MAY 22, 2019 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated May 22, 2019. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

T.C. Broadnax
City Manager

5/10/19
Date

M. Elizabeth Reich

Elizabeth Reich
Chief Financial Officer

5-10-19
Date

RECEIVED
2019 MAY 10 PM 6:30
CITY SECRETARY
DALLAS, TEXAS

City of Dallas

1500 Marilla Street
Dallas, Texas 75201

COUNCIL AGENDA

May 22, 2019

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

General Information

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

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

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

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

Rules of Courtesy

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

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

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

Información General

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

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

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

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

Reglas de Cortesía

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

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

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

Handgun Prohibition Notice for Meetings of Governmental Entities

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

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

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

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

AGENDA
CITY COUNCIL MEETING
WEDNESDAY, MAY 22, 2019
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 - 46
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 47 - 52
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 53 - 69

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

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. 19-658 Approval of Minutes of the May 8, 2019 City Council Meeting

CONSENT AGENDA

City Attorney's Office

2. 19-615 Authorize settlement of the lawsuit styled Thomas E. Bauer v. City of Dallas, Cause No. DC-17-05342 - Not to exceed $60,000.00 - Financing: Risk Management Funds

Department of Public Works

3. 19-153 Authorize a professional services contract with WSP USA, Inc. for the engineering design of Street Reconstruction Group 17-3004 (list attached to the Agenda Information Sheet) - Not to exceed $252,606.82 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($220,986.82) and Water Capital Improvement Fund ($31,620.00)

4. 19-543 Authorize a design-build services contract with CORE Construction Services of Texas, Inc. for design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of replacement of Fire Station Number 36 facility to be located at 3200-3220 Singleton Boulevard - Not to exceed $530,910.00 - Financing: Public Safety (G) Fund (2017 Bond Funds)

5. 19-577 Authorize a construction contract for the construction of street paving, drainage, and water and wastewater main improvements for The Bottom Phase I Project - North Denley Drive from Hutchins Avenue to Levee; North Moore Street from Hutchins Avenue to Levee; and May Hall Street from North Denley Drive to Moore Street - Muniz Construction, Inc., lowest responsible bidder of five - Not to exceed $3,417,700.30 - Financing: FY 2018-19 HUD Consolidated Funds ($2,156,044.00), General Fund ($229,051.00), Water Utilities Capital Improvement Funds ($991,405.30) and Water Utilities Capital Construction Funds ($41,200.00)

6. 19-492 An ordinance amending Chapter 43, Article VIII of the Dallas City Code, relating to improvements in the public right-of-way by **(1)** providing modification to the traffic control permit application requirements to include accessible pedestrian walkways or detours during construction; **(2)** modifying the requirements for plates covering a pavement cut; **(3)** modifying the pavement restoration requirements for streets with high paving condition index rating; and **(4)** providing additional notification requirements - Financing: No cost consideration to the City

Department of Sustainable Development and Construction

7. 19-476 Authorize acquisition from Teresa Alexander Leigh, of approximately 25,108 square feet of land improved with a single-family home located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $54,895.00 ($51,895.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund

8. 19-671 Authorize acquisition from Dallas Royal Center Tower, LLC, of approximately 5,843 square feet of land in Hike and Bike Trail Easement and of approximately 6,619 square feet of land in Temporary Working Space Easement located near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project - Not to exceed $242,654.00 ($239,154.00, plus closing costs and title expenses not to exceed $3,500.00) - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

9. 19-677 Authorize acquisition from 11250 North Central, LP, of a total of approximately 27,678 square feet of land in Hike and Bike Trail Easement and of approximately 7,863 square feet of land in Temporary Working Space Easement located near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project - Not to exceed $839,830.00 ($819,830.00, plus closing costs and title expenses not to exceed $20,000.00) - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds) ($556,566.97) and Street and Transportation Improvements Fund (2006 Bond Funds) ($283,263.03)

10. 19-678 Authorize acquisition from 11260 N. Central, LLC, of approximately 1,857 square feet of land in Hike and Bike Trail Easement located near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project - Not to exceed $69,426.00 ($66,926.00, plus closing costs and title expenses not to exceed $2,500.00) - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

11. 19-520 Authorize an amendment to an existing lease agreement with MacArthur Center Irving, LLC, successor in interest to MacArthur Center Levy, LLC, to extend the lease agreement for an additional three-years for approximately 6,854 square feet of office space located at 1111 West Airport Freeway, Suite 237, Irving, Texas, to be used as a Women, Infants and Children Clinic for the period September 1, 2019 through August 31, 2022 - Not to exceed $242,374.68 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

12. 19-521 Authorize an amendment to an existing lease agreement with TSI Group, LLC to **(1)** extend the lease agreement for an additional three-years for approximately 5,015 square feet of office space located at 3218 Highway 67 (Interstate-30), Mesquite, Texas, for the period August 1, 2019 through July 31, 2022; and **(2)** provide the City a right of termination with a 120-day notice for the continued use as a Women, Infants and Children Clinic - Not to exceed $240,720.12 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

13. 18-1435 An ordinance abandoning a portion of Fitzhugh Avenue to Westdale Buena Vista, LP, the abutting owner, containing approximately 6,562 square feet of land located near the intersection of Fitzhugh Avenue and Buena Vista Street; and authorizing the quitclaim; and providing for the dedication of a total of approximately 6,201 square feet of land needed for an open space and trail easement and public access easement - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

14. 19-599 An ordinance abandoning a portion of a water easement to Greenville Centre LC, the abutting owner, containing approximately 4,622 square feet of land, located near the intersection of Twin Hills Avenue and Park Lane - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

15. 19-388 An ordinance abandoning a portion of a floodway easement to Bryan G. Brown and Terri A. Brown, the abutting owners, containing approximately 223 square feet of land, located near the intersection of Forest Lane and Hillcrest Road; and providing for the dedication of approximately 3,591 square feet of land needed for a floodway easement - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

16. 19-498 An ordinance abandoning portions of a water easement, drainage easement, two water and wastewater easements and a wastewater easement to TC Central Associates, LLC, the abutting owner, containing a total of approximately 77,372 square feet of land, located near the intersection of Carroll Avenue and North Central Expressway - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

17. 19-98 An ordinance abandoning a portion of an alley to Kyle P. Kraft and Amanda L. Kraft, the abutting owners, containing approximately 1,444 square feet of land, located near the intersection of Northridge Drive and Hillbrook Street; and authorizing the quitclaim - Revenue: $38,890.00, plus the $20.00 ordinance publication fee

Department of Transportation

18. 19-632 Authorize an agreement between the City of Dallas and the Regional Transportation Council ("RTC") to **(1)** outline the roles and responsibilities of each party for the use of Metropolitan Transportation Plan Transportation Development Credits ("TDCs") for seven City of Dallas projects; and **(2)** accept the 6,287,119 TDCs awarded by RTC to be used as match to future federal funds for the seven projects (list attached to the Agenda Information Sheet) - Financing: No cost consideration to the City (see Fiscal Information)

Library

19. 19-639 Authorize the **(1)** acceptance of a grant from the Texas Book Festival for the 2019 Collections Enhancement Grant in the amount of $2,500.00 to support collection enhancement at the Polk-Wisdom Branch Library; **(2)** receipt and deposit of funds from the Texas Book Festival in an amount not to exceed $2,500.00 in the Texas Book Festival Grant-Library Collection Enhancement Fund; and **(3)** establishment of appropriations in an amount not to exceed $2,500.00 in the Texas Book Festival Grant-Library Collection Enhancement Fund - Not to exceed $2,500.00 - Financing: Texas Book Festival Grant Funds

20. 19-636 An ordinance amending Chapter 24, "Library," of the Dallas City Code, by amending Article 1; **(1)** eliminating library fines; **(2)** eliminating the $1.00 fee for failure to present library card; **(3)** eliminating the $4.00 replacement fee for a new library card; and **(4)** authorizing the library director to administer two annual amnesty periods to forgive some or all fees accrued - Estimated Annual Revenue Foregone: $150,000.00

Office of Community Care

21. 19-637 A resolution adopting the Age-Friendly Dallas Plan - Financing: No cost consideration to the City

Office of Cultural Affairs

22. 19-635 Authorize a ninety-nine year lease agreement with the Dallas Symphony Association, Inc. for the Morton H. Meyerson Symphony Center located at 2301 Flora Street, subject to a reverter and other requirements pursuant to Section 253.011 of the Texas Local Government Code - Not to exceed $11,500,000.00 - Financing: General Fund (subject to annual appropriations)

Office of Economic Development

23. 19-572 Authorize **(1)** a public hearing to be held on June 12, 2019, to receive comments concerning the renewal and expansion of the South Side Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code (the "Act"), for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing **(2)** a resolution renewing the District for a period of seven-years; **(3)** the expansion of the District's boundary; **(4)** the District's Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(5)** a management contract with South Side Quarter Development Corporation, a Texas non-profit corporation as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)

24. 19-573 Authorize **(1)** a public hearing to be held on June 12, 2019, to receive comments concerning the renewal of the Uptown Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code (the "Act"), for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing **(2)** a resolution renewing the District for a period of seven years; **(3)** the District's Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(4)** a management contract with Uptown Dallas, Inc., a Texas nonprofit corporation as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)

Office of Homeless Solutions

25. 19-624 Authorize **(1)** the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0236L6T001810 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project in an amount not to exceed $739,943.00, to provide project-based rental assistance and case management for single chronically homeless persons for the period October 1, 2019 through September 30, 2020; **(2)** an assignment of the CoC Grant to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas under the grant agreement; and **(3)** execution of any and all documents required for the grant and grantee substitution - Financing: No cost consideration to the City

26. 19-623 Authorize **(1)** the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0085L6T001811 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' My Residence Program (Rapid Re-housing) in an amount not to exceed $384,395.00, to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period October 1, 2019 through September 30, 2020; **(2)** an assignment of the CoC Grant to Housing Crisis Center, Inc. as recipient grantee in place of the City of Dallas under the grant agreement; and **(3)** execution of any and all documents required for the grant and grantee substitution - Financing: No cost consideration to the City

Office of Procurement Services

27. 19-579 Authorize a one-year consultant contract for security assessment, strategy, and recommendations of City facilities for Court and Detention Services - True North Consulting Group, most advantageous proposer of ten - Not to exceed $111,850 - Financing: General Fund

28. 19-552 Authorize a two-year service price agreement for refuse truck body and chassis original equipment manufacturer parts and labor services for the Equipment and Fleet Management Department - Industrial Power, LLC in the amount of $970,375, Wastebuilt Southwest, LLC in the amount of $871,765, Rush Truck Centers of Texas, LP dba Rush Truck Center, Dallas Light and Medium Duty in the amount of $444,645, and Bond Equipment Company, Inc. in the amount of $209,920, lowest responsible bidders of four - Total not to exceed $2,496,705 - Financing: General Services Fund

29. 19-522 Authorize a three-year service price agreement for pre-employment polygraph testing and examination services for the Fire-Rescue Department and the Police Department - Ruiz Protective Service, Inc. in an estimated amount of $432,675.60 and Dallas Polygraph Services in an estimated amount of $52,500.00, lowest responsible bidders of two - Total estimated amount of $485,175.60 - Financing: General Fund

30. 19-585 Authorize a five-year service price agreement for the purchase, supply, selection, cataloging, and physical processing of library printed materials for the Dallas Public Library - Brodart Co., lowest responsible bidder of four - Estimated amount of $21,362,250 - Financing: General Fund

31. 19-587 Authorize a three-year service contract, with two one-year renewal options, to provide Family Medical Leave Act services - Total Administrative Services Corporation, most advantageous proposer of three - Not to exceed $247,500 - Financing: General Fund (subject to annual appropriations)

32. 19-586 Authorize a three-year service contract, with two one-year renewal options, to provide voluntary benefits to employees and eligible retirees, a self-funded vendor-administered Employee Benefits Program - Standard Insurance Company, most advantageous proposer of four - Financing: No cost consideration to the City (to be funded by employee and retiree premiums through payroll and pension deductions)

33. 19-622 Authorize a five-year service contract for the purchase, installation, maintenance, and support of a closed-circuit television video storage system for the Department of Aviation with Promark Technology, Inc. through the General Services Administration cooperative agreement - Estimated amount of $1,726,684.20 - Financing: Aviation Fund (subject to annual appropriations)

34. 19-602 Authorize a three-year master agreement for rescue concentrate disinfectant, kennel foamers, and accessories for the Department of Dallas Animal Services - Midwest Veterinary Supply, Inc., lowest responsible bidder of two - Estimated amount of $370,719.24 - Financing: General Fund

35. 19-565 Authorize the rejection of the bid received for cement treated base, rebase, and super slurry - Financing: No cost consideration to the City

36. 19-633 Authorize Supplemental Agreement No. 2 to increase the service price agreement with Good Earth Corporation in the amount of $1,376,241.91, from $5,504,967.63 to $6,881,209.54 and T. Smith's Lawn Service, LLC in the amount of $652,187.76, from $2,608,751.05 to $3,260,938.81, for litter maintenance services for the Park and Recreation Department and to extend the term from May 29, 2019 to May 29, 2020 - Total not to exceed $2,028,429.67, from $8,113,718.68 to $10,142,148.35 - Financing: General Fund

Office of Strategic Partnerships & Government Affairs

37. 19-662 Ordinances authorizing two amendments to the Dallas Fort Worth (DFW) International Airport Master Bond Ordinance, the 53rd Supplemental Bond Ordinance (SBO), and the issuance of the 54th SBO - Financing: No cost consideration to the City

Park & Recreation Department

38. 19-606 Authorize an agreement between Big Thought and the City of Dallas Park and Recreation Department to provide after-school services as Phase II of The Wallace Foundation Partnership for Social and Emotional Learning Initiative in partnership with Dallas Independent School District - Financing: No cost consideration to the City (see Fiscal Information)

39. 19-627 Authorize a professional services contract with Dal-Tech Engineering, Inc. for topographic survey, schematic design, geotechnical investigation, design development, flood plain permitting, construction documents, construction procurement, and construction observation phases for the Brownwood Park Erosion Control and Soccer Field Improvements Project located at 3400 Walnut Hill Lane - Not to exceed $72,322.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

40. 19-630 Authorize Supplemental Agreement No. 2 to the professional services contract with Kimley-Horn and Associates, Inc. for additional design and floodplain permitting for the Aquatics Phase 2 Projects for Bachman Regional Aquatic Center at Bachman Park located at 2750 Bachman Drive - Not exceed $133,875.00, from $2,628,800.00 to $2,762,675.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

41. 19-629 Authorize Supplemental Agreement No. 3 to the design-build services contract with Harrison, Walker & Harper, LP. for the design and construction for Fair Park Facility Improvements for additional architectural and engineering services and an increase in the construction services package for the renovations of the Music Hall located at 909 1st Avenue and the African American Museum located at 3536 Grand Avenue - Not to exceed $3,134,650.00, from $2,704,320.00 to $5,838,970.00 - Financing: Fair Park Improvements (C) Fund (2017 Bond Funds)

Police Department

42. 19-710 Authorize **(1)** an application for the Commercial Auto Theft Interdiction Squad/27 Grant from the Texas Automobile Burglary and Theft Prevention Authority, requiring a local match and an in-kind contribution, to provide a specialized proactive automobile theft program, for the period September 1, 2019 through August 31, 2020; and **(2)** an application for the continuation or modification of the grant for subsequent years - Financing: This action has no cost consideration to the City

Water Utilities Department

43. 19-512 Authorize a professional services contract with Halff Associates, Inc. for the engineering design of Storm Drainage Contract A (list attached to the Agenda Information Sheet) - Not to exceed $422,501.00 - Financing: Flood Control (D) Fund (2017 Bond Funds)

44. 19-502 Authorize a professional services contract with Garver, LLC, for the engineering design of the Lake Highlands Town Center Dredge Project - Not to exceed $135,957.00 - Financing: Flood Control (D) Fund (2017 Bond Funds)

45. 19-496 Authorize a professional services contract with Signature Automation, LLC to provide engineering services for the design, construction administration, and start-up associated with Supervisory Control and Data Acquisition system improvements at the Southside Wastewater Treatment Plant - Not to exceed $2,680,000.00 - Financing: Wastewater Capital Improvement Fund

46. 19-513 Authorize **(1)** the First Amendment to the Project Specific Agreement with Dallas County for the 96-inch diameter water transmission pipeline located along Wintergreen Road between Main Street and Cockrell Hill Road to provide the City of Dallas' share of additional construction costs for Phase I of the project along Wintergreen Road from the intersection of Main Street and Wintergreen Road to approximately 1,300 feet east; and **(2)** payment to Dallas County for the City's share of additional construction cost - Not to exceed $536,050.00, from $2,120,000.00 to $2,656,050.00 - Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

47. 19-659 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)

48. 19-646 Consideration of appointment to the Dallas Area Rapid Transit Board of Directors for Positions 03, 04, 05, 06, 07, and 08, one of whom shall be appointed as a shared member with the City of Cockrell Hill. (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (Name of nominee in the City Secretary's Office) - Financing: No cost consideration to the City

Department of Sustainable Development and Construction

49. 19-605 Authorize **(1)** settlement in lieu of proceeding further with condemnation in the condemnation suit styled City of Dallas v. Linda Sue Reid, et al., pending in Dallas County Court at Law No. 2, Cause No. CC-16-03154-C, for acquisition from Linda Sue Reid, et al., of approximately 59,276 square feet of land for right-of-way located in near the intersection of Seagoville Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project; and **(2)** the deposit of the settlement amount reached through Court ordered mediation and negotiation of the condemnation suit for an amount not to exceed the amount of the settlement amount - Not to exceed $285,000.00, increased from $220,634.00 to $505,634.00 ($500,000.00 being the settlement amount, plus closing costs and title expenses not to exceed $5,634.00) - Financing: Water Improvement Fund

Office of Economic Development

50. 19-688 Authorize **(1)** adoption of the Targeted Neighborhood Enhancement Program Statement; **(2)** a Chapter 380 economic development grant agreement with The Golden S.E.E.D.S. Foundation or an affiliate thereof, in connection with neighborhood enhancements for The Bottom neighborhood; and **(3)** an increase in appropriations, future encumbrances, and disbursements as appropriate for a total amount not to exceed $500,000.00 - Not to exceed $500,000.00 - Financing: 2017 Bond Funds (Proposition I)

51. 19-689 Authorize **(1)** adoption of the Southern Dallas Investment Fund Program Statement; and **(2)** an increase in appropriations, future encumbrances, and disbursements as appropriate for a total amount not to exceed $2,500,000.00 - Not to exceed $2,500,000.00 - Financing: 2017 Bond Funds (Proposition I)

Office of Equity and Human Rights

52. 19-702 A resolution in furtherance of the City of Dallas' efforts to support diverse racial, ethnic, cultural, and socio-economic backgrounds and to promote equity in the Dallas community - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Sustainable Development and Construction

ZONING CASES - CONSENT

53. 19-663 A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the east line of Chicago Street, north of Duluth Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-366(SM)

54. 19-664 A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the south line of Duluth Street, at the terminus of Chicago Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-367(SM)

55. 19-665 A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-368(SM)

56. 19-666 A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the south line of Duluth Street, east of Chicago Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-369(SM)

57. 19-667 A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District, on the southwest corner of South Hampton Road and Emmett Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-374(PD)

58. 19-668 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract II within Planned Development District No. 286, north of Stults Road, on the west line of Greenville Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z189-111(PD)

59. 19-669 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 and a public school other than an open-enrollment charter school on property zoned an R-5(A) Single Family District, a TH-3(A) Townhouse District, and an MF-2(A) Multifamily District, on the west line of Bonnie View Road, north of Morrell Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, traffic management plan, and conditions
Z189-177(SM)

60. 19-670 A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an NO(A) Neighborhood Office District, on the east side of North Fitzhugh Avenue, south of Ross Avenue
Recommendation of Staff and CPC: Approval
Z189-192(JM)

61. 19-672 A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CS Commercial Service District, on the southeast side of Solar Lane, east of Carbondale Street
Recommendation of Staff and CPC: Approval
Z189-196(CY)

62. 19-673 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2111 for a body piercing studio and a tattoo studio on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District with Specific Use Permit No. 2111, on the north line of Main Street, west of Exposition Avenue

Recommendation of Staff and CPC: Approval for a five-year period, subject to conditions

Z189-201(CY)

ZONING CASES - INDIVIDUAL

63. 19-675 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses, private recreation center, club or area, and private street or alley uses; and **(2)** an ordinance terminating Specific Use Permit No. 2166 for an adult day care facility on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 105 for a convalescent home and institutional uses, and Specific Use Permit No. 2166 for an adult day care facility, on the southwest corner of Samuell Boulevard and Hunnicutt Road

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a conceptual plan, street section exhibit and conditions, and approval of the termination of Specific Use Permit No. 2166 for an adult day care facility

Z189-142(CY)

64. 19-674 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2007 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619, on the northeast corner of Griffin Street and Elm Street

Recommendation of Staff and CPC: Approval for a six-year period, subject to conditions

Z189-148(CY)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

65. 19-653 A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily Subdistrict on property zoned a P(A) Parking Subdistrict within Planned Development No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest side of Cleveland Street, north of South Lamar Street
Recommendation of Staff and CPC: Approval
Z178-256(CY)
Note: This item was deferred by the City Council before opening the public hearings on December 12, 2018, February 27, 2019, and April 24, 2019, and is scheduled for consideration on May 22, 2019

66. 19-651 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school use on property zoned a CR Community Retail District with existing deed restrictions [Z045-125], on the northwest side of Dixon Avenue, at the terminus of Wullschleger Lane
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan, traffic management plan, and conditions
Z189-169(CY)
Note: This item was deferred by the City Council before opening the public hearing on April 24, 2019, and is scheduled for consideration on May 22, 2019

SPECIAL PURPOSE SIGN DISTRICT

67. 19-676 A public hearing to receive comments regarding consideration of amendments to Sec. 51A-7.930. “Supergraphic Signs” of the Dallas Development Code within the Downtown Special Provision Sign District on property zoned CA-1(A) Central Area District, Planned Development District No. 619 and Planned Development District No. 715, in the area generally bounded by Woodall Rogers Freeway, St. Paul Street, and Ross Avenue to the north; Interstate 45/US 75, Harwood Street, Park Avenue, and St. Paul Street to the east; Commerce Street, Wood Street, Young Street, and Interstate 30/R.L. Thornton to the south; and Interstate 35/Stemmons Freeway to the west save and except that area comprised of the West End Historic Sign District and an ordinance granting the amendments
Recommendation of Staff: Approval of Quality of Life, Arts, and Culture Committee recommendations
Recommendation of CPC: Approval
SPSD189-001

THOROUGHFARE PLAN AMENDMENTS

Department of Transportation

68. 19-553 A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan: **(1)** delete St. Paul Street from Interstate Highway 30 (IH-30) to Ervay Street; and **(2)** change the dimensional classification of Ervay Street from IH-30 to St. Paul Street/Belleview Street from an existing couplet (EXST CPLT) to a special two-lane undivided roadway (SPCL 2U) with bicycle facilities in 60 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

MISCELLANEOUS HEARINGS

Office of Budget

69. 19-687 A public hearing to receive comments on **(1)** the Proposed FY 2019-20 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds; and **(2)** the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24 - Financing: No cost consideration to the City

EXECUTIVE SESSION NOTICE

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

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

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

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

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

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

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

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

Agenda Date: May 22, 2019

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	V	N/A	N//A	Approval of Minutes of the May 8, 2019 City Council Meeting
2.	N/A	C	ATT	$60,000.00	Authorize settlement of the lawsuit styled Thomas E. Bauer v. City of Dallas, Cause No. DC-17-05342 - Not to exceed $60,000.00 - Financing: Risk Management Funds
3.	3	C	PBW	$252,606.82	Authorize a professional services contract with WSP USA, Inc. for the engineering design of Street Reconstruction Group 17-3004 (list attached to the Agenda Information Sheet) - Not to exceed $252,606.82 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($220,986.82) and Water Capital Improvement Fund ($31,620.00)
4.	6	C	PBW	$530,910.00	Authorize a design-build services contract with CORE Construction Services of Texas, Inc. for design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of replacement of Fire Station Number 36 facility to be located at 3200-3220 Singleton Boulevard - Not to exceed $530,910.00 - Financing: Public Safety (G) Fund (2017 Bond Funds)
5.	4	C	PBW	$3,417,700.30	Authorize a construction contract for the construction of street paving, drainage, and water and wastewater main improvements for The Bottom Phase I Project - North Denley Drive from Hutchins Avenue to Levee; North Moore Street from Hutchins Avenue to Levee; and May Hall Street from North Denley Drive to Moore Street - Muniz Construction, Inc., lowest responsible bidder of five - Not to exceed $3,417,700.30 - Financing: FY 2018-19 HUD Consolidated Funds ($2,156,044.00), General Fund ($229,051.00), Water Utilities Capital Improvement Funds ($991,405.30) and Water Utilities Capital Construction Funds ($41,200.00)
6.	N/A	C	PBW	NC	An ordinance amending Chapter 43, Article VIII of the Dallas City Code, relating to improvements in the public right-of-way by (1) providing modification to the traffic control permit application requirements to include accessible pedestrian walkways or detours during construction; (2) modifying the requirements for plates covering a pavement cut; (3) modifying the pavement restoration requirements for streets with high paving condition index rating; and (4) providing additional notification requirements - Financing: No cost consideration to the City
7.	Outside	C	DEV	$54,895.00	Authorize acquisition from Teresa Alexander Leigh, of approximately 25,108 square feet of land improved with a single-family home located in Hunt

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $54,895.00 ($51,895.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund
8.	13	C	DEV	$242,654.00	Authorize acquisition from Dallas Royal Center Tower, LLC, of approximately 5,843 square feet of land in Hike and Bike Trail Easement and of approximately 6,619 square feet of land in Temporary Working Space Easement located near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project - Not to exceed $242,654.00 ($239,154.00, plus closing costs and title expenses not to exceed $3,500.00) - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)
9.	13	C	DEV	$839,830.00	Authorize acquisition from 11250 North Central, LP, of a total of approximately 27,678 square feet of land in Hike and Bike Trail Easement and of approximately 7,863 square feet of land in Temporary Working Space Easement located near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project - Not to exceed $839,830.00 ($819,830.00, plus closing costs and title expenses not to exceed $20,000.00) - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds) ($556,566.97) and Street and Transportation Improvements Fund (2006 Bond Funds) ($283,263.03)
10.	13	C	DEV	$69,426.00	Authorize acquisition from 11260 N. Central, LLC, of approximately 1,857 square feet of land in Hike and Bike Trail Easement located near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project - Not to exceed $69,426.00 ($66,926.00, plus closing costs and title expenses not to exceed $2,500.00) - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)
11.	Outside	C	DEV	GT	Authorize an amendment to an existing lease agreement with MacArthur Center Irving, LLC, successor in interest to MacArthur Center Levy, LLC, to extend the lease agreement for an additional three-years for approximately 6,854 square feet of office space located at 1111 West Airport Freeway, Suite 237, Irving, Texas, to be used as a Women, Infants and Children Clinic for the period September 1, 2019 through August 31, 2022 - Not to exceed $242,374.68 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)
12.	Outside	C	DEV	GT	Authorize an amendment to an existing lease agreement with TSI Group, LLC to (1) extend the lease agreement for an additional three-years for approximately 5,015 square feet of office space located at 3218 Highway 67 (Interstate-30), Mesquite, Texas, for the period August 1, 2019 through July

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					31, 2022; and (2) provide the City a right of termination with a 120-day notice for the continued use as a Women, Infants and Children Clinic - Not to exceed $240,720.12 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)
13.	14	C	DEV	REV $5,400.00	An ordinance abandoning a portion of Fitzhugh Avenue to Westdale Buena Vista, LP, the abutting owner, containing approximately 6,562 square feet of land located near the intersection of Fitzhugh Avenue and Buena Vista Street; and authorizing the quitclaim; and providing for the dedication of a total of approximately 6,201 square feet of land needed for an open space and trail easement and public access easement - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
14.	13	C	DEV	REV $5,400.00	An ordinance abandoning a portion of a water easement to Greenville Centre LC, the abutting owner, containing approximately 4,622 square feet of land, located near the intersection of Twin Hills Avenue and Park Lane - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
15.	11	C	DEV	REV $5,400.00	An ordinance abandoning a portion of a floodway easement to Bryan G. Brown and Terri A. Brown, the abutting owners, containing approximately 223 square feet of land, located near the intersection of Forest Lane and Hillcrest Road; and providing for the dedication of approximately 3,591 square feet of land needed for a floodway easement - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
16.	2	C	DEV	REV $5,400.00	An ordinance abandoning portions of a water easement, drainage easement, two water and wastewater easements and a wastewater easement to TC Central Associates, LLC, the abutting owner, containing a total of approximately 77,372 square feet of land, located near the intersection of Carroll Avenue and North Central Expressway - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
17.	9	C	DEV	REV $38,890.00	An ordinance abandoning a portion of an alley to Kyle P. Kraft and Amanda L. Kraft, the abutting owners, containing approximately 1,444 square feet of land, located near the intersection of Northridge Drive and Hillbrook Street; and authorizing the quitclaim - Revenue: $38,890.00, plus the $20.00 ordinance publication fee
18.	2, 6, 10, 11, 12, 13, 14	C	TRN	NC	Authorize an agreement between the City of Dallas and the Regional Transportation Council (“RTC”) to (1) outline the roles and responsibilities of each party for the use of Metropolitan Transportation Plan Transportation Development Credits (“TDCs”) for seven City of Dallas projects; and (2) accept the 6,287,119 TDCs awarded by RTC to be used as match to future

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					federal funds for the seven projects (list attached to the Agenda Information Sheet) - Financing: No cost consideration to the City (see Fiscal Information)
19.	N/A	C	LIB	GT	Authorize the (1) acceptance of a grant from the Texas Book Festival for the 2019 Collections Enhancement Grant in the amount of $2,500.00 to support collection enhancement at the Polk-Wisdom Branch Library; (2) receipt and deposit of funds from the Texas Book Festival in an amount not to exceed $2,500.00 in the Texas Book Festival Grant-Library Collection Enhancement Fund; and (3) establishment of appropriations in an amount not to exceed $2,500.00 in the Texas Book Festival Grant-Library Collection Enhancement Fund - Not to exceed $2,500.00 - Financing: Texas Book Festival Grant Funds
20.	All	C	LIB	REV- $150,000.00	An ordinance amending Chapter 24, "Library," of the Dallas City Code, by amending Article 1; (1) eliminating library fines; (2) eliminating the $1.00 fee for failure to present library card; (3) eliminating the $4.00 replacement fee for a new library card; and (4) authorizing the library director to administer two annual amnesty periods to forgive some or all fees accrued - Estimated Annual Revenue Foregone: $150,000.00
21.	All	C	OCC	NC	A resolution adopting the Age-Friendly Dallas Plan - Financing: No cost consideration to the City
22.	14	C	OCA	$11,500,000.00	Authorize a ninety-nine year lease agreement with the Dallas Symphony Association, Inc. for the Morton H. Meyerson Symphony Center located at 2301 Flora Street, subject to a reverter and other requirements pursuant to Section 253.011 of the Texas Local Government Code - Not to exceed $11,500,000.00 - Financing: General Fund (subject to annual appropriations)
23.	2	C	ECO	NC	Authorize (1) a public hearing to be held on June 12, 2019, to receive comments concerning the renewal and expansion of the South Side Public Improvement District (the “District”), in accordance with Chapter 372 of the Texas Local Government Code (the “Act”), for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing (2) a resolution renewing the District for a period of seven-years; (3) the expansion of the District’s boundary; (4) the District’s Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (5) a management contract with South Side Quarter Development Corporation, a Texas non-profit corporation as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
24.	14	C	ECO	NC	Authorize (1) a public hearing to be held on June 12, 2019, to receive comments concerning the renewal of the Uptown Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code (the "Act"), for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing (2) a resolution renewing the District for a period of seven years; (3) the District's Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (4) a management contract with Uptown Dallas, Inc., a Texas nonprofit corporation as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)
25.	All	C	OHS	NC	Authorize (1) the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0236L6T001810 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project in an amount not to exceed $739,943.00, to provide project-based rental assistance and case management for single chronically homeless persons for the period October 1, 2019 through September 30, 2020; (2) an assignment of the CoC Grant to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas under the grant agreement; and (3) execution of any and all documents required for the grant and grantee substitution - Financing: No cost consideration to the City
26.	All	C	OHS	NC	Authorize (1) the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0085L6T001811 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' My Residence Program (Rapid Re-housing) in an amount not to exceed $384,395.00, to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period October 1, 2019 through September 30, 2020; (2) an assignment of the CoC Grant to Housing Crisis Center, Inc. as recipient grantee in place of the City of Dallas under the grant agreement; and (3) execution of any and all documents required for the grant and grantee substitution - Financing: No cost consideration to the City
27.	All	C	POM	$111,850.00	Authorize a one-year consultant contract for security assessment, strategy, and recommendations of City facilities for Court and Detention Services - True North Consulting Group, most advantageous proposer of ten - Not to exceed $111,850 - Financing: General Fund

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
28.	All	C	POM	$2,496,705.00	Authorize a two-year service price agreement for refuse truck body and chassis original equipment manufacturer parts and labor services for the Equipment and Fleet Management Department - Industrial Power, LLC in the amount of $970,375, Wastebuilt Southwest, LLC in the amount of $871,765, Rush Truck Centers of Texas, LP dba Rush Truck Center, Dallas Light and Medium Duty in the amount of $444,645, and Bond Equipment Company, Inc. in the amount of $209,920, lowest responsible bidders of four - Total not to exceed $2,496,705 - Financing: General Services Fund
29.	All	C	POM	$485,175.60	Authorize a three-year service price agreement for pre-employment polygraph testing and examination services for the Fire-Rescue Department and the Police Department - Ruiz Protective Service, Inc. in an estimated amount of $432,675.60 and Dallas Polygraph Services in an estimated amount of $52,500.00, lowest responsible bidders of two - Total estimated amount of $485,175.60 - Financing: General Fund
30.	All	C	POM	$21,362,250.00	Authorize a five-year service price agreement for the purchase, supply, selection, cataloging, and physical processing of library printed materials for the Dallas Public Library - Brodart Co., lowest responsible bidder of four - Estimated amount of $21,362,250 - Financing: General Fund
31.	All	C	POM	$247,500.00	Authorize a three-year service contract, with two one-year renewal options, to provide Family Medical Leave Act services - Total Administrative Services Corporation, most advantageous proposer of three - Not to exceed $247,500 - Financing: General Fund (subject to annual appropriations)
32.	All	C	POM	NC	Authorize a three-year service contract, with two one-year renewal options, to provide voluntary benefits to employees and eligible retirees, a self-funded vendor-administered Employee Benefits Program - Standard Insurance Company, most advantageous proposer of four - Financing: No cost consideration to the City (to be funded by employee and retiree premiums through payroll and pension deductions)
33.	2	C	POM	$1,726,684.20	Authorize a five-year service contract for the purchase, installation, maintenance, and support of a closed-circuit television video storage system for the Department of Aviation with Promark Technology, Inc. through the General Services Administration cooperative agreement - Estimated amount of $1,726,684.20 - Financing: Aviation Fund (subject to annual appropriations)
34.	All	C	POM	$370,719.24	Authorize a three-year master agreement for rescue concentrate disinfectant, kennel foamers, and accessories for the Department of Dallas Animal Services - Midwest Veterinary Supply, Inc., lowest responsible bidder of two -

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Estimated amount of $370,719.24 - Financing: General Fund
35.	All	C	POM	NC	Authorize the rejection of the bid received for cement treated base, rebase, and super slurry - Financing: No cost consideration to the City
36.	All	C	POM	$2,028,429.67	Authorize Supplemental Agreement No. 2 to increase the service price agreement with Good Earth Corporation in the amount of $1,376,241.91, from $5,504,967.63 to $6,881,209.54 and T. Smith's Lawn Service, LLC in the amount of $652,187.76, from $2,608,751.05 to $3,260,938.81, for litter maintenance services for the Park and Recreation Department and to extend the term from May 29, 2019 to May 29, 2020 - Total not to exceed $2,028,429.67, from $8,113,718.68 to $10,142,148.35 - Financing: General Fund
37.	Outside	C	OSP	NC	Ordinances authorizing two amendments to the Dallas Fort Worth (DFW) International Airport Master Bond Ordinance, the 53rd Supplemental Bond Ordinance (SBO), and the issuance of the 54th SBO - Financing: No cost consideration to the City
38.	1, 4, 5, 7, 8, 9	C	PKR	NC	Authorize an agreement between Big Thought and the City of Dallas Park and Recreation Department to provide after-school services as Phase II of The Wallace Foundation Partnership for Social and Emotional Learning Initiative in partnership with Dallas Independent School District - Financing: No cost consideration to the City (see Fiscal Information)
39.	6	C	PKR	$72,322.00	Authorize a professional services contract with Dal-Tech Engineering, Inc. for topographic survey, schematic design, geotechnical investigation, design development, flood plain permitting, construction documents, construction procurement, and construction observation phases for the Brownwood Park Erosion Control and Soccer Field Improvements Project located at 3400 Walnut Hill Lane - Not to exceed $72,322.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)
40.	6	C	PKR	$133,875.00	Authorize Supplemental Agreement No. 2 to the professional services contract with Kimley-Horn and Associates, Inc. for additional design and floodplain permitting for the Aquatics Phase 2 Projects for Bachman Regional Aquatic Center at Bachman Park located at 2750 Bachman Drive - Not exceed $133,875.00, from $2,628,800.00 to $2,762,675.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)
41.	7	C	PKR	$3,134,650.00	Authorize Supplemental Agreement No. 3 to the design-build services contract with Harrison, Walker & Harper, LP. for the design and construction for Fair Park Facility Improvements for additional architectural and engineering services and an increase in the construction services package

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					for the renovations of the Music Hall located at 909 1st Avenue and the African American Museum located at 3536 Grand Avenue - Not to exceed $3,134,650.00, from $2,704,320.00 to $5,838,970.00 - Financing: Fair Park Improvements (C) Fund (2017 Bond Funds)
42.	N/A	C	DPD	NC	Authorize (1) an application for the Commercial Auto Theft Interdiction Squad/27 Grant from the Texas Automobile Burglary and Theft Prevention Authority, requiring a local match and an in-kind contribution, to provide a specialized proactive automobile theft program, for the period September 1, 2019 through August 31, 2020; and (2) an application for the continuation or modification of the grant for subsequent years - Financing: This action has no cost consideration to the City
43.	10, 11, 12, 13	C	DWU	$422,501.00	Authorize a professional services contract with Halff Associates, Inc. for the engineering design of Storm Drainage Contract A (list attached to the Agenda Information Sheet) - Not to exceed $422,501.00 - Financing: Flood Control (D) Fund (2017 Bond Funds)
44.	10	C	DWU	$135,957.00	Authorize a professional services contract with Garver, LLC, for the engineering design of the Lake Highlands Town Center Dredge Project - Not to exceed $135,957.00 - Financing: Flood Control (D) Fund (2017 Bond Funds)
45.	8	C	DWU	$2,680,000.00	Authorize a professional services contract with Signature Automation, LLC to provide engineering services for the design, construction administration, and start-up associated with Supervisory Control and Data Acquisition system improvements at the Southside Wastewater Treatment Plant - Not to exceed $2,680,000.00 - Financing: Wastewater Capital Improvement Fund
46.	Outside	C	DWU	$536,050.00	Authorize (1) the First Amendment to the Project Specific Agreement with Dallas County for the 96-inch diameter water transmission pipeline located along Wintergreen Road between Main Street and Cockrell Hill Road to provide the City of Dallas' share of additional construction costs for Phase I of the project along Wintergreen Road from the intersection of Main Street and Wintergreen Road to approximately 1,300 feet east; and (2) payment to Dallas County for the City's share of additional construction cost - Not to exceed $536,050.00, from $2,120,000.00 to $2,656,050.00 - Water Utilities Capital Improvement Funds
47.	N/A	I	SEC	NC	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
48.	N/A	I	SEC	NC	Consideration of appointment to the Dallas Area Rapid Transit Board of

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Directors for Positions 03, 04, 05, 06, 07, and 08, one of whom shall be appointed as a shared member with the City of Cockrell Hill. (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (Name of nominee in the City Secretary's Office) - Financing: No cost consideration to the City
49.	8	I	DEV	$285,000.00	Authorize (1) settlement in lieu of proceeding further with condemnation in the condemnation suit styled City of Dallas v. Linda Sue Reid, et al., pending in Dallas County Court at Law No. 2, Cause No. CC-16-03154-C, for acquisition from Linda Sue Reid, et al., of approximately 59,276 square feet of land for right-of-way located in near the intersection of Seagoville Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project; and (2) the deposit of the settlement amount reached through Court ordered mediation and negotiation of the condemnation suit for an amount not to exceed the amount of the settlement amount - Not to exceed $285,000.00, increased from $220,634.00 to $505,634.00 ($500,000.00 being the settlement amount, plus closing costs and title expenses not to exceed $5,634.00) - Financing: Water Improvement Fund
50.	4	I	ECO	$500,000.00	Authorize (1) adoption of the Targeted Neighborhood Enhancement Program Statement; (2) a Chapter 380 economic development grant agreement with The Golden S.E.E.D.S. Foundation or an affiliate thereof, in connection with neighborhood enhancements for The Bottom neighborhood; and (3) an increase in appropriations, future encumbrances, and disbursements as appropriate for a total amount not to exceed $500,000.00 - Not to exceed $500,000.00 - Financing: 2017 Bond Funds (Proposition I)
51.	4	I	ECO	$2,500,000.00	Authorize (1) adoption of the Southern Dallas Investment Fund Program Statement; and (2) an increase in appropriations, future encumbrances, and disbursements as appropriate for a total amount not to exceed $2,500,000.00 - Not to exceed $2,500,000.00 - Financing: 2017 Bond Funds (Proposition I)
52.	All	I	OEH	NC	A resolution in furtherance of the City of Dallas' efforts to support diverse racial, ethnic, cultural, and socio-economic backgrounds and to promote equity in the Dallas community - Financing: No cost consideration to the City
53.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the east line of Chicago Street, north of Duluth Street Recommendation of Staff and CPC: Approval, subject to deed restrictions

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					volunteered by the applicant Z178-366(SM)
54.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the south line of Duluth Street, at the terminus of Chicago Street Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant Z178-367(SM)
55.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant Z178-368(SM)
56.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the south line of Duluth Street, east of Chicago Street Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant Z178-369(SM)
57.	1	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District, on the southwest corner of South Hampton Road and Emmett Street Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant Z178-374(PD)
58.	10	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract II within Planned Development District No. 286, north of Stults Road, on the west line of Greenville Avenue Recommendation of Staff and CPC: Approval, subject to a development plan

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					and conditions Z189-111(PD)
59.	4	PH	DEV	NC	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 and a public school other than an open-enrollment charter school on property zoned an R-5(A) Single Family District, a TH-3(A) Townhouse District, and an MF-2(A) Multifamily District, on the west line of Bonnie View Road, north of Morrell Avenue Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, traffic management plan, and conditions Z189-177(SM)
60.	2	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an NO(A) Neighborhood Office District, on the east side of North Fitzhugh Avenue, south of Ross Avenue Recommendation of Staff and CPC: Approval Z189-192(JM)
61.	7	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CS Commercial Service District, on the southeast side of Solar Lane, east of Carbondale Street Recommendation of Staff and CPC: Approval Z189-196(CY)
62.	2	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2111 for a body piercing studio and a tattoo studio on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District with Specific Use Permit No. 2111, on the north line of Main Street, west of Exposition Avenue Recommendation of Staff and CPC: Approval for a five-year period, subject to conditions Z189-201(CY)
63.	7	PH	DEV	NC	A public hearing to receive comments regarding an application for and (1) an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses, private recreation center, club or area, and private street or alley uses; and (2) an ordinance terminating Specific Use Permit No. 2166 for an adult day care facility on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 105 for a convalescent home and

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					institutional uses, and Specific Use Permit No. 2166 for an adult day care facility, on the southwest corner of Samuell Boulevard and Hunnicutt Road Recommendation of Staff: Denial Recommendation of CPC: Approval, subject to a conceptual plan, street section exhibit and conditions, and approval of the termination of Specific Use Permit No. 2166 for an adult day care facility Z189-142(CY)
64.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2007 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619, on the northeast corner of Griffin Street and Elm Street Recommendation of Staff and CPC: Approval for a six-year period, subject to conditions Z189-148(CY)
65.	7	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily Subdistrict on property zoned a P(A) Parking Subdistrict within Planned Development No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest side of Cleveland Street, north of South Lamar Street Recommendation of Staff and CPC: Approval Z178-256(CY) Note: This item was deferred by the City Council before opening the public hearings on December 12, 2018, February 27, 2019, and April 24, 2019, and is scheduled for consideration on May 22, 2019
66.	7	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school use on property zoned a CR Community Retail District with existing deed restrictions [Z045-125], on the northwest side of Dixon Avenue, at the terminus of Wullschleger Lane Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan, traffic management plan, and conditions Z189-169(CY) Note: This item was deferred by the City Council before opening the public hearing on April 24, 2019, and is scheduled for consideration on May 22, 2019
67.	2, 14	PH	DEV	NC	A public hearing to receive comments regarding consideration of amendments to Sec. 51A-7.930. “Supergraphic Signs” of the Dallas

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Development Code within the Downtown Special Provision Sign District on property zoned CA-1(A) Central Area District, Planned Development District No. 619 and Planned Development District No. 715, in the area generally bounded by Woodall Rogers Freeway, St. Paul Street, and Ross Avenue to the north; Interstate 45/US 75, Harwood Street, Park Avenue, and St. Paul Street to the east; Commerce Street, Wood Street, Young Street, and Interstate 30/R.L. Thornton to the south; and Interstate 35/Stemmons Freeway to the west save and except that area comprised of the West End Historic Sign District and an ordinance granting the amendments Recommendation of Staff: Approval of Quality of Life, Arts, and Culture Committee recommendations Recommendation of CPC: Approval SPSD189-001
68.	2	PH	TRN	NC	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan: (1) delete St. Paul Street from Interstate Highway 30 (IH-30) to Ervay Street; and (2) change the dimensional classification of Ervay Street from IH-30 to St. Paul Street/Belleview Street from an existing couplet (EXST CPLT) to a special two-lane undivided roadway (SPCL 2U) with bicycle facilities in 60 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)
69.	N/A	PH	BMS	NC	A public hearing to receive comments on (1) the Proposed FY 2019-20 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds; and (2) the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24 - Financing: No cost consideration to the City

TOTAL $56,197,690.83

Agenda Information Sheet

File #: 19-658 **Item #:** 1.

SUBJECT

Approval of Minutes of the May 8, 2019 City Council Meeting

1500 Marilla Street
Dallas, Texas 75201

City of Dallas

Agenda Information Sheet

File #: 19-615 **Item #:** 2.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize settlement of the lawsuit styled Thomas E. Bauer v. City of Dallas, Cause No. DC-17-05342 - Not to exceed $60,000.00 - Financing: Risk Management Funds

BACKGROUND

Plaintiff Thomas E. Bauer filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries and other damages sustained in an automobile collision on May 13, 2015, involving a Dallas Equipment & Building Services vehicle. The City and Mr. Bauer have reached a proposed settlement subject to Council approval. Plaintiff is represented by Christy Hester of Ted B. Lyon & Associates, P.C.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on May 17, 2019.

FISCAL INFORMATION

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

Risk Management Funds - $60,000.00

powered by Legistar™

May 22, 2019

WHEREAS, a lawsuit styled Thomas E. Bauer v. City of Dallas, Cause No. DC-17-05342, was filed by the plaintiff, Thomas E. Bauer, seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in an automobile collision on May 13, 2015, involving a Dallas Equipment & Building Services vehicle; and

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Thomas E. Bauer, Ted B. Lyon & Associates, P.C., and all other persons having an interest in the settlement proceeds, the total amount of $60,000.00; and

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

Now, Therefore,

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

SECTION 1. That the proposed settlement of the lawsuit styled Thomas E. Bauer v. City of Dallas, Cause No. DC-17-05342, in an amount not to exceed $60,000.00, is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Thomas E. Bauer, Ted B. Lyon & Associates, P.C., and all other persons having an interest in the settlement proceeds, the amount of $60,000.00, from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

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

Agenda Information Sheet

File #: 19-153 **Item #:** 3.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with WSP USA, Inc. for the engineering design of Street Reconstruction Group 17-3004 (list attached to the Agenda Information Sheet) - Not to exceed $252,606.82 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($220,986.82) and Water Capital Improvement Fund ($31,620.00)

BACKGROUND

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

This action will authorize a professional services contract with WSP USA, Inc. for the engineering design of two street reconstruction of local streets as Street Reconstruction Group 17-3004. The street reconstruction projects will include improving the existing concrete streets with reinforced concrete pavement, curb, gutter, sidewalk, driveway approaches, water and storm drainage.

Following are the locations and design costs for each project:

Street Reconstruction - Local Streets - Improvements

Project	Council District	Amount
Pierce Street from Saint Rita Drive to West Kiest Boulevard	3	$127,974.96
Preakness Lane from Polarity Drive to South Walton Walker Boulevard Service Road East	3	$124,631.86

ESTIMATED SCHEDULE OF PROJECT

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $220,986.82
Water Capital Improvement Fund - $31,620.00

Estimated Future Cost - Construction - $2,389,139.21

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$252,606.82	Architectural & Engineering	25.66%	27.78%	$70,165.00
• This contract exceeds the M/WBE goal.				

OWNER

WSP USA, Inc.

Robert M. Brown, P.E., Design-Build Institute of America, Vice President/Area Manager

MAPS

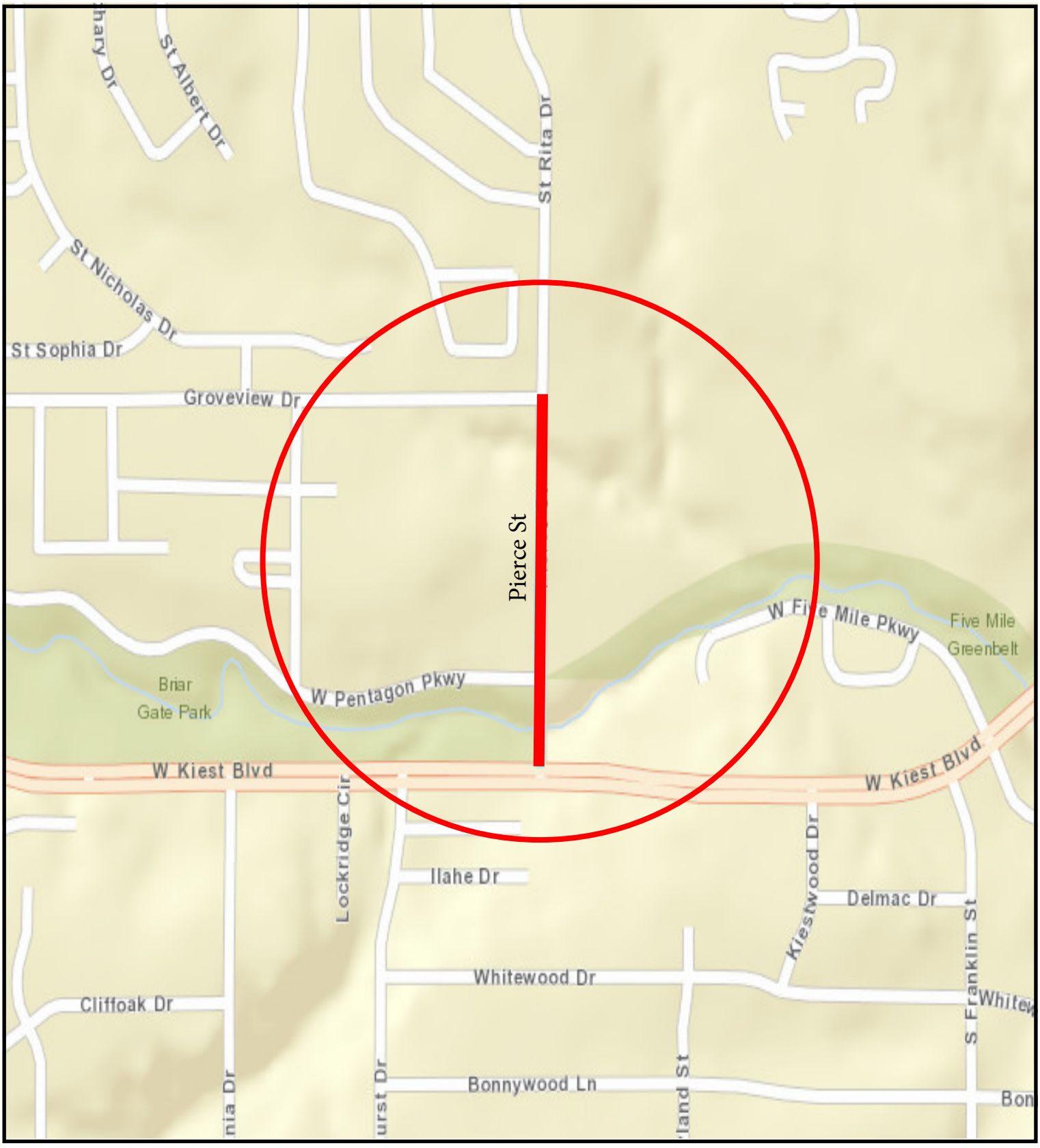
Attached

Street Reconstruction Group 17-3004

Street Reconstruction - Local Streets - Improvements

Project	Council District
Pierce Street from Saint Rita Drive to West Kiest Boulevard	3
Preakness Lane from Polarity Drive to South Walton Walker Boulevard Service Road East	3

STREET RECONSTRUCTION
PIERCE STREET FROM SAINT RITA DRIVE TO WEST KIEST BOULEVARD



COUNCIL DISTRICT 3

STREET RECONSTRUCTION
PREAKNESS LANE FROM POLARITY DRIVE TO SOUTH WALTON WALKER BOULEVARD SERVICE ROAD EAST



COUNCIL DISTRICT 3

May 22, 2019

WHEREAS, WSP USA, Inc. was selected to provide engineering design for Street Reconstruction Group 17-3004.

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 WSP USA, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects, in an amount not to exceed $252,606.82.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $252,606.82 in accordance with the terms and conditions of the contract:

WSP USA, Inc. for the engineering design of two street reconstruction projects of local streets on: Pierce Street from Saint Rita Drive to West Kiest Boulevard; and Preakness Lane from Polarity Drive to South Walton Walker Boulevard Service Road East:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V196, Activity SREC Object 4111, Program PB17V196 Encumbrance/Contract No. CX-PBW-2019-00009939 Vendor 134356	$110,454.96
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V197, Activity SREC Object 4111, Program PB17V197 Encumbrance/Contract No. CX-PBW-2019-00009939 Vendor 134356	$110,531.86
Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42 Object 4111, Program 719391 Encumbrance/Contract No. CX-PBW-2019-00009939 Vendor 134356	$ 31,620.00
Total amount not to exceed	$252,606.82

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

Agenda Information Sheet

File #: 19-543 **Item #:** 4.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a design-build services contract with CORE Construction Services of Texas, Inc. for design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of replacement of Fire Station Number 36 facility to be located at 3200-3220 Singleton Boulevard - Not to exceed $530,910.00 - Financing: Public Safety (G) Fund (2017 Bond Funds)

BACKGROUND

CORE Construction Services of Texas, Inc. was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

This action will authorize design-build services fees for design in the amount of $503,000.00 and pre-construction services for $27,910.00. The design will include architectural and engineering design, including schematic design, design development, construction documents and construction administration for design services and bidding and early-start construction items for pre-construction services. These fees are based on a total guaranteed maximum price for the project of $6,000,000.00.

ESTIMATED SCHEDULE OF PROJECT

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Public Safety (G) Fund (2017 Bond Funds) - $530,910.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$530,910.00	Architectural & Engineering	25.66%	25.83%	$137,120.00
• This contract exceeds the M/WBE goal.				

OWNER

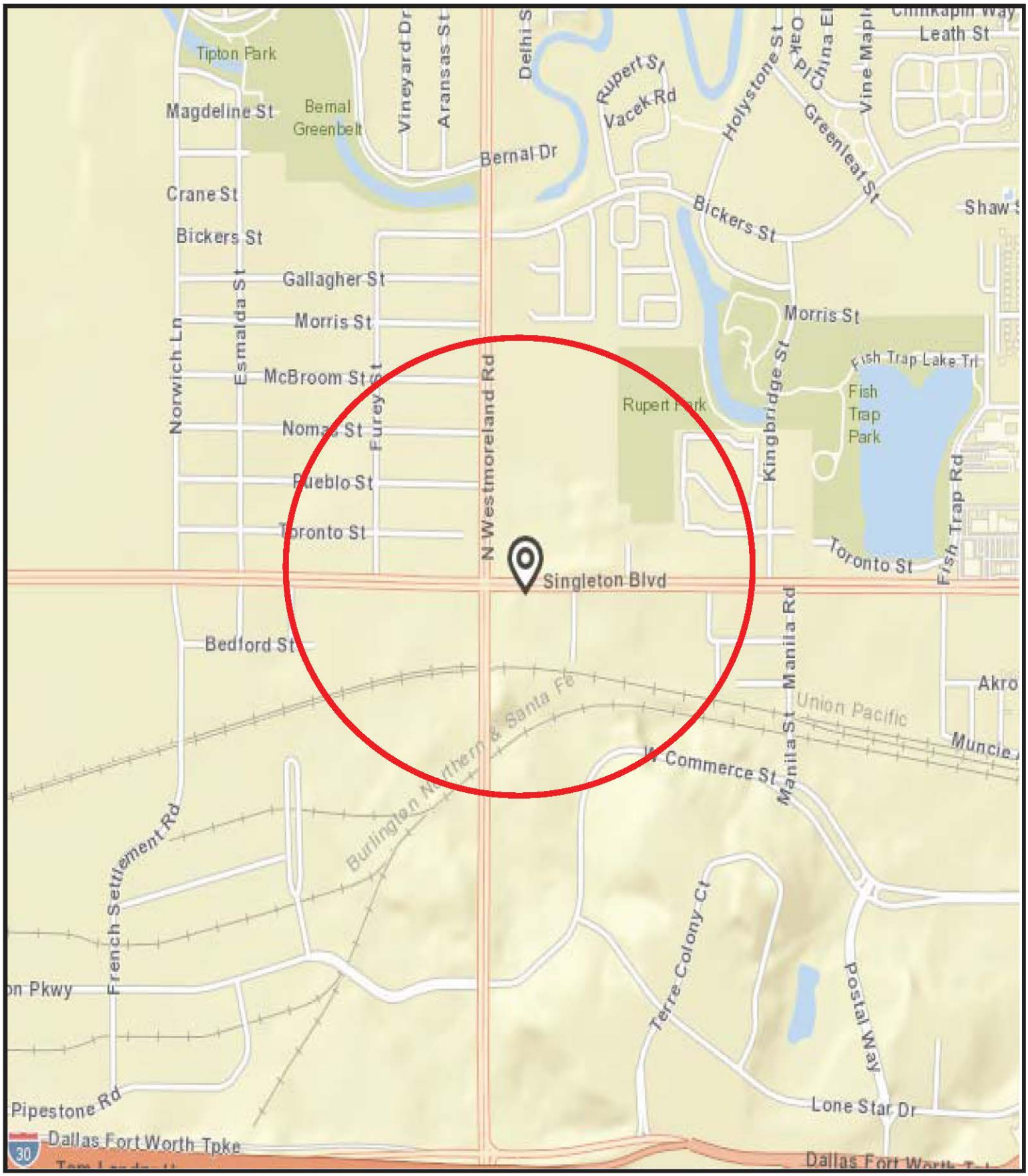
CORE Construction Services of Texas, Inc.

Gary Frazier, President
John Hero, Director of Business Development

MAP

Attached

NEW REPLACEMENT FIRE STATION NUMBER 36
LOCATED AT 3200 SINGLETON BOULEVARD



COUNCIL DISTRICT 6

May 22, 2019

WHEREAS, in the 2017 Bond Program, the citizens of Dallas approved funding for design and construction of a replacement fire station facility to be located on a City owned site at 3200-3220 Singleton Boulevard; and

WHEREAS, it was determined that the best procurement method to meet the schedule for the replacement Fire Station Number 36 would be the design-build process; and

WHEREAS, at the conclusion of a selection process conducted by City staff, CORE Construction Services of Texas, Inc. was selected as the most qualified proposer of four to provide design-build services for this project; and

WHEREAS, it is now desirable to authorize a design-build services contract with CORE Construction Services of Texas, Inc. for the design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of the replacement Fire Station Number 36 facility to be located at 3200-3220 Singleton Boulevard, in an amount not to exceed $530,910.00.

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 design-build services contract with CORE Construction Services of Texas, Inc., approved as to form by the City Attorney, to provide design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of the replacement Fire Station Number 36 facility to be located at 3200-3220 Singleton Boulevard, in an amount not to exceed $530,910.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $530,910.00 to CORE Construction Services of Texas, Inc. in accordance with the terms and conditions of the contract from Public Safety (G) Fund, Fund 1V33, Department BSD, Unit VG13, Activity FIRF, Object 4112, Program EB17VG13, Encumbrance/Contract No. PBW-2019-00009460, Vendor VS0000010088.

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

Agenda Information Sheet

File #: 19-577 **Item #:** 5.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a construction contract for the construction of street paving, drainage, and water and wastewater main improvements for The Bottom Phase I Project - North Denley Drive from Hutchins Avenue to Levee; North Moore Street from Hutchins Avenue to Levee; and May Hall Street from North Denley Drive to Moore Street - Muniz Construction, Inc., lowest responsible bidder of five - Not to exceed $3,417,700.30 - Financing: FY 2018-19 HUD Consolidated Funds ($2,156,044.00), General Fund ($229,051.00), Water Utilities Capital Improvement Funds ($991,405.30) and Water Utilities Capital Construction Funds ($41,200.00)

BACKGROUND

On January 12, 2011, City Council authorized a professional services contract, No. 10-207E/208E with DAL-TECH Engineering, Inc. to provide engineering design services for the renewal of water and wastewater mains at 34 locations by Resolution No. 11-0187.

On August 24, 2016, City Council authorized Supplemental Agreement No. 1 to the professional services contract with DAL-TECH Engineering, Inc. for additional design services for paving, drainage and water and wastewater main improvements in The Bottom Area by Resolution No. 16-1356.

On November 30, 2018, a request was received from the Department of Housing and Neighborhood Revitalization and the Planning and Urban Design Department to divide The Bottom project into two phases for construction. Phase I has three streets and Phase II has eight streets.

This action will authorize a construction contract for the construction of street paving, drainage, and water and wastewater main improvements for The Bottom Phase I Project which consists of North Denley Drive from Hutchins Avenue to Levee; North Moore Street from Hutchins Avenue to Levee; and May Hall Street from North Denley Drive to Moore Street.

Muniz Construction, Inc. has had no contractual activities with the City of Dallas within the past three years.

ESTIMATED SCHEDULE OF PROJECT

Began Design	August 2016
Completed Design	March 2019
Begin Construction	May 2019
Complete Construction	December 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 12, 2011, City Council authorized a professional services contract with DAL-TECH Engineering, Inc. to provide engineering design services for the renewal of water and wastewater mains at 34 locations by Resolution No. 11-0187.

On August 24, 2016, City Council authorized Supplemental Agreement No. 1 to the professional services contract with DAL-TECH Engineering, Inc. for additional design services for paving, drainage, and water and wastewater main improvement in The Bottom area by Resolution No. 16-1356.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

FY 2018-19 HUD Consolidated Funds - $2,156,044.00
General Fund - $229,051.00
Water Utilities Capital Improvement Funds - $991,405.30
Water Utilities Capital Construction Funds - $41,200.00

Construction Contract - Phase I	
Paving and Drainage (HOU)	$2,385,095.00
Water and Wastewater (DWU)	$1,032,605.30
Total Est. Construction Cost	$3,417,700.30

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$3,417,700.30	Construction	25.00%	100.00%	$3,417,700.30
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

The following five bids were received and opened on March 29, 2019:

*Denotes lowest responsible bidder

Bidders	Bid Amount
*Muniz Construction, Inc. 1835 Garden Springs Drive Dallas, Texas 75253	$3,417,700.30
Camino Construction, LP	$3,713,735.00
Tiseo Paving Co.	$4,095,798.00
Jeske Construction Co	$4,195,359.00
FNH Construction, LLC	$4,379,455.00

OWNER

Muniz Construction, Inc.

J Ramon Muniz, President
Richardo Hurtado, Project Manager

MAP

Attached

THE BOTTOM - PHASE 1 PROJECT
NORTH DENLEY DRIVE FROM HUTCHINS AVENUE TO LEVEE
NORTH MOORE STREET FROM HUTCHINS AVENUE TO LEVEE
MAY HALL STREET FROM NORTH DENLEY DRIVE TO MOORE STREET



COUNCIL DISTRICT 4

May 22, 2019

WHEREAS, on January 12, 2011, City Council authorized a professional services contract No. 10-207E/208E with DAL-TECH Engineering, Inc. for engineering design services for the renewal of water and wastewater mains at 34 locations by Resolution No. 11-0187; and

WHEREAS, on August 24, 2016, City Council authorized Supplemental Agreement No. 1 to the professional services contract with DAL-TECH Engineering, Inc. for additional design services for paving, drainage, and water and wastewater main improvements in The Bottom area by Resolution No. 16-1356; and

WHEREAS, on March 29, 2019, bids were received for the construction of street paving, drainage, and water and wastewater main improvements for The Bottom Phase I Project - North Denley Drive from Hutchins Avenue to Levee; North Moore Street from Hutchins Avenue to Levee; and May Hall Street from North Denley Drive to Moore Street, as follows:

Bidders	**Amount**
Muniz Construction, Inc.	$3,417,700.30
Camino Construction, LP	$3,713,735.00
Tiseo Paving Co.	$4,095,798.00
Jeske Construction Co	$4,195,359.00
FNH Construction, LLC	$4,379,455.00

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 construction contract with Muniz Construction, Inc., approved as to form by the City Attorney, for the construction of street paving, drainage, and water and wastewater main improvements for The Bottoms Phase I Project - North Denley Drive from Hutchins Avenue to Levee; North Moore Street from Hutchins Avenue to Levee; and May Hall Street from North Denley Drive to Moore Street, in an amount not to exceed $3,417,700.30.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,417,700.30 in accordance with the terms and conditions of the contract to Muniz Construction, Inc., as follows:

SECTION 2. (continued)

FY 2018-19 HUD Consolidated Funds Fund CD18, Department HOU, Unit 810C, Activity NERI Object 4510, Program PBHOU001 Encumbrance/Contract No. CX-PBW-2019-00010031 Vendor VS0000016417	$2,156,044.00
General Fund Fund 0001, Department HOU, Unit 4285, Activity NERI Object 4510, Program PBHOU001 Encumbrance/Contract No. CX-PBW-2019-00010031 Vendor VS0000016417	$ 229,051.00
Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42 Object 4550, Program 719321 Encumbrance/Contract No. CX-PBW-2019-00010031 Vendor VS0000016417	$ 492,264.30
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 3221, Program 719321X Encumbrance/Contract No. CX-PBW-2019-00010031 Vendor VS0000016417	$ 26,200.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Object 4560, Program 719322 Encumbrance/Contract No. CX-PBW-2019-00010031 Vendor VS0000016417	$ 499,141.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Object 3222, Program 719322X Encumbrance/Contract No. CX-PBW-2019-00010031 Vendor VS0000016417	$ 15,000.00
Total amount not to exceed	$3,417,700.30

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

Agenda Information Sheet

File #: 19-492 **Item #:** 6.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance amending Chapter 43, Article VIII of the Dallas City Code, relating to improvements in the public right-of-way by **(1)** providing modification to the traffic control permit application requirements to include accessible pedestrian walkways or detours during construction; **(2)** modifying the requirements for plates covering a pavement cut; **(3)** modifying the pavement restoration requirements for streets with high paving condition index rating; and **(4)** providing additional notification requirements - Financing: No cost consideration to the City

BACKGROUND

Chapter 43 of the Dallas City Code currently provides conditions for conducting improvements and utility work in the public right-of-way. The proposed ordinance would amend Chapter 43 to require contractors to maintain an accessible pedestrian walkway or detour during construction, impose additional requirements for plates covering a pavement cut, impose more stringent restoration requirements for streets with a high paving condition index rating, and enhance public notification of construction.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure & Sustainability Committee was briefed by memorandum regarding this matter on October 26, 2018.

City Council was briefed on this item on January 2, 2019.

City Council was briefed on this item on March 20, 2019.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

No cost consideration to the City.

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4/18/19

ORDINANCE NO. _____

An ordinance amending Chapter 43, "Streets and Sidewalks," of the Dallas City Code by amending Sections 43-139 and 43-141; providing modification to the traffic control permit application requirements to include accessible pedestrian walkways or detours during construction; modifying the pavement restoration requirements for streets with a high paving condition index rating; providing additional notification requirements; providing a penalty not to exceed $500; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Paragraph (19) of Subsection (c) of Section 43-139, "Permit Required; Exceptions; Conditions; Denial and Revocation," of Article VIII, "Certain Uses of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code is amended to read as follows:

"(19) A traffic control plan must be submitted with the permit application and must include detailed drawings showing the proposed traffic controls for vehicular and pedestrian traffic for each phase of the proposed work in the public right-of-way. Traffic control plans must show necessary pedestrian sidewalk detours, crosswalk closures, temporary covered walkways, or scaffolding for the safety of pedestrians that comply with the requirements of the latest edition of the *Texas Manual of Uniform Traffic Control Devices*, as amended, published by the Texas Department of Transportation and City of Dallas requirements. Traffic control plans must be approved by the City of Dallas before commencing work."

SECTION 2. That Paragraph (8) of Subsection (d) of Section 43-139, "Permit Required; Exceptions; Conditions; Denial and Revocation," of Article VIII, "Certain Uses of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code is amended to read as follows:

"(8) Plates must be sufficiently secured in place so as not to become dislodged or in any way cause a hazard to any traffic or cause any loud and disturbing noises and vibrations

through the use of materials such as asphalt, flexible plastic gaskets, wedges, or other non-asphaltic devices. [~~Asphalt t~~] Transitions must be placed as required with a minimum 2:1 slope to provide a reasonably smooth riding surface."

SECTION 3. That Subsection (e) of Section 43-139, "Permit Required; Exceptions; Conditions; Denial and Revocation," of Article VIII, "Certain Uses of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code is amended to read as follows:

"(e) Unless it becomes necessary to conduct emergency activity, a permittee shall not cause or allow interference with traffic flow on a thoroughfare, arterial, or a community collector during the hours of 6:30 a.m. through 9:30 a.m. and 3:30 p.m. through 6:30 p.m., Monday through Friday."

SECTION 4. That Subsection (g) of Section 43-139, "Permit Required; Exceptions; Conditions; Denial and Revocation," of Article VIII, "Certain Uses of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code is amended to read as follows:

"(g) If no construction has commenced under a permit within 60[~~120~~] calendar days after issuance of the permit, the permit becomes null and void, and a new permit is required before construction may be performed in the public right-of-way or, for an above ground utility structure, in or outside of the public right-of-way. An extension to a permit may be granted by the director only before the permit expires."

SECTION 5. That Subsection (b), "General," of Section 43-141, "Miscellaneous Requirements for Street Excavation and Installations, Trench Safety, and Above Ground Utility Structures," of Article VIII, "Certain Uses of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code is amended to read as follows:

"(b) General.

(1) A pavement cut in the public right-of-way, or the placement of an above ground utility structure either in or outside of a public right-of-way, may be made prior to obtaining a permit only if a valid need to perform emergency activity exists. Immediate notice, including reasons for the emergency activity, must be given to the director. An application for a permit must be made not later than the second business day following commencement of the emergency activity.

(2) A pavement cut that is made in a concrete street that has a paving condition index of 70 or higher as shown on the City of Dallas Paving Management Database [~~newly~~

~~constructed, reconstructed, or resurfaced asphalt street that is not more than 60 months old~~] will require that, in addition to repairs made in compliance with the *Pavement Cut and Repair Standards Manual*, replacement of the entire concrete panel from joint to joint.

(3) A pavement cut that is made in an asphalt street that has a paving condition index of 70 or higher as shown on the City of Dallas Paving Management Database will require that, in addition to repairs made in compliance with the *Pavement Cut and Repair Standards Manual*, a surface treatment must be applied that consists of slurry seal or micro-surfacing, or an equivalent method approved by the director, for the purposes of sealing the repair edges of the cut and maintaining uniformity in appearance with the surrounding street surfaces. No surface treatment is required if the repairs are made to match pavement color and are approved by the director. The application of slurry seal or micro-surfacing must be made to the entire block of the street in which a cut is made. For an undivided street, the application must be made from curb to curb, and for a divided street, from median curb to outside curb. The *City of Dallas Slurry Seal and Micro-surfacing Specifications*, as amended, will govern design, material, testing, and construction of surface treatments.

(4[~~3~~]) The permittee and any person responsible for construction shall protect the public right-of-way surface, drainage facilities, and all other existing facilities and improvements from excavated materials, equipment operations, and other construction activities. Particular attention must be paid to ensure that no excavated material or contamination of any type is allowed to enter or remain in a water or wastewater main or access structure, drainage facility, or natural drainage feature. Adequate provisions must be made to ensure that traffic and adjacent property owners experience a minimum of inconvenience."

SECTION 6. That Paragraph (1) of Subsection (h), "Signage and Other Display Materials," of Section 43-141, "Miscellaneous Requirements for Street Excavation and Installations, Trench Safety, and Above Ground Utility Structures," of Article VIII, "Certain Uses of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code is amended to read as follows:

"(1) A copy of the approved permit with verification that all public and private utilities/facilities were properly located must be displayed by the permittee at the worksite at all times during construction in the public right-of-way."

SECTION 7. That Paragraph (2), "Notice to the Public," of Subsection (i), "Notice Requirements," of Section 43-141, "Miscellaneous Requirements for Street Excavation and Installations, Trench Safety, and Above Ground Utility Structures," of Article VIII, "Certain Uses

of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code is amended to read as follows:

"(2) Notice to the public.

(A) If construction in the public right-of-way without excavation or a lane closure will last less than 24 hours, individual notice to property within 500 feet of the construction area is not required.

(B) If construction in the public right-of-way without excavation or a lane closure will last more than [~~at least~~] 24 hours [~~, but less than 72 hours~~], the permittee must provide individual notice to each property within 500 feet of the construction area at least 24 hours before commencing construction by placing a door hanger or other similar notice. Notification of multi-family properties may be given to the property management teams of those properties.

(C) If construction in the public right-of way with excavation or a lane closure will last less than 24 hours, the permittee must provide individual notice to each property within 500 feet of the construction area at least 24 hours before commencing construction by placing a door hanger or other similar notice. Notification to multi-family properties may be given to the property management teams of those properties.

(D) If construction in the public right-of-way with excavation or a lane closure will last more than 24 [~~72~~] hours, the permittee must provide individual notice to each property within 500 feet of the construction area with two separate notifications [~~at least 72 hours before commencing construction~~] by placing a door hanger or other similar notice. The first notification must be placed at least 10 days before commencing construction and the second notification must be placed 72 hours before commencing construction. Notification to multi-family properties may be given to the property management teams of those properties.

(E) If construction on a thoroughfare, arterial, or a community collector in the public right-of-way will involve complete street closures or extended traffic delays, at least two portable changeable message signs (CMS) that comply with the requirements of the latest edition of the *Texas Manual of Uniform Traffic Control Devices*, as amended, published by the Texas Department of Transportation and the City of Dallas requirements, are required to be installed facing each direction of traffic at least one week prior to commencing construction.

(F[~~D~~]) The individual notice must include the following:

(i) permittee name and contractor name, if different;

(ii) primary contact information for the permittee and contractor, if different; [~~.~~]

(iii) location of the construction area; and

(iv) estimated time of construction as authorized by the permit."

SECTION 8. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $500.

SECTION 9. That Chapter 43 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 10. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 11. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 12. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By_____
Assistant City Attorney

Passed_____

Agenda Information Sheet

File #: 19-476 **Item #:** 7.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 22, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize acquisition from Teresa Alexander Leigh, of approximately 25,108 square feet of land improved with a single-family home located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $54,895.00 ($51,895.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund

BACKGROUND

This item authorizes the acquisition from Teresa Alexander Leigh, of approximately 25,108 square feet of land improved with a single-family home located in Hunt County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. The relocation benefits are estimated to be $62,500.00.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Water Construction Fund - $54,895.00 ($51,895.00, plus closing costs and title expenses not to exceed $3,000.00)

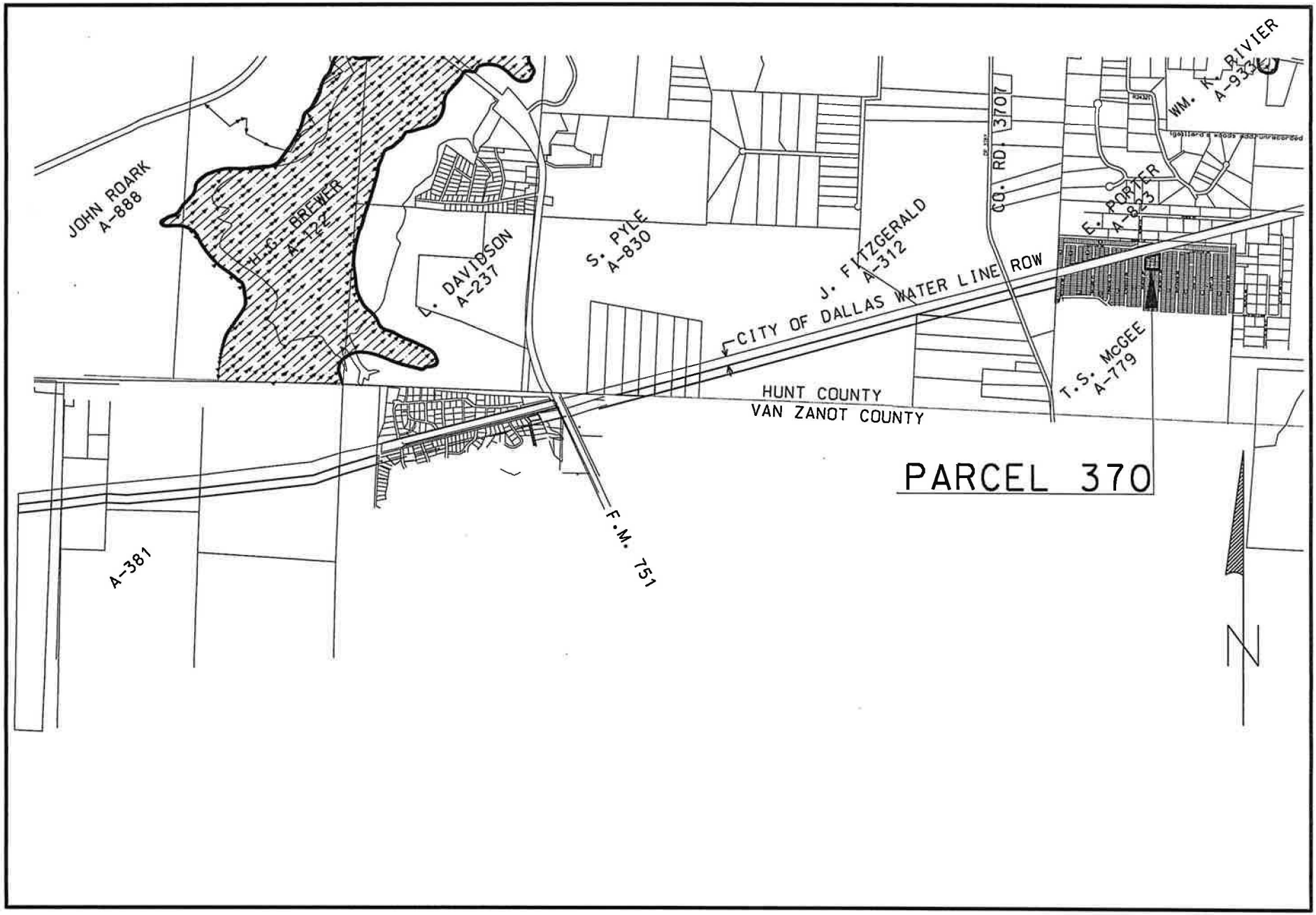
OWNER

Teresa Alexander Leigh

MAP

Attached

powered by Legistar™



VICINITY MAP
APPROXIMATE SCALE 1" = 2000'

P:\0515-LakeTawakoni\Parcel\ParcelsMap_370.dgn Plotted on 4/27/2015 at 2:30:21 PM By: jason Project:City Of Dallas Plot Driver: dteprinter.pltcfg PenTable:dte.tbl

May 22, 2019

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 25,108 square feet of land located in Hunt County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Lake Tawakoni 144-inch Transmission Pipeline

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

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

"OWNER": Teresa Alexander Leigh, 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": $51,895.00

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

"AUTHORIZED AMOUNT": Not to exceed $54,895.00

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Construction Fund, Fund 0102, Department DWU, Unit CW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2019-00008800. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

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

BY: _____
Assistant City Attorney

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 370

Exhibit A

BEING a 25,108 square foot (0.5764 acre) tract of land in the T. McGee Survey, Abstract No. 779, being all of Lots 4-8, 40-43, and 75-79, Block W of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said Lots 4-8, 40-43, and 75-79 being described in General Warranty Deed to Teresa Alexander Leigh, dated July 21, 2011, as recorded in Document No. 2011-7674 of the Official Public Records of Hunt County, Texas.

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

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

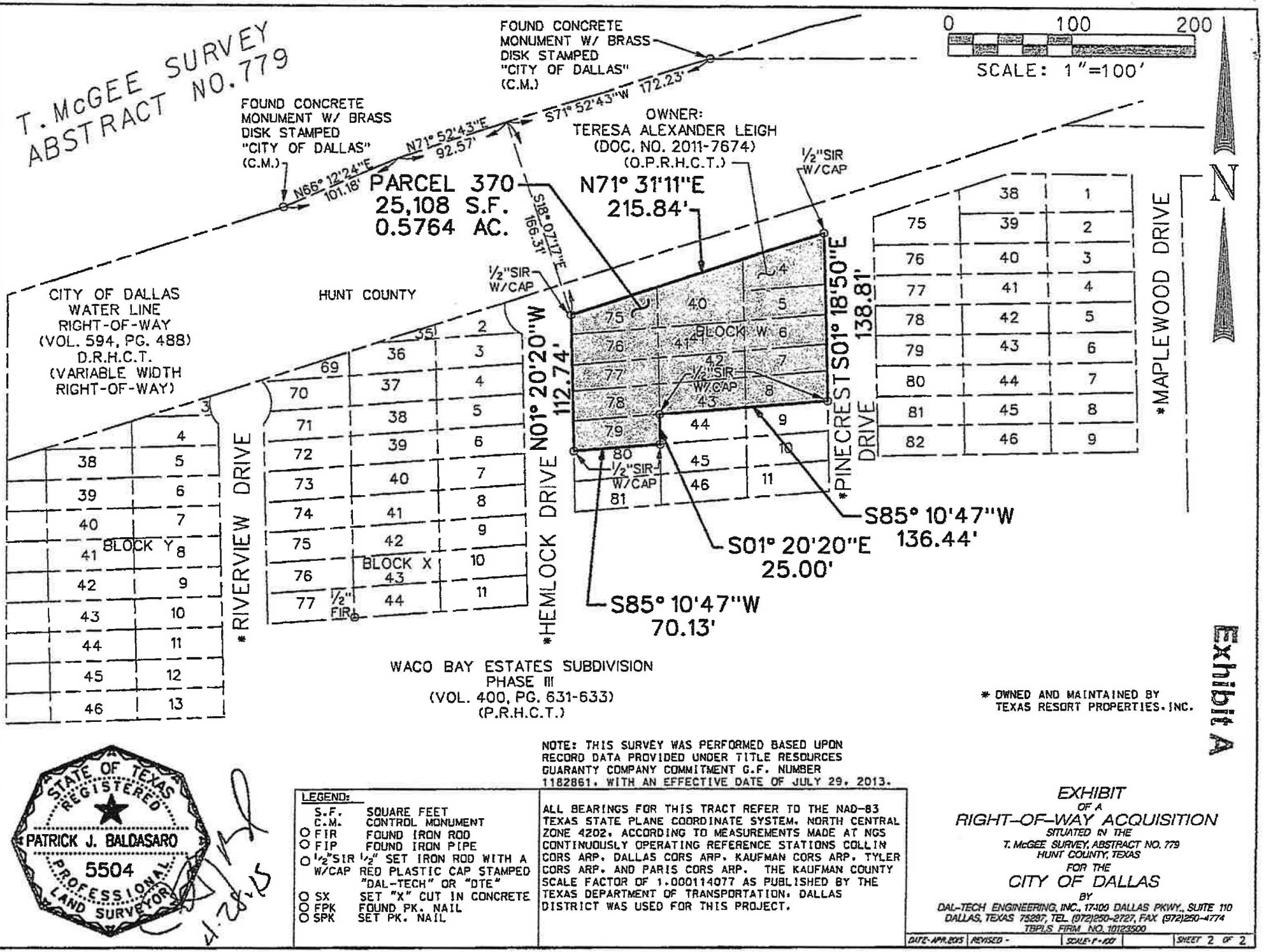
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500



By: _____ Date: 4.28.15

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

FIELD NOTES APPROVED: 6/1/15



* OWNED AND MAINTAINED BY TEXAS RESORT PROPERTIES, INC.

NOTE: THIS SURVEY WAS PERFORMED BASED UPON RECORD DATA PROVIDED UNDER TITLE RESOURCES GUARANTY COMPANY COMMITMENT G.F. NUMBER 1182861, WITH AN EFFECTIVE DATE OF JULY 29, 2013.

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

1.28.15

LEGEND:

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

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

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

BY
DAL-TECH ENGINEERING, INC., 17109 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

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

EXHIBIT B

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

WARRANTY DEED

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

That Teresa Alexander Leigh, a single woman (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Hunt, State of Texas, for and in consideration of the sum of FIFTY ONE THOUSAND EIGHT HUNDRED NINETY FIVE AND 00/100 DOLLARS ($51,895.00) 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, and any and all improvements, rights and appurtenances appertaining thereto.

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 _____, _____.

_____
Teresa Alexander Leigh

EXHIBIT B

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

STATE OF TEXAS '
COUNTY OF Hunt '

This instrument was acknowledged before me on _____
By Teresa Alexander Leigh.

_____
Notary Public, State of TEXAS

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

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

Warranty Deed Log No. 46239

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

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN HUNT COUNTY, TEXAS
Parcel: 370

BEING a 25,108 square foot (0.5764 acre) tract of land in the T. McGee Survey, Abstract No. 779, being all of Lots 4-8, 40-43, and 75-79, Block W of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said Lots 4-8, 40-43, and 75-79 being described in General Warranty Deed to Teresa Alexander Leigh, dated July 21, 2011, as recorded in Document No. 2011-7674 of the Official Public Records of Hunt County, Texas.

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

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

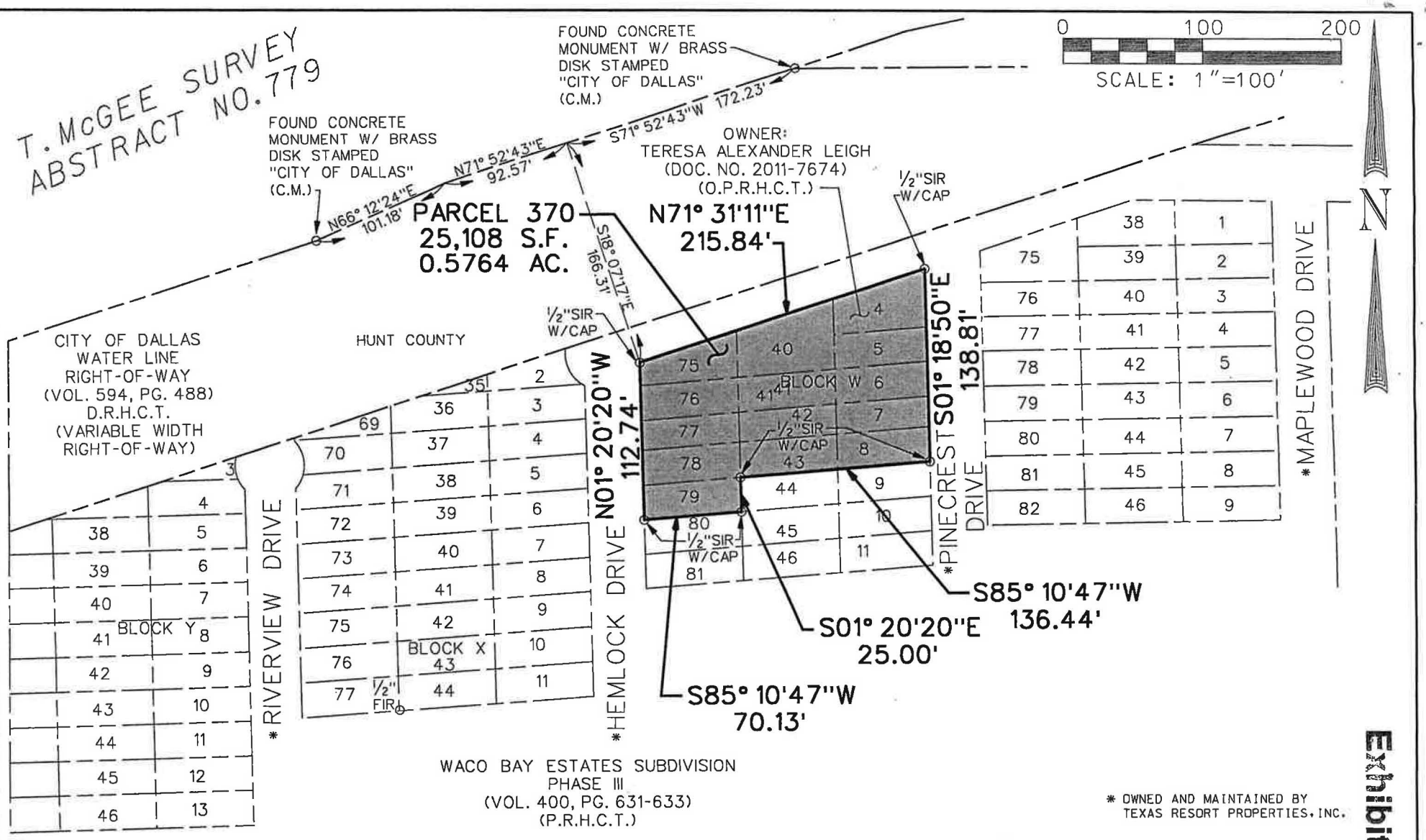
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 4.28.15

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

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

FIELD NOTES APPROVED:
6/1/15



WACO BAY ESTATES SUBDIVISION
PHASE III
(VOL. 400, PG. 631-633)
(P.R.H.C.T.)

* OWNED AND MAINTAINED BY
TEXAS RESORT PROPERTIES, INC.

Exhibit A

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

4.28.15

NOTE: THIS SURVEY WAS PERFORMED BASED UPON RECORD DATA PROVIDED UNDER TITLE RESOURCES GUARANTY COMPANY COMMITMENT G.F. NUMBER 1182861, WITH AN EFFECTIVE DATE OF JULY 29, 2013.

LEGEND:

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

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

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

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

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

Agenda Information Sheet

File #: 19-671 **Item #:** 8.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 22, 2019
COUNCIL DISTRICT(S):	13
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize acquisition from Dallas Royal Center Tower, LLC, of approximately 5,843 square feet of land in Hike and Bike Trail Easement and of approximately 6,619 square feet of land in Temporary Working Space Easement located near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project - Not to exceed $242,654.00 ($239,154.00, plus closing costs and title expenses not to exceed $3,500.00) - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

BACKGROUND

This item authorizes the acquisition from Dallas Royal Center Tower, LLC, of approximately 5,843 square feet of land in Hike and Bike Trail Easement and of approximately 6,619 square feet of land in Temporary Working Space Easement located near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project. This property will be used for the construction of a hike and bike trail. The consideration is based on an independent appraisal.

The Northaven Trail consists of six phases. The project limits of this phase of the project are from Northaven Road on the west side of North Central Expressway to the Cottonwood Trail and White Rock Creek Trail junction on the east side of White Rock Creek. The total project length is just under one-half mile. This phase of the trail project will realize the eastern terminus of this nine-mile trail project and critical connection to these other trails. Additionally, the future SoPac Trail Phase 4B will connect into the Northaven Trail Phase 1B on the west side of White Rock Creek.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Park and Recreation Facilities (B) Fund (2017 Bond Funds) - $242,654.00 ($239,154.00, plus closing costs and title expenses not to exceed $3,500.00)

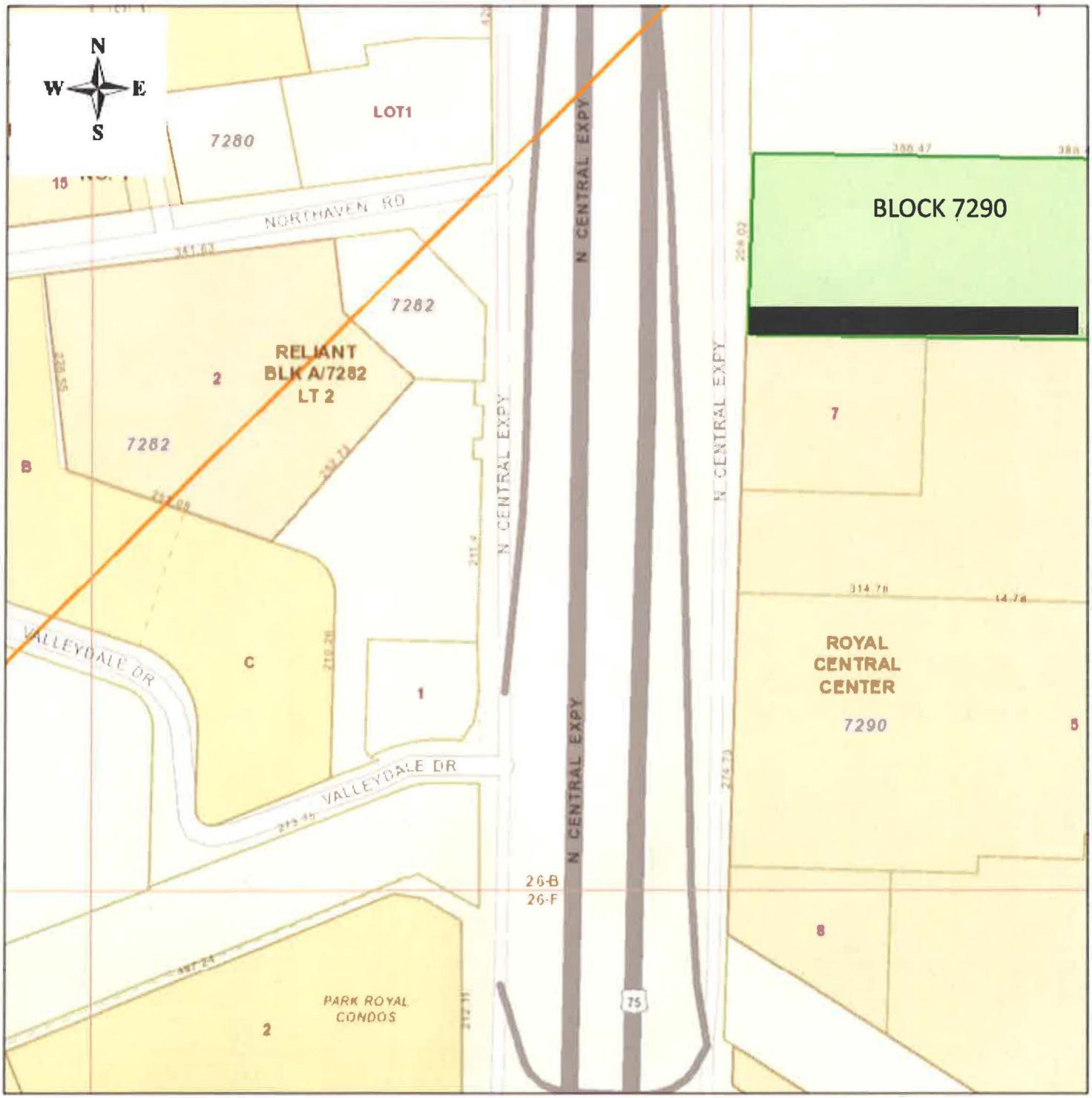
OWNER

Dallas Royal Center Tower, LLC

Kenneth Good, Manager

MAP

Attached



SUBJECT [redacted]

May 22, 2019

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 5,843 square feet of land in Hike and Bike Trail Easement and 6,619 square feet of land in Temporary Working Space Easement 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": Northaven Trail Phase 1B Project

"USE": The construction and installation of a hike and bike trail provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

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

"OWNER": Dallas Royal Center Tower, LLC, 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": $239,154.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,500.00

"AUTHORIZED AMOUNT": Not to exceed $242,654.00

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES $239,154.00 payable out of Park and Recreation Facilities (B) Funds, Fund 1V00, Department PKR, Unit VB06, Activity HIBT, Program PK17VB06, Object 4250, Encumbrance/Contract No. CX-PKR-2019-00010175 and $3,500.00 payable out of Park and Recreation Facilities (B) Funds, Fund 1V00, Department PKR, Unit VB06, Activity HIBT, Program PK17VB06, Object 4230, Encumbrance/Contract No. CX-PKR-2019-00010175. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

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

BY: _____
Assistant City Attorney

LA/46085

Exhibit A
Tract 1

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 5,843 square foot (0.1341 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 1, Block 7290 of Mitchell Rasansky Addition, as recorded in Volume 72181, Page 19, of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and part of a tract of land described in Special Warranty Deed with Vendor's Lien to Dallas Royal Central Tower, L.L.C., as recorded in Instrument No. 201600158602, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod with cap (Monument of Record) found at the northwest corner of said Lot 1, Block 7290, and the southwest corner of Lot 1, Block 7318 of Cullum Central Addition, as recorded in Volume 647, Page 85, D.R.D.C.T., being in the east line of North Central Expressway (U.S. Hwy. 75 – Variable width right-of-way);

THENCE South 00 degrees 12 minutes 49 seconds East, with the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 184.38 feet to a PK nail with washer stamped "RPLS 5504" set at the **POINT OF BEGINNING**;

1. **THENCE** South 82 degrees 51 minutes 02 seconds East, departing the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 39.85 feet to a PK nail with washer stamped "RPLS 5504" set;

2. **THENCE** North 89 degrees 46 minutes 11 seconds East, a distance of 161.12 feet to a PK nail with washer stamped "RPLS 5504" set;

3. **THENCE** South 78 degrees 55 minutes 34 seconds East, a distance of 56.12 feet to a PK nail with washer stamped "RPLS 5504" set;

4. **THENCE** North 89 degrees 46 minutes 11 seconds East, a distance of 290.48 feet to a PK nail with washer stamped "RPLS 5504" set;

5. **THENCE** North 64 degrees 50 minutes 37 seconds East, a distance of 53.86 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the east line of said Lot 1, Block 7290, being the most northerly west line of Lot 6, Block 7290, Royal Central Center, as recorded in Volume 93161, Page 304, D.R.D.C.T.;

6. **THENCE** South 00 degrees 13 minutes 49 seconds East, with the east line of said Lot 1, Block 7290 and the west line of said Lot 6, a distance of 27.20 feet a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said Lot 1, Block 7290, from which a 5/8-inch iron rod with broken cap bears South 09 degrees 22 minutes 39 seconds West, a distance of 0.49 feet;

FIELD NOTES APPROVED:
4/24/18

Exhibit A
Tract 1

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

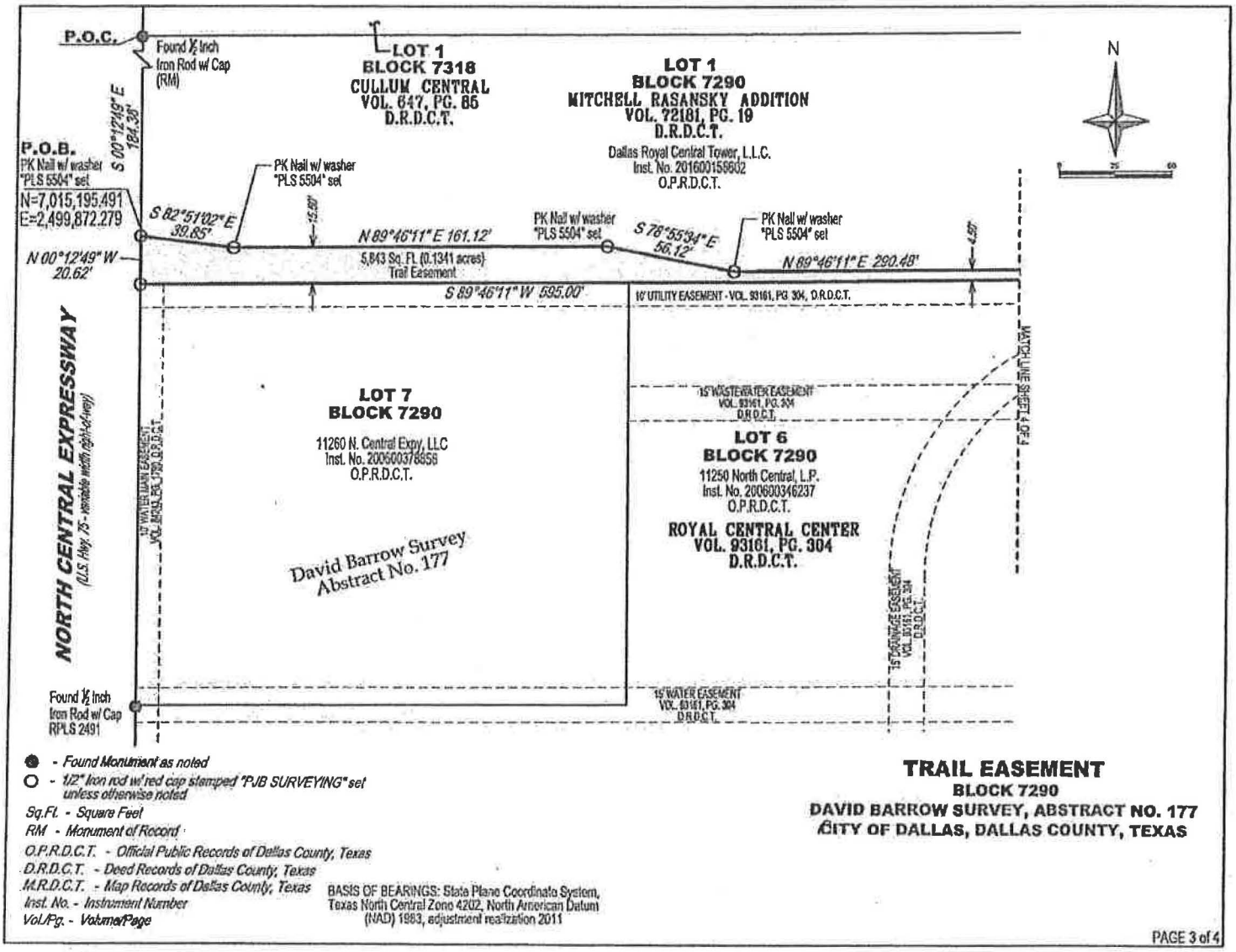
7. **THENCE** South 89 degrees 46 minutes 11 seconds West, with the south line of said Lot 1, Block 7290 and the north line of said Lot 6, a distance of 595.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said Lot 1, Block 7290 and the northwest corner of Lot 7, Block 7290 of said Royal Central Center, being in the east line of said North Central Expressway;

8. **THENCE** North 00 degrees 12 minutes 49 seconds West, with the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 20.62 feet to the **POINT OF BEGINNING** and containing 5,843 square feet (0.1341 acres) of land.

A plat accompanies this legal description.

Exhibit A

Tract 1

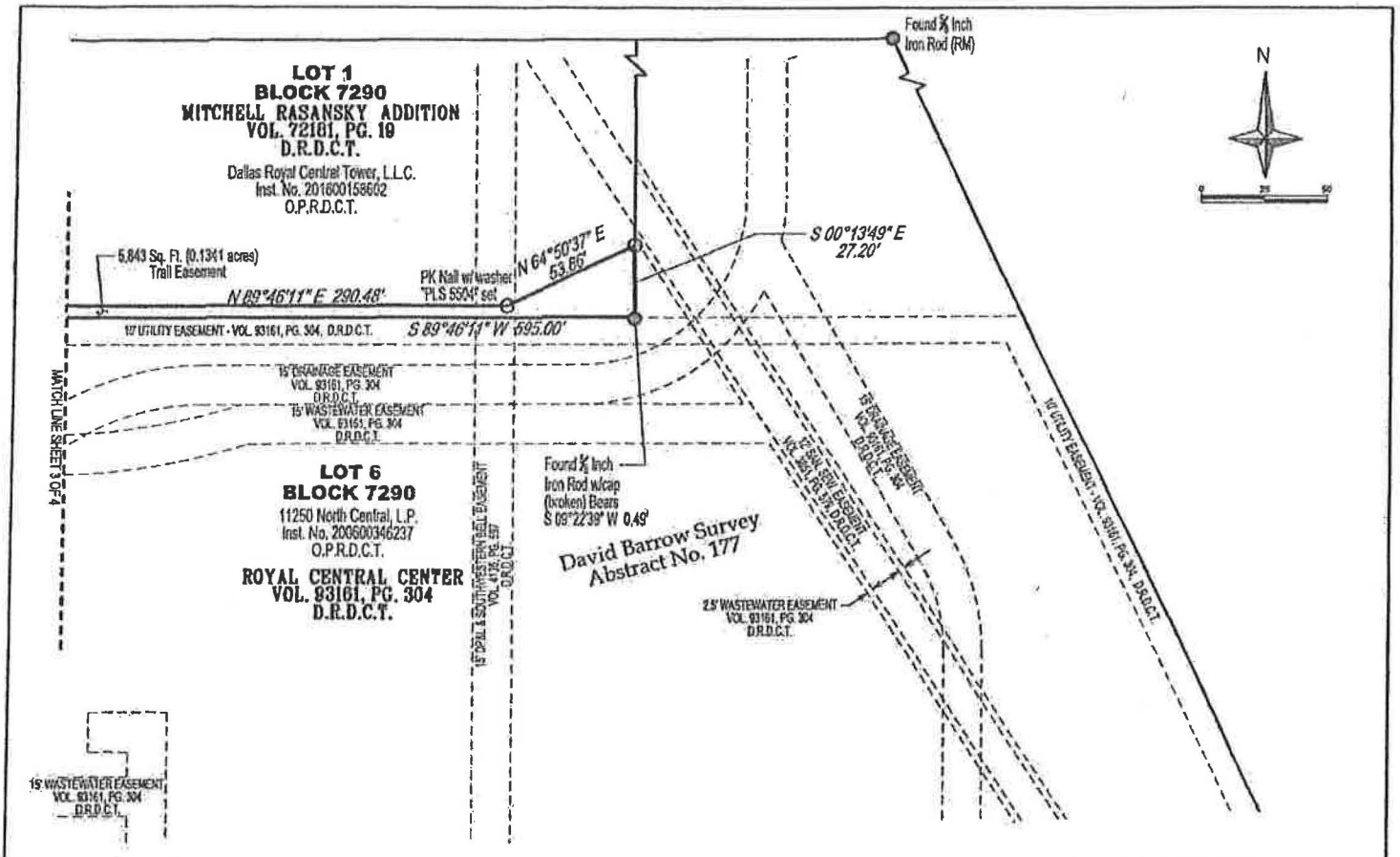


● - Found Monument as noted
○ - 1/2" iron rod w/ red cap stamped "PJB SURVEYING" set unless otherwise noted
Sq.Ft. - Square Feet
RM - Monument of Record
O.P.R.D.C.T. - Official Public Records of Dallas County, Texas
D.R.D.C.T. - Deed Records of Dallas County, Texas
M.R.D.C.T. - Map Records of Dallas County, Texas
Inst. No. - Instrument Number
Vol./Pg. - Volume/Page

BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

TRAIL EASEMENT
BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A Tract 1



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TRAIL EASEMENT
BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A
Tract 2

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 6,619 square foot (0.1520 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 1, Block 7290 of Mitchell Rasansky Addition, as recorded in Volume 72181, Page 19, of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and part of a tract of land described in Special Warranty Deed with Vendor's Lien to Dallas Royal Central Tower, L.L.C., as recorded in Instrument No. 201600158602, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod with cap (Monument of Record) found at the northwest corner of said Lot 1, Block 7290, and the southwest corner of Lot 1, Block 7318 of Cullum Central Addition, as recorded in Volume 647, Page 85, D.R.D.C.T., being in the east line of North Central Expressway (U.S. Hwy. 75 – Variable width right-of-way);

THENCE South 00 degrees 12 minutes 49 seconds East, with the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 168.32 feet to the **POINT OF BEGINNING**;

1. **THENCE** North 89 degrees 47 minutes 26 seconds East, departing the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 53.86 feet;

2. **THENCE** North 80 degrees 45 minutes 13 seconds East, a distance of 28.71 feet;

3. **THENCE** North 89 degrees 42 minutes 45 seconds East, a distance of 171.94 feet;

4. **THENCE** South 20 degrees 21 minutes 35 seconds East, a distance of 22.19 feet;

5. **THENCE** South 00 degrees 31 minutes 25 seconds East, a distance of 16.00 feet;

6. **THENCE** South 89 degrees 46 minutes 11 seconds West, a distance of 6.22 feet to a PK nail with washer stamped "RPLS 5504" set;

7. **THENCE** North 78 degrees 55 minutes 34 seconds West, a distance of 56.12 feet to a PK nail with washer stamped "RPLS 5504" set;

8. **THENCE** South 89 degrees 46 minutes 11 seconds West, a distance of 161.12 feet to a PK nail with washer stamped "RPLS 5504" set;

FIELD NOTES APPROVED:
3/20/19

Exhibit A
Tract 2

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

9. **THENCE** North 82 degrees 51 minutes 02 seconds West, a distance of 39.85 feet to 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the west line of said Lot 1 and in the east line of said North Central Expressway;

10. **THENCE** North 00 degrees 12 minutes 49 seconds West, with the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 16.07 feet to the **POINT OF BEGINNING** and containing 6,619 square feet (0.1520 acres) of land.

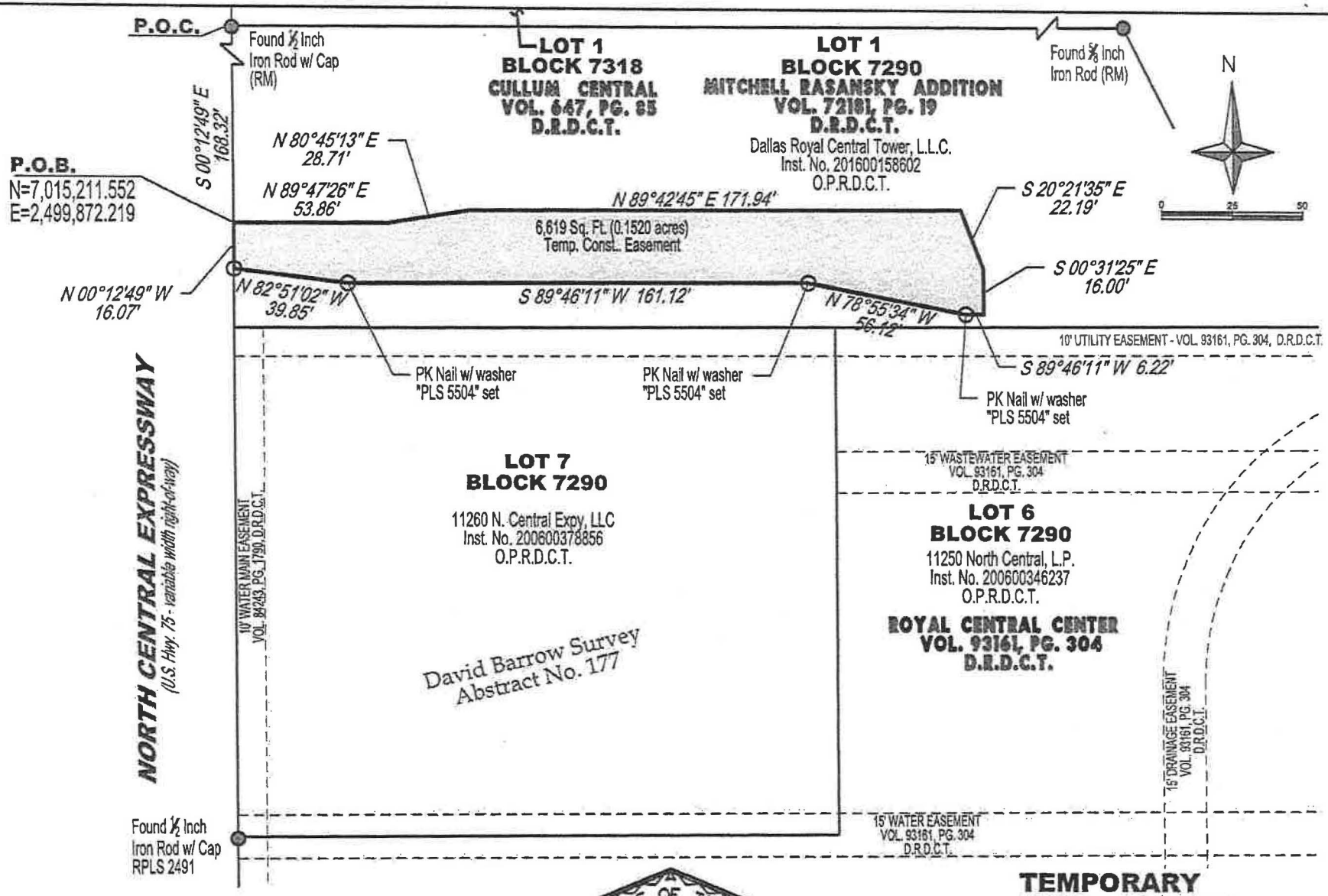
A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



By: _____ Date: 10·11·18

Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504
PJB Surveying, LLC
TBPLS Firm No. 10194303



- ⊗ - *Found Monument as noted*
- ○ - *1/2" Iron rod w/ red cap stamped "PJB SURVEYING" set unless otherwise noted*

Sq.Ft. - Square Feet
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BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

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

10-11-18

TEMPORARY CONSTRUCTION EASEMENT

BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A
Tract 2

PREPARED BY:
PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

EXHIBIT B

HIKE AND BIKE TRAIL EASEMENT

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

Dallas Royal Central Tower, LLC, a Texas limited liability company (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 NINETEEN THOUSAND TWO HUNDRED NINETY-SEVEN Dollars ($219,297.00) 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 benefits to be derived by Grantor's remaining property as a result of projected public improvements, and other good and valuable consideration, the receipt and sufficiency of which being hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, a hike and bike trail easement (the "Easement") over, 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 "Easement Property"). The stated consideration for the Easement herein conveyed shall be considered full compensation for same and for any diminution in value that may result to Grantor's remaining property, if any, by virtue of project proximity thereto, grade alignment, utility installation, or the alteration of drainage patterns and facilities.

The purpose of the Easement is for City to construct, maintain and operate a public hike and bike trail for recreational use by the general public, together with the customary uses and facilities attendant thereto, including without limitation, the right to install, maintain, remove and improve drainage and utilities facilities serving the trail and associated improvements, landscaping, lighting, irrigation, park furniture and equipment, signage, grading, improved surfaces, and other facilities and improvements, on such grade and according to such plans and specifications as will, in the City's opinion, best serve the public purpose. City and/or its contractor shall have the right to grade or fill a slope at three to one across Grantor's abutting property in conjunction with the trail construction. Notwithstanding the foregoing, nothing herein shall be construed as dedication of the Easement Property as a public street, road or alley or allowing motorized vehicular use of the Easement Property other than by City's service, maintenance and emergency vehicles.

The Easement is nonexclusive, irrevocable and perpetual. Grantor reserves for Grantor and Grantor's heirs, successors and assigns the right to continue to use and enjoy the Easement Property for purposes that do not interfere with or interrupt the use and enjoyment of the Easement by City for the easement purposes. Grantor reserves for Grantor and Grantor's heirs, successors and assigns the right to use all or part of the Easement Property in conjunction with City, as long as such further use or conveyance is subject to the terms of this agreement. Notwithstanding the foregoing, City shall have the right to remove and keep removed from the Easement Property any and all buildings, structures, improvements, fences, trees, shrubs, growths, or other matters as City, in its sole and unqualified discretion, deems necessary, convenient or advisable to the construction, maintenance or operation of the hike and bike trail and its related facilities, City's determination in this regard being final.

City is hereby further granted the right to use from time to time so much of Grantor's property adjacent to the Easement Property as City deems reasonably necessary for a temporary working

space and/or temporary ingress and egress to install and maintain the hike and bike trail and related facilities. City shall notify Grantor prior to commencing any use of the temporary working space and/or temporary ingress and egress and shall restore the Grantor's adjacent property to its previous physical condition if changed by said use upon completion of any work requiring said temporary use.

Nothing in this agreement shall be construed as a waiver by City of any charges, fees or assessments imposed by ordinance or Charter of the City of Dallas.

This Easement may be enforced by restraining orders and injunctions (temporary and/or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this agreement; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies at law or in equity.

Should one or more of the Grantor(s) 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.

SPECIAL PROVISIONS: Parking within the parking lot will be allowed within the City's easement area.

TO HAVE AND TO HOLD the above described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto the City of Dallas, 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 the City of Dallas, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

GRANTOR:

Dallas Royal Center Tower, LLC, a Texas limited liability company

_____

By: Kenneth M. Good, Manager

EXHIBIT B

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
by Kenneth M. Good, Manager of Dallas Royal Center Tower, LLC, a Texas limited liability company, on behalf of said limited liability company.

_____
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 Junge

Easement Log No. 46085

Exhibit A
Tract 1

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 5,843 square foot (0.1341 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 1, Block 7290 of Mitchell Rasansky Addition, as recorded in Volume 72181, Page 19, of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and part of a tract of land described in Special Warranty Deed with Vendor's Lien to Dallas Royal Central Tower, L.L.C., as recorded in Instrument No. 201600158602, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

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THENCE South 00 degrees 12 minutes 49 seconds East, with the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 184.38 feet to a PK nail with washer stamped "RPLS 5504" set at the **POINT OF BEGINNING**;

1. **THENCE** South 82 degrees 51 minutes 02 seconds East, departing the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 39.85 feet to a PK nail with washer stamped "RPLS 5504" set;

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4. **THENCE** North 89 degrees 46 minutes 11 seconds East, a distance of 290.48 feet to a PK nail with washer stamped "RPLS 5504" set;

5. **THENCE** North 64 degrees 50 minutes 37 seconds East, a distance of 53.86 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the east line of said Lot 1, Block 7290, being the most northerly west line of Lot 6, Block 7290, Royal Central Center, as recorded in Volume 93161, Page 304, D.R.D.C.T.;

6. **THENCE** South 00 degrees 13 minutes 49 seconds East, with the east line of said Lot 1, Block 7290 and the west line of said Lot 6, a distance of 27.20 feet a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said Lot 1, Block 7290, from which a 5/8-inch iron rod with broken cap bears South 09 degrees 22 minutes 39 seconds West, a distance of 0.49 feet;

FIELD NOTES APPROVED:
4/24/18

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Block 7290
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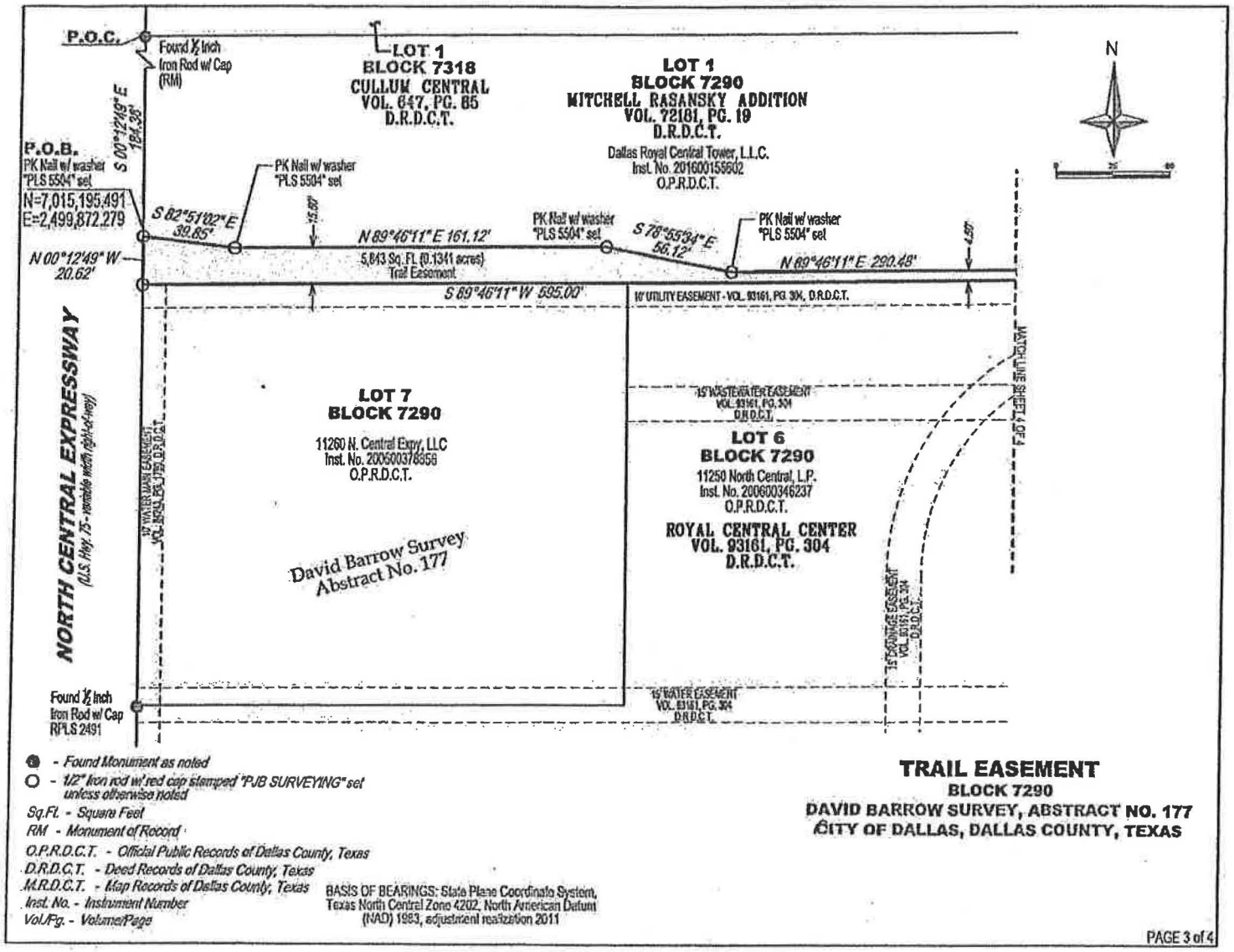
7. **THENCE** South 89 degrees 46 minutes 11 seconds West, with the south line of said Lot 1, Block 7290 and the north line of said Lot 6, a distance of 595.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said Lot 1, Block 7290 and the northwest corner of Lot 7, Block 7290 of said Royal Central Center, being in the east line of said North Central Expressway;

8. **THENCE** North 00 degrees 12 minutes 49 seconds West, with the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 20.62 feet to the **POINT OF BEGINNING** and containing 5,843 square feet (0.1341 acres) of land.

A plat accompanies this legal description.

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Tract 1

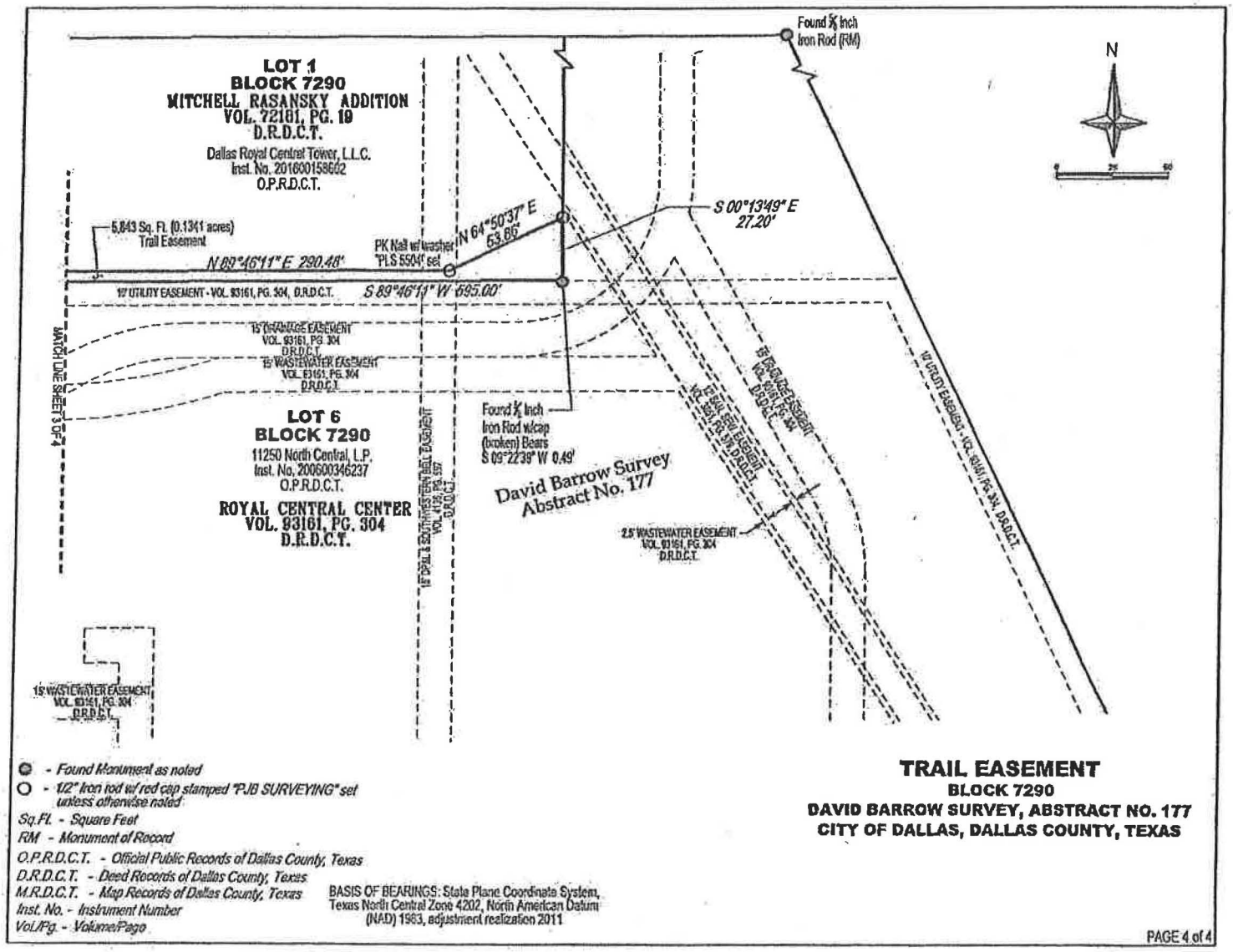


- ● - Found Monument as noted
- ○ - 1/2" iron rod w/ red cap stamped "PJB SURVEYING" set unless otherwise noted
- Sq.Ft. - Square Feet
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BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

TRAIL EASEMENT
BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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TRAIL EASEMENT
BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT B

TEMPORARY WORKING SPACE EASEMENT

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

That Dallas Royal Central Tower, LOLC, a Texas limited liability company (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 NINETEEN THOUSAND EIGHT HUNDRED FIFTY-SEVEN AND NO/100 DOLLARS ($19,857.00) 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 Northaven Hike and Bike Trail 1B.

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-of-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 notice to proceed with construction from City addressed to the approved construction contractor 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 _____, _____.

* *

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on _____ by Kenneth M. Good, Manager of Dallas Royal Center Tower, LLC, a Texas limited liability company, on behalf of said limited liability company.

_____
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 Junge

Temporary Easement Log No. 47574

Exhibit A
Tract 2

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 6,619 square foot (0.1520 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 1, Block 7290 of Mitchell Rasansky Addition, as recorded in Volume 72181, Page 19, of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and part of a tract of land described in Special Warranty Deed with Vendor's Lien to Dallas Royal Central Tower, L.L.C., as recorded in Instrument No. 201600158602, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod with cap (Monument of Record) found at the northwest corner of said Lot 1, Block 7290, and the southwest corner of Lot 1, Block 7318 of Cullum Central Addition, as recorded in Volume 647, Page 85, D.R.D.C.T., being in the east line of North Central Expressway (U.S. Hwy. 75 – Variable width right-of-way);

THENCE South 00 degrees 12 minutes 49 seconds East, with the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 168.32 feet to the **POINT OF BEGINNING;**

1. **THENCE** North 89 degrees 47 minutes 26 seconds East, departing the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 53.86 feet;

2. **THENCE** North 80 degrees 45 minutes 13 seconds East, a distance of 28.71 feet;

3. **THENCE** North 89 degrees 42 minutes 45 seconds East, a distance of 171.94 feet;

4. **THENCE** South 20 degrees 21 minutes 35 seconds East, a distance of 22.19 feet;

5. **THENCE** South 00 degrees 31 minutes 25 seconds East, a distance of 16.00 feet;

6. **THENCE** South 89 degrees 46 minutes 11 seconds West, a distance of 6.22 feet to a PK nail with washer stamped "RPLS 5504" set;

7. **THENCE** North 78 degrees 55 minutes 34 seconds West, a distance of 56.12 feet to a PK nail with washer stamped "RPLS 5504" set;

8. **THENCE** South 89 degrees 46 minutes 11 seconds West, a distance of 161.12 feet to a PK nail with washer stamped "RPLS 5504" set;

FIELD NOTES APPROVED
3/20/19

Exhibit A
Tract 2

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

9. **THENCE** North 82 degrees 51 minutes 02 seconds West, a distance of 39.85 feet to 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the west line of said Lot 1 and in the east line of said North Central Expressway;

10. **THENCE** North 00 degrees 12 minutes 49 seconds West, with the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 16.07 feet to the **POINT OF BEGINNING** and containing 6,619 square feet (0.1520 acres) of land.

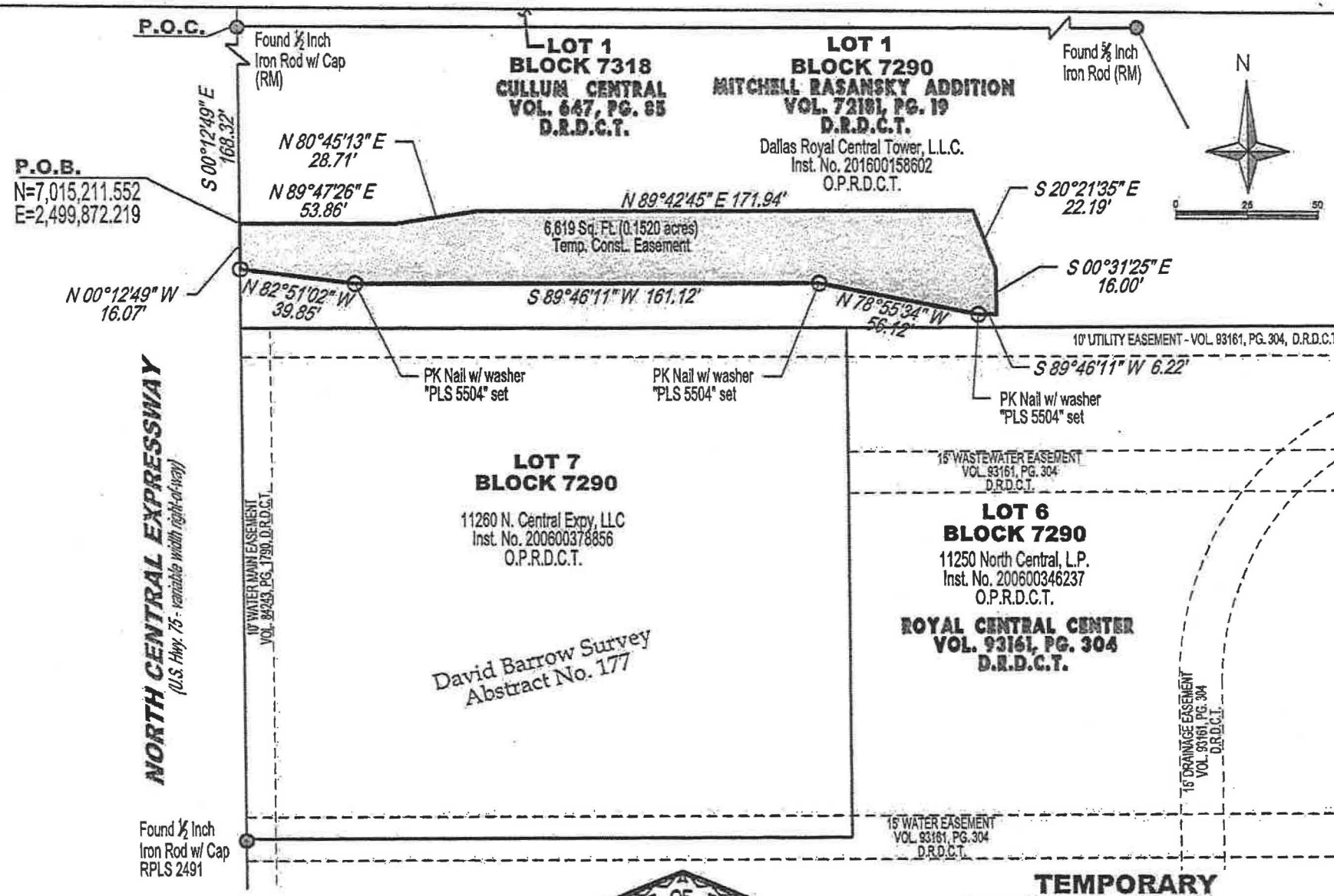
A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



By: _____ Date: 10·11·18

Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504
PJB Surveying, LLC
TBPLS Firm No. 10194303



- Found Monument as noted
- 1/2" Iron rod w/ red cap stamped "PJB SURVEYING" set unless otherwise noted

Sq.Ft. - Square Feet
RM - Monument of Record
O.P.R.D.C.T. - Official Public Records of Dallas County, Texas
D.R.D.C.T. - Deed Records of Dallas County, Texas
M.R.D.C.T. - Map Records of Dallas County, Texas
Inst. No. - Instrument Number
Vol./Pg. - Volume/Page

BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

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

10-11-18

TEMPORARY CONSTRUCTION EASEMENT

BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A
Tract 2

PREPARED BY:
PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

Agenda Information Sheet

File #: 19-677 **Item #:** 9.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize acquisition from 11250 North Central, LP, of a total of approximately 27,678 square feet of land in Hike and Bike Trail Easement and of approximately 7,863 square feet of land in Temporary Working Space Easement located near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project - Not to exceed $839,830.00 ($819,830.00, plus closing costs and title expenses not to exceed $20,000.00) - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds) ($556,566.97) and Street and Transportation Improvements Fund (2006 Bond Funds) ($283,263.03)

BACKGROUND

This item authorizes the acquisition from 11250 North Central, LP, of approximately 27,678 square feet of land in Hike and Bike Trail Easement and of approximately 7,863 square feet of land in Temporary Working Space Easement near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project. This property will be used for the construction of a hike and bike trail. The consideration is based on independent appraisals.

The Northaven Trail consists of six phases. The project limits of this phase of the project are from Northaven Road on the west side of North Central Expressway to the Cottonwood Trail and White Rock Creek Trail junction on the east side of White Rock Creek. The total project length is just under one-half mile. This phase of the trail project will realize the eastern terminus of this nine-mile trail project and critical connection to these other trails. Additionally, the future SoPac Trail Phase 4B will connect into the Northaven Trail Phase 1B on the west side of White Rock Creek.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Park and Recreation Facilities (B) Fund (2017 Bond Funds) - ($556,566.97) and Street and Transportation Improvements Fund (2006 Bond Funds) - ($283,263.03) - $839,830.00 ($819,830.00, plus closing costs and title expenses not to exceed $20,000.00)

OWNER

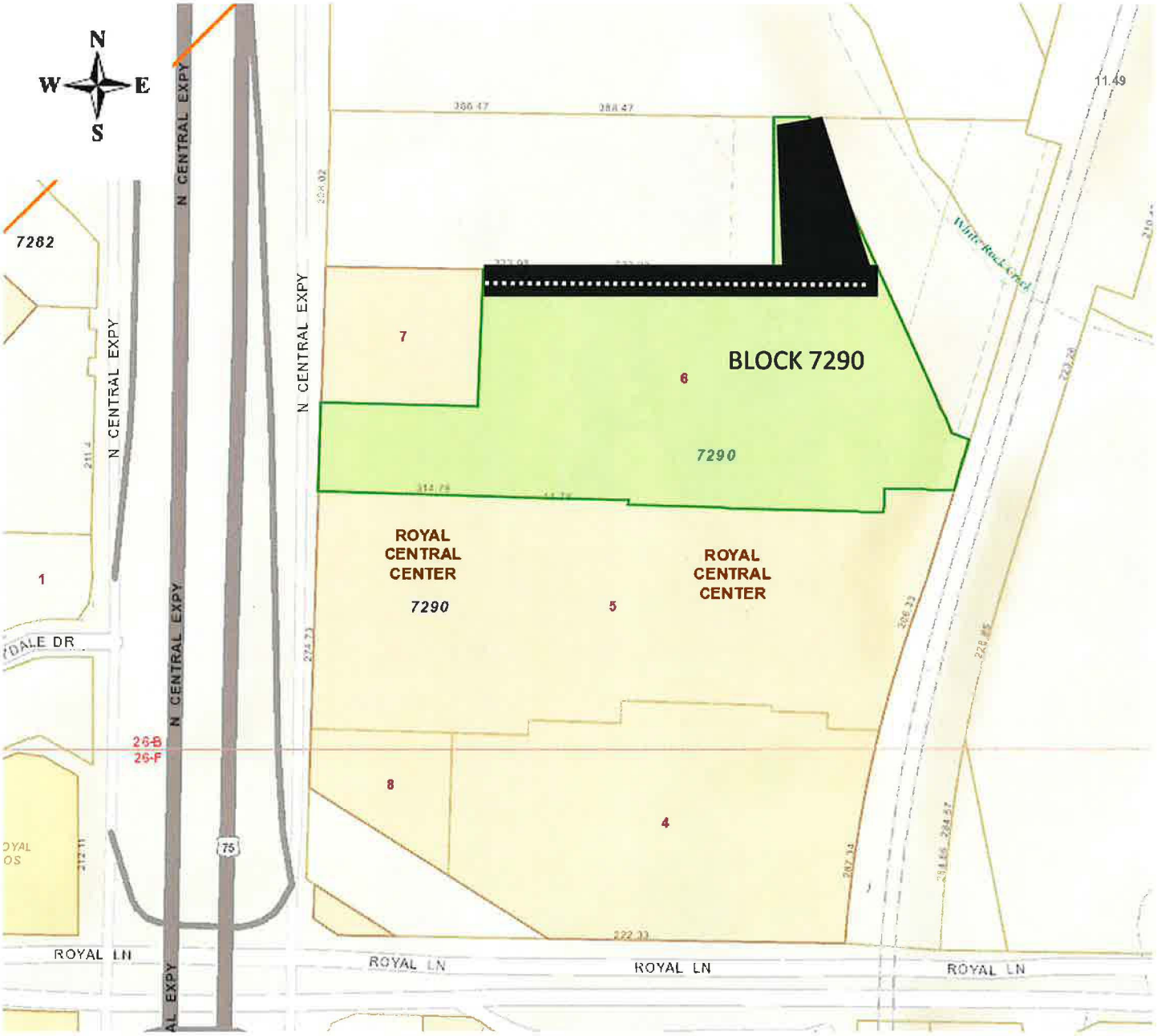
11250 North Central, LP

Monterey Park USA Inc., General Partner

Debra Tessler, Chief Executive Officer

MAP

Attached



SUBJECT [redacted]

May 22, 2019

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

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

"CITY": The City of Dallas

"PROPERTY": **Approximately** 27,678 square feet of land in Hike and Bike Trail Easement and 7,863 square feet of land in Temporary Working Space Easement 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": **Northaven Trail Phase 1B Project**

"USE": The construction and installation of a hike and bike trail provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

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

"OWNER": 11250 North **Central, LP, 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": $819,830.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $20,000.00

"AUTHORIZED AMOUNT": Not to exceed $839,830.00

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES $536,566.97 payable out of Park and Recreation Facilities (B) Fund, Fund 1V00, Department PKR, Unit VB06, Activity HIBT, Program PK17VB06, Object 4250, Encumbrance/Contract No. CX-PKR-2019-00010174 and $283,263.03 payable out of Street and Transportation Improvements Fund, Fund 2T22, Department PBW, Unit W314, Activity HIBT, Program PB06W314, Object 4250, Encumbrance/Contract No. CX-PKR-2019-00010174 and $20,000.00 payable out of Park and Recreation Facilities (B) Fund, Fund 1V00, Department PKR, Unit VB06, Activity HIBT, Program PK17VB06, Object 4230, Encumbrance/Contract No.CX-PKR-2019-00010174. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

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

BY: _____
Assistant City Attorney

LA/46087

Exhibit A

Tract 1

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 7,459 square foot (0.1712 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 6, Block 7290, Royal Central Center, as recorded in Volume 93161, Page 304, of the Deed Records of Dallas County, Texas, (D.R.D.C.T.), and being described in General Warranty Deed to 11250 North Central, L.P., as recorded in Instrument No. 200600346237, of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at 5/8-inch iron rod (Monument of Record) found at the northeast corner of said Lot 6, and the northwest corner of a tract of land described in Deed to the City of Dallas, as recorded in Volume 69158, Page 1874, D.R.D.C.T., and being in the south line of Lot 1, Block 7318 of Cullum Central Addition, as recorded in Volume 647, Page 85, D.R.D.C.T.;

THENCE South 89 degrees 46 minutes 11 seconds West, with the most northerly north line of said Lot 6 and the south line of said Lot 1, Block 7318, a distance of 48.30 feet to the most northerly northwest corner of said Lot 7 and the northeast corner of Lot 1, Block 7290 of Mitchell Rasansky Addition, as recorded in Volume 72181, Page 19, D.R.D.C.T., from which a 5/8-inch iron rod bears South 09 degrees 31 minutes 55 seconds West, a distance of 0.51 feet;

THENCE 00 degrees 13 minutes 49 seconds East, with the most northerly west line of said Lot 6 and the east line of said Lot 1, Block 7290, a distance of 205.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said Lot 1, Block 7290, being the **POINT OF BEGINNING**, from which a 5/8-inch iron rod with broken cap bears South 09 degrees 22 minutes 39 seconds West, a distance of 0.49 feet;

1. **THENCE** South 63 degrees 55 minutes 14 seconds West, a distance of 16.75 feet to a PK nail with washer stamped "RPLS 5504" set;

2. **THENCE** South 00 degrees 14 minutes 01 second East, a distance of 17.84 feet to a PK nail with washer stamped "RPLS 5504" set;

3. **THENCE** South 89 degrees 46 minutes 11 seconds West, a distance of 48.06 feet to a PK nail with washer stamped "RPLS 5504" set;

4. **THENCE** North 00 degrees 19 minutes 32 seconds West, a distance of 5.64 feet to a PK nail with washer stamped "RPLS 5504" set;

5. **THENCE** South 89 degrees 46 minutes 11 seconds West, a distance of 293.34 feet to a PK nail with washer stamped "RPLS 5504" set;

FIELD NOTES APPROVED:
5/8/19

Exhibit A

Tract 1

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

6. **THENCE** North 79 degrees 00 minutes 13 seconds West, a distance of 29.07 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the most westerly west line of said Lot 6 and the east line of Lot 7, Block 7290 of said Royal Central Center;

7. **THENCE** North 00 degrees 13 minutes 49 seconds West, with said west line of Lot 6 and the east line of said Lot 7, a distance of 13.84 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set to the most westerly northwest corner of said Lot 7 and the northeast corner of said Lot 7, being in the south line of said Lot 1, Block 7290;

8. **THENCE** North 89 degrees 46 minutes 11 seconds East, with the north line of said Lot 6 and the south line of said Lot 1, Block 7290, a distance of 385.00 feet to the **POINT OF BEGINNING** and containing 7,459 square feet (0.1712 acres) of land.

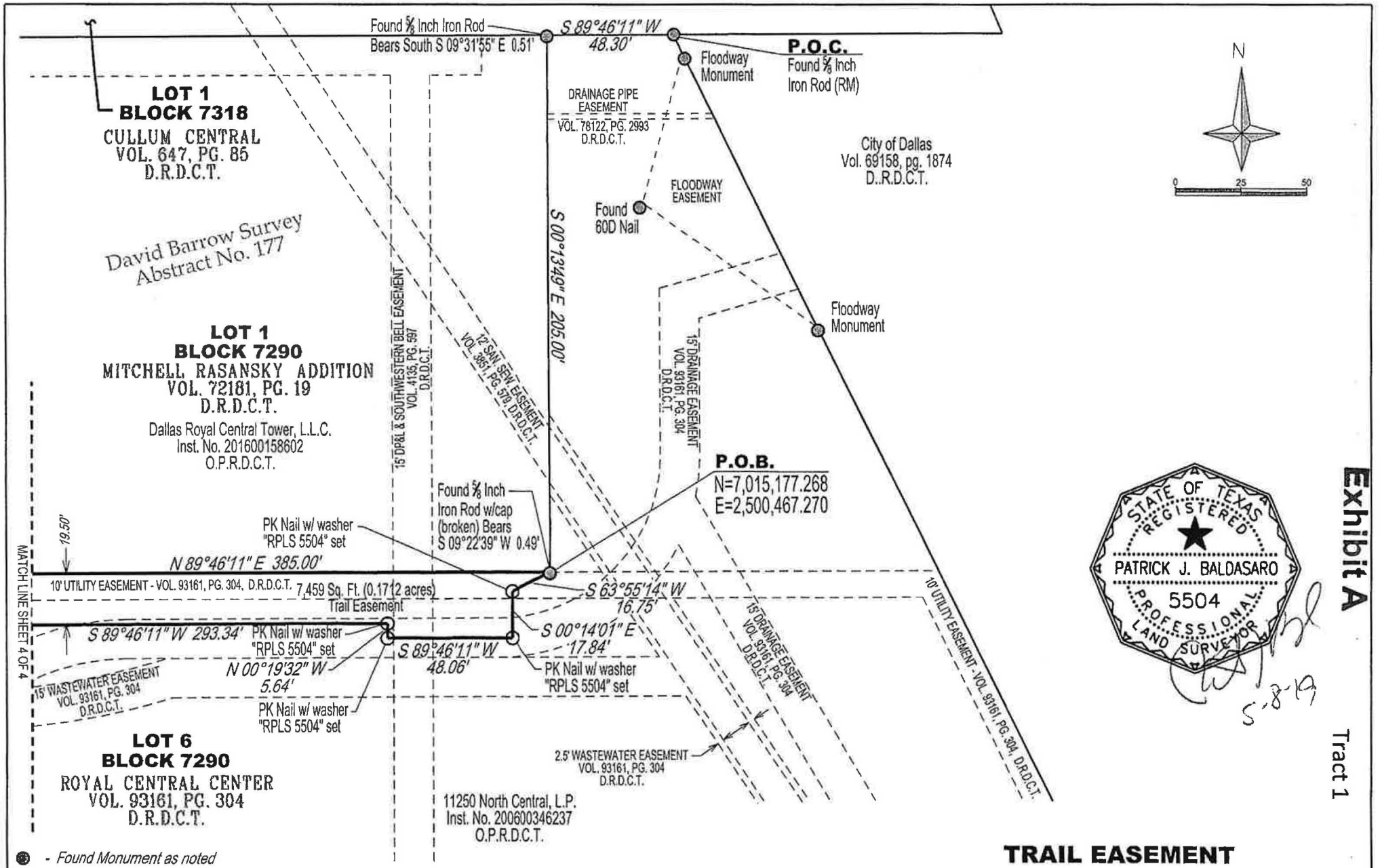
A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



By: _____ Date: 5-8-19

Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504
PJB Surveying, LLC
TBPLS Firm No. 10194303



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

5-8-19

Exhibit A

Tract 1

- ● - *Found Monument as noted*
- ○ - *1/2" Iron rod w/ red cap stamped "PJB SURVEYING" set unless otherwise noted*

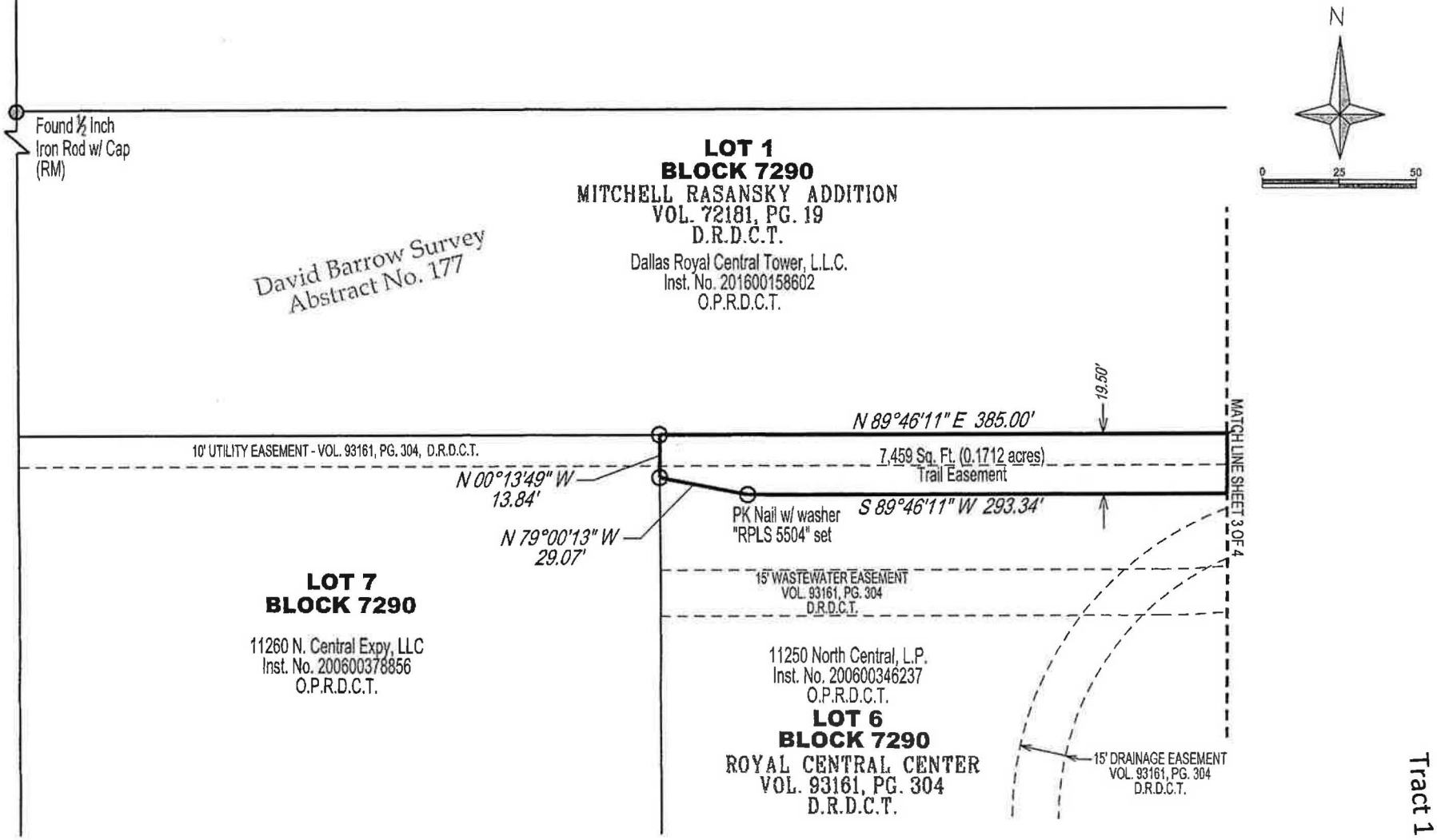
Sq.Ft. - Square Feet
RM - Monument of Record
O.P.R.D.C.T. - Official Public Records of Dallas County, Texas
D.R.D.C.T. - Deed Records of Dallas County, Texas
M.R.D.C.T. - Map Records of Dallas County, Texas
Inst. No. - Instrument Number
Vol./Pg. - Volume/Page

BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

TRAIL EASEMENT

BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY:
PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303



Tract 1

Exhibit A

- ◉ - *Found Monument as noted*
- ○ - *1/2" Iron rod w/ red cap stamped "PJB SURVEYING" set unless otherwise noted*

Sq.Ft. - Square Feet
RM - Monument of Record
O.P.R.D.C.T. - Official Public Records of Dallas County, Texas
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BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

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

5.8.19

TRAIL EASEMENT

BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY:
PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

Exhibit A

TRACT 2

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 20,219 square foot (0.4642 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 6, Block 7290, Royal Central Center, as recorded in Volume 93161, Page 304, of the Deed Records of Dallas County, Texas, (D.R.D.C.T.), and being described in General Warranty Deed to 11250 North Central, L.P., as recorded in Instrument No. 200600346237, of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at 5/8-inch iron rod (Monument of Record) found at the northeast corner of said Lot 6, and the northwest corner of a tract of land described in Deed to the City of Dallas, as recorded in Volume 69158, Page 1874, D.R.D.C.T., and being in the south line of Lot 1, Block 7318 of Cullum Central Addition, as recorded in Volume 647, Page 85, D.R.D.C.T.;

1. **THENCE** South 26 degrees 22 minutes 55 seconds East, along the northeast line of said Lot 6 and the southwest line of said City of Dallas tract, a distance of 228.38 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

2. **THENCE** South 89 degrees 46 minutes 11 seconds West, a distance of 148.96 feet to a ½-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said Lot 1, Block 7290 of Mitchell Rasansky Addition, as recorded in Volume 72181, Page 19, D.R.D.C.T., from which a 5/8-inch iron rod with broken cap bears South 09 degrees 22 minutes 39 seconds West, a distance of 0.49 feet ;

3. **THENCE** North 00 degrees 13 minutes 49 seconds West, with the most northerly west line of said Lot 6 and the east line of said Lot 1, Block 7290, a distance of 205.00 feet to the most northerly northwest corner of said Lot 7 and the northeast corner of said Lot 1, Block 7290, being in the south line of said Lot 1, Block 7318, from which a 5/8-inch iron rod bears South 09 degrees 31 minutes 55 seconds West, a distance of 0.51 feet;

4. **THENCE** North 89 degrees 46 minutes 11 seconds East, with the north line of said Lot 6 and the south line of said Lot 1, Block 7318, a distance of 48.30 feet to the **POINT OF BEGINNING** and containing 20,219 square feet (0.4642 acres) of land.

FIELD NOTES APPROVED:
4/24/18

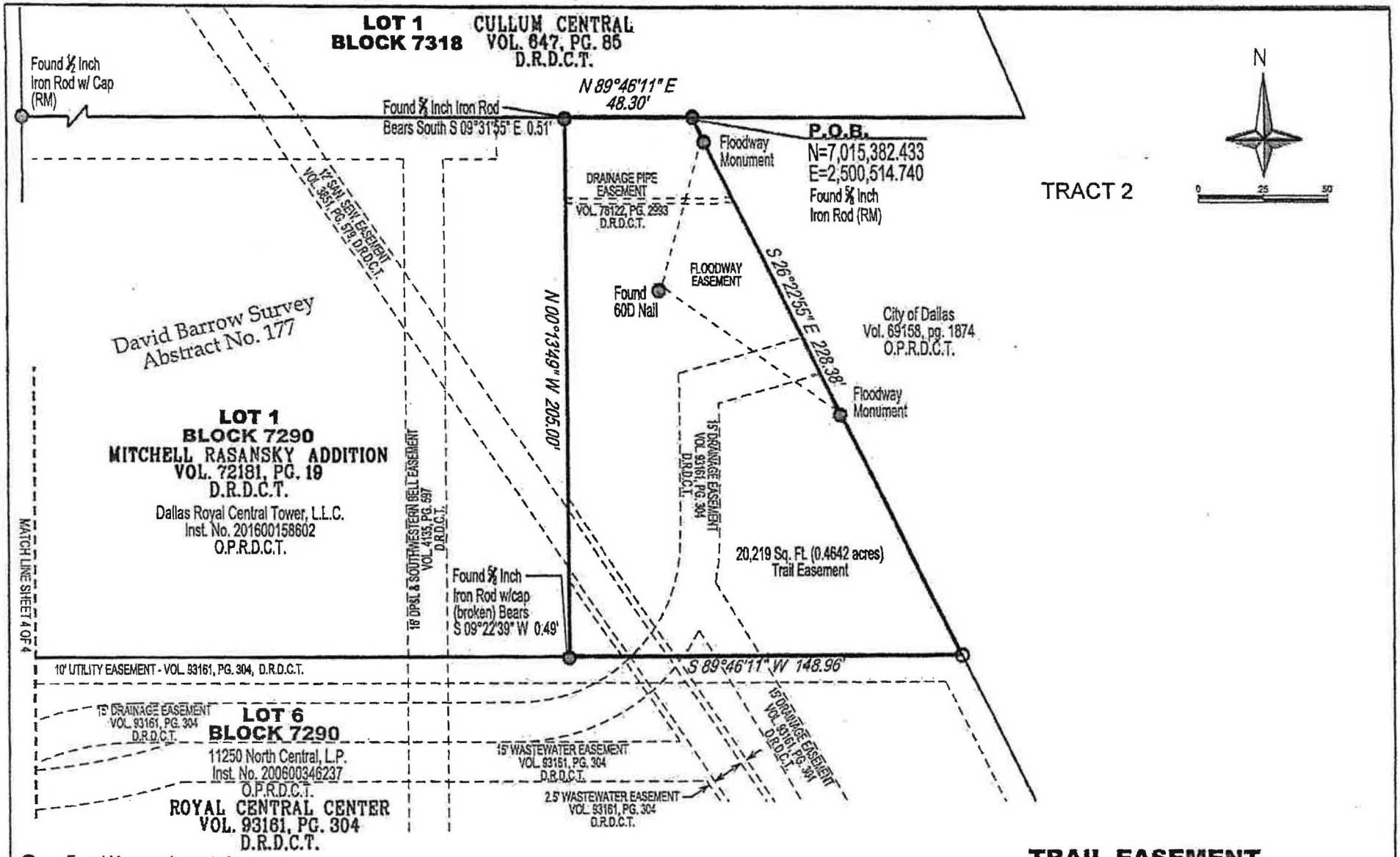
Exhibit A

TRACT 2

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



⊕ - *Found Monument as noted*

○ - *1/2" Iron rod w/ red cap stamped "PJB SURVEYING" set unless otherwise noted*

Sq.Ft. - Square Feet

RM - Monument of Record

O.P.R.D.C.T. - Official Public Records of Dallas County, Texas

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BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

TRAIL EASEMENT
BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A

Exhibit A

Tract 3

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 7,863 square foot (0.1805 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 6, Block 7290, Royal Central Center, as recorded in Volume 93161, Page 304, of the Deed Records of Dallas County, Texas, (D.R.D.C.T.), and being described in General Warranty Deed to 11250 North Central, L.P., as recorded in Instrument No. 200600346237, of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at 5/8-inch iron rod (Monument of Record) found at the northeast corner of said Lot 6, and the northwest corner of a tract of land described in Deed to the City of Dallas, as recorded in Volume 69158, Page 1874, D.R.D.C.T., and being in the south line of Lot 1, Block 7318 of Cullum Central Addition, as recorded in Volume 647, Page 85, D.R.D.C.T.;

THENCE South 89 degrees 46 minutes 11 seconds West, with the most northerly north line of said Lot 6 and the south line of said Lot 1, Block 7318, a distance of 48.30 feet to the most northerly northwest corner of said Lot 7 and the northeast corner of Lot 1, Block 7290 of Mitchell Rasansky Addition, as recorded in Volume 72181, Page 19, D.R.D.C.T., from which a 5/8-inch iron rod bears South 09 degrees 31 minutes 55 seconds West, a distance of 0.51 feet;

THENCE 00 degrees 13 minutes 49 seconds East, with the most northerly west line of said Lot 6 and the east line of said Lot 1, Block 7290, a distance of 205.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said Lot 1, Block 7290, being the **POINT OF BEGINNING**, from which a 5/8-inch iron rod with broken cap bears South 09 degrees 22 minutes 39 seconds West, a distance of 0.49 feet;

1. **THENCE** North 89 degrees 46 minutes 11 seconds East, a distance of 107.80 feet;
2. **THENCE** South 00 degrees 12 minutes 34 seconds East, a distance of 25.15 feet;
3. **THENCE** South 89 degrees 47 minutes 26 seconds West, a distance of 112.81 feet;
4. **THENCE** South 44 degrees 47 minutes 26 seconds West, a distance of 14.22 feet;
5. **THENCE** South 89 degrees 47 minutes 26 seconds West, a distance of 48.06 feet;
6. **THENCE** North 45 degrees 12 minutes 34 seconds West, a distance of 14.14 feet;
7. **THENCE** South 89 degrees 47 minutes 26 seconds West, a distance of 88.24 feet;
8. **THENCE** South 64 degrees 17 minutes 59 seconds West, a distance of 26.02 feet;

FIELD NOTES APPROVED:
5/8/19

Tract 3

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

9. **THENCE** South 89 degrees 47 minutes 26 seconds West, a distance of 200.13 feet to the most westerly west line of said Lot 6 and the east line of Lot 7, Block 7290 of said Royal Central Center;

10. **THENCE** North 00 degrees 13 minutes 49 seconds West, with said west line of Lot 6 and the east line of said Lot 7, a distance of 22.38 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

11. **THENCE** South 79 degrees 00 minutes 13 seconds East, a distance of 29.07 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

12. **THENCE** North 89 degrees 46 minutes 11 seconds East, a distance of 293.34 feet to a PK nail with washer stamped "RPLS 5504" set;

13. **THENCE** South 00 degrees 19 minutes 32 seconds East, a distance of 5.64 feet to a PK nail with washer stamped "RPLS 5504" set;

14. **THENCE** North 89 degrees 46 minutes 11 seconds East, a distance of 48.06 feet to a PK nail with washer stamped "RPLS 5504" set;

15. **THENCE** North 00 degrees 14 minutes 01 second West, a distance of 17.84 feet to a PK nail with washer stamped "RPLS 5504" set;

16. **THENCE** North 63 degrees 55 minutes 14 seconds East, a distance of 16.75 feet to the **POINT OF BEGINNING** and containing 7,863 square feet (0.1805 acres) of land.

Exhibit A

Tract 3

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



By: _____ Date: 5.8.13

Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504
PJB Surveying, LLC
TBPLS Firm No. 10194303

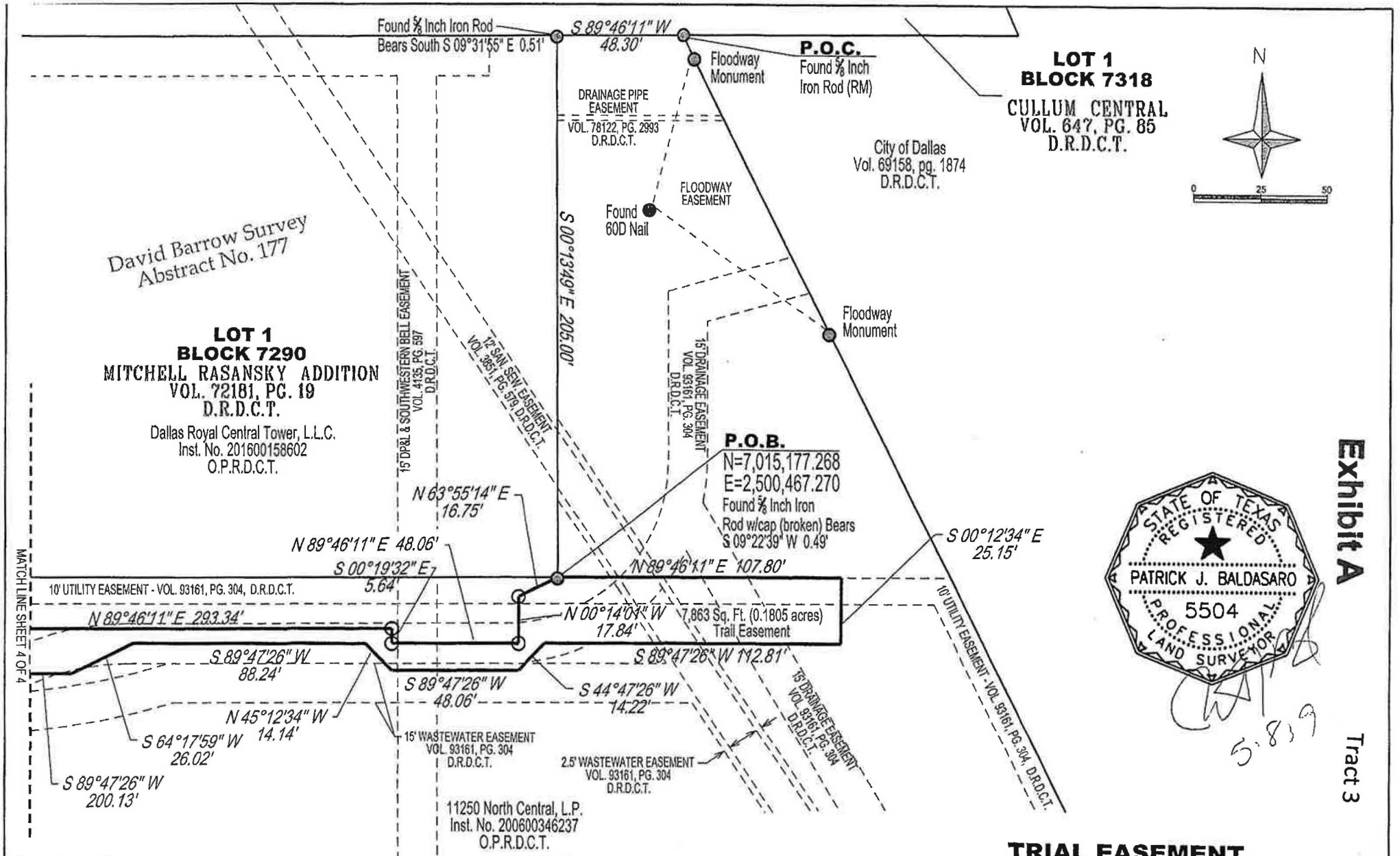


Exhibit A

Tract 3

- Found Monument as noted
- PK Nail with washer stamped "RPLS 5504" set unless otherwise noted

Sq.Ft. - Square Feet
RM - Monument of Record
O.P.R.D.C.T. - Official Public Records of Dallas County, Texas
D.R.D.C.T. - Deed Records of Dallas County, Texas
M.R.D.C.T. - Map Records of Dallas County, Texas
Inst. No. - Instrument Number
Vol./Pg. - Volume/Page

BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

TRIAL EASEMENT

BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY:
PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

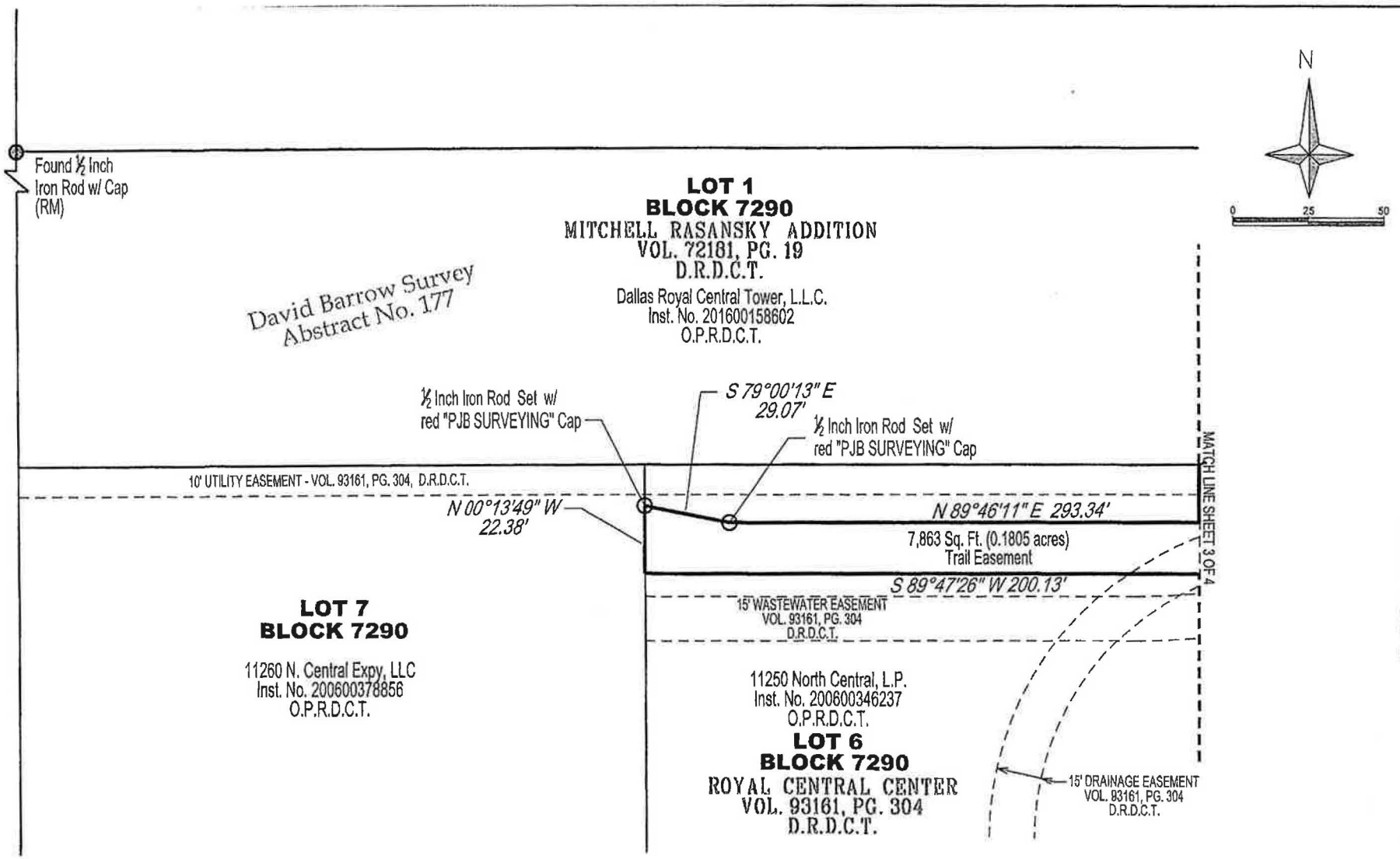


Exhibit A

Tract 3

- ● - *Found Monument as noted*
- ○ - *PK Nail with washer stamped "RPLS 5504" set unless otherwise noted*

Sq.Ft. - Square Feet
RM - Monument of Record
O.P.R.D.C.T. - Official Public Records of Dallas County, Texas
D.R.D.C.T. - Deed Records of Dallas County, Texas
M.R.D.C.T. - Map Records of Dallas County, Texas
Inst. No. - Instrument Number
Vol./Pg. - Volume/Page

BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

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

5/8/19

TRAIL EASEMENT

BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY:
PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

EXHIBIT B

HIKE AND BIKE TRAIL EASEMENT

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

11250 North Central, LP, a Texas limited partnership (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 SEVEN HUNDRED SEVENTY-TWO THOUSAND SIX HUNDRED FIFTY-TWO ($772,652.00) 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 benefits to be derived by Grantor's remaining property as a result of projected public improvements, and other good and valuable consideration, the receipt and sufficiency of which being hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, a hike and bike trail easement (the "Easement") over, 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 "Easement Property"). The stated consideration for the Easement herein conveyed shall be considered full compensation for same and for any diminution in value that may result to Grantor's remaining property, if any, by virtue of project proximity thereto, grade alignment, utility installation, or the alteration of drainage patterns and facilities.

The purpose of the Easement is for City to construct, maintain and operate a public hike and bike trail for recreational use by the general public, together with the customary uses and facilities attendant thereto, including without limitation, the right to install, maintain, remove and improve drainage and utilities facilities serving the trail and associated improvements, landscaping, lighting, irrigation, park furniture and equipment, signage, grading, improved surfaces, and other facilities and improvements, on such grade and according to such plans and specifications as will, in the City's opinion, best serve the public purpose. City and/or its contractor shall have the right to grade or fill a slope at three to one across Grantor's abutting property in conjunction with the trail construction. Notwithstanding the foregoing, nothing herein shall be construed as dedication of the Easement Property as a public street, road or alley or allowing motorized vehicular use of the Easement Property other than by City's service, maintenance and emergency vehicles.

The Easement is nonexclusive, irrevocable and perpetual. Grantor reserves for Grantor and Grantor's heirs, successors and assigns the right to continue to use and enjoy the Easement Property for purposes that do not interfere with or interrupt the use and enjoyment of the Easement by City for the easement purposes. Grantor reserves for Grantor and Grantor's heirs, successors and assigns the right to use all or part of the Easement Property in conjunction with City, as long as such further use or conveyance is subject to the terms of this agreement. Notwithstanding the foregoing, City shall have the right to remove and keep removed from the Easement Property any and all buildings, structures, improvements, fences, trees, shrubs, growths, or other matters as City, in its sole and unqualified discretion, deems necessary, convenient or advisable to the construction, maintenance or operation of the hike and bike trail and its related facilities, City's determination in this regard being final.

City is hereby further granted the right to use from time to time so much of Grantor's property adjacent to the Easement Property as City deems reasonably necessary for a temporary working

EXHIBIT B

space and/or temporary ingress and egress to install and maintain the hike and bike trail and related facilities. City shall notify Grantor prior to commencing any use of the temporary working space and/or temporary ingress and egress and shall restore the Grantor's adjacent property to its previous physical condition if changed by said use upon completion of any work requiring said temporary use.

Nothing in this agreement shall be construed as a waiver by City of any charges, fees or assessments imposed by ordinance or Charter of the City of Dallas.

This Easement may be enforced by restraining orders and injunctions (temporary and/or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this agreement; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies at law or in equity.

Should one or more of the Grantor(s) 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.

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 the City of Dallas, 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 the City of Dallas, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

GRANTOR:

11250 North Central, LP, a Texas limited Partnership

Monterey Park of Texas I, LLC, its general partner

_____

By: Debra I. Tessler, Manager

EXHIBIT B

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
by Debra I. Tessler, Manager of Monterey Park of Texas I, LLC, a Texas limited liability company, general partner of 11250 North Central, LP, a Texas limited partnership, on behalf of said limited partnership.

_____
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 Junge

Easement Log No. 46085

Exhibit A

Tract 1

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 7,459 square foot (0.1712 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 6, Block 7290, Royal Central Center, as recorded in Volume 93161, Page 304, of the Deed Records of Dallas County, Texas, (D.R.D.C.T.), and being described in General Warranty Deed to 11250 North Central, L.P., as recorded in Instrument No. 200600346237, of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at 5/8-inch iron rod (Monument of Record) found at the northeast corner of said Lot 6, and the northwest corner of a tract of land described in Deed to the City of Dallas, as recorded in Volume 69158, Page 1874, D.R.D.C.T., and being in the south line of Lot 1, Block 7318 of Cullum Central Addition, as recorded in Volume 647, Page 85, D.R.D.C.T.;

THENCE South 89 degrees 46 minutes 11 seconds West, with the most northerly north line of said Lot 6 and the south line of said Lot 1, Block 7318, a distance of 48.30 feet to the most northerly northwest corner of said Lot 7 and the northeast corner of Lot 1, Block 7290 of Mitchell Rasansky Addition, as recorded in Volume 72181, Page 19, D.R.D.C.T., from which a 5/8-inch iron rod bears South 09 degrees 31 minutes 55 seconds West, a distance of 0.51 feet;

THENCE 00 degrees 13 minutes 49 seconds East, with the most northerly west line of said Lot 6 and the east line of said Lot 1, Block 7290, a distance of 205.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said Lot 1, Block 7290, being the **POINT OF BEGINNING**, from which a 5/8-inch iron rod with broken cap bears South 09 degrees 22 minutes 39 seconds West, a distance of 0.49 feet;

1. **THENCE** South 63 degrees 55 minutes 14 seconds West, a distance of 16.75 feet to a PK nail with washer stamped "RPLS 5504" set;

2. **THENCE** South 00 degrees 14 minutes 01 second East, a distance of 17.84 feet to a PK nail with washer stamped "RPLS 5504" set;

3. **THENCE** South 89 degrees 46 minutes 11 seconds West, a distance of 48.06 feet to a PK nail with washer stamped "RPLS 5504" set;

4. **THENCE** North 00 degrees 19 minutes 32 seconds West, a distance of 5.64 feet to a PK nail with washer stamped "RPLS 5504" set;

5. **THENCE** South 89 degrees 46 minutes 11 seconds West, a distance of 293.34 feet to a PK nail with washer stamped "RPLS 5504" set;

FIELD NOTES APPROVED:
5/8/19

Exhibit A

Tract 1

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

6. **THENCE** North 79 degrees 00 minutes 13 seconds West, a distance of 29.07 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the most westerly west line of said Lot 6 and the east line of Lot 7, Block 7290 of said Royal Central Center;

7. **THENCE** North 00 degrees 13 minutes 49 seconds West, with said west line of Lot 6 and the east line of said Lot 7, a distance of 13.84 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set to the most westerly northwest corner of said Lot 7 and the northeast corner of said Lot 7, being in the south line of said Lot 1, Block 7290;

8. **THENCE** North 89 degrees 46 minutes 11 seconds East, with the north line of said Lot 6 and the south line of said Lot 1, Block 7290, a distance of 385.00 feet to the **POINT OF BEGINNING** and containing 7,459 square feet (0.1712 acres) of land.

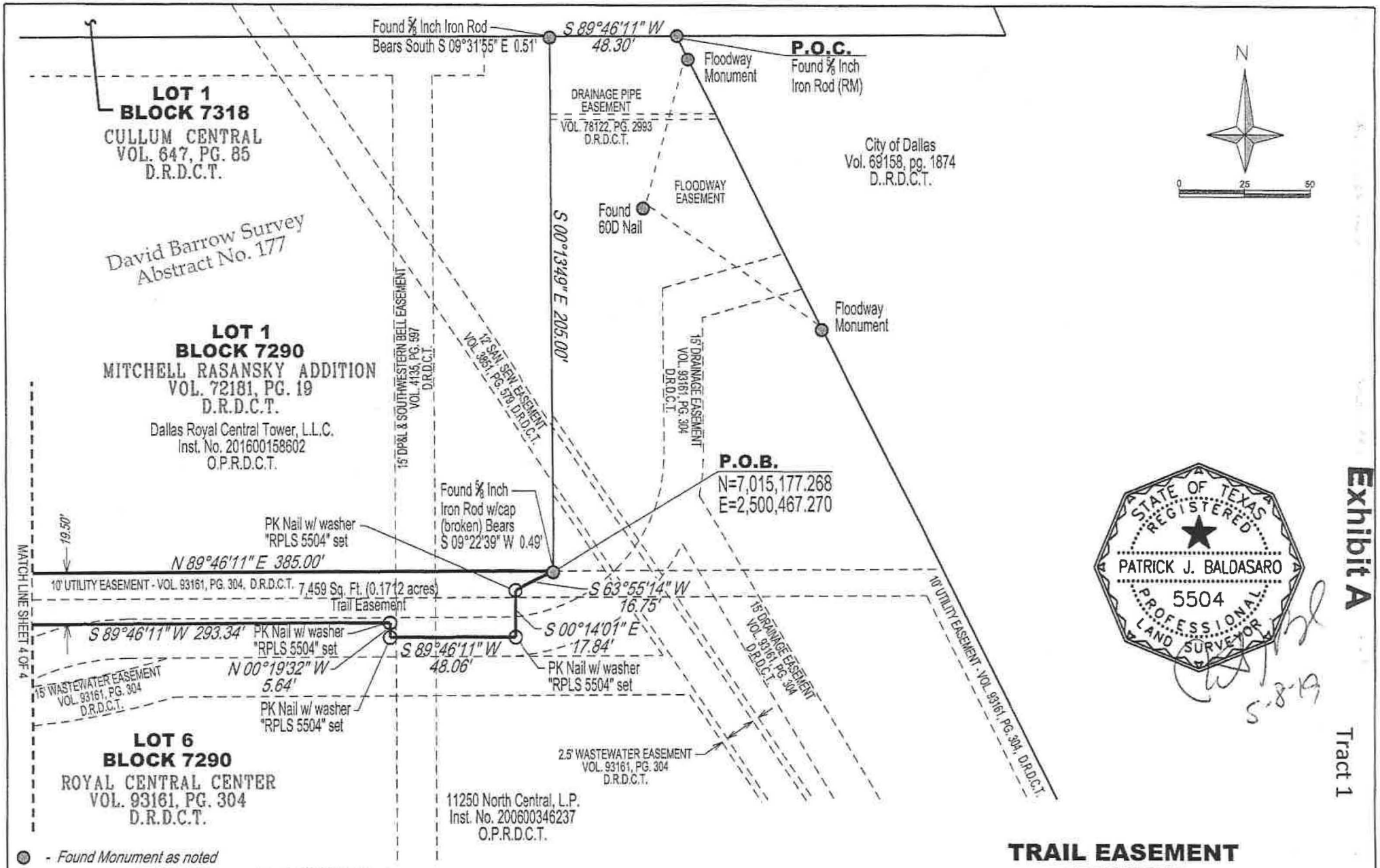
A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



By: _____ Date: 5-8-19

Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504
PJB Surveying, LLC
TBPLS Firm No. 10194303



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

5-8-19

Exhibit A

Tract 1

- *Found Monument as noted*
- *1/2" Iron rod w/ red cap stamped "PJB SURVEYING" set unless otherwise noted*

Sq.Ft. - Square Feet
RM - Monument of Record
O.P.R.D.C.T. - Official Public Records of Dallas County, Texas
D.R.D.C.T. - Deed Records of Dallas County, Texas
M.R.D.C.T. - Map Records of Dallas County, Texas
Inst. No. - Instrument Number
Vol./Pg. - Volume/Page

BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

TRAIL EASEMENT

BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY:
PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

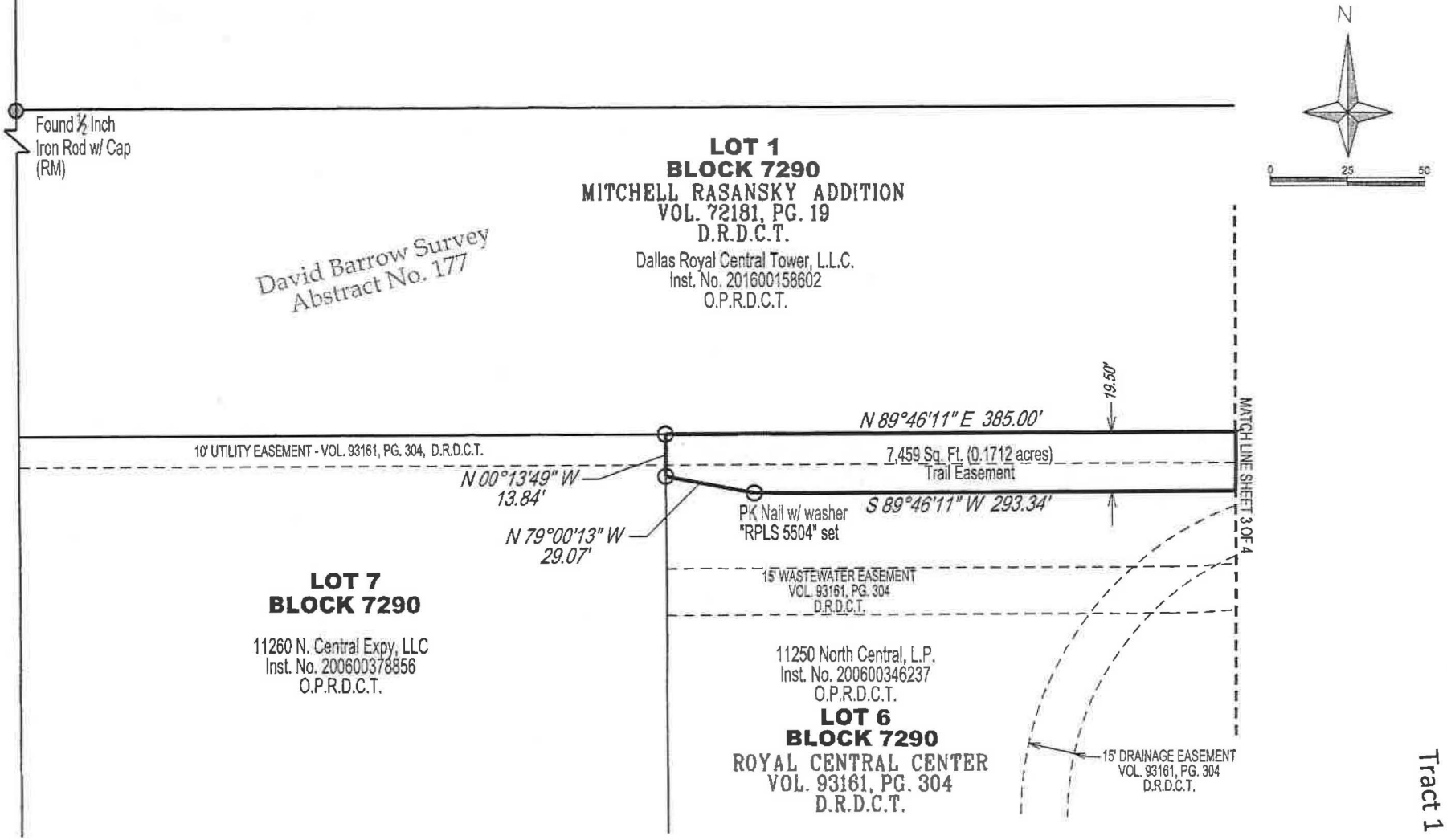


Exhibit A

- ● - *Found Monument as noted*
- ○ - *1/2" Iron rod w/ red cap stamped "PJB SURVEYING" set unless otherwise noted*

Sq.Ft. - Square Feet
RM - Monument of Record
O.P.R.D.C.T. - Official Public Records of Dallas County, Texas
D.R.D.C.T. - Deed Records of Dallas County, Texas
M.R.D.C.T. - Map Records of Dallas County, Texas
Inst. No. - Instrument Number
Vol./Pg. - Volume/Page

BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

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

5.8.19

TRAIL EASEMENT

BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY:

PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

Exhibit A

TRACT 2

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 20,219 square foot (0.4642 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 6, Block 7290, Royal Central Center, as recorded in Volume 93161, Page 304, of the Deed Records of Dallas County, Texas, (D.R.D.C.T.), and being described in General Warranty Deed to 11250 North Central, L.P., as recorded in Instrument No. 200600346237, of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at 5/8-inch iron rod (Monument of Record) found at the northeast corner of said Lot 6, and the northwest corner of a tract of land described in Deed to the City of Dallas, as recorded in Volume 69158, Page 1874, D.R.D.C.T., and being in the south line of Lot 1, Block 7318 of Cullum Central Addition, as recorded in Volume 647, Page 85, D.R.D.C.T.;

1. **THENCE** South 26 degrees 22 minutes 55 seconds East, along the northeast line of said Lot 6 and the southwest line of said City of Dallas tract, a distance of 228.38 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

2. **THENCE** South 89 degrees 46 minutes 11 seconds West, a distance of 148.96 feet to a ½-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said Lot 1, Block 7290 of Mitchell Rasansky Addition, as recorded in Volume 72181, Page 19, D.R.D.C.T., from which a 5/8-inch iron rod with broken cap bears South 09 degrees 22 minutes 39 seconds West, a distance of 0.49 feet ;

3. **THENCE** North 00 degrees 13 minutes 49 seconds West, with the most northerly west line of said Lot 6 and the east line of said Lot 1, Block 7290, a distance of 205.00 feet to the most northerly northwest corner of said Lot 7 and the northeast corner of said Lot 1, Block 7290, being in the south line of said Lot 1, Block 7318, from which a 5/8-inch iron rod bears South 09 degrees 31 minutes 55 seconds West, a distance of 0.51 feet;

4. **THENCE** North 89 degrees 46 minutes 11 seconds East, with the north line of said Lot 6 and the south line of said Lot 1, Block 7318, a distance of 48.30 feet to the **POINT OF BEGINNING** and containing 20,219 square feet (0.4642 acres) of land.

FIELD NOTES APPROVED:
4/24/18

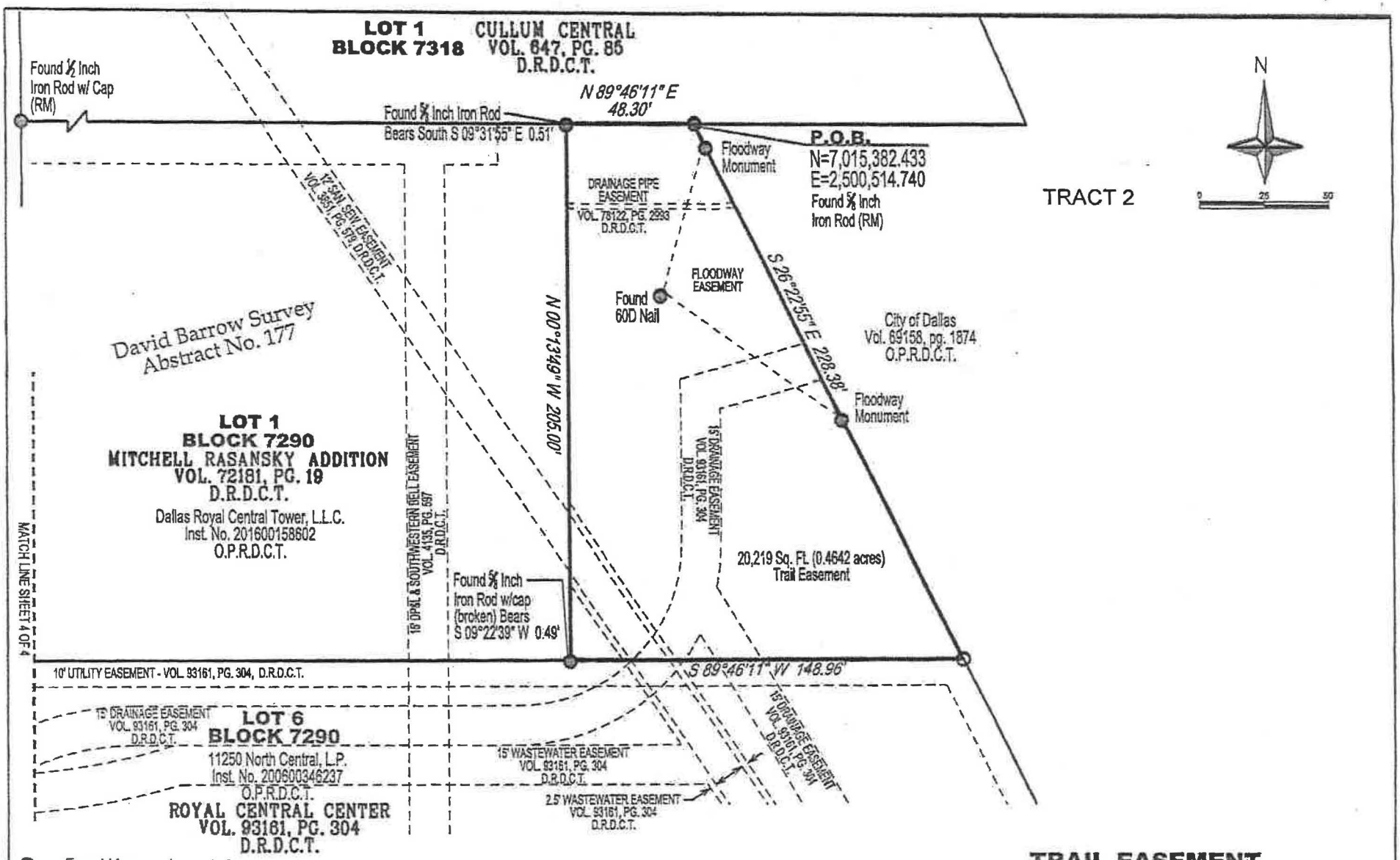
Exhibit A

TRACT 2

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



● - *Found Monument as noted*

○ - *1/2" Iron rod w/ red cap stamped "PJB SURVEYING" set unless otherwise noted*

Sq.Ft. - Square Feet

RM - Monument of Record

O.P.R.D.C.T. - Official Public Records of Dallas County, Texas

D.R.D.C.T. - Deed Records of Dallas County, Texas

M.R.D.C.T. - Map Records of Dallas County, Texas

Inst. No. - Instrument Number

Vol./Pg. - Volume/Page

BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

TRAIL EASEMENT

BLOCK 7290

DAVID BARROW SURVEY, ABSTRACT NO. 177

CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A

EXHIBIT B

TEMPORARY WORKING SPACE EASEMENT

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

That 11250 North Central, LP, a Texas limited partnership (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of FORTY SEVEN THOUSAND ONE HUNDRED SEVENTY-EIGHT AND NO/100 DOLLARS ($47,178.00) 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 Northave Hike and Bike Trail 1B.

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-of-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 730 days, beginning upon notice to proceed with construction from City addressed to the approved construction contractor 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 _____, _____.

Grantor:
11250 North Central, LP, a Texas limited partnership

Monterey Park of Texas I, LLC, its general partner

_____
By: Debra I. Tessler, Manager

* *

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on _____ by Debra I. Tessler, Manager of Monterey Park of Texas I, LLC, general partner of 11250 North Central, LP, a Texas limited partnership, on behalf of said limited partnership..

_____
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 Junge

Temporary Easement Log No. 47573

Exhibit A

Tract 3

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 7,863 square foot (0.1805 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 6, Block 7290, Royal Central Center, as recorded in Volume 93161, Page 304, of the Deed Records of Dallas County, Texas, (D.R.D.C.T.), and being described in General Warranty Deed to 11250 North Central, L.P., as recorded in Instrument No. 200600346237, of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at 5/8-inch iron rod (Monument of Record) found at the northeast corner of said Lot 6, and the northwest corner of a tract of land described in Deed to the City of Dallas, as recorded in Volume 69158, Page 1874, D.R.D.C.T., and being in the south line of Lot 1, Block 7318 of Cullum Central Addition, as recorded in Volume 647, Page 85, D.R.D.C.T.;

THENCE South 89 degrees 46 minutes 11 seconds West, with the most northerly north line of said Lot 6 and the south line of said Lot 1, Block 7318, a distance of 48.30 feet to the most northerly northwest corner of said Lot 7 and the northeast corner of Lot 1, Block 7290 of Mitchell Rasansky Addition, as recorded in Volume 72181, Page 19, D.R.D.C.T., from which a 5/8-inch iron rod bears South 09 degrees 31 minutes 55 seconds West, a distance of 0.51 feet;

THENCE 00 degrees 13 minutes 49 seconds East, with the most northerly west line of said Lot 6 and the east line of said Lot 1, Block 7290, a distance of 205.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said Lot 1, Block 7290, being the **POINT OF BEGINNING**, from which a 5/8-inch iron rod with broken cap bears South 09 degrees 22 minutes 39 seconds West, a distance of 0.49 feet;

1. **THENCE** North 89 degrees 46 minutes 11 seconds East, a distance of 107.80 feet;
2. **THENCE** South 00 degrees 12 minutes 34 seconds East, a distance of 25.15 feet;
3. **THENCE** South 89 degrees 47 minutes 26 seconds West, a distance of 112.81 feet;
4. **THENCE** South 44 degrees 47 minutes 26 seconds West, a distance of 14.22 feet;
5. **THENCE** South 89 degrees 47 minutes 26 seconds West, a distance of 48.06 feet;
6. **THENCE** North 45 degrees 12 minutes 34 seconds West, a distance of 14.14 feet;
7. **THENCE** South 89 degrees 47 minutes 26 seconds West, a distance of 88.24 feet;
8. **THENCE** South 64 degrees 17 minutes 59 seconds West, a distance of 26.02 feet;

FIELD NOTES APPROVED:
5/8/19

Tract 3

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

9. **THENCE** South 89 degrees 47 minutes 26 seconds West, a distance of 200.13 feet to the most westerly west line of said Lot 6 and the east line of Lot 7, Block 7290 of said Royal Central Center;

10. **THENCE** North 00 degrees 13 minutes 49 seconds West, with said west line of Lot 6 and the east line of said Lot 7, a distance of 22.38 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

11. **THENCE** South 79 degrees 00 minutes 13 seconds East, a distance of 29.07 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

12. **THENCE** North 89 degrees 46 minutes 11 seconds East, a distance of 293.34 feet to a PK nail with washer stamped "RPLS 5504" set;

13. **THENCE** South 00 degrees 19 minutes 32 seconds East, a distance of 5.64 feet to a PK nail with washer stamped "RPLS 5504" set;

14. **THENCE** North 89 degrees 46 minutes 11 seconds East, a distance of 48.06 feet to a PK nail with washer stamped "RPLS 5504" set;

15. **THENCE** North 00 degrees 14 minutes 01 second West, a distance of 17.84 feet to a PK nail with washer stamped "RPLS 5504" set;

16. **THENCE** North 63 degrees 55 minutes 14 seconds East, a distance of 16.75 feet to the **POINT OF BEGINNING** and containing 7,863 square feet (0.1805 acres) of land.

Exhibit A

Tract 3

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



By: _____ Date: 5.8.18

Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504
PJB Surveying, LLC
TBPLS Firm No. 10194303

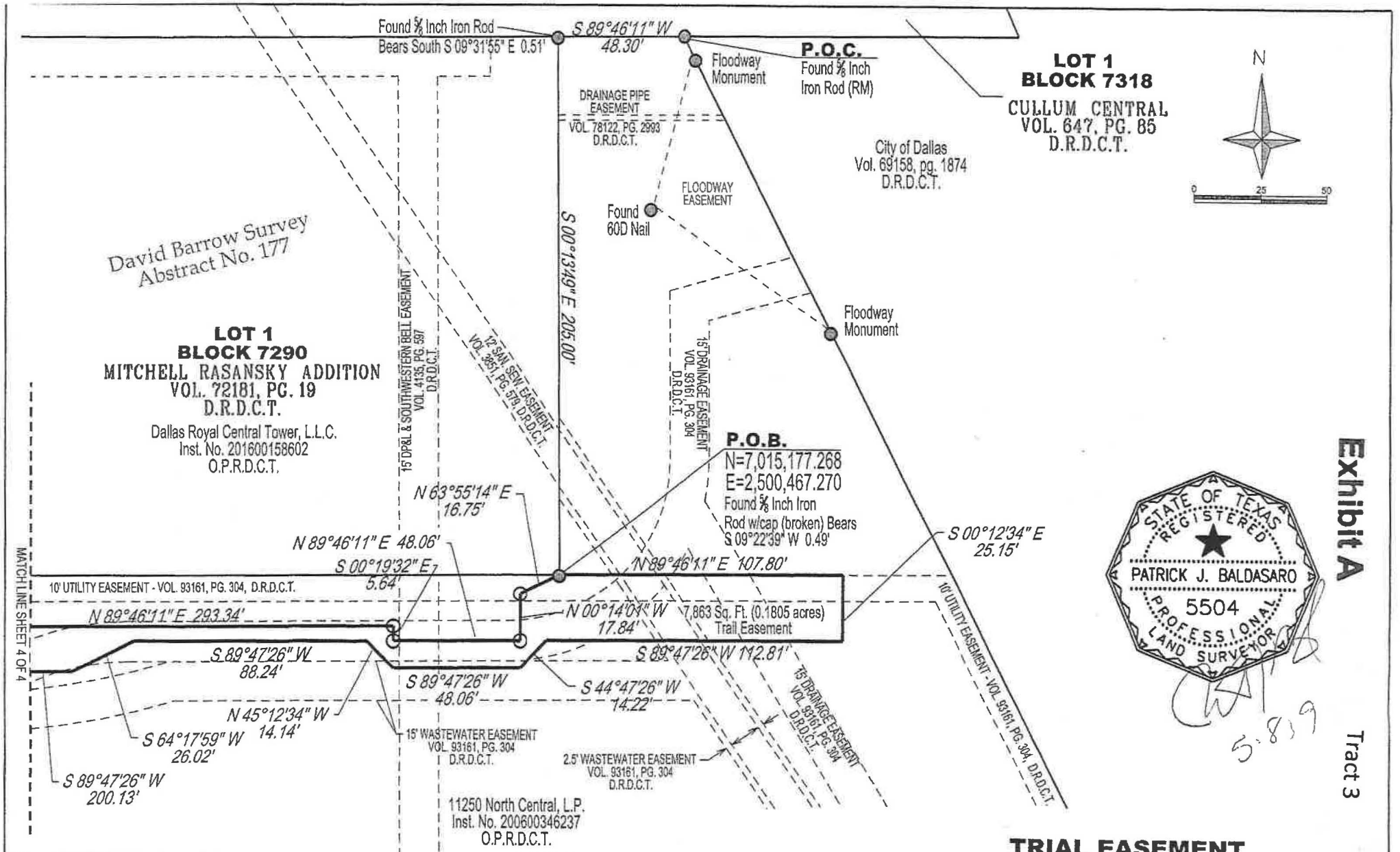


Exhibit A

Tract 3

- Found Monument as noted
- PK Nail with washer stamped "RPLS 5504" set unless otherwise noted

Sq.Ft. - Square Feet
RM - Monument of Record
O.P.R.D.C.T. - Official Public Records of Dallas County, Texas
D.R.D.C.T. - Deed Records of Dallas County, Texas
M.R.D.C.T. - Map Records of Dallas County, Texas
Inst. No. - Instrument Number
Vol./Pg. - Volume/Page

BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

TRIAL EASEMENT

BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY:
PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

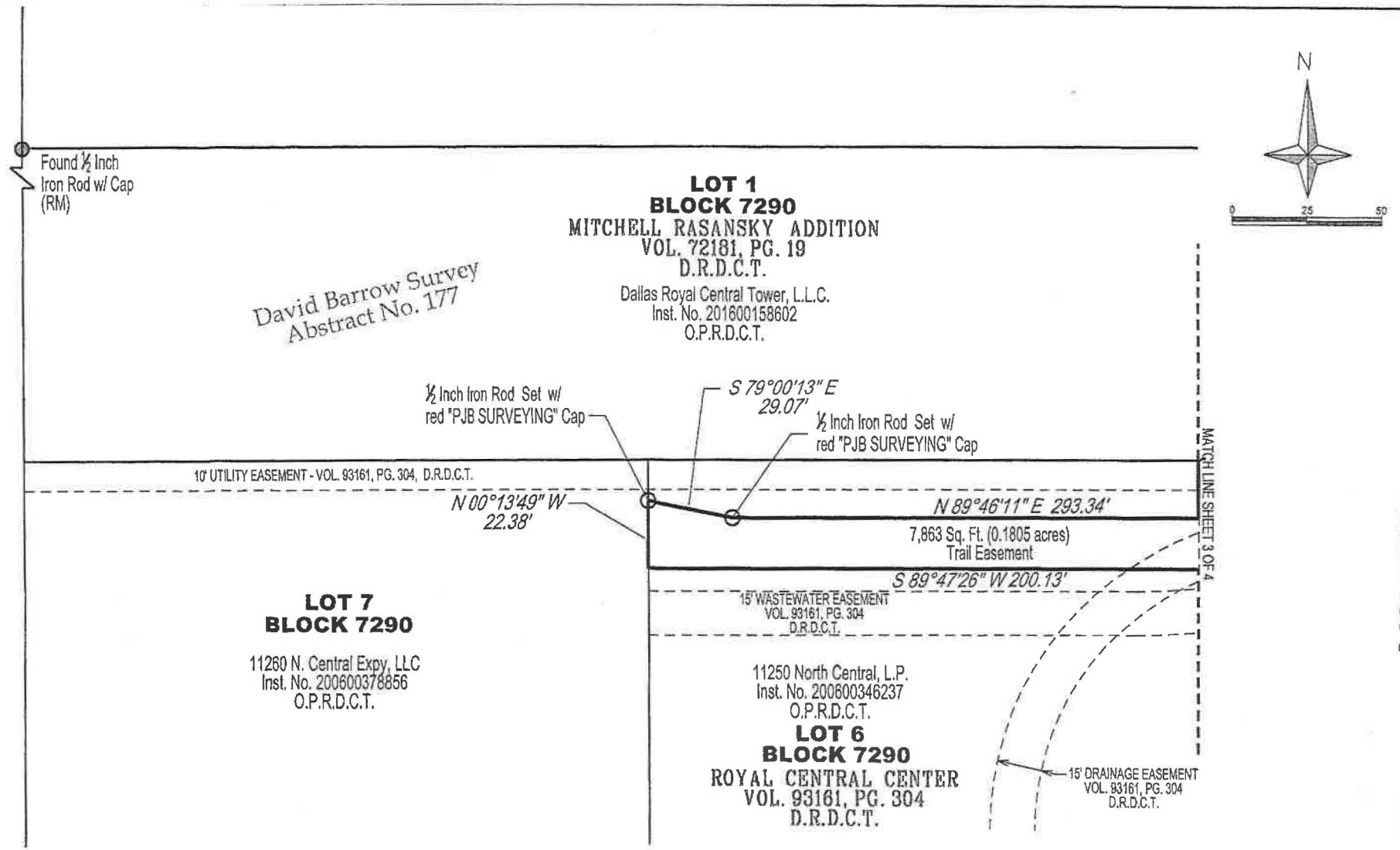


Exhibit A

Tract 3

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BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

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

5.8.19

TRAIL EASEMENT

BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY:

PJB Surveying

200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

Agenda Information Sheet

File #: 19-678 **Item #:** 10.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 22, 2019
COUNCIL DISTRICT(S):	13
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize acquisition from 11260 N. Central, LLC, of approximately 1,857 square feet of land in Hike and Bike Trail Easement located near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project - Not to exceed $69,426.00 ($66,926.00, plus closing costs and title expenses not to exceed $2,500.00) - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

BACKGROUND

This item authorizes the acquisition from 11260 N. Central, LLC, of approximately 1,857 square feet of land in Hike and Bike Trail Easement located near the intersection of North Central Expressway and Royal Lane for the Northaven Trail Phase 1B Project. This property will be used for the construction of a hike and bike trail. The consideration is based on an independent appraisal.

The Northaven Trail consists of six phases. The project limits of this phase of the project are from Northaven Road on the west side of North Central Expressway to the Cottonwood Trail and White Rock Creek Trail junction on the east side of White Rock Creek. The total project length is just under one-half mile. This phase of the trail project will realize the eastern terminus of this nine-mile trail project and critical connection to these other trails. Additionally, the future SoPac Trail Phase 4B will connect into the Northaven Trail Phase 1B on the west side of White Rock Creek.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Park and Recreation Facilities (B) Fund (2017 Bond Funds) - $69,426.00 ($66,926.00, plus closing costs and title expenses not to exceed $2,500.00)

OWNER

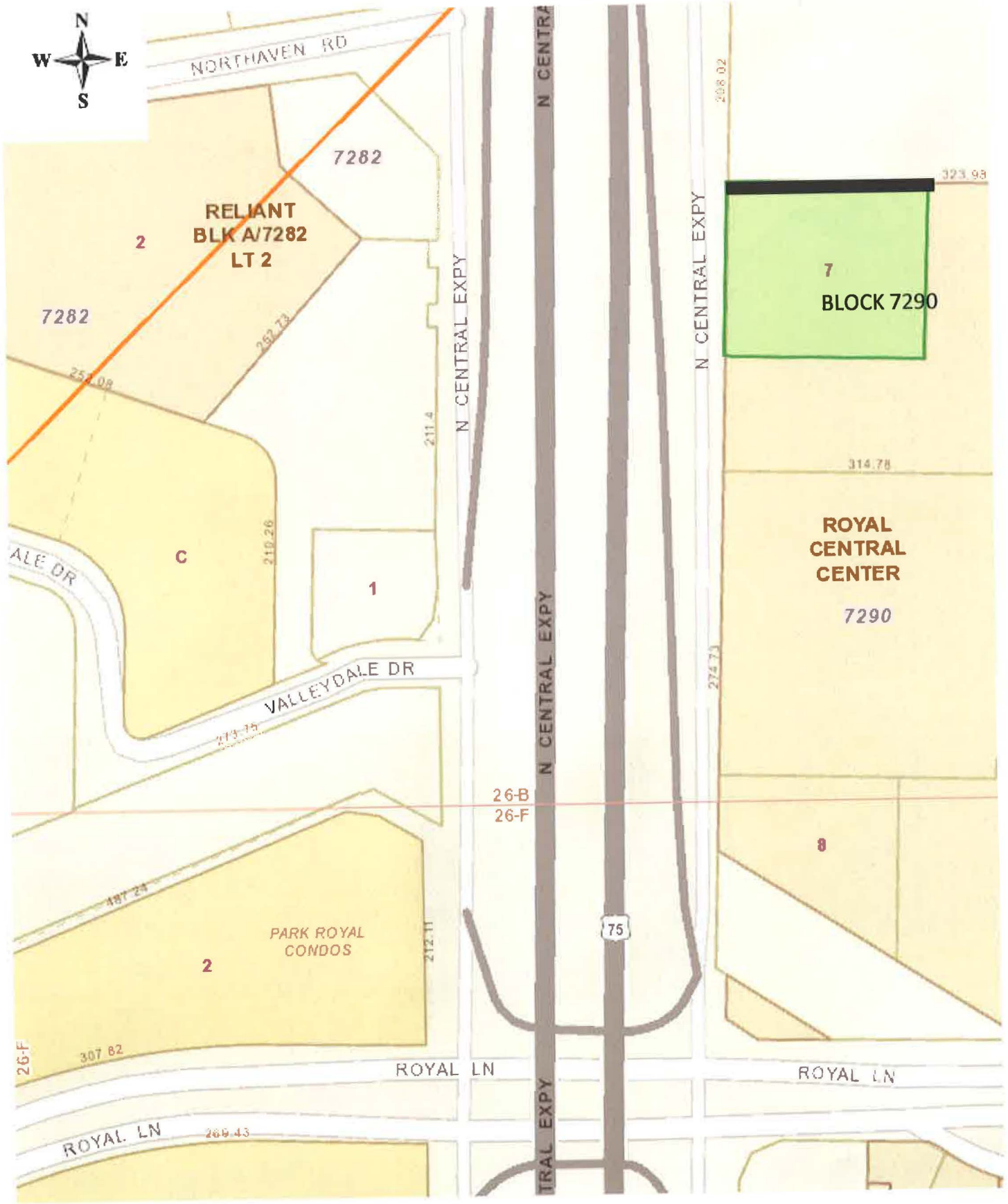
11260 N. Central, LLC

Kenneth Simpson, Manager

MAP

Attached

powered by Legistar™



SUBJECT [redacted]

May 22, 2019

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 1,857 square feet of land in Hike and Bike Trail Easement 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": Northaven Trail Phase 1B Project

"USE": The construction and installation of a hike and bike trail provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

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

"OWNER": 11260 N. Central, LLC, 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": $66,926.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $2,500.00

"AUTHORIZED AMOUNT": Not to exceed $69,426.00

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES $66,926.00 payable out of Park and Recreation Facilities (B) Funds, Fund 1V00, Department PKR, Unit VB06, Activity HIBT, Program PK17VB06, Object 4250, Encumbrance/Contract No. CX-PKR-2019-00010173 and $2,500.00 payable out of Park and Recreation Facilities (B) Funds, Fund V100, Department PKR, Unit VB06, Activity HIBT, Program PK17VB06, Object 4230, Encumbrance/Contract No. CX-PKR-2019-00010173. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

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

BY: _____
Assistant City Attorney

EXHIBIT A

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 1,857 square foot (0.0426 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 7, Block 7290, Royal Central Center, as recorded in Volume 93161, Page 304, of the Deed Records of Dallas County, Texas, (D.R.D.C.T.) and being owned by 11260 N. Central Expy., LLC, as recorded in Instrument No. 200600378856, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod with cap (Monument of Record) found at the northwest corner of Lot 1, Block 7290 of Mitchell Rasansky Addition, as recorded in Volume 72181, Page 19, D.R.D.C.T., and the southwest corner of Lot 1, Block 7318 of Cullum Central Addition, as recorded in Volume 647, Page 85, D.R.D.C.T., being in the east line of North Central Expressway (U.S. Hwy. 75 – Variable width right-of-way);

THENCE South 00 degrees 12 minutes 49 seconds East, with the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 205.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said Lot 1, Block 7290 and the northwest corner of said Lot 7, being the **POINT OF BEGINNING**;

1. **THENCE** North 89 degrees 46 minutes 11 seconds East, departing the east line of said North Central Expressway and with the north line of said Lot 7 and the south line of said Lot 1, Block 7290, a distance of 210.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northeast corner of said Lot 7;

2. **THENCE** South 00 degrees 13 minutes 49 seconds East, departing the south line of said Lot 1, Block 7290 and with the east line of said Lot 7, a distance of 13.84 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

3. **THENCE** North 79 degrees 00 minutes 13 seconds West, departing the east line of said Lot 7, a distance of 27.43 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

4. **THENCE** South 89 degrees 46 minutes 11 seconds West, a distance of 183.10 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the west line of said Lot 7 and the east line of said North Central Expressway;

5. **THENCE** North 00 degrees 13 minutes 49 seconds West, with the west line of said Lot 7 and the east line of said North Central Expressway, a distance of 8.50 feet to the **POINT OF BEGINNING** and containing 1,857 square feet (0.0426 acres) of land.



FIELD NOTES APPROVED:
4/24/18

EXHIBIT A

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

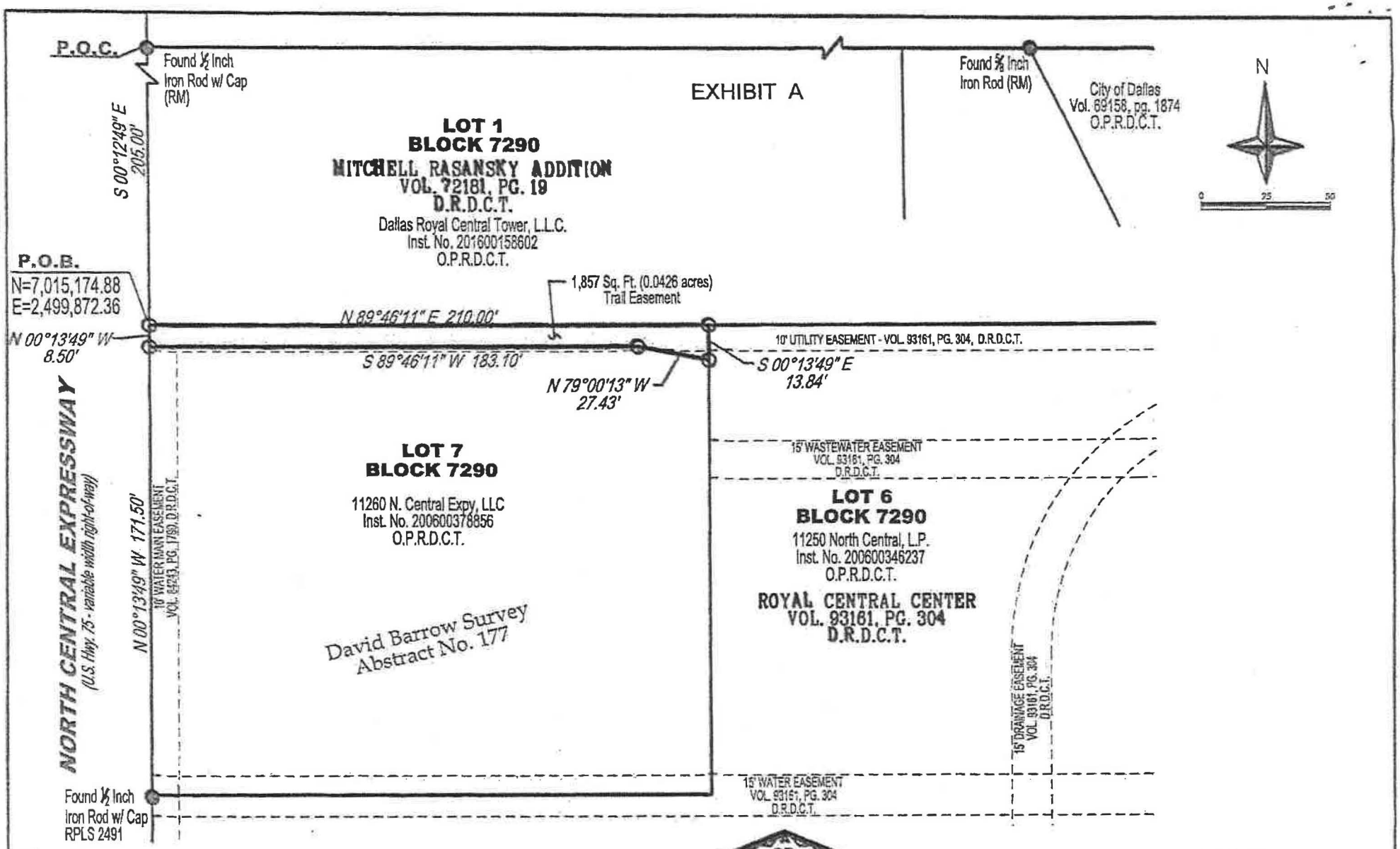
A plat accompanies this legal description.

Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



By: _____ **Date:** 3.19.18

Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504
PJB Surveying, LLC
TBPLS Firm No. 10194303



- ● - *Found Monument as noted*
- ○ - *1/2" Iron rod w/ red cap stamped "PJB SURVEYING" set unless otherwise noted*

Sq.Ft. - Square Feet
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BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

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

3.19.18

TRAIL EASEMENT
BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY:
PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

EXHIBIT B

HIKE AND BIKE TRAIL EASEMENT

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

11260 N. Central, LLC, a Texas limited liability company (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 SIXTY SIX THOUSAND NINE HUNDRED TWENTY-SIX Dollars ($66,926.00) 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 benefits to be derived by Grantor's remaining property as a result of projected public improvements, and other good and valuable consideration, the receipt and sufficiency of which being hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, a hike and bike trail easement (the "Easement") over, 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 "Easement Property"). The stated consideration for the Easement herein conveyed shall be considered full compensation for same and for any diminution in value that may result to Grantor's remaining property, if any, by virtue of project proximity thereto, grade alignment, utility installation, or the alteration of drainage patterns and facilities.

The purpose of the Easement is for City to construct, maintain and operate a public hike and bike trail for recreational use by the general public, together with the customary uses and facilities attendant thereto, including without limitation, the right to install, maintain, remove and improve drainage and utilities facilities serving the trail and associated improvements, landscaping, lighting, irrigation, park furniture and equipment, signage, grading, improved surfaces, and other facilities and improvements, on such grade and according to such plans and specifications as will, in the City's opinion, best serve the public purpose. City and/or its contractor shall have the right to grade or fill a slope at three to one across Grantor's abutting property in conjunction with the trail construction. Notwithstanding the foregoing, nothing herein shall be construed as dedication of the Easement Property as a public street, road or alley or allowing motorized vehicular use of the Easement Property other than by City's service, maintenance and emergency vehicles.

The Easement is nonexclusive, irrevocable and perpetual. Grantor reserves for Grantor and Grantor's heirs, successors and assigns the right to continue to use and enjoy the Easement Property for purposes that do not interfere with or interrupt the use and enjoyment of the Easement by City for the easement purposes. Grantor reserves for Grantor and Grantor's heirs, successors and assigns the right to use all or part of the Easement Property in conjunction with City, as long as such further use or conveyance is subject to the terms of this agreement. Notwithstanding the foregoing, City shall have the right to remove and keep removed from the Easement Property any and all buildings, structures, improvements, fences, trees, shrubs, growths, or other matters as City, in its sole and unqualified discretion, deems necessary, convenient or advisable to the construction, maintenance or operation of the hike and bike trail and its related facilities, City's determination in this regard being final.

City is hereby further granted the right to use from time to time so much of Grantor's property adjacent to the Easement Property as City deems reasonably necessary for a temporary working

EXHIBIT B

space and/or temporary ingress and egress to install and maintain the hike and bike trail and related facilities. City shall notify Grantor prior to commencing any use of the temporary working space and/or temporary ingress and egress and shall restore the Grantor's adjacent property to its previous physical condition if changed by said use upon completion of any work requiring said temporary use.

Nothing in this agreement shall be construed as a waiver by City of any charges, fees or assessments imposed by ordinance or Charter of the City of Dallas.

This Easement may be enforced by restraining orders and injunctions (temporary and/or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this agreement; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies at law or in equity.

Should one or more of the Grantor(s) 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.

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 the City of Dallas, 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 the City of Dallas, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

GRANTOR:

11260 N. Central, LLC, a Texas limited liability company

_____

By: Kenneth L. Simpson, Manager

STATE OF TEXAS '
COUNTY OF DALLAS '

EXHIBIT B

This instrument was acknowledged before me on _____
by Kenneth L. Simpson, Manager of 11260 N. Central, LLC, a Texas limited liability company, on behalf of said limited liability company.

_____
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 Junge

Easement Log No. 46086

EXHIBIT A

Block 7290
David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

BEING a 1,857 square foot (0.0426 acres) Trail Easement tract of land situated in the David Barrow Survey, Abstract No. 177, in the City of Dallas, Dallas County, Texas, in City Block 7290, and being part of Lot 7, Block 7290, Royal Central Center, as recorded in Volume 93161, Page 304, of the Deed Records of Dallas County, Texas, (D.R.D.C.T.) and being owned by 11260 N. Central Expy., LLC, as recorded in Instrument No. 200600378856, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

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THENCE South 00 degrees 12 minutes 49 seconds East, with the west line of said Lot 1, Block 7290 and the east line of said North Central Expressway, a distance of 205.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said Lot 1, Block 7290 and the northwest corner of said Lot 7, being the **POINT OF BEGINNING;**

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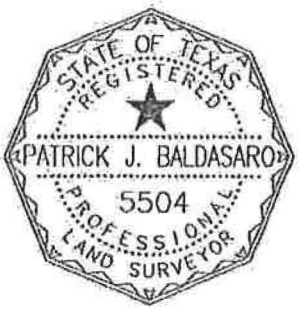
FIELD NOTES APPROVED:
4/24/18

EXHIBIT A

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David Barrow Survey, Abstract No. 177
City of Dallas, Dallas County, Texas

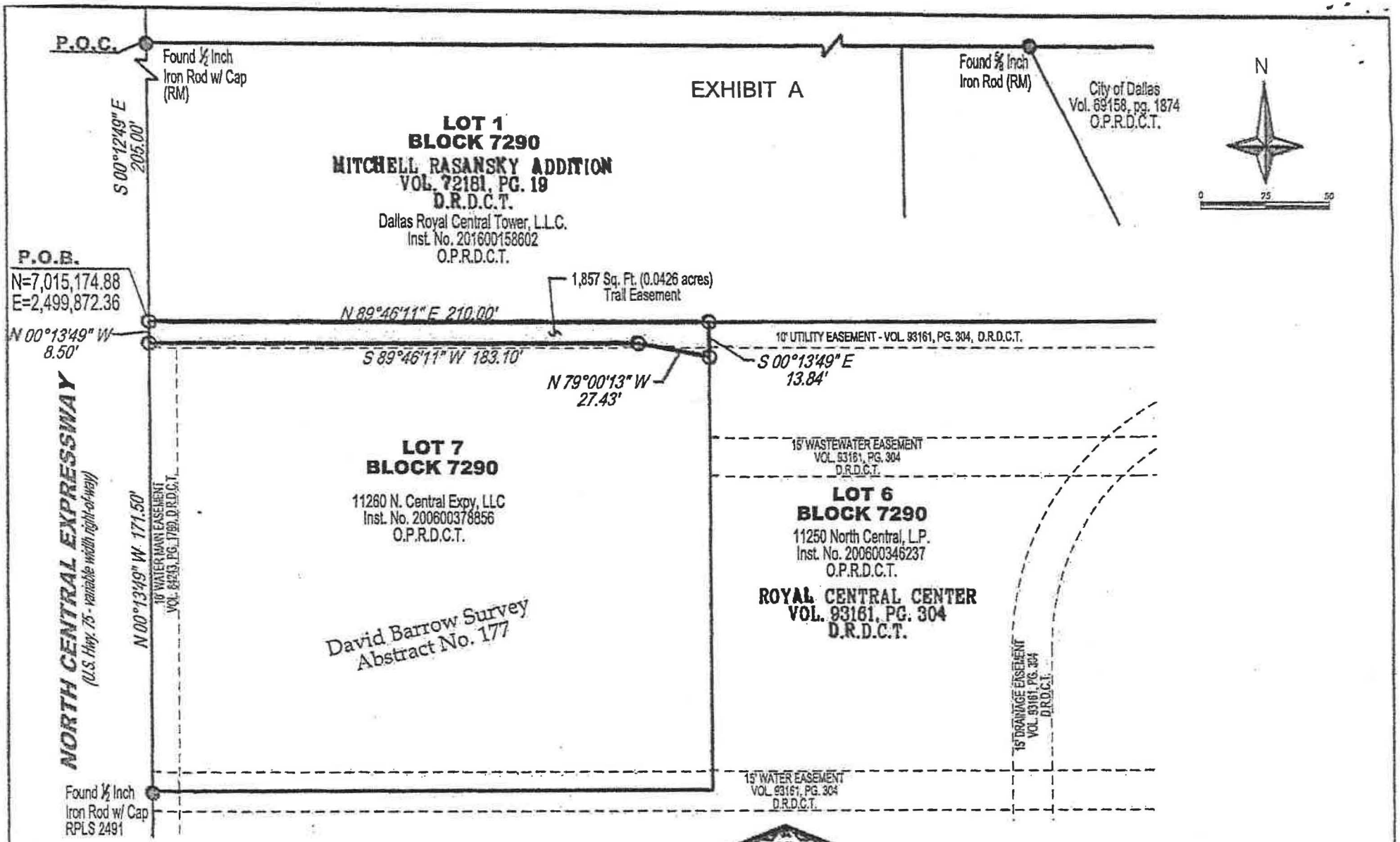
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By: _____ **Date:** 3.13.18

Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504
PJB Surveying, LLC
TBPLS Firm No. 10194303



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BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

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

3-19-18

TRAIL EASEMENT

BLOCK 7290
DAVID BARROW SURVEY, ABSTRACT NO. 177
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY:
PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

Agenda Information Sheet

File #: 19-520 **Item #:** 11.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 22, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize an amendment to an existing lease agreement with MacArthur Center Irving, LLC, successor in interest to MacArthur Center Levy, LLC, to extend the lease agreement for an additional three-years for approximately 6,854 square feet of office space located at 1111 West Airport Freeway, Suite 237, Irving, Texas, to be used as a Women, Infants and Children Clinic for the period September 1, 2019 through August 31, 2022 - Not to exceed $242,374.68 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

BACKGROUND

This item authorizes an amendment to an existing lease agreement with MacArthur Center Irving, LLC, successor in interest to MacArthur Center Levy, LLC, to extend the lease agreement for an additional three-years for approximately 6,854 square feet of office space located at 1111 West Airport Freeway, Suite 237, Irving, Texas.

The Women, Infants, and Children (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 since 1974 and is overseen by the Office of Community Care. The WIC Program provides nutrition education, breastfeeding promotion and support, nutritious foods through electronic benefits transfer (EBT) cards redeemed at local grocery stores and referrals to health and human services. The program serves pregnant, postpartum and breastfeeding women, infants and children under age five.

The three-year extension term will begin on September 1, 2019 through August 31, 2022.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 24, 2009, City Council authorized a ten-year Lease Agreement by Resolution No. 09-1629.

On August 11, 2010, City Council authorized a First Amendment to the Lease Agreement by Resolution No. 10-1959.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Department of State Health Services Grant Funds - $242,374.68 (subject to annual appropriations)

FY 2018-19 $ 6,732.63
FY 2019-20 $80,791.56
FY 2020-21 $80,791.56
FY 2021-22 $74,058.93

OWNER

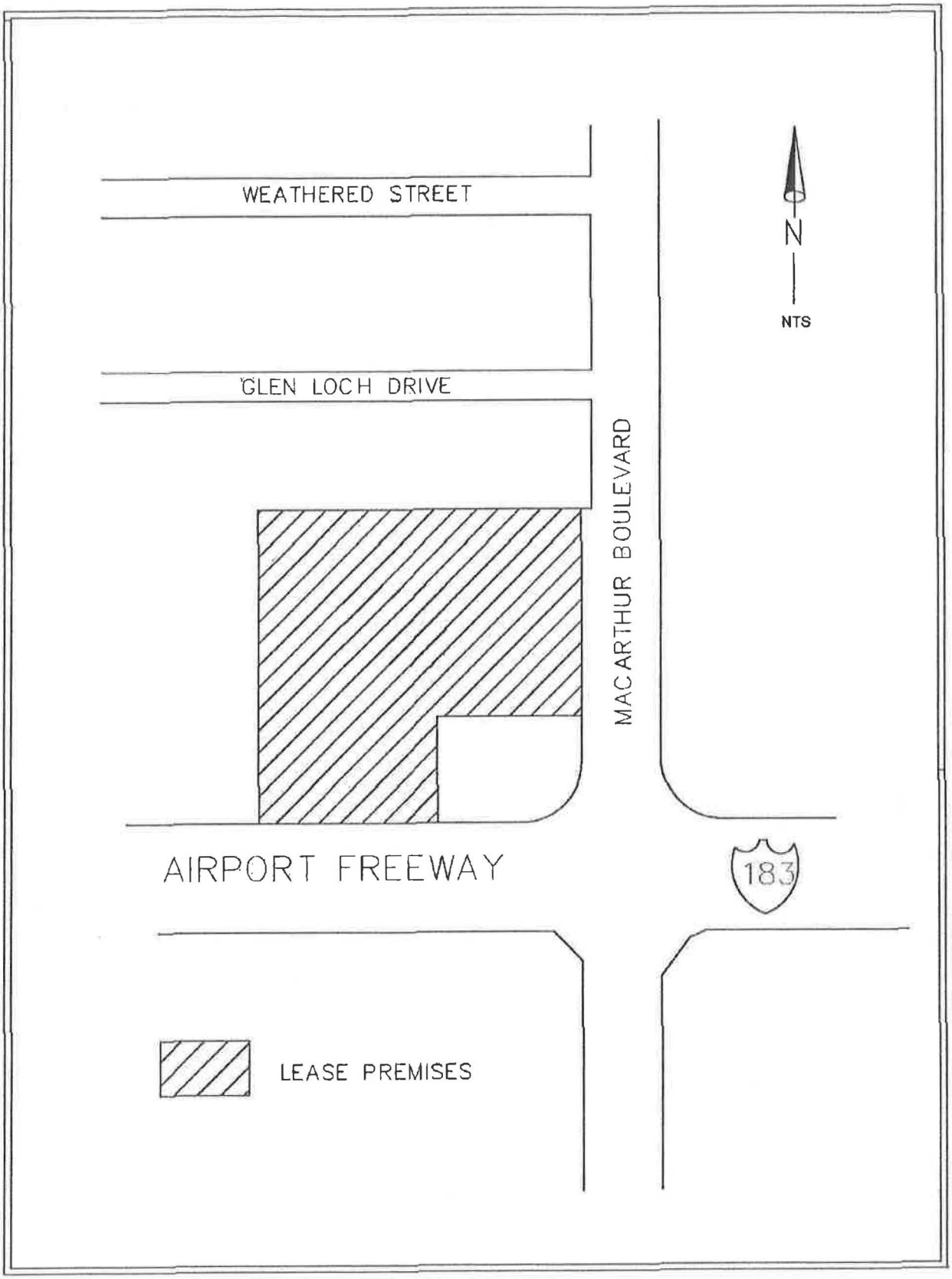
MacArthur Center Irving, LLC

Kenneth Levy, Governing Person

MAP

Attached

powered by Legistar™


WEATHERED STREET
GLEN LOCH DRIVE
MACARTHUR BOULEVARD
N
NTS
AIRPORT FREEWAY
183
LEASE PREMISES

CA/46998

WHEREAS, on June 24, 2009, by Resolution No. 09-1629, the City Council of the City of Dallas authorized a ten-year lease agreement dated June 25, 2009 (the "Lease") between the City of Dallas, a Texas municipal corporation ("City"), as tenant, and MacArthur Center Levy, LLC, a Texas limited liability company, or its successor and assigns, ("Landlord") as landlord, for approximately 5,055 square feet of office space, located at 1111 West Airport Freeway, Suite 237, Irving, Dallas County, Texas (the "Premises") to be used by the Environmental and Health Services' Women, Infants and Children ("WIC") Program; and

WHEREAS, on August 11, 2010, by Resolution No. 10-1959, City Council authorized the First Amendment to the Lease Agreement dated August 20, 2010, to amend the Premises to include an additional area of approximately 1,799 square feet for a total of approximately 6,854 square feet; and

WHEREAS, on February 23, 2017, MacArthur Center Levy, LLC, conveyed certain real property, which included the Premises, to MacArthur Center Irving, LLC, a Delaware limited liability company (hereinafter "Landlord") as successor in interest; and

WHEREAS, the Lease expires by its own terms on August 31, 2019; and

WHEREAS, the parties desire to renew, extend, modify and/or amend the lease to (1) extend the term for an additional three-year term ("Extension Term"), and (2) set monthly rental rates for the Extension Term upon certain amended terms as provided below.

Now, Therefore,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, be and is hereby authorized to execute a Second Amendment to the Lease Agreement between MacArthur Center Irving, LLC, a Delaware limited liability company and the City of Dallas.

SECTION 2. That the special terms and conditions of the Second Amendment to Lease Agreement are:

(a) The term of the Lease is hereby extended for an additional three (3) years (the "Extension Term") beginning September 1, 2019 and ending August 31, 2022, provided however, that City and Landlord retain the right to terminate the Lease as provided elsewhere therein.

SECTION 2. (continued)

(b) Monthly Rental Payments during the Extension Term shall be as follows: (subject to annual appropriations)

September 1, 2019 – August 31, 2020:	$6,732.63 per month
September 1, 2020 – August 31, 2021:	$6,732.63 per month
September 1, 2021 – August 31, 2022:	$6,732.63 per month

(c) All other terms and conditions of the Lease, as amended, not expressly amended hereby, shall remain in full force and effect.

SECTION 3. That the Chief Financial Officer be and is hereby authorized to draw warrants payable to MacArthur Center Irving, LLC, or its successors and assigns on the first day of each month in advance during the extended lease term beginning September 1, 2019 in the amount specified below:

September 1, 2019 – August 31, 2020: (subject to annual appropriations)	$6,732.63 per month
September 1, 2020 – August 31, 2021: (subject to annual appropriations)	$6,732.63 per month
September 1, 2021 – August 31, 2022: (subject to annual appropriations)	$6,732.63 per month

SECTION 4. That the payments will be charged as follows:

September 1, 2019 – September 30, 2019: FY19 WIC Program-Women, Infants, and Children Fund, Fund F551, Department MGT, Unit 3841, Object 3330, Encumbrance/Contract No. CX-MGT-2018-00004477, Commodity 97145, Vendor VC17022.

October 1, 2019 – September 30, 2020: FY20 WIC Program-Women, Infants, and Children Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-MGT-2018-00004477, Commodity 97145, Vendor VC17022.

October 1, 2020 – September 30, 2021: FY21 WIC Program-Women, Infants, and Children Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-MGT-2018-00004477, Commodity 97145, Vendor VC17022.

SECTION 4. (continued)

October 1, 2021 – August 31, 2022: FY22 WIC Program-Women, Infants, and Children Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX-MGT-2018-00004477, Commodity 97145, Vendor VC17022.

SECTION 5. That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective communications, utility and janitorial companies upon receipt of a bill for such services or other applicable charges throughout the lease term.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

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

BY: _____
Assistant City Attorney

Agenda Information Sheet

File #: 19-521 **Item #:** 12.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 22, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize an amendment to an existing lease agreement with TSI Group, LLC to **(1)** extend the lease agreement for an additional three-years for approximately 5,015 square feet of office space located at 3218 Highway 67 (Interstate-30), Mesquite, Texas, for the period August 1, 2019 through July 31, 2022; and **(2)** provide the City a right of termination with a 120-day notice for the continued use as a Women, Infants and Children Clinic - Not to exceed $240,720.12 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

BACKGROUND

This item authorizes an amendment to an existing lease agreement with TSI Group, LLC, to **(1)** extend the term of the lease agreement for an additional three-years for approximately 5,015 square feet of office space located at 3218 Highway 67 (Interstate-30), Mesquite, Texas, and **(2)** provide the City a right of termination with a 120-day notice.

The Women's Infants and Children's (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 since 1974 and is overseen by the Office of Community Care. The WIC Program provides nutrition education, breastfeeding promotion and support, nutritious foods through electronic benefits transfer (EBT) cards redeemed at local grocery stores and referrals to health and human services. The program serves pregnant, postpartum and breastfeeding women, infants and children under age five.

The three-year extension will begin on August 1, 2019 through July 31, 2022.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 8, 2005, City Council authorized a seven-year Lease Agreement by Resolution No. 05-1735.

On June 27, 2012, City Council authorized a First Amendment to the Lease Agreement for a five-year extension by Resolution No. 12-1654.

On September 13, 2017, City Council authorized a Second Amendment to the Lease Agreement for a twenty-two month extension by Resolution No. 17-1444.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Department of State Health Services Grant Funds - $240,720.12 (subject to annual appropriations)

FY 2018-19 $13,373.34
FY 2019-20 $80,240.04
FY 2020-21 $80,240.04
FY 2021-22 $66,866.70

OWNER

TSI Group, LLC

Terry Sam Anderson, Member

MAP

Attached

3218 HIGHWAY 67 (I-30)



This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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Dallas Central Appraisal District
2949 N Stemmons Freeway
Dallas, TX 75247-6195
(214) 631-1342
www.dallascad.org

1 inch equals 188 feet
0 95 190 380 ft
0 25 50 100 m

DCAD, NCTCOG, USGS, Esri,Inc

WHEREAS, on June 8, 2005, by Resolution No. 05-1735, the City Council of the City of Dallas authorized a seven-year lease agreement dated June 8, 2005 (the "Lease") between the City of Dallas, a Texas municipal corporation ("City"), as tenant, and Donald J. Tivens and Marilyn Tivens, Trustees of the Donald J. Tivens and Marilyn Tivens Family Trust, its successor and assigns, ("Landlord") as landlord, for approximately 5,015 square feet of office space, located within Seville III, office building, at 3218 Highway 67 (Interstate 30), Mesquite, Dallas County, Texas (the "Premises") to be used by the Women, Infants, and Children ("WIC") Program Services; and

WHEREAS, on February 26, 2007, Donald J. Tivens and Marilyn Tivens, Trustees of the Donald J. Tivens and Marilyn Tivens Family Trust conveyed certain real property, which included the Premises, to Tivens Seville, LLC, a Texas limited liability company (hereinafter "Landlord") as successor in interest; and

WHEREAS, on June 27, 2012, by Resolution No. 12-1654, City Council authorized the First Amendment to the Lease Agreement dated June 19, 2012, to extend the lease term for an additional five-years; and

WHEREAS, on April 23, 2016, Tivens Seville, LLC conveyed certain real property, which included the Premises, to TSI Group, LLC, a Texas limited liability company (hereinafter "Landlord") as successor in interest; and

WHEREAS, Lease, as amended, expired by its own terms on July 31, 2017; and

WHEREAS, the City's occupancy was extended for a two-month period, pursuant to holdover provisions in Section XV of the Lease; and

WHEREAS, on September 13, 2017, by Resolution No. 17-1444, City Council authorized the Second Amendment to the Lease Agreement dated October 10, 2017 to extend the lease term for an additional twenty-two months; and

WHEREAS, the Lease, as amended, expires by its own terms on July 31, 2019; and

WHEREAS, the parties desire to renew, extend, modify and/or amend the lease to **(1)** extend the term for an additional three-year term ("Extension Term"), and **(2)** provide City with a right to terminate with a 120-day notice.

Now, Therefore,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, be and is hereby authorized to execute a Third Amendment to the Lease Agreement between TSI Group, LLC, a Texas limited liability company and the City of Dallas.

SECTION 2. That the special terms and conditions of the Third Amendment to the Lease Agreement are:

(a) The term of the Lease is hereby extended for an additional three (3) years (the "Extension Term") beginning August 1, 2019 and ending July 31, 2022, provided however, that City and Landlord retain the right to terminate the Lease as provided elsewhere therein.

(b) Monthly Rental Payments during the Extension Term shall be as follows: (subject to annual appropriations)

August 1, 2019 – July 31, 2020:	$6,686.67 per month
August 1, 2020 – July 31, 2021:	$6,686.67 per month
August 1, 2021 – July 31, 2022:	$6,686.67 per month

(c) The City shall have the right to terminate the Lease with a one hundred twenty (120) day notice to Landlord, for and at City's convenience, with or without cause and that any rentals paid in advance shall be returned to City in proportion to the unexpired rental period.

(d) All other terms and conditions of the Lease, as amended, not expressly amended hereby, shall remain in full force and effect.

SECTION 3. That the Chief Financial Officer be and is hereby authorized to draw warrants payable to TSI Group, LLC, or its successors and assigns on the first day of each month in advance during the extended lease term beginning August 1, 2019 in the amount specified below:

August 1, 2019 – July 31, 2020: (subject to annual appropriations)	$6,686.67 per month
August 1, 2020 – July 31, 2021: (subject to annual appropriations)	$6,686.67 per month
August 1, 2021 – July 31, 2022: (subject to annual appropriations)	$6,686.67 per month

SECTION 4. That the payments will be charged as follows:

August 1, 2019 – September 30, 2019: FY19 WIC Program-Women, Infants, and Children Fund, Fund F551, Department MGT, Unit 3841, Object 3330, Encumbrance/Contract No. CX-HOU-2017-00003609, Commodity 97145, Vendor VS95151.

October 1, 2019 – September 30, 2020: FY20 WIC Program-Women, Infants, and Children Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX- HOU-2017-00003609, Commodity 97145, Vendor VS95151.

October 1, 2020 – September 30, 2021: FY21 WIC Program-Women, Infants, and Children Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX- HOU-2017-00003609, Commodity 97145, Vendor VS95151.

October 1, 2021 – July 31, 2022: FY22 WIC Program-Women, Infants, and Children Fund, Fund TBD, Department MGT, Unit TBD, Object 3330, Encumbrance/Contract No. CX- HOU-2017-00003609, Commodity 97145, Vendor VS95151.

SECTION 5. That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone, communications and security companies upon receipt of a bill for such services or other applicable charges throughout the lease term.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

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

BY: _____
Assistant City Attorney

Agenda Information Sheet

File #: 18-1435 **Item #:** 13.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

An ordinance abandoning a portion of Fitzhugh Avenue to Westdale Buena Vista, LP, the abutting owner, containing approximately 6,562 square feet of land located near the intersection of Fitzhugh Avenue and Buena Vista Street; and authorizing the quitclaim; and providing for the dedication of a total of approximately 6,201 square feet of land needed for an open space and trail easement and public access easement - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Fitzhugh Avenue to Westdale Buena Vista, LP, the abutting owner. The area will be included with the property of the abutting owner for a mixed-use development. The owner will dedicate a total of approximately 6,201 square feet of land needed for an open space and trail easement and public access easement. Pursuant to a Development and Maintenance Agreement, the abandonment fee is offset by future performance to construct a hike and bike trail and pedestrian open space for the benefit of the Katy Trail.

Notices were sent to 102 property owners located within 300 feet of the proposed abandonment area. There were 3 responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 2, 2019, the Park and Recreation Board authorized the acceptance of an open space and trail easement and public access easement to Westdale Buena Vista, LP.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Revenue: $5,400.00, plus the $20.00 ordinance publication fee

OWNER

Westdale Buena Vista, LP

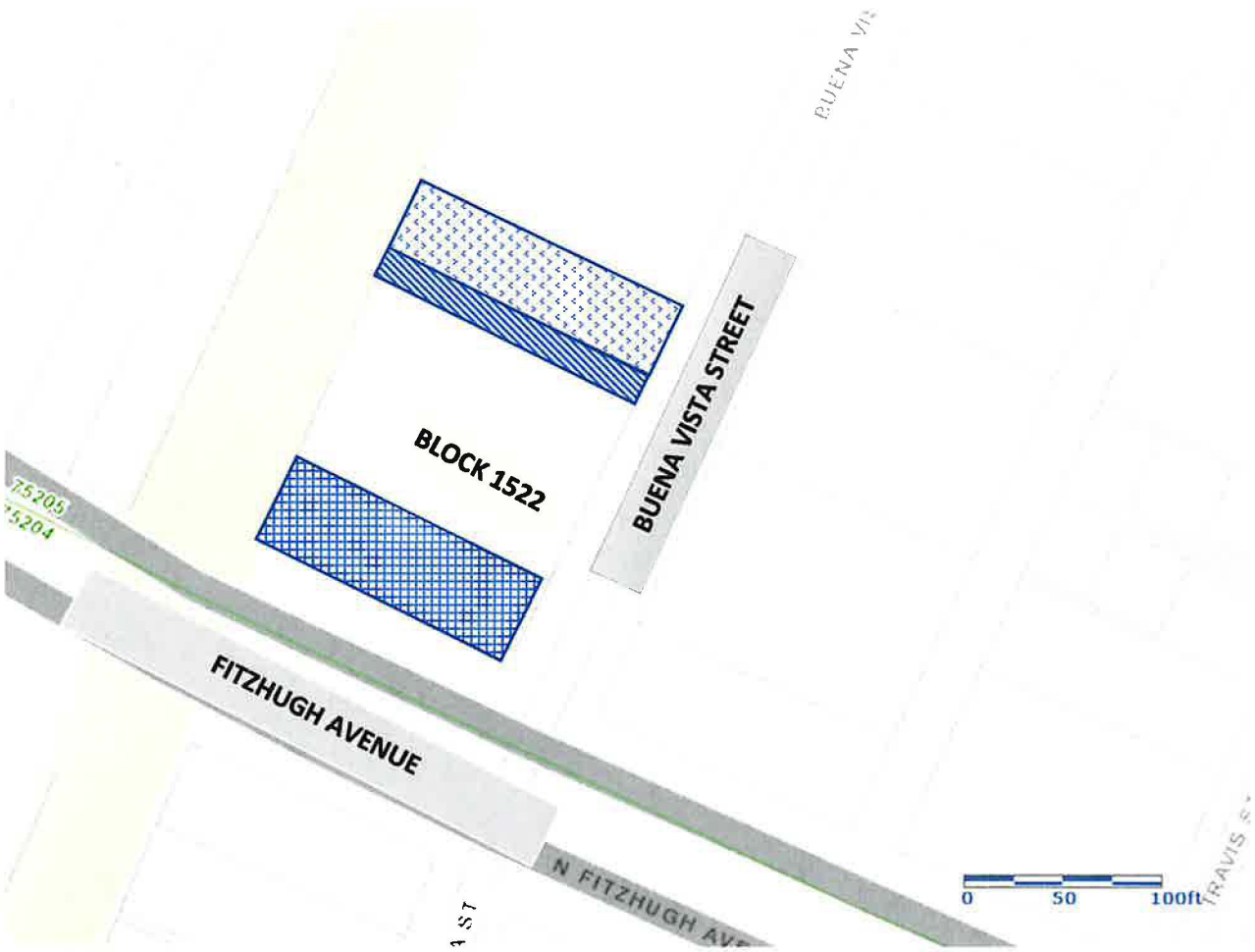
Pinkwood, LLC, Managing Member

Laurie Sands Harrison, Member

MAP

Attached

powered by Legistar™



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STREET RIGHT OF WAY ABANDONMENT

DEDICATION OF OPEN SPACE AND TRAIL

10' PUBLIC ACCESS EASEMENT

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Fitzhugh Avenue located in City Block 1522 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to Westdale Buena Vista, LP; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Westdale Buena Vista, LP, a Texas limited partnership, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim, subject to a reverter, the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions and reverter herein provided, said portion of Fitzhugh Avenue is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms, conditions and reverter hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the reverter and the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of 1) a **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($5,400.00)** processing fee as required under 2-26.2(g)(1) of the Dallas City Code and 2) the sum of **FIVE HUNDRED THIRTY-EIGHT THOUSAND EIGHTY-FOUR AND NO/100 DOLLARS ($538,084.00)** which shall be due, owing and paid by **GRANTEE**, only upon default or nonperformance of Section 10, and the further consideration described in Sections 8, 9, 10, 11, 12, 13, 16 and 17, the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, the reverter, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. Provided however, that if **GRANTEE,** its successors and assigns, fails to file a final replat of the adjoining properties as required in Section 9 of this ordinance, but no later than the earlier of (i) the date applicable pursuant to the requirements of the Dallas Development Code Chapter 51A-8.403(a)(4)(D) which provides in pertinent part, as may be amended:

> "(D) Except as provided in this subparagraph, a preliminary plat approved by the commission expires five years after the commission action date approving the plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005. An approved minor plat, amending plat (minor), or an administrative plat expires two years after the commission action date approving the plat or within two years after the date of the subdivision administrator's action letter approving the administrative plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005";

or (ii) the date that is the sixth anniversary of the passage of this ordinance; THEN this ordinance and quitclaim shall be rendered null and void and the right, title and easement of the public shall absolutely revert without any necessity for suit or re-entry by the City; and no act or omission on the part of the City, its successors and assigns, shall be a waiver of the operation or enforcement of this ordinance. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE**.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

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

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**,

SECTION 8. (continued)

its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A.

GRANTEE, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

SECTION 10. (continued)

(a) maintain the City of Dallas Thoroughfare Plan, Section 51A-9 requirements for Fitzhugh Avenue as 90 feet of right-of-way.

(b) maintain Buena Vista as 50 feet of right-of-way.

(c) provide a six foot sidewalk along Fitzhugh Avenue with 5 feet landscape buffer.

(d) provide a minimum 10-foot-wide paved Americans with Disabilities Act (ADA) accessible trail connecting Buena Vista Street to the Katy Trail. Provide directional signage along Fitzhugh Avenue to direct people to the Katy Trail access.

(e) execute a Development, Management and Maintenance Agreement (hereinafter referred to as "Agreement") with the City of Dallas, Park and Recreation Department, and approved as to form by the City Attorney, within 90 days of the effective date of this ordinance. The Agreement shall require **GRANTEE** to construct, manage and maintain improvements, including to connect to the Katy Trail, in accordance with the plans and specification approved by the Director of Dallas Park and Recreation Department, and in the Open Space and Trail Easement and within the ten-foot (10') Public Access Easement respectively described in Sections 12 and 13 of this ordinance.

(f) construct and complete the required improvements to connect to the Katy Trail per the Agreement within 24 months from the date of commencement of construction. **GRANTEE** shall have 18 months from the date of execution of the Agreement to commence construction of approved improvements. Failure to complete the improvements within the Open Space and Trail Easement, and within the ten-foot (10') Public Access Easement as required under the Agreement terms shall reinstate the original abandonment fee of $538,084.00 which amount, notwithstanding that failure to perform shall render this ordinance null and void and of no further effect, shall constitute a lien on the tract of land described in Exhibit A until such time as performance due under the Agreement is completed.

(g) obtain approval of plans and specifications from Director of Park and Recreation Department regarding any proposed site lighting improvements within the dedicated easement areas described in Sections 12 and 13 of this ordinance.

SECTION 10. (continued)

Failure to satisfy the terms in this Section 10 shall render this ordinance null and void and of no further effect.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey a 6-foot Sidewalk Easement with a 6-foot landscape buffer to the City of Dallas, within 90 days of the effective date of this ordinance, to certain properties located in City Block 1522, containing approximately 1,536 square feet of land, a description of which dedication to be shown along Fitzhugh Avenue as approved by Director of Department of Sustainable Development. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 12. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey an Open Space and Trail Easement to the City of Dallas, within 90 days of the effective date of this ordinance, subject to only those title exceptions approved by the City Attorney, and insured by an owner's policy of title insurance approved as to form by the City Attorney, to certain property located in, through, across and along to certain properties located City Block 1522, containing approximately 4,856 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 13. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey a ten-foot (10') Public Access Easement to the City of Dallas, within 90 days of the effective date of this ordinance, subject to only those title exceptions approved by the City Attorney, and insured by an owner's policy of title insurance approved as to form by the City Attorney, to certain property located in, through, across and along to certain properties located in City Block 1522, containing approximately 1,345 square feet of land, a description of which is

SECTION 13. (continued)

attached hereto and made a part hereof as Exhibit D. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 14. That at such time as the instruments described in Sections 11, 12 & 13 above are executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the official real property records of the county in which the subject property is located; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 15. That this ordinance and properly executed Open Space and Trail Easement and ten-foot (10') Public Access Easement, approved as to form by the City Attorney, be forwarded to a title insurance company for closing. Subsequent to closing, all instruments conveying real estate interests to the City of Dallas shall be recorded in the official real property records of the county in which the subject property is located and thereafter returned to the City Secretary for permanent records.

SECTION 16. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall pay closing costs and title expenses associated with the acquisition of the properties described in Sections 12 and 13 above.

SECTION 17. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 18. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and completion of the dedications set forth in Sections 11, 12, and 13, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, subject to a reverter interest, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 19. That this ordinance is also designated for City purposes as Contract No. DEV-2019-00008828.

SECTION 20. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
SOR Assistant Director

Passed _____.

JL/46227

Exhibit A

ABANDONMENT

Frederick P. Wilson's North Dallas Addition
Part of Lot 73, Block 1522,
William Grigsby Survey, Abstract No. 501 and
Williams B. Coats Survey, Abstract No. 237
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 6,562 square foot (0.151 acre) tract of land situated in the William Grigsby Survey, Abstract No. 501 and in the Williams B. Coats Survey, Abstract No. 237, Dallas County, Texas; said tract being part of Lot 73, Block 1522, Frederick P. Wilson's North Dallas Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 1, Page 40 of the Map Records of Dallas County, Texas; said tract also being part of that certain tract of land described in Warranty Deed to the City of Dallas recorded in Volume 1643, Page 631 of the Deed Records of Dallas County, Texas; said 6,562 square foot tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the north right-of-way line of Fitzhugh Avenue (a variable width right-of-way, formerly known as Walter Avenue) (Volume 1, Page 40, Map Records, Volume 1599, Page 515, Volume 70087, Page 1821, Volume 70129, Page 1934, Volume 70206, page 285, said Deed Records, Dallas, County, Texas) and the west right-of-way line of Buena Vista Street (a variable width right-of-way, formerly known as Tuttle Avenue) (Volume 1, Page 40, Map Records, Dallas County, Texas); (Grid N: 6,984,713.24, E: 2,492,176.95); said point being the southeast corner of said Lot 73;

THENCE, North 66 degrees, 42 minutes, 40 seconds West, along the said north line of Fitzhugh Avenue, a distance of 139.70 feet to a point for corner; said point being in the southwest corner of said Lot 73 and being in the east line of that certain tract of land described as "Parcel 1051" in Correction Donative Deed Without Warranty to City of Dallas recorded in Volume 98074, Page 5646 of said Deed Records; (Grid N: 6,984,658.67, E: 2,492,305.49)

THENCE, North 22 degrees, 18 minutes, 18 seconds East, along the said west line of Lot 73 and said east line of the second referenced City of Dallas tract, a distance of 46.50 feet to a point a 5/8-inch iron rod with "PROPERTY CORNER" cap found for corner; said point being the southwest corner of Lot 74A, Block 1522, Replat of part of Lot 73 and all of Lots 74, 75 and 76 of Block 1522 of F.P. Wilson's North Dallas Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 93088, Page 4681 of said Deed Records;

THENCE, South 66 degrees, 59 minutes, 57 seconds East, along the south line of said Lot 74A, at a distance of 132.74 feet passing a "+" cut in concrete found at the southeast corner of said Lot 74A, continuing for a total distance of 140.44 feet to a "+" cut in concrete found for corner in the said west line of Buena Vista Street; said point being in the east line of said Lot 73;

THENCE, South 23 degrees, 12 minutes, 48 seconds West, along said east line of Lot 73 and said west line of Buena Vista Street, a distance of 47.20 feet to the **POINT OF BEGINNING**;

(For SPRG use only)	
Reviewed By:	G.S.
Date:	5-9-19
SPRG NO:	4612

Exhibit A

ABANDONMENT

Frederick P. Wilson's North Dallas Addition
Part of Lot 73, Block 1522,
William Grigsby Survey, Abstract No. 501 and
Williams B. Coats Survey, Abstract No. 237
City of Dallas, Dallas County, Texas

CONTAINING: 6,562 square feet or 0.151 acres of land, more or less.

BASIS OF BEARING: (Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone, 4202. Distances reported have been scaled by applying a surface combination factor of 1.000136506).

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

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

04-25-2019

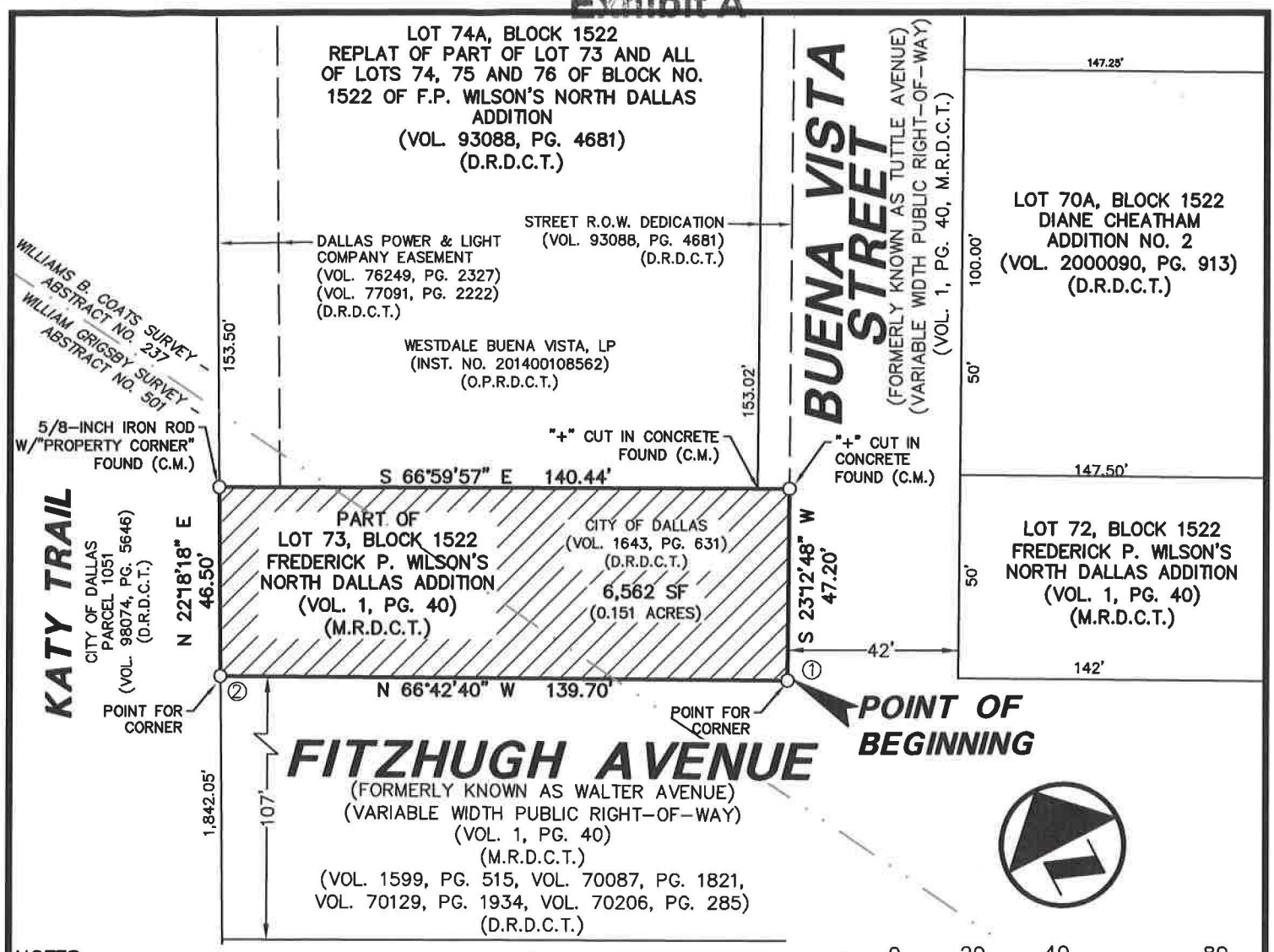
Jonathan E. Cooper Date
Registered Professional Land Surveyor No. 5369
Pacheco Koch Consulting Engineers, Inc.
7557 Rambler Road, Suite 1400, Dallas TX 75231
(972) 235-3031
TX Reg. Surveying Firm LS-10008000



3205-17.452EX1(REVISED 4-25-19).doc
3205-17.452EX1(REVISED 4-25-19).dwg mww

(For SPRG use only)	
Reviewed By:	G.S.
Date:	5-9-19
SPRG NO:	4612

Exhibit A



NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the Dallas County TxDOT surface combination factor of 1.000136506.

COORDINATE TABLE		
NO.	NORTHING	EASTING
①	6,984,658.04	2,492,305.21
②	6,984,658.67	2,492,305.49

(For SPRG use only)
Reviewed By: B.S.
Date: 5-9-19
SPRG NO: 4612

LEGEND

———	PARCEL ABANDONMENT LINE
— — —	EXISTING EASEMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
(C.M.)	CONTROLLING MONUMENT
P.O.B.	POINT OF BEGINNING
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
SF	SQUARE FEET

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

STATE OF TEXAS
REGISTERED
JONATHAN E. COOPER
5369
PROFESSIONAL LAND SURVEYOR

04-25-2019

Jonathan E. Cooper Date
Registered Professional
Land Surveyor No. 5369

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

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
MWW	JEC	1"=40'	APRIL 2019	3205-17.452

ABANDONMENT

FREDRICK P. WILSON'S NORTH DALLAS ADDITION
PART OF LOT 73, BLOCK 1522
WILLIAM GRIGSBY SURVEY, ABSTRACT NO. 501 &
WILLIAMS B. COATS SURVEY, ABSTRACT NO. 237
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

MWEIR 4/25/2019 9:11 AM M:\DWG-32\3205-17.452\DWG\SURVEY C3D 2015\3205-17.452EX1(REVISED 4-25-19).DWG

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

EXHIBIT C

OPEN SPACE AND TRAIL EASEMENT
Replat of part of Lot 73 and all of Lots
74, 75, and 76 of Block No. 1522 of
F.P. Wilson's North Dallas Addition
Part of Lot 74A, Block 1522
Williams B. Coats Survey, Abstract No. 237
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 4,856 square foot (0.111 acre) tract of land situated in the Williams B. Coats Survey, Abstract No. 237, Dallas County, Texas; said tract being part of Lot 74A, Block 1522, Replat of part of Lot 73 and all of Lots 74, 75 and 76 of Block 1522 of F.P. Wilson's North Dallas Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 93088, Page 4681 of Deed Records of Dallas County, Texas; said tract also being part of that certain tract of land described in Special Warranty Deed to the Westdale Buena Vista, LP recorded in Instrument No. 201400108562 of the Official Public Records of Dallas County, Texas; said 4,856 square foot tract being more particularly described as follows:

COMMENCING, at a "+" cut in concrete found on the west right-of-way line of Buena Vista Street (a variable width right-of-way, formerly known as Tuttle Avenue) (Volume 1, Page 40, of the Map Records of Dallas County, Texas) and the southeast corner of said Lot 74A and in the north line of Lot 73, Block 1522, Frederick P. Wilson's North Dallas Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 1, Page 40 of the Map Records of Dallas County, Texas;

> **THENCE**, North 23 degrees, 12 minutes, 48 seconds East, along the said west line of Buena Vista Street and the east line of said Lot 74A, a distance of 116.79 feet to the **POINT OF BEGINNING;**

THENCE, North 66 degrees, 42 minutes, 04 seconds West, departing the said west line of Buena Vista Street and the said east line of said Lot 74A and into and across said Lot 74A, a distance of 134.60 feet to a point for corner; said point being in the east line of that certain tract of land described as "Parcel 1051" in Correction Donative Deed without Warranty to City of Dallas recorded in Volume 98074, Page 5646 of said Deeds Records;

THENCE, North 22 degrees, 18 minutes, 18 seconds East, along the said west line of Lot 74A and said east line of the City of Dallas tract, a distance of 36.01 feet to a point for corner; from said point a disk found bears South 27 degrees, 38 minutes, West, a distance of 0.26 feet; said point being the northwest corner of said Lot 74A and the said east line of City of Dallas tract; said point being the southwest corner of Lot 77A, Block 1522 Newbury Square Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2001028, Page 4809 of said Deed Records;

THENCE, South 66 degrees, 42 minutes, 04 seconds East, departing the said east line of City of Dallas tract, along the north line said Lot 74A and the south line of said Lot 77A, a distance of 135.17 feet to a 5/8-inch iron rod with "RPLS 5587" cap found for the northeast corner of said Lot 74A; said point being in the said west line of Buena Vista Street;

(For SPRG use only)	
Reviewed By:	G.S.
Date:	5-6-19
SPRG NO:	4903

EXHIBIT C

OPEN SPACE AND TRAIL EASEMENT
Replat of part of Lot 73 and all of Lots
74, 75, and 76 of Block No. 1522 of
F.P. Wilson's North Dallas Addition
Part of Lot 74A, Block 1522
Williams B. Coats Survey, Abstract No. 237
City of Dallas, Dallas County, Texas

THENCE, South 23 degrees, 12 minutes, 48 seconds West, along the said west line of Buena Vista Street and along east line of said Lot 74A, a distance of 36.00 feet to the **POINT OF BEGINNING**;

CONTAINING: 4,856 square feet or 0.111 acres of land, more or less.

BASIS OF BEARING: (Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone, 4202. Distances reported have been scaled by applying the Dallas County TxDOT surface combination factor of 1.000136506).

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

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

5/2/19

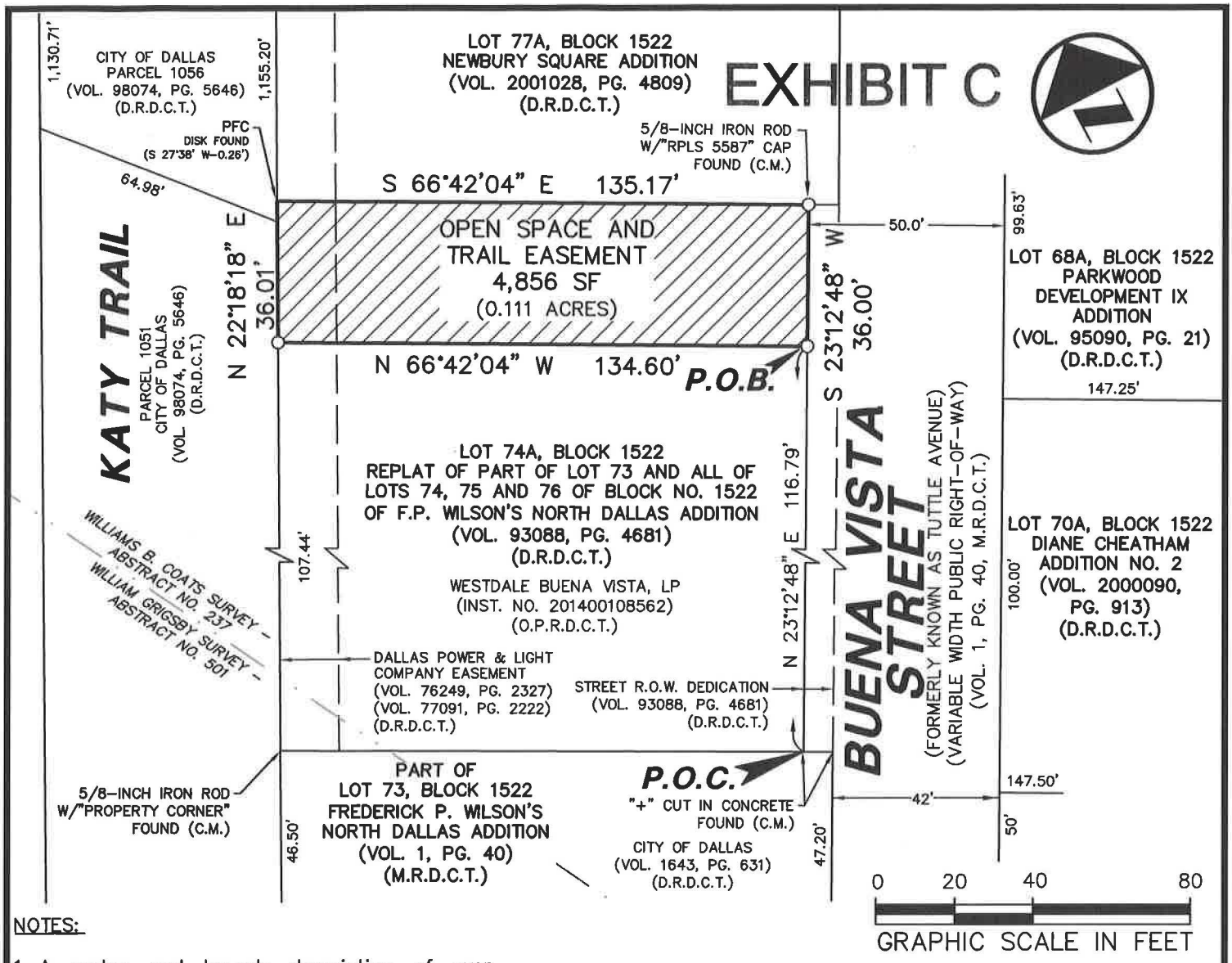
James A. Koch Date
Registered Professional Land Surveyor No. 4688
Pacheco Koch Consulting Engineers, Inc.
7557 Rambler Road, Suite 1400, Dallas TX 75231
(972) 235-3031
TX Reg. Surveying Firm LS-10008000

STATE OF TEXAS
REGISTERED
JAMES A. KOCH, JR.
4688
PROFESSIONAL
LAND SURVEYOR

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3205-17.452EX2(revised 5-3-19).dwg mww

(For SPRG use only)	
Reviewed By:	G.S.
Date:	5-6-19
SPRG NO:	4903

EXHIBIT C



NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the Dallas County TxDOT surface combination factor of 1.000136506.

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

5/2/19

James A. Koch Date
Registered Professional
Land Surveyor No. 4688

(For SPRG use only)
Reviewed By: G.S.
Date: 5-6-19
SPRG NO: 4903

STATE OF TEXAS
REGISTERED
JAMES A. KOCH, JR.
4688
PROFESSIONAL
LAND SURVEYOR

LEGEND	
———	PARCEL ABANDONMENT LINE
— — —	EXISTING EASEMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
(C.M.)	CONTROLLING MONUMENT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
SF	SQUARE FEET

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

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
KAJ	MWW/JEC	1"=40'	MAY 2019	3205-17.452

OPEN SPACE AND TRAIL EASEMENT

REPLAT OF PART OF LOT 73 AND ALL OF LOTS 74, 75, AND 76 OF BLOCK NO. 1522 OF F.P. WILSON'S NORTH DALLAS ADDITION
PART OF LOT 74A, BLOCK 1522
WILLIAMS B. COATS SURVEY, ABSTRACT NO. 237
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

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EXHIBIT D

10' PUBLIC ACCESS EASEMENT

Replat of part of Lot 73 and all of Lots
74, 75, and 76 of Block No. 1522 of
F.P. Wilson's North Dallas Addition
Part of Lot 74A, Block 1522
Williams B. Coats Survey, Abstract No. 237
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 1,345 square foot (0.031 acre) tract of land situated in the Williams B. Coats Survey, Abstract No. 237, Dallas County, Texas; said tract being part of Lot 74A, Block 1522, Replat of part of Lot 73 and all of Lots 74, 75 and 76 of Block 1522 of F.P. Wilson's North Dallas Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 93088, Page 4681 of Deed Records of Dallas County, Texas; said tract also being part of that certain tract of land described in Special Warranty Deed to the Westdale Buena Vista, LP recorded in Instrument No. 201400108562 of the Official Public Records of Dallas County, Texas; said 1,345 square foot tract being more particularly described as follows:

COMMENCING, at a "+" cut in concrete found on the west right-of-way line of Buena Vista Street (a variable width right-of-way, formerly known as Tuttle Avenue) (Volume 1, Page 40, of the Map Records of Dallas County, Texas) and the southeast corner of said Lot 74A and in the north line of Lot 73, Block 1522, Frederick P. Wilson's North Dallas Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 1, Page 40 of the Map Records of Dallas County, Texas;

> **THENCE**, North 23 degrees, 12 minutes, 48 seconds East, along the said west line of Buena Vista Street and the east line of said Lot 74A, a distance of 106.79 feet to the **POINT OF BEGINNING;**

THENCE, North 66 degrees, 42 minutes, 04 seconds West, departing the said west line of Buena Vista Street and the said east line of said Lot 74A and into and across said Lot 74A, a distance of 134.44 feet to a point for corner; said point being in the east line of that certain tract of land described as "Parcel 1051" in Correction Donative Deed without Warranty to City of Dallas recorded in Volume 98074, Page 5646 of said Deeds Records;

THENCE, North 22 degrees, 18 minutes, 18 seconds East, along the said west line of Lot 74A and said east line of the City of Dallas tract, a distance of 10.00 feet to a point for corner;

THENCE, South 66 degrees, 42 minutes, 04 seconds East, departing the said west line of Lot 74A and said east line of the City of Dallas tract, a distance of 134.60 feet to a point for corner in the said west line of Buena Vista Street and in the said east line of Lot 74A; said point being South 23 degrees, 12 minutes, 48 seconds West, a distance of 36.00 feet from a 5/8-inch iron rod with "RPLS 5587" cap found for the northeast corner of said Lot 74A;

(For SPRG use only)	
Reviewed By:	G.S.
Date:	5-6-19
SPRG NO:	4902

EXHIBIT D

10' PUBLIC ACCESS EASEMENT
Replat of part of Lot 73 and all of Lots
74, 75, and 76 of Block No. 1522 of
F.P. Wilson's North Dallas Addition
Part of Lot 74A, Block 1522
Williams B. Coats Survey, Abstract No. 237
City of Dallas, Dallas County, Texas

THENCE, South 23 degrees, 12 minutes, 48 seconds West, along the said west line of Buena Vista Street and along east line of said Lot 74A, a distance of 10.00 feet to the **POINT OF BEGINNING**;

CONTAINING: 1,345 square feet or 0.031 acres of land, more or less.

BASIS OF BEARING: (Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone, 4202. Distances reported have been scaled by applying the Dallas County TxDOT surface combination factor of 1.000136506).

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

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

5/2/19

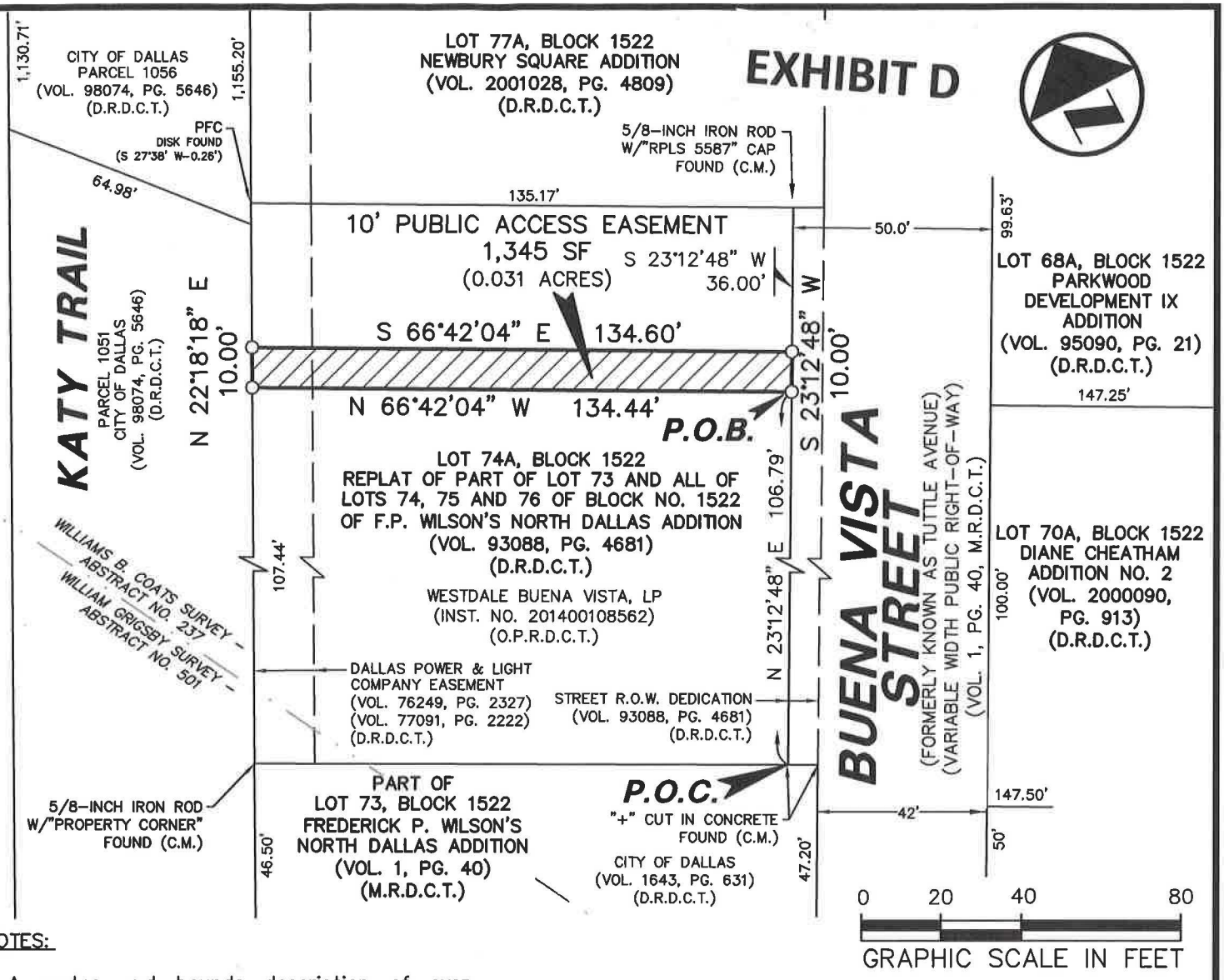
James A. Koch Date
Registered Professional Land Surveyor No. 5369
Pacheco Koch Consulting Engineers, Inc.
7557 Rambler Road, Suite 1400, Dallas TX 75231
(972) 235-3031
TX Reg. Surveying Firm LS-10008000

STATE OF TEXAS
REGISTERED
JAMES A. KOCH, JR.
4688
PROFESSIONAL
LAND SURVEYOR

3205-17.452EX3(REVISED 5-3-19).doc
3205-17.452EX3(REVISED 5-3-19).dwg mww

(For SPRG use only)	
Reviewed By:	G.S.
Date:	5-6-19
SPRG NO:	4902

EXHIBIT D



NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the Dallas County TxDOT surface combination factor of 1.000136506.

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

5/2/19

James A. Koch Date
Registered Professional
Land Surveyor No. 4688

STATE OF TEXAS
REGISTERED
JAMES A. KOCH, JR.
4688
PROFESSIONAL
LAND SURVEYOR

(For SPRG use only)
Reviewed By: G.S.
Date: 5-6-19
SPRG NO: 4902

LEGEND	
	PARCEL ABANDONMENT LINE
— — —	EXISTING EASEMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
(C.M.)	CONTROLLING MONUMENT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
SF	SQUARE FEET

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

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
MWW	JEC	1"=40'	MAY 2019	3205-17.452

10' PUBLIC ACCESS EASEMENT

REPLAT OF PART OF LOT 73 AND ALL OF LOTS 74, 75, AND 76 OF BLOCK NO. 1522 OF F.P. WILSON'S NORTH DALLAS ADDITION
PART OF LOT 74A, BLOCK 1522
WILLIAMS B. COATS SURVEY, ABSTRACT NO. 237
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

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Agenda Information Sheet

File #: 19-599 **Item #:** 14.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

An ordinance abandoning a portion of a water easement to Greenville Centre LC, the abutting owner, containing approximately 4,622 square feet of land, located near the intersection of Twin Hills Avenue and Park Lane - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a water easement to Greenville Centre LC, the abutting owner. The area will be included with the property of the abutting owner for construction of a wholesale store. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Revenue: $5,400.00, plus the $20.00 ordinance publication fee

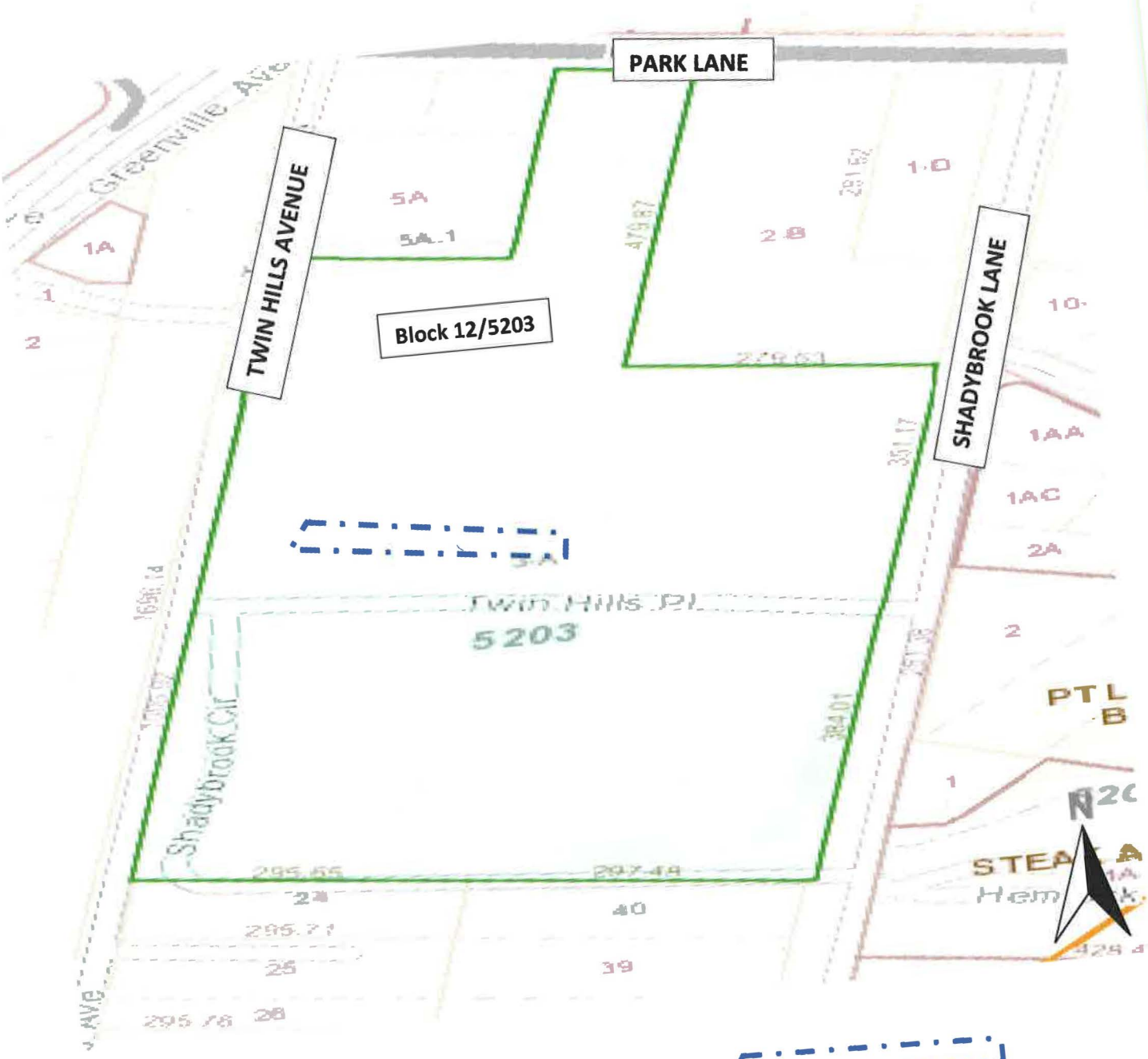
OWNER

Greenville Centre LC

R. Otto Maly, Manager

MAP

Attached



Water Main Easement Abandonment

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a portion of a water easement, located in City Block 12/5203 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Greenville Centre LC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Greenville Centre LC, a Texas limited liability company; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Section 8 the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tract or parcel of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

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

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

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

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

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

SECTION 10. That this ordinance is also designated for City purposes as Contract No. DEV-2019-00009684.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

MG/47272

EXHIBIT A

BEING a 4,622 square feet or 0.1061 acre tract of land situated in the William Jenkins Survey, Abstract No. 702, and being a portion of a 20' wide Water Easement as created in Lot 3A, Block 12/5203 of Sam's Park Lane Addition, an addition to the City of Dallas, Texas, according to the Final Plat, recorded in Volume 92056, Page 4711 of the Deed Records of Dallas County, Texas, said 4,622 square feet tract of land being situated in that tract of land, conveyed to Greenville Centre LC, as evidenced in a Warranty Deed, recorded in Instrument No. 201600073333 of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod found for the southwest corner of said Lot 3A, Block 12/5203 and the northwest corner of Lot 24, Block 12/5203 of Lakeview, an addition to the City of Dallas, Texas, according to the Final Plat, recorded in Volume 1, Page 219 of the Map Records of Dallas County, Texas, same also being on the easterly right of way line of Twin Hills Avenue, a 40' wide right of way as created in said Volume 1, Page 219, from said southwest corner, a 1/2-inch iron rod found for the westerly, northwest corner of said Lot 3A, Block 12/5203, bears North 09°43'55" East, 999.12 feet;

THENCE North 09°43'55" East, along the westerly line of said Lot 3A, Block 12/5203 and the easterly right of way line of said Twin Hills Avenue, a distance of 433.41 feet to a corner;

THENCE South 80°17'55" East, departing the westerly line of said Lot 3A, Block 12/5203, the easterly right of way line of said Twin Hills Avenue and crossing said Lot 3A, passing at a distance of 8.00 feet the easterly line of a 8' wide roadway easement and the southwest corner of a 20' wide water easement, both as created in said Sam's Park Lane Addition, continuing along the southerly line of said 20' wide water easement, a distance of 27.46 feet to a MAG nail set for the **POINT OF BEGINNING** of the herein described abandonment tract;

THENCE North 54°46'01" East, departing the southerly line of said 20' water easement, continuing across said Lot 3A, Block 12/5203 and crossing said 20' water line easement, a distance of 22.52 feet to a MAG nail set for a corner;

THENCE South 80°13'54" East, continuing across said Lot 3A, Block 12/5203 and said 20' water easement, a distance of 282.10 feet to a MAG nail set for a corner;

THENCE South 35°13'54" East, continuing across said Lot 3A, Block 12/5203 and said 20' water easement, a distance of 5.72 feet to a MAG nail set for a corner;

THENCE South 09°34'27" West, continuing across said Lot 3A, Block 12/5203 and said 20' water easement, a distance of 11.52 feet to a MAG nail set for a corner on the southerly line of said 20' water easement;

THENCE North 80°17'55" West, continuing across said Lot 3A, Block 12/5203 and along the southerly line of said 20' water easement, a distance of 302.11 feet to the **POINT OF BEGINNING** and containing 0.1061 of an acre (4,622 square feet) of land, more or less.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

MICHAEL MARX
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5181
5750 GENESIS COURT, SUITE 200
FRISCO, TEXAS 75034
PH. 972-335-3580
michael.marx@kimley-horn.com

STATE OF TEXAS
REGISTERED
MICHAEL B. MARX
5181
PROFESSIONAL
LAND SURVEYOR
2/26/19

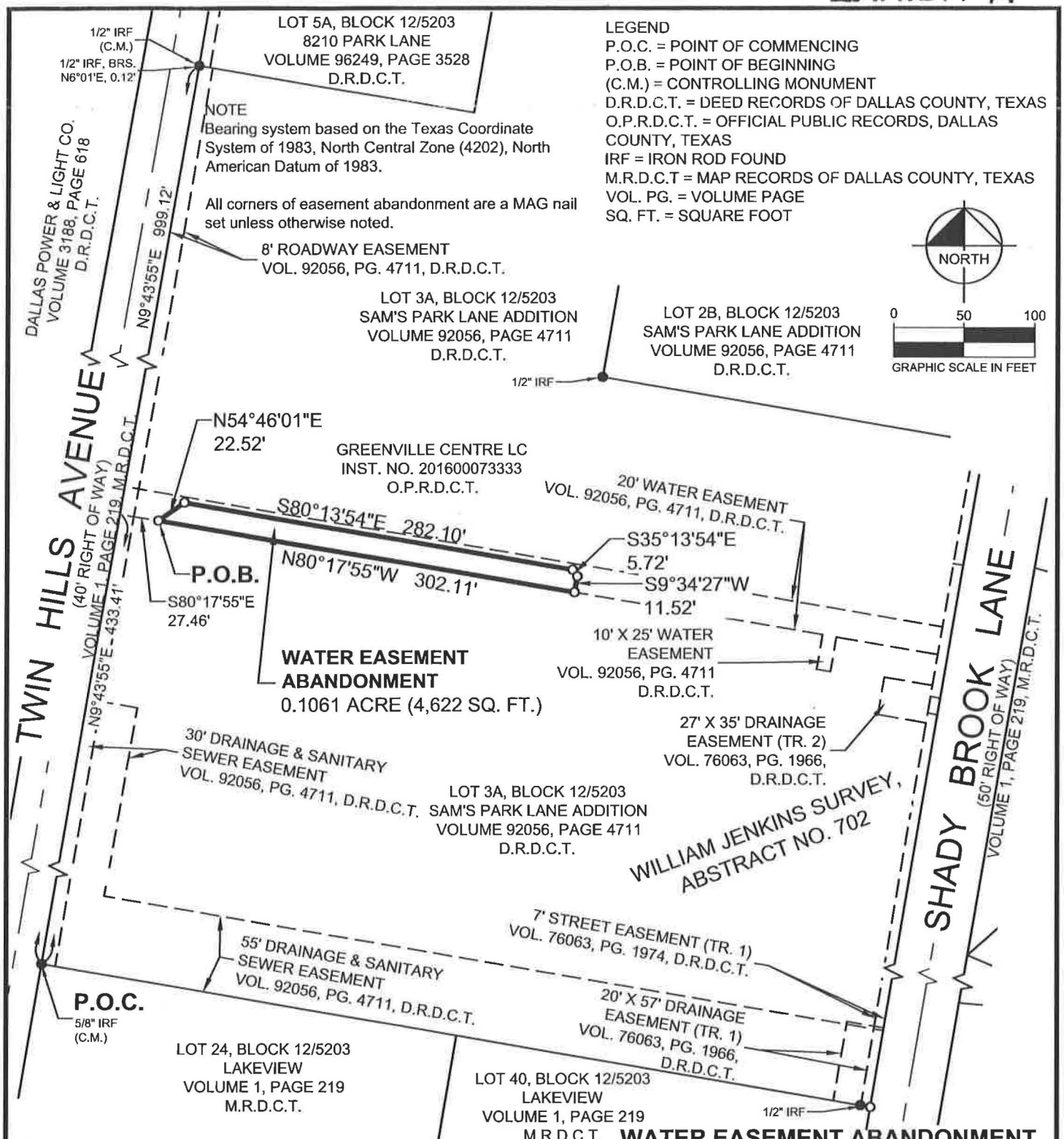
WATER EASEMENT ABANDONMENT
SAM'S PARK LANE ADDITION
LOT 3A, BLOCK 12/5203
WILLIAM JENKINS SURVEY, ABSTRACT NO. 702
CITY OF DALLAS
DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: JL
Date: 3-22-19
SPRG NO: ~~4544~~ 4813

Kimley»Horn
5750 Genesis Court, Suite 200
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	10/18/2018	066000062	1 OF 2

EXHIBIT A



MICHAEL MARX
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5181
5750 GENESIS COURT, SUITE 200
FRISCO, TEXAS 75034
PH. 972-335-3580
michael.marx@kimley-horn.com

STATE OF TEXAS
REGISTERED
MICHAEL B. MARX
5181
PROFESSIONAL
LAND SURVEYOR

3/22/19

WATER EASEMENT ABANDONMENT

SAM'S PARK LANE ADDITION
LOT 3A, BLOCK 12/5203
WILLIAM JENKINS SURVEY, ABSTRACT NO. 702
CITY OF DALLAS
DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: JC
Date: 3-22-19
SPRG NO: ~~4544~~ 4813

Kimley»Horn
5750 Genesis Court, Suite 200
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	MBM	KHA	10/18/2018	066000062	2 OF 2

Agenda Information Sheet

File #: 19-388 **Item #:** 15.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 11

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

An ordinance abandoning a portion of a floodway easement to Bryan G. Brown and Terri A. Brown, the abutting owners, containing approximately 223 square feet of land, located near the intersection of Forest Lane and Hillcrest Road; and providing for the dedication of approximately 3,591 square feet of land needed for a floodway easement - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of a floodway easement to Bryan G. Brown and Terri A. Brown, the abutting owners. The area will be included with the property of the abutting owners to construct a residential garage. The owners will dedicate approximately 3,591 square feet of land needed for a floodway easement. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Revenue: $5,400.00, plus the $20.00 ordinance publication fee

OWNERS

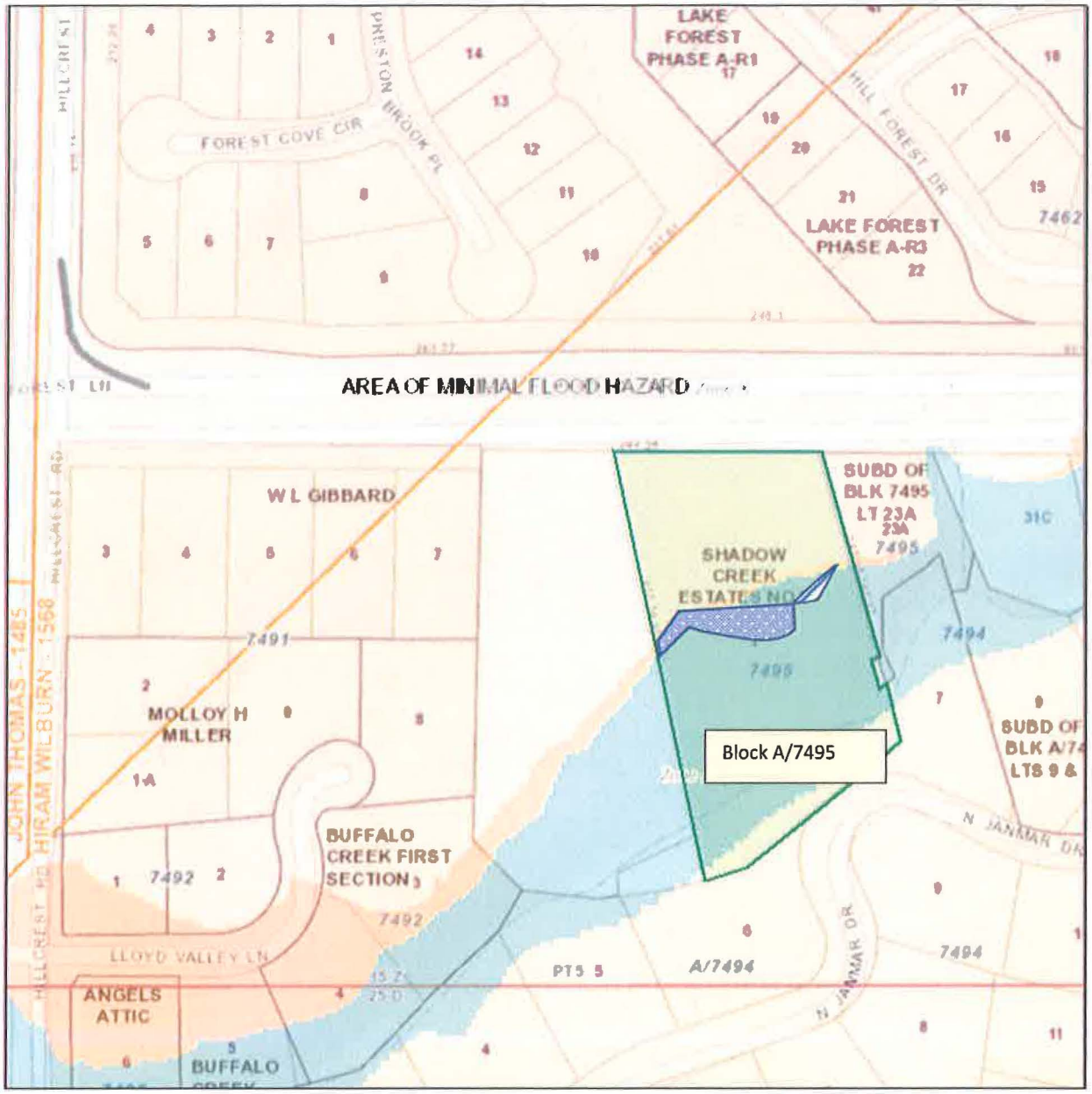
Bryan G. Brown

Terri A. Brown

MAP

Attached

powered by Legistar™



Abandonment Area

Dedication Area

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a portion of a floodway easement, located in City Block A/7495 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Bryan G. Brown and Terri A. Brown; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of a new easement to the City of Dallas and the relocation of existing facilities; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing a future effective date for the abandonment, relinquishment and quitclaim made herein; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Bryan G. Brown and Terri A. Brown, a married couple; hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($5,400.00)** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tract or parcel of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

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

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

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

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, their heirs and assigns, agree to

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

SECTION 9. That as a condition of this abandonment and relinquishment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of adjoining properties within one year after passage of this ordinance showing the dedication of not less than 3,591 square feet for a floodway easement in City Block

A/7495 satisfactory to the Director of Department of Sustainable Development and Construction. This final replat shall be recorded by **GRANTEE** in the Deed Records of Dallas County, Texas after its approval by the City Plan Commission of the City of Dallas. Failure to record a final replat in accordance with the terms of this section shall render this ordinance null and void, and of no further effect. Further, the final replat shall be filed with the Department of Sustainable Development and Construction of the City of Dallas before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 10. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, and the recording of the final replat as set forth in Section 9, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 11. That this ordinance is also designated for City purposes as Contract No. DEV-2019-00009663.

SECTION 12. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
SOR Assistant Director

Passed _____.

FLOODWAY EASEMENT ABANDONMENT
SHADOW CREEK ESTATES NO. 2
LOT 1, BLOCK A/7495
M.J. SANCHEZ SURVEY, ABSTRACT NO. 1272
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A

Being a 223 square foot, 0.0051 acre tract of land situated in the M.J. Sanchez Survey, Abstract No. 1272, City of Dallas, Dallas County, Texas, and being a part of Lot 1, Block A/7495 of Shadow Creek Estates No. 2, an Addition to the City of Dallas, according to the Map thereof recorded in Instrument No. 200600175084, Official Public Records, Dallas County, Texas, and being a part of the same tract of land as described by General Warranty Deed to Bryan G. Brown and Terri A. Brown, as recorded in Volume 2002217, Page 7646, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod pipe found (controlling monument) at the northeasterly corner of said Lot 1, Block A/7495 and the northwesterly corner of Lot 23-A, Block 7495 of the Subdivision of the M.J. Sanchez Survey, Abstract No. 1272, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 23, Page 233, Map Records, Dallas County, Texas, and lying in the southerly right-of-way line of Forest Lane (variable width right-of-way) by use and occupation, from which a 3" monument found stamped "5310" at the northwesterly corner of Lot 1, Block A/7495, bears South 88 degrees 56 minutes 24 seconds West, a distance of 244.28 feet for corner (controlling monument);

Thence South 17 degrees 01 minutes 20 seconds East, along the easterly line of said Lot 1, Block A/7495, and the westerly line of said Lot 23-A, Block 7495 departing said southerly right-of-way line of Forest Lane, a distance of 114.14 feet to a 5/8 inch iron rod set with blue cap stamped "Floodway Esmt";

Thence over and across said Lot 1, Block A/7495, the following bearings and distances:

South 44 degrees 14 minutes 29 seconds West, a distance of 18.49 feet to a 5/8 inch iron rod set with blue cap stamped "Floodway Esmt"

South 29 degrees 58 minutes 11 seconds West, a distance of 42.39 feet to a 5/8 inch iron rod set with blue cap stamped "Floodway Esmt" at the POINT OF BEGINNING;

South 29 degrees 58 minutes 11 seconds West, a distance of 42.39 feet to a 5/8 inch iron rod set with blue cap stamped "Floodway Esmt"

South 78 degrees 59 minutes 35 seconds West, a distance of 13.94 feet to a 5/8 inch iron rod set with blue cap stamped "Floodway Esmt";

North 41 degrees 30 minutes 52 seconds East, a distance of 52.59 feet to the POINT OF BEGINNING and containing 223 square feet or 0.0051 acres of land.

STATE OF TEXAS
REGISTERED
GARY E. JOHNSON
5299
LAND SURVEYOR

Gary E. Johnson, R.P.L.S.# 5299 11/14/18

Reviewed by: G.S.
Date: 11-21-18
SPRG: 4616

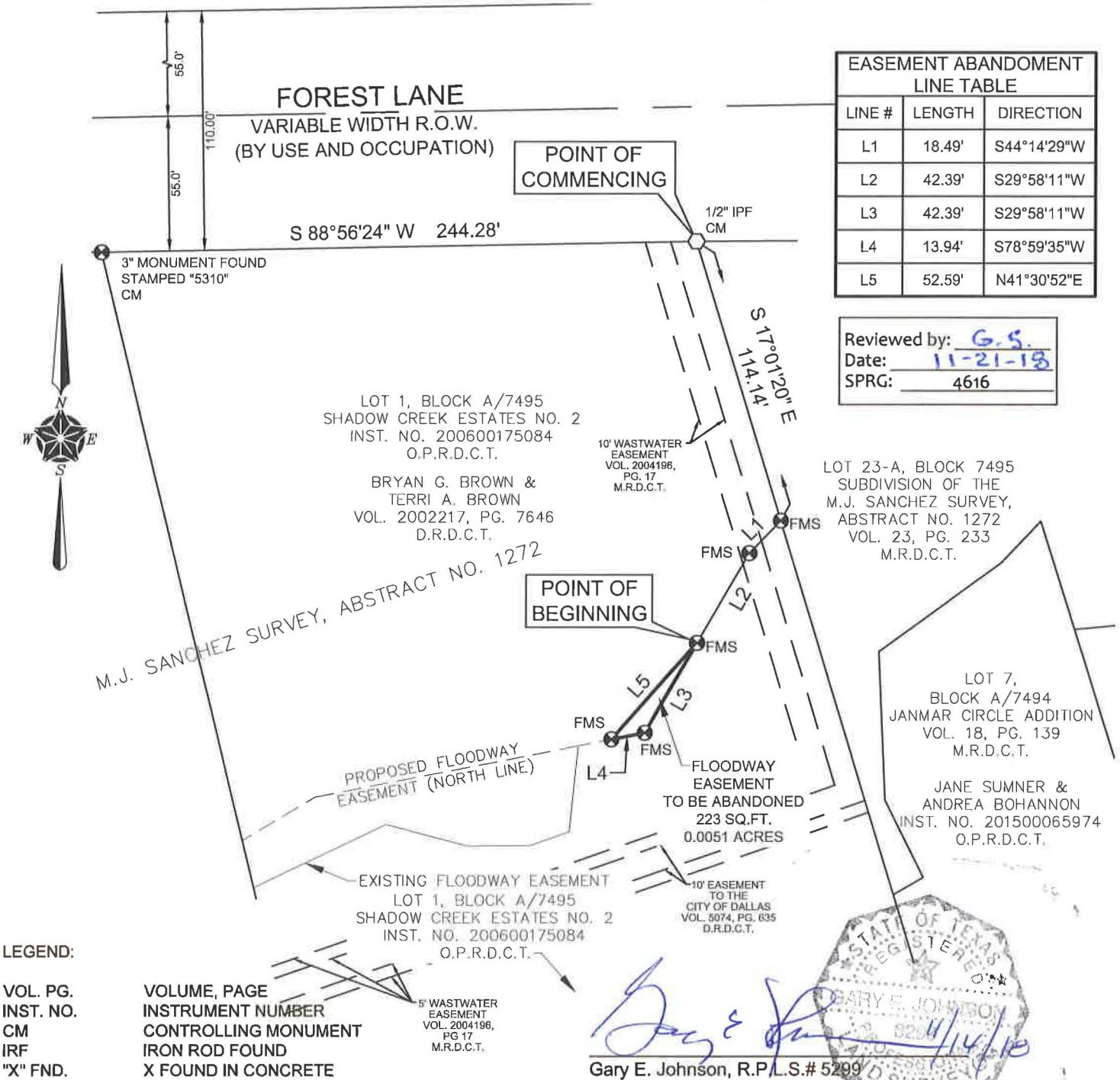
TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm #10169300

BEARINGS ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEMS, TEXAS NORTH CENTRAL ZONE, (4202) NORTH AMERICAN DATUM OF 1983, (2011)

Job# 1504861-15
Date: 10/31/2018
Revised: 11/14/2018
Drawn: JWR
Scale: 1" - 60'

FLOODWAY EASEMENT ABANDONMENT
SHADOW CREEK ESTATES NO. 2
LOT 1, BLOCK A/7495
M.J. SANCHEZ SURVEY, ABSTRACT NO. 1272
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A



EASEMENT ABANDOMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	18.49'	S44°14'29"W
L2	42.39'	S29°58'11"W
L3	42.39'	S29°58'11"W
L4	13.94'	S78°59'35"W
L5	52.59'	N41°30'52"E

Reviewed by: G.S.
Date: 11-21-18
SPRG: 4616

LEGEND:

VOL. PG.	VOLUME, PAGE
INST. NO.	INSTRUMENT NUMBER
CM	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
"X" FND.	X FOUND IN CONCRETE
SQ.FT	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
D.R.D.C.T	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
FMS	5/8 INCH IRON ROD SET WITH BLUE CAP STAMPED "FLOODWAY ESMT".

STATE OF TEXAS
REGISTERED
GARY E. JOHNSON
5299
SURVEYOR

Gary E. Johnson, R.P.L.S.# 5299

11/14/18

80 60 40 20 0 30 60 90 120

SCALE 1"=60'

TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com Firm #10169300

BEARINGS ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEMS, TEXAS NORTH CENTRAL ZONE, (4202) NORTH AMERICAN DATUM OF 1983, (2011)

Job# 1504861-15
Date: 10/31/2018
Revised: 11/14/2018
Drawn: JWR
Scale: 1" - 60'

Agenda Information Sheet

File #: 19-498 **Item #:** 16.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

An ordinance abandoning portions of a water easement, drainage easement, two water and wastewater easements and a wastewater easement to TC Central Associates, LLC, the abutting owner, containing a total of approximately 77,372 square feet of land, located near the intersection of Carroll Avenue and North Central Expressway - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a water easement, drainage easement, two water and wastewater easements and a wastewater easement to TC Central Associates, LLC, the abutting owner. The abandonment area will allow the abutting owner to construct a mixed-used development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Revenue: $5,400.00, plus the $20.00 ordinance publication fee

OWNER

TC Central Associates, LLC

Haskell East Village, LLC

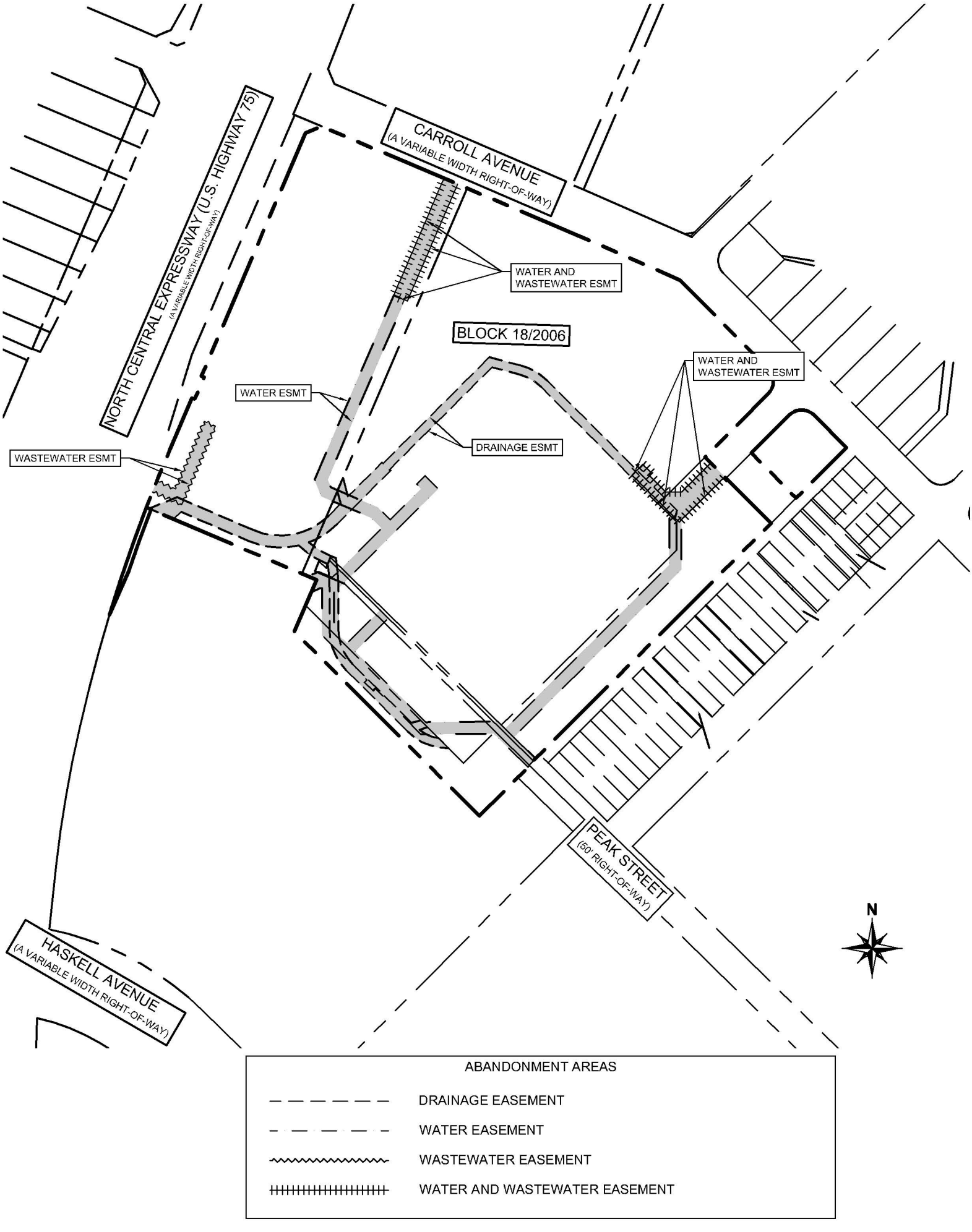
TC Central Associates Member, LLC

S. Denton Walker, III, Vice President

MAP

Attached

powered by Legistar™


CARROLL AVENUE
(A VARIABLE WIDTH RIGHT-OF-WAY)
NORTH CENTRAL EXPRESSWAY (U.S. HIGHWAY 75)
(A VARIABLE WIDTH RIGHT-OF-WAY)
WATER AND WASTEWATER ESMT
BLOCK 18/2006
WATER AND WASTEWATER ESMT
WATER ESMT
DRAINAGE ESMT
WASTEWATER ESMT
PEAK STREET
(50' RIGHT-OF-WAY)
HASKELL AVENUE
(A VARIABLE WIDTH RIGHT-OF-WAY)
N
ABANDONMENT AREAS
DRAINAGE EASEMENT
WATER EASEMENT
WASTEWATER EASEMENT
WATER AND WASTEWATER EASEMENT

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of portions of a water easement, drainage easement, two (2) water and wastewater easements and a wastewater easement, located in City Block 18/2006 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to TC Central Associates, LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of TC Central Associates, LLC, a Delaware limited liability company; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easements are no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tracts of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($5,400.00)** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tracts or parcels of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

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

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

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

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

SECTION 9. That as a condition of this abandonment and as part of the consideration for the quitclaim made herein, **GRANTEE** acknowledges Sustainable Development and Construction Department–Engineering Division reserves the right to evaluate drainage requirements for any new development.

SECTION 10. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 11. That this ordinance is also designated for City purposes as Contract No. DEV-2019-00009751.

SECTION 12. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

Exhibit A – Tract 1

WATER EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

BEING a 36,580 square feet (0.840 of an Acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, and being all of a Water Easement recorded in Instrument No. 201500110349, of the Official Public Records of Dallas County, Texas, situated in Lot 1A, Lot 1B and Lot 1C, Block 18/2006 of Xerox Business Services Addition, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas, same also being situated in a called Tract I, conveyed to TC Central Associates, LLC, as evidenced in a Special Warranty Deed, recorded in Instrument No. 201300276945, of the Official Public Records of Dallas County, Texas, and in called Tracts I and II, conveyed to TC Central Associates, LLC, as evidenced in a Quitclaim Deed, recorded in Instrument No. 201300276946, of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set on the southerly line of said Lot 1B, common to the northwesterly line of a right-of-way dedication for Peak Street , a variable width right-of-way, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas, from which an 'X' cut found for the southerly corner of said Lot 1B, common to a re-entrant corner on the northeasterly line of Lot 2A , Block 18/2006 of Xerox Business Services Addition, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, bears South 44°54'56" West, a distance of 116.03 feet;

THENCE North 45°27'39" West, departing the northwesterly right-of-way line of Peak Street, and crossing said Lot 1B, a distance of 80.55 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE South 89°37'50" West, continuing across said Lot 1B, and passing the common line between said Lot 1B and said Lot 1A, and crossing said Lot 1A, and passing the common line between said Lot 1A, and said Lot 1B, and crossing said Lot 1B, a distance of 122.97 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE continuing across said Lot 1B, the following five (5) courses:

1. North 44°59'21" West, a distance of 108.60 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;
2. South 45°00'39" West, a distance of 5.33 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;
3. North 44°59'21" West, a distance of 20.00 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;
4. North 45°00'39" East, a distance of 5.33 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;
5. North 44°59'21" West, a distance of 106.90 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

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Date: 4-1-19
SPRG NO: 4799

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Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	1 OF 8

WATER EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

THENCE North 0°00'39" East, continuing across said Lot 1B, passing the common line between said Lot 1B and said Lot 1A, a distance of 78.90 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1A;

THENCE North 89°59'21" West, continuing across said Lot 1A, a distance of 3.45 feet to a 5/8-inch iron rod with ,a red plastic cap, stamped "KHA" set for corner;

THENCE South 67°30'39" West, continuing across said Lot 1A, a distance of 15.83 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner on the westerly line of said Lot 1A, common to the easterly line of said Lot 2A, from said corner, a PK nail found for the southwesterly corner of aforesaid Lot 1B, bears South 23°10'59" West, 72.50 feet;

THENCE North 23°10'59" East, along the westerly line of said Lot 1A, and along the northeasterly line of said Lot 2A, a distance of 21.90 feet to a point for a salient corner on the northeasterly line of said Lot 2A, common to a re-entrant corner on the westerly line of said Lot 1A, a found 1/2-inch iron rod with a plastic cap, stamped "Pacheco Koch" found for witness bears North 79°54' West, 0.22 feet;

THENCE North 66°53'45" West, continuing along the westerly line of said Lot 1A, and the northeasterly line of said Lot 2A, a distance of 16.14 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE departing the northeasterly line of said Lot 2A, and crossing said Lot 1A, the following four (4) courses:

1. North 67°53'42" East, a distance of 19.62 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;
2. South 66°53'13" East, a distance of 25.30 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;
3. North 45°00'39" East, a distance of 117.86 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;
4. North 44°59'21" West, a distance of 25.40 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE North 66°46'03" West, continuing across said Lot 1A, passing the westerly line of said Lot 1A, common to the easterly line of said Lot 1C, a distance of 91.03 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1C;

THENCE continuing across said Lot 1C, the following five (5) courses:

1. North 21°45'37" West, a distance of 30.21 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	2 OF 6

Exhibit A – Tract 1

WATER EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

2. North 23°12'35" East, a distance of 337.52 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

3. South 66°46'01" East, a distance of 20.00 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

4. South 23°13'58" West, a distance of 329.11 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

5. South 22°19'07" East, a distance of 13.97 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE South 66°46'03" East, continuing across said Lot 1C, passing the easterly line of said Lot 1C, common to the westerly line of said Lot 1A, a distance of 86.39 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1A;

THENCE continuing across said Lot 1A, the following thirteen (13) courses:

1. South 44°59'21" East, a distance of 29.25 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

2. North 45°00'39" East, a distance of 74.15 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

3. North 44°59'23" West, a distance of 10.69 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

4. North 45°00'38" East, a distance of 20.00 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

5. South 44°59'23" East, a distance of 30.69 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

6. South 45°00'39" West, a distance of 247.96 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

7. South 0°00'39" West, a distance of 63.06 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

8. South 44°59'21" East, a distance of 31.31 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

9. North 45°00'39" East, a distance of 80.19 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	3 OF 8

Exhibit A – Tract 1

WATER EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

10. South 44°59'23" East, a distance of 19.10 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

11. South 45°00'39" West, a distance of 80.19 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

12. South 44°59'21" East, a distance of 168.45 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

13. North 89°37'50" East, a distance of 122.88 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE South 45°27'21" East, continuing across said Lot 1A, passing the southeasterly line of said Lot 1A, common to the northwesterly line of said Lot 1B, a distance of 16.24 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1B;

THENCE North 45°00'37" East, continuing across said Lot 1B, a distance of 390.00 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE North 0°06'39" West, continuing across said Lot 1B, crossing into said Lot 1A, and returning to said Lot 1B, a distance of 88.17 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE continuing across said Lot 1B, the following five (5) courses:

1. South 44°59'23" East, a distance of 23.18 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

2. North 45°14'56" East, a distance of 5.12 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

3. South 0°06'39" East, a distance of 83.65 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

4. South 45°00'37" West, a distance of 398.15 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

5. South 45°27'39" East, a distance of 51.50 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner on the southeasterly line of said Lot 1B, and on the northwesterly line of a 20 foot alley, as dedicated by plat recorded in Volume 8, Page 126-128, Map Records of Dallas County, Texas;

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	4 OF 8

Exhibit A – Tract 1

WATER EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

THENCE South 45°00'39" West, along the southeasterly line of said Lot 1B, and along the northwesterly line of said alley, a distance of 16.26 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at a re-entrant corner on the southeasterly line of said Lot 1B;

THENCE South 45°27'21" East, continuing along the southeasterly line of said Lot 1B, a distance of 1.23 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner on the northwesterly right-of-way line of Peak Street;

THENCE South 44°54'56" West, continuing along the southeasterly line of said Lot 1B, and along the northwesterly right-of-way line of Peak Street, a distance of 3.74 feet to the **POINT OF BEGINNING** and containing 0.840 of an acre (36,580 square feet) of land, more or less.

Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the eastererly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

MICHAEL MARX
REGISTERED PROFESSIONAL
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STATE OF TEXAS
REGISTERED
MICHAEL B. MARX
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PROFESSIONAL
LAND SURVEYOR

3/25/19

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	5 OF 8

Exhibit A – Tract 1

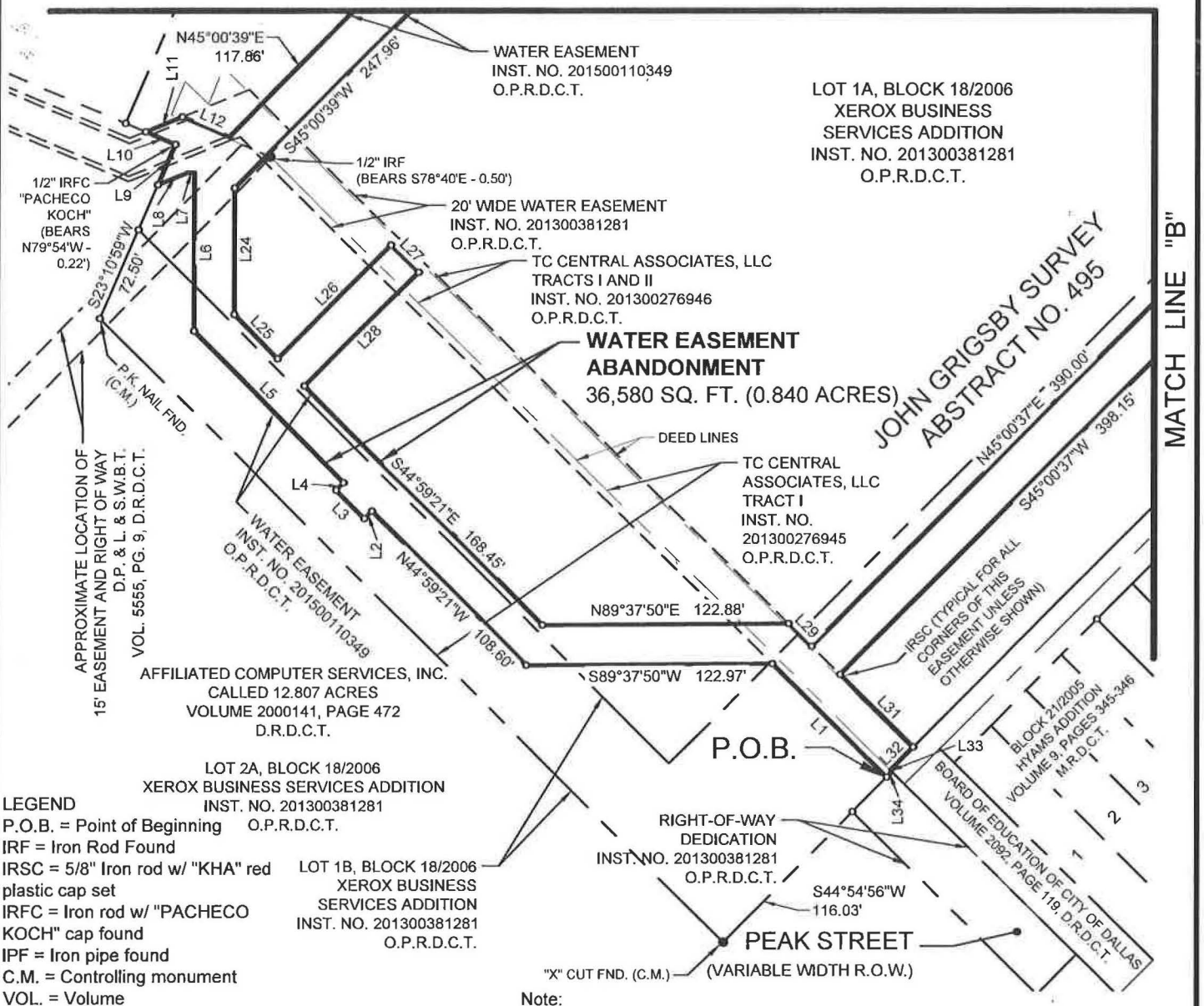
WATER EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

NORTH

0 40 80

GRAPHIC SCALE IN FEET



LEGEND
P.O.B. = Point of Beginning
IRF = Iron Rod Found
IRSC = 5/8" Iron rod w/ "KHA" red plastic cap set
IRFC = Iron rod w/ "PACHECO KOCH" cap found
IPF = Iron pipe found
C.M. = Controlling monument
VOL. = Volume
PG. = Page
SQ. FT. = Square Foot
INST. NO. = Instrument Number
D.R.D.C.T. = Deed Records of Dallas County, Texas
M.R.D.C.T. = Map Records of Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas

Note:
Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

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Note:
See sheet 8 for the line data table.

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	MBM	KHA	3/25/2019	063486546	6 OF 8

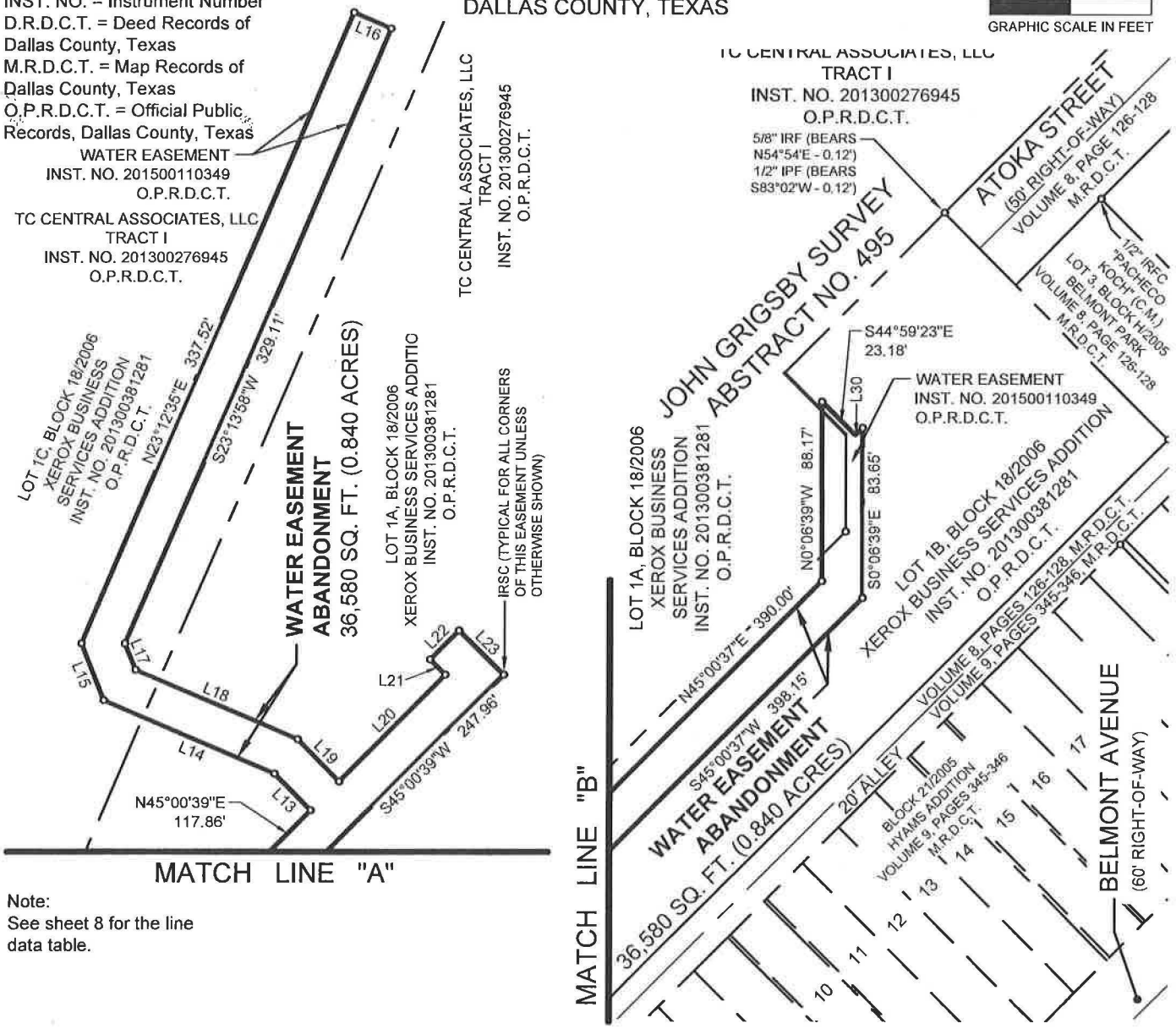
Exhibit A – Tract 1

WATER EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

LEGEND
P.O.B. = Point of Beginning
IRSC = 5/8" Iron rod w/ "KHA" red plastic cap set
IRFC = Iron rod w/ "PACHECO KOCH" cap found
IPF = Iron pipe found
C.M. = Controlling monument
INST. NO. = Instrument Number
D.R.D.C.T. = Deed Records of Dallas County, Texas
M.R.D.C.T. = Map Records of Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas

NORTH
0 40 80
GRAPHIC SCALE IN FEET



Note:
See sheet 8 for the line data table.

Note:
Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

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STATE OF TEXAS
REGISTERED
MICHAEL B. MARX
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3/25/19

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	MBM	KHA	3/25/2019	063486546	7 OF 8

Exhibit A – Tract 1

WATER EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
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DALLAS COUNTY, TEXAS

LINE TABLE		
NO.	BEARING	LENGTH
L1	N45°27'39"W	80.55'
L2	S45°00'39"W	5.33'
L3	N44°59'21"W	20.00'
L4	N45°00'39"E	5.33'
L5	N44°59'21"W	106.90'
L6	N00°00'39"E	78.90'
L7	N89°59'21"W	3.45'
L8	S67°30'39"W	15.83'
L9	N23°10'59"E	21.90'
L10	N66°53'45"W	16.14'
L11	N67°53'42"E	19.62'
L12	S66°53'13"E	25.30'
L13	N44°59'21"W	25.40'
L14	N66°46'03"W	91.03'
L15	N21°45'37"W	30.21'

LINE TABLE		
NO.	BEARING	LENGTH
L16	S66°46'01"E	20.00'
L17	S22°19'07"E	13.97'
L18	S66°46'03"E	86.39'
L19	S44°59'21"E	29.25'
L20	N45°00'39"E	74.15'
L21	N44°59'23"W	10.69'
L22	N45°00'38"E	20.00'
L23	S44°59'23"E	30.69'
L24	S00°00'39"W	63.06'
L25	S44°59'21"E	31.31'
L26	N45°00'39"E	80.19'
L27	S44°59'23"E	19.10'
L28	S45°00'39"W	80.19'
L29	S45°27'21"E	16.24'
L30	N45°14'56"E	5.12'

LINE TABLE		
NO.	BEARING	LENGTH
L31	S45°27'39"E	51.50'
L32	S45°00'39"W	16.26'
L33	S45°27'21"E	1.23'
L34	S44°54'56"W	3.74'

Note:
Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	8 OF 8

Exhibit A – Tract 2

DRAINAGE EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

BEING a 26,444 square feet (0.607 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, and being all of a Drainage Easement, recorded in Instrument No. 201500110347 of the Official Public Records of Dallas County, Texas as situated in Lot 1A, Lot 1B and Lot 1C, Block 18/2006 of Xerox Business Services Addition, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas, same also being situated in a called Tract I, conveyed to TC Central Associates, LLC, as evidenced in a Special Warranty Deed, recorded in Instrument No. 201300276945, of the Official Public Records of Dallas County, Texas, and in called Tracts I and II, conveyed to TC Central Associates, LLC, as evidenced in a Quitclaim Deed, recorded in Instrument No. 201300276946, of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set on the southerly line of said Lot 1C, common to the northerly line of Lot 2A, Block 18/2006 of Xerox Business Services Addition, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas, and from which a 1/2-inch iron rod with plastic cap stamped "PACHECHO KOCH" found for the southwest corner of said Lot 1C, common to the northwest corner of said Lot 2A, and on the southeast right-of-way line of Central Expressway (U.S. Highway 75), a variable width right-of-way, as describe in a deed to the State of Texas recorded in Volume 95206, Page 544 of the Deed Records of Dallas County, Texas, and on the southeast line of that tract of land described in a deed to the State of Texas recorded in Volume 92044, Page 4554 of the Deed Records of Dallas County, Texas, bears North 66°53'45" West, a distance of 4.54 feet;

THENCE departing the northerly line of said Lot 2A, and crossing said Lot 1C, the following three (3) courses:

1. North 68°13'58" East, a distance of 50.90 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

2. South 66°46'02" East, a distance of 140.02 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a tangent curve to the left having a central angle of 68°13'19", a radius of 115.00 feet, a chord bearing and distance of North 79°07'18" East, 128.98 feet;

3. In a northeasterly direction, with said curve to the left, passing the easterly line of said Lot 1C, common to the westerly line of said Lot 1A, an arc distance of 136.93 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1A;

THENCE North 45°00'39" East, continuing across said Lot 1A, a distance of 28.55 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE North 14°59'21" West, continuing across said Lot 1A, a distance of 22.25 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner on the westerly line of said Lot 1A, common to the easterly line of said Lot 1C;

THENCE North 23°13'58" East, along the westerly line of said Lot 1A, and along the easterly line of said Lot 1C, a distance of 24.24 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

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N/A	MBM	KHA	3/25/2019	063486546	1 OF 10

Exhibit A – Tract 2

DRAINAGE EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

THENCE departing the easterly line of said Lot 1C, and crossing said Lot 1A, the following six (6) courses:

1. South 14°59'21" East, a distance of 32.64 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

1. North 45°00'39" East, a distance of 81.11 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

2. South 44°59'21" East, a distance of 2.50 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

3. North 45°00'39" East, a distance of 252.89 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

4. South 74°59'26" East, a distance of 56.32 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a tangent curve to the right having a central angle of 30°00'00", a radius of 97.50 feet, a chord bearing and distance of South 59°59'26" East, 50.47 feet;

5. In a southeasterly direction, with said curve to the right, an arc distance of 51.05 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

6. South 44°59'26" East, passing the southeasterly line of said Lot 1A, common to the northwesterly line of said Lot 1B, a distance of 308.10 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1B;

THENCE South 15°00'35" West, continuing across said Lot 1B, a distance of 16.77 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner on the northwesterly line of said Lot 1B, common to the southeasterly line of said Lot 1A;

THENCE North 44°59'21" West, along the northwesterly line of said Lot 1B, and along the southeasterly line of said Lot 1A, a distance of 38.01 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at a salient corner on the northwesterly line of said Lot 1B, common to a re-entrant corner on the southeasterly line of said Lot 1A;

THENCE departing the northwesterly line of said Lot 1B, and crossing said Lot 1A, the following eight (8) courses:

1. South 45°00'34" West, a distance of 0.48 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

2. North 44°59'26" West, a distance of 278.48 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a tangent curve to the left having a central angle of 30°00'00", a radius of 82.50 feet, a chord bearing and distance of North 59°59'26" West, 42.71 feet;

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	2 OF 10

DRAINAGE EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

3. In a northwesterly direction, with said curve to the left, an arc distance of 43.20 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

4. North 74°59'26" West, a distance of 47.66 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

5. South 45°00'39" West, a distance of 244.23 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

6. South 44°59'21" East, a distance of 2.50 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

7. South 45°00'39" West, a distance of 126.98 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a tangent curve to the right having a central angle of 24°25'17", a radius of 135.00 feet, a chord bearing and distance of South 57°13'17" West, 57.11 feet;

8. In a southwesterly direction, with said curve to the right, passing the westerly line of said Lot 1A, common to the easterly line of said Lot 1C, an arc distance of 57.54 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1C, at the beginning of a non-tangent curve to the left having a central angle of 17°10'57", a radius of 132.50 feet, a chord bearing and distance of South 58°10'34" East, 39.59 feet;

THENCE in a southeasterly direction, continuing across said Lot 1C, and passing the easterly line of said Lot 1C, common to the westerly line of said Lot 1A, and with said curve to the left, an arc distance of 39.74 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1A;

THENCE continuing across said Lot 1A, the following five (5) courses:

1. South 66°46'02" East, a distance of 13.72 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

2. South 6°46'02" East, a distance of 24.24 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a tangent curve to the right having a central angle of 6°45'40", a radius of 147.50 feet, a chord bearing and distance of South 3°23'12" East, 17.40 feet;

3. In a southeasterly direction, with said curve to the right, an arc distance of 17.41 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

4. South 0°00'22" East, a distance of 79.06 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a non-tangent curve to the left having a central angle of 44°47'01", a radius of 82.50 feet, a chord bearing and distance of South 22°35'53" East, 62.85 feet;

5. In a southeasterly direction, with said curve to the left, passing the southwesterly line of said Lot 1A, common to the northeasterly line of said Lot 1B, an arc distance of 64.48 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1B;

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	3 OF 10

Exhibit A – Tract 2

DRAINAGE EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

THENCE continuing across said Lot 1B, the following three (3) courses:

1. South 44°59'24" East, a distance of 140.00 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

2. North 75°01'23" East, a distance of 10.36 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a tangent curve to the left having a central angle of 3°57'28", a radius of 82.50 feet, a chord bearing and distance of North 73°02'39" East, 5.70 feet;

3. In a northeasterly direction, with said curve to the left, an arc distance of 5.70 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner on the northeasterly line of said Lot 1B, common to the southwesterly line of said Lot 1A;

THENCE South 44°59'21" East, along northeasterly line of said Lot 1B, and along the southwesterly line of said Lot 1A, a distance of 16.40 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a non-tangent curve to the right having a central angle of 8°11'41", a radius of 97.50 feet, a chord bearing and distance of South 70°55'32" West, 13.93 feet;

THENCE in a southwesterly direction, departing the southwesterly line of said Lot 1A, and crossing said Lot 1B with said curve to the right, an arc distance of 13.94 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE South 75°01'23" West, continuing across said Lot 1B, a distance of 0.52 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a non-tangent curve to the left having a central angle of 24°52'05", a radius of 82.50 feet, a chord bearing and distance of South 66°25'31" East, 35.53 feet;

THENCE in a southeasterly direction, continuing across said Lot 1B, with said curve to the left, an arc distance of 35.81 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner on the northeasterly line of said Lot 1B, common to the southwesterly line of said Lot 1A;

THENCE South 44°59'21" East, along northeasterly line of said Lot 1B, and along the southwesterly line of said Lot 1A, a distance of 23.40 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a non-tangent curve to the right having a central angle of 45°21'58", a radius of 97.50 feet, a chord bearing and distance of North 67°40'23" West, 75.20 feet;

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	4 OF 10

Exhibit A – Tract 2

DRAINAGE EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

THENCE departing the southwesterly line of said Lot 1A, and crossing said Lot 1B, the following four (4) courses:

1. In a northwesterly direction, with said curve to the right, an arc distance of 77.20 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

2. North 44°59'24" West, a distance of 145.01 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a tangent curve to the right having a central angle of 44°47'59", a radius of 97.50 feet, a chord bearing and distance of North 22°35'24" West, 74.31 feet;

3. In a northwesterly direction, with said curve to the right, an arc distance of 76.24 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

4. North 0°00'22" West, passing the northeasterly line of said Lot 1B, common to the southwesterly line of said Lot 1A, a distance of 79.08 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1A, at the beginning of a tangent curve to the left having a central angle of 6°45'40", a radius of 132.50 feet, a chord bearing and distance of North 3°23'12" West, 15.63 feet;

THENCE continuing across said Lot 1A, the following four (4) courses:

1. In a northwesterly direction, with said curve to the left, an arc distance of 15.64 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

2. North 6°46'02" West, a distance of 15.58 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

3. North 66°46'02" West, a distance of 5.06 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner at the beginning of a tangent curve to the right having a central angle of 20°51'14", a radius of 147.50 feet, a chord bearing and distance of North 56°20'25" West, 53.39 feet;

4. In a northwesterly direction, with said curve to the right, passing the westerly line of said Lot 1A, common to the easterly line of said Lot 1C, an arc distance of 53.69 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in Lot 1C, at the beginning of a non-tangent curve to the right having a central angle of 36°22'51", a radius of 135.00 feet, a chord bearing and distance of North 84°57'27" West, 84.29 feet;

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N/A	MBM	KHA	3/25/2019	063486546	5 OF 10

Exhibit A – Tract 2

DRAINAGE EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

THENCE in a northwesterly direction, continuing across said Lot 1C, with said curve to the right, an arc distance of 85.72 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE North 66°46'02" West, continuing across said Lot 1C, a distance of 124.02 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE South 46°32'00" West, continuing across said Lot 1C, a distance of 17.30 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner on the southerly line of said Lot 1C, common to the northerly line of said Lot 2A, from said corner, a PK nail found for the southwest corner of aforesaid Lot 1B, Block 18/2006 of said Xerox Business Services Addition bears South 66°53'45" East, 261.33 feet and South 23°10'59" West, 94.40 feet;

THENCE North 66°53'45" West, along the southerly line of said Lot 1C, and along the northerly line of said Lot 2A, a distance of 45.15 feet to the **POINT OF BEGINNING** and containing 0.607 of an acre (26,444 square feet) of land, more or less.

Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the eastererly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.



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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	6 OF 10

Exhibit A – Tract 2

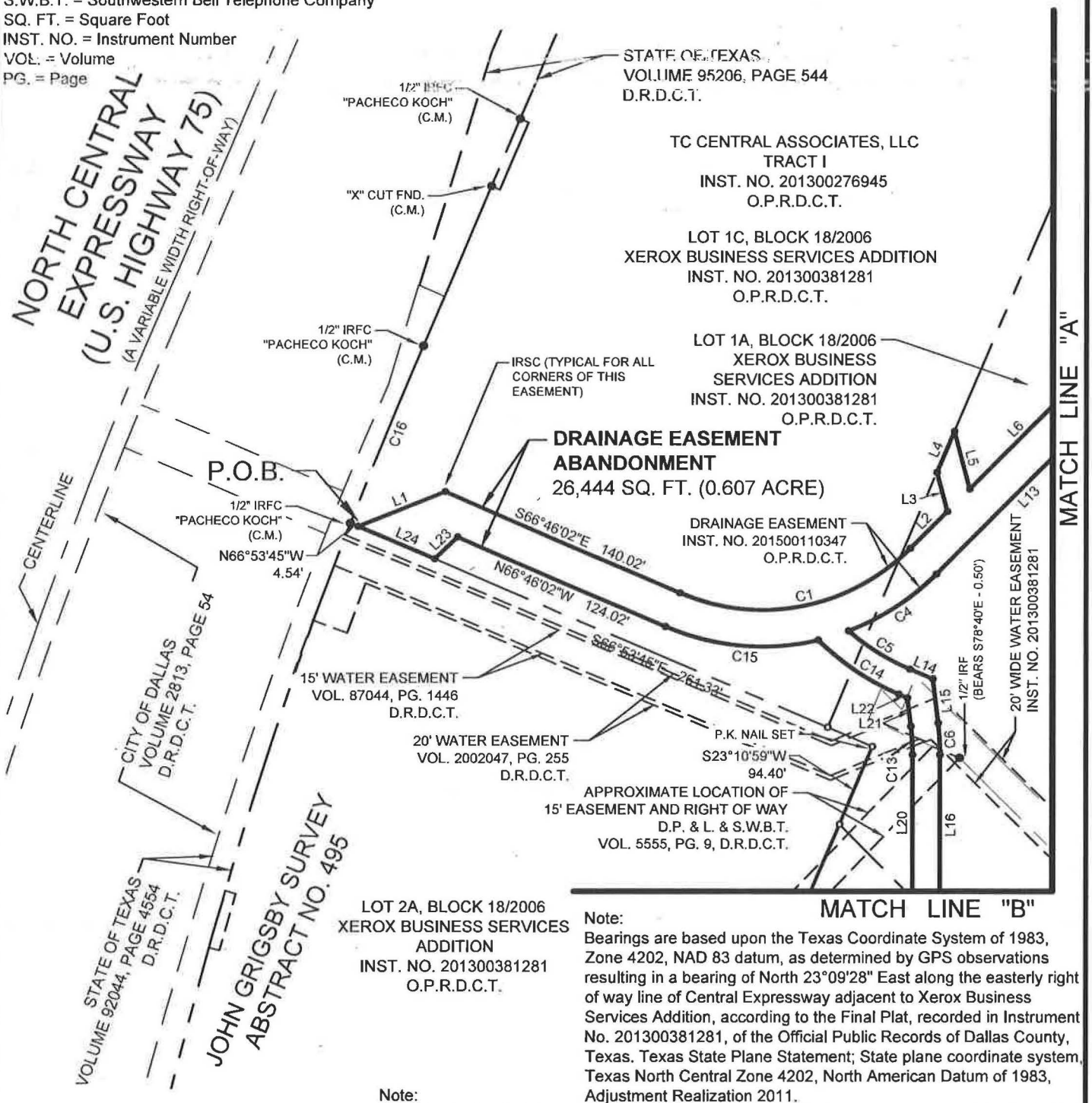
DRAINAGE EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

LEGEND
P.O.B. = Point of Beginning
IRSC = 5/8" Iron rod w/ "KHA" cap set
IRFC = Iron rod w/ "PACHECO KOCH" cap found
IPF = Iron pipe found
C.M. = Controlling monument
D.R.D.C.T. = Deed Records of Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas
D.P.& L. = Dallas Power & Light Company
S.W.B.T. = Southwestern Bell Telephone Company
SQ. FT. = Square Foot
INST. NO. = Instrument Number
VOL. = Volume
PG. = Page

NORTH

0 40 80
GRAPHIC SCALE IN FEET



Note:
See sheet 10 for the line and curve data tables.

Note:
Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

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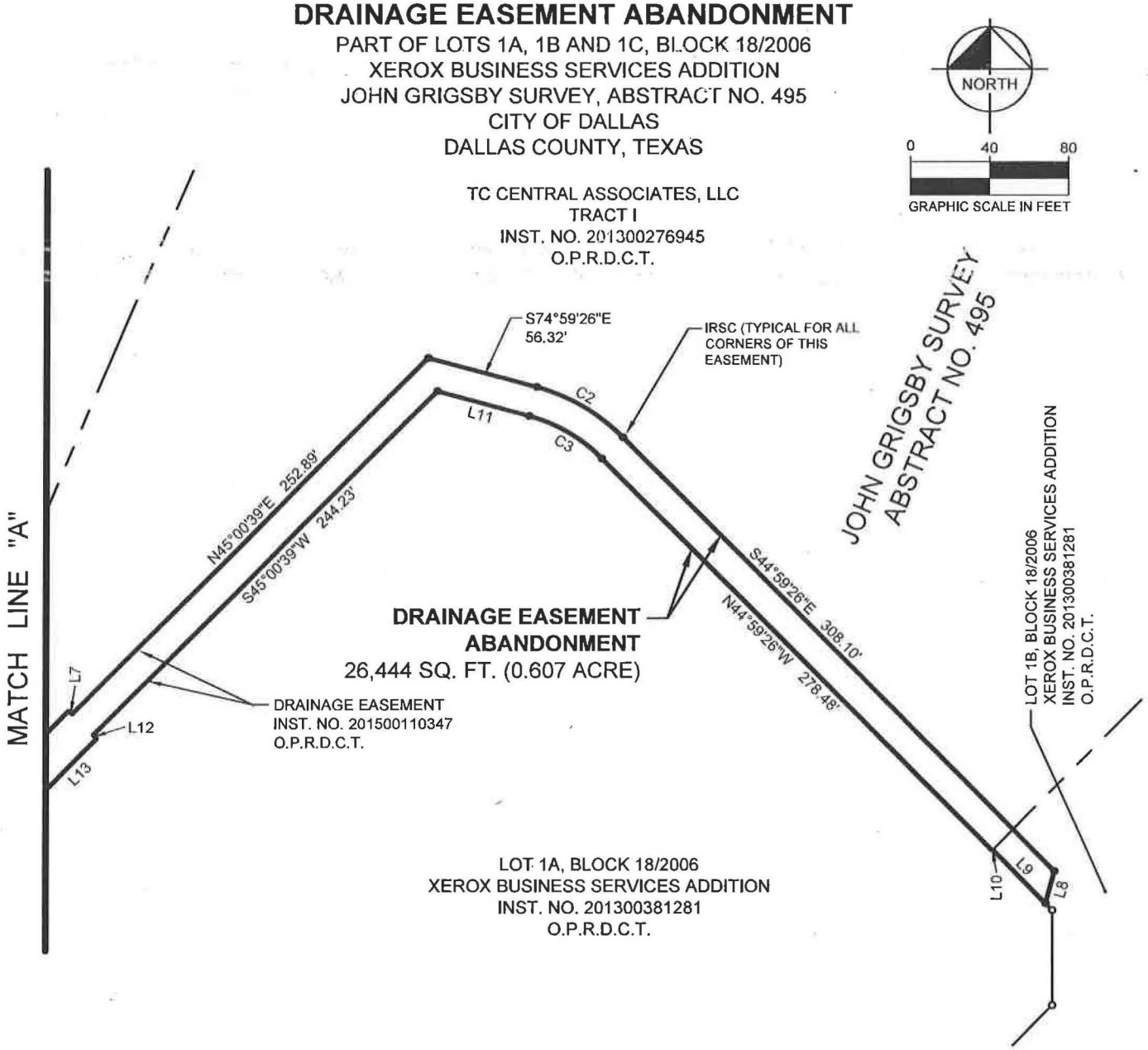
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	MBM	KHA	3/25/2019	063486546	7 OF 10

Exhibit A – Tract 2

DRAINAGE EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS



LEGEND
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Note:
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Note:
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	MBM	KHA	3/25/2019	063486546	8 OF 10

Note:
See sheet 10 for the line and curve data tables.

Exhibit A – Tract 2

DRAINAGE EASEMENT ABANDONMENT

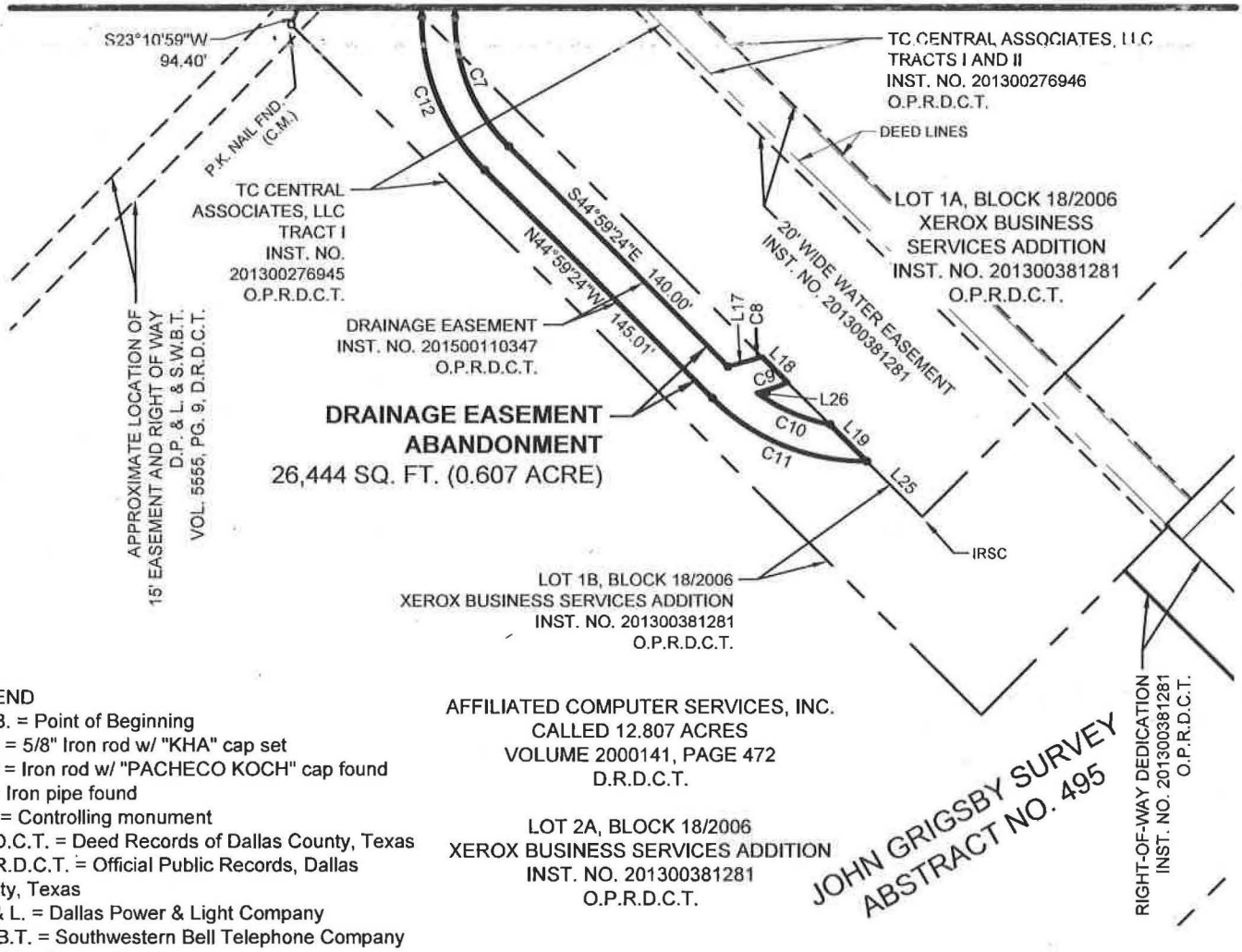
PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

NORTH

0 40 80

GRAPHIC SCALE IN FEET

MATCH LINE "B"



LEGEND
P.O.B. = Point of Beginning
IRSC = 5/8" Iron rod w/ "KHA" cap set
IRFC = Iron rod w/ "PACHECO KOCH" cap found
IPF = Iron pipe found
C.M. = Controlling monument
D.R.D.C.T. = Deed Records of Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas
D.P.& L. = Dallas Power & Light Company
S.W.B.T. = Southwestern Bell Telephone Company
SQ. FT. = Square Foot
INST. NO. = Instrument Number
VOL. = Volume
PG. = Page

Note:
Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

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3/25/19

(For SPRG use only)
Reviewed By: G.S.
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SPRG NO: 4796

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	MBM	KHA	3/25/2019	063486546	9 OF 10

Exhibit A – Tract 2

DRAINAGE EASEMENT ABANDONMENT

PART OF LOTS 1A, 1B AND 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

LINE TABLE		
NO.	BEARING	LENGTH
L1	N68°13'58"E	50.90'
L2	N45°00'39"E	28.55'
L3	N14°59'21"W	22.25'
L4	N23°13'58"E	24.24'
L5	S14°59'21"E	32.64'
L6	N45°00'39"E	81.11'
L7	S44°59'21"E	2.50'
L8	S15°00'35"W	16.77'
L9	N44°59'21"W	38.01'
L10	S45°00'34"W	0.48'
L11	N74°59'26"W	47.66'
L12	S44°59'21"E	2.50'
L13	S45°00'39"W	126.98'
L14	S66°46'02"E	13.72'
L15	S06°46'02"E	24.24'
L16	S00°00'22"E	79.06'
L17	N75°01'23"E	10.36'
L18	S44°59'21"E	16.40'
L19	S44°59'21"E	23.40'
L20	N00°00'22"W	79.08'
L21	N06°46'02"W	15.58'
L22	N66°46'02"W	5.06'
L23	S46°32'00"W	17.30'
L24	N66°53'45"W	45.15'
L25	N44°59'21"W	35.37'
L26	S75°01'23"W	0.52'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	68°13'19"	115.00'	136.93'	N79°07'18"E	128.98'
C2	30°00'00"	97.50'	51.05'	S59°59'26"E	50.47'
C3	30°00'00"	82.50'	43.20'	N59°59'26"W	42.71'
C4	24°25'17"	135.00'	57.54'	S57°13'17"W	57.11'
C5	17°10'57"	132.50'	39.74'	S58°10'34"E	39.59'
C6	6°45'40"	147.50'	17.41'	S03°23'12"E	17.40'
C7	44°47'01"	82.50'	64.48'	S22°35'53"E	62.85'
C8	3°57'28"	82.50'	5.70'	N73°02'39"E	5.70'
C9	8°11'41"	97.50'	13.94'	S70°55'32"W	13.93'
C10	24°52'05"	82.50'	35.81'	S66°25'31"E	35.53'
C11	45°21'58"	97.50'	77.20'	N67°40'23"W	75.20'
C12	44°47'59"	97.50'	76.24'	N22°35'24"W	74.31'
C13	6°45'40"	132.50'	15.64'	N03°23'12"W	15.63'
C14	20°51'14"	147.50'	53.69'	N56°20'25"W	53.39'
C15	36°22'51"	135.00'	85.72'	N84°57'27"W	84.29'
C16	2°11'23"	2734.00'	104.49'	S22°03'46"W	104.48'

Note:
Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

(For SPRG use only)
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Date: 4-1-19
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	10 OF 10

WATER AND WASTEWATER EASEMENT ABANDONMENT

Exhibit A – Tract 3

PART OF LOT 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

BEING a 5,358 square feet (0.123 of an Acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, and being all of a Water and Wastewater Easement, recorded in Instrument No. 201500110348, of the Official Public Records of Dallas County, Texas, situated in Lot 1C, Block 18/2006 of Xerox Business Services Addition, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas, same also being situated in a called Tract I, conveyed to TC Central Associates, LLC, as evidenced in a Special Warranty Deed, recorded in Instrument No. 201300276945, of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner on the southerly right-of-way line of Carroll Avenue, a variable width public right-of-way dedicated by plat recorded in Volume 16, Page 35, Map Records of Dallas County, Texas, common to the northerly line of Lot 1C, from which a a 5/8-inch iron rod with a red plastic cap, stamped "KHA" found for the northeast corner of said Lot 1C, common to the north corner of Lot 1A, Block 18/2006 of Xerox Business Services Addition, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas, bears South 66°57'54" East, a distance of 17.59 feet;

THENCE departing the southerly right-of-way line of said Carroll Avenue, common northerly line of said Lot 1C, and crossing said Lot 1C, the following three (3) courses:

1. South 23°13'59" West, a distance of 214.36 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

2. North 66°46'01" West, a distance of 25.00 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

3. North 23°13'59" East, a distance of 214.27 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner on the southerly right-of-way line of said Carroll Avenue, common northerly line of said Lot 1C, from said corner, a found "X" cut for the westerly, northwest corner of said Lot 1C bears North 66°57'54" West, 223.87 feet and South 68°05'59" West, 29.21 feet;

South 66°57'54" East, a distance of 25.00 feet to the **POINT OF BEGINNING** and containing 5,358 square feet (0.123 of an acre) of land, more or less.

Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the eastererly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

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3/25/19

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Date: 4-1-19
SPRG NO: 4795

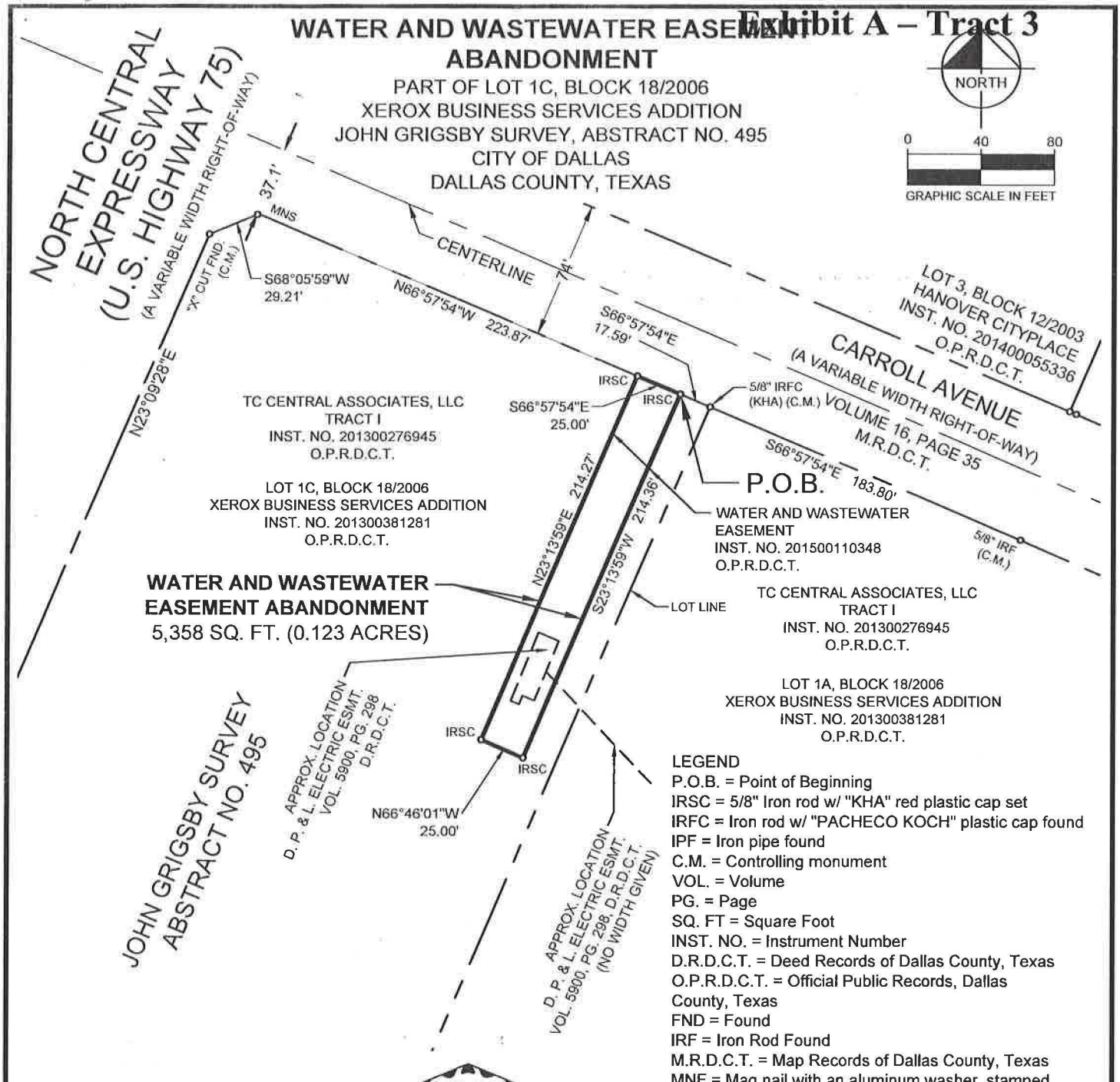
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	1 OF 2

Exhibit A – Tract 3

WATER AND WASTEWATER EASEMENT ABANDONMENT

PART OF LOT 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS



LEGEND
P.O.B. = Point of Beginning
IRSC = 5/8" Iron rod w/ "KHA" red plastic cap set
IRFC = Iron rod w/ "PACHECO KOCH" plastic cap found
IPF = Iron pipe found
C.M. = Controlling monument
VOL. = Volume
PG. = Page
SQ. FT = Square Foot
INST. NO. = Instrument Number
D.R.D.C.T. = Deed Records of Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas
FND = Found
IRF = Iron Rod Found
M.R.D.C.T. = Map Records of Dallas County, Texas
MNF = Mag nail with an aluminum washer, stamped "XEROX BUS SERV ADDN-KHA" found

Note:
Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

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REGISTERED
MICHAEL B. MARX
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3/25/19

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	MBM	KHA	3/25/2019	063486546	2 OF 2

WATER AND WASTEWATER EASEMENT ABANDONMENT

Exhibit A – Tract 4

PART OF LOTS 1A AND 1B, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

BEING a 5,445 square feet (0.125 of an Acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, and being all of the Water and Wastewater Easement, recorded in Instrument No. 201500140169, of the Official Public Records of Dallas County, Texas, situated in Lot 1A and Lot 1B, Block 18/2006 of Xerox Business Services Addition, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas, same also being situated in a called Tract I, conveyed to TC Central Associates, LLC, as evidenced in a Special Warranty Deed, recorded in Instrument No. 201300276945, of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set on the northeasterly line of said Lot 1B, common to the southwesterly right-of-way line of Atoka Street, a 50' wide right-of-way, as dedicated by plat recorded in Volume 8, Pages 126-128, Map Records of Dallas County, Texas, from which the north corner of said Lot 1B bears North 44°54'24" West, a distance of 13.87 feet, said north corner of said Lot 1B being monumented by a 5/8-inch iron rod found that bears North 54°54' East, a distance of 0.12 feet, and a 1/2-inch iron pipe found that bears South 83°02' West, a distance of 0.12';

THENCE South 44°54'24" East, along the northeasterly line of said Lot 1B, and along the southwesterly right-of-way line of Atoka Street, a distance of 33.00 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner, from said corner, a found 1/2-inch iron pipe for the northeast corner of said Lot 1B bears South 44°52'24" East, 110.35 feet;

THENCE South 45°14'56" West, departing the southwesterly right-of-way line of Atoka Street, and crossing said Lot 1B, a distance of 108.14 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE North 44°59'23" West, continuing across said Lot 1B, passing the northwesterly line of said Lot 1B, common to the southeasterly line of said Lot 1A, a distance of 112.18 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1A;

THENCE continuing across said Lot 1A, the following four (4) courses:

1. North 45°14'01" East, a distance of 25.54 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;
2. South 44°45'59" East, a distance of 20.00 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;
3. South 45°14'01" West, a distance of 5.47 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;
4. South 44°59'23" East, a distance of 40.18 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE North 89°57'57" East, continuing across said Lot 1A, passing the northwesterly line of said Lot 1B, common to the southeasterly line of said Lot 1A, a distance of 27.01 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner in said Lot 1B;

THENCE North 45°14'56" East, continuing across said Lot 1B, a distance of 69.07 feet to the **POINT OF BEGINNING** and containing 0.125 of an acre (5,445 square feet) of land, more or less.

Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	3/25/2019	063486546	1 OF 2

WATER AND WASTEWATER EASEMENT ABANDONMENT

Exhibit A – Tract 4

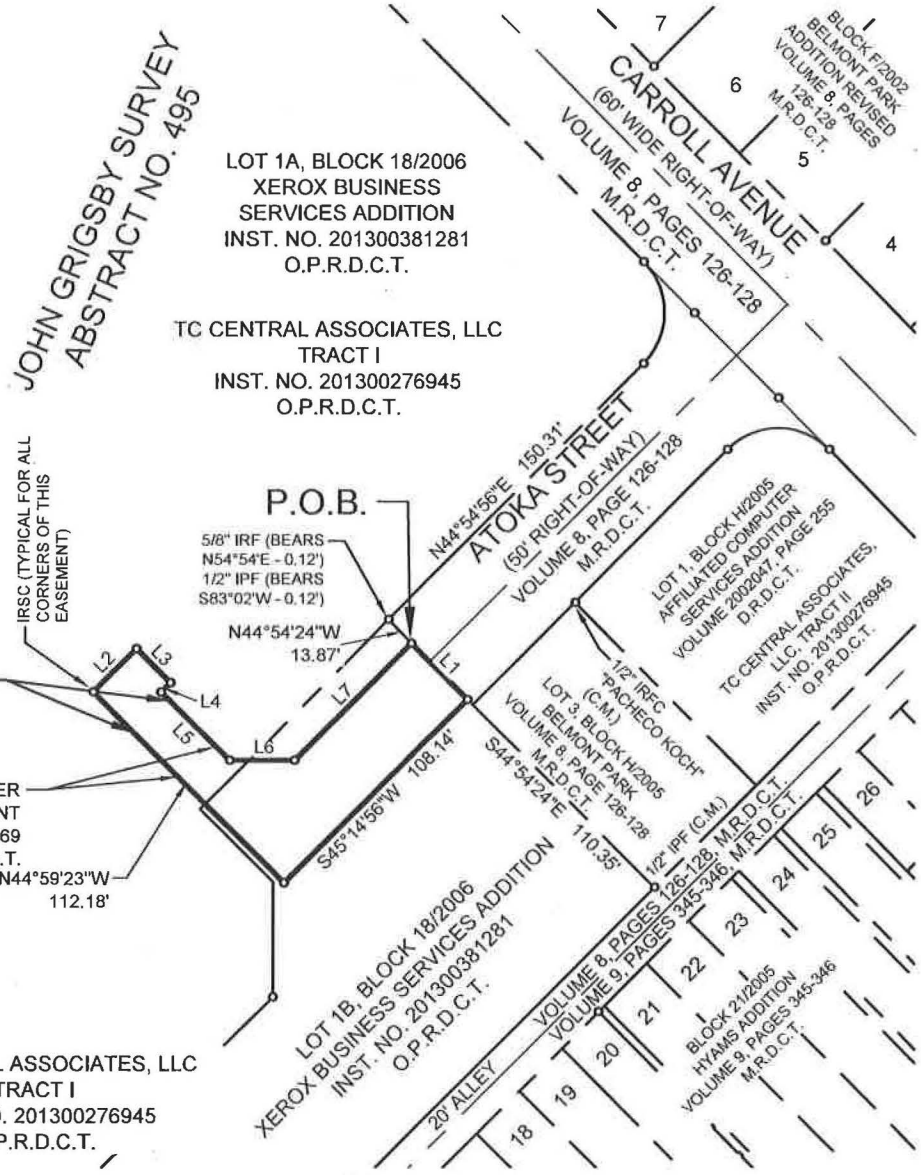
PART OF LOTS 1A AND 1B, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

NORTH

0 40 80

GRAPHIC SCALE IN FEET

LINE TABLE		
NO.	BEARING	LENGTH
L1	S44°54'24"E	33.00'
L2	N45°14'01"E	25.54'
L3	S44°45'59"E	20.00'
L4	S45°14'01"W	5.47'
L5	S44°59'23"E	40.18'
L6	N89°57'57"E	27.01'
L7	N45°14'56"E	69.07'



LEGEND
P.O.B. = Point of Beginning
IRSC = 5/8" Iron rod w/ "KHA" red plastic cap set
IRFC = Iron rod w/ "PACHECO KOCH" cap found
IPF = Iron pipe found
C.M. = Controlling monument
D.R.D.C.T. = Deed Records of Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas
M.R.D.C.T. = Map Records Dallas County, Texas
INST. NO. = Instrument Number
SQ. FT. = Square Footage

Note:
Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

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3/25/19

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	MBM	KHA	3/25/2019	063486546	2 OF 2

WASTEWATER EASEMENT Exhibit A – Tract 5
ABANDONMENT

PART OF LOT 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

BEING a 3,545 square feet (0.081 of an Acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, and being all of the Wastewater Easement recorded in Instrument No. 201500110352, of the Official Public Records of Dallas County, Texas, situated in Lot 1C, Block 18/2006 of Xerox Business Services Addition, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas, same also being situated in a called Tract I, conveyed to TC Central Associates, LLC, as evidenced in a Special Warranty Deed, recorded in Instrument No. 201300276945, of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set on the easterly right-of-way line of North Central Expressway (U.S. Highway 75), a variable width right-of-way, as describe in a deed to the State of Texas recorded in Volume 92044, Page 4554 of the Deed Records of Dallas County, Texas, common to the westerly line of said Lot 1C, and at the beginning of a non-tangent curve to the right, from which a 1/2-inch iron rod with a plastic cap stamped "Pacheco Koch" found for witness at the southwest corner of said Lot 1C, common to the northwest corner of Lot 2A, said Block 18/2006 of Xerox Business Services Addition, bears along the chord of a non-tangent curve to the left having a radius of 2,734.00 feet, a central angle of 00°35'09", a chord bearing of South 21°15'39" West, a chord distance of 27.95 feet and an arc length of 27.95 feet;

THENCE northeasterly along the easterly right-of-way line of said North Central Expressway, and common westerly line of said Lot 1C, with said non-tangent curve to the right, having a radius of 2,734.00 feet, a delta angle of 00°25'09", an arc distance of 20.01 feet, and a chord bearing North 21°45'48" East, a distance of 20.01 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set on the easterly right-of-way line of said North Central Expressway, common westerly line of said Lot 1C, and at the end of said curve to the right, from said corner, a found 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH", bears along a continuation of said curve to the right, having said radius of 2,734.00 feet, a central angle of 01°11'05", a chord bearing of North 22°33'55" East, a chord distance of 56.53 feet and an arc length of 56.53 feet;

THENCE departing the easterly right-of-way line of said North Central Expressway, common westerly line of said Lot 1C, and crossing over said Lot 1C, the following courses and distances:

South 66°50'32" East, a distance of 33.97 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

North 23°09'28" East, a distance of 123.51 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

South 66°50'32" East, a distance of 20.00 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

South 23°09'28" West, a distance of 143.51 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

North 66°50'32" West, a distance of 53.48 feet to the **POINT OF BEGINNING**, and containing 3,545 square feet (0.081 acres) of land, more or less.

Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SG	KHA	3/25/2019	063486546	1 OF 2

WASTEWATER EASEMENT ABANDONMENT

Exhibit A – Tract 5

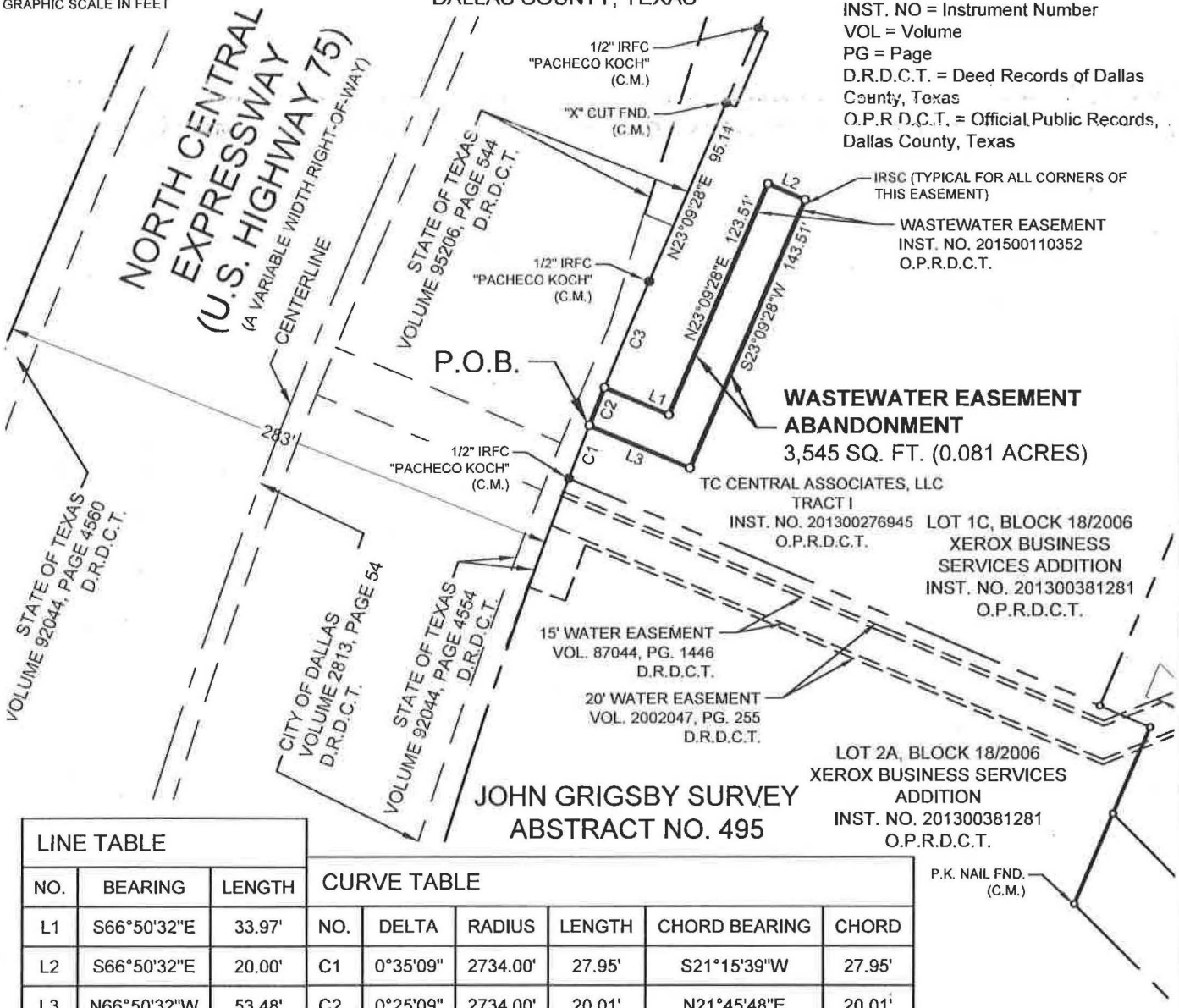
PART OF LOT 1C, BLOCK 18/2006
XEROX BUSINESS SERVICES ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

NORTH

0 40 80

GRAPHIC SCALE IN FEET

LEGEND
P.O.B. = Point of Beginning
IRSC = 5/8" Iron rod w/ "KHA" red plastic cap set
IRFC = Iron rod w/ "PACHECO KOCH" plastic cap found
IPF = Iron pipe found
C.M. = Controlling monument
INST. NO = Instrument Number
VOL = Volume
PG = Page
D.R.D.C.T. = Deed Records of Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas



LINE TABLE		
NO.	BEARING	LENGTH
L1	S66°50'32"E	33.97'
L2	S66°50'32"E	20.00'
L3	N66°50'32"W	53.48'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	0°35'09"	2734.00'	27.95'	S21°15'39"W	27.95'
C2	0°25'09"	2734.00'	20.01'	N21°45'48"E	20.01'
C3	1°11'05"	2734.00'	56.53'	N22°33'55"E	56.53'

MICHAEL MARX
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5181
5750 GENESIS COURT, SUITE 200
FRISCO, TEXAS 75034
PH. 972-335-3580
michael.marx@kimley-horn.com

STATE OF TEXAS
REGISTERED
MICHAEL B. MARX
5181
PROFESSIONAL
LAND SURVEYOR

Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. Texas State Plane Statement; State plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.

(For SPRG use only)
Reviewed By: G.S.
Date: 4-1-19
SPRG NO: 4797

Kimley»Horn
5750 Genesis Court, Suite 200
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	MBM	KHA	3/25/2019	063486546	2 OF 2

Agenda Information Sheet

File #: 19-98 **Item #:** 17.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

An ordinance abandoning a portion of an alley to Kyle P. Kraft and Amanda L. Kraft, the abutting owners, containing approximately 1,444 square feet of land, located near the intersection of Northridge Drive and Hillbrook Street; and authorizing the quitclaim - Revenue: $38,890.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of an alley to Kyle P. Kraft and Amanda L. Kraft, the abutting owners. The area will be included with the property of the abutting owners to build a residential swimming pool. The abandonment fee is based on an independent appraisal.

Notices were sent to 25 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Revenue: $38,890.00, plus the $20.00 ordinance publication fee

OWNERS

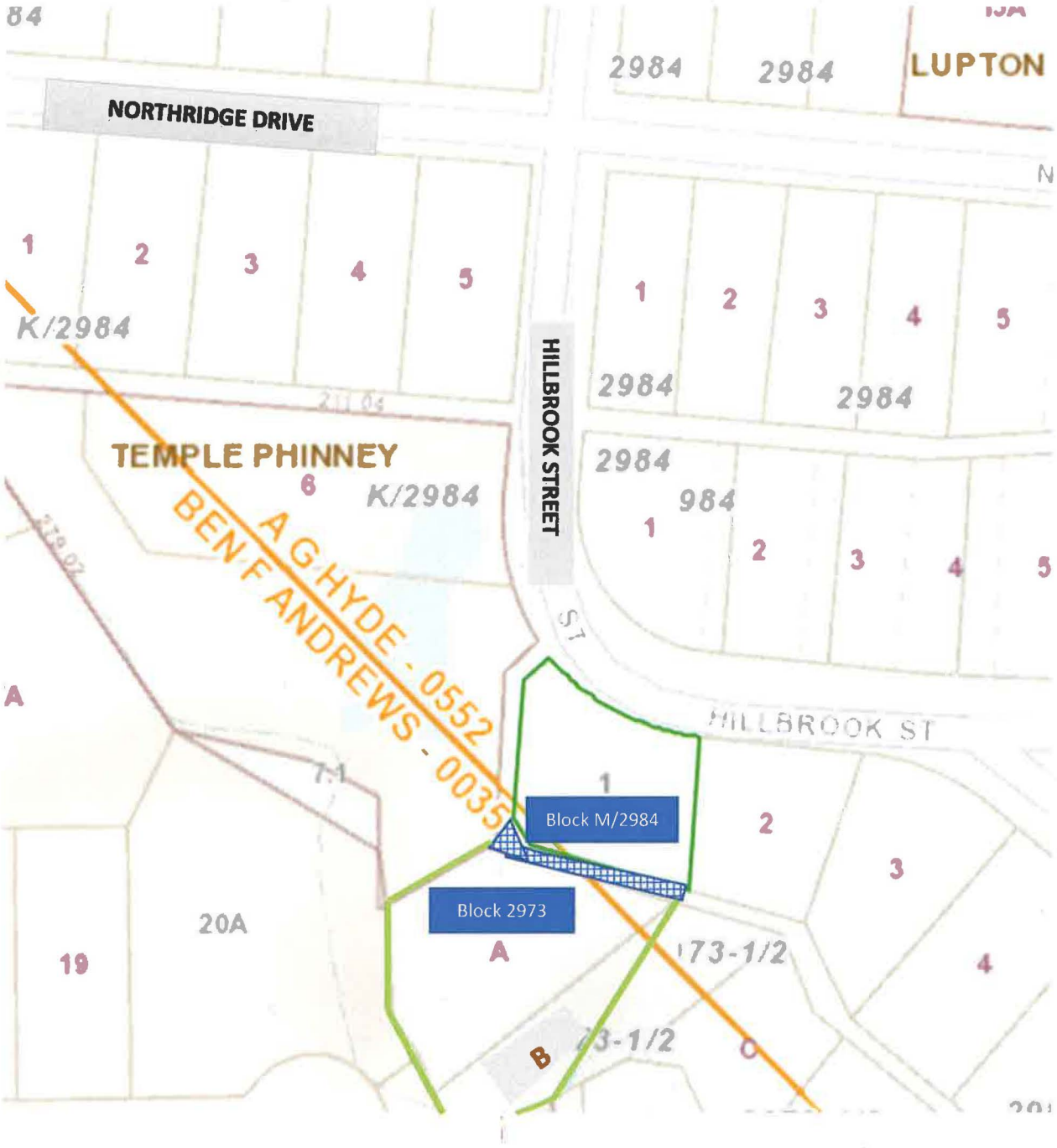
Kyle P. Kraft

Amanda L. Kraft

MAP

Attached

powered by Legistar™



ALLEY ABANDONMENT

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of an alley located adjacent to City Block M/2984 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Kyle P. Kraft and Amanda L. Kraft; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing for the waiver of certain provisions of the Dallas City Code; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Kyle P. Kraft and Amanda L. Kraft, a married couple, hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon and quitclaim, the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions and reverter herein provided, said portion of an alley is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms, conditions and hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That those certain provisions of Section 51A-8.507(b) of the Dallas City Code regarding dead-end alleys to the extent, not required by state law or City Charter, are hereby waived with respect to this ordinance.

SECTION 2. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed

insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 3. That for and in monetary consideration of the sum of **THIRTY-EIGHT THOUSAND EIGHT HUNDRED NINETY AND NO/100 DOLLARS ($38,890.00)** paid by **GRANTEE**, and the further consideration described in Sections 9, 10, 11 and 12, the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. Provided however, that if **GRANTEE,** their heirs and assigns, fails to file a final replat of the adjoining properties as required in Section 10 of this ordinance by the earlier of (i) the date applicable pursuant to the requirements of the Dallas Development Code Chapter 51A-8.403(a)(4)(D) which provides in pertinent part, as may be amended:

> "(D) Except as provided in this subparagraph, a preliminary plat approved by the commission expires five years after the commission action date approving the plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005. An approved minor plat, amending plat (minor), or an administrative plat expires two years after the commission action date approving the plat or within two years after the date of the subdivision administrator's action letter approving the administrative plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005";

or (ii) the date that is the sixth anniversary of the passage of this ordinance; THEN this ordinance and quitclaim shall be rendered null and void and the right, title and easement of the public shall absolutely revert without any necessity for suit or re-entry by the City; and no act or omission on the part of the City, its successors and assigns, shall be a waiver of the operation or enforcement of this ordinance. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE**.

SECTION 4. That upon payment of the monetary consideration set forth in Section 3, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 5. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 3 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 6. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 7. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, their heirs and assigns.

SECTION 8. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, their heirs and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, their heirs and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, their heirs and assigns, agree to undertake and complete in accordance with applicable

federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, their heirs and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within one year of the effective date of this ordinance. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas. Failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of not further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall meet all Sustainable Development and Construction Water and Wastewater Plat requirements as noted in the City Plan Commission Letter for Preliminary Plat S178-216, which is attached hereto as Exhibit C.

SECTION 12. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, their heirs and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 13. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 3, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Section 10, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 14. That this ordinance is also designated for City purposes as Contract No. DEV-2019-00009090.

SECTION 15. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

JL/46142

Exhibit A
ALLEY ABANDONMENT
NORTH RIDGE ESTATES, NUMBER THREE
LOT 1, CITY BLOCK M/2984
A.G. HYDE SURVEY, ABSTRACT NO. 552 &
BEN F. ANDREWS SURVEY, ABSTRACT NO. 35
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 1,444 square foot (0.0332 acres) tract of land situated in the A. G. Hyde Survey, Abstract No. 552, and the Ben F. Andrews Survey, Abstract No. 35, City of Dallas, Dallas County, Texas, said being a portion of a 10 foot Alley in Lot 1, Block M/2984, North Ridge Estates, Number Three, an addition to the City of Dallas, Dallas County, Texas, according to the map or plat thereof, recorded in Volume 12, Page 81, Map Records, Dallas County, Texas, same being that tract of land conveyed to Kyle P. Kraft and Amanda L. Kraft, husband and wife, by Warranty Deed with Vendor's Lien (Tract I) recorded in Instrument No. 201500085342, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows;

BEGINNING at a 1/2 inch iron rod with yellow cap stamped "CBG Surveying" found for corner, said corner being the Southeast corner of said Lot 1, and the Southwest corner of Lot 2, Block M/2984, of said North Ridge Estates, Number Three, also being the in the North line of said 10 foot Alley;

THENCE South 55 degrees 04 minutes 00 seconds West, over and across of said 10 foot Alley, a distance of 12.50 feet to a 1/2 inch iron pipe found for corner, said corner being in the South line of said 10 foot Alley, and being the Northwest corner of a tract of land conveyed to Jon P. Whitten and wife, Lisa Whitten, (Tract II), by deed recorded in Volume 2000172, Page 2306, Deed Records, Dallas County, Texas, also being the Northeast corner of said Kraft tract (Tract II);

THENCE North 74 degrees 19 minutes 52 seconds West, along the North line of said Kraft tract (Tract II); a distance of 127.57 feet to an X-cut found for corner, said corner being the Southeast corner of Lot 7, Block K/2984, of Temple Phinney Subdivision, by deed recorded in Vol. 12, Page 111, Map Records, Dallas County, Texas, and being the Southwest corner of a 15 foot Alley, of said North Ridge Estates, Number Three, from which a 1/2 inch iron pipe found for witness, bears North 74 degrees 19 minutes 52 seconds West, a distance of 3.64 feet;

THENCE North 39 degrees 26 minutes 42 seconds East, over and across said 15 foot Alley, a distance of 27.25 feet to an X-cut found for corner, said corner being in the East line of said 15 foot Alley, and being in the West line of said Lot 1;

THENCE South 33 degrees 30 minutes 19 seconds East, along the Southwest line of said Lot 1, a distance of 23.15 feet to a 5/8 inch iron rod found for corner, said corner being in the South line of said Lot 1, and being in the North line of said 10 foot Alley;

THENCE South 74 degrees 15 minutes 28 seconds East, along the South line of said Lot 1, and being the North line of said 10 foot Alley, a distance of 107.00 feet to the POINT OF BEGINNING and containing 1,444 square feet or 0.0332 acres of land.

(For SPRG use only)	
Reviewed By:	G.S.
Date:	8-15-18
SPRG No.:	4591

GENERAL NOTES:

STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983. ADJUSTMENT REALIZATION 2011.

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
PROFESSIONAL
LAND SURVEYOR

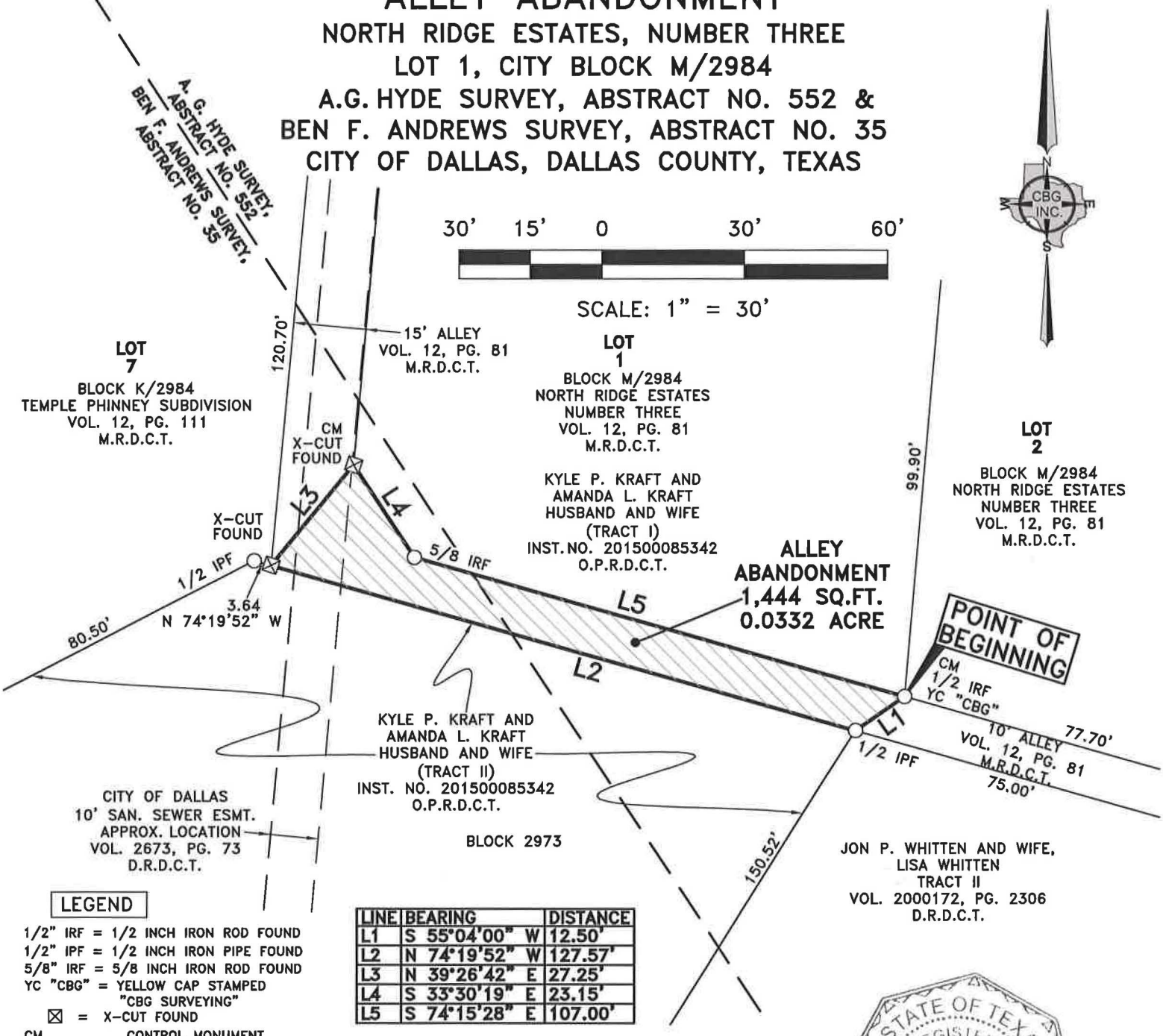
BRYAN CONNALLY
R.P.L.S. NO. 5513

CBG Surveying Texas, LLC.

PLANNING SURVEYING
12025 Shiloh Road • Suite 230 Dallas, Texas 75228
P 214.349.9485 F 214.349.2216
Firm No. 10168800
www.cbginctx.com

SHEET 1 OF 2
JOB NO. 1501181-4
DRAWN BY: CC
DATE: 05/25/18

Exhibit A
ALLEY ABANDONMENT
NORTH RIDGE ESTATES, NUMBER THREE
LOT 1, CITY BLOCK M/2984
A.G. HYDE SURVEY, ABSTRACT NO. 552 &
BEN F. ANDREWS SURVEY, ABSTRACT NO. 35
CITY OF DALLAS, DALLAS COUNTY, TEXAS



LINE	BEARING	DISTANCE
L1	S 55°04'00" W	12.50'
L2	N 74°19'52" W	127.57'
L3	N 39°26'42" E	27.25'
L4	S 33°30'19" E	23.15'
L5	S 74°15'28" E	107.00'

LEGEND

1/2" IRF = 1/2 INCH IRON ROD FOUND
1/2" IPF = 1/2 INCH IRON PIPE FOUND
5/8" IRF = 5/8 INCH IRON ROD FOUND
YC "CBG" = YELLOW CAP STAMPED "CBG SURVEYING"
☒ = X-CUT FOUND

CM	CONTROL MONUMENT
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
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
ESMT.	EASEMENT
SQ.FT.	SQUARE FEET

(For SPRG use only)
Reviewed By: G.S.
Date: 8-15-18
SPRG No.: 4591

GENERAL NOTES:

STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983. ADJUSTMENT REALIZATION 2011.

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
PROFESSIONAL
LAND SURVEYOR

BRYAN CONNALLY
R.P.L.S. NO. 5513

CBG Surveying Texas, LLC.
PLANNING • SURVEYING
12025 Shiloh Road • Suite 230 • Dallas, Texas 75228
P 214.349.9485 • F 214.349.2216
Firm No. 10168800
www.cbginctx.com

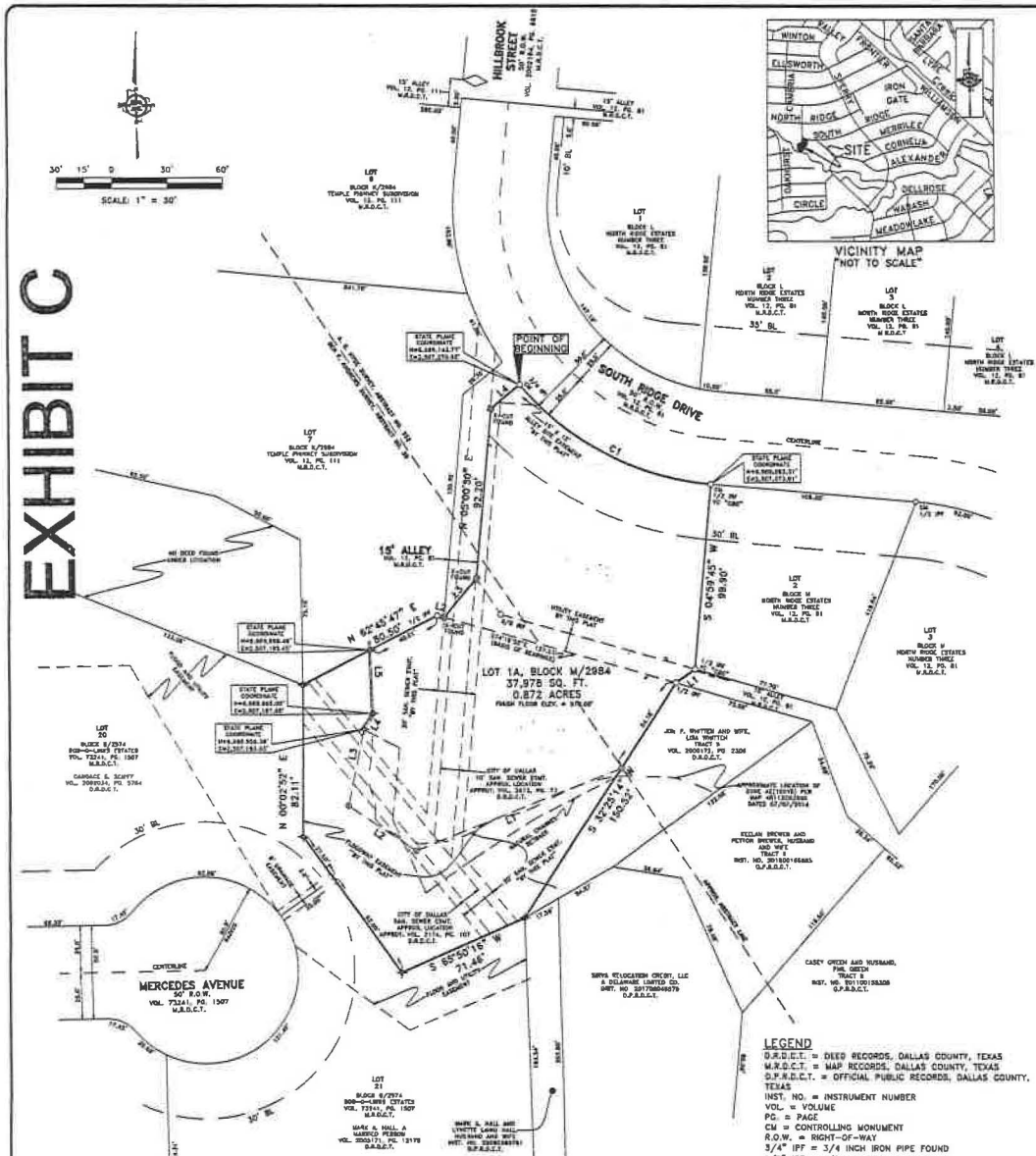
SHEET 2 OF 2
JOB NO. 1501181-4
DRAWN BY: CC
DATE: 05/25/18

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

EXHIBIT C


SCALE: 1" = 30'
HILLBROOK STREET
50' R.O.W.
VOL. 2002184, PG. 4818
M.R.D.C.T.
15' ALLEY
VOL. 72241, PG. 1507
M.R.D.C.T.
LOT 1A, BLOCK M/2984
37,978 SQ. FT.
0.872 ACRES
FINISH FLOOR ELEV. = 378.08'
POINT OF BEGINNING
SOUTH RIDGE DRIVE
50' R.O.W.
VOL. 72241, PG. 1507
M.R.D.C.T.
MERCEDES AVENUE
50' R.O.W.
VOL. 72241, PG. 1507
M.R.D.C.T.
CENTERLINE
35' BL
30' BL
15' ALLEY
VOL. 72, PG. 111
M.R.D.C.T.
N 00°00'30" E
92.20'
S 04°59'45" W
98.90'
N 85°45'47" E
50.50'
N 00°00'52" E
82.11'
S 32°25'14" E
150.53'
S 85°50'16" W
71.46'
C1
C2
C3
C4
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C40

Agenda Information Sheet

File #: 19-632 **Item #:** 18.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 2, 6, 10, 11, 12, 13, 14

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an agreement between the City of Dallas and the Regional Transportation Council ("RTC") to **(1)** outline the roles and responsibilities of each party for the use of Metropolitan Transportation Plan Transportation Development Credits ("TDCs") for seven City of Dallas projects; and **(2)** accept the 6,287,119 TDCs awarded by RTC to be used as match to future federal funds for the seven projects (list attached to the Agenda Information Sheet) - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

In 2017 and 2018, funding was considered for seven City of Dallas projects and approved by RTC in the amount of $31,435,595.00. The use of federal funding requires a 20 percent local match, which will be satisfied by using 6,287,119 Metropolitan Transportation Plan TDCs. The projects will become 100 percent federally funded once TDCs are utilized.

A TDC is a Federal Highway Administration financing tool that allows states to use federal funding without the requirement of a cash match. These credits are non-cash credits allocated to states to account for toll road and tolled managed lanes that benefit the federal system. RTC awarded TDCs to the City of Dallas for its policies, programs, and projects that support regional 2045 Metropolitan Plan goals.

According to the Texas Administrative Code (43 TAC §5.110), agencies receiving TDCs from a Metropolitan Planning Organization (MPO) for a project must enter into an agreement with that MPO that outlines the terms of TDC use. The agreement between the City and RTC is needed for project inclusion in the Transportation Improvement Program (TIP). The TIP is the first step for review and final funding approval by the Texas Department of Transportation and the Federal Highway Administration.

This action will authorize an agreement between the City of Dallas and the RTC to **(1)** outline the roles and responsibilities of each party for the use of Metropolitan Transportation Plan TDCs for seven City of Dallas projects; and **(2)** accept the 6,287,119 TDCs awarded by RTC to be used as match to future federal funds for the seven projects.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

No cost consideration to the City. The total project cost of this agreement is $31,435,595.00 and encompasses seven projects listed below. There is no cost consideration to the City, these projects are all 100 percent federally funded. However, there will be future agenda items for use of TDCs as a match for federal funds to be accepted.

Project Description	Amount
SOPAC Trail	$ 4,000,000.00
KCS Trail	$ 4,000,000.00
West Commerce from Forth Worth Avenue to Riverfront Boulevard	$ 8,270,000.00
Park Lane from Greenville Avenue to Hemlock Avenue	$ 8,221,925.00
Cotton Belt Veloweb Trail	$ 4,943,670.00
McKinney Avenue Transit Authority M-Line Extension from Uptown to Knox-Henderson Neighborhood	$ 1,000,000.00
Harry Hines Boulevard from Akard Street to Loop 12	$ 1,000,000.00
Total	$31,435,595.00

See list attached for Transportation Development Credit Agreement Project List details.

MAP

Attached

powered by Legistar™

City of Dallas Transportation Development Credit Agreement Project List

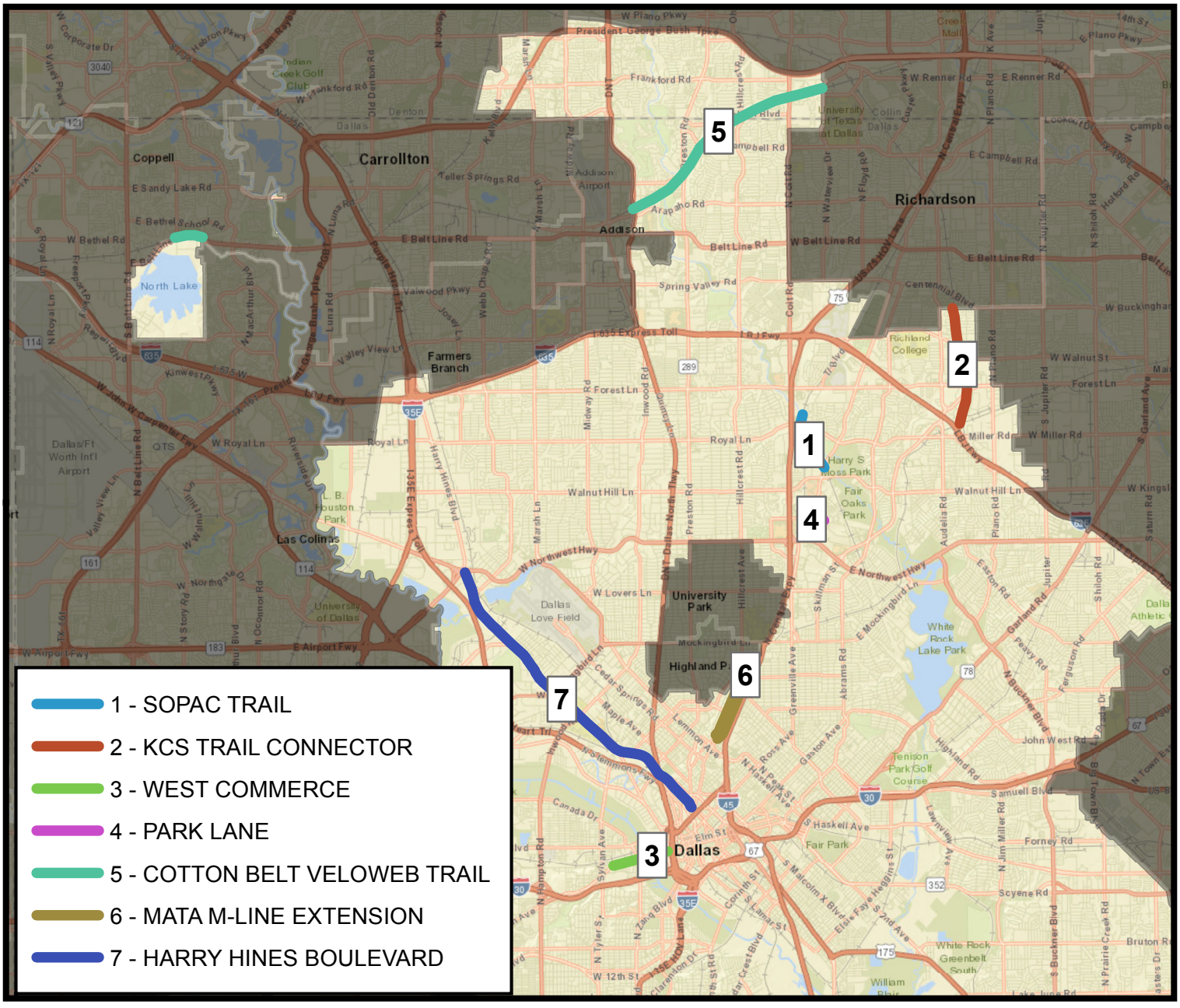
Project Description	Total Project Amount	TDC Amount	Award Date	Council District
Harry Hines Boulevard from Akard Street to SL 12 (west Northwest Highway); perform corridor analysis & develop master plan for Harry Hines corridor w/ emphasis on sustainable development, providing multimodal transportation needs, technology options for additional capacity, intersection improvements, & land use/transportation components; includes North Central Texas Council of Governments (NCTCOG) staff time & may include consultant assistance	$1,000,000.00	200,000	July 13, 2017	2
McKinney Avenue Transit Authority M-Line Extension from Uptown to Knox-Henderson neighborhood; conduct a study to recommend alignments & stops, evaluate the cost of implementation, operation, & maintenance, provide technical assistance producing ridership estimates & preliminary environmental analysis, identify potential funding, & develop timeline; includes NCTCOG staff time & may include consultant assistance	$1,000,000.00	200,000	July 13, 2017	14
Cotton Belt Veloweb Trail from DFW Airport North Cotton Belt Station to Shiloh Cotton Belt Station; design for Cotton Belt Veloweb Trail (26 miles) and construction of multiple sections of the trail corridor (in Coppell, Carrollton, Addison, Dallas, and Richardson)- City of Dallas sections only	$4,943,670.00	988,734	October 11, 2018	11, 12
Park Lane from Greenville Avenue to Hemlock Avenue; Park Lane at Greenville Avenue; reconstruct roadway to accommodate bicycle lane and sidewalks from Greenville Ave to Hemlock Ave; intersection improvements at Shady Brook and 5-Point intersections; restripe pavement to accommodate 4 through lanes with left turn lanes and bicycle lanes	$8,221,925.00	1,644,385	December 13, 2018	13

West Commerce from Fort Worth Avenue to Riverfront; reduce from 6 to 4 lanes with sidewalk improvements and bicycle lanes	$8,270,000.00	1,654,000	December 13, 2018	6
KCS Trail Connector from LBJ/Skillman DART station to Richardson City Limits; construct shared use path	$4,000,000.00	800,000	December 13, 2018	10
SOPAC Trail from intersection of Greenville Avenue and Meadow to Northaven Trail; construct shared use path	$4,000,000.00	800,000	December 13, 2018	13
Total	**$31,435,595.00**	**6,287,119**		

Transportation Development Credit Agreement Project List

Council District: 2, 6, 10, 11, 12, 13, 14
MAPSCO: VARIOUS




1 - SOPAC TRAIL
2 - KCS TRAIL CONNECTOR
3 - WEST COMMERCE
4 - PARK LANE
5 - COTTON BELT VELOWEB TRAIL
6 - MATA M-LINE EXTENSION
7 - HARRY HINES BOULEVARD
Coppell
Carrollton
Addison
Richardson
Farmers Branch
Las Colinas
University Park
Highland Park
Dallas
Dallas Love Field
Dallas/Ft Worth Int'l Airport
North Lake
Harry S. Moss Park
Fair Oaks Park
White Rock Lake Park
Tenison Park Golf Course
Richland College
L. B. Houston Park
Addison Airport
Frankford Rd
Belt Line Rd
Spring Valley Rd
Forest Ln
Royal Ln
Walnut Hill Ln
Mockingbird Ln
W Lovers Ln
W Northwest Hwy
E Northwest Hwy
Miller Rd
Centennial Blvd
Arapaho Rd
Campbell Rd
Renner Rd
Plano Pkwy
Valwood Pkwy
Webb Chapel Rd
Marsh Ln
Hillcrest Rd
Preston Rd
Inwood Rd
Midway Rd
Harry Hines Blvd
Greenville Ave
Skillman St
Abrams Rd
Audelia Rd
Garland Rd
Jupiter Rd
Shiloh Rd
Buckner Blvd
Lemmon Ave
Maple Ave
Cedar Springs Rd
Oak Lawn Ave
Gaston Ave
Ross Ave
Pearl St
Haskell Ave
Fair Park
Samuell Blvd
Forney Rd
Scyene Rd
John West Rd
Highland Rd
Ferguson Rd
Peavy Rd
Easton Rd
Saturn Rd
Lawnview Ave
Jim Miller Rd
Malcolm X Blvd
Elsie Faye Heggins St
S 2nd Ave
S Lamar St
Corinth St
Elm St
Canada Dr
Sylvan Ave
N Hampton Rd
N Tyler St
N Zang Blvd
W 12th St
Clarendon Dr
Cockrell Hill Rd
Story Rd
O'Connor Rd
Northgate Dr
Airport Fwy
Kinwest Pkwy
Valley View Ln
Josey Ln
Luna Rd
Marsh Ln
Webb Chapel Rd

May 22, 2019

WHEREAS, the Texas Administrative Code (43 TAC §5.110) requires agencies receiving Transportation Development Credits (TDC's) from a Metropolitan Planning Organization (MPO) for a project to enter into an agreement with that MPO that outlines the terms of TDC use; and

WHEREAS, the agreement between the City and the Regional Transportation Council (RTC) is needed for project inclusion in the Transportation Improvement Program (TIP); and

WHEREAS, on July 13, 2017, RTC awarded $1,000,000.00 in federal funding for the McKinney Avenue Transit Authority M-Line Extension from Uptown to Knox-Henderson Neighborhood study, and the City of Dallas used 200,000 TDCs to satisfy the local match requirement; and

WHEREAS, on July 13, 2017, RTC awarded $1,000,000.00 in federal funding for the Harry Hines Boulevard Corridor Analysis, and the City of Dallas used 200,000 TDCs to satisfy the local match requirement; and

WHEREAS, on October 11, 2018, RTC awarded $4,943,670.00 in federal funding for the Cotton Belt Veloweb Trail project, and the City of Dallas used 988,734 TDCs to satisfy the local match requirement; and

WHEREAS, on December 13, 2018, RTC awarded $4,000,000.00 in federal funding to the SOPAC Trail project, and the City of Dallas used 800,000 TDCs to satisfy the local match requirement; and

WHEREAS, on December 13, 2018, RTC awarded $4,000,000.00 in federal funding for the KCS Trail project, and the City of Dallas used 800,000 TDCs to satisfy the local match requirement; and

WHEREAS, on December 13, 2018, RTC awarded $8,270,000.00 in federal funding for the West Commerce project, and the City of Dallas used 1,654,000 TDCs to satisfy the local match requirement; and

WHEREAS, on December 13, 2018, RTC awarded $8,221,925.00 in federal funding for the Park Lane project, and the City of Dallas used 1,644,385 TDCs to satisfy the local match requirement.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute an agreement between the City of Dallas and the Regional Transportation Council to **(1)** outline the roles and responsibilities of each party for the use of Metropolitan Transportation Plan Transportation Development Credits for seven City of Dallas projects; and **(2)** accept 6,287,119 TDCs awarded by RTC to be used as match to future federal funds for the seven projects, approved as to form by the City Attorney.

SECTION 2. That this contract is designated as Contract No. TRN-2019-00009914.

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

Agenda Information Sheet

File #: 19-639 **Item #:** 19.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Library

EXECUTIVE: Joey Zapata

SUBJECT

Authorize the **(1)** acceptance of a grant from the Texas Book Festival for the 2019 Collections Enhancement Grant in the amount of $2,500.00 to support collection enhancement at the Polk-Wisdom Branch Library; **(2)** receipt and deposit of funds from the Texas Book Festival in an amount not to exceed $2,500.00 in the Texas Book Festival Grant-Library Collection Enhancement Fund; and **(3)** establishment of appropriations in an amount not to exceed $2,500.00 in the Texas Book Festival Grant-Library Collection Enhancement Fund - Not to exceed $2,500.00 - Financing: Texas Book Festival Grant Funds

BACKGROUND

The Texas Book Festival awards competitive grants to libraries and regional library systems across the state to grow and maintain library collections with new materials for public circulation. The City of Dallas, Dallas Public Library, has been awarded one of these annual grants.

The 2019 Collections Enhancement Grant, in the amount of $2,500.00, will be used to enhance and upgrade the library's children's collection of African American fiction at the Polk-Wisdom Branch Library and the Dallas Public Library. This grant will support the acquisition of newer titles featuring African American main characters, including of easy readers and juvenile fiction books.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life, Arts & Culture Committee on May 13, 2019.

FISCAL INFORMATION

Texas Book Festival Grant Funds - $2,500.00

May 22, 2019

WHEREAS, the Texas Book Festival has awarded the City of Dallas, Dallas Public Library, grant funds to enhance children's collection of African American fiction at the Polk-Wisdom Branch Library, including the 2019 Collections Enhancement Grant to support the acquisition of new library collections; and

WHEREAS, it is recommended that the City Manager be authorized to accept the grant funds, in an amount not to exceed $2,500.00 for 2019 allocation.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to accept a grant from the Texas Book Festival for the 2019 Collections Enhancement Grant, to support collection enhancement at the Polk-Wisdom Branch Library, in an amount not to exceed $2,500.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $2,500.00 in the Texas Book Festival Grant-Library Collection Enhancement Fund, Fund P129, Department LIB, Unit 3878, Revenue Code 8411.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $2,500.00 in the Texas Book Festival Grant-Library Collection Enhancement Fund, Fund P129, Department LIB, Unit 3878, Object 4860.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,500.00 in the Texas Book Festival Grant-Library Collection Enhancement Fund, Fund P129, Department LIB, Unit 3878, Object 4860.

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

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

SECTION 7. That this contract is designated as Contract No. LIB-2019-00010246.

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

Agenda Information Sheet

File #: 19-636 **Item #:** 20.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Library

EXECUTIVE: Joey Zapata

SUBJECT

An ordinance amending Chapter 24, "Library," of the Dallas City Code, by amending Article 1; **(1)** eliminating library fines; **(2)** eliminating the $1.00 fee for failure to present library card; **(3)** eliminating the $4.00 replacement fee for a new library card; and **(4)** authorizing the library director to administer two annual amnesty periods to forgive some or all fees accrued - Estimated Annual Revenue Foregone: $150,000.00

BACKGROUND

The Dallas Public Library continues striving towards more equitable access. Its mission is to make information and materials free and accessible to all residents. Whether helping to close the digital divide by offering free wi-fi access, helping immigrants learn English, offering free citizenship classes, helping to close the reading gap by providing early literacy programs, or simply loaning books, libraries ensure that all residents can overcome barriers to learning, growing, and strengthening their communities.

Fines adversely affect lower-income populations and discourage potential users from taking advantage of the Library's free resources. With over 650,000 current card holders, almost half have blocked accounts due to having more than $5.00 in fines. Adoption of this ordinance amendment would renew access for many residents who are currently unable to utilize library resources due to fines, and to others who could now find it easier to use library materials and services. This action also promotes equity in access to City resources and a service first approach to serving all residents equally.

Fees will remain and accrue on customer accounts if the item is lost or not returned within 30 days from check out. The Dallas Public Library will offer two amnesty, or grace, days annually providing card holders with an opportunity to have accrued fees forgiven. An annual report will be provided to the Quality of Life, Arts & Culture Committee.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Quality of Life, Arts & Culture Committee was briefed on April 8, 2019.

FISCAL INFORMATION

Estimated Annual Revenue Foregone: $150,000.00

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5-6-19

ORDINANCE NO. _____

An ordinance amending Chapter 24, "Library," of the Dallas City Code by amending Article I; eliminating library fines; eliminating the fee for failure to present library card; eliminating fee for replacement library card; authorizing the library director to administer two annual amnesty periods allowing forgiveness of some or all fees accrued for any items returned after the due date; providing a penalty not to exceed $500; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Article I, "In General," of Chapter 24, "Library," of the Dallas City Code is amended to read as follows:

"**ARTICLE I.**

IN GENERAL.

SEC. 24-1. "PUBLIC LIBRARY" DEFINED.

For the purpose of this chapter, the words "public library" shall mean the public library of the city.

SEC. 24-2. ~~[PUBLIC LIBRARY FINES.~~

~~(a) In addition to any other fee, charge, or penalty assessed under this chapter, a person shall pay a civil fine in accordance with the following schedule for each day, including holidays and weekends, that the person fails to return an item of property that the person has borrowed from the public library after the property is due:~~

	~~Item~~	~~Fine~~
~~(1)~~	~~Books and all other library materials except those listed in Paragraphs (2) and (3) of this subsection~~	~~$0.30~~
~~(2)~~	~~Record albums, cassette tapes, and microforms~~	~~$0.50~~

~~(3)~~	~~Special reference materials, vertical file material, compact disks, digital video disks, and video cassettes~~	~~$1.00~~

~~(b) No fine assessed under Subsection (a) of this section for any item of overdue library property shall exceed $20 for an item described in Subsection (a)(2) or (a)(3) or $12.50 for any other item, or the replacement value of the item, whichever is less.~~

~~SEC. 24-3.~~] **FAILURE TO RETURN LIBRARY PROPERTY.**

A person commits an offense if he takes or borrows from the public library any property, including, but not limited to, books, pamphlets, periodicals, papers, and works of art, and fails to return the property to the public library within 30 days after the date the property is due.

SEC. 24-3[4]. PUBLIC LIBRARY FEES AND CHARGES.

(a) A person who damages an item of library property shall reimburse the public library the costs of repairing or rebinding the item.

(b) A person who loses or damages beyond repair an item of library property shall pay an amount equal to the retail cost of replacing the item, plus a reprocessing fee of $28. The retail cost and reprocessing fee for replacement of a lost or damaged item may be waived if a person replaces the lost or damaged item with a comparable item of equal or greater value.

(c) [~~A person, other than an employee or active volunteer in the city of Dallas public library system, who has been issued a library card but fails to present it when borrowing library materials from the public library shall pay $1 and submit other identification.~~

~~(d) A person, other than an employee or active volunteer in the city of Dallas public library system, shall pay a replacement fee of $4 for a library card that has been lost, destroyed, or mutilated.~~

~~(e)~~] Nonresident user fees.

(1) Nonresidents of the city who use the public library shall pay a fee of:

(A) $25 to borrow five items of library property;

(B) $60 to borrow 15 items of library property; and

(C) $250 to borrow unlimited items of library property during a 12-consecutive-month period.

(2) The following nonresidents are exempt from the fees established by this subsection:

(A) a city of Dallas employee;

DRAFT

(B) an active volunteer for the city of Dallas public library system;

(C) a student or teacher in a public elementary or secondary school located in the city of Dallas;

(D) a person participating in the TexShare Card program, but only for items and services covered by that program; and

(E) any other person exempted by city council resolution.

(d[ǂ]) Photograph reproduction fees.

(1) The fee for a digital reproduction of a photograph is $25 per image for a one-time publication or website use in a single language in one country. This fee does not include charges for broadcast or publishing copyright permission.

(2) In addition to the fee required in Subsection (d[ǂ])(1), the following fees will be charged for for-profit broadcast or publishing copyright permission based on usage:

(A) $50 per image for commercial exhibition.

(B) $200 per image for commercial reproduction or re-sale.

(C) $50 per image for a one-time print use in a single language worldwide.

(D) $100 per image for a one-time print or electronic (e-book) use in all languages worldwide.

(E) $100 per image for a one-country broadcast use in a single language only.

(F) $150 per image for a world broadcast use in a single language only.

(G) $300 per image for a world broadcast use in all languages.

(3) In addition to the fee required in Subsection (d[ǂ])(1), the following fees will be charged for non-profit broadcast or publishing copyright permission based on usage:

(A) $25 per image for commercial exhibition.

(B) $100 per image for commercial reproduction or re-sale.

(C) $25 per image for a one-time print use in a single language worldwide.

DRAFT

(D) $50 per image for a one-time print or electronic (ebook) use in all languages worldwide.

(E) $50 per image for a one-country broadcast use in a single language only.

(F) $75 per image for a world broadcast use in a single language only.

(G) $150 per image for a world broadcast use in all languages.

(4) The total fee calculated under Subsections (d[~~f~~])(1), (d[~~f~~])(2), and (d[~~f~~])(3) will be increased by:

(A) 100 percent if a one- to five-day turn-around time is requested; and

(B) 50 percent if a six- to 10-day turn- around time is requested.

(5) The following additional fees for delivery and media will be charged if required for an order:

(A) $3 for postage and handling.

(B) $3 for CD authoring.

(e[~~g~~]) A person requesting research by a staff member of the public library shall pay a fee of $17.50 per half hour, which fee will include up to four photocopies. Additional photocopies may be purchased for $0.25 per page. Each person making a request under this subsection will be limited to one hour of research and fifty photocopies per month. The director may waive up to 25 percent of the charges for research requested by a corporate member of the Friends of the Dallas Public Library.

(f[~~h~~]) The fee for a printout from an electronic database is $0.25 per page for a black and white printout and $0.75 a page for a color printout.

(g[~~i~~]) A fee of $20 will be charged for each public library account turned over to a collection agency for the purpose of recovering any money or property owed to the public library.

(h[~~j~~]) A person making an interlibrary loan request shall pay a fee of $3 for each item received from a library outside of the city of Dallas public library system pursuant to the request.

SEC. 24-4. LIBRARY FEE AMNESTY PERIODS.

(a) The library director is authorized to administer two annual amnesty periods during which the library, at the request of a library card holder, may forgive some or all fees and charges accrued in accordance with Sections 24-3(a) and 24-3(b).

(b) The amnesty periods may not occur for longer than one month in duration, and the library director shall not administer more than two amnesty periods in any fiscal year.

SEC. 24-5. BOOKS FROM HOUSES WHERE THERE IS CONTAGIOUS DISEASE - GENERALLY.

Every person in any house where there is a contagious or infectious disease shall deliver to the director of public health, at such house, any book, periodical or publication that he may have which belongs to the public library. The director of public health shall at once cause such book, periodical or publication to be disinfected and returned to the public library.

SEC. 24-6. SAME - NOTICE TO BE GIVEN BY DIRECTOR OF PUBLIC HEALTH.

It is hereby made the duty of the director of public health of the city, whenever he finds that there is any contagious or infectious disease in any house in the city, to at once give written notice of this fact to the librarian of the public library.

SEC. 24-6.1. PENALTY.

A person violating a provision of this article is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted, and each offense is punishable by a fine not to exceed $50."

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $500.

SECTION 3. That Chapter 24 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

DRAFT

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By_____
Assistant City Attorney

Passed_____

DRAFT

Agenda Information Sheet

File #: 19-637 **Item #:** 21.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Community Care

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

A resolution adopting the Age-Friendly Dallas Plan - Financing: No cost consideration to the City

BACKGROUND

The Age-Friendly Initiative is managed across a national network by the American Association of Retired Persons (AARP) and implemented at the community level by a network of state and local partners and local government agencies. The Age-Friendly Initiative process involved 4 steps: 1) entering the network; 2) planning phase; 3) implementation and evaluation; and 4) continuous cycle of improvements.

The City of Dallas completed step 1 in 2014. In August 2014, Mayor Michael Rawlings enrolled the City of Dallas in the Age-Friendly Communities (AFC) Network. Later that year, AARP presented the City with the AFC certificate, which was then presented to the Senior Affairs Commission (SAC). AFC was then briefed to the City's Housing Committee in April 2015 and to the full Council in 2015.

In 2015, the program entered the planning phase. The SAC, working with local representatives of AARP, worked together to conduct numerous community listening sessions and community partner stakeholder meetings. Over the next 2-3 years, more than 40 community partners and stakeholders were engaged in the process. Data and input from these meetings was aggregated to develop a set of domains and strategic recommendations, which was then integrated into an action plan.

By early 2018, the plan, now called the Age-Friendly Dallas Plan (the Plan), was completed and AARP representatives and SAC members began meeting with Council members and City staffers to share the Plan. In September of that year, there was a final convening of community partners and stakeholders for final comments on the proposed Plan. In February 2019, the SAC held a special called meeting to discuss the Plan. On March 25, 2019, the SAC voted to adopt the Plan and to recommend adoption of the Plan to City Council. On April 1, 2019, the SAC presented the Plan to the Human and Social Needs Committee, which recommended the Plan to be briefed at an upcoming City Council meeting. On April 17, 2019, City Council was briefed on the Age-Friendly Initiative and the Age-Friendly Dallas Plan.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Senior Affairs Commission voted to recommend adoption of the Age-Friendly Dallas Plan by City Council on March 25, 2019.

The Human and Social Needs Committee was briefed regarding this item on April 1, 2019.

City Council was briefed on this item on April 17, 2019.

FISCAL INFORMATION

No cost consideration to the City.

May 22, 2019

WHEREAS, the aging of the U.S. population has been a key concern for city planners and policymakers for decades with the aging of the Baby Boom generation (those born between 1946 and 1964) changing the age profile for the entire country; and

WHEREAS, in establishing its Age-Friendly Cities and Communities Program, the World Health Organization (WHO) developed a framework for defining the features that make a city age-friendly; and

WHEREAS, the American Association of Retired Persons (AARP), as the U.S. affiliate of the WHO's global network, has developed a similar five-year process tailored to the United States; and

WHEREAS, in its advocacy for policies that improve the quality of life for people of all ages, AARP provided a new tool in 2015, called the Livability Index; and

WHEREAS, Dallas is ranked the ninth-fastest growing community of people age 65 and older in the country, with nearly 24 percent of the city's population today over age 50; and

WHEREAS, Dallas' overall Livability Index score is 55 of 100, placing it in the middle tier of cities; and

WHEREAS, this Age-Friendly Dallas Plan is organized around 7 domains that capture the WHO's 8 domains structure of Age-Friendly Communities along with insights from the Livability Index; and

WHEREAS, regardless of age, everyone wants to be a part of our community and share in the opportunities and services that our city provides.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby affirms its commitment to being an Age-Friendly City.

SECTION 2. That the City of Dallas hereby adopts the Age-Friendly Dallas Plan as a reference and guide, attached hereto.

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.

AGE-FRIENDLY DALLAS



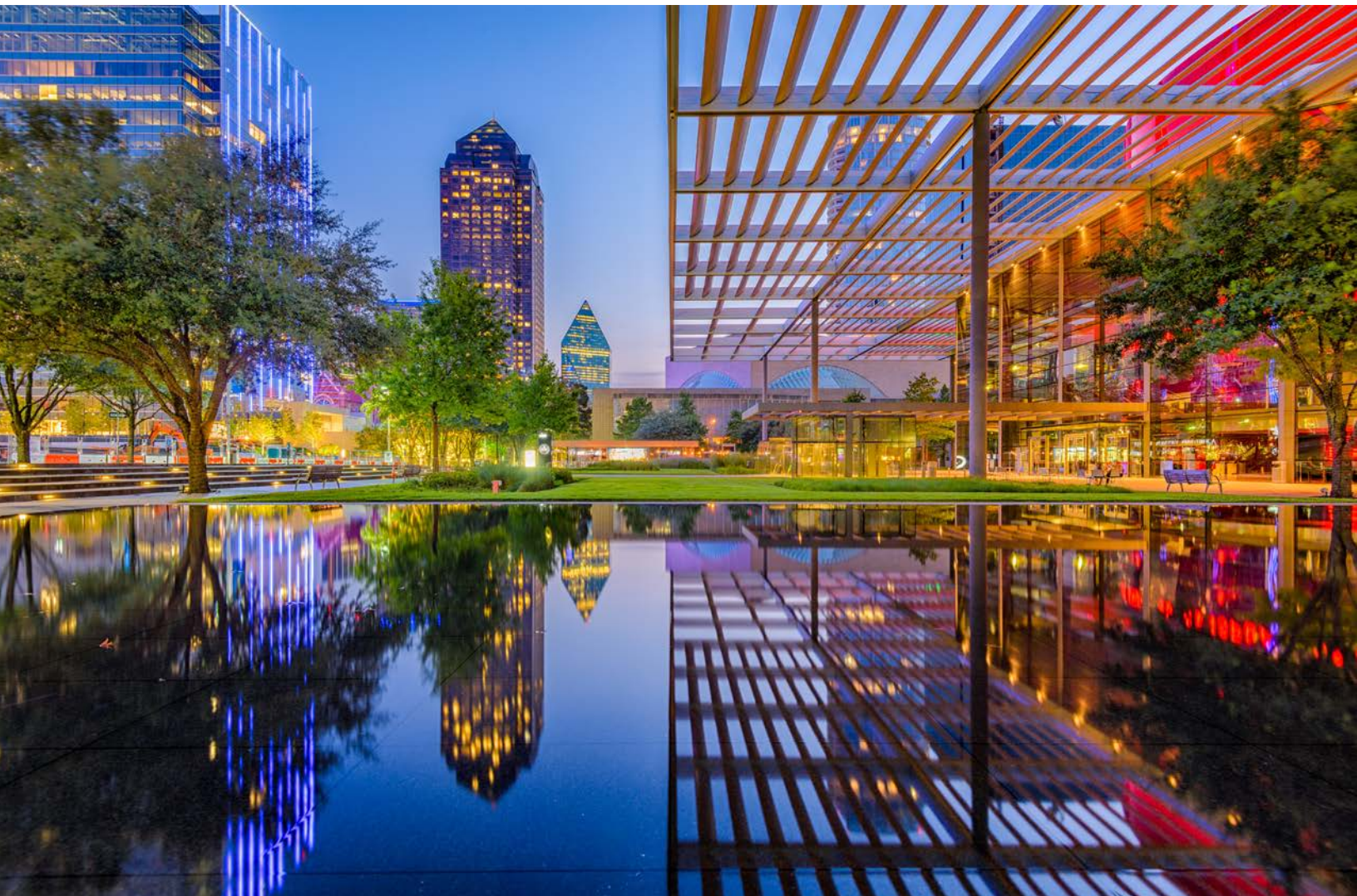
DEDICATION

This Age-Friendly Action Plan is dedicated to:

The 50-plus community of Dallas, whose experiences and wisdom enrich our city, along with our community partners who strive to make Dallas an age-friendly community.

AGE-FRIENDLY DALLAS

AARP Real Possibilities in Texas



LETTER FROM MICHAEL S. RAWLINGS
MAYOR OF DALLAS

City of Dallas



Across the globe, cities are transforming themselves to meet the needs of residents at every stage of life. One of the ways in which cities set these transformative goals and measure their results is by membership in the World Health Organization's Network of Age-Friendly Communities, an international program designed to help communities prepare for aging populations.

Today, the City of Dallas joins the more than 350 participating communities in the Network of Age-Friendly Communities. On behalf of the residents of Dallas, Texas, I am proud to present the Age-Friendly Dallas Plan.

This roadmap, developed by our citizens and community organizations in partnership with city leadership and staff, demonstrates our commitment to a livable community where all generations are able to thrive.

Dallas' population consists of 1.3 million people, and it is ranked the ninth-fastest growing community of people age 65 and older in the country. Nearly 24% of the city's population today is over age 50.

To address our changing demographics and city growth, our community offers this Action Plan that addresses areas identified by the World Health Organization as key to ensuring an aging-friendly environment.

The Age-Friendly Dallas Plan focuses on:

- supportive community and health service for all
- civic engagement and participation
- social inclusion through employment and volunteer opportunities
- appropriate housing in a range of affordability levels
- vibrant outdoor spaces and public places
- effective, sensible transportation options

This initiative, along with the work of our Senior Affairs Commission and other city comprehensive plans, will help ensure that Dallasites of all ages have the resources to remain healthy, independent and integrated into community life.

We look forward to working with AARP Texas and other partners to ensure our community has the appropriate infrastructure and support in place so that all the people of Dallas can choose how they live as they age.

Sincerely,

Michael S. Rawlings
Mayor of Dallas



> “Regardless of age, we all want to be a part of our community and share in the opportunities and services that our city provides.

CONTENTS

Community Profile 6

Age-Friendly Domains Explained 11

Development of the Age-Friendly Dallas Action Plan 12

- Domain 1: Outdoor Spaces & Buildings 15
- Domain 2: Transportation 19
- Domain 3: Housing 23
- Domain 4: Social Participation & Inclusion 27
- Domain 5: Civic Participation & Employment 31
- Domain 6: Communication & Information 35
- Domain 7: Community Support & Health Services 39

Endnotes 42

AGE-FRIENDLY DALLAS

AARP Real Possibilities in Texas

COMMUNITY PROFILE



Dallas may be a big city, but it feels like home.

A sprawling metropolis that still values its traditions, Dallas sits along the Trinity river and stretches over five counties. A modern city that serves as the regional hub for commerce, culture and the arts, Dallas forms the lion-share of the Dallas-Fort Worth Metroplex and will drive the development of the area for years to come.

As such, it's critically important for Dallas to lead out front on Age-Friendly improvements; to set the standards for how all cities should grow and develop in ways that benefit residents of all ages and allow residents to age in place.

A PROUD HISTORY

John Neely Bryan came across the Three Forks area of the Trinity River looking for a place to establish a trading post for Native Americans and settlers. The Three Forks area proved the easiest place to cross the river and the newly formed Preston Trail would bring even more people through the town. Bryan returned to his home in Arkansas until he heard that a treaty had been signed to remove all Native Americans from northern Texas, resulting in a loss of customers at his trading post. He decided to form a permanent settlement and named it "Dallas," but there are still some open question as to whom he referred.

Establishing the settlement in 1841, its ideal location and further developments, such as a railroad from the south and several stage coach lines intersecting in Dallas, would further development in the fledgling settlement. By 1850, Dallas was named the seat of Dallas County was chartered as a town in 1856, followed by the election of its first government officials, including Samuel Pryor as its first mayor.

After the Civil War, the next major development was the intersection of the major north-south railroad (Houston and Texas Central) and east-west railroad (Texas and Pacific) in 1873, ensured Dallas would be a major commercial hub going forward.



Dallas has a rich history and heritage.

DALLAS, TEXAS

Over the next decades, Dallas continued to grow, annexing other towns, and transforming from a farming and ranching economy to an industrial city. Dallas was soon the leading city in terms of pharmaceutical drugs, books, jewelry, wholesale liquor, the cotton trade, grain, buffalo. saddlery, and cotton gin machinery. As its industries matured, Dallas found itself a center for banking and insurance and other businesses far removed from its agricultural past.

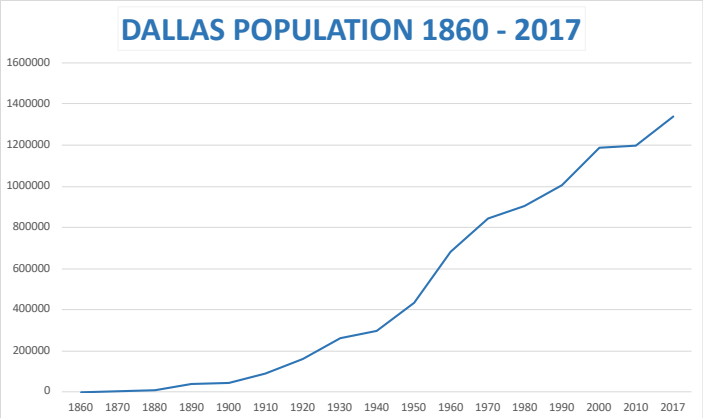
Recovery from the Great Depression would largely be due to the discovery and booming oil industry. From there, Texas was well placed to be a manufacturing hub during WWII and experienced a post-WWII economic boom, like most of the country.

In the years since, Dallas has continued to enjoy great economic growth, which has continued to attract new generations to make Dallas home.

SHIFTING DEMOGRAPHICS

Aside from a few years after the Great Recession, Dallas has experienced a largely uninterrupted boom in its population since the early 1900s (see Chart 1 for historical perspective).

Chart 1. Dallas Population Growth (1860-2017).[1]

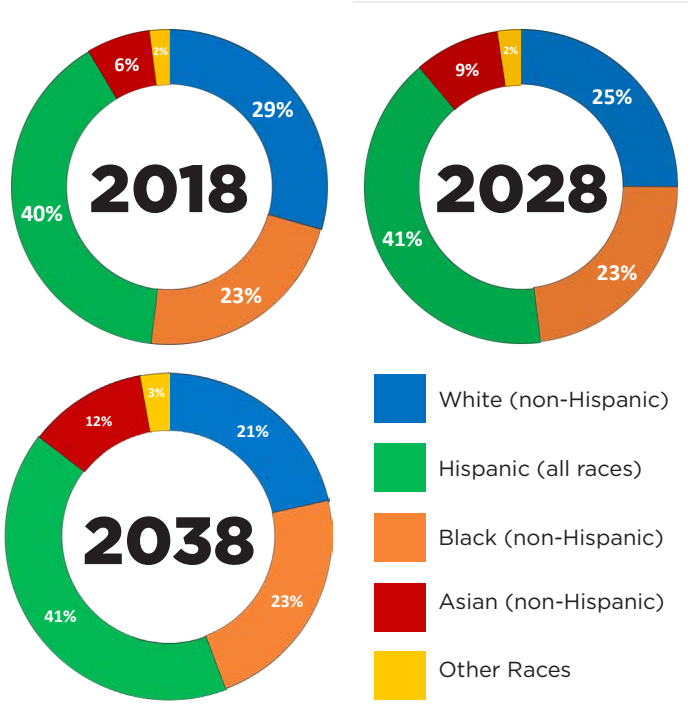


This population growth in Dallas is largely attributed to four factors: (a) increased longevity of residents; (b) relatively higher birthrates; (c) new immigrants; and (d) domestic migration from other parts of the country.

Of these factors, the economic growth Dallas has enjoyed is a contributing factor to the population increase as it serves to draw people to Dallas.

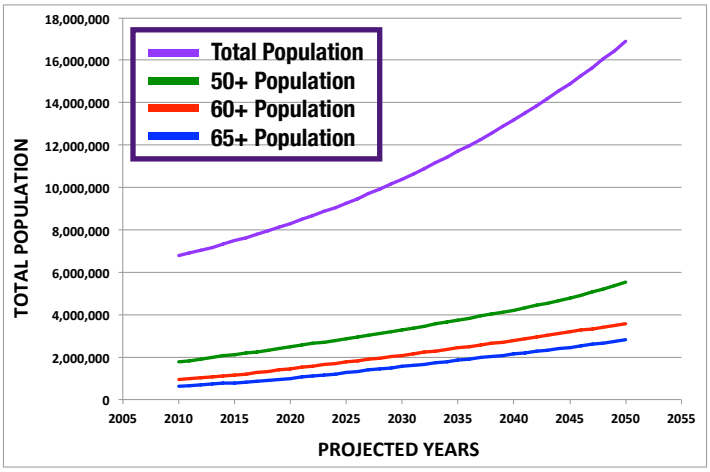
One trend that seems to have leveled off or at least slowed down, however, is the growth in diversity among Dallas' population. Where many cities across Texas (and many parts of the country) see projected populations growing in terms of percentage of racial/ethnic minorities. The Texas Demographic Center shows that Dallas has already attained a diverse population and its racial makeup will largely hover around current levels for the upcoming decades.

Chart 2. Dallas County Projected Population by Race[2]



COMMUNITY PROFILE

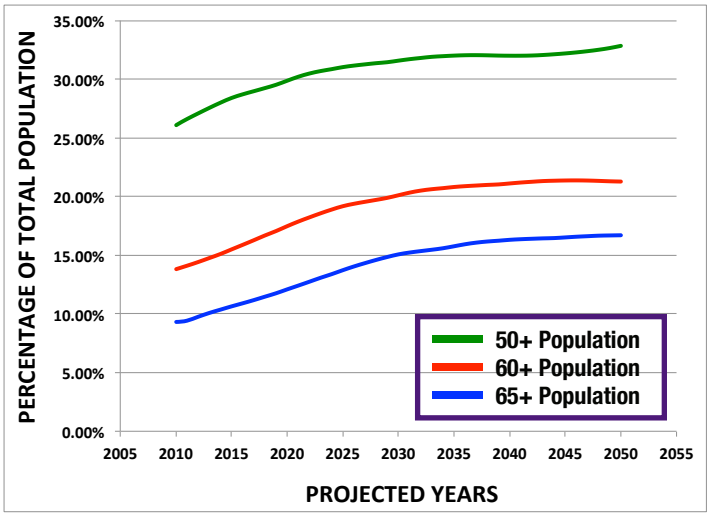
Chart 3. Population Projections for Dallas-Fort Worth (2010-2050).[3]



Dallas, Texas Current Population[4]

- Total Population: 1,341,103 residents.
- Median Age: 32.4 years.
- Population Age 50+: 321,864 residents.
- Percent Age 50+: 24% of population.

Chart 4. Projected Age Makeup for Dallas-Fort Worth (2010-2050).[5]



In addition to race, demographic changes will be felt in the age of the population. The aging of the U.S. population has been a key concern for city planners and policymakers for decades. As the Baby Boom generation (those born between 1946 and 1964) grow older, they will change the age profile for the entire country, including Dallas. The oldest Baby Boomers began turning 65 in 2011 and all will reach that age by 2030.

While Texas tends to be younger than most other states, the aging population will still have an overall effect. Charts 3 and 4 show projections for the Dallas-Fort Worth area compiled by the Texas Demographic Center. The trend lines show that while the older segments will increase significantly, they will be outpaced by general population growth. However, the proportion of the older population will still increase, albeit not as dramatically as most other parts of the country.



Dallas gains strength through its growing diversity.

THANK YOU TO OUR PARTNERS

AGE-FRIENDLY DALLAS COMMUNITY PARTNERS

AARP Texas
Adult Protective Services
Age Well Live Well
Alzheimer's Association
American Foundation for the Blind
Brookhaven College 50+
Catholic Diocese
Catholic Charities
Celebration Magazine
City of Dallas Senior Services
City of Dallas Mobility and Street Services
City Square
Coalition for Aging LGBT
Community Council/Dallas Area Agency on Aging/ My Ride
Dallas Area Agency on Aging
Dallas Area Gerontologic Society
Dallas Police Department
Dallas Public Library
Dallas Area Rapid Transit
DCCCD
Determination, Inc.
Ed-U-CARE Dallas
Grow North Texas
Health and Human Services
Independent Transportation Network
Injury Prevention Center
IACT
Metrocare Services (ADRC)
Metro Dallas Homeless Alliance
Office of Community Care - Senior Services
Parkland Hospital
Rebuilding Together
Senior Blue Book
Texas Hunger Initiative, Senior Action Team
The Senior Source
SPAN
United Way
University of North Texas Dallas
Visiting Nurses Association

Domain Leaders:

- Brittney Tree
- Cobbie Ransom
- Daryl Quarles
- James McClinton
- Valencia Hooper-Alexander
- Susan Williams
- Sara Wick (SAC Liaison)

Special Thanks to the Senior Affairs Commission (SAC) for championing this project:

- Sharon Fein (Chair)
- Trini Garza, (Past Chair)
- Carmen Arana, District 1
- Currently Vacant, District 2
- John Johnson, Vice-Chair, District 3
- Myrtis Evans, District 4
- Carl Raines, District 5
- Jearldine McDaniel, District 6
- Deloris L. King, District 7
- Debbie Austin, District 8
- Mary Ann Sparks, District 9
- Jeri Baker, District 10
- Bill Gart, District 11
- Marlene Cohen, District 12
- Syl Benenson, District 13
- Sara Wick, District 14

AARP Texas

- Jann Horswell
- Chandra Marshall-Henson
- Susan Williams



“ **Regardless of age, we all want to be a part of our community and share in the opportunities and services that our city provides.**

DOMAINS EXPLAINED



Outdoor Spaces and Buildings:

Availability of safe and accessible recreational facilities.



Transportation:

Safe and affordable modes of private and public transportation.



Housing:

Availability of home modification programs for aging in place as well as a range of age-friendly housing options.



Social Participation and Inclusion:

Access to leisure and cultural activities, including opportunities for older residents to socialize and engage with their peers as well as with younger people.



Civic Participation and Employment:

Paid work and volunteer activities for older residents and opportunities to engage in the formulation of policies relevant to their lives.



Communication and Information:

Access to communications technology and other resources so older residents can connect with their community, friends and family.



Community Support and Health Services:

Access to home-based care services, health clinics and programs that promote wellness and active aging.

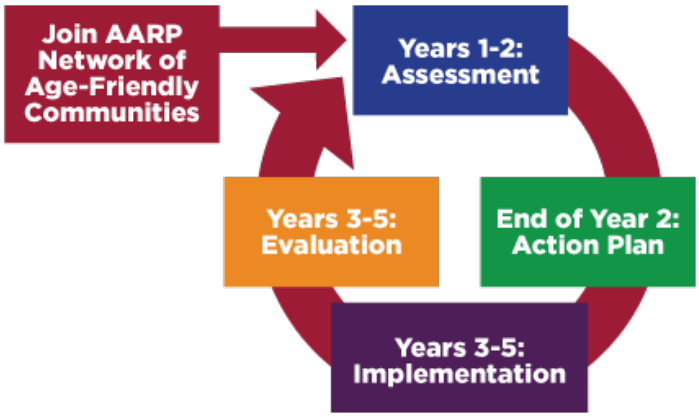
PLAN DEVELOPMENT

PROCESS OVERVIEW

In establishing its Age-Friendly Cities and Communities Program, the World Health Organization (WHO) developed a framework for defining the features that make a city age-friendly. The WHO also created a five-year process for cities to earn the age-friendly designation.

AARP, as the U.S. affiliate of the WHO's global network, has developed a similar five-year process tailored to the United States. Essentially, the process involves joining the global network of age-friendly communities, assessing the needs of a given community's older residents, planning and implementing actions that will address those needs, and evaluating the success of the plan. However, this process should not be considered completed at the end of the five-year process; AARP intends the process to be a continuous cycle of improvement.

As the City of Dallas joined the AARP Network of Age-Friendly Communities in the process is entering its third year.



AARP's five-year process to becoming an Age-Friendly Community.

LIVABILITY INDEX

In its advocacy for policies that improve the quality of life for people of all ages, AARP provided a new tool in 2015: the Livability Index. The online tool compiled information about cities across the country to assess the livability of a given city and identify policies that would improve conditions. Results are provided by a single index score, which is broken out by different categories covering various aspects of the city's livability.

Dallas' overall Livability Index score is 55 of 100, placing it in the middle tier of cities. This Age-Friendly Dallas Action Plan is organized around 7 domains that capture the WHO's 8 domains structure of Age-Friendly Communities along with insights from the Livability Index. As such, in the discussion of each domain, this action plan will include information from the Livability Index.

PLAN DEVELOPMENT PROCESS

2014

- July: AARP Texas presented Age-Friendly Communities ("AFC") to Senior Affairs Commission ("SAC") and an ad hoc committee was formed for AFC Dallas.
- August: Mayor Rawlings enrolled in the AFC Network.
- December: AARP Texas presented AFC certificate to Mayor Rawlings and the Dallas City Council.

2015

- January: Met with the Manager of COD Senior Services and Director of Housing to introduce the plan. In this meeting it was decided that Senior Services would take the lead on the AFC Dallas Plan and act as intermediary with other city departments.
- January: Convened the first AFC community partner stakeholder meeting.



Just some of the Age-Friendly Dallas team that helped make this action plan a reality.

- January - December: Conducted 14 listening sessions/events with city staff.
- March: Convened second AFC community partner stakeholder meeting.
- April: Presented AFC to Dallas City Housing Committee.
- July: Convened third AFC community partner stakeholder meeting.
- October: Met with city council members individually with staff about the AFC Dallas initiative.
- November: Convened fourth AFC community partner stakeholder meeting (50+ partners engaged).
- December: Met with Mayor Pro Temp Monica Alonzo.

2016

- January: Conducted AARP Member Survey.
- January - December: Conducted 11 listening sessions/events with city staff.
- February : AARP Texas met with the new Director of COD Senior Services and Director of Housing.
- Monthly: Convened monthly AFC community partner stakeholder meetings to draft the AFC Dallas Plan.
- May: Placed unmanned listening posts in all Dallas libraries.
- July: Commissioned UNT Dallas to do a supplemental survey of the Hispanic community in Dallas.

2017

- January - May: Continued monthly AFC community partner stakeholder meetings
- February - December: Conducted 9 listening sessions/events with city staff.
- October: Reviewed AFC Dallas Plan with AARP National.

2018

- January: AARP Texas, COD Senior Services and SAC members met with City Council members individually to update them and share the AFC Dallas Plan.
- January - March: Conducted 15 listening sessions/events with city staff to present the AFC Dallas Plan to residents and obtain comments.
- May: AARP Texas met with the new Director of Community Care.
- September: Convened AFC community partner stakeholder meeting.
- December: AARP Texas and SAC Chair met with the Director of Community Care and the Assistant City Manager. It was decided that SAC will champion the AFC Dallas Plan.

2019

- March: SAC Chair presented AFC Dallas Plan to the Human and Social Needs Committee.

“ **Access to safe neighborhood parks and recreational facilities ensures we can stay strong and active throughout our lives.**



OUTDOOR SPACES & BUILDINGS



Ensuring shade and a place to sit makes parks more accessible.

OUR VISION

We envision a Dallas where there is a variety of safe and accessible outdoor spaces. These spaces should be enjoyed by residents of all ages. However, often cities fail to consider the necessary elements for older adults to equally share and make use of outdoor spaces and facilities. Our vision is to ensure that our outdoor spaces and buildings work for all residents of Dallas.

WE HEARD

Through the AARP Member Survey, the UNT Dallas survey focused on Dallas' Hispanic community, and the numerous listening post/events conducted over the past few years, many Dallasites expressed concerns about the city's outdoor spaces.

When focused on this domain of livability, the issues largely involved: (a) the access and use of parks, open spaces and public buildings; and (b) sidewalk issues in those areas with a high older adult pedestrian population.

OUTDOOR SPACES & BUILDINGS



Outdoor spaces and buildings must be accessible for all residents.



Parks offer older Dallasites the chance to enjoy nature.

WE WILL

Goal 1
Increase access to and utilization of parks, open spaces and public buildings for older adults.

- **Action Item 1.1**
  Dallas Park and Recreation
  Work towards all residents having access to parks and open spaces near their homes. Create plan to provide equitable access to parks. Assess where parks are located and identify gaps.

- **Action Item 1.2**
  Dallas Park and Recreation
  Dallas Mobility and Street Services
  Increase the number of parks and public spaces that are equipped with accessible and safe seating, drinking fountains, and public restrooms.

  Create a work group to study this and advocate for new equipment where it is needed. Use NRPA standard.

- **Action Item 1.3**
  Dallas Park and Recreation
  Increase the number of older adults in the Active Senior Adult Program (ASAP) operating in 43 recreational centers in Dallas.

  WellMed provided free Parks and Recreation pass 2017-2018 and renewed the grant for 1 more year. In fall of 2018, Dallas Park and Recreation to operate a new senior activity center cooperatively with non-profit WellMed Charitable Foundation in South Dallas.

- **Action Item 1.4**
  Dallas Park and Recreation
  Rebuilding Together
  Determination, Inc.
  Explore designating at least one “Age Friendly,” multi-generational park to include integration of specialized equipment for both youth and adults.

- **Action Item 1.5**
  The Senior Source
  Age-Friendly Dallas Stakeholders
  Support the Senior Source's efforts to advocate for destination Senior Centers in Dallas.

- **Action Item 1.6**
  Dallas Park and Recreation
  Office of Community Care-Senior Services
  Expand older adult amenities in Park and Recreation Center.

  Funded by the 2017 bond program, the Willie B. Johnson Recreation Center and Singing Hill Recreation Center will get an extension to be used by seniors.

- **Action Item 1.7**
  Dallas Park and Recreation
  Complete an assessment of underutilized space in the City of Dallas Recreation Centers to see of they can be used for older adults.

Goal 2
Improve sidewalks in areas where there are a large number of older adults.

- **Action Item 2.1**
  Office of Community Care-Senior Services
  Dallas Mobility and Street Services
  AARP Texas
  Request a needs assessment of areas where there are a large number of older adult pedestrians and sidewalk issues. Conduct sidewalk audits and advocate for improvements to be made.

- **Action Item 2.2**
  Age-Friendly Dallas Stakeholders
  Older adults will know how to access the City's sidewalk cost share program and to request new sidewalks via the Property Owner Petition Program.

KEY PLAYERS & PARTNERSHIPS

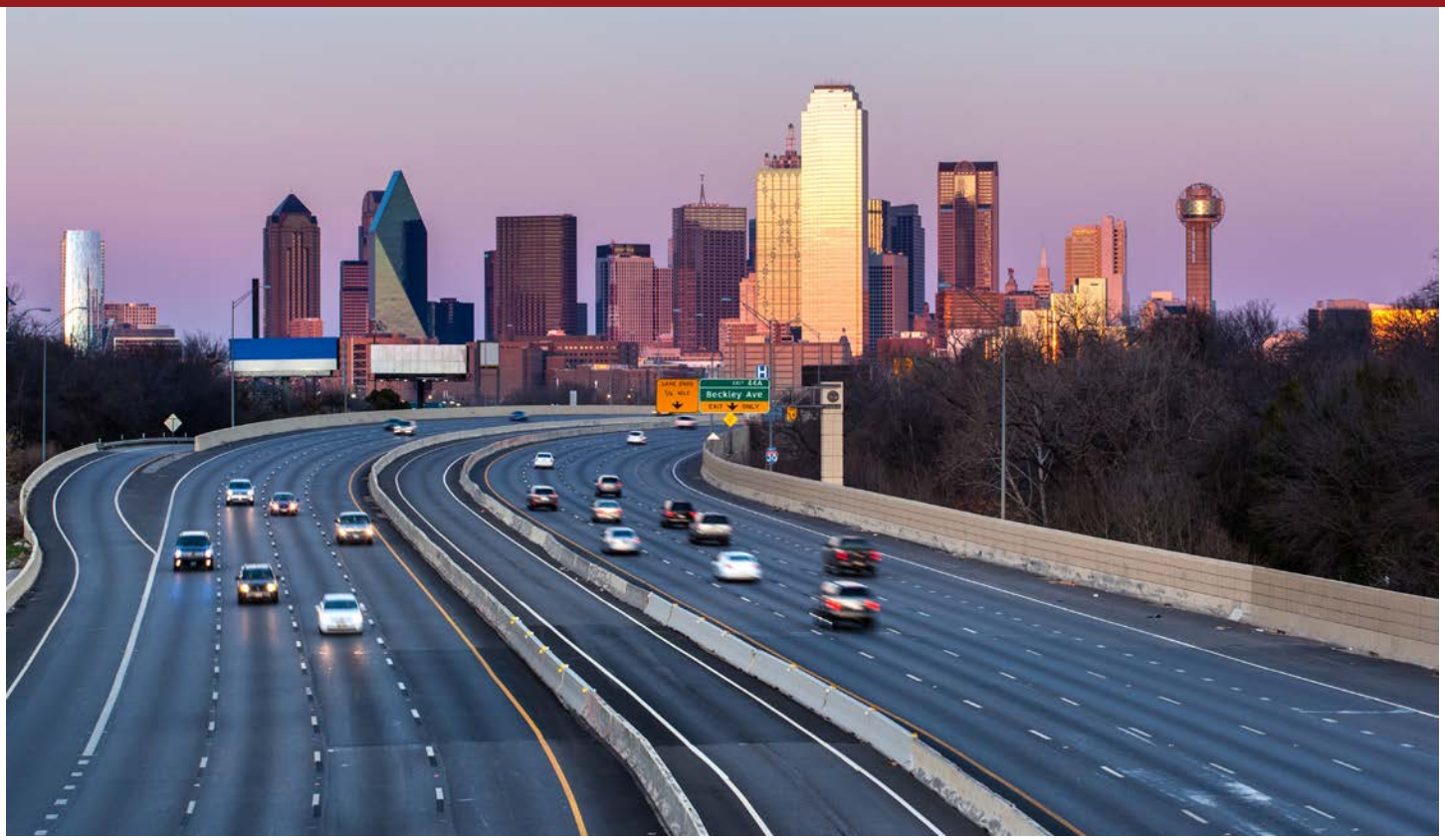
A number of public entities and other organizations will be vital to effectively improve open spaces and buildings in Dallas:

- **City of Dallas departments:**
  - **Park and Recreation**
  - **Mobility and Street Services**
  - **Office of Community Care - Senior Services**
- **Determination, Inc.**
- **Rebuilding Together**
- **The Senior Source**
- **AARP Texas**
- **Age-Friendly Dallas Stakeholders**



> “Older adults often struggle with transportation, which is not only necessary for shopping and doctor appointments, but also to stay active and engaged.

TRANSPORTATION



Dallas and the Metroplex can be known for some heavy traffic, but a well planned transit system can ensure mobility for everyone.

OUR VISION

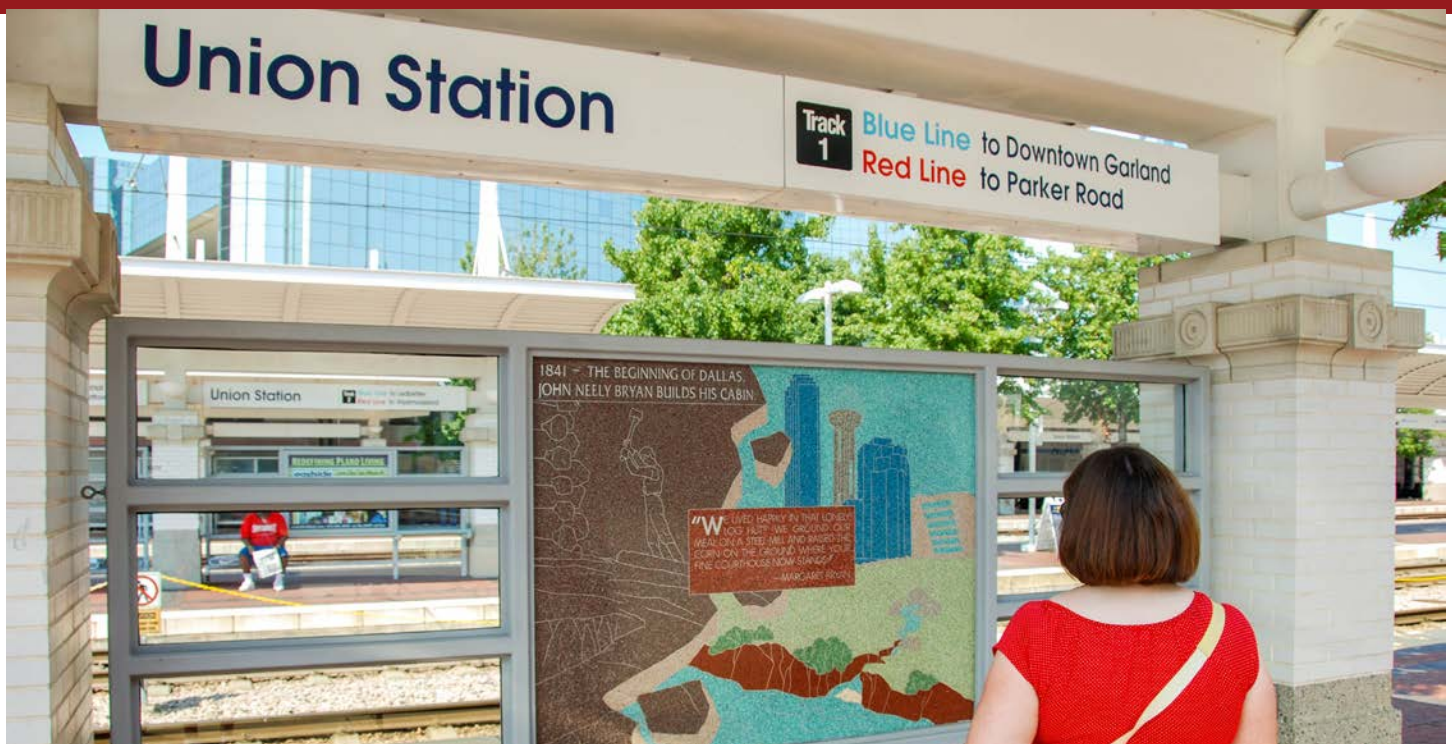
We envision a Dallas where there are a variety of safe and affordable modes of private, non-profit and public transportation for residents of all ages. Our aim is to increase the number of residents over age 50 that have access to transportation options. Our vision is that our older population is mobile so they remain active and engaged in their community.

WE HEARD

Through the AARP Member Survey, the UNT Dallas survey focused on Dallas' Hispanic community, and the numerous listening post events conducted over the past few years, many Dallasites expressed concerns about the city's transportation system.

When focused on this domain of livability, the issues largely involved: (a) ensuring all modes of transportation are safe, affordable, and accessible for people of all ages and abilities; (b) providing residents with information and tools to make informed and safe travel choices; and (c) developing additional transportation options for older adults.

TRANSPORTATION



Our transit system should be affordable, accessible, efficient, and easy to navigate.

WE WILL

Goal 1
Ensure all modes of transportation are safe, affordable and accessible for residents of all ages and abilities, particularly older adults.

- **Action Item 1.1**
  AARP Driver Safety
  Community Council/My Ride Dallas
  Age-Friendly Dallas Stakeholders
  Help older adults be informed about Driver Safety by promoting Driver Safety Classes and programs.

- **Action Item 1.2**
  Dallas Mobility and Street Services
  New street build-outs will follow City of Dallas' Complete Streets manual guidelines.

- **Action Item 1.3**
  Dallas Area Rapid Transit (DART)
  Paratransit Accessibility Advisor Group
  Support DART's Paratransit Accessibility Advisor Group (PAAG) in determining the needs of the disability community and to broaden DART's community outreach to persons with disabilities.

- **Action Item 1.4**
  Dallas Area Rapid Transit (DART)
  Office of Community Care-Senior Services
  Community Council/Dallas Area Agency of Aging
  Community Council/My Ride Dallas
  DART will conduct an assessment of transportation deserts in Dallas to prioritize and address gaps. Special focus on areas where a high number of older adults live.

- **Action Item 1.5**
  Office of Community Care-Senior Services
  The City Senior Medical Transportation program will be adapted to provide referral and application support as well as last resort rides.

Goal 2
Provide residents with the information and tools they need to make informed travel choices through a wide range of transportation training.

- **Action Item 2.1**
  Community Council/My Ride Dallas
  My Ride Dallas will provide transportation training for the older adults and professionals that serve them.

- **Action Item 2.2**
  DART Travel Ambassador Program
  DART will help older adults understand how to use public transportation, by bringing more awareness to the DART Travel Ambassador Program, and Paratransit services available to those who qualify.

- **Action Item 2.3**
  Community Council/My Ride Dallas
  AARP Texas
  Develop educational tools to better educate older adults on how to use ride share services.

Goal 3
Develop additional transportation options for older adults.

- **Action Item 3.1**
  Independent Transportation Network
  Dallas will have an independent transportation network affiliate program.

- **Action Item 3.2**
  DART
  DART is testing a ride share service on-call zone pilot.

- **Action Item 3.3**
  Community Council/Dallas Area Agency of Aging
  Community Council/My Ride Dallas
  Support Dallas Area Agency on Aging and My Ride Dallas' pilot transportation program with LYFT to provide rides to eligible older adults in Dallas County.

KEY PLAYERS & PARTNERSHIPS

A number of public entities and other organizations will be vital to effectively improve transportation in Dallas:

- **City of Dallas departments:**
  - **Mobility and Street Services**
  - **Office of Community Care-Senior Services**
- **Community Council**
  - **Dallas Area Agency on Aging**
  - **My Ride Dallas**
- **Independent Transportation Network (ITN)**
- **Dallas Area Rapid Transit (DART)**
  - **Paratransit Accessibility Advisor Group (PAAG)**
- **Senior Affairs Commission**
- **AARP Texas**
- **Age-Friendly Dallas Stakeholders**



> **Living where we have always lived is part of who we are.**

HOUSING



We invest in a house, financially and emotionally, until it becomes our home.

OUR VISION

We envision a Dallas where there is availability of affordable home modification programs for aging in place as well as a range of age-friendly housing options. As Dallas attracts new generations of Dallasites, housing will become an ever-increasing component to the livability of the city. Our vision is that Dallas residents of all ages are able to find housing accommodations that fit their lifestyles and where they can feel able to maintain to age in place.

WE HEARD

Through the AARP Member Survey, the UNT Dallas survey focused on Dallas' Hispanic community, and the numerous listening post events conducted over the past few years, many residents expressed concerns about housing in Dallas.

When focused on this domain of livability, the issues largely involved: (a) expanding and promoting the development of diverse housing options that are affordable and accessible; (b) supporting aging in place through the preservation of existing housing for seniors; (c) increasing awareness and referral programs to senior housing; and (d) supporting efforts to address the unique, homelessness issues with older adults.

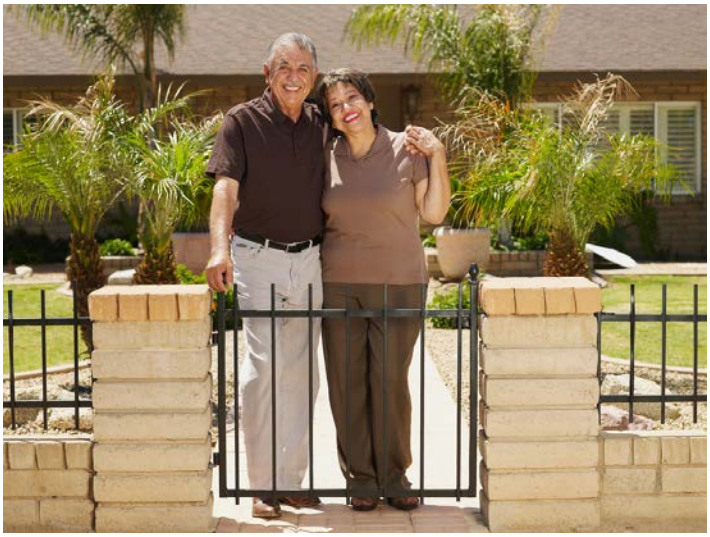
HOUSING



Aging in place allows residents to feel secure and be healthier.



The comforts of a home should remain available as we age.



For many families, their house is their most significant asset.

WE WILL

Goal 1
Expand and promote the development of diverse housing options that are affordable for older adults.

- **Action Item 1.1**
  Dallas Commission on Homelessness
  Citizen Homelessness Commission
  City of Dallas
  Dallas is investing $250K to provide improved supportive housing for chronically homeless seniors by providing housing rental subsidies and supportive services for up to 24 months.

Goal 2
Support the preservation of existing affordable housing for seniors.

- **Action Item 2.1**
  Dallas Housing Department
  Age-Friendly Dallas Stakeholders
  Promote the new City of Dallas home repair initiative.

- **Action Item 2.2**
  Senior Affairs Commission
  Office of Community Care-Senior Services
  Support the Senior Affairs Commission annual budget recommendation to increase Senior Home Repair Budget.



- **Action Item 2.3**
  Determination Inc.
  Age-Friendly Dallas Stakeholders
  Support Determination, Inc.'s pilot Village Project in East Dallas.

- **Action Item 2.4**
  AARP Texas
  Rebuilding Together
  Community Council/Dallas Area Agency on Aging
  Age-Friendly Dallas Stakeholders
  Creating and inventory local resources that support older adults and veterans in need of home modifications.

Goal 3
Maximize awareness and referral to housing that is accessible, affordable and healthy.

- **Action Item 3.1**
  Office of Community Care-Senior Services
  Promote City of Dallas Office of Fair Housing's affordable Housing Guide and HUD's affordable housing tools on Senior Affairs website.

- **Action Item 3.2**
  Senior Affairs Commission
  Office of Community Care-Senior Services
  AARP Texas
  Host annual Housing 101/Housing Resource Fair event to connect older adults with resource organizations.

KEY PLAYERS & PARTNERSHIPS

A number of organizations will be needed to improving housing options in Dallas:

- City of Dallas Departments:
  - Housing Department
  - Office of Community Care-Senior Services
  - Homeless Services
- Citizen Homelessness Commission
- Dallas Commission on Homelessness
- Metro Dallas Homeless Alliance (MDHA)
- Community Council/Dallas Area Agency on Aging
- Senior Affairs Commission
- Determination Inc.
- Rebuilding Together
- AARP Texas
- Age-Friendly Dallas Stakeholders



> **When older residents are active in their community, they feel connected, needed and wanted.**

SOCIAL PARTICIPATION AND INCLUSION



Belonging is a fundamental human need. Our cities should be designed to encourage social participation and inclusion.

OUR VISION

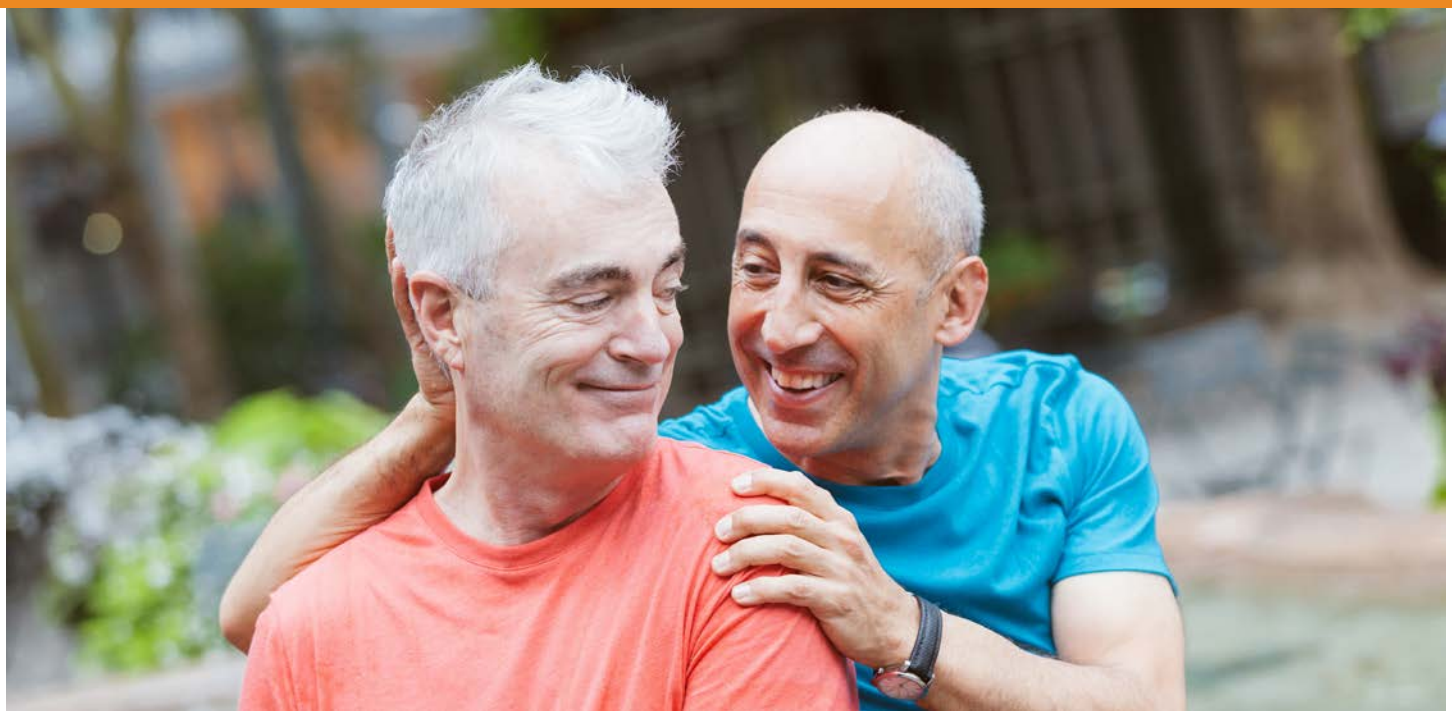
We envision a Dallas with a variety of leisure and cultural activities, including opportunities for older residents to socialize and engage with their peers and with younger people. Our vision is to keep older adults engaged, active, included, and participating among friends, family, and community.

WE HEARD

Through the AARP Member Survey, the UNT Dallas survey focused on Dallas' Hispanic community, and the numerous listening post events conducted over the past few years, many residents expressed concerns about social participation and inclusion in Dallas.

When focused on this domain of livability, the issues largely involved: (a) strengthening recreation, leisure, and educational activities targeting older adults; (b) increasing older adult programming in city facilities; (c) creating a city interagency team to optimize senior engagement and services; and (d) developing age- and dementia-friendly business practices.

SOCIAL PARTICIPATION AND INCLUSION



An inclusive city is a welcoming city and one that keeps seniors part of the community.

WE WILL

Goal 1
Strengthen and develop recreation, leisure and educational activities involving and targeting older adults.

- **Action Item 1.1**
  Dallas Park and Recreation
  City of Dallas Park and Recreation include senior programming in budget to support the Active Senior Adult Program (ASAP). Including Dallas in Texas Senior Game.

- **Action Item 1.2**
  Dallas Parks and Recreation
  American Foundation for the Blind
  Alzheimer's Association
  AARP Texas
  All Senior Service Dallas Park and Recreation staff will receive sensitivity training to equip them with skills to encourage broader participation from the community. Training to include how to work with older adults with dementia and low or no vision.

- **Action Item 1.3**
  Dallas Public Library
  Office of Community Care-Senior Services
  Increase senior programming in Dallas Public Libraries. Added full-time staff position to support senior programming.

- **Action Item 1.4**
  Dallas Office of Cultural Affairs
  Continue providing facilitators for the ASAP classes. Including providing support and opportunities for diverse artists to connect to the community through the Community Artist Program.

- **Action Item 1.5**
  Office of Community Care-Senior Services
  Dallas Public Library
  Dallas Park and Recreation
  Dallas Cultural Affairs
  Dallas Housing Department
  Dallas Police Dept. Community Affairs
  Dallas Transportation Department

Dallas Code Compliance Department
Office of Homelessness Solutions

Create an interdepartmental team that is working together to create a comprehensive approach to serving older adults, and plan to work closely together to advocate for older adult services across departments.

Goal 2

Encourage more businesses will develop age- and dementia-friendly practices.

- **Action Item 2.1**
  AARP Texas
  Chambers of Commerce
  Small Business Administration

  Develop an age-friendly business practices program that provides a welcoming and inclusive environment for customers of all ages, including dementia friendly training.

Goal 3

Provide training and access to older adults with low vision.

- **Action Item 3.1**
  American Foundation for the Blind
  AARP Texas

  Help people with low vision discover ways to enhance their ability to live as independently as possible despite their loss of vision.

Goal 4

Keep isolated older adults safe.

- **Action Item 4.1**
  Senior Affairs Commission
  Dallas Police Department

  Advocate for a pilot program where the community police officers will make an maintain contact with isolated homebound older adults.

KEY PLAYERS & PARTNERSHIPS

A number of organizations will be needed to ensure social participation and inclusion in Dallas:

- City of Dallas Departments:
  - Office of Community Care-Senior Services
  - Park and Recreation
  - Cultural Affairs
  - Housing Department
  - Police Dept. Community Affairs
  - Transportation Department
  - Code Compliance Department
- Dallas Public Library
- Senior Affairs Commission
- Alzheimer's Association
- American Foundation for the Blind
- Chambers of Commerce
- Small Business Administration
- AARP Texas
- Age-Friendly Dallas Stakeholders



> **“Older residents bring experience, perspective and wisdom, which makes their civic participation invaluable.**

CIVIC PARTICIPATION AND EMPLOYMENT



Dallas has many great organizations and resources for its older residents; The Senior Source is a prominent resource for residents.

OUR VISION

We envision a Dallas with both employment and volunteer opportunities for older adults. With the experience and wisdom older adults can bring, they are invaluable resources to the community. Moreover, being productive, useful, and helpful gives meaning to how we spend our days. Our vision is that opportunities of all sorts are available to Dallasites of all ages.

WE HEARD

Through the AARP Member Survey, the UNT Dallas survey focused on Dallas' Hispanic community, and the numerous listening post events conducted over the past few years, many residents expressed a desire for greater employment, volunteer, and civic engagement opportunities in Dallas.

When focused on this domain of livability, the issues largely involved: (a) increasing employment, entrepreneurial, and volunteer opportunities for residents age 50+; and (b) engaging the older adult perspective in city issues.

CIVIC PARTICIPATION AND EMPLOYMENT



These days as we live longer, some of us choose to work longer and some of us find we have to work longer.



Many seniors still own their own businesses.

WE WILL

Goal 1
Increase employment, entrepreneurship and volunteer opportunities for residents age 50+.

- **Action Item 1.1**
  City of Dallas
  The Senior Source
  Continue supporting the senior employment program at The Senior Source.

- **Action Item 1.2**
  Office of Community Care-Senior Services
  The Senior Source
  AARP Senior Community Service Employment Program
  AARP Job Search in the Digital Age
  Promote the resources in the community that help 50+ residents with employment resources via the city's website.

- **Action Item 1.3**
  The Senior Source
  AARP Texas
  Chambers of Commerce
  Conduct outreach to small and local businesses to become age-friendly and hire residents age 50+.

- **Action Item 1.4**
  AARP Texas
  Small Businesses Administration
  Dallas County Community Colleges
  Increase awareness in the Encore Entrepreneur Program and other business startup resources for older adults.

Goal 2
Engage the older adult perspective in city issues.

- **Action Item 2.1**
  Senior Affairs Commission
  Office of Community Care-Senior Services
  The Senior Affairs Commission will be a way to engage the older adult perspective in city of Dallas issues and other commissions.



Many older adults continue to work after retirement.

KEY PLAYERS & PARTNERSHIPS

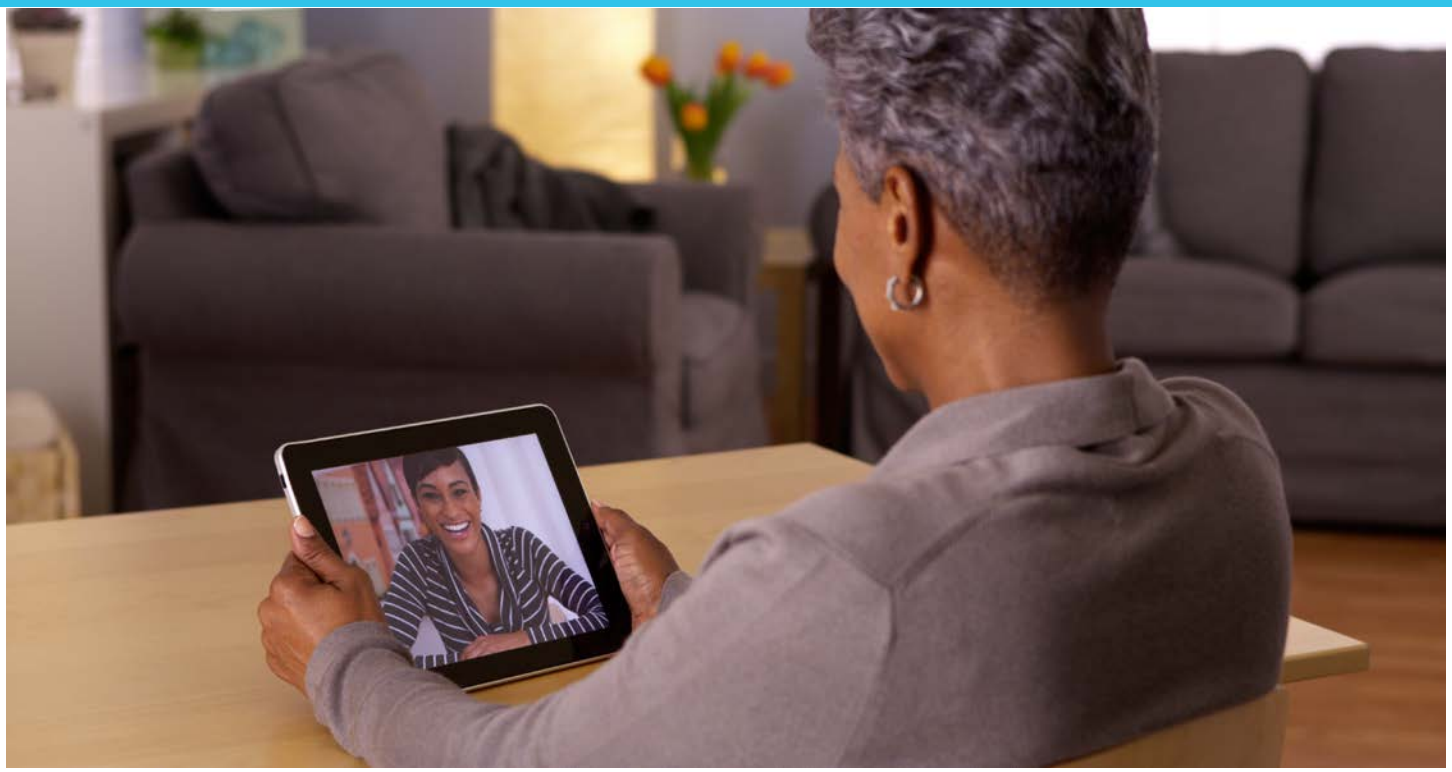
A number of organizations will be needed to address issues of civic participation and inclusion in Dallas:

- **City of Dallas Departments:**
  - **Office of Community Care-Senior Services**
- **The Senior Source**
- **Chambers of Commerce**
- **Dallas County Community Colleges**
- **Senior Affairs Commission**
- **Small Business Administration**
- **AARP Texas**
- **Age-Friendly Dallas Stakeholders**



> “In our libraries, we see how email, social media, and access to technology keeps our older adults connected to their families and friends.

COMMUNICATION AND INFORMATION



As technology advances, it offers new ways to educate, communicate, and connect; the challenge is to keep new technology accessible.

OUR VISION

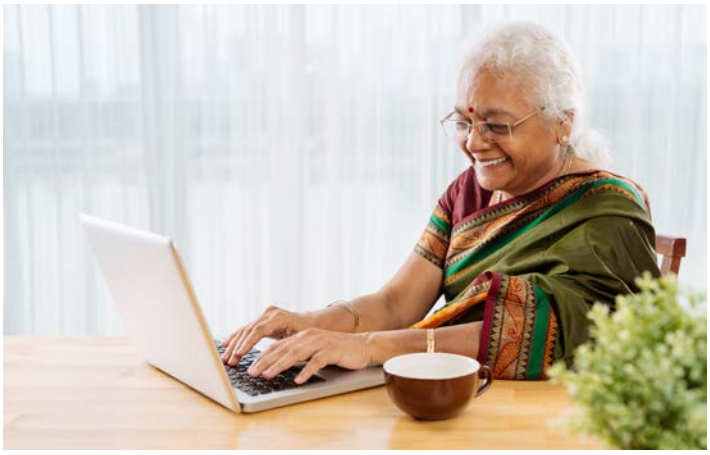
We envision a Dallas with access to communications technology and other resources so older residents can connect with their community, family, and friends. Our vision is that all Dallas residents have access to technology and training to use technology for all manner of educational, commercial, and social purposes.

WE HEARD

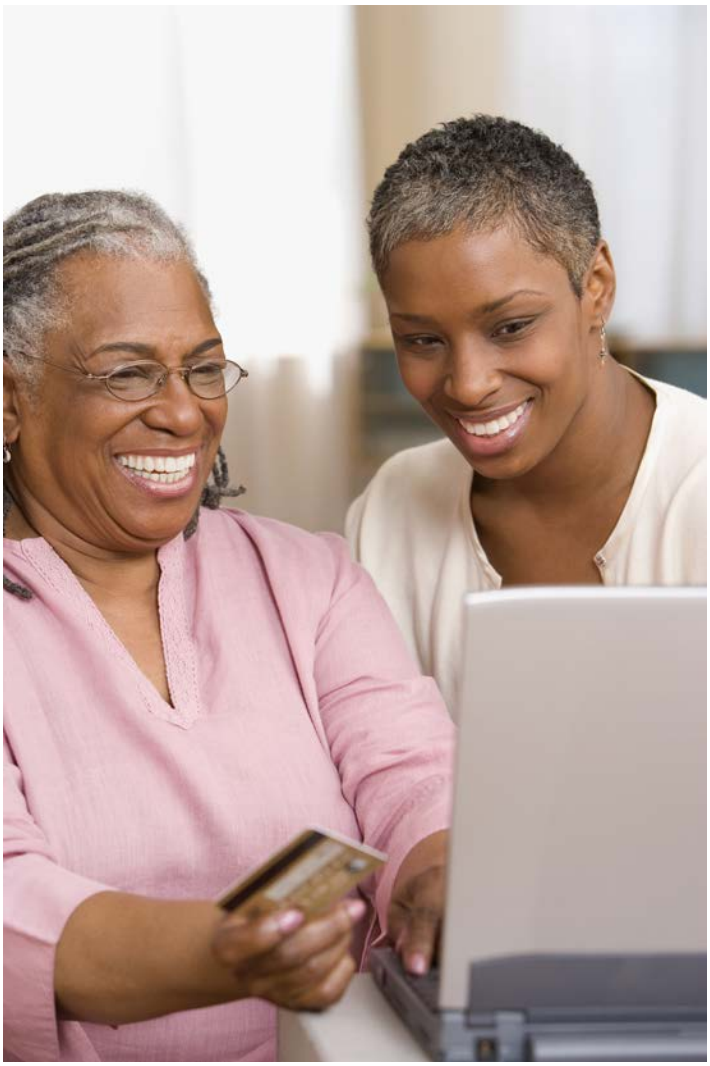
Through the AARP Member Survey, the UNT Dallas survey focused on Dallas' Hispanic community, and the numerous listening post events conducted over the past few years, many residents had thoughts about improving technology and communication in Dallas.

When focused on this domain of livability, the issues largely involved: (a) providing information regarding issues, events and interests related to older adults in user friendly formats; and (b) promoting access to technology and technology training to keep older adults connected to their community, friends and families.

COMMUNICATION AND INFORMATION



The ability to use technology can reinforce independence.



Technology keeps us connected.

WE WILL

Goal 1
Provide information regarding issues, events and interests related to older adults in user-friendly formats.

- **Action Item 1.1**
  Office of Community Care-Senior Services
  Expand, update and maintain information about aging services on the City of Dallas website and with the bi-annual newsletter.

- **Action Item 1.2**
  City of Dallas
  Expand public knowledge about the Senior Affairs Commission by broadcasting the Senior Affairs Commission monthly meeting on cable access TV, and promote via quarterly newsletter.

- **Action Item 1.3**
  Office of Community Care-Senior Services
  Senior Affairs Commission
  Host quarterly listening sessions/events in each council district as a method of continuing engagement with the 50+ population. Senior Affairs Commissioners will host.

- **Action Item 1.4**
  Office of Community Care-Senior Services
  AARP Texas
  Explore the possibility of providing a one-stop source resource and calendar information for older adults in Dallas.

- **Action Item 1.5**
  Senior Blue Book
  Celebration Magazine
  Hosting partners
  Increase community partner's use of existing calendars to promote events in Dallas that are aimed at older adults.



Technology can serve to keep older adults engaged.

Goal 2
Promote awareness about accessible technology and its role in keeping older adults connected to their community, friends and family.

- **Action Item 2.1**
  Dallas Public Libraries
  Dallas public libraries offer technology training for older adults.
- **Action Item 2.2**
  AARP TEK
  CC Young Point and Pavilion
  The Senior Source
  Dallas County Community College District
  WellMed Senior Center
  Promote other opportunities for Older Adults to receive access to technology education and training.

KEY PLAYERS & PARTNERSHIPS

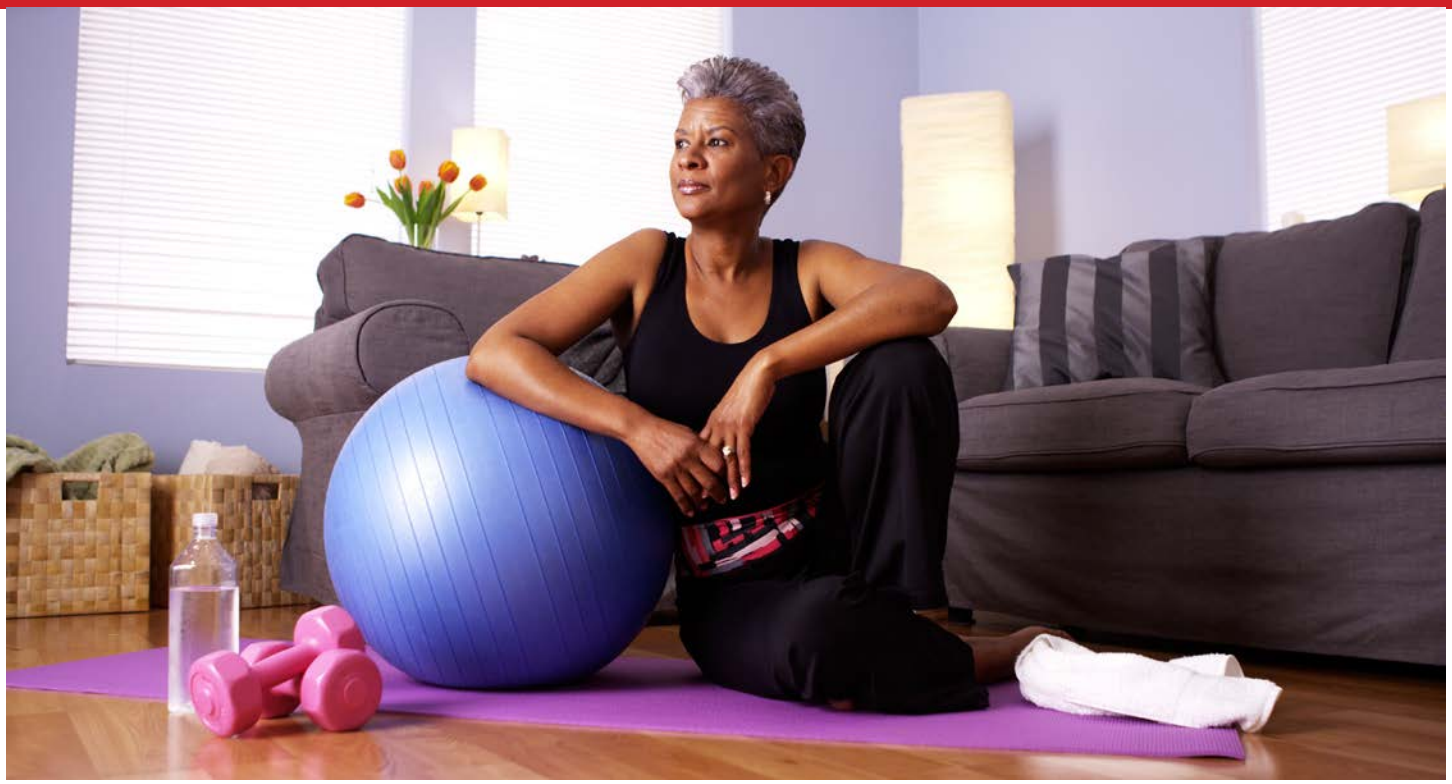
A number of organizations will be needed to improve communication and information in Dallas:

- City of Dallas Departments:
  - Office of Community Care-Senior Services
  - Public Information Office
- Dallas Public Libraries
- Senior Affairs Commission
- Senior Blue Book
- Celebration Magazine
- CC Young Point and Pavilion
- The Senior Source
- WellMed Senior Center4
- Dallas County Community College District
- AARP Texas
- Age-Friendly Dallas Stakeholders



> “Living healthier should be key to every community and every resident of all ages.

COMMUNITY SUPPORT AND HEALTH SERVICES



As innovations in healthcare have extended lives, we must now focus on making those lives healthier.

OUR VISION

We envision a Dallas in which there is widespread access to all the services available that promote wellness, safety and active aging. Our vision is for a healthier Dallas for all its residents.

WE HEARD

Through the AARP Member Survey, the UNT Dallas survey focused on Dallas' Hispanic community, and the numerous listening post events conducted over the past few years, many residents expressed concerns about housing in Dallas.

When focused on this domain of livability, the issues largely involved: (a) increasing awareness and access of health services, fresh and healthy foods; and (b) support to prevent elder abuse, neglect, financial exploitation and fraud.

WE WILL

Goal 1
Increase consumer awareness of services available in Dallas.

- **Action Item 1.1**
  Community Council/Dallas Area Agency of Aging
  Create an inventory of all agencies and organizations that have navigation, case management services for older adults.

- **Action Item 1.2**
  Community Council/Dallas Area Agency of Aging
  Partnering organizations
  Convene quarterly meetings with navigators/case management agencies to identify gaps in services and work with partners to create a plan to address those gaps.

COMMUNITY SUPPORT AND HEALTH SERVICES

KEY PLAYERS & PARTNERSHIPS

A number of organizations will be needed to improve Dallas' community support and health services:

- City of Dallas Departments:
  - Office of Community Care-Senior Services
  - Park and Recreation
  - Community Emergency Response Team (CERT)
  - Police Department
- Elder Financial Safety Center
  - District Attorney's Office
  - The Senior Source
  - Dallas County Probate Courts
- Community Council/Dallas Area Agency on Aging
- Ed-U-CARE Dallas
- UNT Dallas
- Texas A&M - College of Dentistry
- Alzheimer's Association
- Grow North Texas
- Dallas Coalition for Hunger Solutions
- Senior Hunger Action Team
- AARP Texas
- Age-Friendly Dallas Stakeholders

- **Action Item 1.3**
  Community Council/Dallas Area Agency of Aging

  Dallas area social workers and case managers have access to continuing education about older adult issues via the Dallas Area Agency on Aging's monthly informational meetings.

- **Action Item 1.4**
  Ed-U-CARE Dallas
  AARP Texas
  Alzheimer's Association

  Promote education of geriatric care and cultural competency training (e.g., LGBTQ) for licensed health care providers, first responders, case workers, care givers, and personal care attendants.

- **Action Item 1.5**
  Alzheimer's Association

  Raise awareness and promote education about Alzheimer's disease including community resources available to support the individual diagnosed and their family.

- **Action Item 1.6**
  Aging and Disability Resource Center (ADRC)
  Community Council/Dallas Area Agency of Aging

  Support the Community Council and ADRC's "No Wrong Door" system and "Whole Person, Whole Family Care" intake and evaluation.

Goal 2
Promote safety and wellness in the community.

- **Action Item 2.1**
  Community Council/Dallas Area Agency of Aging
  Partnering community organizations

  Use "Matter of Balance" program to address older adults with balance and mobility issues.

- **Action Item 2.2**
  Community Council/Dallas Area Agency of Aging

  Support diabetes self-management/prevention and chronic disease self-management programs to address issues older adults have with managing diabetes and chronic disease.

- **Action Item 2.3**
  Dallas Police Department
  Office of Community Care-Senior Services
  Raise awareness of April 29 drug take back events.

- **Action Item 2.4**
  The Senior Source Long-Term Care Ombudsman Program
  Office of Community Care-Senior Services
  Protect nursing home resident's rights by continuing to support The Senior Source Long-Term Care Ombudsman Program.

Goal 3
Increase public awareness of and access to fresh produce, health foods, and SNAP.

- **Action Item 3.1**
  Dallas Coalition for Hunger Solutions
  Senior Hunger Action Team
  Office of Community Care-Senior Services
  Dallas Park and Recreation
  More older adults in Dallas have access to food assistance and information about Supplemental Nutrition Assistance Program (SNAP) via "Eating Well is a Snap" outreach presentations. Dallas Senior Services staff and Park and Recreation ASAP staff trained to present "Eating Well is a Snap" and as navigators.

- **Action Item 3.2**
  Grow North Texas
  Dallas Park and Recreation
  More older adults in Dallas will have access to fresh produce via pop-up produce markets by utilizing more community facilities such as Park and Recreation centers for pop-up produce markets. Produce is purchased from local farmers and then sold at cost.

- **Action Item 3.3**
  Senior Living Communities
  Grow North Texas
  Senior Hunger Action Team
  AARP Texas
  UNT Dallas
  Explore the feasibility of using senior living communities and the UNT Dallas Campus to start community gardens and build community.

Goal 4
Emergency preparedness and community resilience: information, education and training to ensure the safety, wellness, and readiness of seniors in crisis situations.

- **Action Item 4.1**
  Office of Community Care-Senior Services
  Community Emergency Response Team
  Provide emergency preparedness training that includes promotion of registries of seniors and caregivers.

- **Action Item 4.2**
  Office of Community Care-Senior Services
  Community Emergency Response Team
  Publicize Community Emergency Response Team (CERT) programs for seniors on City of Dallas Office of Senior Affairs website.

Goal 5
Elder Abuse, Neglect, and Fraud Prevention and detection of financial exploitation..

- **Action Item 5.1**
  The Senior Source
  District Attorney's Office
  Dallas County Probate Courts
  Support and grow the Elder Financial Safety Center work to prevent, investigate and prosecute criminals of elder financial exploitation.

- **Action Item 5.2**
  AARP Texas
  Conduct outreach programs to help older adults protect themselves from frauds and scams.

- **Action Item 5.3**
  AARP Texas
  Dallas Park & Recreation
  Elder Financial Safety Center
  Offer free community "Shred Events" during AARP's annual "Operation Stop Scams."

(Continued on next page)

Goal 6
Dental Health services are available for 60+ in Dallas.

- **Action Item 6.1**
  Office of Community Care-Senior Services
  Texas A&M University - College of Dentistry
  Continue support for Senior Dental Health Program.

Goal 7
Support Family Caregivers.

- **Action Item 7.1**
  AARP Texas
  Alzheimer's Association
  Faith-based communities
  AARP Texas and Alzheimer's Association to connect with members of the faith-based community to support or start caregiving ministries.

- **Action Item 7.2**
  Community Council/Dallas Area Agency of Aging
  The Senior Source
  Continue supporting family caregivers.

ENDNOTES

1 United States Census Bureau - Dallas population in 1880 (pg.40), 1890 (pg.3), 1900 (pg.4), 1910 (pg.3), 1920 (pg.79), 1930 (pg.68), 1940 (pg.106), 1950 (pg.106), 1960 (pg.23), 1970 (pg.12), 1980 (pg.38), 1990 (pg.114), [1]. Retrieved 20 November 2006.

2 Texas Demographic Center, University of Texas at San Antonio. 2014 Texas Population Projections By Migration Scenario Tool, Migration Rate 2000-2010, CSA (2013) Level: Dallas-Fort Worth. txsdc.utsa.edu/Data/TPEPP/Projections. Accessed 27 March 2019.

The underlying U.S. Census Bureau data used to make population projections is unavailable at the Dallas City level. Consequently, Texas Demographic Center aggregates data for larger geographic area to make its projections. For population projections of race, used Dallas County level data.

3 See Endnote #2.

4 U.S. Census Bureau (2017). American Community Survey 1-year estimates. Retrieved from Census Reporter Profile page for Dallas, TX <http://censusreporter.org/profiles/16000US4819000-dallas-tx/>

5 See Endnote # 3.


Of all our years, it is our older years when we should be able to savor and enjoy life.”

AGE-FRIENDLY DALLAS



Agenda Information Sheet

File #: 19-635 **Item #:** 22.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Cultural Affairs

EXECUTIVE: Joey Zapata

SUBJECT

Authorize a ninety-nine year lease agreement with the Dallas Symphony Association, Inc. for the Morton H. Meyerson Symphony Center located at 2301 Flora Street, subject to a reverter and other requirements pursuant to Section 253.011 of the Texas Local Government Code - Not to exceed $11,500,000.00 - Financing: General Fund (subject to annual appropriations)

BACKGROUND

Opened in 1989, the Morton H. Meyerson Symphony Center (Meyerson) was built through a public/private partnership with the Dallas Symphony Association (DSA) raising over $54 million in private support to match the City's bond contribution of $49.3 million. The City and the DSA entered into a Use Agreement for the Meyerson on September 18, 1985, subsequently amended in 1995, 1999, 2004, and 2009. The Use Agreement sets the terms under which the DSA uses and occupies the Meyerson as the primary user and the City's responsibilities for the operation and management of the facility.

This action amends the use agreement to become a 99-year lease of the Meyerson land and improvements to the DSA. Following a six-year period of financial support, the City will have no on-going operation and maintenance expenses, with estimated savings of approximately $1.6 million annually. The agreement is subject, in-part, to the following terms and conditions:

- Total rent payable to the City by the DSA for its lease of the entire Meyerson premises during the term shall be $1.00 per year payable on or before January 2 of each lease year

- DSA shall be responsible, at its sole cost and expense, for operation, management, maintenance of the Meyerson premise; subject to City's support commitment set forth in subparagraph C below and City's commitment to expend bond proceeds currently appropriated for the Meyerson to perform various deferred capital improvement and maintenance projects

- City will continue to provide financial support to the DSA for the operation and maintenance of the Meyerson for the initial six (6) year period of the term, subject to annual appropriations, as follows:

    - Year 1 $3,000,000.00
    - Year 2 $3,000,000.00
    - Year 3 $2,500,000.00
    - Year 4 $1,500,000.00
    - Year 5 $ 750,000.00
    - Year 6 $ 750,000.00

- All Public Art in the Meyerson premises will not be conveyed as part of the leasehold under the Agreement but will remain City owned property and will continue to be on display at the Meyerson under the oversight of the City's Office of Cultural Affairs

- Regarding use of the Annette Strauss Artists Square, the DSA and City will continue to honor and follow the terms of the Booking Rights Agreement between the DSA and the Dallas Center for the Performing Arts Foundation, which agreement shall be incorporated as part of the Agreement for all the purposes set forth therein

- DSA shall be responsible to raise cash or pledges in the amount of $5 million during the period of DSA fiscal years 2020-2025, which will be earmarked for capital improvements to the Meyerson, and shall expend those funds for such purpose by 2029

- DSA and its musicians will perform no less than 150 concerts per year

- Existing City bookings for 2019 and 2020 will be honored by the DSA

- Events for Grandfathered Users, which shall be defined to mean the Greater Dallas Youth Orchestra, Children's Chorus of Greater Dallas, Dallas Winds, Dallas Bach Society, Fine Arts Chamber Players, Turtle Creek Chorale, The Black Academy of Arts and Letters (for its annual MLK Celebration), and Dallas-based public independent school districts (high school graduations), shall be at preferred rent rates through May 31, 2029, based on 2018 rent rates through 2029, plus no more than 2.5% annual increases after 2029. In addition, the Grandfathered User will be responsible for all direct costs, e.g., utilities, personnel, security, ticketing services, etc.

- DSA will comply with monthly and annual reporting consistent with the requirements of Cultural Organizations Program administered through the Office of Cultural Affairs

- DSA will provide up to six (6) City event dates annually, and for up to an additional ten (10) event dates annually for community-oriented events requested by the City

- DSA shall provide City of Dallas independent school districts' students with complimentary tickets based on availability for no less than 50 concerts selected by the DSA

- Bookings for mayoral and city council inaugurations take priority over all other uses of the Meyerson

- DSA shall provide City with a copy of a financial guaranty agreement between the DSA and a private foundation or donor, evidencing the foundation or donor's guarantee of the DSA obligations for the benefit of the Meyerson, namely guaranteeing DSA's commitment to raise the $5 million in cash or pledges described in subparagraph F above. The foundation or donor's guaranty shall be attached to the Agreement and shall be incorporated thereto for the purposes set forth therein

- If the DSA fails to use the Meyerson for the City's public purpose, in violation of the requirements of Section 253.011 of the Texas Local Government Code, then the Agreement shall terminate and the leasehold estate granted in the Agreement shall automatically revert to the City

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Arts and Culture Advisory Commission on February 21, 2019.

On March 6, 2019, a public meeting was held at the Morton H. Meyerson Symphony Center to engage the public and receive feedback about this item.

On March 21, 2019, the Arts and Culture Advisory Commission approved a recommendation in support of this item.

Information about this item was provided to the Quality of Life, Arts and Culture Committee on March 25, 2019.

FISCAL INFORMATION

General Fund - $11,500,000.00 (subject to annual appropriations)

Year	Amount
1	$ 3,000,000.00
2	$ 3,000,000.00
3	$ 2,500,000.00
4	$ 1,500,000.00
5	$ 750,000.00
6	$ 750,000.00
Total	$11,500,000.00

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WHEREAS, the City of Dallas owns the land and improvements comprising the Morton H. Meyerson Symphony Center premises (the "Meyerson") located at 2301 Flora Street in Dallas County, Texas; and

WHEREAS, in accordance with Section 253.011 of the Local Government Code, City is permitted to convey a real property interest to a non-profit organization exempt from federal taxation under Section 501(c)(3) Internal Revenue Code, 1986, as amended, without complying with governmental notice and bidding requirements set forth in Section 272.001(a) of the Local Government Code or other law provided the lessee shall use the real property in a manner that promotes the public purpose of the City as set forth in the lease, and also provided that if the nonprofit at any time fails to use the property for the specified public purpose, the real property interest will automatically revert to the City; and

WHEREAS, the City and the Dallas Symphony Association, Inc. ("DSA") are currently parties to that certain Use Agreement dated September 18, 1985, as amended, which provides for the terms and conditions under which the DSA is the priority user and primary tenant to use and occupy certain portions of the Meyerson while City has sole responsibility for the operation and management of the entire Meyerson premises; and

WHEREAS, pursuant to the Use Agreement the City leased to the DSA, only those facilities and areas within the Meyerson required by the DSA for its various activities including but not limited to performances, rehearsals, auditions, social and fund-raising activities, meetings, administration, ticket and merchandise sales, library, dressing, and storage; and

WHEREAS, the City and the DSA desire and intend that the Meyerson will continue to provide a permanent home for the DSA, its headquarters office and for performances and rehearsals of the Dallas Symphony Orchestra as well as an outstanding performance facility that will attract other prominent performing groups and individuals to Dallas; and

WHEREAS, City and the DSA desire to amend the Use Agreement to provide for the City's lease of the Meyerson premises to the DSA pursuant to Section 253.011, and DSA desires and agrees to accept the Meyerson premises from the City so that City shall vacate the Meyerson premises at an agreed date and turnover the City's management and operational responsibilities of the Meyerson premises to DSA; and

WHEREAS, the DSA is a qualifying nonprofit organization under Section 253.011 of the Texas Local Government Code, and has requested City lease the Meyerson premises to the DSA to enable the DSA to be the sole tenant of the Meyerson premises to enable DSA to use, operate, and manage the premises to provide for and carry out the City's cultural public purpose in accordance with the lease; and

WHEREAS, to effect the transfer of the City's operational and management responsibilities of the Meyerson premises to DSA through a leasehold interest, the City and DSA desire to amend and restate the Use Agreement and consummate the conveyance of the leasehold interest for the entire Meyerson premises to the DSA, subject to a reverter and other requirements pursuant to Section 253.011 of the Texas Local Government Code.

Now, Therefore,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney and attested by the City Secretary, is hereby authorized to execute an Amended and Restated Use Agreement ("Agreement") between the Dallas Symphony Association, Inc. ("DSA"), as lessee, and the City of Dallas, as lessor, to enable the DSA to lease, occupy, manage, and operate the entire Morton H. Meyerson Symphony Center premises for a ninety-nine year term, from July 1, 2019 through June 30, 2118 in accordance with the Agreement, subject to reverter and other requirements of Section 253.011 of the Texas Local Government Code.

SECTION 2. That the special terms and conditions of the Agreement include among other things, the following terms and conditions:

A. Total rent payable to the City by the DSA for its lease of the entire Meyerson premises during the term shall be $1.00 per year payable on or before January 2 of each lease year; and

B. DSA shall be responsible, at its sole cost and expense, for operation, management, maintenance of the Meyerson premise; subject to City's support commitment set forth in subparagraph C below and City's commitment to expend bond proceeds currently appropriated for the Meyerson to perform various deferred capital improvement and maintenance projects; and

C. City will continue to provide financial support to the DSA for the operation and maintenance of the Meyerson for the initial six-year period of the term, subject to annual appropriations, as follows:

Year 1	$3,000,000.00;
Year 2	$3,000,000.00;
Year 3	$2,500,000.00;
Year 4	$1,500,000.00;
Year 5	$ 750,000.00;
Year 6	$ 750,000.00; and

D. All Public Art in the Meyerson premises will not be conveyed as part of the leasehold under the Agreement but will remain City owned property and will continue to be on display at the Meyerson under the oversight of the City's Office of Cultural Affairs; and

E. Regarding use of the Annette Strauss Artists Square, the DSA and City will continue to honor and follow the terms of the Booking Rights Agreement between the DSA and the Dallas Center for the Performing Arts Foundation, which agreement shall be incorporated as part of the Agreement for all the purposes set forth therein; and

F. DSA shall be responsible to raise cash or pledges in the amount of $5 million during the period of DSA fiscal years 2020-2025, which will be earmarked for capital improvements to the Meyerson, and shall expend those funds for such purpose by 2029; and

G. DSA and its musicians will perform no less than 150 concerts per year; and

H. Existing City bookings for 2019 and 2020 will be honored by the DSA; and

I. Events for Grandfathered Users, which shall be defined to mean the Greater Dallas Youth Orchestra, Children's Chorus of Greater Dallas, Dallas Winds, Dallas Bach Society, Fine Arts Chamber Players, Turtle Creek Chorale, The Black Academy of Arts and Letters (for its annual MLK Celebration), and Dallas-based public independent school districts (high school graduations), shall be at preferred rent rates through May 31, 2029, based on 2018 rent rates through 2029, plus no more than 2.5% annual increases after 2029. In addition, the Grandfathered User will be responsible for all direct costs, e.g., utilities, personnel, security, ticketing services, etc.; and

J. DSA will comply with monthly and annual reporting consistent with the requirements of Cultural Organizations Program administered through the Office of Cultural Affairs; and

K. DSA will provide up to six City event dates annually, and for up to an additional ten event dates annually for community-oriented events requested by the City; and

L. DSA shall provide City of Dallas independent school districts' students with complimentary tickets based on availability for no less than 50 concerts selected by the DSA; and

M. Bookings for mayoral and city council inaugurations take priority over all other uses of the Meyerson; and

N. DSA shall provide City with a copy of a financial guaranty agreement between the DSA and a private foundation or donor, evidencing the foundation or donor's guarantee of the DSA obligations for the benefit of the Meyerson, namely guaranteeing DSA's commitment to raise the $5 million in cash or pledges described in subparagraph F above. The foundation or donor's guaranty shall be attached to the Agreement and shall be incorporated thereto for the purposes set forth therein; and

O. If the DSA fails to use the Meyerson for the City's public purpose, in violation of the requirements of Section 253.011 of the Texas Local Government Code, then the Agreement shall terminate and the leasehold estate granted in the Agreement shall automatically revert to the City.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $11,500,000.00 in accordance with the terms and conditions of the Agreement to provide City financial support for operations and maintenance of the Meyerson during the initial six (6) year period of the term (subject to annual appropriations) to the Dallas Symphony Association, Inc. from Contract No. OCA-2019-00010352.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit all revenues received under the Agreement to the General Fund, Fund 0001, Department OCA, Unit 4820, Revenue Code 7219.

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

Agenda Information Sheet

File #: 19-572 **Item #:** 23.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** a public hearing to be held on June 12, 2019, to receive comments concerning the renewal and expansion of the South Side Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code (the "Act"), for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing **(2)** a resolution renewing the District for a period of seven-years; **(3)** the expansion of the District's boundary; **(4)** the District's Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(5)** a management contract with South Side Quarter Development Corporation, a Texas non-profit corporation as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

The South Side Public Improvement District ("District") was originally established in 2005 and was renewed in 2012.

This action calls for a public hearing to be held on June 12, 2019, for the City Council to receive comments on the renewal and expansion of the District. Upon closing of the public hearing, City Council will be asked to consider a resolution renewing the District with an expanded boundary.

On April 12, 2019, South Side Quarter Development Corporation ("SSQDC") submitted petitions requesting renewal and expansion of the District and approval of a Service Plan for a period of seven -years with an effective date of January 1, 2020, in accordance with Chapter 372 of the Texas Local Government Code. Staff reviewed the proposed Service Plan, verified the petitions, and found the renewal plan to be viable and recommended approval.

City staff reviewed the signed petitions and determined owners of record representing more than 60% of the appraised value of the real property liable for assessment and more than 60% of the land area of the real property liable for assessment within the District signed the petitions (exceeding minimum requirements set in the current City of Dallas PID Policy). Signed petitions also exceed state law's requirement of 50% of the appraised value of real property liable for assessment and 50% of the land area of all real property liable for assessment.

The petition for the District is outlined as follows:

A. District Name. The name of the district is South Side Public Improvement District.

B. District Location. The District is located wholly within the City of Dallas, Texas, a Texas home rule municipality. The boundaries of the District are shown on the attached Map of the District.

C. Purpose of the District; General Nature of Services and Improvements. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of proposed improvements and services to be performed by the District is to improve security and provide safety and security related services, promote the District, enhance and protect property values, design, construct and maintain public improvement projects, including park and open space, business recruitment, marketing and other special supplemental services and improvements that are authorized by the Act and approved by City Council.

D. Estimated Cost of Services and Improvements; No Bonded Indebtedness. During the seven-year term of the District, the annual cost of services and improvements provided by the District is estimated to range from approximately $304,140.00 to $512,000.00 annually. The total estimated assessments to be collected during the seven-year period is approximately $2,865,064.00, which includes a surplus of $16,279.00 from the previous year's assessments. The District shall not incur bonded indebtedness. The seven-year budget detailing the estimated cost per year and total estimated costs for the entire term (the "Service Plan") is labeled as Exhibit B of the attached resolution.

E. Method of Assessment. The assessment shall be apportioned costs of services and improvements each year among non-excluded property on the basis of special benefits accruing to such property because of the improvements. The proposed method of assessment, which specifies included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2020 is proposed to be $304,140.00.

This amount is approximately equal to $0.12 per $100.00 of appraised value for property in the standard area of the District, as determined by DCAD and $0.15 per $100.00 of appraised value for property in the premium area of the District, as determined by DCAD. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased but shall not exceed $0.15 per $100.00 valuation subject to

appropriations set forth in the petition that renewed the District. Any future increase in the assessment rate would also be subject to a public hearing and City Council approval. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes.

Property owned by tax-exempt religious organizations will be exempt from assessment as will property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code as well as railroad rights-of-way, cemeteries and City-owned property including rights-of-way and public parks. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

F. Apportionment of Cost Between the District and the City as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas shall not be responsible for payment of assessments against City-owned property including City rights-of-way and parks in the District. Payment of assessments by other tax-exempt owners must be established by contract. Presently, no such contracts are in place.

G. District Management. The District will be managed by SSQDC, a Texas non-profit corporation, created under the provisions of section 501(c) of the Internal Revenue Code, or its successors or assigns, as approved by City Council. The City Council will review and approve annually the service plan and assessment plan, determine and levy assessments and conduct other functions as required by the Act, and the SSQDC will manage the District pursuant to a contract with the City.

H. District Dissolution. The District shall automatically dissolve on December 31, 2026, unless renewed or dissolved through the petition and approval process as provided by the Act. If the District is dissolved, the District nonetheless shall remain in effect for the purpose of meeting obligations of indebtedness for improvements.

I. Advisory Body. An advisory body may be established to develop and recommend the Service Plan to the City Council. At this time, staff is not recommending an advisory board be appointed, but is recommending that the responsibility for development and recommendation of the annual service and improvement plans and other responsibilities of the advisory body contained in the Act be assigned to SSQDC.

The term of the District upon renewal is seven years, 2020 to 2026. Pending approval, actual operations in the District will commence from January 1, 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2005, City Council authorized creation of the South Side Public Improvement District by Resolution No. 05-2230.

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On June 13, 2012, City Council authorized the renewal of the South Side Public Improvement District by Resolution No. 12-1585.

Information about this item will be provided to the Economic Development and Housing Committee on May 6, 2019.

FISCAL INFORMATION

Cost consideration to others. The proposed assessment amount is approximately equal to $0.12 per $100.00 of appraised value for property in the standard area of the District, as determined by DCAD, and $0.15 per $100.00 of appraised value for property in the premium area of the District, as determined by DCAD (i.e. property owners within the boundaries of the District pay the assessment and the funds are managed by a private, non-profit entity under a management contract with the City).

CONTACT INFORMATION

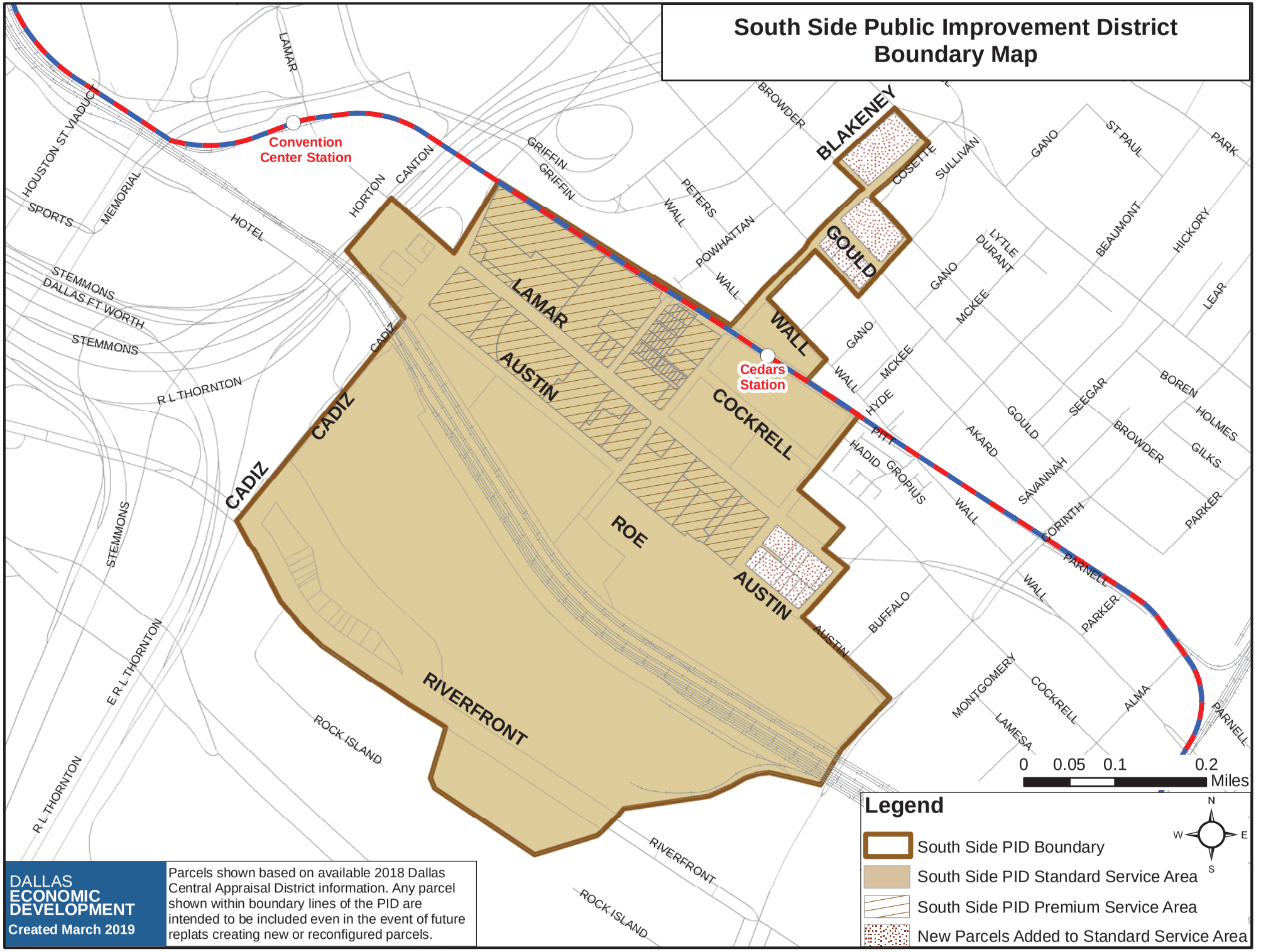
South Side Quarter Development Corporation

Shannon Brown-Key, Director
1401 S. Lamar Street
Dallas, Texas 75215

MAP

Attached

South Side Public Improvement District Boundary Map



Legend

- South Side PID Boundary
- South Side PID Standard Service Area
- South Side PID Premium Service Area
- New Parcels Added to Standard Service Area

DALLAS ECONOMIC DEVELOPMENT

Created March 2019

Parcels shown based on available 2018 Dallas Central Appraisal District information. Any parcel shown within boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.

May 22, 2019

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on April 12, 2019, South Side Quarter Development Corporation representing property owners of the South Side area, delivered to the City of Dallas a petition to renew the South Side Public Improvement District ("District") in accordance with of Chapter 372 of the Texas Local Government Code. City staff reviewed the petition and determined the owners of more than 60 percent of the appraised value of the taxable real property liable for assessment, and more than 60 percent of the land area of all taxable real property liable for assessment within the District executed the petition, in accordance with the necessary thresholds for the City Council to consider creation of the District; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the South Side Quarter Development Corporation, verified the petitions, evaluated the creation service plan to determine whether the services should be made as proposed by the proposed service plan and found the plan to be viable; and

WHEREAS, the City of Dallas desires by the calling and holding of such public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the renewal of the South Side Public Improvement District for a special assessment against each property owner of record for real property and real property improvements, exclusive of right-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That a public hearing shall be held at 6:00 p.m. on June 12, 2019, in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, 75201, at which time any interested person may appear and speak for or against the renewal of the South Side Public Improvement District **(as proposed on the map attached as Exhibit A)** providing for a special assessment against the property owners of record for real property and real property improvements, exclusive of rights-of-way, to provide funding for the District for the purpose of providing supplemental public services and public improvements **(as shown in the proposed service plan attached as Exhibit B)**.

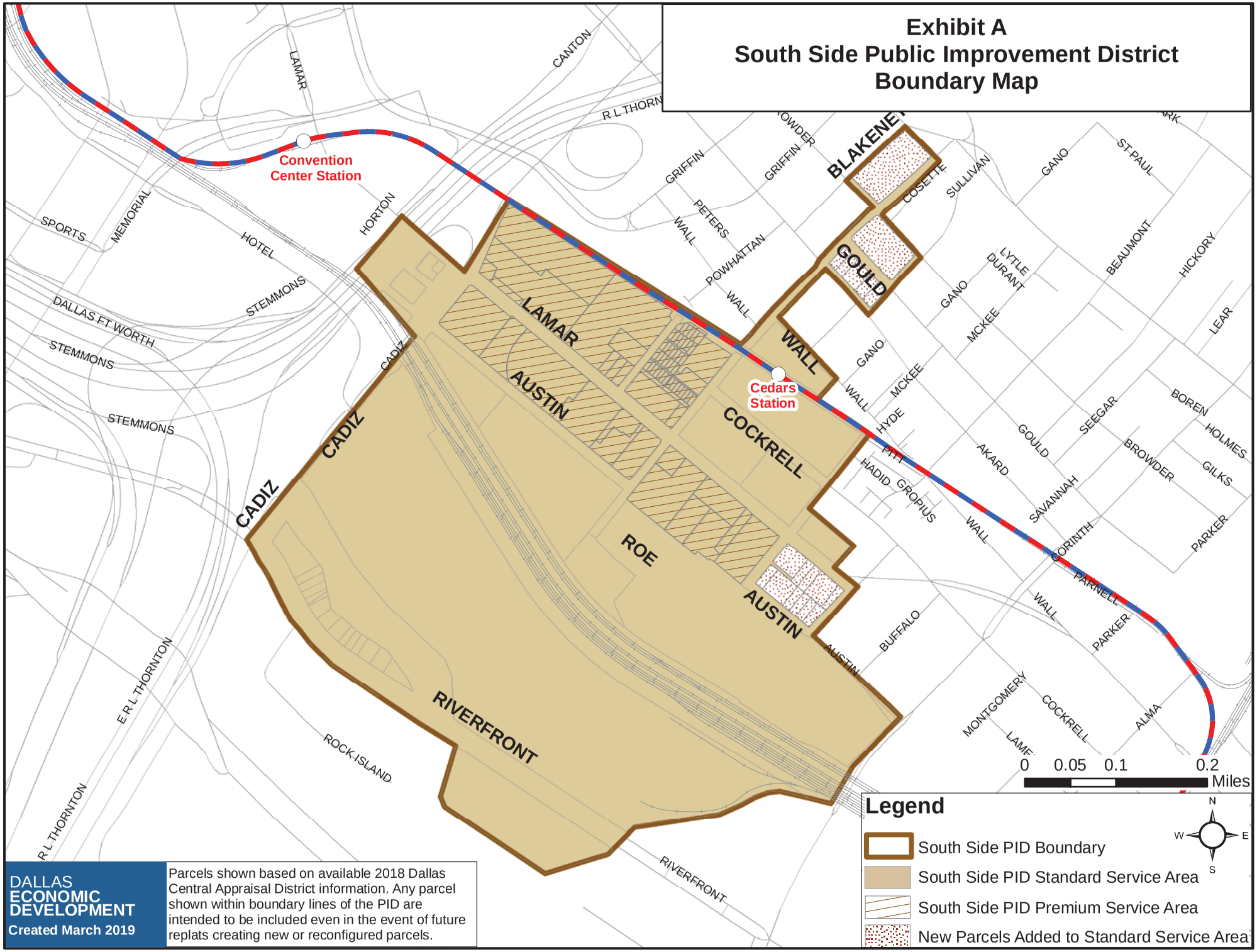
SECTION 2. That the facts and recitals contained in the preamble of this resolution are found and declared to be true and correct.

SECTION 3. That such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners of the District before the 15th day before the public hearing.

SECTION 4. That after the closing of the public hearing, the City Council may consider a resolution approving the renewal of the South Side Public Improvement District providing for a special assessment against the property owners of record for real property and real property improvements, exclusive of rights-of-way, to provide funding for the District for the purpose of providing supplemental public services and public improvements, approving the Service Plan for 2020-2026, designating the South Side Quarter Development Corporation as the management entity of the District and providing an effective date.

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 is accordingly so resolved.

Exhibit A
South Side Public Improvement District
Boundary Map



DALLAS
ECONOMIC
DEVELOPMENT
Created March 2019

Parcels shown based on available 2018 Dallas Central Appraisal District information. Any parcel shown within boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.

Exhibit B

South Side Public Improvement District
Service Plan 2020-2026

	2020	2021	2022	2023	2024	2025	2026
INCOME							
Net Assessment*	**$ 304,140.00**	**$ 340,645.00**	**$ 365,000.00**	**$ 392,000.00**	**$ 450,000.00**	**$ 485,000.00**	**$ 512,000.00**
Interest on Cash Balance	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Surplus/Deficit from previous year	$ 16,279.00	$ -	$ -	$ -	$ -	$ -	$ -
TOTAL INCOME	**$ 320,419.00**	**$ 340,645.00**	**$ 365,000.00**	**$ 392,000.00**	**$ 450,000.00**	**$ 485,000.00**	**$ 512,000.00**
EXPENDITURES							
City Retainage[1]	$ 30,414.00	$ 34,065.00	$ 36,500.00	$ 39,200.00	$ 45,000.00	$ 48,500.00	$ 51,200.00
Area Improvements[2]	$ 105,000.00	$ 105,000.00	$ 110,000.00	$ 117,500.00	$ 139,000.00	$ 148,500.00	$ 150,500.00
Public Safety/Security[3]	$ 95,000.00	$ 95,000.00	$ 100,000.00	$ 105,000.00	$ 115,000.00	$ 123,250.00	$ 130,000.00
Business Recruitment/Marketing[4]	$ 35,000.00	$ 38,000.00	$ 42,000.00	$ 47,000.00	$ 52,000.00	$ 56,750.00	$ 60,000.00
Cultural Events & Arts[5]	$ 15,000.00	$ 24,080.00	$ 26,500.00	$ 30,800.00	$ 38,500.00	$ 43,000.00	$ 46,800.00
Administration	$ 26,005.00	$ 30,000.00	$ 34,500.00	$ 37,000.00	$ 42,500.00	$ 45,000.00	$ 50,000.00
Audit[6]	$ 7,000.00	$ 7,500.00	$ 8,000.00	$ 8,000.00	$ 10,000.00	$ 12,000.00	$ 15,000.00
Insurance and Legal	$ 7,000.00	$ 7,000.00	$ 7,500.00	$ 7,500.00	$ 8,000.00	$ 8,000.00	$ 8,500.00
Renewal Fee							$ 15,000.00
TOTAL ESTIMATED EXPENDITURE	**$ 320,419.00**	**$ 340,645.00**	**$ 365,000.00**	**$ 392,000.00**	**$ 450,000.00**	**$ 485,000.00**	**$ 512,000.00**
Surplus/Deficit**	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Notes

*Net assessment reflects the deduction of City and County admin fees from the gross assessment collected.

**Any carryover surplus in excess of 25% of the annual net assessment shall be distributed between the Area Improvements and Public Safety/Securty categories.

[1]City Retainage - 10% of gross assessments retained by the City for any repayments required by the County in settlement of tax protests, if any. Any retainage funds returned to PID after City's overall financial year close out may be carried over for use in the following year.

[2]Area Improvements includes street and sidewalk improvement projects, landscape/irrigation, trees, other streetscape improvements, open and park space improvements, plaza improvements, pedestrian lighting, wayfinding signage, district art and murals, design construction and maintenance of above standard improvements and other public improvement projects authorized by Chapter 372 of the Texas Local Government Code

[3]Public Safety/Security includes third party security group's patrol of district; other public safety programs

[4]Business Recruitment/Marketing includes special supplemental services such as marketing retail/restaurants in district, promotional ads, job fairs, marketing/recruitment events, district website development and maintenance

[5]Cutural Events includes events and programs that highlight the culture and arts of the district

[6]Audit line item includes fees for quarterly and annual accounting

Agenda Information Sheet

File #: 19-573 **Item #:** 24.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** a public hearing to be held on June 12, 2019, to receive comments concerning the renewal of the Uptown Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code (the "Act"), for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing **(2)** a resolution renewing the District for a period of seven years; **(3)** the District's Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(4)** a management contract with Uptown Dallas, Inc., a Texas nonprofit corporation as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

The District was initially established in 1993 and was renewed in 2000, 2005 and 2012.

This action calls for a public hearing to be held on June 12, 2019 for the City Council to receive comments on the renewal of the District. Upon closing of the public hearing, City Council will be asked to consider a resolution renewing the District.

On February 6, 2019, Uptown Dallas, Inc. ("UDI") submitted petitions requesting the renewal of the District and approval of the Service Plan for a period of seven-years with an effective date of January 1, 2020 in accordance with Chapter 372 of the Texas Local Government Code. City staff reviewed the signed petitions and determined that owners of record representing more than 60% of the appraised value of the real property liable for assessment and more than 60% of the land area of the real property liable for assessment within the District signed the petitions (exceeding minimum requirements set in the current City of Dallas Public Improvement District (PID) Policy).

Signed petitions also exceed the state law minimum requirement of 50% of the appraised value of real property liable for assessment and 50% of the land area of all real property liable for assessment.

The petition for the District is outlined as follows:

A. District Name. The name of the District is Uptown Public Improvement District.

B. District Location. The District is located wholly within the City of Dallas, Texas, a Texas home rule municipality. The boundaries of the District are shown on the attached map of the District.

C. Purpose of the District; General Nature of the Services and Improvements. The general nature of the proposed improvements and services to be performed by the District is to enhance public safety and security, lighting, sidewalk and streetscape improvements, landscaping improvements including plantings, hardscape, trolley operation and capital improvements, District marketing and promotional activities and improvements as authorized by the Act and approved by City Council.

D. Estimated Cost of the Services and Improvements; No Bonded Indebtedness. During the seven-year period, the annual cost of the improvements and services provided by the District is estimated to range from approximately $3,013,977.00 to $5,348,612.00 annually, and includes estimated interest and marketing sponsorships. The total estimated assessments to be collected during the seven-year period is approximately $28,232,962.00, and with the anticipated interest and marketing sponsorship, the total budget is estimated to be $28,631,962.00. The District shall incur no bonded indebtedness. The seven-year budget detailing the estimated cost per year and total estimated costs for the entire term (the “Service Plan”) is labeled as Exhibit B of the attached resolution. The Service Plan budget is an estimate based on current assessment rolls and assumes a 10% increase in value each year based on the high growth of Uptown. If growth rates exceed the estimated seven-year estimate, additional funds collected will be used for Capital Improvements and Services and shall be distributed pro-rata to those categories. Carryover in excess of 20% annually shall also be distributed between the Capital Improvements and Services categories. In the last year of assessment, if there are unspent carryover funds, City Council reserves the right to adjust the assessment rate.

E. Method of Assessment. The assessment shall be apportioned each year among the property on the basis of special benefits accruing to the property because of the improvements. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2020 is proposed to be $2,971,977.00. This amount is approximately equal to $0.0450 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2020 Service Plan year.

The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased, but shall not exceed $0.15 per $100.00 valuation subject to appropriations set forth in the petition that renewed the District. Any future

increase in the assessment rate would also be subject to a public hearing and City Council approval. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Property owned by tax-exempt religious organizations will be exempt from assessment as will property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code as well as City-owned property including rights-of-way and public parks, railroad rights-of-way and cemeteries. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

F. Apportionment of Costs Between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

G. District Management. The District shall be managed by the Uptown Dallas, Inc. ("UDI") a Texas nonprofit corporation established under the provisions of Section 501(c) of the Internal Revenue Code. The City Council will review and approve annually the Service Plan and Assessment Plan, determine and levy assessments and conduct other functions as required by the Act. UDI will be responsible for the management of the District pursuant to a contract with the City.

H. District Dissolution. The District shall automatically dissolve on December 31, 2026, unless renewed or dissolved through the petition and approval process as provided by the Act If the District is dissolved, the District nonetheless shall remain in effect for the purpose of meeting obligations of indebtedness for improvements.

I. Advisory Body. An advisory body may be established to develop and recommend an improvement plan to the governing body of the municipality. At this time, staff is not recommending that an advisory board be appointed, but is recommended that the responsibility for development and recommendation of the annual service and improvement plans and other responsibilities of the advisory body contained in the Act be assigned to UDI.

The term of the District upon renewal is seven-years, 2020 to 2026. Pending approval, actual operations in the District will commence from January 1, 2020.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 1993, City Council authorized the creation of the Uptown PID by Resolution No. 93-2501.

On August 10, 2005, City Council authorized the renewal of the Uptown PID by Resolution No. 05-2231.

On June 13, 2012, the City Council authorized the renewal of the Uptown PID by Resolution No. 12-1584.

Information about this item was provided to the Economic Development and Housing Committee on May 6, 2019.

FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to $0.045 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the District pay the assessment and the funds are managed by a private, non-profit entity under a management contract with the City).

CONTACT INFORMATION

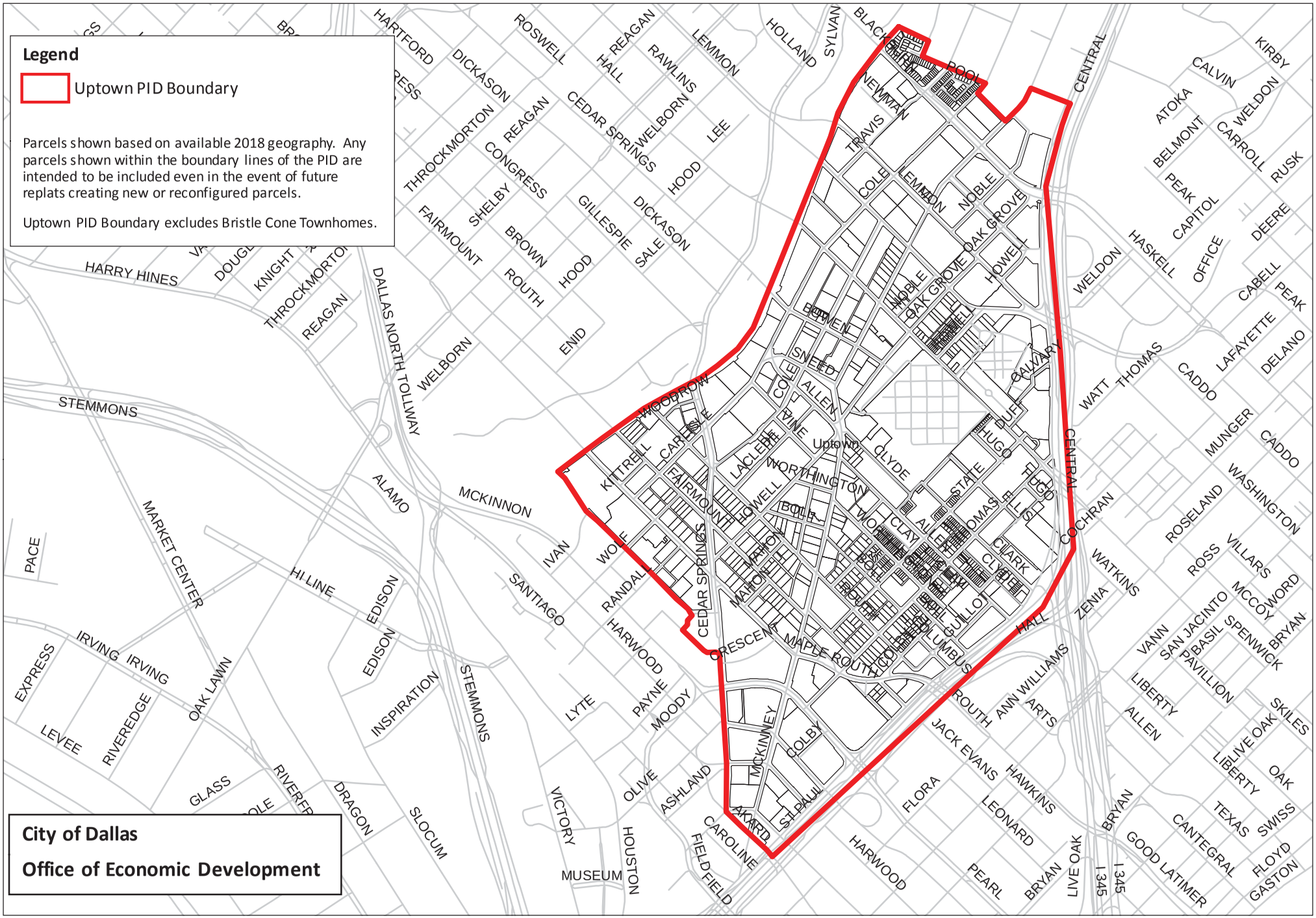
Uptown Dallas, Inc.

Noelle LeVeaux
Interim Director and Executive Director
3600 McKinney Ave, Suite 210
Dallas, Texas 75204

MAP

Attached

Uptown Public Improvement District
Boundary Map



May 22, 2019

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on February 6, 2019, Uptown Dallas, Inc. ("UDI"), representing owners of real property located within the Uptown Public Improvement District (the "District"), delivered to the City of Dallas a petition to renew the District in accordance with the Act. City staff reviewed the petition and determined the owners of more than 60 percent of the appraised value of the taxable real property liable for assessment and more than 60 percent of the land area of all taxable real property liable for assessment within the District executed the petition, in accordance with the necessary thresholds for the City Council to consider creation of the District; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the Uptown Dallas, Inc., verified the petitions, and evaluated the service plan to determine whether the services should be made as described by the proposed service plan and found the service plan to be viable; and

WHEREAS, the City of Dallas desires to call and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the renewal of the District, which intends to levy a special assessment against each property owner of record for real property and real property improvements, exclusive of City of Dallas-owned property including rights-of-way and public parks, railroad rights-of-way, cemeteries, property owned by tax-exempt religious organizations and property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code, to provide funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

May 22, 2019

SECTION 1. That a public hearing shall be held at 6:00 p.m. on June 12, 2019, in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, 75201, at which time any interested person may appear and speak for or against the renewal of the District, with boundaries as proposed on the map attached as **Exhibit A** to provide improvements and supplemental services as permitted by and for the purposes set forth in the petition, to be funded by a special assessment against the property owners of record for real property and real property improvements, exclusive of City of Dallas-owned property including rights-of-way and public parks, railroad rights-of-ways, cemeteries, property owned by tax-exempt religious organizations and property owned by person already receiving and qualifying for 65-or-older homestead exceptions under Section 11.13 (c) or (d) of the Texas Property Tax Code, as shown in the proposed service plan attached as **Exhibit B**.

SECTION 2. That the facts and recitals contained in the preamble of this resolution are found and declared to be true and correct.

SECTION 3. That notice of the public hearing shall be published in a newspaper of general circulation in the City of Dallas and mailed to the property owners of the District before the 15th day before the public hearing.

SECTION 4. That after the closing of the public hearing, the City Council may consider a resolution renewing the District for a period of seven-years, approving the Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and approving a management contract with Uptown Dallas, Inc., a Texas nonprofit corporation, as the management entity for the District.

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.

Uptown Public Improvement District
Boundary Map
Exhibit A

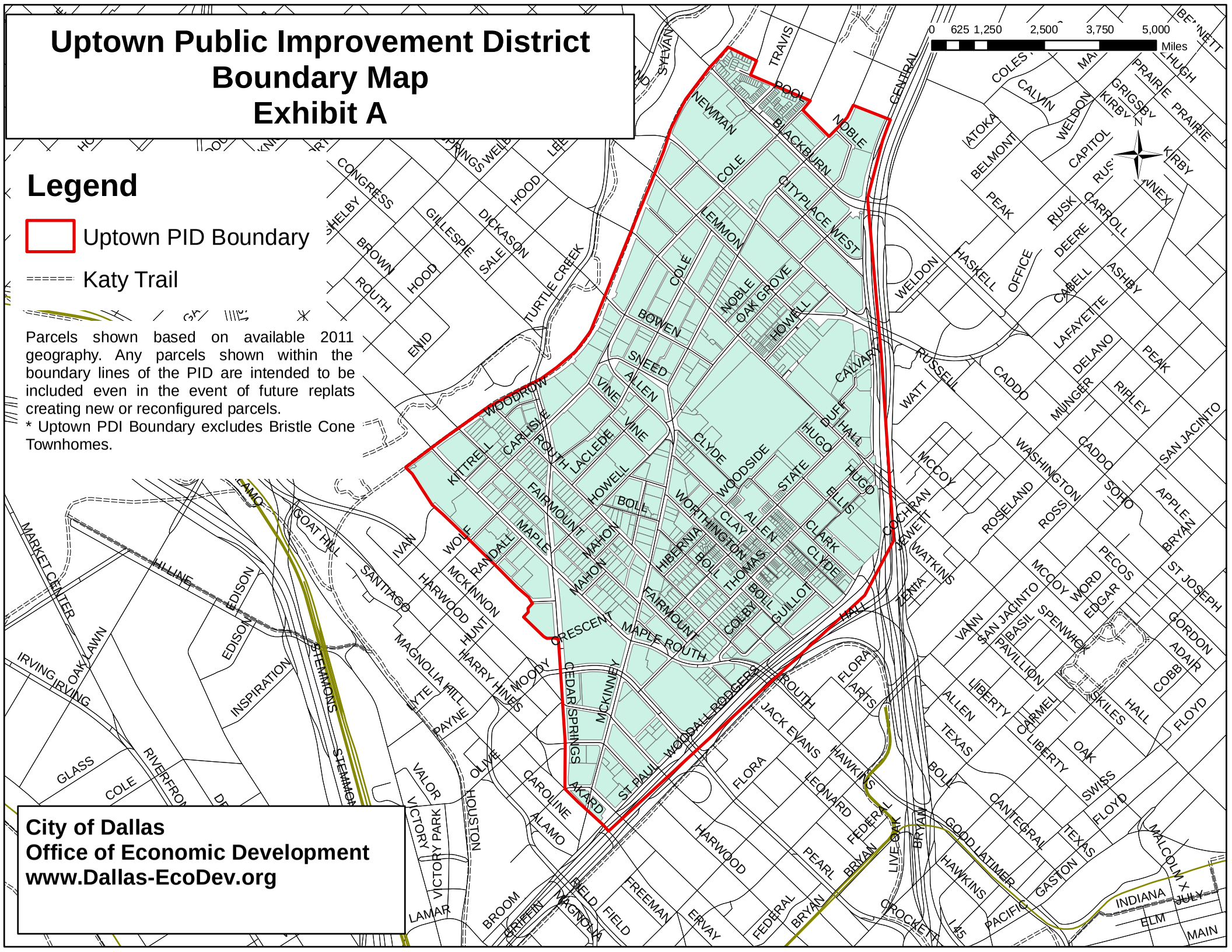


EXHIBIT B

UPTOWN PUBLIC IMPROVEMENT DISTRICT
SERVICE PLAN (2020 - 2026)

Income	**2020**	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**
Net Assessments	**$2,971,977**	**$3,270,675**	**$3,599,242**	**$3,960,666**	**$4,358,233**	**$4,795,556**	**$5,276,612**
Interest	$2,000	$2,000	$2,000	$2,000	$2,000	$2,000	$2,000
Marketing Sponsorships (for events)	$40,000	$45,000	$50,000	$55,000	$60,000	$65,000	$70,000
Total	$3,013,977	$3,317,675	$3,651,242	$4,017,666	$4,420,233	$4,862,556	$5,348,612
Expenditures							
Capital Improvements	$904,193	$995,302	$1,095,373	$1,205,300	$1,326,070	$1,458,767	$1,604,584
(Median Landscaping, gateway markers, walking trails, parks, streetscape, Katy Trail)							
Services	$1,597,948	$1,759,008	$1,935,898	$2,130,203	$2,343,664	$2,578,195	$2,835,904
(Safety programs, maintenance & landscaping, trolley operations, traffic & parking, marketing and promotion)							
Finance & Administration	$452,097	$497,651	$547,686	$602,650	$663,035	$729,383	$802,292
(Staff Salaries & benefits, rent, office expenses, audit, insurance)							
Contingency [1]	$59,740	$65,713	$72,285	$79,513	$87,465	$96,211	$105,832
Total	$3,013,977	$3,317,675	$3,651,242	$4,017,666	$4,420,233	$4,862,556	$5,348,612

[1] Contingency funds: Allowance made for anticipated tax refunds due to protests by property owners (2% of assessments)

Notes: The Service Plan budget is an estimate based on current assessment rolls and assumes a 10% increase in value each year based on the high growth of Uptown. If growth rates exceed the estimated seven-year estimate, additional funds collected will be used for Capital Improvements and Services and shall be distributed pro-rata to those categories. Carryover in excess of 20% annually shall also be distributed between the Capital Improvements and Services categories. In the last year of assessment, if there are unspent carryover funds, City Council reserves the right to adjust the assessment rate.

Agenda Information Sheet

File #: 19-624 **Item #:** 25.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Homeless Solutions

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

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

BACKGROUND

On August 24, 2018, the City of Dallas Office of Procurement Services advertised a Request for Competitive Sealed Proposals ("RFCSP") (#BTZ1802) for CoC Administration, under which the City sought proposals from local area non-profit organizations to assume the grantee responsibilities under the CoC Grant that funds the Gateway to Permanent Supportive Housing Project ("Project). The RFCSP closed on September 20, 2018. PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas ("PWA Coalition") submitted a proposal to assume and operate the Project as a substitute grantee, with all rights and obligations of the CoC Grant, and was recommended for award.

On September 26, 2018, City Council authorized the acceptance of a CoC Grant from the U.S. Department of Housing and Urban Development ("HUD") for the Project, in an amount not to exceed $718,103.00, to provide project-based rental assistance and case management for single chronically homeless persons for the period October 1, 2018 through September 30, 2019, by Resolution No. 18 -1376.

Based on the RFCSP award, on November 28, 2018, City Council authorized an assignment to PWA Coalition as recipient grantee in place of the City of Dallas under the CoC Grant that funds the Project, for the period December 1, 2018 through September 30, 2019, by Resolution No. 18-1692. Pursuant to the assignment, PWA Coalition agreed to operate the Project and assume all rights,

duties, and obligations under the CoC Grant that funds the Project. On April 10, 2019, by Resolution No. 19-0516, City Council authorized an amendment to Resolution No. 18-1692, to delay the start date of the assignment, from December 1, 2018 to April 1, 2019, due to a delay in executing the required documents as a result of the federal government shutdown.

Under the CoC Grant, the Project pays rent and utilities for 70 one-bedroom units for chronically homeless persons annually who are high utilizers of public services (e.g., emergency room, jail, etc.). Clients are housed in three locations (The Vineyards at Forest Edge, The Vineyards at the Ranch, and The Way Apartments). Rental payments are made directly to the apartment complex based on the reasonable rent for the area. Clients are eligible to receive rental assistance permanently depending on the client needs.

The grant includes funding for three to four project staff (including case management and administrative staff) to carry out the Project. The CoC Program requires that social or rehabilitative services be provided to all persons residing in permanent supportive housing, such as case management, drug treatment, medications, psychiatric counseling, legal aid, employment, and training. In addition, the CoC Program requires that all eligible funding costs under the CoC Grant be matched with no less than a 25 percent cash match or in-kind contribution.

On January 26, 2019, HUD announced the new FY 2018 CoC funding awards, including the renewal of the CoC Grant (Grant No. TX0236L6T001810 and CFDA No. 14.267) that funds the Project in the amount of $739,943.00, for the period October 1, 2019 through September 30, 2020, with a required 25 percent match of $184,986.00. At the time of the renewal award, the City of Dallas was still the grantee for the CoC Grant that funds the Project. For this reason, it is necessary for the City of Dallas to accept the renewal of the CoC Grant, and execute a new assignment to PWA Coalition for the renewal of the CoC Grant.

As substitute grantee, PWA Coalition assumes all rights, duties, and obligations under the CoC Grant, including the payment of rents/utilities, provision/coordination of supportive services, administration of the Project, and provision of the required 25 percent cash or in-kind match, at no cost to the City.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 26, 2018, City Council authorized the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, to provide project-based rental assistance and case management for single chronically homeless persons for the period October 1, 2018 through September 2019, by Resolution No. 18-1376.

On November 28, 2018, City Council authorized an assignment to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas, for the period December 1, 2018 through September 30, 2019, of the grant agreement for the Continuum of Care Grant (Grant No. TX0236L6T001709 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, to provide project-based rental assistance and case management for single chronically homeless persons; and an amendment to Resolution No. 18-1376, previously approved on September 26, 2018, to decrease the local cash match from the City of Dallas for the CoC Grant for the Project, and increase the matching contribution from the local partner agencies by Resolution No. 18-1692.

On April 10, 2019, City Council authorized an amendment to Resolution No. 18-1692, previously approved on November 28, 2018, to: revise the term of the assignment to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas, from the period December 1, 2018 through September 30, 2019 to April 1, 2019 through September 30, 2019 for the Continuum of Care Grant (Grant No. TX0236L6T001709 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, to provide project-based rental assistance and case management for single chronically homeless persons; and increase the local cash match from the City of Dallas for the CoC Grant for the Project, and decrease the matching contribution from the local partner agencies by Resolution No. 19-0516.

Information about this item was provided to the Human and Social Needs Committee on May 6, 2019.

FISCAL INFORMATION

No cost consideration to the City.

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WHEREAS, the City of Dallas recognizes the need to assist single chronically homeless persons by providing Rental assistance, in conjunction with support services, to break the cycle of homelessness; and

WHEREAS, the City of Dallas is grantee under a Continuum of Care ("CoC") Grant from the U.S. Department of Housing and Urban Development ("HUD") for the City of Dallas' Gateway to Permanent Supportive Housing Project ("Project"), to provide project-based rental assistance and case management for single chronically homeless persons; and

WHEREAS, the City of Dallas Office of Procurement Services advertised a Request for Competitive Sealed Proposals (#BTZ1802) for CoC Administration, under which the City sought proposals from local area non-profit organizations to assume the grantee responsibilities under the CoC Grant that funds the Project, and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas ("PWA Coalition") was recommended for award; and

WHEREAS, on November 28, 2018, City Council authorized an assignment to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas, for the period December 1, 2018 through September 30, 2019, of the grant agreement for the Continuum of Care Grant (Grant No. TX0236L6T001709 and CFDA No. 14.267), in an amount not to exceed $718,103.00, from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, to provide project-based rental assistance and case management for single chronically homeless persons; and an amendment to Resolution No. 18-1376, previously approved on September 26, 2018, to decrease the local cash match from the City of Dallas for the CoC Grant for the Project, by $66,629.00, from $96,550.00 to $29,921.00, and increase the matching contribution from the local partner agencies by $66,629.00, from $82,976.00 to $149,605.00, by Resolution No. 18-1692; and

WHEREAS, on April 10, 2019, City Council authorized an amendment to Resolution No. 18-1692, previously approved on November 28, 2018, to: revise the term of the assignment to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas, from the period December 1, 2018 through September 30, 2019 to the period April 1, 2019 through September 30, 2019 for the Continuum of Care Grant (Grant No. TX0236L6T001709 and CFDA No. 14.267), in an amount not to exceed $718,103.00 from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, to provide project-based rental assistance and case management for single chronically homeless persons; and increase the local cash match from the City of Dallas for the CoC Grant for the Project, by $49,697.00, from $29,921.00 to $79,618.00 and decrease the matching contribution from the local partner agencies by $49,697.00, from $149,605.00 to $99,908.00, by Resolution No. 19-0516; and

WHEREAS, HUD has approved the City of Dallas FY 2018 renewal application for the Project and, on January 26, 2019, awarded grant funds in the amount of $739,943.00 to renew the CoC Grant that funds the Project; and

WHEREAS, at the time of the renewal award, the City of Dallas was still the grantee for the CoC Grant that funds the Project, and it is necessary for the City of Dallas to accept the renewal of the CoC Grant, and execute a new assignment to PWA Coalition.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to: **(1)** accept a Continuum of Care ("CoC") Grant (Grant No. TX0236L6T001810 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, in an amount not to exceed $739,943.00, to provide project-based rental assistance and case management for single chronically homeless persons for the period October 1, 2019 through September 30, 2020; **(2)** execute an assignment of the CoC Grant to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas under the grant agreement; and **(3)** execute any and all documents required for the grant and grantee substitution, approved as to form by the City Attorney.

SECTION 2. That the grant agreement is designated as Contract No. OHS-2019-00009799.

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

Agenda Information Sheet

File #: 19-623 **Item #:** 26.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Homeless Solutions

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize **(1)** the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0085L6T001811 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' My Residence Program (Rapid Re-housing) in an amount not to exceed $384,395.00, to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period October 1, 2019 through September 30, 2020; **(2)** an assignment of the CoC Grant to Housing Crisis Center, Inc. as recipient grantee in place of the City of Dallas under the grant agreement; and **(3)** execution of any and all documents required for the grant and grantee substitution - Financing: No cost consideration to the City

BACKGROUND

On August 24, 2018, the City of Dallas Office of Procurement Services advertised a Request for Competitive Sealed Proposals ("RFCSP") (#BTZ1802) for CoC Administration, under which the City sought proposals from local area non-profit organizations to assume the grantee responsibilities under the CoC Grant that funds the Project. The RFCSP closed on September 20, 2018. Housing Crisis Center, Inc. ("HCC") submitted a proposal to assume and operate the City of Dallas' My Residence Program (Rapid Re-housing) ("Project") as a substitute grantee, with all rights and obligations of the CoC Grant, and was recommended for award.

On September 26, 2018, City Council authorized the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development ("HUD") for the Project in an amount not to exceed $435,627.00, to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period October 1, 2018 through September 2019, by Resolution No. 18-1377.

Based on the RFCSP award, on November 28, 2018, City Council authorized an assignment to HCC as recipient grantee in place of the City of Dallas under the CoC Grant that funds the Project, for the period December 1, 2018 through September 30, 2019, by Resolution No. 18-1699. Pursuant to the assignment agreement executed by HUD, HCC, and the City of Dallas, HCC has agreed to operate the Project and assume all rights, duties, and obligations under the CoC Grant that funds the Project.

Under the CoC Grant, the Project pays rent and utilities for thirty-one one-bedroom and six two-bedroom scattered site units. Clients select the location in which they choose to reside based on their individual needs. Rental payments are made directly to the apartment complexes based on the reasonable rent for the area. Under the My Residence Program, rental assistance can be provided on a short-term basis (up to 3 months) or medium (4 to 24 months) dependent on the client's need.

The grant includes funding for two to three project staff (including case management and administrative staff) to carry out the Project. The CoC Program requires that social or rehabilitative services be provided to all persons residing in permanent supportive housing, such as case management, drug treatment, medications, psychiatric counseling, legal aid, employment, and training. In addition, the CoC Program requires that all eligible funding costs under the CoC Grant be matched with no less than a 25 percent cash match or in-kind contribution.

On January 26, 2019, HUD announced the new FY 2018 CoC funding awards, including the renewal of the CoC Grant that funds the Project in the amount of $384,395.00, for the period October 1, 2019 through September 30, 2020, with a required 25 percent match of $96,099.00. At the time of the renewal award, the City of Dallas was still the grantee for the CoC Grant. For this reason, it is necessary for the City of Dallas to accept the renewal CoC Grant that funds the Project, and execute a new assignment to HCC for the renewal of the CoC Grant.

As substitute grantee, HCC assumes all rights, duties, and obligations under the CoC Grant, including the payment of rents/utilities, provision/coordination of supportive services, administration of the Project, and provision of the required 25 percent cash or in-kind match, at no cost to the City.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 26, 2018, City Council authorized the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the City of Dallas' My Residence Program (Rapid Re-Housing) to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period October 1, 2018 through September 2019, by Resolution No. 18-1377.

On November 28, 2018, City Council authorized an amendment to Resolution No. 18-1377, previously approved on September 26, 2018, to amend the grant agreement for the Continuum of Care Grant ("CoC Grant") (Grant No. TX0085L6T001710 and CDFA No. 14.267) from the U.S. Department of Housing and Urban Development ("HUD") for the City of Dallas' My Residence Program (Rapid Rehousing) ("Project") providing tenant-based rental assistance and case management for homeless families and single homeless persons to: (a) substitute Housing Crisis Center, Inc. ("HCC") as recipient grantee, in place of the City of Dallas, with their assumption of all rights and obligations under the grant, for the period December 1, 2018 through September 30, 2019; (b) to increase the local cash match from the City of Dallas for the CoC Grant for the Project; and sign a contract with HCC to provide funds as match assistance for the local cash match for the CoC Grant for the period October 1, 2018 through September 30, 2019, with HCC as the local partner agency to provide the remaining matching contribution for the CoC Grant by Resolution No. 18-1699.

Information about this item was provided to the Human and Social Needs Committee on May 6, 2019.

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FISCAL INFORMATION

No cost consideration to the City.

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May 22, 2019

WHEREAS, the City of Dallas recognizes the need to assist homeless families and individuals by providing rental assistance in conjunction with support services; and

WHEREAS, the City of Dallas is grantee under a Continuum of Care ("CoC") Grant from the U.S. Department of Housing and Urban Development ("HUD") for the City of Dallas' My Residence Program (Rapid Re-housing) ("Project"), to provide tenant-based rental assistance and case management for homeless families and single homeless persons; and

WHEREAS, the City of Dallas Office of Procurement Services advertised a Request for Competitive Sealed Proposals ("RFCSP") (#BTZ1802) for Continuum of Care Administration, under which the City sought proposals from local area non-profit organizations to assume the grantee responsibilities under the CoC Grant that funds the Project, and Housing Crisis Center, Inc. ("HCC") was recommended for award; and

WHEREAS, on November 28, 2018, City Council authorized an assignment to HCC as recipient grantee in place of the City of Dallas under the CoC Grant that funds the Project, under which HCC assumed all rights, duties, and obligations under the grant by Resolution No. 18-1699; and

WHEREAS, HUD has approved the City of Dallas FY 2018 renewal application for the Project and, on January 26, 2019, awarded grant funds in the amount of $384,395.00 to renew the CoC Grant that funds the Project; and

WHEREAS, at the time of the renewal award, the City of Dallas remained as grantee for the CoC Grant that funds the Project, and it is now necessary for the City of Dallas to accept the renewal CoC Grant and execute a new assignment to HCC.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to: **(1)** accept a Continuum of Care ("CoC") Grant (Grant No. TX0085L6T001811 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' My Residence Program (Rapid Re-housing) in an amount not to exceed $384,395.00, to provide tenant-based rental assistance and case management for homeless families and single homeless persons, for the period October 1, 2019 through September 30, 2020; **(2)** execute an assignment of the CoC Grant to Housing Crisis Center, Inc. as recipient grantee in place of the City of Dallas under the grant agreement; and **(3)** execute any and all documents required for the grant and grantee substitution, approved as to form by the City Attorney.

SECTION 2. That the grant agreement is designated as Contract No. OHS-2019-00009800.

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

Agenda Information Sheet

File #: 19-579 **Item #:** 27.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a one-year consultant contract for security assessment, strategy, and recommendations of City facilities for Court and Detention Services - True North Consulting Group, most advantageous proposer of ten - Not to exceed $111,850 - Financing: General Fund

BACKGROUND

This consultant contract will provide a security assessment of City facilities for Court and Detention Services. The consultant contract is for the development of a city-wide security strategy, a security assessment, and recommendations on security staffing, equipment enhancements and controls based on information from the City's security assessment of City facilities for the Court and Detention Services. The purpose of the security assessment and strategy is to determine the full-extent of security needs at approximately 135 City owned buildings. The strategy and assessment's main focus will be on buildings with significant public traffic such as City Hall, libraries, and recreation centers. However, consultant's assessment, strategy, and recommendations will also include other city assessed facilities such as fire stations.

The consultant will assist the City in identifying vulnerabilities and potential threats to people and property at various facilities. Recommendations shall be developed to identify physical and procedural controls, staffing, and equipment enhancements that can be used to eliminate or mitigate risks identified in the assessment.

The consultant shall:

- Follow recognized crime prevention through environmental design principals
- Evaluate security services and plans to determine likelihood and severity of risks and recommend a City-wide security standard
- Recommend a mechanism to evaluate and prioritize requests for security services and enhancements

- Conduct interviews with departments to help understand the security needs and uses of the facilities, identify problems and issues, and recommend potential solutions
- Discuss relevant crime data including loss history, calls to the local police for service, local crime statistics, and local crime forecast reports

Review the process of using the Department of Homeland Security's survey instrument for facility security assessments; facility security plans; and training for security and staff.

Consultant shall provide periodic reports on findings and submit an Executive Summary with the final report to include:

- Identifying issues and presenting in a tabular format, assigned risk scores, as well as annotated photographs
- Develop recommendations for security improvements including a security awareness programs intended to reduce impact on victims
- Identify and recommend effective physical and electronic protection systems, as well as additional staffing needs, to balance deterrence, detection, delay, and response
- Recommend implementation strategies with detailed security design cost estimates for recommended measures
- Present to management and other stakeholder groups for review of findings, including current conditions, efficiencies, best practices, and recommendations

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

- Court and Detention Services (1)
- Library (1)
- Office of Emergency Management (1)
- Building Services Department (1)
- Equipment and Fleet Management (1)
- Office of Business Diversity (1)*
- Office of Procurement Services (1)*

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

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

- Experience and capability 30 points
- Proposed approach 25 points
- Cost 30 points
- Business Inclusion and Development Plan 15 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 19,267 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Public Safety and Criminal Justice Committee on May 13, 2019.

FISCAL INFORMATION

General Fund - $111,850.00

Funds to pay for consultant's recommendations will come from existing appropriations where possible; however, future appropriation increases may be necessary to implement consultant's recommendations, based on the cost estimates submitted by consultant. Appropriation increases will be addressed during budget development in future years.

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$111,850.00	Other Services	23.80%	5.00%	$5,592.50
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

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Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BXZ1906. We opened them on February 21, 2019. We recommend the City Council award this consultant contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	**Address**	**Score**	**Amount**
*True North Consulting Group	3408 Hillcrest Dr. Waco, TX 76708	79.99	$111,850.00
Continuity Operations Group, LLC	7201 Warbler Ln. McLean, VA 22101-2016	70.80	$ 79,000.00
Guidepost Solutions, LLC	2800 North Dallas Pkwy. Plano, TX 75093	69.91	$ 99,960.00
I Parametrics	178 South Main St. Alpharetta, GA 300009	67.82	$184,832.00
Lowery & Associates Security Consulting, LLC	2140 Hall Johnson Rd. Grapevine, TX 76051	52.91	$299,754.00
Gannett Fleming, Inc.	12710 Research Blvd. Austin, TX 78759	52.11	$482,332.72
Triad Consulting System Design Group	2925 Mira Vista Way Corona, CA 92881	44.01	$319,990.00

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

Vendor scores listed below are based on initial proposals.

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Proposers	Address	Score	Amount
*True North Consulting Group	3408 Hillcrest Dr. Waco, TX 76708	79.99	$111,850.00
Continuity Operations Group, LLC	7201 Warbler Ln. McLean, VA 22101-2016	70.80	$ 79,000.00
Guidepost Solutions, LLC	2800 North Dallas Pkwy. Plano, TX 75093	69.91	$ 99,960.00
I Parametrics	178 South Main St. Alpharetta, GA 300009	67.82	$184,832.00
Lowery & Associates Security Consulting, LLC	2140 Hall Johnson Rd. Grapevine, TX 76051	52.91	$299,754.00
Gannett Fleming, Inc.	12710 Research Blvd. Austin, TX 78759	52.11	$482,332.72
Triad Consulting System Design Group	2925 Mira Vista Way Corona, CA 92881	44.01	$319,990.00
Vigilance Risk Solutions	2159 India St. San Diego, CA 92101	43.73	$344,700.00
Command Consultant Group, Dallas LLC	3333 Lee Pkwy. Dallas, TX 75219	55.38	$993,560.00
The Inter-Sec Group	1244 U.S. Hwy. 90A Sheridan, TX 77475		Non-Responsive**

**The Inter-Sec Group was deemed non-responsive due to not meeting specifications.

OWNER

True North Consulting Group

Russ Johnson, Chief Executive Officer
Tony Chojnowski, Chief Operating Officer

May 22, 2019

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

SECTION 1. That the City Manager is hereby authorized to execute a consultant contract with True North Consulting Group (VS95900), approved as to form by the City Attorney, for security assessment, strategy and recommendations of City facilities for Court and Detention Services for a term of one year, in an amount not to exceed $111,850. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to True North Consulting Group shall be based only on the amount of the services directed to be performed by the City and properly performed by True North Consulting Group under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $111,850 to True North Consulting Group from Consultant Contract No. CTS-2019-00010108.

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

Agenda Information Sheet

File #: 19-552 **Item #:** 28.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a two-year service price agreement for refuse truck body and chassis original equipment manufacturer parts and labor services for the Equipment and Fleet Management Department - Industrial Power, LLC in the amount of $970,375, Wastebuilt Southwest, LLC in the amount of $871,765, Rush Truck Centers of Texas, LP dba Rush Truck Center, Dallas Light and Medium Duty in the amount of $444,645, and Bond Equipment Company, Inc. in the amount of $209,920, lowest responsible bidders of four - Total not to exceed $2,496,705 - Financing: General Services Fund

BACKGROUND

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

This service price agreement will be used by the Equipment and Fleet Management Department to purchase refuse truck body and chassis original equipment manufacturer parts and labor services. The City has 509 pieces of refuse vehicles. This service price agreement will be used to supplement the City's need for factory authorized service repairs to City refuse vehicles and equipment necessary to keep the equipment in good, reliable condition.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 13,530 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendors meet this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on May 20, 2019.

FISCAL INFORMATION

General Services Fund - $2,496,705.00

FY 2018-19 $832,234.98
FY 2019-20 $832,234.98
FY 2020-21 $832,235.04

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$2,496,705.00	Other Services	N/A	N/A	N/A
• M/WBE goal waived due to no M/WBE availability				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BN1901. We opened them on January 25, 2019. We recommend the City Council award this service price agreement in its entirety to the lowest responsive and responsible bidders.

*Denotes successful bidders

Bidders	**Address**	**Amount**
*Industrial Power, LLC	712 N. Beach Street Fort Worth, TX 76111	$970,375.00
*Wastebuilt Southwest, LLC	2025 Old Mill Run Garland, TX 75042	$871,765.00
*Rush Truck Centers of Texas, LP dba Rush Truck Center, Dallas Light And Medium Duty	4000 Irving Boulevard Dallas, TX 75247	$444,645.00
*Bond Equipment Company, Inc.	2946 Irving Boulevard Dallas, TX 75247	$209,920.00

OWNERS

Industrial Power, LLC

Robert O'Neil, President
Brian O'Neil, Vice President

Wastebuilt Southwest, LLC

Edward M. Carrol, Chief Executive Officer
James J. Pfeiffer, Executive Vice President

Rush Truck Centers of Texas, LP dba Rush Truck Center, Dallas Light and Medium Duty

W.M. "Rusty" Rush, President
Derrek R. Weaver, Vice President

Bond Equipment Company, Inc.

James A. Bond, President
Richard A. Bond, Vice President
Elizabeth A. Bond, Secretary

May 22, 2019

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

SECTION 1. That the City Manager is hereby authorized to execute a service price agreement with Industrial Power, LLC (VS0000061538) in the amount of $970,375, Wastebuilt Southwest, LLC (VS0000083650) in the amount of $871,765, Rush Truck Centers of Texas, LP dba Rush Truck Center, Dallas Light and Medium Duty (VS0000078878) in the amount of $444,645, and Bond Equipment Company, Inc. (VS0000047605) in the amount of $209,920, approved as to form by the City Attorney, for refuse truck body and chassis original equipment manufacturer parts and labor services for the Equipment and Fleet Management Department, in a total amount not to exceed $2,496,705. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Industrial Power, LLC, Wastebuilt Southwest, LLC, Rush Truck Centers of Texas, LP dba Rush Truck Center, Dallas Light and Medium Duty, and Bond Equipment Company, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Industrial Power, LLC, Wastebuilt Southwest, LLC, Rush Truck Centers of Texas, LP dba Rush Truck Center, Dallas Light and Medium Duty, and Bond Equipment Company, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,496,705 to Industrial Power, LLC, Wastebuilt Southwest, LLC, Rush Truck Centers of Texas, LP dba Rush Truck Center, Dallas Light and Medium Duty, and Bond Equipment Company, Inc. from Service Price Agreement No. EFM-2019-00008399.

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

Agenda Information Sheet

File #: 19-522 **Item #:** 29.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement for pre-employment polygraph testing and examination services for the Fire-Rescue Department and the Police Department - Ruiz Protective Service, Inc. in an estimated amount of $432,675.60 and Dallas Polygraph Services in an estimated amount of $52,500.00, lowest responsible bidders of two - Total estimated amount of $485,175.60 - Financing: General Fund

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will provide pre-employment polygraph testing and examination services for the Fire-Rescue Department and the Police Department. Polygraph examinations will be conducted utilizing appropriately structured and validated polygraph examination techniques as is appropriate for pre-employment polygraph examinations conducted for applicants.

In this solicitation, the Office of Procurement Services required bidders to submit a response using unit pricing. This bid resulted in a 23.69 percent increase over comparable prices for the bids awarded in 2015.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 5,597 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendors meet this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 8, 2015, City Council authorized a three-year service contract for pre-employment polygraph examinations for Police with Ruiz Protective Service, Inc. and Dalhousie Polygraph Services, Inc. by Resolution No. 15-0644.

The Government Performance & Financial Management Committee will receive this item for consideration on May 20, 2019.

FISCAL INFORMATION

General Fund - $485,175.60 (Estimated amount)

FY 2018-19 $161,725.20
FY 2019-20 $161,725.20
FY 2020-21 $161,725.20

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$485,175.60	Other Services	23.80%	89.18%	$432,675.60
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

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The Office of Procurement Services received the following bids from solicitation number BL1903. We opened them on February 1, 2019. We recommend the City Council award this service price agreement to the lowest responsive and responsible bidders by line.

*Denotes successful bidders

Bidders	**Address**	**Amount**
*Ruiz Protective Service, Inc.	2646 Andjon Drive Dallas, TX 75220	Line 1 - $432,675.60 Line 2 - $ 59,610.00
*Dallas Polygraph Services	9330 LBJ Freeway Suite 900 Dallas, TX 75243	Line 1 - $498,750.00 Line 2 - $ 52,500.00

OWNERS

Ruiz Protective Service, Inc.

Hector Ruiz, President
Robert Minnis, Vice President
Sharon Vaughn, Secretary
Andrew Ruiz, Treasurer

Dallas Polygraph Services

Avery D. “Skip” Ensley, President

May 22, 2019

WHEREAS, on April 8, 2015, City Council authorized a three-year service contract for pre-employment polygraph examinations for Police with Ruiz Protective Service, Inc. in the amount of $320,400.00 and Dalhousie Polygraph Services, Inc. in the amount of $40,000.00, in a total amount not to exceed $360,400.00, by Resolution No. 15-0644.

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 service price agreement with Ruiz Protective Service, Inc. (354861) in an estimated amount of $432,675.60 and Dallas Polygraph Services (VC20081) in an estimated amount of $52,500.00, approved as to form by the City Attorney, for pre-employment polygraph testing and examination services for the Fire-Rescue Department and the Police Department for a term of three years, in a total estimated amount of $485,175.60. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Ruiz Protective Service, Inc. and Dallas Polygraph Services shall be based only on the amount of the services directed to be performed by the City and properly performed by Ruiz Protective Service, Inc. and Dallas Polygraph Services under the contract. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $485,175.60, but not more than the amount of budgetary appropriations for this service price agreement during its term to Ruiz Protective Service, Inc. and Dallas Polygraph Services from Service Price Agreement No. DPD-2019-00008735.

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

Agenda Information Sheet

File #: 19-585 **Item #:** 30.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service price agreement for the purchase, supply, selection, cataloging, and physical processing of library printed materials for the Dallas Public Library - Brodart Co., lowest responsible bidder of four - Estimated amount of $21,362,250 - Financing: General Fund

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will allow for the purchase and processing of approximately 975,000 library books. The books purchased will be cataloged, inventoried and processed (barcodes, RFID tags, labels, and covers) by the vendor, arriving at the Library “shelf ready” and ready for immediate availability.

There are currently 27 branch libraries, Bookmarks at NorthPark Center and the Central Library. In FY2018, patrons checked out over 12 million items from the Dallas Public Library.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 95 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 12, 2014, City Council authorized a five-year service contract for the purchase and processing of library books with Brodart Co. by Resolution No. 14-0290.

The Government Performance & Financial Management Committee will receive this item for consideration on May 20, 2019.

FISCAL INFORMATION

General Fund - $21,362,250.00 (Estimated amount)

FY 2018-19 $1,667,250.00
FY 2019-20 $3,939,000.00
FY 2020-21 $3,939,000.00
FY 2021-22 $3,939,000.00
FY 2022-23 $3,939,000.00
FY 2023-24 $3,939,000.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$21,362,250.00	Goods	N/A	N/A	N/A
• M/WBE Goal Waived due to no M/WBE availability				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

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The Office of Procurement Services received the following bids from solicitation number BT1908. We opened them on March 15, 2019. We recommend the City Council award this service price agreement in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	**Address**	**Amount**
*Brodart Co.	500 Arch St. Williamsport, PA 17701	$21,362,250.00
Baker & Taylor, Inc.	2550 West Tyvola Rd. Suite 300 Charlotte, NC 28217	$21,764,587.50
Ingram Library Services, Inc.	One Ingram Blvd. La Vergne, TN 37086	$21,515,550.00
Midwest Library Service	11443 St. Charles Rock Rd. Bridgeton, MO 63044	$22,906,625.00

OWNER

Brodart Co.

Robert McAndrew, President
Denise Gatsche, Secretary
Richard Dill, Treasurer

May 22, 2019

WHEREAS, on February 12, 2014, City Council authorized a five-year service contract for the purchase and processing of library books with Brodart Co., in an amount not to exceed $11,619,843.75, by Resolution No. 14-0290.

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 service price agreement with Brodart Co. (008873), approved as to form by the City Attorney, for the purchase, supply, selection, cataloging, and physical processing of library printed materials for Dallas Public Library for a term of five years, in the estimated amount of $21,362,250.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Brodart Co. shall be based only on the amount of the services directed to be performed by the City and properly performed by Brodart Co. under the contract. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $21,362,250.00, but not more than the amount of budgetary appropriations for this service price agreement during its term to Brodart Co. from Service Price Agreement No. LIB-2019-00009927.

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

Agenda Information Sheet

File #: 19-587 **Item #:** 31.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service contract, with two one-year renewal options, to provide Family Medical Leave Act services - Total Administrative Services Corporation, most advantageous proposer of three - Not to exceed $247,500 - Financing: General Fund (subject to annual appropriations)

BACKGROUND

This service contract will allow the awarded vendor to administer the City's Family Medical Leave Act services. Approval of this item will also provide for a contract to manage and administer for both City of Dallas civilian employees and uniformed (Police & Fire) personnel. The administration services shall be compliant with all federal and state regulations as well as with the City's relevant policies and procedures.

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

- City Controller's Office (1)
- Department of Human Resources (2)
- Office of Budget (1)
- Office of Procurement Services (1)*

*The Office of Procurement Services only evaluated the cost.

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

- Cost efficiency 30 points
- Capability and expertise 25 points
- Overall approach and methodology 25 points
- Functional match 20 points

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As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 930 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $10.94; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on May 20, 2019.

FISCAL INFORMATION

General Fund - $247,500.00 (subject to annual appropriations)

FY 2019-20 $ 42,500.00
FY 2020-21 $102,500.00
FY 2021-22 $102,500.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$247,500.00	Other Services	N/A	N/A	N/A
• M/WBE goal waived due to no M/WBE availability				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BKZ1814. We opened them on September 21, 2018. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	**Address**	**Score**
*Total Administrative Services Corporation	2302 International Ln. Madison, WI 53704	79.50
FMLA Source	455 N. Cityfront Plaza Dr. 13th Floor Chicago, IL 60611	77.99
Colonial Life & Accident Insurance Company	1200 Colonial Life Blvd. Columbia, SC 29210	73.90

OWNER

Total Administrative Services Corporation

Cliff Mason, President
Pay Reynolds, Vice President
Scott Lane, Treasurer

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May 22, 2019

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

SECTION 1. That the City Manager is hereby authorized to execute a service contract with Total Administrative Services Corporation (VS98686), approved as to form by the City Attorney, to provide Family Medical Leave Act services for a term of three years, with two one-year renewal options, in an amount not to exceed $247,500. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Total Administrative Services Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by Total Administrative Services Corporation under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $247,500 (subject to annual appropriations) to Total Administrative Services Corporation from Service Contract No. PER-2019-00010085.

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

Agenda Information Sheet

File #: 19-586 **Item #:** 32.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service contract, with two one-year renewal options, to provide voluntary benefits to employees and eligible retirees, a self-funded vendor-administered Employee Benefits Program - Standard Insurance Company, most advantageous proposer of four - Financing: No cost consideration to the City (to be funded by employee and retiree premiums through payroll and pension deductions)

BACKGROUND

This service contract will allow the awarded vendor to administer the City's voluntary benefits program and services. The voluntary benefits program will include short- and long-term disability, long term care, accident policy, cancer policies, and hospital coverage which will be made available by vendor for voluntary purchase to approximately 14,000 employees and eligible retirees. This contract offers a comprehensive range of benefits products that will allow employees to custom-tailor the benefit package to their individual needs. The selected firm will be expected to manage all aspects of employee marketing and enrollment, and to provide ongoing customer service for the voluntary benefits products by providing support staff during open enrollment periods.

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

- City Controller's Office (1)
- Department of Human Resources (2)
- Office of Budget (1)
- Office of Procurement Services (1)*

*The Office of Procurement Services only evaluated cost.

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

- Cost efficiency 30 points
- Capability and expertise 25 points
- Overall approach and methodology 25 points
- Functional match 20 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 790 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $10.94; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council authorized a three-year service contract, with two one-year renewal options, to provide voluntary benefits to employees and eligible retirees with Homeland HealthCare, Inc. by Resolution No. 14-0985.

The Government Performance & Financial Management Committee will receive this item for consideration on May 20, 2019.

FISCAL INFORMATION

No cost consideration to the City. Voluntary Benefits-to be funded by employee and retiree premiums through payroll deductions.

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$16,278,300.00	No cost consideration	N/A	28.90%	$4,704,428.70
• The Business Inclusion and Development Plan does not apply to No cost consideration items; however, the prime contractor is subcontracting with certified M/WBEs.				
The M/WBE participation is 28.90% and the maximum dollar amount is $4,704,428.70. This is subject to the number of employees and eligible retirees enrolled in the City's voluntary benefits program.				

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PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BKZ1814. We opened them on September 21, 2018. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score
*Standard Insurance Company	1100 SW Sixth Ave. Portland, OR 97204	91.96
Continental American Insurance Company	1600 Williams St. Columbia, SC 29201	87.25
Colonial Life & Accident Insurance Company	1200 Colonial Life Blvd. Columbia, SC 29210	77.03
Metropolitan Life Insurance Company	13455 Noel Rd. Suite 2110 Dallas, TX 75240	76.40

OWNER

Standard Insurance Company

J. Greg Ness, President
Floyd Chadee, Sr. Vice President

WHEREAS, on June 25, 2014, City Council authorized a three-year service contract, with two one-year renewal options, to provide voluntary benefits to employees and eligible retirees with Homeland HealthCare, Inc. by Resolution No. 14-0985; and

WHEREAS, on March 22, 2017, Administrative Action No. 17-5718 authorized a ten-month contract with The Abacus Group, LLC to provide voluntary insurance offerings to City of Dallas employees; and

WHEREAS, on March 22, 2017, Administrative Action No. 17-5719 authorized a ten-month contract with American Heritage Life Insurance Company dba Allstate Benefits to provide voluntary insurance offerings to City of Dallas employees; and

WHEREAS, on March 22, 2017, Administrative Action No. 17-5720 authorized a ten-month contract with American Family Life Assurance Company of Columbus dba Aflac to provide voluntary insurance offering to City of Dallas employees; and

WHEREAS, on March 30, 2017, Administrative Action No. 17-5772 authorized a ten-month contract with LegalShield Agency, Inc. to provide voluntary pre-paid legal services to City of Dallas employees; and

WHEREAS, on September 28, 2017, Administrative Action No. 17-6769 authorized to extend the term of the service contract with American Heritage Life Insurance Company dba Allstate Benefits from October 1, 2017 to February 28, 2018; and

WHEREAS, on September 28, 2017, Administrative Action No. 17-6771 authorized to extend the term of the contract with Prepaid Legal Services dba LegalShield from October 1, 2017 to February 28, 2018; and

WHEREAS, on September 28, 2017, Administrative Action No. 17-6773 authorized to extend the term of the contract with The Abacus Group, LLC from October 1, 2017 to February 28, 2018; and

WHEREAS, on February 15, 2018, Administrative Action No. 18-5571 authorized to extend the term of the contract with The Abacus Group, LLC from March 1, 2018 to June 30, 2018.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a service contract with Standard Insurance Company (VS0000024410), approved as to form by the City Attorney, to provide voluntary benefits to employees and eligible retirees, a self-funded vendor-administered Employee Benefits Program for a term of three years, with two one-year renewal options.

SECTION 2. That the Chief Financial Officer is hereby authorized to transfer funds collected from payroll deductions and retiree pension reductions to Standard Insurance Company from Employee Benefits Fund, Fund 0265, Department PER, Unit 5729, Object 3552.

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

Agenda Information Sheet

File #: 19-622 **Item #:** 33.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service contract for the purchase, installation, maintenance, and support of a closed-circuit television video storage system for the Department of Aviation with Promark Technology, Inc. through the General Services Administration cooperative agreement - Estimated amount of $1,726,684.20 - Financing: Aviation Fund (subject to annual appropriations)

BACKGROUND

This service contract will provide for the purchase, installation, maintenance, and support of a closed-circuit television video storage system for the Department of Aviation. This system will give Dallas Love Field the ability to replicate between three data centers located in the airport providing redundancy, and the ability to move data from one to the other without powering down any hardware. The term of the contract is a five-year hardware replacement and upgrade and five-years of software, eight petabytes of storage capacity, 24-hour support and next day parts.

This system will meet the information technology data center needs as well as the video surveillance infrastructure in a common platform that is already in use and well understood by the City of Dallas - Department of Aviation. The continued use of this system will continue to provide operational efficiency and will only improve as more applications are migrated to the system. Because of the expertise and familiarity that the recommended company possesses with the current closed-circuit television camera system at Dallas Love Field, the Department of Aviation is obtaining this system utilizing a cooperative agreement.

The General Services Administration cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on May 20, 2019.

FISCAL INFORMATION

Aviation Fund - $1,726,684.20 (subject to annual appropriations)

FY 2018-19 $ 995,101.80
FY 2019-20 $ 334,874.40 (subject to annual appropriations)
FY 2020-21 $ 125,672.10 (subject to annual appropriations)
FY 2021-22 $ 102,416.50 (subject to annual appropriations)
FY 2022-23 $ 168,619.40 (subject to annual appropriations)

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,726,684.20	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNER

Promark Technology, Inc.

Tim Ament, President

May 22, 2019

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

SECTION 1. That the City Manager is hereby authorized to execute a service contract with Promark Technology, Inc. (VC20065) through the General Services Administration cooperative agreement, approved as to form by the City Attorney, for the purchase, installation, maintenance, and support of a closed-circuit television video storage system for the Department of Aviation for a term of five years, in an amount not to exceed $1,726,684.20. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Promark Technology, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Promark Technology, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,726,684.20 (subject to annual appropriations) to Promark Technology, Inc. from Aviation Fund, Fund 0130, Department AVI, Unit 7725, Object 4731, Activity AAIP, Encumbrance/Contract No. MASC AVI-2019-00008243, Commodity 92000, Vendor VC20065.

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

Agenda Information Sheet

File #: 19-602 **Item #:** 34.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for rescue concentrate disinfectant, kennel foamers, and accessories for the Department of Dallas Animal Services - Midwest Veterinary Supply, Inc., lowest responsible bidder of two - Estimated amount of $370,719.24 - Financing: General Fund

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide for the purchase of rescue concentrate disinfectant, kennel foamers, and accessories for the Department of Dallas Animal Services (DAS). DAS intakes over 35,000 animals annually. In order to maintain a safe and healthy environment for all animals housed at DAS, rescue concentrate is used in the daily disinfecting and cleaning practices to minimize spread of diseases from animal to animal.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 243 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on May 20, 2019.

FISCAL INFORMATION

General Fund - $370,719.24 (Estimated amount)

FY 2018-19 $ 30,281.90
FY 2019-20 $123,573.08
FY 2020-21 $123,573.08
FY 2021-22 $ 93,291.18

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$370,719.24	Goods	N/A	N/A	N/A
• M/WBE goal waived due to no M/WBE availability				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BT1903. We opened them on February 1, 2019. We recommend the City Council award this master agreement in its group to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount
*Midwest Veterinary Supply, Inc.	21467 Holyoke Ave. Lakeville, MN 55044	$370,719.24
Unimed Government Services, LLC	21370 Heywood Ave. Lakeville, MN 55044	$435,176.79

OWNER

Midwest Veterinary Supply, Inc.

Guy Flickinger, President
Jeff Burkhamer, Vice President
Scott Davis, Secretary

May 22, 2019

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

SECTION 1. That a master agreement for the purchase of rescue concentrate disinfectant, kennel foamers, and accessories for the Department of Dallas Animal Services is authorized with Midwest Veterinary Supply, Inc. (VS0000067504), approved as to form by the City Attorney, for a term of three years, in the estimated amount of $370,719.24. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for rescue concentrate disinfectant, kennel foamers, and accessories for the Department of Dallas Animal Services. If a written contract is required or requested for any or all purchases of rescue concentrate disinfectant, kennel foamers, and accessories for the Department of Dallas Animal Services under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $370,719.24, but not more than the amount of budgetary appropriations for this master agreement during its term to Midwest Veterinary Supply, Inc. from Master Agreement Contract No. DAS-2019-00009924.

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

Agenda Information Sheet

File #: 19-565 **Item #:** 35.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize the rejection of the bid received for cement treated base, rebase, and super slurry - Financing: No cost consideration to the City

BACKGROUND

This action will authorize the rejection of the bid received for solicitation BA1904 for a three-year master agreement for cement treated base, rebase, and super slurry. The Department of Public Works will review and modify the specifications before re-advertisement. It should also be noted that Martin Marietta Materials, Inc. refused to comply with the City of Dallas' Business Inclusion and Development Plan.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on May 20, 2019.

FISCAL INFORMATION

No cost consideration to the City.

May 22, 2019

WHEREAS, it has been determined by the Department of Public Works to reject the bid that was received for cement treated base, rebase, and super slurry.

Now, Therefore,

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

SECTION 1. That the bid received for cement treated base, rebase, and super slurry is hereby rejected.

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

Agenda Information Sheet

File #: 19-633 **Item #:** 36.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize Supplemental Agreement No. 2 to increase the service price agreement with Good Earth Corporation in the amount of $1,376,241.91, from $5,504,967.63 to $6,881,209.54 and T. Smith's Lawn Service, LLC in the amount of $652,187.76, from $2,608,751.05 to $3,260,938.81, for litter maintenance services for the Park and Recreation Department and to extend the term from May 29, 2019 to May 29, 2020 - Total not to exceed $2,028,429.67, from $8,113,718.68 to $10,142,148.35 - Financing: General Fund

BACKGROUND

This Supplemental Agreement No. 2 increase will allow for regular litter maintenance service in virtually every park within the six park maintenance districts. Contractors will perform services on a predetermined maintenance frequency established by the City. Maintenance frequencies vary in each park based on the amount of traffic and the time of year. Adjustments to the schedule can be made based on variable needs, such as special events and spray ground activity. The service price agreement also includes a provision for litter maintenance performed on an emergency response basis.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2015, City Council authorized supplemental agreement no. 1 to increase the service contract with Good Earth Corporation for litter pick up and refuse collection services at City parks and extend the term from March 31, 2015 through March 31, 2016, by Resolution No. 15-0164.

On January 27, 2016, City Council authorized a three-year service contract for litter maintenance services for Park and Recreation with Good Earth Corporation and T. Smith's Lawn Service, LLC by Resolution No. 16-0159.

On May 16, 2019, the Park and Recreation Board authorized Supplemental Agreement No. 1 with Good Earth Corporation and T. Smith's Lawn Service, LLC.

The Government Performance & Financial Management Committee will receive this item for consideration on May 20, 2019.

FISCAL INFORMATION

General Fund - $2,028,429.67

FY 2018-19 $1,014,000.00
FY 2019-20 $1,014,429.67

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$2,028,429.67	Other Services	23.80%	23.80%	$482,766.69
• This contract meets the M/WBE goal.				
Supplemental Agreement No. 2 - 23.80% Overall M/WBE participation				

OWNERS

Good Earth Corporation

Ron Points, President
George Belk, Vice President
Emily Points, Secretary

T. Smith's Lawn Service, LLC

Terrence Smith, President
Teresa Smith, Vice President

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WHEREAS, on January 28, 2015, City Council authorized supplemental agreement no. 1 to increase the service contract with Good Earth Corporation for litter pick up and refuse collection services at City parks and extend the term from March 31, 2015 through March 31, 2016, in an amount not to exceed $1,743,793.00, from $6,975,172.68 to $8,718,965.68, by Resolution No. 15-0164; and

WHEREAS, on January 27, 2016, City Council authorized a three-year service contract for litter maintenance services for Park and Recreation with Good Earth Corporation in the amount of $5,504,967.63 and T. Smith's Lawn Service, LLC in the amount of $2,608,751.05, in a total amount not to exceed $8,113,718.68, by Resolution No. 16-0159.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to increase the service price agreement with Good Earth Corporation (510006) in an amount not to exceed $1,376,241.91, from $5,504,967.63 to $6,881,209.54 and T. Smith's Lawn Service, LLC (VS0000052924) in an amount not to exceed $652,187.76, from $2,608,751.05 to $3,260,938.81, approved as to form by the City Attorney, for litter maintenance services for the Park and Recreation Department, in a total amount not to exceed $2,028,429.67, increasing the service price agreement from $8,113,718.68 to $10,142,148.35 and to extend the term from May 29, 2019 to May 29, 2020.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,028,429.67 to Good Earth Corporation and T. Smith's Lawn Service, LLC from Service Price Agreement No. PKR-2019-00010211.

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

Agenda Information Sheet

File #: 19-662 **Item #:** 37.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Office of Strategic Partnerships & Government Affairs

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Ordinances authorizing two amendments to the Dallas Fort Worth (DFW) International Airport Master Bond Ordinance, the 53rd Supplemental Bond Ordinance (SBO), and the issuance of the 54th SBO - Financing: No cost consideration to the City

BACKGROUND

The DFW International Airport Board requests the Owner Cities of Dallas and Fort Worth approve two ordinances. One, the 53rd SBO, relates to the authorization of two amendments to the Master Bond Ordinance, approved by the Owner Cities in September 2010. The second, the 54th SBO, relates to the DFW Taxable Refunding Bonds, Series 2019, in an amount not to exceed $1.3 billion.

The 53rd SBO will allow the Airport's authorized officers to certify the additional obligation test which currently can only be done by a third-party consultant. The amendments will also clarify that an additional obligation test is not required for each remarketing of commercial paper.

The 54th SBO will authorize the issuance of DFW Taxable Refunding Bonds, Series 2019, in an amount not to exceed $1.3 billion. These bonds will refund an already approved $1.1 billion of bonds that are callable on November 1, 2020. There is an additional $0.2 billion of callable bonds that this ordinance will refund, if DFW determines that it can capture additional savings. These bonds will be sold as a public offering. The authority to issue bonds will be for a one-year period, with the final maturity no later than 2045.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council was briefed on the Dallas Fort Worth International Airport 50th Supplemental Bond Ordinance on February 19, 2014.

On August 24, 2016, City Council authorized the 51st Supplemental Concurrent Bond Ordinance, by Resolution No. 16-1336; Ordinance 30177.

On August 23, 2017, City of Dallas Council authorized the 52nd Supplemental Concurrent Bond Ordinance, by Resolution No. 17-1298; Ordinance 30622.

The DFW Airport Board approved this item at their May 2, 2019 Board Meeting.

The City of Fort Worth will consider this item at their May 21, 2019 City Council Meeting.

The Government Performance and Financial Management Committee was briefed on this item May 6, 2019.

FISCAL INFORMATION

No cost consideration to the City.

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DALLAS/FORT WORTH INTERNATIONAL AIRPORT

FIFTY-THIRD SUPPLEMENTAL CONCURRENT BOND ORDINANCE

Passed concurrently by the City Councils of the Cities of Dallas and Fort Worth, Texas

_____

Passed by the City Council of the City of Dallas _____, 2019

Passed by the City Council of the City of Fort Worth _____, 2019

_____

Effective _____, 2019

CITY OF DALLAS ORDINANCE NO. ____

CITY OF FORT WORTH ORDINANCE NO. _____

FIFTY-THIRD SUPPLEMENTAL CONCURRENT BOND ORDINANCE AMENDING IN-PART THE MASTER BOND ORDINANCE RELATING TO DALLAS FORT WORTH INTERNATIONAL AIRPORT JOINT REVENUE BONDS

WHEREAS, the Cities of Dallas and Fort Worth, Texas (the "Cities") are each a "Home Rule City," acting as such under the Constitution and laws of the State of Texas, and each has a population in excess of 90,000; and

WHEREAS, the Cities jointly own and operate the Dallas/Fort Worth International Airport (the "Airport") and have created a "joint board" pursuant to Section 22.074, Transportation Code, as amended, known as the Dallas Fort Worth International Airport Board (the "Board"), to operate and to set and establish policies for the Airport; and

WHEREAS, the Cities, pursuant to the Master Bond Ordinance, effective September 22, 2010 (the "Master Bond Ordinance"), determined, among other things, that the Cities should issue and should authorize the Board to sell and deliver joint revenue bonds in order to provide financing for various costs relating to the Airport; and

WHEREAS, the Cities have from time to time amended the predecessor ordinances to the Master Bond Ordinance; and

WHEREAS, the Cities have determined to adopt this Ordinance to amend the Master Bond Ordinance by modifying certain provisions to conform such covenants to contemporary financial practices; and

WHEREAS, pursuant to Sections 8.3 and 8.4 of the Master Bond Ordinance, the Master Bond Ordinance may be amended with the consent of the Holders of not less than a majority of Outstanding Obligations at the time of the effective date of amendments and each Credit Provider, if applicable, or, pursuant to Section 8.4(b) of the Master Bond Ordinance, if the amendments are approved by Insurers and such other Credit Providers, as applicable; and

WHEREAS, upon the satisfaction of Sections 8.3 and 8.4 of the Master Bond Ordinance, the proposed amendments shall become effective; and

WHEREAS, the respective City Councils for the Cities have determined and found that there is a public need and necessity that this Ordinance be passed concurrently, and that this Ordinance shall be effective immediately upon its passage by each of the Cities; and

WHEREAS, each City Council finds and determines that the meeting at which this Ordinance is adopted is open to the public, and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by Applicable Law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH:

ARTICLE I

DEFINITIONS AND OTHER PRELIMINARY MATTERS

Section 1.1. Titles and Headings. The titles and headings of the Articles and Sections of this Ordinance have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof and shall never be considered or given any effect in construing this Ordinance or any provision hereof or in ascertaining intent, if any question of intent should arise.

Section 1.2. Interpretation. (a) Unless the context requires otherwise, words of the masculine gender shall be construed to include correlative words of the feminine and neuter genders and vice versa, and words of the singular number shall be construed to include correlative words of the plural number and vice versa.

(b) Article and Section references shall mean references to Articles and Sections of this Ordinance unless designated otherwise.

(c) lf any one or more of the provisions contained herein should be contrary to Applicable Law, then such provision shall be deemed separable from the remaining provisions hereof, and shall in no way affect the validity of the remaining provisions contained in this Ordinance.

ARTICLE II
AMENDMENT TO MASTER BOND ORDINANCE

Section 2.1. Amendment to Section 1.4(f). The phrase "(which shall not be beyond the Stated Maturity of the Interim Obligations)" is hereby deleted.

Section 2.2. Amendment to Section 3.3(a)(iii)(A). After the term "written report" there shall be inserted the term "or certificate of an Authorized Officer" and after the term "such Airport Consultant" there shall be inserted "or certificate of an Authorized Officer."

ARTICLE III
MISCELLANEOUS

Section 3.1. Further Action. The Authorized Officers and each of them are authorized, empowered and directed to execute such other documents in addition to those enumerated herein and to take such other actions as they deem necessary or advisable in order to carry out and perform the purposes of this Ordinance.

Section 3.2. Effective Date. This Ordinance shall be in full force and effect on and after the date on which it is duly passed by the City Council of each of the Cities.

PASSED BY THE FORT WORTH CITY COUNCIL THIS _____ DAY OF _____, 2019.

ATTEST:

_____
Mayor
City of Fort Worth, Texas

_____
City Secretary
City of Fort Worth

APPROVED AS TO FORM AND LEGALITY:

_____
City Attorney
City of Fort Worth, Texas

THE STATE OF TEXAS §
COUNTY OF TARRANT §
CITY OF FORT WORTH §

I, Mary J. Kayser, City Secretary of the City of Fort Worth, Texas, do hereby certify:

1. That the above and foregoing is a true and correct copy of an Ordinance, duly presented and passed by the City Council of the City of Fort Worth, Texas, at a regular meeting held on _____, 2019, as same appears of record in the Office of the City Secretary.

2. That said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

WITNESS MY HAND and the Official Seal of the City of Fort Worth, Texas, this __ day of _____, 2019.

City Secretary,
City of Fort Worth, Texas

(SEAL)

APPROVED AND ADOPTED BY THE DALLAS CITY COUNCIL THIS MAY 22, 2019.

CITY OF DALLAS:
T.C. Broadnax_____,
City Manager

By: _____
City Manager

APPROVED AS TO FORM:
Christopher J. Caso_____,
City Attorney

By:_____
Assistant City Attorney

THE STATE OF TEXAS §
COUNTY OF DALLAS §
CITY OF DALLAS §

I, Billierae Johnson, City Secretary of the City of Dallas, Texas, do hereby certify:

1. That the above and foregoing is a true and correct copy of an excerpt from the minutes of the City Council of the City of Dallas, had in regular meeting, May 22, 2019, confirming the passage of Dallas/Fort Worth International Airport Fifty-Third Supplemental Concurrent Bond Ordinance is duly of record in the minutes of said City Council.

2. That said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

WITNESS MY HAND and seal of the City of Dallas, Texas, this _____ day of _____, 2019.

_____
City Secretary,
City of Dallas, Texas

(SEAL)

DALLAS/FORT WORTH INTERNATIONAL AIRPORT

FIFTY-FOURTH SUPPLEMENTAL CONCURRENT BOND ORDINANCE

Passed concurrently by the City Councils of the Cities of Dallas and Fort Worth, Texas

Authorizing One or More Series of

DALLAS/FORT WORTH INTERNATIONAL AIRPORT
JOINT REVENUE BONDS

_____

Passed by the City Council of the City of Dallas _____, 2019

Passed by the City Council of the City of Fort Worth _____, 2019

_____

Effective _____, 2019

TABLE OF CONTENTS

Page

Preambles 1

ARTICLE I DEFINITIONS AND OTHER PRELIMINARY MATTERS 2

Section 1.1 Short Title 2
Section 1.2 Definitions 2
Section 1.3 Table of Contents, Titles and Headings 4
Section 1.4 Interpretation 4
Section 1.5 Declarations and Additional Rights and Limitations Under Master Bond Ordinance 5

ARTICLE II PURPOSES, PLEDGE AND SECURITY FOR BONDS 6

Section 2.1 Purposes of Ordinance 6
Section 2.2 Pledge, Security for, Sources of Payment of Bonds 6

ARTICLE III AUTHORIZATION; GENERAL TERMS AND PROVISIONS REGARDING THE BONDS 7

Section 3.1 Authorization 7
Section 3.2 Initial Date, Denominations, Number, Maturity, Initial Registered Owner, Characteristics of the Initial Bond and Expiration Date of Delegation 7
Section 3.3 Medium, Method and Place of Payment 10
Section 3.4 Ownership 11
Section 3.5 Registration, Transfer and Exchange 11
Section 3.6 Cancellation and Authentication 12
Section 3.7 Temporary Bonds 12
Section 3.8 Replacement Bonds 13
Section 3.9 Book-Entry Only System 13
Section 3.10 Successor Securities Depository 14
Section 3.11 Payments to Cede & Co 15

ARTICLE IV REDEMPTION OF BONDS BEFORE MATURITY 15

Section 4.1 Limitation on Redemption 15
Section 4.2 Optional Redemption 15
Section 4.3 Partial Redemption 15
Section 4.4 Mandatory Redemption of Certain Bonds 15
Section 4.5 Notice of Redemption to Holders 16
Section 4.6 Conditional Notice of Redemption 16
Section 4.7 Payment Upon Redemption 16
Section 4.8 Effect of Redemption 17

ARTICLE V PAYING AGENT/REGISTRAR 17

Section 5.1 Appointment of Initial Paying Agent/Registrar 17
Section 5.2 Qualifications 17
Section 5.3 Maintaining Paying Agent/Registrar 17

Section 5.4 Termination 17
Section 5.5 Notice of Change 17
Section 5.6 Agreement to Perform Duties and Functions 17
Section 5.7 Delivery of Records to Successor 17

ARTICLE VI FORM OF THE BONDS 18

Section 6.1 Form Generally 18
Section 6.2 Form of Bond 18
Section 6.3 CUSIP Registration 27
Section 6.4 Legal Opinion 27

ARTICLE VII EXECUTION, APPROVAL, REGISTRATION, SALE AND DELIVERY OF BONDS AND RELATED DOCUMENTS 27

Section 7.1 Method of Execution, Delivery of Initial Bond 27
Section 7.2 Approval and Registration 28
Section 7.3 Approval of Credit Agreements 28
Section 7.4 Official Statement 28
Section 7.5 Attorney General Modification 28
Section 7.6 Further Action 28
Section 7.7 Refunding and Redemption of Refunded Obligations 28

ARTICLE VIII GENERAL PROVISIONS 29

Section 8.1 Deposit and Uses of Bond Proceeds 29
Section 8.2 Payment of the Bonds 29
Section 8.3 Representations and Covenants 29
Section 8.4 Bond Insurance 30
Section 8.5 Issuance of Taxable Bonds 30

ARTICLE IX REPEAL, SEVERABILITY, AND EFFECTIVE DATE 30

Section 9.1 Ordinance Irrepealable 30
Section 9.2 Severability 30
Section 9.3 Effective Date 30
Signatures 30

CITY OF DALLAS ORDINANCE NO. _____

CITY OF FORT WORTH ORDINANCE NO. _____

FIFTY-FOURTH SUPPLEMENTAL CONCURRENT BOND ORDINANCE AUTHORIZING ONE OR MORE SERIES OF DALLAS/FORT WORTH INTERNATIONAL AIRPORT JOINT REVENUE BONDS, FOR LAWFUL PURPOSES; PROVIDING THE SECURITY THEREFORE; PROVIDING FOR THE SALE, EXECUTION AND DELIVERY THEREOF SUBJECT TO CERTAIN PARAMETERS; AND PROVIDING OTHER TERMS, PROVISIONS AND COVENANTS WITH RESPECT THERETO

WHEREAS, prior to the adoption of this ordinance (herein defined and cited as the "Fifty-First Supplemental Concurrent Bond Ordinance" or as the or this "Ordinance"), the City Councils of the Cities of Dallas and Fort Worth, Texas (the "Cities") passed the Master Bond Ordinance relating to the Dallas Fort Worth International Airport (the "Airport"); and

WHEREAS, the Master Bond Ordinance constitutes the controlling bond ordinance of the Cities that relates to the financing of the Airport and (i) prescribes the terms and conditions upon the basis of which the Additional Obligations, Credit Agreements, and Parity Credit Agreement Obligations may be issued and executed, and (ii) provides and establishes the pledge, security, and liens securing the Cities' special obligations to pay when due the Outstanding Obligations, any Parity Credit Agreement Obligations, and any Additional Obligations; and

WHEREAS, the City Councils of the Cities of Dallas and Fort Worth, on September 22, 2010 and September 21, 2010, respectively, concurrently adopted the Forty-Fourth Supplemental Concurrent Bond Ordinance authorizing the issuance of the Dallas Fort/Worth International Airport Joint Revenue Improvement Bonds, Series 2010A (the "2010A Bonds"), in the aggregate principal amount of $304,395,000; and

WHEREAS, the City Councils of the Cities of Dallas and Fort Worth, on March 28, 2012 and March 27, 2012, respectively, concurrently adopted the Forty-Eighth Supplemental Concurrent Bond Ordinance authorizing the issuance of the Dallas\Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2012E (the "2012E Bonds"), in the aggregate principal amount of $300,495,000; and

WHEREAS, the City Councils of the Cities of Dallas and Fort Worth, on March 28, 2012 and March 27, 2012, respectively, concurrently adopted the Forty-Eighth Supplemental Concurrent Bond Ordinance authorizing the issuance of the Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2012F (the "2012F Bonds"), in the aggregate principal amount of $270,535,000; and

WHEREAS, the City Councils of the Cities of Dallas and Fort Worth, on February 27, 2013 and February 19, 2013, respectively, concurrently adopted the Forty-Ninth Supplemental Concurrent Bond Ordinance authorizing the issuance of the Dallas/Fort Worth International Airport Joint Revenue Improvement Bonds, Series 2013A (the "2013A Bonds"), in the aggregate principal amount of $372,240,400; and

WHEREAS, each City Council hereby finds and determines that the refunding of all or a portion of the outstanding maturities of the 2010A Bonds, 2012E Bonds, 2012F Bonds and 2013A Bonds described in Schedule I (the "Refunded Obligations") is in the best interests of the Cities; and

WHEREAS, each City Council hereby finds and determines that because it is not practical to determine on the date hereof the net present value savings of refunding the Refunded Bonds such amount will be specified in the Officer's Pricing Certificate; and

WHEREAS, pursuant to Sections 8.3 and 8.4 of the Master Bond Ordinance, the "Outstanding Ordinances" (as defined in the Master Bond Ordinance) and the Master Bond Ordinance may be amended with the consent of the holders of more than a majority of the combined principal amount of the Obligations then outstanding at the time of the effective date of any amendments and each Credit Provider, if applicable, or, pursuant to Section 8.4(b) of the Master Bond Ordinance, if the amendments are approved by Insurers and such other Credit Providers as applicable (all such capitalized terms having the respective meanings defined in the Master Bond Ordinance); and

WHEREAS, the City Council of each of the Cities has heretofore approved a new Fifty-Third Concurrent Bond Ordinance, effective _____, 2019 (the "Fifty-Third Supplement") as an amendment to the Master Bond Ordinance, such Fifty-Third Supplement to be effective immediately upon the receipt of the requisite consents referenced therein; and

WHEREAS, all of the holders of the Bonds issued pursuant to this Ordinance are hereby deemed by the purchase of such Bonds to have irrevocably consented to the Fifty-Third Supplement; and

WHEREAS, each City Council finds and determines that the meeting at which this Ordinance was adopted was open to the public, and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by Applicable Law; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH:

ARTICLE I

DEFINITIONS AND OTHER PRELIMINARY MATTERS

Section 1.1 Short Title. This Ordinance may hereafter be cited in other documents and without further description as the "Fifty-Fourth Supplemental Concurrent Bond Ordinance."

Section 1.2 Definitions. The capitalized terms used herein, including in the preambles hereto, that are not otherwise defined herein shall have the same meanings and definitions as are applied to such terms, respectively, in, or incorporated into, the Master Bond Ordinance. Additionally, unless otherwise expressly provided or unless the context clearly requires otherwise, the following additional terms shall have the respective meanings specified below:

Authorized Officer – means each of the Chief Executive Officer, the Executive Vice President-Chief Financial Officer, or the Vice President-Treasury Management of the Board, each acting

singly, and, in the event any of such positions is renamed or otherwise reorganized, including any person holding or exercising the duties of any comparable position.

Bond - means any of the Bonds.

Bond Date - means the date of such Bonds as designated in the Officers' Pricing Certificate.

Bonds - mean the bonds described in Section 3.1 as such series and titles are authorized by separate Officer's Pricing Certificates.

Closing Date - means the dates on which each series of Bonds are actually delivered to and paid for by the Purchaser.

Code – means the Internal Revenue Code of 1986, as amended.

Designated Payment/Transfer Office - means (i) with respect to the initial Paying Agent/Registrar named herein, its office in Dallas, Texas, or such other location as may be designated by the Paying Agent/Registrar, and (ii) with respect to any successor Paying Agent/Registrar, the office of such successor designated and located as may be agreed upon by the Cities and such successor.

DTC - means The Depository Trust Company of New York, New York, or any successor securities depository.

DTC Participant - means brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among such parties.

Initial Bond - means the Bonds described in Section 3.2 with the insertions required by Section 6.2(d) and an Officer's Pricing Certificate.

Insurer or Insurers - means the issuer of the Policy or of the Policies if more than one are issued, as certified by an Authorized Officer on the Closing Date.

Interest Payment Date - means the date or dates upon which interest on the Bonds is scheduled to be paid until the applicable Stated Maturity Date or Mandatory Redemption Date, as determined in the Officers' Pricing Certificate.

Mandatory Redemption Dates - mean the dates on which the Cities are obligated to redeem Bonds in advance of their respective Stated Maturity Dates in accordance with Section 4.4 and the Officer's Pricing Certificate.

Master Bond Ordinance – means the Master Bond Ordinance approved by the City Councils of the Cities and effective upon receipt of the consents required by the Thirtieth Ordinance.

Master Paying Agent Agreement - means the paying agent agreement previously executed by the Board and the Paying Agent/Registrar that specifies the duties and responsibilities of the Paying Agent/Registrar with respect to bonds or other obligations issued by the Cities in relation to the Airport.

Officer's Pricing Certificate(s) - means the certificate(s) to be executed by one of the Authorized Officers pursuant to Section 3.2. Multiple Officer's Pricing Certificates for multiple series of Bonds may be executed pursuant to this Ordinance.

Ordinance - means this Ordinance and all amendments hereof and supplements hereto.

Original Issue Date - means the Closing Date of each series of Bonds.

Paying Agent/Registrar - means The Bank of New York Mellon Trust Company, N.A., or any successor thereto as provided in this Ordinance.

Policy or Policies - means the policy or policies, if any, of municipal bond insurance relating to the Bonds issued on the Closing Date by the Insurer or the Insurers if more than one.

Purchaser - means the person, firm or entity or the group thereof, or the representative of such group, initially purchasing the Bonds issued hereunder from the Cities pursuant to each Underwriting Agreement.

Record Date - means the 15th day of the month next preceding an Interest Payment Date.

Refunded Bonds - means those obligations designated as such in the Officers Pricing Certificate from the list of Refunded Bond Candidates described in Schedule I attached hereto.

Refunded Bond Candidates - means the obligations described in Schedule I attached hereto which are authorized to be designated Refunded Bonds in the Officers Pricing Certificate.

Representation Letter - means the "Blanket Letter of Representations" between the Cities and DTC, as approved ratified in Section 3.9(c).

Stated Maturity Dates - mean the respective dates on which the Bonds are stated to mature in accordance with Section 3.2(b) and the Officer's Pricing Certificate.

Underwriting Agreement - means the Underwriting Agreements hereafter entered into as contemplated and authorized in Section 3.2(b) and in the Officer's Pricing Certificates. Multiple Underwriting Agreements may be entered into for multiple series of Bonds authorized pursuant to this Ordinance and separate Officer's Pricing Certificates.

Section 1.3 Table of Contents, Titles and Headings. The table of contents, titles and headings of the Articles and Sections of this Ordinance have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof and shall never be considered or given any effect in construing this Ordinance or any provision hereof or in ascertaining intent, if any question of intent should arise.

Section 1.4 Interpretation. (a) Unless the context requires otherwise, words of the masculine gender shall be construed to include correlative words of the feminine and neuter genders and vice versa, and words of the singular number shall be construed to include correlative words of the plural number and vice versa.

(b) Article and Section references shall mean references to Articles and Sections of this Ordinance unless designated otherwise.

(c) If any one or more of the covenants, provisions or agreements contained herein should be contrary to Applicable Law, then such covenants, provisions or agreements shall be deemed separable from the remaining covenants, provisions, and agreements hereof, and shall in no way affect the validity of the remaining covenants, provisions, and agreements contained in this Ordinance.

Section 1.5 Declarations and Additional Rights and Limitations Under Master Bond Ordinance. (a) For all purposes of the Outstanding Ordinances and the Master Bond Ordinance, as amended and supplemented, the Cities declare and provide as follows:

(i) The Bonds are Additional Obligations that are authorized by Section 3.2 of the Master Bond Ordinance.

(ii) The Bonds are not Interim Obligations.

(iii) Each Policy is a Credit Agreement, and each Insurer is a Credit Provider. However, a Policy does not create a Parity Credit Agreement Obligation. A Policy, if any, entered into for the purpose of providing all or a portion of the amount equal to the Debt Service Reserve Requirement is hereby declared to be a Credit Agreement that is on a parity with Subordinate Lien Obligations; provided however, the provisions of subsection 5.2(b) (iii) of the Master Bond Ordinance shall continue to apply with respect to any deficiencies in the Debt Service Reserve Fund, including any costs of a Policy with respect to the Debt Service Reserve Fund.

(iv) Administrative Expenses shall include the fees and expenses owed to the Paying Agent/Registrar.

(v) The amount of the Debt Service Reserve Requirement on account of the Bonds is an amount that is not less than the average annual Debt Service that will be required to be paid on or with respect to all Outstanding Obligations as of the date following the delivery of the Bonds. In the event that the amount on deposit in the Debt Service Reserve Fund is less than the amount required, the amount specified in the Officer's Pricing Certificate, pursuant to Section 8.1 shall be deposited to the Debt Service Reserve Fund out of the proceeds of the Bonds or shall be used to enter into a Credit Agreement to satisfy the Debt Service Reserve Requirement.

(vi) The Stated Maturity Dates and the Mandatory Redemption Dates established in accordance with Articles III and IV as modified by the Officer's Pricing Certificate are Principal Payment Dates for the purposes of the Master Bond Ordinance.

(vii) Each Insurer, as a Credit Provider, that is not at such time in default under its Policy is authorized to give and withdraw notices of default under the provisions of Section 7.1(vii) of the Master Bond Ordinance.

(viii) Each of the Authorized Officers is designated and appointed as an "officer" of the Cities for the limited purposes of administering this Ordinance, including particularly the related documents and agreements described herein in accordance with Chapters 1207 and 1371, Government Code, as amended, as applicable.

(ix) This Ordinance is an Additional Supplemental Ordinance.

(b) For all purposes of the Outstanding Ordinances and the Master Ordinances, as amended and supplemented, the following additional rights and limitations are granted and imposed:

(i) No amendment to the Master Bond Ordinance or this Ordinance shall be approved or adopted pursuant to any of Sections 8.2, 8.3, 8.4, or 8.5 of the Master Bond Ordinance, whether with or without the consent of the Holders, unless and until the same is approved by the Insurer that at the time is not in default under its Policy has a then current credit rating of at least investment grade by two nationally recognized rating agencies, to the extent required under the terms of the Credit Agreement.

(ii) The Cities shall have the right to amend the Outstanding Ordinances, the Master Bond Ordinance, and this Ordinance without the consent of or notice to the Holders, for any purpose not prohibited by Section 8.3 of the Master Bond Ordinance, if such amendment is approved by the Insurer that at the time is not in default under its Policy has a then current credit rating of at least investment grade by two nationally recognized rating agencies and such other Credit Providers, if any, as may be required by an Additional Supplemental Ordinance.

(iii) Whenever in this Ordinance, or in the Master Bond Ordinance, the right is granted to redeem Bonds in advance of a Stated Maturity Date, any such redemption may be accomplished with any lawfully available money. The Bonds may be redeemed according to their respective terms, and pro rata redemptions are not required.

(iv) In the event of the occurrence of an Event of Default, the right of acceleration of the Stated Maturity Date or the Mandatory Redemption Date of any Bond or of any Parity Credit Agreement Obligation is not granted as a remedy, and the right of acceleration is expressly denied.

(v) Pursuant to the terms of Section 8.4 of the Master Bond Ordinance, Holders of the Bonds confirm that the Credit Providers, whether or not related to the Bonds, have the right to consent to amendments to the Master Bond Ordinance, the Fifty-Fourth Ordinance and the Outstanding Ordinances without notice to or the consent of the Holders of the Bonds.

(c) Notwithstanding any other provision hereof, the holders of the Bonds, as evidenced by the purchase thereof, irrevocably consent to the amendment of the Master Bond Ordinance by the Fifty-Third Supplement, such Fifty-Third Supplement to be effective immediately upon receipt of the requisite consents set forth in the Master Bond Ordinance.

ARTICLE II

PURPOSES, PLEDGE AND SECURITY FOR BONDS

Section 2.1 Purposes of Ordinance. The purposes of this Ordinance are to prescribe the specific terms and provisions of the Bonds, to extend expressly the pledge, lien, security and provisions of the Master Bond Ordinance to and for the benefit of the Holders, to provide certain covenants to and for the benefit of each Insurer and/or Credit Provider, and to sell the Bonds to the Purchaser.

Section 2.2 Pledge, Security for, Sources of Payment of Bonds. (a) The pledge, the security and the filing provisions of Sections 2.2 and 2.4, respectively, of the Master Bond Ordinance are

hereby expressly restated, fixed, brought forward and granted to the Holders, and to each Insurer, as a Credit Provider.

(b) The Bonds, as "Additional Obligations" under the Master Bond Ordinance, are secured by a lien on and pledge of the Pledged Revenues and the Pledged Funds on a parity with the Prior Obligations, and any other Additional Obligations that are Outstanding, and with Parity Credit Agreement Obligations, if any, that are unpaid from time to time, as declared and provided in Section 2.2 of the Master Bond Ordinance.

ARTICLE III

AUTHORIZATION; GENERAL TERMS AND PROVISIONS REGARDING THE BONDS

Section 3.1 Authorization. Additional Obligations, to be designated as set forth in the Officer's Pricing Certificate, are hereby authorized to be issued and delivered in accordance with the Constitution and laws of the State of Texas, including specifically Chapters 1207 and 1371, Texas Government Code, as amended and Chapter 22, Texas Transportation Code, as amended. The Authorized Officer is hereby authorized and directed to modify the title of each Series to the extent that, in the judgment of the Authorized Officer, it is necessary or appropriate. The final titles, the number of series and allocation of principal amount between each Series of Bonds shall be determined by the Authorized Officer based on market conditions in the discretion of the Authorized Officer and set forth in the Officer's Pricing Certificate for each series. The refunding must produce present value debt service savings of at least 3%. The Bonds shall be issued in the number of series and aggregate principal amount per series designated in the Officer's Pricing Certificate, provided that the aggregate principal amount of all of the Bonds shall not exceed $1,300,000,000, for the purpose of (1) refunding all or a portion of the Refunded Bonds, as set forth in the Officer's Pricing Certificate, (2) to provide funding for the Debt Service Reserve Requirement through either the deposit of Bond proceeds or entering into a surety or such other agreement, if applicable, and (3) to pay the Cities' and the Board's costs incurred in connection with the issuance of the Bonds including the costs of the Policy or Policies of Insurance or the surety or debt service reserve agreement.

Section 3.2 Initial Date, Denominations, Number, Maturity, Initial Registered Owner, Characteristics of the Initial Bond and Expiration Date of Delegation. (a) The Initial Bonds are hereby authorized to be issued, sold, and delivered hereunder as single fully registered Bonds, without interest coupons, dated the dates designated in the Officer's Pricing Certificate, in the denomination and maximum aggregate principal amount as designated in the Officer's Pricing Certificate, numbered T-1 or as otherwise set forth in the Officer's Pricing Certificate, payable in annual installments of principal to the initial registered owner thereof (to be determined by the Authorized Officer, as hereinafter provided), or to the registered assignee or assignees of said Bond or any portion or portions thereof (in each case, the "registered owner"), with the annual installments of principal of the Initial Bonds to be payable on the dates, respectively, and in the principal amounts, respectively, to be stated the Officer's Pricing Certificate, and as provided in this Ordinance, but with the final installment of principal (the maximum term) to be not later than November 1, 2045.

(b) As authorized by Chapters 1207 and 1371, Texas Government Code, as amended, the Authorized Officer and the City Managers are hereby authorized, appointed, and designated as the officers or employees of the Cities authorized to act on behalf of the Cities in the selling and delivering of the Initial Bonds and carrying out the other procedures specified in this Ordinance, including the determination of the prices at which the Initial Bonds will be sold, the amount of each Principal Installment

of each series issued hereunder, the due date of each Principal Installment of each series hereof, which shall be November 1 in each year in which a Principal Installment each series is due unless modified by the Officer's Pricing Certificate, the rate of interest to be borne by each Principal Installment of each series issued hereunder, the redemption features, including any requirements of Mandatory Redemption, and all other matters relating to the issuance, sale, and delivery of the Initial Bonds and each series of the Bonds provided that:

(i) each series of Bonds shall not bear interest at a rate greater than the maximum rate allowed by Chapter 1204, Texas Government Code, as amended; and

(ii) the combined aggregate principal amount of all the Bonds issued pursuant to this Ordinance and, authorized to be issued for the purposes described in Section 3.1 shall not exceed the maximum amount authorized in Section 3.1 hereof ($1,300,000,000) and shall equal an amount at least sufficient to provide for the paying of the costs refunding of the Refunded Bonds to be selected from the Refunded Bond Candidates identified in schedule I hereto; and

(iii) all such terms and determinations pertaining to the pricing of each series of Bonds shall be based on bond market conditions and available interest rates for each series of Bonds on the date of the sale of each series of the Bonds, all as set forth in the Officer's Pricing Certificate for each series. The Refunded Bonds shall be identified in the Officer's Pricing Certificate for each series in accordance with the preceding sentence, except that if less than an entire maturity is to be refunded, the Refunded Bonds to be refunded within a maturity shall be selected as provided in the Ordinance authorizing their issuance and, if not so provided, by lot; and

(iv) prior to delivery of each series of Bonds to the Purchasers, each series of Bonds must have been rated by a nationally recognized rating agency for municipal securities in one of the four highest rating categories for long term obligations.

(v) The Authorized Officers are hereby authorized and directed to approve the final terms and provisions of each Underwriting Agreement in accordance with the terms of the Officer's Pricing Certificate and this Ordinance, such approval being evidenced by its execution thereof by any Authorized Officer. With regard to such terms and provisions of each Underwriting Agreement, the Authorized Officer is hereby authorized to come to an agreement with the Purchasers of each series of Bonds on the following, among other matters:

1. The details of the purchase and sale of the Bonds;

2. The details of the public offering of the Bonds by the Underwriters;

3. The details of an Official Statement (and, if appropriate, any Preliminary Official Statement) relating to the Bonds and Rule 15c2-12 compliance;

4. A security deposit for the Bonds;

5. The representations and warranties of the Cities and the Airport to the Purchasers;

6. The details of the delivery of, and payment for, the Bonds;

7. The Purchasers' obligations under the Underwriting Agreements;

8. The certain conditions to the obligations of the Airport and the Cities under the Underwriting Agreements;

9. Termination of the Underwriting Agreements;

10. Particular covenants of the Airport and the Cities;

11. The survival of representations made in the Underwriting Agreements;

12. The payment of any expenses relating to the Underwriting Agreements;

13. Notices; and

14. Any and all such other details that are found by the Authorized Officer to be necessary and advisable for the purchase and sale of the Bonds.

Any Authorized Officer, acting singly, is hereby authorized and directed to execute each Underwriting Agreement for and on behalf of the Board and the Cities and as the act and deed of the Board and the Cities.

(c) A portion of Bonds are expected to be issued for restructuring of the Airport's debt service requirements; however, to the extent any present value savings is achieved with the issuance of any series of Bonds pursuant to this Ordinance, such restructuring purpose and requirement is hereby deemed to be achieved.

(d) In connection with the issuance and delivery of the Bonds, the Authorized Officer, acting for and on behalf of the Cities, is authorized to set out in the Officer's Pricing Certificate such information as contemplated herein. The Officer's Pricing Certificate shall include such information as such Authorized Officer deem appropriate or is required by this Ordinance.

(e) The Authorized Officer is authorized to establish which maturity or maturities, if any, of each series of Bonds shall be insured based on recommendations of the Co-Financial Advisors of the Airport, and such Authorized Officer shall specify the name or names of the Insurer or Insurers in each Underwriting Agreement and shall specify therein which maturity or maturities, if any, will be insured.

(f) The Initial Bonds of each series (i) may be prepaid or redeemed prior to the respective scheduled due dates of installments of principal thereof as provided for in this Ordinance and in the Officer's Pricing Certificate, (ii) may be assigned and transferred, (iii) may be converted and exchanged for other Bonds, (iv) shall have the characteristics, and (v) shall be signed and sealed, and the principal of

and interest on the Initial Bonds of each series shall be payable, all as provided, and in the manner required or indicated, in the FORM OF BOND set forth in this Ordinance and as determined by an Authorized Officer, as provided herein and in the Officer's Pricing Certificate, with such changes and additions as are required to meet the terms of each Underwriting Agreement and the Officer's Pricing Certificate, including the names as to which the Initial Bond of each series shall be registered.

(g) The authority granted to the Authorized Officer under this Section 3.2 shall expire one year from the effective date unless otherwise extended by the City Councils of each of the cities by separate action.

Section 3.3 Medium, Method and Place of Payment. (a) The principal of, premium, if any, and interest on the Bonds shall be paid in lawful money of the United States of America as provided in this Section.

(b) Interest on the Bonds shall be payable to the Holders whose names appear in the Obligation Register (as defined in Section 3.5) at the close of business on the Record Date; provided, however, that in the event of nonpayment of interest on a scheduled Interest Payment Date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar if and when funds for the payment of such interest have been received from the Cities or the Board. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the "Special Payment Date," which shall be at least 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each Holder of a Bond appearing on the books of the Paying Agent/Registrar at the close of business on the last business day next preceding the date of mailing of such notice.

(c) Interest on the Bonds shall be paid by check (dated as of the Interest Payment Date) and sent by the Paying Agent/Registrar to the Holder entitled to such payment, United States mail, first class postage prepaid, to the address of the Holder as it appears in the Obligation Register or by such other customary banking arrangements acceptable to the Paying Agent/Registrar and the person to whom interest is to be paid; provided, however, that such person shall bear all risk and expenses of such other customary banking arrangements. Upon written request of a registered owner of at least $1,000,000 in principal amount of Bonds, all payments of the principal of, redemption premium, if any, and interest on the Bonds shall be paid by wire transfer in immediately available funds to an account designated by such registered owner.

(d) The principal of each Bonds shall be paid to the Holder on the due date thereof (whether at the maturity date or the date of prior redemption thereof) upon presentation and surrender of such Bond at the Designated Payment/Transfer Office.

(e) If a date for the payment of the principal of or interest on a Bond is a Saturday, Sunday, legal holiday, or a day on which banking institutions in the Cities or in the city in which the Designated Payment/Transfer Office is located, are authorized by law or executive order to close, then the date for such payment shall be the next succeeding Business Day, and payment on such date shall have the same force and effect as if made on the original date payment was due.

(f) Subject to any applicable escheat, unclaimed property, or similar and Applicable Law, unclaimed payments remaining unclaimed by the Holders entitled thereto for three years after the applicable payment or redemption date shall be paid to the Board and thereafter neither the Cities, the Paying Agent/Registrar, nor any other person shall be liable or responsible to any Holders of such Bonds for any further payment of such unclaimed moneys or on account of any such Bonds.

(g) The unpaid principal balance of each Initial Bond shall bear interest as set forth in such Initial Bond to the respective scheduled due dates, or to the respective dates of prepayment or redemption, of the Principal Installments, and said interest shall be payable to the registered owner thereof, all in the manner provided and on the dates fixed by the Authorized Officers in accordance with this Ordinance and the Officer's Pricing Certificate for each series, and with interest rates as fixed by the Authorized Officer in accordance with this Ordinance and the Officer's Pricing Certificate, and as set forth in the Underwriting Agreements.

Section 3.4 Ownership. (a) The Cities, the Board, the Paying Agent/Registrar and any other person may treat each Holder as the absolute owner of such Bond for the purpose of making and receiving payment of the principal thereof and premium, if any, thereon, and for the further purpose of making and receiving payment of the interest thereon (subject to the provisions herein that interest is to be paid to each Holder on the Record Date), and for all other purposes, whether or not such Bond is overdue, and neither the Cities, the Board, nor the Paying Agent/Registrar shall be bound by any notice or knowledge to the contrary.

(b) All payments made to the person deemed to be the Holder in accordance with this Section shall be valid and effectual and shall discharge the liability of the Cities, the Board, and the Paying Agent/Registrar upon such Bond to the extent of the sums paid.

Section 3.5 Registration, Transfer and Exchange. (a) So long as any Bonds remain outstanding, the Board shall cause the Paying Agent/Registrar to keep a register (the "Obligation Register") at its principal trust office in which, subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of Bonds in accordance with this Ordinance.

(b) Ownership of any Bond may be transferred in the Obligation Register only upon the presentation and surrender thereof at the Paying Agent's Designated Payment/Transfer Office for transfer of registration and cancellation, together with proper written instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of the Bonds, or any portion thereof in any integral multiple of $5,000, to the assignee or assignees thereof, and the right of such assignee or assignees thereof to have the Bond or any portion thereof registered in the name of such assignee or assignees. No transfer of any Bond shall be effective until entered in the Obligation Register. Upon assignment and transfer of any Bond or portion thereof, a new Bond or Bonds will be issued by the Paying Agent/Registrar in conversion and exchange for such transferred and assigned Bond. To the extent possible the Paying Agent/Registrar will issue such new Bond or Bonds in not more than three business days after receipt of the Bond to be transferred in proper form and with proper instructions directing such transfer.

(c) Any Bond may be converted and exchanged only upon the presentation and surrender thereof at the Designated Payment/Transfer Office of the Paying Agent/Registrar together with a written request therefor duly executed by the registered owner or assignee or assignees thereof, or its or their duly authorized attorneys or representatives, with guarantees of signatures satisfactory to the Paying Agent/Registrar, for a Bond or Bonds of the same maturity and interest rate and in any authorized denomination and in an aggregate principal amount equal to the unpaid principal amount of the Bond presented for exchange. If a portion of any Bond is redeemed prior to its scheduled maturity as provided herein, a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in the denomination or denominations of any integral multiple of $5,000 at the request of the registered owner, and in an aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon surrender thereof for cancellation. To the extent possible, a new Bond or Bonds shall be delivered by the Paying Agent/Registrar to the registered owner of the Bond or Bonds in not more

than three business days after receipt of the Bond to be exchanged in proper form and with proper instructions directing such exchange.

(d) Each Bond issued in exchange for any Bond or portion thereof assigned, transferred or converted shall have the same principal maturity date and bear interest at the same rate as the Bond for which it is being exchanged. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond. The Paying Agent/Registrar shall convert and exchange the Bonds as provided herein, and each substitute Bond delivered in accordance with this Section shall constitute an original contractual obligation of the Cities and shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such substitute Bond is delivered.

(e) The Board will pay, as Administrative Expenses, the Paying Agent/Registrar's reasonable and customary charge for the initial registration or any subsequent transfer, exchange or conversion of the Bonds, but the Paying Agent/Registrar will require the Holder to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection with the registration, transfer, exchange or conversion of a Bond. In addition, the Cities hereby covenant with the Holders of the Bonds that the Board will (i) pay the reasonable and standard or customary fees and charges of the Paying Agent/Registrar for its services with respect to the payment of the principal of and interest on the Bonds, when due, and (ii) pay the fees and charges of the Paying Agent/Registrar for services with respect to the transfer, registration, conversion and exchange of Bonds as provided herein.

(f) Neither the Cities, the Board, nor the Paying Agent/Registrar shall be required to issue, transfer, or exchange any Bond called for redemption, in whole or in part, where such redemption is scheduled to occur within 45 calendar days after the transfer or exchange date; provided, however, such limitation shall not be applicable to an exchange by the Holder of the uncalled principal balance of a Bond.

Section 3.6 Cancellation and Authentication. All Bonds paid or redeemed before their Stated Maturity Dates in accordance with this Ordinance, and all Bonds in lieu of which exchange Bonds or replacement Bonds are authenticated and delivered in accordance with this Ordinance, shall be canceled upon the making of proper records regarding such payment, redemption, exchange or replacement. The Paying Agent/Registrar shall dispose of the canceled Bonds in accordance with Applicable Law.

Section 3.7 Temporary Bonds. (a) Following the delivery and registration of the Initial Bond issued hereunder and pending the preparation of definitive Bonds, the proper officers of the Cities may execute and, upon the Cities' or the Board's request, the Paying Agent/Registrar shall authenticate and deliver, one or more temporary Bonds that are printed, lithographed, typewritten, mimeographed or otherwise produced, in any denomination, substantially of the tenor of the definitive Bonds in lieu of which they are delivered, without coupons, and with such appropriate insertions, omissions, substitutions and other variations as the officers of the Cities executing such temporary Bonds may determine, as evidenced by their signing of such temporary Bonds.

(b) Until exchanged for Bonds in definitive form, such Bonds in temporary form shall be entitled to the benefit and security of this Ordinance.

(c) The Cities or the Board, without unreasonable delay, shall prepare, execute and deliver to the Paying Agent/Registrar the Bonds in definitive form; thereupon, upon the presentation and surrender of the Bond or Bonds in temporary form to the Paying Agent/Registrar, the Paying Agent/Registrar shall cancel the Bonds in temporary form and authenticate and deliver in exchange therefor a Bond or Bonds of the same maturity and series, in definitive form, in the authorized denomination, and

in the same aggregate principal amount, as the Bond or Bonds in temporary form surrendered. Such exchange shall be made without the making of any charge therefor to any Owner.

Section 3.8 Replacement Bonds. (a) Upon the presentation and surrender to the Paying Agent/Registrar, at the Designated Payment/Transfer Office, of a mutilated Bond, the Paying Agent/Registrar shall authenticate and deliver in exchange therefor a replacement Bond of like tenor and principal amount, bearing a number not contemporaneously outstanding. The Cities, the Board, or the Paying Agent/Registrar may require the Holder of such Bond to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection therewith and any other expenses connected therewith.

(b) In the event any Bond is lost, apparently destroyed or wrongfully taken, the Paying Agent/Registrar, pursuant to Subchapter D of Chapter 1201, Government Code, as amended, and in the absence of notice or knowledge that such Bond has been acquired by a bona fide purchaser, shall authenticate and deliver a replacement Bond of like tenor and principal amount, bearing a number not contemporaneously outstanding, provided that the Holder first:

(i) furnishes to the Paying Agent/Registrar satisfactory evidence of his or her ownership of and the circumstances of the loss, destruction or theft of such Bond;

(ii) furnishes such security or indemnity as may be required by the Paying Agent/Registrar, the Board and the Cities to save them harmless;

(iii) pays all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Paying Agent/Registrar and any tax or other governmental charge that is authorized to be imposed; and

(iv) satisfies any other reasonable requirements imposed by the Cities and the Paying Agent/Registrar.

(c) If, after the delivery of such replacement Bond, a bona fide purchaser of the original Bond in lieu of which such replacement Bond was issued presents for payment such original Bond, the Cities, the Board, and the Paying Agent/Registrar shall be entitled to recover such replacement Bond from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost or expense incurred by the Cities, the Board, or the Paying Agent/Registrar in connection therewith.

(d) In the event that any such mutilated, lost, apparently destroyed or wrongfully taken Bond has become or is about to become due and payable, the Paying Agent/Registrar, in its discretion, instead of issuing a replacement Bond, may pay such Bond.

(e) Each replacement Bond delivered in accordance with this Section shall constitute an original contractual obligation of the Cities and shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such replacement Bond is delivered.

Section 3.9 Book-Entry Only System. (a) The definitive Bonds for each series shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof. Upon initial issuance, the ownership of each such Bond shall be registered in the name of Cede & Co., as

nominee of DTC, and except as provided in Section 3.10, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

(b) With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the Cities, the Board, and the Paying Agent/Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds, except as provided in this Ordinance. Without limiting the immediately preceding sentence, the Cities, the Board, and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a Holder, as shown on the Obligation Register, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than a Holder, as shown in the Register of any amount with respect to principal of, premium, if any, or interest on the Bonds. Notwithstanding any other provision of this Ordinance to the contrary, the Cities, the Board, and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Obligation Register as the absolute owner of such Bond for the purpose of payment of principal of, premium, if any, and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfer with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Holders, as shown in the Obligation Register, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Cities' obligations with respect to payment of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than a Holder, as shown in the register, shall receive a certificate evidencing the obligation of the Cities to make payments of amounts due pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks or drafts being mailed to the registered Owner at the close of business on the Record Date, the word "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(c) The "Blanket Representation Letter" setting respective duties with respect to the Bonds has been previously executed and delivered by an Authorized Officer of the Airport and made applicable to the Bonds delivered in book-entry-only form to DTC, as securities depository therefor, is hereby ratified and approved for the Bonds.

Section 3.10 Successor Securities Depository. In the event that the Cities, the Board, or the Paying Agent/Registrar determine that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, and that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, or in the event DTC discontinues the services described herein, the Cities, the Board, or the Paying Agent/ Registrar shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants, as identified by DTC, of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants, as identified by DTC, of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts, as identified by DTC. In such event, the Bonds shall no longer be restricted to being registered in the Obligation Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Holders transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

Section 3.11 Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bonds are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bonds, and all notices with respect to such Bonds, shall be made and given, respectively, in the manner provided in the Representation Letter.

ARTICLE IV

REDEMPTION OF BONDS BEFORE MATURITY

Section 4.1 Limitation on Redemption. The Bonds shall be subject to redemption before scheduled maturity only as provided in this Article IV and the Officer's Pricing Certificate.

Section 4.2 Optional Redemption. (a) The Authorized Officer shall specify in the Underwriting Agreements, Officer's Pricing Certificates, Initial Bonds, and in the Bonds such rights of optional redemption, if any, and the Redemption Prices therefor that are to be reserved by the Cities.

(b) To the extent the Bonds are subject to optional redemption, the Board, at least 45 days before the redemption date, unless a shorter period shall be satisfactory to the Paying Agent/Registrar, shall notify the Paying Agent/Registrar of such redemption date and of the principal amount of the Bonds to be redeemed.

Section 4.3 Partial Redemption. (a) If less than all of the Bonds are to be redeemed pursuant to Section 4.2, the Board shall have the right to determine the maturity or maturities and the amounts thereof to be redeemed and shall direct the Paying Agent/Registrar to call at random the Bonds, or portions thereof, within such maturity or maturities and in such principal amounts for redemption as determined by the Board in its sole discretion.

(b) A portion of a single Bond of a denomination greater than $5,000 may be redeemed, but only in a principal amount equal to $5,000 or any integral multiple thereof. If such a Bond is to be partially redeemed, the Paying Agent/Registrar shall treat each $5,000 portion of the Bond as though it were a single Bond for purposes of selection for redemption.

(c) Upon surrender of any Bond for redemption in part, the Paying Agent/Registrar, in accordance with Section 3.5 of this Ordinance, shall authenticate and deliver an exchange Bond or Bonds in an aggregate principal amount equal to the unredeemed portion of the Bond so surrendered, such exchange being without charge.

(d) The Paying Agent/Registrar shall promptly notify the Board in writing of the principal amount to be redeemed of any Bond as to which only a portion thereof is to be redeemed.

Section 4.4 Mandatory Redemption of Certain Bonds. (a) The Authorized Officer shall specify in the Underwriting Agreements, Officer's Pricing Certificates, Initial Bonds and in the Bonds such obligations to redeem the Bonds mandatorily, and the Redemption Prices therefor, as are to be imposed on the Cities.

(b) Subject to the provisions of subsection (c) of this Section, when less than all of the Bonds of a specified maturity on a specified Stated Maturity Date are required to be redeemed as determined in accordance with this Section, the Board, acting on behalf of the Cities, shall have the right and shall direct the Paying Agent/Registrar to call by lot the Bonds, or portions thereof within a maturity, that are to

be called for redemption. A portion of a single Bond of a denomination greater than $5,000 may be redeemed, but only in a principal amount equal to $5,000 or an integral multiple thereof. The Paying Agent/Registrar shall treat each $5,000 portion of the Bond as though it were a single Bond for purposes of selection for redemption. Upon surrender of any Bond for redemption in part, the Paying Agent/Registrar shall authenticate and deliver an exchange Bond or Bonds in an aggregate amount equal to the unredeemed portion of the Bond so surrendered.

(c) In lieu of the procedure described in subsection (b) of this Section, if less than all of the Bonds of a Stated Maturity Date are required to be redeemed, the Cities and the Board shall have the right to accept tenders of Bonds of the applicable Stated Maturity Date and to purchase Bonds of such maturity in the open markets at any price that is less than the applicable Redemption Price for the Bonds required to be redeemed.

Section 4.5 Notice of Redemption to Holders. (a) The Paying Agent/Registrar shall give notice of any redemption of Bonds by sending notice by first class United States mail, postage prepaid, or by such other means as is acceptable to such Holders, not less than 30 days before the date fixed for redemption, to the Holder of each Bond (or part thereof) to be redeemed, at the address shown on the Obligation Register.

(b) The notice shall state the redemption date, the redemption price, the place at which the Bonds are to be surrendered for payment, and, if less than all the Bonds outstanding are to be redeemed, an identification of the Bonds or portions thereof to be redeemed.

(c) Any notice given as provided in this Section shall be conclusively presumed to have been duly given, whether or not the Holder receives such notice.

Section 4.6 Conditional Notice of Redemption. With respect to any optional redemption of Bonds, unless certain prerequisites to such redemption required by the Master Bond Ordinance or this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed shall have been received by the Paying Agent prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the Board, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent on or prior to the date fixed for such redemption. If a conditional notice of redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the Board shall not redeem such Bonds and the Paying Agent shall notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

Section 4.7 Payment Upon Redemption. (a) Before or on each redemption date, the Board on behalf of the Cities shall deposit with the Paying Agent/Registrar money sufficient to pay all amounts due on the redemption date and the Paying Agent/Registrar shall make provision for the payment of the Bonds to be redeemed on such date by setting aside and holding in trust such amounts as are received by the Paying Agent/Registrar from the Board and shall use such funds solely for the purpose of paying the principal of, redemption premium, if any, and accrued interest on the Bonds being redeemed, or the tender or negotiated price in the case of Bonds tendered or purchased under Section 4.4(c).

(b) Upon presentation and surrender of any Bond called for redemption at the Designated Payment/Transfer Office on or after the date fixed for redemption, the Paying Agent/Registrar shall pay the principal of, redemption premium, if any, and accrued interest on such Bond to the date of redemption from the money set aside for such purpose.

Section 4.8 Effect of Redemption. (a) Notice of redemption having been given as provided in Section 4.5 of this Ordinance, the Bonds or portions thereof called for redemption shall become due and payable on the date fixed for redemption and, unless the Cities fail in their obligation to make provision for the payment of the principal thereof, redemption premium, if any, or accrued interest thereon on the date fixed for redemption, such Bonds or portions thereof shall cease to bear interest from and after the date fixed for redemption, whether or not such Bonds are presented and surrendered for payment on such date.

(b) If the Cities shall fail to make provision for payment of all sums due on a redemption date, then any Bond or portion thereof called for redemption shall continue to bear interest at the rate stated on the Bond until due provision is made for the payment of same by the Cities.

ARTICLE V

PAYING AGENT/REGISTRAR

Section 5.1 Appointment of Initial Paying Agent/Registrar. The Bank of New York Mellon Trust Company, N.A., is hereby appointed as the initial Paying Agent/Registrar for the Bonds, under and subject to the terms and provisions of the Master Paying Agent Agreement.

Section 5.2 Qualifications. The Paying Agent/Registrar shall be a commercial bank, a trust company organized under applicable laws, or any other entity duly qualified and legally authorized to serve as and perform the duties and services of paying agent and registrar for the Bonds.

Section 5.3 Maintaining Paying Agent/Registrar. (a) At all times while any Bonds are Outstanding, the Cities will maintain a Paying Agent/Registrar that is qualified under Section 5.2 of this Ordinance.

(b) If the Paying Agent/Registrar resigns or otherwise ceases to serve as such, the Board will promptly appoint a replacement.

Section 5.4 Termination. The Cities, acting through the Board, upon not less than 60 days notice, reserves the right to terminate the appointment of any Paying Agent/Registrar by delivering to the entity whose appointment is to be terminated written notice of such termination, provided that such termination shall not be effective until a successor Paying Agent/Registrar has been appointed and has accepted the duties of Paying Agent/Registrar for the Bonds.

Section 5.5 Notice of Change. Promptly upon each change in the entity serving as Paying Agent/Registrar, the Board will cause notice of the change to be sent to each Holder and Insurer by first class United States mail, postage prepaid, at the address in the Obligation Register, stating the effective date of the change and the name and mailing address of the replacement Paying Agent/Registrar.

Section 5.6 Agreement to Perform Duties and Functions. By accepting the appointment as Paying Agent/Registrar, the Paying Agent/Registrar acknowledges receipt of copies of the Master Bond Ordinance and this Ordinance, and is deemed to have agreed to the provisions thereof, and to perform the duties and functions of Paying Agent/Registrar prescribed therein and herein.

Section 5.7 Delivery of Records to Successor. If a Paying Agent/Registrar is replaced, such Paying Agent/Registrar, promptly upon the appointment of the successor, will deliver the Obligation Register (or a copy thereof) and all other pertinent books and records relating to the Bonds to the successor Paying Agent/Registrar.

ARTICLE VI

FORM OF THE BONDS

Section 6.1 Form Generally. (a) The Bonds, including the Registration Certificate of the Comptroller of Public Accounts of the State, the Certificate of the Paying Agent/Registrar, and the Assignment form to appear on each of the Bonds, (i) shall be substantially in the form set forth in this Article, with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance or the Officer's Pricing Certificates, and (ii) may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including any reproduction of an opinion of counsel) thereon as, consistently herewith, may be determined by the Board.

(b) Any portion of the text of any Bonds may be set forth on the reverse side thereof, with an appropriate reference thereto on the face of the Bonds.

(c) The Bonds, including the Initial Bonds submitted to the Attorney General of Texas and any temporary Bonds, shall be typed, printed, lithographed, photocopied or engraved, and may be produced by any combination of these methods or produced in any other similar manner, all as determined by the officers executing such Bonds, as evidenced by their execution thereof.

Section 6.2 Form of Bond. The forms of Bond, including the form of the Registration Certificate of the Comptroller of Public Accounts of the State, the form of Certificate of the Paying Agent/Registrar and the form of Assignment appearing on the Bonds, shall be substantially as follows for each Bond of each series:

(a) [Form of Bond]

REGISTERED REGISTERED

No. _____ $_____

United States of America
State of Texas
Cities of Dallas and Fort Worth

DALLAS/FORT WORTH INTERNATIONAL AIRPORT
JOINT REVENUE BOND, SERIES ____[1]

INTEREST RATE:	MATURITY DATE:	ORIGINAL ISSUE DATE:	CUSIP NO.:
_____%	_____, _____	_____ 1, 2019	_____ ____

The Cities of Dallas and Fort Worth, Texas (the "Cities"), for value received, hereby promise to pay to

_____

or registered assigns, on the Maturity Date, as specified above, the sum of

_____ DOLLARS

unless this Bond shall have been sooner called for redemption and the payment of the principal hereof shall have been paid or provision for such payment shall have been made, and to pay interest on the unpaid principal amount hereof from the later of _____, 2019[2], or the most recent interest payment date to which interest has been paid or provided for until such principal amount shall have been paid or provided for, at the per annum rate of interest specified above, computed on the basis of a 360-day year of twelve 30-day months, such interest to be paid semiannually on May 1 and November 1 of each year, commencing _____, 2019.[3] Interest on the Bonds shall accrue from the date of the initial delivery thereof.

Capitalized terms appearing herein that are defined terms in the Ordinances defined below, have the meanings assigned to them in the Ordinances. Reference is made to the Ordinances for such definitions and for all other purposes.

The principal of this Bond shall be payable without exchange or collection charges in lawful money of the United States of America upon presentation and surrender of this Bond at the corporate trust office in Dallas, Texas (the "Designated Payment/Transfer Office"), of The Bank of New York Mellon Trust Company, N.A. or, with respect to a successor Paying Agent/Registrar, at the Designated Payment/Transfer Office of such successor. Interest on this Bond is payable by check dated as of the interest payment date, mailed by the Paying Agent/Registrar to the registered owner at the address shown on the registration books kept by the Paying Agent/Registrar or by such other customary banking arrangements acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the person to whom interest is to be paid. Upon written request of a registered owner of at least $1,000,000 in principal amount of Bonds, all

[1] To be completed pursuant to the Officer's Pricing Certificate for the Bonds.
[2] To be completed pursuant to the Officer's Pricing Certificate for the Bonds.
[3] To be completed pursuant to the Officer's Pricing Certificate for the Bonds.

payments of the principal of, redemption premium, if any, and interest on the Bonds shall be paid by wire transfer in immediately available funds to an account designated by such registered owner. For the purpose of the payment of interest on this Bond, the registered owner shall be the person in whose name this Bond is registered at the close of business on the "Record Date," which shall be the 15th day of the month next preceding such interest payment date; provided, however, that in the event of nonpayment of interest on a scheduled interest payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the "Special Payment Date," which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each Holder of a Bond appearing on the books of the Paying Agent/Registrar at the close of business on the last business day preceding the date of mailing such notice.

If a date for the payment of the principal of or interest on the Bonds is a Saturday, Sunday, legal holiday, or a day on which banking institutions in the Cities or in the city in which the Designated Payment/Transfer Office is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding Business Day, and payment on such date shall have the same force and effect as if made on the original date payment was due.

This Bond is one of a series of fully registered bonds specified in the title hereof, dated _____, 2019[4] issued in the aggregate principal amount of $_____[5] issued pursuant to the authority of Chapter 22, Texas Transportation Code, as amended, Chapters 1207 and 1371, Texas Government Code, as amended and the "Master Bond Ordinance," as defined in the Fifty-Fourth Supplemental Concurrent Bond Ordinance adopted concurrently by the City Councils of the Cities (the "Fifty-Fourth Supplemental Ordinance"). The Master Bond Ordinance and the Fifty-Fourth Supplemental Ordinance are herein collectively referred to as the "Ordinances." This Bond is one of the Additional Obligations authorized by the Ordinances and is subject to the terms and provisions thereof. The Ordinances and their respective terms and provisions are incorporated herein for all purposes. As set forth in the Fifty-Fourth Supplemental Ordinance any owner hereof is deemed to have irrevocably consented to the Fifty-Third Supplemental Concurrent Bond Ordinance adopted by the City Councils of the Cities (as defined in the Fifty-Fourth Supplemental Ordinance).

The Bonds were issued by the Cities for the purposes of obtaining funds to refund certain obligations previously issued by the Cities/pay costs of capital improvements at the Airport (including capitalized interest, if any), to provide funding for the Debt Service Reserve Requirements through either the deposit of Bond proceeds or entering into a surety or such other agreements, and to pay the Cities' and the Board's costs incurred in connection with the issuance of the Bonds, including the costs of the Policy or Policies for Insurance, if any, or the surety or debt service reserve agreement.

The Bonds and the interest thereon are payable from, and are secured by a first lien on and pledge of the Pledged Revenues and the Pledged Funds.

The lien on and pledge of the Pledged Revenues and Pledged Funds created and granted in the Ordinances in favor of the Bonds is on a parity with the lien and pledge thereof granted by the Cities in favor of the Holders of Outstanding Obligations, the Initial Obligations, and any Additional Obligations or Parity Credit Agreement Obligations that may be issued or executed pursuant to the Master Bond Ordinance, as defined and permitted therein. The Cities have reserved the right in the Ordinances to issue

[4] To be completed pursuant to the Officer's Pricing Certificate for the Bonds.
[5] To be completed pursuant to the Officer's Pricing Certificate for the Bonds.

Additional Obligations and Parity Credit Agreement Obligations that, after issuance, may be secured by liens on and pledges of the Pledged Revenues and Pledged Funds on a parity with the lien thereon in favor of the Bonds.

The Cities have also reserved the right in the Ordinances to issue Subordinate Lien Obligations, and Net Revenue Obligations and Credit Agreement Obligations in connection therewith, provided the lien and pledge securing the same are expressly made junior and subordinate to the pledge and lien securing the Obligations and Parity Credit Agreement Obligations.

All covenants requiring the Cities to pay principal and interest or other payments on Obligations, Subordinate Lien Obligations, Net Revenue Obligations, and Credit Agreement Obligations shall be joint, and not several, obligations, and all monetary obligations shall be payable and collectible solely from the revenues and funds expressly pledged thereto by the Ordinances or by an Additional Supplemental Ordinance, such revenues and funds being owned in undivided interests by the City of Dallas (to the extent of 7/11ths thereof) and by the City of Fort Worth (to the extent of 4/11ths thereof); and, each and every Holder shall by his acceptance of this Bond consent and agree that no claim, demand, suit, or judgment for the payment of money shall ever be asserted, filed, obtained or enforced against either of the Cities apart from the other City and from sources other than the funds and revenues pledged thereto; and no liability or judgment shall ever be asserted, entered or collected against either City individually, except out of such pledged revenues and exceeding in the case of Dallas an amount equal to 7/11ths of the total amount asserted or demanded, and in the case of Fort Worth an amount equal to 4/11ths of the total amount asserted or demanded. The Holders hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation.

[The Cities have reserved the right and option to redeem the Bonds maturing in the years ____ through ____, inclusive, in whole or part, in principal amounts equal to $5,000 or any integral multiple thereof, before their respective maturity dates, on November 1, ____, or on any date thereafter, at a price equal to the principal amount thereof, plus interest to the date fixed for redemption, without premium.][6]

[6] Optional redemption provisions to be inserted pursuant to the Officer's Pricing Certificate for the Bonds.

[The Bonds maturing November 1, ____ November 1, ____, November 1, ____ and November 1, ____ shall be redeemed prior to stated maturity in part at random on November 1 as indicated, in each of the years set forth below from moneys required to be deposited to the credit of the Debt Service Fund at the principal amount thereof and accrued interest to date of redemption, without premium. Such required sinking fund installments as to each maturity are as follows:

BONDS MATURING NOVEMBER 1, ____

Year	Amount

BONDS MATURING NOVEMBER 1, ____

Year	Amount

BONDS MATURING NOVEMBER 1, ____

Year	Amount

BONDS MATURING NOVEMBER 1, ____

Year	Amount

BONDS MATURING NOVEMBER 1, ____

Year	Amount

The Paying Agent/Registrar will select at random the specific Bonds (or with respect to Bonds having a denomination in excess of $5,000, each $5,000 portion thereof) to be redeemed by mandatory redemption. The principal amount of Bonds required to be redeemed on any redemption date pursuant to the foregoing mandatory sinking fund redemption provisions hereof shall be reduced, at the option of the Board on behalf of the City, by the principal amount of any Bonds having the same maturity which, at least 45 days prior to the mandatory sinking fund redemption date (i) shall have been acquired by the Board on behalf of the City at a price not exceeding the principal amount of such Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, or (ii) shall have been redeemed pursuant to the optional redemption provisions hereof and not previously credited to a mandatory sinking fund redemption.][7]

Notice of such redemption or redemptions shall be given by first class mail, postage prepaid, not less than 30 days before the date fixed for redemption, to the registered owner of each of the Bonds to be

[7] Mandatory redemption provisions to be inserted pursuant to the Officer's Pricing Certificate for the Bonds.

redeemed in whole or in part. Notice having been so given, the Bonds or portions thereof designated for redemption shall become due and payable on the redemption date specified in such notice; from and after such date, notwithstanding that any of the Bonds or portions thereof so called for redemption shall not have been surrendered for payment, interest on such Bonds or portions thereof shall cease to accrue.

With respect to any optional redemption of Bonds, unless certain prerequisites to such redemption required by the Master Bond Ordinance or this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed shall have been received by the Paying Agent prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the Board, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent on or prior to the date fixed for such redemption. If a conditional notice of redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the Board shall not redeem such Bonds and the Paying Agent shall notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

As provided in the Ordinances, and subject to certain limitations therein set forth, this Bond is transferable upon surrender of this Bond for transfer at the Designated Payment/Transfer Office, with such endorsement or other evidence of transfer as is acceptable to the Paying Agent/Registrar, and, thereupon, one or more new fully registered Bonds of the same stated maturity, of authorized denominations, bearing the same rate of interest, and for the same aggregate principal amount will be issued to the designated transferee or transferees.

Neither the Cities, the Board, nor the Paying Agent/Registrar shall be required to issue, transfer or exchange any Bond called for redemption where such redemption is scheduled to occur within 45 calendar days of the transfer or exchange date; provided, however, such limitation shall not be applicable to an exchange by the registered owner of the uncalled principal balance of a Bond.

The Cities, the Board, the Paying Agent/Registrar, and any other person may treat the person in whose name this Bond is registered as the owner hereof for the purpose of receiving payment as herein provided (except interest shall be paid to the person in whose name this Bond is registered on the Record Date or Special Record Date, as applicable) and for all other purposes, whether or not this Bond be overdue, and neither the Cities, the Board, nor the Paying Agent/Registrar shall be affected by notice to the contrary.

IT IS HEREBY CERTIFIED AND RECITED that the issuance of this Bond and the series of which it is a part is duly authorized by law; that all acts, conditions and things required to be done precedent to and in the issuance of the Bonds have been properly done and performed and have happened in regular and due time, form and manner, as required by law.

_____

IN WITNESS WHEREOF, the City Council of the City of Dallas, Texas, has caused the facsimile seal of that City to be placed hereon and this Bond to be signed by the facsimile signature of its Mayor and countersigned by the facsimile signatures of its City Manager and City Secretary; and the City Council of the City of Fort Worth, Texas, has caused the facsimile seal of that City to be placed hereon and this Bond to be signed by the facsimile signature of its Mayor, countersigned by the facsimile signature of its City Secretary, and approved as to form and legality by its City Attorney.

COUNTERSIGNED:

City Manager,
City of Dallas, Texas

Mayor,
City of Dallas, Texas

City Secretary,
City of Dallas, Texas

APPROVED AS TO FORM:

City Attorney,
City of Dallas

COUNTERSIGNED:

City Secretary,
City of Fort Worth, Texas

Mayor,
City of Fort Worth, Texas

APPROVED AS TO FORM AND LEGALITY:

City Attorney,
City of Fort Worth, Texas

(b) [Form of Certificate of Paying Agent/Registrar]

CERTIFICATE OF PAYING AGENT/REGISTRAR

This is one of the Bonds referred to in the within mentioned Ordinances. The series of Bonds of which this Bond is a part was originally issued as one Initial Bond which was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.,
as Paying Agent/Registrar

Dated: By: _____
Authorized Signatory

(c) [Form of Assignment]

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto (print or typewrite name, address and zip code of transferee):

_____ (Social Security or other identifying number: _____) the within Bond and all rights hereunder and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Bond on the books kept for registration hereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed By:

_____
Authorized Signatory

_____
NOTICE: The signature on this Assignment must correspond with the name of the registered owner as it appears on the face of the within Bond in every particular and must be guaranteed in a manner satisfactory to the Paying Agent/Registrar.

(d) Initial Bond Insertions.

(i) The Initial Bond shall be in the form set forth in paragraph (a) of this Section, except that:

(A) immediately under the name of the Bond, the headings "INTEREST RATE" and "MATURITY DATE" shall both be completed with the words "As Shown Below" and "CUSIP NO. _____" deleted;

(B) in the first paragraph:

the words "on the Maturity Date" shall be deleted and the following will be inserted:

(C) "on _____ in the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

Years	Principal Installments	Interest Rates

(D) (Information to be inserted in accordance with the Officer's Pricing Certificate; and

(E) the Initial Bond shall be numbered TC-1.

(ii) The following Registration Certificate of Comptroller of Public Accounts shall appear on the Initial Bond in lieu of the Certificate of the Paying Agent/Registrar:

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER	§	
OF PUBLIC ACCOUNTS	§	REGISTER NO._____
	§	
THE STATE OF TEXAS	§	

I HEREBY CERTIFY THAT there is on file and of record in my office a certificate to the effect that the Attorney General of the State of Texas has examined and approved this Bond as required by law, and that he finds that it has been issued in conformity with the constitution and laws of the State of Texas, and that this Bond has been registered this day by me.

WITNESS MY SIGNATURE AND SEAL OF OFFICE this _____.

[SEAL]

_____
Comptroller of Public Accounts
of the State of Texas

Section 6.3 CUSIP Registration. The Cities may secure identification numbers through the CUSIP Service Bureau Division of Standard & Poor's Corporation, New York, New York, and may authorize the printing of such numbers on the face of the Bonds. It is expressly provided, however, that the presence or absence of CUSIP numbers on the Bonds shall be of no significance or effect as regards the legality thereof and neither the Cities, the Board, nor the attorneys approving said Bonds as to legality are to be held responsible for CUSIP numbers incorrectly printed on the Bonds.

Section 6.4 Legal Opinion. The approving legal opinions of McCall, Parkhurst & Horton L.L.P., and Mahomes Bolden PC, Co-Bond Counsel, shall be delivered to the Paying Agent/Registrar and the delivery thereof shall be acknowledged by the Paying Agent/Registrar on behalf of the Holders of the Bonds.

ARTICLE VII

EXECUTION, APPROVAL, REGISTRATION, SALE AND DELIVERY OF BONDS AND RELATED DOCUMENTS

Section 7.1 Method of Execution, Delivery of Initial Bond. (a) Each of the Bonds shall be signed and executed on behalf of the City of Dallas by the manual or facsimile signature of its Mayor and countersigned by the manual or facsimile signatures of its City Manager and City Secretary, and the corporate seal of that City shall be impressed, printed, lithographed or otherwise reproduced or placed on each bond. Each of the Bonds shall be signed and executed on behalf of the City of Fort Worth by the manual or facsimile signature of its Mayor and countersigned by the manual or facsimile signature of its City Secretary; the same shall be approved as to form and legality by the manual or facsimile signature of the City Attorney of the City, and its corporate seal shall be impressed, printed, lithographed or otherwise reproduced or placed upon each bond. All manual or facsimile signatures placed upon the Bonds shall have the same effect as if manually placed thereon, all to be done in accordance with Applicable Law.

(b) In the event the Mayor, City Secretary, City Manager or City Attorney of either of the Cities is absent or otherwise unable to execute any document or take any action authorized herein, the Mayor Pro Tem, the Assistant City Secretary, an Assistant City Manager or an Assistant City Attorney, respectively, shall be authorized to execute such documents and take such actions, and the performance of such duties by the Mayor Pro Tem and the Assistant City Secretary, and an Assistant City Manager and an Assistant City Attorney shall, for the purposes of this Ordinance, have the same force and effect as if such duties were performed by the Mayor, City Secretary, City Manager and City Attorney, respectively. If any official from either City whose manual or facsimile signature shall appear on the Bonds, shall cease to be such official before the Authentication of the Bonds or before delivery of the Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purpose as if such official had remained in such office.

(c) On the Closing Date, one "Initial Bond," of each series representing the entire principal amount of all Bonds of such series and the terms set forth in each Officer's Pricing Certificate applicable thereto, payable in stated installments to the Purchasers or its designee, executed by manual or facsimile signatures of the Mayors and the City Manager of the City of Dallas and countersigned by the City Secretaries of the Cities and approved as to form and legality by the City Attorney of the City of Fort Worth, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State, will be delivered to the Purchaser of each series or its designee. Upon payment for the Initial Bonds, the Paying Agent/Registrar shall cancel the Initial Bonds and deliver to DTC on behalf of the Purchaser registered definitive Bonds for each maturity of each series as described in Section 3.7.

(d) Except as provided below, no Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Ordinance unless and until there appears thereon the Certificate of Paying Agent/Registrar substantially in the form provided in this Ordinance, duly authenticated by manual execution of the Paying Agent/Registrar. It shall not be required that the same authorized representative of the Paying Agent/Registrar sign the Certificate of Paying Agent/ Registrar on all of the Bonds. In lieu of the executed Certificate of Paying Agent/Registrar described above, the Initial Bonds shall have attached thereto the Comptroller's Registration Certificate substantially in the form provided in this Ordinance, manually executed by the Comptroller of Public Accounts of the State or by his duly authorized agent, which certificate shall be evidence that the Initial Bonds have been duly approved by the Attorney General of the State and that it is a valid and binding obligation of the Cities, and has been registered by the Comptroller.

Section 7.2 Approval and Registration. The Board is hereby authorized to have control and custody of the Bonds and all necessary records and proceedings pertaining thereto pending their delivery, and the Chairman, and the officers and employees of the Board and of the Cities are hereby authorized and instructed to make such certifications and to execute such instruments as may be necessary to accomplish the delivery of the Bonds or the Initial Bond to the Attorney General of the State of Texas and to assure the investigation, examination and approval thereof by the Attorney General and their registration by the Comptroller of Public Accounts. Upon registration of the Bonds, the Comptroller of Public Accounts (or a deputy designated in writing to act for him) shall manually sign the Comptroller's Registration Certificate accompanying the Bonds and the seal of the Comptroller shall be impressed, or placed in facsimile, on such certificate. The Chairman of the Board and the Chief Executive Officer of the Airport shall be further authorized to make such agreements and arrangements with the purchasers of Bonds and with the Paying Agent/Registrar as may be necessary to assure that such Bonds will be delivered to such purchasers in accordance with the terms of sale.

Section 7.3 Approval of Credit Agreements. The Board is authorized to enter into Credit Agreements relating to the Bonds from time to time while the Bonds are Outstanding in accordance with Applicable Law.

Section 7.4 Official Statement. The preparation, execution and delivery of a preliminary official statement and a final official statement for the Bonds and any supplements thereto which may be necessary to accomplish the issuance of Bonds are hereby authorized, in such form and with such changes therein as shall be approved by an Authorized Officer or the Board, with an Authorized Officer's execution of the Officers Pricing Certificate for the Bonds to constitute conclusive evidence of such approval.

Section 7.5 Attorney General Modification. In order to obtain the approval of the Bonds by the Attorney General of the State of Texas, any provision of this Ordinance may be modified, altered or amended after the date of its adoption if required by the Attorney General in connection with the Attorney General's examination as to the legality of the Bonds and approval thereof in accordance with the applicable law. Such changes, if any, shall be provided to the City Secretary of each City and such City Secretary shall insert such changes into this Ordinance as if approved on the date hereof.

Section 7.6 Further Action. The Authorized Officers and each of them are authorized, empowered and directed to execute such other documents in addition to those enumerated herein and to take such other actions as they deem necessary or advisable in order to carry out and perform the purposes of this Ordinance.

Section 7.7 Refunding and Redemption of Refunded Bonds. (a) The Cities hereby direct that the Refunded Bonds, or portions thereof specified in each Officer's Pricing Certificate, be called for

redemption on the date or dates set forth in the Officer's Pricing Certificate (the "Redemption Date") and that the paying agent for the Refunded Bonds (the "Escrow Agent") deposit an amount sufficient, with investment earnings thereon, if any, to pay the amount due on the Refunded Bonds on the Redemption Date (the "Redemption Date"), all in accordance with the form of notice of redemption prepared by the Escrow Agent and attached to the Escrow Agreement. The Refunded Bonds shall not bear interest after the Redemption Date.

(b) The Authorized Officer is hereby authorized to enter into an escrow agreement (the "Escrow Agreement") with the Escrow Agent. The Escrow Agent is authorized to take such steps as may be necessary or appropriate to purchase securities and to create and fund the Escrow Fund pursuant to the Escrow Agreement through the use of the proceeds of the Bonds and other lawfully available monies, and to use such monies to redeem the Refunded Bonds on the Redemption Date.

ARTICLE VIII

GENERAL PROVISIONS

Section 8.1 Deposit and Uses of Bond Proceeds. The proceeds received from the sale of the Bonds, together with other available funds, if any, shall be applied as follows: (i) an amount as specified in the Officer's Pricing Certificate shall be deposited to the Debt Service Reserve Fund or shall be used to purchase a Credit Agreement, which together with the amount on deposit therein, is equal to the Debt Service Reserve Requirement; (ii) an amount, specified in the Officer's Pricing Certificate shall be deposited into the Escrow Fund for the Refunded Bonds; and (iii) an amount specified in the Officer's Pricing Certificate, equal to the Cities' and the Board's costs of issuance of the Bonds will be deposited as directed by an Authorized Officer.

Section 8.2 Payment of the Bonds. While any of the Bonds are outstanding and unpaid, the Board shall make available to the Paying Agent/Registrar, out of the Debt Service Fund or the Debt Service Reserve Fund, the amounts and at the times required by this Ordinance and the Master Bond Ordinance, money sufficient to pay when due all amounts required to be paid by this Ordinance, the Master Bond Ordinance, the Outstanding Ordinances, and the Additional Supplemental Ordinances, if any, that authorize the issuance of the Initial Obligations or Additional Obligations.

Section 8.3 Representations and Covenants. (a) The Cities and the Board will faithfully perform at all times any and all covenants, undertakings, stipulations, and provisions contained in the Master Bond Ordinance and this Ordinance; the Cities will promptly pay or cause to be paid from Pledged Revenues the principal of, interest on, and premium, if any, with respect to, each Bond on the dates and at the places and manner prescribed in each Bond; and the Cities will, at the times and in the manner prescribed by this Ordinance, deposit or cause to be deposited the amounts of money specified by the Master Bond Ordinance and this Ordinance.

(b) The Cities are duly authorized by Applicable Law to issue the Bonds; all action on their part for the issuance of the Bonds has been duly and effectively taken; and the Bonds in the hands of the Holders are and will be valid and enforceable special obligations of the Cities and the Board in accordance with their terms.

(c) The Board, the officers, employees and agents are hereby directed to observe, comply with and carry out the terms and provisions of this Ordinance.

Section 8.4 Bond Insurance. The Bonds may be offered with one or more commitments for bond insurance provided by the Insurer or Insurers, with the bond insurance to be evidenced by one or more of the then current legal forms of the Policy or Policies. The Cities may sell one or more maturities of the Bonds based on such insurance but are not required to obtain bond insurance from another source if the Insurer does not honor or is unable to honor its obligations to deliver the Policy or Policies on the Closing Date. In the event that any of the Bonds are insured, the covenants and representations of the Cities relating to insurance shall be set forth in the Officer's Pricing Certificates.

Section 8.5 Issuance of Taxable Bonds. The Bonds are not obligations described in section 103(a) of the Code.

ARTICLE IX

REPEAL, SEVERABILITY, AND EFFECTIVE DATE

Section 9.1 Ordinance Irrepealable. After any of the Bonds shall be issued, this Ordinance shall constitute a contract between the Cities, the Holders, and each Insurer, and this Ordinance shall be and remain irrepealable until the Bonds and the interest thereon shall be fully paid, canceled, refunded or discharged or provision for the payment thereof shall be made.

Section 9.2 Severability. If any Section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or lack of enforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. If any Section, paragraph, clause or provision of the Contract and Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or lack of enforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of the Contract and Agreement, or of any other provisions of this Ordinance not dependent directly for effectiveness upon the provision of the Contract and Agreement thus declared to be invalid and unenforceable.

Section 9.3 Effective Date. This Ordinance, when duly passed by both Cities, shall be in full force and effect.

PASSED BY THE FORT WORTH CITY COUNCIL THIS _____ DAY OF _____, 2019.

ATTEST:

_____ _____

Mayor
City of Fort Worth, Texas

City Secretary
City of Fort Worth

APPROVED AS TO FORM AND LEGALITY:

_____

City Attorney
City of Fort Worth, Texas

THE STATE OF TEXAS §
COUNTY OF TARRANT §
CITY OF FORT WORTH §

I, Mary J. Kayser, City Secretary of the City of Fort Worth, Texas, do hereby certify:

1. That the above and foregoing is a true and correct copy of an Ordinance, duly presented and passed by the City Council of the City of Fort Worth, Texas, at a regular meeting held on _____, 2019, as same appears of record in the Office of the City Secretary.

2. That said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

WITNESS MY HAND and the Official Seal of the City of Fort Worth, Texas, this __ day of _____, 2019.

City Secretary,
City of Fort Worth, Texas

(SEAL)

APPROVED AND ADOPTED BY THE DALLAS CITY COUNCIL THIS MAY 22, 2019.

CITY OF DALLAS:
T. C. Broadnax,
City Manager

By: _____
City Manager

APPROVED AS TO FORM:
Christopher J. Caso,
Interim City Attorney

By:_____
Assistant City Attorney

THE STATE OF TEXAS §
COUNTY OF DALLAS §
CITY OF DALLAS §

I, Billierae Johnson, City Secretary of the City of Dallas, Texas, do hereby certify:

1. That the above and foregoing is a true and correct copy of an excerpt from the minutes of the City Council of the City of Dallas, had in regular meeting, May 22, 2019, confirming the passage of Dallas/Fort Worth International Airport Fifty-Fourth Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas/Fort Worth International Airport Joint Revenue Bonds which ordinance is duly of record in the minutes of said City Council.

2. That said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

WITNESS MY HAND and seal of the City of Dallas, Texas, this _____ day of _____, 2019.

City Secretary,
City of Dallas, Texas

(SEAL)

SCHEDULE I

SCHEDULE OF REFUNDED BOND CANDIDATES

All or any portion of the following outstanding bonds that are set for in the Officer's Pricing Certificate:

Agenda Information Sheet

File #: 19-606 **Item #:** 38.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 1, 4, 5, 7, 8, 9

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize an agreement between Big Thought and the City of Dallas Park and Recreation Department to provide after-school services as Phase II of The Wallace Foundation Partnership for Social and Emotional Learning Initiative in partnership with Dallas Independent School District - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

In 2017, Big Thought and Dallas Independent School District (DISD) offered Dallas Park and Recreation Department (DPARD) with the opportunity to participate in The Wallace Foundation Partnership for Social and Emotional Learning Initiative (PSELI) through DPARD's after school programs at DISD elementary sites. PSELI is a national effort to help children in six communities gain greater opportunities for social and emotional learning and to understand how schools and out-of-school-time providers can work together to align and improve those opportunities. Through this initiative, DISD and Big Thought will focus on helping elementary children in Dallas develop positive social and emotional skills, such as self-control, persistence, team and goal-setting, which are linked to success in school, career and life.

Big Thought is requesting approval for DPARD after-school sites to participate in PSELI and has agreed to provide additional funding to enhance the after-school program at the selected campuses. Through the establishment of an agreement, Big Thought will supplement DPARD up to $572,814.00 for staffing, field trips, transportation, program supplies and enrichment vendors.

The agreement is subject to the following terms:

Big Thought Responsibilities:

- Establish an agreement between DPARD and Big Thought in partnership with DISD for implementation of The Wallace Foundation's PSELI from agreement execution date through June 30, 2021.

- Schools to participate in the initiative, but are not limited to the following locations:

  PSELI Lead Sites - Bayles Elementary, Edwin J. Kiest Elementary, Leila P. Cowart Elementary, Martin Weiss Elementary, Ascher Silberstein Elementary

  PSELI Comparison Sites - Harrell Budd Elementary, Clinton P. Russell Elementary, B.H. Macon Elementary and John Quincy Adams Elementary

- Big Thought will serve as the primary Out-of-School Time Intermediary (OSTI) liaison and provide services and in-kind resources to DPARD PSELI Lead Sites, including:

  - Assign a PSELI Site Coordinator for each site
  - Conduct instructional observations and share data with DPARD for continual improvement purposes
  - Coordinate and/or facilitate PSELI and program quality professional development
  - Set-up Learning Partners Fund in the amount of $9,000.00 for each PSELI site to provide supplemental enrichment vendors
  - Share results of formative and summative evaluation reports published for PSELI by The Wallace Foundation
  - Provide transportation support for Bayles Elementary, in partnership with DISD
  - Conduct a Needs Assessment for PSELI Lead Sites to increase program enrollment and utilization
  - Provide student attendance incentives valued at up to $1,250.00 per PSELI Lead Site
  - Arrange and pay for field trip admissions and transportation for summer 2019 camp programming in the amount of up to $14,200.00 per PSELI Lead Sites.

- Big Thought will reimburse/supplement DPARD in an amount not to exceed $105,000.00 for year two and an amount not to exceed $233,907.00 annually for year three and year four.

City Responsibilities:

DPARD will actively collaborate with Big Thought to ensure the implementation of deliverables outlined for PSELI, including:

  - Participate in Dallas After School's Program Quality Initiative and Student Outcomes Project
  - Participate in Big Thought's Six Dimensions of Quality Teaching & Learning observations and coaching
  - Ensure all site staff attend PSELI professional development sessions
  - Increase program enrollment at PSELI Lead sites to approximately 100 students
  - Secure consistent staffing throughout term to promote the maximum benefit of PSELI professional development
  - Administer a Performance Incentive Project for staff members at PSELI Lead Sites
  - Implement student attendance incentive program at PSELI Lead Sites
  - Increase scheduled hours of one front-line staff member per PSELI Lead Site by an additional 13 hours per week for 37 weeks
  - Hire, onboard and pay additional front-line staff necessary to serve additional student enrollment.

- Consider and implement adjustments to PSELI Lead Site operations based on Needs Assessment data.

The agreement may be terminated by either party with thirty days written notice.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 15, 2018, the Park and Recreation Board authorized a Letter of Understanding between Big Thought and the City of Dallas Park and Recreation Department.

On March 21, 2019, the Park and Recreation Board authorized an agreement with Big Thought.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on May 13, 2019.

FISCAL INFORMATION

No cost consideration to the City. The Dallas Park and Recreation Department will expense up to $572,814.00 from the PKR Program Fund. Through the establishment of an agreement, Big Thought will supplement DPARD up to $572,814.00 from during the term of the agreement. Big Thought will provide an amount not to exceed $105,000.00 for year two and an amount not to exceed $233,907.00 annually for year three and year four for five sites.

May 22, 2019

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

WHEREAS, the City of Dallas Park and Recreation Department (City) and Big Thought desire to enter into an agreement for the purpose of providing after-school services as Phase II of The Wallace Foundation Partnership for Social and Emotional Learning Initiative in partnership with Dallas Independent School District; and

WHEREAS, Big Thought will provide funding in an amount not to exceed $105,000.00 in year two and in an amount not to exceed $233,907.00 in year three and year four for program enhancements such as for staffing, field trips, transportation, program supplies and enrichment vendors; and

WHEREAS, the City will provide the staffing to support and implement the program.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute an agreement between Big Thought and the City of Dallas Park and Recreation Department, approved as to form by the City Attorney, to provide after-school services as Phase II of The Wallace Foundation Partnership for Social and Emotional Learning Initiative in partnership with Dallas Independent School District.

SECTION 2. That Big Thought will provide funding in an amount not to exceed $105,000.00 in year two and in an amount not to exceed $233,907.00 in year three and year four.

SECTION 3. That the term of the contract is from the date of execution through June 30, 2021.

SECTION 4. That the agreement may be terminated by either party with thirty days written notice.

SECTION 5. That this contract is designated as Contract No. PKR-2019-00009780.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-627 **Item #:** 39.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a professional services contract with Dal-Tech Engineering, Inc. for topographic survey, schematic design, geotechnical investigation, design development, flood plain permitting, construction documents, construction procurement, and construction observation phases for the Brownwood Park Erosion Control and Soccer Field Improvements Project located at 3400 Walnut Hill Lane - Not to exceed $72,322.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

BACKGROUND

On May 9, 2018, a Request for Qualifications (RFQ) was issued for Engineering and Landscape Architecture Consulting Services for Park Site Development Projects in the 2017 Bond Program. The projects included in this RFQ were considered “Simple Projects” which utilize the RFQ only selection process.

This action will authorize a professional services contract with Dal-Tech Engineering, Inc. for topographic survey, schematic design, geotechnical investigation, design development, flood plain permitting, construction documents, construction procurement, and construction observation phases for the Brownwood Park Erosion Control and Soccer Field Improvements Project. The scope of work includes erosion control, fencing, irrigation, soccer field grading and turf improvements at Brownwood Park located at 3400 Walnut Hill Lane.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	September 2019
Complete Design	June 2020
Begin Construction	September 2020
Complete Construction	December 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 2, 2019, the Park and Recreation Board authorized a professional services contract with Dal-Tech Engineering, Inc.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on May 13, 2019.

FISCAL INFORMATION

Park and Recreation Facilities (B) Fund (2017 Bond Funds) - $72,322.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE%	M/WBE $
$72,322.00	Architectural & Engineering	25.66%	100.00%	$72,322.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

In accordance with the City of Dallas Administrative Directive 4-5 procurement guidelines, Dal-Tech Engineering, Inc. was selected as the most qualified consultant for this project.

OWNER

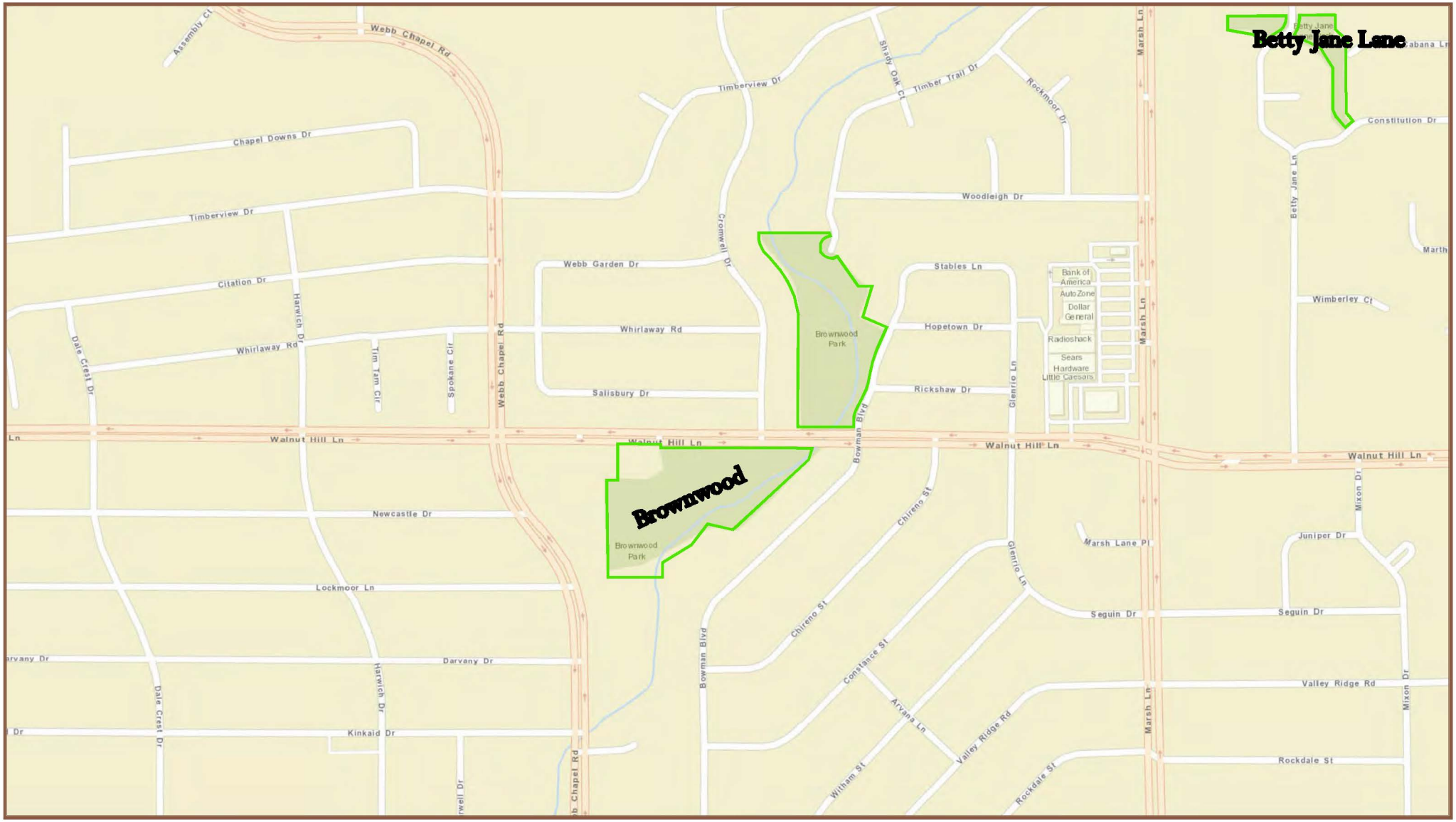
Dal-Tech Engineering, Inc.

Sedi A. Toumani, President

MAP

Attached

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0 200 400 800 1,200 Feet

1 in = 400 ft

Dallas Park & Recreation

Brownwood Park
(3400 Walnut Hill Ln)

District 6

May 22, 2019

WHEREAS, on May 9, 2018, a Request for Qualifications was issued for Engineering and Landscape Architecture Consulting Services for Park Site Development Projects in the 2017 Bond Program; and

WHEREAS, in accordance with Administrative Directive 4-5, Dal-Tech Engineering, Inc. was selected as the most qualified consultant for the Brownwood Park Erosion Control and Soccer Field Improvements Project; and

WHEREAS, it is now desirable to authorize a professional services contract with Dal-Tech Engineering, Inc. for topographic survey, schematic design, geotechnical investigation, design development, flood plain permitting, construction documents, construction procurement, and construction observation phases for the Brownwood Park Erosion Control and Soccer Field Improvements Project located at 3400 Walnut Hill Lane, in an amount not to exceed $72,322.00.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a professional services contract with Dal-Tech Engineering, Inc., approved as to form by the City Attorney, for topographic survey, schematic design, geotechnical investigation, design development, flood plain permitting, construction documents, construction procurement, and construction observation phases for the Brownwood Park Erosion Control and Soccer Field Improvements Project located at 3400 Walnut Hill Lane, in an amount not to exceed $72,322.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $72,322.00 to Dal-Tech Engineering, Inc. in accordance with the terms and conditions of the contract, as follows:

Park and Recreation Facilities (B) Fund Fund 1V00, Department PKR, Unit VB73, Object 4112 Activity ERCT, Program PK17VB73, Commodity 92500 Encumbrance/Contract No. PKR-2019-00009611 Vendor 262063	$48,214.67
Park and Recreation Facilities (B) Fund Fund 1V00, Department PKR, Unit VB74, Object 4112 Activity ERCT, Program PK17VB74, Commodity 92500 Encumbrance/Contract No. PKR-2019-00009611 Vendor 262063	$24,107.33
Total amount not to exceed	$72,322.00

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

Agenda Information Sheet

File #: 19-630 **Item #:** 40.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Kimley-Horn and Associates, Inc. for additional design and floodplain permitting for the Aquatics Phase 2 Projects for Bachman Regional Aquatic Center at Bachman Park located at 2750 Bachman Drive - Not exceed $133,875.00, from $2,628,800.00 to $2,762,675.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

BACKGROUND

On June 27, 2018, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. for architectural and engineering services for the schematic design, design development, construction documents, bidding and negotiation, and construction administration for the Aquatics Phase 2 projects to be constructed at Bachman Park located at 2750 Bachman Drive, Bahama Beach Waterpark located at 1895 Campfire Circle, Exline Park located at 2525 Pine Street, and Harry Stone Park located at 2403 Millmar Drive, in an amount not to exceed $2,600,000.00, by Resolution No. 18-0940.

On March 8, 2019, Administrative Action No. 19-5668, authorized Supplemental Agreement No. 1 to the professional services contract with Kimley-Horn and Associates, Inc. for architectural and engineering services for the schematic design, design development, construction documents, bidding and negotiation, and construction administration for the Aquatics Phase 2 Projects for additional design and consulting services for the Bachman Regional Aquatic Center. The scope of work included the investigation of the viability and constraints for three alternative sites for floodplain restrictions, utilities, costs and scheduling impacts, and prepare alternative conceptual plans, in an amount not to exceed $28,800.00, increasing the contract amount from $2,600,000.00 to $2,628,800.00.

This action will authorize Supplemental Agreement No. 2 to the professional services contract with Kimley-Horn and Associates, Inc. for additional design and floodplain permitting for the Bachman Regional Aquatic Center based on the final selected site concept connecting the bathhouse to the existing recreation center, building at existing grade, expanding the layout and budget, and preparing a City of Dallas Floodplain Alteration Permit, in an amount not to exceed $133,875.00, increasing the contract amount from $2,628,800.00 to $2,762,675.00.

ESTIMATED SCHEDULE OF PROJECT

Began Design	July 2018
Complete Design	December 2019
Begin Construction	May 2020
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSION)

On June 7, 2018, the Park and Recreation Board authorized a professional services contract with Kimley-Horn and Associates, Inc. for architectural and engineering services.

Information about this item was provided to the Quality of Life, Arts and Culture Committee on June 25, 2018.

On June 27, 2018, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. for architectural and engineering services for the schematic design, design development, construction documents, bidding and negotiation, and construction administration for the Aquatics Phase 2 Projects to be constructed at Bachman Park located at 2750 Bachman Drive, Bahama Beach Waterpark located at 1895 Campfire Circle, Exline Park located at 2525 Pine Street, and Harry Stone Park located at 2403 Millmar Drive by Resolution No. 18-0940.

On May 2, 2019, the Park and Recreation Board authorized Supplemental Agreement No. 2 to the professional services contract with Kimley-Horn and Associates, Inc.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on May 13, 2019.

FISCAL INFORMATION

Park and Recreation Facilities (B) Fund (2017 Bond Funds) - $133,875.00

Original Professional Services Contract	$2,600,000.00
Supplemental Agreement No. 1	$ 28,800.00
Supplemental Agreement No. 2 (this action)	$ 133,875.00
Total amount not to exceed	$2,762,675.00

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M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
133,875.00	Professional Services	36.30%	20.45%	$27,375.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
• Supplemental Agreement No. 2 - 25.47% Overall M/WBE participation				

OWNER

Kimley-Horn and Associates, Inc.

John C. Atz, P.E., Chief Executive Officer

MAP

Attached

powered by Legistar™



0 200 400 800 1,200 Feet

1 in = 400 ft

Dallas Park & Recreation

Bachman Park Aquatic Center
(2750 Bachman Dr)

Mapsco
33 B,C

District
6

WHEREAS, on June 27, 2018, City Council a professional services contract with Kimley-Horn and Associates, Inc. for architectural and engineering services for the schematic design, design development, construction documents, bidding and negotiation, and construction administration for the Aquatics Phase 2 Projects to be constructed at Bachman Park located at 2750 Bachman Drive, Bahama Beach Waterpark located at 1895 Campfire Circle, Exline Park located at 2525 Pine Street, and Harry Stone Park located at 2403 Millmar Drive, in an amount not to exceed $2,600,000.00, by Resolution No. 18-0940; and

WHEREAS, on March 8, 2019, Administrative Action No. 19-5668, authorized Supplemental Agreement No. 1 to the professional services contract with Kimley-Horn and Associates, Inc. for architectural and engineering services for the schematic design, design development, construction documents, bidding and negotiation, and construction administration for the Aquatics Phase 2 Projects for additional design and consulting services for the Bachman Regional Aquatic Center, in an amount not to exceed $28,800.00, increasing the contract amount from $2,600,000.00 to $2,628,800.00; and

WHEREAS, this action will authorize Supplemental Agreement No. 2 to the professional services contract with Kimley-Horn and Associates, Inc. for additional design and floodplain permitting for the Aquatics Phase 2 Projects for Bachman Regional Aquatic Center at Bachman Park located at 2750 Bachman Drive, in an amount not to exceed $133,875.00, increasing the contract amount from $2,628,800.00 to $2,762,675.00.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute Supplemental Agreement No. 2 to professional services contract with Kimley-Horn and Associates, Inc., approved as to form by the City Attorney, for additional design and floodplain permitting for the Aquatics Phase 2 Projects for Bachman Regional Aquatic Center at Bachman Park located at 2750 Bachman Drive, in an amount not to exceed $133,875.00, increasing the contract amount from $2,628,800.00 to $2,762,675.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $133,875.00 to Kimley-Horn and Associates, Inc. from Park and Recreation Facilities (B) Fund, Fund 1V00, Department PKR, Unit VB48, Object 4112, Activity AQFC, Program PK17VBV8, Encumbrance/Contract No. CX-PKR-2018-00006596, Commodity 90656, Vendor 135447.

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

Agenda Information Sheet

File #: 19-629 **Item #:** 41.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize Supplemental Agreement No. 3 to the design-build services contract with Harrison, Walker & Harper, LP. for the design and construction for Fair Park Facility Improvements for additional architectural and engineering services and an increase in the construction services package for the renovations of the Music Hall located at 909 1st Avenue and the African American Museum located at 3536 Grand Avenue - Not to exceed $3,134,650.00, from $2,704,320.00 to $5,838,970.00 - Financing: Fair Park Improvements (C) Fund (2017 Bond Funds)

BACKGROUND

On June 27, 2018, City Council authorized a design-build services contract with Harrison, Walker & Harper, LP. for pre-design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of Fair Park Facility Improvements for Music Hall located at 909 1st Avenue, African American Museum located at 3536 Grand Avenue and Aquarium Annex located at 1458 1st Avenue, in an amount not to exceed $903,303.00, by Resolution No. 18-0997. The original contract award included pre-design and pre-construction services and architectural and engineering services for the design and construction of the facility improvements at the Music Hall at Fair Park, African American Museum and Aquarium Annex. The original contract award also included an early construction package for the Music Hall in the amount of $600,000.00 to address the needs for Americans with Disabilities Act (ADA) items and an ADA accessible elevator.

On November 28, 2018, City Council authorized Supplemental Agreement No. 1 to the design-build contract with Harrison, Walker & Harper, LP. for the design and construction for Fair Park Facility Improvements for additional architectural and engineering design services and an increase in the early construction package for an elevator and ADA improvements at the Music Hall in the amount of $723,556.00 and an increase in the early construction package to add exterior lighting at the Music Hall in the amount of $610,000.00, for a total amount not to exceed $1,333,556.00, increasing the contract amount from $930,303.00 to $2,236,859.00, by Resolution No. 18-1714.

On March 27, 2019, City Council authorized Supplemental Agreement No. 2 to the design-build services contract with Harrison, Walker & Harper, LP. for the design and construction for Fair Park Facility Improvements for additional architectural and engineering services and an increase in the construction package for the renovation of the Aquarium Annex, in an amount not to exceed $440,461.00, increasing the contract amount from $2,263,859.00 to $2,704,320.00, by Resolution No. 19-0443. The renovation included repairs to the exterior wall, door and window framing; glass pane replacement; improvements to the front door approach and rest room to comply with the ADA; structural repairs; ceiling replacement; plumbing fixtures replacement; lighting system replacements; heating, ventilation and air conditioning replacement; fire alarm replacement; and security system replacement.

This action will authorize Supplemental Agreement No. 3 to the design-build contract with Harrison, Walker & Harper, LP. for the design and construction for Fair Park Facility Improvements for additional architectural and engineering services and an increase in the construction services package for the renovations of the Music Hall located at 909 1st Avenue and the African American Museum located at 3536 Grand Avenue, in an amount not to exceed $3,134,650.00, increasing the contract amount from $2,704,320.00 to $5,838,970.00. Renovations to the Music Hall include improved ADA access, repairs where leaks occurred, floor finishes, auditorium aisle lighting and plumbing repairs. Renovations to the African American Museum include exterior cleaning, repairs and improvements to doors and flooring as well as improvements to mechanical, electrical, plumbing and security systems.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	July 2019
Complete Construction	March 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 7, 2018, the Park and Recreation Board authorized a design-build services contract with Harrison, Walker & Harper, LP.

Information about this item was provided to the Quality of Life, Arts and Culture Committee on June 25, 2018.

On June 27, 2018, City Council authorized a design-build services contract with Harrison, Walker & Harper, LP. for pre-design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of Fair Park Facility Improvements for Music Hall located at 909 1st Avenue, African American Museum located at 3536 Grand Avenue and Aquarium Annex located at 1458 1st Avenue by Resolution No. 18-0997.

On November 1, 2018, the Park and Recreation Board deferred this item to the November 15, 2018 agenda.

On November 15, 2018, the Park and Recreation Board authorized Supplemental Agreement No. 1 to the design-build services contract with Harrison, Walker & Harper, LP.

Information about this item was provided to the Quality of Life, Arts and Culture Committee on November 26, 2018.

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On November 28, 2018, City Council authorized Supplemental Agreement No. 1 to the design-build services contract with Harrison, Walker & Harper, LP. for the design and construction for Fair Park Facility Improvements for additional architectural and engineering design services and an increase in the early construction package for an elevator, Americans with Disabilities Act improvements and to add exterior lighting for the Music Hall located at 909 1st Avenue by Resolution No. 18-1714.

On February 28, 2019, the Park and Recreation Board authorized Supplemental Agreement No. 2 to the design-build services contract with Harrison, Walker & Harper, LP.

Information about this item was provided to the Quality of Life, Arts and Culture Committee on March 25, 2019.

On March 27, 2019, City Council authorized Supplemental Agreement No. 2 to the design-build services contract with Harrison, Walker & Harper, LP. for the design and construction for Fair Park Facility Improvements for additional architectural and engineering services and an increase in the construction package for the renovation of the Aquarium Annex located at 1458 1st Avenue by Resolution No. 19-0443.

On May 2, 2019, the Park and Recreation Board authorized Supplemental Agreement No. 3 to the design-build services contract with Harrison, Walker & Harper, LP.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on May 13, 2019.

FISCAL INFORMATION

Fair Park Improvements (C) Fund (2017 Bond Funds) - $3,134,650.00

Original Design-Build Contract	$ 930,303.00
Supplemental Agreement No. 1	$1,333,556.00
Supplemental Agreement No. 2	$ 440,461.00
Supplemental Agreement No. 3 (this action)	$3,134,650.00
Total amount not to exceed	$5,838,970.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$3,134,650.00	Construction	25.00%	19.93%	$624,850.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
• Supplemental Agreement No. 3 - 30.80% Overall M/WBE participation				

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OWNER

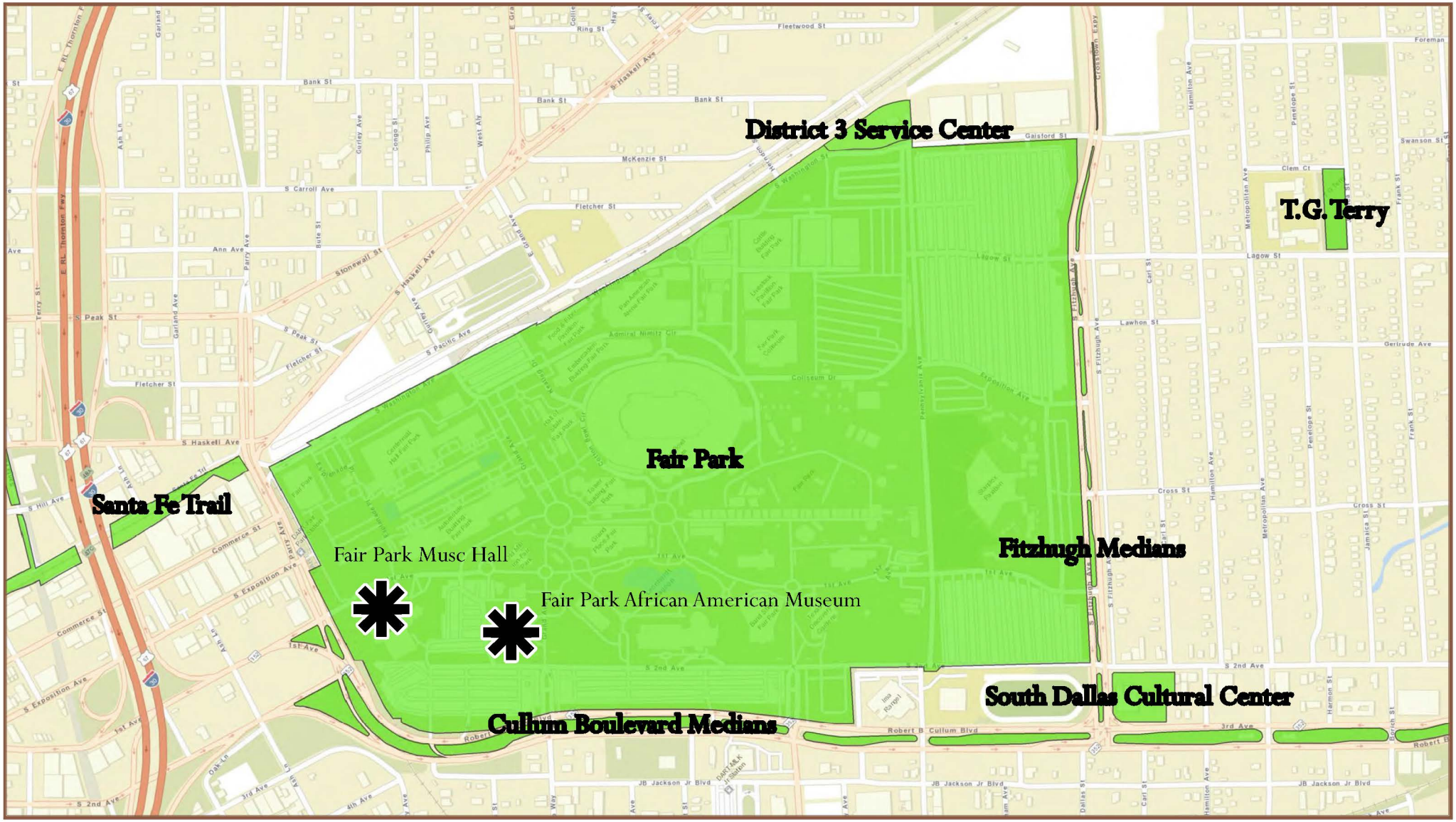
Harrison, Walker & Harper, LP.

Jordan Harper, Chief Executive Officer

MAP

Attached

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0 255 510 1,020 1,530 Feet

1 in = 500 ft

Dallas Park & Recreation

Fair Park African American Museum
(3536 Grand Ave)
Fair Park Musc Hall
(909 1st Ave)

District
7

WHEREAS, on June 27, 2018, City Council authorized a design-build services contract with Harrison, Walker & Harper, LP. for pre-design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of Fair Park Facility Improvements for Music Hall located at 909 1st Avenue, African American Museum located at 3536 Grand Avenue and Aquarium Annex located at 1458 1st Avenue, in an amount not to exceed $930,303.00, by Resolution No. 18-0997; and

WHEREAS, on November 28, 2018, City Council authorized Supplemental Agreement No. 1 to the design-build services contract with Harrison, Walker & Harper, LP. for the design and construction for Fair Park Facility Improvements for additional architectural and engineering design services and an increase in the early construction package for an elevator, Americans with Disabilities Act improvements and to add exterior lighting for the Music Hall located at 909 1st Avenue, in an amount not to exceed $1,333,556.00, from $930,303.00 to $2,263,859.00, by Resolution No. 18-1714; and

WHEREAS, on March 27, 2019, City Council authorized Supplemental Agreement No. 2 to the design-build services contract with Harrison, Walker & Harper, LP. for the design and construction for Fair Park Facility Improvements for additional architectural and engineering services and an increase in the construction package for the renovation of the Aquarium Annex located at 1458 1st Avenue, in an amount not to exceed $440,461.00, from $2,263,859.00 to $2,704,320.00, by Resolution No. 19-0443; and

WHEREAS, this action will authorize Supplemental Agreement No. 3 to the design-build services contract with Harrison, Walker & Harper, LP. for the design and construction for Fair Park Facility Improvements for additional architectural and engineering services and an increase in the construction services package for the renovations of the Music Hall located at 909 1st Avenue and the African American Museum located at 3536 Grand Avenue, in an amount not to exceed $3,134,650.00, increasing the contract amount from $2,704,320.00 to $5,838,970.00.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute Supplemental Agreement No. 3 to the design-build services contract with Harrison, Walker & Harper, LP., approved as to form by the City Attorney, for the design and construction for Fair Park Facility Improvements for additional architectural and engineering services and an increase in the construction services package for the renovations of the Music Hall located at 909 1st Avenue and the African American Museum located at 3536 Grand Avenue, in an amount not to exceed $3,134,650.00, increasing the contract amount from $2,704,320.00 to $5,838,970.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,134,650.00 to Harrison, Walker & Harper, LP. as follows:

Fair Park Improvements (C) Fund Fund 1V02, Department PKR, Unit VC02, Object 4111 Activity FPRK, Program PK17VC02, Commodity 90625 Encumbrance/Contract No. CX-PKR-2018-00006532 Vendor 513339	$ 205,902.00
Fair Park Improvements (C) Fund Fund 1V02, Department PKR, Unit VC02, Object 4310 Activity FPRK, Program PK17VC02, Commodity 90625 Encumbrance/Contract No. CX-PKR-2018-00006532 Vendor 513339	$1,310,135.00
Fair Park Improvements (C) Fund Fund 1V02, Department PKR, Unit VC03, Object 4111 Activity FPRK, Program PK17VC03, Commodity 90625 Encumbrance/Contract No. CX-PKR-2018-00006532 Vendor 513339	$ 94,176.00
Fair Park Improvements (C) Fund Fund 1V02, Department PKR, Unit VC03, Object 4310 Activity FPRK, Program PK17VC03, Commodity 90625 Encumbrance/Contract No. CX-PKR-2018-00006532 Vendor 513339	$1,524,437.00
Total amount not to exceed	$3,134,650.00

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

Agenda Information Sheet

File #: 19-710 **Item #:** 42.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Police Department

EXECUTIVE: Jon Fortune

SUBJECT

Authorize **(1)** an application for the Commercial Auto Theft Interdiction Squad/27 Grant from the Texas Automobile Burglary and Theft Prevention Authority, requiring a local match and an in-kind contribution, to provide a specialized proactive automobile theft program, for the period September 1, 2019 through August 31, 2020; and **(2)** an application for the continuation or modification of the grant for subsequent years - Financing: This action has no cost consideration to the City

BACKGROUND

This action will allow the City to submit an application for the Commercial Auto Theft Interdiction Squad Grant. This will be the 27th consecutive application for the Dallas Police Department. This grant funds a specialized proactive investigative unit comprised of one sergeant and four senior corporals, currently housed at the City's Auto Theft Salvage Unit of the Dallas Police Department. The grant will continue to target commercial auto theft offenders who profit from vehicles stolen each year in Dallas, including salvage yards, chop shops, wrecker services, used car dealers, and large organized auto theft rings.

If awarded, the Automobile Burglary and Theft Prevention Authority specifically requires the governing body to approve the acceptance of the grant. If accepted, this grant will require a 20 percent cash match and will be incorporated into the FY 2019-2020 General Fund Budget.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 22, 2015, City Council authorized an application for the Commercial Auto Theft Interdiction Squad/23 Grant from the Texas Automobile Burglary & Theft Prevention Authority by Resolution No. 15-0805.

On August 26, 2015, City Council authorized the acceptance of the Commercial Auto Theft Interdiction Squad/23 Grant from the Texas Automobile Burglary & Theft Prevention Authority by Resolution No. 15-1550.

On August 24, 2016, City Council authorized the acceptance of the Commercial Auto Theft Interdiction Squad/24 Grant from the Texas Automobile Burglary & Theft Prevention Authority by Resolution No. 16-1340.

On May 24, 2017, City Council authorized an application for the Commercial Auto Theft Interdiction Squad/25 Grant; and an application for the continuation or modification of the grant for subsequent years by Resolution No. 17-0850.

On September 13, 2017, City Council authorized the acceptance of the Commercial Auto Theft Interdiction Squad/25 Grant from the Texas Automobile Burglary & Theft Prevention Authority by Resolution No. 17-1439.

On June 27, 2018, City Council authorized an application for and the acceptance of the Commercial Auto Theft Interdiction Squad/26 Grant from the Texas Automobile Burglary and Theft Prevention Authority by Resolution No. 18-0945.

Information about this item will be provided to the Public Safety and Criminal Justice Committee on May 13, 2019.

FISCAL INFORMATION

This action has no cost consideration to the City.

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May 22, 2019

WHEREAS, under the provisions of the Texas Revised Civil Status Article 4413(37) and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Automobile Burglary and Theft Prevention Authority to provide financial support to law enforcement agencies for economic automobile theft enforcement teams and to combat automobile burglary in the jurisdiction; and

WHEREAS, this grant program will assist this jurisdiction to combat automobile burglary and theft; and

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

WHEREAS, it is in the best interest of the City of Dallas to apply for such funding; and

WHEREAS, the City of Dallas has agreed that in the event of loss or misuse of the grant funds, City of Dallas assures that the grant will be returned in full to the Automobile Burglary and Theft Prevention Authority.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to **(1)** apply for the Commercial Auto Theft Interdiction Squad/27 Grant from the Texas Automobile Burglary and Theft Prevention Authority, requiring a local match and an in-kind contribution, to provide a specialized proactive automobile theft program, for the period September 1, 2019 through August 31, 2020; and **(2)** apply for the continuation or modification of the grant for subsequent years.

SECTION 2. That the City Manager is hereby authorized to provide 20 percent required cash match, in the event that the grant is awarded. The City Council approves the acceptance of the grant and the provision of required cash match and in-kind contributions after approval of the application and if grant is awarded.

SECTION 3. That the City of Dallas assures that the funds will be returned to the Automobile Burglary and Theft Prevention Authority in full in the event of loss or misuse of funds.

SECTION 4. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

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

Agenda Information Sheet

File #: 19-512 **Item #:** 43.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 10, 11, 12, 13

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Halff Associates, Inc. for the engineering design of Storm Drainage Contract A (list attached to the Agenda Information Sheet) - Not to exceed $422,501.00 - Financing: Flood Control (D) Fund (2017 Bond Funds)

BACKGROUND

This action will authorize a professional services contract with Halff Associates, Inc. for the engineering design of storm drainage improvement projects at seven locations. The City of Dallas has determined that these locations require improvements to provide adequate capacity for the conveyance of storm water flows and address localized flooding during storm events. The proposed projects are part of the 2017 Bond Program, Proposition D for Flood Protection and Storm Drainage.

Each location has distinct challenges that require engineering analysis and design services. The scope of work includes design services for drainage system and inlet improvement projects to protect structures from flooding. The services provided include project management, topographic and boundary surveys, subsurface utility exploration, geotechnical investigations, permitting assistance, development of conceptual and preliminary construction plans, and development of pre-final and final construction plans and special specifications.

The consulting firm was selected following a qualifications-based selection process in accordance with City of Dallas Administrative Directive 4-5 procurement guidelines.

Following are the locations and design costs for each project:

Storm Drainage Projects

Projects	Council District	Amount
9700 Block of Forestridge Drive & 9600 Block of Chiswell Road	10	$177,755.00

Hughes Lane at Kalani Place	11	$ 86,058.00
7028 Creek Bend Road	12	$ 8,485.00
16209 Meandering Way	12	$ 8,152.00
5910 Tree Shadow Trail	12	$100,783.00
Rexford Drive at Shorecrest Drive	13	$ 18,477.00
3500 Versailles Avenue	13	$ 22,791.00

ESTIMATED SCHEDULE OF PROJECT

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Flood Control (D) Fund (2017 Bond Funds) - $422,501.00

Estimated Future Cost - Construction - $3,432,000.00

Council District	Amount
10	$177,755.00
11	$ 86,058.00
12	$117,420.00
13	$ 41,268.00
Total	$422,501.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$422,501.00	Architectural & Engineering	25.66%	26.83	$113,368.00
• This contract exceeds the M/WBE goal.				

OWNER

Halff Associates, Inc.

Patrick L Kunz, P.E., President

MAPS

Attached

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Segment List
Contract No. 19-055E
Storm Drainage Contract A
Stormwater Project Management

District 10

9700 Block of Forestridge Drive & 9600 Block of Chiswell Road

District 11

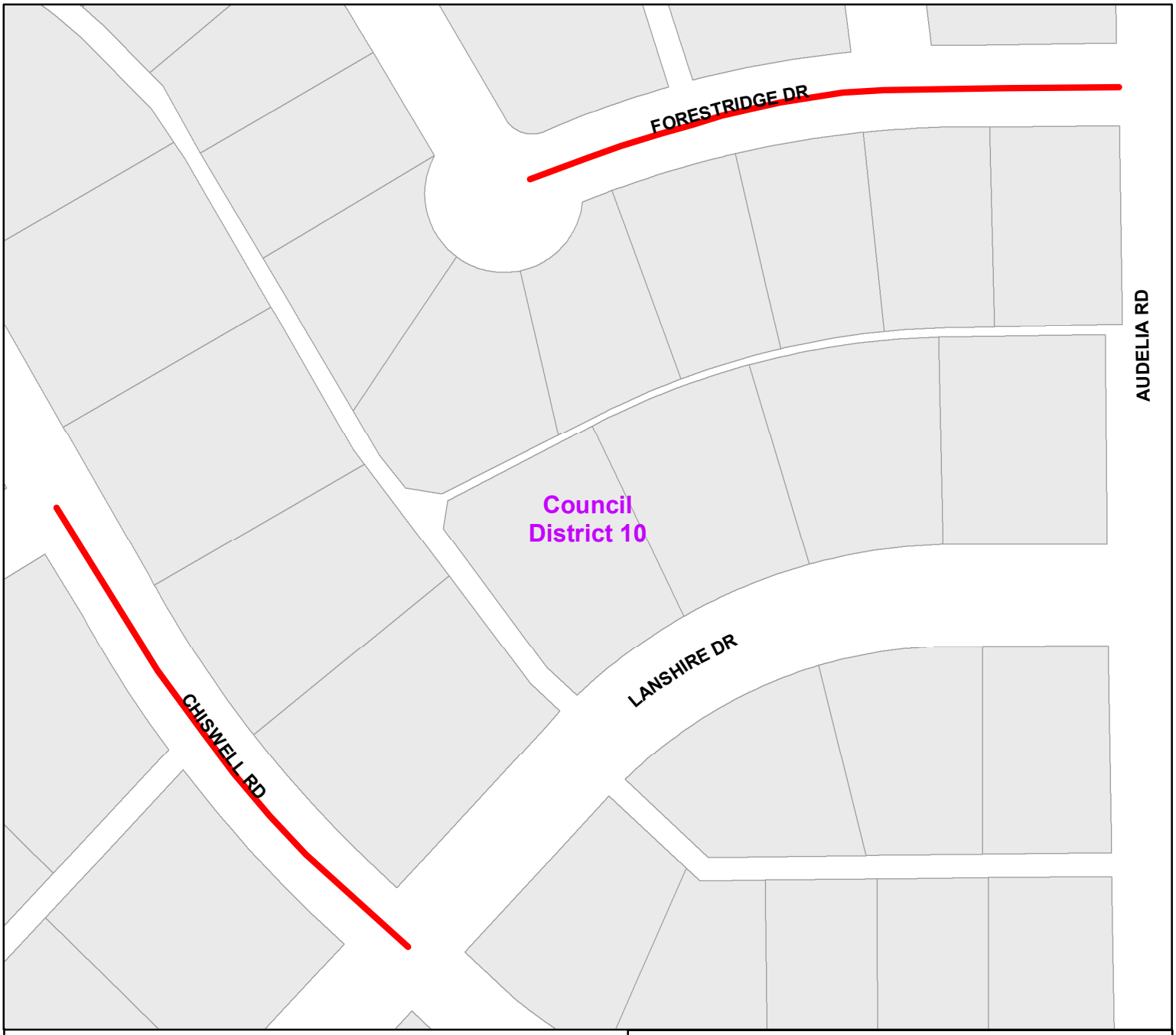
Hughes Lane at Kalani Place

District 12

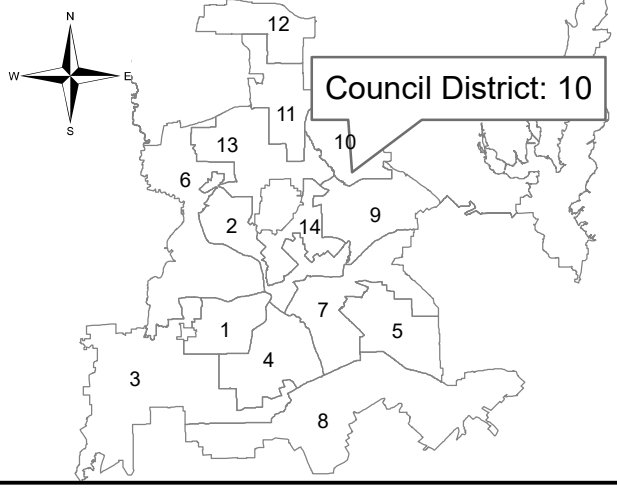
7028 Creek Bend Road
16209 Meandering Way
5910 Tree Shadow Trail

District 13

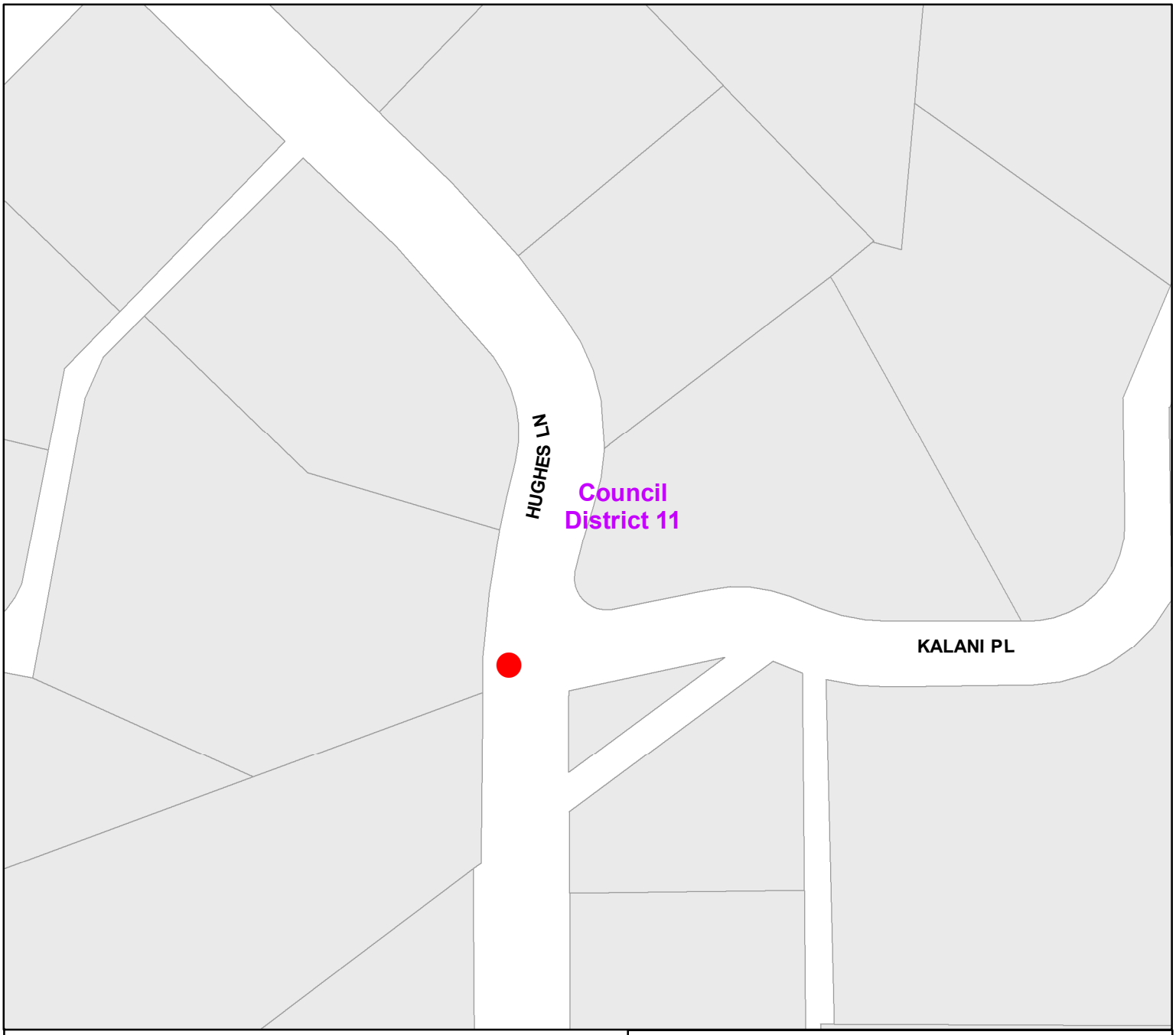
Rexford Drive at Shorecrest Drive
3500 Versailles Avenue



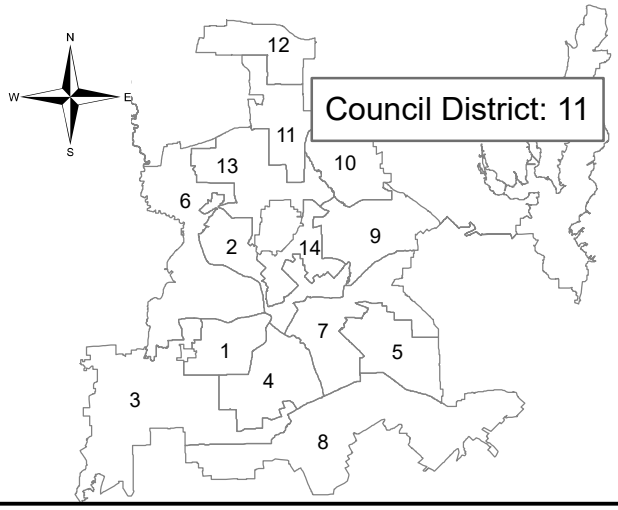
9700 Block of Forestridge Drive &
9600 Block of Chiswell Road



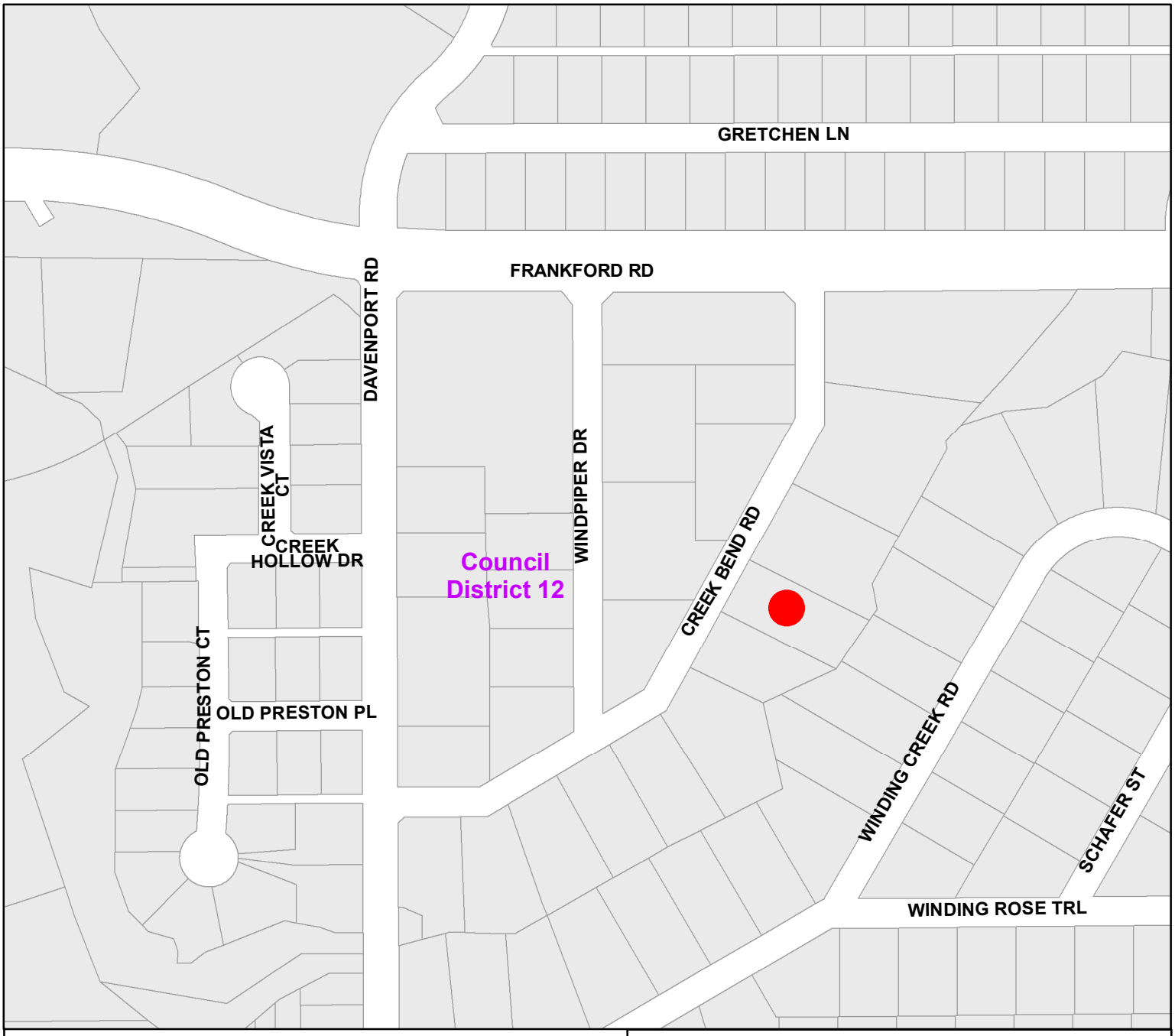
Dallas Water Utilities
Contract No. 19-055E
Storm Drainage Contract A
Stormwater Project Management



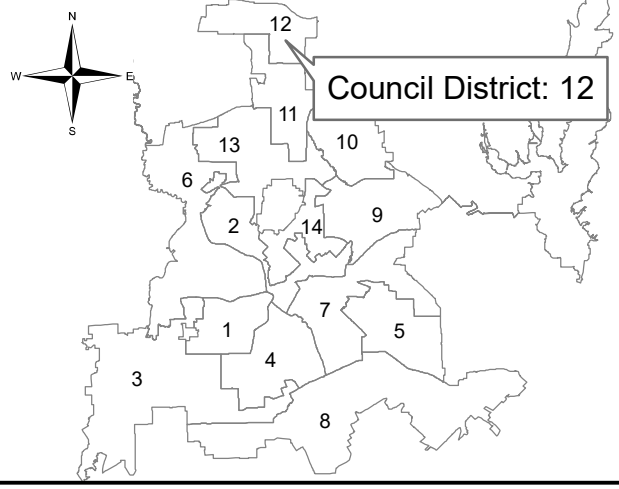
Hughes Lane at
Kalani Place



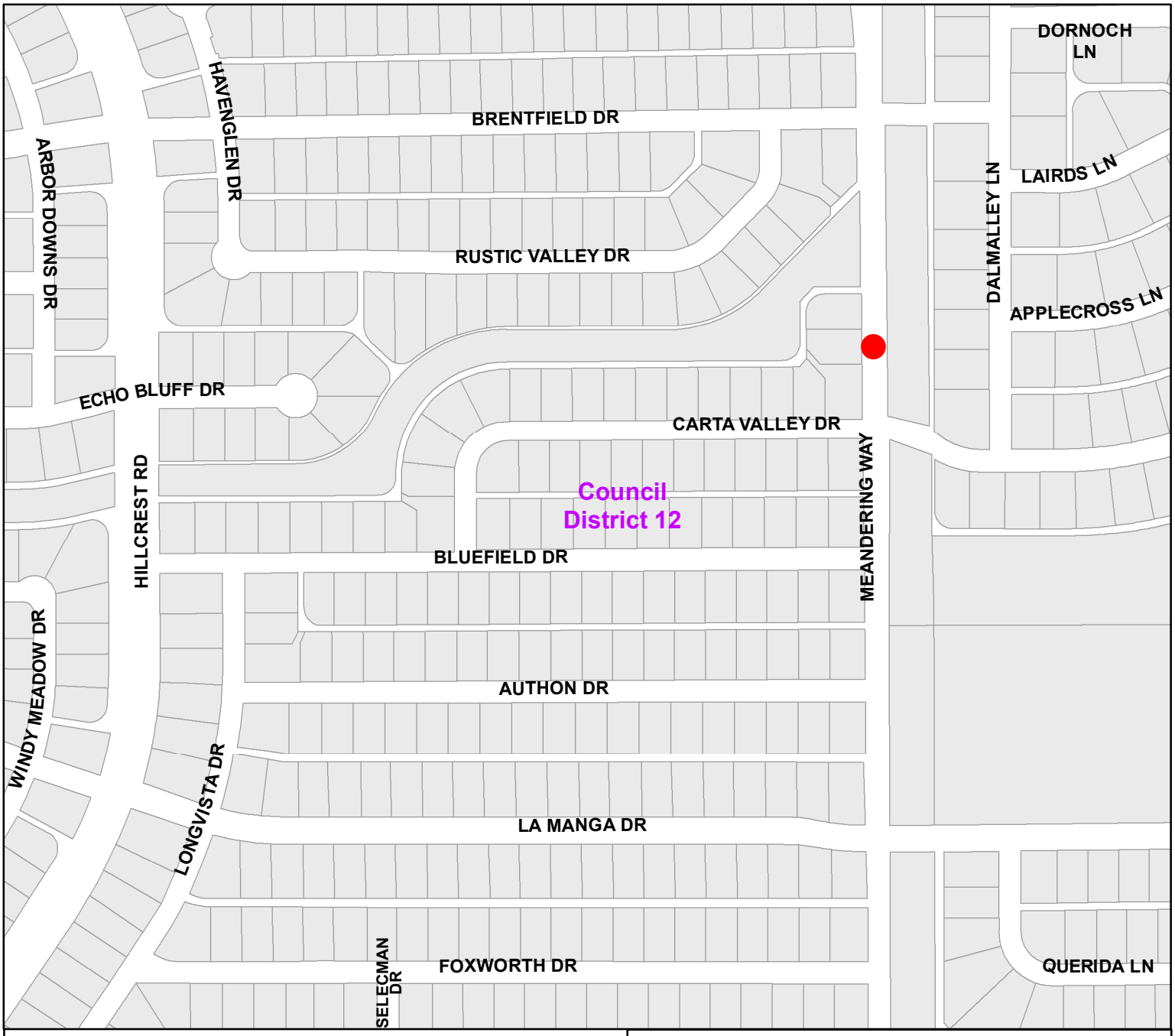
Dallas Water Utilities
Contract No. 19-055E
Storm Drainage Contract A
Stormwater Project Management



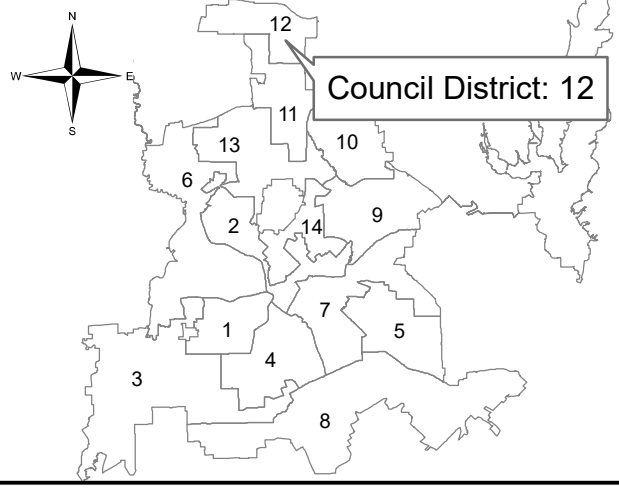
7028 Creek Bend Road



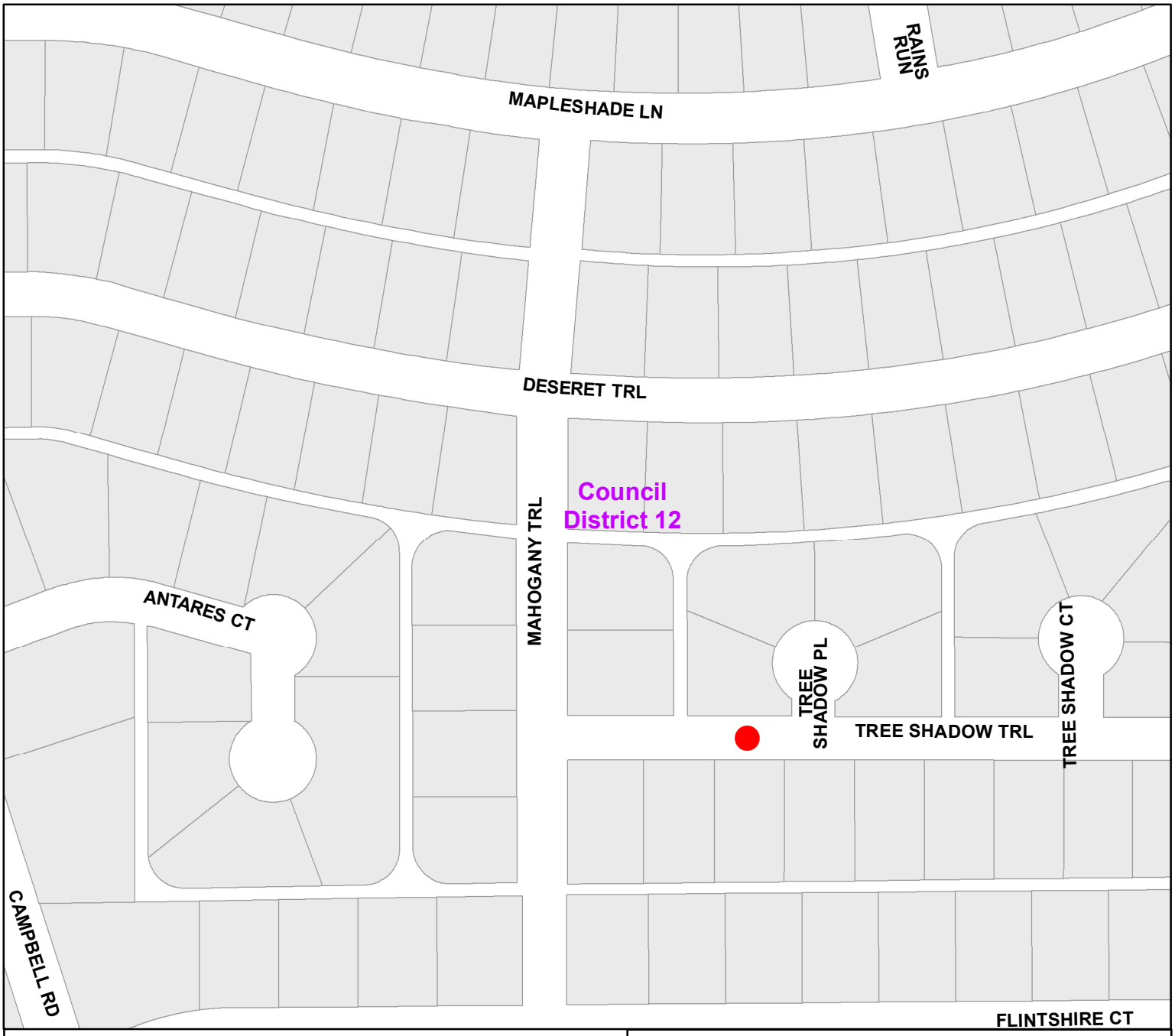
Dallas Water Utilities
Contract No. 19-055E
Storm Drainage Contract A
Stormwater Project Management



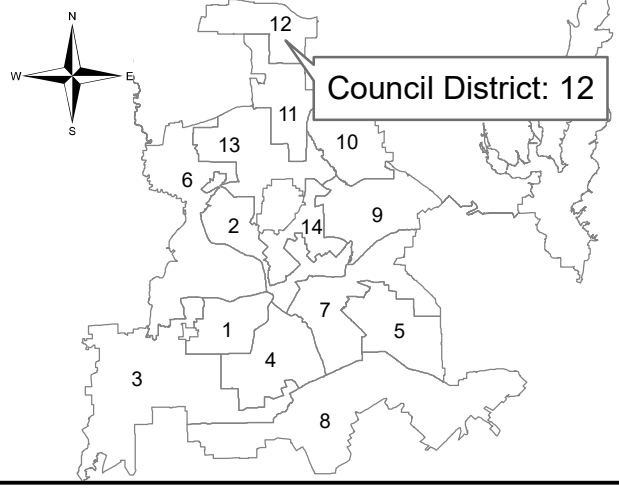
16209 Meandering Way



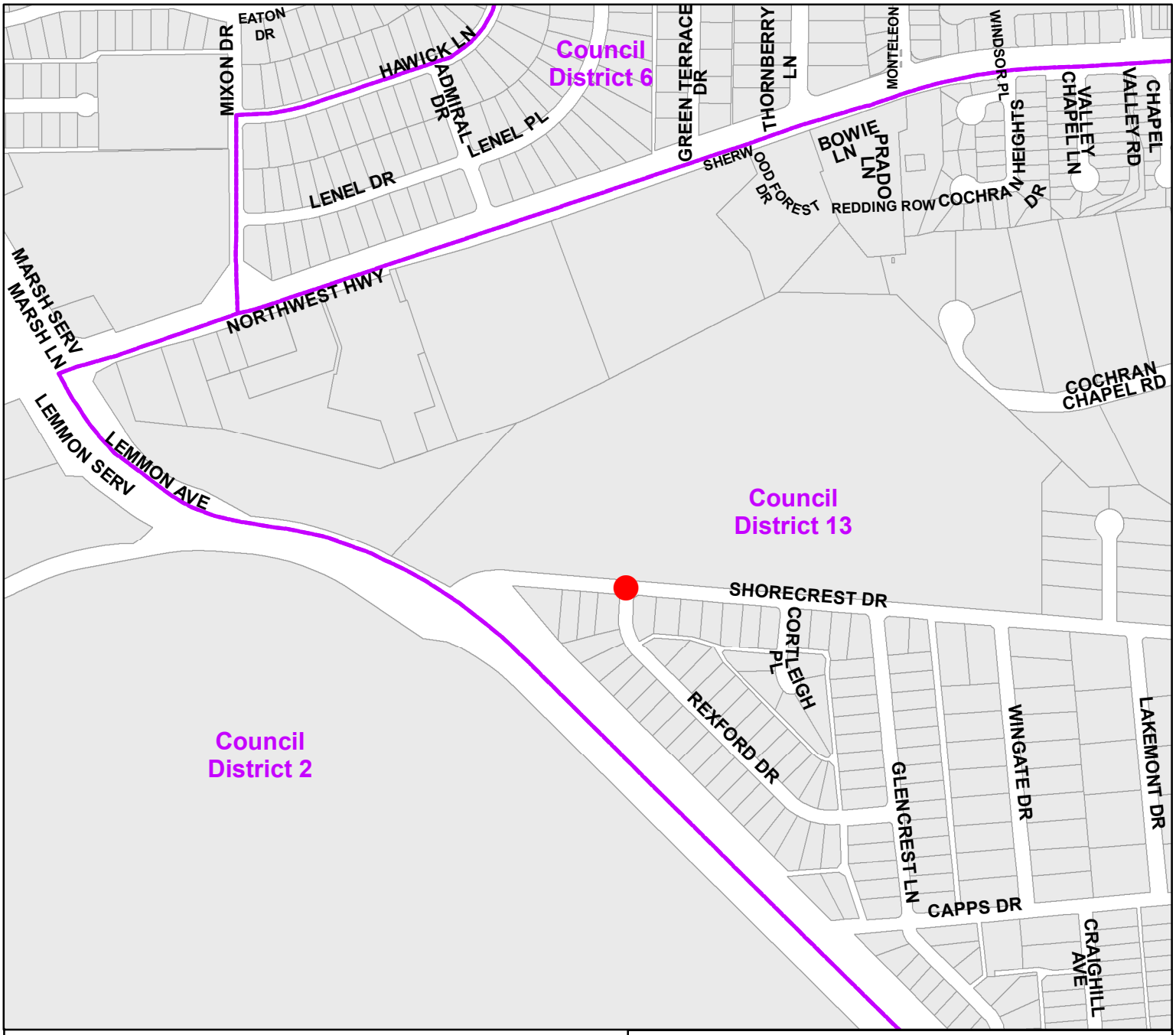
Dallas Water Utilities
Contract No. 19-055E
Storm Drainage Contract A
Stormwater Project Management



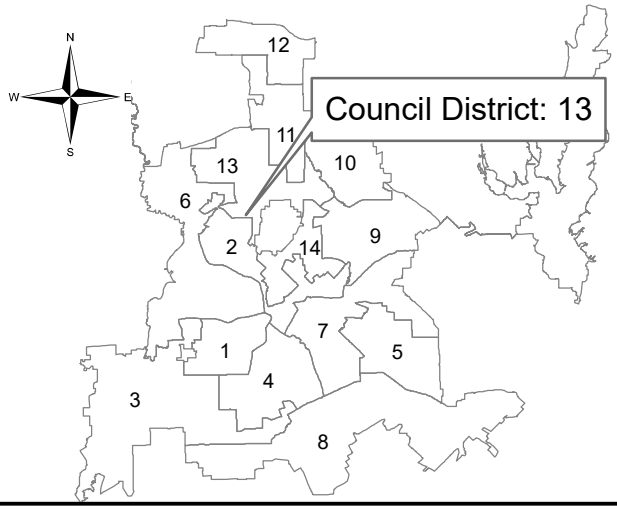
5910 Tree Shadow Trail



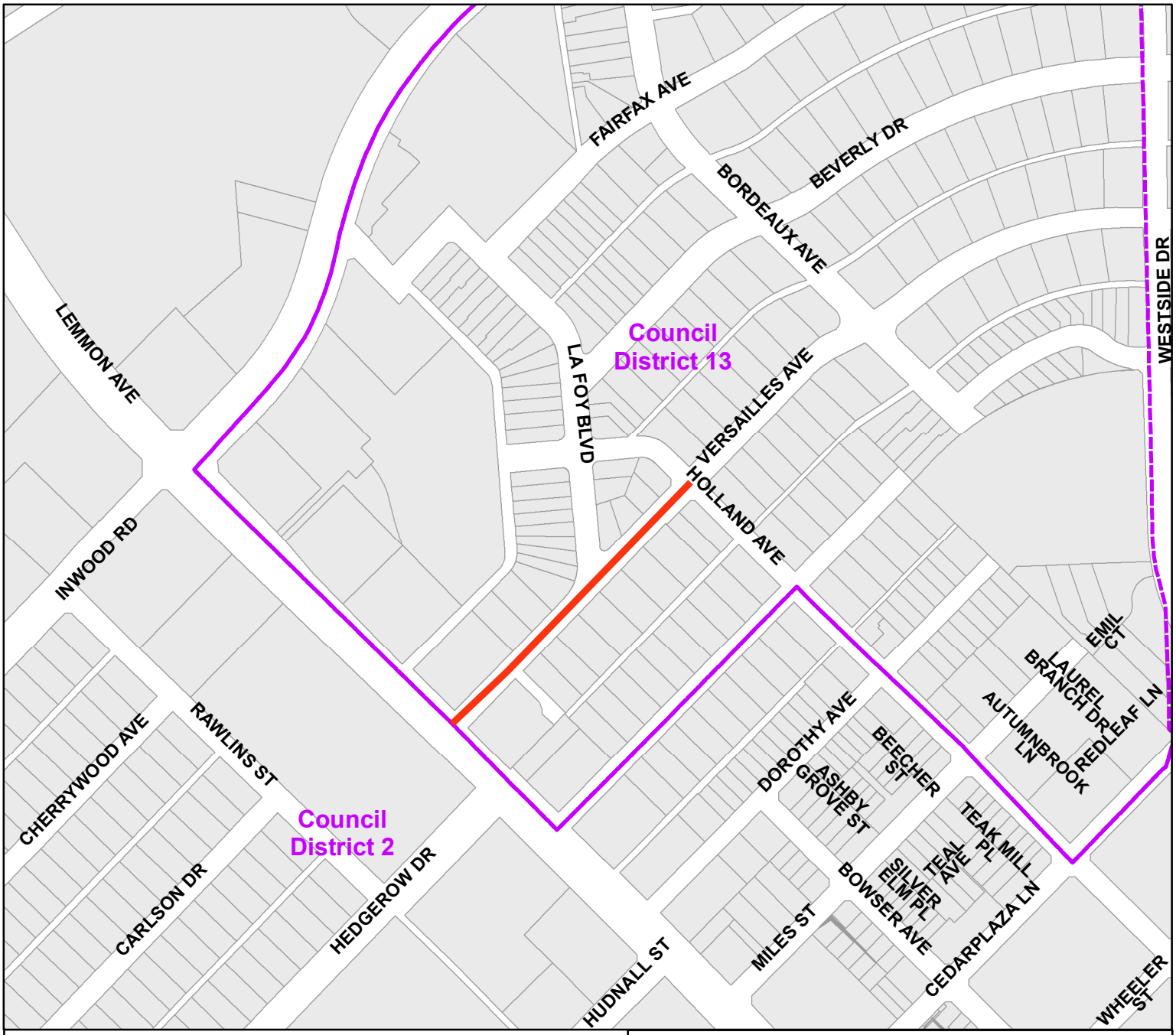
Dallas Water Utilities
Contract No. 19-055E
Storm Drainage Contract A
Stormwater Project Management



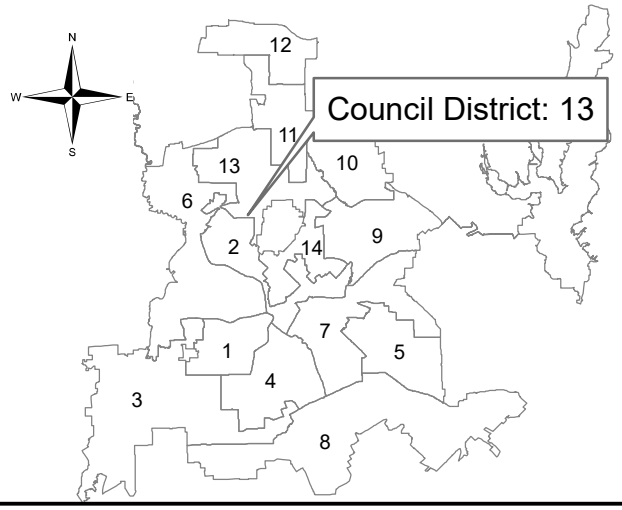
Rexford Drive at
Shorecrest Drive



Dallas Water Utilities
Contract No. 19-055E
Storm Drainage Contract A
Stormwater Project Management



3500 Versailles Avenue



Dallas Water Utilities
Contract No. 19-055E
Storm Drainage Contract A
Stormwater Project Management

May 22, 2019

WHEREAS, the City of Dallas has identified a need to address drainage problems occurring at various locations within the City; and

WHEREAS, engineering services are required to design and construct storm sewer infrastructure improvements at seven locations for flood protection and storm drainage relief; and

WHEREAS, engineering services will include preliminary investigation, surveying, geotechnical investigation, preliminary design, and development of construction plans and specifications; and

WHEREAS, Halff Associates, Inc.-1201 N. Bowser Road, Richardson, TX 75081, has submitted an acceptable proposal to provide these engineering services.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a professional services contract with Halff Associates, Inc., approved as to form by the City Attorney, for the engineering design of Storm Drainage Contract A, in an amount not to exceed $422,501.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $ $422,501.00 to Halff Associates, Inc., in accordance with the terms and conditions of the contract, as follows:

Flood Control (D) Fund Fund 1V23, Department TWM, Unit VD76, Activity SDRS Object 4111, Program TW17VD76 Encumbrance/Contract No. CX-DWU-2019-00009197 Vendor 089861	$177,755.00
Flood Control (D) Fund Fund 1V23, Department TWM, Unit VD78, Activity SDRS Object 4111, Program TW17VD78 Encumbrance/Contract No. CX-DWU-2019-00009197 Vendor 089861	$ 86,058.00
Flood Control (D) Fund Fund 1V23, Department TWM, Unit VD80, Activity SDRS Object 4111, Program TW17VD80 Encumbrance/Contract No. CX-DWU-2019-00009197 Vendor 089861	$ 8,485.00

SECTION 2. (continued)

Flood Control (D) Fund Fund 1V23, Department TWM, Unit VD81, Activity SDRS Object 4111, Program TW17VD81 Encumbrance/Contract No. CX-DWU-2019-00009197 Vendor 089861	$ 8,152.00
Flood Control (D) Fund Fund 1V23, Department TWM, Unit VD79, Activity SDRS Object 4111, Program TW17VD79 Encumbrance/Contract No. CX-DWU-2019-00009197 Vendor 089861	$100,783.00
Flood Control (D) Fund Fund 1V23, Department TWM, Unit VD83, Activity SDRS Object 4111, Program TW17VD83 Encumbrance/Contract No. CX-DWU-2019-00009197 Vendor 089861	$ 22,791.00
Flood Control (D) Fund Fund 1V23, Department TWM, Unit VD53, Activity SDRS Object 4111, Program TW17VD53 Encumbrance/Contract No. CX-DWU-2019-00009197 Vendor 089861	$ 18,477.00
Total amount not to exceed	$422,501.00

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

Agenda Information Sheet

File #: 19-502 **Item #:** 44.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 10

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Garver, LLC, for the engineering design of the Lake Highlands Town Center Dredge Project - Not to exceed $135,957.00 - Financing: Flood Control (D) Fund (2017 Bond Funds)

BACKGROUND

This action will authorize a professional services contract with Garver, LLC for the engineering design of dredging efforts at the Lake Highlands Town Center. The project is located on Jackson Branch and will remove sediments around the mouth of the lake to restore the apparent original contour. The scope of work consists of surveying, design, permitting and other services necessary to prepare construction plans, specifications and contract documents and to observe construction.

The Lake Highlands Town Center was completed as part of a public-private economic development project and included an on-channel lake system within Jackson Branch. During construction, the lake system was used as an in-situ sediment basin to implement the stormwater pollution prevention plan. In early 2004, this lake system was identified as one of several high-priority water bodies in the City's Comprehensive Dredge Management Plan. Significant sedimentation and vegetation is occurring at the mouth of the lake just south of Walnut Hill affecting the storage capacity and function of the lake. Since the time of the original construction, restaurants, apartments, trails, a Dallas Area Rapid Transit station, and several other features have been constructed adjacent to the lake system, creating challenges for access and sediment dewatering. These challenges, along with unknown sediment quality and physical characteristics and the need for public outreach efforts, require the specialized skills of a professional engineering firm.

The consulting firm was selected following a qualifications-based selection process in accordance with the City of Dallas Administrative Directive 4-5 procurement guidelines.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	July 2019
Complete Design	July 2020
Begin Construction	December 2020
Complete Construction	July 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Flood Control (D) Fund (2017 Bond Funds) - $135,957.00

Estimated Future Cost - Construction - $1,165,700.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$135,957.00	Architectural & Engineering	25.66%	26.55%	$36,090.00
• This contract exceeds the M/WBE goal.				

OWNER

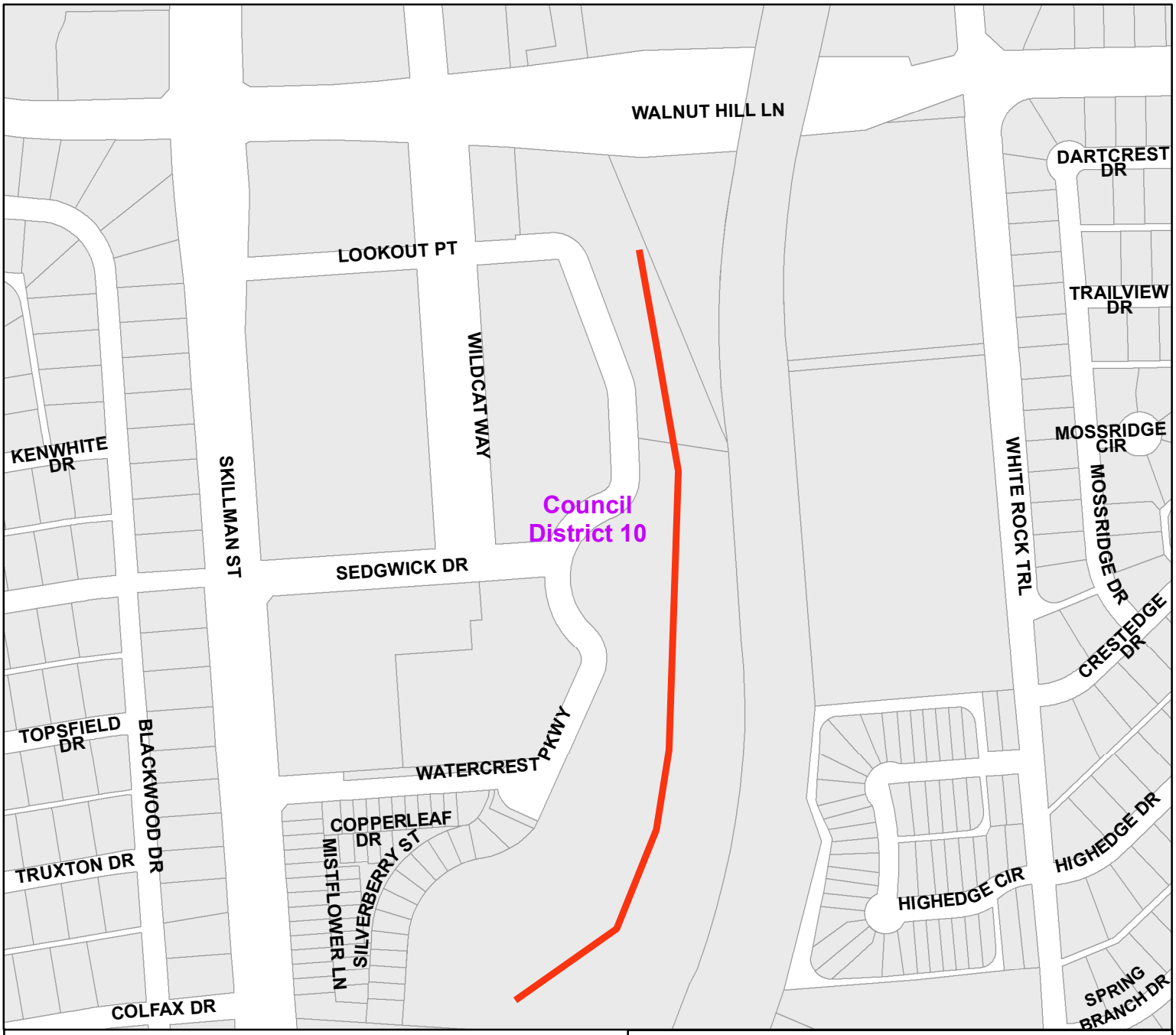
Garver, LLC

Brock Hoskins, President

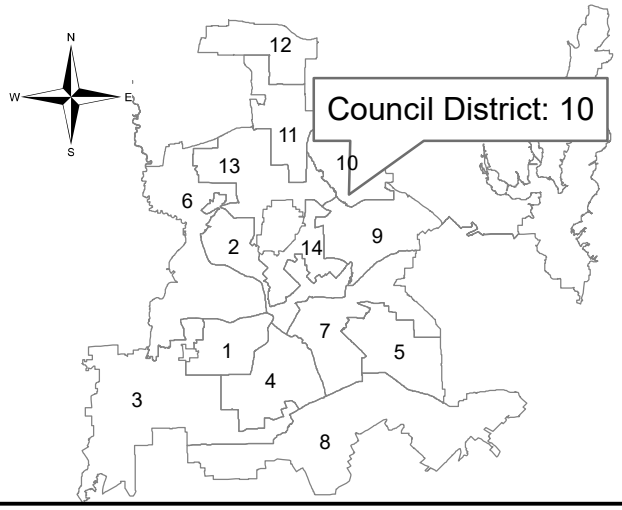
MAP

Attached

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Lake Highlands Town Center
Dredge Project



Dallas Water Utilities
Contract No. 19-069E
Stormwater Project Management

May 22, 2019

WHEREAS, the City of Dallas has identified a need to address the sedimentation accumulation and vegetative growth at the Lake Highlands Town Center on Jackson Branch; and

WHEREAS, engineering services are required for dredging efforts to restore the hydraulic capacity of Jackson Branch and decrease the risk potential for flooding in the area; and

WHEREAS, this project will consist of surveying, design, permitting, and other services necessary to prepare construction plans, specifications and contract documents, and construction observation for the Lake Highlands Town Center Dredge Project; and

WHEREAS, Garver, LLC.,14160 North Dallas Parkway, Suite 850, Dallas, Texas 75254, has submitted an acceptable proposal to provide these engineering services.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a professional services contract with Garver, LLC, approved as to form by the City Attorney, for the engineering design of the Lake Highlands Town Center Dredge Project, in an amount not to exceed $135,957.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not exceed $135,957.00 to Garver, LLC. from Flood Control (D) Fund, Fund 1V23, Department TWM, Unit VD77, Object 4111, Activity ERCT, Program TW17VD77, Encumbrance/Contract No. CX-DWU-2019-00009204, Vendor VS0000016343.

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

Agenda Information Sheet

File #: 19-496 **Item #:** 45.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Signature Automation, LLC to provide engineering services for the design, construction administration, and start-up associated with Supervisory Control and Data Acquisition system improvements at the Southside Wastewater Treatment Plant - Not to exceed $2,680,000.00 - Financing: Wastewater Capital Improvement Fund

BACKGROUND

Dallas Water Utilities has identified the need for automation and control improvements at the Southside Wastewater Treatment Plant (SWWTP). The SWWTP is one of two wastewater plants providing treatment for Dallas Water Utilities customers. The plant is located in southeast Dallas and is permitted to treat an average annual flow of 110 million gallons of wastewater per day.

This project includes the evaluation and design of instrumentation and control equipment to optimize treatment operations by improving reliability, consistency and minimizing treatment cost. The existing Supervisory Control and Data Acquisition (SCADA) system at the SWWTP is reaching the end of its useful life. All hardware and software are obsolete and currently not supported by the original manufacturers. SCADA system improvements at the SWWTP were identified in the 2010 Wastewater Facilities Strategic Plan and are critical to ensure the continued, reliable treatment of wastewater.

The consulting firm for this project was selected following a qualifications-based selection process in accordance with City of Dallas Administrative Directive 4-5 procurement guidelines.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	July 2019
Complete Design	December 2020
Begin Construction	March 2021
Complete Construction	January 2023

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

Wastewater Capital Improvement Fund - $2,680,000.00

Estimated Future Cost - Construction - $16,000,000.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$2,680,000.00	Architectural & Engineering	25.66%	85.81%	$2,299,615.00
• This contract exceeds the M/WBE goal.				

OWNER

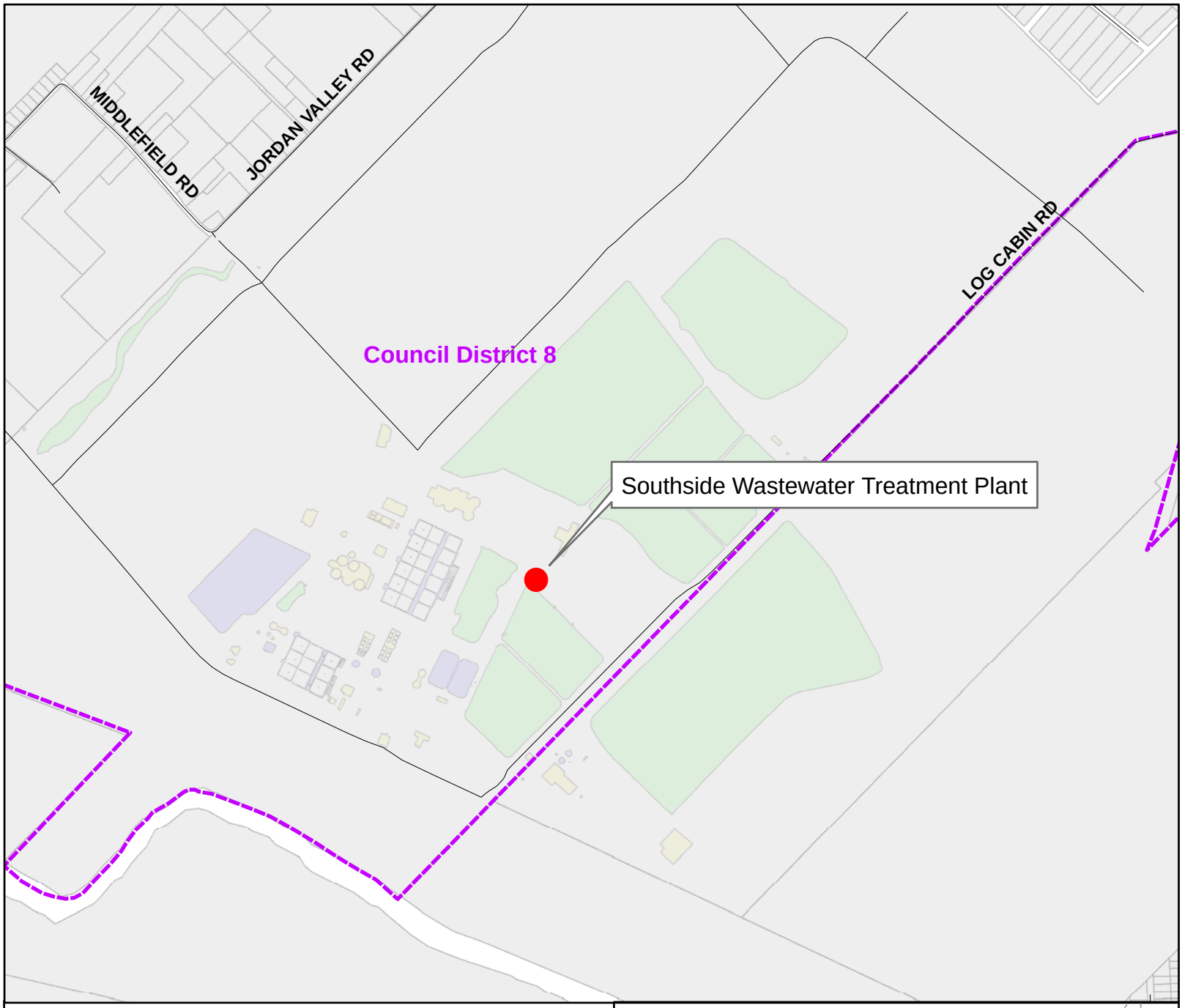
Signature Automation, LLC

Rick Hidalgo, P.E., President

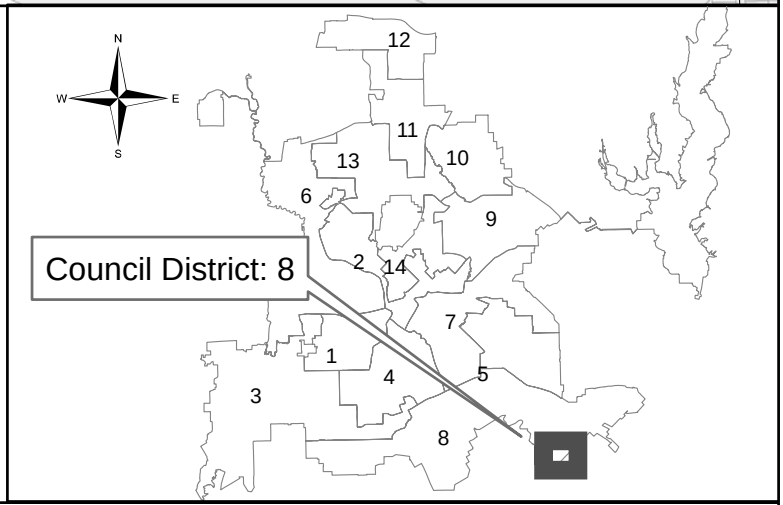
MAP

Attached

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Southside Wastewater Treatment Plant



Dallas Water Utilities
Contract No. 18-478E
Southside Wastewater Treatment Plant
Consultant Engineering Services for
SCADA Improvements

May 22, 2019

WHEREAS, the City of Dallas has identified the need for automation and control improvements at the Southside Wastewater Treatment Plant; and

WHEREAS, engineering services are required for the design, construction administration, and start-up associated with Supervisory Control and Data Acquisition improvements; and

WHEREAS, Signature Automation, LLC, 14677 Midway Road, Suite 212, Addison, Texas 75001 has submitted an acceptable proposal to provide these engineering services.

Now, Therefore,

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

SECTION 1. That the proposal submitted by Signature Automation, LLC, Contract No. 18-478E, in the amount of $2,680,000.00 be approved and the consultant be authorized to perform the required engineering services.

SECTION 2. That the City Manager is hereby authorized to execute a professional services contract with Signature Automation, LLC, approved as to form by the City Attorney, to provide engineering services for the design, construction administration, and start-up associated with Supervisory Control and Data Acquisition improvements at the Southside Wastewater Treatment Plant, in an amount not to exceed $2,680,000.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,680,000.00 to Signature Automation, LLC from the Wastewater Capital Improvement Fund, Fund 3116, Department DWU, Unit PS31, Object 4111, Program 718478, Encumbrance/Contract No. CX-DWU-2019-00009094, Vendor VS0000074006.

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

Agenda Information Sheet

File #: 19-513 **Item #:** 46.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize **(1)** the First Amendment to the Project Specific Agreement with Dallas County for the 96-inch diameter water transmission pipeline located along Wintergreen Road between Main Street and Cockrell Hill Road to provide the City of Dallas' share of additional construction costs for Phase I of the project along Wintergreen Road from the intersection of Main Street and Wintergreen Road to approximately 1,300 feet east; and **(2)** payment to Dallas County for the City's share of additional construction cost - Not to exceed $536,050.00, from $2,120,000.00 to $2,656,050.00 - Water Utilities Capital Improvement Funds

BACKGROUND

The City of Dallas is currently undertaking the design and property acquisition of approximately 32 miles of 96-inch and 120-inch diameter water transmission pipeline starting from the East Side Water Treatment Plant in Sunnyvale to the Summit Ground Storage Tanks in Cedar Hill. The pipeline will be located in Dallas and several neighboring cities, including Sunnyvale, Mesquite, Balch Springs, Hutchins, Lancaster, DeSoto, Duncanville, and Cedar Hill.

The water transmission pipeline is required to facilitate conveyance of treated water to the south and southwestern portions of Dallas and its customer cities. Installation of the pipeline is needed to meet near and long-term demands associated with population growth, as determined through master planning efforts. The overall pipeline is sized to meet 2050 water demands and will provide flexibility, redundancy, reliability, increased capacity, and improved operation to Dallas Water Utilities' existing system.

Since Dallas County has plans for paving and drainage improvements along the same alignment as the future water transmission pipeline, the City of Dallas entered into a Project Specific Agreement (PSA) with Dallas County for the design, right-of-way acquisition and construction of approximately 5,500 feet of 96-inch diameter water transmission pipeline located along Wintergreen Road between Main Street and Cockrell Hill Road. The PSA established an estimated budget of $2,120,000.00 for the City's share of construction and right-of-way acquisition costs for Phase I of the project along

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Wintergreen Road from the intersection of Main Street and Wintergreen Road to approximately 1,300 feet east. This action will authorize the first amendment to the PSA to increase funding allocated for reimbursement to the County for the City's share of actual construction costs. Construction bids were received by Dallas County and the City's share of construction costs is more than originally estimated when the agreement was executed.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction (Phase I)	June 2019
Complete Construction (Phase I)	December 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 8, 2017, City Council authorized a Project Specific Agreement with Dallas County for the design, right-of-way acquisition and construction of approximately 5,500 feet of 96-inch diameter water transmission pipeline located along Wintergreen Road between Main Street and Cockrell Hill Road; and payment to Dallas County for the City's share of right-of-way acquisition and construction costs for Phase I of the project along Wintergreen Road from the intersection of Main Street and Wintergreen Road to approximately 1,300 feet east by Resolution No. 17-0271.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on May 13, 2019.

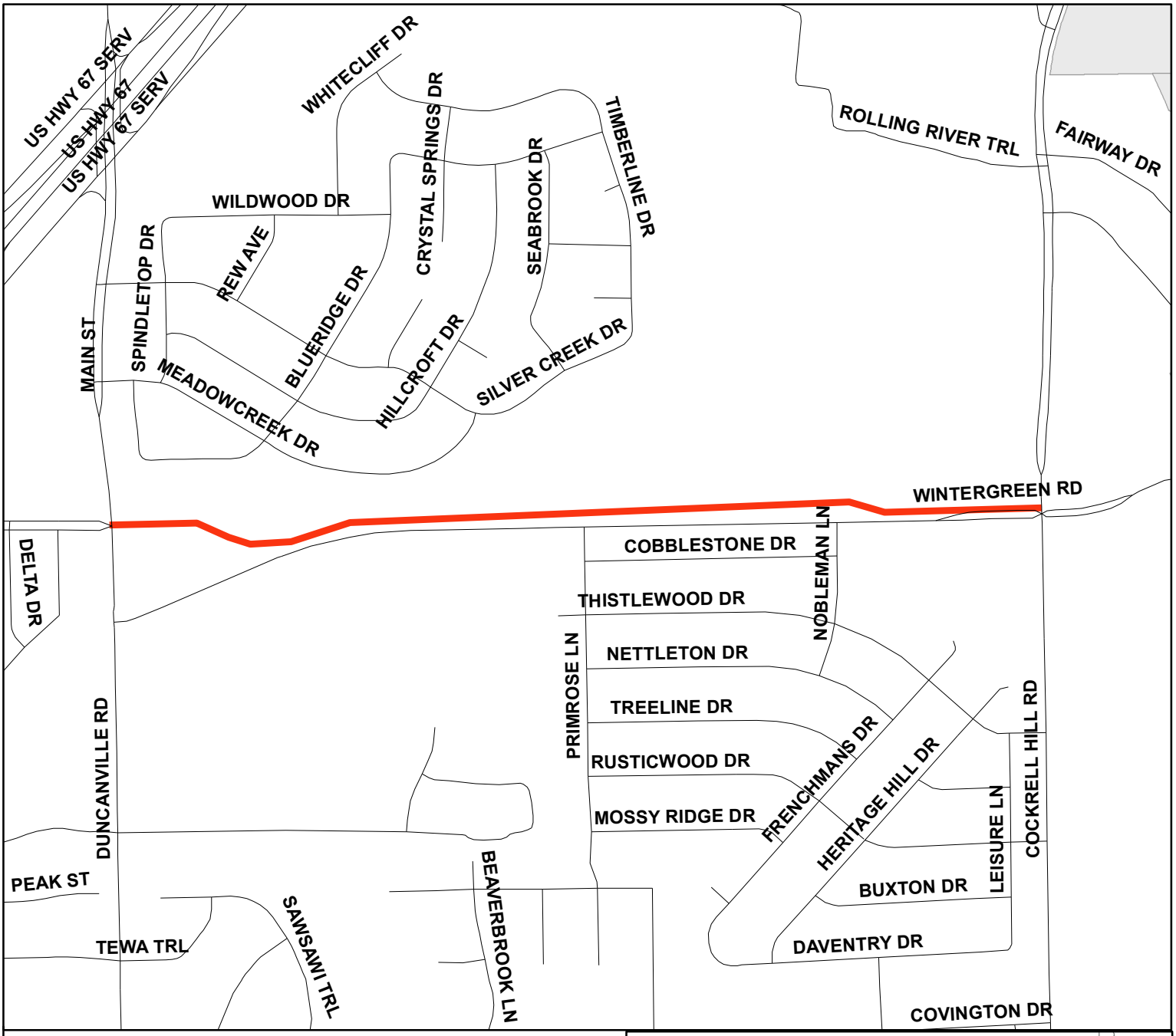
FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $536,050.00

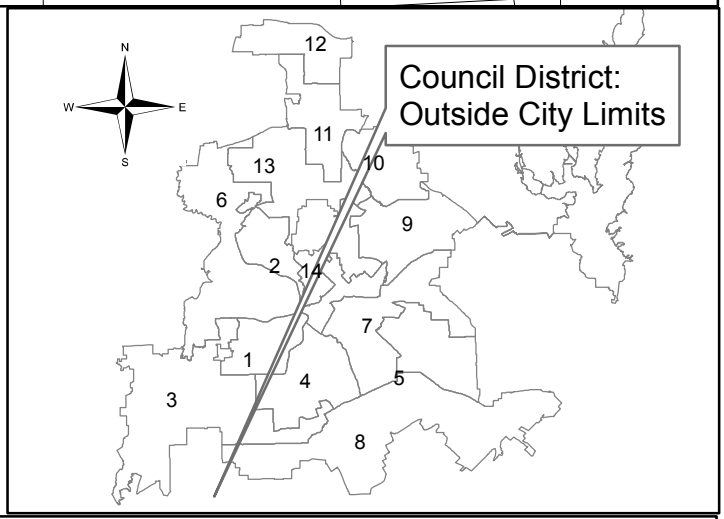
MAP

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Wintergreen Road
from Main Street to Cockrell Hill Road



Dallas Water Utilities

Project Specific Agreement with Dallas County

96-inch Water Transmission Pipeline

May 22, 2019

WHEREAS, on February 8, 2017, City Council authorized a Project Specific Agreement with Dallas County for the design, right-of-way acquisition and construction of approximately 5,500 feet of 96-inch diameter water transmission pipeline located along Wintergreen Road between Main Street and Cockrell Hill Road; and payment to Dallas County for the City's share of right-of-way acquisition and construction costs for Phase I of the project along Wintergreen Road from the intersection of Main Street and Wintergreen Road to approximately 1,300 feet east, in an amount not to exceed $2,120,000.00, by Resolution No. 17-0271; and

WHEREAS, Dallas County has prepared designs for paving and drainage improvements for Phase I of the project along Wintergreen Road from the intersection of Main Street and Wintergreen Road to approximately 1,300 feet east as part of its Major Capital Improvement Program; and

WHEREAS, the City of Dallas has prepared plans for a future 96-inch diameter water transmission pipeline along the alignment of Wintergreen Road for Phase I of the project to facilitate conveyance of treated water to the south and southwestern portions of Dallas and its customer cities; and

WHEREAS, Dallas County has incorporated the water transmission pipeline plans into the paving and drainage project along Wintergreen Road from the intersection of Main Street and Wintergreen Road to approximately 1,300 feet east; and

WHEREAS, Dallas County has received bids for construction and it is necessary for the City of Dallas to increase the amount authorized for payment to Dallas County for the City's share of right-of-way acquisition and construction costs associated with the 96-inch diameter water transmission pipeline for Phase I of the project along Wintergreen Road from the intersection of Main Street and Wintergreen Road to approximately 1,300 feet east, in an amount not to exceed $536,050.00, increasing the contract amount from $2,120,000.00 to $2,656,050.00.

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 the First Amendment to the Project Specific Agreement with Dallas County, approved as to form by the City Attorney, for the 96-inch diameter water transmission pipeline located along Wintergreen Road between Main Street and Cockrell Hill Road to increase payment to Dallas County to provide the City of Dallas' share of additional construction costs for Phase I of the project along Wintergreen Road from the intersection of Main Street and Wintergreen Road to approximately 1,300 feet east, in an amount not to exceed $536,050.00, increasing the contract amount from $2,120,000.00 to $2,656,050.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $536,050.00 to Dallas County from the Water Capital Improvement Fund, Fund 2115, Department DWU, Unit PW40, Object 4550, Program 717021, Encumbrance CT-DWU717021CP, Vendor 014003.

SECTION 3. That this contract is designated as Contract No. DWU-2019-00009807.

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

Agenda Information Sheet

File #: 19-659 **Item #:** 47.

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Secretary’s Office

SUBJECT

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

Agenda Information Sheet

File #: 19-646 **Item #:** 48.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Secretary's Office

EXECUTIVE: Bilierae Johnson

SUBJECT

Consideration of appointment to the Dallas Area Rapid Transit Board of Directors for Positions 03, 04, 05, 06, 07, and 08, one of whom shall be appointed as a shared member with the City of Cockrell Hill. (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (Name of nominee in the City Secretary's Office) - Financing: No cost consideration to the City

BACKGROUND

The Dallas Area Rapid Transit (DART) Board was structured by the Texas Legislature in 1993. Membership is allocated among member cities according to population, with recalculations after every United States (U.S.) Census.

On August 23, 2011, the DART Board approved reallocation of the Board based on the 2010 U.S. Census data. As a result, the City of Dallas is now entitled to 5 full members and 1 shared member with the City of Cockrell Hill whose terms expire on odd-numbered years and 2 members whose terms expire in even-numbered years.

This action provides for the appointment of individuals to Positions 03, 04, 05, 06, 07, and 08, one of whom shall be a shared member with the City of Cockrell Hill, for the 2019-2021 full term to begin July 1, 2019 and end June 30, 2021. For positions 03, 04, 05, 06, 07, and 08, the City Secretary will assign position numbers following appointment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure and Sustainability Committee interviewed nominees and selected the nominees to recommend to the City Council for appointment on May 13, 2019.

FISCAL INFORMATION

No cost consideration to the City.

May 22, 2019

WHEREAS, the City Council, as of the 2011 reallocation, is responsible for appointing 5 full members and 1 shared member with the City of Cockrell Hill to the Dallas Area Rapid Transit (DART) Board of Directors; and

WHEREAS, the members of the DART Board of Directors serve staggered two-year terms, commencing July 1, pursuant to Section 452.578 of the Texas Transportation Code; and

WHEREAS, terms for Positions 03, 04, 05, 06, 07, and 08 expire June 30, 2019.

Now, Therefore,

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

SECTION 1. That the following individuals are hereby appointed to the DART Board of Directors with the term to begin July 1, 2019 and expire June 30, 2021:

POSITION 03	
POSITION 04	
POSITION 05	
POSITION 06	
POSITION 07	
POSITION 08	

SECTION 2. That, upon appointment of the individuals noted in Section 1, the City Secretary's Office shall assign these individuals to one of the available board positions: 03, 04, 05, 06, 07, and 08.

SECTION 3. That, the City of Dallas, principal municipality, designates _____ to represent the transportation disadvantaged and as, the shared member with the City of Cockrell Hill.

SECTION 4. That the City Council may, by resolution, remove any DART Board of Directors appointed by this resolution at any time, with or without cause. That such DART Board of Directors may be removed only upon an affirmative vote of nine city council members and through adoption of another resolution.

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

Agenda Information Sheet

File #: 19-605 **Item #:** 49.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 22, 2019
COUNCIL DISTRICT(S):	8
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize **(1)** settlement in lieu of proceeding further with condemnation in the condemnation suit styled City of Dallas v. Linda Sue Reid, et al., pending in Dallas County Court at Law No. 2, Cause No. CC-16-03154-C, for acquisition from Linda Sue Reid, et al., of approximately 59,276 square feet of land for right-of-way located in near the intersection of Seagoville Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project; and **(2)** the deposit of the settlement amount reached through Court ordered mediation and negotiation of the condemnation suit for an amount not to exceed the amount of the settlement amount - Not to exceed $285,000.00, increased from $220,634.00 to $505,634.00 ($500,000.00 being the settlement amount, plus closing costs and title expenses not to exceed $5,634.00) - Financing: Water Improvement Fund

BACKGROUND

This item authorizes settlement for the acquisition of approximately 59,276 square feet of land for right-of-way located near the intersection of Seagoville Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project. This settlement will allow acquisition of the property without further condemnation proceedings.

On April 22, 2015, City Council authorized the purchase and/or condemnation in the amount of $211,955.00, based on an independent appraisal and inclusive of title and closing costs by Resolution No. 15-0763. The Owner rejected the official offer and the City Attorney filed the condemnation proceeding for the acquisition of the property for the project.

The Special Commissioners' awarded $216,145.00 on October 13, 2016.

The Owner filed objections to the Special Commissioners' award on October 31, 2016.

On January 25, 2017, City Council authorized the deposit of the Special Commissioners' award in the amount of $216,145.00, by Resolution No. 17-0202.

The Special Commissioners' award was deposited with the County Clerk of Dallas County, Texas on March 7, 2017.

A trial date was set for July 2018, a continuance was ordered and the trial was rescheduled for April 2, 2019.

The City and Linda Sue Reid, et al., negotiated an amount to settle the lawsuit on March 27, 2019.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 22, 2015, City Council authorized acquisition including the exercise of the right of eminent domain, if such becomes necessary by Resolution No. 15-0763.

On January 25, 2017, City Council authorized the deposit of a Special Commissioners' Award for the property by Resolution No. 17-0202.

FISCAL INFORMATION

Water Improvement Fund	$285,000.00
Resolution No. 15-0763	$211,955.00
Resolution No. 17-0202	$ 8,679.00
Additional Amount (this action)	$285,000.00
Total Authorized Amount	$505,634.00

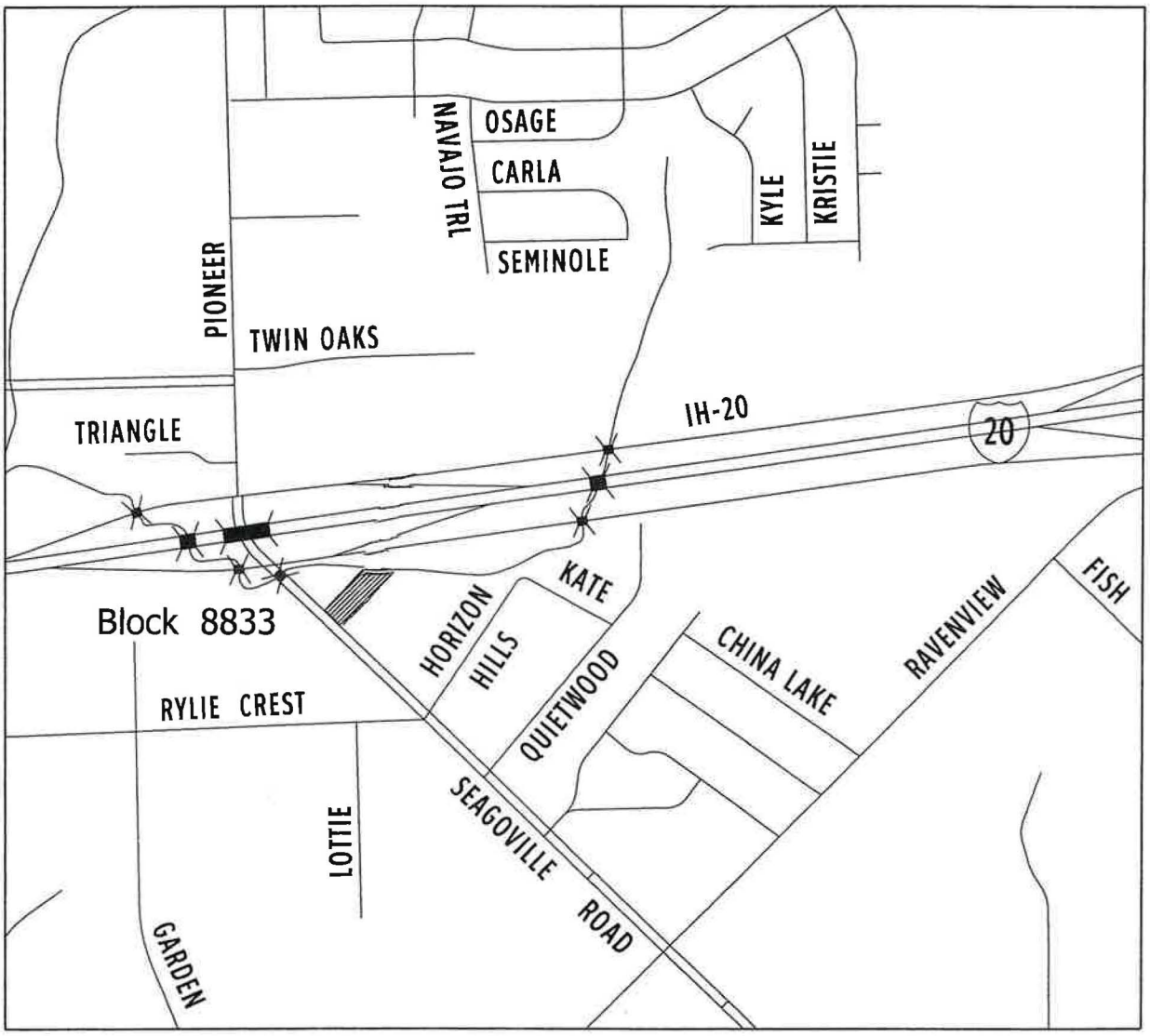
OWNER

Linda Sue Reid, et al.

MAP

Attached

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N
OSAGE
CARLA
SEMINOLE
NAVAJO TRL
KYLE
KRISTIE
PIONEER
TWIN OAKS
TRIANGLE
IH-20
20
Block 8833
HORIZON
HILLS
KATE
QUIETWOOD
CHINA LAKE
RAVENVIEW
FISH
RYLIE CREST
LOTTIE
SEAGOVILLE
ROAD
GARDEN
SUBJECT:

May 22, 2019

A RESOLUTION AUTHORIZING SETTLEMENT OF A CONDEMNATION LAWSUIT.

All capitalized terms are defined in Section 1 below.

WHEREAS, the Dallas City Council by the FIRST RESOLUTION found that the USE of the PROPERTY INTEREST in and to the PROPERTY for the PROJECT is a public use; and

WHEREAS, the Dallas City Council by the FIRST RESOLUTION found that a public necessity requires that CITY acquire the PROPERTY INTEREST in and to the PROPERTY from OWNER for the PROJECT; and

WHEREAS, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase, of the PROPERTY INTEREST in and to the PROPERTY held by OWNER for the PROJECT; and

WHEREAS, OWNER refused to sell the PROPERTY INTEREST in and to the PROPERTY to CITY for the OFFICIAL OFFER AMOUNT contained in the FIRST RESOLUTION; and

WHEREAS, the Dallas City Council by the FIRST RESOLUTION authorized and directed the City Attorney to file the necessary proceeding and to take the necessary action for the acquisition of the PROPERTY INTEREST in and to the PROPERTY by condemnation, or in any other manner provided by law; and

WHEREAS, the City Attorney, pursuant to the FIRST RESOLUTION, filed a CONDEMNATION PROCEEDING for the acquisition of the PROPERTY INTEREST in and to the PROPERTY for the PROJECT; and

WHEREAS, the Dallas City Council by the SECOND RESOLUTION authorized the City Attorney to deposit the SPECIAL COMMISSIONERS' AWARD AMOUNT rendered by the Special Commissioners appointed by the Court in the CONDEMNATION PROCEEDING; and

WHEREAS, objections to the SPECIAL COMMISSIONERS' AWARD AMOUNT were filed, turning the CONDEMNATION PROCEEDING into a CONDEMNATION LAWSUIT; and

WHEREAS, OWNERS have agreed to settle the CONDEMNATION LAWSUIT for the SETTLEMENT AMOUNT; and

WHEREAS, the Dallas City Council desires to authorize the City Attorney and the City Manager to settle the CONDEMNATION LAWSUIT for the SETTLEMENT AMOUNT.

Now, Therefore,

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

SECTION 1. For the purposes of this resolution, the following definitions shall apply:

"CITY": The City of Dallas

"FIRST RESOLUTION": Resolution No. 15-0763 approved by Dallas City Council on April 22, 2015, authorizing negotiations, which is incorporated herein by reference.

"CONDEMNATION PROCEEDING/LAWSUIT": Cause No. CC-16-03154-C, in Dallas County Court at Law No. 2, and styled City of Dallas v. Linda Sue Reid, et al., filed pursuant to the FIRST RESOLUTION.

"SECOND RESOLUTION": Resolution No. 17-0202 approved by Dallas City Council on January 25, 2017, authorizing deposit of the SPECIAL COMMISSIONERS' AWARD AMOUNT, which is incorporated herein by reference.

"PROPERTY": Approximately 59,276 square feet of land in fee in Dallas County, Texas, as described in the CONDEMNATION PROCEEDING.

"PROPERTY INTEREST": Fee

"PROJECT": Southwest 120/96-inch Water Transmission Pipeline Project

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

SECTION 1. (continued)

"OFFICIAL OFFER AMOUNT": $207,466.00 as approved in the FIRST RESOLUTION.

"SPECIAL COMMISSIONERS' AWARD AMOUNT": $216,145.00, the same having been previously deposited pursuant to the SECOND RESOLUTION.

"SETTLEMENT AMOUNT": $500,000.00, which includes the SPECIAL COMMISSIONERS' AWARD AMOUNT.

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $5,634.00

"ADDITIONAL AMOUNT": $283,855.00, the difference between the SETTLEMENT AMOUNT and the SPECIAL COMMISSIONERS' AWARD AMOUNT.

"AUTHORIZED AMOUNT": Not to exceed $ 285,000.00 ($283,855, plus closing costs and title expenses not to exceed $1,145.00)

"DESIGNATED FUNDS":

$211,955.00 from Water Construction Fund, Fund 0102, Department DWU, Unit CW40, Activity MPSA, Program 706623, Object 4210, Encumbrance CT-DWU706623CPDS.

$8,679.00 from Water Construction Fund, Fund 0102, Department DWU, Unit CW40, Activity MPSA, Program 706623, Object 4210, Encumbrance CT-DWU706623CPDS.

$285,000.00 from Water Improvement Fund, Fund 2115, Department DWU, Unit PW40, Activity RWPT, Program 706623, Object 4210, Encumbrance/Contract No. CX-DWU-2019-00009894.

SECTION 2. That the City Attorney and the City Manager are hereby authorized to settle the CONDEMNATION LAWSUIT for the SETTLEMENT AMOUNT.

SECTION 3. That the City Attorney and the City Manager are hereby authorized to prepare and execute such documents as may be necessary to effect the settlement described herein.

SECTION 4. That if the PROPERTY INTEREST in and to the PROPERTY is being acquired by instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the ADDITIONAL AMOUNT, made payable to OWNER, or the then current owner(s) of record, or to the title company insuring the transaction described herein. If the PROPERTY INTEREST in and to the PROPERTY is not being acquired through instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the ADDITIONAL AMOUNT, made payable to the County Clerk of Dallas County, Texas, which is to be deposited into the registry of the Court. The Chief Financial Officer is further authorized and directed to issue another check, to be paid out of and charged to the DESIGNATED FUNDS, in the amount of the CLOSING COSTS AND TITLE EXPENSES, made payable to the title company insuring the transaction described herein. The ADDITIONAL AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

BY: _____
Assistant City Attorney

Agenda Information Sheet

File #: 19-688 **Item #:** 50.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** adoption of the Targeted Neighborhood Enhancement Program Statement; **(2)** a Chapter 380 economic development grant agreement with The Golden S.E.E.D.S. Foundation or an affiliate thereof, in connection with neighborhood enhancements for The Bottom neighborhood; and **(3)** an increase in appropriations, future encumbrances, and disbursements as appropriate for a total amount not to exceed $500,000.00 - Not to exceed $500,000.00 - Financing: 2017 Bond Funds (Proposition I)

BACKGROUND

Many residential neighborhoods in southern Dallas need infrastructure improvements, safety enhancements, signage and other unifying elements, enhanced landscaping, and similar improvements. The Targeted Neighborhood Enhancement Program allows grants of up to $500,000.00 for entities proposing to make such improvements in neighborhoods designated by the City Council as redevelopment areas, stabilization areas, or emerging market areas under the Comprehensive Housing Policy adopted by Resolution No. 18-0704 on May 9, 2018.

The Golden S.E.E.D.S. Foundation, in partnership with Matthews Southwest, proposes neighborhood enhancements in The Bottom, a 126-acre neighborhood generally bounded by Interstate-35E to the west, Corinth Street to the east, Eighth Street to the south and the Trinity River Floodplain to the north. The Bottom was designated as a Stabilization Area under the Comprehensive Housing Policy.

Proposed enhancements include, but are not limited to, art installations, street sign toppers, neighborhood entry signage and other unifying signage, landscaping enhancements, lighting, and other improvements that enhance the safety, neighborhood identity, or aesthetics of the neighborhood. The final scope of improvements will be determined after engaging the neighborhood residents and stakeholders, and after plans are reviewed by the Urban Design Peer Review Panel.

Improvements must conform to the desires of neighborhood residents and stakeholders, the recommendations of the Urban Design Peer Review Panel, and existing planning efforts such as "The Bottom: Urban Structure and Guidelines" approved by City Council in Resolution No. 15-0714 on April 8, 2015. The final scope of improvements will be subject to the approval of the director of the Office of Economic Development.

The Chapter 380 grant will be used to reimburse The Golden S.E.E.D.S. Foundation for actual capital costs incurred in the construction and installation of the neighborhood improvements. None of the grant funds will be used for land acquisition or developer fees/ profit.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Economic Development and Housing Committee was briefed regarding this item on May 6, 2019.

FISCAL INFORMATION

2017 Bond Funds (Proposition I) - $500,000.00

DEVELOPER

The Golden S.E.E.D.S. Foundation

Libbie Terrell Lee, Executive Director

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

WHEREAS, on December 12, 2018, City Council authorized the re-adoption of the City of Dallas' Public/Private Partnership Program Guidelines & Criteria through June 30, 2019, which 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 by Resolution No. 18-1861; and

WHEREAS, staff has developed the Targeted Neighborhood Enhancement Program to facilitate enhancements in certain neighborhoods designated as target areas under the City's Comprehensive Housing Policy; and

WHEREAS, the City finds that the Targeted Neighborhood Enhancement Program promotes local economic development and to stimulate business and commercial activity in the City, in conformance with Chapter 380 of the Texas Local Government Code; and

WHEREAS, the initial funding for the Targeted Neighborhood Enhancement Program shall be $500,000.00 in 2017 general obligation bond funds from Proposition I, and the City finds that the Program is a neighborhood revitalization program as described in the proposition; and

WHEREAS, the City desires to enter into an economic development grant agreement with The Golden S.E.E.D.S. Foundation for reimbursement of capital costs associated with certain neighborhood enhancements in The Bottom neighborhood, the scope of which shall be determined after neighborhood engagement and review by the Urban Design Peer Review Panel.

Now, Therefore,

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

SECTION 1. That the City Council hereby adopts the Targeted Neighborhood Enhancement Program Statement, attached as **Exhibit A**.

SECTION 2. That the City Manager is hereby authorized to execute a Chapter 380 economic development grant agreement with The Golden S.E.E.D.S. Foundation or an affiliate thereof, approved as to form by the City Attorney, to install certain neighborhood enhancements in The Bottom neighborhood, in an amount not to exceed $500,000.00.

SECTION 3. That the grant agreement shall include the following terms:

(a) The grant amount will not exceed $500,000.00 and may only be used for reimbursement of actual capital costs of construction and installation of the neighborhood improvements. None of the grant funds may be used for land acquisition or developer fees or profit.

(b) Proposed enhancements may include items such as art installations, street sign toppers, neighborhood entry signage and other unifying signage, landscaping enhancements, lighting, and other improvements that enhance the safety, neighborhood identity, or aesthetics of the neighborhood. The final scope of improvements will be determined after engaging the neighborhood residents and stakeholders, and after plans are reviewed by the Urban Design Peer Review Panel. Improvements must conform to the desires of neighborhood residents and stakeholders, the recommendations of the Urban Design Peer Review Panel, and existing planning efforts such as "The Bottom: Urban Structure and Guidelines" approved by City Council in Resolution No. 15-0714 on April 8, 2015. The final scope of improvements will be subject to the approval of the director of the Office of Economic Development, and such scope and a budget for same shall be included as attachments to the grant agreement.

(c) The Golden S.E.E.D.S. Foundation shall conduct no fewer than three community engagement sessions to provide opportunity for residents and stakeholders to provide input on the proposed improvements.

(d) The Golden S.E.E.D.S. Foundation must coordinate the schedule of the construction and installation of the improvements so as not to interfere with planned street construction to be completed by the Department of Public Works, and with any other City projects that The Golden S.E.E.D.S. Foundation is aware of or becomes aware of during the term of the grant agreement.

(e) All improvements must be constructed and installed in conformance with the final plans approved by the director of the Office of Economic Development, and all improvements must be complete no later than December 31, 2022.

(f) If the final scope of work exceeds the amount of the grant, The Golden S.E.E.D.S Foundation shall be solely responsible for securing any additional funds.

(g) The Golden S.E.E.D.S. Foundation shall be responsible for the maintenance and operation of all improvements and shall maintain and operate the improvements in conformance with a maintenance and operation agreement between the City and The Golden S.E.E.D.S. Foundation. The maintenance and operation agreement shall be executed simultaneously with the grant agreement.

SECTION 3. (continued)

(h) The grant agreement must be executed no later than May 31, 2020.

(i) The Golden S.E.E.D.S. Foundation will report to the director of the Office of Economic Development quarterly on its progress in satisfying each of the conditions listed above. The progress reports will be submitted to the City of Dallas within 30 days after the end of each reporting period.

(j) The agreement shall only be assignable upon written approval of the assignment by the director of the Office of Economic Development.

SECTION 4. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $500,000.00 in ECO (I) Fund, Fund 1V52, Department ECO, Unit VI10, Activity ECNR, Object 3016 for the 2017 Bond Funds associated with the conditional grant agreement and as specified in Section 3 of this resolution.

SECTION 5. That pursuant to Section 3 of this resolution, the Chief Financial Officer is hereby authorized to disburse funds in the future in amounts authorized by administrative action or authorization by City Council for amounts higher than those allowed by administrative action in a total amount not to exceed $500,000.00 to vendors to be determined in the future from ECO (I) Fund, Fund 1V52, Department ECO, Unit VI10, Activity ECNR, Object 3016, Program EC17VI10.

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

TARGETED NEIGHBORHOOD ENHANCEMENT PROGRAM STATEMENT

PURPOSE

The purpose of the Targeted Neighborhood Enhancement Program (the "Program") is to provide grants for neighborhood enhancements in neighborhoods designed as Revitalization Areas, Stabilization Areas, or Emerging Market areas under the Comprehensive Housing Policy adopted by City Council approved on May 9, 2018 by Resolution No. 18-0704.

ADMINISTRATION

The Fund is administered by the Office of Economic Development, subject to review of the Economic Development and Housing Committee of the City Council.

FUNDING

The initial funding shall be $500,000 in 2017 general obligation bond funds from Proposition I. Additional 2017 general obligation bond funding may be added at the sole discretion of the City Council.

FINANCIAL AWARDS

Grants in an amount not to exceed $500,000 may be made to entities proposing to make neighborhood enhancement improvements in neighborhoods designated as a Reinvestment Area, a Stabilization Area, or an Emerging Market Area under the Comprehensive Housing Policy.

Grant funds may be used for art installations, street sign toppers, neighborhood entry signage and other unifying signage, landscaping enhancements, lighting, and other improvements that enhance the safety, neighborhood identity, or aesthetics of the neighborhood.

The final scope of improvements will be determined after engaging the neighborhood residents and stakeholders, and after plans are reviewed by the Urban Design Peer Review Panel. Improvements must conform to the desires of neighborhood residents and stakeholders, the recommendations of the Urban Design Peer Review Panel, and existing planning efforts of the City. The final scope of improvements will be subject to the approval of the director of the Office of Economic Development.

The grant will be used to reimburse the entity for actual capital costs incurred in the construction and installation of the neighborhood improvements. None of the grant funds will be used for land acquisition, operating or working capital, or developer fees or profit. The proposed grant will help enhance the existing assets to increase community safety and enhance neighborhood pride.

Grants shall not be awarded to persons or entities who have outstanding city liens or tax liens, who are party to a lawsuit against the City, who have filed for bankruptcy in the previous 5 years, who are currently in default under any other agreement with the City, or who have in the previous 5 years been party to a contract with the City that was terminated due to default.

Financial awards will be documented in written agreements to ensure that the City retains control over the public funds to guarantee that the public purpose is actually accomplished as a return benefit to the City.

APPLICATION

Applications for grants will be accepted on a rolling basis and are subject to available funds. Staff will review each application for completeness and to ensure that the proposed project meets the criteria of this program statement.

Based on the review, staff will either decline the application or recommend funding. Contracts for projects with a recommended award of $50,000 or less will be processed via administrative action. Contracts for projects with a recommended award greater than $50,000 will be forwarded to the City Council for approval.

Agenda Information Sheet

File #: 19-689 **Item #:** 51.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** adoption of the Southern Dallas Investment Fund Program Statement; and **(2)** an increase in appropriations, future encumbrances, and disbursements as appropriate for a total amount not to exceed $2,500,000.00 - Not to exceed $2,500,000.00 - Financing: 2017 Bond Funds (Proposition I)

BACKGROUND

Small businesses are economic engines in cities around the country. Too often, however, small businesses in southern Dallas do not have access to the same resources as businesses in other parts of the city. This may be due to lack of training, access to business networks, lack of mentorships, or struggles accessing capital.

To support small business growth in southern Dallas and help attract/retain southern Dallas employers, staff from the Office of Economic Development and the Office of Business Diversity recommends creation of the Southern Dallas Investment Fund. The Fund would support small businesses in southern Dallas through programs such as: (i) grants to small businesses in southern Dallas or to financial services providers who make loans and grants to small businesses in southern Dallas; (ii) financial education or other capacity building training for small businesses, startups, and entrepreneurs in southern Dallas; (iii) outreach programs, business engagement and retention, communications, business development events, familiarization tours, and other activities to attract and promote commercial growth in southern Dallas; and (iv) the creation of a small business development hub that will support up to ten emerging small businesses that have indirectly done business with the City of Dallas as a subcontractor.

Staff recommends that $2.5 million be dedicated to the Southern Dallas Investment Fund, and that council approve the Southern Dallas Investment Fund Program Statement attached to the resolution as Exhibit A.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Economic Development and Housing Committee was briefed regarding this item on May 6, 2019.

FISCAL INFORMATION

2017 Bond Funds (Proposition I) - $2,500,000.00

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May 22, 2019

WHEREAS, Southern Dallas represents an opportunity for enormous growth in North Texas; and

WHEREAS, there exists a need to support small business growth in southern Dallas; and

WHEREAS, staff has developed the Southern Dallas Investment Fund Program Statement to facilitate small business investment in southern Dallas; and

WHEREAS, the City finds that the Southern Dallas Investment Fund promotes local economic development and stimulates business and commercial activity in the City, in conformance with Chapter 380 of the Texas Local Government Code; and

WHEREAS, the initial funding for the Southern Dallas Investment Fund shall be $2.5 Million in 2017 general obligation bond funds from Proposition I, and the City finds that the Fund is an economic development program as described in the proposition.

Now, Therefore,

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

SECTION 1. That the City Council hereby adopts the Southern Dallas Investment Fund Program Statement, attached as **Exhibit A**.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $2,500,000.00 in ECO (I) Fund, Fund 1V52, Department ECO, Unit VI09, Activity ECNR, Object 3016 for the 2017 Bond Funds.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in the future in amounts authorized by administrative action or authorization by City Council for amounts higher than those allowed by administrative action in a total amount not to exceed $2,500,000.00 to vendors to be determined in the future from ECO (I) Fund, Fund 1V52, Department ECO, Unit VI09, Activity ECNR, Object 3016, Program EC17VI09.

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

EXHIBIT A

SOUTHERN DALLAS INVESTMENT FUND

PROGRAM STATEMENT

PURPOSE

The City hereby establishes and provides for the administration of the Southern Dallas Investment Fund (the "Fund") to promote local economic development and to stimulate business and commercial activity in the City, in conformance with Chapter 380 of the Texas Local Government Code. The purpose of the Fund is to support small businesses in southern Dallas. For purposes of this program statement, the term "southern Dallas" generally refers to areas south of I-30 and/or the Trinity River. The Fund is administered by the Office of Economic Development and Office of Business Diversity, subject to review of the Economic Development and Housing Committee of the City Council.

FUNDING

The initial funding shall be $2.5 Million in 2017 general obligation bond funds from Proposition I. Additional funds, including general funds, may be added at the sole discretion of the City Council. Council finds that the Fund satisfies the purpose of Proposition I, which authorized bonds for "the purpose of providing funds for promoting economic development throughout the city" and "through the city's programs for economic development and housing including […] making grants of bond proceeds and otherwise providing assistance for private commercial, industrial, retail, residential and mixed-use development, neighborhood revitalization projects, and mixed income development."

BUSINESS GROWTH

Funds may be used to stimulate business and commercial activity in southern Dallas by supporting small business growth in southern Dallas and attracting/retaining southern Dallas employers, such as programs for: (i) grants to small businesses in southern Dallas or to financial services providers who make loans and grants to small businesses in southern Dallas; (ii) financial education or other capacity building training for small businesses, startups, and entrepreneurs in southern Dallas; (iii) outreach programs, business engagement and retention, communications, business development events, familiarization tours, and other activities to attract and promote commercial growth in southern Dallas; and (iv) the creation of a small business development hub that will support up to ten emerging small businesses that have indirectly done business with the City of Dallas as a subcontractor. For purposes of this program, a "small business" will be determined using the U.S. Small Business Administration definitions and standards.

Grants shall not be awarded to persons or entities who have outstanding city liens or tax liens, who are party to a lawsuit against the City, who have filed for bankruptcy in the previous 5 years, who are currently in default under any other agreement with the City, or who have in the previous 5 years been party to a contract with the City that was terminated due to default.

Grants of $50,000 or less will be processed via administrative action. Grants greater than $50,000 will be forwarded to the City Council for approval. All expenditures for services will be subject to state and local procurement laws.

Agenda Information Sheet

File #: 19-702 **Item #:** 52.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Equity and Human Rights

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

A resolution in furtherance of the City of Dallas' efforts to support diverse racial, ethnic, cultural, and socio-economic backgrounds and to promote equity in the Dallas community - Financing: No cost consideration to the City

BACKGROUND

On October 1, 2018, the City established an Office of Equity and Human Rights. On November 28, 2018, City Council authorized a contract with Race Forward, dba Government Alliance on Race and Equity (GARE) to assist with equity implementation by Resolution No. 18-1687.

On March 18, 2019, the Human and Social Needs Committee was briefed on the City's equity implementation. During that meeting, Mayor Pro Tem Thomas requested staff draft an Equity Resolution to demonstrate the City Council's commitment to ensuring equity as a priority in all City of Dallas policies, programs, services and practices.

On May 6, 2019, the Human and Social Needs Committee was briefed on a proposed Equity Resolution and voted to move the resolution forward for full City Council consideration.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Human and Social Needs Committee was briefed on May 6, 2019.

FISCAL INFORMATION

No cost consideration to the City.

WHEREAS, the City of Dallas is the ninth most-populous city in the United States and third in Texas composed of residents of diverse racial, ethnic, cultural and socio-economic backgrounds; and

WHEREAS, the average household income for the highest quintile in Dallas County increased by 5% from 2006 to 2015 and by stark contrast, the average household income for the lowest quintile declined by 7% during the same period, per a recent study by the Communities Foundation of Texas; and

WHEREAS, the Dallas Equity Indicators project reveals extreme challenges confronting African American and Latino residents seeking to improve their economic status; and

WHEREAS, since 2000 the number of people living in poverty in Dallas increased by almost 40%, outpacing a population growth of 7.6% and Dallas' poverty rate in 2016 was almost 23% higher than other large cities in Texas and considerably higher than the national average at 15.1% with 30% of Latinos and African Americans living below the poverty line and Dallas ranking third in child poverty among major U.S. cities; and

WHEREAS, the Mayor's Taskforce on Poverty produced maps illustrating the significant correlation between race, income, and geographic location reflecting the impact of decades of disinvestment in African American and Latino communities resulting in substantial inequities in basic housing conditions, neighborhood quality and access to necessary amenities; and

WHEREAS, studies have shown that the housing cost burden falls disproportionately on African American, Latino, and female-headed households which pay well over the 30% threshold, leaving relatively little income available for other essential needs such as transportation, child care, health care and food; and

WHEREAS, the City Council adopted the Resilient Dallas Strategy and established the Office of Equity and Human Rights, effective October 1, 2018 in an effort to institutionalize and advance equity in City government to provide equitable access and opportunities for success for all Dallas residents; and

WHEREAS, the Mayor's Task Force on Poverty identified the need for initiatives to increase opportunities for racial minorities and low income residents in the City of Dallas; the Market Value Analysis provides a high level assessment of Dallas neighborhoods that have suffered from a lack of investments and poverty; the Assessment of Fair Housing identified neighborhoods that suffer due to high concentrations of poverty and a high degree of racial segregation; the University of Texas at Arlington Transportation Equity Study identified major transportation equity issues for low income residents in Dallas; the State of Homelessness acknowledges that the homeless population continues to increase with a disproportionate representation of African Americans; the Resilient Dallas Strategy identified the need for strategies to reverse the trend of increasing poverty; the Equity Indicators report provides objective data on inequities such as those cited herein and a road map for improvement; and the FY 2018-19 Adopted Budget recognizes the need for operationalizing equity in all city departments; and

WHEREAS, the City of Dallas recognizes that as the City population continues to grow and the economy expands, the City must advance equitable opportunities for all Dallas residents by reversing the trend of increased poverty and seeking improved outcomes among African American, Latino, immigrant and other historically-marginalized low-income communities; and

WHEREAS, the City recognizes that institutional policies implemented over decades by various federal, state and local government entities helped create the conditions that exists today; such as, segregation, redlining, inequitable zoning, mass incarceration and discriminatory hiring practices; and

WHEREAS, the City of Dallas understands that present-day government leadership is needed to evaluate the impact that existing city policies and practices have on equity, evaluate best practices in other cities and develop human-centered recommendations for addressing current race and socio-economic-based inequities in the city because the well-being of the community increases when everyone in the community has the opportunity to achieve his or her full potential; and

WHEREAS, Dallas would benefit from taking steps to implement an equity assessment tool that engages community stakeholders and results in shared decision-making and more equitable outcomes that strengthen the entire city and region; and

WHEREAS, while it has long been assumed that there is a trade-off between equity and economic efficiency, new evidence shows that regions working toward equity have stronger and more resilient economic growth - for everyone; and

WHEREAS, equity provides a framework to strategically plan and build expectations for removing barriers to the improvement of outcomes and affirming Dallas' commitment to all its residents.

Now, Therefore,

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

SECTION 1. Context Setting. That the City will establish a baseline of where the organization is as it relates to equity by providing a Citywide Equity Assessment Survey to all City employees. Staff will work with the Race Forward dba Governmental Alliance on Race and Equity (GARE) to analyze and understand survey results.

SECTION 2. Equity Training. That the City will provide an equity training to all City employees that will provide a historical foundation and perspective by outlining the history of institutional and systemic racism in the United States. The training will provide an opportunity to develop skills to normalize conversations on race, provide trainings on implicit bias and introduce a racial equity tool.

SECTION 3. Equity Core Team. That the City will create an Equity Core Team that will be composed of formal and informal leaders who will be responsible for designing, coordinating and organizing equity plans across the organization. This team will have direct communication access to the City Manager and Executive Leadership Team.

SECTION 4. Equity Budget Team. That the City will create an Equity Budget Team composed of staff from the Office of Budget and budgetary staff from other City departments. This team receive training on the utilization of the Equity Tool for budget development purposes.

SECTION 5. Equity in Budget. That the City will make every effort possible to commit more resources to areas and populations based on data where needs are greatest, often areas that have been largely ignored for decades.

SECTION 6. Equity in Public Policy. That the City will utilize an equity lens as it relates to the drafting, approval and application of policies, procedures, programming, initiatives, and budgetary decision.

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 resolved.

Agenda Information Sheet

File #: 19-663 **Item #:** 53.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the east line of Chicago Street, north of Duluth Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-366(SM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z178-366(SM) **DATE FILED:** September 11, 2018

LOCATION: East line of Chicago Street, north of Duluth Street

COUNCIL DISTRICT: 6 **MAPSCO:** 69A L

SIZE OF REQUEST: Approx. 10,557 sq. ft. **CENSUS TRACT:** 171.02

APPLICANT/OWNER: Eladio Banda

REPRESENTATIVE: Lindsay Kramer, Masterplan and Santos Martinez

REQUEST: An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

SUMMARY: The existing zoning prohibits single family uses and therefore, the existing residence is nonconforming and cannot be reconstructed or enlarged. The applicant requests to allow single family uses on the subject property. The deed restrictions prohibit certain uses and limit height to a maximum of 36 feet and three stories.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The site is currently developed with a 750-square foot, one-story single family structure which was constructed in 1948, according to Dallas Central Appraisal District records.

- The older structures in the vicinity are a disparate mix of industrial, warehouse, and single-family uses. The single family uses were originally lawfully constructed because, prior to the city-wide transition from Chapter 51 to Chapter 51A in the 1980's, industrial zoning districts allowed any use that ranged in intensity from single family to industrial – this zoning practice is also known as cumulative zoning. When the City transitioned from cumulative zoning to our current zoning districts in the 1980's, single family uses became prohibited uses in the IR Industrial Research District and therefore, the existing single family uses became nonconforming[1]. Nonconforming single family uses are granted the following provisions to allow remodel, enlargement, and the right to rebuild in the event of a natural disaster or other unintentional act; however, a nonconforming single family structure may not be intentionally demolished and rebuilt in an IR Industrial Research district. Therefore, the applicant has requested a zoning change to allow a single family use as a permitted main use.

    - Pursuant to Section 51A-4.704(a)(2), the right to operate a nonconforming use ceases if the nonconforming use is discontinued for six months or more. The board may grant a special exception to this provision only if the owner can show that there was a clear intent not to abandon the use even though the use was discontinued for six months or more.

    - Pursuant to Section 51A-4.704(a)(4), the right to operate a nonconforming use ceases when the use becomes a conforming use.

    - Pursuant to Section 51A-4.704(a)(5), the right to operate a nonconforming use ceases when the structure housing the use is destroyed by the intentional act of the owner or his agent. If a structure housing a nonconforming use is damaged or destroyed other than by the intentional act of the owner or his agent, a person may restore or reconstruct the structure without board approval. The structure must be restored or reconstructed so as to have the same approximate height, floor area, and location that it had immediately prior to the damage or destruction. A

[1] Pursuant to Section 51A-2.102(90), NONCONFORMING USE means a use that does not conform to the use regulations of this chapter, but was lawfully established under the regulations in force at the beginning of operation and has been in regular use since that time.

restoration or reconstruction in violation of this paragraph immediately terminates the right to operate the nonconforming use.

- Pursuant to Section 51A-4.704(b)(2), a person may renovate, remodel, or repair a structure housing a nonconforming use if the work does not enlarge the nonconforming use.

- Pursuant to Section 51A-4.704(b)(3), an accessory structure for a nonconforming residential use may be constructed, enlarged, or remodeled in accordance with the requirements of Sections 51A-4.209(b)(6)(E)(vii) and 51A-4.217(a) without board approval.

- Pursuant to Section 51A-4.704(b)(5), structures housing a nonconforming single family or duplex use may be enlarged without board approval.

Zoning History: There have been four recent zoning changes requested in the area in the last five years.

1. **Z178-367**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the south line of Duluth Street, at the terminus of Chicago Street.

2. **Z178-368**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the northwest corner of Duluth Street and Chicago Street.

3. **Z178-369**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the south line of Duluth Street, east of Chicago Street.

4. **Z145-185:** On June 17, 2015, City Council approved PDD No. 944 for single family uses on property zoned an IM Industrial Manufacturing District located south of the intersection of Duluth Street and Borger Street.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed zoning request meets the following goals and objectives of the comprehensive plan.

Land Use Element

Goal 1.1 Align land use strategies with economic development priorities

> Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

Economic Element

Goal 2.1 Promote balanced growth

> Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Neighborhood Plus

> Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety
>
> Policy 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

Area Plans: The request site is within the *West Dallas Comprehensive Land Use Study* and primarily complies with the intent of this study, adopted May 1999. The Study identifies the request site as being in the Western Heights/La Loma subarea. The Study's future land use recommendation indicates that, "Land use in general is in conformance with the zoning district regulations. No change in zoning is recommended at this time." Further, the Study notes, "Future rezoning considerations should support office and mixed uses along the Ft. Worth Avenue corridor that complement the adjacent neighborhoods" (page 3-9).

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	IR	Single Family
North	IR	Undeveloped
East	IR	Undeveloped
South	IR	Single Family
West	IR	Single Family, Commercial

Land Use Compatibility:

The site is currently developed with a nonconforming single family structure. The applicant proposes an MU-1 Mixed Use District to allow single family uses, whereas single family uses are currently prohibited. The nearby surrounding properties are developed with a mix of nonconforming single family uses, undeveloped land, and commercial uses on the north and south lines of Bedford Street. A church is also located on the south line of Duluth Street, west of Chicago Street. The surrounding properties located farther away include a mix of light industrial/office uses that front on Singleton Boulevard to the north, multifamily and townhouses to the east and a large shared access neighborhood to the south. A zoning application to develop another shared access development to the west is currently under staff review.

Although a comprehensive list to compare how permitted land uses would change in the existing and proposed zoning districts is available in Section 51A-4.104 of the Dallas Development Code, a summarized comparison is listed below. The following paragraphs 1) indicate how the deed restrictions volunteered by the applicant prohibit certain uses that would otherwise be allowed in the proposed zoning change by "~~strike out~~" and 2) the following paragraphs exclude uses that require a Specific Use Permit (SUP) in the proposed zoning district because an SUP requires two public hearings and consideration by CPC and Council.

The following residential uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District].

- ~~College dormitory, fraternity, or sorority house.~~
- Duplex.
- Handicapped group dwelling unit.
- Multifamily.
- ~~Residential hotel.~~
- Retirement housing.
- Single family.

The following institutional and community service uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District]:

- Convalescent and nursing homes, hospice care, and related institutions.
- ~~Foster home~~.
- Library, art gallery, or museum.

The following two retail uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District].

- General merchandise or food store greater than 3,500 square feet.
- ~~Mortuary, funeral home, or commercial wedding chapel~~.

Staff supports the request because it allows nonconforming single family uses the ability to redevelop the site as single family, thus remaining generally consistent with surrounding development patterns in the vicinity. Additionally, the request eliminates many uses that may be incompatible with surrounding uses as indicated in the remainder of this section.

The following uses are allowed without an SUP in the existing zoning district [IR Industrial Research District]; however, they will require an SUP or will be prohibited in the proposed zoning district [MU-1 Mixed Use District].

<u>Commercial and business service uses.</u>

- Building repair and maintenance shop.
- Bus or rail transit vehicle maintenance or storage facility.
- Commercial cleaning or laundry plant.
- Custom business services.
- Job or lithographic printing.
- Machine or welding shop.
- Machinery, heavy equipment, or truck sales and services.
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.
- Vehicle or engine repair or maintenance.

<u>Industrial uses.</u>

- ~~Alcoholic beverage manufacturing.~~
- ~~Industrial (inside).~~
- ~~Industrial (inside) for light manufacturing.~~
- ~~Industrial (outside).~~

<u>Institutional and community service uses.</u>

- Community service center.
- ~~Hospital.~~
- ~~Public school.~~

<u>Lodging uses.</u>

- ~~Lodging or boarding house.~~

Miscellaneous uses.

- ~~Hazardous waste management facility. [Except when operated as a hazardous waste incinerator.]~~

Retail and personal service uses.

- Home improvement center, lumber, brick or building materials sales yard.
- Household equipment and appliance repair.
- Pawn shop.
- Taxidermist.
- Vehicle display, sales, and service.

Transportation uses.

- Commercial bus station and terminal.
- Heliport.
- Helistop.

Utility and public service uses.

- ~~Radio, television, or microwave tower.~~

Wholesale, distribution, and storage uses.

- ~~Freight terminal.~~
- ~~Manufactured building sales lot.~~
- ~~Mini-warehouse.~~
- ~~Office showroom/warehouse.~~
- ~~Outside storage.~~
- ~~Trade center.~~
- ~~Warehouse.~~

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IR - Existing 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
MU-1 - Proposed Mixed Use-1 With deed restrictions volunteered by the applicant (in ~~strikethroughs~~)	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	36' 3 stories ~~120' 9 stories with retail~~	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

Staff supports the applicant's request for an MU-1 Mixed Use District in lieu of a residential district because the proposed MU-1 District would not cause the adjacent IR-zoned properties to be nonconforming to side and rear yard setbacks.

Parking: Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Landscaping: Landscaping must be provided in accordance with Article X, as amended.

Market Value Analysis: Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is within an "E" MVA cluster.

CPC Action
November 15, 2018

Motion: In considering an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District, on the east line of Chicago Street, north of Duluth Street, it was moved to **hold** this case under advisement until January 17, 2019.

Maker: Carpenter
Second: Rieves
Result: Carried: 12 to 0

For: 12 - Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - West
Vacancy: 2 - District 3, District 7

Notices: Area: 200 Mailed: 32
Replies: For: 5 Against: 0
Speakers: For: None
For (Did not speak): Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

CPC Action
January 17, 2019

Motion: In considering an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District, on the east line of Chicago Street, north of Duluth Street, it was moved to **hold** this case under advisement until February 21, 2019.

Maker: Carpenter
Second: Housewright
Result: Carried: 10 to 0

For: 10 - MacGregor, Davis*, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 4 - District 2, District 3, District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 32
Replies: For: 6 Against: 0

Speakers: None

CPC Action
February 21, 2019

Motion: It was moved to recommend **approval** of an MU-1 Mixed Use District, subject to revised deed restrictions volunteered by the applicant (as briefed) to include Clerestory provision limited to a height of four feet on property zoned an IR Industrial Research District, on the east line of Chicago Street, north of Duluth Street.

Maker: Carpenter
Second: Lewis
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 32
Replies: For: 6 Against: 0
Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

Proposed Deed Restrictions

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. The following uses are prohibited:

    a. Labor hall
    b. Medical or scientific laboratory
    c. All Industrial uses
    d. Cemetery or mausoleum
    e. College, university or seminary
    f. Convent or monastery
    g. Foster home
    h. Hospital
    i. Open enrollment charter school or private school
    j. Public school other than an open enrollment charter school
    k. All Lodging uses
    l. All Miscellaneous uses
    m. Financial institution with drive in window.
    n. College dormitory, fraternity, or sorority house.
    o. Residential hotel.
    p. Alcoholic beverage establishments
    q. Animal shelter or clinic without outside runs.
    r. Auto service center.
    s. Bail bonds office. (means an office for the issuance, brokerage, or procurement of bail bonds as a main use)
    t. Body piercing studio (a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.)
    u. Car wash
    v. Commercial amusement (inside)
    w. Commercial amusement (outside)
    x. Commercial parking lot or garage.
    y. Dry cleaning or laundry store.

z. Furniture store.

aa. General merchandise or food store 3500 square feet or more.

bb. General merchandise or food store 100,000 square feet or more.

cc. Massage establishment. (means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

dd. Mortuary, funeral home, or commercial wedding chapel.

ee. Motor vehicle fueling station.

ff. Paraphernalia shop.

gg. Restaurant with drive in or drive through service

hh. Swap or buy shop

ii. Tattoo studio (an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment)

jj. Commercial radio or television transmitting station

kk. Electrical substation

ll. Local utilities.

mm. Radio, television, or microwave tower.

nn. Tower/antenna for cellular communication.

oo. All wholesale, distribution, and storage uses

2. Maximum structure height is 36 feet. The following structures may project a maximum of nine feet above the maximum structure height for single family dwelling units:

a. Amateur communications tower.

b. Chimney and vent stacks.

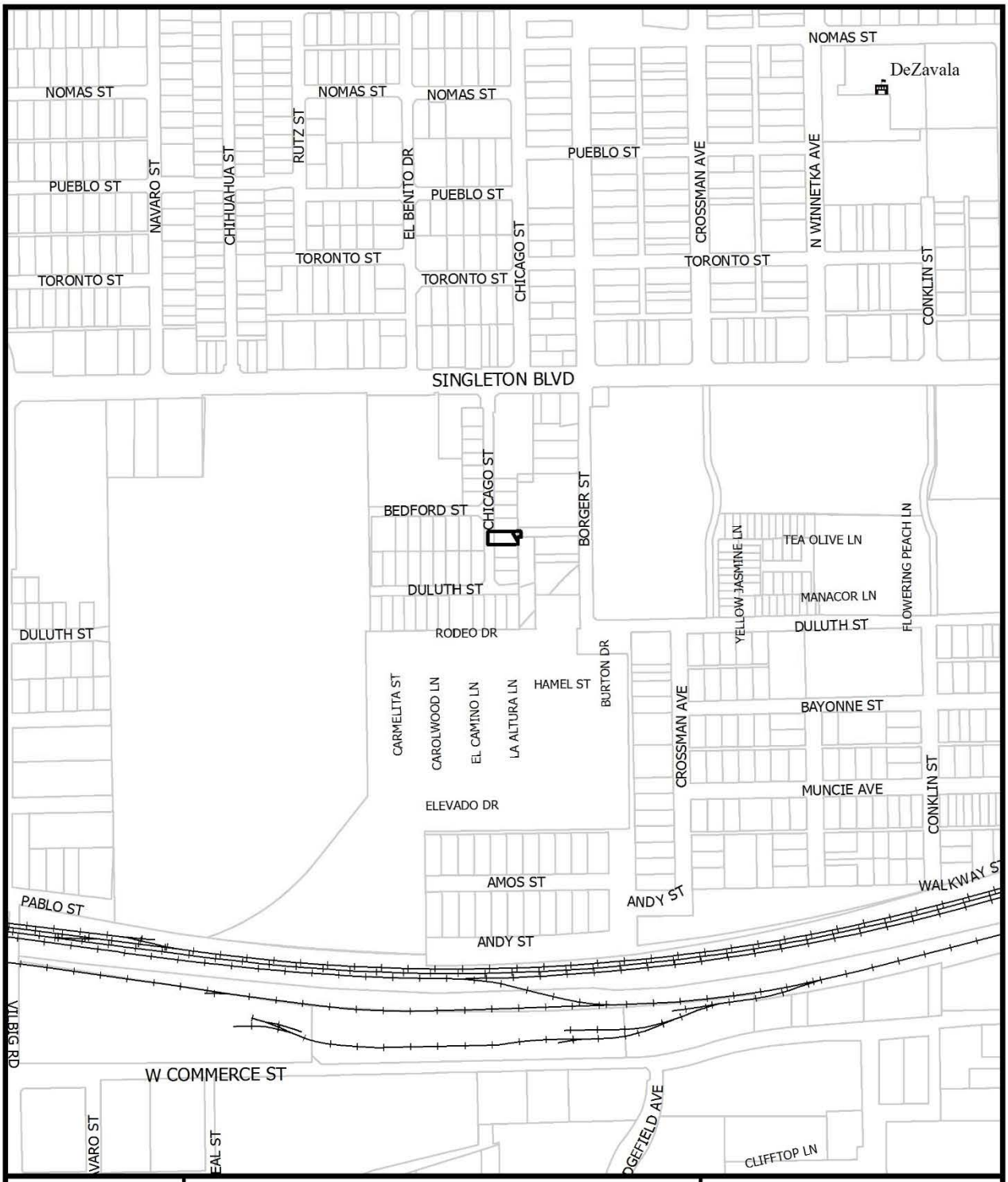
c. Clerestory, limited to a height of four feet.

d. Ornamental cupola or dome.

e. Parapet wall or deck railing, limited to a height of four feet.

f. Skylights.

3. Maximum number of stories is three.



1:4,800

VICINITY MAP

Case no: Z178-366

Date: 10/30/2018

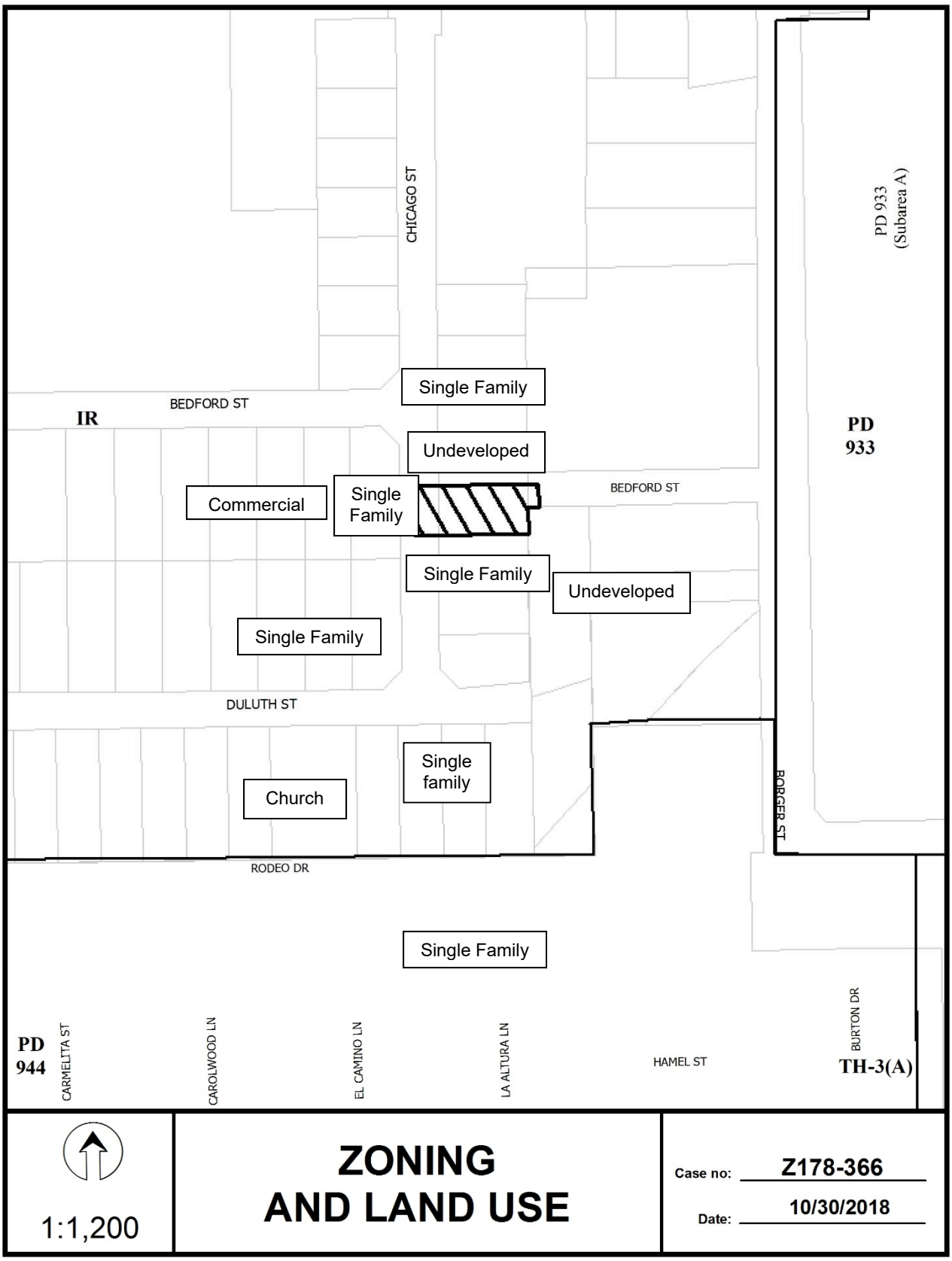


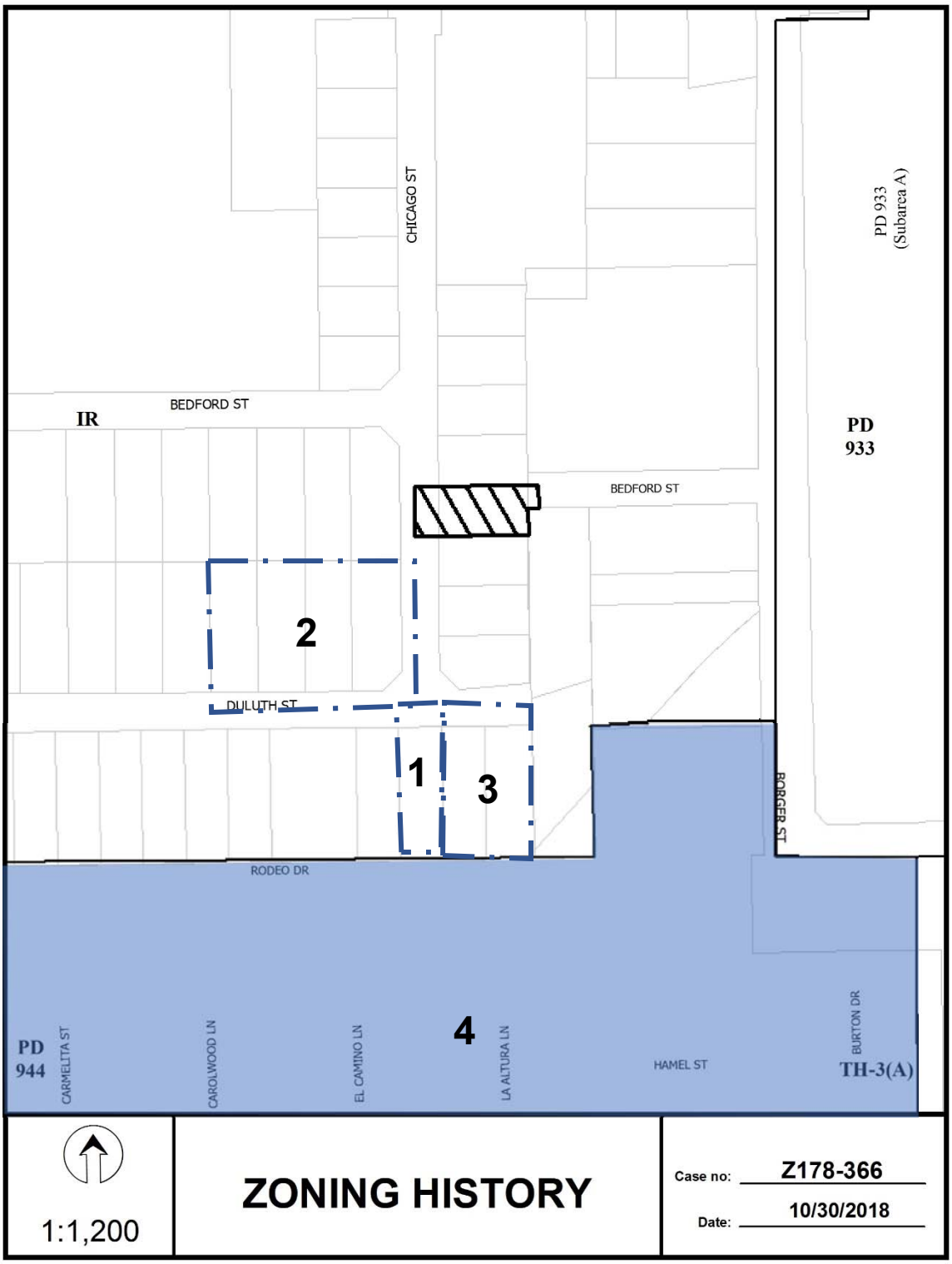
1:1,200

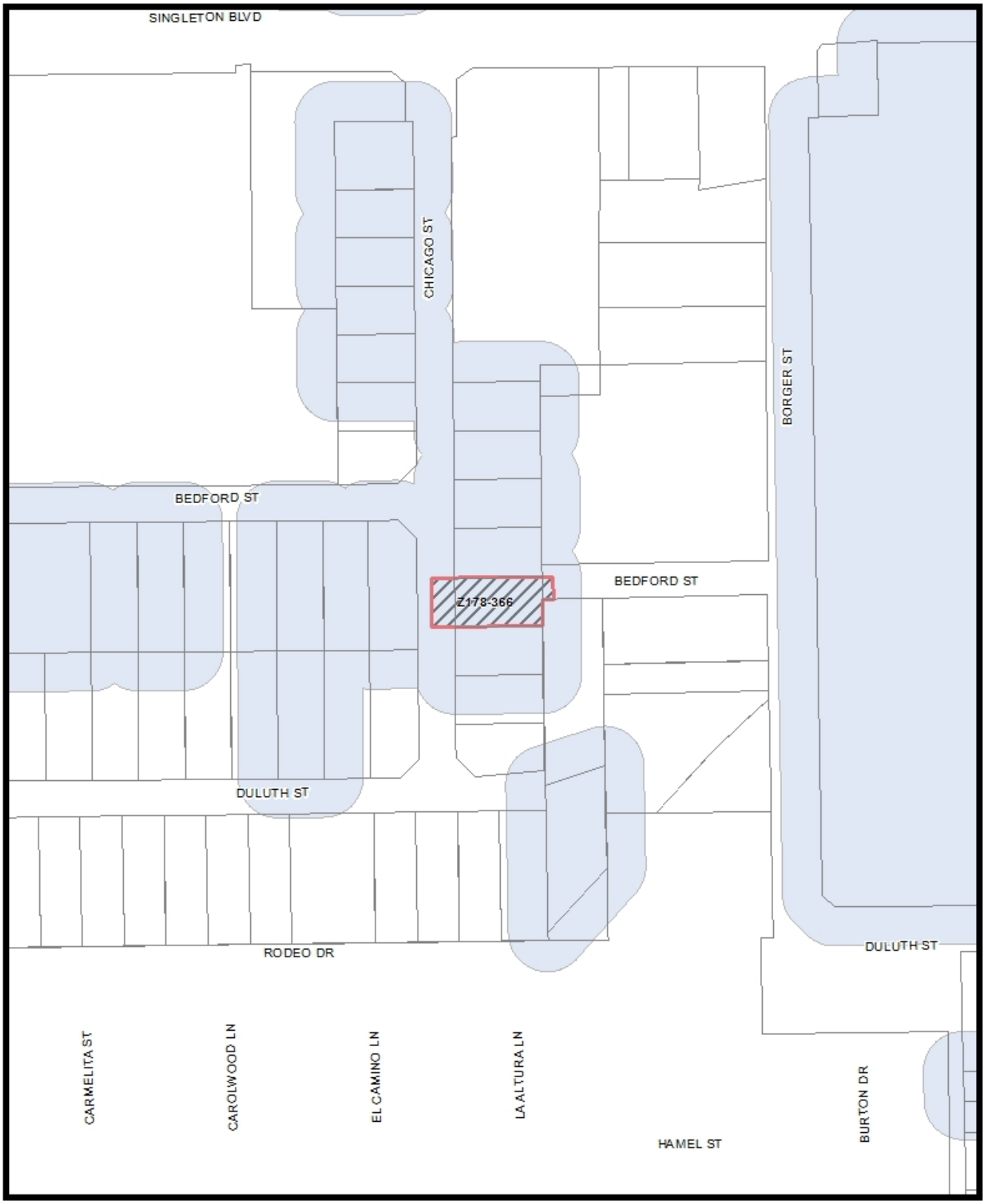
AERIAL MAP

Case no: Z178-366

Date: 10/30/2018


CHICAGO ST
PD 933 (Subarea A)
Single Family
BEDFORD ST
IR
PD 933
Undeveloped
Commercial
Single Family
BEDFORD ST
Single Family
Undeveloped
Single Family
DULUTH ST
Single family
Church
BORGER ST
RODEO DR
Single Family
PD 944
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
HAMEL ST
BURTON DR
TH-3(A)
1:1,200
ZONING AND LAND USE
Case no: Z178-366
Date: 10/30/2018


CHICAGO ST
PD 933 (Subarea A)
IR
BEDFORD ST
PD 933
BEDFORD ST
2
DULUTH ST
1
3
ROGER ST
RODEO DR
PD 944
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
4
LA ALTURA LN
HAMEL ST
BURTON DR
TH-3(A)
1:1,200
ZONING HISTORY
Case no: Z178-366
Date: 10/30/2018



MVA Cluster A B C D E F G H I NA

1:1,200

Market Value Analysis

Printed Date: 10/30/2018



32	Property Owners Notified (38 parcels)
6	Replies in Favor (6 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
2/21/2019	Date

Z178-366
CPC

N
W E
S

1:1,200

02/20/2019

Reply List of Property Owners

Z178-366

32 Property Owners Notified ***6 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	2814	CHICAGO ST	BANDA ELIDIO
	2	1500	SINGLETON BLVD	Dallas ISD
	3	1314	DULUTH ST	SUAREZ SILVERIA M
O	4	1320	DULUTH ST	MACIAS JULIA SUAREZ
	5	1400	DULUTH ST	GALINDO JAVIER FLORENTINO L &
	6	1404	DULUTH ST	TEMPLO PENA DE HOREB
O	7	1401	DULUTH ST	SAENZ RODRIGO S & IRMA
O	8	1403	DULUTH ST	SAENZ IRMA HERNANDEZ
O	9	1407	DULUTH ST	SAENZ IRMA
O	10	1411	DULUTH ST	RODRIGO SAUCEDO SAENZ
	11	1413	DULUTH ST	HMK LTD
	12	2819	CHICAGO ST	LOPEZ FLORENTINO ET AL
	13	1404	BEDFORD ST	HERNANDEZ JENNIFER N
	14	1406	BEDFORD ST	ESCAMILLA FELIX &
	15	1410	BEDFORD ST	ESCAMILLA FELIX &
	16	1412	BEDFORD ST	RODRIGUEZ ALFREDO S
	17	2802	CHICAGO ST	LOZADA MANUEL
	18	2806	CHICAGO ST	LOZADA MANUEL JR &
	19	2810	CHICAGO ST	LOZADA CONSUELO
	20	2818	CHICAGO ST	WILLIAMS W A ESTATE OF
	21	2902	CHICAGO ST	DILLARD CHARLES E JR &
	22	2904	CHICAGO ST	ELVISARA LLC
	23	2903	CHICAGO ST	LOPEZ SEFERINA
	24	2907	CHICAGO ST	WILCHES MARCELEN A
	25	1318	SINGLETON BLVD	ZARATE ANTONIO
	26	2823	BORGER ST	TERRY R H

02/20/2019

Reply	*Label #*	*Address*		*Owner*
	27	2823	BORGER ST	SINGLETON TRINITY GROVES LP
	28	2819	BORGER ST	SINGLETON TRINITY GROVES LP
	29	1310	DULUTH ST	SALAZAR RICHARD EST OF
	30	2915	BORGER ST	SINGLETON TRINITY GROVES LP
	31	1300	DULUTH ST	MEGATEL TRINITY MEADOWS LLC
	32	2911	CHICAGO ST	QUINTERO MARIA EULALIA

Agenda Information Sheet

File #: 19-664 **Item #:** 54.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the south line of Duluth Street, at the terminus of Chicago Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-367(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z178-367(SM) **DATE FILED:** September 11, 2018

LOCATION: South line of Duluth Street, at the terminus of Chicago Street

COUNCIL DISTRICT: 6 **MAPSCO:** 69A L

SIZE OF REQUEST: Approx. 0.09 acres. **CENSUS TRACT:** 171.02

APPLICANT/OWNER: Julia Macias

REPRESENTATIVE: Lindsay Kramer, Masterplan and Santos Martinez

REQUEST: An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

SUMMARY: The existing zoning prohibits single family uses and therefore, the existing residence is nonconforming and cannot be reconstructed or enlarged. The applicant requests to allow single family uses on the subject property. The deed restrictions prohibit certain uses and limit height to a maximum of 36 feet and three stories.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The site is currently undeveloped and no permit history could be found for this site's given address.

- The older structures in the vicinity are a disparate mix of industrial, warehouse, and single-family uses. The single family uses were originally lawfully constructed because, prior to the city-wide transition from Chapter 51 to Chapter 51A in the 1980's, industrial zoning districts allowed any use that ranged in intensity from single family to industrial – this zoning practice is also known as cumulative zoning. When the City transitioned from cumulative zoning to our current zoning districts in the 1980's, single family uses became prohibited uses in the IR Industrial Research District and therefore, the existing single family uses became nonconforming[1]. Nonconforming single family uses are granted the following provisions to allow remodel, enlargement, and the right to rebuild in the event of a natural disaster or other unintentional act; however, a nonconforming single family structure may not be intentionally demolished and rebuilt in an IR Industrial Research district. Therefore, the applicant has requested a zoning change to allow a single family use as a permitted main use.

    - Pursuant to Section 51A-4.704(a)(2), the right to operate a nonconforming use ceases if the nonconforming use is discontinued for six months or more. The board may grant a special exception to this provision only if the owner can show that there was a clear intent not to abandon the use even though the use was discontinued for six months or more.

    - Pursuant to Section 51A-4.704(a)(4), the right to operate a nonconforming use ceases when the use becomes a conforming use.

    - Pursuant to Section 51A-4.704(a)(5), the right to operate a nonconforming use ceases when the structure housing the use is destroyed by the intentional act of the owner or his agent. If a structure housing a nonconforming use is damaged or destroyed other than by the intentional act of the owner or his agent, a person may restore or reconstruct the structure without board approval. The structure must be restored or reconstructed so as to have the same approximate height, floor area, and location that it had immediately prior to the damage or destruction. A

[1] Pursuant to Section 51A-2.102(90), NONCONFORMING USE means a use that does not conform to the use regulations of this chapter, but was lawfully established under the regulations in force at the beginning of operation and has been in regular use since that time.

restoration or reconstruction in violation of this paragraph immediately terminates the right to operate the nonconforming use.

- Pursuant to Section 51A-4.704(b)(2), a person may renovate, remodel, or repair a structure housing a nonconforming use if the work does not enlarge the nonconforming use.

- Pursuant to Section 51A-4.704(b)(3), an accessory structure for a nonconforming residential use may be constructed, enlarged, or remodeled in accordance with the requirements of Sections 51A-4.209(b)(6)(E)(vii) and 51A-4.217(a) without board approval.

- Pursuant to Section 51A-4.704(b)(5), structures housing a nonconforming single family or duplex use may be enlarged without board approval.

Zoning History: There have been four recent zoning changes requested in the area in the last five years.

1. **Z178-366**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the east line of Chicago Street, north of Duluth Street.

2. **Z178-368**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the northwest corner of Duluth Street and Chicago Street.

3. **Z178-369**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the south line of Duluth Street, east of Chicago Street.

4. **Z145-185:** On June 17, 2015, City Council approved PDD No. 944 for single family uses on property zoned an IM Industrial Manufacturing District located south of the intersection of Duluth Street and Borger Street.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed zoning request meets the following goals and objectives of the comprehensive plan.

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Goal 1.1 Align land use strategies with economic development priorities

> Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

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Goal 2.1 Promote balanced growth

> Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Neighborhood Plus

> Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety
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> Policy 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

Area Plans: The request site is within the *West Dallas Comprehensive Land Use Study* and primarily complies with the intent of this study, adopted May 1999. The Study identifies the request site as being in the Western Heights/La Loma subarea. The Study's future land use recommendation indicates that, "Land use in general is in conformance with the zoning district regulations. No change in zoning is recommended at this time." Further, the Study notes, "Future rezoning considerations should support office and mixed uses along the Ft. Worth Avenue corridor that complement the adjacent neighborhoods" (page 3-9).

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	IR	Undeveloped
North	IR	Undeveloped
East	IR	Single Family
South	IR	Single Family
West	IR	Undeveloped

Land Use Compatibility:

The site is currently undeveloped. The applicant proposes an MU-1 Mixed Use District to allow single family uses, whereas single family uses are currently prohibited. The nearby surrounding properties are developed with a mix of nonconforming single family uses, undeveloped land, and commercial uses on the north and south lines of Bedford Street. A church is also located on the south line of Duluth Street, west of Chicago Street. The surrounding properties located farther away include a mix of light industrial/office uses that front on Singleton Boulevard to the north, multifamily and townhouses to the east and a large shared access neighborhood to the south. A zoning application to develop another shared access development to the west is currently under staff review.

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The following residential uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District].

- ~~College dormitory, fraternity, or sorority house.~~
- Duplex.
- Handicapped group dwelling unit.
- Multifamily.
- ~~Residential hotel.~~
- Retirement housing.
- Single family.

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- ~~Foster home~~.
- Library, art gallery, or museum.

The following two retail uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District].

- General merchandise or food store greater than 3,500 square feet.
- ~~Mortuary, funeral home, or commercial wedding chapel~~.

Staff supports the request because it allows nonconforming single family uses the ability to redevelop the site as single family, thus remaining generally consistent with surrounding development patterns in the vicinity. Additionally, the request eliminates many uses that may be incompatible with surrounding uses as indicated in the remainder of this section.

The following uses are allowed without an SUP in the existing zoning district [IR Industrial Research District]; however, they will require an SUP or will be prohibited in the proposed zoning district [MU-1 Mixed Use District].

<u>Commercial and business service uses.</u>

- Building repair and maintenance shop.
- Bus or rail transit vehicle maintenance or storage facility.
- Commercial cleaning or laundry plant.
- Custom business services.
- Job or lithographic printing.
- Machine or welding shop.
- Machinery, heavy equipment, or truck sales and services.
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.
- Vehicle or engine repair or maintenance.

<u>Industrial uses.</u>

- ~~Alcoholic beverage manufacturing.~~
- ~~Industrial (inside).~~
- ~~Industrial (inside) for light manufacturing.~~
- ~~Industrial (outside).~~

<u>Institutional and community service uses.</u>

- Community service center.
- ~~Hospital.~~
- ~~Public school.~~

<u>Lodging uses.</u>

- ~~Lodging or boarding house.~~

Miscellaneous uses.

- ~~Hazardous waste management facility. [Except when operated as a hazardous waste incinerator.]~~

Retail and personal service uses.

- Home improvement center, lumber, brick or building materials sales yard.
- Household equipment and appliance repair.
- Pawn shop.
- Taxidermist.
- Vehicle display, sales, and service.

Transportation uses.

- Commercial bus station and terminal.
- Heliport.
- Helistop.

Utility and public service uses.

- ~~Radio, television, or microwave tower.~~

Wholesale, distribution, and storage uses.

- ~~Freight terminal.~~
- ~~Manufactured building sales lot.~~
- ~~Mini-warehouse.~~
- ~~Office showroom/warehouse.~~
- ~~Outside storage.~~
- ~~Trade center.~~
- ~~Warehouse.~~

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IR - Existing 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
MU-1 - Proposed Mixed Use-1 With deed restrictions volunteered by the applicant (in ~~strikethroughs~~)	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	36' 3 stories ~~120' 9 stories with retail~~	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

Staff supports the applicant's request for an MU-1 Mixed Use District in lieu of a residential district because the proposed MU-1 District would not cause the adjacent IR-zoned properties to be nonconforming to side and rear yard setbacks.

Parking: Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Landscaping: Landscaping must be provided in accordance with Article X, as amended.

Market Value Analysis: Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MCA cluster, it is in the vicinity of an "E" MVA cluster.

CPC Action
November 15, 2018

Motion: In considering an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District, on the south line of Duluth Street, at the terminus of Chicago Street, it was moved to **hold** this case under advisement until January 17, 2019.

Maker: Carpenter
Second: Rieves
Result: Carried: 12 to 0

For: 12 - Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley
Against: 0
Absent: 1 - West
Vacancy: 2 - District 3, District 7

Notices: Area: 200 Mailed: 24
Replies: For: 5 Against: 0

Speakers: For: None
For (Did not speak): Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

CPC Action
January 17, 2019

Motion: In considering an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District, on the south line of Duluth Street, at the terminus of Chicago Street, it was moved to **hold** this case under advisement until February 21, 2019.

Maker: Carpenter
Second: Housewright
Result: Carried: 10 to 0

For: 10 - MacGregor, Davis*, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 4 - District 2, District 3, District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 24
Replies: For: 6 Against: 0

Speakers: None

CPC Action
February 21, 2019

Motion: It was moved to recommend **approval** of an MU-1 Mixed Use District, subject to revised deed restrictions volunteered by the applicant (as briefed) to include Clerestory provision limited to a height of four feet on property zoned an IR Industrial Research District, on the south line of Duluth Street, at the terminus of Chicago Street.

Maker: Carpenter
Second: Lewis
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 24
Replies: For: 6 Against: 0

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

Proposed Deed Restrictions

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. The following uses are prohibited:

    a. Labor hall
    b. Medical or scientific laboratory
    c. All Industrial uses
    d. Cemetery or mausoleum
    e. College, university or seminary
    f. Convent or monastery
    g. Foster home
    h. Hospital
    i. Open enrollment charter school or private school
    j. Public school other than an open enrollment charter school
    k. All Lodging uses
    l. All Miscellaneous uses
    m. Financial institution with drive in window.
    n. College dormitory, fraternity, or sorority house.
    o. Residential hotel.
    p. Alcoholic beverage establishments
    q. Animal shelter or clinic without outside runs.
    r. Auto service center.
    s. Bail bonds office. (means an office for the issuance, brokerage, or procurement of bail bonds as a main use)
    t. Body piercing studio (a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.)
    u. Car wash
    v. Commercial amusement (inside)
    w. Commercial amusement (outside)
    x. Commercial parking lot or garage.
    y. Dry cleaning or laundry store.

z. Furniture store.

aa. General merchandise or food store 3500 square feet or more.

bb. General merchandise or food store 100,000 square feet or more.

cc. Massage establishment. (means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

dd. Mortuary, funeral home, or commercial wedding chapel.

ee. Motor vehicle fueling station.

ff. Paraphernalia shop.

gg. Restaurant with drive in or drive through service

hh. Swap or buy shop

ii. Tattoo studio (an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment)

jj. Commercial radio or television transmitting station

kk. Electrical substation

ll. Local utilities.

mm. Radio, television, or microwave tower.

nn. Tower/antenna for cellular communication.

oo. All wholesale, distribution, and storage uses

2. Maximum structure height is 36 feet. The following structures may project a maximum of nine feet above the maximum structure height for single family dwelling units:

a. Amateur communications tower.

b. Chimney and vent stacks.

c. Clerestory, limited to a height of four feet.

d. Ornamental cupola or dome.

e. Parapet wall or deck railing, limited to a height of four feet.

f. Skylights.

3. Maximum number of stories is three.

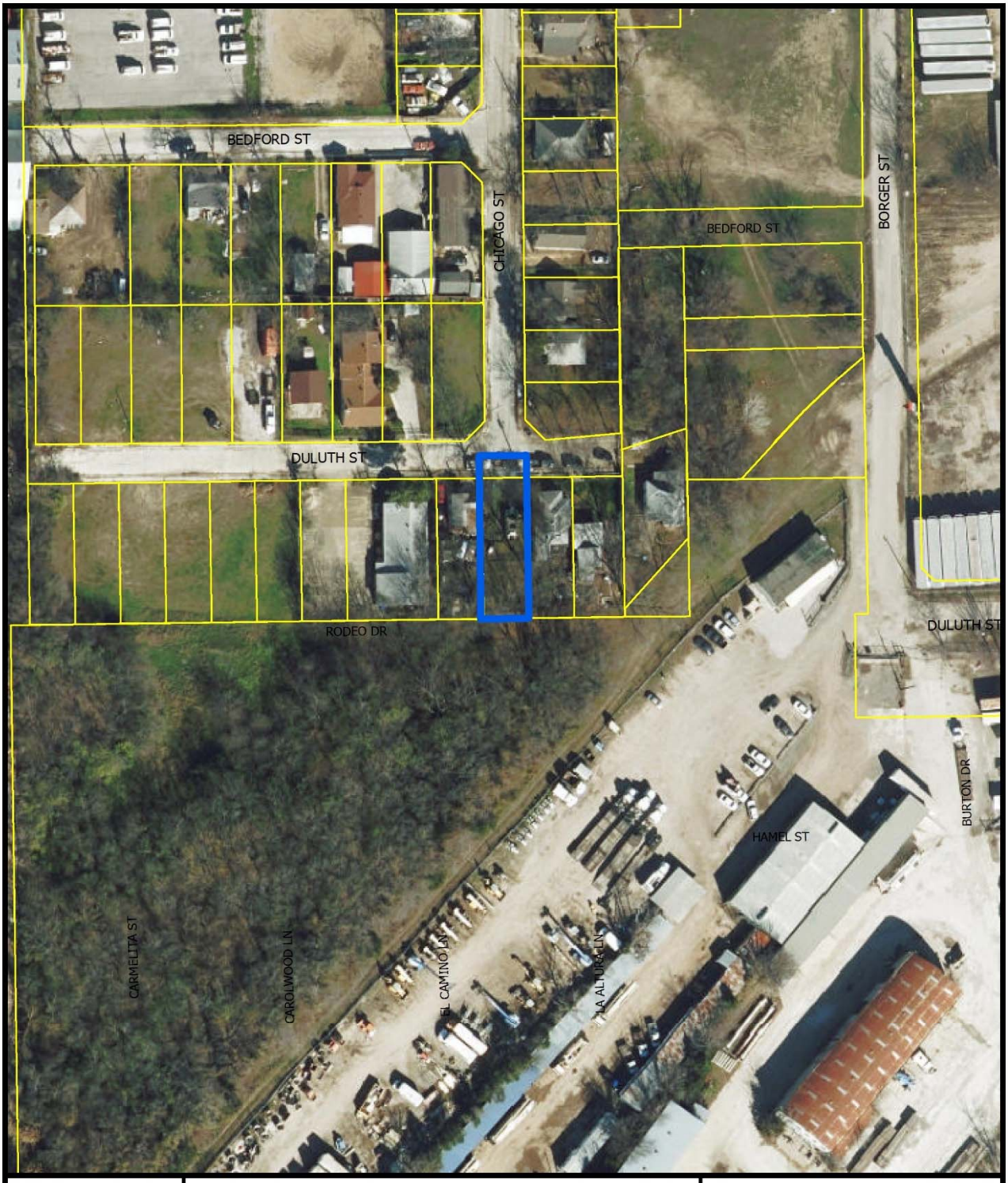


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VICINITY MAP

Case no: Z178-367

Date: 10/30/2018

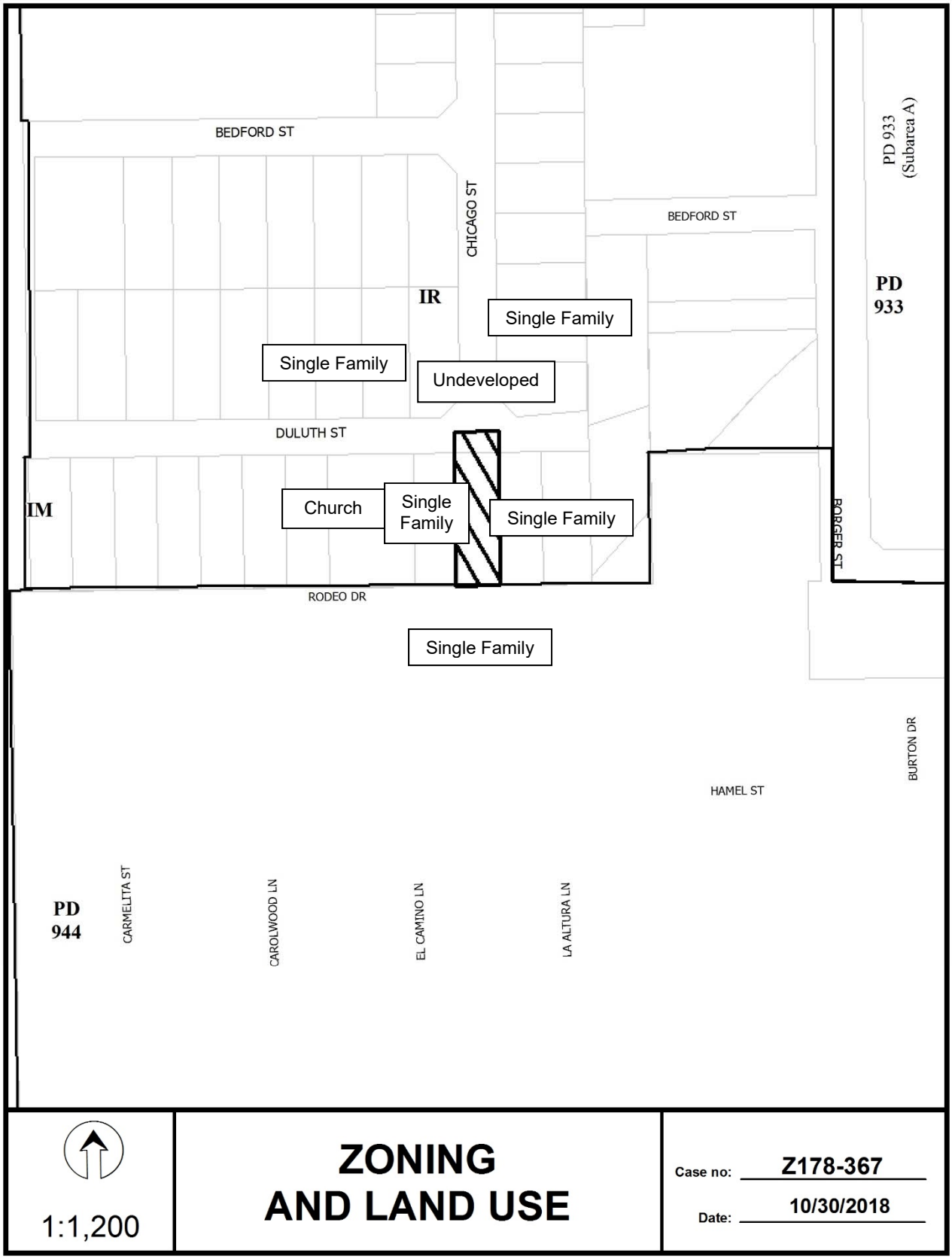


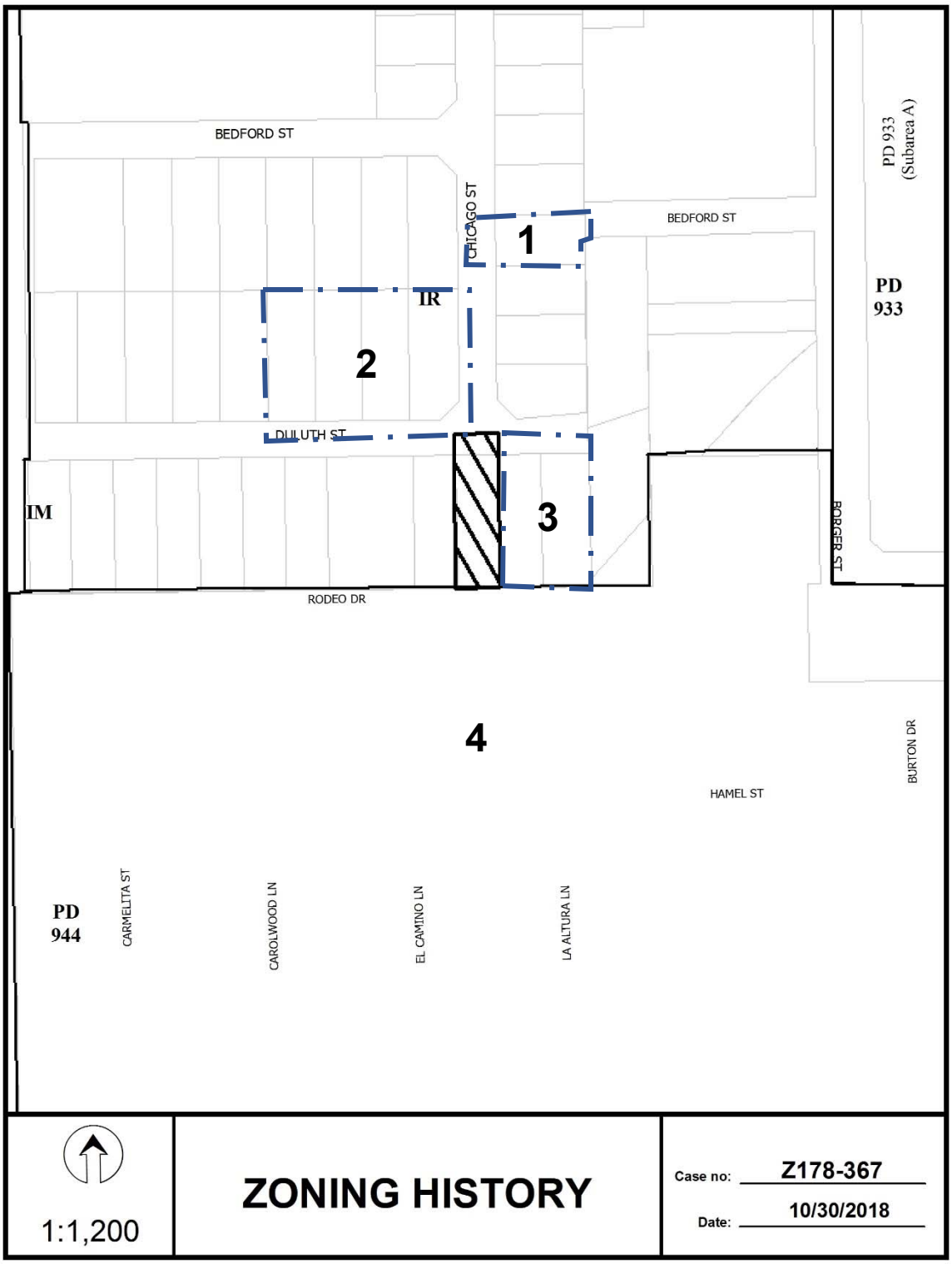
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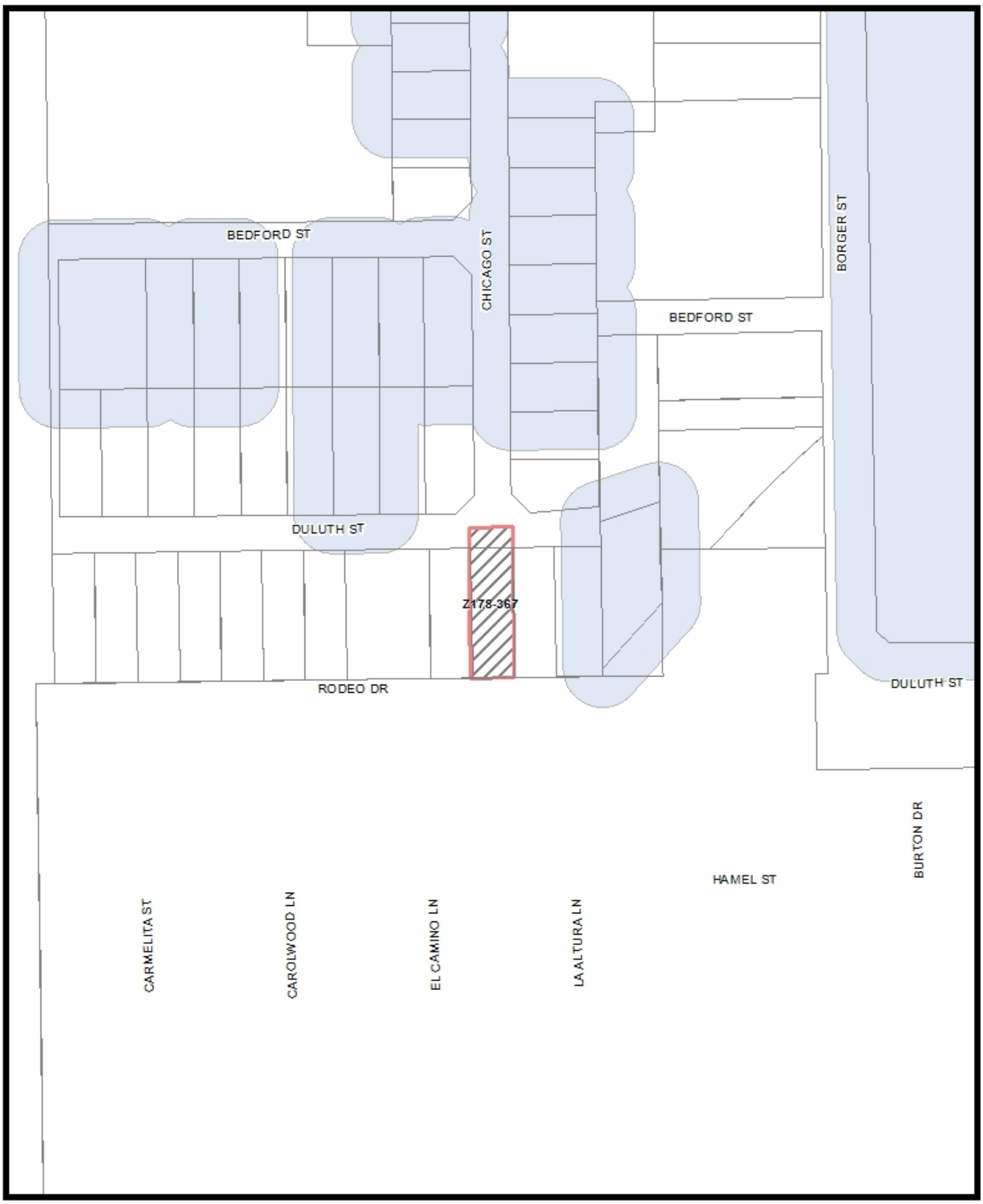
AERIAL MAP

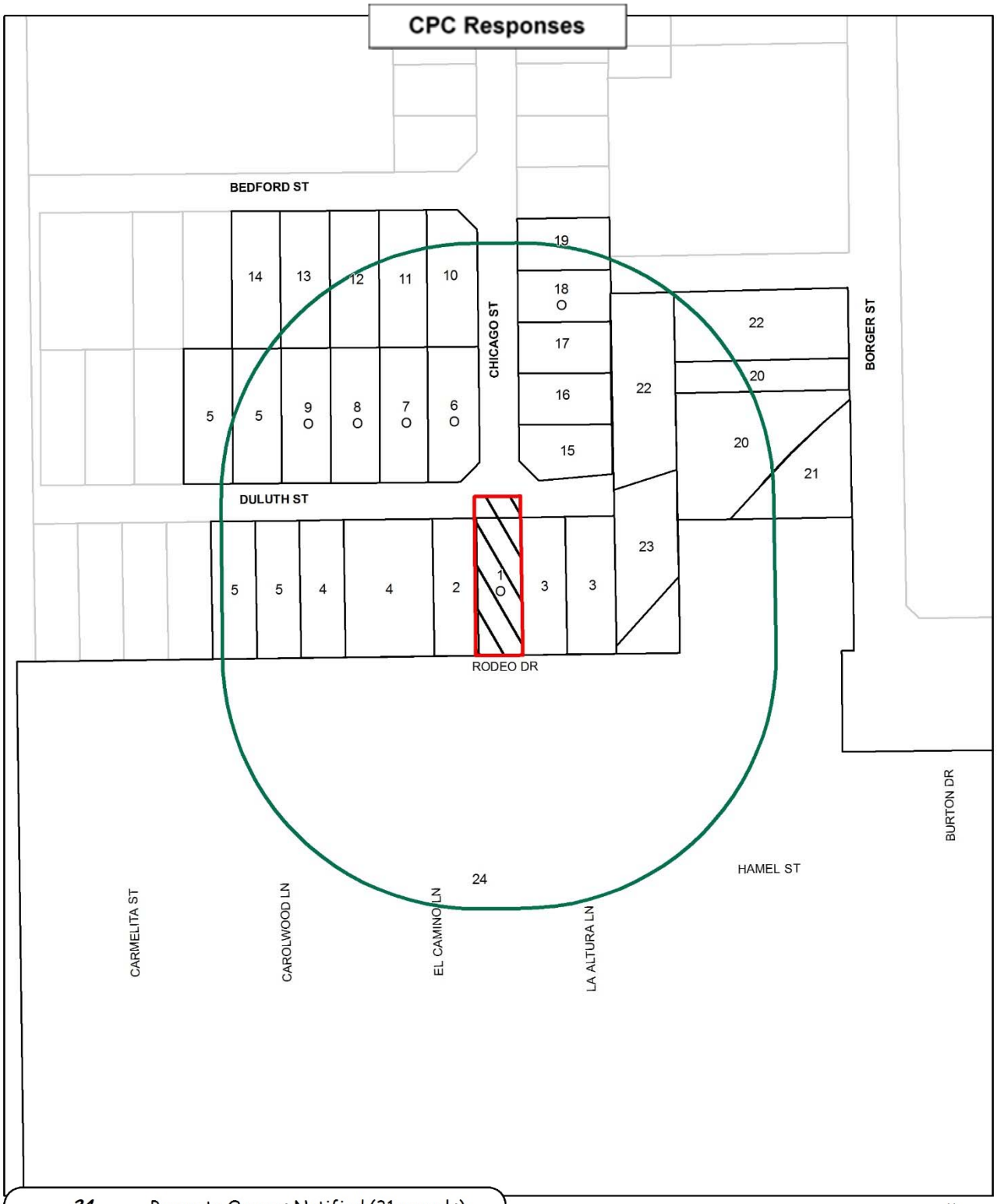
Case no: Z178-367

Date: 10/30/2018


BEDFORD ST
CHICAGO ST
BEDFORD ST
PD 933 (Subarea A)
PD 933
IR
Single Family
Single Family
Undeveloped
DULUTH ST
IM
Church
Single Family
Single Family
ROGER ST
RODEO DR
Single Family
BURTON DR
HAMEL ST
PD 944
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
1:1,200
ZONING AND LAND USE
Case no: Z178-367
Date: 10/30/2018


BEDFORD ST
CHICAGO ST
BEDFORD ST
PD 933 (Subarea A)
PD 933
1
IR
2
DULUTH ST
IM
3
BORGER ST
RODEO DR
4
BURTON DR
HAMEL ST
PD 944
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
1:1,200
ZONING HISTORY
Case no: Z178-367
Date: 10/30/2018


BEDFORD ST
CHICAGO ST
BORGER ST
BEDFORD ST
DULUTH ST
Z178-367
RODEO DR
DULUTH ST
BURTON DR
HAMEL ST
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
MVA Cluster A B C D E F G H I NA
1:1,200
Market Value Analysis
Printed Date: 10/30/2018



24	Property Owners Notified (31 parcels)
6	Replies in Favor (6 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
2/21/2019	Date

Z178-367
CPC

N
W E
S

1:1,200

02/20/2019

Reply List of Property Owners

Z178-367

24 Property Owners Notified ***6 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	1320	DULUTH ST	MACIAS JULIA SUAREZ
	2	1400	DULUTH ST	GALINDO JAVIER FLORENTINO L &
	3	1314	DULUTH ST	SUAREZ SILVERIA M
	4	1404	DULUTH ST	TEMPLO PENA DE HOREB
	5	1412	DULUTH ST	HMK LTD
O	6	1401	DULUTH ST	SAENZ RODRIGO S & IRMA
O	7	1403	DULUTH ST	SAENZ IRMA HERNANDEZ
O	8	1407	DULUTH ST	SAENZ IRMA
O	9	1411	DULUTH ST	RODRIGO SAUCEDO SAENZ
	10	2819	CHICAGO ST	LOPEZ FLORENTINO ET AL
	11	1404	BEDFORD ST	HERNANDEZ JENNIFER N
	12	1406	BEDFORD ST	ESCAMILLA FELIX &
	13	1410	BEDFORD ST	ESCAMILLA FELIX &
	14	1412	BEDFORD ST	RODRIGUEZ ALFREDO S
	15	2802	CHICAGO ST	LOZADA MANUEL
	16	2806	CHICAGO ST	LOZADA MANUEL JR &
	17	2810	CHICAGO ST	LOZADA CONSUELO
O	18	2814	CHICAGO ST	BANDA ELIDIO
	19	2818	CHICAGO ST	WILLIAMS W A ESTATE OF
	20	2823	BORGER ST	TERRY R H
	21	2823	BORGER ST	SINGLETON TRINITY GROVES LP
	22	2819	BORGER ST	SINGLETON TRINITY GROVES LP
	23	1310	DULUTH ST	SALAZAR RICHARD EST OF
	24	1300	DULUTH ST	MEGATEL TRINITY MEADOWS LLC

Agenda Information Sheet

File #: 19-665 **Item #:** 55.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-368(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z178-368(SM) **DATE FILED:** September 11, 2018

LOCATION: Northwest corner of Duluth Street and Chicago Street

COUNCIL DISTRICT: 6 **MAPSCO:** 69A L

SIZE OF REQUEST: Approx. 0.38 acre. **CENSUS TRACT:** 171.02

APPLICANT/OWNER: Irma and Rodrigo Saez

REPRESENTATIVE: Lindsay Kramer, Masterplan and Santos Martinez

REQUEST: An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

SUMMARY: The existing zoning prohibits single family uses and therefore, the existing residence is nonconforming and cannot be reconstructed or enlarged. The applicant requests to allow single family uses on the subject property. The deed restrictions prohibit certain uses and limit height to a maximum of 90 feet and seven stories.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request consists of four lots that are used as one nonconforming single family premises. According to Dallas Central Appraisal District records, the house was built in 1948 and contains 2,904 square feet.

- The older structures in the vicinity are a disparate mix of industrial, warehouse, and single-family uses. The single family uses were originally lawfully constructed because, prior to the city-wide transition from Chapter 51 to Chapter 51A in the 1980's, industrial zoning districts allowed any use that ranged in intensity from single family to industrial – this zoning practice is also known as cumulative zoning. When the City transitioned from cumulative zoning to our current zoning districts in the 1980's, single family uses became prohibited uses in the IR Industrial Research District and therefore, the existing single family uses became nonconforming[1]. Nonconforming single family uses are granted the following provisions to allow remodel, enlargement, and the right to rebuild in the event of a natural disaster or other unintentional act; however, a nonconforming single family structure may not be intentionally demolished and rebuilt in an IR Industrial Research district. Therefore, the applicant has requested a zoning change to allow a single family use as a permitted main use.

    - Pursuant to Section 51A-4.704(a)(2), the right to operate a nonconforming use ceases if the nonconforming use is discontinued for six months or more. The board may grant a special exception to this provision only if the owner can show that there was a clear intent not to abandon the use even though the use was discontinued for six months or more.

    - Pursuant to Section 51A-4.704(a)(4), the right to operate a nonconforming use ceases when the use becomes a conforming use.

    - Pursuant to Section 51A-4.704(a)(5), the right to operate a nonconforming use ceases when the structure housing the use is destroyed by the intentional act of the owner or his agent. If a structure housing a nonconforming use is damaged or destroyed other than by the intentional act of the owner or his agent, a person may restore or reconstruct the structure without board approval. The structure must be restored or reconstructed so as to have the same approximate height, floor area, and location that it had immediately prior to the damage or destruction. A

[1] Pursuant to Section 51A-2.102(90), NONCONFORMING USE means a use that does not conform to the use regulations of this chapter, but was lawfully established under the regulations in force at the beginning of operation and has been in regular use since that time.

restoration or reconstruction in violation of this paragraph immediately terminates the right to operate the nonconforming use.

- Pursuant to Section 51A-4.704(b)(2), a person may renovate, remodel, or repair a structure housing a nonconforming use if the work does not enlarge the nonconforming use.

- Pursuant to Section 51A-4.704(b)(3), an accessory structure for a nonconforming residential use may be constructed, enlarged, or remodeled in accordance with the requirements of Sections 51A-4.209(b)(6)(E)(vii) and 51A-4.217(a) without board approval.

- Pursuant to Section 51A-4.704(b)(5), structures housing a nonconforming single family or duplex use may be enlarged without board approval.

Zoning History: There have been four recent zoning changes requested in the area in the last five years.

1. **Z178-366**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the east line of Chicago Street, north of Duluth Street.

2. **Z178-367**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the south line of Duluth Street, at the terminus of Chicago Street.

3. **Z178-369**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the south line of Duluth Street, east of Chicago Street.

4. **Z145-185:** On June 17, 2015, City Council approved PDD No. 944 for single family uses on property zoned an IM Industrial Manufacturing District located south of the intersection of Duluth Street and Borger Street.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed zoning request meets the following goals and objectives of the comprehensive plan.

Land Use Element

Goal 1.1 Align land use strategies with economic development priorities

> Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

Economic Element

Goal 2.1 Promote balanced growth

> Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Neighborhood Plus

> Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety
>
> Policy 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

Area Plans: The request site is within the *West Dallas Comprehensive Land Use Study* and primarily complies with the intent of this study, adopted May 1999. The Study identifies the request site as being in the Western Heights/La Loma subarea. The Study's future land use recommendation indicates that, "Land use in general is in conformance with the zoning district regulations. No change in zoning is recommended at this time." Further, the Study notes, "Future rezoning considerations should support office and mixed uses along the Ft. Worth Avenue corridor that complement the adjacent neighborhoods" (page 3-9).

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	IR	Undeveloped, Single Family
North	IR	Commercial, Single Family
East	IR	Undeveloped, Single Family
South	IR	Single Family
West	IR	Church, Single Family

Land Use Compatibility:

The site consists of four lots that are used as one nonconforming single family premises developed with a nonconforming single family structure. The applicant proposes an MU-1 Mixed Use District to allow single family uses, whereas single family uses are currently prohibited. The nearby surrounding properties are developed with a mix of nonconforming single family uses, undeveloped land, and commercial uses on the north and south lines of Bedford Street. A church is also located on the south line of Duluth Street, west of Chicago Street. The surrounding properties located farther away include a mix of light industrial/office uses that front on Singleton Boulevard to the north, multifamily and townhouses to the east and a large shared access neighborhood to the south. A zoning application to develop another shared access development to the west is currently under staff review.

Although a comprehensive list to compare how permitted land uses would change in the existing and proposed zoning districts is available in Section 51A-4.104 of the Dallas Development Code, a summarized comparison is listed below. The following paragraphs 1) indicate how the deed restrictions volunteered by the applicant prohibit certain uses that would otherwise be allowed in the proposed zoning change by "~~strike out~~" and 2) the following paragraphs exclude uses that require a Specific Use Permit (SUP) in the proposed zoning district because an SUP requires two public hearings and consideration by CPC and Council.

The following residential uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District].

- ~~College dormitory, fraternity, or sorority house.~~
- Duplex.
- Handicapped group dwelling unit.
- Multifamily.
- ~~Residential hotel.~~
- Retirement housing.
- Single family.

The following institutional and community service uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District]:

- Convalescent and nursing homes, hospice care, and related institutions.
- ~~Foster home~~.
- Library, art gallery, or museum.

The following two retail uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District].

- General merchandise or food store greater than 3,500 square feet.
- ~~Mortuary, funeral home, or commercial wedding chapel~~.

Staff supports the request because it allows nonconforming single family uses the ability to redevelop the site as single family, thus remaining generally consistent with surrounding development patterns in the vicinity. Additionally, the request eliminates many uses that may be incompatible with surrounding uses as indicated in the remainder of this section.

The following uses are allowed without an SUP in the existing zoning district [IR Industrial Research District]; however, they will require an SUP or will be prohibited in the proposed zoning district [MU-1 Mixed Use District].

Commercial and business service uses.

- Building repair and maintenance shop.
- Bus or rail transit vehicle maintenance or storage facility.
- Commercial cleaning or laundry plant.
- Custom business services.
- Job or lithographic printing.
- Machine or welding shop.
- Machinery, heavy equipment, or truck sales and services.
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.
- Vehicle or engine repair or maintenance.

Industrial uses.

- ~~Alcoholic beverage manufacturing.~~
- ~~Industrial (inside).~~
- ~~Industrial (inside) for light manufacturing.~~
- ~~Industrial (outside).~~

Institutional and community service uses.

- Community service center.
- ~~Hospital.~~
- ~~Public school.~~

Lodging uses.

- ~~Lodging or boarding house.~~

Miscellaneous uses.

- ~~Hazardous waste management facility. [Except when operated as a hazardous waste incinerator.]~~

Retail and personal service uses.

- Home improvement center, lumber, brick or building materials sales yard.
- Household equipment and appliance repair.
- Pawn shop.
- Taxidermist.
- Vehicle display, sales, and service.

Transportation uses.

- Commercial bus station and terminal.
- Heliport.
- Helistop.

Utility and public service uses.

- ~~Radio, television, or microwave tower.~~

Wholesale, distribution, and storage uses.

- ~~Freight terminal.~~
- ~~Manufactured building sales lot.~~
- ~~Mini-warehouse.~~
- ~~Office showroom/warehouse.~~
- ~~Outside storage.~~
- ~~Trade center.~~
- ~~Warehouse.~~

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IR - Existing 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
MU-1 - Proposed Mixed Use-1 With deed restrictions volunteered by the applicant (in ~~strikethroughs~~)	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	36' 3 stories ~~120' 9 stories with retail~~	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

Staff supports the applicant's request for an MU-1 Mixed Use District in lieu of a residential district because the proposed MU-1 District would not cause the adjacent IR-zoned properties to be nonconforming to side and rear yard setbacks.

Parking: Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Landscaping: Landscaping must be provided in accordance with Article X, as amended.

Market Value Analysis: Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is within an "E" MVA cluster.

CPC Action
November 15, 2018

Motion: In considering an application for for an MU-1 Mixed Use District on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street, it was moved to **hold** this case under advisement until January 17, 2019.

Maker: Carpenter
Second: Rieves
Result: Carried: 12 to 0

For: 12 - Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley
Against: 0
Absent: 1 - West
Vacancy: 2 - District 3, District 7

Notices: Area: 200 Mailed: 32
Replies: For: 5 Against: 0

Speakers: For: None
For (Did not speak): Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

CPC Action
January 17, 2019

Motion: In considering an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street, it was moved to **hold** this case under advisement until February 21, 2019.

Maker: Carpenter
Second: Housewright
Result: Carried: 10 to 0

For: 10 - MacGregor, Davis*, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 4 - District 2, District 3, District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 32
Replies: For: 6 Against: 0

Speakers: None

CPC Action
February 21, 2019

Motion: It was moved to recommend **approval** of MU-1 Mixed Use District, subject to revised deed restrictions volunteered by the applicant (as briefed) to include Clerestory provision limited to a height of four feet on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street.

Maker: Carpenter
Second: Lewis
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 32
Replies: For: 6 Against: 0

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

Proposed Deed Restrictions

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. The following uses are prohibited:

    a. Labor hall
    b. Medical or scientific laboratory
    c. All Industrial uses
    d. Cemetery or mausoleum
    e. College, university or seminary
    f. Convent or monastery
    g. Foster home
    h. Hospital
    i. Open enrollment charter school or private school
    j. Public school other than an open enrollment charter school
    k. All Lodging uses
    l. All Miscellaneous uses
    m. Financial institution with drive in window.
    n. College dormitory, fraternity, or sorority house.
    o. Residential hotel.
    p. Alcoholic beverage establishments
    q. Animal shelter or clinic without outside runs.
    r. Auto service center.
    s. Bail bonds office. (means an office for the issuance, brokerage, or procurement of bail bonds as a main use)
    t. Body piercing studio (a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.)
    u. Car wash
    v. Commercial amusement (inside)
    w. Commercial amusement (outside)
    x. Commercial parking lot or garage.
    y. Dry cleaning or laundry store.

z. Furniture store.

aa. General merchandise or food store 3500 square feet or more.

bb. General merchandise or food store 100,000 square feet or more.

cc. Massage establishment. (means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

dd. Mortuary, funeral home, or commercial wedding chapel.

ee. Motor vehicle fueling station.

ff. Paraphernalia shop.

gg. Restaurant with drive in or drive through service

hh. Swap or buy shop

ii. Tattoo studio (an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment)

jj. Commercial radio or television transmitting station

kk. Electrical substation

ll. Local utilities.

mm. Radio, television, or microwave tower.

nn. Tower/antenna for cellular communication.

oo. All wholesale, distribution, and storage uses

2. Maximum structure height is 36 feet. The following structures may project a maximum of nine feet above the maximum structure height for single family dwelling units:

a. Amateur communications tower.

b. Chimney and vent stacks.

c. Clerestory, limited to a height of four feet.

d. Ornamental cupola or dome.

e. Parapet wall or deck railing, limited to a height of four feet.

f. Skylights.

3. Maximum number of stories is three.


DeZavala
NOMAS ST
NOMAS ST
NOMAS ST
VILBIG RD
PUEBLO ST
PUEBLO ST
PUEBLO ST
NAVARO ST
CHIHUAHUA ST
RUTZ ST
EL BENITO DR
CHICAGO ST
CROSSMAN AVE
N WINNETKA AVE
CONKLIN ST
TORONTO ST
TORONTO ST
TORONTO ST
TORONTO ST
SINGLETON BLVD
BEDFORD ST
CHICAGO ST
BORGER ST
TEA OLIVE LN
YELLOW JASMINE LN
FLOWERING PEACH LN
MANACOR LN
DULUTH ST
DULUTH ST
DULUTH ST
RODEO DR
BURTON DR
HAMEL ST
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
CROSSMAN AVE
BAYONNE ST
MUNCIE AVE
CONKLIN ST
ELEVADO DR
AMOS ST
ANDY ST
ANDY ST
PABLO ST
W COMMERCE ST
NAVARO ST
NEAL ST
N EDGEFIELD AVE
CLIFFTOP LN
1:4,800
VICINITY MAP
Case no: Z178-368
Date: 10/30/2018

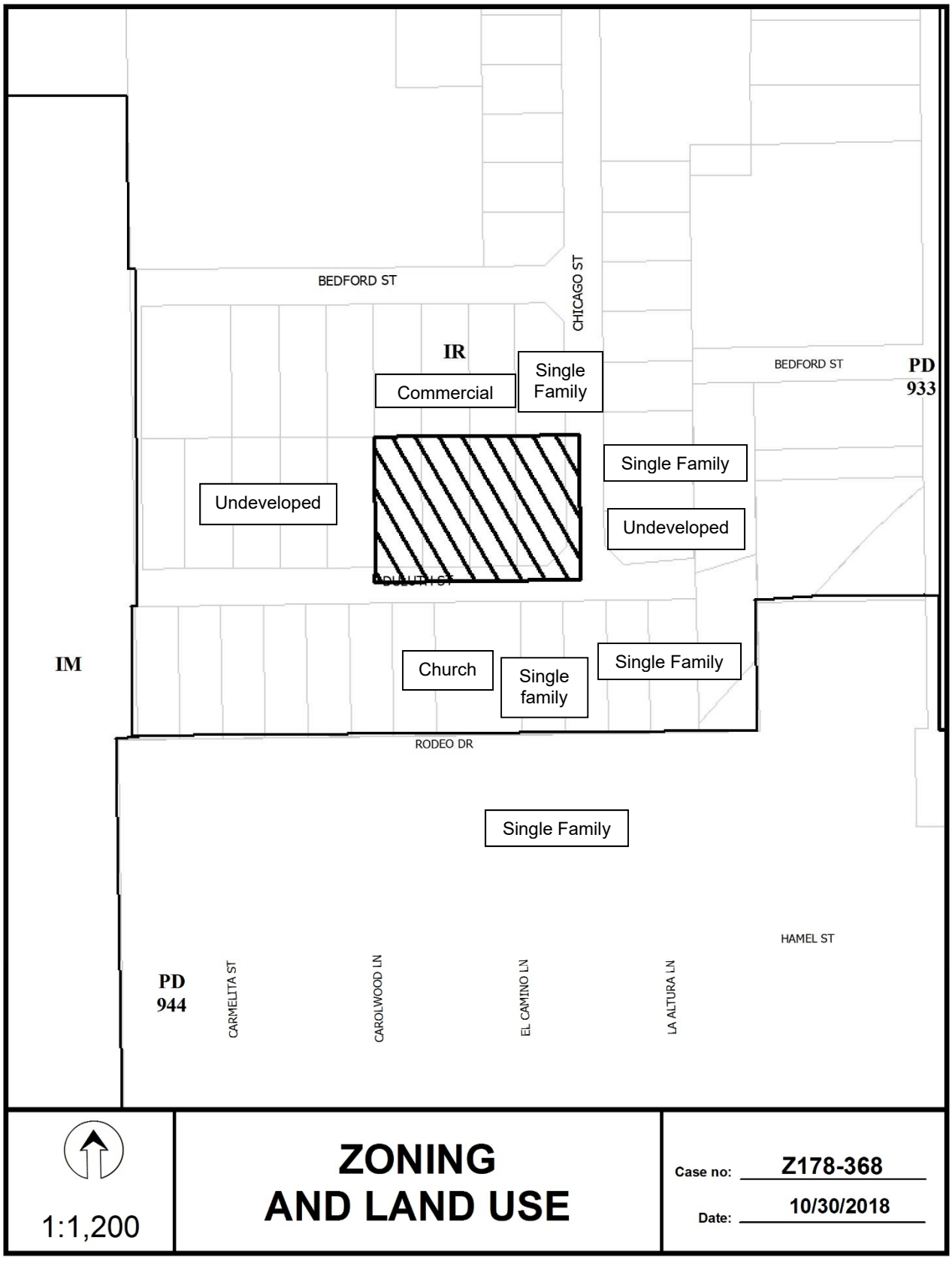


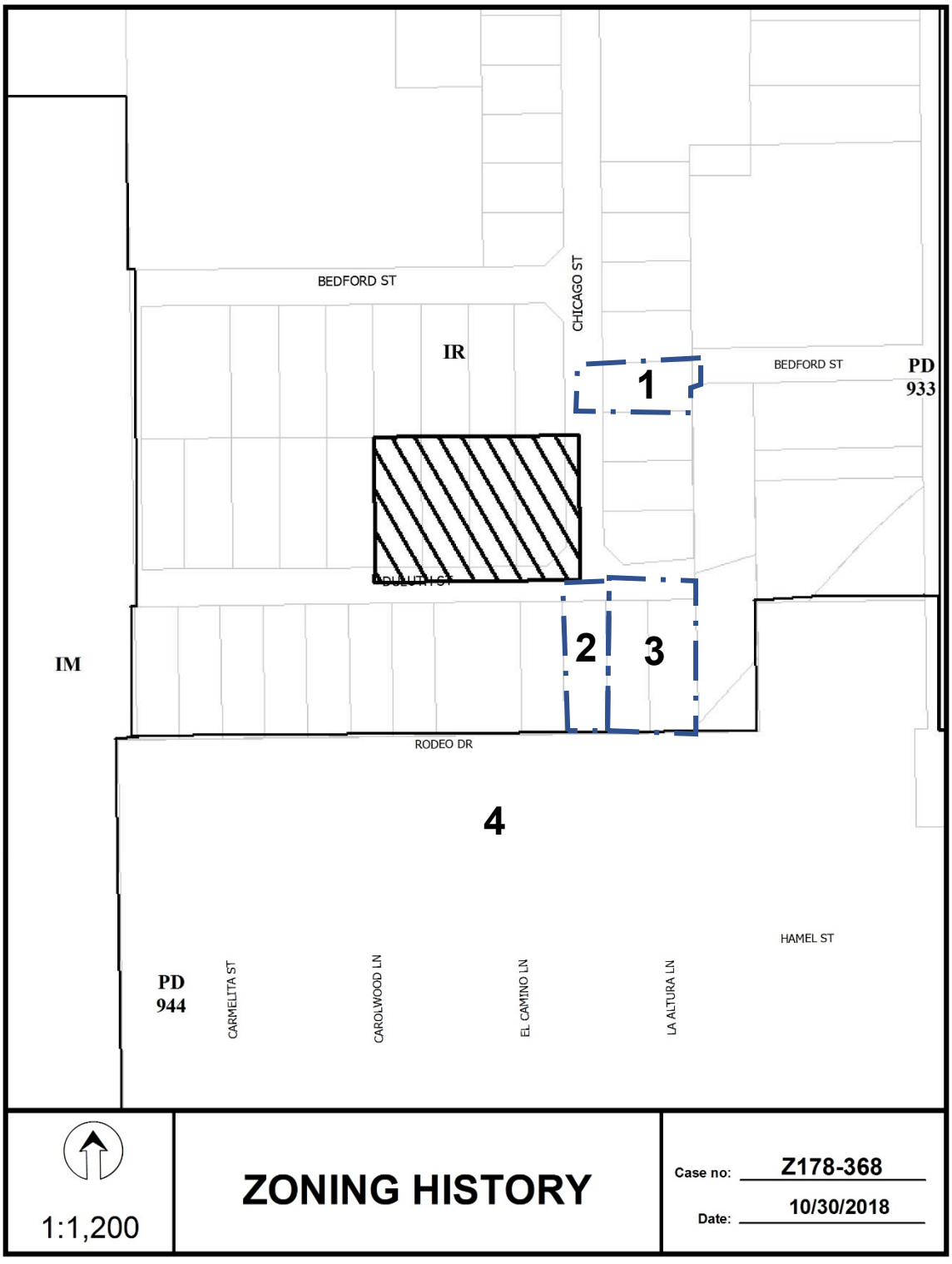
1:1,200

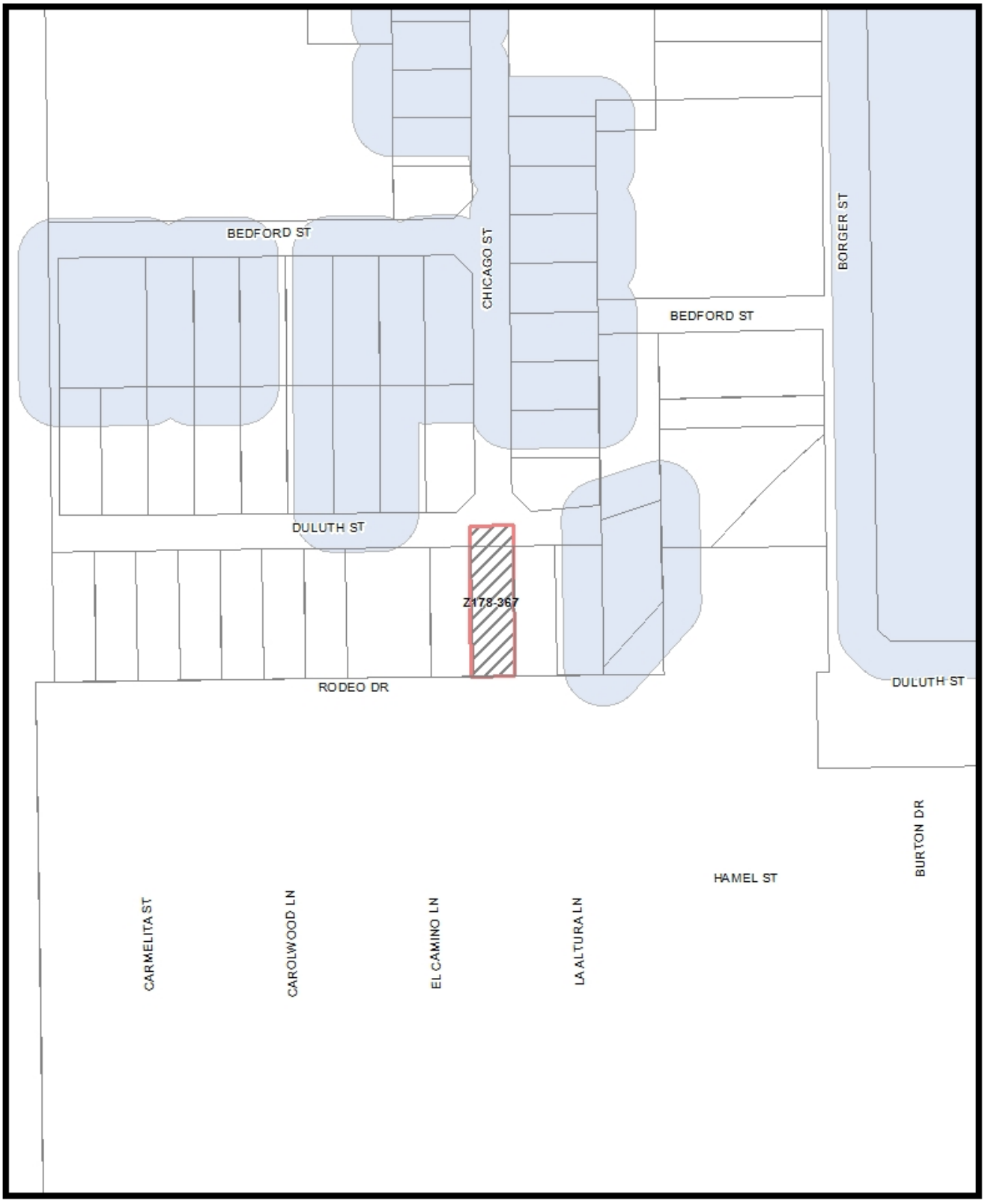
AERIAL MAP

Case no: Z178-368

Date: 10/30/2018


BEDFORD ST
CHICAGO ST
IR
Commercial
Single Family
BEDFORD ST
PD 933
Single Family
Undeveloped
Undeveloped
DULUTH ST
IM
Church
Single family
Single Family
RODEO DR
Single Family
HAMEL ST
PD 944
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
1:1,200
ZONING AND LAND USE
Case no: Z178-368
Date: 10/30/2018


BEDFORD ST
CHICAGO ST
IR
BEDFORD ST
PD
933
1
DULUTH ST
2
3
IM
RODEO DR
4
HAMEL ST
PD
944
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
1:1,200
ZONING HISTORY
Case no: Z178-368
Date: 10/30/2018


BEDFORD ST
CHICAGO ST
BORGER ST
BEDFORD ST
DULUTH ST
Z178-367
RODEO DR
DULUTH ST
BURTON DR
HAMEL ST
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:1,200
Market Value Analysis
Printed Date: 10/30/2018


CPC Responses
CHICAGO ST
BEDFORD ST
BORGER ST
DULUTH ST
RODEO DR
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
HAMEL ST
6
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14
13
12
11
10
9
8
7
4
3
2
1
32 Property Owners Notified (49 parcels)
6 Replies in Favor (6 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
2/21/2019 Date
Z178-368
CPC
N
W
E
S
1:1,200

02/21/2019

Reply List of Property Owners

Z178-368

32 Property Owners Notified ***6 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	1401	DULUTH ST	SAENZ RODRIGO S & IRMA
O	2	1403	DULUTH ST	SAENZ IRMA HERNANDEZ
O	3	1407	DULUTH ST	SAENZ IRMA
O	4	1411	DULUTH ST	RODRIGO SAUCEDO SAENZ
	5	1600	SINGLETON BLVD	LRG L L C
	6	1500	SINGLETON BLVD	Dallas ISD
	7	1314	DULUTH ST	SUAREZ SILVERIA M
O	8	1320	DULUTH ST	MACIAS JULIA SUAREZ
	9	1400	DULUTH ST	GALINDO JAVIER FLORENTINO L &
	10	1404	DULUTH ST	TEMPLO PENA DE HOREB
	11	1412	DULUTH ST	HMK LTD
	12	2819	CHICAGO ST	LOPEZ FLORENTINO ET AL
	13	1404	BEDFORD ST	HERNANDEZ JENNIFER N
	14	1406	BEDFORD ST	ESCAMILLA FELIX &
	15	1410	BEDFORD ST	ESCAMILLA FELIX &
	16	1412	BEDFORD ST	RODRIGUEZ ALFREDO S
	17	1420	BEDFORD ST	ORTIZ YOLANDA
	18	2802	CHICAGO ST	LOZADA MANUEL
	19	2806	CHICAGO ST	LOZADA MANUEL JR &
	20	2810	CHICAGO ST	LOZADA CONSUELO
O	21	2814	CHICAGO ST	BANDA ELIDIO
	22	2818	CHICAGO ST	WILLIAMS W A ESTATE OF
	23	2902	CHICAGO ST	DILLARD CHARLES E JR &
	24	2904	CHICAGO ST	ELVISARA LLC
	25	2903	CHICAGO ST	LOPEZ SEFERINA
	26	2907	CHICAGO ST	WILCHES MARCELEN A

04/05/2019

Reply	*Label #*	*Address*		*Owner*
	27	2823	BORGER ST	TERRY R H
	28	2823	BORGER ST	SINGLETON TRINITY GROVES LP
	29	2819	BORGER ST	SINGLETON TRINITY GROVES LP
	30	1310	DULUTH ST	SALAZAR RICHARD EST OF
	31	1300	DULUTH ST	MEGATEL TRINITY MEADOWS LLC
	32	2901	BORGER ST	SINGLETON TRINITY GROVES LP

Agenda Information Sheet

File #: 19-666 **Item #:** 56.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the south line of Duluth Street, east of Chicago Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-369(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z178-369(SM) **DATE FILED:** September 11, 2018

LOCATION: South line of Duluth Street, east of Chicago Street

COUNCIL DISTRICT: 6 **MAPSCO:** 69A L

SIZE OF REQUEST: Approx. 0.19 acre **CENSUS TRACT:** 171.02

APPLICANT/OWNER: Mary Garza

REPRESENTATIVE: Lindsay Kramer, Masterplan and Santos Martinez

REQUEST: An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

SUMMARY: The existing zoning prohibits single family uses and therefore, the existing residence is nonconforming and cannot be reconstructed or enlarged. The applicant requests to allow single family uses on the subject property. The deed restrictions prohibit certain uses and limit height to a maximum of 36 feet and three stories.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request consists of two lots that contain nonconforming single family structures. According to Dallas Central Appraisal District records, the larger structure was built in 1948 and contains 1,008 square feet and the smaller structure was built in 1950 and contains 344 square feet.

- The older structures in the vicinity are a disparate mix of industrial, warehouse, and single-family uses. The single family uses were originally lawfully constructed because, prior to the city-wide transition from Chapter 51 to Chapter 51A in the 1980's, industrial zoning districts allowed any use that ranged in intensity from single family to industrial – this zoning practice is also known as cumulative zoning. When the City transitioned from cumulative zoning to our current zoning districts in the 1980's, single family uses became prohibited uses in the IR Industrial Research District and therefore, the existing single family uses became nonconforming[1]. Nonconforming single family uses are granted the following provisions to allow remodel, enlargement, and the right to rebuild in the event of a natural disaster or other unintentional act; however, a nonconforming single family structure may not be intentionally demolished and rebuilt in an IR Industrial Research district. Therefore, the applicant has requested a zoning change to allow a single family use as a permitted main use.

    - Pursuant to Section 51A-4.704(a)(2), the right to operate a nonconforming use ceases if the nonconforming use is discontinued for six months or more. The board may grant a special exception to this provision only if the owner can show that there was a clear intent not to abandon the use even though the use was discontinued for six months or more.

    - Pursuant to Section 51A-4.704(a)(4), the right to operate a nonconforming use ceases when the use becomes a conforming use.

    - Pursuant to Section 51A-4.704(a)(5), the right to operate a nonconforming use ceases when the structure housing the use is destroyed by the intentional act of the owner or his agent. If a structure housing a nonconforming use is damaged or destroyed other than by the intentional act of the owner or his agent, a person may restore or reconstruct the structure without board approval. The structure must be restored or reconstructed so as to have the same approximate height, floor area, and

[1] Pursuant to Section 51A-2.102(90), NONCONFORMING USE means a use that does not conform to the use regulations of this chapter, but was lawfully established under the regulations in force at the beginning of operation and has been in regular use since that time.

location that it had immediately prior to the damage or destruction. A restoration or reconstruction in violation of this paragraph immediately terminates the right to operate the nonconforming use.

- Pursuant to Section 51A-4.704(b)(2), a person may renovate, remodel, or repair a structure housing a nonconforming use if the work does not enlarge the nonconforming use.

- Pursuant to Section 51A-4.704(b)(3), an accessory structure for a nonconforming residential use may be constructed, enlarged, or remodeled in accordance with the requirements of Sections 51A-4.209(b)(6)(E)(vii) and 51A-4.217(a) without board approval.

- Pursuant to Section 51A-4.704(b)(5), structures housing a nonconforming single family or duplex use may be enlarged without board approval.

Zoning History: There have been four recent zoning changes requested in the area in the last five years.

1. **Z178-366**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the east line of Chicago Street, north of Duluth Street.

2. **Z178-367**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the south line of Duluth Street, at the terminus of Chicago Street.

3. **Z178-368**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the northwest corner of Duluth Street and Chicago Street.

4. **Z145-185:** On June 17, 2015, City Council approved PDD No. 944 for single family uses on property zoned an IM Industrial Manufacturing District located south of the intersection of Duluth Street and Borger Street.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed zoning request meets the following goals and objectives of the comprehensive plan.

Land Use Element

Goal 1.1 Align land use strategies with economic development priorities

> Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

Economic Element

Goal 2.1 Promote balanced growth

> Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Neighborhood Plus

> Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety
>
> Policy 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

Area Plans: The request site is within the *West Dallas Comprehensive Land Use Study* and primarily complies with the intent of this study, adopted May 1999. The Study identifies the request site as being in the Western Heights/La Loma subarea. The Study's future land use recommendation indicates that, "Land use in general is in conformance with the zoning district regulations. No change in zoning is recommended at this time." Further, the Study notes, "Future rezoning considerations should support office and mixed uses along the Ft. Worth Avenue corridor that complement the adjacent neighborhoods" (page 3-9).

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	IR	Single Family
North	IR	Undeveloped, Single Family
East	IR	Single Family
South	IR	Single Family
West	IR	Undeveloped, Single Family

Land Use Compatibility:

The site is currently developed with nonconforming single family structures on two lots. The applicant proposes an MU-1 Mixed Use District to allow single family uses, whereas single family uses are currently prohibited. The nearby surrounding properties are developed with a mix of nonconforming single family uses, undeveloped land, and commercial uses on the north and south lines of Bedford Street. A church is also located on the south line of Duluth Street, west of Chicago Street. The surrounding properties located farther away include a mix of light industrial/office uses that front on Singleton Boulevard to the north, multifamily and townhouses to the east and a large shared access neighborhood to the south. A zoning application to develop another shared access development to the west is currently under staff review.

Although a comprehensive list to compare how permitted land uses would change in the existing and proposed zoning districts is available in Section 51A-4.104 of the Dallas Development Code, a summarized comparison is listed below. The following paragraphs 1) indicate how the deed restrictions volunteered by the applicant prohibit certain uses that would otherwise be allowed in the proposed zoning change by "~~strike out~~" and 2) the following paragraphs exclude uses that require a Specific Use Permit (SUP) in the proposed zoning district because an SUP requires two public hearings and consideration by CPC and Council.

The following residential uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District].

- ~~College dormitory, fraternity, or sorority house.~~
- Duplex.
- Handicapped group dwelling unit.
- Multifamily.
- ~~Residential hotel.~~
- Retirement housing.
- Single family.

The following institutional and community service uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District]:

- Convalescent and nursing homes, hospice care, and related institutions.
- ~~Foster home~~.
- Library, art gallery, or museum.

The following two retail uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District].

- General merchandise or food store greater than 3,500 square feet.
- ~~Mortuary, funeral home, or commercial wedding chapel~~.

Staff supports the request because it allows nonconforming single family uses the ability to redevelop the site as single family, thus remaining generally consistent with surrounding development patterns in the vicinity. Additionally, the request eliminates many uses that may be incompatible with surrounding uses as indicated in the remainder of this section.

The following uses are allowed without an SUP in the existing zoning district [IR Industrial Research District]; however, they will require an SUP or will be prohibited in the proposed zoning district [MU-1 Mixed Use District].

<u>Commercial and business service uses.</u>

- Building repair and maintenance shop.
- Bus or rail transit vehicle maintenance or storage facility.
- Commercial cleaning or laundry plant.
- Custom business services.
- Job or lithographic printing.
- Machine or welding shop.
- Machinery, heavy equipment, or truck sales and services.
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.
- Vehicle or engine repair or maintenance.

<u>Industrial uses.</u>

- ~~Alcoholic beverage manufacturing.~~
- ~~Industrial (inside).~~
- ~~Industrial (inside) for light manufacturing.~~
- ~~Industrial (outside).~~

<u>Institutional and community service uses.</u>

- Community service center.
- ~~Hospital.~~
- ~~Public school.~~

<u>Lodging uses.</u>

- ~~Lodging or boarding house.~~

Miscellaneous uses.

- ~~Hazardous waste management facility. [Except when operated as a hazardous waste incinerator.]~~

Retail and personal service uses.

- Home improvement center, lumber, brick or building materials sales yard.
- Household equipment and appliance repair.
- Pawn shop.
- Taxidermist.
- Vehicle display, sales, and service.

Transportation uses.

- Commercial bus station and terminal.
- Heliport.
- Helistop.

Utility and public service uses.

- ~~Radio, television, or microwave tower.~~

Wholesale, distribution, and storage uses.

- ~~Freight terminal.~~
- ~~Manufactured building sales lot.~~
- ~~Mini-warehouse.~~
- ~~Office showroom/warehouse.~~
- ~~Outside storage.~~
- ~~Trade center.~~
- ~~Warehouse.~~

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IR - Existing 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
MU-1 - Proposed Mixed Use-1 With deed restrictions volunteered by the applicant (in ~~strikethroughs~~)	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	36' 3 stories ~~120' 9 stories with retail~~	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

Staff supports the applicant's request for an MU-1 Mixed Use District in lieu of a residential district because the proposed MU-1 District would not cause the adjacent IR-zoned properties to be nonconforming to side and rear yard setbacks.

Parking: Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Landscaping: Landscaping must be provided in accordance with Article X, as amended.

Market Value Analysis: Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is within an "E" MVA cluster.

CPC Action
November 15, 2018

Motion: In considering an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District, on the south line of Duluth Street, east of Chicago Street, it was moved to **hold** this case under advisement until January 17, 2019.

Maker: Carpenter
Second: Rieves
Result: Carried: 12 to 0

For: 12 - Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - West
Vacancy: 2 - District 3, District 7

Notices: Area: 200 Mailed: 24
Replies: For: 5 Against: 0

Speakers: For: None
For (Did not speak): Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Maria Garza, 2506 Catherine St., Dallas, Tx, 75211
Against: None

CPC Action
January 17, 2019

Motion: In considering an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District, on the south line of Duluth Street, east of Chicago Street, it was moved to **hold** this case under advisement until February 21, 2019.

Maker: Carpenter
Second: Housewright
Result: Carried: 10 to 0

For: 10 - MacGregor, Davis*, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 4 - District 2, District 3, District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 24
Replies: For: 6 Against: 0

Speakers: None

CPC Action
February 21, 2019

Motion: It was moved to recommend **approval** of an MU-1 Mixed Use District, subject to revised deed restrictions volunteered by the applicant (as briefed) to include Clerestory provision limited to a height of four feet on property zoned an IR Industrial Research District, on the south line of Duluth Street, east of Chicago Street.

Maker: Carpenter
Second: Lewis
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 24
Replies: For: 6 Against: 0

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

Proposed Deed Restrictions

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. The following uses are prohibited:

    a. Labor hall
    b. Medical or scientific laboratory
    c. All Industrial uses
    d. Cemetery or mausoleum
    e. College, university or seminary
    f. Convent or monastery
    g. Foster home
    h. Hospital
    i. Open enrollment charter school or private school
    j. Public school other than an open enrollment charter school
    k. All Lodging uses
    l. All Miscellaneous uses
    m. Financial institution with drive in window.
    n. College dormitory, fraternity, or sorority house.
    o. Residential hotel.
    p. Alcoholic beverage establishments
    q. Animal shelter or clinic without outside runs.
    r. Auto service center.
    s. Bail bonds office. (means an office for the issuance, brokerage, or procurement of bail bonds as a main use)
    t. Body piercing studio (a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.)
    u. Car wash
    v. Commercial amusement (inside)
    w. Commercial amusement (outside)
    x. Commercial parking lot or garage.
    y. Dry cleaning or laundry store.

z. Furniture store.

aa. General merchandise or food store 3500 square feet or more.

bb. General merchandise or food store 100,000 square feet or more.

cc. Massage establishment. (means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

dd. Mortuary, funeral home, or commercial wedding chapel.

ee. Motor vehicle fueling station.

ff. Paraphernalia shop.

gg. Restaurant with drive in or drive through service

hh. Swap or buy shop

ii. Tattoo studio (an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment)

jj. Commercial radio or television transmitting station

kk. Electrical substation

ll. Local utilities.

mm. Radio, television, or microwave tower.

nn. Tower/antenna for cellular communication.

oo. All wholesale, distribution, and storage uses

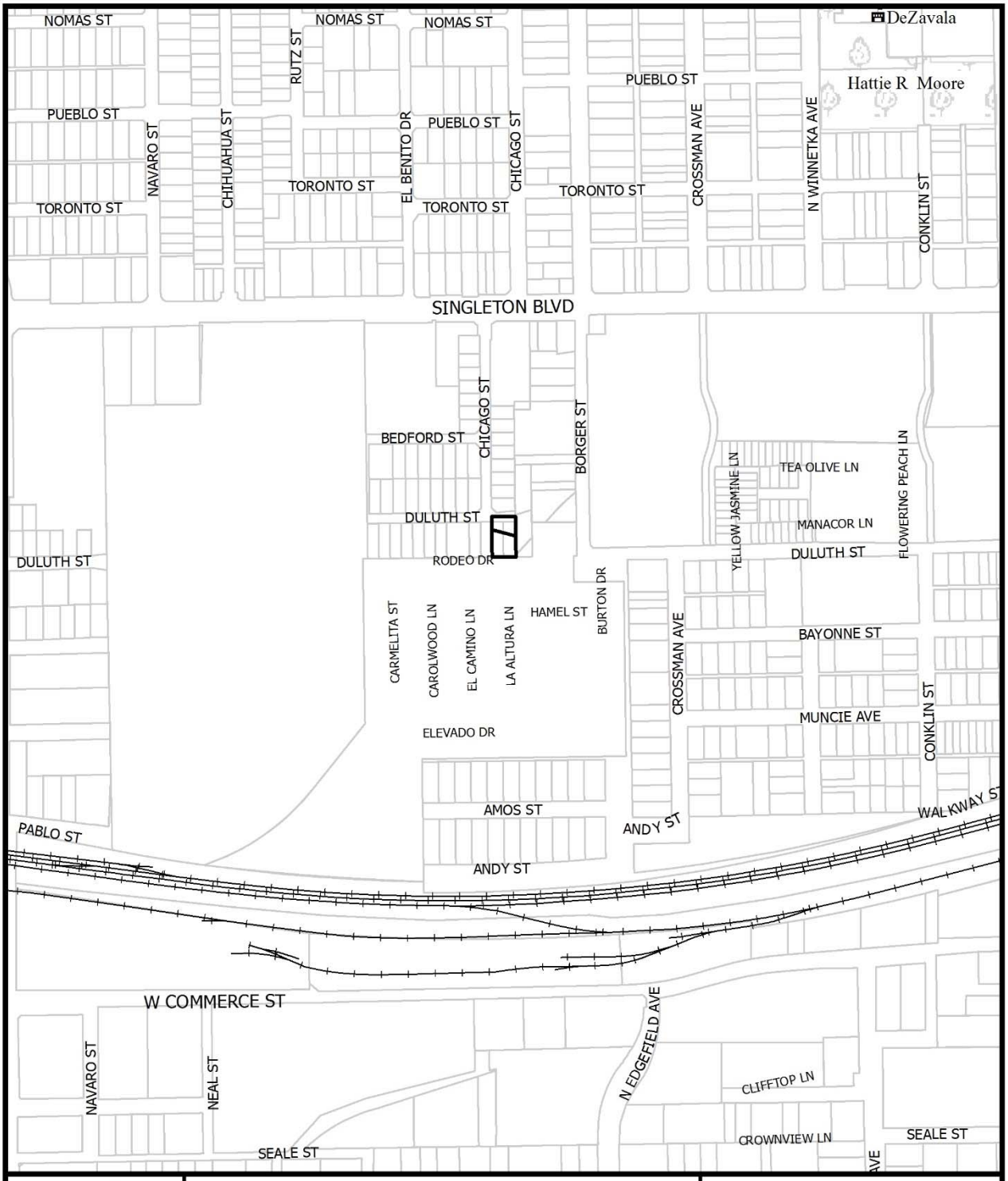
2. Maximum structure height is 36 feet. The following structures may project a maximum of nine feet above the maximum structure height for single family dwelling units:

a. Amateur communications tower.

b. Chimney and vent stacks.

c. Clerestory, limited to a height of four feet.
d. Ornamental cupola or dome.
e. Parapet wall or deck railing, limited to a height of four feet.
f. Skylights.

3. Maximum number of stories is three.

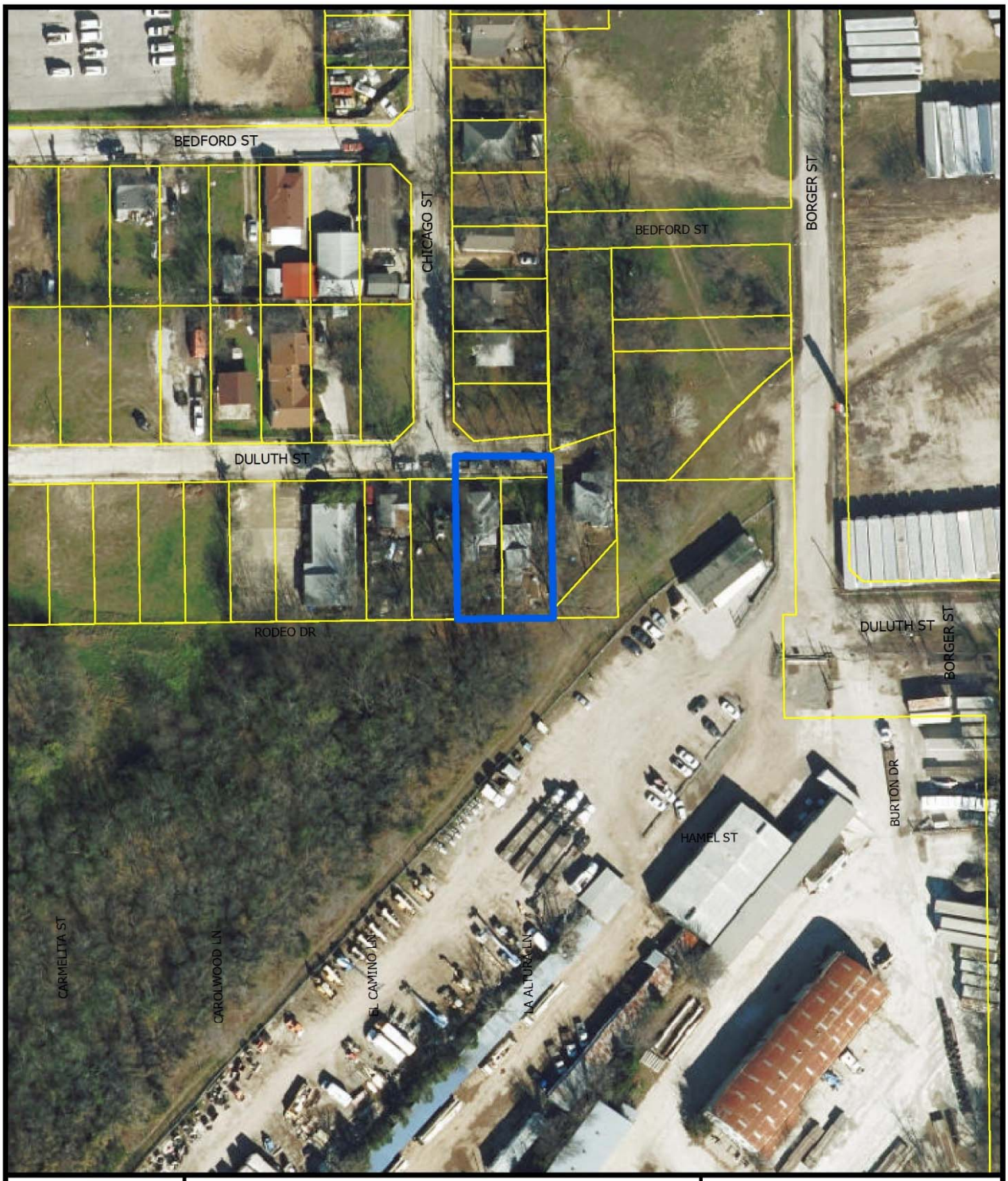


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VICINITY MAP

Case no: Z178-369

Date: 10/31/2018

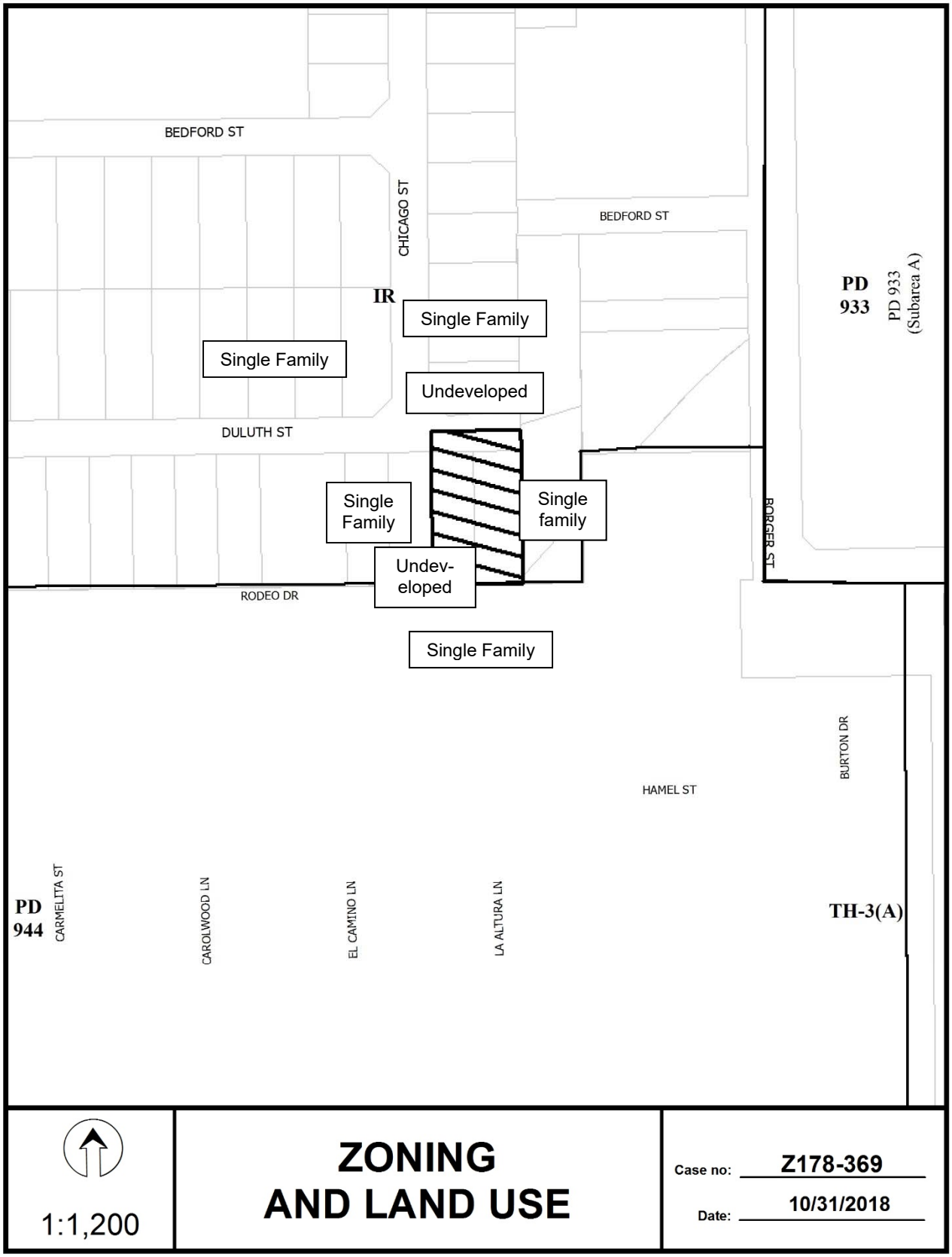


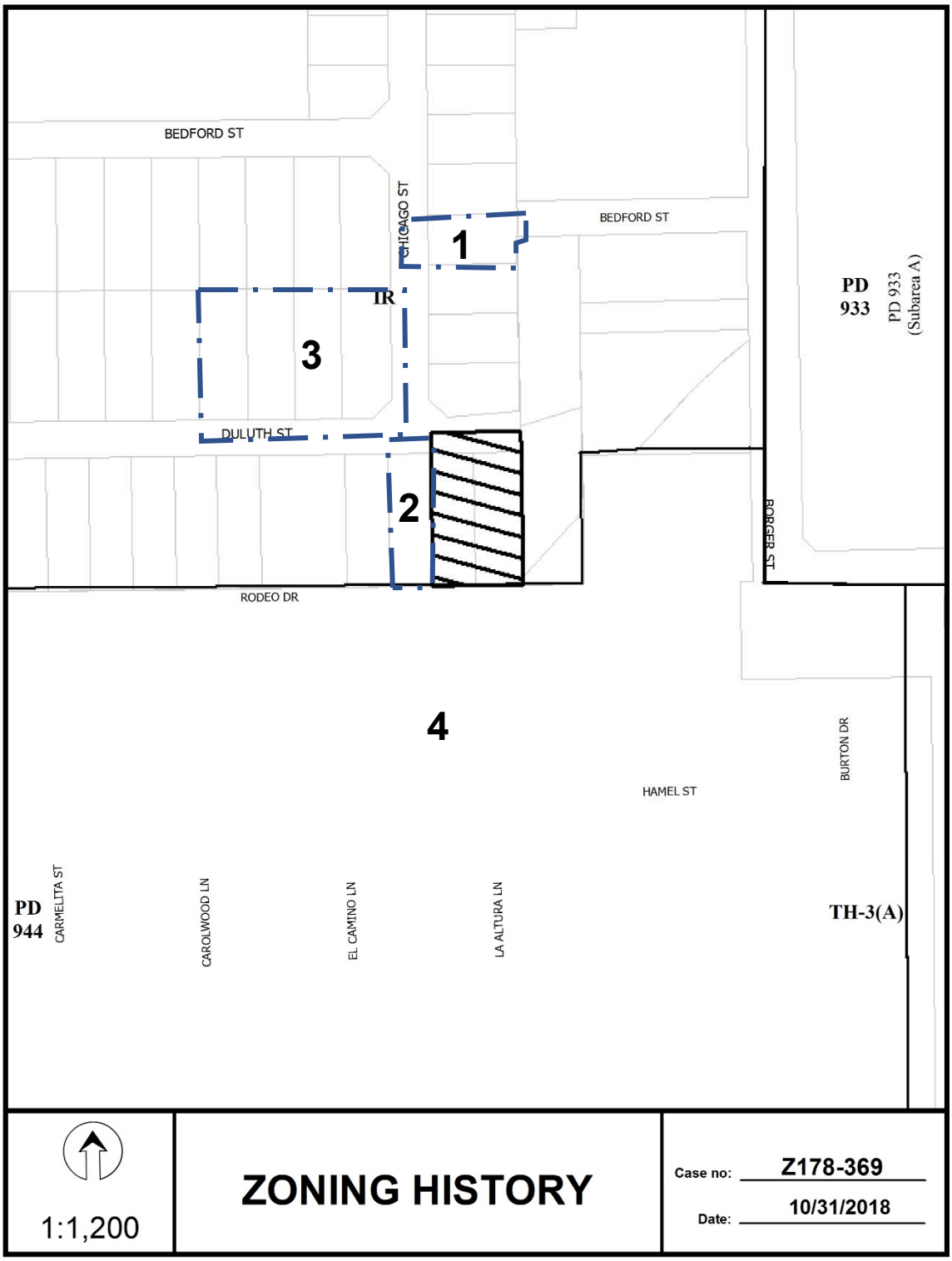
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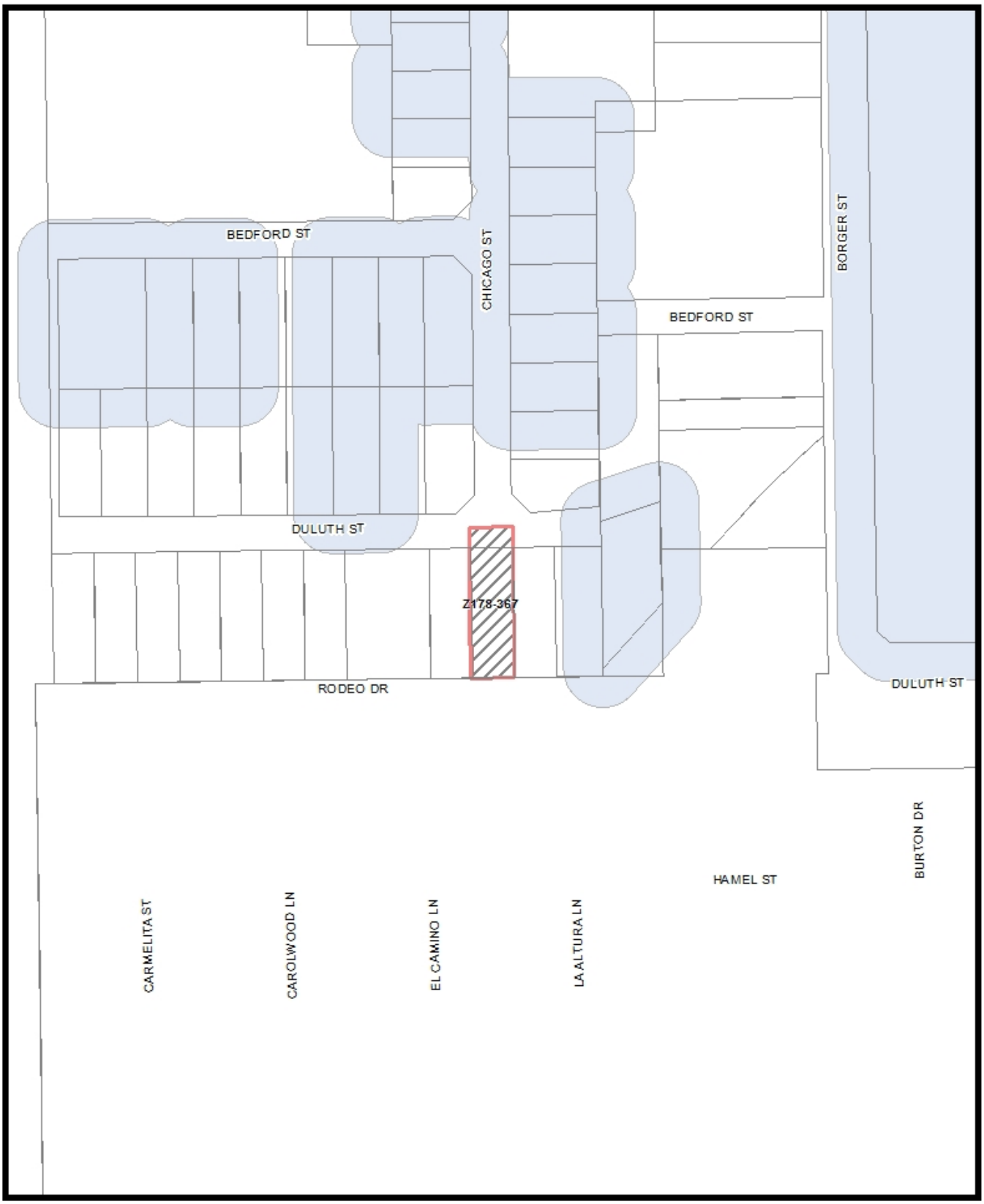
AERIAL MAP

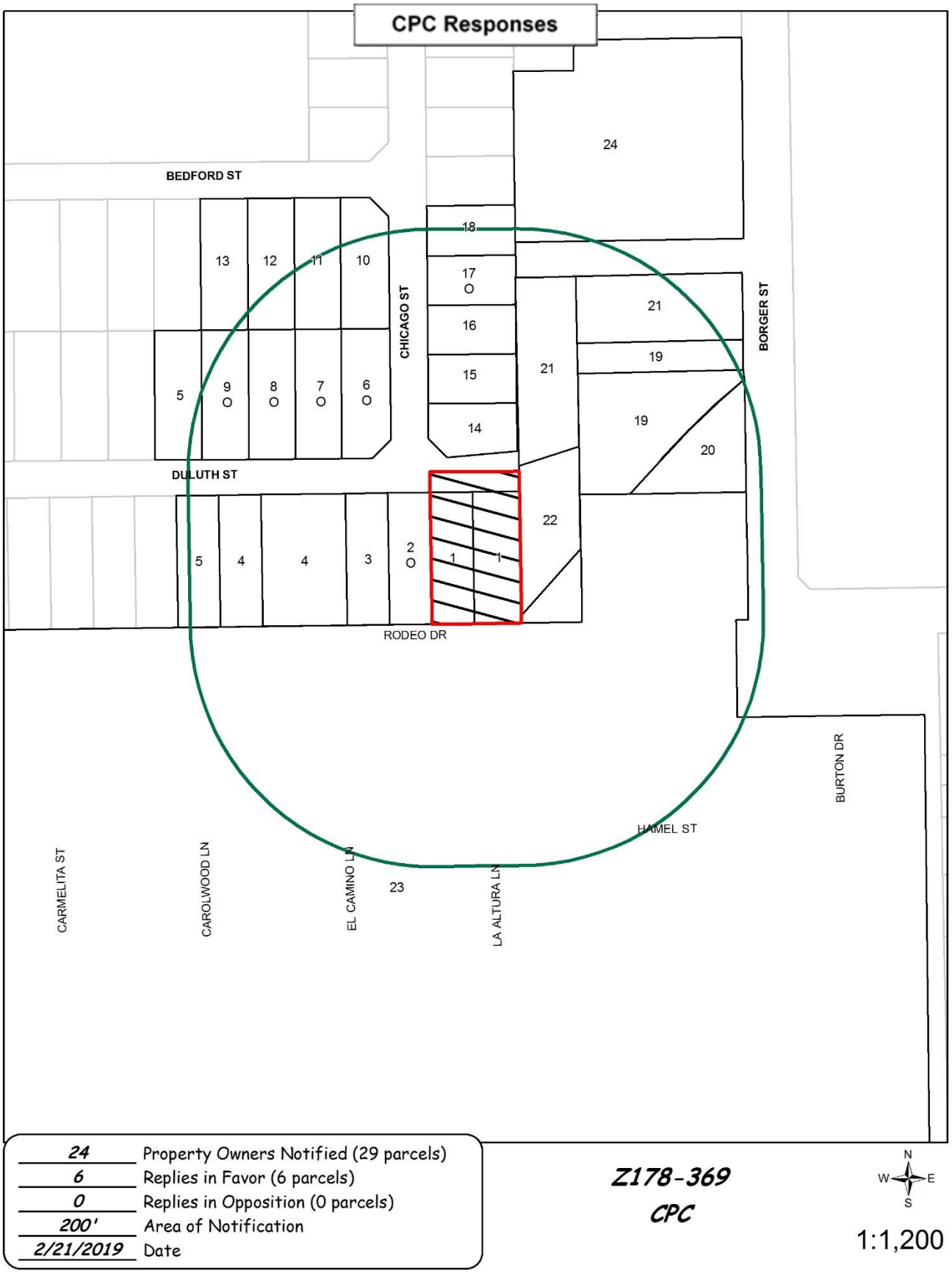
Case no: Z178-369

Date: 10/31/2018


BEDFORD ST
CHICAGO ST
BEDFORD ST
IR
Single Family
Single Family
Undeveloped
DULUTH ST
Single Family
Single family
Undev-eloped
RODEO DR
Single Family
PD 933
PD 933 (Subarea A)
BORGER ST
BURTON DR
HAMEL ST
PD 944
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
TH-3(A)
1:1,200
ZONING AND LAND USE
Case no: Z178-369
Date: 10/31/2018


BEDFORD ST
CHICAGO ST
BEDFORD ST
1
IR
3
DULUTH ST
2
RODEO DR
ROGER ST
PD 933
PD 933 (Subarea A)
4
BURTON DR
HAMEL ST
PD 944
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
TH-3(A)
1:1,200
ZONING HISTORY
Case no: Z178-369
Date: 10/31/2018


BEDFORD ST
CHICAGO ST
BORGER ST
BEDFORD ST
DULUTH ST
Z178-367
RODEO DR
DULUTH ST
BURTON DR
HAMEL ST
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
MVA Cluster A B C D E F G H I NA
1:1,200
Market Value Analysis
Printed Date: 10/30/2018


CPC Responses
BEDFORD ST
DULUTH ST
RODEO DR
CHICAGO ST
BORGER ST
HAMEL ST
BURTON DR
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
24
18
17
16
15
14
13
12
11
10
9
8
7
6
5
21
19
20
22
4
3
2
1
23
24 Property Owners Notified (29 parcels)
6 Replies in Favor (6 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
2/21/2019 Date
Z178-369
CPC
N
W
E
S
1:1,200

02/20/2019

Reply List of Property Owners

Z178-369

24 Property Owners Notified ***6 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	1314	DULUTH ST	SUAREZ SILVERIA M
O	2	1320	DULUTH ST	MACIAS JULIA SUAREZ
	3	1400	DULUTH ST	GALINDO JAVIER FLORENTINO L &
	4	1404	DULUTH ST	TEMPLO PENA DE HOREB
	5	1412	DULUTH ST	HMK LTD
O	6	1401	DULUTH ST	SAENZ RODRIGO S & IRMA
O	7	1403	DULUTH ST	SAENZ IRMA HERNANDEZ
O	8	1407	DULUTH ST	SAENZ IRMA
O	9	1411	DULUTH ST	RODRIGO SAUCEDO SAENZ
	10	2819	CHICAGO ST	LOPEZ FLORENTINO ET AL
	11	1404	BEDFORD ST	HERNANDEZ JENNIFER N
	12	1406	BEDFORD ST	ESCAMILLA FELIX &
	13	1410	BEDFORD ST	ESCAMILLA FELIX &
	14	2802	CHICAGO ST	LOZADA MANUEL
	15	2806	CHICAGO ST	LOZADA MANUEL JR &
	16	2810	CHICAGO ST	LOZADA CONSUELO
O	17	2814	CHICAGO ST	BANDA ELIDIO
	18	2818	CHICAGO ST	WILLIAMS W A ESTATE OF
	19	2823	BORGER ST	TERRY R H
	20	2823	BORGER ST	SINGLETON TRINITY GROVES LP
	21	2819	BORGER ST	SINGLETON TRINITY GROVES LP
	22	1310	DULUTH ST	SALAZAR RICHARD EST OF
	23	1300	DULUTH ST	MEGATEL TRINITY MEADOWS LLC
	24	2901	BORGER ST	SINGLETON TRINITY GROVES LP

Agenda Information Sheet

File #: 19-667 **Item #:** 57.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District, on the southwest corner of South Hampton Road and Emmett Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-374(PD)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z178-374(PD)	**DATE FILED:**	September 17, 2018
LOCATION:	Southwest corner of South Hampton Road and Emmett Street		
COUNCIL DISTRICT:	1	**MAPSCO:**	53 M
SIZE OF REQUEST:	± 14,100sq.ft.	**CENSUS TRACT:**	53.00

APPLICANT: Robert Stimson

OWNER: Emmett-Hampton, LLC

REQUEST: An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District.

SUMMARY: The applicant's request to rezone the property will allow the conversion of the existing structure into a live/work unit to accommodate both residential and commercial uses.

STAFF RECOMMENDATION: **Approval,** subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval,** subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request is developed with two structures. One structure is a two-story building consisting of approximately 9,000 square feet containing office uses [2410 Emmett Street]. The second structure is a one-story residential dwelling consisting of approximately 1,577 square feet converted to a general merchandise use [2406 Emmett Street].

- According to internal City records, on August 24, 1989, a Certificate of Occupancy for a general merchandise use consisting of a pet salon [Cyndi's Pet Beauty Salon, 2406 Emmett Street] was issued and on April 22, 2015, a Certificate of Occupancy for an animal shelter or clinic use consisting of a veterinary clinic [The Petropolitan Oak Cliff, 2410 Emmett Street] was issued.

- The applicant intends to utilize the existing structures for retail and personal service uses and residential uses consisting of a tax office, a general merchandise or food store 3,500 square feet or less, and multifamily. The proposed residential use will consist of 4,500 square feet for five multifamily efficiency units. The remaining 4,500 square feet will consist of a multifamily use. The detached 1,577-square foot converted residential structure is currently vacant but proposed to remain a single family use or a general merchandise use, as it has been since September 1989.

Zoning History: There have been no zoning changes requested in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare	Type	EXISTING ROW
Emmett Street	Local	50 feet
S. Hampton Road	Principal Arterial	100 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	CR	Retail, Animal Clinic
North	CR, MF-2(A)	Auto service center, Single Family
East	CR	Retail
South	CR, MF-2(A)	Vehicle display, sales and service, Multifamily
West	MF-2(A)	Single Family

STAFF ANALYSIS:

COMPREHENSIVE PLAN:

The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request meets the following goals and objectives of the Comprehensive Plan.

ECONOMIC ELEMENT

Goal 2.1 Promote balanced growth

> Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

NEIGHBORHOOD ELEMENT

GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

> **Policy 7.1.2** Promote neighborhood-development compatibility

Staff's initial recommendation of denial to the proposed MU-1 District is twofold: 1) the intensity and incompatibility of MU-1 uses to residential uses and 2) a portion of the retail corridor along South Hampton Road is developed with community-serving retail uses and the MU-1 District could negatively impact the surrounding uses. However, the proposed MU-1 District will strengthen the existing neighborhood through deed restrictions volunteered by the applicant. Due to the deed restrictions volunteered by the applicant, enough of the incompatible uses have been restricted to reduce the impact of any future development on the site to the surrounding single family uses.

Land Use Compatibility:

The approximately 14,100-square-foot request site is currently developed with two structures consisting of retail and personal service uses containing a total of 10,577 square feet of floor area.

The request site is located along a portion of a thoroughfare corridor that provides for retail-community serving type uses. The applicant's request for a MU-1 Mixed Use District will allow for an office use and multifamily uses to operate within the existing structures which combined totals 10,577 square feet.

The surrounding uses consist of a single family use and an auto service center to the north of the subject property across Emmett Street, various retail uses to the east across South Hampton Road, multifamily uses and a vehicle display, sales and service use to the south, and single family uses to the west along the interior of Emmett Street.

The existing two-story, 9,000-square foot structure containing the tax office proposes residential uses on the second floor. Residential uses are prohibited in a CR Community Retail District. As such, the applicant requests the rezoning to allow the residential uses on the second floor. Currently, there is no request for demolition or new construction.

Staff was recommending denial of the applicant's request because of the incompatibility of an MU-1 District and its proximity to existing residential uses. Additionally, staff was concerned that rezoning an approximately 14,100 square foot parcel to an MU-1 Mixed Use District could have a negative impact on the surrounding uses. Staff considered that the request site is situated along a portion of South Hampton Road in a zoning district that provides for community serving retail uses and adjoins residential properties; therefore, staff is now more inclined to support the request with the volunteered deed restrictions.

Further, since retail uses have operated adjacent to the residential uses for more than 30 years, staff believes that permitting residential uses with some retail uses while restricting more intensive retail uses would be consistent with the existing built environment and the historical operation of the site. Also, site constraints such as the inability to comply with parking requirements as well as deed restrictions volunteered by the applicant, could limit certain uses from ever being developed on the site. Therefore, staff believes that restricting potentially incompatible uses, would be restrictive enough to limit any potentially inconsistent uses, developments and their impact on the adjacent residential uses.

Although a comprehensive list to compare how permitted land uses would change in the existing and proposed zoning districts is available in Section 51A-4.104 of the Dallas Development Code, a summarized comparison is listed below.

The following residential uses are prohibited in the existing zoning district [CR Community Retail District] and are allowed in the proposed zoning district [MU-1 Mixed Use District].

	CR	**MU-1**
Agricultural	--Crop production.	-- Crop production.
Commercial and business service	-- Building repair and maintenance shop. [RAR -- Catering service. -- Custom business services. -- Electronics service center. -- Medical or scientific laboratory. [SUP] -- Tool equipment rental.	-- Catering service. -- Custom business services. -- Electronics service center. -- ~~Labor hall. *[SUP]*~~ -- ~~Medical or scientific laboratory. *[SUP]*~~
Industrial	--Gas drilling and production. *[SUP]* --Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*	-- ~~Gas drilling and production. *[SUP]*~~ -- ~~Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*~~
Institutional and community service	--Adult day care facility. --Cemetery or mausoleum. *[SUP]* --Child-care facility. --Church. --College, university, or seminary. --Community service center. *[SUP]* --Convent or monastery. -- Hospital. [SUP] --Library, art gallery, or museum. --Open-enrollment charter school or private school. *[SUP]* --Public school other than an open-enrollment charter school. *[RAR]*	-- ~~Adult day care facility.~~ -- ~~Cemetery or mausoleum. *[SUP]*~~ -- ~~Child-care facility.~~ -- ~~Church.~~ -- ~~College, university or seminary.~~ -- ~~Community service center. *[SUP]*~~ -- ~~Convalescent and nursing homes, hospice care, and related institutions. *[RAR]*~~ -- ~~Convent or monastery.~~ -- ~~Foster home.~~ ~~-- Hospital. *[SUP]*~~ -- Library, art gallery, or museum. -- ~~Open-enrollment charter school or private school. *[SUP]*~~ -- ~~Public school other than an open-enrollment charter school. *[RAR]*~~
Lodging	-- Hotel and motel. [SUP] -- Lodging or boarding house. [SUP] -- Overnight general purpose shelter. *[See Section 51A-4.205 (2.1)]*	-- ~~Extended stay hotel or motel. *[SUP]*~~ -- ~~Hotel or motel. *[RAR] or [SUP] [See Section 51A-4.205(1).]*~~
Miscellaneous	--Attached non-premise sign. *[SUP]* --Carnival or circus (temporary). *[By special authorization of the building official.]* --Temporary construction or sales office.	-- Attached non-premise sign. *[SUP]* -- ~~Carnival or circus (temporary). *[By special authorization of the building official.]*~~ -- ~~Temporary construction or sales office.~~

Office	-- Alternative financial establishment. [SUP] -- Financial institution without drive-in window. -- Financial institution with drive-in window. [DIR] --Medical clinic or ambulatory surgical center. --Office	-- Financial institution without drive-in window. -- ~~Financial institution with drive-in window. *[DIR]*~~ -- Medical clinic or ambulatory surgical center. -- Office.
Recreation	--Country club with private membership. --Private recreation center, club, or area. --Public park, playground, or golf course.	-- ~~Country club with private membership.~~ -- ~~Private recreation center, club, or area.~~ -- ~~Public park, playground, or golf course.~~
Residential	--College dormitory, fraternity or sorority house.	-- ~~College dormitory, fraternity, or sorority house.~~ -- Duplex. -- ~~Group residential facility. *[See Section 51A-4.209(3).]*~~ -- ~~Handicapped group dwelling unit. *[See Section 51A-4.209 (3.1).]*~~ -- Multifamily. -- ~~Residential hotel.~~ -- Retirement housing. -- Single family.
Retail and personal service	-- Alcoholic beverage establishments. [See Section *51A-4.210* (b)(4).] -- Ambulance service. [RAR] -- Animal shelter or clinic without outside runs. [RAR] -- Auto service center. [RAR] -- Business school. -- Carwash. [DIR] -- Commercial amusement (inside). [SUP may be required. See Section *51A-4.210* (b)(7)(B).] -- Commercial amusement (outside). [SUP] -- Commercial parking lot or garage. [RAR] -- Convenience store with drive-through. [SUP] -- Dry cleaning or laundry store. -- Furniture store. --General merchandise or food store	-- Alcoholic beverage establishments. *[See Section 51A-4.210(b)(4).]* -- Animal shelter or clinic without outside runs. *[RAR]* -- ~~Auto service center. *[RAR]*~~ -- Business school. -- ~~Car wash. *[RAR]*~~ -- ~~Commercial amusement (inside). *[SUP may be required. See Section 51A-4.210(b)(7)(B).]*~~ -- ~~Commercial amusement (outside). *[SUP]*~~ -- ~~Commercial parking lot or garage. *[RAR]*~~ -- Dry cleaning or laundry store. -- Furniture store. -- General merchandise or food store 3,500 square feet or less. -- General merchandise or food store

	3,500 square feet or less. -- General merchandise or food store greater than 3,500 square feet. -- General merchandise or food store 100,000 square feet or more. [SUP] -- Home improvement center, lumber, brick or building materials sales yard. [DIR] -- Household equipment and appliance repair. -- Liquor store. -- Mortuary, funeral home, or commercial wedding chapel. --Motor vehicle fueling station. -- Nursery, garden shop, or plant sales. -- Paraphernalia shop. [SUP] -- Pawn shop. --Personal service uses. --Restaurant without drive-in or drive-through service. *[RAR]* -- Restaurant with drive-in or drive-through service. *[DIR]* -- Swap or buy shop. [SUP] -- Temporary retail use. -- Theater.	greater than 3,500 square feet. -- ~~General merchandise or food store 100,000 square feet or more. *[SUP]*~~ -- ~~Mortuary, funeral home, or commercial wedding chapel.~~ -- ~~Motor vehicle fueling station.~~ -- Nursery, garden shop, or plant sales. ~~-- Paraphernalia shop. *[SUP]*~~ -- Personal service uses. -- Restaurant without drive-in or drive-through service. *[RAR]* -- ~~Restaurant with drive-in or drive-through service. *[DIR]*~~ -- Swap or buy shop. *[SUP]* -- ~~Temporary retail use.~~ -- ~~Theater.~~
Transportation	--Transit passenger shelter. --Transit passenger station or transfer center. *[By SUP or council resolution.*]	-- ~~Transit passenger shelter.~~ -- ~~Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211.]*~~
Utility and public service	-- Commercial radio and television transmitting station. -- Electrical substation. --Local utilities. *[SUP or RAR may be required.]* --Police or fire station. --Post office. *[SUP]* --Radio, television, or microwave tower. *[SUP]* --Tower/antenna for cellular communication. *[See Section 51A-4.212(10.1).]* --Utility or government installation other than listed. *[SUP]*	-- Commercial radio or television transmitting station. -- ~~Electrical substation.~~ -- ~~Local utilities. *[SUP or RAR may be required. See Section 51A-4.212(4).]*~~ -- ~~Police or fire station.~~ -- ~~Post office.~~ -- ~~Radio, television, or microwave tower. *[SUP]*~~ -- Tower/antenna for cellular communication. *[See Section 51A-4.212(10.1).]* -- Utility or government installation other than listed. *[SUP]*
Wholesale, distribution, and storage	-- Mini-warehouse. [SUP] -- Recycling buy-back center *[See*	-- ~~Mini-warehouse. *[SUP]*~~ -- ~~Recycling buy-back center *[See*~~

	Section 51A-4.213 (11).] -- Recycling collection center. *[See Section 51A-4.213 (11.1).]* -- Recycling drop-off container. *[See Section 51A-4.213 (11.2).]* -- Recycling drop-off for special occasion collection. *[See Section 51A-4.213 (11.3).]*	~~*Section 51A-4.213 (11).]*~~ ~~-- Recycling collection center. *[See Section 51A-4.213 (11.1).]*~~ ~~-- Recycling drop-off container. *[See Section 51A-4.213 (11.2).]*~~ ~~-- Recycling drop-off for special occasion collection. *[See Section 51A-4.213 (11.3).]*~~
Accessory	-- Accessory community center (private). -- Home occupation. -- Private Stable. -- Accessory helistop. [SUP] -- Accessory medical/infectious waste incinerator. [See Section 51A-4.217(3.1).]	-- Accessory helistop. [SUP] ~~-- Accessory medical/ infectious waste incinerator. [See Section 51A-4.217(3.1).]~~

~~Strike throughs~~ indicate all uses volunteered deed restricted by the applicant.

Additionally, the applicant agrees volunteered deed restrictions to 1) restrict the number of dwelling units to a maximum of six with a maximum of five dwelling units allowed in the structure located at 2406 Emmett Street adjacent to S. Hampton Road and a maximum of one dwelling unit in the structure located at 2410 Emmett Street fronting along Emmett Street; 2) a maximum structure height of 54 feet; and, 3) a maximum of four stories.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CR – existing Community Retail	15'	20' adjacent to residential OTHER: No Min.	0.5 for office uses, 0.75 for all uses combined	54' 4 stories	60%	Proximity Slope	Retail, personal service, office
MU-1- proposed Mixed use-1	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	90' 7 stories 120' 9 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

Landscaping:

Landscaping of any development will be in accordance with Article X, as amended. However, landscape requirements will not be triggered as there is no new construction proposed.

Parking:

The parking requirement for an office use is one space per 333 square feet of floor area, and one space per bedroom for multifamily uses. The 9,000 square foot two-story structure proposed for the live/work use is proposed to provide 4,500 square feet of

floor area for an office use that will require 14 off-street spaces. The remaining 4,500 square feet of floor area is proposed for five efficiency units that will require 5 off-street spaces.

The 1,577-square-foot detached one story structure will require one space if utilized as a residential use and 8 off-street spaces if utilized as a general merchandise 3,500 square feet or less use. Additionally, the request site only provides 8 off-street spaces on site. These spaces include the five spaces in front of the 9,000 square foot structure, one space immediately adjacent to the stairs on the west façade of the 9,000 square foot structure (2406 Emmett Street), and two spaces in front of the one-story 1,577 square foot structure (2410 Emmett Street). The three spaces south of the detached one-story structure will not be counted towards the parking requirement as the spaces lack accessibility.

The site has been confirmed to have 30 delta credits. Previously, approved Certificate or Occupancy, (CO) records reflect land uses for an animal clinic and a general merchandise use dating back to 1989. Additionally, previous City records also show the animal clinic land use, prior to the two story addition completed in 1991. While these CO's do not detail applicable delta credits, utilizing deductive reasoning, staff believes these uses were allowed because the site had 30 delta credits. The last approved site plan we have on record is from 1991. The two valid CO's from this time detail 8,994 square feet of animal clinic parked at a ratio of 1 per 300 (30) and 1,560 square feet of retail parked at a ratio of 1 per 200 (8). This brings the total required parking to 38 off-street parking spaces required for the previously CO's uses. For the site to be compliant, the site would have been awarded 30 delta credits because only 8 compliant parking spaces were provided on site.

Therefore, the site has a total of 38 off-street parking spaces on-site that can satisfy the off-street parking requirement. However, the parking requirement will either increase or decrease contingent on the permitted land uses.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA Category; however, it is in proximity to an "H" MVA Cluster immediately to the north, west along Emmett Street and to the south across the alley and along Brandon Street.

Members of Emmett-Hampton, LLC

RSDC, LLC
707 Tenna Loma Ct.
Dallas, TX 75208

Millennium Trust Company, LLC
Custodian
FBO Richard Drummond Davis IRA
2001 Spring Road, Suite 700
Oak Brook, IL 60523

Matthew Stimson
707 Tenna Loma Ct.
Dallas, TX 75208

Gordon and Michelle DeLaat
2444 Waterstone Dr.
Cedar Hill, TX 75104

CPC Action
March 7, 2019

Motion: In considering an application for an MU-1 Mixed Use District on property zoned a CR Community Retail District, on the southwest corner of South Hampton Street and Emmett Street, it was moved to **hold** this case under advisement until March 21, 2019.

Maker: MacGregor
Second: Schultz
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Ridley, Tarpley

Against: 0
Absent: 1 - Murphy
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 34
Replies: For: 0 Against: 3

Speakers: For: None
Against: Sabrina Davis, 2427 Emmett St., Dallas, TX, 75211

CPC Action
March 21, 2019

Motion: It was moved to recommend **approval** of an MU-1 Mixed Use District, subject to deed restrictions volunteered by the applicant on property zoned a CR Community Retail District, on the southwest corner of South Hampton Street and Emmett Street.

Maker: MacGregor
Second: Shidid
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss*, Shidid, Carpenter, Lewis, Jung, Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 3 - District 4, District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 34
Replies: For: 0 Against: 5

Speakers: For: Robert Stinson, 2116 Kessler Ct., Dallas, TX, 75208
Against: Dallas Dunaway, 2427 Emmett St., Dallas, TX, 75211
Sabrina Davis, 2427 Emmett St., Dallas, TX, 75211

Volunteered Deed Restrictions

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. The following uses are prohibited:

-- Labor hall.
-- Medical or scientific laboratory.
-- Gas drilling and production.
-- Temporary concrete or asphalt batching plant.
-- Adult day care facility.
-- Cemetery or mausoleum.
-- Child-care facility.
-- Church.
-- College, university or seminary.
-- Community service center.
-- Convalescent and nursing homes, hospice care, and related institutions.
-- Convent or monastery.
-- Foster home.
-- Hospital.
-- Open-enrollment charter school or private school.
-- Public school other than an open-enrollment charter school.
-- Extended stay hotel or motel.
-- Hotel or motel.
-- Carnival or circus.
-- Temporary construction or sales office.
-- Financial institution with drive-in window.
-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.
-- College dormitory, fraternity, or sorority house.
-- Group residential facility.
-- Handicapped group dwelling unit.
-- Residential hotel.
-- Auto service center.
-- Car wash.
-- Commercial amusement (inside).
-- Commercial amusement (outside).
-- Commercial parking lot or garage.
-- General merchandise or food store 100,000 square feet or more.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Paraphernalia shop.
-- Restaurant with drive-in or drive-through service.
-- Temporary retail use.

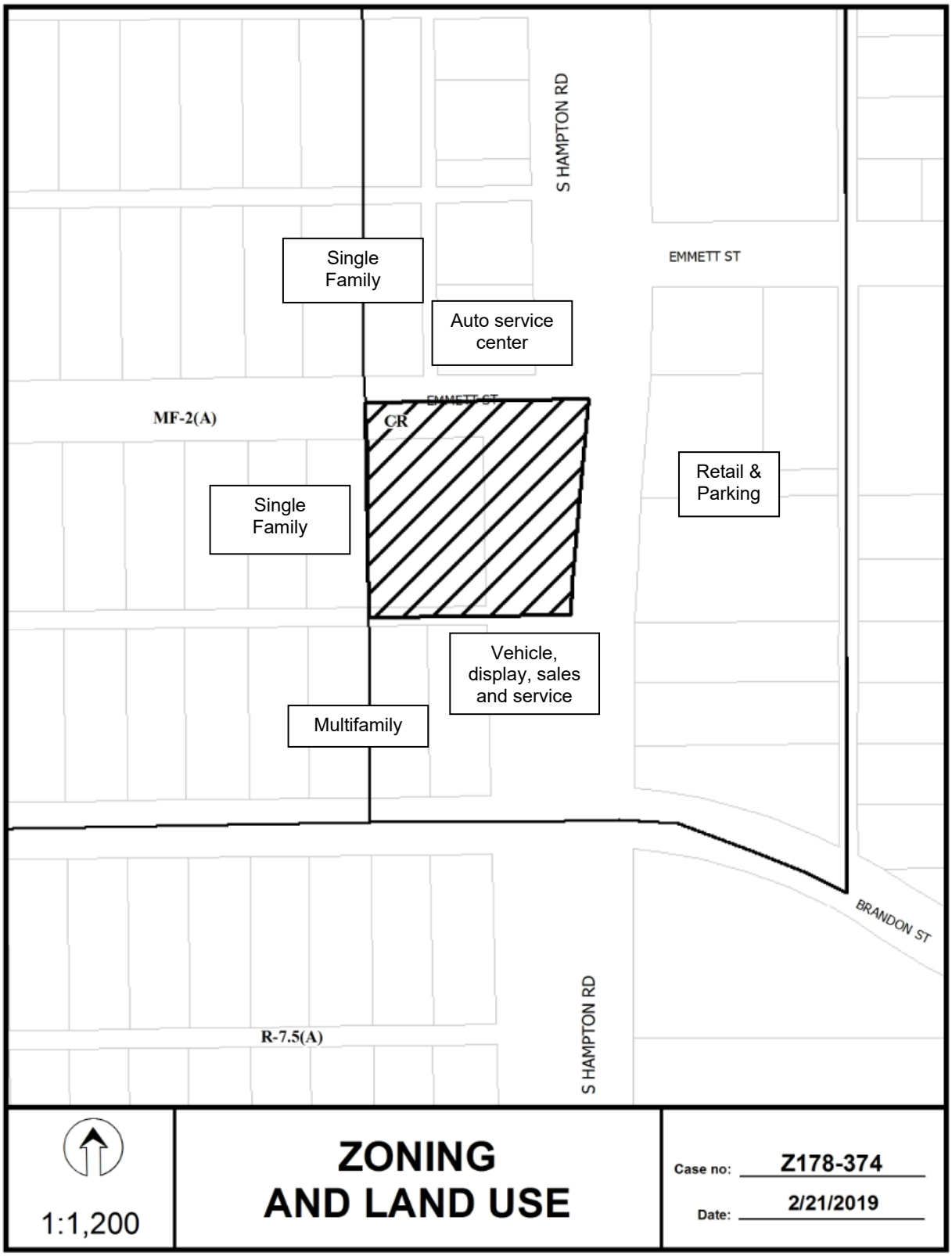
-- Theater.
-- Transit passenger shelter.
-- Transit passenger station or transfer center.
-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Post office.
-- Radio, television, or microwave tower.
-- Mini-warehouse.
-- Recycling buy-back center.
-- Recycling collection center.
-- Recycling drop-off container.
-- Recycling drop-off for special occasion collection.
-- Accessory medical/infectious waste incinerator

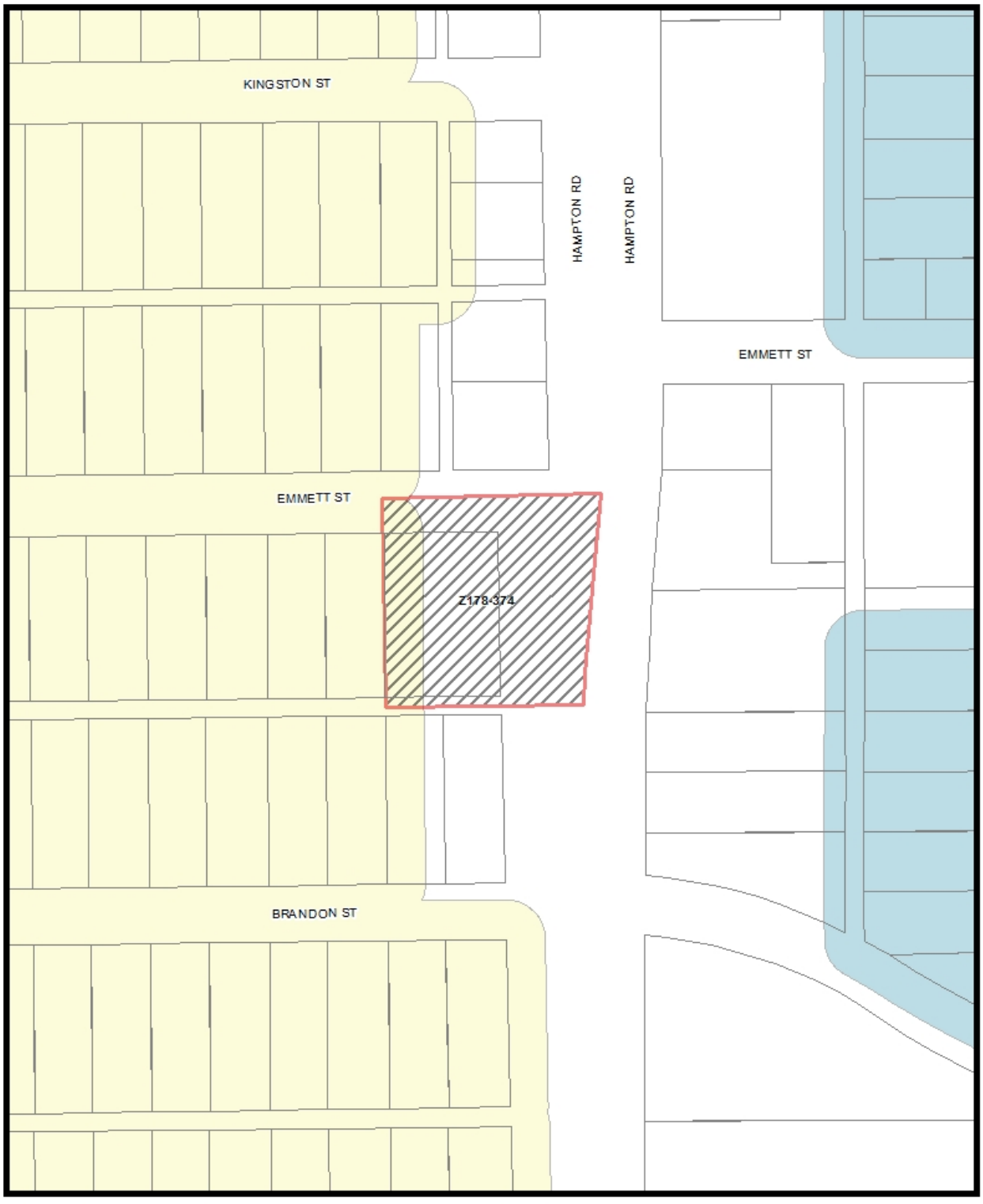
Further, Owner agrees,

- No more than 6 dwelling units will be allowed (five in the structure located at 2406 Emmett and 1 in the structure located at 2410 Emmett).
- The maximum structure height is 54 feet.
- The maximum stories is 4.

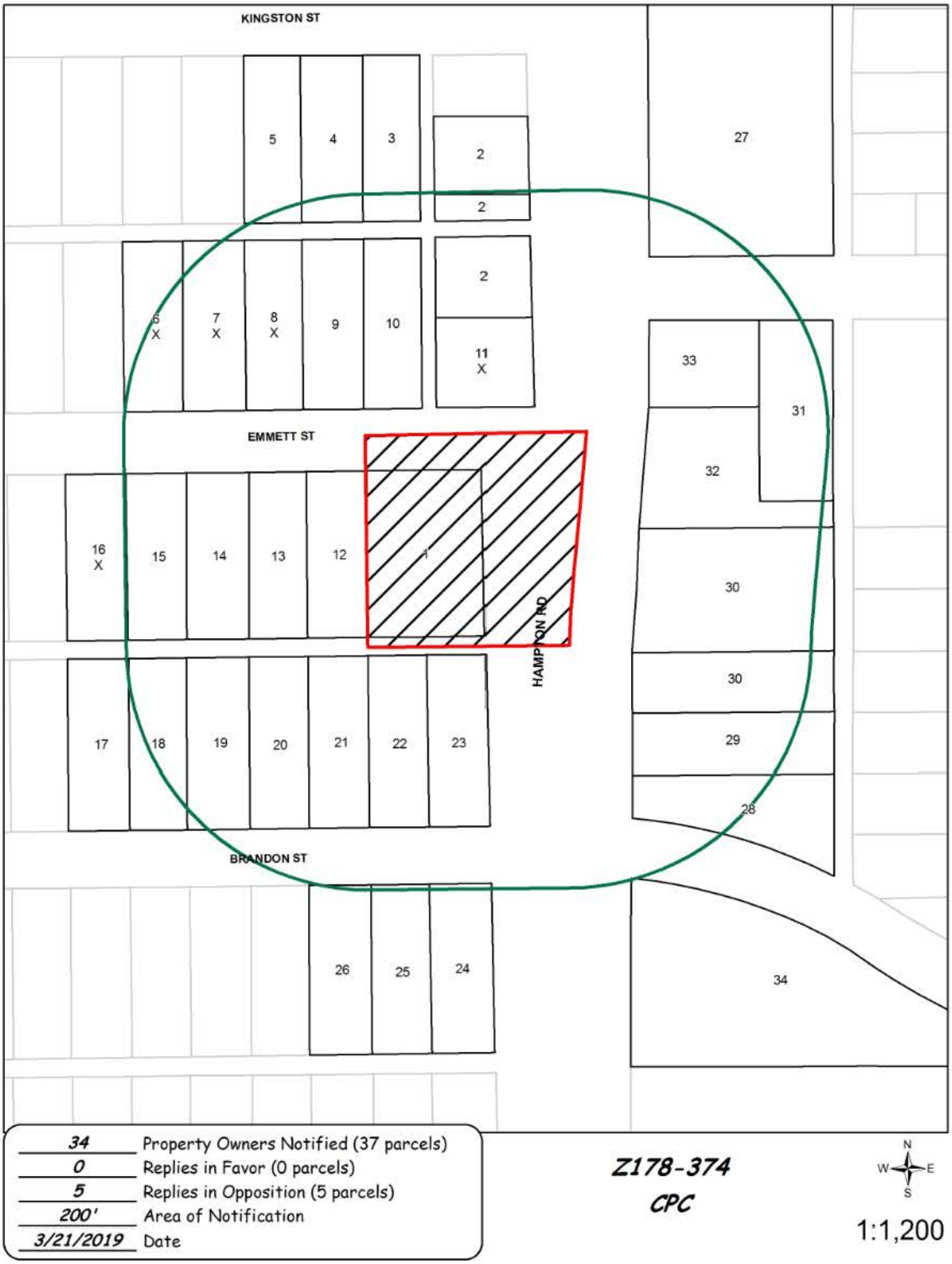

BURLINGTON BLVD
CHALMERS ST
ZEB ST
EPENARD ST
W CLARENDON DR
KINGSTON ST
S FRANKLIN ST
EMMETT ST
EMMETT ST
S OAK CLIFF BLVD
BRANDON ST
GRAFTON AVE
S MONTREAL AVE
SHARON ST
S HAMPTON RD
HOLLYWOOD AVE
WILTON AVE
S HAMPTON RD
BENTLEY AVE
WRIGHT ST
1:4,800
VICINITY MAP
Case no: Z178-374
Date: 2/21/2019


S HAMPTON RD
EMMETT ST
EMMETT ST
BRANDON ST
S HAMPTON RD
1:1,200
AERIAL MAP
Case no: Z178-374
Date: 2/21/2019


S HAMPTON RD
EMMETT ST
Single Family
Auto service center
EMMETT ST
CR
MF-2(A)
Retail & Parking
Single Family
Vehicle, display, sales and service
Multifamily
BRANDON ST
S HAMPTON RD
R-7.5(A)
1:1,200
ZONING AND LAND USE
Case no: Z178-374
Date: 2/21/2019


KINGSTON ST
HAMPTON RD
HAMPTON RD
EMMETT ST
EMMETT ST
Z178-374
BRANDON ST
MVA Cluster A B C D E F G H I NA
1:1,200
Market Value Analysis
Printed Date: 2/21/2019

CPC Responses



03/20/2019

Reply List of Property Owners

Z178-374

34 Property Owners Notified ***0 Property Owners in Favor*** ***5 Property Owners Opposed***

Reply	*Label #*		*Address*	*Owner*
	1	2406	EMMETT ST	EMMETT HAMPTON LLC
	2	1135	S HAMPTON RD	MEYER WILLIAM E PROP LLC
	3	2410	KINGSTON ST	ZARRAGA ANTONIO C
	4	2414	KINGSTON ST	CASTRO ROSALIO
	5	2418	KINGSTON ST	GONZALEZ -DOMINGUEZ JOSE PEDRO &
X	6	2427	EMMETT ST	DUNAWAY DALLAS &
X	7	2423	EMMETT ST	HERNANDEZ TERESA A
X	8	2419	EMMETT ST	VILLARREAL MARTIN &
	9	2415	EMMETT ST	DOMINGUEZ JUAN P
	10	2411	EMMETT ST	RIVERA MELISSA Z
X	11	1153	S HAMPTON RD	LOERA HUGO
	12	2414	EMMETT ST	STEPHENS EUGENE
	13	2418	EMMETT ST	ULLOA MARY M
	14	2422	EMMETT ST	RAMIREZ OLIVIA
	15	2426	EMMETT ST	GAYTON NELDA M
X	16	2430	EMMETT ST	RIOS AURELIO &
	17	2431	BRANDON ST	CORTEZ GREGORIO
	18	2427	BRANDON ST	BARRAGAN MARIA DEL R &
	19	2423	BRANDON ST	JJW PROPERTIES LLC
	20	2419	BRANDON ST	JJW PROPERTIES LLC
	21	2415	BRANDON ST	SOLORZANO OSCAR
	22	2411	BRANDON ST	GONZALEZ GUSTAVO
	23	2407	BRANDON ST	GONZALEZ GUSTAVO
	24	2406	BRANDON ST	VASQUEZ ORLANDO &
	25	2410	BRANDON ST	HERNANDEZ JESUS SILBESTER
	26	2414	BRANDON ST	SANCHEZ OTILIA ANN

Reply	*Label #*		*Address*	*Owner*
	27	1126	S HAMPTON RD	SERRANO MARICRUZ
	28	1232	S HAMPTON RD	JLL RANCH LLC
	29	1228	S HAMPTON RD	GAYTAN FELIPE
	30	1222	S HAMPTON RD	QUALCO CORP
	31	2320	EMMETT ST	DALGAMOUNI IBRAHIM & ANN-MARIE
	32	1210	S HAMPTON RD	DALGAMOUNI IBRAHIM &
	33	1202	S HAMPTON RD	DALGAMOUNI IBRAHIM A &
	34	1300	S HAMPTON RD	ROSEMONT CHRISTIAN CH

Agenda Information Sheet

File #: 19-668 **Item #:** 58.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 10

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract II within Planned Development District No. 286, north of Stults Road, on the west line of Greenville Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z189-111(PD)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-111(PD)	**DATE FILED:**	October 22, 2018
LOCATION:	North of Stults Road, on the west line of Greenville Avenue		
COUNCIL DISTRICT:	10	**MAPSCO:**	26 D
SIZE OF REQUEST:	± 2.766 acres	**CENSUS TRACT:**	78.05

APPLICANT/OWNER: City of Dallas

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for an amendment to Tract II within Planned Development District No. 286.

SUMMARY: The request will allow for the construction of an approximately 19,881-square-foot, one-story public library use with a proposed height of 24 feet.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions.

BACKGROUND INFORMATION:

- Planned Development District No. 286 was approved by City Council on March 23, 1988.
- PDD No. 286 is comprised of two tracts: Tract I and Tract II. Tract I permits convalescent and nursing homes, hospice care, and related institution and long term acute care hospital uses. Tract II limits uses to parking and an auxiliary office for Tract I's convalescent and nursing homes, hospice care, and related institution use.
- The request site is currently undeveloped.
- The City of Dallas purchased the 2.766 acre site in January 2011.
- The request seeks to allow the construction of a one-story, public library use with a maximum floor area of 19,881-square feet, a proposed height of 24 feet, and a maximum lot coverage of 20 percent.

Zoning History: There have been no recent zoning requests in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Greenville Avenue	Principal Arterial	100 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 286 Tract II	Undeveloped
North	PDD No. 327, DR Z889-216	Office
East	R-7.5(A)	Single Family
South	PDD No. 286 Tract I	Hospital, convalescent or nursing home
West	R-10(A)	Single Family & Church

STAFF ANALYSIS

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan*, was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request generally complies with land use goals and policies of the Comprehensive Plan.

LAND USE

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation Measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

Implementation Measure 1.1.5.4 Provide appropriate transitions between non-residential uses and neighborhoods to protect stability and quality of life.

URBAN DESIGN

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use Compatibility:

The purpose of the requested amendment will allow a library use. The applicant requests consideration of the following: (1) to remove the definition, interpretation; and use of an auxiliary use; (2) permit a library, art gallery, museum use by right; (3) remove the parking requirement for an auxiliary use; (4) regulate the off-street parking and loading requirement by Division 51A-4.200; (5) remove the regulation requiring the location of the premise sign to be shown on the development plan; (6) increase the maximum floor area to 20,000 square feet; and, (7) remove the regulation requiring the left turn lane for northbound Greenville Avenue to be closed prior to the issuance of a Certificate of Occupancy.

The request site is undeveloped and surrounded by a church and single family uses to the west; an office use to the north, single family uses to the east across Greenville Avenue; and, a hospital, convalescent or nursing home use to the south.

The amendment will allow the construction of a one-story, public library use with a maximum floor area of 19,881 square feet, a proposed height of 24 feet, and a maximum lot coverage of 20 percent. The amendment will also remove definitions and parking requirements for an auxiliary use that is no longer envisioned to be an accessory use to the hospital, convalescent or nursing home use in Tract I.

Staff supports the request because the proposed library use will be an extremely valuable asset that will principally serve the community at large. More than being mere repositories for books, libraries often offer meeting space, community message boards, computer and financial literacy programs, research resources, internet access, printers, and a host of other benefits, all at a low cost or free to users. Additionally, with the proximity of the recreation center across Stults Road to the south, the hospital, convalescent or nursing home use immediately adjacent to the south, and the residential uses to the west and east the proposed library use will be an irrefutable community serving resource. The library use will predominantly serve the neighborhood needs and will be compatible in scale and intensity to surrounding residential uses. Lastly, staff supports the amendment to remove the regulation requiring the location of the premise sign to be shown on the development plan because generally, development plans do no reflect the location of premise signage as this level of detail can change throughout the development process. Staff supports the removal of the regulation requiring the left turn lane to be closed prior to the issuance of the Certificate of Occupancy because the requirement will be reviewed with the civil plans submitted to the Engineering Division and will need to include acknowledgement from the adjacent owner to the south since construction of the curb return radius will encroach into that property.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request is not within an identifiable MVA category; however, it is in proximity to an “E” MVA cluster to the west and a “B” MVA cluster to the east, across Greenville Avenue.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a library is one space per 500 square feet of floor area and the total square footage of the proposed library determines the number of required parking spaces. The total square footage of the proposed library is 19,881 square feet. As such, the number of required off-street parking spaces for the proposed library is 40 spaces and the applicant is proposing to provide 62 off-street parking spaces.

Landscaping:

The proposed library will comply with landscape requirements as outlined in Article X, as amended.

CPC Action
April 18, 2019

Motion: It was moved to recommend **approval** of an amendment to Tract II, subject to a development plan and conditions within Planned Development District No. 286, north of Stults Road, on the west line of Greenville Avenue.

Maker: Housewright
Second: Lewis
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

Notices: Area: 500 Mailed: 54
Replies: For: 5 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None
Staff: Mary Jo Giudice, Director of Libraries, Dallas Public Library
Rick Galceran, Director of Bond Program, Department of Public Works

CPC Recommended Conditions

ARTICLE
286.

PD 286.

SEC. 51P-286.101. LEGISLATIVE HISTORY.

PD 286 was established by Ordinance No. 19911, passed by the Dallas City Council on March 23, 1988. Ordinance No. 19911 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Ordinance No. 19911 was amended by Ordinance No. 22794, passed by the Dallas City Council on June 26, 1996, and Ordinance No. 23964, passed by the Dallas City Council on August 11, 1999. (Ord. Nos. 10962; 19455; 19911; 22794; 23964; 25711; 26558)

SEC. 51P-286.102. PROPERTY LOCATION AND SIZE.

PD 286 is established on property generally located at the northwest corner of Stults Road and Greenville Avenue. The size of PD 286 is approximately 6.30 acres. (Ord. Nos. 19911; 25711; 26558)

SEC. 51P-286.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. ~~In this article, AUXILIARY OFFICE USE means a main (not accessory) office use, including administrative offices, storage, and conference rooms, that is associated with the long term acute care hospital use and the convalescent and nursing home, hospice care, and related institutions use in Tract I.~~

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. (Ord. Nos. 25711; 26558)

SEC. 51P-286.104. CREATION OF TRACTS.

PD 286 is divided into two tracts, Tract I and Tract II, as shown on the development plan (Exhibit 286A). (Ord. 26558)

SEC. 51P-286.105. DEVELOPMENT PLAN.

Use of the Property must comply with the development plan. (Ord. Nos. 22794; 23964; 25711; 26558)

SEC. 51P-286.106. USES.

(a) The only uses permitted on Tract I are as follows:

(1) Convalescent and nursing homes, hospice care, and related institutions as defined in Section 51A-4.204, "Institutional and Community Service Uses."

(2) Long term acute care hospital, defined as a facility certified by Medicare, or its successor, as a long term hospital that conforms to the following:

(A) The facility must be operated for patients requiring long term hospital care who are transferred from other medical facilities.

(B) Patient transfer must be accomplished through scheduled deliveries of stabilized patients without the use of ambulance sirens.

(C) The facility may contain a Level IV emergency room as defined in 25 Administrative Code Section 157.121.

(D) Except as provided in Subparagraph (E), emergency room services and other hospital services may not be marketed as available for general medical care to day patients or other short term patients. Except as provided in Subparagraph (E), or as otherwise required by state licensing standards, all hospital services must be exclusively available to the patients admitted and scheduled for long term care.

(E) Patients not admitted and scheduled for long term care may use hospital facilities for wound care and outpatient surgery if their physician has a primary role in treating patients who are then admitted and scheduled for long term care.

(b) The only uses permitted on Tract II are as follows:

(1) Required and excess parking for uses in Tract I and Tract II.

~~(2) Auxiliary office use.~~

(3) Library, art gallery, or museum.

SEC. 51P-286.107. LANDSCAPE PLAN.

(a) Tract I and Tract II are considered one lot for landscaping purposes.

(b) Landscaping in Tract I must be provided as shown on the landscape plan (Exhibit 286B).

(c) Landscaping in Tract II must be provided in accordance with Article X.

(d) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 22794; 25711; 26558)

SEC. 51P-286.108. PARKING.

(a) Tract I. Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Tract II. ~~One space per 333 square feet of floor area is required for an auxiliary office. For all other uses,~~ Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(c) Off-street parking spaces must be provided in the locations shown on the development plan. (Ord. Nos. 22794; 25711; 26558)

SEC. 51P-286.109. PAVING.

All parking spaces, aisles, maneuvering areas, and driveway connections must be surfaced to comply with the standards set forth in Chapter 51A. (Ord. Nos. 22794; 25711; 26558)

SEC. 51P-286.110. SIGNS.

(a) Except as provided below, signs must comply with the provisions for non-business zoning districts in Article VII.

(b) Only one two-sided detached premise sign is permitted on Tract I. This sign must be limited to premise identification and located within the area shown on the development plan. This sign may not exceed 50 square feet in effective area nor five feet, six inches in height.

(c) Only one two-sided detached premise sign is permitted on Tract II. This sign must be limited to premise identification ~~and located within the area shown on the development plan~~. This sign may not exceed 15 square feet in effective area or four feet in height.

(d) Movement control signs are the only other detached signs permitted on the Property. (Ord. Nos. 22794; 25711; 26558)

SEC. 51P-286.111. FLOOR AREA.

(a) Maximum permitted floor area for Tract I is 95,860 square feet. A maximum of 250 square feet may be utilized for an emergency room.

(b) Maximum permitted floor area for Tract II is ~~13,904~~ 20,000 square feet. (Ord. Nos. 22794; 25711; 26558)

SEC. 51P-286.112. DENSITY.

No more than 110 beds are permitted on the Property. (Ord. Nos. 23964; 25711; 26558)

SEC. 51P-286.113. HEIGHT.

(a) The height of structures on Tract I may not exceed:

(1) forty-one feet for the long term acute care hospital;

(2) twenty-five feet for the convalescent and nursing homes, hospice care, and related institutions; and

(3) nine feet for the parking garage.

(b) Structures on Tract I may have no more than two stories.

(c) The height of structures on Tract II may not exceed 25 feet or one story. (Ord. Nos. 22794; 25711; 26558)

SEC. 51P-286.114. SETBACKS.

Setbacks on the Property must comply with the development plan. (Ord. Nos. 22794; 25711; 26558)

SEC. 51P-286.115. COVERAGE.

Lot coverage may not exceed 47 percent in Tract I or ~~12~~ 20 percent in Tract II. (Ord. Nos. 22794; 25711; 26558)

SEC. 51P-286.116. FILL OF WELL.

The existing well located on the northeast portion of the Property must be filled prior to the issuance of a certificate of occupancy for any permitted use. (Ord. Nos. 22794; 25711; 26558)

SEC. 51P-286.117. PARKING AREA LIGHTING.

(a) Except as otherwise provided, lighting of the surface parking areas on the Property must comply with the provisions outlined in Section 51A-4.301(e). Section 51A-4.301(e)(2)(D), regarding the mounting or attachment of fixtures to buildings or metal poles and compliance with the residential proximity slope for that portion of a fixture over 20 feet in height, does not apply to light fixtures in this district.

(b) Light fixtures for surface parking areas may not exceed a maximum height of 17 feet, six inches.

(c) All lighting of the parking garage must be diverted away from adjacent residentially zoned property. Spillover light on neighboring residential lots must not exceed 0.1 footcandle measured at a point five feet inside the residential lot line and five feet above the ground surface. (Ord. Nos. 22794; 25711; 26558)

SEC. 51P-286.118. SCREENING.

The western facade of the parking garage must contain a minimum four-foot-high solid facade for each parking level to screen adjoining property from vehicle headlights. (Ord. Nos. 22794; 25711; 26558)

SEC. 51P-286.119. SITE CIRCULATION.

(a) In Tract I, the traffic control device must be maintained to provide a one-way traffic flow along the driveway between the long term acute care hospital and the convalescent and nursing home, hospice care, and related institution and the parking garage. The device must be located within the first 25 feet south of the southern entrance to the parking garage to prevent vehicles from exiting the parking garage to Stults Road.

~~(b) Prior to issuance of a certificate of occupancy on Tract II, the left-turn lane for northbound Greenville Avenue in the median adjacent to Tract I must be closed. (Ord. Nos. 22794; 25711; 26558)~~

SEC. 51P-286.120. GENERAL REQUIREMENTS.

(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.

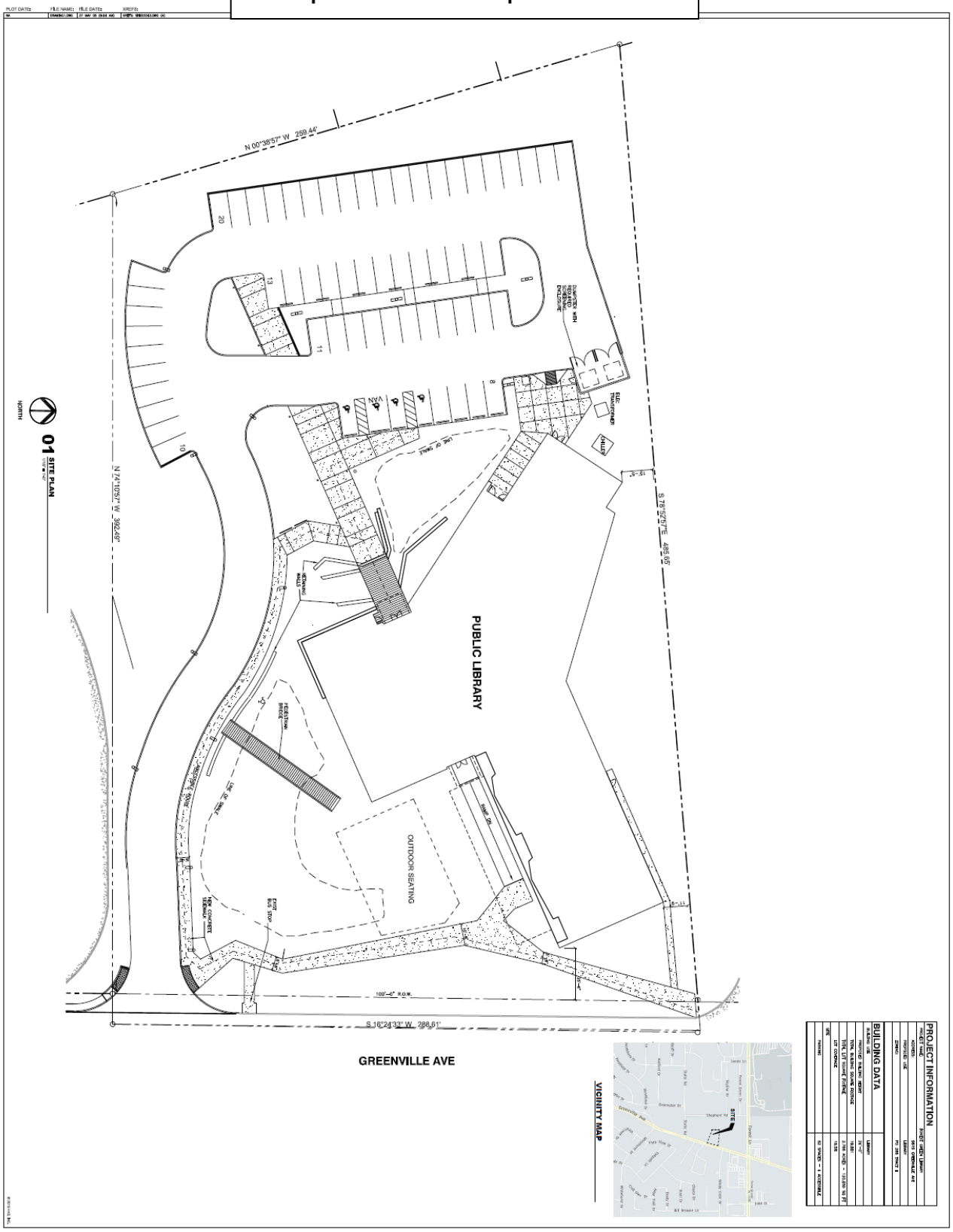
(c) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(d) 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. (Ord. Nos. 19911; 22794; 25711; 26558)

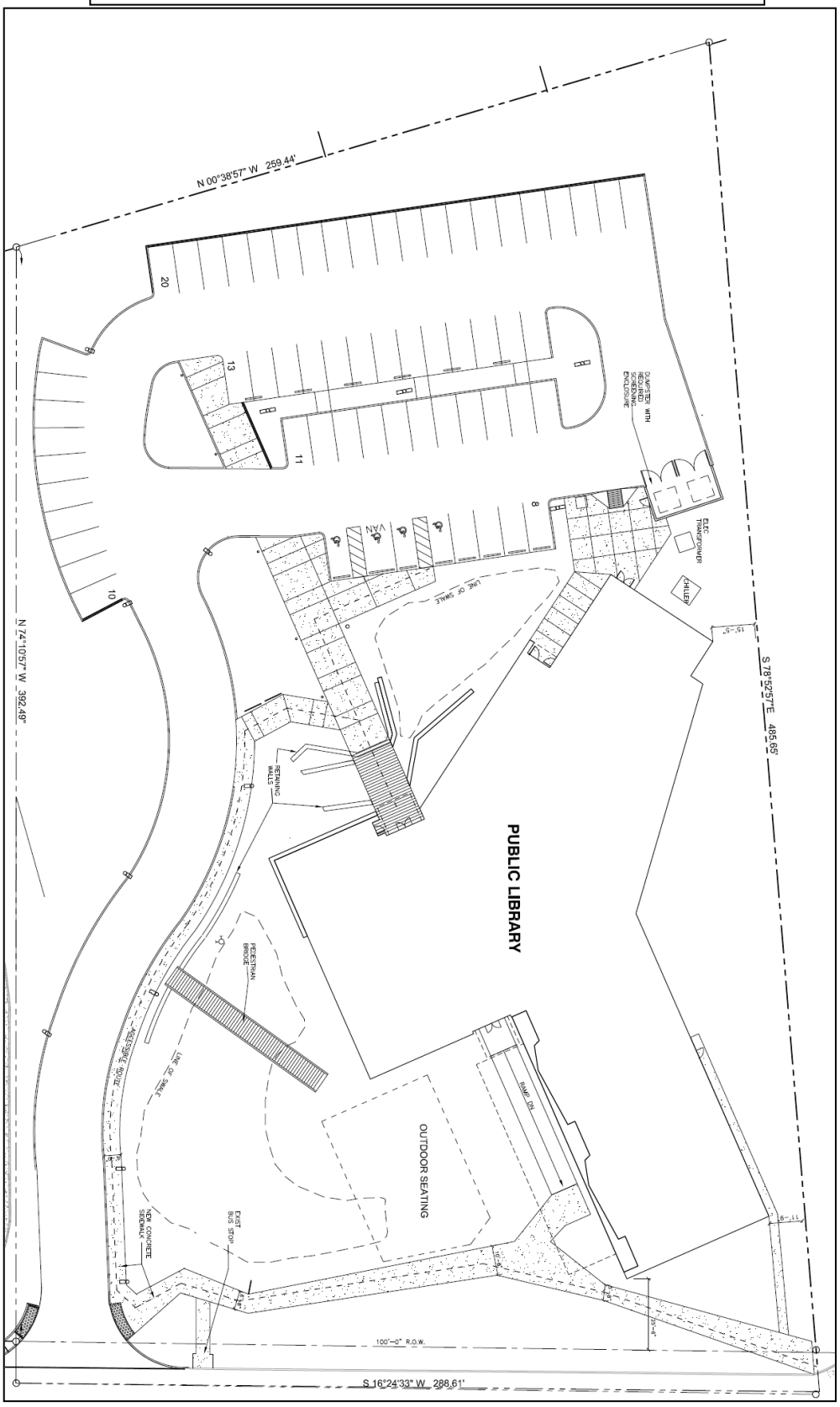
~~**SEC. 51P-286.121. ZONING MAP.**~~

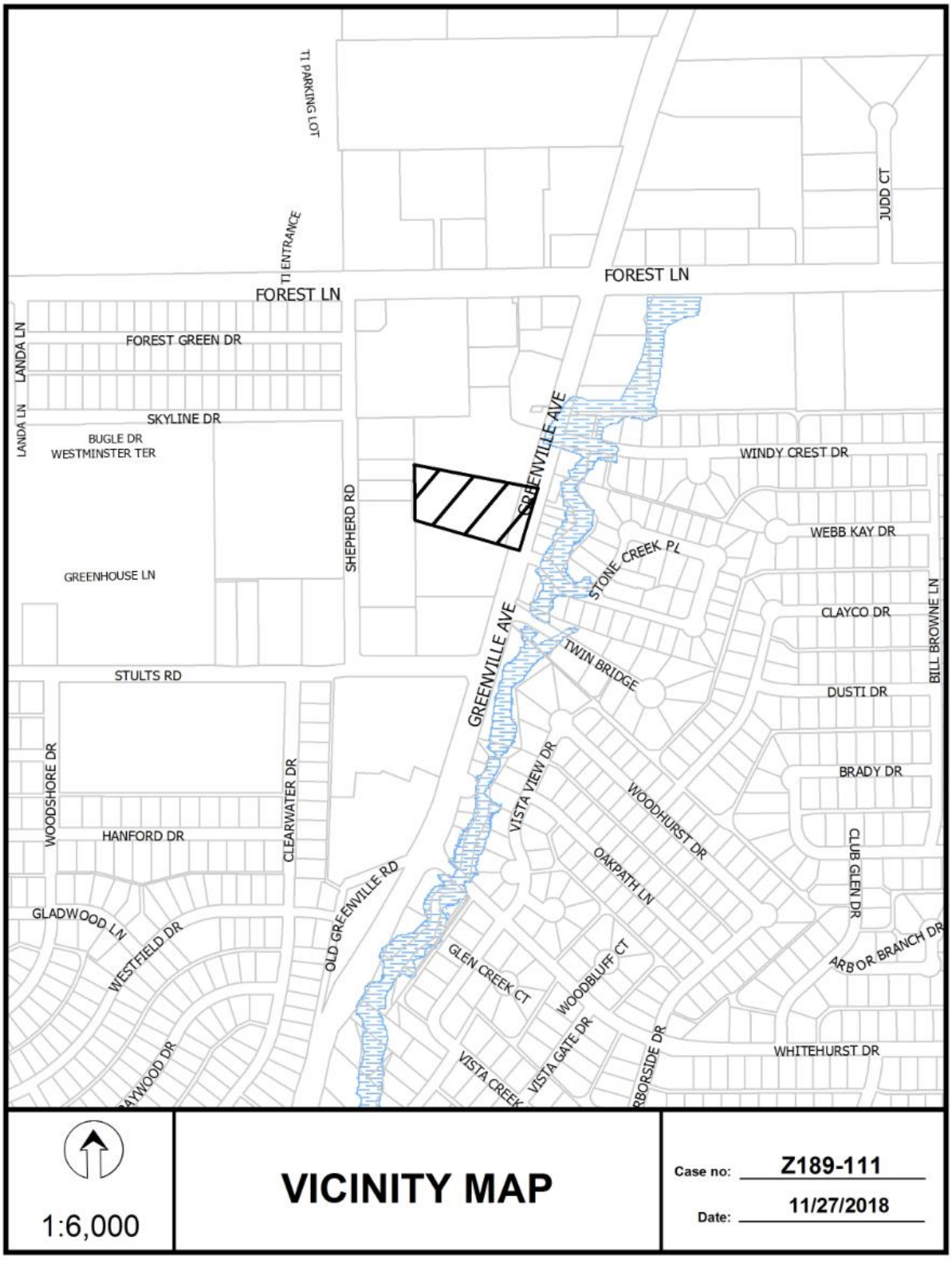
~~PD 286 is located on Zoning Map Nos. D-8 and E-8. (Ord. Nos. 19911; 25711;~~

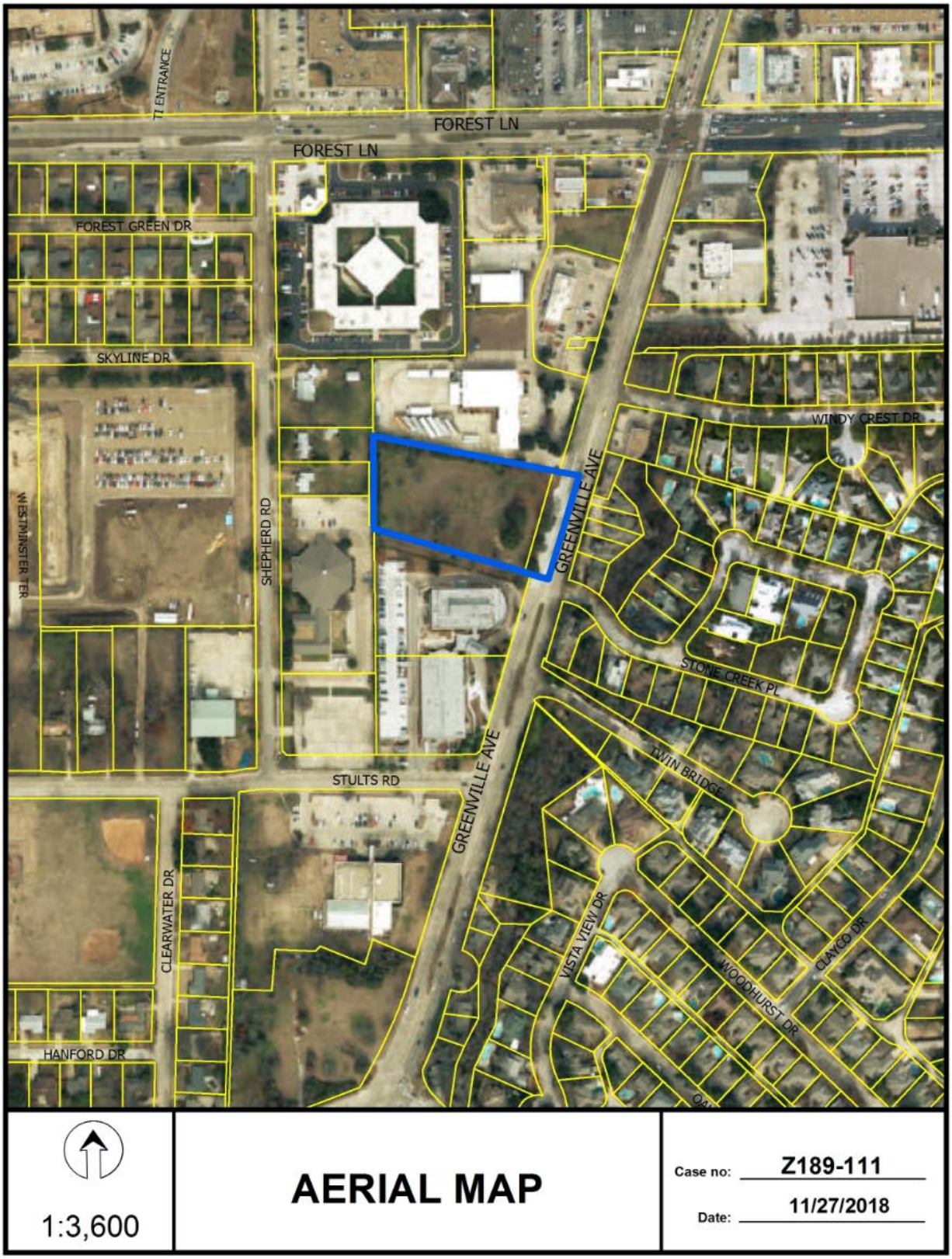
Proposed Development Plan

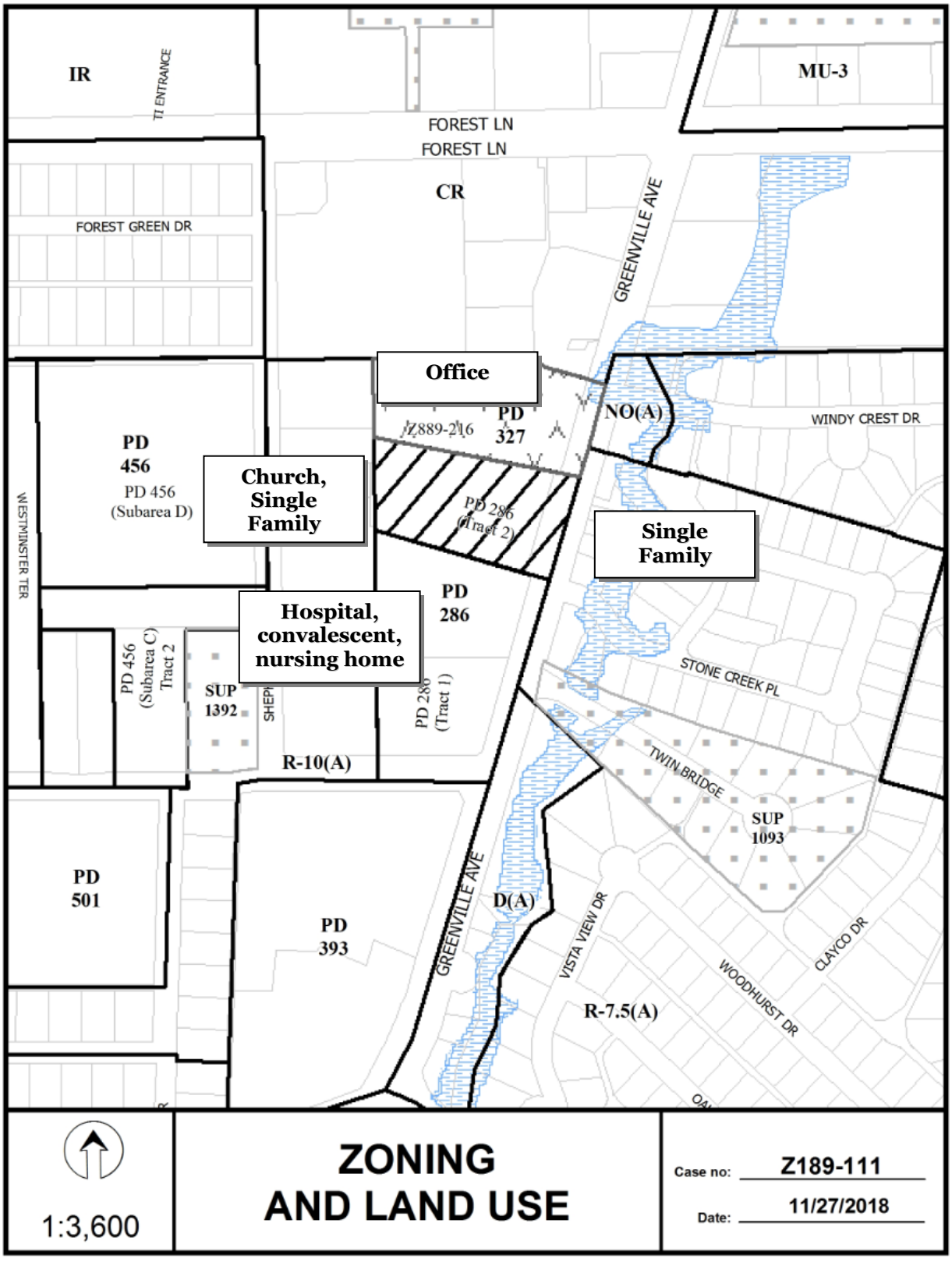


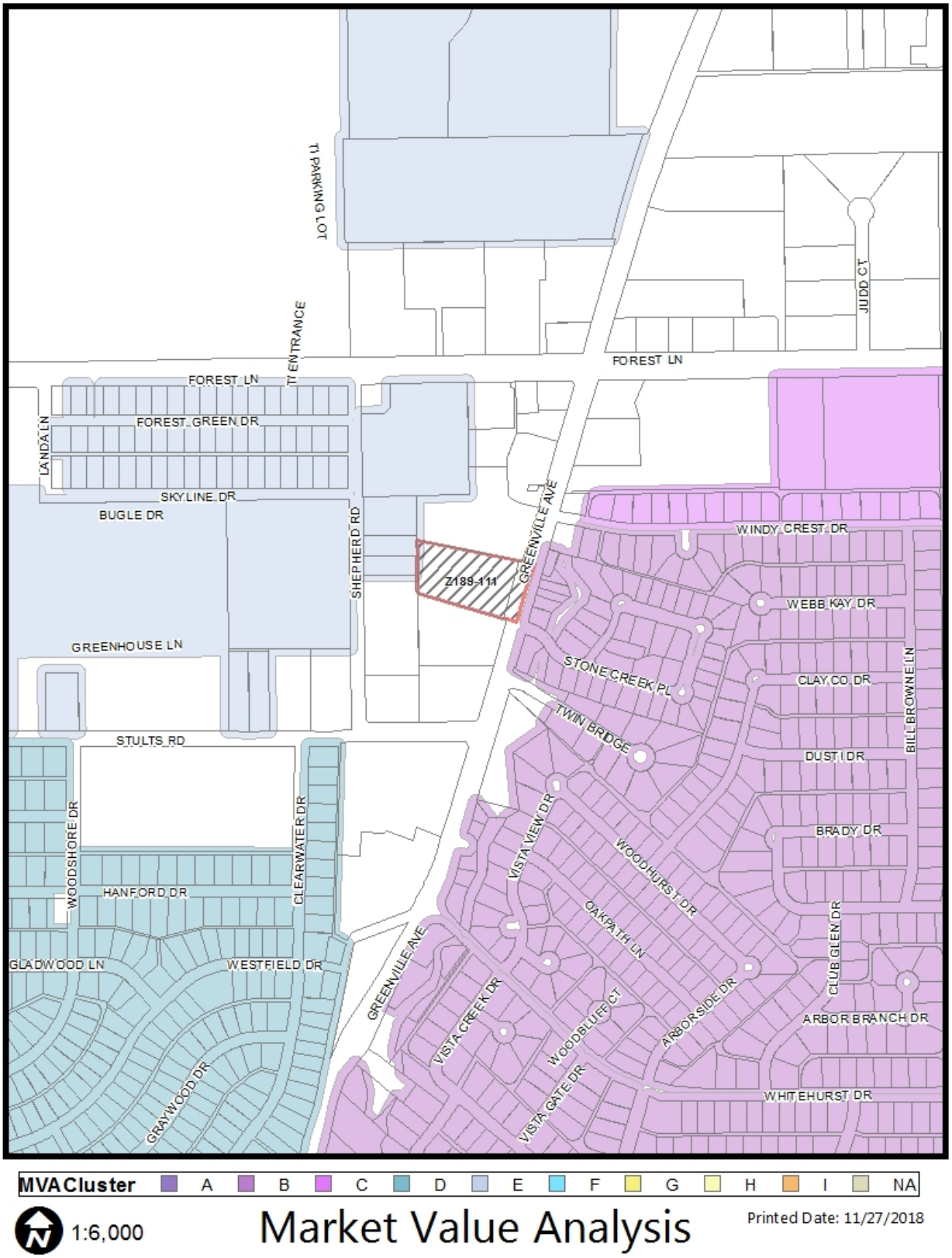
Enlarged Proposed Development Plan



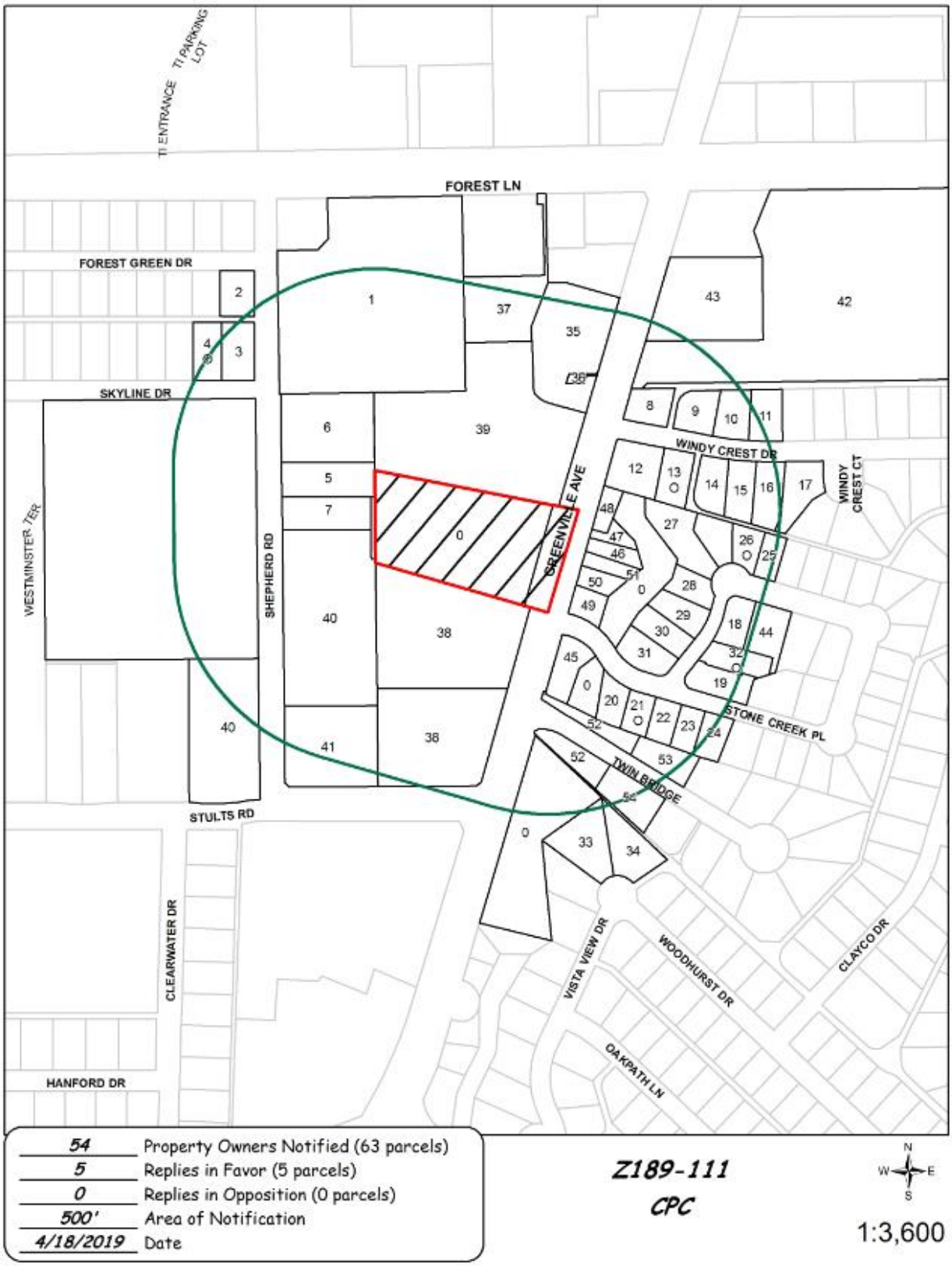

TI PARKING LOT
TI ENTRANCE
FOREST LN
FOREST LN
JUDD CT
LANDA LN
FOREST GREEN DR
LANDA LN
SKYLINE DR
BUGLE DR
WESTMINSTER TER
GREENVILLE AVE
WINDY CREST DR
SHEPHERD RD
WEBB KAY DR
STONE CREEK PL
GREENHOUSE LN
CLAYCO DR
BILL BROWNE LN
GREENVILLE AVE
TWIN BRIDGE
STULTS RD
DUSTI DR
WOODSHORE DR
CLEARWATER DR
VISTA VIEW DR
BRADY DR
WOODHURST DR
HANFORD DR
OAKPATH LN
CLUB GLEN DR
GLADWOOD LN
OLD GREENVILLE RD
WESTFIELD DR
GLEN CREEK CT
WOODBLUFF CT
ARBOR BRANCH DR
VISTA GATE DR
VISTA CREEK
WHITEHURST DR
1:6,000
VICINITY MAP
Case no: Z189-111
Date: 11/27/2018


TI ENTRANCE
FOREST LN
FOREST LN
FOREST GREEN DR
SKYLINE DR
WESTMINSTER TER
SHEPHERD RD
GREENVILLE AVE
WINDY CREST DR
STONE CREEK PL
TWIN BRIDGE
STULTS RD
GREENVILLE AVE
CLEARWATER DR
VISTA VIEW DR
WOODHURST DR
CLAYCO DR
HANFORD DR
1:3,600
AERIAL MAP
Case no: Z189-111
Date: 11/27/2018


IR
TI ENTRANCE
FOREST LN
FOREST LN
CR
MU-3
FOREST GREEN DR
GREENVILLE AVE
Office
PD 327
Z889-216
NO(A)
WINDY CREST DR
PD 456
PD 456 (Subarea D)
Church, Single Family
PD 286 (Tract 2)
Single Family
WESTMINSTER TER
PD 286
Hospital, convalescent, nursing home
PD 456 (Subarea C) Tract 2
SUP 1392
PD 286 (Tract 1)
STONE CREEK PL
TWIN BRIDGE
SUP 1093
R-10(A)
PD 501
PD 393
GREENVILLE AVE
D(A)
VISTA VIEW DR
CLAYCO DR
WOODHURST DR
R-7.5(A)
1:3,600
ZONING AND LAND USE
Case no: Z189-111
Date: 11/27/2018


T PARKING LOT
T ENTRANCE
JUDD CT
FOREST LN
FOREST LN
FOREST GREEN DR
LANDA LN
SKYLINE DR
BUGLE DR
SHEPHERD RD
GREENVILLE AVE
Z189-111
WINDY CREST DR
WEBB KAY DR
GREENHOUSE LN
STONE CREEK PL
CLAY CO DR
BILL BROWNE LN
TWIN BRIDGE
STULTS RD
DUST I DR
BRADY DR
VISTA VIEW DR
WOODHURST DR
OAKPATH LN
CLUB GLEN DR
WOODSHORE DR
CLEARWATER DR
HANFORD DR
GLADWOOD LN
WESTFIELD DR
GREENVILLE AVE
VISTA CREEK DR
WOODBLUFF CT
ARBORSIDE DR
ARBOR BRANCH DR
GRAYWOOD DR
VISTA GATE DR
WHITEHURST DR
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 11/27/2018

CPC Responses



04/17/2019

Reply List of Property Owners

Z189-111

54 Property Owners Notified ***5 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	9730	SHEPHERD RD	DALLAS HOUSING AUTHORITY
	2	8838	FOREST GREEN DR	SNEED MICHAEL CHANDLER &
	3	8833	SKYLINE DR	SHRODE JIMMIE M &
O	4	8827	SKYLINE DR	NGUYEN LEHONG T &
	5	9622	SHEPHERD RD	REGAN MARGARET
	6	9626	SHEPHERD RD	REGAN PETER JAMES &
	7	9616	SHEPHERD RD	REGAN MARGARET
	8	9000	WINDY CREST DR	DMELLOKAMATH SANTOSH R &
	9	9005	WINDY CREST DR	CHUANG SHINGNAN & CHINJEN
	10	9009	WINDY CREST DR	CAMPBELL TED A &
	11	9015	WINDY CREST DR	REED JOHN DAVID &
	12	9638	GREENVILLE AVE	HUANG PHILIP POWEN
O	13	9006	WINDY CREST DR	WENDLING MICHAEL E &
	14	9010	WINDY CREST DR	CAFFREY JAMES S & LINDA K
	15	9014	WINDY CREST DR	GALLIANI ANTHONY
	16	9018	WINDY CREST DR	THOMPSON JAMES F
	17	9022	WINDY CREST DR	CHASE CHRISTOPHER L & SARAH
	18	9128	STONE CREEK PL	ABLON SAMUEL J & BETTY ANN
	19	9154	STONE CREEK PL	MILLS LAWRENCE J
	20	9016	STONE CREEK PL	TARTER PETER J
O	21	9022	STONE CREEK PL	BURROWS EUGENE &
	22	9026	STONE CREEK PL	WHORTON TRICIA & PAUL
	23	9030	STONE CREEK PL	GERKEN KATHLEEN E
	24	9036	STONE CREEK PL	OCONNOR RICHARD D JR &
	25	9127	STONE CREEK PL	DAVIS LINDA J
O	26	9131	STONE CREEK PL	FUSELLA DOUG A & PAMELA K

04/17/2019

Reply	*Label #*	*Address*		*Owner*
	27	9139	STONE CREEK PL	EARHART DAVID R &
	28	9145	STONE CREEK PL	MORTIMER MATTHEW B
	29	9149	STONE CREEK PL	ANDERECK MICHAEL
	30	9153	STONE CREEK PL	LUNDAY SALLY JANE
	31	9157	STONE CREEK PL	SHIELDS MARY E
O	32	9150	STONE CREEK PL	DUNHAM WILLIAM A & BETH A
	33	8943	VISTA VIEW DR	TAYLOR TIFFANY ASHLEY &
	34	9003	WOODHURST DR	ALLIN JAMES B & ANGELA B
	35	9755	GREENVILLE AVE	RETAIL BUILDINGS INC
	36	9701	GREENVILLE AVE	RETAIL BUILDINGS INC
	37	9076	FOREST LN	WATTS PROPERTIES HOLDINGS LLC
	38	9525	GREENVILLE AVE	TEXAS HCP HOLDING LP
	39	9639	GREENVILLE AVE	JORDAN FOSTER PROPERTIES LLC
	40	9550	SHEPHERD RD	NEW MOUNT ZION BAPTIST
	41	9510	SHEPHERD RD	NEW MT ZION BAPTIST
	42	9150	FOREST LN	KROGER TEXAS LP
	43	9728	GREENVILLE AVE	ROMAGAMA LLC
	44	9124	STONE CREEK PL	FINSTON FELICIA A
	45	9002	STONE CREEK PL	KIRBY DAVID P & HOLLY K
	46	9622	GREENVILLE AVE	DELAROSA DIANA M & ROBERT C
	47	9626	GREENVILLE AVE	BIRKHEAD CHARLES G &
	48	9630	GREENVILLE AVE	MURPHY AUBREY II & BRENDA
	49	9005	STONE CREEK PL	LUCIO ALBERT
	50	9614	GREENVILLE AVE	HINSON DONALD R JR & JOY
	51	9618	GREENVILLE AVE	HORNI EDWARD C III
	52	12	TWIN BRIDGE	TWIN BRIDGES HOMEOWNERS
	53	1	TWIN BRIDGE	CORNEJO FEDERICO & IRMA A
	54	11	TWIN BRIDGE	SELLERS THOMAS M &

Agenda Information Sheet

File #: 19-669 **Item #:** 59.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses and a public school other than an open-enrollment charter school on property zoned an R-5(A) Single Family District, a TH-3(A) Townhouse District, and an MF-2(A) Multifamily District, on the west line of Bonnie View Road, north of Morrell Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, traffic management plan, and conditions
Z189-177(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-177(SM)	**DATE FILED:**	September 28, 2018
LOCATION:	West line of Bonnie View Road, north of Morrell Avenue		
COUNCIL DISTRICT:	4	**MAPSCO:**	55 G
SIZE OF REQUEST:	Approx. 21.481 acres	**CENSUS TRACT:**	89.00

APPLICANT/OWNER: Dallas ISD

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for a Planned Development District for MF-2(A) Multifamily District uses and a public school other than an open-enrollment charter school on property zoned an R-5(A) Single Family District, a TH-3(A) Townhouse District, and an MF-2(A) Multifamily District.

SUMMARY: The applicant [Dallas ISD] proposes to construct additions to the existing Franklin D. Roosevelt High School that will range from one-story to three-stories and a reconfiguration of courtyards. The additions will increase the homeroom classrooms by 14 to a total of 44. The applicant also proposes to reduce the off-street parking requirements for the school from nine and one-half spaces per classroom to six spaces per classroom based on enrollment patterns.

CPC RECOMMENDATION: **Approval**, subject to a development plan, landscape plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan, landscape plan, traffic management plan, and conditions.

BACKGROUND INFORMATION:

- According to Dallas Central Appraisal District records, the site was developed with a public school use, Franklin D. Roosevelt High School, in 1963.
- Between 1972 and 1979, the school expanded south to the north line of Morrell Avenue, where a surface parking lot exists, according to aerial photography.
- In the summer of 1978, two permits were issued for additions to the school for the existing metal building on the south end of the school and the two-story masonry wing near the east parking lot.
- On October 15, 1980, the school completed permits to expand into the south line of Warsaw Street, where the athletic fields exist.

Zoning History: There has been one zoning case in the area within the last five years.

1. Z167-197: On May 10, 2017, the City Council approved an MF-1(A) Multifamily District on property zoned an R-5(A) Single Family District, on the west side of Bonnie View Road, south of E. 11th Street.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Bonnie View Road	Local	Varies
Morrell Avenue	Collector	Varies
Hutchins Road	Local	50 feet
Warsaw Street	Local	35 feet

Traffic: The Engineering Division of the Sustainable Development and Construction Department recommends approval of the parking reduction request and the proposed traffic management plan.

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed zoning request meets the following goals and objectives of the comprehensive plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools. Encourage the development of these facilities in priority Area Plans.

NEIGHBORHOOD PLUS

Policy 4.2 Support and leverage emerging school quality and school choice programs.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	MF-2(A)	Public School
North	R-5(A)	Single Family, Undeveloped
East	TH-3(A)	Single Family
South	TH-3(A), NO(A), MF-2(A)	Single Family, Salon, Undeveloped
West	CR-D, R-5(A)	Undeveloped, Single Family

Land Use Compatibility: Surrounding land uses consist of a mix of single family uses and undeveloped land to the north, single family to the northeast and southeast, a salon directly to the south, and undeveloped land with some single family uses to the southwest and west.

The school has been serving the community for 56 years. The use continues to be compatible with surrounding residential, institutional, and retail uses.

Parking: The Dallas Development Code derives the off-street parking requirement for a school using the following criteria: 1) the number of classrooms and 2) the grade level of the school's students (e.g., elementary, middle or high school). The Dallas Development Code requirement for off-street parking for a high school is nine and one-half spaces for each high school classroom.

The applicant proposes to reduce the minimum parking requirement from nine and one-half spaces per high school classroom to six and one-half spaces per high school classroom. The purpose of this parking reduction request is 1) to accommodate the proposed 14-classroom increase without providing an expansive compact car parking lot or paving additional parking and 2) to build in a small amount of flexibility should future enrollment require a school expansion causing the parking spaces required to increase or if parking spaces are eliminated for some unforeseen reason. The existing 30-classroom high school required 285 parking spaces and 295 parking spaces were provided. The proposed expansion of the school to 44 classrooms would require 418 spaces per the Dallas Development Code and the applicant proposes to add five additional spaces on site for a total of 300 spaces provided.

Staff does not object to the applicant's requested parking reduction because the applicant has provided the following table of observed cars on weekdays through aerial photography. The existing 30-classroom high school had 134 observed cars in the school's parking lot on Wednesday, September 6, 2017 which equates to approximately 4.5 spaces per classroom. If this observed parking demand is applied to the applicant's proposed expansion to a 44-classroom high school, one can assume that 198 parking spaces will be occupied. Therefore, staff supports the applicant's request to reduce the minimum parking requirement to six and one-half spaces per high school classroom because, assuming driving trends do not significantly increase car ownership specifically for student drivers in the near future, a proposed parking supply of 290 spaces would accommodate a projected demand of 198 parked vehicles and provide a surplus of 30 percent during traditional school hours and excluding any special event traffic.

Existing parking spaces	295		
Existing classrooms	30		
Required parking (9.5 per classroom)	285		
	Cars on aerials	Percentage of required spaces	Spaces/ classroom
Wednesday, September 6, 2017	134	47%	4.47
Wednesday, April 27, 2016	116	41%	3.87
Tuesday, December 1, 2015	123	43%	4.10
Thursday, January 31, 2013	98	34%	3.27
Wednesday, April 4, 2012	111	39%	3.70
Thursday, March 31, 2011	114	40%	3.80
Thursday, October 25, 2007	120	42%	4.00
Thursday, October 5, 2006	117	41%	3.90
Wednesday, April 28, 2004	121	42%	4.03
Tuesday, December 23, 2003	120	42%	4.00

Landscaping:

The applicant proposes a landscape plan for the proposed public school use which generally complies with Article X. Section 51A-10.22 allows an artificial lot delineation since the site is over two acres around the school building and the proposed expansion areas. This artificial lot delineation would exclude the athletic areas that front on Warsaw Road and the southern parking lot areas. The proposed plan decreases the number of required street trees from one tree per 40 linear feet of street frontage to one tree per 50 linear feet and to allow the trees that exist within the flood plain to count towards site tree requirements. Staff supports the request because this reduction allows the site to avoid planting new trees in the existing flood plain zone on the property that crosses Bonnie View Road on the north.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, it abuts an “H” MVA cluster to the north and south and an “I” MVA cluster abuts the site to the east.

CPC Action
April 4, 2019

Motion: In considering an application for a Planned Development District for MF-2(A) Multifamily District uses and a public school other than an open-enrollment charter school on property zoned R-5(A) Single Family District, TH-3(A) Townhouse District, and MF-2(A) Multifamily District, on the west line of Bonnie View Road, north of Morrell Avenue, it was moved to **hold** this case under advisement until April 18, 2019.

Maker: Johnson
Second: Murphy
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

Notices: Area: 500 Mailed: 275
Replies: For: 7 Against: 1

Speakers: For: None
For (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None
Against (Did not speak): Esther Aguilar, 618, 630, 634, 638, 646, 650, S. Corinth St., Rd., Dallas, TX, 75203

CPC Action
April 18, 2019

Motion: It was moved to recommend **approval** of a Planned Development District for MF-2(A) Multifamily District uses and a public school other than an open-enrollment charter school, subject to a development plan, landscape plan, traffic management plan, and conditions on property zoned R-5(A) Single Family District, TH-3(A) Townhouse District, and MF-2(A) Multifamily District, on the west line of Bonnie View Road, north of Morrell Avenue.

Maker: Johnson
Second: Murphy
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss*, Johnson, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 275
Replies: For: 9 Against: 2

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

List of DISD Trustees

Dallas Independent School District

Board of Trustees

Dan Micciche

Edwin Flores

Audrey Pinkerton

Jaime Resendez

Dustin Marshall

Lew Blackburn

Joyce Foreman

Miguel Solis

Bernadette Nutall

CPC Recommended Planned Development District

ARTICLE _____.

PD _____.

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- ____.102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located on the west side of Bonnie View Road and the north side of Morrell Avenue. The size of PD _____ is approximately 20.6 acres.

SEC. 51P- ____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P- ____.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ___A: development plan.

(2) Exhibit ___B: landscape plan.

(3) Exhibit ___C: traffic management plan.

SEC. 51P- ____.105. DEVELOPMENT PLAN.

(a) For a public school other than an open-enrollment charter school, development and use of the Property must comply with the development plan (Exhibit ___A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P- ____.106. MAIN USES PERMITTED.

(a) Except as provided, the only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily 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 MF-2(A) Multifamily District is subject to DIR in this district; etc.

(b) The following main use is permitted by right:

-- Public school other than an open-enrollment charter school.

SEC. 51P-____.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-____.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

The yard, lot, and space regulations for the MF-2(A) Multifamily District apply.

SEC. 51P- ____.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For a public school other than an open enrolment charter school, six and one-half off-street parking spaces are required for each high school classroom. Parking may be located within a required front yard.

SEC. 51P- ____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-_____.111. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) For a public school other than an open enrolment charter school, landscaping must be provided as shown on the landscape plan (Exhibit _____B). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P--_____.112. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit ___C).

(b) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by March 1, 2022. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 of each even-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of personnel assisting with loading and unloading of students;

(D) drop-off and pick-up locations;

(E) drop-off and pick-up hours for each grade level;

(F) hours for each grade level; and

(G) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(c) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P-____.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P-___.114. FENCING.

(a) Except as provided in this section, fencing must be provided in accordance with 51A-4.602(a).

(b) For a public school other than an open enrollment charter school and when located less than five feet from the front lot line, maximum fence height in a required front yard is six feet for each fence panel with less than 50 percent open surface area.

(c) For a public school other than an open enrollment charter school, existing barbed wire along Morrell Avenue must be removed prior to the issuance of a certificate of occupancy that increases the number of classrooms.

SEC. 51P- ____.115. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

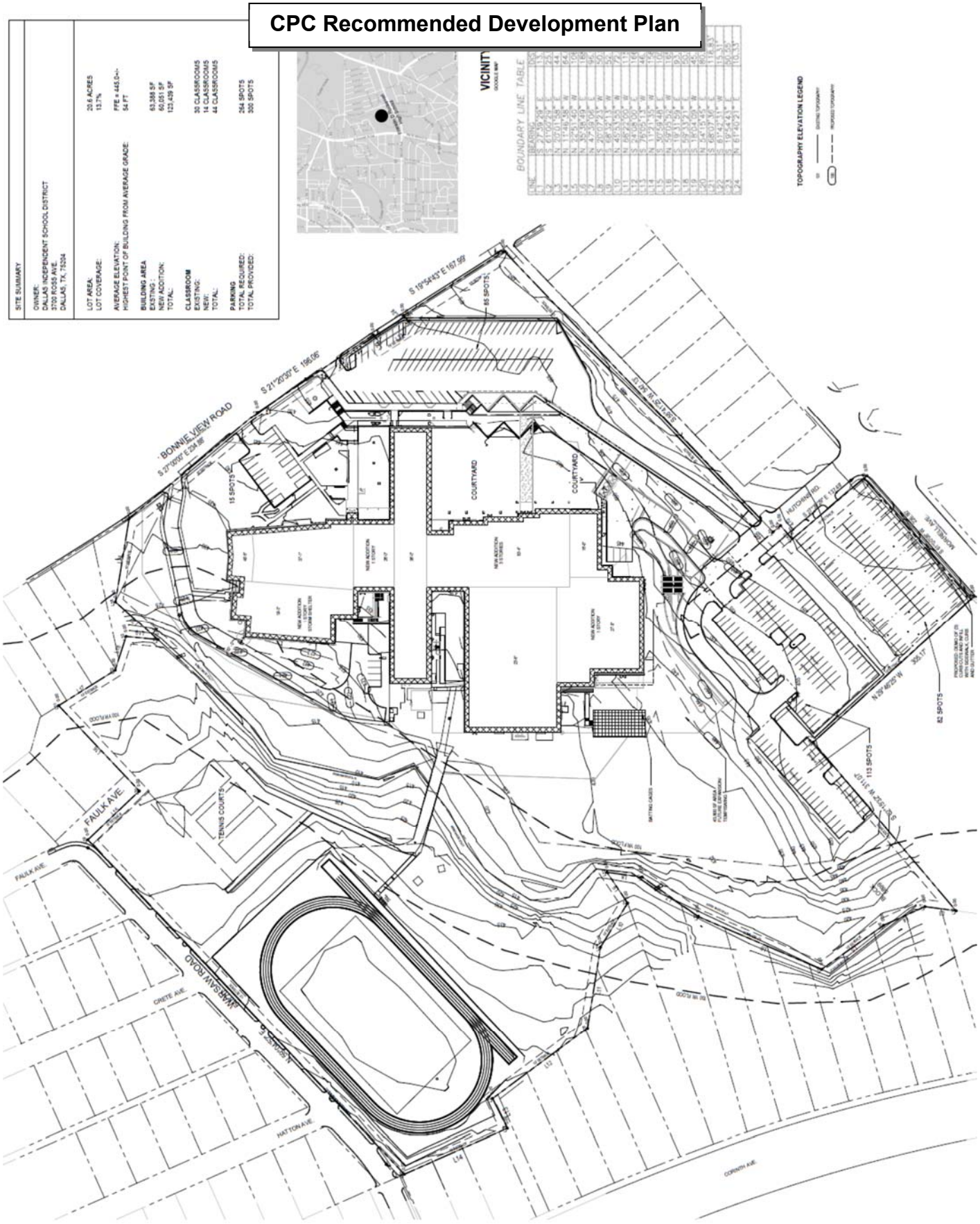
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

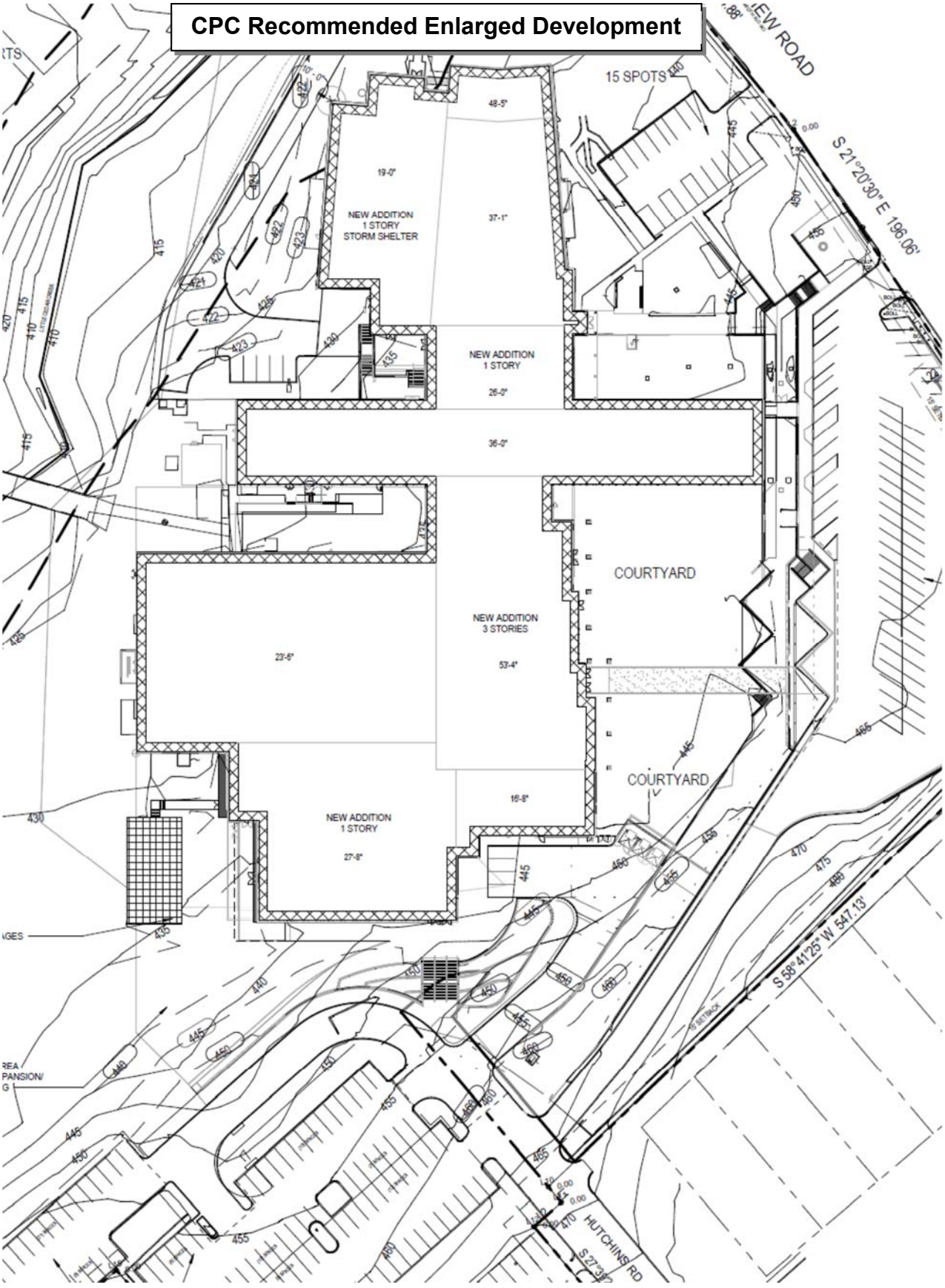
SEC. 51P-____.116. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

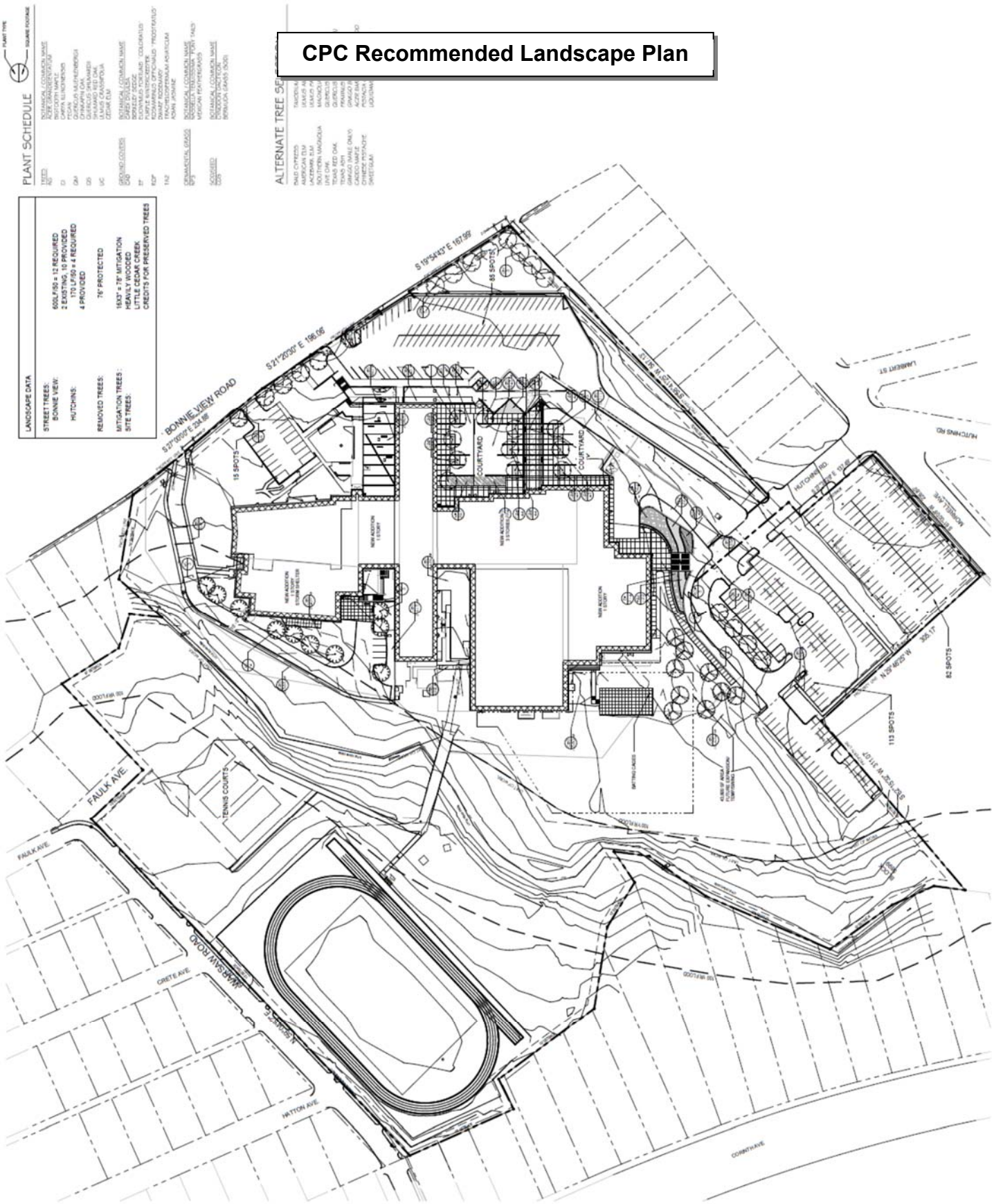
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

CPC Recommended Development Plan

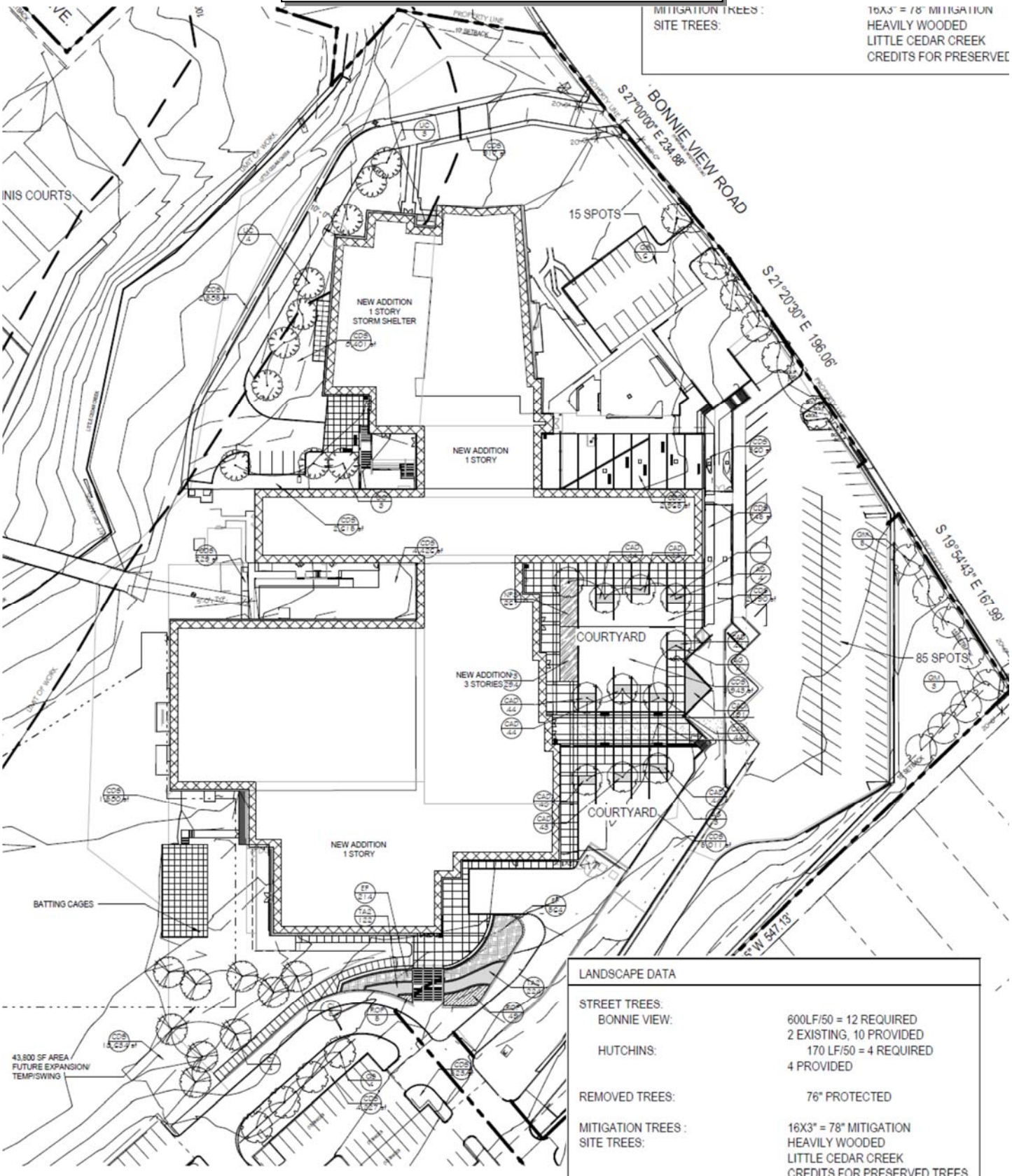



CPC Recommended Enlarged Development
15 SPOTS
NEW ADDITION
1 STORY
STORM SHELTER
NEW ADDITION
1 STORY
NEW ADDITION
3 STORIES
NEW ADDITION
1 STORY
COURTYARD
COURTYARD
S 21°20'30" E 196.06'
S 58°41'25" W 547.13'
HUTCHINS RD

CPC Recommended Landscape Plan



Proposed Enlarged Landscape Plan



Proposed Traffic Management Plan

March 7, 2019
PK# 3837-17.034
Z189-177

TRAFFIC MANAGEMENT PLAN

Project:
DISD Franklin D. Roosevelt High School
In Dallas, Texas

Prepared for:
City of Dallas

On behalf of:
Dallas Independent School District

Prepared by:

Steve E. Stoner

Steve E. Stoner, P.E., PTOE



Pacheco Koch

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TX. REG. SURVEYING FIRM LS-100080-00

March 7, 2019

Pacheco Koch

TRAFFIC MANAGEMENT PLAN
DISD Franklin D. Roosevelt High School
Dallas, Texas

TABLE OF CONTENTS

INTRODUCTION 1
Project Description *1*
TMP Objectives *2*
Methodology *3*
Expectations *4*
Changes to TMP *4*
Traffic Management Plan 5
Acknowledgement Statement *6*

Exhibits
Proposed Site Plan

Exhibit 1. Recommendations/Projected Conditions

INTRODUCTION

The services of **Pacheco Koch** (PK) were retained by on behalf of **Dallas Independent School District (DISD)** to prepare a Traffic Management Plan (TMP) for Franklin D. Roosevelt High School (the "School") located at 525 Bonnie View Road in Dallas, Texas. This TMP is site-specific and relates to the peak traffic activity associated with school traffic at the site.

DISD is seeking to create a Planned Development District for the site from the City of Dallas (the "Approving Agency") to facilitate proposed site improvements. Submittal of a TMP, prepared by a registered professional engineer experienced and skilled in the field of traffic/transportation engineering, is one of the requirements of Approving Agency's application process. This TMP was prepared by registered professional engineers employed by Pacheco Koch. Pacheco Koch is a licensed engineering firm based in Dallas, Texas, that provides professional services in traffic engineering, transportation planning, and other fields.

Project Description

The site currently consists of an existing public high school. Current enrollment is summarized below in **Table 1.**

Table 1. Current Enrollment

LEVEL	STUDENTS ENROLLED
9th Grade	249
10th Grade	193
11th Grade	152
12th Grade	132
CURRENT TOTAL	726
PROJECTED TOTAL	800

*Enrollment data provided by DISD.

Proposed site improvements include replacing portions of the building with new construction and other renovations. Site improvements are anticipated to be completed by 2021.

Access to the campus is provided on Bonnie View Road and Morrell Avenue. A separate portion of the campus containing athletic facilities (track and tennis courts) is located north of the main campus with access on Warsaw Street. (No changes are proposed to the north part of the campus, therefore it is not considered in this analysis).

High pedestrian traffic was observed to be present at the intersection of Morrell Avenue and Bonnie View Road. The crosswalks at the intersection were observed to be heavily utilized. An adjacent traffic signal is located at the intersection of S Corinth Street Road and Morrell Avenue. School related delays and pedestrian activity were observed to be minimal at the signalized intersection.

A proposed site plan for Franklin D. Roosevelt High School (prepared by Stantec Architecture, Inc.) is provided at the end of this report.

NOTE: Pacheco Koch was and is not involved with site selection, site design, nor the operations for this project.

TMP Objectives

A Traffic Management Plan (TMP) is a site- or area-specific plan of recommended actions and strategies to manage vehicular traffic and parking, pedestrian activity, and travel by all other modes during peak demand conditions for a planned event. The "Objectives" of a TMP are to:

1. Provide a safe environment for all Users on site and the travelling public in the vicinity of the site during the Event times;

2. Minimize (and maintain within reasonable levels) travel delays and traffic congestion on site and in the vicinity of the site during the Event;

3. Ensure reasonable access and circulation is maintained on the public street system in the vicinity of the site during the Event;

4. Provide appropriate information to the travelling public in the vicinity of the site to allow for proper awareness of anticipated traffic conditions during the Event; and,

5. Promote reasonable strategies to manage travel demand to and from the site, including use of alternative modes of travel (such as walk, bike, bus, transit, etc.), when practical.

NOTE: It is generally recommended that all applicable crosswalks and barrier free ramps comply with current ADA Accessibility requirements. All city approved pavement markings, traffic signs, and school zones are recommended to provide hardware that meets city's current standards.

DEFINITIONS:

"Event"– a planned event(s), recurring or non-recurring, for which this TMP is being prepared (i.e., "school day")

"School" (a.k.a., "Event Organizer") – the person, group, or organization responsible for the Event

"TMP Manager" – a person or persons designated by the School to implement the TMP (also see additional tasks in the Expectations section)

"Users" – guests/patrons attending the Event

"Analyst" – the person(s) preparing the TMP for the School

"Approving Agency" – the municipality or government agency requiring the Traffic Management Plan

"Traffic Department" – the department of the public agency responsible for traffic operations for a given right-of-way

"Site" – the property at which the Event is located (generally assumed to be occupied by the School)

"TMP Strategies" – actions recommended by the Analyst to be undertaken before, during, or after the Event in order to manage traffic on or off site

DISCLAIMERS:

A TMP should be developed by, or in concert with, an individual familiar with the general characteristics of the Event and the associated traffic/transportation needs. For this study, PK worked with School representatives to develop the proposed recommendations.

Recommended TMP Strategies should be based upon applicable engineering principles of traffic safety and traffic operations.

Any recommended TMP Strategies involving traffic control devices in the public right-of-way (including installation or removal of signs, pavement markings, etc.) are subject to the approval of, and must be implemented under direction of, the Traffic Department.

No private individual should perform, or attempt to perform, any act of traffic control within public right-of-way; only deputized officers of the law or other authorized representatives of the Traffic Department may manipulate traffic conditions within the public right-of-way.

Pacheco Koch was not involved with site selection, site design, or the current operations for this project. Pacheco Koch is not responsible for the *implementation* of the recommended TMP Strategies contained in this study.

Methodology

When feasible, the Analyst should conduct first-hand observations of existing event to develop an understanding of site-specific traffic/transportation characteristics, such as: drop-off/pick-up frequency, parking needs, alternative travel mode use, safety issues, queuing, traffic congestion, site access, current traffic management strategies in use, etc. When it is not feasible to conduct such observations, interviews with staff or personnel familiar with those items is desirable. When neither option is available, the Analyst may be required to rely upon published information and/or professional judgment and experience.

Once the base information is assembled, the Analyst should estimate the projected traffic/transportation characteristics generated by the proposed Event. Next, the Analyst should inventory the attributes and resources of the subject site and determine how the site can best accommodate those projected conditions. Based upon that assessment, the recommended TMP Strategies shall be developed to optimally achieve the basic TMP Objectives. The recommended

TMP Strategies should be reviewed by the School (ideally, the TMP Manager) for refinement and approval before formal submittal to the Approving Agency.

Expectations

NOTE TO SCHOOL: By submittal of a TMP to the Approving Agency, the School is implicitly agreeing to implement, maintain, and comply with the recommended actions presented herein subject to acceptance by Approving Agency and any associated conditions Approving Agency may impose. It is also inferred that the School agrees to be self-accountable for these actions until and unless Approving Agency deems further measures are appropriate or the TMP is no longer required.

Recommended TMP Strategies may include one-time measures (such as traffic signs, pavement markings, circulation on-site, etc.) to be implemented before the Event and/or ongoing actions to be performed before, during, or after the Event. Recommended TMP Strategies involving on-site measures or actions are generally considered to be the responsibility of the School.

To ensure appropriate compliance and consistent implementation of the TMP, it is recommended that the School appoint a TMP "Manager". In general, a Manager should be a qualified and capable individual or group of individuals assigned to take responsibility of the TMP and be accountable for successful implementation in order to achieve the Objectives described earlier (see "*TMP Objectives*"). Other specific duties of the Manager include:

- Monitor effectiveness of TMP strategies and make prudent adjustments, as needed, to more effectively accomplish the TMP Objectives
- Maintain an awareness of readily-available alternative transportation modes serving the site and facilitate and promote their use during the Event when practical
- Serve as a liaison to the Approving Agency(-ies), when needed
- When applicable, provide training and direction to other personnel assigned to implement the TMP measures
- Provide instruction to Users on how to comply with the intent of the TMP

Recommended TMP Strategies were developed specifically for the period(s) of peak traffic demand and are depicted in the respective exhibits. For periods of less intense traffic demand, recommended TMP Strategies may be utilized, in part or in whole, as needed to realize the TMP Objectives.

Changes to TMP

Informal changes to any recommended TMP Strategies presented herein to improve efficiency or effectiveness may be implemented at the discretion of the School if those changes are prudent and do not compromise the TMP Objectives. It is recommended that changes implemented under such circumstances be documented and retained by the School for future reference or upon request. At the discretion of the Approving Agency, submittal of a formally revised TMP

report/document or a validation study may be required on a predetermined or as-needed basis.

TRAFFIC MANAGEMENT PLAN

NOTE: Recommended TMP Strategies contained herein are based upon the best data, site-specific information, and analytical processes readily available at the time of the study. However, some specific quantities related to traffic congestion at peak periods (e.g., duration, length of queue, etc.) may be estimated values. Actual quantities may vary due to unknown or unquantifiable variables and other operational factors that may occur. In the event that actual, future conditions generate undue burden on Users and/or the travelling public, modifications to the TMP should be considered. (See preceding NOTE for guidance on implementing changes to the TMP.) However, in extreme conditions, TMP actions may not be capable of mitigating all traffic conditions, and it may be incumbent on the School to consider operational, institutional, or other long-term changes to address issues on a more permanent basis.

Graphical summaries of recommendations and proposed conditions are depicted in **Exhibit 1**. A summary of specific recommendations is provided below:

1. Convert existing, unused parking lot fronting Morrell Avenue to a designated parent waiting/loading area. [Intent: To provide off-street location for parents to stand/park during afternoon pick-up periods in lieu of standing/parking on adjacent streets.]

2. Utilize existing parking lot aisles for designated parent waiting/loading area. [Intent: To provide off-street location for parents to stand/park during afternoon pick-up periods in lieu of standing/parking on adjacent streets.]

3. Utilize proposed bus loop (as shown on proposed site plan) for all school bus loading/unloading.

4. Install marked crosswalks on internal roadways to improve pedestrian safety.

5. Relocate location of school zone and signs.

March 7, 2019

Pacheco Koch

Acknowledgement Statement

REVIEW AND COMMITMENT

This school traffic management plan (TMP) for Franklin D. Roosevelt High School was developed with the intent of optimizing safety and efficiently accommodating vehicular traffic generated during the school's typical student drop-off and pick-up periods. It is important to note that a concerted and ongoing effort by and the full participation of the school administration are essential to accomplish these goals. By the endorsement provided below, the school administration hereby agrees to implement, adhere to, and support the strategies presented in this TMP for which the school is held responsible until or unless the City of Dallas deems those strategies are no longer necessary or that other measures are more appropriate.

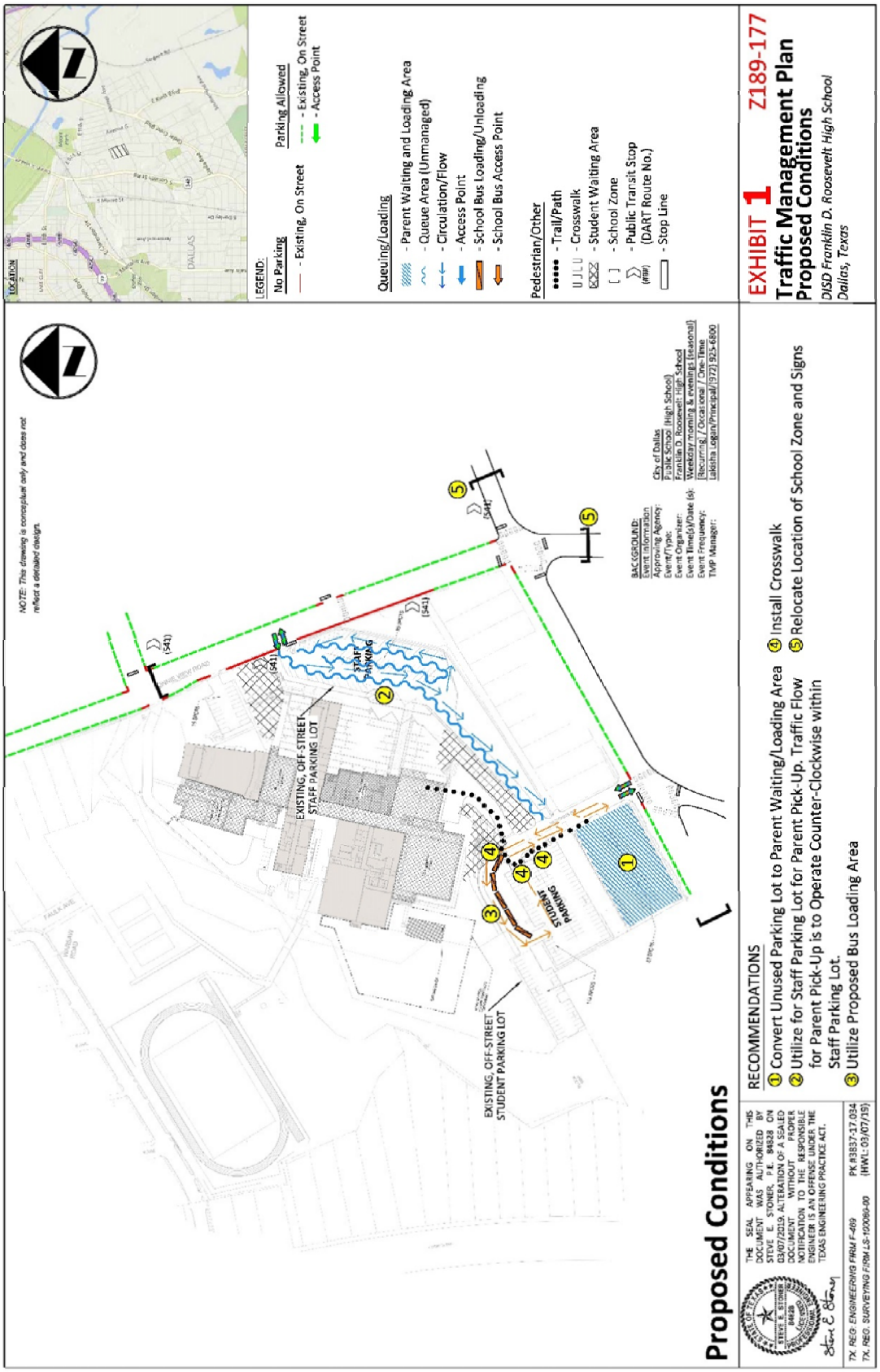
LaKisha Logan
Signature

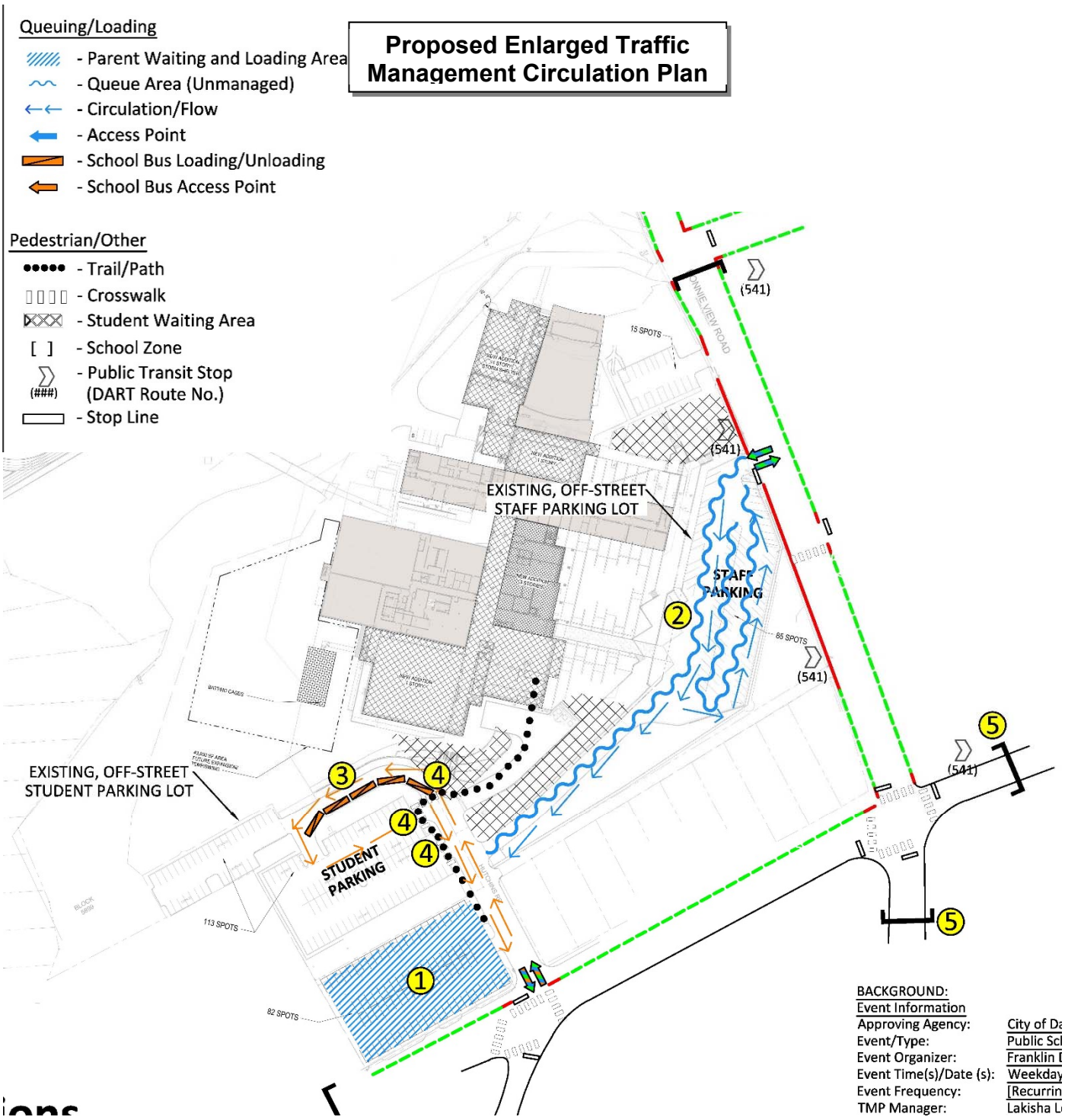
3-8-2019
Date

Name: LaKisha Logan

Title: Principal

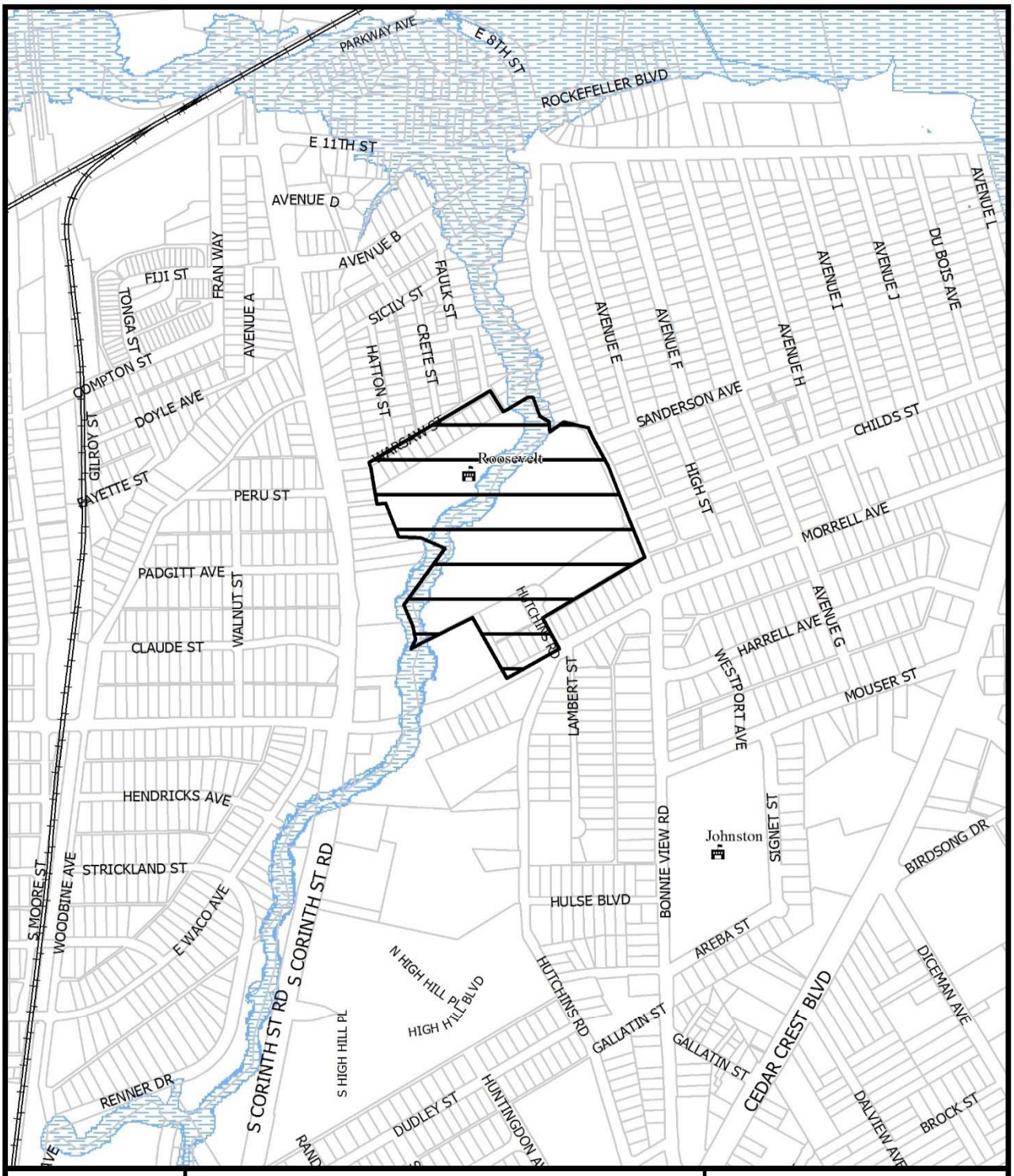
END OF MEMO


EXHIBIT 1
Z189-177
Traffic Management Plan
Proposed Conditions
DISD Franklin D. Roosevelt High School
Dallas, Texas
LOCATION
LEGEND:
No Parking
- Existing, On Street
Parking Allowed
- Existing, On Street
- Access Point
Queuing/Loading
- Parent Waiting and Loading Area
- Queue Area (Unmanaged)
- Circulation/Flow
- Access Point
- School Bus Loading/Unloading
- School Bus Access Point
Pedestrian/Other
- Trail/Path
- Crosswalk
- Student Waiting Area
- School Zone
- Public Transit Stop (DART Route No.)
- Stop Line
NOTE: This drawing is conceptual only and does not reflect a detailed design.
EXISTING, OFF-STREET STAFF PARKING LOT
EXISTING, OFF-STREET STUDENT PARKING LOT
STAFF PARKING
STUDENT PARKING
BACKGROUND:
Event Information
Approving Agency:
Event/Type:
Event Organizer:
Event Time(s)/Date (s):
Event Frequency:
TMP Manager:
City of Dallas
Public School (High School)
Franklin D. Roosevelt High School
Weekday morning & evenings (seasonal)
Recurring / Occasional / One-Time
Lakisha Logan/Principal/(972) 925-6800
Proposed Conditions
RECOMMENDATIONS
1 Convert Unused Parking Lot to Parent Waiting/Loading Area
2 Utilize for Staff Parking Lot for Parent Pick-Up. Traffic Flow for Parent Pick-Up is to Operate Counter-Clockwise within Staff Parking Lot.
3 Utilize Proposed Bus Loading Area
4 Install Crosswalk
5 Relocate Location of School Zone and Signs
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY STEVE E. STONER, P.E. 84828 ON 03/07/2019. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.
TX. REG. ENGINEERING FIRM F-469
TX. REG. SURVEYING FIRM LS-100080-00
PK #3837-17-034
(HWL: 03/07/19)



RECOMMENDATIONS

① Convert Unused Parking Lot to Parent Waiting/Loading Area
② Utilize for Staff Parking Lot for Parent Pick-Up. Traffic Flow for Parent Pick-Up is to Operate Counter-Clockwise within Staff Parking Lot.
③ Utilize Proposed Bus Loading Area
④ Install Crosswalk
⑤ Relocate Location of School Zone and Signs

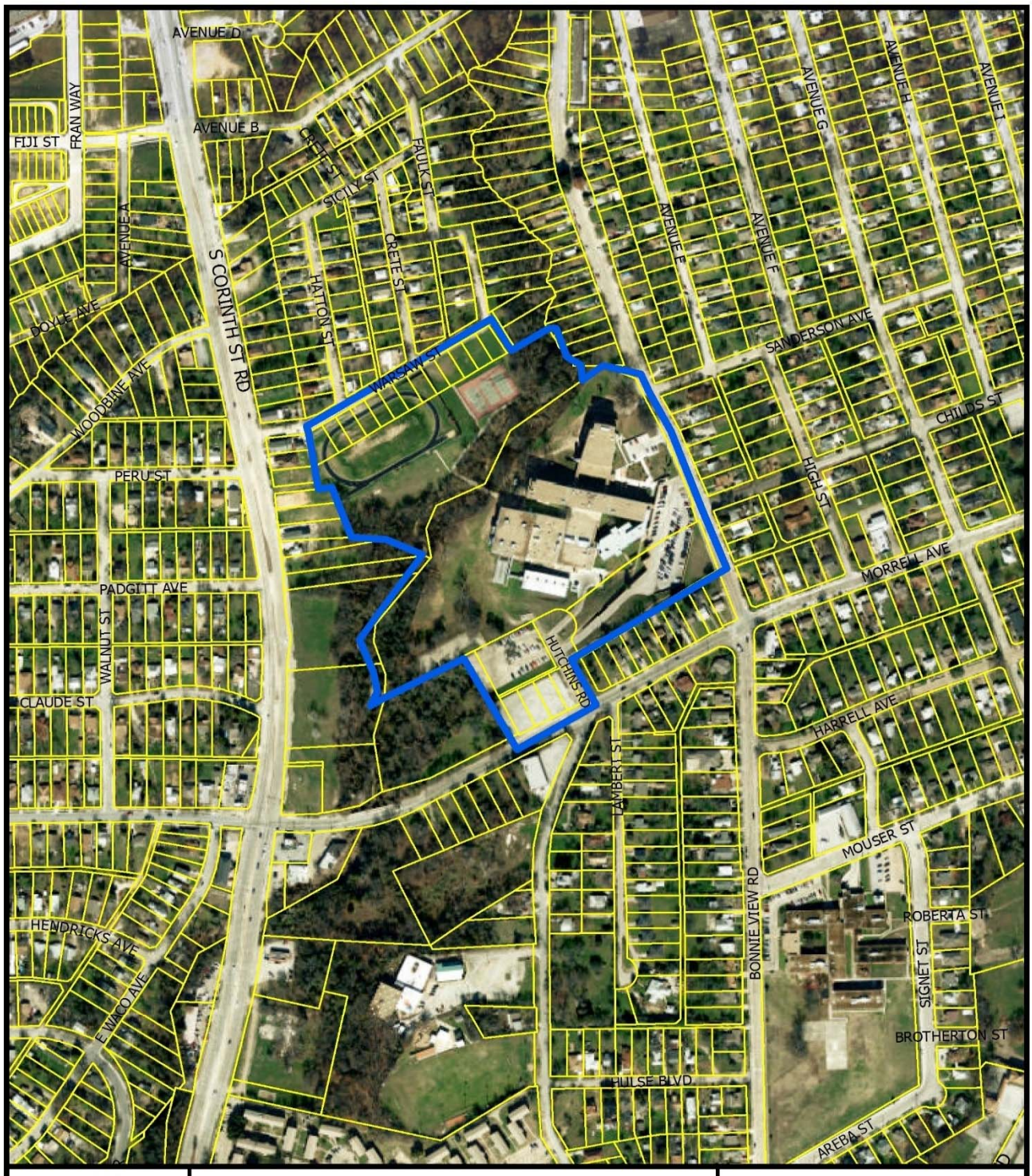


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VICINITY MAP

Case no: Z189-177

Date: 3/6/2019

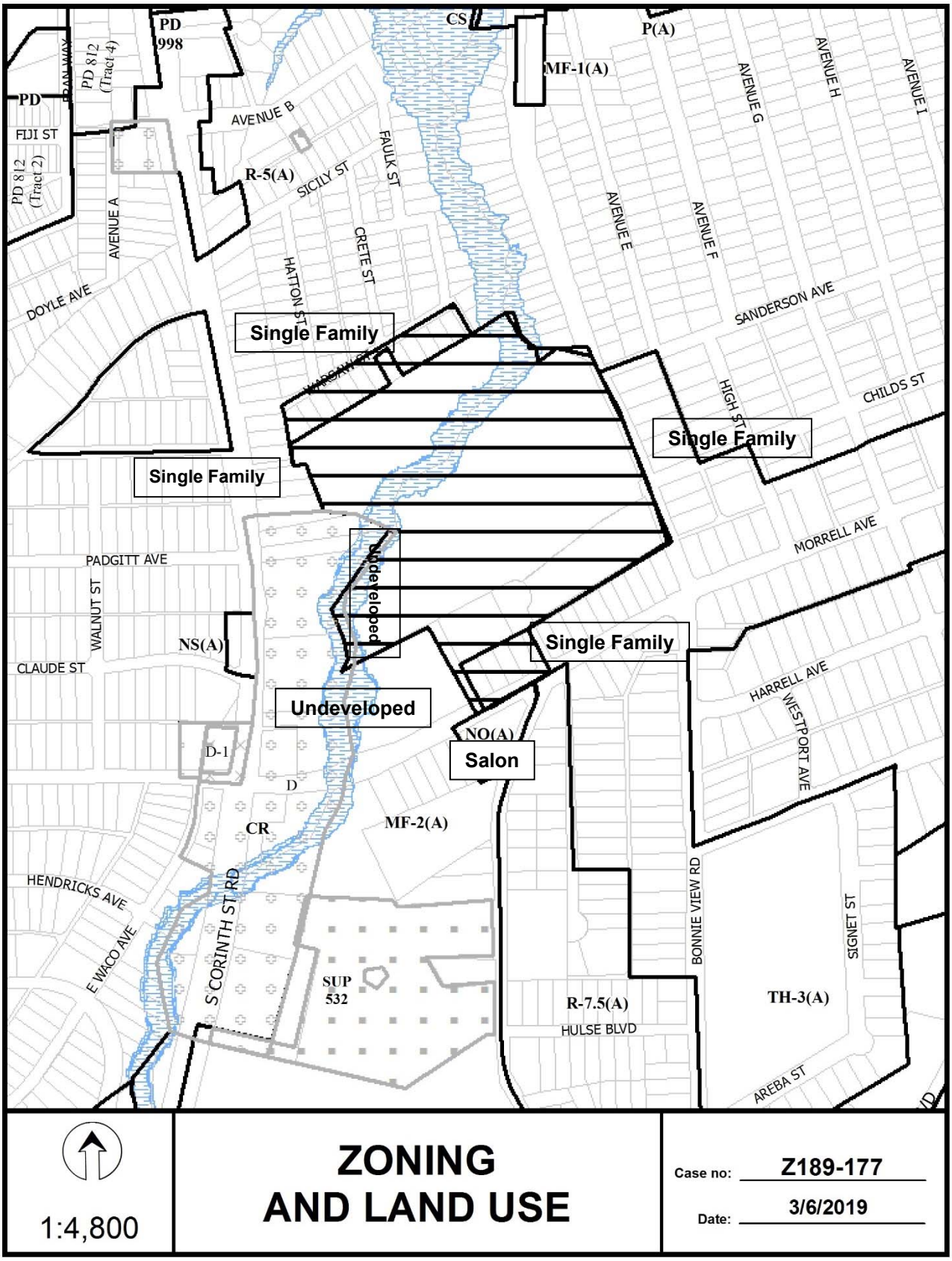


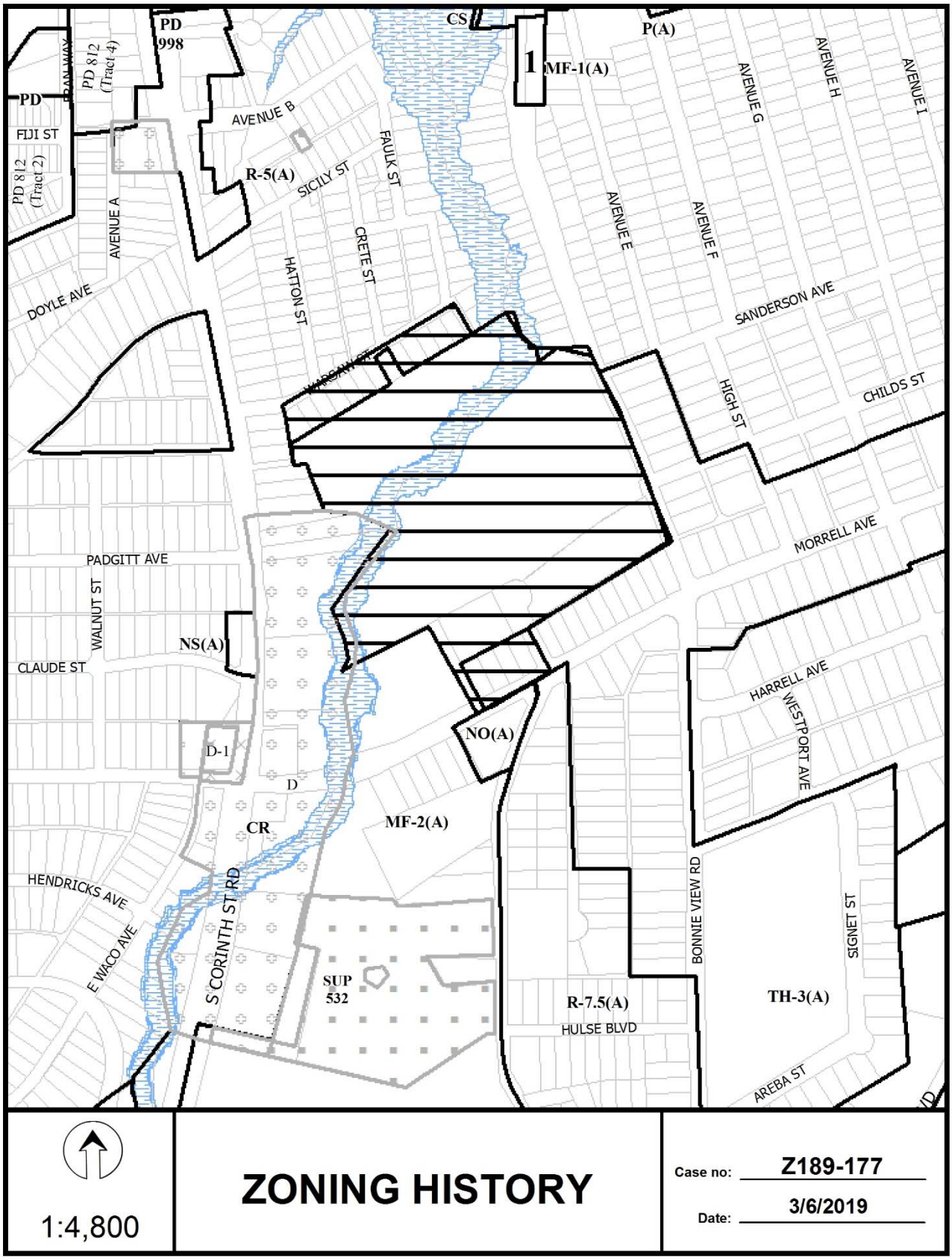
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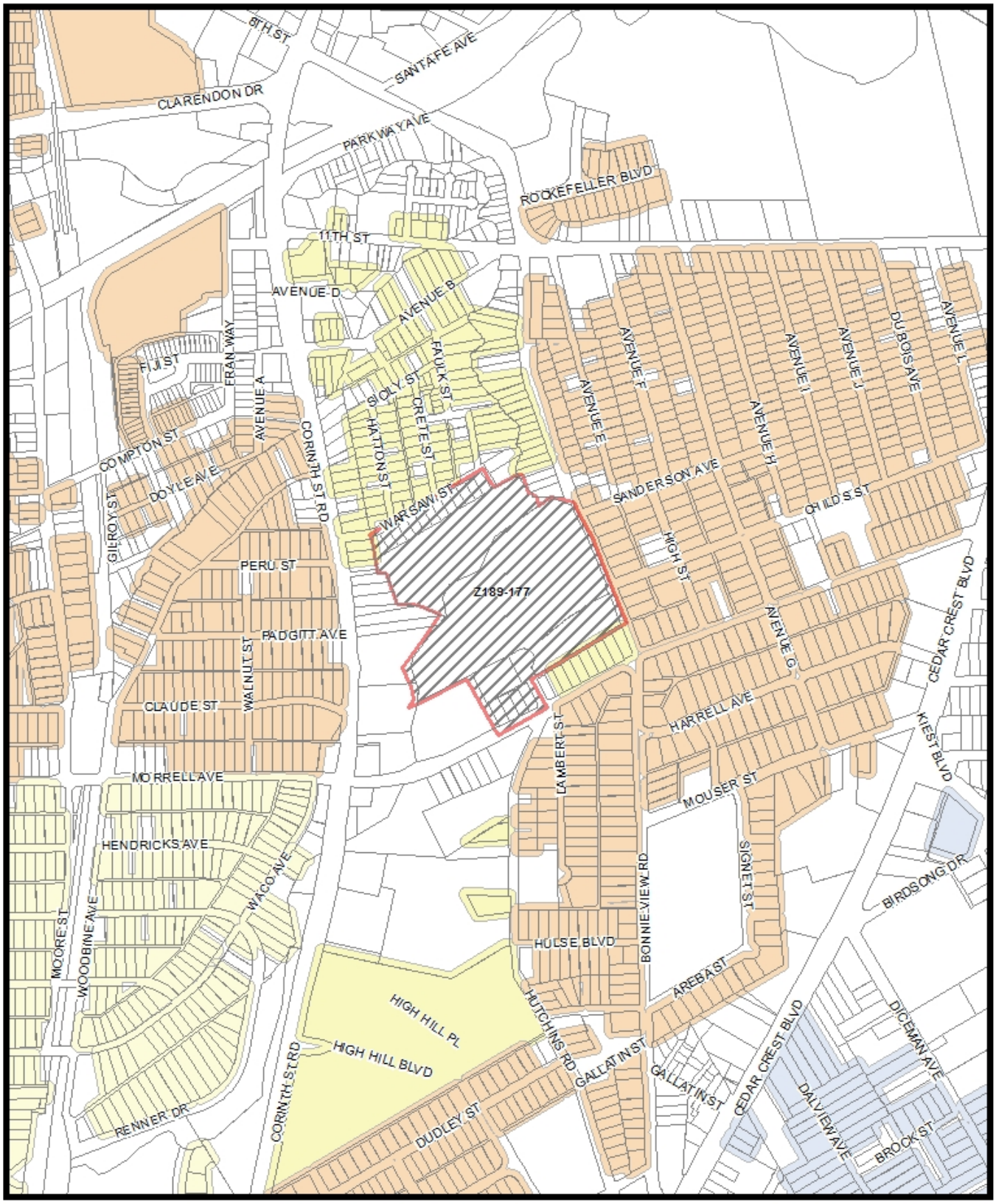
AERIAL MAP

Case no: Z189-177

Date: 3/6/2019


PD 998
PD 812 (Tract 4)
PD
PD 812 (Tract 2)
FIJI ST
AVENUE A
AVENUE B
R-5(A)
SICILY ST
FAULK ST
CRETE ST
HATTON ST
DOYLE AVE
CS
MF-1(A)
P(A)
AVENUE E
AVENUE F
AVENUE G
AVENUE H
AVENUE I
SANDERSON AVE
HIGH ST
CHILDS ST
MORRELL AVE
Single Family
Single Family
Single Family
Undeveloped
Undeveloped
PADGITT AVE
WALNUT ST
CLAUDE ST
NS(A)
D-1
D
CR
MF-2(A)
NO(A)
Salon
HARRELL AVE
WESTPORT AVE
HENDRICKS AVE
E WACO AVE
S CORINTH ST RD
SUP 532
BONNIE VIEW RD
SIGNET ST
R-7.5(A)
HULSE BLVD
TH-3(A)
AREBA ST
1:4,800
ZONING
AND LAND USE
Case no: Z189-177
Date: 3/6/2019


PD 998
CS
1
MF-1(A)
P(A)
PD
PD 812 (Tract 4)
PD 812 (Tract 2)
FIJI ST
AVENUE B
R-5(A)
SICILY ST
FAULK ST
AVENUE A
HATTON ST
CRETE ST
AVENUE E
AVENUE F
AVENUE G
AVENUE H
AVENUE I
DOYLE AVE
SANDERSON AVE
HIGH ST
CHILDS ST
MORRELL AVE
PADGITT AVE
WALNUT ST
NS(A)
CLAUDE ST
D-1
D
CR
MF-2(A)
NO(A)
HARRELL AVE
WESTPORT AVE
HENDRICKS AVE
E WACO AVE
S CORINTH ST RD
SUP 532
BONNIE VIEW RD
SIGNET ST
R-7.5(A)
HULSE BLVD
TH-3(A)
AREBA ST
1:4,800
ZONING HISTORY
Case no: Z189-177
Date: 3/6/2019

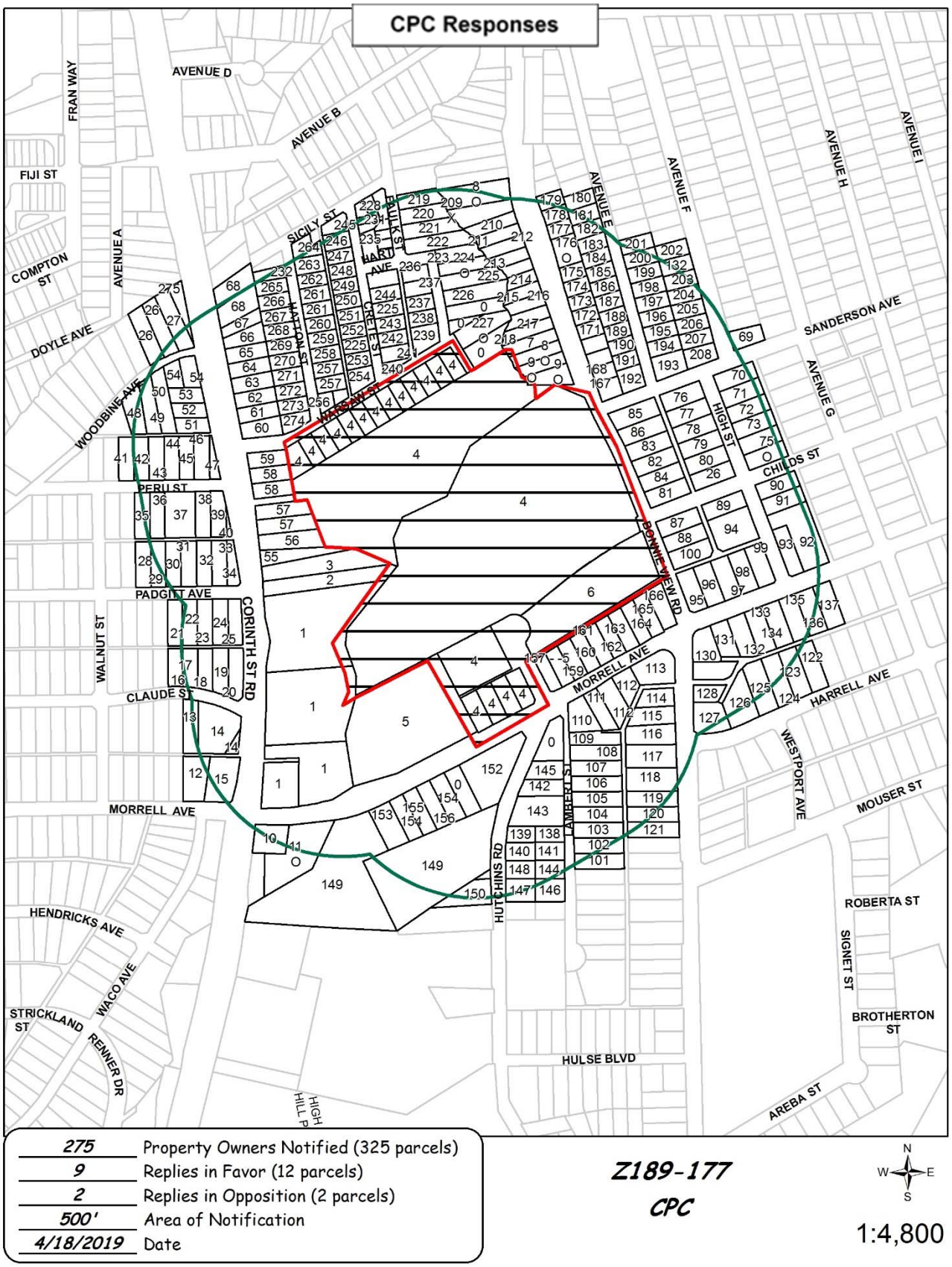


MVA Cluster A B C D E F G H I NA

1:7,200

Market Value Analysis

Printed Date: 3/6/2019



275	Property Owners Notified (325 parcels)
9	Replies in Favor (12 parcels)
2	Replies in Opposition (2 parcels)
500'	Area of Notification
4/18/2019	Date

Z189-177

CPC

N W E S

1:4,800

04/17/2019

Reply List of Property Owners

Z189-177

275 Property Owners Notified ***9 Property Owners in Favor*** ***2 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	818	S CORINTH ST RD	GREATER NEW VISION
	2	662	S CORINTH ST RD	ROARK HUGH W ET AL
	3	658	S CORINTH ST RD	ROARK HUGH W
	4	525	BONNIE VIEW RD	Dallas ISD
	5	1735	MORRELL AVE	TEX REAL EST ACQUISITION
	6	1901	MORRELL AVE	Dallas ISD
	7	439	BONNIE VIEW RD	RONE CONSTRUCTION SERVICE
O	8	349	BONNIE VIEW RD	ADIA PARTNERSHIP LLC
O	9	447	BONNIE VIEW RD	NEARER TO NATURE LLC
	10	900	S CORINTH ST RD	LOPEZ ANDRES &
O	11	1622	MORRELL AVE	JJ PROPERTIES INC
	12	1523	MORRELL AVE	GONZALES JOHN S
	13	1522	CLAUDE ST	SNEED SIDNEY LADWAN
	14	1530	CLAUDE ST	JONES MARY LOIS
	15	829	S CORINTH ST RD	AL ROUSAN & WARED CORP
	16	1519	CLAUDE ST	WATSON IMA JEAN
	17	1523	CLAUDE ST	RAMIREZ JESUS L &
	18	1527	CLAUDE ST	GRIFFIN DORA LEE
	19	1531	CLAUDE ST	HERNANDEZ TIMOTEO L
	20	1535	CLAUDE ST	MARTINEZBUSTOS MARIA DEL R &
	21	1518	PADGITT AVE	DAVIS STEVENSON & STELLA
	22	1522	PADGITT AVE	CALZADA VICTOR
	23	1526	PADGITT AVE	CORONA PLACIDO & JAMI D
	24	1530	PADGITT AVE	ROPER JESSICA R
	25	1534	PADGITT AVE	KNOX WILLIAM T
	26	515	WOODBINE AVE	KELLEY MANDELL

Reply	*Label #*	*Address*		*Owner*
	27	507	WOODBINE AVE	MAGDALENO HERIBERTO &
	28	1511	PADGITT AVE	RICHARD VEOTIS JAMES
	29	1515	PADGITT AVE	GRIFFIN LAJON OKEITH &
	30	1519	PADGITT AVE	TOLBERT GEORGE
	31	1523	PADGITT AVE	WILLIAMS RICHARD R
	32	1527	PADGITT AVE	DEZHAM MOHAMMAD HOSSAIN
	33	1531	PADGITT AVE	BROWN CLARICE
	34	1535	PADGITT AVE	BROWN GILL
	35	1510	PERU ST	ABOR ALENE W
	36	1514	PERU ST	SPENCER DOZIE
	37	1518	PERU ST	JONES JULIUS LEE EST OF
	38	1526	PERU ST	BEASLEY SANDRA J CHILDS
	39	1530	PERU ST	ALADE MARIA JEIME
	40	621	S CORINTH ST RD	CROFFORD ANNE LANE
	41	1507	PERU ST	TRIPLE VVV LLC
	42	1511	PERU ST	CHAVEZ YSMAEL DEJESUS
	43	1515	PERU ST	LEVERSON JARVIS
	44	1519	PERU ST	ACEVEDO JESUS &
	45	1523	PERU ST	GONZALEZ MODESTO & JAROIN M
	46	1527	PERU ST	EDWARDS LARRY W & ALICE
	47	1531	PERU ST	PANTOJA FERMIN FLORES
	48	530	WOODBINE AVE	DALLAS CITY OF COUNTY OF
	49	524	WOODBINE AVE	BRIGHT EDWIN B
	50	520	WOODBINE AVE	HOLLINS ROBERT EST OF
	51	619	S CORINTH ST RD	GEORGE ANNIE MAE
	52	615	S CORINTH ST RD	HARRISON VIRGINIA RAY
	53	611	S CORINTH ST RD	SHEILDS ISAIAH
	54	518	WOODBINE AVE	NEW BEGINNING FREEDOM BAPTIST CHURCH
	55	654	S CORINTH ST RD	GOER EMMA
	56	650	S CORINTH ST RD	AGUILAR JESUS JR
	57	646	S CORINTH ST RD	AGUILAR HENRY

Reply	*Label #*	*Address*		*Owner*
	58	638	S CORINTH ST RD	AGUILAR JANELLE ANISSA
	59	630	S CORINTH ST RD	AGILAR JESSE P JR
	60	622	S CORINTH ST RD	ORTEGA SANTIAGO &
	61	618	S CORINTH ST RD	AGUILAR JESUS P &
	62	614	S CORINTH ST RD	WALKER CHRIS D
	63	610	S CORINTH ST RD	HEATH HELLENE
	64	606	S CORINTH ST RD	LEWIS CHARLES E
	65	602	S CORINTH ST RD	RANGEL EFRAIN JIMENEZ
	66	600	S CORINTH ST RD	JIMENEZ EFRAIN RANGEL
	67	518	S CORINTH ST RD	JONES EVERETT
	68	514	S CORINTH ST RD	J EDWARD LEE MINISTRIES INC
	69	438	AVE F	MILLER LEE ELLA
	70	502	HIGH ST	LOPEZ MARCELO GARCIA &
	71	506	HIGH ST	RANDOLPH TERRENCE D SR
	72	510	HIGH ST	YOUNG ARNOLD L
	73	514	HIGH ST	LIMONES SERGIO
X	74	518	HIGH ST	LEWIS DORIS L
O	75	522	HIGH ST	SANCHEZ ABELINO R &
	76	503	HIGH ST	HERNANDEZ ABRAHAM
	77	507	HIGH ST	GLOVER GREGORY
	78	511	HIGH ST	BRICKMAN THOMAS
	79	515	HIGH ST	KNOW VEST INC
	80	519	HIGH ST	WATSONTILLIS LINDA GAYLE
	81	526	BONNIE VIEW RD	DIAZ PEDRO &
	82	516	BONNIE VIEW RD	HART ARMELIA ANN
	83	510	BONNIE VIEW RD	KINDER DOROTHY
	84	520	BONNIE VIEW RD	SORIA PEDRO
	85	502	BONNIE VIEW RD	GOLDEN GATE FUNERAL HOME
	86	504	BONNIE VIEW RD	ROMERO MARIA C
	87	602	BONNIE VIEW RD	TOWNSEND RICHARD M EST OF
	88	606	BONNIE VIEW RD	SOTELO NANCY M

04/17/2019

Reply	*Label #*	*Address*		*Owner*
	89	603	HIGH ST	RODRIGUEZ FRANCISCO JAVIER
	90	602	HIGH ST	MARTINEZ YADIRA YAHAIRA & JUAN C SALVADOR
	91	606	HIGH ST	RIOS JEREMIAS A
	92	2111	MORRELL AVE	FREE CHURCH OF GOD
	93	2103	MORRELL AVE	SMITH BESSIE F ET AL
	94	611	HIGH ST	HOGG IMOGENE
	95	2003	MORRELL AVE	BROOKS DALE &
	96	2005	MORRELL AVE	JONES CHRISTINE
	97	2011	MORRELL AVE	CARTER CLIFFORD
	98	2017	MORRELL AVE	LEONARD BERNICE
	99	2023	MORRELL AVE	RODRIGUEZ ERNESTO & VERONICA VEGA
	100	610	BONNIE VIEW RD	RIOS GERMAN
	101	902	LAMBERT ST	BRYANT LEE A
	102	838	LAMBERT ST	JAIME JOSE &
	103	834	LAMBERT ST	WILLIAMS SAMUEL IRELAND
	104	830	LAMBERT ST	WALLACE LILLIAN
	105	826	LAMBERT ST	BREWER LAQUONDA
	106	822	LAMBERT ST	RAMIREZ FRANCISCA M & LUIS LEDEZMA
	107	818	LAMBERT ST	NUNN GEORGE L &
	108	814	LAMBERT ST	WALKER CLYDIA M
	109	810	LAMBERT ST	HUGULEY WILLIAM C & DIANA B
	110	1902	MORRELL AVE	PADILLA ERIC &
	111	1906	MORRELL AVE	EDWARDS HELENA ANN
	112	1908	MORRELL AVE	JOHN DSILVA LLC
	113	707	BONNIE VIEW RD	MCKINNEY IVA D
	114	715	BONNIE VIEW RD	LOVE WILLIE FLORENCE &
	115	719	BONNIE VIEW RD	ROLLINS DEVELOPMENT GROUP INC
	116	723	BONNIE VIEW RD	MOSS MARSHEL K
	117	803	BONNIE VIEW RD	WILKS CATHY J &
	118	807	BONNIE VIEW RD	WALKER ALBERT
	119	811	BONNIE VIEW RD	ESTEVANE LUZ IVON &

04/17/2019

Reply	*Label #*	*Address*		*Owner*
	120	815	BONNIE VIEW RD	BUSTAMANTE VINCENTE
	121	819	BONNIE VIEW RD	SMITH CHERYL
	122	2113	HARRELL AVE	GILES MELVIN D
	123	2107	HARRELL AVE	SINGHAL VAIBHAV
	124	2103	HARRELL AVE	JEFFERSON WILLIE SUE EST OF
	125	2023	HARRELL AVE	REED J W
	126	2015	HARRELL AVE	RICHARDSON JUDGE III
	127	722	BONNIE VIEW RD	SMITH REVOCABLE LIVING TRUST THE
	128	718	BONNIE VIEW RD	LANGDON CHARLES III &
O	129	710	BONNIE VIEW RD	LANGDON CHARLES
	130	2002	MORRELL AVE	JOHNSON CARL E
	131	2006	MORRELL AVE	JOHNSON CARL &
	132	2010	MORRELL AVE	JAMES CLARESE
	133	2014	MORRELL AVE	TURNER JUNELLA
	134	2022	MORRELL AVE	FULLER REGINALD D & TERESA D
	135	2026	MORRELL AVE	RODRIGUEZ ERNESTO &
	136	2102	MORRELL AVE	RODRIGUEZ ERNESTO &
	137	2108	MORRELL AVE	RODRIGUEZ ALMA Y
	138	835	LAMBERT ST	BURLESON EVA
	139	832	HUTCHINS RD	MALAC LTD
	140	836	HUTCHINS RD	SPRINGFUL PROPERTIES LLC
	141	839	LAMBERT ST	WATSON AZALIA Z
	142	827	LAMBERT ST	RIVERS LOLA B
	143	831	LAMBERT ST	ANDERSON HENRY
	144	903	LAMBERT ST	WALKER CLYDIA
	145	821	LAMBERT ST	MARTINEZ PILAR &
	146	911	LAMBERT ST	TERRELL VALLIE MAY EST OF
	147	910	HUTCHINS RD	UPSHAW MARY L
	148	902	HUTCHINS RD	COLUNGA TEODULO
	149	833	HUTCHINS RD	BRISTOW ANNEMARIE
	150	907	HUTCHINS RD	LAWRENCE ISIAH W

Reply	*Label #*	*Address*		*Owner*
	151	1	HUTCHINS RD	WILLIS DARLENE
	152	807	HUTCHINS RD	BREN AARON &
	153	1714	MORRELL AVE	BRISTOW ANNMARIE
	154	1718	MORRELL AVE	BRISTOW ANNEMARIE
	155	1722	MORRELL AVE	ALFARO VICTOR FRANK
	156	1726	MORRELL AVE	RATCLIFF JOHN W
	157	1901	MORRELL AVE	Dallas ISD
	158	1905	MORRELL AVE	MANJREKAR ASHISH
	159	1909	MORRELL AVE	ZUNIGA ALBERTO & ANA
	160	1915	MORRELL AVE	PASAY LLC
	161	1919	MORRELL AVE	TIDWELL SHIRLEY
	162	1921	MORRELL AVE	QUEST IRA INC
	163	1927	MORRELL AVE	CARTER BILLIE J
	164	1931	MORRELL AVE	ADAMS FAEDELL EST OF
	165	1935	MORRELL AVE	WRIGHT EDNA R
	166	1939	MORRELL AVE	LOERA CIPRIANO &
	167	446	BONNIE VIEW RD	TAI WILLIAM KOK FAI
	168	440	BONNIE VIEW RD	SORTO ROLANDO
	169	438	BONNIE VIEW RD	PRIEGOMARTINEZ FREDDY
O	170	434	BONNIE VIEW RD	NEARER TO NATURE LLC
	171	428	BONNIE VIEW RD	HOLMES TALMADGE
	172	426	BONNIE VIEW RD	DALLAS CITY OF COUNTY OF
	173	422	BONNIE VIEW RD	ALVARADO FELIX SOTO &
	174	418	BONNIE VIEW RD	STEWART ESTHER M
	175	412	BONNIE VIEW RD	CARRERA JOSE L R
O	176	410	BONNIE VIEW RD	TUBBS JO
	177	400	BONNIE VIEW RD	PALOMARES HECTOR DON J &
	178	350	BONNIE VIEW RD	DANIELS OLIVIA J
	179	344	BONNIE VIEW RD	APARICIO EFREN ET AL
	180	351	AVE E	MARTINEZMORUA VICTOR &
	181	355	AVE E	PEARCE EDWARD L

Reply	*Label #*	*Address*		*Owner*
	182	403	AVE E	PALOMARES HECTOR &
	183	409	AVE E	LEWIS ESTER F
	184	411	AVE E	LEE ANNIE BERNICE
	185	415	AVE E	CONTRERAS SALVADOR
	186	419	AVE E	ZIMMERMAN CHARLES
	187	423	AVE E	MO & ASSOCIATES LLC
	188	427	AVE E	SOUTER JAMES M
	189	431	AVE E	MORENO OSCAR CESAR &
	190	435	AVE E	MARTINEZ AURELIO
	191	439	AVE E	DALLAS SKYFALL LLC SERIES 439
	192	445	AVE E	BROWN C B
	193	444	AVE E	NEAL A C
	194	438	AVE E	NEAL MAGGIE
	195	434	AVE E	INVESTALL INC
	196	430	AVE E	HUERTA VALENTINA
	197	426	AVE E	LAGOW DEV PROJECT LLC
	198	422	AVE E	CASTILLO GUADALUPE
	199	418	AVE E	RAMIREZ ISIDORO
	200	414	AVE E	CREDIT FINANCIAL CORP
	201	410	AVE E	SOLORZANO DIANA EVELIN
	202	411	AVE F	SMITHHAWKINS SHIRLEY
	203	419	AVE F	SANDOVAL ANTONIO &
	204	423	AVE F	MANZUR NAGYB
	205	427	AVE F	BURTON DOLORES JANICE
	206	431	AVE F	THOMAS ELLA
	207	435	AVE F	NGUYEN BUU T &
	208	439	AVE F	WEBBER JOHN L & LILLIE M
X	209	403	BONNIE VIEW RD	CASTANEDA MARIA E
	210	405	BONNIE VIEW RD	NEARER TO NATURE LLC
	211	409	BONNIE VIEW RD	CASTRO JOSE S SR
	212	411	BONNIE VIEW RD	LAZARO NICOLE &

Reply	*Label #*	*Address*		*Owner*
	213	415	BONNIE VIEW RD	MALDONADO FLORENCIA
	214	421	BONNIE VIEW RD	SOTO FELIX & MA DE JESUS
	215	423	BONNIE VIEW RD	MURRAGARRA JOSE
	216	427	BONNIE VIEW RD	LASARO HILDA
	217	431	BONNIE VIEW RD	ALVAREZ JORGE
	218	435	BONNIE VIEW RD	ALVAREZ JORGE
	219	508	FAULK ST	MATTHEWS BEVERLY A
	220	512	FAULK ST	WASHINGTON WILLIE
	221	516	FAULK ST	THOMAS JOE
	222	520	FAULK ST	HAWKINS FREDDIE HENDERSON
	223	524	FAULK ST	HOOD GEORGE
O	224	528	FAULK ST	HOOD GEORGE
	225	532	FAULK ST	BUSTAMANTE OSWALDO
	226	536	FAULK ST	MAGALLANES MARIA C
O	227	548	FAULK ST	PETRASH TIMOTHY LUKAS
	228	1702	SICILY ST	BAGSBY MAGGIE
	229	515	FAULK ST	MASTERS HAZEL &
	230	1706	SICILY ST	MARTINEZ MARIA E
	231	506	CRETE ST	RUIZ DANIELA LOPEZ
	232	519	FAULK ST	DYSON PAULA ET AL &
	233	517	FAULK ST	MASTERS HAZEL EST OF &
	234	521	FAULK ST	BURELL LOUISE
	235	510	CRETE ST	VILLARREAL JUAN G &
	236	531	FAULK ST	DUNNAHUE T I
	237	533	FAULK ST	MCELROY JOSEPH III TR
	238	541	FAULK ST	GERARDO LORENZO &
	239	545	FAULK ST	GERARDO BALTAZAR
	240	542	CRETE ST	GARCIA CENOBIA
	241	538	CRETE ST	GARCIA CENOBIA EST OF
	242	534	CRETE ST	GERARDO BALTASAR
	243	530	CRETE ST	JOHNSON DOROTHY

Reply	*Label #*	*Address*		*Owner*
	244	522	CRETE ST	BENTON HERBERT JR & ERMA
	245	1632	SICILY ST	MIXON DOLORES &
	246	507	CRETE ST	VILLARREAL JUAN &
	247	511	CRETE ST	GARCIA RODOLFO
	248	515	CRETE ST	JACKSON WILLIAM
	249	519	CRETE ST	TINOCO ESTHER
	250	523	CRETE ST	HOWARD KATIE MARIE
	251	527	CRETE ST	MACIAS IRMALINDA & ROSENDO
	252	531	CRETE ST	NEBLETT SANDY ET AL
	253	539	CRETE ST	HOPPS ETHEL SIMS
	254	543	CRETE ST	DUENAS OTILIO
	255	1627	WARSAW ST	LEWIS JOHN ARVIE
	256	542	HATTON ST	ELIZALDE CIEL
	257	538	HATTON ST	PATINO MANUEL
	258	530	HATTON ST	PARADA JOSE C & MARIA
	259	526	HATTON ST	JOHNSON LILLIAN LOIS
	260	522	HATTON ST	WASHINGTON LILLIAN L
	261	514	HATTON ST	WEST RHONDA
	262	510	HATTON ST	MORENO AGUSTINA &
	263	506	HATTON ST	MARTINEZ ANGELICA M &
	264	502	HATTON ST	MARTINEZ ANGELICA
	265	509	HATTON ST	LAZO CRUZ MONTIEL
	266	513	HATTON ST	LAZO CRUZ &
	267	517	HATTON ST	LAZO MARTIN & JUANA B
	268	521	HATTON ST	SUASTE VICTOR & ANGELICA
	269	525	HATTON ST	GUANDIQUE DANIEL
	270	529	HATTON ST	ELIZALDE PRINCE
	271	533	HATTON ST	ELIZALDE JULIANA MRS
	272	537	HATTON ST	ELIZALDE JULIANA
	273	541	HATTON ST	HOLLIE ANDRIA
	274	545	HATTON ST	COX CHARLES WILMER
	275	503	WOODBINE AVE	County of Dallas

Agenda Information Sheet

File #: 19-670 **Item #:** 60.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an NO(A) Neighborhood Office District, on the east side of North Fitzhugh Avenue, south of Ross Avenue
Recommendation of Staff and CPC: Approval
Z189-192(JM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-192(JM)	**DATE FILED:**	February 7, 2019
LOCATION:	East side of North Fitzhugh Avenue, south of Ross Avenue		
COUNCIL DISTRICT:	2	**MAPSCO:**	46 A
SIZE OF REQUEST:	± 0.332 acres	**CENSUS TRACT:**	15.03

APPLICANT/OWNER: PGH Purple, LLC [Neal Morris]

REQUEST: An application for an MF-2(A) Multifamily District on property zoned an NO(A) Neighborhood Office District.

SUMMARY: The applicant requests to allow a multifamily use on the subject property.

CPC RECOMMENDATION: **Approval.**

STAFF RECOMMENDATION: **Approval.**

BACKGROUND INFORMATION:

- The subject site contains a part of three lots with a total of 0.332 acres of land. The site is currently undeveloped, but previously held two single family homes which were recently razed.
- The area of request was originally zoned an MF-2 District in 1965 with the adoption of Chapter 51. At the time of the Chapter 51A transition in 1988, the property was identified as being an O-1 Office District and transitioned to an NO(A) Neighborhood Office District. Through a review of historic aerials, DCAD tax data, and City records for Certificate of Occupancy, it seems that two structures existed at the site since the earliest aerials in 1952. In the 1980s, a CO was issued for an office use. Beginning in 2004 and 2005, the new property owners claimed a homestead exemption at each site until 2018, when the existing owner purchased the properties and demolished the buildings.
- The existing NO(A) Neighborhood Office Zoning District does not allow residential development including single family and multifamily uses.
- The proposed MF-2(A) Multifamily District would allow for the construction of a multifamily development on multiple lots on the corner of the block, at North Fitzhugh Avenue and San Jacinto Street.

Zoning History: There has been one recent zoning request in the area within the last five years.

1. **Z178-186:** On April 25, 2018, the City Council approved the Oak Lawn/East Dallas Demolition Delay Overlay District in an area generally bound by Live Oak Street, Bryan Parkway, Matilda Street, Martel Avenue, municipal boundary of Dallas and Highland Park, Lemmon Avenue, Dallas North Tollway, Turtle Creek Boulevard, Carlisle Street, Blackburn Street, and Haskell Avenue to Main Street, both sides of Main Street from Haskell Avenue to Carroll Avenue, Main Place, Prairie Avenue, Columbia Avenue, and Fitzhugh Avenue; and containing approximately 3,277.30 acres.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
North Fitzhugh Avenue	Local	50 ft.	--

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street system.

STAFF ANALYSIS

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan*, was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with land use goals and policies of the Comprehensive Plan.

GOAL 1.1 Align land use strategies with economic development priorities.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

NEIGHBORHOOD PLUS PLAN

GOAL 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety.

Area Plans

The subject site is located within the East Dallas portion of the Dallas 360 Plan, adopted in 2011. The East Dallas area contains architecturally significant homes and historic commercial structures from the late nineteenth and early twentieth centuries among newly constructed multifamily projects. The 360 Plan emphasizes several District Connectors with recommendations for multi-modal improvements that will better connect East Dallas and Bryan Place to Downtown and surrounding areas, including Ross Avenue, Live Oak, Hall, and Washington. One major goal of the 360 Plan is to build complete neighborhoods. This includes diversifying and growing housing.

Surrounding Land Uses:

Area	Zone	Use
Site	NO(A)	Undeveloped
Northwest	CR	Pawn shop and office
Northeast	MF-2(A)	Multifamily
Southeast	MF-2(A)	Single family and undeveloped
Southwest	PD No. 298, Subarea 4A, Historic Overlay No. 77	Public school

Land Use Compatibility:

The subject site contains a part of three lots with a total of 0.332 acres of land. The site is currently undeveloped, but previously contained two single family homes which were recently razed.

Surrounding properties contain retail (pawn shop) and office uses to the northwest; multifamily uses to the northeast; single family and undeveloped uses to the southeast; and, a public school to the southwest.

The existing NO(A) Neighborhood Office Zoning District does not allow residential development including single family and multifamily uses.

The proposed MF-2(A) Multifamily District would allow for the construction of a multifamily development on multiple lots on the corner of the block, at North Fitzhugh Avenue and San Jacinto Street.

The area of request was originally zoned an MF-2 District in 1965 with the adoption of Chapter 51. At the time of the Chapter 51A transition in 1988, the property was identified as being an O-1 Office District and transitioned to an NO(A) Neighborhood Office District. Through a review of historic aerials, DCAD tax data, and City records for Certificate of Occupancy, it seems that two structures existed at the site since the earliest aerials in 1952. In the 1980s, a CO was issued for an office use. Beginning in 2004 and 2005, the new property owners claimed a homestead exemption at each site until 2018, when the existing owner purchased the properties and demolished the buildings. While this is not an expansive view of the history of the use of the site, rezoning the property to allow for a multifamily development seems to coincide with the neighborhood development pattern. Finally, it appears the site operated limitedly as an office, and primarily as residential structures over time.

Development Standards:

District	Setbacks		Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear				
Existing: NO(A)	15’	20’ adj. to res. 0’ all others	30-35’	50%	RPS	Neighborhood serving office and institutional and community service uses.
Proposed: MF-2(A)	15’	0’ for SF 5-15’ Others	36’	60%	RPS 15’ spacing between each group of 8 SF units	Residential and institutional and community service uses.
Adjacent: CR	15’	20’ adj. to res. 0’ all others	54’	60%	RPS	Retail and personal service, institutional and community service, office, recreation, utility and public service, and commercial and business service uses.

The front yard setback will be maintained and RPS still applies; however, the origination site is closer to the commercial properties adjacent to the site facing Ross Avenue, all within the CR Community Retail District. Additionally, while the adjacent properties in the CR District seem to be built to the district standards, primarily in consideration of height and setbacks, upon redevelopment the site adjacent to the subject property would have to provide the 20-foot setback instead of zero feet. Also, RPS would require that the future development be limited in height to 26 feet until a 50-foot setback is provided, at which point the future structure could reach the district maximum height of 54 feet. The existing structure adjacent to the site to the northwest was erected in 1925.

Going from an NO(A) to and MF-2(A) District will allow for an increase in lot coverage from 50 to 60 percent.

Finally, the change in land uses equates from providing three office uses and other institutional and community service uses to now strictly allowing residential and institutional and community service uses mostly by SUP.

While the change in development rights for the existing CR District properties along Ross Avenue is impactful, the existing zoning district boundary seems askew with the development pattern and typical neighborhood outlines/block patterns. These two lots are oriented towards North Fitzhugh Avenue, contrary to the original subdivision lots platted in a pattern oriented towards San Jacinto Street. Indeed, the area of request constitutes a part of Lots 9-11 of the original subdivision dated June 18, 1888.

For all of these reasons, staff supports returning the site to the original zoning of an MF-2(A) Multifamily District.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request is categorized as being within a “E” MVA cluster, as well as all surrounding properties to the northeast, southeast, and further northwest. Properties located across San Jacinto Street l to the west are designated a Category “G”.

Parking:

Parking will be in accordance with the parking regulations of Chapter 51A. If a multifamily development is constructed, one parking space will be required per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per

dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

Landscaping:

Landscaping will be in accordance with the landscape regulations of Article X, as amended.

CPC Action
April 18, 2019

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District on property zoned an NO(A) Neighborhood Office District, on the east side of North Fitzhugh Avenue, south of Ross Avenue.

Maker: Schulte
Second: Housewright
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid*, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 14
Replies: For: 0 Against: 0

Speakers: For: None
For (Did not speak): Gerard Whelan, 4516 Lovers Ln., Dallas, TX, 75225
Against: None

List of Officers

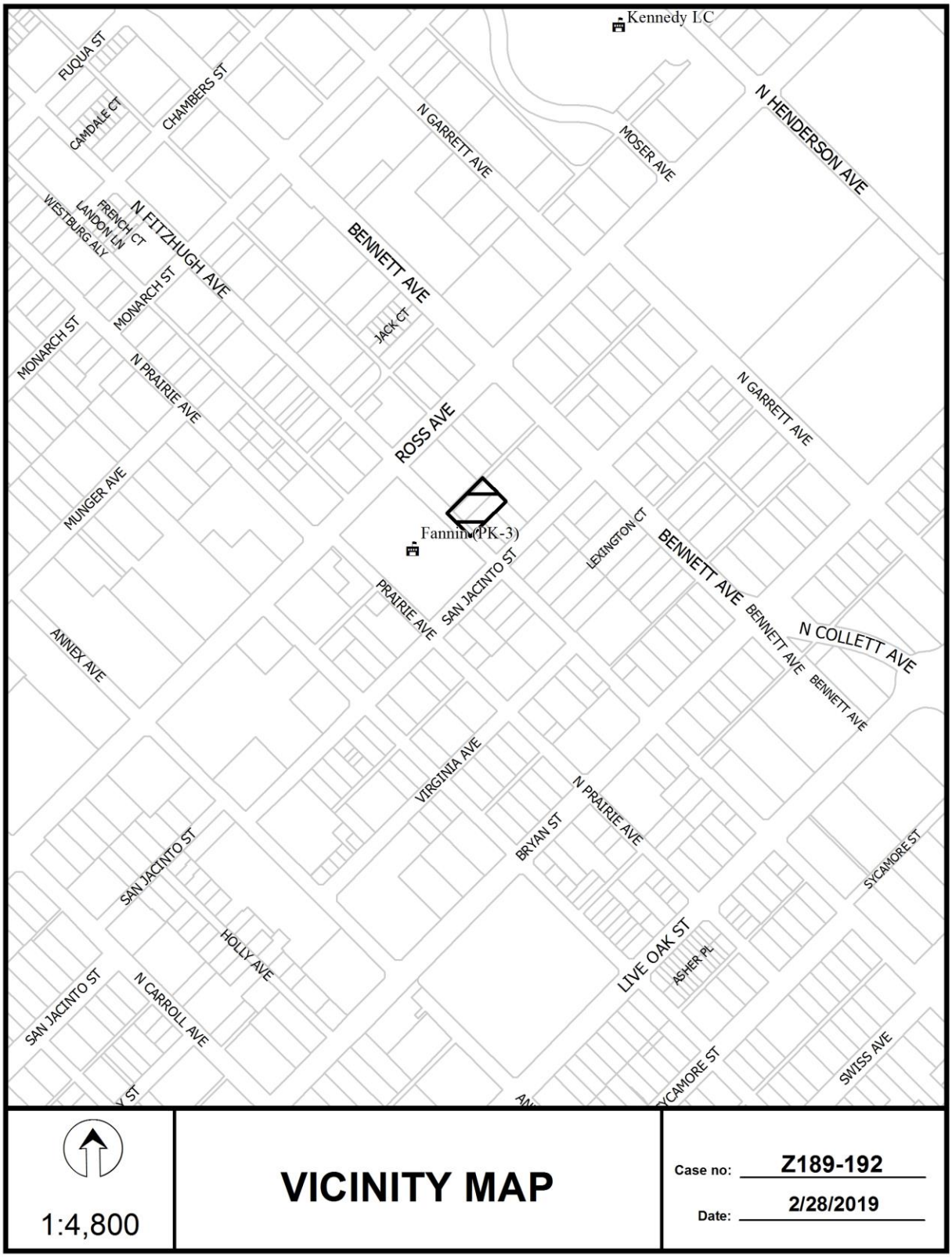
1610 AND 1614 N. FITZHUGH AVE.

PGH PURPLE, LLC- LIST OF PARTNERS/PRINCIPALS/ OFFICERS:

NEAL MORRIS- MANAGER

GRANT GUEST- MANAGER

Z 189-192


Kennedy LC
FUQUA ST
CAMDALE CT
CHAMBERS ST
N GARRETT AVE
MOSER AVE
N HENDERSON AVE
FRENCH CT
LANDON LN
WESTBURG ALY
N FITZHUGH AVE
BENNETT AVE
MONARCH ST
JACK CT
MONARCH ST
N PRAIRIE AVE
N GARRETT AVE
ROSS AVE
MUNGER AVE
Fannin (PK-3)
LEXINGTON CT
BENNETT AVE
PRAIRIE AVE
SAN JACINTO ST
BENNETT AVE
N COLLETT AVE
BENNETT AVE
ANNEX AVE
VIRGINIA AVE
N PRAIRIE AVE
BRYAN ST
SAN JACINTO ST
SYCAMORE ST
HOLLY AVE
LIVE OAK ST
ASHER PL
SAN JACINTO ST
N CARROLL AVE
SYCAMORE ST
SWISS AVE
1:4,800
VICINITY MAP
Case no: Z189-192
Date: 2/28/2019

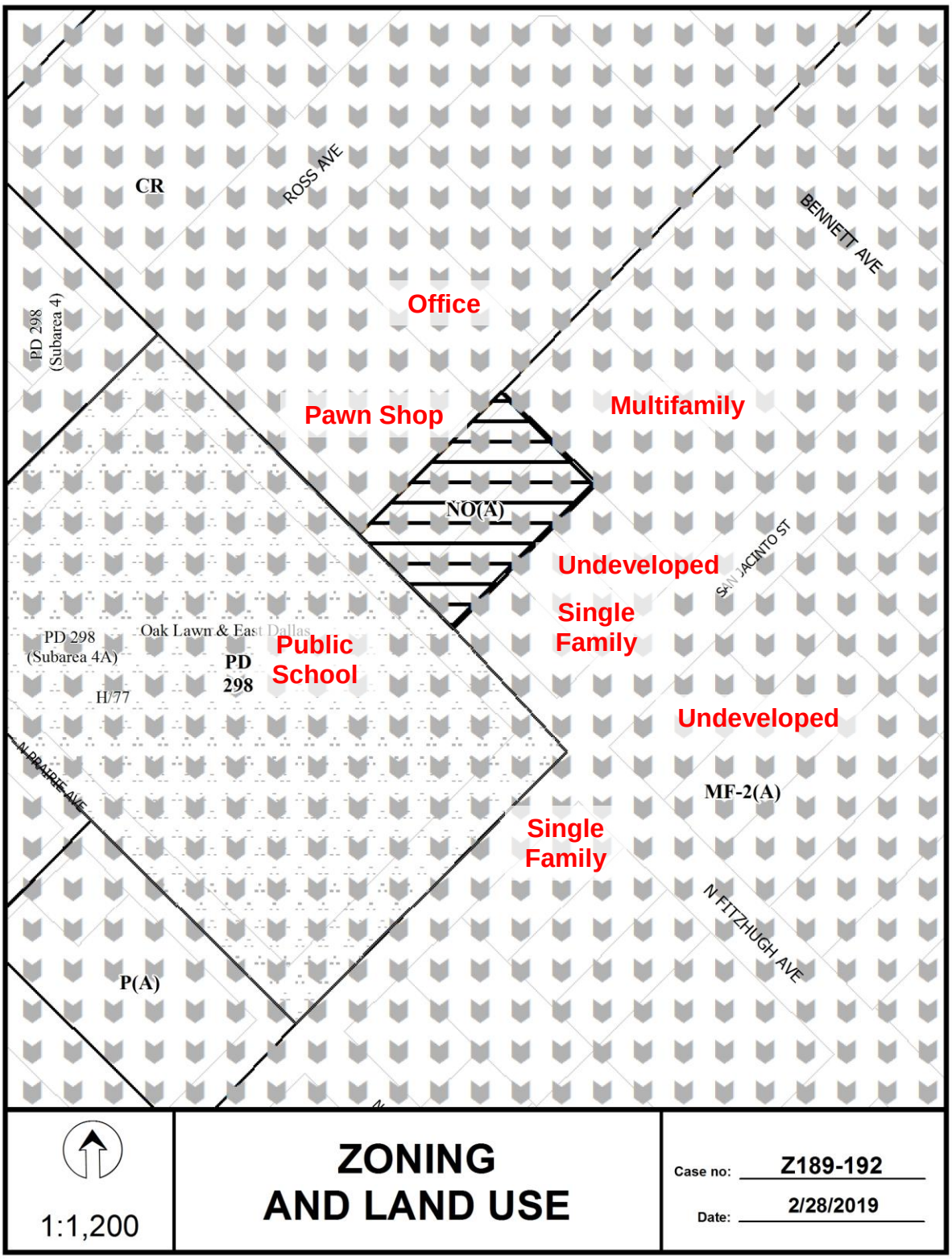


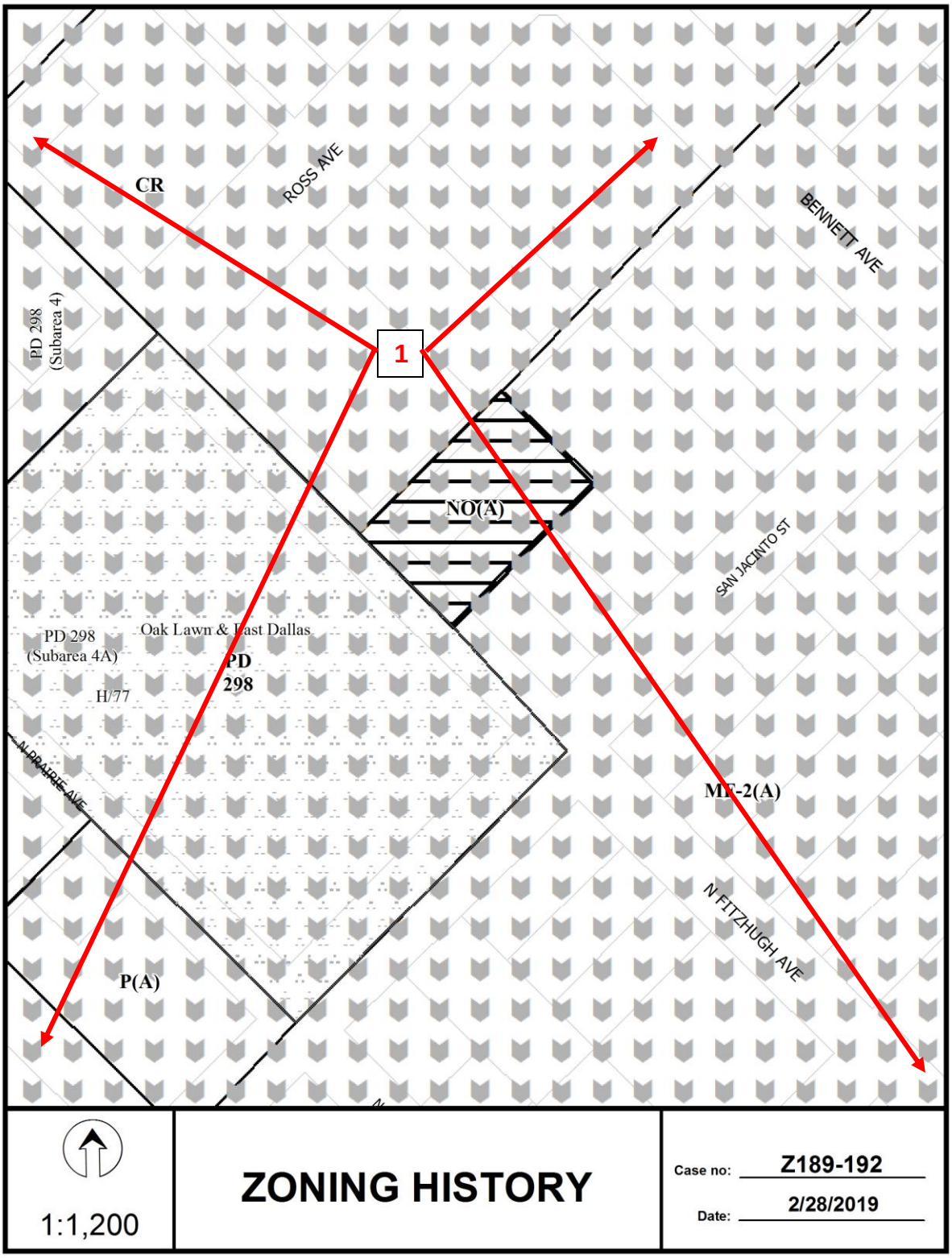
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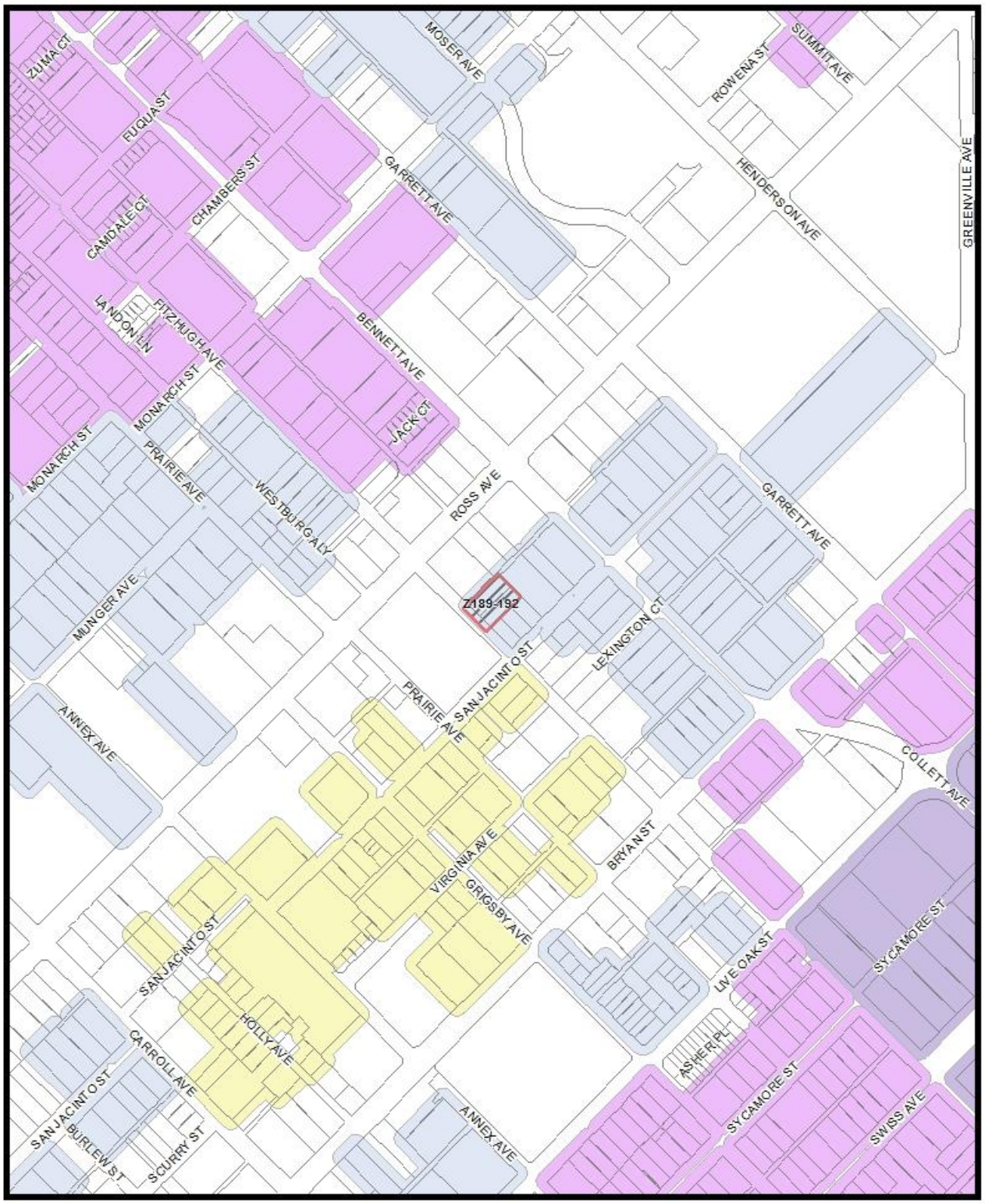
AERIAL MAP

Case no: Z189-192

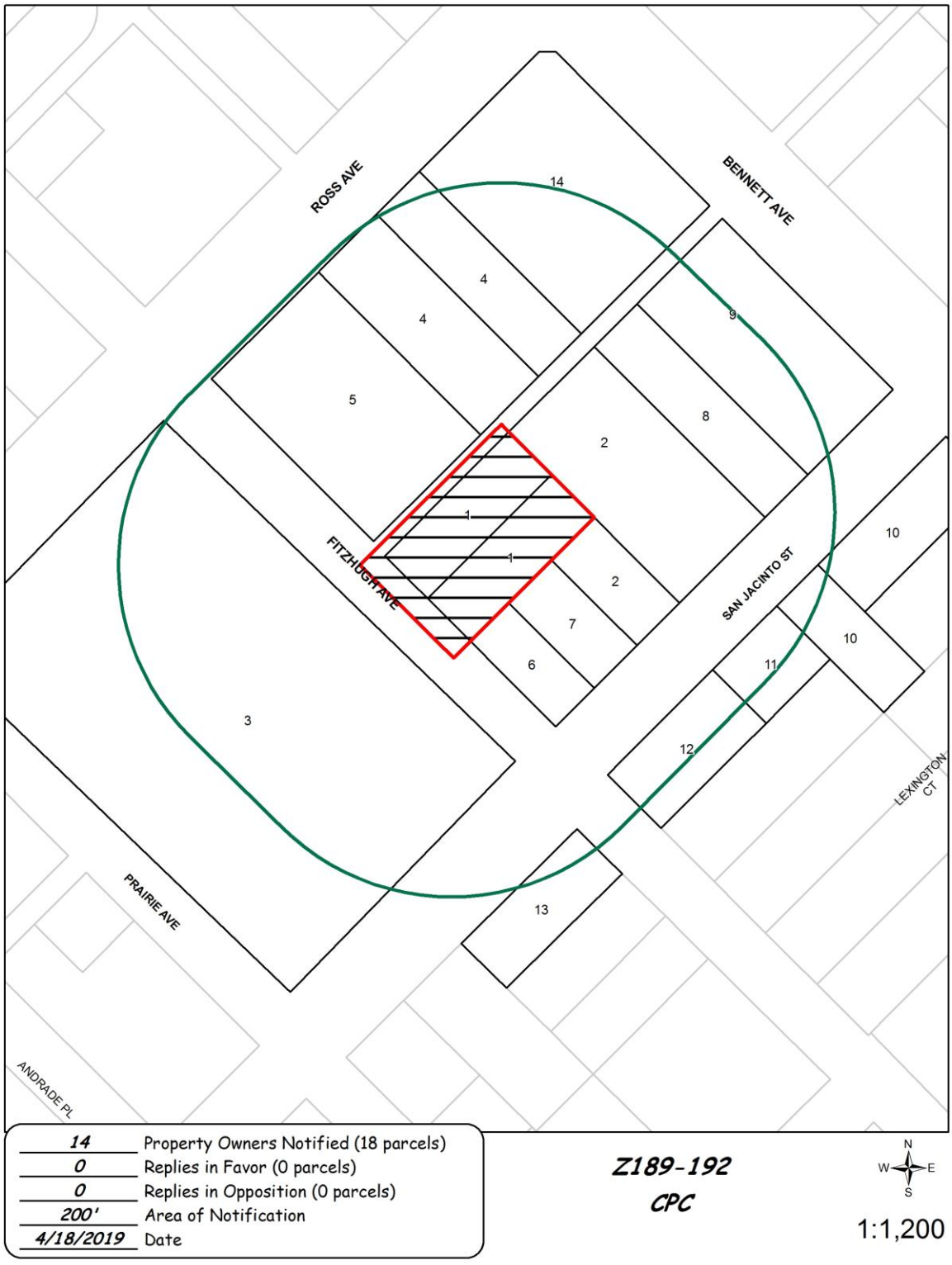
Date: 2/28/2019


CR
ROSS AVE
BENNETT AVE
PD 298 (Subarea 4)
Office
Pawn Shop
Multifamily
NO(A)
Undeveloped
SAN JACINTO ST
Single Family
PD 298 (Subarea 4A)
Oak Lawn & East Dallas
PD 298
Public School
H/77
Undeveloped
N PRAIRIE AVE
MF-2(A)
Single Family
N FITZHUGH AVE
P(A)
1:1,200
ZONING AND LAND USE
Case no: Z189-192
Date: 2/28/2019


CR
ROSS AVE
BENNETT AVE
PD 298
(Subarea 4)
1
NO(A)
SAN JACINTO ST
PD 298
(Subarea 4A)
Oak Lawn & East Dallas
PD
298
H/77
ALDRAIRIE AVE
MF-2(A)
N FITZHUGH AVE
P(A)
1:1,200
ZONING HISTORY
Case no: Z189-192
Date: 2/28/2019


MOSER AVE
SUMMIT AVE
ROWENA ST
ZUMA CT
FUQUA ST
CHAMBERS ST
GARRETT AVE
HENDERSON AVE
GREENVILLE AVE
CAMDALE CT
LANDON LN
FITZHUGH AVE
BENNETT AVE
JACK CT
MONARCH ST
PRAIRIE AVE
WESTBURG ALY
ROSS AVE
GARRETT AVE
MUNGER AVE
Z189-192
LEXINGTON CT
SANJACINTO ST
PRAIRIE AVE
ANNEX AVE
COLLETT AVE
BRYAN ST
VIRGINIA AVE
GRIGSBY AVE
SYCAMORE ST
LIVE OAK ST
HOLLY AVE
CARROLL AVE
ASHER PL
SANJACINTO ST
BURLEW ST
SCURRY ST
ANNEX AVE
SYCAMORE ST
SWISS AVE
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:4,800
Market Value Analysis
Printed Date: 2/28/2019

CPC Responses



04/17/2019

Reply List of Property Owners

Z189-192

14 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	1610	N FITZHUGH AVE	PGH PURPLE LLC
	2	4909	SAN JACINTO ST	PGH BENNETT LLC
	3	4800	ROSS AVE	Dallas ISD
	4	4916	ROSS AVE	MEDINA MARIA C
	5	4900	ROSS AVE	GREGG ROSS AVENUE LLC
	6	4901	SAN JACINTO ST	DU CHENGYU &
	7	4903	SAN JACINTO ST	CARROLL ROBERT W
	8	4921	SAN JACINTO ST	SAN JACINTO 4921 INC
	9	4927	SAN JACINTO ST	PGH BRONZE LLC
	10	4916	SAN JACINTO ST	E DALLAS LAND LTD
	11	4912	SAN JACINTO ST	PGH BENNETT LAND LLC
	12	1518	N FITZHUGH AVE	FITZHUGH AVE INVESTMENTS LLC
	13	1519	N FITZHUGH AVE	JUREK PROPERTIES LTD
	14	4920	ROSS AVE	AUTOZONE TEXAS LP

Agenda Information Sheet

File #: 19-672 **Item #:** 61.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an R-5 (A) Single Family District on property zoned a CS Commercial Service District, on the southeast side of Solar Lane, east of Carbondale Street
Recommendation of Staff and CPC: Approval
Z189-196(CY)

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HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-196(CY)	**DATE FILED:**	February 8, 2019
LOCATION:	Southeast side of Solar Lane, east of Carbondale Street		
COUNCIL DISTRICT:	7	**MAPSCO:**	56 Z
SIZE OF REQUEST:	Approx. 0.15 acres	**CENSUS TRACT:**	202.00

APPLICANT/OWNER: Moises Flores, sole owner

REPRESENTATIVE: Jorge Hernandez, America Plans & Permits

REQUEST: An application for an R-5(A) Single Family District on property zoned a CS Commercial Service District.

SUMMARY: The purpose of the request is to develop the site with a one-story, approximately 1,982-square-foot single family dwelling.

CPC RECOMMENDATION: **Approval.**

STAFF RECOMMENDATION: **Approval.**

BACKGROUND INFORMATION:

- The area of request is zoned a CS Commercial Service District and is currently undeveloped.

- Building Inspection's records indicate the site was developed with a residential structure until 2005 when a demolition permit was issued.

- The purpose of the request is to redevelop the site with a one-story, approximately 1,982-square-foot single family dwelling.

- The R-5(A) zoning district is a single family dwelling district which is appropriate in area requirements for moderate value single family housing development and which, at the same time, provides a reasonable standard of light, air, and similar living amenities. It is intended that the R-5(A) classification be added by amendment in specific areas where higher density single family residence development is shown to be appropriate because of existing development and the adequacy of utilities and where redevelopment of substandard areas at increased single family density is appropriate.

- The purpose of the CS District is to provide for the development of commercial and business serving uses that may involve outside storage, service, or display. This district is not intended to be located in areas of low and medium density residential development.

Zoning History: There has been one zoning change request in the vicinity in the past five years.

1. **Z156-151** On March 23, 2016, the City Council approved an R-5(A) Single Family District on property zoned a CS Commercial Service District on the southeast side of Solar Lane, northeast of Carbondale Street, to the northeast of the area of request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Required ROW
Solar Lane	Minor arterial	60 ft.	60 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas!* Comprehensive Plan was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES.

Policy 1.1.1 Implement the Trinity River Corridor Plan.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS.

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing conditions.

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.2 Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

NEIGHBORHOOD PLUS

Policy 5.1 ENCOURAGE A WIDER RANGE OF WELL DESIGNED AND AFFORDABLE HOUSING TYPES AS A RESPONSE TO EMERGING HOMEOWNERSHIP PREFERENCES.

Action 5.1.3 Conduct rezoning in target areas to remove barriers to more diverse and affordable single family homeownership options including small-lot single family, duplexes, townhomes, cottage homes, and courtyard homes.

LAND USE POLICY PLAN

TRINITY RIVER CORRIDOR COMPREHENSIVE PLAN

The subject site is located within the I-45 Gateway planning district of the Trinity River Corridor Land Use Plan adopted in March 2005 and revised in December 2009.

The plan establishes Preferred Land Use Plans that apply to each one of the seven planning districts in which the study area was divided. The area plan also created Land Use Opportunity Plans that reflect specific opportunities that can be expected in the Trinity River Corridor based upon a market response to the capital improvements in the Trinity River Corridor Project. These maps also express the land uses desired for the corridor by stakeholders who participated in the study.

The Preferred Land Use Plan for the I-45 Gateway District combines quality of life enhancements with successful economic development and identifies the area of request within a Residential Traditional Land Use Module. The plan indicates that existing single family residential uses are protected, enhanced and tied into the river greenbelt and regional train network. A Light Industrial Land Use Module is identified to the northwest of the area of request and across Carbondale Street.

The area plan presents the Southward Industrial Study Area as one of the largest study areas within the Trinity River Corridor Land Use Plan. The study area surrounds the intersection of I-45 and Loop 12 and extends to the south to Simpson Stuart Road. The Urban Design Framework Plan for this study area shows significant improvements to the transportation system, with designs that create an identity and appealing route for pedestrians as well as vehicles. The plan indicates a proposed sound wall along Carbondale Street, considered a major connector, and proposes major street improvements along this road. This is a clear indication that Carbondale Street is envisioned as the dividing line between the traditional single family development to the northeast and the proposed (and existing) light industrial uses on the northwest side.

More specifically, the Trinity River Corridor Comprehensive Land Use Plan includes the Joppa Study Area in which the area of request is included. This study area is immediately adjacent to the Southward Industrial Study Area and between Linfield Road and Loop 12, adjacent to the Union Pacific railroad switching yard. The highest priority for future land use in this area is to support the Joppa neighborhood's maintenance and revitalization. Most of the land in this area is planned for Residential - Neighborhood Infill uses.

The primary urban design features in the Urban Design Framework Plan for this area reflect the objectives of area residents and stakeholders. First, improvements along Carbondale Street will both enhance its image and buffer the neighborhood from the impacts of the railroad switching yard to the west. Street improvements, landscaping and a sound wall will improve this edge of the Joppa neighborhood and greatly enhance the entrance to the neighborhood. The second design feature emphasized for this study area is a network of trails that connect this neighborhood to the Trinity River open space areas.

Land Use:

	Zoning	Land Use
Site	CS Commercial Service	Undeveloped land
North	CS, Commercial Service, and R-5(A) Single Family District	Undeveloped land, single family
East	R-5(A) Single Family District	Single family
South	CS Commercial Service	Single family
Southwest/ West	CS Commercial Service	Undeveloped land, Rail road and railroad switching yard.

Land Use Compatibility:

The approximate 0.15-acre site is zoned CS Commercial Service District and is currently undeveloped. Building Inspection's records, including building permits from the early 1970's, indicate the site was developed with a residential structure until 2005 when a demolition permit was issued.

The applicant proposes to rezone the property from the Commercial Service District to an R-5(A) Single Family Districts and develop the site with a one-story, approximately 1,982-square-foot single family dwelling. The CS district only allows for college dormitory, fraternity or sorority house as a residential use.

Uses surrounding the subject site include scattered undeveloped tracts of land but primarily, the uses found throughout the vicinity are single family uses. Some of these single family uses are nonconforming as they are located within the CS Commercial Service District to the northwest, south and southeast. The only nonresidential uses found in close proximity to the area of request are two church uses, one located to the northwest across Solar Lane and the other to the southeast along Luzon Street. Further south, at the northeast corner of Carbondale Street and Corregidor Street and a block away from the area of request, is a Motel use.

While the proposed R-5(A) district will impose height and setback restrictions on the adjacent undeveloped property to the southwest zoned CS by requiring that any proposed development over 26 feet in height complies with the residential proximity slope (RPS), and to require a 20-foot setback from the residential district, staff considers that this condition is currently existing along the entire eastern boundary of the CS district that abuts the Single Family District. The proposed zoning change is not foreseen to exacerbate this condition.

Furthermore, the area of request itself is currently subject to the RPS generated from the adjacent tract of land to the northeast that was recently rezoned to R-5(A) Single Family district [zoning case Z156-151]. With the proposed zoning change, the area of request will be relieved of this restriction. It is important to mention that except for one

undeveloped tract of land, the properties to the south and southeast abutting the area of request and also zoned CS, are currently developed with single family uses.

It is staff's opinion that considering that the area of request is within the boundaries of the Joppa neighborhood, the proposed zoning change to a Single Family District is consistent with the surrounding area. Staff recommends approval of the zoning change.

Development Standards

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Minimum Lot Size	Special Standards	PRIMARY Uses
	Front	Side/Rear						
Existing CS	15'	20' Adjacent to res. Other, no min.	Not applicable	45'	80%	No min	RPS	Commercial Service, Outside Storage
Proposed R-5(A)	Min.20'	5' for SFD, 10' other	No maximum	30'	45% for resident. 25% other	5,000 sf	-	Single Family.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site and surrounding properties are within MVA Category "H".

Parking:

At time of development, parking will be required in accordance with the Dallas Development Code, as amended. One parking space is required for the proposed single family use in the proposed zoning district.

Landscaping: Landscaping will be provided in accordance with Article X, as amended.

CPC Action

April 18, 2019

Motion: It was moved to recommend **approval** of an R-5(A) Single Family District on property zoned a CS Commercial Service District on the southeast side of Solar Lane, east of Carbondale Street.

Maker: Schulte
Second: Housewright
Result: Carried: 13 to 0

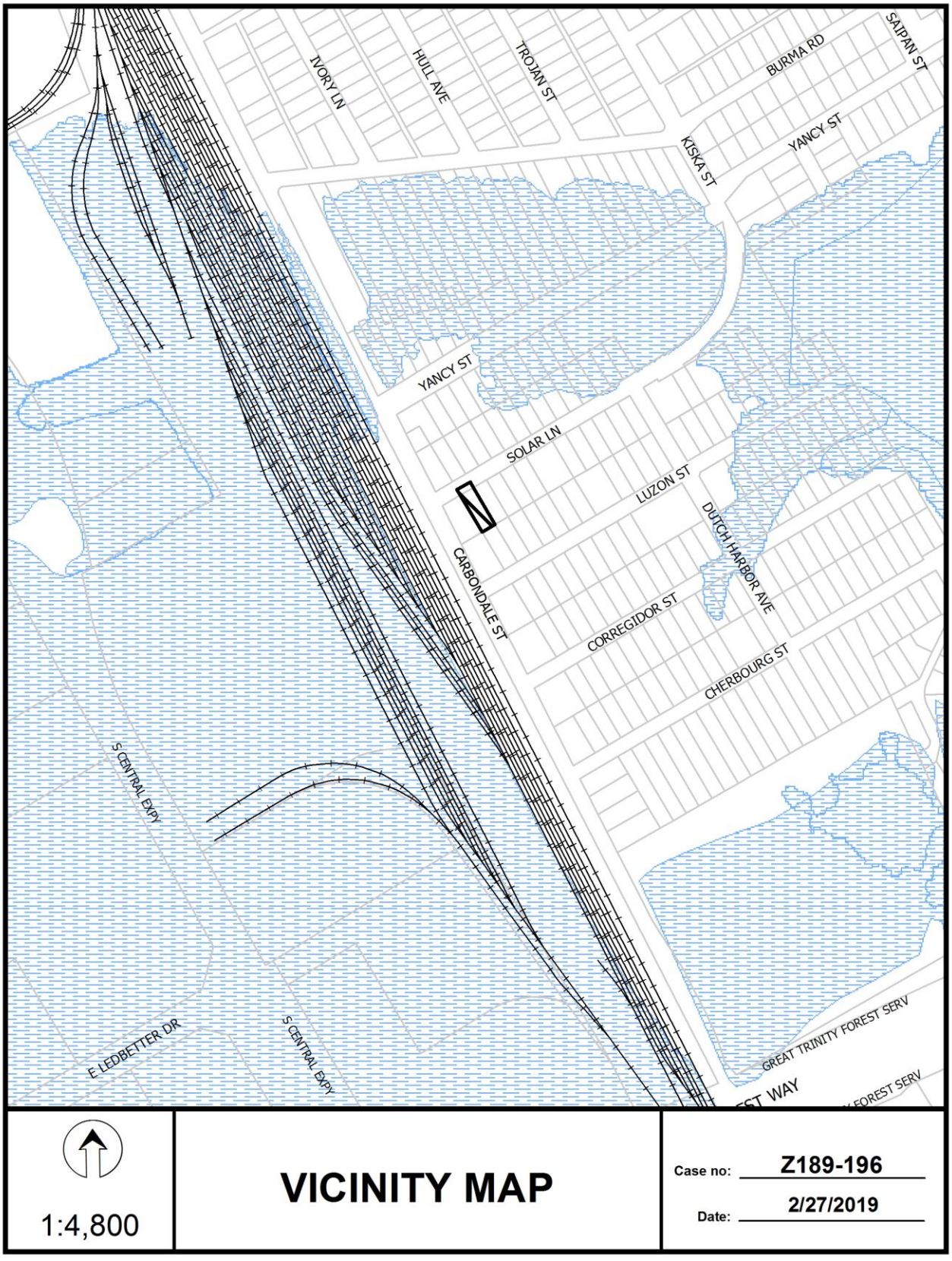
For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid*, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

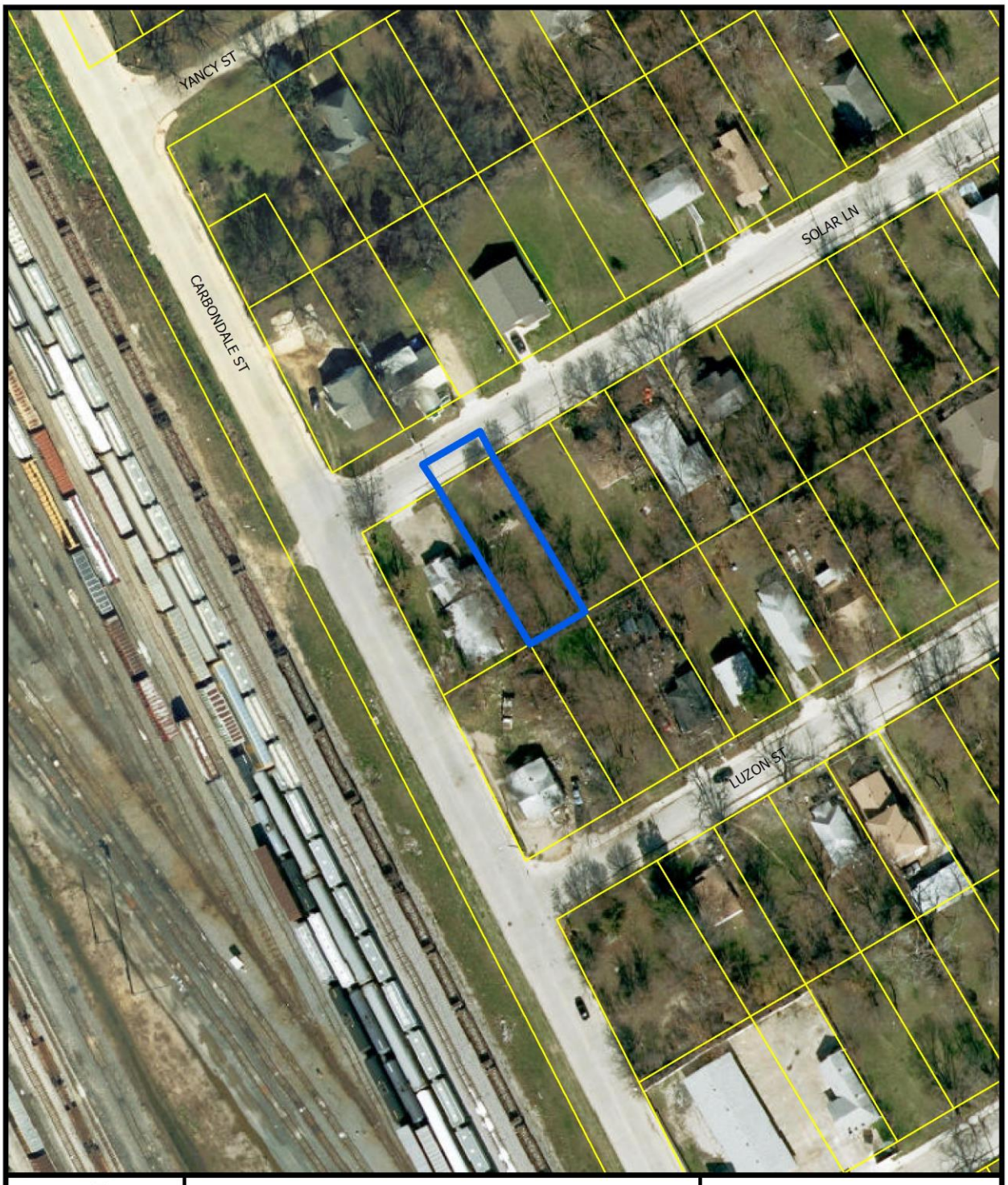
Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 30
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Jorge Hernandez, 4510 Solar Ln., Dallas, TX, 75216
Against: None


IVORY LN
HULL AVE
TROJAN ST
BURMA RD
SAIPAN ST
KISKA ST
YANCY ST
YANCY ST
SOLAR LN
LUZON ST
DUTCH HARBOR AVE
CARBONDALE ST
CORREGIDOR ST
CHERBOURG ST
S CENTRAL EXPY
E LEDBETTER DR
S CENTRAL EXPY
GREAT TRINITY FOREST SERV
1:4,800
VICINITY MAP
Case no: Z189-196
Date: 2/27/2019

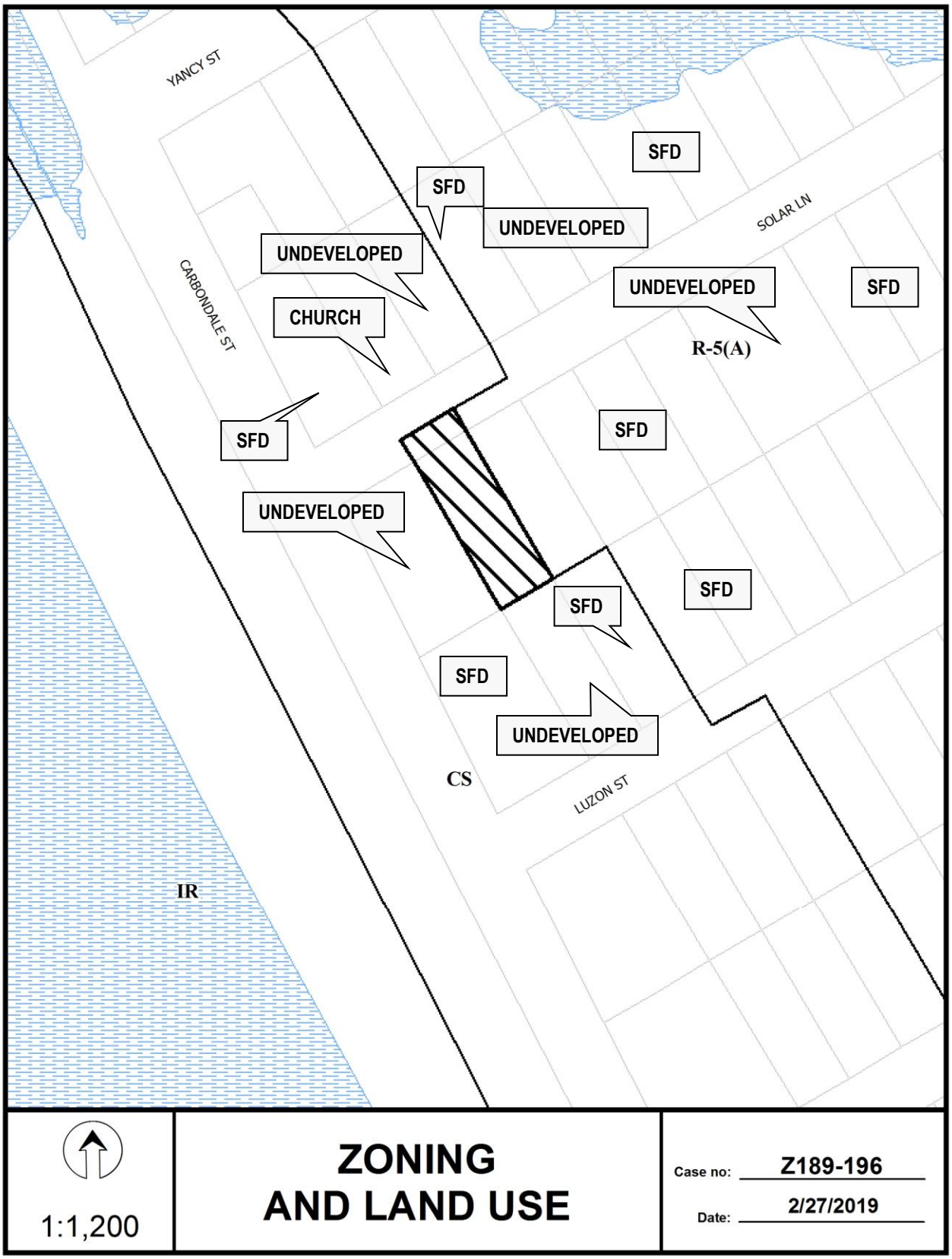


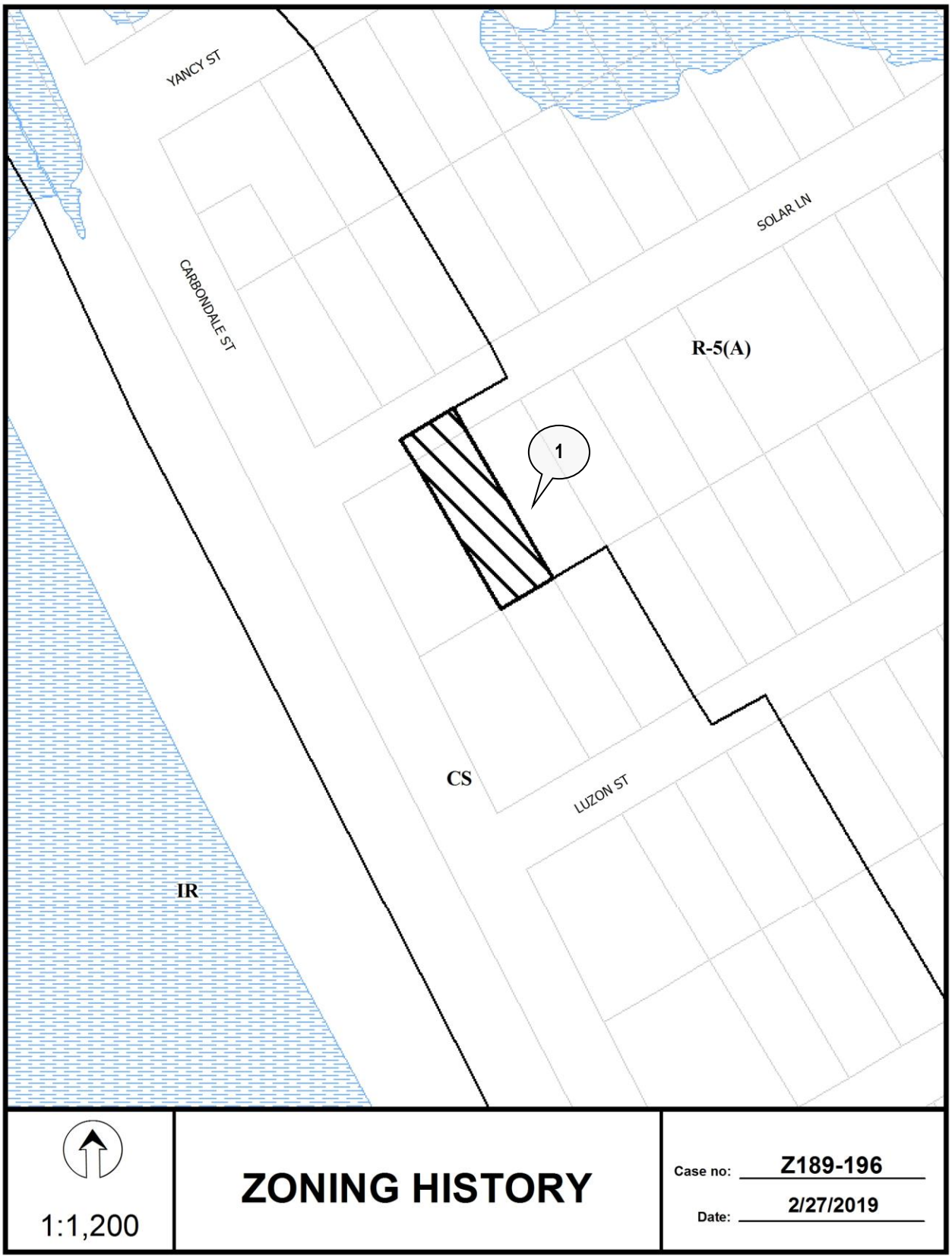
1:1,200

AERIAL MAP

Case no: Z189-196

Date: 2/27/2019


YANCY ST
CARBONDALE ST
SOLAR LN
LUZON ST
SFD
SFD
UNDEVELOPED
UNDEVELOPED
SFD
CHURCH
R-5(A)
SFD
SFD
UNDEVELOPED
SFD
SFD
SFD
UNDEVELOPED
CS
IR
1:1,200
ZONING
AND LAND USE
Case no: Z189-196
Date: 2/27/2019


YANCY ST
CARBONDALE ST
SOLAR LN
R-5(A)
1
CS
LUZON ST
IR
1:1,200
ZONING HISTORY
Case no: Z189-196
Date: 2/27/2019



MVACluster A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 2/27/2019

CPC RESPONSES



30	Property Owners Notified (29 parcels)
1	Replies in Favor (1 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
4/18/2019	Date

Z189-196
CPC

N
W E
S

1:1,200

04/17/2019

Reply List of Property Owners

Z189-196

30Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4510	SOLAR LN	MCGLOTHLIN DARDEN
	2	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	3	9999	NO NAME ST	UNION PACIFIC RR CO
	4	8110	CARBONDALE ST	WILMER HUTCHINS ISD
	5	8104	CARBONDALE ST	MCGRIFF BENNIE
	6	4512	YANCY ST	CRUTCHFIELD ESTHER
	7	4516	YANCY ST	CRUTCHFIELD SAM JR
	8	4520	YANCY ST	MCHALE PROPERTIES INC
	9	8118	CARBONDALE ST	SMITH OLIVER & FINNELL
	10	4507	SOLAR LN	MCGRIFF HARVEST D EST OF
	11	4511	SOLAR LN	MCGRIFF HARVEST D EST OF
	12	4515	SOLAR LN	DIB BILL
	13	4519	SOLAR LN	FOSTER SHERRI L & WILLIE III
	14	4523	SOLAR LN	JACKSON ROOSEVELT &
	15	8126	CARBONDALE ST	JACKSON TONY M
	16	4514	SOLAR LN	TATE CHRISTOPHER M
	17	4516	SOLAR LN	MARIN MIZRAIN EZEQUIEL &
	18	4522	SOLAR LN	GANTT SHANDRIA E
	19	4526	SOLAR LN	EDWARDS LAURA V
	20	4530	SOLAR LN	SANTANA JORGE
	21	4505	LUZON ST	BROWN OSCAR
	22	4509	LUZON ST	LONG AARON
	23	4515	LUZON ST	CRUTCHFIELD ESTHER
	24	4519	LUZON ST	AUSTIN BILLY
	25	4523	LUZON ST	WILLIAMS MARY
	26	4527	LUZON ST	SILVER DAVE EST OF

04/17/2019

Reply	*Label #*	*Address*		*Owner*
	27	4531	LUZON ST	GREER MRS G J
	28	4504	LUZON ST	DALLAS SKYFALL LLC SERIES
	29	4512	LUZON ST	SCOTT NICHOLAS JUSTIN
O	30	4516	LUZON ST	DALLAS NEIGHBORHOOD ALLIANCE FOR

Agenda Information Sheet

File #: 19-673 **Item #:** 62.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2111 for a body piercing studio and a tattoo studio on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District with Specific Use Permit No. 2111, on the north line of Main Street, west of Exposition Avenue
Recommendation of Staff and CPC: Approval for a five-year period, subject to conditions
Z189-201(CY)

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HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-201(CY)	**DATE FILED:**	February 12, 2019
LOCATION:	North line of Main Street, west of Exposition Avenue		
COUNCIL DISTRICT:	2	**MAPSCO:**	46 J
SIZE OF REQUEST:	Approx. 0.12 acres	**CENSUS TRACT:**	204.00

APPLICANT: Artistic Encounter Tattoo

OWNER: Jernigan Realty Partners, LP.

REPRESENTATIVE: Audra Buckley, Permitted Development

REQUEST: An application for the renewal of Specific Use Permit No. 2111 for a body piercing studio and a tattoo studio on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District with Specific Use Permit No. 2111.

SUMMARY: The purpose of the request is to continue the operation of an existing body piercing studio and tattoo studio [Artistic Encounter Tattoo] within a 4,200-square-foot building.

CPC RECOMMENDATION: **Approval** for a five-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to conditions.

BACKGROUND INFORMATION:

- The area of request is zoned Tract A within Planned Development District No. 269, the Deep Ellum / Near East Side District and Specific Use Permit No. 2111 for a body piercing and a tattoo studio. PD No. 269 was established by City Council on April 29, 1987, and is comprised of approximately 273.64 acres.

- The site is currently developed with a one-story 4,200-square-foot building containing a body piercing and a tattoo studio.

- Tract A within PD. No. 269 allows for body piercing studios and tattoo studios by SUP only and it requires these uses to be located at least 300 feet from all other tattoo studios or body piercing studios. The uses are both treated as a separate main use and cannot be an accessory use. The existing body piercing and tattoo studio comply with the distance requirement.

- SUP No. 2111 was approved by City Council on October 22, 2014, for a two-year period.

- On August 10, 2016, the City Council approved the renewal of SUP No. 2111 for a three-year period. [Expires August 10, 2019].

Zoning History: There have been two zoning change requests for properties in the vicinity, and one for the area of request, in the past five years.

1. **Z156-258** On August 10, 2016, the City Council approved a renewal of Specific Use Permit No. 2111 for a body piercing studio and a tattoo studio for a three-year period for the area of request.

2. **Z178-283** On September 26, 2018, the City Council approved the renewal of SUP No. 1695 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement inside limited to a live music venue on property on the northwest corner of Exposition Street and Canton Street, southeast of the area of request.

3. **Z178-393** On February 13, 2019, the City Council approved the renewal of SUP No. 2068 for an alcoholic beverage establishment limited to a bar, lounge or tavern on property on the east side of the intersection of Main Street and Exposition Street, east of the area of request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Required ROW
Exposition Avenue	Principal arterial	80 feet	80 feet
Main Street	Minor Arterial	60 feet	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas!* Comprehensive Plan was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISH WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use:

	Zoning	Land Use
Site	Tract A, PD No. 269 with SUP No. 2111	Personal service (piercing and tattoo studio)
North	Tract A, PD No. 269 with H/32	Commercial amusement (inside)
Northeast	Tract A, PD No. 269	DART rail line.
East	Tract A, PD No. 269	General merchandise, commercial amusement (inside), office, alcoholic beverage establishment
South	Tract A, PD No. 269 with H/68	Vacant building, commercial parking lot
West	Tract A, PD No. 269 with H/32	Commercial amusement (inside), office, personal service.

Land Use Compatibility:

The approximate 0.12-acre area of request is zoned Tract A within Planned Development District No. 269 with Specific Use Permit No. 2111 for a body piercing studio and a tattoo studio. The site is currently developed with a one-story, approximately 4,200-square-foot building occupied with a body piercing and tattoo studio.

Planned Development District No. 269 was established by City Council on April 29, 1987 and is comprised of approximately 273.64 acres. On May 28, 2014, the City Council approved an amendment to PD No. 269 to require a Specific Use Permit for body piercing and tattoo studio uses and to require these uses to be located at least 300 feet from all other tattoo studios or body piercing studios. The existing tattoo and body piercing studio meet the distance requirement.

Specific Use Permit No. 2111 was approved by City Council on October 22, 2014, for a two-year period. On August 10, 2016, City Council approved the renewal of SUP No. 2111 for a three-year period. [Expiration date: August 10, 2019]. The purpose of the request is to continue the operation of the existing body piercing and tattoo studio.

The surrounding properties are developed with a mix of land uses including a commercial amusement (inside) that wraps around the area of request to the north and west [Sons of Hermann Hall]; office and personal service uses are also to the west, along Main Street. Across from the site, to the south, is a vacant building followed by a multi-tenant building occupied with office and personal service uses further southwest. To the southeast and east of the area of request, there is a commercial parking lot, an alcoholic beverage establishment and a multi-tenant building containing a general merchandise use, a commercial amusement (inside) and an office use. The DART CBD-Fair Park Link rail line is further northeast, at the terminus of Exposition Avenue.

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 recommends approval of the applicant's request to renew Specific Use Permit No. 2111 for a five-year period. The continuation of the operation of the existing use is not foreseen to adversely impact the surrounding area.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA Category; however, it is in proximity to an "E" MVA Cluster to the south across Main Street.

Parking:

The parking regulations in PD No. 269 establish that no off-street parking spaces are required for the first 5,000 square feet of floor area in a retail-related use or professional, personal service, and custom crafts use that has a separate certificate of occupancy if the use is located in an original building.

An original building is defined as a building constructed on or before June 27, 1984 the floor area of which has not, since June 27, 1984, been increased by more than: 1) 150 percent if the increase is 5,000 or less; or 2) 100 percent if the increase is more than 5,000 square feet.

The existing body piercing studio and tattoo studio uses meet this criteria because the uses are defined within the professional, personal service, and custom craft uses category in PD No. 269. Additionally, historic aerial images show the existing 4,200-square-foot building in its existing configuration as early as 1972 which qualifies it as an original building. Therefore, no off-street parking is required for the existing piercing and tattoo studio uses; however, as depicted in the existing site plan, five off-street parking spaces are provided within a covered parking area on the northern portion of the site.

Landscaping:

The request for the renewal of SUP No. 2111, does not trigger any landscaping requirements as the request does not include increasing any floor area or impervious surface.

Dallas Police Department

The existing body piercing, and tattoo studio has been operating since 2014, when SUP No. 2111 was approved, and a Certificate of Occupancy was issued for that use. Staff requested a report of site-related crime statistics for a time period starting August 2016 [last SUP renewal] to date. The list of reported crime statistics obtained includes ten calls placed to the emergency call system, one offense and two filed arrests, as follows:

CALLS

Master_Incident_Number	Response_Date	Response_Time	Problem	Priority_Description	Location_Name	Address
16-1848461	9/15/2016	11:40:00 PM	6X - Major Dist (Violence)	2 - Urgent	artistic encounter	3417 Main St
16-2398430	12/4/2016	6:44:00 PM	6X - Major Dist (Violence)	2 - Urgent	ARTICSTIC ENCOUNTER	3417 Main St
17-0376571	2/26/2017	11:21:00 AM	21B - Business Hold Up	2 - Urgent	BILLY JACKS	3417 Main St
17-0890941	5/11/2017	6:23:00 PM	40/01 - Other	2 - Urgent	ARTISTIC ENCOUNTER	3417 Main St
17-1193704	6/23/2017	9:43:00 PM	6X - Major Dist (Violence)	2 - Urgent		3417 Main St
17-1679973	9/3/2017	2:48:00 AM	40/01 - Other	2 - Urgent		3417 Main St
18-0645261	4/13/2018	3:29:00 PM	30 - Prisoner	3 - General Service		3417 Main St
18-0906917	5/22/2018	9:34:00 PM	40/01 - Other	2 - Urgent	ARTISTIC	3417 Main St
18-1625125	9/5/2018	11:03:00 PM	40/01 - Other	2 - Urgent	ARTISTIC ENCOUNTER	3417 Main St
18-2270784	12/16/2018	9:40:00 PM	**PD Requested by Fire	2 - Urgent	ARTISTIC ENCOUNTERS TATTOO	3417 Main St

OFFENSES

IncidentNum	Address	Sector	District	Date1	Time1	NIBRS_Crime_CompStat
119437-2018	3417 MAIN ST	150	D2	6/3/2018	2:00:00 AM	BMV

ARRESTS

IncidentNum	ArrestNumber	ArArrestDate	ArArrestTime	ArLAddress	NIBRS_Crime	UCROffense	UCRArrestChg	ChargeDesc
027913-2017	17-004753	2/4/2017	11:20:00 PM	3417 MAIN ST	WARRANT HOLD (OUTSIDE AGENCY)	NOT CODED	HOLDS DSO	WARRANT HOLD (OUTSIDE AGENCY)
109343-2018	18-017161	5/22/2018	9:55:00 PM	3417 MAIN ST	PUBLIC INTOXICATION	DRUNK & DISORDERLY	PUBLIC INTOXICATION	PUBLIC INTOXICATION

CPC Action
April 18, 2019

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2111 for a body piercing studio and a tattoo studio for a five-year period, subject to conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, with Specific Use Permit No. 2111, on the north line of Main Street, west of Exposition Avenue.

Maker: Schulte
Second: Housewright
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid*, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 15
Replies: For: 2 Against: 5

Speakers: None

LIST OF OFFICERS

Jernigan Realty Partners, LP

- Arvel L. Jernigan — Principal
- A Jernigan Investments, Inc. — General Partner
- Arvel L. Jernigan — President

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only uses authorized by this specific use permit are a body piercing studio and a tattoo studio.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan

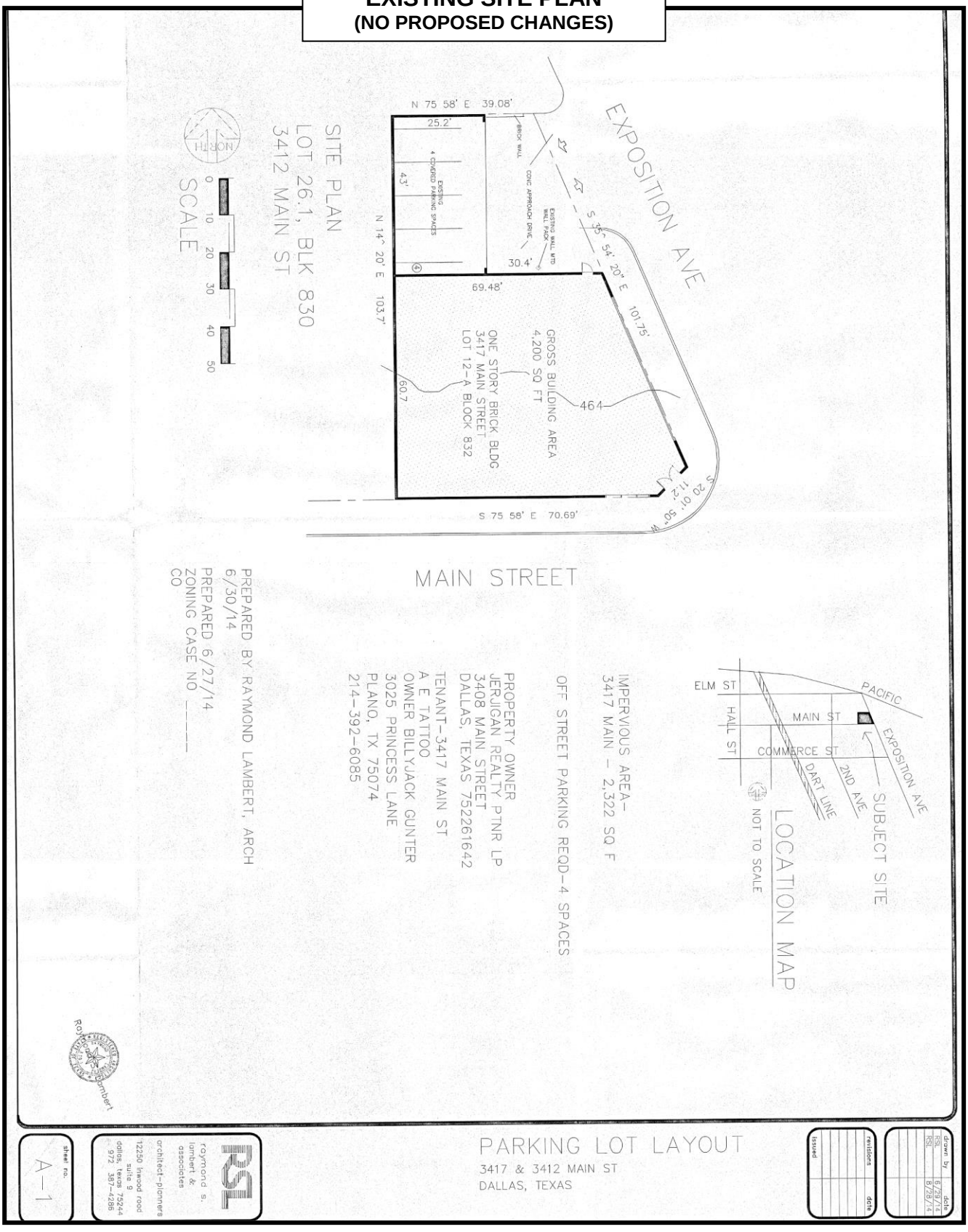
3. TIME LIMIT: This specific use permit expires on (five years from the passage of this ordinance) [~~August 10, 2019~~].

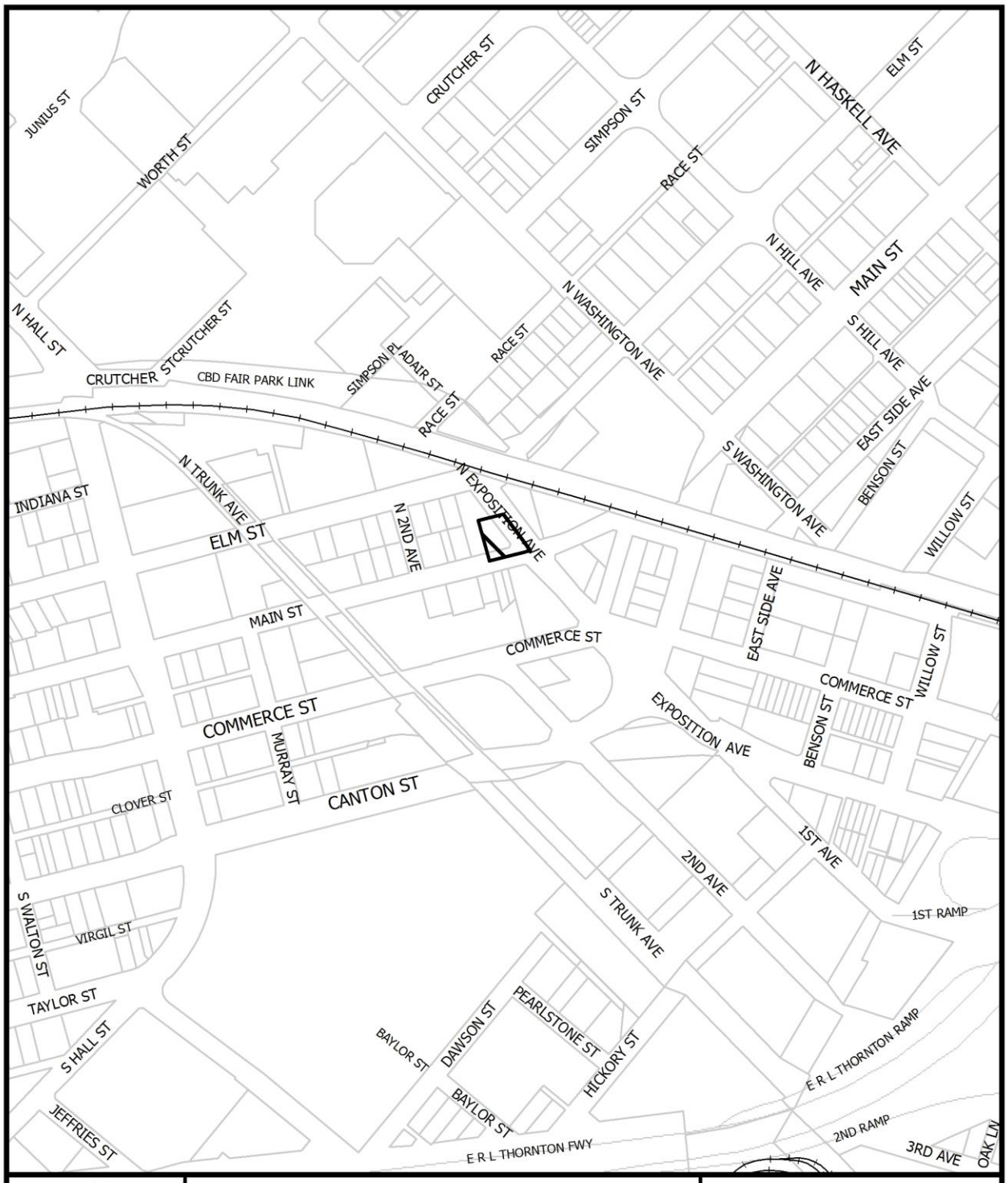
4. FLOOR AREA: The maximum floor area is 4,200 square feet in the location shown on the attached site plan.

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.

EXISTING SITE PLAN
(NO PROPOSED CHANGES)





1:4,800

VICINITY MAP

Case no: Z189-201

Date: 3/6/2019

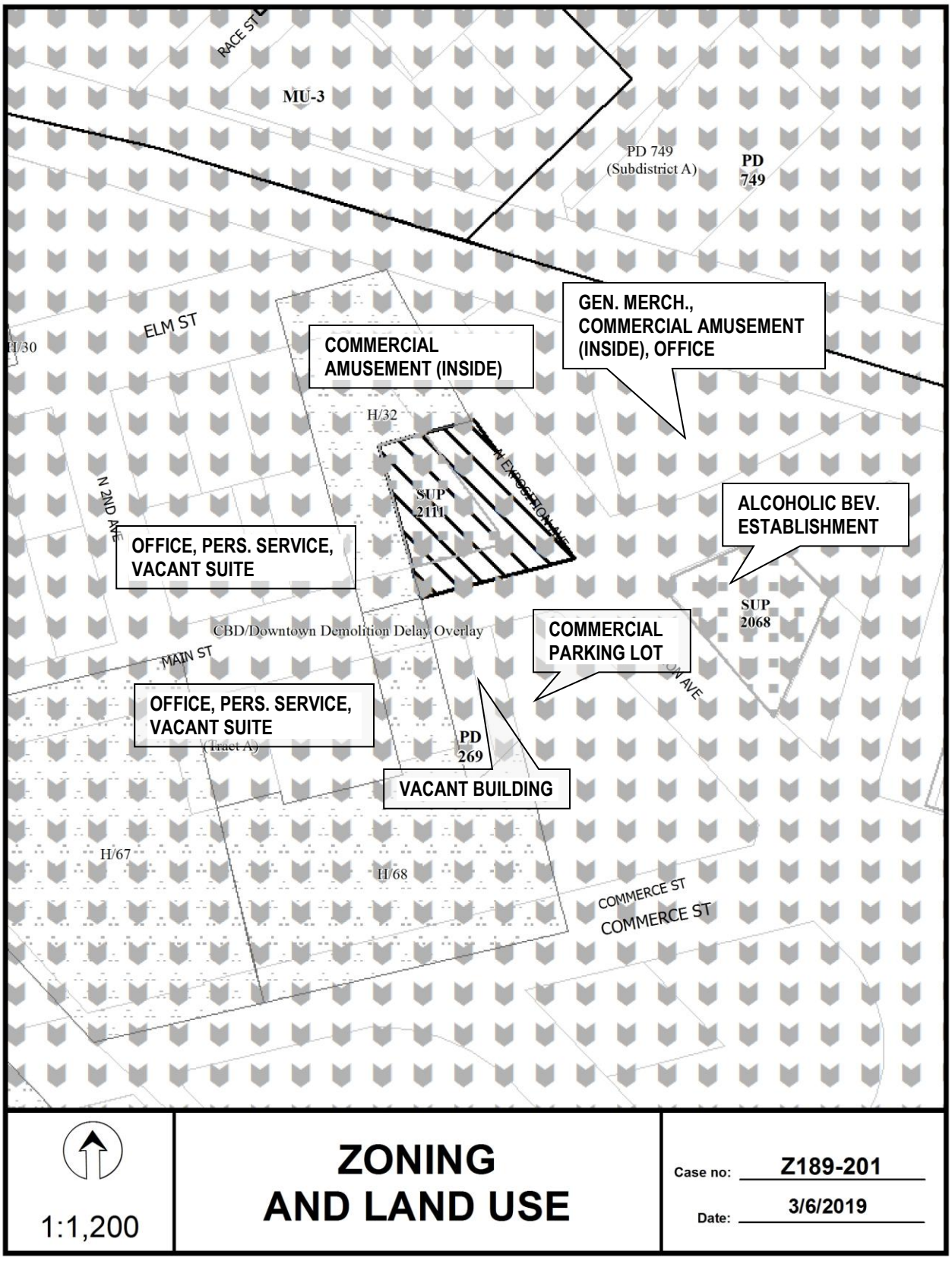


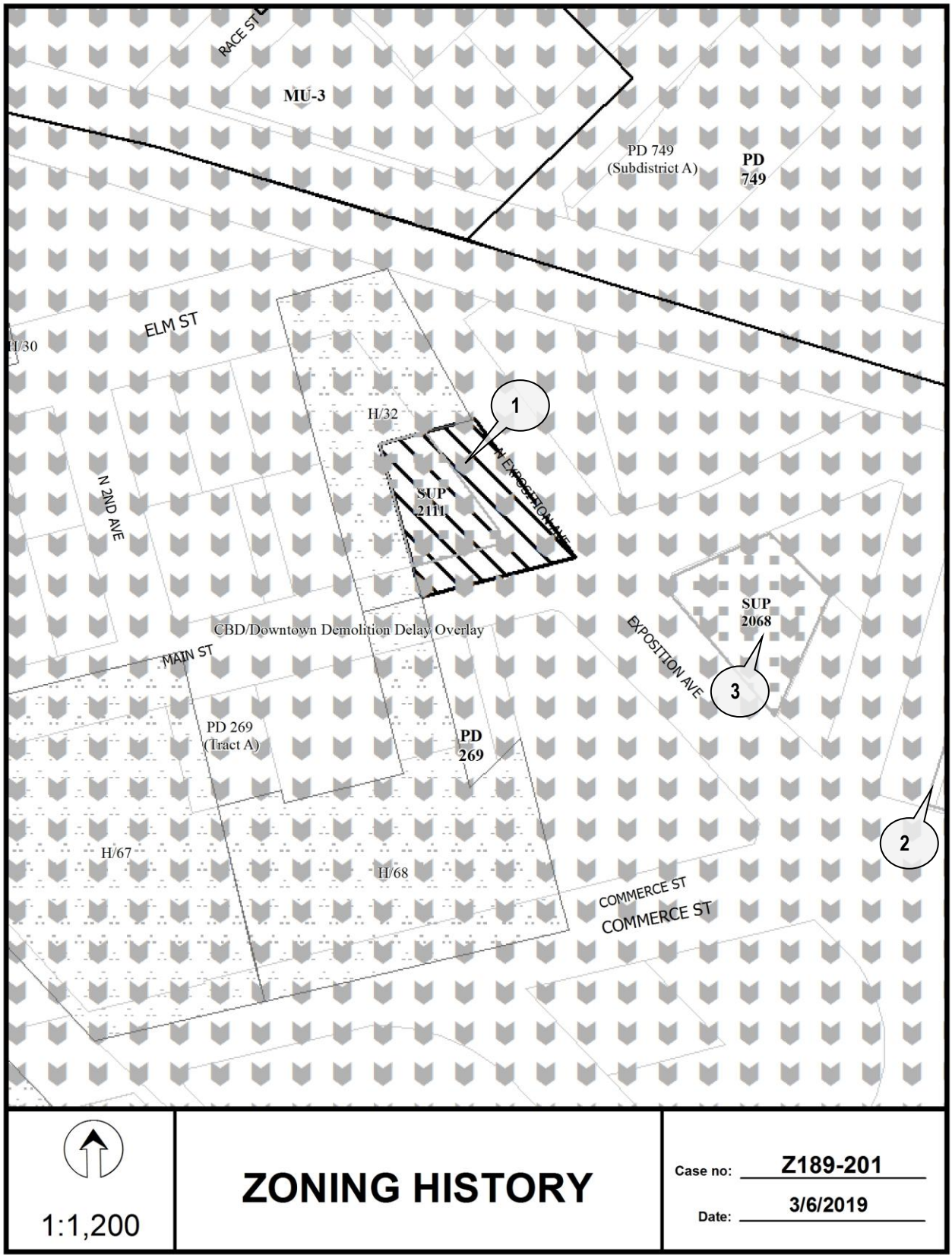
1:1,200

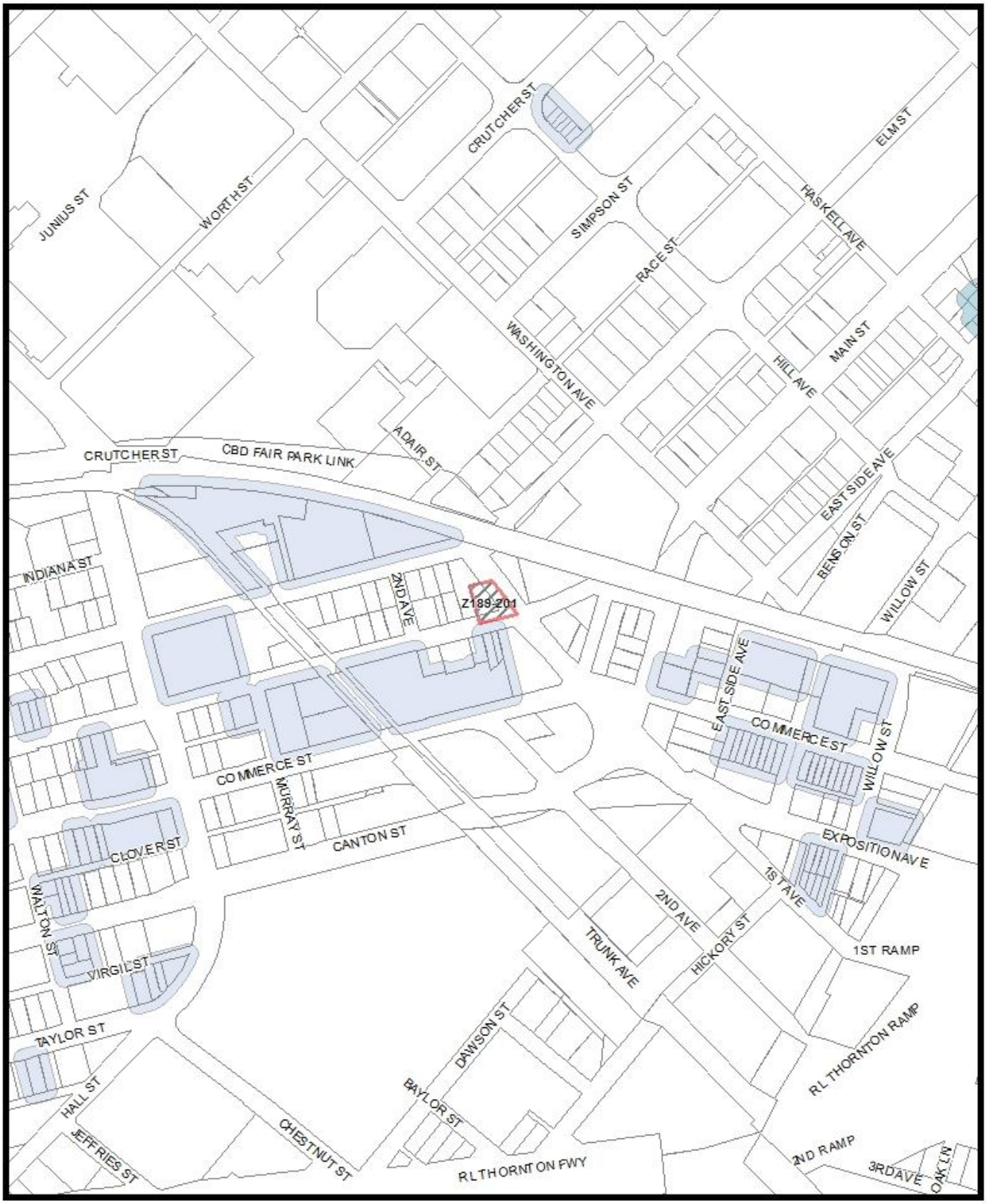
AERIAL MAP

Case no: Z189-201

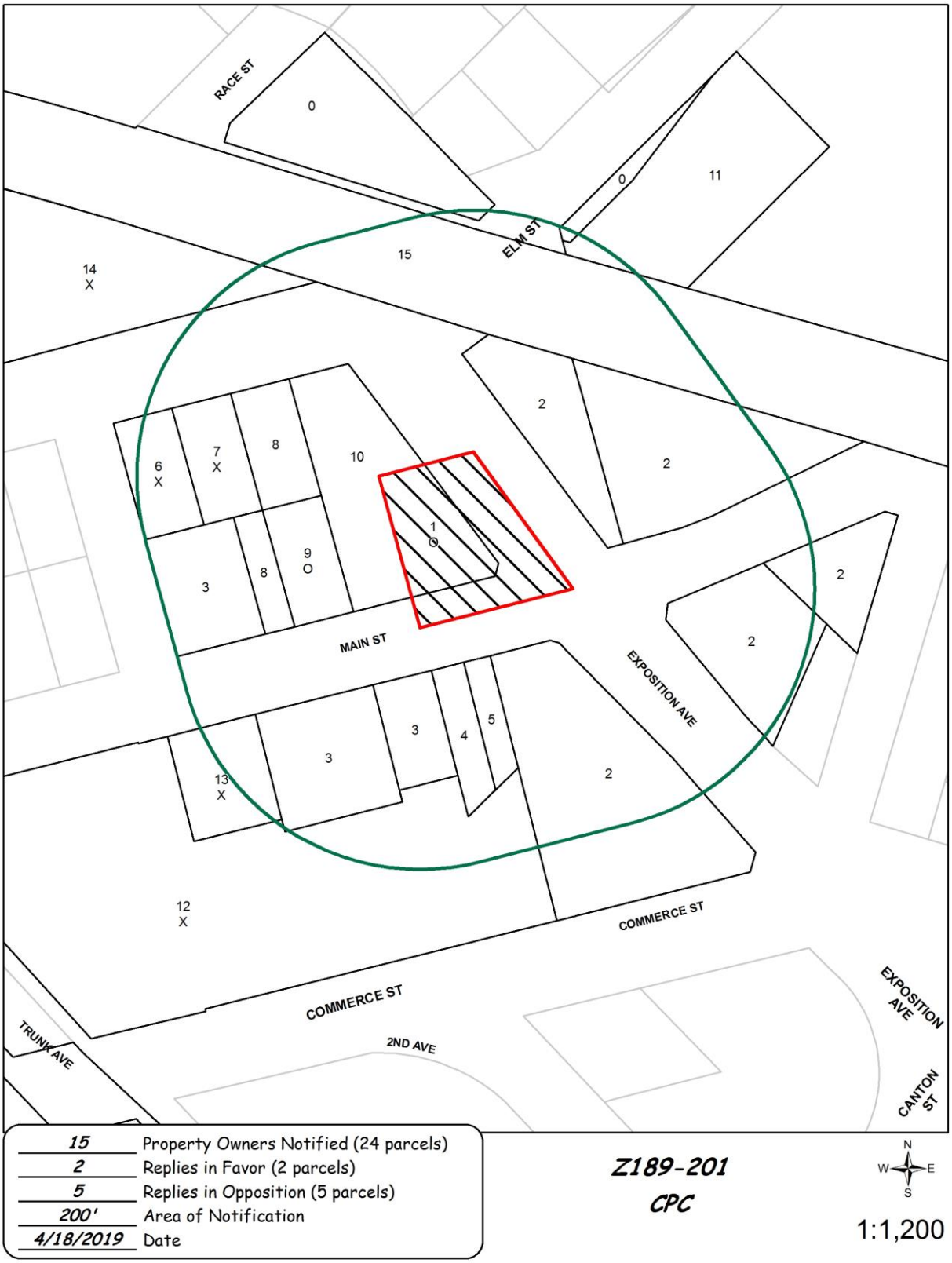
Date: 3/6/2019


RACE ST
MU-3
PD 749
(Subdistrict A)
PD
749
ELM ST
H/30
COMMERCIAL
AMUSEMENT (INSIDE)
GEN. MERCH.,
COMMERCIAL AMUSEMENT
(INSIDE), OFFICE
H/32
N 2ND AVE
SUP
2111
OFFICE, PERS. SERVICE,
VACANT SUITE
ALCOHOLIC BEV.
ESTABLISHMENT
SUP
2068
CBD/Downtown Demolition Delay Overlay
COMMERCIAL
PARKING LOT
MAIN ST
OFFICE, PERS. SERVICE,
VACANT SUITE
(Tract A)
PD
269
VACANT BUILDING
H/67
H/68
COMMERCE ST
COMMERCE ST
1:1,200
ZONING
AND LAND USE
Case no: Z189-201
Date: 3/6/2019


RACE ST
MU-3
PD 749
(Subdistrict A)
PD
749
ELM ST
H/30
H/32
1
SUP
2111
N 2ND AVE
CBD/Downtown Demolition Delay Overlay
MAIN ST
SUP
2068
EXPOSITION AVE
3
PD 269
(Tract A)
PD
269
H/67
H/68
2
COMMERCE ST
COMMERCE ST
1:1,200
ZONING HISTORY
Case no: Z189-201
Date: 3/6/2019


CRUTCHER ST
JUNIUS ST
WORTH ST
SIMPSON ST
RACE ST
HASKELL AVE
ELM ST
WASHINGTON AVE
HILL AVE
MAIN ST
CRUTCHER ST
CBD FAIR PARK LINK
ADAIR ST
EAST SIDE AVE
BENSON ST
WILLOW ST
INDIANA ST
2ND AVE
Z189-201
COMMERCE ST
MURRAY ST
CANTON ST
CLOVER ST
WALTON ST
VIRGIL ST
TAYLOR ST
HALL ST
JEFFRIES ST
CHESTNUT ST
DAWSON ST
BAYLOR ST
RL THORNTON FWY
TRUNK AVE
HICKORY ST
1ST AVE
EXPOSITION AVE
1ST RAMP
RL THORNTON RAMP
2ND RAMP
3RD AVE
OAK LN
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:4,800
Market Value Analysis
Printed Date: 3/6/2019

CPC RESPONSES



04/17/2019

Reply List of Property Owners

Z189-201

15 Property Owners Notified ***2 Property Owners in Favor*** ***5 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	3417	MAIN ST	JERNIGAN REALTY PTNRS LP
	2	3600	MAIN ST	COLDBEER IN DEEP ELLUM LP
	3	3404	MAIN ST	JERNIGAN REALTY PTNR LP
	4	3416	MAIN ST	CHOW JUNE C &
	5	3418	MAIN ST	WITHERSPOON DAVID
X	6	3400	ELM ST	WESTDALE PPTIES AMERICA 1
X	7	3404	ELM ST	WESTDALE PPTIES AMERICA I
	8	3407	MAIN ST	AL JERNIGAN INVESTMENTS INC
O	9	3409	MAIN ST	AL JERNIGAN INVESTMENTS INC
	10	3414	ELM ST	SONS OF HERMANN
	11	3700	ELM ST	BAYLOR HEALTHCARE SYSTEM
X	12	3300	MAIN ST	WESTDALE DEEP ELLUM LOFTS LTD
X	13	3400	MAIN ST	WESTDALE DEEP ELLUM LOFTS
X	14	3333	ELM ST	WESTDALE PROPERTIES
	15	555	2ND AVE	DART

Agenda Information Sheet

File #: 19-675 **Item #:** 63.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses, private recreation center, club or area, and private street or alley uses; and **(2)** an ordinance terminating Specific Use Permit No. 2166 for an adult day care facility on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 105 for a convalescent home and institutional uses, and Specific Use Permit No. 2166 for an adult day care facility, on the southwest corner of Samuell Boulevard and Hunnicutt Road
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a conceptual plan, street section exhibit and conditions, and approval of the termination of Specific Use Permit No. 2166 for an adult day care facility
Z189-142(CY)

powered by Legistar™

HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z189-142(CY) **DATE FILED:** November 26, 2018

LOCATION: Southwest corner of Samuell Boulevard and Hunnicutt Road

COUNCIL DISTRICT: 7 **MAPSCO:** 47 H

SIZE OF REQUEST: 26.05 acres **CENSUS TRACT:** 122.06

OWNER: Buckner Retirement Services Inc.

APPLICANT: Centurion American Acquisitions, LLC.

REPRESENTATIVE: Santos Martinez, La Sierra Planning Group.

REQUEST: An application for **1)** a Planned Development District for R-7.5(A) Single Family District uses, private recreation center, club or area, and private street or alley uses; and, **2)** the termination of Specific Use Permit No. 2166 for an adult day care facility on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 105 for a convalescent home and institutional uses, and Specific Use Permit No. 2166 for an adult day care facility.

SUMMARY: The applicant proposes to redevelop the site with a maximum 240-unit single family development. The proposed Planned Development District would allow for 1) private recreation center, club or area and private street or alley as permitted uses by right; 2) the modification of the required front, side and rear yard regulations; 3) the reduction to the minimum lot size; 4) an increase in the maximum height allowed; 5) an increase in lot coverage; and 6) the modification to the landscape regulations. The proposed Planned Development District will be subject to a Conceptual Plan and Street Section Exhibit.

CPC RECOMMENDATION: **Approval**, subject to a conceptual plan, street section exhibit and conditions, and **approval** of the termination of Specific Use Permit No. 2166 for an adult day care facility.

STAFF RECOMMENDATION: **Denial**

BACKGROUND INFORMATION:

- The area of request is zoned R-7.5(A) Single Family District with Specific Use Permit No. 105 for convalescent home and institutional uses, and Specific Use Permit No. 2166 for an adult day care facility use.

- The site is currently developed with several structures that are currently vacant but that used to contain retirement home, office and medical uses.

- Specific Use Permit No. 105 for convalescent home and institutional uses was approved by City Council on December 17, 1962, for a permanent time period.

- Specific Use Permit No. 2166 for an adult day care facility use was approved by City Council on December 9, 2015, for a ten-year period with eligibility for automatic renewals for additional ten-year periods. [Expires December 9, 2025].

- The applicant proposes to terminate SUP No. 2166 and to redevelop the site with a maximum of 240 single family units.

Zoning History: There have been two zoning changes in the vicinity during the last five years including one in the area of request.

1. Z145-354 On December 9, 2015, City Council approved Specific Use Permit No. 2166 for an adult day care facility use on property zoned an R-7.5(A) Single Family District located on the southwest corner of Samuell Boulevard and Hunnicut Road, on a portion of the area of request.

2. Z156-126 On March 23, 2016, City Council approved an amendment to Planned Development District No. 83 to allow for church use and to amend the Development Plan on property zoned Planned Development District No. 83 located on the north side of Samuell Boulevard, east of Ferguson Road, northwest of the area of request.

Thoroughfare/Street:

Thoroughfare/Street	Type	Existing ROW	Required ROW
Samuell Boulevard	Community Collector	120 feet	80 feet
Grove Hill Road	Minor Arterial	60 feet	60 feet
Hunnicut Road	Minor Arterial	60 feet	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system. However, in regards to

the proposed street section, staff will consider the reduced pavement width of the proposed private streets only if, density is reduced to allow adequate spacing between the driveways on the 1,500-square-foot lots; or if alleys are provided and all vehicular access, regardless of density, is provided on the alley. Any deviations from the street cross section designations established in the City of Dallas Paving Design Manual should not be supported.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas!* Comprehensive Plan was adopted by the City Council in June 2006. The *forwardDallas!* Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request does not meet the following land use goals and policies of the Comprehensive Plan.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

Implementation measure 2.5.1.2 recommends supporting efforts to maintain distinctive identities of existing neighborhoods and ensure high-quality development of new neighborhoods. The applicant's request fails to provide sufficient standards to ensure the proposed development will be compatible with the surrounding residential neighborhoods.

URBAN DESIGN ELEMENT

GOAL 5.2 STRENGHTEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

Existing neighborhoods surrounding the area of request are primarily traditional detached single-family residential neighborhoods with minimum lot size of 7,500 square feet. While medium residential density could be supported in this area, the proposed development with a proposed maximum of 240 units and minimum lot size of 1,500 square feet, does not promote the existing neighborhoods' characteristics and does not provide an adequate transition from the existing low-density areas surrounding the site to a medium-density that could be accommodated.

Land Use Compatibility:

The approximate 26.05-acre area of request is zoned R-7.5(A) Single Family District with Specific Use Permit No. 105 for a convalescent home and institutional uses and Specific Use Permit No. 2166 for an adult day care facility.

The site is located on the southwest corner of Samuell Boulevard and Hunnicut Road and is currently developed with several vacant buildings that, according to Building Inspection's records, used to contain retirement home, office and medical uses.

The area of request is surrounded by commercial uses to the north including office/showroom warehouse, general merchandise and medical clinic in an RR-D-1 Regional Retail District with D-1 Liquor Control Overlay. A multifamily use is to the northwest in an MF-2(A)(SAH) Multifamily District. Adjacent to the area of request to the west is a vacant hospital building and further west, across Grove Hill Road, there is a cemetery use. Single family uses are located to the south, east and southeast in an R-7.5(A) Single Family District. A multifamily use is also to the east across Hunnicutt Road.

The applicant proposes to terminate SUP No. 2166, demolish all existing structures and redevelop the site with two different types of single family units up to a maximum of 240 units in a gated community with private streets.

The purpose of creating a Planned Development District is to allow for modification to the yard, lot and space regulations, landscape regulations and allow private recreation center, club or area, and private street or alley as permitted uses by right.

To accommodate the different two types of units, the applicant proposes the PD District to allow for a maximum of 240 dwelling units with variable lot sizes, allocated as follows: 105 lots of a minimum 4,000 square feet, and 135 lots of a minimum 1,500 square feet.

Staff recognizes that the proposed mix of unit types that, according to the applicant, include a standard detached single family unit, and a smaller unit; will provide for more housing opportunities. However, staff has concerns with the number of units being proposed. With a ratio of 10 units per acre[1], this request proposes to almost double the density of the existing and surrounding zoning.[2]

Another aspect of the request staff is not comfortable with is the proposed 50-foot wide and 28-foot wide private streets with no alleys. The Dallas Development Code, as amended, defines private street or alley as a street or an alley whose ownership has been retain privately. The code also establishes among the additional provisions for this use that private streets and alleys must be constructed and maintained to the standards for public rights-of-way and must be approved by the director.

[1] 240 units/23.15 acres* = 10.23units/acre
*area of request minus approximately 10 percent for streets

[2] R-7.5(A) = approx. 5.8 units/acre

According to the City of Dallas Paving Design Manual, the geometric standards of 50-foot right-of-way for the proposed private streets, would require the development to provide alleys that serve all the units which, as depicted in the proposed conceptual plan, is not the case for this development.

While the PD conditions include a provision to require guest parking to be provided, parking is also one of staff's concerns. Any on-street parking along these narrow streets may cause obstruction and impede the circulation of traffic, sanitation vehicles and more importantly, emergency vehicles.

Staff acknowledges the efforts the applicant has made to address staff's concerns. However, the aspects of the request that remain as a concern for staff, are the main basis of our recommendation of denial.

Development Standards:

REGULATION	EXISTING ZONING R-7.5(A)	PROPOSED PDD
LAND USE	Single Family	Single Family
FRONT YARD SETBACK	25 '	20' for SFD in 4,000sf lots 5' for SFD in 1,500sf lots 10' for other structures
SIDE YARD SETBACK	5'	5' for SFD in 4,000sf lots 0' and 3' for SFD in 1,500 sf lots 5' for lots abutting a street
REAR YARD SETBACK	5'	10' for SFD in 4,000sf lots 5' for SFD in 1,500 sf lots no minimum other structures
DWELLING UNIT DENSITY	1 unit/7,5000sf (5.8 units/acre)	240 units (approx 11 units/acre)
FLOOR AREA RATIO (RAR)	No maximum	No Maximum
HEIGHT	30 feet	36 feet
RESIDENTIAL PROXIMITY SLOPE	N/A	N/A
LOT COVERAGE	45% for residential structures 25% for non-residential structures	53% for residential structures on 4,000 sf lots 74% for residential structures on 1,500 sf lots 40% for non-residential structures
LOT SIZE	7,500 sf	a max. of 105 lots of 4,000 sf a max. of 135 lots of 1,500 sf 3,000 sf for a lot containing a private recreation center, club or area use.
STORIES	No maximum	No Maximum
LANDSCAPE	Article X	1 tree for each 4,000sf lot 1 tree/4,000sf of site area of 1,500 sf lots min 1 street tree for every 100 linear foot of private street frontage. 1 street tree/100lf on Samuell 1 street tree/50lf along Hunnicut.
OTHER		Private streets per conceptual plan. Min 50' right-of-way Street exhibit

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site and surrounding properties to the east and south are within an MVA Category "D".

Parking

In general, and pursuant to the Dallas Development Code, off-street parking in the proposed Planned Development District, will be provided in accordance with Division 51A-4.200 for each use.

For single family uses, the applicant proposes to provide for a minimum of two off-street parking spaces per unit, which is consistent with the requirement for this use in any district other than R-7.5(A), R-5(A) Single Family Districts and TH Townhouse Districts.

For private recreation center, club, or area use, a minimum requirement of five spaces is being proposed, with the allowance of such parking spaces to be provided within the proposed 50-foot private street right-of-way subject to engineering approval.

The PD conditions also establish a minimum requirement for guest parking of 35 spaces. This requirement is consistent with a requirement in a shared access development; however, for the proposed PD District, a minimum of 35 spaces would serve only the 135 units on the proposed 1,500-square-foot lots. [0.25 space /unit]

Landscaping:

As part of the request, the applicant proposes to require that landscaping in the subdistrict be provided in accordance with Article X, as amended. However, the applicant proposes to deviate from Article X in regard to the site trees and street trees requirements.

A landscape plan will be required to be submitted with a development plan and approved by the city plan commission prior to the issuance of any building permit to do work on the property.

With regards to site trees, the applicant proposes to provide for a minimum of one site tree per each lot with a minimum size of 4,000 square feet and one site tree for every 4,000 square feet of site area of 1,500-square-foot lots.

Along private streets, a minimum of one tree for every 100 feet of frontage will be required. The provisions for street trees along public streets include requiring a minimum of one tree for every 100 feet of street frontage along Samuell Boulevard and a minimum of one tree for every 50 feet of street frontage along Hunnicut Road.

The Chief Arborist reviewed the proposed landscaping conditions and is in support of the proposed PD language.

CPC Action

May 2, 2019

***De minimus* Significant Change Motion:** In considering the requirement in Section 5(m)(1)(B) of the CPC Rules of Procedure, the finding is it does not apply because the impact of the proposed change of an increase of lot coverage by 1 percent in the Commission's judgment is *de minimus* in nature.

Maker: Schultz
Second: Ridley
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12
Conflict: 1 - Johnson**

**out of the room, when vote taken

Motion: It was moved to recommend **approval** of **(1)** a Planned Development District for R-7.5(A) Single Family District uses plus private recreation center, club or area, and private street or alley uses, subject to a conceptual plan, revised street section exhibit and revised conditions with the following modifications: 1) SEC. 51P-__.107, DEVLOPMENT PLAN., to read as follows: "A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of the article controls." 2) SEC.51P-__.114, LANDSCAPING. (a) to read as follows: "Landscape Plan. A landscape plan must be submitted with a development plan and approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the landscape plan, the text of this article controls." 3) SEC. 51P-__.112. FENCE STANDARDS (3) to read as follows: "Southern perimeter: The required fence along this perimeter must be a solid masonry fence." 4) SEC. 51P-__.111. OFF-STREET PARKING AND LOADING. (d) to read as follows: "A minimum of 35 guest parking spaces must be provided within the Property. These spaces must be provided aside the off-street parking requirement for residential uses and for a private recreation center, club or area use. If guest parking is provided as on-street parking, it may only be parallel indented parking along a type A private street and subject to engineering approval.", and **(2) approval** of the termination of Specific Use Permit No. 2166 for an adult day care facility on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 105 for a convalescent home and institutional uses, and Specific Use Permit No. 2166

for an adult day care facility, on the southwest corner of Samuell Boulevard and Hunnicutt Road.

Maker: Schultz
Second: MacGregor
Result: Carried: 11 to 1

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Schultz, Murphy, Ridley, Tarpley

Against: 1 - Jung
Absent: 1 - Housewright
Vacancy: 1 - District 12
Conflict: 1 - Johnson**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 128
Replies: For: 9 Against: 3

Note: During the Speaker's period Commissioner Schultz moved to grant 3 additional minutes of time to both the proponents and opponents. Commissioner MacGregor seconded the motion. The Commission voted unanimously in favor of the motion. Commissioner Schulte was out of the room at the time of the vote and was recorded as voting in the affirmative. Commissioner Johnson abstained from voting and was out of the room due to a conflict of interest. Shortly thereafter, Commissioner Schultz moved to grant 1 additional minute of time to both the proponents and opponents. Commissioner MacGregor seconded the motion. The Commission voted unanimously in favor of the motion. Commissioner Schulte was out of the room at the time of the vote and was recorded as voting in the affirmative. Commissioner Johnson abstained from voting and was out of the room due to a conflict of interest.

Speakers: For: Santos Martinez, 52 Cheerful Way, Angel Fire, NM, 87710
Daniel Wood, 5137 Colter Way, Dallas, TX, 75227
Kathy Dennison, 2832 Lacomte Dr., Dallas, TX, 75227
Linda Pelon, 3015 Nutting Dr., Dallas, TX, 75227
Against: None

List of Partners/Principals/Officers

OWNER:

Buckner Retirement Services, Inc.

- Albert L Reyes – President
- Stephen N Wakefield – Secretary
- Charlie Wilson – Sr. Vice-President
- Tony Lintelman – VP and Chief Financial Officer
- Pat Crump – Vice-President
- Susan R. Wilhoit – Director
- Duke Presley – Director
- Kay K Struzick – Director
- Watson Moore – Director
- Billy R Allen – Director
- Ann Graves – Director
- Mary M Barnes – Director
- Barry Pryor – Director
- Lee E. Bush – Director
- Nell McCallum Morris – Director
- Sue Courts – Director
- Edward D. Saldana – Director
- Carol C. Brian – Director
- Ed Francis – Director
- Nancy Neal – Director
- Rodney Henry – Director
- George S. Vorpahl – Director
- Rebeca L. Brokenbek – Director
- Cassandra Harris – Director
- J. Daniel Ellis – Director
- Steve King – Director
- Androlla Canavati de Mitri – Director

List of Partners/Principals/Officers

APPLICANT:

Centurion American Acquisitions, LLC.

- Mehrdad Moayedi – President
- Brad Biber – Executive Vice President
- Jeff Shirley – Executive Vice President
- Jack Dawson – Executive Vice President
- Rob Romo– Vice-President

CPC RECOMMENDED CONDITIONS

ARTICLE _____.

PD _____.

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- ____.102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located on the southwest corner of Samuell Boulevard and Hunnicut Road. The size of PD _____ is approximately 26.05acres.

SEC. 51P- ____.103. VISION STATEMENT

This district is envisioned to be a vibrant single family development providing different types of units. The development is intended to provide for housing alternatives in the area and to become a cohesive neighborhood, featuring common open space, an amenity center, and a focus on being pedestrian oriented.

SEC. 51P- ____.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) In this district:

(1) MEWS COURTYARD means a public or private area primarily for pedestrians that provides access to buildings and connection throughout the district. A mews courtyard may be platted as a separate lot and maintained by a homeowner's association.

(2) OPEN SPACE means an area used for recreational and gathering purposes that is accessible to all occupants of the Property and contains only landscaping, hardscaping, pedestrian amenities and structures with omitted walls. This may include mews courtyard and detention areas.

(c) This district is considered to be a residential zoning district.

SEC. 51P- ____.105. EXHIBITS.

The following exhibit is incorporated into this article:

(1) Exhibit ___A: Conceptual Plan.

(2) Exhibit ___B: Street Section.

SEC. 51P- ____.106. CONCEPTUAL PLAN.

Development and use 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 text of this article controls.

SEC. 51P- ____.107. DEVELOPMENT PLAN.

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- ____.108. MAIN USES PERMITTED.

(a) Except as provided, the only main uses permitted are those main uses permitted in the R-7.5(A) District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district; etc.

(b) The following additional main uses are permitted:

-- Private recreation center, club or area.
-- Private street or alley.

SEC. 51P-____.109. 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-____.110. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard. Minimum front yard is:

(1) 20 feet for single family structures on lots containing 4,000 square feet,

(2) five feet for single family structures on lots containing 1,500 square feet,

(3) 10 feet for other permitted structures.

(4) For corner lots with two street frontages of unequal distance, the shorter frontage is governed by this section, and the longer frontage is governed by the side yard regulations in Section 51P-__.110(b).

(5) If a lot runs from a private street to a public street, and has double frontage, a minimum of 20-foot setback must be provided from the lot line abutting the private street and a minimum of 10-foot setback must be provided from the lot line abutting the public street.

(c) Side yard. Minimum side yard is:

(1) five feet for single family structures on lots containing 4,000 square feet,

(2) for single family structures on lots containing 1,500 square feet, only one side yard of a minimum of three feet is required, no minimum required on the other side yard of the same lot.

(3) For all other uses minimum side yard is 5 feet

(c) Rear yard. Minimum rear yard is:

(1) 10 feet for single family structures on lots containing 4,000 square feet,

(2) five feet for single family structures on lots containing 1,500 square feet, and

(3) no minimum rear yard required for all other uses.

(d) Mews courtyard setback: For all lots abutting a mews courtyard, a minimum of five-foot setback measured from the property line abutting the mews courtyard must be provided.

(e) Density: Maximum number of dwelling units is 240.

(f) Floor area ratio: No maximum floor area ratio

(g) Height: Maximum structure height is 36 feet.

(h) Lot Coverage: Maximum lot coverage is:

(1) 53 percent for residential structures on lots containing 4,000 square feet,

(2) 74 percent for residential structures on lots containing 1,500 square feet, and

(3) 40 percent for all nonresidential structures.

(i) Lot size: Minimum lot sizes must conform to the following standards:

(1) A maximum of 105 lots with a minimum lot size of 4,000 square feet,

(2) A maximum of 135 lots with a minimum lot size of 1,500 square feet. Such lots must be located a minimum of 500 feet from the southern boundary of this district.

(3) Minimum 3,000 square feet for a lot containing a private recreation center, club, or area use.

(j) Stories: No maximum number of stories.

(k) Open space: Minimum open space is fifteen percent of the entire property. No more than fifty percent of the required open space area may be provided in detention areas. Open space areas must contain a combination of a minimum of four of the following pedestrian amenities: fountains, benches, trash receptacles, bicycle racks, pedestrian paths, pedestrian scaled lighting, or shade structures.

SEC. 51P- ____.111. OFF-STREET PARKING AND LOADING.

(a) Except as provided, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For single family uses, a minimum of two off-street parking spaces per unit must be provided.

(c) For a private recreation center, club, or area use, minimum five parking spaces must be provided. These parking spaces may be located within the private street subject to engineering approval.

(d) A minimum of 35 guest parking spaces must be provided within the Property. These spaces must be provided aside the off-street parking requirement for residential uses and for a private recreation center, club or area use. If guest parking is provided as on-street parking, it may only be parallel indented parking along a type A private street and subject to engineering approval.

SEC. 51P- ____.112. FENCE STANDARDS

(a) Except as provided, fences must be constructed and maintained in accordance with the requirements of Section 51A-4.602.

(b) A maximum six-foot-high perimeter fence must be provided as shown on the conceptual plan.

(1) Northern perimeter (Samuell Boulevard): Where there are not adjacent residential lots, the required fence along this perimeter must be of open fence materials such as wrought iron, otherwise it may be a solid masonry fence.

(2) Eastern perimeter (Hunnicut Road): Where there are not adjacent residential lots, the required fence along this perimeter must be of open material such as wrought iron, otherwise it may be a solid masonry fence.

(3) Southern perimeter: The required fence along this perimeter must be a solid masonry fence.

(4) Western perimeter: The required fence along this perimeter may be a solid wood fence. This fence may be erected in sections as each single family dwelling unit along this perimeter is developed. Each section of this fence must be installed prior to the final inspection on a building permit of each single family dwelling unit along this perimeter.

(c) Fences along the property line of individual residential lots that abut a mews courtyard, or an open space are prohibited.

(d) To prevent visual monotony, at least 25 percent of the length of any solid masonry fence 200 linear feet or longer that is located along a public street must have decorative elements, offsets or openings. These changes must be spread out at even intervals over the length of the fence.

(e) Fences must be maintained in a state of good repair and neat appearance.

SEC. 51P- ____.113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.114. LANDSCAPING.

Except as provided in this section, landscaping must be provided in accordance with Article X.

(a) Landscape Plan. A landscape plan must be submitted with a development plan and approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(b) Site Trees.

(1) Single family uses:

(A) For all residential lots with a minimum size of 4,000 square feet, minimum one tree per lot.

(B) For all residential lots with a minimum size of 1,500 square feet, one tree for every 4,000 square feet of site area within that designated phase specified on the landscape plan.

(C) A minimum of one street tree for every 100 linear feet of street frontage within ten feet of private street curb.

(2) All other uses: Site trees must be provided in accordance with Article X.

(3) Existing trees may count as site trees in accordance with Article X.

(c) Street trees.

(1) Samuell Boulevard: A minimum of one tree per every 100 feet of street frontage must be provided. All existing living and healthy protected trees on the property within 50 feet of the right-of-way, must be retained in their original location unless removed under Section 51A-10.140 of Article X, or for the purpose of a separate building permit for a single family dwelling.

(2) Hunnicut Road: A minimum of one tree per every 50 feet of street frontage must be provided. Where a conflict with overhead utility exists, two small trees may replace one large or medium tree.

(d) Open Space planting. A minimum of 25% of any open space that is also designated as a detention area, must be maintained as a habitat preservation and restoration area designated for native prairie vegetation management. This habitat preservation and restoration area must be contiguous and must be shown on the landscape plan. A maintenance plan with information for grass and forb species, site preparation, planting, and site management must be provided to the building official prior to site preparation. Initial seeding of the habitat preservation and restoration area must begin within six months from the completion of infrastructure development of the detention area.

(e) Urban Forest conservation. The provisions for tree protection, removal, and replacement, in Article X, apply to this district.

(f) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- ____.115. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P- ____.116. STREET, SIDEWALK AND ALLEY STANDARDS.

(a) Street standards.

(1) Applicability. These standards apply to all proposed private streets and mews courtyards shown on the conceptual plan.

(2) Private Streets and mews courtyard sections. All proposed private streets and mews courtyard must comply with this section and with the Street Section in Exhibit ___B. If there is a conflict between the text of this section and the street section exhibit, the text of this section controls.

(A) Private Streets. Except as provided, private streets must comply with Section 51A-4.211(5).

(i) Private street type A: Minimum right-of-way is 50 feet with a minimum pavement of 26 feet.

(ii) Private street type B: Minimum right-of-way is 28 feet with a minimum pavement of 26 feet.

(B) Mews Courtyard. All mews providing pedestrian access to residential lots must have a minimum width of 32 feet.

(b) Sidewalk standards.

(1) Private streets type A. A minimum five-foot unobstructed sidewalk must be provided along both sides of all proposed private streets.

(2) Private street type B. No sidewalk is required along the proposed private street lane.

(3) Mews Courtyard. A minimum four-foot unobstructed sidewalk must be provided along each side of every mews to provide pedestrian connection to all the dwelling units abutting the mews.

(4) Perimeter sidewalks. A minimum six-foot unobstructed sidewalk must be provided along Samuell Boulevard and Hunnicut Road

SEC. 51P- ____.117. ADDITIONAL PROVISIONS.

(a) Garage doors facing a private street type B may be 5’ from a rear property line only if maintained with an automatic door opener.

(b) The Property must be properly maintained in a state of good repair and neat appearance.

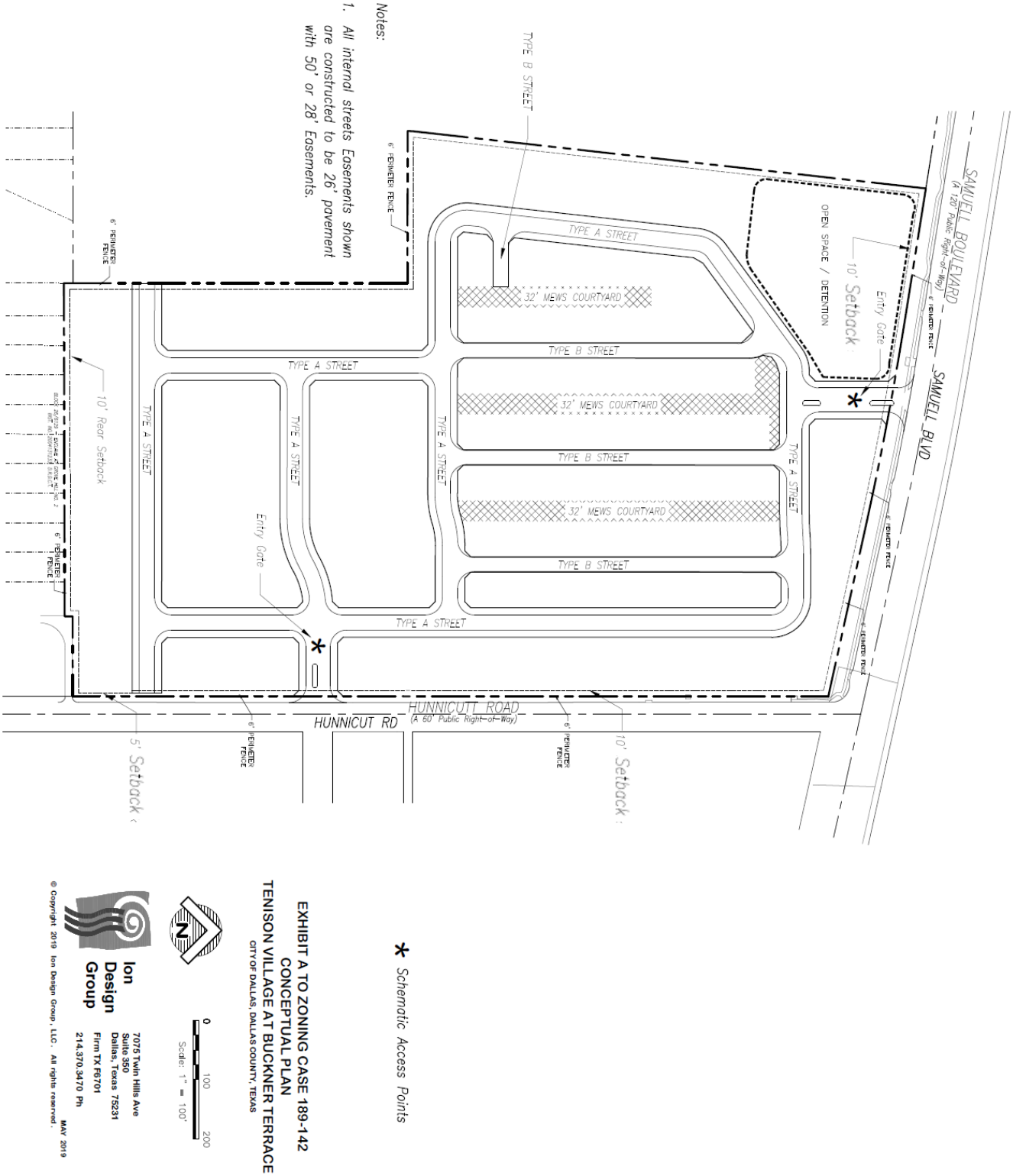
(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-____.118. COMPLIANCE WITH CONDITIONS.

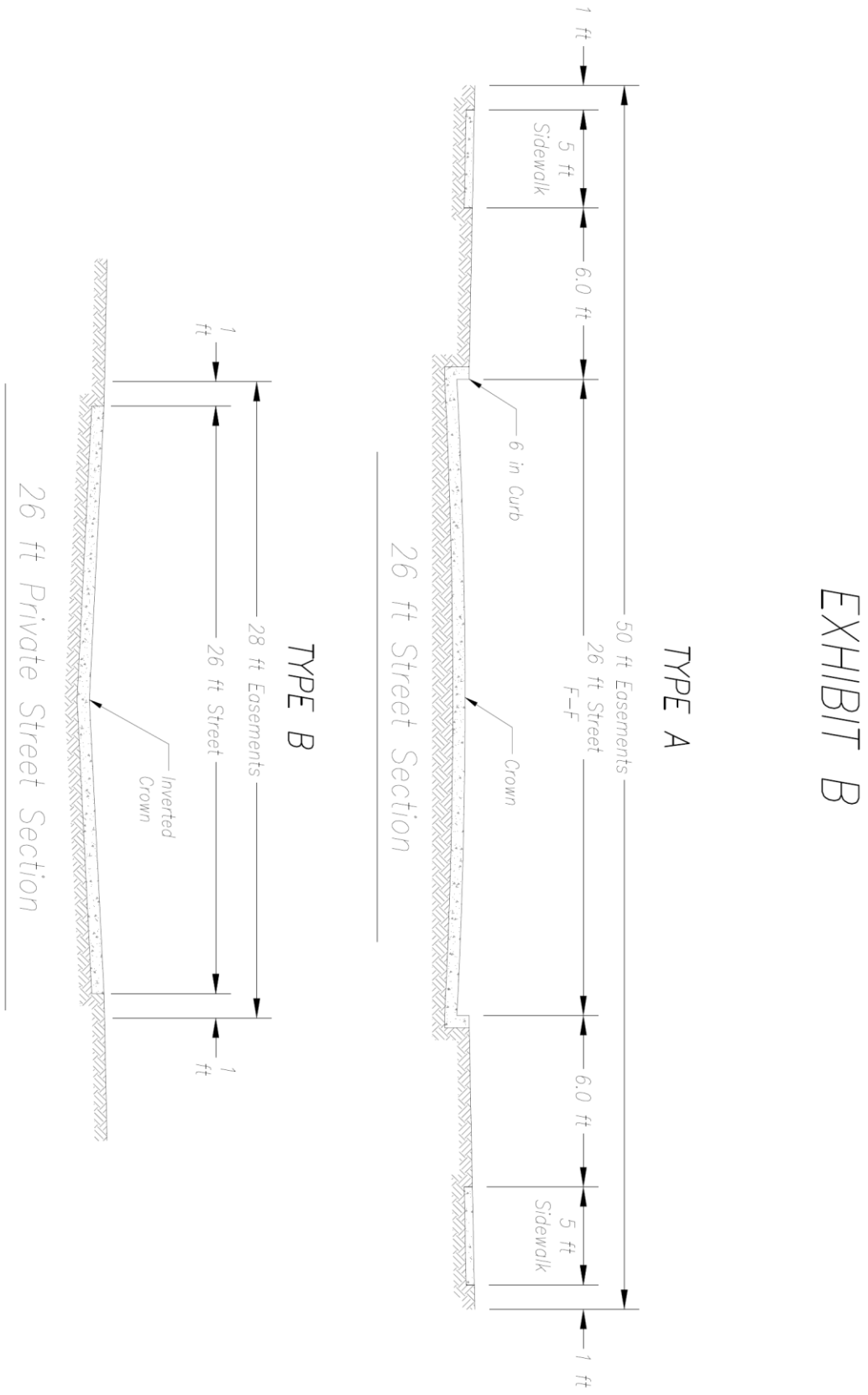
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

PROPOSED CONCEPTUAL PLAN



PROPOSED STREET SECTION EXHIBIT



SUP No. 2166
(TO BE TERMINATED)

152254

12-7-15

ORDINANCE NO. 29958

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as an R-7.5(A) Single Family District:

BEING a tract of land in City Block 6129 located at the southwest corner of Samuell Boulevard and Hunnicut Road; fronting approximately 271.32 feet on the south line of Samuell Boulevard; and containing approximately 2.844 acres,

to be used under Specific Use Permit No. 2166 for an adult day care facility; providing that this specific use permit shall be granted subject to certain conditions; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this specific use permit; and

WHEREAS, the city council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

29958 152254

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

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property"), which is presently zoned as an R-7.5(A) Single Family District, to be used under Specific Use Permit No. 2166 for an adult day care facility.

SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is an adult day 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 expires on December 9, 2025, but is eligible for automatic renewal for additional 10-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 on the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. FLOOR AREA: The maximum floor area for an adult day care facility is 19,386 square feet.

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. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.

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.

29958 152254

SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the City of Dallas.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use authorized by this specific use permit on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

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

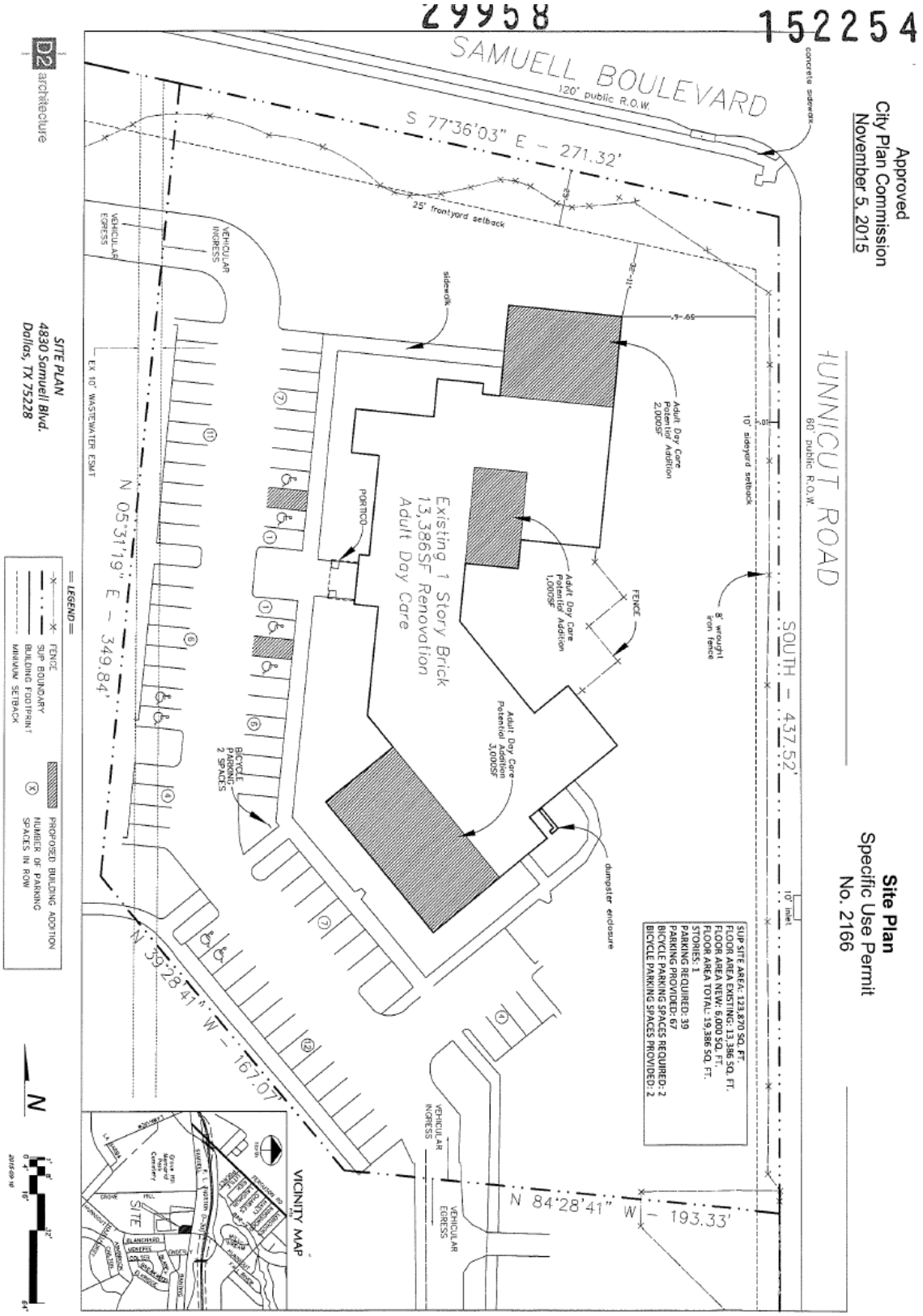
APPROVED AS TO FORM:

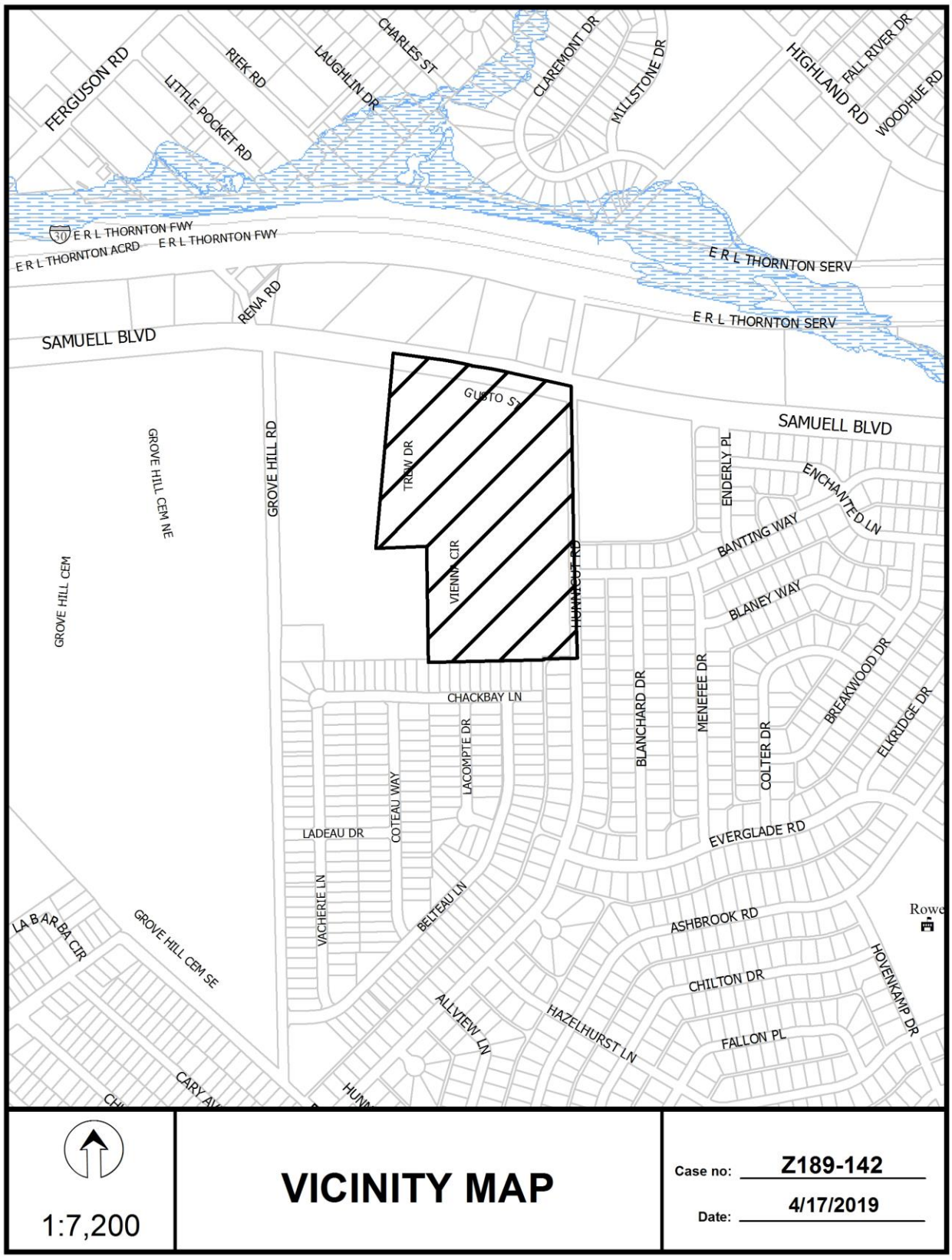
WARREN M.S. ERNST, City Attorney

BY _____
Assistant City Attorney

Passed DEC 09 2015

SUP No. 2166 SITE PLAN
(TO BE TERMINATED)





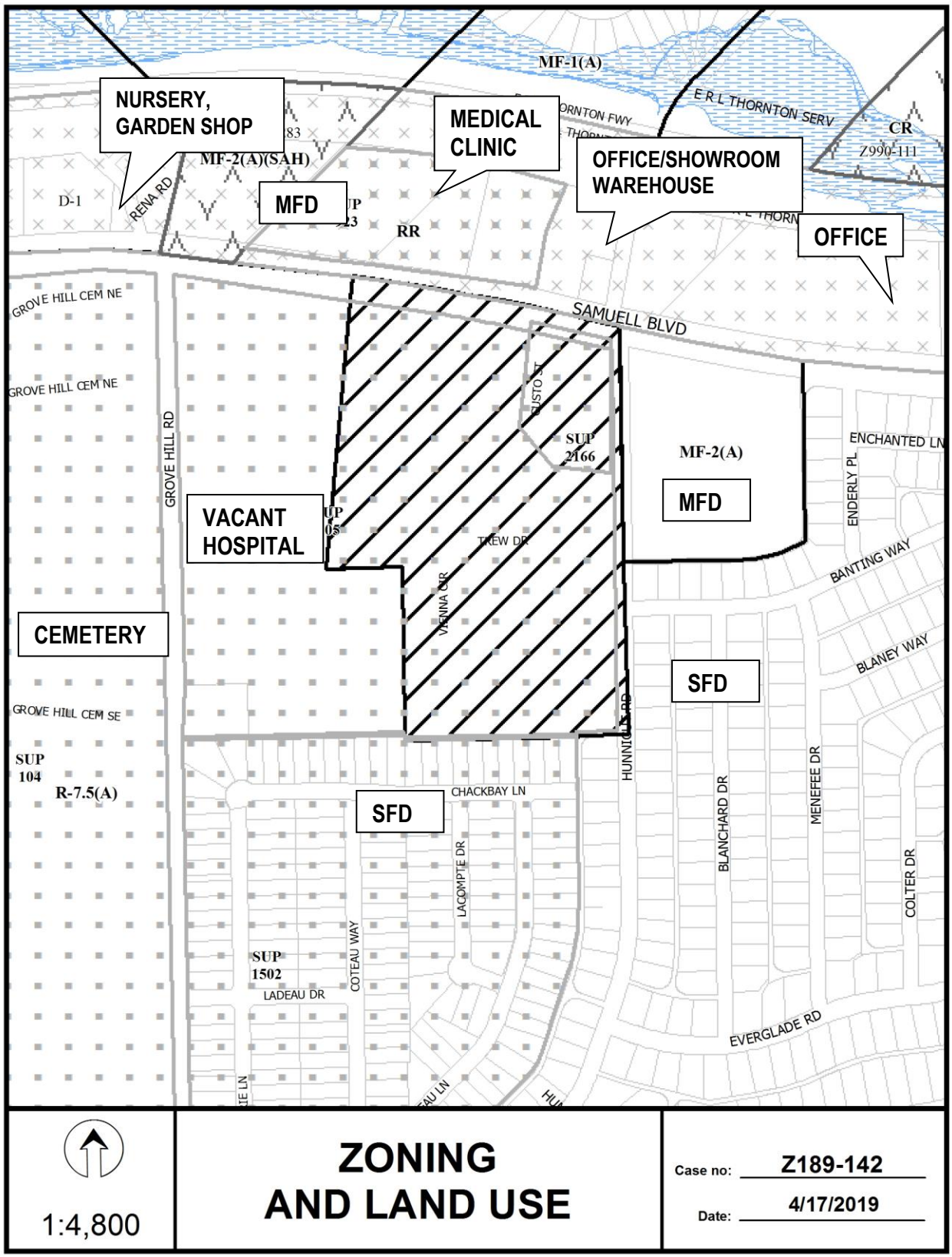
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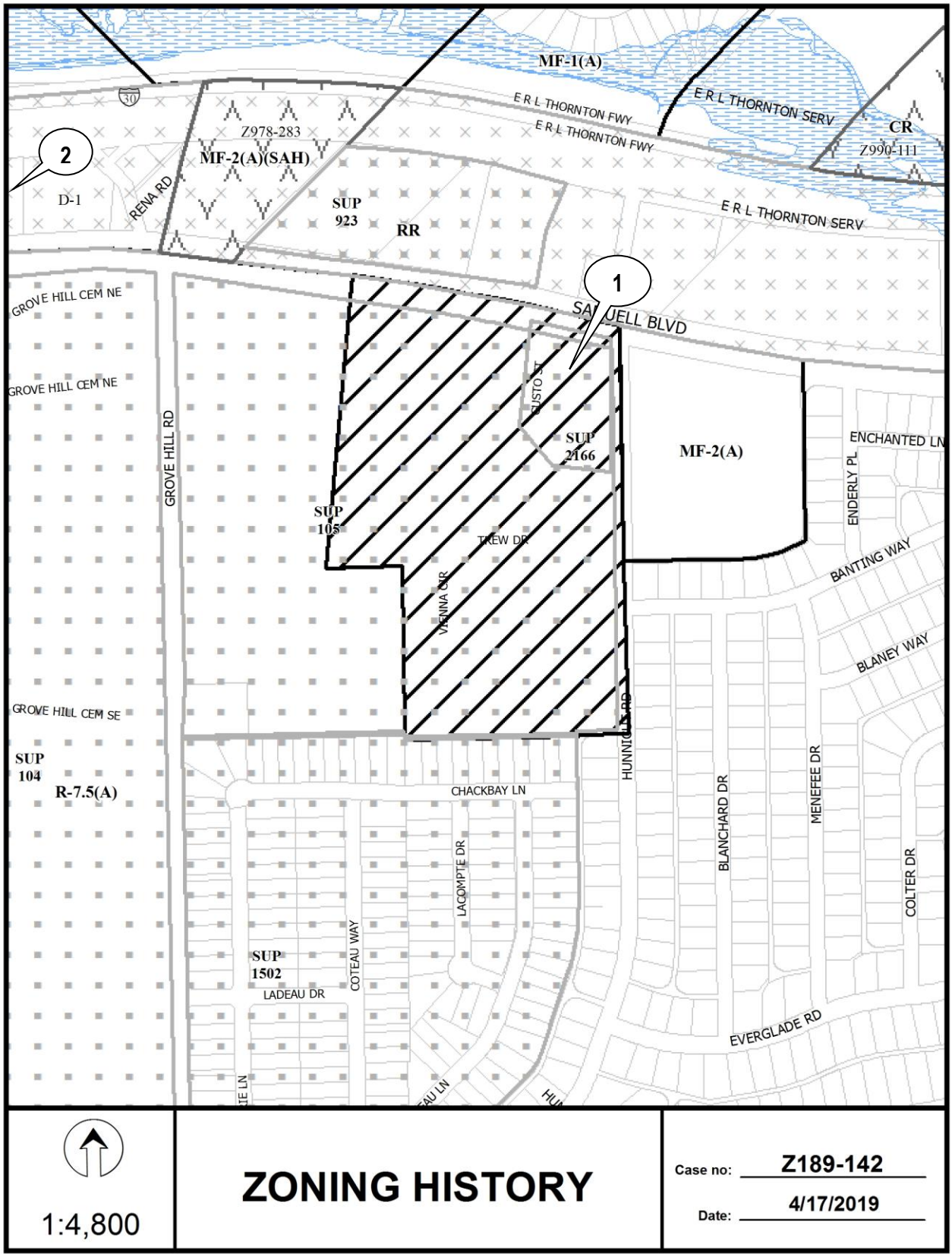
VICINITY MAP

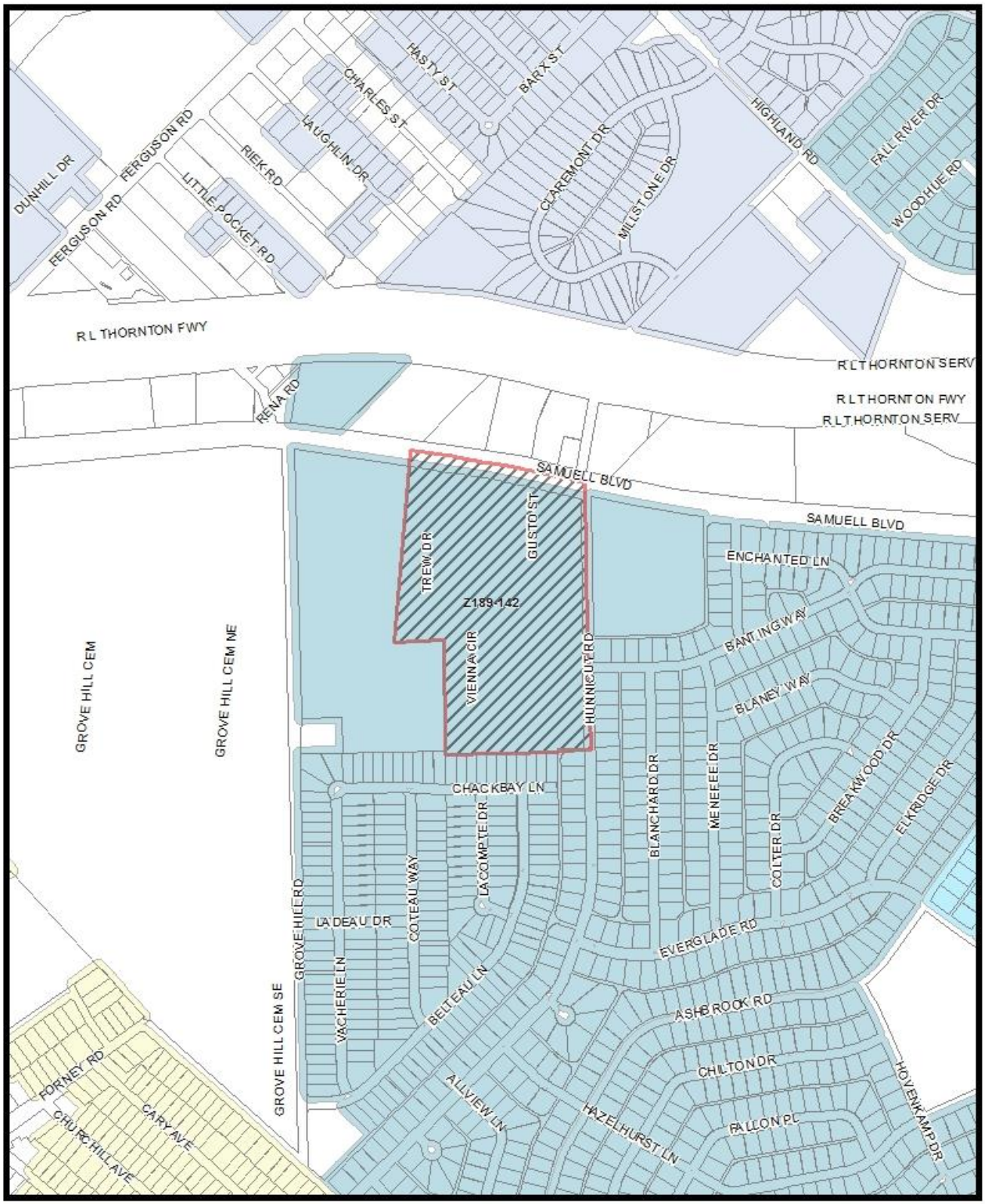
Case no: Z189-142

Date: 4/17/2019


30
E R L THORNTON FWY
E R L THORNTON FWY
E R L THORNTON SERV
E R L THORNTON SERV
RENA RD
SAMUELL BLVD
SAMUELL BLVD
GROVE HILL CEM NE
GROVE HILL CEM NE
GROVE HILL RD
GROVE HILL CEM SE
GUSTO ST
TREW DR
VIENNA CIR
HUNNICUT RD
ENCHANTED LN
ENDERLY PL
PAINTING WAY
BLAKEY WAY
CHACKBAY LN
LACOMPTE DR
COTEAU WAY
LADEAU DR
BLANCHARD DR
MENEFEE DR
COLTER DR
EVERGLADE RD
1:4,800
AERIAL MAP
Case no: Z189-142
Date: 4/17/2019


NURSERY, GARDEN SHOP
MEDICAL CLINIC
OFFICE/SHOWROOM WAREHOUSE
OFFICE
MFD
VACANT HOSPITAL
CEMETERY
SFD
SFD
MFD
MF-1(A)
MF-2(A)(SAH)
MF-2(A)
D-1
RR
R-7.5(A)
SUP 2166
SUP 104
SUP 1502
SAMUELL BLVD
GROVE HILL CEM NE
GROVE HILL CEM NE
GROVE HILL CEM SE
GROVE HILL RD
RENA RD
TREW DR
VIENNA DR
CHACKBAY LN
LACOMPTE DR
COTEAU WAY
LADEAU DR
HUNNICUTT RD
BLANCHARD DR
MENEFEE DR
COLTER DR
EVERGLADE RD
ENCHANTED LN
ENDERLY PL
BANTING WAY
BLANEY WAY
E R L THORNTON SERV
CR Z990-111
1:4,800
ZONING AND LAND USE
Case no: Z189-142
Date: 4/17/2019


MF-1(A)
E R L THORNTON FWY
E R L THORNTON FWY
E R L THORNTON SERV
E R L THORNTON SERV
CR
Z990-111
Z978-283
MF-2(A)(SAH)
2
D-1
RENA RD
SUP
923
RR
1
GROVE HILL CEM NE
GROVE HILL CEM NE
GROVE HILL RD
SUP
2166
MF-2(A)
ENCHANTED LN
ENDERLY PL
SUP
105
TREW DR
VIENNA DR
BANTING WAY
BLANEY WAY
GROVE HILL CEM SE
SUP
104
R-7.5(A)
CHACKBAY LN
BLANCHARD DR
MENEFEE DR
COLTER DR
LACOMPTE DR
SUP
1502
COTEAU WAY
LADEAU DR
EVERGLADE RD
1:4,800
ZONING HISTORY
Case no: Z189-142
Date: 4/17/2019



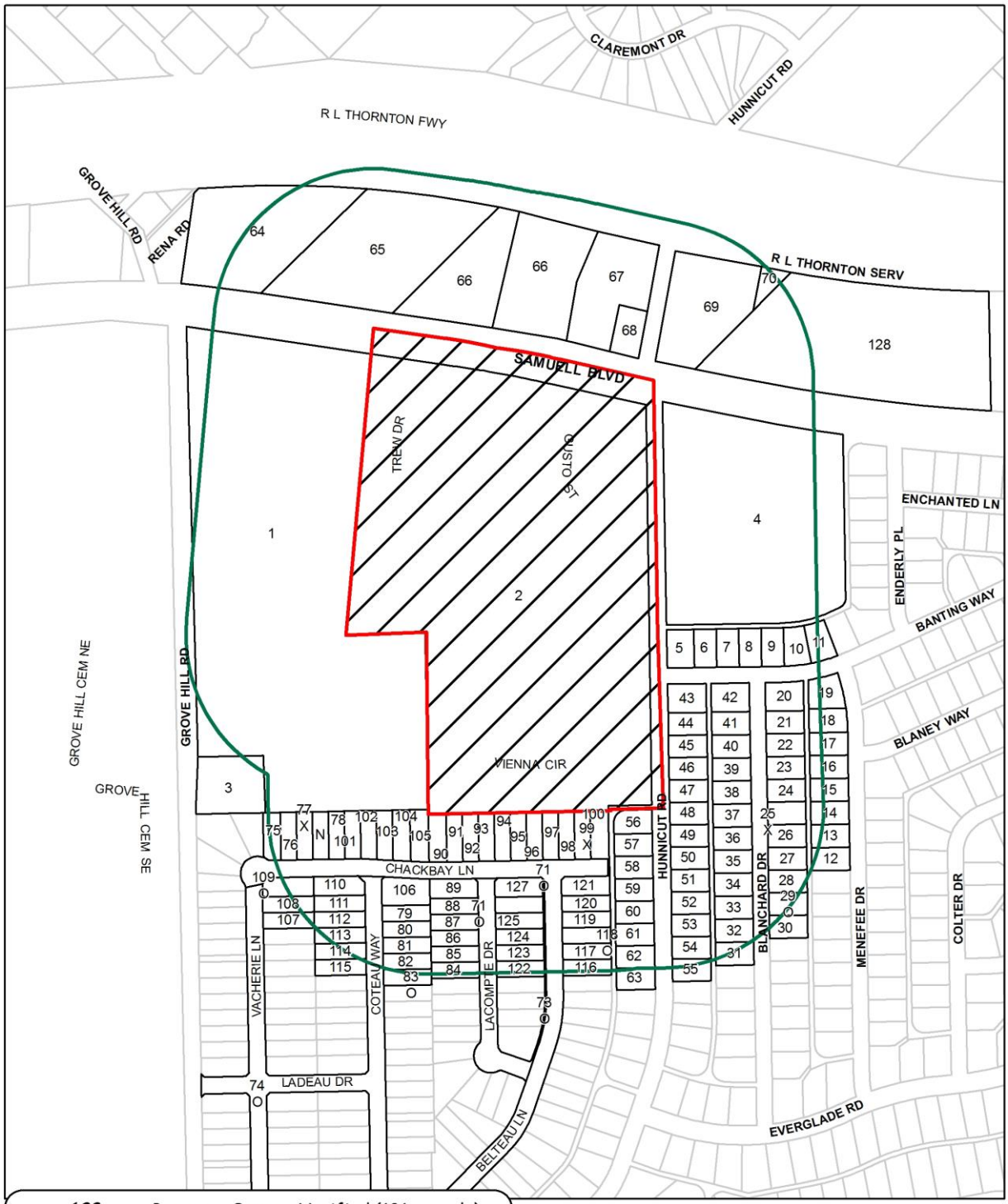
MVA Cluster A B C D E F G H I NA

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Market Value Analysis

Printed Date: 4/17/2019

CPC RESPONSES



128	Property Owners Notified (131 parcels)
9	Replies in Favor (10 parcels)
3	Replies in Opposition (3 parcels)
500'	Area of Notification
5/2/2019	Date

Z189-142
CPC

N
W E
S

1:4,800

05/01/2019

Reply List of Property Owners

Z189-142

128 Property Owners Notified ***9 Property Owners in Favor*** ***3 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4600	SAMUELL BLVD	UHS OF TIMBERLAWN INC
	2	4800	SAMUELL BLVD	BUCKNER RETIREMENT
	3	2750	GROVE HILL RD	ABC BEHAVIORAL HEALTH LLC
	4	5000	SAMUELL BLVD	MAYAN PALMS HLD LLC
	5	5005	BANTING WAY	ALONZO MARIA AURORA
	6	5011	BANTING WAY	MANSELL WILLIE
	7	5015	BANTING WAY	JOHNSON THEODORE H JR &
	8	5019	BANTING WAY	BYNUM JOHNIE H & ELMYRA
	9	5105	BANTING WAY	HINTON JERALD R
	10	5111	BANTING WAY	GUERECA GREGORIO
	11	5115	BANTING WAY	HUCKABY DOUGLAS
	12	5107	MENEFEE DR	HOLLY TYRONE E
	13	5111	MENEFEE DR	DONOVAN MARK ALAN
	14	5115	MENEFEE DR	WIBOWO STEVEN P & CHRISTINA P &
	15	5119	MENEFEE DR	JUAREZ CYNTHIA REGINA
	16	5123	MENEFEE DR	CASTILLO BRIANA
	17	5127	MENEFEE DR	BROWN LISA K
	18	5131	MENEFEE DR	FELDER WAULDINE
	19	5135	MENEFEE DR	BOYD DORRUTH I
	20	5134	BLANCHARD DR	VAUGHAN LINDA LEE
	21	5130	BLANCHARD DR	BATES MACKLAN J
	22	5126	BLANCHARD DR	BARR ADRIEN M
	23	5122	BLANCHARD DR	MARTINEZ HECTOR JR
	24	5118	BLANCHARD DR	BENJAMIN WILLIE
X	25	5114	BLANCHARD DR	ACEVEDO ANNA M &
	26	5110	BLANCHARD DR	COLEMAN PAUL

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	27	5106	BLANCHARD DR	WORLD IMPACT INC
	28	5102	BLANCHARD DR	LANKFORD EARNEST B JR &
O	29	5030	BLANCHARD DR	NUNN ANTONIA
	30	5026	BLANCHARD DR	SKINNER STEPHANIE M
	31	5023	BLANCHARD DR	FIORENTINO LTD
	32	5027	BLANCHARD DR	ISOM BILLIE J
	33	5031	BLANCHARD DR	CALHOUN HOWARD J & BETTY J
	34	5103	BLANCHARD DR	COOK NINA F
	35	5107	BLANCHARD DR	SANDERS GERALDINE &
	36	5111	BLANCHARD DR	NOBBLES JARETT &
	37	5115	BLANCHARD DR	REED DORIS LEE
	38	5119	BLANCHARD DR	SAMUELS CONNIE
	39	5123	BLANCHARD DR	OVIEDO JORGE L
	40	5127	BLANCHARD DR	PLECHER DEVOE
	41	5131	BLANCHARD DR	HEARNE EARLY R &
	42	5135	BLANCHARD DR	HERNANDEZ GUADALUPE
	43	7334	HUNNICUT RD	ESPARZA RENE & MARY L
	44	7330	HUNNICUT RD	SAUCEDO ELIAS &
	45	7326	HUNNICUT RD	ROBERSON MORNIA R
	46	7322	HUNNICUT RD	GRAY HOWARD & PATSY
	47	7318	HUNNICUT RD	CHEN JIANLI &
	48	7314	HUNNICUT RD	WALLACE EVELYN FAYE
	49	7310	HUNNICUT RD	COOK WILMA HERESE
	50	7306	HUNNICUT RD	BUNKLEY BENNIE L III
	51	7302	HUNNICUT RD	FLORES GENARO &
	52	7238	HUNNICUT RD	NEWTON PRISCILLA &
	53	7234	HUNNICUT RD	ALMANZA BENJAMIN
	54	7230	HUNNICUT RD	HOFFMAN DAVID H
	55	7226	HUNNICUT RD	ROSSUM TAMMY Y
	56	7315	HUNNICUT RD	MASON BRIAN B
	57	7311	HUNNICUT RD	WALKER MARY E

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	58	7307	HUNNICUT RD	PERALTA NOEL & BREANNA J
	59	7303	HUNNICUT RD	MARTINEZ MARIA A
	60	7235	HUNNICUT RD	HALEY ERIN ELIZABETH
	61	7231	HUNNICUT RD	SAUCEDA JESUS D &
	62	7227	HUNNICUT RD	ORR CHARLES D
	63	7223	HUNNICUT RD	BANKSTON RODNEY
	64	4611	SAMUELL BLVD	OAKDALE TOWNHOMES LLC
	65	4645	SAMUELL BLVD	SAM WEST PARTNERS LLC
	66	4721	SAMUELL BLVD	RS TEXAS INV LP
	67	7677	HUNNICUT RD	RS TEXAS INVESTMENTS LP
	68	4835	SAMUELL BLVD	THAI THU NGA T
	69	4901	SAMUELL BLVD	DALLAS COUNTY SCHOOLS
	70	4901	SAMUELL BLVD	PRESCOTT INTERESTS BILLBOARDS LTD
O	71	1	BELTEAU LN	ENCLAVE AT GROVE HILL HOA INC
O	72	4800	SAMUELL BLVD	ENCLAVE AT GROVE HILL II
O	73	4800	SAMUELL BLVD	ENCLAVE AT GROVE HILL HOMEOWNERS ASN INC
O	74	1	VACHERIE LN	ENCLAVE AT GROVE HILL LTD THE
	75	6915	CHACKBAY LN	TRAMPEL JOSEPH
	76	6919	CHACKBAY LN	JOHNSON GEORGE BEN JR &
X	77	6923	CHACKBAY LN	LOPEZ ROSALIND
	78	6931	CHACKBAY LN	TROUSDALE JAMES R &
	79	2819	COTEAU WAY	MILLER EDWIN P & BARBARA W
	80	2823	COTEAU WAY	STEWART AARON K
	81	2827	COTEAU WAY	GILB SONYA
	82	2831	COTEAU WAY	2831 COTEAU FAMILY TRUST
O	83	2835	COTEAU WAY	STEINMANN WILLIAM E III &
	84	2824	LACOMPTE DR	DIMOCK BRIAN
	85	2820	LACOMPTE DR	VALLEJOS CHRISTINA & JOSE T
	86	2816	LACOMPTE DR	CRAWFORD SHERRY ANN
	87	2812	LACOMPTE DR	FUNDERBURK DAVID RAY & CLETA GAIL
	88	2808	LACOMPTE DR	VITOK BINH & SANDOR

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	89	2804	LACOMPTE DR	GRANT DEANDRA M &
	90	7003	CHACKBAY LN	LANDRY LAURA C
	91	7007	CHACKBAY LN	WANG JAMES ZHEN &
	92	7011	CHACKBAY LN	STRANGIS STEPHANIE
	93	7015	CHACKBAY LN	ROBERTSON MARVIN A &
	94	7019	CHACKBAY LN	DOTSON ERIC & HOLLY
	95	7023	CHACKBAY LN	FURMAGA JAKUB & HAVAN
	96	7027	CHACKBAY LN	FERNANDEZ ARACELI
	97	7031	CHACKBAY LN	POPE JOHN TIMOTHY THOMAS
	98	7035	CHACKBAY LN	LANEY DIXIE & MARK
X	99	7039	CHACKBAY LN	MARIN JENNIFER &
	100	7043	CHACKBAY LN	CLAY SAUNDRA
	101	6935	CHACKBAY LN	REDDICK HAROLD RICHARD
	102	6939	CHACKBAY LN	DYK DEBRA T
	103	6943	CHACKBAY LN	THOMAS PATRICK A & TIFFANY L
	104	6947	CHACKBAY LN	SALINAS SILVIA M
	105	6951	CHACKBAY LN	TARDY JASON M & APRIL D
	106	2815	COTEAU WAY	JOHNSON BENNIE C & EDITH
	107	2825	VACHERIE LN	OROZCO RICHARD JR & ROSA M
	108	2821	VACHERIE LN	JOHNSON KIM & LARRY
O	109	2817	VACHERIE LN	RICO GREGORY ANDREW &
	110	2812	COTEAU WAY	GEORGE MICHAEL S & PATRICIA A
	111	2816	COTEAU WAY	RODRIGUEZ MARIO OCANDO &
	112	2820	COTEAU WAY	TRUONG THY M
	113	2824	COTEAU WAY	FRASER MICHAEL
	114	2828	COTEAU WAY	GOEBEL GRANT L
	115	2832	COTEAU WAY	SMITH DARREN K
	116	7132	BELTEAU LN	CRAWFORD SHERRY ANN
	117	7136	BELTEAU LN	PIEKOS CHRISTI L
O	118	7140	BELTEAU LN	REYNOLDS ABIGAIL & JOHN ZACHARY
	119	7144	BELTEAU LN	CARRIZALES MONICA &

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	120	7148	BELTEAU LN	COOK GREG A
	121	7152	BELTEAU LN	HUTCHISON ROBIN E &
	122	2823	LACOMPTE DR	BENNETT MICHAEL &
	123	2819	LACOMPTE DR	CROSS VERION D &
	124	2815	LACOMPTE DR	SALINAS BROOKE NICOLE &
	125	2811	LACOMPTE DR	JONES ALEXANDER &
O	126	2807	LACOMPTE DR	PADILLA ISAAC STEVE
	127	2803	LACOMPTE DR	VICTOR VINCENT &
	128	5151	SAMUELL BLVD	DALLAS COUNTY SCHOOLS

Agenda Information Sheet

File #: 19-674 **Item #:** 64.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2007 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619, on the northeast corner of Griffin Street and Elm Street
Recommendation of Staff and CPC: Approval for a six-year period, subject to conditions
Z189-148(CY)

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HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY, MAY 22, 2019**
ACM: Michael Mendoza

FILE NUMBER:	Z189-148(CY)	**DATE FILED:**	November 30, 2018
LOCATION:	Northeast corner of Griffin Street and Elm Street		
COUNCIL DISTRICT:	14	**MAPSCO:**	45 Q
SIZE OF REQUEST:	Approx. 0.87 acres	**CENSUS TRACT:**	31.01

OWNER: Apple Ten Hospitality Ownership, Inc.

APPLICANT: Outfront Media

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for the renewal of Specific Use Permit No. 2007 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619.

SUMMARY: The purpose of the request is to continue the display of an existing attached projecting sign on the southern façade of an existing commercial building.

CPC RECOMMENDATION: **Approval** for a six-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a six-year period, subject to conditions.

BACKGROUND INFORMATION:

- The area of request is zoned Planned Development District No. 619 with Specific Use Permit No. 2007 for an attached projecting non-premise district activity videoboard sign.

- The site is located in the Retail Subdistrict A within the Downtown Special Provision Sign District and is developed with a ten-story hotel building

- Ordinance No. 27481, adopted by City Council on February 11, 2009, allowed for non-premise district activity videoboard signs in the Downtown Special Provision Sign District. In this ordinance, there was a limit of five videoboard signs allowed.

- Ordinance No. 28347 was adopted by City council on August 24, 2011. Among the amendments in this ordinance, was to increase the number of videoboard signs allowed in the Downtown SPSD to a total of 15 and increase the area in which the videoboard signs are allowed.

- SUP No. 2007 was approved by City Council on January 23, 2013 for a six-year period. [Expiration date: January 23, 2019]. This application for the renewal of the SUP was submitted on November 30, 2018.

- On August 8, 2018, the City Council denied an application for a Specific Use Permit for an attached projecting non-premise district activity videoboard sign for the area of request [North Griffin façade].

- On March 21, 2019, the City Plan Commission recommended approval of a waiver of the two year limitation on the subject property to allow for the SUP renewal to be processed.

- The existing videoboard sign is located on the south façade of the building [along Elm Street].

- Currently, there are 13 active Specific Use Permits for a total of 14 videoboard signs. Four of these Specific Use Permits were approved at City Council on April 10, 2019, for their renewal and one is this application being heard today. Out of the 13 active Specific Use Permits, ten videoboard signs are installed and four have not been installed.

Zoning History: There have been eight zoning changes in the vicinity during the last five years.

1. **Z156-249** On August 4, 2016, the City Plan Commission denied without prejudice an application for a Specific Use Permit for a non-premise district activity videoboard sign on property located on the northwest corner of Main Street and Field Street, southeast of the area of request.

2. **Z167-130** On June 28, 2017, the City Council approved Historic Overlay No.150 [One Main Place] on property bounded by Main Street, Griffin Street, Elm Street, and Field Street with the exception of the northwest corner of Field Street and Main Street, south of the area of request.

3. **Z178-241** On August 8, 2018, the City Council denied an application for a Specific Use Permit for an attached projecting non-premise district activity videoboard sign for the area of request [North Griffin façade].

4. **W189-002** On March 21, 2019, the City Plan Commission approved a waiver of the two-year waiting period to submit a zoning application for the area of request.

5. **Z189-146** On April 10, 2019, the City Council approved the renewal of SUP No. 2009 for an attached projecting non-premise district activity videoboard sign for a six-year period, on property located on the southeast corner of Commerce Street and Lane Street, southeast of the area of request.

6. **Z189-147** On April 10, 2019, the City Council approved the renewal of SUP No. 2008 for an attached projecting non-premise district activity videoboard sign for a six-year period, on property located on the southwest corner of Commerce Street and South Ervay Street, southeast of the area of request.

7. **Z189-164** On April 10, 2019, the City Council approved the renewal of SUP No. 2006 for an attached projecting non-premise district activity videoboard sign, for a three-year period on property located on the northwest corner of North Griffin Street and Elm Street, west of the area of request.

8. **Z189-165** On April 10, 2019, the City Council approved the renewal of SUP No. 2005 for an attached projecting non-premise district activity videoboard sign for a three-year period, on property located on the northwest corner of North Griffin Street and Elm Street, west of the area of request.

Videoboard Signs:

The chart below indicates that currently, there are 13 active Specific Use Permits for a total of 14 videoboard signs. Four of these Specific Use Permits were approved at City Council on April 10, 2019, for their renewal and one is on this agenda. Out of the 13 active Specific Use Permits, ten videoboard signs are installed and four have not been installed.

A map showing the status of the SUP's for videoboard signs in the district is provided further in this report.

CURRENT SUP STATUS

No.	SUP No.	Case No.	Approved	Expiration	Sign Installed (permit #)	Renewal application submitted
1&2	**1755***	Z145-276 (Renewal)	*9/9/2015	9/9/2021	0910095005	
3	**1788**	Z145-277 (Renewal)	9/9/2015	9/9/2021	0912305001	
4	**1791**	Z145-278 (Renewal)	9/9/2015	9/9/2021	1104055002	
5	**1796**	Z123-224 (Renewal)	8/14/2013	8/14/2019	1709191108	
6	**1957**	Z178-123 (Renewal)	6/13/2018	6/13/2028	1403311122	
7	**1958**	Z178-124 (Renewal)	2/14/2018	2/14/2028	1403311124	
8	**1959**	Z178-214 (Amendment/Renewal)	6/27/2018	6/27/2024	Not installed	
9	**2005**	Z189-165 (Renewal)	4/10/2019	4/10/2022	Not installed	
10	**2006**	Z189-164 (Renewal)	4/10/2019	4/10/2022	Not installed	
11	**2007**	Z123-112	1/23/2013	1/23/2019	1403311118	11/30/2018 Case No. Z189-148
12	**2008**	Z189-147 (Renewal)	4/10/2019	4/10/2025	1403311114	
13	**2009**	Z189-146 (Renewal)	4/10/2019	4/10/2025	1403311109	
14	**2302**	Z178-242	9/26/2018	9/26/2024	Not installed	

*Includes 2 videoboard signs

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Required ROW
North Griffin Street	Minor Arterial	100 feet	100 feet
Elm Street	Major Arterial	80 feet	80 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and has determined that the proposed development will not have a negative impact on the surrounding street system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas!* Comprehensive Plan was adopted by the City Council in June 2006. The *forwardDallas!* Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.3 Build a dynamic and expanded Downtown.

ECONOMIC ELEMENT

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN.

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY.

Policy 5.1.4 Enhance visual enjoyment of public space.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

Land Use Compatibility:

The approximate 0.25-acre area of request is zoned Planned Development District No. 619 with SUP No. 2007 for a non-premise district activity videoboard sign and is developed with a 10-story hotel use. The site is also within Subdistrict Retail A within the Downtown Special Provision Sign District.

SUP No. 2007 was approved by City Council on January 23, 2013, for a six-year period. [Expiration date: January 23, 2019]. The purpose of the request is to renew the SUP to continue the display of an existing attached projecting videoboard sign on the southern façade of the hotel building.

According to Building Inspections' records, the existing projecting videoboard sign was installed on August 2014.

Uses surrounding the area of request include a transit passenger station or transfer center, and a commercial parking lot to the northwest and north; an office building, retail and personal service uses are to the east, hotel, office building, financial institution without drive-in window, retail and personal service uses are to the west, southwest and south.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The existing projecting sign is consistent with the general provision for a Specific Use Permit and with the provisions for attached non-premise district activity videoboard signs in Section 51A-7.909 as they pertain to: content, location and number, size, SUP requirement, installation, projecting, and building occupancy requirements.

Staff is in support of the request and recommends approval for a six-year period, subject to conditions.

Land Use:

	Zoning	Land Use
Site	PD No. 619 with SUP No. 2007	Hotel w/videoboard sign installed
Northwest /North	CA-1(A)	Transit passenger station or transfer center, commercial parking lot.
East	PD No. 619 with SUP No. 644	Retail and personal service, office
South	PD No. 619 with H/150	Hotel, office, restaurant, personal service.
West	CA-1(A) with SUP No. 2005	Hotel

Development Standards:

A maximum of 15 non-premise district activity videoboard signs are permitted within the Downtown SPSD and may only be erected on buildings with frontage on streets within the Retail Subdistrict bounded by Jackson Street, Lamar Street, Pacific Street, and Cesar Chavez Boulevard.

Non-premise district activity videoboard signs may not be placed on Pacific Avenue between Akard Street and Ervay Street. Additionally, non-premise district activity videoboard signs may not be placed on building facades facing Main Street Garden or Belo Garden.

A maximum of one non-premise district activity videoboard sign is permitted per block face. Non-premise district activity videoboard signs must have a minimum of 100 square feet in effective area and may have a maximum of 150 square feet in effective area.

Non-premise district activity videoboard signs are only permitted by SUP.

Non-premise district activity videoboard signs are only permitted on buildings with retail and personal service uses, lodging uses, or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent. Non-premise district activity videoboard signs are not allowed on a lot containing a commercial surface parking lot use.

Projecting non-premise activity videoboard signs:

- must have a vertical orientation with height exceeding the width at a minimum of 16:9 width-to-height ratio;
- may project a maximum of 12 feet into the right-of-way;
- must have a minimum clearance of 15 feet above the sidewalk and a maximum clearance of 35 feet above the sidewalk; and
- must have video displays on both sides of the sign.

All videoboard signs:

- must contain a default mechanism that freezes the image in one position in case of malfunction;
- must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
    - the ambient light level measure in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
    - the dimming level, multiplied by .0039 equal the brightness level; then
    - the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed brightness, measured in nits;
- must be turned off between 1:00 a.m. and 7:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday; and

- may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.

Non-premise district activity videoboard signs:

- must have a full color display able to display a minimum of 281 trillion color shades; and
- must be able to display a high-quality image with a minimum resolution equivalent to 19mm maximum pixel size.

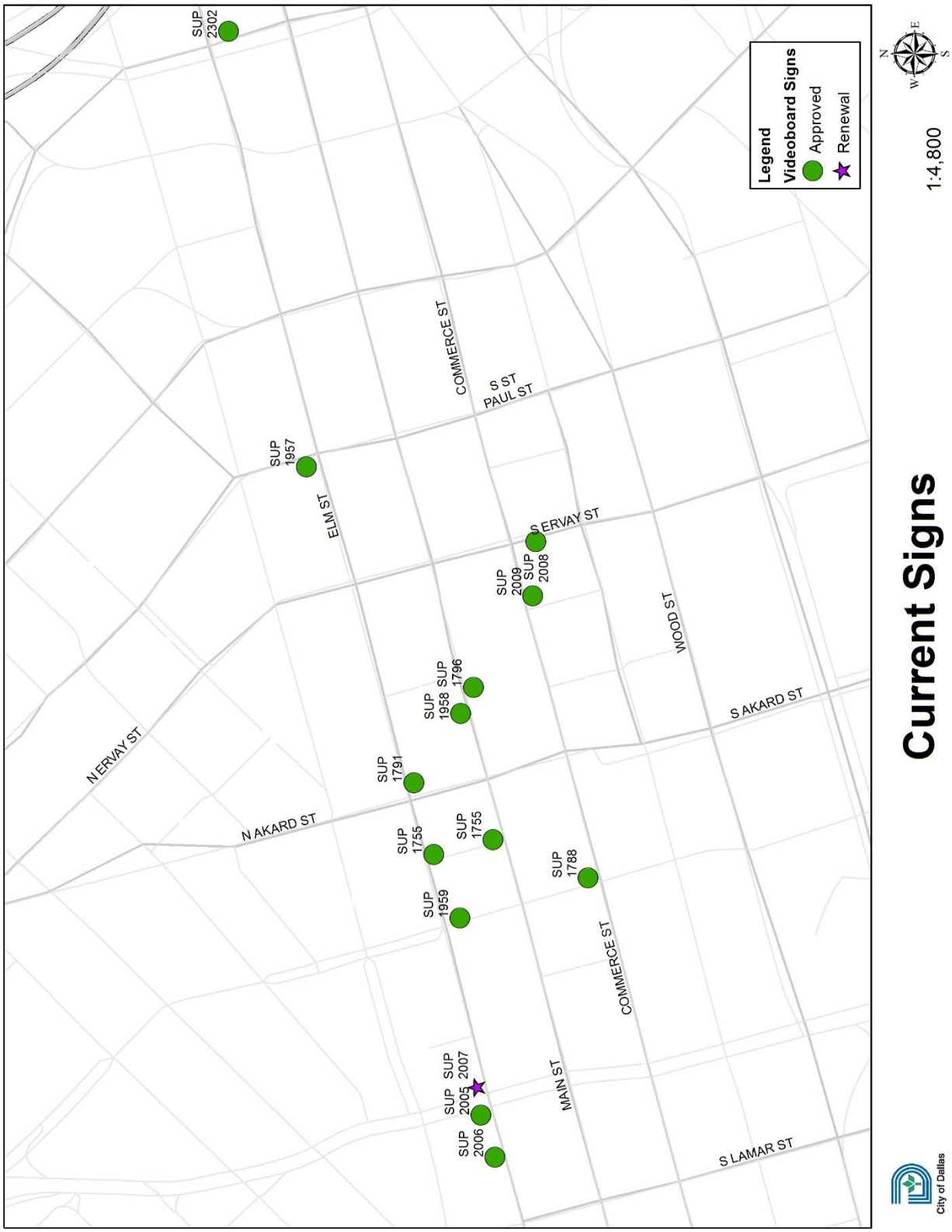
Changes of message must comply with the following:

- Each message must be displayed for a minimum of eight seconds;
- Changes of message must be accomplished within two seconds;
- Changes of message must occur simultaneously on the entire sign face; and
- No flashing, dimming, or brightening of message is permitted except to accommodate changes of message

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA Category; however, it is in proximity to an “E” MVA Cluster to the east North Field Street.

VIDEOBOARDS CURRENT & RENEWALS



CPC Action

April 18, 2019

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2007 for an attached projecting non-premise district activity videoboard sign for a six-year period, subject to conditions on property zoned Planned Development District No. 619, on the northeast corner of Griffin Street and Elm Street.

Maker: Ridley
Second: Murphy
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Lewis, Housewright, Schultz*, Murphy, Ridley, Tarpley*

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12
Conflict: 1 - Jung**

*out of the room, shown voting in favor
**out of the room, when vote taken

Notices: Area: 200 Mailed: 12
Replies: For: 0 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

LIST OF OFFICERS

Outfront Media.

- Jeremy J. Male CEO
- Matthew Siegel Executive Vice President
- Clive Punter Executive Vice President
- Richard Sauer Executive Vice President
- Jodi Senese Executive Vice President
- Andrew R. Sriubas Chief Commercial Officer
- Nancy Tostanoski Executive Vice President
- Steve Hillwig Executive Vice President
- Chris Steinbacher Executive Vice President
- Liz Carpio Director
- Art Martinez Director
- Marc Miller Director
- Chris Pezzello Director
- Dan Scherer Director
- Phil Stimpson Director
- Dana Wells Director
- Dave Wood Director

LIST OF OFFICERS

Apple Ten Hospitality Texas Service III, Inc.

- Glade M, Knight Executive Chairman
- Justin Knight President and CEO
- Kristian Gathright Executive Vice President and COO
- Robert McGuire General Manager

CPC RECOMMENDED SUP CONDITIONS

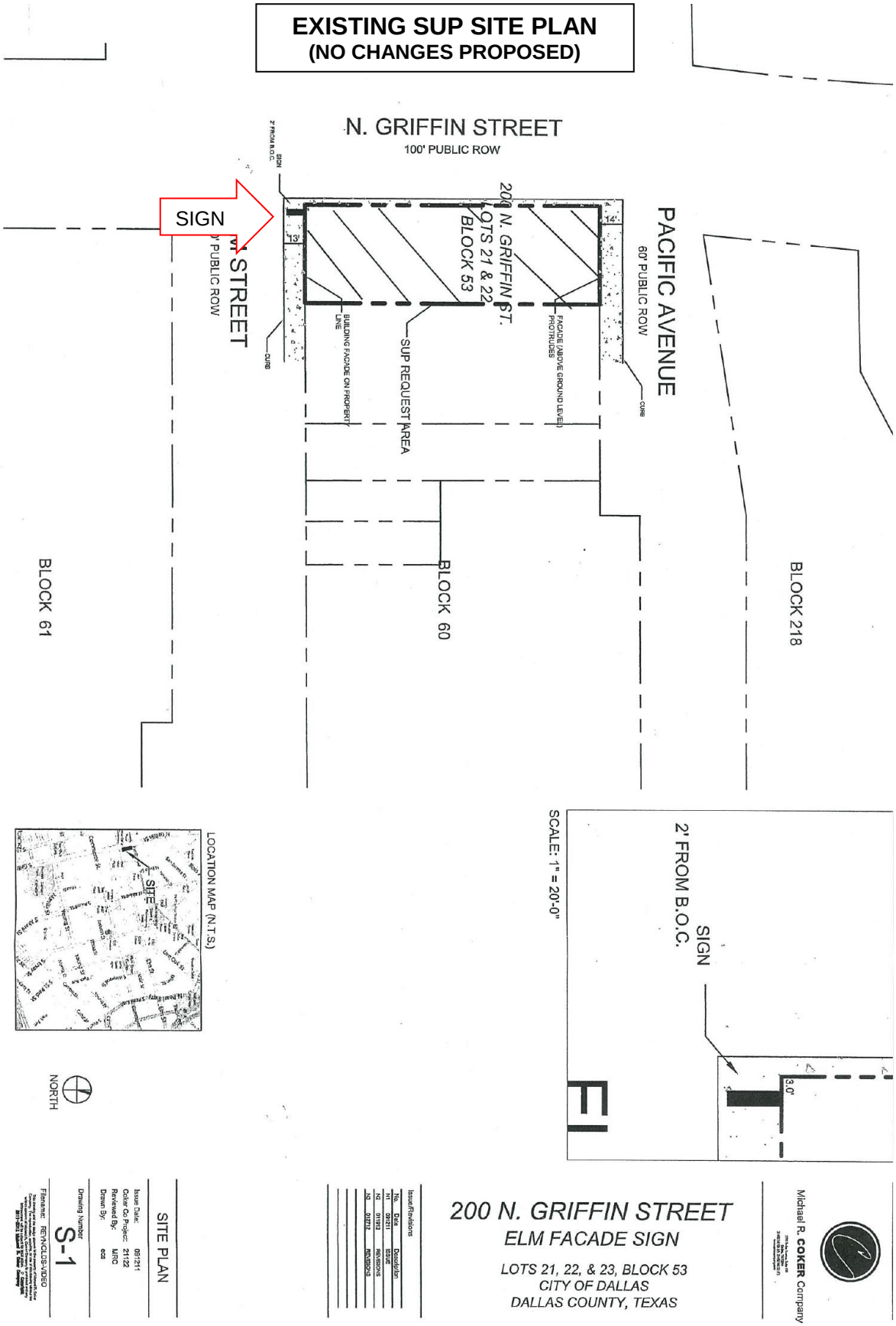
1. USE: The only use authorized by this specific use permit is an attached projecting non-premise district activity videoboard sign.

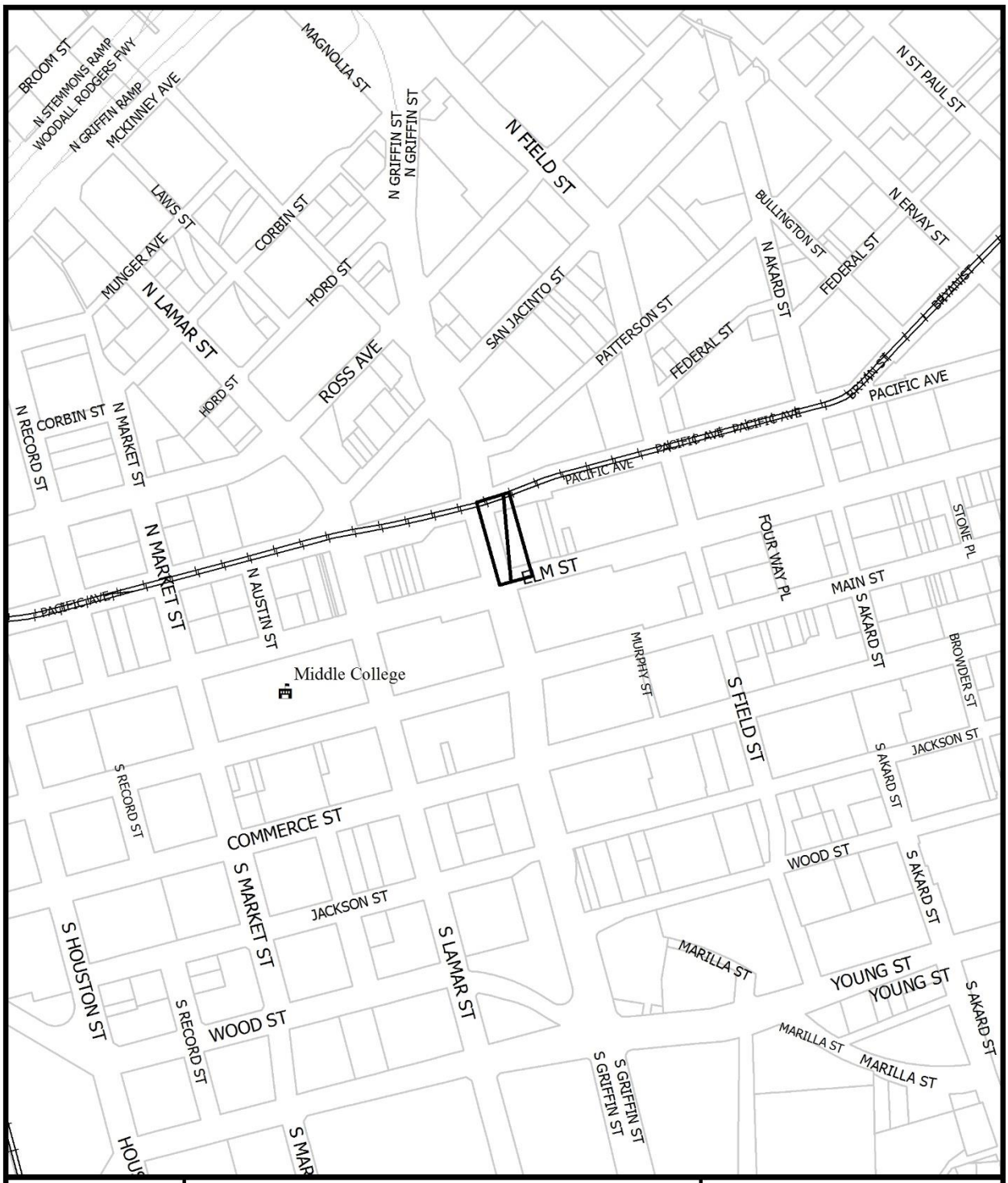
2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.

3. TIME LIMIT: This specific use permit automatically terminates on (six years after the passage of this ordinance) [~~January 23, 2019~~].

4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules and regulations of the City of Dallas.


EXISTING SUP SITE PLAN
(NO CHANGES PROPOSED)
N. GRIFFIN STREET
100' PUBLIC ROW
SIGN
2' FROM B.O.C.
200 N. GRIFFIN ST.
LOTS 21 & 22
BLOCK 53
PACIFIC AVENUE
60' PUBLIC ROW
STREET
PUBLIC ROW
BUILDING FACADE ON PROPERTY LINE
SUP REQUEST AREA
FACADE (ABOVE GROUND LEVEL) PROTRUDES
CURB
BLOCK 61
BLOCK 60
BLOCK 218
LOCATION MAP (N.T.S.)
SITE
NORTH
SCALE: 1" = 20'-0"
SIGN
2' FROM B.O.C.
3.0'
EL
200 N. GRIFFIN STREET
ELM FACADE SIGN
LOTS 21, 22, & 23, BLOCK 53
CITY OF DALLAS
DALLAS COUNTY, TEXAS
Michael R. COKER Company
SITE PLAN
Issue Date: 05'21
Caller Co Project: 21122
Reviewed By: MRC
Drawn By: eca
Drawing Number
S-1
Filename: REVNCLUS-VIDEO
Issue/Revisions
No. Date Description
#1 09'21 ISSUE
#2 01'22 revisions
#3 01'22 revisions

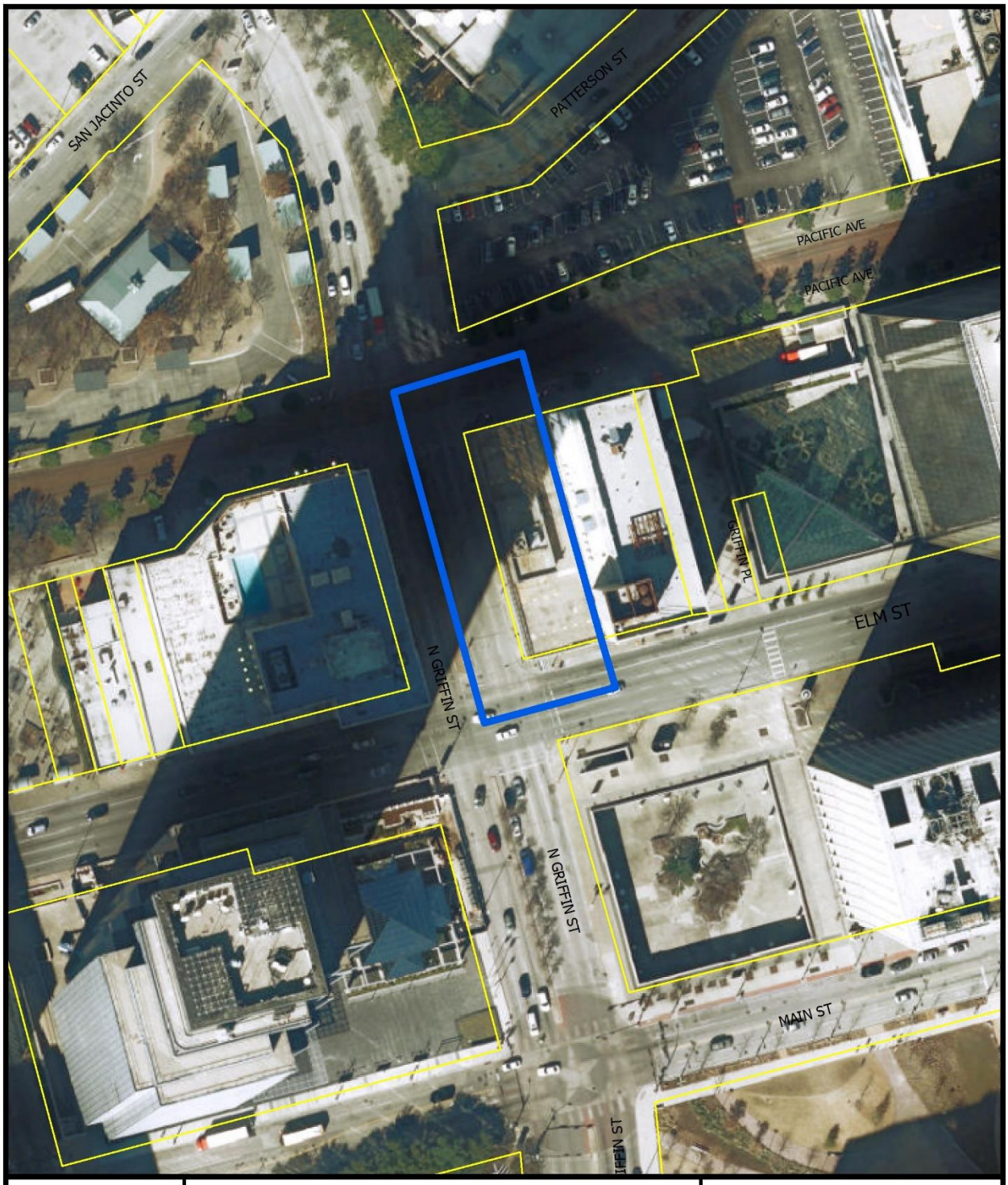


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VICINITY MAP

Case no: Z189-148

Date: 2/7/2019

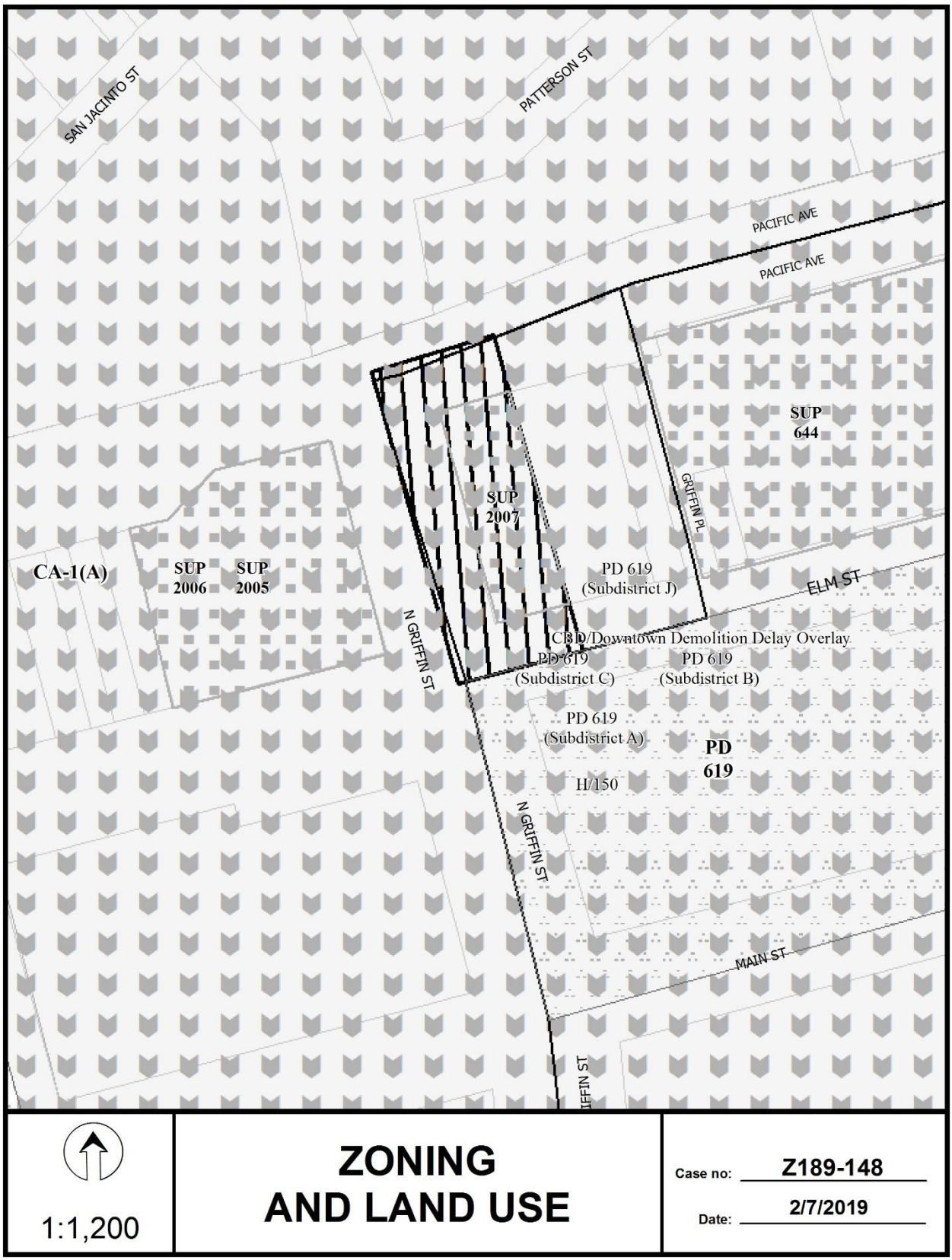


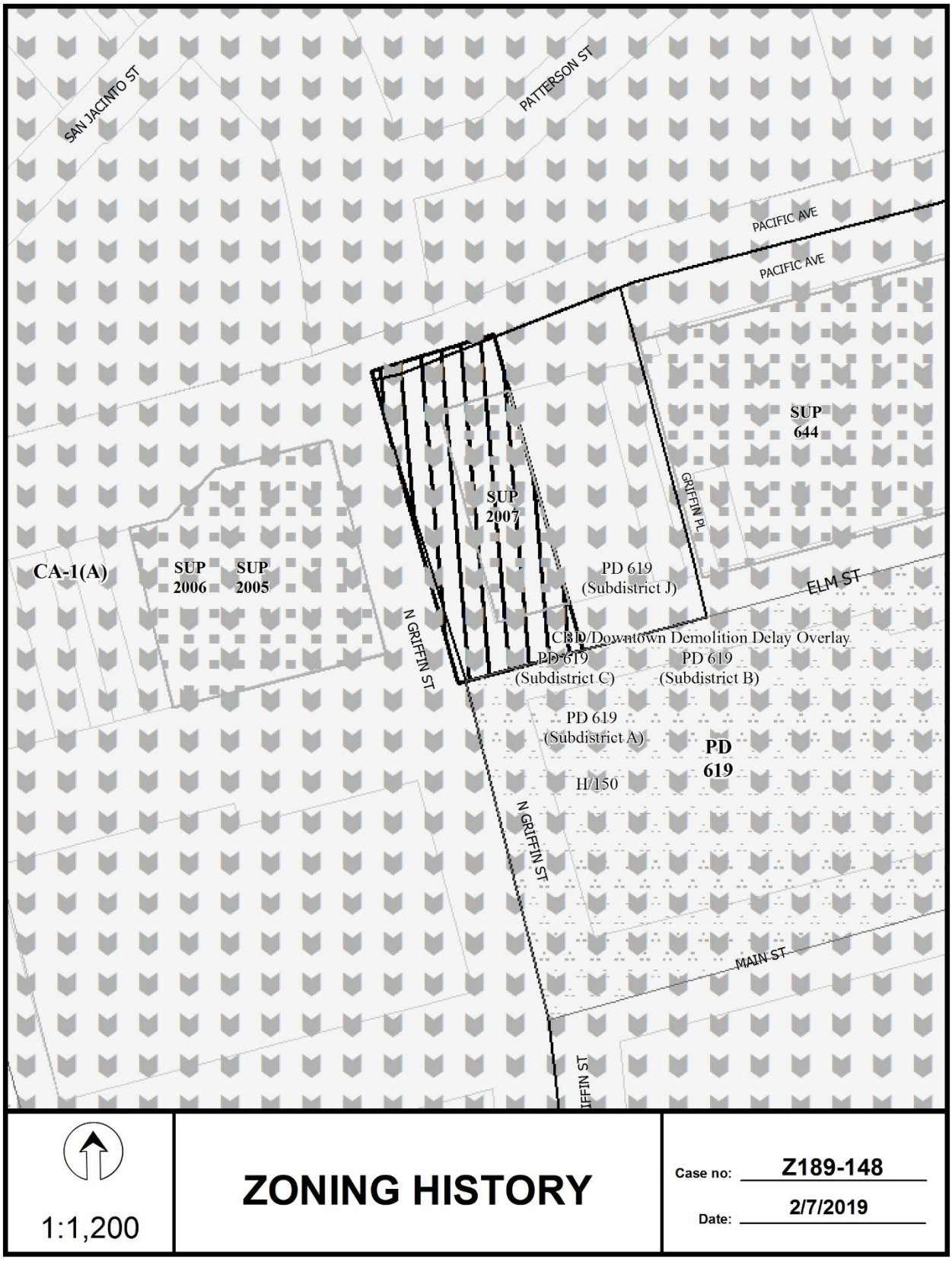
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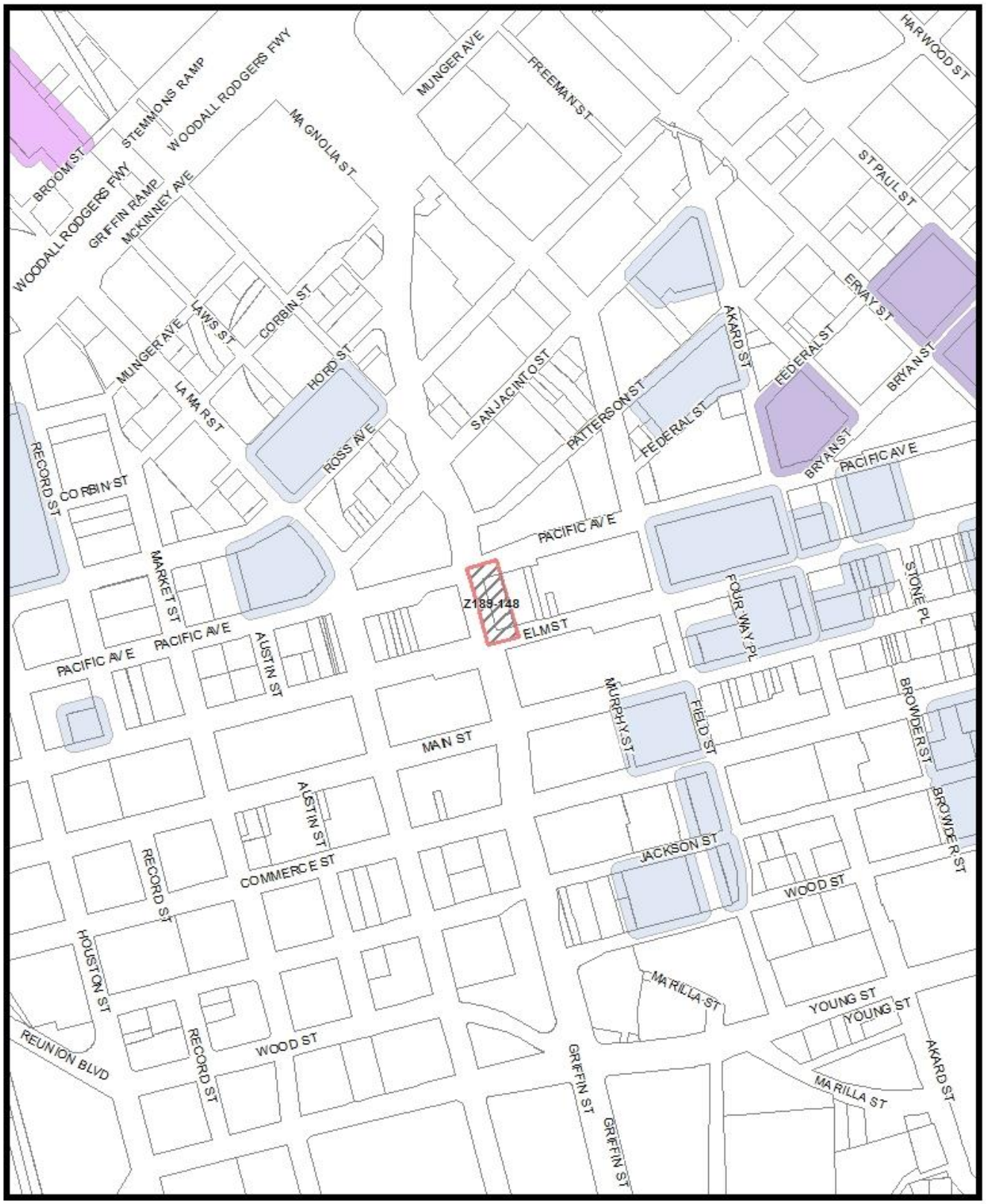
AERIAL MAP

Case no: Z189-148

Date: 2/7/2019


SAN JACINTO ST
PATTERSON ST
PACIFIC AVE
PACIFIC AVE
SUP 644
SUP 2007
GRIFFIN PL
CA-1(A)
SUP 2006
SUP 2005
PD 619 (Subdistrict J)
ELM ST
N GRIFFIN ST
CBD/Downtown Demolition Delay Overlay
PD 619 (Subdistrict C)
PD 619 (Subdistrict B)
PD 619 (Subdistrict A)
PD 619
H/150
N GRIFFIN ST
MAIN ST
1:1,200
ZONING AND LAND USE
Case no: Z189-148
Date: 2/7/2019


SAN JACINTO ST
PATTERSON ST
PACIFIC AVE
PACIFIC AVE
SUP
644
GRIFFIN PL
SUP
2007
CA-1(A)
SUP
2006
SUP
2005
PD 619
(Subdistrict J)
ELM ST
N GRIFFIN ST
CBD/Downtown Demolition Delay Overlay
PD 619
(Subdistrict C)
PD 619
(Subdistrict B)
PD 619
(Subdistrict A)
PD
619
H/150
N GRIFFIN ST
MAIN ST
1:1,200
ZONING HISTORY
Case no: Z189-148
Date: 2/7/2019



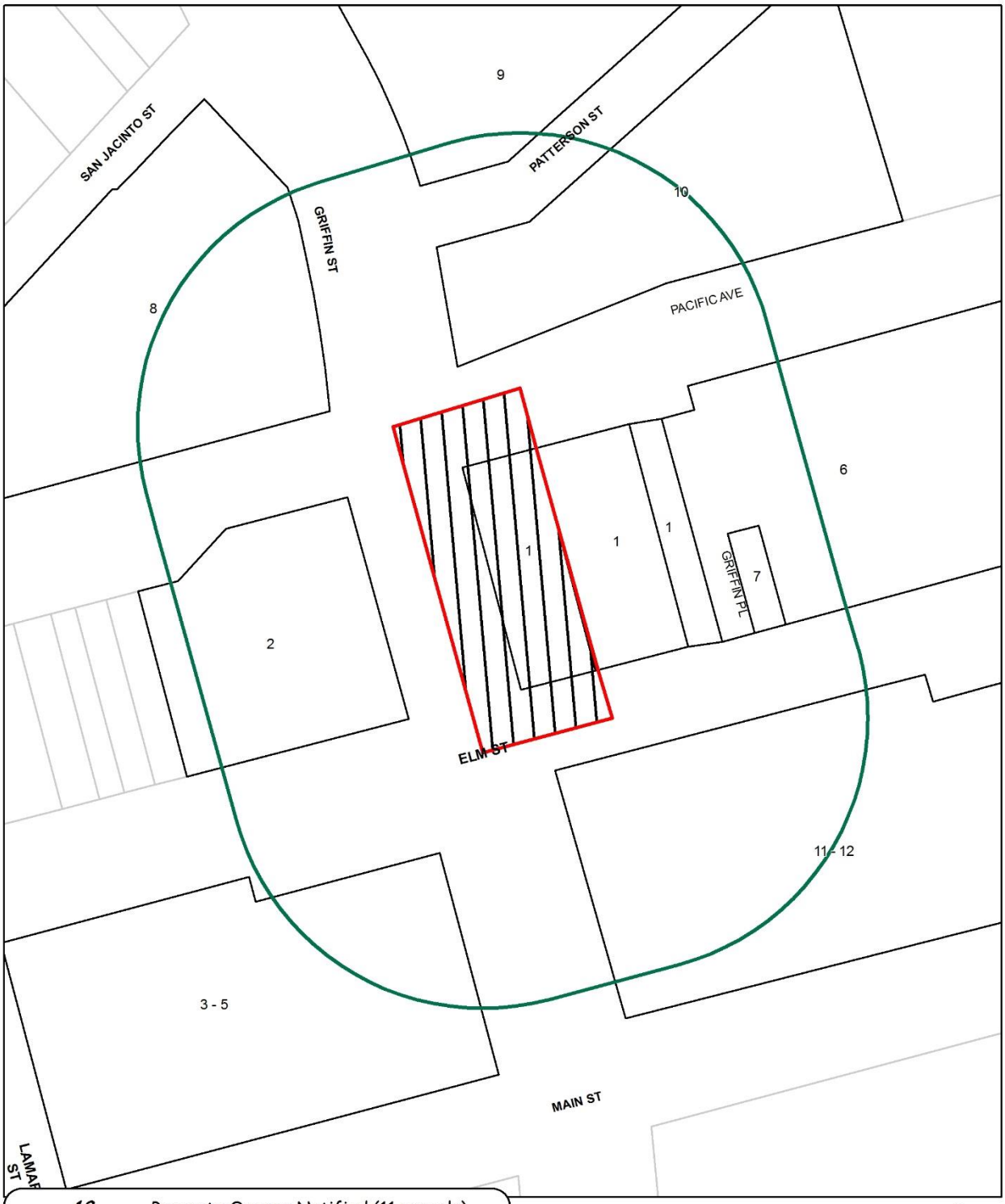
Legend

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Market Value Analysis

Printed Date: 1/15/2019

CPC RESPONSES



12	Property Owners Notified (11 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
4/18/2019	Date

Z189-148
CPC

N
W E
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1:1,200

04/17/2019

Reply List of Property Owners

Z189-148

12 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	1025	ELM ST	APPLE TEN HOSPITALITY
	2	1015	ELM ST	TOG HOTELS DOWNTOWN
	3	901	MAIN ST	DALLAS MAIN LP
	4	100	N LAMAR ST	INTERFIRST BANK DALLAS
	5	901	MAIN ST	INTERFIRST BANK DALLAS
	6	1201	ELM ST	JM BMM LLC &
	7	1201	ELM ST	SILBERSTEIN LISA
	8	202	N LAMAR ST	DALLAS AREA RAPID TRANSIT
	9	1109	PATTERSON AVE	DALLAS FORT WORTH ARGYLE
	10	1100	PATTERSON AVE	CHAVEZ LAND INCOME
	11	1201	MAIN ST	ONE MAIN PLACE HOTEL LLC
	12	1201	MAIN ST	ONE MAIN PLACE OFFICE LLC

Agenda Information Sheet

File #: 19-653 **Item #:** 65.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily Subdistrict on property zoned a P(A) Parking Subdistrict within Planned Development No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest side of Cleveland Street, north of South Lamar Street
Recommendation of Staff and CPC: Approval
Z178-256(CY)
Note: This item was deferred by the City Council before opening the public hearings on December 12, 2018, February 27, 2019, and April 24, 2019, and is scheduled for consideration on May 22, 2019

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HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z178-256(CY) **DATE FILED:** May 24, 2018

LOCATION: Southwest side of Cleveland Street, north of South Lamar Street

COUNCIL DISTRICT: 7 **MAPSCO:** 56 A

SIZE OF REQUEST: Approx. 1.0789 acres **CENSUS TRACT:** 40.00

OWNER/APPLICANT: BMH Asbuilt of Texas, USA

REPRESENTATIVE: Brad Friedman/Michael Przekwas

REQUEST: An application for an MF-2(A) Multifamily Subdistrict on property zoned a P(A) Parking Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The applicant proposes to change the zoning to redevelop the site with 19 townhomes.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The approximate 1.08–acre site is zoned a P(A) Parking District within Planned Development District No. 595 and it is currently developed with surface parking.

- Staff was unable to determine when the P(A) District was established. The 1971 zoning maps indicate the site was zoned a Parking District at that time and historical aerial images indicate the area of request was developed with a parking lot as early as 1956.

- The Dallas Development Code, as amended establishes that a P(A) Parking District must be either contiguous to or perpendicularly across an adjoining street or alley from a main use.

- No records of parking agreements, were found at Building Inspections nor the Dallas County that could indicate what main use the P(A) District could be serving.

- Research of surrounding properties resulted in no indication that there is a parking agreement with the subject site to provide required parking for any of the uses.

Zoning History: There have been three zoning changes in the vicinity during the last five years.

1. **Z134-196**. On August 13, 2014, City Council approved an RS-MU(E) Regional Service Mixed Use Enhanced Subdistrict within PD No, 595 on property located on the south side of South Lamar Street between Lenway Street and McDonald Street, south of the area of request.

2. **Z145-182** On Thursday, April 2, 2015, the City Plan Commission recommended denial of an application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement inside limited to a dance hall on property zoned Tract 9, CC Community Commercial Subdistrict within PD No. 595 on property located on the west side of Julius Schepps Freeway at the terminus of Hamburg Street, northeast of the area of request.

3. **Z178-144** On February 15, 2018, City Plan Commission recommended denial without prejudice of an application for a Specific Use Permit for an auto service center on property zoned a CC Community Commercial Subdistrict within PD No. 595 located on the east corner of South Lamar Street and Loomis Avenue, southeast of the area of request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Required ROW
South Lamar Street	Principal Arterial	100’
Cleveland Street	Minor Arterial	48’

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

AREA PLAN:

Trinity River Corridor Land Use Plan

The subject site is located within the North Trinity Forest planning district of the Trinity River Corridor Land Use Plan adopted in March 2005 and revised in December 2009. The plan establishes Preferred Land Use Plans that apply to each one of the seven planning districts in which the study area was divided. The area plan also created Land Use Opportunity Plans that reflect specific opportunities that can be expected in the Trinity River Corridor based upon a market response to the capital improvements in the Trinity River Corridor Project. These maps also express the land uses desired for the corridor by stakeholders who participated in the study.

The Preferred Land Use Plan for the North Trinity Forest District identifies the area of request within a Residential Traditional corridor module that would support existing neighborhoods such as Skyline Heights, Magna Vista and Rochester Park among others.

The area of request is located in the South Lamar Study Area within the North Trinity Forest Planning District. The Land Use Opportunity Plan for the South Lamar study area focuses mainly on the east side of I-45, proposing non-residential uses that could benefit from good transportation offering the potential for economic development and revitalization.

For the west side of I-45, where the subject site is located, the Urban Design Framework Plan for South Lamar provides new roadways and streetscape improvements in the Lamar Center, a prototype site located to the southeast of the area of request that was developed to propose the transformation of an area along South Lamar Street known for its scrap metal yards and obsolete uses and provide for a desirable community. In addition, a major gateway is planned at the interchange of IH-45 and South Lamar Street, also southeast of the area of request.

Land Use:

	Subdistrict within PD No. 595	Land Use
Site	P(A) Parking	Parking Lot
North	MF-2(A) Multifamily	Church, Single Family, Undeveloped land
East	CC (Tr.7) Community Commercial, MF-2(A) Multifamily	General Merchandise, Undeveloped land, Single-Family.
South	RS-MU(E) Regional Service Mixed-Use Enhanced	Office/Warehouse
West	CC (Tr.5) Community Commercial, MF-2(A) Multifamily	Commercial Amusement Inside, Undeveloped Land, Retirement Housing.

Land Use Compatibility:

The approximate 1.08-acre site is zoned subdistrict P(A) Parking within Planned Development No. 595, the South Dallas/Fair Park Special Purpose District and is developed with a parking lot.

Surrounding uses include single-family dwelling, duplex and a church to the north and northeast across Cleveland Street; additional single-family dwelling uses, scattered undeveloped tracts of land, a retirement housing use and a commercial amusement inside establishment are found to the northwest and to the west; directly adjacent to east of the area of request is a general merchandise store, followed by an auto service center further east and more single-family dwelling and undeveloped land. To the south of the site, across South Lamar Street, is a former manufacturing facility, now operating as an office warehouse by the Dallas Independent School District.

Sec. 51A-4.302 of the Dallas Development Code, as amended, states that a parking district must be contiguous to or perpendicularly across an adjoining street or alley from a main use. The certificate of occupancies issued to those non-residential uses contiguous and perpendicularly across the area of request, do not indicate that there are any parking agreements with the subject site to provide required off-street parking through the existing P(A) District.

The owner proposes to change the zoning from a P(A) Parking subdistrict to an MF-2(A) Multifamily subdistrict and redevelop the site with 19 townhome units. The current zoning does not allow for any residential uses.

The request for the zoning change to develop the site with residential uses is consistent with the surrounding zoning that includes MF-2(A) subdistrict that expands for several blocks to the west and to the north with potential to develop more residential uses in the currently undeveloped tracts of land scattered in the area: a CH(A) district to the northeast that has been fully developed with detached single-family structures and an MF-2(A) subdistrict directly to the east. The proposed zoning change is foreseen to contribute to the creation of a well-defined block of residential subdistricts by integrating the existing residential subdistricts surrounding the subject site and providing additional housing opportunities for the area.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request is

not within an identifiable MVA Category; however, it is in proximity to an "E" MVA Cluster to the north, across Cleveland Street and to the west.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Size	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear						
Existing: P(A)	10' when contiguous to residential subdistrict	-	-	-		-	Screening from adjoining residential properties	Parking
Proposed :MF-2(A)	15'	No min. for SFD, 5' for Duplex, 10' for other structures	No maximum	36'	Min.Lot: 1,000sf 800sf-E 1,000sf- 1BR 1,200sf- 2BR =150sf each add BR	60% for residential uses, 50% for non-residential uses	Proximity Slope (1:3 slope)	Single Family, Duplex and Multifamily

Parking:

At the time of development, off-street parking requirements must be provided in accordance with the Dallas Development Code, as amended

Landscaping:

At the time of development, landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

Prior CPC Action – October 18, 2018

Z178-256(CY) Planner: Carolina Yumet

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily Subdistrict on property zoned a P(A) Parking Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest side of Cleveland Street, north of South Lamar Street.

Maker: Davis
Second: Carpenter
Result: Carried: 12 to 0

For: 12 - West, Rieves, Davis, Shidid*, Carpenter, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Lewis
Vacancy: 2 - District 3, District 7

*out of the room, shown voting in favor

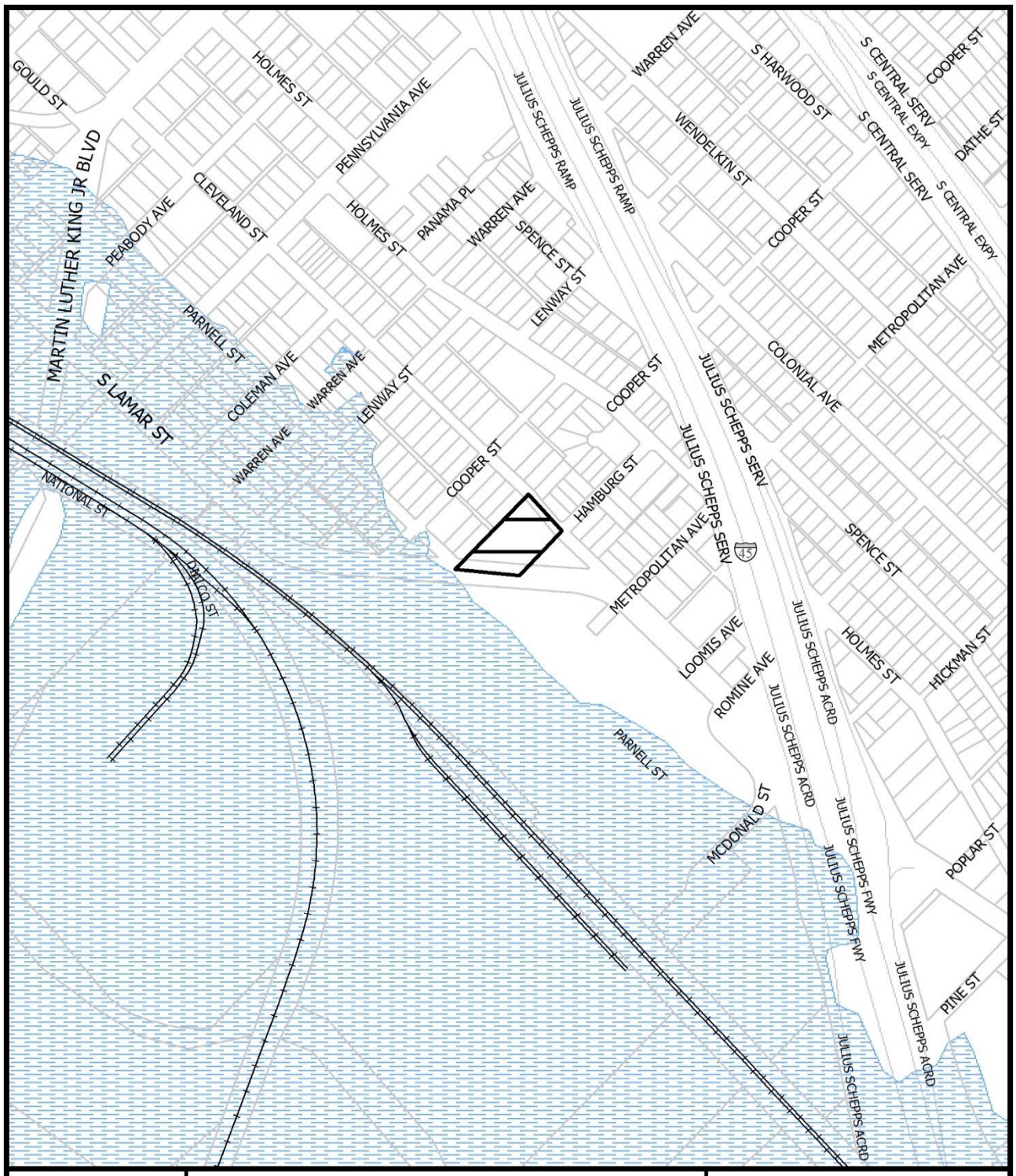
Notices: Area: 300 Mailed: 45
Replies: For: 0 Against: 0

Speakers: For: None
For (Did not speak): Brad Friedman, 3621 Cleveland St., Dallas, TX, 75215
Aria Mahboubi, 11812 Flamingo Ln., Dallas, TX, 75218
Against: None

List of Officers

BMH AS BUILT USA

- Saeed Mahboubi — President
- Mohammed Rahel Zafar — VP Residential Construction
- Rick Karlos — VP Commercial Construction
- Christina Vera — VP Administration.



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VICINITY MAP

Case no: Z178-256

Date: 10/3/2018

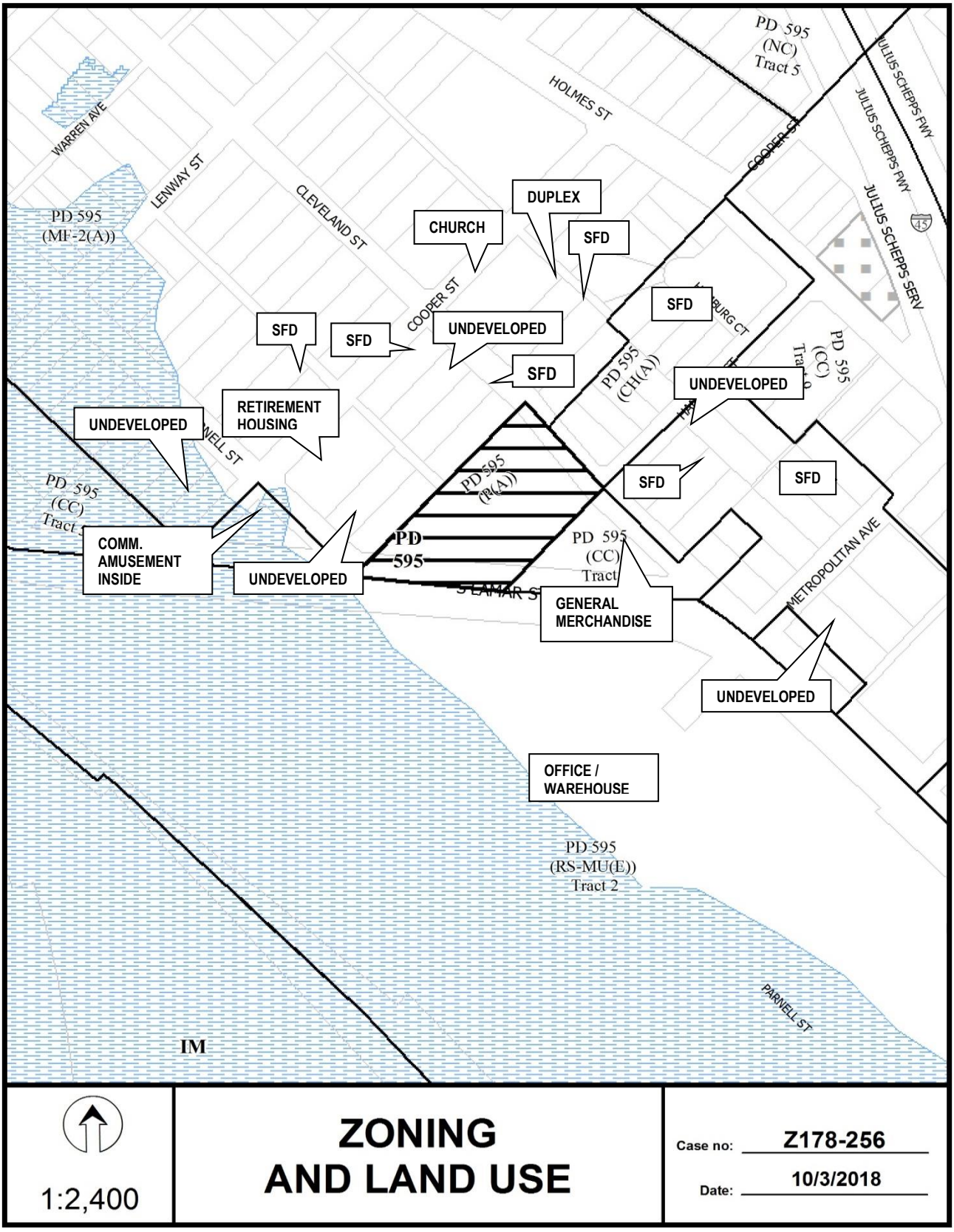


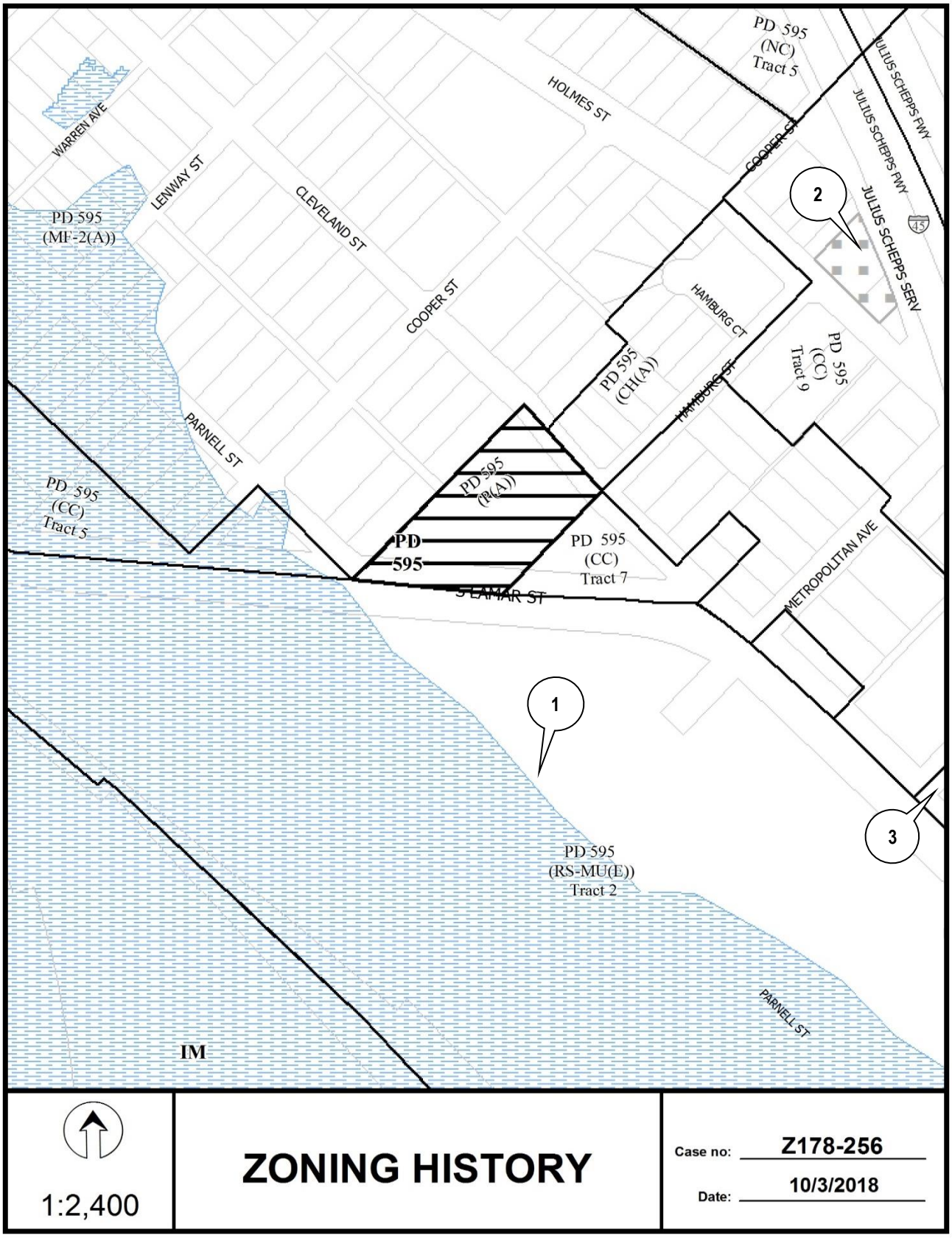
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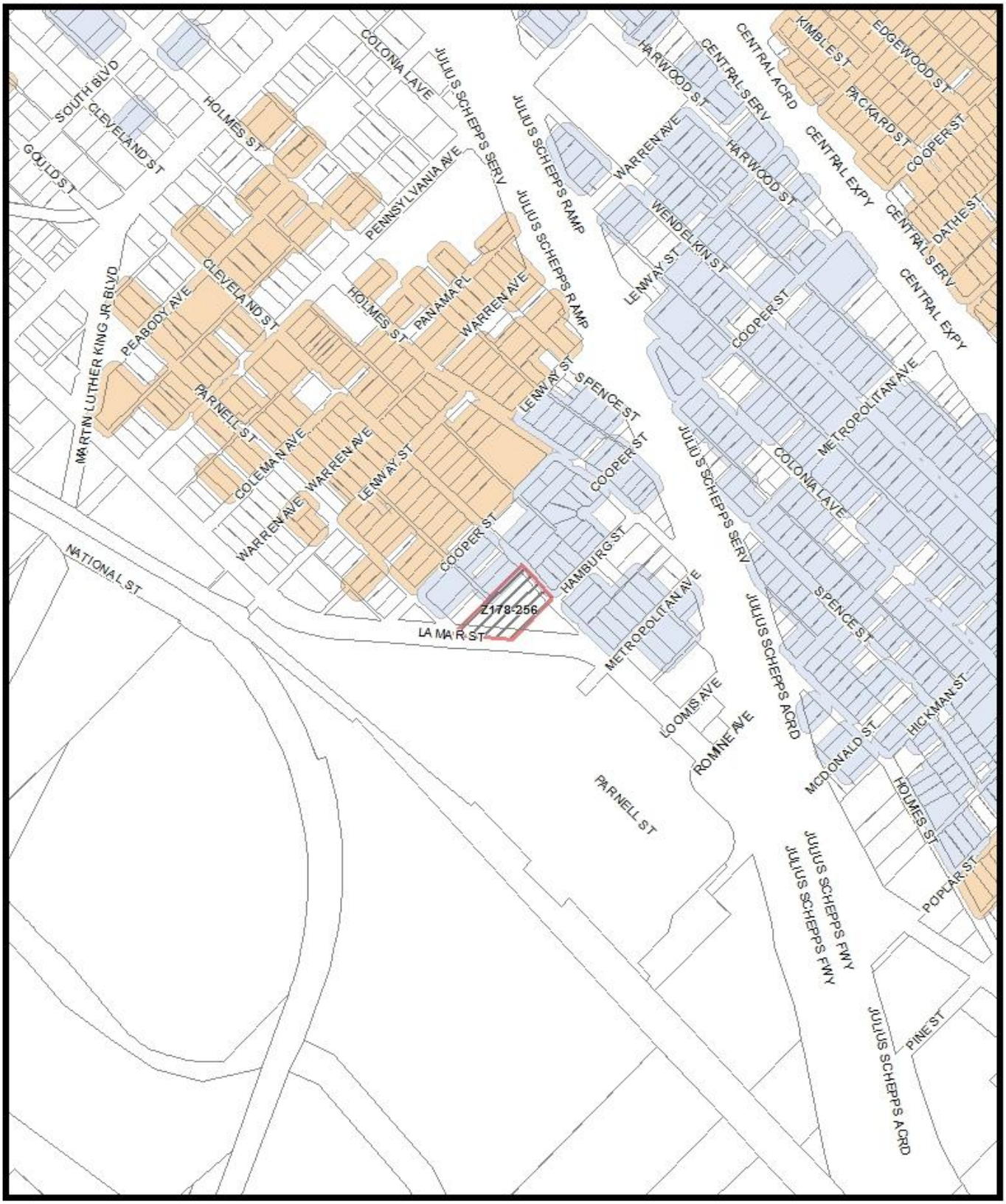
AERIAL MAP

Case no: Z178-256

Date: 10/3/2018


PD 595 (NC) Tract 5
HOLMES ST
WARREN AVE
LENWAY ST
CLEVELAND ST
COOPER ST
JULIUS SCHEPPS FWY
JULIUS SCHEPPS SERV
PD 595 (MF-2(A))
CHURCH
DUPLEX
SFD
SFD
SFD
SFD
SFD
UNDEVELOPED
UNDEVELOPED
RETIREMENT HOUSING
PD 595 (CH(A))
PD 595 (CC) Tract
PD 595 (P(A))
PD 595
PD 595 (CC) Tract
COMM. AMUSEMENT INSIDE
UNDEVELOPED
S LAMAR ST
GENERAL MERCHANDISE
METROPOLITAN AVE
UNDEVELOPED
OFFICE / WAREHOUSE
PD 595 (RS-MU(E)) Tract 2
PARNELL ST
IM
1:2,400
ZONING AND LAND USE
Case no: Z178-256
Date: 10/3/2018


PD 595
(NC)
Tract 5
HOLMES ST
WARREN AVE
LENWAY ST
CLEVELAND ST
COOPER ST
JULIUS SCHEPPS FWY
JULIUS SCHEPPS SERV
2
PD 595
(MF-2(A))
HAMBURG CT
HAMBURG ST
PD 595
(CH(A))
PD 595
(CC)
Tract 9
PARNELL ST
PD 595
(PD(A))
PD 595
(CC)
Tract 5
PD
595
PD 595
(CC)
Tract 7
S LAMAR ST
METROPOLITAN AVE
1
3
PD 595
(RS-MU(E))
Tract 2
IM
1:2,400
ZONING HISTORY
Case no: Z178-256
Date: 10/3/2018



MVACluster A B C D E F G H I NA

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Market Value Analysis

Printed Date: 10/4/2018


CPC RESPONSES
COLEMAN AVE
WARREN AVE
LENWAY ST
CLEVELAND ST
SPENCE ST
HOLMES ST
JULIUS SCHEPPS FWY
JULIUS SCHEPPS SERV
HAMBURG CT
HAMBURG ST
PARNELL ST
COOPER ST
LAMAR ST
METROPOLITAN AVE
LOOMIS AVE
45 Property Owners Notified (48 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
300' Area of Notification
10/18/2018 Date
Z178-256
CPC
N
W
E
S
1:2,400

10/17/2018

Reply List of Property Owners

Z178-256

45 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3701	S LAMAR ST	Dallas ISD
	2	3527	PARNELL ST	FOREST HEIGHT NEIGHBORHOOD
	3	3531	PARNELL ST	ST PHILIPS SCHOOL &
	4	3520	S LAMAR ST	HANEY GEORGE C
	5	3525	CLEVELAND ST	D&D PROPERTIES
	6	3526	PARNELL ST	SMITH RUBY
	7	3530	PARNELL ST	SELMA VENTURES LTD
	8	3606	S LAMAR ST	HALL JAMES &
	9	3601	CLEVELAND ST	CRUZ DELMI
	10	3605	CLEVELAND ST	FOREST HEIGHTS NEIGHBORHOOD
	11	3609	CLEVELAND ST	DAMASCUS MISSIONARY
	12	3615	CLEVELAND ST	KING MARY FERRELL
	13	3614	PARNELL ST	WESS WILLIE
	14	3612	PARNELL ST	FOREST HEIGHTS NEIGHBORHOOD DEV CORP
	15	3607	HOLMES ST	MALONE JOSEPH L TRUSTEE &
	16	3600	CLEVELAND ST	DAMASCUS BAPT CHURCH
	17	3650	S LAMAR ST	MARIGOS MIKE
	18	3618	CLEVELAND ST	ELIJAH & ASSOC ENT INC
	19	1407	METROPOLITAN AVE	COLEMAN ALTON & BARBARA
	20	1409	METROPOLITAN AVE	WOODS GARY
	21	3634	CLEVELAND ST	EARLE DEVAN &
	22	3642	CLEVELAND ST	BATES DEBORAH
	23	3645	HOLMES ST	HIRSCH LINDA R ET AL
	24	3639	HOLMES ST	HIRSCH LINDA R ET AL
	25	3639	HOLMES ST	REISBERG HEDY M TRUST
	26	1412	HAMBURG ST	BUTNER IVALEE

10/17/2018

Reply	*Label #*	*Address*		*Owner*
	27	3638	CLEVELAND ST	HILL WILBUR JR
	28	1401	METROPOLITAN AVE	GARRETT VERONICA &
	29	1416	HAMBURG ST	BUTNER IVA LEE
	30	1417	METROPOLITAN AVE	PLINDSEY PROPERTIES LLC
	31	1415	METROPOLITAN AVE	W&G INVESTMENT GROUP LLC
	32	1407	COOPER ST	FOREST HEIGHTS NEIGHBORHOOD
	33	3616	CLEVELAND ST	HARRIS & HARRIS PPTIES LLC
	34	1418	COOPER ST	HAWKINS SHIRLEY
	35	1600	HAMBURG ST	HANA & EUGENE INVS CORP
	36	3611	HAMBURG CT	EMPY CLIFTON JR &
	37	3615	HAMBURG CT	CASTILLO AURELIO
	38	3619	HAMBURG CT	MADDOX ALISIA L
	39	3623	HAMBURG CT	WU YIWEI
	40	3627	HAMBURG CT	BAKER ELIZABETH
	41	3631	HAMBURG CT	GIPSON MICHAEL W
	42	1417	HAMBURG ST	NDAYIRORERE CONSILLIE &
	43	1413	HAMBURG ST	SAY GONZALO & MARTHA
	44	1409	HAMBURG ST	BONAT & KINO PROPERTIES LLC
	45	1405	HAMBURG ST	1405 HAMBURG TRUST

Agenda Information Sheet

File #: 19-651 **Item #:** 66.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school use on property zoned a CR Community Retail District with existing deed restrictions [Z045-125], on the northwest side of Dixon Avenue, at the terminus of Wullschleger Lane
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan, traffic management plan, and conditions
Z189-169(CY)
Note: This item was deferred by the City Council before opening the public hearing on April 24, 2019, and is scheduled for consideration on May 22, 2019

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HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z189-169(CY) **DATE FILED:** January 14, 2019

LOCATION: Northwest side of Dixon Avenue, at the terminus of Wullschleger Lane

COUNCIL DISTRICT: 7 **MAPSCO:** 47 W

SIZE OF REQUEST: Approx. 4.02 acres **CENSUS TRACT:** 115.00

OWNER: Redeemed Christian Church of God.

APPLICANT: Texans Can Academy

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for a Specific Use Permit for an open-enrollment charter school use on property zoned a CR Community Retail District with existing deed restrictions [Z045-125].

SUMMARY: The applicant [Texans Can Academy] requests to occupy an existing one-story building with an open-enrollment charter school consisting of a maximum of ten high school classrooms.

CPC RECOMMENDATION: **Approval** for a five-year period, subject to a site plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to a site plan, traffic management plan, and conditions.

BACKGROUND INFORMATION:

- The area of request is zoned CR Community Retail District with existing deed restrictions [Z045-125] and is developed with a vacant one-story, approximately 8,909-square-foot building and a covered frame structure.

- The deed restrictions limit the uses allowed on the property to those allowed in the NS(A) Neighborhood Service District, plus the following additional uses:
  - Car Wash (limited to a full service, full enclosed detail shop),
  - Private Recreation Center, Club or Area, and
  - Retail 3,500 square feet and greater

- The deed restrictions also require a wood fence along the property, specifically on the southwest side of the property and adjacent to the railroad line. The applicant proposes to maintain the deed restrictions.

- The proposed charter school will have 10 *homeroom* classrooms operating two sessions per day [morning 7:45am to 12:00pm, and afternoon 12:30pm to 4:45pm]. Students attend either session but may attend both.

- The school will have an enrollment of up to 200 students and 20 staff members.

Zoning History: There have been no recent zoning changes requested in the vicinity within the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Dixon Avenue	Minor Arterial	60 feet

Traffic:

Because the proposed school is not yet in operations, the Traffic Management Plan (TMP) indicates that the trip generation for the school is based on observations conducted at existing campuses in the Dallas area. From existing campus data, the morning peak generates 0.40 vehicle trips per student, split between 70 percent in and 30 percent out. Midday trip generation is 0.32 vehicle trips per student, with 40 percent in and 60 percent out. Afternoon trip generation is approximately 0.10 vehicle trips per student, with 27 percent in and 73 percent out. Overall daily vehicle trip generation is approximately 1.10 trips per student.

Based upon the proposed site layout for the Dixon Avenue campus, the projected student enrollment, and observations from existing Texas Can Academy campuses; it is anticipated that the proposed school will generate approximately 220 vehicle trips per day.

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and the proposed Traffic Management Plan and determined that the proposed development will not have a negative impact on the surrounding street system.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation measure 1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools. Encourage the development of these facilities in priority Area Plans.

NEIGHBORHOOD PLUS

Policy 4.2 SUPPORT AND LEVERAGE EMERGING SCHOOL QUALITY AND SCHOOL CHOICE PROGRAMS.

Action 4.2.2 Engage DISD and charter school organizations in the super-neighborhood structure to support neighborhood based education improvement efforts through school choice programs.

Land Use:

	Zoning	Land Use
Site	CR Community Retail with deed restrictions [Z045-125]	Vacant building
North	Subdistrict R-5(A) Within PD No. 595	Single family
Northeast	MF-1(A) Multifamily District	Multifamily
East	MF-1(A) Multifamily District	Recreation center
Southeast	MF-1(A) Multifamily District	Multifamily
South	MF-1(A) Multifamily District	Multifamily, undeveloped land
West	Subdistrict R-5(A) Within PD No. 595	Undeveloped land, single family
Northwest	Subdistrict R-5(A) Within PD No. 595	Undeveloped land, single family

Land Use Compatibility:

The area of request is zoned a CR Community Retail District with existing deed restrictions [Z045-125] and currently developed with a vacant, one-story building and a frame structure with roof only.

The existing deed restrictions limit the uses allowed on the property to those allowed in the NS(A) Neighborhood Service District with car wash (limited to a full service, full enclosed detail shop), private recreation center, club or area, and retail 3,500 square feet and greater as allowed uses by right. The deed restrictions also provide for fencing requirements specifically along the southwest side of the property and adjacent to the railroad line. The applicant proposes to retain the existing deed restrictions.

The applicant proposes to occupy the one-story building with an open-enrollment charter school that provides a unique approach to educating students who have had difficulty in traditional school settings.

The proposed high school will have a maximum enrollment of 200 students and a total of 20 staff members. The proposed number of classrooms is ten.

Surrounding land uses include multifamily to the northeast, a recreation center is to the east, and additional multifamily to the southeast across Dixon Avenue. Running along the northwest boundary of the area of request is a railroad, and across to the north, northwest and to the west there is undeveloped land, and single family uses.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the

neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request is consistent with the provisions for the Specific Use Permit and is not foreseen to have a negative impact in the surrounding areas. Furthermore, staff finds the request will provide the residents of the area with educational alternatives. The closest school is located approximately 2,700 feet northwest from the area of request [Joseph J Rhoads Learning Center] on 2nd Avenue. However, this is an elementary school including grades Pre-K through fifth grade.

Staff recommends approval of the request for a five-year approval period without automatic renewal because 1) the school is a new use to the location which will take a few years to reach capacity and 2) the five-year period without automatic renewal will allow the City Plan Commission to reevaluate and reconsider the use, with the opportunity to improve land use compatibility if additional or modified conditions are needed.

Parking:

Parking will be provided pursuant to the Dallas Development Code, as amended. For the for the proposed open-enrollment charter school with ten high school classrooms, a total of 95 off-street parking spaces will be provided.

As depicted on the proposed site plan, a total of 105 off-street parking spaces will be provided. It is important to note that if the future expansion will include additional classrooms, an amendment of the SUP will be required, and additional off-street parking will have to be provided.

Landscaping:

Landscaping will be provided in accordance with Article X of the Dallas Development Code, as amended.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to

orange, representing the weakest markets. The site is not within an identifiable MVA Category; however, it is in proximity to an “E” MVA Cluster to the northeast and to an “I” MVA Cluster to the southeast across Dixon Avenue.

CPC ACTION
March 21, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for an open-enrollment charter school use for a five-year period, subject to a site plan, traffic management plan, and conditions on property zoned a CR Community Retail District with existing deed restrictions [Z045-125] on the northwest side of Dixon Avenue, at the terminus of Wullschleger Lane.

Maker: Lewis
Second: Housewright
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 300 Mailed: 22
Replies: For: 0 Against: 0

Speakers: None

List of Partners/Principals/Officers

Texans Can Academy

Richard Marquez, President
James Ponce, Chief of Schools
Lew Blackburn, Chief Business Officer
Dan Cahalen, Chief Development Director
Pamela R. Carroll, Chief Director of Human Resources
Marian P. Hamlett, Chief Financial Officer
Malcolm Wentworth, Chief Operations Officer
Fernando Marino, Director
Richard Pena, Director

Board of Trustees

Rudy Oeftering, Chairman
Regina M. Thompson, Vice Chairman
Felix A. Zamora, Secretary
Michael T. Casey, Treasurer
Fred Ertz, Member
Robert L. Garza, Member
Michelle A. Rankine, Member
Anna M. Torres, Member
Dale Young, Member

Redeemed Christian Church of God

Adebola Ajagunna, Director
Franklin Omoaghe, Pastor

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on (five years from the passage of this Ordinance)

4. CLASSROOMS: The maximum number of classrooms is 10, limited to high school classrooms.

5. HOURS OF OPERATION: The open-enrollment charter school may only operate between 6:30 a.m. and 7:00 p.m., Monday through Friday and 7:30 a.m. and 12:30 p.m. on Saturday.

6. TRAFFIC MANAGEMENT PLAN:

A. In general. The operation of the open-enrollment charter school must comply with the attached traffic management plan.

B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

C. Traffic study.

i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by **March 1, 2021.** After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by **March 1**of each **odd**-numbered year.

ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

a ingress and egress points;

b. queue lengths;

c. number and location of personnel assisting with loading and unloading of students;

d. drop-off and pick-up locations;

e. drop-off and pick-up hours for each grade level;

f. hours for each grade level; and

g. circulation.

iii. Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

a. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

b. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

D. Amendment process.

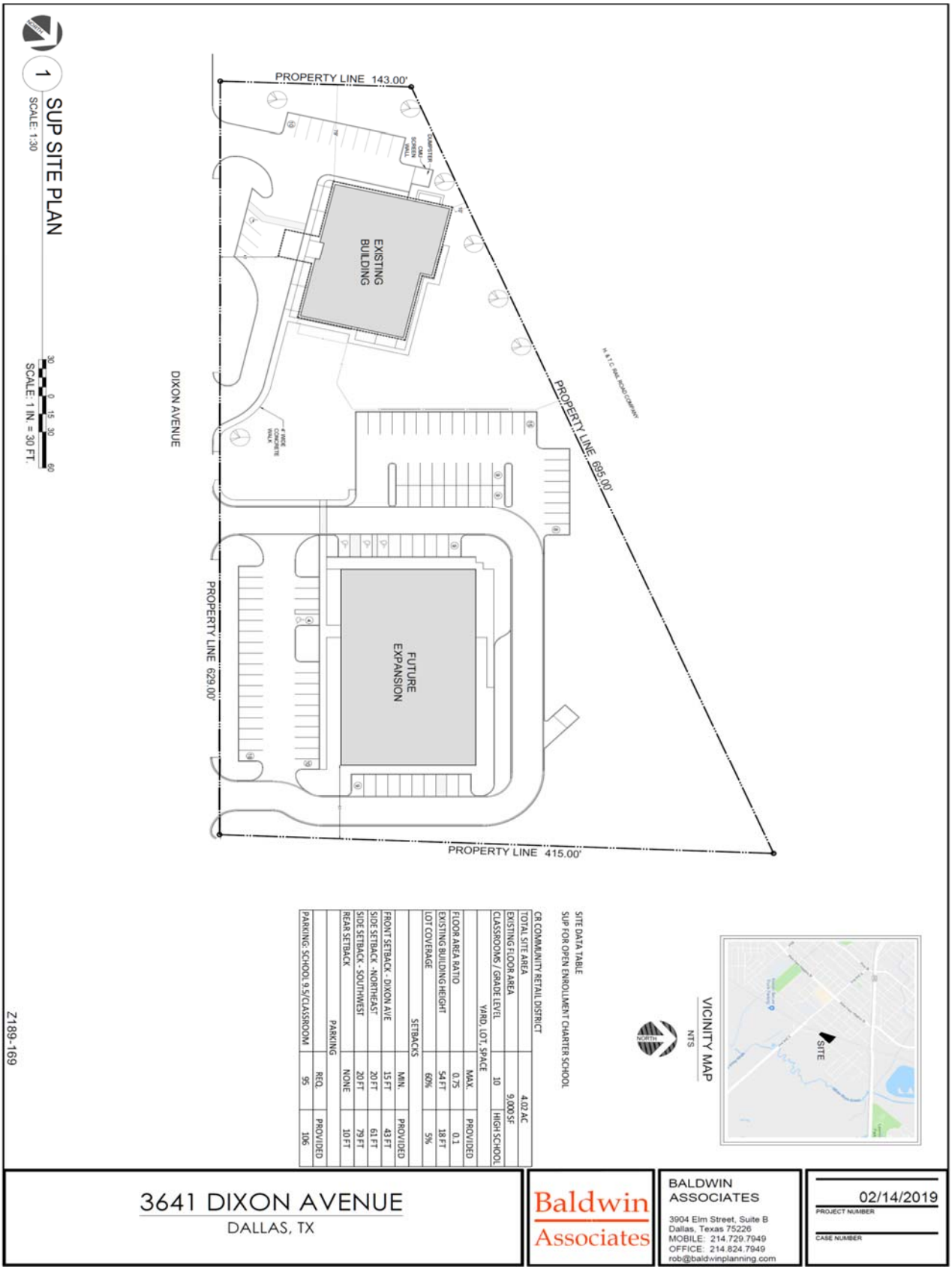
1. A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

2. The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

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 SUP SITE PLAN



PROPOSED TRAFFIC MANAGEMENT PLAN

LJA ENGINEERING

6060 N Central Expressway, Suite 440, Dallas, Texas 75206
t 469.621.0710 LJA.com TBPE F-1386

Technical Memorandum

To: Malcolm Wentworth

From: Scott Booth, PE, PTOE

Date: January 11, 2019

Re: TMP for Texans Can Academy – Dixon Avenue Campus
LJA Job No. 2692-1901

STATE OF TEXAS
S. P. BOOTH
94903
REGISTERED
PROFESSIONAL ENGINEER
01/11/2019

Introduction

LJA Engineering, Inc. (LJA) was retained by Texans Can Academies (TCA) to prepare a Traffic Management Plan (TMP) for the proposed TCA – Dixon Avenue campus located in Dallas, Texas. The proposed school is located on the north side of Dixon Avenue, approximately 1000 feet east of 2nd Avenue. Figure 1 below is an aerial detailing the site location.

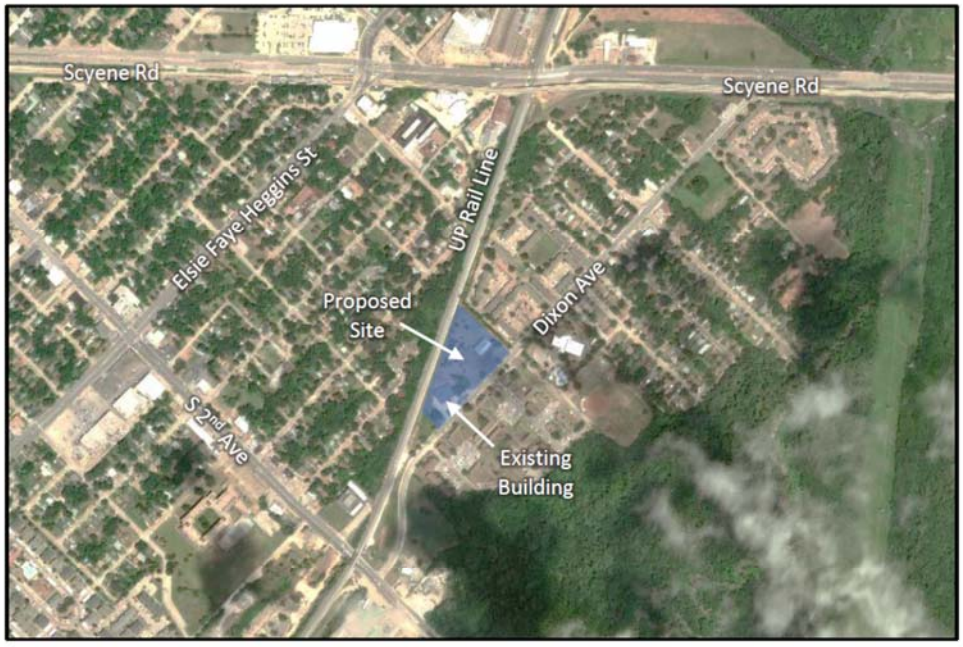


Figure 1 – Site Location Map

The proposed school will initially be housed in an existing building on the approximately 4-acre site and will have an enrollment up to 200 students (split over morning and afternoon classes) and 20 staff members (many of which work both morning and afternoon classes).

Current and Future Roadway Conditions

The proposed campus is located on a triangle shaped parcel and is bordered by Dixon Avenue along the southern edge of the site. Dixon Avenue is a two-lane roadway, 39-feet in width between curb faces and has a posted speed limit of 30 miles per hour. To the north of the site is the Union Pacific (UP) rail line and there is no access along the east edge of the parcel. There are no known proposed improvements to Dixon Avenue at this time.

Traffic Management Plan

The purpose of the TMP is have established procedures for traffic flow and circulation around the charter school related to student drop-off and pick-up operations. Use of a TMP helps improve traffic/student safety and helps maximize the efficiency of drop-off and pick-up operations. The analysis summarized in this report identifies critical elements of the TMP such as the available space (both on and off site), circulation patterns for the charter school facilities, and the projected trip generation (and estimated queuing) during the morning, midday and afternoon peaks.

Operational Characteristics

Based on information from the client, the school is projected to have:

- An enrollment of 200 students, with morning and afternoon sessions
- 20 staff members

The high school will be open from 7:00 am until 7:00 pm. As stated, classes are split between morning (7:45 am to 12:00 pm) and afternoon (12:30 pm to 4:45 pm) sessions. The actual start and end times for class sessions could vary slightly from those listed above and structured around the DART bus schedule. This is due to the large number of students that utilize transit.

For schools, peak traffic flow occurs at the start and end of classes and is usually around 30 minutes in duration. For this campus, there are two class sessions for students, one in the morning and one in the afternoon. Most students are enrolled in either the morning or afternoon session, but a few may be enrolled in both.

Based on estimated class times and observations conducted at other campuses, the morning peak hour is between 7:00 and 8:00 am, the midday peak is between 11:30 am and 12:30 pm, and the afternoon peak is between 4:30 and 5:30 pm.

Campus Trip Generation

Trip generation for the school is based on observations conducted at existing campuses in the Dallas area. From existing campus data, the morning peak generates 0.40 vehicle trips per student, split between 70 percent in and 30 percent out. Midday trip generation is 0.32 vehicle trips per student, with 40 percent in and 60 percent out. Afternoon trip generation is approximately 0.10 vehicle trips per student, with 27 percent in and 73 percent out. Overall daily vehicle trip

generation is approximately 1.10 trips per student. Table 1 below summarizes the projected trip generation based on the anticipated 200 student enrollment.

Table 1 – Projected Vehicle Trip Generation Summary

Land Use	Independent Variable	Units	AM-Peak Hour			Midday-Peak Hour			PM-Peak Hour		
			In	Out	Total	In	Out	Total	In	Out	Total
High School	Students	200	56	24	80	26	38	64	6	14	20
	Total Trips		**56**	**24**	**80**	**26**	**38**	**64**	**6**	**14**	**20**

The above table shows that the highest period of vehicle trip generation will occur in the morning peak hour with a total of 80 trips, primarily due to the arrival of both students and staff. Observations of existing campuses show the arrival of vehicles during the morning peak hour to be spread out more evenly across the hour with staff arriving before students.

The midday peak hour is considered the critical time period for traffic activity. Although it has fewer trips compared to the morning peak hour, both drop-off and pick-up activity occur during the midday peak. Additionally, vehicular activity is concentrated into a peak 30-minute period between 11:45 am and 12:15 pm.

There is minimal vehicular activity on campuses during the afternoon peak hour. This is due to the split morning and afternoon classes with more students attending class during the morning session.

Projected School Operations and Vehicle Circulation

All students will enter and exit the school through the main entrance of the existing building. (Refer to the attached TMP exhibit). This main entrance is located on the south side of the existing building adjacent to the existing loop driveway.

As with other TCA campuses, the majority of students attending this campus will utilize transit services (TCA provides students with a DART pass to facilitate/encourage transit use). There are two DART bus stops on Dixon Avenue within 425 feet of the campus (the locations are shown on the TMP exhibit). There are existing sidewalks on both sides of Dixon Avenue between the bus stops and the entrance to the school.

For students that are dropped off and/or picked up by family, there will be two drop-off/pick-up loops for vehicles, the front loop adjacent to the existing building, and secondary loop to the east of the school. It is recommended that the front loop be utilized for the drop-off of students and that traffic flow one-way in a counter-clockwise direction. Thus, the east driveway of the front loop would be inbound only, but the west drive would be two-way to serve the existing parking west of the existing building.

The secondary loop would be utilized for student pick-up and would also operate in a one-way counter-clockwise direction. Although the loop would be one-way in operation for pickups of

students, it is recommended that both drives serving the secondary loop be two-way to serve the parking.

On-Street Pick-Up/Drop-Off

Although the school is in a residential area and there is sufficient width on Dixon Avenue for vehicles to park, staff will instruct parents to utilize the campus driveways to drop-off/pick-up students.

On-Site Queues and Projected Queue Lengths

Based on observations at TCA campuses, vehicular queuing is minimal compared to typical school. For TCA campuses with 350 students, maximum observed queue lengths vary between four and eight vehicles. Shorter queues occur at campuses surrounded by residential streets that have on-street parking versus campuses adjacent to major arterials. For this campus, an enrollment of 200 students will result in maximum queue between two and five vehicles, or between 50 and 125 feet.

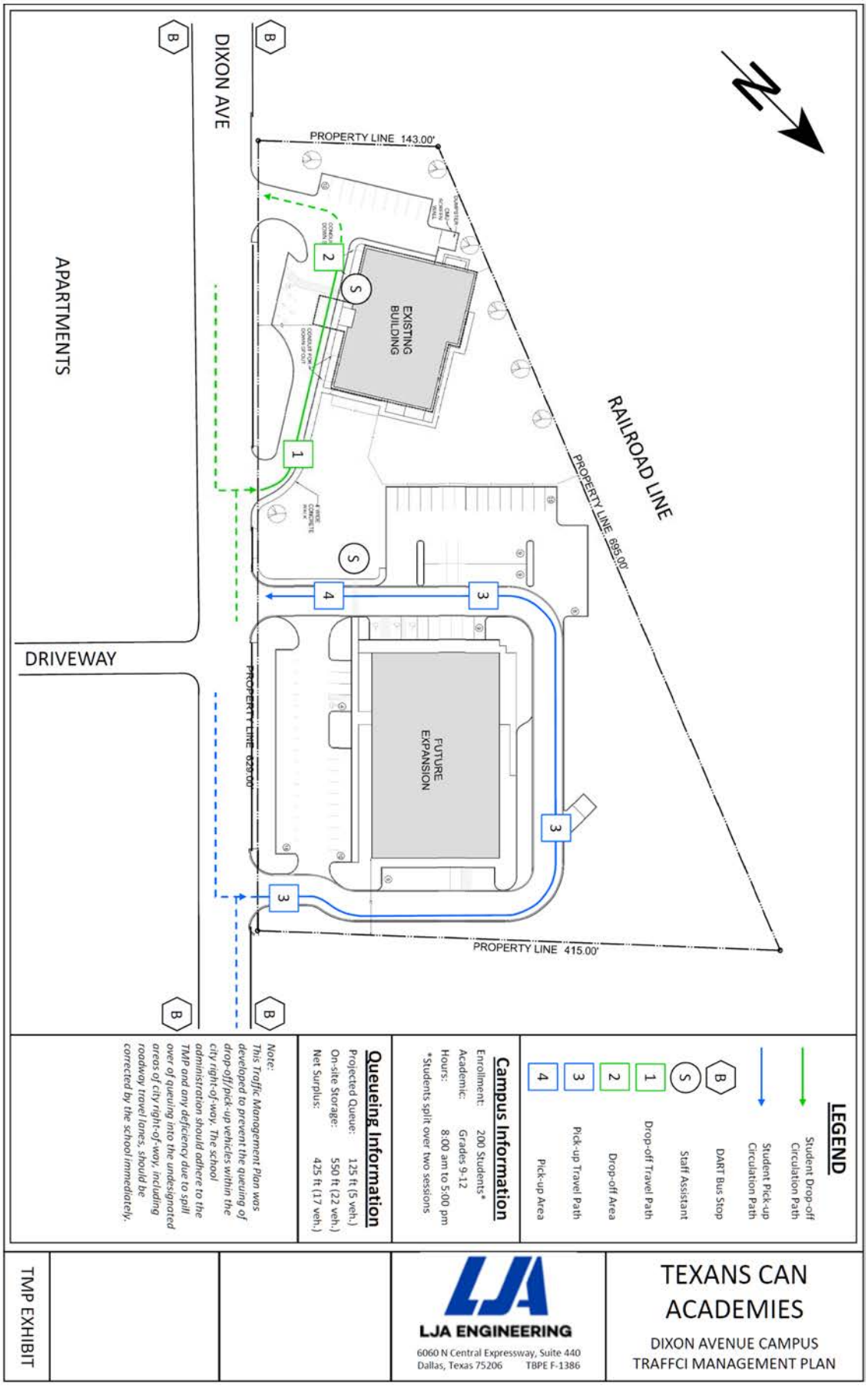
The front loop is approximately 250 feet in total length, with approximately 150 feet between the east drive (of the front loop) and the main entrance to the building. This section alone is adequate to hold the anticipated maximum queue of five vehicles. But given that this drive is recommend for drop-off only, the queue will likely be much shorter.

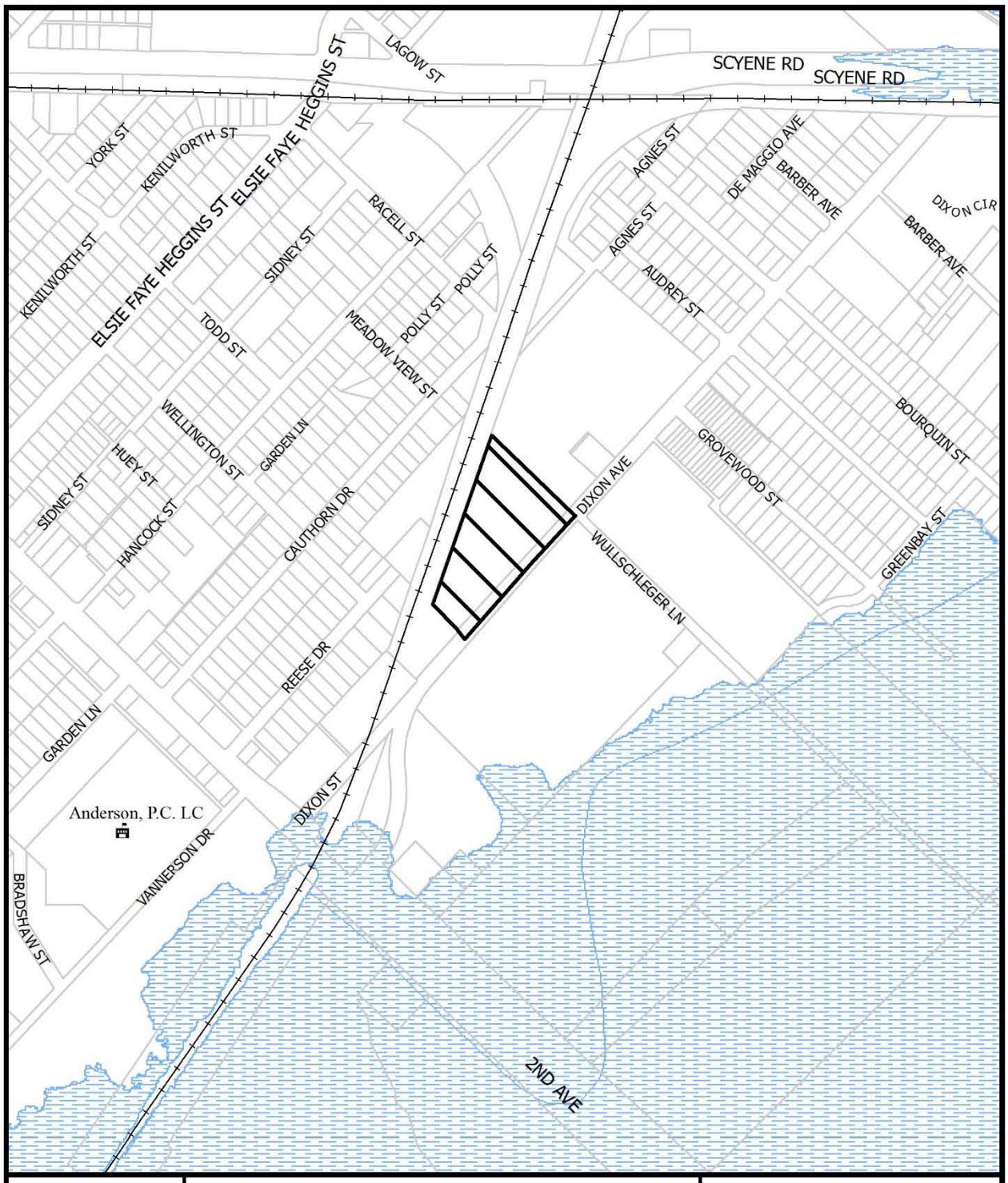
The proposed secondary loop is between 550 and 600 feet in total length, which is between 22 to 24 vehicles of queuing space.

Summary

Based upon the proposed site layout for the Dixon Avenue campus, the projected student enrollment, and observations from existing TCA campuses; it is anticipated that the proposed school will not have a significant impact on the traffic operations of Dixon Avenue or adjacent roadways. The proposed school is projected to generate around 220 vehicle trips per day.

Overall access to the site is good and there is sufficient on-site storage for projected queues related to daily school operations.


DIXON AVE
APARTMENTS
DRIVEWAY
RAILROAD LINE
PROPERTY LINE 143.00'
PROPERTY LINE 895.00'
PROPERTY LINE 829.00'
PROPERTY LINE 415.00'
EXISTING BUILDING
FUTURE EXPANSION
LEGEND
Student Drop-off Circulation Path
Student Pick-up Circulation Path
DART Bus Stop
Staff Assistant
Drop-off Travel Path
Drop-off Area
Pick-up Travel Path
Pick-up Area
Campus Information
Enrollment: 200 Students*
Academic: Grades 9-12
Hours: 8:00 am to 5:00 pm
*Students split over two sessions
Queueing Information
Projected Queue: 125 ft (5 veh.)
On-site Storage: 550 ft (22 veh.)
Net Surplus: 425 ft (17 veh.)
Note:
This Traffic Management Plan was developed to prevent the queuing of drop-off/pick-up vehicles within the city right-of-way. The school administration should adhere to the TMP and any deficiency due to spill over of queuing into the undesignated areas of city right-of-way, including roadway travel lanes, should be corrected by the school immediately.
LJA ENGINEERING
6060 N Central Expressway, Suite 440
Dallas, Texas 75206 TBPE F-1386
TEXANS CAN ACADEMIES
DIXON AVENUE CAMPUS
TRAFFCI MANAGEMENT PLAN
TMP EXHIBIT

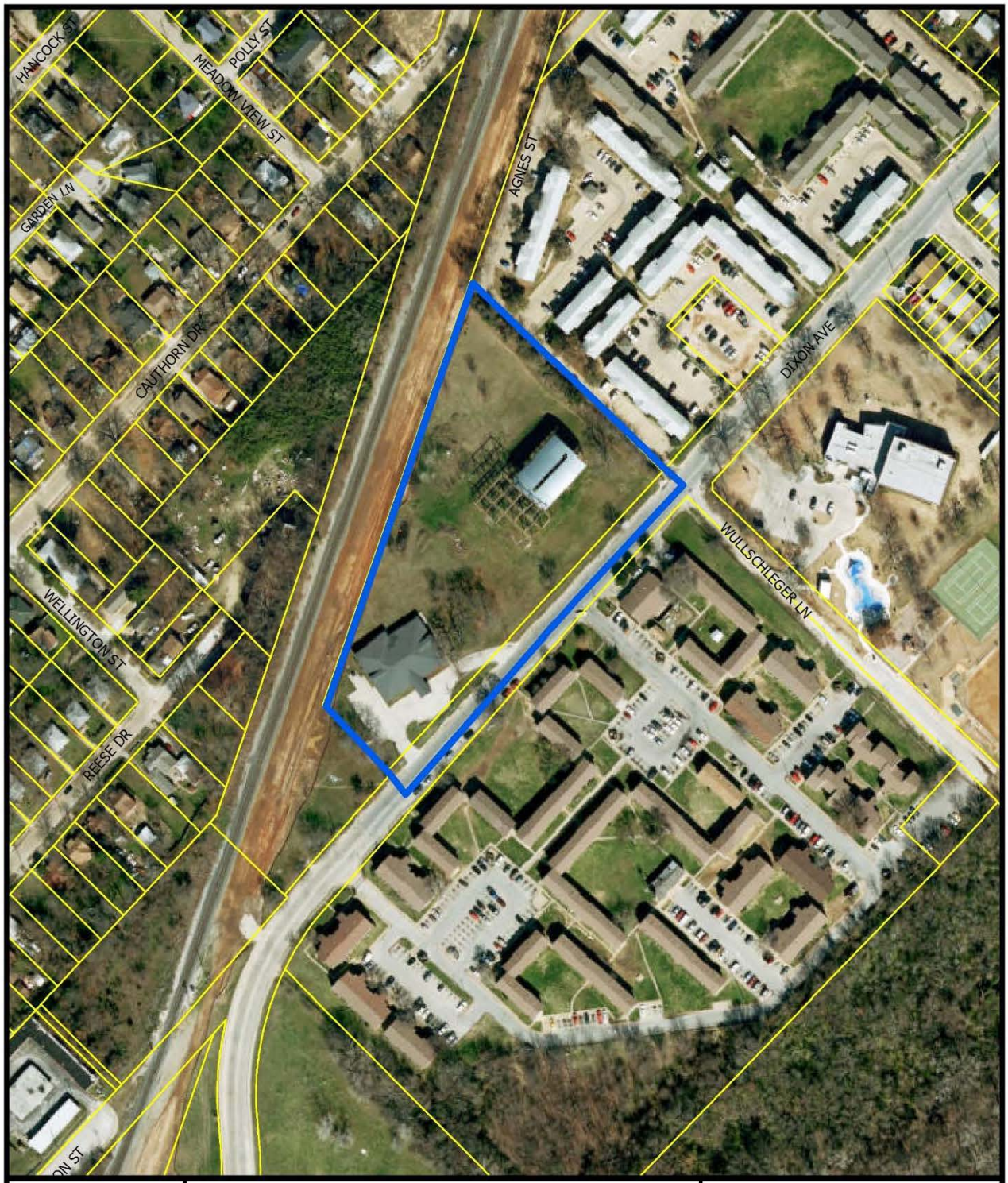


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VICINITY MAP

Case no: Z189-169

Date: 2/6/2019

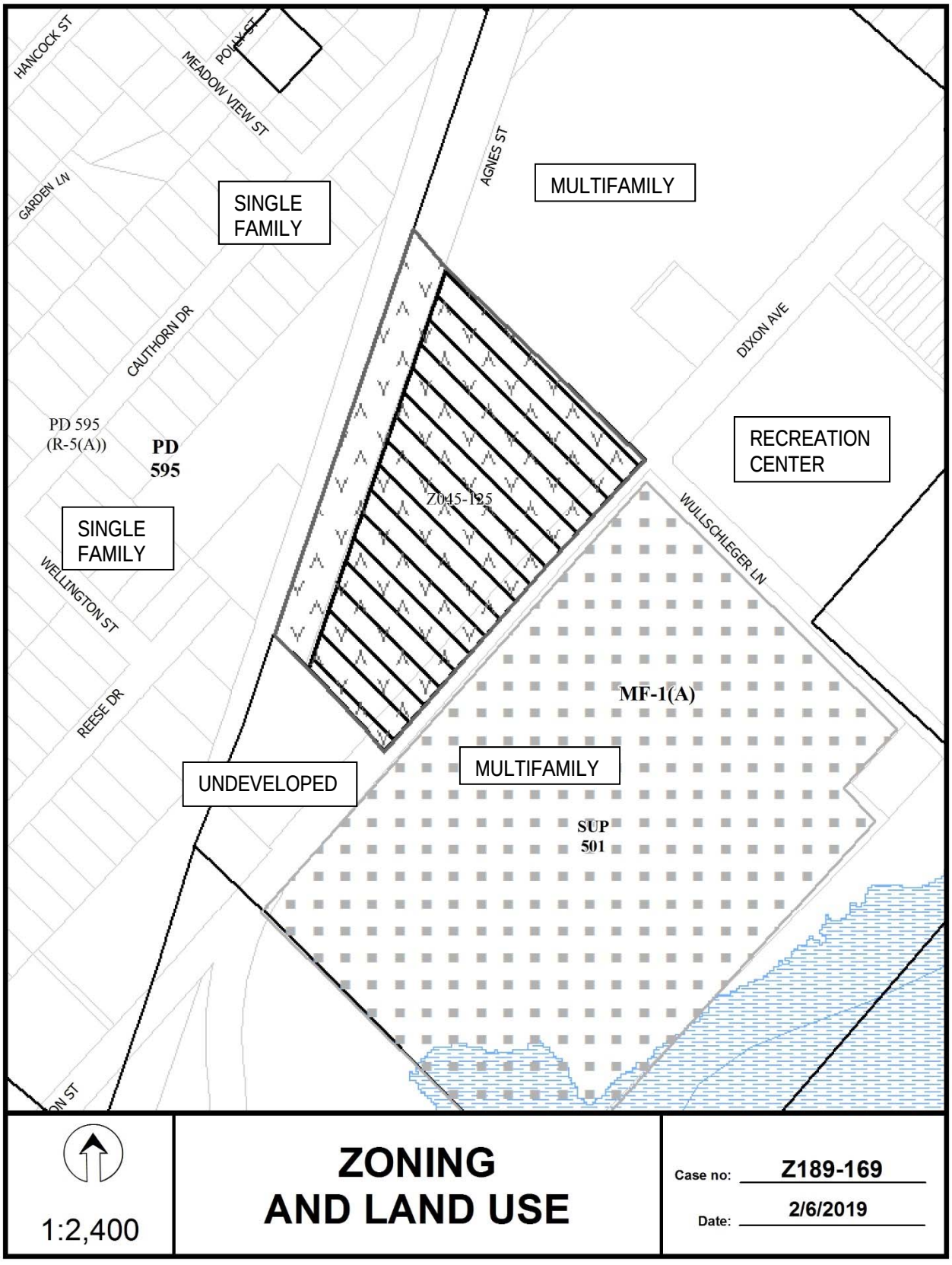


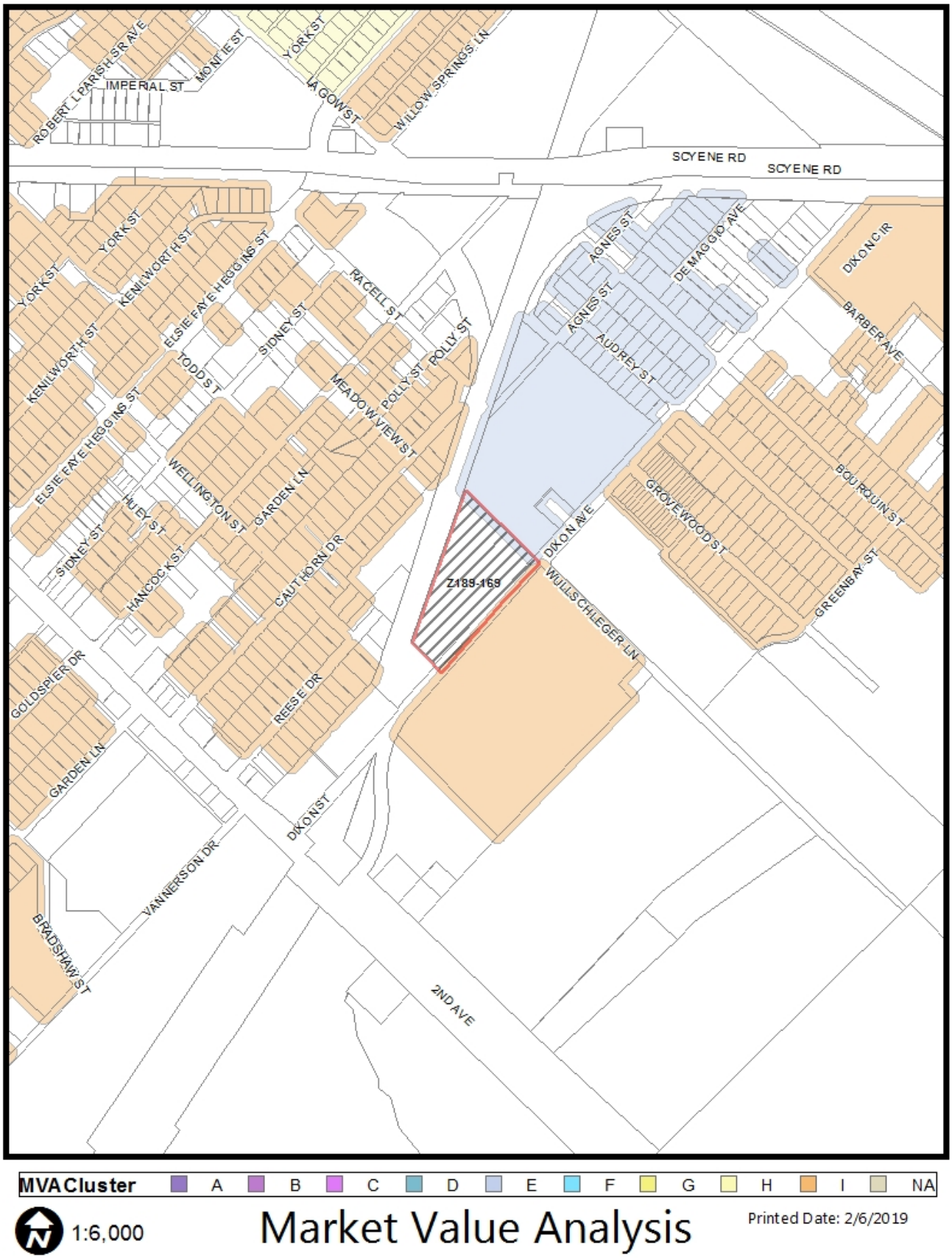
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AERIAL MAP

Case no: Z189-169

Date: 2/6/2019


HANCOCK ST
POLK ST
MEADOW VIEW ST
GARDEN LN
SINGLE FAMILY
AGNES ST
MULTIFAMILY
CAUTHORN DR
DIXON AVE
PD 595 (R-5(A))
PD 595
RECREATION CENTER
Z045-125
SINGLE FAMILY
WELLINGTON ST
WULLSCHLEGER LN
REESE DR
MF-1(A)
MULTIFAMILY
UNDEVELOPED
SUP 501
1:2,400
ZONING AND LAND USE
Case no: Z189-169
Date: 2/6/2019


ROBERT L PARISH SR AVE
IMPERIAL ST
MONTIE ST
YORK ST
LAGOW ST
WILLOW SPRINGS LN
SCYENE RD
SCYENE RD
YORK ST
KENILWORTH ST
ELSIE FAYE HEGGINS ST
RACELL ST
SIDNEY ST
TODD ST
POLLY ST
MEADOW VIEW ST
AGNES ST
DE MAGGIO AVE
DIXON CIR
BARBER AVE
AUDREY ST
BOURQUIN ST
GROVEWOOD ST
GREENBAY ST
WELLINGTON ST
GARDEN LN
HUEY ST
HANCOCK ST
CAUTHORN DR
Z189-169
DIXON AVE
WULLSCHLEGER LN
GOLDSPIER DR
REESE DR
DIXON ST
VANNERSON DR
BRADSHAW ST
2ND AVE
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 2/6/2019

CPC RESPONSES



22	Property Owners Notified (28 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
300'	Area of Notification
3/21/2019	Date

Z189-169
CPC

N
W E
S

1:2,400

03/20/2019

Reply List of Property Owners

Z189-169

22 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	2	9999	NO NAME ST	UNION PACIFIC RR CO
	3	3604	AGNES ST	SOUTHDALE APARTMENTS
	4	3641	DIXON AVE	REDEEMED CHRISTIAN CHURCH OF GOD
	5	3720	REESE DR	JBIII INV INC
	6	3700	REESE DR	SHINN POE & MARY ELIZABETH
	7	3706	REESE DR	ALEXANDER CECIL
	8	3714	REESE DR	JBIII INVESTMENT INC
	9	3627	REESE DR	WORKS R V TR
	10	3618	REESE DR	WEST CLARA
	11	3902	CAUTHORN DR	HARRIS DORIS
	12	3906	CAUTHORN DR	S D HOME DESIGNS LLC SERIES C
	13	3910	CAUTHORN DR	ESPARZA ENRIQUE
	14	3824	CAUTHORN DR	FREEMAN TOM C
	15	3814	CAUTHORN DR	INGRAM RHENETT LYNN
	16	3816	CAUTHORN DR	JONES LOWAYNE
	17	3827	CAUTHORN DR	LEVELS JAMES
	18	3726	CAUTHORN DR	HOLLINGSWORTH JEANETTE
	19	3802	CAUTHORN DR	JONES LOWAYNE &
	20	3808	CAUTHORN DR	SNEED JEROME
	21	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	22	3650	DIXON AVE	DALLAS PRINCE HALL LTD

Agenda Information Sheet

File #: 19-676 **Item #:** 67.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding consideration of amendments to Sec. 51A-7.930. "Supergraphic Signs" of the Dallas Development Code within the Downtown Special Provision Sign District on property zoned CA-1(A) Central Area District, Planned Development District No. 619 and Planned Development District No. 715, in the area generally bounded by Woodall Rogers Freeway, St. Paul Street, and Ross Avenue to the north; Interstate 45/US 75, Harwood Street, Park Avenue, and St. Paul Street to the east; Commerce Street, Wood Street, Young Street, and Interstate 30/R.L. Thornton to the south; and Interstate 35/Stemmons Freeway to the west save and except that area comprised of the West End Historic Sign District and an ordinance granting the amendments
Recommendation of Staff: Approval of Quality of Life, Arts, and Culture Committee recommendations
Recommendation of CPC: Approval
SPSD189-001

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER: SPSD189-001 **DATE INITIATED:** August 10, 2018

LOCATION: Area generally bounded by Woodall Rogers Freeway, St. Paul Street, and Ross Avenue to the north; Interstate 45/US 75, Harwood Street, Park Avenue, and St. Paul Street to the east; Commerce Street, Wood Street, Young Street, and Interstate 30/R.L. Thornton to the south; and Interstate 35/Stemmons Freeway to the west save and except that area comprised of the West End Historic Sign District.

COUNCIL DISTRICT: 2, 14 **MAPSCO:** 45 G; K; L; P; Q; R

SIZE OF REQUEST: Approximately 129 acres **CENSUS TRACT:** 17.01, 21.00, 31.01, 32.01, 204.00

PROPOSAL: Consideration of amendments to Sec. 51A-7.930. "Supergraphic Signs" of the Dallas Development Code within the Downtown Special Provision Sign District on property zoned CA-1(A) Central Area District, Planned Development District No. 619 and Planned Development District No. 715.

SUMMARY: The supergraphic sign provision in the Downtown SPSD sunsets or expires on July 31, 2019. Staff is required to evaluate the provisions and present to Council prior to the sunset date.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval** of Quality of Life, Arts, and Culture Committee recommendations.

BACKGROUND INFORMATION:

- Background:
  - Supergraphic signs are allowed in the inner loop area of the Downtown Special Provision Sign District section of the Dallas Development Code – Section 51A-7.930. (A list and map of existing signs are included in the case report).
  - A supergraphic sign is defined as a large attached premise or non-premise sign on a mesh or fabric surface, or a projection of a light image onto a wall face without the use of lasers.
  - The "inner loop area" is defined as the Main Street Subdistrict, Retail Subdistrict A, Retail Subdistrict B, the Convention Center Subdistrict, and the General CBD Subdistrict. Since the last time amendments were made to the supergraphic sign provisions in 2011, two new subdistricts within the inner loop area have been added: the Akard Station Subdistrict and the Whitacre Tower Subdistrict.
  - The Code has a sunset provision requiring mandatory removal on or before July 31, 2019, unless extended by City Council. This section does not confer a nonconforming or vested right to maintain a supergraphic sign after July 31, 2019, and all permits authorizing supergraphic signs shall automatically expire on that date.
- Supergraphic Timeline:
  - September 12, 2001: City Council adopted the supergraphic sign ordinance allowing for a maximum of 6 supergraphic signs in the Downtown SPSD.
  - May 8, 2002: The ordinance was amended to substitute the phrase "face of the building" for the word "façade." The amendment allowed a supergraphic sign to be placed on the west side of the YMCA building on Ross Avenue.
  - June 11, 2003: The supergraphic sign provision was extended for an additional 2 year period to expire on September 12, 2005.
  - May 25, 2005: The supergraphic sign provision was extended to September 1, 2008.
  - August 27, 2008: The supergraphic sign provision was extended to September 1, 2013.
  - June 24, 2009: An amendment was made to allow up to 12 supergraphic signs, and the supergraphic sign provision was extended to July 31, 2014.
  - August 24, 2011: An amendment was made to allow up to 22 supergraphic signs, and the supergraphic sign provision was extended to July 31, 2019.

  Staff conducted research on supergraphic signs across the country, specifically New York City, Chicago, Miami, and Los Angeles. Staff was unable to find information regarding supergraphic signs in Miami and Chicago. New York City allows large off-premise sings in the Times Square Area. Below are findings regarding supergraphic signs in the City of Los Angeles:
  - Supergraphic signs are only allowed in sign districts, each of which is reviewed individually by city council.
  - Supergraphic sign installations are not allowed at present because of an ordinance passed in 2010.
  - Currently sign regulations are being reviewed by the Los Angeles City Attorney.

- While there are 28 sites that have permanent injunctions from the United States District Court (which are allowed supergraphic signs in Los Angeles), there are not necessarily supergraphic signs at each of these sites.
- The exact number of supergraphic signs is not known.
- The code does not limit the size of supergraphic signs nor the message duration.

Staff met with several interested parties in 2018 to hear concerns about the supergraphic regulations. Staff considered these concerns and prepared staff's recommendation which were shared at a stakeholders' meeting on November 27, 2018.

Staff shared comments from interested parties prior to the December 11, 2018, SPSD meeting. These parties and others attended the SPSD meeting to voice concerns and recommended changes to the supergraphic regulations.

At the December SSDAC meeting, staff presented their recommendation which was as follows:

1. Extension of the sunset provision to August 31, 2027.
2. Allow supergraphics on historic buildings. (A supergraphic was inadvertently allowed on a building in a National Register District early in this program. Later a supergraphic was placed on a noncontributing structure in the Harwood Historic District. Neither sign appears to have been detrimental to the buildings or the districts. Staff is recommending allowing the signs only on exposed party walls. Signs within a City historic district would require the Landmark Commission approval of the installation mechanism to ensure no permanent damage to the structure. The building in the Harwood District received Landmark Commission approval of the installation mechanism. Staff processes a routine maintenance CA with the change of each sign).

The SSDAC asked staff to provide possible amendments to the following provisions for consideration at the January SPSD meeting:

1. That a supergraphic sign location may not display the same message for more than four consecutive months in any 12-month period.
2. That no supergraphic sign may be attached to a federal-, state-, or city-designated historic or landmark structure.
3. That all supergraphic signs must be removed on or before July 31, 2019.
4. That a supergraphic sign must have one visual display with a minimum of 80 percent non-textual graphic content (no more than 20 percent text).
5. That no more than 22 central business district wallscape locations are permitted within the inner loop.
6. That a person may not have more than nine pending or active location permits combined at any one time.
7. That a person shall not obtain a location permit for use by another person.

Of the seven possible amendments the SSDAC considered on this matter in January 2019, the committee recommended the following amendments to the CPC:

1. Clarifying the existing provision regarding “Visual display and coverage” stating that a “Except at provided in this paragraph, a supergraphic sign must have one large visual display with a minimum of 80 percent non-textual graphic content (no more than 20 percent text)” that the 20 percent text includes trademarked logo.
2. Increasing the number of supergraphic signs from 22 to 26.
3. Increasing the duration a sign may be on a building from four months to six months.
4. Allowing location permits to move from one building to another one time during the four year permit period.
5. Extending the sunset period to August 31, 2029.

In March of 2019, the CPC recommended two additional amendments from staff’s recommendation:

1. To accept the SSDAC’s recommendation for a six-month sign duration to display the same message from the current four month duration, and
2. In SEC. 51A-7.903. SUPERGRAPHIC SIGNS., (a) Definitions., (3.1) correct the word “formally to “formerly”.

On April 8, 2019, the Quality of Life, Arts, and Culture Committee recommended an additional amendment: In SEC. 51A-7.903. SUPERGRAPHIC SIGNS., (b) Visual display and coverage., (4) remove the provision to allow “internally illuminated.”

CPC Action:

March 7, 2019

Motion: It was moved to recommend **approval** of amendments to Sec. 51A-7.930. "Supergraphic Signs" of the Dallas Development Code within the Downtown Special Provision Sign District, subject to staff's recommended amendments with the following modifications: 1) except SSADC's recommendation for a six-month sign duration and 2) in SEC. 51A-7.903. SUPERGRAPHIC SIGNS., (a) Definitions., (3.1) correct the word "formally to "formerly"; on property zoned CA-1(A), Planned Development District No. 619 and Planned Development District No. 715, in the area generally by Woodall Rogers Freeway, St. Paul Street, and Ross Avenue to the north; Interstate 45/US 75, Harwood Street, Park Avenue, and St. Paul Street to the east; Commerce Street, Wood Street, Young Street, and Interstate 30/R.L. Thornton to the south; and Interstate 35/Stemmons Freeway to the west save and except that area comprised of the West End Historic Sign District.

Maker: Ridley
Second: Schulte
Result: Carried: 10 to 0

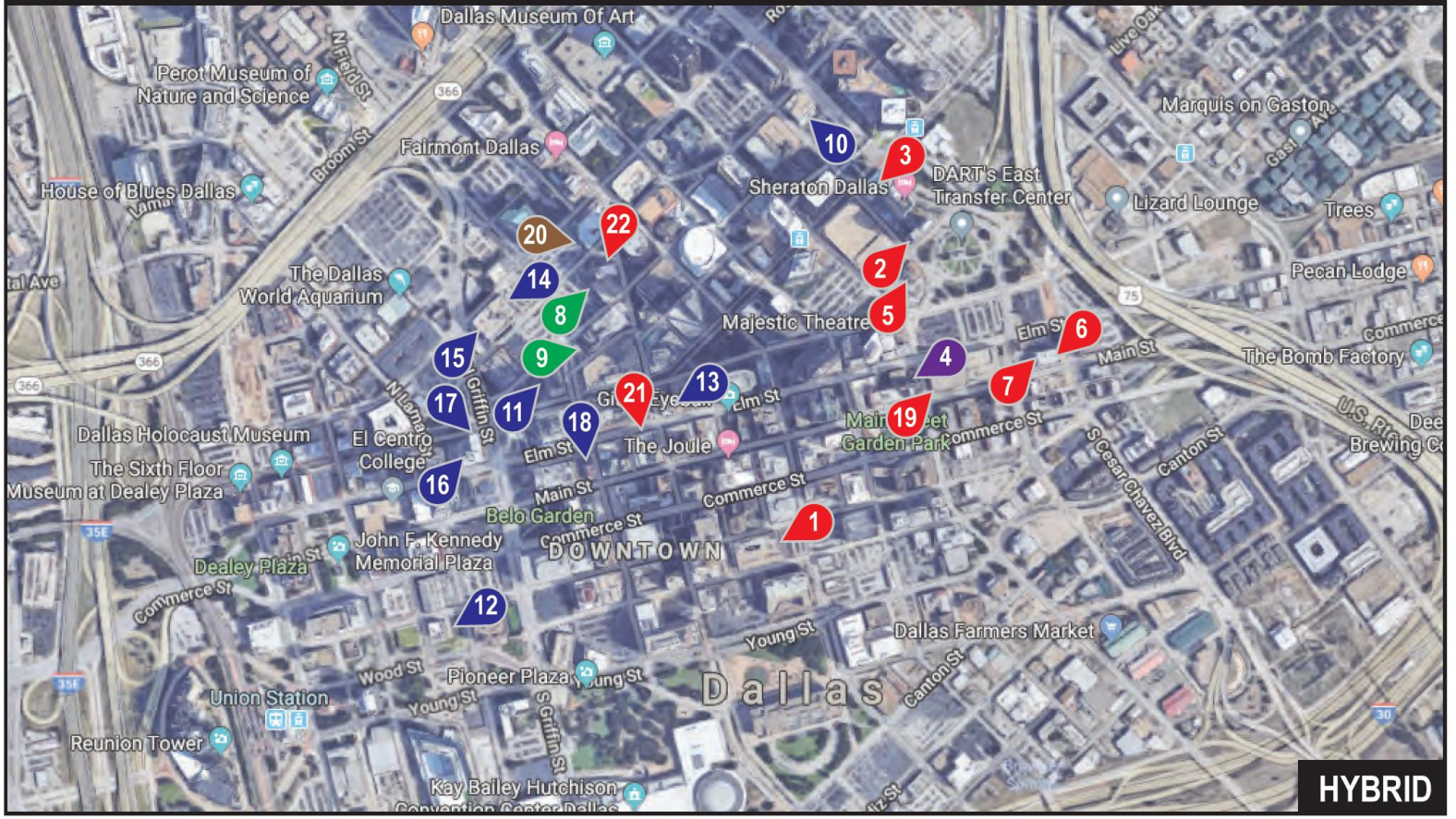
For: 10 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Housewright, Schultz, Ridley, Tarpley

Against: 0
Absent: 1 - Murphy
Vacancy: 3 - District 4, District 7, District 12
Conflict: 1 - Jung

Notices: Area: 200 Mailed: 1042
Replies: For: 18 Against: 0

Speakers: For: Kourtny Garrett, 901 Main St., Dallas, TX, 75202
Curtis Cogburn, 1201 Main St., Dallas, TX, 75202
Erin Watkins, 1528 Slocum St., Dallas, TX, 75207
Tommy Mann, 500 Winstead Building, Dallas, TX, 75201
Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
For (Did not speak): Robert Fielder, 9002 Middlebie Dr., Austin, TX, 78750
Against: None

DOWNTOWN SPSD SUPERGRAPHIC LOCATIONS — MARCH 2019

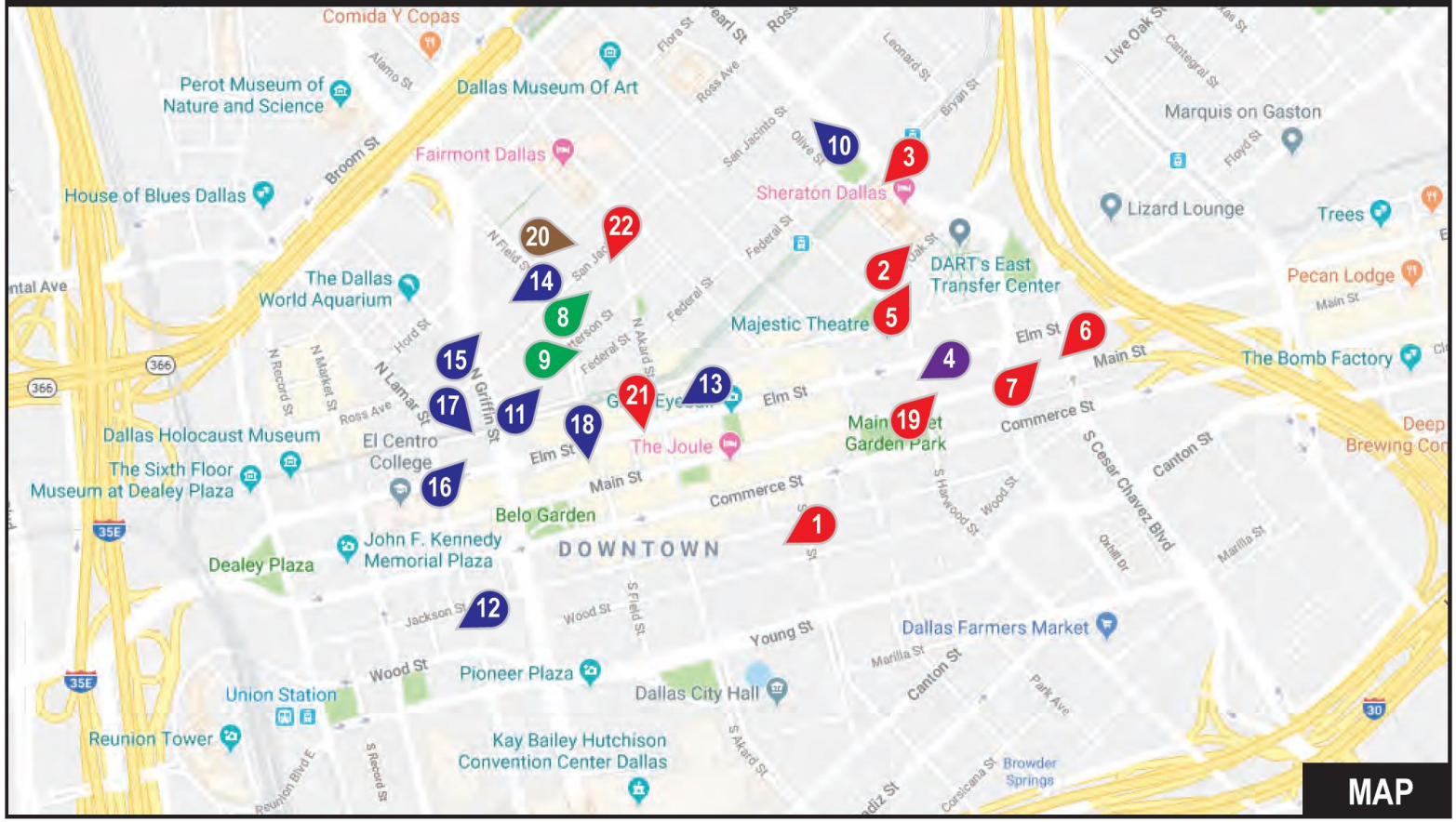


1 - 1500 Jackson (E Elev) - 7,644 sq. ft. - exp. 05/02/2019	9 - 411 N Akard (N Elev/W Elev) - 4,512.6 sq. ft. - exp. 05/06/2019	17 - 1015 Elm (N Elev) - 4,400 sq. ft. - exp. 05/22/2019
2 - 400 Olive (W Elev) - 20,210 sq. ft. - exp. 07/21/2019	10 - 720 N Olive (S Elev) - 13,490 sq. ft. - exp. 07/25/2019	18 - 1217 Main (N Elev) - 2,538 sq. ft. - exp. 06/04/2019
3 - 400 Olive (E Elev) - 11,024 sq. ft. - exp. 06/14/2019	11 - 1201 Pacific (W Elev) - 23,000 sq. ft. - exp. 05/07/2019	19 - 2000 Elm (W Elev) - 2,500 sq. ft. - exp. 07/13/2019
4 - 1920 Elm (E Elev) - 2,516 sq. ft. - exp. 05/02/2019	12 - 800 Jackson (E Elev) - 4,237 sq. ft. - exp. 06/08/2019	20 - 601 N Akard (W Elev) - 11,744 sq. ft. - exp. 07/20/2019
5 - 2020 Live Oak (W Elev) - 7,350 sq. ft. - exp. 05/02/2019	13 - 1505 Elm (E Elev) - 8,136 sq. ft. - exp. 07/18/2019	21 - 1415 Main (N Elev) - 3,995 sq. ft. - exp. 05/18/2019
6 - 2121 Main (E Elev) - 3,380 sq. ft. - exp. 05/02/2019	14 - 1200 Ross (E Elev) - 18,928 sq. ft. - exp. 06/14/2019	22 - 511 N Akard (N Elev) - 12,928 sq. ft. - exp. 06/01/2019
7 - 2121 Main (W Elev) - 2,625 sq. ft. - exp. n/a (Blank)	15 - 1200 Ross (W Elev) - 18,682 sq. ft. - exp. 07/25/2019	
8 - 505 N Akard (W Elev) - 13,584 sq. ft. - exp. 06/11/2019	16 - 1015 Elm (W Elev) - 4,100 sq. ft. - exp. 05/24/2019	

- Outfront Media, LLC.
- Impact Outdoor Ad. Co.
- Pearl Media, LLC.
- Radiant Outdoor, LLC.
- Clear Channel Outdoor, Inc.

DOWNTOWN SPSD SUPERGRAPHIC LOCATIONS

MARCH 2019



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Report on Downtown Supergraphics

Sign Company	Location	Current location permit/Original location permit	Issue Date	Four Year Expiration	Current Permit No. (change copy)	Current change copy expiration	Square footage
Outfront Media, LLC (formerly Fuel Outdoor Holdings, LLC)	1500 Jackson (east elevation)	1506121027/ 0908195010	6/19/2015	6/19/2019	1812312003	5/2/2019	7644
Outfront Media, LLC (formerly Fuel Outdoor Holdings, LLC)	400 Olive (west elevation)	1506191069/ 0909105008	6/19/2015	6/19/2019	1903202008	7/21/2019	20,210
Outfront Media, LLC (formerly Fuel Outdoor Holdings, LLC)	400 Olive (east elevation)	1506191068/ 0911045005	6/19/2015	6/19/2019	1902112008	6/14/2019	11,024
Impact Outdoor Advertising Co.	1920 Elm Street (north elevation) requires CA	1506121024/ 0910275001	6/19/2015	6/19/2019	1812202010	5/2/2019	2516
Outfront Media, LLC (formerly Fuel Outdoor Holdings, LLC)	2020 Live Oak Street (west elevation)	1506121028/ 1109205010	6/19/15	6/19/2019	1812312006	5/2/2019	7350
Outfront Media, LLC (formerly Fuel Outdoor Holdings, LLC)	2121 Main Street (east elevation)	1506121021/ 1110245004	6/19/2015	6/19/2019	1812312004	5/2/2019	3380
Outfront Media, LLC (formerly Fuel Outdoor Holdings, LLC)	2121 Main Street (west elevation)	1506121022/ 1110245003	6/19/2015	6/19/2019	Currently Blank		2625
Pearl Media, LLC	505 N. Akard Street (west elevation)	1510061045/ 1001145008	10/19/2015	10/19/2019	1902052006	**6/11/2019**	**13,584**
Pearl Media, LLC	411 N. Akard Street (north elevation)	1510061042/ 1110045002	10/19/2015	10/19/2019	1812032007	5/6/2019	4,512.6
Radiant Outdoor, LLC (formerly Big Media)	720 N. Olive Street (west elevation)	1510091053/ 0908195007	10/12/2015	10/12/2019	1903202013	7/25/2019	13,490
Radiant Outdoor, LLC (formerly Big Media)	1201 Pacific Avenue (west elevation)	1510091056/ 0908195006	10/12/2015	10/12/2019	1812032013	5/7/2019	23,000
Radiant Outdoor, LLC (formerly Big Media)	800 Jackson Street (east elevation)	1510091054/ 0908195008	10/12/2015	10/12/2019	1901302010	6/8/2019	4237
Radiant Outdoor, LLC (formerly Dunklin & Company, Inc.)	1505 Elm Street (east elevation)	1510091039/ 0908195011	10/12/2015	10/12/2019	1903132006	7/18/2019	8136
Radiant Outdoor, LLC (formerly Chavez Properties)	1200 Ross Avenue (east elevation)	1510091045/ 0908195004	10/12/2015	10/12/2019	1901312001	6/14/2019	18,928
Radiant Outdoor, LLC (formerly Chavez Properties)	1200 Ross Avenue (west elevation)	1510091049/ 0908195002	10/12/2015	10/12/2019	1903202011	**7/25/2019**	**18,682**

	Travis Hodges						
Radiant Outdoor, LLC	1015 Elm Street (west elevation)	1510091036/ 1109205014	10/12/2015	10/12/2019	1901172006	5/24/2019	4100
Radiant Outdoor, LLC	1015 Elm Street (north elevation)	1510091037/ 1109205013	10/12/2015	10/12/2019	1812312002	5/22/2019	4400
Radiant Outdoor, LLC	1217 Main Street (north elevation)	1510091042/ 1110245002	10/12/2015	10/12/2019	1901282003	6/4/2019	2538
Outfront Media, LLC (formerly Reynolds outdoor media inc.	2000 Elm Street (west elevation)	1511171021/ 1111215004	11/17/2015	11/17/2019	1903122004	**7/13/2019**	**2500**
Clear Channel Outdoor, Inc.	601 N. Akard (west elevation)	1608261145/ 0908195005	8/31/2016	8/31/2020	1903192002	7/20/2019	11,744
Outfront Media, LLC (formerly Reynolds outdoor media inc.	1415 Main Street (north elev)	1810231038/ 1501231011	10/30/2018	10/30/2022	1901162003	5/18/2019	3995
Outfront Media, LLC, (formerly Reynolds outdoor, inc.	511 N Akard (north elevation)	1810231032/ 1109205015	10/30/2018	10/30/2022	1901282018	6/1/2019	12,928

SPSD189-001

Proposed Amendments

SEC. 51A-7.903. SUPERGRAPHIC SIGNS.

(a) Definitions. In this section:

(1) AFFILIATE means any person who is an owner, shareholder, member, partner, agent, officer, or director of an applicant for a supergraphic sign location permit pursuant to this section or a person who has a contractual relationship with an applicant related to supergraphic signs.

(2) CENTRAL BUSINESS DISTRICT WALLSCAPE SIGN means a supergraphic sign located in the inner loop area that is neither a promotional wallscape nor a civic center wallscape.

(3) CIVIC CENTER WALLSCAPE SIGN means a supergraphic sign located on a city-owned performance venue with a minimum 1,000-person seating capacity, convention center, or library.

(3.1) EXPOSED PARTY WALL means the remaining outer wall of a structure that formally was a part of a common wall between two adjoining structures.

(4) INNER LOOP AREA means the Main Street Subdistrict, Retail Subdistrict A, Retail Subdistrict B, the Convention Center Subdistrict, [~~and~~] the General CBD Subdistrict, the Akard Station Subdistrict, and the Whitacre Tower Subdistrict.

(5) LOCATION PERMIT means a sign permit to erect a supergraphic sign in a specific location.

(6) PROMOTIONAL WALLSCAPE SIGN means a supergraphic sign that identifies or promotes a cultural activity or sporting event that significantly benefits the city.

(7) QUALIFIED APPLICANT means any person who has been qualified by the director to apply for a location permit.

(8) SUPERGRAPHIC SIGN means a large attached premise or non-premise sign on a mesh or fabric surface, or a projection of a light image onto a wall face without the use of lasers.

(9) WALL FACE means an uninterrupted blank plane of a wall, from vertical edge to vertical edge, from its highest edge to its lowest edge. Edges can be established by a distinct change in materials or off-set which runs across (transects) the entire wall in a straight line.

(b) Visual display and coverage.

(1) Except as provided in this paragraph, a supergraphic sign must have one large visual display with a minimum of 80 percent non-textual graphic content (no more than 20 percent text).

(A) Multiple displays giving an appearance of multiple signs are prohibited.

(B) The effective area of text is the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word.

(C) A promotional wallscape sign may contain 10 percent text or logo related to sponsorship. The remainder of the promotional wallscape sign must promote the special event.

(2) Subject to the maximum effective area in Subsection (c), a central business district wallscape sign must cover at least 60 percent of the wall face of the building to which it is attached. The lower 10 feet of the wall face may not be covered and is disregarded in calculating the coverage area.

(3) Supergraphic signs are intended to be creative and artful and not strictly a representation of an advertised product. It is the intent of this provision to:

(A) encourage the use of illustrative images or other non-repetitive design elements;

(B) encourage visually interesting, vibrant, and colorful designs;

(C) discourage use of solid colors or repetitive design elements; and

(D) discourage an image of a single product or product logo without other graphic elements.

Quality of Life, Arts, and Culture Committee and staff recommended:

(4) Supergraphic signs may be internally ~~or externally~~ illuminated. ~~If internally illuminated, a supergraphic sign may consist of translucent materials, but not transparent materials.~~

(5) No building may have more than two central business district wallscape signs. The two central business district wallscape signs must be oriented a minimum of 90 degrees from each other.

(c) Effective area. Minimum permitted effective area of a central business district wallscape sign is 2,500 square feet. This subsection controls over Paragraph (b)(2).

(d) Height. No central business district wallscape sign or civic center wallscape sign may exceed 450 feet in height. There is no maximum height for promotional wallscape signs.

(e) Number of sign locations permitted.

(1) No more than 22 central business district wallscape locations are permitted within the inner loop area.

(2) No more than four civic center wallscape locations are permitted within the inner loop area.

(3) No supergraphic signs are permitted outside of the inner loop area.

(f) Extensions.

(1) Except as provided in Paragraph (2), a supergraphic sign may not extend beyond the edge of the face of the building to which it is attached.

(2) A supergraphic sign may wrap around the edge of a building if:

(A) both building facades to which the supergraphic sign is attached are otherwise eligible facades; and

(B) the supergraphic sign is one continuous image.

(g) Location.

(1) A central business district wallscape sign may only be located on a blank wall face.

(2) A central business district wallscape sign on a federal-, state-, or city-designated historic or landmark structure may only be located on a blank exposed party wall. For a central business district wallscape sign located on a city-designated historic or landmark structure, the installation mechanism must be approved by the landmark commission.

(3) No supergraphic sign may:

(A) cover any window or architectural or design feature of the building to which it is attached;

(B) be attached to a federal-, state-, or city-designated historic or landmark structure unless it is a central business district wallscape sign that is located on a on a blank exposed party wall in accordance with Paragraph (2);

(C) be attached to a facade erected or altered after June 1, 2005;

(D) be attached to a facade on Pacific Avenue between Akard Street and Ervay Street;

(E) be attached to a facade facing Main Street Garden or Belo Garden.

(3) Except as provided in Paragraph (4), central business district wallscape signs are only permitted on parking structures or buildings with lodging, residential, retail and personal service, or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent of the floor area.

(4) The director may waive the requirements in Paragraph (3) for up to one year if the director determines that the building or multi-building complex is currently being redeveloped. The director may revoke this waiver if redevelopment stops or is inactive for 90 days or more.

CPC recommended:

(1) Message duration. A supergraphic sign location may not display the same message for more than ~~four~~ six consecutive months in any 12-month period.

Staff recommended no change to current language:

(1) Message duration. A supergraphic sign location may not display the same message for more than four consecutive months in any 12-month period.

(i) Hardware fasteners. All hardware fasteners for a supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.

(j) HBA signs prohibited. No supergraphic sign may be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102.

(k) Permits.

(1) Application to be a qualified applicant.

(A) An applicant shall submit an application to the director for the purpose of qualifying as an applicant. The application must include:

(i) the name, address, phone number, and other pertinent information of the applicant, and if the applicant is a business entity, the names and business addresses of the principal officers, managers, and other persons who own more than five percent of the entity; and

(ii) an affidavit stating that the applicant is in good standing with the city on all code enforcement matters related to supergraphic signs.

(B) A person may not qualify as an applicant if that person:

(i) has any outstanding code violations related to supergraphic signs;

(ii) has previously displayed a non-permitted supergraphic sign within the previous 12-month period; or

(iii) is an affiliate of another qualified applicant.

(2) Location permit.

(A) Qualified applicants must submit a separate location permit application for each location. The director shall time stamp all applications upon receipt.

(B) The director shall review location permit applications in order of submittal. If the director determines that a location permit application is incomplete or

does not meet the guidelines, the director shall reject the application and then review the next location permit application. If the initial number of location permit applications exceeds the number of location permits available, the director shall provide for a lottery to distribute the location permits.

(C) An application for a supergraphic sign location permit must contain:

(i) a memorandum of lease, sworn to by affidavit, that shows that the qualified applicant has an enforceable lease for a supergraphic location;

(ii) an affidavit stating that the property where the supergraphic sign will be located has no outstanding code enforcement matters;

(iii) a current tax certificate and affidavit stating that there are no unpaid governmental liens for the supergraphic sign location; and

(iv) an affidavit stating that the building meets the occupancy requirements in Paragraph (g)(3).

(D) Location permit holders may not be an affiliate of any other location permit holder.

(E) A person may not have more than nine pending or active location permits combined at any one time.

(F) A person shall not obtain a location permit for use by another person.

(G) A location permit expires four years after the date of issuance.

(H) The director shall revoke a location permit if the location has displayed obsolete supergraphic advertising or has been without supergraphic advertising matter for six months or more.

(I) A holder of a location permit may apply for renewal of the location permit by filing a complete application for renewal with the director no more than 180 days before the expiration of the current permit. To be eligible for a renewal of a location permit, an applicant must meet the qualification criteria under Paragraph (1).

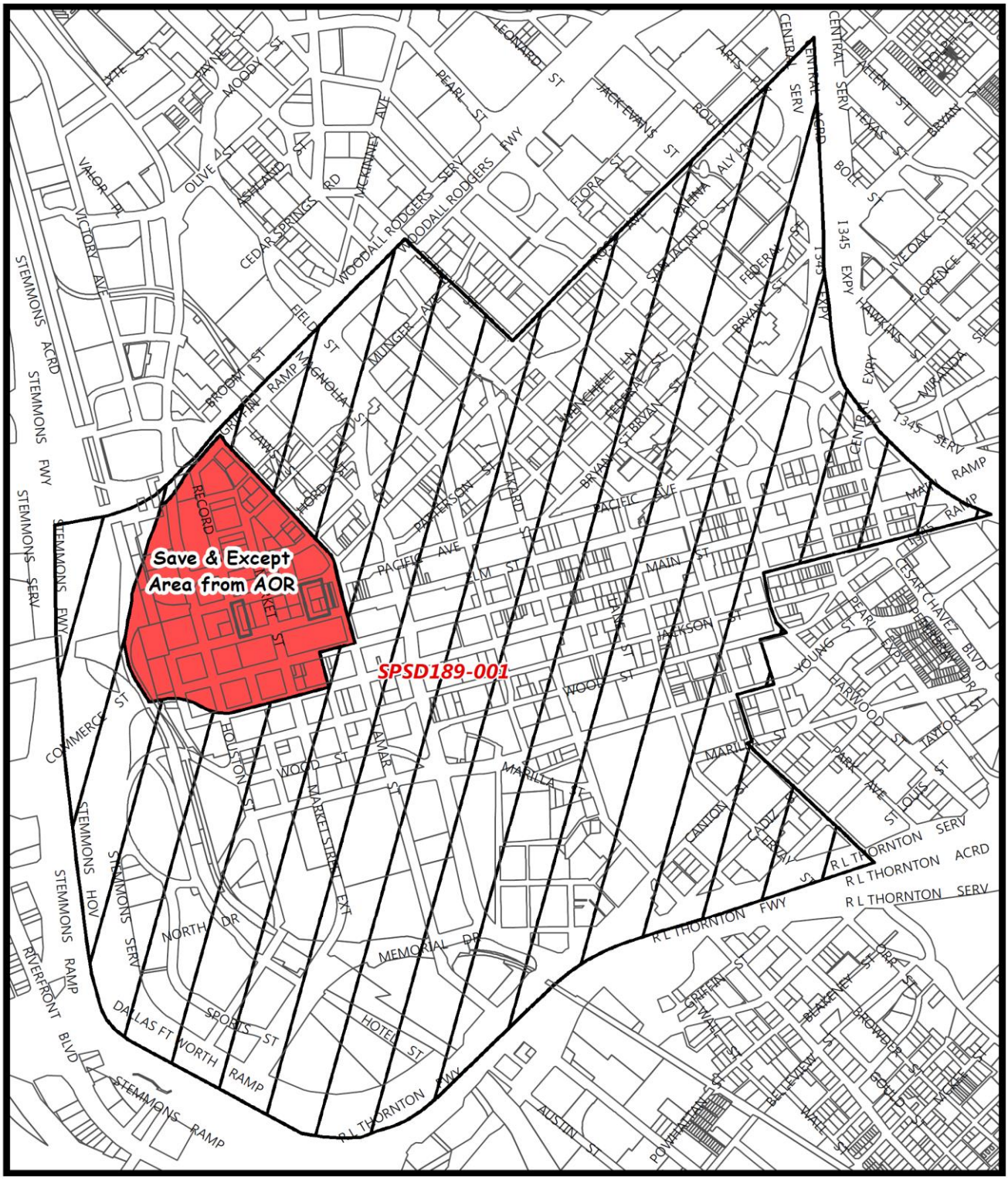
(3) Promotional wallscape signs. An application for a promotional wallscape must be supported by a resolution of the city council that recognizes the activity or event as significantly benefiting the city. A promotional wallscape may not be erected

more than 60 days before the beginning of the activity or event and must be removed not later than 30 days after the activity or event has ended.

(4) Review procedure. The director shall review all applications for location permits and copy change permits using the director procedure in Section 51A-7.505.

(l) Mandatory removal in 2027 [~~2019~~]. All supergraphic signs must be removed on or before ~~July 31, 2019~~ August 31, 2027. This section does not confer a nonconforming or vested right to maintain a supergraphic sign after ~~July 31, 2019~~ August 31, 2027, and all permits authorizing supergraphic signs shall automatically expire on that date.

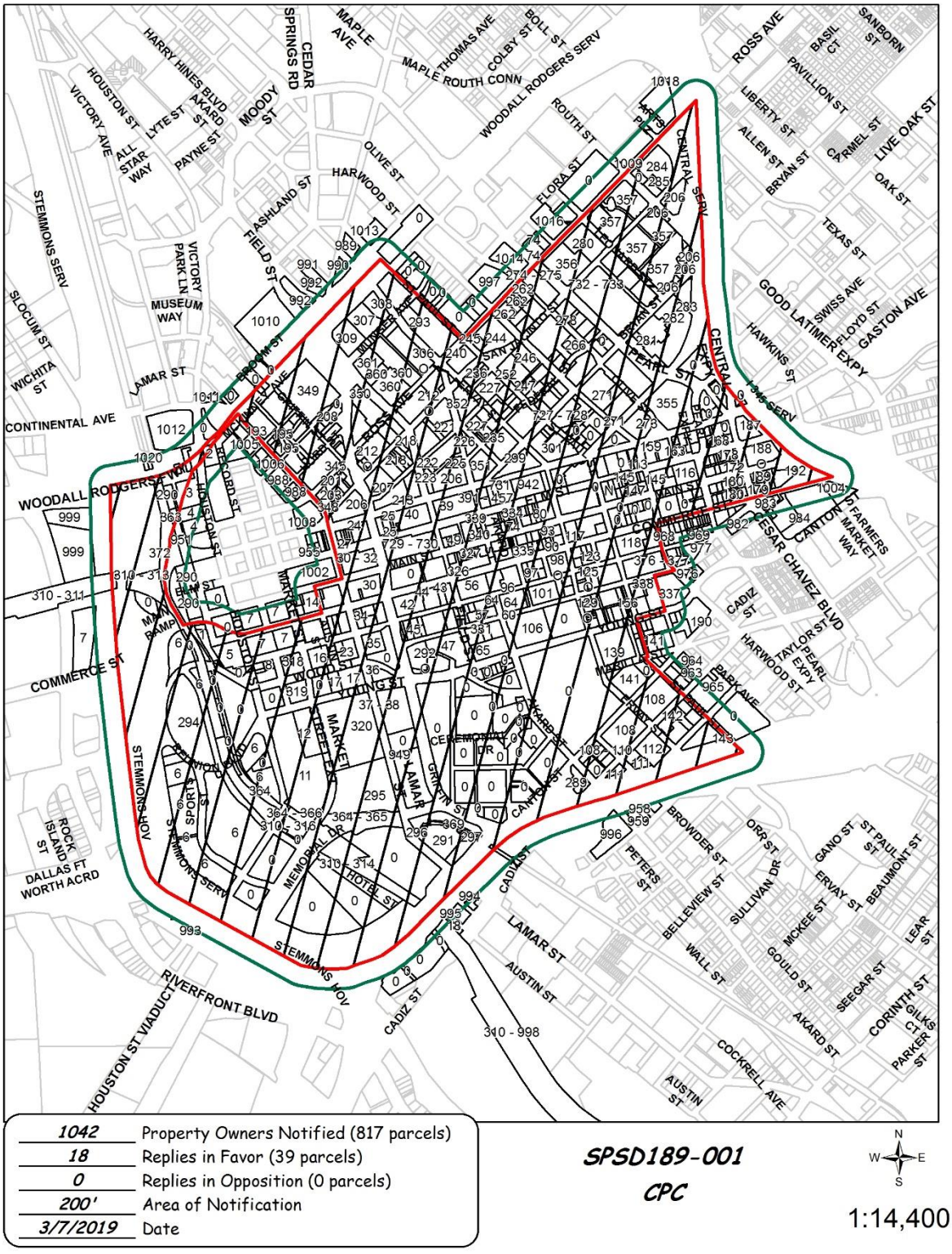
(m) Sunset. This section expires on ~~July 31, 2019~~ August 31, 2027, unless re-enacted with amendment before that date. The city plan commission and city council shall review this section before its expiration date.



Printed Date: 12/6/2018

SPSD Downtown
Inner Loop Districts

1:11,736


1042 Property Owners Notified (817 parcels)
18 Replies in Favor (39 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
3/7/2019 Date
SPSD189-001
CPC
1:14,400
N
W
E
S
WOODALL RODGERS FWY
COMMERCE ST
MAIN ST
YOUNG ST
JACKSON ST
LAMAR ST
AUSTIN ST
CADIZ ST
RIVERFRONT BLVD
HOUSTON ST VIADUCT
STEMMONS HOV
STEMMONS SERV
CONTINENTAL AVE
WICHITA ST
SLOCUM ST
HARRY HINES BLVD
VICTORY AVE
HOUSTON ST
LYTE ST
AKARD ST
MOODY ST
CEDAR SPRINGS RD
MAPLE AVE
MAPLE THOMAS AVE
COLBY ST
BOLL ST
MAPLE ROUTH CONN
WOODALL RODGERS SERV
ROUTH ST
ROSS AVE
BASIL CT
SANBORN ST
PAVILLION ST
LIBERTY ST
ALLEN ST
BRYAN ST
CARMEL ST
LIVE OAK ST
OAK ST
TEXAS ST
GOOD LATIMER EXPY
SWISS AVE
FLOYD ST
GASTON AVE
HAWKINS ST
CENTRAL EXPY SERV
OLIVE ST
HARWOOD ST
FLORA ST
ASHLAND ST
FIELD ST
VICTORY PARK LN
MUSEUM WAY
ALL STAR WAY
PAYNE ST
CESAR CHAVEZ BLVD
FARMERS MARKET WAY
CANTON ST
CADIZ ST
TAYLOR ST
PEARL EXPY
HARWOOD ST
PARK AVE
MARKET ST
GRIFFIN ST
CANTON ST
CEMETERY DR
MEMORIAL DR
HOTEL ST
ROCK ISLAND ST
DALLAS FT WORTH ACRD
BROWDER ST
ORR ST
PETERS ST
BELLEVIEW ST
SULLIVAN DR
GANO ST
ST PAUL ST
BEAUMONT ST
ERVAY ST
MCKEE ST
WALL ST
GOULD ST
SEEGAR ST
LEAR ST
CORINTH ST
GILKS CT
PARKER ST
AKARD ST
COCKRELL AVE
AUSTIN ST
310 - 998
310 - 311
729 - 730
732 - 733
727 - 728

12/14/2018

Notification List of Property Owners

SPSD189-001

1042 Property Owners Notified

Label #	*Address*		*Owner*
1	405	REUNION BLVD	U S A
2	1951	N RECORD ST	BUFFLEHEAD PTNRS LP
3	401	N HOUSTON ST	CORDOVAN VENTURERS &
4	401	N HOUSTON ST	GPIF HOUSTON STREET LLC
5	207	S HOUSTON ST	USA
6	501	HOUSTON ST	HUNT WOODBINE REALTY CORP
7	100	S HOUSTON ST	County of Dallas
8	512	JACKSON ST	BMR GARAGE PTNRS LLC
9	306	S HOUSTON ST	ADMIRAL REALTY CO
10	302	S HOUSTON ST	BMR DALLAS DOWNTOWN INVESTMENTS LLC
11	508	YOUNG ST	DALLAS MORNING NEWS LP
12	606	YOUNG ST	TEXAS CABLE NEWS
13	304	S RECORD ST	RICHMAN TRUSTS
14	710	MAIN ST	DALLAS MAIN LP
15	712	COMMERCE ST	BANANAQUIT PARTNERS LP
16	714	JACKSON ST	714 JACKSON STREET LLC
17	701	YOUNG ST	LUBBEN SITE LLC
18	207	S LAMAR ST	DALLAS TERM RY & UN DEPOT
19	205	S LAMAR ST	GREYHOUND LINES INC
20	804	COMMERCE ST	GREYHOUND LINES INC
21	801	JACKSON ST	GREYHOUND BUS LINES INC
22	800	JACKSON ST	800 JACKSON TOWER LP
23	311	S LAMAR ST	800 JACKSON OWNER LP
24	1015	ELM ST	TOG HOTELS DOWNTOWN
25	1025	ELM ST	APPLE TEN HOSPITALITY
26	907	ELM ST	HARMON FRANK G III ET AL

12/14/2018

Label #	*Address*		*Owner*
27	901	ELM ST	DART
28	911	ELM ST	TOG HOTELS DOWNTOWN DALLAS LLC
29	909	ELM ST	909 ELM STREET LLC
30	901	MAIN ST	DALLAS MAIN LP
31	100	N LAMAR ST	INTERFIRST BANK DALLAS
32	901	MAIN ST	INTERFIRST BANK DALLAS
33	909	COMMERCE ST	DALLAS MAIN LP
34	908	COMMERCE ST	DALLAS MAIN LP
35	900	JACKSON ST	JACKSON WOOD LTD
36	901	YOUNG ST	JACKSON WOOD LTD
37	901	YOUNG ST	DALLAS TERM RY & UN DEPOT
38	555	S GRIFFIN ST	UTILIZATION BRANCH
39	1401	ELM ST	DREVER 1401 ELM LLC
40	1201	ELM ST	JM BMM LLC &
41	1201	ELM ST	SILBERSTEIN LISA
42	1100	COMMERCE ST	U S GOVERNMENT
43	1208	COMMERCE ST	DAVIS MRS HELEN BOUCHE
44	1201	JACKSON ST	U S A VETERANS ADM
45	1100	JACKSON ST	BUNTING PARTNERS LP
46	1212	JACKSON ST	SOUTHWESTERN BELL
47	1114	WOOD ST	SANTE FE IV HOTEL LP
48	1033	YOUNG ST	SANTA FE IV HOTEL LP
49	1302	ELM ST	DAVIS 1309 MAIN LLC
50	1301	MAIN ST	HEADINGTON REALTY &
51	1217	MAIN ST	1217 MAIN LLC
52	1400	MAIN ST	RBP ADOLPHUS LLC
53	1404	MAIN ST	APAL CO LLC
54	1208	COMMERCE ST	BRAMA COMMERCE STREET LTD
55	1222	COMMERCE ST	BRAMA COMMERCE STREET LTD
56	211	S AKARD ST	SOUTHWESTERN BELL
57	311	S AKARD ST	BONDURANT WRIGHT ELIZABETH &

12/14/2018

Label #	*Address*		*Owner*
58	311	S AKARD ST	SOUTHWESTERN BELL
59	308	S AKARD ST	SOUTHWESTERN BELL
60	308	S AKARD ST	SOUTHWESTERN BELL
61	1321	WOOD ST	VFT WOOD STREET LLC
62	1312	JACKSON ST	SOUTHWESTERN BELL
63	1311	WOOD ST	CVH 918 LLC
64	301	S AKARD ST	SOUTHWESTERN BELL
65	400	FIELD ST	HPIGSA 2B LLC
66	403	S AKARD ST	HPI GSA 2B LP
67	1	S AKARD ST	HPI GSA 2D LLC
68	403	S AKARD ST	HPI GSA 2B LP
69	1301	YOUNG ST	HPIGSA 2B LLC
70	211	N ERVAY ST	ALTERRA 211 NORTH ERVAY LLC
71	208	N AKARD ST	208NAKARD LLC
72	1517	MAIN ST	FONBERG PETER D TR ET AL
73	1514	ELM ST	MID ELM LP
74	1521	MAIN ST	ROMAN CATHOLIC DIOCESE DALLAS
75	1519	MAIN ST	1519 MAIN PROPERTY LP
76	1515	MAIN ST	LEGAL AID OF NORTHWEST TE
77	1604	ELM ST	ELM AT STONEPLACE HOLDINGS LLC
78	1606	ELM ST	ELM AT STONEPLACE HOLDINGS LLC
79	1607	MAIN ST	ELM AT STONEPLACE HOLDINGS LLC
80	1623	MAIN ST	FC WP BUILDING LLC
81	1612	ELM ST	ELM AT STONEPLACE HOLDINGS LLC
82	1608	ELM ST	ELM AT STONEPLACE HOLDINGS LLC
83	1603	COMMERCE ST	NEIMAN MARCUS CO
84	1622	MAIN ST	NEIMAN MARCUS CO LESSEE
85	1618	MAIN ST	THE NEIMAN MARCUS GROUP INC
86	1520	MAIN ST	MAIN STREET INVESTORS JV
87	1401	COMMERCE ST	HOLTZE MAGNOLIA LLLP
88	1513	COMMERCE ST	1530 MAIN LP

12/14/2018

Label #	*Address*		*Owner*
89	1525	COMMERCE ST	POLLOCK ROBERT ETAL
90	1603	COMMERCE ST	KEATING PROPERTIES LLC
91	1607	COMMERCE ST	ROGERS WILLIAM SLAUGHTER &
92	1609	COMMERCE ST	NEIMAN MARCUS GROUP INC
93	1616	MAIN ST	DALLAS FOUNDATION
94	208	S AKARD ST	SOUTHWESTERN BELL TELEPHONE
95	1400	JACKSON ST	SOUTHWESTERN BELL
96	208	S AKARD ST	IEP DALLAS LLC
97	1512	COMMERCE ST	DPL LOAN HOLDINGS LLC
98	1600	COMMERCE ST	DALPARK LAND LEASE LTD
99	1500	COMMERCE ST	DPL LAND LLC
100	1610	JACKSON ST	1610 JACKSON LLC
101	1500	JACKSON ST	FPG INTERURBAN LLC
102	315	S ERVAY ST	315 ERVAY LLC
103	1600	JACKSON ST	SWAIN JACK R JR
104	1600	JACKSON ST	SABO MARY ELIZABETH
105	1600	JACKSON ST	1600 JACKSON LLC
106	400	S AKARD ST	DIGITAL AKARD LLC
107	807	BROWDER ST	CANTON CADIZ PHASE 1 LLC
108	809	BROWDER ST	CANTON CADIZ PHASE 1 LLC
109	809	BROWDER ST	KAHN RICHARD ALAN &
110	809	BROWDER ST	GREENMAN SUZANNE FLAXMAN &
111	907	BROWDER ST	UNIVERSAL CHURCH INC
112	901	S ERVAY ST	ALL SAINTS CHURCH DALLAS
113	1933	ELM ST	KEVIN KRISTIAN 2612 LLC
114	1910	PACIFIC AVE	1910 PACIFIC LP
115	1910	PACIFIC AVE	OLYMBEC USA LLC
116	1717	MAIN ST	1717 TOWER OWNER LP
117	1800	MAIN ST	FC MERC COMPLEX LP
118	1954	COMMERCE ST	COMMERCE STATLER DEVELOPMENT LLC
119	1712	COMMERCE ST	SUPREME BRIGHT DALLAS II LLC

12/14/2018

Label #	*Address*		*Owner*
120	1712	COMMERCE ST	SUPREME BRIGHT DALLAS II LLC
121	1810	COMMERCE ST	FC CONTINENTAL LANDLORD LLC
122	1700	COMMERCE ST	SUPREME BRIGHT DALLAS LLC
123	208	S ERVAY ST	SUPREME BRIGHT DALLAS PARKING LLC
124	1810	JACKSON ST	1810 JACKSON GARAGE LLC
125	1708	JACKSON ST	RADER PARKING SYSTEM LP
126	308	S ERVAY ST	RADER PARKING SYSTEMS LP
127	416	S ERVAY ST	J & G HILL INTERESTS LTD
128	420	S ERVAY ST	KATO HORA INC
129	1728	WOOD ST	RP DOWNTOWN PARKING PPTIES LP
130	1707	YOUNG ST	YOUNG STREET ASSOCIATES LLC
131	418	S ERVAY ST	SPIROS VERGOS
132	400	S ERVAY ST	WOOD ERVAY LP
133	404	S ERVAY ST	RP DOWNTOWN PARKING PPTIES LP
134	1706	WOOD ST	HAMMACK GLORIA S MGMT TRUST &
135	1714	WOOD ST	RP LOT 9 LP
136	1721	YOUNG ST	HAMILTON IRREVOCABLE LIFE INSURANCE TRUST
137	1721	YOUNG ST	1721 YOUNG ST
138	1727	YOUNG ST	RP DOWNTOWN PARKING PPTIES
139	500	S ERVAY ST	BUTLER BROTHERS HOSPITALITY GROUP LLC
140	702	S ERVAY ST	702 S ERVAY LP
141	1701	CANTON ST	TEXAS UTILITIES ELEC CO
142	904	S ERVAY ST	MILLET HOLDINGS LP
143	909	N ST PAUL ST	MILLET THE PRINTER INC
144	912	S ERVAY ST	Dallas ISD
145	1916	ELM ST	OLYMBEC USA LLC
146	1933	MAIN ST	BIJOY LLC
147	1927	MAIN ST	PHELAN CANDICE L TRUST &
148	1915	MAIN ST	F A SCHLUTER 1818 1882 FOUNDATION

12/14/2018

Label #	*Address*		*Owner*
149	1915	MAIN ST	UNIVERSITY OF NORTH TEXAS SYSTEM
150	1911	MAIN ST	UNIVERSITY OF NORTH TEXAS SYSTEM
151	1911	MAIN ST	DALLAS COUNTY COMMUNITY
152	1928	ELM ST	UNT CENTER AT DALLAS
153	1921	MAIN ST	UNIVERSITY OF NORTH TEXAS SYSTEM
154	1921	MAIN ST	DALLAS COUNTY COMMUNITY
155	1908	ELM ST	JARVIS BARNEY W JR TR &
156	1775	YOUNG ST	DEZHAM MAHDI
157	1818	WOOD ST	HAMILTON ST PAUL GP LLC
158	401	N ST PAUL ST	RP DOWNTOWN PARKING
159	2001	ELM ST	CAIN JOHN CHARLES
160	2009	ELM ST	DENIUS FRANKLIN W & ET AL
161	2115	ELM ST	2210 PACIFIC PROPERTY LLC
162	2120	PACIFIC AVE	2210 PACIFIC PROPERTY LLC
163	2101	ELM ST	ROLLINS DAVID CORDELL &
164	2033	COMMERCE ST	EASTERWOOD EVA EST
165	2030	MAIN ST	GOOD SIGNATURE PROPERTIES
166	2200	PACIFIC AVE	GREY JAMES
167	210	S PEARL EXPY	GREY JAMES C
168	2217	ELM ST	OCONNOR J C ESTATE ET AL
169	2211	ELM ST	GREY JAMES C &
170	2205	ELM ST	42 EADO LP
171	2125	MAIN ST	PARK A LOT LP
172	2121	MAIN ST	PAN COASTAL LIMITED PS
173	2107	MAIN ST	SOUTHWESTERN BLUEPRINT COMPANY
174	2101	MAIN ST	42 EADO LP
175	108	N PEARL EXPY	BALLAS VICTOR
176	2206	ELM ST	SDH 2009 INVESTMENTS LP
177	2210	ELM ST	PHILLIPS PATRICIA W EST
178	2216	ELM ST	42 EADO LP
179	2121	COMMERCE ST	MAHARGER DEV COMPANY LLC
180	2117	COMMERCE ST	GRAHAM RALPH E III

12/14/2018

Label #	*Address*		*Owner*
181	2105	COMMERCE ST	2105 COMMERCE LP
182	2101	COMMERCE ST	GOLDSTEIN FLORENCE C
183	2101	COMMERCE ST	CATE JAMES L JR &
184	2100	MAIN ST	GOLDSTEIN FLORENCE C
185	2100	MAIN ST	CATE JAMES L JR &
186	2106	MAIN ST	SOUTHWEST BLUEPRINT
187	2306	PACIFIC AVE	PAN COASTAL LIMITED PS
188	2201	MAIN ST	2201 MAIN LLC
189	2200	MAIN ST	GHOST SIGN DEVELOPMENT LLC
190	507	S HARWOOD ST	GHOST SIGN DEVELOPMENT LLC
191	2211	COMMERCE ST	MAHARGER DEVELOPMENT
192	2222	MAIN ST	ISOSCELES DEVELOPMENT
193	2020	N LAMAR ST	MARKET ROSS TX GARAGE
194	1910	N LAMAR ST	TLC SCHOOLS LTD
195	1901	LAWS ST	CP DALLAS MUGER & LAMAR LP
196	1902	N LAMAR ST	CP DALLAS MUGER & LAMAR LP
197	1801	LAWS ST	GAETA GERALD
198	1875	LAWS ST	KADAMPA MEDITATION CENTER TEXAS
199	1012	MCKINNEY AVE	SHRAMAN SOUTH ASIAN MUSEUM &
200	1909	N GRIFFIN ST	DARYL RICHARDSON GOURMET CATERING INC
201	912	ROSS AVE	KEY APPLICATIONS LLC
202	1010	ROSS AVE	SCHWARTZ HYMIE TRUST &
203	911	SAN JACINTO ST	KEY APPLICATIONS LLC
204	1012	ROSS AVE	SCHWARTZ JEANNETTE
205	1003	SAN JACINTO ST	FONBERG PETER D
206	202	N LAMAR ST	DALLAS AREA RAPID TRANSIT
207	1109	PATTERSON AVE	DALLAS FORT WORTH ARGYLE
208	1108	CORBIN ST	TAYLOR CATHERINE 2016
209	1810	N GRIFFIN ST	WALKER INVESTMENTS INC
210	1802	N GRIFFIN ST	CHAVEZ LAND INCOME PPTIES
211	1102	HORD ST	JNW HOLDINGS LP

12/14/2018

Label #	*Address*		*Owner*
212	1200	ROSS AVE	HEADINGTON REALTY & CAPITAL LLC
213	1100	PATTERSON AVE	CHAVEZ LAND INCOME
214	1201	PACIFIC AVE	JM BMM LLC &
215	1516	ROSS AVE	YMCA OF METROPOLITAN DALLAS
216	1516	ROSS AVE	YMCA OF METROPOLITAN DALLAS
217	1520	ROSS AVE	KOHMANN KATHERINE ANN &
218	1338	SAN JACINTO ST	HEADINGTON REALTY & CAPITAL LLC
219	1216	SAN JACINTO ST	SCHWARTZ HYMIE TRUST &
220	1215	PATTERSON AVE	FONBERG ELAINE SCHWARTZ TR &
221	505	N AKARD ST	STATE ST BK & TR CO OF CT
222	1310	PATTERSON AVE	CITY PARK LOT LP
223	1311	FEDERAL ST	J&D MERRIMAN LTD
224	1307	PACIFIC AVE	J & D MERRIMAN LTD
225	319	N AKARD ST	319 NORTH AKARD LLC
226	400	N AKARD ST	HOUSEMAN BUILDING LLC
227	1608	PATTERSON AVE	FIRST BAPTIST CHURCH OF
228	1601	FEDERAL ST	TEXAS UTILITIES ELEC CO
229	510	BULLINGTON ST	JAGGI LEWIS L JR MRS
230	510	BULLINGTON ST	THORNE ELIZABETH ORAM TR
231	1603	FEDERAL ST	JAGGI ROBBYE O
232	1603	FEDERAL ST	THORNE ELIZABETH ORAM TR
233	1601	FEDERAL ST	TEXAS UTILITIES PPTIES
234	505	N ERVAY ST	FIRST BAPTIST CHURCH OF
235	1601	BRYAN ST	STATE ST BK & TR CO CT TR
236	1801	SAN JACINTO ST	FIRST BAPTIST CHURCH OF
237	1707	SAN JACINTO ST	FIRST BAPTIST CHURCH OF
238	1707	SAN JACINTO ST	FIRST BAPTIST CHURCH OF
239	701	S ST PAUL ST	FIRST BAPTIST CHURCH OF
240	1806	ROSS AVE	ROSS TOWER SCHPI LP
241	1707	SAN JACINTO ST	FIRST BAPTIST CHURCH OF
242	1700	PATTERSON AVE	FIRST BAPTIST CHURCH OF
243	1801	FEDERAL ST	FIRST BAPTIST CHURCH OF

12/14/2018

Label #	*Address*		*Owner*
244	1925	SAN JACINTO ST	FIRST UNITED METHODIST
245	750	N ST PAUL ST	QUADRANT SAINT PAUL OWNER LP
246	717	N HARWOOD ST	WC 717 N HARWOOD PROPERTY LLC
247	504	N ST PAUL ST	LATHROP LYNN DALTON
248	601	N HARWOOD ST	FPG DMT HARWOOD LP
249	1801	FEDERAL ST	FPG-DMT HARWOOD LP
250	1803	FEDERAL ST	1999 ASSOCIATES LTD
251	609	N HARWOOD ST	MAHER PROPERTIES TWO
252	502	N ST PAUL ST	FIRST BAPTIST CHURCH OF
253	1800	FEDERAL ST	BRYAN STREE PARKING LP
254	1802	FEDERAL ST	BRYAN STREET OFFICE LP
255	400	N ST PAUL ST	DALLAS HARTFORD LLC
256	1917	BRYAN ST	BRYAN STREET PARKING LP
257	1909	BRYAN ST	BRYAN STREET OFFICE LP
258	1923	BRYAN ST	1999 ASSOC LTD
259	1923	BRYAN ST	FPG-DMT HARWOOD LP
260	1999	BRYAN ST	FPG DMT HARWOOD LP
261	509	N HARWOOD ST	1999 PROPERTY CORP
262	2020	ROSS AVE	2000 ROSS AVENUE LP
263	704	N HARWOOD ST	POLLOCK REALTY CORP
264	704	N HARWOOD ST	BRYAN TOWER LP
265	606	N HARWOOD ST	FROST NATL BANK TRUSTEE
266	605	OLIVE ST	BT PARKS LP
267	600	N HARWOOD ST	BT PARKS L P
268	2001	BRYAN ST	BRYAN TOWER II LP
269	2001	BRYAN ST	BRYAN TOWER LP
270	2000	FEDERAL ST	POLLOCK REALTY CORP
271	2007	LIVE OAK ST	CHARLES 400 LLC
272	419	OLIVE ST	HALEBIAN INVESTMENTS LTD
273	2020	LIVE OAK ST	WESTDALE 2020 LIVE OAK LP
274	2100	ROSS AVE	DALLAS 2100 ROSS LP

12/14/2018

Label #	*Address*		*Owner*
275	2002	ROSS AVE	DALLAS 2100 ROSS LP
276	711	PEARL ST	OLIVE PEARL PARK LP
277	723	N PEARL ST	OLIVE PEARL PARK LP
278	708	OLIVE ST	MCCLAIN CAROLYN
279	2117	LIVE OAK ST	CHARLES 400 LLC
280	2318	ROSS AVE	HALL ARTS TOWER LLC
281	2218	BRYAN ST	MSW CROZIER TECH OWNER LP
282	2214	BRYAN ST	BRYAN STREET LAND HOLDINGS LLC
283	2400	BRYAN ST	BRYAN STREET LAND
284	2632	ROSS AVE	DART
285	2603	SAN JACINTO ST	SWAIN JACK R JR &
286	2321	BRYAN ST	DIGITAL-BRYAN STREET PARTNERSHIP
287	717	LEONARD ST	DIGITAL 717 LEONARD LP
288	631	S AKARD ST	OLD JEWISH CEMETERY
289	811	S AKARD ST	YELED VENTURE LTD
290	300	ELM ST	M K T RAILROAD CO
291	855	S GRIFFIN ST	CCH LAMAR PARTNERS I LP
292	1002	WOOD ST	GRIFFIN ST AUTOPARK LTD
293	1900	N AKARD ST	HUNT DALLAS OFFICE LP
294	300	REUNION BLVD	REUNION HOTEL LP
295	770	S AUSTIN ST	ST LOUIS S W RAILWAY CO
296	802	S LAMAR ST	DALLAS TERM RY & UN DEPOT
297	944	S LAMAR ST	944 SOUTH LAMAR ASSOCIATE
298	1700	PACIFIC AVE	OLYMBEC USA LLC
299	1627	PACIFIC AVE	THANKSGIVING SQUARE FDN
300	325	N ST PAUL ST	TOOLE ALBERT J SR ET AL
301	325	N ST PAUL ST	FOUR POINT STAR LP PS
302	325	N ST PAUL ST	HOWARD CORP THE
303	325	N ST PAUL ST	FOUR POINT STAR LP
304	325	N ST PAUL ST	FOUR POINT STAR LP
305	350	N ERVAY ST	ERVAY RESIDENTIAL LTD PS

12/14/2018

Label #	*Address*		*Owner*
306	1717	N AKARD ST	INLAND AMERICAN LODGING DALLAS AKARD LIMITED PARTN
307	1616	WOODALL RODGERS FWY	ONCOR ELECTRIC DELIVERY CO LLC
308	1901	N AKARD ST	CLEMENTS FOUNDATION
309	2012	N FIELD ST	2012 FIELD STREET LP
310	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
311	9999	NO NAME ST	UNION PACIFIC RR CO
312	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
313	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
314	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
315	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
316	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
317	555	WOOD ST	EQUITY HOTEL GROUP LLC
318	309	S MARKET ST	309 S MARKET STREET LLC
319	400	S RECORD ST	400 S RECORD STREET LLC
320	555	S LAMAR ST	DALLAS CONVENTION CTR HOTEL DEV CORP
321	800	MAIN ST	DALLAS MAIN LP
322	800	MAIN ST	INTERFIRST BANK DALLAS
323	300	N HOUSTON ST	CORDOVAN VENTURERS
324	1000	COMMERCE ST	MCDONALDS CORP
325	1412	MAIN ST	1412 MAIN STREET LLC
326	1300	MAIN ST	RBP ADOLPHUS LLC
327	1402	MAIN ST	APAL LLC
328	1306	MAIN ST	RBP ADOLPHUS LLC
329	1315	COMMERCE ST	RBP ADOLPHUS LLC
330	1300	MAIN ST	RBP 1400 MAIN LLC
331	1314	WOOD ST	HPI GAS 2C LLC
332	1511	ELM ST	1601 ELM HOLDINGS LP
333	1502	ELM ST	KIRBY APARTMENTS LP THE
334	1520	ELM ST	STONE PLACE MALL INV1 LTD
335	1501	COMMERCE ST	1600 MAIN STREET HOLDINGS LP

12/14/2018

Label #	*Address*		*Owner*
336	1530	MAIN ST	DUNHILL 1530 MAIN LP
337	1835	YOUNG ST	FIRST PRESBYTERIAN CHURCH
338	1818	WOOD ST	FIRST PRESBYTERIAN CHURCH
339	1414	ELM ST	LICGF DALLAS LOFTS INC
340	1407	MAIN ST	LICGF DALLAS LOFTS INC
341	1407	MAIN ST	DRED PROPERTIES LTD
342	1407	MAIN ST	DCAR PROPERTIES LTD
343	2000	ELM ST	OLYMBEC USA LLC
344	1800	N LAMAR ST	UNITED WAY OF
345	1001	ROSS AVE	BRE JEFFERSON AT 1001 ROSS OWNER LLC
346	1909	N GRIFFIN ST	RICHARDSON DARYL GOURMET
347	1801	N GRIFFIN ST	RICHARDSON DARYL GOURMET
348	460	N LAMAR ST	WAA HOLDINGS LLC
349	1100	MCKINNEY AVE	SHRAMAN SOUTH ASIAN
350	706	N GRIFFIN ST	BUCKINGHAM FOUNTAIN HOTEL
351	318	N AKARD ST	WW MOSAIC DALLAS LLC
352	500	N AKARD ST	ROSS TOWER SCHPI LP
353	720	OLIVE ST	FPG CT OWNER LP
354	701	PEARL ST	OLIVE PEARL PARK LP
355	2110	LIVE OAK ST	DALLAS AREA RAPID TRANSIT
356	2200	ROSS AVE	FPG CT OWNER LP
357	830	LEONARD ST	SPIRE DEVELOPMENT HOLDINGS LLC
358	2323	BRYAN ST	DIGITAL BRYAN STREET PS
359	605	S GRIFFIN ST	944 SOUTH LAMAR
360	1445	ROSS AVE	1445 ROSS AVE LLC
361	1447	ROSS AVE	PPF AMLI 1800 FIELD STREET LLC
362	1807	ROSS AVE	HUNT ROSS AKARD LLC
363	401	S BUCKNER BLVD	DART
364	555	2ND AVE	DART
365	555	2ND AVE	DART
366	555	2ND AVE	DART
367	555	2ND AVE	DART

12/14/2018

Label #	*Address*		*Owner*
368	555	2ND AVE	DART
369	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
370	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
371	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
372	1900	OAK LAWN AVE	DART & FT WORTH TRANSP AUTH
373	11111	ROSS AVE	DOWNTOWN CONNECTION DALLAS TIF#120
374	411	N AKARD ST	ROSS TOWER SCHPI LP
375	411	N AKARD ST	AKARD OWNER LLC
376	300	S ST PAUL ST	ATMOS LIHTC LLC
377	301	S HARWOOD ST	HAMILTON ATMOS LP
378	511	N AKARD ST	AKARD WALK RESIDENTIAL LLC
379	511	N AKARD ST	AKARD WALK RESIDENTIAL LLC
380	511	N AKARD ST	GREENAN JOHN AND REBECCA
381	511	N AKARD ST	BATTISTE ALISON
382	511	N AKARD ST	SKEMP DOUGLAS W & LULU ELIZABETH
383	511	N AKARD ST	GREENAN JOHN P & REBECCA L
384	511	N AKARD ST	JLP 5X5 TRUST
385	511	N AKARD ST	THOMASON KEVIN J & KATHERINE
386	511	N AKARD ST	AKARD WALK COMMERCIAL LLC
387	400	N ERVAY ST	REF NORTH ERVAY LLC
388	400	N ERVAY ST	REF NORTH ERVAY LLC
389	400	N ERVAY ST	UNITED STATES POSTAL SERVICE THE
390	400	N ERVAY ST	POST OFFICE MASTER LANDLORD LP
391	1505	ELM ST	CHRISTIAN LARRY &
392	1505	ELM ST	DUCOTEY WARREN 2002 TR
393	1505	ELM ST	MOSBACHER DIANE B &
394	1505	ELM ST	KEY SEAN
395	1505	ELM ST	BUTLER KELLY A LIVING TRUST
396	1505	ELM ST	DELEON JOSE & ALMA FLORES
397	1505	ELM ST	NORRIS SONJA
398	1505	ELM ST	SWAIM STEPHANIE R

12/14/2018

Label #	*Address*		*Owner*
399	1505	ELM ST	SHIM MINGI T & SHELLEY S
400	1505	ELM ST	MENDEZPEREZ JAIME & FANNY
401	1505	ELM ST	WON CRISTINA
402	1505	ELM ST	JD RENTALS LLC
403	1505	ELM ST	BRAINARD SYDNEY
404	1505	ELM ST	BECKMAN JAMIE W
405	1505	ELM ST	SYMPHONY PROPERTIES LLC
406	1505	ELM ST	HIRSCHHEIMER JOSHUA DAVID
407	1505	ELM ST	KILANOWSKI KATHLEEN
408	1505	ELM ST	CARTER JAMES & PAULA
409	1505	ELM ST	HAGGARD SCOTT JR
410	1505	ELM ST	VO LAWRENCE
411	1505	ELM ST	PATEL JAYSHREE & SANJAY
412	1505	ELM ST	DENNEY JESSE A III & ROBERTA J
413	1505	ELM ST	BASSAMPOUR FATEMAH &
414	1505	ELM ST	LUCK CHRISTOPHER R & VIRGINIA
415	1505	ELM ST	SCAGLIONE HEATHER L
416	1505	ELM ST	BRAIR GHASSAN B
417	1505	ELM ST	MAGAN NAVIN
418	1505	ELM ST	MENDENHALL MYLES E & KATHERINE M
419	1505	ELM ST	HIGHT STEPHANIE D
420	1505	ELM ST	QUINN KAILIE CHRISTINE
421	1505	ELM ST	KENDRICK KATHY J
422	1505	ELM ST	SCHMIDT MICHAEL L
423	1505	ELM ST	ACT EAGLE 1505 PROPERTIES LLC
424	1505	ELM ST	REDBURN SANDRA KAY
425	1505	ELM ST	JAQUA DAVID ARLEIGH &
426	1505	ELM ST	SCHWARTZ DEBORAH
427	1505	ELM ST	RICHARD C WERNON
428	1505	ELM ST	SMITH VALERIE RUSSO
429	1505	ELM ST	ANTERHAUS ROBERT H &

12/14/2018

Label #	*Address*		*Owner*
430	1505	ELM ST	MUNOZ ROLANDO & DONNA W
431	1505	ELM ST	MCKNIGHT BILLY REA
432	1505	ELM ST	DILENA R J
433	1505	ELM ST	FREIFELD MARK & RAYNA HANDELMAN
434	1505	ELM ST	HOLLOWAY MICHAEL S &
435	1505	ELM ST	VANCE BARBARA A
436	1505	ELM ST	DANE EUGENE
437	1505	ELM ST	BEAIRD FLORENCE
438	1505	ELM ST	MCLAIN WILLIAM T &
439	1505	ELM ST	MITTELSTET STEPHEN K
440	1505	ELM ST	ABENDSCHEIN FREDERICK
441	1505	ELM ST	ROBERTSON RON & DONNA
442	1505	ELM ST	EDWARDS GARY DON & JANIE FAY
443	1505	ELM ST	GLEASON SCOTT & KAREN
444	1505	ELM ST	NIENDORFF CARL A IV
445	1505	ELM ST	HALL MICHAEL D
446	1505	ELM ST	PATTERSON J R JR & BILLIE JO PUD
447	1505	ELM ST	HARVEY BARBARA ANN
448	1505	ELM ST	AKIN LARRY D & CAROL D
449	1505	ELM ST	SPIEGEL ROSS ADAM
450	1505	ELM ST	BOLDEN PAUL &
451	1505	ELM ST	ROBERTS FINES OLIVER
452	1505	ELM ST	WIEDERMANN FAMILY LIVING TR
453	1505	ELM ST	GULLEY FAMILY TRUST B
454	1505	ELM ST	WIEDEMANN CYNTHIA
455	1505	ELM ST	WILSON ADDISON G IV
456	1505	ELM ST	SCRIPPS FREDERIC SCOTT
457	1505	ELM ST	DAVIS BRADLEY S &
458	1200	MAIN ST	TONOLI FRANK E &
459	1200	MAIN ST	FISCHER JOSHUA A
460	1200	MAIN ST	1621 ERVAY LTD

12/14/2018

Label #	*Address*		*Owner*
461	1200	MAIN ST	FUGITT JOHN R W
462	1200	MAIN ST	SMITH RANDOLPH
463	1200	MAIN ST	FARHART GEORGE R & ALICIA E
464	1200	MAIN ST	ORTIZ GUILLERMINA
465	1200	MAIN ST	FONTENOT TOMMY JAMES
466	1200	MAIN ST	RAFF GEORGE JR
467	1200	MAIN ST	SMITH DANIEL E & HERMA A
468	1200	MAIN ST	BRANSTETTER ROBERT M & CAROL SHELTON
469	1200	MAIN ST	FREEMAN SCOTT
470	1200	MAIN ST	EADS LORI A
471	1200	MAIN ST	JUAREZ GERARDO
472	1200	MAIN ST	KIRKLAND MYRA EDITH &
473	1200	MAIN ST	AMONGKOL JITTADA KITTY
474	1200	MAIN ST	HART STANLEY L &
475	1200	MAIN ST	SMITH SHERIA D
476	1200	MAIN ST	BRANCELA JOHN
477	1200	MAIN ST	TERESI MARK A & JEANNE N
478	1200	MAIN ST	CWALINO PETER
479	1200	MAIN ST	SULLIVAN COLLIN &
480	1200	MAIN ST	CARPENTER ROBIN N
481	1200	MAIN ST	MASTAGLIO LINDA R
482	1200	MAIN ST	LOPEZ DENNIS A
483	1200	MAIN ST	CLARK TAMPA CATHERINE
484	1200	MAIN ST	MIDLAND TRUST CO &
485	1200	MAIN ST	PERRI ANTHONY J &
486	1200	MAIN ST	KANTELADZE ANNA &
487	1200	MAIN ST	FAYE WILLIS DESIGNS INC
488	1200	MAIN ST	BAGARIA SAPNA & SURESH
489	1200	MAIN ST	PARKER MARK GRAHAM
490	1200	MAIN ST	NEMES SONY SHAI
491	1200	MAIN ST	RAO SHASHANK A &

12/14/2018

Label #	*Address*		*Owner*
492	1200	MAIN ST	CHATTERJEE ARUNABHA
493	1200	MAIN ST	CRIST EUGENE SCOTT
494	1200	MAIN ST	SALVANT WAYNE
495	1200	MAIN ST	ELLER TOM J & ROBYN
496	1200	MAIN ST	MASSEY LINDA
497	1200	MAIN ST	DASH PRIYARANJAN &
498	1200	MAIN ST	MUEHLENWEG ROBERT J &
499	1200	MAIN ST	CUEVAS ISRAEL F
500	1200	MAIN ST	EDWARDS JAMES & BARBARA
501	1200	MAIN ST	NORRED J WESLEY III
502	1200	MAIN ST	JIA YUEMENG
503	1200	MAIN ST	BIERMAN SYDNEY GRACE
504	1200	MAIN ST	FANNING MICHAEL JAMES
505	1200	MAIN ST	ERLICH CRAIG J
506	1200	MAIN ST	ADAMS WILHELMINA J
507	1200	MAIN ST	COMBS DAMETIA
508	1200	MAIN ST	YAVANZA LLC
509	1200	MAIN ST	ALCANTARA PEDRO
510	1200	MAIN ST	HERICKS JAMES &
511	1200	MAIN ST	BAKER WILLIAM H III
512	1200	MAIN ST	SPRING TRUMAN E JR
513	1200	MAIN ST	PAPA RODINO CHRISTOPHER CRUZ
514	1200	MAIN ST	HUGHES CYNTHIA M
515	1200	MAIN ST	BLACK PAUL
516	1200	MAIN ST	HAQUE NAZ &
517	1200	MAIN ST	BRANCELA JOHN
518	1200	MAIN ST	LINDSAY HAWNI E
519	1200	MAIN ST	NGUYEN MICHAEL
520	1200	MAIN ST	BENEVENTI MARK FRANCIS
521	1200	MAIN ST	DU YALI
522	1200	MAIN ST	PATOINE TERESA SUSAN

12/14/2018

Label #	*Address*		*Owner*
523	1200	MAIN ST	SAIED ANNA M
524	1200	MAIN ST	FAIRCHILD MELISSA
525	1200	MAIN ST	CANON JOSEPH & ELIZABETH
526	1200	MAIN ST	DEMPSEY MICHAEL THOMAS
527	1200	MAIN ST	HARRIS KENDRICK LASALLE
528	1200	MAIN ST	CRIST EUGENE SCOTT
529	1200	MAIN ST	PATEL JAYSHREE &
530	1200	MAIN ST	NEMA REALTY GROUP LLC
531	1200	MAIN ST	KAHANE DENNIS SPENCER
532	1200	MAIN ST	RODRIGUEZ JOSE A
533	1200	MAIN ST	SALEEM ADEEL
534	1200	MAIN ST	ANTAO RYAN TRISTEN
535	1200	MAIN ST	MOBLEY HENRY B JR
536	1200	MAIN ST	COWAN MICHAEL & MARTHA
537	1200	MAIN ST	GHODSI YEGANEH &
538	1200	MAIN ST	CLEERE LARRY J &
539	1200	MAIN ST	IPPOLITO MARTA
540	1200	MAIN ST	CIN ALBERTO DAL
541	1200	MAIN ST	BROWN GLENN ALAN
542	1200	MAIN ST	ROMERO GERALD & LOURDES
543	1200	MAIN ST	BEANEY STEVEN LEE
544	1200	MAIN ST	SCARBOROUGH DONALD D
545	1200	MAIN ST	YASSIN RONY
546	1200	MAIN ST	BROWN NOLLEY LEON CLEMON &
547	1200	MAIN ST	LUMME DONALD GUY JR
548	1200	MAIN ST	XIE JIMIN
549	1200	MAIN ST	OROZCO CARLOS A
550	1200	MAIN ST	BABAKHANIAN ROUBEN
551	1200	MAIN ST	DOMINGUEZ JOSE R
552	1200	MAIN ST	PURNELL KENNETH
553	1200	MAIN ST	ROSALES JORGE

12/14/2018

Label #	*Address*		*Owner*
554	1200	MAIN ST	MA MAU & JUYEI
555	1200	MAIN ST	THOMAS BIJU
556	1200	MAIN ST	HAZLITT RYAN ZEDRICK
557	1200	MAIN ST	IPPOLITO DAVIDE MICHAEL
558	1200	MAIN ST	MADDERRA RHONDA & FARON
559	1200	MAIN ST	HONRALES MARK &
560	1200	MAIN ST	CRAIG TERRY E &
561	1200	MAIN ST	BALUCH HOLDINGS LLC
562	1200	MAIN ST	ADROVIC ARMIN
563	1200	MAIN ST	ROMIG RANDALL
564	1200	MAIN ST	BRAUM EARL E JR
565	1200	MAIN ST	TAUSCH JOHANNES &
566	1200	MAIN ST	MORAIS JUSTIN
567	1200	MAIN ST	MATHEWS AMIT &
568	1200	MAIN ST	MCCANS WILLIAM
569	1200	MAIN ST	LOPEZ ADAN FRANCISCO
570	1200	MAIN ST	JUDAH JOHN K
571	1200	MAIN ST	HANNA IHAB
572	1200	MAIN ST	MORENO KRISTINE M
573	1200	MAIN ST	BAKER ARIANNE &
574	1200	MAIN ST	MOORE ROBERT W
575	1200	MAIN ST	SANTAMARIA ARTHUR &
576	1200	MAIN ST	RAZA SYED S & NASREEN S
577	1200	MAIN ST	BOSE RANAVIR & SARMILA
578	1200	MAIN ST	FUNG DAVID KARL & KATHY LEE FUNG
579	1200	MAIN ST	FLORES GEORGINA E
580	1200	MAIN ST	LI LIETAO
581	1200	MAIN ST	TINSLEY GARY A
582	1200	MAIN ST	JC GOODMAN INVESTMENT GROUP INC
583	1200	MAIN ST	MICHULKA GEORGE &
584	1200	MAIN ST	BYRUM TADD A &

12/14/2018

Label #	*Address*		*Owner*
585	1200	MAIN ST	HUTCHINSON ANDREW F II
586	1200	MAIN ST	SUTTONDEABREU ILA I
587	1200	MAIN ST	BENTLEY BRIAN D
588	1200	MAIN ST	CLARK CHRISTIAN
589	1200	MAIN ST	DAIYA NAMRATA
590	1200	MAIN ST	JACKSON JAN B & ROGER
591	1200	MAIN ST	SALVANT WAYNE F &
592	1200	MAIN ST	LIN HUANG SHENG
593	1200	MAIN ST	ENGEL DAVID EISAIAH
594	1200	MAIN ST	HIBSID 1 LLC
595	1200	MAIN ST	QUARTOS VACA LLC
596	1200	MAIN ST	KOKES KEVIN K
597	1200	MAIN ST	HARRIS CARLOS
598	1200	MAIN ST	GILL FAMILY TRUST
599	1200	MAIN ST	BROWN KIMBERLY DAWN &
600	1200	MAIN ST	KLAMM CYNTHIA B &
601	1200	MAIN ST	L & M FAMILY TRUST THE
602	1200	MAIN ST	JACKSON CAROL
603	1200	MAIN ST	COWDEN PETER
604	1200	MAIN ST	
605	1200	MAIN ST	LANCASTER PHILLIP & IRENE
606	1200	MAIN ST	AN JOSHUA DON ALLEN
607	1200	MAIN ST	POLANCO PAUL
608	1200	MAIN ST	DAMANI ANIRUDH A
609	1200	MAIN ST	DOCKTER BRYAN
610	1200	MAIN ST	UNDERHILL JAMES S
611	1200	MAIN ST	MELONI GABRIELE &
612	1200	MAIN ST	DEAR CORY & CLARK MEREDITH
613	1200	MAIN ST	DUMENE RICHARD L &
614	1200	MAIN ST	STROTHMAN RHONDA K
615	1200	MAIN ST	REMPHREY BRYAN S

12/14/2018

Label #	*Address*		*Owner*
616	1200	MAIN ST	DYNKIN ANTHONY
617	1200	MAIN ST	BROWNELL SUSAN K &
618	1200	MAIN ST	LANCASTER PHILLIP GEOFFREY &
619	1200	MAIN ST	HARDIN LAURA C & KELLY C
620	1200	MAIN ST	AHUMADA MUCIO
621	1200	MAIN ST	LESTER MARY C
622	1200	MAIN ST	LIN MILO M &
623	1200	MAIN ST	GARNER SUSAN
624	1200	MAIN ST	MOORE ROBERT W
625	1200	MAIN ST	CHAFFIN LYNDAL A
626	1200	MAIN ST	HAWLEY LEE ANN MURPHREE &
627	1200	MAIN ST	VIRANI ASIF
628	1200	MAIN ST	PRIBADI LILIANA
629	1200	MAIN ST	DIXON ADAM
630	1200	MAIN ST	XIE JIMIN & WEIYAN JEANNE LI
631	1200	MAIN ST	JHAVERI SATYEN DHIREN
632	1200	MAIN ST	ABDULWAHAB MANNIE
633	1200	MAIN ST	GODOY DULCE MARIA RIVAS
634	1200	MAIN ST	KOSTREVA JOSH A
635	1200	MAIN ST	ZOLLER ROBERT W
636	1200	MAIN ST	KOERBER ELLEN &
637	1200	MAIN ST	GREENSTREET TROY A
638	1200	MAIN ST	RICHARDS GILL & ELIZABETH ANN
639	1200	MAIN ST	VALENTIS VENTURES LLC
640	1200	MAIN ST	NATHAL JULIO
641	1200	MAIN ST	SINGERMAN ALEXANDER
642	1200	MAIN ST	VERITY ANDREW
643	1200	MAIN ST	POON PHILIP
644	1200	MAIN ST	ROMERO ROBERT R &
645	1200	MAIN ST	HAYES MONIQUE C
646	1200	MAIN ST	TINSLEY GARY A

12/14/2018

Label #	*Address*		*Owner*
647	1200	MAIN ST	HAGLER TRENT L
648	1200	MAIN ST	JONES CLEVELAND JR
649	1200	MAIN ST	FLANAGAN MICHAEL
650	1200	MAIN ST	OLTMAN GREGG
651	1200	MAIN ST	WILSON TAYLOR V &
652	1200	MAIN ST	MALHOTRA MANISH
653	1200	MAIN ST	MEADOWS TAYLOR
654	1200	MAIN ST	FICKEL MATTHEW & MARY BETH
655	1200	MAIN ST	SHAFFNER GLORIA
656	1200	MAIN ST	GOLNABI ROSITA NINA & NEIMA
657	1200	MAIN ST	CAMPBELL W DONALD &
658	1200	MAIN ST	GASPER ADAM D
659	1200	MAIN ST	MCCLAIN JONI L MD FAMILY TRUST
660	1200	MAIN ST	REVIS MARK
661	1200	MAIN ST	NAZARUK ALEKSANDER
662	1200	MAIN ST	YING KEN W
663	1200	MAIN ST	PENNEY CHRISTOPHER R
664	1200	MAIN ST	AMEHAYES AMDETSION
665	1200	MAIN ST	SHALLENBERGER PUNAM & DAVID
666	1200	MAIN ST	KEANE JUSTIN
667	1200	MAIN ST	BODLEY GABRIELLE
668	1200	MAIN ST	MCBRIDE KAREN & GEORGE S
669	1200	MAIN ST	WILSON GLEN TAYLOR &
670	1200	MAIN ST	HARDIN LAURA & KELLY C
671	1200	MAIN ST	PHILLIPS DAVID G
672	1200	MAIN ST	EZEIZA JULIETA &
673	1200	MAIN ST	SOLITARE RICHARD & JEANNE
674	1200	MAIN ST	GRANT JASON A & MARIA
675	1200	MAIN ST	PIERCE KEVIN G
676	1200	MAIN ST	WEINSTEIN PAUL D
677	1200	MAIN ST	POWERS A MARKS

12/14/2018

Label #	*Address*		*Owner*
678	1200	MAIN ST	WERLE LESLEY
679	1200	MAIN ST	BERMAN DANIEL
680	1200	MAIN ST	PERRI VINEYARDS & REAL ESTATE
681	1200	MAIN ST	RANDOLPH HEATHER ELAINE &
682	1200	MAIN ST	FISCHER TRISA
683	1200	MAIN ST	INDIGO CAPITAL GROUP LLC
684	1200	MAIN ST	KNIPE LUTHER DASSON III
685	1200	MAIN ST	LOPEZ MARCO A & ISABEL
686	1200	MAIN ST	PATKOVIC MARIJANA
687	1200	MAIN ST	BASH DAMIEN
688	1200	MAIN ST	BRODNER SAMUAL C & LEIGH A
689	1200	MAIN ST	FIELDS FOSTER LAND TRUST
690	1200	MAIN ST	SHIPP RONALD B
691	1200	MAIN ST	ALCANTARA PEDRO
692	1200	MAIN ST	COX JOHN VERNON TR & GAY GAYLE TR
693	1200	MAIN ST	COX JOHN VERNON TR &
694	1200	MAIN ST	SMITH LAURA
695	1200	MAIN ST	BALUCH AMIR &
696	1200	MAIN ST	ONU ADISA M
697	1200	MAIN ST	TANG YIHCHIH &
698	1200	MAIN ST	MAYORGA LUIS A
699	1200	MAIN ST	MUSABASIC MEMSUD
700	1200	MAIN ST	GILMAN ALEX
701	1200	MAIN ST	MOTGI GURUBASAPPA V & SHASHI R MOTGI
702	1200	MAIN ST	SARDARABADI ABDOL M &
703	1200	MAIN ST	VALENTIS VENTURES LLC
704	1200	MAIN ST	KIRBY JOSEPH KING
705	1200	MAIN ST	WATTS FAMILY TRUST
706	1200	MAIN ST	KORNEGAY FAMILY TRUST
707	1200	MAIN ST	TRAMMELL DUANE &
708	1200	MAIN ST	DUNCAN ROBERT J &

12/14/2018

Label #	*Address*		*Owner*
709	1200	MAIN ST	JHAVERI SATYEN DHIREN
710	1200	MAIN ST	WALSH WILLIAM ANTHONY
711	1200	MAIN ST	REAGANS KIMBERLY
712	1200	MAIN ST	KRISHNA SHAILENDRA &
713	1200	MAIN ST	PONZIO JOHN &
714	1200	MAIN ST	NAGAPPA PRAKASH &
715	1200	MAIN ST	DAVIS WALKER L
716	1200	MAIN ST	HERNDON CYNTHIA A
717	1200	MAIN ST	PERRI VINEYARDS &
718	1200	MAIN ST	GARCIA CASSANDRA
719	1200	MAIN ST	BARBATO CRISTINA COSTA
720	1200	MAIN ST	BOWLES NEAL A & CARLA D WATSON
721	1200	MAIN ST	GALAL PHILLIPE & NIKI M STOLIS
722	1200	MAIN ST	WILKINSON EARL J
723	1200	MAIN ST	CALDWELL ROGER W & KIMBERLY S
724	1200	MAIN ST	BELGAUM LLC
725	350	N ST PAUL ST	BRYAN STREET OFFICE, LP
726	350	N ST PAUL ST	ODC APARTMENT COMPANY LLC
727	350	N ST PAUL ST	BRYAN STREET OFFICE LP
728	350	N ST PAUL ST	ODC APARTMENT COMPANY LLC
729	1201	MAIN ST	ONE MAIN PLACE HOTEL LLC
730	1201	MAIN ST	ONE MAIN PLACE OFFICE LLC
731	1600	PACIFIC AVE	1600 PACIFIC LANDLORD LLC
732	600	N PEARL ST	POTA JV LLC
733	600	N PEARL ST	INLAND AMERICAN LODGING DALLAS PEARL LTD PS
734	1300	JACKSON ST	KING STONE PROPERTY LLC
735	1300	JACKSON ST	BENNETT MARTIN R
736	1300	JACKSON ST	BINDLER MARA JILL
737	1300	JACKSON ST	BRAZZEL ZACHARY L
738	1300	JACKSON ST	ADAMS NATHANIEL &
739	1300	JACKSON ST	WASHINGTON DAVID CHASE

12/14/2018

Label #	*Address*		*Owner*
740	1300	JACKSON ST	KOLANDER KAMELA
741	1300	JACKSON ST	EVANS SCOTT
742	1300	JACKSON ST	GONZALEZ FRANCISCO
743	1122	JACKSON ST	HIBBARD CHRISTIAN
744	1122	JACKSON ST	MIDBOE MATTHEW L
745	1122	JACKSON ST	ARAVIND ANEESH & RAVEN
746	1122	JACKSON ST	SPARKS KIMBERLY
747	1122	JACKSON ST	MORIARTY DUSTIN
748	1122	JACKSON ST	WHITTEN THOMAS A & LAURA J
749	1122	JACKSON ST	POPE WILLIAM
750	1122	JACKSON ST	WEBER WILLIAM R
751	1122	JACKSON ST	LIVELY CHRIS & TINA
752	1122	JACKSON ST	GAFFIELD BENSON &
753	1122	JACKSON ST	MARQUES MICHAEL
754	1122	JACKSON ST	GORDON JULIANNE E
755	1122	JACKSON ST	KEMBERY ROBERT
756	1122	JACKSON ST	LEITH MEGAN K
757	1122	JACKSON ST	WHITE JARED
758	1122	JACKSON ST	HERRON BRADLEY
759	1122	JACKSON ST	COOPER THOMAS STEELE
760	1122	JACKSON ST	SMITH JASON DEWAYNE & KIMMIE FARRAR
761	1122	JACKSON ST	FRITZ JUSTIN RANDOLF
762	1122	JACKSON ST	ELAM KYLE P
763	1122	JACKSON ST	DEAN KOLBY
764	1122	JACKSON ST	GAROFANO JOSEPH M
765	1122	JACKSON ST	MILLIGAN MOLLIE
766	1122	JACKSON ST	PRIPUTEN ALEXANDRA
767	1122	JACKSON ST	SEGOVIA MARIA
768	1122	JACKSON ST	ADAMS CHRISTIAN R
769	1122	JACKSON ST	TEHRANI NAVID VIJEH
770	1122	JACKSON ST	EZOR ELISA Z &

12/14/2018

Label #	*Address*		*Owner*
771	1122	JACKSON ST	MODLA EDWARD JOHN
772	1122	JACKSON ST	URRUTIA AUDRICK L
773	1122	JACKSON ST	BROOKS JOSEPH
774	1122	JACKSON ST	WOELKE MICHAEL RAY TRUST
775	1122	JACKSON ST	CHAMBERS JARED P &
776	1122	JACKSON ST	WILSON ROBERT J II
777	1122	JACKSON ST	BRYAN JORDAN M
778	1122	JACKSON ST	COFFMAN LEATRICE
779	1122	JACKSON ST	LU HUIRU &
780	1122	JACKSON ST	GILBERT PHILLIP RAY II
781	1122	JACKSON ST	LOWRY MATTHEW R
782	1122	JACKSON ST	HEINLEN CHRISTOPHER D
783	1122	JACKSON ST	COCKRELL JONATHAN
784	1122	JACKSON ST	NWANKWO ADIAH
785	1122	JACKSON ST	BEATON VANESSA ANN
786	1122	JACKSON ST	JAMES KAREN K
787	1122	JACKSON ST	REAVIS BEN & KRISTI
788	1122	JACKSON ST	SEEMANN PETER
789	1122	JACKSON ST	KEELEY ELIZABETH MARIE
790	1122	JACKSON ST	STAFFORD STEPHANIE E
791	1122	JACKSON ST	MITCHELL MARK
792	1122	JACKSON ST	MASEK GEORGE E
793	1122	JACKSON ST	PARMELE MICHAEL
794	1122	JACKSON ST	DILL MICHAEL K
795	1122	JACKSON ST	PEREA VICTOR
796	1122	JACKSON ST	ELENEZ BASILIA & EMILIANO E
797	1122	JACKSON ST	VEATCH JAMES RICKY
798	1122	JACKSON ST	SMITH BRENDA KAY
799	1122	JACKSON ST	WYATT ALAN K
800	1122	JACKSON ST	SHIGEMATSU KEN
801	1122	JACKSON ST	SQUIRES MICHAEL K

12/14/2018

Label #	*Address*		*Owner*
802	1122	JACKSON ST	FROH DANIEL LYNN
803	1122	JACKSON ST	XIONG SHI JU
804	1122	JACKSON ST	BALDERRAMA RAMON EDUARDO
805	1122	JACKSON ST	CASTANEDA COLLEEN
806	1122	JACKSON ST	MCCOWN CRISTEN & WIESLAWA
807	1122	JACKSON ST	MARASCO LAWRENCE P III
808	1122	JACKSON ST	BETHEL SUSAN
809	1122	JACKSON ST	OTOOLE CAITLIN J
810	1122	JACKSON ST	GIBBS JAMES M LIFE ESTATE
811	1122	JACKSON ST	DUDEK JAKUB
812	1122	JACKSON ST	BUTLER CHELE
813	1122	JACKSON ST	BERNSTEIN CAMI
814	1122	JACKSON ST	NICHOLSON STEVEN W
815	1122	JACKSON ST	ELLIOTT NATALIE
816	1122	JACKSON ST	BASINGER GREGORY LEROY
817	1122	JACKSON ST	PEMBERTON TAYLOR
818	1122	JACKSON ST	REED THOMAS J &
819	1122	JACKSON ST	STRINGER BRIDGET
820	1122	JACKSON ST	ACEVEDO MAGDALENA
821	1122	JACKSON ST	JOHNSON CLIFTON
822	1122	JACKSON ST	RASOR RANDALL A
823	1122	JACKSON ST	SINDONI MICHAEL & SIOBHAN
824	1122	JACKSON ST	WALPOLE JOHN
825	1122	JACKSON ST	BEIHOFF DAVID
826	1122	JACKSON ST	LANDESBERG STEVEN
827	1122	JACKSON ST	DONAHUE AUGUSTINE PHILIP
828	1122	JACKSON ST	BEACH RUSSELL
829	1122	JACKSON ST	BROWN QUINN W &
830	1122	JACKSON ST	BOWERS JOEL B
831	1122	JACKSON ST	CAMPBELL MARK D & LAURA A
832	1122	JACKSON ST	SCHIPSKE TIMOTHY JR

12/14/2018

Label #	*Address*		*Owner*
833	1122	JACKSON ST	MACC HOLDINGS LLC
834	1122	JACKSON ST	QUINT BERNARD T
835	1122	JACKSON ST	GONZALEZ JINNI
836	1122	JACKSON ST	JONES JARRIEL
837	1122	JACKSON ST	BRAMMER JANE E
838	1122	JACKSON ST	HURLEY JENNIFER &
839	1122	JACKSON ST	WILSON DAMON
840	1122	JACKSON ST	HALL JACQUELINE REENAE
841	1122	JACKSON ST	OEI CHONGSUK & LAURA ELIZABETH E
842	1122	JACKSON ST	CRESSY KEVIN W
843	1122	JACKSON ST	MORRIS DOUGLAS A & VIRSIE N
844	1122	JACKSON ST	MILLER JUSTIN
845	1122	JACKSON ST	2008 CONDO PROPERTIES LLC
846	1122	JACKSON ST	ESTRADA HERIBERTO &
847	1122	JACKSON ST	KERN TRAVIS
848	1122	JACKSON ST	HUYNH TINH T &
849	1122	JACKSON ST	CLARKSON ROBERT A
850	1122	JACKSON ST	TOONY JEFFREY D & ELIZABETH A
851	1122	JACKSON ST	DILLON CRAIG L
852	1122	JACKSON ST	KEYASHIAN ARASH
853	1122	JACKSON ST	MOMPREMIER MIKELSON & KENYA
854	1122	JACKSON ST	BONNIN MATTHEW E
855	1122	JACKSON ST	NICHOLS CYNTHIA
856	1122	JACKSON ST	MUELLER ANDREW
857	1122	JACKSON ST	NGO THAO BUU
858	1122	JACKSON ST	PAINE KELSEY
859	1122	JACKSON ST	SHERE PROPERTIES LLC
860	1122	JACKSON ST	VANPELT DANIEL
861	1122	JACKSON ST	NELSON TROY
862	1122	JACKSON ST	MOORE STEVEN B & SHARON A
863	1122	JACKSON ST	ROJASRESTREPO OLGA L

12/14/2018

Label #	*Address*		*Owner*
864	1122	JACKSON ST	GANTZ BLAKE
865	1122	JACKSON ST	ADAMS SUSAN E
866	1122	JACKSON ST	HAMERSMA MARVIN J
867	1122	JACKSON ST	HENDERSON MICHAEL BENFORD
868	1122	JACKSON ST	ESCANILLA DINNAH
869	1122	JACKSON ST	DES MOINES BUILDING LLC
870	1122	JACKSON ST	TRAN TRUNG
871	1122	JACKSON ST	MAHONEY LAURIE & JOHN
872	1122	JACKSON ST	FARKAS JANOS
873	1122	JACKSON ST	RHEA WILLIAM BRENT
874	1122	JACKSON ST	BIEDENHAM JOSEPH A III
875	1122	JACKSON ST	SANTOSBLAKE CLARISSE A
876	1122	JACKSON ST	MURILLO LESLIE N
877	1122	JACKSON ST	ADROVIC ARMIN
878	1122	JACKSON ST	JONES CHRISTOPHER &
879	1122	JACKSON ST	HILL JAMES C
880	1122	JACKSON ST	LENOX ANDREW
881	1122	JACKSON ST	ONEAL MARK
882	1122	JACKSON ST	ALAVI REZA & MONA
883	1122	JACKSON ST	CARPENTER IRENE JPYCE
884	1122	JACKSON ST	CROW CLAUDIA E
885	1122	JACKSON ST	BALLARD SCOTT
886	1122	JACKSON ST	EHLE JOEL & TONI
887	1122	JACKSON ST	MACKO MATTHEW C
888	1122	JACKSON ST	MARTINEZ ZULEMA CERVANTES
889	1122	JACKSON ST	HENDERSON N CHRISTIAN &
890	1122	JACKSON ST	SANCHEZ OSCAR R
891	1122	JACKSON ST	KNIGHT LAURA C
892	1122	JACKSON ST	OFFOR CHIJOKE
893	1122	JACKSON ST	CONTORNO MICHAEL
894	1122	JACKSON ST	LUSTIG CHARLES HUGH &

12/14/2018

Label #	*Address*		*Owner*
895	1122	JACKSON ST	JACKSON AMANDA
896	1122	JACKSON ST	BARKER JENNIFER
897	1122	JACKSON ST	BOLEN MAX
898	1122	JACKSON ST	BURCHILL KENNETH QUENTIN &
899	1122	JACKSON ST	JOHNSON DAVID MALCOLM & LAURA KERWIN
900	1122	JACKSON ST	GJONI DENIS
901	1122	JACKSON ST	HUBBI SAMAR
902	1122	JACKSON ST	GRIMSHAW PRESTON
903	1122	JACKSON ST	HUNDLEY RACHEL &
904	1122	JACKSON ST	ROSKEY RYAN M
905	1122	JACKSON ST	CARTER KELLY
906	1122	JACKSON ST	SNELL JAMES N
907	1122	JACKSON ST	CHERAMIE TREVOR
908	1122	JACKSON ST	HATTIER ANTHONY V III
909	1122	JACKSON ST	CAGNEY MONICA
910	1122	JACKSON ST	EVANS HEATHER
911	1122	JACKSON ST	STRONG GERI & JON GRINALDI
912	1122	JACKSON ST	DAVIS ANGELA L
913	1122	JACKSON ST	EVANS BRIAN K
914	1122	JACKSON ST	HUESTON JANIE G
915	1122	JACKSON ST	SANCHEZ ROSI LINDA &
916	1122	JACKSON ST	WEISLER MICHAEL CHRISTOPHER
917	1122	JACKSON ST	MCCARTNEY SHAUNA
918	1122	JACKSON ST	HEHMANN BRYAN A
919	1122	JACKSON ST	GLASS JOHN D
920	1122	JACKSON ST	LIVINGSTON JEFFREY M &
921	1122	JACKSON ST	WHITE COREY
922	1122	JACKSON ST	ROBERTSON EMILY ELIZABETH
923	1122	JACKSON ST	WILKOWSKI JOSHUA C & KATHARINE M
924	1122	JACKSON ST	ADDAGATLA BABU & VAJRA S
925	1122	JACKSON ST	RUSSELL KIMBERLY DAWN

12/14/2018

Label #	*Address*		*Owner*
926	1122	JACKSON ST	BESCO JANIS A
927	1122	JACKSON ST	PAINE ALEXANDER W
928	1122	JACKSON ST	BROWN BRITNEY NOEL
929	1122	JACKSON ST	PRIKRYL SARAH GRACE
930	1122	JACKSON ST	SUTTON SHELBY DEANN &
931	1122	JACKSON ST	SCOTT SUMMER L
932	1122	JACKSON ST	SULLIVAN SHAWN MICHAEL
933	1122	JACKSON ST	VALCO JOHN
934	1122	JACKSON ST	BARRETO WARREN
935	1122	JACKSON ST	NIX GLENN T JR
936	1122	JACKSON ST	THURSTON MARSHALLYN
937	1122	JACKSON ST	COSBY LAWRENCE
938	1122	JACKSON ST	AISLING KATHLEEN A
939	1122	JACKSON ST	DENISON MATTHEW LEE
940	1122	JACKSON ST	KIENAST AILEEN D
941	1122	JACKSON ST	HOLDERMAN LUKE W & KATHERINE R
942	1601	ELM ST	1601 ELM HOLDINGS LP
943	1907	ELM ST	1907 ELM HOLDINGS LP
944	1907	ELM ST	1900 PACIFIC HOLDINGS LP
945	1900	PACIFIC AVE	1900 PACIFIC HOLDINGS LP
946	1920	ELM ST	1900 PACIFIC HOLDINGS LP
947	2101	BRYAN ST	STEVENS CREEK ASSOC
948	2101	BRYAN ST	STEVENS CREEK ASSOC
949	703	S GRIFFIN ST	DALLAS TERM RY & UN DEPOT
950	200	S ST PAUL ST	OLYMBEC USA LLC
951	301	ROSS AVE	M K T RAILROAD CO
952	702	MAIN ST	701 COMMERCE LEVEL OFFICE LLC
953	706	MAIN ST	LAWYERS BLDG OF DALLAS
954	804	PACIFIC AVE	ANTIOCH CHURCH
955	804	PACIFIC AVE	ANTIOCH CHURCH
956	1000	S AKARD ST	FAULKNER INV CO LTD

Label #	*Address*		*Owner*
957	1423	W GRIFFIN ST	TIME WARNER CABLE TEXAS LLC
958	1407	N GRIFFIN ST	VOGEL ALCOVE
959	1018	S AKARD ST	M A FAMILY INVESTMENTS LTD
960	1822	YOUNG ST	FIRST PRESBYTERIAN CHURCH
961	1809	CANTON ST	SMITH JOHN SCOTT
962	806	S ST PAUL ST	SMITH WILLIAM L SR &
963	1808	CANTON ST	SMITH WILLIAM L SR & ETAL
964	1820	CANTON ST	SALAMANDER GROUP LLC
965	990	S ST PAUL ST	HINES HOWARD C
966	1900	YOUNG ST	FIRST PRESBYTERIAN CHURCH OF DALLAS TEXAS
967	2012	COMMERCE ST	2008 COMMERCE LLC
968	210	S HARWOOD ST	CADG JACKSON PARKING A LLC
969	2013	JACKSON ST	CADG JACKSON PARKING A LLC
970	2037	JACKSON ST	2038 COMMERCE LLC
971	2024	COMMERCE ST	PEOPLES DICK
972	2026	COMMERCE ST	CADG 2026 COMMERCE LLC
973	2036	COMMERCE ST	COLAB LLC
974	408	S HARWOOD ST	DREYFUS BETTY K
975	408	S HARWOOD ST	GREENMAN SUZANNE FLAXMAN &
976	408	S HARWOOD ST	HARWOOD PROPACQUISITION LLC
977	2012	JACKSON ST	LAKE AVENUE LLC
978	300	S HARWOOD ST	HARWOOD PARK LLC
979	412	S HARWOOD ST	DECHERD HARWOOD LLC
980	312	S HARWOOD ST	HARWOOD PARK LLC
981	2011	YOUNG ST	LAKE AVENUE LLC
982	2104	JACKSON ST	LOCO MELETIO
983	2216	COMMERCE ST	MAHARGER DEVELOPMENT CO
984	400	S CESAR CHAVEZ BLVD	TOURMALINE PARTNERS PPTIES LLC
985	2019	N LAMAR ST	ARENA PARTNERS LP
986	603	MUNGER AVE	GPIWE LP
987	1911	N LAMAR ST	WEST END API LTD

12/14/2018

Label #	*Address*		*Owner*
988	1801	N LAMAR ST	1801 LANDMARK DALLAS LP
989	1845	WOODALL RODGERS FWY	TRITON 1845 WR REALCO LLC
990	2121	N AKARD ST	2121 AKARD PS LP
991	1611	MCKINNEY AVE	TRITON DOWNTOWN LLC
992	1601	MCKINNEY AVE	TRITON DOWNTOWN LLC
993	538	S RIVERFRONT BLVD	PNYX LP
994	967	S LAMAR ST	LADDS ZELVA WARNER
995	969	TERMINAL ST	PRASIFKA J A
996	1011	S AKARD ST	TEOF HOTEL LP
997	2001	ROSS AVE	CRESCENT ROSS AVE INVESTORS LLC
998	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
999	450	N RIVERFRONT BLVD	505 RIVERFRONT LTD
1000	333	N HOUSTON ST	DALLAS HOLOCAUST MUSEUM
1001	555	ROSS AVE	MFREVF III 555 ROSS LLC
1002	705	MAIN ST	DALLAS COUNTY COMMUNITY
1003	300	N HOUSTON ST	TRANSCONTINENTAL REALTY INV
1004	2425	CANTON ST	STORAGE CHOICE FARMERS MARKET LTD
1005	2001	N LAMAR ST	703 MCKINNEY LP
1006	1907	N LAMAR ST	BRE SELECT HOTELS TX LP
1007	1802	N MARKET ST	TLC SCHOOLS LTD
1008	800	ROSS AVE	FPACP3 WEST END LLC
1009	2611	ROSS AVE	ARTS GFPG LLC
1010	2201	N FIELD ST	DALLAS MUSEUM OF NATURAL
1011	2201	N LAMAR ST	DORBET INC
1012	703	MCKINNEY AVE	VICTORY BREWERY 2013 LP
1013	1909	WOODALL RODGERS FWY	L & W REAL ESTATE LLC
1014	2101	ROSS AVE	DALLAS BAR FOUNDATION
1015	2323	ROSS AVE	HALL LONE STAR ASSOC LP
1016	2323	ROSS AVE	2323 ROSS HOLDINGS LLC
1017	1704	ARTS PLAZA	DALLAS BLACK DANCE THEATE
1018	2809	ROSS AVE	FELLOWSHIP CHURCH

12/14/2018

Label #	*Address*		*Owner*
1019	555	2ND AVE	DART
1020	555	2ND AVE	DART
1021	1900	OAK LAWN AVE	DART & FT WORTH TRANSP AUTH
1022	2323	ROSS AVE	FLORA LEONARD RETAIL RE LLC
1023	2323	ROSS AVE	LEONARD HOTEL RE LLC
1024	2323	ROSS AVE	HALL ARTS RESIDENCES LLC
1025	2205	CANTON ST	YOUNG LISA H & STEVEN W
1026	2205	CANTON ST	KELSEY LARRY DON &
1027	2205	CANTON ST	FOSTER ROY D
1028	2205	CANTON ST	VILLAROSA DAVID THOMAS LIVING TRUST THE
1029	2205	CANTON ST	SULIK LAINE SHERIDAN
1030	2205	CANTON ST	DIPIETRANTONIO DANIEL
1031	2215	CANTON ST	TAVARES JAMES & KATI
1032	2215	CANTON ST	FITZGERALD TIMOTHY K &
1033	2215	CANTON ST	HAYS JOHN P
1034	2215	CANTON ST	DIAZ JUAN JOSE SOTO &
1035	2215	CANTON ST	RUSSELL MARY A & KEVIN P
1036	2205	CANTON ST	LANKFORD MARY G
1037	2225	CANTON ST	SUH CHRISTINA & KENNY W
1038	2225	CANTON ST	WILLEY KEVEN A &
1039	2205	CANTON ST	WORTHEY TARA
1040	2205	CANTON ST	MAJORS DONALD G & SUSAN
1041	2225	CANTON ST	WASHINGTON KIMBERLY L
1042	2205	CANTON ST	CANTON COMMERCE PARTNERS LTD

Agenda Information Sheet

File #: 19-553 **Item #:** 68.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan: **(1)** delete St. Paul Street from Interstate Highway 30 (IH-30) to Ervay Street; and **(2)** change the dimensional classification of Ervay Street from IH-30 to St. Paul Street/Belleview Street from an existing couplet (EXST CPLT) to a special two-lane undivided roadway (SPCL 2U) with bicycle facilities in 60 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

BACKGROUND

Jim Lake Company has requested amendments to the City of Dallas Thoroughfare Plan on St. Paul Street and Ervay Street to facilitate redevelopment of the Historic Ambassador Hotel. The requests are to remove St. Paul Street between IH-30 and Ervay Street and to convert Ervay Street between IH-30 and St. Paul Street/Belleview Street to a two-way operating roadway. St. Paul Street and Ervay Street currently operate as a one-way couplet with St. Paul Street in the southbound direction and Ervay Street in the northbound direction.

The applicant has worked with the City and stakeholders to provide continued southbound connectivity with modifications to Ervay Street beginning at Griffin Street West and continuing to the south.

Staff recommends approval to the City of Dallas Thoroughfare Plan to **(1)** delete St. Paul Street from IH-30 to Ervay Street; and **(2)** change the dimensional classification of Ervay Street from IH-30 to St. Paul Street/Belleview Street from an existing couplet (EXST CPLT) to a special two-lane undivided roadway (SPCL 2U) with bicycle facilities in 60 feet of right-of-way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 21, 2019, the City Plan Commission Thoroughfare Committee acted on this item and followed staff recommendation.

On April 4, 2019, the City Plan Commission acted on this item and followed staff recommendation.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on May 13, 2019.

FISCAL INFORMATION

This item has no cost consideration to the City. Project will be funded by the developer.

MAP

Attached

St. Paul Street

IH-30 to Ervay Street

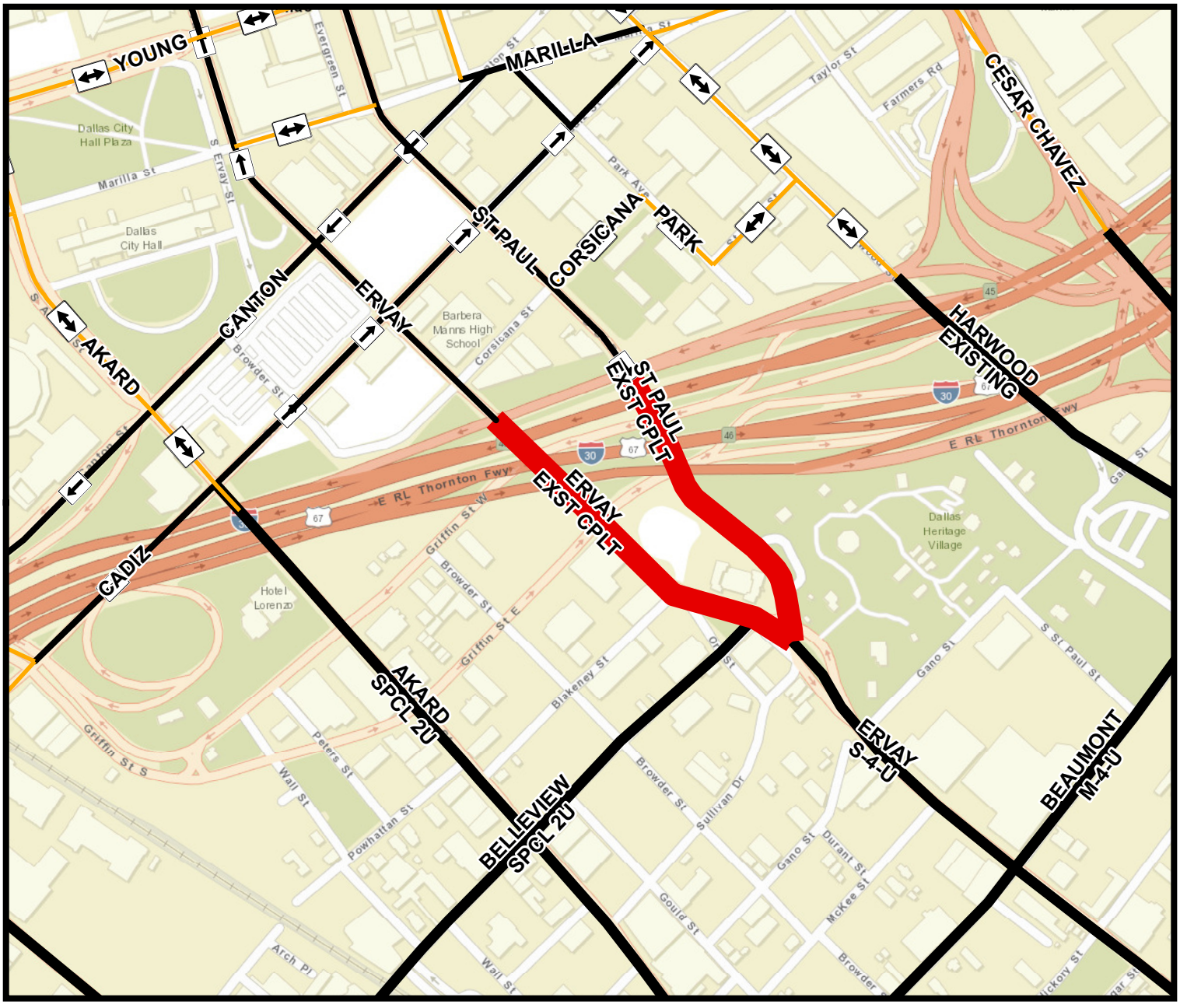
Ervay Street

IH-30 to St. Paul Street

Council District: 2
MAPSCO: 45Q

Thoroughfare Plan Amendment Map





Agenda Information Sheet

File #: 19-687 **Item #:** 69.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 22, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Budget

EXECUTIVE: Elizabeth Reich

SUBJECT

A public hearing to receive comments on **(1)** the Proposed FY 2019-20 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds; and **(2)** the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24 - Financing: No cost consideration to the City

BACKGROUND

Federal regulations require a public hearing on the City's Proposed Consolidated Plan Budget for U. S. Department of Housing and Urban Development (HUD) grant funds. This includes the following grants: Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). Federal regulations also require a public hearing on the new Five-Year Consolidated Plan.

A public comment period of not less than 30 days and a public hearing to receive comments is also required by federal regulations and the City's Citizen Participation Plan.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 17, 2019, City Council was briefed on the Proposed FY 2019-20 HUD Consolidated Plan Budget and the Community Development Commission's recommendations.

On May 8, 2019, City Council authorized preliminary adoption of the Proposed FY 2019-20 HUD Consolidated Plan Budget, the new Five-Year Consolidated Plan, and authorized a public hearing to be held on May 22, 2019, to receive comments on the proposed use of funds by Resolution No. 19-0704.

On May 15, 2019, City Council will be briefed on the Proposed FY 2019-20 HUD Consolidated Plan Budget, proposed City Council amendments will be discussed and straw votes will be taken.

FISCAL INFORMATION

No cost consideration to the City.

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