MAY 8, 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 8, 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

04/26/19
Date

Elizabeth Reich
Chief Financial Officer

4/26/19
Date

RECEIVED
2019 APR 26 PM 4:19
CITY SECRETARY
DALLAS, TEXAS

City of Dallas

COUNCIL AGENDA

May 8, 2019

Kleberg-Rylie Recreation Center
1515 Edd Road
Dallas, Texas 75253

(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 8, 2019
KLEBERG-RYLIE RECREATION CENTER
1515 EDD ROAD
DALLAS, TX 75253
ORDER OF BUSINESS

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

2:00 p.m.	**INVOCATION AND PLEDGE OF ALLEGIANCE**	
	OPEN MICROPHONE	
	MINUTES	Item 1
	CONSENT AGENDA	Items 2 - 20
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 2:15 p.m.		Items 21 - 23
	PUBLIC HEARINGS AND RELATED ACTIONS	
6:00 p.m.		Items 24 - 34

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. 19-596 Approval of Minutes of the April 24, 2019 City Council Meeting

CONSENT AGENDA

Department of Public Works

2. 19-46 Authorize a design-build services contract with Harrison, Walker & Harper, L.P. for the design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of the new Fire Station Number 59 to be located at 7097 South Jim Miller Road - Not to exceed $658,932.00 - Financing: Public Safety (G) Fund (2017 Bond Funds)

3. 19-484 Authorize an increase in the construction services contract with Tiseo Paving Company to add forty-one pedestrian lights along Sylvan Avenue from Fort Worth Avenue to 300-feet south of Muncie Avenue and add four radar detectors at the existing traffic signal located at Sylvan Avenue and Singleton Boulevard to increase safety and optimize signal cycle durations to facilitate traffic flow at the intersection - Not to exceed $143,240.99, from $7,663,717.75 to $7,806,958.74 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

4. 19-501 Authorize Supplemental Agreement No. 5 to the professional services contract with Civil Associates, Inc. for additional engineering design of street lighting, plan revisions to incorporate recent adjacent private development, and necessary design modifications associated with the right-of-way acquisition needed for the Central Business District Fair Park Link from Hall Street to Interstate Highway 30 - Not to exceed $251,110.00, from $619,383.27 to $870,493.27- Financing: Street and Transportation Improvements Fund (2006 Bond Funds) ($239,770.00) and Water Utilities Capital Construction Funds ($11,340.00)

Department of Sustainable Development and Construction

5. 19-490 Authorize acquisition from Aaron Glenn Parker, of approximately 26,770 square feet of land improved with a manufactured home located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $38,929.00 ($35,929.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund

6. 19-384 Authorize acquisition from Nueva Vida/New Life Assembly Inc., of approximately 27,669 square feet of land for a Temporary Working Space Easement located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $13,835.00 - Financing: Water Construction Fund

7. 19-427 Authorize moving expense and replacement housing payments for Jorge Martinez and Lidia Silva Perez as a result of an official written offer of just compensation to purchase real property at 2919 Alex Street for the Cadillac Heights Phase II Project - Not to exceed $71,050.00 - Financing: Land Acquisition in Cadillac Heights (2006 Bond Funds)

8. 19-575 An ordinance amending Chapter 19 "Health and Sanitation", of the Dallas City Code by adding Section 19-38; requiring at least one safe, sanitary, and convenient diaper changing accommodation in publicly available and accessible restrooms in city-owned buildings and structures containing certain restaurant and retail uses - Financing: This action has no cost consideration to the City (see Fiscal Information)

Department of Transportation

9. 19-387 Authorize an amendment to the Municipal Maintenance Agreement with the Texas Department of Transportation for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project - Financing: No cost consideration to the City

10. 19-394 Authorize a Beautification Agreement with the Fort Worth Avenue Development Group for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project - Financing: No cost consideration to the City (see Fiscal Information)

Office of Budget

11. 19-609 A resolution denying rates as requested by Oncor Electric Delivery Company LLC in its application for a Distribution Cost Recovery Factor filed with the City of Dallas on April 8, 2019 - Financing: No cost consideration to the City

Office of Procurement Services

12. 19-550 Authorize the purchase of **(1)** three mobile surveillance towers for the Police Department in the amount of $610,835.75; and **(2)** seven self-contained breathing apparatus with parts and accessories for the Police Department in the amount of $88,085.47 with Safeware, Inc. through the U.S. Communities Government Purchasing Alliance cooperative agreement - Total not to exceed $698,921.22 - Financing: U.S. Department of Homeland Security Grant Funds

13. 19-416 Authorize a three-year service price agreement, with two one-year renewal options, for electronic waste collection and recycling services for the Department of Sanitation Services - Universal Recycling Technologies, LLC, lowest responsible bidder of three - Estimated amount of $143,702.70 - Financing: Sanitation Operation Fund

14. 19-411 Authorize a five-year service price agreement for on-site heavy-duty truck washing services for the Department of Sanitation Services - FW Fleet Clean, LLC, lowest responsible bidder of two - Not to exceed $1,253,122 - Financing: Sanitation Operation Fund

15. 19-486 Authorize a three-year master agreement for smoke alarms for the Fire-Rescue Department - Asset Lighting and Electric, Inc., lowest responsible bidder of five - Estimated amount of $226,380 - Financing: General Fund

Water Utilities Department

16. 19-545 Authorize acquisition from 505 Riverfront, Ltd., of a subsurface Fiber Optic Communication easement under approximately 1,482 square feet of land located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway for the Able Pump Station Project - Not to exceed $19,908.00 ($16,908.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)

17. 19-546 Authorize acquisition from 505 Riverfront, Ltd., of a Fiber Optic Communication easement containing two surface tracts totaling approximately 342 square feet of land and a subsurface tract under approximately 2,816 square feet of land located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway for the Able Pump Station Project - Not to exceed $53,667.00 ($50,667.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)

18. 19-544 Authorize a resolution **(1)** reaffirming the protection of the Great Trinity Forest and upholding the multi-purposes of the Great Trinity Forest as outlined in local, state, and federally approved plans, including flood risk management, ecosystem restoration, and recreational enhancements; and **(2)** directing the City Manager to pursue measures to implement the action plans to protect the Great Trinity Forest through local, state and federal partners and resources - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

19. 19-379 Authorize a professional services contract with HDR Engineering, Inc. for the engineering design of Storm Drainage Contract No. 1 for the Pensive Drive Channel and Walnut Hill Lane Storm Drainage System - Not to exceed $1,066,050.69 - Financing: Storm Drainage Management Capital Construction Fund

20. 18-1133 Authorize Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional engineering and construction administration services associated with heating, ventilation, and air conditioning system improvements and building envelope renovations at various Dallas Water Utilities owned facilities - Not to exceed $139,871.85, from $2,653,128.64 to $2,793,000.49 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

21. 19-597 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)

Office of Budget

22. 19-601 Authorize **(1)** preliminary adoption of the FY 2019-20 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of $29,896,688 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of $14,697,642; **(b)** HOME Investment Partnerships Program in the amount of $5,427,679; **(c)** Emergency Solutions Grant in the amount of $1,256,675; **(d)** Housing Opportunities for Persons with AIDS in the amount of $7,058,692; and **(e)** estimated Program Income in the amount of $1,456,000; **(2)** the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24; and **(3)** a public hearing to be held on May 22, 2019, to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Water Utilities Department

23. 19-506 Authorize a Project Partnership Agreement with the U.S. Army Corps of Engineers to complete design and construction for the Modified Dallas Floodway Project Flood Risk Management Projects, as defined in the Water Resources Development Act of 2007 and the 2015 Record of Decision, including associated interior drainage improvements adjacent to the Dallas Floodway levees, and consistent with the Balanced Vision Plan for the Trinity River Corridor Project - Not to exceed $69,015,000.00 - Financing: Trinity River Corridor Project Funds (1998 Bond Funds) ($66,996,164.00) and Flood Protection and Storm Drainage Facilities Fund (2006 Bond Funds) ($2,018,836.00)

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Sustainable Development and Construction

ZONING CASES - CONSENT

24. 19-589 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting an MU-3 Mixed Use District; and **(2)** an ordinance granting a Specific Use Permit for a commercial amusement (outside) use on a portion on property zoned an IR Industrial Research District, west of East Technology Boulevard, north of Connector Drive
Recommendation of Staff and CPC: Approval of an MU-3 Mixed Use District and approval of a Specific Use Permit for a commercial amusement (outside) use on a portion for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z178-240(SM)

ZONING CASES - INDIVIDUAL

25. 19-590 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for IR Industrial Research District uses plus a community resource campus on property zoned an IR Industrial Research District, on the west side of North Stemmons Freeway, south of Regal Row and at the northeast corner of Empress Row and Viceroy Drive
Recommendation of Staff: Approval, subject to a conceptual plan and staff's recommended conditions
Recommendation of CPC: Approval, subject to a conceptual plan and conditions
Z178-121(JM)

26. 19-591 A public hearing to receive comments regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of Lake June Road and Holcomb Road
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z178-378(SM)

27. 19-592 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Mixed Use District uses on property zoned an MF-2(A) Multifamily District, on the northwest corner of East Side Avenue and South Collett Avenue
Recommendation of Staff: Denial.
Recommendation of CPC: Approval, subject to a development plan and conditions
Z189-125(CY)

28. 19-593 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Cedar Springs Road and Maple Avenue
Recommendation of Staff: Approval, subject to a revised development plan and conditions
Recommendation of CPC: Approval, subject to a development plan and conditions
Z189-145(JM)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

29. 19-645 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a Planned Development District for GO(A) General Office District and certain nonresidential uses; **(2)** a resolution terminating the existing deed restrictions [Z845-227]; and **(3)** an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)

Recommendation of Staff: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions

Recommendation of CPC: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions

Z167-180(JM)

Note: This item was considered by the City Council at a public hearing on April 24, 2019, and was held under advisement until May 8, 2019, with the public hearing open

30. 19-580 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting an amendment to Tract 6 for LO-1(A) Limited Office District uses; and **(2)** an ordinance terminating Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bounded by Bickers Street, Holystone Street, and Greenleaf Street

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and approval of the termination of Specific Use Permit No. 610 for a health center use

Z178-260(SM)

Note: This item was deferred by the City Council before opening the public hearings on February 27, 2019 and April 10, 2019, and is scheduled for consideration on May 8, 2019

31. 19-649 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for mixed uses on property zoned a GR General Retail Subdistrict and a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of North Fitzhugh Avenue and Buena Vista Street

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions

Z189-155(SM)

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 8, 2019

SPECIAL PURPOSE SIGN DISTRICT

32. 19-594 A public hearing to receive comments regarding a City Council authorized hearing to amend the Antioch Church Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the southeast corner of Pacific Avenue and North Austin Street with consideration given to amending Division 51A-7.1007.2 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval

SPSD189-003

33. 19-595 A public hearing to receive comments regarding a City Council authorized hearing to amend the Purse Building Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the northeast corner of Elm Street and Record Street with consideration being given to amending Division 51A-7.1007.1 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval

SPSD189-004

MISCELLANEOUS HEARINGS

Fire-Rescue Department

34. 19-610 A public hearing to receive comments on an amendment to Chapter 16, "Dallas Fire Code," of the Dallas City Code, **(1)** decreasing the hourly standby personnel fee; **(2)** providing a definition of alternative standby personnel; **(3)** allowing alternative standby personnel to conduct fire watch duties; **(4)** requiring standby personnel and alternative standby personnel to have a minimum of two means of contact the fire department; and **(5)** providing minimum qualifications of alternative standby personnel; and, at the close of the public hearing an ordinance granting an amendment to Chapter 16, "Dallas Fire Code", of the Dallas City Code - Financing: This action has no cost consideration to the City (see Fiscal Information for cost consideration to others)

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 8, 2019

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	V	N/A	N/A	Approval of Minutes of the April 24, 2019 City Council Meeting
2.	8	C	PBW	$658,932.00	Authorize a design-build services contract with Harrison, Walker & Harper, L.P. for the design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of the new Fire Station Number 59 to be located at 7097 South Jim Miller Road - Not to exceed $658,932.00 - Financing: Public Safety (G) Fund (2017 Bond Funds)
3.	6	C	PBW	$143,240.99	Authorize an increase in the construction services contract with Tiseo Paving Company to add forty-one pedestrian lights along Sylvan Avenue from Fort Worth Avenue to 300-feet south of Muncie Avenue and add four radar detectors at the existing traffic signal located at Sylvan Avenue and Singleton Boulevard to increase safety and optimize signal cycle durations to facilitate traffic flow at the intersection - Not to exceed $143,240.99, from $7,663,717.75 to $7,806,958.74 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
4.	2	C	PBW	$251,110.00	Authorize Supplemental Agreement No. 5 to the professional services contract with Civil Associates, Inc. for additional engineering design of street lighting, plan revisions to incorporate recent adjacent private development, and necessary design modifications associated with the right-of-way acquisition needed for the Central Business District Fair Park Link from Hall Street to Interstate Highway 30 - Not to exceed $251,110.00, from $619,383.27 to $870,493.27- Financing: Street and Transportation Improvements Fund (2006 Bond Funds) ($239,770.00) and Water Utilities Capital Construction Funds ($11,340.00)
5.	Outside	C	DEV	$38,929.00	Authorize acquisition from Aaron Glenn Parker, of approximately 26,770 square feet of land improved with a manufactured home located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $38,929.00 ($35,929.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund
6.	Outside	C	DEV	$13,835.00	Authorize acquisition from Nueva Vida/New Life Assembly Inc., of approximately 27,669 square feet of land for a Temporary Working Space Easement located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $13,835.00 - Financing: Water Construction Fund

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
7.	4	C	DEV	$71,050.00	Authorize moving expense and replacement housing payments for Jorge Martinez and Lidia Silva Perez as a result of an official written offer of just compensation to purchase real property at 2919 Alex Street for the Cadillac Heights Phase II Project - Not to exceed $71,050.00 - Financing: Land Acquisition in Cadillac Heights (2006 Bond Funds)
8.	All	C	DEV	NC	An ordinance amending Chapter 19 "Health and Sanitation", of the Dallas City Code by adding Section 19-38; requiring at least one safe, sanitary, and convenient diaper changing accommodation in publicly available and accessible restrooms in city-owned buildings and structures containing certain restaurant and retail uses - Financing: This action has no cost consideration to the City (see Fiscal Information)
9.	1, 6	C	TRN	NC	Authorize an amendment to the Municipal Maintenance Agreement with the Texas Department of Transportation for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project - Financing: No cost consideration to the City
10.	1, 6	C	TRN	NC	Authorize a Beautification Agreement with the Fort Worth Avenue Development Group for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project - Financing: No cost consideration to the City (see Fiscal Information)
11.	N/A	C	BMS	NC	A resolution denying rates as requested by Oncor Electric Delivery Company LLC in its application for a Distribution Cost Recovery Factor filed with the City of Dallas on April 8, 2019 - Financing: No cost consideration to the City
12.	All	C	POM	GT	Authorize the purchase of (1) three mobile surveillance towers for the Police Department in the amount of $610,835.75; and (2) seven self-contained breathing apparatus with parts and accessories for the Police Department in the amount of $88,085.47 with Safeware, Inc. through the U.S. Communities Government Purchasing Alliance cooperative agreement - Total not to exceed $698,921.22 - Financing: U.S. Department of Homeland Security Grant Funds
13.	All	C	POM	$143,702.70	Authorize a three-year service price agreement, with two one-year renewal options, for electronic waste collection and recycling services for the Department of Sanitation Services - Universal Recycling Technologies, LLC, lowest responsible bidder of three - Estimated amount of $143,702.70 - Financing: Sanitation Operation Fund
14.	All	C	POM	$1,253,122.00	Authorize a five-year service price agreement for on-site heavy-duty truck washing services for the Department of Sanitation Services - FW Fleet

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Clean, LLC, lowest responsible bidder of two - Not to exceed $1,253,122 - Financing: Sanitation Operation Fund
15.	All	C	POM	$226,380.00	Authorize a three-year master agreement for smoke alarms for the Fire-Rescue Department - Asset Lighting and Electric, Inc., lowest responsible bidder of five - Estimated amount of $226,380 - Financing: General Fund
16.	6	C	DWU	$19,908.00	Authorize acquisition from 505 Riverfront, Ltd., of a subsurface Fiber Optic Communication easement under approximately 1,482 square feet of land located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway for the Able Pump Station Project - Not to exceed $19,908.00 ($16,908.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)
17.	6	C	DWU	$53,667.00	Authorize acquisition from 505 Riverfront, Ltd., of a Fiber Optic Communication easement containing two surface tracts totaling approximately 342 square feet of land and a subsurface tract under approximately 2,816 square feet of land located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway for the Able Pump Station Project - Not to exceed $53,667.00 ($50,667.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)
18.	All	C	DWU	NC	Authorize a resolution (1) reaffirming the protection of the Great Trinity Forest and upholding the multi-purposes of the Great Trinity Forest as outlined in local, state, and federally approved plans, including flood risk management, ecosystem restoration, and recreational enhancements; and (2) directing the City Manager to pursue measures to implement the action plans to protect the Great Trinity Forest through local, state and federal partners and resources - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)
19.	6, 13	C	DWU	$1,066,050.69	Authorize a professional services contract with HDR Engineering, Inc. for the engineering design of Storm Drainage Contract No. 1 for the Pensive Drive Channel and Walnut Hill Lane Storm Drainage System - Not to exceed $1,066,050.69 - Financing: Storm Drainage Management Capital Construction Fund
20.	4, 6, 7, 8, 9, 10, Outside	C	DWU	$139,871.85	Authorize Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional engineering and construction administration services associated with heating, ventilation, and

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					air conditioning system improvements and building envelope renovations at various Dallas Water Utilities owned facilities - Not to exceed $139,871.85, from $2,653,128.64 to $2,793,000.49 - Financing: Water Utilities Capital Improvement Funds
21.	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)
22.	N/A	I	BMS	NC	Authorize (1) preliminary adoption of the FY 2019-20 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of $29,896,688 for the following programs and estimated amounts: (a) Community Development Block Grant in the amount of $14,697,642; (b) HOME Investment Partnerships Program in the amount of $5,427,679; (c) Emergency Solutions Grant in the amount of $1,256,675; (d) Housing Opportunities for Persons with AIDS in the amount of $7,058,692; and (e) estimated Program Income in the amount of $1,456,000; (2) the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24; and (3) a public hearing to be held on May 22, 2019, to receive comments on the proposed use of funds - Financing: No cost consideration to the City
23.	All	I	DWU	$69,015,000.00	Authorize a Project Partnership Agreement with the U.S. Army Corps of Engineers to complete design and construction for the Modified Dallas Floodway Project Flood Risk Management Projects, as defined in the Water Resources Development Act of 2007 and the 2015 Record of Decision, including associated interior drainage improvements adjacent to the Dallas Floodway levees, and consistent with the Balanced Vision Plan for the Trinity River Corridor Project - Not to exceed $69,015,000.00 - Financing: Trinity River Corridor Project Funds (1998 Bond Funds) ($66,996,164.00) and Flood Protection and Storm Drainage Facilities Fund (2006 Bond Funds) ($2,018,836.00)
24.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and (1) an ordinance granting an MU-3 Mixed Use District; and (2) an ordinance granting a Specific Use Permit for a commercial amusement (outside) use on a portion on property zoned an IR Industrial Research District, west of East Technology Boulevard, north of Connector Drive Recommendation of Staff and CPC: Approval of an MU-3 Mixed Use District and approval of a Specific Use Permit for a commercial amusement (outside) use on a portion for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Z178-240(SM)
25.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for IR Industrial Research District uses plus a community resource campus on property zoned an IR Industrial Research District, on the west side of North Stemmons Freeway, south of Regal Row and at the northeast corner of Empress Row and Viceroy Drive Recommendation of Staff: Approval, subject to a conceptual plan and staff's recommended conditions Recommendation of CPC: Approval, subject to a conceptual plan and conditions Z178-121(JM)
26.	5	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of Lake June Road and Holcomb Road Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions Z178-378(SM)
27.	2	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Mixed Use District uses on property zoned an MF-2(A) Multifamily District, on the northwest corner of East Side Avenue and South Collett Avenue Recommendation of Staff: Denial. Recommendation of CPC: Approval, subject to a development plan and conditions Z189-125(CY)
28.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Cedar Springs Road and Maple Avenue Recommendation of Staff: Approval, subject to a revised development plan and conditions Recommendation of CPC: Approval, subject to a development plan and

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					conditions Z189-145(JM)
29.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and (1) an ordinance granting a Planned Development District for GO(A) General Office District and certain nonresidential uses; (2) a resolution terminating the existing deed restrictions [Z845-227]; and (3) an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway) Recommendation of Staff: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions Recommendation of CPC: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions Z167-180(JM) Note: This item was considered by the City Council at a public hearing on April 24, 2019, and was held under advisement until May 8, 2019, with the public hearing open
30.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and (1) an ordinance granting an amendment to Tract 6 for LO-1(A) Limited Office District uses; and (2) an ordinance terminating Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bounded by Bickers Street, Holystone Street, and Greenleaf Street Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and approval of the termination of Specific Use Permit No. 610 for a health center use Z178-260(SM) Note: This item was deferred by the City Council before opening the public

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					hearings on February 27, 2019 and April 10, 2019, and is scheduled for consideration on May 8, 2019
31.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for mixed uses on property zoned a GR General Retail Subdistrict and a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of North Fitzhugh Avenue and Buena Vista Street Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions Z189-155(SM) 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 8, 2019
32.	14	PH	DEV	NC	A public hearing to receive comments regarding a City Council authorized hearing to amend the Antioch Church Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the southeast corner of Pacific Avenue and North Austin Street with consideration given to amending Division 51A-7.1007.2 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District and an ordinance granting the amendments Recommendation of Staff and CPC: Approval SPSD189-003
33.	14	PH	DEV	NC	A public hearing to receive comments regarding a City Council authorized hearing to amend the Purse Building Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the northeast corner of Elm Street and Record Street with consideration being given to amending Division 51A-7.1007.1 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District and an ordinance granting the amendments Recommendation of Staff and CPC: Approval SPSD189-004
34.	N/A	PH	DFD	NC	A public hearing to receive comments on an amendment to Chapter 16, “Dallas Fire Code,” of the Dallas City Code, (1) decreasing the hourly standby personnel fee; (2) providing a definition of alternative standby personnel; (3) allowing alternative standby personnel to conduct fire watch duties; (4) requiring standby personnel and alternative standby personnel to

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					have a minimum of two means of contact the fire department; and (5) providing minimum qualifications of alternative standby personnel; and, at the close of the public hearing an ordinance granting an amendment to Chapter 16, “Dallas Fire Code”, of the Dallas City Code - Financing: This action has no cost consideration to the City (see Fiscal Information for cost consideration to others)

TOTAL $73,094,799.23

Agenda Information Sheet

File #: 19-596 **Item #:** 1.

SUBJECT

Approval of Minutes of the April 24, 2019 City Council Meeting

Agenda Information Sheet

File #: 19-46 **Item #:** 2.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a design-build services contract with Harrison, Walker & Harper, L.P. for the design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of the new Fire Station Number 59 to be located at 7097 South Jim Miller Road - Not to exceed $658,932.00 - Financing: Public Safety (G) Fund (2017 Bond Funds)

BACKGROUND

Harrison, Walker & Harper, L.P. 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 in an amount not to exceed $658,932.00 as follows: for design, in the amount of $632,182.00 and pre-construction services fees, in the amount of $26,750.00. 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 $5,669,375.00.

ESTIMATED SCHEDULE OF PROJECT

Began Design	May 2019
Complete Design	October 2019
Begin Construction	January 2020
Complete Construction	March 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this item on May 3, 2019.

FISCAL INFORMATION

Public Safety (G) Fund (2017 Bond Funds) - $658,932.00

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 $
$658,932.00	Architectural & Engineering	25.66%	88.40%	$582,525.00
• This contract exceeds the M/WBE goal.				

OWNER

Harrison, Walker & Harper, L.P.

Holland Harper, President
Jordon Harper, Chief Executive Officer

MAP

Attached

FIRE STATION NO. 59
7097 SOUTH JIM MILLER ROAD



COUNCIL DISTRICT 8

May 8, 2019

WHEREAS, in the 2017 Bond Program, the citizens of Dallas approved funding for design and construction of a new fire station facility to be located on a City owned site at South Jim Miller Road near Loop 12; and

WHEREAS, it was determined that the best procurement method to meet the schedule for the new designated Fire Station Number 59 would be the design-build process; and

WHEREAS, at the conclusion of a selection process conducted by City staff, Harrison, Walker & Harper, L.P. was chosen 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 Harrison, Walker & Harper, L.P. for design and pre-construction services, an early construction package, and architectural and engineering services for the design and construction of the new Fire Station Number 59 facility to be located at 7097 South Jim Miller Road, in an amount not to exceed $658,932.00.

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 Harrison, Walker & Harper, L.P., 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 design and construction of the new Fire Station Number 59 facility to be located at 7097 South Jim Miller Road, in an amount not to exceed $658,932.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $658,932.00 to Harrison, Walker & Harper, L.P. in accordance with the terms and conditions of the contract from Public Safety (G) Fund, Fund 1V33, Department BSD, Unit VG31, Activity FIRF, Object 4310, Program EB17VG31, Encumbrance/Contract No. PBW-2019-00008741, Vendor 513339.

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 #: 19-484 **Item #:** 3.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 8, 2019
COUNCIL DISTRICT(S):	6
DEPARTMENT:	Department of Public Works
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize an increase in the construction services contract with Tiseo Paving Company to add forty-one pedestrian lights along Sylvan Avenue from Fort Worth Avenue to 300-feet south of Muncie Avenue and add four radar detectors at the existing traffic signal located at Sylvan Avenue and Singleton Boulevard to increase safety and optimize signal cycle durations to facilitate traffic flow at the intersection - Not to exceed $143,240.99, from $7,663,717.75 to $7,806,958.74 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

BACKGROUND

The 2006 Bond Program funded the design and construction of Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard. The project scope consists of replacing the existing pavement with reinforced concrete pavement with a four-lane divided roadway with dedicated bike lanes, barrier free ramps, traffic signal at Commerce Street, sidewalks, landscaping, storm drainage, and water and wastewater main improvements.

On June 22, 2016, City Council authorized a contract with Tiseo Paving Company for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard by Resolution No. 16-1070.

This action will authorize Change Order No. 4 to the construction services contract with Tiseo Paving Company to add forty-one pedestrian lights along Sylvan Avenue from Fort Worth Avenue to 300-feet south of Muncie Avenue and add four radar detectors at the existing traffic signal located at Sylvan Avenue and Singleton Boulevard to increase safety and optimize signal cycle durations to facilitate traffic flow at the intersection, in an amount not to exceed $143,240.99, from $7,663,717.75 to $7,806,958.74. The pedestrian lights were not part of the original scope due to budget constraints. Therefore, it was decided to request the additional funding through the 2017 Bond Program.

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2013
Completed Design	May 2016
Began Construction	August 2017
Complete Construction	August 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation major capital improvement projects by Resolution No. 01-0104.

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

On May 25, 2016, City Council authorized a Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard by Resolution No. 16-0810.

On June 22, 2016, City Council authorized a contract with Tiseo Paving Company for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard by Resolution No. 16-1070.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $143,240.99

Construction Contract

Paving and Drainage (PBW)	$6,540,064.25
Water and Wastewater (DWU)	$1,123,653.50
Change Order No. 1	$ 0.00
Change Order No. 2	$ 0.00
Change Order No. 3	$ 0.00
Change Order No. 4 (this action) (PBW)	$ 143,240.99
Total Construction Cost	$7,806,958.74

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 $
$143,240.99	Construction	25.00%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
• Change Order No. 4 - 33.36% Overall M/WBE participation				

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OWNER

Tiseo Paving Company

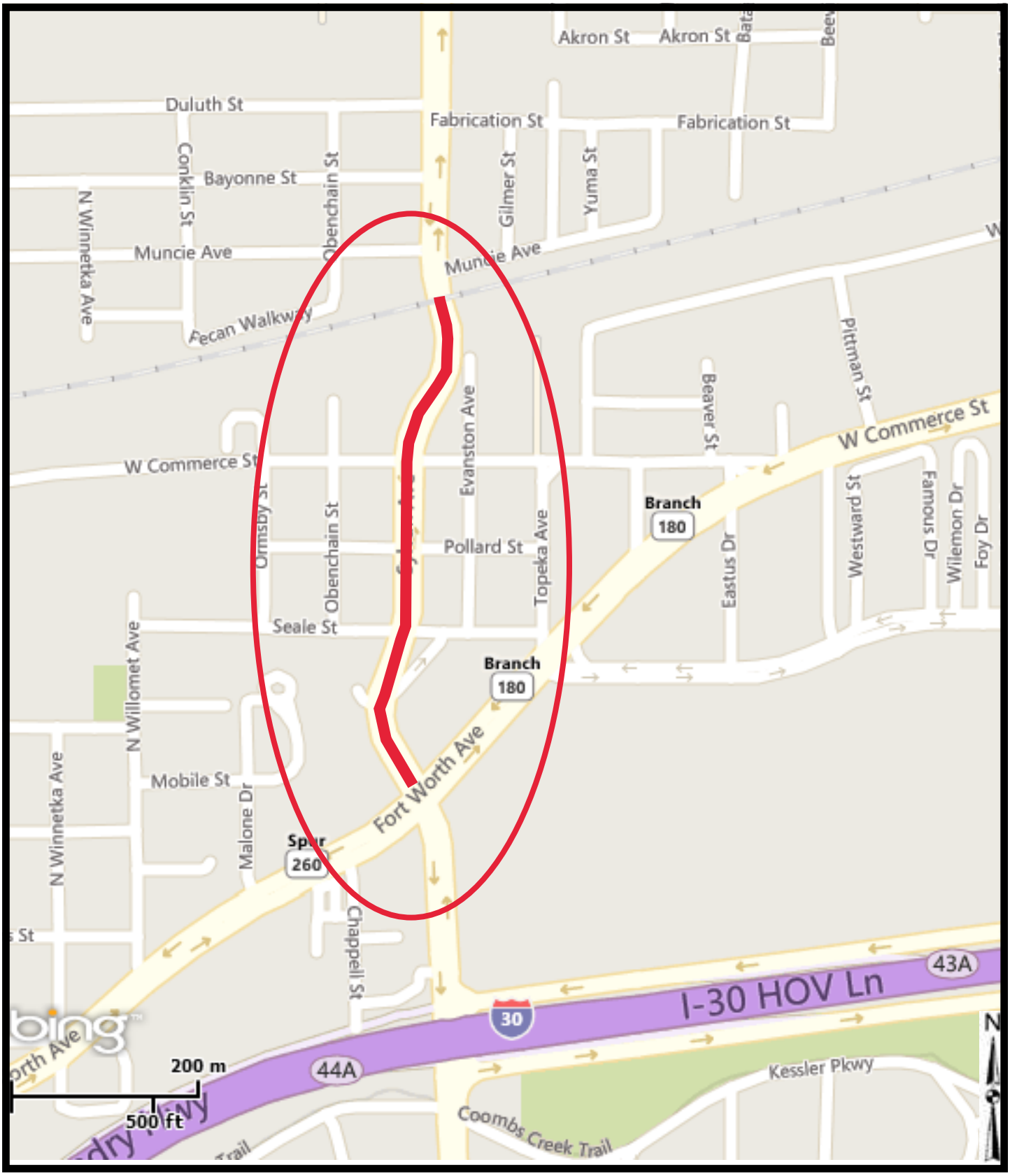
Arthur Tiseo, President

MAP

Attached

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SYLVAN AVENUE FROM FORT WORTH AVENUE TO SINGLETON BOULEVARD



COUNCIL DISTRICT 6

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

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

WHEREAS, on May 25, 2016, City Council authorized a Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements on Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard; and the receipt and deposit of funds from Dallas County, in an amount not to exceed $3,000,000.00 for Dallas County's share of the project cost by Resolution No. 16-0810; and

WHEREAS, on June 22, 2016, City Council authorized a contract with Tiseo Paving Company for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard, in an amount not to exceed $7,663,717.75, by Resolution No. 16-1070; and

WHEREAS, on November 16, 2017, Administrative Action No. 17-1135 authorized Change Order No. 1 to the construction contract with Tiseo Paving Company for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard to revise the quantity of a pay item and add a new pay item as needed to complete this work, with zero cost, having no effect on the contract amount; and

WHEREAS, on April 17, 2018, Administrative Action No. 18-0166 authorized Change Order No. 2 to the construction contract with Tiseo Paving Company for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard to revise the quantity of pay items and add new pay items, with zero cost, having no effect on the contract amount; and

WHEREAS, on November 19, 2018, Administrative Action No. 18-1097 authorized Change Order No. 3 to the construction contract with Tiseo Paving Company for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard to revise the quantity of pay items and add new pay items, with zero cost, having no effect on the contract amount; and

WHEREAS, it is now necessary to authorize Change Order No. 4 to the construction services contract with Tiseo Paving Company to add forty-one pedestrian lights along Sylvan Avenue from Fort Worth Avenue to 300-feet south of Muncie Avenue and add four radar detectors at the existing traffic signal located at Sylvan Avenue and Singleton Boulevard to increase safety and optimize signal cycle durations to facilitate traffic flow at the intersection, in an amount not to exceed $143,240.99, increasing the contract amount from $7,663,717.75 to $7,806,958.74.

Now, Therefore,

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

SECTION 1. That an increase in the construction services contract with Tiseo Paving Company (Change Order No. 4) is authorized to add forty-one pedestrian lights along Sylvan Avenue from Fort Worth Avenue to 300-feet south of Muncie Avenue and add four radar detectors at the existing traffic signal located at Sylvan Avenue and Singleton Boulevard to increase safety and optimize signal cycle durations to facilitate traffic flow at the intersection, in an amount not to exceed $143,240.99, increasing the contract amount from $7,663,717.75 to $7,806,958.74.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $143,240.99 in accordance with the terms and conditions of the contract to Tiseo Paving Company from Street and Transportation (A) Fund, Fund 1V22, Department PBW, Unit VA09, Activity THRF, Object 4510, Program PB17VA09, Encumbrance CT-PBW06U802I1, Vendor 011466.

SECTION 3. That this contract is designated as Contract No. STS-2017-00003532.

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 #: 19-501 **Item #:** 4.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize Supplemental Agreement No. 5 to the professional services contract with Civil Associates, Inc. for additional engineering design of street lighting, plan revisions to incorporate recent adjacent private development, and necessary design modifications associated with the right-of-way acquisition needed for the Central Business District Fair Park Link from Hall Street to Interstate Highway 30 - Not to exceed $251,110.00, from $619,383.27 to $870,493.27- Financing: Street and Transportation Improvements Fund (2006 Bond Funds) ($239,770.00) and Water Utilities Capital Construction Funds ($11,340.00)

BACKGROUND

On January 23, 2008, City Council authorized a professional services contract with Civil Associates, Inc. for the design of the Central Business District (CBD) Fair Park Link from Hall Street to Interstate Highway 30 (IH 30), by Resolution No. 08-0324.

On April 28, 2010, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Civil Associates, Inc. for additional engineering and surveying services for the CBD Fair Park Link from Hall Street to IH 30, by Resolution No. 10-1065.

On November 9, 2016, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Civil Associates, Inc. for additional engineering design of the crossing gate arms and flashers needed for the CBD Fair Park Link from Hall Street to IH 30, by Resolution No. 16-1804.

This action will authorize Supplemental Agreement No. 5 to the professional services contract with Civil Associates, Inc. for additional engineering services to design street lighting and modify the plans to incorporate recent adjacent improvements performed by Baylor Hospital. It will also modify the design as needed to ensure the proposed improvements are located within the parcels that were acquired for street right-of-way.

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2008
Complete Design	November 2019
Begin Construction	June 2020
Complete Construction	June 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 23, 2008, City Council authorized a professional services contract with Civil Associates, Inc. for the design of the Central Business District (CBD) Fair Park Link from Hall Street to IH 30, by Resolution No. 08-0324.

On April 28, 2010, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Civil Associates, Inc. for additional engineering and surveying services for the CBD Fair Park Link from Hall Street to IH 30, by Resolution No. 10-1065.

On November 9, 2016, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Civil Associates, Inc. for additional engineering design of the crossing gate arms and flashers needed for the CBD Fair Park Link from Hall Street to IH 30, by Resolution No. 16-1804.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on May 3, 2019.

FISCAL INFORMATION

Street and Transportation Improvements Fund (2006 Bond Funds) - $239,770.00
Water Utilities Capital Construction Funds - $11,340.00

Design Contract	
Design (PBW)	$307,824.14
Design (DWU)	$ 28,598.08
Supplemental Agreement No. 1	$149,361.70
Supplemental Agreement No. 2	$ 29,693.20
Supplemental Agreement No. 3	$ 18,022.15
Supplemental Agreement No. 4	$ 85,884.00
Supplemental Agreement No. 5 (this action)	
(PBW)	$239,770.00
(DWU)	$ 11,340.00
Total	$870,493.27

Estimated Future Cost - Construction - $5,000,000.00

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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 $
$251,110.00	Architectural & Engineering	25.66%	95.42%	$239,610.00
• This contract exceeds the M/WBE goal.				
• Supplemental Agreement No. 5 - 84.74% Overall M/WBE participation				

OWNER

Civil Associates, Inc.

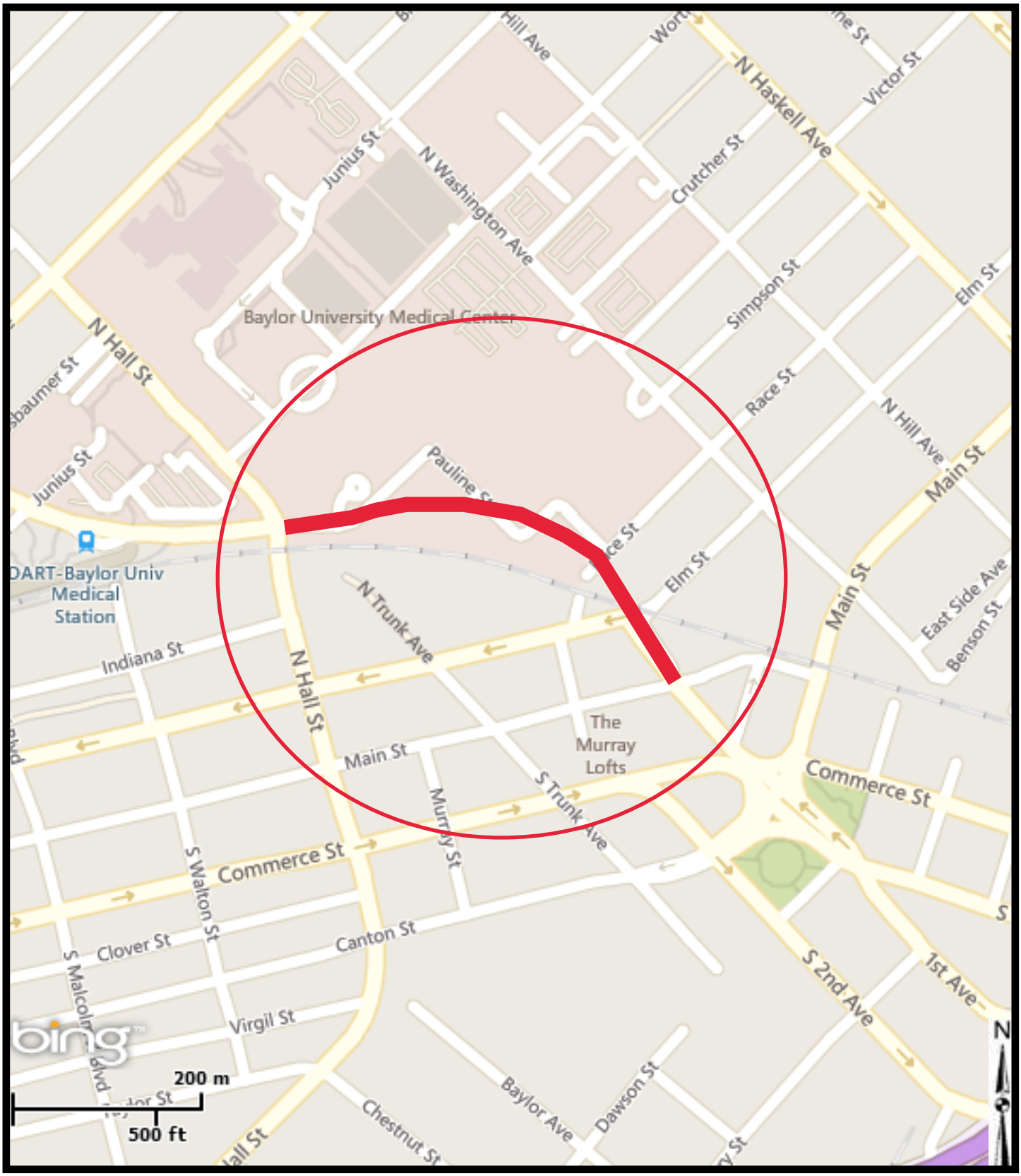
Naser Abusaad, P.E., American Institute of Certified Planners, Vice President

MAP

Attached

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CENTRAL BUSINESS DISTRICT (CBD) FAIR PARK LINK FROM HALL STREET TO IH 30



COUNCIL DISTRICT 2

WHEREAS, on January 23, 2008, City Council authorized a professional services contract with Civil Associates, Inc. for the design of thoroughfare projects on Central Business District (CBD) Fair Park Link from Hall Street to Interstate Highway (IH) 30, in an amount not to exceed $336,422.22, by Resolution No. 08-0324; and

WHEREAS, on April 28, 2010, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Civil Associates, Inc. for additional engineering and surveying services for the CBD Fair Park Link from Hall Street to IH 30, in an amount not to exceed $149,361.70, from $336,422.22 to $485,783.92, by Resolution No. 10-1065; and

WHEREAS, on October 2, 2012, Administrative Action No. 12-2595 authorized Supplemental Agreement No. 2 to the professional services contract with Civil Associates, Inc. for additional road-rail intersection design work and coordination with the City and Dallas Area Rapid Transit staff, in an amount not to exceed $29,693.20, from $485,783.92 to $515,477.12; and

WHEREAS, on January 19, 2016, Administrative Action No. 16-5183 authorized Supplemental Agreement No. 3 to the contract with Civil Associates, Inc. to explore conceptual design alternatives to tie-in or terminate Exposition Avenue into Main Street for the future proposed Fair Park Link roadway project, in an amount not to exceed $18,022.15, from $515,477.12 to $533,499.27; and

WHEREAS, on November 9, 2016, City Council authorized Supplemental Agreement No. 4, to the professional services contract with Civil Associates, Inc. for additional engineering design of the crossing gate arms and flashers needed for the CBD Fair Park Link from Hall Street to IH 30, in an amount not to exceed $85,884.00, from $533,499.27 to $619,383.27, by Resolution No. 16-1804; and

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 5, to the professional services contract with Civil Associates, Inc. for additional engineering design of street lighting, plan revisions to incorporate recent adjacent private development, and necessary design modifications associated with the right-of-way acquisition needed for the Central Business District Fair Park Link from Hall Street to IH 30, in an amount not to exceed $251,110.00, from $619,383.27 to $870,493.27.

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. 5 to the professional services contract with Civil Associates, Inc., approved as to form by the City Attorney, for additional engineering design of street lighting, plan revisions to incorporate recent adjacent private development, and necessary design modifications associated with the right-of-way acquisition needed for the Central Business District Fair Park Link from Hall Street to IH 30, in an amount not to exceed $251,110.00, increasing the contract amount from $619,383.27 to $870,493.27.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $251,110.00 in accordance with the terms and conditions of the contract to Civil Associates, Inc., as follows:

Street and Transportation Improvements Fund Fund 4T22, Department PBW, Unit V203, Activity INGV Object 4111, Program PB06U203 Encumbrance CT-PBW06U203D1 Vendor 512422	$239,770.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 4111, Program 708065 Encumbrance CT-PBW708065EA Vendor 512422	$ 5,670.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Object 4111, Program 708066 Encumbrance CT-PBW708066EA Vendor 512422	$ 5,670.00
Total amount not to exceed	$251,110.00

SECTION 3. That this contract is designated as Contract No. PBW-2019-00000082.

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 #: 19-490 **Item #:** 5.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 8, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize acquisition from Aaron Glenn Parker, of approximately 26,770 square feet of land improved with a manufactured home located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $38,929.00 ($35,929.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund

BACKGROUND

This item authorizes the acquisition from Aaron Glenn Parker, of approximately 26,770 square feet of land improved with a manufactured 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 $40,000.00.

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)

The Mobility Solutions, Infrastructure & Sustainability Committee will be briefed by memorandum regarding this matter on May 3, 2019.

FISCAL INFORMATION

Water Construction Fund - $38,929.00 ($35,929.00, plus closing costs and title expenses not to exceed $3,000.00)

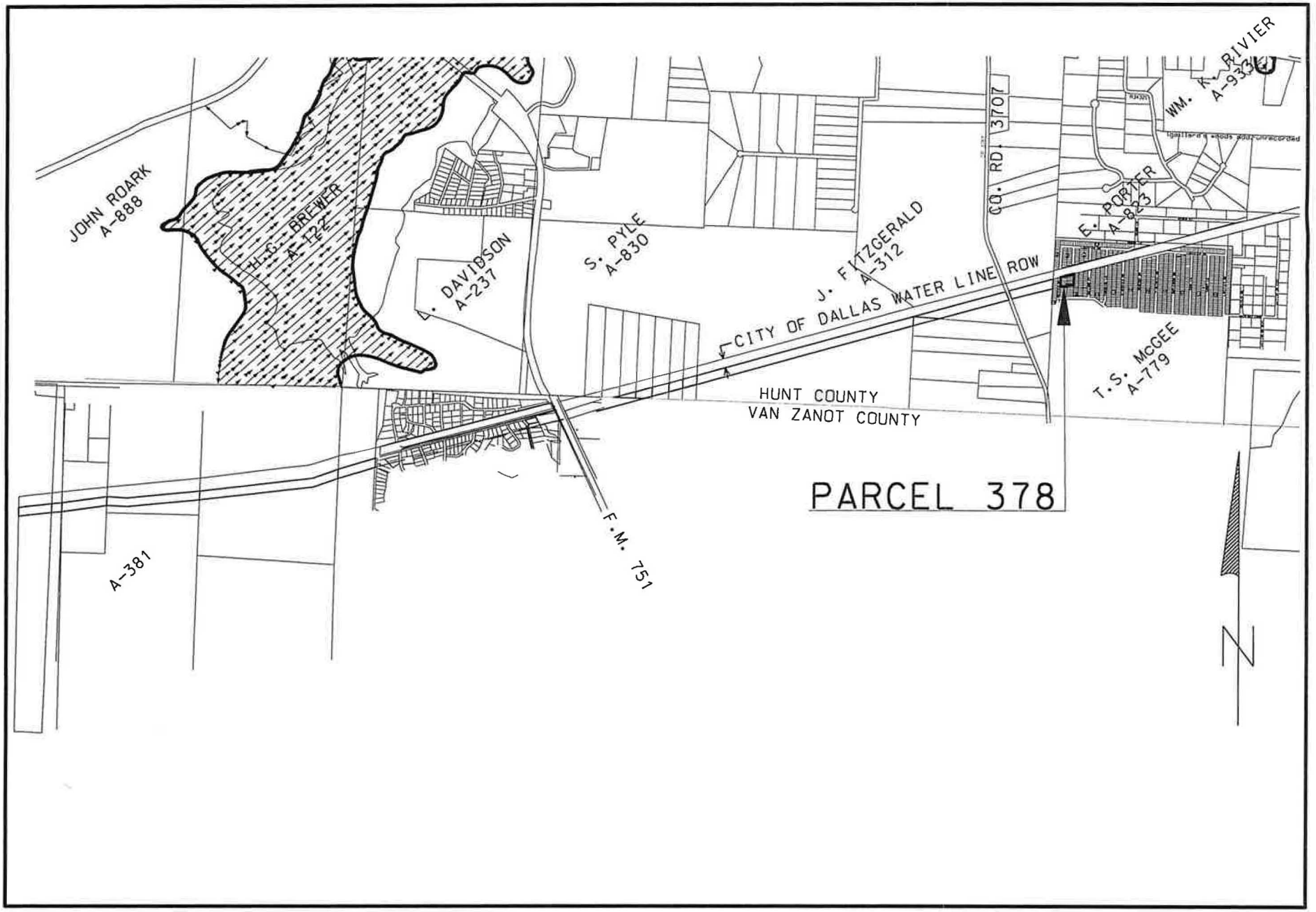
OWNER

Aaron Glenn Parker

MAP

Attached

powered by Legistar™



VICINITY MAP

APPROXIMATE SCALE 1"= 2000'

P:\0515-LakeTawakoni\Parcel\ParcelsMap_378.dgn Plotted on 4/27/2015 at 2:35:11 PM By: jason Project:City Of Dallas Plot Driver: dteprinter.pltcfg PenTable dte.tbl

May 8, 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 26,770 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": Aaron Glenn Parker, 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": $35,929.00

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

"AUTHORIZED AMOUNT": Not to exceed $38,929.00

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-2019-00008633. 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: 378

BEING a 26,770 square foot (0.6146 acre) tract of land in the T. McGee Survey, Abstract No. 779, being all of Lots 46-51 and Lots 59-64, Block 1D of the Waco Bay Estates Subdivision, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said Lots 46-51 and Lots 59-64 being described in Special Warranty Deed with Vendor's Lien to Aaron Glenn Parker, dated June 4, 2014, as recorded in Document No. 2014-7214, 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.

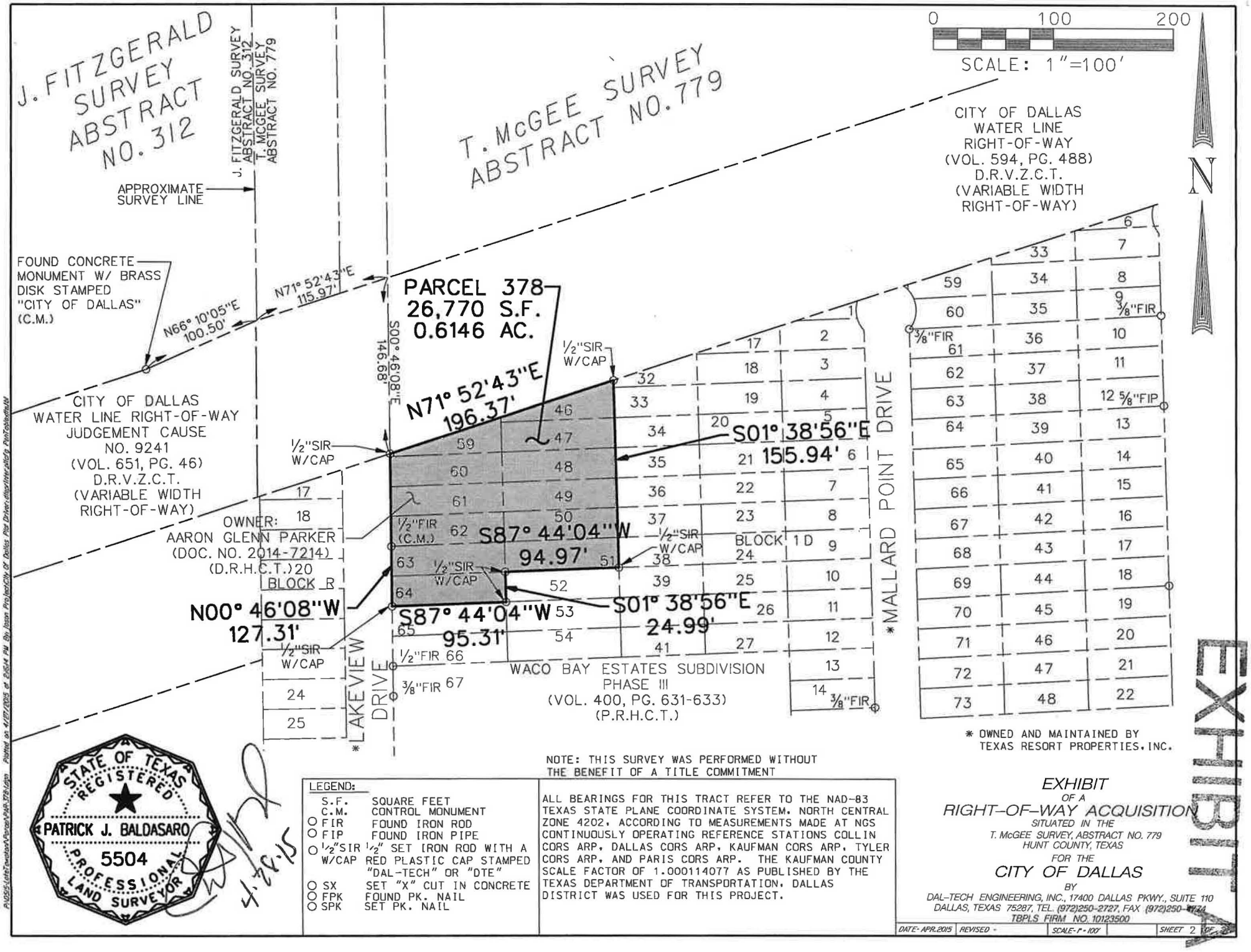
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

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



NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT

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

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)250-2774
TBPLS FIRM NO. 10123500

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

P:\2015\Exhibits\Parcel\PAR.378.dgn Printed on 4/27/2015 at 3:56:14 PM By Jason Pritchett\City of Dallas Par Drive\Interesting Part\Exhibit.dwg

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 Aaron Glenn Parker, a single man (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 THIRTY FIVE THOUSAND NINE HUNDRED TWENTY NINE AND 00/100 DOLLARS ($35,929.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

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

EXECUTED this _____ day of _____, _____.

_____

Aaron Glenn Parker

EXHIBIT B

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

STATE OF TEXAS '
COUNTY OF Hunt '

This instrument was acknowledged before me on _____
By Aaron Glenn Parker.

_____
Notary Public, State of TEXAS

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

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

By: _____
Assistant City Attorney

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. 44013

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: 378

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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.

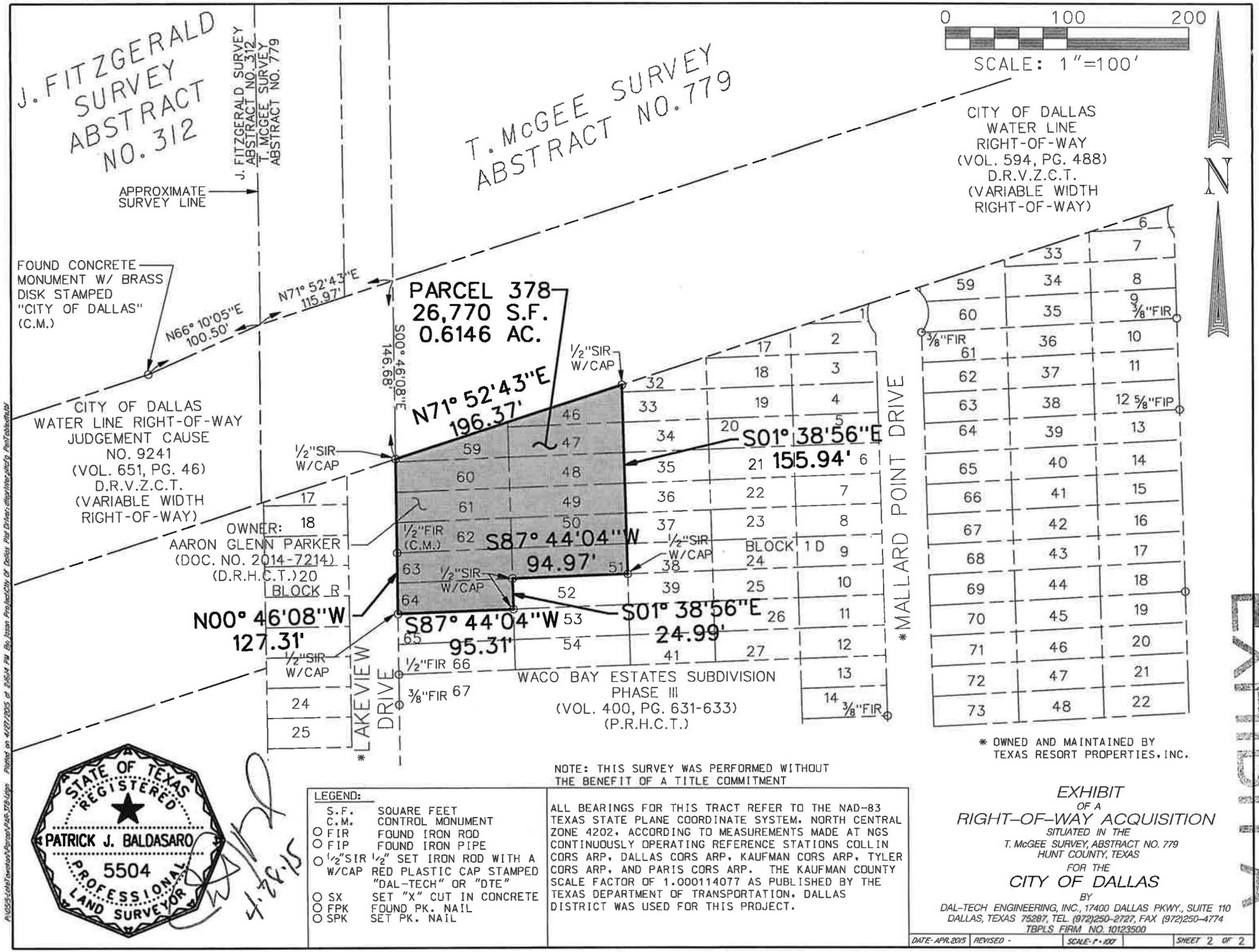
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 4.28.15



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

FIELD NOTES APPROVED: 5/1/15


J. FITZGERALD SURVEY ABSTRACT NO. 312
T. McGEE SURVEY ABSTRACT NO. 779
J. FITZGERALD SURVEY ABSTRACT NO. 312
T. McGEE SURVEY ABSTRACT NO. 779
APPROXIMATE SURVEY LINE
0 100 200
SCALE: 1"=100'
N
CITY OF DALLAS WATER LINE RIGHT-OF-WAY (VOL. 594, PG. 488) D.R.V.Z.C.T. (VARIABLE WIDTH RIGHT-OF-WAY)
FOUND CONCRETE MONUMENT W/ BRASS DISK STAMPED "CITY OF DALLAS" (C.M.)
N66° 10'05"E 100.50'
N71° 52'43"E 115.97'
PARCEL 378
26,770 S.F.
0.6146 AC.
S00° 46'08"E 146.68'
1/2"SIR W/CAP
N71° 52'43"E 196.37'
S01° 38'56"E 155.94'
CITY OF DALLAS WATER LINE RIGHT-OF-WAY JUDGEMENT CAUSE NO. 9241 (VOL. 651, PG. 46) D.R.V.Z.C.T. (VARIABLE WIDTH RIGHT-OF-WAY)
OWNER: AARON GLENN PARKER (DOC. NO. 2014-7214) (D.R.H.C.T.)
1/2"FIR (C.M.)
S87° 44'04"W 94.97'
1/2"SIR W/CAP
N00° 46'08"W 127.31'
S87° 44'04"W 95.31'
S01° 38'56"E 24.99'
BLOCK R
BLOCK 1D
LAKEVIEW DRIVE
MALLARD POINT DRIVE
WACO BAY ESTATES SUBDIVISION PHASE III (VOL. 400, PG. 631-633) (P.R.H.C.T.)
3/8"FIR
12 5/8"FIP
* OWNED AND MAINTAINED BY TEXAS RESORT PROPERTIES, INC.
STATE OF TEXAS REGISTERED PATRICK J. BALDASARO 5504 PROFESSIONAL LAND SURVEYOR
4.24.15
NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT
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 A
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 #: 19-384 **Item #:** 6.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 8, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize acquisition from Nueva Vida/New Life Assembly Inc., of approximately 27,669 square feet of land for a Temporary Working Space Easement located in Dallas County for the Southwest 120/96 -inch Water Transmission Pipeline Project - Not to exceed $13,835.00 - Financing: Water Construction Fund

BACKGROUND

This item authorizes the acquisition from Nueva Vida/New Life Assembly Inc., of approximately 27,669 square feet of land for a Temporary Working Space Easement located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project. This property will be used for the construction of a 96-inch and 120-inch diameter treated water transmission line from the East Side Water Treatment Plant to Southwest Dallas. The consideration is based on an independent appraisal. No relocation costs are associated.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure & Sustainability Committee will be briefed by memorandum regarding this matter on May 3, 2019.

FISCAL INFORMATION

Water Construction Fund - 13,835.00

OWNER

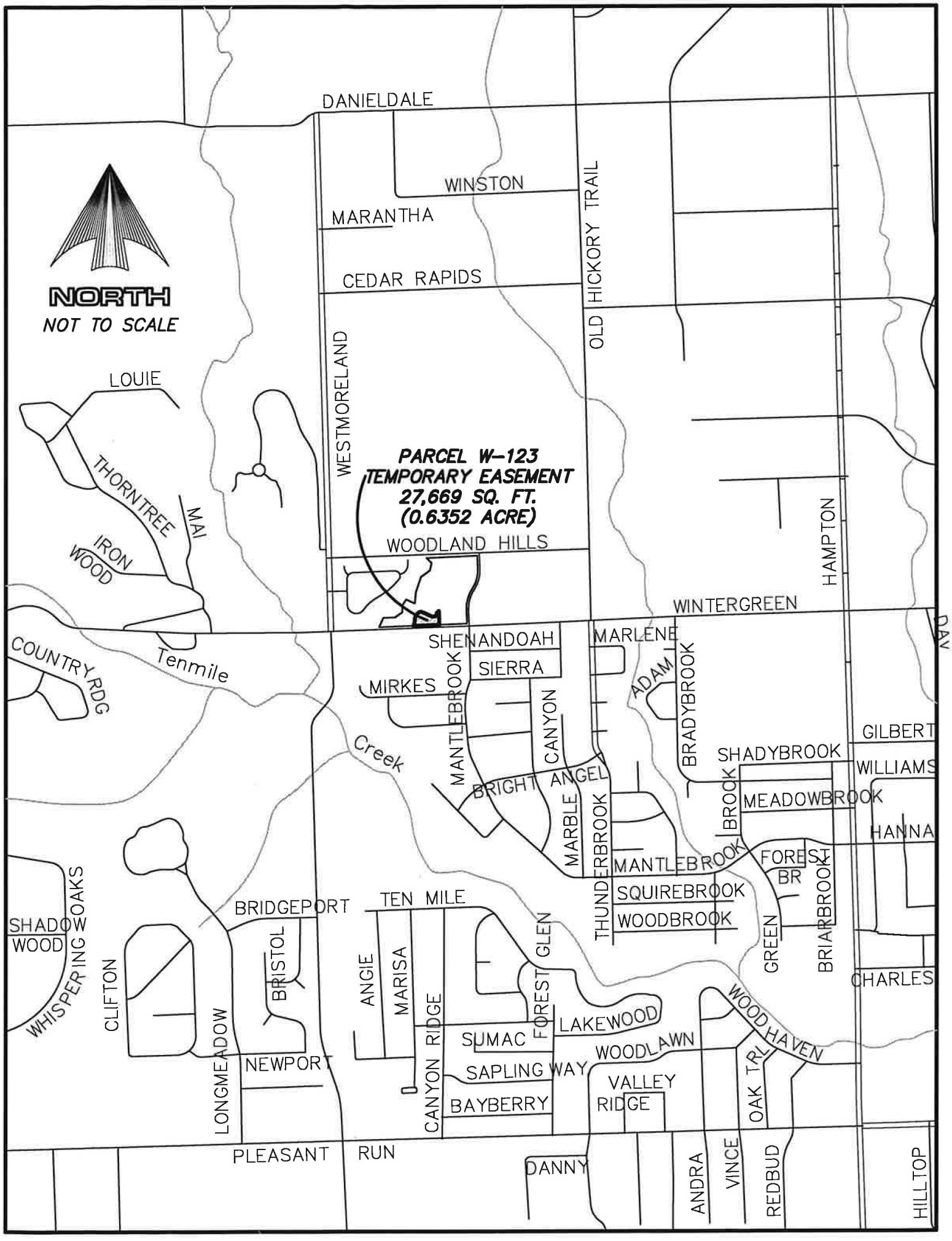
Nueva Vida/New Life Assembly Inc.

Vicente Delgado, President

MAP

Attached

powered by Legistar™


NORTH
NOT TO SCALE
PARCEL W-123
TEMPORARY EASEMENT
27,669 SQ. FT.
(0.6352 ACRE)
DANIELDALE
WINSTON
MARANTHA
CEDAR RAPIDS
OLD HICKORY TRAIL
WESTMORELAND
LOUIE
THORNTREE
MAI
IRON WOOD
WOODLAND HILLS
HAMPTON
WINTERGREEN
COUNTRY RDG
Tenmile Creek
SHENANDOAH
SIERRA
MIRKES
MARLENE
ADAM
BRADYBROOK
MANTLEBROOK
CANYON
BRIGHT ANGEL
MARBLE
THUNDERBROOK
SHADYBROOK
GILBERT
WILLIAMS
MEADOWBROOK
HANNA
FOREST BR
BRIARBROOK
MANTLEBROOK
SQUIREBROOK
WOODBROOK
GREEN
CHARLES
SHADOW WOOD
WHISPERING OAKS
CLIFTON
BRIDGEPORT
BRISTOL
LONGMEADOW
NEWPORT
TEN MILE
ANGIE
MARISA
CANYON RIDGE
GLEN
FOREST
SUMAC
LAKEWOOD
SAPLING WAY
BAYBERRY
WOODLAWN
WOODHAVEN
OAK TRL
VALLEY RIDGE
PLEASANT RUN
DANNY
ANDRA
VINCE
REDBUD
HILLTOP

May 8, 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 27,669 square feet of land located in Dallas County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Southwest 120/96-inch Water Transmission Pipeline Project

"USE": The construction, 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": Temporary Working Space Easement subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the instrument more particularly described in Exhibit "B".

"OWNER": Nueva Vida/New Life Assembly Inc., provided, however, that the term "OWNER" as used in the resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $13,835.00

"CLOSING COSTS AND TITLE EXPENSES": $0.00

"AUTHORIZED AMOUNT": Not to exceed $13,835.00

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 the and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof 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 CW40, Activity MPSA, Program 706035, Object 4250, Encumbrance/Contract No. CX-DWU-2019-00008455. 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"
PAGE 1 OF 3
PARCEL W-123
TEMPORARY EASEMENT
27,669 SQ. FT. (0.6352 ACRE) PARCEL
NUEVA VIDA/NEW LIFE ASSEMBLY TRACT
JONAS BUSKIRK SURVEY, ABSTRACT NO. 110
CITY OF DESOTO, DALLAS COUNTY, TEXAS

Exhibit A

DESCRIPTION

BEING a 27,669 square foot (0.6352 acre) tract of land situated in the Jonas Buskirk Survey, Abstract No. 110, in the City of Desoto, Dallas County, Texas and being a portion of a called 9.5194 acre tract of land (unplatted) described in the Warranty Deed to Nueva Vida/New Life Assembly as recorded in Instrument No. 200900002571 of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron rod (controlling monument) found for the southeast corner of the aforementioned called 9.5194 acre tract of land, said southeast corner being at the intersection of the northerly right-of-way line of Wintergreen Road (variable width right-of-way) and the westerly right-of-way line of Mantlebrook Drive (60' right-of-way), from whence a 1/2" iron rod (controlling monument) found for corner at the point of curvature of said westerly right-of-way line of Mantlebrook Drive and the easterly line of said called 9.5194 acre tract bears N 00°43'30" W, 136.95 feet (Deed ~ S 00°17'38" W, 136.75 feet);

THENCE S 89°15'24" W (Deed ~ N 89°42'22" W), with said northerly right-of-way line of Wintergreen Road and the south line of said called 9.5194 acre tract of land, 280.00 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner at the POINT OF BEGINNING of the herein described tract;

THENCE S 89°15'24" W (Deed ~ N 89°42'22" W), continuing with said northerly right-of-way line of Wintergreen Road and the south line of said called 9.5194 acre tract of land, 261.01 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 22°07'51" E, departing said northerly right-of-way line of Wintergreen Road and the south line of said called 9.5194 acre tract of land, 30.10 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 07°17'06" E, 56.82 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 33°40'58" E, 32.67 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner at the beginning of a non-tangent curve to the right having a central angle of 50°38'01", a radius of 58.19 feet, a tangent length of 27.53 feet and a chord which bears N 54°07'52" E, 49.76 feet;

THENCE, with said non-tangent curve to the right, an arc distance of 51.42 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

FIELD NOTES APPROVED
5/8/18

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

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
12377 Merit Drive, Suite 700
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM TECHNICAL SERVICES INC.
13355 NOEL ROAD, SUITE 400
DALLAS, TEXAS 75240
WWW.AECOM.COM
TBPE REG. NO. F-3580

MARCH 6, 2018 | 7059-ES123-R.dwg

EXHIBIT "A"
PAGE 2 OF 3

PARCEL W-123
TEMPORARY EASEMENT

27,669 SQ. FT. (0.6352 ACRE) PARCEL
NUEVA VIDA/NEW LIFE ASSEMBLY TRACT
JONAS BUSKIRK SURVEY, ABSTRACT NO. 110
CITY OF DESOTO, DALLAS COUNTY, TEXAS

Exhibit A

THENCE S 70°35'05" E, 30.69 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 63°47'18" E, 81.43 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner at the beginning of a non-tangent curve to the left having a central angle of 74°24'12", a radius of 40.35 feet, a tangent length of 30.63 feet and a chord which bears N 88°48'45" E, 48.79 feet;

THENCE, with said non-tangent curve to the left, an arc distance of 52.39 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 23°50'28" E, 33.35 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 50°06'42" E, 23.40 feet to a 1/2" iron rod with plastic cap stamped "Tx REG NO 100189-00" set for corner;

THENCE S 00°44'36" E, 137.57 feet to the POINT OF BEGINNING and containing 0.6352 acre (27,669 square feet) of land, more or less.

BASIS OF BEARINGS ~ Bearings for this survey are referenced to the Texas State Plane Coordinate System (NAD83), North Central Zone 4202, as obtained with the Western Data Systems Texas Cooperative RTK Network. Stations DUNP_g1012 AND DSIA_g1012 were utilized as base stations during GPS data collection sessions and serve as controlling monument

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

Lonny Gillespie 3/8/18

Lonny Gillespie, Texas R.P.L.S. No. 5261
Registered Professional Land Surveyor
Nathan D. Maier Consulting Engineers, Inc.
12377 Merit Drive, Suite 700
Dallas, Texas 75251
214-739-4741
TBPE Firm Registration No.: F-356
TBPLS Firm Registration No.: 100189-00



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

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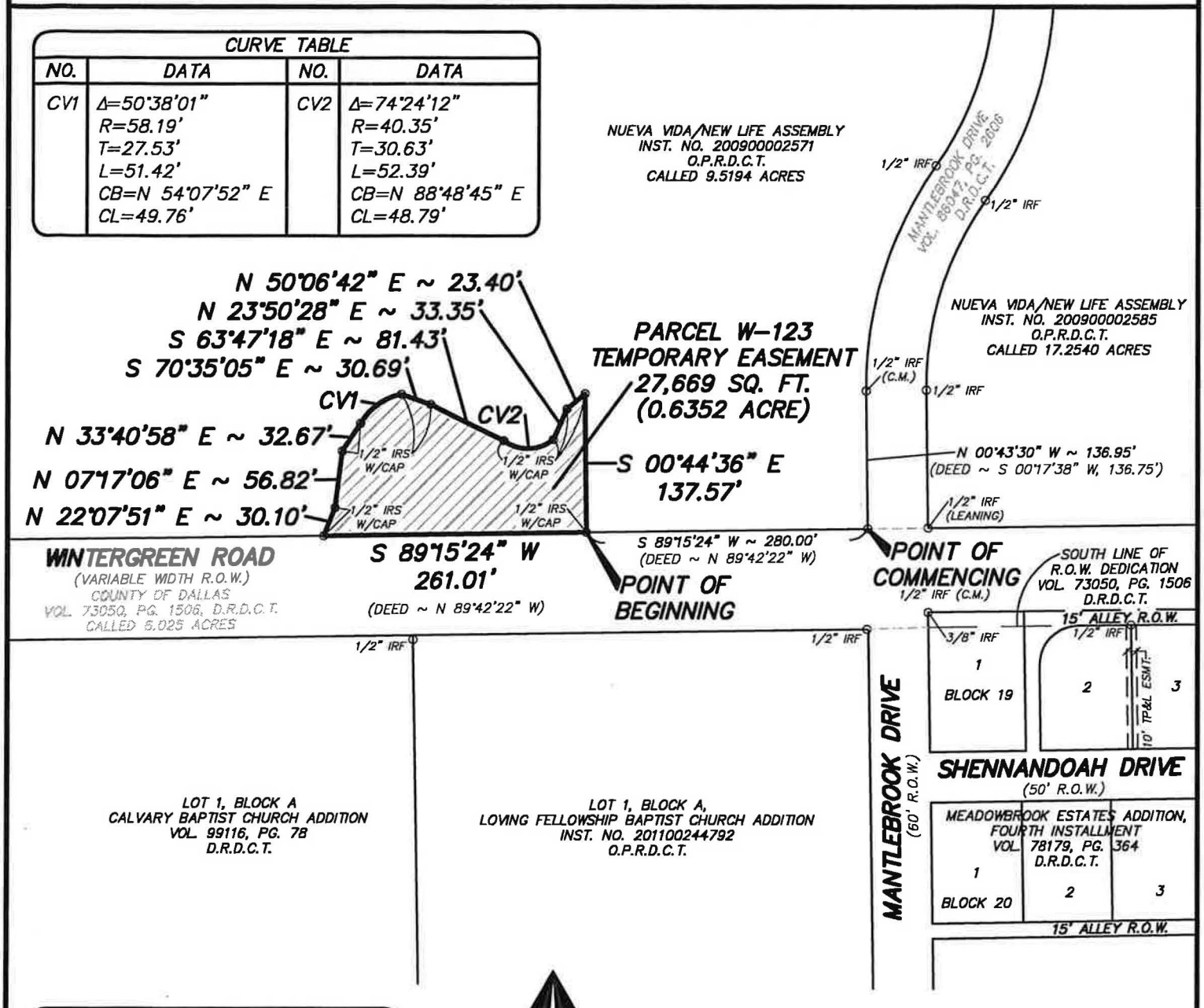
EXHIBIT "A"
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PARCEL W-123
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27,669 SQ. FT. (0.6352 ACRE) PARCEL
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CITY OF DESOTO, DALLAS COUNTY, TEXAS

Exhibit A

CURVE TABLE			
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ABBREVIATION LEGEND

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

NORTH

SCALE: 1"=150'

BASIS OF BEARINGS ~ Bearings for this survey are referenced to the Texas State Plane Coordinate System (NAD83), North Central Zone 4202, as obtained with the Western Data Systems Texas Cooperative RTK Network. Stations DUNP_g1012 AND DSIA_g1012 were utilized as base stations during GPS data collection sessions and serve as controlling monument

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

NDM
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CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
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MARCH 6, 2018

7059-ES123-R.dwg

EXHIBIT B

TEMPORARY WORKING SPACE EASEMENT

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

That Nueva Vida / New Life Assembly Inc., a Texas corporation, acting by and through its duly authorized officer(s) (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 THIRTEEN THOUSAND EIGHT HUNDRED THIRTY FIVE DOLLARS AND 00/100 DOLLARS ($13,835.00) 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 a water pipeline.

Any and all trees which lie within this temporary working space may be trimmed of low limbs or removed by the City or its contractor without liability to Grantor if deemed essential to allow for the normal use or passage of construction equipment during the construction of said main or mains.

Upon completion of construction, all surplus excavation, debris, trash or litter resulting from said construction shall be cleaned up and hauled off the premises, and said property, including the fences disturbed, shall be restored as nearly as practicable to its original contour and condition.

It is understood and agreed by Grantor that the consideration herein represents full and adequate consideration for the right-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 912 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 _____, _____.

Nueva Vida/New Life Assembly, also known as Nueva Vida/New Life Assembly, Inc., a Texas non-profit corporation

By: _____
Name: Antonio Delgado
Title: Trustee

Nueva Vida/New Life Assembly, also known as Nueva Vida/New Life Assembly, Inc., a Texas non-profit corporation

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

By: _____
Name: Vicente Delgado
Title: President

By: _____
Assistant City Attorney MH

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

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
By Antonio Delgado, Trustee of Nueva Vida/New Life Assembly, Inc., a Texas non-profit corporation, on behalf of said non-profit corporation.

_____
Notary Public, State of TEXAS

EXHIBIT B

* *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____ by Vicente Delgado, President of Nueva Vida/New Life Assembly, Inc., a Texas non-profit corporation, on behalf of said non-profit corporation.

_____
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

Temporary Easement Log No. 44247

EXHIBIT "A"
PAGE 1 OF 3
PARCEL W-123
TEMPORARY EASEMENT
27,669 SQ. FT. (0.6352 ACRE) PARCEL
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JONAS BUSKIRK SURVEY, ABSTRACT NO. 110
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FIELD NOTES APPROVED
5/8/18

Dallas Water Utilities Southwest 120/96-inch Water Transmission Pipeline Project	
NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC. TBPE FIRM REG. NO. F-356 TBPLS FIRM REG. NO. 100189-00 12377 Merit Drive, Suite 700 Dallas, Texas 75231 / (214) 739-4741	AECOM AECOM TECHNICAL SERVICES INC. 13355 NOEL ROAD, SUITE 400 DALLAS, TEXAS 75240 WWW.AECOM.COM TBPE REG. NO. F-3580
MARCH 6, 2018	7059-ES123-R.dwg

PARCEL W-123
TEMPORARY EASEMENT

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FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

3/8/18

Lonny Gillespie, Texas R.P.L.S. No. 5261
Registered Professional Land Surveyor
Nathan D. Maier Consulting Engineers, Inc.
12377 Merit Drive, Suite 700
Dallas, Texas 75251
214-739-4741
TBPE Firm Registration No.: F-356
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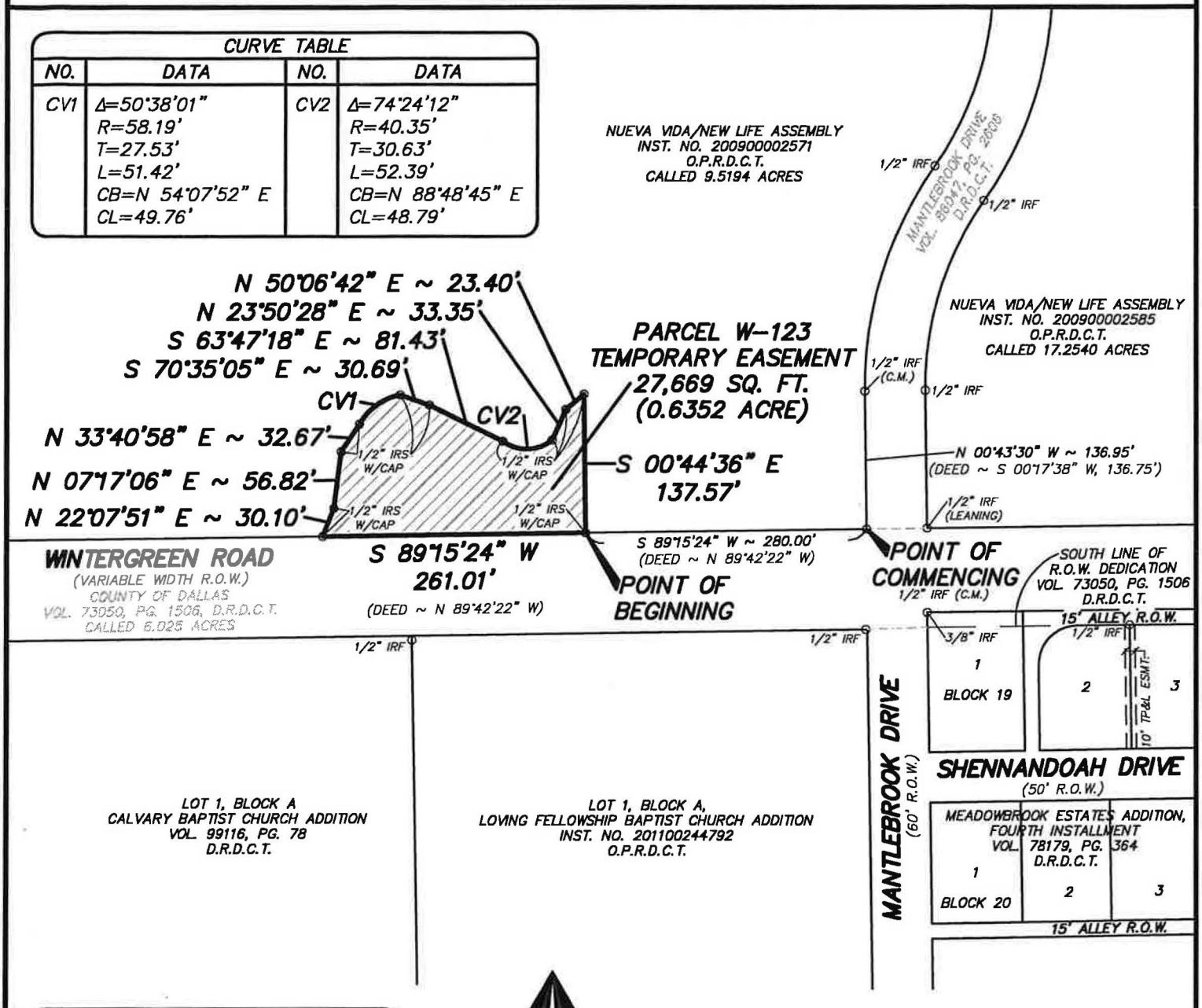
EXHIBIT "A"
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TEMPORARY EASEMENT

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ABBREVIATION LEGEND

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

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MARCH 6, 2018

7059-ES123-R.dwg

Agenda Information Sheet

File #: 19-427 **Item #:** 7.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 8, 2019
COUNCIL DISTRICT(S):	4
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize moving expense and replacement housing payments for Jorge Martinez and Lidia Silva Perez as a result of an official written offer of just compensation to purchase real property at 2919 Alex Street for the Cadillac Heights Phase II Project - Not to exceed $71,050.00 - Financing: Land Acquisition in Cadillac Heights (2006 Bond Funds)

BACKGROUND

Chapter 39A of the Dallas City Code of the City of Dallas provides moving expense and replacement housing payments for individuals displaced by the City of Dallas in conjunction with its real property acquisition activities.

On January 23, 2019, City Council authorized the acquisition of real property known as 2919 Alex Street for the Cadillac Heights Phase II Project by Resolution No. 19-0174.

Jorge Martinez and Lidia Silva Perez will be displaced as a direct result of this property acquisition. They qualify for a moving expense payment of up to $2,050.00 and a last resort calculated replacement housing payment of up to $69,000.00 pursuant to the Dallas City Code and will use the replacement housing payment to acquire a replacement property.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 23, 2019, City Council authorized acquisition from Jorge Martinez and Lidia Silva Martinez of approximately 5,797 square feet of land improved with a single-family dwelling located near the intersection of Alex and Childers Street for the Cadillac Heights Phase II Project by Resolution No. 19-0174.

The Mobility Solutions, Infrastructure & Sustainability Committee will be briefed by memorandum regarding this matter on May 3, 2019.

FISCAL INFORMATION

Land Acquisition in Cadillac Heights (2006 Bond Funds) - $71,050.00

OWNERS

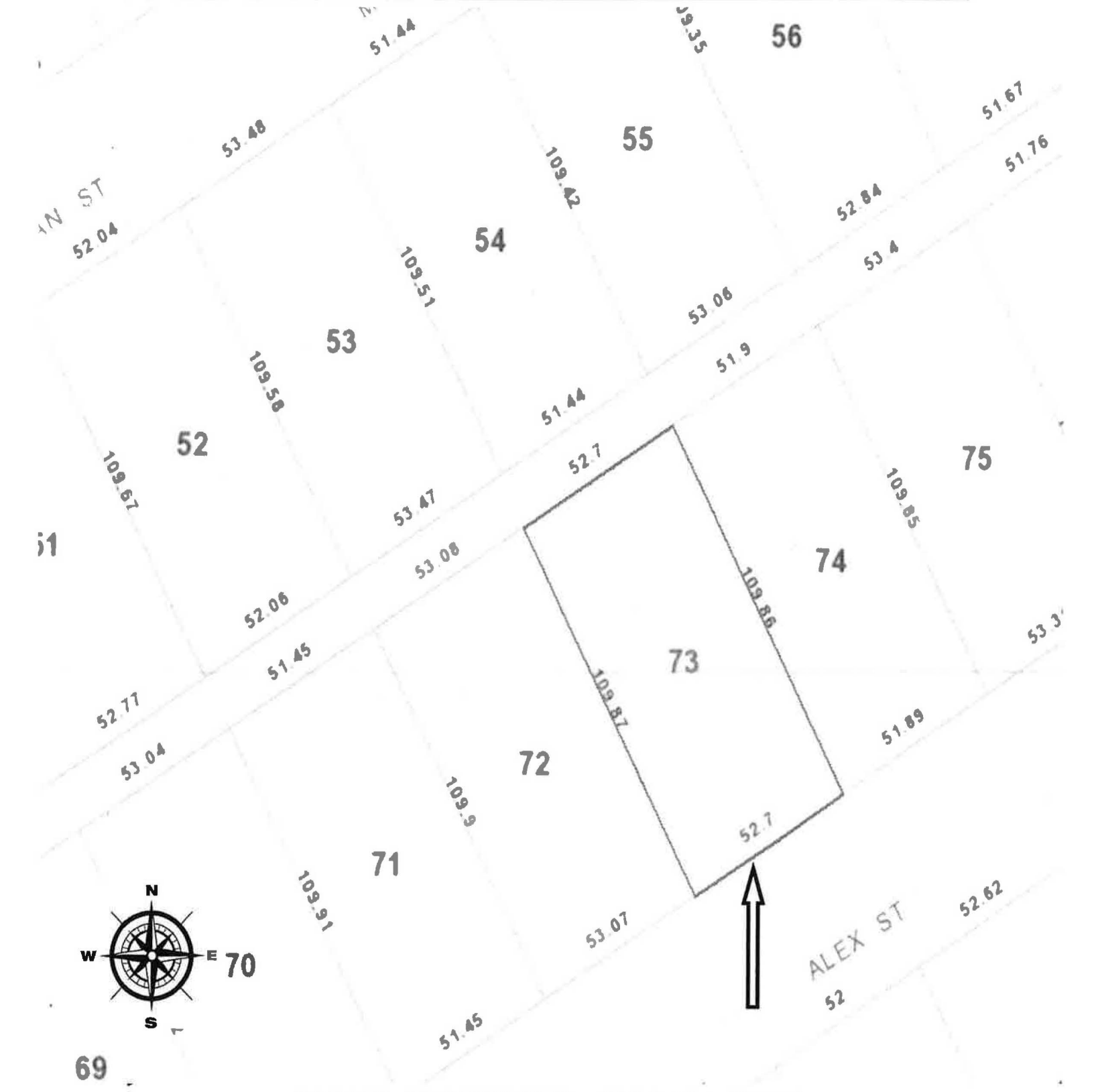
Jorge Martinez

Lidia Silva Perez

MAP

Attached

CADILLAC HEIGHTS PHASE II PROJECT
RELOCATION ASSISTANCE



LOT 73, BLOCK 6642—2919 Alex Street

May 8, 2019

WHEREAS, on November 7, 2006, Dallas voters approved the use of General Obligation Bonds to acquire property for future City facilities; and

WHEREAS, Jorge Martinez and Lidia Silva Perez will be displaced as a direct result of this property acquisition and will vacate the property; and

WHEREAS, Chapter 39A of the Dallas City Code of the City of Dallas provides moving expense and replacement housing payments for individuals displaced by City of Dallas property acquisition activities; and

WHEREAS, on January 23, 2019, City Council authorized the acquisition of real property at 2919 Alex Street located in the Cadillac Heights neighborhood, to be used in conjunction with the construction of city service and maintenance facilities by Resolution No. 19-0174.

Now, Therefore,

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

SECTION 1. That Jorge Martinez and Lidia Silva Perez will be displaced in conjunction with the Cadillac Heights Phase II Project and are entitled to moving expense and replacement housing payments pursuant to Chapter 39A of the Dallas City Code of the City of Dallas.

SECTION 2. That Jorge Martinez and Lidia Silva Perez are eligible to receive a moving expense payment in an amount up to $2,050.00 and a replacement housing payment in an amount up to $69,000.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw warrants in favor of Jorge Martinez and Lidia Silva Perez, in an amount not to exceed $71,050.00 for moving expense and last resort calculated replacement housing payments.

These warrants are to be paid as follows:

Land Acquisition in Cadillac Heights
Fund 4T11, Department EBS, Unit T825
Object 4240, Program PB06T825
Encumbrance/Contract No. CX-BSD-2018-00009152-1
Vendor VC19883 $ 69,000.00

SECTION 3. (continued)

Land Acquisition in Cadillac Heights	
Fund 4T11, Department EBS, Unit T825	
Object 4240, Program PB06T825	
Encumbrance/Contract No. CX-BSD-2018-00009152-1	
Vendor VC19883	$ 2,050.00
Total amount not to exceed	$71,050.00

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

Agenda Information Sheet

File #: 19-575 **Item #:** 8.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

An ordinance amending Chapter 19 “Health and Sanitation”, of the Dallas City Code by adding Section 19-38; requiring at least one safe, sanitary, and convenient diaper changing accommodation in publicly available and accessible restrooms in city-owned buildings and structures containing certain restaurant and retail uses - Financing: This action has no cost consideration to the City (see Fiscal Information)

BACKGROUND

A request for regulations requiring diaper changing accommodations came to the attention of the Dallas City Council from a Dallas resident.

General Info/Staff Analysis

Requiring a diaper changing accommodation, a table or other device suitable for changing the diaper of a child age three or under, in city-owned other publicly accessible structures with certain uses would promote the general welfare and convenience to residents and visitors to these facilities with young children.

Proposal

The proposed ordinance requires a minimum of one safe, sanitary, and convenient diaper changing accommodation in each publicly available and accessible restroom. The requirement would apply to new construction and major renovations of:

1. City-owned buildings;
2. Structures containing the following land uses as defined in Chapter 51, “Dallas Development Code”:
    a. clothing store;
    b. drive-in restaurant;

c. drug store;
d. hardware or sporting goods store;
e. home improvement center;
f. restaurant without drive-in service;
g. retail food store; and
h. theatre.

3. Structures containing the following land uses as defined in Chapter 51A, “Dallas Development Code”:
    a. general merchandise or food store 3,500 square feet or less;
    b. general merchandise or food store greater than 3,500 square feet;
    c. general merchandise or food store 100,000 square feet or more;
    d. restaurant without drive-in or drive-through service;
    e. restaurant with drive-in or drive-through service; and
    f. theater.

This requirement does not apply to a restroom that contains clear and conspicuous signage indicating where an alternative restroom with a diaper changing accommodation is located at that same establishment. The alternative restroom must be one that is assigned to individuals of the gender of the original restroom or one that is available to all individuals.

Operating an applicable use without a diaper changing accommodation following new construction or major renovation after the effective date of the ordinance is punishable by a fine not to exceed $500.00.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 25, 2019, the Quality of Life, Arts, and Culture Committee was briefed on the proposed amendment and recommended forwarding it to City Council for consideration.

FISCAL INFORMATION

This action has no cost consideration to the City; ordinance enforcement of $500.00 penalty may generate additional revenues to the City.

3-25-19

ORDINANCE NO. _____

An ordinance amending Chapter 19, "Health and Sanitation," of the Dallas City Code by adding Section 19-38; requiring at least one safe, sanitary, and convenient diaper changing accommodation in publicly available and accessible restrooms in city-owned buildings and structures containing certain restaurant and retail uses; 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 19, "Health and Sanitation," of the Dallas City Code is amended by adding Section 19-38, "Diaper Changing Accommodations in Restrooms," to read as follows:

"**SEC. 19-38. DIAPER CHANGING ACCOMMODATIONS IN RESTROOMS.**

(a) In general. Except as provided in Subsection (d), it shall be unlawful to operate a use listed in Subsection (c) or a city-owned building that is not equipped with a minimum of one safe, sanitary, and convenient diaper changing accommodation in each publicly available and accessible restroom.

(b) Definitions. In this section,

(1) DIAPER CHANGING ACCOMMODATION means a table or other device suitable for changing the diaper of a child age three or under.

(2) MAJOR RENOVATION means reconstruction, alteration, or renovation of a main structure that involves reconfiguration of a publicly available and accessible restroom.

(3) NEW CONSTRUCTION means construction of a main structure that did not exist as of [date of passage of this ordinance] and requires public restrooms.

(c) Applicability. This section only applies to new construction and major renovations of:

(1) city-owned buildings;

(2) structures containing the following land uses as defined in Chapter 51, "Dallas Development Code":

(A) clothing store;

(B) drive-in restaurant;

(C) drug store;

(D) hardware or sporting goods store;

(E) home improvement center;

(F) restaurant without drive-in service;

(G) retail food store;

(H) theatre; and

(3) structures containing the following land uses as defined in Chapter 51A, "Dallas Development Code":

(A) general merchandise or food store 3,500 square feet or less;

(B) general merchandise or food store greater than 3,500 square feet;

(C) general merchandise or food store 100,000 square feet or more;

(D) restaurant without drive-in or drive-through service;

(F) restaurant with drive-in or drive-through service; and

(G) theater.

(d) Exception. The requirement in Subsection (a) does not apply to a restroom that contains clear and conspicuous signage indicating where an alternative restroom with a diaper changing accommodation is located. The alternative restroom must be one that is assigned to individuals of the gender of the original restroom or one that is available to all individuals."

DRAFT

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 19 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.

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 #: 19-387 **Item #:** 9.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): 1, 6

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an amendment to the Municipal Maintenance Agreement with the Texas Department of Transportation for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project - Financing: No cost consideration to the City

BACKGROUND

This action will authorize the City Manager to amend the Municipal Maintenance Agreement with the Texas Department of Transportation (TxDOT) for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project. The agreement with TxDOT has no specified contract term.

In turn, the City will enter into a beautification agreement with the Fort Worth Avenue Development Group, who, in cooperation with several neighborhood groups, will be responsible for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on May 3, 2019.

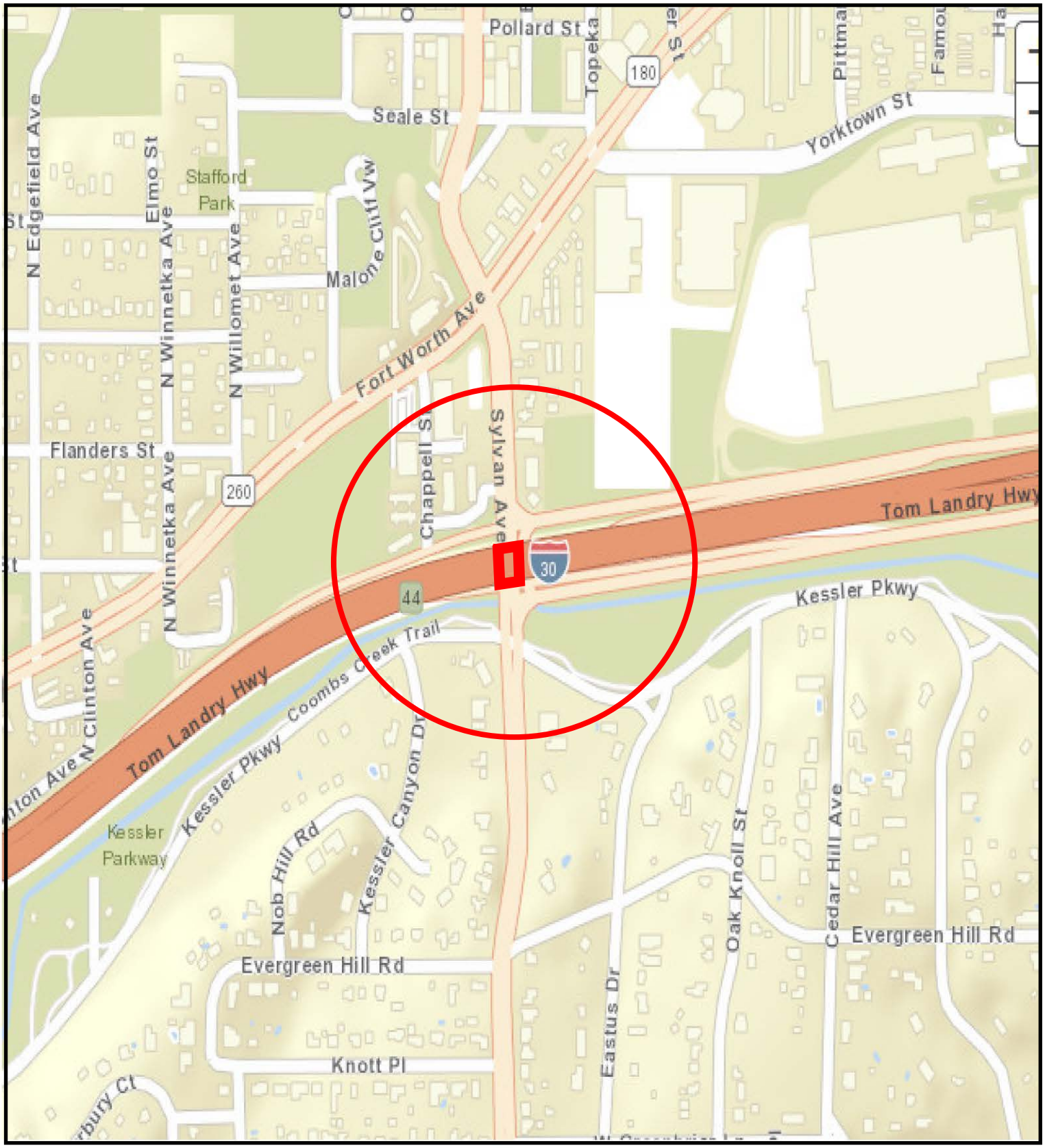
FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

INTERSTATE HIGHWAY 30/SYLVAN AVENUE
BRIDGE PAINTING



COUNCIL DISTRICTS 1 & 6

WHEREAS, Chapter 311 of the Transportation Code gives the City exclusive dominion, control, and jurisdiction over and under the public streets within its corporate limits and authorizes the City to enter into agreements with the State to fix responsibilities for maintenance, control, supervision, and regulation of State highways within its corporate limits; and

WHEREAS, Section 221.002 of the Transportation Code authorizes the State, at its discretion, to enter into agreements with cities to fix responsibilities for maintenance, supervision, and regulation of state highways within those cities; and

WHEREAS, the Executive Director, acting for and in behalf of the Texas Transportation Commission, has made it known that the State will assist the City in the maintenance and operation of State highways, conditioned that the City will enter into agreements with the State for the purpose of determining responsibilities; and

WHEREAS, on December 13, 2006, City Council authorized a Municipal Maintenance Interlocal Agreement with the Texas Department of Transportation (TxDOT) to formally define duties of each agency related to all aspects of roadway maintenance on state highways within the city limits by Resolution No. 06-3471; and

WHEREAS, the City and TxDOT desire to allow a collection of neighborhood groups to install and maintain painted artwork on the bridge columns at Interstate Highway 30 and Sylvan Avenue; and

WHEREAS, concurrent with the execution of this Multiple Use Agreement, the City will execute a Beautification Agreement with the Fort Worth Avenue Development Group through a separate action; and

WHEREAS, it is now necessary to amend the Municipal Maintenance Agreement with the Texas Department of Transportation for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to amend the Municipal Maintenance Agreement with the Texas Department of Transportation, approved as to form by the City Attorney, for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project.

SECTION 2. That this contract is designated as Contract No. PBW-2019-00009662.

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 #: 19-394 **Item #:** 10.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): 1, 6

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a Beautification Agreement with the Fort Worth Avenue Development Group for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This action will authorize the City Manager to execute a Beautification Agreement with the Fort Worth Avenue Development Group on behalf of a group of community organizations for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project.

A group of community organizations is seeking a local artist or group of artists residing in Dallas County to propose a public art piece that depicts District 1 (Oak Cliff) and District 6 (West Dallas). The proposed art would be reviewed and approved by a 12-person community committee, and the project is being privately funded by community organizations.

The Fort Worth Avenue Development Group will also maintain the painted surfaces to ensure they are graffiti-free and continue to provide the welcoming appearance the community seeks to present to pedestrians and drivers that utilize the underpass.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on May 3, 2019.

FISCAL INFORMATION

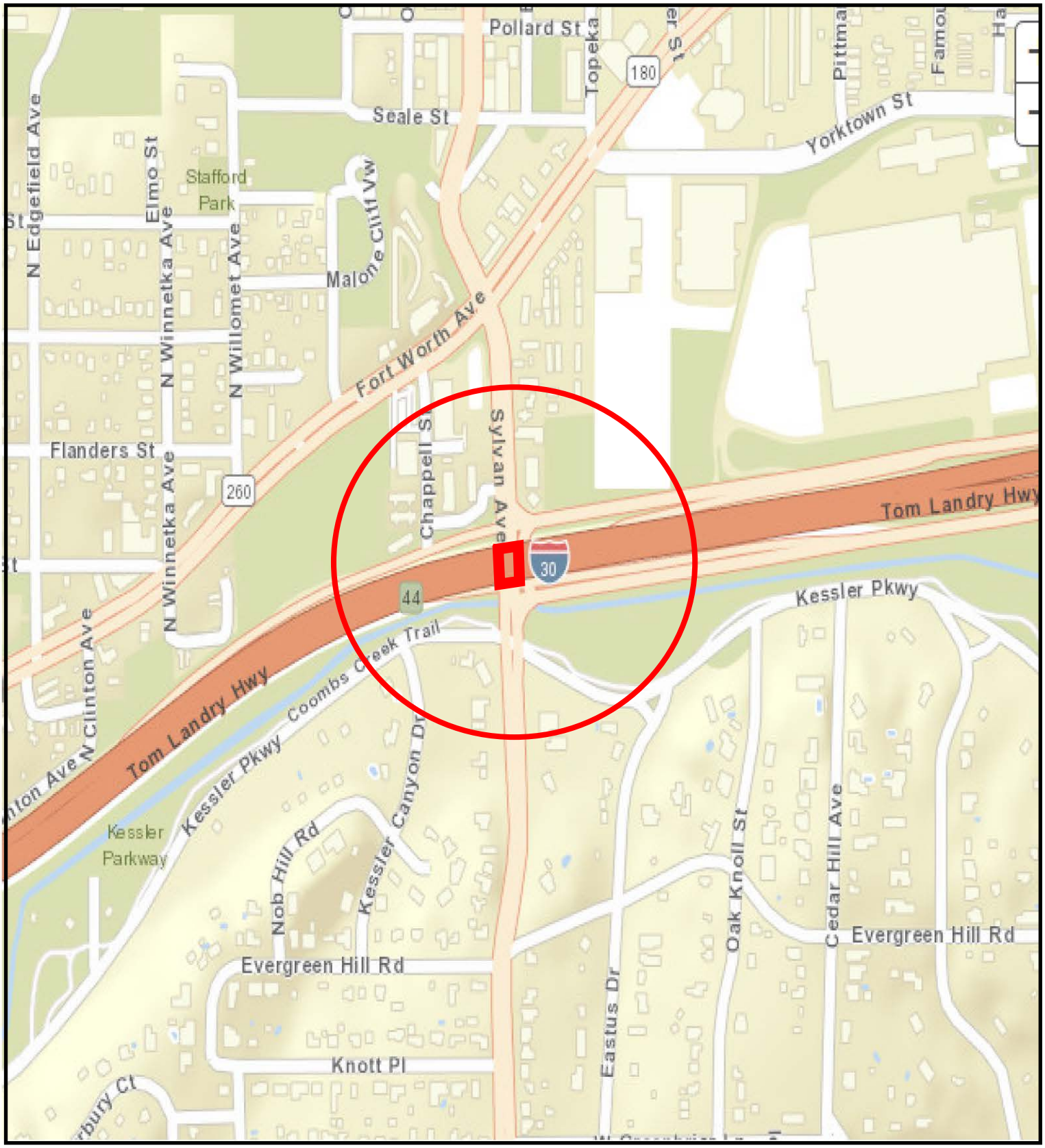
No cost consideration to the City. Fort Worth Avenue Development Group will fund the project in an estimated amount of $12,000.00 and will fund future maintenance costs as needed.

MAP

Attached

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INTERSTATE HIGHWAY 30/SYLVAN AVENUE
BRIDGE PAINTING



COUNCIL DISTRICTS 1, 6

May 8, 2019

WHEREAS, the City of Dallas and the Fort Worth Avenue Development Group, on behalf of a group of community organizations, desire to enter into a Beautification Agreement for the installation and maintenance of painted artwork on the bridge columns at Interstate Highway 30 and Sylvan Avenue. The artwork will be designed by local artists to depict Council Districts 1 and 6; and

WHEREAS, concurrent with the execution of this Beautification Agreement, the City will execute a Multiple Use Agreement with the Texas Department of Transportation through a separate action; and

WHEREAS, it is now necessary to authorize a Beautification Agreement with the Fort Worth Avenue Development Group for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project.

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 Beautification Agreement with the Fort Worth Avenue Development Group, approved as to form by the City Attorney, for the installation and maintenance of painted artwork on the bridge columns for the Interstate Highway 30/Sylvan Avenue Bridge Painting Project.

SECTION 2. That this contract is designated as Contract No. TRN-2019-00009568.

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 #: 19-609 **Item #:** 11.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Budget

EXECUTIVE: Elizabeth Reich

SUBJECT

A resolution denying rates as requested by Oncor Electric Delivery Company LLC in its application for a Distribution Cost Recovery Factor filed with the City of Dallas on April 8, 2019 - Financing: No cost consideration to the City

BACKGROUND

Oncor Electric Delivery Company LLC ("Oncor" or "the Company") filed an application on or about April 8, 2019 with the City of Dallas seeking approval of a Distribution Cost Recovery Factor (DCRF) within the City of Dallas. Oncor is seeking to increase system wide rates by $29,433,804 annually. Oncor filed this application with all cities in its service territory and the Public Utility Commission of Texas (PUC) concurrently (PCU Docket No. 49427).

The City is a member of the Steering Committee of Cities Served by Oncor (Oncor Cities Steering Committee or OCSC), a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area. OCSC is coordinating the review of Oncor's current application and has retained attorneys and consultants to determine if the rates requested are fair and reasonable. After thorough review of the application and supporting documentation, OCSCs consultants will make recommendations to the PUC as to fair and reasonable rates to be charged by Oncor. OCSC therefore recommends that member cities deny the DCRF application prior to the statutory deadline and participate in the PUC proceeding through OCSC.

PUC rules allow cities 60 days to act on a DCRF application. If the City fails to take some action regarding the application before June 7, 2019, Oncor's DCRF application is deemed administratively approved.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance and Financial Management Committee will be briefed regarding this item on May 6, 2019.

FISCAL INFORMATION

No cost consideration to the City.

May 8, 2019

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

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

WHEREAS, on or about April 8, 2019 Oncor filed with the City of Dallas an Application for Approval of a Distribution Cost Recovery Factor ("DCRF"), Public Utility Commission of Texas ("PUC") Docket No. 49427, seeking to increase electric distribution rates by approximately $29,433,804; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

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

WHEREAS, OCSC's members and attorneys recommend that members deny the DCRF.

Now, Therefore,

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

SECTION 1. That the City is authorized to participate with Steering Committee of Cities Served by Oncor in PUC Docket No. 49427.

SECTION 2. That subject to the right to terminate employment at any time, the City hereby authorizes the hiring of attorneys and consultants by the Steering Committee of Cities Served by Oncor to negotiate with the Company on behalf of the City, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

SECTION 3. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

SECTION 4. That the Company shall continue to charge its existing rates to customers within the City.

SECTION 5. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of presentation of an invoice to Oncor.

SECTION 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 7. That a copy of this Resolution shall be sent to Matthew C. Henry, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Legal Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

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

Agenda Information Sheet

File #: 19-550 **Item #:** 12.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize the purchase of **(1)** three mobile surveillance towers for the Police Department in the amount of $610,835.75; and **(2)** seven self-contained breathing apparatus with parts and accessories for the Police Department in the amount of $88,085.47 with Safeware, Inc. through the U.S. Communities Government Purchasing Alliance cooperative agreement - Total not to exceed $698,921.22 - Financing: U.S. Department of Homeland Security Grant Funds

BACKGROUND

This item will allow for the purchase of three mobile surveillance towers and seven self-contained breathing apparatus with parts and accessories to be used by the Police Department.

Mobile surveillance towers are used by the Police Department to provide manned and unmanned security of high valued assets and monitoring large crowd environments. The mobile surveillance towers can be deployed to various city locations where permanent structures are unavailable.

The Explosive Ordnance Squad (EOS) is required by federal standards to be equipped with self-contained breathing apparatus for operations in hazardous material environments. Currently the Dallas EOS is equipped with two complete systems which have reached the end of their service life of 15 years. Additionally, the EOS has expanded and currently there are not enough systems to adequately equip the larger team.

The U.S. Communities Government Purchasing Alliance 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 6, 2019.

FISCAL INFORMATION

U.S. Department of Homeland Security Grant Funds - $698,921.22

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 $
$698,921.22	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

Safeware, Inc.

Edward A. Simons, President
Maryanne Petrenko, Vice President
Keith Hyatt, Secretary

May 8, 2019

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

SECTION 1. That the purchase of **(1)** three mobile surveillance towers for the Police Department in the amount of $610,835.75; and **(2)** seven self-contained breathing apparatus with parts and accessories for the Police Department in the amount of $88,085.47 is authorized with Safeware, Inc. (VC14210) through the U.S. Communities Government Purchasing Alliance cooperative agreement, in a total amount not to exceed $698,921.22.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for three mobile surveillance towers and seven self-contained breathing apparatus with parts and accessories for the Police Department. If a formal contract is required for this purchase instead of a purchase order, the City Manager is hereby authorized to execute the contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $698,921.22 to Safeware, Inc. from U.S. Department of Homeland Security Grant Funds, Fund F539, Department MGT, Unit 3559, Object 4890, Purchase Order Nos. PODPD00000145366 and PODPD00000145817.

SECTION 4. That this contract is designated as Contract No. POM-2019-00009805.

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 #: 19-416 **Item #:** 13.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement, with two one-year renewal options, for electronic waste collection and recycling services for the Department of Sanitation Services - Universal Recycling Technologies, LLC, lowest responsible bidder of three - Estimated amount of $143,702.70 - Financing: Sanitation Operation 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 agreement will provide for electronic waste collection and recycling services for the Department of Sanitation Services. Collection services will be conducted at the McCommas Bluff Landfill and the Northwest (Bachman) Transfer Station. Electronic recycling prolongs the service life of a landfill by reducing the need for valuable airspace. Over the last three years, the City of Dallas has diverted approximately 280 tons of electronic material from the landfill. The awarded vendor will collect items such as but not limited to:

- Household electronics such as televisions, DVR's, radios
- Home computers, printers, monitors, game consoles
- Cell phones
- Cameras
- Small appliances

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 55 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)

The Government Performance & Financial Management Committee will receive this item for consideration on May 6, 2019.

FISCAL INFORMATION

Sanitation Operation Fund - $143,702.70 (Estimated amount)

FY 2018-19 $47,900.90
FY 2019-20 $47,900.90
FY 2020-21 $47,900.90

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 $
$143,702.70	Other Services	23.80%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

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 BW1808. We opened them on August 10, 2018. 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**
*Universal Recycling Technologies, LLC	2301 Franklin Dr. Fort Worth, TX 76106	$143,702.70
Electronic Recyclers, Inc.	500 Enterprise Dr. Suite 400 Flower Mound, TX 75028	$382,858.95
United Electronic Recycling, LLC	13628 Beta Rd. Farmers Branch, TX 75244	$322,360.60

OWNER

Universal Recycling Technologies, LLC

James Cornwell, President

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May 8, 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 Universal Recycling Technologies, LLC (VS0000039808), approved as to form by the City Attorney, for electronic waste collection and recycling services for the Department of Sanitation Services, for a term of three years, with two one-year renewal options, in the estimated amount of $143,702.70. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Universal Recycling Technologies, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Universal Recycling Technologies, LLC 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 contract during this term.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $143,702.70, but no more than the amount of budgetary appropriations for this service price agreement during its term to Universal Recycling Technologies, LLC from Service Price Agreement No. SAN-2019-00009760.

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 #: 19-411 **Item #:** 14.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service price agreement for on-site heavy-duty truck washing services for the Department of Sanitation Services - FW Fleet Clean, LLC, lowest responsible bidder of two - Not to exceed $1,253,122 - Financing: Sanitation Operation 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.

This service price agreement will provide on-site heavy-duty truck washing services to approximately 350 Department of Sanitation Services fleet vehicles. Refuse vehicles require cleaning frequently due to the accumulation of dirt, debris, and fluids from the normal course of operation. Scheduled and frequent fleet washing not only improves the appearance and cleanliness of the fleet, it also improves the quality of fleet maintenance. By keeping external equipment components free of dirt, debris, and oily build up, equipment technicians and equipment operators can proactively identify and repair issues. Based on need, equipment will be scheduled for weekly or bi-weekly washing. Vehicles that will be washed include:

- Rear loader collection trucks
- Automatic loader collection trucks
- Brush trucks and trailers
- Transfer station trucks and trailers
- Grapple trucks
- Front loader collection trucks

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 3,647 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)

The Government Performance & Financial Management Committee will receive this item for consideration on May 6, 2019.

FISCAL INFORMATION

Sanitation Operation Fund - $1,253,122.00

FY 2019-20 $250,624.40
FY 2020-21 $250,624.40
FY 2021-22 $250,624.40
FY 2022-23 $250,624.40
FY 2023-24 $250,624.40

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 $
$1,253,122.00	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

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The Office of Procurement Services received the following bids from solicitation number BN1902. We opened them on January 3, 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**
*FW Fleet Clean, LLC	478 N. Babcock St. Melbourne, FL 32935	$1,253,122.00
Babatu Enterprises, LLC dba KRS	5314 Bexar St. Dallas, TX 75215	$2,308,150.00

OWNER

FW Fleet Clean, LLC

Vito DiGiovanni, President
Christine Mihok, Vice President
Lorraine Matarazzo, Secretary
Brian Porter, Treasurer

powered by Legistar™

May 8, 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 FW Fleet Clean, LLC (VC19800), approved as to form by the City Attorney, for on-site heavy duty truck washing services for the Department of Sanitation Services for a term of five years, in an amount not to exceed $1,253,122. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to FW Fleet Clean, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by FW Fleet Clean, LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,253,122 to FW Fleet Clean, LLC from Service Price Agreement No. SAN-2019-00008401.

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 #: 19-486 **Item #:** 15.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	May 8, 2019
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Procurement Services
EXECUTIVE:	Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for smoke alarms for the Fire-Rescue Department - Asset Lighting and Electric, Inc., lowest responsible bidder of five - Estimated amount of $226,380 - 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 smoke alarms for Dallas Fire-Rescue's (DFR) Smoke Alarm Installation Program, which installs smoke alarms in neighborhoods selected by DFR utilizing fire injury data to determine areas that have high rates of injury from fire. The smoke alarms are installed by DFR personnel and volunteers canvassing door-to-door, offering the smoke alarms to residents living in one- and two-family dwellings. Residents not available at the time of the canvas will be provided information on how to contact 311 to request a smoke detector. There is no charge to the residents for the smoke detector or installation service provided. The goal of this program is to provide a source for early fire detection thus reducing fire injuries and deaths in resident's homes.

In this solicitation, the Office of Procurement Services required bidders to submit a response using unit pricing.

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 828 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)

On May 25, 2016, City Council authorized a three-year master agreement for smoke detectors for Fire-Rescue with Fine Line Products by Resolution No. 16-0796.

The Government Performance & Financial Management Committee will receive this item for consideration on May 6, 2019.

FISCAL INFORMATION

General Fund - $226,380.00 (Estimated amount)

FY 2018-19 $75,460.00
FY 2019-20 $75,460.00
FY 2020-21 $75,460.00

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 $
$226,380.00	Goods	18.00%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

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 BL1902. We opened them on February 1. 2019. We recommend the City Council award this master agreement in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount
*Asset Lighting and Electric, Inc.	137 Thorndike Ave. Lakewood, NJ 08701	$226,380.00

Dealers Electrical Supply Co.	2320 Columbus Ave. Waco, TX 76701	$233,940.00
Fine Line Products	5533 Glasgow Pl. Columbus, OH 43235	$228,270.00
International Systems of America, LLC.	1812 Cargo Ct. Louisville, KY 40299	$266,070.00
MAVICH LLC.	525 Commerce St. Southlake, TX 76092	$403,830.00

OWNER

Asset Lighting and Electric, Inc.

Sarah Klein, President
David Klein, Vice President

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WHEREAS, on October 12, 2015, Administrative Action No. 15-6881 authorized to extend the master agreement for a one-year term from September 11, 2015 to September 10, 2016; and

WHEREAS, on April 21, 2016, Administrative Action No. 16-5778 authorized additional funds in the amount of $50,000, increasing the master agreement amount from $209,436 to $259,436; and

WHEREAS, on May 25, 2016, City Council authorized a three-year master agreement for smoke detectors for Fire-Rescue with Fine Line Products in the amount of $227,220, by Resolution No. 16-0796.

Now, Therefore,

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

SECTION 1. That a master agreement for the purchase of smoke alarms for the Fire-Rescue Department is authorized with Asset Lighting and Electric, Inc. (VS0000035090), approved as to form by the City Attorney, for a term of three years in the estimated amount of $226,380. 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 smoke alarms for the Fire-Rescue Department. If a written contract is required or requested for any or all purchases of smoke alarms for the Fire-Rescue Department 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 $226,380, but not more than the amount of budgetary appropriations for this master agreement during its term to Asset Lighting and Electric, Inc. from Master Agreement Contract No. POM-2019-00009948.

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 #: 19-545 **Item #:** 16.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize acquisition from 505 Riverfront, Ltd., of a subsurface Fiber Optic Communication easement under approximately 1,482 square feet of land located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway for the Able Pump Station Project - Not to exceed $19,908.00 ($16,908.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)

BACKGROUND

This item authorizes the acquisition of a subsurface Fiber Optic Communication easement under approximately 1,482 square feet of land from 505 Riverfront, Ltd. This property is located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway and will be used for the Able Pump Station Project. The consideration is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure, and Sustainability Committee will be briefed by memorandum regarding this matter on May 3, 2019.

FISCAL INFORMATION

Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) - $19,908.00 ($16,908.00, plus closing costs and title expenses not to exceed $3,000.00)

OWNER

505 Riverfront, Ltd.

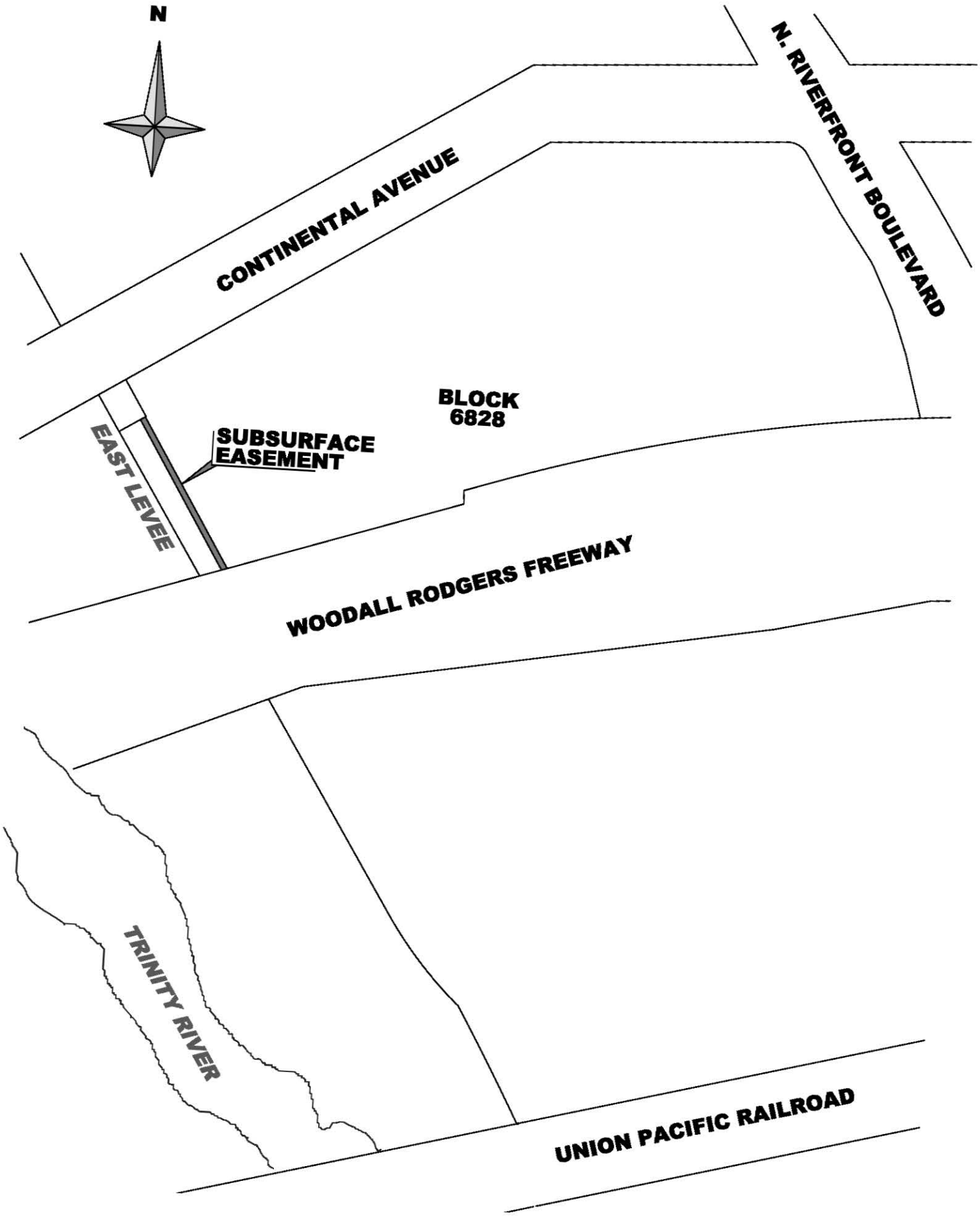
GEMCO Riverfront LLC, General Partner

Margaret Woodward Molleston, President

MAP

Attached

powered by Legistar™


N
CONTINENTAL AVENUE
N. RIVERFRONT BOULEVARD
BLOCK
6828
SUBSURFACE
EASEMENT
EAST LEVEE
WOODALL RODGERS FREEWAY
TRINITY RIVER
UNION PACIFIC RAILROAD

May 8, 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 1,482 square feet in area lying between the subsurface elevations of 380 feet and 400 feet (U.S. Survey Feet) National Geodetic Vertical Datum 1929, the boundary of which property being the same and more particularly described in "Exhibit A", located in Dallas County, Texas, attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Able Pump Station

"USE": The installation, use, and maintenance of a Fiber Optic Communication line or lines for the transmission of data together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fiber Optic Communication 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": 505 Riverfront, Ltd., 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": $16,908.00

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

"AUTHORIZED AMOUNT": Not to exceed $19,908.00

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 Flood Protection and Storm Drainage Facilities Fund, Fund 3U23, Department TWM, Unit S768, Activity SDRS, Program TW17S768, Object 4210, Encumbrance/Contract No. DWU-2019-0000-8670. 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

**FIELD NOTES DESCRIBING A 1,482 SQUARE FOOT (0.034 ACRE)
FIBER OPTIC COMMUNICATIONS EASEMENT
IN BLOCK 6828 TO BE ACQUIRED BY THE CITY OF DALLAS**

Being a 1,482 Square Foot (0.034 Acre) tract of unplatted land in the City of Dallas, being situated in the John Beeman Survey, Abstract Number 209, Dallas County, Texas and being in Block 6828, Official City of Dallas Block Numbers, and being a portion of the land conveyed to 505 Riverfront, Ltd. by Special Warranty Deed recorded in Instrument Number 201300072041 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch diameter iron rod with cap marked "CITY OF DALLAS" (hereinafter referred to as "5/8" I.R. w/COD Cap") set on the Southeast line of an unplatted tract of land in block 8654 conveyed to the City of Dallas by deed recorded in Instrument Number 200900184476 of the Official Public Records of Dallas County, Texas, *from which* a ½-inch diameter iron rod found at the Most Easterly corner of said City of Dallas property bears North 57°52'29" East a distance of 31.98 feet and said Point of Beginning being also the most Northerly corner of the herein described tract of land;

THENCE South 31°14'16" East, departing the common line between said City of Dallas and 505 Riverfront, Ltd. properties, over and across a portion of said 505 Riverfront, Ltd. property a distance of 277.69 feet to an angle point (not monumented);

THENCE South 32°08'09" East, continuing over and across said 505 Riverfront, Ltd. property a distance of 19.22 feet to a 5/8" I.R. w/COD Cap set at the intersection with the North line of Singleton Boulevard, a variable width Right-of-Way as conveyed to the State of Texas by deed recorded in Instrument Number 201100078623 of the Official Public Records of Dallas County, Texas:

THENCE South 71°24'26" West, with the said North line of Singleton Boulevard a distance of 5.14 feet to a 5/8" I.R. w/COD Cap set at the most Southerly corner of the herein described tract of land:

THENCE North 32°08'09" West, continuing over and across a portion of said 505 Riverfront, Ltd. property a distance of 18.06 feet to an angle point (not monumented);

THENCE North 31°14'16" West, continuing over and across said 505 Riverfront, Ltd. property a distance of 277.65 feet to a 5/8" I.R. w/COD Cap set at the intersection with the Southeast line of the said City of Dallas property:

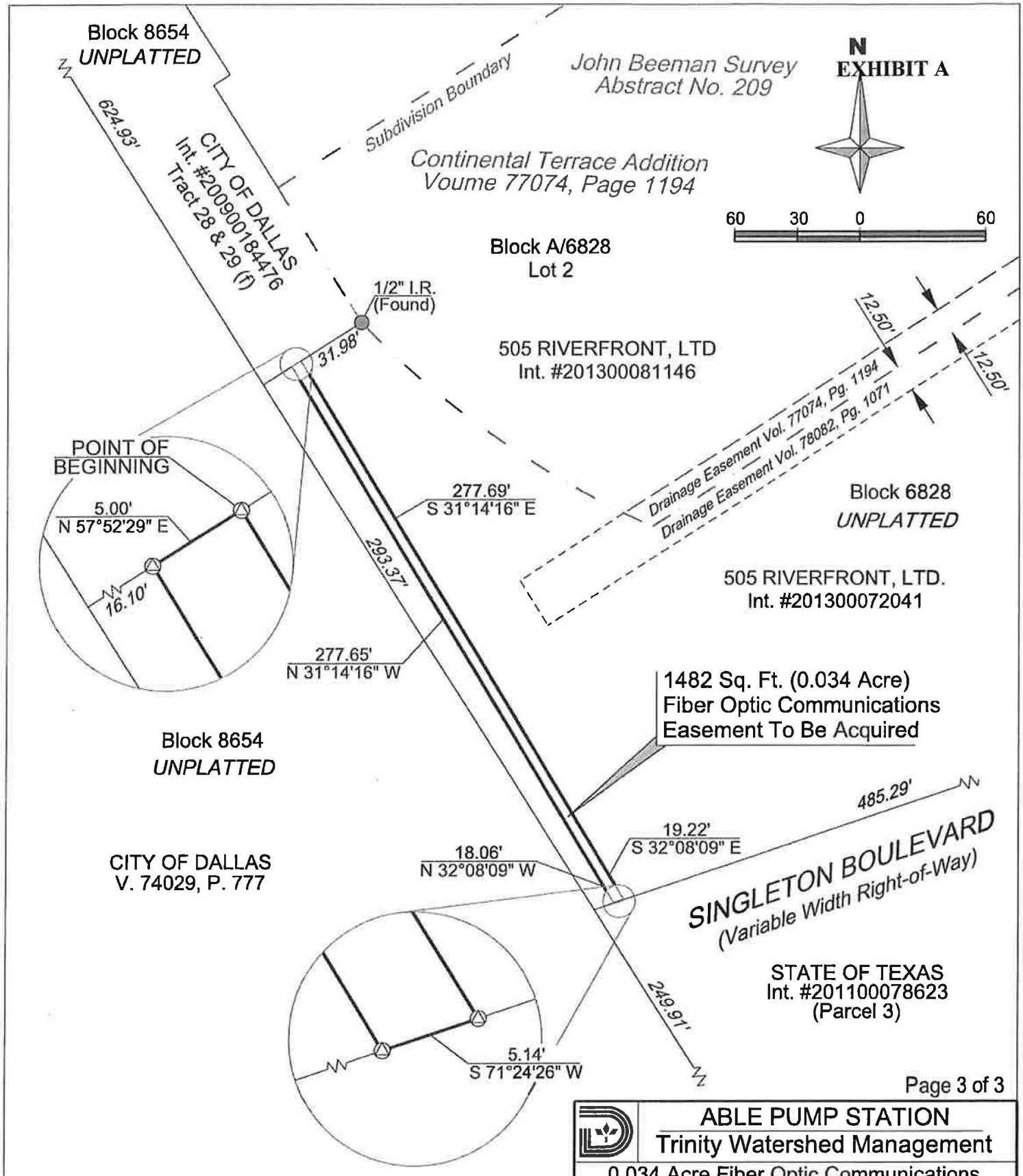
**FIELD NOTES DESCRIBING A 1,482 SQUARE FOOT (0.034 ACRE)
FIBER OPTIC COMMUNICATIONS EASEMENT
IN BLOCK 6828 TO BE ACQUIRED BY THE CITY OF DALLAS**

THENCE North 57°52'29" East, with the said common line between said City of Dallas and 505 Riverfront, Ltd. properties a distance of 5.00 feet to the **POINT OF BEGINNING**, containing 1482 Square Feet, or 0.034 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011). All distances are surface values, using a scale factor of 1.000136506.

Scott Holt
3/15/2019





△ Indicates a 5/8" I.R. w/C.O.D. Cap

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983.

ABLE PUMP STATION Trinity Watershed Management			
0.034 Acre Fiber Optic Communications Easement To Be Acquired			
DEPARTMENT OF PUBLIC WORKS			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPER.NAME	DESIGN FILE NAME	SCALE	DATE
Holt	N:\ENGR\SURVEY\Brandon\TRINITY\easements all final drawing.dgn	As Noted	5-30-18
PARTY CHIEF	CALCULATIONS / FOLDER	FILE NO.	
Peck	Holt / Block 6828	041D-71	

FIBER OPTIC COMMUNICATION EASEMENT

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

That 505 Riverfront Ltd., a Texas limited partnership (hereinafter called "Grantor" whether one or more natural persons or legal entities), of the County of Montgomery, State of Texas, for and in consideration of the sum of SIXTEEN THOUSAND NINE HUNDRED EIGHT AND NO/100 ($16,908.00) DOLLARS and other good and valuable consideration, to the undersigned in hand paid by the City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201, a Texas municipal corporation (hereinafter called "Grantee"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto Grantee, its successors and assigns an exclusive, irrevocable, and perpetual subsurface fiber optic communication easement as to the area lying between the elevations of 380 feet and 400 feet (U.S. Survey Feet) National Geodetic Vertical Datum 1929, located under the surface of and through the lot, tract, or parcel of land described in Exhibit "A" (Easement Area), attached hereto and incorporated herein for all purposes. This conveyance is subject to all matters of record affecting the Easement Area.

The Easement Area is hereby dedicated as a fiber optic communication easement for the perpetual use and benefit of the Grantee, provided, however, that nothing herein shall be construed as a dedication of such easement to the public for any purpose other than as expressly set forth herein. Except as otherwise provided herein, Grantee shall have the right to remove or keep removed all or all parts of buildings, fences, trees, shrubs, or other improvement or growth in the Easement Area which in any way may endanger or interfere with the efficient construction, maintenance, or use of its respective system or facilities on this easement.

Grantee shall at all times have the right of ingress and egress to and from and upon the Easement Area from other Grantee-controlled properties and easements and not from the surface of the Property. This access is only for the purpose of installing, constructing, operating, maintaining, replacing, upgrading, adding to or removing all or part of its respective system or facilities without the necessity at any time of procuring the permission of anyone. Grantee shall as reasonable under the circumstances provide advance notice to Grantor provided however Grantee's failure to provide such notice shall not in any case be deemed a default or cause an early termination of the Easement hereunder.

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

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

This conveyance and the warranty of title herein provided is subject to: (1) all easements, rights-of-way and prescriptive rights, whether of record or not, pertaining to any portion of the property; (2) all presently recorded and valid oil, gas and/or other mineral exceptions, rights of development or leases, royalty reservations and/or other instruments constituting oil, gas or other mineral interest severances of any kind; (3) all presently recorded restrictive covenants, terms, conditions, contracts, provisions, zoning ordinances and other items, but only to the extent that same are still effective; and (4) all presently recorded instruments (other than encumbrances and conveyances by, through or under Grantor) that affect the property;

SPECIAL PROVISIONS:
Upon completion of construction or any work Grantee undertakes in the Easement area, all surplus excavation, debris, trash or litter resulting from construction or other work shall be cleaned up and hauled off the premises, and the property including any fences disturbed, shall be restored to its original contour and condition.

As a material part of the consideration for the easement, Grantor and Grantee agree that Grantee is taking the interests in the property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the property but is relying on Grantee's examination of the property. Grantee takes the property with the express understanding and stipulation that there are no express or implied warranties except for the limited warranty of title set forth in this easement instrument.

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

SIGNATURES APPEAR ON THE FOLLOWING PAGE

EXECUTED this _____ day of _____, 20___.

505 RIVERFRONT LTD.,
a Texas limited partnership

By: GEMCO Riverfront LLC,
a Texas limited liability company,
its general partner

By: _____
Margaret Woodward Molleston, President

* *

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on _____, 2018, by Margaret Woodward Molleston, President of GEMCO Riverfront, LLC, a Texas limited liability company, as general partner of 505 Riverfront Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

_____
Notary Public, State of Texas

* *

AFTER RECORDING, RETURN TO:
City of Dallas
Dallas Water Utilities
Real Estate Division
1500 Marilla Street, 6B South
Dallas, Texas 75201
Attn: Todd Wright
Log No. TWM 625

Agenda Information Sheet

File #: 19-546 **Item #:** 17.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize acquisition from 505 Riverfront, Ltd., of a Fiber Optic Communication easement containing two surface tracts totaling approximately 342 square feet of land and a subsurface tract under approximately 2,816 square feet of land located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway for the Able Pump Station Project - Not to exceed $53,667.00 ($50,667.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)

BACKGROUND

This item authorizes the acquisition of two surface easements totaling approximately 342 square feet of land and a subsurface easement under approximately 2,816 square feet of land from 505 Riverfront, Ltd. This property is located on South Riverfront Boulevard at its intersection with Woodall Rogers Freeway and will be used for the Able Pump Station Project. The consideration is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure, and Sustainability Committee will be briefed by memorandum regarding this item on May 3, 2019.

FISCAL INFORMATION

Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) - $53,667.00 ($50,667.00, plus closing costs and title expenses not to exceed $3,000.00)

OWNER

505 Riverfront, Ltd.

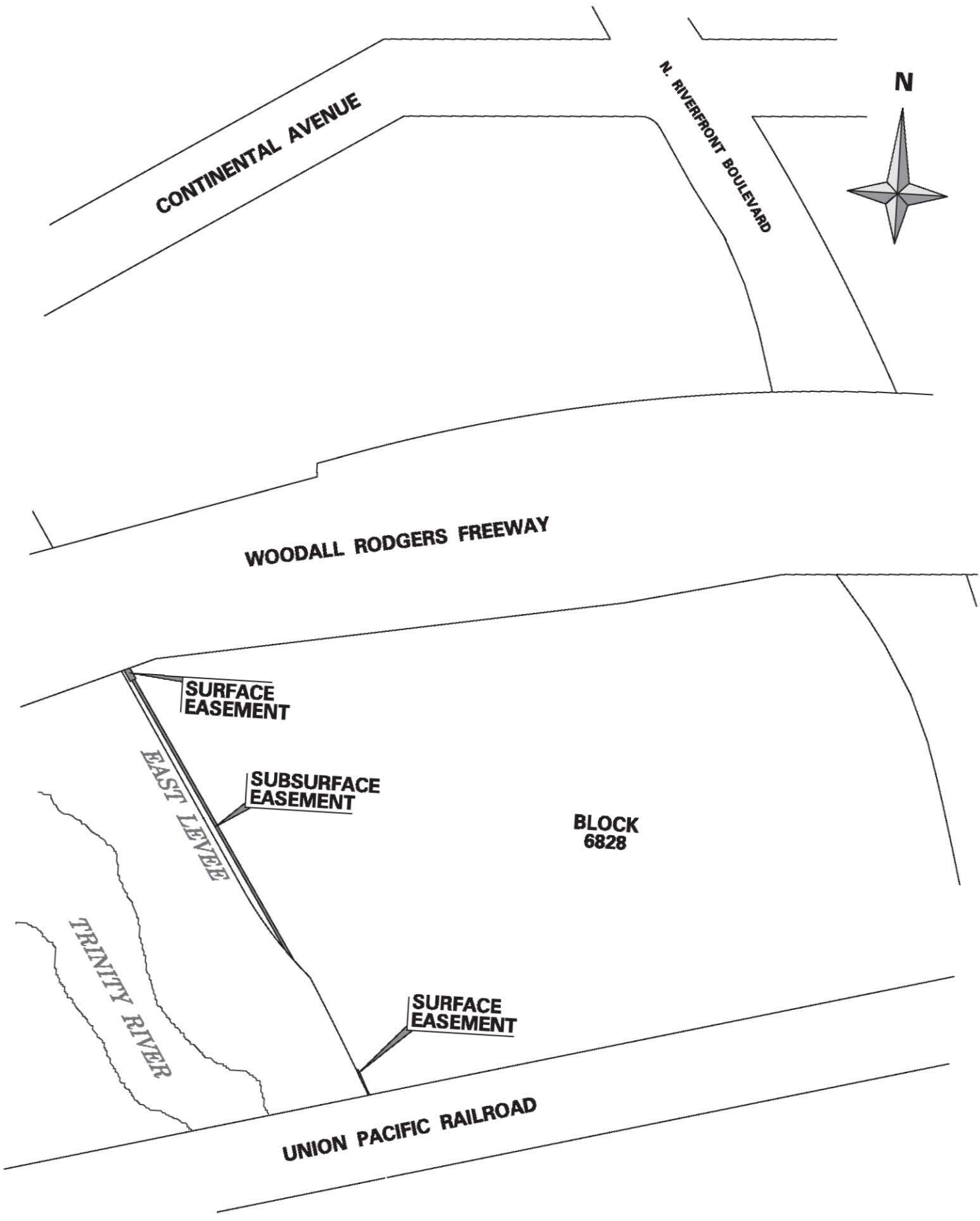
GEMCO Riverfront LLC, General Partner

Margaret Woodward Molleston, President

MAP

Attached

powered by Legistar™


CONTINENTAL AVENUE
N. RIVERFRONT BOULEVARD
N
WOODALL RODGERS FREEWAY
SURFACE EASEMENT
SUBSURFACE EASEMENT
EAST LEVEE
BLOCK 6828
TRINITY RIVER
SURFACE EASEMENT
UNION PACIFIC RAILROAD

May 8, 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 342 square feet of land being the same property more particularly described in "Exhibit A, Tract I and Tract II"; and approximately 2,816 square feet in area lying between the subsurface elevations of 380 feet and 400 feet (U.S. Survey Feet) National Geodetic Vertical Datum 1929, the boundary of which property being the same and more particularly described in "Exhibit A, Tract III", located in Dallas County, Texas, attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Able Pump Station

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

"PROPERTY INTEREST": Fiber Optic Communication 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": 505 Riverfront, Ltd., 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": $50,667.00

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

"AUTHORIZED AMOUNT": Not to exceed $53,667.00

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 Flood Protection and Storm Drainage Facilities Fund, Fund 3U23, Department TWM, Unit S768, Activity SDRS, Program TW17S768, Object 4210, Encumbrance/Contract No. DWU-2019-0000-8669. 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
TRACT I

FIELD NOTES DESCRIBING A 221 SQUARE FOOT (0.005 ACRE) FIBER OPTIC COMMUNICATIONS EASEMENT IN BLOCK 6828 TO BE ACQUIRED BY THE CITY OF DALLAS

Being a 221 Square Foot (0.005 Acre) tract of unplatted land in the City of Dallas, being situated in the John Beeman Survey, Abstract Number 209, Dallas County, Texas and being in Block 6828, Official City of Dallas Block Numbers, and being a portion of the land conveyed to 505 Riverfront, Ltd. by Special Warranty Deed recorded in Instrument Number 201200355763 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at an Iron Axle found at the most Southerly corner of said 505 Riverfront Ltd. property, on the Northwest line of the Union Pacific Railroad Company Right-of-Way (successor in title to the Texas & Pacific Railroad Company), as recorded in Volume S, Page 412 of the Deed Records of Dallas County, Texas, being also the Southeast corner of a tract of land conveyed to the City of Dallas by deed recorded in Volume 74029, Page 777 of the Deed Records of Dallas County, Texas, and the Non-Tangent beginning of a Curve to the Left;

THENCE Northwesterly, with the common line between said City of Dallas and 505 Riverfront, Ltd. properties and along said Curve to the left, having a Radius of 5,819.60 feet, a Central Angle of 2°17'53", an Arc Length of 233.41 feet and a Chord which bears North 29°46'53" West a distance of 233.40 feet to a Non-Tangent beginning of a Curve to the Right (not monumented);

THENCE Northwesterly, with the common line between said City of Dallas and 505 Riverfront, Ltd. properties and along said Curve to the right, having a Radius of 726.75 feet, a Central Angle of 15°58'47", an Arc Length of 202.69 feet and a Chord which bears North 40°32'02" West a distance of 202.03 feet to the PT (not monumented);

THENCE North 32°32'40" West, with the common line between said City of Dallas and 505 Riverfront, Ltd. properties a distance of 438.27 feet to the northwest property corner of said 505 Riverfront tract also being the southwest corner of a tract of land conveyed to the State of Texas as recorded in Instrument Number 201100078623 of the Official Public Records of Dallas County, Texas;

THENCE North 66°56'02" East, departing the said common line between the City of Dallas and 505 Riverfront, Ltd. properties and with the common line between said State of Texas and 505 Riverfront, Ltd. properties a distance of 5.46 feet to a 5/8-inch diameter iron rod with cap marked "CITY OF DALLAS" (hereinafter referred to as "5/8" I.R. w/COD Cap") set at the most westerly corner of the herein described tract and also the **POINT OF BEGINNING**;

FIELD NOTES DESCRIBING A 221 SQUARE FOOT (0.005 ACRE)
FIBER OPTIC COMMUNICATIONS EASEMENT
IN BLOCK 6828 TO BE ACQUIRED BY THE CITY OF DALLAS

THENCE North 66°56'02" East, continuing with the common line between said State of Texas and 505 Riverfront, Ltd. properties a distance of 10.13 feet to a 5/8" I.R. w/COD Cap set at the most northerly corner of the herein described tract of land;

THENCE South 32°25'51" East, departing the said common line between the State of Texas and 505 Riverfront, Ltd. properties, over and across said 505 Riverfront, Ltd. property a distance of 21.21 feet to a 5/8" I.R. w/COD Cap set at the most easterly corner of the herein described tract of land;

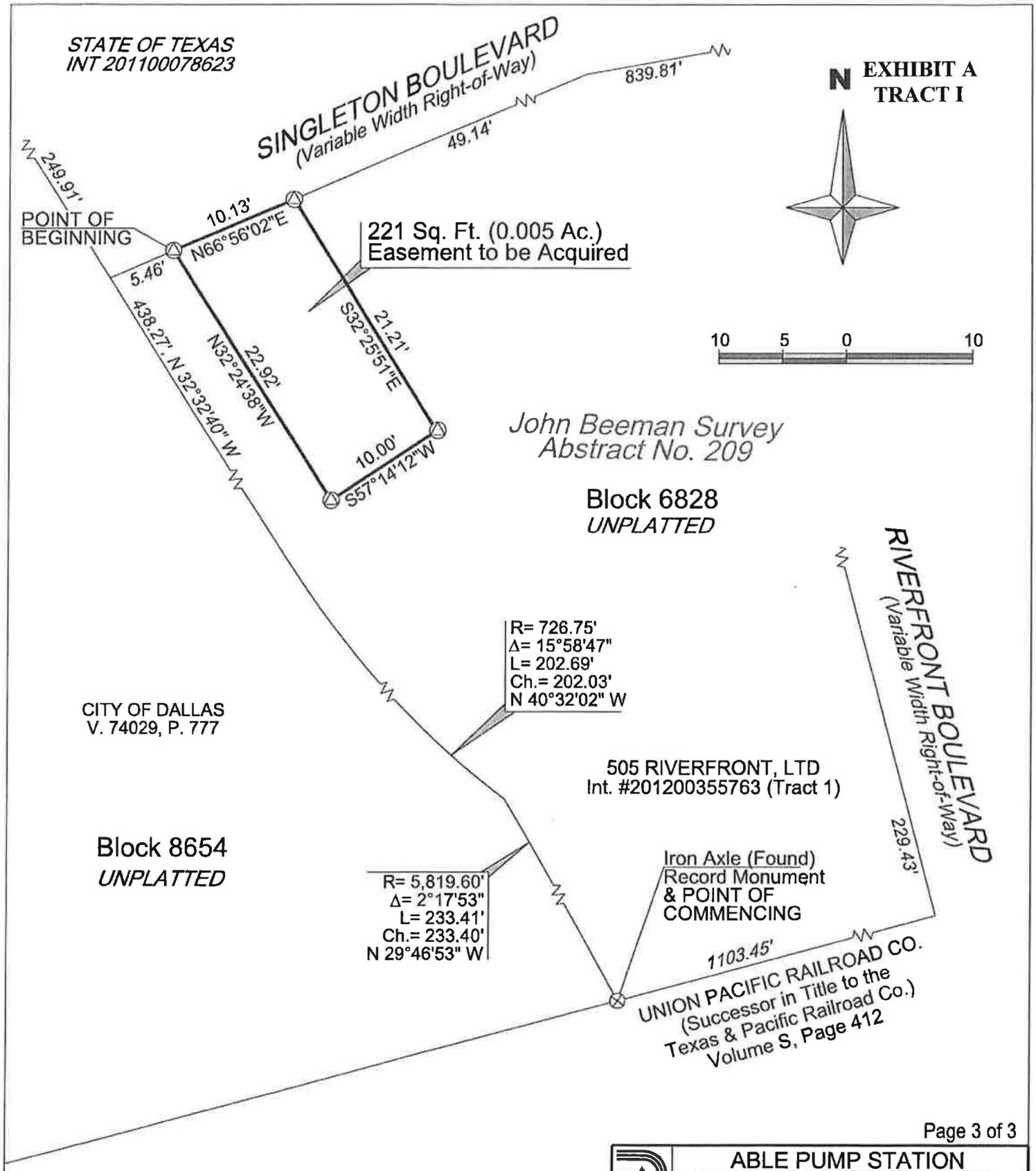
THENCE South 57°14'12" West, continuing over and across said 505 Riverfront, Ltd. property a distance of 10.00 feet to a 5/8" I.R. w/COD Cap set at the most southerly corner of the herein described tract of land;

THENCE North 32°24'38" West, continuing over and across said 505 Riverfront, Ltd. property a distance of 22.92 feet to the **POINT OF BEGINNING**, containing 221 Square Feet, or 0.005 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011). All distances are surface values, using a scale factor of 1.000136506.

Scott Holt
3/15/2019





ABLE PUMP STATION Trinity Watershed Management			
0.005 Acre Easement To Be Acquired			
DEPARTMENT OF PUBLIC WORKS			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPER.NAME	DESIGN FILE NAME	SCALE	DATE
Holt	N:\ENGR\SURVEY\Brandon\TRINITY\easements all final drawing.dgn	As Noted	05-30-18
PARTY CHIEF	CALCULATIONS / FOLDER	FILE NO.	
Peck	Holt / Block 6828	041D-71	

△ Indicates a 5/8" I.R. w/C.O.D. Cap

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983.

FIELD NOTES DESCRIBING A 121 SQUARE FOOT (0.003 ACRE) FIBER OPTIC COMMUNICATIONS EASEMENT IN BLOCK 6828 TO BE ACQUIRED BY THE CITY OF DALLAS

Being a 121 Square Foot (0.003 Acre) tract of unplatted land in the City of Dallas, being situated in the John Beeman Survey, Abstract Number 209, Dallas County, Texas and being in Block 6828, Official City of Dallas Block Numbers, and being a portion of the land conveyed to 505 Riverfront, Ltd. By Special Warranty Deed recorded in Instrument Number 201200355763 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an Iron Axle found at the most Southerly corner of said 505 Riverfront Ltd. property, on the Northwest line of the Union Pacific Railroad Company Right-of-Way (successor in title to the Texas & Pacific Railroad Company), as recorded in Volume S, Page 412 of the Deed Records of Dallas County, Texas, being also the Southeast corner of a tract of land conveyed to the City of Dallas by deed recorded in Volume 74029, Page 777 of the Deed Records of Dallas County, Texas, and the Non-Tangent beginning of a Curve to the Left;

THENCE Northwesterly, with the common line between said City of Dallas and 505 Riverfront, Ltd. properties and along said Curve, having a Radius of 5,819.60 feet, a Central Angle of 0°29'48", an Arc Length of 50.45 feet and a Chord which bears North 28°52'51" West a distance of 50.45 feet to a 5/8-inch diameter iron rod with cap marked "CITY OF DALLAS" (hereinafter referred to as "5/8" I.R. w/COD Cap") set at the most westerly corner of the herein described tract of land;

THENCE North 64°10'23" East, departing the said common line between the City of Dallas and 505 Riverfront, Ltd. properties, over and across said 505 Riverfront Ltd. property a distance of 3.79 feet to a 5/8" I.R. w/COD Cap set at the most northerly corner of the herein described tract of land;

THENCE South 25°49'37" East, continuing over and across said 505 Riverfront, Ltd. property a distance of 50.59 feet to a 5/8" I.R. w/COD Cap set at the intersection with the above said Northwest line of the Union Pacific Railroad Company Right-of-Way:

FIELD NOTES DESCRIBING A 121 SQUARE FOOT (0.003 ACRE)
FIBER OPTIC COMMUNICATIONS EASEMENT
IN BLOCK 6828 TO BE ACQUIRED BY THE CITY OF DALLAS

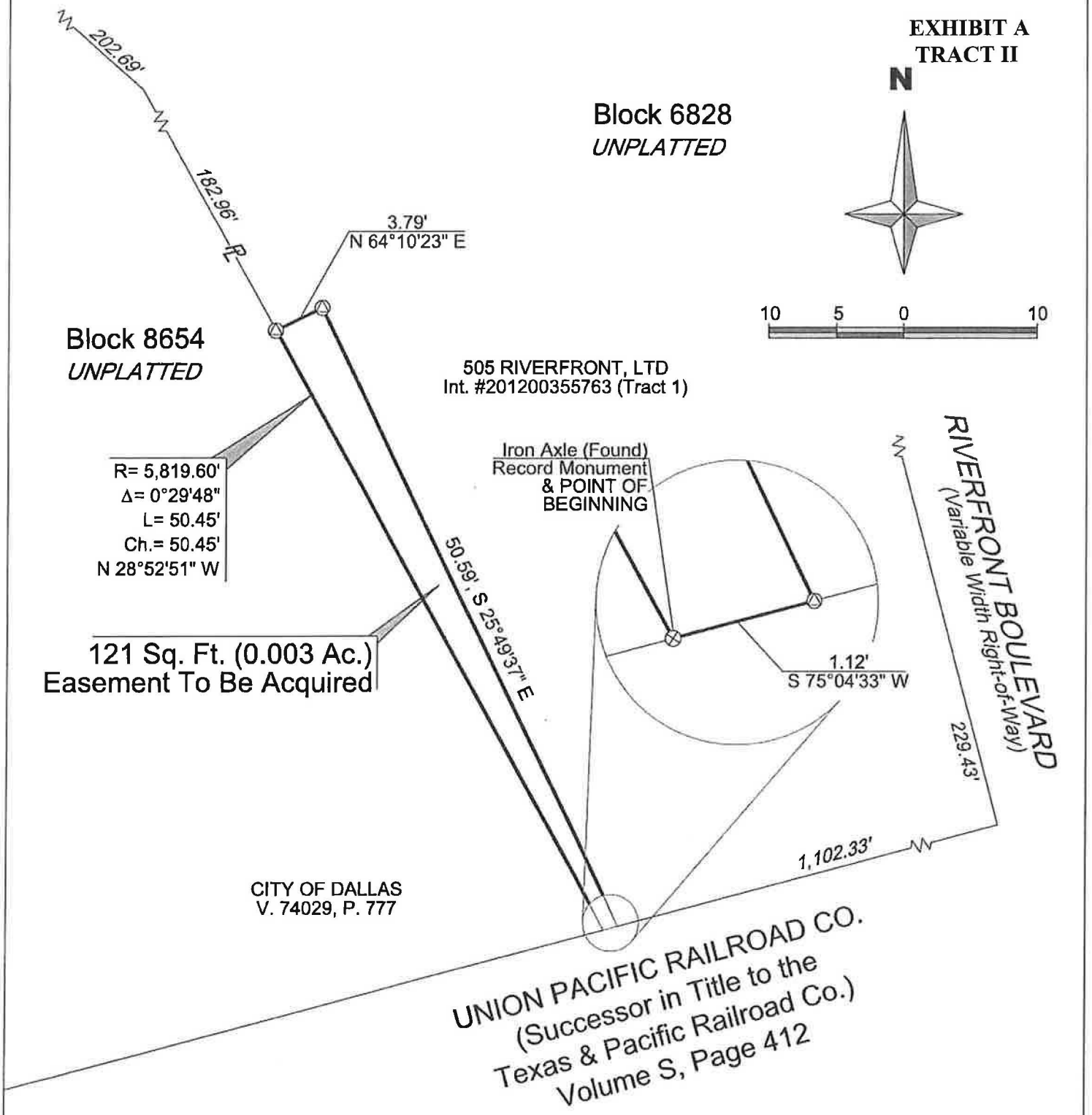
THENCE South 75°04'33" West, with the said Northwest line of the Union Pacific Railroad Company a distance of 1.12 feet to the **POINT OF BEGINNING**, containing 121 Square Feet, or 0.003 Acres of land.

BASIS OF BEARINGS: Bearings are based on State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).
All distances are surface values, using a scale factor of 1.000136506.

Scott Holt
3/15/2019

STATE OF TEXAS
REGISTERED
SCOTT RAY HOLT
4895
PROFESSIONAL
LAND SURVEYOR

EXHIBIT A
TRACT II



ABLE PUMP STATION Trinity Watershed Management			
0.003 Acre Easement To Be Acquired			
DEPARTMENT OF PUBLIC WORKS			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPER.NAME	DESIGN FILE NAME	SCALE	DATE
Holt	N:\ENGR\SURVEY\Brandon\TRINITY\easements all final drawing.dgn	As Noted	05-30-18
PARTY CHIEF	CALCULATIONS / FOLDER		FILE NO.
Peck	Holt / Block 6828		041D-71

△ Indicates a 5/8" I.R. w/C.O.D. Cap

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983.

EXHIBIT A
TRACT III

FIELD NOTES DESCRIBING A 2,816 SQUARE FOOT (0.065 ACRE) FIBER OPTIC COMMUNICATIONS EASEMENT IN BLOCK 6828 TO BE ACQUIRED BY THE CITY OF DALLAS

Being a 2,816 Square Foot (0.065 Acre) tract of unplatted land in the City of Dallas, being situated in the John Beeman Survey, Abstract Number 209, Dallas County, Texas and being in Block 6828, Official City of Dallas Block Numbers, and being a portion of the land conveyed to 505 Riverfront, Ltd. by Special Warranty Deed recorded in Instrument Number 201300072041 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at an Iron Axle found at the most Southerly corner of said 505 Riverfront Ltd. property, on the Northwest line of the Union Pacific Railroad Company Right-of-Way (successor in title to the Texas & Pacific Railroad Company), as recorded in Volume S, Page 412 of the Deed Records of Dallas County, Texas, being also the Southeast corner of a tract of land conveyed to the City of Dallas by deed recorded in Volume 74029, Page 777 of the Deed Records of Dallas County, Texas, and the Non-Tangent beginning of a Curve to the Left;

THENCE Northwesterly, with the common line between said City of Dallas and 505 Riverfront, Ltd. properties and along said Curve, having a Radius of 5,819.60 feet, a Central Angle of 2°17'53", an Arc Length of 233.41 feet and a Chord which bears North 29°46'53" West a distance of 233.40 feet to a Non-Tangent beginning of a Curve to the Right (not monumented);

THENCE Northwesterly, with the common line between said City of Dallas and 505 Riverfront, Ltd. properties and along said Curve, having a Radius of 726.75 feet, a Central Angle of 3°11'35", an Arc Length of 40.50 feet and a Chord which bears North 46°55'38" West a distance of 40.49 feet to a 5/8" I.R. w/COD Cap set at the Tangent beginning of a curve to the right also being the **POINT OF BEGINNING;**

THENCE Northwesterly, with the common line between said City of Dallas and 505 Riverfront, Ltd. properties and along said Curve, having a Radius of 726.75 feet, a Central Angle of 2°01'05", an Arc Length of 25.60 feet and a Chord which bears North 44°19'19" West a distance of 25.60 feet to a 5/8" I.R. w/COD Cap set at the PT;

THENCE North 33°03'23" West, departing the said common line between the City of Dallas and 505 Riverfront, Ltd. properties, over and across said 505 Riverfront Ltd. property a distance of 550.28' feet to a 5/8" I.R. w/COD Cap set at the most westerly corner of the herein described tract of land:

FIELD NOTES DESCRIBING A 2,816 SQUARE FOOT (0.065 ACRE) FIBER OPTIC COMMUNICATIONS EASEMENT IN BLOCK 6828 TO BE ACQUIRED BY THE CITY OF DALLAS

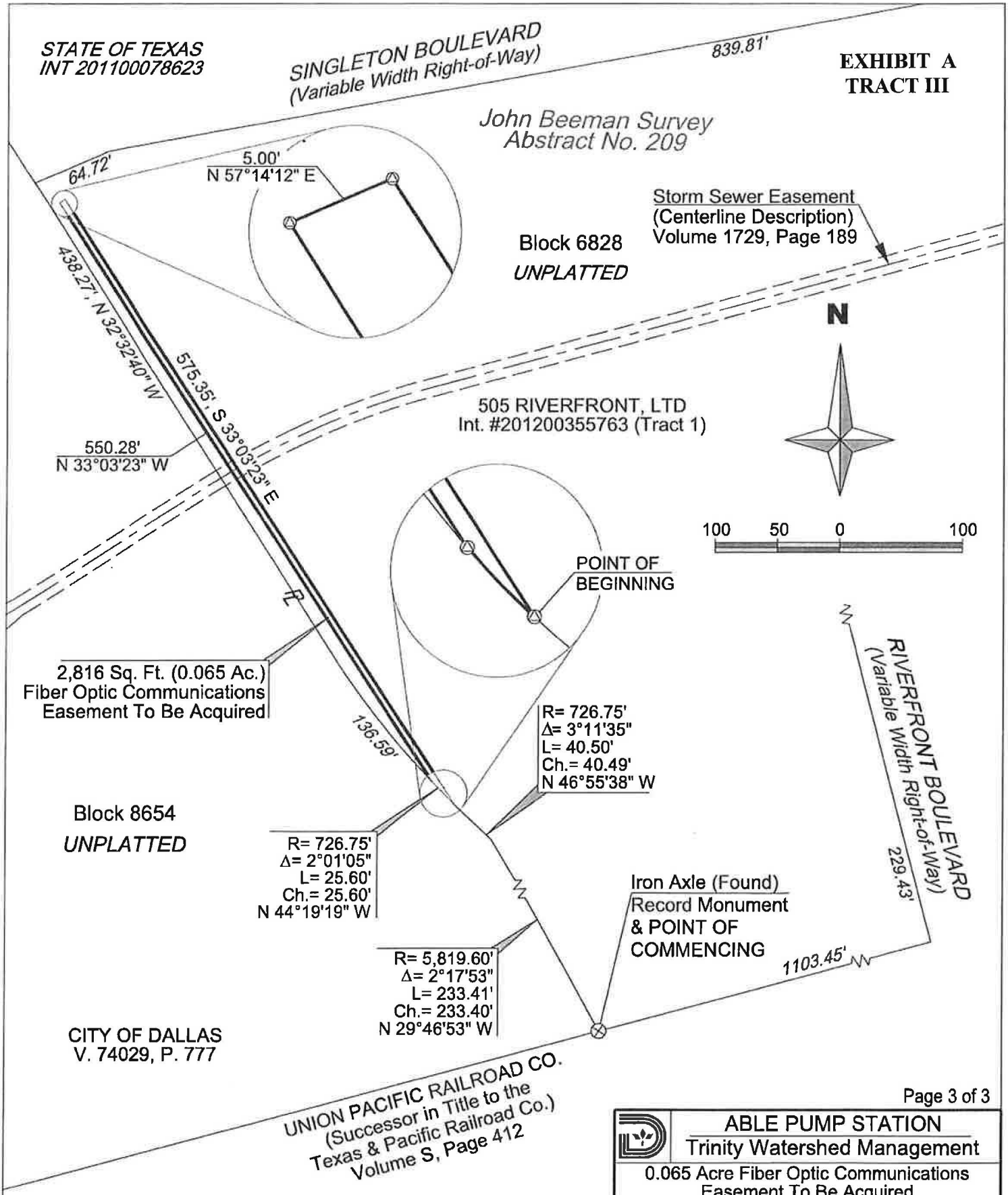
THENCE North 57°14'12" East, continuing over and across said 505 Riverfront, Ltd. property a distance of 5.00 feet to a 5/8" I.R. w/COD Cap set at the most northerly corner of the herein described tract of land;

THENCE South 33°03'23" East, continuing over and across said 505 Riverfront, Ltd. property a distance of 575.35 feet to the **POINT OF BEGINNING**, containing 2,816 Square Feet, or 0.065 Acres of land.

BASIS OF BEARINGS: Bearings are based on State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).
All distances are surface values, using a scale factor of 1.000136506.

Scott Holt
3/15/2019





ABLE PUMP STATION Trinity Watershed Management			
0.065 Acre Fiber Optic Communications Easement To Be Acquired			
DEPARTMENT OF PUBLIC WORKS			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPER.NAME	DESIGN FILE NAME	SCALE	DATE
Holt	N:\ENGR\SURVEY\Trinidad\TRINITY\easements\tx_oil &nat; drawing.dgn	As Noted	05-30-18
PARTY CHIEF	CALCULATIONS / FOLDER		FILE NO.
Peck	Holt / Block 6828		041D-71

△ Indicates a 5/8" I.R. w/C.O.D. Cap

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983.

EXHIBIT B

FIBER OPTIC COMMUNICATION EASEMENT

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

That 505 Riverfront Ltd., a Texas limited partnership (hereinafter called "Grantor" whether one or more natural persons or legal entities), of the County of Montgomery, State of Texas, for and in consideration of the sum of FIFTY THOUSAND, SIX HUNDRED, SIXTY-SEVEN AND NO/100 ($50,667.00) DOLLARS and other good and valuable consideration, to the undersigned in hand paid by the City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201, a Texas municipal corporation (hereinafter called "Grantee"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto Grantee, its successors and assigns: (i) an exclusive easement for the installation, construction, operation, maintenance, replacement, repair, upgrade, adding to and removal of one or more fiber optic communication lines and related facilities in, under, over, through, across and along all that certain lot, tract or parcel of land described in Exhibit "A", attached hereto and made a part hereof for all purposes and (ii) an exclusive, irrevocable, and perpetual subsurface fiber optic communication easement as to the area lying between the elevations of 380 feet and 400 feet (U.S. Survey Feet) National Geodetic Vertical Datum 1929, located under the surface of and through the lot, tract, or parcel of land described in Exhibit "B", attached hereto and incorporated herein for all purposes. The area covered by the easements described in items (i) and (ii) above is collectively referred to as the "Easement Area". This conveyance is subject to all matters of record affecting the Easement Area.

The Easement Area is hereby dedicated as a fiber optic communication easement for the perpetual use and benefit of the Grantee, provided, however, that nothing herein shall be construed as a dedication of such easement to the public for any purpose other than as expressly set forth herein. Except as otherwise provided herein, Grantee shall have the right to remove or keep removed all or all parts of buildings, fences, trees, shrubs, or other improvement or growth in the Easement Area which in any way may endanger or interfere with the efficient construction, maintenance, or use of its respective system or facilities on this easement.

Grantee shall at all times have the right of ingress and egress to and from and upon the Easement Area as depicted in Exhibit "A" only, areas described in Exhibit "B" shall be accessed via areas described in Exhibit "A" only for the purpose of installing, constructing, operating, maintaining, replacing, upgrading, adding to or removing all or part of its respective system or facilities without the necessity at any time of procuring the permission of anyone. Grantee shall as reasonable under the circumstances provide advance notice to Grantor provided however Grantee's failure to provide such notice shall not in any case be deemed a default or cause an early termination of the Easement hereunder.

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

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

This conveyance and the warranty of title herein provided is subject to: (1) all easements, rights-of-way and prescriptive rights, whether of record or not, pertaining to any portion of the property; (2) all presently recorded and valid oil, gas and/or other mineral exceptions, rights of development or leases, royalty reservations and/or other instruments constituting oil, gas or other mineral interest severances of any kind; (3) all presently recorded restrictive covenants, terms, conditions, contracts, provisions, zoning ordinances and other items, but only to the extent that same are still effective; and (4) all presently recorded instruments (other than encumbrances and conveyances by, through or under Grantor) that affect the property;

SPECIAL PROVISIONS:
Upon completion of construction or any work Grantee undertakes in the Easement area, all surplus excavation, debris, trash or litter resulting from construction or other work shall be cleaned up and hauled off the premises, and the property including any fences disturbed, shall be restored to its original contour and condition.

As a material part of the consideration for the easement, Grantor and Grantee agree that Grantee is taking the interests in the property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the property but is relying on Grantee's examination of the property. Grantee takes the property with the express understanding and stipulation that there are no express or implied warranties except for the limited warranty of title set forth in this easement instrument.

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

SIGNATURES APPEAR ON THE FOLLOWING PAGE

EXECUTED this _____ day of _____, 20___.

505 RIVERFRONT LTD.,
a Texas limited partnership

By: GEMCO Riverfront LLC,
a Texas limited liability company,
its general partner

By: _____
Margaret Woodward Molleston, President

* *

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on _____, 2018, by Margaret Woodward Molleston, President of GEMCO Riverfront, LLC, a Texas limited liability company, as general partner of 505 Riverfront Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

_____
Notary Public, State of Texas

* *

AFTER RECORDING, RETURN TO:
City of Dallas
Dallas Water Utilities
Real Estate Division
1500 Marilla Street, 6B South
Dallas, Texas 75201
Attn: Todd Wright
Log No. TWM 611

Agenda Information Sheet

File #: 19-544 **Item #:** 18.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a resolution **(1)** reaffirming the protection of the Great Trinity Forest and upholding the multi -purposes of the Great Trinity Forest as outlined in local, state, and federally approved plans, including flood risk management, ecosystem restoration, and recreational enhancements; and **(2)** directing the City Manager to pursue measures to implement the action plans to protect the Great Trinity Forest through local, state and federal partners and resources - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

BACKGROUND

The City of Dallas, in partnership with state and federal regulatory agencies, have spent several decades working on the development of a comprehensive plan for the Great Trinity Forest that addresses flood risk management, ecosystem restoration, and recreational enhancements. Various plans have included approximately 6,000 acres of floodplain land along the Trinity River geographically located at approximately the Dallas Area Rapid Transit Bridge connecting the east and west sides of the floodplain downstream of the Corinth Street Bridge, following the natural boundaries near State Highway 310 continuing through Great Trinity Forest Way and southwesterly to the McCommas Landfill, the northeastern boundary of Parkdale Lake to Scyene Road through William Blair Park and southeasterly to Dowdy Ferry Road and Interstate Highway 20.

These planning efforts were authorized as part of the Dallas Floodway Extension, which is integral to flood risk management efforts in Dallas. The federal authorization and inclusion of the area as part of the federal system was first initiated in the 1960s and was most recently authorized as part of the Record of Decision and subsequent actions as the Dallas Floodway Extension. Furthermore, the Dallas City Council affirmed its support of these efforts through the Balanced Vision Plan in 2003, and as amended in 2004 (unrelated to this work). Additionally, the City has developed an extensive Great Trinity Forest Management Plan that serves as a master plan, incorporating the federal and local requirements into one document and outlining actions that may occur in the Great Trinity Forest. Under the various plans that have been prepared and consistent with the federal regulations, the Great Trinity Forest serves to:

- Reduce flood damages, provide better health and safety measures, reduce emergency services, reduce potential loss of life due to high velocity flows, reduce isolations due to flood waters, reducing overtopping of bridges and roads along the Trinity River, and reducing the loss of jobs and/or wages caused by flooding;
- Preserve and protect existing environmental and aesthetically pleasing areas and maintaining, as much as possible, the existing vegetation and wildlife habitat;
- Preserve and protect historically and culturally significant areas; and
- Implement maintenance regimes for the myriad of assets included within the Great Trinity Forest.

The City and its partners, such as United States Army Corps of Engineers (USACE) and various nonprofit entities, have spent over $200,000,000.00 to date to address items, such as land acquisition, planning, design and construction of the Upper and Lower Chains of Wetlands, South Central Park Extension, Great Trinity Forest Southern Gateway and Horse Trails, Great Trinity Forest Trails, Texas Horse Park, Cedar Crest Gateway, Trinity River Audubon Center, Great Trinity Way safety improvements, and various other connections for residents and businesses. Recently, the USACE received over $50,000,000.00 in new funding to complete the Lamar Levee connecting the East Levee to the Rochester Levee; and the Circuit Trail Conservancy has secured private funds to match the City's 2017 Bond Funds for the planned trail system connecting the AT&T Trail to Scyene Road.

The City has acquired approximately 4,300 acres of the 6,000 acres to date. At this time, the City desires to move forward to the next phase which will further define and protect the Great Trinity Forest and decades of work by local, state, and federal stakeholders. This item directs the City Manager to pursue measures to implement the action plans to protect the Great Trinity Forest through local, state, and federal partners and resources. Some of these actions include a comprehensive survey of the Great Trinity Forest and, continue with acquisition, preservation and maintenance such that Dallas residents and visitors may further interact and experience the diverse ecosystems within the Great Trinity Forest.

FISCAL INFORMATION

This action has no cost consideration to the City. Future potential cost includes acreage acquisitions, surveys, preservation, and maintenance. There are no known costs at this point. Additional work will require City Council approval.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

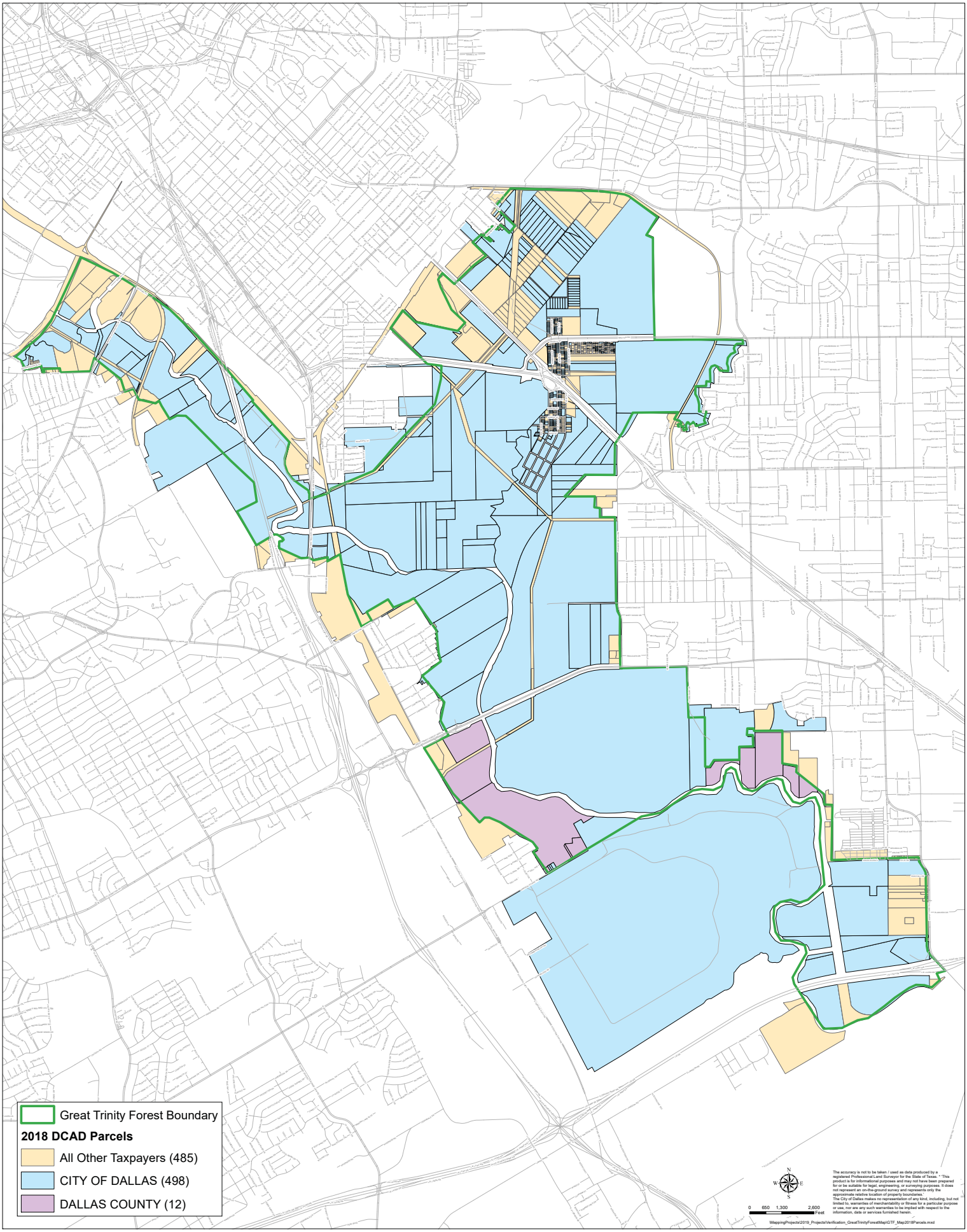
The Quality of Life, Arts, and Culture and Mobility Solutions, Infrastructure, and Sustainability Committees were briefed by memorandum regarding this matter on April 22, 2019.

MAP

Attached

powered by Legistar™

Great Trinity Forest



May 8, 2019

WHEREAS, the Great Trinity Forest is approximately 6,000 acres of floodplain land along the Trinity River; and

WHEREAS, the Great Trinity Forest is the largest bottomland urban hardwood forest with a natural river channel in the United States; and

WHEREAS, the Great Trinity Forest provides flood risk management through the natural and built features associated with conveyance of upstream and downstream river flows; and

WHEREAS, the Great Trinity Forest provides significant recreation opportunities for Dallas residents and visitors, and habitat for native Texas wildlife and plants; and

WHEREAS, the Great Trinity Forest helps improve water quality, clean air, controls runoff and mitigates the impacts of climate change; and

WHEREAS, during the last several decades, local, state, and federal agencies have partnered with residents and businesses to establish a coordinated approach to protecting and preserving the ecosystem and flood risk management benefits of the Great Trinity Forest through:

- 1962, the Unites States Army Corps of Engineers (USACE) completed a Comprehensive Survey Report on the Trinity River and Tributaries, Texas; and
- November 1968 the Texas Water Development Board created the Texas Water Plan; and
- 1974, the USACE completed the Trinity River Project, Phase I General Design Memorandum; and
- 1981, Trinity River Project, Texas, Habitat Mitigation Report; and
- 1989, USACE report on flooding in the Dallas Floodway; and
- 1999, Dallas Floodway Extension Project GRR/EIS goal objectives; and

WHEREAS, the boundaries of the Great Trinity Forest are federally regulated under the Dallas Floodway Extension Project beginning at approximately the Dallas Area Rapid Transit Bridge connecting the East and West sides of the floodplain downstream of the Corinth Street Bridge, following the natural boundaries near State Highway 310 continuing through Great Trinity Forest Way and southwesterly to the McCommas Landfill, the northeastern boundary of Parkdale Lake to Scyene Road through William Blair Park and southeasterly to Dowdy Ferry and Interstate Highway 20; and

WHEREAS, the 1997 Great Trinity Forest Master Plan, prepared by the Texas Park and Wildlife, gave guidance on long-term development and goals, such as reduction of flooding hazards, preservation of natural resources, creation of new recreation opportunities, enhancement of the southern sector and underserved areas, and fostering improvements in adjacent communities; and

WHEREAS, the 1998, 2006, and 2012 Bond Programs authorized funding to implement flood risk management activities in the Dallas Floodway Extension Project, as well as recreational improvements such as the South Central Park Extension, Great Trinity Forest Southern Gateway & Horse Trails, Great Trinity Forest Trails, Texas Horse Park, Cedar Crest Gateway, Trinity River Audubon Center, Great Trinity Way safety improvements and various other connections for residents and businesses; and

WHEREAS, on December 8, 2003, the City Council adopted the Balanced Vision Plan (the "BVP"), by Resolution No. 03-3391, and further adopted refinements on April 14, 2004, by Resolution No. 04-1252 that was the guiding principle for recreation, flood control, and environmental improvements for the Trinity Corridor, including the Great Trinity Forest; and

WHEREAS, in 2008 the City Council adopted the Great Trinity Forest Management Plan, which has since been used to guide implementation of vegetation restoration and recreation projects; and

WHEREAS, on August 9, 2017, the City Council eliminated the Trinity Parkway Alternative 3C by Resolution No. 17-1200, and further amended the Balanced Vision Plan to remove the Trinity Parkway from all planning and implementation efforts; and

WHEREAS, the City of Dallas has been proactively acquiring properties contained in the floodplain in excess of two decades in accordance with regulatory directives, and currently owns approximately 4,300 acres of the Great Trinity Forest; and

WHEREAS, the Great Trinity Forest provides ever increasing citizen and visitor outdoor experiences through hiking, biking, equestrian, birdwatching, canoeing, kayaking, and other recreational opportunities; and

WHEREAS, the Great Trinity Forest provides beneficial environmental and socially equitable benefits to the communities in and around the Great Trinity Forest and city proper; and

WHEREAS, City of Dallas is committed to protecting and preserving the land within the Great Trinity Forest for posterity; and

WHEREAS, the Dallas City Council desires to develop an action plan for the preservation of the Great Trinity Forest and its ecosystem.

Now, Therefore,

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

SECTION 1. That the City of Dallas acknowledges and reaffirms the federal obligations for the Great Trinity Forest which includes:

SECTION 1. (continued)

- Reducing flood damages, providing better health and safety measures, reducing emergency services, reduce potential loss of life due to high velocity flows, reducing isolations due to flood waters, reducing overtopping of bridges and roads along the Trinity River, and reducing the loss of jobs and/or wages caused by flooding;
- Preserving, protecting, and improving environmental and aesthetically pleasing areas while maintaining the existing vegetation and wildlife habitat;
- Preserving and protecting historically and culturally significant areas; and
- Implementing maintenance regimes for the myriad of assets included within the Great Trinity Forest.

SECTION 2. That the Dallas City Council reaffirms its support to protect and uphold the multi-purposes of the Great Trinity Forest as outlined in local, state, and federally approved plans, including flood risk management, ecosystem restoration, and recreational enhancements.

SECTION 3. That the Dallas City Council directs the City Manager to undertake a comprehensive survey of the Great Trinity Forest and, continue with acquisition, preservation and maintenance such that the residents and visitors of Dallas may further interact and experience the diverse ecosystems within the Great Trinity Forest.

SECTION 4. That the City Council directs the City Manager to pursue measures to implement the action plans to protect the Great Trinity Forest with local, state, and federal partners and resources.

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 #: 19-379 **Item #:** 19.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 8, 2019
COUNCIL DISTRICT(S):	6, 13
DEPARTMENT:	Water Utilities Department
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with HDR Engineering, Inc. for the engineering design of Storm Drainage Contract No. 1 for the Pensive Drive Channel and Walnut Hill Lane Storm Drainage System - Not to exceed $1,066,050.69 - Financing: Storm Drainage Management Capital Construction Fund

BACKGROUND

This action will authorize a professional services contract with HDR Engineering, Inc. for the engineering design of flood protection and storm drainage relief for the Pensive Drive Channel and Walnut Hill Lane Storm Drainage System. The City of Dallas has determined that drainage improvements are necessary to provide adequate capacity for the conveyance of storm water flows and to address localized flooding during storm events. The project will provide flood relief for 12 homes that are prone to flooding in the Pensive Drive neighborhood.

The Pensive Drive neighborhood is drained by an existing concrete channel which then flows into an existing 10-foot diameter elliptical pipe (horseshoe shape) in Walnut Hill Lane that was installed in 1960. This project will assess the structural condition of the existing storm drainage system and determine what additional capacity is required to convey storm water for flood relief. Upon completion of these assessments, improvements will be recommended and designed. Recommended improvements may include but are not limited to storm drainage system repairs, storm drainage system replacements, channel modifications, upstream diversions, and additional infrastructure. The proposed improvements will be designed to avoid negative hydraulic impacts downstream and may require floodplain mitigation at the outfall channel.

The services provided for this project include project management, topographic and boundary surveys, subsurface utility exploration, geotechnical investigations, permitting assistance, structural analysis, development of conceptual and preliminary construction plans, and development of final construction plans and special specifications.

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	June 2019
Complete Design	June 2020
Begin Construction	December 2020
Complete Construction	June 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure, and Sustainability Committee will be briefed by memorandum regarding this matter on May 3, 2019.

FISCAL INFORMATION

Storm Drainage Management Capital Construction Fund - $1,066,050.69

Estimated Future Cost - Construction - $9,575,172.80

Council District	Amount
6	$ 533,025.34
13	$ 533,025.35
Total	$1,066,050.69

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 $
$1,066,050.69	Architectural & Engineering	25.66%	27.19%	$289,879.50
• This contract exceeds the M/WBE goal.				

OWNER

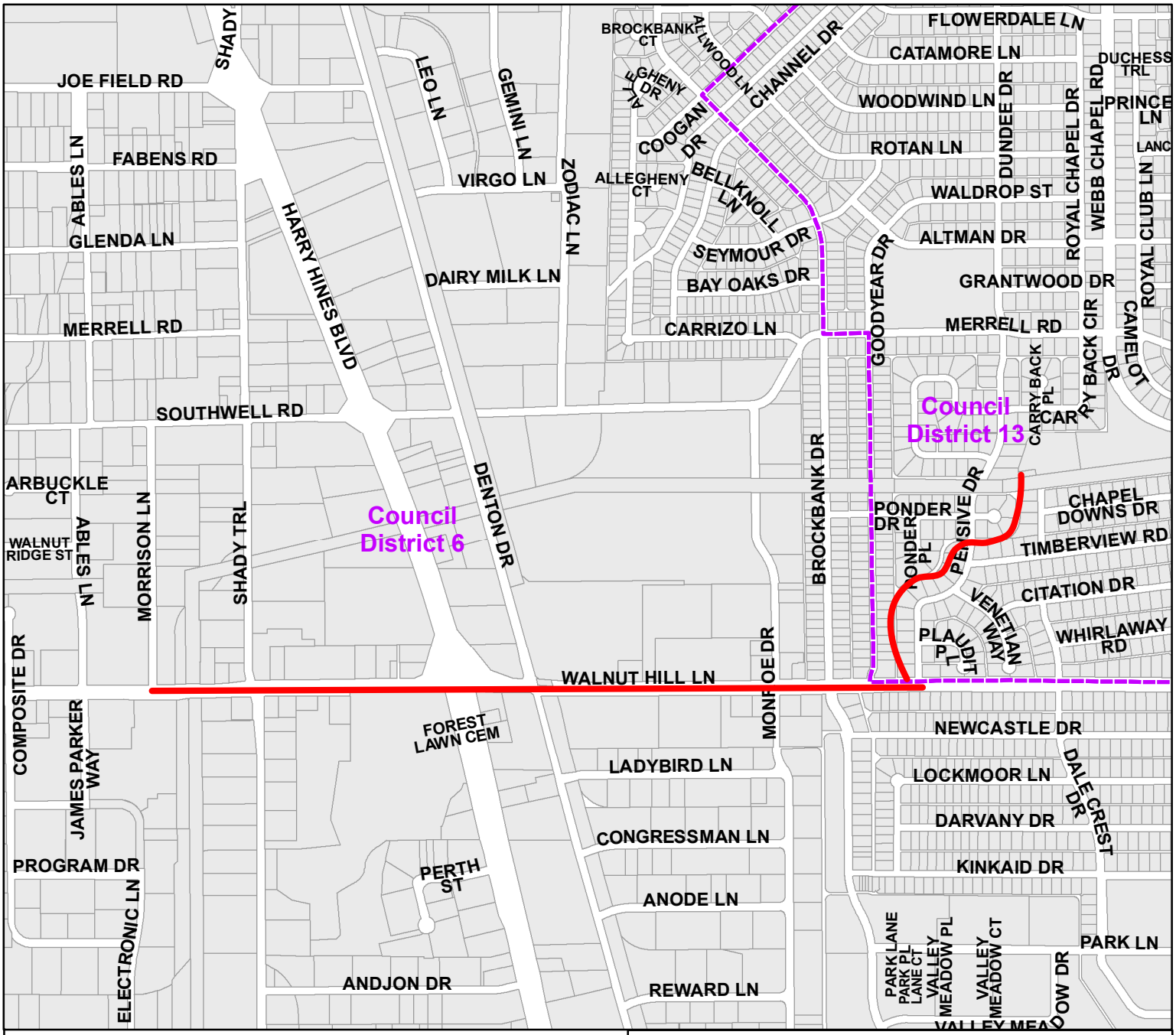
HDR Engineering, Inc.

Eric Keen, Chief Executive Officer

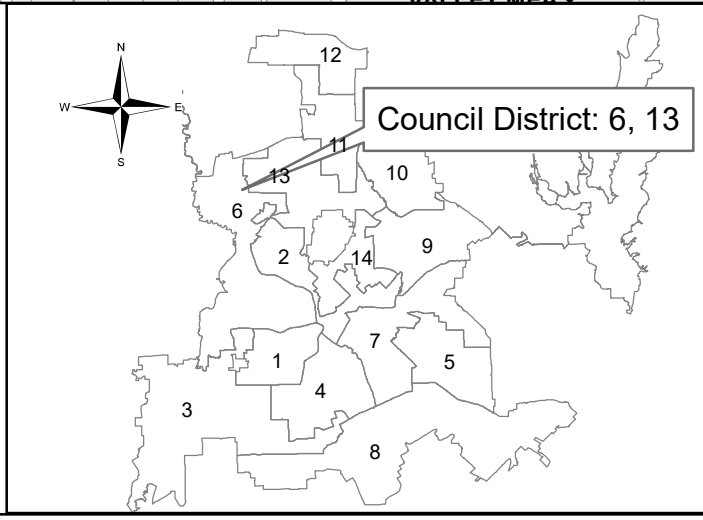
MAP

Attached

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Pensive Drive Channel and
Walnut Hill Storm Drainage System



Dallas Water Utilities
Contract No. 19-075E
Storm Drainage Contract No. 1
Stormwater Project Management

May 8, 2019

WHEREAS, the City of Dallas has identified a need to address flood protection and storm drain relief for the Pensive Drive Channel and Walnut Hill Lane Storm Drainage System; and

WHEREAS, engineering services are required to evaluate, design, and construct storm drainage infrastructure improvements to provide relief for homes that are prone to flooding in the area; and

WHEREAS, engineering services will include preliminary investigation, surveying, geotechnical investigation, preliminary design, and development of construction plans and specifications; and

WHEREAS, HDR Engineering, Inc., 17111 Preston Road, Suite 300, Dallas, Texas, 75248, 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 HDR Engineering, Inc., approved as to form by the City Attorney, for the engineering design of Storm Drainage Contract No. 1 for the Pensive Drive Channel and Walnut Hill Lane Storm Drainage System, in an amount not to exceed $1,066,050.69.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,066,050.69 to HDR Engineering, Inc. from Storm Drainage Management Capital Construction Fund, Fund 0063, Department DWU, Unit W212, Activity SD01, Object 4111, Program TW17W212, Encumbrance/Contract No. CX-DWU-2019-00009207, Vendor 181219.

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 #: 18-1133 **Item #:** 20.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	May 8, 2019
COUNCIL DISTRICT(S):	4, 6, 7, 8, 9, 10, Outside City Limits
DEPARTMENT:	Water Utilities Department
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional engineering and construction administration services associated with heating, ventilation, and air conditioning system improvements and building envelope renovations at various Dallas Water Utilities owned facilities - Not to exceed $139,871.85, from $2,653,128.64 to $2,793,000.49 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

Roofs and heating, ventilation and air conditioning (HVAC) systems at Dallas Water Utilities (DWU) facilities are generally exposed to aggressive and corrosive environment due to the chemicals used and gas byproducts associated with the water and wastewater treatment processes. With this exposure, materials break down at a higher rate when compared to typical office building facilities. In 2012 and 2013, a condition assessment was performed on all of the roof and HVAC systems at DWU facilities. This included 232 building facilities, 449 roof sections and 2,605 HVAC units. The comprehensive assessment provided a prioritized list of needs that are being addressed under this contract.

On March 26, 2014, City Council authorized a professional services contract with Halff Associates, Inc. to provide design services for Priority II roof replacements, Priority I and II HVAC replacements and facility renovations at various DWU buildings. This included replacement of 69 roof sections, replacement or repair of 414 HVAC components and building envelope renovations. On October 11, 2016 and September 26, 2018, two construction contracts were awarded associated with these improvements.

This item will authorize additional engineering and construction administration services required to update design plans to meet newly adopted energy codes and address unforeseen field conditions at various locations. Approval of this item will allow DWU to continue its maintenance program for roof and HVAC systems that protects the various types of production equipment and process controls. Protection of this equipment ensures the continued reliable water and wastewater services that DWU provides to approximately 2.3 million customers in Dallas and its surrounding cities.

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2017
Completed Design	April 2018
Began Construction	October 2018
Complete Construction	July 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 26, 2014, City Council authorized a professional services contract with Halff Associates, Inc. to provide (1) architectural and engineering services for the design of roof and HVAC systems; and (2) a space utilization study for the Trinity Watershed Management Department by Resolution No. 14-0523.

On October 11, 2016, City Council authorized a construction contract for building renovations, roof replacements and miscellaneous improvements at six Dallas Water Utilities facilities by Resolution No. 16-1681.

On September 26, 2018, City Council authorized a construction contract for roof and heating, ventilation, and air conditioning replacements at Dallas Water Utilities owned facilities by Resolution No. 18-1405.

The Mobility Solutions, Infrastructure, and Sustainability Committee will be briefed by memorandum regarding this item on May 3, 2019.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $139,871.85

Design	$2,653,128.64
Supplemental Agreement No. 1 (this action)	$ 139,871.85
Total Project Cost	$2,793,000.49

Council District	Amount
4	$ 39,471.85
6	$ 4,000.00
7	$ 5,000.00
8	$ 44,000.00
9	$ 6,000.00
10	$ 15,400.00
Outside City Limits	$ 26,000.00
Total	$139,871.85

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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 $
$139,871.85	Architectural & Engineering	25.66%	7.15%	$10,000.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
• Supplemental Agreement No. 1 - 25.47% Overall M/WBE participation				

OWNER

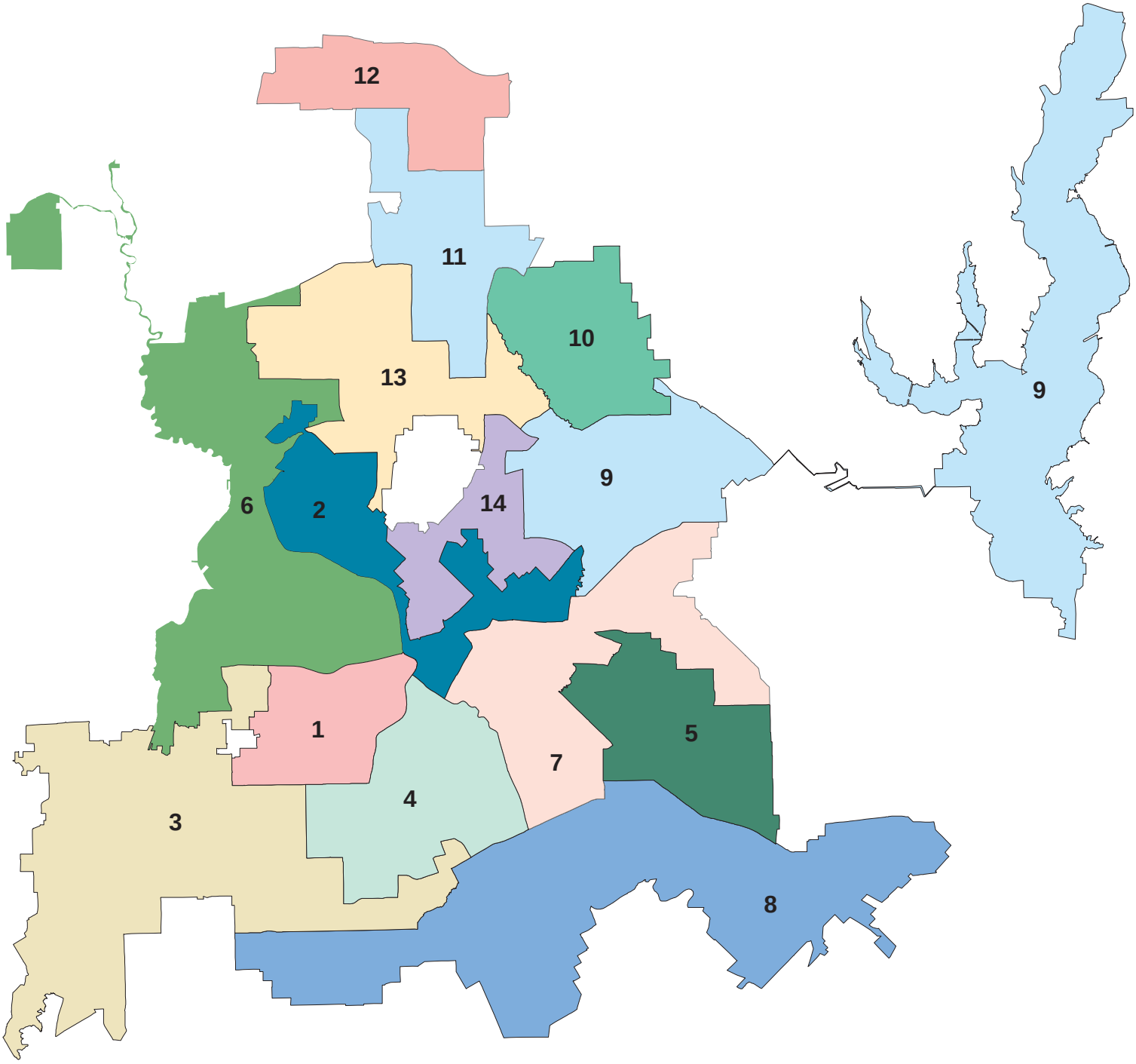
Halff Associates, Inc.

Patrick Kunz, P.E., President

MAP

Attached

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Dallas Water Utilities
Contract No. 14-001/002E, Supplemental Agreement No. 1
Roof and HVAC Systems Design

WHEREAS, on March 26, 2014, City Council authorized a professional services contract with Halff Associates, Inc. to provide (1) architectural and engineering services for the design of roof and heating, ventilation and air conditioning (HVAC) systems; and (2) a space utilization study for the Trinity Watershed Management Department by Resolution No. 14-0523; and

WHEREAS, on October 11, 2016, City Council authorized a construction contract for building renovations, roof replacements and miscellaneous improvements at six Dallas Water Utilities facilities by Resolution No. 16-1681; and

WHEREAS, on September 26, 2018, City Council authorized a construction contract for roof and HVAC replacements at Dallas Water Utilities owned facilities by Resolution No. 18-1405; and

WHEREAS, additional design and construction administration services for HVAC improvements and building envelope renovations at various Dallas Water Utilities owned facilities is needed; and

WHEREAS, Halff Associates, Inc., 1201 North Bowser Road, Richardson, Texas 75081, has submitted an acceptable proposal for this additional work; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 14-001/002E be increased by $139,871.85, from $2,653,128.64 to $2,793,000.49.

Now, Therefore,

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

SECTION 1. That the proposed Supplemental Agreement No. 1 to the professional services contract be accepted and that Contract No. 14-001/002E with Halff Associates, Inc., be revised accordingly.

SECTION 2. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc., approved as to form by the City Attorney, to provide additional engineering and construction administration services associated with heating, ventilation, and air conditioning system improvements and building envelope renovations at various Dallas Water Utilities owned facilities, in an amount not to exceed $139,871.85, increasing the contract amount from $2,653,128.64 to $2,793,000.49.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $139,871.85 to Halff Associates, Inc., as follows:

SECTION 3. (continued)

Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42 Object 4111, Program 714001, Vendor 089861 Encumbrance CT-DWU714001CP	$ 46,000.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Object 4111, Program 714002, Vendor 089861 Encumbrance CT-DWU714002CP	$ 93,871.85
Total amount not to exceed	$139,871.85

SECTION 4. That this contract is designated as Contract No. DWU-2017-00003278.

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 #: 19-597 **Item #:** 21.

AGENDA DATE: May 8, 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 #: 19-601 **Item #:** 22.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Budget

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** preliminary adoption of the FY 2019-20 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of $29,896,688 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of $14,697,642; **(b)** HOME Investment Partnerships Program in the amount of $5,427,679; **(c)** Emergency Solutions Grant in the amount of $1,256,675; **(d)** Housing Opportunities for Persons with AIDS in the amount of $7,058,692; and **(e)** estimated Program Income in the amount of $1,456,000; **(2)** the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24; and **(3)** a public hearing to be held on May 22, 2019, to receive comments on the proposed use of funds - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas receives four formula grants each year from the U.S. Department of Housing and Urban Development (HUD). The four grants make up the Consolidated Plan and consist of: Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The purpose of CDBG is to develop viable urban communities by providing decent housing and a suitable living environment, and the expansion of economic opportunities. HOME funds provide, develop, support, produce, and expand the supply of decent and affordable housing. ESG funds help to prevent homelessness and assist individuals and families who are already homeless. HOPWA funds provide housing and supportive services to individuals with AIDS, persons who are HIV positive, and their family members.

The Consolidated Plan covers a five-year planning period. It is a comprehensive analysis and strategic plan that identifies community needs, prioritizes those needs, and details how they will be addressed. Requirements for development and submission of the Consolidated Plan are found at 24 CFR, Part 91. In order to continue receiving the four grants from HUD, the City must have a Consolidated Plan.

The current Consolidated Plan expires at the end of the current fiscal year (September 30, 2019). The new Five-Year Consolidated Plan covers the period of October 1, 2019 through September 30, 2024.

Development of the new Five-Year Consolidated Plan began in November 2018, with input from the Community Development Commission (CDC), a citizen advisory board appointed by the City Council. The CDC, along with City staff, conducted a total of 13 public meetings. These meetings provided the public opportunities to identify community needs, and comment and provide input on the approach for developing the new Five-Year Consolidated Plan and potential uses of HUD Grant Funds.

Public meetings were held as follows:

January 3, 2019 - Dallas City Hall
January 7, 2019 - Martin Luther King, Jr. Community Center
January 8, 2019 - Jaycee Zaragoza Recreation Center
January 8, 2019 - Tommie M. Allen Recreation Center
January 9, 2019 - Ryan White Planning Council (RWPC)
January 10, 2019 - Willie B. Johnson Recreation Center
January 10, 2019 - Timberglen Recreation Center
January 12, 2019 - Lockwood Library
January 14, 2019 - Prairie Creek Library
January 15, 2019 - Audelia Road Library
January 16, 2019 - Beckley Saner Recreation Center
January 17, 2019 - On-line Virtual Meeting
January 22, 2019 - Continuum of Care (CoC)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 1, 2018, Community Development Commission (CDC) provided input and made recommendations into the development of the new Five-Year Consolidated Plan.

City Council was briefed to discuss requirements for submitting a Five-Year Consolidated Plan to HUD; consider CDC input and recommendations; and consider City's approach to completing the new Five-year Consolidated Plan.

City Council was briefed to review recommendations for developing new Five-Year Consolidated Plan for FY 2019-20 through FY 2023-24 on December 5, 2018.

On January 9, 2019, City Council provided initial support of proposed strategy for development of the new Five-Year Consolidated Plan for FY 2019-20 through FY 2023-24, by Resolution No. 19-0091.

On March 7, 2019, CDC was briefed on the City Manager's Proposed FY 2019-20 HUD Consolidated Plan Budget and the CDC held meetings in March 2019 to review the proposed budget.

On April 4, 2019, CDC approved the City Manager's Proposed FY 2019-20 HUD Consolidated Plan Budget with one amendment to the CDBG Public Services category and made recommendations.

City Council was briefed on the City Manager's Proposed HUD Consolidated Plan for FY 2019-20 through FY 2023-24, FY 2019-20 Annual Budget and CDC review on April 17,2019.

FISCAL INFORMATION

Proposed FY 2019-20 HUD Consolidated Plan Budget

CDBG:	$14,697,642	FY 2019-20 Entitlement
	$ 300,000	Program Income (estimate)
	$ 156,000	Program Income - Retained by Sub-Recipient (estimate)
	$15,153,642	
HOME:	$ 5,427,679	FY 2019-20 Entitlement
	$ 1,000,000	Program Income (estimate)
	$ 6,427,679	
ESG:	$ 1,256,675	FY 2019-20 Entitlement
HOPWA:	$ 7,058,692	FY 2019-20 Entitlement
	$29,896,688	Total FY 2019-20 HUD Consolidated Plan Budget

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WHEREAS, the Consolidated Plan is a comprehensive analysis and strategic plan that identifies community needs, prioritizes those needs, details how needs will be addressed and covers a five-year planning period; and

WHEREAS, in order to continue receiving the four formula grants each year from the U.S. Department of Housing and Urban Development (HUD), the City must have a Consolidated Plan; and

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

WHEREAS, the current Consolidated Plan expires at the end of the current fiscal year (September 30, 2019) and the new Five-Year Consolidated Plan covers the period of October 1, 2019 through September 30, 2024; and

WHEREAS, the Community Development Commission (CDC) and City staff conducted thirteen meetings during January 2019 that provided the public opportunities to participate in identifying needs and to comment on the potential uses of U.S. Department of Housing and Urban Development (HUD) Grant Funds; and

WHEREAS, on January 9, 2019, City Council provided initial support of proposed strategy for development of the new Five-Year Consolidated Plan for FY 2019-20 through FY 2023-24, by Resolution No. 19-0091; and

WHEREAS, on March 7, 2019, the CDC was briefed on the City Manager's Proposed FY 2019-20 HUD Consolidated Plan Budget, CDC Committees held meetings in March 2019 to review the proposed budget; and

WHEREAS, on April 4, 2019 - CDC approved the City Manager’s Proposed FY 2019-20 HUD Consolidated Plan Budget with one amendment to the CDBG Public Services category and made recommendations; and

WHEREAS, on April 17, 2019, City Council was briefed on the City Manager’s Proposed HUD Consolidated Plan for FY 2019-20 through FY 2023-24, FY 2019-20 Annual Budget and CDC review; and

WHEREAS, Federal regulations require that a public hearing to be held on the City's Proposed FY 2019-20 HUD Consolidated Plan Budget, and the new Five-Year Consolidated Plan; and

May 8, 2019

WHEREAS, a summary of the Proposed FY 2019-20 HUD Consolidated Plan Budget and the new Five-Year Consolidated Plan will be published in the Dallas Morning News on May 9, 2019, to provide an opportunity to submit written comments through June 11, 2019; and

WHEREAS, holding a public hearing on May 22, 2019, satisfies requirements set forth in the City's Citizen Participation Plan.

Now, Therefore,

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

SECTION 1. That preliminary adoption of the FY 2019-20 HUD Consolidated Plan Budget be approved per Attachment A, and the new Five-Year Consolidated Plan be approved.

SECTION 2. That a public hearing be held on May 22, 2019, before the Dallas City Council to receive comments on the City's Proposed FY 2019-20 HUD Consolidated Plan Budget and the new Five-Year Consolidated Plan.

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.

FY 2019-20 CONSOLIDATED PLAN FOR U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ATTACHMENT A
Revised 4/15/19

A	B	C	D	E	F
Project Name	**FY 2018-19 Amended Budget**	**FY 2019-20 City Manager's Proposed Budget**	**CDC Amendment on 4/4/19**	**HUD Allocation Variance on 4/12/19**	**FY 2019-20 Revised Proposed Budget**
SOURCE OF FUNDS					
Community Development Block Grant					
Entitlement (grant)	14,810,163	14,810,163	0	(112,521)	14,697,642
Program Income - Housing Activities[1]	1,250,000	300,000	0	0	300,000
Program Income - Sub-Recipient Retained	225,000	156,000	0	0	156,000
Reprogramming[2]	3,323,870	0	0	0	0
	19,609,033	15,266,163	0	(112,521)	15,153,642
Home Investment Partnership					
Entitlement (grant)	5,886,901	5,886,901	0	(459,222)	5,427,679
Program Income - Housing Activities	1,000,000	1,000,000	0	0	1,000,000
	6,886,901	6,886,901	0	(459,222)	6,427,679
Emergency Solutions Grant					
Entitlement (grant)	1,203,874	1,203,874	0	52,801	1,256,675
Housing Opportunities for Persons with AIDS					
Entitlement (grant)	6,645,116	6,645,116	0	413,576	7,058,692
TOTAL SOURCE OF FUNDS	34,344,924	30,002,054	0	(105,366)	29,896,688

[1] Reduction in FY 2019-20 due to one-time funds available in FY 2018-19.

[2] $2.9M Reprogramming funds were accelerated and added to the Housing 2018 NOFA approved by City Council on Feb 27, 2019, instead of waiting until FY 2019-20.

USE OF FUNDS					
Community Development Block Grant					
Public Services (15% of CDBG maximum amount allowed)	2,258,979	2,283,872	0	(16,878)	2,266,994
Housing Activities	10,867,677	7,464,258	0	0	7,464,258
Economic Development Activities	225,000	156,000	0	0	156,000
Public Improvements	3,419,373	2,400,000	0	(73,138)	2,326,862
Fair Housing and Program Oversight (20% of CDBG max amount allowed)	2,838,004	2,962,033	0	(22,505)	2,939,528
	19,609,033	15,266,163	0	(112,521)	15,153,642
HOME Investment Partnerships Program					
HOME Programs	6,886,901	6,886,901	0	(459,222)	6,427,679
Emergency Solutions Grant					
ESG Programs	1,203,874	1,203,874	1151073	52,801	1,256,675
Housing Opportunities for Persons with AIDS					
HOPWA Programs	6,645,116	6,645,116	6231540	413,576	7,058,692
TOTAL USE OF FUNDS	**34,344,924**	**30,002,054**	**0**	**(105,366)**	**29,896,688**

A	B	C	D	E	F
Project Name	FY 2018-19 Amended Budget	FY 2019-20 City Manager's Proposed Budget	CDC Amendment on 4/4/19	HUD Allocation Variance on 4/12/19	FY 2019-20 Revised Proposed Budget
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)					
CDBG - Public Services					
CD01 **PKR Out-of-School Time Program -** Provide after school (in collaboration with Dallas ISD) and summer programs for low/mod income youth Monday thru Friday through structured recreational, cultural, social and life skills activities. 26 CDBG funded sites. FY 2019-20: estimated 2,900 children to be served. (formerly After-School/Summer Program)	600,000	600,000	150,000	0	750,000
CD02 **Early Childhood and Out-of-School Time Services Program** - Provide various programs for children and youth, including after school programs, childcare for special populations (such as special needs children, children who are homeless, children with disabilities, infants and toddlers, etc.) via contracts with nonprofit agencies. Funds are also used to provide child care subsidies for low/mod income working parents and teenage parents who are attending school and do not qualify and/or are unable to access any other forms of public assistance. Estimated 400 children will be served. (Formerly Child Care Services Program)	500,000	500,000	150,000	0	650,000
Youth Programs Sub-Total	**1,100,000**	**1,100,000**	**300,000**	**0**	**1,400,000**
CD03 **Senior Services Program** - Enhance the quality of life for older adults by disseminating support services information and providing direct and emergency support services.	300,000	0	0	0	0
Senior Services Sub-Total	**300,000**	**0**	**0**	**0**	**0**
CD04 **Community Court Program -** Through the community court, offenses to persons and code violations of property are swiftly adjudicated and restitution made by defendants who plead guilty or no contest.	713,126	0	0	0	0
Other Public Services (Non-Youth) Sub-Total	**713,126**	**0**	**0**	**0**	**0**
CD05 **Overcoming Barriers to Work Program** - Provide residents with the skills and needed support to gain and maintain jobs that pay livable wages. Funding will support two focus areas: 1) Job Training/Career Development Programming - this focus area supports programs that enable individuals to obtain and keep good jobs. The goal of this focus area is to enable clients to become self-sufficient through employment and will include a job placement component; and 2) Supportive Services for program participants - this focus area supports programs that enables clients to participate in job training, career development, and job seeking programs by helping them overcome barriers such as lack of transportation and childcare services. Funds to be awarded via Request for Competitive Sealed Proposals (RFCSP).	145,853	1,183,872	(300,000)	(16,878)	866,994
Total CDBG - Public Services	**2,258,979**	**2,283,872**	**0**	**(16,878)**	**2,266,994**
CDBG - Public Services 15% Cap	2,280,685	2,283,872	0	0	2,266,994
Under/(Over) Cap	21,706	0	0	0	0
CDBG - Public Services Cap Percentage	15.0%	15.0%	0.0%	0.0%	15.0%

	A Project Name	B FY 2018-19 Amended Budget	C FY 2019-20 City Manager's Proposed Budget	D CDC Amendment on 4/4/19	E HUD Allocation Variance on 4/12/19	F FY 2019-20 Revised Proposed Budget
CDBG - Housing Activities						
CD06	**Dallas Homebuyer Assistance Program -** Provide no interest, deferred payment loans for down-payment, principle reduction and closing cost assistance. FY 2019-20: estimated 45 households to be served.	2,500,000	2,500,000	0	0	2,500,000
	Homeownership Opportunities Sub-Total	**2,500,000**	**2,500,000**	0	**0**	**2,500,000**
CD07	**Home Improvement and Preservation Program (HIPP)** - Provide an all-inclusive repair and rehabilitation program for single-family owner-occupied housing units and landlord/rental multi-family units, with the purpose of making needed improvements and preserving afforable housing. FY 2019-20: estimated 60 households to be served.	8,367,677	4,464,258	0	0	4,464,258
CD08	**Residential Development Acquisition Loan Program -** Provide loans and grant to affordable housing developers for acquisition, relocation, and demolition to support affordable housing development for low income households at 80% or below AMFI. TBD	0	500,000	0	0	500,000
	Homeowner Repair Sub-Total	**8,367,677**	**4,964,258**	**0**	**0**	**4,964,258**
	Total CDBG - Housing Activities	**10,867,677**	**7,464,258**	**0**	**0**	**7,464,258**
CDBG - Economic Development						
CD09	**Business Loan Program (Program Income)** - Revolving loan fund, where program income generated from business loan repayments is retained and used to provide additional loans.	225,000	156,000	0	0	156,000
	Total CDBG - Economic Development	**225,000**	**156,000**	**0**	**0**	**156,000**
CDBG - Public Improvements						
CD10	**Public Facilities and Improvements** - Provide improvements to public facilities and infrastructure within eligible areas.	3,419,373	2,400,000	0	(73,138)	2,326,862
	Public Improvement Sub-Total	**3,419,373**	**2,400,000**	**0**	**(73,138)**	**2,326,862**
	Total CDBG - Public Improvement	**3,419,373**	**2,400,000**	**0**	**(73,138)**	**2,326,862**
CDBG - Fair Housing and Planning & Program Oversight						
CD11	**Equity and Human Rights Office -** Provide housing discrimination investigations, fair housing education and outreach, and citizen referrals. (formerly Fair Housing Enforcement)	743,830	584,110	0	(22,505)	561,605
CD12	**Citizen Participation/CDC Support/HUD Oversight** - Office of Budget Services/Community Development Division. Provide coordination of ConPlan budget development, citizen participation, and reporting to HUD as primary City liaison.	801,625	840,805	0	0	840,805
CD13	**Community Care Management Support -** Provide salaries and operational support to manage and administer CDBG-funded programs in the Office of Community Care.	270,518	333,662	0	0	333,662

	A Project Name	B FY 2018-19 Amended Budget	C FY 2019-20 City Manager's Proposed Budget	D CDC Amendment on 4/4/19	E HUD Allocation Variance on 4/12/19	F FY 2019-20 Revised Proposed Budget
CD14	**Housing Management Support -** Provide operational support for the management and administration of housing related programs.	1,022,031	1,203,456	0	0	1,203,456
	Total CDBG - Fair Housing and Planning & Program Oversight	**2,838,004**	**2,962,033**	0	**(22,505)**	**2,939,528**
	CDBG - FH/PLN/Program Oversight 20% Cap	2,962,033	2,962,033	0	0	2,939,528
	Under/(Over) Cap	124,029	(0)	0	0	0
	CDBG - FH/PLN/Program Oversight Cap Percentage	19%	20%	0	0%	20%
	TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT	**19,609,033**	**15,266,163**	0	**(112,521)**	**15,153,642**
	HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)					
HM01	**CHDO Development Loan Program** -Provide loans to City-certified Community Housing Development Organizations (CHDOs) to develop affordable housing for low to moderate income households earning up to 80% Area Median Family Income. (15% minimum)	885,000	885,000	0	(70,000)	815,000
HM02	**CHDO Operating Assistance** - Provide operational support to assist with the development and management of CHDO projects. (5% maximum); estimate 3 contracts.	0	150,000	0	0	150,000
HM03	**HOME Program Administration -** Provide operational support for the administration and servicing of HOME programs. (10% maximum)	688,600	688,690	0	(45,923)	642,767
HM04	**Dallas Homebuyer Assistance Program -** Provide no interest, deferred payment loans for down-payment, principle reduction and closing cost assistance. FY 2019-20: estimated 45 households to be served.	767,129	767,129	0	0	767,129
HM05	**Housing Development Loan For Sale and Rental Program -** Provide private and nonprofit organizations with loans for the development of single family housing (1-4units) and multifamily housing (5 or more units); FY 2019-20: estimated 80 homes funded.	4,546,172	4,396,082	0	(343,299)	4,052,783
	Home Ownership Opportunities Sub-Total	**6,886,901**	**6,886,901**	0	**(459,222)**	**6,427,679**
	TOTAL HOME INVESTMENT PARTNERSHIP PROGRAM	**6,886,901**	**6,886,901**	0	**(459,222)**	**6,427,679**
	EMERGENCY SOLUTIONS GRANT (ESG)					
ES01	**Emergency Shelter** - Provide (i) payment of operational costs for shelters or transitional housing facilities for homeless persons, and (ii) essential services to homeless persons residing in shelters or transitional housing facilities, via contracts with non-profit agencies. FY 2019-20: household served = TBD pending RFCSP; contracts = TBD pending RFCSP. **(OHS)**	439,802	439,000	0	0	439,000

	A Project Name	B FY 2018-19 Amended Budget	C FY 2019-20 City Manager's Proposed Budget	D CDC Amendment on 4/4/19	E HUD Allocation Variance on 4/12/19	F FY 2019-20 Revised Proposed Budget
ES02	**Emergency Shelter** - Provide essential services to homeless persons residing in shelters or transitional housing facilities. This program is part of the department's strategic goal to support and participate in partnership to respond to human service needs of the residents of Dallas. FY 2019-20: estimated 200 households to be served. **(OCC)**	131,052	91,052	0	0	91,052
ES03	**Street Outreach -** Provide direct services designed to meet the immediate needs of unsheltered homeless persons by connecting them with emergency shelter, housing, and/or critical health services. FY 2019-20: estimated 130 households to be served.	71,585	73,561	0	52,801	126,362
	Essential Services/Operations Sub-Total	**642,439**	**603,613**	**0**	**52,801**	**656,414**
ES04	**Homeless Prevention -** Provide assistance to persons at-risk of homelessness and meet income limits below 30% of the area median income**.** Provide short-term (3 months) and medium-term (4 - 24 months) rental assistance; payment of rental arrears up to 6 months. FY 2019-20: estimated 102 households to be served.	80,261	120,261	0	0	120,261
	Homeless Prevention Sub-Total	**80,261**	**120,261**	**0**	**0**	**120,261**
ES05	**Rapid Re-Housing** - Provide rapid re-housing assistance to persons who are homeless; Housing relocation and stabilization services, financial assistance and rental assistance**;** household served = TBD pending RFCSP.	366,654	366,000	0	0	366,000
	Rapid Re-Housing Sub-Total	**366,654**	**366,000**	**0**	**0**	**366,000**
ES06	**HMIS Data Collection -** Provide client-level data collection for persons served by the grant, as well as training, generating reports, monitoring and reviewing data quality.	25,000	25,000	0	0	25,000
	HMIS Data Collection Sub-Total	**25,000**	**25,000**	0	**0**	**25,000**
ES07	**ESG Administration** - Provide monitoring and evaluation of contracts and other program activities. Administrative costs are limited to 7.5% of the grant.	89,520	89,000	0	0	89,000
	Program Administration Sub-Total	**89,520**	**89,000**	0	**0**	**89,000**
	TOTAL EMERGENCY SOLUTIONS GRANT	**1,203,874**	**1,203,874**	0	**52,801**	**1,256,675**
	HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)					
HW01	**Emergency/Tenant Based Rental Assistance** - Provide financial assistance and staff costs for emergency short-term rent/mortgage/utility assistance and long-term tenant-based rental assistance to persons with HIV/AIDS and their families who live in eligible metropolitan area. FY 2019-20: household served = TBD pending RFCSP. **(OHS)**	2,571,134	2,320,376	0	384,624	2,705,000

	A Project Name	B FY 2018-19 Amended Budget	C FY 2019-20 City Manager's Proposed Budget	D CDC Amendment on 4/4/19	E HUD Allocation Variance on 4/12/19	F FY 2019-20 Revised Proposed Budget
HW02	**Emergency Tenant Based Rental/Financial Assistance** - Provide financial assistance and staff costs for emergency short-term rent/morgage/utility assistance and long-term rental assistance to persons with HIV/AIDS and their families who live in eligible metropolitan area. FY 2019-20: estimated 270 households to be served. **(OCC)**	1,195,000	1,297,203	0	0	1,297,203
HW03	**Facility Based Housing -** Provide housing operation costs, including lease, maintenance, utilities, insurance and furnishings, and support services at facilities that provide assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area. FY 2019-20: household served = TBD pending RFCSP. (Formerly Housing Facilities Operations)	2,040,000	1,900,000	0	0	1,900,000
HW04	**Housing Placement & Other Support Services** - Provide supportive services and permanent housing placement assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area. FY 2019-20: household served = TBD pending RFCSP **(OHS)**	53,625	125,000	0	0	125,000
HW05	**Housing Placement & Other Support Services** - Provide supportive services and permanent housing placement assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area. FY 2019-20: estimated 185 clients to be served. **(OCC)**	175,000	93,537	0	0	93,537
HW06	**Housing Facilities Rehab/Repair/Acquisition** - Provide rehabilitation/repair and/or acquisition of housing units for persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area; households served = TBD pending RFCSP	0	300,000	0	0	300,000
HW07	**Housing Information Services/Resource Identification** - Provide housing navigation services consisting of a housing resource center with direct one-on-one housing referral assistance and online searchable housing database and web resources, as well as HMIS client level data collection for persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area. FY 2019-20: households served = TBD pending RFCSP.	151,212	150,000	0	0	150,000
	Other Public Services Sub-Total	**6,185,971**	**6,186,116**	**0**	**384,624**	**6,570,740**
HW08	**Program Administration/City of Dallas -** Provide administrative oversight, evaluation, technical assistance, and HMIS client-level data collection for grant funds and program activities.	186,265	186,000	0	0	186,000
HW09	**Program Administration/Project Sponsors -** Provide administrative oversight, evaluation, technical assistance, and HMIS client-level data collection for grant funds and program activities.	272,880	273,000	0	28,952	301,952
	Program Administration Sub-Total	**459,145**	**459,000**	**0**	**28,952**	**487,952**
	TOTAL HOUSING OPPORTUNITIES FOR PERSONS W/ AIDS	**6,645,116**	**6,645,116**	**0**	**413,576**	**7,058,692**
	GRAND TOTAL CONSOLIDATED PLAN BUDGET	**34,344,924**	**30,002,054**	**0**	**(105,366)**	**29,896,688**

Agenda Information Sheet

File #: 19-506 **Item #:** 23.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a Project Partnership Agreement with the U.S. Army Corps of Engineers to complete design and construction for the Modified Dallas Floodway Project Flood Risk Management Projects, as defined in the Water Resources Development Act of 2007 and the 2015 Record of Decision, including associated interior drainage improvements adjacent to the Dallas Floodway levees, and consistent with the Balanced Vision Plan for the Trinity River Corridor Project - Not to exceed $69,015,000.00 - Financing: Trinity River Corridor Project Funds (1998 Bond Funds) ($66,996,164.00) and Flood Protection and Storm Drainage Facilities Fund (2006 Bond Funds) ($2,018,836.00)

BACKGROUND

The U.S. Army Corps of Engineers (Corps) has three distinct phases of project work that are required in order to complete the Dallas Floodway Project. The City of Dallas has been coordinating with the Corps to assist in their efforts completing Environmental Impact Statements and other approval processes related to the Balanced Vision Plan and Interior Drainage Plans for the Trinity River, as adopted by City Council. The planning, permitting and approval phases for these projects are complete. The remaining phase for the project is the planning, design and construction phase, which is addressed through the Project Partnership Agreement (PPA). The PPA requires that the City provide the required cost share of 35% for improvements.

The Water Resources Development Act of 2007 authorized the Dallas Floodway Project. This project has completed the regulatory process and was issued a Record of Decision in 2015 authorizing federal cost share projects as well as local cost share projects consistent with the Interior Drainage Plans and Balanced Vision Plan, approved by City Council. The United States Congress passed the Bi-Partisan Budget Bill, Public Law 115-123 (PL 115-123), which included an unprecedented approach to funding all flood risk management projects for the Modified Dallas Floodway Project. This expedites delivery of critical infrastructure that reduces flood risks and protects residents and businesses along the Dallas Floodway Levee System. Included in these improvements are the restoration of the flow of water contained in the Dallas Floodway Levee System at 277,000 cubic feet

per second, removal of the Atchison, Topeka & Santa Fe Railway Bridge, pumps stations and sump improvements including: the Trinity Portland Pump Station, Delta Pump Station Rehabilitation, Charlie Pump Station, Hampton Pump Station and Nobles Branch Sump Improvements.

At this time, the Corps is requesting the City of Dallas to enter into a PPA for the funded improvements in the PL 115-123. If the City does not enter into this agreement, the projects will not be completed, and funding will be re-allocated to other Corps flood risk management projects across the United States. Funding for the required 35% match and associated real estate needs has been identified from the 1998 Bond Program Proposition 11 and 2006 Bond Program Proposition 2 in an amount not to exceed $69,015,000.00. This funding was authorized for improvements associated with the Balanced Vision Plan and Interior Drainage Plans, consistent with the Record of Decision by Corps for the Dallas Floodway and the Dallas Floodway Extension Projects.

The PPA has identified the project cost at $260,900,000.00. The total cost share for the city, including credits, betterments and real estate is $69,015,000.00. The federal cost share is 65% and the City is required to cost share 35% of the $222,900,000.00 allocated through supplemental funding for the federal project. The City is required to fund the betterment currently estimated at $38,000,000.00. The current credits against the City's cost share are $47,000,000.00 for work in kind to date, and an estimated $16,672,250.00 for real estate and relocations. The estimated costs to be allocated to the Corps is an amount not to exceed of $52,342,750.00. The remaining project costs will be expended on real estate and relocations. Future actions will be brought to the City Council for consideration.

This unprecedented funding and approach to construction advances the flood risk management by decades and ensures that the City will not be faced with advancing the costs associated at 100 percent local costs in the future while awaiting traditional Corps' procedures for financing, design and construction of flood risk management projects. The Corps will undertake these design and construction efforts and City staff will provide support to ensure adherence to local regulations. All work is scheduled to be complete no later than December 2024.

ESTIMATED SCHEDULE OF PROJECT

Begin Corps' Design of Flood Risk Management Projects	May 2019
Complete Corps' Construction of Flood Risk Management Projects	December 2024

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 20, 1990, City Council authorized an Interlocal Agreement for local participation and cost sharing with the Corps by Resolution No. 90-0225.

On June 12, 1996, City Council authorized Supplemental Agreement No. 1 with the North Central Texas Council of Governments and City funds ($1,252,500.00) for Dallas Floodway and Elm Fork detailed study as part of the Upper Trinity River Feasibility Study by Resolution No. 96-2007.

On August 25, 1999, City Council adopted the Trinity River Corridor Project Master Implementation Plan for recreational amenities and lake design located within the existing Dallas Floodway, and recreational amenities and land acquisitions for the Great Trinity Forest to be located along the Trinity River corridor from the downstream end of the exiting Dallas Floodway to the vicinity of IH-20 in southern Dallas, which supersedes the Trinity Park Development Master Plan by Resolution No. 99-2623.

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On December 8, 2003, City Council authorized acceptance of the “Balanced Vision Plan” for the Trinity River Corridor Project to be included as a supplement to the Master Implementation Plan to guide future planning of the project by Resolution No. 03-3391.

On November 10, 2004, City Council authorized Supplemental Agreement No. 2 to the Trinity River Corridor Interlocal Agreement with the North Central Texas Council of Governments to continue the ongoing U.S. Army Corps of Engineers study of the Dallas Floodway and Supplemental Agreement No. 1 to the contract with Camp Dresser & McKee, Inc. to provide additional lake water quality, hydraulic, and digital terrain modeling for the Dallas Floodway lakes in support of the ongoing U.S. Army Corps of Engineers study of the Dallas Floodway by Resolution No. 04-3165.

On June 10, 2009, City Council authorized Supplemental Agreement No. 3 to the Interlocal Agreement with the North Central Texas Council of Governments to continue the ongoing U.S. Army Corps of Engineers (Corps) study of the Dallas Floodway for the Trinity River Corridor Project which increased the City of Dallas' project costs in the amount of $1,797,000.00, from $2,322,500.00 to $4,119,500.00 and rescinding the agreement with the U.S. Army Corps of Engineers, previously approved by Council on February 25, 2009, by Resolution No. 09-1500.

City Council was briefed on US Army Corps of Engineers Periodic Inspection #9 Report Update on June 3, 2009.

The Transportation & Trinity River Corridor Committee was briefed on the Update on Dallas Floodway Environmental Impact Statement on April 28, 2014.

The Transportation & Trinity River Corridor Committee was briefed on the Update on the Dallas Floodway on June 23, 2014.

The Transportation & Trinity River Corridor Committee was briefed on the Update on the Dallas Floodway on August 25, 2014.

On August 12, 2015, City Council directed reprogramming of $47,700,000.00 of 1998 Bond Proposition 11 funds from the remaining Trinity Lakes and Trinity Parkway project funding and not currently encumbered to other flood control projects related to the Trinity River Corridor as approved by the bond election by Resolution No. 15-1486.

The Transportation & Trinity River Corridor Committee was briefed on the Trinity River Corridor Project, Dallas Floodway and Dallas Floodway Extension Project Update on April 25, 2016.

The Transportation & Trinity River Corridor Committee was briefed on the Dallas Floodway Risk Addendum on August 8, 2016.

The Transportation & Trinity River Corridor Committee was briefed on the Update on the Dallas Floodway Risk Addendum on August 15, 2016.

The Mobility Solutions, Infrastructure & Sustainability Committee was briefed on the Update on the Dallas Floodway on February 12, 2016.

On August 9, 2017, City Council authorized the establishment of the Trinity River Corridor Local Government Corporation (the "Corporation"), for the purpose of the development of recreational areas in the Dallas Floodway (the "Project"); approval of the Corporation's Certificate of Formation and Bylaws; appointment of the Corporation's initial Board of Directors; and the City Manager to negotiate and enter into a Master Development and Use Agreement with the Corporation subject to the Term Sheet by Resolution No. 17-1233.

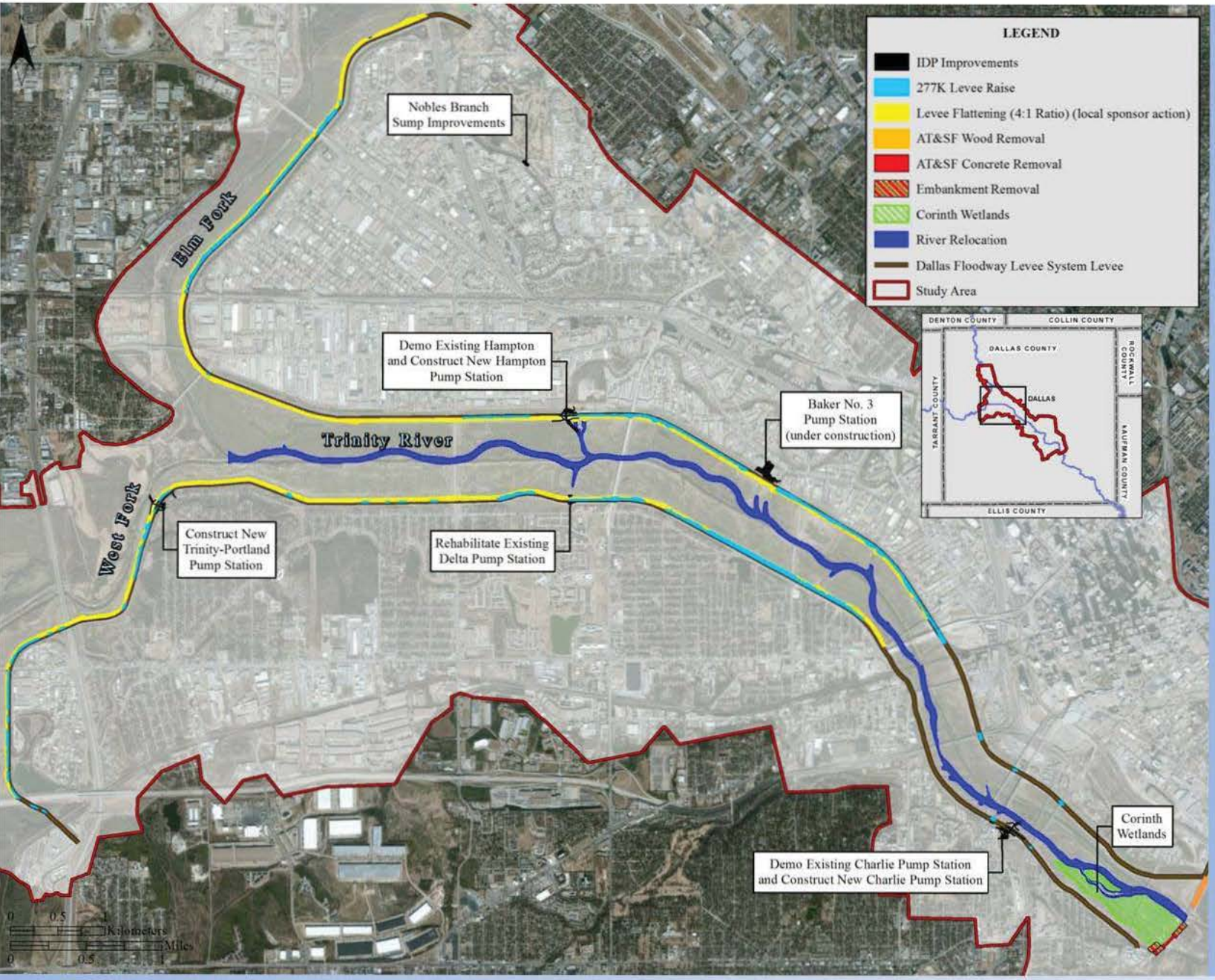
On April 22, 2019, the Mobility Solutions, Infrastructure & Sustainability Committee was briefed on the Supplemental Appropriation in the Bipartisan Budget Act of 2018 (Public Law 115-123).

FISCAL INFORMATION

Trinity River Corridor Project Funds (1998 Bond Funds) - $66,996,164.00
Flood Protection and Storm Drainage Facilities Fund (2006 Bond Funds) - $2,018,836.00

MAP

Attached



Flood Risk Management

- 277,000 cfs levee raise with AT&SF Bridge Modifications
- Emergency Action Plan improvements
- Levee side slope flattening to 4H:1V (Betterment @ 100% local cost)
- Interior Drainage Plan Phase I - Baker and Hampton Pump Stations; Nobles Branch Sump Improvements
- Interior Drainage Plan Phase II - Charlie, Delta, New Trinity Portland Pump Stations

Ecosystem Restoration

- River Relocation (add meanders to approx. 8 miles of the Trinity River in the Floodway)
- Approx. 80 acre wetland in Floodway

THE TRINITY DALLAS

U.S. ARMY CORPS OF ENGINEERS PACESETTER SOUTHWESTERN DIVISION

MODIFIED DALLAS FLOODWAY PROJECT - REFERENCE MAP AND RECOMMENDED PLAN

WHEREAS, the 1998 General Obligation Bond Program authorized funding to implement flood control, lake development, environmental, transportation, and recreation projects within the Dallas Floodway; and

WHEREAS, on December 8, 2003, City Council adopted the Balanced Vision Plan by Resolution No. 03-3391 and amended the Balanced Vision Plan on April 14, 2004 by Resolution No. 04-1252; and

WHEREAS, Congress authorized the U.S. Army Corps of Engineers to construct the Dallas Floodway Project, including associated interior drainage improvements adjacent to the Dallas Floodway levees consistent with the Balanced Vision Plan for the Trinity River Corridor Project in November 2007 with the Water Resources Development Act (WRDA) 2007: Section 5141; and

WHEREAS, the U.S. Army Corps of Engineers issued a Record of Decision for the Modified Dallas Floodway Project in 2015 which approved the City's plans from the Balanced Vision Plan and Interior Drainage Plans and outlined the cost share components; and

WHEREAS, the Modified Dallas Floodway Project received appropriations of $223,000,000.00 in the Bi-Partisan Budget Act of 2018 (Public Law 115-123) to advance all flood risk management projects in the approved Record of Decision; and

WHEREAS, it is now desirable to enter into a Project Partnership Agreement (PPA) for the Flood Risk Management component of the Modified Dallas Floodway Project with the U.S. Army Corps of Engineers to cost share the upcoming construction of levee and interior drainage improvements for the City of Dallas (as described by WRDA 2007, Section 5141 and the subsequent 2015 Record of Decision); and

WHEREAS, if the City does not enter into this agreement, the projects will not be completed, and funding will be re-allocated to other U.S. Army Corps of Engineers flood risk management projects across the United States; and

WHEREAS, the overall cost of the PPA for flood risk management is estimated at $260,900,000.00 of which, the federal project is $222,900,000.00 with the Corps being responsible for 65% and the City of Dallas responsible for 35% in addition to betterments for levee safety; and

WHEREAS, the City has received credits in the amount currently estimated at $47,000,000.00 from prior work during planning, design and approval phases which will apply to the overall cost of the City's share in the PPA and may increase as additional crediting is reviewed; and

WHEREAS, the City of Dallas is programming all remaining unexpended bond funds for the Trinity River Corridor, included in the 1998 Bond Proposition 11 and subsequent 2006 Bond Propositions for flood risk management projects along the Trinity River levees and interior drainage to meet the required matching funds to support the flood risk management projects; and

WHEREAS, the City of Dallas has the ability to expense its share of funds given the unprecedented funding of the total costs of all flood risk management projects included in the Modified Dallas Floodway Project under the Bi-Partisan Budget Act of 2018 (Public Law 115-123); and

WHEREAS, the City of Dallas desires to move forward with these critical public safety improvements for residents and businesses along the Dallas Levee System and Interior Drainage areas along the East and West Levees.

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 Project Partnership Agreement (PPA) with the U.S. Army Corps of Engineers, approved as to form by the City Attorney, in an amount not to exceed $260,900,000.00 for flood risk management projects included in the Bi-Partisan Budget Act of 2018 (Public Law 115-123) with the City of Dallas cost participating, in an amount not to exceed $69,015,000.00.

SECTION 2. That the City Manager is hereby authorized to reprogram funds from the 1998 Bond Program Proposition 11 and 2006 Bond Program Proposition 2 originally intended for projects associated with the Balanced Vision Plan and Interior Drainage Plans, consistent with the U.S. Army Corps of Engineers Record of Decision for the Dallas Floodway for real estate, design and construction, in an amount not to exceed $69,015,000.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the PPA with the U.S. Army Corps of Engineers from re-programmed 1998 Bond Funds and 2006 Bond Funds for the Dallas Floodway and Dallas Floodway Extension Projects, consistent with the Balanced Vision Plan, Interior Drainage Plans, and Record of Decision by the U.S. Army Corps of Engineers to facilitate implementation of the project currently estimated at $52,342,750.00 for planning, design and construction:

SECTION 3. (continued)

Trinity River Corridor Project Fund Fund 0P14, Department DWU, Unit W245, Activity TRPP Object 4599, Program PB98W245 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 2,843,665.00
Trinity River Corridor Project Fund Fund 2P14, Department DWU, Unit W245, Activity TRPP Object 4599, Program PB98W245 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$17,812,508.00
Trinity River Corridor Project Fund Fund 3P14, Department DWU, Unit W245, Activity TRPP Object 4599, Program PB98W245 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 32,164.00
Trinity River Corridor Project Fund Fund 4P14, Department DWU, Unit W245, Activity TRPP Object 4599, Program PB98W245 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 633,550.00
Trinity River Corridor Project Fund Fund 5P14, Department DWU, Unit W245, Activity TRPP Object 4599, Program PB98W245 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 448,030.00
Trinity River Corridor Project Fund Fund 6P14, Department DWU, Unit W245, Activity TRPP Object 4599, Program PB98W245 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$13,655,357.00
Trinity River Corridor Project Fund Fund 8P14, Department DWU, Unit W245, Activity TRPP Object 4599, Program PB98W245 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 2,726.00

SECTION 3. (continued)

Trinity River Corridor Project Fund Fund AP14, Department DWU, Unit W245, Activity TRPP Object 4599, Program PB98W245 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$12,272,000.00
Trinity River Corridor Project Fund Fund 0P14, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 870,975.00
Trinity River Corridor Project Fund Fund 1P14, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 2,815.00
Trinity River Corridor Project Fund Fund 2P14, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 60,016.00
Trinity River Corridor Project Fund Fund 3P14, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 194,801.00
Trinity River Corridor Project Fund Fund 4P14, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 442,772.00
Trinity River Corridor Project Fund Fund 5P14, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 4,106,810.00

SECTION 3. (continued)

Trinity River Corridor Project Fund Fund 6P14, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$10,126,029.00
Trinity River Corridor Project Fund Fund 8P14, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 890,448.00
Trinity River Corridor Project Fund Fund 9P14, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 2,014,638.00
Trinity River Corridor Project Fund Fund DP14, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 25,000.00
Trinity River Corridor Project Fund Fund TP14, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 561,860.00
Flood Protection and Storm Drainage Facilities Fund Fund 7T23, Department DWU, Unit W397, Activity TRPP Object 4599, Program PB98W397 Encumbrance/Contract No. CX-DWU-2019-00010160 Vendor 352290	$ 2,018,836.00
Total amount not to exceed	$69,015,000.00

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

Agenda Information Sheet

File #: 19-589 **Item #:** 24.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 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 **(1)** an ordinance granting an MU-3 Mixed Use District; and **(2)** an ordinance granting a Specific Use Permit for a commercial amusement (outside) use on a portion on property zoned an IR Industrial Research District, west of East Technology Boulevard, north of Connector Drive
Recommendation of Staff and CPC: Approval of an MU-3 Mixed Use District and approval of a Specific Use Permit for a commercial amusement (outside) use on a portion for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z178-240(SM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 8, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z178-240(SM) **DATE FILED:** April 17, 2018

LOCATION: West of East Technology Boulevard, north of Connector Drive

COUNCIL DISTRICT: 6 **MAPSCO:** 22 Z

SIZE OF REQUEST: Approx. 1.903 acres **CENSUS TRACT:** 99.00

APPLICANT/OWNER: MDF Global Asset Management, LLC and Thirdcoast Trading Corporation

REPRESENTATIVE: Brad Williams, Winstead PC

REQUEST: An application for **(1)** an MU-3 Mixed Use District; and **(2)** a Specific Use Permit for a commercial amusement (outside) use on a portion on property zoned an IR Industrial Research District.

SUMMARY: The purpose of the request is to continue the operation of Gas Monkey Bar N' Grill which currently operates with a restaurant Certificate of Occupancy on 1.97 acres within the 2.67-acre area of request. A commercial amusement (outside) use is prohibited in the current zoning district (Industrial Research IR District) and the application does not include further changes to the existing property.

CPC RECOMMENDATION: **Approval** of an MU-3 Mixed Use District and **approval** of a Specific Use Permit for a commercial amusement (outside) use on a portion for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** of an MU-3 Mixed Use District and **approval** of a Specific Use Permit for a commercial amusement (outside) use on a portion for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- Aerial photography from 1989 shows the site was undeveloped except for the presence of the uncovered concrete landing, labeled in the proposed site plan as "patio" in the northeast corner of the subject site that overlooks the abutting body of water.

- On January 13, 2000, construction of a 7,949-square-foot restaurant for Logan's Roadhouse was completed for the existing structure on the subject site.

- On October 24, 2002, a permit was completed for an interior remodel and addition for a restaurant use to construct the outdoor wood deck and stage with a thatched roof for Sam's Boat.

- On September 10, 2004, a permit was completed for an interior remodel and additions to add restrooms, a bar/storage area on a new concrete patio south of the existing wood deck, and to rebuild and enlarge the 682-square-foot outdoor stage and cover with a permanent roof material for Fire Water Bar & Grill.

- On May 6, 2008, a permit was issued to construct a second-story balcony to expand the outdoor entertainment area which faces the existing stage.

- The existing occupant, Gas Monkey Bar 'N Grill obtained a certificate of occupancy on April 3, 2013, for a restaurant without drive-in service.

- On September 18, 2018, the Board of Adjustment did not consider an appeal (BDA178-054) of the Chief Planner's land use determination letter that the site was a commercial amusement (outside) use[1] because the determination letter was not considered a decision made in the enforcement of the zoning ordinance of the city[2] and was therefore not appealable.

Zoning History: There has been no recent zoning change requested in the area in the last five years.

Thoroughfares/Streets:

Thoroughfares/Street	Function	ROW
Technology Boulevard East	Local	90 feet

[1] A commercial amusement (outside) use is defined as, "A facility offering entertainment or games of skill to the general public for a fee where any portion of the activity takes place outside. This includes but is not limited to a golf driving range or miniature golf course." Reference Section 51A-4.210 (b)(8)(A) of the Dallas Development Code.
[2] Reference Section 51A-3.102(d)(1) of the Dallas Development Code.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed zoning and determined it will not have a negative impact on the existing street system.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The 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 1.1.1 Implement the Trinity River Corridor 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.

GOAL 2.4 Create and maintain an environment friendly to businesses and entrepreneurs

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Area Plan:

On March 9, 2005, City Council approved the *Trinity River Corridor Comprehensive Land Use Plan*. On December 9, 2009, City Council adopted a revision to the Plan. The Plan identifies the area of request within the Elm Fork District which is bound by the Royal Lane on the north, the DART Green light rail line on the east, and the Elm Fork of the Trinity River to the south and west. The Plan envisions multiple uses, including residential, office, retail and lodging in this area north of the Elm Fork greenbelt and between Loop 12 Storey Road.

STAFF ANALYSIS

Surrounding Land Uses:

	Zoning	Land Use
Site	IR	Restaurant
Northwest	MU-3	Dance hall
Northeast	MU-3	Restaurant
South	IR	Cell tower, Undeveloped, Restaurant
West	IR	Undeveloped
Southwest	IR	Hotel

Land Use Compatibility:

The overall site is comprised of two properties, which combined total approximately 2.67 acres of land. The purpose of this request is to 1) change the zoning of the entire 2.67-acre area of request to a MU-3 Mixed Use District, which a allows commercial amusement (outside) use with a Specific Use Permit (SUP) and 2) to obtain an SUP on the portion of land that is occupied with a commercial amusement (outside) use so that the existing operator of the Gas Monkey Bar 'N Grill can obtain a Certificate of Occupancy for a commercial amusement (outside) for the use of the outdoor stage and entertainment for a portion of the area of request. The existing stage crosses the property line with the adjacent body of water and therefore, the request includes the adjacent property.

Surrounding uses include an abutting dancehall to the northwest; restaurants are located to the northeast, across Technology Boulevard East; undeveloped property and a cell tower separate the subject site from a restaurant to the south; undeveloped property abuts the site to the west; and a hotel was recently constructed farther to the southwest.

Staff supports the applicant's request for an MU-3 Mixed Use District because 1) the Trinity River Corridor Comprehensive Land Use Plan envisioned a mixed use district in this area and vicinity; 2) the site abuts another MU-3 Mixed Use District to the north; and 3) because some incompatible industrial and commercial uses that are allowed in the existing zoning district would be prohibited with the zoning change.

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 commercial amusement (outside) use is considered compatible with the surrounding uses because 1) the site has remained in the existing configuration for approximately 10 years, 2) the proposed site plan establishes the space with which the outdoor entertainment may operate, and 3) because the approval period and renewal periods will allow staff to ensure the site is operating within the scope of the approved SUP ordinance.

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. For a commercial amusement (outside) use, the minimum parking requirement pursuant to the Dallas Development Code may be established by the ordinance granting the SUP, otherwise one space per 200 square feet of floor area, plus one space per 400 square feet of site area exclusive of parking area is required. The subject site also contains a restaurant use which requires one space for each 100 square feet of floor area.

Therefore, Dallas Development Code requires 107 spaces for the 10,737-square foot restaurant use and 20 spaces are required for the 8,008-square feet of site area for the commercial amusement (outside) use. Therefore, the cumulative parking requirement of both uses on the site would be 127 spaces. The applicant proposes to continue to provide 142 spaces for the entire site

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 MVA cluster, the nearest MVA cluster is located to the southwest and is identified as an "E" MVA cluster.

CPC Action
April 4, 2019

Motion: It was moved to recommend **approval** of (1) an MU-3 Mixed Use District; and (2) **approval** of a Specific Use Permit for a commercial amusement (outside) use on a portion for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an IR Industrial Research District, west of East Technology Boulevard, north of Connector Drive.

Maker: Schulte
Second: Carpenter
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: 300 Mailed: 15
Replies: For: 0 Against: 0

Speakers: None

LIST OF OFFICERS

MDF Global Asset Management LLC

Dan Flaherty, Manager

Mike Flaherty, Manager

Chris Flaherty, Manager

Jason McCann, Manager

Thirdcoast Trading Corporation

Dorothy Confer, Secretary

William Hanks, CEO

William Sims, CFO

CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is a commercial amusement (outside).

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on [five years from the passage of this ordinance], but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

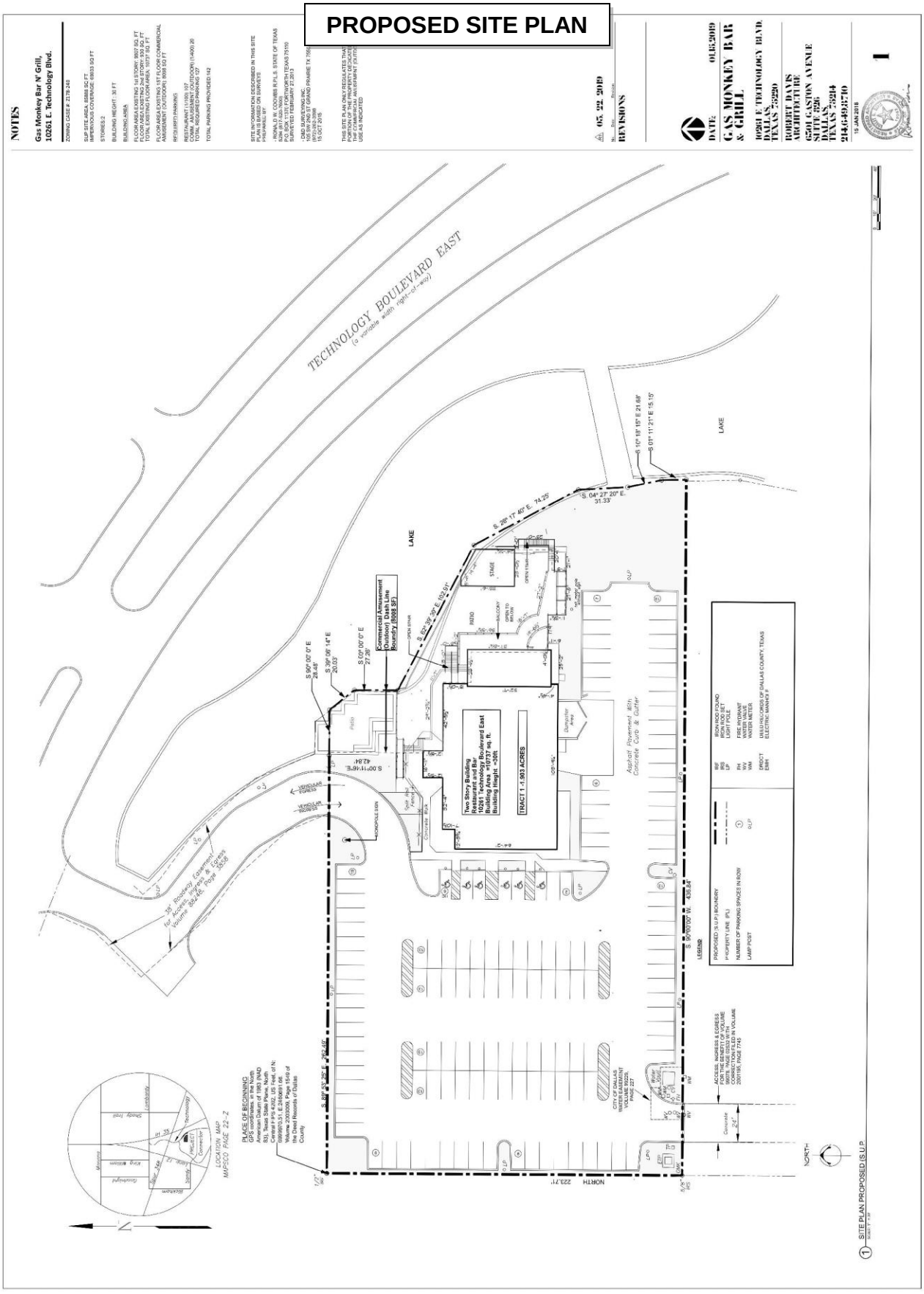
4. AREAS: The maximum combined site area and floor area for a commercial amusement (outside) use is 8,008 square feet.

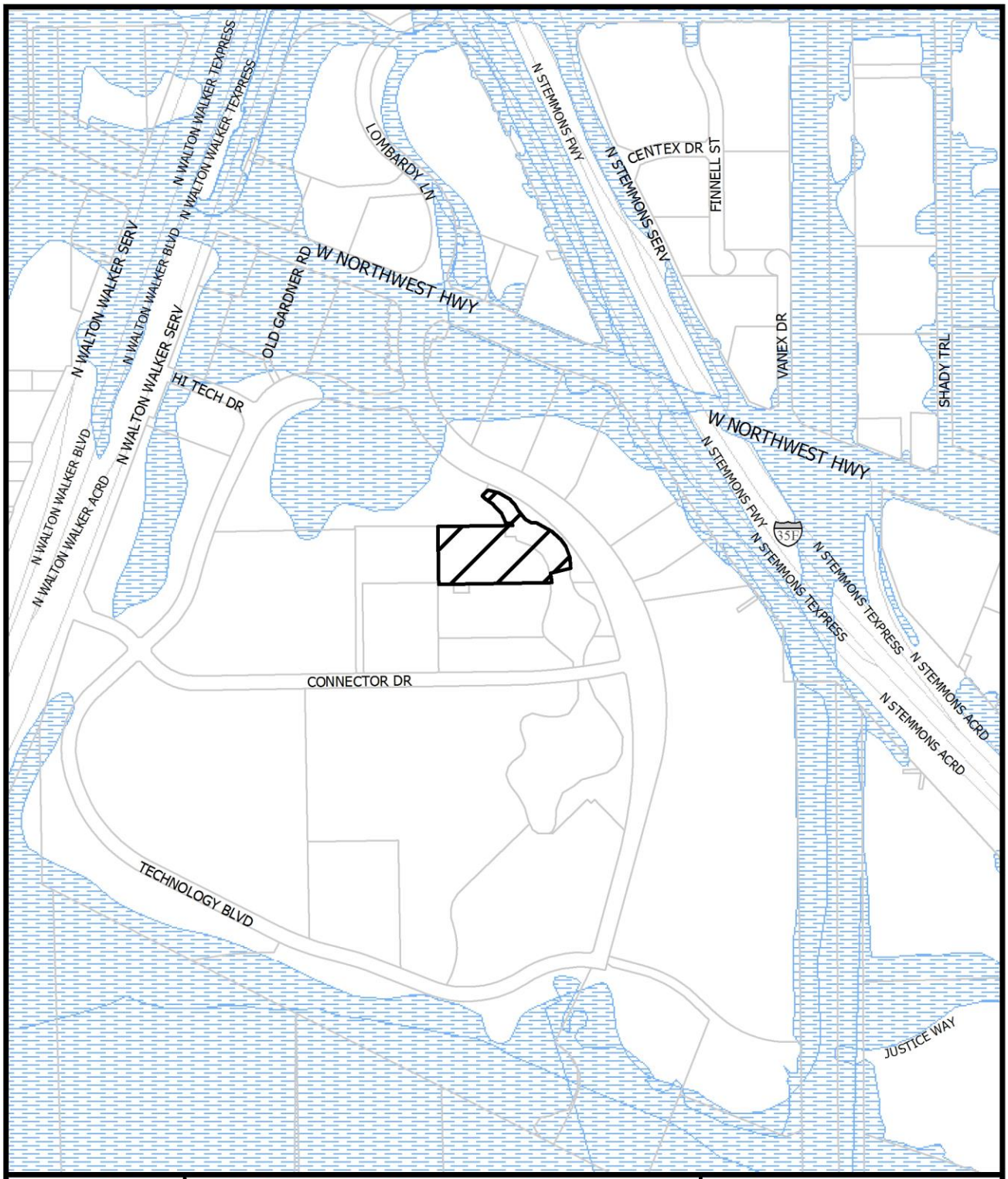
5. PARKING: Of the 142 parking spaces shown on the attached site plan, 20 spaces must serve as the required parking for a commercial amusement (outside).

6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



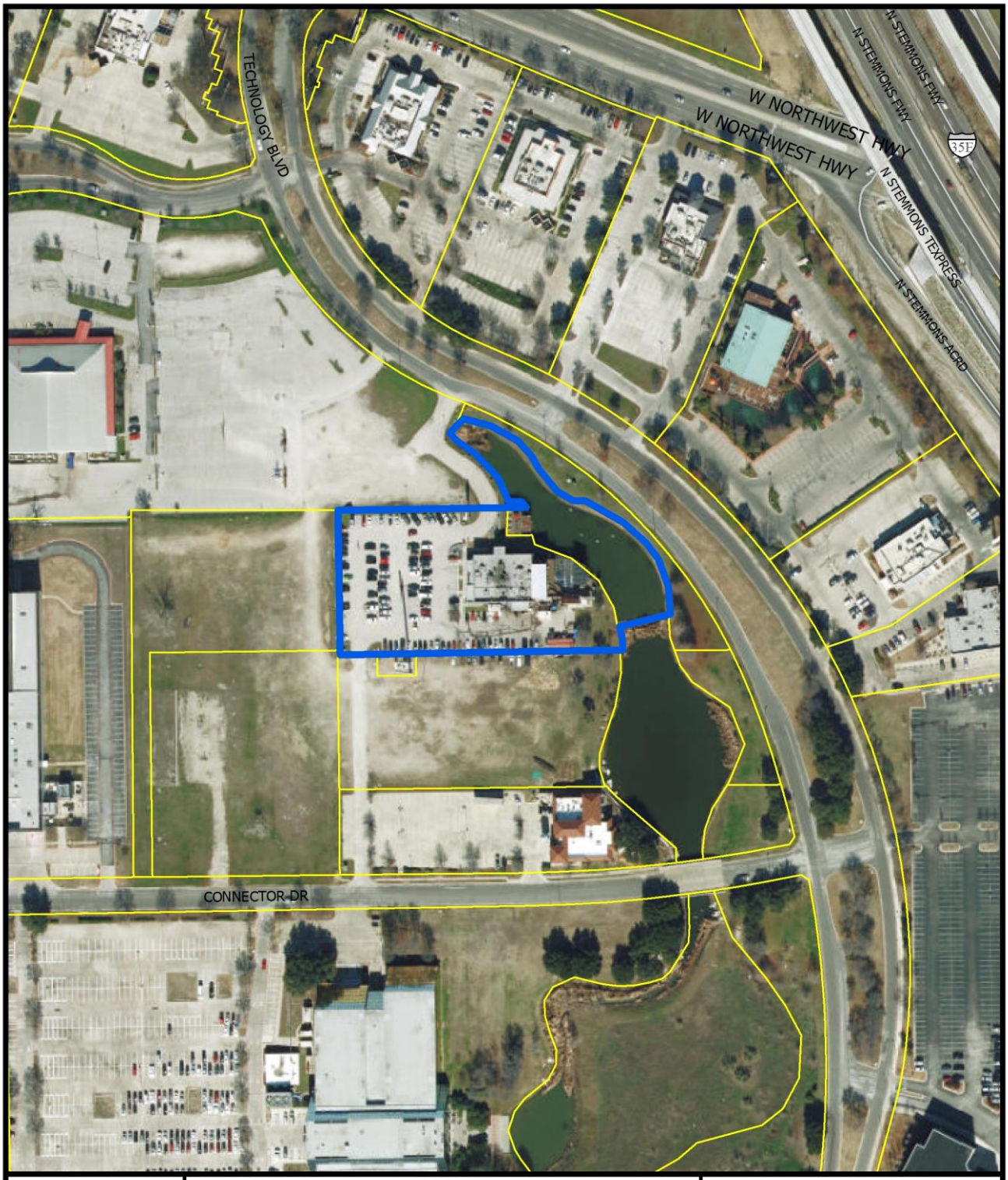


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VICINITY MAP

Case no: Z178-240

Date: 3/11/2019

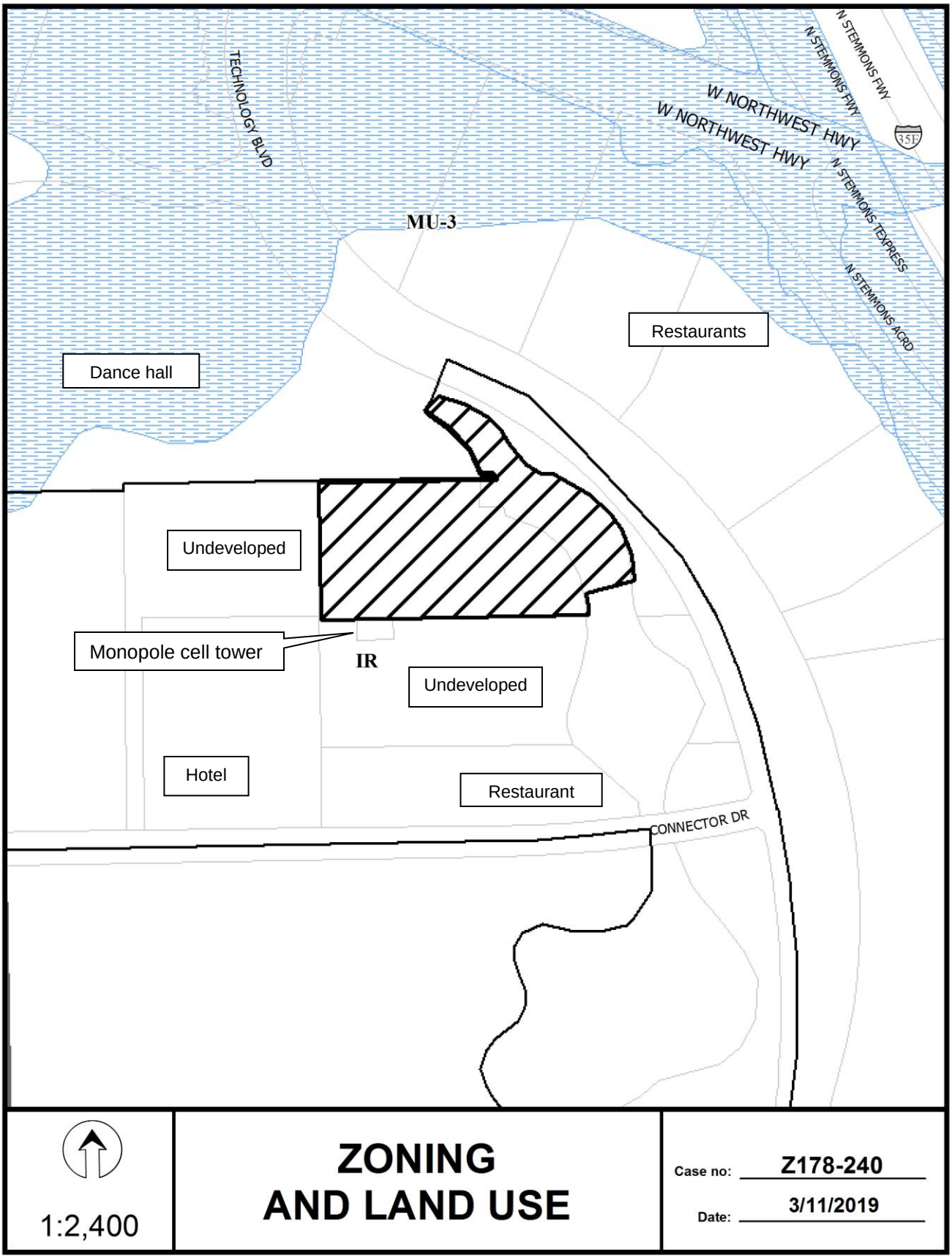


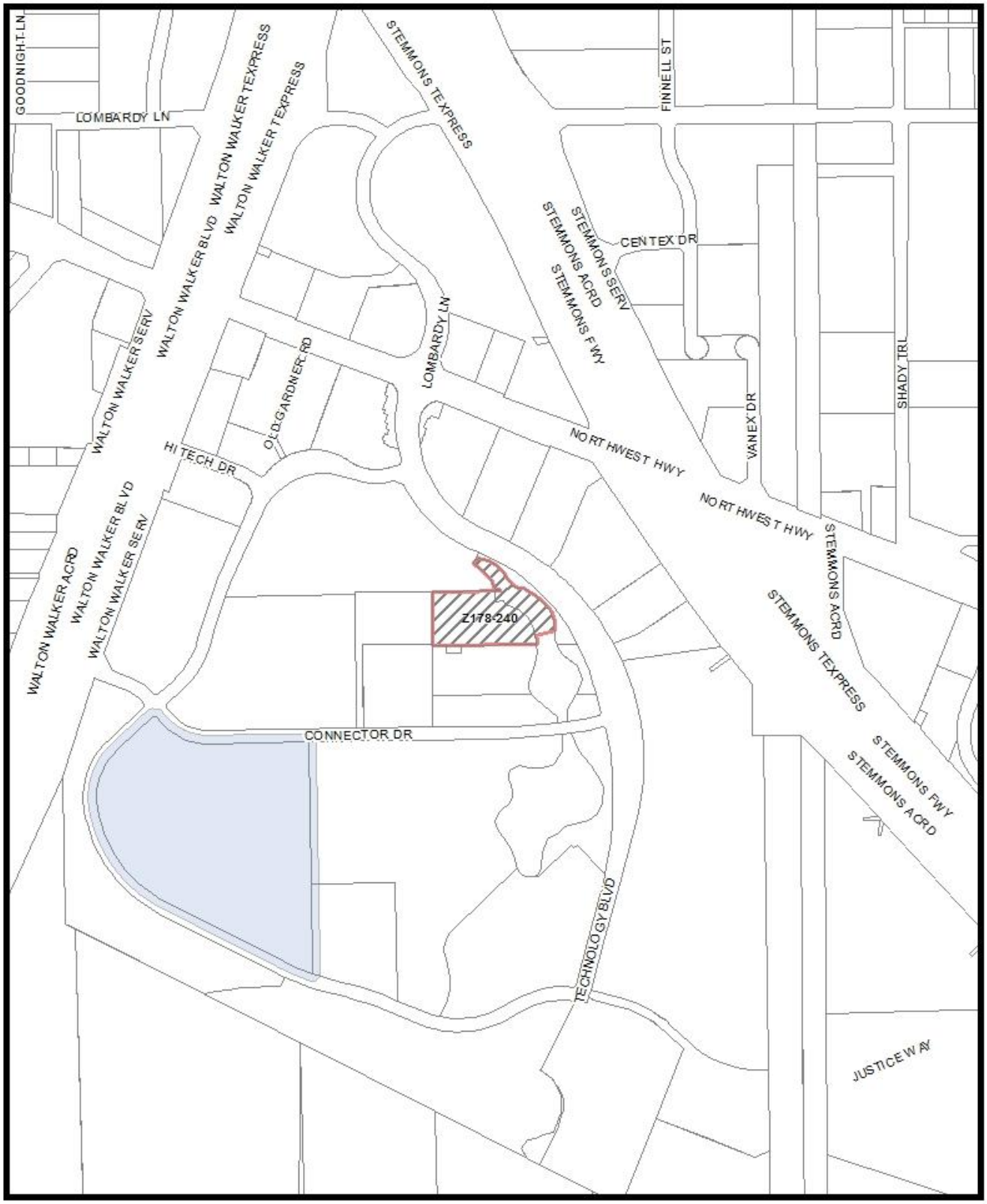
1:2,400

AERIAL MAP

Case no: Z178-240

Date: 3/11/2019


TECHNOLOGY BLVD
N STEMMONS FWY
W NORTHWEST HWY
W NORTHWEST HWY
N STEMMONS EXPRESS
N STEMMONS ACRD
35E
MU-3
Restaurants
Dance hall
Undeveloped
Monopole cell tower
IR
Undeveloped
Hotel
Restaurant
CONNECTOR DR
1:2,400
ZONING
AND LAND USE
Case no: Z178-240
Date: 3/11/2019


GOODNIGHT LN
LOMBARDY LN
WALTON WALKER BLVD
WALTON WALKER TEXPRESS
WALTON WALKER TEXPRESS
STEMMONS TEXPRESS
FINNELL ST
STEMMONS SERV
STEMMONS ACRD
STEMMONS FWY
CENTEX DR
WALTON WALKER SERV
WALTON WALKER SERV
OLD GARDNER RD
LOMBARDY LN
VANEX DR
SHADY TRL
HI TECH DR
NORTHWEST HWY
NORTHWEST HWY
STEMMONS ACRD
WALTON WALKER ACRD
WALTON WALKER BLVD
WALTON WALKER SERV
Z178-240
STEMMONS TEXPRESS
CONNECTOR DR
STEMMONS FWY
STEMMONS ACRD
TECHNOLOGY BLVD
JUSTICE WAY
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 3/8/2019


CPC Responses
NORTHWEST HWY
STEMMONS FWY
STEMMONS TEXPRESS
STEMMONS ACRD
TECHNOLOGY BLVD
CONNECTOR DR
6
7
4
5
8
3
2
11
14
15
12
9
9
1
13
10
10
15 Property Owners Notified (17 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
300' Area of Notification
4/4/2019 Date
Z178-240
CPC
N
W
E
S
1:2,400

04/03/2019

Reply List of Property Owners

Z178-240

15 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2200	CONNECTOR DR	THIRDCOAST TRADING
	2	10261	E TECHNOLOGY BLVD	MDF GLOBAL ASSET MGMT LLC
	3	10100	E TECHNOLOGY BLVD	UNITED STATES OF AMERICA
	4	2222	W NORTHWEST HWY	ROSEBRIAR STEMMONS L P
	5	10250	E TECHNOLOGY BLVD	ROSEBRIAR STEMMONS LP
	6	10290	E TECHNOLOGY BLVD	OLIVEIRA LOUIS R FAMILY TRUST
	7	10280	E TECHNOLOGY BLVD	FCPT SW PROPERTIES LLC
	8	10310	E TECHNOLOGY BLVD	DDRR LP
	9	2200	CONNECTOR DR	MDF GLOBAL ASSET MGMT LLC
	10	2225	CONNECTOR DR	1924 LUNAS & ASSOCIATES LLC
	11	2225	CONNECTOR DR	RED RIVER ENTERPRISES LLC
	12	2225	CONNECTOR DR	CONNELL DEVELOPMENT CO
	13	2225	CONNECTOR DR	BIJAL HOSPITALITY LLC
	14	10230	E TECHNOLOGY BLVD	RB 10230 TBE LP
	15	10220	E TECHNOLOGY BLVD	ROSEBRIAR STEMMONS 3 LP

Agenda Information Sheet

File #: 19-590 **Item #:** 25.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 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 a Planned Development District for IR Industrial Research District uses plus a community resource campus on property zoned an IR Industrial Research District, on the west side of North Stemmons Freeway, south of Regal Row and at the northeast corner of Empress Row and Viceroy Drive
Recommendation of Staff: Approval, subject to a conceptual plan and staff's recommended conditions
Recommendation of CPC: Approval, subject to a conceptual plan and conditions
Z178-121(JM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 8, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z178-121(JM) **DATE FILED:** November 1, 2017

LOCATION: West side of North Stemmons Freeway, south of Regal Row and at the northeast corner of Empress Row and Viceroy Drive

COUNCIL DISTRICT: 6 **MAPSCO:** 33 K

SIZE OF REQUEST: ±20.99 acres **CENSUS TRACT:** 100.00

APPLICANT: The Salvation Army

OWNER: The Rowling Foundation

REPRESENTATIVE: Karl Crawley, Masterplan
Angela Hunt, Munsch Hardt

REQUEST: An application for a Planned Development District for IR Industrial Research District uses plus a community resource campus on property zoned an IR Industrial Research District.

SUMMARY: The purpose of this request is to allow for the creation and operation of a community resource campus [Salvation Army] which is defined as a mixed-use development with the primary purpose of providing programs, resources, assistance and shelter to at-risk, pre-homeless, and homeless individuals. Some of the uses the campus will provide include: emergency and permanent supportive housing; overnight general purpose shelter; transitional housing; convalescent and nursing home, hospice care and related institutions; community service center; private recreation center; church; medical clinic; office; indoor animal shelters; technical school; child-care facility; and, warehouse.

CPC RECOMMENDATION: **Approval**, subject to a conceptual plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a conceptual plan and staff's recommended conditions.

BACKGROUND INFORMATION:

- The request site contains over 20 acres of vacant land currently zoned for IR Industrial Research District uses along the west side of North Stemmons Freeway, south of Regal Row.

- The proposed PD for IR District uses creates a community resource campus which is defined as a mixed-use development with the primary purpose of providing programs, resources, assistance and shelter to at-risk, pre-homeless, and homeless individuals. Some of the uses the campus will provide include: emergency and permanent supportive housing; overnight general purpose shelter; transitional housing; convalescent and nursing home, hospice care and related institutions; community service center; private recreation center; church; medical clinic; office; indoor animal shelters; technical school; child-care facility; and, warehouse.

- The community resource campus more specifically requires a minimum of two of the following:

    - Permanent supportive housing as defined by the PD;
    - Overnight general purpose shelter. The spacing requirements in Section 51A-4.205 2(2.1)(E) do not apply;
    - Transitional housing as defined by the PD;
    - Convalescent and nursing home, hospice care and related institutions; or,
    - A dining facility as defined by the PD.

- Maximum overnight guests in association with a community resource campus including transitional housing, convalescent and nursing home, hospice care and related institutions, and overnight general purpose shelters is 600, except during Extreme Weather Conditions or Declared Emergencies, as defined in the PD.

Zoning History: There has been one zoning case in the area over the past five years.

1. **Z145-223:** On June 1, 2015, the City Council denied an application for a Specific Use Permit for an alternative financial establishment on property zoned an MU-3 Mixed Use District, located on the east side of North Stemmons Freeway (I-35), north of Empire Central Drive.

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.

An additional provision in the proposed PD language requires that the conceptual plan for a community resource campus must include a deceleration lane for the main

access/driveway on Stemmons Freeway southbound frontage road pending review and approval by the Texas Department of Transportation. The southern driveway on Empress Row must also be aligned with Titan Drive. These requests have been met and will be required at permitting.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
N. Stemmons Freeway	Principal Arterial	Variable	Variable
Viceroy Drive	Local	60 feet	60 feet
Empress Row	Local	60 feet	60 feet

Surrounding Land Uses:

	Zoning	Land Use
Site	IR	Undeveloped
North	IR, MU-3	Retail, office, financial institution, restaurant w/drive-through, undeveloped
East	MU-3	Office and personal service
South	IR, MU-3	Hotel, office, office showroom/warehouse, light manufacturing (inside)
West	IR	Retail and personal service, commercial printing

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 applicant's request generally complies with the following goals and policies of the Comprehensive Plan.

NEIGHBORHOOD PLUS PLAN

GOAL 2.1 Increase the earning capacity of low wage earners.
GOAL 2.2 Expand workforce training programs.
GOAL 2.5 Facilitate integration of homeless population back into the workforce and society.

The proposed community resource campus will integrate a range of services and uses to assist at-risk, pre-homeless, and homeless individuals. The training and counseling services planned will facilitate the goals of the *Neighborhood Plus Plan.*

Land Use Compatibility:

Surrounding land uses include office, retail, financial institution, restaurant with drive-through, and undeveloped land to the north; office and personal service uses to the east; hotel, office, office showroom/warehouse, and light manufacturing (inside) to the south; and, retail and personal service and commercial printing uses to the west. According to City records, the site was previously developed with a 377,735 square-foot, one-story, office/showroom warehouse structure before being demolished in 2007. The subject site has remained undeveloped since.

The proposed development will maintain the IR Industrial Research District development standards while adding and defining a community resource campus to include a minimum of two of the following uses: permanent supportive housing, as defined; overnight general purpose shelter; transitional housing, as defined; convalescent and nursing home, hospice care and related institutions; and dining facility, as defined.

Permanent Supportive Housing: This use is not currently defined in the Dallas Development Code. The proposed PD has defined the housing element for the project as a structure or group of structures with three or more dwelling units that are for persons transitioning out of homelessness into permanent housing with access to social services at a community resource campus. Permanent supportive housing at this campus will serve seniors, ages 55 and older, or veterans of the United States armed services. While this housing could be classified as a multifamily use, the applicant chose to further define the services being provided as specifically qualified to veterans and retirement-age individuals. The maximum number of dwelling units is 100 and are limited to efficiencies or one-bedroom units.

Overnight General Purpose Shelter: An emergency lodging facility (as opposed to a residential or medical treatment facility) that provides room and board to more than four persons who are not related by blood, marriage, or adoption to the head of the household or the owner or operator of the facility, and that negotiates sleeping arrangements on a daily basis, whether or not the facility is operated for profit or charges for the services it offers.

The Dallas Development Code requires that an overnight general purpose shelter must be spaced at least 1,000 feet away from a church; a public or private elementary or secondary school; any residential use listed in Section 51A-4.209 except a "college dormitory, fraternity, or sorority house," and including group residential facility; any residential district, historic overlay district, or public park; and, any other overnight general purpose shelter. While no Certificates of Occupancy were found for a church in the adjoining properties, and there are no known schools, residential uses, historic overlays, public parks, or other shelters nearby, the applicant has chosen to eliminate this spacing requirement in the proposed PD.

Additionally, the applicant has proposed to allow the use by right, whereas an SUP would typically be required for this use in the IR District. This requirement has been removed. Finally, the use must be located within one-half mile of public transit. According to the conceptual plan and discussions with the representative for the case and our Engineering Division, a DART bus stop is being added within the boundaries of the site to service the population of the community resource campus.

Transitional housing: An interim or permanent residential facility that provides room and board to individuals or families transitioning from homelessness to long-term housing. This use is similar to a group residential facility, except that with a group facility, the service population is a group of persons who are not a "family," whether or not the facility is operated for profit or charges for the services it offers. The proposed transitional housing use as defined by the PD is modeled directly after the group residential facility. The group residential facility use is not allowed in an IR District. The Dallas Development Code requires that group residential facilities be spaced 1,000 feet away from other group residential facilities. The proposed PD will allow the use with no spacing requirements.

Convalescent and nursing home, hospice care and related institutions: This use includes both **(1)** an establishment which furnishes (in single or multiple facilities) food and shelter to five or more persons who are not related by blood, marriage, or adoption to the owner or proprietor of the establishment and, in addition, provides minor treatment under the direction and supervision of a physician, or services which meet some need beyond the basic provision of food, shelter, and laundry; and, **(2)** an establishment conducted by or for the adherence of any well-recognized church or religious denomination for the purpose of providing facilities for the care or treatment of the sick who depend exclusively upon prayer or spiritual means for healing, without the use of any drug or material remedy, provided safety, sanitary, and quarantine laws and regulations are complied with. This use is not allowed in an IR District.

Finally, the total number of beds for all overnight guests to include transitional housing, convalescent and nursing home, hospice care and related institutions, and overnight general purpose shelters is 600 per proposed conditions, except during Extreme Weather Conditions or Declared Emergencies. The Dallas Development Code maintains bed limits for group residential facilities and convalescent and nursing home, hospice care and related institutions based upon the existing zoning and total acreage

of the site. The IR District does not allow these two uses, but the least restrictive zoning district would allow 70 beds per acre. The site contains 20.99 acres and would be allowed to operate with up to 1,469 beds at minimum. The highest zoning classification is MF-4(A) and would allow 320 beds per acre for a total of 6,717 total beds between the two uses.

Extreme Weather Conditions means any day during which at any time the wind chill is below 32 degrees Fahrenheit or the heat index is more than 100 degrees Fahrenheit. *Declared Emergencies* means an event during which a government official has made an official declaration of emergency within, or for, the State of Texas or a contiguous state.

Dining facility: A facility for the preparation and service of food within a community resource campus. A dining facility may include kitchen facilities as well as dining and wash rooms. A dining facility is for use by clients, employees, and volunteers of the campus and is not open to the general public. This use is being defined to allow for the structure to stand alone on the property without being required to meet the standards of an accessory use, as required in Section 51A-4.217. Accessory uses are incidental to a main use and must encompass no more than five percent of the total floor area for the main use.

While the community resource campus must contain a minimum of two of the aforementioned residential or shelter uses, it may also encompass many more services already allowed in the IR District including a community service center, private recreation center, church, medical clinic, office, indoor animal shelters, technical school, child-care facility, and warehouse. All of these uses would serve the community resource campus residents and visitors as the rehabilitation portion of the campus. Specifically, residents and visitors could acquire medical and mental health care, form a community through church services, and maintain pets or practice new skill sets, while caring for their children. The office and warehouse components are solely to maintain the campus.

Overall, staff supports the proposed PD conditions to alleviate any potential issues, due to the mix of uses, at the permitting phase of development. The requests are minor and the combination of uses proposed will allow the facility to expedite services currently in demand in the City.

Development Standards:

District	Setbacks		Height	Lot Coverage	Dwelling Unit Density and FAR	Lot Size	Special Standards	Primary Uses
	Front	Side/Rear						
To Maintain: IR Industrial Research District	15’	0’ 30’ w/res. adj.	200’	80%	No max. 0.5 retail/personal service 0.75 combo 2.0 all uses	No min.	RPS	IR uses Proposed IR plus community resource campus

No changes are proposed to the IR District development standards other than the creation and addition of a community resource campus which adds four uses: permanent supportive housing, transitional housing, convalescent and nursing home, hospice care and related institutions, and dining facility.

Parking:

The Dallas Development Code requires the following parking for the proposed uses. Numbers for the proposed uses are gathered from the parking demand analysis provided by the representative.

Use	**Number**	**Sec. 51A Required Parking**	**Proposed Parking per PD**
Convalescent and nursing home, hospice care and related institutions.	150 beds	0.3 spaces per bed = 45 spaces	No parking.
Permanent supportive housing.	100 units	1 space per dwelling unit plus 0.25 for visitor = 125 spaces	1 space per dwelling unit = 100 spaces
Group residential facility (Transitional housing)	*450 beds 168,000 sf	0.25 spaces per bed = 113 spaces	1 space per 3,000 sf = *56 spaces
Overnight general purpose shelter	*450 beds 168,000 sf	0.0025 spaces per bed, min. 4 spaces = 4 spaces	1 space per 3,000 sf = *56 spaces
Office	60,000 sf	1 space per 333 sf = 181 spaces	1 space per 500 sf = 120 spaces
Church	21,500 sf 300 seats	1 space per 333 sf or 1 space per 4 seats = 65-75 spaces	1 space per 10 seats = 30 spaces
Warehouse	35,000 sf	1 space per 1,000 sf = 35 spaces	1 space per 4,000 sf = 9 spaces
Community service center	60,000 sf	1 space per 200 sf = 300 spaces	1 space per 500 sf = 120 spaces
Private recreation center	10,800 sf 1 Gamecourt	3 spaces per gamecourt plus 1 space per 150 sf = 75 spaces	No parking.
All other uses only accessible to campus clients.			No parking.
Total:		**953 spaces**	**435 spaces**
Parking Demand Analysis:	Did not count 4 spaces for overnight general purpose shelter use.	948 spaces	435 spaces

***These two uses will be split and share the number of beds.**

The bulk of the PD request comes from the reduction of required parking associated with the conglomerate of uses for the community resource campus. A parking demand analysis was submitted for review and approved by the Engineering Division. The parking reductions are associated directly with the community resource campus, which shares all of the proposed uses between residents of the campus only.

If the office space were to be rented to an outside company unaffiliated with the community resource campus, the parking reduction for the office use would be lost.

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 and all surrounding properties are not categorized as being within an MVA cluster.

Landscaping:

The new development will be required to provide landscaping per Article X, as well as five percent open space which may include recreational facilities available to residents of the site or un-programmed green space with a minimum area of 10,000 square feet. Open space must be landscaped to include a minimum of grass or other ground cover and may include sidewalks and/or other pedestrian facilities. The proposed conceptual plan identifies multiple areas of open space throughout the site.

Sidewalks:

A minimum of five-foot-wide sidewalks must be provided between all buildings and recreational facilities internal to development. Sidewalks must also be provided between any transit facility located abutting the perimeter of the site and the interior sidewalk system.

In response to neighborhood concerns, the applicant has proposed to exempt the site from perimeter sidewalk requirements per Section 51A-8.606. Staff does not agree with this request. Any development would be required to provide the required sidewalks. Otherwise, a sidewalk waiver may be requested.

Fences:

A minimum eight-foot masonry or decorative metal perimeter fence must be provided as depicted on the conceptual plan. Chain-link fencing is prohibited, along with any prohibited fencing material listed in Section 51A-4.602(a)(9).

Additional Provisions:

A minimum of four security officers are required on site at all times. Except for the DART bus turn-around, all driveways along Viceroy Drive and Empress Row must be gated and secured.

Perimeter lighting between the required fence and the street curb on Viceroy Drive and Empress Row must be provided with a minimum three (3) foot-candle.

Public vehicular entry to a community resource campus is limited to the Stemmons Freeway driveways as shown on the concept plan. All visitors and clients must enter the campus through the community service center building as located on the concept plan at a staffed and secure entrance to the campus.

The following additional provisions were found to be unenforceable and are not supported by staff. While staff may support the intent of these additional provisions, a private deed restriction would be the appropriate method to enforce them.

An additional provision added to the PD requires that access to programs and services at the community resource campus be limited to clients enrolled in a program on campus. The provision of day sheltering and meals to people experiencing homelessness who are not residents of the campus is prohibited. The campus may not serve registered sex offenders.

The owner or operator of a community resource campus shall establish a community review committee to discuss problems and concerns, and to suggest improvements and changes if needed. This committee shall meet once every three months for the first year following a certificate of occupancy for a residential use associated with a community service campus; once every six months for the three following years; and once per year for the remaining lifetime of this use. Membership of the review committee shall include one representative for each property owner within a 500-foot radius of the property.

The owner or operator of a community resource campus shall provide for daily refuse collection around the perimeter of the site.

CPC Action
March 7, 2019

Motion I: In considering an application for a Planned Development District for IR Industrial Research District uses plus a community resource campus on property zoned an IR Industrial Research District, on the west side of North Stemmons Freeway, south of Regal Row and at the northeast corner of Empress Row and Viceroy Drive, it was moved to **hold** this case under advisement until May 2, 2019.

Maker: Carpenter
Second: Ridley
Result: Failed: 3 to 8

For: 3 - MacGregor, Carpenter, Ridley

Against: 8 - Schulte, Criss, Shidid, Lewis, Jung, Housewright, Schultz, Tarpley
Absent: 1 - Murphy
Vacancy: 3 - District 4, District 7, District 12

Motion II: It was moved to recommend **approval** of a Planned Development District for IR Industrial Research District uses plus a community resource campus, subject to a revised conceptual plan and staff's recommended conditions to include the following modifications: 1) revise SEC. __.112., LANDSCAPING., (b)(2) to read as follows: "Sidewalks. Sidewalks must be provided between all buildings and recreational facilities. Sidewalks must also be provided between any transit facility located on the perimeter of the site and the interior sidewalk system. Minimum sidewalk width is five (5) feet. The requirements of Section 51A-8.606 for perimeter sidewalks do not apply to the Empress Row and Viceroy Drive street frontages." and 2) revise SEC. __.114., ADDITIONAL PROVISIONS., (d) to read as follows: "Property Owner Engagement. The owner or operator of a community resource campus shall establish a community review committee to discuss problems and concerns, and to suggest improvements and changes if needed. This committee shall meet once every three months for the first year following a certificate of occupancy for a residential use associated with a community service campus; twice per year for the remaining lifetime of this use. Membership of the review committee shall include one representative for each property owner within a 500-foot radius of the property." on property zoned an IR Industrial Research District, on the west side of North Stemmons Freeway, south of Regal Row and at the northeast corner of Empress Row and Viceroy Drive.

Friendly Amendment: Commissioner Shidid offered a friendly amendment to revise SEC. __.114., ADDITIONAL PROVISIONS., (d) to read as follows: "Property Owner Engagement. The owner or operator of a community

resource campus shall establish a community review committee to discuss problems and concerns, and to suggest improvements and changes if needed. This committee shall meet once every three months for the first year following a certificate of occupancy for a residential use associated with a community service campus; twice per year for the remaining lifetime of this use. Membership of the review committee shall include one representative for each property owner within a 500-foot radius of the property." Commissioner Jung, the maker of the motion, and Commissioner Criss, the seconder of the motion, accept the friendly amendment

Maker: Jung
Second: Criss
Result: Carried: 10 to 1

For: 10 - MacGregor, Schulte, Criss, Shidid, Lewis, Jung, Housewright, Schultz, Ridley, Tarpley

Against: 1 - Carpenter
Absent: 1 - Murphy
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 500 Mailed: 26
Replies: For: 5 Against: 15

Speakers: For: John Rich, 8787 N. Stemmons Fwy., Dallas, TX, 75247
Blake Fetterman, 5302 Harry Hines Blvd., Dallas, TX, 75235
Ken Webb, 1722 Routh St., Dallas, TX, 75201
Michael Mata, Address not given
David Woodyard, 1421 W. Mockingbird Ln., Dallas, TX, 75248
Paige Flink, 11722 Marsh Ln, Dallas, TX, 75229
David Lopez, 5200 Harry Hines Blvd., Dallas, TX, 75235
Angela Hunt, 500 N. Akard St., Dallas, TX, 75218
Roger Croom, 5302 Harry Hines Blvd., Dallas, TX, 75235
For (Did not speak): Richard Davis, 4328 Beverly Dr., Dallas, TX, 75205
Mardie Schoellkopf, 4812 Bluffview Blvd., Dallas, TX, 75209
Murphy Webster, 1351 Regal Row, Dallas, TX, 75247
Robert Ceccarelli, 1822 Young St., Dallas, TX, 75201
Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Michael Powell, 3843 Shenandoah, Dallas, TX, 75205
Melissa McNeil, 6924 Hill Forest Dr., Dallas, TX, 75230
Elliott Rosevelt, 8819 McCraw Dr., Dallas, TX, 75209
Charles O'Connell, 634 Kessler Reserve Ct., Dallas, TX, 75208
Jason Coffman, 8609 Glencrest Ln., Dallas, TX, 75209
Bob Dill, 3921 McFarlin Blvd., Dallas, TX, 75205
Stacie Hyatt, 6534 Danbury Ln., Dallas, TX, 75214
Susan Kiser, 11452 Strait Ln., Dallas, TX, 75229

John Kiser, 1452 Strait Ln., Dallas, TX, 75229
Elizabeth Camp, 3252 Latham Dr., Dallas, TX, 75229
Windy Tag, 5904 Fairway Ave., Dallas, TX, 75227
Don Lehew, 3519 Cedar Lake Dr., Dallas, TX, 75227
Gwen Cassel, 5006 W. Purdue St., Dallas, TX, 75209
Jerry Don McCaslin, 3500 Marquette St., Dallas, TX, 75225
Mary Preeman, 6036 Buffridge Trl., Dallas, TX, 75252
Bobby Lyle, 34 Masland Cir., Dallas, TX, 75230
Rob Farrell, 5329 Montrose Dr., Dallas, TX, 75209
David Smith, 5302 Harry Hines Blvd., Dallas, TX, 75235
Bruce Butler, 3211 Irving Blvd., Dallas, TX, 75247
Preston McAfee, 1901 Regal Row, Dallas, TX, 75235
George Underwood, 15615 Coit Rd., Dallas, TX, 75248
Robert Scott, 12128 Talmay Dr., Dallas, TX, 75230
Shavon Moore, 2816 Swiss Ave., Dallas, TX, 75204
Ed Vonder, 8800 Ambassador Row, Dallas, TX, 75247
Alan Friedman, 8235 Douglas Ave., Dallas, TX, 75225
Mary Clare Finney, 8201 Preston Rd., Dallas, TX, 75225
Maggie Saucedo, 6729 Santa Maria Ln., Dallas, TX, 75214
Felix Saucedo, 6729 Santa Maria Ln., Dallas, TX, 75214
James Mattingly, 4501 Pomona Rd., Dallas, TX, 75209
Sara Martineau, Dallas, TX
Fran Blacha, 7343 Fenton Dr., Dallas, TX, 75231
Adam Beathard, Dallas, TX, 75231
Virgil Harris, 3400 Welborn St., Dallas, TX, 75219
Dustin Perkins, 2929 Hickory St., Dallas, TX, 75226
Michelita Gonzales, 5302 Harry Hines Blvd., Dallas, TX, 75235
Alex Aguilar, 5302 Harry Hines Blvd., Dallas, TX, 75235
A.K. Mago, 7115 Van Hook Dr., Dallas, TX, 75248
Christopher Lawson, 5302 Harry Hines Blvd., Dallas, TX, 75235
John Carreker, 4321 Overhill Dr., Dallas, TX, 75205
David Gruber, 2816 Swiss Ave., Dallas, TX, 75204
Cheryl Srinivasan, 18619 Vista Del Sol, Dallas, TX, 75287
Joe Garcia, 1809 Hickory St., Dallas, TX, 75215
Fahdel Scriven, 3011 Park Row Ave., Dallas, TX, 75215
Samuel, 5302 Harry Hines Blvd., Dallas, TX, 75235
Graciela Ponce, 3949 Buena Vista St., Dallas, TX, 75204
John Campbell, 1881 Sylvan Ave., Dallas, TX, 75208
Berdie Difiore, 7035 Lake Edge Dr., Dallas, TX, 75230
Ann Meyer, 6918 Kenwhite Dr., Dallas, TX, 75231
Doug Thompson, 3605 Colgate Ave., Dallas, TX, 75225
Roland Parrish, 400 S. Zang Blvd., Dallas, TX, 75208
Sam Coats, 26 Ryddington Pl., Dallas, TX, 75230
Allison Sheeder, 2924 Lucas Dr., Dallas, TX, 75219
Alice Fairchild, 419 Country Side Ln., Richardson, TX, 75081
Isabella Mohr, 2736 Mateur St., Dallas, TX, 75211

Crystal Jones, 7272 Marvin D. Love Fwy., Dallas, TX, 75237
Denise Gallimore, 305 Laramie Ln., DeSoto, TX, 75115
LeTisha Hudson, 5302 Harry Hines Blvd., Dallas, TX, 75235
Joyce Fox, 12115 Madeleine Cir., Dallas, TX, 75230
Loretta Young, 1822 Young St., Dallas, TX, 75201
Joe Dingman, 3928 Forest Ln., Dallas, TX, 75229
Judy Gibbs, 3514 Caruth Blvd., Dallas, TX, 75225
Elva Friesenhahn, 1003 Cliffdale Ave., Dallas, TX, 75211
Michael Thern, 2413 Kelsey Dr., Plano, TX, 75075
Diane Johnson, 10118 Norman Ct., Irving, TX, 75063
Almas Muscatwalla, 1817 Danby Dr., Plano, TX, 75093
Samantha Wyman, 123 Brookwood Dr., Richardson, TX, 75080
Clay Kinney, 2221 Lakeside Blvd., Richardson, TX, 75082
Ruslan Stratieuw, 2400 Evergreen Dr., Plano, TX, 75075
Ecole Stokes, 2537 Thomason Cir., Arlington, TX, 76006
Diana Detering-Paddison, 5412 Glenwick Ln., Dallas, TX, 75209
Jeremy Goering, 408 River Birch Trl., Forney, TX, 75126
Corey Strickland, 11701 Mira Lago Blvd., Farmers Branch, TX, 75234
Joseph Tafur, 3433 Brushy Creek Dr., Plano, TX, 75025
Keith Noonan, 7004 Bishop Rd., Plano, TX, 75024
Charlotte Anderson, 1 Cowboys Way, Frisco, TX, 75034
Dana Gibson, 3104 Foxcreek Dr., Richardson, TX, 75082
Kathie Kennemer, 6809 Knollwood Dr., McKinney, TX, 75072
Linda White, 5016 Forest Ln., McKinney, TX, 75069
Maureen Thomas, 5141 Pond Spring Cir., Fairview, TX, 75069
Brandon Wallace, 121 Hampton Dr., Forney, TX, 75126
Susan Addington, 1 Cowboys Way, Frisco, TX, 75034
LaMonk Thomas, 15040 Edna Ln., Frisco, TX, 75035
Dennis Drake, 1200 Quapaw Trl., Mesquite, TX, 75149
Wilma Riley-Jacobs, 3639 Swiss Ln., Irving, Texas, 75038
Michele Etemad, 108 Bay Meadows Dr., Irving, TX, 75063
Darryl Smith, 4651 Liam Dr., Frisco, TX, 75034
Willie Dillard, 301 Joe Wilson Rd., Cedar Hill, TX, 75104
Janet Braun, 11209 Rylie Crest Dr., Balch Springs, TX, 75180
Paul Massey, 307 Creekside Dr., Mabank, TX, 75147
Myrna Hawkins, 1425 Mockingbird Dr., Aubrey, TX, 76227
Richard New, 1307 McCoy Ct., Allen, TX, 75002
Jacyn Reeves, 613 Ray Andra Dr., DeSoto, TX, 75115
Wayne Walker, 1702 S. Cesar Chavez Blvd., Dallas, TX, 75215
Scott Thompson, 3131 Maple Ave., Dallas, TX, 75201
Lou Schaufele, 8235 Douglas Ave., Dallas, TX, 75225
Nicholas Dano, 3900 Swiss Ave., Dallas, TX, 75204
Scott Turpin, 3929 Centenary Dr., Dallas, TX, 75225
Jay Dunn, 3831 Turtle Creek Blvd., Dallas, TX, 75219
Anne Monning, 3601 Amherst Ave., Dallas, TX, 75225
Frank King, 3712 Miramar Ave., Dallas, TX, 75205

Daniel Roby, 2929 Hickory St., Dallas, TX, 75226
Tom Dunning, 9239 Hathaway St., Dallas, TX, 75220
Laurene Rosen, 6959 Sperry St., Dallas, TX, 75214
David Cole, 4377 San Carlos Dr., Dallas, TX, 75205
Mark Connally, 4605 Fairfay Ave., Dallas, TX, 75209
Justin Eatherly, 8787 N. Stemmons Fwy., Dallas, TX, 75247
Barbara Rich, 8787 N. Stemmons Fwy., Dallas, TX, 75247
Lisa Marie Kupfer, 8787 N. Stemmons Fwy., Dallas, TX, 75247
Lisa Thompson, 19515 Rowden Trl., Dallas, TX, 75252
Ruth Wilson, 12538 Renoir Ln., Dallas, TX, 75230
Elizabeth Andrus, 8787 N. Stemmons Fwy., Dallas, TX, 75247
Reba Martin, 9202 Westwind Ct., Dallas, TX, 75231
Richard Martin, 9202 Westwind Ct., Dallas, TX, 75231
Shannon Howard, 8787 N. Stemmons Fwy., Dallas, TX, 75247
Jeffery Upperman, 5302 Harry Hines Blvd., Dallas, TX, 75235
Lois Saenz, 11004 Joaquin Dr., Dallas, TX, 75228
Ellen Magnis, 43 Vanguard Way, Dallas, TX, 75243
Sarah Losinger, 4506 Park Ln., Dallas, TX, 75220
Ron Hall, 5962 Preston Valley Dr., Dallas, TX, 75240
Priscilla Underwood, 3804 Maplewood Ave., Dallas, TX, 75205
Kendra Larach, 900 Jackson St., Dallas, TX, 75202
Edd Eason, 1610 S. Malcolm X Blvd., Dallas, TX, 75226
Alden McCall, 7308 Centenary Ave., Dallas, TX, 75225

Against: Tomima Edmark, 8941 Empress Row, Dallas, TX, 75247
Joanne Alonzo-Gloria, 5316 Chippewa Dr., Dallas, TX, 75212
Sushil Patel, 11950 Webb Chapel Rd., Dallas, TX, 75234
Mayur “Mike” Patel, 1625 Regal Row, Dallas, TX, 75247
Jonathan Vinson, 2323 Ross Ave., Dallas, TX, 75201
Ketan Masters, 8650 N. Stemmons Fwy., Dallas, TX, 75247
Danny Patel, 1575 Regal Row, Dallas, TX, 75247

Against (Did not speak): Kreg Hodge, 16910 Dallas Parkway, Dallas, TX, 75248
Charles Lavender, 7900 W. John Carpenter Fwy., Dallas,TX, 75247
Naresh Patel, 8830 N. Stemmons Fwy., Irving, TX, 75235
Raj Patel, 7900 W. John Carpenter Fwy., Dallas,TX, 75247
Animesh Patel, 7900 W. John Carpenter Fwy., Dallas, TX, 75247
Rajan Patel, 7600 W. John Carpenter Fwy., Dallas, TX, 75247
Hasy Patel, 1625 Regal Row, Dallas, TX, 75247
Pravinkumar Patel, 1625 Regal Row, Dallas, TX, 75247
Kirtan Patel, 7002 Harry Hines Blvd., Dallas, TX, 75235
Bipin Patel, 2361 W. Northwest Hwy., Dallas, TX, 75220
Gauran Patel, 2287 W. Northwest Hwy., Dallas, TX, 75220
Ruby Jakhu, 2370 W. Northwest Hwy., Dallas, TX, 75220
Amish Patel, 2380 W. Northwest Hwy., Dallas, TX, 75220
Velan Marimuthu, 8650 N. Stemmons Fwy., Dallas, TX, 75247
Lawrence Cobb, 1314 Viceroy Dr., Dallas, TX, 75247
Randall Cobb, 1314 Viceroy Dr., Dallas, TX, 75247

Naresh Prajapati, 10326 Finnell St., Dallas, TX, 75220
Anant Patel, 11069 Composite Dr., Dallas, TX, 75229
Viren Patel, 2217 Connector Dr., Dallas, TX, 75220
Staff: Monica Hardman, Director, Office of Homeless Solutions

List of Officers

Rowling Foundation

Robert Rowling, owner, founder and President

The Salvation Army

C. Mark Brown, Divisional Secretary for Business

William Booth, founder

Andre Cox, General

Commissioner Donald C. Bell, Territorial Commander

Lt. Colonel Ronnie Raymer, Divisional Commander

Major Barbara Rich, DFW Metroplex Commander

Major Jonathan Rich, DFW Metroplex Commander

Z178-121

CPC Recommended PD Conditions

ARTICLE _____.

PD _____.

SEC.___.101. LEGISLATIVE HISTORY.

_____ was established by Ordinance No. _____, passed by the Dallas City Council on (Date) (Ord. _____)

SEC.___.102. PROPERTY LOCATION AND SIZE.

PD is established on property generally located to the northwest of N Stemmons Freeway Service Road and Viceroy Drive. The size of PD ___ is 20.99 acres. (Ord.____)

SEC.____.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 division are to articles, divisions, or sections in Chapter 51A.

(c) In this division:

(1) COMMUNITY RESOURCE CAMPUS means a mixed-use development with the primary purpose of providing programs, resources, assistance and shelter to at-risk, pre-homeless, and homeless individuals. A community resource campus may include uses allowed in the IR Industrial Research district such as community service center, private recreation center, church, medical clinic, office, indoor animal shelters, technical school, child-care facility, and warehouse, but also include the following residential uses only in conjunction with at least two of the above mentioned associated supportive services:

(A) Permanent supportive housing;

(B) Overnight general purpose shelter;

(C) Transitional housing;

(D) Convalescent and nursing home, hospice care and related institutions.

(2) DECLARED EMERGENCY means an event during which a government official has made an official declaration of emergency within or for the State of Texas or a contiguous state.

(3) DINING FACILITY means a facility for the preparation and service of food within a community resource campus. A dining facility may include kitchen facilities as well as dining and wash rooms. A dining facility is for use by clients, employees, and volunteers of the campus and is not open to the general public.

(4) EXTREME WEATHER CONDITIONS means any day during which at any time the wind chill is below 32 degrees Fahrenheit or the heat index is more than 100 degrees Fahrenheit.

(5) PERMANENT SUPPORTIVE HOUSING means a structure or group of structures with three or more dwelling units that are for persons transitioning out of homelessness into permanent housing with access to social services at a community resource campus. Permanent supportive housing at this campus will serve seniors, ages 55 and older, or veterans of the United States armed services.

(6) TRANSITIONAL HOUSING means an interim residential facility that provides room and board to individuals or families transitioning from homelessness to long-term housing.

(d) This district is considered to be a nonresidential zoning district. (Ord. _____)

SEC. ___.104. EXHIBITS.

The following exhibit is incorporated into this article: Exhibit _____A: conceptual plan.

SEC. ___.105. 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 division and the development plan, the text of this division controls.

SEC. ___.106. DEVELOPMENT PLAN.

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. ___.107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this PD are those main uses permitted in the IR Industrial Research district, subject to the same conditions applicable in the IR Industrial Research district, as set out in Chapter 51A. For example, a use permitted in the IR Industrial Research district only by specific use permit (SUP) is permitted in this PD only by SUP; a use subject to development impact review (DIR) in the IR Industrial Research district is subject to DIR in this PD; etc.

(1) The following additional uses are permitted:

-- Community Resource Campus

(2) The following uses are permitted only in association with a Community Resource Campus:

-- Permanent supportive housing.

-- Overnight general purpose shelter. The requirements in Section 51A-4.205 (2.1)(E),(v) do not apply.
-- Transitional housing.
-- Convalescent and nursing home, hospice care and related institutions.
-- Dining Facility,

SEC. ___.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Division 51A-4.217. For more information regarding accessory uses, consult Division 51A-4.217.

SEC. ___.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400 of this article. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for IR Industrial Research district apply.

(b) Maximum overnight guests in association with a Community Resource Campus. The maximum number of overnight guests in transitional housing, convalescent and nursing home, hospice care and related institutions, and overnight general purpose shelters is 600 except during Extreme Weather Conditions or Declared Emergencies.

(c) Permanent supportive housing use in association with a Community Resource Campus. The maximum number of dwelling units is 100. Permanent supportive housing units are limited to efficiencies or one-bedroom units.

SEC. .110. OFF-STREET PARKING AND LOADING.

Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. For parking purposes, the entire Property is considered as one lot. The following parking ratios are required in association with a Community Resource Campus:

(a) Community Resource Campus. In order to qualify for the following parking reductions, a development plan must be approved by the city plan commission with a minimum of three allowable uses in a community resource campus. If the development plan is phased, the first phase of the development plan must include a minimum of 100 parking spaces or the sum of required parking for the individual uses included in the first phase of the development plan, whichever is greater.

(1) Convalescent and nursing home, hospice care and related institutions. No parking is required.

(2) Permanent supportive housing. One space per dwelling unit for an efficiency and one-bedroom units;

(3) Office. Required parking is one space per 500 square feet of floor area associated with a Community Resource Campus For all other office uses required parking is one space per 333 square feet of floor area.

(4) Transitional Housing and Overnight General Purpose Shelter. Required off-street parking is one space per 3,000 square feet of transitional housing and overnight general purpose shelter facilities. Single-bed sleeping quarters must have a minimum usable floor area of 125 square feet. Sleeping quarters containing two or more beds must have a minimum usable floor area that is equal to or greater than 60 square feet times the number of beds in the room. Additional parking is not required during a Declared Emergency or Extreme Weather Conditions.

(5) Church: 1 space per 10 seats up to a maximum of 300 seats, parking for more than 300 seats must be provided at a ratio of one space per 4 seats for the seats over 300. If seating is not fixed, one space per 180 square feet is required for sanctuary or auditorium space less than 5,400 square feet in size. Parking for more than 5,400 square feet of sanctuary or auditorium space must be provided at a ratio of one space per 28 square feet for the area over 5,400 square feet.

(6) Warehouse: 1 space per 4,000 square feet of floor area.

(7) Community Service Center: 1 space per 500 square feet of floor area.

(8) Other Uses. Parking is not required for private recreation centers, dining facilities, classrooms, child care facilities, and animal shelter that are accessible only to campus clients.

SEC. ___.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. X)

SEC. ___.112. LANDSCAPING.

(a) Except as provided in this paragraph, landscaping must be provided in accordance with Article X as amended

(b) Additional landscaping requirements for a Community Resource Campus:

(1) Open space. A minimum of five (5) percent of the total site area must be provided in open space. Open space may include recreational facilities available to residents of the site or unprogrammed green space with a minimum area of 10,000 square feet. Open space must be landscaped to include a minimum of grass or other ground cover and may include sidewalks and/or other pedestrian facilities.

CPC Recommendation:

(2) Sidewalks. Sidewalks must be provided between all buildings and recreational facilities. Sidewalks must also be provided between any transit facility located on the perimeter of the site and the interior sidewalk system. Minimum sidewalk width is five (5) feet. The requirements of Section 51A-8.606 for perimeter sidewalks do not apply to the Empress Row and Viceroy Drive street frontages.

Staff's Recommendation:

(2) Sidewalks. Sidewalks must be provided between all buildings and recreational facilities. Sidewalks must also be provided between any transit facility located on the perimeter of the site and the interior sidewalk system. Minimum sidewalk width is five (5) feet.

Applicant's Request:

(2) Sidewalks. Sidewalks must be provided between all buildings and recreational facilities. Sidewalks must also be provided between any transit facility located on the perimeter of the site and the interior sidewalk system. Minimum sidewalk width is five (5) feet. The requirements of Section 51A-8.606 for perimeter sidewalks do not apply.

(3) Fences. A minimum eight-foot masonry or decorative metal perimeter fence must be provided as depicted in the Conceptual Plan. Chain-link fencing is prohibited, along with any prohibited fencing material listed in Section 51A-4.602(a)(9).

(c) Plant materials must be maintained in a healthy, growing condition.

SEC. ___.113. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

(b) For signage purposes the entire Property is considered as one lot.

SEC. ___.114. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Security. A minimum of four security officers are required on site at all times. Except for the DART bus turn-around, all driveways along Viceroy Drive and Empress Row must be gated and secured.

CPC Recommendation:

(d) Property Owner Engagement. The owner or operator of a community resource campus shall establish a community review committee to discuss problems and concerns, and to suggest improvements and changes if needed. This committee shall meet once every three months for the first year following a certificate of occupancy for a residential use associated with a community service campus; twice per year for the remaining lifetime of this use. Membership of the review committee shall include one representative for each property owner within a 500-foot radius of the property.

Staff's Recommendation:

(d) Staff recommends removal of this unenforceable condition.

Applicant's Request:

(d) Property Owner Engagement. The owner or operator of a community resource campus shall establish a community review committee to discuss problems and concerns, and to suggest improvements and changes if needed. This committee shall meet once every three months for the first year following a certificate of occupancy for a residential use associated with a community service campus; once every six months for the three following years; and once per year for the remaining lifetime of this use. Membership of the review committee shall include one representative for each property owner within a 500-foot radius of the property.

CPC and Staff's Recommendation:

(e) Staff recommends removal of this unenforceable condition.

Applicant's Request:

(e) Access to services. Access to programs and services at the community resource campus is limited to clients enrolled in a program on campus. The provision of day sheltering and meals to people experiencing homelessness who are not residents of the campus is prohibited. The campus may not serve registered sex offenders.

(f) Driveway locations. The development plan for a community resource campus must include a deceleration lane for the main access/driveway on Stemmons Freeway southbound frontage road pending review and approval by the Texas Department of Transportation. The southern driveway on Empress Row must also be aligned with Titan Drive.

(g) Perimeter refuse collection. The owner or operator of a community resource campus shall provide for daily refuse collection around the perimeter of the site.

(h) Perimeter lighting. Perimeter lighting between the required fence and the street curb on Viceroy Drive and Empress Row must be provided with a minimum three (3) foot-candle.

(i) Public entry. Public vehicular entry to a community resource campus is limited to the Stemmons Freeway driveways as shown on the concept plan. All visitors and clients must enter the campus through the community service center building as located on the concept plan at a staffed and secure entrance to the campus.

SEC. __.114. COMPLIANCE WITH CONDITIONS.

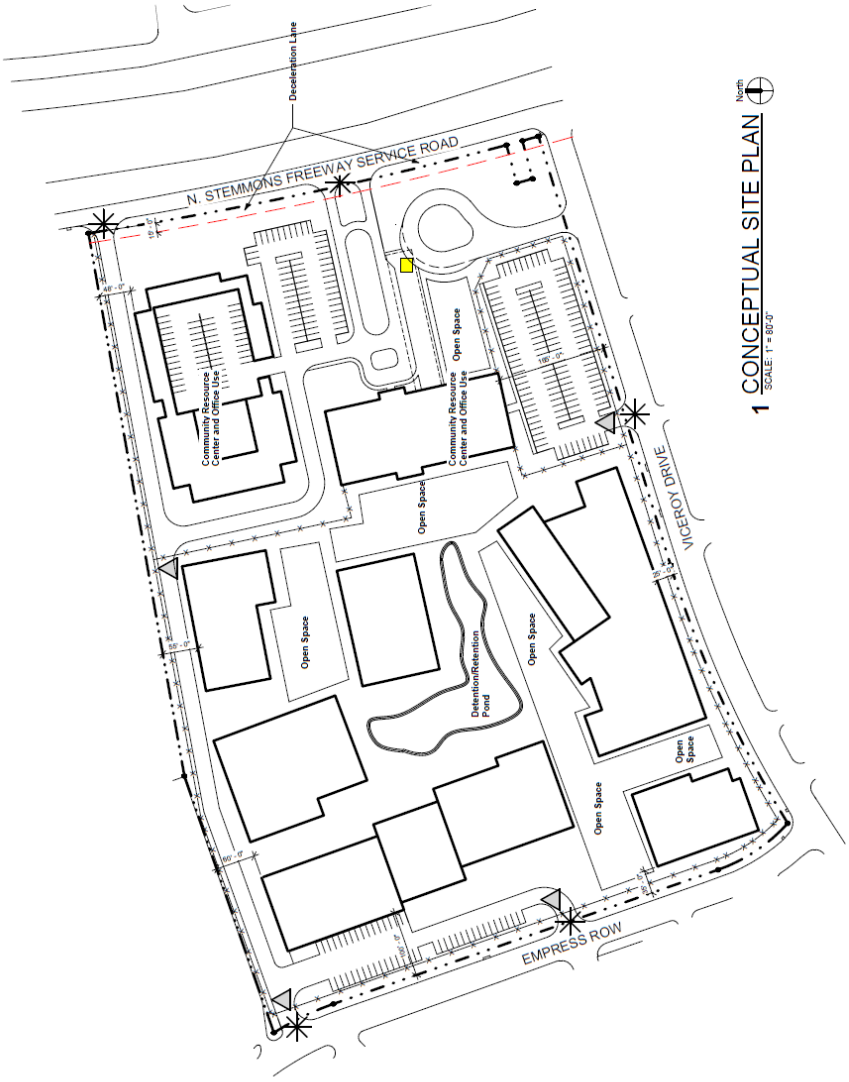
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

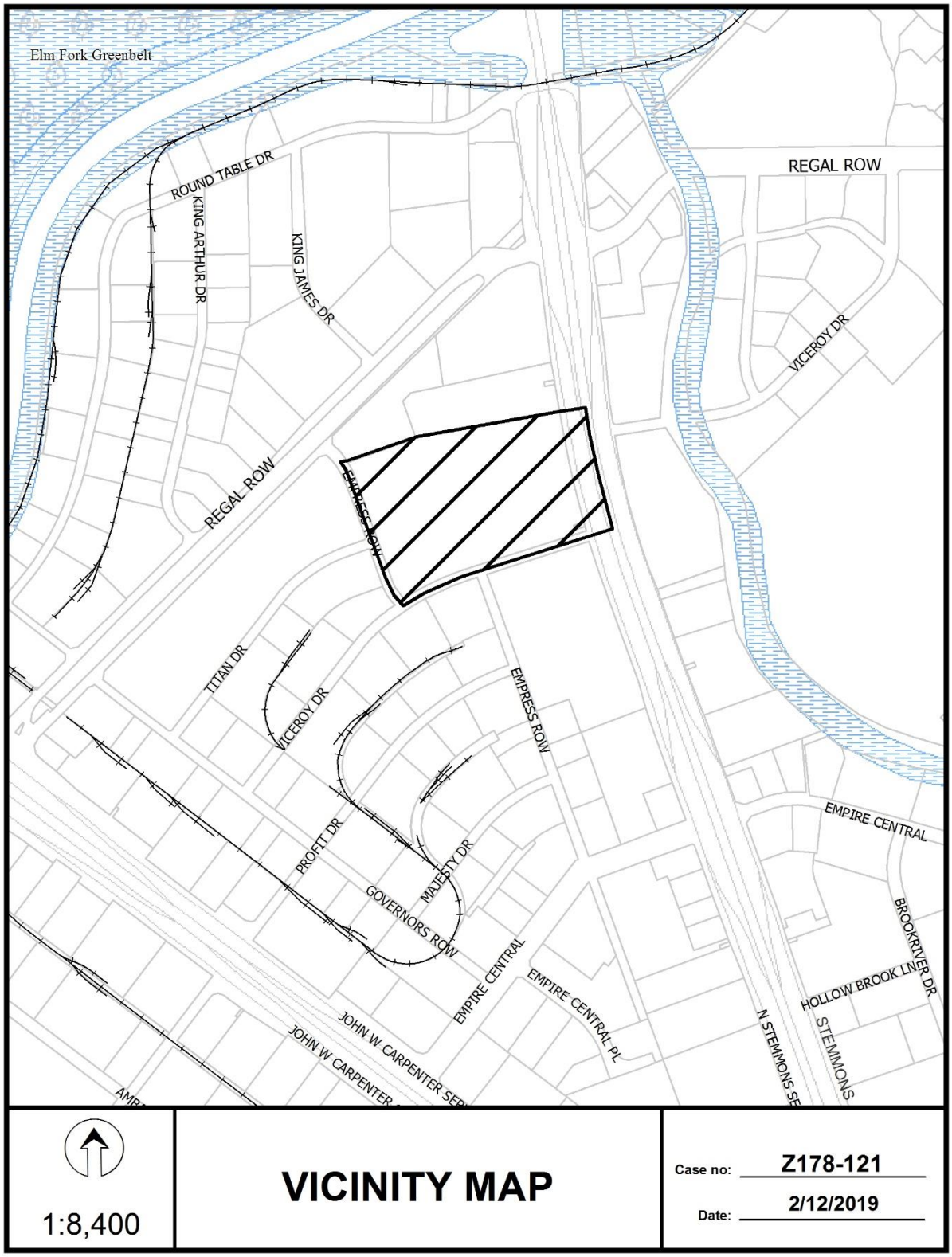
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this PD until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 28916)

Proposed Conceptual Plan

Zoning Table	
Site Acreage:	21
Perimeter Fence:	Denoted by:
Ingress/Egress:	Denoted by:
Gated Ingress/Egress:	Denoted by:
Proposed DART Stop:	Denoted by:

Yard, Lot and Space Regulations Per PD	
Uses:	Community Resource Center and Offices
Maximum Lot Coverage:	80%
Maximum Height:	200'-0"
Maximum FAR:	0.68
Maximum Beds:	600
Setback (Front):	15'-0"
Setback (Side/Rear):	No Minimum




Elm Fork Greenbelt
ROUND TABLE DR
KING ARTHUR DR
KING JAMES DR
REGAL ROW
REGAL ROW
VICEROY DR
EMPRESS ROW
TITAN DR
VICEROY DR
EMPRESS ROW
PROFIT DR
MAJESTY DR
GOVERNORS ROW
EMPIRE CENTRAL
EMPIRE CENTRAL
EMPIRE CENTRAL PL
JOHN W CARPENTER SER
JOHN W CARPENTER
N STEMMONS SE
STEMMONS
HOLLOW BROOK LN
BROOKRIVER DR
1:8,400
VICINITY MAP
Case no: Z178-121
Date: 2/12/2019

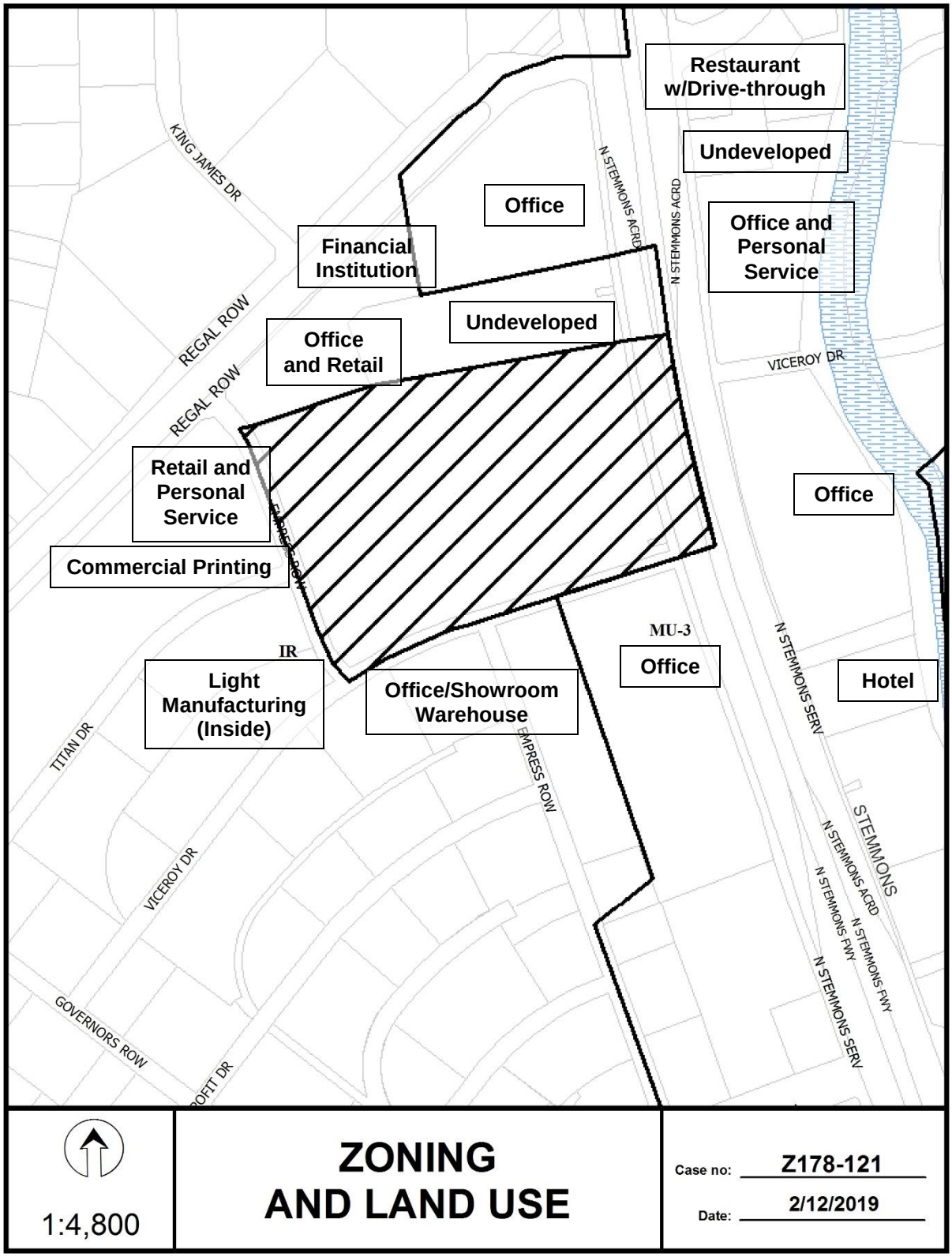


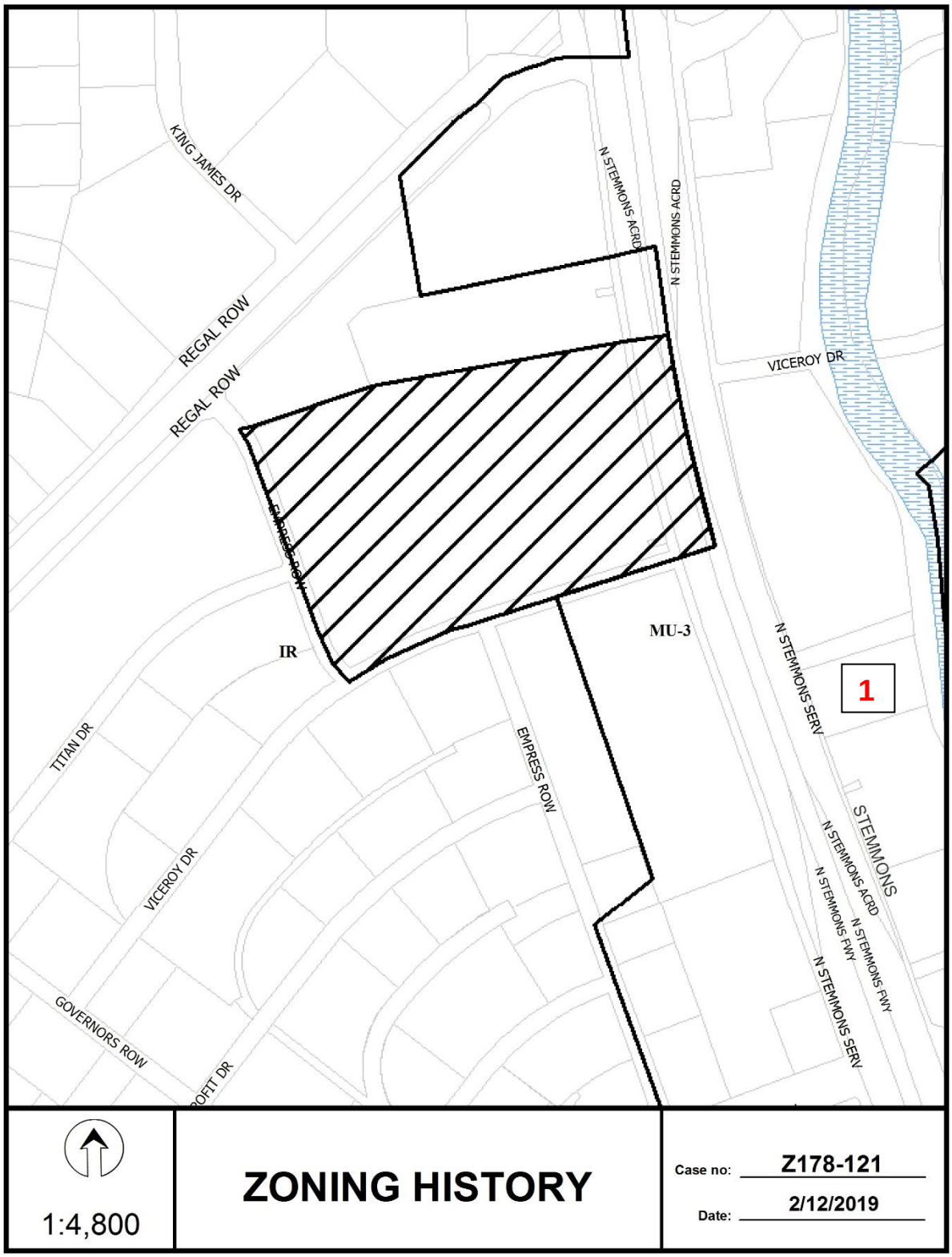
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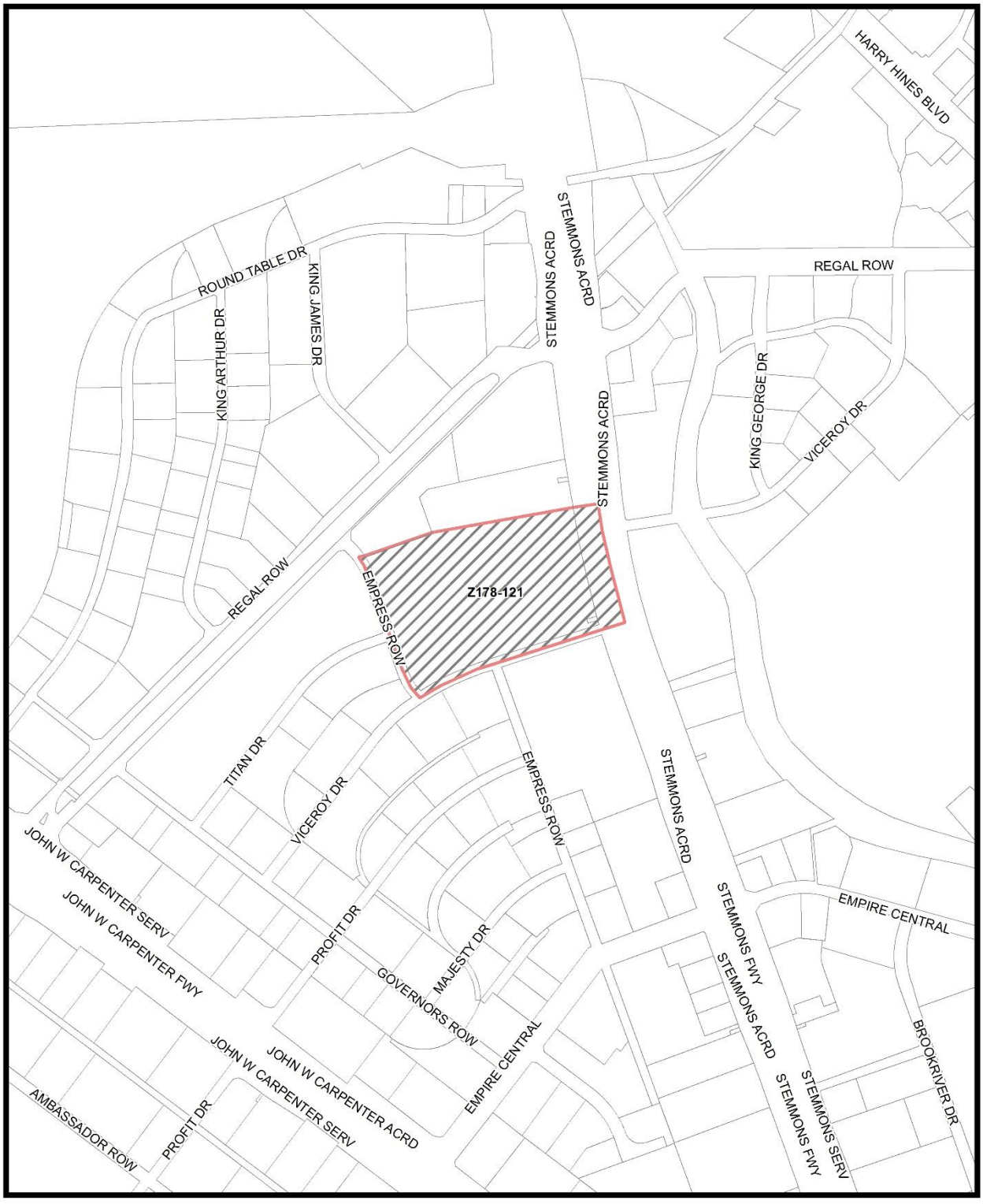
AERIAL MAP

Case no: Z178-121

Date: 2/12/2019


Restaurant w/Drive-through
Undeveloped
Office
Office and Personal Service
Financial Institution
Undeveloped
Office and Retail
Retail and Personal Service
Commercial Printing
Office
MU-3
Office
Hotel
IR
Light Manufacturing (Inside)
Office/Showroom Warehouse
KING JAMES DR
REGAL ROW
REGAL ROW
N STEMMONS ACRD
N STEMMONS ACRD
VICEROY DR
EMPRESS ROW
EMPRESS ROW
TITAN DR
VICEROY DR
GOVERNORS ROW
N STEMMONS SERV
N STEMMONS ACRD
N STEMMONS FWY
N STEMMONS FWY
N STEMMONS SERV
STEMMONS
1:4,800
ZONING
AND LAND USE
Case no: Z178-121
Date: 2/12/2019


KING JAMES DR
REGAL ROW
REGAL ROW
N STEMMONS ACRD
N STEMMONS ACRD
VICEROY DR
EMPRESS ROW
IR
MU-3
N STEMMONS SERV
1
TITAN DR
EMPRESS ROW
VICEROY DR
STEMMONS
N STEMMONS ACRD
N STEMMONS FWY
N STEMMONS FWY
N STEMMONS SERV
GOVERNORS ROW
1:4,800
ZONING HISTORY
Case no: Z178-121
Date: 2/12/2019


HARRY HINES BLVD
STEMMONS ACRD
ROUND TABLE DR
KING JAMES DR
KING ARTHUR DR
REGAL ROW
KING GEORGE DR
VICEROY DR
Z178-121
EMPRESS ROW
TITAN DR
JOHN W CARPENTER SERV
JOHN W CARPENTER FWY
PROFIT DR
MAJESTY DR
GOVERNORS ROW
EMPIRE CENTRAL
STEMMONS FWY
STEMMONS SERV
BROOKRIVER DR
JOHN W CARPENTER ACRD
AMBASSADOR ROW
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:8,400
Market Value Analysis
Printed Date: 2/12/2019

CPC RESPONSES



03/06/2019

Reply List of Property Owners

Z178-121

26 Property Owners Notified ***5 Property Owners in Favor*** ***15 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	8625	N STEMMONS FWY	ROWLING FOUNDATION
O	2	8625	N STEMMONS FWY	ROWLING FOUNDATION
X	4	8650	N STEMMONS FWY	8700 RICCHI LLC
	5	1275	PROFIT DR	COWELL & GUZMAN ENT
O	6	1261	PROFIT DR	DOUBLE E INC
	7	1235	PROFIT DR	SCI L P II
	8	1501	REGAL ROW	TEXAS UTILITIES ELEC CO
	9	1501	REGAL ROW	TEXAS UTILITIES ELEC CO
	10	1201	PROFIT DR	BROOK HOLLOW PPTIES INC
	11	1331	REGAL ROW	HOUSMAN REAL EST
X	12	1258	TITAN DR	STORAGE EQUIPT CO
X	13	1278	TITAN DR	1278 TITAN LLC
X	15	1255	VICEROY DR	1255 VICEROY LLC
X	16	1262	VICEROY DR	ALLIED ENTERPRISES
X	17	8941	EMPRESS ROW	EMPRESS GROUP REALTY LLC
X	18	1314	VICEROY DR	COBB COMPANY
X	19	8585	N STEMMONS FWY	RICCHI TOWERS LLC
X	24	8777	N STEMMONS FWY	OPTIMA STEMMONS LLC
X	A1	1349	REGAL ROW	1351 REGAL ROW BLVD LLC
X	A2	1365	REGAL ROW	NIA ENTERPRISES LLC
X	A3	8650	N STEMMONS FWY	TRINITY LODGING LLC
X	A4	8828	N STEMMONS FWY	REGAL CENTER LLC &
X	A5	1330	REGAL ROW	HUMANETICS REGAL ROW
X	A6	1431	REGAL ROW	S & S REALTY LTD
O	A7	1245	VICEROY DR	HORD STREET PROPERTIES INC
O	A8	1430	REGAL ROW	JESSUP INVESTMENTS LLC

Agenda Information Sheet

File #: 19-591 **Item #:** 26.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): 5

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 renewal of Specific Use Permit No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of Lake June Road and Holcomb Road
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z178-378(SM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 8, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z178-378(SM)	**DATE FILED:**	September 20, 2018
LOCATION:	Northeast corner of Lake June Road and Holcomb Road		
COUNCIL DISTRICT:	5	**MAPSCO:**	58 M
SIZE OF REQUEST:	Approx. 16,988.4 sq. ft.	**CENSUS TRACT:**	92.10

OWNER/APPLICANT: Karim Rashid, President, Secretary, and sole owner of Creek Rental Property, LLC and Vortex Business Inc.

REPRESENTATIVE: Parvez Malik, Business Zoom

REQUEST: An application for a renewal of Specific Use Permit No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue to sell alcohol for off-premise consumption in conjunction with the existing convenience store [Buy & Ride].

CPC RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store 3,500 square feet or less and a motor vehicle fueling station.

- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.

- Although the general merchandise or food store 3,500 square feet or less is permitted by right, the sale of alcoholic beverages requires a specific use permit in the D-1 Liquor Control Overlay.

- On August 10, 2011, SUP No. 1871 was approved by Council with a two-year approval period with eligibility for five-year automatic renewals.

- On October 8, 2013, Council approved an amendment to SUP No. 1871 for a five-year period with eligibility for five-year automatic renewals.

- On August 2018, the site's Chapter 12B Convenience Store registration expired.

- On March 8, 2019, the site passed inspections and is currently in compliance with Chapter 12B Convenience Store registration requirements.

Zoning History: There has been one zoning change requested in the area in the past five-years.

1. **Z167-146**: On October 24, 2018, the City Council approved a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District located on the north line of Lake June Road, east of Holcomb Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	ROW
Lake June Road	Principal Arterial	80 ft.
Holcomb Road	Local	60 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed zoning and determined it will not have a negative impact on the existing street system.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	CR-D-1	General Merchandise store & fueling station
North	R-7.5(A)	Undeveloped, Single Family
East	CR with DR No. Z167-146	Undeveloped
South	CR-D-1 with SUP No. 1866, RR-D	General Merchandise store & fueling station, Auto related uses
West	RR-D	Auto related uses

Land Use Compatibility:

The site is zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store 3,500 square feet or less and a motor vehicle fueling station. The applicant proposes to continue to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is requires a Specific Use Permit in the D-1 Liquor Control Overlay.

The surrounding land uses consist of a variety of auto related, retail, and convenience stores with fueling station uses along Lake June Road. There are two convenience stores with fueling stations that are located on the southeast and southwest corners of Lake June Road and Holcomb Road. Properties north of the request site are developed with residential uses and the undeveloped land to the east was recently approved a zoning change to allow certain CR Community Retail District uses.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually. The site is currently in compliance with Chapter 12B.

The renewal of this SUP, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. However, CPC supports a two-year period without eligibility for automatic renewals because 1) the site is operating with an expired SUP and 2) a short approval period will require that the request be reevaluated to ensure the use is compatible in this location and in compliance with Chapter 12B Convenience Store registration requirements, which the operator has struggled with in this application.

Landscaping:

Landscaping of any development will be in accordance with Article X, as amended.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and two spaces for a motor vehicle fueling station. Therefore, the development requires 12 spaces and 13 are provided on site.

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 abuts an "H" MVA cluster on the north.

Crime Report:

Since August 10, 2011, to March 1, 2019, the subject site has experienced 159 phone calls to the Dallas Police Department (DPD), of which five calls were coded emergency and 81 calls were coded urgent. DPD also reported the following 55 incidents and six arrest charges as detailed below within the same time period since the previous SUP approval action.

Calls:

Incident No.	Date	Time	Problem	Priority Description
19-0360832	3/1/2019	10:35:00 AM	58 - Routine Investigation	7 - Unit Initiated
19-0295880	2/19/2019	12:04:00 AM	40/01 - Other	2 - Urgent
18-2024021	11/6/2018	6:01:00 PM	09 - Theft	4 - Non Critical
18-1823620	10/6/2018	7:13:00 AM	PH - Panhandler	4 - Non Critical
18-1773620	9/28/2018	7:35:00 PM	46 - CIT	2 - Urgent
18-1761424	9/26/2018	9:51:00 PM	40 - Other	3 - General Service
18-1391725	8/1/2018	1:45:00 PM	40 - Other	3 - General Service
18-1389929	8/1/2018	7:51:00 AM	40 - Other	3 - General Service
18-1379497	7/30/2018	1:58:00 PM	6X - Major Dist (Violence)	2 - Urgent
18-0895180	5/21/2018	7:04:00 AM	40 - Other	3 - General Service
18-0748343	4/29/2018	12:59:00 PM	6X - Major Dist (Violence)	2 - Urgent
18-0701223	4/22/2018	2:27:00 AM	12B - Business Alarm	3 - General Service
18-0683645	4/19/2018	12:40:00 PM	6X - Major Dist (Violence)	2 - Urgent
18-0435686	3/12/2018	11:09:00 AM	6X - Major Dist (Violence)	2 - Urgent
18-0156237	1/25/2018	11:32:00 PM	55 - Traffic Stop	7 - Unit Initiated
18-0148786	1/24/2018	7:24:00 PM	6XA - Major Dist Ambulance	2 - Urgent
18-0022333	1/4/2018	12:27:00 PM	37 - Street Blockage	4 - Non Critical
17-2412658	12/23/2017	11:18:00 AM	24 - Abandoned Property	4 - Non Critical
17-2395841	12/20/2017	7:05:00 PM	58 - Routine Investigation	7 - Unit Initiated
17-2209522	11/21/2017	10:14:00 AM	20 - Robbery	2 - Urgent
17-2049704	10/28/2017	6:30:00 AM	09V - UUMV	4 - Non Critical
17-1601995	8/22/2017	2:23:00 PM	09V - UUMV	4 - Non Critical
17-1341870	7/14/2017	6:45:00 PM	6X - Major Dist (Violence)	2 - Urgent
17-1102149	6/10/2017	2:56:00 PM	40 - Other	3 - General Service
16-2540317	12/25/2016	8:40:00 PM	20 - Robbery	2 - Urgent
16-2419182	12/7/2016	10:14:00 PM	6X - Major Dist (Violence)	2 - Urgent
16-2339898	11/25/2016	8:04:00 PM	6X - Major Dist (Violence)	2 - Urgent
16-2281006	11/16/2016	2:14:00 PM	40 - Other	3 - General Service
16-2177595	11/1/2016	10:04:00 AM	PSE/09 - Theft	5 - Expediter
16-2173869	10/31/2016	6:42:00 PM	40 - Other	3 - General Service
16-1683873	8/24/2016	1:04:00 PM	24 - Abandoned Property	4 - Non Critical
16-0760402	4/22/2016	2:24:00 AM	40/01 - Other	2 - Urgent
16-0745636	4/20/2016	1:23:00 AM	12B - Business Alarm	3 - General Service
16-0717930	4/16/2016	1:46:00 AM	12B - Business Alarm	3 - General Service
16-0228050	2/4/2016	8:50:00 PM	40 - Other	3 - General Service
15-2160527	10/24/2015	10:52:00 PM	40 - Other	3 - General Service
15-2079333	10/13/2015	1:54:00 AM	12B - Business Alarm	3 - General Service
15-1987394	9/30/2015	5:49:00 AM	6X - Major Dist (Violence)	2 - Urgent
15-1939538	9/23/2015	3:56:00 PM	40 - Other	3 - General Service
15-1765561	8/31/2015	2:17:00 AM	32 - Suspicious Person	2 - Urgent

Incident No.	Date	Time	Problem	Priority Description
15-1683674	8/20/2015	7:04:00 AM	6X - Major Dist (Violence)	2 - Urgent
15-1653832	8/16/2015	2:12:00 AM	32 - Suspicious Person	2 - Urgent
15-1570143	8/5/2015	1:07:00 AM	32 - Suspicious Person	2 - Urgent
15-1462046	7/22/2015	3:07:00 AM	13 - Prowler	2 - Urgent
15-1462046	7/22/2015	3:07:00 AM	13 - Prowler	2 - Urgent
15-1430381	7/18/2015	1:06:00 AM	32 - Suspicious Person	2 - Urgent
15-1369157	7/10/2015	12:59:00 AM	12B - Business Alarm	3 - General Service
15-1354188	7/8/2015	1:11:00 AM	32 - Suspicious Person	2 - Urgent
15-1214164	6/20/2015	2:13:00 PM	6X - Major Dist (Violence)	2 - Urgent
15-1171699	6/14/2015	5:36:00 PM	40 - Other	3 - General Service
15-1149572	6/11/2015	11:45:00 PM	6X - Major Dist (Violence)	2 - Urgent
15-1074292	6/3/2015	3:37:00 AM	12B - Business Alarm	3 - General Service
15-1023656	5/27/2015	11:52:00 PM	20 - Robbery	2 - Urgent
15-1016682	5/27/2015	1:55:00 AM	32 - Suspicious Person	2 - Urgent
15-0910902	5/12/2015	6:58:00 PM	40 - Other	3 - General Service
15-0855701	5/5/2015	6:11:00 AM	32 - Suspicious Person	2 - Urgent
15-0717824	4/16/2015	11:21:00 AM	40 - Other	3 - General Service
15-0661064	4/8/2015	3:33:00 PM	40 - Other	3 - General Service
15-0560580	3/25/2015	11:51:00 PM	6X - Major Dist (Violence)	2 - Urgent
15-0482015	3/14/2015	10:15:00 PM	OADS - Open Air Drug Sales	3 - General Service
15-0461189	3/11/2015	11:22:00 PM	12B - Business Alarm	3 - General Service
15-0421111	3/6/2015	1:28:00 AM	32 - Suspicious Person	2 - Urgent
15-0276894	2/11/2015	6:45:00 PM	20 - Robbery	2 - Urgent
15-0118256	1/19/2015	1:28:00 AM	12B - Business Alarm	3 - General Service
15-0118256	1/19/2015	1:28:00 AM	12B - Business Alarm	3 - General Service
15-0098093	1/16/2015	4:45:00 AM	41/11B - Burg Busn in Progress	1 - Emergency
14-2447462	12/18/2014	12:43:00 AM	32 - Suspicious Person	2 - Urgent
14-2203968	11/11/2014	3:12:00 AM	12B - Business Alarm	3 - General Service
14-1940909	10/4/2014	1:02:00 PM	6X - Major Dist (Violence)	2 - Urgent
14-1868911	9/25/2014	1:49:00 AM	40 - Other	3 - General Service
14-1819709	9/18/2014	3:21:00 AM	40 - Other	3 - General Service
14-1812863	9/17/2014	3:43:00 AM	32 - Suspicious Person	2 - Urgent
14-1805804	9/16/2014	1:24:00 AM	32 - Suspicious Person	2 - Urgent
14-1799306	9/15/2014	1:46:00 AM	32 - Suspicious Person	2 - Urgent
14-1771517	9/11/2014	12:54:00 AM	41/11B - Burg Busn in Progress	1 - Emergency
14-1702357	9/1/2014	1:22:00 AM	32 - Suspicious Person	2 - Urgent
14-1693719	8/30/2014	8:59:00 PM	6X - Major Dist (Violence)	2 - Urgent
14-1664239	8/26/2014	5:02:00 PM	PSE/40 - Other	5 - Expediter
14-1453648	7/28/2014	1:25:00 AM	32 - Suspicious Person	2 - Urgent
14-1417851	7/23/2014	1:40:00 AM	32 - Suspicious Person	2 - Urgent

Incident No.	Date	Time	Problem	Priority Description
14-1239031	6/28/2014	5:23:00 PM	6X - Major Dist (Violence)	2 - Urgent
14-1134773	6/14/2014	3:54:00 AM	40/01 - Other	2 - Urgent
14-0980896	5/23/2014	9:52:00 PM	04 - 911 Hang Up	2 - Urgent
14-0941760	5/18/2014	11:42:00 AM	40/01 - Other	2 - Urgent
14-0614465	4/2/2014	5:22:00 PM	PH - Panhandler	4 - Non Critical
14-0370657	2/25/2014	11:25:00 PM	31 - Criminal Mischief	4 - Non Critical
14-0359209	2/24/2014	8:06:00 AM	40 - Other	3 - General Service
14-0342534	2/21/2014	8:03:00 PM	16 - Injured Person	3 - General Service
14-0309915	2/16/2014	11:25:00 PM	32 - Suspicious Person	2 - Urgent
14-0130731	1/20/2014	9:31:00 PM	40 - Other	3 - General Service
14-0130333	1/20/2014	8:24:00 PM	PH - Panhandler	4 - Non Critical
14-0111238	1/17/2014	11:01:00 PM	20 - Robbery	2 - Urgent
14-0071480	1/11/2014	11:07:00 PM	20 - Robbery	2 - Urgent
13-2525580	12/31/2013	9:47:00 PM	20 - Robbery	2 - Urgent
13-2525580	12/31/2013	9:47:00 PM	20 - Robbery	2 - Urgent
13-2245894	11/17/2013	9:49:00 PM	6X - Major Dist (Violence)	2 - Urgent
13-2244858	11/17/2013	6:56:00 PM	6X - Major Dist (Violence)	2 - Urgent
13-1987159	10/10/2013	8:29:00 AM	40 - Other	3 - General Service
13-1976727	10/8/2013	5:28:00 PM	40 - Other	3 - General Service
13-1809130	9/14/2013	2:34:00 AM	32 - Suspicious Person	2 - Urgent
13-1173289	6/17/2013	11:27:00 PM	09/01 - Theft	3 - General Service
13-1142219	6/13/2013	8:20:00 PM	6X - Major Dist (Violence)	2 - Urgent
13-1134637	6/12/2013	8:38:00 PM	40 - Other	3 - General Service
13-1073452	6/4/2013	5:04:00 PM	40 - Other	3 - General Service
13-0995461	5/25/2013	6:23:00 PM	40 - Other	3 - General Service
13-0766157	4/23/2013	3:17:00 PM	40 - Other	3 - General Service
13-0762104	4/22/2013	9:49:00 PM	09/01 - Theft	3 - General Service
13-0498444	3/16/2013	12:09:00 PM	6X - Major Dist (Violence)	2 - Urgent
13-0456441	3/10/2013	7:06:00 AM	6X - Major Dist (Violence)	2 - Urgent
13-0418683	3/4/2013	9:52:00 PM	40 - Other	3 - General Service
13-0397611	3/1/2013	8:27:00 PM	21B - Business Hold Up	2 - Urgent
13-0365730	2/25/2013	6:46:00 AM	40/01 - Other	2 - Urgent
13-0208308	2/1/2013	6:56:00 PM	40/01 - Other	2 - Urgent
13-0205478	2/1/2013	12:06:00 PM	PSE/40 - Other	5 - Expediter
13-0042512	1/7/2013	2:20:00 PM	6X - Major Dist (Violence)	2 - Urgent
12-2355017	11/22/2012	10:01:00 AM	6X - Major Dist (Violence)	2 - Urgent
12-2042740	10/7/2012	2:45:00 AM	40 - Other	3 - General Service
12-1871755	9/12/2012	9:12:00 PM	DH - Drug House	3 - General Service
12-1871540	9/12/2012	8:35:00 PM	6X - Major Dist (Violence)	2 - Urgent
12-1869769	9/12/2012	4:16:00 PM	6X - Major Dist (Violence)	2 - Urgent
12-1711356	8/22/2012	12:00:00 AM	6X - Major Dist (Violence)	2 - Urgent

Incident No.	Date	Time	Problem	Priority Description
12-1691561	8/19/2012	3:21:00 AM	DAEV-Dist Armed Encounter Veh	1 - Emergency
12-1640076	8/12/2012	3:13:00 AM	6X - Major Dist (Violence)	2 - Urgent
12-1640076	8/12/2012	3:13:00 AM	6X - Major Dist (Violence)	2 - Urgent
12-1551939	7/31/2012	11:20:00 AM	40 - Other	3 - General Service
12-1518552	7/26/2012	9:10:00 PM	6X - Major Dist (Violence)	2 - Urgent
12-1481397	7/21/2012	11:17:00 PM	40 - Other	3 - General Service
12-1447850	7/17/2012	7:23:00 PM	PH - Panhandler	4 - Non Critical
12-1432914	7/15/2012	6:03:00 PM	40/01 - Other	2 - Urgent
12-1404519	7/11/2012	10:43:00 PM	20 - Robbery	2 - Urgent
12-1396202	7/10/2012	8:06:00 PM	40 - Other	3 - General Service
12-1113824	6/3/2012	10:23:00 PM	6X - Major Dist (Violence)	2 - Urgent
12-1048642	5/26/2012	11:27:00 AM	PSE/40 - Other	5 - Expediter
12-1037705	5/25/2012	12:18:00 AM	32 - Suspicious Person	2 - Urgent
12-1036798	5/24/2012	10:00:00 PM	6X - Major Dist (Violence)	2 - Urgent
12-1036609	5/24/2012	9:37:00 PM	6X - Major Dist (Violence)	2 - Urgent
12-1008057	5/21/2012	12:56:00 AM	PH - Panhandler	4 - Non Critical
12-1007786	5/20/2012	11:55:00 PM	40 - Other	3 - General Service
12-0970152	5/16/2012	5:07:00 AM	6X - Major Dist (Violence)	2 - Urgent
12-0932333	5/10/2012	9:08:00 PM	40 - Other	3 - General Service
12-0922673	5/9/2012	3:45:00 PM	PH - Panhandler	4 - Non Critical
12-0916229	5/8/2012	4:55:00 PM	40/01 - Other	2 - Urgent
12-0810723	4/24/2012	7:07:00 PM	6X - Major Dist (Violence)	2 - Urgent
12-0661065	4/4/2012	9:45:00 PM	04 - 911 Hang Up	2 - Urgent
12-0598531	3/27/2012	3:34:00 PM	40 - Other	3 - General Service
12-0578969	3/24/2012	10:00:00 PM	6X - Major Dist (Violence)	2 - Urgent
12-0577366	3/24/2012	6:41:00 PM	40 - Other	3 - General Service
12-0491802	3/12/2012	6:47:00 PM	PH - Panhandler	4 - Non Critical
12-0461972	3/8/2012	11:19:00 AM	04 - 911 Hang Up	2 - Urgent
12-0298036	2/13/2012	6:01:00 PM	11V/01 - Burg Motor Veh	2 - Urgent
11-2467904	12/22/2011	1:02:00 AM	08 - Intoxicated Person	3 - General Service
11-2467904	12/22/2011	1:02:00 AM	08 - Intoxicated Person	3 - General Service
11-2466083	12/21/2011	6:53:00 PM	07 - Minor Accident	3 - General Service
11-2466083	12/21/2011	6:53:00 PM	07 - Minor Accident	3 - General Service
11-2390199	12/10/2011	1:08:00 AM	41/09 - Theft - In Progress	1 - Emergency
11-2356351	12/4/2011	6:28:00 PM	6X - Major Dist (Violence)	2 - Urgent
11-2279421	11/22/2011	7:13:00 PM	40 - Other	3 - General Service
11-2112220	10/29/2011	6:38:00 AM	6X - Major Dist (Violence)	2 - Urgent
11-1639128	8/22/2011	8:44:00 PM	40/01 - Other	2 - Urgent

Incidents:

Incident No.	Date	Time	UCR Offense	UCR Description	MO
084473-2018	4/22/2018	2:26:00 AM	Burglary-Business	Burglary	Susps entered and took comp's property w/o effective consent
082244-2018	4/19/2018	12:40:00 PM	Robbery-Business	Robbery	Arrestee chambless removed property from the business using force
018735-2018	1/25/2018	11:00:00 PM	Narcotics & Drugs	Narcotics / Drugs	Ap was found in possession of phencyclidine
290536-2017	12/23/2017	1:00:00 PM	Forge & Counterfeit	Forgery & Counterfeit	1 counterfeit 20 bill at location
246529-2017	10/28/2017	6:33:00 AM	UUMV	Auto Theft - UUMV	Unknown suspect took comps vehicle without consent.
192099-2017	8/22/2017	2:24:00 PM	UUMV	Auto Theft - UUMV	Unk susp took vehicle with key w/o consent
243299-2017	8/21/2017	8:00:00 AM	Criminal Trespass	Miscellaneous	Cta on file
308853-2016	12/27/2016	9:30:00 PM	Robbery-Individual	Robbery	Unk susp punched the comp on the face multiple times.
306657-2016	12/25/2016	8:40:00 PM	Robbery-Business	Robbery	The unk susp took the comp's prop w/o consent by force.
291788-2016	12/7/2016	10:05:00 PM	Assault	Assault	Unk susp pushed comp
261894-2016	9/13/2016	10:00:00 PM	Other Thefts	Theft	Susp removed 2 rolls of lottery scratch off tickets w/o permission
203861-2016	8/24/2016	1:05:00 PM	Forge & Counterfeit	Forgery & Counterfeit	The susp attempted to cash a fake one-hundred dollar bill.
093445-2016	4/20/2016	1:25:00 AM	Alarm Incident	Alarm Incident	Air
221320-2015	9/23/2015	4:00:00 PM	Miscellaneous	Miscellaneous	Ct warning.
168071-2015	7/22/2015	3:07:00 AM	Miscellaneous	Miscellaneous	Ct warning
168070-2015	7/22/2015	3:02:00 AM	Fraud	Fraud	Susp was using the water at loc without comps permission
125540-2015	6/3/2015	3:39:00 AM	Alarm Incident	Alarm Incident	False alarm no offense.
120178-2015	5/27/2015	11:50:00 PM	Robbery-Business	Robbery	Suspects entered help comp at gunpoint took property fled loc
054690-2015	3/11/2015	11:25:00 PM	Alarm Incident	Alarm Incident	False alarm incident report

Incident No.	Date	Time	UCR Offense	UCR Description	MO
033117-2015	2/11/2015	6:49:00 PM	Robbery-Individual	Robbery	Unk suspect assaulted and robbed comp with a deadly weapon
014185-2015	1/19/2015	1:25:00 AM	Alarm Incident	Alarm Incident	Air
011883-2015	1/16/2015	4:20:00 AM	Burglary-Business	Burglary	Unknown susp made a hole in the wall with sledgehammer.
270729-2014	11/11/2014	3:14:00 AM	Alarm Incident	Alarm Incident	False alarm incident
258820-2014	10/27/2014	4:00:00 PM	Assault	Assault	Comp shot with paintball gun in the back
223703-2014	9/16/2014	9:00:00 PM	Injured Public	Accidental Injury	Air soft gun
218766-2014	9/11/2014	1:00:00 AM	Miscellaneous	Miscellaneous	
215172-2014	9/6/2014	6:30:00 PM	Accident MV	Motor Vehicle Accident	FLID
143266-2014	6/14/2014	3:50:00 AM	Miscellaneous	Miscellaneous	
2014-0087840	4/13/2014	7:55:00 PM	Traffic Non Hazardous	Traffic Non Hazardous | FLID | Accident Report Required	Susp struck comp veh, fled w/o leaving id.
2014-0046764	2/25/2014	11:00:00 PM	Vandalism & Criminal Mischief	Vandalism & Criminal Mischief | Criminal Mischieif | $20 > $499.99	Unknown suspect damaged comp vehicle
2014-0009048	1/11/2014	11:00:00 PM	Robbery-Business	Robbery | Misc Business | Hands/Fists/Feet/Bodily Force | 1800-0600	Ukn susps took comp's prop by force
0329051-2013	12/31/2013	9:55:00 PM	Assault	Assault | Adult W/M | Offense Contact | 1800-0600	Unk susps punched comp multiple times causing injury
0329097-2013	12/31/2013	9:55:00 PM	Assault	Assault | Adult W/M | Offense Contact | 1800-0600	Unk susp punched the comp on the face causing pain and injury
0280725-2013	11/2/2013	3:00:00 PM	Theft/BMV	Theft | Other Thefts | Attach Auto Parts/Accessory | $200 +	Unknown susp took comp's stereo out of his vehicle, window down
0258485-2013	10/8/2013	3:30:00 PM	Not Coded	Not Coded Multiple Robbery Incident	Suspicious activity
0208894-2013	8/13/2013	9:00:00 AM	Not Coded	Not Coded Multiple Robbery Incident	CTA on file
0139445-2013	6/4/2013	5:00:00 PM	Not Coded	Not Coded Multiple Robbery Incident	Criminal trespass warning
0109398-2013	5/3/2013	9:40:00 PM	Robbery-Individual	Robbery | Misc Locat-Indv | Other Weapon | 1800-0600	Ap demanded money at gunpoint

Incident No.	Date	Time	UCR Offense	UCR Description	MO
0099259-2013	4/22/2013	9:38:00 PM	Theft/BMV	Theft | Other Thefts | Bmv/Unattach Prop Inside Veh | $50 - $199.99	Unk susp(s) stole comps prop
0176821-2012	7/17/2012	7:30:00 PM	Not Coded	Not Coded Multiple Robbery Incident	Criminal trespass warning
0171337-2012	7/11/2012	11:00:00 PM	Theft/Shoplift	Theft | Other Thefts | Shoplift | Under $5	Susp took property and exited store without paying
0171290-2012	7/11/2012	10:00:00 PM	Robbery-Individual	Robbery | Misc Locat-Indv | Hands/Fists/Feet/Bodily Force | 1800-0600	Susp pushed comp to the ground and took comp's property
0127646-2012	5/25/2012	12:20:00 AM	Not Coded	Not Coded Multiple Robbery Incident	MIR 32
0127540-2012	5/24/2012	9:37:00 PM	Assault	Assault | Adult W/M | Verbal Threat/Abuse Language | 1800-0600	Susp threatened the comp
0128990-2012	5/18/2012	8:00:00 PM	Investigation Of	Investigation Of	Unk susp used credit card/pin number to make charges and withdrawls
0113185-2012	5/9/2012	3:45:00 PM	Fraud	Fraud | Labels/Accounts | Frdulent Conv Etc Theft Of Service	Susp attempting to sell illegally copied DVDS/CDS
0080910-2012	4/4/2012	9:45:00 PM	Theft/Shoplift	Theft | Other Thefts | Shoplift | $50 - $199.99	Susps took prop w/o permission from RP
0042485-2012	2/21/2012	10:45:00 AM	Other Thefts	Theft | From Person | Purse Snatch | $20 - $49.99	Unk susp took comps purse from her person without consent.
0036379-2012	2/13/2012	6:00:00 PM	Theft/BMV	Theft | Other Thefts | BMV/Unattach Prop Inside Veh | $200 +	Susps entered comps unlocked vehicle and stole listed prop.
0332563-2011	12/22/2011	1:20:00 AM	Not Coded	Not Coded Multiple Robbery Incident	The arrestee was causing a disturbance and trying to fight
0332396-2011	12/21/2011	6:54:00 PM	Traffic Non Hazardous	Traffic Non Hazardous | Flid | Accident Report required	Susp veh collided w/comp veh, fled w/out leaving ID
0317575-2011	12/4/2011	6:25:00 PM	Not Coded	Not Coded Multiple Robbery Incident	MIR
0307649-2011	11/22/2011	7:00:00 PM	Theft/Shoplift	Theft | Other Thefts | Shoplift | Under $5	Susp entered and took prop and left the same
0306627-2011	11/21/2011	4:30:00 PM	Not Coded	Not Coded Multiple Robbery Incident	Susp was criminally tresspassed by RP
0285708-2011	10/29/2011	7:09:00 AM	Not Coded	Not Coded Multiple Robbery Incident	Criminal trespass warning

Arrests:

Charge Description	Arrest No.	Date	Time	Day	UCR Arrest Charge	UCR Offense
Poss Cont Sub Pen Grp 1 <1g	18-003003	1/25/2018	11:30:00 PM	Friday	Narcotic Charges	Narcotics & Drugs
Poss Cont Sub Pen Grp 1 <1g	15-028582	7/18/2015	1:30:00 AM	Saturday	Narcotic Charges	Narcotics & Drugs
Warrant Hold (Outside Agency)	15-028582	7/18/2015	1:30:00 AM	Saturday	Holds Dso	Not Coded
Prostitution	15-023922	6/15/2015	12:45:00 PM	Monday	Prostitution	Prostitution
Warrant Hold (Outside Agency)	15-002522	1/19/2015	2:10:00 AM	Monday	Holds Dso	Not Coded
Warrant-Dallas Pd (Alias)	15-002522	1/19/2015	2:10:00 AM	Monday	Alias/Capias	Not Coded

CPC Action
April 4, 2019

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of Lake June Road and Holcomb Road.

Maker: Shidid
Second: Schulte
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: 16
Replies: For: 1 Against: 0

Speakers: For: Parvez Malik, 320 Decker Dr., Las Colinas, TX, 75062
For (Did not speak): Karim Rashid, 4812 Mouton Ave., Colleyville, TX, 76034
Against: None

CPC Recommended SUP No. 1871 Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC recommended:

3. TIME LIMIT: This specific use permit expires on (two-years from the passage of this ordinance). [~~August 10, 2013, but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)~~]

Applicant requested:

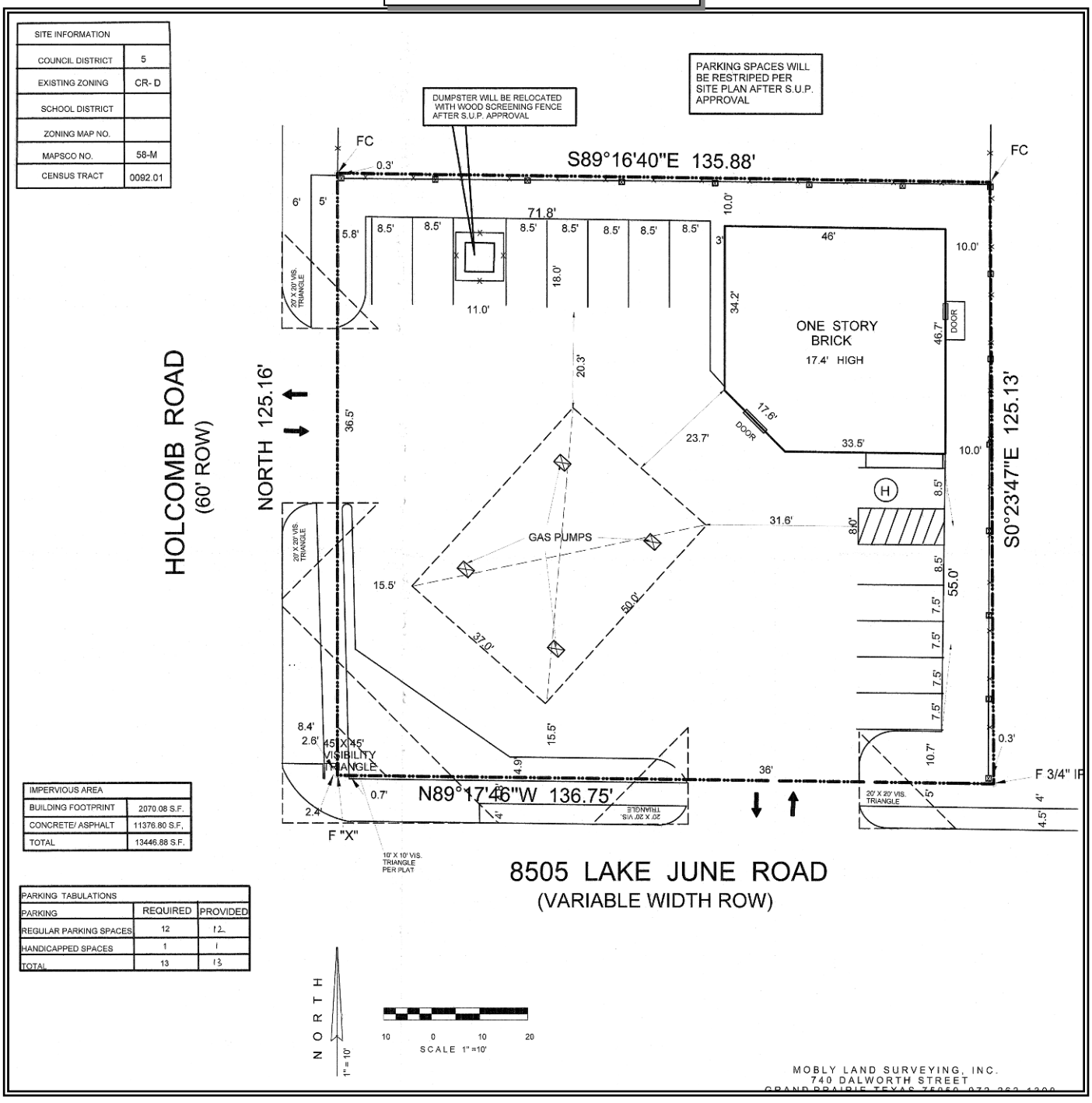
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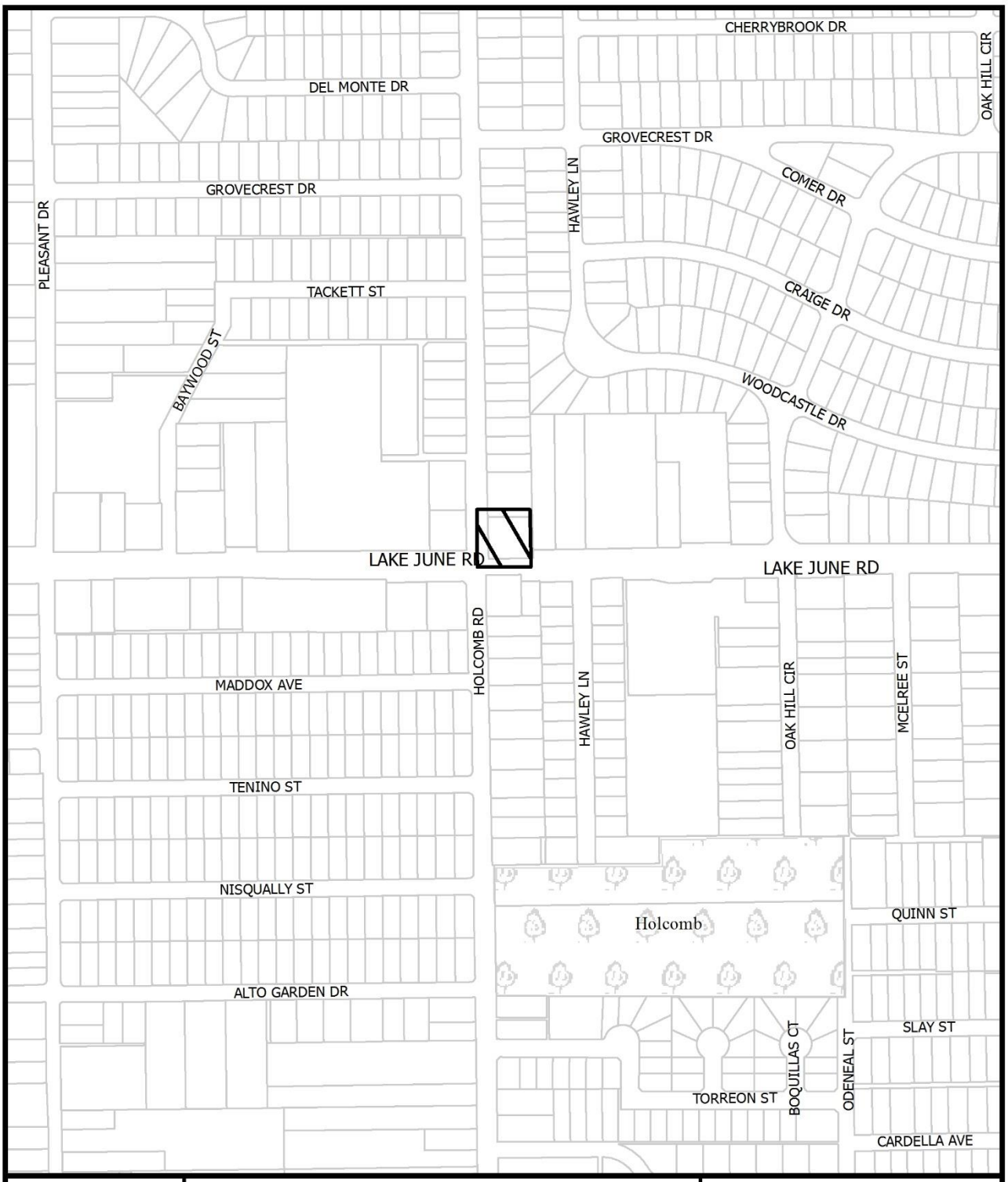
4. INGRESS/EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.

5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations,

EXISTING SITE PLAN (no changes)





1:4,800

VICINITY MAP

Case no: Z178-378

Date: 3/21/2019

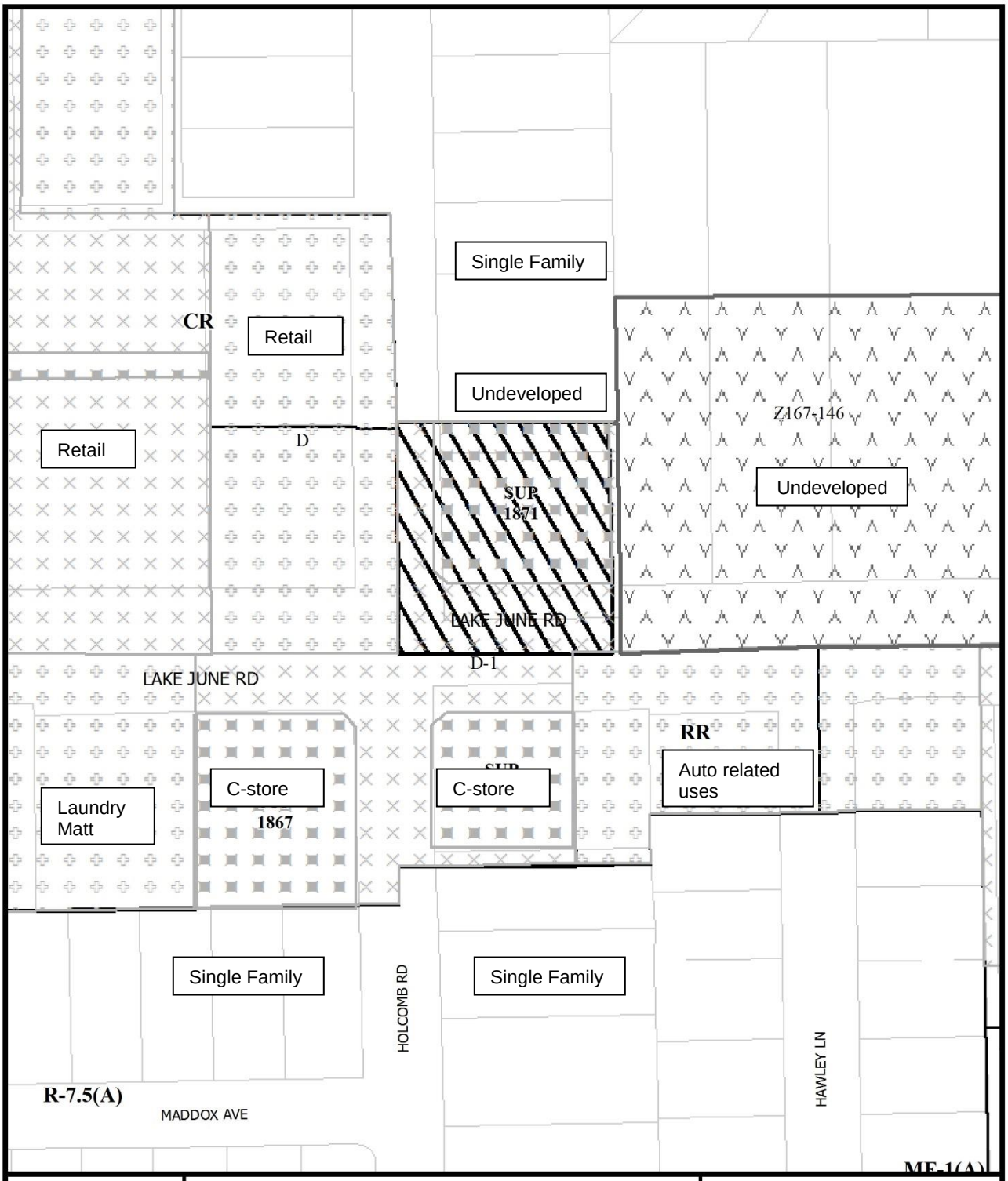


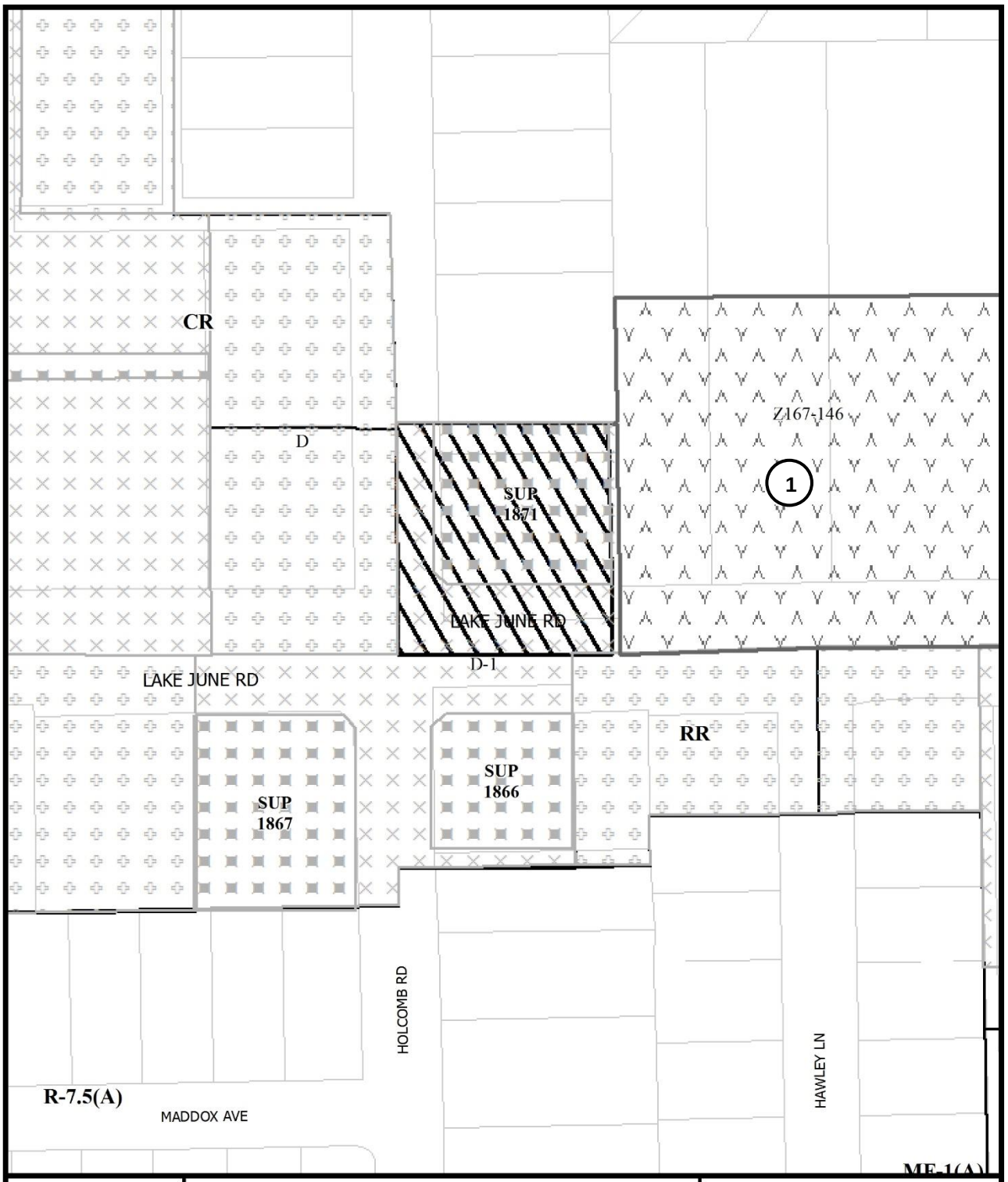
1:1,200

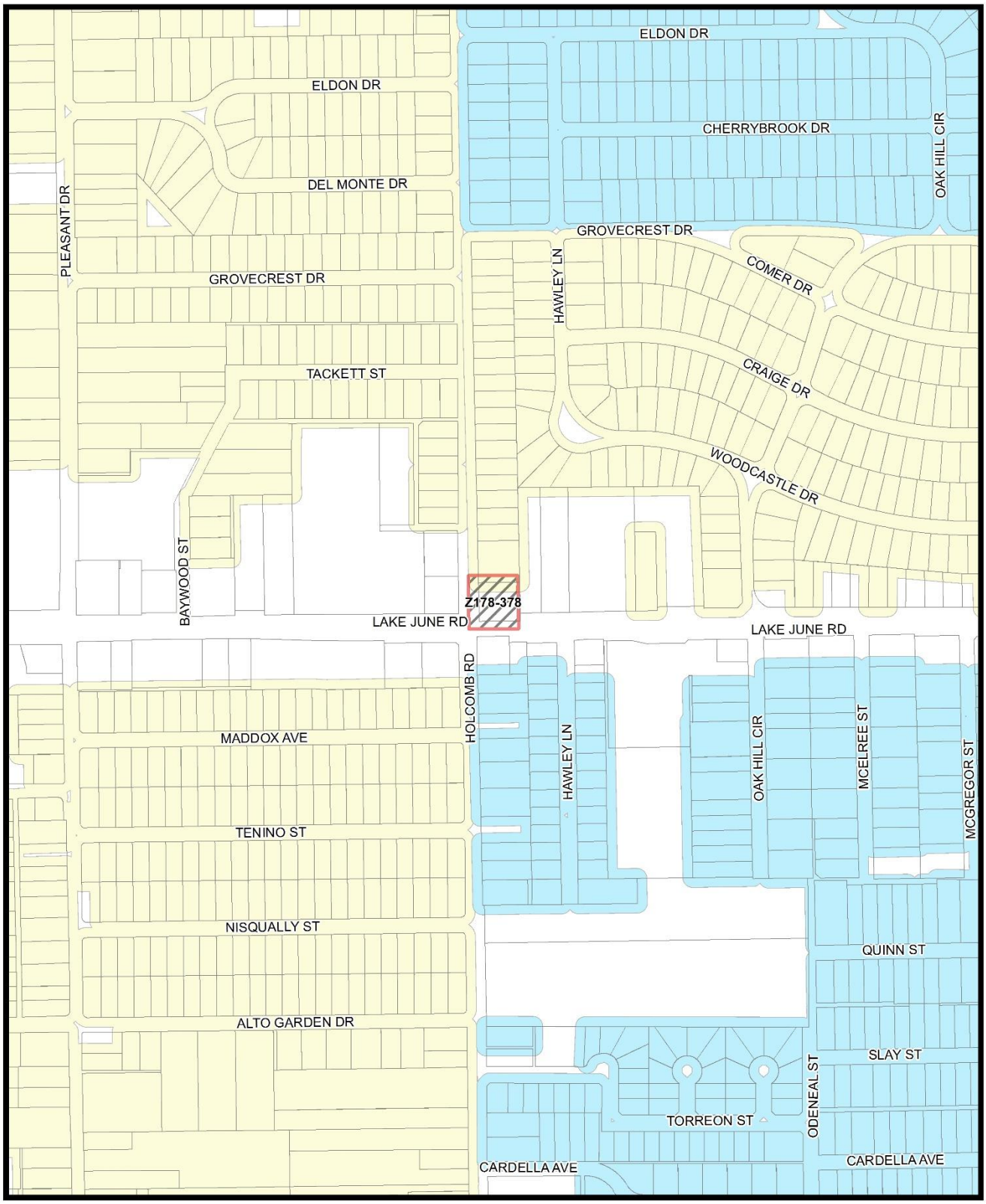
AERIAL MAP

Case no: Z178-378

Date: 3/21/2019


Single Family
CR
Retail
Undeveloped
Retail
D
Z167-146
SUP
1871
Undeveloped
LAKE JUNE RD
D-1
LAKE JUNE RD
RR
Auto related uses
C-store
1867
C-store
Laundry Matt
Single Family
HOLCOMB RD
Single Family
HAWLEY LN
R-7.5(A)
MADDOX AVE
ZONING AND LAND USE
1:1,200
Case no: Z178-378
Date: 3/21/2019


CR
D
Z167-146
1
SUP
1871
LAKE JUNE RD
D-1
LAKE JUNE RD
RR
SUP
1866
SUP
1867
HOLCOMB RD
HAWLEY LN
R-7.5(A)
MADDOX AVE
MF-1(A)
1:1,200
ZONING HISTORY
Case no: Z178-378
Date: 3/21/2019

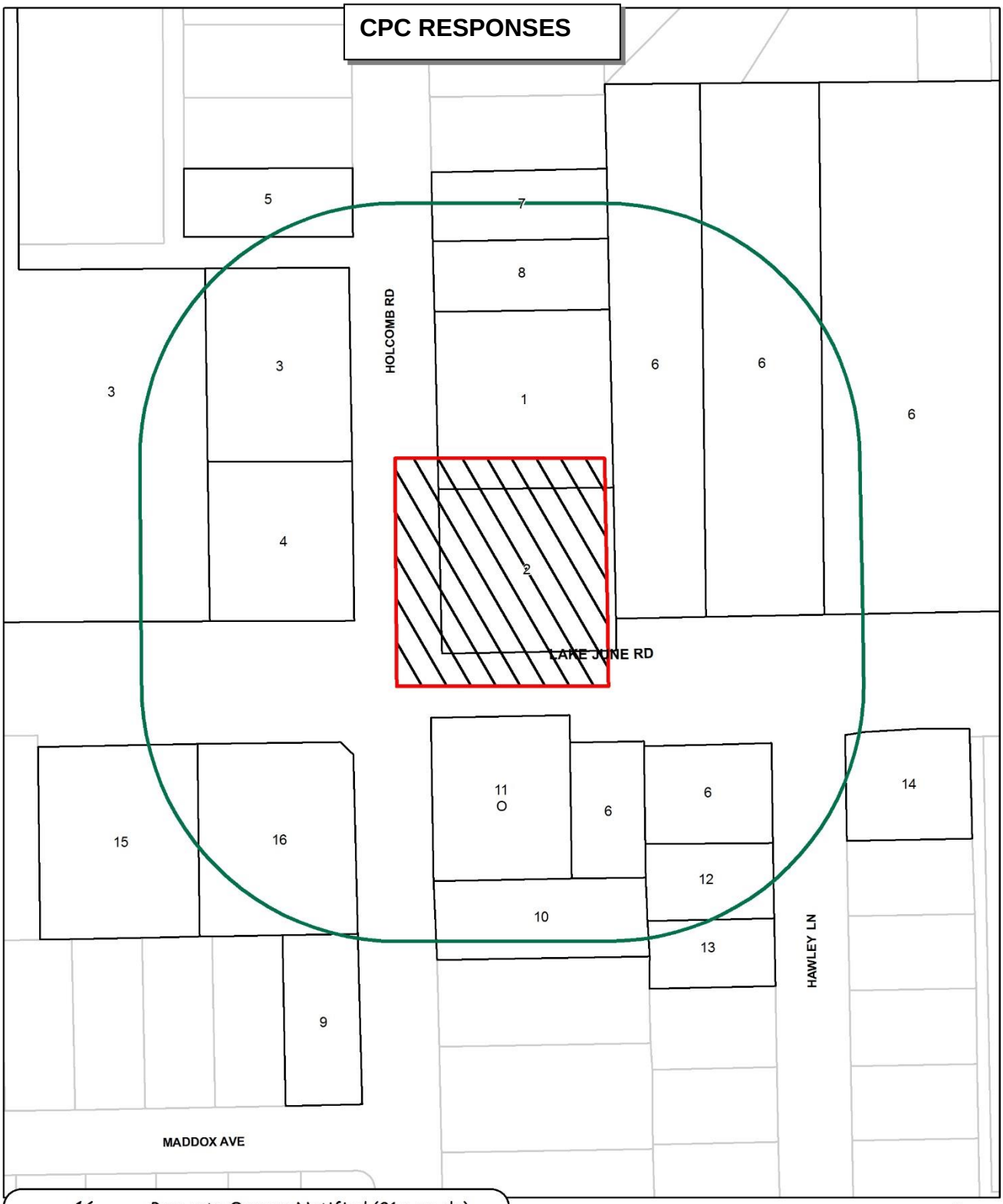


MVACluster A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 3/21/2019


CPC RESPONSES
HOLCOMB RD
LAKE JUNE RD
HAWLEY LN
MADDOX AVE
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
16 Property Owners Notified (21 parcels)
1 Replies in Favor (1 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
4/4/2019 Date
Z178-378
CPC
N
W
E
S
1:1,200

04/03/2019

Reply List of Property Owners

Z178-378

16 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	1316	HOLCOMB RD	RAMIREZ JOSEFINA EST OF
	2	8505	LAKE JUNE RD	CLUB CREEK RENTAL PROPERTY LLC
	3	8443	LAKE JUNE RD	MARTINEZ RUBEN
	4	8449	LAKE JUNE RD	ORTIZ JOSE & SANDRA
	5	1329	HOLCOMB RD	ROMANS MATTIE W
	6	8601	LAKE JUNE RD	MUMITH FAHIM
	7	1328	HOLCOMB RD	MORENO ROSA
	8	1324	HOLCOMB RD	MONGE JOSE &
	9	8451	MADDOX AVE	ALVARADO JAVIER & OLIMPIA
	10	1236	HOLCOMB RD	DURAN JOSE JORGE
O	11	8502	LAKE JUNE RD	CHIN ROBERT K &
	12	1231	HAWLEY LN	HERNANDEZ ROGELIO
	13	1227	HAWLEY LN	MENDEZ BELEN V
	14	8600	LAKE JUNE RD	MUMITH FAHIM & OMRAN
	15	8440	LAKE JUNE RD	WASH JUNE INC
	16	8470	LAKE JUNE RD	A & Z TASTY FOODS LP

Agenda Information Sheet

File #: 19-592 **Item #:** 27.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 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 a Planned Development District for Mixed Use District uses on property zoned an MF-2(A) Multifamily District, on the northwest corner of East Side Avenue and South Collett Avenue
Recommendation of Staff: Denial.
Recommendation of CPC: Approval, subject to a development plan and conditions
Z189-125(CY)

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HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY, MAY 8, 2019**
ACM: Michael Mendoza

FILE NUMBER:	Z189-125(CY)	**DATE FILED:**	November 6, 2018
LOCATION:	Northwest corner of East Side Avenue and South Collett Avenue		
COUNCIL DISTRICT:	2	**MAPSCO:**	46 G
SIZE OF REQUEST:	Approx. 0.23 acres	**CENSUS TRACT:**	24.00

OWNER/APPLICANT: Ana Ortiz

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for a Planned Development District for Mixed Use District uses on property zoned an MF-2(A) Multifamily District.

SUMMARY: The purpose of the request is to create a new Planned Development District to allow for the development of a mixed-use project with ground-floor retail uses and two upper stories consisting of a maximum of three multifamily units.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions.

STAFF RECOMMENDATION: **Denial.**

BACKGROUND INFORMATION:

- The area of request is currently undeveloped but according to Building Inspections' records, it was developed with a multifamily use until 1994 when a demolition permit was issued and completed.

- The applicant proposes to redevelop the site with a three-story structure containing ground-floor retail uses and three dwelling units in the upper floors.

- The proposed Planned Development District would allow for MU-1 Mixed-Use District uses and will be subject to a Development Plan.

Zoning History: There has been one zoning change in the vicinity during the last five years.

1. Z178-186 On April 25, 2018, City Council approved a Demolition Delay Overlay for nearby properties to the west of the area of request. A demolition delay overlay district is intended to encourage the preservation of historically significant buildings that are not located in a historic overlay district by helping the property owner identify alternatives to demolition.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
South Collett Avenue	Major Arterial	50 feet
East Side Avenue	Minor Arterial	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 does not support the following Plan's goals or policies.

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.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS.

Policy 2.5.1 Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

URBAN DESIGN ELEMENT

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY.

Policy 5.2.1 Maintain neighborhood scale and character.

Land Use:

	Zoning	Land Use
Site	MF-2(A) Multifamily District	Undeveloped land
North	CR Community Retail District	Office, retail and personal service
East	D(A) Duplex District	Single family, duplex
South	MF-2(A) Multifamily District	Multifamily, single family
West	CR Community Retail District	Undeveloped land, multifamily, catering service

Land Use Compatibility:

The approximate 0.23-acre site is zoned MF-2(A) Multifamily District and is currently undeveloped but according to Building Inspections' records, it was developed with a multifamily use until 1994 when a demolition permit was issued and completed.

Uses surrounding the area of request, include primarily single family and multifamily uses directly to the southwest of the site and to the south across East Side Avenue. Additional single family uses, and duplex uses are found to the east in a D(A) Duplex district located across South Munger Boulevard.

Retail and personal service uses, and a multifamily use are found to the north and west of the area of request in a CR Community Retail District that extends on both sides of Columbia Avenue, approximately from its intersection with South Munger Boulevard to its intersection with South Prairie Avenue.

The purpose of the request is to create a new Planned Development District for MU-1 Mixed Use District uses to allow for the development of a mixed-use project with ground-floor retail uses and two upper stories containing a maximum of three multifamily units.

While there are retail uses in close proximity to the area of request, the proposed zoning change to a Mixed Use District is not consistent with the area that is largely developed with residential uses. Furthermore, the applicant proposes to reduce the required setback in the MU-1 District from 20 feet when adjacent to residential districts (including MF-(A) districts), to 15 feet, and to not apply the residential proximity slope required for structures over 26 feet in height.

The residential proximity slope is defined as a plane projected upward and outward from every site of origination. A site of origination for the residential proximity slope is defined in the Dallas Development Code, as any property in a) an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A) OR MF-2(SAH) district or b) an identifiable portion of a planned development or conservation district, which portion is restricted to residential uses not exceeding 36 feet in height.

With the proposed three-story building, and a maximum height allowed of 36 feet, the RPS should be applied from the adjacent lot in an MF-2(A) District that abuts the area of request along the southwest boundary, and that is currently developed with a two story multifamily use.

Since the RPS originated from the MF-2(A) District to the southwest projects at a 45 degree angle [1:1 slope]; it would require that structures in the MU-1 District be set back a minimum of 26 feet from the site of origination before the height can start exceeding 26 feet. Furthermore, the increase in height at that point, would have to be gradual and at a 1:1 ratio until the projection of the RPS terminates at 50 feet from the site of origination.

However, RPS only applies when the zoning district or Planned Development regulations specify that the RPS applies and in this case, the proposed conditions do not specify this requirement.

While the applicant proposes to prohibit certain uses allowed in the MU-1 District in order to minimize the impact on the surrounding areas, staff's recommendation of denial is primarily based on the proposed development standards not being protective of the existing residential uses found in close proximity to the site.

The proposed zoning change in a single tract of land amidst the existing residential neighborhood that surrounds the Community Retail District along Columbia Avenue, is

not consistent with the area containing primarily low and medium density residential development. Mixed Use districts are intended to promote the development of urban neighborhoods where a mix of uses are developed as a single project. A broader view of the zoning and land use of this area clearly indicates that the area is envisioned to be preserved as a residential neighborhood.

Land Use Comparison:

The table below includes a comparison between the uses allowed in the existing zoning, the proposed Planned Development District, and the MU-1 Mixed Use District as a reference:

USE	MF-2(A) Multifamily	PROPOSED PDD	MU-1 Mixed Use
AGRICULTURAL USES	CROP PRODUCTION	CROP PRODUCTION	CROP PRODUCTION
COMMERCIAL AND BUSINESS SERV.	NONE PERMITTED	CATERING SERVICE	CATERING SERVICE
			CUSTOM BUSINESS SERVICES
			ELECTRONICS SERVICE CENTER
			LABOR HALL (SUP)
			MEDICAL OR SCIENTIFIC LABORATORY(SUP)
INDUSTRIAL USES	GAS DRILLING AND PRODUCTION (SUP)	NONE PERMITTED	GAS DRILLING AND PRODUCTION (SUP)
	TEMPORARY CONCRETE OR ASPHALT BATCHING PLANT (By Special authorization of the BO)		TEMPORARY CONCRETE OR ASPHALT BATCHING PLANT (By Special authorization of the BO)
INSTITUTIONAL AND COMMUNITY SERVICE USES	ADULT DAY CARE FACILITY (SUP)		ADULT DAY CARE FACILITY
	CEMETERY OR MAUSOLEUM (SUP)	CEMETERY OR MAUSOLEUM (SUP)	CEMETERY OR MAUSOLEUM (SUP)
	CHILD-CARE FACILITY (SUP)	CHILD-CARE FACILITY	CHILD-CARE FACILITY
	CHURCH	CHURCH	CHURCH
	COLLEGE, UNIVERSITY OR SEMINARY (SUP)		COLLEGE, UNIVERSITY OR SEMINARY
	COMMUNITY SERVICE CENTER (SUP)	COMMUNITY SERVICE CENTER (SUP)	COMMUNITY SERVICE CENTER (SUP)
	CONVALESCENT AND NURSING HOMES, HOSPICE CAR, AND RELATED INSTITUTIONS (RAR)	CONVALESCENT AND NURSING HOMES, HOSPICE CAR, AND RELATED INSTITUTIONS (RAR)	CONVALESCENT AND NURSING HOMES, HOSPICE CAR, AND RELATED INSTITUTIONS (RAR)
	CONVENT OR MONASTERY		CONVENT OR MONASTERY
	FOSTER HOME	FOSTER HOME	FOSTER HOME
	HOSPITAL (SUP)		HOSPITAL (SUP)
	LIBRARY, ART GALLERY OR MUSEUM (SUP)		LIBRARY, ART GALLERY OR MUSEUM
			OPEN-ENROLLMENT CHARTER SCHOOL OR PRIVATE SCHOOL (SUP)
	PUBLIC OR PRIVATE SCHOOL (SUP)		PUBLIC SCHOOL OTHER THAN AN OPEN-ENROLLMENT CHARTER SCHOOL (RAR)
LODGING USES		NONE PERMITTED	EXTENDED STAY HOTEL OR MOTEL (SUP)
			HOTEL OR MOTEL (RAR or SUP)
	LODGING OR BOARDING HOUSE		

USE	MF-2(A) Multifamily	PROPOSED PDD	MU-1 Mixed Use
			ATTACHED NON-PREMISE SIGN (SUP)
MISCELLANEOUS USES	CARNIVAL OR CIRCUS (TEMPORARY) (By special authoriztion of the BO)	CARNIVAL OR CIRCUS (TEMPORARY) (By special authoriztion of the BO)	CARNIVAL OR CIRCUS (TEMPORARY) (By special authoriztion of the BO)
	TEMPORARY CONSTRUCTION OR SALES OFFICE	TEMPORARY CONSTRUCTION OR SALES OFFICE	TEMPORARY CONSTRUCTION OR SALES OFFICE
OFFICE USES	NONE PERMITTED	FINANCIAL INSTITUTION WITHOUT DRIVE-IN WINDOW	FINANCIAL INSTITUTION WITHOUT DRIVE-IN WINDOW
			FINANCIAL INSTITUTION WITH DRIVE-IN WINDOW (DIR)
		MEDICAL OR AMBULATORY SURGICAL CENTER	MEDICAL OR AMBULATORY SURGICAL CENTER
		OFFICE	OFFICE
RECREATION USES	COUNTRY CLUB WITH PRIVATE MEMBERSHIP (RAR)		COUNTRY CLUB WITH PRIVATE MEMBERSHIP
	PRIVATE RECREATION CENTER, CLUB OR AREA (SUP)	PRIVATE RECREATION CENTER, CLUB OR AREA	PRIVATE RECREATION CENTER, CLUB OR AREA
	PUBLIC PARK, PLAYGROUND OR GOLF COURSE	PUBLIC PARK, PLAYGROUND OR GOLF COURSE	PUBLIC PARK, PLAYGROUND OR GOLF COURSE
RESIDENTIAL USES	COLLEGE DORMITORY, FRATERNITY OR SORORITY HOUSE		COLLEGE DORMITORY, FRATERNITY OR SORORITY HOUSE
	DUPLEX	DUPLEX	DUPLEX
	GROUP RESIDENTIAL FACILITY	GROUP RESIDENTIAL FACILITY	GROUP RESIDENTIAL FACILITY
	HANDICAPPED GROUP DWELLING UNIT	HANDICAPPED GROUP DWELLING UNIT	HANDICAPPED GROUP DWELLING UNIT
	MULTIFAMILY	MULTIFAMILY	MULTIFAMILY
	RESIDENTIAL HOTEL	RESIDENTIAL HOTEL	RESIDENTIAL HOTEL
	RETIREMENT HOUSING	RETIREMENT HOUSING	RETIREMENT HOUSING
	SINGLE FAMILY DWELLING	SINGLE FAMILY	SINGLE FAMILY
RETAIL AND PERSONAL SERVICE USES	NONE PERMITTED		ALCOHOLIC BEVERAGE ESTABLISHMENT
		ANIMAL SHELTER OR CLINIC WITHOUT OUTSIDE RUNS (RAR)	ANIMAL SHELTER OR CLINIC WITHOUT OUTSIDE RUNS (RAR)
			AUTO SERVICE CENTER (RAR)
			BUSINESS SCHOOL
			CAR WASH (RAR)
			COMMERCIAL AMUSEMENT (INSIDE) (SUP)
			COMMERCIAL AMUSEMENT (OUTSIDE) (SUP)
			COMMERCIAL PARKING LOT OR GARAGE (RAR)
		DRY CLEANING OR LAUNDRY STORE	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)

USE	MF-2(A) Multifamily	PROPOSED PDD	MU-1 Mixed Use
RETAIL AND PERSONAL SERVICE USES	NONE PERMITTED		MORTUARY, FUNERAL HOME OR COMMERCIAL WEDDING CHAPEL
			MOTOR VEHICLE FUELING STATION
		NURSERY, GARDEN SHOP OR PLANT SALES.	NURSERY, GARDEN SHOP OR PLANT SALES.
			PARAPHERNALIA SHOP (SUP)
		PERSONAL SERVICE USES	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 USES	TRANSIT PASSENGER SHELTER	TRANSIT PASSENGER SHELTER	TRANSIT PASSENGER SHELTER
	TRANSIT PASSENGER STATION OR TRANSFER CENTER (SUP)	TRANSIT PASSENGER STATION OR TRANSFER CENTER (By SUP or City Council Resolution)	TRANSIT PASSENGER STATION OR TRANSFER CENTER (By SUP or City Council Resolution)
UTILITY AND PUBLIC SERVICE USES			COMMERCIAL RADO OR TELEVISION TRANSMITTING STATION
	ELECTRICAL SUBSTATION (SUP)		ELECTRICAL SUBSTATION
	LOCAL UTILITIES (SUP or RAR may be required)	LOCAL UTILITIES (SUP or RAR may be required)	LOCAL UTILITIES (SUP or RAR may be required)
	POLICE OR FIRE STATION (SUP)	POLICE OR FIRE STATION	POLICE OR FIRE STATION
		POST OFFICE	POST OFFICE
	RADIO, TELEVISION, OR MICROWAVE TOWER (SUP)	RADIO, TELEVISION, OR MICROWAVE TOWER (SUP)	RADIO, TELEVISION, OR MICROWAVE TOWER (SUP)
	TOWER/ANTENNA FOR CELLULAR COMMUNICATION	TOWER/ANTENNA FOR CELLULAR COMMUNICATION	TOWER/ANTENNA FOR CELLULAR COMMUNICATION
	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)
WHOLESALE, DISTRIBUTION AND STORAGE USES			MINI-WAREHOUSE (SUP)
			RECYCLING BUY-BACK CENTER
			RECYCLING COLLECTION CENTER
	RECYCLING DROP-OFF CONTAINER	RECYCLING DROP-OFF CONTAINER	RECYCLING DROP-OFF CONTAINER
	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION

Development Standards:

The table below identifies the development standards of the existing MF-2(A) Multifamily District, the proposed Planned Development District, and the MU-1 Mixed use District which is the base of the proposed district.

DISTRICT	SETBACKS			Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side	Rear					
Existing MF-2(A) Multifamily	15'	No min for SFD, 5' for Duplex, 10' other	No min for SFD, 10' for duplex, 15' other	No maximum	36'	60% for res. Uses, 50% for non-res.	Residential Proximity Slope	Single Family, Duplex and Multifamily Dwelling uses
Proposed PD No.__	15' and 20'	15' for non-residential uses when adjacent to residential	20' when adjacent to residential. No min. other	Maximum 3 units in a MUP (13 u/acre)	36'	80%	-	MU-1 uses with restrictions.
Reference MU-1	15' and Urban setback for struct. above 45 feet	20' when adjacent to residential. No min. other	20' when adjacent to residential. No min. other	15 u/acre (No MUP), 20 u/acre (MUP 2 cat), 25 u/acre (MUP 3 cat)	80' (no MUP), 90' (MUP no retail), 120' (MUP w/retail)	80%	Residential proximity Slope, Visual Intrusion	Office, retail and personal service, lodging, residential.

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 southwest, south and east, and an "H" MVA Cluster further south.

Parking:

Off-street parking is proposed to be provided according to the Dallas Development Code, as amended. As depicted in the proposed development plan, for the proposed 3,037.5 square feet of retail space, and the proposed three one-bedroom units, a total of 18 spaces will be required[1] and provided.

The applicant proposes to provide five off-street parking spaces on site and to provide the additional 13 spaces via remote parking agreement. According to the applicant, ten of those remote parking spaces will be provided on a currently undeveloped lot located to the west of the area of request across the alley and that is approximately within the maximum walking distance of 300 feet allowed per code to provide for more than 50 percent of the required parking [Sec. 51A-4.324(b)(3)(A)]. The additional three spaces

[1] Approximately 3,037.5 sf of retail floor area / 200 = 15.2 ~ 15 off-street parking spaces.
Three one-bedroom units @ 1 space per bedroom = 3 off-street parking spaces
Total = 18 off-street parking spaces

will also be provided via remote parking agreement on a lot located to the west of the site and currently developed with retail and office uses.

While the remote parking is proposed to be within walking distance, parking along the adjacent residential streets, particularly East Side Avenue, may occur due to the proposed retail uses encroaching into the multifamily district.

Landscaping:

At the time of development, and as specified in the proposed PD conditions, landscaping will be provided in accordance with Article X of the Dallas Development Code, as amended.

CPC Action

April 4, 2019

Motion: It was moved to recommend **approval** of a Planned Development District for Mixed Use District uses, subject to a development plan and conditions on property zoned an MF-2(A) Multifamily District, on the northwest corner of East Side Avenue and South Collett Avenue.

Maker: Schulte
Second: Housewright
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Johnson, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12
Conflict: 1 - Shidid**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 76
Replies: For: 3 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Jesse Moreno, 4809 Victor St., TX, 75246
Beatrice Martinez, 7007 Arboreal Dr., Dallas, TX, 75231
Against: None

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 at the northwest corner of East Side Avenue and South Collett Avenue. The size of PD _____ is approximately 0.23 acres.

SEC. 51P- ____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P- ____.104. EXHIBIT.

The following exhibit is incorporated into this article:

(1) Exhibit ___A: development plan.

SEC. 51P- ____.106. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ___). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- ____.107. MAIN USES PERMITTED.

(a) Except as provided, the only main uses permitted are those main uses permitted in the MU-1 Mixed Use District, subject to the same conditions applicable in the MU-1 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-1 Mixed Use District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MU-1 Mixed Use District is subject to DIR in this district; etc.

(b) The following uses are prohibited:

-- Adult day care facility
-- Alcoholic beverage establishments.
-- Attached non-premise sign
-- Auto service center.
-- Business school.
-- Car wash.
-- College dormitory, fraternity, or sorority house.
-- College, university or seminary.
-- Commercial radio or television transmitting station.
-- Commercial amusement (inside)
-- Commercial amusement (outside).
-- Commercial parking lot or garage.
-- Convent or monastery
-- Country club with private membership.
-- Custom Business Services.
-- Electrical substation.
-- Electronics service center.
-- Extended stay hotel or motel.
-- Financial institution with drive-in window.
-- Furniture store.
-- Gas drilling and production.
-- General merchandise or food store greater than 3,500 square feet.
-- General merchandise or food store 100,000 square feet or more.
-- Hospital.
-- Hotel or motel.
-- Labor Hall.
-- Library, art gallery or museum.
-- Medical or scientific laboratory.
-- Mini-warehouse.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Open-enrollment charter school or private school.
-- Paraphernalia shop.
-- Public school other than an open-enrollment charter school.
-- Recycling buy-back center.
-- Recycling collection center.

-- Restaurant without drive-in or drive-through service.
-- Restaurant with drive-in or drive through service.
-- Swap or buy shop
-- Temporary concrete or asphalt batching plant.
-- Temporary retail use.
-- Theater

SEC. 51P-____.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-_____.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Except as provided in this section, the yard, lot, and space regulations for the MU-1 Mixed Use District apply.

(b) Front yard. Minimum front yard on Collett Avenue is 20 feet. Minimum front yard on East Side Avenue is 15 feet.

(c) Side yard. Minimum side yard setback for non-residential structures is 15 feet when adjacent to a residential use.

(b) Density. Maximum number of dwelling units in a Mixed Use Project is 3.

(c) Floor area ratio. Maximum floor area ratio is 1.0.

(d) Height. Maximum structure height is 36 feet.

(e) Lot size. No minimum lot size.

(f) Stories. Maximum number of stories above grade is 3.

SEC. 51P- ____.110. OFF-STREET PARKING AND LOADING.

Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P- ____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.112. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- ____.113. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- ____.114. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-____.115. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

PROPOSED DEVELOPMENT PLAN



SITE DATA TABLE
PLANNED DEVELOPMENT DISTRICT
4951 EAST SIDE AVENUE

TOTAL SITE AREA	10,185 SF	0.233 AC
LAND USE	GROUND FLOOR RETAIL	
	UPPER FLOORS MULTIFAMILY	
TOTAL FLOOR AREA (SF)	9,111	
	SETBACKS	
	MIN.	PROVIDED
FRONT SETBACK: EAST SIDE	15 FT	15 FT
FRONT SETBACK: COLLETT	20 FT	20 FT
SIDE SETBACK: INTERIOR (RES. ADJ.)	15 FT	15 FT
SIDE SETBACK: ALLEY	NONE	33 FT
	BULK STANDARDS	
	MAX.	PROVIDED
DWELLING UNIT DENSITY	20 WITH 2 USE CATEGORIES	3
FLOOR AREA RATIO: RETAIL	0.4	0.3
FLOOR AREA RATIO: RESIDENTIAL	1.8	0.6
TOTAL FLOOR AREA RATIO	1.0	0.9
BUILDING HEIGHT	120 FT	36 FT
BUILDING STORIES	5	3
LOT COVERAGE	80%	30%
	PARKING (REMOTE)	
	REQ.	PROVIDED
PARKING: RETAIL (1:200)	15.20	5 ON-SITE
PARKING: RESIDENTIAL (1 BEDROOM)	3	
TOTAL	18.20	13 REMOTE

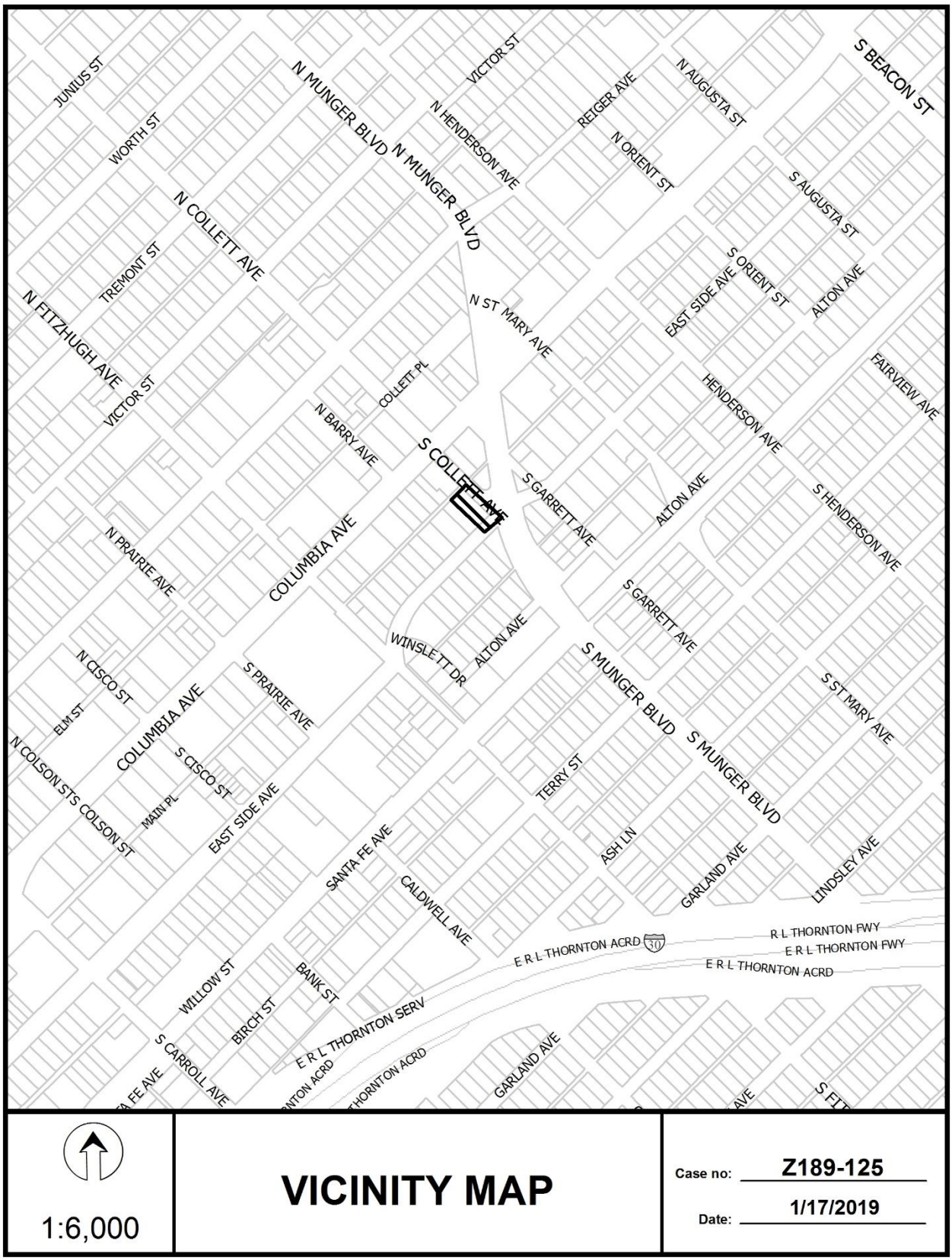
4951 EAST SIDE AVE.
CITY OF DALLAS, TEXAS

Baldwin Associates

BALDWIN ASSOCIATES
3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.824.7949
rob@baldwinplanning.com

02/26/2019
PROJECT NUMBER

CASE NUMBER

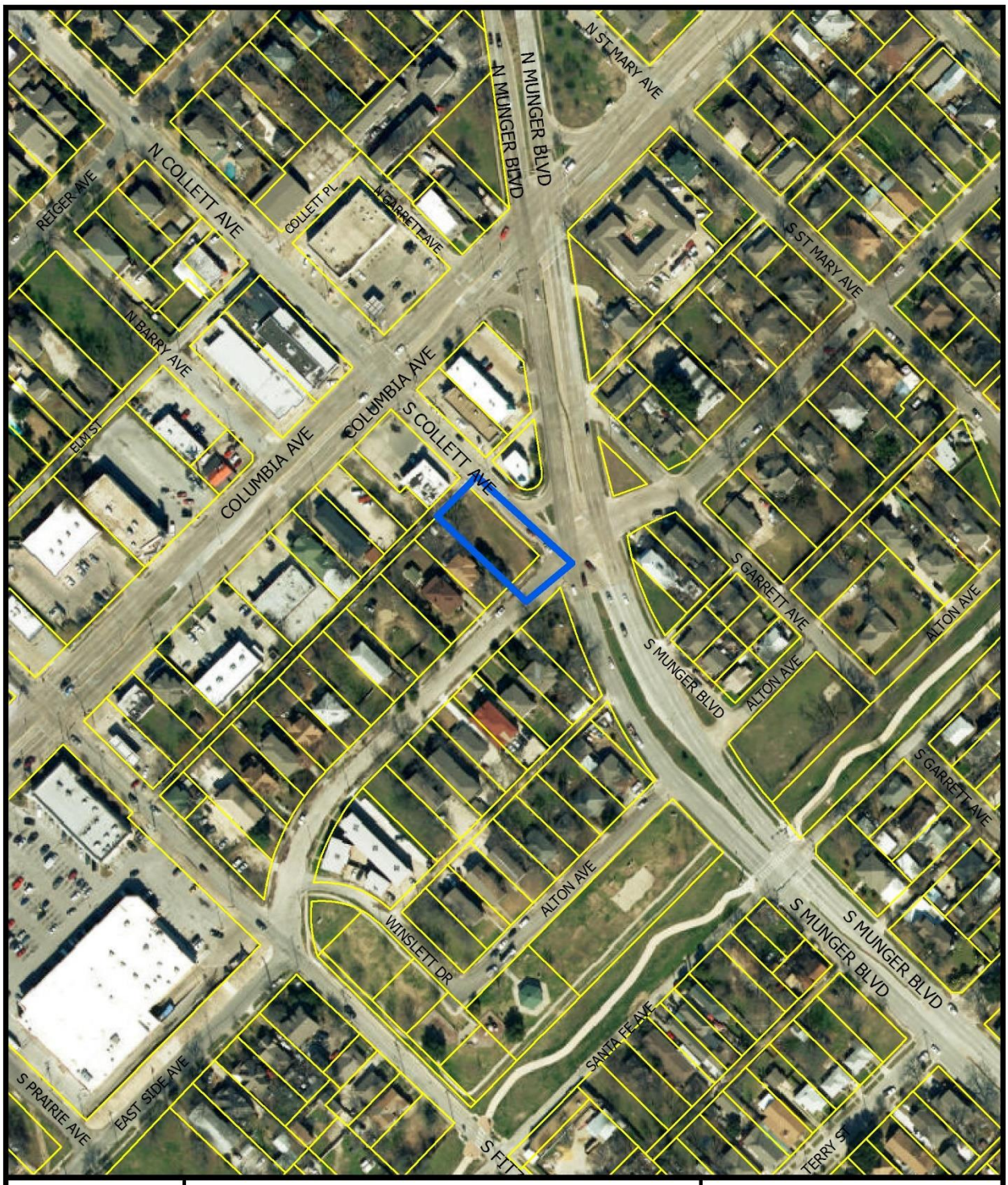


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VICINITY MAP

Case no: Z189-125

Date: 1/17/2019

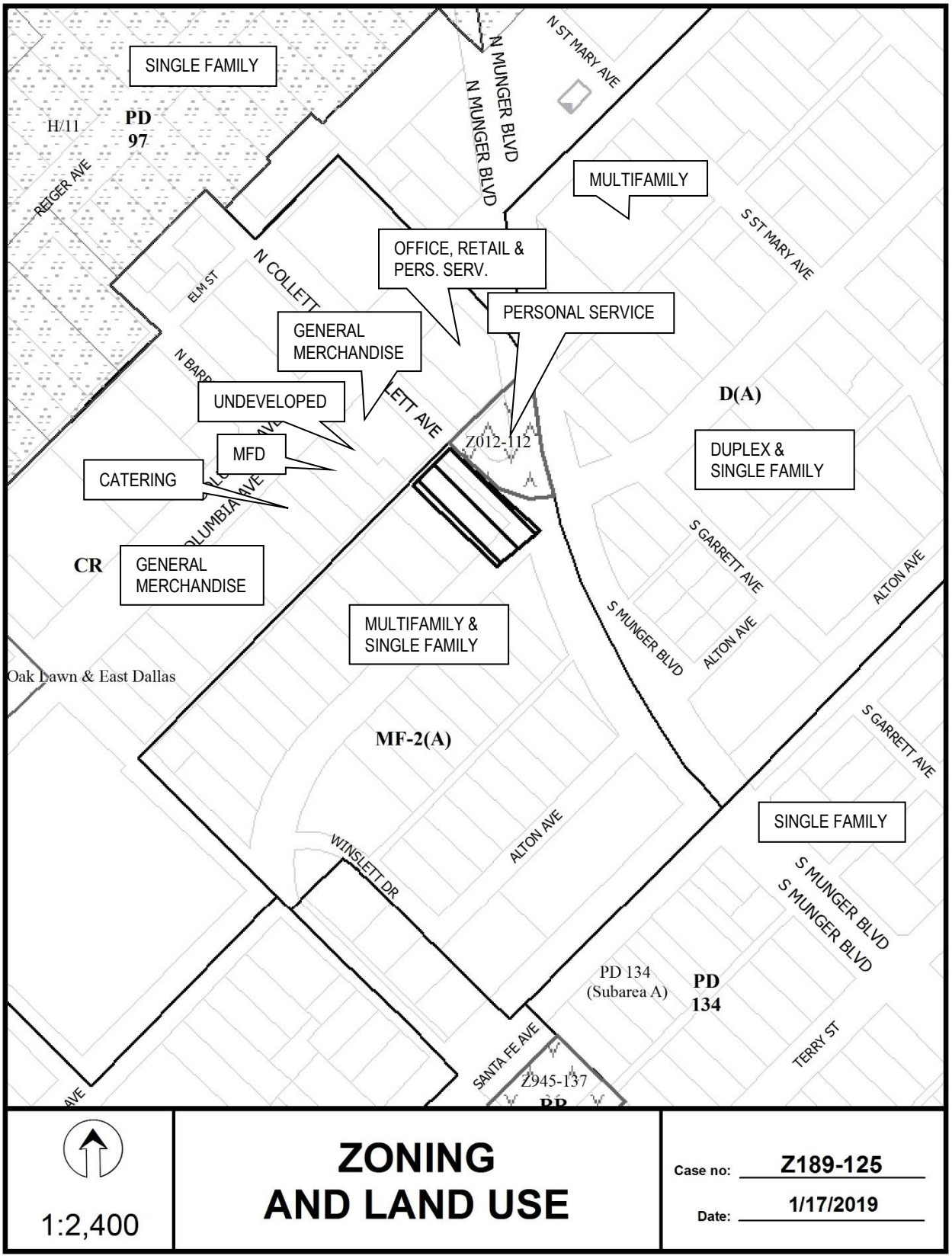


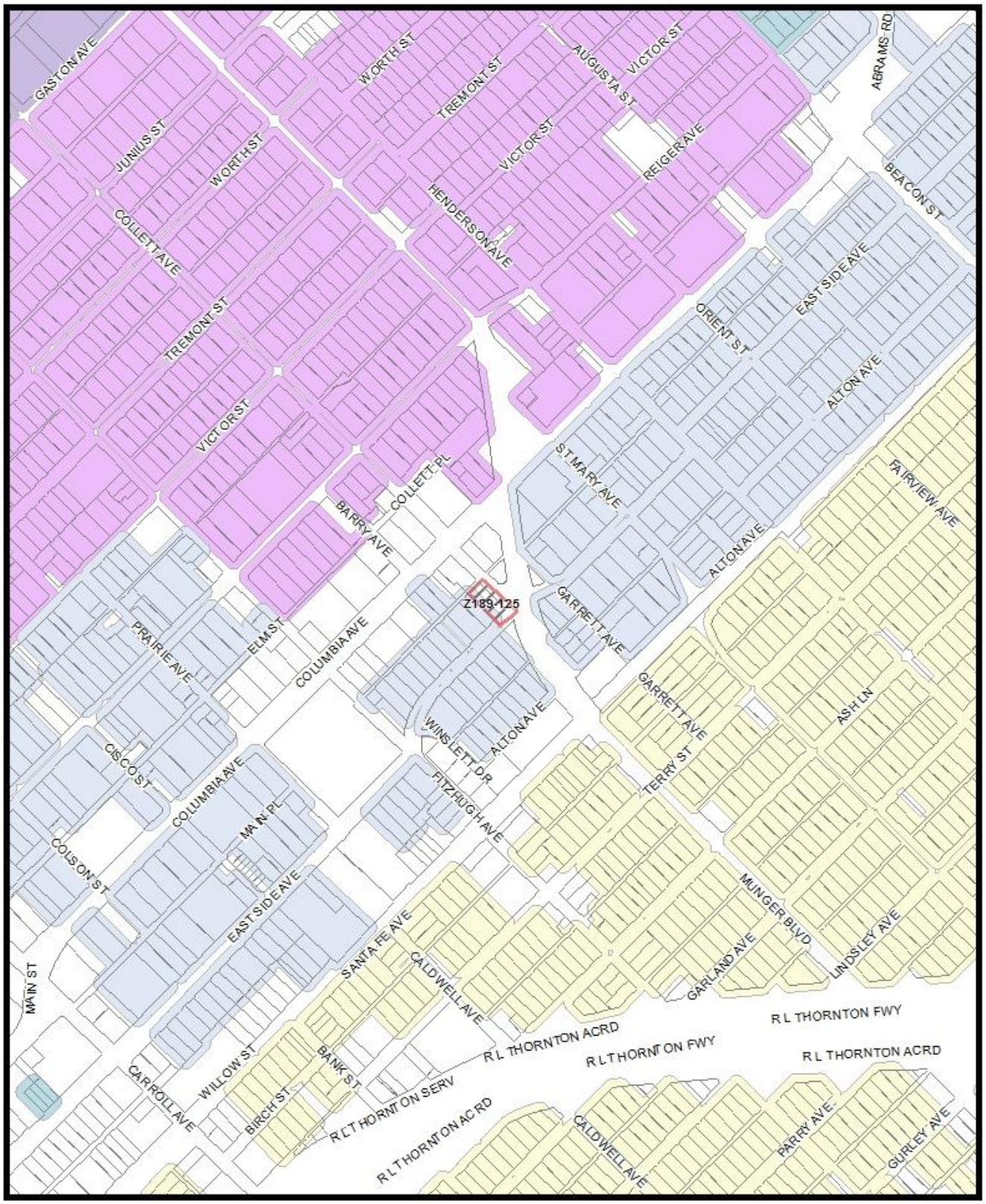
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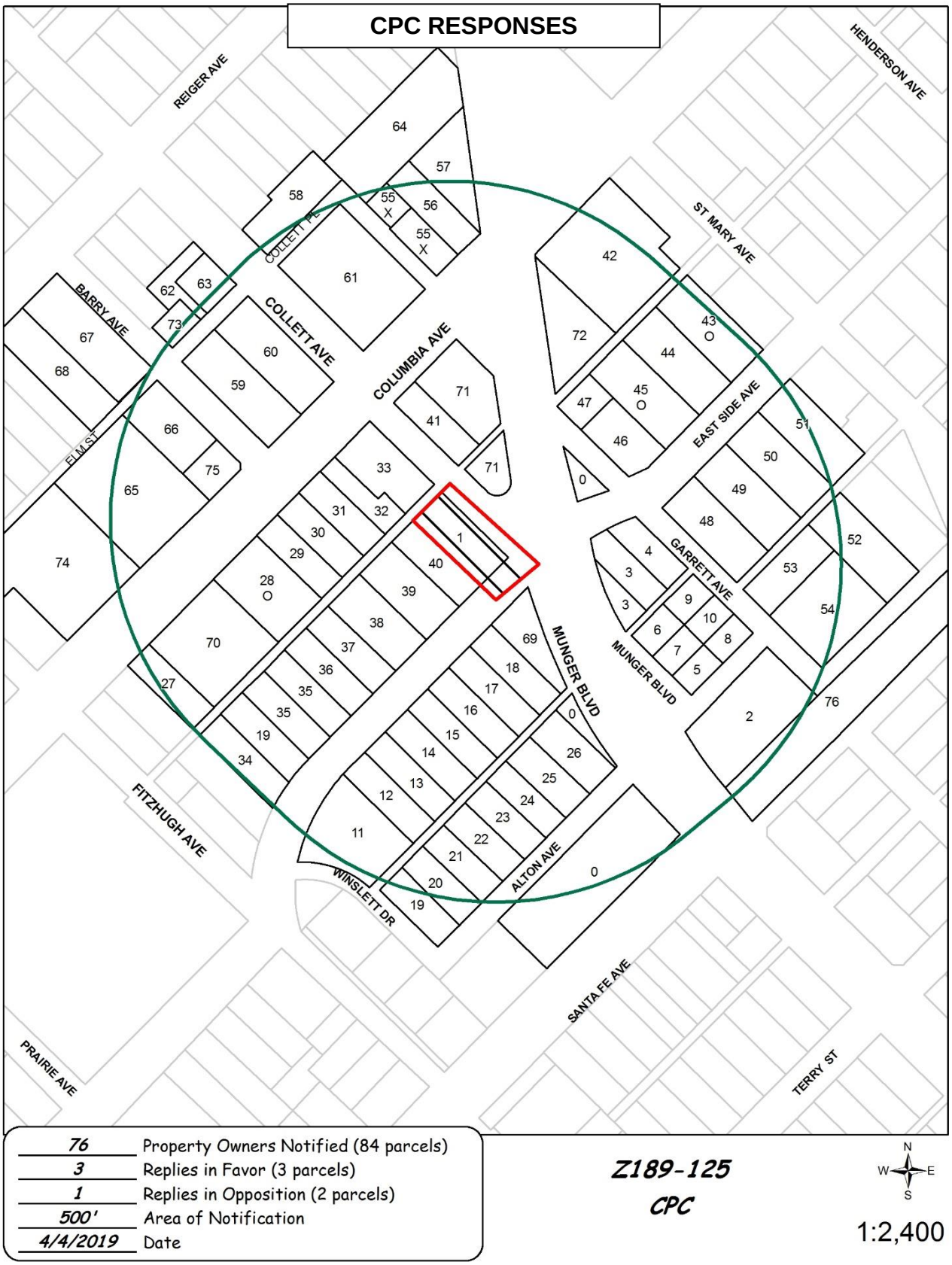
AERIAL MAP

Case no: Z189-125

Date: 1/17/2019


SINGLE FAMILY
PD 97
H/11
REIGER AVE
N MUNGER BLVD
N ST MARY AVE
MULTIFAMILY
S ST MARY AVE
OFFICE, RETAIL & PERS. SERV.
PERSONAL SERVICE
GENERAL MERCHANDISE
UNDEVELOPED
MFD
CATERING
N COLLETT
ELM ST
Z012-112
D(A)
DUPLEX & SINGLE FAMILY
CR
GENERAL MERCHANDISE
MULTIFAMILY & SINGLE FAMILY
S GARRETT AVE
ALTON AVE
S MUNGER BLVD
Oak Lawn & East Dallas
MF-2(A)
WINSLETT DR
SINGLE FAMILY
PD 134 (Subarea A)
PD 134
SANTA FE AVE
TERRY ST
Z945-137
1:2,400
ZONING AND LAND USE
Case no: Z189-125
Date: 1/17/2019


Z189-125
GASTON AVE
JUNIUS ST
WORTH ST
COLLETT AVE
TREMONT ST
VICTOR ST
HENDERSON AVE
AUGUSTA ST
REIGER AVE
ABRAMS RD
BEACON ST
ORIENT ST
EAST SIDE AVE
ALTON AVE
ST MARY AVE
FAIRVIEW AVE
COLLETT PL
BARRY AVE
GARRETT AVE
PRAIRIE AVE
ELM ST
COLUMBIA AVE
WINSLETT DR
FITZHUGH AVE
TERRY ST
ASH LN
CISCO ST
MAIN PL
COLSON ST
MAIN ST
SANTA FE AVE
CALDWELL AVE
MUNGER BLVD
GARLAND AVE
LINDSLEY AVE
R L THORNTON FWY
R L THORNTON ACRD
WILLOW ST
BANK ST
BIRCH ST
CARROLL AVE
PARRY AVE
GURLEY AVE
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 1/25/2019


CPC RESPONSES
REIGER AVE
HENDERSON AVE
ST MARY AVE
COLLETT PL
COLLETT AVE
BARRY AVE
COLUMBIA AVE
EAST SIDE AVE
ELM ST
GARRETT AVE
MUNGER BLVD
FITZHUGH AVE
WINSLETT DR
ALTON AVE
SANTA FE AVE
PRAIRIE AVE
TERRY ST
76 Property Owners Notified (84 parcels)
3 Replies in Favor (3 parcels)
1 Replies in Opposition (2 parcels)
500' Area of Notification
4/4/2019 Date
Z189-125
CPC
N
W
E
S
1:2,400

04/03/2019

Reply List of Property Owners

Z189-125

76 Property Owners Notified ***3 Property Owners in Favor*** ***1 Property Owner Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4951	EAST SIDE AVE	ORTIZ ANA A
	2	4960	ALTON AVE	WILLOW PARTNERS LP
	3	5004	EAST SIDE AVE	BAHR REBECCA
	4	5010	EAST SIDE AVE	EMILIANO LUDIVINA R &
	5	222	S MUNGER BLVD	CHATTO DEE A
	6	214	S MUNGER BLVD	SAUCEDA EPIFANIO
	7	218	S MUNGER BLVD	MENDEZ JOSE A
	8	221	S GARRETT AVE	PENDERGRASS FLETCHER
	9	211	S GARRETT AVE	LOPEZ CORONADO MARTHA ALICIA
	10	217	S GARRETT AVE	SOTO ESTEBAN
	11	4910	EAST SIDE AVE	AKIYAMA MITSURU
	12	4918	EAST SIDE AVE	EIFFEL INVESTMENTS CAPITAL LLC
	13	4922	EAST SIDE AVE	WBL EAST SIDE INVESTMENT GROUP LLC
	14	4926	EAST SIDE AVE	CHONG UI CHIN
	15	4932	EAST SIDE AVE	GONZALEZ MARIO &
	16	4936	EAST SIDE AVE	SANDOVAL SERGIO CUELLAR
	17	4940	EAST SIDE AVE	LATIMER ROY ARTHUR
	18	4944	EAST SIDE AVE	VERA HECTOR MANUEL
	19	4911	ALTON AVE	DREAM DALLAS LLC
	20	4917	ALTON AVE	BEESLEY JOHN
	21	4921	ALTON AVE	BEESLEY JOHN & VUOKKO
	22	4925	ALTON AVE	AC ANGELES TRUST
	23	4929	ALTON AVE	DONNA GROUP
	24	4933	ALTON AVE	SALYARDS CHARLES R
	25	4937	ALTON AVE	MCDOUGAL LEON C
	26	4939	ALTON AVE	CORONADO EDUARDO & ELDA LAURA SIFUENTES

04/03/2019

Reply	*Label #*	*Address*		*Owner*
	27	4910	COLUMBIA AVE	TESSA INVESTMENTS INC
O	28	4924	COLUMBIA AVE	LIEV LISA
	29	4932	COLUMBIA AVE	FAZ RUBEN
	30	4936	COLUMBIA AVE	FAZ REALTY INC
	31	4944	COLUMBIA AVE	FAZ RUBEN
	32	4946	COLUMBIA AVE	ORTIZ ANA A
	33	4950	COLUMBIA AVE	NIGAR CORPORATION
	34	4909	EAST SIDE AVE	EAST SIDE INVESTMENTS LP
	35	4917	EAST SIDE AVE	5927 LINDELL LLC
	36	4925	EAST SIDE AVE	STREETER LENE
	37	4929	EAST SIDE AVE	STERLING LENE &
	38	4933	EAST SIDE AVE	STERLING JONATHAN
	39	4941	EAST SIDE AVE	ARELLANO ARMANDO &
	40	4947	EAST SIDE AVE	CALVILLO MARIA JUANA LOPEZ
	41	5002	COLUMBIA AVE	4304 LIVE OAK LP
	42	5114	COLUMBIA AVE	TANHA ENTERPRISES LLC
O	43	5121	EAST SIDE AVE	ESCAMILLA CONSUELO VERONICA
	44	5113	EAST SIDE AVE	TALAVERA RAFAEL & DIANA M
O	45	5111	EAST SIDE AVE	EAST SIDE LIFESTYLES LLC
	46	5103	EAST SIDE AVE	AGUILAR JOSEPHINE &
	47	116	S GARRETT AVE	AGUILAR JOSEPHINE & JOSE RAMON
	48	5100	EAST SIDE AVE	OLVERA JUAN M
	49	5106	EAST SIDE AVE	GAMEZ NOE C & CELIA P
	50	5112	EAST SIDE AVE	GAMEZ NOE C
	51	5118	EAST SIDE AVE	HARMON CHRISTINA
	52	5113	SANTA FE AVE	FAZ MARIANO
	53	302	S GARRETT AVE	PINTER JAN JOSEPH
	54	318	S GARRETT AVE	CANTU JESSY YESENIA
X	55	5101	COLUMBIA AVE	ABBA INVESTMENT GROUP LLC
	56	5107	COLUMBIA AVE	INCEPTION PPTIES LLC
	57	100	MUNGER AVE	HENLEY GEOFF & HUDSON

04/03/2019

Reply	*Label #*	*Address*		*Owner*
	58	200	N COLLETT AVE	EQUITY TRUST COMPANY
	59	4937	COLUMBIA AVE	CROW STEPHEN LEE
	60	4941	COLUMBIA AVE	MARIN JOSE O & ENRIQUETA N
	61	5005	COLUMBIA AVE	MUNGER SQUARE LTD
	62	207	N COLLETT AVE	MARIN JOSE O & ENRIQUETA N
	63	201	N COLLETT AVE	CARRILLO MORAIMA
	64	225	MUNGER AVE	225 MUNGER LLC
	65	4923	COLUMBIA AVE	VAQUERO COLUMBIA AVE PARTNERS LLC
	66	111	N BARRY AVE	KALYANGEL PROPERTY MANAGEMENT LLC
	67	4932	REIGER AVE	BITTON TALIA
	68	4926	REIGER AVE	FOUR OF THE KIND LLC
	69	200	S MUNGER BLVD	VERA ROSALVA
	70	4916	COLUMBIA AVE	WASH EXPRESS INC
	71	101	S MUNGER BLVD	INTERPROPERTIES GROUP INC
	72	5108	COLUMBIA AVE	MURILLO MARTA
	73	200	N BARRY AVE	MARIN JOSE O
	74	4909	COLUMBIA AVE	AUTOZONE INC
	75	4933	COLUMBIA AVE	FONBERG MITCHELL I &
	76	401	S BUCKNER BLVD	DART

Agenda Information Sheet

File #: 19-593 **Item #:** 28.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 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 a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Cedar Springs Road and Maple Avenue
Recommendation of Staff: Approval, subject to a revised development plan and conditions
Recommendation of CPC: Approval, subject to a development plan and conditions
Z189-145(JM)

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FILE NUMBER:	Z189-145(JM)	**DATE FILED:**	November 30, 2018
LOCATION:	Northwest corner of Cedar Springs Road and Maple Avenue		
COUNCIL DISTRICT:	14	**MAPSCO:**	7 J
SIZE OF REQUEST:	± 1.0 acres	**CENSUS TRACT:**	18.00

APPLICANT/OWNER: GPIF 2401 CS LLC

REPRESENTATIVE: Rob Baldwin, Baldwin and Associates

REQUEST: An application for a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of this request is to add floor area by enclosing an existing porte cochere at the corner of Cedar Springs Road and Maple Avenue to allow for a restaurant to occupy a new suite.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised development plan and conditions.

BACKGROUND INFORMATION:

- On February 8, 1985, the City Council approved Planned Development District No. 193, the Oak Lawn Special Purpose District. The PD is comprised of approximately 2,593 acres, and provides standards to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the objectives outlined in the PD.

- The one-acre property was developed in 1987 with a seven-story office building containing approximately 191,957 square feet of office space and five levels of structured parking (according to DCAD). The corner of the property at Maple Avenue and Cedar Springs Road contains the porte cochere and drives proposed to be enclosed.

- The request will allow for the existing property to add floor area by enclosing the existing porte cochere to allow for a restaurant use to occupy a new suite. The exterior of the building will provide for outdoor seating areas for office tenants and visitors of the restaurant.

- The applicant proposes to create a Planned Development Subdistrict (PDS) to allow for the following modifications from the existing LC Light Commercial Subdistrict standards: (1) To allow encroachments into the required front yard setback for awnings, canopies, landscape walls and planter boxes up to four-feet in height, light standards, and stairs, steps, and handrails; and, (2) To provide a shared parking chart. A former request to increase the floor area ratio from 4.0 to 4.1 has been removed.

Zoning History: There have been five recent zoning requests at four locations in the area within the last five years.

1. **Z178-333:** On January 9, 2019, the City Council approved Planned Development Subdistrict No. 146 for nonresidential uses on property zoned an O-2 Office Subdistrict, an LC Light Commercial Subdistrict, and an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, located on the west line of Cedar Springs Road, the northeast line of Bookhout Street, and the southwest line of Maple Avenue.

2. **Z167-134 &**

   Z189-151: On May 10, 2017, City Council approved Planned Development Subdistrict No. 131 for GR General Retail Subdistrict uses and hotel use by right on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property located on the south corner of Fairmount Street and Carlisle Street. On February 21, 2019, the City

Plan Commission recommended approval of an amendment to PDS No. 131. *The case was withdrawn.*

3. **Z145-241:** An application for a Planned Development Subdistrict for LC Subdistrict uses on property zoned a GR Subdistrict within PD No. 193, the Oak Lawn Special Purpose District, located on the east corner of Fairmount Street and Carlisle Street. *The case was automatically terminated due to inactivity on October 22, 2015.*

4. **Z145-190:** An application for a Planned Development Subdistrict for mixed uses on property zoned a GR Subdistrict within PD No. 193, the Oak Lawn Special Purpose District, located on the southwest corner of Fairmount Street and Cedar Springs Road. *The case was withdrawn.*

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Cedar Springs Road	Minor Arterial	80 feet	80 feet
Maple Avenue	Community Collector	70 feet	70 feet

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; however, the one-way double-entry driveway proposed along Cedar Springs should be removed. The driveway forces the sidewalk to enter the private property which creates a pedestrian hazard.

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.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

NEIGHBORHOOD PLUS PLAN

GOAL 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety.

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.

The building will add FAR and remove a double-driveway porte cochere, making the building more urban and the streetscape more pedestrian friendly and walkable.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

The property is located within a Light Commercial Subdistrict, yet the existing structure contains only office uses. Adding the proposed restaurant use at the street level will contribute to the street frontage environment in this retail area.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

This request will remove driveways and a porte cochere while maintaining structured parking.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

The area consists of a mix of retail zoning districts including LC, HC, GR, and multiple PD Subdistricts. The proposed PDS will maintain the LC Subdistrict standards while mildly increasing the FAR, allowing encroachments into the setback to produce a more urban form, and provide shared parking.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

The request does not contain a residential component; therefore, no additional density is requested. Additionally, an increase in FAR is requested to allow the addition of a restaurant, which will add to the commercial nature of the area.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

The requests to increase the FAR, allow encroachments into the setback to produce a more urban form, and provide shared parking are minimal in nature. The purpose of allowing a PDS is to ensure flexibility in site design/development. The project generally complies with the standards for the LC Subdistrict.

(7) To promote landscape/streetscape quality and appearance.

Removing the existing driveways and porte cochere to allow a restaurant use at street level will add to the overall streetscape by activating the ground level of the office structure.

Surrounding Land Uses:

Area	Zone within PD No. 193	Use
Site	LC Light Commercial	Office Building
North	LC Light Commercial and GR General Retail	Personal service, Commercial parking lot, Restaurant, and Office
East	GR General Retail	Financial institution w/ DT
South	LC Light Commercial and HC Heavy Commercial	Financial institution w/ DT, Restaurant, and Personal service
West	HC Heavy Commercial and LC Light Commercial w/H/75 Mayor Thomas Bradford House	Restaurant, Office, and Hotel

Land Use Compatibility:

The one-acre property was developed in 1987 with a seven-story office building containing approximately 191,957 square feet of office space and five levels of structured parking (according to DCAD). The corner of the property at Maple Avenue and Cedar Springs Road contains the porte cochere and drives proposed to be enclosed. The request will allow the existing property to add floor area by enclosing the existing porte cochere to allow a restaurant use to occupy a new suite. The exterior of the building will provide outdoor seating areas for office tenants and visitors of the restaurant.

Surrounding land uses consist of personal service, a commercial parking lot, restaurant, and office uses to the north; a financial institution with drive-through to the east; a financial institution with drive-through, restaurant, and personal service uses to the south; and, restaurant, office, and hotel uses to the west.

The applicant proposes to create a PD Subdistrict (PDS) to allow for the following modifications from the existing LC Light Commercial Subdistrict standards: (1) To allow encroachments into the required front yard setback for awnings, canopies, landscape walls and planter boxes up to four-feet in height, light standards, and stairs, steps, and handrails; and, (2) To provide a shared parking chart.

Staff supports the request, subject to removing the proposed one-way, double-entry driveway along Cedar Springs Road. The driveway forces the sidewalk to enter the private property which creates a pedestrian hazard.

Development Standards:

DISTRICT	SETBACKS		FAR	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
Existing: PD No. 193, LC Light Commercial Subdistrict	10'	0' 0'	4:1	240'	80%	LC Subdistrict uses related to drive-in or curb service eating places, used car lots, repair garages, amusements, warehouses, and repair and service uses such as custom woodworking shops, upholstery shops, commercial amusements, and plumbing shops.
Proposed: PDS for LC Light Commercial Subdistrict uses	10' with encroach-ments	0' 0'	4:0.1	240'	80%	LC Subdistrict uses related to drive-in or curb service eating places, used car lots, repair garages, amusements, warehouses, and repair and service uses such as custom woodworking shops, upholstery shops, commercial amusements, and plumbing shops.

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. While the area of request is not located within an MVA cluster, surrounding properties are sporadically categorized as being within an "E" MVA cluster to the west, north, and east and within a "C" MVA cluster further to the west.

Parking:

Parking will be in accordance with the parking regulations of Part I of PD No. 193, with the addition of allowing shared parking for an office and restaurant use at the site. A

shared parking analysis was approved by the Engineering Division. Use of an amended parking ratio for office uses capped with a maximum floor area is acceptable for the site.

In the original shared parking analysis, over 193,000 square feet of office area and 8,000 square feet of restaurant uses were anticipated to require 451 parking spaces. After further evaluation, it was determined that the office area is actually 164,877 and the restaurant area is 9,218 square feet.

The required parking ratio for an office use is being reduced from one space per 366 square feet of floor area, to one space per 385 square feet of floor area. For a restaurant use, the required parking ratio will no longer be reduced from one parking space per 100 square feet of floor area, to one space per 261 square feet of floor area, as that reduction is no longer required.

A floor area cap is placed on the site for office uses of 174,095 square feet, and for restaurant uses of 9,218 square feet. The cap for the office use includes the expected office area of 164,877 square feet plus the restaurant area in case the restaurant use is not developed or changes in the future.

The proposed shared parking table allows for parking adjustments based on the time of day for mixed uses combined at the site. The greatest demand generated for an office and restaurant use at the expected floor areas is in the afternoon. Using the proposed reduced office parking ratio of one space per 385 square feet at a 100 percent rate and restaurant at 30 percent for the time of day expectations for the afternoon, 454 parking spaces would be required. The site offers 458 parking spaces in a multi-level parking garage on-site.

Landscaping:

Landscaping will be in accordance with the landscape regulations of Part I of PD No. 193.

CPC Action
April 4, 2019

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for LC Light Commercial Subdistrict uses, subject to a revised development plan (not inclusive of staff's recommended deletion of the drop off lane on Cedar Springs) and conditions (as briefed) to include the following: 1) floor area for office use limited to 174,095 sq. ft., 2) restaurant floor area limited to 9,218 sq. ft., and 3) a revised MUD shared parking table that allows the existing onsite parking to be sufficient for contemplated uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Cedar Springs Road and Maple Avenue.

Maker: Ridley
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: 98
Replies: For: 1 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

List of Officers

GPIF 2401 CS LLC

GPIF 2401 CS Manager, General Partner

John Goff, Manager

Joseph F. Pitchford, Managing Director

Jason Anderson, Executive officer

Conrad Suszynski, Executive officer

Suzanne Stevens, Executive officer

CPC Recommended Proposed PDS Conditions

Division S-___. PD Subdistrict ___.

SEC. S-___.___. LEGISLATIVE HISTORY.

PD Subdistrict ___ was established by Ordinance No. ___, passed by the Dallas City Council on ____.

SEC. S-___.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict ___ is established on property located at the north corner of Cedar Springs Road and Maple Avenue. The size of PD Subdistrict ___is 1.0 acres.

SEC. S-___.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division, SUBDISTRICT means a subdistrict of PD 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a nonresidential zoning district.

SEC. S-___.104. EXHIBITS.

The following exhibit is incorporated into this division:

(1) Exhibit S-___A: development plan.

SEC. S-___.105. DEVELOPMENT PLAN.

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.

SEC. S-___.106. MAIN USES PERMITTED.

The only main uses permitted are those main uses permitted in the LC Light Commercial Subdistrict, subject to the same conditions applicable in the LC Light Commercial Subdistrict, as set out in Chapter 51A. For example, a use permitted in the LC Light Commercial 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 LC Light Commercial Subdistrict is subject to DIR in this district; etc.

SEC. S-___.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-___.108. YARD, LOT, AND SPACE REGULATIONS.

(a) Except as provided in this section, the yard, lot, and space regulations for the LC Light Commercial Subdistrict apply.

(b) Front yard. The following items may encroach into the required front yard and need not be shown on a development plan.

(1) Awnings and canopies.

(2) Landscape walls and planter boxes less than four feet in height.

(3) Light standards.

(4) Stairs, steps, and handrails.

(c) Floor area ratio. Maximum floor area ratio is 4.0.

(1) For an office use, the maximum floor area is 174,095 square feet.

(2) For a restaurant use, the maximum floor area is 9,218 square feet.

SEC. S-___.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) For an office use, the required parking is one space per 385 square feet of floor area.

(c) Shared parking is permitted for all nonresidential uses on the lot. The utilization rates in the following table provide the basis for calculation of parking spaces required with shared parking. The adjusted standard off street parking requirement for the development is the largest of the five "time-of-day" column sums.

Use Categories	Parking Ratio	Standard Parking Requirement	**Parking Adjustment By Time of Day (Weekday)**									
			Morning		**Noon**		**Afternoon**		**Late Afternoon**		**Evening**	
Office Uses*	385	0.00	100%	-	80%	-	100%	-	85%	-	35%	-
Restaurant without drive-in or drive-through service	100	0.00	20%	-	100%	-	30%	-	30%	-	100%	-

SEC. S-___.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-___.111. LANDSCAPING.

(a) Landscaping must be provided in accordance with Part I.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. S-___.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. S-___.113. ADDITIONAL PROVISIONS.

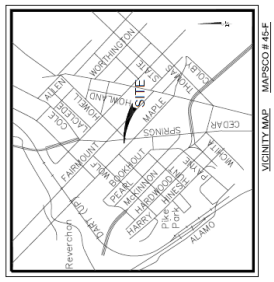
(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

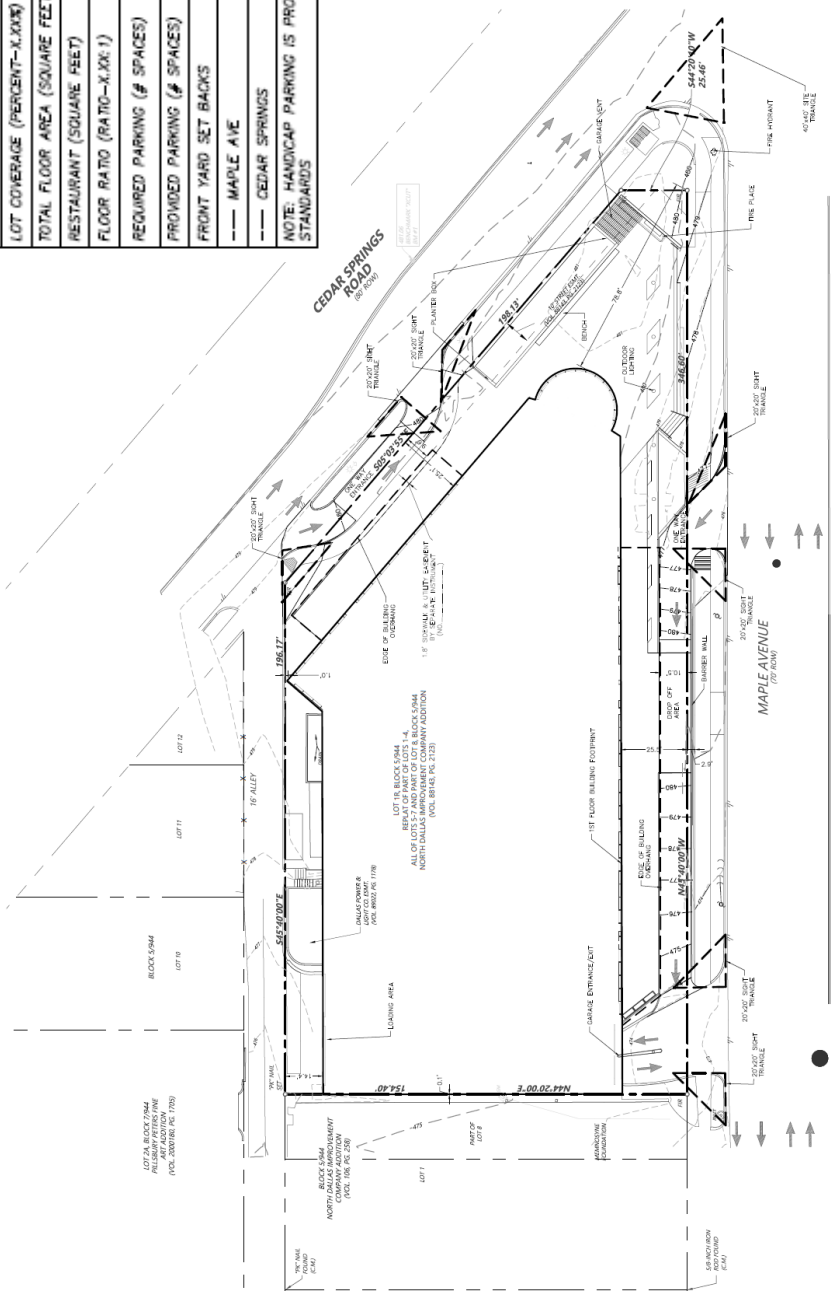
(c) Development and use of the Property must comply with Part I of this article.

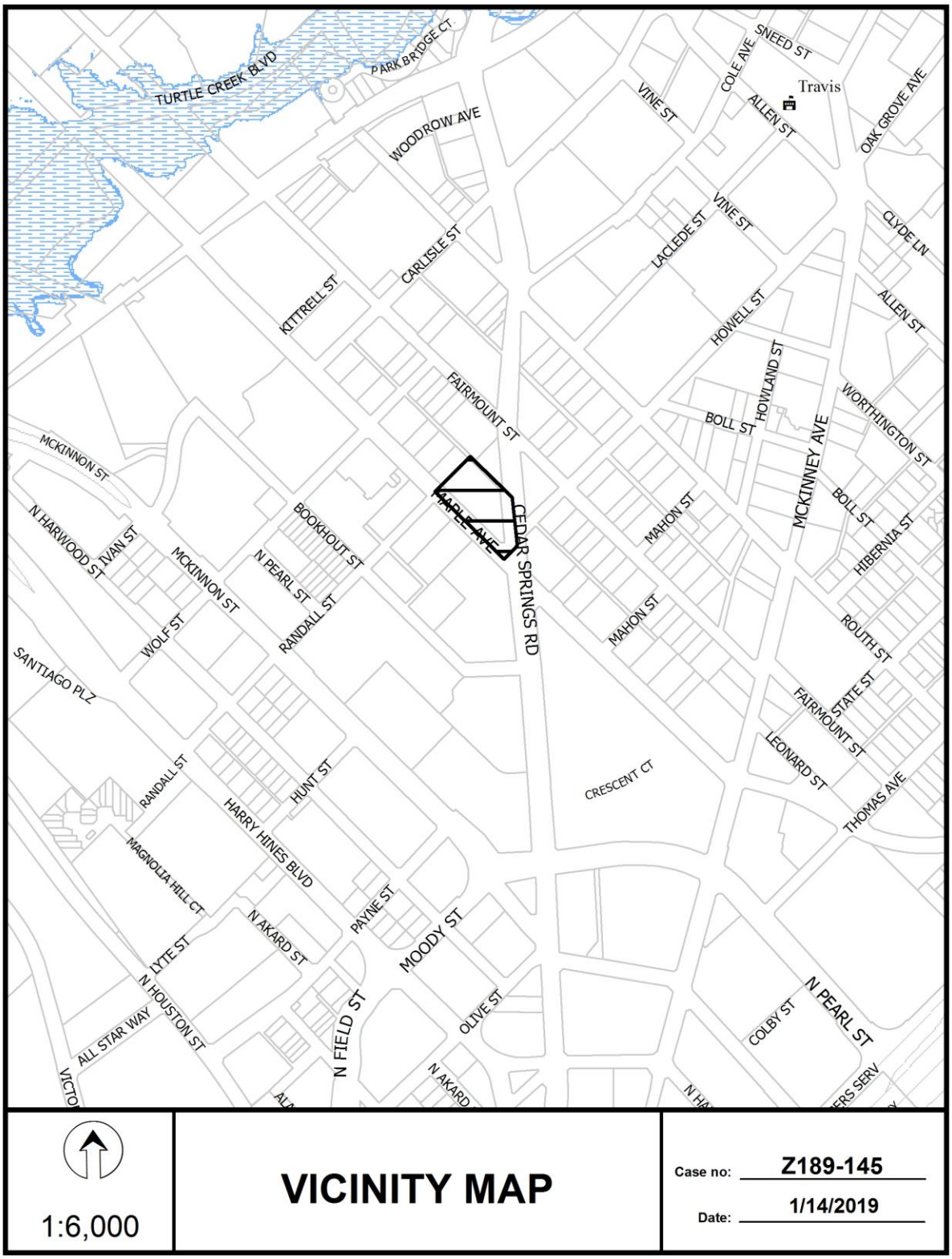
Proposed Development Plan

SITE DATA SUMMARY TABLE	
LOT	1R
EXISTING ZONING	PD 193 LC
PROPOSED ZONING	PD SUBDISTRICT
PROPOSED USE	OFFICE/ RESTAURANT
LOT AREA (ACRES)	1.005
LOT AREA (SQUARE FEET)	43,817
BUILDING FOOTPRINT AREA (SQUARE FEET)	27688
BUILDING HEIGHT (# STORIES)	8-STORIES
BUILDING HEIGHT (FEET-DISTANCE TO TALLEST BUILDING ELEMENT)	120'
LOT COVERAGE (PERCENT-X.XX%)	63%
TOTAL FLOOR AREA (SQUARE FEET)	174,095
RESTAURANT (SQUARE FEET)	9,218
FLOOR RATIO (RATIO-X.XX:1)	3.9732:1
REQUIRED PARKING (# SPACES)	458
PROVIDED PARKING (# SPACES)	458
FRONT YARD SET BACKS	
--- MAPLE AVE	0'
--- CEDAR SPRINGS	0'
NOTE: HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS	







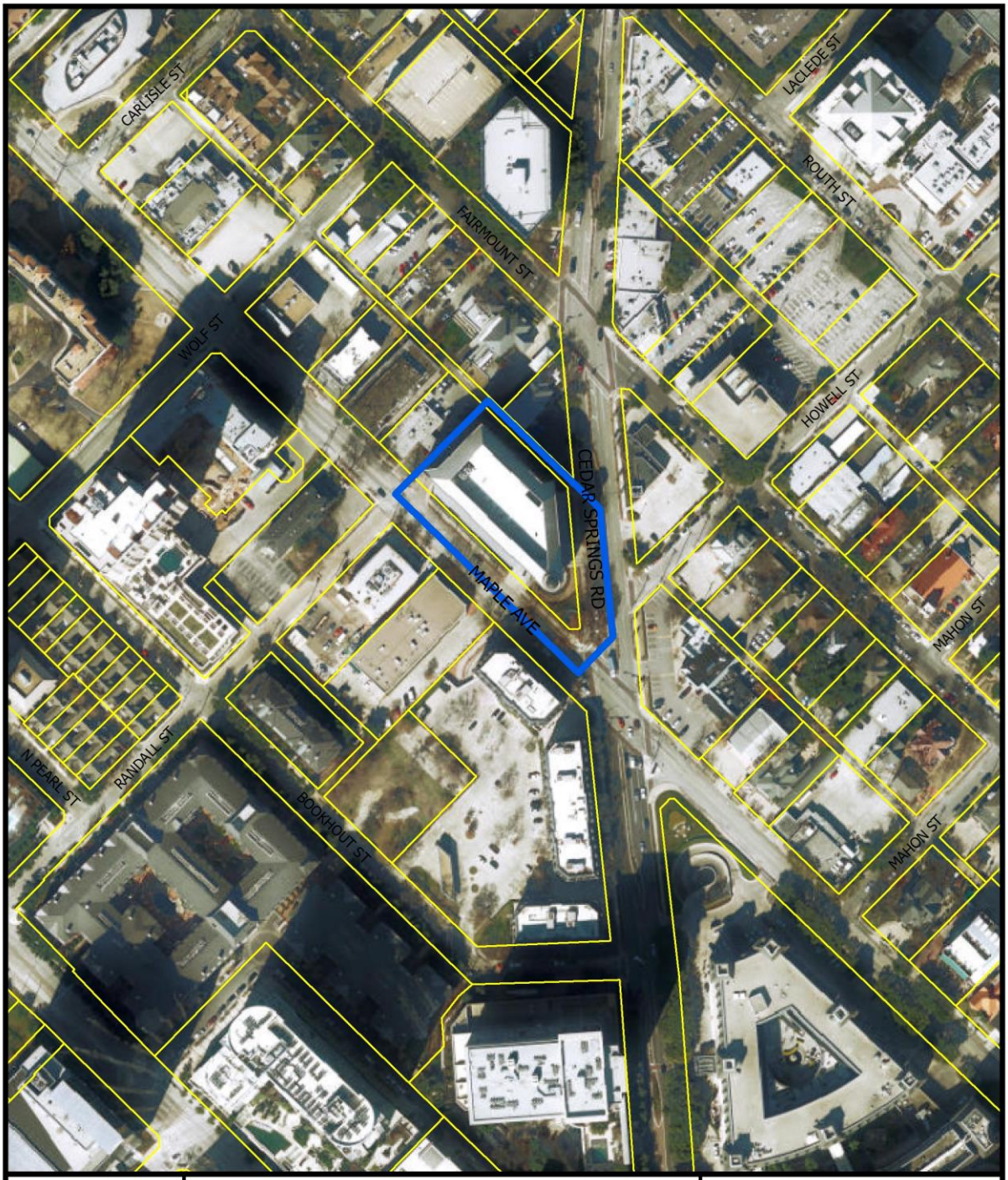


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VICINITY MAP

Case no: Z189-145

Date: 1/14/2019

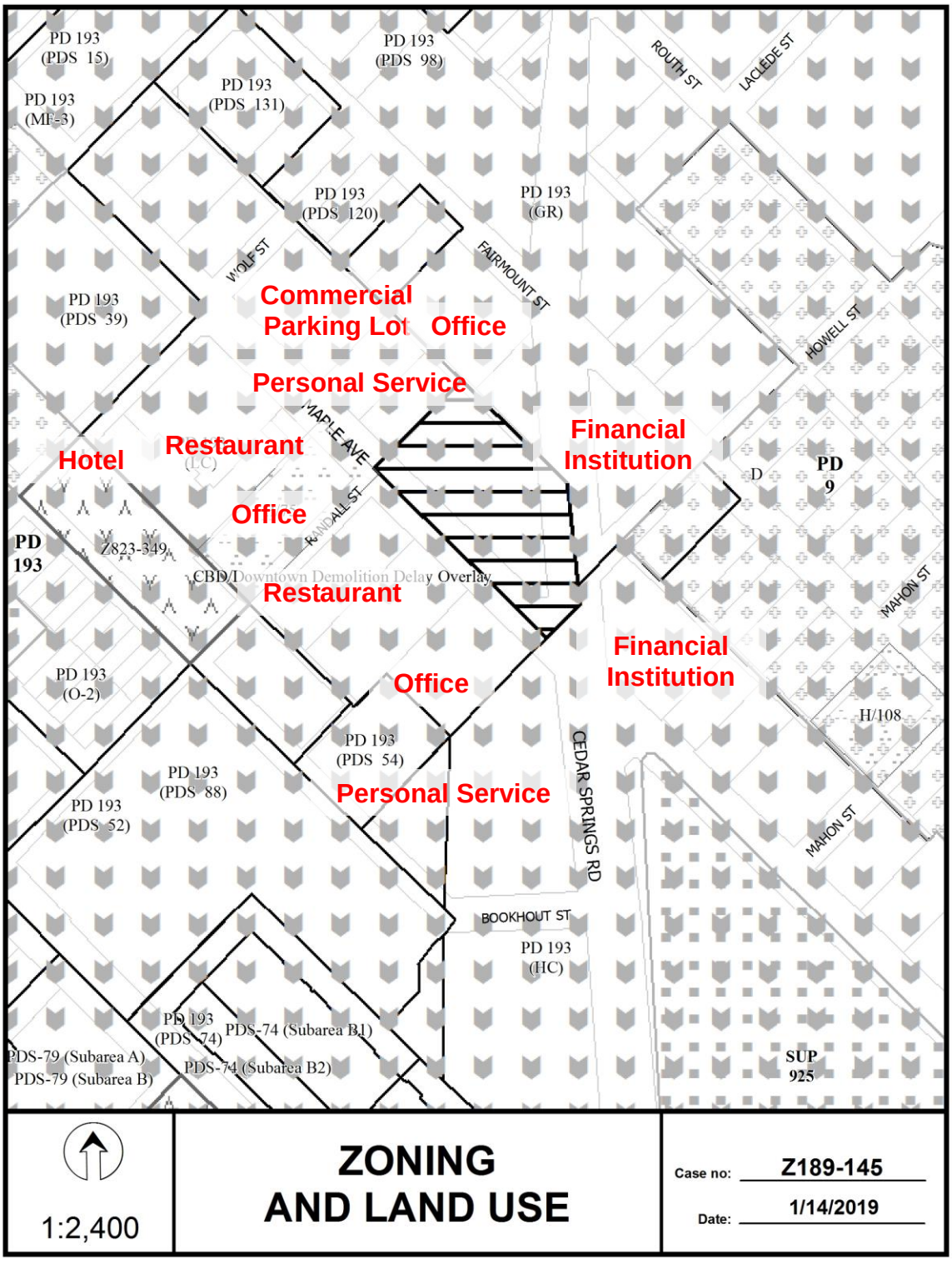


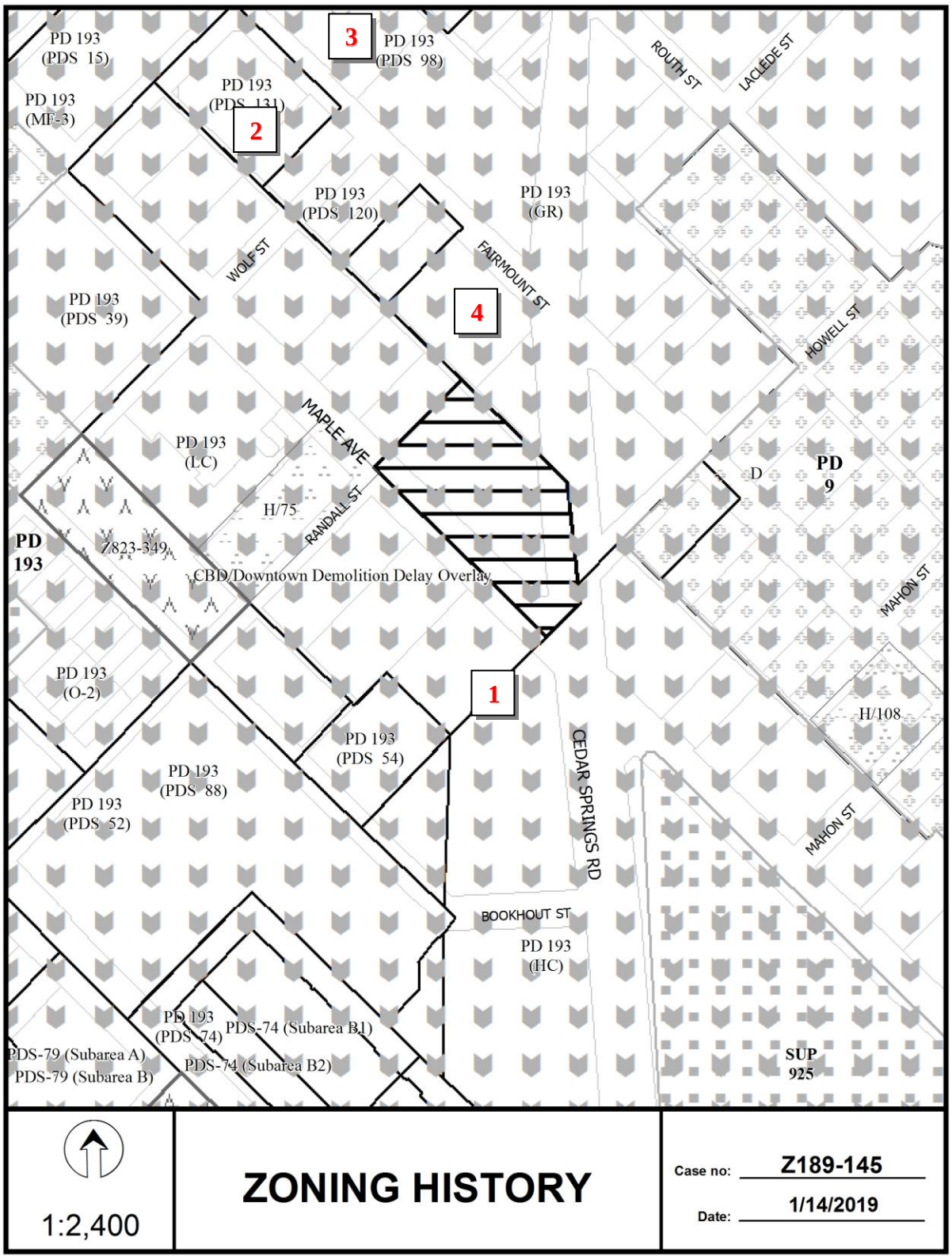
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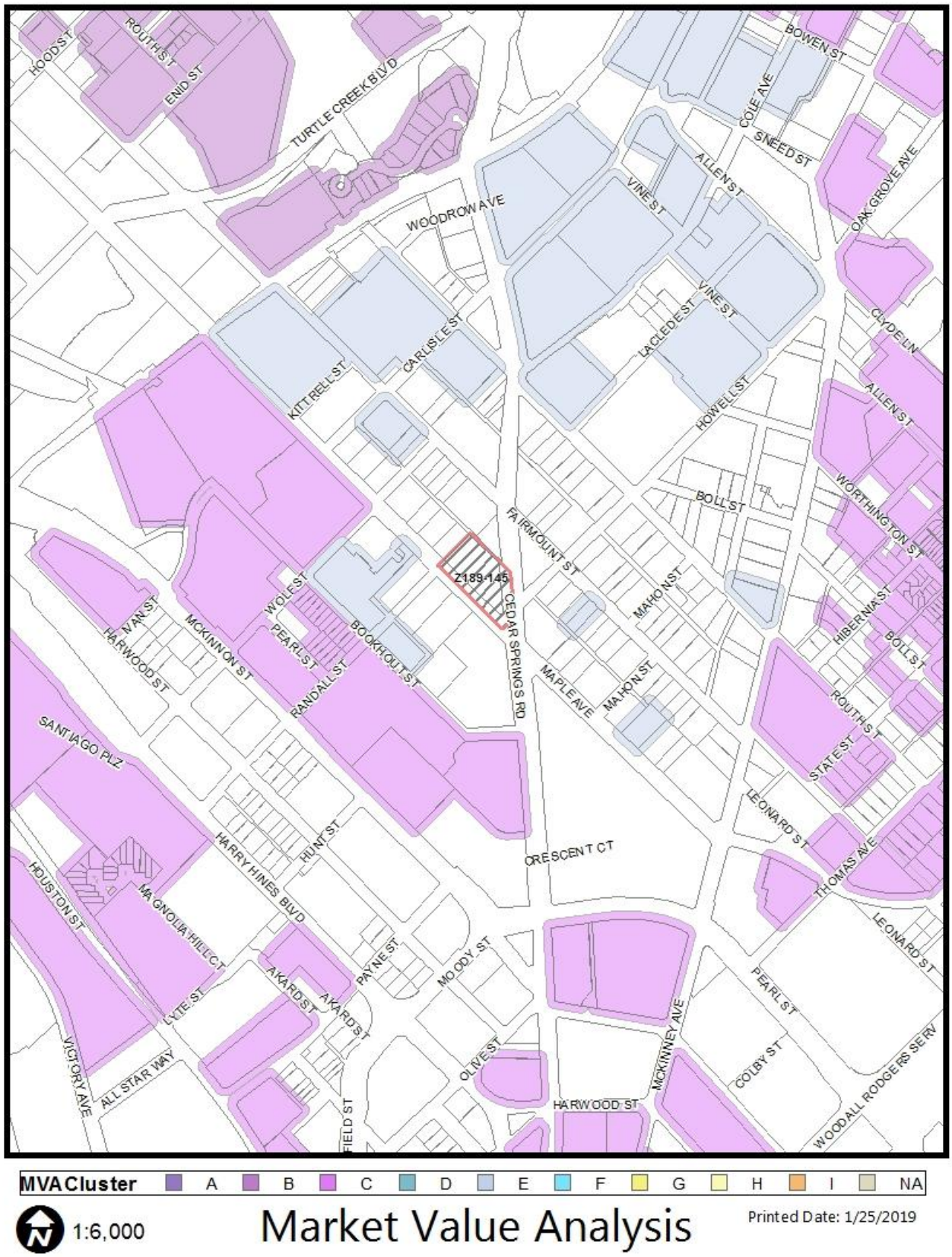
AERIAL MAP

Case no: Z189-145

Date: 1/14/2019


PD 193 (PDS 15)
PD 193 (MF-3)
PD 193 (PDS 131)
PD 193 (PDS 98)
ROUTH ST
LACLEDE ST
PD 193 (PDS 120)
PD 193 (GR)
WOLF ST
FAIRMOUNT ST
PD 193 (PDS 39)
Commercial Parking Lot
Office
Personal Service
HOWELL ST
MAPLE AVE
Financial Institution
Restaurant
Hotel
(LC)
D
PD 9
Office
RANDALL ST
PD 193
Z823-349
CBD/Downtown Demolition Delay Overlay
Restaurant
MAHON ST
Financial Institution
PD 193 (O-2)
Office
H/108
PD 193 (PDS 54)
PD 193 (PDS 88)
Personal Service
CEDAR SPRINGS RD
PD 193 (PDS 52)
MAHON ST
BOOKHOUT ST
PD 193 (HC)
PD 193 (PDS 74)
PDS-74 (Subarea B1)
PDS-79 (Subarea A)
PDS-79 (Subarea B)
PDS-74 (Subarea B2)
SUP 925
1:2,400
ZONING AND LAND USE
Case no: Z189-145
Date: 1/14/2019


3
2
4
1
PD 193 (PDS 15)
PD 193 (PDS 98)
PD 193 (MF-3)
PD 193 (PDS 131)
PD 193 (PDS 120)
PD 193 (GR)
ROUTH ST
LACLEDE ST
WOLF ST
FAIRMOUNT ST
PD 193 (PDS 39)
HOWELL ST
MAPLE AVE
PD 193 (LC)
H/75
RANDALL ST
D
PD 9
PD 193
Z823-349
CBD/Downtown Demolition Delay Overlay
MAHON ST
PD 193 (O-2)
H/108
PD 193 (PDS 54)
CEDAR SPRINGS RD
PD 193 (PDS 88)
PD 193 (PDS 52)
MAHON ST
BOOKHOUT ST
PD 193 (HC)
PD 193 (PDS 74)
PDS-74 (Subarea B1)
PDS-79 (Subarea A)
PDS-79 (Subarea B)
PDS-74 (Subarea B2)
SUP 925
1:2,400
ZONING HISTORY
Case no: Z189-145
Date: 1/14/2019



MVA Cluster A B C D E F G H I NA

1:6,000

Market Value Analysis

Printed Date: 1/25/2019

CPC RESPONSES



04/03/2019

Reply List of Property Owners

Z189-145

98 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2401	CEDAR SPRINGS RD	GPIF 2401 CS LLC
	2	2817	MAPLE AVE	MAPLE AVENUE HOLDINGS LLC
	3	2905	MAPLE AVE	2905 MAPLE LLC
	4	2425	CEDAR SPRINGS RD	MARLETT CHRISTOPHER A &
	5	2912	MAPLE AVE	2912 MAPLE LLC
	6	2917	FAIRMOUNT ST	MIRAMAR FAIRMOUNT PARTNERS LLC
	7	2926	MAPLE AVE	SHIELDS LTD PS
	8	2925	FAIRMOUNT ST	2925 FAIRMOUNT LP
	9	3000	MAPLE AVE	GREENWAY 3000 MAPLE LTD
	10	3008	MAPLE AVE	MAPLE TREE PARTNERS LTD
	11	3001	FAIRMOUNT ST	FRENCH JAMES F &
	12	3005	FAIRMOUNT ST	ALAMO MANHATTAN HOTEL I LLC
	13	2902	MAPLE AVE	2902 MAPLE LP
	14	3001	MAPLE AVE	KENSINGTON MAPLE LLC
	15	2501	CEDAR SPRINGS RD	GH CEDAR SPRINGS INC
	16	2521	CEDAR SPRINGS RD	THORNTON LAURIE L &
	17	2535	CEDAR SPRINGS RD	SPURGIN ROBERT B
	18	3004	FAIRMOUNT ST	ALAMO MANHATTAN FAIRMOUNT LLC
	19	2603	FAIRMOUNT ST	2603 FAIRMOUNT INVESTORS
	20	2611	FAIRMOUNT ST	DIKE DAVID FINE ART LLC
	21	2701	FAIRMOUNT ST	MAPLE MARKETING CORP
	22	2628	MAPLE AVE	GREENWAY MAPLE LP
	23	2711	FAIRMOUNT ST	STRICKLAND PETER R LF EST
	24	2715	FAIRMOUNT ST	KORNYE GEORGE W
	25	2719	FAIRMOUNT ST	SHAW EVAN L
	26	2723	FAIRMOUNT ST	SHAW EVAN LANE

04/03/2019

Reply	*Label #*	*Address*		*Owner*
	27	2408	CEDAR SPRINGS RD	GREENWAY MAPLE LP
	28	2812	FAIRMOUNT ST	GREENWAY CEDAR SPRINGS LP
	29	2722	FAIRMOUNT ST	2718 FAIRMOUNT LP
	30	2708	FAIRMOUNT ST	VICEROY FAIRMOUNT LP
	31	2727	ROUTH ST	2727 PARTNERSHIP LP
	32	2723	ROUTH ST	PEGASUS FOUNDATION THE
	33	2700	FAIRMOUNT ST	FAIRMOUNT CHURCH LLC
	34	2706	FAIRMOUNT ST	FAIRMOUNT OFFICE LLC
	35	2840	BOOKHOUT ST	IC DEVELOPMENT XV LP
O	36	2305	CEDAR SPRINGS RD	GPI CEDAR MAPLE LP
	37	2215	CEDAR SPRINGS RD	ASHTON UPTOWN LP
	38	2820	MCKINNON ST	WINDSOR AT TRIANON LP
	39	2915	BOOKHOUT ST	MORGAN T S
	40	2911	BOOKHOUT ST	2911 BOOKHOUT LLC
	41	2909	BOOKHOUT ST	MCNULTY DIANE S
	42	2907	BOOKHOUT ST	GATTMAN CHRISTOPHER JONATHAN
	43	2905	BOOKHOUT ST	SASO DAN &
	44	2903	BOOKHOUT ST	BALDWIN LAURA C
	45	2901	BOOKHOUT ST	EPPIG STEPHEN & GLORIA
	46	2826	BOOKHOUT ST	WINDSOR AT TRIANON LP
	47	2811	MAPLE AVE	GPIF 2811 MAPLE LLC
	48	2927	MAPLE AVE	CWI DALLAS HOTEL LP
	49	2927	MAPLE AVE	DFW DALLAS HOTEL LP
	50	2913	FAIRMOUNT ST	2913 FAIRMOUNT LLC
	51	2906	MAPLE AVE	2906 MAPLE AVE LLC
	52	100	CRESCENT CT	CRESCENT TC INVESTORS LP
	53	2610	MAPLE AVE	2620 MAPLE AVENUE LLC
	54	2300	WOLF ST	MORRISON SEAN J
	55	2300	WOLF ST	BOWDON KENNETH & BOBBEYE
	56	2300	WOLF ST	MAPLE WOLF STONELEIGH LLC
	57	2300	WOLF ST	BROWN JOSHUA M & INETTE S

04/03/2019

Reply	*Label #*	*Address*		*Owner*
	58	2300	WOLF ST	NICKERSON STEVEN CASH &
	59	2300	WOLF ST	NICKERSON STEVEN CASH &
	60	2300	WOLF ST	MICKEY DAWN
	61	2300	WOLF ST	LOMA VIVIENDA TEXAS INC
	62	2300	WOLF ST	NINE ACM EXCLUSIVE LLC
	63	2300	WOLF ST	SANDERS GEORGE O
	64	2300	WOLF ST	PETERSON GALE & ALLAN
	65	2300	WOLF ST	MWS FINISHED UNITS LLC
	66	2300	WOLF ST	CORBELLINI LIVING TRUST
	67	2300	WOLF ST	GOSS TIM K &
	68	2300	WOLF ST	HINOJOSA ELIU M
	69	2300	WOLF ST	GEORGE WILLIAM WILEY
	70	2300	WOLF ST	GOTTLIEB PETER R &
	71	2300	WOLF ST	HARRIS LARRY & RACHEL
	72	2300	WOLF ST	PALACIOS ANTIONIO &
	73	2300	WOLF ST	ELLENBOGEN PAUL H &
	74	2300	WOLF ST	KALEV BARBARA
	75	2300	WOLF ST	HOLLY MARIA ELENA
	76	2300	WOLF ST	WOJNAR MGMT TRUST &
	77	2300	WOLF ST	COLE THOMAS B
	78	2300	WOLF ST	REDFIELD VANCE & SUSAN
	79	2300	WOLF ST	ZOLLARS ROBERT & MARY CATHERINE
	80	2300	WOLF ST	BORICUA ENTERPRISES LP
	81	2300	WOLF ST	BENSYL WILLIAM R &
	82	2300	WOLF ST	BHARGAVA PANKAJ RAJ & LORI ANNETTE
	83	2300	WOLF ST	TANENBAUM RICHARD I & GLENNA G
	84	2300	WOLF ST	STONER SUSAN K & EUGENE C JR
	85	2300	WOLF ST	230019A WOLF STREET
	86	2300	WOLF ST	DANDRIDGE WILLIAM W &
	87	2300	WOLF ST	EAST JOHN WAYNE DR
	88	2300	WOLF ST	EAST JOHN WAYNE

04/03/2019

Reply	*Label #*	*Address*		*Owner*
	89	2300	WOLF ST	ETTER TODD F
	90	2300	WOLF ST	MICKEY DAWN
	91	2300	WOLF ST	MASSAD GENE F & BARBARA J
	92	2300	WOLF ST	GREER CHARLES SCOTT & LINDA L
	93	2300	WOLF ST	MONTGOMERY WILLIAM A &
	94	2300	WOLF ST	CARLISLE RICHARD P &
	95	2300	WOLF ST	REGARD BETTY S
	96	2300	WOLF ST	REDFIELD VANCE & SUSAN
	97	2300	WOLF ST	KUNKLE DAVID &
	98	2300	WOLF ST	CARTER LINDA JO

Agenda Information Sheet

File #: 19-645 **Item #:** 29.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 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 **(1)** an ordinance granting a Planned Development District for GO(A) General Office District and certain nonresidential uses; **(2)** a resolution terminating the existing deed restrictions [Z845-227]; and **(3)** an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)
Recommendation of Staff: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions
Recommendation of CPC: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions
Z167-180(JM)
Note: This item was considered by the City Council at a public hearing on April 24, 2019, and was held under advisement until May 8, 2019, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 8, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z167-180(JM) **DATE FILED:** January 12, 2017

LOCATION: North line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)

COUNCIL DISTRICT: 6 **MAPSCO:** 13 X

SIZE OF REQUEST: 4.17 acres **CENSUS TRACT:** 96.05

APPLICANT/OWNER: LBJ Metroplex LP/Howard L. Lawson

REPRESENTATIVE: William S. Dahlstrom, Jackson Walker, LP

REQUEST: An application for **(1)** a Planned Development District for GO(A) General Office District and certain nonresidential uses; **(2)** termination of the existing deed restrictions [Z845-227]; and, **(3)** a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard).

SUMMARY: The applicant proposes to redevelop the property to allow for a mini-warehouse and retail project in the existing two buildings at the site, with the addition of a third, two-story building. Termination of existing deed restrictions on the property would remove: **1)** the required landscape plan; **2)** height limitations stipulating a maximum of 221 feet in height along LBJ Freeway and 120 feet in height along Forest Lane; and, **3)** floor area maximum of 432,694 square feet. The SUP would allow for the proposed mini-warehouse to operate with a maximum floor area of 179,032 square feet.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions; **approval** of the termination of existing deed restrictions [Z845-227]; and, **approval** of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions; **approval** of the termination of existing deed restrictions [Z845-227]; and, **approval** of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions.

BACKGROUND INFORMATION:

- The subject site was rezoned from GR General Retail to O-2 Office with deed restrictions volunteered by the applicant in 1985. The property is currently developed with two 55-foot tall, four-story office buildings with 128,962 square feet of floor area.
- At the time of this application, the site is noncompliant with the landscape plan from the deed restrictions. This is due to the expansion of Interstate 635.
- The current request is to:
    - Terminate the existing deed restrictions which would remove **1)** the required landscape plan; **2)** height limitations stipulating a maximum of 221 feet in height along LBJ Freeway and 120 feet in height along Forest Lane; and, **3)** floor area maximum of 432,694 square feet.
    - Allow a PD for GO(A) General Office and certain nonresidential uses to allow for a mixed-use development.
    - Reduce the minimum front yard will be reduced from 15 feet to 10 feet, but all other yard, lot, and space regulations for the GO(A) District still apply.
    - Provide a parking reduction for certain personal service uses.
    - Allow the use of a shared parking table.
    - Grant an SUP for a mini-warehouse use with a maximum floor area of 179,032 square feet, subject to a landscape plan and elevations with design criteria.

Zoning History: There have been four zoning requests in the area in the past five years.

1. **Z178-322:** On October 16, 2018, SUP No. 1925 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned MU-2 Mixed Use District with a D-1 Liquor Control Overlay generally located on the northwest corner of Forest Lane and Josey Lane was auto-renewed for a five-year period. *Not shown on the map.*
2. **Z167-208:** An application for a planned development district for CR Community Retail District, multifamily, retirement housing, and permanent supportive housing uses on property zoned MU-1(SAH) Mixed Use District, located on the northeast corner of Forest Lane and Dennis Road. *Withdrawn on June 8, 2017.*
3. **Z156-284:** On December 14, 2016, the City Council approved PD No. 978 for MF-1(A) Multifamily District uses on property zoned an R-10(A) Single Family District, located on the north side of Modella Avenue, east of Dennis Road.
4. **Z156-177:** On May 11, 2016, the City Council approved SUP No. 2194 for a hotel or motel use on property zoned a CR Community Retail District, on property located along the south line of Forest Lane, east of Dennis Road.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Interstate 635 (LBJ Freeway)	Principal Arterial	Variable
Bankway Lane	Local	60 feet
Forest Lane	Principal Arterial	90 feet

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:

Area	Zone	Use
Site	GO(A) and SUP No. 2071 with Deed restrictions	Office and Non-premise (billboard) sign
North	City of Farmer's Branch	Interstate 635 and commercial parking lot
East	PD No. 140 and CR with Deed restrictions	Office
South	CR with SUP Nos. 2194, 1369 and MU-1(SAH) with Deed restrictions	General merchandise or food store 3,500 square feet or less, hotel, and retirement housing
West	MU-2 with a D Liquor Control Overlay	Retail and personal service

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan*, was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request complies with land use goals and policies 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.

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Land Use Compatibility:

The site is currently developed with two 55-foot tall, four-story office buildings with 128,962 square feet of floor area. The current proposal is to convert the structure identified as Building 1 on the development plan, into a mixed-use building or possibly a mini-warehouse use. The remaining Building 2 would have an existing level of parking converted into usable floor area for a total increase of 22,420 square feet. The entirety of Building 2 is identified as being for the mini-warehouse use. Finally, there may be an addition with the proposed Building 3, a two-story structure with up to 27,650 square feet of mini-warehouse floor area. The total combined floor area for the three structures is 179,032 square feet, of which all could be used for the mini-warehouse use. Per the PD provisions, a mini-warehouse use requires a Specific Use Permit. An SUP is requested with this zoning application.

Surrounding land uses include the City of Farmer's Branch and Interstate 635 (LBJ Freeway) to the north; office to the east; general merchandise or food store 3,500 square feet or less, hotel, and retirement housing to the south; and, retail and personal service uses to the west.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The proposed mini-warehouse use will have requirements to enhance the quality of the project. For example, architectural standards proposed in the SUP conditions include building articulation and exterior material requirements for all new buildings. A minimum of 80 percent of the exterior facades must be composed of masonry (stone, pre-cast concrete, poured-in place concrete, cementitious siding, split-faced concrete masonry unit, three-coat cement plaster system, or brick) excluding doors and windows. Masonry

screening walls must be eight feet in height to block dumpsters, loading zones, and false overhead display doors from the view of public streets as shown on the SUP Site Plan. Only access gates may be of tubular steel. Finally, the screening walls also have articulation requirements to limit the monotony of blank walls on the street frontages.

The mini-warehouse office may only operate between 9:00 a.m. and 6:00 p.m., Monday through Friday; and between 8:00 a.m. and 6:00 p.m. on Saturday. Finally, outside storage of vehicles, and parking for vehicles for rent, boats, and/or equipment is prohibited.

While staff supports the proposed mini-warehouse use as regulated by the provisions of the proposed SUP; however, we propose a ten-year time period with eligibility for automatic renewals for additional ten-year periods. The applicant has elected to request a 15-year time period with 15-year autorenewals. Staff cannot support the extended time period for the new use being introduced into the area. The initial ten-year is already a long term, yet standard for this use.

The proposed mini-warehouse use is compatible with the surrounding uses. This use will not be a detriment to the public health, safety or general welfare of the community.

Development Standards:

DISTRICT	SETBACKS Front	SETBACKS Side/Rear	Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
Existing:							
GO(A), deed restrictions	14'-15'	20' adj.res. 0' Others	4.0 432,694 SF	221' on LBJ Fwy 120' on Forest Ln.	80%.	RPS, Urban Form, Tower Spacing Landscape Plan	Office
Base Zoning:							
GO(A)	15'	20' adj.res. 0' Others	4.0	270'	80%	RPS, Urban Form, Tower Spacing	Office
Proposed:							
PD for GO(A) and other nonresidential uses	10'	20' adj.res. 0' Others	4.0	270'	80%	Urban Form, Tower Spacing	Office and other nonresidential uses

Existing deed restrictions which the applicant seeks to terminate regulate the setbacks, total floor area, height of structures, and provide for a landscape plan. Overall, the request is to return the site to the GO(A) base zoning district with only one change being made to allow a reduced minimum front yard setback of 10 feet rather than 15 feet. This reduction in the minimum required front yard setback is to make the existing building conform, due to the expansion of Interstate 635 from 2012-2014 which removed 0.79 acres from the street frontage. This made the site noncompliant for landscaping as required per the deed restrictions, setbacks, and parking. The removal of the deed restrictions from 1985 will allow the site to be fully utilized, especially in light of the expansion of Interstate 635 and subsequent compliance with the deed restriction landscape plan no longer feasible. The proposed floor area ratio (0.98) and maximum

height (55 feet) per the proposed development plan are still significantly less than the existing zoning with the deed restrictions which allow up to 120 feet on Forest Lane and up to 221 feet on Interstate 635.

The most significant change is to allow 11 new uses as main uses. This is due to the restrictive nature of retail and personal service uses (limited uses) in an office district. In this district, a retail and personal service use: (1) must be contained entirely within a building; and (2) may not have a floor area that, in combination with the floor areas of other retail and personal service uses in the building, exceeds 10 percent of the total floor area of the building. The addition of the following uses is requested without limited restrictions: (1) alcohol beverage establishments; (2) broadcasting or recording studio; (3) commercial amusement (inside); (4) convenience store; (5) custom business service; (6) general merchandise or food store 3,500 square feet or less; (7) handcrafted art work studio; (8) instructional arts studio; (9) restaurant without drive-in or drive-through service; (10) theater; and, (11) mini-warehouse by SUP only.

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. While the area of request is not within a designated MVA cluster, surrounding properties southward are categorized as being within a “E” MVA cluster.

Parking:

Parking will be in accordance with the parking regulations of Chapter 51A, proposed reductions per specific land uses established in the PD, a shared parking table in the PD, and by using delta credits from the expansion of Interstate 635. A parking study was provided and approved by the Engineering Division. The following table identifies uses with proposed reductions in parking:

Land Use per PD	Land Use per 51A	Sec. 51A	PD
Art gallery	Library, art gallery, or museum	1/600 SF	1/500 SF
Broadcasting or recording studio	Personal service	1/300 SF	1/500 SF
Handcrafted art work studio	Personal service	1/200 SF	1/500 SF
Instructional arts studio	Personal service	1/200 SF	1/500 SF

Additionally, shared parking is permitted for all non-residential uses on the lot. The shared parking concept was originally developed by the Urban Land Institute (ULI). The concept of shared parking acknowledges the efficiencies of observed, net parking demand within a common parking facility that is generated by multiple land uses. Efficiency is realized due to the time-of-day compatibility among individual tenants in mixed-use developments given that different uses peak at specific times during a typical day. In general, the calculation of shared parking demand applies an hourly profile obtained from reliable resources, such as published manuals or actual observed data.

After calculating hourly parking demand for each used based on its respective hourly adjustment, totals are tabulated to identify the overall parking demand by hour on a typical day. The utilization rates in the following table provide the basis for calculation of parking spaces required with shared parking. The adjusted standard off-street parking requirement for the development is the largest of the five "time-of-day" column sums.

Shared Parking Table
(for calculating adjusted parking requirement)

Use Category	Morning	Noon	Afternoon	Late Afternoon	Evening
Office-related uses	100%	80%	100%	85%	35%
Retail related uses	60%	75%	70%	65%	70%
Bar and restaurant uses	20%	100%	30%	30%	100%
All other uses	100%	100%	100%	100%	100%

Finally, due to the expansion of Interstate 635, the site carries a delta credit of 73 parking spaces for the two existing office buildings. The current request is to convert the land uses to generally less intensive uses. The mini-warehouse use which may cover all of the floor area, up to 179,032 square feet, would only require six parking spaces regardless of the size. Through the use of delta theory, the number of nonconforming parking or loading spaces for a use may be carried forward when the use is converted or expanded; however, when a nonconforming use is converted to a less intensive use, the rights to any portion of the delta credits not needed, are lost.

The last parking request is to allow for a reduced parking ratio for office uses. The Dallas Development Code requires a ratio of one space per 333 square feet of floor are; the original office area which obtained deltas had 128,962 square feet of floor area and required 387 parking spaces. The difference after the credit of 73 spaces is applied equals 314 parking spaces. This is a ratio of one space per 410 square feet of floor area for an office use. A parking analysis was provided supporting a reduced ratio of one space per 418 square feet of floor area for an office use and found appropriate by the Engineering Division.

Landscaping:

Landscaping must be provided in accordance with Article X, as amended. If operation of the site occurs solely within the two existing buildings, no additional landscape will be required. However, the SUP conditions state that along Forest Lane and Bankway Lane, sod must be planted within six months of approval of this specific use permit in the area between the back of parking lot pavement and back of curb of said streets, save and except sidewalks, utility facilities, and other impervious surfaces.

CPC Action
February 21, 2019

Motion: It was moved to recommend: 1) **approval** of a Planned Development District for GO(A) General Office District and certain nonresidential uses, subject to a revised development plan, and revised conditions to include a revised parking ratio for office uses of one space per 411 square feet; 2) **approval** of the termination of the existing deed restrictions Z845-227; and, 3) **approval** of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a revised site plan, landscape plan, elevation plan, and conditions on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway).

Friendly Amendment: Commissioner Ridley offered a friendly amendment to limit the automatic renewals to one additional fifteen-year period. Commissioner Carpenter, the maker of the motion, and Commissioner Housewright, the seconder of the motion, accept the friendly amendment.

Maker: Carpenter
Second: Housewright
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: 9
Replies: For: 1 Against: 0

Speakers: For: Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
Against: None

CPC Action
March 21, 2019

Motion to Reconsider: It was moved to **reconsider** the action taken on March 7, 2019, which was to move to recommend 1) approval of a Planned Development District for GO(A) General Office District and certain nonresidential uses, subject to a revised development plan and revised conditions to include a revised parking ratio for office uses of one space per 411 square feet; 2) approval of the termination of the existing deed restrictions

Z845-227; and, 3) approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for one automatic renewal for an additional fifteen-year period, subject to a revised site plan, landscape plan, elevation plan, and conditions on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway).

Maker: Carpenter
Second: Lewis
Result: Carried: 10 to 0

For: 10 - MacGregor, Schulte, Criss, Carpenter, Lewis, Jung, Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Schultz
Vacancy: 3 - District 4, District 7, District 12

Motion: In considering an application for **1)** a Planned Development District for GO(A) General Office District and certain nonresidential uses; **2)** termination of the existing deed restrictions [Z845-227]; and, **3)** a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway), it was moved to **hold** this case under advisement until April 4, 2019, and to instruct staff to re-notify the case at the correct notification area of 500 feet.

Maker: Carpenter
Second: Housewright
Result: Carried: 10 to 0

For: 10 - MacGregor, Schulte, Criss, Carpenter, Lewis, Jung, Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Schultz
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 9
Replies: For: 1 Against: 0

Speakers: None

CPC Action

April 4, 2019

Motion: It was moved to recommend: 1) **approval** of a Planned Development District for GO(A) General Office District and certain nonresidential uses, subject to a development plan and conditions; 2) **approval** of the termination of existing deed restrictions [Z845-227]; and 3) **approval** of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway).

Maker: Carpenter
Second: Shidid
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: 27
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
Against: None

List of Officers

LBJ METROPLEX LP

LBJ Metroplex GP, LLC,
General Partner

Howard L Lawson,
Member

Z167180

Existing Deed Restrictions
Z845-227

For purposes of these restrictions, all definitions of the Dallas Development Code, as amended, are incorporated into this document, as if recited verbatim herein.

(1) The height of any structure on the northern half of the property, along the LBJ frontage road, may not exceed 221 feet as shown on the site plan attached hereto as Exhibit A.

(2) The height of any structure on the southern half of the property may not exceed 120 feet as shown on the site plan attached hereto as Exhibit A.

(3) The total floor area of uses permitted in an Office-2 zoning classification (Office-2 uses) located within the boundaries of the property, may not exceed 432,694 square feet with the following allocation: a total of 122,000 square feet for the existing four story buildings and no more than 310,694 square feet for the proposed sixteen story building as shown on Exhibit B.

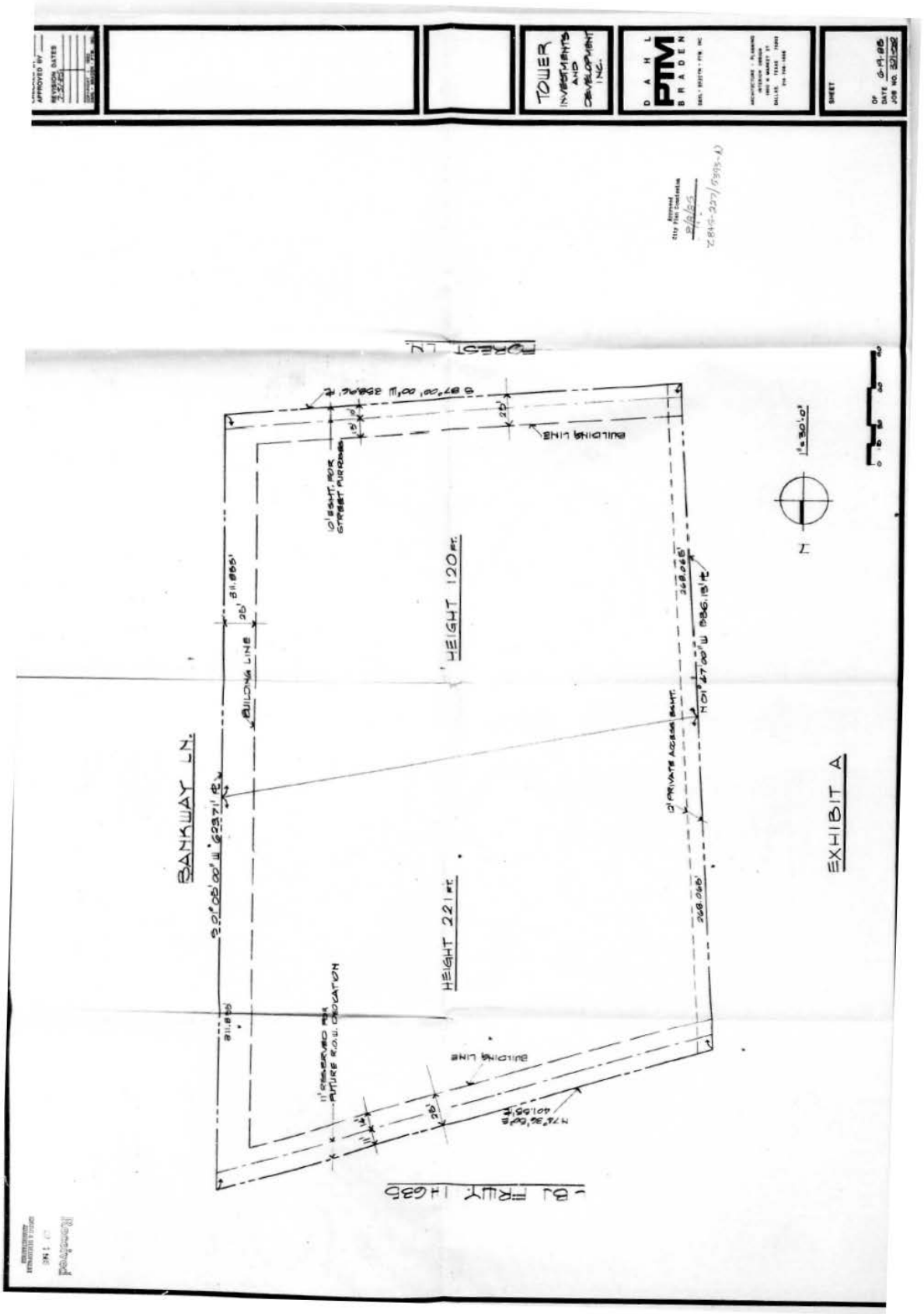
(4) Developer shall provide a ten foot wide easement for street purposes along the Forest Lane frontage.

(5) Developer shall provide an eleven foot wide reservation for future dedication of right-of-way to the State Highway Department at no cost to the State or the City for an additional westbound service lane on LBJ, should the service lane be required by the State or the City.

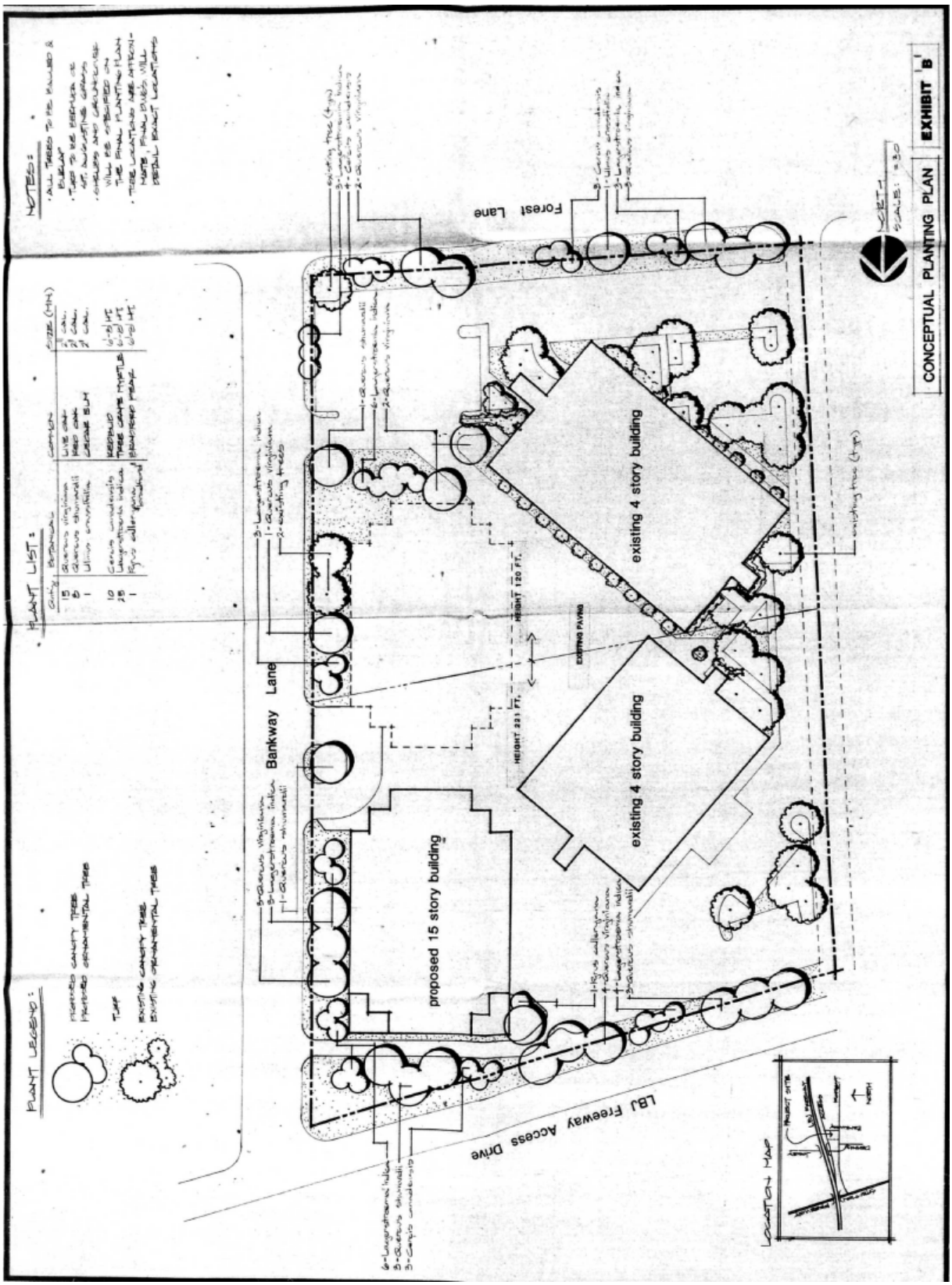
(6) The building setback lines, as shown on the site plan attached hereto as Exhibit A, shall be as follows: (a) Twenty-five feet from the existing right-of-way line on the LBJ frontage. After dedication of right-of-way as reserved in paragraph (5) above, the building setback line shall become fourteen feet. Notwithstanding the foregoing, no parking above grade or underground structure is permitted within 25 feet of any right-of-way after any required dedications.(b) Twenty-five feet from the existing right-of-way line on the Forest Lane frontage. After dedication of an easement for street purposes as required in paragraph (4) above, the building set back line shall become fifteen feet.

(7) Landscaping must be provided as shown on the landscape plan attached hereto as Exhibit B, prior to the issuance of a Certificate of Occupancy for any Office-2 use on the property. Landscaping as shown on the landscape plan attached hereto as Exhibit B must be maintained in a healthy and growing condition at all times.

Deed Restrictions: Exhibit A



Deed Restrictions: Exhibit B



CPC Recommended PD 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 at the northwest corner of Bankway Lane and Forest Lane. The size of PD _____ is approximately 4.17 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this division, BROADCASTING OR RECORDING STUDIO means a facility for broadcasting live or prerecorded programs by radio or television;

(1) recording records, tapes, or video tapes by digital, electronic, or other suitable media; and

(2) recording, programming, and receiving radio or television signals.

(a) A broadcasting or recording studio use is considered a retail and personal service use.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P- _____.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ___A: development plan.

SEC. 51P- _____.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ___). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- ____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the GO(A) General Office District, subject to the same conditions applicable in the GO(A) General Office District, as set out in Chapter 51A. For example, a use permitted in the GO(A) General Office 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 GO(A) General Office District is subject to DIR in this district; etc.

(b) The following additional uses are permitted by right:

-- Alcohol beverage establishments.
-- Broadcasting or recording studio.
-- Commercial amusement (inside).
-- Convenience store.
-- Custom business service.
-- General merchandise or food store 3,500 square feet or less.
-- Handcrafted art work studio.
-- Instructional arts studio.
-- Restaurant without drive-in or drive-through service.
-- Theater.

(c) The following use is permitted by specific use permit (SUP) only:

-- Mini-warehouse.

SEC. 51P-____.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-_____.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the GO(A) General Office District apply.

(b) Front yard. Minimum front yard is 10 feet.

SEC. 51P- ____.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulation in Division 51A-4.200 for the specific off-street-parking and loading requirements for each use.

(b) The entire property is considered one lot for parking purposes.

(c) An art gallery, broadcasting or recording studio, handcrafted art work studio, or instructional arts studio require a minimum of one space per 500 square feet.

(d) Shared parking is permitted for all nonresidential uses on the lot. The utilization rates in the following table provide the basis for calculation of parking spaces required with shared parking. The adjusted standard off street parking requirement for the development is the largest of the five "time-of-day" column sums.

Shared Parking Table (for calculating adjusted parking requirement)					
Use Category	**Morning**	**Noon**	**Afternoon**	**Late Afternoon**	**Evening**
Office-related uses	100%	80%	100%	85%	35%
Retail related uses	60%	75%	70%	65%	70%
Bar and restaurant uses	20%	100%	30%	30%	100%
All other uses	100%	100%	100%	100%	100%

(d) For an office use, the required parking shall be provided at a ratio of one space per 418 square feet of floor area.

SEC. 51P- ____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.111. LANDSCAPING.

Landscaping must be provided in accordance with Article X.

SEC. 51P- ____.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- ____.113. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

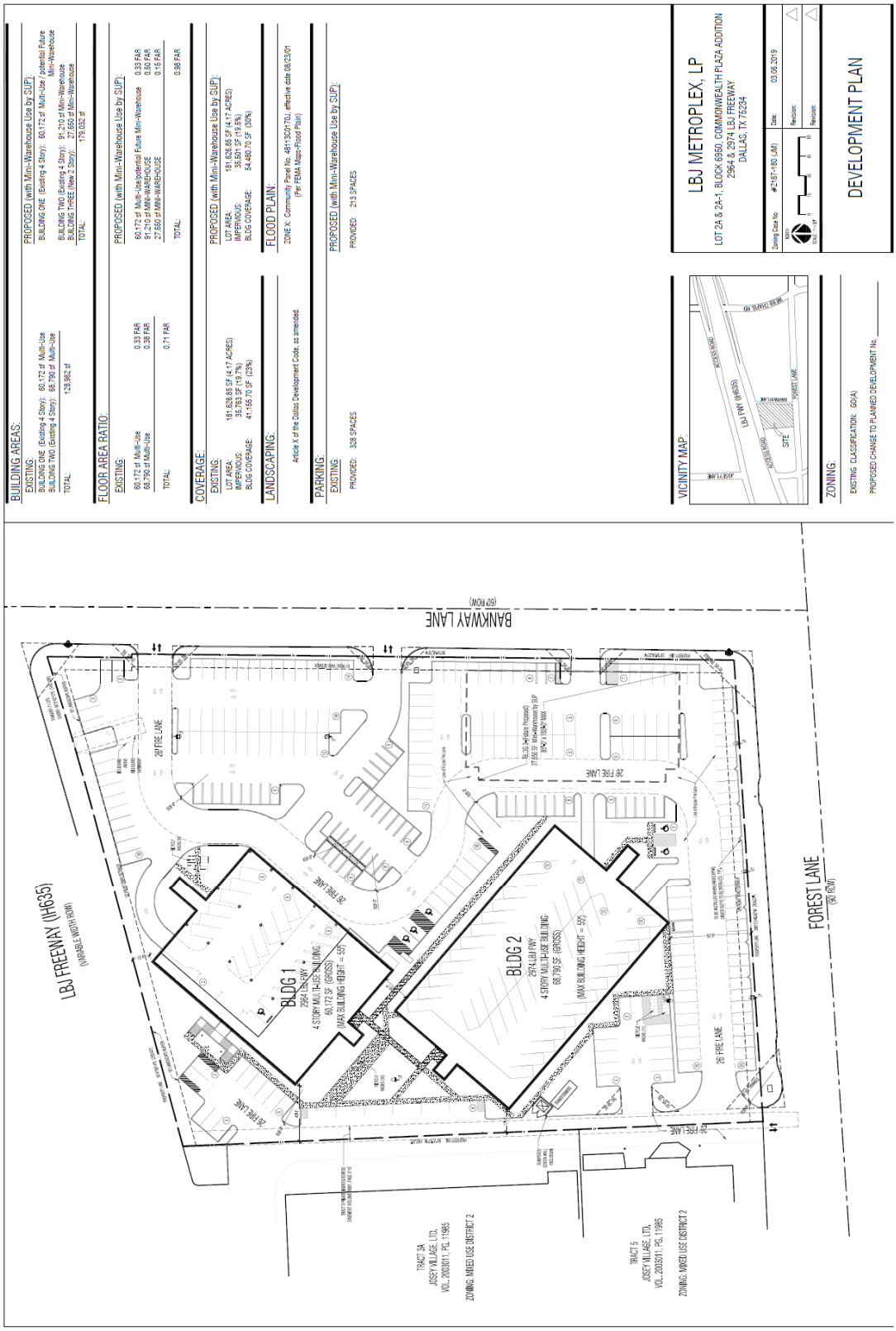
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-____.114. COMPLIANCE WITH CONDITIONS.

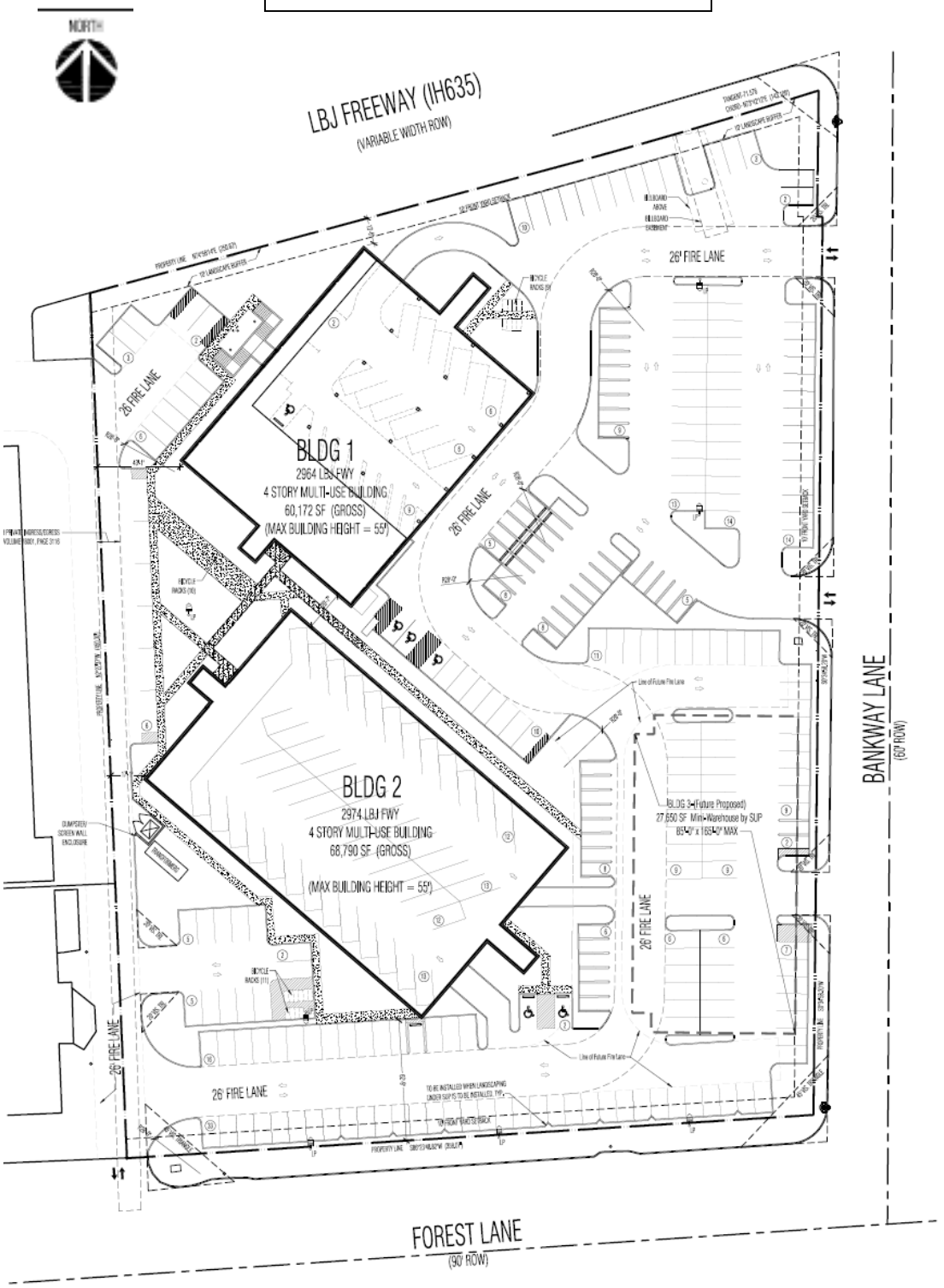
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

Proposed Development Plan



Enlarged Development Plan



CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is a mini-warehouse.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevations.

CPC Recommendation and Applicant's Request:

3. TIME LIMIT: This specific use permit expires on_____, (fifteen-year period from the passage of this ordinance, but is eligible for one automatic renewal for an additional fifteen-year period pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

Staff's Recommendation:

3. TIME LIMIT: This specific use permit expires on_____, (ten-year period from the passage of this ordinance, but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. LANDSCAPING: Except as otherwise provided on the landscape plan attached hereto as Exhibit "_", landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.

   A. Landscaping shown on the landscape plan must be installed prior to the issuance of a certificate of occupancy for a mini-warehouse use in Building 3 as shown on the Site Plan. Street trees along Bankway Lane that are within ten feet of a building shall be medium or small trees.

   B. Along Forest Lane and Bankway Lane, sod must be planted within six months of approval of this specific use permit in the area between the back of parking lot pavement and back of curb of said streets, save and except sidewalks, utility facilities, and other impervious surfaces.

5. ELEVATIONS: Construction of Building 3 as shown on the Site Plan must generally comply with the elevations attached hereto as Exhibit"_".

6. ARCHITECTURAL STANDARDS: Building 3, as identified on the Site Plan, shall conform to the following architectural standards:

   A. Building Articulation:

      1. The exterior facades of new buildings shall have a minimum of one horizontal articulation no lower than ten feet above finished floor that extends a minimum of seventy-five percent around the perimeter of the building to create a lower "base" and upper "top" around the building.
      2. No façade shall extend longer than forty-five continuous feet along the lower base without a depth articulation of at least one foot deep that is a minimum of two feet wide.
      3. No façade shall extend longer than seventy-five continuous feet without a minimum depth articulation of three feet deep that is a minimum of ten feet wide. The three-foot depth articulation shall extend vertically the full height of the building.
      4. No parapet or roof length shall extend longer than seventy-five continuous feet in the same direction without a minimum height articulation of three feet that is a minimum of ten feet wide.
      5. Display windows or glass shall be utilized on facades facing public streets and roadways as shown on the SUP Elevation Plan.
      6. Offsets, projections, and reveals are required for material transitions.

   B. Exterior Material Requirements

      1. The exterior facades of a new building shall be constructed of eighty percent masonry, exclusive of doors and windows.
      2. Masonry shall be defined as stone, pre-cast concrete, poured-in-place concrete with a similar appearance to stone, cementitious siding, split-faced concrete masonry unit, three-coat cement plaster system, or brick.
      3. No single material shall cover more than sixty percent of each façade.
      4. The use of architectural metal panels shall be limited to twenty percent of the total exterior façade.

7. SCREENING WALL REQUIREMENTS:

   A. Masonry screen walls to a height of eight feet are required to block dumpsters, loading zones, and false overhead display doors from the view of public streets as shown on the SUP Site Plan.

B. All screen walls shall be constructed of stone, pre-cast concrete, poured-in-place concrete with a similar appearance to stone, cementitious siding, split-faced concrete masonry unit, three-coat cement plaster system, or brick.
   1. All walls shall be constructed with the same materials and masonry percentages as the new buildings.
   2. The decorative, patterned, or split-faced side of the wall must face out toward the public streets.
   3. Gates may be constructed of tubular steel.
   4. Tubular steel or painted steel may be used for operable gates, but are required to be infilled with metal panels of the same color.

C. No wall shall extend longer than four continuous feet without a depth articulation of twelve inches that is a minimum of sixteen inches wide.

8. INGRESS/EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.

9. PARKING: Off-street parking must be located as shown on the attached site plan and provided in accordance with PD No. XXX.

10. FLOOR AREA: Total maximum floor area for the mini-warehouse buildings is 179,032 square feet inclusive of 400 square feet of office space for the storage buildings.

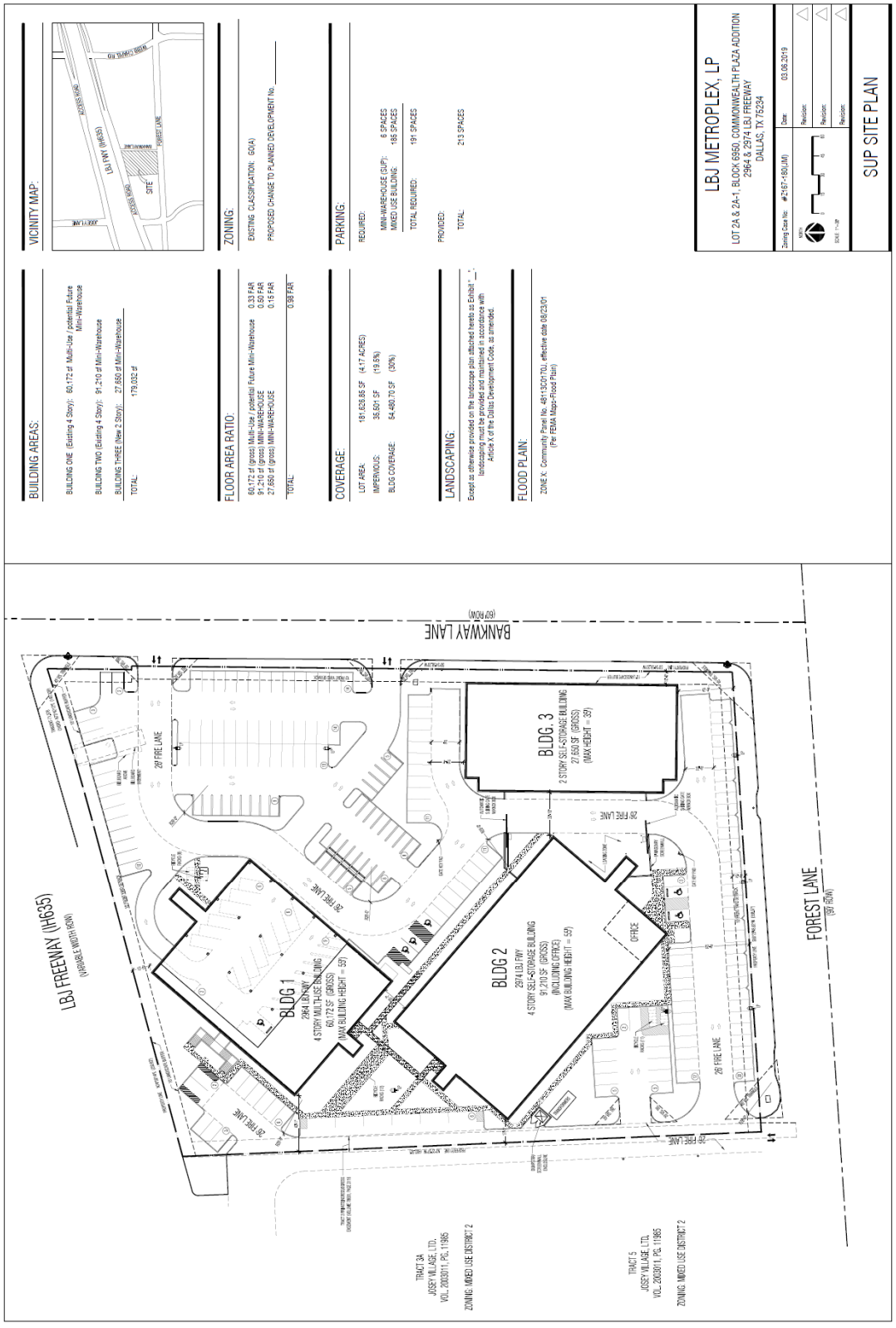
11. HOURS OF OPERATION: The mini-warehouse office may only operate between 9:00 a.m. and 6:00 p.m., Monday through Friday; and between 8:00 a.m. and 6:00 p.m. on Saturday.

12. OUTSIDE STORAGE: Outside storage of vehicles, parking for vehicles for rent, boats, and /or equipment is prohibited.

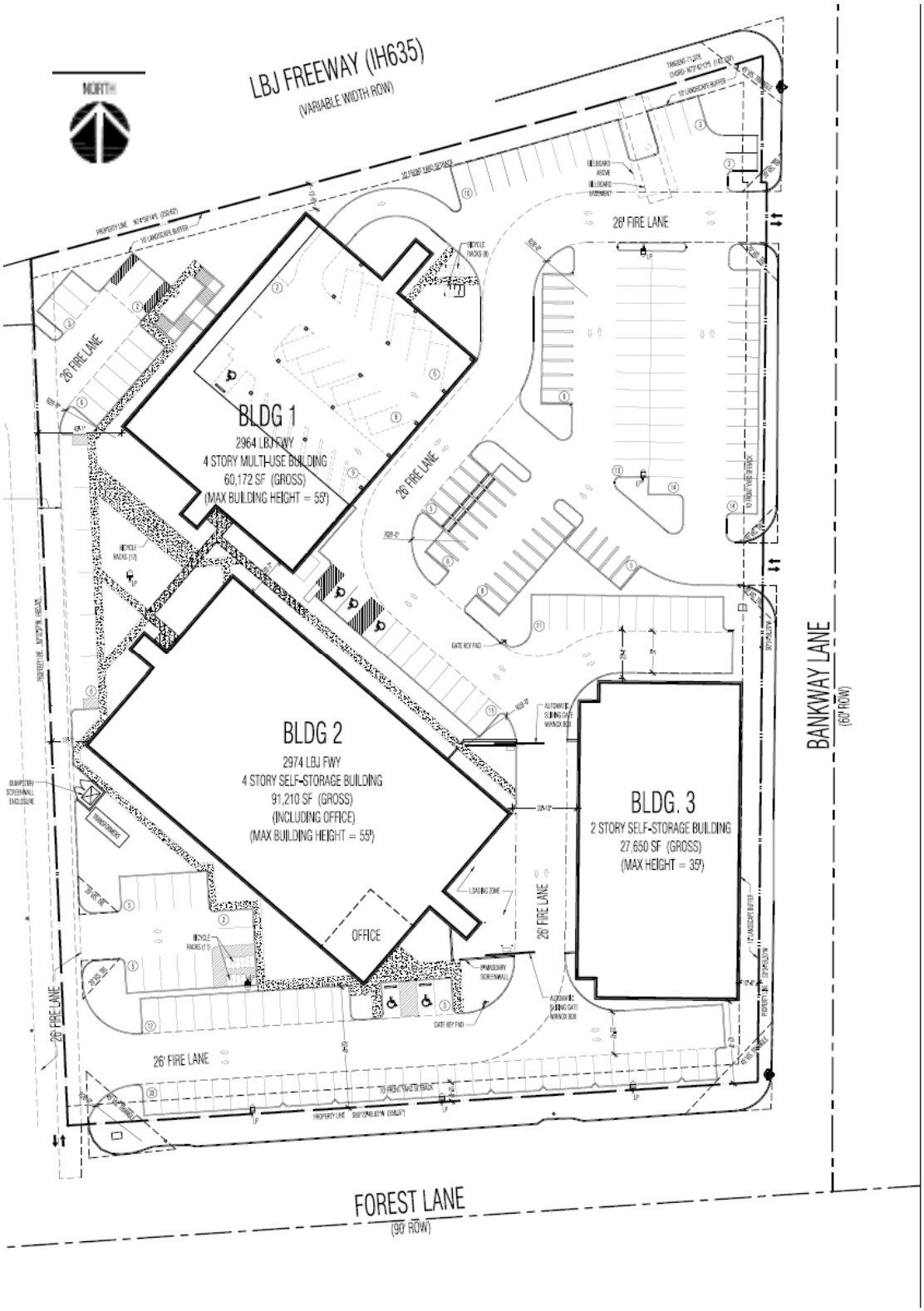
13. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

14. 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.

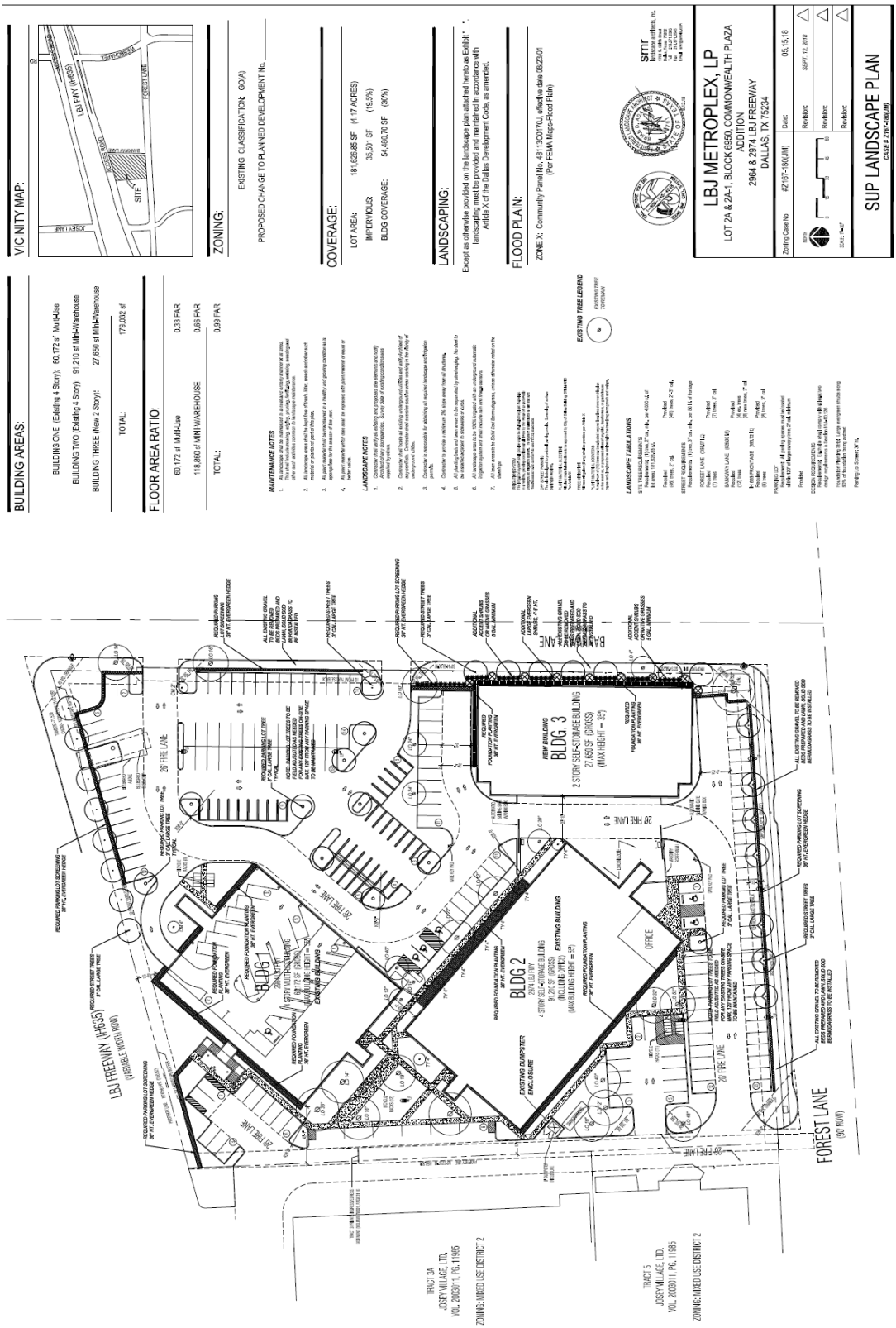
Proposed SUP Site Plan



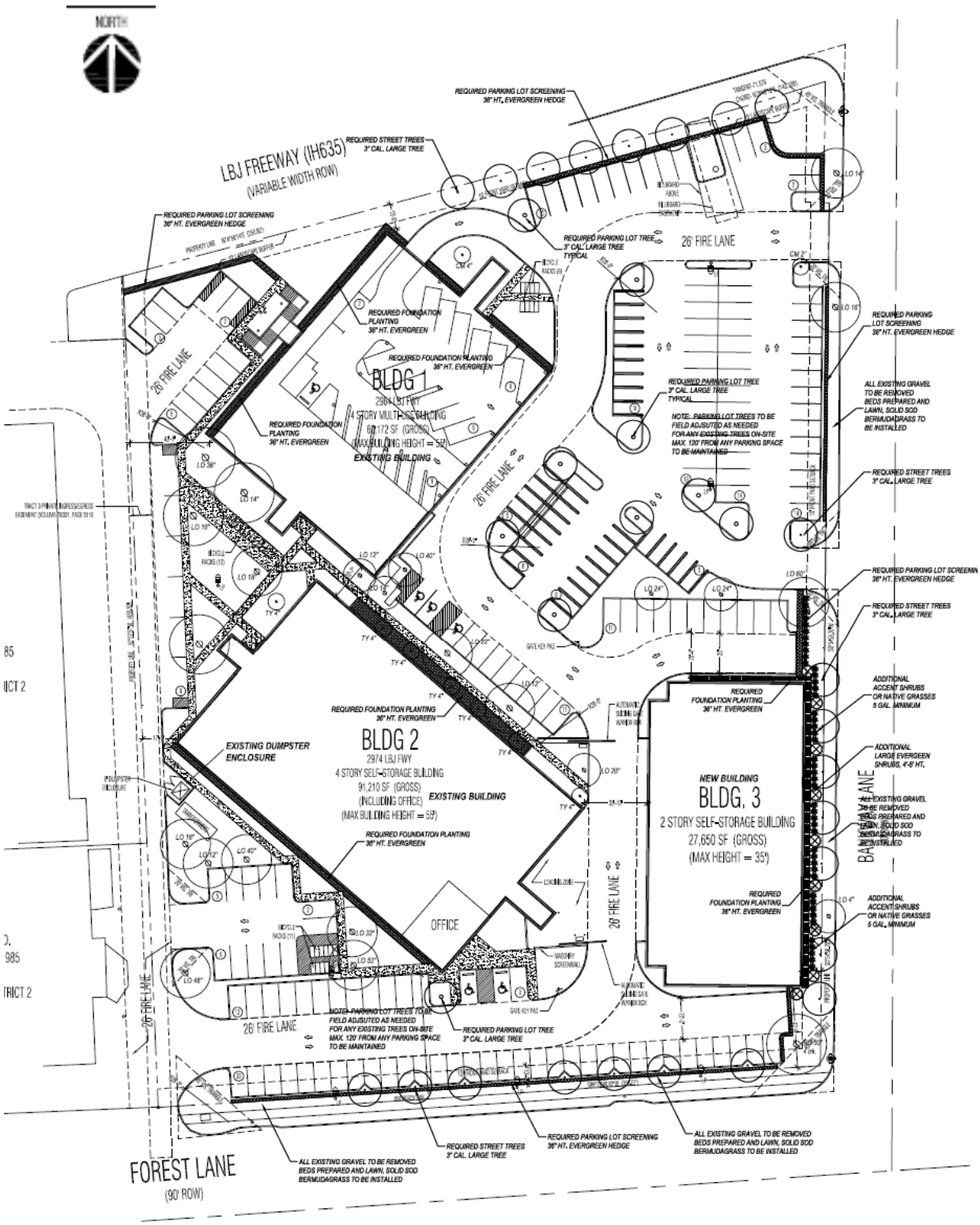
Enlarged SUP Site Plan



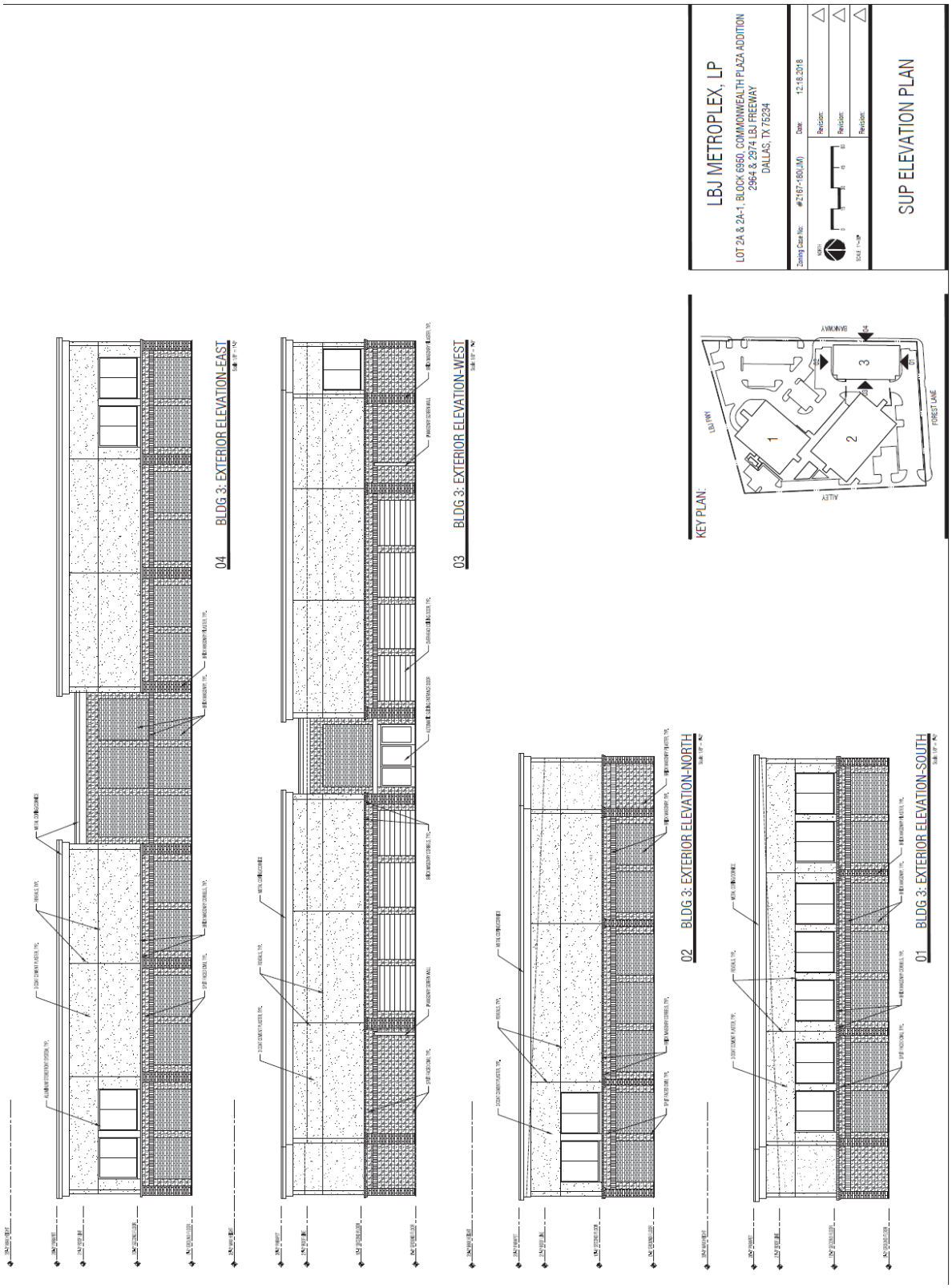
Proposed SUP Landscape Plan

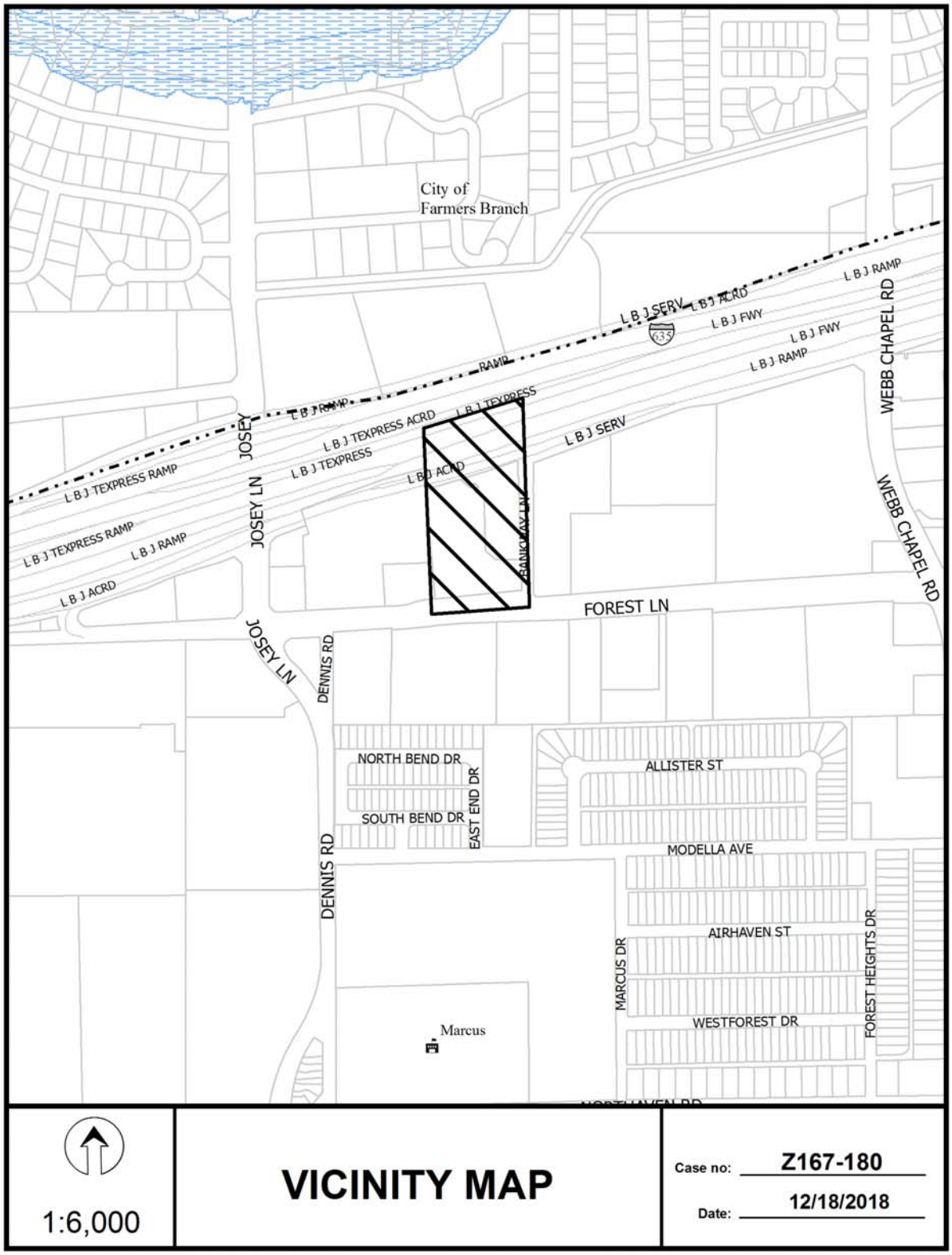


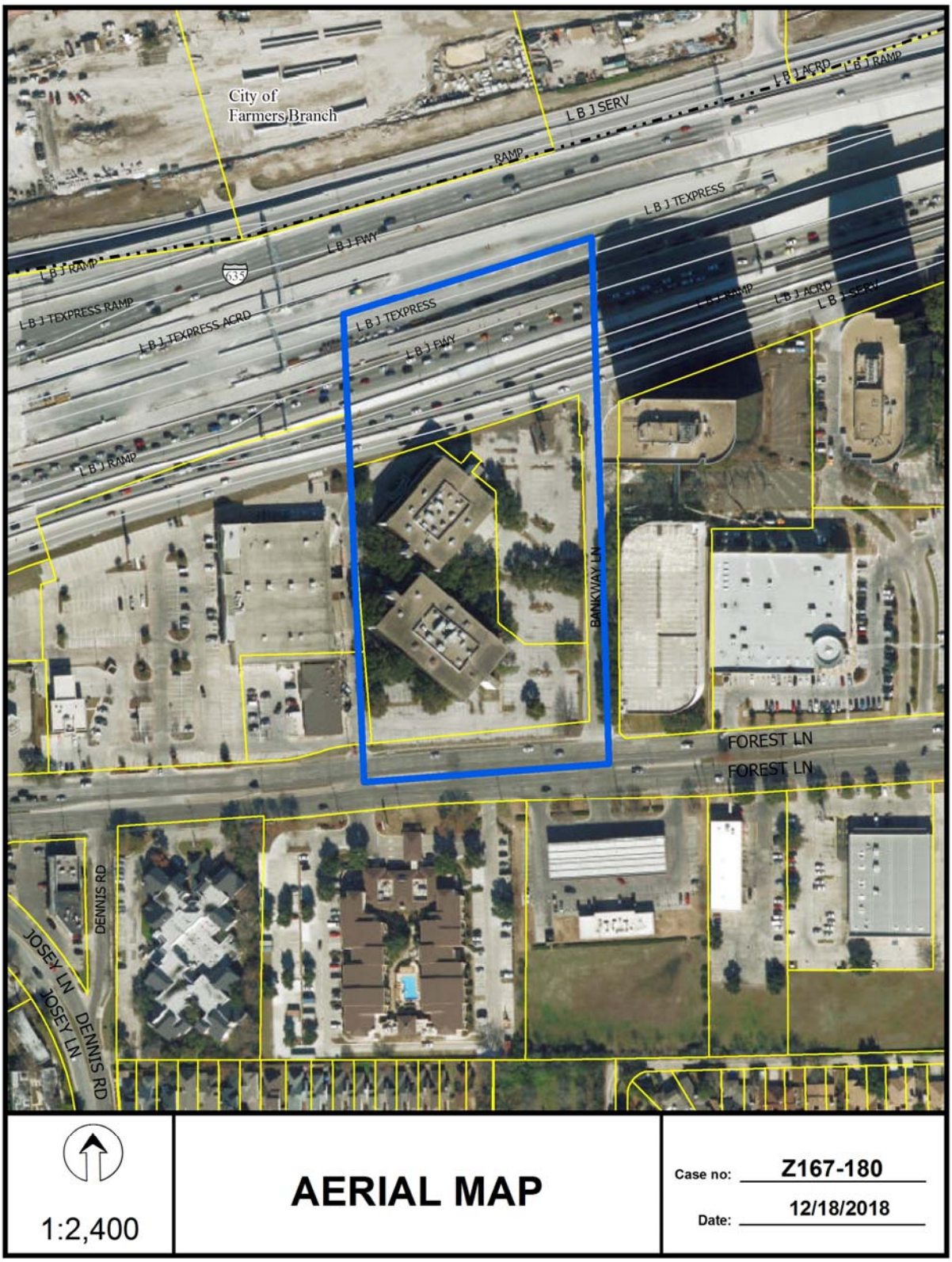
Enlarged SUP Landscape Plan



Proposed SUP Elevation Plan




City of
Farmers Branch
L B J SERV
L B J ACRD
L B J FWY
L B J RAMP
L B J TEXPRESS RAMP
L B J TEXPRESS ACRD
L B J TEXPRESS
JOSEY LN
WEBB CHAPEL RD
FRANKLAY LN
FOREST LN
DENNIS RD
NORTH BEND DR
SOUTH BEND DR
EAST END DR
ALLISTER ST
MODELLA AVE
AIRHAVEN ST
MARCUS DR
FOREST HEIGHTS DR
WESTFOREST DR
Marcus
1:6,000
VICINITY MAP
Case no: Z167-180
Date: 12/18/2018

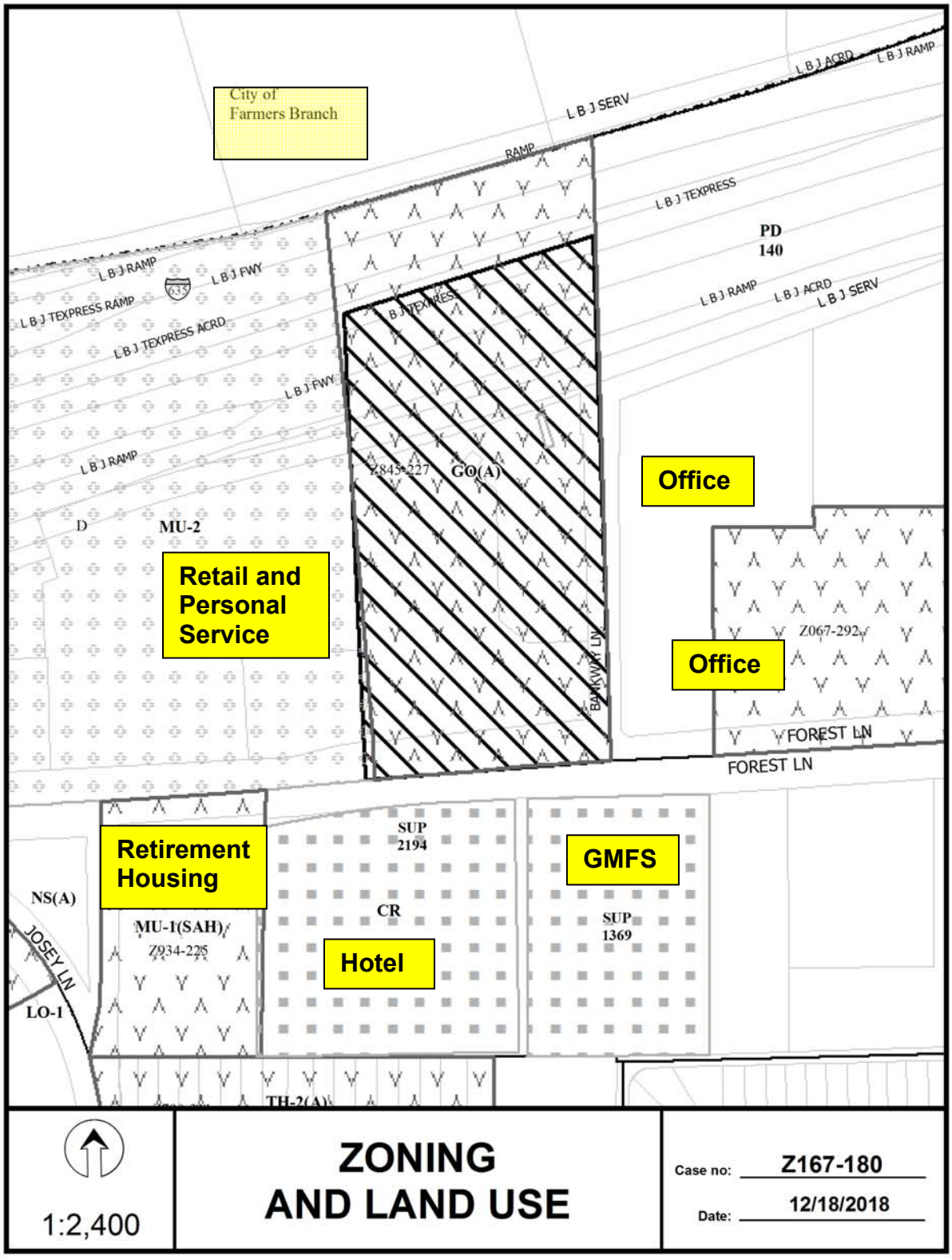


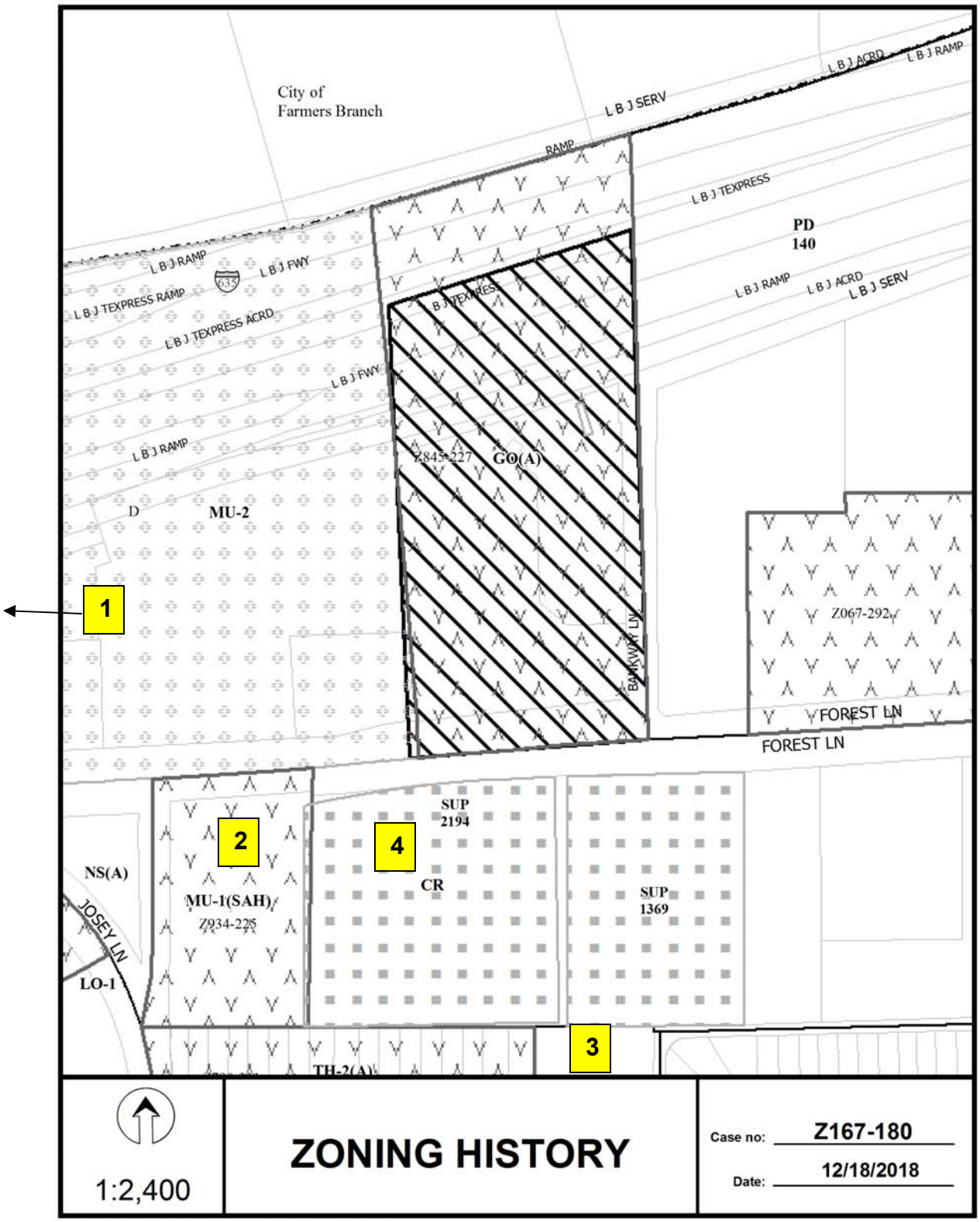
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AERIAL MAP

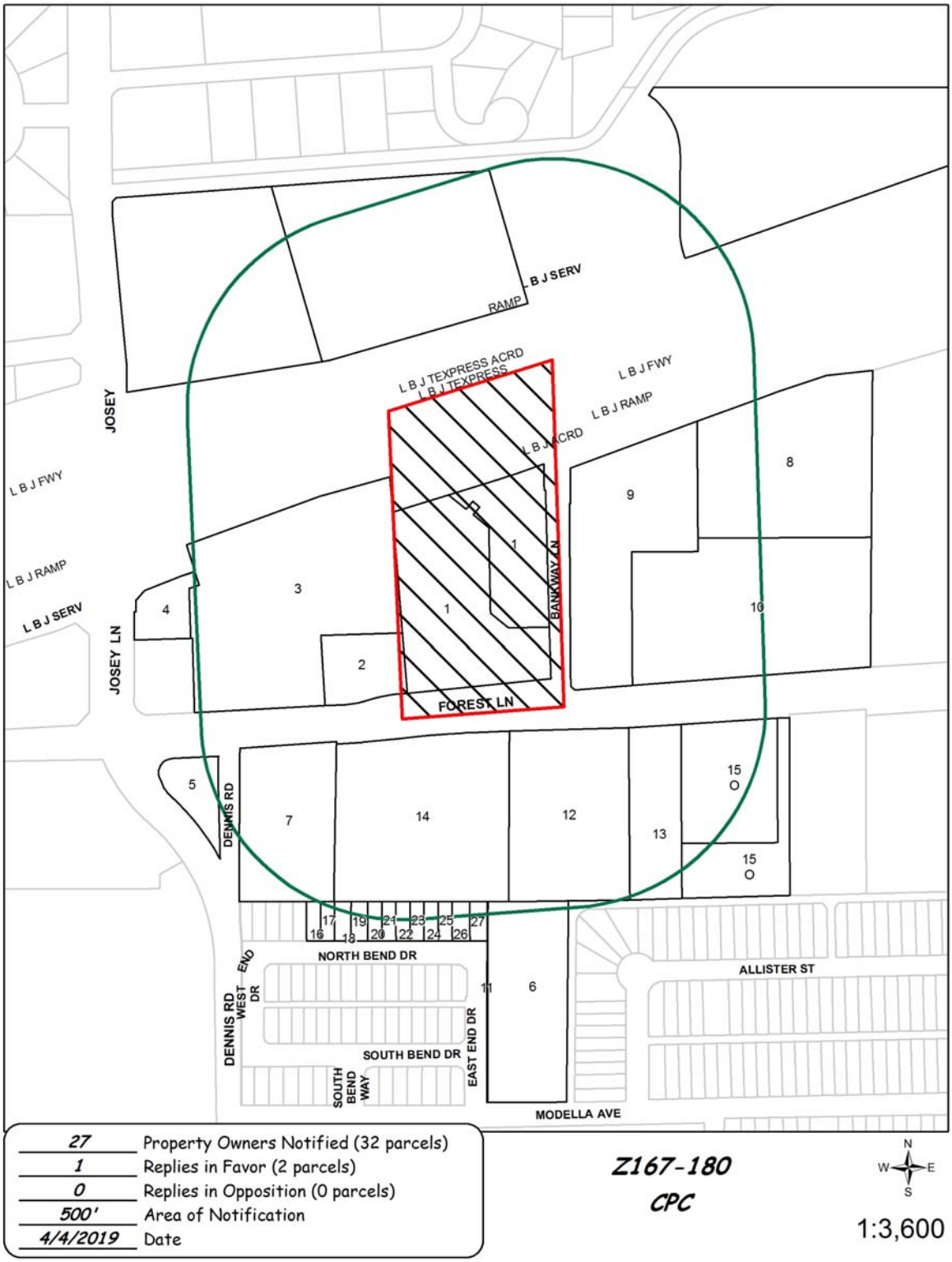
Case no: Z167-180

Date: 12/18/2018


City of Farmers Branch
L B J SERV
L B J ACRD
L B J RAMP
RAMP
L B J TEXPRESS
PD 140
L B J RAMP
L B J TEXPRESS RAMP
L B J FWY
635
L B J TEXPRESS ACRD
L B J TEXPRESS
L B J FWY
L B J RAMP
Z845-227
GO(A)
Office
D
MU-2
Retail and Personal Service
BANKWAY LN
Z067-292
Office
FOREST LN
FOREST LN
SUP 2194
Retirement Housing
GMFS
NS(A)
CR
SUP 1369
MU-1(SAH)
Z934-225
Hotel
JOSEY LN
LO-1
TH-2(A)
1:2,400
ZONING AND LAND USE
Case no: Z167-180
Date: 12/18/2018


City of
Farmers Branch
L B J SERV
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PD
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635
L B J FWY
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Z845-227
GO(A)
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Z067-292
BAKKWAY LN
FOREST LN
FOREST LN
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NS(A)
CR
SUP
1369
MU-1(SAH)
Z934-225
JOSEY LN
LO-1
3
TH-2(A)
1:2,400
ZONING HISTORY
Case no: Z167-180
Date: 12/18/2018

CPC RESPONSES



04/03/2019

Reply List of Property Owners

Z167-180

27 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2964	LBJ FWY	LBJ METROPLEX LP
	2	2919	FOREST LN	JOSEY VILLAGE LTD
	3	2909	FOREST LN	JOSEY VILLAGE LTD
	4	11838	JOSEY LN	JOSEY VILLAGE LTD
	5	2880	FOREST LN	KNB ENTERPRISES INC
	6	2963	MODELLA AVE	OLERIO HOMES LLC
	7	2920	FOREST LN	ST JUDE INC
	8	3030	LBJ FWY	TRIWEST GREEN LP
	9	3010	LBJ FWY	GRAYSTONE GREEN LP
	10	3029	FOREST LN	COLE LA DALLAS TX LLC
	11	11600	DENNIS RD	NORTH TOWN SQUARE
	12	2968	FOREST LN	QUIKTRIP CORPORATION
	13	2976	FOREST LN	HALLE PROPERTIES LLC
	14	2930	FOREST LN	COVENTRY HOSPITALITY LLC
O	15	2992	FOREST LN	RUBINFELD SAMUEL LIVING TR &
	16	2925	NORTH BEND DR	GARCIA RICARDO ANTONIO & ALEJANDRA
	17	2929	NORTH BEND DR	SLOAN JAMIE L &
	18	2933	NORTH BEND DR	HARRISON SANDRA A
	19	2937	NORTH BEND DR	MCGEE FRANK HARDIN &
	20	2941	NORTH BEND DR	KAILEY BARBARA
	21	2945	NORTH BEND DR	ETIENNE PHILIPPE JEAN &
	22	2949	NORTH BEND DR	WEBB JEFFREY S
	23	2953	NORTH BEND DR	ROMERO MARCUS JOSHUA
	24	2957	NORTH BEND DR	MEDINA WAYNE R
	25	2961	NORTH BEND DR	RICE DAWN P
	26	2965	NORTH BEND DR	GILSON DAVID E &
	27	2969	NORTH BEND DR	FRAELICH EDWARD K JR

Agenda Information Sheet

File #: 19-580 **Item #:** 30.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 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 **(1)** an ordinance granting an amendment to Tract 6 for LO-1(A) Limited Office District uses; and **(2)** an ordinance terminating Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bounded by Bickers Street, Holystone Street, and Greenleaf Street
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and approval of the termination of Specific Use Permit No. 610 for a health center use
Z178-260(SM)
Note: This item was deferred by the City Council before opening the public hearings on February 27, 2019 and April 10, 2019, and is scheduled for consideration on May 8, 2019

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 8, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z178-260(SM)	**DATE FILED:**	May 18, 2018
LOCATION:	Bounded by Bickers Street, Holystone Street, and Greenleaf Street		
COUNCIL DISTRICT:	6	**MAPSCO:**	43 L
SIZE OF REQUEST:	Approx. 20.03 acres	**CENSUS TRACT:**	205

APPLICANT/OWNER: Dallas ISD

REPRESENTATIVE: Karl A. Crawley, Masterplan

REQUEST: An application for **(1)** an amendment to Tract 6 for LO-1(A) Limited Office District uses; and **(2)** the termination of Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508.

SUMMARY: The applicant [Dallas ISD] proposes to construct a three-story, 226,948-square-foot building to accommodate the new LG Pinkston High School, including athletic facilities and 212 surface parking spaces for staff, students, and visitors plus 120 additional spaces for special event/overflow parking on site. Additionally, the applicant proposes a 24-classroom, 60,000 square-foot expansion area to accommodate future school growth.

CPC RECOMMENDATION: **Approval**, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and **approval** of the termination of Specific Use Permit No. 610 for a health center use.

STAFF RECOMMENDATION: **Approval**, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and **approval** of the termination of Specific Use Permit No. 610 for a health center use.

BACKGROUND INFORMATION:

- On February 5, 1973, the City Council approved Specific Use Permit No. 610 for a health center for a permanent time period, subject to a site plan and conditions. The purpose of the health center SUP was to construct a children's clinic for the Carver Elementary School students.

- On August 20, 2018, the demolition permit to remove the two previously developed public schools was complete. The site is currently undeveloped.

- On November 27, the applicant met with surrounding property owners to discuss the proposed high school building, athletic fields, and traffic management plan revisions to the proposed development plan to correct the proposed floor area and revised athletic field lighting conditions are included with this report.

Zoning History: There have been two zoning changes requested in the area during the past five years.

1. **Z167-404**: On September 26, 2018, City Council will consider an application for 1) a new tract for MF-2(A) Multifamily District uses; 2) the termination of Specific Use Permit No. 1636 for multifamily uses; and, 3) the termination of Specific Use Permit No. 2213 for single family uses, on property zoned Tract 12 for MU-1 Mixed Use District uses and Tract 13 for MF-2(A) Multifamily District uses within Planned Development District No. 508 located on the north line of Singleton Boulevard, east of Westmoreland Road.

2. **Z156-117:** On February 24, 2016, City Council approved an amendment to a development plan for Tract 12 of Planned Development District No. 508.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing Width
Bickers Street	Collector	80 ft.
Greenleaf Street	Private street	57-60 ft.
Holystone Street	Private street	57-60 ft.

Traffic:

The accompanying Traffic Management Plan (TMP) studied traffic patterns of the existing LG Pinkston High School located at 2200 Dennison Street which enrolls 900 students. The TMP states some findings and recommendations for pick up and drop off operations of the proposed school campus. The primary recommendations from the TMP convert Greenleaf Street to a two-way street; restrict northbound traffic on Holystone Street during pick-up and drop-off periods; restrict the driveway on Bickers Street to outbound only during pick-up and drop-off periods; and, add no-parking signs on Holystone Street like those existing on Greenbriar Street.

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request, including the attached traffic management plan and a traffic impact analysis, and recommends approval of the recommendations described in 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 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.

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	Tract 6 within PDD No. 508 w/SUP No. 610 on a portion	Undeveloped
North	Tracts 5 and 1 within PDD No. 508 [LO-1(A) and CH]	Office, Single family
East	Tract 1 within PDD No. 508 [CH] with SUP No. 1516	Private recreation center, club, or area
South	Tracts 13 and 4 within PDD No. 508 [MF-2(A) and MF-2(A)]	Undeveloped, Senior living
West	Tract 8 within PDD No. 508 [MF-2(A)]	Multifamily

Land Use Compatibility:

The surrounding land uses consist of an office use and a single family development to the north, a private recreation area to the east, undeveloped and senior living center to the south, and multifamily to the west. Staff supports the request to redevelop the site as a new school with athletic facilities in place of the two previous schools because the new school would be required to comply with a traffic management plan and because provisions were added to restrict the lighting and outdoor amplification of the athletic facilities so the public school would be consistent with the surrounding land uses.

Development Standards:

Staff supports the request to increase maximum structure height from 36 feet to 60 feet for a public school use because 1) the request is restricted to public school uses which, under the maximum building height provisions of Section 51A-4.408, are allowed any legal height when consistent with residential proximity slope; 2) the applicant proposes to retain residential proximity slope height restrictions that exist in the district today, and 3) the site is further restricted to comply with the proposed development plan.

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 five and one-

half spaces per high school classroom. The applicant requested this reduction based upon a parking demand study of a professional engineer, who studied the parking operations of the existing school. The proposed parking reduction requires 209 parking spaces for the proposed 38-classroom high school whereas the Dallas Development Code would require 361 parking spaces for 38 high school classrooms. The applicant proposes 212 parking spaces for students, staff, and visitor use for daily use and has a paved surface area that can provide an additional 120 spaces for special event and overflow parking.

The Engineering Division of the Sustainable Development and Construction Department has reviewed the parking reduction request and recommends approval.

Landscaping:

The proposed site plan reduces the required number of site trees from 277 to 196. However, because the site is constrained by athletic fields, parking areas, building footprint, and tree spacing requirements, staff supports the requested reduction.

The proposed site plan also reduces the required number of street trees from 94 large trees to 37 small trees and 39 large trees, for a total of 76 street trees. Staff supports the requested reduction because the application was submitted before Article X was amended on June 27, 2018 and Article X would have required 76 large trees prior to the amendment. Additionally, staff supports the request to reduce some large street trees to small street trees based on the need to place landscaping to avoid conflicts with spacing, use, and utilities.

Sidewalks:

The applicant proposes to construct a new high school where two elementary schools previously existed. The existing site is encircled with sidewalks that vary in width, between four feet and five feet wide. The applicant has agreed to CPC and staff's recommendations for a minimum six-foot wide sidewalk to support the proposed high school, which includes the current student body of 900 students at another location and a traffic management plan that also circles the site. Since CPC, the applicant has provided staff with a revised development plan and a revised landscape plan that complies with CPC's recommendation for a six-foot wide sidewalk, which is included in this report.

Visibility Triangles:

The site is bound by Bickers Street, a publicly owned right-of-way to the south, and two private streets to the northwest and northeast: Holystone Street and Greenleaf Street. Pursuant to *visual obstruction regulations*[1], also known as visibility triangles, triangular areas formed at two street intersections and at intersections of a street and a driveway, or alley, are required to remain unobstructed. The purpose of these requiring these areas to remain unobstructed is to protect the safety of persons using streets by not obscuring lines of site of drivers. This concept is especially important to protect when near schools.

Because (1) *visual obstruction regulations* use the term *street*, which is defined as, "a right-of-way which provides primary access to adjacent property" and (2) since Holystone Street and Greenleaf Street are *private streets*, which are defined as "a street or alley built to the same specifications as a street or alley dedicated to the public use, whose ownership has been retained privately"; visual obstruction regulations do not apply and are unenforceable. Therefore, the term *street*, in the *visual obstruction regulations* context, includes private streets. Since CPC, the applicant has provided a revised development plan and landscape plan that demonstrates the site will comply with the proposed visual obstruction regulations.

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 is in the vicinity of an "H" MVA cluster to the west of Holystone Street and east of Greenleaf Street and an "I" MVA cluster to the southeast of Bickers Street.

[1] Reference subsection (d) in Section 51A-4.602 in the Dallas Development Code.

PRIOR CPC ACTION – October 4, 2018:

Motion: In considering an application for 1) an amendment to Tract 6 for LO-1(A) Limited Office District uses and 2) the termination of Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bound by Bickers Street, Holystone Street, and Greenleaf Street, it was moved to **hold** this case under advisement until December 13, 2018.

Maker: Carpenter
Second: Rieves
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

Notices: Area: 500 Mailed: 64
Replies: For: 0 Against: 4

Speakers: For: None
Against: David Fannin, 2619 Laurel Leaf Ct., Dallas, TX, 75212

PRIOR CPC ACTION – December 13, 2018:

Motion: It was moved to recommend (1) **approval** of an amendment to Tract 6 for LO-1(A) Limited Office District uses, subject to a revised conceptual plan, revised development plan (as briefed), revised landscape plan (as briefed), traffic management plan, and staff's recommended conditions; and, (2) **approval** of the termination of Specific Use Permit No. 610 for a health center use, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bound by Bickers Street, Holystone Street, and Greenleaf Street.

Maker: Carpenter
Second: Lewis
Result: Carried: 13 to 0

For: 13 - MacGregor, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

Notices: Area: 500 Mailed: 64
Replies: For: 0 Against: 4

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

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CPC RECOMMENDED AMENDMENTS TO

ARTICLE 508.

PD 508.

SEC. 51P-508.101. LEGISLATIVE HISTORY.

PD 508 was established by Ordinance No. 23536, passed by the Dallas City Council on June 10, 1998. Ordinance No. 23536 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 23536 was amended by Ordinance No. 24076, passed by the Dallas City Council on October 27, 1999; Ordinance No. 24374, passed by the Dallas City Council on September 13, 2000; Ordinance No. 24655, passed by the Dallas City Council on June 27, 2001; Ordinance No. 24725, passed by the Dallas City Council on September 26, 2001; and Ordinance No. 25982, passed by the Dallas City Council on May 25, 2005. (Ord. Nos. 19455; 23536; 24076; 24374; 24655; 24725; 25982; 26042)

SEC. 51P-508.102. PROPERTY LOCATION AND SIZE.

PD 508 is established on property generally bounded by Hampton Road on the east, Dennison Street, Fish Trap Road and Singleton Boulevard on the South, Westmoreland Road and the centerline of Old Trinity River on the west, and Canada Drive on the north. The size of PD 508 is approximately 481.26 acres. (Ord. Nos. 23536; 26042)

SEC. 51P-508.103. 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) COMMERCIAL AMUSEMENT CABLE SKI PARK AND RECREATION AREA means a facility offering water skiing and wakeboarding by an automated cable pulling system and other recreation or games of skill to the general public for a fee. This use must include water skiing and wakeboarding by an automated cable pulling system, but may also include other recreation activities and games of skill. Office, retail, and restaurant uses are permitted as part of this use but are limited to a total of 5,000 square feet of floor area. (Ord. Nos. 23536; 25982; 26042; 27771)

SEC. 51P-508.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 508A: conceptual plan.

(2) Exhibit 508B: development plan for Tract 12A.

(3) Exhibit 508C: development plan for a portion of Tract 3.

(4) Exhibit 508D: development plan for a portion of Tract 14.

(5) Exhibit 508E: development plan for a portion of Tract 12.

(6) Exhibit 508F: athletic field traffic management plan.

(7) Exhibit 508G: development plan for Tract 6.

(8) Exhibit 508H: landscape plan for Tract 6.

(9) Exhibit 508I: traffic management plan for Tract 6.

SEC. 51P-508.104. CONCEPTUAL PLAN.

Use of the Property must comply with the conceptual plan (Exhibit 508A). In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control. (Ord. Nos. 23536; 25982; 26042; 27175)

SEC. 51P-508.105. DEVELOPMENT PLAN.

(a) A development plan for each phase of development must be approved by the city plan commission prior to the issuance of a building permit for each phase.

(b) A development plan for Tract 12A is labeled Exhibit 508B.

(c) A development plan for a portion of Tract 3 is labeled Exhibit 508C.

(d) A development plan for a portion of Tract 14 is labeled Exhibit 508D.

(e) A development plan for Tract 6 is labeled Exhibit 508G.

SEC. 51P-508.106. CREATION OF TRACTS.

This district is divided into 16 tracts: Tracts 1, 2, 3, 4, 5, 6, 7, 7A, 8, 9, 10, 11, 12, 12A, 13, and 14. The boundaries of all areas are described in Exhibit A of Ordinance No. 23536, as amended by Ordinance No. 25982. The boundaries of the areas are shown on the conceptual plan. If there is a conflict, the descriptions in Exhibit A of Ordinance No. 23536, as amended, control over the graphic description on the conceptual plan. (Ord. Nos. 23536; 24725; 25982; 26042; 30230)

SEC. 51P-508.107. TRACT REGULATIONS.

(a) Tracts 1 and 9 [CLUSTERED HOUSING (CH) Tracts].

OMITTED FOR BREVITY

(b) Tracts 4, 8, 10, 11, and 13 (MULTI-FAMILY [MF-2(A)] Tracts).

OMITTED FOR BREVITY

(c) Tracts 3, 5, 6, 7, 7A, and 14 (LIMITED OFFICE [LO-l(A)] Tracts).

(1) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Catering service. *[L]*
-- Medical or scientific laboratory.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Adult day care facility. *[L]*
-- Child-care facility. *[L]*
-- Church.
-- College, university, or seminary.
-- Community service center.
-- Convent or monastery.
-- Library, art gallery, or museum.
-- Public or private school.

-- Convalescent and nursing homes, hospice care and related institutions *[Tract 3 only and limited to 120 beds. Tract 14 only, limited to 130 beds, and 26 feet in height.]*

(E) Lodging uses.

None permitted

(F) Miscellaneous uses.

-- Carnival or circus (temporary). *[By special authorization of the building official.]*
-- Temporary construction or sales office.

(G) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window.
-- Medical clinic or ambulatory surgical center.
-- Office.

(H) Recreation uses.

-- Private recreation center, club, or area. *[SUP]*
-- Public park, playground, or golf course.

(I) Residential uses.

None permitted.

(J) Retail and personal service uses.

-- Business school.
-- Dry cleaning or laundry store. *[L]*
-- General merchandise or food store 3,500 square feet or less. *[L]*
-- Personal service uses. *[L]*
-- Restaurant with or without drive-in or drive-through service. *[L]*

(K) Transportation uses.

-- Transit passenger shelter.
-- Transit passenger station or transfer center. [*SUP or city council resolution.]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station. *[SUP]*
-- Electrical substation. *[SUP]*
-- Local utilities.
-- Police or fire station. *[SUP]*
-- Post office. *[SUP]*
-- Radio, television, or microwave tower. *[SUP]*
-- Tower/antenna for cellular communication. *[SUP]*
-- Utility or governmental installation other than listed. *[SUP]*

(M) Wholesale, distribution, and storage uses.

-- Recycling drop-off container.
-- Recycling drop-off for special occasion collection.

(2) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

-- Accessory outside display of merchandise.
-- Accessory outside sales.
-- Accessory pathological waste incinerator.

(B) The following accessory use is permitted by SUP only:

-- Accessory helistop.

(3) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this paragraph and Division 51A-4.400, this paragraph controls.

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412.) Exception: Except for chimneys and sports lighting, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height. Residential proximity slope does not apply to sports lighting standards in Tract 7A only.

(ii) Maximum height.

(aa) Unless further restricted under Subparagraph(E)(i), maximum structure height is 36 feet.

(bb) In Tract 6, except as restricted in subparagraph (i) of this subsection, maximum height for a public school is 60 feet.

(cc) In Tract 7A, maximum height for sports lighting standards is 80 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is three.

(4) Off-street parking and loading.

(A) In general. Except as provided in this subparagraph, c[~~C~~]onsult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(B) Special off-street loading provisions.

(C) Tract 6. For a public school, the minimum number of off-street parking spaces required is five and one-half spaces for each high school classroom.

(i) In these tracts, off-street loading spaces may not be located in the required front yard.

(ii) In these tracts, off-street loading spaces may be located in the front yard behind the setback line if they are screened from the street. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602(b)(3).

(5) Environmental performance standards. See Article VI.

(6) Landscaping.

(A) Tract 3.

(i) For the portion of Tract 3 shown in the landscape plan (Exhibit 508D), landscaping must be provided as shown on the landscape plan.

(ii) For all other portions of Tract 3, landscaping must be provided in compliance with the requirements of Article X.

(B) Tracts 5, [~~6,~~] 7, 7A, and 14. Landscaping must be provided in compliance with the requirements of Article X.

(C) Tract 6. Except for a public school, landscaping must be provided in accordance with Article X. For a public school, landscaping must be provided as shown on the landscape plan (Exhibit 508H). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(7) Additional provisions.

(A) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-l(A), MF-l(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this provision, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(B) Garbage collection and mechanical equipment areas. Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single family and duplex uses.

(C) Screening surface parking lots from street. In these tracts, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(D) Screening side and rear yards from residential districts. In these tracts, if a building or parking structure is erected on a building site and a portion of the side or rear yard abuts or is across the adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, any portion of the building site directly across from that district must be screened from that district.

(C) Tract 6.

(i) Athletic fields. Except as provided in this subsection, lighting and outdoor amplification are prohibited for public school use of outdoor athletic fields.

(aa) Athletic fields may not be illuminated greater than 0.5 footcandles measured horizontally at three feet above grade as measured at the opposite side of adjacent roadways or 15 feet beyond the property line of adjacent properties.

(bb) Athletic field lighting is only permitted between the hours of 5:00 p.m. and 9:00 p.m., Monday through Friday.

(ii) Sidewalks. A minimum six-foot wide sidewalk is required.

(iii) Visual obstruction regulations. A person shall not erect, place, or maintain a structure, berm, plant life, or other item on a lot if the item is in a visibility triangle defined in Section 51A-4.602(d). For purposes of interpreting Section 51A-4.602(d), STREET, includes private streets.

(d) Tracts 2, 12, and 12A [MIXED USE (MU-1) Tracts].

OMITTED FOR BREVITY

SEC.51P-508.107.1. TRACT 6 TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a public or private school must comply with the traffic management plan (Exhibit 508I).

(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.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the

director by November 1, 2021. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the director by November 1st of each odd-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different 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.

(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).

(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-508.108. SIGNS.

Signs must comply with the following regulations:

(1) For Tracts 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, and 14, signs must comply with the provisions for non-business zoning districts contained in Article VII.

(2) For Tracts 2, 7A, 12, and 12A, signs must comply with the provisions for business zoning districts contained in Article VII. (Ord. Nos. 23536; 25982; 26042; 30230)

SEC. 51P-508.108.1. ADDITIONAL PROVISIONS FOR ATHLETIC FIELDS IN TRACTS 2 AND 7A.

(a) Lighting.

(1) Athletic fields may not be illuminated greater than 0.5 footcandles measured horizontally at three feet above grade as measured at the opposite side of adjacent roadways or 15 feet beyond the property line of adjacent properties.

(2) Athletic field lighting is only permitted between 5:00 p.m. and 10:00 p.m., Sunday through Thursday and between 5:00 p.m. and 10:30 p.m., Friday and Saturday.

(b) Outdoor amplification. Loudspeakers and other forms of amplification are only permitted between 10:00 a.m. and 9:30 p.m., Monday through Thursday; between 10:00 a.m. and 10:00 p.m. on Friday; between 8:00 a.m. and 10:00 p.m. on Saturday; and between 9:00 a.m. and 9:30 p.m. on Sunday.

(c) Traffic Management Plan.

(1) In general. Operation of the athletic fields must comply with the athletic field traffic management plan (Exhibit 508F).

(2) Queuing. Queuing is only permitted inside the Property. Participant drop-off and pick-up are not permitted within city rights-of-way.

(3) Traffic study.

(A) 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 September 28, 2018. Updates to the initial traffic study are not required.

(B) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different days of the week at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

(i) ingress and egress points;

(ii) queue lengths;

(iii) drop-off and pick-up locations; and,

(iv) circulation.

(C) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(i) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(ii) 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.

(4) Amendment process.

(A) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-l.l05(k)(3).

(B) 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. (Ord. 30230)

SEC. 51P-508.109. ADDITIONAL PROVISIONS.

(a) The entire premises must be properly maintained in a state of good repair and neat appearance at all times.

(b) Use of the Property must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. Nos. 23536; 25982; 26042)

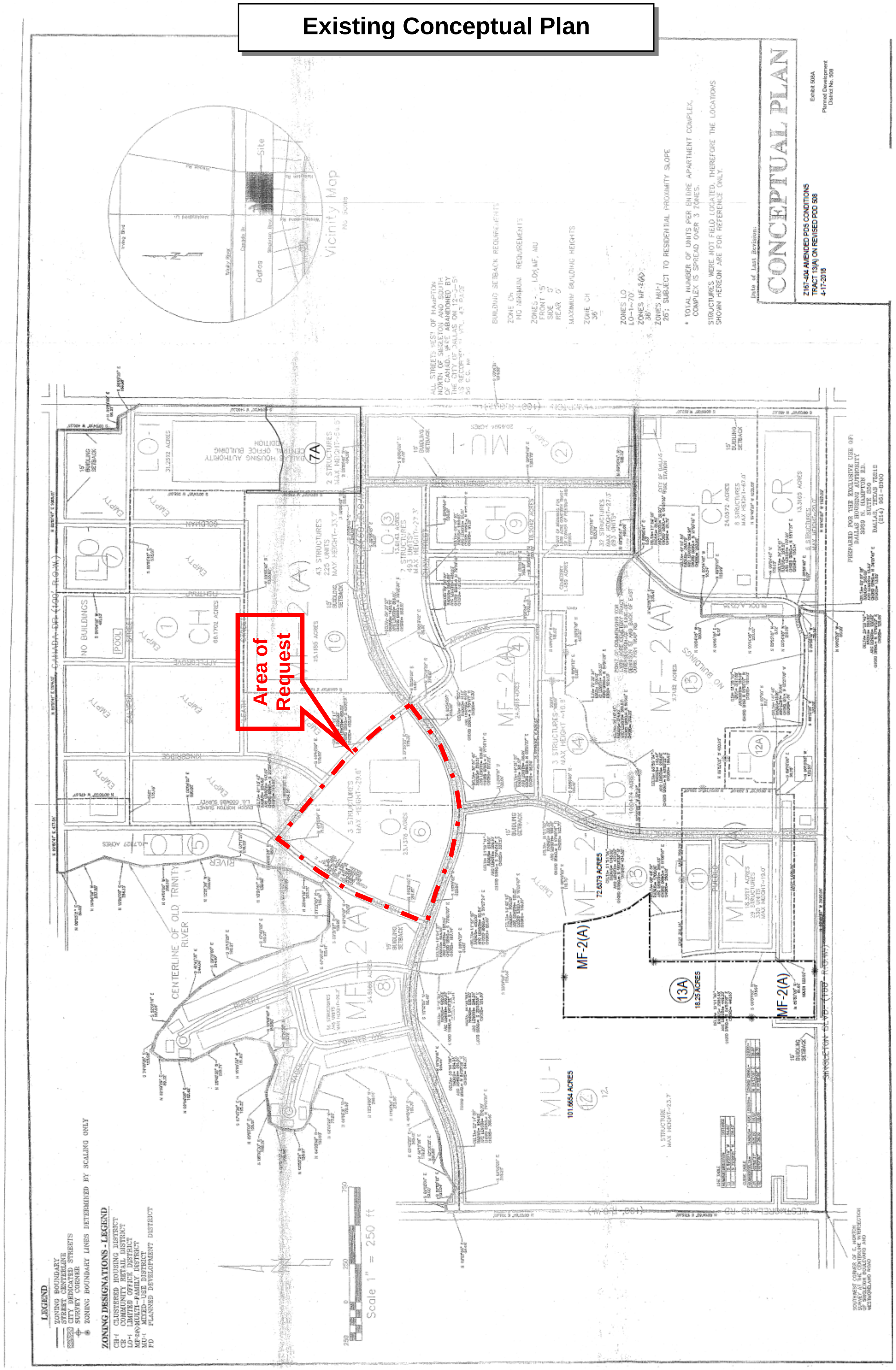
SEC. 51P-508.110. PAVING.

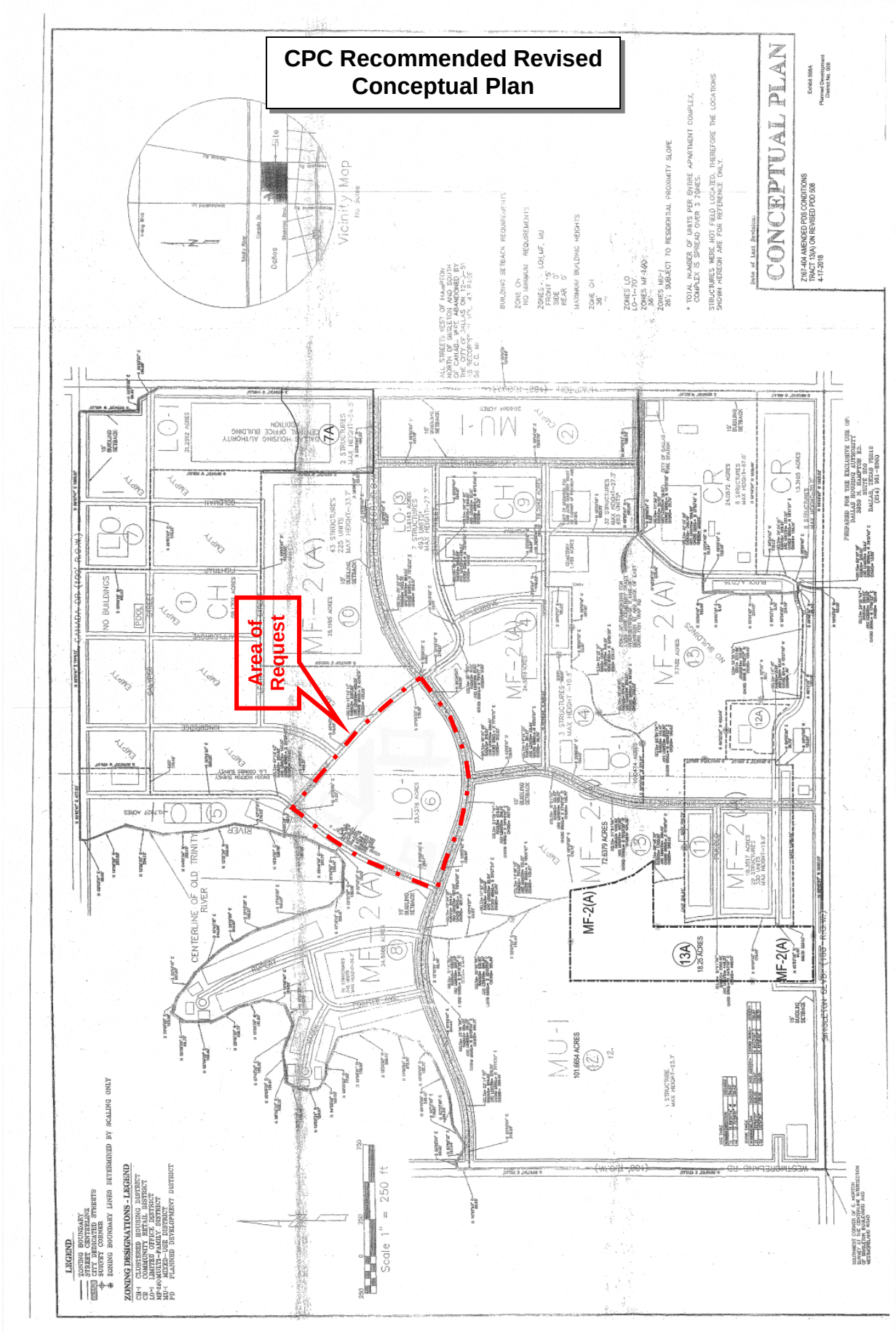
All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 24655; 26042)

SEC. 51P-508.111. COMPLIANCE WITH CONDITIONS.

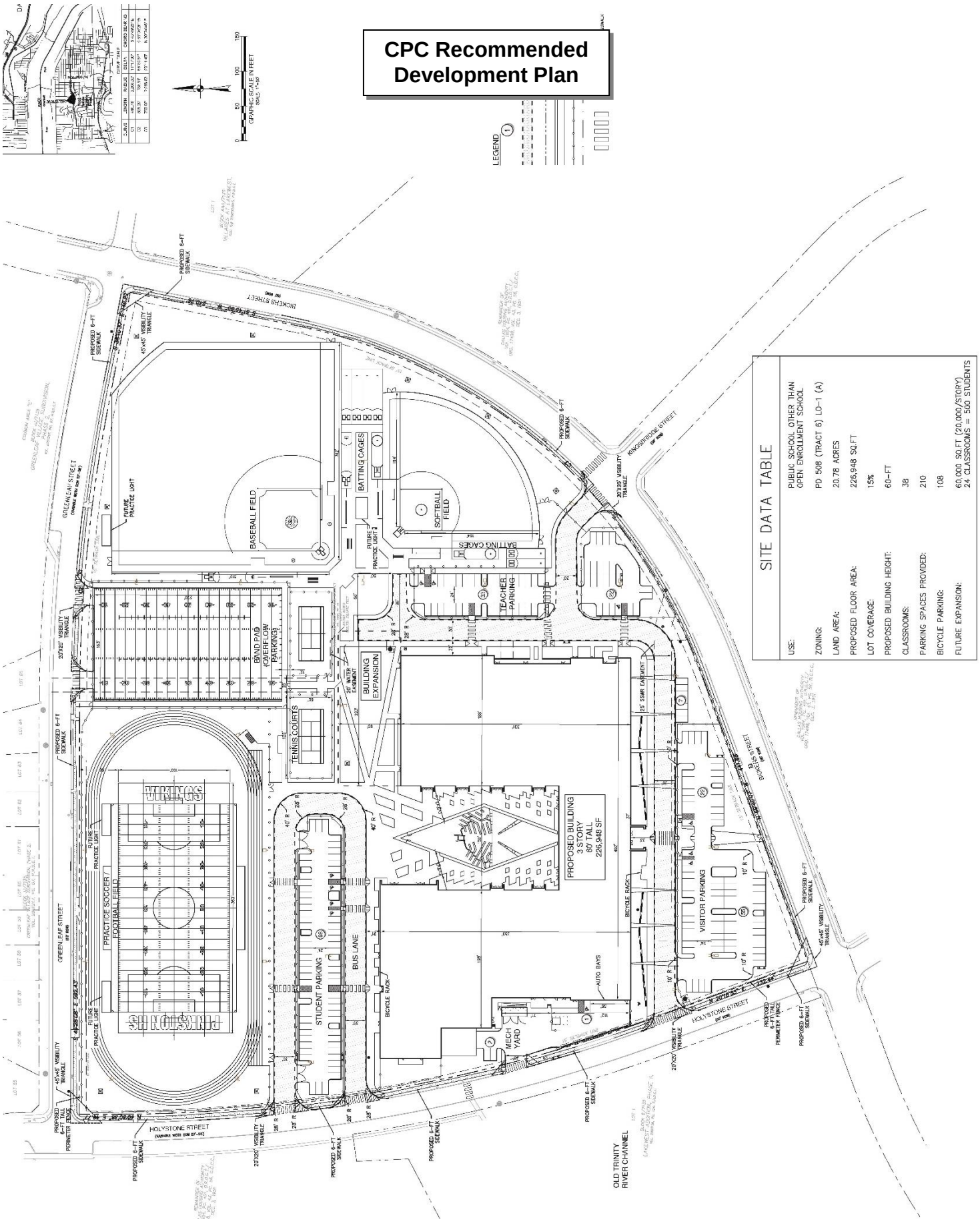
The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24655; 26042)

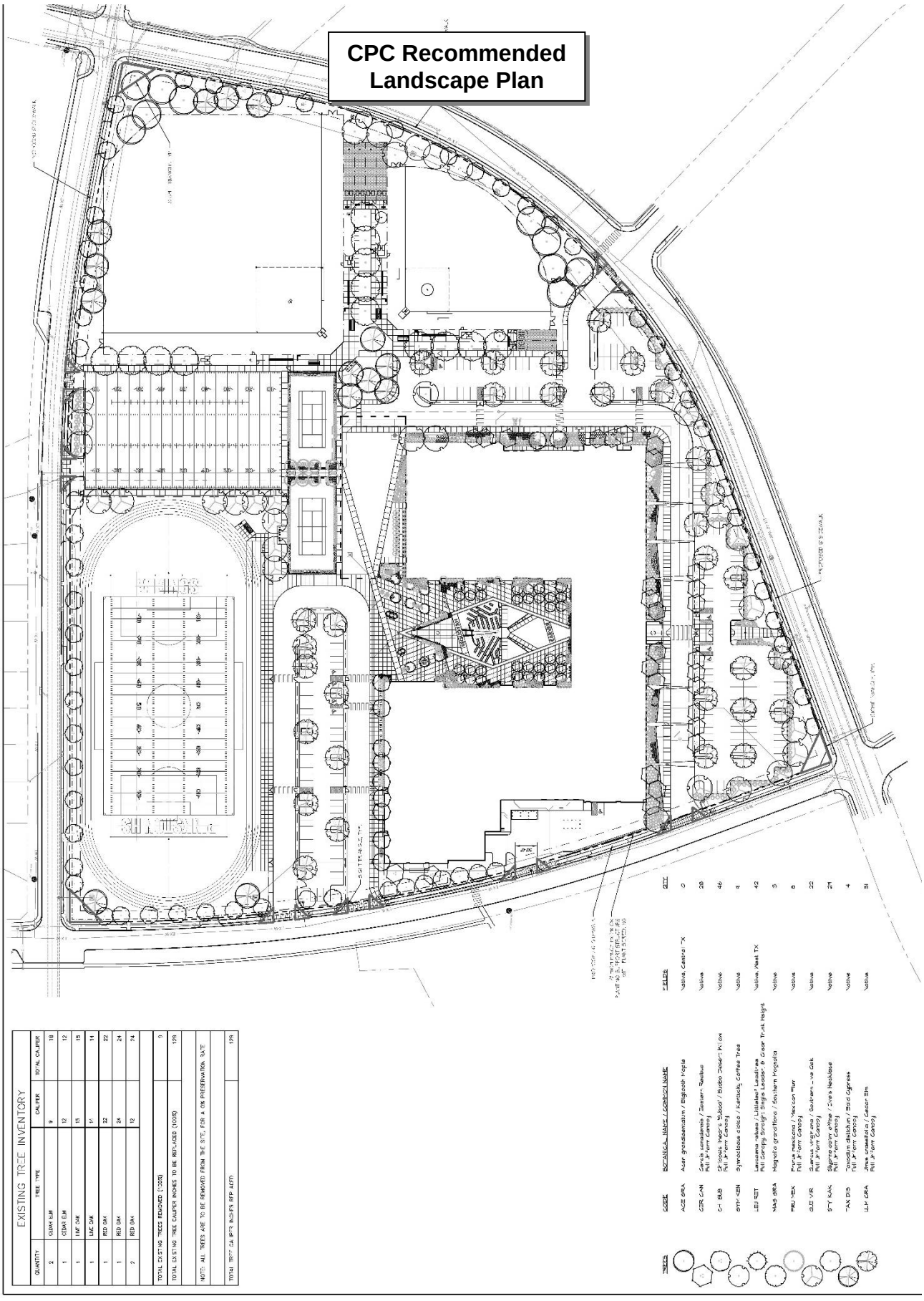
Existing Conceptual Plan




CPC Recommended Revised Conceptual Plan
Area of Request
CONCEPTUAL PLAN
Z167-404 AMENDED PD5 CONDITIONS
TEXT DATED 10/4/18 AND ON REVISED PD5 506
4-17-2018
Exhibit 506A
Planned Development District No. 506
Vicinity Map
No Scale
Site
Dallas
Trinity River
Mockingbird Ln
Inwood Rd
Harry Hines Blvd
Oak Lawn Ave
Cedar Springs Rd
Lemmon Ave
Turtle Creek Blvd
Dates of Last Revisions:
LEGEND
ZONING BOUNDARY
STREET CENTERLINE
CITY DEDICATED STREETS
SURVEY CORNER
ZONING BOUNDARY LINES DETERMINED BY SCALING ONLY
ZONING DESIGNATIONS - LEGEND
CH CLUSTERED HOUSING DISTRICT
CR COMMUNITY RETAIL DISTRICT
LO-1 LIMITED OFFICE DISTRICT
MF-2(A) MULTIFAMILY DISTRICT
MU-1 MIXED-USE DISTRICT
PD PLANNED DEVELOPMENT DISTRICT
Scale 1" = 250 ft
0
250
500
750
CENTERLINE OF OLD TRINITY RIVER
INWOOD RD
MF-2(A)
LO-1
MU-1
CH
CR
NO BUILDINGS
POOL
EXISTING
PROPOSED
ALL STREETS WEST OF HAMPTON ROAD NORTH OF SINGLETON AND SOUTH OF CANADA DRIVE ARE ABANDONED BY THE CITY OF DALLAS ON 12-9-09 AS RECORDED IN VOL. 93 CC Nº
BUILDING SETBACK REQUIREMENTS
ZONE CH
NO MINIMUM REQUIREMENTS
ZONES *, LO, LO-1, MU
FRONT 15'
SIDE 0'
REAR 0'
MAXIMUM BUILDING HEIGHTS
ZONE CH
36'
*
ZONES LO
LO-1=70'
ZONES MF-2(A)
36'
ZONES MU-1
26' SUBJECT TO RESIDENTIAL PROXIMITY SLOPE
* TOTAL NUMBER OF UNITS PER ENTIRE APARTMENT COMPLEX. COMPLEX IS SPREAD OVER 3 ZONES.
STRUCTURES WERE NOT FIELD LOCATED. THEREFORE THE LOCATIONS SHOWN HEREON ARE FOR REFERENCE ONLY.
PREPARED FOR THE EXCLUSIVE USE OF:
DALLAS HOUSING AUTHORITY
3939 N. HAMPTON RD.
SUITE 400
DALLAS, TEXAS 75212
(214) 951-8900

CPC Recommended Development Plan





EXISTING TREE INVENTORY

QUANTITY	TREE TYPE	CALIPER	TOTAL CALIPER
2	CEDAR ELM	9	18
1	CEDAR ELM	12	12
1	LIVE OAK	15	15
1	LIVE OAK	14	14
1	RED OAK	22	22
1	RED OAK	24	24
2	RED OAK	12	24
TOTAL EXISTING TREES REMOVED (*2005)			0
TOTAL EXISTING TREE CALIPER INCHES TO BE REPLACED (2005)			129
NOTE: ALL TREES ARE TO BE REMOVED FROM THE SITE, FOR A DBH PRESERVATION RATE			
TOTAL TREE CALIPER INCHES REPLACED			129

TREES	CODE	BOTANICAL NAME / COMMON NAME	FIELD2	QTY
	ACE GRA	Acer grandidentatum / Bigtooth Maple	Native, Central TX	5
	CER CAN	Cercis canadensis / Eastern Redbud Multi Trunk Variety	Native	28
	CHI BIG	Chilopsis linearis 'Bubba' / Bubba Desert Willow Full 3" Form Canopy	Native	46
	GYM KEN	Gymnocladus dioica / Kentucky Coffee Tree	Native	9
	LEU RET	Leucaena retusa / Littleleaf Leadtree Multi Canopy Straight Single Leader, 8' Clear Trunk Height	Native, West TX	42
	MAG GRA	Magnolia grandiflora / Southern Magnolia	Native	3
	PRU MEX	Prunus mexicana / Mexican Plum Full 3" Form Canopy	Native	6
	QUE VIR	Quercus virginiana / Southern - no Oak Wilt Full 3" Form Canopy	Native	22
	SYR AMA	Styrax americanus / Snowbell Full 3" Form Canopy	Native	21
	TAX DIS	Taxodium distichum / Bald Cypress Full 3" Form Canopy	Native	4
	ULM CRA	Ulmus crassifolia / Cedar Elm Full 3" Form Canopy	Native	31

CPC Recommended Traffic Management Plan

September 11, 2018
PK# 2067-18.149
Z178-260

TRAFFIC MANAGEMENT PLAN

Project:
DISD L.G. Pinkston High School
In Dallas, Texas

Prepared for:
City of Dallas

On behalf of:
Dallas Independent School District

Prepared by:

Hunter W. Lemley, P.E.



Pacheco Koch

7557 Rambler Road, Suite 1400
Dallas, Texas 75231-2388
(972) 235-3031 www.pkce.com
TX.REG: ENGINEERING FIRM F-469
TX. REG. SURVEYING FIRM LS-100080-00

September 11, 2018

Pacheco Koch

TRAFFIC MANAGEMENT PLAN
DISD L.G. Pinkston High School

Dallas, Texas

TABLE OF CONTENTS

INTRODUCTION 1
School Description *1*
TMP Objectives *2*
Methodology *3*
Expectations *3*
Changes to TMP *4*
Traffic Management Plan 5

Exhibit 1. Recommendations/Proposed Conditions

INTRODUCTION

The services of **Pacheco Koch** (PK) were retained by Masterplan, on behalf of **Dallas Independent School District**, to prepare a Traffic Management Plan (TMP) for L.G. Pinkston High School (the "School") located at 2200 Dennison Street 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 amend the Planned Development District for the property 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.

School Description

The School consists of an existing high school with grades 9th through 12th. The School currently is located at 2200 Dennison Street and will be relocated to the subject site with complete new construction. The new school building is anticipated to be complete by the 2021-2022 school year. Existing uses on the site include two vacant elementary schools (previously DISD George W. Carver Elementary School and DISD Dallas Environmental Academy), which will be razed, and the sites incorporated into the new high school building.

School starts at 9:15 AM and ends at 4:15 PM. Enrollment at the existing campus is 900 students; enrollment at the new campus is expected to remain at the existing level. A summary of the proposed development program, by phase, is provided in **Table 1**. Calculations for vehicle accumulation and parking numbers are based upon previously city-staff-approved ratios and validated by on-site dismissal observations conducted on Monday, April 16th, 2018.

Table 1. Current Enrollment

GRADES	EXISTING	PROPOSED
9th Grade	--	--
10th Grade	--	--
11th Grade	--	--
12th Grade	--	--
TOTAL	900	900

*Enrollment Data provided by *DISD*

Access to the campus will be provided by Bickers Street and Holystone Street. Bickers Street, a local street, intersects with Kingbridge Street, a local street, just south of the property. Land uses surrounding the site are exclusively single family residential.

TMP Objectives

A Traffic Management Plan (TMP) is a site- or area-specific plan of recommended actions and strategies to manage vehicular traffic and parking, pedestrian activity, and travel by all other modes during peak demand conditions for a planned event. The "Objectives" of a TMP are to:

1. Provide a safe environment for all Users on site and the travelling public in the vicinity of the site during the Event times;
2. Minimize (and maintain within reasonable levels) travel delays and traffic congestion on site and in the vicinity of the site during the Event;
3. Ensure reasonable access and circulation is maintained on the public street system in the vicinity of the site during the Event;
4. Provide appropriate information to the travelling public in the vicinity of the site to allow for proper awareness of anticipated traffic conditions during the Event; and,
5. Promote reasonable strategies to manage travel demand to and from the site, including use of alternative modes of travel (such as walk, bike, bus, transit, etc.), when practical.

DEFINITIONS:
Terms are used in this report:

"Event"– a planned event(s), recurring or non-recurring, for which this TMP is being prepared (i.e., "school day")

"School" (a.k.a., "Event Organizer") – the person, group, or organization responsible for the Event

"TMP Manager" – a person or persons designated by the School to implement the TMP (also see additional tasks in the *Expectations* section)

"Users" – guests/patrons attending the Event

"Analyst" – the person(s) preparing the TMP for the School

"Approving Agency" – the municipality or government agency requiring the Traffic Management Plan

"Traffic Department" – the department of the public agency responsible for traffic operations for a given right-of-way

"Site" – the property at which the Event is located (generally assumed to be occupied by the School)

"TMP Strategies" – actions recommended by the Analyst to be undertaken before, during, or after the Event in order to manage traffic on or off site

DISCLAIMERS:

A TMP should be developed by, or in concert with, an individual familiar with the general characteristics of the Event and the associated traffic/transportation needs. For this study, PK worked with School representatives to develop the proposed recommendations.

Recommended TMP Strategies should be based upon applicable engineering principles of traffic safety and traffic operations.

Any recommended TMP Strategies involving traffic control devices in the public right-of-way (including installation or removal of signs, pavement markings, etc.) are subject to the approval of, and must be implemented under direction of, the Traffic Department.

No private individual should perform, or attempt to perform, any act of traffic control within public right-of-way; only deputized officers of the law or other authorized representatives of the Traffic Department may manipulate traffic conditions within the public right-of-way.

The recommendations presented in this report reflect Pacheco Koch's assessment of current and projected traffic needs based on observations and professional judgment and incorporate feedback from DISD representatives. Pacheco Koch is not responsible for operations at the school; however, the recommendations have been presented to on-site school personnel with authority over implementation of the Plan (see **Exhibit 1** for on-site contact information). Pacheco Koch was not involved with site selection, site design, or the current operations for this project.

Methodology

When feasible, the Analyst should conduct first-hand observations of existing event to develop an understanding of site-specific traffic/transportation characteristics, such as: drop-off/pick-up frequency, parking needs, alternative travel mode use, safety issues, queuing, traffic congestion, site access, current traffic management strategies in use, etc. When it is not feasible to conduct such observations, interviews with staff or personnel familiar with those items is desirable. When neither option is available, the Analyst may be required to rely upon published information and/or professional judgment and experience.

Once the base information is assembled, the Analyst should estimate the projected traffic/transportation characteristics generated by the proposed Event. Next, the Analyst should inventory the attributes and resources of the subject site and determine how the site can best accommodate those projected conditions. Based upon that assessment, the recommended TMP Strategies shall be developed to optimally achieve the basic TMP Objectives. The recommended TMP Strategies should be reviewed by the School (ideally, the TMP Manager) for refinement and approval before formal submittal to the Approving Agency.

Expectations

NOTE TO SCHOOL: By submittal of a TMP to the Approving Agency, the School is implicitly agreeing to implement, maintain, and comply with the recommended

actions presented herein subject to acceptance by Approving Agency and any associated conditions Approving Agency may impose. It is also inferred that the School agrees to be self-accountable for these actions until and unless Approving Agency deems further measures are appropriate or the TMP is no longer required.

Recommended TMP Strategies may include one-time measures to be implemented before the Event and/or ongoing actions to be performed before, during, or after the Event. Recommended TMP Strategies involving on-site measures or actions are generally considered to be the responsibility of the School.

To ensure appropriate compliance and consistent implementation of the TMP, it is recommended that the School appoint a TMP "Manager". In general, a Manager should be a qualified and capable individual or group of individuals assigned to take responsibility of the TMP and be accountable for successful implementation in order to achieve the Objectives described earlier (see "**Exhibit 1**"). 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 exhibit. For periods of less intense traffic demand, recommended TMP Strategies may be utilized, in part or in whole, as needed to realize the TMP Objectives.

Changes to TMP

Informal changes to any recommended TMP Strategies presented herein to improve efficiency or effectiveness may be implemented at the discretion of the School if those changes are prudent and do not compromise the TMP Objectives. It is recommended that changes implemented under such circumstances be documented and retained by the School for future reference or upon request. At the discretion of the Approving Agency, submittal of a formally revised TMP report/document or a validation study may be required on a predetermined or as-needed basis.

TRAFFIC MANAGEMENT PLAN

NOTE: Recommended TMP Strategies contained herein are based upon the best data, site-specific information, and analytical processes readily available at the time of the study. However, specific quantities related to traffic congestion at peak periods (e.g., duration, length of queue, etc.) are estimated values. Actual quantities may vary due to unknown or unquantifiable variables and other operational factors that may occur. In the event that actual, future conditions generate undue burden on Users and/or the travelling public, modifications to the TMP should be considered. (See preceding NOTE for guidance on implementing changes to the TMP.) However, in extreme conditions, TMP actions may not be capable of mitigating all traffic conditions, and it may be incumbent on the School to consider operational, institutional, or other long-term changes to address issues on a more permanent basis.

Graphical summaries of recommendations and proposed conditions are depicted in **Exhibit 1**.

A summary of specific recommendations is provided below:

1. Convert Greenleaf Street from one-way traffic flow to permanent two-way traffic flow.
2. Install Signs to restrict access to northbound traffic on Holystone Street during pick-up/drop-off periods.
3. Outbound only during drop-off/pick-up periods. Install permanent signs to restrict inbound access during drop-off/pick-up periods.
4. Places cones to allow for enough radius for bus turning.
5. Install permanent sign on Canada Drive to restrict access to Pinkston High School.
6. Install signs to restrict parking along curbside (Holystone Street).

END OF MEMO

GENERAL NOTE: The subject school administration shall issue a formal communication that summarizes the intent of the Traffic Management Plan at least once every school year.

Vehicle Accumulation/Capacity	Vehicles
Projected Maximum Vehicle Accumulation*	108
Available Capacity	113
On-site Queue	*23*
Off-site Queue	*90*
Surplus	+5

*Calculated by City provided Rates

Proposed Parking*	Vehicles
Parking Supply	212
Parking Demand (Observed)	165
Surplus	+47

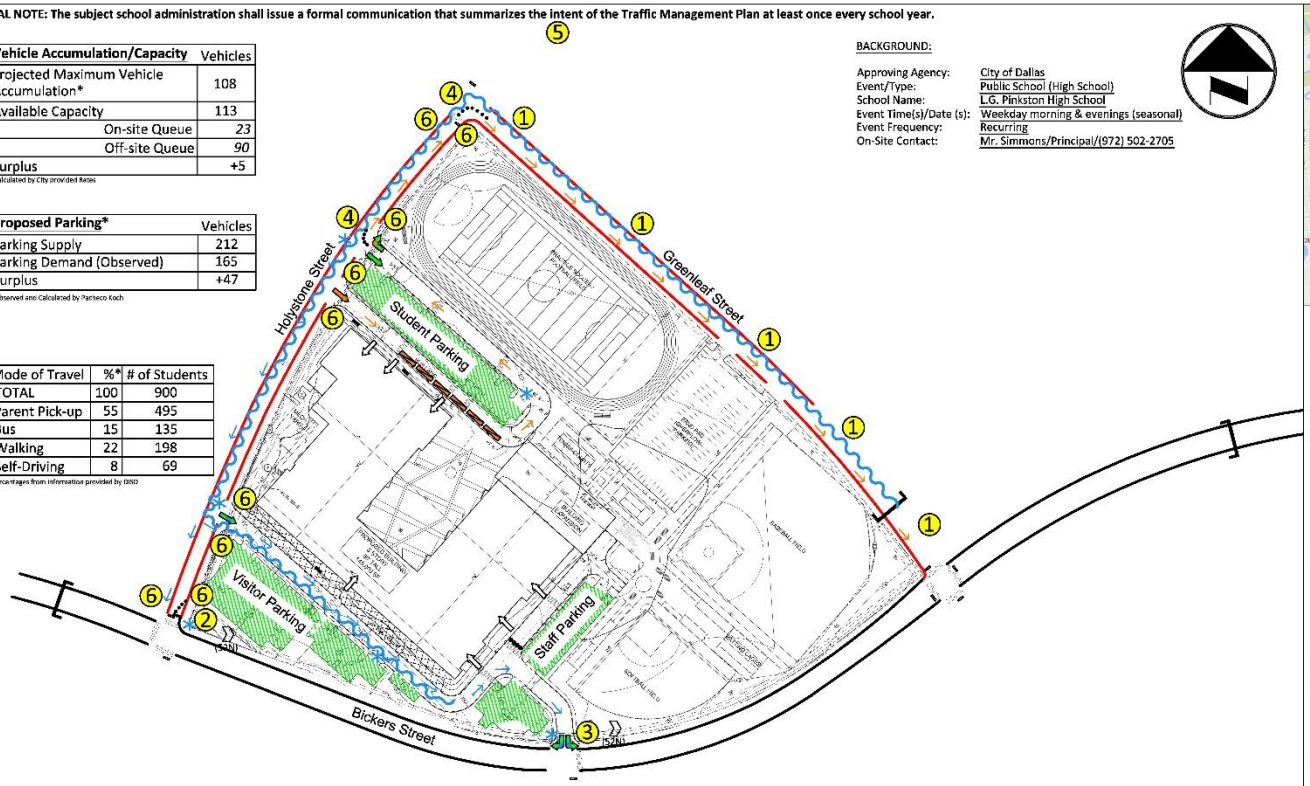
*Observed and Calculated by Pacheco Koch

Mode of Travel	%*	# of Students
TOTAL	100	900
Parent Pick-up	55	495
Bus	15	135
Walking	22	198
Self-Driving	8	69

*Percentages from information provided by DISD

BACKGROUND:

Approving Agency: City of Dallas
Event/Type: Public School (High School)
School Name: L.G. Pinkston High School
Event Time(s)/Date (s): Weekday morning & evenings (seasonal)
Event Frequency: Recurring
On-Site Contact: Mr. Simmons/Principal/(972) 502-2705





Parking
- No Parking (Existing)
- No Parking (Proposed)
- On-Site Parking
- Access Point

Queuing/Loading
- Parent Waiting and Loading Area
- Queue Area (Unmanaged)
- Circulation/Flow
- Access Point
- School Bus Loading/Unloading
- School Bus Access Point
- Staff Assistance

Pedestrian/Other
- Trail/Path
- Crosswalk
- Student Waiting Area
- School Zone
- Public Transit Stop (DART Route No.)
- Stop Line
- Traffic Signal
- Traffic Cone

Proposed Conditions

NOTE: This drawing is conceptual only and does not reflect a detailed design.

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY HUNTER W. LEMLEY, P.E. 125343 ON 09/11/2018. 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 #2067-18.149
(HWL: 09/11/18)

RECOMMENDATIONS

① Convert Greenleaf Street from One-Way Traffic Flow to Permanent Two-Way Traffic Flow
② Install Signs to Restrict Access to Northbound Traffic on Holystone Street During Pick-up/Drop-off Periods
③ Outbound Only During Drop-off/Pick-up Periods. Install Permanent Signs to Restrict Inbound Access During Drop-off/Pick-up Periods
④ Place Cones to Allow for Enough Radius for Bus Turning
⑤ Install Permanent Sign on Canada Drive to Restrict Access to Pinkston High School
⑥ Install Signs to Restrict Parking Along Curbside

EXHIBIT 1 Z178-260

Traffic Management Plan
Proposed Conditions

DISD L.G. Pinkston High School, Dallas, Texas

Pacheco Koch

SUP NO. 610
(To be terminated)

SECTION 2. That this Specific Use Permit No. 610 for a Health Center with reference to the hereinabove described property, authorized by Section 10 of said Ordinance, is approved and granted upon the following express conditions, and adopted as part of Section 34, of the Zoning Ordinance:

1. SITE PLAN: The site plan approved by the City Plan Commission shall be attached to and made a part of the ordinance.

2. PARKING: Off-street parking shall be provided at the ratio of one space for each 200 square feet of floor area.

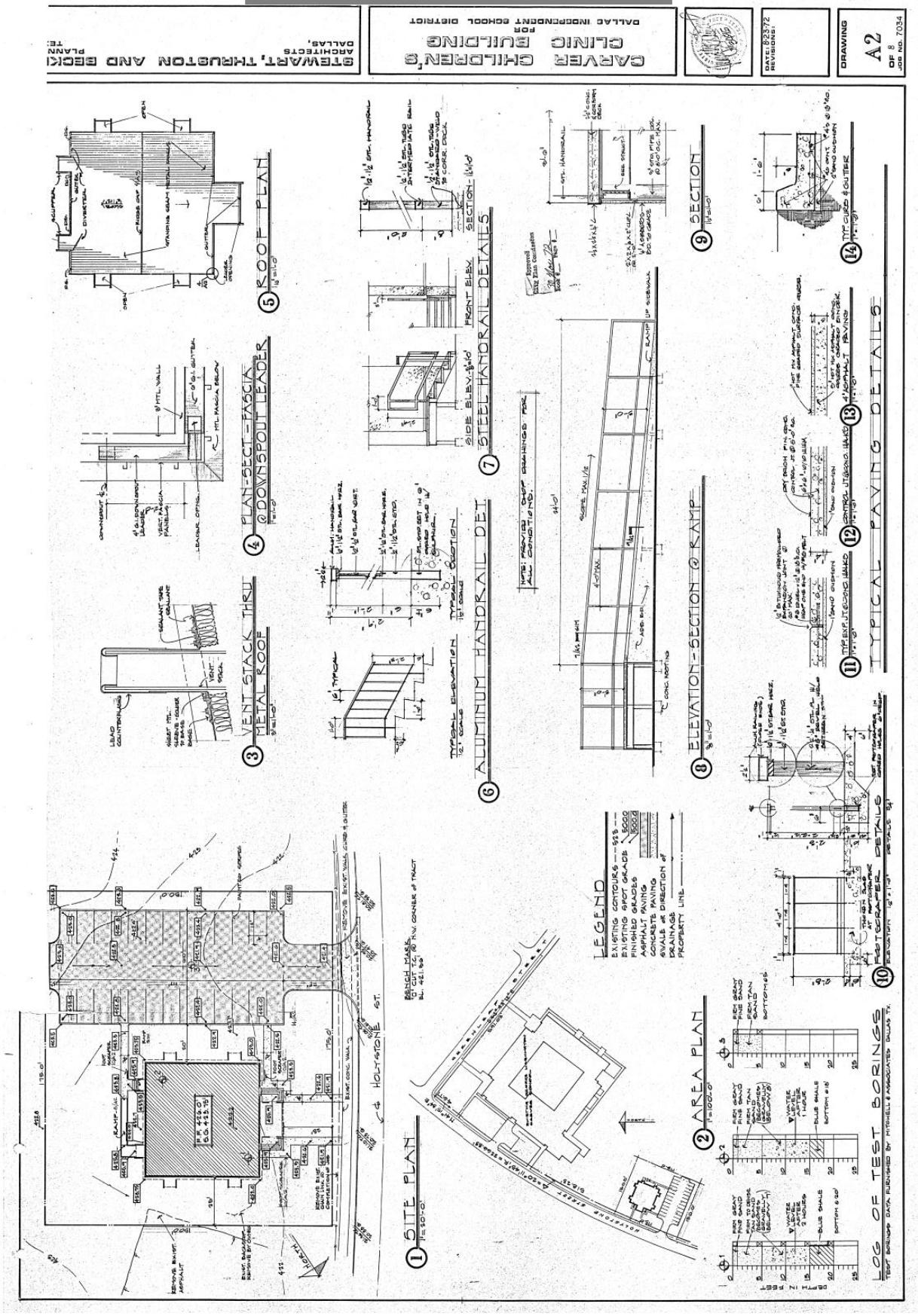
3. SIGNS: Any sign constructed must meet the requirements of an institutional sign as defined in the City of Dallas Comprehensive Zoning Ordinance.

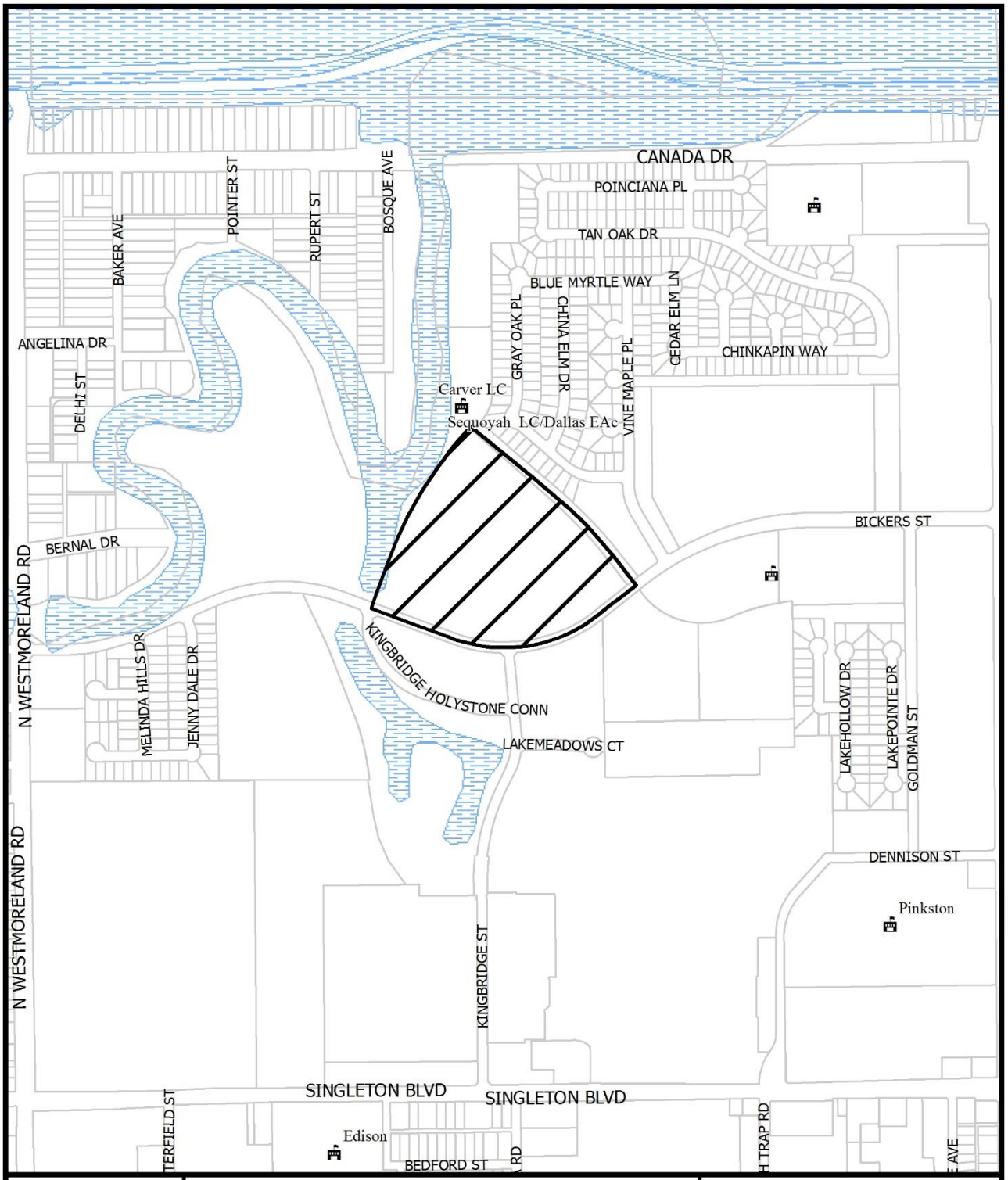
4. PAVING: All driveways, entrances and parking areas shall have a minimum surfacing of six (6) inches compacted gravel and two (2) coats of penetration asphalt. The developer shall bear the total cost and maintenance of all such improvements, including curb and drainage structures that may be necessary.

5. MAINTENANCE: The entire premises shall be maintained in a state of good repair and tidy appearance.

6. GENERAL REQUIREMENTS: That the requirements of the City of Dallas must be met.

SUP NO. 610 Existing Site Plan
(To be terminated)





1:8,400

VICINITY MAP

Case no: Z178-260

Date: 1/31/2019

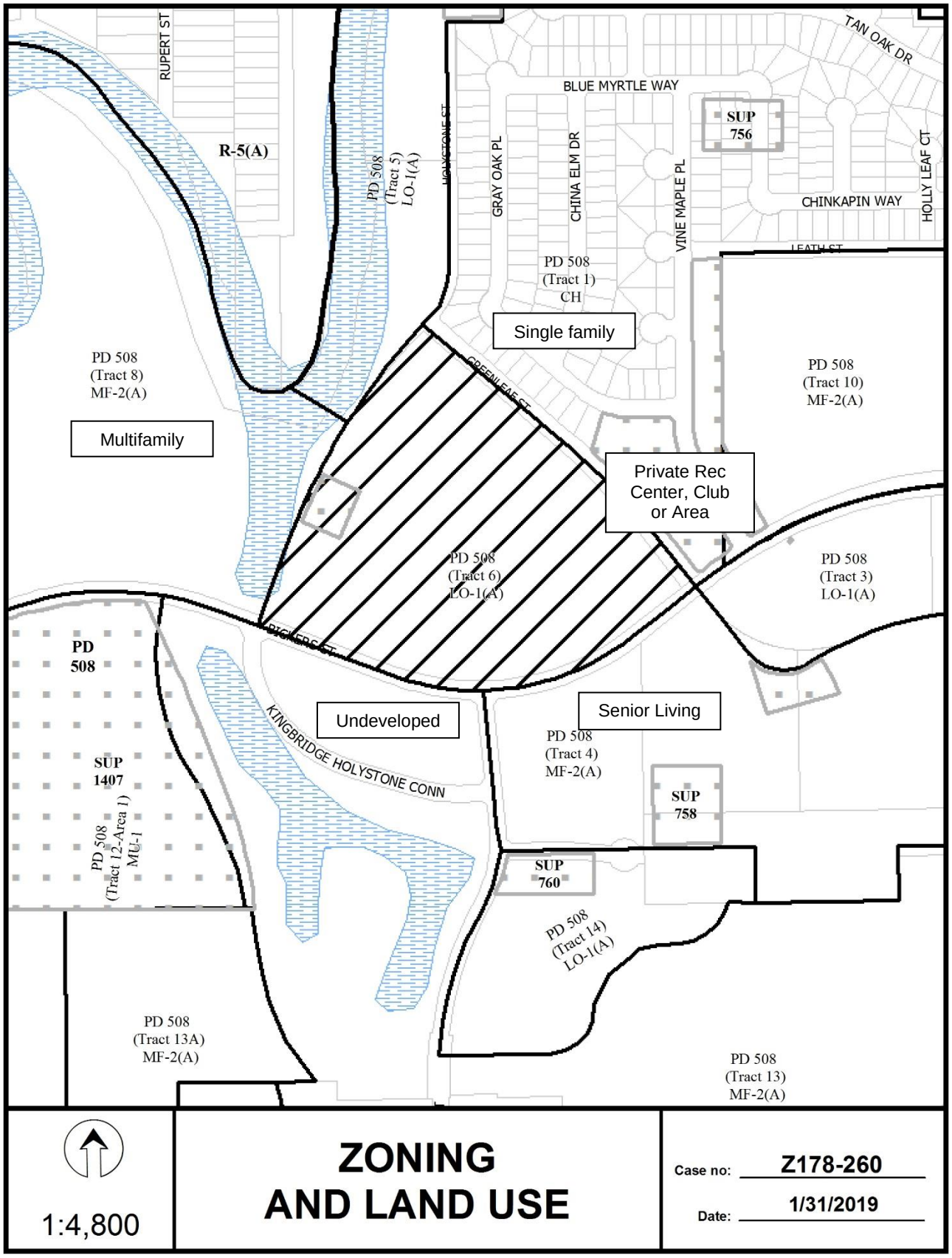


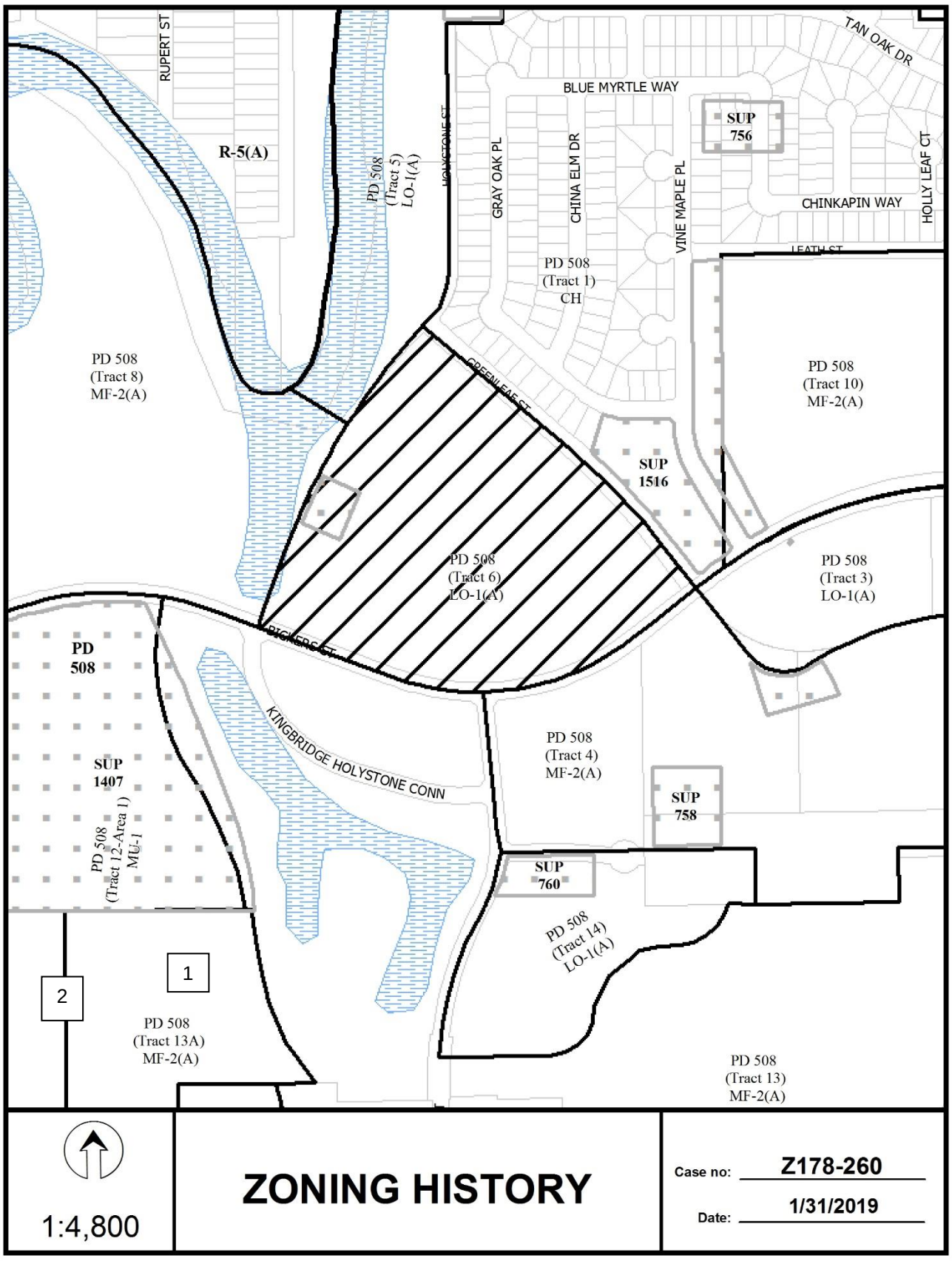
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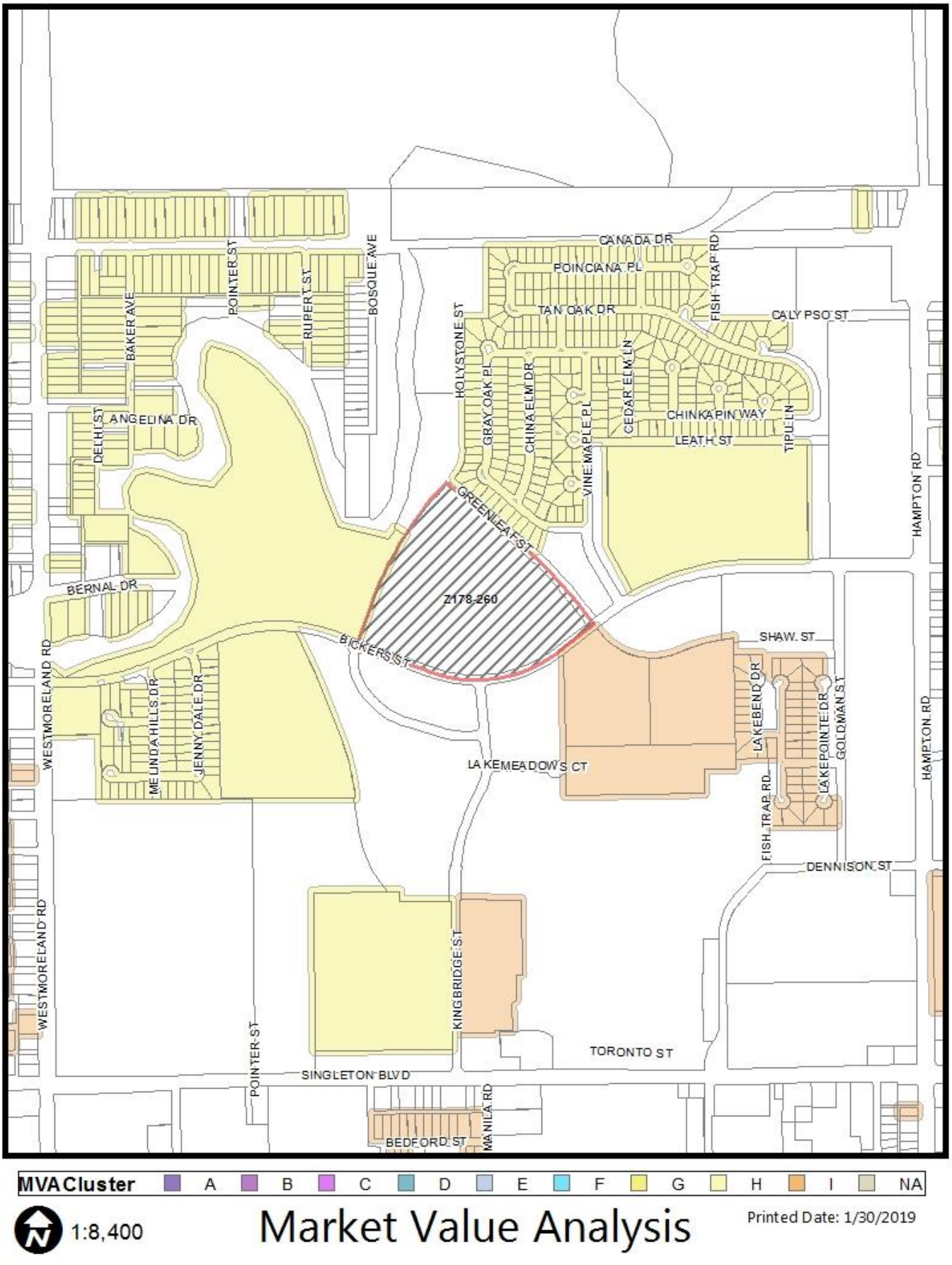
AERIAL MAP

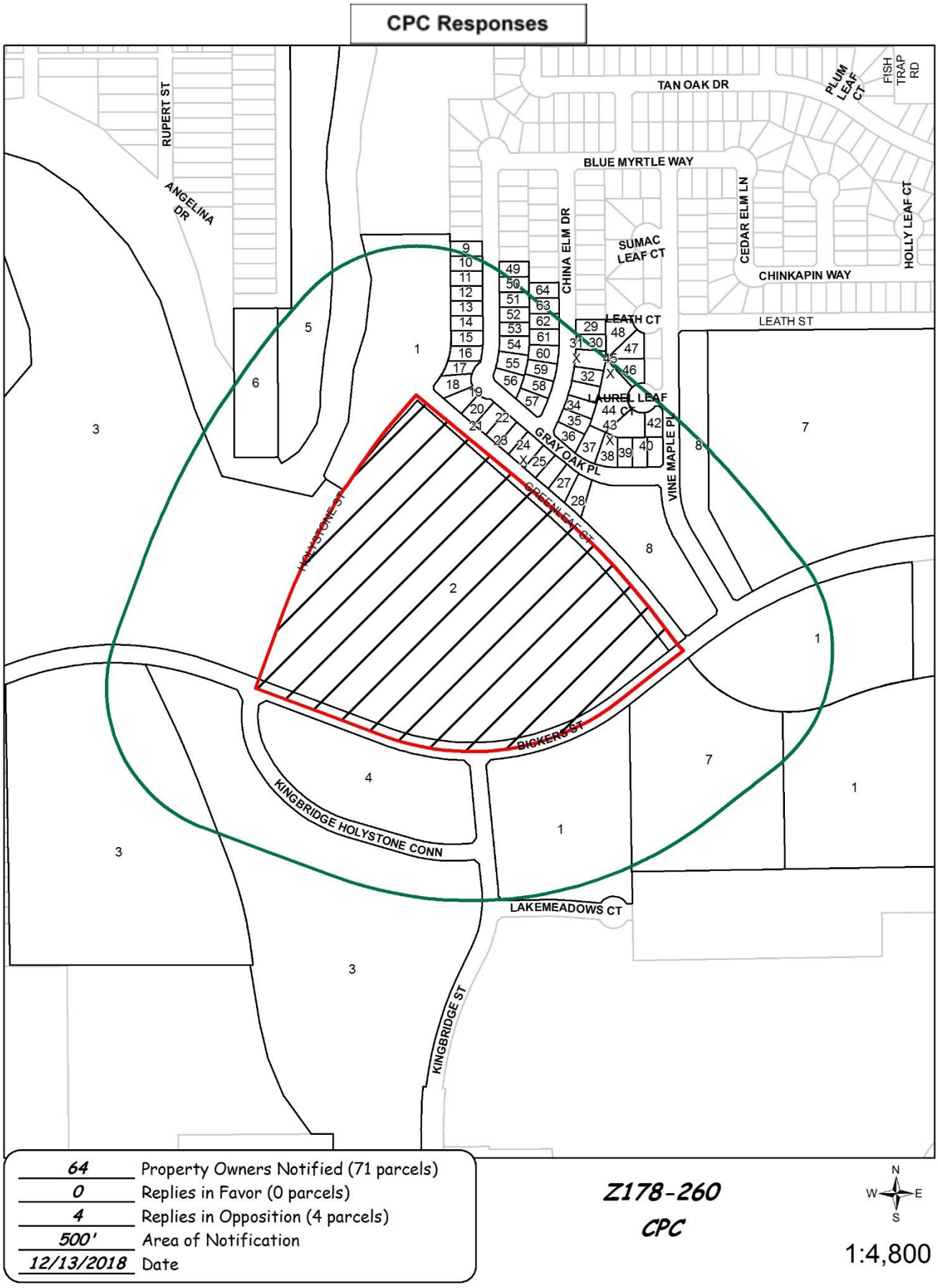
Case no: Z178-260

Date: 1/31/2019


RUPERT ST
R-5(A)
PD 508 (Tract 5) LO-1(A)
HOLYSTONE CT
GRAY OAK PL
CHINA ELM DR
VINE MAPLE PL
BLUE MYRTLE WAY
TAN OAK DR
SUP 756
CHINKAPIN WAY
HOLLY LEAF CT
LEATH ST
PD 508 (Tract 1) CH
Single family
PD 508 (Tract 8) MF-2(A)
Multifamily
GREENLEAF CT
PD 508 (Tract 10) MF-2(A)
Private Rec Center, Club or Area
PD 508 (Tract 6) LO-1(A)
PD 508 (Tract 3) LO-1(A)
PD 508
SUP 1407
PD 508 (Tract 12-Area 1) MU-1
Undeveloped
KINGBRIDGE HOLYSTONE CONN
Senior Living
PD 508 (Tract 4) MF-2(A)
SUP 758
SUP 760
PD 508 (Tract 14) LO-1(A)
PD 508 (Tract 13A) MF-2(A)
PD 508 (Tract 13) MF-2(A)
1:4,800
ZONING AND LAND USE
Case no: Z178-260
Date: 1/31/2019


RUPERT ST
R-5(A)
PD 508 (Tract 5) LO-1(A)
HOLYSTONE ST
GRAY OAK PL
CHINA ELM DR
VINE MAPLE PL
BLUE MYRTLE WAY
TAN OAK DR
SUP 756
CHINKAPIN WAY
HOLLY LEAF CT
LEATH ST
PD 508 (Tract 1) CH
PD 508 (Tract 8) MF-2(A)
GREENLEAF ST
PD 508 (Tract 10) MF-2(A)
SUP 1516
PD 508 (Tract 6) LO-1(A)
PD 508 (Tract 3) LO-1(A)
PD 508
SUP 1407
PD 508 (Tract 12-Area 1) MU-1
BICKERS ST
KINGBRIDGE HOLYSTONE CONN
PD 508 (Tract 4) MF-2(A)
SUP 758
SUP 760
PD 508 (Tract 14) LO-1(A)
1
2
PD 508 (Tract 13A) MF-2(A)
PD 508 (Tract 13) MF-2(A)
1:4,800
ZONING HISTORY
Case no: Z178-260
Date: 1/31/2019


CANADA DR
POINCIANA PL
FISH TRAP RD
TAN OAK DR
CALYPSO ST
HOLYSTONE ST
GRAY OAK PL
CHINA ELM DR
CEDAR ELM LN
VINE MAPLE PL
CHINKAPIN WAY
LEATH ST
TIPU LN
HAMPTON RD
POINTER ST
RUPERT ST
BOSQUE AVE
BAKER AVE
DELHI ST
ANGELINA DR
GREENLEAF ST
Z178-260
BERNAL DR
BICKERS ST
SHAW ST
LAKEBEND DR
GOLDMAN ST
LAKEPOINTE DR
LAKEMEADOWS CT
FISH TRAP RD
DENNISON ST
WESTMORELAND RD
MELINDA HILLS DR
JENNY DALE DR
KINGBRIDGE ST
TORONTO ST
SINGLETON BLVD
MANILA RD
BEDFORD ST
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:8,400
Market Value Analysis
Printed Date: 1/30/2019


CPC Responses
TAN OAK DR
PLUM LEAF CT
FISH TRAP RD
RUPERT ST
ANGELINA DR
BLUE MYRTLE WAY
CHINA ELM DR
SUMAC LEAF CT
CEDAR ELM LN
HOLLY LEAF CT
CHINKAPIN WAY
LEATH CT
LEATH ST
LAUREL LEAF CT
GRAY OAK PL
VINE MAPLE PL
HOLYSTONE ST
GREENLEAF ST
BICKERS ST
KINGBRIDGE HOLYSTONE CONN
LAKEMEADOWS CT
KINGBRIDGE ST
64 Property Owners Notified (71 parcels)
0 Replies in Favor (0 parcels)
4 Replies in Opposition (4 parcels)
500' Area of Notification
12/13/2018 Date
Z178-260
CPC
N
W
E
S
1:4,800

12/12/2018

Reply List of Property Owners

Z178-260

64 Property Owners Notified ***0 Property Owners in Favor*** ***4 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3130	KINGBRIDGE ST	DALLAS HOUSING AUTHORITY
	2	3719	GREENLEAF ST	Dallas ISD
	3	3020	BICKERS ST	DALLAS HOUSING AUTHORITY
	4	3131	KINGBRIDGE ST	DALLAS HOUSING AUTHORITY
	5	3900	BOSQUE AVE	RIVER EDGE INVESTMENTS LLC
	6	3901	BOSQUE AVE	CASTRO LOUISA ET AL
	7	2425	BICKERS ST	DALLAS HOUSING AUTHORITY
	8	3	GRAY OAK PL	GREENLEAF VILLAGE HOA INC
	9	4043	GRAY OAK PL	KEMIS EMANAYISH &
	10	4039	GRAY OAK PL	VASQUEZ CYNTHIA
	11	4035	GRAY OAK PL	CHIRINOS FAUSTO &
	12	4031	GRAY OAK PL	BROWN OLA &
	13	4027	GRAY OAK PL	RAMIREZ MARIA D
	14	4023	GRAY OAK PL	LARA JOSE
	15	4019	GRAY OAK PL	ALARCON ANTONIO &
	16	4015	GRAY OAK PL	FUENTES GERTRUDIS
	17	4011	GRAY OAK PL	KNOX SANDRA KAY &
	18	3959	GRAY OAK PL	HERNANDEZ JULIO A &
	19	3955	GRAY OAK PL	SPIKES JOHN
	20	3951	GRAY OAK PL	TIKU TEWODROS
	21	3947	GRAY OAK PL	CHAIREZ RAMIRO
	22	3943	GRAY OAK PL	TAPIA MARTIN &
	23	3939	GRAY OAK PL	RODARTE LILIA
X	24	3935	GRAY OAK PL	BUSTOS JOSE J
	25	3931	GRAY OAK PL	TRAN MICHAEL
	26	3927	GRAY OAK PL	LE THOANG & NGHIEP DANG

Reply	*Label #*	*Address*		*Owner*
	27	3923	GRAY OAK PL	JOINER DARYL LAVON &
	28	3919	GRAY OAK PL	MUNOZ EPIFANIO
	29	4042	CHINA ELM DR	GREEN TANYA R &
	30	4038	CHINA ELM DR	PHAM HUY
X	31	4034	CHINA ELM DR	MONTES VERONICA
	32	4030	CHINA ELM DR	CARRERA BEATRIZ
	33	4026	CHINA ELM DR	CERDA CONSUELO
	34	4022	CHINA ELM DR	NGUYEN MINH TRUC THI
	35	4018	CHINA ELM DR	TURNER MARY ALICE
	36	4014	CHINA ELM DR	FLORES PASTORA &
	37	3932	GRAY OAK PL	WALKER KATHIE &
	38	3928	GRAY OAK PL	CASABLANCA HILARIO &
	39	3924	GRAY OAK PL	WAMSLEY EVERETT R &
	40	3920	GRAY OAK PL	SCHROEDER DAI
	41	3916	GRAY OAK PL	FUNK JOHN & CASSIE
	42	2612	LAUREL LEAF CT	SMITH LEX D
X	43	2616	LAUREL LEAF CT	MOCTEZUMA EDUARDO &
	44	2620	LAUREL LEAF CT	AMH 2014 1 BORROWER LLC
X	45	2619	LAUREL LEAF CT	FANNIN DAVID &
	46	2615	LAUREL LEAF CT	RINCON MARIA C
	47	2608	LEATH CT	GARCIA CARMELO & AIDA
	48	2612	LEATH CT	CORREA PATRICIA &
	49	4040	GRAY OAK PL	EGUIA ALFONSO &
	50	4036	GRAY OAK PL	ESPINAL JOSE &
	51	4032	GRAY OAK PL	GOREE DEBRA
	52	4028	GRAY OAK PL	WOLDE ALEMAYEHU &
	53	4024	GRAY OAK PL	GONZALEZ MARIA
	54	4020	GRAY OAK PL	AKE JOEL &
	55	4016	GRAY OAK PL	TORIO JEREMY &
	56	4012	GRAY OAK PL	SANTANA CAROLINE
	57	4015	CHINA ELM DR	HERNANDEZ CLAUDIA

12/12/2018

Reply	*Label #*	*Address*		*Owner*
	58	4019	CHINA ELM DR	WILLIAMS CHARLA
	59	4023	CHINA ELM DR	HERNANDEZ GERARDO NAVARRO &
	60	4027	CHINA ELM DR	CABRERA MARTHA
	61	4031	CHINA ELM DR	ROUILLARD CARRIE
	62	4035	CHINA ELM DR	ARREOLA JOSE &
	63	4039	CHINA ELM DR	NGUYEN TONY &
	64	4043	CHINA ELM DR	MEJIA ADRIAN

Agenda Information Sheet

File #: 19-649 **Item #:** 31.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 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 a Planned Development Subdistrict for mixed uses on property zoned a GR General Retail Subdistrict and a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of North Fitzhugh Avenue and Buena Vista Street
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions
Z189-155(SM)
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 8, 2019

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 8, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-155(SM)	**DATE FILED:**	December 14, 2018
LOCATION:	Northwest corner of North Fitzhugh Avenue and Buena Vista Street		
COUNCIL DISTRICT:	14	**MAPSCO:**	35 U
SIZE OF REQUEST:	Approx. 0.677 acres	**CENSUS TRACT:**	7.02

APPLICANT: LBS Realty Partners, LLC

OWNER: Westdale Buena Vista LP and City of Dallas

REPRESENTATIVE: William S. Dahlstrom, Jackson Walker, LLP

REQUEST: An application for a Planned Development Subdistrict for mixed uses on property zoned a GR General Retail Subdistrict and a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant proposes to develop the request site with an underground parking garage, street-level restaurant or retail uses, second floor office uses, and multiple family uses above. The applicant requests to modify setback requirements, increase maximum floor area ratio from 2.0:1 to 3.6:1, and will provide two direct public pedestrian connections from the Katy Trail on the west, traversing through the site, to Buena Vista Street to the east.

CPC RECOMMENDATION: **Approval**, subject to a development plan, landscape plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan, landscape plan, and conditions.

BACKGROUND INFORMATION:

- On February 8, 1985, Planned Development District No. 193, the Oak Lawn Special Purpose District, was approved by the City Council. The PD is comprised of approximately 2,593 acres, and provides standards to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the objectives outlined in the PD.

- The request site consists of three parcels: a City-owned undeveloped property that abuts North Fitzhugh Avenue, a two-story vacant office building with approximately 4,602 square feet of floor area, and a surface parking lot. The surface parking lot is zoned a P Parking Subdistrict, which only allows surface parking, and the remaining two parcels are located within a GR General Retail Subdistrict.

- The applicant proposes to raze the existing improvements, excavate the site to provide underground parking, construct up to an eight-story mixed use building, and has agreed to construct and maintain public open space on the northernmost portion of the site. The proposed public open space will improve bicycle and pedestrian connectivity with the Katy Trail by eliminating the narrow, unimproved existing connection that contains a severe grade change and replacing it with a wide, gentle sloping and landscaped public pathway to Buena Vista Street.

Zoning History: There has been one recent zoning case in the vicinity in the last five years.

1. **Z178-186:** On April 25, 2018, the City Council approved a City Plan Commission authorized hearing for a historic building demolition delay.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Thoroughfare Plan Dimension; ROW
N Fitzhugh Avenue	Minor Arterial	6 lanes divided; 90 ft.
Buena Vista Street	Local	50 ft.

Traffic:

A Traffic Impact Analysis (TIA) was submitted and reviewed by the Engineering Division of the Sustainable Development and Construction Department who determined that it will not significantly impact the surrounding street system for the proposed development. The TIA was prepared for a mixed use development that would contain approximately 8,175 square feet of ground-floor commercial uses, 10,000 square feet of office uses, and 34 dwelling units. The TIA found that the proposed development did not meet the warrant criteria required to install a traffic signal and that the projected increase in traffic generated by the proposed development did not appreciably change traffic operational conditions that are otherwise expected to occur.

Comprehensive Plan:

The comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns.

The applicant's request generally complies with the following 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.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

> Policy 5.1.1 Promote pedestrian-friendly streetscapes.
>
> > Implementation Measure 5.1.1.3 Apply urban design tools in pedestrian or transit-oriented districts when approving zoning cases and when developing Area Plans.

Policy 5.1.3 Encourage complementary building height, scale, design and character.

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The applicant's request for a PDS meets all the above objectives. Since the request sets a base that primarily conforms to the existing GR development standards, modifies setbacks that are sensitive to the context of the surrounding areas, and provides an increase in FAR if both pedestrian connectivity with the Katy Trail and the additional urban standards are provided, staff considers all the objectives met.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 193 (GR and P Subdistricts)	Undeveloped, vacant office, parking
North	PDD No. 193 (PDS No. 42)	Multiple Family
East	PDD No. 193 (GR and MF-2 Subdistricts)	Multiple Family and Bar, lounge, or tavern
South	PDD No. 193 (GR Subdistrict)	Vacant Office
West	PDD No. 131	Single Family

Land Use Compatibility:

The site has three right-of-way boundaries: Buena Vista Street, North Fitzhugh Avenue, and the Katy Trail (originally railroad right-of-way). Opposite of the northeastern boundary of the property a townhouse-style multiple family development exists with 13 individual condominium property owners. Similar multiple family developments exist to the east, across Buena Vista Street and a bar, lounge, or tavern is located on the northeast corner of North Fitzhugh Avenue and Buena Vista Street. A vacant office building lies to the south of the site, across North Fitzhugh Avenue, and single family uses are developed to the west, across the Katy Trail.

The request site is zoned both a GR General Retail Subdistrict and a P Parking Subdistrict within PDD No. 193, the Oak Lawn Special Purpose District, and is currently developed with an unimproved narrow trail that connects the Katy Trail to the street intersection, a vacant two-story office building, and surface parking lot. The applicant proposes to develop the request site with an underground parking garage, street-level restaurant or retail uses, second floor office uses, and multiple family uses above. Staff supports the proposed land uses because they are more restrictive than the land uses in the exiting GR Subdistrict.

Development Standards:

The applicant requests reductions to the setbacks and additional Floor Area Ratio (FAR). Staff supports the applicant's requests because the proposed improved open space, underground parking commitment, and the variated vertical facade will produce an urban and pedestrian friendly transition at a location which is a confluence of streets, a hike and bike trail, and a multiple family neighborhood.

Staff supports the applicant's request for a range of articulated set of setbacks in order to create a narrowed gateway into Buena Vista Street and pedestrian overhangs that are more urban in form.

SUBDISTRICT	SETBACKS		FAR	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
GR - Existing General Retail	10 feet for 1st 36 feet 25 feet above 36 feet	10' adjacent to residential* OTHER: No Min.	2.0:1 2.5:1**	120'	80%	Retail, restaurant, office, multiple family
PDS - Proposed	10' for first 36 ft 0-20 ft above 36 ft	KATY TRAIL: 15' for first 36 ft 15-35 ft min above 36 ft NE BOUNDARY: 35-45 feet	2.0:1 Up to 3.6:1** with open space	120' plus 12' for mechanical	80%	Retail, restaurant, office, multiple family

*An additional setback required for portions of a structure over 36 feet in height.
**When the floor area for residential uses is equal to or greater than lot area.

Front yards

For front yards on North Fitzhugh Avenue, the portion of the building above 36 feet is proposed to overhang the lower portions by five feet to create overhangs. Staff supports this portion of the request because North Fitzhugh Avenue has a 90-foot wide right-of-way and relief from additional setbacks is not expected to create a "canyon affect" along the North Fitzhugh Avenue corridor.

For front yards above 36 feet in height along Buena Vista Street, staff supports the applicant's request to variate the setback for portions of the building facade for the following reasons:

1) The applicant requests to decrease the additional setback from 25 to 20 feet generally. Staff supports this because the site was required to dedicate 7.7 feet to the street, therefore, the additional setback is generally aligned with the remainder of Buena Vista Street.

2) The applicant requests that 60 percent of the total facade area above 36 feet in height has a minimum 10-foot front yard setback. Notwithstanding the rationale in the preceding paragraph, staff supports this request because it extends the 10-foot setback from the lower portions to 60 percent of the upper of the building.

3) The applicant also requests that 20 percent of the total facade area above 36 feet in height has no minimum front yard setback. This portion of the request is delineated less than 50 feet of North Fitzhugh Avenue, which is shown on the proposed development

plan. Staff supports this portion of the request because it enhances the intersection by creating a visual affect to signal the gateway to Buena Vista Street and to create a corner facade that both frame the pedestrian and bicyclists' realms and scale down the realm for cars.

Katy Trail setback:

Since the Katy Trail is a right-of-way[1] but not a street[2], the site has two front yards (Buena Vista Street and North Fitzhugh Avenue) and the other two boundaries of the area of request are considered side yards. Additionally, since the Katy Trail is a right-of-way and not a street, it separates the request site from the single family and duplex zoning on the other side of the Katy Trail and therefore, the PDD No. 193 provisions that require additional setbacks for buildings that exceed 36 feet in height and are either perpendicularly contiguous to or perpendicularly across an adjoining street or alley from single-family, duplex, TH, MF-1, and MF-2 subdistricts do not apply. Therefore, the side yard setback in the GR Subdistrict for the request site would have required a 10-foot setback for the entire building facade adjacent to the Katy Trail.

The applicant proposes to also have variated setbacks, much like the proposed front yard setbacks in order to treat the Katy Trail like a front yard, although zoning considers it a side yard setback. Since the applicant proposes a greater setback than prescribed by the GR Subdistrict, which also offsets the requested front yard reductions, staff recommends approval.

Northeast Boundary setback:

The remaining boundary of the request site is the northeast property line, which is opposite the only abutting property to the site which is zoned PDS No. 42 and has an MF-2 Multiple Family Subdistrict as its underlying zoning. The GR Subdistrict would require a setback for this area that is 10 feet for the first 36 feet of building and, for an 80-foot tall or taller building, a maximum 50-foot setback for portions of a building that exceeded 36 feet. Although the applicant requests a slight reduction from GR Subdistrict side yard setback for portions of the building above 36 feet in height, staff recommends approval because the side yard setback for the first 36 in height is almost the width of the existing P Parking Subdistrict, the urban designs standards offered will require building facade treatments, and the proposed open space and trail easement will provide a buffer between the proposed building and adjacent property.

[1] RIGHT-OF-WAY means an area dedicated to public use for pedestrian and vehicular movement.
[2] STREET means a right-of-way which provides primary access to adjacent property.

Floor Area Ratio:

The Dallas Development Code has two pertinent definitions for this section. First, *floor area ratio (FAR)* means the ratio of floor area to lot area. Second, *floor area* means the total square feet of floor space in a building excluding area used solely for off-street parking.

The purpose of FAR is to uniformly limit the amount of building mass within the building envelope prescribed by setbacks, height, and lot coverage. However, since above ground parking structures contribute to building mass but are not included in the calculation of floor area, developments that contain above-ground parking structures have more building mass without increasing floor area ratio.

Therefore, staff supports the additional floor area ratio increase by 1.1 FAR, for a total of 3.6:1, when the floor area for residential uses is equal to or greater than lot area because the applicant has committed to 1) a prohibition of above-ground parking structures, 2) a mixture of uses which is a factor in achieving additional FAR in the GR Subdistrict and 2) the proposed design standards will ensure that the development is urban in form.

Parking:

Off-street parking will be provided for each use in accordance with Part I of PD No. 193. The applicant proposes a mixed use development with a mix of office, retail, restaurant, and multiple family uses. Office uses require one space per 366 square feet of floor area. Retail related uses generally require one space per 220 square feet of floor area. Restaurant uses require one space per 100 square feet of floor area. Finally, multifamily uses require one space per 500 square feet of floor area, with a minimum of one space and a maximum of one and one-half spaces are required for each dwelling in a multiple-family structure over 36 feet in height. Multiple-family uses also require one unassigned space per every four dwelling units for use by visitors and residents.

The applicant proposes to provide the off-street parking and loading spaces in underground structures which is encouraged in the Oak Lawn Special Purpose District and the Oak Lawn Plan.

Landscaping:

Utility conflicts exist on North Fitzhugh Avenue, Buena Vista Street, and along the Katy Trail that prevent the site from being in compliance with PDD No. 193 landscape

regulations. Therefore, landscaping will be provided per the proposed landscape plan. Staff supports the proposed landscape plan because it provides complementary landscaping that meets the spirit and intent of PDD No. 193 landscaping while accommodating the utility conflicts that exist on the site.

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, a “D” MVA cluster abuts the site to the west, north, and east and a “C” MVA cluster is located farther to the south, across North Fitzhugh Avenue.

CPC Action
March 21, 2019

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for mixed uses, subject to a development plan, landscape plan, and conditions on property zoned a GR General Retail Subdistrict and a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of North Fitzhugh Avenue and Buena Vista Street.

Maker: Ridley
Second: Murphy
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: 500 Mailed: 289
Replies: For: 8 Against: 6

Speakers: For: Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
Eric Bing, 4116 Stonebridge Dr., Dallas, TX, 75204
Randy Kender, 4116 Stonebridge Dr., Dallas, TX, 75204
For (Did not speak): Blake Shipp, 2305 Cedar Springs Rd., Dallas, TX, 75201
Gerald Colombo, 4910 Burnet Rd., Austin, TX, 78756
Vera Wall, 4143 Travis St., Dallas, TX, 75204
James Hughes, 4143 Buena Vista St., Dallas, TX, 75204
Against: Michael Scott Pyle, 4137 Buena Vista St., Dallas, TX, 75204

LISTS OF OFFICERS

LBS Realty Partners, LLC
Blake R Shipp - Managing Principal
Lindsay B Shipp – Managing Member

Westdale Buena Vista LP
Laurie S Harrison – Manager
John M Dziminski – Authorized Agent

CPC Recommended PDS Conditions

Division S-___. PD Subdistrict ___.

SEC. S-___.101. LEGISLATIVE HISTORY.

PD Subdistrict ___ was established by Ordinance No. _____, passed by the Dallas City Council on _____.

SEC. S-___.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict ___ is established on property located north of Fitzhugh Avenue, west of Buena Vista Street. The size of PD Subdistrict _____ is 0.677 acres.

SEC. S-___.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division,

(1) BASEMENT means any level of a building where more than forty percent of the vertical distance between floor and ceiling is below grade.

(2) BREEZEWAY means an unenclosed passage connecting two buildings or portions of a building, or an open-air passageway through a building that is unenclosed on two sides.

(3) OPEN SPACE means the portion of a building site that is accessible to the general public. Open space is principally open to the sky but allows for architectural elements such as trellises, colonnades, pergolas, building overhangs above 30 feet, and gazebos. The open space must be a contiguous open area of not less than 10 feet in width or length.

(4) SUBDISTRICT means a subdistrict of PD 193.

(e) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(f) This subdistrict is considered to be a nonresidential zoning district.

SEC. S-___.104. EXHIBITS.

The following exhibits are incorporated into this division:

(1) Exhibit S-___A: development plan.

(2) Exhibit S-___B: landscape plan.

SEC. S-___.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit S-___A). If there is a conflict between the text of this division and the development plan, text of this division controls.

SEC. S-___.106. MAIN USES PERMITTED.

(a) In general. The following uses are the only main uses permitted:

(1) Residential Uses.

-- Multiple family.

(2) Utility and Service Uses.

-- Local utilities

(3) Transportation Uses.

-- None Permitted

(4) Community Service Uses.

-- Post Office

(5) Medical Uses

-- Medical or scientific laboratory
-- Optical shop.
-- Medical appliance fitting and sales.

(6) Religious Uses

-- None permitted

(7) Educational uses.

-- Library, art gallery, or museum.

(8) Recreation and entertainment uses.

-- Public park or playground.
-- Game court center.
-- Private recreation club or area.

(9) Bar and restaurant uses.

-- Bar, lounge, or tavern.
-- Restaurant without drive-in service.
-- Private club
-- Catering service.

(10) Professional, personal service, and custom crafts uses.

-- Office.
-- Temporary construction or sales office.
-- Bank or savings and loan office. *[RAR]*
-- Barber and beauty shop.
-- Health studio.
-- Laundry or cleaning pickup and receiving station.
-- Key shop.
-- Shoe repair.
-- Tailor, custom sewing, and millinery.
-- Travel bureau.
-- Broadcasting or recording studio.
-- Instructional arts studio.
-- Handcrafted art work studio.
-- Handcrafted bookbinding.
-- Photography studio.
-- Safe deposit boxes.

(11) Retail uses.

-- Retail stores other than listed.
-- Antique shop.
-- Retail food store.
-- Bakery or confectionery shop.
-- Book and stationery store.
-- Camera shop.
-- Clothing store.

-- Florist store.
-- Feed store.
-- Pet shop.
-- Furniture store.
-- Hardware or sporting goods store.

(12) Motor vehicle related uses.

-- Commercial parking lot or garage

(13) Commercial uses.

-- Garden shop, plant sales, or greenhouse.
-- Diamond and precious stone sales.

(14) Storage and waste disposal uses.

-- Recycling drop-off container.

(15) Animal related uses.

-- Veterinarian's office.
-- Animal clinic without outside runs.

(b) Nonresidential uses are not permitted above the second story.

SEC. S-___.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

(b) Except as provided in subsection (a), the following accessory uses are the only accessory uses permitted:

-- Swimming pool (private).
-- Home occupation
-- Occasional sales (garage sales).
-- Community center (private).

SEC. S-___.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general.

(1) Except as provided in this section, the yard, lot, and space regulations for the GR Subdistrict apply.

(2) For purposes of yard, lot, and space regulations, the subdistrict is considered one lot.

(b) Front yard.

(1) Fitzhugh Avenue.

(A) Except as provided in this subsection, the minimum front yard setback is 10 feet.

(B) For a maximum of 15 percent of the total facade area above 36 feet in height, the minimum front yard setback is five feet.

(C) For a maximum of five percent of the total facade area, there is no minimum front yard setback.

(2) Buena Vista Street.

(A) Except as provided in this paragraph, for portions of a building 36 feet or less in height, the minimum front yard setback is 10 feet. No minimum front yard setback is required within 50 feet of Fitzhugh Avenue.

(B) For portions of the building above 36 feet in height, the following setbacks apply:

(i) Except as provided in this subsection, the minimum front yard setback is 20 feet.

(ii) For a maximum of 60 percent the total facade area above 36 feet in height, the minimum front yard setback is 10 feet.

(iii) For a maximum of 20 percent of the total facade area above 36 feet in height, there is no minimum front yard setback.

(3) Corner clip. No setback is required from the corner clip at the intersection of Fitzhugh Avenue and Buena Vista Street.

(4) Encroachments.

(A) When less than 12 feet in height above average grade, bollards, stairs, hand rails, ramps, utility equipment, retaining/landscape walls, bicycle racks, guardrails,

fountains, raised patio/seating areas, raised patio areas, fixed raised planters, and seat walls are permitted in a front yard.

(B) Benches, tables, chairs, and patio furniture are permitted in a front yard.

(c) Side and rear yard.

(1) Katy Trail.

(A) For portions of a building 36 feet or less in height, the minimum side yard setback is 15 feet.

(B) Except as provided in this subsection, for portions of a building above 36 feet height, the minimum side yard setback is 35 feet.

(i) For a maximum of 10 percent of the total facade area above 36 feet in height, the minimum side yard setback is 15 feet.

(ii) For a maximum of 60 percent of the total facade area above 36 feet in height, the minimum side yard setback is 25 feet.

(2) Northeast Boundary.

(A) The minimum side yard setback for portions of a building 36 feet or less in height is 45 feet.

(B) For portions of a building that exceed 36 feet in height, the minimum side yard setback is 35 feet.

(3) Encroachments.

(A) When less than 12 feet in height above average grade, fixed raised planters, seat walls, stairs ramps, bicycle racks, retaining walls, steps, handrails, safety railings, utility equipment, landscape planters, tree planters, sculptures, guardrails, fountains, raised patio/seating areas, raised patio areas, and other decorative landscape features are permitted in a required side yard.

(B) Benches, tables, chairs, and patio furniture are permitted in a required side yard.

(C) When less than 22 feet in height above grade, landscape trellises that are 50 percent or more open are permitted in a required side or rear yard.

(d) Floor area ratio.

(1) Except as provided in this section, maximum floor area ratio is 2.0:1.

(2) When a minimum of 6,200 square feet is reserved for open space as shown on the development plan and the provisions of Section S-___.113 are met, maximum floor area ratio is 3.1:1.

(3) An additional 0.5:1 floor area ratio bonus applies when the total floor area of residential uses exceeds the lot area.

(4) Private residential balconies and breezeways are excluded as floor area for the purpose of calculating floor area ratio.

(e) Height.

(1) Except as provided in this section, maximum structure height is 120 feet.

(2) Elevator penthouse, roof-mounted mechanical equipment, and screening may exceed the maximum height by up to 12 feet.

SEC. S-___.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) Off-street loading spaces within this subdistrict may be shared by uses located anywhere within the subdistrict.

(c) All required off-street loading spaces must be enclosed within a building.

(d) Section 51A-4.314 regarding reductions for providing bicycle parking apply to this subdistrict.

(e) Division 51A-4.330 regarding bicycle parking regulations apply to this subdistrict.

SEC. S-___.110. SIGNS.

Signs must comply with the provisions for business zoning districts in accordance with Article VII.

SEC. S-_____.112. LANDSCAPING.

(a) Landscaping must be provided as shown on the landscape plan (Exhibit S-_____B).

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. S-___.114. URBAN DESIGN STANDARDS.

(a) Pedestrian amenities. Frontages on Buena Vista Avenue and Fitzhugh Avenue must provide the following pedestrian amenities:

(A) A minimum of one bench, bicycle rack, and trash receptacle per 300 feet of frontage.

(B) Sidewalks that cross vehicular driveways must be constructed with a material, pattern, or color that contrasts with the driveway.

(2) Except for visibility triangles, vehicular drives, and restrictions due to existing utilities, a minimum of one freestanding pedestrian street lamp, bollard, or sidewalk light must be provided for every 60 feet of street frontage.

(b) Building entrances. A minimum of one of the following must be provided on building facades at all pedestrian street entry points:

(A) Architecturally prominent public entrance.

(B) Architecturally prominent open staircase with five-foot minimum clearance.

(C) Enhanced landscape feature, such as a raised planter.

(D) Landscape trellis or overhang.

(c) Building facades. At least one of the following elements must be provided on each facade of the building:

(A) Architecturally prominent features, such as arches, on the ground floor.

(B) A minimum of 40 percent of the building cladding materials must be natural materials, such as masonry/brick, stone, or wood.

(C) Deep set windows of a minimum four-inch depth.

(d) Open space.

(1) ADA and bike-friendly public access to Katy Trail from Buena Vista Street must be provided and maintained through the open space area with a minimum width of 10 feet, as shown on the development plan.

(2) A minimum of 6,200 square feet of open space must be provided.

(3) A minimum of two of the following pedestrian amenities must be provided within the open space area:

(A) Benches.

(B) Bicycle racks.

(C) Water fountains.

(D) Trash receptacles.

(e) Breezeway. A breezeway must be provided as shown on the development plan to connect Buena Vista Street to Katy Trail for pedestrian access. A minimum of one of the following pedestrian amenities must be provided within the breezeway area:

(A) Benches.

(B) Enhanced paving material, such as brick/masonry, stone, decorative concrete, or tile.

(C) Architecturally prominent public entrances.

(f) Structured parking. Above-ground structured parking is prohibited.

SEC. S-___.114. ADDITIONAL PROVISIONS.

(a) The hours of operation for bar, lounge, or tavern use are limited to 6:00 a.m. to 11:00 p.m. Monday through Sunday.

(b) The Property must be properly maintained in a state of good repair and neat appearance.

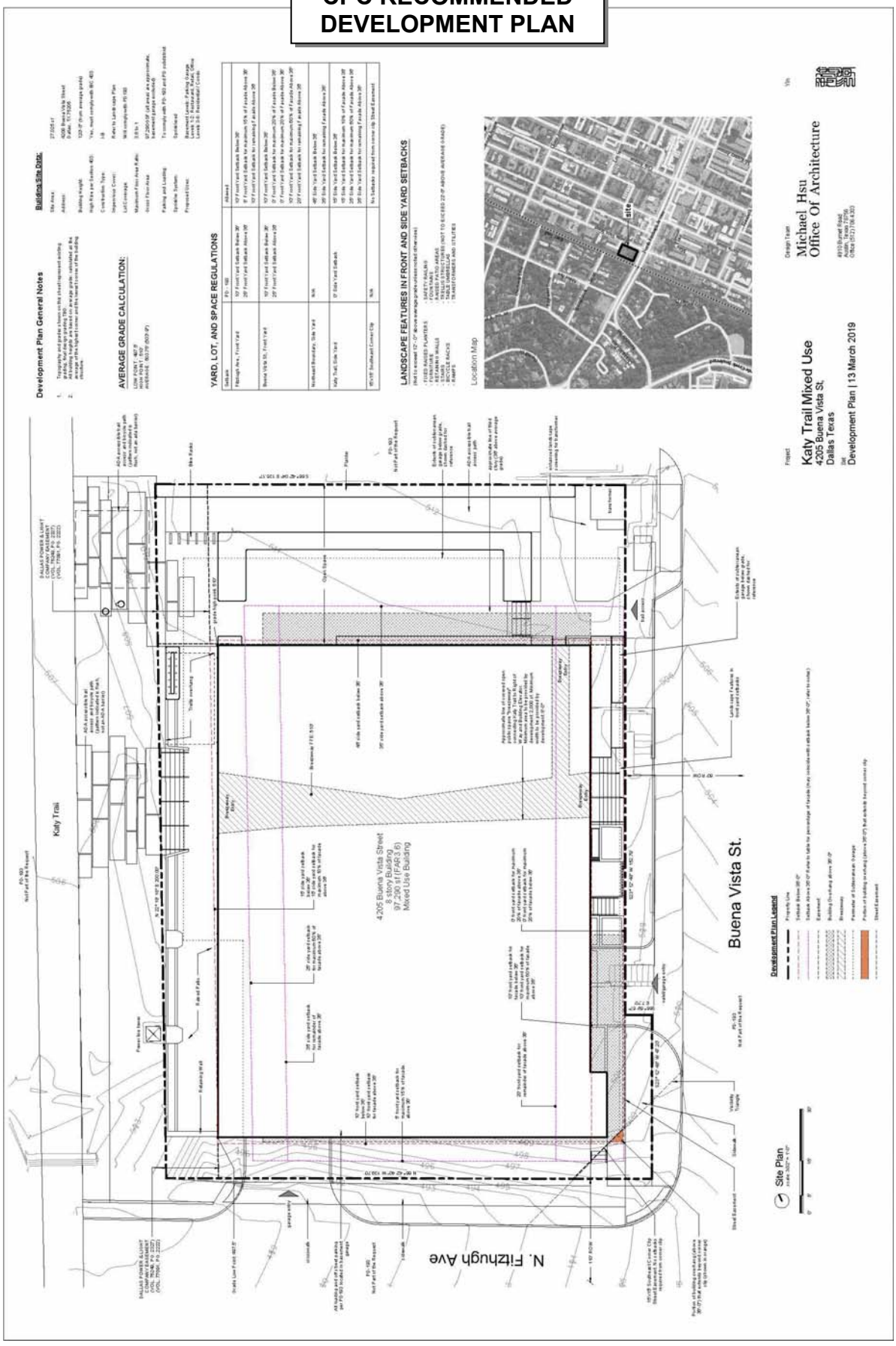
(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. S-___.114. COMPLIANCE WITH CONDITIONS.

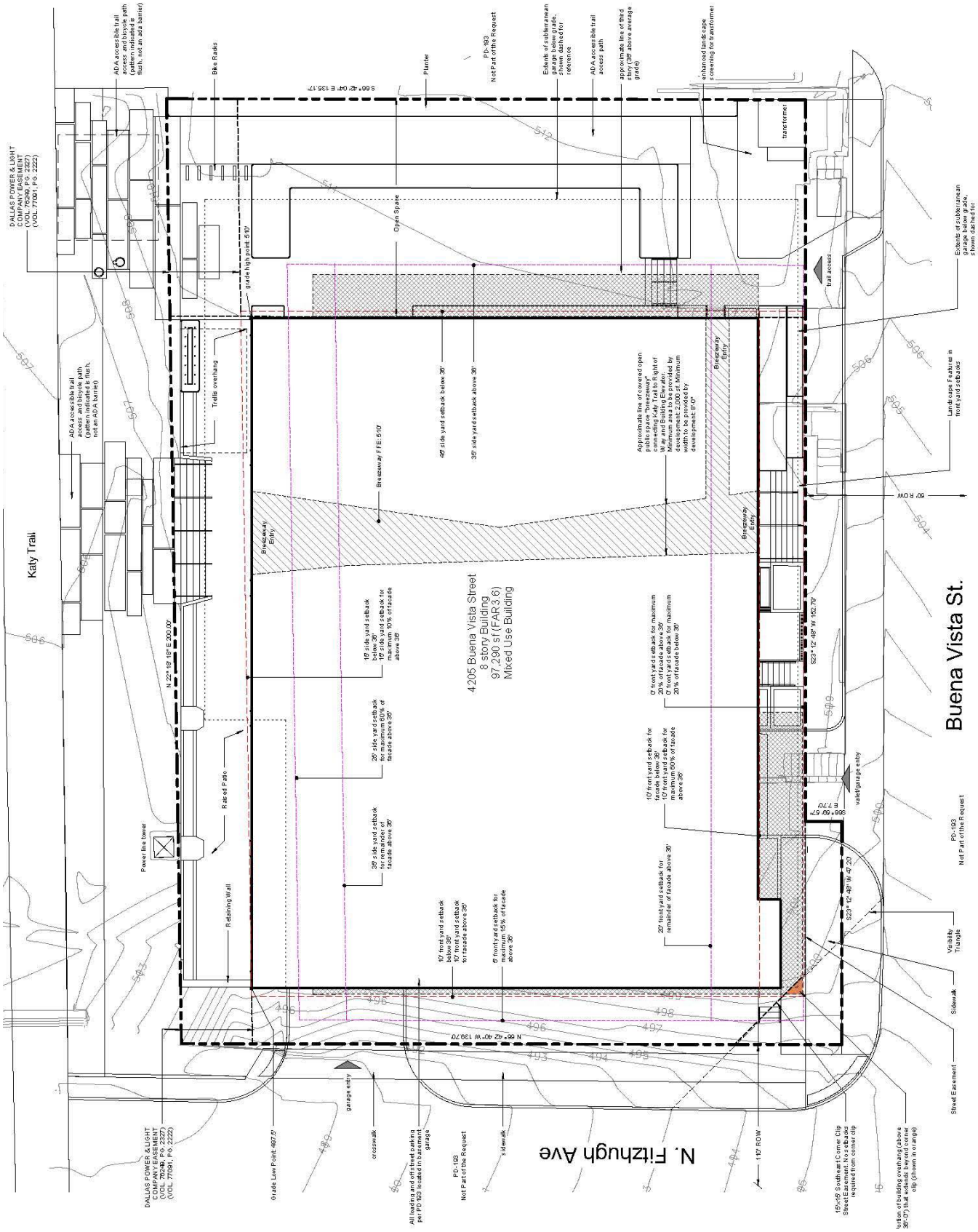
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

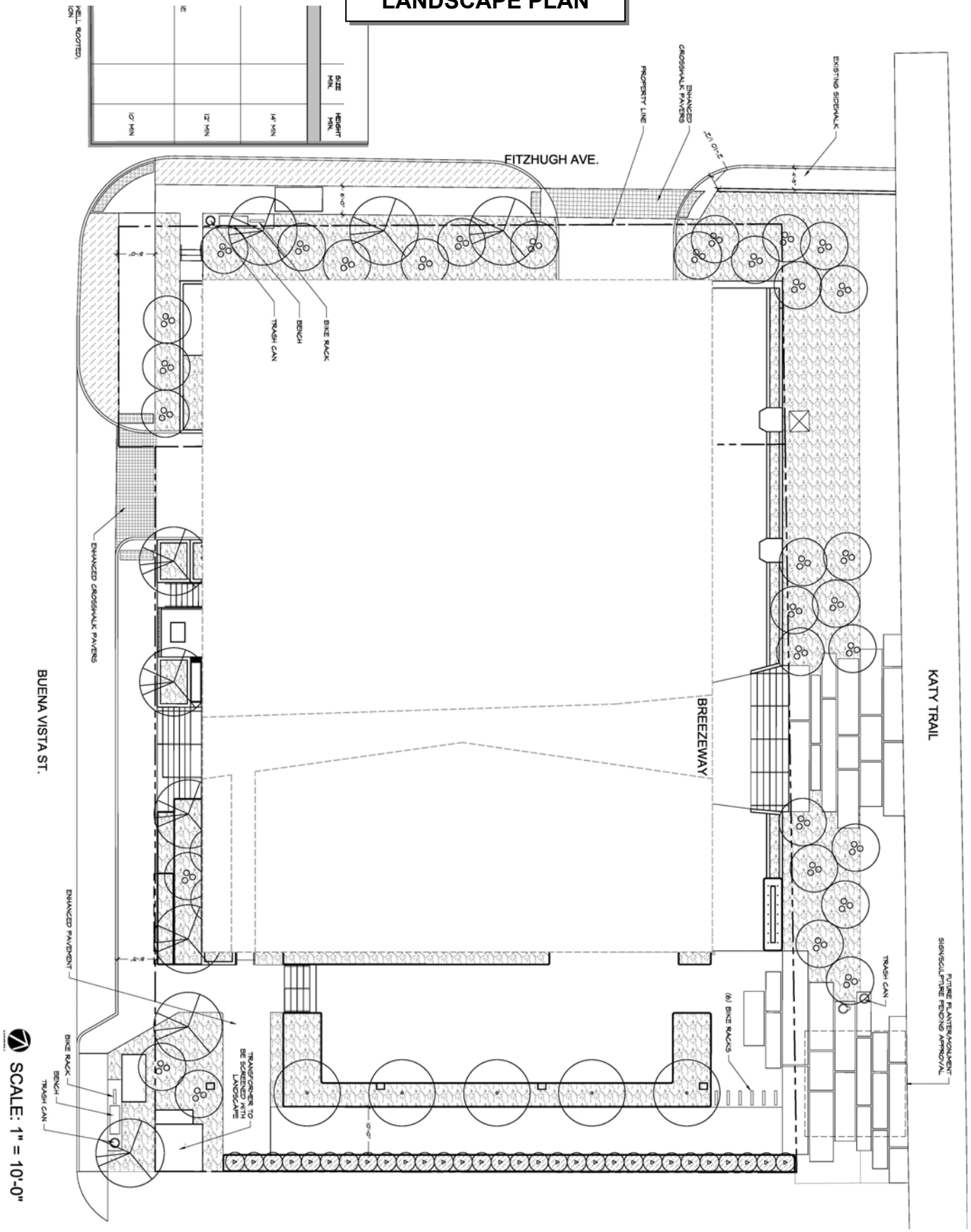
CPC RECOMMENDED DEVELOPMENT PLAN

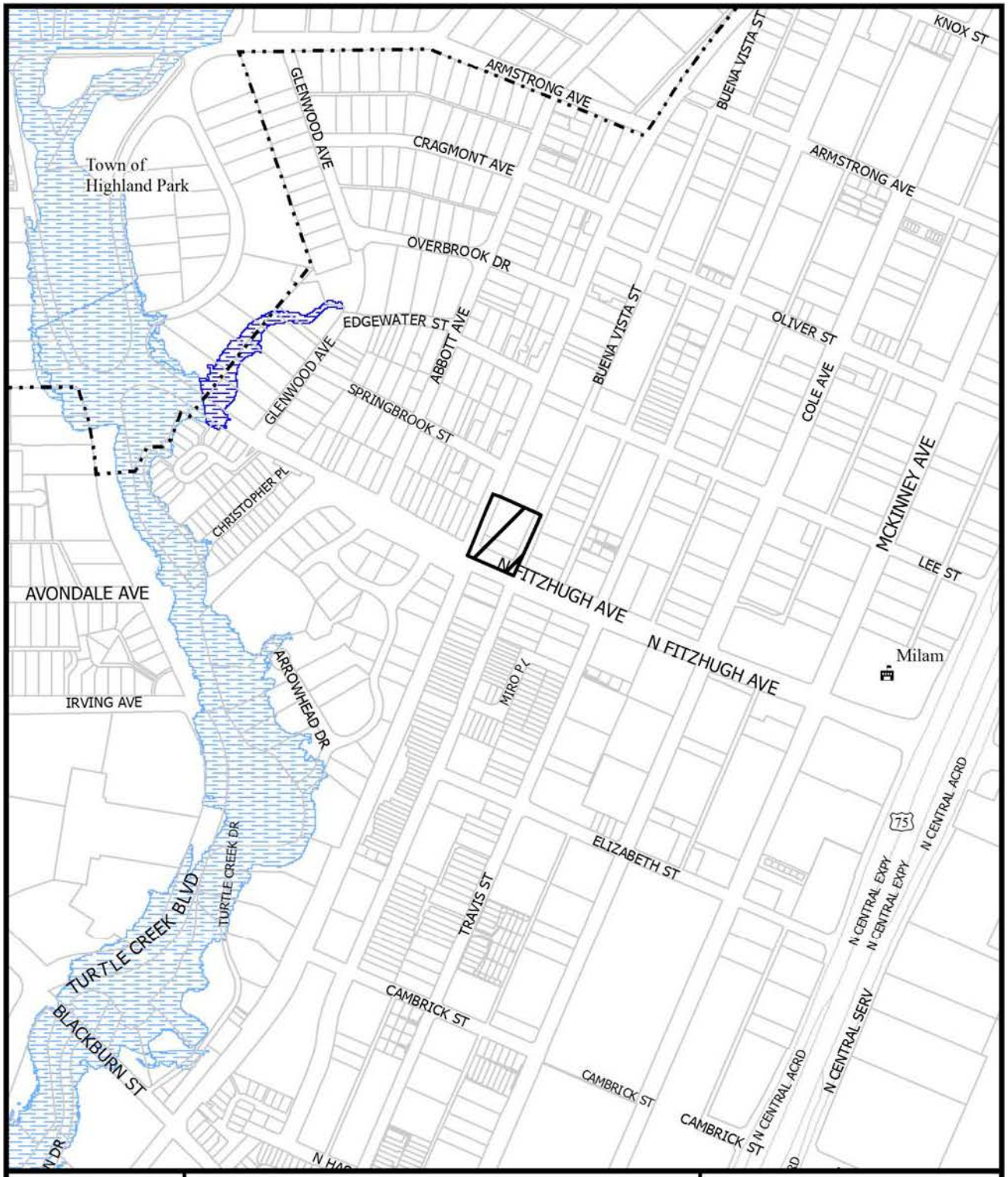


ENLARGED CPC RECOMMENDED DEVELOPMENT PLAN



CPC RECOMMENDED LANDSCAPE PLAN



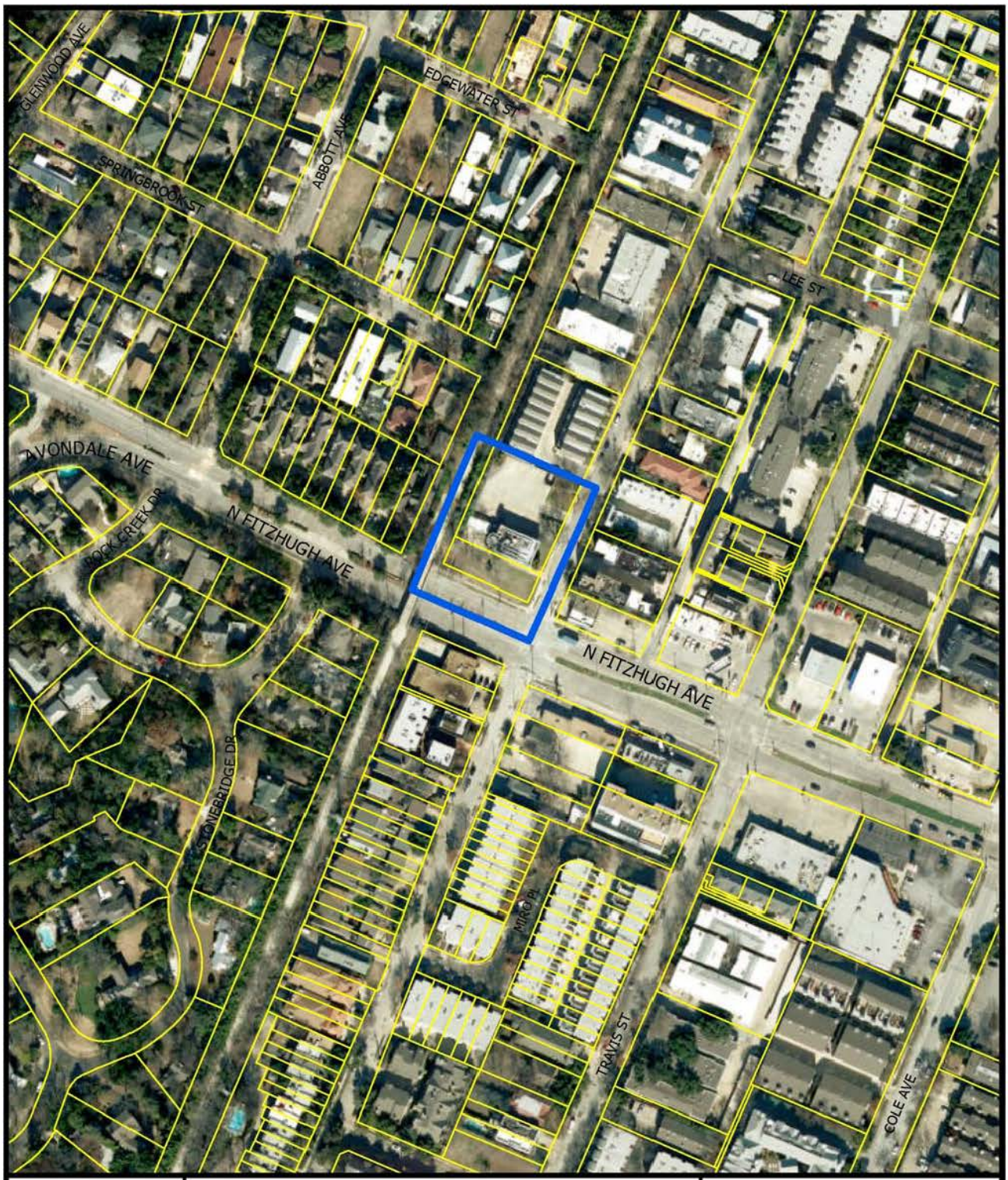


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VICINITY MAP

Case no: Z189-155

Date: 2/15/2019

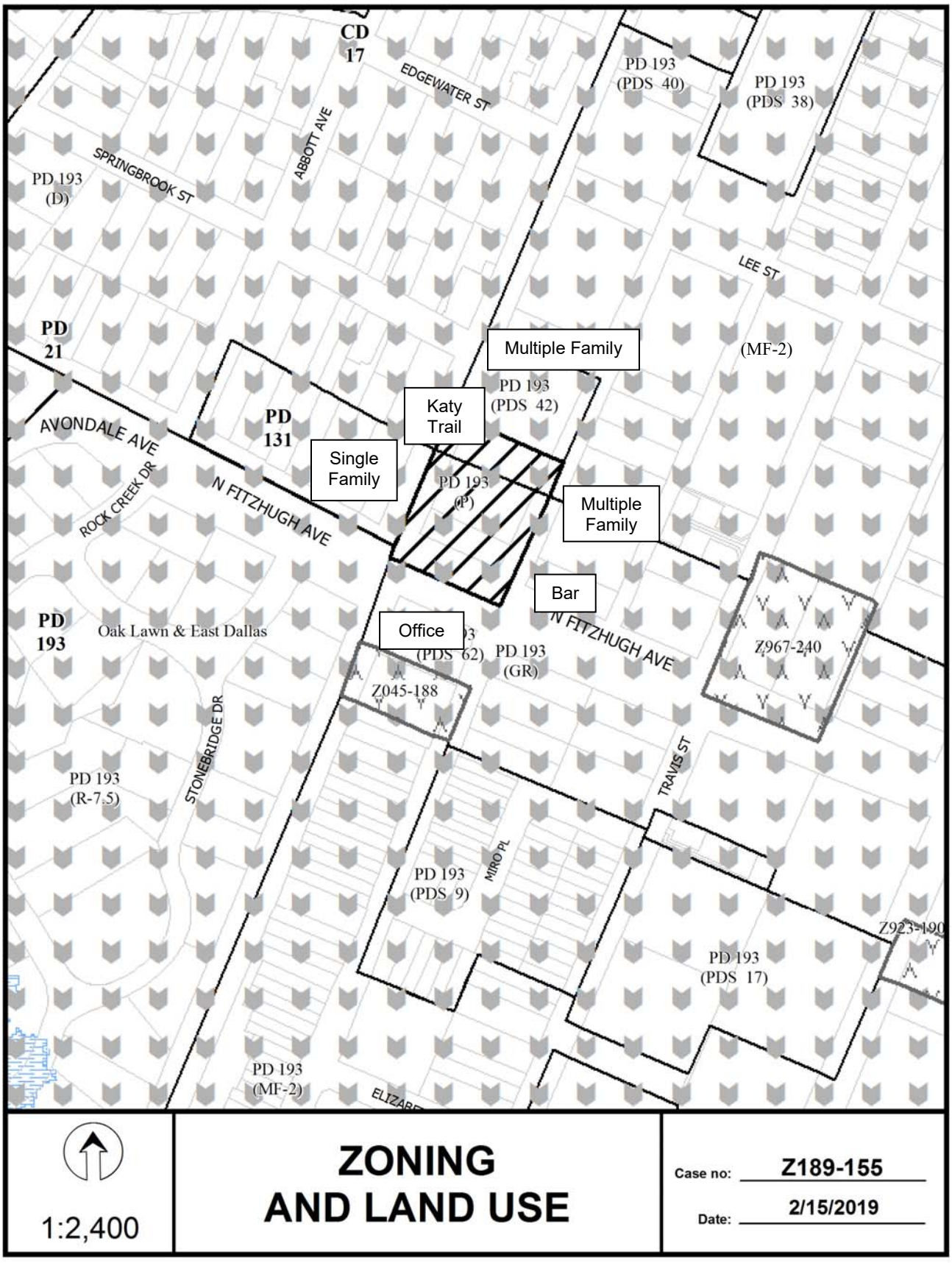


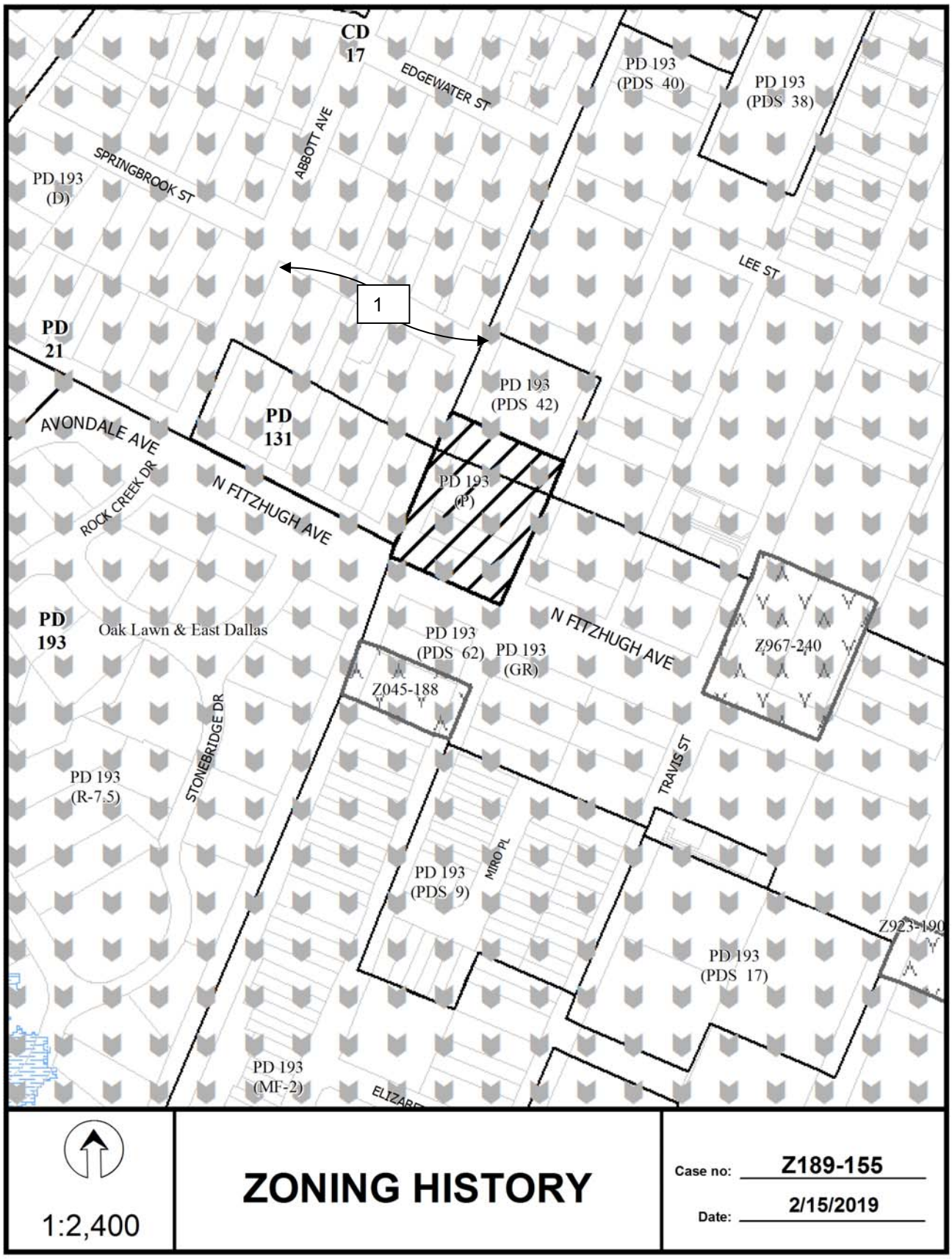
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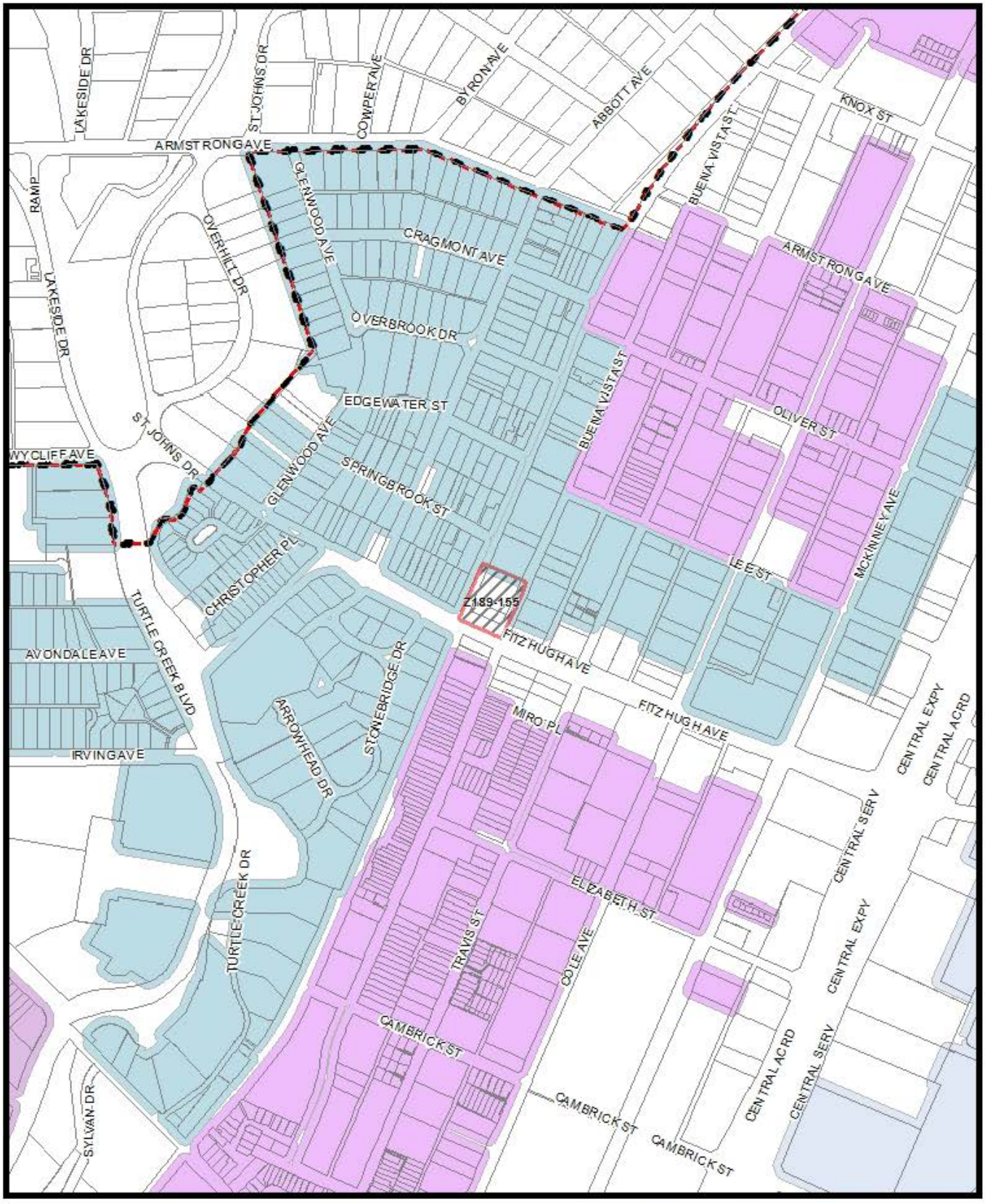
AERIAL MAP

Case no: Z189-155

Date: 2/15/2019


CD 17
EDGEWATER ST
ABBOTT AVE
SPRINGBROOK ST
PD 193 (D)
PD 193 (PDS 40)
PD 193 (PDS 38)
LEE ST
PD 21
PD 131
AVONDALE AVE
ROCK CREEK DR
N FITZHUGH AVE
Multiple Family
(MF-2)
PD 193 (PDS 42)
Katy Trail
Single Family
PD 193 (P)
Multiple Family
Bar
Office
PD 193 (PDS 62)
PD 193 (GR)
Z967-240
Z045-188
PD 193
Oak Lawn & East Dallas
STONEBRIDGE DR
PD 193 (R-7.5)
TRAVIS ST
MIRO PL
PD 193 (PDS 9)
Z923-190
PD 193 (PDS 17)
PD 193 (MF-2)
1:2,400
ZONING AND LAND USE
Case no: Z189-155
Date: 2/15/2019


CD 17
EDGEWATER ST
ABBOTT AVE
SPRINGBROOK ST
PD 193 (D)
PD 193 (PDS 40)
PD 193 (PDS 38)
LEE ST
1
PD 21
PD 131
PD 193 (PDS 42)
AVONDALE AVE
ROCK CREEK DR
N FITZHUGH AVE
PD 193 (P)
PD 193
Oak Lawn & East Dallas
PD 193 (PDS 62)
PD 193 (GR)
Z967-240
Z045-188
STONEBRIDGE DR
TRAVIS ST
PD 193 (R-7.5)
MIRO PL
PD 193 (PDS 9)
Z923-190
PD 193 (PDS 17)
PD 193 (MF-2)
1:2,400
ZONING HISTORY
Case no: Z189-155
Date: 2/15/2019



MVACluster A B C D E F G H I NA

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Market Value Analysis

Printed Date: 2/15/2019


CPC Responses
EDGEWATER ST
GLENWOOD AVE
SPRINGBROOK ST
ABBOTT AVE
AVONDALE AVE
ROCK CREEK DR
FITZHUGH AVE
BUENA VISTA ST
LEE ST
TRAVIS ST
MIRO PL
STONEBRIDGE DR
COLE AVE
289 Property Owners Notified (150 parcels)
8 Replies in Favor (8 parcels)
6 Replies in Opposition (6 parcels)
500' Area of Notification
3/21/2019 Date
Z189-155
CPC
N
W
E
S
1:2,400

03/20/2019

Reply List of Property Owners

Z189-155

289 Property Owners Notified ***8 Property Owners in Favor*** ***6 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4205	BUENA VISTA ST	WESTDALE BUENA VISTA LP
	2	3215	N FITZHUGH AVE	3215 FITZHUGH PARTNERS LLC
	3	4145	TRAVIS ST	GREENWAY TRAVIS LP
	4	4153	TRAVIS ST	GREENWAY TRAVIS LP
	5	3333	N FITZHUGH AVE	LEVY MAURICE
	6	3337	N FITZHUGH AVE	RENFRO PROP MGMT LLC
	7	4152	BUENA VISTA ST	GREENWAY FITZHUGH LP
	8	4123	BUENA VISTA ST	TRAISTER JENNIFER
	9	4125	BUENA VISTA ST	ALLUMS JAMES L & CLAUDIA
	10	4127	BUENA VISTA ST	SWIGGART JEFFERY M
	11	4129	BUENA VISTA ST	ESTERLINE BRUCE & DIANA
	12	4131	BUENA VISTA ST	WARREN RANDY
	13	4133	BUENA VISTA ST	BROWN RON L &
	14	4135	BUENA VISTA ST	RUSCHHAUPT REED
X	15	4137	BUENA VISTA ST	PYLE MICHAEL SCOTT
O	16	4139	BUENA VISTA ST	TREADGOLD GALEN E
	17	4141	BUENA VISTA ST	RUCKMAN THOMAS FOLLMER
	18	4141	BUENA VISTA ST	HAYES PATRICK J
	19	4141	BUENA VISTA ST	MITCHELL PROPERTIES LLC
	20	4141	BUENA VISTA ST	COLEMAN JAMES W S
O	21	4155	BUENA VISTA ST	WOLTER DALE ROBERT
	22	3403	N FITZHUGH AVE	GREENWAYFITZHUGH LP
O	23	3314	N FITZHUGH AVE	4333 MAPLE AVE LTD &
	24	4211	TRAVIS ST	BELCHER DONALD S
	25	4224	BUENA VISTA ST	4224 BUENA VISTA LLC
	26	4220	BUENA VISTA ST	CLAYCOMB EDDY & TERRI

03/20/2019

Reply	*Label #*	*Address*		*Owner*
	27	3326	N FITZHUGH AVE	3326 NORTH FITZHUGH LP
	28	4231	BUENA VISTA ST	GLASER BRIAN D
	29	4232	TRAVIS ST	IPENEMA INVESTMENTS LTD
O	30	4301	TRAVIS ST	BROWN JULIE A & THOMAS L
X	31	4244	ABBOTT AVE	HAMILTON EANN
	32	3518	EDGEWATER DR	RAGGIO PROPERTY LTD
	33	3510	EDGEWATER DR	KAISER FRAN E
	34	3508	EDGEWATER DR	GALLOWAY WILLIAM DOUGLAS
	35	3506	EDGEWATER DR	MONK JAMES M
	36	3502	EDGEWATER DR	MURPHY TERENCE A &
	37	3503	SPRINGBROOK ST	BOLKE BRIAN
O	38	3505	SPRINGBROOK ST	EVANS DOUGLAS R & LAURA B
	39	3511	SPRINGBROOK ST	REID EVE MURPHY
	40	3509	SPRINGBROOK ST	EVANS STEVEN ANDREW &
	41	3513	SPRINGBROOK ST	MULINDER DAVID A & SALLY
	42	3515	SPRINGBROOK ST	BRESSLER ROBERT KLOEB & MAY BOONPATTRAWONG
	43	3517	SPRINGBROOK ST	SAUREZ RICHARD J
	44	3525	SPRINGBROOK ST	BODZY ALLEN & REBECCA SANKARY
	45	4222	ABBOTT AVE	OHNMEIS KEITH B
O	46	3518	SPRINGBROOK ST	STEVENS ROBYN
	47	3514	SPRINGBROOK ST	PARCHMAN SAVANNAH FAY
X	48	3512	SPRINGBROOK ST	TUDHOPE BARBARA A 2001
	49	3510	SPRINGBROOK ST	ULLMANN KENNETH &
	50	3508	SPRINGBROOK ST	FISHBANE PHILIP
	51	3504	SPRINGBROOK ST	DERRIEN THIERRY & SYLVIE
X	52	3506	SPRINGBROOK ST	BROCK PAMELA M
	53	3502	SPRINGBROOK ST	LOSEY NICK JR
	54	3603	SPRINGBROOK ST	MASTERS MICHAEL E &
	55	3601	SPRINGBROOK ST	PHILIPOVITCH KERRY & DIMITRY
	56	3607	SPRINGBROOK ST	LUTER KAREN L
	57	3606	SPRINGBROOK ST	DAUTERMAN PETER FAMILY TRUST

03/20/2019

Reply	*Label #*	*Address*		*Owner*
	58	3600	SPRINGBROOK ST	COX MARTHA H
	59	4203	ABBOTT AVE	FITZHUGH ABBOTT LP
X	60	4119	ROCK CREEK DR	BORISKIE ROBERT J &
X	61	4115	ROCK CREEK DR	BOND JAMES R JR
	62	4111	STONEBRIDGE DR	COLLINS JOHN E
	63	3515	ROCK CREEK DR	TUNNELL WESLEY ANDREW &
	64	4118	ROCK CREEK DR	LOMBARDI ALBERTO & VIVIAN
	65	3525	ROCK CREEK DR	TUNNELL FORREST TRUMAN & JONI ELIZABETH
	66	3529	ROCK CREEK DR	KOONSMAN MARTIN L JR &
	67	3500	ROCK CREEK DR	NDMI CREEKVIEW LLC
	68	3514	ROCK CREEK DR	WALKER CHARLES DAVID & KAY
	69	3510	ROCK CREEK DR	ARROW CREEK LLC
	70	4014	STONEBRIDGE DR	PETERSON GORDON L
	71	4018	STONEBRIDGE DR	DOUBLEDAY JOHN E
	72	4022	STONEBRIDGE DR	LEATHERWOOD MIKE
	73	4108	STONEBRIDGE DR	SHARMA AMIT &
	74	4116	STONEBRIDGE DR	KENDER RANDALL F &
	75	4120	STONEBRIDGE DR	MILLER FRANK H
	76	4144	TRAVIS AVE	MINER ROBERT H
	77	4142	TRAVIS AVE	ECOB LEAH & ECOB PHILLIP
	78	4140	TRAVIS AVE	BEER SARA MARIE
	79	4138	TRAVIS AVE	AN JADHAVJI INV LLC
	80	3300	MIRO PL	PARKWOOD TOWNHOMES HOMEOWNERS ASSOCIATION
	81	3300	MIRO PL	PARKWOOD TOWNHOMES HOMEOWNERS ASSOCIATION
	82	3311	MIRO PL	BROWN JOHN F & AMY C
	83	3315	MIRO PL	MCPIKE ANGELA MARIE &
O	84	3319	MIRO PL	WEINFURTHER DAN &
	85	4120	BUENA VISTA ST	KOORS ROBERT E
	86	4122	BUENA VISTA ST	TIPTON DANIEL DAVID
	87	4124	BUENA VISTA ST	VILLASENOR JUAN
	88	4126	BUENA VISTA ST	FIELD BEVERLY EST OF

03/20/2019

Reply	*Label #*	*Address*		*Owner*
	89	4128	BUENA VISTA ST	AYODELE JESSICA T
	90	4130	BUENA VISTA ST	FARUQUI RON A
	91	4132	BUENA VISTA ST	RUSSELL BRIAN
	92	4134	BUENA VISTA ST	PATE PERRY G
	93	4136	BUENA VISTA ST	KNAPP PATRICK
	94	4138	BUENA VISTA ST	DO TUAN A & THUY LAM
	95	4143	TRAVIS ST	WALL JOHN P
	96	4141	TRAVIS ST	ALAZMA MANAR
	97	4139	TRAVIS ST	CLAY MICHAEL &
	98	4137	TRAVIS ST	HICKS JEREMY ROBINSON &
	99	4135	TRAVIS ST	HARE JASPAL S &
	100	4133	TRAVIS ST	ATTANASIO MASSIMO
	101	4131	TRAVIS ST	GURMAN SINAN
	102	3372	MIRO PL	BERRY MONICA R
	103	3368	MIRO PL	LEE NANETTE C
	104	3364	MIRO PL	CAIN MARK ALAN
	105	3360	MIRO PL	GARCIA JORGE
	106	3356	MIRO PL	DECK KIRBY BRUCE REVOCABLE TRUST
	107	3352	MIRO PL	BASSETT BLAKE ANDREW
	108	3348	MIRO PL	STRASIUS JOHN
	109	3344	MIRO PL	SCHREIBER WILLIAM S &
	110	3340	MIRO PL	TRAN FRANCIS V & CAREN UTINO
	111	4215	TRAVIS ST	HILLIARD CHELSEA LEIGH
	112	4217	TRAVIS ST	EAKIN JOHN
	113	4219	TRAVIS ST	HAJEE OMAR NAVROZ
	114	4225	TRAVIS ST	HILL ISABEL &
	115	4223	TRAVIS ST	NARAT ROXANA
	116	4221	TRAVIS ST	BYWATERS ASHBURN JR
	117	3224	N FITZHUGH AVE	R&M I ENTERPRISES LLC
	118	3220	N FITZHUGH AVE	O SAE MUN & IN YE
	119	4242	TRAVIS ST	4242 TRAVIS OWNERS ASSO

03/20/2019

Reply	*Label #*	*Address*		*Owner*
	120	3502	N FITZHUGH AVE	BENNETT BENJAMIN J IV &
	121	3504	N FITZHUGH AVE	MULLICAN MARY ANN
	122	3506	N FITZHUGH AVE	LOWERY MARY SEWARD
	123	3508	N FITZHUGH AVE	BATES WILLIAM SCOTT
	124	3510	N FITZHUGH AVE	FRY JOHN F
	125	3512	N FITZHUGH AVE	MCKINNEY ALMA L
	126	3514	N FITZHUGH AVE	DARROW JOHN W
O	127	3516	N FITZHUGH AVE	BYRD TERESA L TRUST THE
	128	3518	N FITZHUGH AVE	WESTHEIMER JEROME M JR TRUST
	129	4015	STONEBRIDGE DR	CROW TRAMMELL S
	130	4206	BUENA VISTA ST	CARVALHO ALEXANDRE B & MARIA ELISA GALLO
	131	4206	BUENA VISTA ST	MOSHER ALEXANDER D
	132	4206	BUENA VISTA ST	AMIN RAVI
	133	4241	BUENA VISTA ST	BASS DANA MARIE
	134	4241	BUENA VISTA ST	COOK CLAYTON D
	135	4241	BUENA VISTA ST	MILLER ROBERT W
	136	4241	BUENA VISTA ST	MALEK NATALIA
	137	4241	BUENA VISTA ST	SPANN VINCENT E
	138	4241	BUENA VISTA ST	BYARS OIL COMPANY INC
	139	4241	BUENA VISTA ST	HICKS JEREMY R
	140	4241	BUENA VISTA ST	AGUIRRE ADRIAN A
	141	4241	BUENA VISTA ST	BOBADILLA ANDREA
	142	4241	BUENA VISTA ST	DAI JUREN
	143	4241	BUENA VISTA ST	MACATEE ALLYSON C
	144	4241	BUENA VISTA ST	ARBEL AMIR
	145	4241	BUENA VISTA ST	ANDERSON EDMUND THEODORE V
	146	4241	BUENA VISTA ST	REVERUZZI ALEJANDRO
	147	4241	BUENA VISTA ST	RASMUSSEN NATALIE J
	148	4241	BUENA VISTA ST	REED MORIAH
	149	4241	BUENA VISTA ST	TRAW J BRET
	150	4241	BUENA VISTA ST	TREU JASON

03/20/2019

Reply	*Label #*	*Address*		*Owner*
	151	4241	BUENA VISTA ST	CARROLL MICHAEL THOMAS
	152	4241	BUENA VISTA ST	NORRIS JENNA
	153	4241	BUENA VISTA ST	CAMPBELL ALEXANDER
	154	4241	BUENA VISTA ST	STENSRUD JUSTIN W
	155	4251	BUENA VISTA ST	WONG WESLEY
	156	4251	BUENA VISTA ST	JIGGETTS MELODY
	157	4251	BUENA VISTA ST	COKER RAYMOND J III
	158	4251	BUENA VISTA ST	ANTEBI RACHEL
	159	4251	BUENA VISTA ST	LAKE MARC &
	160	4242	BUENA VISTA ST	BRETCHES MICHAEL JOHN
	161	4242	BUENA VISTA ST	GRAY SHIRLEY
	162	4242	BUENA VISTA ST	GOKHALE SHAILESH & SUCHETA
	163	4242	BUENA VISTA ST	CHAMISAL CASA LTD
	164	4242	BUENA VISTA ST	QUINLAN KRISTINA
	165	4242	BUENA VISTA ST	HOWARD BRIAN J
	166	4242	BUENA VISTA ST	MACKIN CYNTHIA E
	167	4242	BUENA VISTA ST	SWEENEY BRITTANY A
	168	4242	BUENA VISTA ST	BATSON PAMELA
	169	4242	BUENA VISTA ST	SHANE MARIO M & RACHELLE
	170	4242	BUENA VISTA ST	NAGY SAMUEL JACOB
	171	4242	BUENA VISTA ST	WAITES SETH E
	172	4242	BUENA VISTA ST	STRATTON ARG E
	173	4242	BUENA VISTA ST	CHUNG PAUL
	174	4242	BUENA VISTA ST	ROMANIELLO MICHAEL V
	175	4242	BUENA VISTA ST	ROSSI ANGELO &
	176	4242	BUENA VISTA ST	GUERRIERI RUSSELL
	177	4242	BUENA VISTA ST	EATON DEVIN
	178	4242	BUENA VISTA ST	FORTENBERRY TIMOTHY W
	179	4242	BUENA VISTA ST	BETTY YOUNG FAMILY LTD
	180	4242	BUENA VISTA ST	JOHNSON KATIANA A
	181	4242	BUENA VISTA ST	RAKOVCHIK IGOR

03/20/2019

Reply	*Label #*	*Address*		*Owner*
	182	4242	BUENA VISTA ST	PITTS FAMILY REVOCABLE TRUST
	183	4143	BUENA VISTA ST	HUGHES JAMES RUSH
	184	4143	BUENA VISTA ST	FRANCO MARIA A LIFE ESTATE
	185	4143	BUENA VISTA ST	MCLAUGHLIN HOWARD MARK &
	186	4143	BUENA VISTA ST	DAYIAN VAHE ROBERT & NORA ARPI
	187	4143	BUENA VISTA ST	PARKS CHARLES DAVIS
	188	4306	BUENA VISTA ST	PULEO CHRISTINA
	189	4306	BUENA VISTA ST	NEWMAN CLINT
	190	4306	BUENA VISTA ST	MERWE IZAK VAN DER
	191	4306	BUENA VISTA ST	JADBAVJI AU INVESTMENTS
	192	4306	BUENA VISTA ST	COOPER JEREMY R
	193	4306	BUENA VISTA ST	HANKS DORA LYNN & KEVIN M
	194	4306	BUENA VISTA ST	ROBERSON ANGELA M &
	195	4306	BUENA VISTA ST	LVM PROPERTIES LLC
	196	4303	BUENA VISTA ST	SIMS TREY M
	197	4303	BUENA VISTA ST	BROOKS JOE ANN
	198	4303	BUENA VISTA ST	CARPENTER STANLEY A
	199	4303	BUENA VISTA ST	DUFF MCALESTER RUTH
	200	4303	BUENA VISTA ST	DAVIS CHAD
	201	4303	BUENA VISTA ST	KILPATRICK MORGAN
	202	4303	BUENA VISTA ST	VOSS EDWIN P JR & SUZANNA T
	203	4303	BUENA VISTA ST	WICK SARA B
	204	4303	BUENA VISTA ST	LILES MARILYN A
	205	4303	BUENA VISTA ST	ZHANG HANNING
	206	4303	BUENA VISTA ST	CAPEHEART TED C
	207	4303	BUENA VISTA ST	MESHKINIAN FOAD
	208	4303	BUENA VISTA ST	MESSMER MICHAEL R
	209	4303	BUENA VISTA ST	YOUNG ELLE J
	210	4303	BUENA VISTA ST	LAM CAROLYN TRUC NGOC
	211	4303	BUENA VISTA ST	ABDULWAHAB TAMARA
	212	4303	BUENA VISTA ST	KHROMACHOU TAMIM

03/20/2019

Reply	*Label #*	*Address*		*Owner*
	213	4303	BUENA VISTA ST	HUDSON ELIZABETH GRACE
	214	4303	BUENA VISTA ST	DE VASCONCELLOS RAFAEL
	215	4303	BUENA VISTA ST	STEINBRECHER KRISTEN E
	216	4303	BUENA VISTA ST	KING JENNIFER A
	217	4303	BUENA VISTA ST	JONES JAMIE JANELL
	218	4303	BUENA VISTA ST	CAO KUN & YUNDUAN BAO
	219	4303	BUENA VISTA ST	NAKAMURA BRITTNEY LEE WAILIN
	220	4230	TRAVIS ST	HOCK MATTHEW H
	221	4230	TRAVIS ST	KATZ MICHAEL W
	222	4230	TRAVIS ST	GARZA VICTOR M
	223	4230	TRAVIS ST	JEN MICHELE & ROBERT YANG
	224	4230	TRAVIS ST	ANDRADE CLAUDIA E
	225	4230	TRAVIS ST	HUI MEI & YEE KEUNG
	226	4230	TRAVIS ST	GOODMAN JEFFREY & LAUREN PRITCHARD
	227	4230	TRAVIS ST	LUHR CHANTAL
	228	4230	TRAVIS ST	FRAZEE SARAH ELISABETH
	229	4230	TRAVIS ST	CAPALBO ANTHONY A &
	230	4230	TRAVIS ST	NUCKOLLS KATHERINE D &
	231	4230	TRAVIS ST	SILVA JOSE & KERRY LYNNE
	232	4230	TRAVIS ST	LAWRENCE DAVID
	233	4230	TRAVIS ST	DP & I LLC
	234	4230	TRAVIS ST	MUSSELMAN WILL
	235	4230	TRAVIS ST	MCINTOSH CHAUNCEY
	236	4230	TRAVIS ST	PURDY JONATHAN
	237	4230	TRAVIS ST	SMITH MICHAEL R
	238	4223	BUENA VISTA ST	LEE DONG H
	239	4223	BUENA VISTA ST	DUFFY JAMES PAUL
	240	4223	BUENA VISTA ST	YEH RICHARD
	241	4223	BUENA VISTA ST	ZWEBER MICHAEL
	242	4223	BUENA VISTA ST	VU BRIAN &
	243	4223	BUENA VISTA ST	SPRAGUE ROBERT

03/20/2019

Reply	*Label #*	*Address*		*Owner*
	244	4223	BUENA VISTA ST	FLANAGAN MARK J
	245	4223	BUENA VISTA ST	SIMO GISELLE HAYDEE BABA
	246	4223	BUENA VISTA ST	GREENE SAMANTHA
	247	4223	BUENA VISTA ST	CONNAR CHRISTOPHER J &
	248	4223	BUENA VISTA ST	KRITSER MARY ELAINE
	249	4223	BUENA VISTA ST	MCDEVITT MARY
	250	4223	BUENA VISTA ST	SLY ABBYGAIL L
	251	4214	BUENA VISTA ST	MILLER JENNIFER
	252	4214	BUENA VISTA ST	HAYNIE ERICA
	253	4214	BUENA VISTA ST	VANDEVEERDONK ANTOINE H &
	254	4214	BUENA VISTA ST	MCLEAN MARY E
	255	4214	BUENA VISTA ST	WALKER CHRISTIAN B
	256	4214	BUENA VISTA ST	SOLIS MARISA
	257	4214	BUENA VISTA ST	LIBARIDIAN CARLO
	258	4231	TRAVIS ST	BIEHUNKO JACK TAYLOR
	259	4231	TRAVIS ST	YOH AMANDA
	260	4231	TRAVIS ST	WHEATCROFT GRIFFIN
	261	4231	TRAVIS ST	DICKIE JORDAN M
	262	4231	TRAVIS ST	STANKO VINCENT &
	263	4231	TRAVIS ST	KENDALL ASHLEY
	264	4231	TRAVIS ST	PHILLIPS BETHANY LOUISE
	265	4231	TRAVIS ST	HORTON PATRICIA
	266	4231	TRAVIS ST	OMAN MARY JEAN REVOCABLE TRUST
	267	4231	TRAVIS ST	MCKENZIE CURTIS &
	268	4231	TRAVIS ST	ANDERSEN CLAUDIA
	269	4231	TRAVIS ST	MARMADUKE JEANNINE L
	270	4231	TRAVIS ST	LOTTER COLLIN &
	271	4231	TRAVIS ST	PATERSON JOHN WILSON
	272	4231	TRAVIS ST	AGUIAR MARIA ADDOBBATI
	273	4231	TRAVIS ST	STRONG BRIANNE
	274	4231	TRAVIS ST	ESPINOZA FRANCES A

03/20/2019

Reply	*Label #*	*Address*		*Owner*
	275	4231	TRAVIS ST	STEGEMOELLER MARTIN F
	276	4231	TRAVIS ST	WILMOTH BENJAMIN J
	277	4231	TRAVIS ST	STONE WILTON
	278	4231	TRAVIS ST	DENHOLM BRIAN
	279	4231	TRAVIS ST	TAI KATIE RUEYLAN
	280	4231	TRAVIS ST	BURKE SHARON L
	281	4231	TRAVIS ST	SIMONTON DANA ELIZABETH
	282	4231	TRAVIS ST	LOVEGREEN SCOTT KENNETH
	283	4231	TRAVIS ST	SAVAGE ANITA
	284	4231	TRAVIS ST	KING WALTON RYAN SCOT &
	285	4231	TRAVIS ST	WALKER EDWARD
	286	4231	TRAVIS ST	ZU YUE &
	287	4231	TRAVIS ST	VILLEGAS SERGIO A
	288	4231	TRAVIS ST	SHIDID DANIEL
	289	4231	TRAVIS ST	PATERSON JOHN WILSON

Agenda Information Sheet

File #: 19-594 **Item #:** 32.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding a City Council authorized hearing to amend the Antioch Church Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the southeast corner of Pacific Avenue and North Austin Street with consideration given to amending Division 51A-7.1007.2 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
SPSD189-003

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 8, 2019**

ACM: Michael Mendoza

FILE NUMBER: SPSD189-003 **DATE INITIATED:** January 23, 2019

LOCATION: Southeast corner of Pacific Avenue and North Austin Street

COUNCIL DISTRICT: 14 **MAPSCO:** 45 K

SIZE OF REQUEST: Approx .26 acres **CENSUS TRACT:** 31.01

REQUEST: A City Council authorized hearing to amend the Antioch Church Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 with consideration given to amending Division 51A-7.1007.2 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District.

SUMMARY: The City Council authorized a hearing to consider amending the Antioch Church Subdistrict within the West End Sign District to remove the requirement that each change of face be found compatible with the West End Historic District by the Landmark Commission. Each change of face would be processed as a routine maintenance certificate of appropriateness by staff.

CPC RECOMMENDATION: Approval.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- On September 27, 2017, the City Council approved the Antioch Church Subdistrict to allow one supergraphic sign on the east façade of the structure.

- The West End SPSD allows supergraphics in two subdistricts – the Purse Building Subdistrict and the Antioch Church Subdistrict.

- Currently in the Antioch Church Subdistrict, a certificate of appropriateness (CA) for the installation of the supporting equipment for a supergraphic sign is required by the Landmark Commission. The Landmark Commission must also determine if the supergraphic is compatible with the West End Historic District.

- On January 23, 2019, the City Council authorized a hearing to consider eliminating the requirement that the Landmark Commission determine the supergraphic is compatible with the West End Historic District but that the change of face follow the same procedure as the supergraphic in the Harwood Historic District in the Downtown SPSD. Staff reviews the change of face through a routine maintenance CA.

- City Council authorized a hearing to consider the same change to the Purse Building Subdistrict.

- On March 12, 2019, SSDAC recommended denial of the amendment. The Committee indicated having the supergraphic be historically compatible and reminiscent of a sign during the period of significance for the West End Historic District was paramount in their recommending approval of the supergraphics initially.

STAFF ANALYSIS:

The request site is developed with a 100 plus year-old building which is home to Antioch Church. The lot is on the perimeter of the West End SPSD and is bounded by surface parking to the east, south, and west, with the West End Station rail line immediately adjoining the site to the north.

The Antioch Church Subdistrict followed the creation of the Purse Building Subdistrict. The original request was to allow a supergraphic on the east façade. The requirements mirrored those for the Purse Building including requiring the Landmark Commission to determine if the sign was compatible with the West End Historic District. This would ensure the supergraphic sign would be more creative and blend better in the historic district.

The owner received a certificate of appropriateness (CA) for the installation of the fastening system and has received CAs for four change of face for the sign.

City Council's motion for the authorization included following the same historic certificate of appropriateness process that staff does with the supergraphic on the building in the Harwood District downtown. The first supergraphic for the building in the Harwood District received a Landmark Commission approved CA since it included the hardware for the sign. Each change of face is reviewed by historic preservation staff.

Comparison of supergraphic sign regulations

	Antioch Church Subdistrict – West End	Purse Building Subdistrict – West End	Downtown SPSD	Market Center Subdistrict Farmers Market
Number	1 (east façade)	1 (east façade)	22	2
Size	2,500 sf - 6,500 sf	2,500 sf - 6,500 sf	2,500 sf minimum Must cover at least 60% of façade.	No limit
Display duration	Six months	No limit	Four months	Four months
Sunset	9-27-2027	Does not sunset	7-31-2019	Does not sunset
Other		May not cover existing painted sign.	No more than two signs per building – not on same façade.	

*Downtown supergraphic sign regulations sunset on July 31, 2019. Pending Council before on May 22, 2019.

CPC action
April 18, 2019

Motion: It was moved to recommend **approval** of an amendment to Division 51A-7.1007.2 of the Dallas Development Code, the Antioch Church Subdistrict, by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the southeast corner of Pacific Avenue and North Austin 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, when vote taken

Notices: Area: 200 Mailed: 16
Replies: For: 0 Against: 0

Speakers: For: Robert Fiedler, 9002 Middlebie Dr., Austin, TX, 78750
Against: None

East Facade



Proposed Supergraphic Sign on Antioch Church
(Supergraphic was installed)



Staff's Proposed Amendments

Division 51A-7.1000 West End Historic Sign District

Section 51A-7.1007.2 ANTIOCH CHURCH SUBDISTRICT

a) In general. Except as otherwise provided in this division, the requirements of the West End Historic Sign District apply in this subdistrict.

b) Definitions. In this subdistrict

1) SUPERGRAPHIC SIGN means a large attached premise or non-premise sign on a mesh or fabric surface, or a projection of a light image onto a wall face without the use of lasers, or painted on vinyl adhesive signage.

2) WALL FACE means an uninterrupted blank plane of a wall, from vertical edge to vertical edge, from its highest edge to its lowest edge. Edges can be established by a distinct change in materials or off-set which runs across (transects) the entire wall in a straight line.

c) Supergraphic sign

1) Number. A maximum of one supergraphic sign is permitted.

2) Visual display and coverage.

A) The supergraphic sign must have one large visual display with a minimum of 80 percent non-textual graphic content (no more than 20 percent text).

(i) Multiple displays giving an appearance of multiple signs are prohibited.

(ii) 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.

B) The supergraphic sign is intended to be creative and artful and not strictly a representation of an advertised product. It is the intent of this provision to:

(i) encourage the use of illustrative images or other non-repetitive design elements;

(ii) encourage visually interesting, vibrant, and colorful designs;

(iii) discourage use of solid colors or repetitive design elements; and

(iv) discourage an image of a single product or logo without other graphic elements.

C) The supergraphic sign may be internally or externally illuminated. If internally illuminated, a supergraphic sign may consist of translucent materials, but not transparent materials.

D) The supergraphic sign may not extend beyond the edge of the face of the building to which it is attached.

3) Effective area. The minimum permitted effective area is 2,500 square feet and the maximum permitted effective area is 6,500 square feet.

4) Height. The supergraphic sign may not be lower than 10 feet above grade level.

5) Location. The supergraphic sign may only be located on the east façade of the building.

6) Additional provisions.

~~A) The supergraphic sign is intended to be compatible with the West End Historic District as determined by the Landmark Commission.~~

~~B)~~ (A) All hardware fasteners for the supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.

~~C)~~ (B) The supergraphic sign may not be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102.

~~D)~~ (C) The supergraphic sign may not display the same message for more than six consecutive months in any 12 month period.

~~E)~~ (D) The supergraphic sign must be removed on or before September 27, 2027. This section does not confer a nonconforming or vested right to maintain a supergraphic sign after September 27, 2027, and all permits authorizing a supergraphic sign automatically expire on that date.

d) This section expires on September 27, 2027, unless re-enacted before that date. The city plan commission and city council shall review this section before its expiration date.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2019

19-0219

MISCELLANEOUS HEARINGS

Item 66: A public hearing to receive comments on and consideration of authorizing a public hearing to amend the Antioch Church Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay District No. 2, the West End Historic District, on the southeast corner of Austin Street and Pacific Avenue; consideration is to be given to amending Section 51A-7.1007.2 of the Dallas Development Code by eliminating the requirement that the landmark commission must determine a supergraphic sign is compatible with the West End Historic District - Financing: No cost consideration to the City (via Councilmembers Griggs, Kingston, Clayton, Narvaez, Greyson)

The following individual addressed the city council on the item:

Robert Fiedler, 9002 Middlebie Dr., Austin, TX, representing Antioch Church

Councilmember Kingston moved to close the public hearing and adopt the item.

Motion seconded by Councilmember Narvaez.

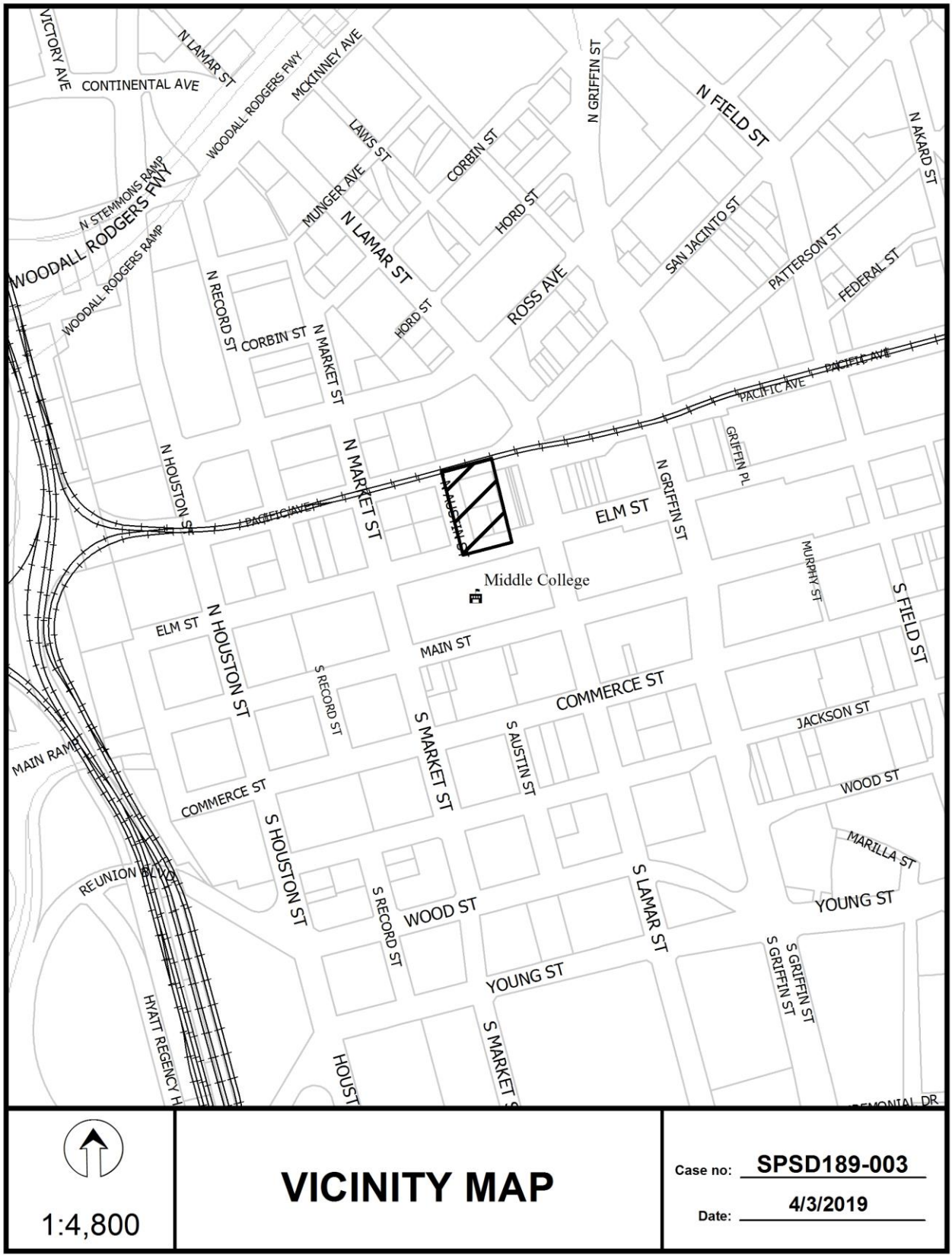
During discussion, Councilmember Greyson asked Councilmember Kingston if he would accept a friendly amendment to have the process for this building [Antioch Church Subdistrict within the West End Historic Sign District] be the same as the buildings in the Harwood Historic District; which is a staff review.

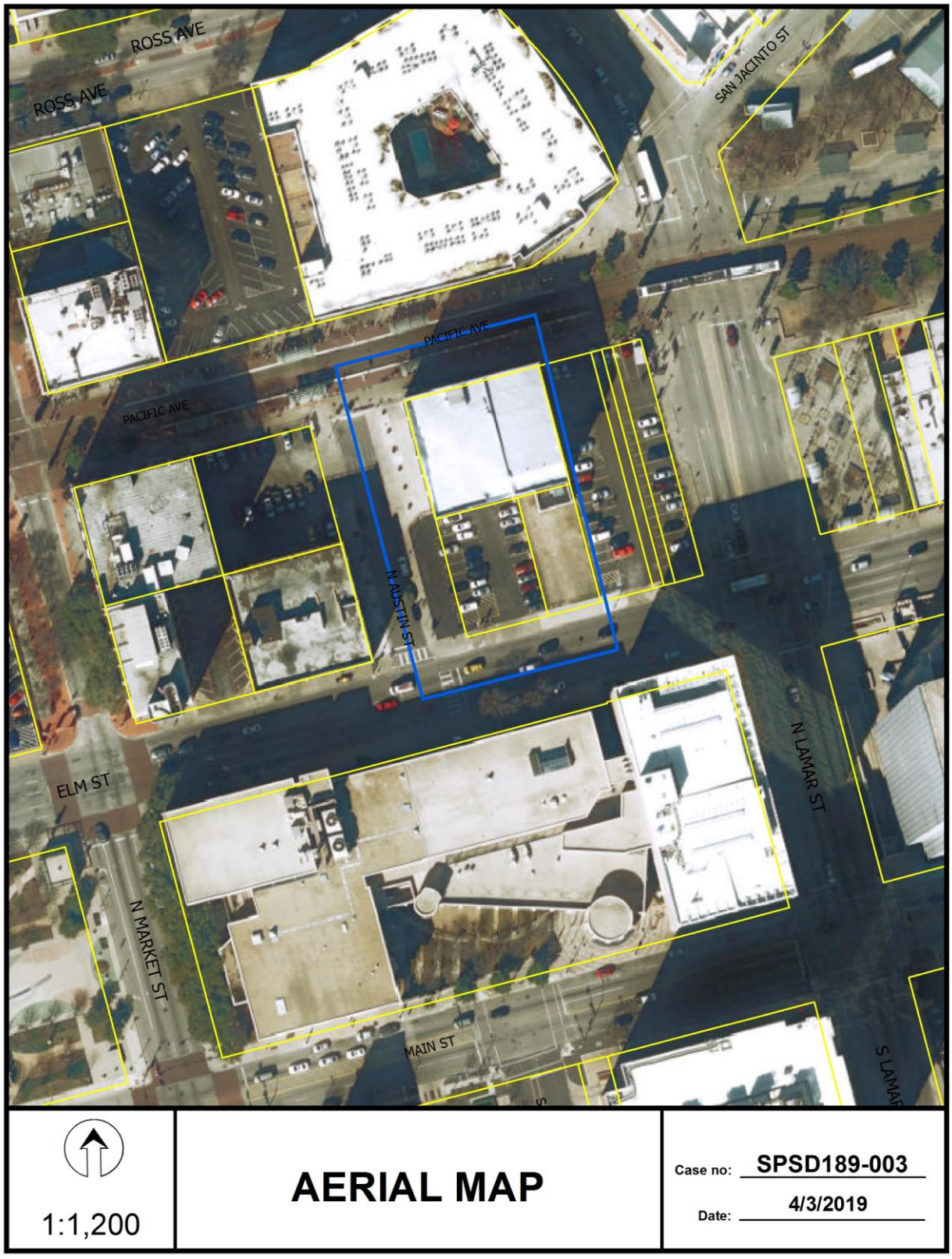
Councilmember Kingston accepted the friendly amendment as part of his motion.

Councilmember Narvaez, who seconded the motion, also accepted the friendly amendment.

Presiding Officer Medrano called a vote and declared the item amended on a divided vote with Councilmembers Arnold and Kleinman voting "No." (Thomas absent when vote taken; *Rawlings absent on city business)

***Absent on city business per Section 4.11 (b)(1) of the City Council Rules of Procedure.**


VICTORY AVE
CONTINENTAL AVE
N LAMAR ST
WOODALL RODGERS FWY
MCKINNEY AVE
LAWS ST
CORBIN ST
N GRIFFIN ST
N FIELD ST
N AKARD ST
N STEMMONS RAMP
WOODALL RODGERS FWY
WOODALL RODGERS RAMP
MUNGER AVE
N LAMAR ST
HORD ST
SAN JACINTO ST
PATTERSON ST
FEDERAL ST
N RECORD ST
CORBIN ST
N MARKET ST
HORD ST
ROSS AVE
PACIFIC AVE
PACIFIC AVE
N HOUSTON ST
N MARKET ST
AUSTIN ST
ELM ST
N GRIFFIN ST
GRIFFIN PL
Middle College
MURPHY ST
S FIELD ST
ELM ST
N HOUSTON ST
MAIN ST
S RECORD ST
COMMERCE ST
JACKSON ST
S MARKET ST
S AUSTIN ST
MAIN RAMP
COMMERCE ST
WOOD ST
MARILLA ST
S HOUSTON ST
REUNION BLVD
S RECORD ST
WOOD ST
S LAMAR ST
YOUNG ST
S GRIFFIN ST
YOUNG ST
HYATT REGENCY
S MARKET ST
HOUST
1:4,800
VICINITY MAP
Case no: SPSD189-003
Date: 4/3/2019

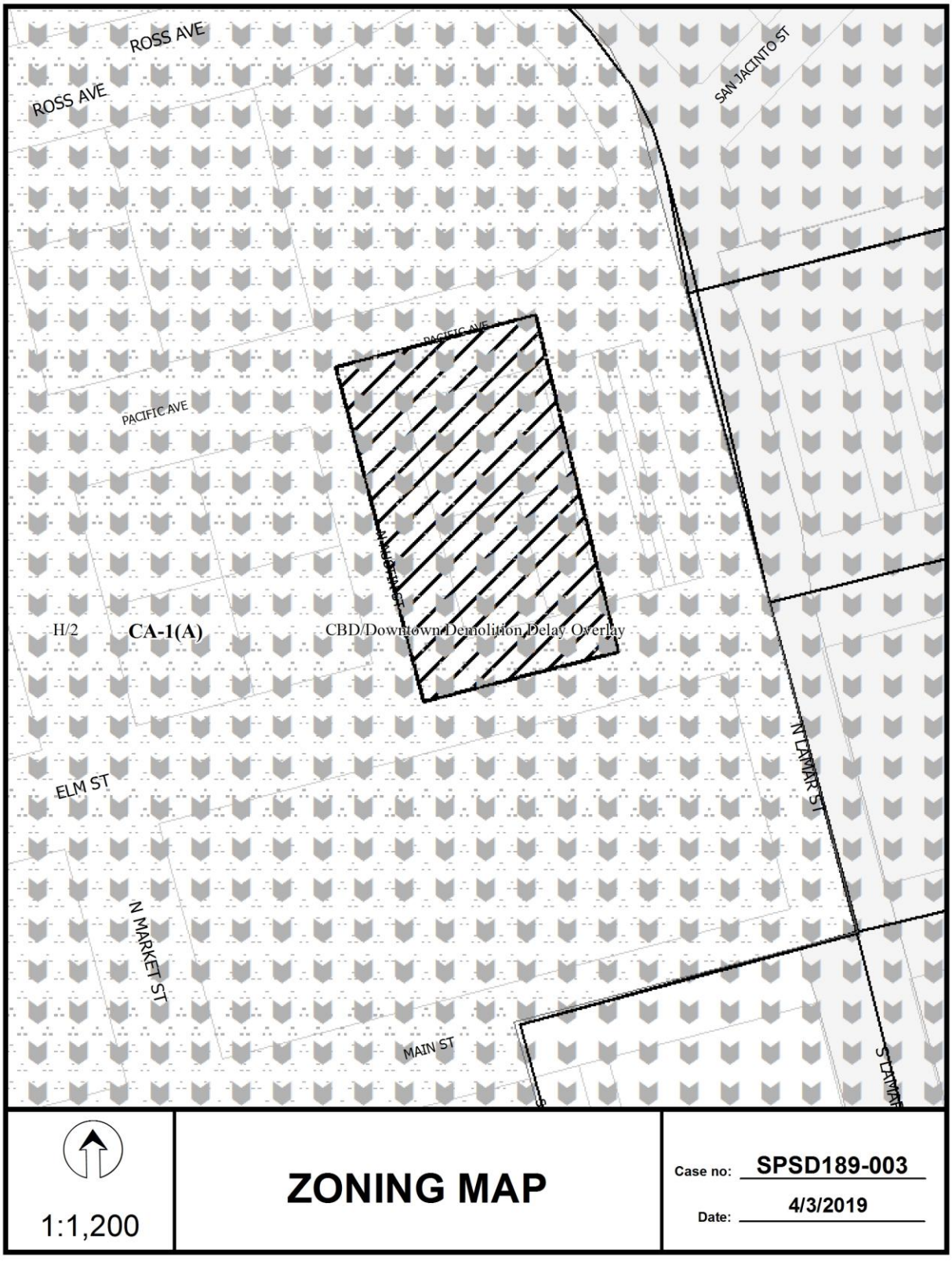


1:1,200

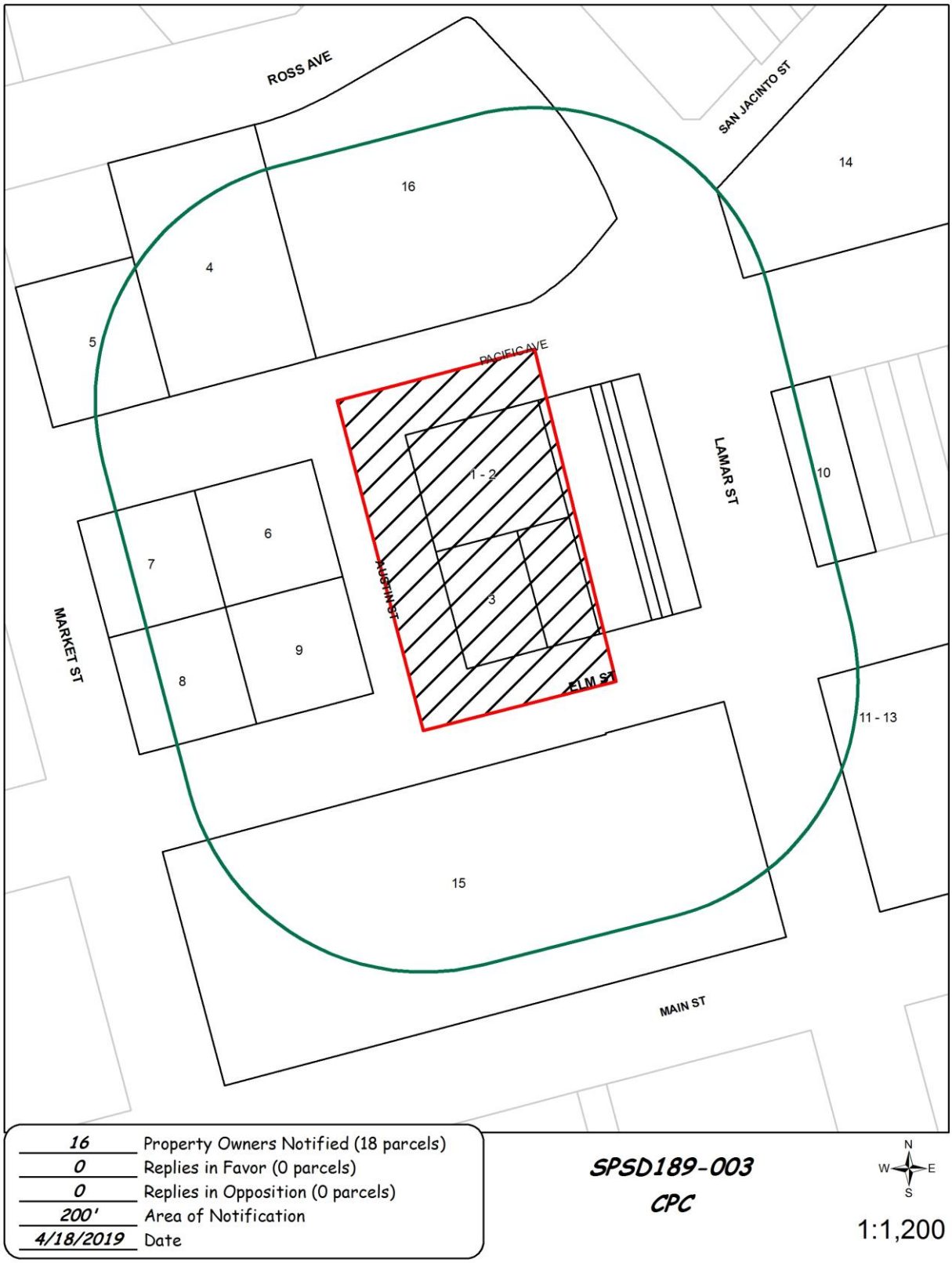
AERIAL MAP

Case no: SPSD189-003

Date: 4/3/2019


ROSS AVE
ROSS AVE
SAN JACINTO ST
PACIFIC AVE
PACIFIC AVE
H/2
CA-1(A)
CBD/Downtown Demolition Delay Overlay
N LAMAR ST
ELM ST
N MARKET ST
MAIN ST
S LAMAR
1:1,200
ZONING MAP
Case no: SPSD189-003
Date: 4/3/2019

CPC RESPONSES



04/17/2019

Reply List of Property Owners

SPSD189-003

16 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	804	PACIFIC AVE	ANTIOCH CHURCH
	2	804	PACIFIC AVE	ANTIOCH CHURCH
	3	801	ELM ST	ANTIOCH CHURCH
	4	704	ROSS AVE	ROSS OWNER LP
	5	302	N MARKET ST	WEST END OFFICE PROPERTIES LLC
	6	211	N AUSTIN ST	AUSTIN OWNER LP
	7	208	N MARKET ST	208 N MARKET OWNER LP
	8	701	ELM ST	DALLAS COUNTY COMMUNITY
	9	711	ELM ST	DOWNTOWN DALLAS LODGING LLC
	10	901	ELM ST	DART
	11	901	MAIN ST	DALLAS MAIN LP
	12	100	N LAMAR ST	INTERFIRST BANK DALLAS
	13	901	MAIN ST	INTERFIRST BANK DALLAS
	14	202	N LAMAR ST	DALLAS AREA RAPID TRANSIT
	15	705	MAIN ST	DALLAS COUNTY COMMUNITY
	16	800	ROSS AVE	FPACP3 WEST END LLC

Agenda Information Sheet

File #: 19-595 **Item #:** 33.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding a City Council authorized hearing to amend the Purse Building Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the northeast corner of Elm Street and Record Street with consideration being given to amending Division 51A-7.1007.1 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
SPSD189-004

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 8, 2019**

ACM: Michael Mendoza

FILE NUMBER: SPSD189-004 **DATE INITIATED:** January 23, 2019

LOCATION: Northeast corner of Elm Street and Record Street

COUNCIL DISTRICT: 14 **MAPSCO:** 45 P

SIZE OF REQUEST: Approx .2296 acres **CENSUS TRACT:** 31.01

REQUEST: A City Council authorized hearing to amend the Purse Building Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 with consideration being given to amending Division 51A-7.1007.1 of the Dallas Development Code by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District.

SUMMARY: The City Council authorized a hearing to consider amending the Purse Building Subdistrict within the West End Sign District to remove the requirement that each change of face be found compatible with the West End Historic District by the Landmark Commission. Each change of face would be processed as a routine maintenance certificate of appropriateness by staff.

CPC RECOMMENDATION: Approval.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- On June 22, 2016, the City Council approved the Antioch Church Subdistrict to allow one supergraphic sign on the east façade of the structure.

- The West End SPSD allows supergraphics in two subdistricts – the Purse Building Subdistrict and the Antioch Church Subdistrict.

- Currently in the Purse Building Subdistrict, a certificate of appropriateness (CA) for the installation of the supporting equipment for a supergraphic sign is required by the Landmark Commission. The Landmark Commission must also determine if the supergraphic is compatible with the West End Historic District.

- On January 23, 2019, the City Council authorized a hearing to consider eliminating the requirement that the Landmark Commission determine the supergraphic is compatible with the West End Historic District but that the change of face follow the same procedure as the supergraphic in the Harwood Historic District in the Downtown SPSD. Staff reviews the change of face through a routine maintenance CA.

- City Council authorized a hearing to consider the same change to the Antioch Church Subdistrict.

- On March 12, 2019, SSDAC recommended denial of the amendment. The Committee indicated having the supergraphic be historically compatible and reminiscent of a sign during the period of significance for the West End Historic District was paramount in their recommending approval of the supergraphics initially

STAFF ANALYSIS:

The request site is developed with a building constructed in 1905, commonly known as the Purse Building. There is an old sign for the Purse Company painted on the east façade that will remain on the building and will not be covered by the proposed supergraphic. The lot to the east of the Purse Building is developed with a one-story restaurant and a parking lot.

The owner indicated in the request to create the subdistrict to allow the supergraphic that the supergraphic would serve as an income generator to help preserve the building for adaptive reuse. The applicant stated the supergraphic would “improve the visual appearance of the party wall by covering the common party wall brick” and create a historically compatible feature on a party wall.” Further, the supergraphic cannot obscure the existing painted sign on the east façade.

The condition requiring the Landmark Commission to determine if the sign was compatible with the West End Historic District was included in the original request to help ensure the supergraphic sign would be more creative and blend better in the

historic district. The applicant submitted a proposed sign with the original packet that had a look of the old painted advertisements instead of the modern signs in downtown.

The owner received a certificate of appropriateness (CA) for the fastening system but has not applied to have a sign installed.

City Council's motion for the authorization included following the same historic certificate of appropriateness process that staff does with the supergraphic on the building in the Harwood District downtown. The first supergraphic for the building in the Harwood District received a Landmark Commission approved CA since it included the hardware for the sign. Each change of face is reviewed by historic preservation staff.

Comparison of supergraphic sign regulations

	Antioch Church Subdistrict – West End	Purse Building Subdistrict – West End	Downtown SPSD	Market Center Subdistrict Farmers Market
Number	1 (east façade)	1 (east façade)	22	2
Size	2,500 sf - 6,500 sf	2,500 sf - 6,500 sf	2,500 sf minimum Must cover at least 60% of façade.	No limit
Display duration	Six months	No limit	Four months	Four months
Sunset	9-27-2027	Does not sunset	7-31-2019	Does not sunset
Other		May not cover existing painted sign.	No more than two signs per building – not on same façade.	

*Downtown supergraphic sign regulations sunset on July 31, 2019. Pending Council before May 22, 2019.

CPC action
April 18, 2019

Motion: It was moved to recommend **approval** of an amendment to Division 51A-7.1007.1 of the Dallas Development Code, the Purse Building Subdistrict, by eliminating the requirement that the Landmark Commission must determine a supergraphic sign is compatible with the West End Historic District within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay No. 2 on the northeast corner of Elm Street and Record Street.

Maker: Ridley
Second: Murphy
Result: Carried: 12 to 1

For: 12 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Lewis, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 1 - Jung
Absent: 0
Vacancy: 2 - District 7, District 12

Notices:	Area:	200	Mailed:	38
Replies:	For:	0	Against:	0

Speakers: For: Robert Fiedler, 9002 Middlebie Dr., Austin, TX, 78750
Against: None
Against (Did not speak): James Fagan, 509 Elm St., Dallas, TX, 75202

East Facade


FURNITURE
FLOOR COVERINGS
DISTRIBUTORS
FOR OVER
AMERICA'S
GREATEST FURNITURE
MANUFACTURERS
SECOND
SPILL

East façade with example of sign
(photo and rendering provided by the applicant)



Staff's Proposed Amendments

Division 51A-7.1000 West End Historic Sign District

Section 51A-7.1007.1 PURSE BUILDING SUBDISTRICT

a) In general. Except as otherwise provided in this division, the requirements of the West End Historic Sign District apply in this subdistrict.

b) Definitions. In this subdistrict

1) SUPERGRAPHIC SIGN means a large attached premise or non-premise sign on a mesh or fabric surface, or a projection of a light image onto a wall face without the use of lasers, or painted on vinyl adhesive signage.

2) WALL FACE means an uninterrupted blank plane of a wall, from vertical edge to vertical edge, from its highest edge to its lowest edge. Edges can be established by a distinct change in materials or off-set which runs across (transects) the entire wall in a straight line.

c) Supergraphic sign

1) Number. A maximum of one supergraphic sign is permitted.

2) Visual display and coverage.

A) The supergraphic sign must have one large visual display with a minimum of 80 percent non-textual graphic content (no more than 20 percent text).

(i) Multiple displays giving an appearance of multiple signs are prohibited.

(ii) 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.

B) The supergraphic sign is intended to be creative and artful and not strictly a representation of an advertised product. It is the intent of this provision to:

(i) encourage the use of illustrative images or other non-repetitive design elements;

(ii) encourage visually interesting, vibrant, and colorful designs;

(iii) discourage use of solid colors or repetitive design elements; and

(iv) discourage an image of a single product or logo without other graphic elements.

C) The supergraphic sign may be internally or externally illuminated. If internally illuminated, a supergraphic sign may consist of translucent materials, but not transparent materials.

D) The supergraphic sign may not extend beyond the edge of the face of the building to which it is attached.

3) Effective area. The minimum permitted effective area is 2,500 square feet and the maximum permitted effective area is 6,500 square feet.

4) Height. The supergraphic sign may not be lower than 10 feet above grade level.

5) Location. The supergraphic sign may only be located on the east façade of the building.

6) Additional provisions.

~~A) The supergraphic sign is intended to be compatible with the West End Historic District as determined by the Landmark Commission.~~

~~B)~~ (A) All hardware fasteners for the supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.

~~C)~~ (B) The supergraphic sign may not be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102.

~~D)~~ (C) The existing painted sign on the east façade must remain uncovered and visible.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 23, 2019

19-0220

MISCELLANEOUS HEARINGS

Item 67: A public hearing to receive comments on and consideration of authorizing a public hearing to amend the Purse Building Subdistrict within the West End Historic Sign District on property zoned a CA-2(A) Central Area District with Historic Overlay District No. 2, the West End Historic District, on the northeast corner of Elm Street and Record Street; consideration is to be given to amending Section 51A-7.1007.1 of the Dallas Development Code by eliminating the requirement that the landmark commission must determine a supergraphic sign is compatible with the West End Historic District - Financing: No cost consideration to the City (via Councilmembers Griggs, Kingston, Clayton, Narvaez, Greyson)

No one addressed the city council on the item.

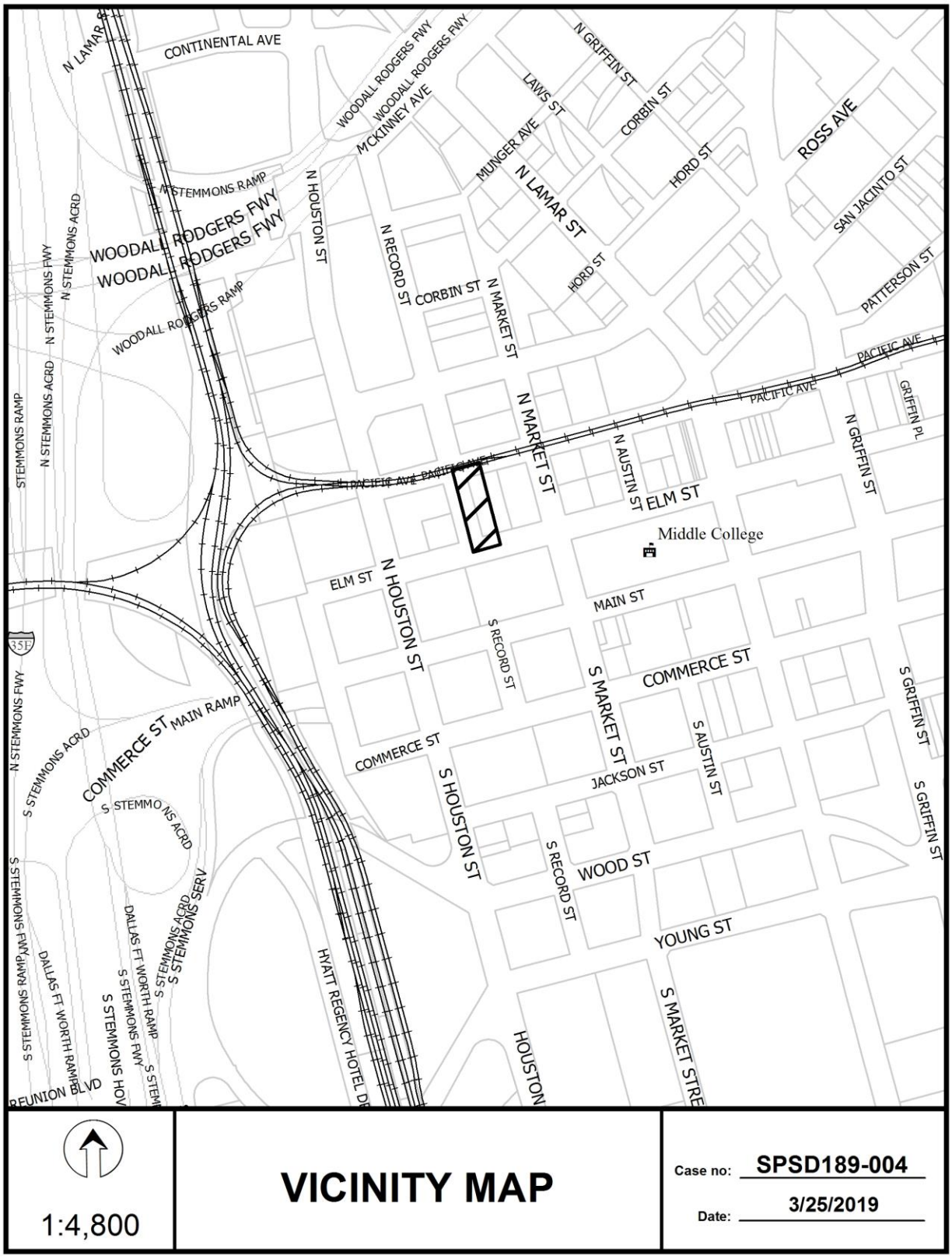
Councilmember Kingston moved to close the public hearing and adopt the item with the following change:

- To have the process for this building [Purse Building Subdistrict within the West End Historic Sign District] be the same as the buildings in the Harwood Historic District; which is a staff review.

Motion seconded by Councilmember Narvaez.

After discussion, Presiding Officer Medrano called a vote and declared the item amended on a divided vote with Councilmembers Arnold and Kleinman voting "No." (Thomas absent when vote taken; *Rawlings absent on city business)

***Absent on city business per Section 4.11 (b)(1) of the City Council Rules of Procedure.**


N LAMAR ST
CONTINENTAL AVE
WOODALL RODGERS FWY
MCKINNEY AVE
N GRIFFIN ST
LAWS ST
MUNGER AVE
CORBIN ST
ROSS AVE
HORD ST
SAN JACINTO ST
PATTERSON ST
N STEMMONS RAMP
N STEMMONS ACRD
N STEMMONS FWY
N HOUSTON ST
N RECORD ST
CORBIN ST
N MARKET ST
PACIFIC AVE
GRIFFIN PL
N AUSTIN ST
ELM ST
Middle College
MAIN ST
S RECORD ST
COMMERCE ST
S MARKET ST
S AUSTIN ST
S GRIFFIN ST
JACKSON ST
S HOUSTON ST
WOOD ST
YOUNG ST
S STEMMONS ACRD
S STEMMONS FWY
S STEMMONS RAMP
DALLAS FT WORTH RAMP
REUNION BLVD
HYATT REGENCY HOTEL DR
HOUSTON
S MARKET STRE
1:4,800
VICINITY MAP
Case no: SPSD189-004
Date: 3/25/2019

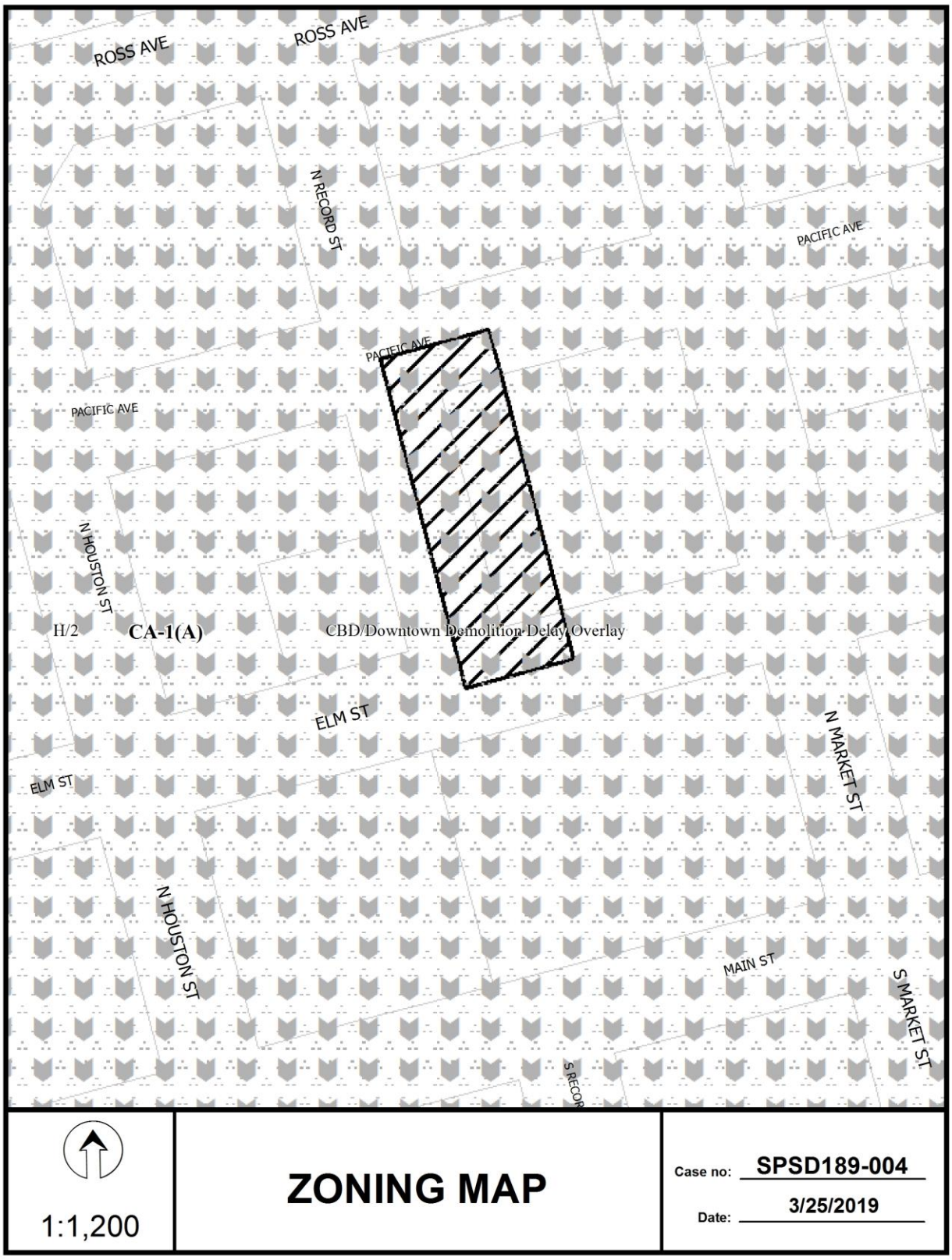


1:1,200

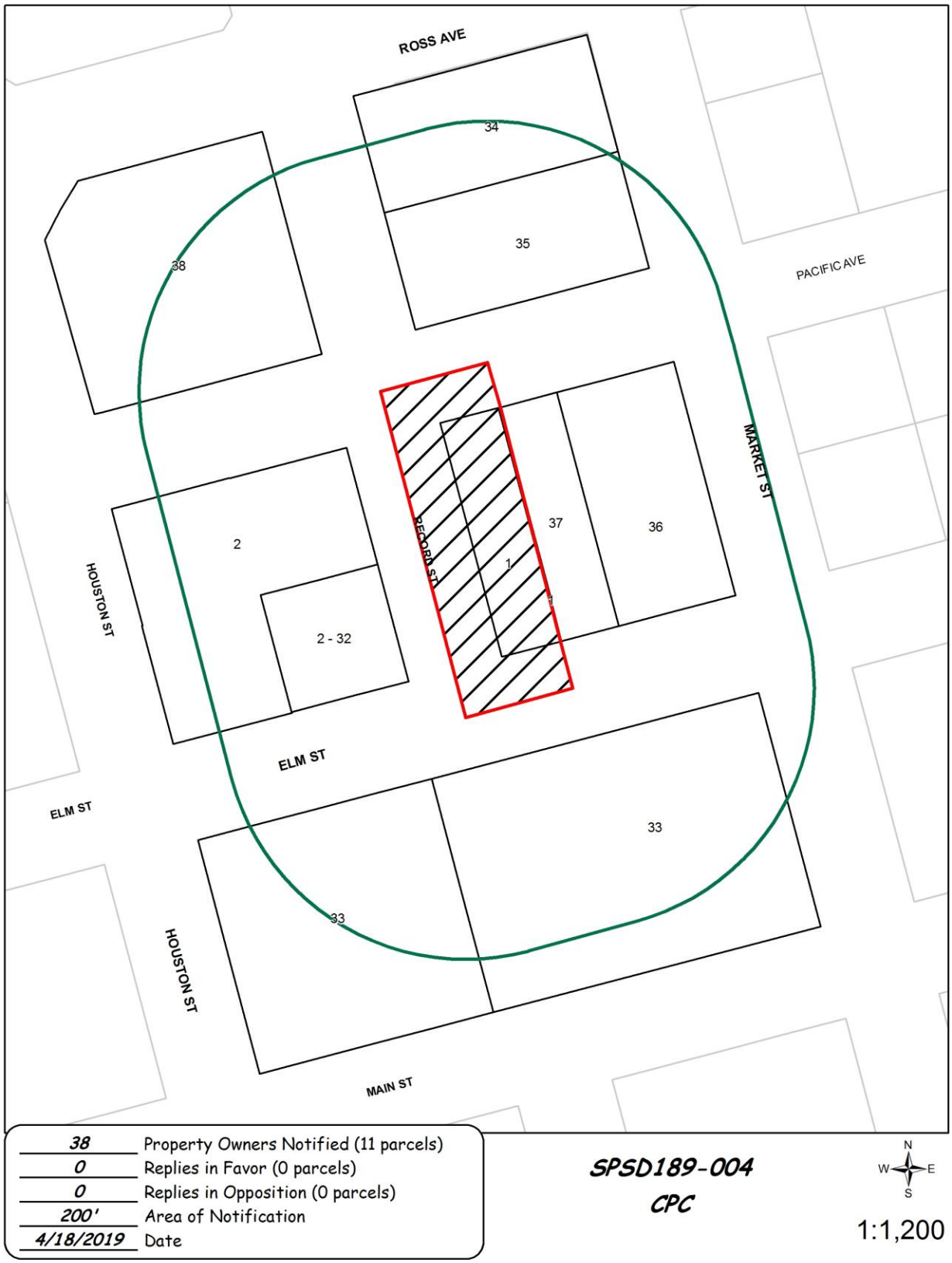
AERIAL MAP

Case no: SPSD189-004

Date: 3/25/2019


ROSS AVE
ROSS AVE
N RECORD ST
PACIFIC AVE
PACIFIC AVE
PACIFIC AVE
N HOUSTON ST
H/2
CA-1(A)
CBD/Downtown Demolition Delay Overlay
ELM ST
ELM ST
N MARKET ST
N HOUSTON ST
MAIN ST
S MARKET ST
1:1,200
ZONING MAP
Case no: SPSD189-004
Date: 3/25/2019

CPC RESPONSES



04/17/2019

Reply List of Property Owners

SPSD189-004

38 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	605	ELM ST	PRESERVE PURSE LLC
	2	501	ELM ST	501 ELM 211 RECORD OWNER LP
	3	509	ELM ST	SHIELLS THEODORE & EVA A
	4	509	ELM ST	CHOATE JAMES EDWARD
	5	509	ELM ST	PICKERING GREGORY &
	6	509	ELM ST	STANLEY JAMES M
	7	509	ELM ST	BAGBY JAMES DOUGLAS & NAOKO SUZUKI
	8	509	ELM ST	BLAIR CARY &
	9	509	ELM ST	DOWL SOPHIA
	10	509	ELM ST	WIRZ CHARLES
	11	509	ELM ST	NOVEMBER SON RESIDENCE TRUST
	12	509	ELM ST	CONNELL JOHN
	13	509	ELM ST	SCHMITZ CATHY ANN
	14	509	ELM ST	FAGAN REVOCABLE TR
	15	509	ELM ST	TROUPE GUY H
	16	509	ELM ST	FORREST MATHEW
	17	509	ELM ST	PROKUP RICHARD J & KERRY
	18	509	ELM ST	MANJREKAR ASHISH T
	19	509	ELM ST	FLEISIG ALEXIS
	20	509	ELM ST	MILLER DAVID
	21	509	ELM ST	NEDBOR WENDY
	22	509	ELM ST	HAN JACQUELINE
	23	509	ELM ST	GARZA RUBEN A & LINH T
	24	509	ELM ST	GANTT WHITNEY
	25	509	ELM ST	TOMES ROBERT B ET AL
	26	509	ELM ST	SANDERS JENNIFER HABICHT

04/17/2019

Reply	*Label #*	*Address*		*Owner*
	27	509	ELM ST	HARKIN ANGELIQUE M
	28	509	ELM ST	MOULDEN DOUG
	29	509	ELM ST	CROSS JEFFERY T
	30	509	ELM ST	SELLERS STEPHEN B &
	31	509	ELM ST	DEMARCO CHILDRENS TRUST
	32	509	ELM ST	HUNCHAREK BARBARA
	33	500	ELM ST	County of Dallas
	34	311	N MARKET ST	WEST END OFFICE PROPERTIES LLC
	35	301	N MARKET ST	DALLAS COUNTY COMMUNITY
	36	611	ELM ST	7223 L P
	37	605	ELM ST	609 ELM LLC
	38	515	ROSS AVE	DALLAS HOLOCAUST MUSEUM CENTER FOR

Agenda Information Sheet

File #: 19-610 **Item #:** 34.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Fire-Rescue Department

EXECUTIVE: Jon Fortune

SUBJECT

A public hearing to receive comments on an amendment to Chapter 16, "Dallas Fire Code," of the Dallas City Code, **(1)** decreasing the hourly standby personnel fee; **(2)** providing a definition of alternative standby personnel; **(3)** allowing alternative standby personnel to conduct fire watch duties; **(4)** requiring standby personnel and alternative standby personnel to have a minimum of two means of contact the fire department; and **(5)** providing minimum qualifications of alternative standby personnel; and, at the close of the public hearing an ordinance granting an amendment to Chapter 16, "Dallas Fire Code", of the Dallas City Code - Financing: This action has no cost consideration to the City (see Fiscal Information for cost consideration to others)

BACKGROUND

In 1999, Dallas Fire-Rescue (DRF) battled a 7-alarm fire at 2500 Gould Street, a two-story manufacturing facility. Business was placed on notice to correct fire code violations and to provide a fire watch by qualified personnel chosen by the business. A fire investigation revealed a lack of proper fire watch protocol by the property's assigned personnel.

DFR proposed an amendment to the 2000 International Fire Code during adoption phase to only allow "qualified fire service personnel" to conduct fire watch activities.

In 2003, the Dallas City Council approved this revision, along with all proposed amendments for the adoption of the 2000 International Fire Code.

During the Public Safety and Criminal Justice Committee meeting on November 26, 2018, a request was brought forward to DFR to explore options for conducting fire watches with alternative personnel (non-DFR). This option was requested because of concerns brought forward to the committee from private entities due to fees incurred from fire watches.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2016, City Council authorized an amendment to Chapter 16, “Dallas Fire Code,” of the Dallas City Code, as amended, by approving an ordinance adopting, with local amendments, the 2015 Edition of the International Fire Code of the International Code Council by Resolution No. 16-1124; Ordinance No. 30135.

The Public Safety and Criminal Justice Committee was briefed on the proposed changes to Fire Watch procedures on January 14, 2019.

The Public Safety and Criminal Justice Committee was briefed on the updated proposed ordinance amending Fire Watch procedures on March 25, 2019.

FISCAL INFORMATION

This action has no cost consideration to the City. This item will decrease the hourly fire watch fee to $110 per hour where a fire code official deems it necessary for fire service personnel to provide a fire watch. Additionally, this item will allow the fire code official to permit the use of alternative standby personnel, to be fully paid for by the property owner, in compliance with this ordinance, including providing two means of contacting 911. Finally, this item establishes a fine, upon conviction, not to exceed $2,000 for violating a provision of this ordinance.

powered by Legistar™

4-11-19

ORDINANCE NO. _____

An ordinance amending Chapter 16, "Dallas Fire Code," of the Dallas City Code, as amended by amending Sections 105, 202, 403, and 901; decreasing the hourly standby personnel fee; providing a definition of alternative standby personnel; allowing alternative standby personnel to conduct fire watch duties; requiring standby personnel and alternative standby personnel to have a minimum of two means of contact the fire department; providing minimum qualifications of alternative standby personnel; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have posted the required notice and have held the required public hearing regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subsection 105.8 "Fees and Permits Schedule," of Section 105, "Permits and Fees," of Part 2, "Administrative Provisions," of Chapter 1, "Scope and Administration," of Chapter 16, "Dallas Fire Code," of the Dallas City Code is amended to read as follows:

"**105.8 Fees and permits schedule.** An applicant for a permit required by Section 105.6 shall pay, upon issuance of the permit, a nonrefundable permit fee in accordance with the following schedule.

1. Acetylene generator, annual	$300.00
2. Aerosol products, annual	$250.00
3. Air curtain incinerator/pit/trench burn, daily	$404.00
4. Amusement building, annual	$150.00
5. Asphalt (tar) kettles, annual	$199.00
6. Aviation facilities, annual	$300.00
7. Calcium carbide storage, annual	$300.00
8. Candle and open flames	$125.00
9. Carnivals and fairs, daily	$200.00

10. Combustible storage (miscellaneous), annual	$250.00
11. Commercial cooking fire-extinguishing system	$267.00
12. Compressed gas filling/storage/use, annual	$250.00
13. Cryogenic fluids, annual	$250.00
14. Dry cleaning plant, annual	$300.00
15. *Explosive*/blasting, daily	$450.00
16. Fireworks/*explosive* storage, daily	$300.00
17. Fireworks/*explosive* transportation, daily	$300.00
18. Fireworks display (initial)	$500.00
19. Fireworks display (subsequent)	$300.00
20. Flammable and combustible liquids, annual	$250.00
21. Floor/wall finishing	$150.00
22. Fruit and crop ripening, annual	$279.00
23. Hazardous materials, annual	$550.00
24. Hazardous production material (HPM), annual	$550.00
25. High-piled storage, annual	$200.00
26. Industrial oven, annual	$250.00
27. Limited access gates, annual	
(1 to 3 gates)	$250.00
(4 to 7 gates)	$300.00
(8 or more gates)	$400.00
28. Liquid- or gas-fueled vehicles or equipment in assembly buildings, per event:	
(1 to 10 vehicles or pieces of equipment)	$200.00
(11 to 30 vehicles or pieces of equipment)	$300.00
(31 to 400 vehicles or pieces of equipment)	$400.00
(over 400 vehicles or pieces of equipment)	$500.00
29. LP-gas storage/use	$254.00
30. LP-gas demonstration/portable cooking (CART)	$150.00
31. LP-gas demonstration/portable cooking (VEHICLE)	$300.00
32. Lumber yards and woodworking plants, annual	$269.00
33. Magnesium, annual	$250.00
34. Mobile fueling	
(site survey), annual	$400.00
(vehicle inspection) annual	$300.00
35. Open burning/recreational fires	$250.00
36. Private fire hydrant and water supplies, annual	$350.00
37. Pyrotechnic special effects material, daily:	
Initial performance	$300.00
Subsequent performances	$300.00
38. Refrigeration equipment, annual	$205.00
39. Scrap tire storage, annual	$200.00
40. Spray painting/dipping, annual	$200.00
41. Standby personnel:[~~,~~]	
H[~~h~~ourly	$110.00 [~~$150.00~~]
New construction re-tests	$622.00

42. State licensed facilities	
(child care facility, 35 children or fewer), annual	$150.00
(child care facility, more than 35 children), annual	$200.00
(residential care faci1ity, annual	$200.00
(small assisted living), annual	$200.00
(adult day care facility), annual	$200.00
43. Temporary membrane structures and tents,	
Including plan review (per event)	$300.00
44. Tire-rebuilding plant, annual	$200.00
45. Torch and open flames	$200.00
46. Waste handling, annual	$250.00
47. Welding/cutting/hotworks	$194.00”

SECTION 2. That Subsection 105.8, “Standby Personnel/Fire Watch Fee,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is deleted as follows:

“[~~**105.8 Standby Personnel/Fire Watch fee.** The standby personnel/fire watch fees shall be calculated as follows:~~

~~New Construction Staffing - Regular hours, per inspector per hour~~	~~$ 120.00~~
~~New Construction Staffing - Overtime hours, per inspector per hour~~	~~$ 120.00~~
~~New Construction Re-tests (fee)~~	~~$ 622.00~~
~~Special Event/Trade Show Staffing - Regular hours, per inspector per hour~~	~~$ 120.00~~
~~Special Event/Trade Show Staffing - Overtime hours, per inspector per hour~~	~~$ 120.00~~
~~Standby Personnel/Fire Watch Staffing - Regular hours, per inspector per hour~~	~~$ 120.00~~
~~Standby Personnel/Fire Watch Staffing - Overtime hours, per inspector per hour~~	~~$ 120.00~~

~~105.8.1 **When required.** Whenever a building or premises in the city is required to provide standby personnel or a fire watch, the owner, occupant, operator or other responsible person shall pay to the fire department a fee in accordance with the following schedule.~~

~~105.8.2 **Failure to pay.** A person commits an offense if he fails to pay the fee assessed under Section 105.8.1 to the Dallas Fire-Rescue Department within 30 calendar days after the date of services provided.~~]”

SECTION 3. That Section 202, "General Definitions," of Chapter 2, "Definitions," of Chapter 16, "Dallas Fire Code," of the Dallas City Code is amended by adding a new definition of "alternative standby personnel" to read as follows:

"**ALTERNATIVE STANDBY PERSONNEL.** Standby personnel not employed by Dallas Fire Rescue that meet the minimum qualifications in Section 403.12.1.3."

SECTION 4. That Paragraph 403.12.1, "Standby Personnel," of Subsection 403.12, "Special Requirements of Public Safety," of Section 403, "Emergency Preparedness Requirements," of Chapter 4, "Emergency Planning and Preparedness," of Chapter 16, "Dallas Fire Code," of the Dallas City Code is amended to read as follows:

"**403.12.1 Standby personnel.** Where, in the opinion of the *fire code official*, it is essential for public safety in a place of assembly, occupied building, or any other place where people congregate, because of the number of persons, failure of life safety systems, or the nature of the performance, exhibition, display, contest or activity, the *owner*, agent or lessee shall provide one or more *standby personnel*, as required and *approved*. *Standby personnel* shall comply with Sections 403.12.1.1 and 403.12.1.2. During times when a property owner elects to use standby personnel that is not employed by Dallas Fire Rescue, *alternative standby personnel* may be used. *Alternative standby personnel* must meet the qualifications in Section 403.12.1.3.

The *fire code official* reserves the authority to designate fire service personnel exclusively to conduct a fire watch when the *fire code official*:

1. determines that the system impairment presents an increased risk to the public or occupants within a large public venue or event; or

2. has just cause to believe *alternative standby personnel* have not or cannot conduct the fire watch protocols properly.

The *fire code official* reserves the authority to monitor all fire watches conducted by *alternative standby personnel*. Failure to properly follow the listed fire watch protocols by *alternative standby personnel* may result in a municipal citation to the person in control of the facility at the time of the infraction. After a citation has been issued, a subsequent failure to properly follow the listed fire watch protocols may result in the immediate forfeiture of the use of *alternative standby personnel* and subsequent fire watch duties may be conducted exclusively by Dallas Fire Rescue personnel for the duration of the fire watch.

403.12.1.1 Duty times. *Standby personnel*, or *alternative standby personnel*, shall remain on duty while places requiring a fire watch are open to the public, occupied, or when an

activity requiring a fire watch is being conducted. The *fire code official* must give final onsite approval of the functionality of life safety systems repaired or replaced before a fire watch may be terminated.

403.12.1.2 Duties. On-duty *standby personnel*, including *alternative standby personnel*, shall have the following responsibilities:

1. Keep diligent watch for fires, obstructions to means of egress and other hazards.

2. Take prompt measures for remediation of hazards and extinguishment of fires that occur.

3. Take prompt measures to assist in the evacuation of the public from the structures.

4. Be capable of performing the sole duty of providing a fire watch.

5. For alternative standby personnel, provide a schedule of personnel shifts to the fire official 24 hours in advance of each day of fire watch operations.

403.12.1.3 **Alternative standby personnel qualifications.** *Alternative standby personnel* shall meet the following qualifications:

1. Must be at least 21 years of age.

2. Must be familiar with the layout of the facility.

3. Must be physically capable of performing the fire watch duties, including walking and climbing stairs.

4. Must be capable of performing continuous intervals of monitoring.

5. Must be equipped with at least two means of contacting 911.

6. Must be familiar with functionality of the life safety systems onsite, both operational and non-operational.

7. Must be familiar with and trained in the use of portable fire extinguishers."

SECTION 5. That Subsection 901.7, "Systems Out of Service," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of Chapter 16, "Dallas Fire Code," of the Dallas City Code is amended to read as follows:

"**901.7 Systems out of service.** Where a required *fire protection system* is out of service, or in the event of an excessive number of accidental activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or *standby personnel* or *alternative standby personnel* shall be provided for all occupants left unprotected until the *fire protection system* has been returned to service.

Where utilized, *standby personnel* or *alternative standby personnel* shall be provided with at least two [~~one~~] *approved* means for notification of the fire department and their only duty shall be to perform patrols of the protected premises and keep watch for fires."

SECTION 6. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.

SECTION 7. That Chapter 16 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. 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 9. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 10. That this ordinance shall take effect on *[30 days after passage of the ordinance]*, in accordance with 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_____

MAY 8, 2019 CITY COUNCIL ADDENDUM
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated May 8, 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

5/3/2019
Date

for Elizabeth Reich
Chief Financial Officer

5/3/19
Date

RECEIVED
2019 MAY -3 PM 3:12
CITY SECRETARY
DALLAS, TEXAS

ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, MAY 8, 2019
CITY OF DALLAS
KLEBERG-RYLIE RECREATION CENTER
1515 EDD ROAD
DALLAS, TX 75253
2:00 P.M.

REVISED ORDER OF BUSINESS

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

2:00 p.m. **INVOCATION AND PLEDGE OF ALLEGIANCE**

OPEN MICROPHONE

CLOSED SESSION

MINUTES Item 1

CONSENT AGENDA Items 2 - 20

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier than 2:15 p.m. Items 21 - 23
Addendum Items 1 - 7

PUBLIC HEARINGS AND RELATED ACTIONS

6:00 p.m. Items 24 - 34
Addendum Item 8

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."

ADDITIONS:

ITEMS FOR INDIVIDUAL CONSIDERATION

Department of Human Resources

1. 19-711 A resolution authorizing a first amendment to the City Manager Agreement of Employment with City Manager T.C. Broadnax to increase his annual base salary in the amount of $11,850.00, effective May 8, 2019 - Not to exceed $11,850.00, from $395,000.00 to $406,850.00 - Financing: General Fund

2. 19-712 A resolution authorizing an increase in the annual base salary of the City Secretary Bilierae Johnson in the amount $7,500.00, effective May 8, 2019 - Not to exceed $7,500.00, from $150,000.00 to $157,500.00 - Financing: General Fund

Municipal Court Judiciary

3. 19-644 A resolution appointing four associate (part-time) hearing officers to preside over the City of Dallas's municipal court of record and shall serve until a successor is recommended by the administrative judge and appointed by the city council - Financing: No cost consideration to the City

4. 19-700 An ordinance establishing the judicial salaries for the administrative judge and full-time municipal judges - Financing: General Fund

Office of Budget

5. 19-603 An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos) pursuant to its January 15, 2019 Dallas Annual Rate Review filing - Financing: No cost consideration to the City

Office of Economic Development

6. 19-679 Authorize a resolution **(1)** designating approximately 390 acres of property generally bounded by State Highway 183 to the west and Interstate Highway 35E to the east in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9"), pursuant to Chapter 378 of the Texas Local Government Code to promote an increase in economic development in the zone, establish the boundaries of the zone, and provide for an effective date; and **(2)** creating a pilot economic development program for City of Dallas NEZ No. 9 to encourage increased economic development in the zone - Financing: No cost consideration to the City (see Fiscal Information)

Police Department

7. 19-621 Authorize **(1)** an application for and acceptance of the "Click It or Ticket" Mobilization Grant (Grant No. 2019-Dallas-CIOT-00005, CFDA No. 20.616) in the amount of $84,990.00 from the Texas Department of Transportation through a grant from the National Highway Traffic Safety Administration for a safety belt enforcement initiative for the period May 17, 2019 through June 5, 2019; **(2)** a City contribution of Federal Insurance Contributions Act costs in the amount of $1,232.36; **(3)** the establishment of appropriations in the amount of $84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund; **(4)** the receipt and deposit of grant funds in the amount of $84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund; and **(5)** execution of the sub-grant agreement and all terms, conditions, and documents required by the grant agreement - Total amount $86,222.36 - Financing: General Fund ($1,232.36) and Texas Department of Transportation Grant Funds ($84,990.00)

PUBLIC HEARINGS AND RELATED ACTIONS

MISCELLANEOUS HEARINGS

Office of Budget

8. 19-680 A public hearing to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

CORRECTION:

Department of Sustainable Development and Construction

29. 19-645 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a Planned Development District for GO(A) General Office District and certain nonresidential uses; **(2)** a resolution terminating the existing deed restrictions [Z845-227]; and **(3)** an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)

Recommendation of Staff: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions

Recommendation of CPC: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions

Z167-180(JM)

Note: This item was considered by the City Council at a public hearing on April 24, 2019, and was deferred ~~held under advisement~~ until May 8, 2019, with the public hearing open

DELETION:

Water Utilities Department

18. 19-544 Authorize a resolution **(1)** reaffirming the protection of the Great Trinity Forest and upholding the multi-purposes of the Great Trinity Forest as outlined in local, state, and federally approved plans, including flood risk management, ecosystem restoration, and recreational enhancements; and **(2)** directing the City Manager to pursue measures to implement the action plans to protect the Great Trinity Forest through local, state and federal partners and resources - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

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]

Addendum Date: May 8, 2019

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	I	PER	$11,850.00	A resolution authorizing a first amendment to the City Manager Agreement of Employment with City Manager T.C. Broadnax to increase his annual base salary in the amount of $11,850.00, effective May 8, 2019 - Not to exceed $11,850.00, from $395,000.00 to $406,850.00 - Financing: General Fund
2.	N/A	I	PER	$7,500.00	A resolution authorizing an increase in the annual base salary of the City Secretary Bilierae Johnson in the amount $7,500.00, effective May 8, 2019 - Not to exceed $7,500.00, from $150,000.00 to $157,500.00 - Financing: General Fund
3.	N/A	I	CTJ	NC	A resolution appointing four associate (part-time) hearing officers to preside over the City of Dallas's municipal court of record and shall serve until a successor is recommended by the administrative judge and appointed by the city council - Financing: No cost consideration to the City
4.	N/A	I	CTJ	TBD	An ordinance establishing the judicial salaries for the administrative judge and full-time municipal judges - Financing: General Fund
5.	N/A	I	BMS	NC	An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos) pursuant to its January 15, 2019 Dallas Annual Rate Review filing - Financing: No cost consideration to the City
6.	6	I	ECO	NC	Authorize a resolution (1) designating approximately 390 acres of property generally bounded by State Highway 183 to the west and Interstate Highway 35E to the east in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9"), pursuant to Chapter 378 of the Texas Local Government Code to promote an increase in economic development in the zone, establish the boundaries of the zone, and provide for an effective date; and (2) creating a pilot economic development program for City of Dallas NEZ No. 9 to encourage increased economic development in the zone - Financing: No cost consideration to the City (see Fiscal Information)
7.	All	I	DPD	$1,232.36	Authorize (1) an application for and acceptance of the "Click It or Ticket" Mobilization Grant (Grant No. 2019-Dallas-CIOT-00005, CFDA No. 20.616) in the amount of $84,990.00 from the Texas Department of Transportation through a grant from the National Highway Traffic Safety Administration for a safety belt enforcement initiative for the period May 17, 2019 through June 5, 2019; (2) a City contribution of Federal Insurance Contributions Act costs in the amount of $1,232.36; (3) the establishment of appropriations in the amount of $84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund;

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					(4) the receipt and deposit of grant funds in the amount of $84,990.00 in the "Click It or Ticket" FY19 Mobilization Grant Fund; and (5) execution of the sub-grant agreement and all terms, conditions, and documents required by the grant agreement - Total amount $86,222.36 - Financing: General Fund ($1,232.36) and Texas Department of Transportation Grant Funds ($84,990.00)
8.	N/A	PH	BMS	NC	A public hearing to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

TOTAL $20,582.36

Agenda Information Sheet

File #: 19-711 **Item #:** 1.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Department of Human Resources

EXECUTIVE: T.C. Broadnax

SUBJECT

A resolution authorizing a first amendment to the City Manager Agreement of Employment with City Manager T.C. Broadnax to increase his annual base salary in the amount of $11,850.00, effective May 8, 2019 - Not to exceed $11,850.00, from $395,000.00 to $406,850.00 - Financing: General Fund

BACKGROUND

This item is on the addendum at the request of the City of Dallas, Mayor Mike Rawlings.

On April 24, 2019, City Council evaluated the performance of City Manager T.C. Broadnax. As a result of this annual performance review, the city manager's annual base salary will be increased by $11,850.00.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 14, 2016, City Council appointed T.C. Broadnax as City Manager of the City of Dallas, effective February 1, 2017, and authorized execution of the City Manager Agreement of Employment, by Resolution No. 16-2003.

On May 2, 2018, and April 24, 2019, City Council conducted performance reviews of City Manager T.C. Broadnax.

FISCAL INFORMATION

General Fund - $11,850.00

May 8, 2019

WHEREAS, on December 14, 2016, City Council appointed T.C. Broadnax as City Manager of the City of Dallas, effective February 1, 2017, and authorized execution of the City Manager Agreement of Employment, by Resolution No. 16-2003, which established his annual base salary at $375,000.00, with a base salary increase of $20,000.00 on February 1, 2018; and

WHEREAS, on May 2, 2018, and April 24, 2019, the City Council conducted performance reviews of the City Manager and recommended an increase of $11,850.00 in his annual base salary of $395,000.00.

Now, Therefore,

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

SECTION 1. That City Manager T.C. Broadnax receive an increase in his annual base salary in the amount of $11,850.00, from $395,000.00 to $406,850.00 effective May 8, 2019.

SECTION 2. That an Assistant City Manager is hereby authorized to execute the first amendment to the City Manager Agreement of Employment with T.C. Broadnax reflecting the base salary compensation adjustment authorized by the City Council.

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.

City of Dallas

1500 Marilla Street
Dallas, Texas 75201

Agenda Information Sheet

File #: 19-712 **Item #:** 2.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Department of Human Resources

EXECUTIVE: T.C. Broadnax

SUBJECT

A resolution authorizing an increase in the annual base salary of the City Secretary Bilierae Johnson in the amount $7,500.00, effective May 8, 2019 - Not to exceed $7,500.00, from $150,000.00 to $157,500.00 - Financing: General Fund

BACKGROUND

This item is on the addendum at the request of the City of Dallas, Mayor Mike Rawlings.

On April 24, 2019, City Council evaluated the performance of City Secretary Bilierae Johnson. As a result of this annual performance review, the city secretary's annual base salary will be increased by $7,500.00.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 11, 2018, City Council appointed Bilierae Johnson as City Secretary for the City of Dallas for a two-year term beginning on April 11, 2018, at a base salary of $150,000.00.

On April 24, 2019, City Council conducted a performance review of City Secretary Bilierae Johnson.

FISCAL INFORMATION

General Fund - $7,500.00

May 8, 2019

WHEREAS, on April 11, 2018, City Council appointed Bilierae Johnson as City Secretary of the City of Dallas for a two-year term beginning on April 11, 2018, and established her annual base salary of $150,000.00; and

WHEREAS, on April 24, 2019, the City Council conducted a performance review of the City Secretary and recommended an increase of $7,500.00 in her annual base salary of $150,000.00.

Now, Therefore,

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

SECTION 1. That City Secretary Bilierae Johnson receive an increase in her annual base salary in the amount of $7,500.00, from $150,000.00 to $157,500.00 effective May 8, 2019.

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 #: 19-644 **Item #:** 3.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Municipal Court Judiciary

EXECUTIVE: Preston Robinson

SUBJECT

A resolution appointing four associate (part-time) hearing officers to preside over the City of Dallas's municipal court of record and shall serve until a successor is recommended by the administrative judge and appointed by the city council - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum per the Ad Hoc Nominations Committee.

Section 27-16.17 of the Dallas City Code provides that hearing officers shall be recommended by the administrative judge and appointed by the city council, and shall serve until a successor is recommended by the administrative judge and appointed by the city council. The city council shall appoint one hearing officer and may appoint a maximum of five associate (part-time) hearing officers, who shall have the same qualifications and have the same powers, duties, and functions of the hearing officer.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 28, 2016, City Council passed an ordinance amending Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code to provide that hearing officers shall be recommended by the administrative judge and appointed by the city council, and shall serve until a successor is recommended by the administrative judge and appointed by the city council.

On March 13, 2019, the administrative judge and three panel members interviewed 10 of 13 candidates for the associate (part-time) hearing officer positions.

On April 8, 2019, the Ad Hoc Judicial Nominations Committee recommended four nominees to be forwarded to the City Council for consideration and appointment.

FISCAL INFORMATION

No cost consideration to the City.

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May 8, 2019

WHEREAS, Section 27-16.17 of the Dallas City Code provides that hearing officers shall be recommended by the administrative judge and appointed by the city council, and shall serve until a successor is recommended by the administrative judge and appointed by the city council; and

WHEREAS, the city council shall appoint one hearing officer and may appoint a maximum of five associate hearing officers, who shall meet the same qualifications and have the same powers, duties, and functions of the hearing officer; and

WHEREAS, on March 13, 2019, the administrative judge interviewed 10 of 13 candidates for the vacant associate (part-time) hearing officer positions; and

WHEREAS, on April 8, 2019, the Ad Hoc Judicial Nominations Committee considered the recommendations of the administrative judge for the four vacant associate (part-time) hearing officer positions, and forwarded its list of recommendations to the city council; and

WHEREAS, on May 8, 2019, the City Council, at its regularly scheduled meeting, considered the four associate (part-time) judicial hearing officer nominees.

Now, Therefore,

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

SECTION 1. That the following individuals are appointed as associate (part-time) hearing officers for the City of Dallas's municipal court of record, and shall serve until a successor is recommended by the administrative judge and is appointed by the city council:

Lana Novak Byrne
Shereen ElDomeiri
Shasta R. Brown
Rachael Airen

SECTION 2. That it is the intent of the city council that the judicial appointments set forth in this resolution are severable, and if any appointment is declared invalid by the valid judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining judicial appointments, since the same would have been approved by the city council without the invalid appointment.

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

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

BY_____
Assistant City Attorney

Passed_____

Agenda Information Sheet

File #: 19-700 **Item #:** 4.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Municipal Court Judiciary

EXECUTIVE: Preston Robinson

SUBJECT

An ordinance establishing the judicial salaries for the administrative judge and full-time municipal judges - Financing: General Fund

BACKGROUND

This item is being placed on the addendum per the Ad Hoc Nominations Committee.

Chapter 30 Section 30.00006(h) of the Texas Government Code provides that the governing body shall determine the salary of a municipal judge. The amount of a judge's salary may not be diminished during the judge's term of office and the salary may not be based directly or indirectly on fines, fees, or costs collected by the court.

Section 13-5.2(a)(3) of the of the Dallas City Code provides that the Judicial Nominating Commission shall act as an advisory body to the city council and shall review and make recommendations to the city council Ad Hoc Judicial Nominations Committee on the salary structure for municipal judges, including evaluating the feasibility of a merit pay plan.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2018, the city council passed Ordinance No. 30878 appointing the full-time and associate municipal judges and designating an administrative judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2020.

On January 17, 2019, the Judicial Nominating Commission recommended an adjustment of judicial salaries to the Ad Hoc Judicial Nominations Committee.

On April 8, 2019 and April 22, 2019, the Ad Hoc Judicial Nominations Committee considered the recommendations of the Judicial Nominating Commission and forwarded its recommendation to the city council for consideration.

FISCAL INFORMATION

General Fund - FY 2018-19 estimated amount of $113,300.00 to be paid from departmental savings and/or Salary and Benefit Reserve. Full year funding of salary increases in future fiscal years is estimated to be $273,600.00.

5-2-19

ORDINANCE NO. _____

An ordinance amending Ordinance No. 30878, passed by the Dallas City Council on June 13, 2018, as amended by Ordinance No. 30977, passed by the Dallas City Council on September 12, 2018, which appointed certain persons as full-time and associate (part-time) municipal judges for a two-year term ending May 31, 2020; amending the salaries for the administrative judge and full-time municipal judges; and providing an effective date.

WHEREAS, Chapters 29 and 30 of the Texas Government Code and Chapter VII of the Dallas City Charter provide that the municipal court of record be presided over by municipal court judges; and

WHEREAS, the Dallas City Charter provides that the city council shall appoint the municipal court judges and designate the administrative judge biennially in May of each even-numbered year to serve a two-year term; and

WHEREAS, on June 13, 2018, the City Council appointed 10 full-time municipal judges and 18 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2020; and

WHEREAS, after the appointment of the judges to be effective on August 1, 2018, the City was made aware of vacancies created by the resignation of previously appointed municipal judges; and

WHEREAS, on September 12, 2018, the City Council appointed one full-time municipal judge and two associate (part-time) municipal judges to fill the vacancies created by the resignation of previously appointed municipal judges; and

WHEREAS, Section 30.00006(h) of the Texas Government Code provides that the City Council shall determine the salary of a municipal judge; and

WHEREAS, Section 13-5.2(a)(3) of the Dallas City Code provides that the Judicial Nominating Commission shall act as an advisory body to the City Council and review and make recommendations to the City Council Ad Hoc Judicial Nominations Committee on the salary structure for municipal judges; and

WHEREAS, on January 17, 2019, as required by Section 13-5.2(a) the Judicial Nominating Commission recommended an adjustment to judicial salaries to the Ad Hoc Judicial Nominations Committee; and

WHEREAS, on April 8, 2019 and April 22, 2019, the Ad Hoc Judicial Nominations Committee considered the recommendations of the Judicial Nominating Committee and forwarded the recommendation on to the full City Council for consideration; Now, Therefore,

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

SECTION 1. That Section 4 of Ordinance No. 30878, as amended, is amended to read as follows:

"SECTION 4. That the salary is $<u>140,000.00</u> [~~109,242.00~~] per year for the administrative municipal judge, $<u>125,000.00</u> [~~101,198.73~~] per year for full-time municipal judges with two or more years of judicial experience, $<u>115,000.00</u> [~~90,043.20~~] per year for full-time municipal judges with less than two years of judicial experience, $48.65 per hour for associate municipal judges with two or more years of judicial experience, and $43.29 per hour for associate municipal judges with less than two years of judicial experience, in each case the salary to include such adjustments in salaries and number of paid working days and furlough days as are designated by the City of Dallas as to its salaried non-uniformed employees generally."

SECTION 2. 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 #: 19-603 **Item #:** 5.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Budget

EXECUTIVE: Elizabeth Reich

SUBJECT

An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos) pursuant to its January 15, 2019 Dallas Annual Rate Review filing - Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum due to protracted negotiations with Atmos that continued past the period of time necessary to place this item on the regular agenda. Statutory deadline requires the City to take action on this item during May.

Atmos provides natural gas utility service in Dallas in accordance with City Ordinance No. 27793 and Title 3, Subtitle A Texas Utilities Code, Gas Utility Regulatory Act (GURA). On June 22, 2011, the City of Dallas approved Atmos' tariff, Dallas Annual Rate Review (DARR), which provides a mechanism by which Atmos shall file for an annual review of its rates. On January 15, 2019, Atmos filed its rate increase request under the DARR tariff. In its filing, Atmos requested an increase in annual revenue of $10.1 million from within the City of Dallas. Atmos requested that the new rates become effective June 1, 2019.

On October 25, 2017, the City authorized a multiyear contract with Garrett Group LLC (Garrett) to assist City staff in reviewing the DARR filings and gas rate cases. Garrett has expertise in reviewing gas rate cases and is currently assisting the City with the Atmos Pipeline rate case at the Railroad Commission of Texas. After reviewing the rate filing and supplemental information received from Atmos, Garrett determined that the requested rate increase was not justified.

City staff and outside legal counsel met with Atmos on numerous occasions, both in person and by conference call to negotiate a settlement of the pending rate request. However, staff was unable to reach agreement on settlement and the City Manager recommends denial of the requested rates.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will be briefed on the Dallas Annual Rate Review filing on May 6, 2019.

FISCAL INFORMATION

No cost consideration to the City.

Ordinance No. _____

WHEREAS, Atmos Energy Corp., Mid-Tex Division ("Atmos") provides natural gas utility service within the City of Dallas in accordance with Ordinance No. 27793; and

WHEREAS, on June 22, 2011, the City of Dallas adopted Ordinance No. 28281 which established the Dallas Annual Rate Review (DARR) Tariff; and

WHEREAS, Atmos filed for a $10,085,481 annual increase applicable to Dallas customers on January 15, 2019 pursuant to terms of the Dallas Annual Rate Review (DARR) tariff; and

WHEREAS, the City of Dallas has determined that Atmos failed to demonstrate the reasonableness of the requested increase; and

WHEREAS, the existing tariffs authorized by Ordinance No. 30777 adopted February 14, 2018, including tariffs, R-Residential Sales, C-Commercial Sales, I-Industrial Sales and T-Transportation, and rate rider WNA-Weather Normalization Adjustment (Dallas) are determined to be fair and reasonable.

Now, Therefore,

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

SECTION 1. That the rate adjustments and tariffs presented in the "Dallas Annual Rate Review Filing Test Year Ended 9-30-18" filed by Atmos Energy Corp. on January 15, 2019, are unreasonable and are therefore denied in all respects.

SECTION 2. That the City's expenses in reviewing the DARR filing are deemed reasonable and Atmos shall reimburse the City in full for the costs of City's consultants and outside legal counsel.

SECTION 3. That this ordinance 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 ordained.

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

BY:_____
Assistant City Attorney

Passed _____

Agenda Information Sheet

File #: 19-679 **Item #:** 6.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize a resolution **(1)** designating approximately 390 acres of property generally bounded by State Highway 183 to the west and Interstate Highway 35E to the east in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9"), pursuant to Chapter 378 of the Texas Local Government Code to promote an increase in economic development in the zone, establish the boundaries of the zone, and provide for an effective date; and **(2)** creating a pilot economic development program for City of Dallas NEZ No. 9 to encourage increased economic development in the zone - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum per the City Manager's Office.

Chapter 378 of the Texas Local Government Code (the "Act") provides for the creation of Neighborhood Empowerment Zones (NEZs). A Neighborhood Empowerment Zone is a flexible tool that a municipality can utilize to implement an economic development program in a particular area. Pursuant to the Act, a Neighborhood Empowerment Zone can be created to promote any of the following: (1) creation and/or rehabilitation of affordable housing in the zone; (2) an increase in economic development in the zone; or (3) an increase in the quality of social services, education, or public safety for residents of the zone.

With this item, staff is proposing to create NEZ No. 9 for a geographic area approximately 390 acres in size generally located north of the intersection State Highway 183 and Interstate Highway 35E. The area is comprised mostly of office and light industrial uses. There are no residential uses in the proposed NEZ No. 9. Most economic indicators show that the area is in decline.

In conjunction with the designation of NEZ No. 9, staff is proposing the creation of a pilot economic development program to encourage increased economic development in the zone. NEZ No. 9, along with a customized economic development program, is anticipated to stimulate business and commercial activity, retain and grow existing smaller businesses, retain and create jobs, increase

occupancy of existing building space, encourage reinvestment in existing building stock, and incentivize workforce development/job training programs.

For the pilot economic development program, staff is proposing to tailor the minimum project eligibility criteria to support the proposed NEZ No. 9. Instead of the minimum project eligibility criteria for a target area of 25 jobs or $1,000,000.00 of private investment required by the City's Public/Private Partnership Program Guidelines & Criteria, staff is proposing that a project seeking incentives in NEZ No. 9 must create/retain at least 10 jobs or provide at least $250,000.00 of private investment.

For projects that meet the minimum eligibility criteria, the following incentive tools will be available and actively marketed to property owners and businesses within NEZ No. 9 (evaluated on a case-by-case basis based on specifics of each project and incentive application):

- real property tax abatement up to 90% for ten-years;
- business personal property tax abatement up to 50% for five-years;
- grants and loans (pursuant to Chapter 380 of the Texas Local Government Code);
- incentives for workforce development/job training (e.g. businesses within NEZ No. 9 that hire and retain graduates from workforce training programs in the area); and
- other economic development tools (e.g. public improvement district, New Market Tax Credits, Property Assessed Clean Energy (PACE) financing; State of Texas incentives).

Staff recommends creation of Neighborhood Empowerment Zone No. 9 and creation of a pilot economic development program specifically tailored for the zone.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Quality of Life, Arts & Culture Committee was briefed on the Proposed Neighborhood Empowerment Zone No. 9 on April 22, 2019. (see Attachment)

Information about this item will be provided to the Economic Development and Housing Committee on May 6, 2019.

FISCAL INFORMATION

No cost consideration to the City. Any future incentives offered for projects in the proposed NEZ No. 9 will come from existing City funding sources deployed with existing incentive tools.

MAP

Attached

Memorandum

CITY OF DALLAS

DATE April 18, 2019

TO Honorable Members of the Quality of Life, Arts & Culture Committee: Sandy Greyson (Chair), Mark Clayton (Vice Chair), Rickey D. Callahan, Jennifer S. Gates, Scott Griggs, B. Adam McGough, Omar Narvaez

SUBJECT **Proposed Neighborhood Empowerment Zone #9**

On Monday, April 22, 2019, you will be briefed on the Proposed Neighborhood Empowerment Zone #9.

The briefing materials are attached for your review.

Please feel free to contact me if you have any questions or concerns.

Joey Zapata
Assistant City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Bilierae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizor Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager
Jon Fortune, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
Michael Mendoza, Chief of Economic Development and Neighborhood Services
M. Elizabeth Reich, Chief Financial Officer
Laila Alequresh, Chief Innovation Officer
Directors and Assistant Directors

Proposed Neighborhood Empowerment Zone #9

Quality of Life, Arts & Culture Committee
April 22, 2019

Courtney Pogue, Director
Office of Economic Development
City of Dallas

Overview

- Definition of Neighborhood Empowerment Zone (NEZ)
- Purpose for Creation of NEZ
- Analysis of Area Under Consideration
- Proposed NEZ #9 and Pilot Program
- Staff Recommendation
- Next Steps

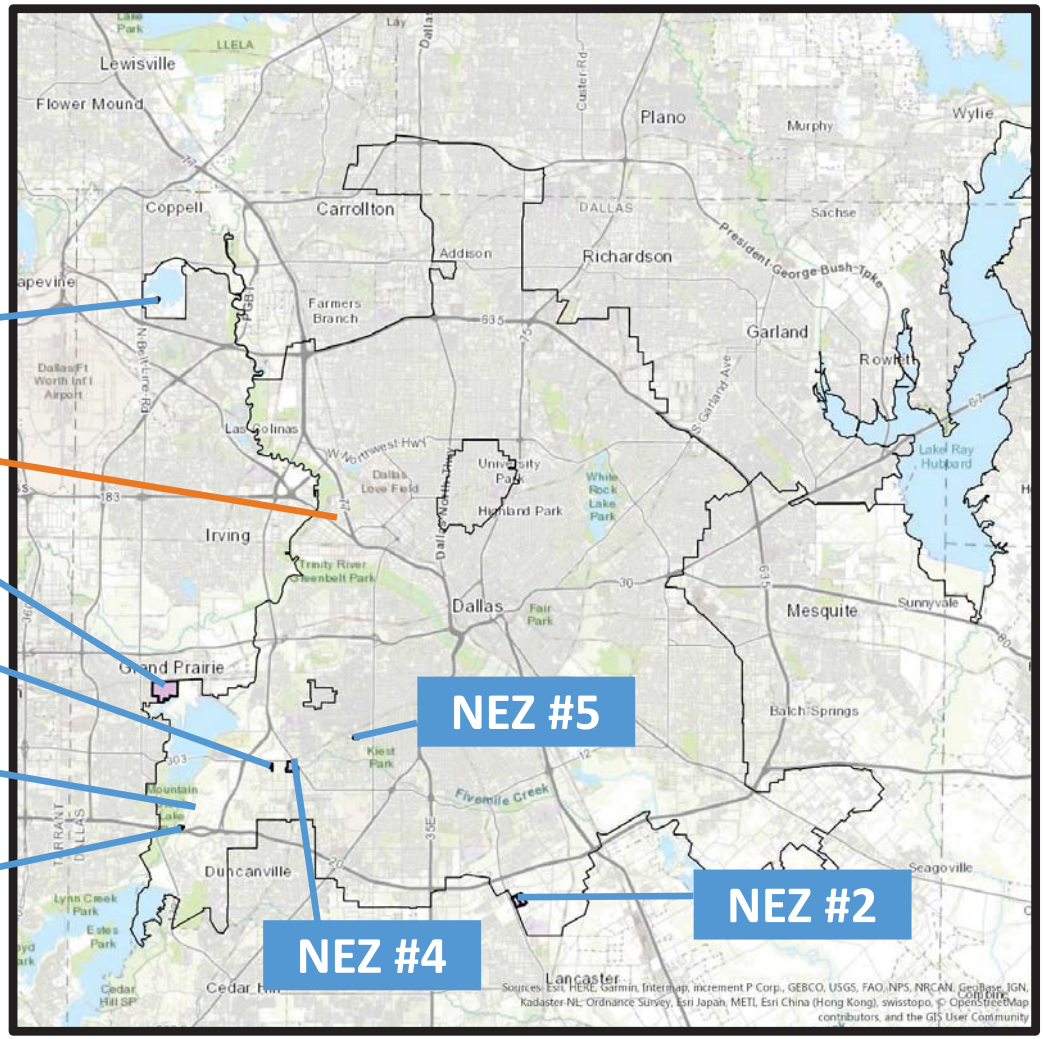
Definition of Neighborhood Empowerment Zones (NEZ)

- Chapter 378 of the Texas Local Government Code provides for the creation of Neighborhood Empowerment Zones (NEZs)
- NEZs must promote any of the following:
  - An increase in economic development in the zone
  - An increase in the quality of social services, education, or public safety for residents of the zone
  - Creation and/or rehabilitation of affordable housing in the zone
- A municipality may create a NEZ by adopting a resolution that:
  - Describes boundaries of the zone
  - Determines that the zone promotes any of the four items listed above
  - Finds that the creation of the zone benefits and is for the public purpose of increasing public health, safety and welfare of persons in the municipality
  - Finds that the zone satisfies requirements of Section 312.202 of the Tax Code (Property Redevelopment and Tax Abatement Act)

Neighborhood Empowerment Zones (NEZs)

8 NEZs created since 2015

- 7 industrial
- 1 office



Purpose for Creation of NEZ

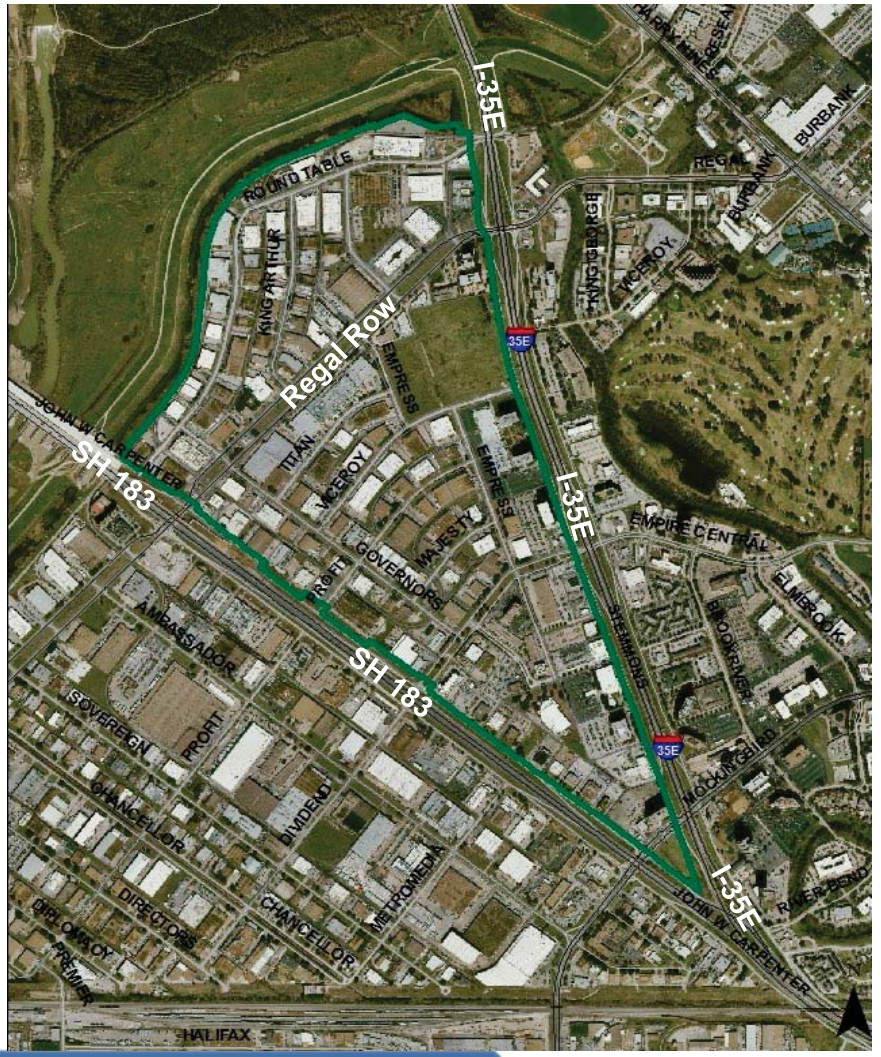
- NEZ is a flexible tool to implement an economic development program for a particular area of the city

- Create pilot program to encourage increased economic development in the NEZ
  - Stimulate business and commercial activity
  - Retain and grow existing smaller businesses (light industrial; office uses)
  - Retain and create jobs
  - Increase occupancy of buildings (office)
  - Encourage reinvestment in existing building stock
  - Incentivize workforce development/job training programs

- Uses excluded from consideration for incentives within the program: retail uses; sexually oriented businesses; bars, liquor stores; pawn shops; truck stops; body piercing studios; tattoo studios

Analysis of Area Under Consideration

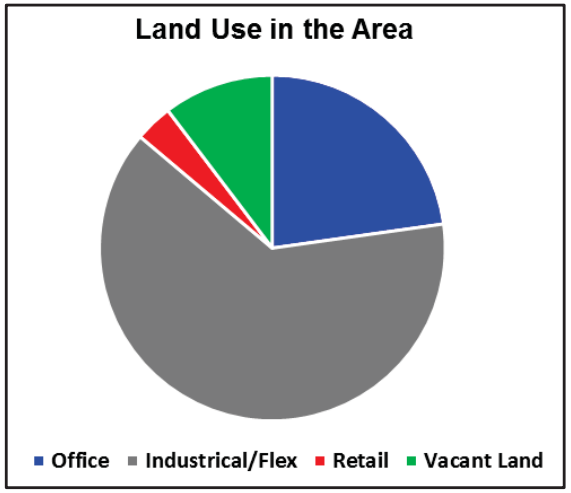
- Target Area under the City's Public/Private Partnership Program
- Approximately 390 acres
- 183 DCAD property accounts
- Existing non-residential land uses:
  - Office
  - Data center
  - Distribution/warehouse
  - Storage/warehouse
  - Hotel/motel
  - Retail



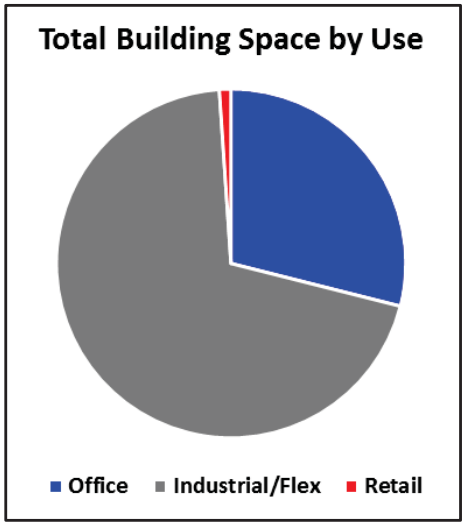
Source: Dallas Central Appraisal District

Analysis of Area Under Consideration

- Breakdown of Land Use
  - Office – 89 acres
  - Industrial/Flex – 247 acres
  - Retail – 14 acres
  - Vacant Land – 40 acres

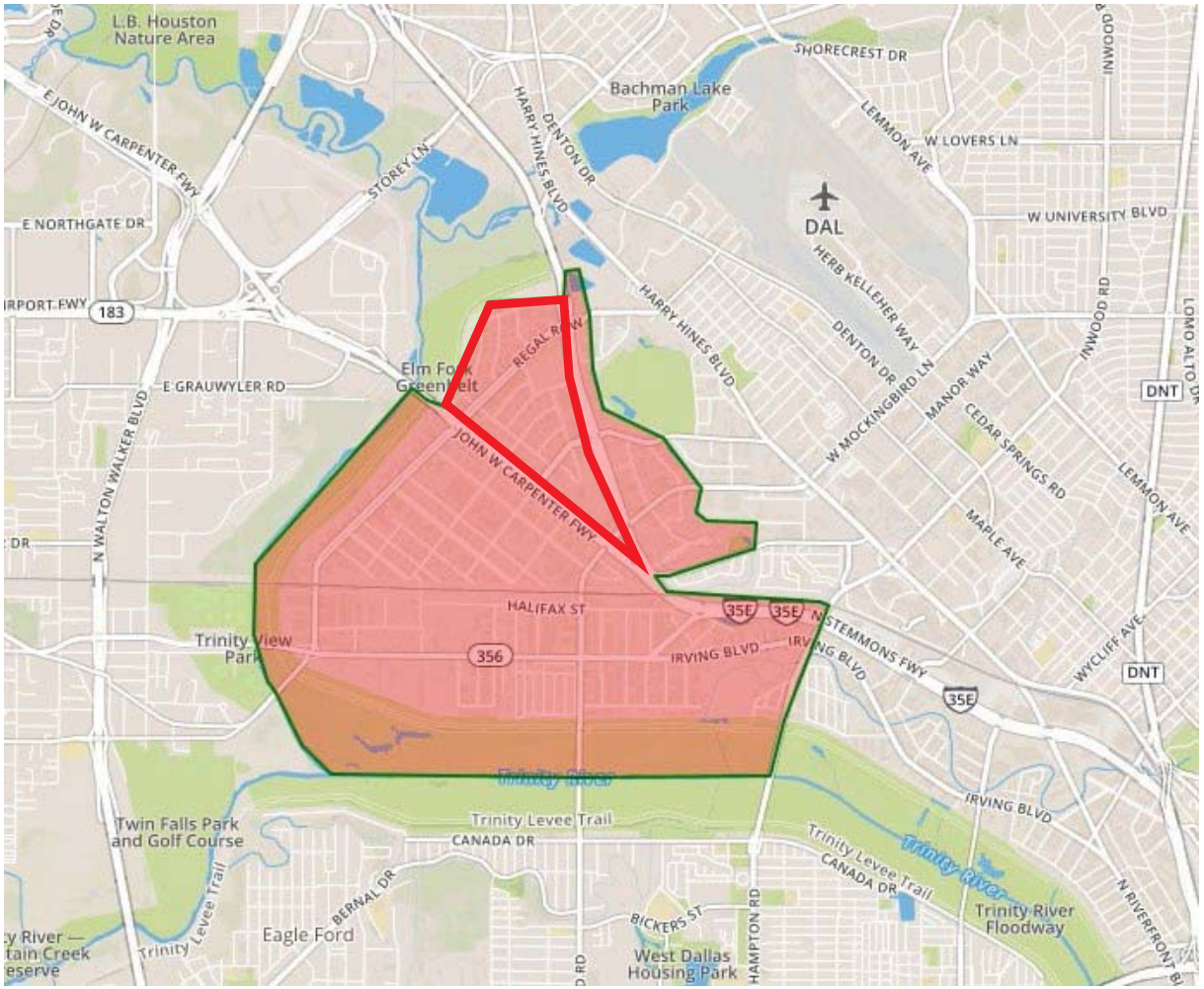


- Breakdown of Building Space
  - Office – total 2,040,821 square feet
  - Industrial/Flex – total 4,937,303 square feet
  - Retail – total 75,449 square feet (fast food)



Source: CoStar

Analysis of Area Under Consideration



- For analysis of data related to population, unemployment rate, and median household income, zip code 75257 (pink colored area) can be used as a proxy for the area under consideration (outlined in red)

Analysis of Area Under Consideration

Population		
Year	Zip Code 75247	City of Dallas
2011	447	1,196,258
2012	509	1,207,202
2013	546	1,222,167
2014	538	1,240,985
2015	629	1,260,688
2016	661	1,278,433
2017	712	1,300,122

Source: JobsEQ, March 2019

Unemployment Rate (%)		
Year	Zip Code 75247	City of Dallas
2011	45.1%	8.5%
2012	60.3%	9.0%
2013	61.1%	9.4%
2014	17.5%	8.9%
2015	41.1%	7.8%
2016	32.4%	6.8%
2017	46.6%	5.9%

Source: JobsEQ, March 2019; BLS

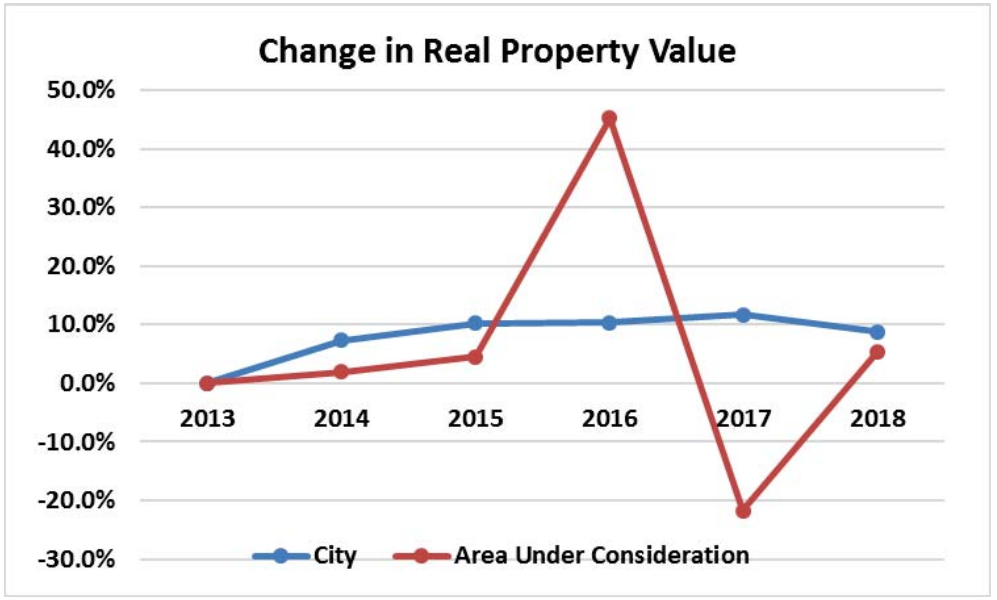
Median Household Income		
Year	Zip Code 75247	City of Dallas
2011	23,026	42,259
2012	22,606	42,436
2013	23,793	42,846
2014	17,426	43,359
2015	15,179	43,781
2016	16,227	45,215
2017	16,886	47,285

Source: JobsEQ, March 2019

Analysis of Area Under Consideration

Real Property Value				
	Area Under Consideration		City	
Year	Property Value	% Change	Property Value	% Change
2013	$212,289,953	0.0%	$32,700,000,000	0.0%
2014	$216,420,141	1.9%	$35,100,000,000	7.3%
2015	$226,101,969	4.5%	$38,700,000,000	10.3%
2016	$328,426,560	45.3%	$42,700,000,000	10.3%
2017	$256,870,835	-21.8%	$47,700,000,000	11.7%
2018	$270,348,243	5.2%	$51,900,000,000	8.8%

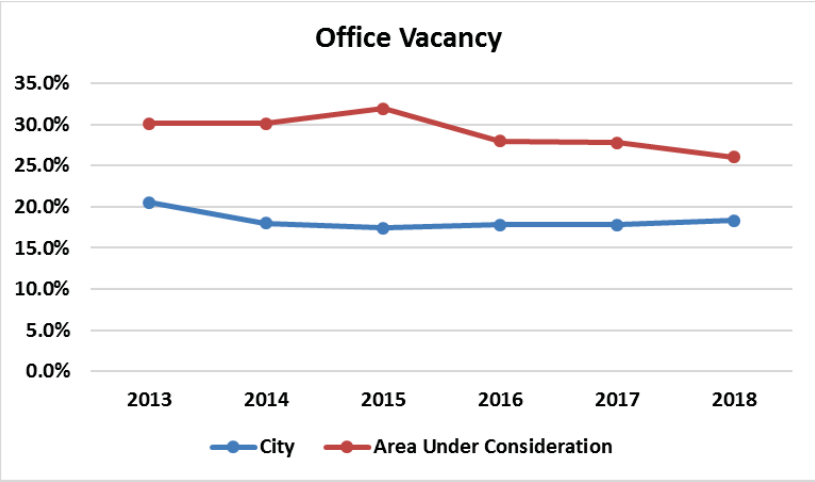
Source: DCAD; City of Dallas FY 2018 CAFR



Analysis of Area Under Consideration

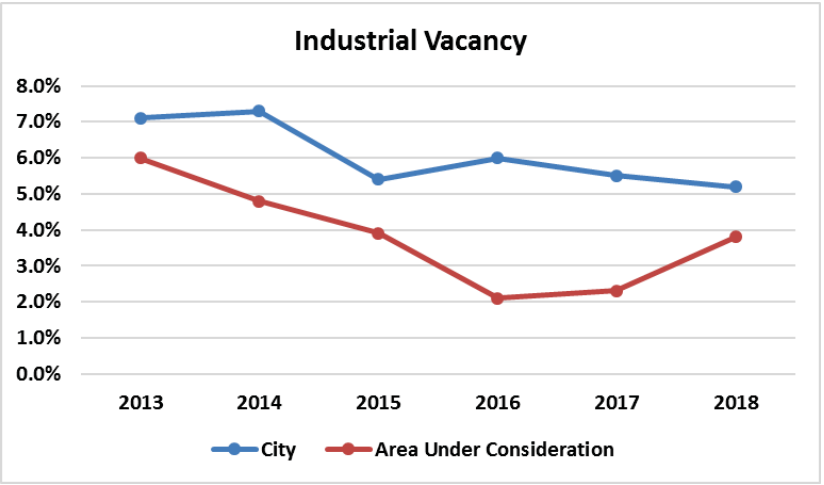
Office Vacancy (%)		
Year	Area Under Consideration	City of Dallas
2013	30.1%	20.5%
2014	30.1%	18.0%
2015	31.9%	17.4%
2016	28.0%	17.8%
2017	27.8%	17.8%
2018	26.0%	18.3%

Source: JobsEQ, March 2019; City of Dallas FY 2018 CAFR



Industrial Vacancy (%)		
Year	Area Under Consideration	City of Dallas
2013	6.0%	7.1%
2014	4.8%	7.3%
2015	3.9%	5.4%
2016	2.1%	6.0%
2017	2.3%	5.5%
2018	3.8%	5.2%

Source: JobsEQ, March 2019; City of Dallas FY 2018 CAFR



Analysis of Area Under Consideration

Total Number of Businesses			
	Area Under Consideration (Proposed NEZ #9)	Zip Code 75247	City of Dallas
Total	427	2,560	76,300
Percentage	0.6%	3.4%	100.0%

Source: ReferenceUSA, March 2019; JobsEQ, March 2019; City of Dallas Office of Economic Development

Total Number of Jobs			
	Area Under Consideration (Proposed NEZ #9)	Zip Code 75247	City of Dallas
Total	8,412	53,121	970,554
Percentage	0.9%	5.5%	100.0%

Source: ReferenceUSA, March 2019; JobsEQ, March 2019; City of Dallas Office of Economic Development

Analysis of Area Under Consideration

Top 25 Employers in Proposed NEZ #9			
Company Name	**Address**	**Product/Service**	**Jobs**
Helping Loans	8585 N Stemmons Fwy	Consumer Lending	1,001
Smith Protective Svc Inc	8918 John W Carpenter Fwy	Security Guards & Patrol Services	300
Allied Marketing	1555 Regal Row	Marketing Consulting Services	200
US Cotton LLC	8500 John W Carpenter Fwy	Fiber Yarn & Thread Mills	200
Safeguard Business Systems Inc	8585 N Stemmons Fwy # 600n	Stationery & Office Supplies Merchant Wholesalers	130
Cott Beverages USA	1100 Empire Central Pl	Other Grocery & Related Products Merchant Whlsrs	120
Reina & Bates Immigration Law	1140 Empire Central Dr # 300	Offices Of Lawyers	110
Prestonwood Landscape SVC LLC	1366 Round Table Dr	Landscaping Services	100
VITAS Hospice Svc	8585 N Stemmons Fwy # 700s	General Medical & Surgical Hospitals	100
Enterprise Truck Rental	8200 John W Carpenter Fwy	Truck, Utility Trailer & Rv Rental & Leasing	80
Hi Tech Electric Inc	1181 Empire Central Dr	Electrical Contr & Other Wiring Installation Contr	80
New Generation Mechanical	1133 Empire Central Dr	Electrical Contr & Other Wiring Installation Contr	80
Immediate Resource	1555 Regal Row	Womens Children/Infnt Clothing/Acces Mrchnt Whlsrs	75
US Census Bureau	8585 N Stemmons Fwy # 800s	Legislative Bodies	75
G & C Direct	1275 Profit Dr	Direct Mail Advertising	67
Atlantis Trading Corp	1555 Regal Row	Women's Clothing Stores	65
B & B Graphic Finishing Svc	8930 Governors Row	Special Die & Tool, Die Set, Jig & Fixture Mfg	65
Double E Inc	1261 Profit Dr	Industrial Machinery & Equipment Merchant Whlsrs	65
Driving Momentum USA Inc	1140 Empire Central Dr	Employment Placement Agencies	65
A C Horn & Co Sheet Metal	1269 Majesty Dr	Conveyor & Conveying Equipment Manufacturing	60
Golden Mattress	1240 Titan Dr	Mattress Manufacturing	60
IMI Hydronic Engineering Inc	8908 Governors Row	Industrial Valve Manufacturing	60
Allscripts LLC	1111 W Mockingbird Ln	Nursing Care Facilities (Skilled Nursing Fclts)	50
Pinnacle Marble & Granite	1151 Empire Central Dr	Wood Kitchen Cabinet & Countertop Manufacturing	50
Salvation Army	8787 N Stemmons Fwy # 800	Other Individual & Family Services	50

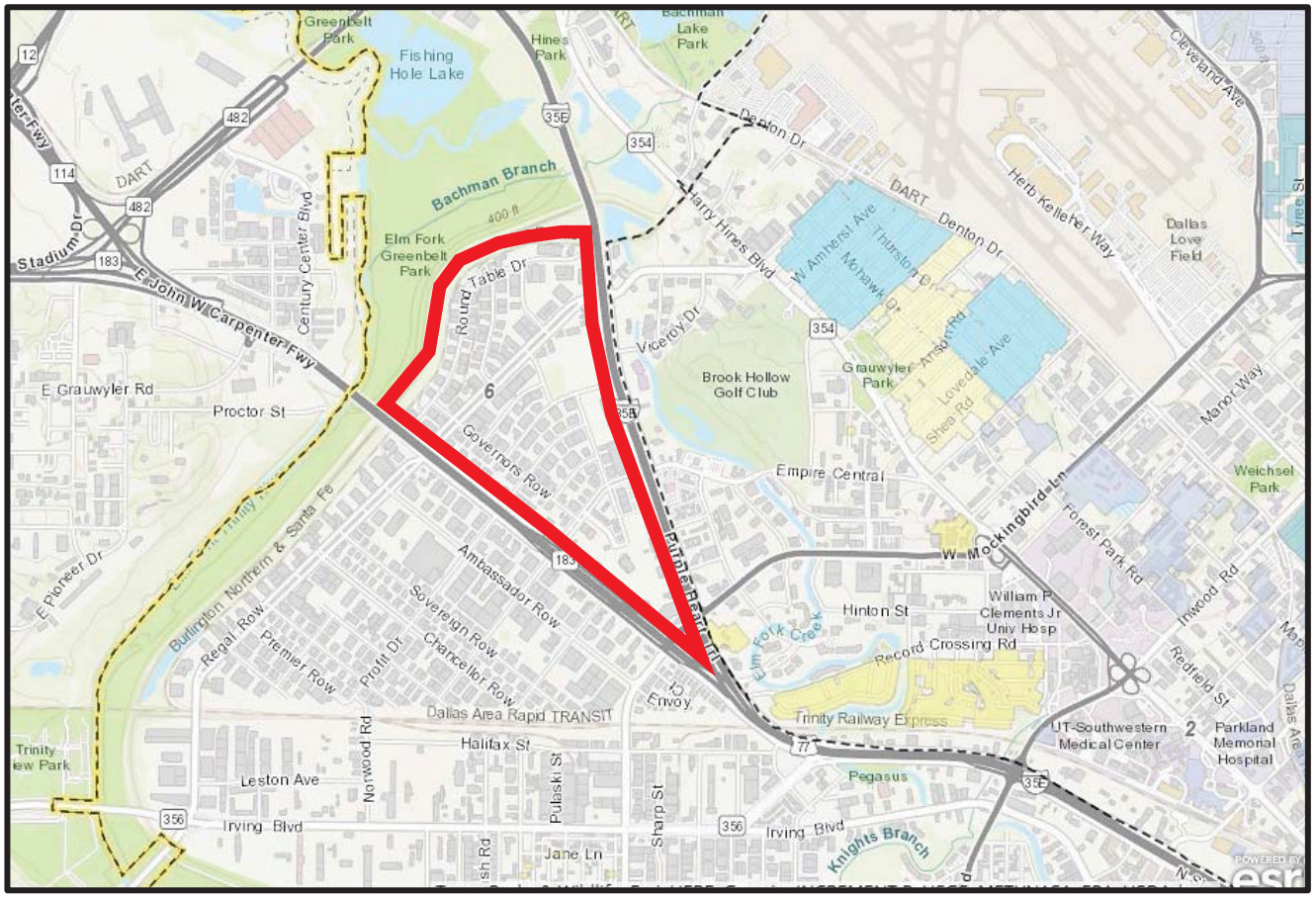
Source: ReferenceUSA, March 2019

Analysis of Area Under Consideration

- Area is comprised entirely of non-residential tracts and is generally surrounded by non-residential tracts
- Some residential market types E, F, G, and H to the east and southeast

MVA Market Types/Categories

A		F	
B		G	
C		H	
D		I	
E		NA	



Proposed NEZ #9 and Pilot Program

- Within this proposed zone, minimum project eligibility requirements:
  - Create/retain at least 10 jobs; or
  - Provide at least $250,000 of private investment

- Incentive tools to be specifically marketed to property owners and businesses within the zone (considered on a case-by-case basis based on specifics of each project & incentive application)
  - Real property tax abatement: up to 90% for 10 years
  - Business personal property tax abatement: up to 50% for 5 years
  - Chapter 380 grant and loans
  - Incentives for workforce development/job training (e.g. businesses within the zone that may hire and retain graduates from Salvation Army's workforce training program)
  - Other tools specifically marketed to the zone (public improvement district; New Markets Tax Credits; Property Assessed Clean Energy (PACE); state incentives)

- Staff will review progress of NEZ #9 and present updates to the Economic Development and Housing Committee

Staff Recommendation

- Creation of Neighborhood Empowerment Zone #9, pursuant to Chapter 378 of the Texas Local Government Code to promote and increase economic development in the zone

- Creation of a pilot economic development program specifically tailored for the zone (as described on slide 15)

Next Steps

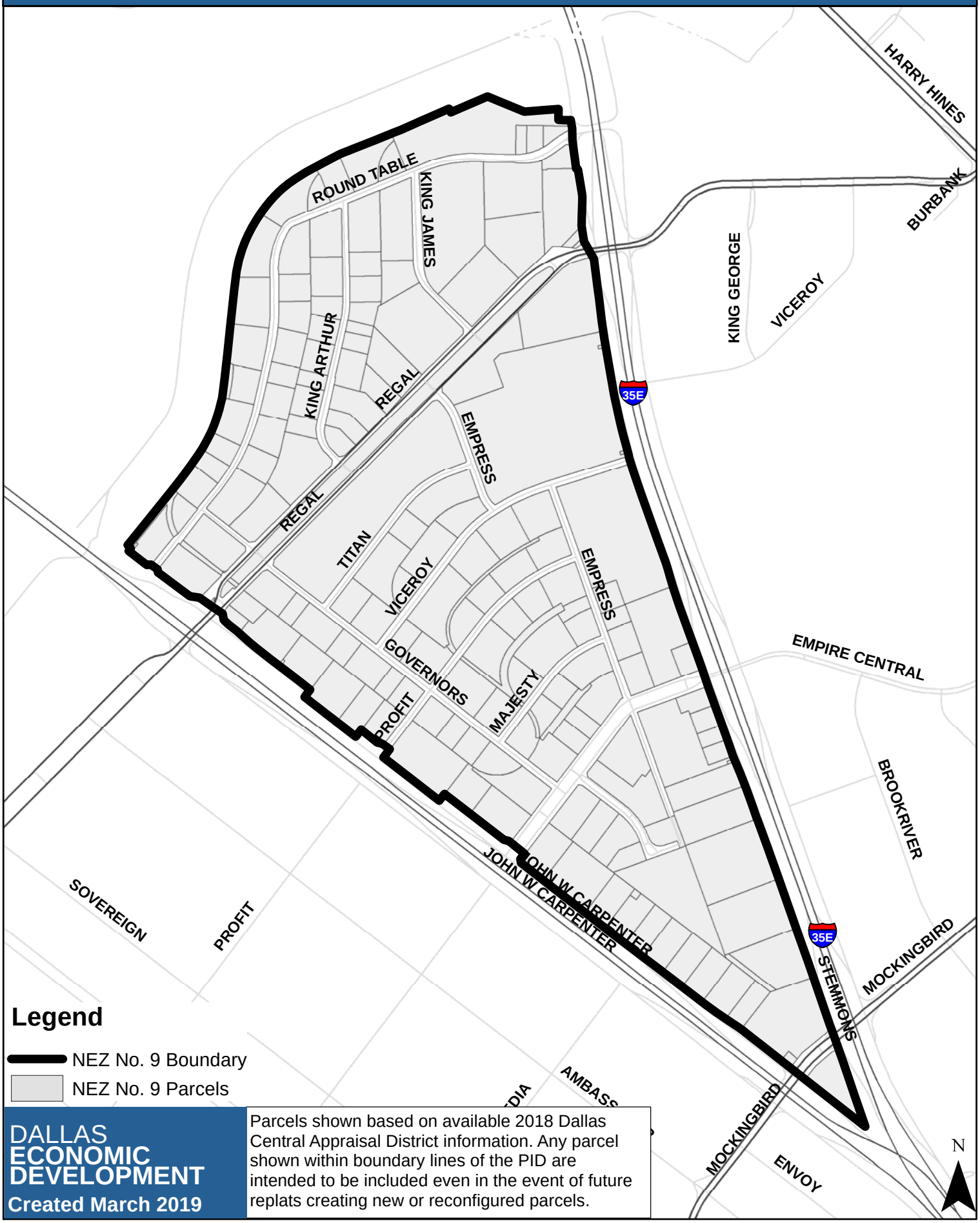
- Economic Development and Housing Committee meeting on May 6, 2019
- City Council meeting on May 8, 2019

Proposed Neighborhood Empowerment Zone #9

Quality of Life, Arts & Culture Committee
April 22, 2019

Courtney Pogue, Director
Office of Economic Development
City of Dallas

Neighborhood Empowerment Zone No. 9



Legend

NEZ No. 9 Boundary

NEZ No. 9 Parcels

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.

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

WHEREAS, it is in the interest of the City of Dallas (the "City") to support and secure the retention and expansion of business operations within the city of Dallas and the economic vitality and employment opportunities that these business operations bring for Dallas residents; and

WHEREAS, on December 12, 2018, City Council (1) elected to continue its participation in economic development incentives and re-adopted its Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code ("Economic Development Act"); and (3) established appropriate guidelines and criteria governing tax abatement agreements to be entered into by City as required by the Property Redevelopment and Tax Abatement Act, as amended, (V.T.C.A. Tax Code, Chapter 312) ("Tax Abatement Act") by Resolution No. 18-1861; and

WHEREAS, Title 12 of the Local Government Code, Section 378.002 requires that the creation of the City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9") promote: (1) the creation or rehabilitation of affordable housing in the zone, or (2) an increase in economic development in the zone, or (3) an increase in the quality of social services, education or public safety provided to the residents of the zone; and

WHEREAS, the City finds that the creation of the City of Dallas NEZ No. 9 will promote an increase in economic development in the zone by promoting increased business and commercial activity, job retention and job growth by existing smaller businesses, increased occupancy of existing building space, reinvestment in existing building stock, and workforce development/job training programs; and

WHEREAS, the City finds that the creation of the City of Dallas NEZ No. 9 benefits the public and is for the public purpose of increasing the public health, safety, and welfare of the persons in the municipality; and

WHEREAS, the City finds that the creation of the zone satisfies the requirements of the Property Redevelopment and Tax Abatement Act Section 312.202 in that the creation of the zone is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the properties and that would contribute to the economic development of the municipality; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment buy way of tailoring project eligibility criteria in order to induce the investment of private resources in new or existing business enterprises located in the City of Dallas NEZ No. 9; and

WHEREAS, on April 22, 2019, the Quality of Life, Arts & Culture Committee reviewed the proposed City of Dallas NEZ No. 9 and on May 6, 2019, the Economic Development and Housing Committee reviewed the proposed City of Dallas NEZ No. 9, and recommended City Council authorization of a resolution (1) designating approximately 390 acres of property generally bounded by State Highway 183 to the west and Interstate Highway 35E to the east in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9") and (2) creating a pilot economic development program for City of Dallas NEZ No. 9.

Now, Therefore,

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

SECTION 1. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

SECTION 2. That the City Council authorizes a resolution (1) designating approximately 390 acres of property generally bounded by State Highway 183 to the west and Interstate Highway 35E to the east in Dallas, Texas as City of Dallas Neighborhood Empowerment Zone No. 9 ("City of Dallas NEZ No. 9"), pursuant to Chapter 378 of the Texas Local Government Code, to promote an increase in economic development in the zone, establish boundaries for the zone, and provide for an effective date; and (2) creating a pilot economic development program for City of Dallas NEZ No. 9.

SECTION 3. That the City of Dallas NEZ No. 9 is hereby created as depicted on the boundary map attached as **Exhibit A** and as described in the boundary description attached as **Exhibit B**.

SECTION 4. That the City Council hereby authorizes a pilot economic development program specifically for City of Dallas NEZ No. 9 with the following minimum project eligibility criteria: projects must create/retain at least 10 jobs or provide at least $250,000.00 in private investment to be eligible for economic development assistance.

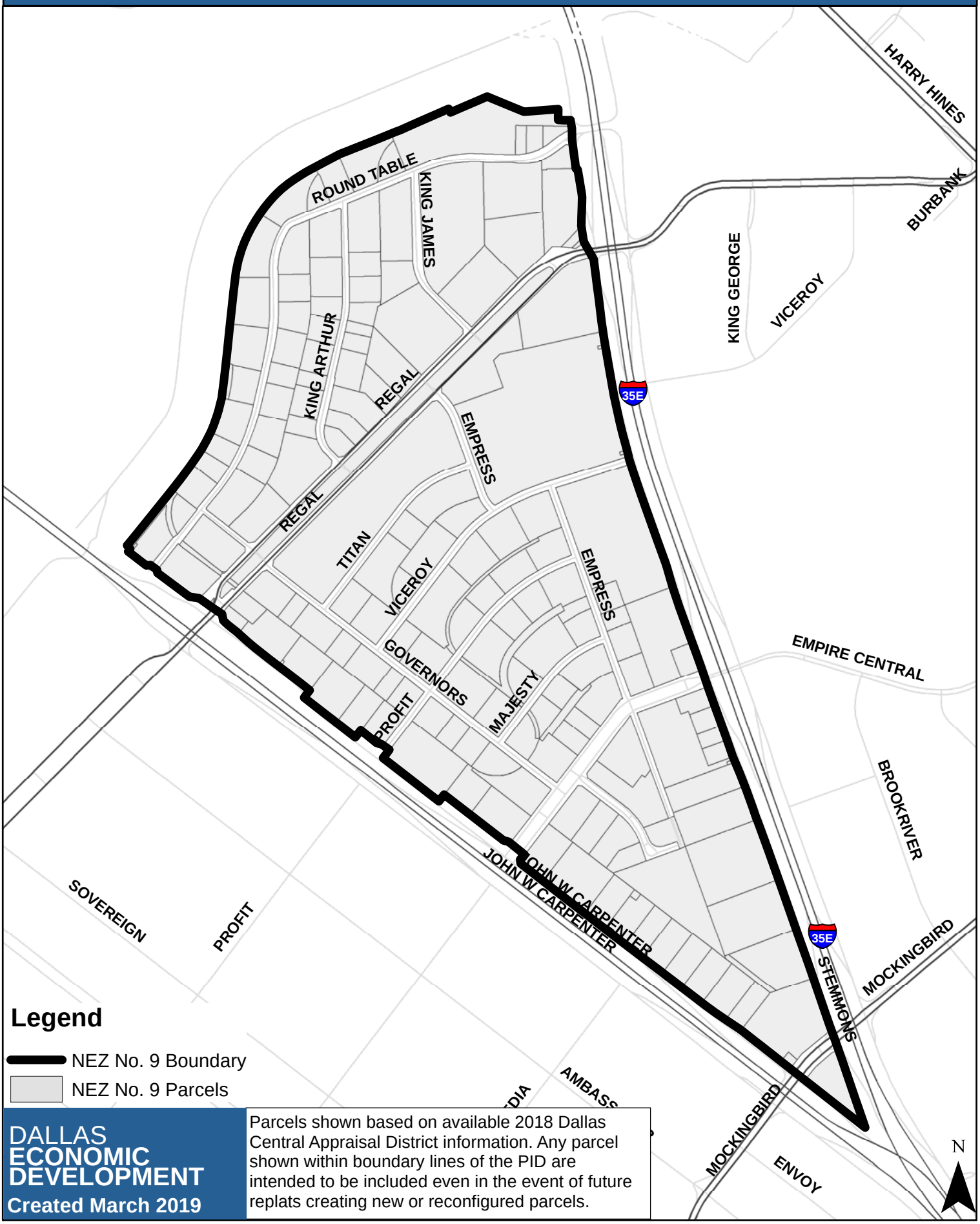
SECTION 5. That for projects meeting the minimum eligibility criteria, the following incentive tools are available and shall be actively marketed to property owners and businesses within City of Dallas NEZ No. 9:

SECTION 5. (continued)

(a) real property tax abatement up to 90% for ten-years;
(b) business personal property tax abatement up to 50% for five-years;
(c) grants and loans (pursuant to Chapter 380 of the Texas Local Government Code);
(d) incentives for workforce development/job training (e.g. businesses within NEZ No. 9 that hire and retain graduates from workforce training programs in the area); and
(e) other economic development tools (e.g. public improvement district, New Market Tax Credits, Property Assessed Clean Energy (PACE) financing; State of Texas incentives).

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 - Neighborhood Empowerment Zone No. 9



Legend

- NEZ No. 9 Boundary
- NEZ No. 9 Parcels

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

Neighborhood Empowerment Zone No. 9 – Boundary Description

BEING an area of land in the City of Dallas, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the Northeast line of State Highway 183 (the John W. Carpenter Freeway) with the Southwest line of Interstate Highway 35E (the Stemmons Freeway):

THENCE Northwesterly with the said Northeast line of said State Highway 183 to the Northwest line of the Kings Row Industrial District (First Installment), an addition to the City of Dallas recorded in Volume 51, Page 3 if the Map Records of Dallas County, Texas:

THENCE Northeasterly with the said Northwest line of said Kings Row Industrial District to the intersection with the above referenced Southwest line of Interstate Highway 35E:

THENCE Southeasterly with the said Southwest line of Interstate Highway 35E to the POINT OF BEGINNING.

This description was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Agenda Information Sheet

File #: 19-621 **Item #:** 7.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Police Department

EXECUTIVE: Jon Fortune

SUBJECT

Authorize **(1)** an application for and acceptance of the "Click It or Ticket" Mobilization Grant (Grant No. 2019-Dallas-CIOT-00005, CFDA No. 20.616) in the amount of $84,990.00 from the Texas Department of Transportation through a grant from the National Highway Traffic Safety Administration for a safety belt enforcement initiative for the period May 17, 2019 through June 5, 2019; **(2)** a City contribution of Federal Insurance Contributions Act costs in the amount of $1,232.36; **(3)** the establishment of appropriations in the amount of $84,990.00 in the “Click It or Ticket” FY19 Mobilization Grant Fund; **(4)** the receipt and deposit of grant funds in the amount of $84,990.00 in the “Click It or Ticket” FY19 Mobilization Grant Fund; and **(5)** execution of the sub-grant agreement and all terms, conditions, and documents required by the grant agreement - Total amount $86,222.36 - Financing: General Fund ($1,232.36) and Texas Department of Transportation Grant Funds ($84,990.00)

BACKGROUND

This item is placed on the addendum due to late award notification and must be approved before receiving funding.

The "Click It or Ticket" Mobilization Grant provides for the reimbursement of overtime salaries paid to officers enforcing seatbelt and child safety seat laws at locations throughout the City of Dallas.

This grant is one of the “wave” grants from the Texas Department of Transportation (TxDOT) that are part of the national traffic safety plan and are awarded to TxDOT grant recipients. The grant is for the increased enforcement of seatbelt and child safety seat laws during the national campaign of May 20, 2019 through June 2, 2019 (enforcement period).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 14, 2014, City Council authorized an application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period April 29, 2014 through June 7, 2014; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreement by Resolution No. 14-0756.

On May 13, 2015, City Council authorized an application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period April 28, 2015 through June 6, 2015; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreement by Resolution No. 15-0843.

On April 27, 2016, City Council authorized an application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period April 28, 2016 through June 6, 2016; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreement by Resolution No. 16-0688.

On April 26, 2017, City Council authorized an application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period May 2, 2017 through June 10, 2017; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreement by Resolution No. 17-0697.

On April 11, 2018, City Council authorized an application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period May 2, 2018 through June 10, 2018; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreement by Resolution No. 18-0552.

The Public Safety and Criminal Justice Committee will be briefed by memorandum regarding this matter on May 3, 2019.

FISCAL INFORMATION

Texas Department of Transportation Grant Funds - $84,990.00
General Fund - $1,232.36

May 8, 2019

WHEREAS, the Texas Department of Transportation has made the "Click It or Ticket" Mobilization Grant funds available for overtime salaries for a safety belt enforcement initiative for the period May 20, 2019 through June 2, 2019; and

WHEREAS, the "Click It or Ticket" Mobilization Grant will provide $84,990.00; and

WHEREAS, the City of Dallas contributes Federal Insurance Contributions Act costs related to the overtime in an amount not to exceed $1,232.36; and

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

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to apply for and accept the "Click It or Ticket" Mobilization Grant (Grant No. 2019-Dallas-CIOT-00005, CFDA No.20.616), in the amount of $84,990.00 from the Texas Department of Transportation through a grant from the National Highway Traffic Safety Administration for the safety belt enforcement initiative for the period May 17, 2019 through June 5, 2019; provide a City's Federal Insurance Contributions Act costs in the amount of $1,232.36; and execute a sub-grant agreement with the Texas Department of Transportation and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in the amount of $84,990.00, in the "Click It or Ticket" FY19 Mobilization Grant Fund, Fund F574, Department DPD, Unit 3879, Object 3090.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in the amount of $84,990.00 into the "Click It or Ticket" FY19 Mobilization Grant Fund, Fund F574, Department DPD, Unit 3879, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of $1,232.36 for City's Federal Insurance Contributions Act costs related to the overtime expenditure from Fund 0001, Department DPD, Unit 2127, Object Codes 1302 and 1306.

SECTION 5. That the Chief Financial Officer is hereby authorized to reimburse funds in the amount of $84,990.00 from the "Click It or Ticket" FY19 Mobilization Grant Fund, Fund F574, Department DPD, Unit 3879, Object 3090 to Fund 0001, Department DPD, Unit 2127, Object 5011 after the overtime expenditure is incurred.

SECTION 6. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

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

SECTION 8. That this contract is designated as Contract No. DPD-2019-00010163.

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

1500 Marilla Street
Dallas, Texas 75201

City of Dallas

Agenda Information Sheet

File #: 19-680 **Item #:** 8.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 8, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Budget

EXECUTIVE: Elizabeth Reich

SUBJECT

A public hearing to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

BACKGROUND

On April 24, 2019, the City Council called the public hearing for May 8, 2019. However, we inadvertently left it off the regular agenda; therefore, we are including it on the addendum.

Each year the City of Dallas holds public hearings to provide the residents of Dallas the opportunity to speak on the upcoming year's budget. This public hearing is one of three to be held. The first was held at Dallas City Hall on March 27, 2019. This one, the second, will be at the Kleberg-Rylie Recreation Center on May 8, 2019. The third public hearing will be held at Dallas City Hall on August 28, 2019. Resident input is an important part of the budget development process.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 24, 2019, City Council authorized a public hearing to be held on May 8, 2019, by Resolution No. 19-0595.

FISCAL INFORMATION

No cost consideration to the City.

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Agenda Information Sheet

File #: 19-645 **Item #:** 29.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: May 8, 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 **(1)** an ordinance granting a Planned Development District for GO(A) General Office District and certain nonresidential uses; **(2)** a resolution terminating the existing deed restrictions [Z845-227]; and **(3)** an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)
Recommendation of Staff: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions
Recommendation of CPC: Approval, subject to a development plan and conditions; approval of the termination of existing deed restrictions [Z845-227]; and, approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions
Z167-180(JM)
Note: This item was considered by the City Council at a public hearing on April 24, 2019, and was deferred ~~held under advisement~~ until May 8, 2019, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 8, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z167-180(JM) **DATE FILED:** January 12, 2017

LOCATION: North line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway)

COUNCIL DISTRICT: 6 **MAPSCO:** 13 X

SIZE OF REQUEST: 4.17 acres **CENSUS TRACT:** 96.05

APPLICANT/OWNER: LBJ Metroplex LP/Howard L. Lawson

REPRESENTATIVE: William S. Dahlstrom, Jackson Walker, LP

REQUEST: An application for **(1)** a Planned Development District for GO(A) General Office District and certain nonresidential uses; **(2)** termination of the existing deed restrictions [Z845-227]; and, **(3)** a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard).

SUMMARY: The applicant proposes to redevelop the property to allow for a mini-warehouse and retail project in the existing two buildings at the site, with the addition of a third, two-story building. Termination of existing deed restrictions on the property would remove: **1)** the required landscape plan; **2)** height limitations stipulating a maximum of 221 feet in height along LBJ Freeway and 120 feet in height along Forest Lane; and, **3)** floor area maximum of 432,694 square feet. The SUP would allow for the proposed mini-warehouse to operate with a maximum floor area of 179,032 square feet.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions; **approval** of the termination of existing deed restrictions [Z845-227]; and, **approval** of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions; **approval** of the termination of existing deed restrictions [Z845-227]; and, **approval** of a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, elevation plan, and conditions.

BACKGROUND INFORMATION:

- The subject site was rezoned from GR General Retail to O-2 Office with deed restrictions volunteered by the applicant in 1985. The property is currently developed with two 55-foot tall, four-story office buildings with 128,962 square feet of floor area.
- At the time of this application, the site is noncompliant with the landscape plan from the deed restrictions. This is due to the expansion of Interstate 635.
- The current request is to:
    - Terminate the existing deed restrictions which would remove **1)** the required landscape plan; **2)** height limitations stipulating a maximum of 221 feet in height along LBJ Freeway and 120 feet in height along Forest Lane; and, **3)** floor area maximum of 432,694 square feet.
    - Allow a PD for GO(A) General Office and certain nonresidential uses to allow for a mixed-use development.
    - Reduce the minimum front yard will be reduced from 15 feet to 10 feet, but all other yard, lot, and space regulations for the GO(A) District still apply.
    - Provide a parking reduction for certain personal service uses.
    - Allow the use of a shared parking table.
    - Grant an SUP for a mini-warehouse use with a maximum floor area of 179,032 square feet, subject to a landscape plan and elevations with design criteria.

Zoning History: There have been four zoning requests in the area in the past five years.

1. **Z178-322:** On October 16, 2018, SUP No. 1925 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned MU-2 Mixed Use District with a D-1 Liquor Control Overlay generally located on the northwest corner of Forest Lane and Josey Lane was auto-renewed for a five-year period. *Not shown on the map.*
2. **Z167-208:** An application for a planned development district for CR Community Retail District, multifamily, retirement housing, and permanent supportive housing uses on property zoned MU-1(SAH) Mixed Use District, located on the northeast corner of Forest Lane and Dennis Road. *Withdrawn on June 8, 2017.*
3. **Z156-284:** On December 14, 2016, the City Council approved PD No. 978 for MF-1(A) Multifamily District uses on property zoned an R-10(A) Single Family District, located on the north side of Modella Avenue, east of Dennis Road.
4. **Z156-177:** On May 11, 2016, the City Council approved SUP No. 2194 for a hotel or motel use on property zoned a CR Community Retail District, on property located along the south line of Forest Lane, east of Dennis Road.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Interstate 635 (LBJ Freeway)	Principal Arterial	Variable
Bankway Lane	Local	60 feet
Forest Lane	Principal Arterial	90 feet

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:

Area	Zone	Use
Site	GO(A) and SUP No. 2071 with Deed restrictions	Office and Non-premise (billboard) sign
North	City of Farmer's Branch	Interstate 635 and commercial parking lot
East	PD No. 140 and CR with Deed restrictions	Office
South	CR with SUP Nos. 2194, 1369 and MU-1(SAH) with Deed restrictions	General merchandise or food store 3,500 square feet or less, hotel, and retirement housing
West	MU-2 with a D Liquor Control Overlay	Retail and personal service

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan*, was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request complies with land use goals and policies 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.

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Land Use Compatibility:

The site is currently developed with two 55-foot tall, four-story office buildings with 128,962 square feet of floor area. The current proposal is to convert the structure identified as Building 1 on the development plan, into a mixed-use building or possibly a mini-warehouse use. The remaining Building 2 would have an existing level of parking converted into usable floor area for a total increase of 22,420 square feet. The entirety of Building 2 is identified as being for the mini-warehouse use. Finally, there may be an addition with the proposed Building 3, a two-story structure with up to 27,650 square feet of mini-warehouse floor area. The total combined floor area for the three structures is 179,032 square feet, of which all could be used for the mini-warehouse use. Per the PD provisions, a mini-warehouse use requires a Specific Use Permit. An SUP is requested with this zoning application.

Surrounding land uses include the City of Farmer's Branch and Interstate 635 (LBJ Freeway) to the north; office to the east; general merchandise or food store 3,500 square feet or less, hotel, and retirement housing to the south; and, retail and personal service uses to the west.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The proposed mini-warehouse use will have requirements to enhance the quality of the project. For example, architectural standards proposed in the SUP conditions include building articulation and exterior material requirements for all new buildings. A minimum of 80 percent of the exterior facades must be composed of masonry (stone, pre-cast concrete, poured-in place concrete, cementitious siding, split-faced concrete masonry unit, three-coat cement plaster system, or brick) excluding doors and windows. Masonry

screening walls must be eight feet in height to block dumpsters, loading zones, and false overhead display doors from the view of public streets as shown on the SUP Site Plan. Only access gates may be of tubular steel. Finally, the screening walls also have articulation requirements to limit the monotony of blank walls on the street frontages.

The mini-warehouse office may only operate between 9:00 a.m. and 6:00 p.m., Monday through Friday; and between 8:00 a.m. and 6:00 p.m. on Saturday. Finally, outside storage of vehicles, and parking for vehicles for rent, boats, and/or equipment is prohibited.

While staff supports the proposed mini-warehouse use as regulated by the provisions of the proposed SUP; however, we propose a ten-year time period with eligibility for automatic renewals for additional ten-year periods. The applicant has elected to request a 15-year time period with 15-year autorenewals. Staff cannot support the extended time period for the new use being introduced into the area. The initial ten-year is already a long term, yet standard for this use.

The proposed mini-warehouse use is compatible with the surrounding uses. This use will not be a detriment to the public health, safety or general welfare of the community.

Development Standards:

DISTRICT	SETBACKS Front	SETBACKS Side/Rear	Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
Existing:							
GO(A), deed restrictions	14'-15'	20' adj.res. 0' Others	4.0 432,694 SF	221' on LBJ Fwy 120' on Forest Ln.	80%.	RPS, Urban Form, Tower Spacing Landscape Plan	Office
Base Zoning:							
GO(A)	15'	20' adj.res. 0' Others	4.0	270'	80%	RPS, Urban Form, Tower Spacing	Office
Proposed:							
PD for GO(A) and other nonresidential uses	10'	20' adj.res. 0' Others	4.0	270'	80%	Urban Form, Tower Spacing	Office and other nonresidential uses

Existing deed restrictions which the applicant seeks to terminate regulate the setbacks, total floor area, height of structures, and provide for a landscape plan. Overall, the request is to return the site to the GO(A) base zoning district with only one change being made to allow a reduced minimum front yard setback of 10 feet rather than 15 feet. This reduction in the minimum required front yard setback is to make the existing building conform, due to the expansion of Interstate 635 from 2012-2014 which removed 0.79 acres from the street frontage. This made the site noncompliant for landscaping as required per the deed restrictions, setbacks, and parking. The removal of the deed restrictions from 1985 will allow the site to be fully utilized, especially in light of the expansion of Interstate 635 and subsequent compliance with the deed restriction landscape plan no longer feasible. The proposed floor area ratio (0.98) and maximum

height (55 feet) per the proposed development plan are still significantly less than the existing zoning with the deed restrictions which allow up to 120 feet on Forest Lane and up to 221 feet on Interstate 635.

The most significant change is to allow 11 new uses as main uses. This is due to the restrictive nature of retail and personal service uses (limited uses) in an office district. In this district, a retail and personal service use: (1) must be contained entirely within a building; and (2) may not have a floor area that, in combination with the floor areas of other retail and personal service uses in the building, exceeds 10 percent of the total floor area of the building. The addition of the following uses is requested without limited restrictions: (1) alcohol beverage establishments; (2) broadcasting or recording studio; (3) commercial amusement (inside); (4) convenience store; (5) custom business service; (6) general merchandise or food store 3,500 square feet or less; (7) handcrafted art work studio; (8) instructional arts studio; (9) restaurant without drive-in or drive-through service; (10) theater; and, (11) mini-warehouse by SUP only.

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. While the area of request is not within a designated MVA cluster, surrounding properties southward are categorized as being within a “E” MVA cluster.

Parking:

Parking will be in accordance with the parking regulations of Chapter 51A, proposed reductions per specific land uses established in the PD, a shared parking table in the PD, and by using delta credits from the expansion of Interstate 635. A parking study was provided and approved by the Engineering Division. The following table identifies uses with proposed reductions in parking:

Land Use per PD	Land Use per 51A	Sec. 51A	PD
Art gallery	Library, art gallery, or museum	1/600 SF	1/500 SF
Broadcasting or recording studio	Personal service	1/300 SF	1/500 SF
Handcrafted art work studio	Personal service	1/200 SF	1/500 SF
Instructional arts studio	Personal service	1/200 SF	1/500 SF

Additionally, shared parking is permitted for all non-residential uses on the lot. The shared parking concept was originally developed by the Urban Land Institute (ULI). The concept of shared parking acknowledges the efficiencies of observed, net parking demand within a common parking facility that is generated by multiple land uses. Efficiency is realized due to the time-of-day compatibility among individual tenants in mixed-use developments given that different uses peak at specific times during a typical day. In general, the calculation of shared parking demand applies an hourly profile obtained from reliable resources, such as published manuals or actual observed data.

After calculating hourly parking demand for each used based on its respective hourly adjustment, totals are tabulated to identify the overall parking demand by hour on a typical day. The utilization rates in the following table provide the basis for calculation of parking spaces required with shared parking. The adjusted standard off-street parking requirement for the development is the largest of the five "time-of-day" column sums.

Shared Parking Table
(for calculating adjusted parking requirement)

Use Category	Morning	Noon	Afternoon	Late Afternoon	Evening
Office-related uses	100%	80%	100%	85%	35%
Retail related uses	60%	75%	70%	65%	70%
Bar and restaurant uses	20%	100%	30%	30%	100%
All other uses	100%	100%	100%	100%	100%

Finally, due to the expansion of Interstate 635, the site carries a delta credit of 73 parking spaces for the two existing office buildings. The current request is to convert the land uses to generally less intensive uses. The mini-warehouse use which may cover all of the floor area, up to 179,032 square feet, would only require six parking spaces regardless of the size. Through the use of delta theory, the number of nonconforming parking or loading spaces for a use may be carried forward when the use is converted or expanded; however, when a nonconforming use is converted to a less intensive use, the rights to any portion of the delta credits not needed, are lost.

The last parking request is to allow for a reduced parking ratio for office uses. The Dallas Development Code requires a ratio of one space per 333 square feet of floor are; the original office area which obtained deltas had 128,962 square feet of floor area and required 387 parking spaces. The difference after the credit of 73 spaces is applied equals 314 parking spaces. This is a ratio of one space per 410 square feet of floor area for an office use. A parking analysis was provided supporting a reduced ratio of one space per 418 square feet of floor area for an office use and found appropriate by the Engineering Division.

Landscaping:

Landscaping must be provided in accordance with Article X, as amended. If operation of the site occurs solely within the two existing buildings, no additional landscape will be required. However, the SUP conditions state that along Forest Lane and Bankway Lane, sod must be planted within six months of approval of this specific use permit in the area between the back of parking lot pavement and back of curb of said streets, save and except sidewalks, utility facilities, and other impervious surfaces.

CPC Action
February 21, 2019

Motion: It was moved to recommend: 1) **approval** of a Planned Development District for GO(A) General Office District and certain nonresidential uses, subject to a revised development plan, and revised conditions to include a revised parking ratio for office uses of one space per 411 square feet; 2) **approval** of the termination of the existing deed restrictions Z845-227; and, 3) **approval** of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a revised site plan, landscape plan, elevation plan, and conditions on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway).

Friendly Amendment: Commissioner Ridley offered a friendly amendment to limit the automatic renewals to one additional fifteen-year period. Commissioner Carpenter, the maker of the motion, and Commissioner Housewright, the seconder of the motion, accept the friendly amendment.

Maker: Carpenter
Second: Housewright
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: 9
Replies: For: 1 Against: 0

Speakers: For: Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
Against: None

CPC Action
March 21, 2019

Motion to Reconsider: It was moved to **reconsider** the action taken on March 7, 2019, which was to move to recommend 1) approval of a Planned Development District for GO(A) General Office District and certain nonresidential uses, subject to a revised development plan and revised conditions to include a revised parking ratio for office uses of one space per 411 square feet; 2) approval of the termination of the existing deed restrictions

Z845-227; and, 3) approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for one automatic renewal for an additional fifteen-year period, subject to a revised site plan, landscape plan, elevation plan, and conditions on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway).

Maker: Carpenter
Second: Lewis
Result: Carried: 10 to 0

For: 10 - MacGregor, Schulte, Criss, Carpenter, Lewis, Jung, Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Schultz
Vacancy: 3 - District 4, District 7, District 12

Motion: In considering an application for **1)** a Planned Development District for GO(A) General Office District and certain nonresidential uses; **2)** termination of the existing deed restrictions [Z845-227]; and, **3)** a Specific Use Permit for a mini-warehouse use on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway), it was moved to **hold** this case under advisement until April 4, 2019, and to instruct staff to re-notify the case at the correct notification area of 500 feet.

Maker: Carpenter
Second: Housewright
Result: Carried: 10 to 0

For: 10 - MacGregor, Schulte, Criss, Carpenter, Lewis, Jung, Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Shidid, Schultz
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 9
Replies: For: 1 Against: 0

Speakers: None

CPC Action

April 4, 2019

Motion: It was moved to recommend: 1) **approval** of a Planned Development District for GO(A) General Office District and certain nonresidential uses, subject to a development plan and conditions; 2) **approval** of the termination of existing deed restrictions [Z845-227]; and 3) **approval** of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for an automatic renewal for one additional fifteen-year period, subject to a site plan, landscape plan, elevation plan, and conditions on property zoned a GO(A) General Office District with Specific Use Permit No. 2071 for a detached non-premise sign (billboard), on the north line of Forest Lane, west of Bankway Lane, and south of Interstate Highway 635 (Lyndon B. Johnson Freeway).

Maker: Carpenter
Second: Shidid
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: 27
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
Against: None

List of Officers

LBJ METROPLEX LP

LBJ Metroplex GP, LLC,
General Partner

Howard L Lawson,
Member

Z167180

Existing Deed Restrictions
Z845-227

For purposes of these restrictions, all definitions of the Dallas Development Code, as amended, are incorporated into this document, as if recited verbatim herein.

(1) The height of any structure on the northern half of the property, along the LBJ frontage road, may not exceed 221 feet as shown on the site plan attached hereto as Exhibit A.

(2) The height of any structure on the southern half of the property may not exceed 120 feet as shown on the site plan attached hereto as Exhibit A.

(3) The total floor area of uses permitted in an Office-2 zoning classification (Office-2 uses) located within the boundaries of the property, may not exceed 432,694 square feet with the following allocation: a total of 122,000 square feet for the existing four story buildings and no more than 310,694 square feet for the proposed sixteen story building as shown on Exhibit B.

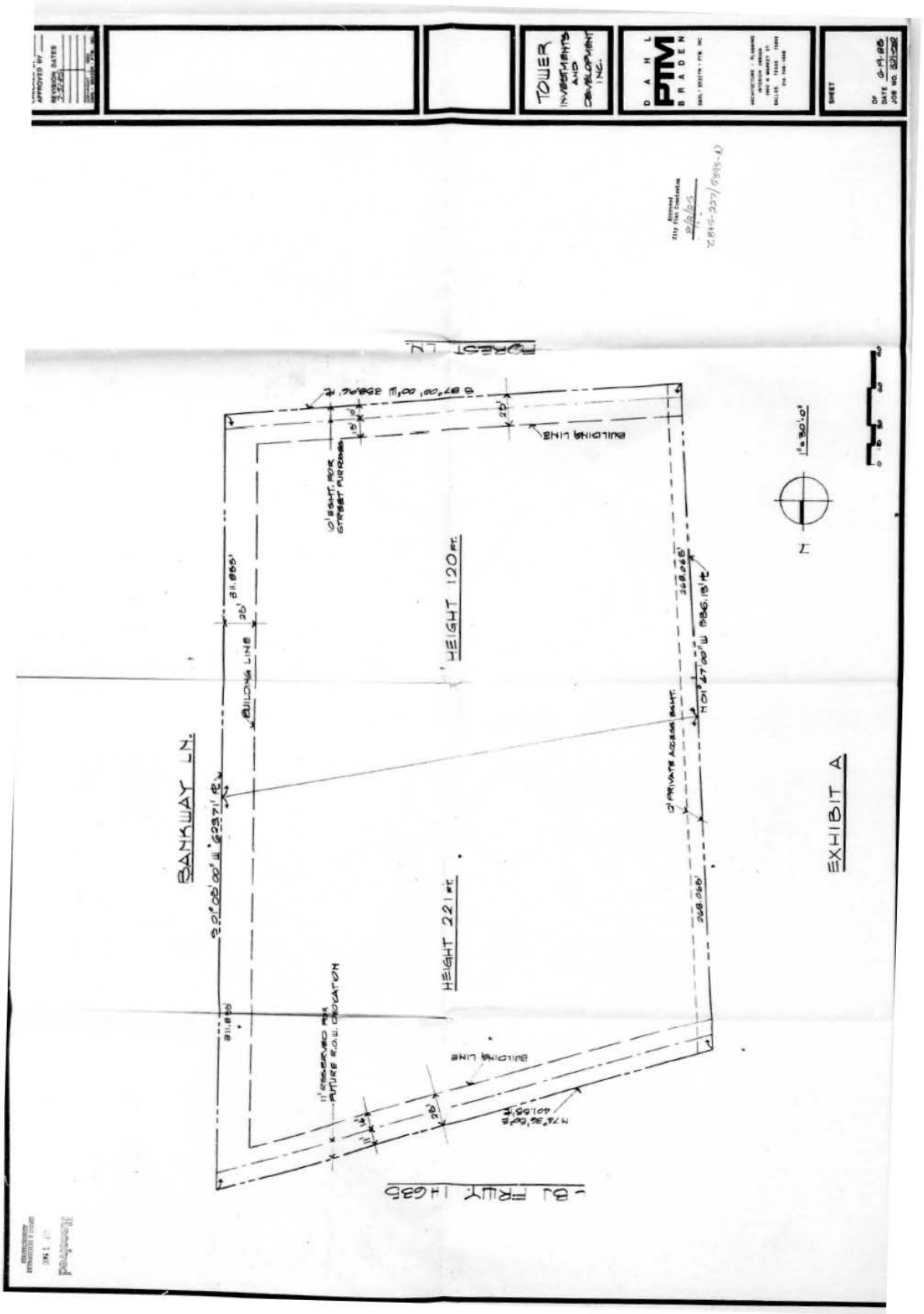
(4) Developer shall provide a ten foot wide easement for street purposes along the Forest Lane frontage.

(5) Developer shall provide an eleven foot wide reservation for future dedication of right-of-way to the State Highway Department at no cost to the State or the City for an additional westbound service lane on LBJ, should the service lane be required by the State or the City.

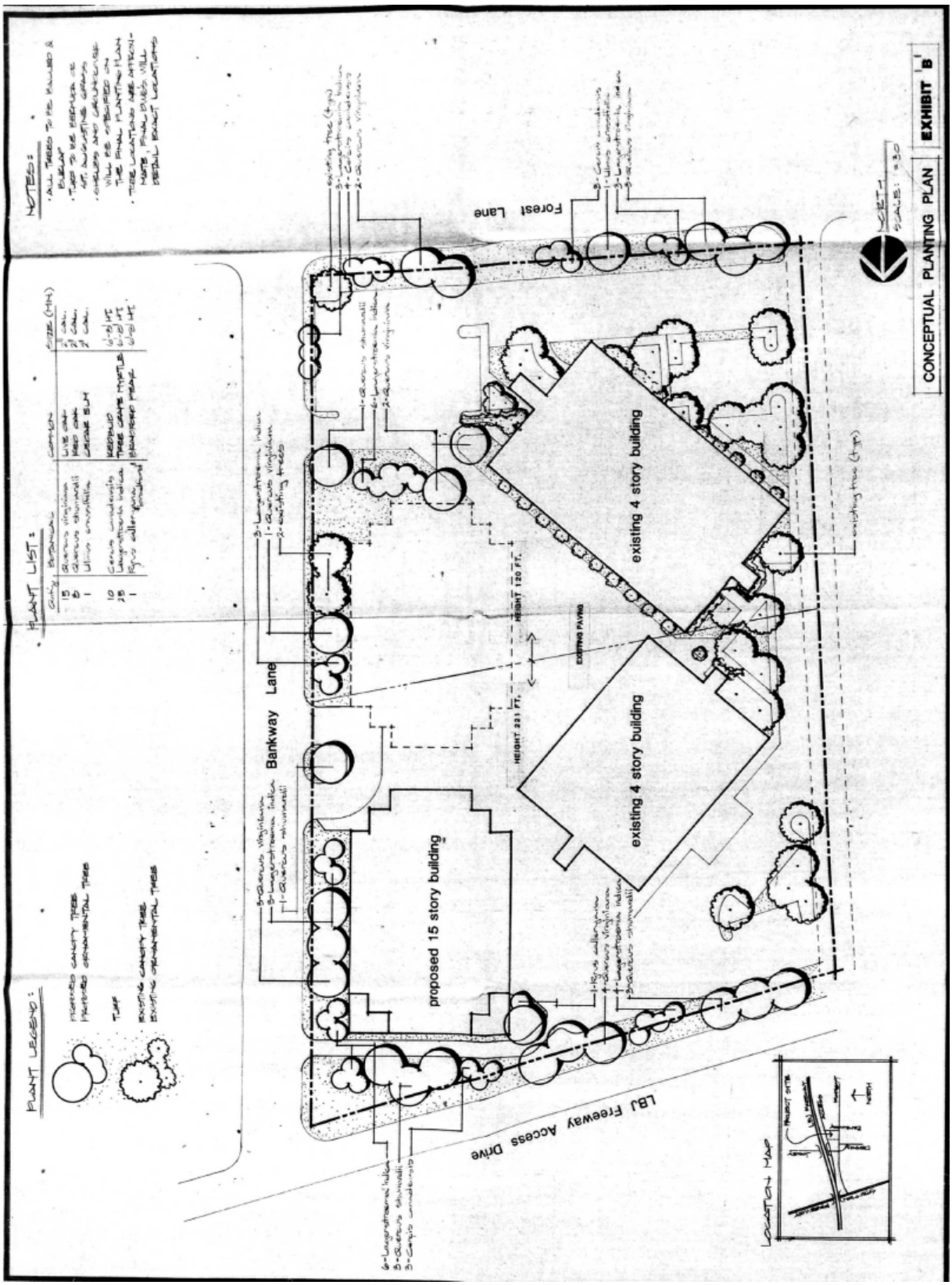
(6) The building setback lines, as shown on the site plan attached hereto as Exhibit A, shall be as follows: (a) Twenty-five feet from the existing right-of-way line on the LBJ frontage. After dedication of right-of-way as reserved in paragraph (5) above, the building setback line shall become fourteen feet. Notwithstanding the foregoing, no parking above grade or underground structure is permitted within 25 feet of any right-of-way after any required dedications.(b) Twenty-five feet from the existing right-of-way line on the Forest Lane frontage. After dedication of an easement for street purposes as required in paragraph (4) above, the building set back line shall become fifteen feet.

(7) Landscaping must be provided as shown on the landscape plan attached hereto as Exhibit B, prior to the issuance of a Certificate of Occupancy for any Office-2 use on the property. Landscaping as shown on the landscape plan attached hereto as Exhibit B must be maintained in a healthy and growing condition at all times.

Deed Restrictions: Exhibit A



Deed Restrictions: Exhibit B



CPC Recommended PD 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 at the northwest corner of Bankway Lane and Forest Lane. The size of PD _____ is approximately 4.17 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this division, BROADCASTING OR RECORDING STUDIO means a facility for broadcasting live or prerecorded programs by radio or television;

(1) recording records, tapes, or video tapes by digital, electronic, or other suitable media; and

(2) recording, programming, and receiving radio or television signals.

(a) A broadcasting or recording studio use is considered a retail and personal service use.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P- _____.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ___A: development plan.

SEC. 51P- _____.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ___). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- ____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the GO(A) General Office District, subject to the same conditions applicable in the GO(A) General Office District, as set out in Chapter 51A. For example, a use permitted in the GO(A) General Office 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 GO(A) General Office District is subject to DIR in this district; etc.

(b) The following additional uses are permitted by right:

-- Alcohol beverage establishments.
-- Broadcasting or recording studio.
-- Commercial amusement (inside).
-- Convenience store.
-- Custom business service.
-- General merchandise or food store 3,500 square feet or less.
-- Handcrafted art work studio.
-- Instructional arts studio.
-- Restaurant without drive-in or drive-through service.
-- Theater.

(c) The following use is permitted by specific use permit (SUP) only:

-- Mini-warehouse.

SEC. 51P-____.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-_____.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the GO(A) General Office District apply.

(b) Front yard. Minimum front yard is 10 feet.

SEC. 51P- ____.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulation in Division 51A-4.200 for the specific off-street-parking and loading requirements for each use.

(b) The entire property is considered one lot for parking purposes.

(c) An art gallery, broadcasting or recording studio, handcrafted art work studio, or instructional arts studio require a minimum of one space per 500 square feet.

(d) Shared parking is permitted for all nonresidential uses on the lot. The utilization rates in the following table provide the basis for calculation of parking spaces required with shared parking. The adjusted standard off street parking requirement for the development is the largest of the five "time-of-day" column sums.

Shared Parking Table (for calculating adjusted parking requirement)					
Use Category	**Morning**	**Noon**	**Afternoon**	**Late Afternoon**	**Evening**
Office-related uses	100%	80%	100%	85%	35%
Retail related uses	60%	75%	70%	65%	70%
Bar and restaurant uses	20%	100%	30%	30%	100%
All other uses	100%	100%	100%	100%	100%

(d) For an office use, the required parking shall be provided at a ratio of one space per 418 square feet of floor area.

SEC. 51P- ____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.111. LANDSCAPING.

Landscaping must be provided in accordance with Article X.

SEC. 51P- ____.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- ____.113. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

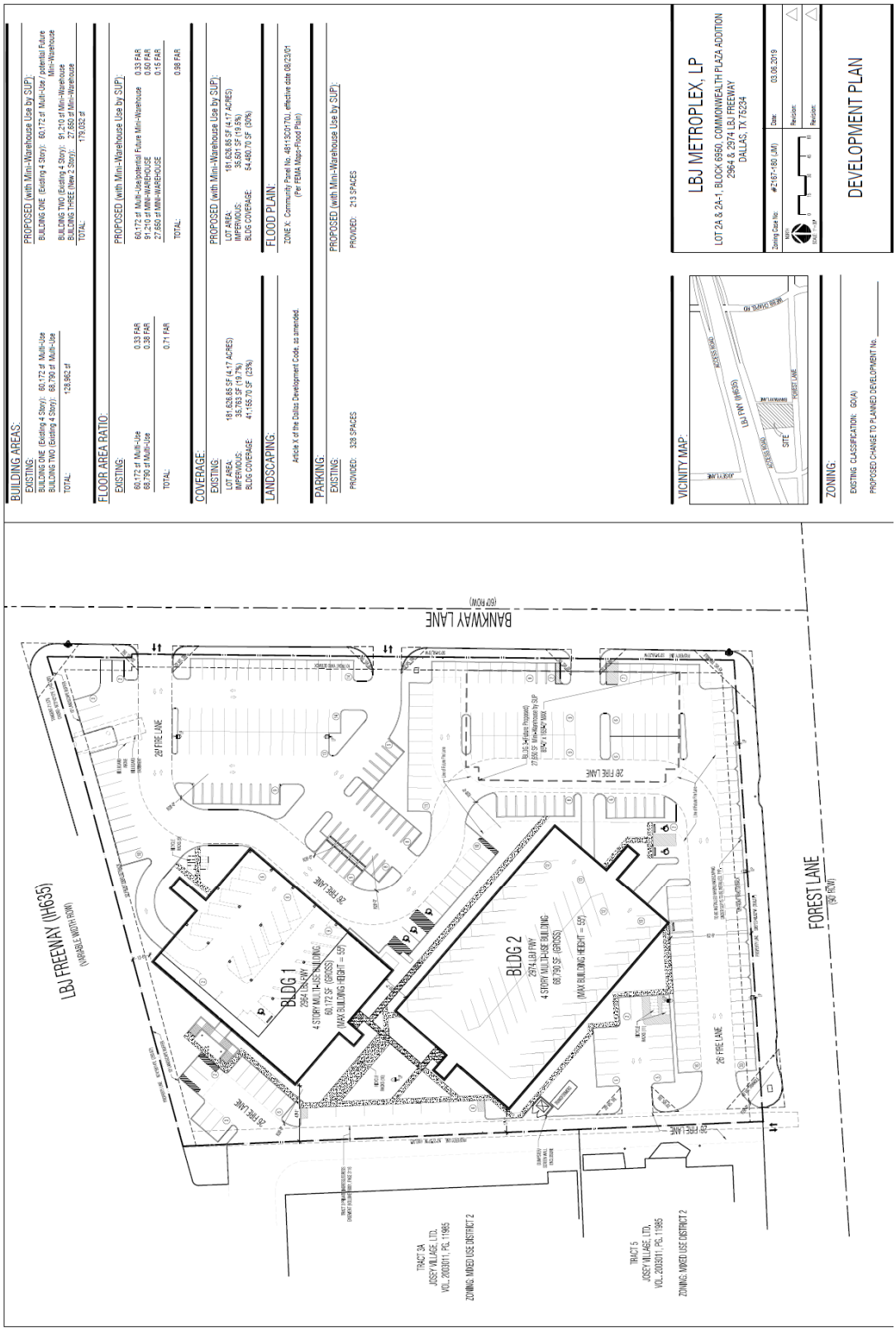
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-____.114. COMPLIANCE WITH CONDITIONS.

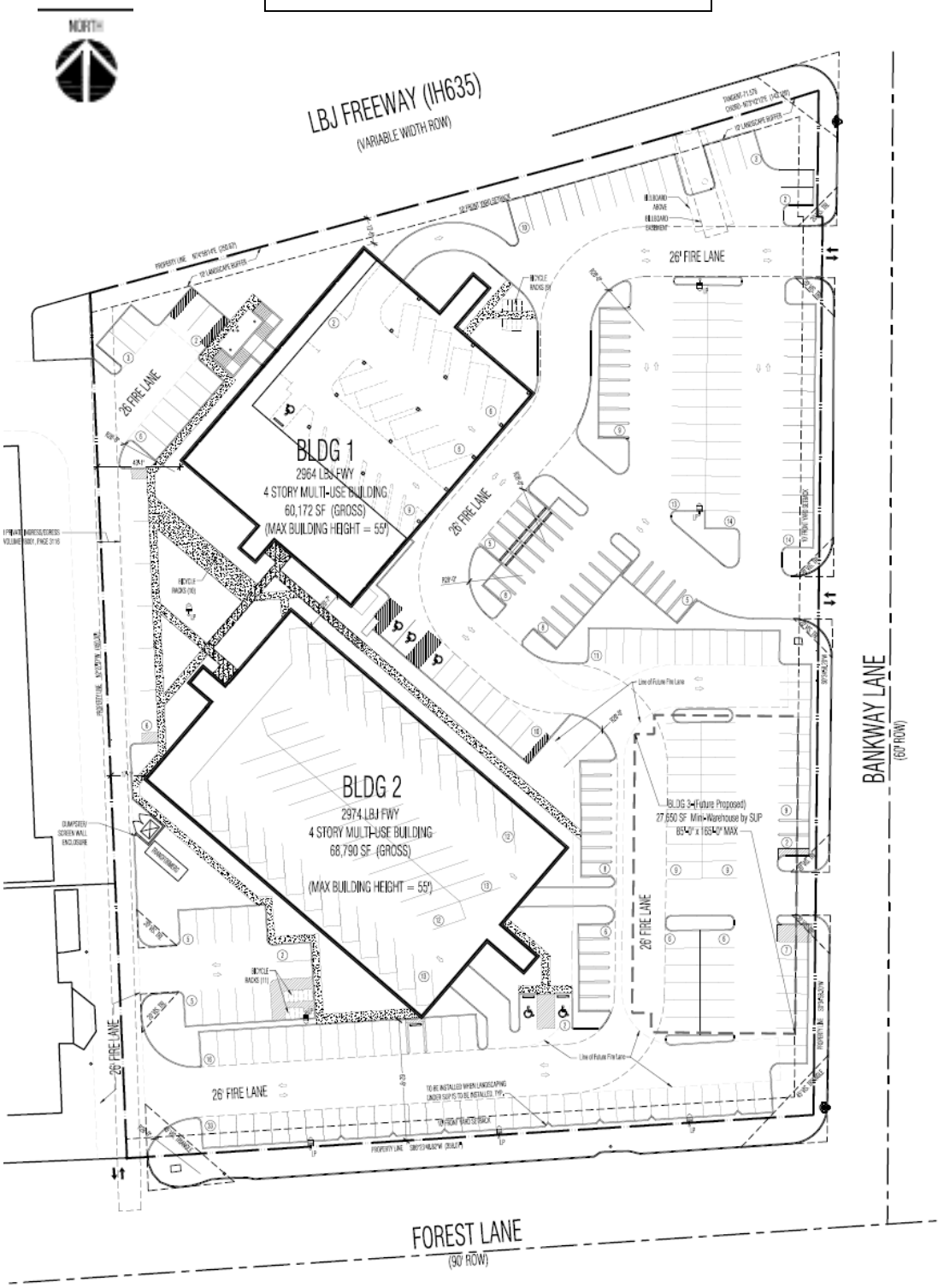
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

Proposed Development Plan



Enlarged Development Plan



CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is a mini-warehouse.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevations.

CPC Recommendation and Applicant's Request:

3. TIME LIMIT: This specific use permit expires on_____, (fifteen-year period from the passage of this ordinance, but is eligible for one automatic renewal for an additional fifteen-year period pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

Staff's Recommendation:

3. TIME LIMIT: This specific use permit expires on_____, (ten-year period from the passage of this ordinance, but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. LANDSCAPING: Except as otherwise provided on the landscape plan attached hereto as Exhibit "_", landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.

   A. Landscaping shown on the landscape plan must be installed prior to the issuance of a certificate of occupancy for a mini-warehouse use in Building 3 as shown on the Site Plan. Street trees along Bankway Lane that are within ten feet of a building shall be medium or small trees.

   B. Along Forest Lane and Bankway Lane, sod must be planted within six months of approval of this specific use permit in the area between the back of parking lot pavement and back of curb of said streets, save and except sidewalks, utility facilities, and other impervious surfaces.

5. ELEVATIONS: Construction of Building 3 as shown on the Site Plan must generally comply with the elevations attached hereto as Exhibit"_".

6. ARCHITECTURAL STANDARDS: Building 3, as identified on the Site Plan, shall conform to the following architectural standards:

   A. Building Articulation:

      1. The exterior facades of new buildings shall have a minimum of one horizontal articulation no lower than ten feet above finished floor that extends a minimum of seventy-five percent around the perimeter of the building to create a lower "base" and upper "top" around the building.
      2. No façade shall extend longer than forty-five continuous feet along the lower base without a depth articulation of at least one foot deep that is a minimum of two feet wide.
      3. No façade shall extend longer than seventy-five continuous feet without a minimum depth articulation of three feet deep that is a minimum of ten feet wide. The three-foot depth articulation shall extend vertically the full height of the building.
      4. No parapet or roof length shall extend longer than seventy-five continuous feet in the same direction without a minimum height articulation of three feet that is a minimum of ten feet wide.
      5. Display windows or glass shall be utilized on facades facing public streets and roadways as shown on the SUP Elevation Plan.
      6. Offsets, projections, and reveals are required for material transitions.

   B. Exterior Material Requirements

      1. The exterior facades of a new building shall be constructed of eighty percent masonry, exclusive of doors and windows.
      2. Masonry shall be defined as stone, pre-cast concrete, poured-in-place concrete with a similar appearance to stone, cementitious siding, split-faced concrete masonry unit, three-coat cement plaster system, or brick.
      3. No single material shall cover more than sixty percent of each façade.
      4. The use of architectural metal panels shall be limited to twenty percent of the total exterior façade.

7. SCREENING WALL REQUIREMENTS:

   A. Masonry screen walls to a height of eight feet are required to block dumpsters, loading zones, and false overhead display doors from the view of public streets as shown on the SUP Site Plan.

B. All screen walls shall be constructed of stone, pre-cast concrete, poured-in-place concrete with a similar appearance to stone, cementitious siding, split-faced concrete masonry unit, three-coat cement plaster system, or brick.
   1. All walls shall be constructed with the same materials and masonry percentages as the new buildings.
   2. The decorative, patterned, or split-faced side of the wall must face out toward the public streets.
   3. Gates may be constructed of tubular steel.
   4. Tubular steel or painted steel may be used for operable gates, but are required to be infilled with metal panels of the same color.

C. No wall shall extend longer than four continuous feet without a depth articulation of twelve inches that is a minimum of sixteen inches wide.

8. INGRESS/EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.

9. PARKING: Off-street parking must be located as shown on the attached site plan and provided in accordance with PD No. XXX.

10. FLOOR AREA: Total maximum floor area for the mini-warehouse buildings is 179,032 square feet inclusive of 400 square feet of office space for the storage buildings.

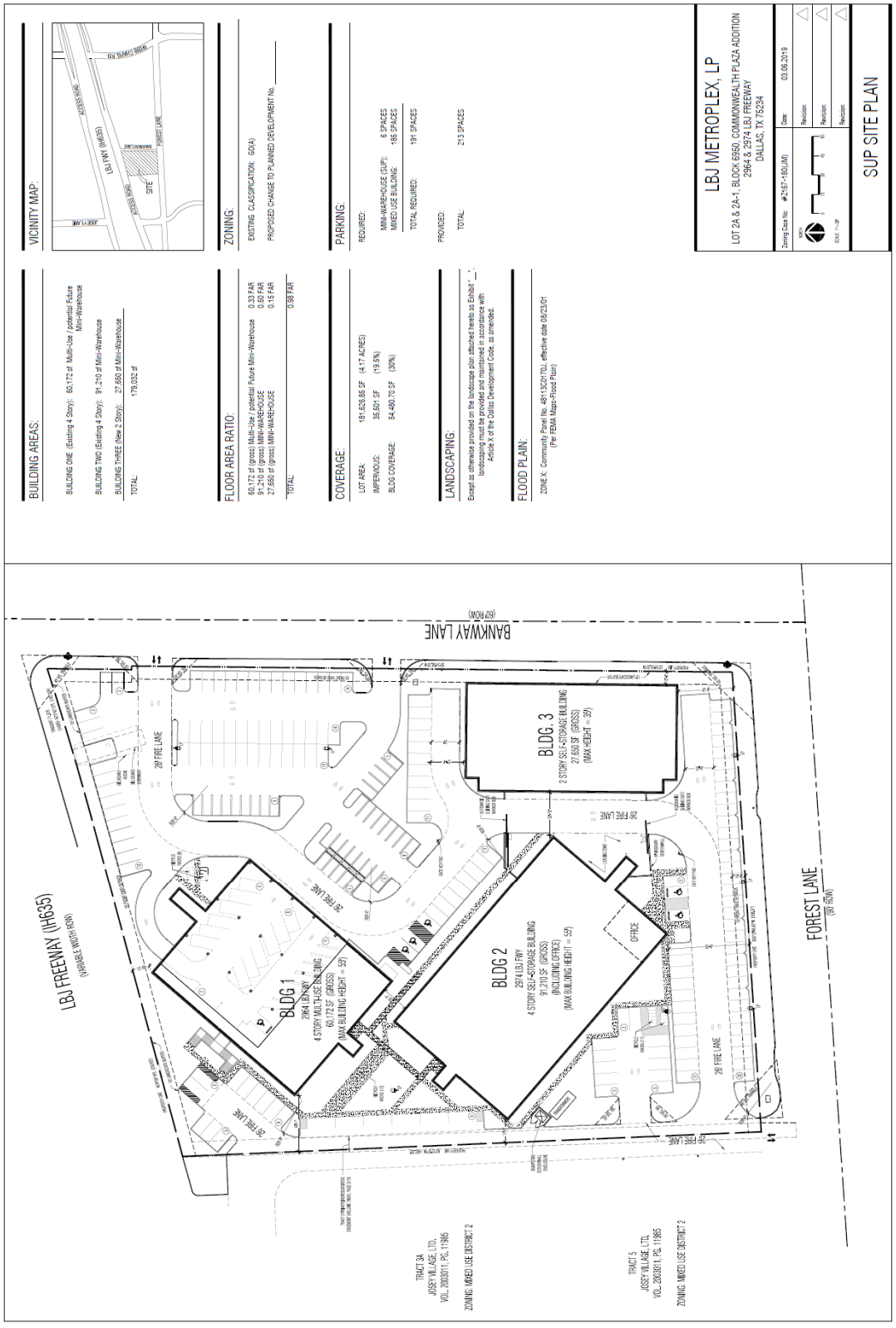
11. HOURS OF OPERATION: The mini-warehouse office may only operate between 9:00 a.m. and 6:00 p.m., Monday through Friday; and between 8:00 a.m. and 6:00 p.m. on Saturday.

12. OUTSIDE STORAGE: Outside storage of vehicles, parking for vehicles for rent, boats, and /or equipment is prohibited.

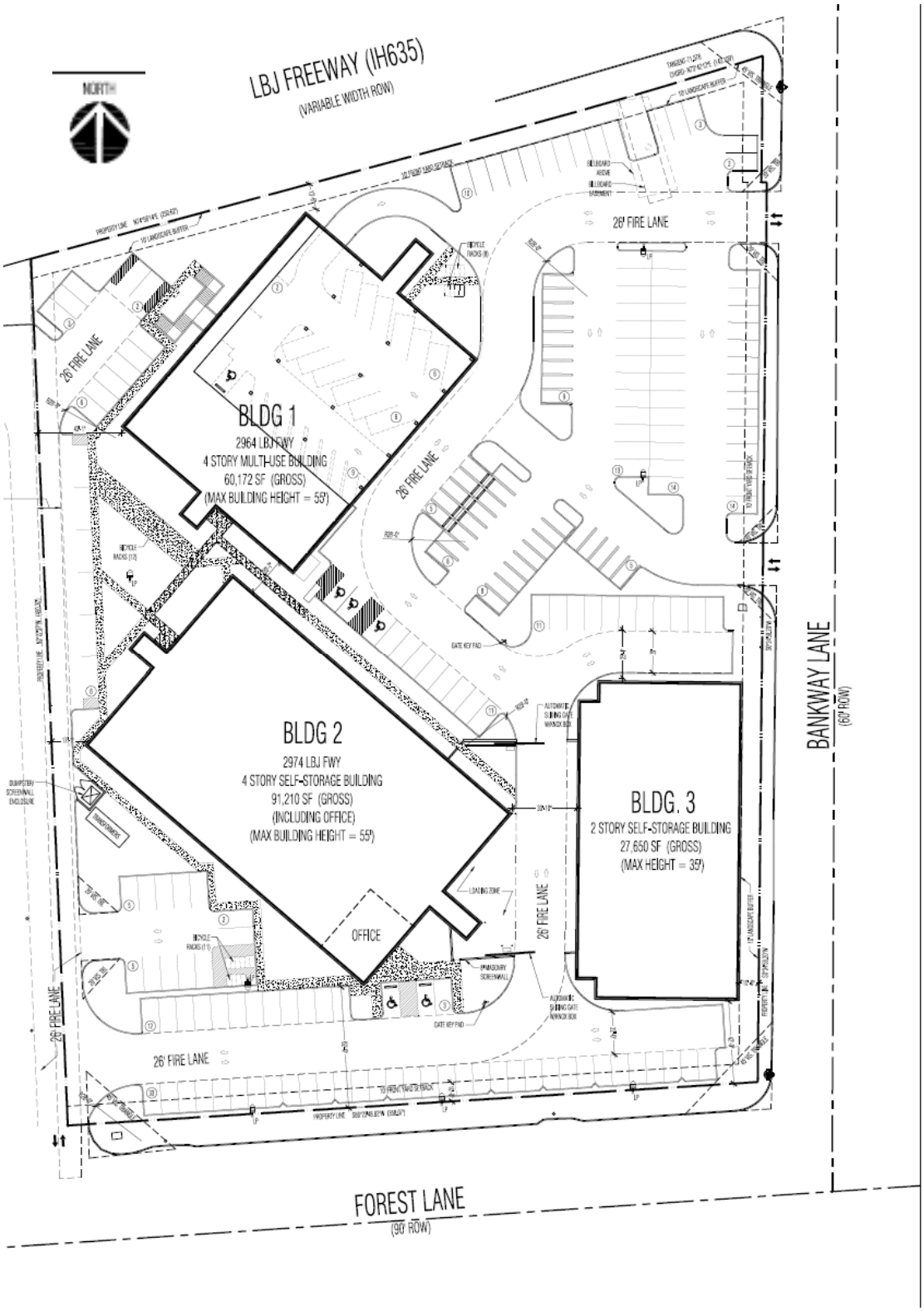
13. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

14. 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.

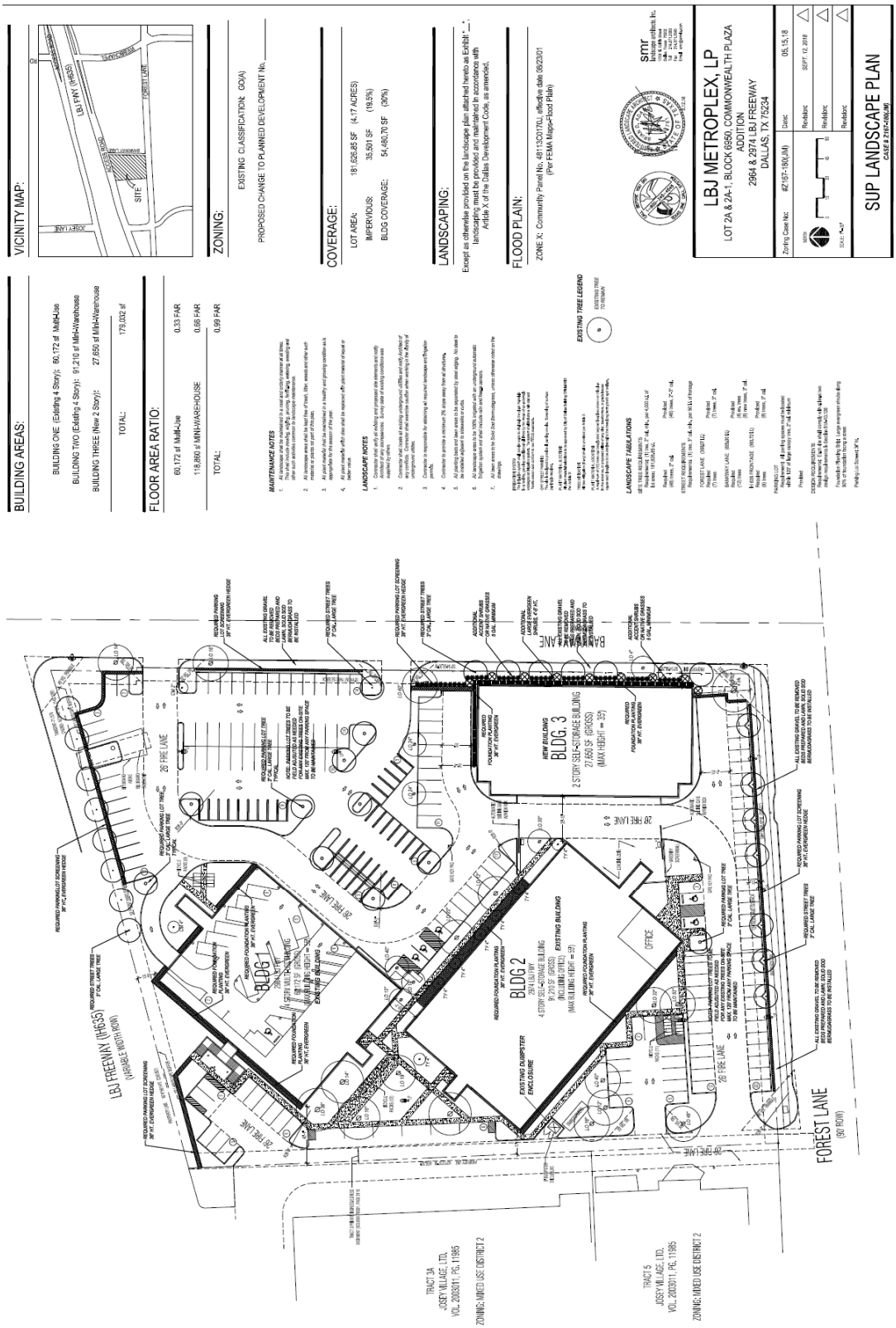
Proposed SUP Site Plan



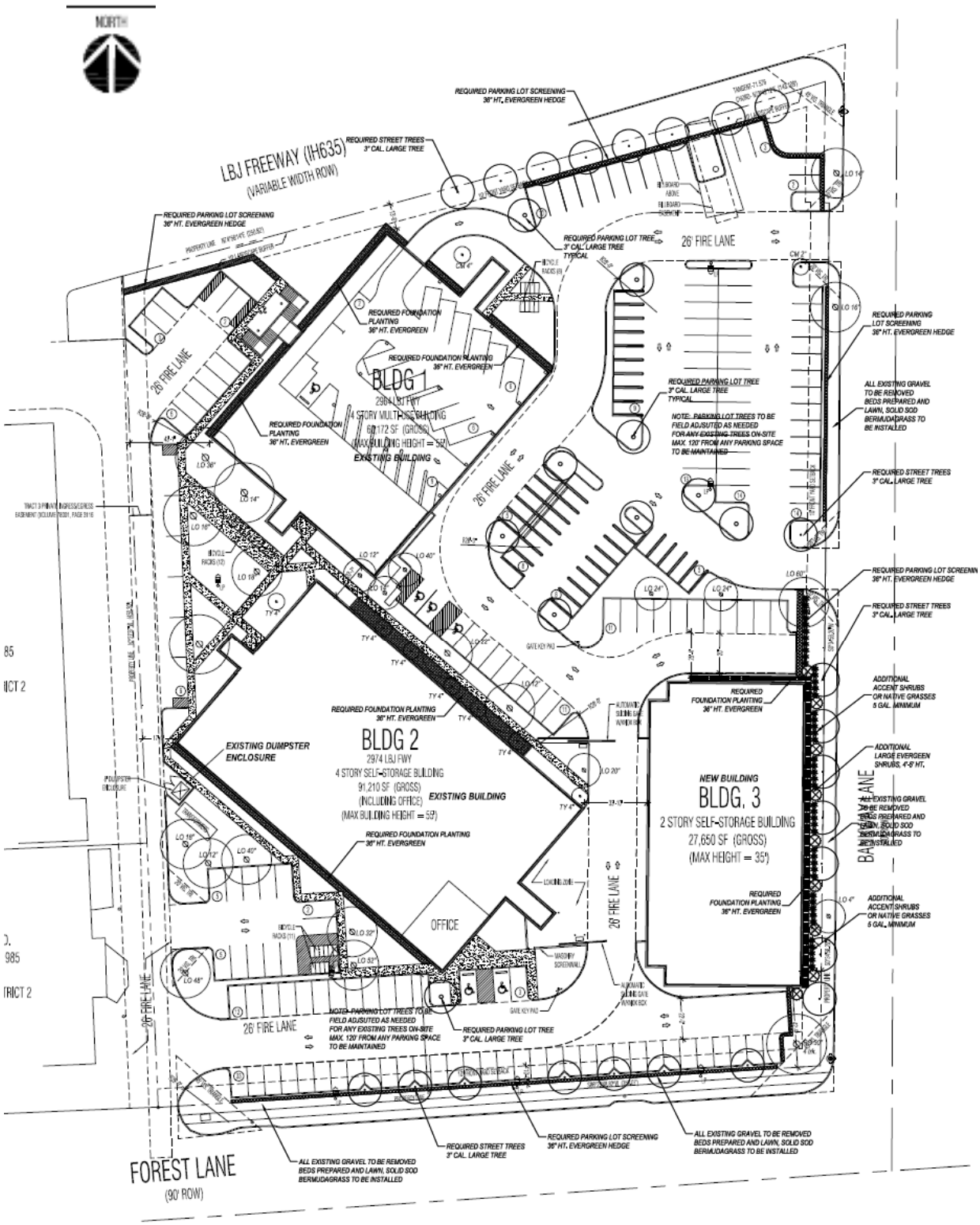
Enlarged SUP Site Plan



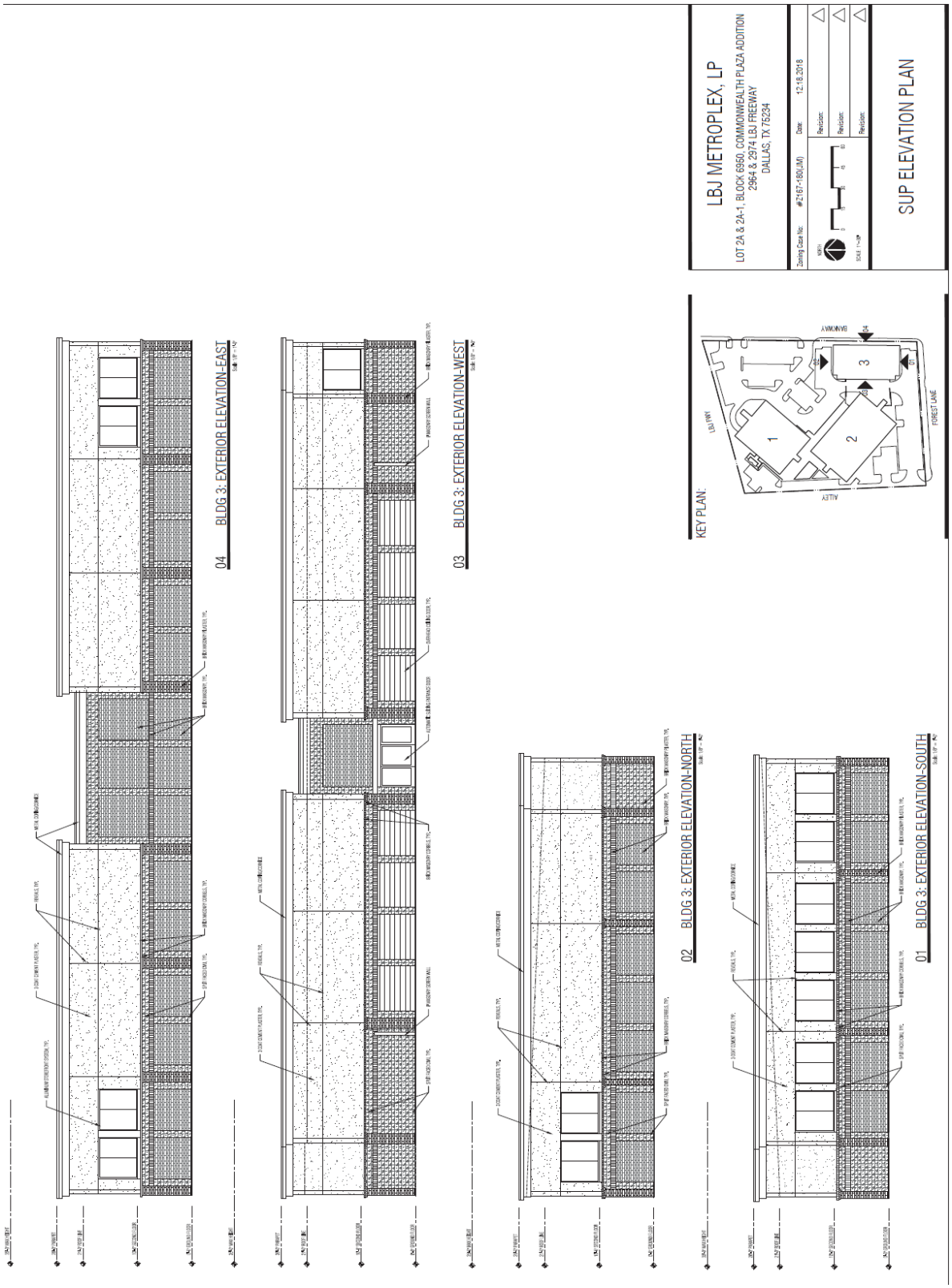
Proposed SUP Landscape Plan

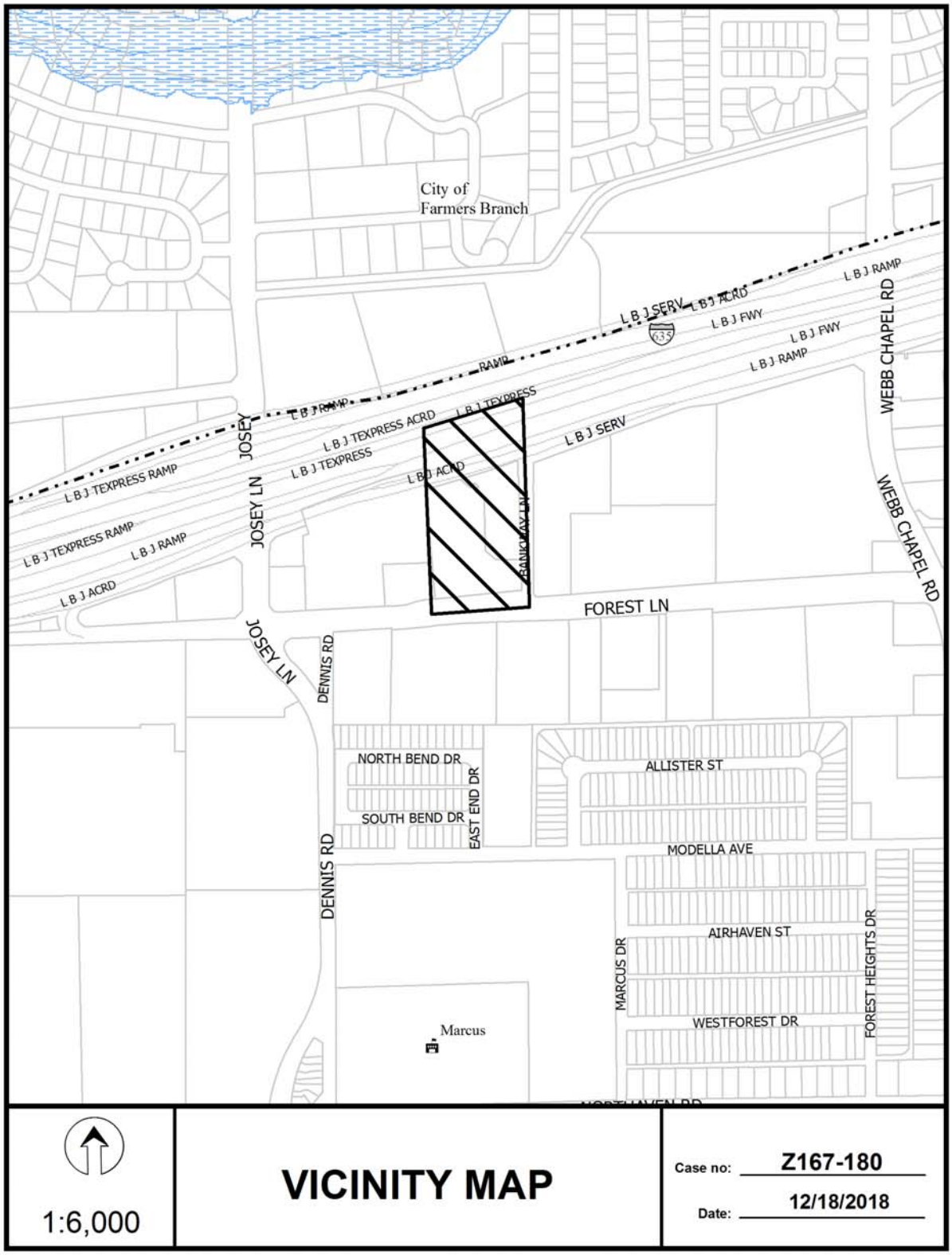


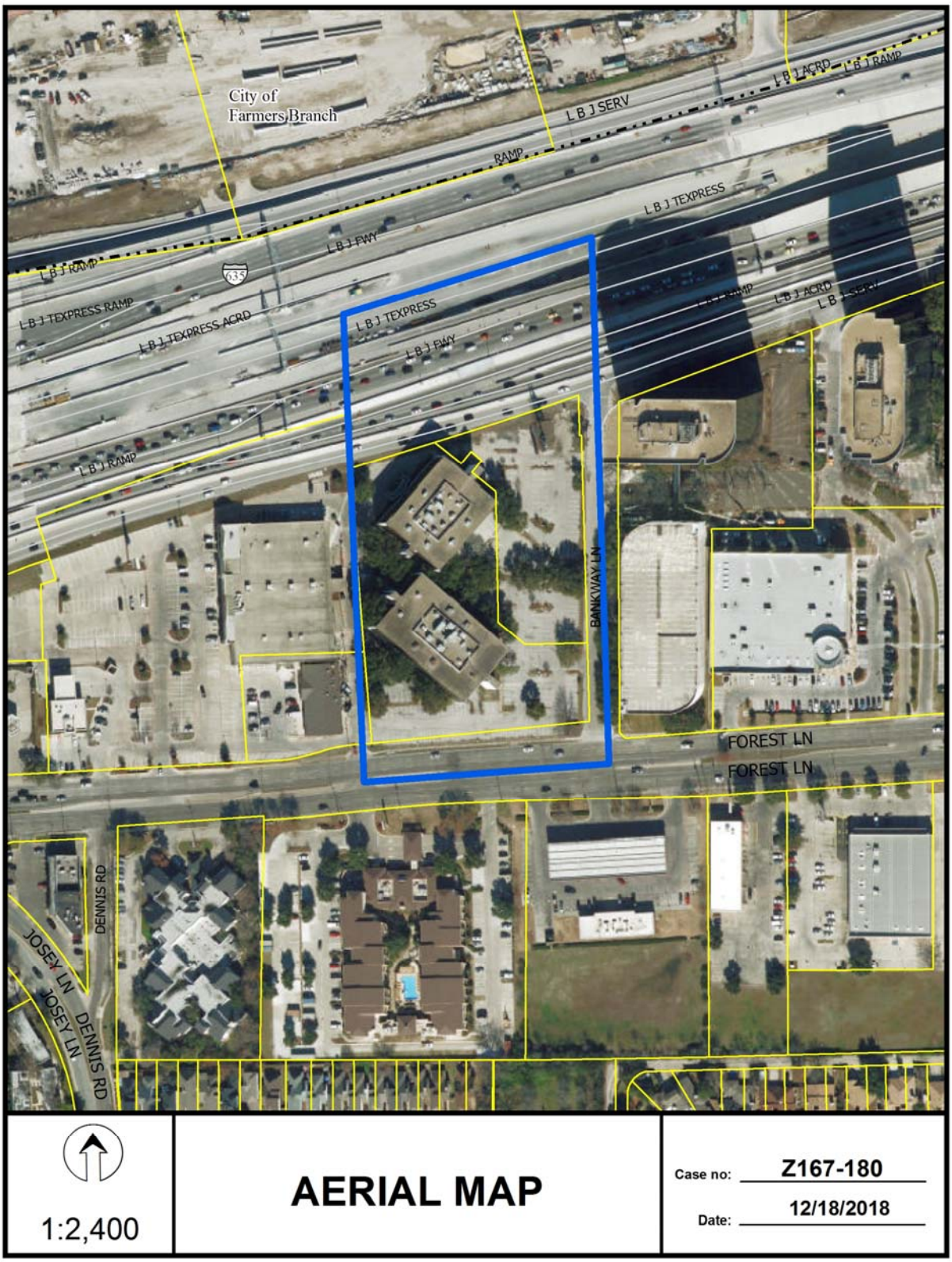
Enlarged SUP Landscape Plan



Proposed SUP Elevation Plan




City of
Farmers Branch
L B J SERV
L B J ACRD
L B J FWY
L B J RAMP
L B J TEXPRESS RAMP
L B J TEXPRESS ACRD
L B J TEXPRESS
JOSEY LN
WEBB CHAPEL RD
FRANKLAY LN
FOREST LN
DENNIS RD
NORTH BEND DR
SOUTH BEND DR
EAST END DR
ALLISTER ST
MODELLA AVE
AIRHAVEN ST
MARCUS DR
FOREST HEIGHTS DR
WESTFOREST DR
Marcus
1:6,000
VICINITY MAP
Case no: Z167-180
Date: 12/18/2018

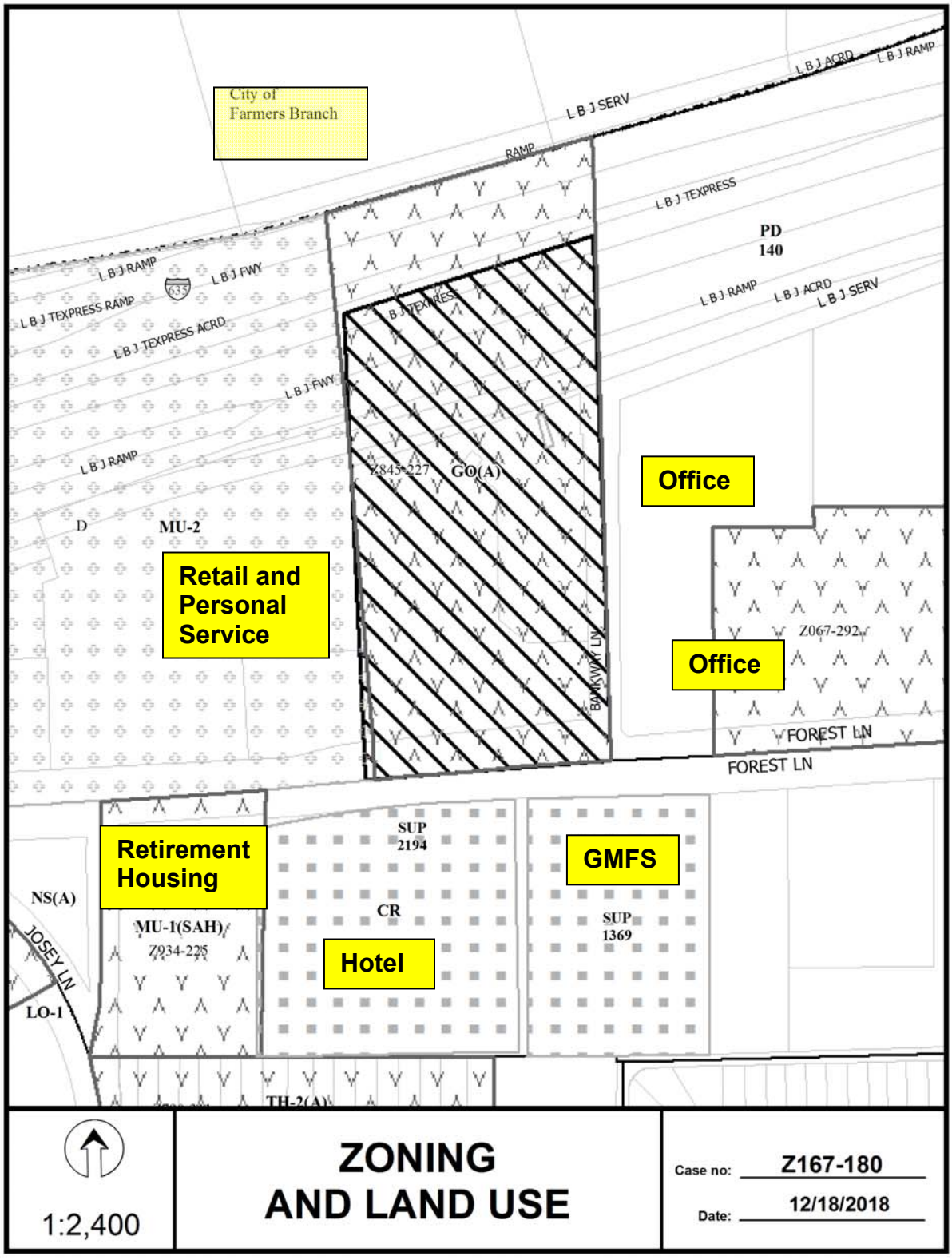


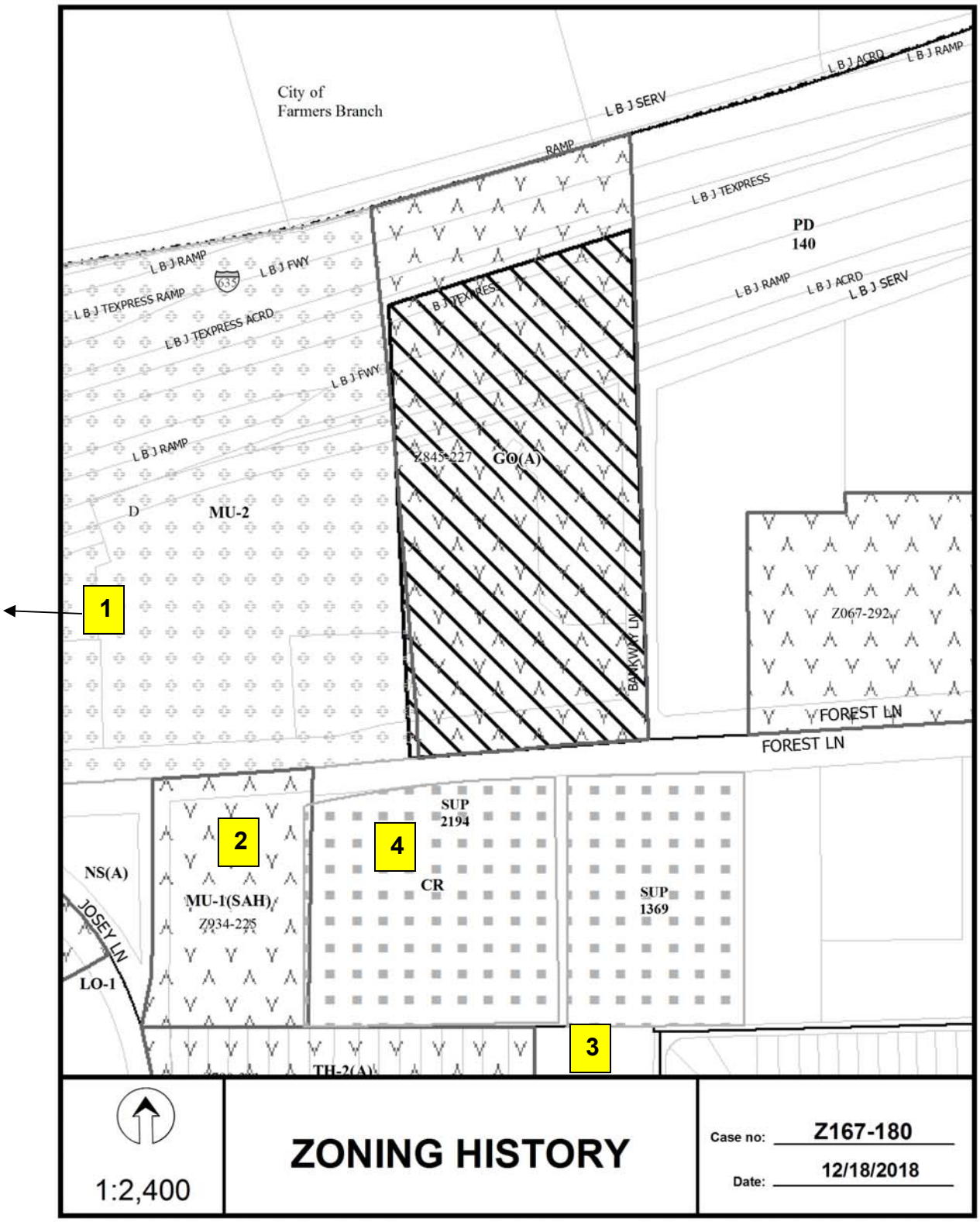
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AERIAL MAP

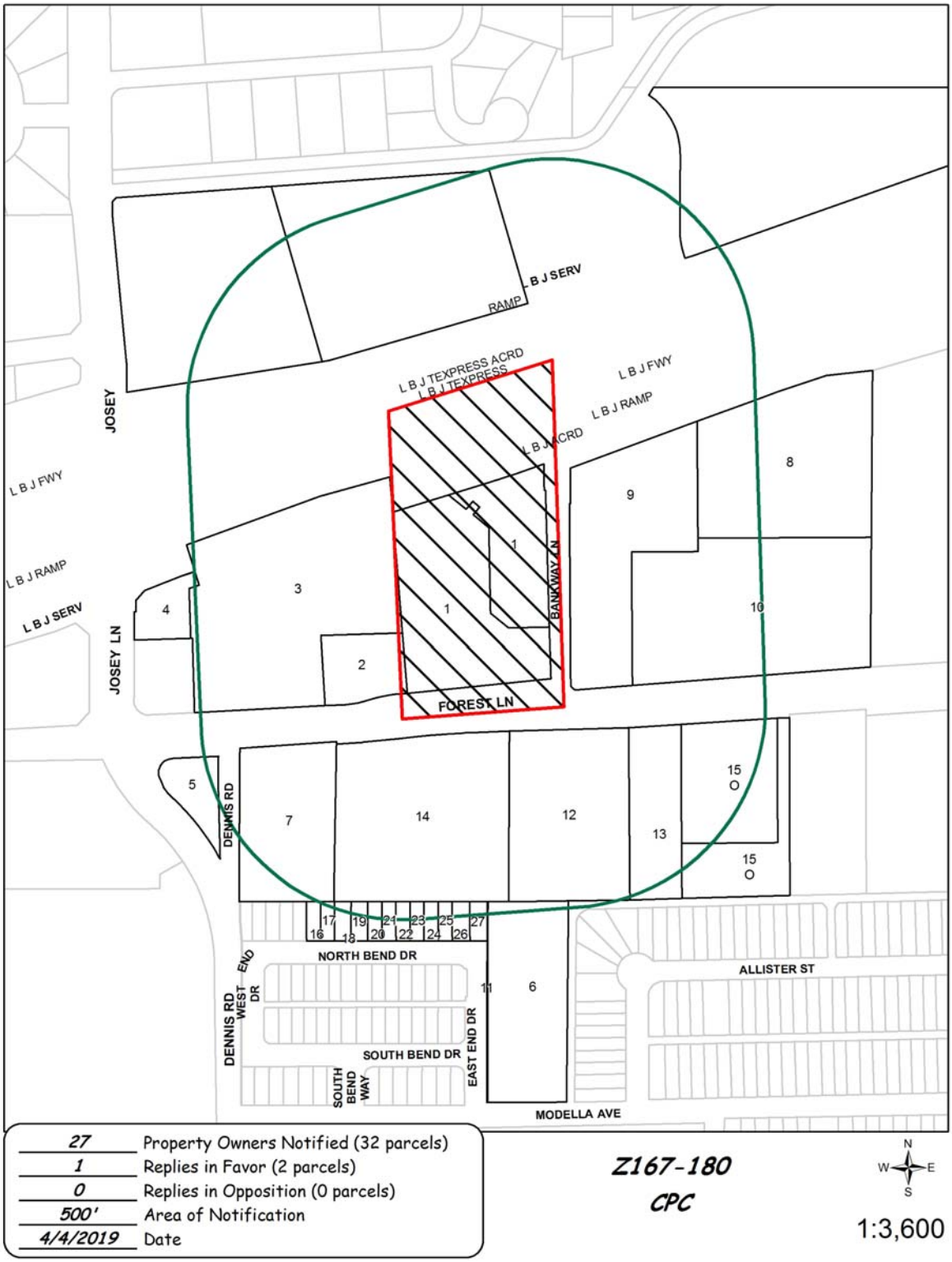
Case no: Z167-180

Date: 12/18/2018


City of Farmers Branch
L B J SERV
L B J ACRD
L B J RAMP
RAMP
L B J TEXPRESS
PD 140
L B J RAMP
L B J TEXPRESS RAMP
L B J FWY
635
L B J TEXPRESS ACRD
L B J TEXPRESS
L B J FWY
L B J RAMP
Z845-227
GO(A)
Office
D
MU-2
Retail and Personal Service
BANKWAY LN
Z067-292
Office
FOREST LN
FOREST LN
SUP 2194
Retirement Housing
GMFS
NS(A)
CR
SUP 1369
MU-1(SAH)
Z934-225
Hotel
JOSEY LN
LO-1
TH-2(A)
1:2,400
ZONING AND LAND USE
Case no: Z167-180
Date: 12/18/2018


City of
Farmers Branch
L B J SERV
RAMP
L B J ACRD
L B J RAMP
L B J TEXPRESS
PD
140
L B J RAMP
L B J ACRD
L B J SERV
L B J RAMP
L B J TEXPRESS RAMP
635
L B J FWY
L B J TEXPRESS ACRD
L B J TEXPRESS
L B J FWY
L B J RAMP
Z845-227
GO(A)
D
MU-2
1
Z067-292
BAKKWAY LN
FOREST LN
FOREST LN
SUP
2194
2
4
NS(A)
CR
SUP
1369
MU-1(SAH)
Z934-225
JOSEY LN
LO-1
3
TH-2(A)
1:2,400
ZONING HISTORY
Case no: Z167-180
Date: 12/18/2018

CPC RESPONSES



04/03/2019

Reply List of Property Owners

Z167-180

27 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2964	LBJ FWY	LBJ METROPLEX LP
	2	2919	FOREST LN	JOSEY VILLAGE LTD
	3	2909	FOREST LN	JOSEY VILLAGE LTD
	4	11838	JOSEY LN	JOSEY VILLAGE LTD
	5	2880	FOREST LN	KNB ENTERPRISES INC
	6	2963	MODELLA AVE	OLERIO HOMES LLC
	7	2920	FOREST LN	ST JUDE INC
	8	3030	LBJ FWY	TRIWEST GREEN LP
	9	3010	LBJ FWY	GRAYSTONE GREEN LP
	10	3029	FOREST LN	COLE LA DALLAS TX LLC
	11	11600	DENNIS RD	NORTH TOWN SQUARE
	12	2968	FOREST LN	QUIKTRIP CORPORATION
	13	2976	FOREST LN	HALLE PROPERTIES LLC
	14	2930	FOREST LN	COVENTRY HOSPITALITY LLC
O	15	2992	FOREST LN	RUBINFELD SAMUEL LIVING TR &
	16	2925	NORTH BEND DR	GARCIA RICARDO ANTONIO & ALEJANDRA
	17	2929	NORTH BEND DR	SLOAN JAMIE L &
	18	2933	NORTH BEND DR	HARRISON SANDRA A
	19	2937	NORTH BEND DR	MCGEE FRANK HARDIN &
	20	2941	NORTH BEND DR	KAILEY BARBARA
	21	2945	NORTH BEND DR	ETIENNE PHILIPPE JEAN &
	22	2949	NORTH BEND DR	WEBB JEFFREY S
	23	2953	NORTH BEND DR	ROMERO MARCUS JOSHUA
	24	2957	NORTH BEND DR	MEDINA WAYNE R
	25	2961	NORTH BEND DR	RICE DAWN P
	26	2965	NORTH BEND DR	GILSON DAVID E &
	27	2969	NORTH BEND DR	FRAELICH EDWARD K JR