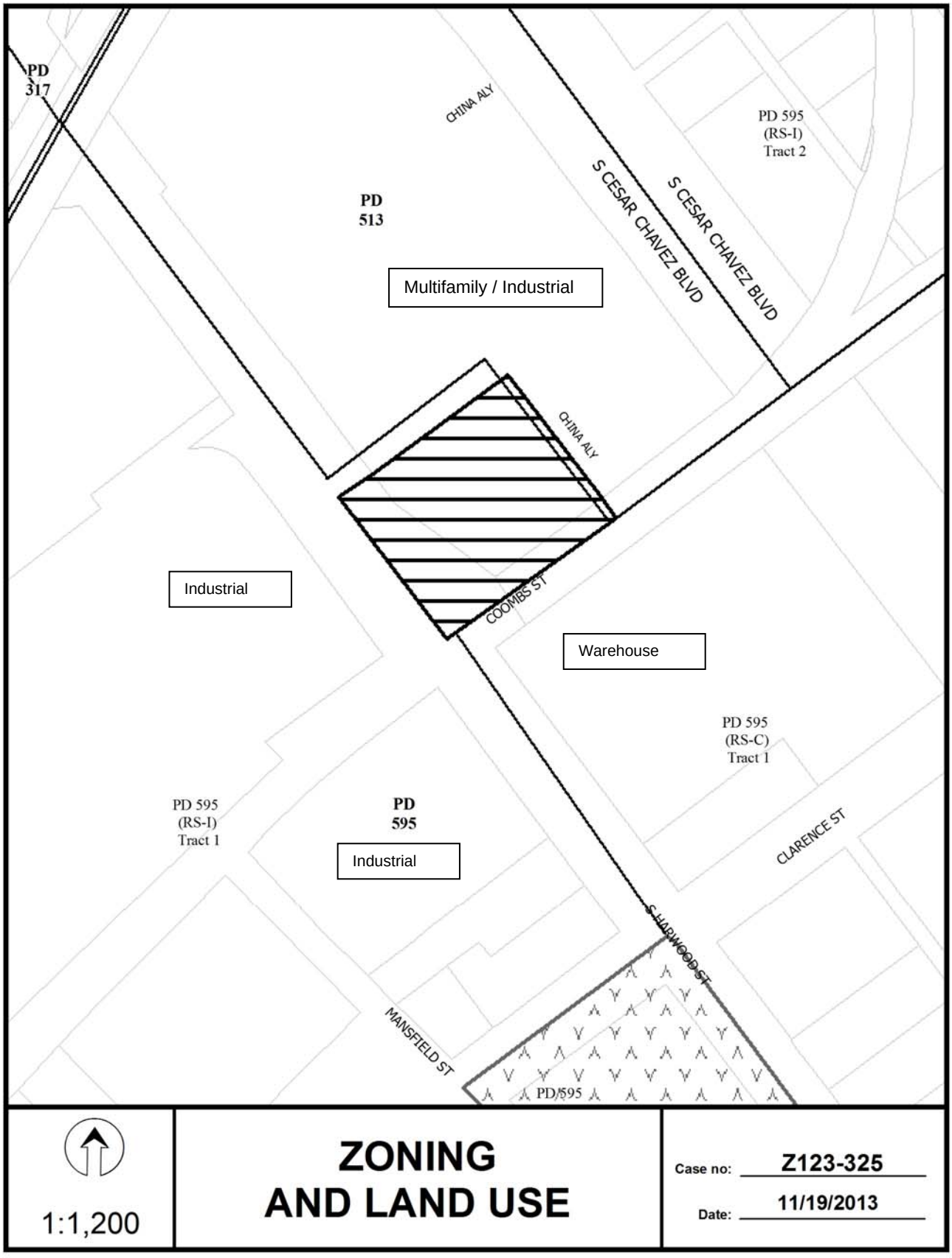


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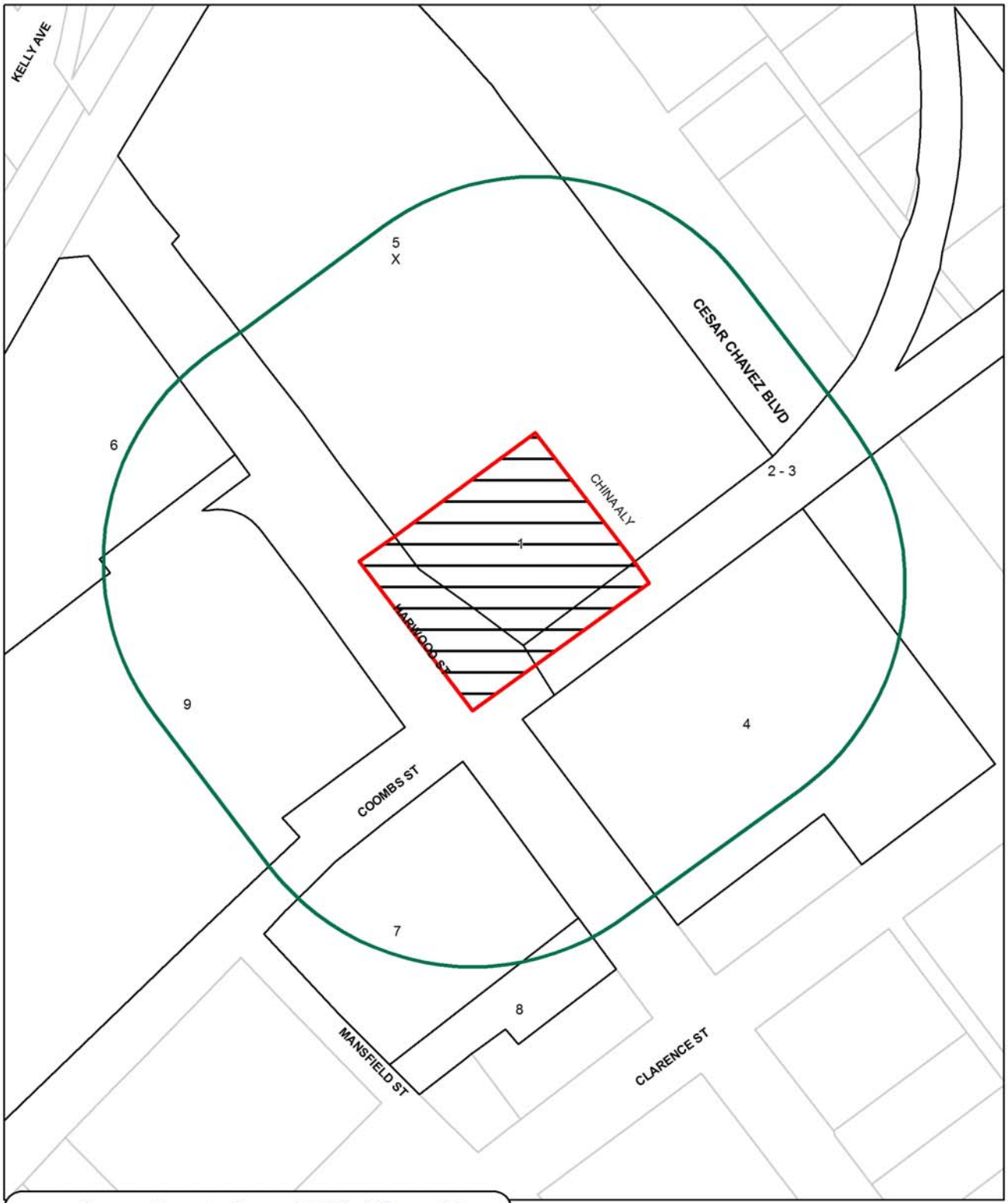
AERIAL MAP

Case no: Z123-325

Date: 11/19/2013


PD 317
CHINA ALY
PD 595 (RS-I) Tract 2
PD 513
S CESAR CHAVEZ BLVD
S CESAR CHAVEZ BLVD
Multifamily / Industrial
CHINA ALY
Industrial
COOMBS ST
Warehouse
PD 595 (RS-C) Tract 1
PD 595 (RS-I) Tract 1
PD 595
Industrial
CLARENCE ST
S HARWOOD ST
MANSFIELD ST
PD/595
1:1,200
ZONING AND LAND USE
Case no: Z123-325
Date: 11/19/2013

CPC RESPONSES



9	Property Owners Notified (8 parcels)
0	Replies in Favor (0 parcels)
1	Replies in Opposition (1 parcels)
200'	Area of Notification
1/23/2014	Date 1/9/2014 Under Advisement

Z123-325
CPC

N
W E
S

1:1,200

Notification List of Property Owners

Z123-325

9 Property Owners Notified ***1 Property Owner Opposed*** ***0 Property Owners in Favor***

Vote	*Label #*	*Address*		*Owner*
	1	2434	HARWOOD ST	ANDRES R J & JANIS
	2	9999	NO NAME ST	UNION PACIFIC RR CO
	3	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	4	2500	HARWOOD ST	TIERRA NUEVA REAL ESTATE LLC
X	5	2425	CESAR CHAVEZ BLVD	REEVES GEORGE M JR ET AL
	6	2405	HARWOOD ST	TOWNSEND MURRELL
	7	2501	HARWOOD ST	CRONK MYRLE R TR OF 2002
	8	2515	HARWOOD ST	SMITH DARRELL & ALMA
	9	1815	COOMBS ST	WAUGH JERRY W

Thursday, January 23, 2014

AGENDA ITEM # 47

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 54 E

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue

Recommendation of Staff: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions

Recommendation of CPC: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions

Z123-328(MW)

Note: This item was considered by the City Council at public hearings on January 8, 2014 and February 12, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-328(MW) **DATE FILED:** July 23, 2013

LOCATION: Northwest corner of West Jefferson Boulevard and North Brighton Avenue

COUNCIL DISTRICT: 1 **MAPSCO:** 54-E

SIZE OF REQUEST: ±0.27 acre **CENSUS TRACT:** 46.00

REPRESENTATIVE: Parvez Malik, Business Zoom

APPLICANT: Patric Henson

OWNER: Moe Barakat

REQUEST: An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D Community Retail District with a D Liquor Control Overlay

SUMMARY: The applicant proposes the sale of alcoholic beverages for off-premise consumption in conjunction with the existing convenience store.

CPC RECOMMENDATION: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store 3,500 square feet or less is compatible with the surrounding land uses. The sale of alcoholic beverages in conjunction with the main use does not affect compatibility.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing general merchandise or food store, which offers the sale of alcoholic beverages, provides a service to this area of the City and does not appear to negatively impact to the adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan complies all applicable zoning regulations and standards.

BACKGROUND INFORMATION:

- The ±0.27-acre request site is developed with a ±697.39-square foot general merchandise or food store (convenience store) which includes gas pumps.

- The general merchandise or food store use is permitted by right. The D Liquor Control prohibits sale of alcoholic beverages on the property.

- No new construction is proposed by this application.

Surrounding Zoning History:

1. **Z112-326:** On February 13, 2013, the City Council denied without prejudice a request for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned CR Community Retail District with a D Dry Liquor Control Overlay.

2. **Z101-150:** On June 22, 2011, the City Council denied a request for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned CR Community Retail District with a D Dry Liquor Control Overlay.

3. **Z101-117:** On February 9, 2011, the City Council approved a Specific Use Permit for a private recreation center, club or area on property zoned an MF-1(A) Multifamily District for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
West Jefferson Boulevard	Minor arterial	100 feet
North Brighton Avenue	Local	60 feet

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Construction and Development has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Surrounding Land Use:

	Zoning	Land Use
North	D(A)	Single family
East	R-7.5(A)	Single family
South	CR	Retail and personal services
West	CR	Auto related

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 an *Urban Neighborhood* Building Block. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

LAND USE ELEMENT

Goal 1.1: Promote desired development.

Policy 1.1.5: Use Vision Building Blocks as a general guide for desired development patterns

The existing general merchandise or food store 3,500 square feet or less is generally consistent with the development desired in an Urban Neighborhood. The sale of alcoholic beverages in conjunction with the main use does not directly impact the consistency.

Land Use Compatibility:

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request conforms with the applicable zoning regulations and standards and is consistent with the intent of the Dallas Development Code. The proposed sale of

alcoholic beverages in conjunction with the existing convenience store is not anticipated to negatively impact the adjacent properties. Therefore, staff recommends approval for a two-year period with eligibility for automatic renewal for additional five-year periods subject to a site plan and conditions. The short initial time period will allow reevaluation of the request to ensure ongoing compliance.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR-D	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Parking:

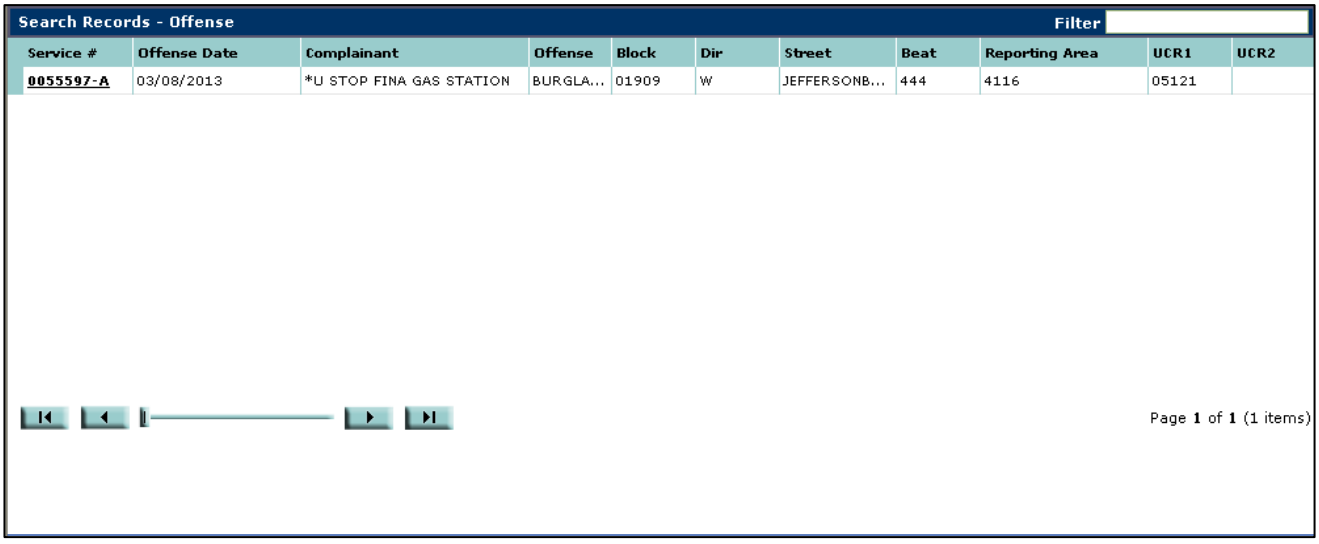
Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area; the requirement for a motor vehicle fueling station is two (2) spaces. Therefore, the ±697.39-square foot convenience store with gas pumps requires a total of five parking spaces. The applicant will provide seven parking spaces, as depicted on the 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:

An online search of the Dallas Police Department's offense incident reports for the period from October 18, 2011 to October 18, 2013 revealed the following results:



CPC Action: November 21, 2013:

Motion: It was moved to recommend approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to a site plan and revised conditions to include 8 ft. solid fence on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue.

Maker: Anglin
Second: Shellene
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices:	Area:	200	Mailed:	38
Replies:	For:	2	Against:	6

Speakers: For: Parvez, Malik, 1901 Central Dr., Bedford, TX, 76021
Patrick Henson, 1909 W. Jefferson St., Dallas, TX, 75208
Vincent Williams, 602 B N. Marsalis Ave., Dallas, TX, 75203
Margaret Padilla, 203 S. Edgefield Ave., Dallas, TX, 75208
Noel Ocampo, 208 N. Waverly Dr., Dallas, TX, 75208
William Spotson, 602 N. Marsalis Ave., Dallas, TX, 75203
Against: None

CPC Recommended Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a 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 Recommended:

3. TIME LIMIT: This specific use permit expires on (two years.

Staff Recommended:

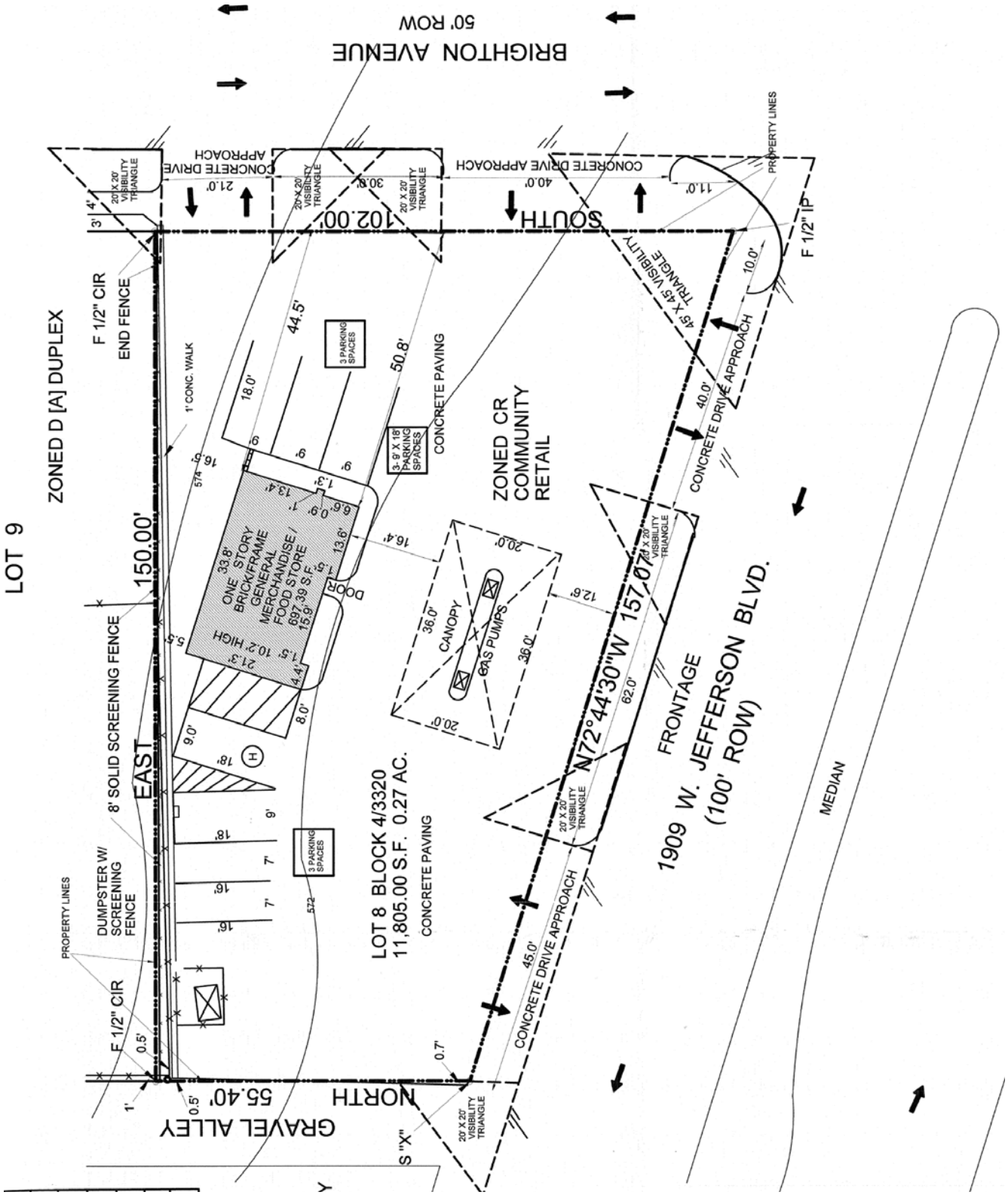
3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

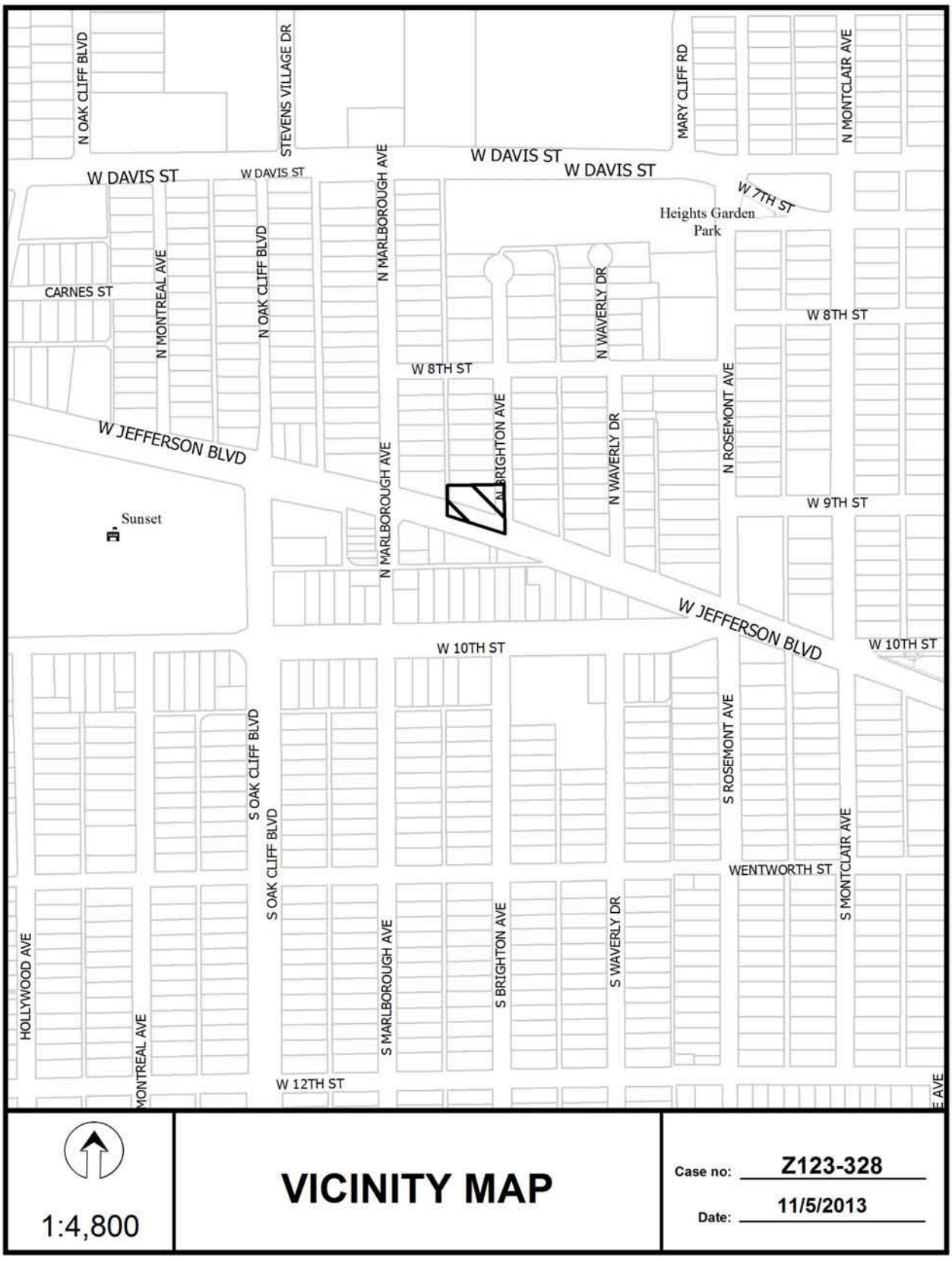
4. SCREENING: An eight-foot solid screening fence must be provided in the location shown on the site plan.

5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

4. 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




N OAK CLIFF BLVD
STEVENS VILLAGE DR
MARY CLIFF RD
N MONTCLAIR AVE
W DAVIS ST
W DAVIS ST
W DAVIS ST
W DAVIS ST
W 7TH ST
Heights Garden Park
N MARLBOROUGH AVE
CARNES ST
N MONTREAL AVE
N OAK CLIFF BLVD
N WAVERLY DR
W 8TH ST
W 8TH ST
N ROSEMONT AVE
W JEFFERSON BLVD
N BRIGHTON AVE
N MARLBOROUGH AVE
N WAVERLY DR
W 9TH ST
Sunset
W JEFFERSON BLVD
W 10TH ST
W 10TH ST
S OAK CLIFF BLVD
S ROSEMONT AVE
WENTWORTH ST
S MONTCLAIR AVE
HOLLYWOOD AVE
S OAK CLIFF BLVD
S MARLBOROUGH AVE
S BRIGHTON AVE
S WAVERLY DR
MONTREAL AVE
W 12TH ST
1:4,800
VICINITY MAP
Case no: Z123-328
Date: 11/5/2013

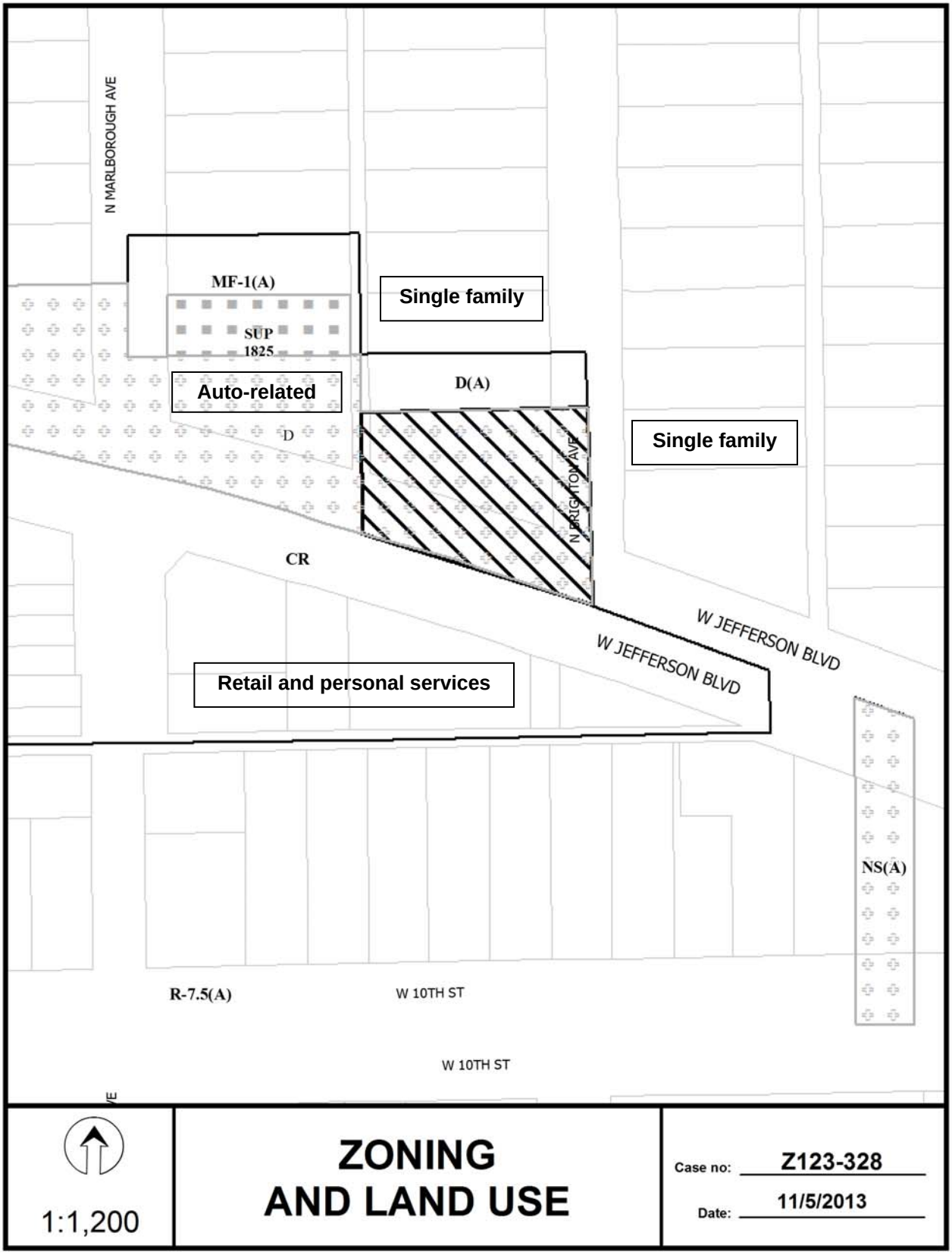


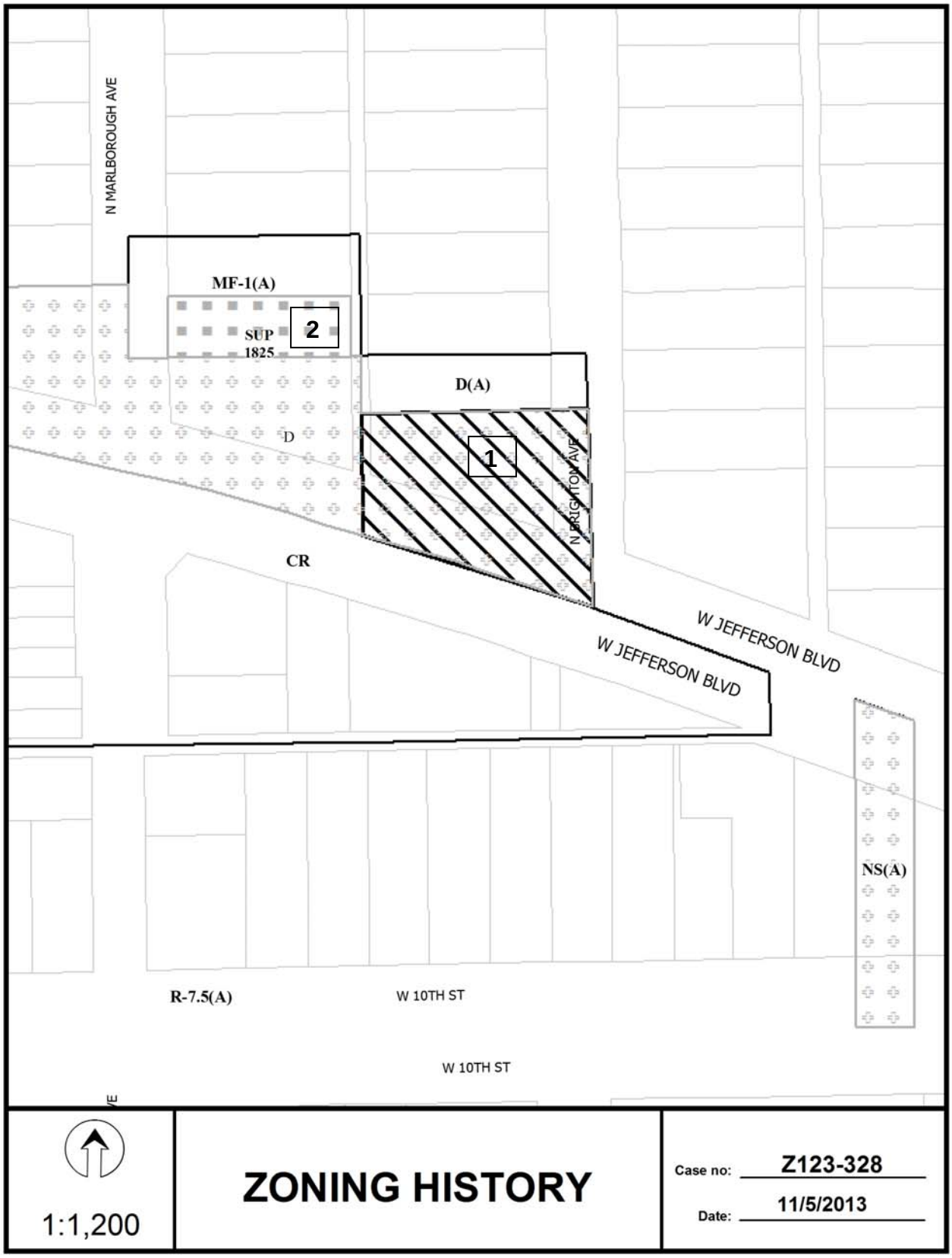
1:1,200

AERIAL MAP

Case no: Z123-328

Date: 11/5/2013


N MARLBOROUGH AVE
MF-1(A)
SUP 1825
Single family
Auto-related
D(A)
D
Single family
N BRIGHTON AVE
CR
W JEFFERSON BLVD
W JEFFERSON BLVD
Retail and personal services
NS(A)
R-7.5(A)
W 10TH ST
W 10TH ST
1:1,200
ZONING AND LAND USE
Case no: Z123-328
Date: 11/5/2013


N MARLBOROUGH AVE
MF-1(A)
SUP 1825
2
D(A)
D
1
N BRIGHTON AVE
CR
W JEFFERSON BLVD
W JEFFERSON BLVD
NS(A)
R-7.5(A)
W 10TH ST
W 10TH ST
1:1,200
ZONING HISTORY
Case no: Z123-328
Date: 11/5/2013

CPC Responses



38	Property Owners Notified (39 parcels)
2	Replies in Favor (3 parcels)
6	Replies in Opposition (6 parcels)
200'	Area of Notification
11/21/2013	Date

Z123-328
CPC

N
W E
S

1:1,200

Notification List of Property Owners

Z123-328

38 Property Owners Notified 6 Property Owners Opposed 2 Property Owners in Favor

Vote	*Label #*	*Address*		*Owner*
O	1	1909	JEFFERSON BLVD	BARAKAT MOE
	2	228	BRIGHTON AVE	MCCOY SARA & KALLEN
	3	224	BRIGHTON AVE	GAMEZ FRANK R
X	4	220	BRIGHTON AVE	ANGEL ANGELA J
	5	216	BRIGHTON AVE	BRADY ROSEANN
X	6	212	BRIGHTON AVE	DOWPROCACCINI ANNA M &
	7	208	BRIGHTON AVE	TAYLOR STEPHANIE S
X	8	204	BRIGHTON AVE	ALLEN DONALD LEE
	9	207	WAVERLY DR	DEARING NANCY C WONDERS
	10	211	WAVERLY DR	WILSON MIRANDA ANGER &
	11	215	WAVERLY DR	EWERS LIMITED PARTNERSHIP
	12	217	WAVERLY DR	GONZALEZ FERNANDO & CRYSTAL
	13	221	WAVERLY DR	PRIBYL THOMAS &
	14	227	WAVERLY DR	PARAMO RUDOLPH
	15	218	MARLBOROUGH AVE	OLGUIN JULIAN
	16	216	MARLBOROUGH AVE	LOZADA GERARDO
	17	210	MARLBOROUGH AVE	PITZER ENTERPRISES LP
	18	206	MARLBOROUGH AVE	NEFFENDORF SHANNON &
	19	1919	JEFFERSON BLVD	SAMUEL PETER & SUSHEILA
	20	1919	JEFFERSON BLVD	SAMUEL PETER
	21	211	BRIGHTON AVE	AVILA JAIME &
	22	217	BRIGHTON AVE	EQUABLE INV CORP
	23	221	BRIGHTON AVE	EDWARDS J B & MARSHA H
X	24	225	BRIGHTON AVE	FERNANDEZ MAUREEN F & ANTHONY
X	25	229	BRIGHTON AVE	YOCKEL SCOTT & LAUREN

Thursday, November 21, 2013

Vote	*Label #*	*Address*		*Owner*
O	26	1924	JEFFERSON BLVD	BALLAS VICTOR
	27	1916	JEFFERSON BLVD	DIAZ OCTAVIO
	28	1900	JEFFERSON BLVD	NOLAN PATRICK & ROSE ANNA
	29	1836	JEFFERSON BLVD	1836 W JEFFERSON LLC
	30	1917	10TH ST	GALLEGOS JESUS C ET AL
	31	1915	10TH ST	Taxpayer at
	32	1913	10TH ST	MACIAS JOSE A JR &
	33	1909	10TH ST	TRIDESERT INVESTMENTS INC
	34	1903	10TH ST	NILES KERRY W
	35	1827	10TH ST	BETANCOURT SERGIO & EVA
	36	1825	10TH ST	PALOMO MANUEL LIFE ESTATE
	37	1821	10TH ST	CARR BRYAN
X	38	1817	10TH ST	MELGOZA JOSE JJ &

AGENDA ITEM # 48

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 46 E

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a liquor store on property zoned Subarea 10 within Planned Development District No. 298, the Bryan Area Special Purpose District, at the east corner of Live Oak Street and North Haskell Avenue

Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewal of additional two-year periods, subject to a site plan and conditions

Z134-108(JH)

Note: This item was considered by the City Council at a public hearing on January 22, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**

ACM: Theresa O'Donnell

FILE NUMBER: Z134-108 (JH) **DATE FILED:** October 8, 2013

LOCATION: East corner of Live Oak Street and North Haskell Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 46-E

SIZE OF REQUEST: Approx. 1.1 acres **CENSUS TRACT:** 15.04

APPLICANT: Diana E. Haynes

OWNER: Greenville Ross Partners Ltd

REQUEST: An application for a Specific Use Permit for a liquor store on property zoned Subarea 10 within Planned Development District No. 298, the Bryan Area Special Purpose District.

SUMMARY: The applicant proposes to operate a liquor store use within an existing multi-tenant commercial building.

CPC RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewal of additional two-year periods, subject to a site plan and conditions

STAFF RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewal of additional two-year periods, subject to a site plan and conditions

GUIDING CRITERIA FOR RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – There are no incompatible uses are in the immediate area. The liquor store is not anticipated to negatively impact surrounding uses from a land use perspective.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – While the proposed use will be another service provided in the neighborhood, it is not foreseen that it will deter or enhance adjacent properties. The proposed SUP, if approved by the CPC and City Council, will have conditions that are associated with the use. An SUP could be revoked, have a reduced time period or not be renewed if the business deters from the area.

3. *Not a detriment to the public health, safety, or general welfare* – It is not foreseen that this use would be a detriment to the public health, safety or general welfare of the community.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards.

BACKGROUND INFORMATION:

- The request site is a suite within a multi-tenant commercial building occupied with retail and personal service uses. The current occupancy of the suite is a general merchandise or food store 3,500 square feet or less and does sell alcoholic beverages for off-premise consumption. The building was constructed in approximately 1930 according to DCAD.

- The applicant is proposing to operate a liquor store.

Zoning History: There have been no recent zoning requests in the area.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Live Oak Street	Principle Arterial	80 ft.
Haskell Street	Principle Arterial	55 ft. (couplet)

STAFF ANALYSIS:

Comprehensive Plan:

The Comprehensive Plan does not specifically address the proposed use, however, the Quality of Life statement within the Core Values section does serve as a foundation for all of the plan's recommendations:

Quality of Life: Dallas' diverse population wants equally diverse choices in where and how to live and ways to shop and have fun.

The request site is located within an urban neighborhood building block on the Vision Illustration within ForwardDallas!.

> Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

Land Use Compatibility:

The surrounding land uses are multifamily to the north, retail, personal service, bank, and medical office to the northeast, undeveloped and medical office to the south, remote parking and a maintenance building that serve a seminary to the east.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been

established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff supports the applicant's request for a Specific Use Permit because the location is on a commercial corridor, no incompatible uses are in the immediate area, and there is no police activity reported for the address of the suite or the other addresses in the multi-tenant building since 2005. Staff recommends a two-year initial time period with eligibility for automatic renewals of additional two-year periods; the applicant is requesting four years with auto-renewal eligibility for four year periods.

Parking/Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development.

The attached site plan shows a parking lot to the rear of the building containing approximately 53 off-street parking spaces and approximately 18 on-street angled parking spaces on Live Oak Street. The liquor store use will require the same parking as the current general merchandise or food store use, so there is no change in the parking requirement for the site.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site.

Police Report:

No reported activity is available online since January 1, 2005, which is the oldest date available for online DPD reports, for the request site.

CPC Minutes

December 19, 2013

Motion: It was moved to recommend **approval** of a Specific Use Permit for a liquor store for a two-year period with eligibility for automatic renewal of additional two-year periods, subject to a site plan and conditions on property zoned Subarea 10 within Planned Development District No. 298, the Bryan Area Special Purpose District, at the east corner of Live Oak Street and North Haskell Avenue.

Maker:	Soto
Second:	Peadon
Result:	Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 300 Mailed: 18
Replies: For: 1 Against: 6

Speakers: For: Diana Haynes, 4102 Live Oak St., Dallas, TX, 75204
Against: None

CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is a liquor store.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC recommended

3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional two-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

Applicant proposed

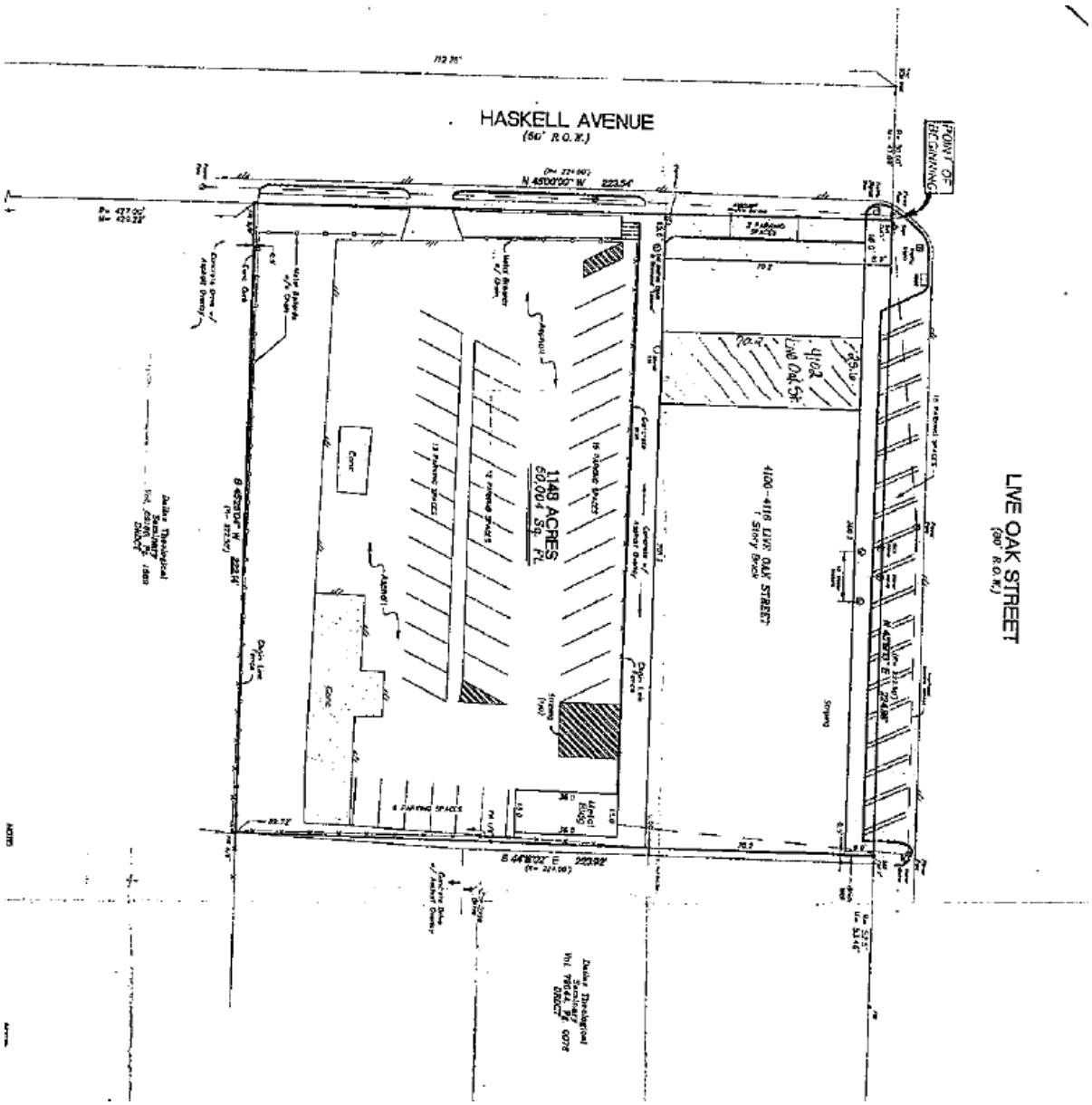
3. TIME LIMIT: This specific use permit expires on (four years), but is eligible for automatic renewal for additional four-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

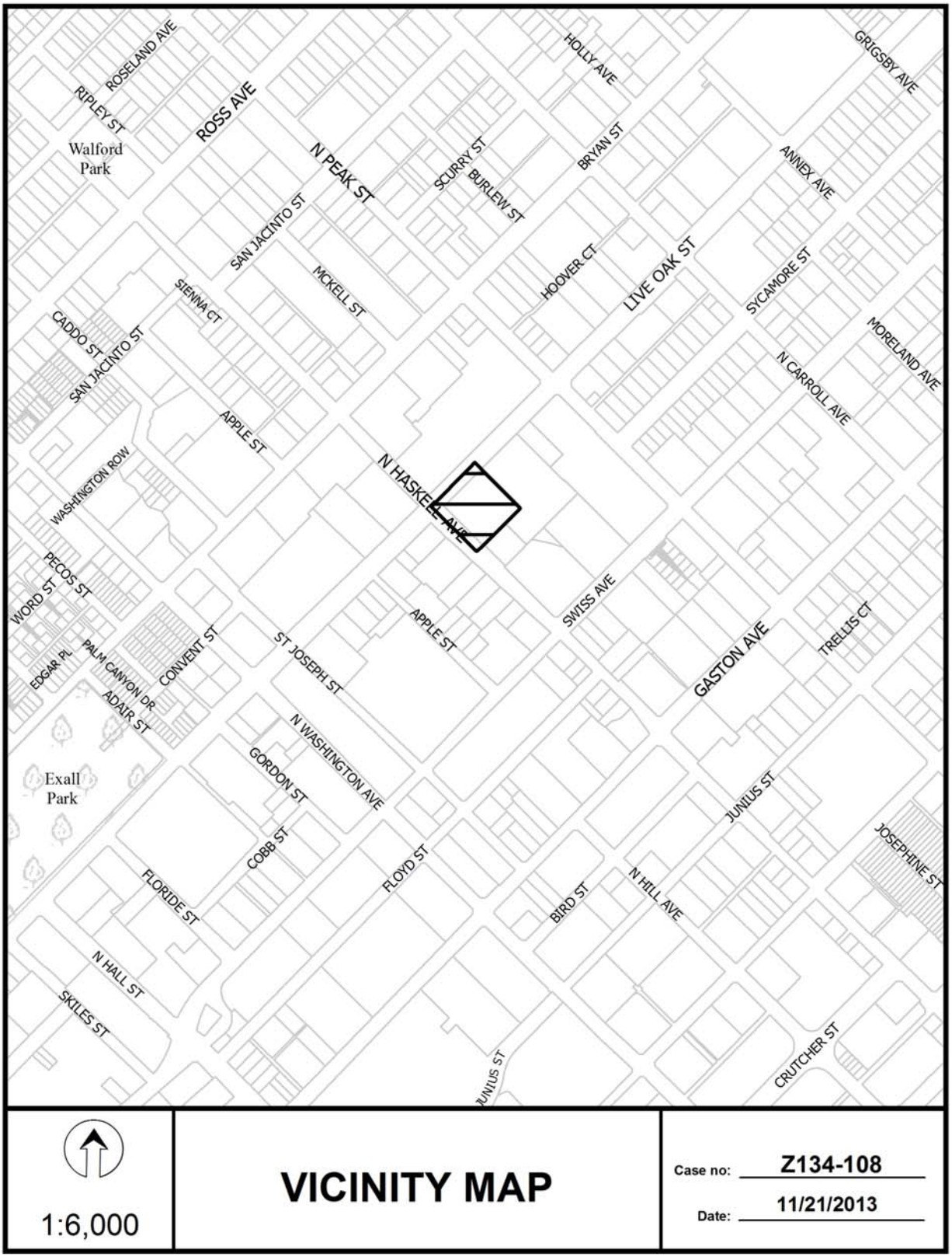
4. FLOOR AREA: The maximum floor area is 1,820 square feet in the location shown on the attached site plan.

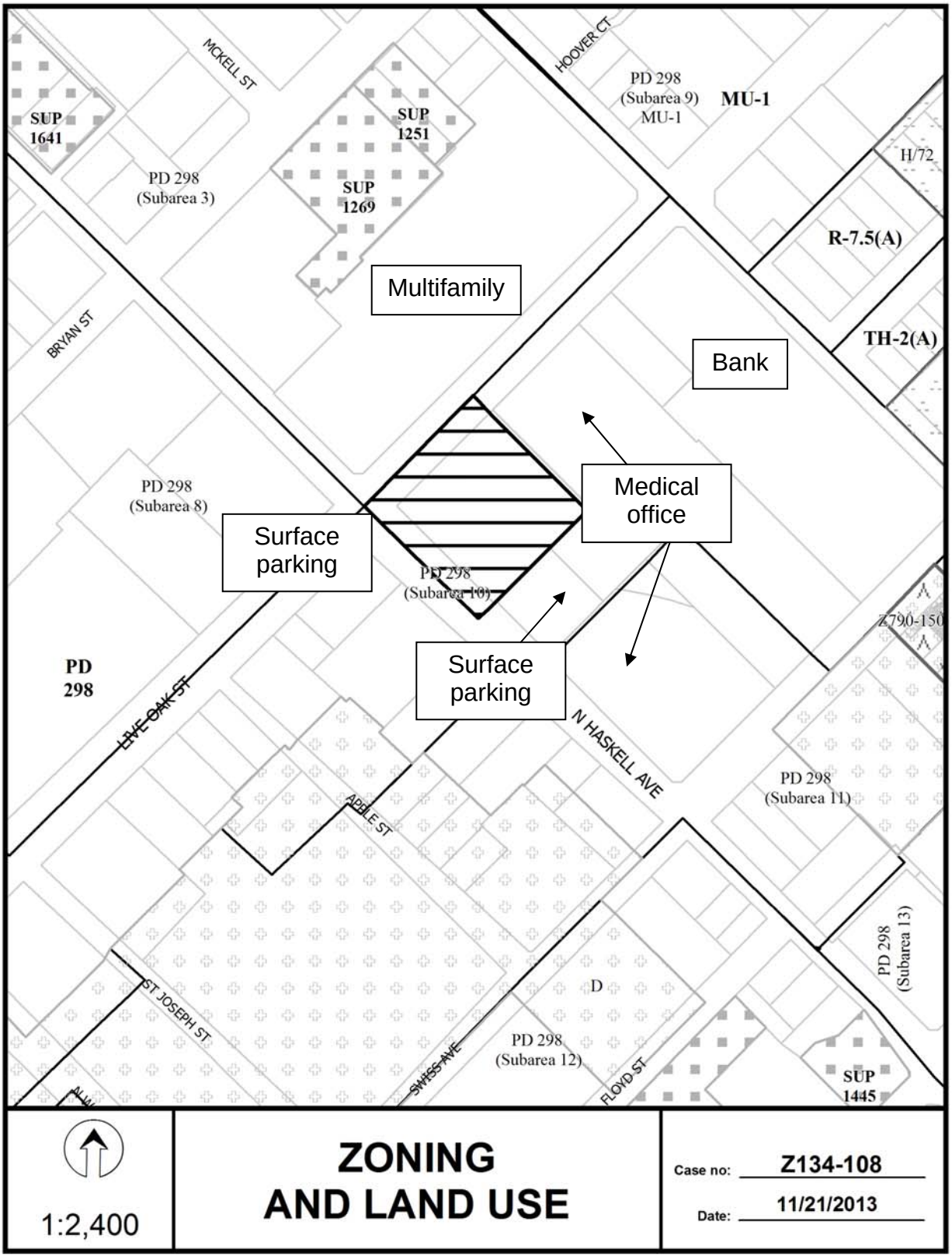
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

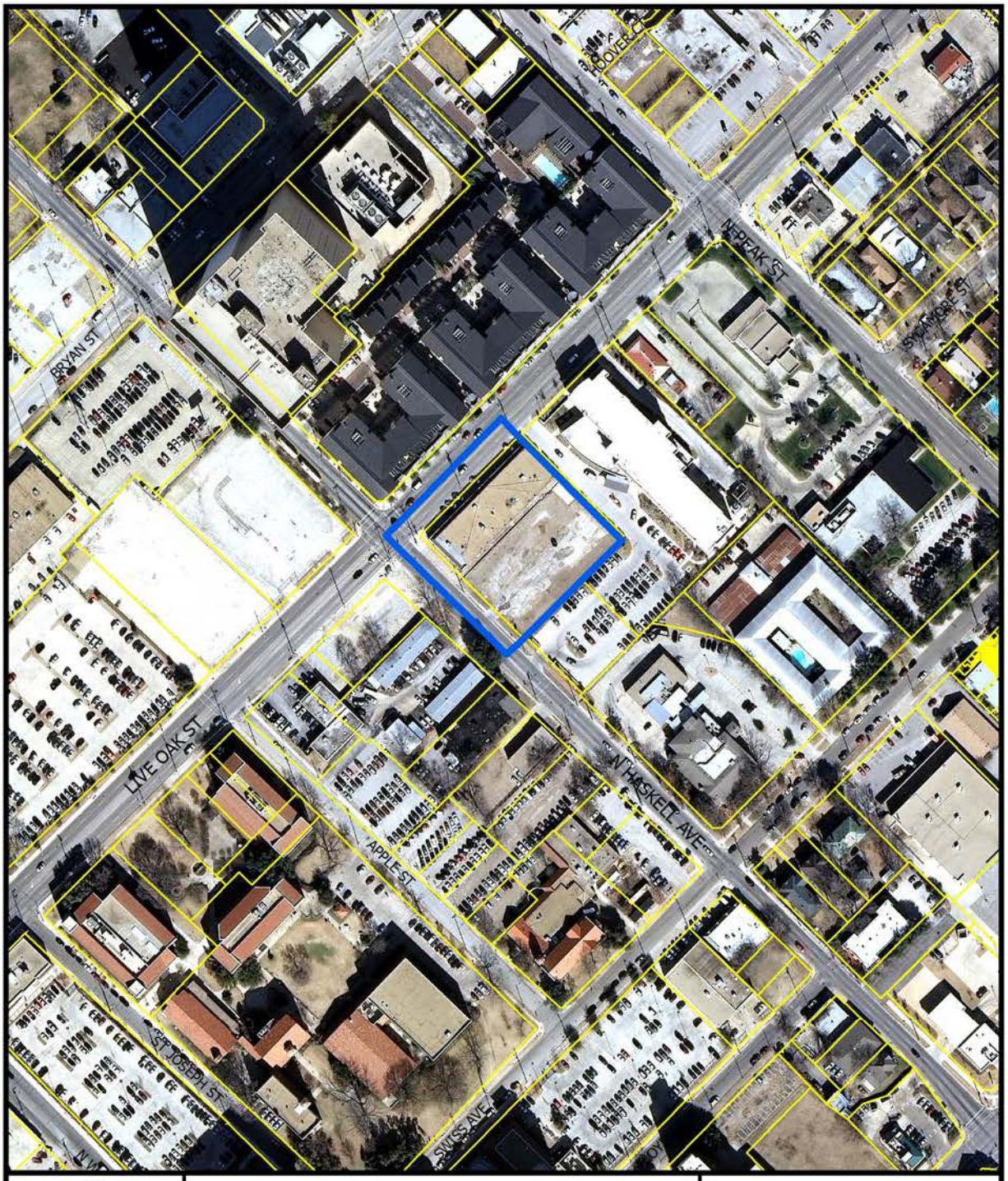
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas

CPC RECOMMENDED SITE PLAN




ROSELAND AVE
RIPLEY ST
ROSS AVE
Walford Park
N PEAK ST
SCURRY ST
BURLEW ST
HOLLY AVE
BRYAN ST
GRIGSBY AVE
ANNEX AVE
SAN JACINTO ST
MCKELL ST
HOOVER CT
LIVE OAK ST
SYCAMORE ST
SIENNA CT
CADDO ST
SAN JACINTO ST
MORELAND AVE
N CARROLL AVE
APPLE ST
WASHINGTON ROW
N HASKELL AVE
PECOS ST
WORD ST
SWISS AVE
APPLE ST
TRELLIS CT
EDGAR PL
PALM CANYON DR
CONVENT ST
ST JOSEPH ST
GASTON AVE
ADAIR ST
N WASHINGTON AVE
GORDON ST
Exall Park
JUNIUS ST
COBB ST
FLOYD ST
JOSEPHINE ST
FLORIDE ST
BIRD ST
N HILL AVE
N HALL ST
SKILES ST
JUNIUS ST
CRUTCHER ST
1:6,000
VICINITY MAP
Case no: Z134-108
Date: 11/21/2013


MCKELL ST
HOOVER CT
SUP 1641
SUP 1251
SUP 1269
PD 298 (Subarea 3)
PD 298 (Subarea 9) MU-1
MU-1
H/72
R-7.5(A)
TH-2(A)
Multifamily
Bank
BRYAN ST
PD 298 (Subarea 8)
Surface parking
Medical office
PD 298 (Subarea 10)
Surface parking
PD 298
LIVE OAK ST
N HASKELL AVE
APPLE ST
PD 298 (Subarea 11)
Z790-150
PD 298 (Subarea 13)
D
ST JOSEPH ST
SWISS AVE
PD 298 (Subarea 12)
FLOYD ST
SUP 1445
1:2,400
ZONING AND LAND USE
Case no: Z134-108
Date: 11/21/2013



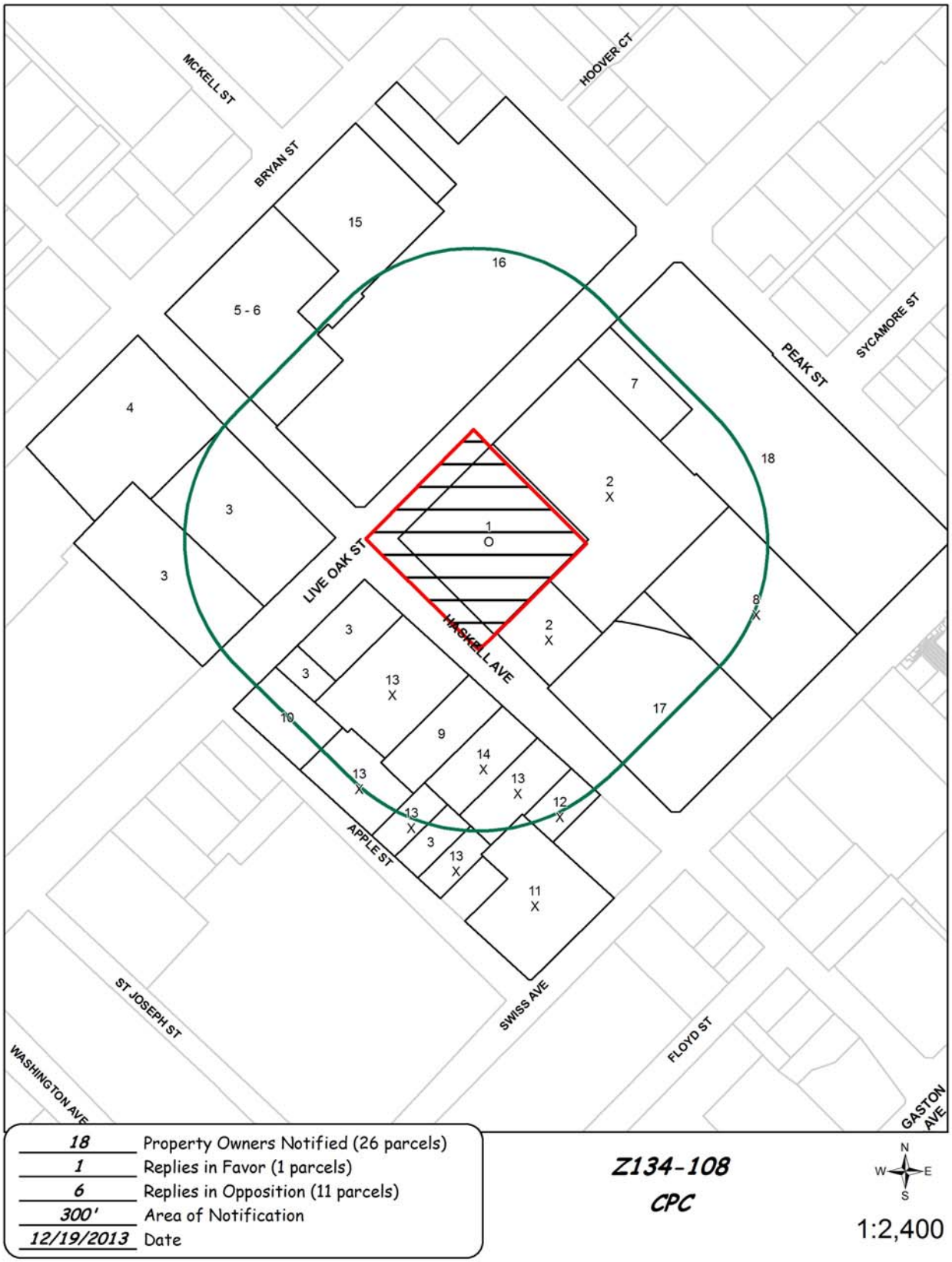
1:2,400

AERIAL MAP

Case no: Z134-108

Date: 11/21/2013

CPC RESPONSES



Notification List of Property Owners

Z134-108

18 Property Owners Notified 6 Property Owners Opposed 1 Property Owner in Favor

Vote	Label #	Address		Owner
O	1	4100	LIVE OAK ST	GREENVILLE ROSS PTNR LTD
X	2	4118	LIVE OAK ST	SHG RESOURCES LP
	3	4021	LIVE OAK ST	DALLAS THEOLOGICAL
	4	1333	HASKELL AVE	AT&T COMM OF THE SW
	5	4100	BRYAN ST	AT&T SW INC
	6	4100	BRYAN ST	SOUTHWESTERN BELL
	7	4208	LIVE OAK ST	BILLINGSLY L B INVESTMENT
X	8	4125	SWISS AVE	POPLAWSKI GARY A
	9	1209	HASKELL AVE	BEVRICH LTD
	10	4006	LIVE OAK ST	DALLAS THEOLOGICAL SEMINARY
X	11	4005	SWISS AVE	DALLAS THEOLOGICAL
X	12	1111	HASKELL AVE	DALLAS THEOLOGICAL
X	13	1219	HASKELL AVE	DALLAS THEOLOGICAL SEM
X	14	1203	HASKELL AVE	STEWART WALTON H
	15	4200	BRYAN ST	AT & T CORP
	16	4207	LIVE OAK ST	WRPV XI VUE LO DALLAS LP
	17	4103	SWISS AVE	SWISS AVE PROPERTIES LP
	18	4217	SWISS AVE	SWISS AVENUE BANK

Thursday, December 19, 2013

AGENDA ITEM # 49

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 57 M

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1711 for a vehicle or engine repair or maintenance use and add an outside salvage or reclamation use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 on the east side of C.F. Hawn Freeway, south of Lake June Road

Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions

Z134-114(MW)

Note: This item was considered by the City Council at a public hearing on February 26, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**
ACM: Theresa O'Donnell

FILE NUMBER: Z134-114(MW) **DATE FILED:** October 21, 2013

LOCATION: East side of C.F. Hawn Freeway, south of Lake June Road

COUNCIL DISTRICT: 5 **MAPSCO:** 57-M

SIZE OF REQUEST: ±0.69 acre **CENSUS TRACT:** 93.03

OWNER/APPLICANT: Gerardo Tinoco

REPRESENTATIVE: B. Rios

REQUEST: An application to renew and amend Specific Use Permit No. 1711 for a vehicle or engine repair or maintenance use and to add an outside salvage or reclamation use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1.

SUMMARY: The applicant proposes to continue the operation of the existing vehicle or engine repair or maintenance use and to add an outside salvage or reclamation component to allow for the storage of plastic bumper covers.

CPC RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing vehicle or engine repair or maintenance use is compatible with the surrounding land uses. The addition of the an outside salvage or reclamation use is in the location depicted on the site plan will not impact compatibility because it will not be visible from the street frontage and will be screened from the adjacent properties. Per the Dallas Development Code, objects may not be stacked higher than eight feet within 40 feet of the visual screen.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing vehicle or engine repair or maintenance use provides a service to this area of the City and does not appear to negatively impact to the adjacent properties. The addition of the an outside salvage or reclamation use is not anticipated to negatively impact to the adjacent properties since it is consistent with the established development pattern in this area of the city.

3. *Not a detriment to the public health, safety, or general welfare* – The existing and proposed uses are considered compatible with adjacent land uses, which are of the same type, and are not considered detrimental to the public health, safety, or general welfare of the city.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the proposed site plan, the request complies with all applicable zoning regulations and standards.

BACKGROUND INFORMATION:

- The request site is developed with a ±10,800-square foot single-story structure currently utilized for vehicle repair and maintenance.

- On March 28, 2001, the City Council approved SUP No. 1441 for a vehicle or engine repair and maintenance use on the site for a two-year and three-month period.

- On September 22, 2004, the City Council approved SUP No. 1564 for vehicle display, sales and service, vehicle or engine repair and maintenance and auto service center uses on the site for a two-year period with eligibility for automatic renewal for additional two-year periods. The SUP was not renewed.

- On October 26, 2011, the City Council approved the renewal of SUP No. 1711 for a vehicle or engine repair or maintenance use on the site for a two-year period. City Council previously approved the SUP on May 28, 2008.

Zoning History:

1. Z112-207: On August 8, 2001, the City Council approved a Specific Use Permit for a Machinery, heavy equipment, or truck sales and service use for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
CF Hawn Freeway	Freeway	Variable

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined it will not significantly impact the surrounding street system.

Surrounding Land Uses:

	Zoning	Land Use
North	PDD No. 533, Subdistrict 2	Auto-related
East	CS with SUP 1430	DART Station
South	PDD No. 533, Subdistrict 3	Auto-related
West	PDD No. 533, Subdistrict 3	CF Hawn Right-of Way

Area Plan:

The request site is within the boundary of the Southeast Dallas Comprehensive Land Use Study, which was adopted by the City Council in December 1996. The study makes very specific recommendations for the area inclusive of the request site that include, “retain industrial uses, and require landscape and architectural buffers to minimize impact on areas along C.F. Hawn Freeway.”

Comprehensive Plan:

The request site lies within a Transit Center Building Block. Transit centers support a compact mix of employment, retail, cultural facilities and housing. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area. These areas offer dense mixed use at the transit station and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences.

The applicant's proposal is not consistent with the following goal and policy of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development.

Policy 1.1.5: Use Vision Building Blocks as a general guide for desired development patterns

The request is not consistent with the dense, mixed use development desired in the Transit Center Building Block. However, the applicant proposes to continue an existing use. The existing vehicle or engine repair or maintenance use and the proposed outside salvage or reclamation use are both consistent with the established development pattern along CF Hawn Freeway, which consists, predominantly, of auto-related uses. A three-year time period for the amended Specific Use Permit would allow reevaluation for changes in the area.

STAFF ANALYSIS:

Land Use Compatibility:

The Dallas Development Code requires a visual screen of at least nine feet in height which consists of solid masonry, concrete, or corrugated sheet metal wall, or a chain link fence with metal strips through all links. The owner of an outside salvage or reclamation use shall not stack objects higher than eight feet within 40 feet of the visual screen. These provisions will ensure compatibility with the surrounding 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.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for the vehicle or engine repair or maintenance and outside salvage or reclamation uses is one space per 500 square feet of floor area with a minimum of 5 spaces required. Therefore, the ±10,800-square foot structure requires 22 spaces. As depicted on the site plan, 38 spaces are provided.

Landscaping:

PDD No. 533, Subdistrict 3 contains specific landscape regulations that address parkway, site area and font yard strip landscaping areas in conjunction with new development. The applicant is not proposing any additional floor area; therefore, additional landscaping is not required. Landscaping of any future development will be in accordance to PDD No. 533, the C.F. Hawn Special Purpose District.

CPC Action: January 23, 2013:

Motion: It was moved to recommend approval of the renewal of and an amendment to Specific Use Permit No. 1711 for a vehicle or engine repair or maintenance use and add an outside salvage or reclamation use for a three-year period, subject to conditions on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 on the east side of C.F. Hawn Freeway, south of Lake June Road.

Maker: Ridley
Second: Soto
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Hinojosa
Vacancy: 0

Notices:	Area:	200	Mailed:	9
Replies:	For:	1	Against:	0

Speakers: None

Z134-114
Existing/Proposed Conditions

1. USE: The only uses authorized by this specific use permit ~~is~~ are a vehicle or engine repair or maintenance use and an outside salvage or reclamation use.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit automatically terminates on ~~October 26, 2013.~~ [~~two~~ three years from the passage of this ordinance].

4. LANDSCAPING: Landscaping must be provided as shown on the site plan and maintained in a healthy, growing condition.

5. DAYS OF OPERATION: The vehicle or engine repair or maintenance use and outside salvage or reclamation use may only operate Monday through Saturday.

6. FLOOR AREA: The maximum floor area for both uses is 10,800 square feet in the location shown on the attached site plan.

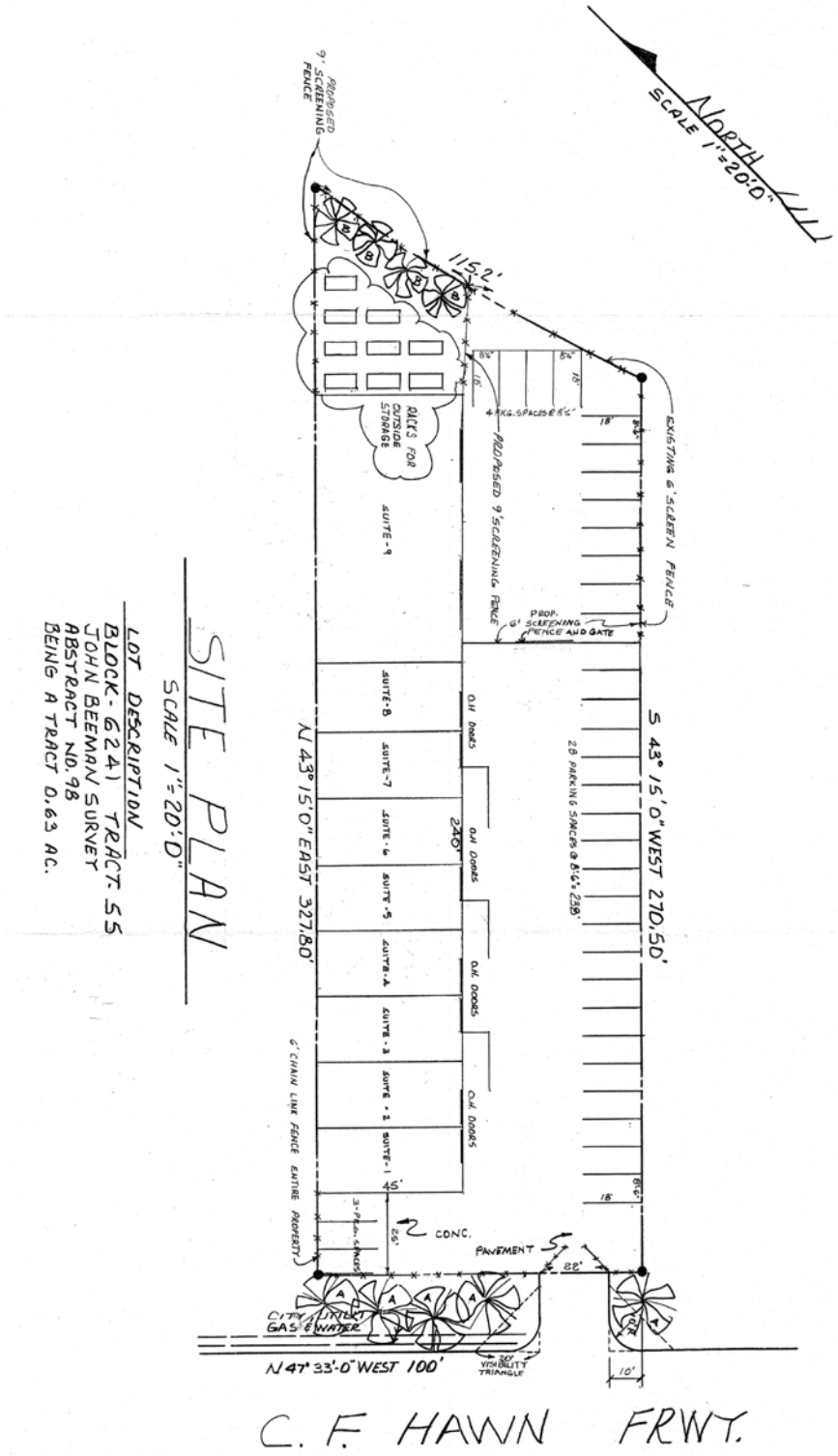
7. OFF-STREET PARKING: A minimum of 28 off-street parking spaces must be provided in the locations shown on the attached site plan.

~~8. OUTSIDE STORAGE: Outside storage of items related to vehicle or engine or repair or maintenance is prohibited.~~

9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Site Plan



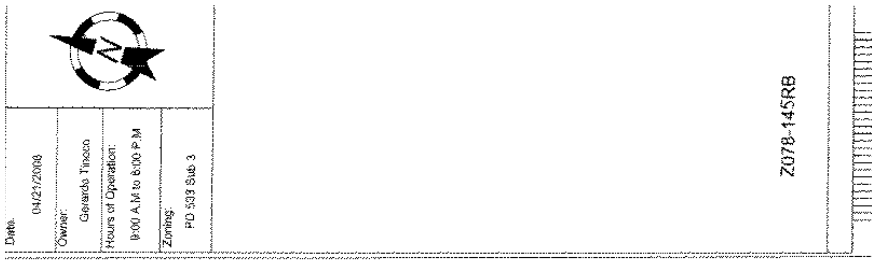
SITE PLAN

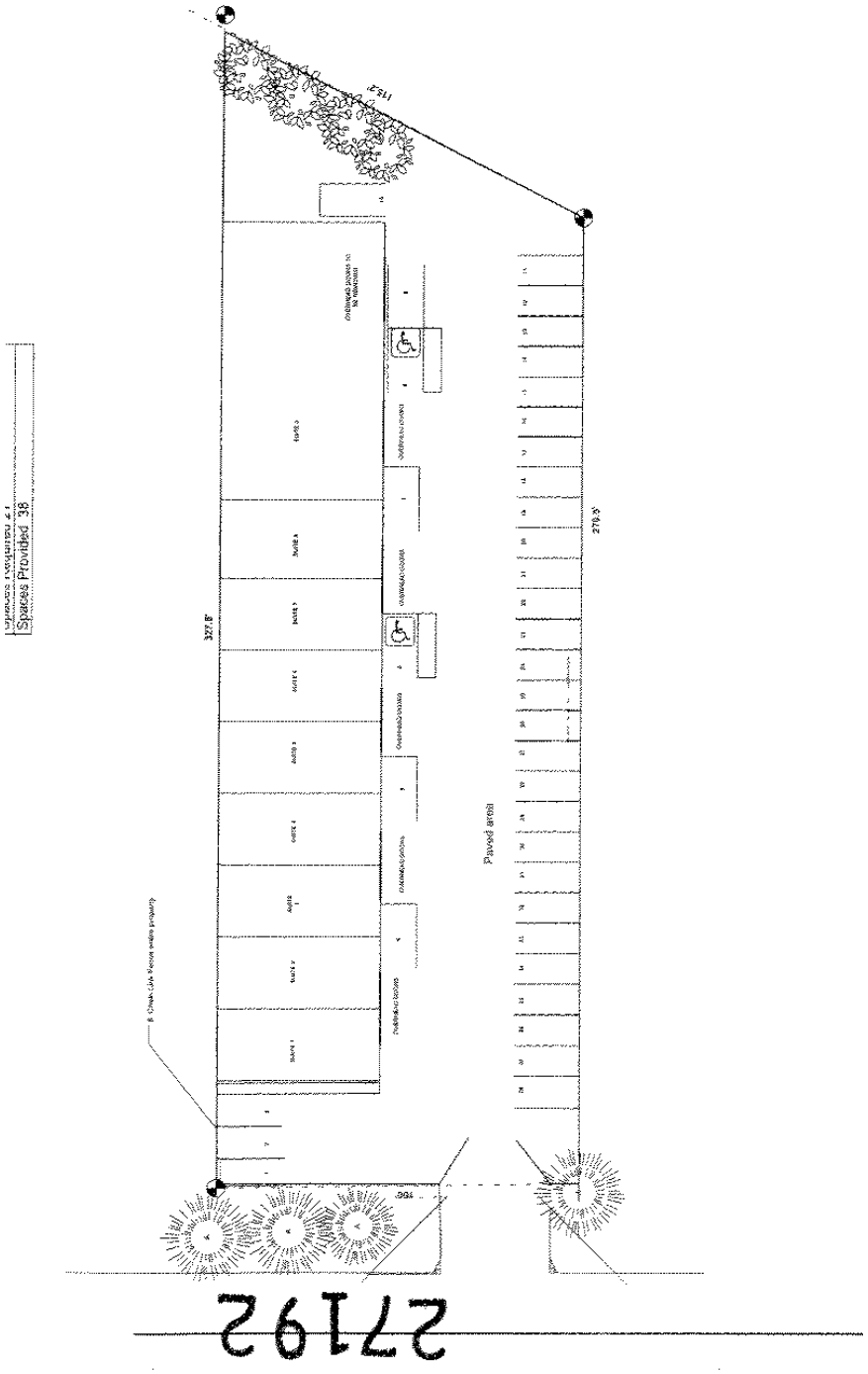
SCALE 1"=20'-0"

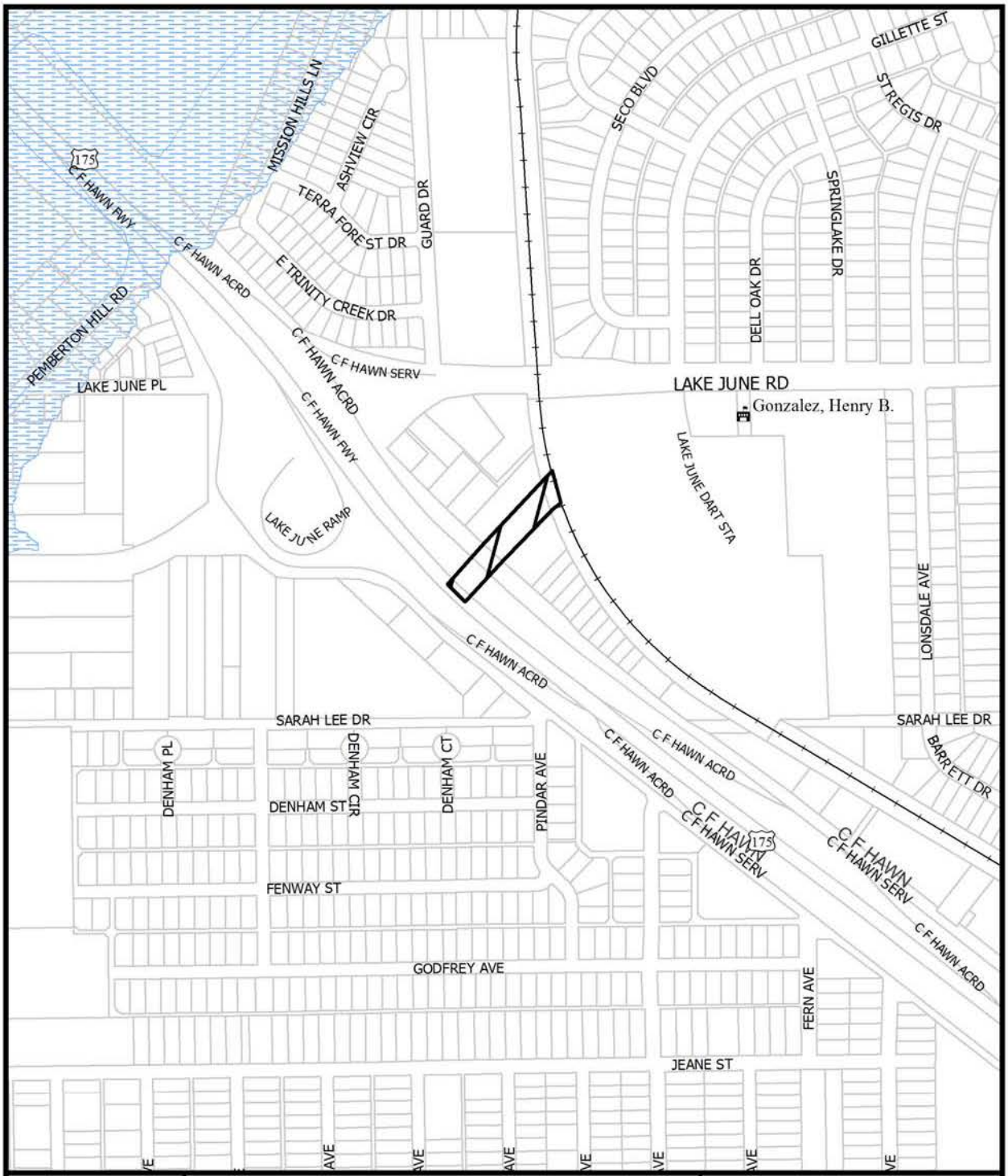
LOT DESCRIPTION

BLOCK-6241 TRACT 55
JOHN BEEMAN SURVEY
ABSTRACT NO. 98
BEING A TRACT 0.63 AC.

Existing Site Plan







1:6,000

VICINITY MAP

Case no: Z134-114

Date: 11/21/2013

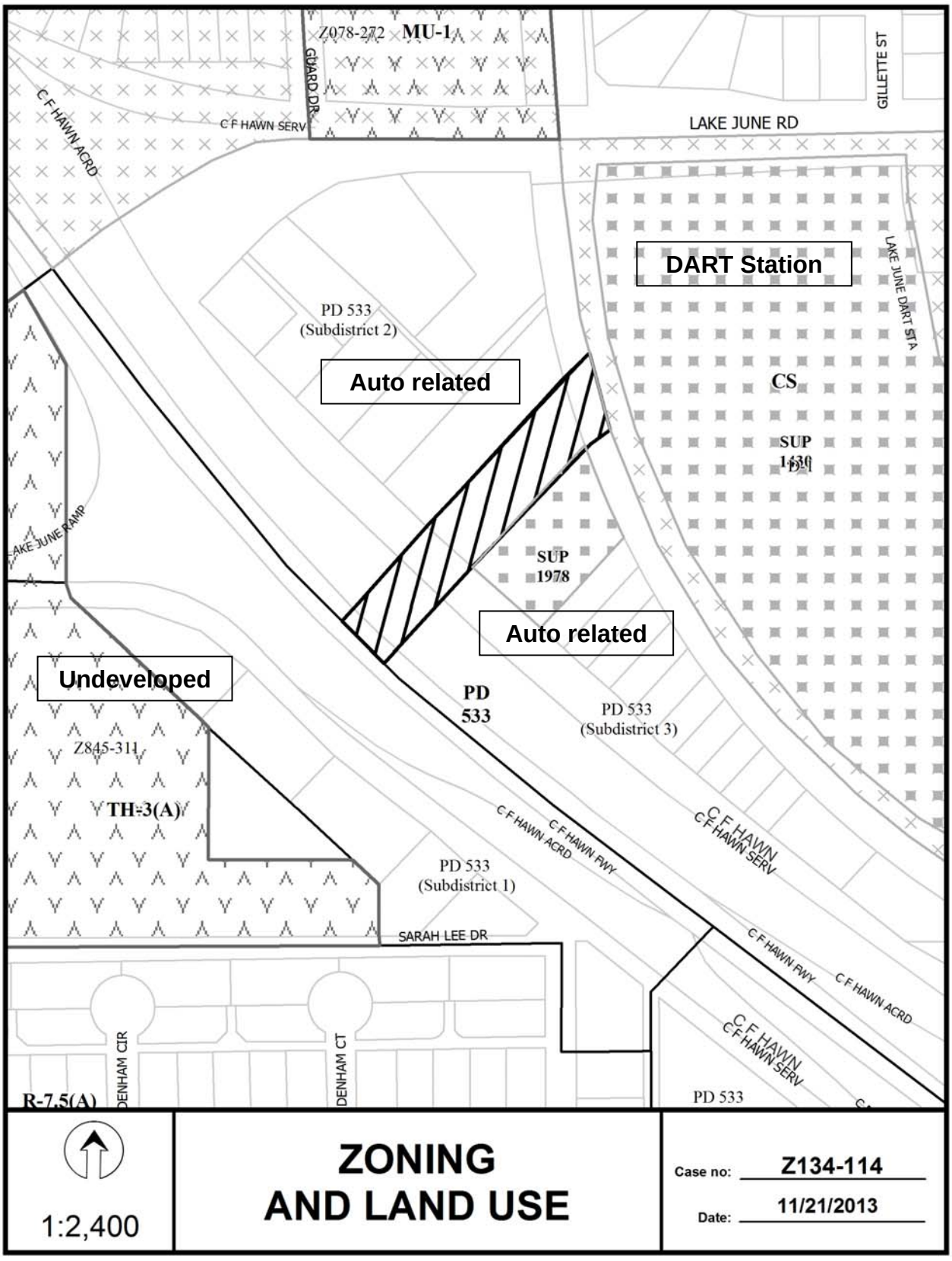


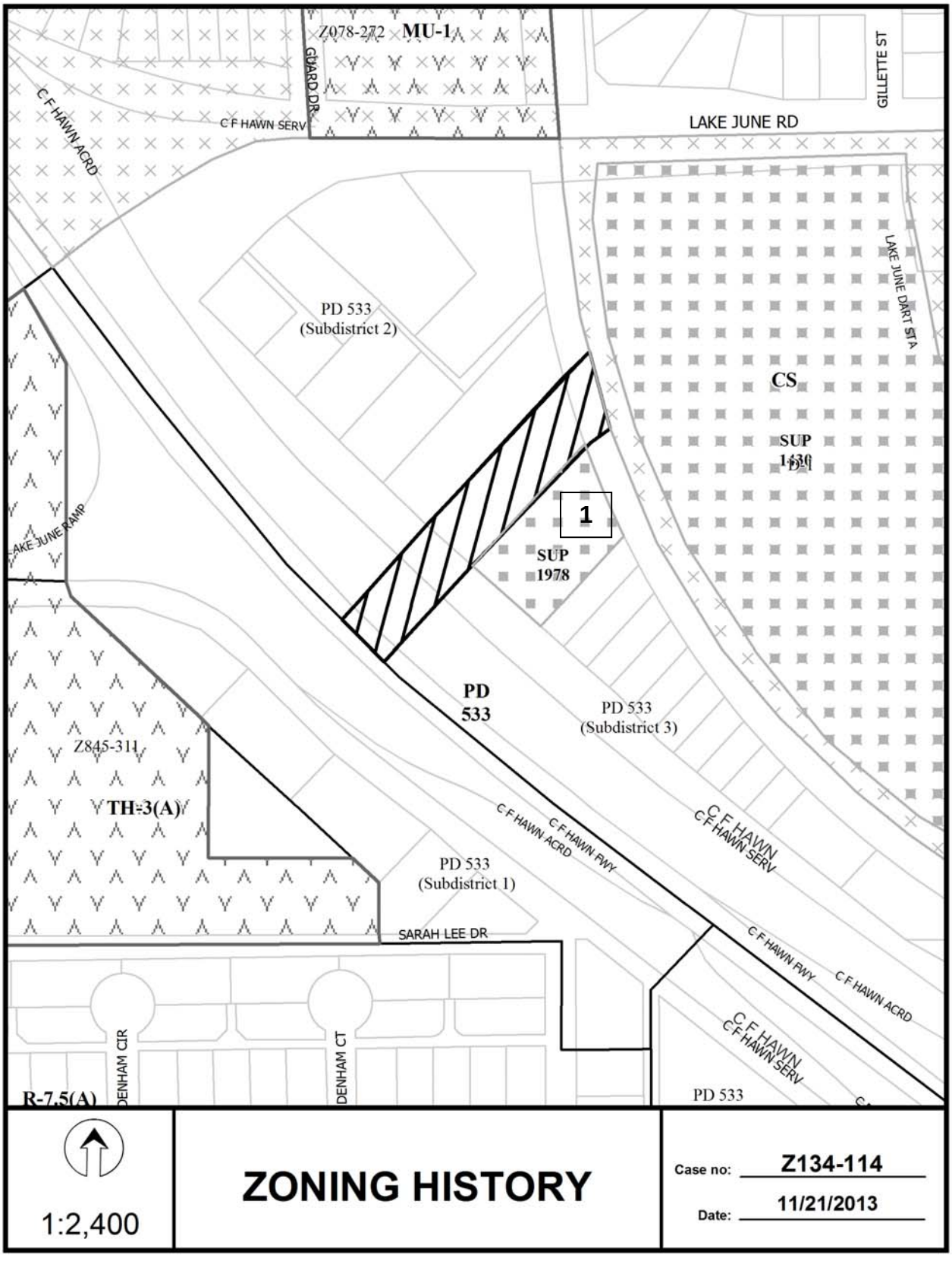
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AERIAL MAP

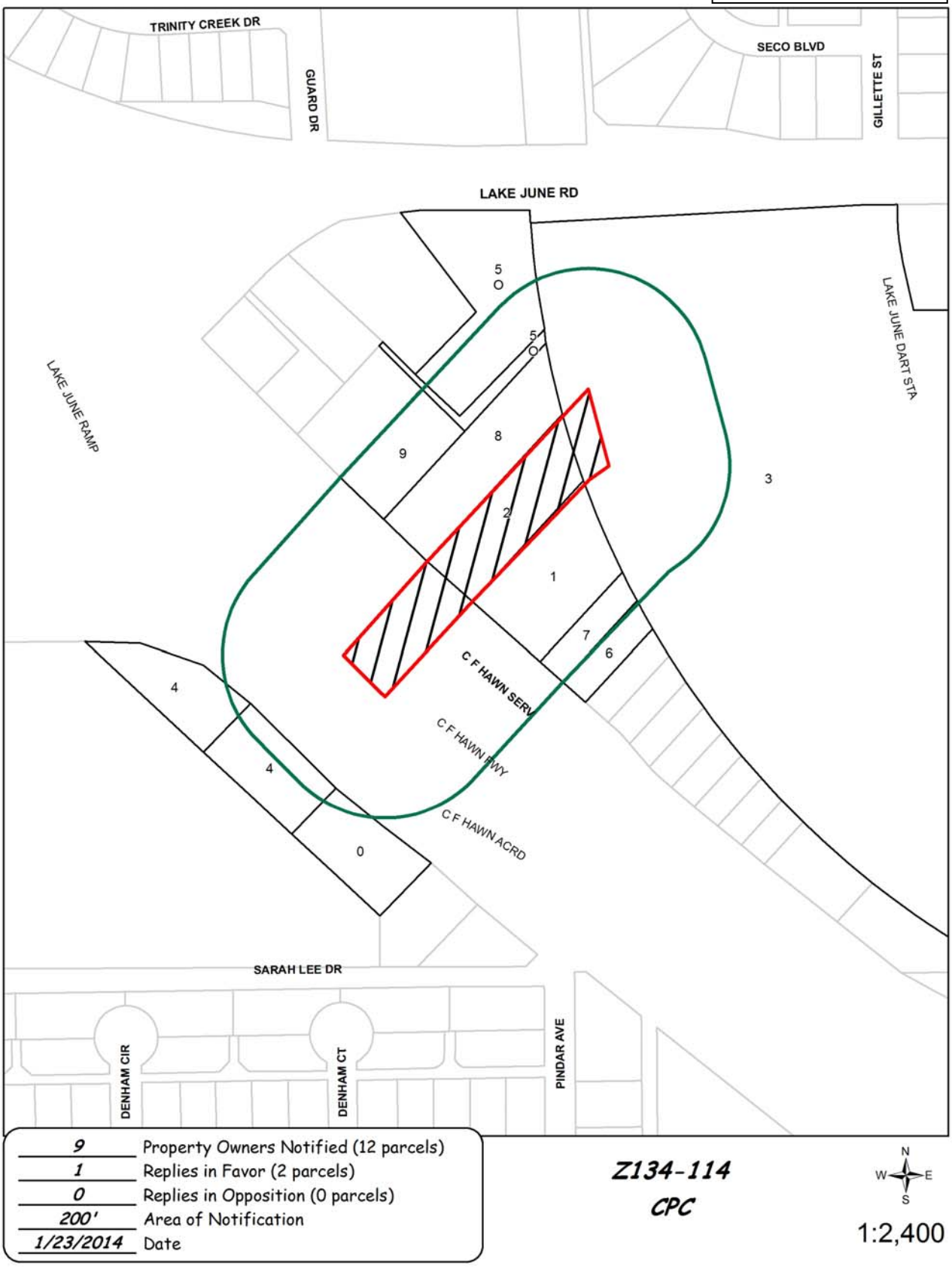
Case no: Z134-114

Date: 11/21/2013


Z078-272
MU-1
GUARD DR
C F HAWN ACRD
C F HAWN SERV
LAKE JUNE RD
GILLETTE ST
DART Station
LAKE JUNE DART STA
PD 533
(Subdistrict 2)
Auto related
CS
SUP
1430
SUP
1978
Auto related
Undeveloped
PD
533
PD 533
(Subdistrict 3)
Z845-311
TH-3(A)
C F HAWN ACRD
C F HAWN FWY
C F HAWN
C F HAWN SERV
PD 533
(Subdistrict 1)
SARAH LEE DR
C F HAWN FWY
C F HAWN ACRD
C F HAWN
C F HAWN SERV
DENHAM CIR
DENHAM CT
R-7.5(A)
PD 533
1:2,400
ZONING
AND LAND USE
Case no: Z134-114
Date: 11/21/2013


Z078-272
MU-1
GUARD DR
C F HAWN SERV
C F HAWN ACRD
LAKE JUNE RD
GILLETTE ST
LAKE JUNE DART ST A
PD 533
(Subdistrict 2)
CS
SUP
1430
1
SUP
1978
LAKE JUNE RAMP
PD
533
PD 533
(Subdistrict 3)
Z845-311
TH-3(A)
C F HAWN ACRD
C F HAWN FWY
C F HAWN
C F HAWN SERV
PD 533
(Subdistrict 1)
SARAH LEE DR
C F HAWN FWY
C F HAWN ACRD
C F HAWN
C F HAWN SERV
DENHAM CIR
DENHAM CT
R-7.5(A)
PD 533
1:2,400
ZONING HISTORY
Case no: Z134-114
Date: 11/21/2013

CPC Responses



Notification List of Property Owners

Z134-114

9 Property Owners Notified 0 Property Owners Opposed 1 Property Owner in Favor

Vote	*Label #*	*Address*		*Owner*
	1	6426	C F HAWN FWY	HERDEZ TRUCKING CO
	2	6414	C F HAWN FWY	TINOCO GERARDO
	3	6414	LAKE JUNE RD	DALLAS AREA RAPID TRANSIT
	4	6361	C F HAWN FWY	MARTINEZ JOSE J JR &
O	5	6312	LAKE JUNE RD	REYES GERARDO
	6	6436	C F HAWN FWY	BRYANT VEDA
	7	6434	C F HAWN FWY	ETHRIDGE CINDY TR
	8	6406	C F HAWN FWY	HENDERSON BILLY J
	9	6356	C F HAWN FWY	BROWN RICHARD E

AGENDA ITEM # 50

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 34 V; Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property bounded by Hartford Street, Hawthorne Avenue, Fairmount Street west of Kings Road, and Kings Road north of Fairmount Street

Recommendation of Staff and CPC: Approval, subject to a development plan and conditions

Z123-326(RB)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-326(RB) **DATE FILED:** June 28, 2013

LOCATION: Property bounded by Hartford Street, Hawthorne Avenue, Fairmount Street west of Kings Road, and Kings Road north of Fairmount Street

COUNCIL DISTRICT: 2 **MAPSCO:** 34 V, Z

SIZE OF REQUEST: Approx. 12.603 Acres **CENSUS TRACT:** 4.04

APPLICANT/OWNER: Dallas Housing Authority

REPRESENTATIVE: Karl Crawley

REQUEST: An application for a Planned Development Subdistrict for MF-2 Multiple Family 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 applicant is proposing to develop the property with multiple family uses and is requesting a Planned Development Subdistrict for consideration of the following: 1) to provide for a reduction in required parking for a multiple family use; 2) to permit off-street parking within a required front yard setback; and 3) to provide alternative tree planting zone requirements.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to a development plan and conditions with retention of the existing deed restrictions based upon:

1. *Performance impacts upon surrounding property* – As a proposed residential development, impact on adjacent properties of similar land use (lighting, noise, odor) are not anticipated.

2. *Traffic impact* – The proposed development will create trip generations generally expected for a residential development. The site possesses four street frontages, thus access to/from the property is not restricted.

3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area. Additionally, the request as recommended in the attached conditions complies with the Oak Lawn Special Purpose District and Oak Lawn Plan criteria for redevelopment.

4. *Justification for New Subdistrict as opposed to existing zoning* – The applicant's requested reduction in required parking has been substantiated by review of their parking demands for similar projects in the city.

BACKGROUND INFORMATION:

- The property was previously developed with multiple family uses.
- The applicant has removed all improvements on the property and plans on redeveloping it with 366 multiple family dwelling units.
- The applicant is requesting a PDS for consideration of the following: 1) to provide for a reduction in required parking for a multiple family use; 2) to permit off-street parking within a required front yard setback; and 3) to provide alternative tree planting zone requirements.

Zoning History: Other than noted below, there has been no recent zoning activity in the immediate area relevant to the request.

Street	Existing & Proposed ROW
Hartford Street	Local; 50' ROW

Hawthorne Avenue	Local; 50’ ROW
Fairmount Street	Local; 50’ ROW
Kings Road	Local; 50’ ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined it will not impact the surrounding street system.

STAFF ANALYSIS

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.
(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
(7) To promote landscape/streetscape quality and appearance.

The applicant has worked with staff to address the redevelopment of the property with consideration of the above referenced criteria. With respect to the agreed upon design criteria, the proposed development is anticipated to comply with Objective Nos. 1, 4, 6, and 7. As the applicant is proposing surface parking areas, compliance with Objective No. 3 is not achieved. It should be noted the majority of parking is internal to the site with the residential structures wrapping the site at its perimeter. Lastly, Objective Nos. 2 and 5 are not applicable to the request.

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that

match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

While the proposed housing stock (multiple family structures) is permitted by right, it should be noted the site is wrapped by public rights-of-way and has historically provide for density consistent with that permitted by the underlying zoning.

Land Use Compatibility:

The site possesses four street frontages. Additionally, the applicant is increasing the required front yard setback (from 15 feet to 20 feet) so as to provide for additional open areas along the site's significant street frontages.

The surrounding area is predominantly developed with residential uses of mixed densities and dwelling unit types (single family, duplex, multiple family). Various institutional uses are found south and southeast of the site (church, SUP No. 577 for an Institution of a charitable and philanthropic nature for administrative offices and related facilities for the Dallas Housing Authority).With the exception of a church located at the east corner of Fairmount Street and Kings Road, the site is surrounded by residential uses of mixed densities and construction types (single family, duplex, and multiple family structures).

It should be noted that various planned development subdistricts for multiple family uses have been approved in the immediate area. Attached to this material is a summary of such rezoning activity.

The applicant has worked with staff to require certain design criteria is incorporated into the redevelopment of the property with sensitivities to the residential character of the immediate area. During this process, the applicant and surrounding property owners have had many discussions related to various operational aspects related to this redevelopment. As the site possesses significant frontage along four street frontages, certain design criteria has been recommended to ensure a variety of change is evident along the various facades. Additionally, the conditions will require a review (during the building permit process) of the proposed development for proper design and effective use of the proposed built environment. Examples of such design includes, but not limited to placement of security lighting (both on buildings and in parking lots and amenity areas, placement of stairwells, etc. Attention to this detail of site design can lead to a reduction in the fear of crime and incidence of crime for tenants and visitors,

and to an improvement in their quality of life.

As a result of this analysis, staff supports the applicant's request, subject to the attached development and recommended conditions.

Off-Street Parking: The applicant has requested an alternate off-street parking ratio for the redevelopment; one space per dwelling unit while PDD No. 193 requires one space for each 500 square feet of floor area, with not less than one and no more than two spaces per dwelling unit, with .25 unassigned spaces being available for visitors and residents.

Staff requested a parking analysis and encouraged the applicant to limit the analysis to other projects they developed in the city. A professional traffic engineer was commissioned by the applicant to provide the study.

As noted below, various residential developments owned and operated by the applicant were analyzed with respect to parking demands. Thirteen sample dates between 2009 and 2013 were assessed, with average occupancy of 0.83 spaces/vehicle. The study determined that 95 percent occupancy for each development was maintained during this time period.

Table 2. Peak Parking Demand At Similar DHA Sites

Name of Property (*Location*)	**Dwelling Units**	**Peak Parking Demand***	**Parking per Dwelling Unit**
Little Mexico *3027 Harry Hines Blvd., Dallas, TX*	102	71	0.70
Brackins Village *1544 E. 8th Street, Dallas, TX*	102	85	0.83
Barbara Jordan Square *4700 Country Creek, Dallas, TX*	100	84	0.84
Cedar Glen II *2906 E. Kiest Blvd., Dallas, TX*	150	137	0.93
AVERAGE			**0.83**

For comparison purposes, the following table provides various off-street parking scenarios based on the anticipated development:

DENSITY	PDD 193	PARKING STUDY	PROPOSED
366 du's	727 spaces	304 spaces (.83 space/du)	420 spaces (1 space/du plus 54 visitor spaces)

The attached development plan provides for two ingress/egress points, along the Kings Road and Hawthorne Avenue frontages (both approx. mid-block). As noted, a few spaces on either side of each drive approach are located within the required 20-foot front yard setback. Staff has determined this encroachment is minimal in context with the site's lengthy frontages on these streets, thus supports the location of these spaces in the front yard.

Landscaping: The applicant has had discussions with the city arborist to ensure the landscape requirements of PDD No. 193 will be provided for the development. Special consideration will be been given to maintaining the existence of mature trees along the site's perimeter.

CPC ACTION

(February 6, 2014)

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for MF-1 Multiple Family Uses, subject to a development plan and revised conditions to restrict access to the Kings Road entrance for emergency and pedestrian use only, subject to approval by the Dallas Fire Department and the Engineering Department of Public Works on property zoned an MF-1 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property at the west corner of Hartford Street and Hawthorne Avenue.

Maker: Soto
Second: Shellene
Result: Carried: 14 to 0

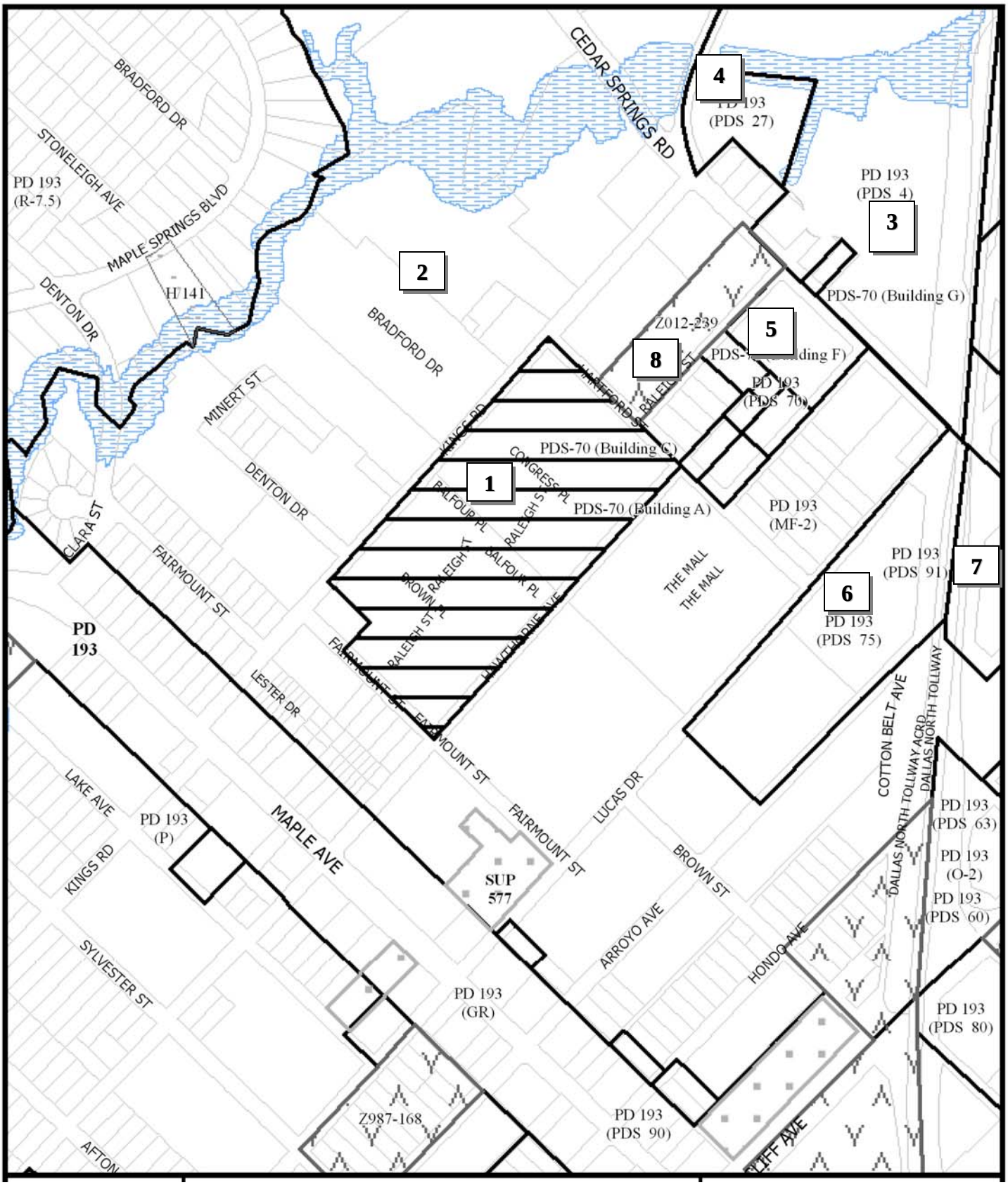
For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Lavallaisaa
Vacancy: 0

Notices: Area: 500 Mailed: 354
Replies: For: 1 Against: 126

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Troy Broussard, 4114 Robin Dr., Grand Prairie, TX, 75052
Against: Michael Harper, 4608 Lester Dr., Dallas, TX, 75219
Steven May, 2727 Kings Rd., Dallas, TX, 75219
Lesley Maturin, 4777 Cedar Springs Rd., Dallas, TX, 75219
Michael Paulus, 4605 Cedar Springs Rd., Dallas, TX, 75219
Jon Harper, 1309 Main St., Dallas, TX, 75202
Don Brunnert, 2787 Kings Rd., Dallas, TX, 75219

ZONING/ MAP NO.	LAND AREA	DENSITY	STRUCTURE HEIGHT	LOT COVERAGE	SPECIAL REGULATIONS
DHA SITE **(1)**	12.6 ACRES	366 DU'S (29/ACRE)	36'	60%	PARKING-1 SPACE PER DU PLUS 54 VISITOR SPACES
TYPICAL MF-2 W/I PDD NO. **(2)**	N/A	TYPICAL DEVELOPMENT-32-38 DU'S/AC	36'	60%	N/A
PDS 4 **(3)**	16.8 ACRES	24 DU'S/AC	42'	NO MAXIMUM	THREE STORIES; PERIMETER FENCING <50% OPEN
PDS 27 **(4)**	2.0 ACRES	101 DU'S (50/AC)	42'	36%	THREE STORIES
PDS 70 **(5)**	3.32 ACRES	125 DU'S (38/AC)	38' AND 58'	70%	THREE AND FOUR STORIES
PDS 75 **(6)**	6.09 ACRES	399 DU'S (66/AC)	65' (HIGHEST POINT)	70%	ONE SPACE/BR OR 1.5 SPACES/DU WHICHEVER IS GREATER,
PDS 91 **(7)**	1.9 ACRES	180 DU'S (90/AC)	33'-68'	86%	1.7 SPACES/DU, WHICH INCLUDES .25 SPACE/DU FOR GUESTS
DEED RESTRICTED MF-2 Z012-239 **(8)**	2.2 ACRES	SEE MF-2, ABOVE	36'	60%	ONE SPACE/500 SF, WITH NOT LESS THAN ONE SPACE NOR GREATER THAN 2 SPACES/DU, PLUS .25 SPACE/DU FOR GUESTS


CEDAR SPRINGS RD
BRADFORD DR
STONELEIGH AVE
PD 193 (R-7.5)
MAPLE SPRINGS BLVD
H141
DENTON DR
MINERT ST
CLARA ST
FAIRMOUNT ST
PD 193
LESTER DR
LAKE AVE
KINGS RD
PD 193 (P)
MAPLE AVE
SYLVESTER ST
AFTON
SUP 577
PD 193 (GR)
Z987-168
PD 193 (PDS 90)
LUCAS DR
ARROYO AVE
BROWN ST
HONDO AVE
CLIFF AVE
COTTON BELT AVE
DALLAS NORTH TOLLWAY ACRD
DALLAS NORTH TOLLWAY
PD 193 (PDS 63)
PD 193 (O-2)
PD 193 (PDS 60)
PD 193 (PDS 80)
PD 193 (PDS 75)
PD 193 (PDS 91)
PD 193 (MF-2)
THE MALL
THE MALL
PDS-70 (Building A)
PDS-70 (Building C)
PDS-70 (Building G)
PD 193 (PDS 27)
PD 193 (PDS 4)
PD 193 (PDS 70)
Z012-239
HARTFORD ST
RALEIGH ST
KINGS RD
CONGRESS PL
BALFOUR PL
BROWN PL
LAWTHORNE AVE
1
2
3
4
5
6
7
8

DALLAS HOUSING AUTHORITY

Board of Commissioners
Terdema Ussery, Chair
Pedro Aguirre, Vice Chair
Steven Stamos, Member
Mayela Lopez, Member
John Gates, Member

MaryAnn Russ, President and CEO
Troy Broussard, Senior Vice President and COO
Sam Grader, Vice President
Chetana Chaphekar, Chief Financial Officer

CPC RECOMMENDED CONDITIONS

PD

"Division S-__. PD Subdistrict __.

SEC. S-__.101. LEGISLATIVE HISTORY.

PD Subdistrict __ was established by Ordinance No. _____, passed by the Dallas City Council on _____. Ordinance No. _____ amended Ordinance No. 21859, PD 193 (the Oak Lawn Special Purpose District), as amended, and Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended.

SEC. S-__.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict __ is established on property generally located in the area bounded by Kings Road, Hartford Street, Hawthorne Avenue, and Fairmount Street. The size of PD Subdistrict __ is approximately 12.6 acres.

SEC. S-__.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls. In this division:

(b) In this division:

(1) SUBDISTRICT means a subdistrict of PD No. 193.

(2) ADMINISTRATIVE/OFFICE means areas customarily incidental to the management and operations for a multiple family use.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This Subdistrict is considered to be a residential zoning subdistrict.

SEC. S-_____.104. DEVELOPMENT PLAN.

(a) For a multiple family use, development and use of the Property must comply with the development plan (Exhibit S- A).

(c) For all 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, development schedule, and landscape plan do not apply.

SEC. S-_____.104.1 MINOR AMENDMENT TO DEVELOPMENT PLAN.

(a) In general. Except as provided in this section, amendments to a development plan must comply with Section 51A-4.702(h) of the Dallas Development Code, as amended.

(b) Multiple family use. For a multiple family use, any amendment to the improvements identified in the Internal Administrative and Amenity Area on the development plan may be approved by the Director as outlined in Section 51A-4.702(h)(2)(A), except that 51A-4.702(h)(2)(A)(ii)(aa) does not apply.

SEC. S-__.105. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this Subdistrict are those main uses permitted in the MF-2 Multiple Family Subdistrict, subject to the same conditions applicable in the MF-2 Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-2 Subdistrict only by specific use permit (SUP) is permitted in this Subdistrict only by SUP; a use subject to development impact review (DIR) in the MF-2 Subdistrict is subject to DIR in this Subdistrict; etc.

(b) Administration/office.

(c) Community center (private). *[only as a limited use for a multiple family use].*

SEC. S-__.106. ACCESSORY USES.

(a) 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 Part I of this article. For more information regarding accessory uses, consult PD 193.

(b) In this district, the following accessory uses are not permitted:

- Private stable.
- Amateur communication tower.
- Outside storage.

SEC. S-__.107. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. In the event of 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.

(b) Front yard. For a multiple family use, minimum front yard is 20 feet. Off-street parking is permitted in the front yard.

(c) Density. Maximum number of dwelling units is 366.

(d) Floor Area. Except as provided in this section, no maximum floor area.

(1) For a multiple family use, maximum floor area for administrative/office is 2,800 square feet.

(2) For a multiple family use, maximum floor area for a community center (private) use is 2,850 square feet.

SEC. S-__.108. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking/loading requirements for each use. Consult the off-street parking and loading regulations of PD 193 for information regarding off-street parking and loading generally with the following exceptions:

(b) For a multiple family use, one space per dwelling unit with not less than 420 spaces.

(c) For a community center (private) use, no off-street parking is required.

(d) For administrative/office, no off-street parking is required.

SEC S-__ 109. DESIGN STANDARDS FOR STREET FRONTAGES.

(a) Purpose. Continuous facades along pedestrian-oriented streets often have negative impacts on community aesthetics, pedestrian circulation, and the scale and rhythm of streetscapes. These design standards are intended to ensure that continuous facades that are located along well-traveled pedestrian ways are compatible with the surrounding area and mitigate the negative impact of continuous facades, while allowing creativity, flexibility, and variety in design.

(b) Facades.

(1) Street facing facades must be similar to and compatible with the architectural design of other street-facing facades on the same block face.

(2) Street facing facades exceeding 50 feet in length must have two of the following elements. Street facing facades exceeding 100 feet in length must have four of the following elements.

(A) Change in plane, such as an offset, reveal, recess or projection. Changes in plane must have a width of no less than 24 inches, a depth of at least eight inches, and may include columns, planted, arches, or niches.

(B) Architectural details such as raised bands, balconies, projected or bay windows, and cornices.

(C) Architecturally prominent public entrance.

(D) Attached tower or turret.

(E) Awnings.

(F) Change in color.

(G) Change in material.

(H) Change in texture.

(I) Change in height of at least 10 feet while complying with the maximum structure height.

(c) Materials and colors.

(1) No more than 80 percent of the area of a street façade wall, exclusive of fenestration, may consist of a single color.

(2) A minimum of 80 percent of the exterior wall material, excluding doors, and windows and recessed or projected areas for porches, balconies and/or entries, of facades facing a public street must be a masonry material, including but not limited to brick, stone stucco or fiber cement exterior cladding material.

SEC S-__.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) In general. Except as provided in this section, see Article VI for environmental standards.

(b) Outdoor lighting. Outdoor lighting sources and fixtures must comply with the following requirements:

(1) Light sources.

(A) Only incandescent, fluorescent, metal halide, LED, or color corrected high-pressure sodium may be used.

(B) Light sources must be indirect, diffused, and covered by fixtures that prevent spillover light onto abutting lots.

(2) Light fixtures.

(A) Except as provided in this paragraph, Section 51A-4.301(e) applies to light fixtures used in off-street parking areas. Light fixtures in off-street parking areas may not exceed 30 feet in height.

(B) Along sidewalks in pedestrian areas, light fixtures must be a minimum of nine feet in height and a maximum of 15 feet in height.

(C) Light fixtures attached to buildings may not project light above the roof line and must be shielded.

(D) Entrances to multiple family uses must be lighted beginning at dusk and continuing until dawn.

SEC. S-__.110. LANDSCAPE AND STREETSCAPE.

(a) Except as provided in this section, landscaping and sidewalks must be provided in accordance with Part 1 of PDD 193.

(b) TREE PLANTING ZONE means that area parallel to and between two and one-half feet and 20 feet from the projected back of curb.

(c) Except as provided in this subsection, required trees in the tree planting zone must be provided at one tree for each 50 feet of street frontage.

(1) Existing trees in the parkway and in the required front yard located as shown on the attached development plan may be counted towards the requirement for required trees in the tree planting zone.

(2) If more than 25 percent of the number of existing trees for a street frontage are removed, then the required number of trees provided in the tree planting zone for that particular street frontage must be provided at one tree for each 25 feet of street frontage.

(d) A ~~six-foot wide~~ sidewalk with a minimum four-feet of unobstructed width must be provided along all street frontages. Tree grates are not required for the existing trees located in the parkway and in the required front yard located as shown on the attached development plan. Tree grates for new trees do not count toward the minimum unobstructed sidewalk width.

(e) Plant materials must be maintained in a healthy, growing condition.

SEC. S-__.111. SIGNS

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. S-____.112.

ADDITIONAL PROVISIONS.

(a) General maintenance. The Property must be properly maintained in a state of good repair and neat appearance.

(b) Compliance with all other laws. Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Compliance with Part I. Except as otherwise provided in this division, development and use of the Property must comply with Part I of this article.

(d) Crime Prevention Through Environmental Design. Principles of Crime Prevention Through Environmental Design (CPTED) must be integrated to the maximum extent possible for all construction requiring a building permit. A copy of the CPTED manual may be obtained in the Department of Sustainable Development and Construction, or contact the Building Official Plans Examiner for information on CPTED review standards.

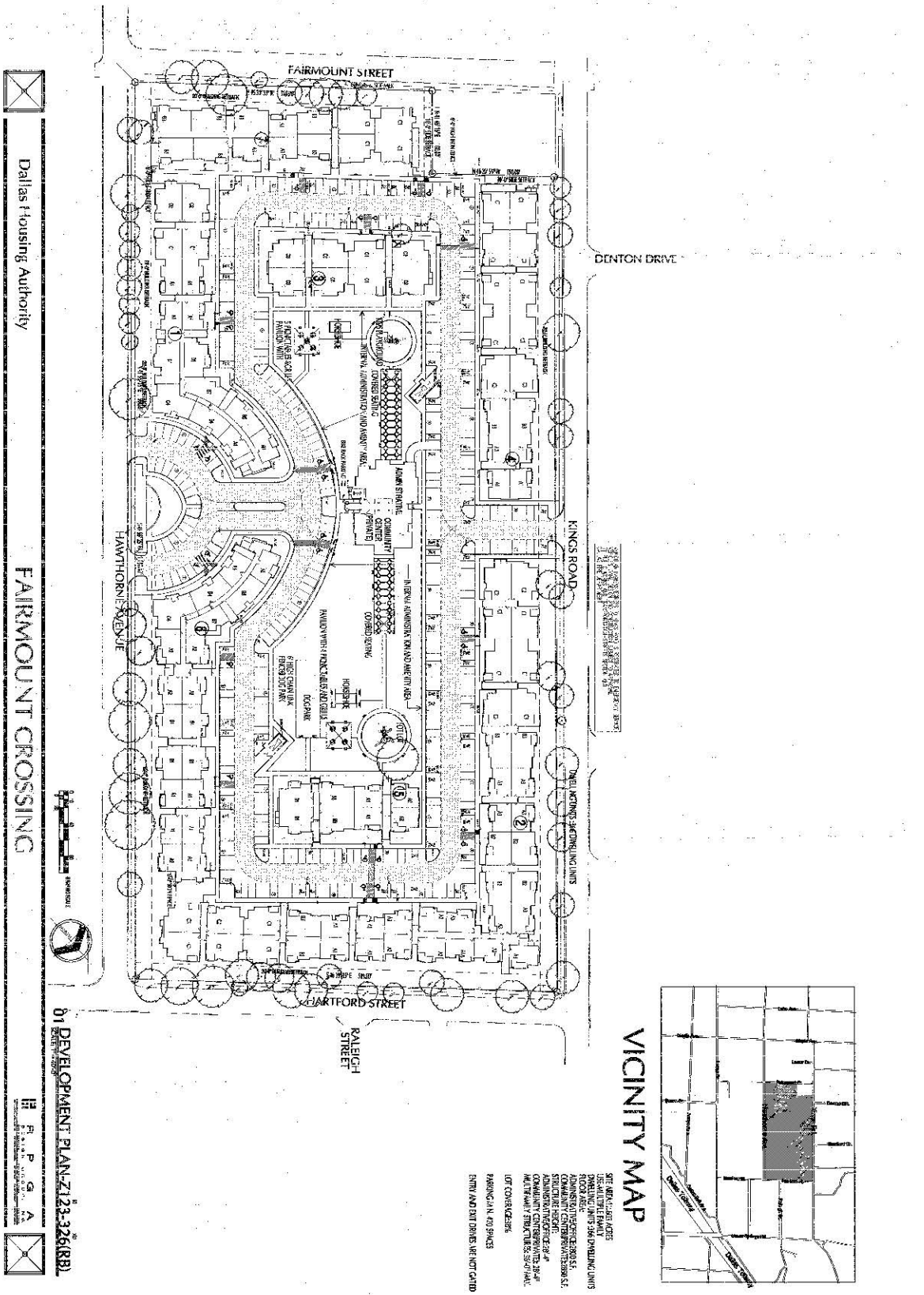
(e) Vehicular ingress and egress along Kings Road is restricted to emergency service vehicles. Final design and construction for emergency access gates is subject to approval by Public Works and Transportation-Streets Section, and the Dallas Fire Department.

SEC. S-__.113. PAVING.

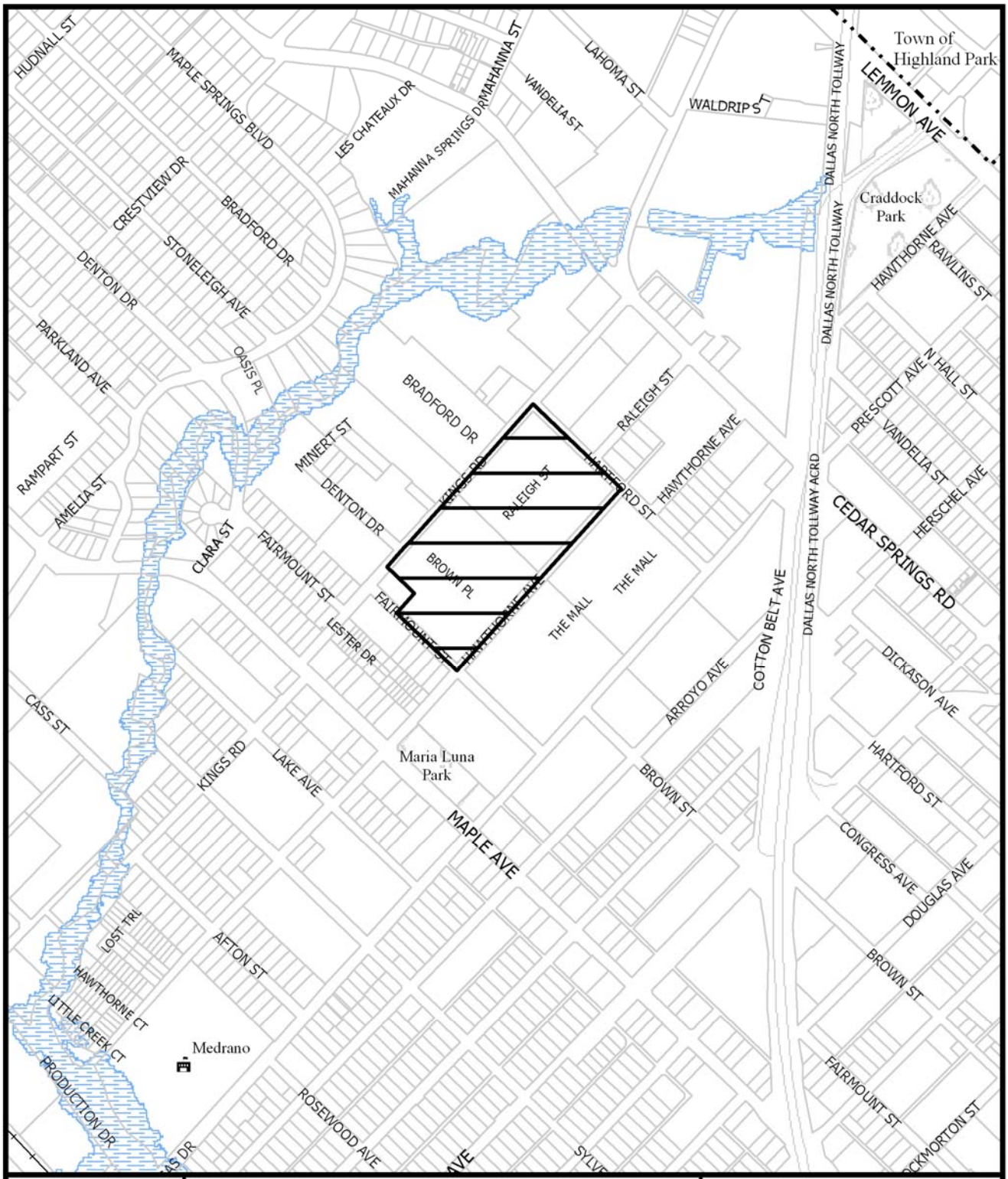
All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

SEC. S-__.114. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or a certificate of occupancy for a use in this Subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.



Proposed Development Plan

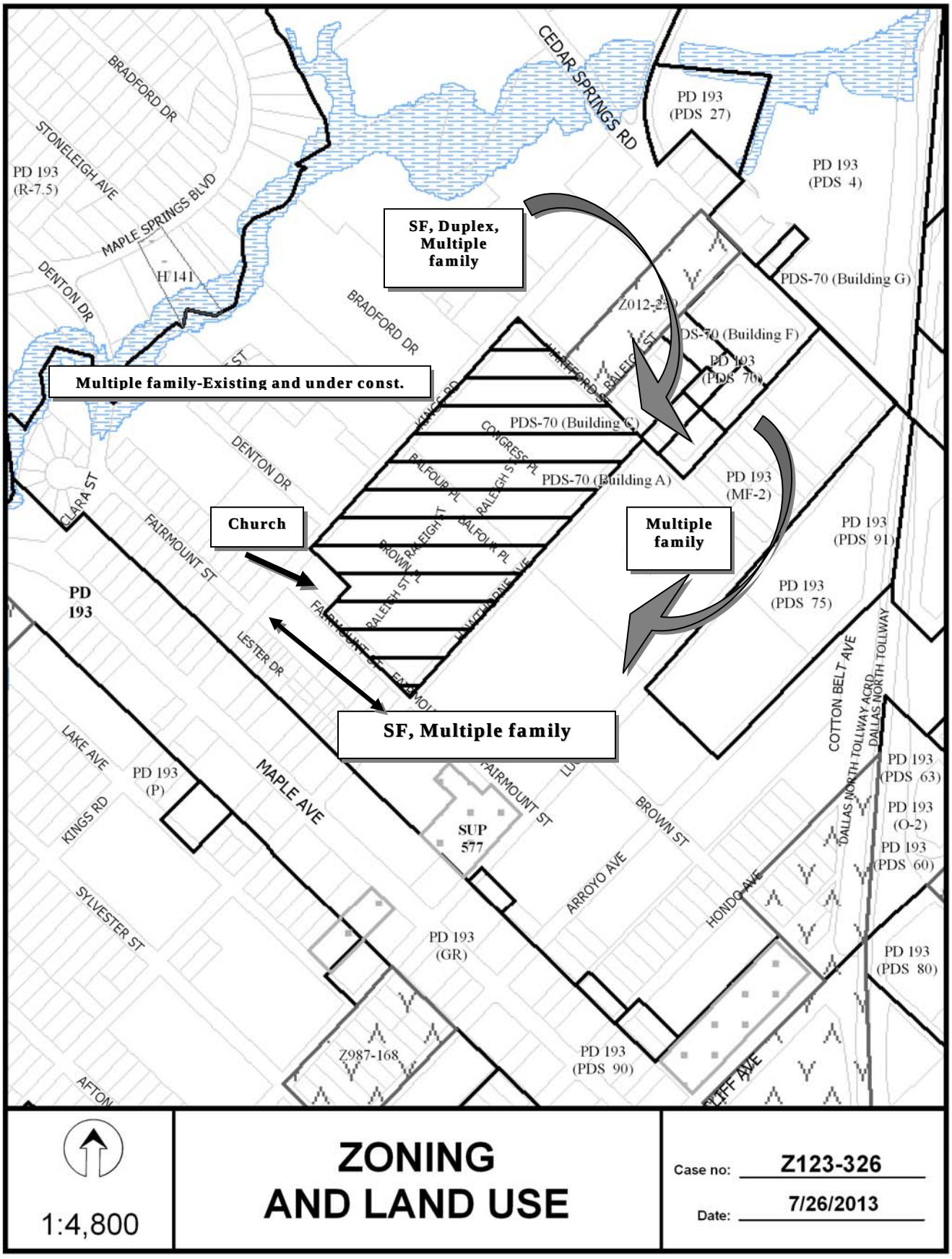


1:7,200

VICINITY MAP

Case no: Z123-326

Date: 7/26/2013


SF, Duplex, Multiple family
Multiple family-Existing and under const.
Church
Multiple family
SF, Multiple family
PD 193 (PDS 27)
PD 193 (PDS 4)
PD 193 (R-7.5)
PDS-70 (Building G)
PDS-70 (Building F)
PDS-70 (Building C)
PDS-70 (Building A)
PD 193 (MF-2)
PD 193 (PDS 91)
PD 193 (PDS 75)
PD 193 (PDS 63)
PD 193 (O-2)
PD 193 (PDS 60)
PD 193 (PDS 80)
PD 193 (P)
PD 193 (GR)
PD 193 (PDS 90)
PD 193
SUP 577
Z012-23
Z987-168
CEDAR SPRINGS RD
BRADFORD DR
STONELEIGH AVE
MAPLE SPRINGS BLVD
DENTON DR
CLARA ST
FAIRMOUNT ST
LESTER DR
LAKE AVE
KINGS RD
MAPLE AVE
SYLVESTER ST
BROWN ST
ARROYO AVE
HONDO AVE
COTTON BELT AVE
DALLAS NORTH TOLLWAY
DALLAS NORTH TOLLWAY ACRD
HARTFORD ST
CONGRESS PL
BALFOUR PL
RALEIGH ST
HAMILTON AVE
1:4,800
ZONING AND LAND USE
Case no: Z123-326
Date: 7/26/2013

CPC RESPONSES

Z123-326(RB)



354	Property Owners Notified (116 parcels)
1	Replies in Favor (1 parcels)
126	Replies in Opposition (13 parcels)
500'	Area of Notification
2/6/2014	Date

Z123-326
CPC

N
W E
S

1:4,800

2/6/2014

Reply List of Property Owners

Z123-326

354 Property Owners Notified 1 Property Owners in Favor 126 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	2820	KINGS RD	DALLAS HOUSING AUTHORITY
X	2	2602	KINGS RD	EMMERT LEE BLANKENSHIP
	3	4600	MAPLE AVE	BAKER ALBERT L JR
	4	4602	MAPLE AVE	BAKER ALBERT JR
	5	4610	MAPLE AVE	PATINO JOSE S
	6	4614	MAPLE AVE	PATINO JUAN J & DELIA
	7	4626	MAPLE AVE	FIGUEROA ROSA &
	8	4630	MAPLE AVE	AREVALO RUBEN & RAQUEL
	9	4636	MAPLE AVE	A & S MAPLE LLC
	10	4700	MAPLE AVE	HATTEN E T &
	11	4706	MAPLE AVE	SHAH MANSOOR ALI
X	12	4710	MAPLE AVE	CUCOVATZ PAUL C &
	13	4714	MAPLE AVE	AVILA OCTAVIO
	14	4718	MAPLE AVE	MAPLE AVE ECONOMIC DEV CORP OF DALLAS
	15	4515	CEDAR SPRINGS RD	BETHANY PRESBYTERIAN CH
	16	2903	LUCAS DR	SOOCKAR KARL D
	17	2909	LUCAS DR	KELCHER MANAGEMENT INC
O	18	2915	LUCAS DR	RODNEY E JOHNSON PPTIES LLC
	19	2923	LUCAS DR	GREATER MOUNT ZION
	20	4505	CEDAR SPRINGS RD	CS VILLAS LLC
	21	2900	HAWTHORNE AVE	MUMM CHARLES
	22	2906	HAWTHORNE AVE	MONZURES ERASMO &
	23	2908	HAWTHORNE AVE	GUEVARA ANTONIO &
	24	2912	HAWTHORNE AVE	ALEJANDRO JOSE ALFREDO
	25	2916	HAWTHORNE AVE	ALEJANDRO JOSE A & BLANCA
	26	2920	HAWTHORNE AVE	LARA PEDRO

2/6/2014

Reply	*Label #*	*Address*		*Owner*
	27	3000	HAWTHORNE AVE	SKINNER LEO
	28	2902	RALEIGH ST	PARKS CHARLES I JR
X	29	2906	RALEIGH ST	SOFIELD THOMAS A
X	30	2912	RALEIGH ST	SOMMER LANCE & MARCIA
	31	2916	RALEIGH ST	NORRIS JESSE E
	32	4625	CEDAR SPRINGS RD	MONTEREY VILLAGE APARTMENTS LLC
X	33	4633	FAIRMOUNT ST	NGUYEN SON T &
	34	4619	FAIRMOUNT ST	ALMARAZ MARIA D &
	35	4615	FAIRMOUNT ST	GUERRERO JOSE M & ROSA
	36	4611	FAIRMOUNT ST	APARICIO MISAEL &
X	37	4607	FAIRMOUNT ST	MARTINEZ JULIO &
	38	4603	FAIRMOUNT ST	GONZALEZ OSCAR G
	39	4703	FAIRMOUNT ST	TRG FAIRMOUNT LP
X	40	4707	FAIRMOUNT ST	TRG FAIRMOUNT LP
	41	4731	FAIRMOUNT ST	TRG FAIRMOUNT LP
	42	4706	FAIRMOUNT ST	TRG FAIRMOUNT LP
	43	4710	FAIRMOUNT ST	TRG FAIRMONT LP
	44	4705	FAIRMOUNT ST	ENSERCH CORP
	45	4735	DENTON DR	TRG FAIRMOUNT LP
X	46	2833	KINGS RD	2833 KINGS ROAD LP
	47	2727	KINGS RD	KINGS ROAD TOWNHOMES LLC
	48	2715	KINGS RD	TRG FAIRMOUNT LP
	49	2787	KINGS RD	CRESTMARE MONTEBELLA LP
	50	4622	MAPLE AVE	LA AVENIDA MAPLE L P
	51	2919	LUCAS DR	IRVIN ROSS GREGORY
	52	4533	CEDAR SPRINGS RD	CJUF III DYLAN LLC
	53	4622	LESTER DR	BAER GREGORY K
X	54	4620	LESTER DR	KAMMERER CLARENCE W JR
	55	4618	LESTER DR	SKINNER KEVIN T &
	56	4616	LESTER DR	LOGAN BOBBY ALAN
	57	4614	LESTER DR	KERSTETTER LEIGH

2/6/2014

Reply	*Label #*	*Address*		*Owner*
	58	4612	LESTER DR	BROOKS VICTOR
	59	4608	LESTER DR	HARPER MICHAEL &
	60	4623	LESTER DR	GARCIA JENNIFER &
	61	4621	LESTER DR	EARL JUSTIN J
X	62	4619	LESTER DR	GUPTA NARESH & RAJNEESH
	63	4617	LESTER DR	KLINE LUZ D
	64	4615	LESTER DR	HOLDER MAX R JR
	65	4613	LESTER DR	BRYANT JAMES L
X	66	4609	LESTER DR	CAULDER RICHARD
	67	4604	LESTER DR	MAHMOUD EHAB T
	68	4603	LESTER DR	GHAREHGOZLOU SALMEH
	69	4605	LESTER DR	DAI MARTINA M & LUNA JOSE L
	70	4620	STEEL ST	URBAN LOFTS XII LTD
	71	2929	KINGS RD	FAOF KINGSGATE LLC
X	72	4707	BRADFORD DR	NORTON THOMAS A
X	73	4703	BRADFORD DR	LANE AARAN
X	74	4703	BRADFORD DR	DONNELLY DAVID WAYNE
X	75	4705	BRADFORD DR	RADO MARK A
X	76	4705	BRADFORD DR	ALDERMAN STEPHEN W
X	77	4709	BRADFORD DR	SMITH BLAKE A &
X	78	4709	BRADFORD DR	KITTISOPIKUL VANNEE &
X	79	4711	BRADFORD DR	JONES HOUSTON DARRELL
X	80	4711	BRADFORD DR	HICKS DON GORDON
X	81	4719	BRADFORD DR	BAZE LETHA
X	82	4715	BRADFORD DR	COMBS HOLLY L
X	83	4715	BRADFORD DR	MULLINS ROSEMARY
X	84	4717	BRADFORD DR	MEIER MICHAEL J
X	85	4717	BRADFORD DR	JOHNSON DANIEL J
X	86	4721	BRADFORD DR	MCNATT KIM
X	87	4721	BRADFORD DR	BATES CASEY A
X	88	4723	BRADFORD DR	MIDDLEBROOK RYAN

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Reply	*Label #*	*Address*		*Owner*
X	89	4723	BRADFORD DR	GRAVES CHARLOTTE M
X	90	4731	BRADFORD DR	MCELYEA MATTHEW SCOTT
X	91	4727	BRADFORD DR	KNOX ANNAHITA D
X	92	4727	BRADFORD DR	MURPHY BRITT
X	93	4729	BRADFORD DR	YOUNG KURTIS W
X	94	4729	BRADFORD DR	SAWA DONALD J
X	95	4733	BRADFORD DR	THIELEMANN SHE &
X	96	4733	BRADFORD DR	HEROLD TERRY E
X	97	4735	BRADFORD DR	CURTIS CLINT WAYNE
X	98	4735	BRADFORD DR	COCKRILL LORI K
X	99	2810	MINERT ST	VIZU LP
X	100	2812	MINERT ST	HENDERSON PAMELA D
X	101	4743	BRADFORD DR	LANKA VISWANATHA K
X	102	4739	BRADFORD DR	REAGAN SELENA
X	103	4739	BRADFORD DR	GRAVES CHARLOTTE
X	104	4741	BRADFORD DR	KOLETAR KIMBERLY A
X	105	4741	BRADFORD DR	BRUNNERT DONALD E
X	106	4745	BRADFORD DR	LAPRAIRIE BRAD
X	107	4745	BRADFORD DR	WOOD WILLIAM B JR
X	108	4747	BRADFORD DR	SANDERS DARIN B
X	109	4747	BRADFORD DR	MARTIN ERIC
X	110	4749	BRADFORD DR	JONES RYAN D &
X	111	4749	BRADFORD DR	HUBERT ERIC
X	112	2787	BRADFORD DR	WILLIAMS DELOREAN R
X	113	4751	BRADFORD DR	BIRENBAUM CHARLES A LF ES
X	114	4706	BRADFORD DR	GUSTAFSON GARY W
X	115	4702	BRADFORD DR	TSENG JENNIFER
X	116	4702	BRADFORD DR	COKER KEITH
X	117	4702	BRADFORD DR	HESLEP CHRISTOPHER &
X	118	4704	BRADFORD DR	DALY MICHAEL J
X	119	4704	BRADFORD DR	TROXEL BRAD L &

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Reply	*Label #*	*Address*		*Owner*
X	120	4708	BRADFORD DR	BARTLEY JAMES &
X	121	4708	BRADFORD DR	KENNEDY KARA N
X	122	4710	BRADFORD DR	FRANZ JASON E &
X	123	4710	BRADFORD DR	WALKUP MICHAEL C
X	124	4710	BRADFORD DR	CORRAL DANYTZA P
X	125	2787	BRADFORD DR	ROCHA RICHARD JR
X	126	4714	BRADFORD DR	RAY UNRUH PROFIT
X	127	4714	BRADFORD DR	YI INJA & PAUL C YI
X	128	4714	BRADFORD DR	MCKINNEY CRAIG
X	129	4716	BRADFORD DR	STEWART STEVEN WAYNE
X	130	4716	BRADFORD DR	GRAVES STEVEN
X	131	4720	BRADFORD DR	LEE SUGI
X	132	4720	BRADFORD DR	ORAM MARK C
X	133	4722	BRADFORD DR	SMILEY TYRONE
X	134	4722	BRADFORD DR	FLEIDER RICHARD J
X	135	4722	BRADFORD DR	THURMOND JEFFREY D
X	136	4732	BRADFORD DR	BRADSHER JAMIE
X	137	4728	BRADFORD DR	KENNEDY KIRBY D
X	138	4728	BRADFORD DR	STURDY JENNIFER R
X	139	4728	BRADFORD DR	TROLLINGER JUSTIN G
X	140	4730	BRADFORD DR	HUFF BRYAN A
X	141	4730	BRADFORD DR	BUTCHER KALE N
X	142	4734	BRADFORD DR	WAGNER YVONNE C
X	143	4734	BRADFORD DR	HODGES WILLIAM RANDALL
X	144	4736	BRADFORD DR	MALONE TIMOTHY
X	145	4736	BRADFORD DR	PATEL BIPIN &
X	146	4736	BRADFORD DR	COTTRELL BRIAN K
X	147	2822	MINERT ST	FLORES FEDERICO
X	148	2824	MINERT ST	HOUSER MATTHEW C
X	149	2826	MINERT ST	STOVER DARREN L
X	150	4740	BRADFORD DR	HILT CARA E

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Reply	*Label #*	*Address*		*Owner*
X	151	4746	BRADFORD DR	STONE ASHLEY M &
X	152	4752	BRADFORD DR	KOONTZ DUSTIN A
X	153	4742	BRADFORD DR	OLIVEIRA KRISTIN
X	154	2787	BRADFORD DR	DOSSIERE KEITH R
X	155	4744	BRADFORD DR	RICHARDSON CLINT
X	156	4744	BRADFORD DR	DOSTER JOSEPH A &
X	157	4748	BRADFORD DR	MCCASLIN MERIDITH C & JUSTIN M MCCASLIN
X	158	4748	BRADFORD DR	BREWER STANLEY D
X	159	4750	BRADFORD DR	MULLENGER WILLIAM BRANDON
X	160	4750	BRADFORD DR	PERMENTER KEITH C
X	161	4754	BRADFORD DR	BRYD NEVILLE J III &
X	162	4754	BRADFORD DR	HOWELL SCOTT L &
X	163	4756	BRADFORD DR	MASSAD KELLY J &
X	164	4756	BRADFORD DR	HERNANDEZ ANTHONY JR &
X	165	2809	MINERT ST	GILL CHRISTOPHER L &
X	166	4807	BRADFORD DR	WALKER LESLIE & CAROLINA
X	167	4803	BRADFORD DR	RAIFSNIDER CARL A
X	168	4803	BRADFORD DR	BLAND DANE C
X	169	2787	BRADFORD DR	OLDENBURGH PATRICK L JR
X	170	4805	BRADFORD DR	YOUNG LESLEY A
X	171	2787	BRADFORD DR	CAMPBELL MATTHEW B &
X	172	4809	BRADFORD DR	HAGE GENEVIEVE
X	173	4811	BRADFORD DR	MCGAULEY LAWRENCE
X	174	4811	BRADFORD DR	MALVEAUX JON ERIC
X	175	4815	BRADFORD DR	HOKANSON JAMILA C
X	176	4815	BRADFORD DR	MAY MORGAN
X	177	4806	BRADFORD DR	AHMADI KAMBIZ
X	178	4802	BRADFORD DR	GRANTHAM JASON B
X	179	4802	BRADFORD DR	ADAMSON SARAH B &
X	180	4804	BRADFORD DR	BRACCIALE ANTHONY KEITH
X	181	4804	BRADFORD DR	RIOS DAVID

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Reply	*Label #*	*Address*		*Owner*
X	182	4808	BRADFORD DR	SMITH BERT STEVE JR
X	183	4808	BRADFORD DR	WESTCOTT STEVEN
X	184	4810	BRADFORD DR	GALVAN ROBERTO ELIAS
X	185	4814	BRADFORD DR	MYERS DALE R
X	186	4814	BRADFORD DR	ROBINSON MARVIN EUGENE
	187	4777	CEDAR SPRINGS RD	C S COMMUNITIES LP
	188	4777	CEDAR SPRINGS RD	LEWIS LEONARD &
	189	4777	CEDAR SPRINGS RD	GAMEZ ROBERTO PEREZ
	190	4777	CEDAR SPRINGS RD	GAMEZ ROBERTO P
	191	4777	CEDAR SPRINGS RD	HAKIMAN HEKMAT
	192	4777	CEDAR SPRINGS RD	LYNX MATTHEW
	193	4777	CEDAR SPRINGS RD	HARTSELL JASON THOMAS
	194	4777	CEDAR SPRINGS RD	JOHNSON MARGUERITE
	195	4777	CEDAR SPRINGS RD	SANTIAGO LEONARD LUIS
	196	4777	CEDAR SPRINGS RD	COSTER ADAM D
	197	4777	CEDAR SPRINGS RD	BEAKLEY DAVID JANSON
	198	4777	CEDAR SPRINGS RD	MENDOZA JONATHAN
	199	4777	CEDAR SPRINGS RD	FLORES CESAR A
	200	4777	CEDAR SPRINGS RD	ARNOLD JESSE E
	201	4777	CEDAR SPRINGS RD	JONES BENJAMIN &
	202	4777	CEDAR SPRINGS RD	SCHLEIT MELISSA J
	203	4777	CEDAR SPRINGS RD	GOHEL SHRUTI &
	204	4777	CEDAR SPRINGS RD	RENFRO ADAM L
	205	4777	CEDAR SPRINGS RD	DOWNEY COLIN P
	206	4777	CEDAR SPRINGS RD	PHAN YINETTE
	207	4777	CEDAR SPRINGS RD	SHEHAN DOUGLAS
	208	4777	CEDAR SPRINGS RD	KELLY ASHLEY MARIE
	209	4777	CEDAR SPRINGS RD	ROY VIBIN
	210	4777	CEDAR SPRINGS RD	MOGG JAMES
	211	4777	CEDAR SPRINGS RD	MARTIN LISA M
	212	4777	CEDAR SPRINGS RD	STRICKLAND ANDREA &

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Reply	*Label #*	*Address*		*Owner*
	213	4777	CEDAR SPRINGS RD	CHATHAM ROBERT MARTIN
	214	4777	CEDAR SPRINGS RD	PURDY BARBARA B
	215	4777	CEDAR SPRINGS RD	ZACKEY JAMES
	216	4777	CEDAR SPRINGS RD	LI CHUNHUI
	217	4777	CEDAR SPRINGS RD	ROBERTS OLIVIA JANE
	218	4777	CEDAR SPRINGS RD	HUMPHREY JOHN A
	219	4777	CEDAR SPRINGS RD	BARNETT JAMEKA
	220	4777	CEDAR SPRINGS RD	SCHWARTZ RYAN L
	221	4777	CEDAR SPRINGS RD	RADFORD JULIE
	222	4777	CEDAR SPRINGS RD	LAI YOUNGJOU
	223	4777	CEDAR SPRINGS RD	EMBREE GRADY HARMON
	224	4777	CEDAR SPRINGS RD	SHODIPO ABIOLA O &
	225	4777	CEDAR SPRINGS RD	GUZMAN GABRIEL
	226	4777	CEDAR SPRINGS RD	HICKS BRADLEY
	227	4777	CEDAR SPRINGS RD	KURANT JONATHAN
	228	4777	CEDAR SPRINGS RD	MORAN MICHAEL
	229	4777	CEDAR SPRINGS RD	WADE THOMAS H
	230	4777	CEDAR SPRINGS RD	KILPATRICK STEPHANIE
	231	4777	CEDAR SPRINGS RD	ARCHULETA ARON RAY
	232	4777	CEDAR SPRINGS RD	VU PETER LONG
	233	4777	CEDAR SPRINGS RD	PERRY RONIKA NOEL
	234	4777	CEDAR SPRINGS RD	BUSH KENNETH M &
	235	4777	CEDAR SPRINGS RD	SALAJANU IOAN G
	236	4777	CEDAR SPRINGS RD	MYERS GRANT
	237	4777	CEDAR SPRINGS RD	HEATON WILMA JEAN
	238	4777	CEDAR SPRINGS RD	ZHANG ELIZABETH R
	239	4777	CEDAR SPRINGS RD	JESUS JOSE MARIO DIAS
	240	4777	CEDAR SPRINGS RD	JOHNSON CULLY LANE
	241	4777	CEDAR SPRINGS RD	LRG HOLDINGS LLC
	242	4777	CEDAR SPRINGS RD	NOBLES JOSEPH
	243	4777	CEDAR SPRINGS RD	TIKHONOVS LGOR &

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Reply	*Label #*	*Address*		*Owner*
	244	4777	CEDAR SPRINGS RD	MANTHEI BRANDI
	245	4777	CEDAR SPRINGS RD	ROCLEVITCH RICHARD A
	246	4777	CEDAR SPRINGS RD	CORDOVA ANDREA LYNN &
	247	4777	CEDAR SPRINGS RD	ZAZHARSKAYA NADEZHDA
	248	4777	CEDAR SPRINGS RD	RAJAMANI SRINIVASAN
	249	4777	CEDAR SPRINGS RD	BARRETO JOSE E
	250	4777	CEDAR SPRINGS RD	CLURE DEAN A &
	251	4777	CEDAR SPRINGS RD	BUDD TODD
	252	4777	CEDAR SPRINGS RD	FRAZIER MARK W
	253	4777	CEDAR SPRINGS RD	HILLS CHRIS
	254	4777	CEDAR SPRINGS RD	BUTLER SHAREEA
	255	4777	CEDAR SPRINGS RD	HARTSELL LYNDA
	256	4777	CEDAR SPRINGS RD	VICKNAIR KRISTEN
	257	4777	CEDAR SPRINGS RD	MATURIN GLYNN S
	258	4701	CEDAR SPRINGS RD	SNFT SERIES 1 LLC
	259	4701	CEDAR SPRINGS RD	SNFT SERIES 1 LLC
	260	4701	CEDAR SPRINGS RD	SNFT SERIES 2 LLC
	261	4701	CEDAR SPRINGS RD	KING MICHAEL D
	262	4701	CEDAR SPRINGS RD	ALVAREZ DAVID CORTEZ
	263	4701	CEDAR SPRINGS RD	SNFT SERIES 3 LLC
	264	4701	CEDAR SPRINGS RD	LEBLANC SCOTT
	265	4701	CEDAR SPRINGS RD	SNFT SERIES 4 LLC
	266	4701	CEDAR SPRINGS RD	FEIMSTER GARET PAUL
	267	4701	CEDAR SPRINGS RD	REYNOLDS JEAN G
	268	4701	CEDAR SPRINGS RD	SNFT SERIES 5 LLC
	269	4701	CEDAR SPRINGS RD	HOFFMAN LOUIS ALLEN
	270	4701	CEDAR SPRINGS RD	SNFT SERIES 6 LLC
	271	4701	CEDAR SPRINGS RD	SNFT SERIES 7 LLC
	272	4605	CEDAR SPRINGS RD	GRANADO HERIBERTO &
	273	4605	CEDAR SPRINGS RD	MAYES JUSTIN
	274	4605	CEDAR SPRINGS RD	JARVIS AUSTIN BRADLEY

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Reply	*Label #*	*Address*		*Owner*
	275	4605	CEDAR SPRINGS RD	MILLER MICHAEL C
	276	4605	CEDAR SPRINGS RD	BASHARA MICHAEL & VIRGINIA
	277	4605	CEDAR SPRINGS RD	CRAWFORD STEVEN B
	278	4605	CEDAR SPRINGS RD	HENEGAN LINDSEY
	279	4605	CEDAR SPRINGS RD	SIMMANG DOUGLAS S
	280	4605	CEDAR SPRINGS RD	WELVAERT DENNIS M TR &
	281	4605	CEDAR SPRINGS RD	KRUEGER DALE K JR
	282	4605	CEDAR SPRINGS RD	TRAVIESO ANDRE G
	283	4605	CEDAR SPRINGS RD	STEVENS JOHN &
	284	4605	CEDAR SPRINGS RD	PARKER THOMAS E
	285	4605	CEDAR SPRINGS RD	DAVIS DWAYNE
	286	4605	CEDAR SPRINGS RD	POLE RAJEEV & PRITHVIRAJ
	287	4605	CEDAR SPRINGS RD	FEDERAL HOME LOAN MTG CORP
	288	4605	CEDAR SPRINGS RD	STRICKLAND JEREMY
	289	4605	CEDAR SPRINGS RD	BROWN TONY LEE
	290	4605	CEDAR SPRINGS RD	HUGHES KEVIN M
	291	4605	CEDAR SPRINGS RD	SEITER MAX N
	292	4605	CEDAR SPRINGS RD	KAFOR FRANCIS O
	293	4605	CEDAR SPRINGS RD	NGANG KIM C
	294	4605	CEDAR SPRINGS RD	DOBBINS MELISSA G
	295	4605	CEDAR SPRINGS RD	TURNER CRAIG & LAUREN
	296	4605	CEDAR SPRINGS RD	HOLLAND JAMES HOWARD
	297	4605	CEDAR SPRINGS RD	PUCKETT MICHAEL T &
	298	4605	CEDAR SPRINGS RD	MCCARTHY EDMOND JR & MARY
	299	4605	CEDAR SPRINGS RD	GOMEZ RITA CERVANTES
	300	4605	CEDAR SPRINGS RD	SCHEXNAYDER JUDE A
	301	4605	CEDAR SPRINGS RD	MCLAUGHLIN DUSTIN
	302	4605	CEDAR SPRINGS RD	THOMAS TEENA
	303	4605	CEDAR SPRINGS RD	DEAN JOHN J JR
	304	4605	CEDAR SPRINGS RD	OLSEN ADAM D
	305	4605	CEDAR SPRINGS RD	BEARIST GROUP LLC

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Reply	*Label #*	*Address*		*Owner*
	306	4605	CEDAR SPRINGS RD	DURHAM CHRISTINA R
	307	4605	CEDAR SPRINGS RD	SAMENI FALLAH SAM
	308	4605	CEDAR SPRINGS RD	RODRIGUEZ PEGGY LYNN &
	309	4605	CEDAR SPRINGS RD	AUSTIN JOHN C
	310	4605	CEDAR SPRINGS RD	NGUYEN ANDREW
	311	4605	CEDAR SPRINGS RD	BAO PAUL XIAPEI &
	312	4605	CEDAR SPRINGS RD	WANG ERIC
	313	4605	CEDAR SPRINGS RD	ROLAND CAROLINE
	314	4605	CEDAR SPRINGS RD	BOWERS MATTHEW S
	315	4605	CEDAR SPRINGS RD	HERRERA CAROLINA
	316	4605	CEDAR SPRINGS RD	JACOBS DAVID A
	317	4605	CEDAR SPRINGS RD	NOTO ANGELA
	318	4605	CEDAR SPRINGS RD	LEE ALLEN
	319	4605	CEDAR SPRINGS RD	SKOFF JOHN W
	320	4605	CEDAR SPRINGS RD	CAUBLE SARAH R &
	321	4605	CEDAR SPRINGS RD	LEMONS WILLIAM
	322	4605	CEDAR SPRINGS RD	SMITH PHILLIP JOHN
	323	4605	CEDAR SPRINGS RD	MCQUEARY R WAYNE &
	324	4605	CEDAR SPRINGS RD	MCINTYRE DANIEL JR
	325	4605	CEDAR SPRINGS RD	ANDERSEN JULIE D
	326	4605	CEDAR SPRINGS RD	PAULUS MICHAEL
	327	4605	CEDAR SPRINGS RD	POPP ANDREW J
	328	4605	CEDAR SPRINGS RD	PANZA LUCY G & NICHOLAS P
	329	4605	CEDAR SPRINGS RD	THIBODEAU MARK
	330	4605	CEDAR SPRINGS RD	JONES JAMES A
	331	4605	CEDAR SPRINGS RD	FORRETTE PHILLIP H
	332	4605	CEDAR SPRINGS RD	FINCK MARK B
	333	4605	CEDAR SPRINGS RD	HERRERA LEONARDO
	334	4605	CEDAR SPRINGS RD	CHEN MARIE
	335	4605	CEDAR SPRINGS RD	BARNETT JESSICA E
	336	4605	CEDAR SPRINGS RD	HU RANDOLF

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Reply	*Label #*	*Address*		*Owner*
	337	4605	CEDAR SPRINGS RD	PORTER GARY MICHAEL
	338	4605	CEDAR SPRINGS RD	LIM JACINTA C E
	339	4605	CEDAR SPRINGS RD	JOHN SANGITA ELIZABETH &
	340	4605	CEDAR SPRINGS RD	SKOFF DALE A
	341	4605	CEDAR SPRINGS RD	WANG YIFAN
	342	4605	CEDAR SPRINGS RD	SAMES STEVEN R
	343	4605	CEDAR SPRINGS RD	MCQUERY BARBARA
	344	4605	CEDAR SPRINGS RD	PICKENS DOUGLAS R
	345	4605	CEDAR SPRINGS RD	HUDNALL JEROD D
	346	4605	CEDAR SPRINGS RD	FATTAH KAREEM R ABDEL
	347	4605	CEDAR SPRINGS RD	THOMAS BRIAN L
	348	4605	CEDAR SPRINGS RD	FAHR ROBERT J
	349	4605	CEDAR SPRINGS RD	BARTON AUSTIN
	350	4605	CEDAR SPRINGS RD	BUDA RANDALL T
	351	4605	CEDAR SPRINGS RD	LAMPERT HOWARD
	352	4605	CEDAR SPRINGS RD	MCCARTHY KATIE
	353	4605	CEDAR SPRINGS RD	CAULDER RICHARD
	354	4605	CEDAR SPRINGS RD	SEN HEMANTA & SOHINI MUKHERJEE

AGENDA ITEM # 51

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 11

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 26 E; F; J; K

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan and conditions
Z123-148(WE)
Note: This item was considered by the City Council at a public hearing on February 12, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-148(WE) **DATE FILED:** December 12, 2012

LOCATION: Steppington Drive and Riverfall Drive, northeast corner

COUNCIL DISTRICT: 11 **MAPSCO:** 26 – E, F, J, K

SIZE OF REQUEST: Approx. 4.42 acres **CENSUS TRACT:** 131.05

APPLICANT/ OWNER: Steppington SLJ/McKinney L.P.

REPRESENTATIVE: Maxwell Fisher
MASTERPLAN

REQUEST: An application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District.

SUMMARY: The purpose of this request is to permit the development of various retail, office and storage uses on site. The applicant is proposing to divide the site into two subareas. Each subarea will be developed separately, with Subarea A being developed with approximately 150,000 square feet of retail and personal service uses and Subarea B with approximately 315,000 square feet of mini-warehouse uses.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions.

STAFF RECOMMENDATION: **Denial**

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends denial of the Planned Development District based upon:

1. *Performance impacts upon surrounding property* – The proposed retail and office uses are compatible with the surrounding development, which contains the same uses. However, the proposed mini-warehouse use does not appear to be the highest and best use of this property given its proximity to and partial frontage on Central Expressway.

2. *Traffic impact* – The Engineering Section of the Department of Sustainable development and Construction has determined that the request will not have a negative impact on the street system based on the information that was provided on the traffic worksheet.

3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site in located in an Urban Neighborhood. The proposed mini-warehouse use is not in compliance with the Urban Neighborhood Building Block.

4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The current GO(A) General Office District does not permit mini-warehouse uses. The applicant requests a PD to permit mini-warehouses so that they are contextually sensitive to the surrounding neighborhood.

5. Staff reviewed the applicant's conditions and cannot support the mini-warehouse uses that are proposed in both Subareas. The PDD conditions are specifically written for development in both subareas. In addition, staff is opposed to any outside storage of any vehicles, trailers and recreational vehicles within a mini-warehouse use.

   As a result of the requirements and regulations the applicant has incorporated in the conditions for a mini-warehouse use, staff cannot support the applicant's request for a Planned Development District for non-residential uses.

BACKGROUND INFORMATION:

- Since the September 26, 2013 City Plan Commission hearing, the representative provided staff with revisions to the proposed PDD conditions and replaced the conceptual plan with a development plan.

- The applicant's request for a Planned Development District for non-residential uses will allow for the development of mini-warehouses, office and limited retail uses. The

applicant will create two subareas within the request site to accommodate the proposed development.

- The applicant has incorporated specific language that relates to the development rights and standards for mini-warehouse uses in both subareas. In Subarea A, the maximum floor area is 140,000 square feet and for Subarea B, the maximum floor area is 35,000 square feet; totaling approximately 175,000 square feet of buildable floor area in both subareas.

- The request site is adjacent to multifamily uses to west, across Steppington Drive, and office uses to the east and south. Properties south of the request site, across Riverfall Drive, consist of a child-care facility and retail uses.

Zoning History: There has not been any recent zoning change requested in the area.

Land Use:

	Zoning	Land Use
Site	GO(A)	Office, Undeveloped
North	MF-3(A)	Multifamily
South	MU-1, GO(A), RR	Retail, Office
East	GO(A)	Office
West	GO(A), MF-4(A)	Multifamily

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 as Urban Neighborhood Building Block. The proposed mini-warehouses is not in compliance with the *forwardDallas! Comprehensive Plan.*

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility:

The applicant has provisions in the Planned Development District conditions that pertain to the treatment of the building's elevation. These provisions require certain building materials and architectural features for a mini-warehouse development.

It should be noted that staff objects to the urban form setback adjacent to the multifamily uses to the north and to the west. The urban form setbacks protects existing property owners from structures

Staff's recommendation is for denial of a Planned Development District for non-residential uses. However, the City Plan Commission recommended approval of the request, subject to the applicant's conditions.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
GO(A) -existing General office	15'	20' adjacent to residential OTHER: No Min.	4.0 FAR	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, lodging – limited retail & personal service uses
PDD –Proposed non-residential Applicant's Proposal	15'	0'	150,000 sq. ft. Subarea A 35,000 sq. ft. Subarea B For all other uses - 4.0 FAR	140'	60%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, lodging – limited retail & personal service uses, Mini-warehouse

Landscaping: Landscaping of any development will be in accordance with Article X requirements.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has determined that the proposed development will not have a negative impact on the surrounding street system.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Steppington Drive	Local	30 ft.	30 ft.
Riverfall Drive	Local	30 ft.	30 ft.
Central Expressway		Variable lane widths	Variable lane widths

Miscellaneous – conditions: The city attorney has reviewed and has made the necessary changes to the applicant's proposed conditions in the event the zoning case is approved by the City Plan Commission and then forwarded for City Council consideration.

CPC Action (July 11, 2013)

Motion: In considering an application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive, it was moved to **hold** this case under advisement until August 8, 2013.

Maker: Bernbaum
Second: Hinojosa
Result: Carried: 13 to 0

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 2 - Tarpley, Shellene
Vacancy: 0

Notices: Area: 500 Mailed: 305
Replies: For: 0 Against: 97

Speakers: None

CPC Action (August 8, 2013)

Motion: In considering an application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive, it was moved to **hold** this case under advisement until September 26, 2013.

Maker: Bernbaum
Second: Hinojosa
Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 0

Vacancy: 1 - District 10

Notices: Area: 500 Mailed: 305
Replies: For: 0 Against: 98

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

CPC Action (September 26, 2013)

Motion: In considering an application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive, it was moved to **hold** this case under advisement until December 19, 2013.

Maker: Bernbaum
Second: Ridley
Result: Carried: 14 to 0

For: 14 - Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Davis
Vacancy: 0

Notices: Area: 500 Mailed: 305
Replies: For: 0 Against: 98

Speakers: None

CPC Action (December 19, 2013)

Motion: In considering an application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive, it was moved to **hold** this case under advisement until January 9, 2014.

Maker: Bernbaum
Second: Hinojosa

Result: Carried: 14 to 0

For: 14 - Anglin*, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 305
Replies: For: 0 Against: 98

Speakers: None

CPC Action (January 9, 2014)

Motion: It was moved to recommend **approval** of a Planned Development District for non-residential uses, subject to a development plan and revised conditions on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive.

Maker: Bernbaum
Second: Ridley
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene*, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 305
Replies: For: 0 Against: 98

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

LIST OF OFFICERS

General Partners:

Steppington SLJ / McKinney L.P., a Texas Limited Liability Company

- J. Tim Moore President

SLJ COMPANY, LLC, a Texas Limited Liability Company

- Louis H. Lebowitz President

Limited Partners:

2009 MCKINNEY INVESTMENTS FUND, L.P., a Texas Limited Partnership

- J. Tim Moore President

SLJ / EOF VIII, LTD, a Colorado Limited Partnership

- Louis H. Lebowitz President

CPC PROPOSED PDD CONDITIONS

SEC. 51P- __.101 . LEGISLATIVE HISTORY.

PD___was established by Ordinance No._____, passed by the Dallas City Council on _____, 2013.

SEC. 51P-___.102. PROPERTY LOCATION AND SIZE.

PD___is established on property located west of North Central Expressway and north of Riverfall Drive. The size of PD _ is approximately 4.42 acres.

SEC. 51P- __.103 DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC 51P-__.104 CREATION OF SUBAREAS.

The district is divided into two subareas: Subarea A and B.

SEC 51P- __.105 EXHIBITS.

The following exhibit is incorporated in this article:

Exhibit S-___ conceptual plan.

Exhibit S-___ development plan

SEC 51P- __.106 CONCEPTUAL PLAN.

Development of the Property must comply with the Conceptual Plan (Exhibit ___). If there is a conflict between the text of this article and the Conceptual plan, the provisions of this article control.

SEC 51P- __.107 DEVELOPMENT PLAN.

(a) For Subarea A. Development and use of the Property must comply with the Subarea A development plan (Exhibit _____). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(b) For Subarea B. Development and use of the Property must comply with the Subarea B development plan (Exhibit _____). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

CPC Recommendation

(c) A development plan is not required for a building permit for exterior or interior remodeling or renovation of existing buildings.

Staff's Recommendation

~~(c) A development plan is not required for a building permit for exterior or interior remodeling or renovation of existing buildings.~~

SEC 51P- __.108 MAIN USES PERMITTED.

(a) For Subareas A and B. The uses permitted in this district are the same as those uses permitted in the GO(A) General Office District, subject to the same conditions applicable in the GO(A) General Office District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the GO(A) General Office 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 GO(A) General Office District is subject to DIR in this planned development district; etc.

(b) Extended stay hotel or motel
(c) Hotel or motel. [*In Subarea B only*]
(d) Mini-Warehouse

SEC 51P- __.109 ACCESSORY USES.

(a) In general. As a general rule, an accessory use is permitted in any subarea in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory use is allowed by right in this district:

-- Inside retail sales associated with a mini-warehouse use is permitted.

SEC. 51P-__.110 YARD, LOT AND SPACE PROVISIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

a. In general. Except as provided in this section, the yard, lot and space regulations for the GO(A) District apply.

(1) Front yard setbacks: For a mini-warehouse use, the minimum front yard setback on Central Expressway, Steppington Drive, and Riverfall Drive is 15 feet.

(2) For all other uses, the minimum front yard setback is 15 feet.

CPC Recommendation

(3) Side yard Setback: For a mini-ware house use, the minimum side yard setback is 0 feet.

Staff's Recommendation

(3) Side yard Setback: ~~Except as provided in this subsection, no minimum setback.~~

(4) A minimum of 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district.

b. Lot Coverage.

(1) For a mini-warehouse use, the maximum lot coverage for Subareas A and B combined is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground structures are not.

(2) In all other case, the maximum lot coverage is 80 percent.

c. Height.

(1) Subarea A. Except as provided in this subsection, the maximum structure height is 140 feet.

(2) Mini-warehouse use. Maximum structure height is 56 feet.

(3) Subarea B. Maximum structure height is 140 feet.

(4) Roof-top equipment. Roof-top mechanical equipment may extend up to 12 feet above the roofline or the maximum allowable building height for all subareas. Mechanical equipment, skylights, and solar panels on roofs must be integrated into the

building design, screened, or setback so that they are not visible from a point five feet, six inches above grade at the Property line.

d. Floor Area.

(1) For a mini-warehouse use.

(A) In Subarea A, maximum floor area for a mini-warehouse use is 140,000 square feet.

(B) In Subarea B, maximum floor area for a mini-warehouse use is 35,000 square feet.

SEC. 51P- ___.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) For the purpose of this section parking requirements, this district is considered as one lot.

SEC. 51P___. 112 ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-__. 113 LANDSCAPING AND SCREENING.

(a) Landscaping must be provided in accordance with Article X.

(b) Landscaping must be maintained in a healthy, growing condition.

SEC. 51P- ___.114 SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P-__.115 BUILDING ELEVATIONS

CPC Recommendation

(a) Building Elevation – Exterior Treatments for Mini-Warehouse Uses only.

(1) The exterior materials of the eastern building elevation and the easternmost 75 feet of both the northern and southern elevations of Building A shall be comprised of 100% masonry, excluding glass or openings. For this provision, masonry includes stone, brick, decorative concrete blocks, stucco, concrete, split-face concrete masonry block or tile or other similar building materials, or combination of those materials.

(2) The exterior materials of those portions of building elevations located within 40 feet and facing Steppington Drive shall be comprised of no less 80% masonry, excluding glass or openings. For this provision, masonry includes stone, brick, concrete, stucco, hollow clay tile, cementitious fiber siding, split-face masonry block, decorative concrete blocks or tile, glass block, or other similar building materials, or a combination of those materials.

(3) The following architectural features are required on a portion of the eastern building elevation of Building A.

(a) Display windows, faux windows, or decorative windows.

(b) Canopies, awnings or similar projections.

(4) Building Elevation – Exterior Treatments for Mini-Warehouse Uses, Exceptions. The following exterior materials may only be used on internal walls not directly facing a public street:

(a) Smooth-faced painted concrete block that is non-tinted or non-burnished.

(b) Tilt-up concrete panels that are unadorned or untextured. Textured painted tilt wall is acceptable.

(c) Prefabricated steel panels.

Staff's Recommendation

~~(a) Building Elevation – Exterior Treatments for Mini-Warehouse Uses only.~~

~~(1) The exterior materials of the eastern building elevation and the easternmost 75 feet of both the northern and southern elevations of Building A shall be comprised of 100% masonry, excluding glass or openings. For this provision, masonry includes stone, brick, decorative concrete blocks, stucco, concrete, split-face concrete masonry block or tile or other similar building materials, or combination of those materials.~~

~~(2) The exterior materials of those portions of building elevations located within 40 feet and facing Steppington Drive shall be comprised of no less 80% masonry, excluding glass or openings. For this provision, masonry includes stone, brick, concrete, stucco, hollow clay tile, cementitious fiber siding, split-face masonry block, decorative concrete blocks or tile, glass block, or other similar building materials, or a combination of those materials.~~

~~(3) The following architectural features are required on a portion of the eastern building elevation of Building A.~~

~~(a) Display windows, faux windows, or decorative windows.~~

~~(b) Canopies, awnings or similar projections.~~

~~(4) Building Elevation – Exterior Treatments for Mini-Warehouse Uses.~~ Exceptions~~. The following exterior materials may only be used on internal walls not directly facing a public street:~~

~~(a) Smooth-faced painted concrete block that is non-tinted or non-burnished.~~

~~(b) Tilt-up concrete panels that are unadorned or untextured. Textured painted tilt wall is acceptable.~~

~~(c) Prefabricated steel panels.~~

SEC. 51P-__.116 ADDITIONAL PROVISIONS.

(a) For a mini-warehouse:

(1) Storage units in Building A must be accessed by an internal corridor or directly from the exterior provided the exterior door does not directly face the perimeter.

CPC Recommendation

(2) The outside storage of vehicles, trailers, and recreational vehicles is limited to internal areas screened by perimeter walls or buildings. Any outside storage areas must be located a minimum of 40 feet from public rights-of-way.

Staff's Recommendation

~~(2) The outside storage of vehicles, trailers, and recreational vehicles is limited to internal areas screened by perimeter walls or buildings. Any outside storage areas must be located a minimum of 40 feet from public rights-of-way.~~

(b) The Property must be properly maintained in a state of good repair and neat appearance.

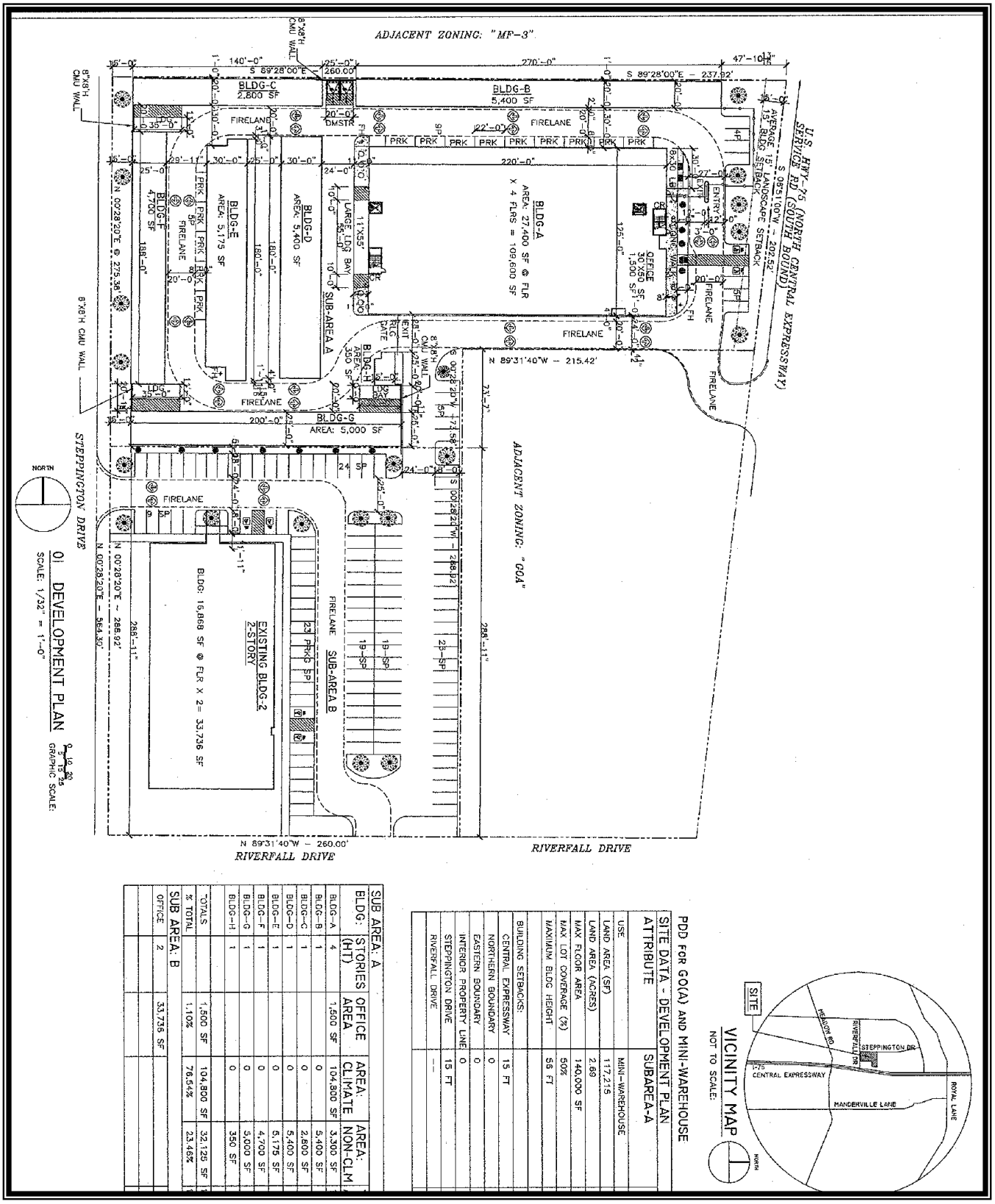
(c) For hotel and motel or extended stay hotel or motels, all guest rooms must have primary access to an internal hallway.

SEC. 51P-__.117 COMPLIANCE WITH CONDITIONS.

(a) All new 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



01 DEVELOPMENT PLAN
SCALE: 1/32" = 1'-0"

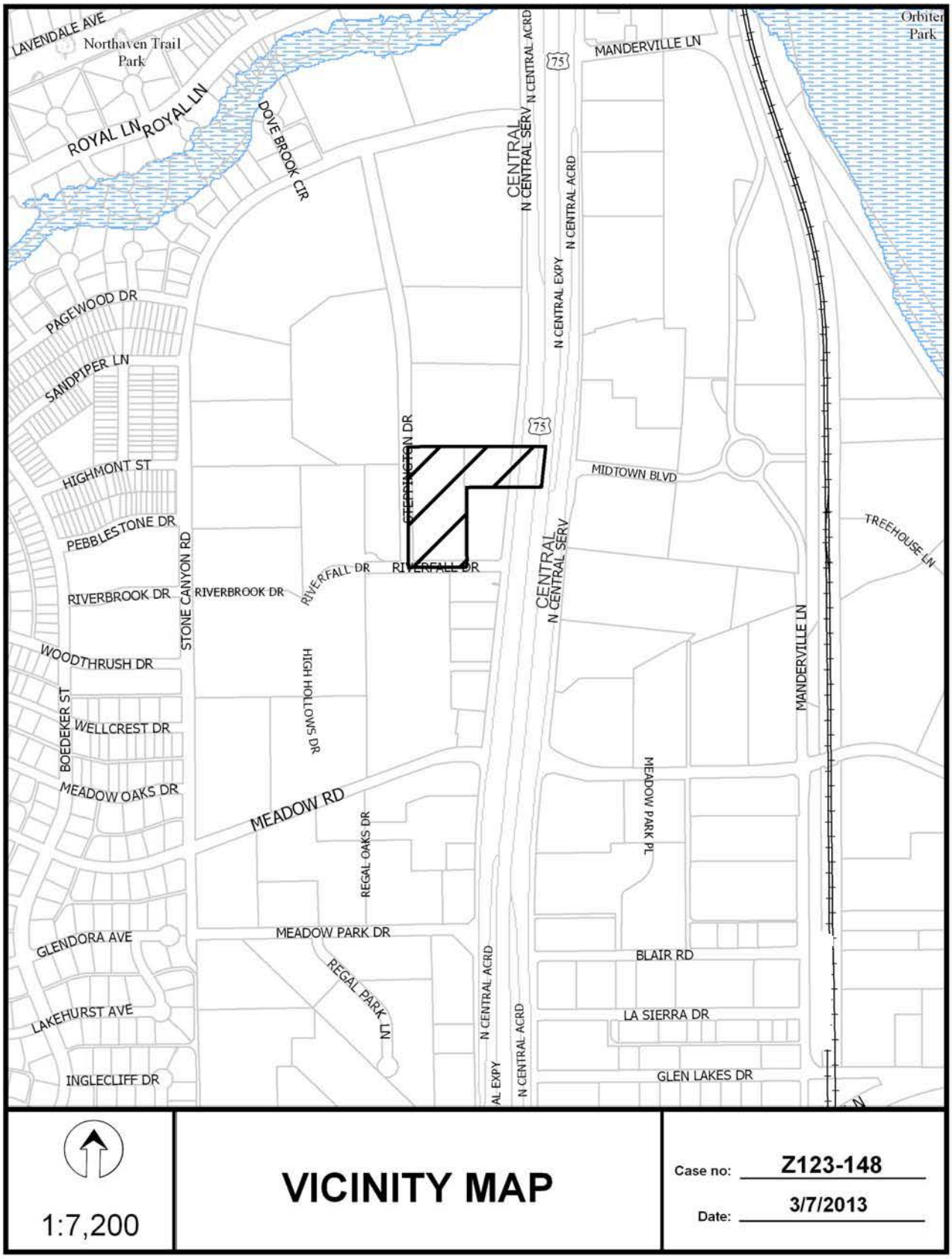
PDD FOR GO(A) AND MINI-WAREHOUSE

SITE DATA - DEVELOPMENT PLAN

ATTRIBUTE	SUBAREA-A
USE	MINI-WAREHOUSE
LAND AREA (SF)	117,215
LAND AREA (ACRES)	2.69
MAX FLOOR AREA	140,000 SF
MAX LOT COVERAGE (%)	50%
MAXIMUM BLDG HEIGHT	55 FT
BUILDING SETBACKS:	
CENTRAL EXPRESSWAY	15 FT
NORTHERN BOUNDARY	0
EASTERN BOUNDARY	0
INTERIOR PROPERTY LINE	0
STEPPINGTON DRIVE	15 FT
RIVERFALL DRIVE	--

VICINITY MAP
NOT TO SCALE:

BLDG:	STORIES (HT)	OFFICE AREA	AREA: CLIMATE	AREA: NON-CLM
SUB AREA: A				
BLDG-A	4	1,500 SF	104,800 SF	3,300 SF
BLDG-B	1		0	5,400 SF
BLDG-C	1		0	2,600 SF
BLDG-D	1		0	5,400 SF
BLDG-E	1		0	5,175 SF
BLDG-F	1		0	4,700 SF
BLDG-G	1		0	5,000 SF
BLDG-H	1		0	350 SF
TOTALS		1,500 SF	104,800 SF	32,125 SF
% TOTAL		1.10%	76.64%	23.48%
SUB AREA: B				
OFFICE	2	33,736 SF		

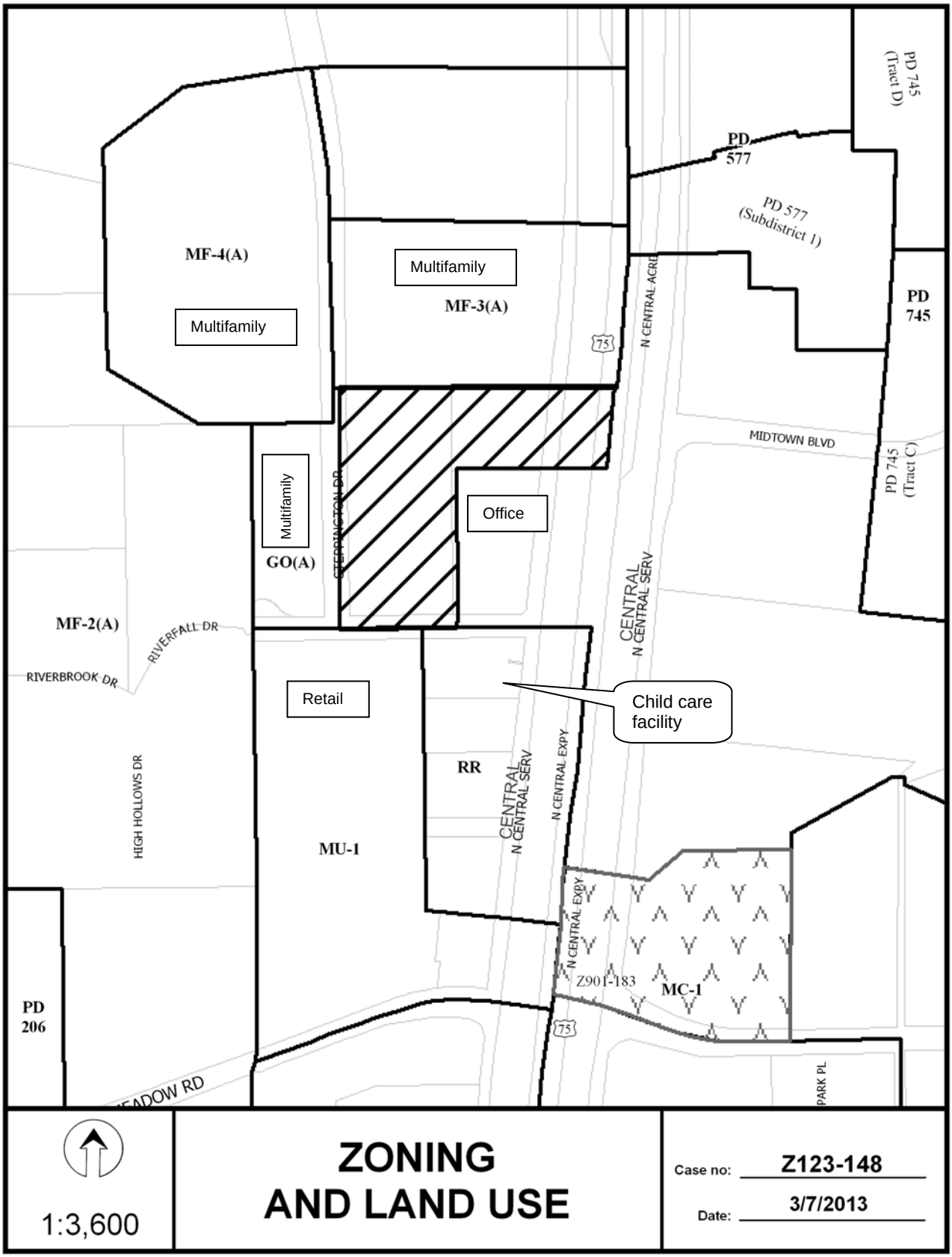


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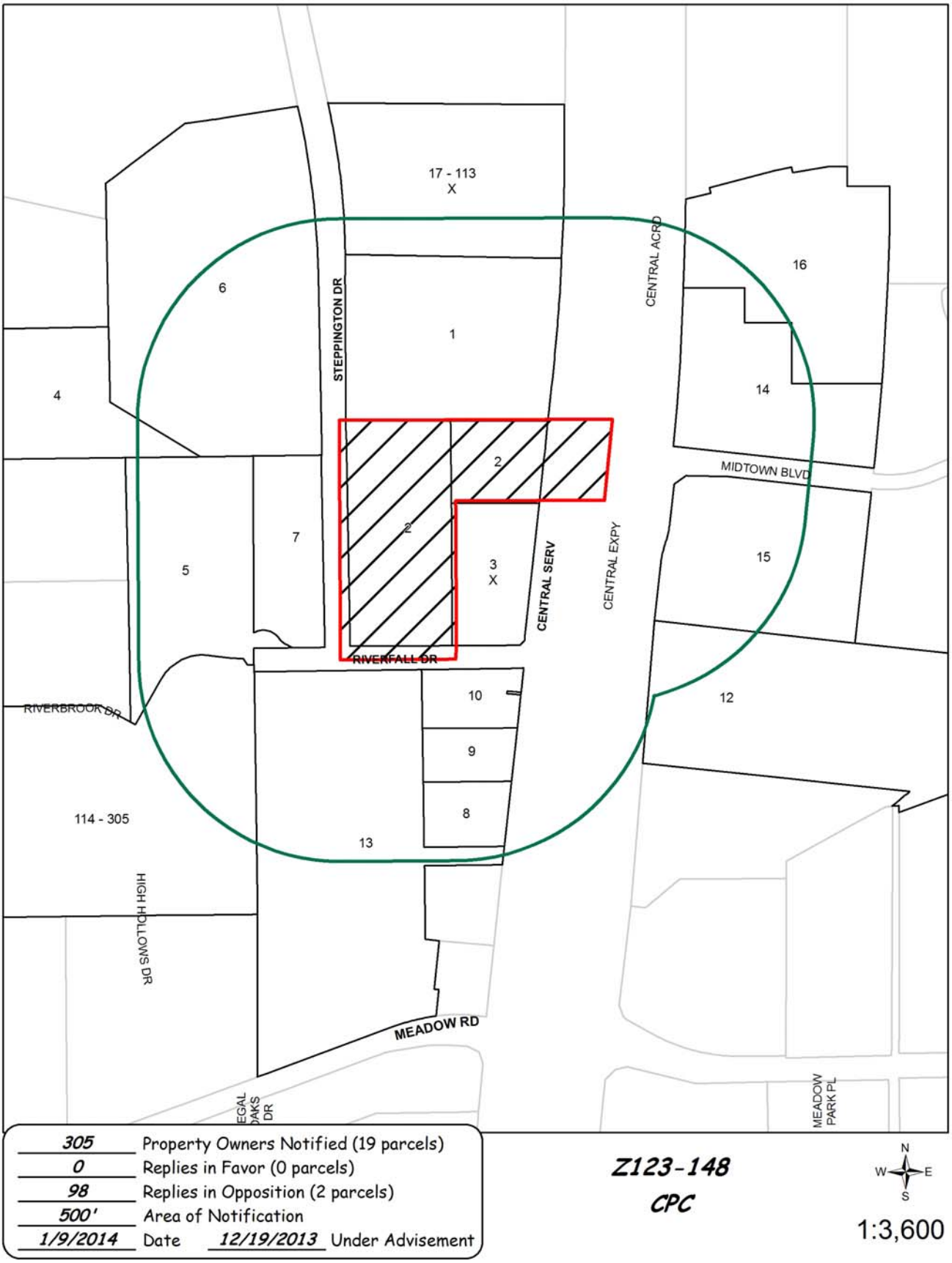
VICINITY MAP

Case no: Z123-148

Date: 3/7/2013


MF-4(A)
Multifamily
Multifamily
MF-3(A)
PD 745 (Tract D)
PD 577
PD 577 (Subdistrict 1)
PD 745
PD 745 (Tract C)
N CENTRAL ACRE
75
MIDTOWN BLVD
Multifamily
GO(A)
CLEARFACTION DR
Office
CENTRAL
N CENTRAL SERV
MF-2(A)
RIVERFALL DR
RIVERBROOK DR
Retail
Child care facility
RR
HIGH HOLLOWS DR
MU-1
N CENTRAL EXPY
Z901-183
MC-1
PD 206
PARK PL
ZONING AND LAND USE
1:3,600
Case no: Z123-148
Date: 3/7/2013

CPC RESPONSES



Notification List of Property Owners

Z123-148

305 Property Owners Notified 98 Property Owners Opposed 0 Property Owners in Favor

Vote	Label #	Address		Owner
	1	10640	STEPPINGTON DR	STEPPINGTON DALLAS INC
	2	10500	STEPPINGTON DR	06 QCC 0121 LLC
X	3	10501	CENTRAL EXPY	CHARTOWN NC GENERAL PS
	4	10602	STONE CANYON RD	FATH VIEWPOINT LP
	5	7879	RIVERFALL DR	IRG RIVERFALL LLC
	6	10641	STEPPINGTON DR	SEVILLE URBAN INVESTMENTS
	7	10501	STEPPINGTON DR	COLLCAIN LTD
	8	10433	CENTRAL EXPY	CCP MEADOWCENT I LP
	9	10443	CENTRAL EXPY	CHAN NELSON S & BELLE H
	10	10453	CENTRAL EXPY	MEADOW & CENTRAL LTD PS
	11	10453	CENTRAL EXPY	PRESCOTT INTERESTS LTD
	12	10550	CENTRAL EXPY	COMMODORE PARTNERS LTD
	13	10455	CENTRAL EXPY	MEADOW & CENTRAL LTD PS
	14	10670	CENTRAL EXPY	SEARCH PLAZA OFFICE LP
	15	10650	CENTRAL EXPY	COMMORDORE PTNRS LTD
	16	10720	CENTRAL EXPY	SK23 NORTH DALLAS LTD
X	17	10650	STEPPINGTON DR	GALVEZ CHARLES
X	18	10650	STEPPINGTON DR	DUCHON MADELINE
X	19	10650	STEPPINGTON DR	CABRIA MARIOLA M
X	20	10650	STEPPINGTON DR	TALIS PAMELA D &
X	21	10650	STEPPINGTON DR	SHELLENBERG DONALD P
X	22	10650	STEPPINGTON DR	KAZIC EDIN &
X	23	10650	STEPPINGTON DR	MINIKES ALAN N
X	24	10650	STEPPINGTON DR	HERRON RODNEY GLEEN &
X	25	10650	STEPPINGTON DR	MOORE JACQUELINE P
X	26	10650	STEPPINGTON DR	LONG MICHAEL A

Friday, January 10, 2014

Vote	*Label #*	*Address*		*Owner*
X	27	10650	STEPPINGTON DR	BOSWELL YOLANDA ANN
X	28	10650	STEPPINGTON DR	NAIK JANDRERAI & MADHU
X	29	10650	STEPPINGTON DR	NEWMAN KATHERINE
X	30	10650	STEPPINGTON DR	WRETA DAWIT
X	31	10650	STEPPINGTON DR	REICHARDT WILLIAM
X	32	10650	STEPPINGTON DR	MALHI K S & MANJIT
X	33	10650	STEPPINGTON DR	NELSON VIRGINIA D
X	34	10650	STEPPINGTON DR	LEJEUNE AMANDA
X	35	10650	STEPPINGTON DR	BURSTYN PEARCE L
X	36	10650	STEPPINGTON DR	ZOU YONGLONG & WANG YUAN
X	37	10650	STEPPINGTON DR	MCCART TERRY D
X	38	10650	STEPPINGTON DR	ANDRADE MIRIAM C
X	39	10650	STEPPINGTON DR	BEHROOZI KAMRAN
X	40	10650	STEPPINGTON DR	CREIGHTON LARRY &
X	41	10650	STEPPINGTON DR	SHACKELFORD LEWIS L III
X	42	10650	STEPPINGTON DR	ADCOCK SHIRLEY A
X	43	10650	STEPPINGTON DR	DARRAH JOHN S
X	44	10650	STEPPINGTON DR	BRASLAVSKY GEORGY & LILYA
X	45	10650	STEPPINGTON DR	PYSIAK GREGORY & EVA
X	46	10650	STEPPINGTON DR	BRUER HOMER L
X	47	10650	STEPPINGTON DR	DAVIDSON ROBERT LAWRENCE &
X	48	10650	STEPPINGTON DR	SUTTERFIELD ODIS R TR &
X	49	10650	STEPPINGTON DR	RUBIO ROSA
X	50	10650	STEPPINGTON DR	LANGE NATALIE G
X	51	10650	STEPPINGTON DR	DELA PENA A & GABRIELA
X	52	10650	STEPPINGTON DR	VALENTINE CANDICE &
X	53	10650	STEPPINGTON DR	LONDON ALAN N & JEAN A
X	54	10650	STEPPINGTON DR	LONDON ALAN N & JEAN A
X	55	10650	STEPPINGTON DR	CAUSEVIC HASAN & DIKA
X	56	10650	STEPPINGTON DR	WHITE SUE
X	57	10650	STEPPINGTON DR	GARVIN CATHERINE L

Vote	*Label #*	*Address*		*Owner*
X	58	10650	STEPPINGTON DR	FOWLER CHERYL A
X	59	10650	STEPPINGTON DR	HARRISON MARY B
X	60	10650	STEPPINGTON DR	SPANN LIBERTY MANAGEMENT
X	61	10650	STEPPINGTON DR	CARRASCO GILDA L
X	62	10650	STEPPINGTON DR	CASTANEDA GEORGE
X	63	10650	STEPPINGTON DR	GOLDMAN STANLEY
X	64	10650	STEPPINGTON DR	HAILU YODIT
X	65	10650	STEPPINGTON DR	SPRUIELL STANLEY M
X	66	10650	STEPPINGTON DR	JACOBS SUSAN D
X	67	10650	STEPPINGTON DR	LONDON ALAN M & JEAN A
X	68	10650	STEPPINGTON DR	MURILLO ESTALLA B
X	69	10650	STEPPINGTON DR	BARNETT DON &
X	70	10650	STEPPINGTON DR	CAUSEVIC ADEL
X	71	10650	STEPPINGTON DR	CHAROENDIREKSAP RUNGRATH
X	72	10650	STEPPINGTON DR	BAILEY TONYA B
X	73	10650	STEPPINGTON DR	WIDEMAN TERRENCE T
X	74	10650	STEPPINGTON DR	PATRICK & SONS LLC
X	75	10650	STEPPINGTON DR	TOLEDO TEX LLC
X	76	10650	STEPPINGTON DR	MORALES MARIBEL G
X	77	10650	STEPPINGTON DR	SMITH SHIRLEY A
X	78	10650	STEPPINGTON DR	GHEBRAY STEFANOS T
X	79	10650	STEPPINGTON DR	JACKSON JAMES
X	80	10650	STEPPINGTON DR	WILBER LYN REID
X	81	10650	STEPPINGTON DR	LIU YAN
X	82	10650	STEPPINGTON DR	FUENTES ALMA
X	83	10650	STEPPINGTON DR	GREBOW MARTIN
X	84	10650	STEPPINGTON DR	ABAY ASMAMAW
X	85	10650	STEPPINGTON DR	COX KIMBERLY LOU
X	86	10650	STEPPINGTON DR	SHULTS JANICE S
X	87	10650	STEPPINGTON DR	REASONOVER TODD
X	88	10650	STEPPINGTON DR	CHERNYAKHOVSKY CYNTHIA

Vote	*Label #*	*Address*		*Owner*
X	89	10650	STEPPINGTON DR	ZERMENO MARIA
X	90	10650	STEPPINGTON DR	AGS INVESTMENTS LLC
X	91	10650	STEPPINGTON DR	DAVIS JON T
X	92	10650	STEPPINGTON DR	GARCIA VICTOR MANUEL
X	93	10650	STEPPINGTON DR	DILLINGHAM TOM
X	94	10650	STEPPINGTON DR	MURPHY STEPHEN CHAD
X	95	10650	STEPPINGTON DR	RIOPELLE ONEIDA
X	96	10650	STEPPINGTON DR	PERL JACK &
X	97	10650	STEPPINGTON DR	ANDREWS SUSAN
X	98	10650	STEPPINGTON DR	EBBIGHAUSEN RAY & JEAN
X	99	10650	STEPPINGTON DR	HUMPHRIES JOHN F JR & DENNIS R
X	100	10650	STEPPINGTON DR	PERRY MELISSA
X	101	10650	STEPPINGTON DR	PYSIAK GREGORY & EWA
X	102	10650	STEPPINGTON DR	LEE FLOYD H
X	103	10650	STEPPINGTON DR	GANE SUE H
X	104	10650	STEPPINGTON DR	LEE FLOYD H
X	105	10650	STEPPINGTON DR	SANFORD LILA
X	106	10650	STEPPINGTON DR	LONDON ALAN W &
X	107	10650	STEPPINGTON DR	SCHENKLER BRUCE G
X	108	10650	STEPPINGTON DR	KAZIC ESMA
X	109	10650	STEPPINGTON DR	MILLER SHERALYN O
X	110	10650	STEPPINGTON DR	SUMMEY JOHN M
X	111	10650	STEPPINGTON DR	WALL SIMEON H
X	112	10650	STEPPINGTON DR	MCINTOSH JAMES L
X	113	10650	STEPPINGTON DR	NGUYEN MYLY T
	114	10526	STONE CANYON RD	HOWELL CRAIG
	115	10526	STONE CANYON RD	MILLER MURIEL LIEBERS
	116	10526	STONE CANYON RD	FARRIS ROY D JR
	117	10526	STONE CANYON RD	STEWART VERA A
	118	10526	STONE CANYON RD	BERRY KENNETH
	119	10526	STONE CANYON RD	VYAS ABHINAV

Vote	*Label #*	*Address*		*Owner*
	120	10526	STONE CANYON RD	TIMRECK THOMAS J
	121	10526	STONE CANYON RD	FLEMING GRACE
	122	10530	STONE CANYON RD	EVANS EVA L
	123	10530	STONE CANYON RD	KLEINMAN DIANA E
	124	10530	STONE CANYON RD	MAY JANET WOODWARD
	125	10530	STONE CANYON RD	SCHNORMEIER MARILYN R
	126	10530	STONE CANYON RD	KANNER LEONARD
	127	10530	STONE CANYON RD	SPT REAL ESTATE SUB III LLC
	128	10530	STONE CANYON RD	TURNER KEVIN F & ET AL
	129	10530	STONE CANYON RD	NEWBERG MARVIN
	130	10532	STONE CANYON RD	KLP INVESTMENTS LLC
	131	10532	STONE CANYON RD	HARTSOCK MARLENE
	132	10532	STONE CANYON RD	DALEY PATRICK
	133	10532	STONE CANYON RD	STONE MARILYN R & ALTON H
	134	10534	STONE CANYON RD	HERNANDEZ REGINA T
	135	10534	STONE CANYON RD	LITTLEJOHN COREY
	136	10534	STONE CANYON RD	HAMILTON GREGORY G
	137	10534	STONE CANYON RD	HERMOSILLO JOSE
	138	10534	STONE CANYON RD	WILKINSON AARON C &
	139	10534	STONE CANYON RD	RUBENSTEIN LEON
	140	10534	STONE CANYON RD	VELEZ OSCAR GOMEZ &
	141	10534	STONE CANYON RD	VELEZ OSCAR GOMEZ &
	142	10536	STONE CANYON RD	LONGORIA BARBARA
	143	10536	STONE CANYON RD	REEVES TERRY F
	144	10536	STONE CANYON RD	GONZALES VANESSA V
	145	10536	STONE CANYON RD	TAYLOR DEBORAH G
	146	10536	STONE CANYON RD	DIAZ HUGH
	147	10536	STONE CANYON RD	LOZANO ENEDELIA
	148	10536	STONE CANYON RD	EMERSON NORA C
	149	10536	STONE CANYON RD	PHAM JACQUELINE
	150	10544	STONE CANYON RD	WARD BERT TRUST

Vote	*Label #*	*Address*		*Owner*
	151	10544	STONE CANYON RD	MIDDLETON CHARLES ZACHARY
	152	10544	STONE CANYON RD	MURPHREE JOHN E
	153	10544	STONE CANYON RD	GOODSON CAROLYN K
	154	10544	STONE CANYON RD	WEISFELD RONALD A
	155	10544	STONE CANYON RD	DONALDSON JAMES A
	156	10544	STONE CANYON RD	ZAMLEN CYNTHIA JO
	157	10544	STONE CANYON RD	WIGLEY ROBERT TR
	158	10546	STONE CANYON RD	ZAK MICHAEL S
	159	10546	STONE CANYON RD	BROWN LAUREN B
	160	10546	STONE CANYON RD	KAGAN ALAN M
	161	10546	STONE CANYON RD	LEVINE LAWRENCE J & MARCIA P
	162	10546	STONE CANYON RD	NAVARRO WENDY C
	163	10546	STONE CANYON RD	WILDE TARA C
	164	10546	STONE CANYON RD	SANTIAGO DEWITT L
	165	10546	STONE CANYON RD	MULLEY MARY
	166	10548	STONE CANYON RD	DUKE BILLY J
	167	10548	STONE CANYON RD	DUKE BJ
	168	10548	STONE CANYON RD	ISAKSSON CHARLIE & JAHLYN C
	169	10548	STONE CANYON RD	WALLACE JILL SANDEL BALLARD
	170	10548	STONE CANYON RD	ISAACSON PAMELA
	171	10548	STONE CANYON RD	CONDON KATHLEEN
	172	10548	STONE CANYON RD	CHANNING JENNIFER A
	173	10548	STONE CANYON RD	COLEMAN CALEB & VANESSA SALAZAR
	174	10550	HIGH HOLLOWS DR	HOLLOWS NORTH CONDO ASSOC
	175	10550	HIGH HOLLOWS DR	DAVIS MICHAEL
	176	10550	HIGH HOLLOWS DR	WANG DIING-YUAN &
	177	10550	HIGH HOLLOWS DR	CANTY JOHN P
	178	10552	HIGH HOLLOWS DR	SMITH DONALD R & LYNDA J
	179	10552	HIGH HOLLOWS DR	FRITTS REX CALLOWAY
	180	10552	HIGH HOLLOWS DR	HAVERSTICK MICHAEL
	181	10552	HIGH HOLLOWS DR	CLARK NATHAN

Vote	*Label #*	*Address*		*Owner*
	182	10552	HIGH HOLLOWS DR	HOLLOWS NORTH CONDOMINIUM
	183	10552	HIGH HOLLOWS DR	GENTILE NANCY
	184	10552	HIGH HOLLOWS DR	FOREMAN SHERYL L
	185	10552	HIGH HOLLOWS DR	CARSON WILLIAM C
	186	10556	HIGH HOLLOWS DR	FITZGERALD DAVID M
	187	10556	HIGH HOLLOWS DR	SEARSON REX LEROY &
	188	10556	HIGH HOLLOWS DR	WHIDDEN DAVID L III &
	189	10556	HIGH HOLLOWS DR	SCHILL TERRY M
	190	10556	HIGH HOLLOWS DR	BARGONETTI MERRY ANN
	191	10556	HIGH HOLLOWS DR	STERLING TRACY
	192	10556	HIGH HOLLOWS DR	BURKET JAMES
	193	10556	HIGH HOLLOWS DR	DAVIS ROBERT A ET AL
	194	10558	HIGH HOLLOWS DR	MATISE JAN C
	195	10558	HIGH HOLLOWS DR	KENDRA KAROL A
	196	10558	HIGH HOLLOWS DR	MOMIN ASMA S
	197	10558	HIGH HOLLOWS DR	WHITESIDE TRACY
	198	10558	HIGH HOLLOWS DR	MANTANONA TINA
	199	10558	HIGH HOLLOWS DR	SOMMER CLAUDIA M
	200	10558	HIGH HOLLOWS DR	GOSNELL DAVID WILLIAM
	201	10558	HIGH HOLLOWS DR	HARTLEP KORY
	202	10562	HIGH HOLLOWS DR	MINTZ ERIN M
	203	10562	STONE CANYON RD	LEE SELMA RUE
	204	10562	HIGH HOLLOWS DR	GUARDIAN MTG CO INC
	205	10562	HIGH HOLLOWS DR	ISAKSSON CHARLIE &
	206	10562	HIGH HOLLOWS DR	KLEIN KATHERINE JOANNA
	207	10562	HIGH HOLLOWS DR	NEWBERG MARVIN J
	208	10562	HIGH HOLLOWS DR	BLAIR DAVID C
	209	10562	HIGH HOLLOWS DR	HANNAH BRYON W
	210	10564	HIGH HOLLOWS DR	HOLLOWS NORTH CONDO ASN INC
	211	10564	HIGH HOLLOWS DR	HINKLE MELISSA
	212	10564	HIGH HOLLOWS DR	BARBERO ISABEL

Vote	*Label #*	*Address*		*Owner*
	213	10564	HIGH HOLLOWS DR	DRYZER LOWELL M TRUST &
	214	10564	HIGH HOLLOWS DR	MCCURRACH PAMELA & DAVID
	215	10564	HIGH HOLLOWS DR	HUD
	216	10564	HIGH HOLLOWS DR	GRIFFITH CHARLES D
	217	10564	HIGH HOLLOWS DR	HOLM RICHARD D
	218	10566	HIGH HOLLOWS DR	BARRETT MARTHA E
	219	10566	HIGH HOLLOWS DR	VINSONHALER MARY C
	220	10566	HIGH HOLLOWS DR	BERNBAUM PHYLISS N
	221	10566	HIGH HOLLOWS DR	COUNTS LYNNA KAY
	222	10566	HIGH HOLLOWS DR	ORDNER JOHN R & KAREN W TRUSTEES
	223	10566	HIGH HOLLOWS DR	MOORE D P
	224	10566	HIGH HOLLOWS DR	LEON JAIRO CHING
	225	10566	HIGH HOLLOWS DR	ALCALA LUIS M
	226	10570	HIGH HOLLOWS DR	SORIA MARIO &
	227	10570	HIGH HOLLOWS DR	POUNDS TIM L & BUNNI
	228	10570	HIGH HOLLOWS DR	YARBROUGH DANA LEE
	229	10570	HIGH HOLLOWS DR	CATHCART PATRICIA
	230	10572	HIGH HOLLOWS DR	MONTGOMERY MILLIE
	231	10572	HIGH HOLLOWS DR	TSCHUMY SHEILA A
	232	10572	HIGH HOLLOWS DR	ALCALEN LIVING TRUST
	233	10572	HIGH HOLLOWS DR	ANDERSON DENISE
	234	10574	HIGH HOLLOWS DR	WILKERSON KAREN M
	235	10574	HIGH HOLLOWS DR	ALOI TOM
	236	10574	HIGH HOLLOWS DR	SMITH SHARON E
	237	10574	HIGH HOLLOWS DR	DUBNOV WILLIAM L
	238	10574	HIGH HOLLOWS DR	GROCE TERESA ANN
	239	10574	HIGH HOLLOWS DR	GLENN DON V
	240	10574	HIGH HOLLOWS DR	MCCOY DENNIS G
	241	10574	HIGH HOLLOWS DR	JSL TRUST
	242	10578	HIGH HOLLOWS DR	MARTIN OPAL S
	243	10578	HIGH HOLLOWS DR	VIRDEN JOHN C

Vote	*Label #*	*Address*		*Owner*
	244	10578	HIGH HOLLOWS DR	MARSHALL JUNE
	245	10578	HIGH HOLLOWS DR	SMITH DIANNE
	246	10578	HIGH HOLLOWS DR	D & F PRODUCTIONS LTD
	247	10578	HIGH HOLLOWS DR	ZIELINSKI TANYA A
	248	10578	HIGH HOLLOWS DR	JACKSON LORIE M
	249	10578	HIGH HOLLOWS DR	CURTIS CONSTANCE C
	250	10580	HIGH HOLLOWS DR	KEOUGH KATHRYN
	251	10580	HIGH HOLLOWS DR	SAIDI ROSAMOND VIRGINIA
	252	10580	HIGH HOLLOWS DR	AIKMAN ANITA G
	253	10580	HIGH HOLLOWS DR	BLOCK HOWARD
	254	10580	HIGH HOLLOWS DR	RING INTERNATIONAL LLC
	255	10580	HIGH HOLLOWS DR	ARONSON THOMAS W
	256	10580	HIGH HOLLOWS DR	FRANCE WARREN D
	257	10580	HIGH HOLLOWS DR	GUCHEREAU JAN
	258	10584	HIGH HOLLOWS DR	WILMOTH AMANDA BYARS &
	259	10584	HIGH HOLLOWS DR	LOWE FRED FAMILY PTNRS LTD
	260	10584	HIGH HOLLOWS DR	MILAKOVICH MARKS & ANNA
	261	10584	HIGH HOLLOWS DR	FISHER FRANCES JUNE EST OF
	262	10584	HIGH HOLLOWS DR	BAGGETT SUSANNE L
	263	10584	HIGH HOLLOWS DR	GARNER NANCY
	264	10584	HIGH HOLLOWS DR	DIA PROPERTIES
	265	10584	HIGH HOLLOWS DR	GARRETT CONNIE
	266	10586	HIGH HOLLOWS DR	PHILLIPS JOYCE I &
	267	10584	HIGH HOLLOWS DR	BRZEZINSKI ARTUR & ETAL
	268	10586	HIGH HOLLOWS DR	JANIAK TERESA
	269	10586	HIGH HOLLOWS DR	GOLDBERG DAVID V
	270	10588	HIGH HOLLOWS DR	GALER VINCENT H
	271	10588	HIGH HOLLOWS DR	GERSON CHARISSE
	272	10588	HIGH HOLLOWS DR	WERN JASON E
	273	10588	HIGH HOLLOWS DR	WILLIAMS CAROL RAND TR
	274	10588	HIGH HOLLOWS DR	WILLIAMS-EAKINS CATEHRINE E

Vote	*Label #*	*Address*		*Owner*
	275	10588	HIGH HOLLOWS DR	TOASTON TANISHA A
	276	10588	HIGH HOLLOWS DR	MARTINEZ ARMANDO & FLORENCIA
	277	10588	HIGH HOLLOWS DR	KATZEN ELLEN
	278	10590	HIGH HOLLOWS DR	HUNTER TANA LYNN
	279	10590	HIGH HOLLOWS DR	CALVERT EVELYN A
	280	10590	HIGH HOLLOWS DR	BRUCH MICHELE
	281	10590	HIGH HOLLOWS DR	DOWLER LYNNE L
	282	10590	HIGH HOLLOWS DR	TRUSTEE SERVICES OF AMERICA INC
	283	10590	HIGH HOLLOWS DR	LAMBERT HELEN &
	284	10590	HIGH HOLLOWS DR	DOWLER LYNNE L & DONALD R
	285	10590	HIGH HOLLOWS DR	REN XIJING
	286	10594	HIGH HOLLOWS DR	LAMBERT ALLISON
	287	10594	HIGH HOLLOWS DR	MONARCH MARTHA
	288	10594	HIGH HOLLOWS DR	ASTRAHAN EDELWEISS P
	289	10594	HIGH HOLLOWS DR	GARCIA RUBIELA VILLA
	290	10594	HIGH HOLLOWS DR	WILDBERGER PAUL L
	291	10594	HIGH HOLLOWS DR	CLARK ADAIR W
	292	10594	HIGH HOLLOWS DR	HALL LEANNE C
	293	10594	HIGH HOLLOWS DR	MINOR TRACY
	294	10596	HIGH HOLLOWS DR	SEIJAS ENNIE
	295	10596	HIGH HOLLOWS DR	SCHROEDER WENDY K
	296	10596	HIGH HOLLOWS DR	SEIJAS ENNIE G
	297	10596	HIGH HOLLOWS DR	CADY LESLIE G & CHARLINE
	298	10598	HIGH HOLLOWS DR	BARNETT DON &
	299	10598	HIGH HOLLOWS DR	MUETHER ROBERT MICHAEL
	300	10598	HIGH HOLLOWS DR	GOULD KEVIN A
	301	10598	HIGH HOLLOWS DR	SMITH SUSAN L
	302	10598	HIGH HOLLOWS DR	GRANGER GAYLE E
	303	10598	HIGH HOLLOWS DR	RUPP BETTY JO
	304	10598	HIGH HOLLOWS DR	SCHLICHTING STEPHEN J
	305	10598	HIGH HOLLOWS DR	GRAY EMILY E

AGENDA ITEM # 52

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 34 N

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 759 for RR Regional Retail District uses generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan and revised conditions

Z123-340(WE)

Note: This item was considered by the City Council at a public hearing on January 22, 2014, and was taken under advisement until March 26, 2014, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MARCH 26, 2014**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-340(WE) **DATE FILED:** March 7, 2007

LOCATION: Generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 34-N

SIZE OF REQUEST: Approx. 31.02 acres **CENSUS TRACT:** 04.06

APPLICANT / OWNER: Mockingbird Venture Partners, LLC

REPRESENTATIVE: Bill Dahlstrom
Jackson Walker

REQUEST: An application for an amendment to Planned Development District No. 759 for RR Regional Retail District uses.

SUMMARY: The purpose of this request is to change the Planned Development District conditions parking requirements for an office and lodging use to reflect the parking standards in the Dallas Development Code.

CPC RECOMMENDATION: Approval, subject to a revised conceptual plan and revised conditions

STAFF RECOMMENDATION: Approval, subject to a revised conceptual plan and revised conditions

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The request for an amendment to Planned Development District No. 759 should not have a negative impact on the surrounding areas. The types of uses proposed for the site could support the adjacent businesses as well the Medical District.

2. *Traffic impact* – The Engineering Section of the Department of Sustainable development and Constructions has reviewed the applicant's Traffic Impact Analysis Report and the amendments to the parking regulations for an office and lodging uses and have determined that the request will not have a negative impact on the street system.

3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site in located in an Urban Mixed Use Building Block and is transitioning from industrial uses to a mixed use area even though the *Love Field – West Land Use Study* recommends light industrial or industrial research uses.

4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The proposed Planned Development District is justified because of the Dallas Development Code does not permit the flexibility to change the developments standards and regulations for a project that requires some latitude in the development standards to develop a mix use development.

BACKGROUND INFORMATION:

- The Planned Development conditions state that the required parking for nonresidential uses, except for restaurant uses, is 4.5 spaces per 1,000 square feet of floor area. The applicant request is to change the off-street parking requirements for office and lodging use to reflect the Development Code's parking regulations standards.

- The proposed change will establish the parking requirements for an office use as one space per 333 square feet of floor area and for a lodging use as one space for each guest room.

- In May 2013, the City Council approved an amendment to Planned Development District No. 759 for RR Regional Retail District uses. The amendment allowed an increase the development rights on the Property by including MF-3(A) development rights and standards in Subdistrict II-A and Subdistrict II-B, but retained the RR Regional Retail development rights and standards on the entire site. In addition,

there is a natural ravine (floodplain) that transverse the site and is proposed to be filled-in to allow for the construction of the proposed development.

- In July 2013, the City Plan Commission approved the applicant's request for a waiver of the two-year waiting period. The approval allowed the applicant to submit a zoning application prior to the required two year waiting period for any zoning changes or amendments to their proposed development.

- The surrounding land uses consist of industrial, manufacturing, commercial and single family uses.

Zoning History: There has been one Board of Adjustment case and four zoning changes requested in the area.

1. **B067-035** On March 19, 2007, the Board of Adjustment Panel C denied without prejudice a special exception to the parking regulations at 2525 W. Mockingbird Lane.

2. **Z045-116** On April 13, 2005, the City Council approved an IR Industrial Research District on property zoned an MC-3 Multiple Commercial District along the northwest line of Mockingbird Lane beginning at the west corner of Mockingbird Lane and Denton Drive.

3. **Z045-119** On May 13, 2005, the City Council approved an IR Industrial Research District on property zoned an MC-3 Multiple Commercial District on the north corner of Mockingbird Lane and Maple Avenue.

4. **Z067-188** On June 27, 2007, the City Council approved a Planned Development District for RR Regional Retail District uses on property zoned an IM Industrial Manufacturing District and IR Industrial Research District.

5. **Z123-177** On May 22, 2013, the City Council approved an amendment to Planned Development District No. 759 for RR Regional Retail District uses.

Land Use:

	Zoning	Land Use
Site	PDD No. 759	Undeveloped, Mobile Home Park, Storage area for vehicles
Northeast	IR	Industrial, Nursery, Single Family
Southeast	MU-2, IR	Industrial, Undeveloped, Multifamily, Auto Related uses
Northeast	IR, CS	Industrial, Auto Related uses, Single Family
Southwest	IR	Industrial

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, but also recommends protecting Dallas' floodplains.

The Plan identifies the request site as being in an Urban Mixed Use Building Block and is transitioning from industrial uses to a mixed use area even though the *Love Field – West Land Use Study* recommends light industrial or industrial research uses.

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.

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

Goal 2.1 Promote Balanced Growth.

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Goal 2.2 Engage in strategic economic development

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

Urban Design

Goal 5.2 Strengthen community and neighborhood identity

Policy 5.2.4 Enhance retail, industrial and business operations

Area Plan: The request site lies within the *Love Field – West Land Use Study, January 1987*, and recommends light industrial or industrial research uses for the area. The area contains a mixture of land uses, from a paint manufacturing company to professional and corporate offices, commercial facilities, and a mobile home park. The Study states that light industrial or industrial research uses are appropriate because the request site is adjacent to a residential area.

STAFF ANALYSIS:

Land Use Compatibility: The 31.02 acre site is irregularly shaped and is primarily undeveloped with the exception of a mobile home park and a staging area for vehicles.

In June 27, 2007, the City Council approved Planned Development District No. 759 for RR Regional Retail uses that permitted several modifications to the development standards. These modifications included 1) alternative options for tree mitigation, and 2) design standards for general merchandise greater than 100,000 square feet of floor area on any structure greater than 75,000 square feet with some modification to the tree planting requirements.

In May 2013, the City Council approved an amendment to Planned Development District No. 759 for RR Regional Retail District uses which allowed an increase in the development rights on the Property by including MF-3(A) development rights and standards in Subdistrict II-A and Subdistrict II-B, but retained the RR Regional Retail development rights and standards on the entire site. In addition, there is a natural ravine (floodplain) that transverse the site and is proposed to be filled-in to allow for the construction of the proposed development.

The applicant's request for an amendment to Planned Development District No. 759 for RR Regional Retail uses will change the office and lodging use to have the off-street parking regulation standards that are established in the Development Code. Currently, the PDD conditions limit the required parking for nonresidential uses, except for restaurant uses, to 4.5 spaces per 1,000 square feet of floor area. The proposed changes will reflect the off-street parking requirements for an office use is one space per 333 square feet of floor and a lodging use as one space for each guest room. The applicant may provide a lodging use with a maximum of 300 guest rooms.

The request for an amendment to Planned Development District No. 759 should not have an adverse impact on the surrounding areas, subject to attached conditions.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
Planned Development District No. 759 Regional retail	15'	15'	1.5 FAR	95 ft.	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office, Multifamily

Landscaping: Landscaping will be maintained in accordance with Article X, as amended and big box standards for any building greater than 75,000 square feet.

Article V (Floodplain): Any fill work in the flood plain will require application to the Public Works Department. The fill permit will be reviewed for compliance under Article V of the Dallas Development Code. The Public Works Department will determine the impact and type of mitigation measures on the floodplains and forward their recommendation to the City Council. In November 2007, the Dallas City Council approved a fill permit for the request site and the fill permit will expire in November 2015.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development. The infrastructure improvements identified in the applicant's Traffic Impact Analysis Report, *Mockingbird at Maple Retail Site*, February 2007, will be implemented and will suffice for the proposed amendment to Planned Development District No. 759.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Mockingbird Lane	Minor Arterial	100 ft.	100 ft.
Maple Avenue	Collector	60 ft.	60 ft.
Empire Central	Collector	44.2 ft.	44 ft.
Forest Park	Local Street	40 ft.	40 ft.
Hawes Street	Local Street	50 ft.	50 ft.

CPC Action (October 24, 2013)

Motion: In considering an application for an amendment to Planned Development District No. 759 for RR Regional Retail District uses generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue, it was moved to **hold** this case under advisement until November 7, 2013.

Maker: Shidid
Second: Ridley
Result: Carried: 13 to 0

For: 13 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Alcantar
Vacancy: 0

Notices: Area: 500 Mailed: 217
Replies: For: 13 Against: 1

Speakers: None

CPC Action (November 7, 2013)

Motion: In considering an application for an amendment to Planned Development District No. 759 for RR Regional Retail District uses generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue, it was moved to **hold** this case under advisement until November 21, 2013.

Maker: Soto
Second: Tarpley
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 500 Mailed: 217
Replies: For: 13 Against: 1

Speakers: None

CPC Action (November 21, 2013)

Motion: In considering an application for an amendment to Planned Development District No. 759 for RR Regional Retail District uses in an area generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue, it was moved to hold this case under advisement until December 19, 2013.

Maker: Soto
Second: Shellene
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 500 Mailed: 217
Replies: For: 13 Against: 1

Speakers: None

CPC Action (December 19, 2013)

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 759 for RR Regional Retail District uses, subject to a revised conceptual plan and revised conditions with the following change: 1) Provide side and rear setbacks of 5 feet with the property fronting Empire Central to remain 15 feet in an area generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue.

Maker: Soto
Second: Anglin
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 500 Mailed: 217
Replies: For: 13 Against: 1

Speakers: For: Jonathan Vinson, 901 Main St., Dallas, TX, 75202
Against: None

LIST OF OFFICERS
MOCKINGBIRD VENTURE PARTNERS, LLC

Mockingbird venture partners, LLC
A Delaware Limited Liability Company

Sole Managing Member: Highridge Asset Management, LLC
A Delaware Limited Liability Company

Sole Managing Member: Highridge Management, Inc
A California Corporation

Highridge Asset Management, LLC - Officers

- John S. Long – President
- Steven A. Berlinger – Executive VP/CFO
- Jack L. Mahoney – VP
- Eugene S. Rosenfield – VP
- Parviz Vaghti – VP
- Linda Kasai – VP/Secretary

Directors:

- John S. Long
- Steven A. Berlinger

CPC PROPOSED PDD CONDITIONS

ARTICLE 759.

PD 759.

SEC. 51P-759.101. LEGISLATIVE HISTORY.

PD 759 was established by Ordinance No. 26871, passed by the Dallas City Council on June 27, 2007. (Ord. 26871)

SEC. 51P-759.102. PROPERTY LOCATION AND SIZE.

PD 759 is established on property located at the northeast corner of West Mockingbird Lane and Forest Park Road. The size of PD 759 is approximately 31.02 acres.

SEC. 51P-759.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

(1) SHOPPING CENTER SIGN means a sign that identifies several owners, tenants, or occupants within the district.

(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 divided into three Subdistricts: Subdistrict I, Subdistrict II-A, and Subdistrict II-B.

(d) This district is considered to be a nonresidential zoning district.

SEC. 51P-759.103.1. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 759A: conceptual plan.

SEC. 51P-759.104. CONCEPTUAL PLAN.

(a) Except as provided in this section, development and use of the Property must comply with the conceptual plan (Exhibit 759A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

(b) The conceptual plan only shows the approximate location of ingress/egress points. The final location of the ingress/egress points must be shown on the development plan. No ingress or egress is permitted to or from Empire Central.

DEVELOPMENT PLAN.

(a) A development plan must be approved by the city plan commission before issuance of any building permit to authorize work in this district.

(b) The development plan does not have to show all phases of development if separate phases are proposed. If separate phases are proposed, however, a development plan for each phase must be approved by the city plan commission before the issuance of a building permit to authorize work in that phase of development.

(c) If there is a conflict between the text of this article and the development plan, the text of this article controls.

(d) Before approval of a development plan for any portion or all of the Property, a tree survey, grading and drainage plan, and utilities plan for that portion of the Property must be submitted to the building official.

SEC. 51P-759.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this district are those main uses permitted in the RR Regional Retail District, subject to the same conditions applicable in the RR Regional Retail District, as set out in Chapter 51A. For example, a use permitted in the RR Regional Retail District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the RR Regional Retail District is subject to DIR in this district, etc.

(b) Multifamily uses are permitted by right in Subdistrict II-A and Subdistrict II-B.

SEC. 51P-759.107. 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-759.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A- 4.400, this section controls.)

(a) In general.

(1) Subdistrict I. Except as provided in this section, the yard, lot, and space regulations for the RR Regional Retail District apply.

(2) Subdistrict II-A and Subdistrict II-B. Except as provided in this section, the yard, lot, and space regulations for the MF-3(A) Multifamily District apply.

(b) Front yard. Except as provided,

(1) [~~M~~]minimum front yard is [~~1~~]5 feet at the boundaries of this district, as shown on the conceptual plan. Otherwise, no front yard setback is required.

(2) Minimum front yard is 15 feet on Empire Central

CPC Recommendation

(c) Side and rear yard. Minimum side and rear yard is 15 feet at the boundaries of this district. Otherwise, no side and rear yard setback is required.

Staff's Recommendation

(c) Side and rear yard. Minimum side and rear yard is 15 feet at the boundaries of this district. Otherwise, no side and rear yard setback is required.

(d) Floor area ratio.

(1) Except as provided in this subsection, maximum floor area ratio is 1.5.

(2) For lodging and office uses, maximum floor area ratio is 2.0.

(3) For multifamily uses, no maximum floor area ratio.

(e) Floor area.

(1) All subareas. Maximum total floor area for all uses on the Property other than lodging and residential is 365,000 square feet.

(2) Subdistrict I. Maximum total floor area for all uses other than lodging and residential is 175,000 square feet.

(3) Subdistrict II-A and Subdistrict II-B. Maximum total floor area for all uses other than lodging and residential is 190,000 square feet.

(f) Height.

(1) Subdistrict I.

(a) Maximum structure height is 95 [~~50~~] feet.

(b) Maximum structure height for lodging and office uses is 155 feet.

(2) Subdistrict II-A. Maximum structure height is 90 feet.

(3) Subdistrict II-B. Maximum structure height is 65 feet.

(g) Density/Guest rooms.

(1) Subdistrict II-A and Subdistrict II-B. Overall maximum density is 75 units per acre.

(2) Subdistrict I and Subdistrict II-A. Maximum number of guest rooms for all lodging uses is 300.

(h) Lot coverage. Maximum lot coverage is 80 percent.

(i) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure over 60 feet in height.

(j) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 60 feet is required for that portion of a structure over 60 feet in height, up to a total of 30 feet. This subsection does not require a total side or rear setback greater than 30 feet.

SEC. 51P-759.109. DESIGN STANDARDS.

(a) Except as provided in this section, the design standards and procedures in Section 51A-4.605 apply to any retail uses, personal service uses, or combination thereof, totaling 75,000 square feet or more of floor area and located within the same structure.

(b) Trees planted in planters count toward the tree planting requirements in Section 51A-4.605(a)(8)(F).

(c) The city plan commission, whether or not a specific use permit is required, may approve a site plan that does not comply with the requirements of the design standards provided that:

(1) strict compliance with the design standards is impractical due to site constraints or would result in substantial hardship;

(2) the site plan complies with the spirit and intent of the design standards;

(3) the site plan furthers the stated purpose of the design standards; and

(4) the variation or exception from the design standards will not adversely affect surrounding properties.

(5) For amendments to the design standards site plan, the city plan commission shall follow the same procedures used for approval of minor amendments to development plans, and the fee for a minor plan amendment shall apply.

SEC. 51P-759.110. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult Division 51A-4.300 for information regarding off-street parking and loading generally.

(b) The required parking for nonresidential uses, except for restaurant uses, office uses, and lodging uses is 4.5 spaces per 1,000 square feet of floor area. In addition, one off-street parking space must be provided for every 500 square feet of covered outdoor sales area and one off-street parking space must be provided for every 2,000 square feet of open outdoor sales area.

(c) The following off-street parking requirements apply to office and lodging uses:

i. Office: one space per 333 square feet of floor area

ii. Lodging: one space for each guest room.

(d)[~~(c)~~] For purposes of the off-street parking regulations, the Property is considered one lot.

SEC. 51P-759.111. ROADWAY IMPROVEMENTS.

(a) Each application for a building permit or certificate of occupancy must be supplemented with a cumulative floor area calculation for the district and the number of off-street parking required for each retail use.

(b) No certificate of occupancy may be issued for any use in the district once the cumulative floor area for the district reaches 50,000 square feet, until the roadway improvements specified in this section are completed. The following road improvements must be provided on Mockingbird Lane, with final design and construction approved by the director of public works and transportation:

(1) Lengthen the existing eastbound left-turn lane of Driveway No. 6, as shown on the conceptual plan, to a minimum of 150 feet storage.

(2) [~~Construct a westbound deceleration lane at Driveway No. 5~~] No on-site driveway on either side of Drive 5 within 0 feet of Mockingbird Lane right-of-way, as shown on the conceptual plan.

SEC. 51P-759.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-759.113. LANDSCAPING.

(a) In general.

(1) Except as otherwise provided in this section, landscaping must be provided in accordance with Article X.

(2) A platted lot with less than 25 feet of street frontage does not require street trees.

(3) Required street trees may be planted in adjacent parkways as described in Subsection 51P-759.113(a)(4) and (5), provided that all private licensing requirements of the city code and charter are met. Street trees shall be counted toward the requirements for site trees.

(4)[~~(2)~~] Plant materials must be maintained in a healthy, growing condition.

(b) Planting Strips

(1) Minimum parkway planting strip adjacent to Mockingbird Lane, measured from back of curb, is 6 feet.

(2) Minimum parkway planting strip adjacent to Forest Park Road, Hawes Street and Maple Avenue, measured from back of curb, is 5 feet.

(b) Tree mitigation.

(1) Except as provided in this section, tree mitigation must be provided in accordance with Article X.

(2) Except as provided in this section, tree mitigation in flood plain areas must be provided in accordance with Article V.

(3) Tree mitigation must be completed within 24 months after issuance of a tree removal permit.

[~~(c) Alternative tree mitigation.~~]

[~~(1) The building official shall allow an inch-for-inch tree mitigation credit for healthy, growing, protected trees with a caliper of six inches or more that are transplanted into parking lot islands or medians on the Property.~~]

(2) The building official shall evaluate the condition of trees used for alternative tree mitigation during the first landscape inspection on the Property.

SEC. 51P-759.114. SIDEWALKS.

(a) Sidewalks on Mockingbird Lane must have a minimum unobstructed width of 7 feet.

(b) Sidewalks on Forest Park Road, Hawes Street and Maple Avenue must have a minimum unobstructed width of 6 feet.

SEC. 51P-759.11[4](5). SIGNS.

(a) In general. Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

(b) Monument signs. All detached signs, except for shopping center signs, must be monument signs.

(c) Shopping center signs.

(1) For shopping center signs only, the premise is considered the entire Property.

(2) Shopping center signs may only be located adjacent to Mockingbird Lane.

(3) One shopping center sign is permitted for every 300 feet of street frontage.

(4) Shopping center signs must be located at least 400 feet apart.

(5) Shopping center signs may not exceed 35 feet in height or 250 square feet in effective area.

SEC. 51P-759.11[~~5~~](6). ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

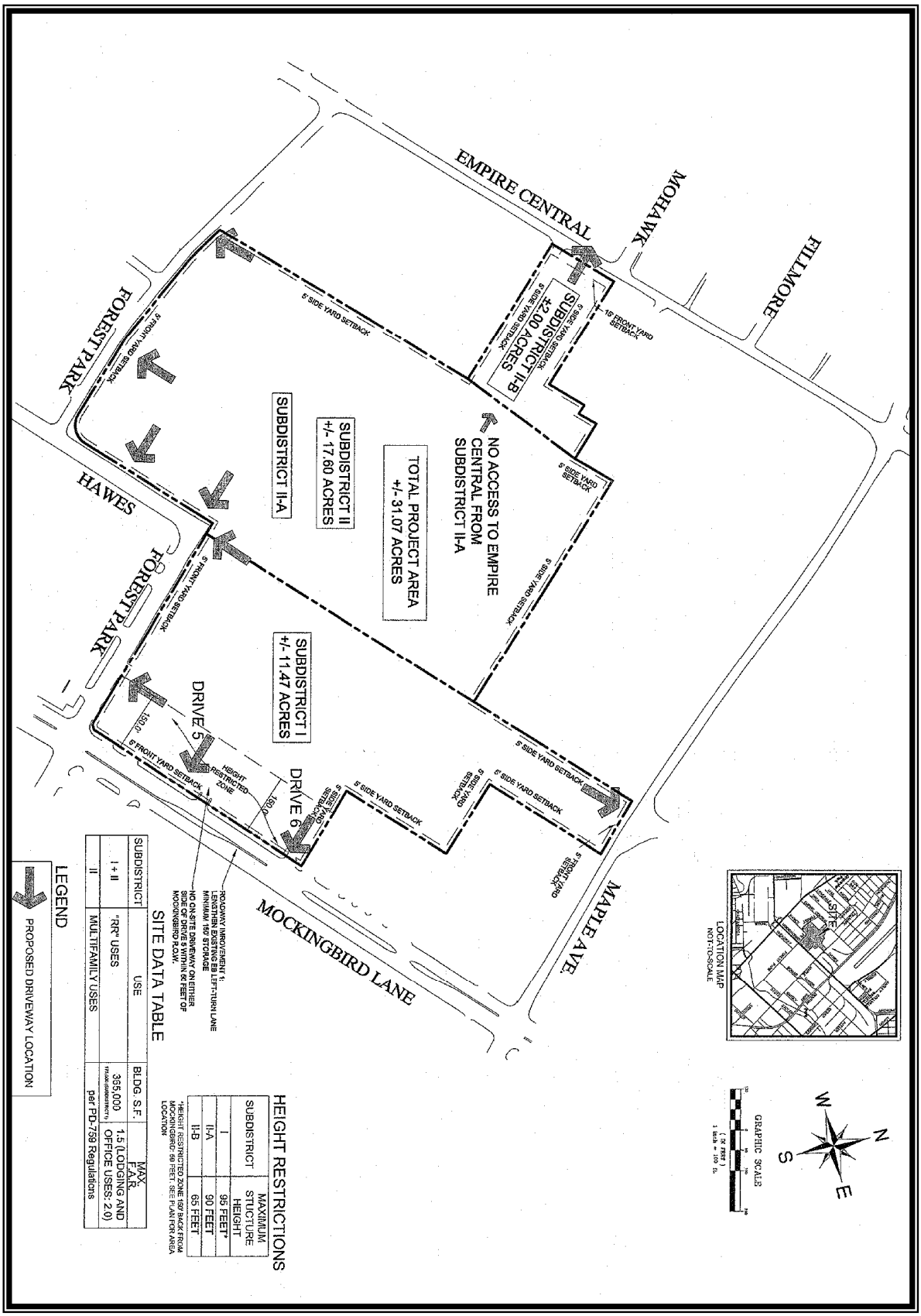
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. 26871)

SEC. 51P-759.11[~~6~~](7). COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use in this 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



SITE DATA TABLE

SUBDISTRICT	USE	BLDG. S.F.	MAX. F.A.R.
I + II	"RR" USES	335,000 (PLUS ASSISTED LIVING)	1.5 (LODGING AND OFFICE USES: 2.0)
II	MULTIFAMILY USES	per PD-759 Regulations	

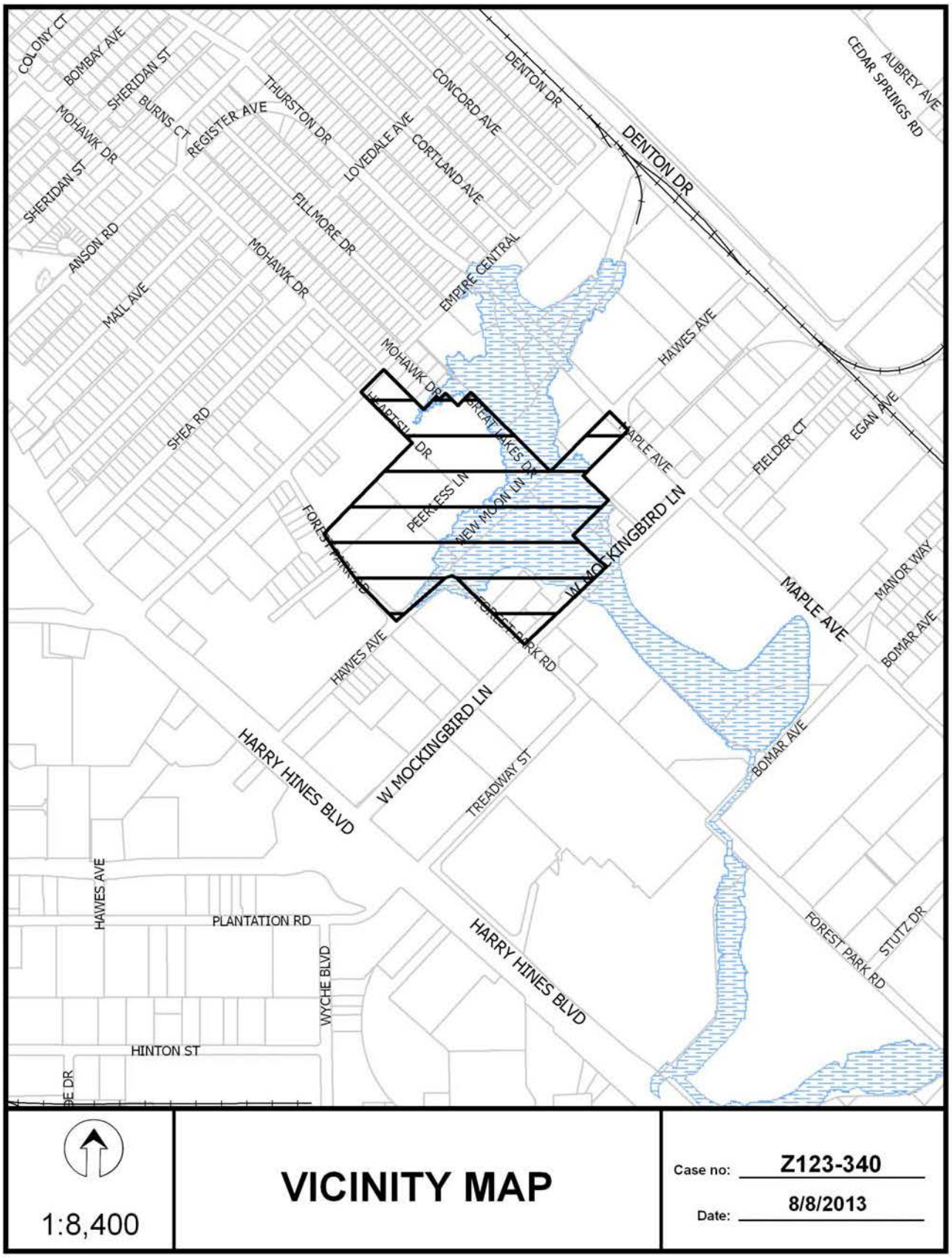
HEIGHT RESTRICTIONS

SUBDISTRICT	MAXIMUM STUCTURE HEIGHT
I	95 FEET*
II-A	90 FEET
II-B	65 FEET

*HEIGHT RESTRICTED ZONE 150' BACK FROM MOCKINGBIRD R.O.W. 150' FEET. SEE PLAN FOR AREA LOCATION

LEGEND

PROPOSED DRIVEWAY LOCATION

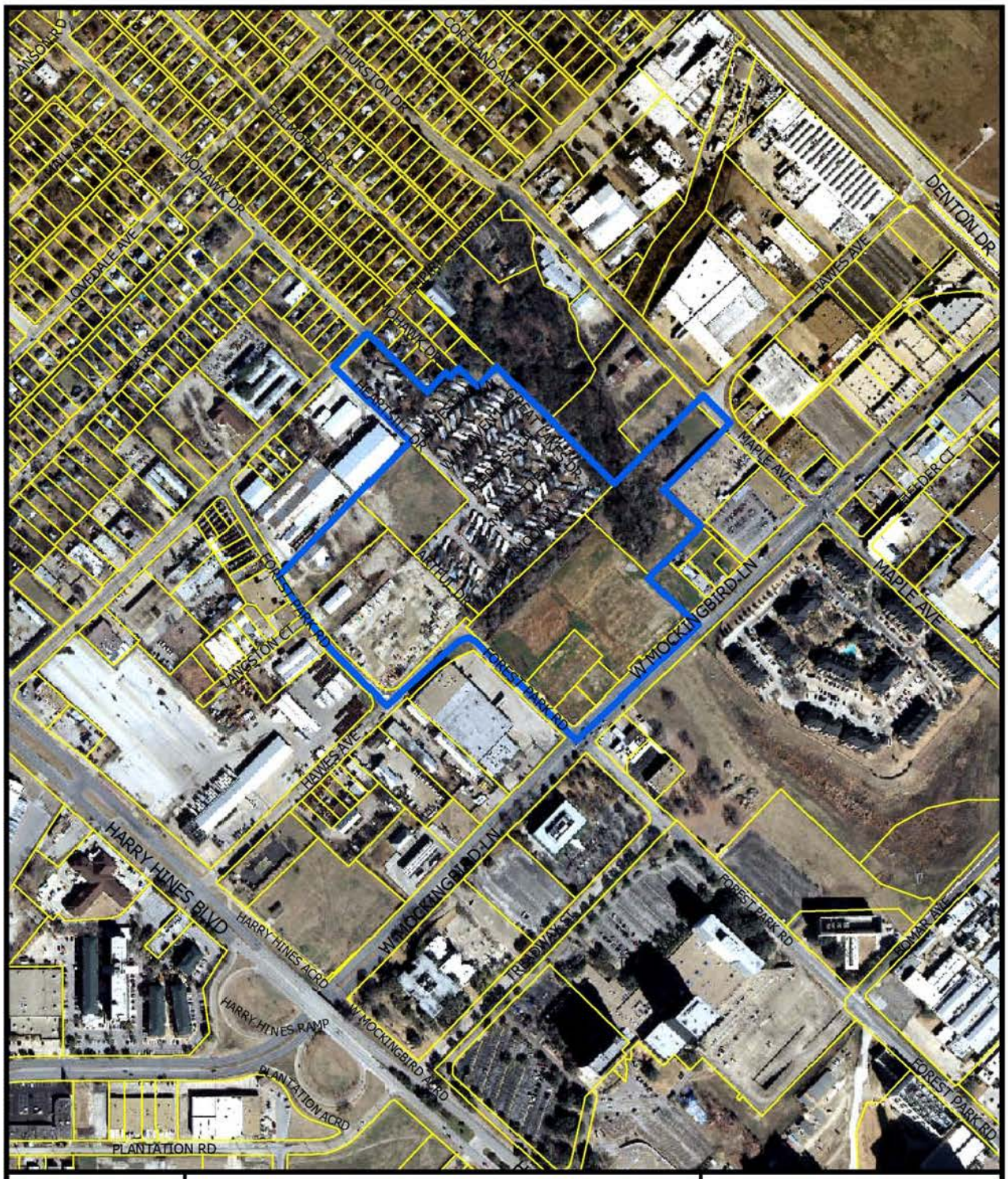


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VICINITY MAP

Case no: Z123-340

Date: 8/8/2013

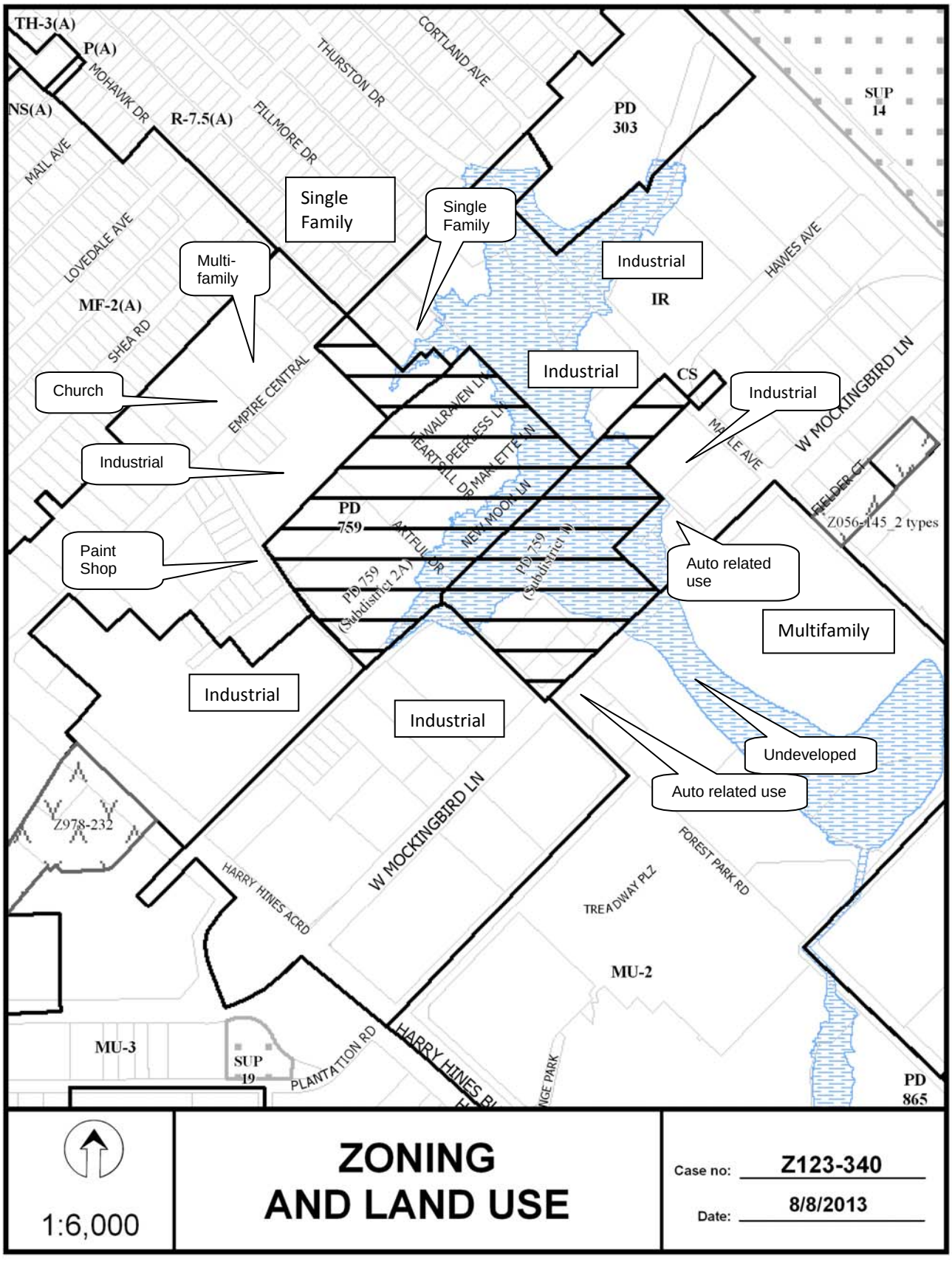


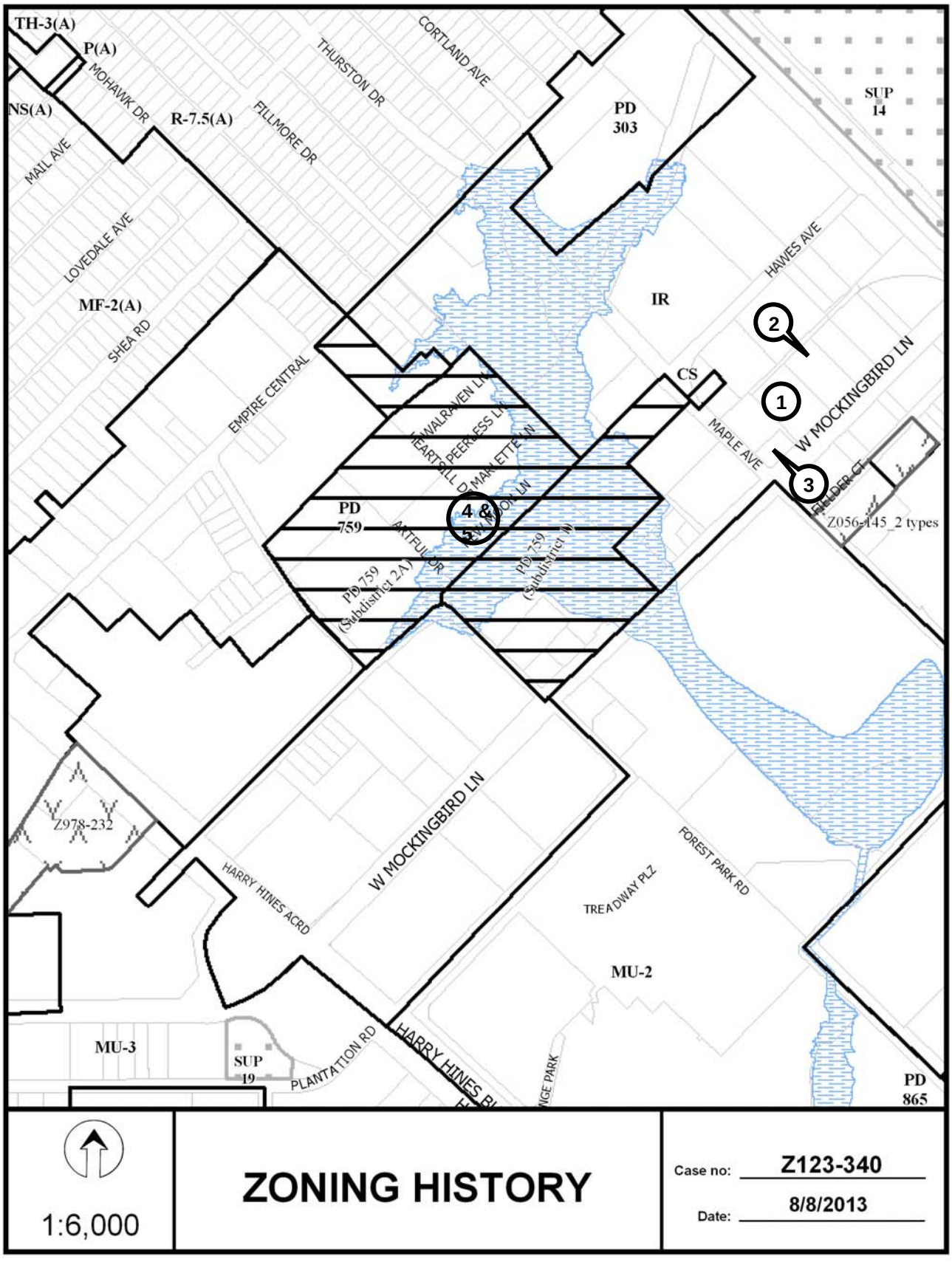
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AERIAL MAP

Case no: Z123-340

Date: 10/9/2013


TH-3(A)
P(A)
NS(A)
R-7.5(A)
MF-2(A)
PD 303
SUP 14
IR
CS
PD 759
PD 759 (Subdistrict 2A)
PD 759 (Subdistrict 1)
PD 865
MU-2
MU-3
SUP 19
Z978-232
Z056-145_2 types
MOHAWK DR
THURSTON DR
CORTLAND AVE
FILLMORE DR
MAIL AVE
LOVEDALE AVE
SHEA RD
EMPIRE CENTRAL
HAWES AVE
W MOCKINGBIRD LN
MILLE AVE
FIELDER CT
WALRAVEN LN
HEARTSALL DR
MANETTE LN
NEW MOON LN
ARTFUL DR
HARRY HINES ACRD
HARRY HINES BLVD
PLANTATION RD
TREADWAY PLZ
FOREST PARK RD
Single Family
Single Family
Multi-family
Industrial
Church
Industrial
Industrial
Industrial
Paint Shop
Auto related use
Multifamily
Industrial
Industrial
Undeveloped
Auto related use
1:6,000
ZONING AND LAND USE
Case no: Z123-340
Date: 8/8/2013



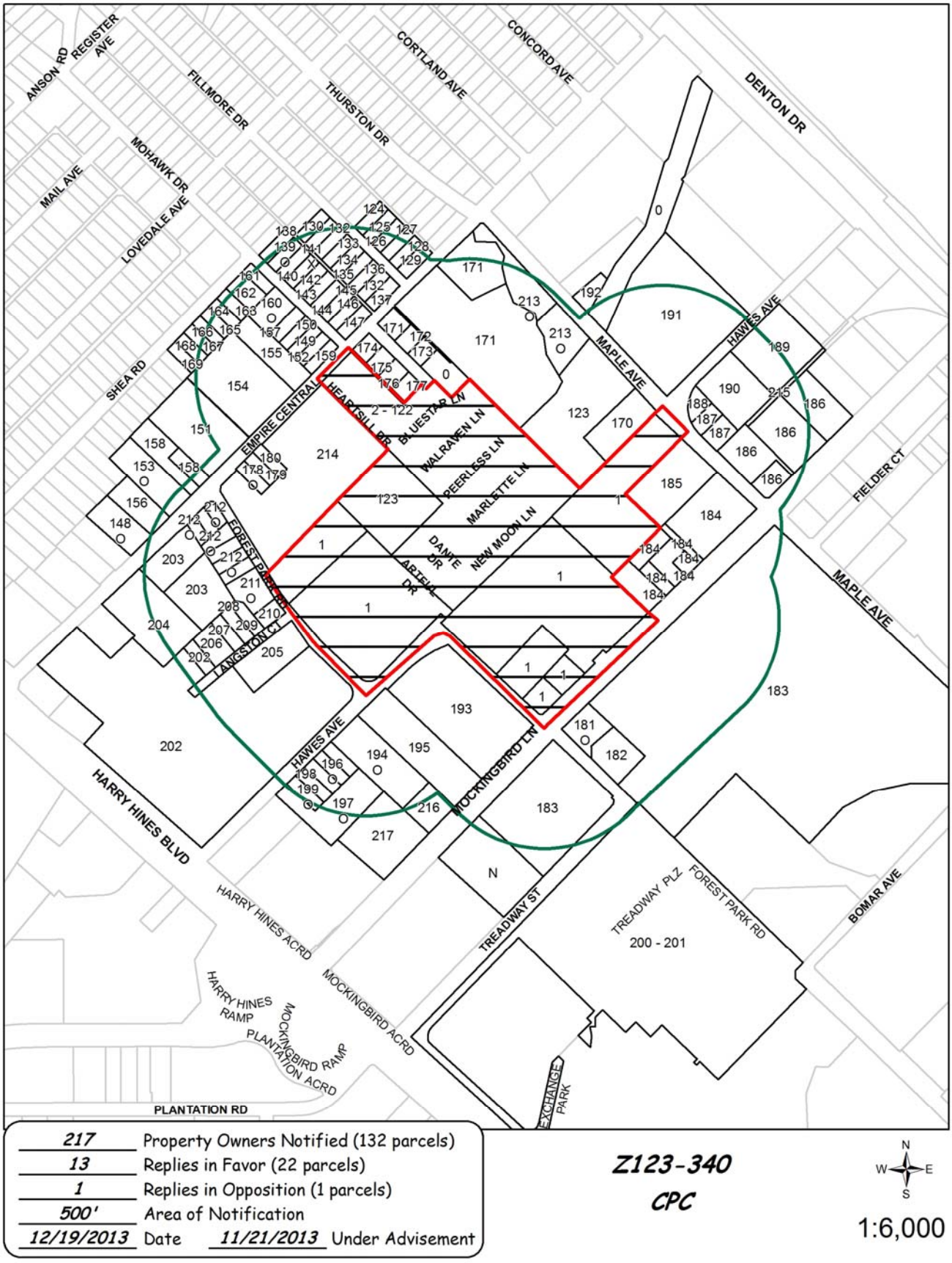
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ZONING HISTORY

Case no: Z123-340

Date: 8/8/2013

CPC RESPONSES



217	Property Owners Notified (132 parcels)
13	Replies in Favor (22 parcels)
1	Replies in Opposition (1 parcels)
500'	Area of Notification
12/19/2013	Date 11/21/2013 Under Advisement

Z123-340
CPC

N W E S

1:6,000

Notification List of Property

Z123-340

217 Property Owners Notified 1 Property Owner Opposed 13 Property Owners in Favor

Vote	*Label #*	*Address*		*Owner*
	1	6910	FOREST PARK RD	MOCKINGBIRD VENTURE PARTNERS LLC
	2	2232	EMPIRE CENTRAL	MOCKINGBIRD VENTURE PARTNERS LLC
	3	2222	PEERLESS LN	BARRON FRED
	4	2201	WALRAVEN LN	VEGA SILVIA
	5	2232	EMPIRE CENTRAL	VALENCIA JORGE
	6	2201	BLUESTAR LN	HERNANDEZ HERIBERTO LOPEZ
	7	2206	BLUESTAR LN	SANDOVAL MARIO
	8	2214	BLUESTAR LN	MUNOZ NOE
	9	2217	BLUESTAR LN	RODRIGUEZ MANUEL
	10	2202	WALRAVEN LN	DIAZ AGUSTIN
	11	2210	WALRAVEN LN	GUERRERO JOSE
	12	2211	WALRAVEN LN	SANCHEZ JUAN
	13	2216	WALRAVEN LN	ORTIZ JOSE
	14	2217	WALRAVEN LN	VILLEGAS CARLOS
	15	2216	BLUESTAR LN	GONZALEZ SERGIO
	16	2221	WALRAVEN LN	SEGURA DANIEL
	17	2206	PEERLESS LN	MARTINEZ LILIANA
	18	2208	PEERLESS LN	MENDOZA ENRIQUE
	19	2209	PEERLESS LN	CANELO JOSE ANTONIO
	20	2213	PEERLESS LN	MARTINEZ LILIANA
	21	2215	PEERLESS LN	JUAREZ ROLANDO
	22	2217	PEERLESS LN	BILLEDA FLAVIO
	23	2218	PEERLESS LN	LOPEZ VICTOR
	24	2219	PEERLESS LN	RODRIGUEZ RICARDO
	25	2202	MARLETTE LN	MARTINEZ MOISES
	26	2204	MARLETTE LN	LARA RAYMOND

Thursday, December 19, 2013

Vote	*Label #*	*Address*		*Owner*
	27	2209	MARLETTE LN	QUEVADO MARIA
	28	2210	MARLETTE LN	LEDEZMA DELFINO
	29	2214	MARLETTE LN	VALENCIA DAVID
	30	2217	MARLETTE LN	CORTEZ ABRAHAM
	31	2220	MARLETTE LN	NIEVES AMADO
	32	2222	MARLETTE LN	AVILES BERNARDO
	33	2110	NEW MOON LN	SANCHEZ CARMELA
	34	2202	NEW MOON LN	MENDOZA MARICRUZ
	35	2203	NEW MOON LN	VASQUEZ ALEJANDRO
	36	2204	NEW MOON LN	GIRON SALVADOR
	37	2205	NEW MOON LN	RAMOS SIMON
	38	2206	NEW MOON LN	MEJIA SERGIO
	39	2208	NEW MOON LN	UGLADE JOSE
	40	2210	NEW MOON LN	BRIONES JUAN MUNIZ & RAMONA
	41	2211	NEW MOON LN	MARTINEZ LIONSO
	42	2220	NEW MOON LN	TAMAYO JOSE C.
	43	2222	NEW MOON LN	QUEZADA GERARDO
	44	6713	HEARTSILL DR	LEDEZMA ROSALIO
	45	6719	HEARTSILL DR	RAZO SONIA
	46	6723	HEARTSILL DR	MENDEZ MANUEL
	47	6720	ARTFUL DR	MENDOZA OSBALDO
	48	2232	EMPIRE CENTRAL	TERALTA SAMUEL
	49	2232	EMPIRE CENTRAL	ROBERTS OFELIA
	50	2201	NEW MOON LN	GAMEZ CONCEPCION
	51	6722	ARTFUL DR	RODRIGUEZ JOSE
	52	2108	NEW MOON LN	REYES OMAR
	53	2222	WALRAVEN LN	PREDA JESUS
	54	2232	EMPIRE CENTRAL	GONZALES JUAN MARTIN
	55	2202	BLUESTAR LN	FLORES RUBEN
	56	2203	BLUESTAR LN	CORTEZ DANIEL
	57	2205	BLUESTAR LN	SANCHEZ GUSTAVO

Vote	*Label #*	*Address*		*Owner*
	58	2210	BLUESTAR LN	MARTINEZ JOSE
	59	2212	BLUESTAR LN	TORRES RUBEN MUNOZ
	60	2213	BLUESTAR LN	RODRIGUEZ ABIGAIL
	61	2204	WALRAVEN LN	LOSEDA YOLANDA
	62	2206	WALRAVEN LN	MELENDEZ VIRGINA
	63	2209	WALRAVEN LN	RAMIREZ FIDEL
	64	2213	WALRAVEN LN	SANCHEZ BERTHA & VERA MIGUEL
	65	2214	WALRAVEN LN	VILLEGAS MARGARITO
	66	2215	WALRAVEN LN	CARREON ALEJANDRO
	67	2220	WALRAVEN LN	RODRIGUEZ TOMAS
	68	2201	PEERLESS LN	MORALES MARISOL
	69	2203	PEERLESS LN	RAMIREZ YOLANDA
	70	2204	PEERLESS LN	AGUILAR RAUL
	71	2205	PEERLESS LN	MORALES CONSTANCIO
	72	2207	PEERLESS LN	ROSALIA ERNESTINA
	73	2210	PEERLESS LN	DELACRUZ RODOLFO
	74	2211	PEERLESS LN	GARCIA JESUS
	75	2212	PEERLESS LN	YANEZ JOSE
	76	2216	PEERLESS LN	ANDRADE JACQUELINE
	77	2201	MARLETTE LN	MARTINEZ LUCIA
	78	2203	MARLETTE LN	JURA MICHAEL
	79	2206	MARLETTE LN	CASTANEDA FRANCISCO
	80	2207	MARLETTE LN	GARCIA CAESAR
	81	2208	MARLETTE LN	DELEON MARIA
	82	2212	MARLETTE LN	HERNANDEZ TERESA
	83	2216	MARLETTE LN	EUGENIO ELVERADO
	84	2218	MARLETTE LN	GONZALES JOSE
	85	2104	NEW MOON LN	RODRIGUEZ ROSA
	86	2112	NEW MOON LN	HENIZE JOHN
	87	6715	HEARTSILL DR	ANGUIANO JOSE
	88	2205	MARLETTE LN	MARTINEZ LILIANA

Vote	*Label #*	*Address*		*Owner*
	89	2211	MARLETTE LN	ARANDA ISMAEL
	90	2207	NEW MOON LN	GARCIA RAFAEL
	91	2212	NEW MOON LN	ROJAS MISRAIM
	92	2214	NEW MOON LN	SAENZ GUADALUPE
	93	2216	NEW MOON LN	SAINZ MISAEL
	94	2217	NEW MOON LN	VASQUEZ TORIBIO
	95	2218	NEW MOON LN	SANCHEZ MARIA
	96	6717	HEARTSILL DR	ALLMAGUAR JOSE
	97	6721	HEARTSILL DR	VASQUEZ BENITO
	98	6713	ARTFUL DR	AGUILAR CRECENCIA
	99	6714	ARTFUL DR	CURE STEVE
	100	6715	ARTFUL DR	MOLINA JUAN
	101	6716	ARTFUL DR	MUNOZ EVA LUCIA
	102	6718	ARTFUL DR	RUIZ JOSE
	103	6719	ARTFUL DR	CHAVEZ ESPERANZA
	104	6723	ARTFUL DR	GALAN RAUL
	105	6712	DANTE DR	REYES HUGO
	106	6716	DANTE DR	MUNOZ RAFAEL
	107	6718	DANTE DR	DIAZ LUIS
	108	6720	DANTE DR	MOROIN EDI
	109	6722	DANTE DR	RICO ALFONZO
	110	2232	EMPIRE CENTRAL	SWETZER TAMMY
	111	2232	EMPIRE CENTRAL	JIMENEZ MARTHA
	112	2215	BLUESTAR LN	SANCHEZ LILIA
	113	2224	WALRAVEN LN	CASTRELLON BERTHA
	114	6721	ARTFUL DR	RIVERA DUVELSA
	115	2209	NEW MOON LN	RIVERA JOSE
	116	2205	WALRAVEN LN	SANCHEZ MARIA
	117	2213	MARLETTE LN	GONZALEZ DAVID
	118	2209	BLUESTAR LN	VEITENHEIMER ELEANOR
	119	2207	WALRAVEN LN	WILDER CATHY

Vote	*Label #*	*Address*		*Owner*
	120	2211	BLUESTAR LN	LUCAS EUGENIO
	121	2215	NEW MOON LN	DURAN NOYOLA ARCELIA
	122	2219	WALRAVEN LN	BARRERA IVAN
	123	6721	MAPLE AVE	MOCKINGBIRD VENTURE PARTNERS
	124	7110	FILLMORE DR	BLTREJV 3 DALLAS LLC
	125	7106	FILLMORE DR	WEAR JOHN G
	126	7102	FILLMORE DR	RANGEL DOLORES A
	127	7010	FILLMORE DR	PLASCENCIA MARIO
	128	7006	FILLMORE DR	PULLEN MELVIN L
	129	7002	FILLMORE DR	CONDE EPIFANIA
	130	7123	FILLMORE DR	TORRES TOMAS
	131	7119	FILLMORE DR	CERVANTES MANUEL JR
	132	7007	FILLMORE DR	CROUCH COLEMAN R
	133	7111	FILLMORE DR	VALLES JOSE L ET AL
	134	7107	FILLMORE DR	GONZALEZ MIGUEL
	135	7103	FILLMORE DR	CARLOS CONSTANTINE
	136	7011	FILLMORE DR	FLORES GUADALUPE
	137	7003	FILLMORE DR	CROUCH C R
	138	7126	MOHAWK DR	GUTIERREZ MERCEDEZ
O	139	7122	MOHAWK DR	PERALEZ DOROTHY
	140	7118	MOHAWK DR	FAZ AVELINO S
X	141	7114	MOHAWK DR	GONZALEZ FRANCISCO &
	142	7110	MOHAWK DR	RIVERA LORENZA
	143	7106	MOHAWK DR	FLORES JESUS E
	144	7102	MOHAWK DR	RAMIREZ LORENZO & MARIA
	145	7010	MOHAWK DR	GONZALES GUSTAVO
	146	7006	MOHAWK DR	WOHLGEMUTH BRIAN LEE ETAL
	147	7002	MOHAWK DR	NELSON DARRELL PATRICK
O	148	2103	EMPIRE CENTRAL	BFH PPTIES LLC
	149	7011	MOHAWK DR	CASTRO PEDRO D
	150	7103	MOHAWK DR	MARTINEZ JUAN

Vote	*Label #*	*Address*		*Owner*
	151	2145	EMPIRE CENTRAL	IGLESIA DE CRISTO EMPIRE CENTRAL
	152	7007	MOHAWK DR	MORALES JESUS S &
O	153	2121	EMPIRE CENTRAL	LUAU JOINT VENTURE
	154	2203	EMPIRE CENTRAL	KOKO JOINT VENTURE
	155	2221	EMPIRE CENTRAL	PLEASANT RUN LANCASTER
	156	2115	EMPIRE CENTRAL	2115 EMPIRE CENTRAL LLC
	157	7107	MOHAWK DR	SALAS ANTONIO
	158	2137	EMPIRE CENTRAL	1250 WDT LTD
	159	7003	MOHAWK DR	MARTINEZ PATRICIA
O	160	7111	MOHAWK DR	VETERANS OF FOREIGN WARS
	161	2234	SHEA RD	RENTERIA RODOLFO M
	162	2226	SHEA RD	GUAJARDO DORA MARIA QUINONES
	163	2222	SHEA RD	BARRERA GILBERTO &
	164	2218	SHEA RD	ALMAGUER ELIAS & MERCEDES
	165	2214	SHEA RD	RAMIREZ RAUL &
	166	2210	SHEA RD	LOPEZ TEODORO JAIMES
	167	2206	SHEA RD	RODRIGUEA JOSE ANGEL
	168	2202	SHEA RD	CHAVEZ DOLORES G
	169	2162	SHEA RD	DALLAS AREA HABITAT FOR HUMANITY
	170	6707	MAPLE AVE	TEXAS UTILITIES ELEC CO
	171	6926	MOHAWK DR	BOOZIOTIS BILL
	172	6922	MOHAWK DR	WATTACHERIL JOSEPH J
	173	6910	MOHAWK DR	JACOB JOSEPH W
	174	6925	MOHAWK DR	TINSLEY CLAUDIA ANNE M
	175	6919	MOHAWK DR	ABAUNZA DENIS E & A OMEGA
	176	6911	MOHAWK DR	TUNIS BENJAMIN ESTATE OF
	177	6907	MOHAWK DR	QUINN DENISE MARIE
O	178	2148	EMPIRE CENTRAL	BFH LTD
	179	2152	EMPIRE CENTRAL	SOLIS GLORIA B
	180	2156	EMPIRE CENTRAL	HERNANDEZ DAVID PAEZ &
O	181	2304	MOCKINGBIRD LN	WILLINGHAM REUBEN TR ETAL

Vote	*Label #*	*Address*		*Owner*
	182	6516	FOREST PARK RD	TAYLOR THOMAS W
	183	2200	MOCKINGBIRD LN	BOARD OF REGENTS OF THE
	184	2449	MOCKINGBIRD LN	GREENWAY-MOCKINGBIRD LP
	185	6627	MAPLE AVE	6627 MAPLE AVE PS
	186	2525	MOCKINGBIRD LN	PRESCOTT INTERESTS LTD
	187	6638	MAPLE AVE	HAWES JOINT VENTURE
	188	6644	MAPLE AVE	LAMM FRIEDA WOOD
	189	2608	HAWES AVE	WILLIAMSON HAWES JV
	190	2510	HAWES AVE	HAWES JV
	191	6700	MAPLE AVE	JONES BLAIR CO
	192	6814	MAPLE AVE	GARCIA JORGE
	193	2221	MOCKINGBIRD LN	GENUINE PARTS COMPANY
O	194	2128	HAWES AVE	MOORE STEPHEN LOUIS
	195	2130	HAWES AVE	JL & JB PROPERTIES INC
O	196	2114	HAWES AVE	MOORE DISPOSAL INC
O	197	2116	HAWES AVE	MDC HAWES LLC
	198	2110	HAWES AVE	MDC-HAWES
O	199	2108	HAWES AVE	MDC HAWES
	200	6303	FOREST PARK RD	BOARD OF REGENTS OF THE UNIVERSITY
	201	6303	FOREST PARK RD	BOARD OF REGENTS OF THE UNIVERSITY
	202	2100	LANGSTON CT	6814 HH PARTNERS LP
	203	2102	EMPIRE CENTRAL	SUAREZ MARCOS N
	204	2040	EMPIRE CENTRAL	GIRLS INCORPORATED OF
	205	6835	FOREST PARK RD	SONG JIN HEE
	206	2119	LANGSTON CT	LEE J KENNETH
	207	2123	LANGSTON CT	FORESTPARK SERVICES LLC
	208	2127	LANGSTON CT	VALDEZ FRANCISCO
	209	2131	LANGSTON CT	MCRAE MICHAEL C
	210	6901	FOREST PARK RD	FORD LEVERNE R &
O	211	6911	FOREST PARK RD	DOUBLE E PROPERTIES
O	212	2126	EMPIRE CENTRAL	IMPRUNETTA LLC

Vote	*Label #*	*Address*		*Owner*
O	213	6801	MAPLE AVE	MAPLE EMPIRE LLC
	214	6930	FOREST PARK RD	BFH LTD
	215	2608	MOCKINGBIRD LN	CARLISLE INTERESTS INC
	216	2121	MOCKINGBIRD LN	MESQUITE CREEK
	217	2111	MOCKINGBIRD LN	MESQUITE CREEK DEV INC

AGENDA ITEM # 53

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

A public hearing to receive comments on the proposed FY 2014-15 Operating, Capital, and Grant/ Trust budgets - Financing: No cost consideration to the City

BACKGROUND

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS

On February 26, 2014, City Council authorized the public hearing by Resolution No. 14-0397.

FISCAL INFORMATION

No cost consideration to the City

AGENDA ITEMS # 54,55

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 3

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 61B J

SUBJECT

Reinvestment Zone and Real Property Tax Abatement Authorization

* A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 83, incorporating approximately 87 acres of property located just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas for the purpose of granting economic development incentives to Courtland Group, LLC (Courtland) - Financing: No cost consideration to the City
* An ordinance designating the approximately 87 acres of property located just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas as City of Dallas Reinvestment Zone No. 83, for the purpose of granting economic development incentives to Courtland Group, LLC (Courtland), establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

BACKGROUND

For the past of couple months, city staff has negotiated with representatives of Courtland Group, LLC and Crow Holdings regarding a possible new multi-building industrial/warehouse development under consideration in Mountain Creek Business Park just east of the intersection of Grady Niblo Road and Mountain Creek Parkway in Dallas, Texas.

Courtland has a site of approximately 87 acres under contract which it proposes to sell to Crow Holdings so Crow Holdings can build two new, speculative industrial/warehouse buildings.

BACKGROUND (Continued)

The first building is planned to be 621,920 square feet on 45.41 acres and the second 594,880 square feet on 41.36 acres. The estimated total investment for the new facilities is approximately $36,500,000.

In order to develop this project, Courtland and Crow Holdings request City Council consideration of a 10-year, 90 percent real property tax abatement on the added value from the new construction that will be assigned to Crow Holdings. The developers also have requested a development agreement related to the planned extension of Grady Niblo Road east to the development site.

Terms of the development agreement will include the following:

- Courtland will contribute the road Right-of-Way and necessary infrastructure easements, estimated at $533,000 for the Grady Niblo as well as the engineering costs, estimated at $330,369 associated with the road extension;

- Courtland will dedicate a mutually agreeable site of approximately 1.5 acres in the vicinity of the planned intersection of the future extension of Merrifield Road and the extension of Grady Niblo Road for use as a fire station;

- The City of Dallas will cover a maximum cost of $2,422,706 subject to future City Council approval associated with the extension of Grady Niblo Road East from the current terminus of the road to the proposed building site;

- The Grady Niblo project will be publicly bid and contracted and the City's participation on Grady Niblo improvements will be capped at the contract price for construction of eligible costs as approved by the City Council; and

- Any cost overruns beyond the City's commitment above will be paid by Courtland.

Crow Holdings intends to commence vertical construction of the first building in late 2014. The full project is anticipated to be complete in late 2016. In consideration of the proposed incentives, Courtland / Crow Holdings will invest a minimum of $30,000,000 in real property improvements. Each building will have a specific real property abatement.

The cumulative forgone revenue from the proposed 90 percent, ten year real property abatement is $2,362,064. The 10-year net fiscal impact of the proposed development after incentives is $66,059. The twenty-year net fiscal impact of the proposed development after incentives is $3,724,991. This project complies with the Public/Private Program guidelines in that it involves an investment of more than $1,000,000 at this Southern Sector site.

ESTIMATED SCHEDULE OF THE PROJECT

Begin Construction	December 2014
Substantial Completion	December 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item was briefed to the Economic Development Committee on February 18, 2014.

The public hearing for this item was approved on February 26, 2014.

FISCAL INFORMATION

No cost consideration to the City

OWNER

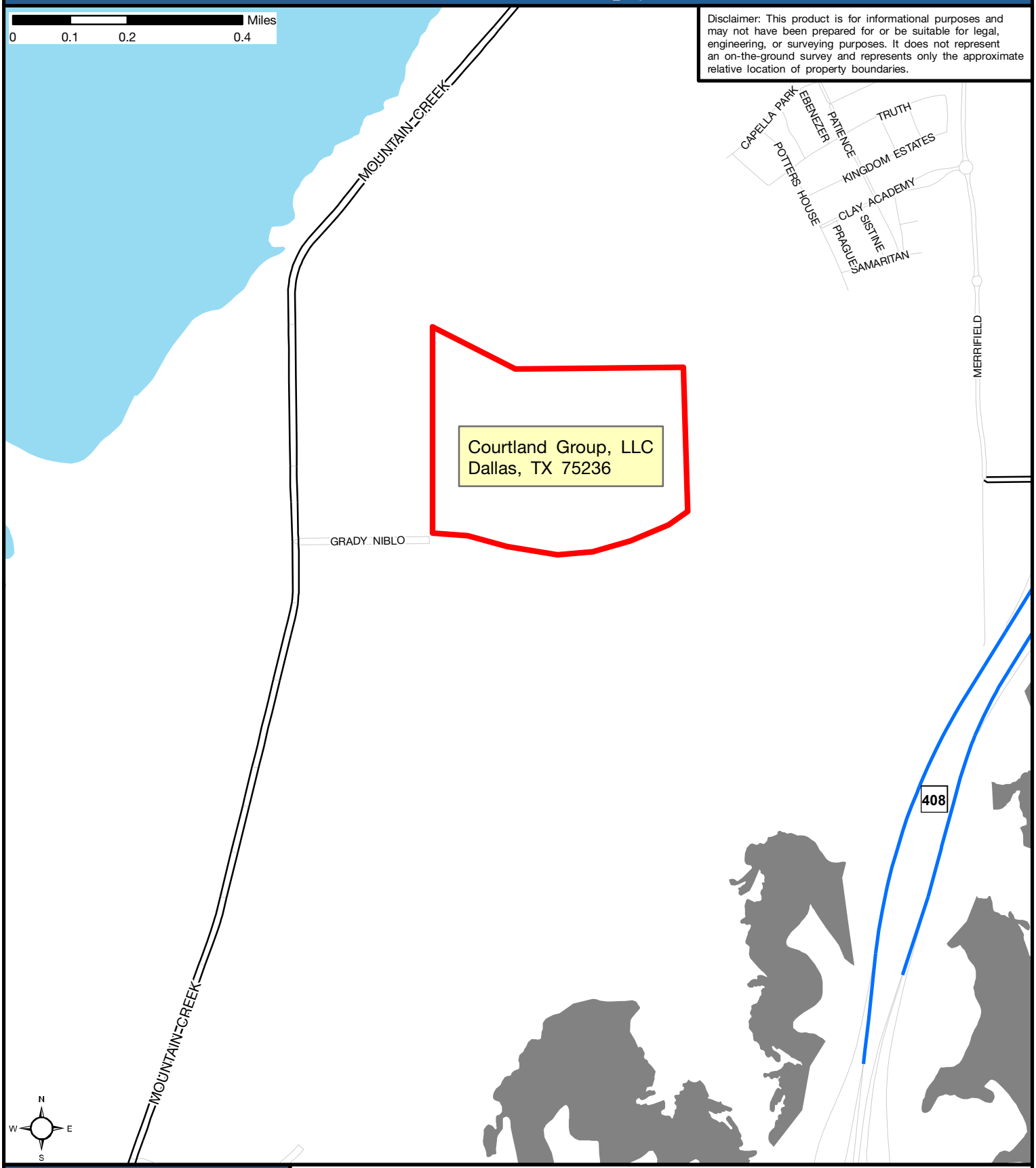
Courtland Group, LLC

John Napper, President

MAP

Attached.

Courtland Group, LLC



DALLAS
ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 1.30.14, Updated 2.26.14 - 14-02-26 Chris O'Brien.TCG

Legend

- Site
- Freeway
- Arterial
- Local Road
- Lake

Source: City of Dallas, 2014

ORDINANCE NO:_____

AN ORDINANCE DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT IN THE CITY OF DALLAS, TEXAS, TO BE KNOWN AS REINVESTMENT ZONE NO. 83, CITY OF DALLAS, TEXAS; ESTABLISHING THE BOUNDARIES THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone for commercial tax abatement, as authorized by the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A. Tax Code, Chapter 312); and

WHEREAS, on June 13, 2012, the City Council authorized the continuation of its participation in tax abatement and established the Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered into by the City as required by the Property Redevelopment and Tax Abatement Act, V.T.C.A. Tax Code, Chapter 312 (the "Act") by Resolution No. 12-1520, as amended; and

WHEREAS, on March 26, 2014, the City Council held a public hearing, such date being at least seven (7) days after the date of publication of the notice of such public hearing and the delivery of written notice to the respective presiding officers of each taxing entity which includes within its boundaries real property that is to be included in the proposed reinvestment zone; and

WHEREAS, the City, at such public hearing, invited any interested person to appear and speak for or against the creation of the reinvestment zone and whether all or part of the territory described should be included in the proposed reinvestment zone, and to raise any concerns regarding the offering of tax abatement incentives; and

WHEREAS, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone and opponents, if any, to the reinvestment zone appeared to contest the creation of the reinvestment zone.

NOW, THEREFORE,

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

SECTION 1. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

SECTION 2. That the City, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

SECTION 2. (Continued)

(a) That the public hearing for adoption of Reinvestment Zone No. 83 has been properly called, held and conducted and that notice of such hearing has been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed reinvestment zone.

(b) That the boundaries of Reinvestment Zone No. 83 shall be the area as described in the property description attached hereto as **Exhibit A (Metes and Bounds)** and depicted in **Exhibit B (Map)**.

(c) That creation of the proposed Reinvestment Zone No. 83 will result in benefits to the City and to the land included in the zone and that the improvements sought are feasible and practical.

(d) That Reinvestment Zone No. 83 meets the criteria for the creation of a reinvestment zone as set forth in the Act, as amended, in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City.

SECTION 3. That pursuant to the Act, as amended, the City hereby creates a reinvestment zone for commercial tax abatement encompassing only the property area described in **Exhibit A (Metes and Bounds)** and such reinvestment zone is hereby designated and shall hereafter be referred to as Reinvestment Zone No. 83.

SECTION 4. That Reinvestment Zone No. 83 shall take effect on March 26, 2014, and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of designation.

SECTION 5. That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 6. That it is hereby found, determined and declared that a sufficient notice of the date, hour, place and subject of the meeting of the City Council at which this ordinance was adopted was posted at a place convenient and readily accessible at all times as required by the Texas Open Meetings Act, V.T.C.A., Government Code, Chapter 551, as amended, and that a public hearing was held prior to the designation of such reinvestment zone and that proper notice of the hearing was published in the official newspaper of the City seven days prior to the hearing, and furthermore, such notice was in fact delivered to the presiding officer of each affected taxing entity as prescribed by the Act.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM

WARREN M.S. ERNST
CITY ATTORNEY

By:_____
Assistant City Attorney

Passed and correctly enrolled_____

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY SURVEYED

DESCRIPTION, of a 86.770 acre tract of land situated in the Field Secrest Survey, Abstract No. 1379 and the Aaron B. Wilson Survey, Abstract No. 1550, Dallas County, Texas and in City Block 8720, Official Numbers of the City of Dallas, Texas; said tract being part of that certain tract of land described in Substitute Trustee's Deed and Bill of Sale to GMR Finance, LLC recorded in Instrument No. 201300100428 of the Official Public Records of Dallas County, Texas; said 86.770 acre tract being more particularly described as follows:

BEGINNING, at a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner at the northeast terminus of Grady Niblo Road (a 107-foot wide right-of-way); said point being in a west line of said GMR tract and at the southeast corner of Lot 1, Block 8720, Mountain Creek Business Park Phase 1, Industrial Park, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2003012, Page 246 of the Deed Records of Dallas County, Texas;

THENCE, North 00 degrees, 38 minutes, 48 seconds West, departing the north line of said Grady Niblo Road and along the east line of said Lot 1 and the said west line of the GMR tract, a distance of 1897.73 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner in a southwest line of that certain tract of land described in Special Warranty Deed to The Potter's House of Dallas, Inc. recorded in Volume 99063, Page 5361 of said Deed Records; said point being the northernmost northwest corner of said GMR tract and the northeast corner of said Lot 1;

THENCE, South 64 degrees, 16 minutes, 01 seconds East, along the northernmost northeast line of said GMR tract and the said southwest line of the Potter's House tract, a distance of 863.29 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner; said point being a reentrant corner of said GMR tract and a southwest corner of said Potter's House tract;

THENCE, North 89 degrees, 10 minutes, 29 seconds East, along the northernmost north line of said GMR tract and the south line of said Potter's House tract, a distance of 1549.79 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner; said point being the northernmost northeast corner of said GMR tract, the southeast corner of said Potter's House tract, the southwest corner of that certain tract of land described in General Warranty Deed to Clay Academy, Inc. recorded in Volume 2004159, Page 7653 of said Official Public Records and the northwest corner of that certain tract of land described in General Warranty Deed to The Potter's House of Dallas, Inc. recorded in Instrument No. 201100012615 of said Official Public Records;

THENCE, South 00 degrees, 57 minutes, 56 seconds East, along an east line of said GMR tract and the west line of the second referenced Potter's House tract, a distance of 1191.15 feet to a point for corner;

THENCE, departing the said the east line of the GMR tract and the said west line of the second referenced Potter's House tract and traversing into and across said GMR tract, the following three (3) calls:

South 49 degrees, 22 minutes, 03 seconds West, a distance of 123.73 feet to a point for corner; said point being the beginning of a tangent curve to the right;

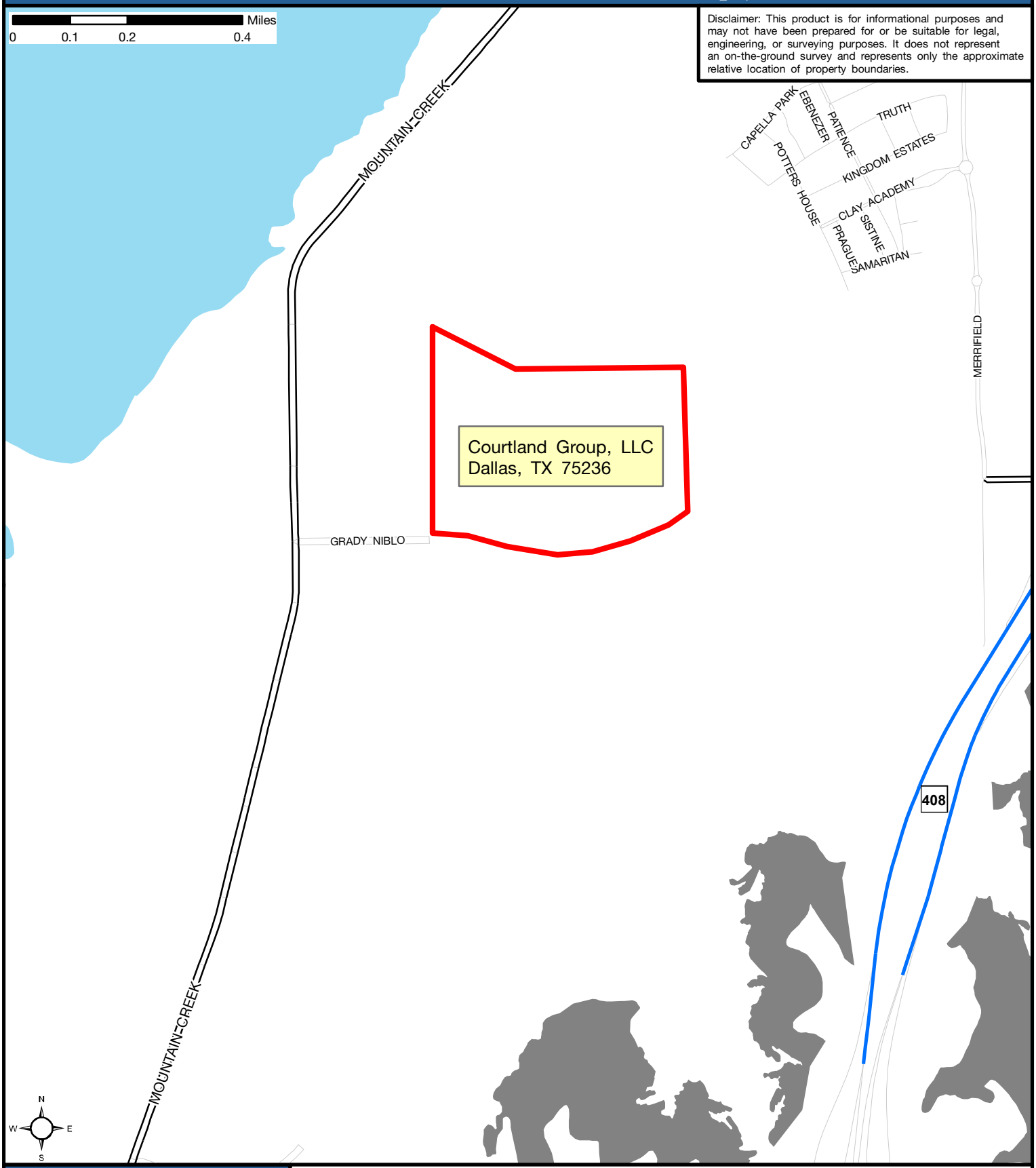
EXHIBIT A

In a southwesterly direction, along said curve to the right, having a central angle of 57 degrees, 21 minutes, 37 seconds, a radius of 1776.50 feet, a chord bearing and distance of South 78 degrees, 02 minutes, 51 seconds West, 1705.15 feet, an arc distance of 1778.50 feet to a point for corner at the end of said curve; said point being the beginning of a reverse curve to the left;

In a northwesterly direction, along said curve to the left, having a central angle of 17 degrees, 23 minutes, 22 seconds, a radius of 1883.50 feet, a chord bearing and distance of North 81 degrees, 58 minutes, 02 seconds West, 569.46 feet, an arc distance of 571.65 feet to the POINT OF BEGINNING;

CONTAINING, 3,779,684 square feet or 86.770 acres of land, more or less.

Exhibit B: Courtland Group, LLC



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Research & Information Division
214.670.1685
dallas-ecodev.org

Created 1.30.14, Updated 2.26.14 - 14-02-26 Chris O'Brien.TCG

Legend

- Site
- Freeway
- Arterial
- Local Road
- Lake

Source: City of Dallas, 2014

AGENDA ITEMS # 56,57

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 26, 2014

COUNCIL DISTRICT(S): 3

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 61B J

SUBJECT

Reinvestment Zone and Real Property Tax Abatement Authorization

* Authorize a development Agreement with Courtland Group, LLC (Courtland) for the purpose of the extension of Grady Niblo Road from the existing terminus east of Mountain Creek Parkway approximately 2,400 linear feet east in proximity to the planned development site - Financing: No cost consideration to the City

* Authorize **(1)** a Phase I real property tax abatement agreement; and **(2)** a Phase II real property tax abatement agreement with Courtland Group, LLC (Courtland) located on approximately 87 acres just east of the intersection of Grady Niblo Road and Mountain Creek Parkway, in Dallas, Texas each in the amount of 90 percent on the value of new real property for ten years in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at $14,864; ten-year revenue estimated at $262,452 (Estimated revenue foregone for ten-year real property tax abatement estimated at $2,618,145)

BACKGROUND

For the past of couple months, city staff has negotiated with representatives of Courtland Group, LLC and Crow Holdings regarding a possible new multi-building industrial/warehouse development under consideration in Mountain Creek Business Park just east of the intersection of Grady Niblo Road and Mountain Creek Parkway in Dallas, Texas.

Courtland has a site of approximately 87 acres under contract which it proposes to sell to Crow Holdings so Crow Holdings can build two new, speculative industrial/warehouse buildings. The first building is planned to be 621,920 square feet on 45.41 acres and the second 594,880 square feet on 41.36 acres. The estimated total investment for the new facilities is approximately $36,500,000.

BACKGROUND (Continued)

In order to develop this project, Courtland and Crow Holdings request City Council consideration of a 10-year, 90 percent real property tax abatement on the added value from the new construction that will be assigned to Crow Holdings. The developers also have requested a development agreement related to the planned extension of Grady Niblo Road east to the development site.

Terms of the development agreement will include the following:

- Courtland will contribute the road Right of Way and necessary infrastructure easements, estimated at $533,000 for the Grady Niblo as well as the engineering costs, estimated at $330,369 associated with the road extension;

- Courtland will dedicate a mutually agreeable site of approximately 1.5 acres in the vicinity of the planned intersection of the future extension of Merrifield Road and the extension of Grady Niblo Road for use as a fire station;

- The City of Dallas will cover a maximum cost of $2,422,706 subject to future City Council approval associated with the extension of Grady Niblo Road East from the current terminus of the road to the proposed building site;

- The Grady Niblo project will be publicly bid and contracted and the City's participation on Grady Niblo improvements will be capped at the contract price for construction of eligible costs as approved by the City Council; and

- Any cost overruns beyond the City's commitment above will be paid by Courtland.

Crow Holdings intends to commence vertical construction of the first building in late 2014. The full project is anticipated to be complete in late 2016. In consideration of the proposed incentives, Courtland / Crow Holdings will invest a minimum of $30,000,000 in real property improvements. Each building will have a specific real property abatement.

The cumulative forgone revenue from the proposed 90 percent, ten year real property abatement is $2,362,064. The 10-year net fiscal impact of the proposed development after incentives is $66,059. The twenty-year net fiscal impact of the proposed development after incentives is $3,724,991. This project complies with the Public/Private Program guidelines in that it involves an investment of more than $1,000,000 at this Southern Sector site.

ESTIMATED SCHEDULE OF THE PROJECT

Begin Construction	December 2014
Substantial Completion	December 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item was briefed to the Economic Development Committee on February 18, 2014.

The public hearing for this item was approved on February 26, 2014.

FISCAL INFORMATION

No cost consideration to the City

OWNER

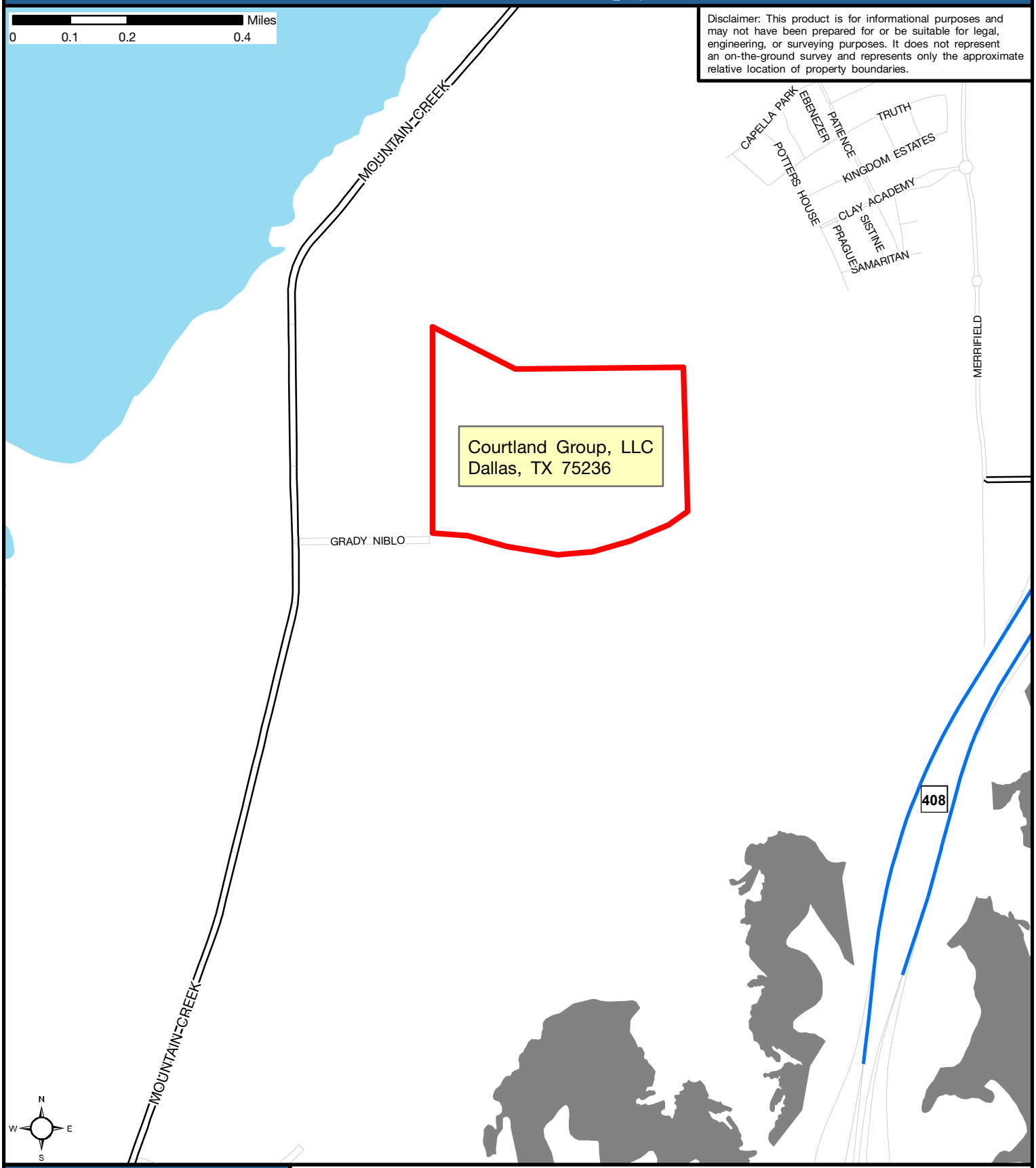
Courtland Group, LLC

John Napper, President

MAP

Attached.

Courtland Group, LLC



DALLAS
ECONOMIC DEVELOPMENT

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Created 1.30.14, Updated 2.26.14 - 14-02-26 Chris O'Brien.TCG

Legend

- Site
- Freeway
- Arterial
- Local Road
- Lake

Source: City of Dallas, 2014

March 26, 2014

WHEREAS, the Grady Niblo Road Extension from east of Mountain Creek Parkway to approximately 2,400 feet to the east currently does not exist on the ground and needs to be extended to provide access for commercial development; and

WHEREAS, Courtland Group, LLC, desires to extend Grady Niblo Road from east of Mountain Creek Parkway approximately 2,400 feet to the east; and

WHEREAS, the City of Dallas desires to extend Grady Niblo Road from east of Mountain Creek Parkway approximately 2,400 feet to the east; and

WHEREAS, the City of Dallas and Courtland Group, LLC desire to enter into a Development Participation Agreement for the design, right-of-way acquisition, and construction of paving, storm drainage, water and wastewater improvements on Grady Niblo Road Extension from east of Mountain Creek Parkway approximately 2,400 feet to the east.

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 the Development Participation Agreement with Courtland Group, LLC for the design, right-of-way acquisition, and construction of paving, storm drainage, water and wastewater improvements on Grady Niblo Road from east of Mountain Creek Parkway approximately 2,400 feet to the east, after it has been approved as to form by the City Attorney.

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

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

WHEREAS, on June 13, 2012, the City Council elected to continue its participation in tax abatement and the Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered by the City as required by the Property Redevelopment and Tax Abatement Act, as amended, V.T.C.A. Tax Code, Chapter 312 (the "Act") by Resolution No. 12-1520 as amended; and

WHEREAS, on February 26, 2014, the City Council authorized a public hearing concerning the creation of Reinvestment Zone No.83; and

WHEREAS, on March 26, 2014, the City Council held a public hearing concerning the creation of Reinvestment Zone No. 83; and

WHEREAS, on March 26, 2014, the City Council authorized the creation of Reinvestment Zone No. 83; and

WHEREAS, the City desires to enter into a real property tax abatement agreement with Courtland Group, LLC for added value to real property located within Reinvestment Zone No. 83.

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 real property tax abatement agreement with Courtland Group, LLC for added value to the real property in accordance with the Act and the City's Public/Private Partnership Guidelines and Criteria.

Section 2. That at least seven (7) days prior to the execution of the tax abatement agreement, notice of the City's intention to enter into the tax abatement agreement shall be delivered to the governing bodies of each other taxing unit that includes in its boundaries the real property that is the subject of this agreement.

Section 3. That the approval and execution of the tax abatement agreement by the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

Section 4. That the real property which will be described in the tax abatement agreement, attached hereto as **Exhibit A (Metes and Bounds)** and depicted on the attached site map as **Exhibit B (Map - the "Property")**, is located within Reinvestment Zone No. 83.

Section 5. That the tax abatement agreement shall provide, among other provisions, the following:

(a) The Property subject to tax abatement shall be located entirely within Reinvestment Zone No. 83, City of Dallas, Texas.

(b) None of the Property subject to tax abatement is owned or leased by a member of the City Council of the City of Dallas or by a member of the City Plan Commission.

(c) That the development of the Property will conform to all requirements of the City's zoning ordinance, and that the use of the Property is consistent with the general purpose of encouraging development or redevelopment in the reinvestment zone during the period the tax abatement is in effect.

(d) The City will provide Courtland Group, LLC a 90 percent abatement of the added value to the real property for a period of ten years for Phase I real property improvements located within Reinvestment Zone 83 for the construction of a minimum 600,000 square foot industrial/warehouse facility as provided in Exhibit A (Metes and Bounds). The Phase I tax abatement will commence on or before January 1, 2015.

(e) The City will provide Courtland Group, LLC a 90 percent abatement of the added value to the real property for a period of ten years for Phase II real property improvements located within Reinvestment Zone 83 for the construction of a minimum 580,000 square foot industrial/warehouse facility as provided in Exhibit A (Metes and Bounds). The Phase I tax abatement will commence on or before January 1, 2015.

(f) That approximately $36,500,000 will be expended on construction, design, site work and other related hard and soft project costs of both phases. Courtland Group, LLC will invest a minimum of $17,000,000 in Phase I real property improvements with substantial completion by December 31, 2014 and a minimum of $16,000,000 in Phase II real property improvements with substantial completion by December 31, 2016. The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for either phase for a period up to six months for just cause.

Section 5. (Continued)

(g) That a proportionate percentage of the property tax revenue lost as a result of the tax abatement agreement will be recaptured by the City if improvements to real property are not made as provided by the tax abatement agreement.

(h) A description of the kind, number, location and costs of all proposed improvements to the Property will be provided to the Office of Economic Development.

(i) That access to the Property will be provided to allow for the inspection by City inspectors and officials to ensure that the improvements or repairs are made according to the specification and terms of the tax abatement agreement.

(j) A requirement that the owner of the Property certify annually to the City that the owner is in compliance with each applicable term of the agreement.

(k) That the Dallas City Council may terminate or modify the agreement if the property owner fails to comply with the agreement.

(l) That the tax abatement agreement shall be personal to Courtland Group, LLC and shall only be assignable upon written approval of the assignment by the City's Director of the Office of Economic Development.

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.

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY SURVEYED

DESCRIPTION, of a 86.770 acre tract of land situated in the Field Secrest Survey, Abstract No. 1379 and the Aaron B. Wilson Survey, Abstract No. 1550, Dallas County, Texas and in City Block 8720, Official Numbers of the City of Dallas, Texas; said tract being part of that certain tract of land described in Substitute Trustee's Deed and Bill of Sale to GMR Finance, LLC recorded in Instrument No. 201300100428 of the Official Public Records of Dallas County, Texas; said 86.770 acre tract being more particularly described as follows:

BEGINNING, at a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner at the northeast terminus of Grady Niblo Road (a 107-foot wide right-of-way); said point being in a west line of said GMR tract and at the southeast corner of Lot 1, Block 8720, Mountain Creek Business Park Phase 1, Industrial Park, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2003012, Page 246 of the Deed Records of Dallas County, Texas;

THENCE, North 00 degrees, 38 minutes, 48 seconds West, departing the north line of said Grady Niblo Road and along the east line of said Lot 1 and the said west line of the GMR tract, a distance of 1897.73 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner in a southwest line of that certain tract of land described in Special Warranty Deed to The Potter's House of Dallas, Inc. recorded in Volume 99063, Page 5361 of said Deed Records; said point being the northernmost northwest corner of said GMR tract and the northeast corner of said Lot 1;

THENCE, South 64 degrees, 16 minutes, 01 seconds East, along the northernmost northeast line of said GMR tract and the said southwest line of the Potter's House tract, a distance of 863.29 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner; said point being a reentrant corner of said GMR tract and a southwest corner of said Potter's House tract;

THENCE, North 89 degrees, 10 minutes, 29 seconds East, along the northernmost north line of said GMR tract and the south line of said Potter's House tract, a distance of 1549.79 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner; said point being the northernmost northeast corner of said GMR tract, the southeast corner of said Potter's House tract, the southwest corner of that certain tract of land described in General Warranty Deed to Clay Academy, Inc. recorded in Volume 2004159, Page 7653 of said Official Public Records and the northwest corner of that certain tract of land described in General Warranty Deed to The Potter's House of Dallas, Inc. recorded in Instrument No. 201100012615 of said Official Public Records;

THENCE, South 00 degrees, 57 minutes, 56 seconds East, along an east line of said GMR tract and the west line of the second referenced Potter's House tract, a distance of 1191.15 feet to a point for corner;

THENCE, departing the said the east line of the GMR tract and the said west line of the second referenced Potter's House tract and traversing into and across said GMR tract, the following three (3) calls:

South 49 degrees, 22 minutes, 03 seconds West, a distance of 123.73 feet to a point for corner; said point being the beginning of a tangent curve to the right;

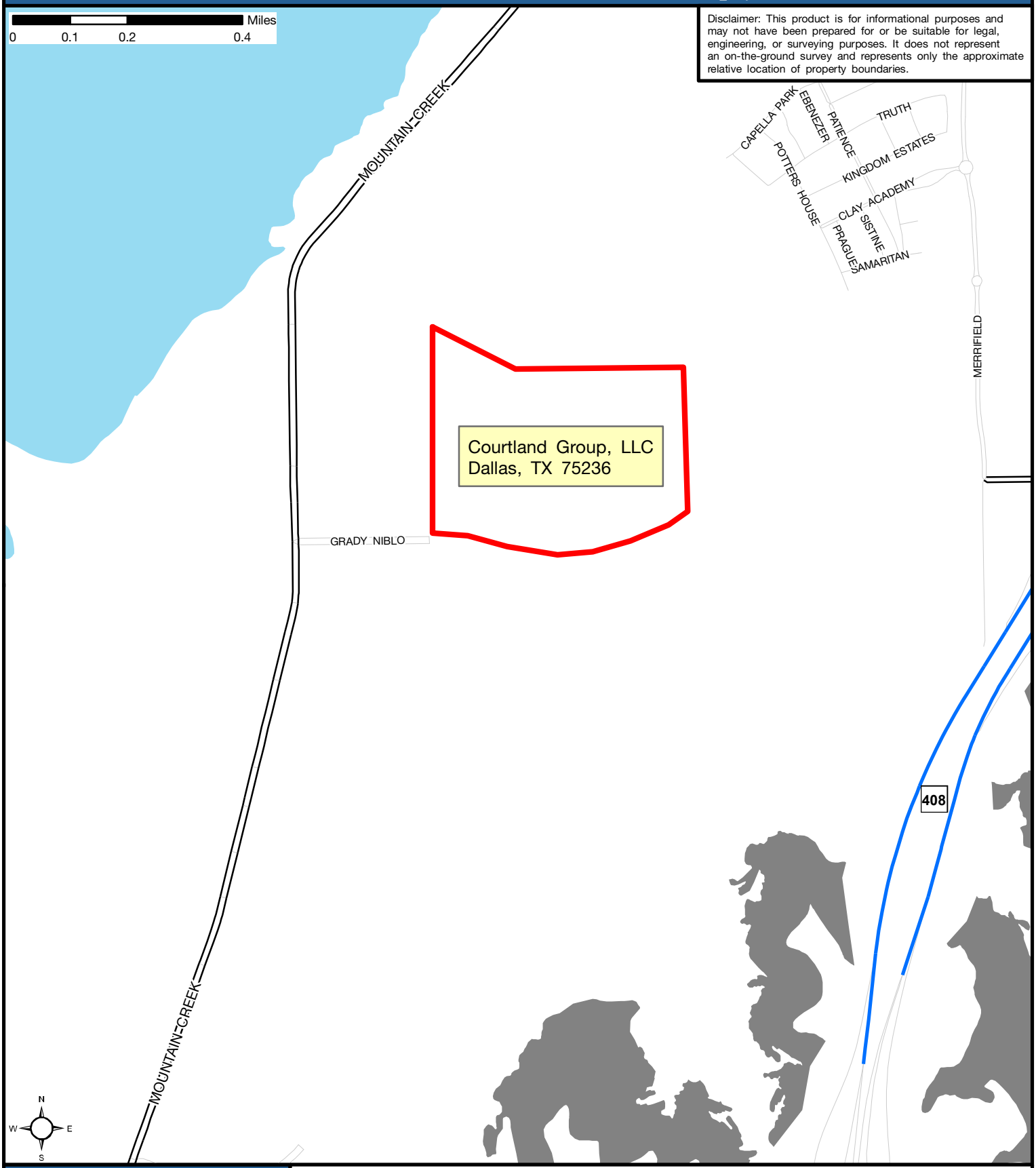
EXHIBIT A

In a southwesterly direction, along said curve to the right, having a central angle of 57 degrees, 21 minutes, 37 seconds, a radius of 1776.50 feet, a chord bearing and distance of South 78 degrees, 02 minutes, 51 seconds West, 1705.15 feet, an arc distance of 1778.50 feet to a point for corner at the end of said curve; said point being the beginning of a reverse curve to the left;

In a northwesterly direction, along said curve to the left, having a central angle of 17 degrees, 23 minutes, 22 seconds, a radius of 1883.50 feet, a chord bearing and distance of North 81 degrees, 58 minutes, 02 seconds West, 569.46 feet, an arc distance of 571.65 feet to the POINT OF BEGINNING;

CONTAINING, 3,779,684 square feet or 86.770 acres of land, more or less.

Exhibit B: Courtland Group, LLC



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Legend

- Site
- Freeway
- Arterial
- Local Road
- Lake

Source: City of Dallas, 2014