


**OCTOBER 11, 2017 CITY COUNCIL AGENDA  
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated October 11, 2017. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

  
\_\_\_\_\_  
T.C. Broadnax  
City Manager

09-29-17  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Elizabeth Reich  
Chief Financial Officer

9-29-17  
\_\_\_\_\_  
Date

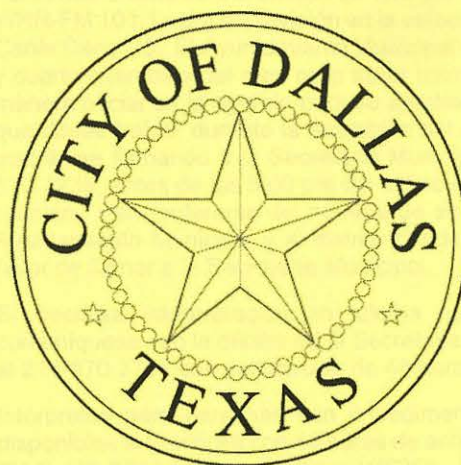




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CITY SECRETARY  
DALLAS, TEXAS



# COUNCIL AGENDA

October 11, 2017

Date

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

## **General Information**

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

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

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

**The Council agenda is available in alternative formats upon request.**

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

## **Rules of Courtesy**

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

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

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

## **Información General**

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

Si necesita interpretación en idioma español, por favor comuníquese con la oficina de la Secretaría 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 Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

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

## **Reglas de Cortesía**

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

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

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben 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, OCTOBER 11, 2017  
ORDER OF BUSINESS**

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

9:00 a.m.      **INVOCATION AND PLEDGE OF ALLEGIANCE**

**OPEN MICROPHONE**

**MINUTES**

Item 1

**CONSENT AGENDA**

Items 2 - 12

**ITEMS FOR INDIVIDUAL CONSIDERATION**

No earlier  
than 9:15 a.m.

Items 13 - 18

**PUBLIC HEARINGS AND RELATED ACTIONS**

1:00 p.m.

Items 19 - 30

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



**AGENDA**  
**CITY COUNCIL MEETING**  
**OCTOBER 11, 2017**  
**CITY OF DALLAS**  
**1500 MARILLA STREET**  
**COUNCIL CHAMBERS, CITY HALL**  
**DALLAS, TEXAS 75201**  
**9:00 A.M.**

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

**VOTING AGENDA**

1. Approval of Minutes of the September 27, 2017 City Council Meeting

**CONSENT AGENDA**

**Aviation**

2. Authorize Supplemental Agreement No. 1 to the design-build contract with Lansford Company, Inc. to increase the Guaranteed Maximum Price for the new Dallas Police Department Helicopter Hangar Project at Dallas Executive Airport - Not to exceed \$6,114,872, from \$556,813 to \$6,671,685 - Financing: Aviation Capital Construction Funds

**Fire**

3. Authorize the **(1)** acceptance of a grant from the U.S. Department of Homeland Security (DHS) through the Federal Emergency Management Agency under the 2016 Assistance to Firefighters - Fire Prevention and Safety (FPS) Grant (Grant No. EMW-2016-FP00475, CFDA No. 97.044) for smoke alarms, mobile fire house and other miscellaneous items for the period August 25, 2017 through August 24, 2018 in the amount of \$197,764; **(2)** establishment of appropriations in an amount not to exceed \$197,764 in the DHS-FY 2016 Assistance to Firefighters Grant-FPS 17-18 Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$197,764 in the DHS-FY 2016 Assistance to Firefighters Grant-FPS 17-18 Fund; **(4)** local cash match in the amount of \$9,888; and **(5)** execution of the grant agreement - Total not to exceed \$207,652 - Financing: U.S. Department of Homeland Security Assistance to Firefighters Grant Funds (\$197,764) and Current Funds (\$9,888)

CONSENT AGENDA (continued)**Office of Budget**

4. Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to Gartner, Inc. in the amount of \$120,208, North Central Texas Council of Governments in the amount of \$127,017, Texas Municipal League in the amount of \$55,778, Oncor Cities Steering Committee in the amount of \$158,152, Texas Coalition of Cities for Utility Issues in the amount of \$52,718, North Texas Commission in the amount of \$60,000, Water Research Foundation in the amount of \$292,852, and Water Environment and Reuse Foundation in the amount of \$84,050 - Total not to exceed \$950,775 - Financing: Current Funds (\$573,873) and Water Utilities Current Funds (\$376,902)

**Office of Procurement Services**

5. Authorize a three-year service contract for repair services and associated parts for the maintenance of heavy-duty truck transmissions and differentials - Industrial Power, LLC in the amount of \$620,877 and Rush Truck Centers of Texas, LP in the amount of \$509,009, lowest responsible bidders of four - Total not to exceed \$1,129,886 - Financing: Current Funds (\$1,106,027), Water Utilities Current Funds (\$16,500), and Aviation Current Funds (\$7,359) (subject to annual appropriations)
6. Authorize **(1)** a five-year service contract for herbicide and algaecide pond treatment - Magnolia Fisheries, Inc. in the amount of \$294,000; and **(2)** a five-year service contract for fountain repair and maintenance - Lone Star Fountains, Inc. in the amount of \$26,900, lowest responsible bidders of three - Total not to exceed \$320,900 - Financing: Current Funds (subject to annual appropriations)
7. Authorize a three-year master agreement for the purchase of ductile iron pipe for the distribution of potable water - HD Supply Waterworks, LTD in the amount of \$257,895 and Fortiline, Inc. in the amount of \$14,998, lowest responsible bidders of four - Total not to exceed \$272,893 - Financing: Water Utilities Current Funds

**Park & Recreation**

8. Authorize a professional services contract with GSR Andrade Architects, Inc. for improvements to the DeGolyer House and the Camp House and installation of new sidewalks along Garland Road at the Dallas Arboretum located at 8525 Garland Road - Not to exceed \$72,100 - Financing: 2003 Bond Funds
9. Authorize a construction services contract for tree mitigation at Bachman Lake Park located at 3500 West Northwest Highway - C. Green Scaping, LP, lowest responsible bidder of three - Not to exceed \$203,700 - Financing: Water Utilities Current Funds



CONSENT AGENDA (continued)**Sustainable Development and Construction**

10. Authorize acquisition from Freddie Kasper, of approximately 262,824 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$49,000 (\$45,900, plus closing costs and title expenses not to exceed \$3,100) - Financing: Water Utilities Capital Improvement Funds
11. Authorize **(1)** the quitclaim of 22 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale that will be sold to the highest qualified bidders; and **(2)** the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment (list attached) - Estimated Revenue: \$331,000
12. An ordinance abandoning an easement for street purposes to Northwest Overlake, L.L.C., the abutting owner, containing approximately 5,064 square feet of land, located near the intersection of Northwest Highway and Straightway Drive; and authorizing the quitclaim - Revenue: \$26,586, plus the \$20 ordinance publication fee

ITEMS FOR INDIVIDUAL CONSIDERATION**City Secretary's Office**

13. 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)

**City Attorney's Office**

14. Authorize an amendment to the Water Supply Contract and Conveyance between the City and the Sabine River Authority ("SRA") for raw water from Lake Fork Reservoir, and authorize settlement of the litigation styled: **(1)** Petition of the City of Dallas for Review of a Decision by the Sabine River Authority to Set Water Rates (Lake Fork Reservoir), Docket No. 43674 before the Public Utility Commission of Texas ("PUC"); **(2)** City of Dallas v. Sabine River Authority, Cause No. D-1-GN-15-000398 in the 53<sup>rd</sup> District Court of Travis County, Texas, and all related appeals; and **(3)** City of Dallas v. Cary "Mac" Abney, et al. v. Sabine River Authority, Cause No. D-150045-C in the 260<sup>th</sup> District Court of Orange County, Texas, and all related appeals - Financing: No cost consideration to the City

**Economic Development**

15. Authorize a Chapter 380 Economic Development Grant Agreement pursuant to the Public/Private Partnership Program with TVM Productions, Inc. to promote local economic development, stimulate business and commercial activity with the added benefit of promoting Dallas in the media through the production of 13 episodes of the third season of USA Network's television series "Queen of the South" - Not to exceed \$200,000 - Financing: Public/Private Partnership Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (continued)

**Public Affairs and Outreach**

16. A resolution to transfer oversight responsibility for the City's Open Records Request (ORR) function from the City Manager to the City Secretary with final design and implementation of a newly centralized ORR Center to be coordinated with the appointment of the new City Secretary - Financing: No cost consideration to the City

**ITEMS FOR FURTHER CONSIDERATION**

**Sustainable Development and Construction**

17. An ordinance granting a private license to RBP Adolphus LLC, for the use of approximately 109 square feet of land to maintain and utilize a sidewalk café on a portion of Commerce Street right-of-way near its intersection with Field Street - Revenue: \$200 annually, plus the \$20 ordinance publication fee
18. An ordinance abandoning a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner, containing a total of approximately 7,446 square feet of land, located near the intersection of Inwood Road and Newmore Avenue, and authorizing the quitclaim; and providing for the dedication of a total of approximately 16,388 square feet of land needed for street rights-of-way and wastewater easement - Revenue: \$5,400, plus the \$20 ordinance publication fee

PUBLIC HEARINGS AND RELATED ACTIONS

**Sustainable Development and Construction**

ZONING CASES - CONSENT

19. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for O-2 Office Subdistrict uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Cedar Springs Road and Turtle Creek Boulevard  
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions  
Z167-306(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)**Sustainable Development and Construction (continued)**ZONING CASES - CONSENT (continued)

20. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 2211 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the southeast corner of Commerce Street and Murray Street  
Recommendation of Staff: Approval for a two-year period, subject to a site plan and conditions  
Recommendation of CPC: Approval for a two-year period, subject to a revised site plan and conditions  
Z167-337(JM)
21. A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an IR Industrial Research District on the north line of Kimsey Drive, northeast of Maple Avenue  
Recommendation of Staff and CPC: Approval  
Z167-341(WE)

ZONING CASES - INDIVIDUAL

22. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for an R-7.5(A) Single Family District and multifamily uses on property zoned an R-7.5(A) Single Family District on the southwest corner of West 10<sup>th</sup> Street and South Brighton Avenue  
Recommendation of Staff and CPC: Approval, subject to a revised development plan and conditions  
Z167-120(SM)
23. A public hearing to receive comments regarding an application for and **(1)** an ordinance granting an amendment to Tract 1a within Planned Development District No. 486, on the southwest corner of Parry Avenue and Bank Street; and **(2)** an ordinance granting an amendment to and expansion of Tract 1b on property zoned Tract 1b within Planned Development District No. 486 and a D(A) Duplex District on the northeast corner of Gurley Avenue and Bank Street  
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, revised Tract 1a development plan, revised Tract 1b development plan, and conditions  
Z167-240(JM)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)**Sustainable Development and Construction (continued)**ZONING CASES - INDIVIDUAL (continued)

24. A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District and an ordinance granting a Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an A(A) Agricultural District, on the south line of Simpson Stuart Road, west of South Central Service Expressway  
Recommendation of Staff: Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a three-year period, subject to a site plan, a landscape plan, and staff's recommended conditions  
Recommendation of CPC: Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a four-year period, subject to a site plan, a landscape plan, and conditions  
Z167-303(JM)
25. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses with an MD-1 Modified Delta Overlay District on the north line of Alta Avenue, west of Greenville Avenue  
Recommendation of Staff: Approval for a three-year period, subject to conditions  
Recommendation of CPC: Approval for a one-year period, subject to conditions  
Z167-342(WE)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

26. A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the northeast corner of North Prairie Creek Road and Scylene Road  
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant  
Z156-277(WE)  
Note: This item was considered by the City Council at a public hearing on April 12, 2017, and was deferred until October 11, 2017, with the public hearing open

PUBLIC HEARINGS AND RELATED ACTIONS (continued)**Sustainable Development and Construction** (continued)ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL (continued)

27. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private recreation center, club, or area on property zoned an A(A) Agricultural District on the south line of Tea Garden Road, west of Haymarket Road  
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions  
Z156-323(JM)  
Note: This item was considered by the City Council at public hearings on April 12, 2017, May 24, 2017, June 28, 2017 and August 23, 2017, and was deferred until October 11, 2017, with the public hearing open
28. A public hearing to receive comments regarding an application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the northwest line of Pennsylvania Avenue, southwest of J.B. Jackson Jr. Boulevard  
Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions  
Recommendation of CPC: Denial without prejudice  
Z156-335(WE)  
Note: This item was considered by the City Council at public hearings on January 25, 2017, February 22, 2017, April 26, 2017 and June 28, 2017, and was held under advisement until October 11, 2017, with the public hearing open
29. A public hearing to receive comments regarding an application for and an ordinance granting a TH-3(A) Townhouse District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the west line of Leigh Ann Drive, north of West Wheatland Road  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant  
Z167-212(OTH)  
Note: This item was considered by the City Council at public hearings on June 28, 2017, August 23, 2017, and September 13, 2017, and was deferred until October 11, 2017, with the public hearing open

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

MISCELLANEOUS HEARINGS

**Park & Recreation**

30. A public hearing to receive comments on the proposed use of a portion of the Kleberg Trail, totaling approximately 126,625 square feet of land, by Dallas Water Utilities for the construction of a 21-inch wastewater main and a 120-inch water transmission pipeline; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code  
- Financing: No cost consideration to the City

**Tax Foreclosed and Seizure Warrant Property Resales**  
**Agenda Item # 11**

<b>Parcel No.</b>	<b><u>Address</u></b>	<b><u>Vac/ Imp</u></b>	<b><u>Council District</u></b>	<b><u>Zoning</u></b>	<b><u>Parcel Size</u></b>	<b><u>Struck off Amount</u></b>	<b><u>DCAD</u></b>
1	917 E. 12th	V	4	CS	.0732	\$ 4,790.00	\$ 4,790.00
2	2671 E. Ann Arbor	V	4	CA-1(A)	.1560	\$ 9,192.00	\$ 7,000.00
1	2807 Benrock	V	8	R-5(A)	.2848	\$ 2,968.00	\$ 8,250.00
2	1517 Briar Cliff	I	2	PD-465	.1636	\$ 36,750.00	\$ 71,180.00
3	4226 Canal	I	7	PD-595	.1217	\$ 40,530.00	\$ 40,530.00
4	4210 Copeland	V	7	PD-595	.0894	\$ 3,750.00	\$ 3,750.00
5	2236 Dathe	V	7	PD-595	.1419	\$ 6,000.00	\$ 6,000.00
6	419 Denley	V	4	PD-571	.7859	\$ 7,000.00	\$ 7,500.00
7	4011 Denley	V	4	TH-3(A)	.4455	\$ 13,500.00	\$ 13,500.00
8	522 Elwayne	V	5	R-7.5(A)	.1799	\$ 15,000.00	\$ 15,000.00
9	4122 Fernwood	V	4	R-5(A)	.9159	\$ 15,666.00	\$ 18,000.00
10	4434 Frank	V	7	PD-595	.1062	\$ 4,619.00	\$ 5,000.00
11	13848 Indian Wells	V	8	R-10(A)	.4879	\$ 22,117.00	\$ 24,400.00
12	423 Jim Miller	I	8	R-7.5(A)	.3881	\$ 69,982.00	\$ 98,000.00
13	2219 Jordan St	I	7	PD-595	.1428	\$ 26,201.00	\$ 25,830.00
14	2816 Marburg	V	7	PD-595	.1308	\$ 15,380.00	\$ 6,000.00
15	631 Misty Glen	I	4	R-7.5(A)	.4703	\$119,490.00	\$155,200.00
16	3343 Navajo	V	4	R-7.5(A)	.2555	\$ 30,170.00	\$ 40,000.00
17	851 Oak Forest	V	4	R-7.5(A)	.1744	\$ 20,000.00	\$ 20,000.00
18	3816 Overton	V	4	IR	.5965	\$ 44,910.00	\$ 44,910.00
19	3100 Samuell	V	2	RR	.2457	\$ 53,550.00	\$ 53,550.00
20	815 Vermont	I	4	CR	.0988	\$ 51,886.00	\$ 90,590.00
21	2837 Whitewood	V	3	R-10(A)	.2366	\$ 23,190.00	\$ 23,190.00
22	3703 York	V	7	PD-595	.1492	\$ 3,250.00	\$ 3,250.00

## EXECUTIVE SESSION NOTICE

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]



# AGENDA DATE October 11, 2017

ITEM	OK	IND	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of the September 27, 2017 City Council Meeting
2			3	C	AVI	\$6,114,872.00	0.00%	30.25%	Authorize Supplemental Agreement No. 1 to the design-build contract with Lansford Company, Inc. to increase the Guaranteed Maximum Price for the new Dallas Police Department Helicopter Hangar Project at Dallas Executive Airport - Not to exceed \$6,114,872, from \$556,813 to \$6,671,685 - Financing: Aviation Capital Construction Funds
3			All	C	FIR	\$9,888.00	NA	NA	Authorize the (1) acceptance of a grant from the U.S. Department of Homeland Security (DHS) through the Federal Emergency Management Agency under the 2016 Assistance to Firefighters - Fire Prevention and Safety (FPS) Grant (Grant No. EMW-2016-FP00475, CFDA No. 97.044) for smoke alarms, mobile fire house and other miscellaneous items for the period August 25, 2017 through August 24, 2018 in the amount of \$197,764; (2) establishment of appropriations in an amount not to exceed \$197,764 in the DHS-FY 2016 Assistance to Firefighters Grant-FPS 17-18 Fund; (3) receipt and deposit of funds in an amount not to exceed \$197,764 in the DHS-FY 2016 Assistance to Firefighters Grant-FPS 17-18 Fund; (4) local cash match in the amount of \$9,888; and (5) execution of the grant agreement - Total not to exceed \$207,652 - Financing: U.S. Department of Homeland Security Assistance to Firefighters Grant Funds (\$197,764) and Current Funds (\$9,888)
4			N/A	C	OFS, CIS, ECO, WTR	\$950,775.00	NA	NA	Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to Gartner, Inc. in the amount of \$120,208, North Central Texas Council of Governments in the amount of \$127,017, Texas Municipal League in the amount of \$55,778, Oncor Cities Steering Committee in the amount of \$158,152, Texas Coalition of Cities for Utility Issues in the amount of \$52,718, North Texas Commission in the amount of \$60,000, Water Research Foundation in the amount of \$292,852, and Water Environment and Reuse Foundation in the amount of \$84,050 - Total not to exceed \$950,775 - Financing: Current Funds (\$573,873) and Water Utilities Current Funds (\$376,902)
5			All	C	PBD, AVI, TRN, EBS, FIR, PKR, SAN, WTR	\$1,129,885.60	45.05%	0.00%	Authorize a three-year service contract for repair services and associated parts for the maintenance of heavy-duty truck transmissions and differentials - Industrial Power, LLC in the amount of \$620,877 and Rush Truck Centers of Texas, LP in the amount of \$509,009, lowest responsible bidders of four - Total not to exceed \$1,129,886 - Financing: Current Funds (\$1,106,027), Water Utilities Current Funds (\$16,500), and Aviation Current Funds (\$7,359) (subject to annual appropriations)
6			1, 3, 5, 7, 8, 10, 11, 12	C	PBD, PKR	\$320,900.00	91.62%	0.00%	Authorize (1) a five-year service contract for herbicide and algaecide pond treatment - Magnolia Fisheries, Inc. in the amount of \$294,000; and (2) a five-year service contract for fountain repair and maintenance - Lone Star Fountains, Inc. in the amount of \$26,900, lowest responsible bidders of three - Total not to exceed \$320,900 - Financing: Current Funds (subject to annual appropriations)
7			All	C	PBD, WTR	\$272,892.73	100.00%	0.00%	Authorize a three-year master agreement for the purchase of ductile iron pipe for the distribution of potable water - HD Supply Waterworks, LTD in the amount of \$257,895 and Fortiline, Inc. in the amount of \$14,998, lowest responsible bidders of four - Total not to exceed \$272,893 - Financing: Water Utilities Current Funds
8			9	C	PKR	\$72,100.00	97.78%	20.26%	Authorize a professional services contract with GSR Andrade Architects, Inc. for improvements to the DeGolyer House and the Camp House and installation of new sidewalks along Garland Road at the Dallas Arboretum located at 8525 Garland Road - Not to exceed \$72,100 - Financing: 2003 Bond Funds
9			6	C	PKR, WTR	\$203,700.00	27.00%	100.00%	Authorize a construction services contract for tree mitigation at Bachman Lake Park located at 3500 West Northwest Highway - C. Green Scaping, LP, lowest responsible bidder of three - Not to exceed \$203,700 - Financing: Water Utilities Current Funds
10			Outside	C	DEV, WTR	\$49,000.00	NA	NA	Authorize acquisition from Freddie Kasper, of approximately 262,824 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$49,000 (\$45,900, plus closing costs and title expenses not to exceed \$3,100) - Financing: Water Utilities Capital Improvement Funds
11			2, 3, 4, 5, 7, 8	C	DEV	REV \$331,000	NA	NA	Authorize (1) the quitclaim of 22 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale that will be sold to the highest qualified bidders; and (2) the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment - Estimated Revenue: \$331,000
12			2	C	DEV	REV \$26,586	NA	NA	An ordinance abandoning an easement for street purposes to Northwest Overlake, L.L.C., the abutting owner, containing approximately 5,064 square feet of land, located near the intersection of Northwest Highway and Straightway Drive; and authorizing the quitclaim - Revenue: \$26,586, plus the \$20 ordinance publication fee

# AGENDA DATE October 11, 2017

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
13			N/A	I	SEC	NC	N/A	N/A	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
14			N/A	I	ATT, WTR	NC	NA	NA	Authorize an amendment to the Water Supply Contract and Conveyance between the City and the Sabine River Authority ("SRA") for raw water from Lake Fork Reservoir, and authorize settlement of the litigation styled: (1) Petition of the City of Dallas for Review of a Decision by the Sabine River Authority to Set Water Rates (Lake Fork Reservoir), Docket No. 43674 before the Public Utility Commission of Texas ("PUC"); (2) City of Dallas v. Sabine River Authority, Cause No. D-1-GN-15-000398 in the 53rd District Court of Travis County, Texas, and all related appeals; and (3) City of Dallas v. Cary "Mac" Abney, et al. v. Sabine River Authority, Cause No. D-150045-C in the 260th District Court of Orange County, Texas, and all related appeals - Financing: No cost consideration to the City
15			All	I	ECO	\$200,000.00	NA	NA	Authorize a Chapter 380 Economic Development Grant Agreement pursuant to the Public/Private Partnership Program with TVM Productions, Inc. to promote local economic development, stimulate business and commercial activity with the added benefit of promoting Dallas in the media through the production of 13 episodes of the third season of USA Network's television series "Queen of the South" - Not to exceed \$200,000 - Financing: Public/Private Partnership Funds
16			All	I	PAO	NC	NA	NA	A resolution to transfer oversight responsibility for the City's Open Records Request (ORR) function from the City Manager to the City Secretary with final design and implementation of a newly centralized ORR Center to be coordinated with the appointment of the new City Secretary - Financing: No cost consideration to the City
17			14	I	DEV	REV \$200	NA	NA	An ordinance granting a private license to RBP Adolphus LLC, for the use of approximately 109 square feet of land to maintain and utilize a sidewalk café on a portion of Commerce Street right-of-way near its intersection with Field Street - Revenue: \$200 annually, plus the \$20 ordinance publication fee
18			2	I	DEV	REV \$5,400	NA	NA	An ordinance abandoning a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner, containing a total of approximately 7,446 square feet of land, located near the intersection of Inwood Road and Newmore Avenue, and authorizing the quitclaim; and providing for the dedication of a total of approximately 16,388 square feet of land needed for street rights-of-way and wastewater easement - Revenue: \$5,400, plus the \$20 ordinance publication fee
19			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for O-2 Office Subdistrict uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Cedar Springs Road and Turtle Creek Boulevard
20			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 2211 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the southeast corner of Commerce Street and Murray Street
21			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an IR Industrial Research District on the north line of Kimsey Drive, northeast of Maple Avenue
22			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for an R-7.5(A) Single Family District and multifamily uses on property zoned an R-7.5(A) Single Family District on the southwest corner of West 10th Street and South Brighton Avenue
23			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and (1) an ordinance granting an amendment to Tract 1a within Planned Development District No. 486, on the southwest corner of Parry Avenue and Bank Street; and (2) an ordinance granting an amendment to and expansion of Tract 1b on property zoned Tract 1b within Planned Development District No. 486 and a D(A) Duplex District on the northeast corner of Gurley Avenue and Bank Street
24			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District and an ordinance granting a Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an A(A) Agricultural District, on the south line of Simpson Stuart Road, west of South Central Service Expressway

**AGENDA DATE**      October 11, 2017

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
25			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses with an MD-1 Modified Delta Overlay District on the north line of Alta Avenue, west of Greenville Avenue
26			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the northeast corner of North Prairie Creek Road and Scyene Road
27			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private recreation center, club, or area on property zoned an A(A) Agricultural District on the south line of Tea Garden Road, west of Haymarket Road
28			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the northwest line of Pennsylvania Avenue, southwest of J.B. Jackson Jr. Boulevard
29			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a TH-3(A) Townhouse District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the west line of Leigh Ann Drive, north of West Wheatland Road
30			8	PH	PKR	NC	NA	NA	A public hearing to receive comments on the proposed use of a portion of the Kleberg Trail, totaling approximately 126,625 square feet of land, by Dallas Water Utilities for the construction of a 21-inch wastewater main and a 120-inch water transmission pipeline; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City

**TOTAL                    \$9,324,013.33**







## **AGENDA ITEM # 2**

### **STRATEGIC PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

### **AGENDA DATE:**

October 11, 2017

### **COUNCIL DISTRICT(S):**

3

### **DEPARTMENT:**

Aviation

### **CMO:**

Jody Puckett, 670-3390

### **MAPSCO:**

63P Q

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### **SUBJECT**

Authorize Supplemental Agreement No. 1 to the design-build contract with Lansford Company, Inc. to increase the Guaranteed Maximum Price for the new Dallas Police Department Helicopter Hangar Project at Dallas Executive Airport - Not to exceed \$6,114,872, from \$556,813 to \$6,671,685 - Financing: Aviation Capital Construction Funds

### **BACKGROUND**

On September 22, 2015, City Council authorized a design-build contract with Lansford Company, Inc., in an amount not to exceed \$556,813 for design and construction of the Dallas Police Helicopter Hangar Project at Dallas Executive Airport, for an established Guaranteed Maximum Price (GMP) of \$5,000,000, by Resolution No. 15-1766.

This action will authorize Supplemental Agreement No. 1 to the design-build contract with Lansford Company, Inc. to increase the GMP to complete the project scope within available budget, in an amount not to exceed \$6,114,872, increasing the design-build contract amount from \$556,813 to \$6,671,685.

All stakeholders approved the revised building design and site plans on June 7, 2017. Confirmation of the GMP through the pricing of sub-contractor packages was achieved on September 11, 2017. The building will provide approximately 17,000 square feet (SF) which includes office space of 5,800 SF and the helicopter hangar of 11,000 SF. The project scope includes a new driveway and utility extensions and an apron of 23,000 SF accommodating four helicopters.

## **ESTIMATED SCHEDULE OF PROJECT**

Began Design	October 2015
Completed Design	June 2017
Begin Construction	November 2017
Complete Construction	April 2019

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Information about this item was provided to the Public Safety Committee on September 14, 2015.

On September 22, 2015, City Council authorized a design-build contract with Lansford Company, Inc. for design and construction of the Dallas Police Helicopter Hangar Project at Dallas Executive Airport by Resolution No. 15-1766.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on October 9, 2017.

## **FISCAL INFORMATION**

Aviation Capital Construction Funds - \$6,114,872

Design-build contract	\$ 556,813
Supplemental Agreement No. 1 (this action)	<u>\$6,114,872</u>
Total Contract Cost	\$6,671,685

## **M/WBE INFORMATION**

See attached.

## **OWNER**

**Lansford Company, Inc.**

Robert Lansford, President

## **MAP**

Attached



## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize Supplemental Agreement No. 1 to the design-build contract with Lansford Company, Inc. to increase the Guaranteed Maximum Price for the new Dallas Police Department Helicopter Hangar Project at Dallas Executive Airport - Not to exceed \$6,114,872, from \$556,813 to \$6,671,685 - Financing: Aviation Capital Construction Funds

Lansford Company, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

**PROJECT CATEGORY:** Professional Services

### **LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY**

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$0.00	0.00%
Non-local contracts	\$6,114,872.00	100.00%
<b>TOTAL THIS ACTION</b>	<b>\$6,114,872.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION**

#### **Local Contractors / Sub-Contractors**

None

#### **Non-Local Contractors / Sub-Contractors**

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Nu-Way Construction	HFDB60367N0918	\$1,657,548.00	27.11%
<b>Total Minority - Non-local</b>		<b>\$1,657,548.00</b>	<b>27.11%</b>

### **TOTAL DBE PARTICIPATION**

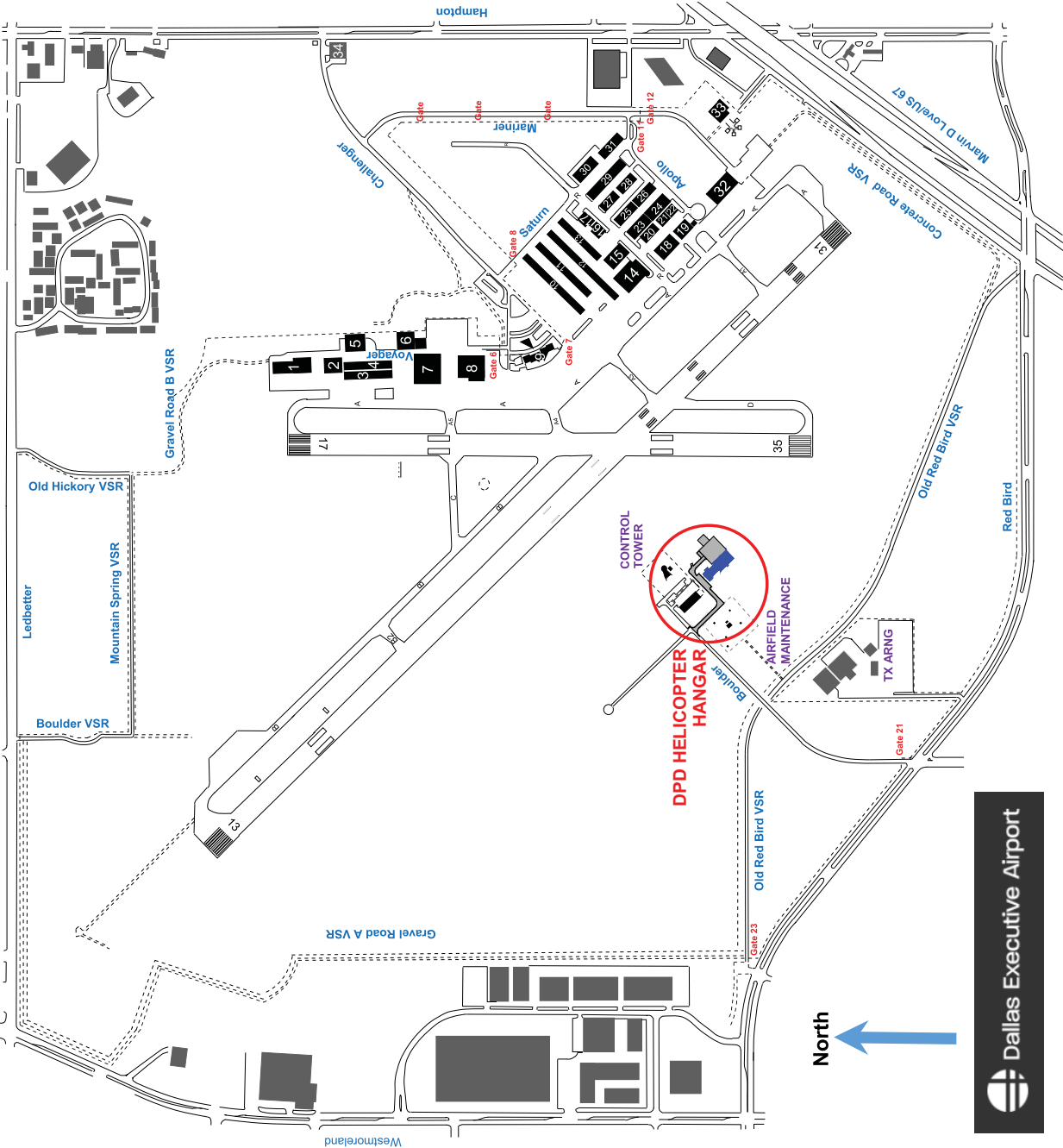
	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$339,058.00	5.08%
Hispanic American	\$1,657,548.00	27.11%	\$1,657,548.00	24.84%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$21,500.00	0.32%
<b>Total</b>	<b>\$1,657,548.00</b>	<b>27.11%</b>	<b>\$2,018,106.00</b>	<b>30.25%</b>

# AIRPORT BUILDING ADDRESS

Ref.	Address
1.	4985 VOYAGER
2.	4975 VOYAGER
3.	5025 VOYAGER
1.	Hum's Aircraft
1.	817-703-1393
2.	Dallas Executive Aircraft Services
1.	214-558-1238
4.	5015 VOYAGER
5.	5010 VOYAGER
1.	We Fly Ads
1.	888-933-5923
2.	H&W Products
1.	214-339-3030
6.	5110 VOYAGER (HANGAR) / 6B 5120 VOYAGER (OFFICE)
7.	5125 VOYAGER
1.	Jet Center Of Dallas FBO
1.	214-339-3992
2.	131.40
8.	5225 VOYAGER
9.	5303 CHALLENGER
1.	Terminal
2.	Delta Charlie's Restaurant
1.	214-623-9944
10.	5419 SATURN
1.	Aero Parts and Supply
1.	214-337-3328
2.	A&P Testing
1.	817-454-1673
11.	5423 SATURN
1.	Red Bird Electronics
1.	214-337-8958
12.	5427 SATURN
13.	5431 SATURN
1.	AVcessories
1.	214-467-9410
14.	5435 SATURN
1.	Ambassador Jet Center FBO
1.	214-623-8800
2.	131.90
2.	Slipstream Aviation
1.	817-658-5988
15.	5433 SATURN
16.	5439 SATURN
17.	5443 SATURN

# AIRPORT BUILDING ADDRESS

Ref.	Address
18.	5555 APOLLO
19.	5676 APOLLO
1.	Avionics First
1.	214-337-7000
20.	5673 APOLLO
21.	5675 APOLLO
22.	5677 APOLLO
23.	5681 APOLLO
24.	5685 APOLLO
25.	5689 APOLLO
26.	5691 APOLLO
27.	5693 APOLLO
28.	5695 APOLLO
29.	5697 APOLLO
30.	5699 APOLLO
31.	5701 APOLLO
32.	5661 MARINER
1.	Commemorative Air Force
1.	214-330-1700
33.	5775 CHUCK TAYLOR
1.	DPD Helicopter Unit
1.	214-670-1944
2.	214-670-1945
34.	4901 S. HAMPTON
1.	Fire Station 49
1.	214-670-4749
2.	214-670-1931
3.	214-670-1935
35.	5550 BOULDER DRIVE
1.	Manager 214-330-2216
2.	Cab 214-330-2201
36.	5907 BOULDER DRIVE



October 11, 2017

**WHEREAS**, the Department of Aviation and the Dallas Police Department agreed that the existing Dallas Helicopter Hangar Facility at Dallas Executive Airport should be replaced; and

**WHEREAS**, Lansford Company, Inc. was selected as the most qualified proposer of five as a result of a qualifications based selection process in accordance with the City of Dallas procurement guidelines; and

**WHEREAS**, on September 22, 2015, City Council authorized a design-build contract with Lansford Company, Inc., in an amount not to exceed \$556,813 for design and construction of the Dallas Police Helicopter Hangar Project at Dallas Executive Airport, for an established Guaranteed Maximum Price of \$5,000,000, by Resolution No. 15-1766; and

**WHEREAS**, Lansford Company, Inc. and the Department of Aviation have now agreed on a Guaranteed Maximum Price of \$6,114,872 for completion of the project which meets all requirements and specifications; and

**WHEREAS**, it is now desirable for Lansford Company, Inc. to begin the construction of the Dallas Police Department Helicopter Hangar Project at Dallas Executive Airport; and

**WHEREAS**, it is now necessary to authorize Supplemental Agreement No. 1 to the design-build contract with Lansford Company, Inc. to increase the Guaranteed Maximum Price for the new Dallas Police Department Helicopter Hangar Project at Dallas Executive Airport, in an amount not to exceed \$6,114,872, from \$556,813 to \$6,671,685.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to sign Supplemental Agreement No. 1 to the design-build contract with Lansford Company, Inc. to increase the Guaranteed Maximum Price for the new Dallas Police Department Helicopter Hangar Project at Dallas Executive Airport, in an amount not to exceed \$6,114,872, increasing the design-build contract amount from \$556,813 to \$6,671,685.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$6,114,872 to Lansford Company, Inc. in accordance with the terms and conditions of the contract from Aviation Capital Construction Fund, Fund 0131, Department AVI, Unit P934, Activity AAIP, Object 4111, Program AVP934, Commodity 92500, Encumbrance CT AVIP934LC15, Vendor VS87650.

October 11, 2017

**SECTION 3.** That this contract is designated as Contract No. AVI-2017-00003925.

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

## AGENDA ITEM # 3

**STRATEGIC  
PRIORITY:**

Public Safety

**AGENDA DATE:**

October 11, 2017

**COUNCIL DISTRICT(S):**

All

**DEPARTMENT:**

Fire

**CMO:**

Jon Fortune, 670-1204

**MAPSCO:**

N/A

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**SUBJECT**

Authorize the **(1)** acceptance of a grant from the U.S. Department of Homeland Security (DHS) through the Federal Emergency Management Agency under the 2016 Assistance to Firefighters - Fire Prevention and Safety (FPS) Grant (Grant No. EMW-2016-FP00475, CFDA No. 97.044) for smoke alarms, mobile fire house and other miscellaneous items for the period August 25, 2017 through August 24, 2018 in the amount of \$197,764; **(2)** establishment of appropriations in an amount not to exceed \$197,764 in the DHS-FY 2016 Assistance to Firefighters Grant-FPS 17-18 Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$197,764 in the DHS-FY 2016 Assistance to Firefighters Grant-FPS 17-18 Fund; **(4)** local cash match in the amount of \$9,888; and **(5)** execution of the grant agreement - Total not to exceed \$207,652 - Financing: U.S. Department of Homeland Security Assistance to Firefighters Grant Funds (\$197,764) and Current Funds (\$9,888)

**BACKGROUND**

The U.S. Department of Homeland Security through the Federal Emergency Management Agency provides Assistance to Firefighters - Fire Prevention and Safety (FPS) Grant funds to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. Dallas Fire-Rescue was awarded funding with a federal share of \$197,764 and a City cash match share of \$9,888. The approved total project cost is \$207,652. The term of the grant is August 25, 2017 through August 24, 2018.

Currently, Fire Safety educators use a mobile Fire Safety House to travel to elementary schools and civic events to engage large numbers of families and children in one setting. The existing Fire Safety House is a single mock-up that is over 20 years old. The existing Fire Safety Houses maintenance and repair is no longer cost effective, nor is it reliable.

## **BACKGROUND** (continued)

The Smoke Alarm Installation Program is to prevent fire-related fatalities in high-risk residential communities' due to lack of operable smoke alarms installed in the appropriate locations within single family dwellings while contacting as many residents as possible. On average 6,000-7,000 smoke alarms are installed annually. Smoke alarms will be equipped with tamper-proof ten-year lithium batteries. Smoke alarms that may have been installed ten years ago in previous Smoke Alarm Installation Program projects are replaced with new tamper resistant, ten-year lithium battery alarms.

The awarded grant amount of \$207,652 will be used to purchase the following items; 6,785 smoke alarms and replace 1 mobile fire safety house and other miscellaneous items.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On September 26, 2012, City Council authorized acceptance of a grant from the U.S. Department of Homeland Security under the 2011 Assistance to Firefighters Grant Program - Fire Prevention and Safety Grants for smoke alarm campaign program for the period August 9, 2012 through August 8, 2013 and execution of the grant agreement by Resolution No. 12-2364.

On September 22, 2015, City Council authorized acceptance of a grant from the U.S. Department of Homeland Security under the 2014 Assistance to Firefighters Grant - Fire Prevention and Safety Grants for a smoke alarm campaign program for the period August 20, 2015 through August 19, 2016 and execution of the grant agreement by Resolution No. 15-1822.

Information about this item will be provided to the Public Safety and Criminal Justice Committee on September 25, 2017.

## **FISCAL INFORMATION**

U.S. Department of Homeland Security Assistance to Firefighters Grant Funds - \$197,764  
Current Funds - \$9,888

October 11, 2017

**WHEREAS**, the U.S. Department of Homeland Security (DHS) through the Federal Emergency Management Agency provides Assistance to Firefighters - Fire Prevention and Safety (FPS) Grant Funds to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

**WHEREAS**, on September 26, 2012, City Council authorized acceptance of a grant from the U.S. Department of Homeland Security under the 2011 Assistance to Firefighters - Fire Prevention and Safety Grants for smoke alarm campaign program for the period August 9, 2012 through August 8, 2013, in an amount not to exceed \$68,000, by Resolution No. 12-2364; and

**WHEREAS**, on September 22, 2015, City Council authorized acceptance of a grant from the U.S. Department of Homeland Security under the 2014 Assistance to Firefighters - Fire Prevention and Safety Grants for a smoke alarm campaign program for the period August 20, 2015 through August 19, 2016, in an amount not to exceed \$94,412, by Resolution No. 15-1822; and

**WHEREAS**, the Dallas Fire-Rescue submitted a grant application and received an award of funds for a smoke alarms campaign program and replace mobile fire safety house and other miscellaneous items.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to accept the grant from the U.S. Department of Homeland Security through the Federal Emergency Management Agency under the 2016 Assistance to Firefighters - Fire Prevention and Safety Grant (Grant No. EMW-2016-FP-00475, CFDA No. 97.044) for the purchase of 6,785 smoke alarms and replace 1 mobile fire safety house and other miscellaneous items for the period August 25, 2017 through August 24, 2018, in an amount not to exceed \$207,652, with a federal share of \$197,764 and the City's share of \$9,888; and sign the grant agreement, approved as to form by the City Attorney.

**SECTION 2.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$197,764 in the DHS-FY 2016 Assistance to Firefighters Grant-FPS 17-18 Fund, Fund F537, Department DFD, Unit 3539, various Object Codes according to the attached Schedule.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed \$197,764 in the DHS-FY 2016 Assistance to Firefighters - Grant-FPS 17-18 Fund, Fund F537, Department DFD, Unit 3539, Revenue Code 6506.

October 11, 2017

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$197,764 from the DHS-FY 2016 Assistance to Firefighters Grant-FPS 17-18 Fund, Fund F537, Department DFD, Unit 3539, various Object Codes according to the attached Schedule.

**SECTION 5.** That the Chief Financial Officer is hereby authorized to disburse a local cash match in an amount not to exceed \$9,888 from Fund 0001, Department DFD, Unit LS02, various Objects Codes according to the attached Schedule.

**SECTION 6.** That the City Manager is hereby authorized to reimburse to the granting agency any expenditures identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

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

**SECTION 8.** That the City Manager or his designee is authorized to provide additional information, make adjustments, and take other actions related to the implementation of the grant as may be necessary to satisfy the U.S. Department of Homeland Security and Federal Emergency Management Agency.

**SECTION 9.** That this contract is designated as Contract No. DFD-2017-00004031.

**SECTION 10.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



# SCHEDULE

Grant # EWM-2016-FP-00475  
CFDA # 97.044

<u>Fund Source</u>	<u>Fund</u>	<u>Unit</u>	<u>Object Code</u>	<u>Amount</u>
AFG	F537	3539	4750	\$95,750
		3539	2280	\$94,990
		3539	2890	\$7,024
	AFG Total			<u><u>\$197,764</u></u>
City	0001	LS02	2280	\$3,526
		LS02	2890	\$6,362
	City Total			<u><u>\$9,888</u></u>
Sum Total			<u><u>\$207,652</u></u>	



**AGENDA ITEM # 4**

**STRATEGIC  
PRIORITY:**

Government Performance and Financial Management

**AGENDA DATE:**

October 11, 2017

**COUNCIL DISTRICT(S):**

N/A

**DEPARTMENT:**

Office of Budget  
Communication and Information Services  
Office of Economic Development  
Water Utilities

**CMO:**

Elizabeth Reich, 670-7804  
Jody Puckett, 670-3390  
Raquel Favela, 670-3309  
Majed Al-Ghafry, 670-3302

**MAPSCO:**

N/A

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**SUBJECT**

Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to Gartner, Inc. in the amount of \$120,208, North Central Texas Council of Governments in the amount of \$127,017, Texas Municipal League in the amount of \$55,778, Oncor Cities Steering Committee in the amount of \$158,152, Texas Coalition of Cities for Utility Issues in the amount of \$52,718, North Texas Commission in the amount of \$60,000, Water Research Foundation in the amount of \$292,852, and Water Environment and Reuse Foundation in the amount of \$84,050 - Total not to exceed \$950,775 - Financing: Current Funds (\$573,873) and Water Utilities Current Funds (\$376,902)

**BACKGROUND**

Arrangements with these professional organizations provide the City of Dallas an avenue for greater communication and cooperation with other municipalities and government entities, access to research and information of benefit to the City, and consultation opportunities with other agencies on the needs of the region, state, and nation.

## **BACKGROUND** (continued)

Gartner, Inc. for Information Technology (IT) Leaders and Executives annual membership fee is \$120,208. Gartner, Inc. is an executive assistance and mentoring program that provides access to leading technology analysts and research that provides insight and interpretation into continuous improvement strategies for IT organizations. This membership includes an experienced ex-Chief Information Officer to serve as an advisor and coach that will work closely with City management about IT initiatives, best practices, latest industry trends, emerging technologies, IT metrics for measuring alignment with peers, staffing and investment levels, IT governance, and support with strategic planning. Gartner, Inc. provides unlimited access to over 1,200 IT analysts, research data, peer connections, workshops for strategic IT planning, briefings, events, and access to Gartner Inc.'s Compensation Study, which reviews IT positions reported by approximately 2,000 organizations.

North Central Texas Council of Governments (NCTCOG) annual membership fee is \$127,017. NCTCOG services its member governments and the region in a variety of ways, including comprehensive regional planning in transportation, environmental resources, and human services. The NCTCOG aggressively works to strengthen ties with State and Federal agencies and has become an information resource for regional and local economic development efforts. Members of the Dallas City Council serve in leadership roles on the NCTCOG executive board and committees.

Texas Municipal League (TML) annual membership fee is \$55,778. The purpose of TML is "to render services which individual cities have neither time, money, or strength to do alone." In practice, this objective translates into several functions that specifically benefit Texas cities. These functions include: representing cities' interests at the State and Federal levels; conducting a wide variety of training sessions and conferences; maintaining the most comprehensive file of city government information in the State; publishing a wide variety of documents; providing legal and technical information on all aspects of city government; serving as the forum for molding the diverse views of the city officials into coherent statewide policies; and operating two group risk pool programs that produce dollar savings for TML members cities.

## **BACKGROUND** (continued)

Oncor Cities Steering Committee annual membership fee is \$158,152. The Oncor Cities Steering Committee was created to provide a means for cities in the Oncor service area to pool their resources and prevent duplication of effort while participating in electric utility rate proceedings before the Public Utility Commission. The City of Dallas participated with this committee in the 1990, 1993, 2008, and 2011 rate cases. The City also participated with this Committee in the various regulatory proceedings relating to Senate Bill 7 and electric deregulation. As a result of the Oncor Cities Steering Committee's activities, Oncor agreed to make settlement payments to the cities beginning in 2005 and to fund "beneficial public use" payments through the cities for the benefit of the City's ratepayers. The City of Dallas received in excess of \$17.1 million as a result of that settlement agreement. The Oncor Cities Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery (formerly known as TXU Electric Delivery) within the City. The Oncor Cities Steering Committee is actively pursuing the appeal of Oncor's previous rate case, Docket No. 35717, in which the Commission reduced franchise fees paid to cities. The current annual assessment for the City of Dallas is based on \$0.125 per capita.

Texas Coalition of Cities For Utility Issues annual membership fee is \$52,718. The Texas Coalition of Cities For Utility Issues was organized in 1996 to (a) collect, analyze, discuss, and distribute information on utility related matters; (b) participate and develop positions in utility regulatory body rulemaking dockets and on bills proposed in the legislature relating to utility matters; and (c) work cooperatively on matters relating to utility franchises and fee issues.

## **BACKGROUND** (continued)

North Texas Commission (NTC) annual membership fee is \$60,000. Dallas was a founding member of the North Texas Commission and has continued its membership for over 40 years. Membership for the Commission comprises 1/3 governmental entities, 1/3 business, and 1/3 higher education institutions across 12 counties. NTC is uniquely positioned to spur the region into action due to its broad membership and the fact that the Commission has the best interest of the region at its core. The organization focuses on marketing, collaboration, and advocacy. The NTC publication reaches 20,000 individuals world wide and markets North Texas as a destination for businesses and individuals. NTC fosters collaboration with leaders on regional goals and initiatives and advocates on critical issues with no city or county boundaries. The North Texas Commission is the only regional entity that convenes public and private partners from our 12-county area to address big-picture issues, including upcoming legislation such as transportation, air quality, and water issues. Currently, the North Texas Commission is partnering with the University of Texas at Arlington on a Dallas initiated project to create an asset map of the region. This user-friendly dashboard will allow jurisdictions in the region to analyze the scope of their services through data that can be used to find the latest trends in civic and municipal data to illustrate characteristics and gaps of the North Texas region. The data will be used to help shape and pursue effective policies and build collaboration and cross-sector partnerships, promoting the assets and addressing the challenges in North Texas.

Water Research Foundation (WRF) annual membership fee is \$292,852. WRF is an international non-profit scientific and educational society dedicated to the improvement of drinking water quality and supply. The Research Foundation conducts numerous research studies to enhance the improvement of drinking water and then provides the results to its members. Dallas Water Utilities (DWU) is required annually to submit a water quality report to its customers. WRF is recognized as the authoritative resource for knowledge, information, and advocacy to improve the quality and supply of drinking water in North America and beyond. WRF provides research information to help DWU maintain the high quality of water provided to the citizens of Dallas and surrounding communities.

Water Environment Research Foundation (WERF) annual membership fee is \$84,050. WERF is dedicated to advancing science and technology, and to addressing water quality issues as they impact water resources, the atmosphere, the land, and the quality of life. WERF provides information to DWU improving the water environment and protecting human health by making available reliable scientific and innovative technologies for improved management of DWU's water resources.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

The Government Performance and Financial Management Committee will receive this item for consideration on October 2, 2017.

## **FISCAL INFORMATION**

Current Funds - \$573,873

General Funds	\$453,665
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Communication Information Services Current Funds	\$120,208
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Water Utilities Current Funds - \$376,902





October 11, 2017

**WHEREAS**, arrangements with professional organizations provide the City of Dallas access to research and information of benefit to the City, enhanced communication with other municipalities, opportunities for information exchange and professional development, as well as effective lobbying on matters of municipal interest; and

**WHEREAS**, the City of Dallas continues to benefit through its relationships with these professional organizations.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to make payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services and authorize the City of Dallas to continue arrangements with the organizations listed below for fiscal year 2017-18 for the annual fees specified.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to encumber and disburse funds in an amount not to exceed \$120,208 to Gartner, Inc. from Fund 0198, Department DSV, Unit 1664, Object 3340, Encumbrance/Contract No. CX-DSV-2017-00003791, Vendor VS0000018090, for payment of annual fees for the Information Technology Executives and Leaders.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to encumber and disburse funds in an amount not to exceed \$127,017 to North Central Council of Governments from Fund 0001, Department BMS, Unit 1991, Object 3340, Encumbrance/Contract No. CX-BMS-2017-00003930, Vendor 265554, for payment of annual fees.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to encumber and disburse funds in an amount not to exceed \$55,778 to Texas Municipal League from Fund 0001, Department BMS, Unit 1991, Object 3340, Encumbrance/Contract No. CX-BMS-2017-00003929, Vendor 079714, for payment of annual fees.

**SECTION 5.** That the Chief Financial Officer is hereby authorized to encumber and disburse funds in an amount not to exceed \$158,152 to Oncor Cities Steering Committee from Fund 0001, Department BMS, Unit 1991, Object 3340, Encumbrance/Contract No. CX-BMS-2017-00003927, Vendor 264729, for payment of annual fees.

**SECTION 6.** That the Chief Financial Officer is hereby authorized to encumber and disburse an amount not to exceed \$52,718 to Texas Coalition of Cities for Utility Issues from Fund 0001, Department BMS, Unit 1991, Object 3340, Encumbrance/Contract No. CX-BMS-2017-00003928, Vendor 354776, for payment of annual fees.

October 11, 2017

**SECTION 7.** That the Chief Financial Officer is hereby authorized to encumber and disburse funds in an amount not to exceed \$60,000 to the North Texas Commission from Fund 0001, Department ECO, Unit 1164, Object 3340 Encumbrance/Contract No. CX-ECO-2017-00003911, Vendor 193362, for payment of annual fees.

**SECTION 8.** That the Chief Financial Officer is hereby authorized to encumber and disburse funds in an amount not to exceed \$292,852 to Water Research Foundation from Fund 0100, Department DWU, Unit 7015, Object 3340, Encumbrance/Contract No. CX-DWU-2017-00003905, Vendor VC0000008752, for payment of annual fees.

**SECTION 9.** That the Chief Financial Officer is hereby authorized to encumber and disburse funds in an amount not to exceed \$84,050 to Water Environment and Reuse Foundation from Fund 0100, Department DWU, Unit 7015, Object 3340, Encumbrance/Contract No. CX-DWU-2017-00003906, Vendor 333952, for payment of annual fees.

**SECTION 10.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**AGENDA ITEM # 5****STRATEGIC  
PRIORITY:**

Government Performance and Financial Management

**AGENDA DATE:**

October 11, 2017

**COUNCIL DISTRICT(S):**

All

**DEPARTMENT:**

Office of Procurement Services  
Aviation  
Department of Transportation  
Equipment & Building Services  
Fire  
Park & Recreation  
Sanitation Services  
Water Utilities

**CMO:**

Elizabeth Reich, 670-7804  
Jody Puckett, 670-3390  
Majed Al-Ghafry, 670-3302  
Jon Fortune, 670-1204  
Willis Winters, 670-4071

**MAPSCO:**

N/A

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**SUBJECT**

Authorize a three-year service contract for repair services and associated parts for the maintenance of heavy-duty truck transmissions and differentials - Industrial Power, LLC in the amount of \$620,877 and Rush Truck Centers of Texas, LP in the amount of \$509,009, lowest responsible bidders of four - Total not to exceed \$1,129,886 - Financing: Current Funds (\$1,106,027), Water Utilities Current Funds (\$16,500), and Aviation Current Funds (\$7,359) (subject to annual appropriations)

**BACKGROUND**

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

This service contract will provide repair services and associated parts for the maintenance of heavy-duty truck transmissions and differentials. This citywide contract provides the City with the ability to repair a variety of approximately 5,100 heavy-duty truck transmissions, and differentials at an established rate.

## **BACKGROUND** (continued)

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 15.02% decrease over comparable unit prices for services. Additionally, this solicitation also required bidders to submit discounts/mark ups on parts to be ordered from manufacturer's catalogs. Therefore this bid also resulted in an average percentage discount from manufacturer's catalog of 40.86% compared to an average discount of 35.71% for the bid awarded in 2015.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,027 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's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of \$10.37, by Resolution No. 15-2141; the selected vendors meet this requirement.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On February 12, 2014, City Council authorized a three-year service contract for the purchase and installation of remanufactured automatic transmissions by Resolution No. 14-0287.

On February 25, 2015, City Council authorized a three-year service contract for parts and labor for the maintenance and repair of heavy-duty truck transmissions, differentials and refuse bodies by Resolution No. 15-0335.

The Government Performance & Financial Management Committee will receive this item for consideration on October 2, 2017.

## **FISCAL INFORMATION**

Current Funds - \$1,106,027.20 (subject to annual appropriations)  
Water Utilities Current Funds - \$16,500.00 (subject to annual appropriations)  
Aviation Current Funds - \$7,358.40 (subject to annual appropriations)

## **M/WBE INFORMATION**

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

The awardees have fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

## **BID INFORMATION**

The Office of Procurement Services received the following bids from solicitation number BN1708. We opened them on June 16, 2017. We recommend the City Council award this service contract to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

\*Denotes successful bidders

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*Industrial Power, LLC	712 N. Beach St. Fort Worth, TX 76111	Multiple Groups
*Rush Truck Centers of Texas, LP	4200 Irving Blvd. Dallas, TX 75247	Multiple Groups
Stewart & Stevenson Power Products, LLC	1631 Chalk Hill Dallas TX 75212	Non-responsive**
Southwest International Trucks, Inc.	3722 Irving Blvd. Dallas, TX 75247	Non-responsive**

\*\*Stewart & Stevenson Power Products, LLC and Southwest International Trucks, Inc. were deemed non-responsive due to not meeting bid specifications.

## **OWNERS**

### **Industrial Power, LLC**

Robert O'Neil, President  
Brian O'Neil, Vice President

**OWNERS** (continued)

**Rush Truck Centers of Texas, LP**

W.M. "Rusty" Rush, President

Derrek R. Weaver, Vice President

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a three-year service contract for repair services and associated parts for the maintenance of heavy-duty truck transmissions and differentials - Industrial Power, LLC in the amount of \$620,877 and Rush Truck Centers of Texas, LP in the amount of \$509,009, lowest responsible bidders of four - Total not to exceed \$1,129,886 - Financing: Current Funds (\$1,106,027), Water Utilities Current Funds (\$16,500), and Aviation Current Funds (\$7,359) (subject to annual appropriations)

Industrial Power, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce. Rush Truck Centers of Texas, LP, is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

**PROJECT CATEGORY:** Other Services

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### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$509,008.60	45.05%
Total non-local contracts	\$620,877.00	54.95%
<b>TOTAL CONTRACT</b>	<b>\$1,129,885.60</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

None

#### Non-Local Contractors / Sub-Contractors

None

### TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	<u>\$0.00</u>	<u>0.00%</u>	<u>\$0.00</u>	<u>0.00%</u>

October 11, 2017

**WHEREAS**, on February 12, 2014, City Council authorized a three-year service contract for the purchase and installation of remanufactured automatic transmissions by Resolution No. 14-0287; and

**WHEREAS**, on February 25, 2015, City Council authorized a three-year service contract for parts and labor for the maintenance and repair of heavy-duty truck transmissions, differentials and refuse bodies by Resolution No. 15-0335.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to sign a service contract with Industrial Power, LLC (VS0000061538) in the amount of \$620,877.00 and Rush Truck Centers of Texas, LP (VS0000078878) in the amount of \$509,008.60, approved as to form by the City Attorney, for repair services and associated parts for the maintenance of heavy-duty truck transmissions and differentials for a term of three years, in a total amount not to exceed \$1,129,885.60. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Industrial Power, LLC and Rush Truck Centers of Texas, LP shall be based only on the amount of the services directed to be performed by the City and properly performed by Industrial Power, LLC and Rush Truck Centers of Texas, LP under the contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,129,885.60 (subject to annual appropriations) to Industrial Power, LLC and Rush Truck Centers of Texas, LP from Service Contract No. POM-2017-00002891.

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



## **AGENDA ITEM # 6**

**STRATEGIC  
PRIORITY:**

Government Performance and Financial Management

**AGENDA DATE:**

October 11, 2017

**COUNCIL DISTRICT(S):**

1, 3, 5, 7, 8, 10, 11, 12

**DEPARTMENT:**

Office of Procurement Services  
Park & Recreation

**CMO:**

Elizabeth Reich, 670-7804  
Willis Winters, 670-4071

**MAPSCO:**

5 B, 6 N, 16 A, 27 K, 44 Z, 54 B, 56 H, 59 Q, 68 L, 69 A-M, 71  
A-D, 655 Z

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**SUBJECT**

Authorize **(1)** a five-year service contract for herbicide and algaecide pond treatment - Magnolia Fisheries, Inc. in the amount of \$294,000; and **(2)** a five-year service contract for fountain repair and maintenance - Lone Star Fountains, Inc. in the amount of \$26,900, lowest responsible bidders of three - Total not to exceed \$320,900 - Financing: Current Funds (subject to annual appropriations)

**BACKGROUND**

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

This action includes a five-year service contract for herbicide and algaecide pond treatments and a five-year service contract for fountain repair and maintenance.

This contract will allow for maintenance at 13 City ponds on an as needed basis with the use of Texas Department of Agriculture, Clean Water Act, Texas Commission on Environmental Quality, and U.S. Environmental Protection Agency approved herbicides and algaecides as required and within the conditions of all Federal and State permits for the treatment of water sites/ponds.

Additionally the service contract provides maintenance for floating fountains and will provide quarterly inspection and maintenance and repair of five floating water fountains located in the City's ponds.

## **BACKGROUND** (continued)

The Park & Recreation Department programs the fountains to operate daily. Each fountain is in operation a minimum of nine months per year, normally March through November. Hours of operation will vary according to the season. During the peak use times, the fountains will be in operation for 6 to 10 hours per day, 7 days a week.

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 117 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's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of \$10.37, by Resolution No. 15-2141; the selected vendors meet this requirement.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On September 22, 2017, the Park and Recreation Board authorized award of the service contract.

The Government Performance & Financial Management Committee will receive this item for consideration on October 2, 2017.

## **FISCAL INFORMATION**

Current Funds - \$320,900 (subject to annual appropriations)

<b><u>Council District</u></b>	<b><u>Amount</u></b>
1	\$ 85,350
3	\$ 13,550
5	\$ 31,550
7	\$ 25,550
8	\$ 61,550
10	\$ 19,450
11	\$ 19,550
12	<u>\$ 64,350</u>
Total	\$320,900

## **M/WBE INFORMATION**

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

The awardees have fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

## **BID INFORMATION**

The Office of Procurement Services received the following bids from solicitation number BW1708. We opened them on June 30, 2017. We recommend the City Council award these service contracts to the lowest responsive and responsible bidders by group.

\*Denotes successful bidders

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*Magnolia Fisheries, Inc.	217 North Coppell Road Coppell, TX 75019	Group 1 - \$294,000 Group 2 - No Bid
*Lone Star Fountains, Inc.	10883 Smoky Oak Trail Argyle, TX 76226	Group 1 - No Bid Group 2 - \$ 26,900
Solitude Lake Management, LLC	1320 Brookwood Drive Suite H Little Rock, AR 72202	Group 1 - \$510,000 Group 2 - \$ 54,000

## **OWNERS**

### **Magnolia Fisheries, Inc.**

William Wingo, President  
Jane Wingo, Vice President

### **Lone Star Fountains, Inc.**

William Wingo, President  
Stan Carter, Vice President

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize **(1)** a five-year service contract for herbicide and algaecide pond treatment - Magnolia Fisheries, Inc. in the amount of \$294,000; and **(2)** a five-year service contract for fountain repair and maintenance - Lone Star Fountains, Inc. in the amount of \$26,900, lowest responsible bidders of three - Total not to exceed \$320,900 - Financing: Current Funds (subject to annual appropriations)

Magnolia Fisheries, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce. Lone Star Fountains, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

**PROJECT CATEGORY:** Other Services

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### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$294,000.00	91.62%
Total non-local contracts	\$26,900.00	8.38%
<b>TOTAL CONTRACT</b>	<b>\$320,900.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

None

#### Non-Local Contractors / Sub-Contractors

None

### TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	<u>\$0.00</u>	<u>0.00%</u>	<u>\$0.00</u>	<u>0.00%</u>

October 11, 2017

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

**SECTION 1.** That the City Manager is hereby authorized to sign **(1)** a five-year service contract with Magnolia Fisheries, Inc. (339265) in the amount of \$294,000, for herbicide and algaecide pond treatment; and **(2)** a five-year service contract with Lone Star Fountains, Inc. (500739) in the amount of \$26,900, for fountain repair and maintenance, in a total amount not to exceed \$320,900, approved as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Magnolia Fisheries, Inc. and Lone Star Fountains, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Magnolia Fisheries, Inc. and Lone Star Fountains, Inc. under the contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$320,900 to Magnolia Fisheries, Inc. and Lone Star Fountains, Inc. from Service Contract No. PKR-2017-00002720.

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



**AGENDA ITEM # 7****STRATEGIC  
PRIORITY:**

Government Performance and Financial Management

**AGENDA DATE:**

October 11, 2017

**COUNCIL DISTRICT(S):**

All

**DEPARTMENT:**Office of Procurement Services  
Water Utilities**CMO:**Elizabeth Reich, 670-7804  
Majed Al-Ghafry, 670-3302**MAPSCO:**

N/A

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**SUBJECT**

Authorize a three-year master agreement for the purchase of ductile iron pipe for the distribution of potable water - HD Supply Waterworks, LTD in the amount of \$257,895 and Fortiline, Inc. in the amount of \$14,998, lowest responsible bidders of four - Total not to exceed \$272,893 - Financing: Water Utilities Current Funds

**BACKGROUND**

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

This master agreement will enable Dallas Water Utilities (DWU) to purchase various sizes and class thicknesses of ductile iron pipe. The pipe will be used for the replacement and maintenance of existing pipe, as needed for the distribution of potable water throughout the City. Ductile iron is gray cast iron that has been infused to make it stronger, tougher, flexible, and corrosion resistant. Ductile iron is rugged and performs well in Texas soil against increased stresses caused by shifting soil. Ductile iron pipe is used for new installations and replacement of split or corroded pipes as needed. DWU maintains approximately 4,950 miles of potable mains throughout the water distribution system.

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 153 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.

## **BACKGROUND** (continued)

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

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On February 25, 2015, City Council authorized a two-year master agreement for ductile iron pipe for the distribution of potable water by Resolution No. 15-0339.

The Government Performance & Financial Management Committee will receive this item for consideration on October 2, 2017.

## **FISCAL INFORMATION**

Water Utilities Current Funds - \$272,892.73

## **M/WBE INFORMATION**

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

The awardees have fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

## **BID INFORMATION**

The Office of Procurement Services received the following bids from solicitation number BM1720. We opened them on July 14, 2017. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

\*Denotes successful bidders

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*HD Supply Waterworks, LTD	4333 Irving Blvd. Dallas TX 75247	Multiple Lines



**BID INFORMATION** (continued)

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*Fortiline, Inc.	11200 Seagoville Rd. Balch Springs, TX 75180	Multiple Lines
Ferguson Waterworks	7982 Highway 69 N. Tyler, TX 75706	Non-responsive**
Act Pipe & Supply, Inc.	1888 W. Northwest Hwy. Dallas, TX 75220	Non-responsive**

\*\*Ferguson Waterworks and Act Pipe & Supply, Inc. were deemed non-responsive for not meeting specifications.

**OWNERS****HD Supply Waterworks, LTD**

Steve LeClair, President  
Chuck Zappola, Vice President

**Fortiline, Inc.**

Tim Tysinger, President  
Frank Seymour, President  
Ben Cagle, Vice President  
Jason Painter, Secretary

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a three-year master agreement for the purchase of ductile iron pipe for the distribution of potable water - HD Supply Waterworks, LTD in the amount of \$257,895 and Fortiline, Inc. in the amount of \$14,998, lowest responsible bidders of four - Total not to exceed \$272,893 - Financing: Water Utilities Current Funds

HD Supply Waterworks, LTD and Fortiline, Inc. are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforce.

**PROJECT CATEGORY:** Goods

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### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$272,892.73	100.00%
Total non-local contracts	\$0.00	0.00%
<b>TOTAL CONTRACT</b>	<b>\$272,892.73</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

None

#### Non-Local Contractors / Sub-Contractors

None

### TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$0.00	0.00%

October 11, 2017

**WHEREAS**, on February 25, 2015, City Council authorized a two-year master agreement for ductile iron pipe for the distribution of potable water by Resolution No. 15-0339.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to sign a master agreement with HD Supply Waterworks, LTD (VS0000038746) in the amount of \$257,895.23 and Fortiline, Inc. (VS0000073028) in the amount of \$14,997.50, approved as to form by the City Attorney, for the purchase of ductile iron pipe for the distribution of potable water for a term of three years, in a total amount not to exceed \$272,892.73.

**SECTION 2.** That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for ductile iron pipe for the distribution of potable water. If a written contract is required or requested for any or all purchases of ductile iron pipe for the distribution of potable water under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute the contract, approved as to form by the City Attorney.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$272,892.73 to HD Supply Waterworks, LTD and Fortiline, Inc. from Master Agreement Contract No. DWU-2017-00003773.

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



## AGENDA ITEM # 8

**STRATEGIC PRIORITY:** Quality of Life

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 9

**DEPARTMENT:** Park & Recreation

**CMO:** Willis Winters, 670-4071

**MAPSCO:** 37Q R U V

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### **SUBJECT**

Authorize a professional services contract with GSR Andrade Architects, Inc. for improvements to the DeGolyer House and the Camp House and installation of new sidewalks along Garland Road at the Dallas Arboretum located at 8525 Garland Road - Not to exceed \$72,100 - Financing: 2003 Bond Funds

### **BACKGROUND**

This action will authorize a professional services contract with GSR Andrade Architects, Inc. for condition assessment, schematic design, survey, and cost estimating services for improvements to the DeGolyer House and the Camp House and installation of new sidewalks along Garland Road at the Dallas Arboretum.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Design	October 2017
Complete Design	January 2018

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On September 7, 2017, the Park and Recreation Board authorized award of a professional services contract.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on October 9, 2017.

### **FISCAL INFORMATION**

2003 Bond Funds - \$72,100

**M/WBE INFORMATION**

See attached.

**OWNER**

**GSR Andrade Architects, Inc.**

Fernando Andrade, President

**MAP**

Attached

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize a professional services contract with GSR Andrade Architects, Inc. for improvements to the DeGolyer House and the Camp House and installation of new sidewalks along Garland Road at the Dallas Arboretum located at 8525 Garland Road - Not to exceed \$72,100 - Financing: 2003 Bond Funds

GSR Andrade Architects, Inc., a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Professional Services

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### **LOCAL/NON-LOCAL CONTRACT SUMMARY**

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$70,500.00	97.78%
Total non-local contracts	\$1,600.00	2.22%
<b>TOTAL CONTRACT</b>	<b>\$72,100.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Abadi Accessibility	HFMB81243N0619	\$2,700.00	3.83%
Pacheco-Koch Consulting Engineers	HMMB2556Y0917	\$10,000.00	14.18%
B & H Engineers, Inc.	NMMB81371Y0319	\$1,910.00	2.71%
<b>Total Minority - Local</b>		<b>\$14,610.00</b>	<b>20.72%</b>

#### **Non-Local Contractors / Sub-Contractors**

None

### **TOTAL M/WBE CONTRACT PARTICIPATION**

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$12,700.00	18.01%	\$12,700.00	17.61%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$1,910.00	2.71%	\$1,910.00	2.65%
WBE	\$0.00	0.00%	\$0.00	0.00%
<b>Total</b>	<b>\$14,610.00</b>	<b>20.72%</b>	<b>\$14,610.00</b>	<b>20.26%</b>



August 17, 2017

Dallas Arboretum  
(8525 Garland Rd)

Mapsc  
37 Q,R,U,V

District  
9



October 11, 2017

**WHEREAS**, it is now necessary to hire a firm to provide improvements to the DeGolyer House and the Camp House and installation of new sidewalks along Garland Road at the Dallas Arboretum located at 8525 Garland Road, and the firm of GSR Andrade Architects, Inc. has presented a proposal dated July 24, 2017 to provide these services for a fee not to exceed \$72,100.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to sign a professional services contract with GSR Andrade Architects, approved as to form by the City Attorney, for improvements to the DeGolyer House and the Camp House and new sidewalks along Garland Road at the Dallas Arboretum, in an amount not to exceed \$72,100.

**SECTION 2.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with GSR Andrade Architects, Inc., 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 \$72,100 to GSR Andrade Architects, Inc. from (2003) Major and Citywide Park Recreation Fund, Fund 6R00, Department PKR, Unit K001, Object 4112, Activity SUAR, Program PK03K001.2, Encumbrance/Contract No. CX-PKR-2017-00002878, Commodity 92500, Vendor 249709.

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



**AGENDA ITEM # 9****STRATEGIC  
PRIORITY:**

Quality of Life

**AGENDA DATE:**

October 11, 2017

**COUNCIL DISTRICT(S):**

6

**DEPARTMENT:**Park & Recreation  
Water Utilities**CMO:**Willis Winters, 670-4071  
Majed Al-Ghafry, 670-3302**MAPSCO:**

23Z 33B C D F G

**SUBJECT**

Authorize a construction services contract for tree mitigation at Bachman Lake Park located at 3500 West Northwest Highway - C. Green Scaping, LP, lowest responsible bidder of three - Not to exceed \$203,700 - Financing: Water Utilities Current Funds

**BACKGROUND**

On June 30, 2017, three bids were received for Bachman Lake Park – Tree Mitigation Project to include: replacement trees and to provide bubbler irrigation for each replaced tree. This item authorizes award of the construction services contract to C. Green Scaping, LP, with a total bid amount of \$203,700.

The following chart illustrates C. Green Scaping, LP's contractual activities with the City of Dallas for the past three years:

	<u>MSS</u>	<u>DWU</u>	<u>PKR</u>	<u>TWM</u>
Projects Completed	0	0	1	0
Change Orders	0	0	3	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	December 2017
Completed Design	April 2017
Begin construction	December 2017
Complete construction	March 2018

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On December 1, 2016, the Park and Recreation Board authorized proceeding with construction procurement.

On September 7, 2017, the Park and Recreation Board authorized award of the contract.

Information about this item will be provided to the Quality of Life, Culture and Arts Committee on October 9, 2017.

### **FISCAL INFORMATION**

Water Utilities Current Funds - \$203,700

### **M/WBE INFORMATION**

See attached.

### **BID INFORMATION**

The following three bids were received and opened on June 30, 2017:

\*Denotes the successful bidder

<b><u>Bidders</u></b>	<b><u>Total Bid</u></b>
*C. Green Scaping, LP 2401 Handley Ederville Road Fort Worth, Texas 76118	\$203,700
MACVAL Associates, LLP	\$248,400
SRH Landscapes, LLP	**Non-responsive

\*\*SRH Landscapes, LLP was deemed non-responsive due to failure to turn in the Good Faith Effort and other required documentation with their bid.

### **OWNER**

#### **C. Green Scaping, LP**

Curtis J. Green, Vice President

### **MAP**

Attached

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize a construction services contract for tree mitigation at Bachman Lake Park located at 3500 West Northwest Highway - C. Green Scaping, LP, lowest responsible bidder of three - Not to exceed \$203,700 - Financing: Water Utilities Current Funds

C. Green Scaping, LP, a non-local, minority firm, has signed the "Business Inclusion & Development" documentation and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Construction

### **LOCAL/NON-LOCAL CONTRACT SUMMARY**

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$55,000.00	27.00%
Total non-local contracts	\$148,700.00	73.00%
<b>TOTAL CONTRACT</b>	<b>\$203,700.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Blue Sky Sod Farm, LLC	HFDFW017740618	\$55,000.00	100.00%
<b>Total Minority - Local</b>		<b>\$55,000.00</b>	<b>100.00%</b>

#### **Non-Local Contractors / Sub-Contractors**

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
C. Green Scaping, LP	HFDFW017740618	\$148,700.00	100.00%
<b>Total Minority - Non-local</b>		<b>\$148,700.00</b>	<b>100.00%</b>

### **TOTAL M/WBE CONTRACT PARTICIPATION**

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$55,000.00	100.00%	\$203,700.00	100.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
<b>Total</b>	<b>\$55,000.00</b>	<b>100.00%</b>	<b>\$203,700.00</b>	<b>100.00%</b>



## Bachman Lake Park Trail (3500 W Northwest Hwy)

Mapsco  
23 Z  
33 B,C,D,F, G

District  
6

October 11, 2017

**WHEREAS**, on June 30, 2017, three bids were received for the Bachman Lake Park – Tree Mitigation Project. The scope of work includes replacement (mitigation) trees, including irrigation, to mitigate the existing trees that were removed from Bachman Lake Park as part of the Dallas Water Utilities (DWU) 48” Interceptor Project, completed in 2016. This project is funded by DWU.

<b><u>Bidders</u></b>	<b><u>Total Bid</u></b>
C. Green Scaping, LP	\$203,700
MACVAL Associates, LLC	\$248,400
SRH Landscapes, LLC	**Non-responsive

\*\*SRH Landscapes, LLC was deemed non-responsive due to failure to turn in the Good Faith Effort and other required documentation with their bid.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to sign a construction services contract with C. Green Scaping, LP, approved as to form by the City Attorney, for tree mitigation at Bachman Lake Park located at 3500 West Northwest Highway, in an amount not to exceed \$203,700.

**SECTION 2.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with C. Green Scaping, LP, 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 \$203,700 to C. Green Scaping, LP in accordance with the terms and conditions of DWU No. 18-004 from Wastewater Construction Fund, Fund 0103, Department DWU, Unit CS40, Object 3099, Program 71804, Encumbrance/Contract No. CX-PKR-2017-00002665, Commodity 91200, Vendor 514347.

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





## **AGENDA ITEM # 10**

### **STRATEGIC PRIORITY:**

Government Performance and Financial Management

### **AGENDA DATE:**

October 11, 2017

### **COUNCIL DISTRICT(S):**

All

### **DEPARTMENT:**

Public Affairs and Outreach

### **CMO:**

Kimberly Bizer Tolbert, 670-3302

### **MAPSCO:**

N/A

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### **SUBJECT**

A resolution to transfer oversight responsibility for the City's Open Records Request (ORR) function from the City Manager to the City Secretary with final design and implementation of a newly centralized ORR Center to be coordinated with the appointment of the new City Secretary - Financing: No cost consideration to the City

### **BACKGROUND**

The City's Open Records Request (ORR) function is currently housed within the Public Information Office (PIO), a management services division reporting directly to the City Manager's Office (CMO). Under the PIO, requests for public information (ORRs), with the exception of ORRs for Dallas Police Department (DPD) information, are managed, monitored and tracked in order to ensure that the City complies with the requirements of the Texas Public Information Act (TPIA).

Two full-time PIO staff are currently assigned to the ORR function, which is coordinating the gathering of requested information with City departments, the City Attorney's Office, City Secretary's Office and Communication and Information Services (CIS), in addition to managing the ORR web portal, GovQA.

PIO serves to enhance transparency and educate the community about City news, events, and various services across the entire organization. As part of the FY 2017-18 budget, PIO's name was changed to Public Affairs and Outreach to further expand their focus on existing services such as audio/visual production and social media relations to new areas such as community outreach and engagement, digital communications, internal communications programs, and strategic and crisis communications.

## **BACKGROUND** (continued)

With the intended new direction for PIO, the City Manager formed a working group in May 2017 to determine opportunities for improvement and develop alignment recommendations specific to the ORR process. The working group, which was comprised of representatives from internal stakeholders such as the City Attorney's Office, City Secretary's Office, Dallas Police Department, and Communication and Information Services, identified three challenges: (1) an unstructured process across the organization, (2) staffing capacity to handle requests and (3) an underutilized processing system.

Following the identification of challenges and opportunities, the working group analyzed the current ORR alignment against best-practices of top five council-manager cities and large Texas cities and found that the function primarily resides in the City Secretary or Clerk's Office in alignment with their role as official record holders. The City of San Antonio's ORR functions currently reside within the City Manager's Office purview but are also undergoing an analysis to restructure and realign ORR functions with the City Secretary's Office (CSO).

The working group determined that a centralized ORR Center in the CSO would enable the City to respond to ORRs in the most efficient and transparent manner possible. At this time, the two full-time PIO staff currently assigned to the ORR function will be transferred to the CSO. Additional staff from other departments may be co-located within the new ORR Center pending final design and implementation by the newly-appointed City Secretary.

Additionally, the working group recommended the development of a standard operating procedures manual and training materials, annual training facilitated by the Attorney General's Office for city employees and public officials, additional in-house training for the City's Departmental Open Records Coordinators, more consistent and effective use of GovQA, launching a series of public service announcements to inform the public on how to submit an ORR, and finally an evaluation of the City's website to determine the types of information that can be posted and made available online.

In addition to the alignment of functions under the CSO, the transfer of the ORR process would create a central point of contact for the community who visit City Hall online and in person and reduce the need to be sent to various offices. Currently, an individual's first stop at City Hall when seeking records is the CSO but is then redirected to the PIO on another floor to submit a request. The transfer would further the City's commitment to putting service first.

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

This item was briefed at the Government Performance and Financial Management Committee meeting on September 5, 2017.

**FISCAL INFORMATION**

No cost consideration to the City.

October 11, 2017

**WHEREAS**, the City remains committed to enhancing transparency and improving its service to the citizens of Dallas; and

**WHEREAS**, the City wishes to move its Open Records Request (ORR) function to the City Secretary's Office to provide a central point of contact for the City and to increase efficiencies for the process, with the appointment of the new City Secretary and to develop standard operating procedures and improve training for City employees and City officials; and

**WHEREAS**, on September 20, 2017, the City Council passed Ordinance No. 30651, the operating and capital budget appropriations ordinance, for fiscal year 2017-18; and

**WHEREAS**, the City wishes to transfer two full-time employee positions and appropriations from Public Affairs and Outreach to the City Secretary's Office, with the final design and implementation of the new ORR Center to be coordinated with the appointment of the new City Secretary.

**Now, Therefore,**

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

**SECTION 1.** That oversight responsibility for the City's Open Records Request function shall be transferred from the City Manager to the City Secretary, with final design and implementation of a newly centralized Open Records Request Center to be coordinated with the appointment of the new City Secretary.

**SECTION 2.** That the City Manager is hereby authorized to decrease the Office of Management Services appropriations in an amount not to exceed \$265,366, from \$26,611,693 to \$26,346,327 in Fund 0001, Department MGT, Unit 1128, various Object Codes.

**SECTION 3.** That the City Manager is hereby authorized to increase the City Secretary's Office appropriations in an amount not to exceed \$265,366, from \$2,223,547 to \$2,488,913 in Fund 0001, Department SEC, Unit 1364, various Object Codes.

**SECTION 4.** That the City Manager is hereby authorized to transfer positions from the Office of Management Services, Fund 0001, Department MGT, Unit 1128 to the City Secretary's Office, Fund 0001, Department SEC, Unit 1364.

**SECTION 5.** That this resolution shall take effect in coordination with the appointment of the new City Secretary, in accordance with the provisions of the Dallas City Charter, and it is accordingly so resolved.

## AGENDA ITEM # 10

### STRATEGIC PRIORITY:

Mobility Solutions, Infrastructure, and Sustainability

### AGENDA DATE:

October 11, 2017

### COUNCIL DISTRICT(S):

Outside City Limits

### DEPARTMENT:

Sustainable Development and Construction  
Water Utilities

### CMO:

Majed Al-Ghafry, 670-3302

### MAPSCO:

N/A

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### SUBJECT

Authorize acquisition from Freddie Kasper, of approximately 262,824 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$49,000 (\$45,900, plus closing costs and title expenses not to exceed \$3,100) - Financing: Water Utilities Capital Improvement Funds

### BACKGROUND

This item authorizes the acquisition from Freddie Kasper of approximately 262,824 square feet of land located in Kaufman 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. No relocation benefits are required.

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, TX and then to the Eastside Water Treatment Plant located in Sunnyvale, TX. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current City needs and future water demands.

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

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 9, 2017.

### **FISCAL INFORMATION**

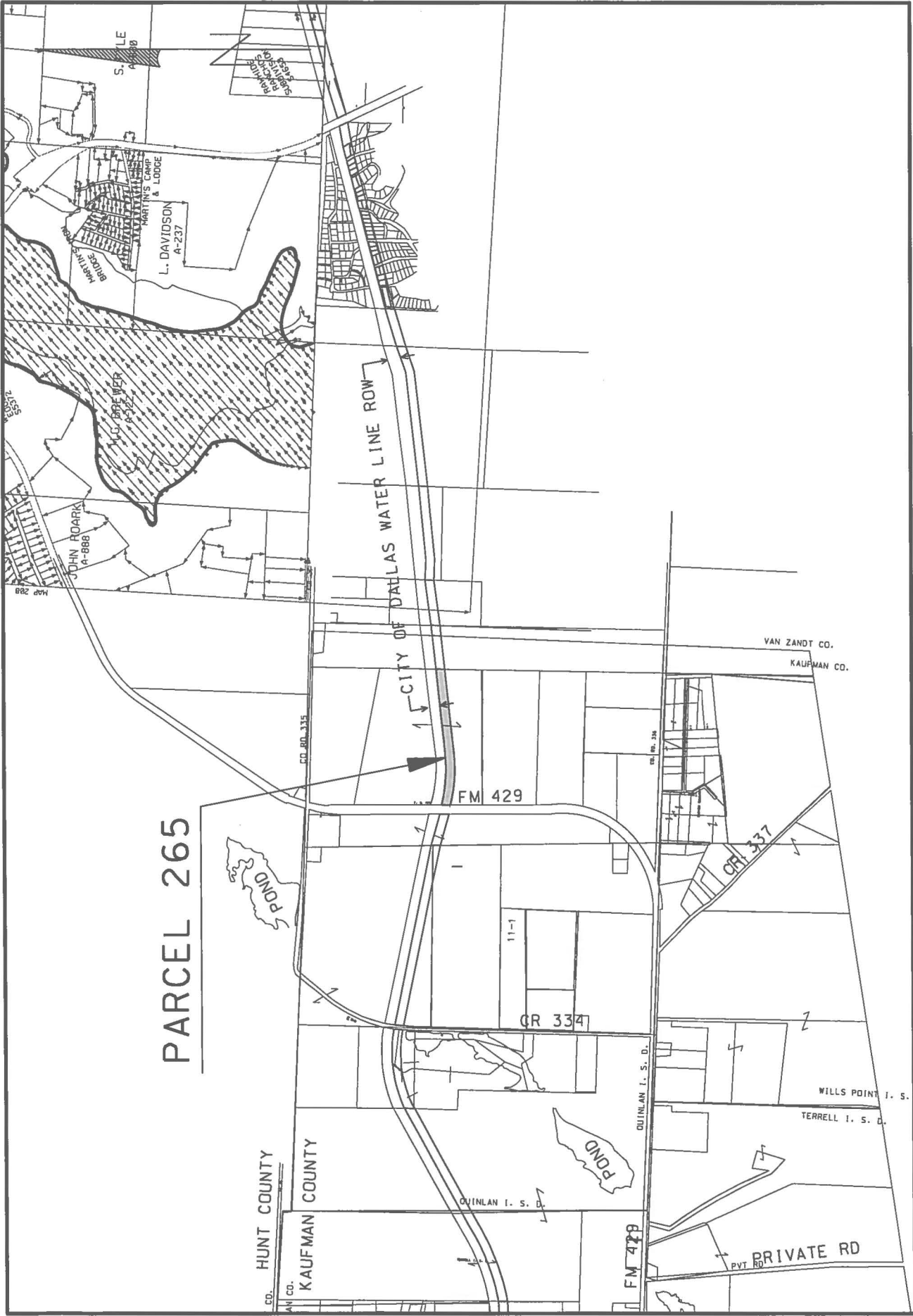
Water Utilities Capital Improvement Funds - \$49,000 (\$45,900, plus closing costs and title expenses not to exceed \$3,100)

### **OWNER**

Freddie Kasper

### **MAP**

Attached



VICINITY MAP  
APPROXIMATE SCALE 1" = 2000'





October 11, 2017

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 262,824 square feet of land located in Kaufman 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 herein provided.

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

"OWNER": Freddie Kasper, 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": \$45,900

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,100

"AUTHORIZED AMOUNT": Not to exceed \$49,000

**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.

October 11, 2017

**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 Utilities Capital Improvement Funds, Fund 3115, Department DWU, Unit PW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2017-00002887. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

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

BY:   
Assistant City Attorney

**FIELD NOTES**  
**DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION**  
**OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER**  
**TRANSMISSION MAIN**  
**KAUFMAN COUNTY, TEXAS**  
**Parcel: 265**

BEING a 6.034 acre tract of land in the J. McCarty Survey, Abstract No. 333, in Kaufman County, Texas, being part of a 21.54 acre tract of land described in Special Warranty Deed to Freddie Kasper, dated March 26, 2014, as recorded in Volume 4534, Page 133, in the Deed Records Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a concrete monument with cap stamped "City of Dallas" found at the northeast corner of said 21.54 acre tract, same being the southeast corner of a City of Dallas Water Line Right-of-Way (variable width Right-of-Way), as recorded in Volume 437, Page 525, D.R.K.C.T. and the northwest corner of a tract of land described as "Tract One" in a deed to Justin Scott, as recorded in Volume 3667, Page 105, D.R.K.C.T.;

THENCE South 00 degrees 17 minutes 25 seconds East, with the east line of said 21.54 acre tract and the west line of said "Tract One", a distance of 131.33 feet to a 1/2-inch iron rod with red cap stamped. "DAL-TECH" (hereinafter referred to as "with cap") set;

THENCE South 81 degrees 32 minutes 24 seconds West, departing the east line of said 21.54 acre tract and west line of said "Tract One", a distance of 1,316.96 feet to a 1/2-inch iron rod with cap set at the point of curvature of a curve to the right, having a radius of 2,008.46 feet and a central angle of 17 degrees 41 minutes 00 seconds;

THENCE with said curve to the right, an arc distance of 619.87 feet (Chord Bearing North 89 degrees 37 minutes 06 seconds West – 617.41 feet), to a 1/2-inch iron rod with cap set at the point of tangency;

THENCE North 80 degrees 46 minutes 36 seconds West, a distance of 81.23 feet to a 1/2-inch iron rod set in the east line of F.M. 429 (120 foot right-of-way), being the west line of said 21.54 acre tract;

THENCE North 03 degrees 15 minutes 43 seconds West, with the east line of said F.M. 429 and the west line of said 21.54 acre tract, a distance of 133.15 feet to a 1/2-inch iron rod with cap stamped "STOVALL" found at the northwest corner of said 21.54 acre tract, being in the south line of said City of Dallas Water Line Right-of-Way;

THENCE South 80 degrees 46 minutes 36 seconds East, departing the east line of said F.M. 429 and with the north line of said 21.54 acre tract and south line of said City of Dallas Water Line Right-of-Way, a distance of 110.01 feet to a concrete monument with cap stamped "City of Dallas" found at the point of curvature of a curve to the left, having a radius of 1,878.46 feet and a central angle of 17 degrees 41 minutes 00 seconds;

THENCE with said curve to the left and continuing with said north and south lines, an arc distance of 579.75 feet (Chord Bearing South 89 degrees 37 minutes 06 seconds East – 577.45 feet), to a concrete monument with cap stamped "City of Dallas" found at the point of tangency;

THENCE North 81 degrees 32 minutes 24 seconds East, continuing with said north and south lines, a distance of 1,335.62 feet to the POINT OF BEGINNING and containing 262,824 square feet (6.034 acres) of land.

FIELD NOTES APPROVED:

*DR 3/25/16*



**FIELD NOTES**  
**DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION**  
**OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER**  
**TRANSMISSION MAIN**  
**KAUFMAN COUNTY, TEXAS**  
**Parcel: 265**

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: 3-15-14

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





CITY OF DALLAS  
WATER LINE  
RIGHT-OF-WAY  
(VOL. 500, PG. 413)  
D.R.K.C.T.

POINT OF  
BEGINNING

FOUND CONCRETE  
MONUMENT W/ BRASS  
DISK STAMPED  
"CITY OF DALLAS"  
(C.M.)

CITY OF DALLAS  
WATER LINE  
RIGHT-OF-WAY  
VOL. 437, PG. 525  
D.R.K.C.T.  
(VARIABLE WIDTH)

MATCH LINE

S00°17'25"E  
131.33'

N81°32'24"E  
1,335.62'

S81°32'24"W  
1,316.96'

OWNER:  
JUSTIN SCOTT  
"TRACT ONE"  
(VOL. 3667, PG. 105)  
D.R.K.C.T.  
"TRACT ONE"  
(DOC. NO. 2010-000329)  
D.R.V.Z.C.T.

OWNER:  
FREDDIE KASPER  
VOL. 4534, PG. 133  
D.R.K.C.T.

APPROX. LOCATION  
OF SURVEY LINE  
N00°17'25"W  
464.75'

1/2" FIR  
STOVALL  
(C.M.)  
3/8" FIR  
STOVALL  
1/2" FIR  
STOVALL

NOTE: THIS SURVEY WAS PERFORMED BASED UPON  
RECORD DATA PROVIDED UNDER T1COR TITLE  
INSURANCE COMPANY COMMITMENT G.F. NUMBER 21961-KF07.  
WITH AN EFFECTIVE DATE OF AUGUST 30, 2007.

LEGEND:  
S.F. SQUARE FEET  
C.M. CONTROL MONUMENT  
O.F.I.R. FOUND IRON ROD  
O.F.I.P. FOUND IRON PIPE  
O 1/2" SIR 1/2" SET IRON ROD WITH A  
W/CAP RED PLASTIC CAP STAMPED  
"DAL-TECH" OR "DIE"  
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 CORP ARP, KAUFMAN CORP ARP, TYLER  
CORS ARP, AND PARIS CORP ARP. THE KAUFMAN COUNTY  
SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE  
TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS  
DISTRICT WAS USED FOR THIS PROJECT.



EXHIBIT  
OF A  
RIGHT-OF-WAY ACQUISITION  
SITUATED IN THE  
SIMEON F PYLE SURVEY ABSTRACT NO 830  
KAUFMAN 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





**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  
KAUFMAN                   §

That Freddie Kasper, a married person, not joined herein by spouse, as the property hereby conveyed constitutes no part of their business or residence homestead and is in his sole management and control (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Kaufman, State of Texas, for and in consideration of the sum of FORTY FIVE THOUSAND NINE HUNDRED AND 00/100 DOLLARS (\$45,900.00) 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 \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Freddie Kasper

\* \* \* \* \*

STATE OF TEXAS  
COUNTY OF KAUFMAN

This instrument was acknowledged before me on \_\_\_\_\_  
by Freddie Kasper.

\_\_\_\_\_  
Notary Public, State of TEXAS

\* \* \* \* \*

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

Warranty Deed Log No. 44243



**FIELD NOTES**  
**DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION**  
**OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER**  
**TRANSMISSION MAIN**  
**KAUFMAN COUNTY, TEXAS**  
**Parcel: 265**

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FIELD NOTES APPROVED:

JBC 3/25/16



**FIELD NOTES**  
**DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION**  
**OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER**  
**TRANSMISSION MAIN**  
**KAUFMAN COUNTY, TEXAS**  
**Parcel: 265**

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: 3-15-14

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

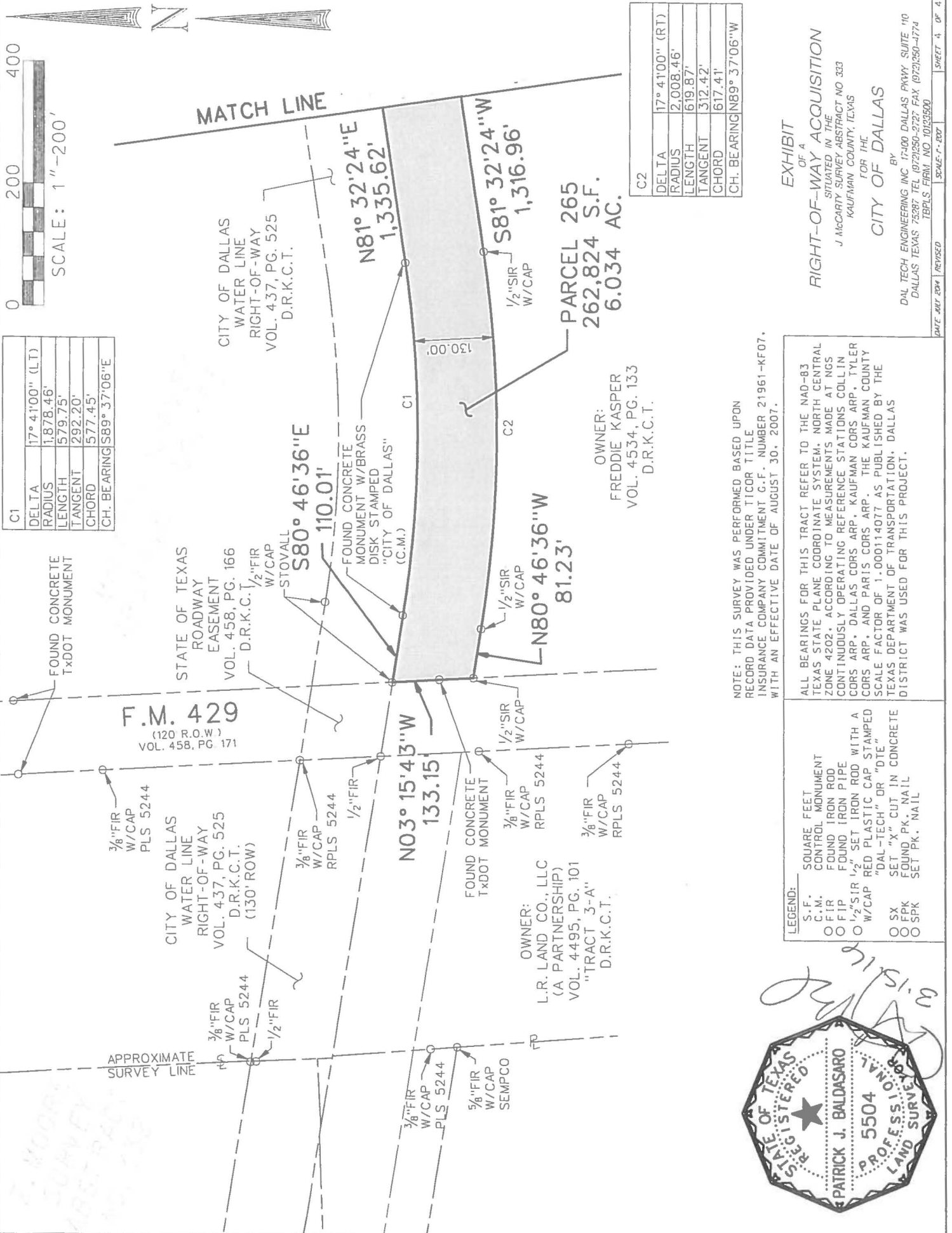






SCALE: 1"=200'

C1	DELTA	17° 41'00" (LT)
	RADIUS	1,878.46'
	LENGTH	579.75'
	TANGENT	292.20'
	CHORD	577.45'
	CH. BEARING	S89° 37'06"E



C2	DELTA	17° 41'00" (RT)
	RADIUS	2,008.46'
	LENGTH	619.87'
	TANGENT	312.42'
	CHORD	617.41'
	CH. BEARING	N89° 37'06"W

# EXHIBIT

OF A  
**RIGHT-OF-WAY ACQUISITION**  
SITUATED IN THE  
J MCCARTHY SURVEY ABSTRACT NO 333  
KAUFMAN COUNTY, TEXAS  
FOR THE  
**CITY OF DALLAS**  
BY  
DAL TECH ENGINEERING INC. 17100 DALLAS PKWY. SUITE 110  
DALLAS TEXAS 75287 TEL (972)250-2727 FAX (972)250-4774  
TBP/LS FHM/ NO 10123500

NOTE: THIS SURVEY WAS PERFORMED BASED UPON  
RECORD DATA PROVIDED UNDER T10R TITLE  
INSURANCE COMPANY COMMITMENT C.F. NUMBER 21961-KF07.  
WITH AN EFFECTIVE DATE OF AUGUST 30, 2007.

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.

LEGEND:  
S.F. SQUARE FEET  
C.M. CONTROL MONUMENT  
O FIP FOUND IRON ROD  
O FIP FOUND IRON PIPE  
O 1/2" SIR 1/2" SET IRON ROD WITH A  
W/CAP 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



OWNER:  
FREDDIE KASPER  
VOL. 4534, PG. 133  
D.R.K.C.T.

OWNER:  
L.R. LAND CO., LLC  
(A PARTNERSHIP)  
VOL. 4495, PG. 101  
"TRACT 3-A"  
D.R.K.C.T.

## AGENDA ITEM # 11

### STRATEGIC PRIORITY:

Mobility Solutions, Infrastructure, and Sustainability

### AGENDA DATE:

October 11, 2017

### COUNCIL DISTRICT(S):

2, 3, 4, 5, 7, 8

### DEPARTMENT:

Sustainable Development and Construction

### CMO:

Majed Al-Ghafry, 670-3302

### MAPSCO:

34W 46R V X Y 47E 55B N 56P 57V 58S 63C 64B F L 65B  
66S 70N

---

### SUBJECT

Authorize **(1)** the quitclaim of 22 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale that will be sold to the highest qualified bidders; and **(2)** the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment (list attached) - Estimated Revenue: \$331,000

### BACKGROUND

This item authorizes the quitclaim of 22 properties that were foreclosed by the Sheriff's Department for unpaid taxes pursuant to judgments or seizure warrants from a District Court and the release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment. These properties will be sold to the highest qualified bidder and will return to the tax rolls upon conveyance.

Successful bidders will be required to sign a certification stating that they are not purchasing these properties on behalf of the foreclosed owners and that they have no debts owed to the City, no pending code violations, and are not chronic code violators.

All properties were reviewed by the Housing Department for infill houses and were not desired for that program.

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

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 9, 2017.

### FISCAL INFORMATION

Estimated Revenue - \$331,000

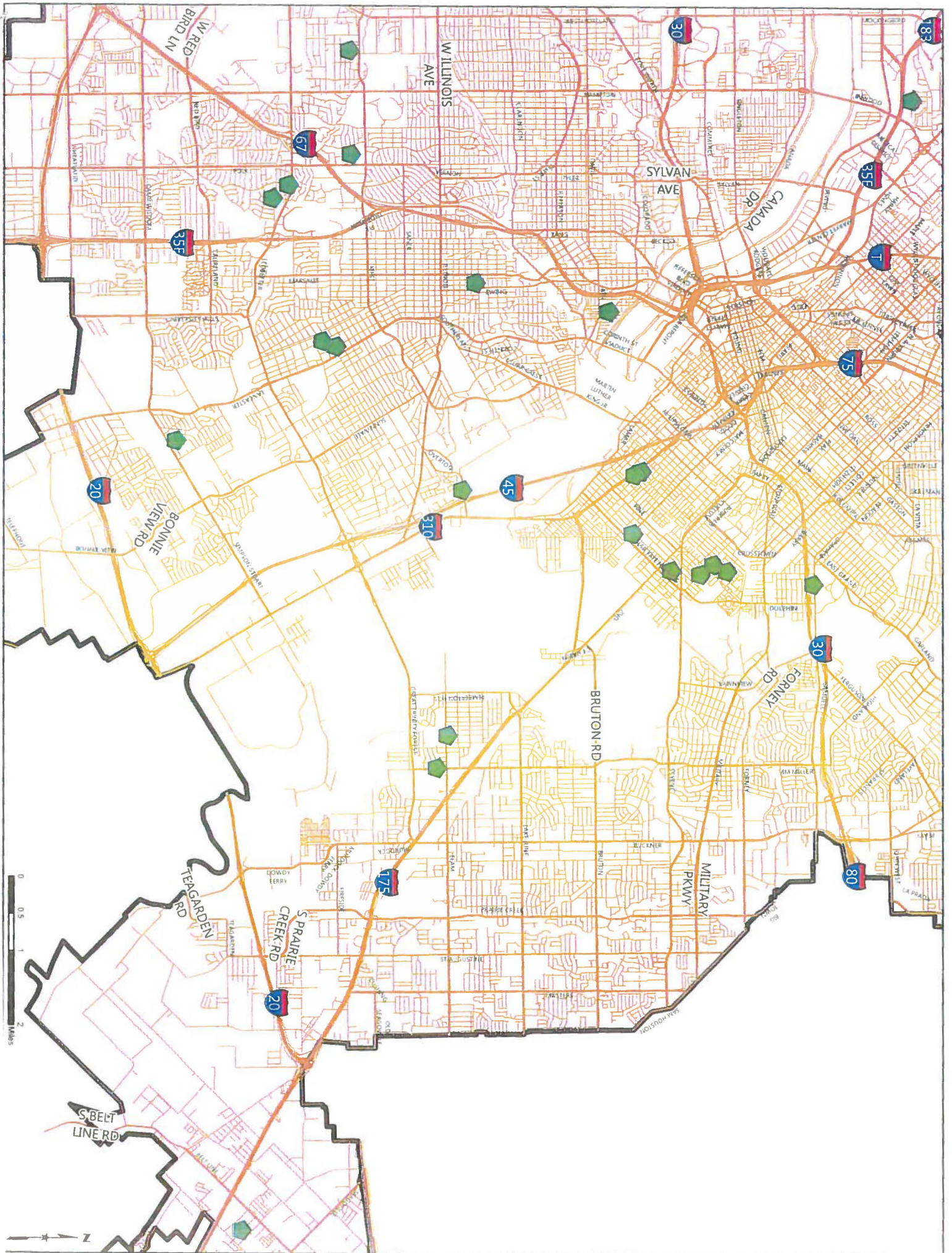
**MAP**

Attached

**TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES  
PROPERTY LIST**

ITEM #	STREET ADDRESS	VAC/ IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	DCAD
1	2807 BENROCK	V	8	R-5(A)	.2848	\$2,968.00	\$8,250.00
2	1517 BRIAR CLIFF	I	2	PD-465	.1636	\$36,750.00	\$71,180.00
3	4226 CANAL	I	7	PD-595	.1217	\$40,530.00	\$40,530.00
4	4210 COPELAND	V	7	PD-595	.0894	\$3,750.00	\$3,750.00
5	2236 DATHE	V	7	PD-595	.1419	\$6,000.00	\$6,000.00
6	419 DENLEY	V	4	PD-571	.7859	\$7,000.00	\$7,500.00
7	4011 DENLEY	V	4	TH-3(A)	.4455	\$13,500.00	\$13,500.00
8	522 ELWAYNE	V	5	R-7.5(A)	.1799	\$15,000.00	\$15,000.00
9	4122 FERNWOOD	V	4	R-5(A)	.9159	\$15,666.00	\$18,000.00
10	4434 FRANK	V	7	PD-595	.1062	\$4,619.00	\$5,000.00
11	13848 INDIAN WELLS	V	8	R-10(A)	.4879	\$22,117.00	\$24,400.00
12	423 JIM MILLER	I	8	R-7.5(A)	.3881	\$69,982.00	\$98,000.00
13	2219 JORDAN ST	I	7	PD-595	.1428	\$26,201.00	\$25,830.00
14	2816 MARBURG	V	7	PD-595	.1308	\$15,380.00	\$6,000.00
15	631 MISTY GLEN	I	4	R-7.5(A)	.4703	\$119,490.00	\$155,200.00
16	3343 NAVAJO	V	4	R-7.5(A)	.2555	\$30,170.00	\$40,000.00
17	851 OAK FOREST	V	4	R-7.5(A)	.1744	\$20,000.00	\$20,000.00
18	3816 OVERTON	V	4	IR	.5965	\$44,910.00	\$44,910.00
19	3100 SAMUELL	V	2	RR	.2457	\$53,550.00	\$53,550.00
20	815 VERMONT	I	4	CR	.0988	\$51,886.00	\$90,590.00
21	2837 WHITEWOOD	V	3	R-10(A)	.2366	\$23,190.00	\$23,190.00
22	3703 YORK	V	7	PD-595	.1492	\$3,250.00	\$3,250.00







October 11, 2017

**WHEREAS**, the City of Dallas ("City"), the State of Texas ("State"), the County of Dallas, ("County"), and/or Dallas Independent School District ("DISD") acquired Sheriff Deeds to properties ("Properties") at a sheriff tax sale ("the First Sale") authorized by a Judicial Foreclosure ("Judgment") in a District Court in Dallas County, Texas. The Sheriff's Deeds were recorded in the real property records of Dallas County, Texas as described on "Exhibit A," attached herein and incorporated by reference; and

**WHEREAS**, pursuant to the Texas Attorney General Opinion No. JM-1232 and Section 34.05(a) of the Texas Property Tax Code, the City may re-sell the Properties ("the Second Sale") subject to any right of redemption existing at the time of the Second Sale; and

**WHEREAS**, pursuant to the provisions of Chapter 34, Section 34.05 of the Texas Property Tax Code, a taxing entity is authorized to re-sell the Properties ("the Second Sale"); and

**WHEREAS**, by accepting its pro rata proceeds from the Second Sale, the State agrees to the transfer of Properties in which it has an interest; and

**WHEREAS**, the City Manager, acting on behalf of the County pursuant to a County Commissioner's Court Order, and acting on behalf of DISD pursuant to a School Board Resolution have the authority to execute Quitclaim Deeds to the purchasers of Properties at the Second Sale, and transfer any rights, title, or interests acquired or held by each taxing entity that was a party to the Judgment at the First Sale; and

**WHEREAS**, the Properties will be advertised in the Dallas Morning News to be offered for re-sale; and

**WHEREAS**, the City Council has previously approved the re-sale of other Properties where funds were not received, nor disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County; and

**WHEREAS**, the distribution of the proceeds from the resale of the Properties will be in accordance with Chapter 34, Section 34.06 of the Texas Property Tax Code.

**Now, Therefore,**

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

**SECTION 1.** That upon receipt of the monetary consideration from the purchasers, and upon consent by the County and DISD, the City Manager after approval as to form by the City Attorney and attested by the City Secretary, is hereby authorized to execute

October 11, 2017**SECTION 1.** (continued)

Quitclaim Deeds to the Properties to be sold to the highest qualified bidder, conveying to the purchasers the right, title, and interest acquired or held by each taxing entity that was a party to the Judgment, subject to any right of redemption, post-Judgment taxes and post Judgment non-municipal liens, and in accordance with the written agreement of the terms, conditions, and release of the taxing entities.

**SECTION 2.** That the consideration received from the Second Sale shall be distributed pursuant to Chapter 34, Section 34.06 of the Texas Property Tax Code, and applied to the payment of the court costs, interest, and cost of sale and applied to the amount of delinquent taxes, penalties, and non-tax municipal liens as set forth in the Judgment and pursuant to the order of the court.

**SECTION 3.** That all purchasers shall be responsible for the pro rata portion of property taxes for the remaining part of the current calendar year that will be assessed from the date of closing of the Second Sale. Purchasers shall also be responsible for any post-Judgment taxes, penalties and interest, pursuant to the Texas Property Tax Code, and post-Judgment non-municipal liens. The Properties shall be replaced on the tax rolls as of the date of execution of Quitclaim Deeds.

**SECTION 4.** That to the extent authorized by law, any liens securing taxes referenced in Section 2 above are hereby released. That the City Manager, after approval as to form by the City Attorney, is hereby authorized to execute a release(s) of lien for any non-tax municipal lien(s) which (i) are included in the Judgments issued in the foreclosure suits filed by the City on the lot(s) shown on Exhibit "A"; or (ii) arise or are filed of record post Judgment and prior to the Second Sale by the City on the lot(s) shown on Exhibit "A".

**SECTION 5.** That any and all proceeds from the Second Sale, including funds not received, nor disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County will be deposited to General Fund, Fund 0001, Department DEV, Balance Sheet 0519.

**SECTION 6.** That upon receipt of the consideration from the Second Sale, the Chief Financial Officer is hereby authorized to disburse the proceeds in accordance with Chapter 34, Section 34.06 of the Texas Property Tax Code. Calculations for disbursements shall be provided by the Director of Sustainable Development and Construction to the City of Dallas Land Based Receivables, the Dallas County District Clerk, and the Dallas County Tax Office from the account specified in Section 5, above.

**SECTION 7.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES  
EXHIBIT A**

<b>ITEM #</b>	<b>STREET ADDRESS</b>	<b>LEGAL DESCRIPTION</b>	<b>VAC/IMP</b>	<b>OWNED BY TAXING ENTITIES</b>
1	2807 BENROCK	Lot 5, Block 18/6890	V	1, 2, 3
2	1517 BRIAR CLIFF	Lot 15, Block O/7917	I	1, 2, 3
3	4226 CANAL	Lot 10, Block 2/1853	I	1, 2, 3
4	4210 COPELAND	Lot 3, Block 5/1839	V	1, 2, 3
5	2236 DATHE	Lot 6, Block 1708	V	1, 2, 3
6	419 DENLEY	Lot 13, Block 49/3030	V	1, 2, 3
7	4011 DENLEY	Lot 16, Block 26/4322	V	1, 2, 3
8	522 ELWAYNE	Lot 25, Block 3/6250	V	1, 2, 3
9	4122 FERNWOOD	Lot 08, Block 28/4323	V	1, 2, 3
10	4434 FRANK	Lot 10, Block D/2434	V	1, 2, 3
11	13848 INDIAN WELLS	Lot 3, Block E/8820	V	1, 2, 3
12	423 JIM MILLER	Tract 15, Block 6262	I	1, 2, 3
13	2219 JORDAN ST	Lot 8, Block A/1709	I	1, 2, 3
14	2816 MARBURG	Lot 4, Block B/1773	V	1, 2, 3
15	631 MISTY GLEN	Lot 8, Block 21/6912	I	1, 2, 3
16	3343 NAVAJO	Lot 13, Block 13/6035	V	1, 2, 3
17	851 OAK FOREST	Lot 20, Block 1/5994	V	1, 2, 3
18	3816 OVERTON	Lot 1, Block 6097	V	1, 2, 3
19	3100 SAMUELL	Lot 1, Block C/2105	V	1, 2, 3
20	815 VERMONT	Tract 6, Block 3676	I	1, 2, 3
21	2837 WHITEWOOD	Lot 3, Block M/6038	V	1, 2, 3
22	3703 YORK	Lot 38, Block 2/2128	V	1, 2, 3

\*1=CITY, 2=DISD, 3=COUNTY, 4=STATE (All properties are located in the City of Dallas, Dallas County, Texas)



## **AGENDA ITEM # 12**

### **STRATEGIC PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

### **AGENDA DATE:**

October 11, 2017

### **COUNCIL DISTRICT(S):**

2

### **DEPARTMENT:**

Sustainable Development and Construction

### **CMO:**

Majed Al-Ghafry, 670-3302

### **MAPSCO:**

23X Y

---

### **SUBJECT**

An ordinance abandoning an easement for street purposes to Northwest Overlake, L.L.C., the abutting owner, containing approximately 5,064 square feet of land, located near the intersection of Northwest Highway and Straightway Drive; and authorizing the quitclaim - Revenue: \$26,586, plus the \$20 ordinance publication fee

### **BACKGROUND**

This item authorizes the abandonment of an easement for street purposes to Northwest Overlake, L.L.C., the abutting owner. The area will be included with the property of the abutting owner for a mixed-use development. The abandonment fee is based on an independent appraisal.

Notices were sent to 8 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition of this request.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 9, 2017.

### **FISCAL INFORMATION**

Revenue - \$26,586, plus the \$20 ordinance publication fee

**OWNER**

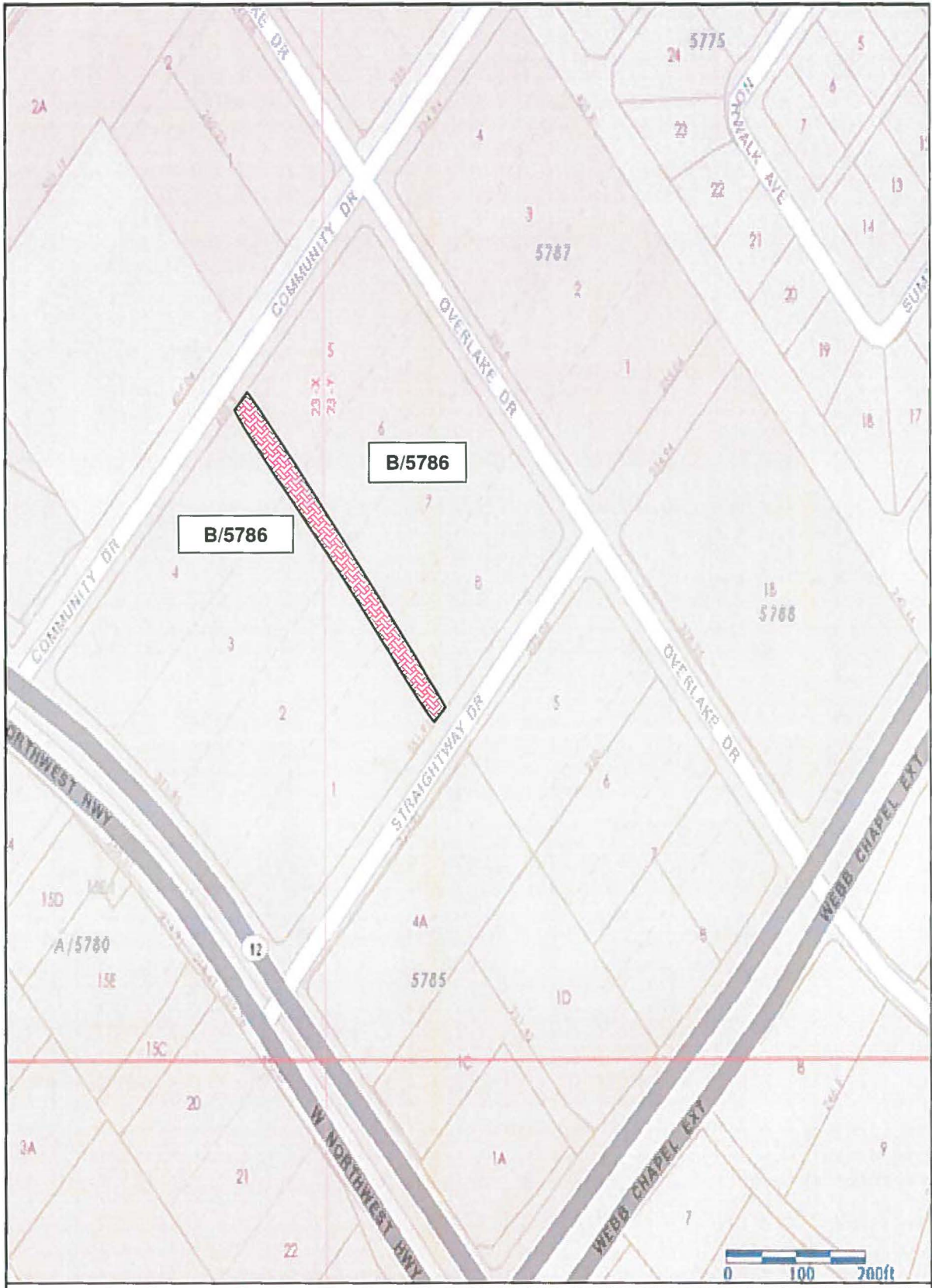
**Northwest Overlake, L.L.C.**

Oxford Enterprises, Inc.

Anthony Swartz, President

**MAP**

Attached



ABANDONMENT AREA





**ORDINANCE NO. \_\_\_\_\_**

An ordinance providing for the abandonment of an easement located in City Block B/5786 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Northwest Overlake, L.L.C.; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

**ooo0ooo**

**WHEREAS**, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Northwest Overlake, L.L.C., a Texas limited liability company, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

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

**Now, Therefore,**

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

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

**SECTION 2.** That for and in monetary consideration of the sum of **TWENTY-SIX THOUSAND FIVE HUNDRED EIGHTY SIX AND NO/100 DOLLARS (\$26,586.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, and 10, the City

**SECTION 2.** (continued)

of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

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

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

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

**SECTION 10.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the passage of this ordinance, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

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

**SECTION 12.** That this contract is designated as Contract No. DEV-2016-00001314.

**SECTION 13.** That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

DAVID COSSUM, Director  
Department of Sustainable Development and  
Construction

BY:   
Assistant City Attorney

BY:   
Assistant Director

Passed \_\_\_\_\_.

# Exhibit A

**UTILITY EASEMENT ABANDONMENT  
LAKE LINE PARK, THIRD SECTION  
BLOCK B/5786  
DICKERSON PARKER SURVEY, ABSTRACT NO. 1113  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**BEING** a 5,064 square feet tract of land situated in the Dickerson Parker Survey, Abstract No. 1113, Dallas County, Texas, and being a portion of Lots 1-8, Block B, as shown on the plat of Lake Line Park, Third Section, being Block B/5786 City of Dallas Block, recorded in Volume 5, Page 290, Map Records, Dallas County, Texas, also being all of a labeled 12' Easement across said Block B, as shown on the said plat of Lake Line Park, Third Section, also being a portion of Tract I, Parcel A, as described in the Correction Assumption Warranty Deed to Northwest Overlake, LLC, recorded under instrument No. 20070357301, Official Public Records, Dallas County, Texas (OPRDCT), and being more particularly described by metes and bounds as follows (basis of bearing being the Texas Coordinate System, NAD83, North Central Zone - 4202, as established using GPS Technology in conjunction with the RTK Cooperative Network):

**COMMENCING** at a 1/2 inch iron rod found on the northwesterly line of Lot 5, said Block B, being common with the southeasterly right-of-way line of Community Drive, and being on the west side of a corner radius at the north corner of said Lot 5, being on the south side of the intersection of Community Drive and Overlake Drive;

**THENCE** South 45°26'25" West, with the northwesterly line of said Block B, being common with the said southeasterly right-of-way line, a distance of 229.42 feet to a point for corner, being the **POINT OF BEGINNING**;

**THENCE** South 44°45'21" East, over and across Lots 5-8 of said Block B, and along a line parallel with and 6' northeast of the southwest line of said Lots 5-8, a distance of 421.98 feet to a point for corner on the southeasterly line of said Block B, being on the northwesterly line of the Straightway Drive right-of-way abandoned by city ordinance 29383, from which a 1/2 inch iron rod found for corner bears North 45°27'22" East, a distance of 228.94 feet;

**THENCE** South 45°27'22" West, with the said southeasterly line of Block B, a distance of 12.00 feet to a point for corner;

**THENCE** North 44°45'21" West, over and across Lots 1-4 of said Block B, and along a line parallel with and 6' southwest of the northeast line of said Lots 1-4, a distance of 421.98 feet to a point for corner;

**THENCE** North 45°26'25" East, with the said northwesterly line of Block B, a distance of 12.00 feet to the **POINT OF BEGINNING**, and containing 5,064 square feet or 0.116 acres of land, more or less.

  
Joshua D. Wargo 04/11/2016  
Registered Professional Land Surveyor No. 6391



**BHB** BAIRD, HAMPTON & BROWN, INC.  
ENGINEERING & SURVEYING  
4550 State Hwy 360, Ste. 180, Grapevine, TX 76051  
jwargo@bhinc.com 817-251-8550 www.bhinc.com  
BHB Project # 2014.722.001 TBPE Firm F-44 TBPLS Firm 10011302

For SPRG use only  
Review by: David Scott  
Date: 4.22.16  
SPRG NO.: 3675

Sheet 1 of 2



Overlake Drive

POC  
1/2" IRF

Line Table		
Line #	Direction	Length
L1	S45°27'22"W	12.00'
L2	N45°26'25"E	12.00'

Block B  
Lake Line Park  
Third Section  
Vol. 5, Pg. 290  
MRDCT

Block B/5786  
Dallas City Block  
Dickerson Parker Survey  
Abstract No. 1113

Community Drive

S45°26'25"W

229.42'

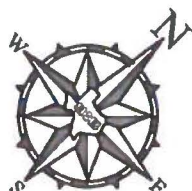
N45°27'22"E

228.94'

Straightway Drive

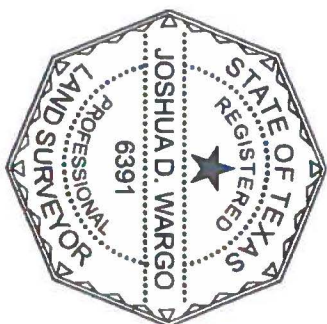
Abandoned by City Ordinance No. 29383

UTILITY EASEMENT ABANDONMENT  
LAKE LINE PARK, THIRD SECTION  
BLOCK B/5786  
DICKERSON PARKER SURVEY  
ABSTRACT NO. 1113  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS



0 60'  
SCALE: 1" = 60'

For SPRG use only  
Review by: David Scott  
Date: 4.22.16  
SPRG NO.: 5675



NOTES

1. Basis of Bearing being the Texas Coordinate System, NAD83, North Central Zone - 4202, as established using GPS Technology in conjunction with the RTK Cooperative Network.

LEGEND

..... Point for corner unless otherwise noted  
CC#..... County Clerks Number  
IRF..... Iron Rod Found  
DRDCT..... Deed Records Dallas County, Texas  
MRDCT..... Map Records Dallas County, Texas  
OPRDCT..... Official Public Records, Dallas County, Texas  
POB..... Point of Beginning  
POC..... Point of Commencing

**BIB**

BAIRD, HAMPTON & BROWN, INC.  
ENGINEERING & SURVEYING  
4550 State Hwy 360, Ste. 180, Grapevine, TX 76051  
817-251-8550  
www.bhbinc.com  
TBE Firm F-44  
TBRIS Firm 10011302

Joshua D. Wargo  
Registered Professional Land Surveyor No. 6391  
04/11/2016

DRAWING FILE: E:\Survey\14\722\001 Northwest Overlake\Draw\Easement Abandonment - 12' Public.dwg | Exhibit B

BIB Project # 2014.722.001

TBE Firm F-44

TBRIS Firm 10011302

Sheet 2 of 2

# EXHIBIT B

## ADDITIONAL ABANDONMENT PROVISIONS

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



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**DEPARTMENT:** City Secretary

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** N/A

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**SUBJECT**

Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)



## AGENDA ITEM # 14

### STRATEGIC PRIORITY:

Government Performance and Financial Management

### AGENDA DATE:

October 11, 2017

### COUNCIL DISTRICT(S):

N/A

### DEPARTMENT:

City Attorney's Office  
Water Utilities

### CMO:

Larry Casto, 670-3491  
Majed Al-Ghafry, 670-3302

### MAPSCO:

N/A

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### SUBJECT

Authorize an amendment to the Water Supply Contract and Conveyance between the City and the Sabine River Authority ("SRA") for raw water from Lake Fork Reservoir, and authorize settlement of the litigation styled: **(1)** Petition of the City of Dallas for Review of a Decision by the Sabine River Authority to Set Water Rates (Lake Fork Reservoir), Docket No. 43674 before the Public Utility Commission of Texas ("PUC"); **(2)** City of Dallas v. Sabine River Authority, Cause No. D-1-GN-15-000398 in the 53<sup>rd</sup> District Court of Travis County, Texas, and all related appeals; and **(3)** City of Dallas v. Cary "Mac" Abney, et al. v. Sabine River Authority, Cause No. D-150045-C in the 260<sup>th</sup> District Court of Orange County, Texas, and all related appeals - Financing: No cost consideration to the City

### BACKGROUND

The City and SRA are parties to a Water Supply Contract and Conveyance under which the City pays SRA for raw water, to which it has rights, from the Lake Fork Reservoir. The initial term of the contract expired November 1, 2014. The City and SRA were unable to agree on compensation for the Lake Fork water for the initial renewal term of the contract. SRA's Board of Directors set a rate for the water on October 9, 2014.

The City filed a petition for review at the PUC, a lawsuit against SRA in Travis County, and a lawsuit against SRA's Board of Directors in Orange County. In these proceedings, the City contested the rate set by SRA for Lake Fork water. The City and SRA have reached a proposed settlement of all litigation subject to City Council approval. In order to facilitate the proposed settlement, the City and SRA have agreed to amend the Water Supply Contract and Conveyance to address water rates, assignment of certain City water contract rights, and use of City facilities for the transportation of SRA water.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

City Council was briefed in Closed Session on October 8, 2014 and December 3, 2014.

City Council was briefed in Closed Session on November 3, 2015.

City Council was briefed in Closed Session on April 6, 2016, May 18, 2016, and October 19, 2016.

City Council was briefed in Closed Session on April 5, 2017 and May 17, 2017.

City Council will be briefed by memorandum on October 6, 2017.

### **FISCAL INFORMATION**

No cost consideration to the City.

October 11, 2017

**WHEREAS**, the City filed litigation styled: **(1)** Petition of the City of Dallas for Review of a Decision by the Sabine River Authority to Set Water Rates (Lake Fork Reservoir), Docket No. 43674 before the Public Utility Commission of Texas; **(2)** City of Dallas v. Sabine River Authority, Cause No. D-1-GN-15-000398 in the 53<sup>rd</sup> District Court of Travis County, Texas; and **(3)** City of Dallas v. Cary “Mac” Abney, et al. v. Sabine River Authority, Cause No. D150045-C in the 260<sup>th</sup> District Court of Orange County, Texas (collectively, the “Litigation”); and

**WHEREAS**, the Sabine River Authority and its Board of Directors have agreed to a settlement of the Litigation including related appeals; and

**WHEREAS**, pursuant to the settlement terms of the Litigation, the Sabine River Authority and the City have agreed to amend the Water Supply Contract and Conveyance to address: **(1)** the compensation to be paid to the Sabine River Authority for the City’s use of raw water from Lake Fork Reservoir; **(2)** the assignment of certain City water contract rights to the Sabine River Authority; and **(3)** the use of City facilities for the transportation of Sabine River Authority water from Lake Fork Reservoir to Lake Tawakoni; and

**WHEREAS**, it is in the best interest of the City to settle the Litigation and amend the water supply contract.

**Now, Therefore,**

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

**SECTION 1.** That the proposed settlement of the Litigation is hereby approved.

**SECTION 2.** That the City Manager is hereby authorized to sign the Settlement Agreement Between the City and the Sabine River Authority and all related documents necessary to effectuate that agreement, approved as to form by the City Attorney.

**SECTION 3.** That the City Manager is hereby authorized to sign the amendment to the Water Supply Contract and Conveyance with the Sabine River Authority and all related documents necessary to effectuate that agreement, approved as to form by the City Attorney.

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



## AGENDA ITEM # 15

**STRATEGIC PRIORITY:** Economic and Neighborhood Vitality

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Economic Development

**CMO:** Raquel Favela, 670-3309

**MAPSCO:** N/A

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### SUBJECT

Authorize a Chapter 380 Economic Development Grant Agreement pursuant to the Public/Private Partnership Program with TVM Productions, Inc. to promote local economic development, stimulate business and commercial activity with the added benefit of promoting Dallas in the media through the production of 13 episodes of the third season of USA Network's television series "Queen of the South" - Not to exceed \$200,000 - Financing: Public/Private Partnership Funds

### BACKGROUND

City staff has been in negotiations with representatives of TVM Productions, Inc., which is a production arm of Fox 21 Television Studios, regarding retaining the third season production of this USA Network television series in Dallas. The production spent approximately \$19M locally producing the first season and \$21M the second season. With assistance from the City, the series is set primarily in Dallas.

The State of Texas supported Season 1 and 2 of this project with grants from the Texas Moving Image Incentive Program.

Queen of the South is an American television crime drama-thriller series on the USA Network. It is an adaptation of the successful Telemundo telenovela La Reina del Sur, which is based on a novel of the same name by Spanish author Arturo Pérez-Reverte.

The show is produced by TVM Productions, Inc. for Fox 21 Television Studios, a subsidiary of 21st Century Fox's Fox Entertainment Group and a division of 20th Century Fox Television.

## **BACKGROUND** (continued)

The second season premiered June 8, 2017 and concluded airing August 31, 2017, averaging 1.158 million viewers per episode. Season 1 is currently available domestically and internationally on Netflix. On August 10, 2017, USA Network renewed the series for a third season.

It is important that Queen of the South remains in Dallas for the filming of Season 3, not only to retain our production infrastructure but also to enjoy the economic benefit that a production the size of Queen of the South provides.

Local spending for Season 3 of Queen of the South is estimated at \$21,310,490. This includes cast and crew salaries, an estimated 2,000 hotel room nights, spending at local vendors for catering, costumes, set and props, and myriad other production needs, filming permits, hiring of off-duty police officers for traffic control and security, and other production costs.

The proposed economic development grant agreement with TVM Productions, Inc. will be contingent on verification of the compliance with an agreement. The agreement to include the following conditions:

- Shoot a minimum 13 episodes of “Queen of the South” season 3 for the USA Network in Dallas, with a majority of the project shot within the city of Dallas proper.
- Locate the primary production offices and any studio/production related facilities within the city of Dallas proper.
- Majority of out of town cast, crew and studio personnel will stay in hotels or other types of temporary housing located in the city of Dallas proper.
- The show will in good faith portray the city of Dallas in a positive manner.
- Production agrees to work cooperatively and in good faith with the City of Dallas on press and public relations efforts announcing the project and subsequent marketing and public relations opportunities as appropriate.
- Include a “Shot on Location in Dallas, Texas” credit at the end of each episode.

## **ESTIMATED SCHEDULE OF PROJECT**

Begin Pre-Production	November 2017
Begin Principle Photography	January 2018
Complete Season 3 Principle Photography	June 2018



## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On August 12, 2015, City Council authorized a Chapter 380 Economic Development Grant Agreement pursuant to the Public/Private Partnership Program with TVM Productions, Inc. to promote local economic development, stimulate business and commercial activity with the added benefit of promoting Dallas in the media through the production of twelve episodes of the first season of a new USA Network television series "Queen of the South" by Resolution No. 15-1431.

On December 14, 2016, City Council authorized a Chapter 380 Economic Development Grant Agreement pursuant to the Public/Private Partnership Program with TVM Productions, Inc. to promote local economic development, stimulate business and commercial activity with the added benefit of promoting Dallas in the media through the production of 13 episodes of the second season of USA Network's television series "Queen of the South" by Resolution No. 16-1956.

On December 14, 2016, City Council elected to continue its authorization of the City of Dallas' Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements as specified in the Property Redevelopment and Tax Abatement Act and other City of Dallas economic development programs including the Business Development Chapter 380 Grant/Loan Program for the period January 1, 2017 through December 31, 2018, by Resolution No. 16-1984.

Information about this item was provided to the Economic Development and Housing Committee on September 18, 2017.

## **FISCAL INFORMATION**

Public/Private Partnership Funds - \$200,000

## **OWNER**

### **TVM Productions, Inc.**

10201 W. Pico Boulevard, Building 54

Los Angeles, CA 90064

Contact: Eileen Ige-Wong, SVP Production Finance

October 11, 2017

**WHEREAS**, the City of Dallas recognizes the importance of its role in local economic development; and

**WHEREAS**, the City of Dallas recognizes the importance of retaining and expanding its existing employment base and media industries is a targeted industry for the City of Dallas; and

**WHEREAS**, many other municipalities and states have incentive programs to compete with the City of Dallas for film, television and creative media projects; and

**WHEREAS**, selection decisions made by production business entities are often significantly influenced by a municipality's ability to provide competitive economic development incentives; and

**WHEREAS**, it is in the interest of the City of Dallas to support and secure the production of film and television projects within the city of Dallas and the employment opportunities that these business entities bring for Dallas residents; and

**WHEREAS**, the City recognizes the added benefit of promoting Dallas in the media through the production of a television series; and

**WHEREAS**, the City of Dallas desires to support and secure the location of the third season of the USA Network television series Queen of the South production within the city of Dallas; and

**WHEREAS**, on August 12, 2015, City Council authorized a Chapter 380 Economic Development Grant Agreement pursuant to the Public/Private Partnership Program with TVM Productions, Inc. to promote local economic development, stimulate business and commercial activity with the added benefit of promoting Dallas in the media through the production of twelve episodes of the first season of a new USA Network television series "Queen of the South", in an amount not to exceed \$150,000, by Resolution No. 15-1431; and

**WHEREAS**, on December 14, 2016, City Council authorized a Chapter 380 Economic Development Grant Agreement pursuant to the Public/Private Partnership Program with TVM Productions, Inc. to promote local economic development, stimulate business and commercial activity with the added benefit of promoting Dallas in the media through the production of 13 episodes of the second season of USA Network's television series "Queen of the South", in an amount not to exceed \$200,000, by Resolution No. 16-1956; and

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**WHEREAS**, on December 14, 2016, City Council elected to continue its authorization of the City of Dallas' Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements as specified in the Property Redevelopment and Tax Abatement Act and other City of Dallas economic development programs including the Business Development Chapter 380 Grant/Loan Program for the period January 1, 2017 through December 31, 2018, by Resolution No. 16-1984; and

**WHEREAS**, the City of Dallas desires to enter into an Economic Development Grant Agreement with TVM Productions, Inc. to promote economic development, stimulate business and commercial activity, encourage job creation, promote Dallas in the media and grow the tax base in the city of Dallas.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to sign a Chapter 380 Economic Development Grant Agreement pursuant to the Public/Private Partnership Program with TVM Productions, Inc., approved as to form by the City Attorney, to promote local economic development, stimulate business and commercial activity with the added benefit of promoting Dallas in the media through the production of 13 episodes of the third season of USA Network's television series "Queen of the South", in an amount not to exceed \$200,000.

**SECTION 2.** That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

**SECTION 3.** That the Economic Development Grant Agreement with TVM Productions, Inc. is subject to conditions as follows:

- Shoot a minimum 13 episodes of "Queen of the South" season 3 for the USA Network in Dallas, with a majority of the project shot within the city of Dallas proper.
- Locate the primary production offices and any studio/production related facilities within the city of Dallas proper.
- Majority of out of town cast, crew and studio personnel will stay in hotels or other types of temporary housing located in the city of Dallas proper.
- The show will in good faith portray the city of Dallas in a positive manner.
- Production agrees to work cooperatively and in good faith with the City of Dallas on press and public relations efforts announcing the project and subsequent marketing and public relations opportunities as appropriate.
- Include a "Shot on Location in Dallas, Texas" credit at the end of each episode.

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**SECTION 4.** That the Chief Financial Officer is hereby authorized to encumber and disburse future funds in an amount not to exceed \$200,000 from Fund 0352, Department ECO, Unit 9992, Object 3016, Activity PPPF, Encumbrance/Contract No. CX ECO-2017-00003730, Vendor VS0000052350.

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

## **AGENDA ITEM # 16**

### **STRATEGIC PRIORITY:**

Government Performance and Financial Management

### **AGENDA DATE:**

October 11, 2017

### **COUNCIL DISTRICT(S):**

All

### **DEPARTMENT:**

Public Affairs and Outreach

### **CMO:**

Kimberly Bizer Tolbert, 670-3302

### **MAPSCO:**

N/A

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### **SUBJECT**

A resolution to transfer oversight responsibility for the City's Open Records Request (ORR) function from the City Manager to the City Secretary with final design and implementation of a newly centralized ORR Center to be coordinated with the appointment of the new City Secretary - Financing: No cost consideration to the City

### **BACKGROUND**

The City's Open Records Request (ORR) function is currently housed within the Public Information Office (PIO), a management services division reporting directly to the City Manager's Office (CMO). Under the PIO, requests for public information (ORRs), with the exception of ORRs for Dallas Police Department (DPD) information, are managed, monitored and tracked in order to ensure that the City complies with the requirements of the Texas Public Information Act (TPIA).

Two full-time PIO staff are currently assigned to the ORR function, which is coordinating the gathering of requested information with City departments, the City Attorney's Office, City Secretary's Office and Communication and Information Services (CIS), in addition to managing the ORR web portal, GovQA.

PIO serves to enhance transparency and educate the community about City news, events, and various services across the entire organization. As part of the FY 2017-18 budget, PIO's name was changed to Public Affairs and Outreach to further expand their focus on existing services such as audio/visual production and social media relations to new areas such as community outreach and engagement, digital communications, internal communications programs, and strategic and crisis communications.

## **BACKGROUND** (continued)

With the intended new direction for PIO, the City Manager formed a working group in May 2017 to determine opportunities for improvement and develop alignment recommendations specific to the ORR process. The working group, which was comprised of representatives from internal stakeholders such as the City Attorney's Office, City Secretary's Office, Dallas Police Department, and Communication and Information Services, identified three challenges: (1) an unstructured process across the organization, (2) staffing capacity to handle requests and (3) an underutilized processing system.

Following the identification of challenges and opportunities, the working group analyzed the current ORR alignment against best-practices of top five council-manager cities and large Texas cities and found that the function primarily resides in the City Secretary or Clerk's Office in alignment with their role as official record holders. The City of San Antonio's ORR functions currently reside within the City Manager's Office purview but are also undergoing an analysis to restructure and realign ORR functions with the City Secretary's Office (CSO).

The working group determined that a centralized ORR Center in the CSO would enable the City to respond to ORRs in the most efficient and transparent manner possible. At this time, the two full-time PIO staff currently assigned to the ORR function will be transferred to the CSO. Additional staff from other departments may be co-located within the new ORR Center pending final design and implementation by the newly-appointed City Secretary.

Additionally, the working group recommended the development of a standard operating procedures manual and training materials, annual training facilitated by the Attorney General's Office for city employees and public officials, additional in-house training for the City's Departmental Open Records Coordinators, more consistent and effective use of GovQA, launching a series of public service announcements to inform the public on how to submit an ORR, and finally an evaluation of the City's website to determine the types of information that can be posted and made available online.

In addition to the alignment of functions under the CSO, the transfer of the ORR process would create a central point of contact for the community who visit City Hall online and in person and reduce the need to be sent to various offices. Currently, an individual's first stop at City Hall when seeking records is the CSO but is then redirected to the PIO on another floor to submit a request. The transfer would further the City's commitment to putting service first.

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

This item was briefed at the Government Performance and Financial Management Committee meeting on September 5, 2017.

**FISCAL INFORMATION**

No cost consideration to the City.

October 11, 2017

**WHEREAS**, the City remains committed to enhancing transparency and improving its service to the citizens of Dallas; and

**WHEREAS**, the City wishes to move its Open Records Request (ORR) function to the City Secretary's Office to provide a central point of contact for the City and to increase efficiencies for the process, with the appointment of the new City Secretary and to develop standard operating procedures and improve training for City employees and City officials; and

**WHEREAS**, on September 20, 2017, the City Council passed Ordinance No. 30651, the operating and capital budget appropriations ordinance, for fiscal year 2017-18; and

**WHEREAS**, the City wishes to transfer two full-time employee positions and appropriations from Public Affairs and Outreach to the City Secretary's Office, with the final design and implementation of the new ORR Center to be coordinated with the appointment of the new City Secretary.

**Now, Therefore,**

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

**SECTION 1.** That oversight responsibility for the City's Open Records Request function shall be transferred from the City Manager to the City Secretary, with final design and implementation of a newly centralized Open Records Request Center to be coordinated with the appointment of the new City Secretary.

**SECTION 2.** That the City Manager is hereby authorized to decrease the Office of Management Services appropriations in an amount not to exceed \$265,366, from \$26,611,693 to \$26,346,327 in Fund 0001, Department MGT, Unit 1128, various Object Codes.

**SECTION 3.** That the City Manager is hereby authorized to increase the City Secretary's Office appropriations in an amount not to exceed \$265,366, from \$2,223,547 to \$2,488,913 in Fund 0001, Department SEC, Unit 1364, various Object Codes.

**SECTION 4.** That the City Manager is hereby authorized to transfer positions from the Office of Management Services, Fund 0001, Department MGT, Unit 1128 to the City Secretary's Office, Fund 0001, Department SEC, Unit 1364.

**SECTION 5.** That this resolution shall take effect in coordination with the appointment of the new City Secretary, in accordance with the provisions of the Dallas City Charter, and it is accordingly so resolved.



## **AGENDA ITEM # 17**

### **STRATEGIC PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

### **AGENDA DATE:**

October 11, 2017

### **COUNCIL DISTRICT(S):**

14

### **DEPARTMENT:**

Sustainable Development and Construction

### **CMO:**

Majed Al-Ghafry, 670-3302

### **MAPSCO:**

45P

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### **SUBJECT**

An ordinance granting a private license to RBP Adolphus LLC, for the use of approximately 109 square feet of land to maintain and utilize a sidewalk café on a portion of Commerce Street right-of-way near its intersection with Field Street - Revenue: \$200 annually, plus the \$20 ordinance publication fee

### **BACKGROUND**

This item grants a private license to RBP Adolphus LLC, for the use of approximately 109 square feet of land to maintain and utilize a sidewalk café on a portion of Commerce Street right-of-way near its intersection with Field Street. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on September 25, 2017.

On September 27, 2017, this item was deferred by Mayor Pro Tem Dwaine Caraway.

### **FISCAL INFORMATION**

Revenue - \$200 annually, plus the \$20 ordinance publication fee

**OWNER**

**RBP Adolphus LLC**

Kenneth J. Krebs, Manager

**MAP**

Attached





**ORDINANCE NO. \_\_\_\_\_**

An ordinance granting a private license to RBP Adolphus LLC to occupy, maintain and utilize a portion of Commerce Street right-of-way located near its intersection with Field Street adjacent to City Block A/70 within the limits hereinafter more fully described, for the purpose of maintaining and utilizing a sidewalk café; providing for the annual compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

**ooo0ooo**

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

**SECTION 1.** That a private license, hereinafter referred to as “license”, subject to the restrictions and conditions of this ordinance, is hereby granted to RBP Adolphus LLC, a Delaware limited liability company its successors and assigns, hereinafter referred to as “**GRANTEE**”, to occupy, maintain and utilize for the purpose set out hereinbelow the tract of land described in Exhibit A, hereinafter referred to as “licensed area” which is attached hereto and made a part hereof.

**SECTION 2.** That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

**SECTION 3.** That **GRANTEE** shall pay to the City of Dallas the sum of **TWO HUNDRED AND NO/100 (\$200.00) DOLLARS** annually for the license herein granted, said sum to become due and payable on the 2<sup>nd</sup> day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **TWO HUNDRED AND NO/100 (\$200.00) DOLLARS** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2017. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of the Department of Sustainable Development may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in General Fund, Fund 0001, Department DEV, Unit 1181,

**SECTION 3.** (continued)

Revenue Code 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of \$25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10 percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

**SECTION 4.** That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: occupy, maintain, and utilize a sidewalk café.

**SECTION 5.** That this license is subject to the provisions set forth in Exhibit B, attached hereto and made a part hereof.

**SECTION 6.** That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution duly passed by said Governing Body, to terminate and cancel this license upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in Exhibit B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

**SECTION 7.** That the license is subject to the following conditions, terms and reservations:

- a) **GRANTEE** acknowledges, per the City Council adopted Complete Streets Manual 8, 15 feet of sidewalk is required for mix-use street, requiring a minimum of 6 feet of unobstructed sidewalk; the minimum requirement has been met per the drawing provided on July 25, 2017.
- b) **GRANTEE** shall ensure that there is no impediment or removal of on-street parking or required signage.
- c) **GRANTEE** shall have no special pavers, stone, or decorative concrete within 24 inches from the curb or edge of the loading dock unless it can be easily adapted to support the placement of poles for government signs and/or parking meters with 1) the removal of sections of the area (to be backfilled with concrete) or 2) drilled into for placement of items or 3) portholes left in place or created for the placement of government signage and/or parking meters. Placement is subject to the approval of the Director of the Transportation Department.
- d) **GRANTEE** shall ensure that the right-of-way is maintained in order to facilitate emergency response and water supply during and after completion of the project.
- e) **GRANTEE** acknowledges Atmos has active facilities in the area and if conflicts exist, **GRANTEE** will be responsible for cost to relocate said facilities otherwise Exhibit B would apply.

**SECTION 8.** That upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

**SECTION 9.** That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

**SECTION 10.** That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restriction and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area, and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

**SECTION 11.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the fee pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

**SECTION 12.** That this contract is designated as Contract No. DEV-2017-00003591.



**SECTION 13.** That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

BY: \_\_\_\_\_

Assistant City Attorney

DAVID COSSUM, Director

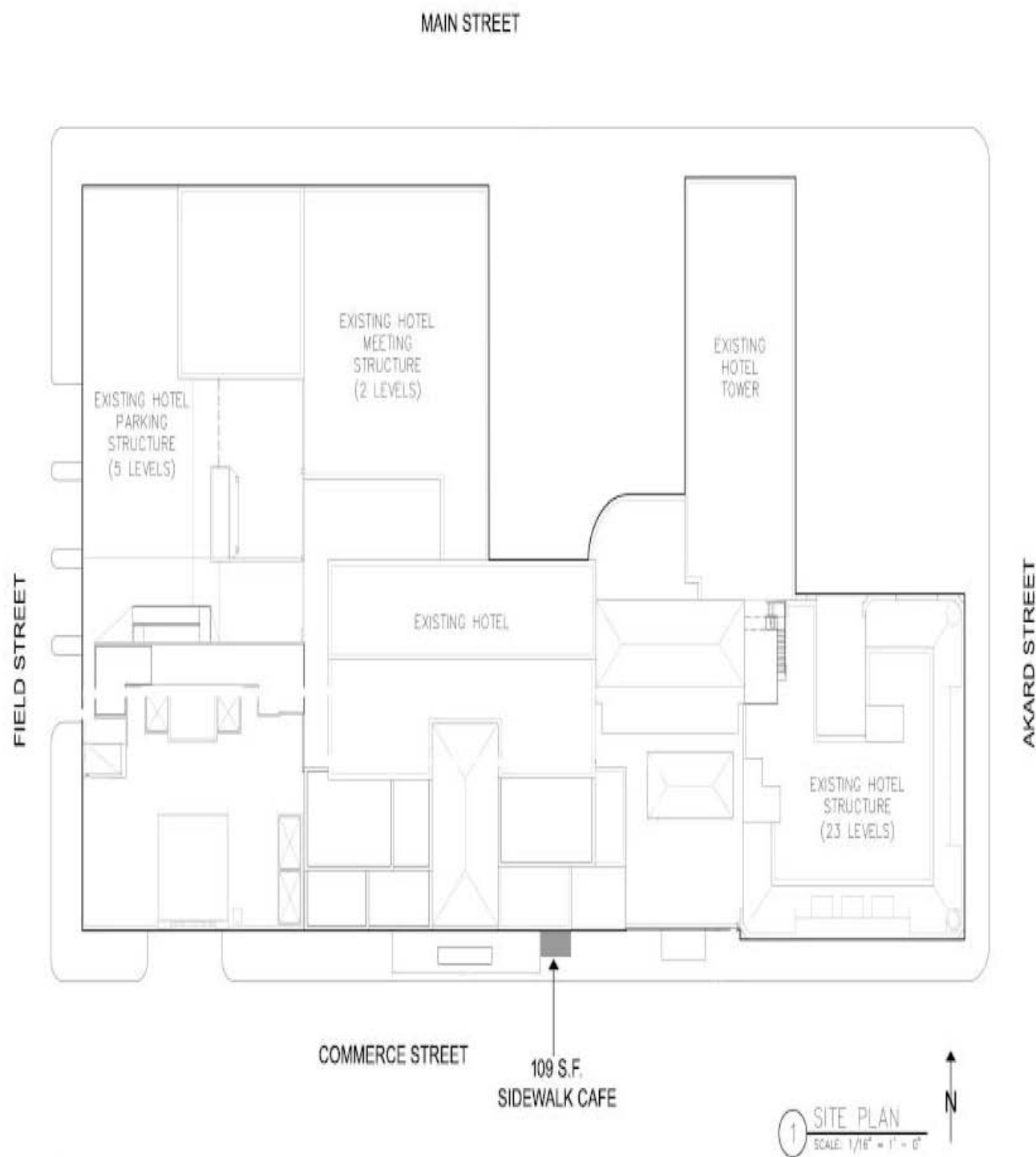
Department of Sustainable Development and  
Construction

BY: \_\_\_\_\_

Assistant Director

Passed \_\_\_\_\_.

# EXHIBIT A



**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

That this license is granted subject to the following additional conditions, terms and reservations:

- (a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.
- (b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.
- (c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than \$500,000 per occurrence and \$500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than



**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
  2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.
- (d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.
- (e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

- (f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.
- (g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to



**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

- (h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

## AGENDA ITEM # 18

### STRATEGIC PRIORITY:

Mobility Solutions, Infrastructure, and Sustainability

### AGENDA DATE:

October 11, 2017

### COUNCIL DISTRICT(S):

2

### DEPARTMENT:

Sustainable Development and Construction

### CMO:

Majed Al-Ghafry, 670-3302

### MAPSCO:

34D H

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### SUBJECT

An ordinance abandoning a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner, containing a total of approximately 7,446 square feet of land, located near the intersection of Inwood Road and Newmore Avenue, and authorizing the quitclaim; and providing for the dedication of a total of approximately 16,388 square feet of land needed for street rights-of-way and wastewater easement - Revenue: \$5,400, plus the \$20 ordinance publication fee

### BACKGROUND

This item authorizes the abandonment of a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner. The area will be included with the property of the abutting owner for construction of an additional parking lot. The owner will dedicate a total of approximately 16,388 square feet of land needed for street rights-of-way and a wastewater easement. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

Notices were sent to 36 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

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

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

On August 23, 2017, this item was deferred by Deputy Mayor Pro Tem Adam Medrano.

On September 27, 2017, this item was deferred by Deputy Mayor Pro Tem Adam Medrano.

**FISCAL INFORMATION**

Revenue - \$5,400, plus the \$20 ordinance publication fee

**OWNER**

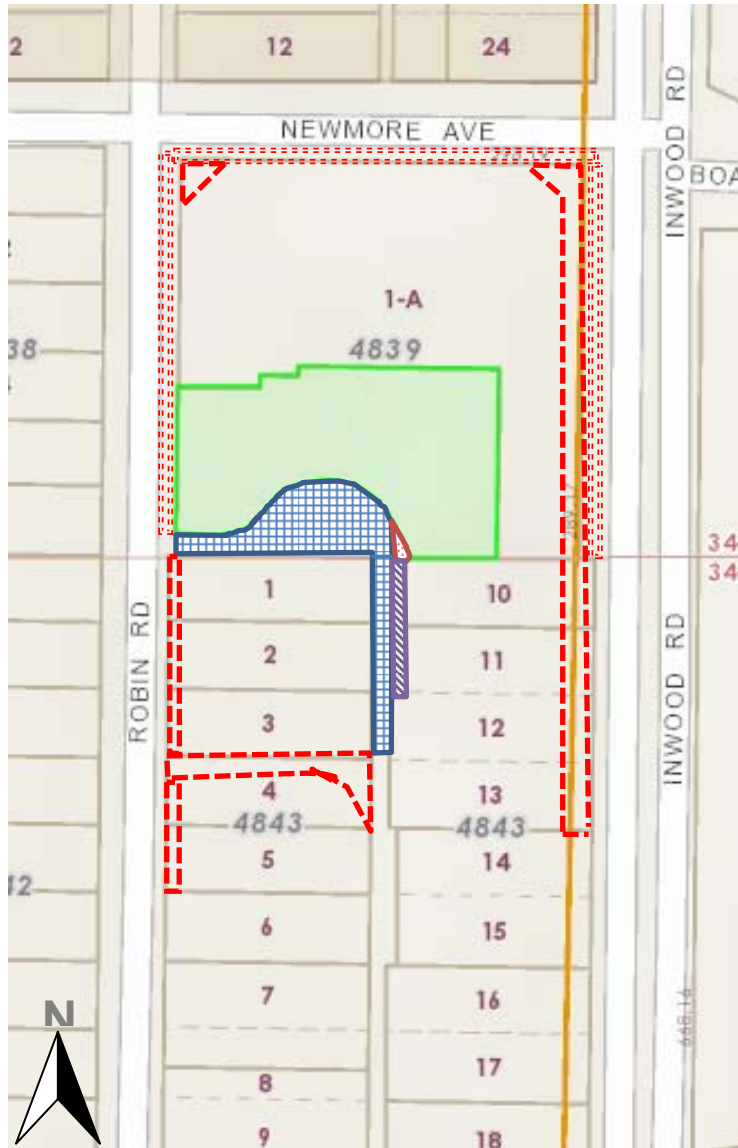
**Inwood National Bank of Dallas**

Dennis Lorch, Executive Vice President

**MAP**


Attached








Log: 42495


Applicant: Inwood National Bank of Dallas

Abandonments: Alley: 

Alley Easement: 

Utility & Access Easement: 

Dedications: 

Re-dedication: 

**ORDINANCE NO. \_\_\_\_\_**

An ordinance providing for the abandonment of a portion of an alley, alley easement, and utility and access easement located adjacent to City Blocks 8/4839 and 12/4839 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Inwood National Bank of Dallas; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

**ooo0ooo**

**WHEREAS**, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Inwood National Bank of Dallas, a Texas corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of an alley, alley easement, and a utility and access easement are not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

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

**Now, Therefore,**

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

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

**SECTION 2.** That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$5,400.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 13, 14, and 15, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

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

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

**SECTION 8.** (continued)

References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

**SECTION 9.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within one year of the effective date of this ordinance showing the dedication of a wastewater easement of not less than 3,633 square feet of needed land in City Blocks 8/4839 and 12/4843. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

**SECTION 10.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall 1) convey land for street right-of-way, by General Warranty Deed to the City of Dallas, within 90 days of the effective date of this ordinance, good, indefeasible and marketable fee simple title, subject to only those title exceptions approved by the City Attorney, and insured by an owner's policy of title insurance approved as to form by the City Attorney, to certain properties located in City Blocks 12/4843 and 8/4849, containing approximately 10,413 square feet of land, collectively, a description of which is attached hereto and made a part hereof as Exhibit C; and 2) **GRANTEE** shall re-dedicate in same, General Warranty Deed described in (1) herein, fee simple interest in certain properties located in City Block 8/4843, containing a total of 5,975 square feet of land formerly dedicated to the city by street easement for street right-of-way, a description of which is attached hereto and made a part hereof as Exhibit D. This abandonment shall not be effective unless and until the dedication and re-dedication are completed as herein provided and failure

to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

**SECTION 11.** That at such time as the instrument described in Section 10 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the official real property records of the county in which the subject property is located; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

**SECTION 12.** That this ordinance and properly executed General Warranty Deed, approved as to form by the City Attorney, be forwarded to a title insurance company for closing. Subsequent to closing, all instruments conveying real estate interests to the City of Dallas shall be recorded in the official real property records of the county in which the subject property is located and thereafter returned to the City Secretary for permanent record.

**SECTION 13.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall pay all closing costs and title expenses associated with the acquisition of the property described in Section 10 above.

**SECTION 14.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the areas described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the areas described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

**SECTION 15.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the

**SECTION 15.** (continued)

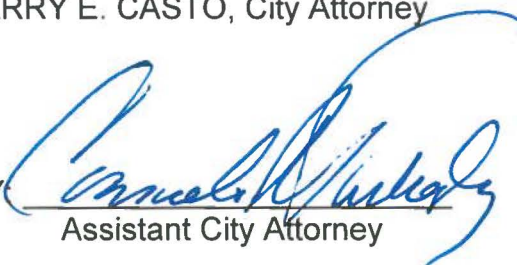
Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Sections 2 and 13, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Section 9, and completion of the dedications and re-dedications set forth in Sections 9 and 10, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

**SECTION 16.** That this ordinance is designated as Contract No. DEV-2017-00001871.

**SECTION 17.** That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

BY:   
Assistant City Attorney

DAVID COSSUM, Director

Department of Sustainable Development and Construction

BY:   
~~For~~ Assistant Director

Passed \_\_\_\_\_.



# ALLEY ABANDONMENT

## LOVERS LANE HEIGHTS AND RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION DALLAS CITY BLOCKS 8/4839 AND 12/4839 C. G. COLE SURVEY, ABSTRACT NO. 320 CITY OF DALLAS, DALLAS COUNTY, TEXAS

**EXHIBIT A-TRACT 1**

BEING a 6,981 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Blocks 12/4843 and 8/4839, being part of a 10-foot alley dedicated by plat of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, also being all of a dedication for alley as shown on plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a MAG nail with shiner set for the Southwest corner of Lot 1-A, Block 8/4839, of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition on the East right-of-way of Robin Road (formerly known as Minier Road), a variable width right-of-way as established by 5-foot dedication for Robin Road widening per said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, at its intersection with the Southerly line of said dedication for alley, said iron rod being in the North line of Lot 1, Block 12/4843 of said Lovers Lane Heights;

THENCE departing the East right-of-way of said Robin Road, along the Northerly line of said dedication for alley, the following courses and distances:

North 89 deg 34 min 58 sec East, a distance of 32.33 feet to a MAG nail with shiner set for corner, said iron rod being the beginning of a tangent curve to the left having a radius of 40.00 feet, a central angle of 54 deg 46 min 36 sec, a chord bearing of North 62 deg 11 min 53 sec East, and a chord length of 36.80 feet;

Along said tangent curve to the left, an arc distance of 38.24 feet to an "X" cut in concrete found for corner, said "X" being the beginning of a tangent curve to the right having a radius of 55.00 feet, a central angle of 109 deg 53 min 57 sec, a chord bearing of North 89 deg 45 min 12 sec East, and a chord length of 90.05 feet;

THENCE continuing along the Northerly line of said dedication for alley and along said tangent curve to the right, an arc distance of 105.50 feet to a MAG nail with shiner set for corner on the East line of said 10-foot alley;

THENCE South 00 deg 12 min 02 sec East, along the East line of said 10-foot alley, 181.66 feet to a 1/2 inch iron rod with red plastic cap stamped "W.A.I." set for corner from which a 5/8-inch iron rod found for the southeast corner of Lot 12, Block 12/4843 bears North 89 deg 34 min 58 sec East, a distance of 145.00 feet, said iron rod set being the Southwest corner of Lot 12, and the Northwest corner of Lot 13, Block 12/4843, of said Lovers Lane Heights;

(Continued on Sheet 2)

**Winkelmann & Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7090  
DALLAS, TEXAS 75230 (972) 480-7099 FAX

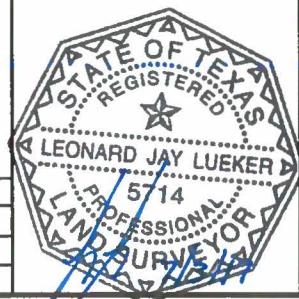
Texas Engineers Registration No. 89  
Firm Registration/License No. 10066500 Expires 12-31-15  
COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale: N/A

Date: 01.24.14

Dwg. File: 00616-ALLEY-ABAND

Project No.: 00616



(For SPRG use only)

Reviewed by: JL  
Date: 7-6-17  
SPRG No. 3877

**SHEET**

**1  
OF  
3**



# ALLEY ABANDONMENT

## LOVERS LANE HEIGHTS AND RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION DALLAS CITY BLOCKS 8/4839 AND 12/4839 C. G. COLE SURVEY, ABSTRACT NO. 320 CITY OF DALLAS, DALLAS COUNTY, TEXAS

**EXHIBIT A-TRACT 1**

(Continued from Sheet 1)

THENCE South 89 deg 34 min 58 sec West, departing the East line of said 10-foot alley and over and across said 10-foot alley, a distance of 10.00 feet to a 1/2-inch iron rod found for corner on the West line of said 10-foot alley and being the Southeast corner of Lot 3, Block 12/4843 of said Lovers Lane Heights and the Northeast corner of Lot 4, Block 12/4843 of said Lovers Lane Heights;

THENCE North 00 deg 12 min 02 sec West, along the West line of said 10-foot alley, a distance of 150.00 feet to a MAG nail with shiner set for corner at the intersection of the West line of said 10-foot alley with the South line of said dedication for alley, said MAG nail also being the Northeast corner of said Lot 1, Block 12/4843 of said Lovers Lane Heights;

THENCE South 89 deg 34 min 58 sec West, along the North line of said Lot 1, Block 12/4843, and the South line of said dedication for alley, a distance of 145.00 feet to a MAG nail with shiner set for corner;

THENCE North 00 deg 12 min 02 sec West, departing the North line of said Lot 1, Block 12/4843 and along the East right-of-way of said Robin Road, a distance of 15.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 6,981 square feet or 0.160 acres of land, more or less.

### LINE TABLE

LINE #	BEARING	DISTANCE
L1	N00°12'02"W	15.00'
L2	N89°34'58"E	32.33'
L3	S89°34'58"W	10.00'

Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) of North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, D.R.D.C.T.

### LEGEND

IRF	Iron Rod Found
XCF	"X" in Concrete Found
CM	Controlling Monument
CIRS	1/2-inch iron rod with red plastic cap stamped "WAI" set
CC #	County Clerks' Instrument No.
D.R.D.C.T.	Deed Records, Dallas County, Texas
O.P.R.D.C.T.	Official Public Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet
MAG	MAG nail with shiner set

### CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C1	54°46'36"	40.00'	38.24'	36.80'	N62°11'53"E
C2	109°53'57"	55.00'	105.50'	90.05'	N89°45'12"E



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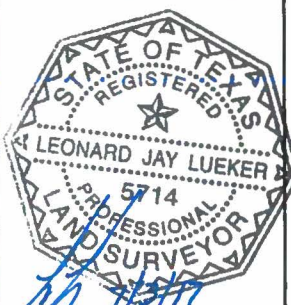
Texas Engineers Registration No. 89  
Firm Registration/License No. 10086600 Expires 12-31-15  
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Date: 01.24.14

Dwg. File: 00616-ALLEY-ABAND

Project No.: 00616



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**SHEET**

**2  
OF  
3**



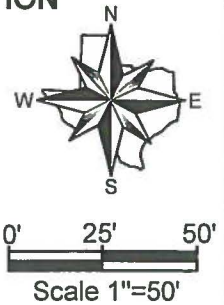
# ALLEY ABANDONMENT

EXHIBIT A-TRACT 1

## LOVERS LANE HEIGHTS AND RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION DALLAS CITY BLOCKS 8/4839 AND 12/4839

C. G. COLE SURVEY, ABSTRACT NO. 320  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SEE SHEET 2 FOR  
LINE & CURVE  
TABLES AND LEGEND



POINT OF  
BEGINNING

**ROBIN ROAD**  
VOLUME 4, PAGE 6, M.R.D.C.T.  
F/K/A MINIER ROAD  
(VARIABLE WIDTH RIGHT-OF-WAY)

50.0'

INWOOD NATIONAL  
BANK OF DALLAS  
VOLUME 779, PAGE 322  
D.R.D.C.T.

LOT 1-A, BLOCK 8/4839  
RESUBDIVISION OF BLOCK 8/4839  
IN LOVERS LANE HEIGHTS ADDITION  
VOLUME 67102, PAGE 389  
D.R.D.C.T.

5' DEDICATED FOR ROBIN ROAD WIDENING  
VOLUME 67102, PAGE 389, D.R.D.C.T.

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 67099, PAGE 1953, D.R.D.C.T.

ABANDONED ALLEY  
ORDINANCE #11828

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 630, PAGE 46, D.R.D.C.T.  
INWOOD NATIONAL BANK

UTILITY & ACCESS EASEMENT  
VOLUME 67102, PAGE 389  
D.R.D.C.T.

MAG

MAG

S89°34'58"W 145.00'

MAG

XCF

DEDICATION FOR ALLEY  
VOLUME 67102, PAGE 389, D.R.D.C.T.

MAG

1

10' ALLEY  
VOLUME 4, PAGE 6  
M.R.D.C.T.

5' ALLEY EASEMENT  
VOLUME 4701, PAGE 418, D.R.D.C.T.

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 86094, PAGE 2169, D.R.D.C.T.

3/4" IRF  
CM

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 75001, PAGE 1523, D.R.D.C.T.

2

ALLEY ABANDONMENT  
0.160 ACRES (6,981 SQ. FT.)

3

5/8" IRF

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 85140, PAGE 2442  
D.R.D.C.T.

4

5/8" IRF

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 85199, PAGE 6128, D.R.D.C.T.

5

BLOCK 12/4843  
LOVERS LANE HEIGHTS  
VOLUME 4, PAGE 6  
M.R.D.C.T.

5/8" IRF  
CM

WAG-PEN, L.P.  
CC #200503575983  
O.P.R.D.C.T.

14

Bearings cited herein are based on  
global positioning system (Texas state  
plane coordinate system, Texas north  
central zone [4202], North American  
datum of 1983 [2011]) of North 00 deg  
12 min 02 sec East (plat-no bearings),  
along the West right-of-way of Inwood  
Road as recorded in Volume 4, Page 6,  
M.R.D.C.T.



**Winkelmann  
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

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Texas Engineers Registration No. 89

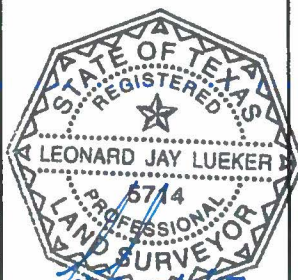
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Scale: 1" = 50'

Date: 01.24.14

Dwg. File: 00616-ALLEY-ABAND

Project No.: 00616



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Reviewed by: JL

Date: 7-6-17

SPRG No. 3877

SHEET

**3  
OF  
3**



# ALLEY EASEMENT ABANDONMENT

## LOVERS LANE HEIGHTS

PART OF LOT 10, DALLAS CITY BLOCK 12/4839

C. G. COLE SURVEY, ABSTRACT NO. 320  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**EXHIBIT A-TRACT 2**

BEING 250 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Block 12/4843, being part of Lot 10, Block 12/4843, of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and a portion of a tract of land described in Special Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 86094, Page 2169, Deed Records, Dallas County, Texas, and being all of an easement to the City of Dallas for alley purposes described in Warranty Deed as recorded in Volume 4701, Page 418, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner at the Southwest corner of said Inwood National Bank of Dallas tract, at its intersection with the East line of a 10-foot alley dedicated by said Lovers Lane Heights plat, said point being the Southwest corner of said Lot 10 and the Northwest corner of Lot 11, Block 12/4839, of said Lovers Lane Heights;

THENCE North 00 deg 12 min 02 sec West, along the East line of said 10-foot alley and the West line of said Lot 10, a distance of 50.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for the northwest corner of said Lot 10 on the South line of Lot 1-A, Block 8/4839, of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in 67102. Page 389, Deed Records, Dallas County, Texas;

THENCE North 89 deg 34 min 58 sec East, departing said 10-foot alley and the West line of said Lot 10 and along the North line of said Lot 10 and the South line of said Lot 1-A, a distance of 5.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner from which a 5/8 inch iron rod found for the Northeast corner of said Lot 10 bears North 89 deg 34 min 58 sec East, a distance of 145.00 feet;

THENCE South 00 deg 12 min 02 sec East, departing the North line of said Lot 10 and over and across said Lot 10, a distance of 50.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner from which a 3/4 inch iron rod found for the Southeast corner of said Lot 10 bears North 89 deg 34 min 58 sec East, a distance of 145.00 feet, said iron rod set being situated in the south line of said Lot 10 and the north line of Lot 11 of said Lovers Lane Heights Addition;

THENCE South 89 deg 34 min 58 sec West, along the North line of said Lot 11 and the South line of said Lot 10, a distance of 5.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 250 square feet or 0.006 acres of land, more or less. Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) of North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.



**Winkelmann  
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7090  
DALLAS, TEXAS 75230 (972) 480-7099 FAX

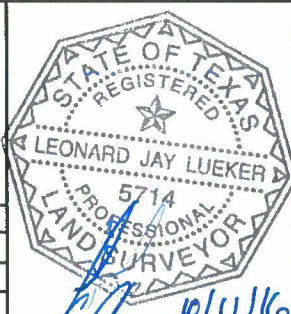
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Firm Registration/License No. 10086600 Expires 12-31-15  
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Scale: N/A

Date: 06.22.16

Dwg. File: 00616-ALLEY-ABAND2

Project No.: 00616



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Reviewed by: JL

Date: 10-12-16

SPRG No. 3878

**SHEET**

**1  
OF  
2**

# ALLEY EASEMENT ABANDONMENT

## LOVERS LANE HEIGHTS

PART OF LOT 10, DALLAS CITY BLOCK 12/4839

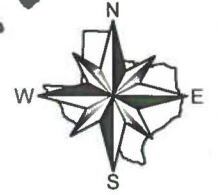
C. G. COLE SURVEY, ABSTRACT NO. 320  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

### LEGEND

IRF Iron Rod Found  
XCF "X" in Concrete Found  
C.M. Controlling Monument  
D.R.D.C.T. Deed Records, Dallas County, Texas  
M.R.D.C.T. Map Records, Dallas County, Texas  
SQ. FT. Square Feet  
CIRS 1/2 inch iron rod with red plastic cap stamped "WAI" set

LOT 1-A, BLOCK 8/4839  
RESUBDIVISION OF BLOCK 8/4839  
IN LOVERS LANE HEIGHTS ADDITION  
VOLUME 67102, PAGE 389  
D.R.D.C.T.

EXHIBIT A-TRACT 2



0' 25' 50'  
Scale 1"=50'

ABANDONED ALLEY  
ORDINANCE #11828

INWOOD NATIONAL BANK INWOOD NATIONAL BANK

UTILITY & ACCESS EASEMENT  
VOLUME 67102, PAGE 389  
D.R.D.C.T.

ADDITION LINE

DEDICATION FOR ALLEY  
VOLUME 67102, PAGE 389, D.R.D.C.T.

ALLEY EASEMENT ABANDONMENT  
0.006 ACRES (250 SQ. FT.)

1  
INWOOD NATIONAL BANK OF DALLAS  
5' ALLEY EASEMENT  
VOLUME 4701, PAGE 418, D.R.D.C.T.

2  
INWOOD NATIONAL BANK OF DALLAS

POINT OF  
BEGINNING

3  
INWOOD NATIONAL BANK OF DALLAS

4  
INWOOD NATIONAL BANK OF DALLAS  
VOLUME 85140, PAGE 2442, D.R.D.C.T.

5

BLOCK 12/4843  
LOVERS LANE HEIGHTS  
VOLUME 4, PAGE 6  
M.R.D.C.T.

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 86094, PAGE 2174, D.R.D.C.T.

11

12

13

14

C.G. COLE SURVEY ABSTRACT NO. 320

INWOOD ROAD  
VOLUME 4, PAGE 6, M.R.D.C.T.  
(VARIABLE WIDTH RIGHT-OF-WAY)

Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) off North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.



**Winkelmann  
& Associates, Inc.**

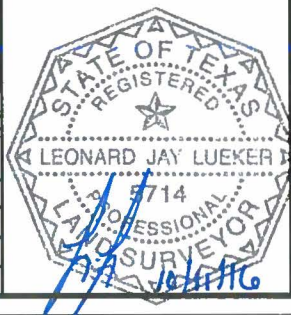
CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090  
DALLAS, TEXAS 75230 (972) 490-7099 FAX  
Texas Engineers Registration No. 89  
Firm Registration/icense No. 10086600 Expires 12-31-15  
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Scale: 1" = 50'

Date: 06.22.16

Dwg. File: 00616-ALLEY-ABAND2

Project No.: 00616



(For SPRG use only)  
Reviewed by: JL  
Date: 10-12-16  
SPRG No. 3878

SHEET

2  
OF  
2



# UTILITY & ACCESS EASEMENT ABANDONMENT

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

PART OF LOT 1-A, DALLAS CITY BLOCK 8/4839

C. G. COLE SURVEY, ABSTRACT NO. 320  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 3

BEING 215 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Block 8/4839, being all of a utility & access easement reserved by Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being a portion of a tract of land described in Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 630, Page 46, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a MAG nail with shiner set for corner on the South line of Lot 1-A, Block 8/4839, said MAG nail being the Northwest corner of Lot 10, Block 12/4843, of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and the Southwest corner of said utility & access easement;

THENCE North 00 deg 12 min 02 sec West, along the West line of said utility & access easement and the East line of said dedication for alley, a distance of 31.66 feet to a MAG nail with shiner set for corner, said point being the beginning of a non-tangent curve to the right having a radius of 55.00 feet, a central angle of 35 deg 05 min 46 sec, a chord bearing of South 17 deg 44 min 57 sec East, and a chord length of 33.17 feet;

THENCE along said non-tangent curve to the right, in a Southeasterly direction, along the Easterly side of said utility & access easement, over and across said Lot 1-A and said Inwood National Bank of Dallas tract (Volume 630, Page 46), an arc distance of 33.69 feet to a MAG nail with shiner set for corner on the North line of said Lot 10, from which a 5/8 inch iron rod found for the Northeast corner of said Lot 10 bears, North 89 deg 34 min 58 sec East, a distance of 140.00 feet;

THENCE South 89 deg 34 min 58 sec West, along the North line of said Lot 10 and the South line of said Lot 1-A, a distance of 10.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 215 square feet or 0.005 acres of land, more or less. Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) off North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Map Records, Dallas County, Texas.



**Winkelmann  
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325  
DALLAS, TEXAS 75230

(972) 480-7080  
(972) 480-7089 FAX

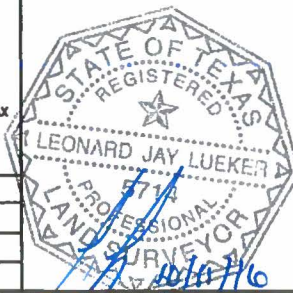
Texas Engineers Registration No. 89  
Firm Registration/License No. 10086500 Expires 12-31-15  
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Scale: N/A

Date: 06.22.16

Dwg. File: 00616-UTIL-ABAND

Project No.: 00616



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Reviewed by: JL

Date: 10-12-16

SPRG No. 3878 3890

**SHEET**

**1  
OF  
2**



# UTILITY & ACCESS EASEMENT ABANDONMENT

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

PART OF LOT 1-A, DALLAS CITY BLOCK 8/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 3



0' 25' 50'

Scale 1"=50'

IRF Iron Rod Found  
XCF "X" in Concrete Found  
C.M. Controlling Monument  
D.R.D.C.T. Deed Records, Dallas County, Texas  
M.R.D.C.T. Map Records, Dallas County, Texas  
SQ. FT. Square Feet  
CIRS 1/2 inch iron rod with red plastic cap stamped "WAI" set  
MAG MAG nail with shiner set

## LEGEND

LOT 1-A, BLOCK 8/4839  
RESUBDIVISION OF BLOCK 8/4839  
IN LOVERS LANE HEIGHTS ADDITION  
VOLUME 67102, PAGE 389  
D.R.D.C.T.

ABANDONED ALLEY  
ORDINANCE #11828

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 630, PAGE 46, D.R.D.C.T.

UTILITY & ACCESS  
EASEMENT ABANDONMENT  
0.005 ACRES (215 SQ. FT.)

$\Delta=35^{\circ}05'46''$   
 $R=55.00'$ ;  $L=33.69'$   
 $CB=S17^{\circ}44'57''E$ ;  $CL=33.17'$

UTILITY & ACCESS EASEMENT  
VOLUME 67102, PAGE 389; D.R.D.C.T.  
 $N89^{\circ}34'58''E$  140.00'

DEDICATION FOR ALLEY 31.66'

155.00'

POINT OF  
BEGINNING

$S89^{\circ}34'58''W$   
10.00'

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 86094, PAGE 2169, D.R.D.C.T.

5' ALLEY EASEMENT  
VOLUME 4701, PAGE 418, D.R.D.C.T.

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 75001, PAGE 1523, D.R.D.C.T.

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 86094, PAGE 2174, D.R.D.C.T.

INWOOD NATIONAL BANK OF DALLAS  
VOLUME 85140, PAGE 2442, D.R.D.C.T.

BLOCK 12/4843  
LOVERS LANE HEIGHTS  
VOLUME 4, PAGE 6  
M.R.D.C.T.

Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) off North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.



**Winkelmann  
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090  
DALLAS, TEXAS 75230 (972) 490-7099 FAX

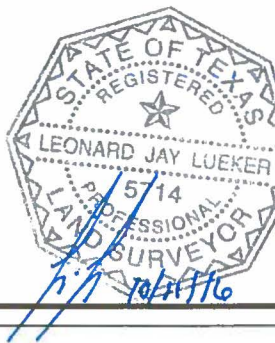
Texas Engineers Registration No. 89  
Firm Registration/License No. 10085600 Expires 12-31-15  
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Scale: 1" = 50'

Date: 06.22.16

Dwg. File: 00616-UTIL-ABAND

Project No.: 00616



(For SPRG use only)

Reviewed by: JL

Date: 10-12-16

SPRG No. 3878 3890

SHEET

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OF  
2

# EXHIBIT B

## ADDITIONAL ABANDONMENT PROVISIONS

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



# RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS ADDITION  
PART OF LOTS 4 AND 5  
DALLAS CITY BLOCK 12/4843  
C. G. COLE SURVEY, ABSTRACT NO. 320  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C TRACT 1

BEING a 255 square feet or 0.006 acre tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, and being a portion of Lots 4, and 5, City of Dallas Block 12/4843 of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and being a portion of the tracts of land described in Warranty Deeds to Inwood National Bank of Dallas as recorded in Volume 85199, Page 6128 and Volume 85140, Page 2442, Deed Records, Dallas County, Texas, and being more particularly describe as follows:

BEGINNING at a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner on the East right-of-way of Robin Road, a 50-foot right-of-way at this point, formerly known as Minier Street, dedicated by said Lovers Lane Heights, said point being the Southwest corner of said Lot 5 and the Northwest corner of Lot 6, Block 12/4843, of said Lovers Lane Heights Addition;

THENCE North 00 degrees 12 minutes 02 seconds West, along the East right-of-way of said Robin Road and the West lines of said Lots 5 and 4, passing at a distance of 50.00 feet, a 5/8-inch iron rod found for the Northwest corner of said Lot 5 and the Southeast corner of said Lot 4, in all a total distance of 85.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner, said point being South 00 deg 12 min 02 sec East, 15.00 feet from a 5/8-inch iron rod found for the Northwest corner of said Lot 4 and the Southwest corner of Lot 3, Block 12/4843, of said Lovers Lane Heights Addition;

THENCE North 89 degrees 34 minutes 58 seconds East, departing the East right-of-way of said Robin Road, over and across said Lot 4, a distance of 3.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner;

THENCE South 00 degrees 12 minutes 02 seconds East, over and across said Lots 4 and 5, a distance of 85.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner on the South line of said Lot 5 and the North line of Lot 6 of said Lovers Lane Heights Addition;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said Lot 5 and the North line of said Lot 6, a distance of 3.00 feet to the POINT OF BEGINNING.

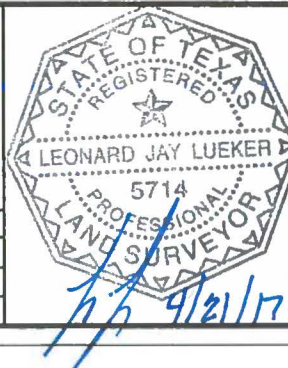
CONTAINING within these metes and bounds 255 square feet or 0.006 acres of land, more or less.

Bearings cited herein are based on global positioning system (state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7090  
DALLAS, TEXAS 75230 (972) 480-7099 FAX  
Texas Engineers Registration No. 89  
Texas Surveyors No. 10086600 Expires 12-31-17  
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Scale: N/A  
Date: 03.27.17  
Dwg. File: 00616.OA-ROW-DED2  
Project No.: 00616.OA



(For SPRG use only)  
Reviewed by: A. Rodriguez  
Date: 5/1/17  
SPRG No. 4043

SHEET

1  
OF  
2



# RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS ADDITION  
PART OF LOTS 4 AND 5  
DALLAS CITY BLOCK 12/4843  
C. G. COLE SURVEY, ABSTRACT NO. 320  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C - TRACT 1

**ROBIN ROAD**

FORMERLY MINIER STREET  
VOLUME 4, PAGE 6, M.R.D.C.T.

(50' RIGHT-OF-WAY)

3  
INWOOD NATIONAL  
BANK OF DALLAS  
VOLUME 779, PAGE 325  
D.R.D.C.T.

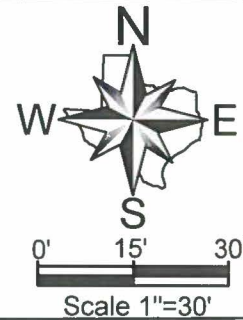
4  
INWOOD NATIONAL  
BANK OF DALLAS  
VOLUME 85140, PAGE 2442  
D.R.D.C.T.

LOVERS LANE HEIGHTS  
BLOCK 12/4843  
VOLUME 4, PAGE 6  
M.R.D.C.T.

5  
RIGHT-OF-WAY  
DEDICATION  
255 SQ. FT.  
(0.006 ACRES)

INWOOD NATIONAL  
BANK OF DALLAS  
VOLUME 85199, PAGE 6128  
D.R.D.C.T.

LOVERS LANE HEIGHTS  
LOT 6, BLOCK 12/4843  
VOLUME 4, PAGE 6  
M.R.D.C.T.



**POINT OF  
BEGINNING**

IRF  
MON

CM  
D.R.D.C.T.  
M.R.D.C.T.  
SQ. FT.

## LEGEND

Iron Rod Found  
1/2-inch iron rod with a 3-1/2" standard City of Dallas  
aluminum monument stamped "LOVERS INWOOD  
ADDITION WINKELMANN & ASSOC. 5714" set  
Controlling Monument  
Deed Records, Dallas County, Texas  
Map Records, Dallas County, Texas  
Square Feet

Bearings cited herein are based on global positioning system (state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



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6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7090  
DALLAS, TEXAS 75230 (972) 480-7099 FAX

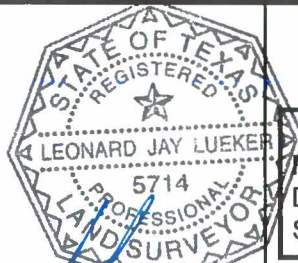
Texas Engineers Registration No. 89  
Texas Surveyors No. 10086600 Expires 12-31-17  
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Scale: 1" = 30'

Date: 03.27.17

Dwg. File: 00616.0A-ROW-DED2

Project No.: 00616.0A



(For SPRG use only)

Reviewed by:

Date:

SPRG No. 4043

A. Rodriguez  
5/11/17

**SHEET**

**2  
OF  
2**

# ALLEY RIGHT-OF-WAY DEDICATION

## LOVERS LANE HEIGHTS

PART OF LOTS 4 & 5, DALLAS CITY BLOCK 12/4839 **EXHIBIT C-TRACT 2**

C. G. COLE SURVEY, ABSTRACT NO. 320  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING 2,596 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Block 12/4843, being part of Lots 4 and 5, Block 12/4843, of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and a portion of a tract of land described in Special Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 85140, Page 2442, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod found for corner at the Northwest corner of said Inwood National Bank of Dallas tract, at its intersection with the East right-of-way line of Robin Road (variable width right-of-way), said point being the Southwest corner of Lot 3 and the Northwest corner of said Lot 4, Block 12/4839, of said Lovers Lane Heights;

THENCE North 89 deg 34 min 58 sec East, departing the East right-of-way line of said Robin Road and along the common lot line between said Lots 3 and 4, a distance of 150.00 feet to a 1/2-inch iron rod found for the Southeast corner of said Lot 3, the Northeast corner of said Lot 4 and being situated in the west right-of-way line of a 10 foot alley as shown on plat of said Lovers Lane Heights;

THENCE South 00 deg 12 min 02 sec East, departing said common line between said Lots 3 and 4 and along the east line of said Lot 4 and Lot 5 of said Lovers Lane Heights and along the west right-of-way line of said 10 foot alley, a distance of 55.15 feet to a 1/2 inch iron rod with red plastic cap stamped "WAI" set for corner and situated in the east line of said Lot 5, said iron rod being the beginning of a non-tangent curve to the left having a radius of 40.00 feet, a central angle of 90 deg 13 min 00 sec, a chord bearing of North 45 deg 18 min 32 sec West and a chord length of 56.68 feet;

THENCE departing the East line of said Lot 5 and over and across said Lot 5 and Lot 4 and along said non-tangent curve to the left, an arc distance of 62.98 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 89 deg 34 min 58 sec West, continuing over and across said Lot 4, a distance of 109.85 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner and situated in the East right-of-way line of said Robin Road;

THENCE North 00 deg 12 min 02 sec West, along said East right-of-way line, a distance of 15.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 2,596 square feet or 0.060 acres of land, more or less. Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) of North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.



**Winkelmann  
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7090  
DALLAS, TEXAS 75230 (972) 480-7099 FAX

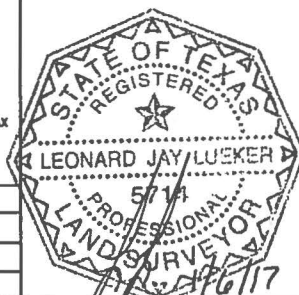
Texas Engineers Registration No. 89  
Firm Registration/License No. 10086600 Expires 12-31-15  
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Scale: N/A

Date: 06.22.16

Dwg. File: 00616-ALLEY-DED

Project No.: 00616



(For SPRG use only)

Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_

SPRG No. \_\_\_\_\_

**SHEET**

**1  
OF  
2**

EXHIBIT C-TRACT 2





# RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS, PART OF LOTS 1, 2, AND 3  
DALLAS CITY BLOCK 12/4843  
C. G. COLE SURVEY, ABSTRACT NO. 320  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C-TRACT B

BEING a 450 square feet or 0.010 acre tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, being part of Lots 1, 2, and 3, Block 12/4843 of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and being part of a tract of land described in Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 75001, Page 1523, Deed Records, Dallas County, Texas, and being more particularly describe as follows:

BEGINNING at a 5/8-inch iron rod found for corner on the East right-of-way of Robin Road, a 50-foot right-of-way at this point, formerly known as Minier Street, created by said Lovers Lane Heights addition, said point being the Southwest corner of said Lot 3 and the Northwest corner of Lot 4, Block 12/4843, of said Lovers Lane Heights;

THENCE North 00 degrees 12 minutes 02 seconds West, along the West right-of-way of said Robin Road and the West lines of said Lot 1, 2, and 3, a distance of 150.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for the Northwest corner of said Lot 1 and the Southwest corner of Lot 1-A, Block 8/4839, Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and "5' dedicated for Robin Road widening" per said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE North 89 degrees 34 minutes 58 seconds East, along the North line of Lot 1 and the South line of said Lot 1-A and said "5' dedicated for Robin Road widening", a distance of 3.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner;

THENCE South 00 degrees 12 minutes 02 seconds East, departing the South line of said Lot 1-A and said "5' dedicated for Robin Road widening, over and across said Lots 1, 2, and 3, a distance of 150.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner on the South line of said Lot 3 and the North line of said Lot 4;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said Lot 1-A and the North line of said Lot 4, a distance of 3.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 450 square feet or 0.010 acres of land, more or less.

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



**Winkelmann  
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325  
DALLAS, TEXAS 75230 (972) 490-7090  
(972) 490-7099 FAX

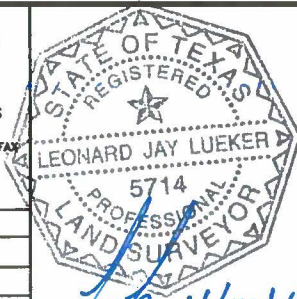
Texas Engineers Registration No. 89  
Texas Surveyors No. 10066600 Expires 12-31-17  
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Scale: N/A

Date: 03.27.17

Dwg. File: 00616 0A-ROW-DED3

Project No.: 00616.0A



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Reviewed by: A. Rodriguez

Date: 5/1/17

SPRG No. 4042

**SHEET**

**1  
OF  
2**

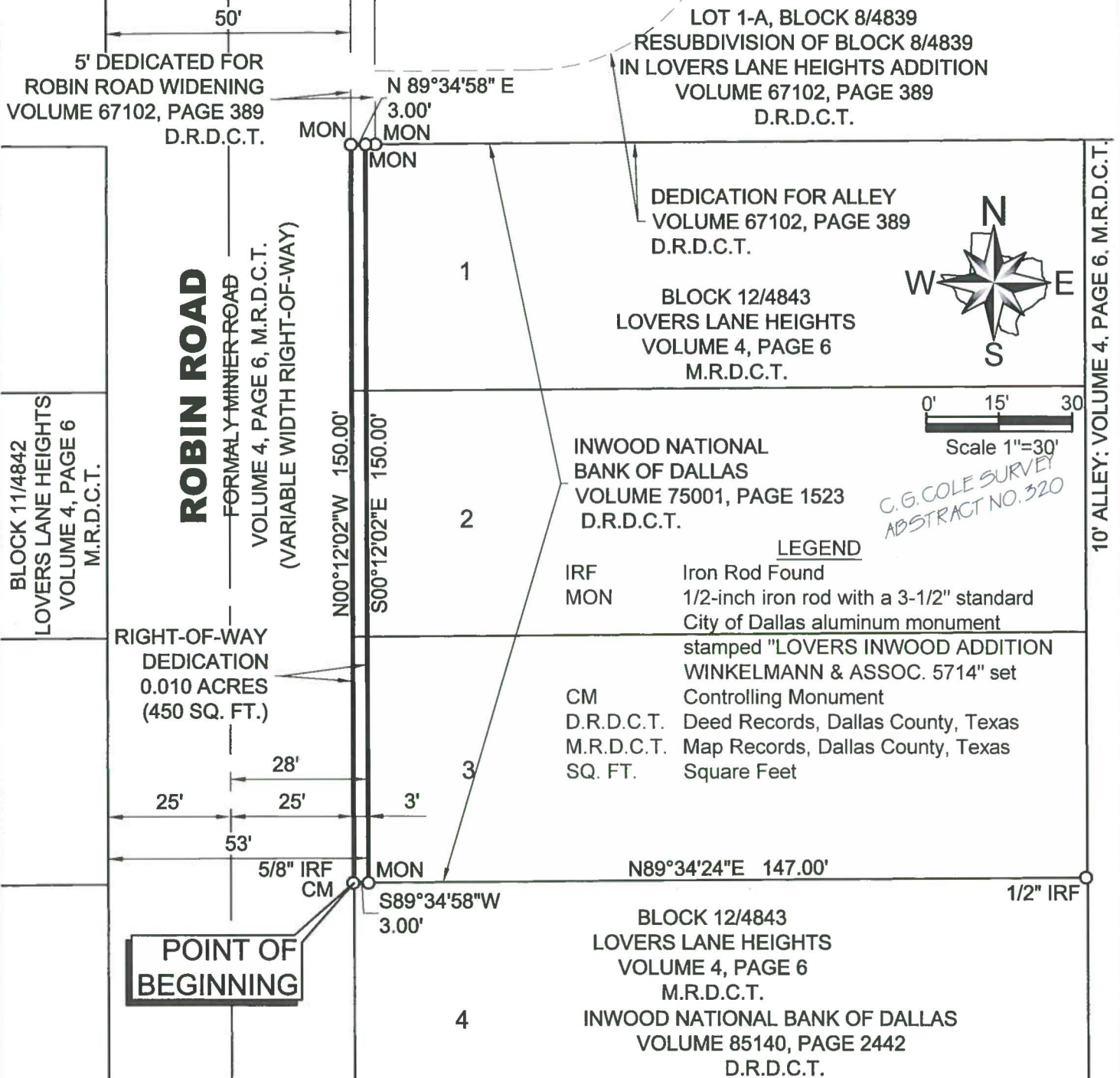
# RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS, PART OF LOTS 1, 2, AND 3

DALLAS CITY BLOCK 12/4843

C. G. COLE SURVEY, ABSTRACT NO. 320  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C - TRACT 3



Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



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DALLAS, TEXAS 75230 (972) 480-7099 FAX

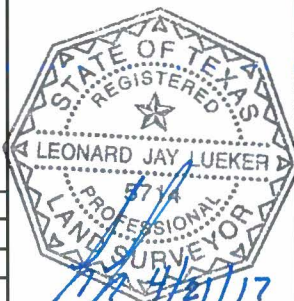
Texas Engineers Registration No. 89  
Texas Surveyors No. 10086600 Expires 12-31-17  
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Scale: 1" = 30'

Date: 03.27.17

Dwg. File: 00616.0A-ROW-DED3

Project No.: 00616.0A



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Date: 5/11/17  
SPRG No. 4042

**SHEET**

**2  
OF  
2**



# RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839, LOVERS LANE HEIGHTS ADDITION

PORTION OF LOT 1-A, BLOCK 8/4839

DALLAS CITY BLOCK 8/4839

C. G. COLE SURVEY, ABSTRACT NO. 320  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C - TRACT 4

BEING a 50 square feet (0.001 Acres) tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, being a portion of Lot 1-A, Resubdivision of Block 8/4839, Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, City of Dallas Block 8/4839 and being part of the tract of land described in Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 779, Page 318, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod found for the Northwest corner said Lot 1-A, said point being the intersection of the South line of "5' dedicated for Newmore Avenue widening" as shown on said Resubdivision of Block 8/4839, Lovers Lane Heights Addition, with the East line of the "5' dedicated for Robin Road widening" as shown on said Resubdivision of Block 8/4839, Lovers Lane Heights Addition;

THENCE North 89 degrees 34 minutes 58 seconds East, along the South line of said "5' dedicated for Newmore Avenue widening" and the North line of said Lot 1-A, a distance of 10.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner;

THENCE South 44 degrees 41 minutes 28 seconds West, departing the South line of said "5' dedicated for Newmore Avenue widening", over and across said Lot 1-A, a distance of 14.17 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner, from which a 5/8 inch iron rod found for the southwest corner of Lot 3, Block 12/4843, Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 4, Page 6. Map Records, Dallas County, Texas, bears South 00 degrees 12 minutes 02 seconds East, a distance of 435.00 feet and South 89 degrees 34 minutes 58 seconds West, a distance of 5.00 feet, said monument being situated in the East line of said "5' dedicated for Robin Road widening" and the West line of said Lot 1-A;

THENCE North 00 degrees 12 minutes 02 seconds West, along the East line of said "5' dedicated for Robin Road widening" and the West line of said Lot 1-A, a distance of 10.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 50 square feet or 0.001 acres of land, more or less.

## LINE TABLE

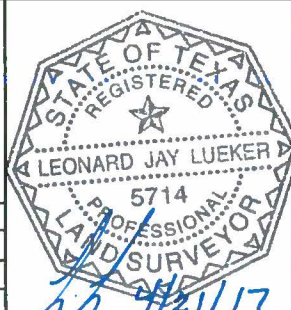
LINE #	BEARING	DISTANCE
L1	N89°34'58"E	10.00'
L2	S44°41'28"W	14.17'
L3	N00°12'02"W	10.00'

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



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Texas Surveyors No. 10086600 Expires 12-31-17  
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Scale: N/A  
Date: 03.27.17  
Dwg. File: 00616.0A-ROW-DED1  
Project No.: 00616.0A



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Reviewed by: A. Rodriguez  
Date: 5/11/17  
SPRG No. 4044

SHEET

1  
OF  
2

# RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839, LOVERS LANE HEIGHTS ADDITION  
PORTION OF LOT 1-A, BLOCK 8/4839  
DALLAS CITY BLOCK 8/4839  
C. G. COLE SURVEY, ABSTRACT NO. 320  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

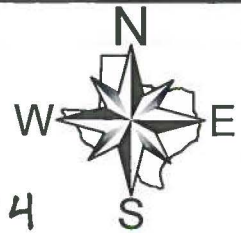


EXHIBIT C-TRACT 4

0' 10' 20'  
Scale 1"=20'

## NEWMORE AVENUE

(55' RIGHT-OF-WAY)

VOLUME 4, PAGE 6, M.R.D.C.T.

5' DEDICATED FOR  
NEWMORE AVENUE WIDENING  
VOLUME 67102, PAGE 389  
D.R.D.C.T.

10'x10' RIGHT-OF-WAY  
CORNER CLIP DEDICATION  
50 SQ. FT. (0.001 ACRES)

POINT OF  
BEGINNING

BLOCK 7/4838  
LOVERS LANE HEIGHTS  
VOLUME 4, PAGE 6  
M.R.D.C.T.

ROBIN ROAD

FORMALLY MINIER STREET  
VOLUME 4, PAGE 6, M.R.D.C.T.  
(VARIABLE WIDTH RIGHT-OF-WAY)

C. G. COLE SURVEY  
ABSTRACT NO. 320

5' DEDICATED FOR  
ROBIN ROAD WIDENING  
VOLUME 67102, PAGE 389  
D.R.D.C.T.

INWOOD NATIONAL  
BANK OF DALLAS  
VOLUME 779, PAGE 318  
D.R.D.C.T.

LOT 1-A, BLOCK 8/4839  
RESUBDIVISION OF BLOCK 8/4839  
LOVERS LANE HEIGHTS ADDITION  
VOLUME 67102, PAGE 389  
D.R.D.C.T.

### LEGEND

IRF  
MON

Iron Rod Found  
1/2-inch iron rod with a 3-1/2" standard  
City of Dallas aluminum monument stamped  
"LOVERS INWOOD ADDITION WINKELMANN  
& ASSOC. 5714" set  
Controlling Monument  
County Clerks' Instrument Number  
Deed Records, Dallas County, Texas  
Map Records, Dallas County, Texas  
Square Feet

CM  
CC #  
D.R.D.C.T.  
M.R.D.C.T.  
SQ. FT.

SOUTHWEST CORNER OF LOT  
3, BLOCK 12/4843, LOVERS  
LANE HEIGHTS ADDITION,  
VOLUME 4, PAGE 6, M.R.D.C.T.

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



**Winkelmann  
& Associates, Inc.**

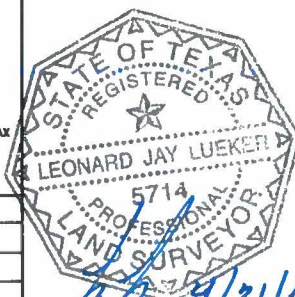
CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325 (872) 480-7090  
DALLAS, TEXAS 75230 (872) 480-7099 FAX  
Texas Engineers Registration No. 89  
Texas Surveyors No. 10086500 Expires 12-31-17  
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Scale: 1" = 20'

Date: 03.27.17

Dwg. File: 00616.0A-ROW-DED1

Project No.: 00616.0A



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Reviewed by: A. Rodriguez  
Date: 5/11/17  
SPRG No. 4044

**SHEET**

**2  
OF  
2**



# RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

PORTION OF LOT 1-A, BLOCK 12/4843 and

LOVERS LANE HEIGHTS ADDITION

PART OF LOTS 10-13, BLOCK 12/4843 EXHIBIT C - TRACT 5

DALLAS CITY BLOCKS 8/4839 and 12/4843

C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 7,062 square feet (0.162 Acres) tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88, in the City of Dallas, Dallas County, Texas, being a portion of Lot 1-A, City of Dallas Block 8/4839, Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being a portion of Lots 10-13, City of Dallas Block 12/4843, Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and being a portion of the tracts of land described in Warranty Deeds to Inwood National Bank of Dallas as recorded in Volume 815, Page 400; Volume 76084, Page 2135; Volume 630, Page 46; Volume 86094, Page 2174; Volume 86094, Page 2169, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron found for corner on the Westerly right-of-way of Inwood Road, a 90' width right-of-way (County Road No. 79), said point being the Northeast corner of said Lot 10 and the Southeast corner of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, said point also being the Southeast corner of "10' dedicated for Inwood Road widening" as shown on said Plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE South 00 degrees 12 minutes 02 seconds East, along the Westerly right-of-way of said Inwood Road and the East line of Block 12/4843, a distance of 200.00 feet to a 5/8-inch iron rod found for corner, said iron rod being the Southeast corner of said Lot 13;

THENCE South 89 degrees 34 minutes 58 seconds West, departing the West right-of-way of said Inwood Road, along the South line of said Lot 13 and the North line of Lot 14, Block 12/4843 described in Special Warranty Deed to The Flying Tiger, LLC as recorded in County Clerk's Instrument No. 201600003374, Official Public Records, Dallas County, Texas, a distance of 20.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner;

THENCE North 00 degrees 12 minutes 02 seconds West, departing the North line of said Lot 14, over and across Blocks 12/4843 and 8/4839, and said Inwood National Bank of Dallas tracts, a distance of 480.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner ;

(continued on Sheet 2)



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& Associates, Inc.**

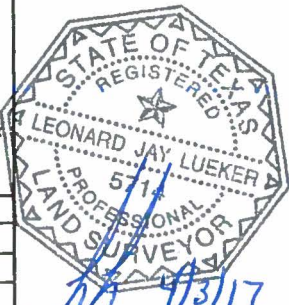
CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325  
DALLAS, TEXAS 75230 (972) 480-7090  
Texas Engineers Registration No. 89 (972) 480-7099 FAX  
Texas Surveyors No. 10086600 Expires 12-31-17  
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Scale : N/A

Date : 04.03.17

Dwg. File : 00616.0A-ROW-DED4

Project No. : 00616.0A



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Reviewed by: A. Rodriguez

Date: 5/1/17

SPRG No. 4045

**SHEET**

**1  
OF  
5**



# RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

PORTION OF LOT 1-A, BLOCK 12/4843 and

LOVERS LANE HEIGHTS ADDITION

PART OF LOTS 10-13, BLOCK 12/4843

DALLAS CITY BLOCKS 8/4839 and 12/4843

C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C-TRACT 5

(continued from Sheet 1)

THENCE North 45 degrees 18 minutes 32 seconds West, departing the West line of said "10' dedicated for Inwood Road widening", over and across said Lot 1-A, a distance of 21.17 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner on the South line of a "5' dedicated for Newmore Avenue widening" as shown on said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition and the North line of said Lot 1-A;

THENCE North 89 degrees 34 minutes 58 seconds East, along the South line of said "5' dedicated for Newmore Avenue widening" and the North line of said Lot 1-A, a distance of 25.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner at the intersection of the West line of said "10' dedicated for Inwood Road widening" with the South line of said "5' dedicated for Newmore Avenue widening", said point being the Northeast corner of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE South 00 degrees 12 minutes 02 seconds East, along the West line of said "10' dedicated for Inwood Road widening" and the East line of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 295.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for the Southwest corner of said "10' dedicated for Inwood Road widening" and the Southeast corner of said Lot 1-A on the North line of said Lot 10;

THENCE North 89 degrees 34 minutes 58 seconds East, along the South line of said "10' dedicated for Inwood Road widening" and the North line of said Lot 10, a distance of 10.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 7,062 square feet or 0.162 acres of land, more or less.

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



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DALLAS, TEXAS 75230 (872) 490-7099 FAX

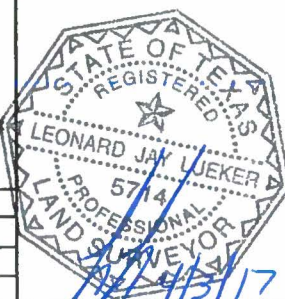
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Texas Surveyors No. 10086500 Expires 12-31-17  
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Scale: N/A

Date: 04.03.17

Dwg. File: 00616.0A-ROW-DED4

Project No.: 00616.0A



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Reviewed by: A. Rodriguez

Date: 5/1/17

SPRG No. 4045

SHEET

**2  
OF  
5**

# RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

PORTION OF LOT 1-A, BLOCK 12/4843 and

LOVERS LANE HEIGHTS ADDITION

PART OF LOTS 10-13, BLOCK 12/4843

DALLAS CITY BLOCKS 8/4839 and 12/4843

C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C-TRACT 5

## PROPERTY INFORMATION

TRACT	OWNERS NAME	RECORDING INFORMATION	LOT/BLOCK	SOURCE
1	INWOOD NATIONAL BANK OF DALLAS	VOLUME 815, PAGE 400	LOT 7, BLOCK 8/4839	D.R.D.C.T.
2	INWOOD NATIONAL BANK OF DALLAS	VOLUME 76084, PAGE 2135	LOT 8, BLOCK 8/4839	D.R.D.C.T.
3	INWOOD NATIONAL BANK OF DALLAS	VOLUME 630, PAGE 46	LOTS 9-12, BLOCK 8/4839	D.R.D.C.T.
4	INWOOD NATIONAL BANK OF DALLAS	VOLUME 86094, PAGE 2174	LOTS 10, BLOCK 12/4843	D.R.D.C.T.
5	INWOOD NATIONAL BANK OF DALLAS	VOLUME 86094, PAGE 2169	LOTS 11-13, BLOCK 12/4843	D.R.D.C.T.
6	THE FLYING TIGER, LLC	INST. NO. 201600003374	LOTS 14-15, BLOCK 12/4843	O.P.R.D.C.T.

# INDICATES TRACT NUMBER

## LINE TABLE

LINE #	BEARING	DISTANCE
L1	S89°34'58"W	20.00'
L2	N45°18'32"W	21.17'
L3	N89°34'58"E	25.00'
L4	N89°34'58"E	10.00'

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



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Texas Surveyors No. 10086600 Expires 12-31-17  
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Scale : N/A

Date : 04.03.17

Dwg. File : 00616.0A-ROW-DED4

Project No. : 00616.0A



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Reviewed by: A. Rodriguez

Date: 5/1/17

SPRG No. 4045

SHEET

**3  
OF  
5**



# RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

PORTION OF LOT 1-A, BLOCK 12/4843 and

LOVERS LANE HEIGHTS ADDITION

PART OF LOTS 10-13, BLOCK 12/4843

DALLAS CITY BLOCKS 8/4839 and 12/4843

C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C-TRACTS

## NEWMORE AVENUE

(55' RIGHT-OF-WAY)  
VOLUME 4, PAGE 6, M.R.D.C.T.

5' DEDICATED FOR  
NEWMORE AVENUE WIDENING  
VOLUME 67102, PAGE 389  
D.R.D.C.T.

LOT 1-A, BLOCK 8/4839  
RESUBDIVISION OF BLOCK 8/4839  
IN LOVERS LANE HEIGHTS ADDITION  
VOLUME 67102, PAGE 389  
D.R.D.C.T.

C.G. COLE SURVEY  
ABSTRACT NO. 320

10' DEDICATED FOR  
INWOOD ROAD WIDENING  
VOLUME 67102, PAGE 389  
D.R.D.C.T.

RIGHT-OF-WAY DEDICATION  
7,062 SQ. FT. (0.162 ACRES)

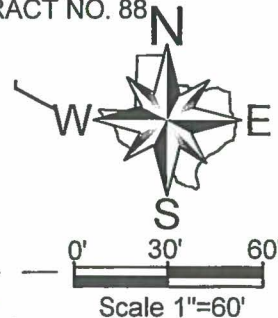
ABANDONED ALLEY  
ORDINANCE #11828

### LEGEND

IRF Iron Rod Found  
MON 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set  
CM Controlling Monument  
CC # County Clerks' Instrument Number  
D.R.D.C.T. Deed Records, Dallas County, Texas  
M.R.D.C.T. Map Records, Dallas County, Texas  
O.P.R.D.C.T. Official Public Records, Dallas County, Texas  
SQ. FT. Square Feet

(BLOCK LINE)

MATCHLINE ~ SEE SHEET 5



VOLUME 6,  
PAGE 449  
M.R.D.C.T.

BLOCK 6/5692  
GREENWAY CREST  
VOLUME 6, PAGE 449  
M.R.D.C.T.

## INWOOD ROAD

COUNTY ROAD NO. 79  
NO RECORD FOUND  
(90' RIGHT-OF-WAY)

POINT OF  
BEGINNING

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



**Winkelmann  
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CONSULTING CIVIL ENGINEERS ■ SURVEYORS

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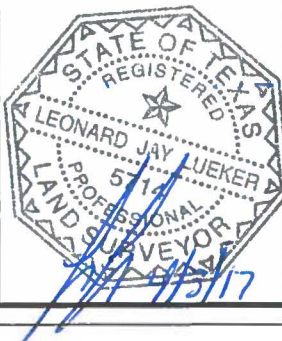
Texas Engineers Registration No. 89  
Texas Surveyors No. 10085600 Expires 12-31-17  
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Scale: 1" = 60'

Date: 04.03.17

Dwg. File: 00616.0A-ROW-DED4

Project No.: 00616.0A



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Reviewed by: A. Rodriguez  
Date: 5/11/17  
SPRG No. 4045

SHEET  
**4**  
OF  
**5**

# RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

PORTION OF LOT 1-A, BLOCK 12/4843 and

LOVERS LANE HEIGHTS ADDITION

PART OF LOTS 10-13, BLOCK 12/4843

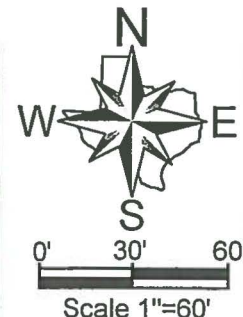
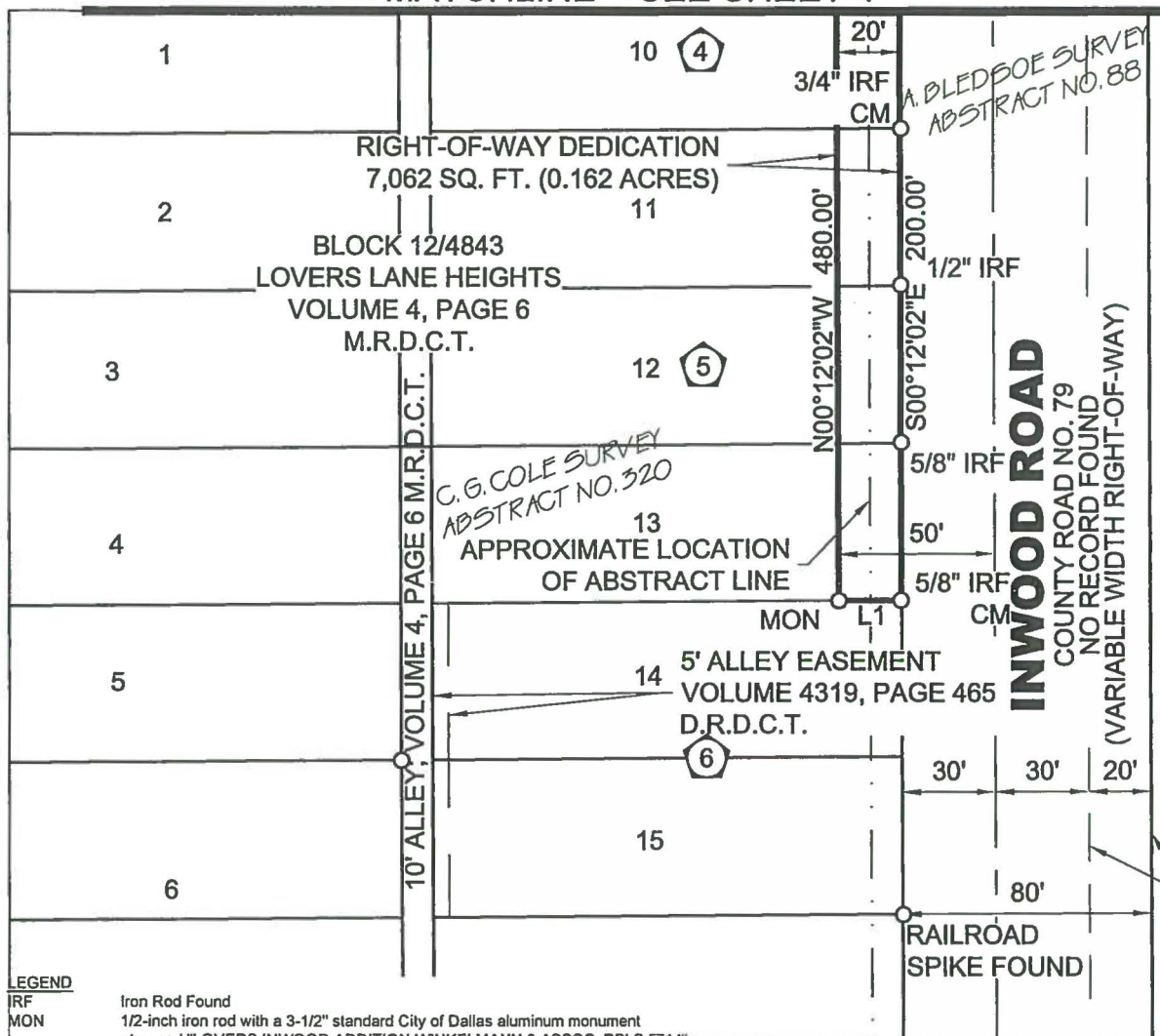
DALLAS CITY BLOCKS 8/4839 and 12/4843

C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C - TRACT 5

MATCHLINE ~ SEE SHEET 4



## LEGEND

IRF Iron Rod Found  
MON 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set  
CM Controlling Monument  
CC # County Clerks' Instrument Number  
D.R.D.C.T. Deed Records, Dallas County, Texas  
M.R.D.C.T. Map Records, Dallas County, Texas  
O.P.R.D.C.T. Official Public Records, Dallas County, Texas  
SQ. FT. Square Feet

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



**Winkelmann  
& Associates, Inc.**

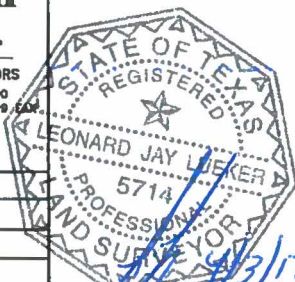
CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
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DALLAS, TEXAS 75230 (872) 480-7099 FAX  
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Scale: 1" = 60'

Date: 04.03.17

Dwg. File: 00616.0A-ROW-DED4

Project No.: 00616.0A



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Reviewed by: A. Rodriguez  
Date: 5/11/17  
SPRG No. 4045

**SHEET  
5  
OF  
5**



# RIGHT-OF-WAY REDEDICATION

ALL OF 5' DEDICATED FOR ROBIN ROAD WIDENING  
ALL OF 5' DEDICATED FOR NEWMORE AVENUE WIDENING  
ALL OF 10' DEDICATED FOR INWOOD ROAD WIDENING

EXHIBIT D

LOT 1A, RESUBDIVISION OF BLOCK 8/4843 IN LOVERS LANE HEIGHTS ADDITION  
AND PART OF AN ABANDONED ALLEY-CITY OF DALLAS ORDINANCE NO.11828

DALLAS CITY BLOCK 8/4839

C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 5,975 square feet (0.137 Acres), tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88, in the City of Dallas, Dallas County, Texas, City of Dallas Block 8/4839, being a portion of Lot 1A, Resubdivision of Block 8/4839, Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being 5.00 foot dedicated for Robin Road widening, 5.00 foot dedicated for Newmore Avenue widening, and 10.00 foot dedicated for Inwood Road widening, and being portions of the tracts of land described in Warranty Deeds to Inwood National Bank of Dallas as recorded in Volume 779, Page 318; Volume 779, Page 316; Volume 779, Page 325; Volume 779, Page 322; Volume 67099, Page 1953; Volume 815, Page 400; Volume 76084, Page 2135; and Volume 630, Page 46, Deed Records, Dallas County, Texas, and part of an abandoned alley provided for by City of Dallas Ordinance No. 11828, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for the Northwest corner of Lot 1-A, Block 8/4839 of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, said point being the intersection of the South line of said "5' dedicated for Newmore Avenue widening", with its intersection of the East "5' dedicated for Robin Road widening";

THENCE South 00 degrees 12 minutes 02 seconds East, along the East line of said "5' dedicated for Robin Road widening" and the West line of said Lot 1-A, a distance of 295.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner on the North line of Lot 1, Block 12/4843 of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, said point being the Southeast corner of said "5' dedicated for Robin Road widening"

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said "5' dedicated for Robin Road widening" and the North line of said Lot 1, a distance of 5.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for the Northwest corner of said Lot 1 and the Southwest corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition and said "5' dedicated for Robin Road widening";

THENCE North 00 degrees 12 minutes 02 seconds West, along the West line of said "5' dedicated for Robin Road widening" and said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 300.00 feet to a PK nail with a washer stamped "WAI 5714" set for corner at the intersection of said "5' dedicated for Robin Road widening" with the North line of said "5' dedicated for Newmore Avenue widening", said point being the Northwest corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

(continued on Sheet 2)



**Winkelmann  
& Associates, Inc.**

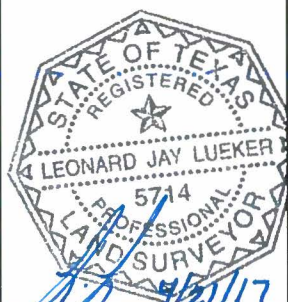
CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7090  
DALLAS, TEXAS 75230 (972) 480-7099 FAX  
Texas Engineers Registration No. 89  
Texas Surveyors No. 10086600 Expires 12-31-17  
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Scale : N/A

Date : 01.04.17

Dwg. File : 00616.0A-ROW-REDEDICATION

Project No. : 00616.0A



(For SPRG use only)

Reviewed by: A. Rodriguez  
Date: 5/1/17  
SPRG No. 4047

**SHEET**

**1  
OF  
4**



# RIGHT-OF-WAY REDEDICATION

EXHIBIT D

ALL OF 5' DEDICATED FOR ROBIN ROAD WIDENING  
ALL OF 5' DEDICATED FOR NEWMORE AVENUE WIDENING  
ALL OF 10' DEDICATED FOR INWOOD ROAD WIDENING

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CITY OF DALLAS, DALLAS COUNTY, TEXAS

(continued from Sheet 1)

THENCE North 89 degrees 34 minutes 58 seconds East, along the North line of said "5' dedicated for Newmore Avenue widening" and said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 310.00 feet to a PK nail with a washer stamped "WAI 5714" set for corner at the intersection of the North line of said "5' dedicated for Newmore Avenue widening" with the East line of said "10' dedicated for Inwood Road widening", said point being the Northwest corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE South 00 degrees 12 minutes 02 seconds East, along the East line of said "10' dedicated for Inwood Road widening" and the East line of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 300.00 feet to a 5/8-inch iron rod found for the Southeast corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition and said "10' dedicated for Inwood Road widening" and the Northeast corner of Lot 10, Block 12/4843, of said Lovers Lane Heights, said iron rod being North 00 degrees 12 minutes 02 seconds West, 50.00 feet from a 3/4-inch iron rod found for the Southeast corner of said Lot 10, Block 12/4843, of said Lovers Lane Heights and the Northeast corner of Lot 11, Block 12/4843, of said Lover Lane Heights;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said "10' dedicated for Inwood Road widening" and the North line of said Lot 10, a distance of 10.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner on the North line of said Lot 10, said point being the Southeast corner of said Lot 1-A and the Southwest corner of said "10' dedicated for Inwood Road widening";

THENCE North 00 degrees 12 minutes 02 seconds West, along the West line of said "10' dedicated for Inwood Road widening" and the East line of said Lot 1-A, a distance of 295.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner at the intersection of the South line of said "5' dedicated for Newmore Avenue widening" with the West line of said "10' dedicated for Inwood Road widening", said point being the Northeast corner of said Lot 1-A;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said "10' dedicated for Newmore Avenue widening" and the North line of said Lot 1-A, a distance of 295.00 feet to the POINT OF BEGINNING.

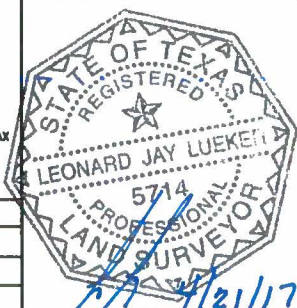
CONTAINING within these metes and bounds 5,975 square feet or 0.137 acres of land, more or less.

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7080  
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Texas Surveyors No. 10086600 Expires 12-31-17  
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Scale : N/A  
Date : 04.03.17  
Dwg. File : 00616.0A-ROW-REDEDICATION  
Project No. : 00616.0A



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Reviewed by: A. Rodriguez  
Date: 5/11/17  
SPRG No. 4047

SHEET  
**2**  
OF  
**4**

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DALLAS CITY BLOCK 8/4839

C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

## PROPERTY INFORMATION

TRACT	OWNERS NAME	RECORDING INFORMATION	LOT/BLOCK	SOURCE
1	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 318	LOT 1, BLOCK 8/4839	D.R.D.C.T.
2	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 316	LOT 2, BLOCK 8/4839	D.R.D.C.T.
3	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 325	LOT 3, BLOCK 8/4839	D.R.D.C.T.
4	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 322	LOT 4, BLOCK 8/4839	D.R.D.C.T.
5	INWOOD NATIONAL BANK OF DALLAS	VOLUME 67099, PAGE 1953	LOTS 5 & 6, BLOCK 8/4839	D.R.D.C.T.
6	INWOOD NATIONAL BANK OF DALLAS	VOLUME 815, PAGE 400	LOT 7, BLOCK 8/4839	D.R.D.C.T.
7	INWOOD NATIONAL BANK OF DALLAS	VOLUME 76084, PAGE 2135	LOT 8, BLOCK 8/4839	D.R.D.C.T.
8	INWOOD NATIONAL BANK OF DALLAS	VOLUME 630, PAGE 46	LOTS 9-12, BLOCK 8/4839	D.R.D.C.T.



INDICATES TRACT NUMBER

### LEGEND

IRF

Iron Rod Found

PK

PK nail with washer stamped "WAI 5714" set

MON

1/2-inch iron rod with a 3-1/2" standard

City of Dallas aluminum monument stamped

"LOVERS INWOOD ADDITION WINKELMANN

& ASSOC. RPLS 5714" set

CM

Controlling Monument

CC #

County Clerks' Instrument Number

D.R.D.C.T.

Deed Records, Dallas County, Texas

M.R.D.C.T.

Map Records, Dallas County, Texas

SQ. FT.

Square Feet

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])



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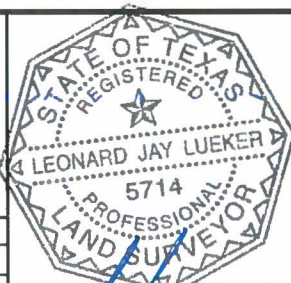
Texas Engineers Registration No. 89  
Texas Surveyors No. 10086500 Expires 12-31-17  
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Scale: N/A

Date: 04.03.17

Dwg. File: 00616.0A-ROW-REDEDICATION

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A. Rodriguez

Date:

5/1/17

SPRG No. 4047

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OF  
4



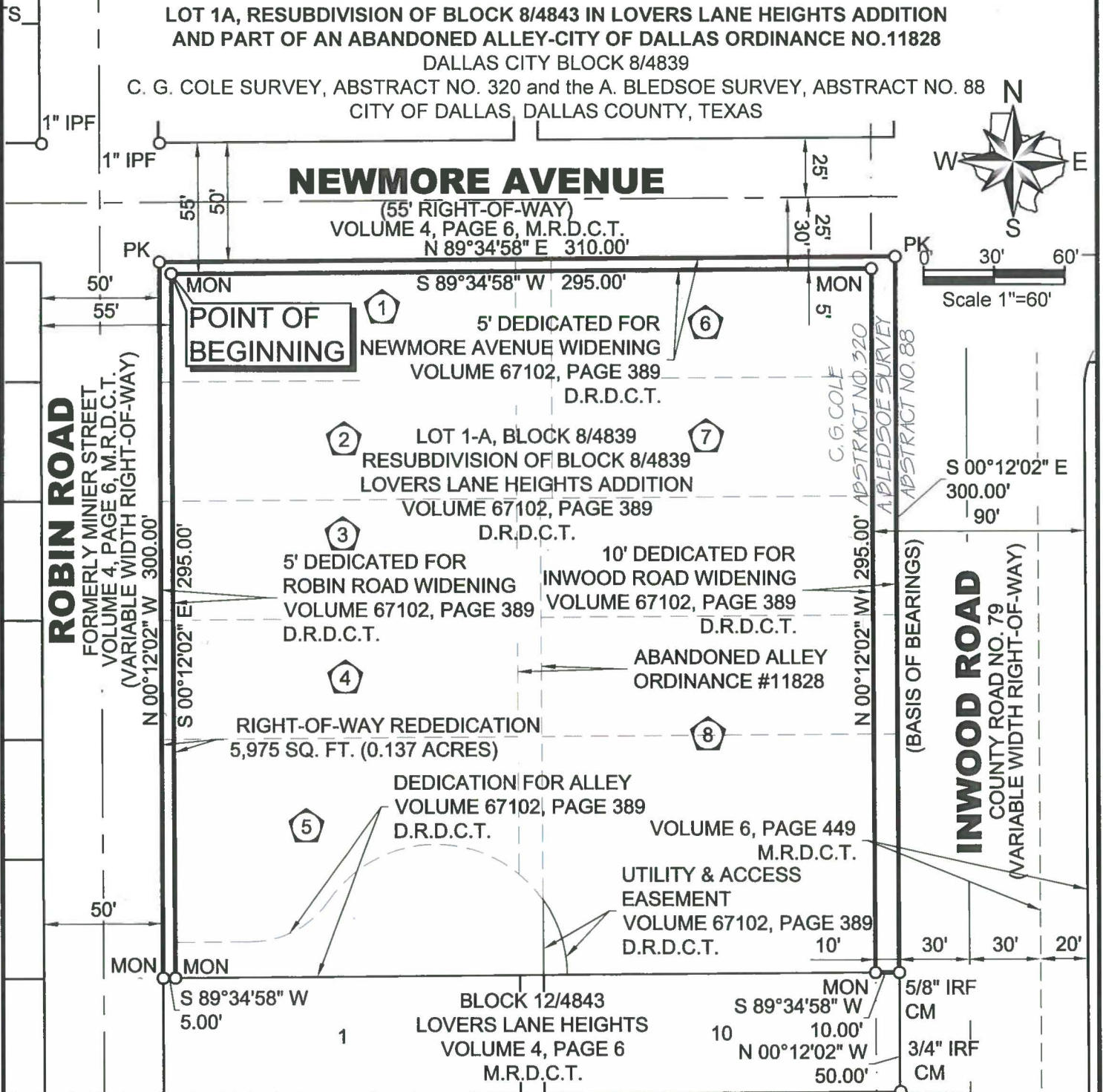
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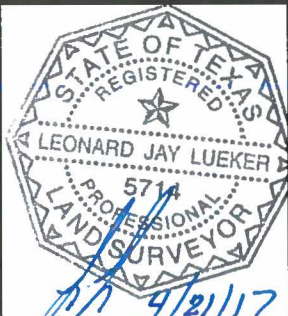
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Scale : 1" = 60'

Date : 04.03.17

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Project No. : 00616.0A



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Reviewed by: A. Rodriguez

Date: 5/11/17

SPRG No. 4047

SHEET

4  
OF  
4

**AGENDA ITEM # 19**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 45 B

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for O-2 Office Subdistrict uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Cedar Springs Road and Turtle Creek Boulevard

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

Z167-306(WE)

**FILE NUMBER:** Z167-306(WE) **DATE FILED:** May 19, 2017

**LOCATION:** West corner of Cedar Springs Road and Turtle Creek Boulevard

**COUNCIL DISTRICT:** 14 **MAPSCO:** 45 B

**SIZE OF REQUEST:** Approx. 3.009 acres **CENSUS TRACT:** 5.00

---

**APPLICANT / OWNER:** 3001 Turtle Creek LP  
A Texas Limited Liability Company

**REPRESENTATIVE:** Robert Reeves  
Robert Reeves & Associates, Inc.

**REQUEST:** An application for a Planned Development Subdistrict for O-2 Office Subdistrict uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

**SUMMARY:** The purpose of the requested Planned Development Subdistrict is to allow for an increase in the total square footage of retail and certain street level uses on the ground floor level of the proposed development. Planned Development District No. 193 limits the floor area of retail and certain additional uses on the street level to a maximum of 2,000 square feet. The applicant is proposing approximately 16,000 square feet of retail and restaurant uses on the street level. In addition, the applicant is requesting the front yard setbacks along Cedar Springs Road and Dickason Street be measured from the property line as opposed to an existing easement line, as well as reduce the landscape requirements on the side yard, which is adjacent to an existing multiple-family development, from 10 feet to 8 feet.

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

**STAFF RECOMMENDATION:** Approval, subject to a development plan, landscape plan and conditions.

## **BACKGROUND INFORMATION:**

- The applicant's request for a Planned Development Subdistrict will allow for an increase in the total square footage of retail and certain street level uses. Planned Development District No. 193 limits the floor area of retail and certain additional uses on the street level of a building to a maximum of 2,000 square feet.
- The purpose of the request is to develop the site to allow for the construction of a 391,000-square foot office building that will have a retail use on the ground level. The applicant will comply with the development standards and regulations for an O-2 Office Subdistrict, except for the following modifications; increase in the total square footage of retail and certain street level uses, allow the front yard setback be measured from the property line instead of an existing easement line, as well as reduce the landscape requirements on the side yard, which is adjacent to an existing multiple-family development, from 10 feet to 8 feet.
- The property is located within the Turtle Creek Environmental Corridor. The Turtle Creek Environmental Corridor regulations state that at the intersections of Turtle Creek Boulevard with Blackburn Street, with Lemmon Avenue, with Hall Street, with Cedar Springs Road, and the intersection of Turtle Creek Boulevard with Gillespie Street, no structure shall be constructed to such intersection than an imaginary line formed between points on each curb line 100 feet from such intersection. Staff determined that the building is outside of the 100-foot line.
- The applicant will provide all off-street parking on-site. The seven-story parking structure will meet the parking demands of the office development.

**Zoning History:** There have been approximately 17 Board of Adjustment cases within the area during the past five years. Of these cases, the following two requests were for properties adjacent to the subject site:

1. BDA101-131 On February 13, 2012, the Board of Adjustment Panel C approved a variance to the front yard setback regulations of up to 20 feet, subject to a development plan.
2. BDA101-132 On February 13, 2012, the Board of Adjustment Panel C approved a variance to the front yard setback regulations of up to 20 feet, subject to a development plan.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Turtle Creek Boulevard	Principal Arterial	Variable width right-of-way	Variable width right-of-way
Cedar Springs Road	Collector	60 ft.	60 ft.
Dickason Street	Local	40 ft.	40 ft.

**Traffic:** The Engineering Division of the Sustainable Development and Construction Department has reviewed the applicant's request Traffic Impact Analysis Report and determined that it will not impact the surrounding street system for the proposed development.

**Land Use:**

	Zoning within PDD No. 193	Land Use
<b>Site</b>	O-2	Undeveloped
<b>Northeast</b>	O-2	Multiple family, Office
<b>Southeast</b>	PDS No. 61	Undeveloped
<b>Northwest</b>	O-2	Multiple family
<b>Southwest</b>	O-2	Multiple family, Office

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

The proposed mixed use development will continue the pedestrian walkability along Cedar Springs Road and Turtle Creek Boulevard with a minimum of 8 feet wide sidewalks. These design and landscape provisions will promote pedestrian walkability and activity along the street edge the fowardDallas! envision.

**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.

## **Economic**

### **GOAL 2.1 PROMOTE BALANCED GROWTH.**

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

### **GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT**

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

## **URBAN DESIGN**

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

#### **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 development of the request site with an office development with retail uses on the street level will comply with the abovementioned objectives, except for items #1 and #2. The implementation of the Turtle Creek Environmental Corridor prevents any



development within a specified distance of certain street frontages from being urban in form. In addition, the various distance requirements along the specific street frontages could restrict continuous street activities in retail areas within certain developments. The Environmental Corridor prevents any development from encroaching within 75 feet of the Turtle Creek Boulevard. The applicant will comply with the development standards in an O-2 Subdistrict, except for the setbacks along Cedar Springs Road and Dickason Street, and the landscape requirements on the side yard.

## **STAFF ANALYSIS:**

**Land Use Compatibility:** The 3.009-acre site is undeveloped. The request for a Planned Development Subdistrict for O-2 Office Subdistrict uses will allow for certain modifications to the development standards to accommodate the proposed office development. The main changes to the development standards is the increase in the total square footage of retail and certain street level uses, to allow the front yard setback to be measured from the property line instead of an existing easement line, as well as reduce the landscape requirements on the side yard, which is adjacent to an existing multiple-family development, from 10 feet to 8 feet. The O-2 Office Subdistrict permits a maximum floor area ratio of 4.5:1 if the development has a 1.1 residential component; otherwise, a maximum of 4.1 FAR is allowed. The applicant proposes to comply with the remaining development standards of an O-2 Subdistrict such as front yard setbacks, structure height, lot coverage, and floor area ratio. The proposed development will have restaurant and retail uses on the ground floor to promote walkability along the street edge and an office tower that will not exceed a maximum height of 240 feet. The maximum floor area for the entire development will not exceed 319,000 square feet.

Based on the O-2 Office Subdistrict, if a non-residential building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one-half the total height of the building, up to a maximum total setback of 50 feet. The northern portion of the proposed development is adjacent to an existing multiple family development. The applicant is proposing to increase the side yard setback from 10-feet to 30 feet in order to construct a multi-level parking structure on the northern portion of the property, and will extend the setback from the property line an additional 20-feet for any structures over 80 feet in height. The building materials on the parking structure will be the same materials that will be used for the proposed office development.

Staff and the applicant have met to discuss the front yard setbacks on Cedars Springs Road and Dickason Street. The City requires a front yard setback of 20-feet from the property line. However, the request site has two street easements that are located along Cedars Springs Road and Dickason Street, and as a result, will require setbacks to be measured from the street easements. The applicant is requesting to measure the setback lines from their property line which is consistent with the adjacent multiple family development. The City's Mobility and Street Services has reviewed the

applicant's alignment and has no objections.

In February 2012, the Board of Adjustment approved a variance to the front yard setback regulations up to 20 feet on Cedar Springs Road and Dickason Road. The proposed setbacks along Cedar Springs Road and Dickason Road will be consistent with the setbacks on the adjacent multiple family development.

The applicant's request for a PDD will allow for an increase in the total square footage of retail and certain street level uses. Planned Development District No. 193 limits the floor area of retail and certain additional uses on the street level of a building to a maximum of 2,000 square feet. The applicant is requesting that the combined retail and certain additional street level uses have a floor area no greater than 16,000 square feet. The increase in the total square footage will allow for larger retail uses to operate within the development.

The additional uses that are permitted on the street level with a limited square footage in an O-2 Office Subdistrict are listed below.

Antique shop	Duplication shop	Photography studio
Art gallery/art work sales	Electronic store	Private club
Bakery or confectionery shop	Florist store	Private mailing and messenger pick-up and delivery service
Bar, lounge or tavern	Gift shop	Private recreation club or area
Barber and beauty shop	Handcraft bookbinding	Restaurant with alcoholic beverages and/or entertainment
Book and stationary store	Health studio	Shoe repair
Camera shop	Hobby and art supplies store	Tailor, custom sewing and millinery
Cigar, tobacco and candy store	Key shop	Travel bureau
Drugstore	Optical shop	

Staff recommends approval of the applicant's request for a Planned Development Subdistrict for O-2 Office Subdistrict uses.

**Development Standards:**

<b><u>DISTRICT</u></b>	<b><u>SETBACKS</u></b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
O-2 Office Subdistrict - existing	20'	10'/10'	4:1 FAR	240'	75%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential
Planned Development O-2 Subdistrict - proposed	20'	30'/10'	4:1 FAR	240'	75%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

**Landscaping:** Landscaping required in accordance with the landscape plan.

**Plat:** On August 4, 2016, the City Plan Commission approved a preliminary plat of the request site.

**CPC Action** (September 7, 2017)

**Motion:** It was moved to recommend **approval** a Planned Development Subdistrict for O-2 Office Subdistrict uses, subject to a development plan, landscape plan and revised conditions to include the following revisions: 1) SEC. S-.106. MAIN USES PERMITTED., (b), add “retail food store” to main uses permitted by right at street level only, 2) SEC. S-.108. YARD, LOT, AND SPACE REGULATIONS., (d) Floor area, (1) and (2) add “retail food store” as a use, 3) SEC. S-.108. YARD, LOT, AND SPACE REGULATIONS., (b) Front yard, (1) and (2) remove language “for an office use”, and 4) SEC. S-.108. YARD, LOT, AND SPACE REGULATIONS., (d) Floor area, (1) strike language “for an office use” and replace with “In conjunction with an office use” on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Cedar Springs Road and Turtle Creek Boulevard.

Maker: Ridley  
Second: Murphy  
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Mack,  
Haney, Jung, Housewright, Schultz, Peadon,  
Murphy, Ridley

Against: 0  
Absent: 2 - Anantasomboon, Tarpley  
Vacancy: 0

**Notices:** Area: 500 Mailed: 748  
**Replies:** For: 3 Against: 0

**Speakers:** For (Did not speak): Robert Reeves, 900 Jackson St., Dallas, TX, 75202  
Against: None

<b>LIST OF OFFICERS</b>
-------------------------

3001 Turtle Creek, LP  
3000 Turtle Creek Blvd  
Dallas, Texas 75219

April 27, 2017

List of Partners/Principals/Officers:

The sole general partner of 3001 Turtle Creek, LP, a Texas limited partnership, is 3001 Turtle Creek GP, LLC, a Texas limited liability company.

The managers of the 3001 Turtle Creek GP, LLC are:

Russell Freeman, Manager  
James Y Robb, III, Manager  
Darcy Anderson, Manager

The officers of 3001 Turtle Creek GP, LLC, are:

Russell Freeman	President, Executive Vice President
M. Thomas Mason	Executive Vice President, Chief Accounting Officer, Treasurer
Ken Reese	Executive Vice President
Robert T. Vicente	Executive Vice President
Timothy E. Kinnear	Senior Vice President, Tax
Michele M. Ringnald	Secretary
Stephen D. Parker	Assistant Secretary

<b>CPC PROPOSED PDS CONDITIONS</b>
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**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 at the west corner of Turtle Creek Boulevard and Cedar Springs Road. The size of PD Subdistrict \_\_\_\_ is 3.009 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. EXHIBIT.**

The following exhibits are incorporated into this division:

(a) Exhibit S-\_\_A: development plan.

(b) Exhibit S-\_\_A: landscape plan.

**SEC. S-.105. DEVELOPMENT PLAN.**

(a) For an office use, development and use of the Property must comply with the development plan (Exhibit S-\_\_A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51- 4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.



## **SEC. S-.106. MAIN USES PERMITTED.**

(a) The only main uses permitted in this subdistrict are those main uses permitted in the O-2 Office Subdistrict, subject to the same conditions applicable in the O-2 Office Subdistrict, as set out in Part I of this article. For example, a use permitted in the O-2 Office Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the O-2 Office Subdistrict is subject to DIR in this subdistrict, etc.

(b) The following additional main use is permitted by right at street level only:

- Bakery or confectionery shop
- Cigar, tobacco and candy store
- Drug store
- Florist store
- Gift shop
- Health studio
- Restaurant with alcoholic beverages and/or entertainment
- Retail food store
- Tailor, custom sewing and millinery
- Travel bureau

## **SEC. S-.107. ACCESSORY USES.**

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

## **SEC. S-.108. YARD, LOT, AND SPACE REGULATIONS.**

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the O-2 Office Subdistrict apply.

(b) Front yard.

1. Cedar Springs Road. Minimum front yard is 20 feet and is measured from the property line.

2. Dickason Street. Minimum front yard is 20 feet and is measured from the property line.

(c) Side Yard. Minimum side yard is 30 feet. An additional setback of 20-feet must be provided for any structures above 80 feet.

(d) Floor area.

(1) In conjunction with an office use, maximum combined floor area for retail, bakery or confectionery shop, cigar, tobacco and candy store, drugstore, florist store, gift shop, health studio, restaurant with alcoholic beverages and/or entertainment, retail food store, tailor, custom sewing and millinery, and travel bureau uses is 16,000 square feet.

(2) The aggregate floor area of retail, bakery or confectionery shop, cigar, tobacco and candy store, drugstore, florist store, gift shop, health studio, restaurant with alcoholic beverages and/or entertainment, retail food store, tailor, custom sewing and millinery, and travel bureau uses on a street level of a building may not exceed 50 percent of the aggregate floor area of all uses on the street level.

#### **SEC. S-109. OFF-STREET PARKING AND LOADING.**

Consult Part I of this article for the specific off-street parking requirements for each use.

#### **SEC. S-110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

#### **SEC. S-111. LANDSCAPING.**

(a) For office uses, landscaping and screening must be provided in accordance with the landscape plan.

(b) For all other uses, landscaping must be in accordance with Part 1 of Planned Development District No. 193.

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

#### **SEC. S-112. SIGNS.**

Signs must comply with the provisions for non-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.

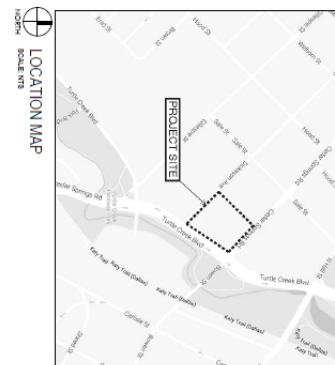
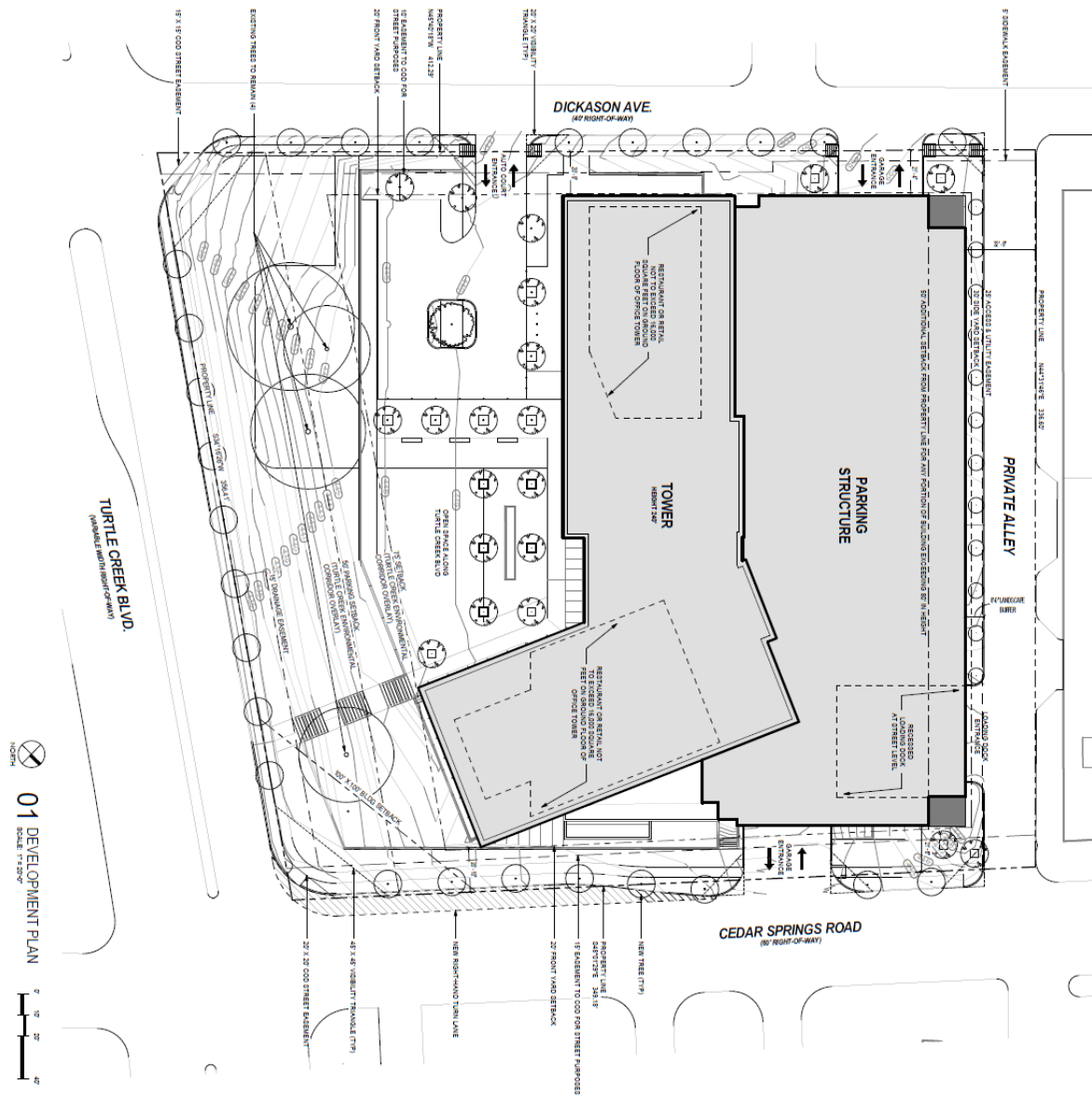
(c) Development and use of the Property must comply with Part I of this article.

**SEC. S-.114. COMPLIANCE WITH CONDITIONS.**

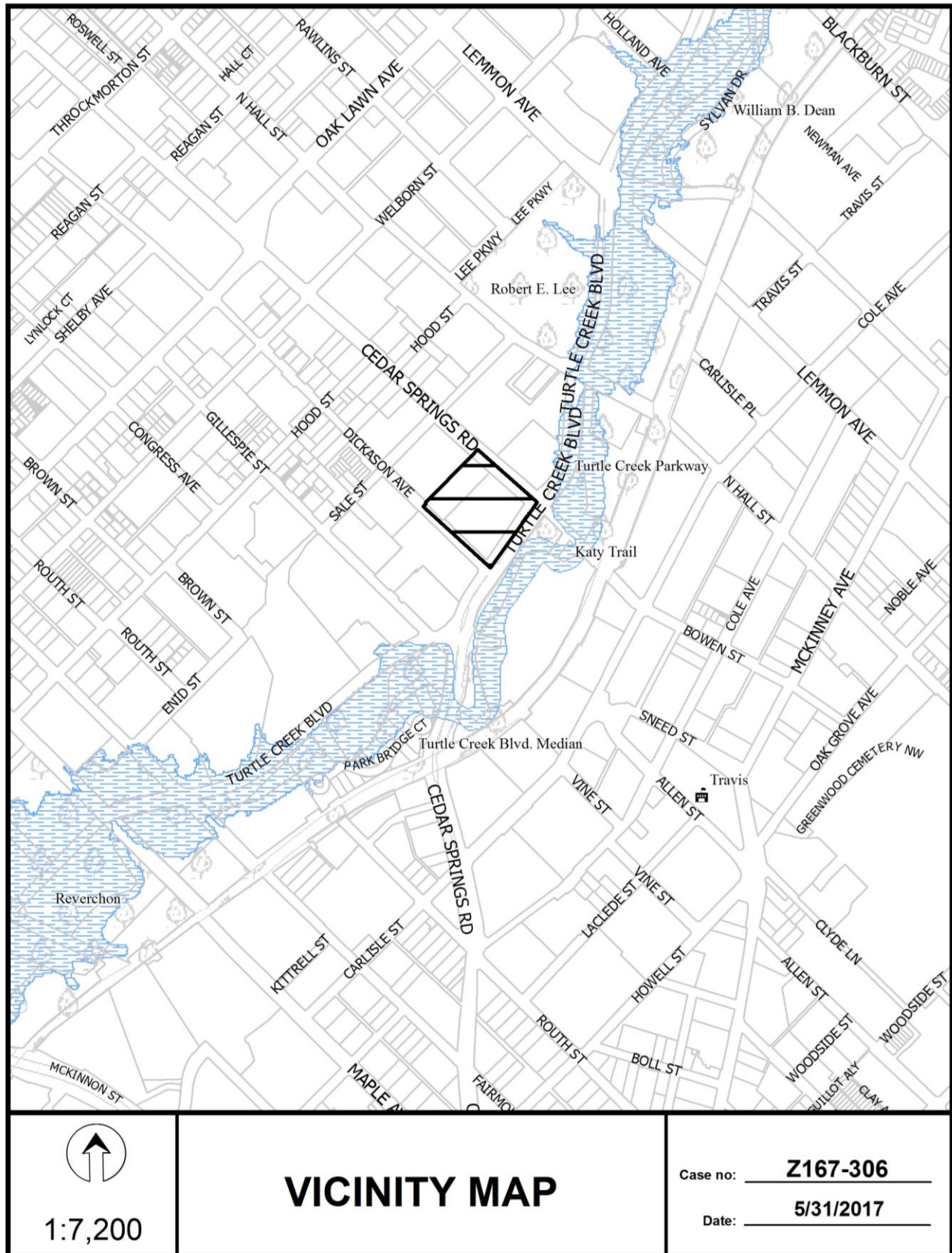
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

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

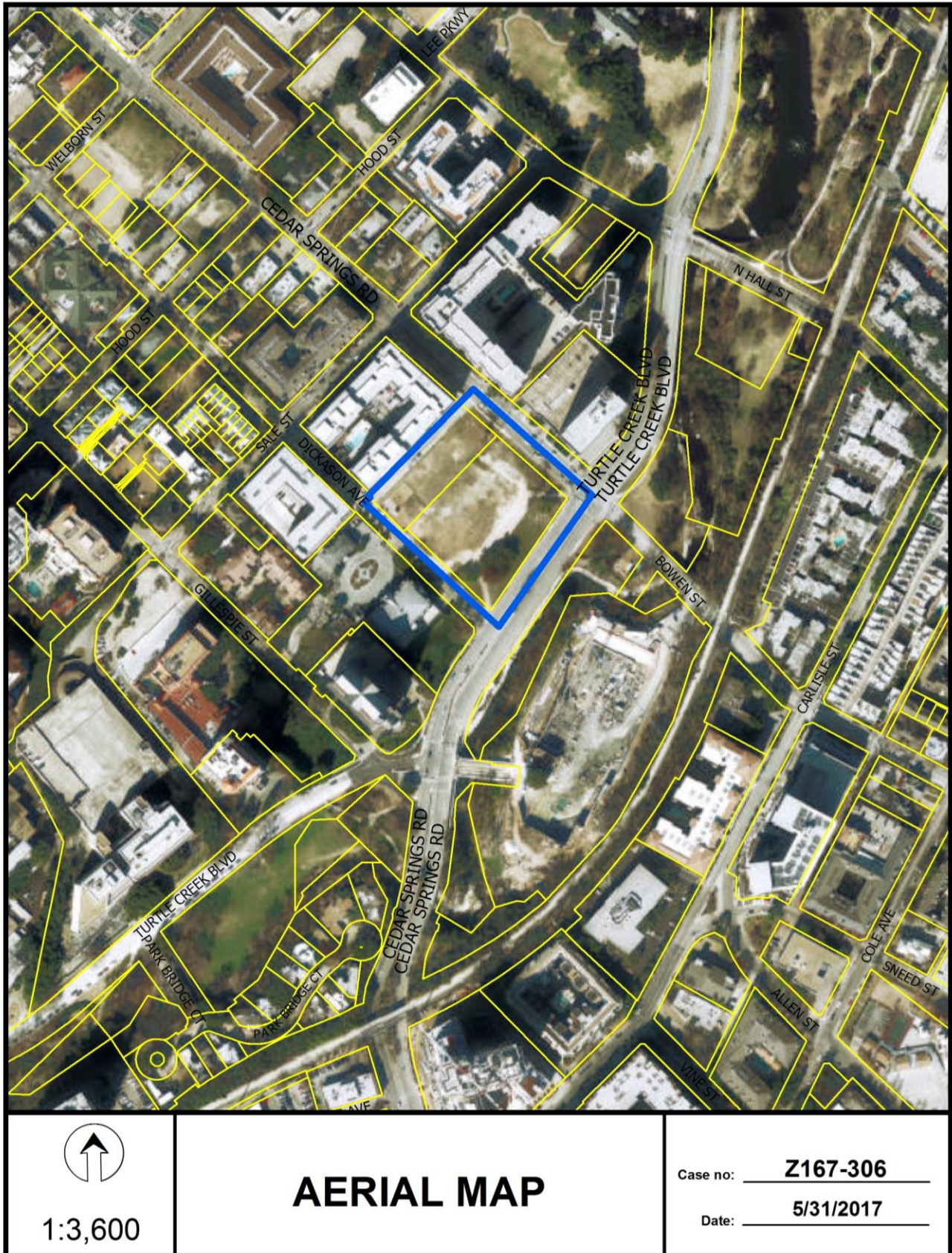
## PROPOSED DEVELOPMENT PLAN

[illegible]









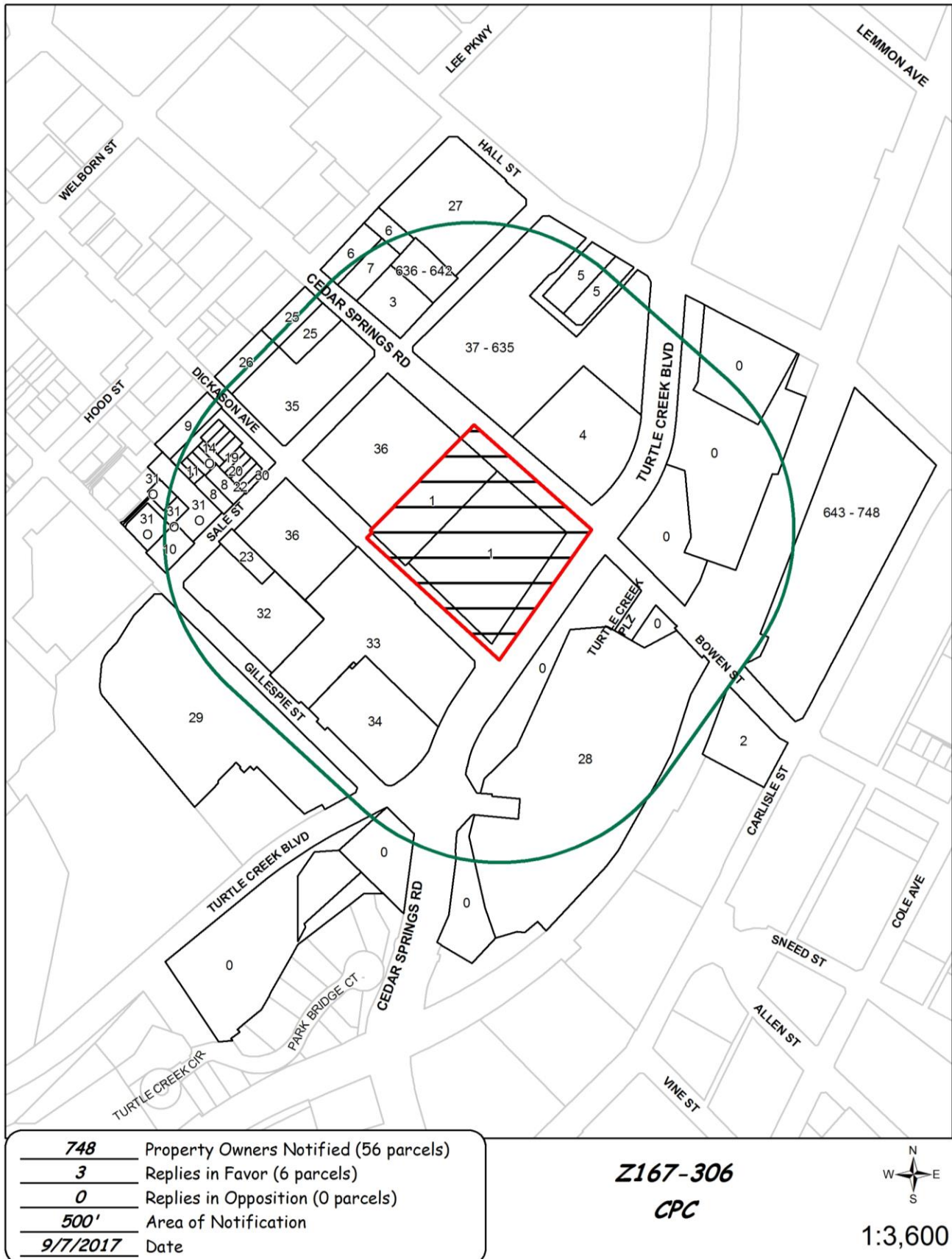








## CPC RESPONSES



## Notification List of Property

### Z167-306

*748 Property Owners Notified*

*3 Property Owners in Favor*

*0 Property Owners Opposed*

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	3015 CEDAR SPRINGS RD	3015 CEDAR SPRINGS LP
	2	3109 CARLISLE ST	3109 CARLISLE LP
	3	3506 CEDAR SPRINGS RD	SPC CEDAR SPRINGS LLC
	4	3131 TURTLE CREEK BLVD	3131 CARDINAL TC INVESTMENTS LP
	5	3409 N HALL ST	TDRE LEE PARK LLC
	6	3520 CEDAR SPRINGS RD	DRAGON PARK LP
	7	3514 CEDAR SPRINGS RD	CUTSHALL MANAGEMENT TRUST THE
	8	2921 SALE ST	GRANOWSKI SCOTT
	9	3515 DICKASON AVE	DICKASON RESIDENTIAL PARTNERS LLC
	10	3502 GILLESPIE ST	KLEMENT MICHAEL
	11	3511 DICKASON AVE	LENTZ HAROLD CALVIN III
	12	3511 DICKASON AVE	GIRON THERESA LYNN
	13	3509 DICKASON AVE	STREIDL LISA
O	14	3509 DICKASON AVE	WANG LIN & ERIC W MILLER
	15	3507 DICKASON AVE	ARKAN EROL E
	16	3507 DICKASON AVE	ROSA EMILIO
	17	3505 DICKASON AVE	ADAMS DAVID G
O	18	3505 DICKASON AVE	STILES DONNA M
	19	3503 DICKASON AVE	SCHENKELBERG ERIC T
	20	3503 DICKASON AVE	BARBER MONTY C
	21	3501 DICKASON AVE	PETTY JOHN D & SIDNEY S
	22	3501 DICKASON AVE	MOORE MICHAEL JUDD
	23	2916 SALE ST	LENNOX JOEL
	24	2919 CEDAR SPRINGS RD	BURLESON PATE & GIBSON
	25	3515 CEDAR SPRINGS RD	WINHAVIR LP

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	26	3516 DICKASON AVE	CUTSHALL RALPH S TR & HANNAH D TR
	27	3535 N HALL ST	3535 N HALL ST LLC
	28	3000 TURTLE CREEK PLAZA	TURTLE CREEK CAMPUS LP
	29	2821 TURTLE CREEK BLVD	MANSION HOTEL LLC
	30	3500 DICKASON AVE	SALE STREET HOMEOWNERS AS
O	31	3512 GILLESPIE ST	LENNOX EDWARD & LISA
	32	3424 GILLESPIE ST	PUIG A WINSTON
	33	2999 TURTLE CREEK BLVD	2999 TURTLE CREEK INC
	34	2911 TURTLE CREEK BLVD	PIEDMONT PARK PLACE LP
	35	3001 SALE ST	CWS ROYALE FRANCISCAN LP
	36	3427 CEDAR SPRINGS RD	CEDAR SPRINGS PT MFA LP
	37	3225 TURTLE CREEK BLVD	SCOTT EDWARD MANAGEMENT TRUST THE
	38	3225 TURTLE CREEK BLVD	FOSTER HENSTON TRUST THE
	39	3225 TURTLE CREEK BLVD	T F W MANAGEMENT INC
	40	3225 TURTLE CREEK BLVD	COONER REBECCA
	41	3225 TURTLE CREEK BLVD	COUCH ZACHARY
	42	3225 TURTLE CREEK BLVD	KIRKPATRICK EMILY A
	43	3225 TURTLE CREEK BLVD	GARCIA ADRIAN
	44	3225 TURTLE CREEK BLVD	JACOBOWSKI THOMAS J &
	45	3225 TURTLE CREEK BLVD	FAIR LAURA
	46	3225 TURTLE CREEK BLVD	BATLLE FRANCISCO J
	47	3225 TURTLE CREEK BLVD	DELGADO GLORIA TATIS &
	48	3225 TURTLE CREEK BLVD	GILBERT FRANCES M
	49	3225 TURTLE CREEK BLVD	SINCLAIR MARGARET TRUSTEE
	50	3225 TURTLE CREEK BLVD	STANFIELD LOREA
	51	3225 TURTLE CREEK BLVD	ROST DAVID B & JENNIFER L
	52	3225 TURTLE CREEK BLVD	RUBRIGHT CRAIG WAYNE
	53	3225 TURTLE CREEK BLVD	ASCERTAINABLE ASSETS LLC
	54	3225 TURTLE CREEK BLVD	ABTAHI ALLEN
	55	3225 TURTLE CREEK BLVD	GRUBBS GARY A & DONNA L

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	56	3225 TURTLE CREEK BLVD	PAGANINI MARC
	57	3225 TURTLE CREEK BLVD	KHONSARI AMIR EFTEKHARI
	58	3225 TURTLE CREEK BLVD	GARCIA LEE
	59	3225 TURTLE CREEK BLVD	LIESNER DARLENE
	60	3225 TURTLE CREEK BLVD	BLAKESLEY DAVID WAYNE &
	61	3225 TURTLE CREEK BLVD	GRAF CAROL
	62	3225 TURTLE CREEK BLVD	CALDWELL ROGER & KIMBERLY S
	63	3225 TURTLE CREEK BLVD	NGUYEN HAIYEN T &
	64	3225 TURTLE CREEK BLVD	SANTIAGO SAMUEL
	65	3225 TURTLE CREEK BLVD	MCCANCE MELISSA
	66	3225 TURTLE CREEK BLVD	CHIEN NANCY K
	67	3225 TURTLE CREEK BLVD	KSNR REALTY LLC
	68	3225 TURTLE CREEK BLVD	BRISCOE SHEILA A
	69	3225 TURTLE CREEK BLVD	ADAMS ARMELIA A
	70	3225 TURTLE CREEK BLVD	NEWMAN ROSS &
	71	3225 TURTLE CREEK BLVD	MCCALLISTER RONALD D &
	72	3225 TURTLE CREEK BLVD	WALKER ARTHUR L &
	73	3225 TURTLE CREEK BLVD	STJ ASSOCIATES LLC
	74	3225 TURTLE CREEK BLVD	MALLON SCOTT E
	75	3225 TURTLE CREEK BLVD	STEFKA IRIS
	76	3225 TURTLE CREEK BLVD	DREYER WILLIAM E &
	77	3225 TURTLE CREEK BLVD	FETZER MARC
	78	3225 TURTLE CREEK BLVD	JAMES GEORGE C &
	79	3225 TURTLE CREEK BLVD	ORR DONNIE M & ALICE M
	80	3225 TURTLE CREEK BLVD	FELD MARK B
	81	3225 TURTLE CREEK BLVD	LUTTRELL TRACY L
	82	3225 TURTLE CREEK BLVD	OWSTON DONNA K
	83	3225 TURTLE CREEK BLVD	MUELLER RYAN
	84	3225 TURTLE CREEK BLVD	CASADELEON SYLVIA K
	85	3225 TURTLE CREEK BLVD	FERNANDEZ DE LEON IRMA MAY
	86	3225 TURTLE CREEK BLVD	IESEANU DOINA
	87	3225 TURTLE CREEK BLVD	ANDERSON ALLAN L & KAY K



09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	88	3225	TURTLE CREEK BLVD	GULLIVER JAMES GORDON & JOY
	89	3225	TURTLE CREEK BLVD	NAYLOR RACHEL MARIE
	90	3225	TURTLE CREEK BLVD	KESTER RONALD C
	91	3225	TURTLE CREEK BLVD	GANTI GIRIJA &
	92	3225	TURTLE CREEK BLVD	SCHENCK ANDY W
	93	3225	TURTLE CREEK BLVD	PLEASANT HILL PROPERTIES LLC
	94	3225	TURTLE CREEK BLVD	MEADOR GLENN JR & RACHEL Z
	95	3225	TURTLE CREEK BLVD	WINOKUR TATYANA
	96	3225	TURTLE CREEK BLVD	KURLAKOWSKY KRISTYN
	97	3225	TURTLE CREEK BLVD	TISDELL SCOTT C & KALA S
	98	3225	TURTLE CREEK BLVD	BULL BRIAN W
	99	3225	TURTLE CREEK BLVD	THOMPSON MICHAEL SCOTT &
	100	3225	TURTLE CREEK BLVD	ARAUJO MARCO & FLAVIA LIVING TRUST
	101	3225	TURTLE CREEK BLVD	VELOZ GEORGE & ANGELINA
	102	3225	TURTLE CREEK BLVD	LEIBASCHOFF GUSTAVO &
	103	3225	TURTLE CREEK BLVD	BONNEY ERIC
	104	3225	TURTLE CREEK BLVD	JAROSKI NATALIE &
	105	3225	TURTLE CREEK BLVD	VICTEC INTERNATIONAL LLC
	106	3225	TURTLE CREEK BLVD	DENTON IRA C &
	107	3225	TURTLE CREEK BLVD	ONEAL SHELDON
	108	3225	TURTLE CREEK BLVD	PATEL NARENDRA &
	109	3225	TURTLE CREEK BLVD	TURNER RICK
	110	3225	TURTLE CREEK BLVD	ARISTY ARISMENDY NICOLAS
	111	3225	TURTLE CREEK BLVD	HE AMANDA ZIWEI
	112	3225	TURTLE CREEK BLVD	TORRES DENNIS M ET AL
	113	3225	TURTLE CREEK BLVD	SINCLAIR MARGARET TRUSTEE
	114	3225	TURTLE CREEK BLVD	YOUNG ALISHA Y
	115	3225	TURTLE CREEK BLVD	GOODHEART MELANIE
	116	3225	TURTLE CREEK BLVD	RIOS RAYMOND & DEE ANNA E
	117	3225	TURTLE CREEK BLVD	CHUNG PAUL
	118	3225	TURTLE CREEK BLVD	CARDNEAUX CATHERINE

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	119	3225	TURTLE CREEK BLVD	CROUCH J MITCHELL &
	120	3225	TURTLE CREEK BLVD	MARTIN ERIC C
	121	3225	TURTLE CREEK BLVD	TURTLE CREEK 330 LLC
	122	3225	TURTLE CREEK BLVD	YAVANZA LLC
	123	3225	TURTLE CREEK BLVD	TOLAND JANICE
	124	3225	TURTLE CREEK BLVD	STURGESS MARK
	125	3225	TURTLE CREEK BLVD	LEWIS LUCINDA J
	126	3225	TURTLE CREEK BLVD	KIM JANICE
	127	3225	TURTLE CREEK BLVD	MUNSTER ROBERT PRESTON
	128	3225	TURTLE CREEK BLVD	MUNCIE DIANNA
	129	3225	TURTLE CREEK BLVD	GARDNER ELIZABETH P
	130	3225	TURTLE CREEK BLVD	RUMINKSI RICHARD K & PAMELA A
	131	3225	TURTLE CREEK BLVD	WRIGHT ALISON MARGARET
	132	3225	TURTLE CREEK BLVD	ROLIM GEVERSON
	133	3225	TURTLE CREEK BLVD	MCDERMOTT JOHN P
	134	3225	TURTLE CREEK BLVD	LEAHY DEDIE
	135	3225	TURTLE CREEK BLVD	BROOKS JOANNA
	136	3225	TURTLE CREEK BLVD	WILEMON ALAYNE
	137	3225	TURTLE CREEK BLVD	CHAUDHRY UDIT
	138	3225	TURTLE CREEK BLVD	WAN SZE KAR &
	139	3225	TURTLE CREEK BLVD	DAVIS STEPHEN B
	140	3225	TURTLE CREEK BLVD	FIGUEROA STEPHEN A &
	141	3225	TURTLE CREEK BLVD	MCLEAN KATHLEEN
	142	3225	TURTLE CREEK BLVD	DEAN ASAD
	143	3225	TURTLE CREEK BLVD	SWEENEY CHARLES M & SHANNON H &
	144	3225	TURTLE CREEK BLVD	MONUS KATHERINE E
	145	3225	TURTLE CREEK BLVD	LIZARRALDE ELISA MARIA
	146	3225	TURTLE CREEK BLVD	BROOKS ANDRE &
	147	3225	TURTLE CREEK BLVD	HOPPER KELLY M
	148	3225	TURTLE CREEK BLVD	ANDERSON JEFFREY ALLEN &
	149	3225	TURTLE CREEK BLVD	SIMON MARK H

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	150	3225 TURTLE CREEK BLVD	CORDERO LUIS
	151	3225 TURTLE CREEK BLVD	LESSER AMICHAH ETAL &
	152	3225 TURTLE CREEK BLVD	BACCHUS SHAYLA
	153	3225 TURTLE CREEK BLVD	HERNANDEZ CARLOS
	154	3225 TURTLE CREEK BLVD	ADAMS DARREN &
	155	3225 TURTLE CREEK BLVD	BELOTE GARLAND R III
	156	3225 TURTLE CREEK BLVD	LATHAM GRANVILLE
	157	3225 TURTLE CREEK BLVD	POKORSKI CHARLES J &
	158	3225 TURTLE CREEK BLVD	SHAIKH NAVEED &
	159	3225 TURTLE CREEK BLVD	ORDONEZ MYRNA
	160	3225 TURTLE CREEK BLVD	MAEDA SONIA A
	161	3225 TURTLE CREEK BLVD	PASCUAL VIRGINIA &
	162	3225 TURTLE CREEK BLVD	SUMMEROUR SHELLY
	163	3225 TURTLE CREEK BLVD	HIDELL TIMOTHY B &
	164	3225 TURTLE CREEK BLVD	MEZA GEORGE
	165	3225 TURTLE CREEK BLVD	ROPER RONDA K
	166	3225 TURTLE CREEK BLVD	NIEDERMEYER ANDREA
	167	3225 TURTLE CREEK BLVD	SONG JEONG SOON
	168	3225 TURTLE CREEK BLVD	WALKER ROSLYN A
	169	3225 TURTLE CREEK BLVD	MELTGREN STACEY
	170	3225 TURTLE CREEK BLVD	LEWIS MICHAEL RAY &
	171	3225 TURTLE CREEK BLVD	KINZY H NORMAN & PAULINE
	172	3225 TURTLE CREEK BLVD	YANUS MARGARET
	173	3225 TURTLE CREEK BLVD	PATRICIA ELLEN LAU REV TR
	174	3225 TURTLE CREEK BLVD	BCD SINGH PROPERTIES OF PLANO LLC
	175	3225 TURTLE CREEK BLVD	REDDY JAYANTH V
	176	3225 TURTLE CREEK BLVD	MORROW KATHLEEN
	177	3225 TURTLE CREEK BLVD	CHOY DAVID & PATRICIA L
	178	3225 TURTLE CREEK BLVD	RICO ANGEL
	179	3225 TURTLE CREEK BLVD	ROSENBERG JONATHAN
	180	3225 TURTLE CREEK BLVD	PAUP PROPERTY MGMT LLC
	181	3225 TURTLE CREEK BLVD	COOLEY SUSAN

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	3225 TURTLE CREEK BLVD	CHIAVIELLO ASHLEIGH B
	183	3225 TURTLE CREEK BLVD	WALLACE LOUISE L
	184	3225 TURTLE CREEK BLVD	KELLEY CLARENCE
	185	3225 TURTLE CREEK BLVD	HEADLEY CAROLYN
	186	3225 TURTLE CREEK BLVD	PATIL ABHITABH
	187	3225 TURTLE CREEK BLVD	HANKINS JACK C
	188	3225 TURTLE CREEK BLVD	KARAMALLY ZAHOR A
	189	3225 TURTLE CREEK BLVD	FRECH MORLEY E JR &
	190	3225 TURTLE CREEK BLVD	BRYAN ROBERT E
	191	3225 TURTLE CREEK BLVD	KLS INVESTMENTS LLC
	192	3225 TURTLE CREEK BLVD	KUENZLI STEPHEN C &
	193	3225 TURTLE CREEK BLVD	FERNANDEZ ERNESTO M
	194	3225 TURTLE CREEK BLVD	RIGNEY PAUL W
	195	3225 TURTLE CREEK BLVD	MARTINEZ MATISSE M &
	196	3225 TURTLE CREEK BLVD	HUKIC OMER & SONJA
	197	3225 TURTLE CREEK BLVD	BEACH DENNIS E
	198	3225 TURTLE CREEK BLVD	LUDER HOWARD L &
	199	3225 TURTLE CREEK BLVD	RAMEZAN FRED TR
	200	3225 TURTLE CREEK BLVD	DND TRUST
	201	3225 TURTLE CREEK BLVD	NIEDERMEYER VALERY A
	202	3225 TURTLE CREEK BLVD	HU YUAN PAI
	203	3225 TURTLE CREEK BLVD	TONELLI ROMINA M
	204	3225 TURTLE CREEK BLVD	AGUSALA MADHAVA & VASANTHA
	205	3225 TURTLE CREEK BLVD	WILMOTH DAVID D & JULIE D
	206	3225 TURTLE CREEK BLVD	PANDYA ALMA R
	207	3225 TURTLE CREEK BLVD	BALARSKY BRIAN A &
	208	3225 TURTLE CREEK BLVD	LO HELEN
	209	3225 TURTLE CREEK BLVD	CASTAGNET GERARDO & ROSA PATRICIA
	210	3225 TURTLE CREEK BLVD	TU PENG CHU BENJAMIN
	211	3225 TURTLE CREEK BLVD	GONZALEZ JESUS J
	212	3225 TURTLE CREEK BLVD	COOK BRAD M

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	213	3225 TURTLE CREEK BLVD	KERBY TROY W
	214	3225 TURTLE CREEK BLVD	EGHDAMI AEMEH &
	215	3225 TURTLE CREEK BLVD	VELA ALAJANDRA
	216	3225 TURTLE CREEK BLVD	WEAVER DAVID LEE
	217	3225 TURTLE CREEK BLVD	DAVIS JERROD
	218	3225 TURTLE CREEK BLVD	WANG TAO
	219	3225 TURTLE CREEK BLVD	NGUYEN LAN N & CHRISTOPHER
	220	3225 TURTLE CREEK BLVD	HARRIS CHERYL L
	221	3225 TURTLE CREEK BLVD	GRAHAM THERESA
	222	3225 TURTLE CREEK BLVD	KIRSTEN CORNELIA J & NICO
	223	3225 TURTLE CREEK BLVD	MARTIN ROBERT H &
	224	3225 TURTLE CREEK BLVD	OCWEN LOAN SERVICING LLC
	225	3225 TURTLE CREEK BLVD	SHERRY JAMES TODD & CHRISTINE LYNN
	226	3225 TURTLE CREEK BLVD	NEELY KIMBERLY
	227	3225 TURTLE CREEK BLVD	KLS INVESTMENTS
	228	3225 TURTLE CREEK BLVD	TOLAND JANICE
	229	3225 TURTLE CREEK BLVD	MCKENNETT MICHELLE D
	230	3225 TURTLE CREEK BLVD	MYUNG ROE & AHRIM
	231	3225 TURTLE CREEK BLVD	GANESH CHAT P & LALITHA
	232	3225 TURTLE CREEK BLVD	CATALANI ALLISON
	233	3225 TURTLE CREEK BLVD	DEWAN MADHUSUDAN & RACHNA M
	234	3225 TURTLE CREEK BLVD	SCHMIDT MARK & HSING YING LUK
	235	3225 TURTLE CREEK BLVD	SWEENEY DAN & RENEE
	236	3225 TURTLE CREEK BLVD	GHODSI PARI M
	237	3225 TURTLE CREEK BLVD	STAGGS WILLIAM F JR
	238	3225 TURTLE CREEK BLVD	KENNEDY LESLIE A
	239	3225 TURTLE CREEK BLVD	CORBIN FAMILY REVOCABLE TRUST
	240	3225 TURTLE CREEK BLVD	SEAY MICHAEL
	241	3225 TURTLE CREEK BLVD	TRACY LYNDIA P
	242	3225 TURTLE CREEK BLVD	MOGHADAM ALI
	243	3225 TURTLE CREEK BLVD	GLICK HOWARD

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	244	3225	TURTLE CREEK BLVD	LIGHTWALA TASNEEM &
	245	3225	TURTLE CREEK BLVD	XU JING & YING
	246	3225	TURTLE CREEK BLVD	HADAVAND REZA
	247	3225	TURTLE CREEK BLVD	PATEL MITESH
	248	3225	TURTLE CREEK BLVD	LEPP JANICE
	249	3225	TURTLE CREEK BLVD	SPEARS JEFFREY & MICHELLE
	250	3225	TURTLE CREEK BLVD	PELOSOF LORRAINE C
	251	3225	TURTLE CREEK BLVD	ITANI OMAR &
	252	3225	TURTLE CREEK BLVD	MONETTE MEGAN MICHELLE
	253	3225	TURTLE CREEK BLVD	MAJUMDER ANANYA
	254	3225	TURTLE CREEK BLVD	MILAM ADAM
	255	3225	TURTLE CREEK BLVD	LANDMAN YANIT &
	256	3225	TURTLE CREEK BLVD	GERALD ROBERT E
	257	3225	TURTLE CREEK BLVD	DOYLE TIMOTHY B &
	258	3225	TURTLE CREEK BLVD	STEVENS TYLER C
	259	3225	TURTLE CREEK BLVD	HAWKINS MICHAEL S
	260	3225	TURTLE CREEK BLVD	LESNIEWSKI LORI A
	261	3225	TURTLE CREEK BLVD	BARNEY FRED O JR &
	262	3225	TURTLE CREEK BLVD	LONNGREN KENT STEFAN
	263	3225	TURTLE CREEK BLVD	WIRTNER ANDREW GREGORY
	264	3225	TURTLE CREEK BLVD	HUKIC OMER & SONJA
	265	3225	TURTLE CREEK BLVD	HENNEBERG WILLIAM H III
	266	3225	TURTLE CREEK BLVD	MCKAY LAURIE A
	267	3225	TURTLE CREEK BLVD	HABEEB ROBERT A
	268	3225	TURTLE CREEK BLVD	DONAHUE PATRICK K
	269	3225	TURTLE CREEK BLVD	SNN 15 HOLDINGS LLC
	270	3225	TURTLE CREEK BLVD	MURPHY GARY
	271	3225	TURTLE CREEK BLVD	MARASLIOGLU SAHIN & DIKRANUHI
	272	3225	TURTLE CREEK BLVD	SAPITSKY JACOBA R
	273	3225	TURTLE CREEK BLVD	AMSTEIN MICHAEL B & CYNTHIA B
	274	3225	TURTLE CREEK BLVD	STRONG JENNIFER M &



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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	275	3225	TURTLE CREEK BLVD	ENGLAND JULIE S & ROBERT W
	276	3225	TURTLE CREEK BLVD	BAHRAMNEJAD RAMIN &
	277	3225	TURTLE CREEK BLVD	KRIDER SUE
	278	3225	TURTLE CREEK BLVD	KOVAL JOHN & LAURA
	279	3225	TURTLE CREEK BLVD	EED FAMILY INC
	280	3225	TURTLE CREEK BLVD	LEE VIVIAN S
	281	3225	TURTLE CREEK BLVD	DURKAN MARTIN
	282	3225	TURTLE CREEK BLVD	EVANS BARRON
	283	3225	TURTLE CREEK BLVD	GRESHAM RONALD DEAN
	284	3225	TURTLE CREEK BLVD	DUNCAN JOHN M & AMANDA M
	285	3225	TURTLE CREEK BLVD	MOSTAFAIE ALIREZA
	286	3225	TURTLE CREEK BLVD	KARLOCK KENDRA
	287	3225	TURTLE CREEK BLVD	WALLS DAVID & JANA
	288	3225	TURTLE CREEK BLVD	SIMIC MARIO
	289	3225	TURTLE CREEK BLVD	MOORE DANIEL GLEN
	290	3225	TURTLE CREEK BLVD	LUCIO JESSE & ERICK L
	291	3225	TURTLE CREEK BLVD	KUSTOFF JULIE
	292	3225	TURTLE CREEK BLVD	GRIFFITH CARROLL
	293	3225	TURTLE CREEK BLVD	FAIR ROGERS P JR
	294	3225	TURTLE CREEK BLVD	MAMLOUK RANIA
	295	3225	TURTLE CREEK BLVD	YOUNG MARK D
	296	3225	TURTLE CREEK BLVD	BISMAR HISHAM & DIMA
	297	3225	TURTLE CREEK BLVD	LESLEY PEGGY
	298	3225	TURTLE CREEK BLVD	CHEEMA ROOHI
	299	3225	TURTLE CREEK BLVD	KHODADOOST SOHEILA
	300	3225	TURTLE CREEK BLVD	PANNEERSELVAM ISHWARIAH
	301	3225	TURTLE CREEK BLVD	MANES JOHN K
	302	3225	TURTLE CREEK BLVD	KLATT ERNEST M III
	303	3225	TURTLE CREEK BLVD	MARTINEZ FRANCISCO JAVIER C
	304	3225	TURTLE CREEK BLVD	CAMPBELL THOMAS MICHAEL &
	305	3225	TURTLE CREEK BLVD	SAUER GARY L & CLAUDIA M

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	306	3225 TURTLE CREEK BLVD	GONZALEZ INGRID
	307	3225 TURTLE CREEK BLVD	SAGINAW MICHAEL
	308	3225 TURTLE CREEK BLVD	BROWNFIELD GARY
	309	3225 TURTLE CREEK BLVD	DELEON JOSE MRIANO & MARIA MAGDALENA
	310	3225 TURTLE CREEK BLVD	GUEMES FRANISCO JAVIER
	311	3225 TURTLE CREEK BLVD	SHAFFER DIANA L
	312	3225 TURTLE CREEK BLVD	NGUYEN LINH AI &
	313	3225 TURTLE CREEK BLVD	BASHIROVA ULVIYYA
	314	3225 TURTLE CREEK BLVD	KORAB JEANETTE
	315	3225 TURTLE CREEK BLVD	LAAKE JARED A &
	316	3225 TURTLE CREEK BLVD	GONZALES CYNTHIA
	317	3225 TURTLE CREEK BLVD	RUTHERFORD AL F
	318	3225 TURTLE CREEK BLVD	REECE BOBBY N
	319	3225 TURTLE CREEK BLVD	SNOVER BURT ALLEN
	320	3225 TURTLE CREEK BLVD	KIM EUNSUP
	321	3225 TURTLE CREEK BLVD	LI SANDRA
	322	3225 TURTLE CREEK BLVD	MILLS ANDREW D & LEE A
	323	3225 TURTLE CREEK BLVD	EDWARDS WILLIAM B & RHONDA M
	324	3225 TURTLE CREEK BLVD	SPACKMAN PAMELA K
	325	3225 TURTLE CREEK BLVD	AHEARN STEVEN P &
	326	3225 TURTLE CREEK BLVD	HIRST NORMA & ENZIO
	327	3225 TURTLE CREEK BLVD	RICHARDS-CARTY CHERRI J
	328	3225 TURTLE CREEK BLVD	
	329	3225 TURTLE CREEK BLVD	AGUILAR ESTEBAN
	330	3225 TURTLE CREEK BLVD	EVSEEV EKATERINA V & PETER E
	331	3225 TURTLE CREEK BLVD	SAMEI DAVOOD & ROZITA
	332	3225 TURTLE CREEK BLVD	CANTON MICHAEL
	333	3225 TURTLE CREEK BLVD	HUANG LEO Z & LISA LAU
	334	3225 TURTLE CREEK BLVD	SMITH MEREDITH C
	335	3225 TURTLE CREEK BLVD	NVK PPTIES LLC
	336	3225 TURTLE CREEK BLVD	MARTINEZ JAMES E

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	337	3225	TURTLE CREEK BLVD	SPERO KIMBERLY
	338	3225	TURTLE CREEK BLVD	KULKARNI MONA S
	339	3225	TURTLE CREEK BLVD	MANCINI MASSIMO G
	340	3225	TURTLE CREEK BLVD	HARTMAN ISRAEL A & FANNY K
	341	3225	TURTLE CREEK BLVD	RAUPP MAGDALA
	342	3225	TURTLE CREEK BLVD	DONOVAN GEORGE J III
	343	3225	TURTLE CREEK BLVD	GIAP FANTINE
	344	3225	TURTLE CREEK BLVD	CHAN CHUN
	345	3225	TURTLE CREEK BLVD	MIRASOL ESTRELLA & REYNALDO
	346	3225	TURTLE CREEK BLVD	RUBLE EILEEN M
	347	3225	TURTLE CREEK BLVD	ZHANG VIVI
	348	3225	TURTLE CREEK BLVD	MULLINS MEGAN DANIELA
	349	3225	TURTLE CREEK BLVD	FARIAS JAMES E
	350	3225	TURTLE CREEK BLVD	COONS ROBERT A &
	351	3225	TURTLE CREEK BLVD	DAGHIGHI KIAN M
	352	3225	TURTLE CREEK BLVD	JAIN SHEENA K &
	353	3225	TURTLE CREEK BLVD	JONES ANN LUTZ
	354	3225	TURTLE CREEK BLVD	ROHN RICHARD S
	355	3225	TURTLE CREEK BLVD	KULSHRESHTHA ALOK K &
	356	3225	TURTLE CREEK BLVD	LACARRA ANTONIO
	357	3225	TURTLE CREEK BLVD	FANG SUE
	358	3225	TURTLE CREEK BLVD	UBINAS CARLOS R
	359	3225	TURTLE CREEK BLVD	TONELLI ROMINA M &
	360	3225	TURTLE CREEK BLVD	FEIKEMA JOHN & DAWN
	361	3225	TURTLE CREEK BLVD	BAGHERI BEHROUZ
	362	3225	TURTLE CREEK BLVD	LANTZ BRAD & LISA
	363	3225	TURTLE CREEK BLVD	FEDOCK RICHARD NICHOLAS & CAROLE CURRY
	364	3225	TURTLE CREEK BLVD	DUFFY PAMELA C
	365	3225	TURTLE CREEK BLVD	MESSINGER CLYDE J IV & YAIMA Q
	366	3225	TURTLE CREEK BLVD	VRLA KELLI
	367	3225	TURTLE CREEK BLVD	ABRAHAM CHARLES T

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	368	3225	TURTLE CREEK BLVD	SIMS MARK A
	369	3225	TURTLE CREEK BLVD	PINE TREE REAL E INV INC
	370	3225	TURTLE CREEK BLVD	PANT GARVIT
	371	3225	TURTLE CREEK BLVD	SHASTRI SHANI
	372	3225	TURTLE CREEK BLVD	DREW RACHEL M & RICHARD WILLEMIN
	373	3225	TURTLE CREEK BLVD	RAGAN MICHAEL J & TAMATHA L
	374	3225	TURTLE CREEK BLVD	KASMI AZEDDINE
	375	3225	TURTLE CREEK BLVD	GERMANWALA SAMIR V &
	376	3225	TURTLE CREEK BLVD	DAVIS ALLISON E
	377	3225	TURTLE CREEK BLVD	DAY WILLIAM D & KAREN M
	378	3225	TURTLE CREEK BLVD	FRIEDMAN JACQUELINE
	379	3225	TURTLE CREEK BLVD	PADMANABAN ANAND K &
	380	3225	TURTLE CREEK BLVD	THERIOT E ROBERT &
	381	3225	TURTLE CREEK BLVD	LEBLEBICIOGLU ASLI
	382	3225	TURTLE CREEK BLVD	SOVIERO CHRIS
	383	3225	TURTLE CREEK BLVD	SOLODOFF ROMAN V
	384	3225	TURTLE CREEK BLVD	REZNIK YAIR
	385	3225	TURTLE CREEK BLVD	GODINES MARY ANNE
	386	3225	TURTLE CREEK BLVD	SHI BING
	387	3225	TURTLE CREEK BLVD	CLELAND DONNA B
	388	3225	TURTLE CREEK BLVD	ADAPPA DEEPAK & HELEN HSU
	389	3225	TURTLE CREEK BLVD	CORNELL DOUGLAS T &
	390	3225	TURTLE CREEK BLVD	CHURCH MICHAEL F
	391	3225	TURTLE CREEK BLVD	HOBBS SHAYLA
	392	3225	TURTLE CREEK BLVD	HEAD KEITH L &
	393	3225	TURTLE CREEK BLVD	BEISER STEVEN P
	394	3225	TURTLE CREEK BLVD	REDDY JAYAPRAKASH N & JYOTHI J
	395	3225	TURTLE CREEK BLVD	PRSAD ROY H & SATOE SOGA
	396	3225	TURTLE CREEK BLVD	DASH RANGADHAR
	397	3225	TURTLE CREEK BLVD	QUINONES RAUL & MIGDALIA FERNANDEZ
	398	3225	TURTLE CREEK BLVD	STEWART DOUGLAS N

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	399	3225	TURTLE CREEK BLVD	BRISBIN ANDREW &
	400	3225	TURTLE CREEK BLVD	MADNANI KUNAL M
	401	3225	TURTLE CREEK BLVD	MOOSCHEKIAN TERRY TR &
	402	3225	TURTLE CREEK BLVD	GRASSO RANDALL & LISA
	403	3225	TURTLE CREEK BLVD	GIRALDO HERNAN F
	404	3225	TURTLE CREEK BLVD	WALLS DAVID
	405	3225	TURTLE CREEK BLVD	ZARBINIAN MAXINE NEWSHA
	406	3225	TURTLE CREEK BLVD	JU MICHELLE RAYU
	407	3225	TURTLE CREEK BLVD	MARTINEZ MARCO A
	408	3225	TURTLE CREEK BLVD	HARRIS J JOE & DIANA H
	409	3225	TURTLE CREEK BLVD	TAN FANGYUN
	410	3225	TURTLE CREEK BLVD	PEYROVI LILLY
	411	3225	TURTLE CREEK BLVD	PROFFITT BLAKE & BLAYR
	412	3225	TURTLE CREEK BLVD	SAMEI ROZITA &
	413	3225	TURTLE CREEK BLVD	GRESHAM ANN
	414	3225	TURTLE CREEK BLVD	HILL MARILYN K
	415	3225	TURTLE CREEK BLVD	KHAVARI ROD B
	416	3225	TURTLE CREEK BLVD	DAVID SIKORA FAMILY TRUST
	417	3225	TURTLE CREEK BLVD	CORTEZ GLORIA J
	418	3225	TURTLE CREEK BLVD	ORTIZ LUIS A
	419	3225	TURTLE CREEK BLVD	KLS INVESTMENTS LLC
	420	3225	TURTLE CREEK BLVD	ROSE JAMES E
	421	3225	TURTLE CREEK BLVD	MCQUIEN JOANNA L
	422	3225	TURTLE CREEK BLVD	SHAHRESTANI FRANK & SEAN
	423	3225	TURTLE CREEK BLVD	TARTIBI MOHSEN & HANA
	424	3225	TURTLE CREEK BLVD	JHANGIANI NARAIN & LALITA
	425	3225	TURTLE CREEK BLVD	TITUS JACQUELINE L
	426	3225	TURTLE CREEK BLVD	GARZA DAVID SEPULVEDA
	427	3225	TURTLE CREEK BLVD	AKIVA RONEN & MICHAEL B
	428	3225	TURTLE CREEK BLVD	KEENER CONSTRUCTION COMPANY INC
	429	3225	TURTLE CREEK BLVD	SADA MATIAS D & ETAL

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	430	3225 TURTLE CREEK BLVD	JL PPTY INV LLC JL TURTLE CREEK SERIES
	431	3225 TURTLE CREEK BLVD	HOPPER KELLY
	432	3225 TURTLE CREEK BLVD	KARLOCK KENDRA
	433	3225 TURTLE CREEK BLVD	PEREZ ROBERTO
	434	3225 TURTLE CREEK BLVD	KOWALSKI ELIZABETH
	435	3225 TURTLE CREEK BLVD	WONG KRISTIN
	436	3225 TURTLE CREEK BLVD	MAGUIRE BARBARA A & LAMBERT
	437	3225 TURTLE CREEK BLVD	MCQUATTERS ARIEL E
	438	3225 TURTLE CREEK BLVD	ABOLMAALI SEYED
	439	3225 TURTLE CREEK BLVD	KEENAN MATTHEW JOHN
	440	3225 TURTLE CREEK BLVD	WILLEMS DAN
	441	3225 TURTLE CREEK BLVD	ODEH ASHLEY D
	442	3225 TURTLE CREEK BLVD	HOPKINS TIMOTHY
	443	3225 TURTLE CREEK BLVD	BECK ERIC &
	444	3225 TURTLE CREEK BLVD	KARIMI MANDY
	445	3225 TURTLE CREEK BLVD	HEIDE JACQUELINE
	446	3225 TURTLE CREEK BLVD	CONSTANTINE SAMI
	447	3225 TURTLE CREEK BLVD	PAUP PROPERTY MANAGEMENT LLC
	448	3225 TURTLE CREEK BLVD	ESQUEDA ADA L
	449	3225 TURTLE CREEK BLVD	SALIM NASIM
	450	3225 TURTLE CREEK BLVD	MINITEXAS LLC
	451	3225 TURTLE CREEK BLVD	CHARAN RAM
	452	3225 TURTLE CREEK BLVD	NASH MARIANNE E
	453	3225 TURTLE CREEK BLVD	KING DANIEL
	454	3225 TURTLE CREEK BLVD	FREY CARL
	455	3225 TURTLE CREEK BLVD	WARE KENYA &
	456	3225 TURTLE CREEK BLVD	HERBERT SCOTT
	457	3225 TURTLE CREEK BLVD	WHITWORTH LINA & BRIAN
	458	3225 TURTLE CREEK BLVD	AMADOR MARISOL
	459	3225 TURTLE CREEK BLVD	CASTLES STEPHEN C
	460	3225 TURTLE CREEK BLVD	THAN THAN INVESTMENTS LTD



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	461	3225 TURTLE CREEK BLVD	MCCRARY KRISTIE K
	462	3225 TURTLE CREEK BLVD	KINZY HARRY N &
	463	3225 TURTLE CREEK BLVD	KLS INVESTMENTS LLC
	464	3225 TURTLE CREEK BLVD	RICHARDSCARTY CHERRI J
	465	3225 TURTLE CREEK BLVD	KOBLER CHRISTOPHER
	466	3225 TURTLE CREEK BLVD	MODY ALKA
	467	3225 TURTLE CREEK BLVD	KESSLER TIMOTHY
	468	3225 TURTLE CREEK BLVD	ADAMS JENNY DIAN &
	469	3225 TURTLE CREEK BLVD	STAMP DUANE M & LINDA E
	470	3225 TURTLE CREEK BLVD	KEARNS THOMAS V
	471	3225 TURTLE CREEK BLVD	MACHON ED &
	472	3225 TURTLE CREEK BLVD	MORGAN MARK G
	473	3225 TURTLE CREEK BLVD	KUCERA DOUGLAS &
	474	3225 TURTLE CREEK BLVD	SIEBER JOHN
	475	3225 TURTLE CREEK BLVD	IVEY EDWARD J JR
	476	3225 TURTLE CREEK BLVD	MANDAVA PREM K
	477	3225 TURTLE CREEK BLVD	MCDANIEL LISA K
	478	3225 TURTLE CREEK BLVD	NASTRI ANDREW &
	479	3225 TURTLE CREEK BLVD	SNN 15 HOLDINGS LLC
	480	3225 TURTLE CREEK BLVD	GAGNET UNKEFER CORRINE
	481	3225 TURTLE CREEK BLVD	BROWN VICTORIA REBECCA
	482	3225 TURTLE CREEK BLVD	CANNATA JAMES
	483	3225 TURTLE CREEK BLVD	AHMED MOHAMMED SAYEED & KHALIDA
	484	3225 TURTLE CREEK BLVD	MOSS ANDRELYN C &
	485	3225 TURTLE CREEK BLVD	EMBABI SHERIF &
	486	3225 TURTLE CREEK BLVD	SANKALIA JAINAN
	487	3225 TURTLE CREEK BLVD	PRICE PATRICIA GAYLE
	488	3225 TURTLE CREEK BLVD	MURRAY NATALIE TRUSTEE
	489	3225 TURTLE CREEK BLVD	TEAGUE TRAVIS M
	490	3225 TURTLE CREEK BLVD	NORDSTROM JASON R & LEIGH F
	491	3225 TURTLE CREEK BLVD	VILLARREAL RAUL ROJAS &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	492	3225	TURTLE CREEK BLVD	FOGLER JASON C
	493	3225	TURTLE CREEK BLVD	MANCHANDA KSHITIJ &
	494	3225	TURTLE CREEK BLVD	FREESE JAMES
	495	3225	TURTLE CREEK BLVD	WHITENER ASHLEY M
	496	3225	TURTLE CREEK BLVD	GHAEMMAGHAMI AREZOU S
	497	3225	TURTLE CREEK BLVD	MASROUR FARBOD
	498	3225	TURTLE CREEK BLVD	REZAI JOHN &
	499	3225	TURTLE CREEK BLVD	ZHAO ROBIN M &
	500	3225	TURTLE CREEK BLVD	DEFURIA LINDA M
	501	3225	TURTLE CREEK BLVD	NESBITT GILDA D
	502	3225	TURTLE CREEK BLVD	FRIEDRICH JESSICA ANDREA &
	503	3225	TURTLE CREEK BLVD	POWELL BRETT W
	504	3225	TURTLE CREEK BLVD	HYVL DAVID R
	505	3225	TURTLE CREEK BLVD	KING IVORY L
	506	3225	TURTLE CREEK BLVD	RUSSELL STEPHEN & MELANY
	507	3225	TURTLE CREEK BLVD	MULLENS DAVID B JR & JUDITH L
	508	3225	TURTLE CREEK BLVD	DERINGER MATTHEW ROBERT
	509	3225	TURTLE CREEK BLVD	PATEL RAJESH
	510	3225	TURTLE CREEK BLVD	LARSON MARK & FAYE LARSON
	511	3225	TURTLE CREEK BLVD	CAMPBELL JIM L
	512	3225	TURTLE CREEK BLVD	AVONDALE TRUST
	513	3225	TURTLE CREEK BLVD	CHINDHY SHAHZAD A
	514	3225	TURTLE CREEK BLVD	YAZDANI MAHMOUD MAGHSOUD &
	515	3225	TURTLE CREEK BLVD	HERBST PAUL & LORI
	516	3225	TURTLE CREEK BLVD	CHAYKOVSKA VALERIYA
	517	3225	TURTLE CREEK BLVD	OSUAGWU CHUKWUMA J
	518	3225	TURTLE CREEK BLVD	SULLIVAN PATRICK
	519	3225	TURTLE CREEK BLVD	KRALIS LESLEY E
	520	3225	TURTLE CREEK BLVD	CRONK M ESTELLE TRUST OF 2010
	521	3225	TURTLE CREEK BLVD	JANKIRAMAN PAVAN
	522	3225	TURTLE CREEK BLVD	CHANG TERESA ALLISON

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	523	3225 TURTLE CREEK BLVD	PALINGINIS STEPHAN
	524	3225 TURTLE CREEK BLVD	TAN FANGYUN
	525	3225 TURTLE CREEK BLVD	SHAPOURI AZIZ & FARIDEH
	526	3225 TURTLE CREEK BLVD	COFFEY ELIZABETH M
	527	3225 TURTLE CREEK BLVD	SUGIURA YOSHIE
	528	3225 TURTLE CREEK BLVD	DODDAPANENI YESASWI
	529	3225 TURTLE CREEK BLVD	NAIR CKP & SYAMALA C
	530	3225 TURTLE CREEK BLVD	PATEL PIYUSH K & MINA P
	531	3225 TURTLE CREEK BLVD	SAKS KATHRINE TORY &
	532	3225 TURTLE CREEK BLVD	BINFORD OSWALD &
	533	3225 TURTLE CREEK BLVD	MCCLARY TAMMY & SAMUEL
	534	3225 TURTLE CREEK BLVD	DESAI PRAVIN & ARATI
	535	3225 TURTLE CREEK BLVD	PATEL SHITAL J & SUKETU KAUSHIK
	536	3225 TURTLE CREEK BLVD	NEAL ELLIOTT
	537	3225 TURTLE CREEK BLVD	LACARRA ADRIANNA
	538	3225 TURTLE CREEK BLVD	WATKINS SAMANTHA
	539	3225 TURTLE CREEK BLVD	ZHANG GUANG
	540	3225 TURTLE CREEK BLVD	SOM SOLINA
	541	3225 TURTLE CREEK BLVD	STARR NIKKI
	542	3225 TURTLE CREEK BLVD	MASCOLO EMMANUELLA
	543	3225 TURTLE CREEK BLVD	VELASQUEZ RUBEN II
	544	3225 TURTLE CREEK BLVD	WENNO HILDA
	545	3225 TURTLE CREEK BLVD	SPENCER JOSHUA L
	546	3225 TURTLE CREEK BLVD	KOGAN ALLAN J
	547	3225 TURTLE CREEK BLVD	CHATTERJEE PALLAB & MITA
	548	3225 TURTLE CREEK BLVD	LINDWALL DAVID
	549	3225 TURTLE CREEK BLVD	LIDJI MYRIAM B
	550	3225 TURTLE CREEK BLVD	ZAKHOUR BASSAM
	551	3225 TURTLE CREEK BLVD	COOGAN JOHN J JR & MARY ELLEN
	552	3225 TURTLE CREEK BLVD	DAO VU A & KIM LANG
	553	3225 TURTLE CREEK BLVD	CUMMINGS KENT W & JUNKO I

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	554	3225 TURTLE CREEK BLVD	AA &A ACQUISITION LLC
	555	3225 TURTLE CREEK BLVD	ALLEN DANDRIC E
	556	3225 TURTLE CREEK BLVD	MATTHEWS STEVEN KEITH & JUDY G
	557	3225 TURTLE CREEK BLVD	BRADBURY CHARLOTTE S &
	558	3225 TURTLE CREEK BLVD	BRUCHMILLER BOYD & LUSHILE
	559	3225 TURTLE CREEK BLVD	SOUCHAK JASON P
	560	3225 TURTLE CREEK BLVD	AHMED MAHRIN
	561	3225 TURTLE CREEK BLVD	LE PHUONG T
	562	3225 TURTLE CREEK BLVD	BALL LESLIE A &
	563	3225 TURTLE CREEK BLVD	PAVIA FAMILY TRUST
	564	3225 TURTLE CREEK BLVD	BARDIN ALLISON C & ANDREW
	565	3225 TURTLE CREEK BLVD	POWERS DANIEL D
	566	3225 TURTLE CREEK BLVD	MOORE TIMOTHY J & PAMELA M
	567	3225 TURTLE CREEK BLVD	ADELSON PAUL
	568	3225 TURTLE CREEK BLVD	PATEL KAMAL V
	569	3225 TURTLE CREEK BLVD	POEN NATHAN A
	570	3225 TURTLE CREEK BLVD	DOROTHY LAY MGMT TRUST
	571	3225 TURTLE CREEK BLVD	DUNCAN JOHN MICHAEL &
	572	3225 TURTLE CREEK BLVD	WETTREICH DANNY
	573	3225 TURTLE CREEK BLVD	ROSE BRYAN & MARCIA LOUISE SOUTHALL
	574	3225 TURTLE CREEK BLVD	MUSSULMAN DANIEL & NAILA
	575	3225 TURTLE CREEK BLVD	BILBAO DANIEL F
	576	3225 TURTLE CREEK BLVD	BAEK STEVEN A
	577	3225 TURTLE CREEK BLVD	ROZENZVIG YEHIEL
	578	3225 TURTLE CREEK BLVD	PATEL DHARMESH
	579	3225 TURTLE CREEK BLVD	FREEMAN RACHEL OLIVIA
	580	3225 TURTLE CREEK BLVD	KELLETT RICHARD D
	581	3225 TURTLE CREEK BLVD	MAH JEFFERY
	582	3225 TURTLE CREEK BLVD	HARRIS TINA M
	583	3225 TURTLE CREEK BLVD	PHAM LAN D
	584	3225 TURTLE CREEK BLVD	HICKMAN JAMES J

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	585	3225	TURTLE CREEK BLVD	SALAME STACY
	586	3225	TURTLE CREEK BLVD	EMER SCOTT J
	587	3225	TURTLE CREEK BLVD	AN JADHAVJI INVESTMENTS
	588	3225	TURTLE CREEK BLVD	BREHM ERICH & JANET
	589	3225	TURTLE CREEK BLVD	KAMPINE JOHN M &
	590	3225	TURTLE CREEK BLVD	LEPP JANICE
	591	3225	TURTLE CREEK BLVD	RANDEL SUSAN B
	592	3225	TURTLE CREEK BLVD	CELLI ROBERT M
	593	3225	TURTLE CREEK BLVD	ARMAND AHMAD & MAHVASH
	594	3225	TURTLE CREEK BLVD	WINSPEARE NEVE A
	595	3225	TURTLE CREEK BLVD	BLAKE NINA CERVANTES
	596	3225	TURTLE CREEK BLVD	WATTS JANET L
	597	3225	TURTLE CREEK BLVD	RIZK AMINE
	598	3225	TURTLE CREEK BLVD	DOYLE TIMOTHY B &
	599	3225	TURTLE CREEK BLVD	GREEN JIMMY
	600	3225	TURTLE CREEK BLVD	KHANBEIGI MANOOCH & ANNIE
	601	3225	TURTLE CREEK BLVD	BLACKLEDGE LAWRENCE A
	602	3225	TURTLE CREEK BLVD	LEE BILL G
	603	3225	TURTLE CREEK BLVD	MARTINEZ FAUSTINA
	604	3225	TURTLE CREEK BLVD	AKIN MARK & DEBI AKIN
	605	3225	TURTLE CREEK BLVD	SEEBERGER JOAN P
	606	3225	TURTLE CREEK BLVD	BOWLES NEAL A
	607	3225	TURTLE CREEK BLVD	MINTZ MARTIN L
	608	3225	TURTLE CREEK BLVD	STINSON JANET LYNN
	609	3225	TURTLE CREEK BLVD	DEBLANK ANNE B
	610	3225	TURTLE CREEK BLVD	MARSH HOLLIS E &
	611	3225	TURTLE CREEK BLVD	SPIES RONALD & CHERI
	612	3225	TURTLE CREEK BLVD	BLOOM ROBERT A
	613	3225	TURTLE CREEK BLVD	KREIGHBAUM JOHN &
	614	3225	TURTLE CREEK BLVD	BLAS RENATA & EDUARDO
	615	3225	TURTLE CREEK BLVD	HERNANDEZ ELISA C

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	616	3225 TURTLE CREEK BLVD	BINFORD OSWALD S &
	617	3225 TURTLE CREEK BLVD	DUNDON KENNETH J
	618	3225 TURTLE CREEK BLVD	PANCHASARP VANEE &
	619	3225 TURTLE CREEK BLVD	STEIN GIFFORD P & SHARON
	620	3225 TURTLE CREEK BLVD	KUBILIUN NISA
	621	3225 TURTLE CREEK BLVD	RUGWANI RAJIV M
	622	3225 TURTLE CREEK BLVD	REDDY SONYA D
	623	3225 TURTLE CREEK BLVD	BURGIO DONALD A
	624	3225 TURTLE CREEK BLVD	DELBAGNO JOHN B TR &
	625	3225 TURTLE CREEK BLVD	STOCKER JULIA
	626	3225 TURTLE CREEK BLVD	BREGMAN ROBERT ALAN &
	627	3225 TURTLE CREEK BLVD	SHU HARRY H
	628	3225 TURTLE CREEK BLVD	ROSENBERG CARLA
	629	3225 TURTLE CREEK BLVD	BENAHARON SOL
	630	3225 TURTLE CREEK BLVD	ALKAYED RIYAD
	631	3225 TURTLE CREEK BLVD	MATHER MATTHEW JAMES
	632	3225 TURTLE CREEK BLVD	DOYLE TIMOTHY BRIAN &
	633	3225 TURTLE CREEK BLVD	JONES JAMES ADRIAN ET AL
	634	3225 TURTLE CREEK BLVD	RENAISSANCE ON TURTLE CREEK
	635	3225 TURTLE CREEK BLVD	THE RENAISSANCE ON TURTLE CREEK
	636	3111 SALE ST	ROMERO GUSTAVO
	637	3111 SALE ST	PRICE JAMES &
	638	3111 SALE ST	PRICE JAMES E
	639	3111 SALE ST	SAUER COURTNEY L
	640	3115 SALE ST	SALWEI ROBERT J
	641	3115 SALE ST	DANIEL WILLIAM SAMUEL
	642	3115 SALE ST	MILLER ERIC W &
	643	3203 CARLISLE ST	MEDRANO FRANCISO J
	644	3203 CARLISLE ST	COCANOUGH DANIELLE
	645	3205 CARLISLE ST	JOHNSON RANDALL LORNE
	646	3207 CARLISLE ST	CLAYTON RODRICK

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	647	3209	CARLISLE ST	STAFFORD RUSSELL
	648	3211	CARLISLE ST	LOPEZ LINDA
	649	3203	CARLISLE ST	SORET MATTHEW
	650	3203	CARLISLE ST	HAITZ DANIEL
	651	3203	CARLISLE ST	NAKAZAWA GLEN REVOCABLE LIVING TR
	652	3203	CARLISLE ST	PARLOW RICHARD &
	653	3203	CARLISLE ST	HUMPHRIES JOHN
	654	3203	CARLISLE ST	WILLMETH GREGG STUART
	655	3203	CARLISLE ST	ZAZO CHRIS
	656	3203	CARLISLE ST	BOSCH JOHN WILLIAM
	657	3203	CARLISLE ST	WEISFELD RONALD A
	658	3203	CARLISLE ST	PARLOW RICHARD
	659	3203	CARLISLE ST	MOORE HOWARD S
	660	3203	CARLISLE ST	CARDONA MARIA &
	661	3203	CARLISLE ST	MEDRANO FRANCISCO J
	662	3203	CARLISLE ST	PENG NEWLIN
	663	3214	BOWEN ST	DRIVER MARK WILLIAM
	664	3203	CARLISLE ST	MESSINA MARIO L
	665	3203	CARLISLE ST	BEASLEY JON
	666	3215	CARLISLE ST	STARKS GARY DEAN
	667	3215	CARLISLE ST	JOSLIN JEFFERY E
	668	3215	CARLISLE ST	FLACH NATHAN W
	669	3215	CARLISLE ST	WATSON NINA LORA
	670	3203	CARLISLE ST	WATSON NINA LORA
	671	3215	CARLISLE ST	CROWDER BRENT E
	672	3203	CARLISLE ST	ARRIETA HUMBERTO
	673	3203	CARLISLE ST	HENDERSON CHRISTOPHER
	674	3203	CARLISLE ST	JOLLY VINEET
	675	3203	CARLISLE ST	HAITZ TIMOTHY L
	676	3203	CARLISLE ST	BARRETT JACQUELYN L
	677	3203	CARLISLE ST	ARRIETA N HUMBERTO C



09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	678	3221	CARLISLE ST	GARTMAN DUANE
	679	3223	CARLISLE ST	TENORIO GUILHERME A
	680	3203	CARLISLE ST	HEARD JASON
	681	3203	CARLISLE ST	DALBKE STEVE A
	682	3203	CARLISLE ST	HILL R C
	683	3203	CARLISLE ST	BARNETT DON & MARY ALICE
	684	3215	CARLISLE ST	ARRIETA N HUMBERTO
	685	3203	CARLISLE ST	HAIRSTON DAVID E
	686	3203	CARLISLE ST	DARILEK QUENTIN
	687	3235	CARLISLE ST	TUNISON KATIE
	688	3235	CARLISLE ST	FLAUGH CHRISTOPHER C
	689	3203	CARLISLE ST	EGINTON ALISON K TRUST UA THE
	690	3215	CARLISLE ST	JONES GUY FRANKLIN
	691	3203	CARLISLE ST	CAMPBELL NELSON C
	692	3203	CARLISLE ST	COWICK JEFFERY D & CARMEN
	693	3203	CARLISLE ST	COLEMAN RONALD M
	694	3203	CARLISLE ST	FERGUSON ELAINE N
	695	3203	CARLISLE ST	CARR KATHERINE A
	696	3203	CARLISLE ST	LOUP BENJAMIN
	697	3203	CARLISLE ST	BROWN THOMAS LEE
	698	3203	CARLISLE ST	SMITH TRUST
	699	3203	CARLISLE ST	BROWN THOMAS LEE &
	700	3239	CARLISLE ST	PHILLIPS ANDALYN CLARY &
	701	3239	CARLISLE ST	GING CHRISTINE C &
	702	3203	CARLISLE ST	CHUNG TERESA
	703	3203	CARLISLE ST	ELATTRACHE DAVID &
	704	3203	CARLISLE ST	VANIAN MARY TRUSTEE
	705	3203	CARLISLE ST	SEIBERT CAMDEN P
	706	3239	CARLISLE ST	YAWITZ MICHAEL RAY
	707	3203	CARLISLE ST	RUTHERFORD WILLIAM S & JUDIE
	708	3203	CARLISLE ST	HARRIS BRENT

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	709	3203	CARLISLE ST	MITELHAUS CHUCK
	710	3203	CARLISLE ST	DRIVER MARY A
	711	3203	CARLISLE ST	SHARP KRIS J & CAROL A
	712	3203	CARLISLE ST	HARPER JOHN R JR
	713	3203	CARLISLE ST	ROIDOPOULOS MARK E
	714	3203	CARLISLE ST	LEE THOMAS J
	715	3203	CARLISLE ST	CECIL PRESTON L &
	716	3203	CARLISLE ST	BROWN THOMAS & JULIE
	717	3203	CARLISLE ST	FORRESTER JAMES PERRY
	718	3203	CARLISLE ST	RUCKER KATHRYN L
	719	3203	CARLISLE ST	TANNER & POST I LP
	720	3203	CARLISLE ST	SMITH WILLIAM AUSTIN
	721	3203	CARLISLE ST	HUMPHRIES DENNIS R TR
	722	3263	CARLISLE ST	MACKEY PATRICK & ELISABETH
	723	3203	CARLISLE ST	EQUITY TRUST CO CUSTODIAN
	724	3203	CARLISLE ST	YECHZKELL HEZI
	725	3203	CARLISLE ST	RICE ANTHONY C
	726	3203	CARLISLE ST	SANDERS JOHN DAVID
	727	3203	CARLISLE ST	MCCOLLUM JOHN B
	728	3203	CARLISLE ST	BRIDWELL CRAIG & SUSAN K
	729	3203	CARLISLE ST	HALL ROBERT S
	730	3203	CARLISLE ST	TROUTZ MICAH
	731	3203	CARLISLE ST	ELEUTERI FRANCO
	732	3203	CARLISLE ST	CIHAL MARY BETH
	733	3203	CARLISLE ST	LEWIS THOMAS ALLEN
	734	3269	CARLISLE ST	TSANKOVA NADEJDA M
	735	3203	CARLISLE ST	FLUMERFELT JOSEPH M IV
	736	3269	CARLISLE ST	HOLSINGER JILL
	737	3203	CARLISLE ST	BINION DORIS
	738	3203	CARLISLE ST	AVILA LAURA M
	739	3273	CARLISLE ST	SMITH KRISTIN &

Z167-306(WE)

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	740	3203 CARLISLE ST	BAILEY SCOTT E
	741	3203 CARLISLE ST	CARLETON BRIAN J
	742	3203 CARLISLE ST	FANKHAUSER MARK A NMF TRUST
	743	3203 CARLISLE ST	CHENOWITH GARY
	744	3203 CARLISLE ST	AKINS LINDSEY R
	745	3203 CARLISLE ST	MILAZZO DAVID
	746	3203 CARLISLE ST	ELKING LINDA ANN
	747	3203 CARLISLE ST	MCKINNEY MICHAEL SCOTT
	748	3203 CARLISLE ST	ARTHUR ROBERT TR &

**AGENDA ITEM # 20**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 46 J

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 2211 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the southeast corner of Commerce Street and Murray Street

Recommendation of Staff: Approval for a two-year period, subject to a site plan and conditions

Recommendation of CPC: Approval for a two-year period, subject to a revised site plan and conditions

Z167-337(JM)



**FILE NUMBER:** Z167-337(JM)

**DATE FILED:** June 27, 2017

**LOCATION:** Southeast corner of Commerce Street and Murray Street.

**COUNCIL DISTRICT:** 2

**MAPSCO:** 46 J

**SIZE OF REQUEST:** Approx. 0.21 acres

**CENSUS TRACT:** 204.00

**APPLICANT:** John LaRue – Deep Ellum Art Company

**OWNER:** Commerce Canton Investors, LLC

**REPRESENTATIVE:** Audra Buckley, Permitted Development

**REQUEST:** An application for the renewal of and an amendment to Specific Use Permit No. 2211 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.

**SUMMARY:** The applicant proposes the continued use of the property for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a live music venue. An amendment to the site plan includes the removal of parking to the east. Parking agreements will be used to satisfy nearly all required parking, with one space provided on-street along Commerce Street. On September 14, 2016, the City Council approved this Specific Use Permit for a one-year period.

**CPC RECOMMENDATION:** **Approval** for a two-year period, subject to a revised site plan and conditions.

**STAFF RECOMMENDATION:** **Approval** for a two-year period, subject to a site plan and conditions.

## **BACKGROUND INFORMATION:**

- The request site is an existing one-story bar with 5,170 square feet of floor area.
- SUP No. 2211 was granted by City Council on September 14, 2016 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a live music venue. The SUP expires on September 14, 2017.
- The applicant applied for a Certificate of Occupancy in 2016, but the structure has remained vacant while under construction/renovation.
- The current request is to renew the SUP for a two-year period. Changes to the site plan include the removal of four parking spaces to the east. The 3,185 square-foot asphalt area will remain vacant of structures and may be used as an uncovered patio in the future. New parking agreements are detailed on the proposed site plan amendment to satisfy the required parking. Uncovered patios do not require additional parking.
- On September 7, 2017, the City Plan Commission recommended approval of this request for a two-year period subject to a revised site plan and revised conditions since the site will be parked per code requirements. The revisions contained the following amendments: 1) modifying the site plan to remove specific details of parking agreements; and, 2) eliminating the parking description from the conditions.

## **Zoning History:**

1. **Z156-245:** On September 14, 2016, the City Council approved Specific Use Permit No. 2211 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a live music venue, on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District located on the southeast corner of Commerce Street and Murray Street.
2. **Z167-283:** On Wednesday, August 9, 2017, the City Council approved Specific Use Permit No. 2253 for an alcoholic beverage establishment limited to a bar, lounge or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District located on the east side of Hall Street fronting on Elm Street and Main Street.

## **Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Commerce Street	Collector	80 ft.
Murray Street	Local Street	50 ft.



**Traffic:**

The Engineering Division of the Department of Sustainable Development and Construction reviewed the request and determined that it will not impact the surrounding roadway system.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

The proposed zoning request meets the following goals and objectives of the comprehensive plan:

**LAND USE ELEMENT**

**GOAL 1.1      Align Land Use Strategies with Economic Development Priorities**

Policy 1.1.5   Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

**ECONOMIC ELEMENT**

**GOAL 2.5      Foster a City of Great Neighborhoods**

Policy 2.5.1   Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	PD No. 269, Tract A & SUP No. 2211	Vacant; SUP for Alcoholic Beverage Establishment (bar, lounge or tavern) and an Inside Commercial Amusement (live music venue)
North	PD No. 269, Tract A	Vacant, multifamily, office and retail
East	PD No. 269, Tract A & H/92	Parking lot
South	PD No. 269, Tract A	Undeveloped, vacant
West	PD No. 269, Tract A	Office and community service center

**Land Use Compatibility:**

The subject site is zoned Tract A within Planned Development District No. 269 and developed with a 5,170 square-foot, one-story building. The property is adjacent to a parking lot for the multifamily use across Commerce Street to the east; and vacant and undeveloped to the south. Surrounding uses are multifamily, office and retail to the north; and office and community service center to the west.

The applicant's request, subject to conditions, is compatible to the surrounding mix of uses. The continuation of a bar in Deep Ellum enhances the entertainment character of the area. The short time frame allows for staff and CPC to evaluate whether the use is a detriment to the area over time.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

**Parking:**

PD No. 269 does not require off-street parking for the first 2,500 square feet of floor area for a bar, lounge or tavern located within an original building. Otherwise, one space for each 100 square feet of floor area is required. Since the 5,170-square foot bar is in an original building, the applicant is only required to provide parking for 2,670 square feet of floor area, which equates to 27 spaces.

One parking space remains on-street along Commerce Street. The remainder of the required parking will be satisfied by parking agreements made with the following:

- To the south at 3201 Canton Street, three parking spaces.
- To the east at 3111 Commerce Street, 23 parking spaces.

Total parking spaces provided: 27.

**Landscaping:**

There are no landscaping requirements triggered by the request.

**Police Records:**

Since the site has been vacant for several years, including after obtaining the initial SUP in September of 2016, the report details calls and arrests made for the address during the last year which may or may not be associated with the new operators.

Crime - 3200 Commerce St (August 1 2016 - July 31 2017)							
IncidentNum	ServYr	Date1	Time1	Address	UCR_Offense	hate	ZipCode
090764-2017	2017	4/22/2017	14:00	3200 COMMERCE ST	UUMV		75226
057317-2017	2017	3/13/2017	12:00	3200 COMMERCE ST	UUMV		75226
099493-2017	2017	2/24/2017	10:00	3200 COMMERCE ST	OTHER THEFTS		75226

Arrests - 3200 Commerce St (August 1 2016 - July 31 2017)						
IncidentNum	ArrestYr	ArrestNumID	ArArrestDate	ArArrestTime	ArLAddress	ChargeDesc
013507-2017	2017	0002187-2017	1/18/2017	1:55	3200 COMMERCE ST	DWI W/OPEN CONTAINER
293022-2016	2016	0051600-2016	12/9/2016	15:00	3200 COMMERCE ST	WARRANT HOLD (OUTSIDE AGENCY)

Calls - 3200 Commerce St (Aug 1 2016 - July 31 2017)						
Master_Incident_Number	Response_Date	Response_Time	Problem	Priority_Description	Address	ZipCode
17-0905801	5/13/2017	20:17	40 - Other	3 - General Service	3200 Commerce St	75226
17-0887252	5/11/2017	7:51	06 - Minor Disturbance	4 - Non Critical	3200 Commerce St	75226
17-0867305	5/8/2017	10:29	31 - Criminal Mischief	4 - Non Critical	3200 Commerce St	75226
17-0839080	5/4/2017	10:33	40 - Other	3 - General Service	3200 Commerce St	75226
17-0365092	2/24/2017	15:11	09 - Theft	4 - Non Critical	3200 Commerce St	75226
17-0229026	2/5/2017	1:06	6X - Major Dist (Violence)	2 - Urgent	3200 COMMERCE ST	75226

**List of Partners/Principals/Officers:**

Property Owner: Commerce Canton Investors, LLC

Director and Managing Member: Richard Flaten

Director and Managing Member: John LaRue

,

**CPC Action**  
**September 7, 2017**

**Motion:** It was moved to recommend **approval** of the renewal and amendment of Specific Use Permit No. 2211 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a live music venue for a two-year period, subject to a revised site plan to include the deletion of the specific address for the remote parking area (as briefed) and revised conditions to require parking to meet code requirements and removal of the off-street parking regulations on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the southeast corner of West Commerce Street and Murray Street.

Maker: Rieves  
Second: Ridley  
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Mack,  
Haney, Jung, Housewright, Schultz, Peadon,  
Murphy, Ridley

Against: 0  
Absent: 2 - Anantasomboon, Tarpley  
Vacancy: 0

**Notices:** Area: 200 Mailed: 11  
**Replies:** For: 7 Against: 0

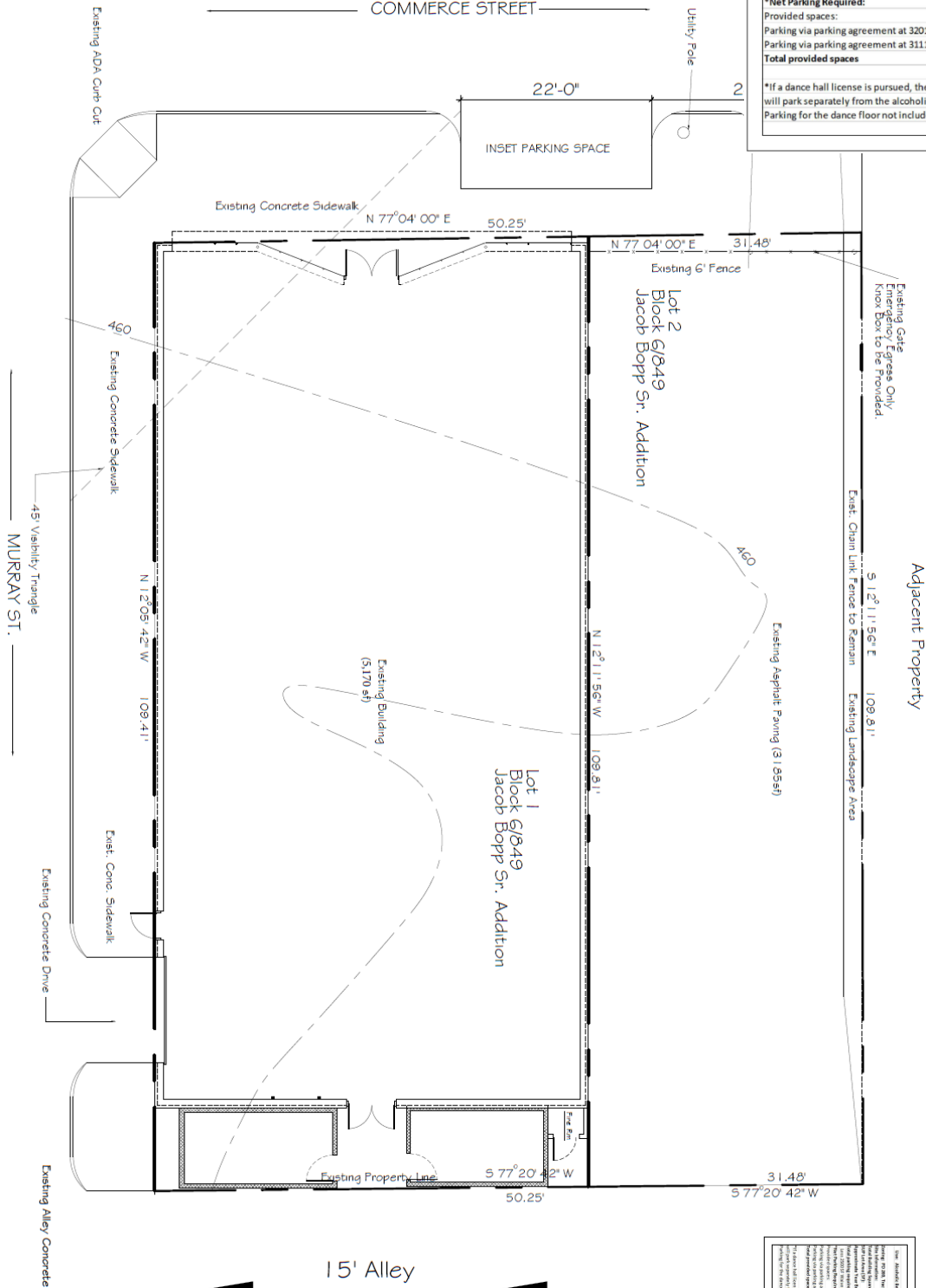
**Speakers:** For (Did not speak): Audra Buckley, Address not given  
Against: None

**CPC RECOMMENDED SUP CONDITIONS**

Z167-337(JM)

1. USE: The only use authorized by this specific use permit is a bar, lounge or tavern and an inside commercial amusement limited to a live music venue.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on September 14, 2017 **2019**.
4. FLOOR AREA: The maximum floor area is 5,170 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION:
  - A. The alcoholic beverage establishment may only operate from 6:00 p.m. to 2:00 a.m. (the next day) Monday through Friday, and 11:00 a.m. to 2:00 a.m. (the next day) Saturday and Sunday.
  - B. The live music venue may only operate from 6:00 p.m. to 12:00 a.m. (midnight) Monday through Thursday, from 6:00 p.m. to 2:00 a.m. (the next day) Friday, 11:00 a.m. to 2:00 a.m. (the next day) Saturday, and 11:00 a.m. to 12:00 a.m. (midnight) Sunday.
- ~~6. OFF-STREET PARKING: A minimum of four off-street parking spaces must be provided on the Property in the location shown on the attached site plan. A minimum of 23 additional parking spaces must be provided in accordance with the remote and special parking requirements of Planned Development District 269. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.~~
- ~~6.~~ 7. OUTSIDE SPEAKERS: Outside speakers are prohibited.
- ~~7.~~ 8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- ~~8.~~ 9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

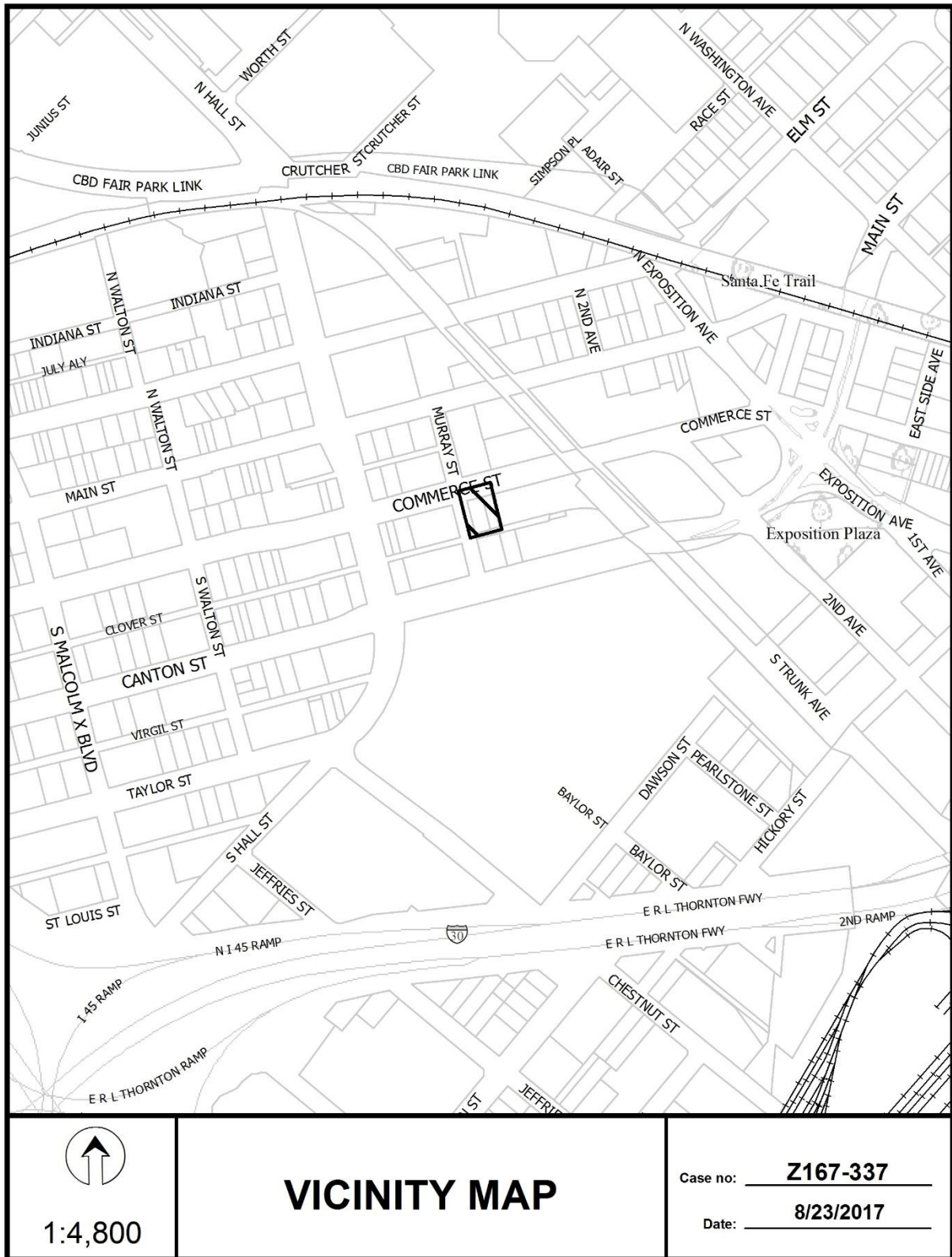
# Proposed Site Plan



Use: Alcoholic Beverage Establishment/Live Music Venue	
Zoning: PD 269, Tract A	
Site Information:	
Total Building Square Footage	5170
SUP Lot Area (SF):	8944
Approximate Year Built - 1955	
Total parking required for entire site	52
Less 2500 SF Waiver	25
*Net Parking Required:	27
Provided spaces:	
Parking via parking agreement at 3201 Canton Street	3
Parking via parking agreement at 3111 Commerce Street	23
Total provided spaces	27
*If a dance hall license is pursued, the dance floor will park separately from the alcoholic beverage establishment. Parking for the dance floor not included in the total provided.	

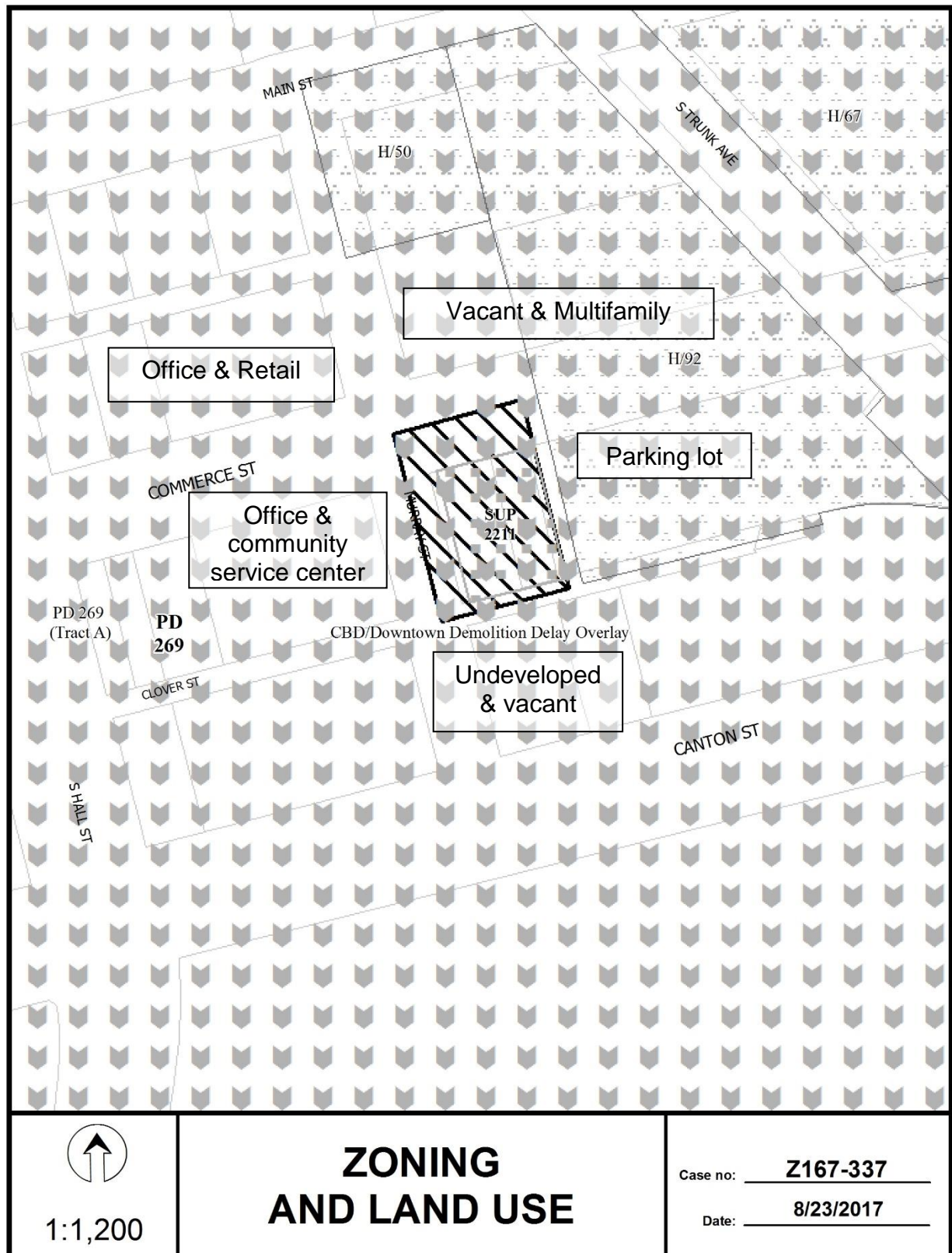




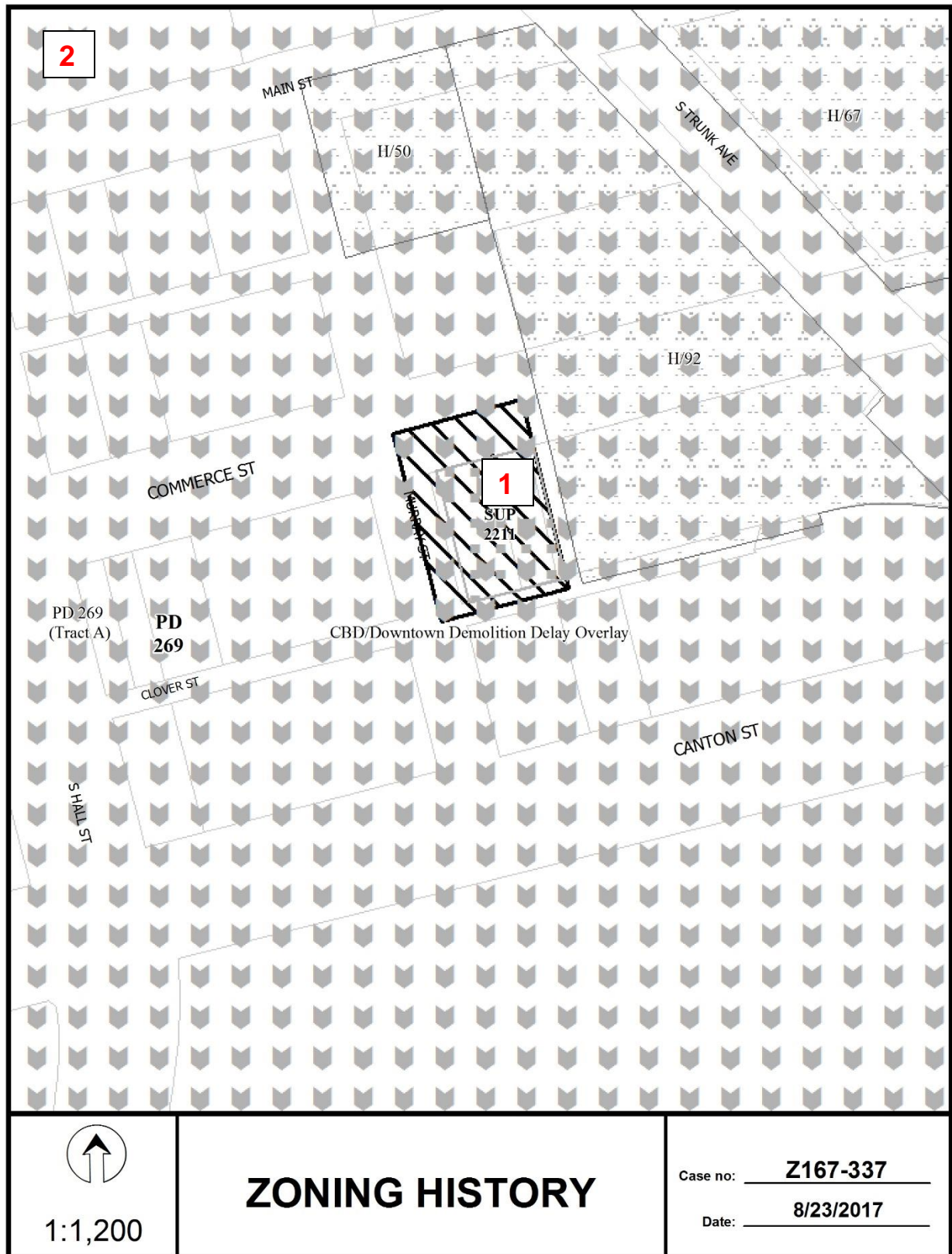












# CPC RESPONSES



09/06/2017

***Reply List of Property Owners***

***Z167-337***

***11 Property Owners Notified***

***7 Property Owners in Favor***

***0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	3200 COMMERCE ST	COMMERCECANTON INVESTORS LLC
O	2	3210 MAIN ST	WESTDALE FUTURA LOFTS LTD
	3	3112 MAIN ST	MAIN MURRAY L L C
	4	3105 COMMERCE ST	BALLAS VICTOR
O	5	3117 COMMERCE ST	SMITH ED W MACHINE WORK
O	6	3200 MAIN ST	WESTDALE FUTURA LOFTS LTD
	7	3106 COMMERCE ST	PROVINCE LANE LC
O	8	3116 COMMERCE ST	WEINBERG ROBERT
O	9	3111 CANTON ST	OBER PHILIP B &
O	10	3215 CANTON ST	WESTDALE PPTIES AMERICA I
	11	3225 CANTON ST	ALFORD ENTERPRISES



**AGENDA ITEM # 21**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 44 H

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an IR Industrial Research District on the north line of Kimsey Drive, northeast of Maple Avenue

Recommendation of Staff and CPC: Approval  
Z167-341(WE)

**FILE NUMBER:** Z167-341(WE) **DATE FILED:** July 11, 2017

**LOCATION:** North line of Kimsey Drive, northeast of Maple Avenue

**COUNCIL DISTRICT:** 2 **MAPSCO:** 44 H

**SIZE OF REQUEST:** Approx. 7,500 sq. ft. **CENSUS TRACT:** 4.06

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**APPLICANT:** Ruben Bravo

**OWNER:** Candice Rubin / 2033 ECL Ltd.

**REPRESENTATIVE:** Peter Kavanagh  
Zone Systems, Inc.

**REQUEST:** An application for an MF-2(A) Multifamily District on property zoned an IR Industrial Research District.

**SUMMARY:** The purpose of this request is to allow the applicant to develop one 4-unit multifamily structure on the property.

**CPC RECOMMENDATION:** Approval

**STAFF RECOMMENDATION:** Approval

**BACKGROUND INFORMATION:**

- The request site is undeveloped.
- The applicant's request for an MF-2(A) Multifamily District will allow for the construction of one 4-unit multifamily structure.
- The surrounding land uses primarily consist of single family uses to the southeast and northeast of the site, with a multifamily use to the northwest. The property southwest of the site is developed with an office use.

**Zoning History:** There have been six zoning changes requested in the area in the last five years.

1. Z167-304 On August 23, 2017, the City Council approved an MF-2(A) Multifamily on property zoned an IR Industrial Research District. will consider this case.
2. Z167-305 On August 23, 2017, the City Council approved an MF-2(A) Multifamily on property zoned an IR Industrial Research District. will consider this case.
3. Z167-223 On June 28, 2017, the City Council approved an MF-2(A) Multifamily District in lieu of the requested Planned Development District on property zoned an IR Industrial Research District.
4. Z145-208 On June 10, 2015, the City Council approved a Planned Form District and to repeal Shopfront Overlay No. 2 on property zoned a WMU-8 Walkable Mixed Use District (not shown on map).
5. Z145-172 On October 28, 2015, the City Council approved an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.
6. Z123-339 On March 26, 2014, City Council approved a Planned Development District for MF-2(A) Multifamily District uses on property zoned an IR Industrial Research District.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Kimsey Drive	Local	50 ft.	50 ft.

**Traffic:** The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

**Land Use:**

	Zoning	Land Use
Site	IR	Undeveloped
Northeast	IR	Single Family
Southeast	IR	Single Family
Northwest	MU-2 w/DR	Multifamily
Southwest	IR	Office

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IR - existing Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
MF-2(A) - proposed Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family

**COMPREHENSIVE PLAN:** The fowardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The fowardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request site is located within an area of the city where the development pattern has transitioned from a mix of light and heavy industrial (inside) uses with scattered single-family uses to primarily multifamily uses, with pockets of medical related office uses. Although Kimsey Drive is zoned an IR Industrial Research District several multifamily uses exist. Therefore, extending the MF-2(A) District by one parcel should not create a negative impact on the adjacent properties. On August 23, 2017, the City Council approved two zoning applications for MF-2(A) Multifamily District uses on Kimsey Drive.

The proposed zoning request meets the following goals and objectives of the comprehensive plan.

## **Land Use Element**

### **Goal 1.1 Align land use strategies with economic development priorities**

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

## **Economic Element**

### **Goal 2.1 Promote balanced growth**

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

## **Urban Design**

### **Goal 5.1 Promote a sense of place, safety and walkability**

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

## **Neighborhood Plus**

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety

Policy 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

### **Stemmons Corridor - Southwestern Medical District Area Plan:**

The request site is within the Stemmons Corridor - Southwestern Medical District Area Plan and primarily complies with the intent of this plan, adopted June 2010. The Plan identifies the request site as being in the Medical Campus Development Block. The Plan recommends this development block be predominantly medical related offices and facilities; however, it is also envisioned to be home to a highly walkable mix of residential and mixed-use developments accommodating medical district employees. Guidance from the plan for the Medical Campus Development Block on residential developments include they "...should enable residents to easily access work, shopping, and leisure activities by transit and pedestrian-oriented streets as well as by driving." (pg. 38) The plan envisions structures in this area to range from 2 to 7 stories, although some medical facilities may include downtown-scale towers.

The request is consistent with the area plan as the applicant proposes multifamily units within proximity to the DART Rail station and UT Southwestern campus. Thus, providing a highly walkable development easily accessible to work, shop and leisure activities.

**STAFF ANALYSIS:**

**Land Use Compatibility:** The 7,500-square foot site is currently undeveloped. The applicant's request for an MF-2(A) Multifamily District will allow for the construction of one 4-unit structure consisting of two bedrooms per unit with attached two-car garages. Per the representative, the proposed structure will reflect a townhouse-style design similar to the new construction on the corner of Maple Avenue and Kimsey Drive. Kimsey Drive is developed with a mix of light industrial/office uses, single family uses, and newly constructed multifamily uses. The area further northwest and southwest of the request site along Maple Avenue between Bomar Avenue and Stutz Drive, have been predominately redeveloped with multifamily uses. Developments of light and heavy industrial (inside) uses with scattered single-family uses had been predominate prior to 2003. The site is within a half-mile walking distance of the Inwood DART rail station. Thus, the need for these multifamily developments as additional housing options arise due in part to the proximity of the DART rail station and the UT Southwestern Medical campus.

The surrounding land uses primarily consist of single family uses to the southeast and northeast of the site, with a multifamily use to the northwest. The property southwest of the site is developed with an office use.

**Landscaping:** Landscaping will be in accordance to the landscaping requirements in Article X, as amended.

**CPC Action** (September 11, 2017)

**Motion:** It was moved to recommend **approval** of an MF-2(A) Multifamily District on property zoned an IR Industrial Research District on the north line of Kimsey Drive, northeast of Maple Avenue.

Maker: Rieves  
Second: Ridley  
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Mack,  
Haney, Jung, Housewright, Schultz, Peadon,  
Murphy, Ridley

Against: 0  
Absent: 2 - Anantasomboon, Tarpley  
Vacancy: 0

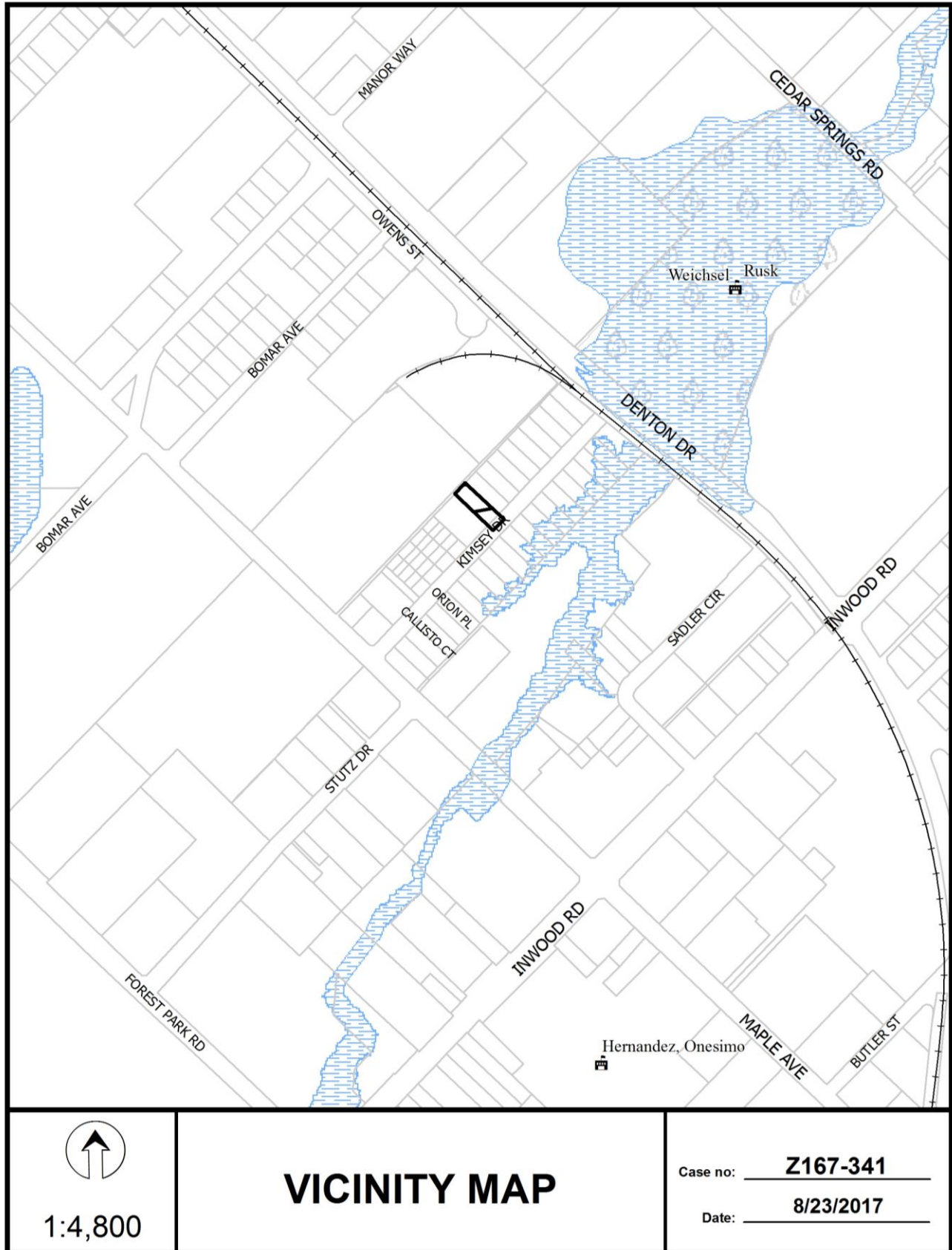
<b>Notices:</b>	Area: 200	Mailed: 20
<b>Replies:</b>	For: 0	Against: 0

**Speakers:** None



**LIST OF OFFICERS**  
2033 ECLTD

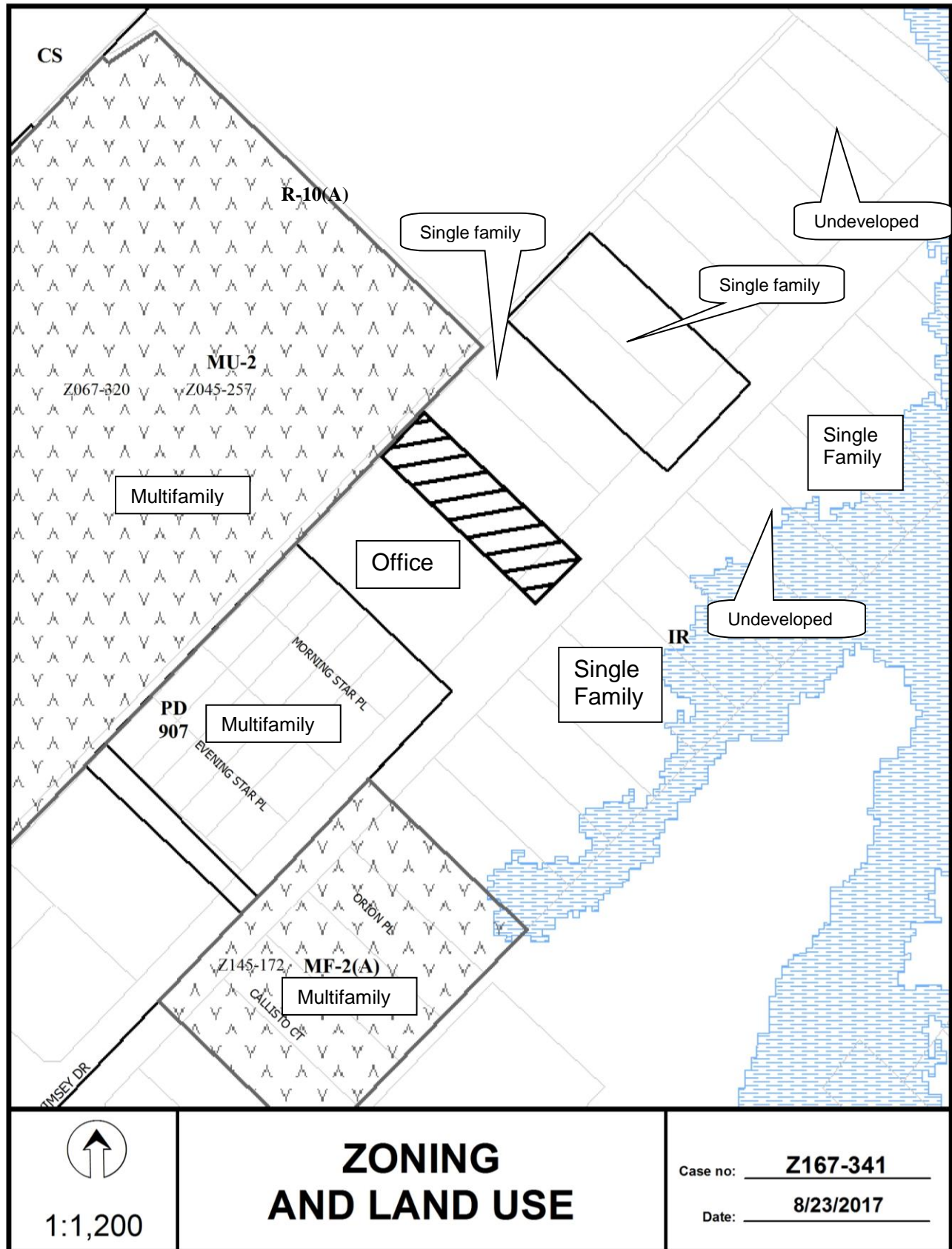
- Candace Rubin
- Louis Lebowitz

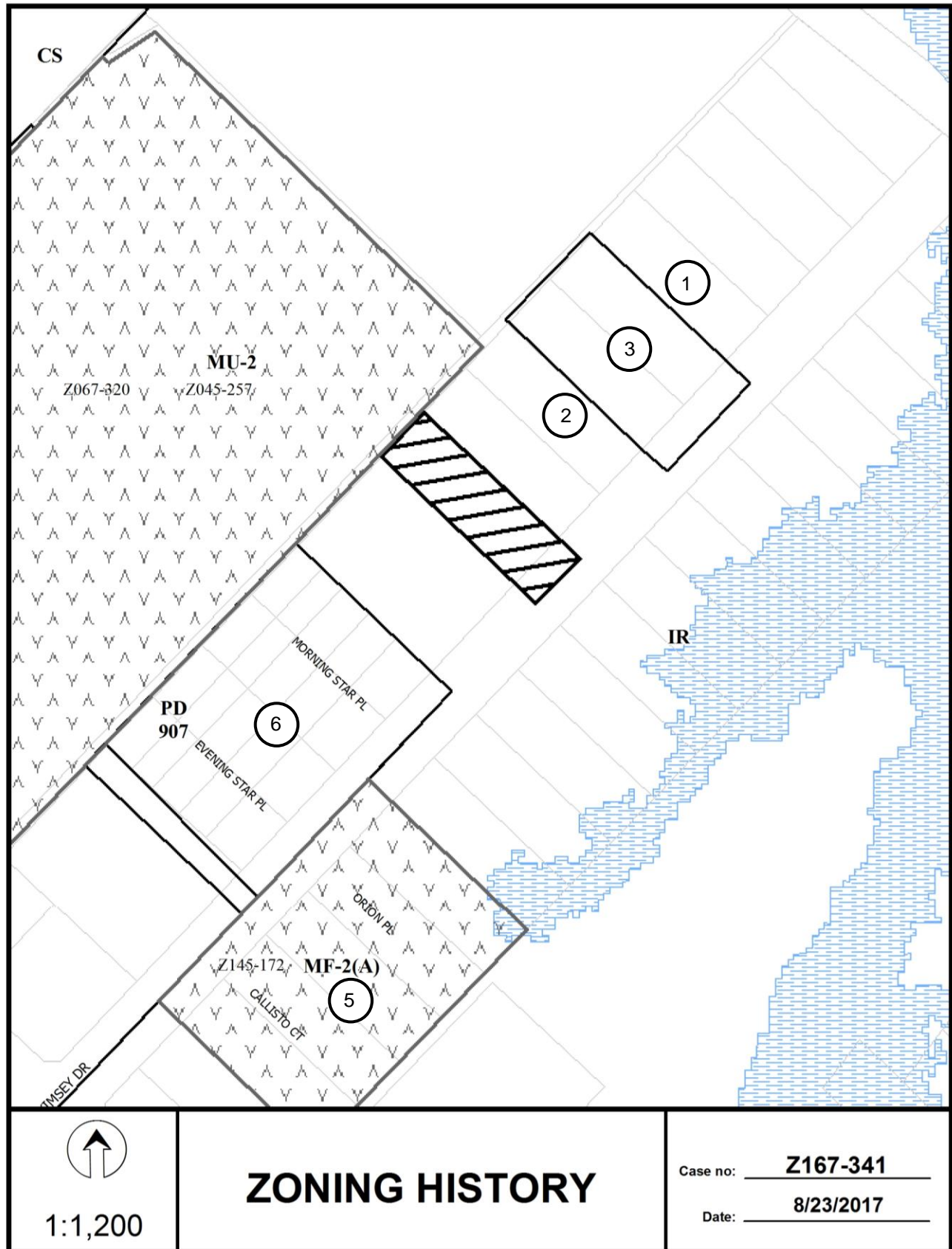












**CPC RESPONSES**



<u>20</u>	Property Owners Notified (29 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>9/7/2017</u>	Date

**Z167-341**  
**CPC**



1:1,200

## ***Notification List of Property Owners***

### ***Z167-341***

***20 Property Owners Notified***

***0 Property Owners in Favor***

***0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	2619 KIMSEY DR	RUBIN CANDACE &
	2	2602 KIMSEY DR	PERKINS JANIE L
	3	2606 KIMSEY DR	COPELAND D K
	4	2610 KIMSEY DR	MADISON KIMSEY TLD
	5	2614 KIMSEY DR	SOLIS MARTHA M
	6	2618 KIMSEY DR	HEED CYNTHIA LOUISE
	7	2622 KIMSEY DR	MARTINEZ ALEXANDER C &
	8	2626 KIMSEY DR	MACMAHON PAUL
	9	2702 KIMSEY DR	PATTERSON DAVID C ETAL
	10	2706 KIMSEY DR	PORTILLO SOCORRO H LIFE ESTATE
	11	2623 KIMSEY DR	VASQUEZ ALICIA GLAFIRA
	12	2627 KIMSEY DR	ALDAPE GABRIELA
	13	2703 KIMSEY DR	MADISON KIMSEY LTD
	14	2707 KIMSEY DR	MADISON KIMSEY LTD
	15	2711 KIMSEY DR	PECINA DAGOBERTO &
	16	5760 MAPLE AVE	ADLER PROPERTY CO LLP
	17	5917 MORNING STAR PL	WEEKLEY HOMES LLC
	18	2611 KIMSEY DR	WINE MAISON LLC
	19	6025 OWENS ST	CALVARY BEN
	20	6008 MAPLE AVE	AMLI 6008 MAPLE AVENUE LLC



**AGENDA ITEM # 22**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 1

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 54 E

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for an R-7.5(A) Single Family District and multifamily uses on property zoned an R-7.5(A) Single Family District on the southwest corner of West 10<sup>th</sup> Street and South Brighton Avenue

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

Z167-120(SM)

**FILE NUMBER:** Z167-120(SM)

**DATE FILED:** October 24, 2016

**LOCATION:** Southwest corner of West 10th Street and South Brighton Avenue

**COUNCIL DISTRICT:** 1

**MAPSCO:** 54 E

**SIZE OF REQUEST:** Approx. 0.39 acres

**CENSUS TRACT:** 52.00

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**APPLICANT/OWNER:** Gordon Ip, sole member of 1900 W. 10<sup>th</sup> Street LLC

**REPRESENTATIVE:** Rob Baldwin, Baldwin Associates

**REQUEST:** An application for a Planned Development District for an R-7.5(A) Single Family District and multifamily uses on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The applicant proposes to renovate the existing rectory building for multifamily uses.

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

**STAFF RECOMMENDATION:** **Approval**, subject to a revised development plan and conditions.

## **BACKGROUND INFORMATION**

- The area of request is developed with a vacant two-story, 10,690 square-foot masonry building. According to Dallas Central Appraisal District records, the building was originally constructed in 1975 as a rectory for the church, which is located to the east, across South Brighton Avenue.
- The church transferred the deed to the current property owner on April 4, 2016, according to Dallas Central Appraisal District Records.

**Zoning History:** There have been three recent zoning cases in the vicinity in the last five years.

1. **Z145-197:** On June 10, 2015, the City Council approved an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family District.
2. **Z156-240:** On September 14, 2016, the City Council renewed Specific Use Permit No. 2066 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions on property zoned CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.
3. **Z123-343:** On May 28, 2014, the City Council approved an Historic Overlay for Sunset High School on property zoned Planned Development District No. 409.

### **Thoroughfare/Streets:**

<b><u>Thoroughfare/Street</u></b>	<b><u>Designation</u></b>	<b><u>ROW</u></b>
W. 10 <sup>th</sup> Street	Local	110' ROW
S. Brighton Avenue	Local	60' ROW

### **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.

## STAFF ANALYSIS:

### Comprehensive Plan:

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

## LAND USE ELEMENT

Goal 1.3 Provide equitable opportunities for Dallas residents

Policy 1.3.1 Create housing opportunities throughout Dallas.

The City must ensure affordable, quality rental housing and investments in multifamily housing. Using creative financing options will help create higher standards of living for all Dallas residents.

## ECONOMIC ELEMENT

Goal 2.1 Promote Balanced Growth

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Planning for balanced growth in a dynamic economic environment calls for flexible zoning regulations to enable the City to respond to changing markets and to better facilitate development that aligns with economic priorities.

### Land Use Compatibility:

	Zoning	Land Use
Site	R-7.5(A)	Vacant
North	R-7.5(A)	Single Family
East	R-7.5(A)	Church with surface parking
South	R-7.5(A)	Single Family
West	R-7.5(A); NO(A)	Single Family; Medical Clinic

The request site contains a vacant two-story, 10,690 square-foot masonry building. It was originally constructed in 1975 as a rectory for the church located across South Brighton Avenue, according to Dallas Central Appraisal District records and the

applicant. The request site is also on a corner lot and shares its southern property line with an existing 16-foot alley. The applicant proposes to remodel the existing building for a multifamily use.

Surrounding uses primarily consist of single family uses to the north and south. To the west of the request site are single family uses with a medical clinic located further beyond. The single family uses to the north are separated by a wide street with a median, and the single family uses to the south are separated by a gravel alley. A church and surface parking is located to the east of the request site, across South Brighton Avenue.

The applicant proposes to limit the multifamily use to the existing building; therefore, in the event the existing building is demolished, a new multifamily building could not be erected. Because the request restricts multiple family uses to the existing building and because it is located on West 10<sup>th</sup> Street, which also contains other nonresidential uses, staff supports the request to allow multiple family uses.

#### **Development Standards:**

DISTRICT	SETBACKS		Minimum lot size	Dwelling unit density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) - Existing Single Family	25'	5' for SF 10'/15' for other	1 Dwelling Unit/ 7,500 sq. ft.	No maximum	30'	45%	Single family
CPC recommended PDD [R-7.5(A) based]	25'	5' for SF 10'/15' for other	No minimum	7	30'	60%	Single family; Multifamily in original structure only
Applicant requested PDD [MF-2(A) based]	15'	10'/15'	No minimum	7	30'	60%	Single family; Multifamily in original structure only

The applicant requests five primary modifications to the existing development standards. First, the applicant has requested to restrict multiple family uses to an original building and have a maximum of seven units; therefore, new construction will be restricted to uses that are not multifamily. Second, the applicant has requested to reduce the front yard setback from 25 feet to 15 feet with further encroachments as listed in the proposed conditions. Third, the applicant has requested that the maximum lot coverage be increased to a maximum 60 percent lot coverage.

CPC does not recommend approval of the request to reduce the front yard setback from

25 feet to 15 feet because the addition of structures in front of the existing facade would disrupt the continuity of the block on both West 10<sup>th</sup> Street and South Brighton Avenue.

**Parking:**

The request site contains two mature canopy trees in the rear of the property. CPC and the applicant have proposed conditions in an effort to preserve these trees. If these trees did not exist on the property, it would be much easier to have the proposed multifamily use comply with all existing parking requirements of the Dallas Development Code. Therefore, CPC and the applicant have recommended modifications to the parking requirements of the Dallas Development Code.

The following Dallas Development Code conditions most effect how off-street parking is applied to this property.

1. Vehicular access is prohibited from parking lots in multifamily zoning districts to alleys that abut single family zoning districts<sup>1</sup>.
2. The owner of a parking lot that serves a multifamily use is required to screen the parking area from a contiguous single family use or vacant lot when located in a single family district<sup>2</sup>.
3. Off-street parking for residential uses must be located behind the front yard setback line (of which the request site has two front yards—one on West 10<sup>th</sup> Street and the other on South Brighton Avenue) in residential districts except the MF-3(A) and MF-4(A) districts<sup>3</sup>.
4. Tandem parking—one space directly behind another—is not allowed<sup>4</sup>.
5. A minimum of one parking space per bedroom is required for multifamily uses<sup>5</sup>.

The applicant has proposed a total of 13 parking spaces on site to serve seven units, which equates to approximately two spaces per unit: two of which will be two bedroom units and the remaining five units will be one bedroom units. Of these 13 proposed parking spaces, 11 are head-in parking spaces that enter directly from the alley and two are tandem spaces that would access the property from West 10<sup>th</sup> Street. In an effort to

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<sup>1</sup> See subsection (a)(13) of Section 51A-4.301 of the Dallas Development Code.

<sup>2</sup> See subsection (f)(1) of Section 51A-4.301 of the Dallas Development Code.

<sup>3</sup> See subsections (b)(2) and (b)(3) of Section 51A-4.301 of the Dallas Development Code.

<sup>4</sup> See subsection (d) of Section 51A-4.301 of the Dallas Development Code.

<sup>5</sup> See subsection (b)(5)(C) of Section 51A-4.209 of the Dallas Development Code.

provide 13 parking spaces, the applicant has requested a waiver to the first four Dallas Development Code provisions listed above that protect adjacent single family properties.

CPC recommends denial of the applicant's proposed development plan and conditions because they violate protections to adjacent single family properties and therefore recommends an alternative set of conditions. First, CPC recommends relief to minimum parking requirements at a ratio of one space per unit in order to allow the adaptive reuse of the structure. For comparison, one parking space per unit is the parking requirement for single family uses in R-7.5(A), R-5(A), and TH districts and therefore CPC's recommendation of one space per unit would be consistent with the surrounding properties. Second, relief to the minimum parking requirements for a multifamily use in the original structure would 1) allow for the reduction of parking surface which could potentially increase the likelihood of the survival of the existing trees in the rear of the site, 2) maintain the provision of a solid screening fence to shield the adjacent single family use from headlights; and 3) prohibit access to the abutting single family alley for head-in parking spaces.

**Landscaping:**

The request refers to Article X landscape standards with the exception that a residential landscaping buffer is not required for an original building. Staff recommends approval because it would allow the adaptive reuse of the existing building.



**CPC Action – September 7, 2017:**

**Motion:** It was moved to recommend **approval** of a Planned Development District for an R-7.5(A) Single Family District and multifamily uses, subject to a revised development plan and staff's recommended conditions with the following modifications: 1) permit applicant's recommended 7 units, 2) permit 1 parking space per dwelling unit, 3) no tandem parking, 4) paving materials must be permeable and as approved by the Director, in order to prohibit removal of the two large pecan trees to accommodate parking, 5) no expansion of lot coverage of 60 percent, 6) permit applicant's requested projections, 7) 6 foot screening wall at the alley that then reduces in a carpentry fashion to a 4 foot fence in the front, and 8) allow parking in the front yard setback on property zoned an R-7.5(A) Single Family District on the southwest corner of West 10<sup>th</sup> Street and South Brighton Avenue.

Maker: Anglin  
Second: Shidid  
Result: Carried: 7 to 6

For: 7 - Anglin, Shidid, Haney, Housewright, Schultz,  
Peadon, Murphy

Against: 6 - Rieves, Houston, Davis, Mack, Jung, Ridley  
Absent: 2 - Anantasomboon, Tarpley  
Vacancy: 0

**Notices:** Area: 500 Mailed: 112  
**Replies:** For: 4 Against: 1

**Speakers:** For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226  
Sophie Crash, 317 S. Montreal Ave., Dallas, TX, 75208  
Gordon Ip, 3904 Elm St., Dallas, TX, 75226  
For (Did not speak): Simon Rook, 317 S. Montreal Ave., Dallas, TX, 75208  
Aline Torres, 317 S. Montreal Ave., Dallas, TX, 75208  
Against: Karen Simmons, 120 S. Brighton, Dallas, TX, 75208  
Against (Did not speak): Steven Horton, 1720 W. 10<sup>th</sup> St., Dallas, TX, 75208

**CPC Recommended PD Conditions  
1900 W. 10<sup>th</sup> Street**

**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 southwest corner of Tenth Street and Brighton Avenue. The size of PD \_\_\_\_ is approximately 0.40 acre.

**SEC. 51P- \_\_\_\_\_.103.           DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article,

(1) MAJOR MODIFICATION means reconstruction of an original building or an expansion of floor area of an original building by a minimum of 25 percent.

(2) NEW CONSTRUCTION means construction of a main structure that is not an original building.

(3) ORIGINAL BUILDING means a structure existing on the date of the establishment of this district, but does not include a structure that has undergone a major modification.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

**SEC. 51P- \_\_\_\_ .104. EXHIBIT.**

The following exhibit is incorporated into this article: Exhibit \_\_\_\_A: development plan.

**SEC. 51P- \_\_\_\_ .106. DEVELOPMENT PLAN.**

(a) For a multifamily use, development and use of the Property must comply with the development plan (Exhibit \_\_\_\_A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

**SEC. 51P- \_\_\_\_ .107. MAIN USES PERMITTED.**

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district; etc.

(b) The following main use is permitted by right when located within an original building:

-- Multifamily.

**SEC. 51P- \_\_\_\_ .108. ACCESSORY USES.**

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

**SEC. 51P- \_\_\_\_ .109. YARD, LOT, AND SPACE REGULATIONS.**

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) Multifamily.

*CPC recommended:*

(1) <u>Front yard.</u>
(A) Except as provided in this paragraph, minimum front yard is 25 feet.

*Applicant requested:*

(1) <u>Front yard.</u>
(A) Except as provided in this paragraph, minimum front yard is 15 feet.

(B) Awnings and canopies may **encroach** up to eight feet into the required front yard. Stoops and decks may encroach up to 10 feet into the required front yard.

(2) Density. Maximum number of dwelling units is **7.**

(3) Lot coverage. Maximum lot coverage is **60 percent.** Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(4) Lot size. No minimum lot size.

**SEC. 51P- \_\_\_\_\_.110. OFF-STREET PARKING AND LOADING.**

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

*CPC recommended:*

<p>(b) <u>Multifamily.</u></p> <p>(1) A minimum of one parking space per dwelling unit is required.</p> <p>(2) Parking is allowed in the Brighton Avenue front yard.</p> <p>(3) Except as provided in this subparagraph, parking must be screened as required by Section 51A-4.301(f). When parking is located in the front yard, parking must be screened to adjacent residential properties with a minimum four-foot tall screening fence.</p> <p>(4) Paving surface for the parking area adjacent to the alley must be approved by the director with the purpose of the preservation of the two large trees shown on the development plan. The design and construction of the parking area must utilize construction methods and materials with minimal compaction in order to protect tree roots and promote healthy available soils for tree support. A certified arborist must attest the design of the parking area meets the objectives of this subparagraph.</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

*Applicant requested:*

<p>(b) Multifamily.</p> <p>(1) Ingress to and egress from the alley access is allowed in the location shown on the development plan. Screening of parking from the alley is not required.</p> <p>(2) Parking is allowed in the Brighton Avenue front yard in the area shown on the development plan.</p> <p>(3) Resident parking may be tandem.</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**SEC. 51P- \_\_\_\_\_.111. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P- \_\_\_\_\_.112. LANDSCAPING.**

- (a) Except as provided in this section, landscaping must be provided in accordance with Article X.
- (b) For an original building, a residential landscape buffer is not required.
- (c) Plant materials must be maintained in a healthy, growing condition.

**SEC. 51P- \_\_\_\_ .113.            SIGNS.**

Signs must comply with the provisions for non-business zoning districts in Article VII.

**SEC. 51P- \_\_\_\_ .114.            ADDITIONAL PROVISIONS.**

(a)     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.

CPC's Recommended Development Plan



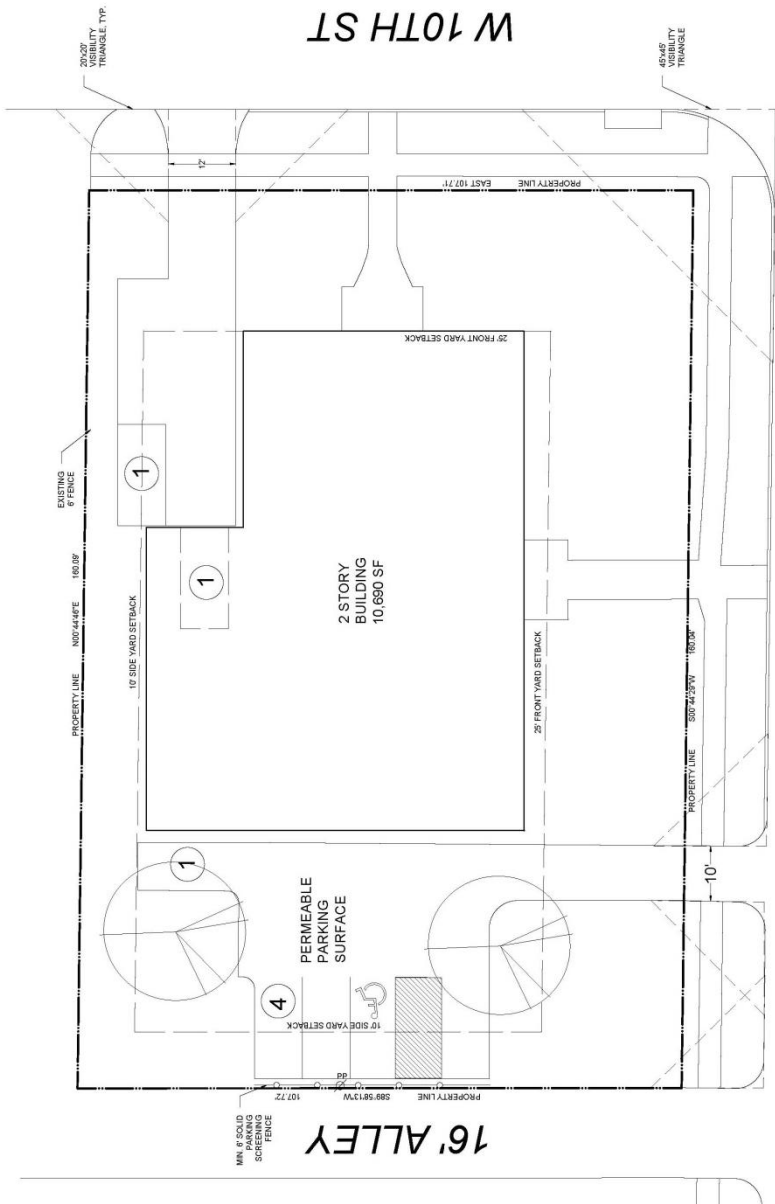
VICINITY MAP  
NTS



SITE DATA TABLE  
ZONING DISTRICT PD  
1900 W. 120th St

TOTAL SITE AREA	17,240 SF	0.40 AC
LAND USE	MULTIFAMILY	
TOTAL DEVELOPABLE AREA	17,240 SF	
TOTAL DENSITY	7 UNITS	
	MAX	PROVIDED
BUILDING HEIGHT	30'	30'
BUILDING STORIES	NO MAX	2
LOT COVERAGE	60%	31%
	MIN	PROVIDED
FRONT SETBACK	25 FT	25 FT
SIDE SETBACK	10 FT	10 FT
REAR SETBACK	N/A	N/A
	REQ	PROVIDED
PARKING (1 PER UNIT)	7	7
PERMITS/PARKING	NO	1
GUEST PARKING	ADDITIONAL	N/A
TOTAL PARKING	7	7

NOTES  
1) BASE PARKING LOCATION TO BE DETERMINED  
2) ENCROACHMENTS ALLOWED IN FRONT YARD PER PD CONDITIONS



BRIGHTON AVE.





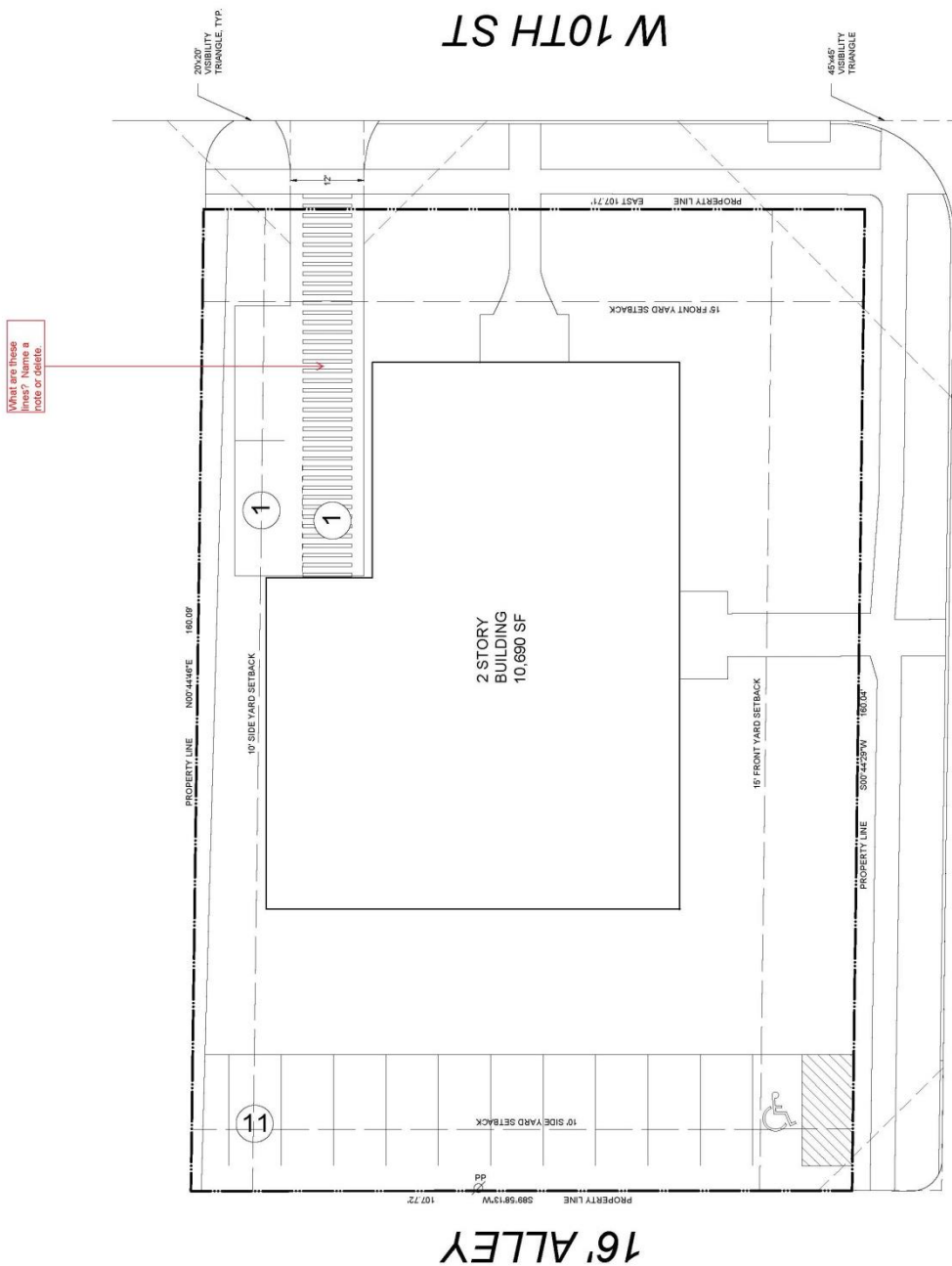
VICINITY MAP  
NTS



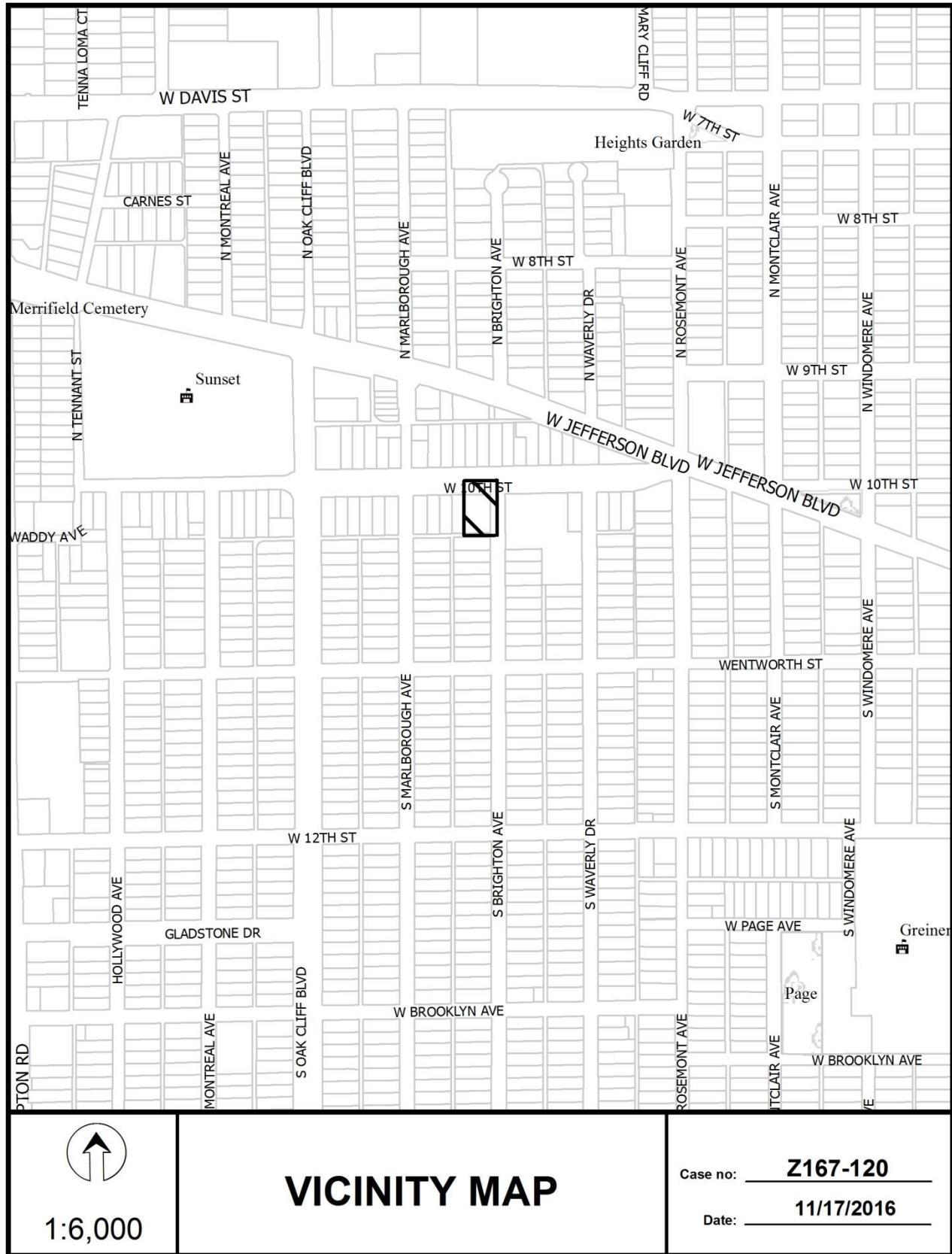
SITE DATA TABLE  
ZONING DISTRICT PD  
1900 W. 10th St

TOTAL SITE AREA	17,240 SF	0.40 AC
LAND USE	MULTIFAMILY	
TOTAL FLOOR AREA	10,690 SF	
TOTAL DENSITY	7 UNITS	
	REQ./MAX.	PROVIDED
BUILDING HEIGHT	36 FT	
BUILDING STORIES	SUBJECT TO RPS	26
LOT COVERAGE	NO MAX	2
	60%	31%
	SETBACKS	
FRONT SETBACK	REQ./MIN.	PROVIDED
SIDE SETBACK	15 FT	15 FT
REAR SETBACK	10 FT	10 FT
	N/A	N/A
	PARKING	
PARKING (1 PER BEDROOM)	REQ.	PROVIDED
HANDICAP PARKING	9	12
	1	1
GUEST PARKING	NO	
	ADDITIONAL	N/A
TOTAL PARKING	9	13

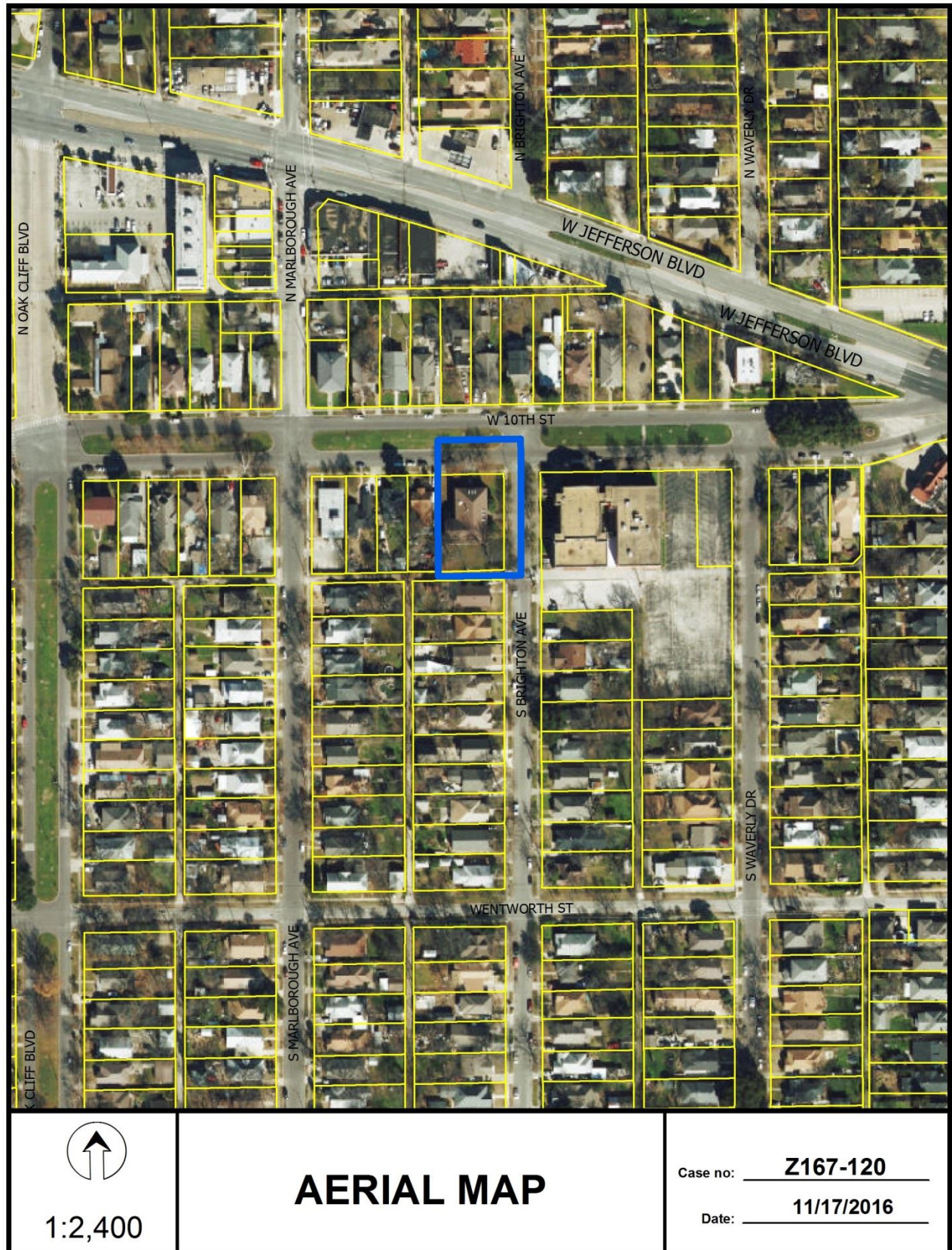
NOTE: BIKE PARKING LOCATION TO BE DETERMINED

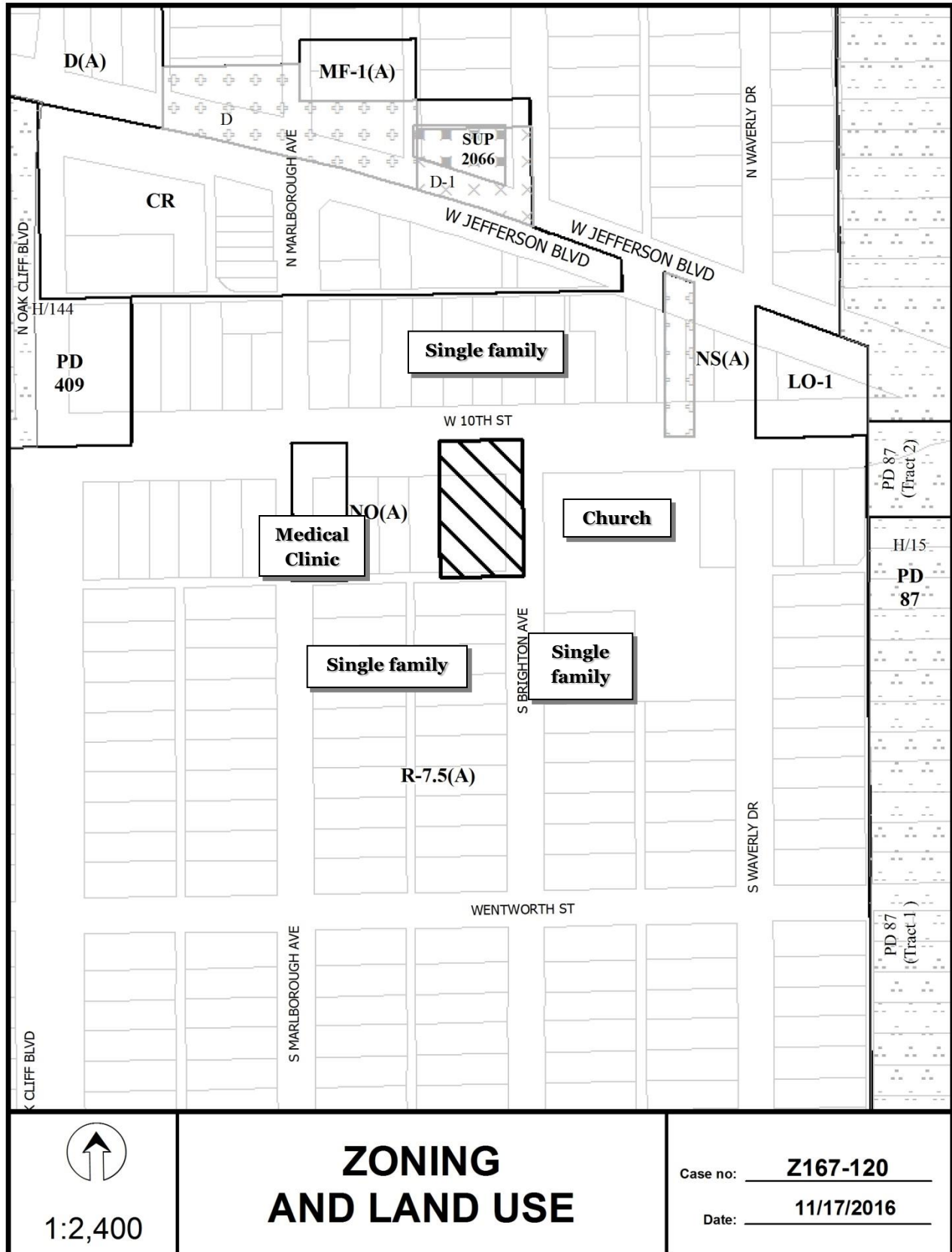


BRIGHTON AVE.

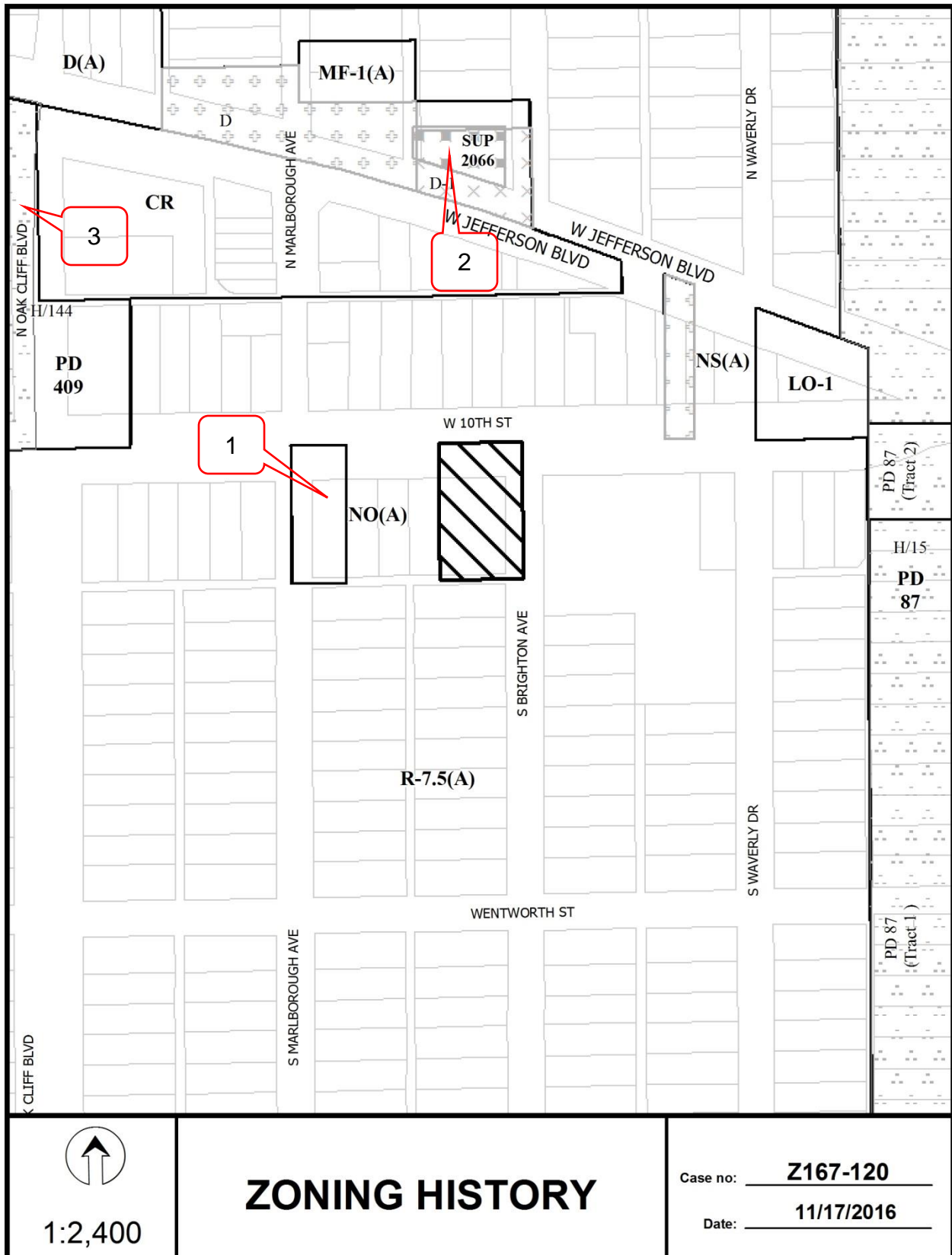




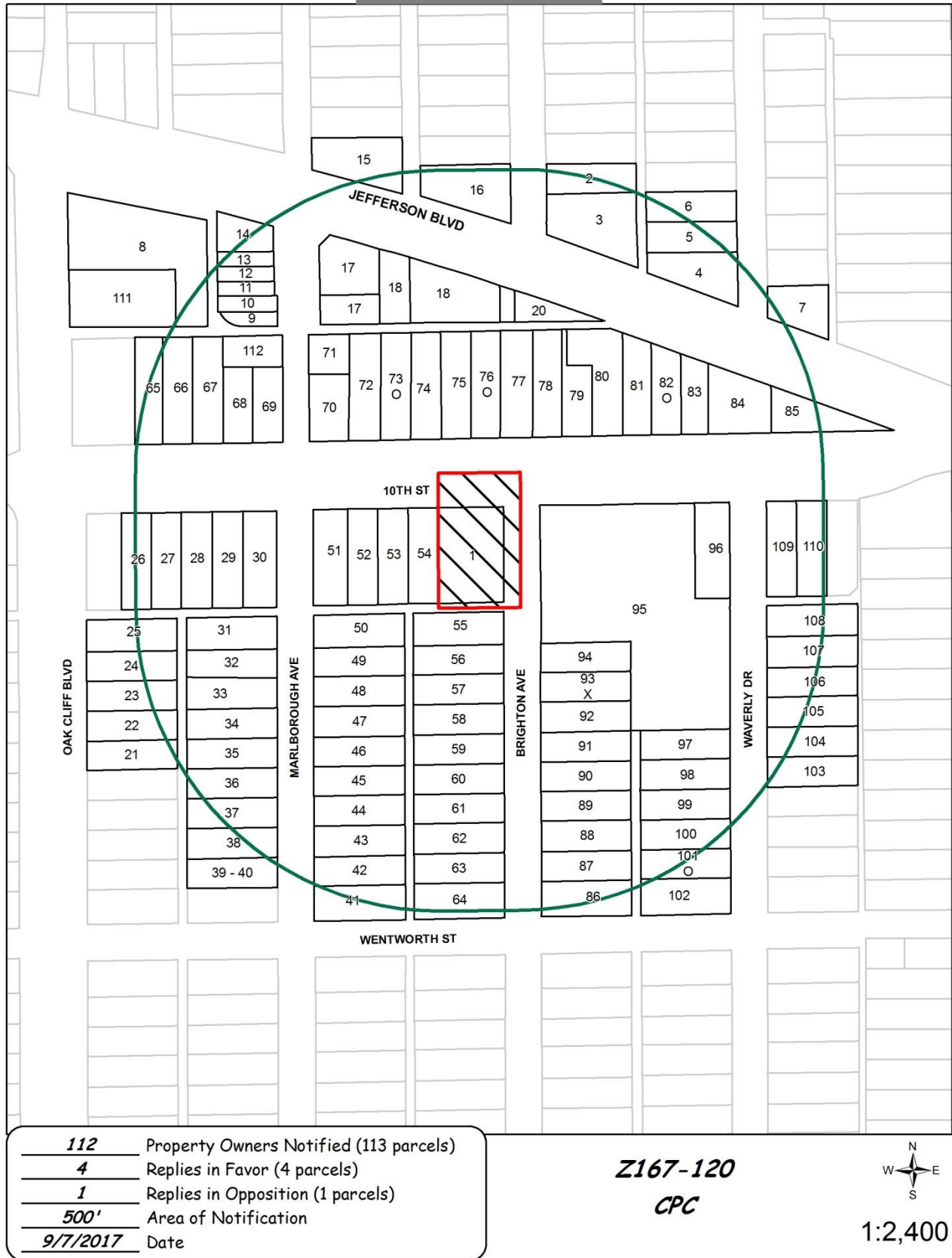








# CPC Responses



09/06/2017

***Reply List of Property Owners******Z167-120******112 Property Owners Notified******4 Property Owners in Favor******1 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	1900 W 10TH ST	1900 W 10TH STREET LLC
	2	208 N BRIGHTON AVE	TAYLOR STEPHANIE S
	3	204 N BRIGHTON AVE	ALLEN DONALD LEE
	4	207 N WAVERLY DR	DEARING NANCY C WONDERS
	5	211 N WAVERLY DR	WILSON MIRANDA ANGER
	6	215 N WAVERLY DR	CORRALL DANYTZA P
	7	202 N WAVERLY DR	CRUZ JOSE & EDITH R
	8	2010 W JEFFERSON BLVD	IGLESIA DEL DIOS VIVO
	9	117 N MARLBOROUGH AVE	TENIENTE BRENDA
	10	119 N MARLBOROUGH AVE	JC LEASING LLP
	11	121 N MARLBOROUGH AVE	SALA THOMAS W
	12	123 N MARLBOROUGH AVE	GUETA PPTIES LLC
	13	125 N MARLBOROUGH AVE	GULF COAST BANK
	14	127 N MARLBOROUGH AVE	HORRELLS CLEANERS LLC
	15	1919 W JEFFERSON BLVD	SAMUEL PETER & SUSHEILA
	16	1909 W JEFFERSON BLVD	BARAKAT MOE
	17	108 N MARLBOROUGH AVE	BALLAS VICTOR
	18	1916 W JEFFERSON BLVD	BALLAS VICTOR &
	19	1900 W JEFFERSON BLVD	NOLAN PATRICK & ROSE ANNA
	20	1836 W JEFFERSON BLVD	VA CAPITAL LLC
	21	206 S OAK CLIFF BLVD	ARRIAGA ALBERTO & LIDIA SANCHEZ
	22	202 S OAK CLIFF BLVD	COUCH KEDRIC
	23	124 S OAK CLIFF BLVD	JACINTO MARISSA
	24	116 S OAK CLIFF BLVD	BAUTISTA ALFONSO & SUZANNA
	25	114 S OAK CLIFF BLVD	GARZA SOCORRO S &
	26	2018 W 10TH ST	MARROQUIN JESUS S



09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2014 W 10TH ST	VARELAS DOMINGO & THERESA
	28	2010 W 10TH ST	RUBIO PATRICIA
	29	2006 W 10TH ST	SOSA JACOBA
	30	2000 W 10TH ST	WILEY KELLY
	31	115 S MARLBOROUGH AVE	LUNA JUAN ANTONIO &
	32	119 S MARLBOROUGH AVE	CERDA MARY
	33	121 S MARLBOROUGH AVE	HERNANDEZ FLORINDA
	34	125 S MARLBOROUGH AVE	SOTO MARIA GUADALUPE
	35	201 S MARLBOROUGH AVE	ORNELAS DAVID
	36	205 S MARLBOROUGH AVE	ORNELAS MANUEL H
	37	209 S MARLBOROUGH AVE	BAKER BETTY JO
	38	219 S MARLBOROUGH AVE	NEEL KATHERINE E
	39	223 S MARLBOROUGH AVE	EDWARDS DIANNE KYLE
	40	223 S MARLBOROUGH AVE	KYLE DIANNE
	41	220 S MARLBOROUGH AVE	THORNTON KIMBERLY THOMPSON
	42	216 S MARLBOROUGH AVE	HERNANDEZ JOSE OMER0 &
	43	212 S MARLBOROUGH AVE	GASTON GEARY
	44	208 S MARLBOROUGH AVE	MUSGRAVE JIMMY
	45	206 S MARLBOROUGH AVE	GARCIA CYNTHIA L
	46	200 S MARLBOROUGH AVE	TAYLOR KRISTAN LEIGH & ARCADI PALERM
	47	126 S MARLBOROUGH AVE	DOWDY DANA MICHELLE
	48	120 S MARLBOROUGH AVE	GONZALEZ NOEMI
	49	118 S MARLBOROUGH AVE	MARTINEZ JESSICA ANN &
	50	116 S MARLBOROUGH AVE	ANGUIANO JOSE
	51	1922 W 10TH ST	VALADEZ JAVIER A
	52	1918 W 10TH ST	VELA ERNESTO H &
	53	1912 W 10TH ST	SOTO JESUS
	54	1910 W 10TH ST	CEDILLO APOLONIO &
	55	115 S BRIGHTON AVE	BROOKS JAN R
	56	119 S BRIGHTON AVE	GUILLEN MARIA B
	57	121 S BRIGHTON AVE	CHACON MANUEL

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	125 S BRIGHTON AVE	LEIJA DELORES G
	59	201 S BRIGHTON AVE	CARMONA JUAN C
	60	205 S BRIGHTON AVE	GONZALEZ ALEX &
	61	209 S BRIGHTON AVE	LAWS AMY C
	62	213 S BRIGHTON AVE	SANCHEZ GRIMALDO &
	63	217 S BRIGHTON AVE	RODRIGUEZ ROBERTO &
	64	223 S BRIGHTON AVE	GONZALES EBODIO P ETAL
	65	2017 W 10TH ST	LINAREZ DANIEL & MARY L
	66	2015 W 10TH ST	IGLESIA DD VIVO COLUMNA
	67	2009 W 10TH ST	IGLESIA DEL DIOS VIVO
	68	2007 W 10TH ST	COLLINS PATRICIA G
	69	2001 W 10TH ST	WARE SAHARA
	70	1921 W 10TH ST	MADIGAN MARIA ROSARIO SAI & ROBERT FRANK II
	71	110 N MARLBOROUGH AVE	MORALES IRIS
	72	1917 W 10TH ST	GALLEGOS JESUS C ET AL
O	73	1915 W 10TH ST	CURTIS BEVERLY A
	74	1913 W 10TH ST	MACIAS JOSE A JR &
	75	1909 W 10TH ST	JIMENEZ ARNULFO JR &
O	76	1903 W 10TH ST	NILES KERRY W
	77	1827 W 10TH ST	BETANCOURT EVA L
	78	1825 W 10TH ST	PALOMO MANUEL LIFE ESTATE
	79	1821 W 10TH ST	CARR BRYAN
	80	1817 W 10TH ST	MELGOZA JOSE JJ &
	81	1815 W 10TH ST	MELGOZA JOSE J JIMENEZ
O	82	1808 W JEFFERSON BLVD	MELTON JANIE
	83	1805 W 10TH ST	VILLARREAL HECTOR D
	84	1801 W 10TH ST	SUNSET MANOR LLC
	85	1719 W 10TH ST	DOLENZ BERNARDTRUSTEE
	86	222 S BRIGHTON AVE	DANIELS LAURA PAGE
	87	216 S BRIGHTON AVE	SANCHEZ GRIMALDO & ROSA M
	88	212 S BRIGHTON AVE	SANTOS MARIA JESUS C &

09/06/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	208 S BRIGHTON AVE	QUINONEZ RAMON &DORA
	90	206 S BRIGHTON AVE	ORNELAS MIGUEL &
	91	200 S BRIGHTON AVE	DIAZ MANUEL &
	92	128 S BRIGHTON AVE	SHAW STEVEN N
X	93	120 S BRIGHTON AVE	SIMMONS MARK ALAN &
	94	118 S BRIGHTON AVE	SIMMONS MARK A
	95	1822 W 10TH ST	CALVARY BAPTIST CHURCH OF OAK CLIFF INC
	96	1822 W 10TH ST	CALVARY BAPTIST CHURCH OF CHRIST
	97	207 S WAVERLY DR	PRUETT JOHN
	98	211 S WAVERLY DR	MACIAS FERMIN JR
	99	215 S WAVERLY DR	MENDEZ FIDENCIO &
	100	219 S WAVERLY DR	LORETTO ARNOLD
O	101	223 S WAVERLY DR	CASTELLANOS RUBEN A
	102	227 S WAVERLY DR	OLIVA CARLOS E & MYRNA
	103	210 S WAVERLY DR	ROMERO MARIA
	104	206 S WAVERLY DR	BELL KAYLEE & STEVEN
	105	126 S WAVERLY DR	MARIADELACERDA MONICA
	106	122 S WAVERLY DR	OVERTON JANET L
	107	118 S WAVERLY DR	WAGERS ROBERT WAYNE &
	108	114 S WAVERLY DR	CONRAD JENNIFER A
	109	1720 W 10TH ST	HORTON BARBARA SIEMENS
	110	1716 W 10TH ST	YOUNG BENJAMIN J
	111	120 N OAK CLIFF BLVD	IGLESIA DEL DIOS VIVO COLUMNA Y APOYO
	112	111 N MARLBOROUGH AVE	BAHENA MANUELA M

**AGENDA ITEM # 23**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 46 L

**SUBJECT**

A public hearing to receive comments regarding an application for and **(1)** an ordinance granting an amendment to Tract 1a within Planned Development District No. 486, on the southwest corner of Parry Avenue and Bank Street; and **(2)** an ordinance granting an amendment to and expansion of Tract 1b on property zoned Tract 1b within Planned Development District No. 486 and a D(A) Duplex District on the northeast corner of Gurley Avenue and Bank Street

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, revised Tract 1a development plan, revised Tract 1b development plan, and conditions Z167-240(JM)



**FILE NUMBER:** Z167-240(JM)

**DATE FILED:** March 6, 2017

**LOCATION:** On the southwest corner of Parry Avenue and Bank Street and on the northeast corner of Gurley Avenue and Bank Street

**COUNCIL DISTRICT:** 2

**MAPSCO:** 46 L

**SIZE OF REQUEST:** ± 3.41 acres

**CENSUS TRACT:** 25.00

**APPLICANT/OWNER:** Jubilee Park Community Center Corporation, Owner

**REPRESENTATIVE:** Eric Seeley % Graham Associates, Inc.

**REQUEST:** An application to 1) amend Tract 1a within Planned Development District No. 486; and, 2) amend and expand Tract 1b on property zoned Tract 1b within Planned Development District No. 486 and a D(A) Duplex District

**SUMMARY:** The applicant is purposing to add 7,469 square feet (one lot) to Tract 1b to provide additional parking for the existing Jubilee Park and Community Center. An amendment to Tract 1a shows the entire tract including a proposed community garden. The conceptual plan will match all tracts accordingly.

**CPC RECOMMENDATION:** Approval, subject to a revised conceptual plan, revised Tract 1a development plan, revised Tract 1b development plan, and conditions.

**STAFF RECOMMENDATION:** Approval, subject to a revised conceptual plan, revised Tract 1a development plan, revised Tract 1b development plan, and conditions.

## **BACKGROUND INFORMATION:**

- The request site is developed with a community service center (Tract 1a) and a church (Tract 1b). The remainder of the PD has a police substation, retirement housing uses, and undeveloped land. The community service center extends across Tract 1 and Tract 1a with various outside activity areas.
- PD No. 486 was approved by the City Council on September 24, 1997 along with subsequent amendments, most recently on June 27, 2012, which provided for an expansion of Tract 1b to add parking, and Tract 1 to allow a child care facility.
- The applicant proposes to expand the boundary of the Tract 1b by adding one parcel on the north line of Gurley Avenue (approx. 7,469 square feet). Additionally, a revised development plan for Tract 1a has been provided, indicating a proposed 12-foot by 20-foot tool shed for an existing community garden that is part of the community service center. Finally, a correction is being made to the conceptual plan to indicate the proper tract boundaries for Tract 1 and Tract 1a. While the zoning map and ordinance matched the tract boundaries, the conceptual plan indicated that Tract 1 extended further into Tract 1a.

## **Zoning History:**

There has been one zoning case within the vicinity of the area of request in the last five years.

1. **Z145-330:** On November 10, 2015, City Council approved an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, located on the west corner of South Carroll Avenue and Bute Street.

## **Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Right-of-Way</b>
Bank Street	Local	40 feet
Gurley Avenue	Local	25 feet
Parry Avenue	Collector	60 feet



**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD No. 486 Tracts 1a & 1b & D(A)	Community Rec Center & Surface Parking
<b>North</b>	CH & D(A)	Single Family & Undeveloped
<b>East</b>	D(A)	Single Family & Multifamily
<b>South</b>	PD No. 486 Tract 1c, PD No. 601 & D(A)	Retirement Housing, Child-Care Facility, Single Family, & Duplex
<b>West</b>	PD No. 486 Tracts 1 , 1d, & 2, MF-1(A) & NS(A)	Church, Single Family, Police Substation & Community Rec Center, Barber Shop, & Undeveloped

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

**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:

**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.

**Land Use Compatibility:**

The applicant is requesting an amendment to and expansion of PD No. 486 to: 1) add one parcel to the site boundary to provide additional parking; 2) revise the development plan for Tract 1a for a proposed tool shed to support the community garden; and, 3) to correct the conceptual plan to identify proper Tract 1 and Tract 1a boundaries.

For purposes of clarification, PD No. 486 is divided into six tracts (see attached Tract Map) as delineated on the proposed conceptual plan, and developed accordingly:

Tract 1-Outside activity areas and child-care facility

Tract 1a-Community service center

Tract 1b-Community service center (Church) and parking

Tract 1c-Retirement housing

Tract 1d-Undeveloped

Tract 2-Police substation, Community service center

The predominate land use in the area north of Carroll Avenue consists of low density single family/duplex residential uses. There does exist a two-story multifamily development along the east line of Gurley Avenue. The balance of the land use south and west of the site consists of institutional (church), community servicing retail, and a scattering of undeveloped parcels. PD No. 601, utilized as a child-care facility, is wrapped by the site's southeastern quadrant.

**Parking:**

Section 51P-486.108 requires one parking space for each 450 square feet of community service center floor area. The community service center extends across Tracts 1a and 1b. Parking is allowed in required yards. Additionally, the entire PD is seen as one lot for parking purposes. The existing community service center has approximately 12,627 square feet of floor area and provides 23 parking spaces. A new tool shed on Tract 1a will add 240 square feet of floor area for a total of 12,867 square feet. The proposed expansion of Tract 1b will add 17 parking spaces. The total required parking is 37 spaces. The total provided with this amendment will be 40 parking spaces.

**Landscaping:**

The requested expansion of Tract 1b for parking purposes will require compliance with Article X. This includes providing a 10-foot perimeter landscape buffer due to residential adjacency surrounding the proposed parking lot in Tract 1b, and screening of off-street parking from the public right-of-way (Gurley Avenue).

**List of Officers**



**Graham Associates, Inc.**  
CONSULTING ENGINEERS & PLANNERS

February 13, 2017

City of Dallas  
Department of Development Services  
1500 Marilla Street, Room 5B North  
Dallas, Texas 75201

RE: List of Partners/Principles/Officers

To Whom It May Concern,

The following is a list of Officers for the Jubilee Park Community Center Corporation:

Ms. Jeff Rice  
Board Chair

Mr. Allen Lassiter  
Vice President & Treasurer

Mr. James Skochdopole  
Vice President & Secretary

Mr. Benjamin Leal  
Chief Executive Officer

Sincerely,

Eric M. Seeley, P.E.  
Project Manager

Fort Worth  
1300 Summit Avenue, Suite 419  
Fort Worth, Texas 76102  
817.332.5756  
Fax 817.336.6909

Arlington  
600 Six Flags Drive, Suite 500  
Arlington, Texas 76011  
817.640.8535  
Fax 817.633.5240

Frisco  
10880 John W. Elliot, Suite 200  
Frisco, Texas 75033  
214.618.3114

Z1167-240

**CPC Action**  
**September 7, 2017**

**Motion:** It was moved to recommend **approval** of 1) an amendment to Tract 1a within Planned Development District No. 486, on the southwest corner of Parry Avenue and Bank Street; and **approval** of 2) an amendment to and an expansion of Tract 1b on property zoned Tract 1b within Planned Development District No. 486, and a D(A) Duplex District, subject to a revised conceptual plan, revised Tract 1a development plan, revised Tract 1b development plan, and conditions on the northeast corner of Gurley Avenue and Bank Street.

Maker: Rieves  
Second: Ridley  
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid\*, Mack,  
Haney, Jung, Housewright, Schultz, Peadon,  
Murphy, Ridley

Against: 0  
Absent: 2 - Anantasomboon, Tarpley  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 183  
**Replies:** For: 13 Against: 14

**Speakers:** None

**CPC Recommended Amending Conditions**  
**ARTICLE 486.**

**SEC. 51P-486.101. LEGISLATIVE HISTORY.**

PD 486 was established by Ordinance No. 23272, passed by the Dallas City Council on September 24, 1997. Ordinance No. 23272 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 23272; 26042; 27356)

**SEC. 51P-486.102. PROPERTY LOCATION AND SIZE.**

PD 486 is established on property generally bounded by Bank Street, Gurley Avenue, Carroll Avenue, and Parry Avenue. The size of PD 486 is approximately ~~7.527~~ **7.693** acres. (Ord. Nos. 23272; 26042; 27356; 28115; 28692)

**SEC. 51P-486.103. DEFINITIONS AND INTERPRETATIONS.**

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply.
- (b) Unless otherwise stated, all references to articles, divisions, or sections in this article refer to articles, divisions, or sections in Chapter 51A.
- (c) This district is considered to be a residential zoning district. (Ord. Nos. 23272; 26042; 27356)

**SEC. 51P-486.103.1. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 486A: conceptual plan.
- (2) Exhibit 486B: Tract 1a development/landscape plan.
- (3) Exhibit 486C: Tract 2 development plan.
- (4) Exhibit 486D: Tract 1c development plan.
- (5) Exhibit 486E: Tract 1b development plan.
- (6) Exhibit 486F: Tract 1 development plan. (Ord. Nos. 28115; 28692)

**SEC. 51P-486.104.**

**CONCEPTUAL PLAN AND DEVELOPMENT PLAN.**

(a) Conceptual plan.

- (1) Development and use of the Property must comply with the conceptual plan (Exhibit 486A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.
- (2) This district is divided into Tracts 1, 1a, 1b, 1c, 1d, and 2 as shown on the conceptual plan.
- (3) Ingress and egress points must be provided as shown on the conceptual plan.

(b) Development plan.

- (1) For Tract 1d, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of the article controls. The six month requirement in Paragraph 51A-4.702(c)(4) to submit the development plan does not apply.
- (2) For Tract 1a, development and use of the Property must comply with the Tract 1a development/landscape plan (Exhibit 486B). If there is a conflict between the text of this article and the Tract 1a development/landscape plan, the text of this article controls.
- (3) For Tract 1c, development and use of the Property must comply with the Tract 1c development plan (Exhibit 486D). If there is a conflict between the text of this article and the Tract 1c development plan, the text of this article controls.
- (4) For Tract 2, development and use of the Property must comply with the Tract 2 development plan (Exhibit 486C). If there is a conflict between the text of this article and the Tract 2 development plan, the text of this article controls.
- (5) For Tract 1b, development and use of the Property must comply with the Tract 1b development plan (Exhibit 486E). If there is a conflict between the text of this article and the Tract 1b development plan, the text of this article controls.
- (6) For Tract 1, development and use of the Property must comply with the Tract 1 development plan (Exhibit 486F). If there is a conflict between the text of this article and the Tract 1 development plan, the text of this article controls. (Ord. Nos. 23272; 26042; 27356; 27573; 28115; 28692)

**SEC. 51P-486.105.**

**MAIN USES PERMITTED.**

- (a) Tracts 1, 1a, 1b, 1d, and 2. The following uses are the only main uses permitted:

- Child-care facility.
- Community service center. *[The community service center use may include a residential component to house on-site managers/counselors employed by the community service center.]*
- Office.
- Police station.
- Private school or open-enrollment charter school. *[SUP]*
- Public school. *[SUP]*

(b) Tract 1c. The following use is the only main use permitted:

- Retirement housing.

(Ord. Nos. 23272; 26042; 27356; 28115)

#### **SEC. 51P-486.106. ACCESSORY USES.**

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific 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 51A4.217.

(b) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(Ord. Nos. 23272; 26042; 27356)

#### **SEC. 51P-486.107. YARD, LOT, AND SPACE REGULATIONS.**

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

(a) Front yard.

(1) Tracts 1, 1a, and 1b. Except as provided in this paragraph, no minimum front yard. Minimum front yard along Gurley Avenue is 25 feet.

(2) Tract 1c. No minimum front yard on Gurley Avenue. Minimum front yard on Bank Street is seven feet.

(3) Tract 1d. No minimum front yard.

(4) Tract 2. No minimum front yard.



(b) Side and rear yard.

(1) Tracts 1, 1a, 1b, 1d, and 2. Minimum side and rear yard is:

- (A) 10 feet where adjacent to or directly across an alley from a single-family or duplex use; and
- (B) no minimum in all other cases.

(2) Tract 1c. Minimum side yard on Gurley Avenue is five feet and minimum side yard on Bank Street is 23 feet.

(c) Floor area ratio. No maximum floor area ratio.

(d) Height.

(1) 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, 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.

(2) Maximum height. Unless further restricted under Paragraph (1), maximum structure height is 36 feet.

(e) Lot coverage.

(1) Tracts 1, 1a, 1b, 1c, and 1d. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(2) Tract 2. Maximum lot coverage is 70 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(f) Lot size. No minimum lot size.

(g) Stories.

(1) Tracts 1, 1a, and 1d. Maximum number of stories is two.

(2) Tract 1b. Maximum number of stories is one.

(3) Tract 1c. Maximum number of stories is two.

(4) Tract 2. No maximum number of stories. (Ord. Nos. 23272; 26042; 27356; 27573; 28115)

**SEC. 51P-486.108. OFF-STREET PARKING AND LOADING.**

- (a) For the community service center use, off-street parking must be provided at a ratio of one parking space for each 450 square feet of floor area. Parking may be provided in the required yards.
- (b) For all other permitted uses, consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements.
- (c) Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street loading generally.
- (d) For purposes of this section, Tracts 1, 1a, 1b, 1c, 1d, and 2 are considered one lot. (Ord. Nos. 23272; 26042; 27356; 27573)

**SEC. 51P-486.109. FENCING.**

Fencing may be provided in the required yards and may not exceed nine feet in height. Solid fencing is not required. (Ord. Nos. 23272; 26042; 27356)

**SEC. 51P-486.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. Nos. 23272; 26042; 27356)

**SEC. 51P-486.111. LANDSCAPING.**

- (a) Except as provided in this section, landscaping and tree preservation must be provided in accordance with Article X.
- (b) For Tract 1a, landscaping must comply with the Tract 1a development/landscape plan.
- (c) For purposes of this article, an artificial lot is the land area that includes any new building footprint and a minimum of 25 feet around the building footprint. The artificial lot does not require public street frontage. Artificial lots can contain an aggregate land area exceeding 50 percent of the total land area contained in the district.
- (d) A landscape plan that meets the following requirements must be submitted with each application for a building permit on the Property:
  - (1) One site tree, with a minimum caliper of three inches must be provided for each 4,000 square feet of land area, or fraction thereof.
  - (2) Surface parking spaces may not be located more than 120 feet from the trunk of a large tree.
  - (3) A minimum of two design standards must be provided as outlined in Section 51A-10.126, as amended.

- (e) Plant material must be maintained in a healthy, growing condition. (Ord. Nos. 23272; 26042; 27356)

**SEC. 51P-486.112. SIGNS.**

Signs must comply with the provisions for non-business zoning districts in Article VII. (Ord. Nos. 23272; 26042; 27356)

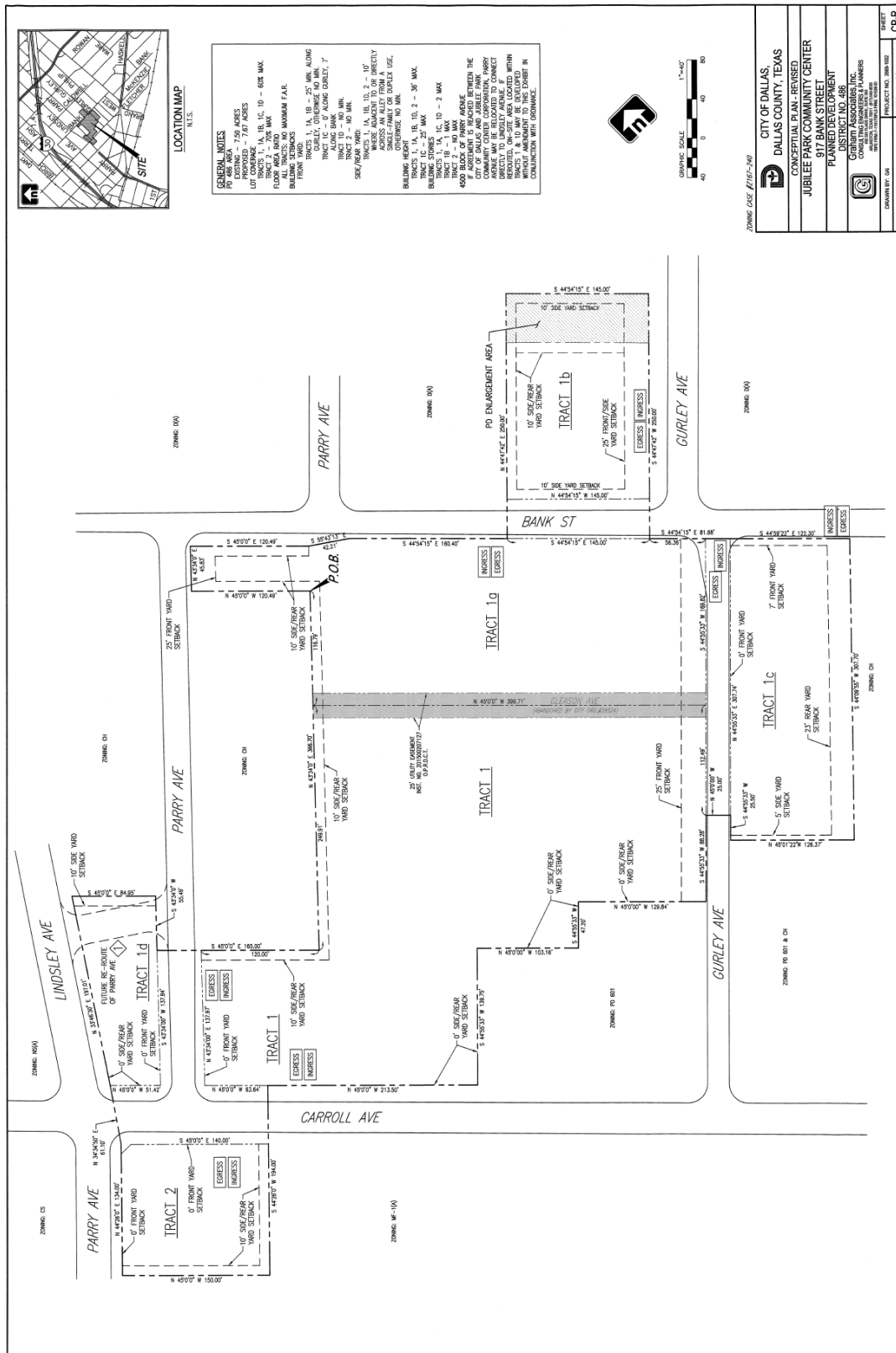
**SEC. 51P-486.113. ADDITIONAL PROVISIONS.**

- (a) Maintenance. The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Compliance with laws. Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.
- (c) Pavement markings. Pavement markings must be provided at all pedestrian crossings.
- (d) Driveway approaches. Driveway approaches may not be located at street intersections or at established pedestrian crossings. (Ord. Nos. 23272; 26042; 27356)

**SEC. 51P-486.114. GENERAL REQUIREMENTS.**

- (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. Permeable surface materials such as porous asphalt, porous concrete, and block or grass pavers may be used in lieu of traditional paving materials in pedestrian areas and in low-volume, low-speed vehicular areas such as parking areas, driveways, alleys, and parking stalls.
- (b) 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. 23272; 26042; 27356)

## Proposed Conceptual Plan



## Proposed Tract 1a Development Plan

### TRACT 1 SITE INFORMATION

ZONING: PD 486

LOT AREA: 1.58 ACRES

BUILDING AREA: 10,587 SF

BUILDING 1: 8,200 SF

BUILDING 2: 2,147 SF

BUILDING 3: 240 SF

IMPERVIOUS COVERAGE: 36%

LOT COVERAGE (BUILDING): 15%

FLOOR AREA RATIO: 0.15

SETBACKS:

10' SIDE/REAR YARD ALONG RESIDENTIAL

25' FRONT YARD ALONG GURLEY AVE

STRUCTURE HEIGHT:

BUILDING 1: 20'-8"

BUILDING 2: 15'-3"

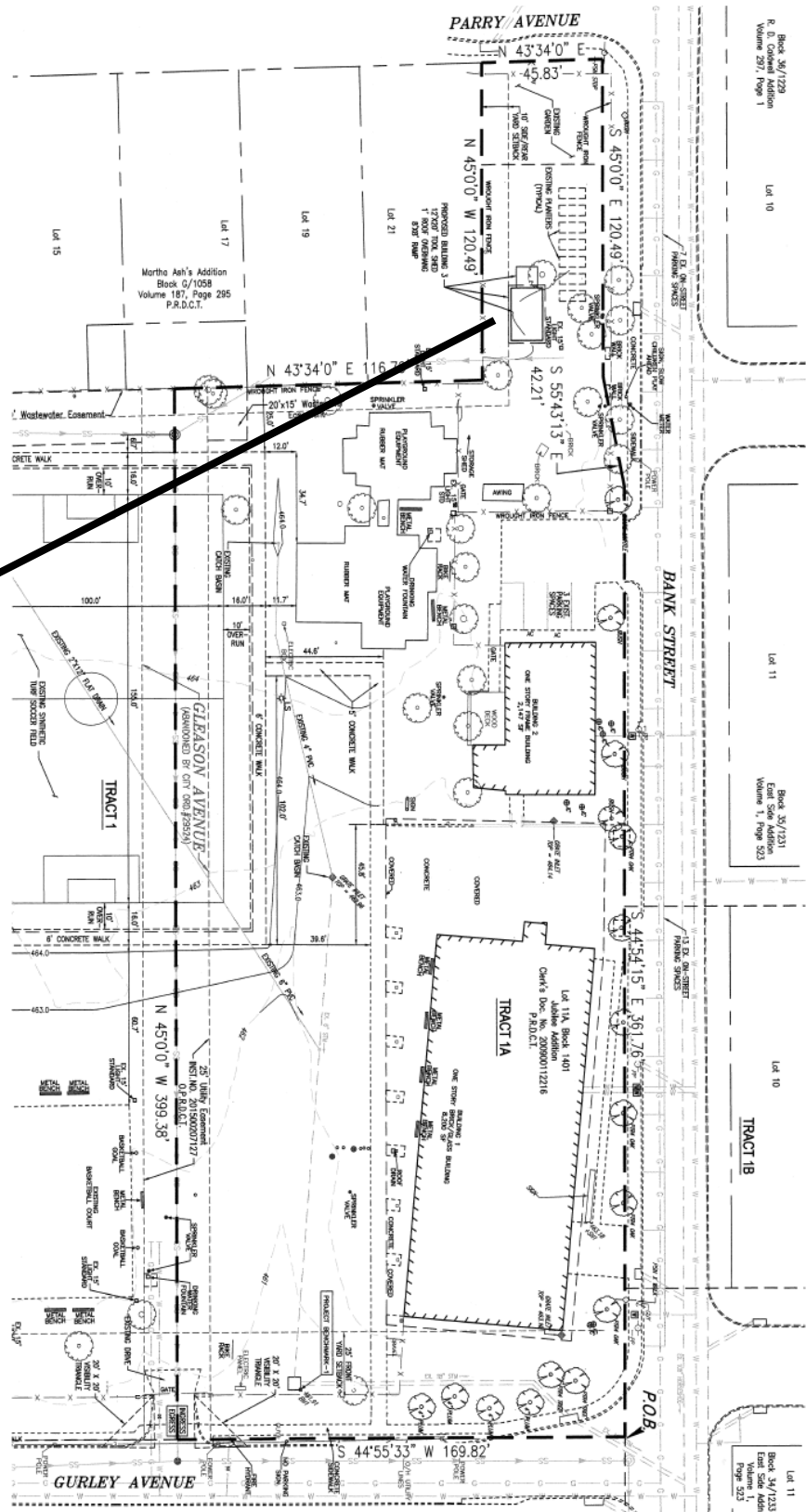
BUILDING 3: 10'-9"

PARKING REQUIRED: 1/450 SF = 23

PARKING PROVIDED: 23\*

\*ADD'L 20 EX. SPACES LOCATED ON TRACT 1B

Amendment for new  
12' by 20' tool shed.

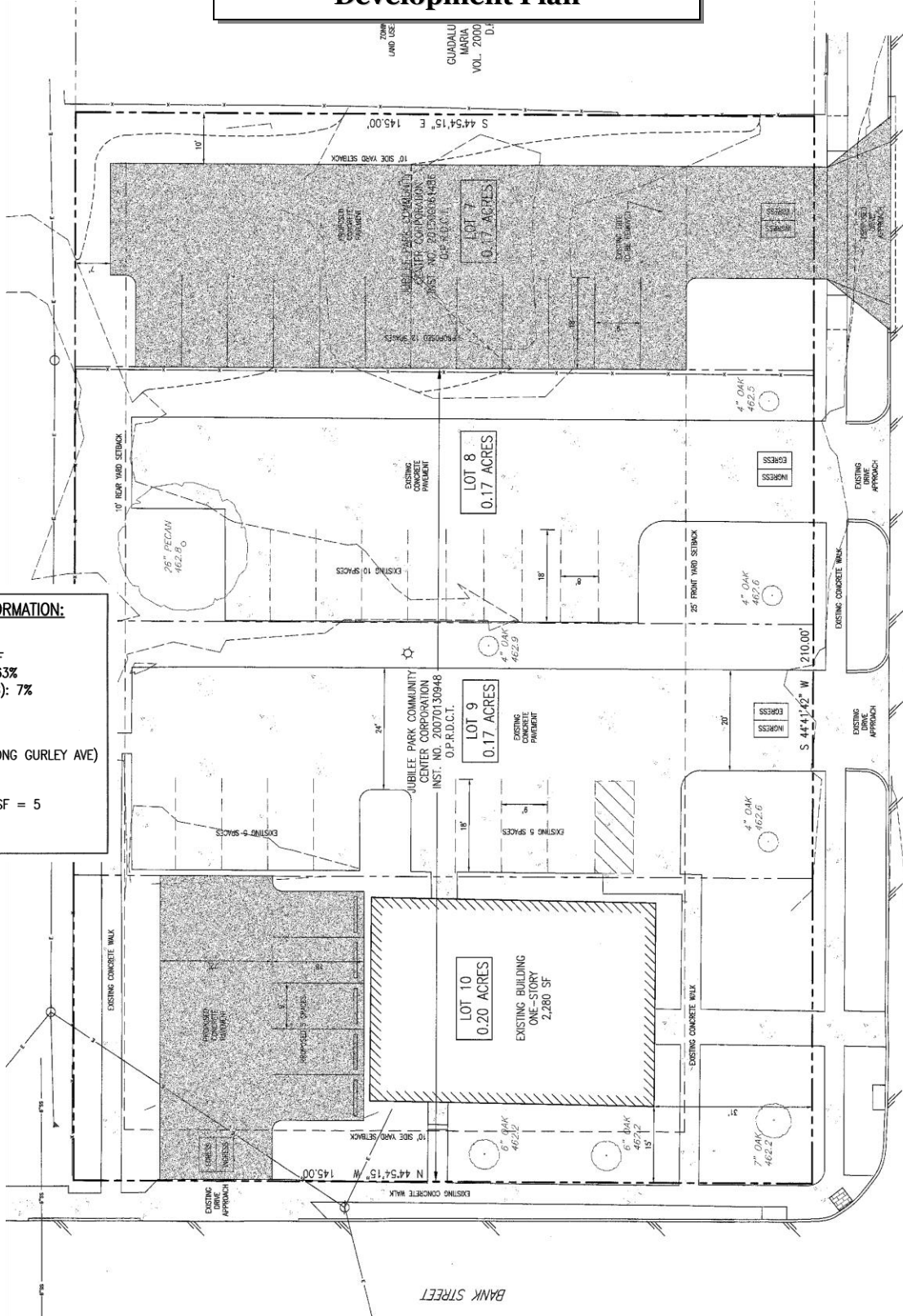


# Proposed Tract 1b Development Plan



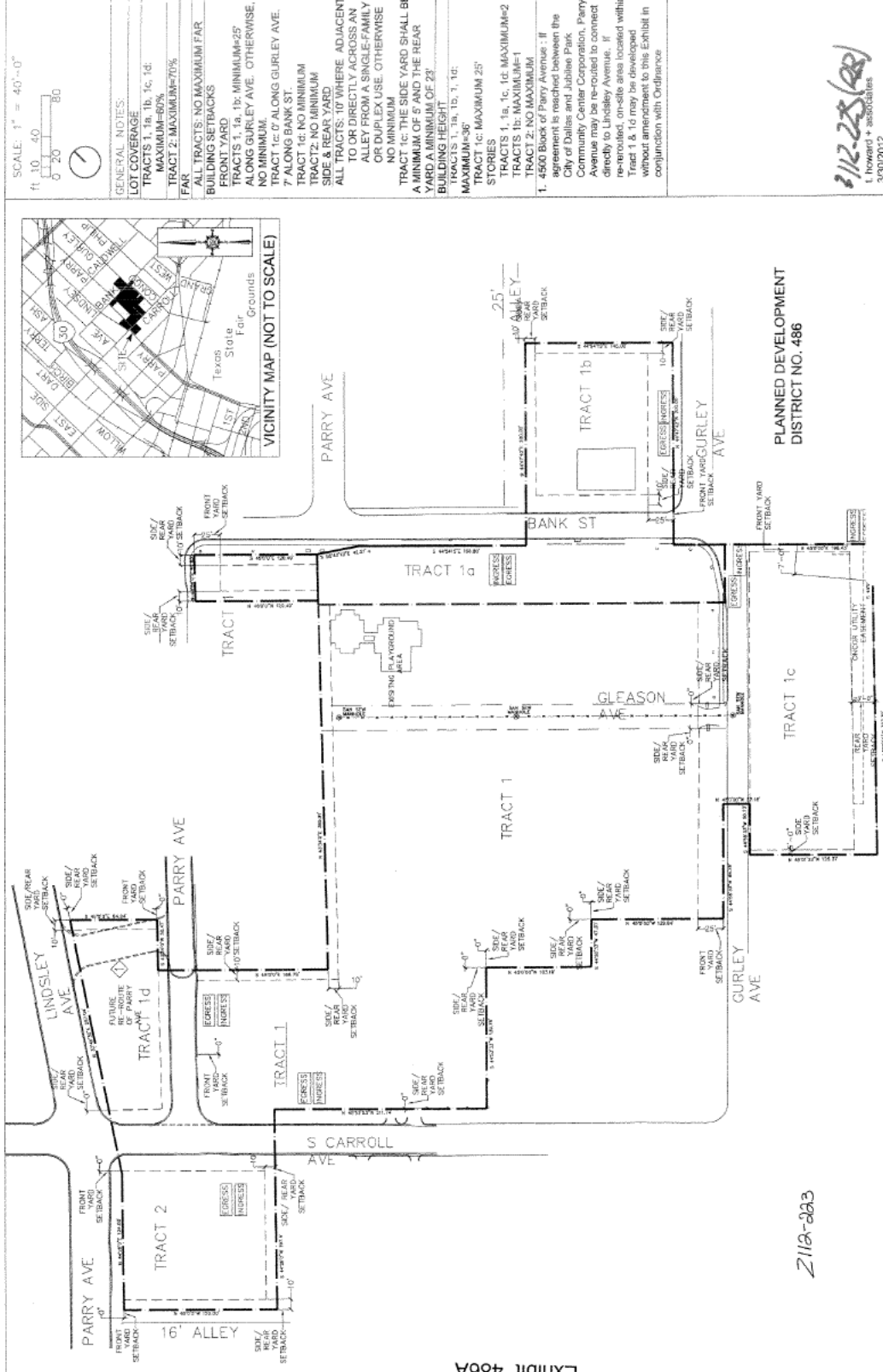
## TRACT 1B SITE INFORMATION:

ZONING: PD 486  
 LOT AREA: 0.71 ACRES  
 BUILDING AREA: 2,280 SF  
 IMPERVIOUS COVERAGE: 63%  
 LOT COVERAGE (BUILDING): 7%  
 FLOOR AREA RATIO: 0.07  
 SETBACKS:  
     10' SIDE/REAR YARD  
     25' FRONT YARD (ALONG GURLEY AVE)  
 STRUCTURE HEIGHT: 18'  
 PARKING:  
     REQUIRED -  $1/450 \text{ SF} = 5$   
     EXISTING - 20  
     PROPOSED - 17



# Existing Conceptual Plan

## CONCEPTUAL PLAN

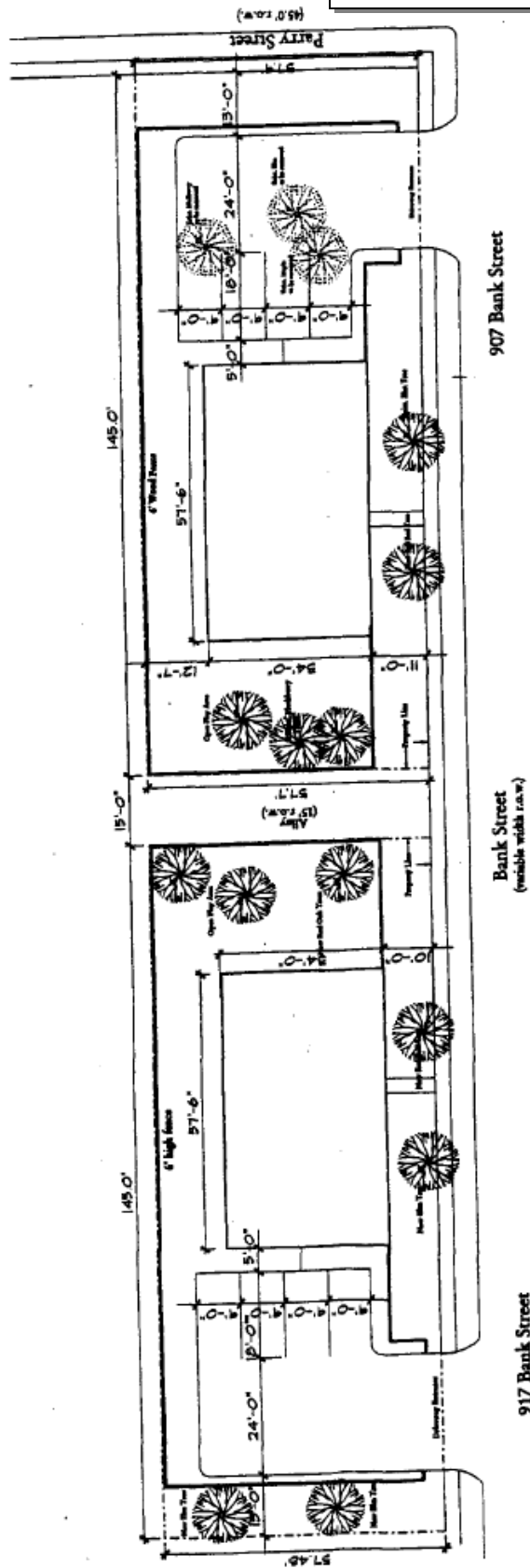


Approved  
City Plan Commission  
June 7, 2012

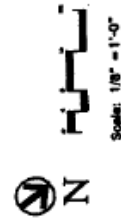
Planned Development



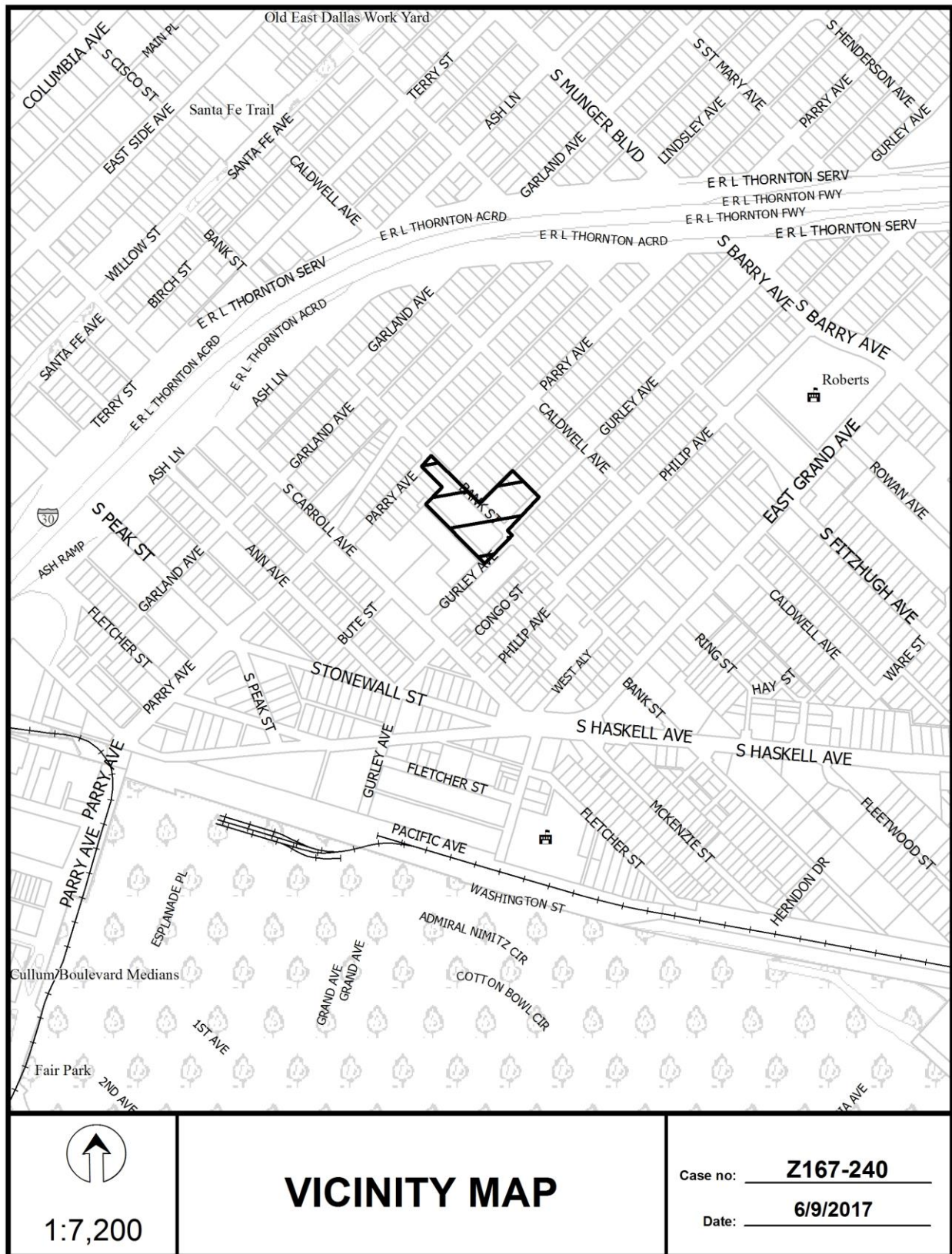
**Existing Tract 1a  
Development Plan**



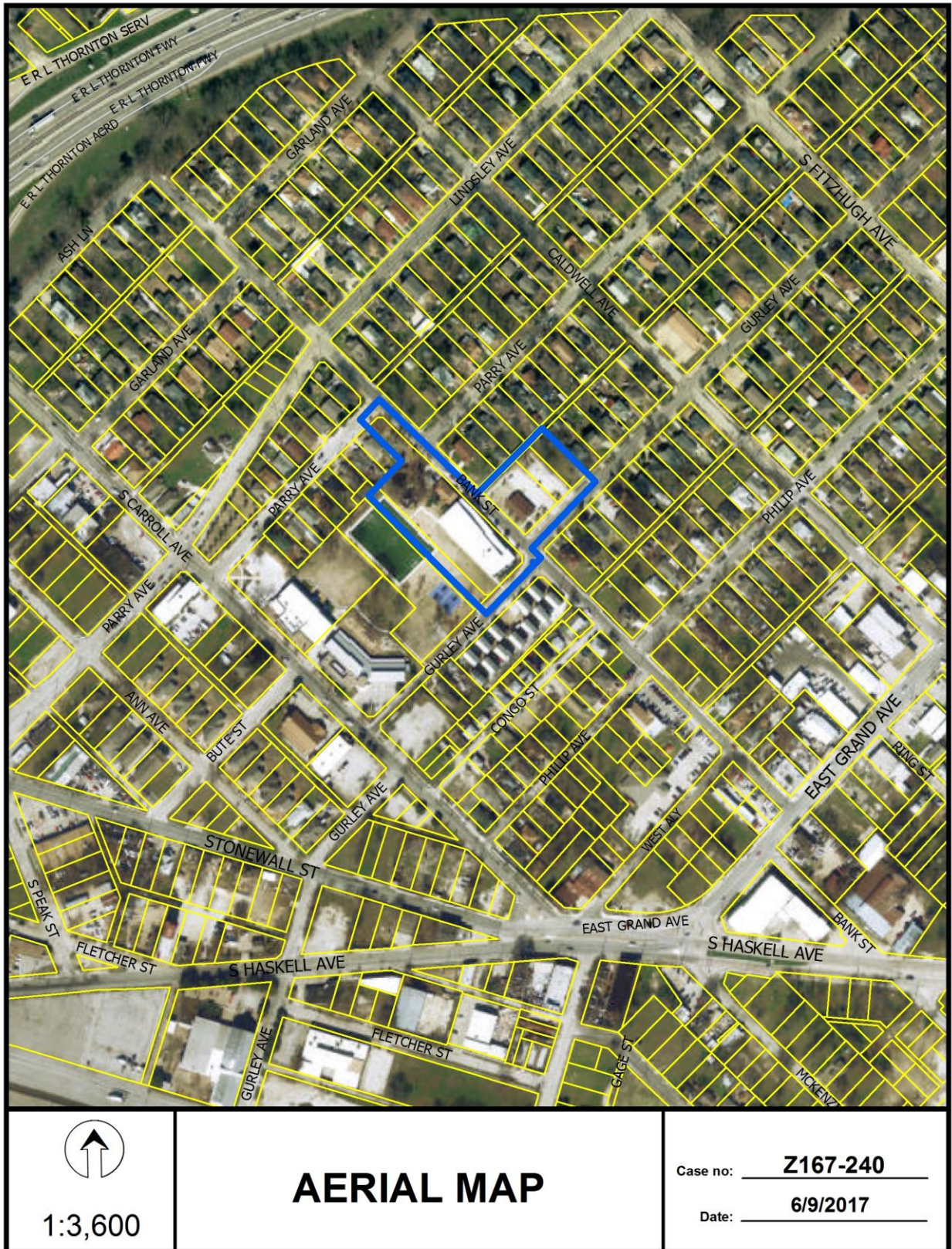
**TRACT 1a  
Development/Landscape Plan**



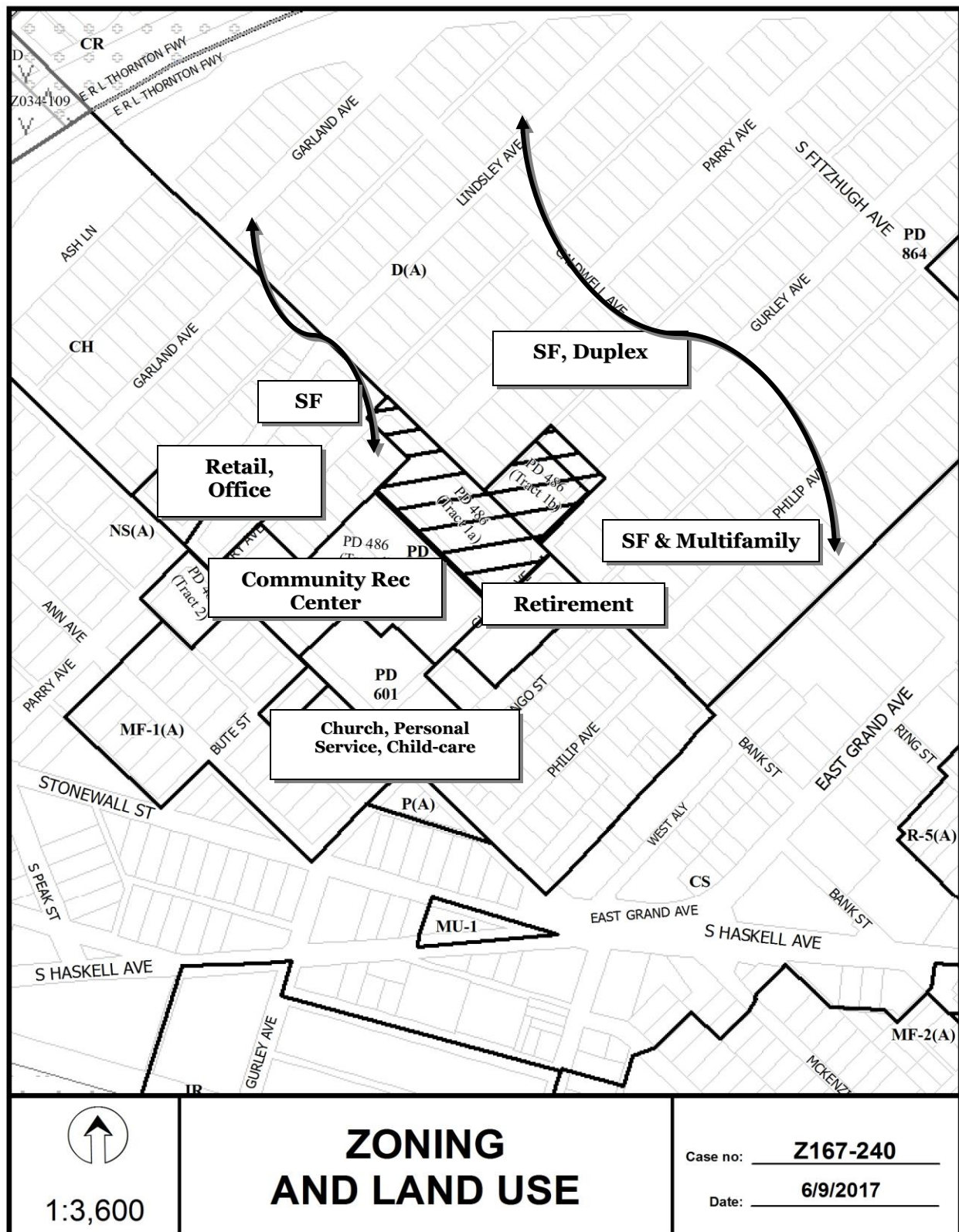


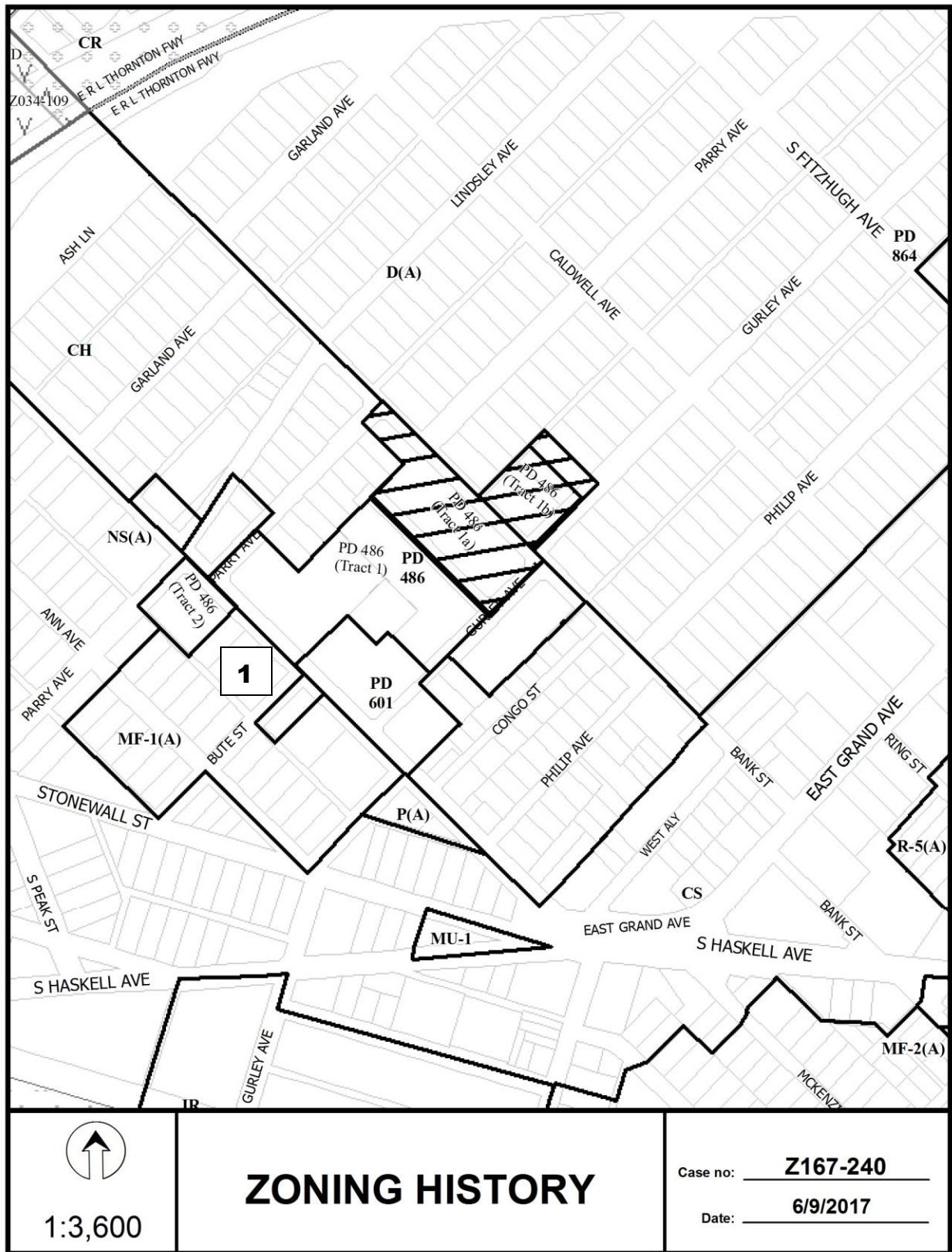






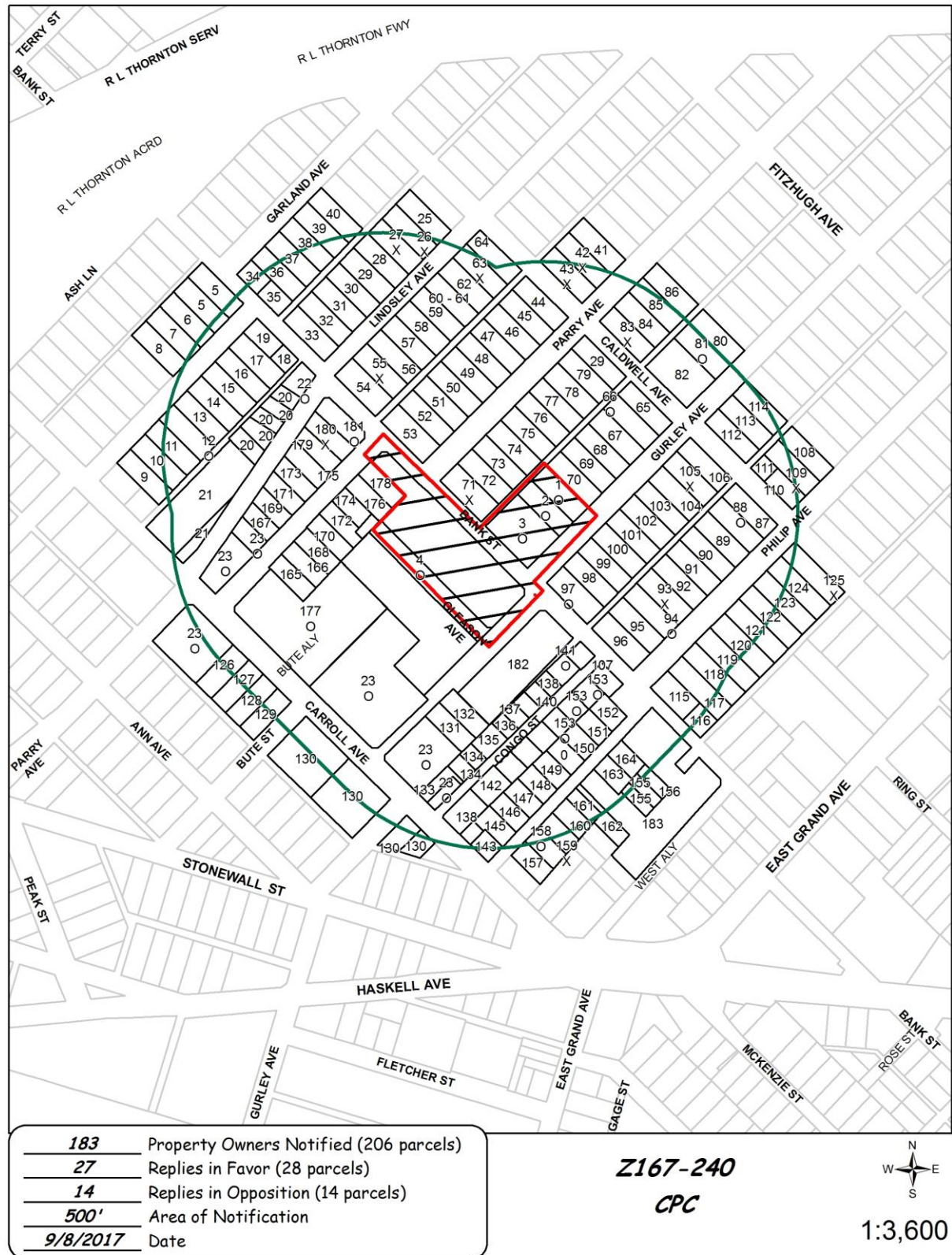








# CPC Responses





09/07/2017

## ***Reply List of Property Owners***

### ***Z167-240***

*183 Property Owners Notified**27 Property Owners in Favor**14 Property Owners Opposed*

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	5	4541 GARLAND AVE	MY HOUSE OF PRAYER
	6	4531 GARLAND AVE	SOKSOVANN SOVANNSAMNANG &
	7	4529 GARLAND AVE	GARRARD STEVEN & BOUAPHET
	8	4525 GARLAND AVE	FLORES LUIS R &
	9	4504 GARLAND AVE	LUNA ALONSO & MARIA
	10	4512 GARLAND AVE	BERNAL SANDRA
	11	4514 GARLAND AVE	SMITH NIGEL
	13	4520 GARLAND AVE	CALDERON RENE
	14	4524 GARLAND AVE	MENDOZA AMALIA O
	15	4528 GARLAND AVE	SANTANA JOSE LUIS &
	16	4532 GARLAND AVE	CASTILLO JOSE & MERCEDES
	17	4536 GARLAND AVE	MANCIA ROSE
	18	700 BANK ST	MAGANA ANTONIO &
	19	4540 GARLAND AVE	GUINEA RAQUEL
	20	4523 LINDSLEY AVE	MCGILL WALTER E
	21	820 S CARROLL AVE	INTERRANTE SALVADORE
	24	4528 PARRY AVE	BIBLE DOVIE T C ET AL
	25	4713 LINDSLEY AVE	ORELLANA FRANCISCO G &
X	26	4709 LINDSLEY AVE	PRIDE ERVIN &
X	27	4707 LINDSLEY AVE	PRIDE ERVIN L
	28	4703 LINDSLEY AVE	CALVA QUIROZ JUAN CARLOS
	29	4617 LINDSLEY AVE	MOXIE INVESTMENTS LTD
	30	4615 LINDSLEY AVE	ALVAREZ JULIANA
	31	4607 LINDSLEY AVE	JERONIMO ANA E &
	32	4605 LINDSLEY AVE	JERONIMO JOAQUIN ETAL
	33	4601 LINDSLEY AVE	SEGURA ELOY P & IRMA

09/07/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	34	4600 GARLAND AVE	BEAL MARGARET E
	35	710 BANK ST	CUMMINGS GAYLE A
	36	4604 GARLAND AVE	JUAREZ JOSE JR
	37	4608 GARLAND AVE	JAMAICA ROBERT & EVA
	38	4612 GARLAND AVE	ALVAREZ MARIA
	39	4618 GARLAND AVE	REYES JOSE C & LUCILA H
	40	4700 GARLAND AVE	NAPOLEON DONALD
	41	4809 PARRY AVE	AYALA JOSE A
X	42	4807 PARRY AVE	COBBS CLYDE B ESTATE
X	43	4803 PARRY AVE	HOUSE OLLIE LEE JR &
	44	4719 PARRY AVE	RAMIREZ CESAR
	45	4715 PARRY AVE	GUERRERO ROGELIO & J JESUS
	46	4711 PARRY AVE	PEREZ FAUSTINO &
	47	4707 PARRY AVE	CALLADO DELFINO
	48	4703 PARRY AVE	GRAHAM LARRY JR
	49	4617 PARRY AVE	TORRES MARY ANN
	50	4615 PARRY AVE	TREJO EMILIANO O
	51	4611 PARRY AVE	GUERRERO MANUAL J
	52	4607 PARRY AVE	RODRIQUEZ GREGORIO &
	53	4605 PARRY AVE	NDLS GROUP LLC
	54	4602 LINDSLEY AVE	BELTRAN SEGISMUNDO &
X	55	4606 LINDSLEY AVE	HODGE WILLIE
	56	4610 LINDSLEY AVE	ZAMORA MANUEL ALVAREZ &
	57	4614 LINDSLEY AVE	JERONIMO ANA E &
	58	4618 LINDSLEY AVE	VILLASENOR BRENDA
	59	4702 LINDSLEY AVE	JERONIMO JOAQUIN & ANA
	60	4706 LINDSLEY AVE	WRIGHT MARY
	61	4704 LINDSLEY AVE	WRIGHT MARY
	62	4710 LINDSLEY AVE	INTERRANTE SALVADORE &
X	63	4714 LINDSLEY AVE	ALCORTA RAMON JR
	64	4718 LINDSLEY AVE	GILMORE CURTIS

09/07/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	65	4719 GURLEY AVE	VILLARREAL ESMERALDA N &
O	66	4715 GURLEY AVE	MORENO JANIE G
	67	4711 GURLEY AVE	FLORES PASTOR GUZMAN &
	68	4707 GURLEY AVE	SOTO MIGUEL & FRANCISCA
	69	4703 GURLEY AVE	MEJIA MARTHA
	70	4619 GURLEY AVE	GARCIA GUADALUPE F &
X	71	910 BANK ST	LASTER YVETTE
	72	4606 PARRY AVE	ALONZO MARIA
	73	4610 PARRY AVE	MURGUIA EUFRONCIA
	74	4612 PARRY AVE	AVILEZ RAFAEL
	75	4616 PARRY AVE	TORRES J CARMEN
	76	4702 PARRY AVE	MALONE OSCAR D
	77	4706 PARRY AVE	RIDGE THURMAN A &
	78	4708 PARRY AVE	SANCHEZ EMILIO
	79	4714 PARRY AVE	APOLINAR LIDIA B
	80	4815 GURLEY AVE	LOPEZ GUADALUPE &
	82	4801 GURLEY AVE	ROES CHAPEL BAPTIST CHURCH
X	83	4800 PARRY AVE	RODDY SHUSHERON
	84	4806 PARRY AVE	PIZANO AUGUSTIN
	85	4810 PARRY AVE	GUERRERO OLGA & REGLIO
	86	4814 PARRY AVE	TIMMINS CURTIS D
	87	4717 PHILIP AVE	CASTILLO BLANCA A
	89	4711 PHILIP AVE	PEREZ RAFAELA
	90	4707 PHILIP AVE	LOZANO NELSON & SOFIA
	91	4703 PHILIP AVE	ALVARADO AARON &
	92	4619 PHILIP AVE	MARTINEZ RICARDO
X	93	4615 PHILIP AVE	GUTIERREZ JOSE ARTURO &
	95	4605 PHILIP AVE	WONDERLANDS HOMES LLC
	96	4603 PHILIP AVE	PEREZ ELSIE
	98	4604 GURLEY AVE	DUARTE MARISELA
	99	4608 GURLEY AVE	RODRIGUEZ MAURICIO

09/07/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	100	4614 GURLEY AVE	ROMERO YINESSA YOSELIN
	101	4618 GURLEY AVE	SCROGGINS KATHRYN &
	102	4702 GURLEY AVE	JONES ELMER
	103	4704 GURLEY AVE	MENDEZ PAULA V
	104	4708 GURLEY AVE	BARNES GUSSIE &
X	105	4712 GURLEY AVE	ALBARRAN VENDIOSED
	106	4718 GURLEY AVE	ROBINSON GEORGIA EST OF
	107	4540 CONGO ST	PEREZ CYNTHIA &
	108	4809 PHILIP AVE	ANGEL CRESPIN & SOFIA
X	109	4805 PHILIP AVE	JAIMES ROQUE &
	110	4801 PHILIP AVE	CONTRERAS FRANCISCA &
	111	1012 CALDWELL AVE	LOERA GLORIA P
	112	4802 GURLEY AVE	DELAROSA JUAN H
	113	4804 GURLEY AVE	VARGAS MIGUEL &
	114	4808 GURLEY AVE	RUSSELL IDA BESSIE M
	115	4602 PHILIP AVE	MARTINEZ ANA MARIA
	116	1114 BANK ST	MARTINEZ EDGAR
	117	4606 PHILIP AVE	MEDRANO FRANCISCO & TERESA
	118	4610 PHILIP AVE	PEREZ SIRA
	119	4614 PHILIP AVE	AREVALO MARIA M
	120	4618 PHILIP AVE	PEREZ JOSE R &
	121	4702 PHILIP AVE	GUERRO FIDENCIO R
	122	4706 PHILIP AVE	MERCADO JOSE A &
	123	4710 PHILIP AVE	VALDEZ ELDA
	124	4714 PHILIP AVE	LOERA GLORIA & ERASMO
X	125	4718 PHILIP AVE	WILLIAM ROBERT LEE
	126	913 S CARROLL AVE	WEBB DEBRA JOYCE
	127	917 S CARROLL AVE	ANGLIN KENNETH & BERNICE
	128	921 S CARROLL AVE	KNOX WILLIAM T
	129	925 S CARROLL AVE	JUBILEE PARK &
	130	1001 S CARROLL AVE	EAST DALLAS CHURCH OF CHRIST

09/07/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	131	4512 GURLEY AVE	EDWARDS SHANNON L
	132	4516 GURLEY AVE	JONES LULA FAY
	133	1020 S CARROLL AVE	MARTINEZ EDUARDO
	134	4511 CONGO ST	MARTINEZ EDUARDO
	135	4517 CONGO ST	WORKS GEORGE W
	136	4523 CONGO ST	GARRETT VERNESSIA R
	137	4525 CONGO ST	GARRETT EARNEST LAMAR &
	138	4537 CONGO ST	BUILDING COMMUNITY WORKSHOP
O	139	4529 CONGO ST	GARRETT ANNIE PEARL EST
	140	4533 CONGO ST	GARRETT ELLA MAE
O	141	4539 CONGO ST	BOWIE FRED DOUGLAS
	142	4512 CONGO ST	TOPLETZ INVESTMENTS
	143	1036 S CARROLL AVE	FAIR PARK CHURCH
	144	1032 S CARROLL AVE	FAIR PARK CHURCH OF GOD
	145	4507 PHILIP AVE	FAIR PARK CHURCH OF
	146	4509 PHILIP AVE	RABAGO ALONZO &
	147	4511 PHILIP AVE	MARTINEZ EDUARDO &
	148	4515 PHILIP AVE	JEFFREY A M JR
	149	4519 PHILIP AVE	PEREZ DANIEL C
	150	4531 PHILIP AVE	ADAMS ARTEMUS
	151	4533 PHILIP AVE	JAIMEZ SALVADOR BAUTISTA &
	152	4535 PHILIP AVE	RUIZ JESUS
O	153	4528 CONGO ST	JUBILEE PARK & COMMUNITY CTR CORP
	155	4540 PHILIP AVE	ST MARK MISSIONARY
	156	4538 PHILIP AVE	ST MARK BAPTIST CH TR
	157	4504 PHILIP AVE	AMADOR JOSE A & MARIA J
X	159	4512 PHILIP AVE	ACEVEDOAVILA CUAUTEMOC
	160	4516 PHILIP AVE	BLAIR DONALD &
	161	4520 PHILIP AVE	LYONS EZELL
	162	4524 PHILIP AVE	DALLAS HOUSING ACQUISITION & DEV CORP
	163	4530 PHILIP AVE	WILDER SCHUYLER JAMES

09/07/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	164	4534 PHILIP AVE	ST MARK MISSIONARY
	165	4512 PARRY AVE	ARREAGA ELVIA
	166	4514 PARRY AVE	RICO JUAN &
	167	4513 PARRY AVE	RICO ANGELINA
	168	4516 PARRY AVE	JIMENEZ RAUL & ROSA M
	169	4515 PARRY AVE	DENMARK DEVERICK ELAINE
	170	4522 PARRY AVE	GRANGER ROBERT & YVONNE
	171	4523 PARRY AVE	AYALA JOSE & MANUELA
	172	4526 PARRY AVE	CALDERON LIA T & RIGOBERTO
	173	4525 PARRY AVE	GALLAMORE JEFF &
	174	4530 PARRY AVE	RICHARDSON LASHAWNDA
	175	4533 PARRY AVE	BLANCO JUANITA
	176	4534 PARRY AVE	SOTO ROGELIO &
	178	4536 PARRY AVE	RODRIGUEZ JESUS &
	179	4535 PARRY AVE	CARMONA MARIA ALVAREZ
X	180	4537 PARRY AVE	LOPEZ J CARMELO & BERTHA
	182	4538 GURLEY AVE	CITY OF DALLAS HOUSING FINANCE CORP
	183	4536 PHILIP AVE	ST MARK MISSIONARY
O	A1	4539 PARRY AVE	RUIZ JOSE A & MARIA
O	A2	4715 PHILIP AVE	MARTINEZ VENANCIO G
O	A3	4518 CONGO ST	JUBILEE PARK & COMMUNITY CTR CORP
O	A4	4600 GURLEY AVE	HOLLINS JAMES R EST OF
O	A5	4611 PHILIP AVE	CAMP IDELL B EST OF
O	A6	4508 PHILIP AVE	EAST DALLAS COMMUNITY ORGANIZATION
O	A7	4516 GARLAND AVE	BARRERA MIRIAM
O	A8	4811 GURLEY AVE	BANDA JESUS A
O	A9	1022 S CARROLL AVE	JUBILEE PARK & COMMUNITY
O	A10	4536 CONGO ST	JUBILEE PARK & COMMUNITY CTR CORP
O	A11	4532 CONGO ST	JUBILEE PARK & COMMUNITY CTR CORP
O	A12	4522 CONGO ST	EAST DALLAS COMMUNITY ORGANIZATION

09/07/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	A13	4502 GURLEY AVE	JUBILEE PARK & COMMUNITY
O	A14	741 BANK ST	JUBILEE PARK & COMMUNITY CENTER CORP
O	A15	4511 PARRY AVE	JUBILEE PARK & COMMUNITY
O	A16	4509 PARRY AVE	JUBILEE PARK & COMMUNITY
O	A17	4611 GURLEY AVE	JUBILEE PARK & CNT CORP
O	A18	4615 GURLEY AVE	JUBILEE PARK & COMMUNITY CENTER
O	A19	1000 S CARROLL AVE	JUBILEE PARK & COMMUNITY
O	A20	938 S CARROLL AVE	JUBILEE PARK & COMMUNITY
O	A21	907 S CARROLL AVE	JUBILEE PARK & COMMUNITY
O	A22	4603 GURLEY AVE	JUBILEE PARK & CENTER COR
O	A23	917 BANK ST	JUBILEE PARK & COMMUNITY



**AGENDA ITEM # 24**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 8

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 67 J

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District and an ordinance granting a Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an A(A) Agricultural District, on the south line of Simpson Stuart Road, west of South Central Service Expressway

Recommendation of Staff: Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a three-year period, subject to a site plan, a landscape plan, and staff's recommended conditions

Recommendation of CPC: Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a four-year period, subject to a site plan, a landscape plan, and conditions

Z167-303(JM)

**FILE NUMBER:** Z167-303(JM)

**DATE FILED:** May 17, 2017

**LOCATION:** South line of Simpson Stuart Road, west of South Central Service Expressway

**COUNCIL DISTRICT:** 8

**MAPSCO:** 67 J

**SIZE OF REQUEST:** ±3.587 acres

**CENSUS TRACT:** 202.00

**REPRESENTATIVE:** Tailim Song % Tailim Song Law Firm

**APPLICANT/OWNER:** Walter Huerta

**REQUEST:** An application for an IR Industrial Research District and a Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an A(A) Agricultural District.

**SUMMARY:** The applicant is proposing to operate a concrete batch plant on the property.

**CPC RECOMMENDATION:** Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a four-year period, subject to a site plan, a landscape plan, and conditions.

**STAFF RECOMMENDATION:** Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a three-year period, subject to a site plan, a landscape plan, and staff's recommended conditions.

## **BACKGROUND INFORMATION:**

- The request is for a zone change and SUP to allow a concrete batch plant. The site is undeveloped and contains approximately 3.587 acres of land.
- The site plan depicts one proposed office structure (616 sq. ft.), two cement silos up to 50 feet in height, a dust collector, elevated storage, conveyor belt, hopper, sand storage, and parking spaces. The overall outside floor area for the industrial use is 8,618 square feet.
- A proposed landscape plan provides a 15-foot landscape buffer along a portion of the northwest property line and all along Simpson Stuart Road. A 10-foot landscape buffer of existing plant material will provide some relief from residential adjacency buffering requirements for a nonresidential building site adjacent to an agricultural district.
- The proposed IR Industrial Research District would add a variety of uses concentrated in the commercial service and industrial categories, while removing the residential use capacity found in the existing A(A) Agricultural District.

## **Zoning History:**

There have been no recent zoning requests in the area in the past 5 years.

## **Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Simpson Stuart Road	Principal Arterial	100 feet

## **Land Use:**

	Zoning	Land Use
Site	A(A) Agricultural District	Undeveloped
North	IR Industrial Research District	Auto Service Center, Undeveloped, Utilities, Single Family, Vehicle Display, Sales, and Service
East	A(A) Agricultural District	Vehicle Display, Sales, and Service, and Vacant
South	A(A) Agricultural District	Undeveloped and Crop Production
West	A(A) Agricultural District	Utilities

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and has no objections.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

**LAND USE ELEMENT:**

**GOAL 1.2 Promote desired development.**

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns

The concrete batching plant is a vital part of the industrial fabric that allows specific materials to be processed and transported to various locations throughout the City. The request site is consistent with the *forwarddallas! Comprehensive Plan* because the Plan identifies the area as Industrial Area. The request site is located within a transitional area and is contiguous to several agricultural tracts of land and industrial/warehouse uses that are in an IR Industrial Research District.

**Land Use Compatibility:**

The site is undeveloped and contains approximately 3.587 acres of land. The proposed rezoning and SUP will allow for an industrial outside use limited to a concrete batch plant to operate at the site. The property has approximately 380 feet of frontage along Simpson Stuart Road, a principal arterial road with 100 feet of right-of-way. There are two proposed ingress/egress points. Each access point has a 26-foot wide concrete driveway and a manual gate. According to the site plan submitted, the access points will be one-way—offering one entrance and one exit separated by 140 feet of landscaped frontage. The entire property will be screened with an eight-foot solid fence.

Adjoining land uses include a utility transmission line and crop production to the west; crop production to the south; natural liquefied fueling station, crop production, vacant structures, and vehicle display, sales, and service to the east; and, single family and vehicle display, sales, and service to the north across Simpson Stuart Road. The McCommas Bluff Landfill is approximately one mile to the east. Multifamily zoning is found over 3,000 feet southwest along Simpson Stuart Road.

The immediate vicinity of the subject site seems to be transitioning to industrial uses with patches of Industrial Research and Commercial Service Districts to the north, east, and south. While the property does not have residential adjacency as defined by Residential Adjacency Review standards in Sec. 51A-4.803(d)(3)(A), the Agricultural District does allow residential uses and surrounds the site. Single family uses also exist across Simpson Stuart Road in the Industrial Research District (seemingly nonconforming land uses since not allowed in this district). The SUP conditions provide measures to mitigate any adverse effects of the use on surrounding areas. Staff recommends an initial period of three-years to allow an opportunity to re-evaluate the continued compatibility of this land use with the surrounding general area and compliance with the SUP conditions.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

### **Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
<b>Existing</b>							
A(A) Agricultural	50'	20'/50'	None	24'	10% or 25%	None	Agricultural & single family.
<b>Proposed</b>							
IR Industrial Research	15'/0'	0'/30'	NA	200'	80%	RPS	Industrial, wholesale distribution & storage, supporting office & retail.

### **Parking:**

The Dallas Development Code requires one space per 600 square feet of floor area including outside manufacturing area. The site plan provided shows 8,618 square feet of outside manufacturing area. Additionally, the plan identifies 616 square feet of office space, parked at one space per 333 square feet of floor area. A total of 16 parking spaces are required and 20 spaces are provided as shown on the attached site plan.

**Landscaping & Screening:**

Landscaping must be provided in accordance with the landscape plan. While there are no immediately adjacent residential uses to the site, Article X defines residential adjacency to include the A(A) Agricultural District. The proposed use is required to provide a 10-foot wide perimeter landscape buffer in combination with a minimum six-foot-tall solid screening fence along the three sides of the property facing the agricultural zoning. However, in lieu of these residential adjacency requirements, the applicant is requesting to install an eight-foot-high solid screening fence in the locations shown on the proposed landscape plan. Additionally, the proposed landscape plan provides a 10-foot landscape buffer of existing plant material which will provide some relief from residential adjacency buffering requirements for a nonresidential building site adjacent to an agricultural district. The site will also have a 15-foot landscape buffer along a portion of the northwest property line and all along Simpson Stuart Road in addition to the same solid eight-foot fence. This includes screening of the proposed parking spaces with shrubbery.

**CPC Action**  
**September 7, 2017**

**Motion:** It was moved to recommend **approval** of an IR Industrial Research District and **approval** of a Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant for a four-year period, subject to a site plan, a landscape plan, and conditions on property zoned an A(A) Agricultural District, on the south line of Simpson Stuart Road, west of South Central Service Expressway.

Maker: Haney  
Second: Peadon  
Result: Carried: 7 to 6

For: 7 - Anglin, Mack, Haney, Jung, Housewright\*,  
Peadon, Ridley

Against: 6 - Davis, Houston, Murphy, Rieves, Schultz,  
Shidid

Absent: 2 - Anantasomboon, Tarpley

Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 17

**Replies:** For: 1 Against: 0

**Speakers:** For: Amy Hsu, 8111 LBJ Freeway, Dallas, TX, 75251  
Against: None



**PROPOSED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is an industrial (outside) use limited to a concrete batch plant.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

**CPC's Recommendation:**

3. TIME LIMIT: This specific use permit expires on \_\_\_\_\_ [four-years from the passage of this ordinance].

**Staff's Recommendation:**

3. TIME LIMIT: This specific use permit expires on \_\_\_\_\_ [three-years from the passage of this ordinance].

**Applicant's Request:**

3. TIME LIMIT: This specific use permit expires on \_\_\_\_\_ [three-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.

4. LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan.
5. GROUND AND DUST CONTROL:

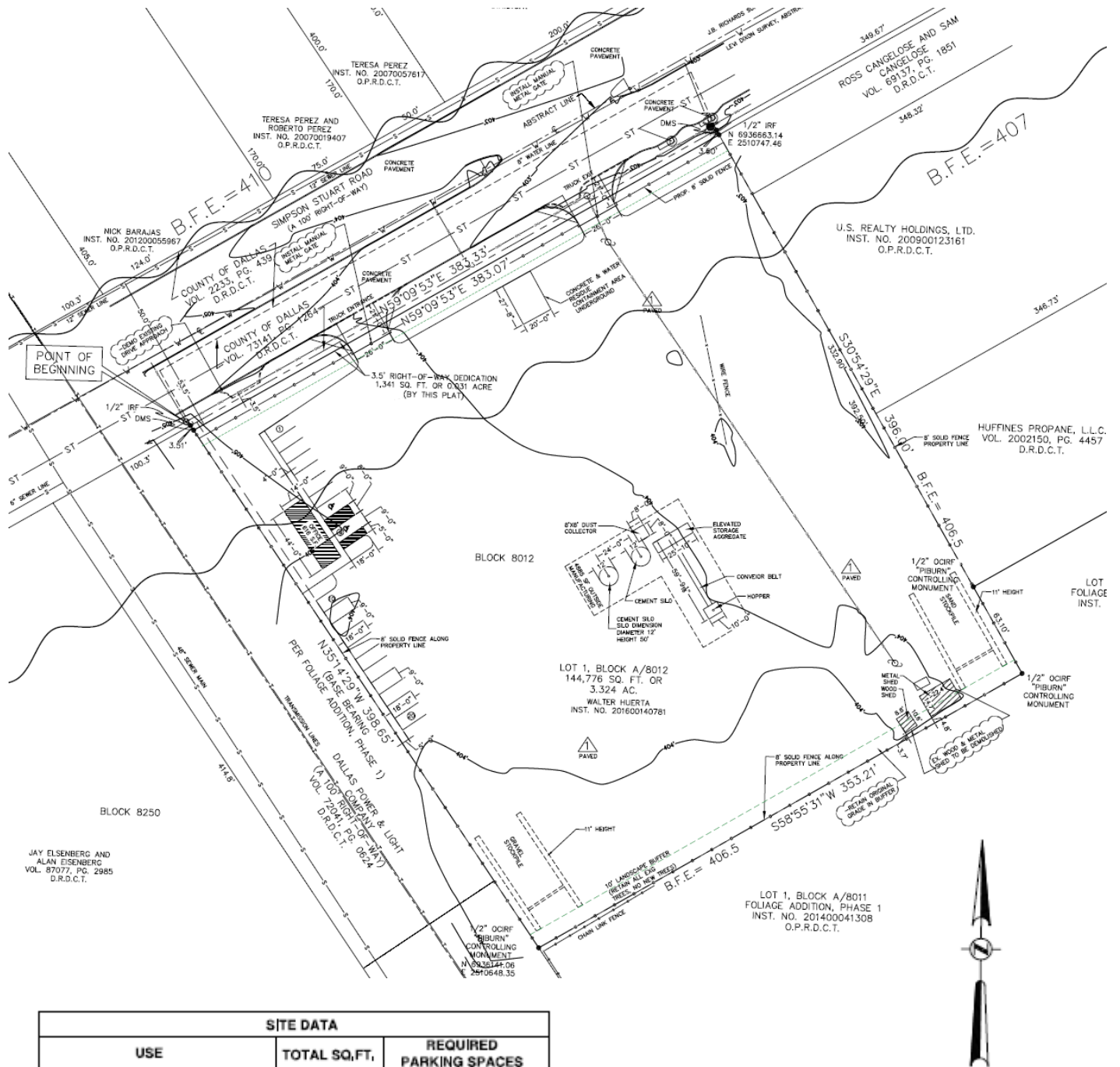
A. The following conditions must be met on an ongoing basis:

- i. All permanent roads or vehicular maneuvering areas must be paved, watered, and vacuum swept as necessary to achieve maximum control of dust emissions.
- ii. To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.
- iii. Spillage of materials must be cleaned up and contained or dampened within 30 minutes after the spillage so that emissions from wind erosion and vehicle traffic are minimized.
- iv. During operations, all stockpiles must be sprinkled with water or chemicals to eliminate visible dust emissions.

B. Prior to the issuance of a certificate of occupancy, a written ground and dust control plan that reflects existing and proposed infrastructure needed to comply with 4(A)(i) through 4(A)(iv) must be delivered to the director of the office of environmental quality and the director of sustainable development and construction.

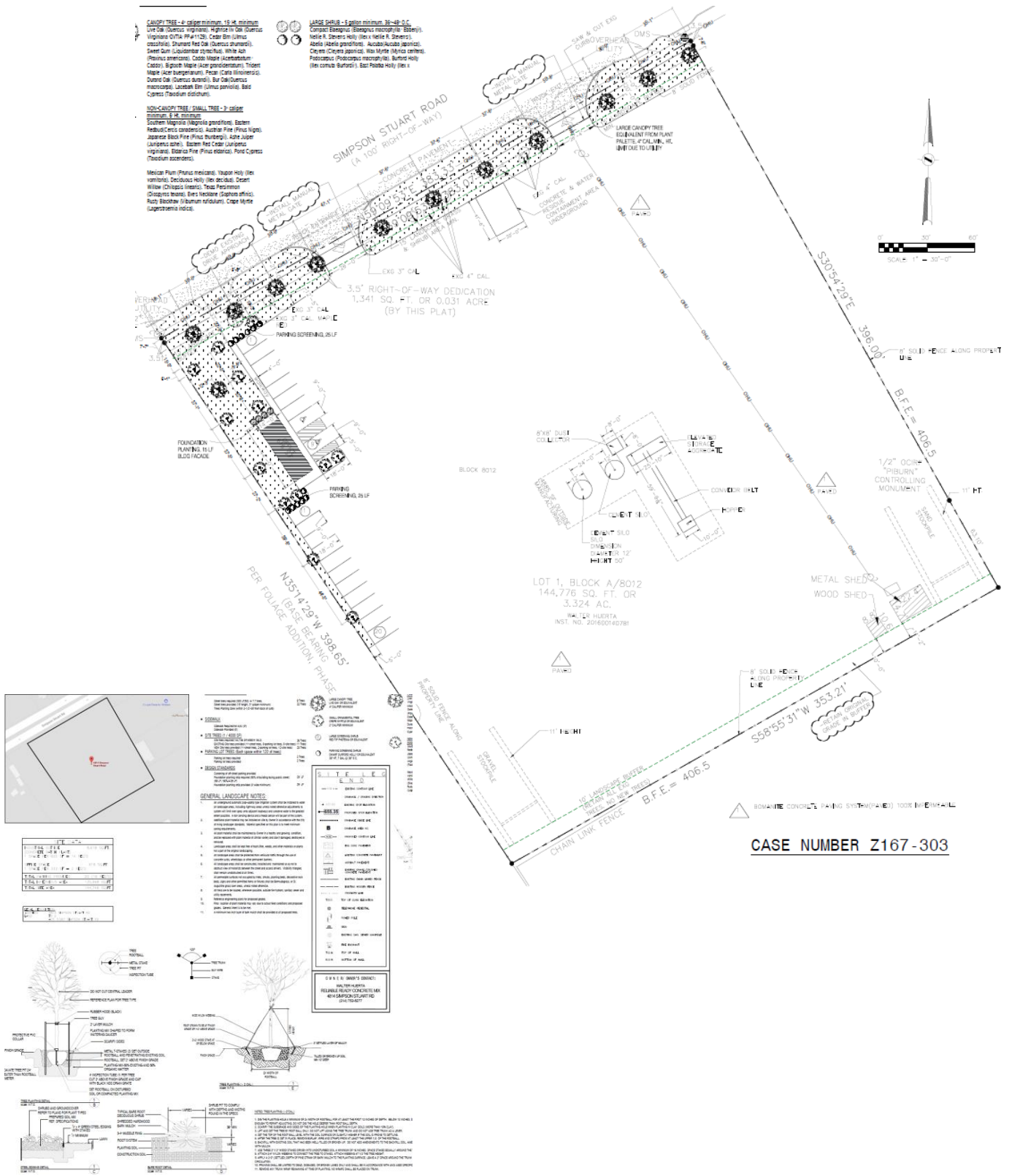
6. OFF-STREET PARKING: Off-street parking must be provided in the locations shown on the attached site plan.
7. OUTSIDE STORAGE: Outside storage of materials is permitted only in bins that are screened on three sides by solid walls with a minimum height of ten feet.
8. ROAD REPAIR: The owner or operator, or his/her successor or assigns, is responsible for repairing holes or other surface damages on Simpson Stuart Road caused by operation of the concrete batch plant. The road repairs must conform to City of Dallas standards as approved by the director of mobility and street services.
9. SCREENING: A minimum eight-foot-high solid screening fence must be maintained and located as shown on the attached site plan. Fence materials must be in accordance with Sec. 51A-4.602.
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

# PROPOSED SITE PLAN



SITE DATA		
USE	TOTAL SQ.FT.	REQUIRED PARKING SPACES
INDUSTRIAL OUTSIDE (CONCRETE BATCH PLANT) 1 SPACE PER 600 SQ.FT.	8,618 SQ.FT.	14
OFFICE SPACE 1 SPACE PER 333 SQ.FT.	616 SQ.FT.	2
TOTAL PARKING PROVIDED	20 SPACES (16 REQUIRED)	
TOTAL LOT AREA	144,746 SQ.FT. (3,324 Ac)	

# PROPOSED LANDSCAPE PLAN



CASE NUMBER Z167-303

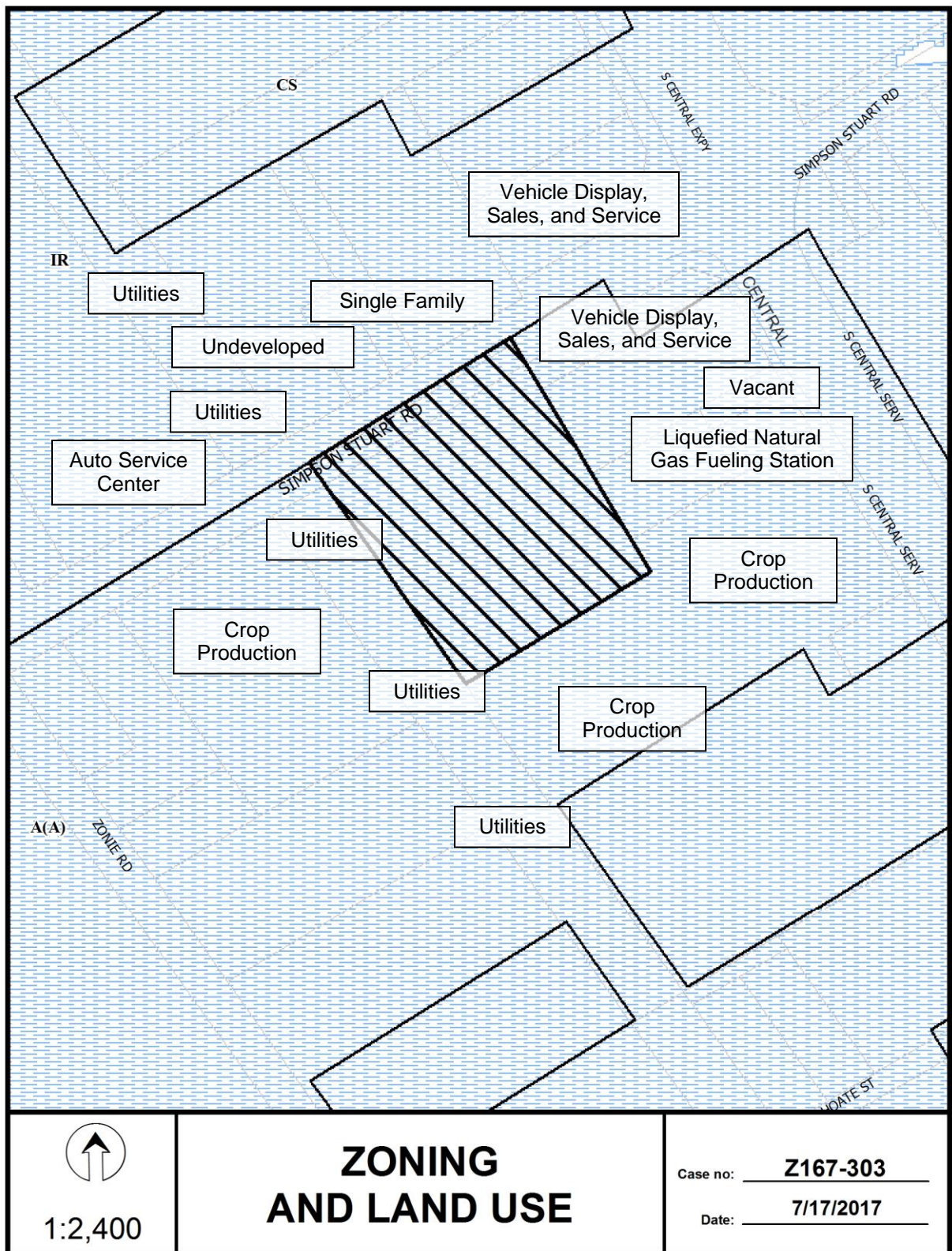






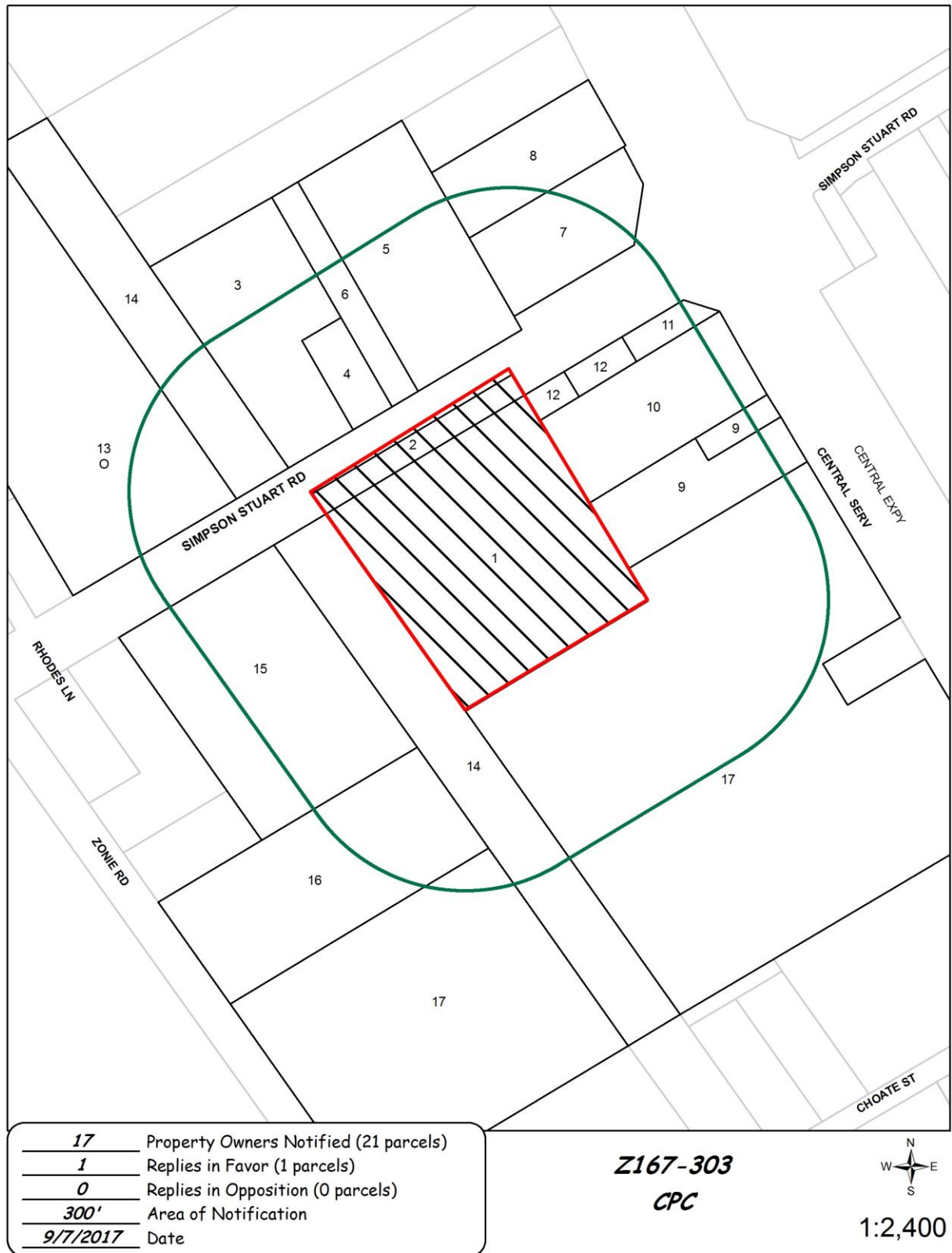








# CPC RESPONSES



09/06/2017

***Reply List of Property Owners******Z167-303******17 Property Owners Notified******1 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	4814 SIMPSON STUART RD	HUERTA WALTER
	2	4812 SIMPSON STUART RD	County of Dallas
	3	4917 SIMPSON STUART RD	BARAJAS NICK
	4	4919 SIMPSON STUART RD	PEREZ TERESA & ROBERTO
	5	4927 SIMPSON STUART RD	BANKS WILFRED JR
	6	4923 SIMPSON STUART RD	PEREZ TERESA
	7	9255 S CENTRAL EXPY	SHANAN CALVIN H
	8	9245 S CENTRAL EXPY	SHAHAN CALVIN H
	9	9323 S CENTRAL EXPY	HUFFHINES PROPANE LLC
	10	9315 S CENTRAL EXPY	U S REALTY HOLDINGS LTD
	11	9305 S CENTRAL EXPY	GERALDINE GENEVA
	12	4940 SIMPSON STUART RD	CANGELOSE GERALDINE G
O	13	4811 SIMPSON STUART RD	TIEU THOMAS
	14	4800 SIMPSON STUART RD	TEXAS UTILITIES ELEC CO
	15	4870 SIMPSON STUART RD	EISENBERG JAY & ALAN
	16	5612 ZONIE RD	ESTRADA CONCRETE CO LLC
	17	5712 ZONIE RD	RUIBAL FARMS LP

**AGENDA ITEM # 25**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 36 W

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses with an MD-1 Modified Delta Overlay District on the north line of Alta Avenue, west of Greenville Avenue

Recommendation of Staff: Approval for a three-year period, subject to conditions

Recommendation of CPC: Approval for a one-year period, subject to conditions

Z167-342(WE)



**FILE NUMBER:** Z167-342(WE) **DATE FILED:** July 12, 2017

**LOCATION:** North line of Alta Avenue, west of Greenville Avenue

**COUNCIL DISTRICT:** 14 **MAPSCO:** 36 W

**SIZE OF REQUEST:** Approx. 8,975 Sq. ft. **CENSUS TRACT:** 10.02

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**APPLICANT:** FC Alta, LLC aba/Feed Company

**OWNER:** Lowgreen PS Ltd.

**REPRESENTATIVE:** Sameer Patel, Partner

**REQUEST:** An application for the renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses with an MD-1 Modified Delta Overlay District.

**SUMMARY:** The applicant proposes to continue the operation of the restaurant [Feed Company] after midnight.

**CPC RECOMMENDATION:** Approval for a one-year period, subject to conditions.

**STAFF RECOMMENDATION:** Approval for a three-year period, subject to conditions.

**BACKGROUND INFORMATION:**

- On September 13, 2011, the City Council approved Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a three-year period.
- On October 8, 2014, the City Council approved a renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a three-year period.
- The ±8,975-square foot request site is developed with a ±3,207-square foot structure which currently has a certificate of occupancy, issued on March 18, 2010, for a restaurant without drive-in or drive-through service.
- The restaurant without drive-in or drive-through service use is allowed by right; however, pursuant to the provisions of PDD No. 842, a Specific Use Permit for late hours is required in order for the establishment to operate after midnight.
- The request site is surrounded by a bar, restaurant, and parking to the north; restaurants, bars and surface parking to the east; a restaurant with drive-through service and a masonic lodge use to the south; and parking and a restaurant use to the west.
- No new construction is proposed by this application.
- The site lies within the Area 3 portion of Modified Delta Overlay No. 1.

**Zoning History:**

There have been approximately five zoning cases in the area over the past five years. The majority of the cases requested a Specific Use Permit for a late-hours establishment limited to an alcoholic beverage establishment limited to a restaurant without drive-in or drive-through use. During this time period several cases were for renewals of SUP for a late-hour establishment.

1. Z123-262 On August 28 2013, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through use on property within Planned Development District No. 842 for CR Community Retail District use with a MD-1 Modified Delta Overlay.

2. Z134-177 On July 24, 2014, the City Council approved a renewal of Specific Use Permit No. 1879 for a late-hours establishment limited to a bar, lounge or tavern on property within Planned Development District No. 842 for CR Community Retail District use with a MD-1 Modified Delta Overlay.
3. Z134-204 On August 13, 2014, the City Council approved an amendment to and the renewal of Specific Use Permit No. 2044 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property within Planned Development District No. 842 for CR Community Retail District use with a MD-1 Modified Delta Overlay.
4. Z134-262 On October 8, 2014, the City Council approved a renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through use on property within Planned Development District No. 842 for CR Community Retail District use with a MD-1 Modified Delta Overlay.
5. Z156-300 On October 26, 2016, the City Council approved a renewal of Specific Use Permit No. 1905 for a late-hours establishment limited to a restaurant without drive-in or drive-through use on property within Planned Development District No. 842 for CR Community Retail District use with a MD-1 Modified Delta Overlay.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Alta Avenue	Local	50 ft.	50 ft.

**Traffic:** The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.



**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 842	Restaurant without drive-through service
<b>North</b>	PDD No. 842	Retail, Restaurant
<b>South</b>	PDD No. 842	Restaurant, Masonic Lodge
<b>East</b>	PDD No. 842	Retail, Restaurant, surface parking
<b>West</b>	PDD No. 842	Restaurant, surface parking

**Development Standards:**

<b><u>DISTRICT</u></b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
PDD No. 842	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

**COMPREHENSIVE PLAN:** The fowardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The fowardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

**STAFF ANALYSIS:**

**Land Use Compatibility:** The 8,975-square-foot request site is developed with an approximate 3,207-square-foot structure which currently has a certificate of occupancy, issued on March 18, 2010, for a restaurant without drive-in or drive-through service and SUP No. 1903 for late hours establishment.

The main uses permitted in PDD No. 842 are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Chapter 51A. PDD No. 842 is intended to help mitigate the possible negative impacts of late hour uses on adjacent residential neighborhoods. In order to operate certain uses between midnight and 6:00 a.m., the land use becomes a late-hours establishment and a Specific Use Permit is required. The owner or operator must obtain a certificate of occupancy for a late-hours establishment, before operating after 12:00 a.m. (midnight).

A late-hours establishment is defined in PDD No. 842 as a retail and personal service use that operates between 12 a.m. (midnight) and 6 a.m. The PD gives additional criteria for evaluating a request for a specific use permit:

- (e) Factors to be considered for a specific use permit for a late-hours establishment. The city plan commission and city council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):

- (1) the number of citations issued by police to patrons of the establishment;
- (2) the number of citations issued by police for noise ordinance violations by the establishment;
- (3) the number of arrests for public intoxication or disorderly conduct associated with the establishment;
- (4) the number of Texas Alcoholic Beverage Code violations of the establishment; and
- (5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

The Dallas Police Department has provided responses to these criteria, which follow later in this report.

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.

**Landscaping:** Landscaping will in accordance to the landscaping requirements in Article X, as amended. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site.

**Off-street parking:** Pursuant to §51A-4.210, a restaurant requires one (1) space per 100 square feet of floor area. Therefore, the ±3,207-square foot restaurant requires 32 spaces. As depicted on the site plan, 9 spaces will be provided onsite. The applicant owns the adjacent property to the west of the request site and utilizes the lot for restaurant parking. The required 32 spaces must be provided onsite and/or through a parking agreement. The applicant has a parking agreement filed with the Building Official in order to meet the required parking for the restaurant.

**Police Department:**

The Dallas Police Department has report that nine violations have occurred during the periods between June 2014 and June 2017, as outlined below:

<b>Date</b>	<b>Violation</b>
6/6/2017	11B - BURG OF BUS
7/10/2017	11V - BURG MOTOR VEH
6/11/2017	09 - THEFT
10/11/2015	58 – ROUTINE INVESTIGATION
1/13/2016	40 – OTHER
8/24/2015	31 - CRIMINAL MISCHIEF
6/4/2014	6X - MAJOR DIST (VIOLENCE)
12/17/2014	09 - THEFT
11/24/2014	07 - MINOR ACCIDENT

**CPC Action** (September 7, 2017)

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period, subject to conditions with the following modification to condition #7, to read as: "OUTDOOR LIVE MUSIC AND SPEAKERS: Use of outdoor speakers and outdoor live music on the Property is prohibited." on property zoned Planned Development District No. 842 for CR Community Retail District Uses with an MD-1 Greenville Avenue Modified Delta Overlay District on the north line of Alta Avenue, west of Greenville Avenue.

Maker: Ridley  
Second: Murphy  
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Mack,  
Haney, Jung, Housewright, Schultz, Peadon,  
Murphy, Ridley

Against: 0  
Absent: 2 - Anantasomboon, Tarpley  
Vacancy: 0

**Notices:** Area: 200 Mailed: 18  
**Replies:** For: 2 Against: 0

**Speakers:** None

<b>LIST OF OFFICERS</b>
-------------------------

**List of Partners/Principles/Officers**

- Sameer Patel, Partner
- Patrick Bruce, Partner
- Anthony Rivera, Partner
- Kalpana Patel, Partner
- Peter Pena, Partner
- Patrick Pena, Partner
- Jena Collier, Partner
- Catherine Collier, Partner

Lowgreen PS LTD

**Corporate Address:**

- 2800 N Henderson Ave Ste 200  
Dallas, TX 75206

**List of Partners/Principles/Officers**

- Marc Andres
- Roger Andres
- Shula Netzer

**CPC PROPOSED SUP CONDITIONS**

1. **USE:** The only use authorized by this specific use permit is a late-hours establishment limited to a restaurant without drive-in or drive-through service.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.

*CPC Recommendation*

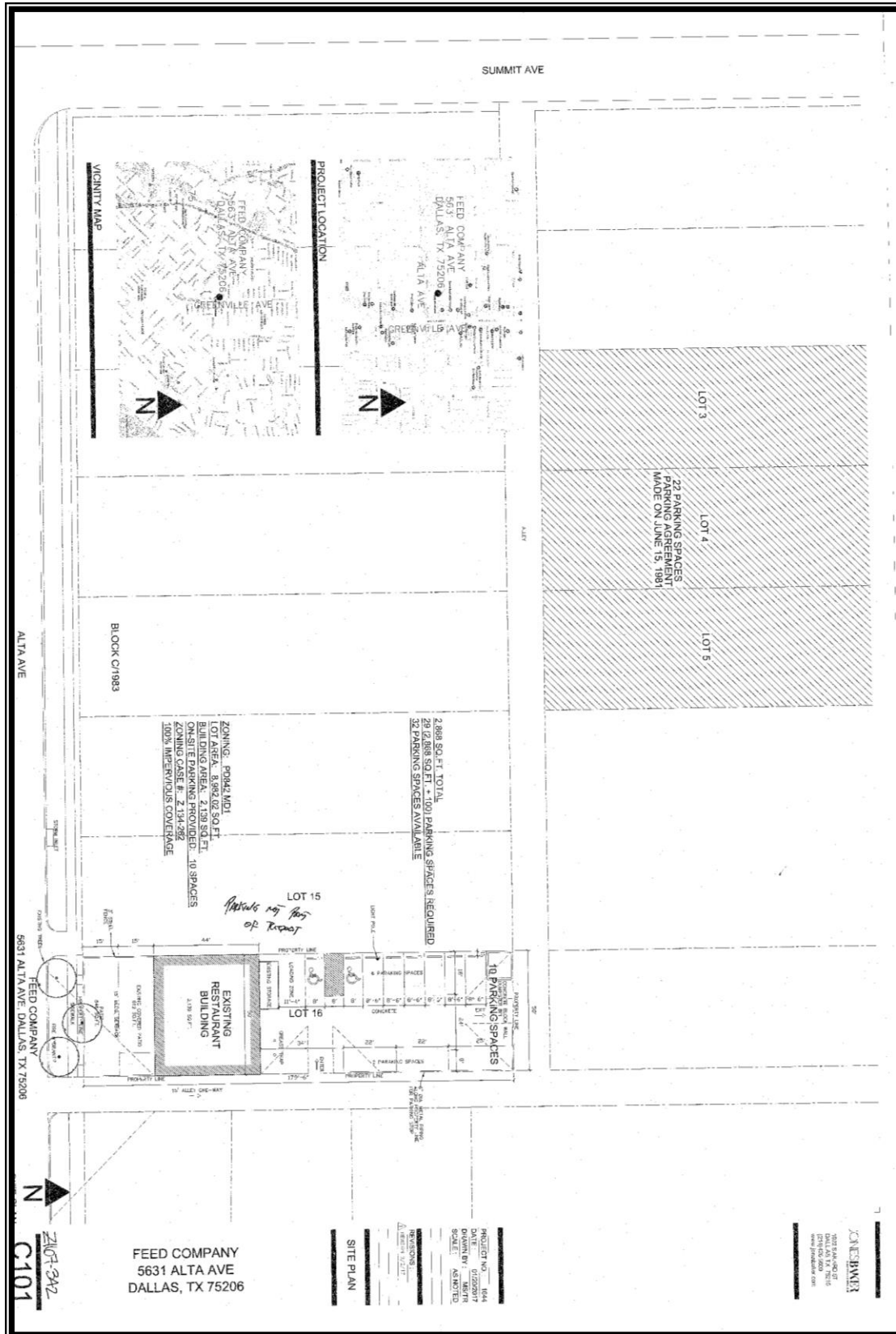
- |                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. <b>TIME LIMIT:</b> This specific use permit expires on [ <del>October 8, 2017</del> ] ( <u>one year from date of passage of this ordinance</u> ). |
|------------------------------------------------------------------------------------------------------------------------------------------------------|

*Staff's Recommendation*

- |                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. <b>TIME LIMIT:</b> This specific use permit expires on [ <del>October 8, 2017</del> ] ( <u>three years from date of passage of this ordinance</u> ). |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|

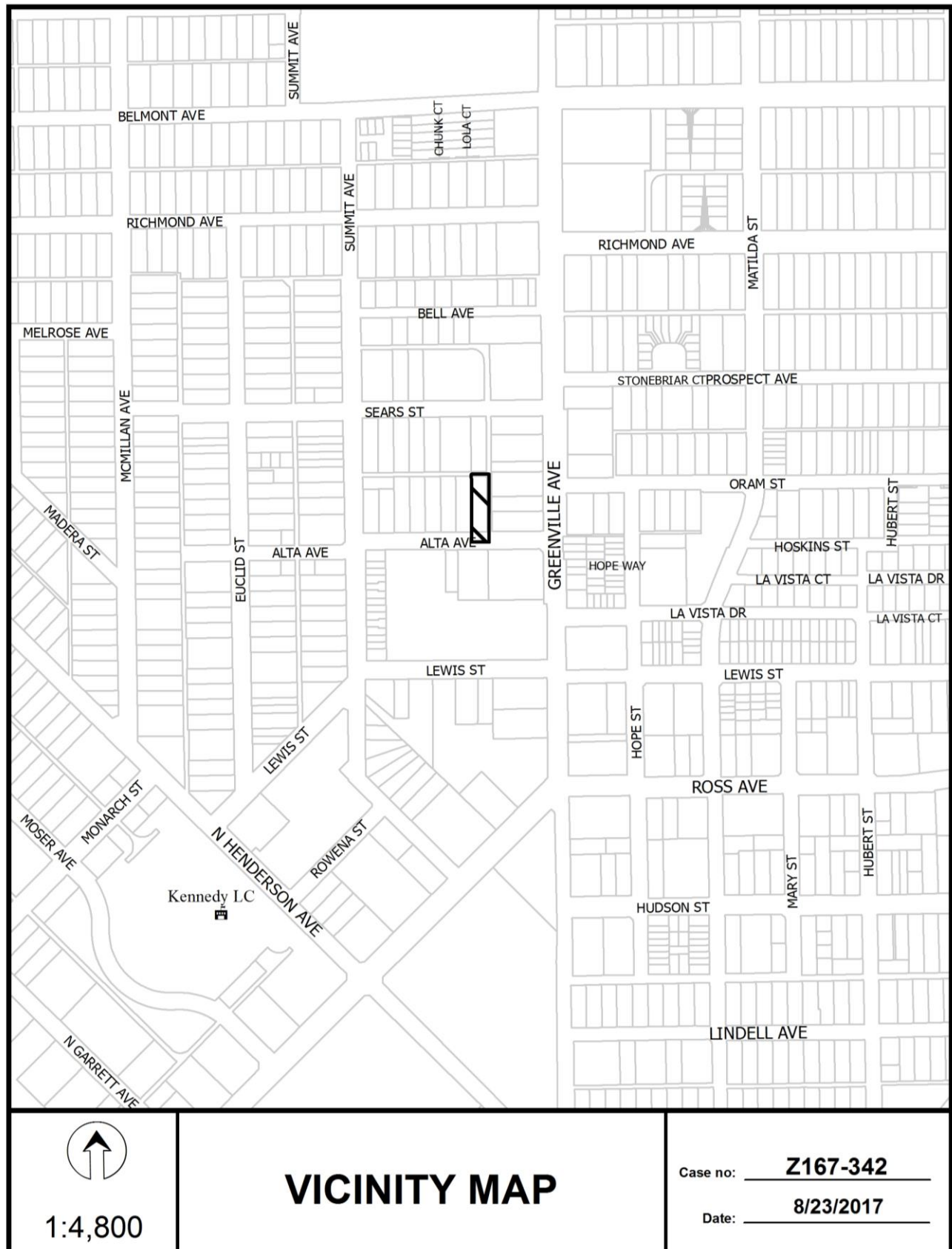
4. **CERTIFICATE OF OCCUPANCY:** The owner or operator must obtain a certificate of occupancy for a late-hours establishment before operating after 12:00 a.m. (midnight).
5. **FLOOR AREA:** Maximum floor area is 3,207 square feet.
6. **HOURS OF OPERATION:** The late-hours establishment limited to a restaurant without drive-in or drive-through service may only operate between 12:00 a.m. (midnight) and 3:00 a.m., Monday through Sunday. No new customers may enter the restaurant without drive-in or drive-through service after 3:00 a.m., and all customers must leave the Property by 4:30 a.m.
7. **OUTDOOR LIVE MUSIC AND SPEAKERS:** Use of outdoor speakers and outdoor live music [~~speakers~~] on the Property is prohibited.
8. **PARKING:** Parking must be provided in accordance with Planned Development District No. 842 and MD-1 Modified Delta Overlay No. 1.
9. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
10. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations and with all ordinances rules and regulations of the City of Dallas,

# EXISTING SITE PLAN



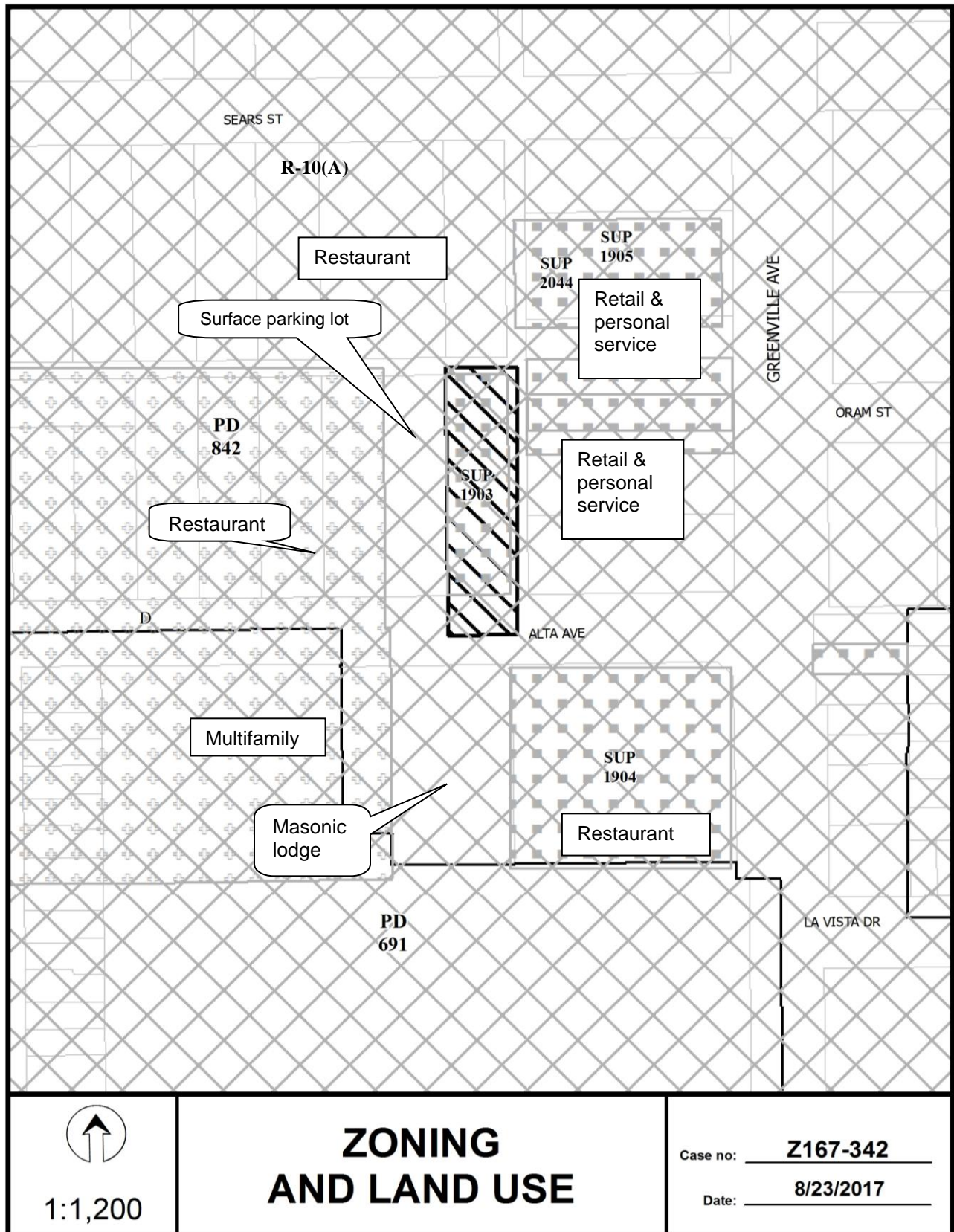


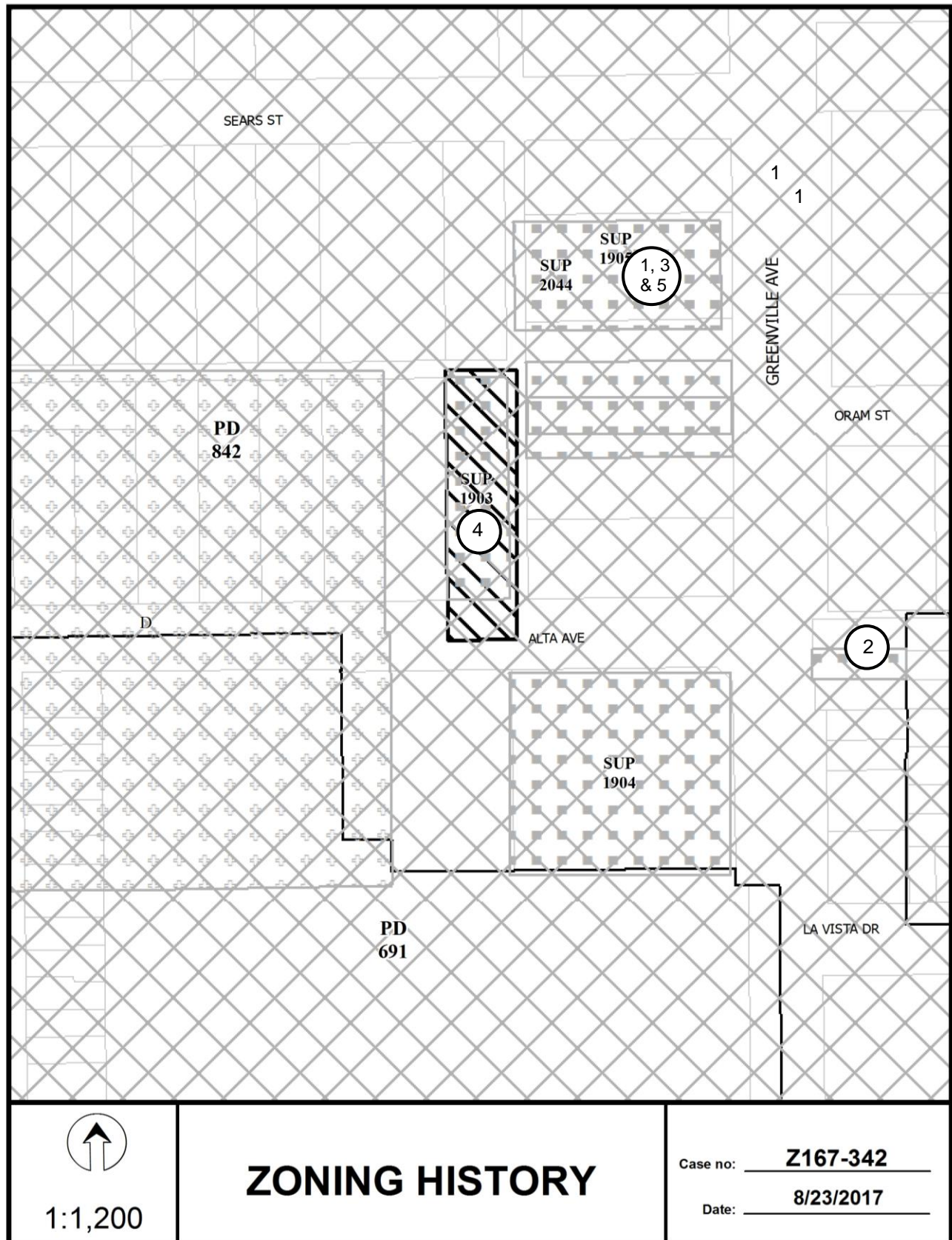
Z167-342(WE)



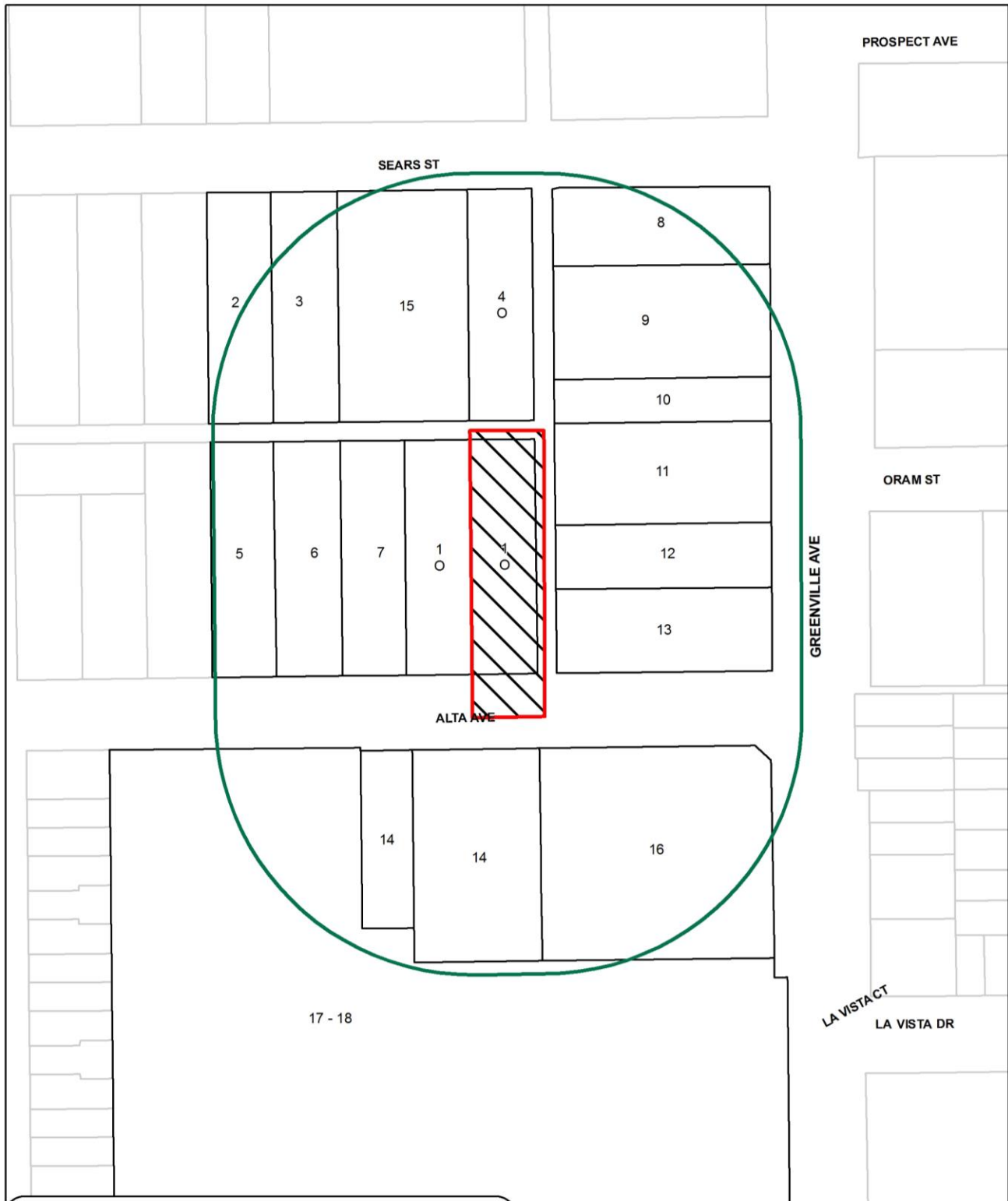








**CPC RESPONSES**



<u>18</u>	Property Owners Notified (19 parcels)
<u>2</u>	Replies in Favor (3 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>9/7/2017</u>	Date

**Z167-342**  
**CPC**



1:1,200

## ***Notification List of Property Owners***

***Z167-342***

***18 Property Owners Notified***

***2 Property Owners in Favor***

***0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	5627 ALTA AVE	LOWGREEN PS LTD
	2	5614 SEARS ST	GREENVILLE HOLDINGS INC
	3	5618 SEARS ST	GREENVILLE HOLDINGS CO
O	4	5628 SEARS ST	ANDRES FAMILY TRUSTS
	5	5615 ALTA AVE	THACKER RICHARD E
	6	5619 ALTA AVE	THACKER RICHARD E JR
	7	5623 ALTA AVE	GREENWAYSEARS LP
	8	1931 GREENVILLE AVE	GREENWAY SEARS LP
	9	1919 GREENVILLE AVE	1919 27 GREENVILLE LTD
	10	1917 GREENVILLE AVE	WORLD WIDE FOOD INC
	11	1911 GREENVILLE AVE	INTERCITY INVESTMENT PROP
	12	1909 GREENVILLE AVE	WORLDWIDE FOOD INC
	13	1903 GREENVILLE AVE	LOWGREEN PS
	14	5626 ALTA AVE	LATORRE ROBERT INC
	15	5622 SEARS ST	5624 SEARS STREET LTD
	16	1827 GREENVILLE AVE	LOWGREEN PS
	17	1811 GREENVILLE AVE	EGW GREENVILLE INVESTMENTS LP
	18	1811 GREENVILLE AVE	GREENWAY GREENVILLE LP



**AGENDA ITEM # 26**

Economic Vibrancy

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 49 S; W

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the northeast corner of North Prairie Creek Road and Scyene Road

Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant

Z156-277(WE)

Note: This item was considered by the City Council at a public hearing on April 12, 2017, and was deferred until October 11, 2017, with the public hearing open



**FILE NUMBER:** Z156-277(WE) **DATE FILED:** June 7, 2016

**LOCATION:** North Prairie Creek Road and Scyene Road, northeast corner

**COUNCIL DISTRICT:** 7 **MAPSCO:** 49-S, W

**SIZE OF REQUEST:** Approx. 1.029 acres **CENSUS TRACT:** 121.00

---

**APPLICANT / OWNER:** Kent Carter

**REPRESENTATIVE:** Kent Carter

**REQUEST:** An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The purpose of this request is to allow for the development of retail uses on site. The applicant has volunteered deed restrictions to prohibit various intrusive uses as well as prohibit access onto Kingsford Avenue.

**CPC RECOMMENDATION:** Approval, subject to deed restrictions volunteered by the applicant.

**STAFF RECOMMENDATION:** Approval, subject to deed restrictions volunteered by the applicant.

**BACKGROUND INFORMATION:**

- The request site is currently undeveloped.
- The applicant proposes to develop the site with retail uses.
- The applicant volunteered deed restrictions that will prohibit certain uses as well as prohibit access onto the adjacent residential street. The following uses will be prohibited on site via the volunteered deed restrictions: cemetery or mausoleum; college, university, or seminary; open-enrollment charter school or private school; public school other than open-enrollment charter school; college dormitory, fraternity, or sorority house; business school; car wash; commercial amusement (outside); commercial parking lot or garage; and a mortuary; funeral home or commercial wedding chapel. In addition, the applicant will build a brick wall along the northern property line. The brick wall will provide screening and will buffer the proposed retail use from the adjacent residential uses. The wall will not exceed 10 feet in height.
- The applicant has also volunteered to prohibit access onto Kingsford Avenue if the property is zoned for retail uses.

**Zoning History:** There has not been any zoning changes requested in the past five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
North Prairie Creek Road	Principal Arterial	100 ft.	100 ft.
Scyene Road	Principal Arterial	100 ft.	100 ft.
Kingsford Avenue	Local	50 ft.	50 ft.

**Traffic:** The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

**COMPREHENSIVE PLAN:** The fowardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The fowardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

## ECONOMIC

### GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions

## URBAN DESIGN

### GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

#### Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped
North	R-7.5(A)	Single Family
South	R-75(A)	Undeveloped
East	R-75(A)	Single Family
West	CR-D	Auto Related use

#### STAFF ANALYSIS:

**Land Use Compatibility:** The approximately 1.029 acre site is undeveloped and is adjacent to residential uses. The property abuts two principal arterials that flow in a north and south direction and an east and west direction and have approximately 100 feet of right-of-way. In addition, there is a local street that is adjacent to site's eastern property line and has approximately 50 feet of right-of-way. The surrounding land uses consist of several parcels of undeveloped land and residential uses. West of the request site, across North Prairie Creek Road are two auto related uses that are located within a CR Community Retail District.

The applicant's request for a CR Community Retail District will allow for the development of a community serving retail use on site. The development of a retail use must comply with the residential proximity slope because of the residential adjacency. The maximum structure height of any structure in the CR District is 54 feet; however, because of the residential adjacency, the maximum structure height may not exceed 26 feet. The residential proximity slope is a plane projected upward and outward from the every site of origination, which is any private property in a residential district. The angle of projection in a Residential, Duplex and Townhouse District is a 1 to 3 slope and in a Cluster Housing and Multifamily District is a 1 to 1 slope. The RPS in the Cluster Housing and Multifamily Districts terminates at a horizontal distance of 50 feet from the site of origination.

The applicant has also volunteered deed restrictions that will prohibit certain main uses from being developed on site as well as prohibit access onto Kingsford Road.

The applicant will also have to provide a minimum 10-foot landscape buffer from the existing residential use to the north. The applicant currently owns the property to the north and could use the property as an additional buffer from the residential uses further north.

The CR District is consistent with the adjacent retail zoning pattern on the western side of North Prairie Creek Road and the volunteered deed restrictions should mitigate any negative impact the proposed use may have on the adjacent properties.

**Development Standards:**

<b><u>DISTRICT</u></b>	<b><u>SETBACKS</u></b>		<b><u>Density</u></b>	<b><u>Height</u></b>	<b><u>Lot Coverage</u></b>	<b><u>Special Standards</u></b>	<b><u>PRIMARY Uses</u></b>
	<b><u>Front</u></b>	<b><u>Side/Rear</u></b>					
R-7.5(A) – existing Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
CR - proposed Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

**Landscaping:** Landscaping of any development will be in accordance with Article X, as amended.

**CPC Action** (March 2, 2017)

**Motion:** It was moved to recommend **approval** of a CR Community Retail District with deed restrictions volunteered by the applicant, subject to revised deed restrictions volunteered by the applicant with a modification to change the word “west” to “east” under Additional Conditions, (2) on property zoned an R-7.5(A) Single Family District on the northeast corner of North Prairie Creek Road and Scyene Road.

Maker: Jung  
Second: Davis  
Result: Carried: 15 to 0

For: 15 - Anglin, Rieves, Houston\*, Davis, Shidid,  
Anantasomboon, Haney, Mack, Jung, Housewright,  
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 0  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 300 Mailed: 29  
**Replies:** For: 3 Against: 0

**Speakers:** For (Did not speak): Kent Carter, 8344 E. R.L. Thornton Fwy.,  
Dallas, TX, 75228  
Against: None

**PROPOSED DEED RESTRICTIONS**

DEED RESTRICTIONS

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

I.

The undersigned, Kent Carter , an individual ("the Owner"), is the owner of the following described property ("the Property"), being a portion of lots 1 and 2 , City Block 6784, East Side Addition to the City of Dallas, Dallas County, Texas, and being that same tract of land conveyed to the Owner by Bobby Lynn Ehrenberger and Deborah Rose Greenhaw, by deed dated October 13, 2015, and recorded as Instrument No. 201500283739, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

See Exhibit A

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

The following uses are prohibited:

- (1) Institutional and community services uses.
  - Cemetery or mausoleum.
  - College, university, or seminary
  - Open-enrollment charter school or private school
  - Public school other than open-enrollment charter school
- (2) Lodging uses.
  - None permitted
- (3) Residential uses.
  - College dormitory, fraternity, or sorority house.
- (4) Retail and personal services uses.
  - Business school
  - Car wash

- Commercial amusement (outside)
- Commercial parking lot or garage
- Mortuary, funeral home or commercial wedding chapel

(5) Transportation uses.

- None permitted.

(6) Utility and public service uses.

- None permitted.

(7) Wholesale, distribution, and storage uses.

- None permitted

Additional Conditions:

- (1) Wall must be built at north side of property, if property directly north to it is zoned residential.
- (2) On east side of said property, no curb cuts or access to property if property to the east is zoned residential.

III.

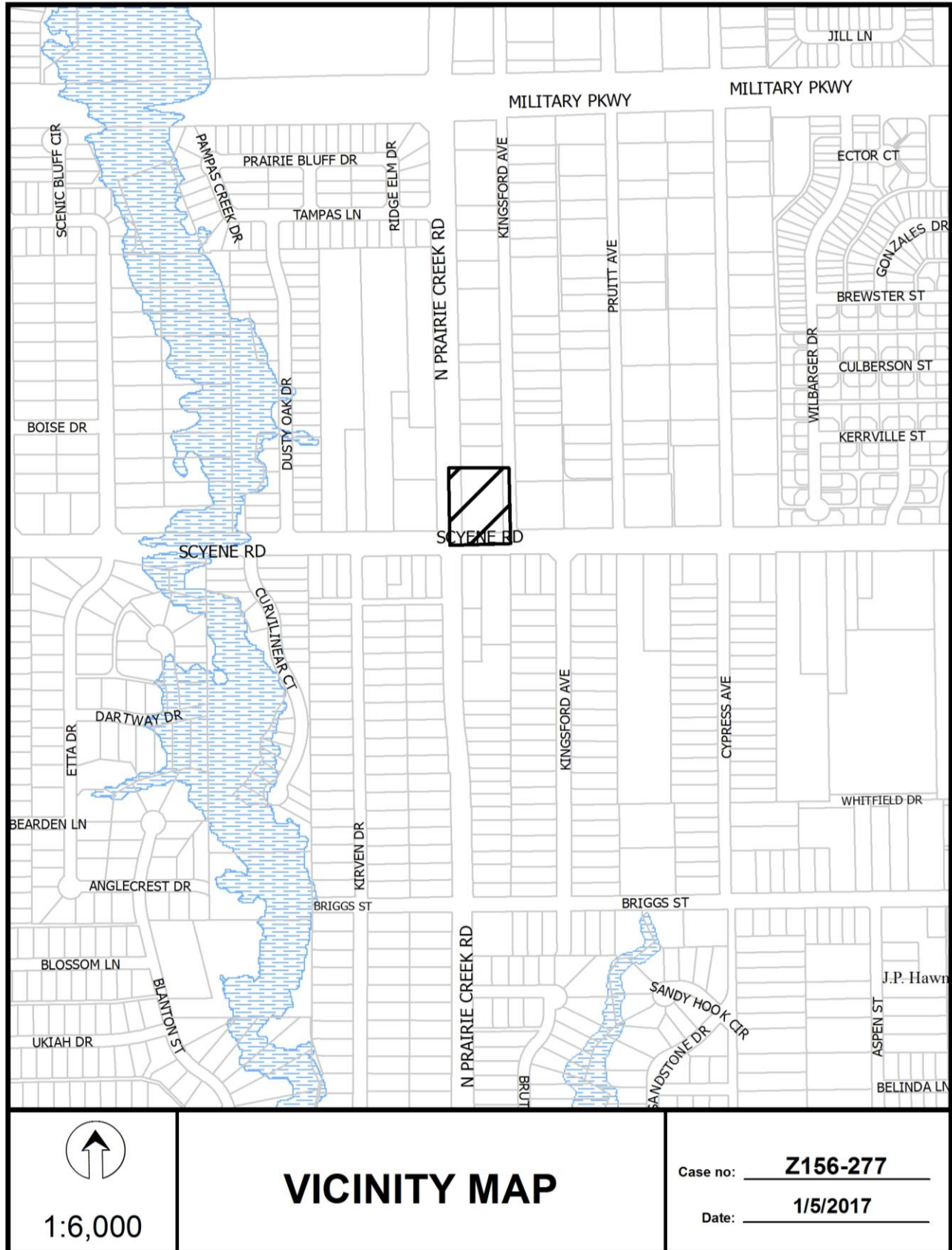
These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

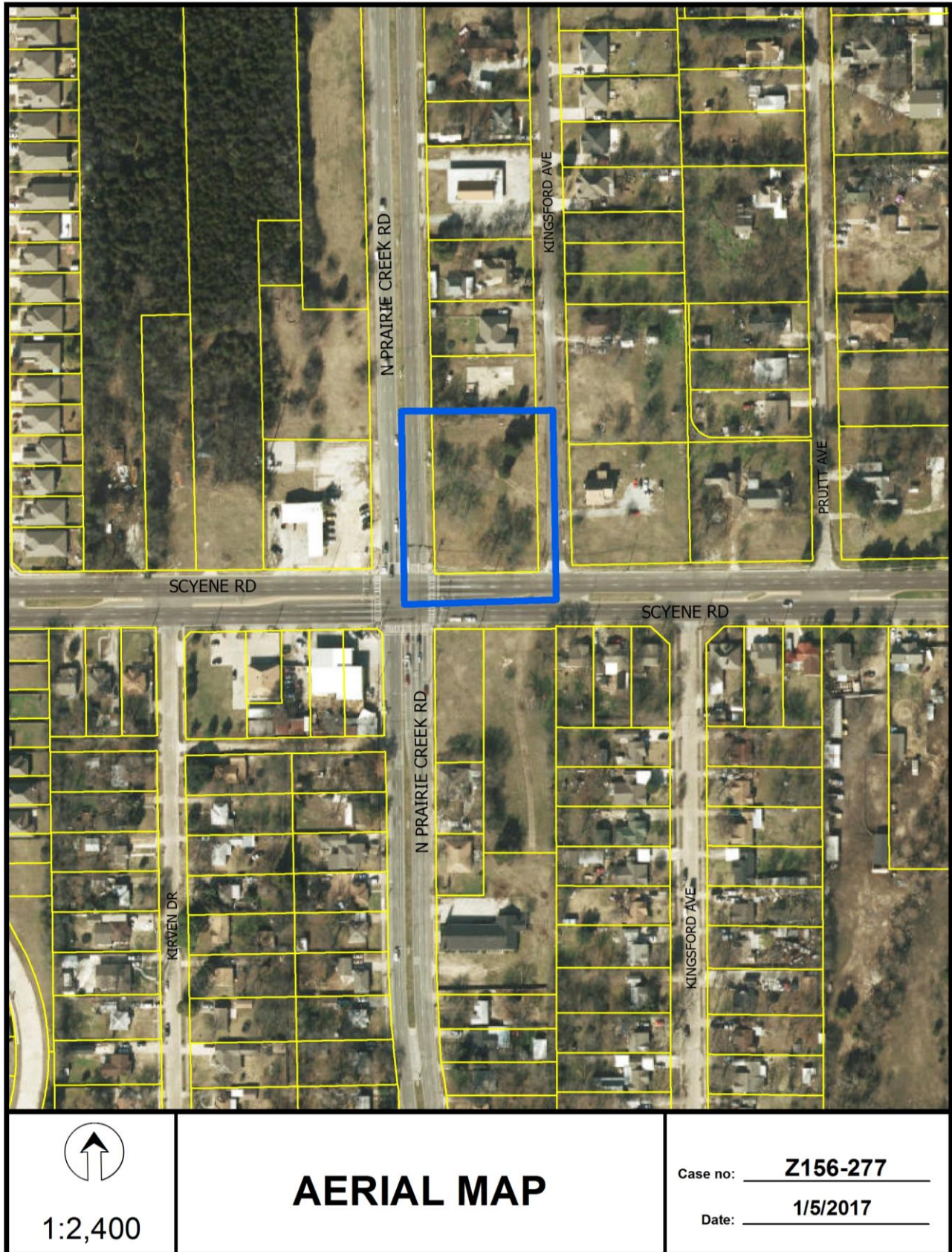
IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

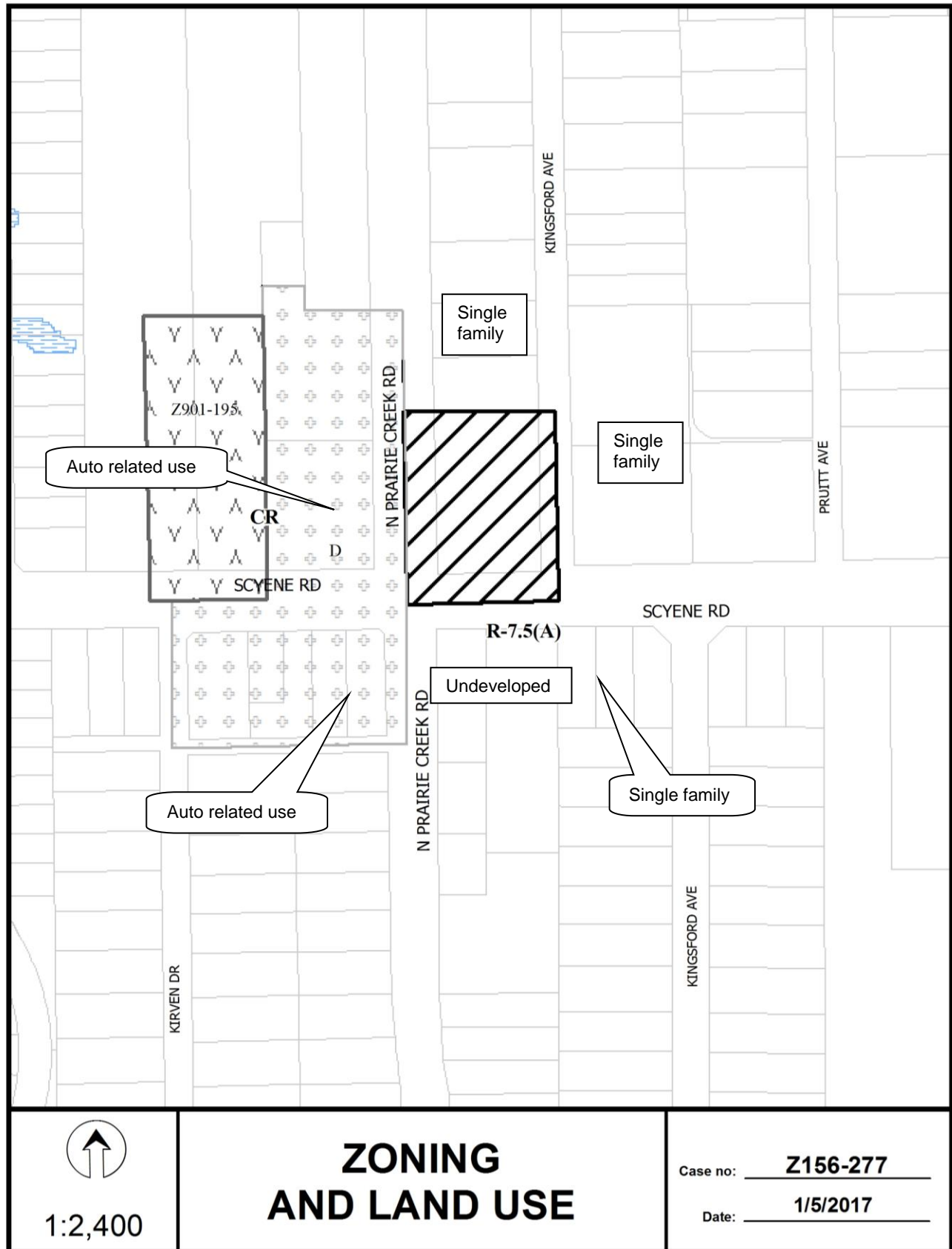


Z156-277(WE)

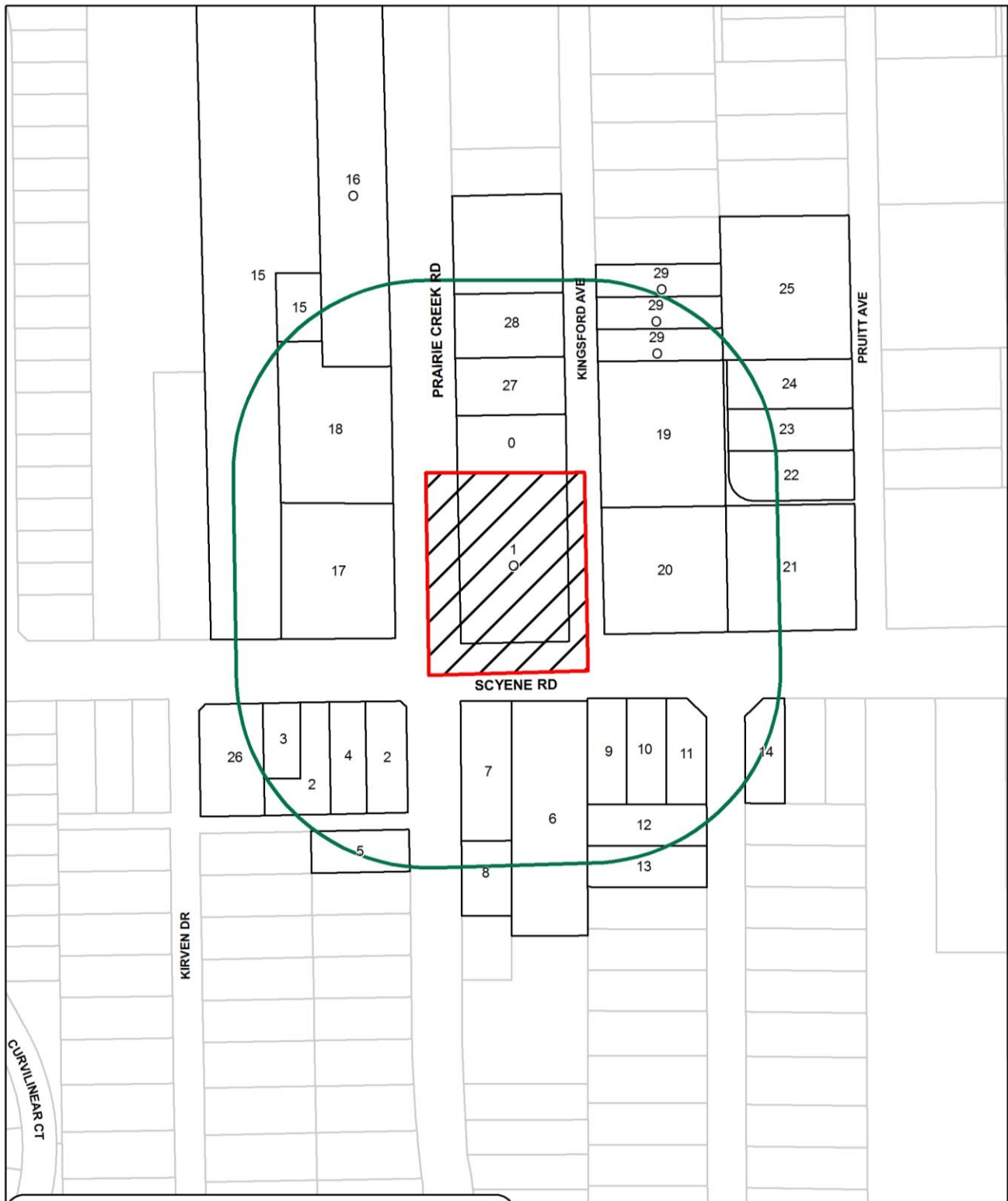








**CPC RESPONSES**



<u>29</u>	Property Owners Notified (35 parcels)
<u>3</u>	Replies in Favor (5 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>300'</u>	Area of Notification
<u>3/2/2017</u>	Date

**Z156-277**  
**CPC**



1:2,400

## ***Notification List of Property Owners***

***Z156-277***

***29 Property Owners Notified    3 Property Owners in Favor    0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	3005 KINGSFORD AVE	CARTER KENT
	2	9114 SCYENE RD	GARCIA MARTIN
	3	9110 SCYENE RD	PEREZ FRANK A
	4	9120 SCYENE RD	GARCIA MARTIN
	5	2935 N PRAIRIE CREEK RD	PETERSON CHARLES W
	6	9212 SCYENE RD	WHITNEY ROBERT ETAL
	7	9202 SCYENE RD	WHITNEY ROBERT R &
	8	2934 N PRAIRIE CREEK RD	SOTO JOSE CRUZ
	9	9220 SCYENE RD	THOMPSON BUDDIE & BETTY
	10	9224 SCYENE RD	MEJIA DORA &
	11	9230 SCYENE RD	FAZ JULISSA
	12	2941 KINGSFORD AVE	SERVIN ESMERALDA &
	13	2935 KINGSFORD AVE	GARCIA LEOPOLDO
	14	9302 SCYENE RD	MEZA JESUS
	15	9107 SCYENE RD	MCBRIDEANDREASON BECKI L
O	16	3200 N PRAIRIE CREEK RD	CARTER KENT
	17	9115 SCYENE RD	WACKEROW MARY H
	18	3125 N PRAIRIE CREEK RD	NOSHAHI MOHAMMAD H
	19	3116 KINGSFORD AVE	PEREZ PEDRO SAUCEDO & GABRIELA RAMIREZ
	20	3006 KINGSFORD AVE	HERNANDEZ GUSTAVO
	21	3005 PRUITT AVE	HENDERSON DEBRA FURMAN
	22	3103 PRUITT AVE	CASTILLO JOSE ARIEL
	23	3109 PRUITT AVE	FEUERBACHER DENNIS & MARGARET
	24	3117 PRUITT AVE	PETTY GWENDOLYN M
	25	3217 PRUITT AVE	HERNANDEZ MIGUEL ANGEL
	26	9102 SCYENE RD	PEREZ FRANK & CAROL

Z156-277(WE)

03/01/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27 3117	KINGSFORD AVE	JOHNSON GLORIA I
	28 3207	KINGSFORD AVE	TORRES JOSE I & GUADALUPE
O	29 3204	KINGSFORD AVE	TONGRA LP

**AGENDA ITEM # 27**

Economic Vibrancy

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 8

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 69 Q; U

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private recreation center, club, or area on property zoned an A(A) Agricultural District on the south line of Tea Garden Road, west of Haymarket Road

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

Z156-323(JM)

Note: This item was considered by the City Council at public hearings on April 12, 2017, May 24, 2017, June 28, 2017 and August 23, 2017, and was deferred until October 11, 2017, with the public hearing open



**FILE NUMBER:** Z156-323(JM)

**DATE FILED:** July 29, 2016

**LOCATION:** On the south line of Tea Garden Road, west of Haymarket Road.

**COUNCIL DISTRICT:** 8

**MAPSCO:** 69 Q; U

**SIZE OF REQUEST:** ±16.313 acres

**CENSUS TRACT:** 171.02

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**REPRESENTATIVE/APPLICANT/OWNER:** Joel Torres

**REQUEST:** An application for a Specific Use Permit for a private recreation center, club, or area on property zoned an A(A) Agricultural District.

**SUMMARY:** The purpose of this request is to allow for the following private fields: three baseball fields and one volleyball court.

**CPC RECOMMENDATION:** **Approval** for a two-year period, subject to a site plan and conditions.

**STAFF RECOMMENDATION:** **Approval** for a two-year period, subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- The request is made to allow one volleyball court and three baseball fields as part of a private recreation center, club, or area.
- The site is operated as an agricultural use with livestock. The owner currently hosts baseball and volleyball games for local adult male baseball teams. Code enforcement notified the owner to contact the Sustainable Development and Construction Department to discuss how to proceed with this use. A specific use permit is required to allow the continued use as a private recreation center, club, or area in a residential zoning district, including the A(A) Agricultural District.

**Zoning History:**

There have been no zoning cases within the vicinity of the area of request in the last five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Right-of-Way
Tea Garden Road	Local	60 feet

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system; however, “no parking” signs are required along Tea Garden Road. The requirement is made due to the narrow pavement conditions (approximately 20 feet) along Tea Garden Road.

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The comprehensive plan does not make a specific land use recommendation related to the request. The Plan identifies the request site being located in a Residential Building Block.

Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

The request complies with the following land use goals and policies of the

Comprehensive Plan:

## **LAND USE ELEMENT**

### **GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation Measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

### **GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

The requested recreational use is characteristic of the Residential Building Block, which is predominately for single-family uses, but allows recreational and institutional uses to serve the surrounding neighborhoods.

#### **Land Use Compatibility:**

The subject site is currently zoned an A(A) Agricultural District. The uses permitted in this district are intended to accommodate normal farming, ranching, and gardening activities. Over time, it is expected that agricultural zoned properties will eventually develop into urban sites.

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	A(A) Agricultural	Agricultural and existing playing fields
<b>North</b>	A(A) Agricultural	Single family and agricultural
<b>East</b>	A(A) Agricultural	Single family and agricultural
<b>South</b>	A(A) Agricultural	Single family and agricultural
<b>West</b>	A(A) Agricultural, PD No. 819, R-7,5(A), R-5(A), and Deed Restrictions	Single family, public school, and agricultural

Surrounding land uses include single family and agricultural, with a school nearby as well. These uses are typical in residential neighborhoods with low density. The private recreation center, club, or area use is permitted by right in retail, commercial service, industrial, central area, mixed use, multiple commercial and urban corridor districts. When feasible, this use is allowed in residential districts with special consideration by

SUP. The intent of allowing it by SUP in residential districts is to gauge the level of appropriateness and provide for public comment.

The site is currently agricultural land. The fields exist and are used by the property owner and baseball teams from around the metroplex, according to the applicant (owner). The applicant had originally requested the right to operate seven days a week. After discussing concerns over the need for a break in the currently remote and residential area, the applicant amended the request to three days a week, Friday, Saturday, and Sunday. To address privacy and future maintenance, a six-foot solid privacy fence is required to be provided and maintained around the perimeter of the site. Hours of operation limit the use to certain times of day. The use of lighting and amplified sound is limited to the hours of operation. Paved parking far exceeding the code requirement is being offered within the site. Sec. 51A 4.208(2)(c) requires three parking spaces per playing field and an additional one parking space per 150 square feet of floor area. In all, approximately 44 parking spaces are required for the three baseball fields, one volleyball court, and 4,680 square feet of additional floor area (storage buildings and covered porches). Portable toilets and a dumpster will be required as identified on the site plan.

Staff believes that with compliance to the proposed site plan and conditions, the use could be an asset to the area as it develops into an urban site in the future. In an effort to ensure that the site matches the future development of the area, staff is recommending the time period be two years with no auto renewal recommended. This gives neighbors the opportunity to experience the facility under the SUP regulations imposed by this request. If additional concerns arise, the conditions may be amended when the SUP comes in for renewal.

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.

**Parking:**

Sec. 51A 4.208(2)(c) requires three parking spaces per playing field and an additional one parking space per 150 square feet of floor area. In all, approximately 44 parking spaces are required for the three baseball fields, one volleyball court, and 4,680 square feet of additional floor area (storage buildings and covered porches for audiences). The proposed site plan depicts that the applicant will provide 116 parking spaces, of which five are van accessible handicapped spaces.

**Landscaping and Screening:**

According to the City arborist, this request meets the requirements of Article X. Staff recommended the addition of a six-foot solid privacy fence around the perimeter of the site to reinforce the separation of the use from surrounding agricultural and single-family uses.

**CPC Action:**  
**February 16, 2017**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a private recreation center, club, or area for a two-year period, subject to a site plan and conditions on property zoned an A(A) Agricultural District on the south line of Tea Garden Road, west of Haymarket Road.

Maker: Haney  
Second: Davis  
Result: Carried: 12 to 0

For: 12 - Anglin, Rieves, Houston, Davis, Shidid, Haney,  
Mack, Jung, Housewright, Peadon, Murphy,  
Ridley

Against: 0  
Absent: 3 - Anantasomboon, Schultz, Tarpley  
Vacancy: 0

<b>Notices:</b>	Area: 400	Mailed: 18
<b>Replies:</b>	For: 0	Against: 6

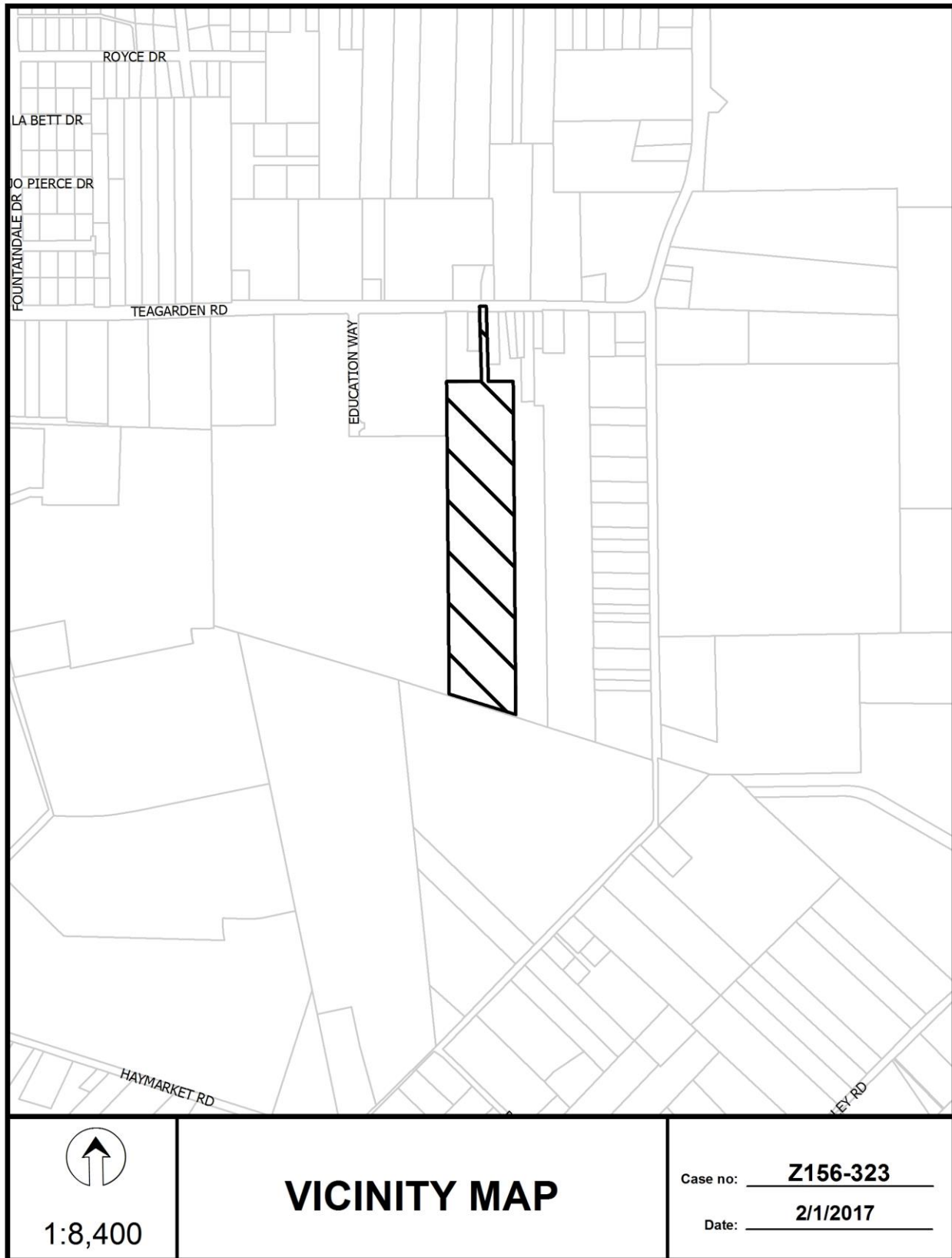
**Speakers:** None

<b>CPC SUP CONDITIONS</b> <b>Z156-323</b>
----------------------------------------------

1. USE: The only use authorized by this specific use permit is a private recreation center, club, or area.
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 2 years from passage of this ordinance (date)-
4. HOURS OF OPERATION: A private recreation center, club, or area may operate between 4:00 p.m. and 8:00 p.m., Friday through Sunday.
5. LIGHTING: Operation of outdoor lighting is limited to the hours between 4:00 p.m. and 8:00 p.m., Friday through Sunday.
6. SCREENING: Except for required visibility triangles and points of ingress and egress, a minimum six-foot-tall solid screen must be provided and maintained along the perimeter of the property. Screening material must be wood or masonry.
7. SOUND: Operation of loudspeakers and other forms of amplification is limited to the hours between 4:00 p.m. and 8:00 p.m., Friday through Sunday.
8. SIGNS: "No Parking" signs must be installed at the owner/operator's expense on the property street frontage along Tea Garden Road.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

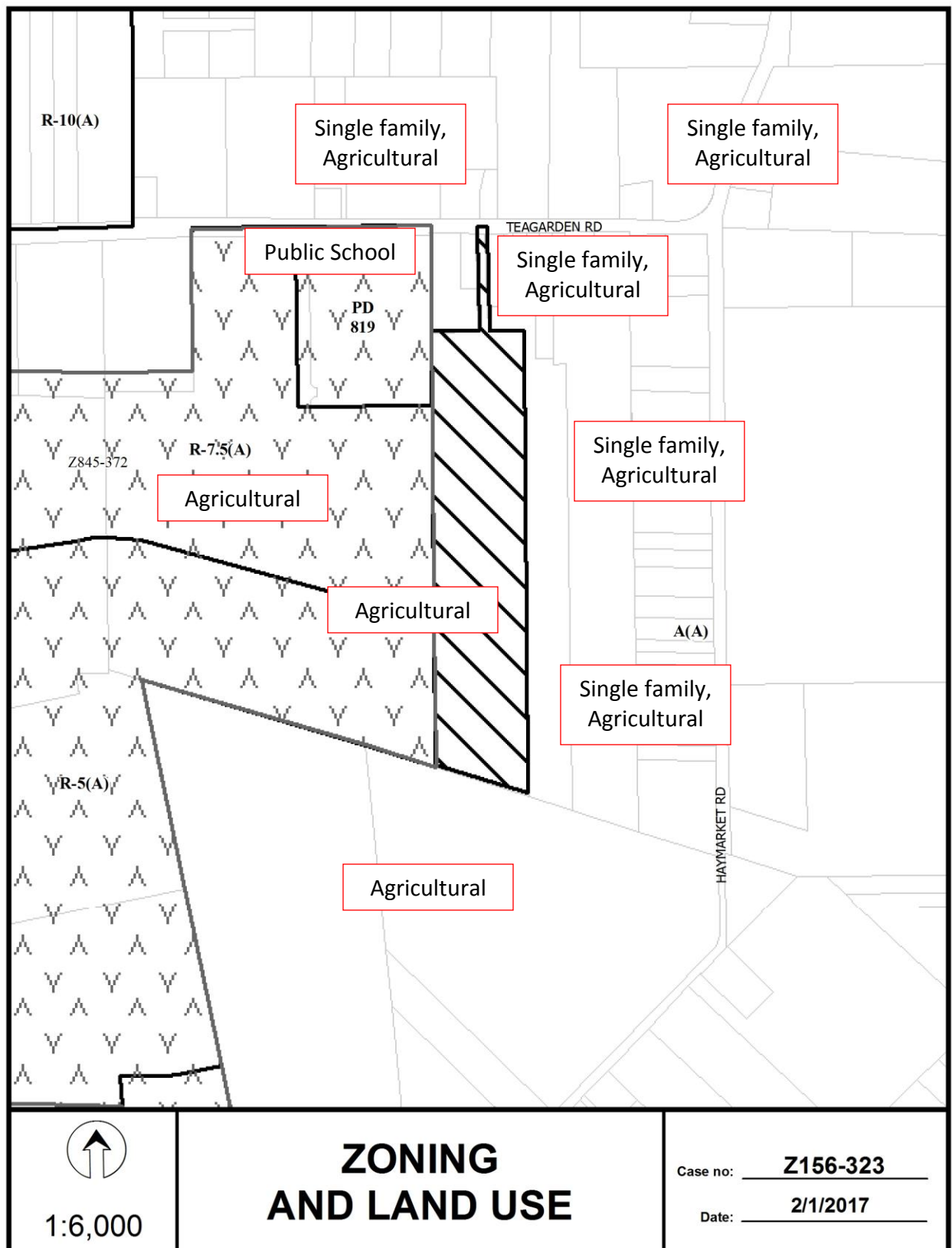




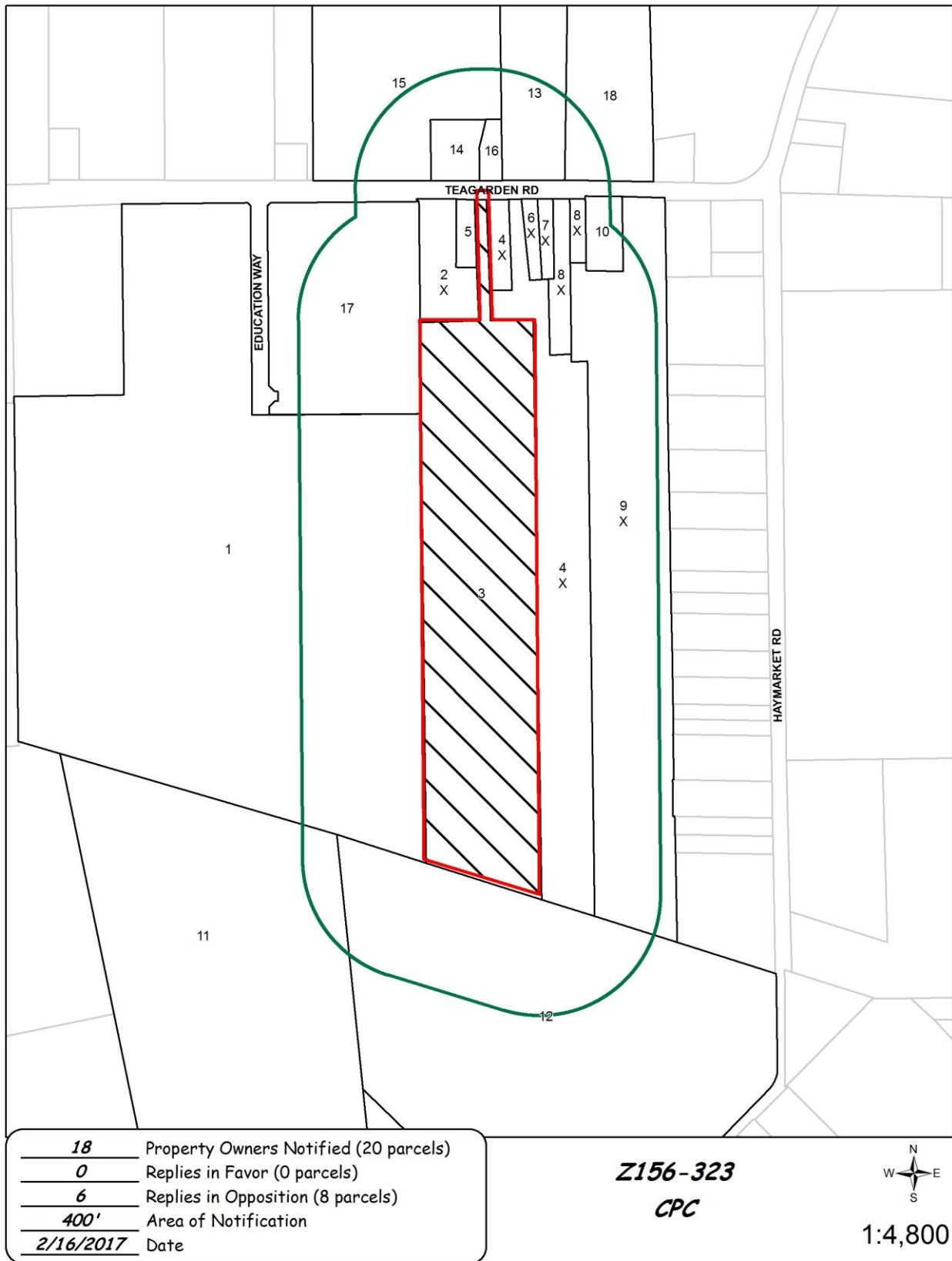








# CPC Responses



02/15/2017

***Reply List of Property Owners******Z156-323******18 Property Owners Notified******0 Property Owners in Favor******6 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	10020 TEA GARDEN RD	10020 TEA GARDEN ROAD LLP
X	2	10214 TEA GARDEN RD	MARTENSEN GAYLE
	3	10218 TEA GARDEN RD	TORRES JOEL
X	4	10224 TEA GARDEN RD	TERRY DONNA LYNN
	5	10216 TEA GARDEN RD	GUZMAN MARIO
X	6	10230 TEA GARDEN RD	HARGROVE GEORGE &
X	7	10310 TEA GARDEN RD	HARGROVE GEORGE
X	8	10318 TEA GARDEN RD	HARGROVE GEORGE W & DONNA
X	9	10360 TEA GARDEN RD	HARGROVE GEORGE W JR &
	10	10334 TEA GARDEN RD	JORDON JIMMY D & PATRICIA
	11	2411 HAYMARKET RD	WEBB WALTER E & MELISSA A
	12	2500 HAYMARKET RD	CERVANTES JUAN C
	13	10327 TEA GARDEN RD	BARRIOS SALVADOR
	14	10215 TEA GARDEN RD	VARGAS JOSE
	15	10209 TEA GARDEN RD	LAIR BILLY WAYNE &
	16	10217 TEA GARDEN RD	LAIR LARRY DEAN & DONNA SUE
	17	10210 TEA GARDEN RD	Dallas ISD
	18	10229 TEA GARDEN RD	BARRIOS SALVADOR

**AGENDA ITEM # 28**

Economic Vibrancy

**AGENDA DATE:**

October 11, 2017

**COUNCIL DISTRICT(S):**

7

**DEPARTMENT:**

Sustainable Development and Construction

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

46 P; Q

**SUBJECT**

A public hearing to receive comments regarding an application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the northwest line of Pennsylvania Avenue, southwest of J.B. Jackson Jr. Boulevard

Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions

Recommendation of CPC: Denial without prejudice

Z156-335(WE)

Note: This item was considered by the City Council at public hearings on January 25, 2017, February 22, 2017, April 26, 2017 and June 28, 2017, and was held under advisement until October 11, 2017, with the public hearing open



**FILE NUMBER:** Z156-335(WE)**DATE FILED:** August 15, 2016**LOCATION:** Northwest line of Pennsylvania Avenue, southwest of J.B. Jackson Jr. Boulevard**COUNCIL DISTRICT:** 7**MAPSCO:** 46-P; Q**SIZE OF REQUEST:** Approx. 2,250 sq. ft.**CENSUS TRACT:** 203

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**APPLICANT:** SBA 2012 TC Assets, LLC**OWNER:** Rickey A. Williams**REPRESENTATIVE:** Jacob Hamilton**REQUEST:** An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.**SUMMARY:** The purpose of this request is to allow for an existing cellular tower to remain on site. The previous Specific Use Permit expired.**CPC RECOMMENDATION:** **Denial without prejudice****STAFF RECOMMENDATION:** **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions.

**BACKGROUND INFORMATION:**

- The applicant's request for a Specific Use Permit for a tower/antenna for cellular communication will allow for the continued operation of the cellular communication at this location. The applicant did not renew the Specific Use Permit.
- On February 14, 2001, the City Council approved a Specific Use Permit for a tower/antenna for cellular communication for a ten year period with eligibility for automatic renewals for additional ten-year periods.
- The previous Specific Use Permit allowed the tower to be 78 feet, which is below the projected residential proximity slope by 41.63 feet. The nearest residential subdistrict is approximately 275.63 feet northeast of the request site.
- The current height of the tower /antenna for cellular communication is 78 feet.
- The request site is adjacent to a general merchandise or food store to the northwest, and a retail use to the northeast. The property southwest of the request site is undeveloped.

**Zoning History:** There has not been any zoning changes request in the area for the past five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Pennsylvania Avenue	Local	50 ft.	50 ft.

**Land Use:**

	Zoning within PD No. 595	Land Use
<b>Site</b>	CC Subdistrict	Cellular tower
<b>Northeast</b>	CC Subdistrict	Retail
<b>Southeast</b>	CC Subdistrict w/H/109	Office, Surface parking
<b>Southwest</b>	CC Subdistrict	Undeveloped
<b>Northwest</b>	CC Subdistrict	General merchandise or food store

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

There are no goals or policies supporting or opposing the request.

**STAFF ANALYSIS:**

**Land Use Compatibility:** The 2,250 square foot site is developed with a 78-foot high unmanned telecommunication facility (monopole tower). The applicant's request for a Specific Use Permit for a tower/antenna for cellular communication will allow for the continued operation of the existing tower. The CR Community Retail District permits, by right, a maximum height of 65 feet for a cellular tower. In February 2001, the City Council approved a Specific Use Permit for a tower/antenna for cellular communication with a maximum height of 78 feet, complying with the residential proximity slope.

In September 2011, the City Council approved Planned Development District No. 595 which changed the zoning district from a CR Community Retail District to a CC Community Commercial Subdistrict. The Development Code allows an unmanned telecommunication facility (monopole tower) to exceed the maximum height of 65 feet by a Specific Use Permit.

The request site is adjacent to a general merchandise or food store to the northwest, and a retail use to the northeast. The property southwest of the request site is undeveloped.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request is consistent with the intent of the Dallas Development Code, because the height of the monopole is within the required residential proximity slope. In addition, the cellular tower is located on a block that is developed with retail uses. The tower/antenna for cellular communication will enhance the vital communication service throughout the area. Also, the use does not generate any traffic and a chain linked fence surrounds the site's perimeter. The applicant will provide shrubs around the

perimeter to screen a portion of the equipment. The City Plan Commission expressed concerns that the applicant was not complying with the standards that are associated with receiving a SUP and therefore, recommended denial of the applicant's request for a Specific Use Permit for a tower / antenna for cellular communication.

### **Development Standards:**

SUBDISTRICT WITHIN PDD No. 595	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CC Community commercial	0'	10' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.75 office 0.5 retail	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office, Utility and public service

**Landscaping:** The request will not trigger any landscaping requirements because the applicant is not increasing the existing floor area. However, staff is recommending the applicant plant a row of hedges around the site's perimeter to screen the equipment.

The comply with the landscaping requirements for Specific Use Permit No. 1436, the applicant had to provide a six-foot chain link fence around the site's perimeter. Any additional landscaping was not required.

**Traffic:** The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

**Parking:** Parking will be provided in accordance to the parking requirements in the Dallas Development Code, as amended, which is one space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment ("auxiliary building") greater than a 120 square feet. The applicant is providing one space on site.

**Notification Area:** On January 13, 2016, the City Council approved an amendment to the Development Code regarding tower/antenna for cellular communication use. One provision pertains to the notification area which requires written notification to the public hearing on an application for an SUP for a tower/antenna for cellular communication to all real property within 500 feet of the building site on which the tower/ antenna for cellular communication will be located.

The SUP will be placed on the entire lot instead of the specific location area of the tower/antenna for cellular communication as a result of the amendment.

**CPC Action** (November 10, 2016)

**Motion I:** In considering an application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the northwest line of Pennsylvania Avenue, southwest of J.B. Jackson Jr. Boulevard, it was moved to **hold** this case under advisement until December 1, 2016.

Maker: Houston  
Second: Peadon  
Failed: Carried: 5 to 9

For: 5 - Rieves, Houston, Shidid, Jung, Peadon

Against: 9 - Anglin, Davis, Anantasomboon, Haney,  
Housewright, Schultz, Murphy, Ridley, Tarpley

Absent: 0

Vacancy: 1 - District 7

**Motion II:** It was moved to recommend **denial without prejudice** of a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the northwest line of Pennsylvania Avenue, southwest of J.B. Jackson Jr. Boulevard, due to non-compliance with Section 51A-4.219 of the Dallas Development Code.

Maker: Davis  
Second: Schultz  
Result: Carried: 9 to 5

For: 9 - Anglin, Rieves, Davis, Anantasomboon,  
Haney, Housewright, Schultz, Murphy, Ridley

Against: 5 - Houston, Shidid, Jung, Peadon, Tarpley

Absent: 0

Vacancy: 1 - District 7

**Notices:** Area: 500 Mailed: 56  
**Replies:** For: 0 Against: 0

**Speakers:** For: Patrick Hardage, 4193 Wilada Dr., Dallas, TX, 75220  
Against: None

<p><b>LIST OF OFFICERS</b> SBA 2012 TC Assets, LLC</p>
------------------------------------------------------------

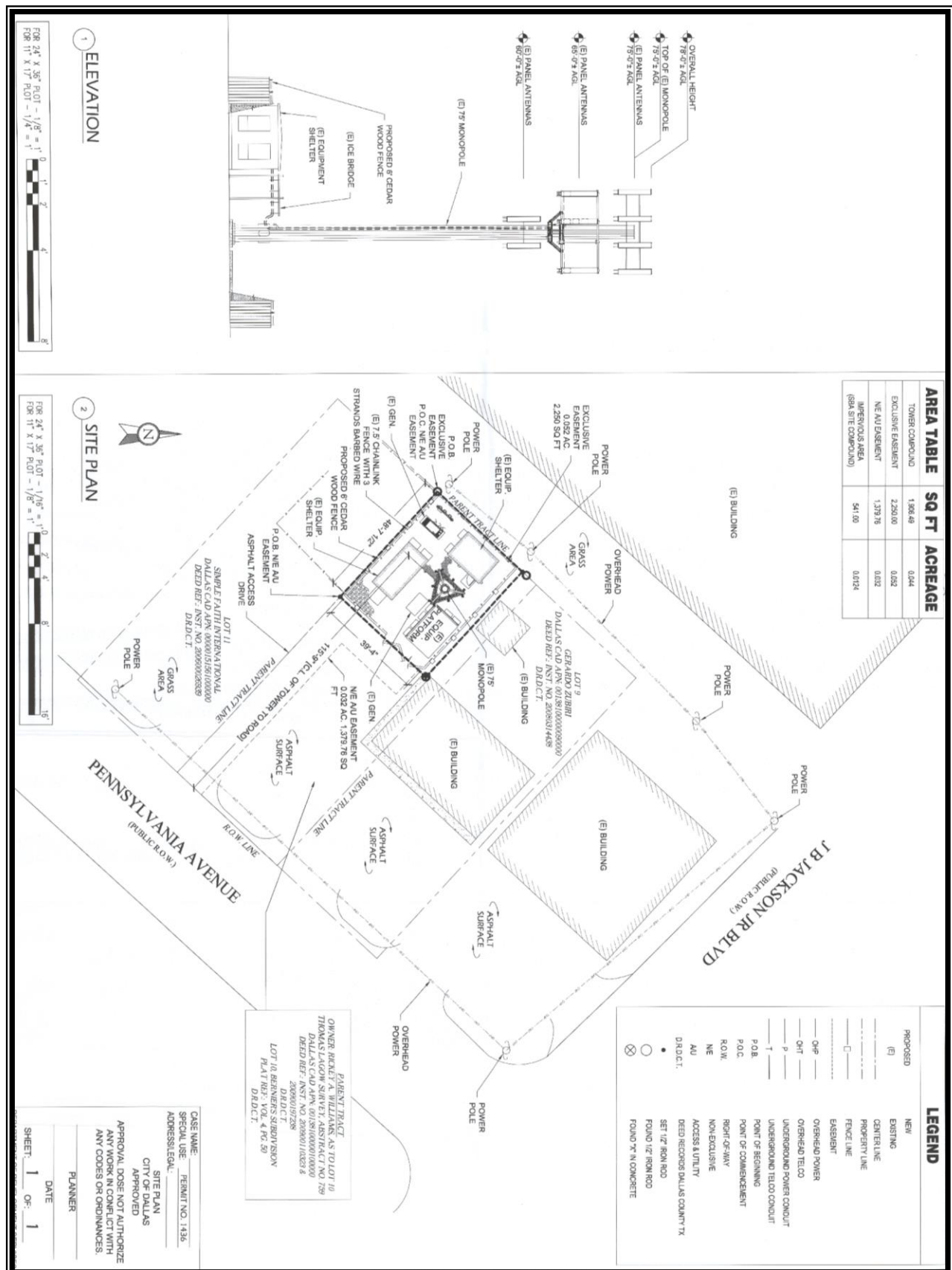
- Thomas P. Hunt                      Director, President
- Jeffery A. Stoops                      Senior Vice President
- Jason Silberstein                      Secretary

**PROPOSED SUP CONDITIONS**

1. **USE:** The only use authorized by this specific use permit is a tower/antenna for cellular communication.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan and elevation.
3. **TIME LIMIT:** This specific use permit expires on (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional 10-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)
4. **COMMUNICATION TOWER:** Any antenna cells mounted on the tower/antenna for cellular communication must be mounted and any future co-location cells must be of the same type.
5. **FENCE:** A minimum six-foot fence must be provided in the location shown on the attached site plan.
6. **HEIGHT:** The tower/antenna for cellular communication may not exceed 78 feet in height.
7. **SCREENING:** A maximum of a three foot hedgerow must be planted and in place around the perimeter of the site (two years from the passage of the ordinance).
8. **SHARED USE WITH OTHER CARRIERS:** Any tower/antenna for cellular communication over 65 feet in height must be constructed to support the antenna arrays for at least two other wireless communications carriers, and the tower/antenna for cellular communication must be made available to other carriers upon reasonable terms.
9. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
10. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

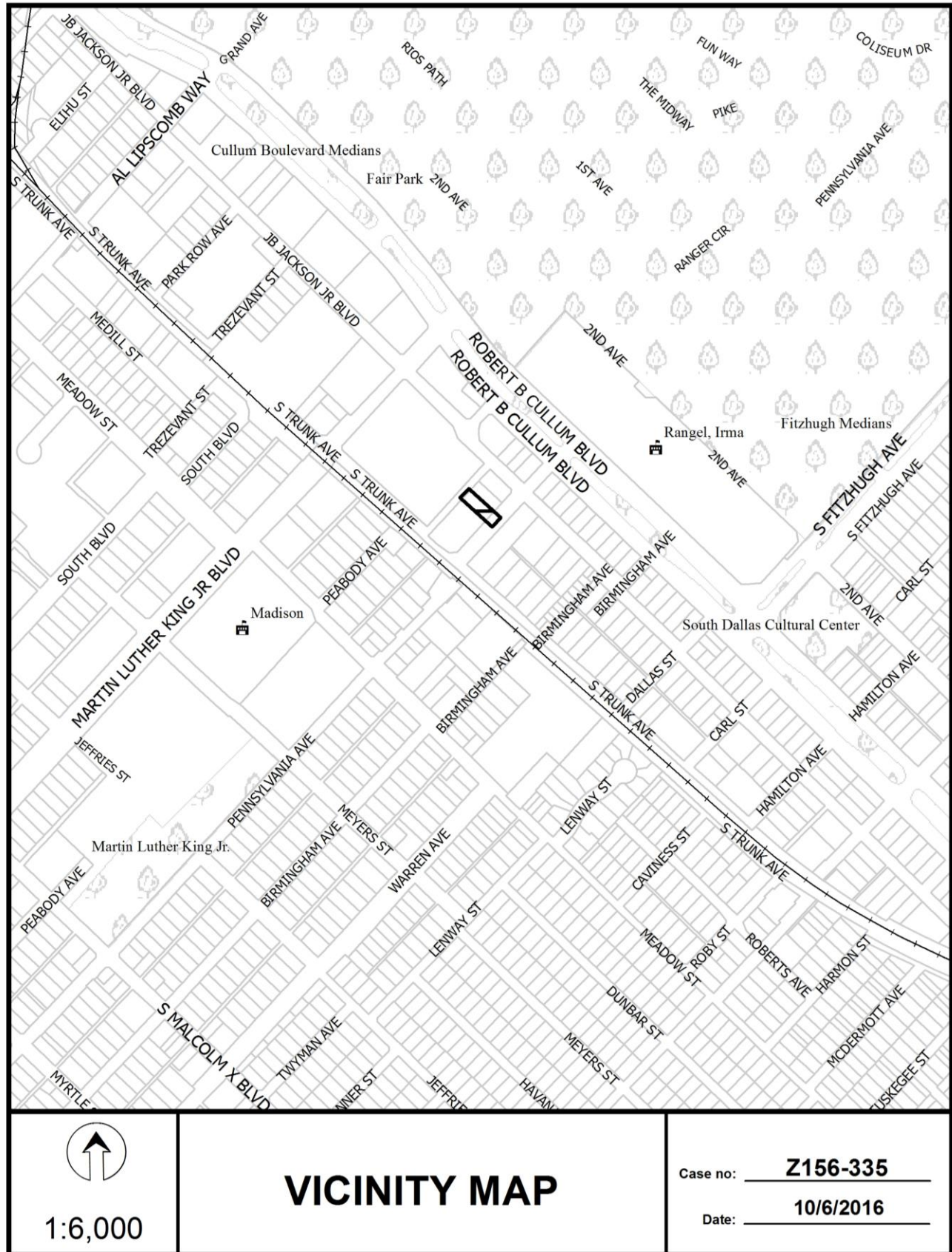


## PROPOSED SITE PLAN





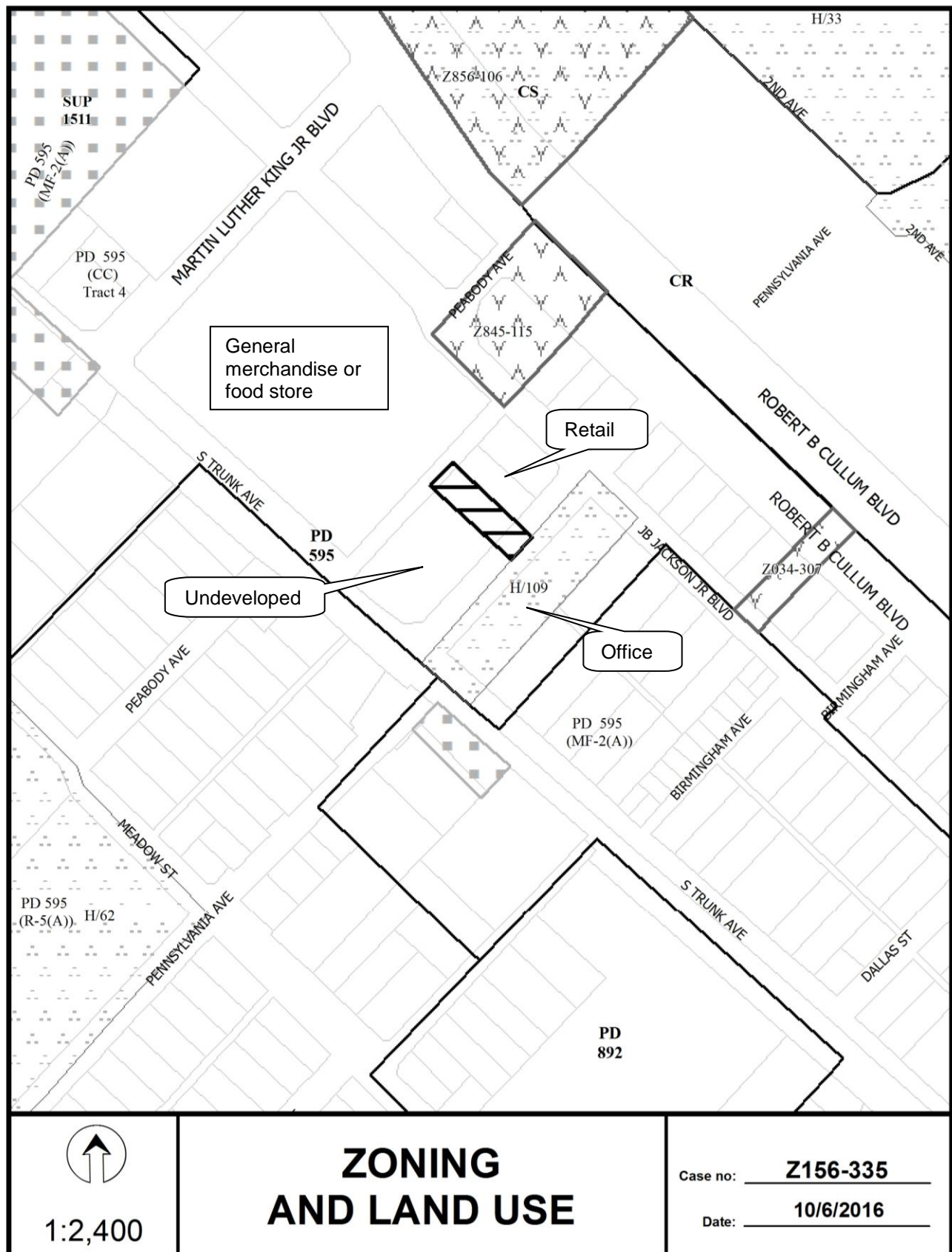
Z156-335(WE)



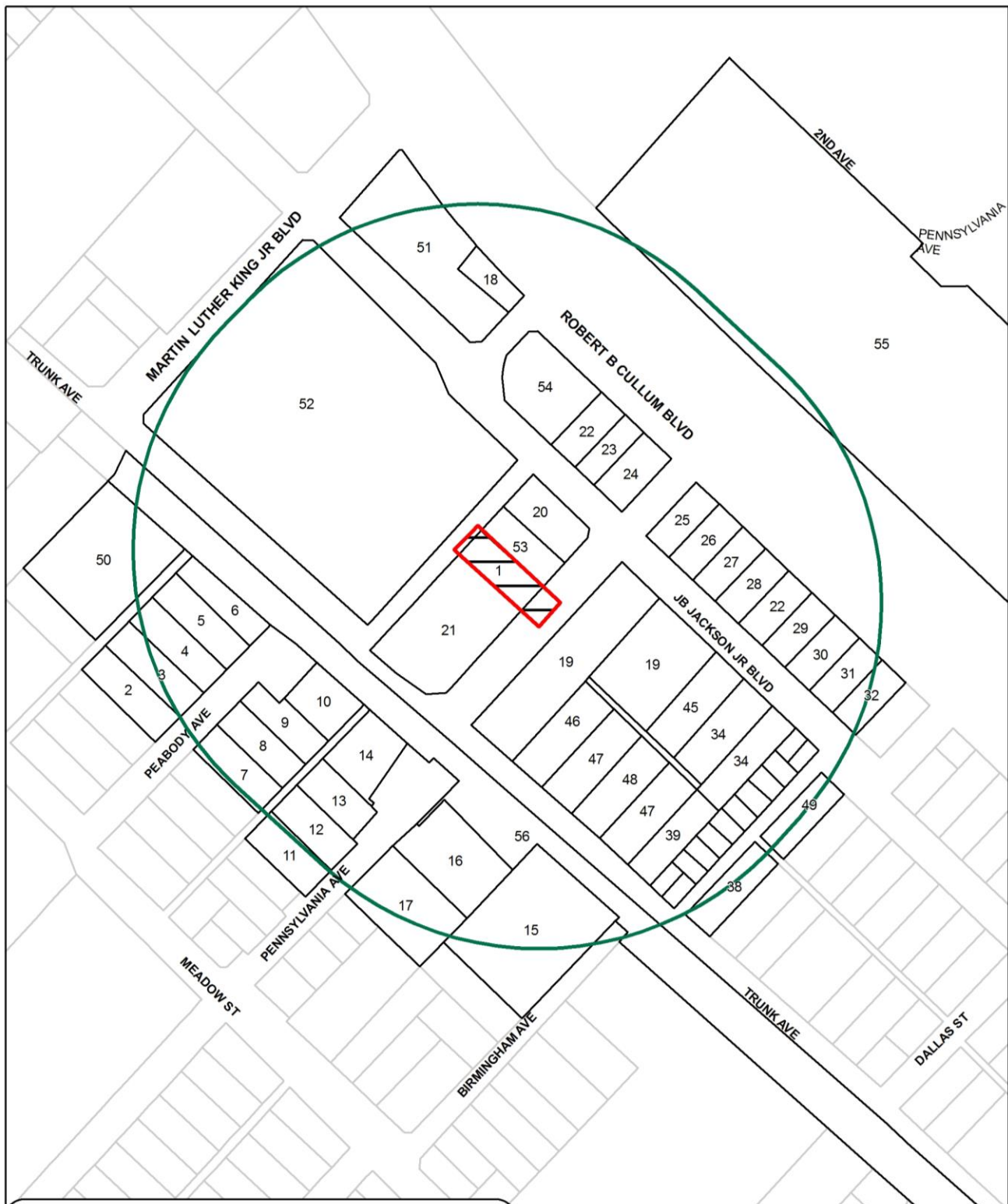








**CPC RESPONSES**



<u>56</u>	Property Owners Notified (63 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>500'</u>	Area of Notification
<u>11/10/2016</u>	Date

**Z156-335**  
**CPC**



1:2,400

## ***Notification List of Property***

***Z156-335***

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

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	3223 PENNSYLVANIA AVE	WILLIAMS RICKEY A
	2	3113 PEABODY AVE	JBIII INVESTMENT INC
	3	3117 PEABODY AVE	JONES EMMA M
	4	3121 PEABODY AVE	BLANCO ROSA
	5	3125 PEABODY AVE	BLOW DON
	6	3131 PEABODY AVE	BLOW DON WAYNE
	7	3116 PEABODY AVE	PERALTA JUAN BENITEZ
	8	3122 PEABODY AVE	DECKARD ROSETTA & NATHANIEL
	9	3126 PEABODY AVE	DALLAS AREA RAPID TRANSIT
	10	3130 PEABODY AVE	DART
	11	3113 PENNSYLVANIA AVE	LEWIS JOHN A SR
	12	3117 PENNSYLVANIA AVE	MCMILLAN WILLIE EDWARD
	13	3121 PENNSYLVANIA AVE	GUERRA EMMANUEL
	14	3125 PENNSYLVANIA AVE	HUNTER DANNY J
	15	3131 BIRMINGHAM AVE	MULTIPLE STREAMS OF GRACE
	16	3128 PENNSYLVANIA AVE	SETTLES C L
	17	3116 PENNSYLVANIA AVE	TWO PODNERS
	18	1507 ROBERT B CULLUM BLVD	OTIS SCRUGGS
	19	3224 PENNSYLVANIA AVE	MITCHEM DERRICK
	20	3227 PENNSYLVANIA AVE	EJIGU HAILU &
	21	3203 PENNSYLVANIA AVE	SIMPLE FAITH
	22	1715 ROBERT B CULLUM BLVD	HOLMES RONNIE L
	23	1618 J B JACKSON JR BLVD	YELDELL CLAUD JR
	24	1620 J B JACKSON JR BLVD	ASKEW MATTIE LEE
	25	1702 J B JACKSON JR BLVD	HALL EMMA ESTATE OF
	26	1704 J B JACKSON JR BLVD	BROWN EARL RICHARD
	27	1710 J B JACKSON JR BLVD	HARRIS & HARRIS PPTIES LLC



11/09/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
28	1712	J B JACKSON JR BLVD	BEDFORD L A JR
29	1718	J B JACKSON JR BLVD	BEDFORD L A JR
30	1720	J B JACKSON JR BLVD	F & S PROPERTIES LLC
31	1722	J B JACKSON JR BLVD	SMITH CHRISTINE
32	1724	J B JACKSON JR BLVD	GREAT WESTERN FINCL SERV
33	3213	BIRMINGHAM AVE	ALEXANDER BURLEE
34	1725	J B JACKSON JR BLVD	EQUABLE INVESTMENT CORP
35	1732	TRUNK AVE	R M W DEV INC
36	3217	BIRMINGHAM AVE	MARTINEZ CHRISTINA
37	3203	BIRMINGHAM AVE	DALLAS BLACK CHAMBER
38	1733	J B JACKSON JR BLVD	GARTH ARKIT
39	1722	TRUNK AVE	DALLAS BLACK CHAMBER
40	1731	J B JACKSON JR BLVD	GARTH ARKIT
41	3209	BIRMINGHAM AVE	MAY ALONZA
42	3215	BIRMINGHAM AVE	NASH MILDRED
43	3211	BIRMINGHAM AVE	STRINGER JERRY R
44	1730	TRUNK AVE	MURRAY EUNICE
45	1719	J B JACKSON JR BLVD	HUDSON JOE
46	1708	TRUNK AVE	JUSGO INC
47	1712	TRUNK AVE	SIMPLE FAITH INTERNATIONAL
48	1716	TRUNK AVE	WAGONER ROBERT ETAL
49	1801	J B JACKSON JR BLVD	MASON ARKIT EUGENE
50	3116	MARTIN LUTHER KING JR BLVD	RESOURCES ASSISTANTS CORP
51	3300	MARTIN LUTHER KING JR BLVD	NCNB TEXAS NATIONAL BANK
52	3230	MARTIN LUTHER KING JR BLVD	2ML REAL ESTATE INTEREST INC
53	3223	PENNSYLVANIA AVE	ZUBIRI GERARDO SR
54	1707	ROBERT B CULLUM BLVD	MAVRICK DEVELOPMENT CORPORATION
55	1718	ROBERT B CULLUM BLVD	Dallas ISD
56	401	S BUCKNER BLVD	DART

**AGENDA ITEM # 29**

Economic Vibrancy

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 8

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 74 C

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a TH-3(A) Townhouse District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the west line of Leigh Ann Drive, north of West Wheatland Road

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant

Z167-212(OTH)

Note: This item was considered by the City Council at public hearings on June 28, 2017, August 23, 2017, and September 13, 2017, and was deferred until October 11, 2017, with the public hearing open

**FILE NUMBER:** Z167-212(OTH)

**DATE FILED:** February 13, 2017

**LOCATION:** West line of Leigh Ann Drive, north of West Wheatland Road.

**COUNCIL DISTRICT:** 8

**MAPSCO:** 74 C

**SIZE OF REQUEST:** Approx. 0.40 acres

**CENSUS TRACT:** 111.05

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**APPLICANT:** Ravi Komari

**OWNER:** Krushi Holdings Limited Liability Company

**REPRESENTATIVE:** Elsie Thurman

**REQUEST:** An application for a TH-3(A) Townhouse District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The applicant is requesting the zoning change in order to develop the two lots with four two-story dwelling units. The applicant is volunteering deed restrictions to regulate the setbacks, height of the structures, fence height, and to prohibit carports.

**CPC RECOMMENDATION:** Approval, subject to deed restrictions volunteered by the applicant.

**STAFF RECOMMENDATION:** Denial

**BACKGROUND:**

- The proposed 0.40 acre site is currently undeveloped and zoned an R-7.5(A) Single Family District.
- The applicant is requesting the zoning change to develop the two lots with two, two-story dwelling units on each lot and to have a mutual access agreement between the two lots.
- On September 14, 2016, the applicant submitted a zoning request for an MF-2(A) Multifamily District to build four multifamily units on each lot with a mutual access agreement between the two lots.
- On December 15, 2016, the City Plan Commission recommended denial without prejudice at the request of the applicant. The applicant did not appeal the denial.
- On February 13, 2017, the applicant submitted this request.

**Zoning History:** There have not been any zoning changes in the vicinity within the last five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Leigh Ann Drive	Local	60 foot

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

**LAND USE ELEMENT**

The proposed rezoning does not support the goals and policies established in the *forwardDallas! Comprehensive Plan*.

**GOAL 1.1      Align Land Use Strategies with Economic Development Priorities**

Policy 1.1.5      Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

By changing the zoning of the proposed site in the middle of the R-7.5(A) District to a townhouse district, the lots will be higher density than the adjacent lots and not in keeping with the character of the neighborhood.

**Neighborhood Plus.** One of the goals of *Neighborhood Plus* is to expand homeownership. This goal encourages a wider range of housing types to respond to emerging preferences, identifies incentives for infill development and home improvements in targeted neighborhoods, expands programs to reach a broader range of potential home buyers, and develops partnership to increase the pool of eligible loan applicants. Even though changing the zoning to a townhouse district, the applicant is not building the units for sell.

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	R-7.5(A)	Undeveloped
North	R-7.5(A)	Undeveloped, single family
East	MF-2(A)	Apartments
South	R-7.5(A)	Single family, undeveloped
West	R-7.5(A)	Single Family

**Land Use Compatibility:**

The request site is approximately 0.40 acres and is currently undeveloped. The applicant is proposing to develop the two properties with a two, two-story building on each lot with shared access. The applicant proposes to create an access agreement between the two lots to allow the access to parking and the dwelling units. The applicant proposes to have the structures face each other and not front on the street.

The applicant is volunteering deed restrictions for:

1. Front yard setback minimum of 25 feet.
2. Side and rear yard setbacks minimum of 10 feet.
3. Fences and accessory structures maximum 8 feet in height.
4. No carports.

The property is currently surrounded by undeveloped, single family to the north; multifamily to the east; undeveloped, single family to the south; and single family to the west. The site is located between the creek to the west and Leigh Ann Drive. West of the creek is developed with single family homes.

The lots currently have a 25 foot platted building line. The R-7.5(A) District has a 25 foot front yard setback. Even with a zoning change, the front yard setback would be 25 feet to match the platted building line and to maintain the block continuity of the adjacent the R-7.5(A) zoned lots.

The property to the west across Leigh Ann Drive is zoned an MF-2(A) District and is developed with 256 multifamily dwelling units. Further to the south, the property is zoned MF-2(A) as well and it is developed with 294 multifamily dwelling units. Staff believes the zoning pattern in the immediate area has a clear demarcation along Leigh Ann Drive and recommends maintain the current pattern.

The applicant is requesting a TH-3(A) Townhouse subdistrict to achieve the density needed to build two units on each lot. The two lots combined are 0.40 acres and the TH-3(A) Townhouse District provides the ability for this density.

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
Proposed							
TH-3(A) Townhouse	0'	0'	12 Dwelling Units/ Acre	36'	60%	Min. Lot: 2,000 sq. ft.	Single family

\*the lots have a 25 foot platted building setback and would not be able to be constructed per the TH-3(A) front yard setback.

### **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 the proposed use.

### **Landscaping:**

The proposed development must comply with Article X requirements. Landscape plans must be submitted for review and approval during building permitting process.

**CPC ACTION:**

**May 4, 2017**

**Motion:** It was moved to recommend **approval** of a TH-3(A) Townhouse District, subject to deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the west line of Leigh Ann Drive, north of West Wheatland Road.

Maker: Haney  
Second: Houston  
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid,  
Anantasomboon, Haney, Mack, Jung, Schultz,  
Peadon, Murphy, Ridley, Tarpley

Against: 0  
Absent: 1 - Housewright  
Vacancy: 0

**Notices:** Area: 400 Mailed: 40  
**Replies:** For: 1 Against: 2

**Speakers:** For: Elsie Thurman, 9406 Biscayne Blvd., Dallas, TX, 75218  
Ravi Komari, 7 and 8 Leigh Ann, Dallas, TX,  
Against: None



## Partners & Principles

### **Applicant:**

Mr. Ravi Komari  
Knapp & Gautier Associates, LLC  
13601 Preston Road, STE W529  
Dallas, Texas 75220  
469-605-0453

### **Owners:**

Krush Holdings Limited Liability Company (LLC)  
a Wyoming Limited Liability Company  
5445 Preston Oaks, Suite 211  
Dallas, Texas 75254

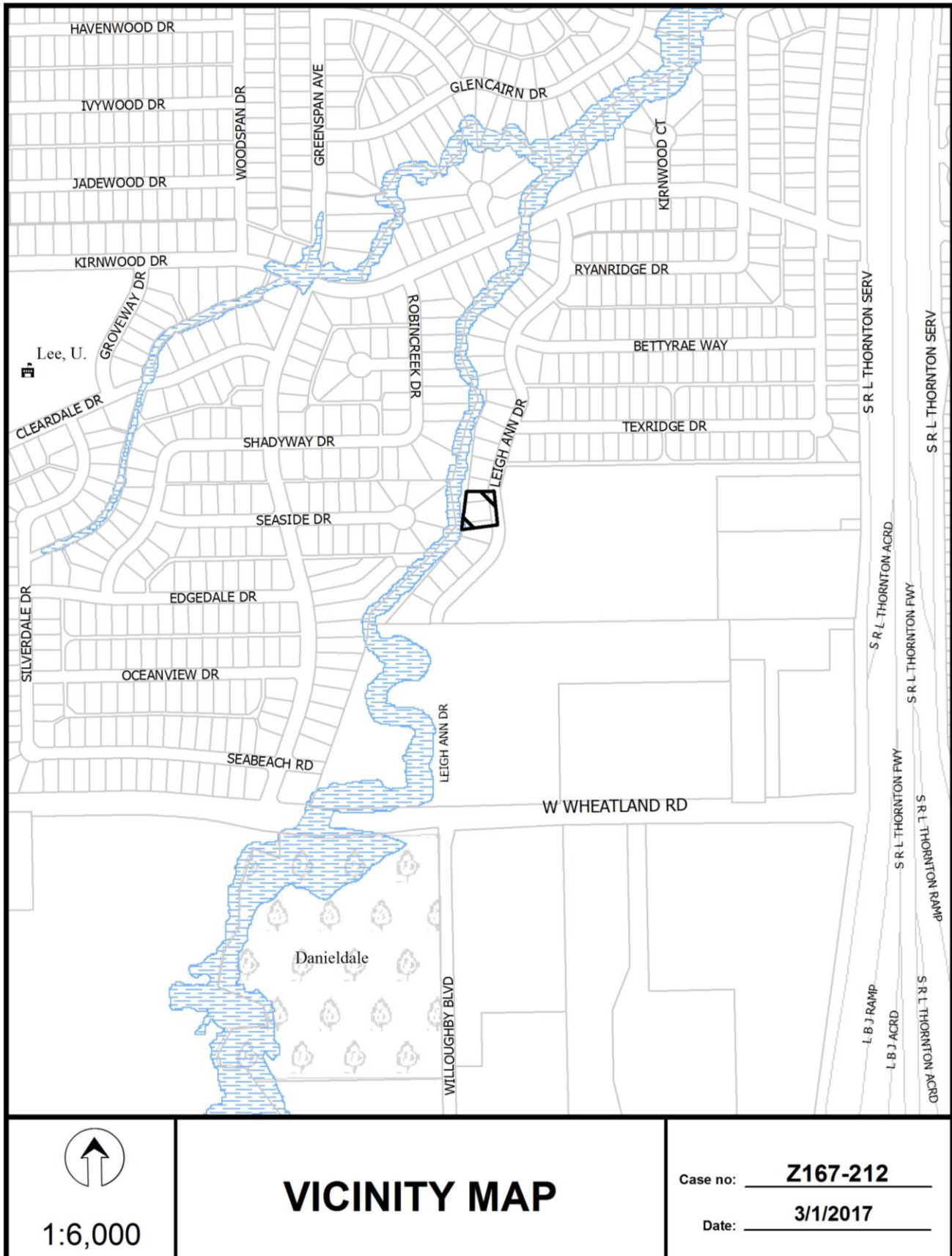
- Ravi Kumar Komari, Ownership, Member and Operating Partner 33%
- Dr. Vishnuvardhan Komari, Ownership, Member and Silent Partner 33%
- Dr. Satish Gaddam, Ownership, Member and Silent Partner 33%

**PROPOSED DEED RESTRICTIONS**

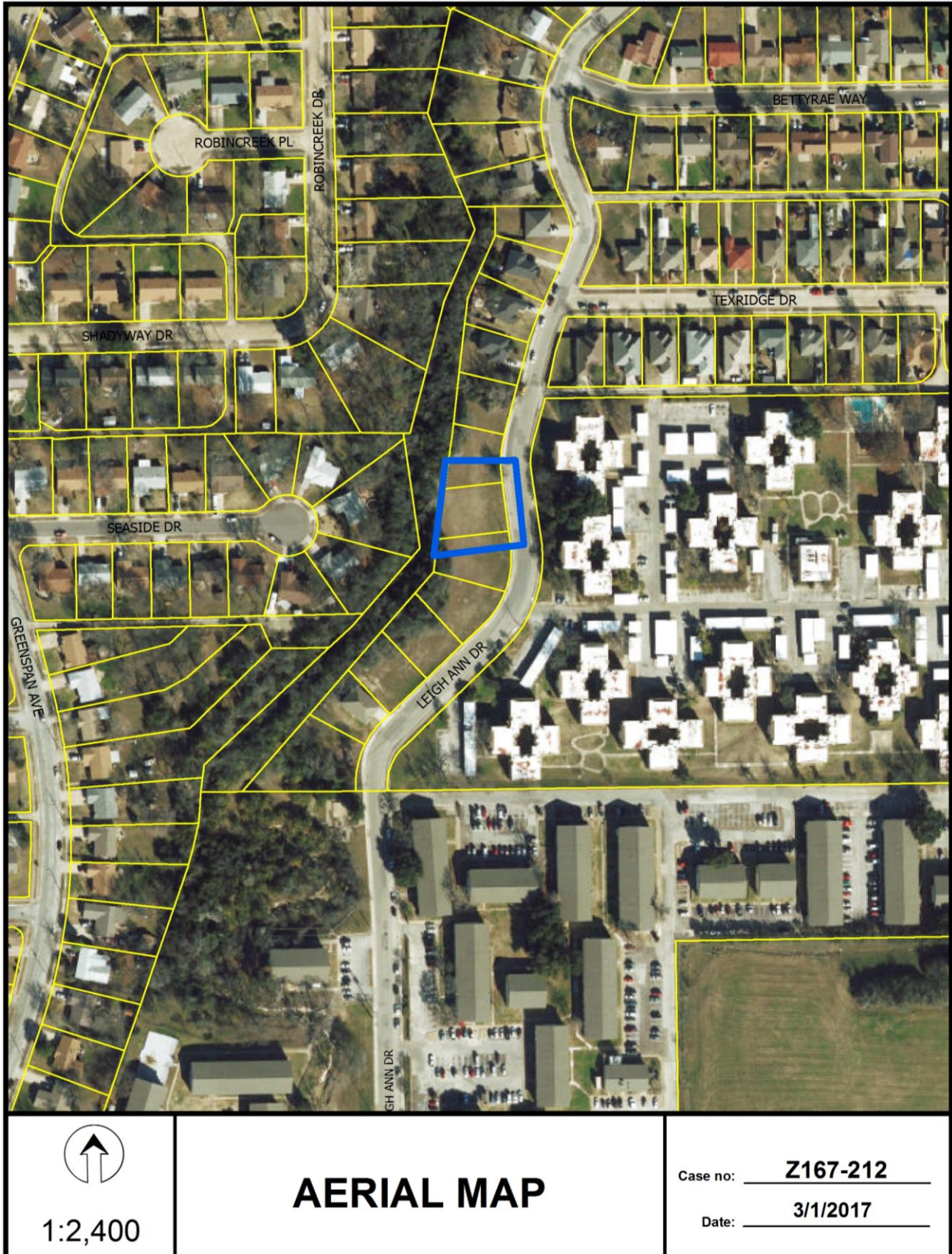
The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

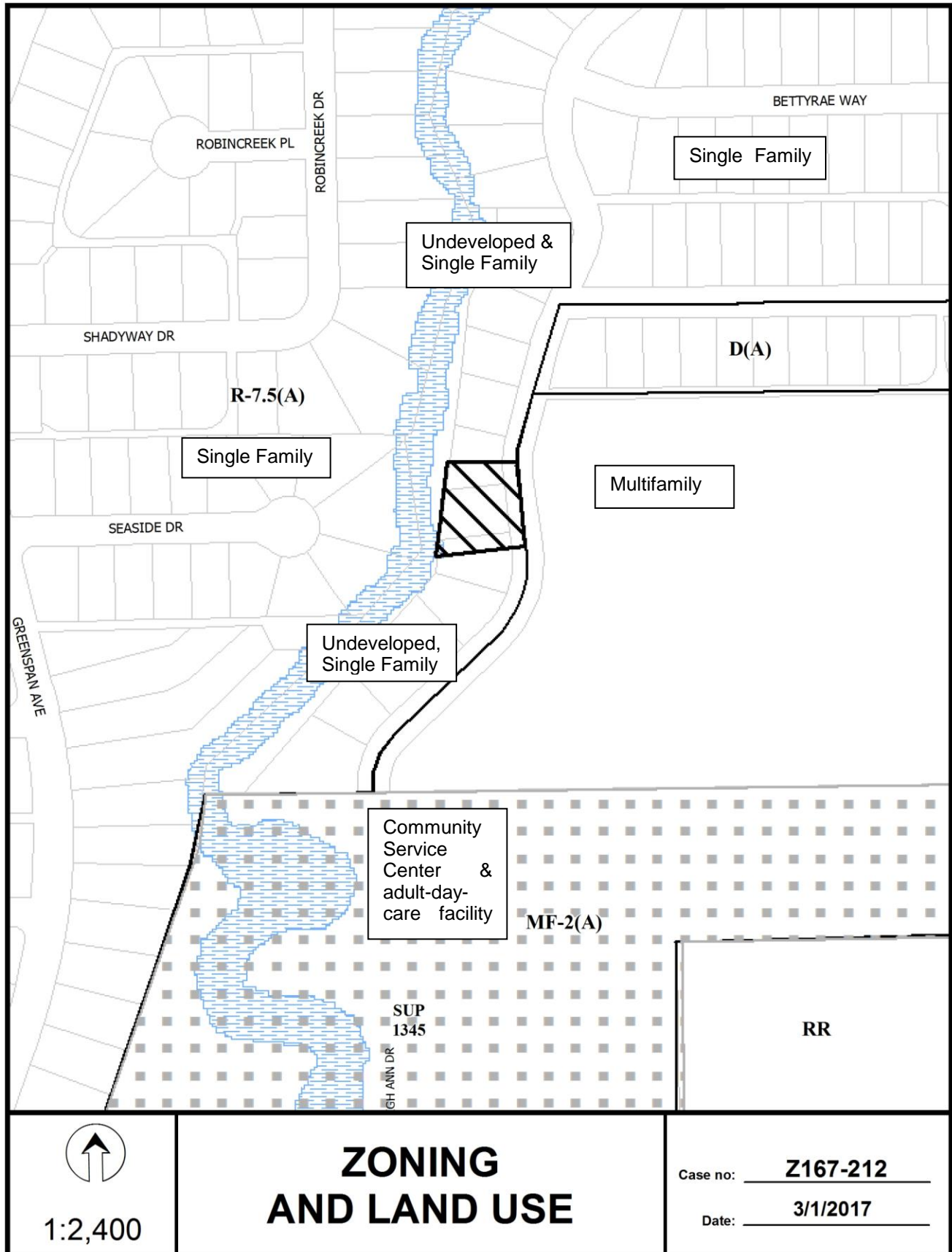
1. Minimum front yard setback is 25 feet.
2. Minimum side and rear yard setback is 10 feet.
3. Maximum height of fences and accessory structures is 8 feet.
4. Carports are not permitted on the Property.

Z167-212(OTH)



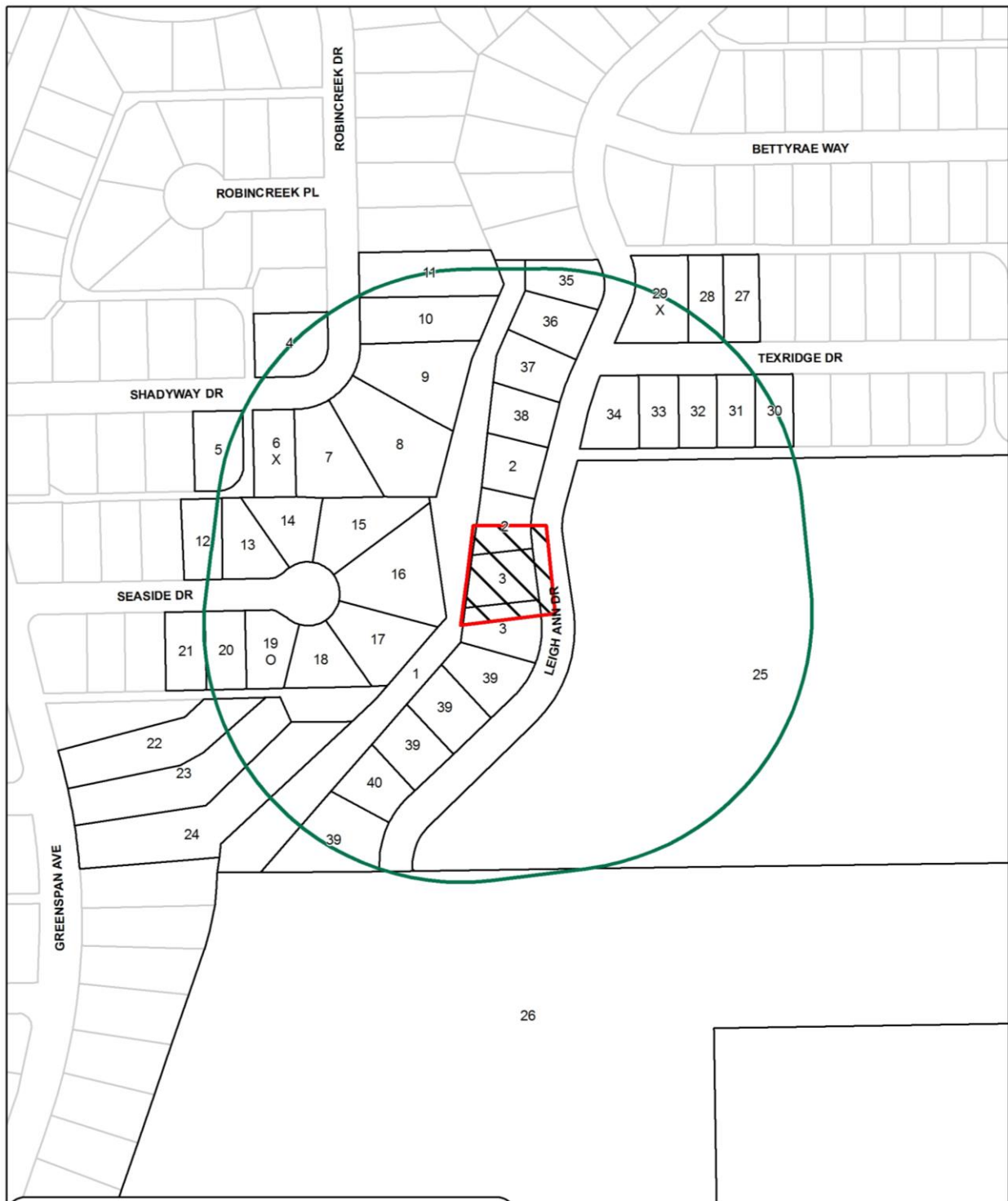








# CPC RESPONSES



<u>40</u>	Property Owners Notified (45 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>2</u>	Replies in Opposition (2 parcels)
<u>400'</u>	Area of Notification
<u>5/4/2017</u>	Date

**Z167-212**  
**CPC**



1:2,400

05/03/2017

***Reply List of Property Owners******Z167-212******40 Property Owners Notified******1 Property Owners in Favor******2 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	7900 LEIGH ANN DR	WHITE ORCHID HOLDING CO
	2	5 LEIGH ANN DR	WHITE ORCHID HOLDING CO
	3	7 LEIGH ANN DR	GEWAX VIRGINIA ELIZABETH MEYERS RILEY TR
	4	7859 ROBIN CREEK DR	BUSH ARCIE J
	5	516 SHADYWAY DR	HENDERSON HELEN
X	6	512 SHADYWAY DR	LYNCH LUCILLE
	7	508 SHADYWAY DR	PHIFER LINDA FAYE
	8	504 SHADYWAY DR	BLACK JOSEPH
	9	7862 ROBIN CREEK DR	SANTIBANEZ CONSTANCIA
	10	7858 ROBIN CREEK DR	BEAMON LYNDIA DODD
	11	7852 ROBIN CREEK DR	GONZALEZ AUDREY &
	12	519 SEASIDE DR	GARRETT JAMES O
	13	515 SEASIDE DR	VARGAS XOCHILT DIEGO
	14	511 SEASIDE DR	NET CAPITAL INVESTMENTS LLC
	15	507 SEASIDE DR	NEWSOME LUEN
	16	503 SEASIDE DR	RAWLS ARTRA &
	17	504 SEASIDE DR	MA LEG PARTNERS 6
	18	508 SEASIDE DR	JOHNSON NATHAN &
O	19	512 SEASIDE DR	STEPHENS VERA LIFE ESTATE
	20	516 SEASIDE DR	JONES CATHY A
	21	520 SEASIDE DR	CAMARGOMARTINEZ CELIA
	22	7934 GREENSPAN DR	ALEXANDER TONYA VANESSA
	23	7938 GREENSPAN DR	NICKLEBERRY HOWARD E ETUX
	24	8004 GREENSPAN DR	GARDNER GERMAN C
	25	7930 LEIGH ANN DR	168 REALTY GROUP IV LLC
	26	417 W WHEATLAND RD	WHEATLAND TERRACE PARTNERS LTD



05/03/2017

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	8041 TEXRIDGE DR	MARCH ROYCEE
	28	8047 TEXRIDGE DR	MEZA PATRICIA
X	29	8051 TEXRIDGE DR	TASBY BARBARA A
	30	8028 TEXRIDGE DR	BONELL PATRICIA
	31	8036 TEXRIDGE DR	GBENJEN SAIO K
	32	8040 TEXRIDGE DR	WILSON INVESTMENT PPTIES INC
	33	8046 TEXRIDGE DR	ECHEVERRIA PAULA
	34	8050 TEXRIDGE DR	HERNANDEZ JULIA
	35	7817 LEIGH ANN DR	GARCIA MARIA &
	36	7821 LEIGH ANN DR	WEST FORK PROPERTIES LLC
	37	7903 LEIGH ANN DR	TALIAFERRO CORDIA TRUSTEE OF THE 7903 LEIGHT ANN
	38	7907 LEIGH ANN DR	WANG CHEN YU
	39	9 LEIGH ANN DR	CERDA EDGER
	40	8015 LEIGH ANN DR	REYES DANIEL ENRIQUE DE LEON &

**STRATEGIC PRIORITY:** Quality of Life

**AGENDA DATE:** October 11, 2017

**COUNCIL DISTRICT(S):** 8

**DEPARTMENT:** Park & Recreation

**CMO:** Willis Winters, 670-4071

**MAPSCO:** 69-A, J, U, Y, Z

---

**SUBJECT**

A public hearing to receive comments on the proposed use of a portion of the Kleberg Trail, totaling approximately 126,625 square feet of land, by Dallas Water Utilities for the construction of a 21-inch wastewater main and a 120-inch water transmission pipeline; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City

**BACKGROUND**

The City of Dallas owns municipal parkland known as the Kleberg Trail located in southeast Dallas within a former Union Pacific Railroad Corridor. Dallas Water Utilities (DWU) requires easements at two separate sections of the Kleberg Trail, as described in Exhibit A.

DWU has requested two utility easements consisting of a total of approximately 126,625 square feet for construction of a 21-inch wastewater main and a 120-inch water transmission pipeline. In consideration for these conveyances by easement, DWU will pay \$85,900, the fair market value of these easements, as determined by independent appraisals. Sustainable Development and Construction is submitting a resolution collectively with this resolution for the actual conveyance of, and sale proceeds for the easements.

The Southwest 120-inch Water Transmission pipeline project involves construction of approximately 17 miles of a 120-inch treated water transmission main to meet long-range regional water demands for south Dallas County. The project, which requires a utility easement of approximately 25,000 square feet of parkland, will run parallel to the Kleberg Trail corridor. DWU has located the proposed water transmission pipeline within the ditch area of the Kleberg Trail, adjacent to the location of the future Kleberg Trail, to minimize potential conflicts once the trail is constructed.

## **BACKGROUND** (continued)

The Hickory Creek Wastewater Main Replacement Project involves replacement of approximately 2.75 miles of existing wastewater mains with one 21-inch wastewater main. The project, which requires a utility easement of approximately 101,625 square feet, crosses the Kleberg Trail Corridor. DWU does not anticipate any above ground pipeline appurtenances to be located in the easement or, if they do, DWU will ensure that they not conflict with the future trail.

DWU agrees as condition of the conveyance of easements to:

1. Construct each project and ensure that any future projects do not conflict with the proposed trail and to permit future construction of the Kleberg Trail, amenities, and other improvements within the easements.
2. Future construction, maintenance, and operations of the utilities within the trail corridor will be coordinated with the Park and Recreation Department operations to minimize disruption of use and operation of the trail.
3. DWU shall request approval from the Director of the Park and Recreation Department should DWU's operations, maintenance, or construction require DWU to disrupt, demolish, or modify any improvements, vegetation, or terrain within the trail corridor, except for in a situation which affects the public's immediate health, safety, or welfare, in which case DWU shall notify the Director of the Park and Recreation Department as soon as possible of such activities. In any case, repair or replacement of trail improvements, vegetation, damage to terrain, etc., as the result of DWU activities, shall be at the discretion of the Director of the Park and Recreation Department and shall be at DWU's sole cost with no cost consideration to the Park and Recreation Department.

In compliance with the law, the City has determined that there is a need for utility easements, that no feasible and prudent alternative exists, and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of park services.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of parkland.

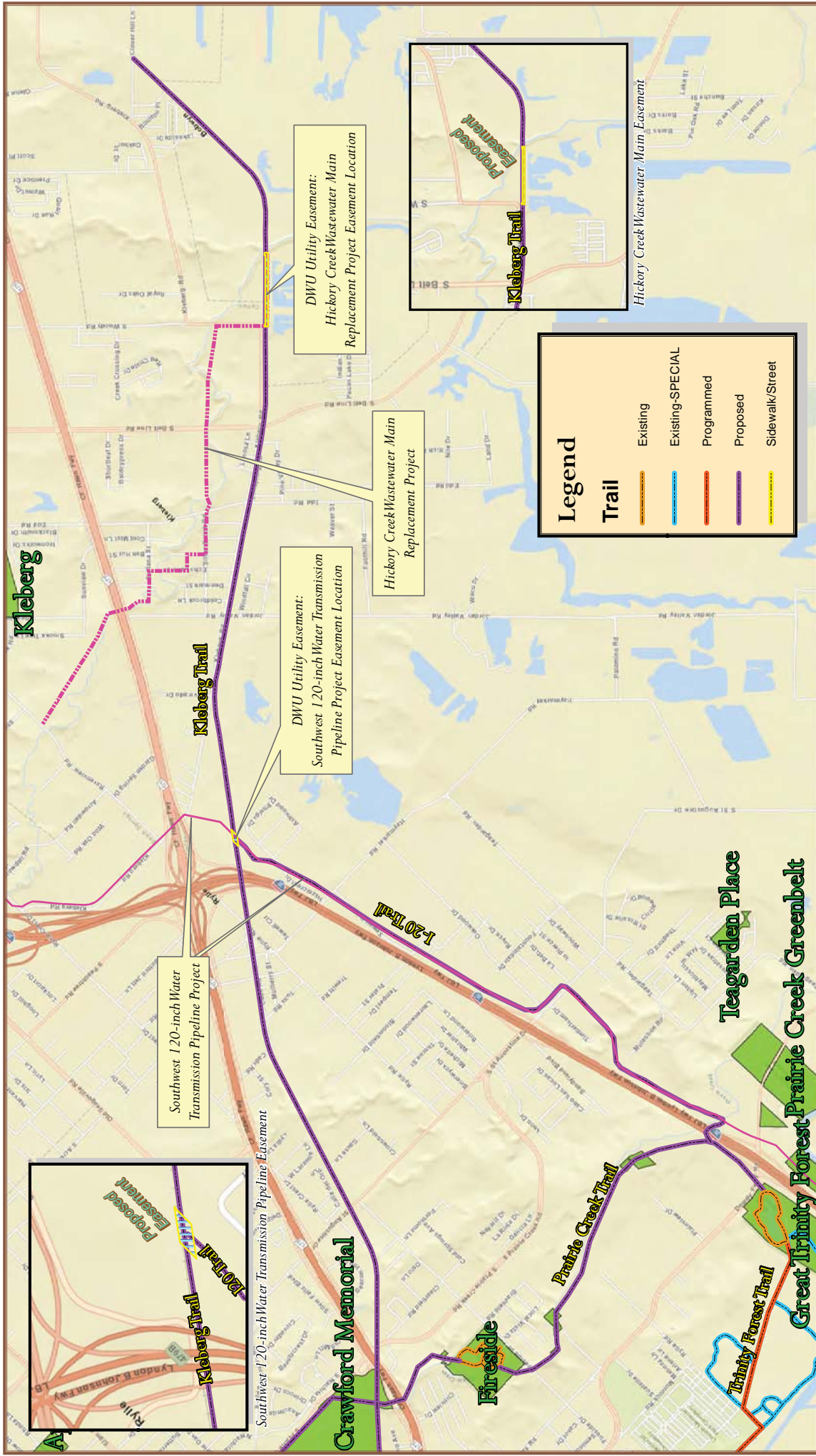
## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On August 3, 2017, the Park and Recreation Board authorized a public hearing to be held on October 11, 2017.

On September 13, 2017, City Council authorized a public hearing to be held on October 11, 2017, by Resolution No. 17-1434.

**MAP**

Attached



October 11, 2017

**WHEREAS**, the City of Dallas owns land in southeast Dallas known as the Kleberg Trail, which was acquired for park purposes and has been maintained as parkland; and

**WHEREAS**, a portion of the Kleberg Trail has been identified by Dallas Water Utilities (DWU) as necessary for the construction of a 21-inch wastewater main (Hickory Creek Wastewater Main Replacement Project) and a 120-inch water transmission pipeline (Southwest 120-inch Water Transmission Pipeline Project), and DWU must acquire approximately 126,625 square feet of land for such improvements, as shown on Exhibit A and the Park and Recreation Board is agreeable to providing the property for this use; and

**WHEREAS**, DWU is agreeable to designing and constructing its improvements such that the City's ability to make future improvements to the Kleberg Trail shall not be impaired; and

**WHEREAS**, a public hearing was held, as required by the Texas Parks and Wildlife Code (Chapter 26, Section 26.001 through 26.004), to determine that there is no feasible and prudent alternative to this use of this parkland and that all reasonable planning to minimize harm to the Kleberg Trail has been taken.

**Now, Therefore,**

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

**SECTION 1.** That as a result of the public hearing held today, it is hereby determined that there is no feasible and prudent alternative to the use of parkland for the purpose stated in this resolution and that all reasonable planning to minimize harm to the park has been taken.

**SECTION 2.** That the City of Dallas hereby approves and authorizes the grant of utility easements, by form instrument as approved by the City Attorney, to DWU for purpose of construction of water and wastewater pipeline projects, said easement areas more fully described in Exhibit A, attached hereto and made a part hereof.

**SECTION 3.** That the City Manager or designee, approved as to form by the City Attorney, is hereby authorized to execute utility easements for the benefit of DWU for the purposes authorized herein, and to all of the following terms and conditions:

a. DWU shall covenant to the City:

1. To observe safety regulations;
2. To not be detrimental to the park and to coordinate work with City staff so as to provide for the least disruption of City services;

October 11, 2017

**SECTION 3.** (continued)

3. To comply with health, safety, noise, environmental protection, waste disposal, and water and air quality regulations;
4. To keep the adjacent park area free from construction debris and waste;
5. To bear the cost of construction, operation, and maintenance of the sewer line and improvements;
6. To do all work within the park and surrounding areas in a good a workmanlike manner under the supervision of the Director of the Park and Recreation Department;
7. To construct each project, and ensure future projects within the utility easements not conflict with the proposed trail and its use as a trail and to permit future construction of the Kleberg Trail, amenities, and other improvements within the easements;
8. Future construction, maintenance, and operations of the utilities within the trail corridor will be coordinated with the Park and Recreation Department operations to minimize disruption of use and operation of the trail;
9. Any damage to or removal of any trail improvements or the trail corridor itself by DWU or its contractors, regardless of the reason, shall be repaired or replaced at DWU's sole cost with no cost consideration to the Park and Recreation Department.

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



# Exhibit A

1 of 12

**PARCEL E-442  
CITY OF DALLAS RIGHT-OF-WAY  
0.5739 ACRE TRACT  
CITY OF DALLAS BLOCK NO. 8794,  
SOLOMON DIXON SURVEY, ABSTRACT NUMBER 407  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING a tract of land situated in the Solomon Dixon Survey, Abstract No. 407, Official City of Dallas Block Number 8794, City of Dallas, Dallas County, Texas, and being part of that tract of land described as Parcel 5 in deed to the City of Dallas, as recorded in Instrument Number 201100327219 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a point in the west edge of a 14 inch Cedar Elm tree for the common southeast corner of that tract of land described in deed to Matthew Millard as recorded in County Clerk's Document Number 200503553505, O.P.R.D.C.T., and the most northerly northeast corner of Alexander Heights Addition, an addition to Dallas County, Texas, as recorded in Volume 23, Page 73 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said point being in the southwest line of said City of Dallas tract, and from which point a 1/2-inch found iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") bears South 89 degrees 29 minutes 55 seconds East a distance of 1.62 feet;

THENCE North 53 degrees 37 minutes 54 seconds West, with the common northeast line of said Millard tract and the southwest line of said City of Dallas tract, a distance of 250.00 feet to a found 1/2-inch iron rod with cap for corner;

THENCE North 89 degrees 29 minutes 55 seconds East, departing said common line, with a line offset 150 feet northerly of and parallel to the common south line of said Millard tract and the north line of said Alexander Heights Addition, a distance of 166.67 feet to a found 1/2-inch iron rod with cap for corner in the common northeast line of said City of Dallas tract and the southwesterly line of that tract of land described in deed to RJC Theatres, LLC as recorded in Volume 2005083, Page 05877, D.R.D.C.T.;

THENCE South 53 degrees 37 minutes 54 seconds East, departing said parallel offset line, with said common northeast City of Dallas line and the southwesterly line of said RJC Theaters tract, a distance of 250.00 feet to a point (unable to set) for corner from which a found 1/2-inch iron rod with cap for the southeast corner of said RJC Theaters tract bears South 53 degrees 37 minutes 54 seconds East a distance of 4.98 feet;

FIELD NOTES APPROVED

11/2/16  
JAC



# Exhibit A

2 of 12

**PARCEL E-442  
CITY OF DALLAS RIGHT-OF-WAY  
0.5739 ACRE TRACT  
CITY OF DALLAS BLOCK NO. 8794,  
SOLOMON DIXON SURVEY, ABSTRACT NUMBER 407  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

THENCE South 89 degrees 29 minutes 55 seconds West, departing said common line, with the projected common south line of said Millard tract and the north line of said Alexander Heights Addition, a distance of 166.67 feet to the POINT OF BEGINNING and containing 0.5739 acre (25,000 square feet) of land, more or less.

The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

*Handwritten signature*  
18 FEB  
2016





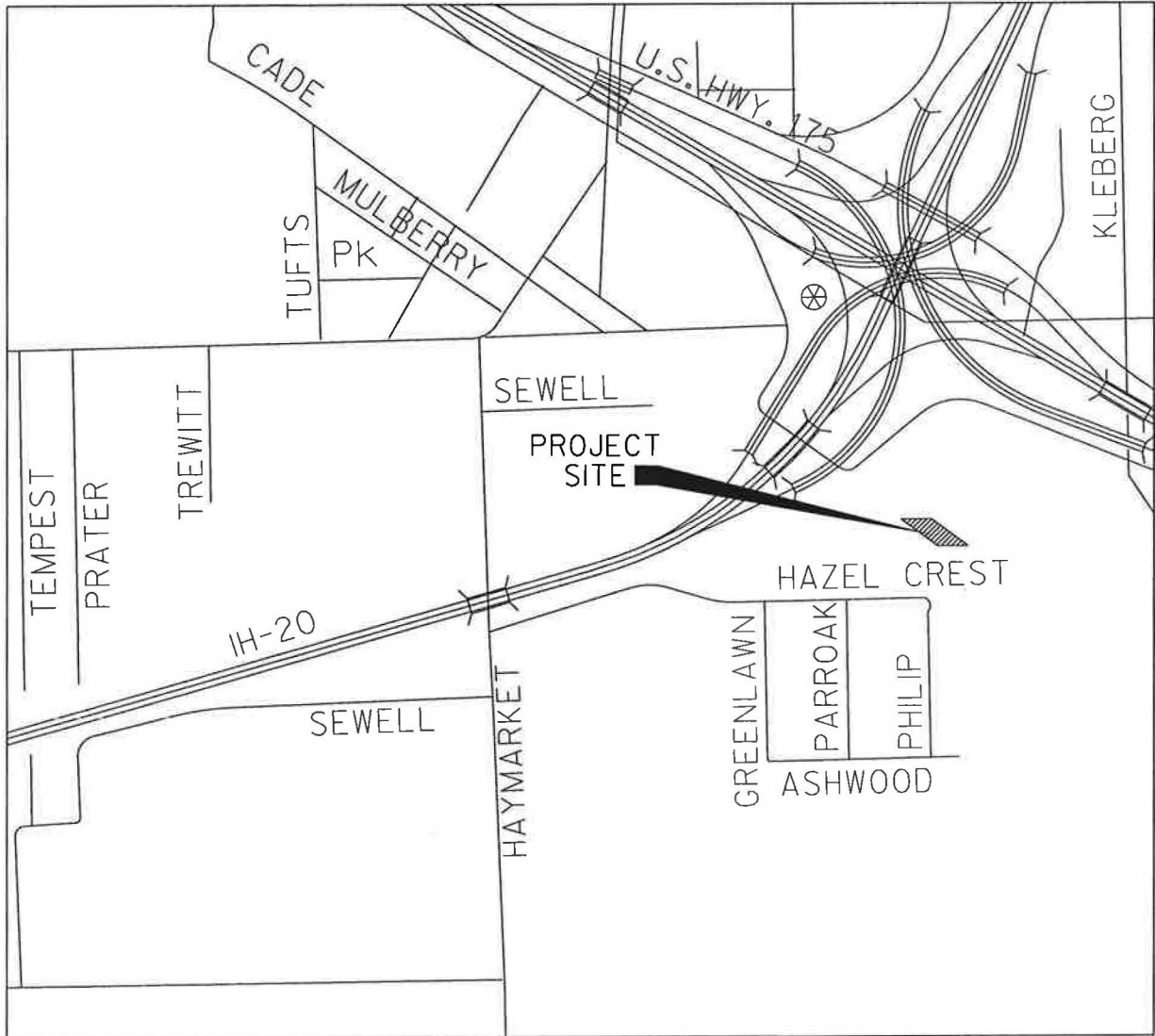


PARCEL E-442  
CITY OF DALLAS RIGHT-OF-WAY  
0.5739 ACRE TRACT  
CITY OF DALLAS BLOCK NO. 8794,  
SOLOMON DIXON SURVEY, ABSTRACT NUMBER 407,  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A  
4 of 12



MAPSCO NO. 69A J



LOCATION MAP  
NOT TO SCALE

FIELD NOTES DESCRIBING A 2.333 ACRE (101,625 SQUARE FOOT)  
WASTEWATER PIPELINE EASEMENT  
CITY OF DALLAS DRAWING NO. 411Q-1618  
TO BE ACQUIRED IN CITY BLOCK 8807 AND UNINCORPORATED DALLAS COUNTY  
ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716  
FROM CITY OF DALLAS PARK AND RECREATION DEPARTMENT

BEING a 2.333 acre (101,625 square foot) tract of land situated in the Robert Kleberg Survey, Abstract Number 716, in Official City of Dallas Block Number 8807, City of Dallas, Texas, and Unincorporated Dallas County, Texas, and being located within that tract of land described as Kleberg Trail Corridor Parcel 1 in the Donative Deed Without Warranty from Union Pacific Railroad Company to the City of Dallas, Texas, as recorded in Instrument Number 201100327219 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with a yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for an "ell" corner in the northeast line of said Kleberg Trail Corridor Parcel 1 and for the most westerly southwest corner of that tract of land described in deed to Geral De Witt and Frances De Witt as recorded in Volume 2001062, Page 00215 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said point being on the southeast line of that tract of land described in deed to Don Poteet as recorded in Volume 87214, Page 5716, D.R.D.C.T., and from which a 3/4-inch found iron rod bears South 44 degrees 11 minutes 34 seconds West a distance of 0.63 of a foot;

THENCE South 44 degrees 11 minutes 34 seconds West, with a jog in the northeast line of said Kleberg Trail Corridor Parcel 1 and with the southeast line of said Poteet Tract, a distance of 20.00 feet to a 1/2-inch found iron rod with cap for an "ell" corner in the northeast line of said Kleberg Trail Corridor Parcel 1;

THENCE North 44 degrees 51 minutes 13 seconds West, continuing with the northeast line of said Kleberg Trail Corridor Parcel 1, a distance of 721.96 feet to a 1/2-inch set iron rod with a blue plastic cap stamped "HALFF ESMT" (hereinafter referred to as "with easement cap") for the POINT OF BEGINNING;

THENCE South 45 degrees 08 minutes 47 seconds West, departing said northeast line, over and across said Kleberg Trail Corridor Parcel 1, a distance of 80.00 feet to a 1/2-inch set iron rod with easement cap for corner on the southwest line of said Kleberg Trail Corridor Parcel 1, and from which point a 1/2-inch found iron rod with cap for the point of curvature of a tangent circular curve to the left in said southwest line bears South 44 degrees 51 minutes 13 seconds East a distance of 897.73 feet;

THENCE North 44 degrees 51 minutes 13 seconds West, with the southwest line of said Kleberg Trail Corridor Parcel 1, a distance of 1,665.42 feet to a 1/2-inch set iron rod with easement cap for corner;

FIELD NOTES APPROVED:

*Apr 7/15/13*





FIELD NOTES DESCRIBING A 2.333 ACRE (101,625 SQUARE FOOT)  
WASTEWATER PIPELINE EASEMENT  
CITY OF DALLAS DRAWING NO. 411Q-1618  
TO BE ACQUIRED IN CITY BLOCK 8807 AND UNINCORPORATED DALLAS COUNTY  
ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716  
FROM CITY OF DALLAS PARK AND RECREATION DEPARTMENT

THENCE North 45 degrees 08 minutes 47 seconds East, departing said southwest line of Kleberg Trail Corridor Parcel 1, over and across said Kleberg Trail Corridor Parcel 1, a distance of 80.00 feet to a 1/2-inch set iron rod with easement cap for corner on the northeast line of said Kleberg Trail Corridor Parcel 1, and from which point a 1/2-inch found iron rod with cap for an "ell" corner in said northeast line bears North 44 degrees 51 minutes 13 seconds West a distance of 79.72 feet;

THENCE South 44 degrees 51 minutes 13 seconds East, with the northeast line of said Kleberg Trail Corridor Parcel 1, a distance of 35.00 feet to a 1/2-inch set iron rod with easement cap for corner;

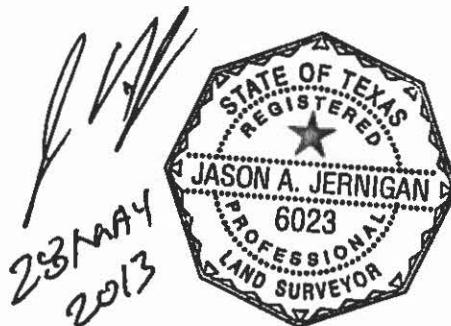
THENCE South 45 degrees 08 minutes 47 seconds West, departing said northeast line, over and across said Kleberg Trail Corridor Parcel 1, a distance of 20.00 feet to a 1/2-inch set iron rod with easement cap for corner;

THENCE South 44 degrees 51 minutes 13 seconds East, continuing over and across said Kleberg Trail Corridor Parcel 1, with a line offset 20 feet southwesterly from and parallel to the northeast line of said Kleberg Trail Corridor Parcel 1, a distance of 1,580.42 feet to a 1/2-inch set iron rod with easement cap for corner;

THENCE North 45 degrees 08 minutes 47 seconds East, departing said parallel offset line, continuing over and across said Kleberg Trail Corridor Parcel 1, a distance of 20.00 feet to a 1/2-inch set iron rod with easement cap for corner on the northeast line of said Kleberg Trail Corridor Parcel 1;

THENCE South 44 degrees 51 minutes 13 seconds East, with the northeast line of said Kleberg Trail Corridor Parcel 1, a distance of 50.00 feet to the POINT OF BEGINNING and containing 2.333 acres (101,625 square feet) of land, more or less.

The Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.



# ROBERT KLEBERG SURVEY, ABSTRACT NO. 716

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Sheet

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MATCH LINE  
(See sheet 4 of 7)

DON POTEET  
(VOL. 87214, PG. 5716)

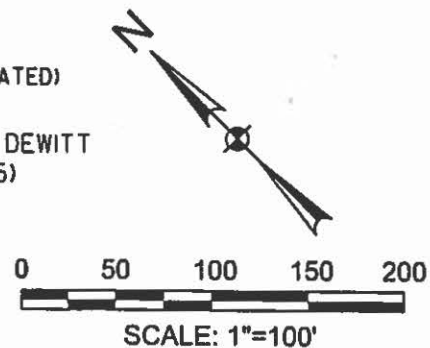
ROBERT KLEBERG SURVEY,  
ABSTRACT NO. 716

HERMAN HIDER SURVEY,  
ABSTRACT NO. 541

DALLAS COUNTY (UNINCORPORATED)

GERAL DEWITT AND FRANCES DEWITT  
(VOL. 2001062, PG. 00215)

POINT OF  
COMMENCING



POINT OF  
COMMENCING

S 44°11'34" W  
0.63'

S 44°11'34" W  
20.00'

N 44°51'13" W

721.96'

S 44°51'13" E

S 44°51'13" E 176.10'

1/2" FIR  
W/CAP  
(C.M.)

1/2" FIR  
W/CAP

CITY OF DALLAS  
(KLEBERG TRAIL CORRIDOR  
PARCEL 1,  
INST. # 201100327219)

TXI OPERATIONS LP  
(VOL. 98087, PG. 8888)

897.73'

3/8" FIR  
BEARS  
N 40°44'16" W  
8.11'

1/2" FIR  
W/CAP

TXI OPERATIONS LP  
(VOL. 98087, PG. 8888)

$\Delta = 45^\circ 54' 00''$   
 $R = 1,482.00'$   
 $T = 627.55'$   
 $L = 1,187.24'$   
 $CL = 1,155.75'$   
 $CB = N 67^\circ 48' 13'' W$

*Robert Kleberg Survey,  
Abstract No. 716*

DALLAS COUNTY (UNINCORPORATED)

APPROXIMATE  
SURVEY LINE

*Herman Hider Survey,  
Abstract No. 541*

## LEGEND

1/2" FIR W/CAP	1/2" FOUND IRON ROD WITH YELLOW PLASTIC CAP STAMPED 'HALFF'
1/2" SIR W/ESMT CAP	1/2" SET IRON ROD WITH BLUE PLASTIC CAP STAMPED 'HALFF ESMT'
INST. #	INSTRUMENT NUMBER
R/W	RIGHT-OF-WAY LINE
$\mathcal{R}$	PROPERTY LINE
(C.M.)	CONTROL MONUMENT

1. The Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

2. The surveyor has relied on the commitment for title insurance issued by First American National Title Insurance Company, of No. 10R34896 CR7, effective date May 30, 2011, issued date June 16, 2011 with regard to the existence of recorded easements, rights-of-way, and other matters of record affecting the subject tract. The Surveyor has relied upon the accuracy and completeness of the information described above and has made no independent investigation or search for this information.

2.333 ACRE (101,625 SQUARE FOOT)  
WASTEWATER PIPELINE EASEMENT  
CITY OF DALLAS DRAWING NO. 411Q-1618  
TO BE ACQUIRED

IN CITY BLOCK 8807 AND UNINCORPORATED DALLAS COUNTY  
ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716  
FROM CITY OF DALLAS PARK AND RECREATION DEPARTMENT



1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081  
TELE. (214) 346-6200 FAX (214) 739-0095

DATE: MAY, 2013

AVO.: 21944

PAGE 3 OF 7



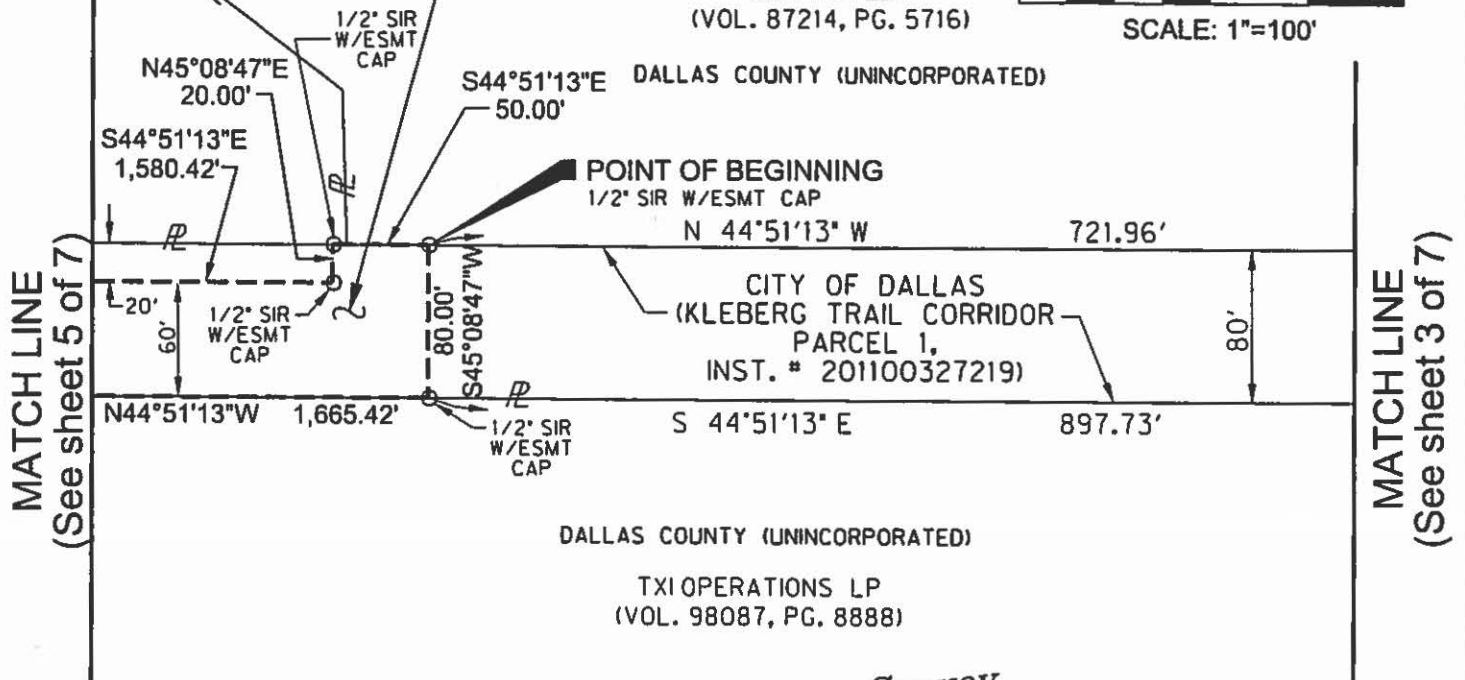
# ROBERT KLEBERG SURVEY ABSTRACT NO. 716



101,625 SQ. FT.  
OR  
2.333 ACRES

DON POTEET  
(VOL. 87214, PG. 5716)

0 50 100 150 200  
SCALE: 1"=100'



*Robert Kleberg Survey,  
Abstract No. 716*

1. The Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.  
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## LEGEND

1/2" FIR W/CAP	1/2" FOUND IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF"
1/2" SIR W/ESMT CAP	1/2" SET IRON ROD WITH BLUE PLASTIC CAP STAMPED "HALFF ESMT"
INST. #	INSTRUMENT NUMBER
R/W	RIGHT-OF-WAY LINE
P	PROPERTY LINE
(C.M.)	CONTROL MONUMENT

2.333 ACRE (101,625 SQUARE FOOT)  
WASTEWATER PIPELINE EASEMENT  
CITY OF DALLAS DRAWING NO. 411Q-1618  
TO BE ACQUIRED

IN CITY BLOCK 8807 AND UNINCORPORATED DALLAS COUNTY  
ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716  
FROM CITY OF DALLAS PARK AND RECREATION DEPARTMENT



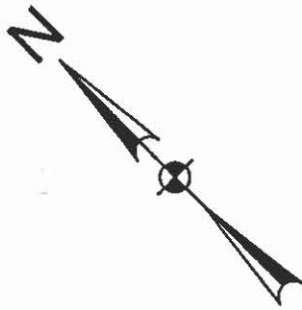
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081  
TELE. (214)346-6200 FAX (214)739-0095

DATE: MAY, 2013

AVO.: 21944

PAGE 4 OF 7

# ROBERT KLEBERG SURVEY ABSTRACT NO. 716



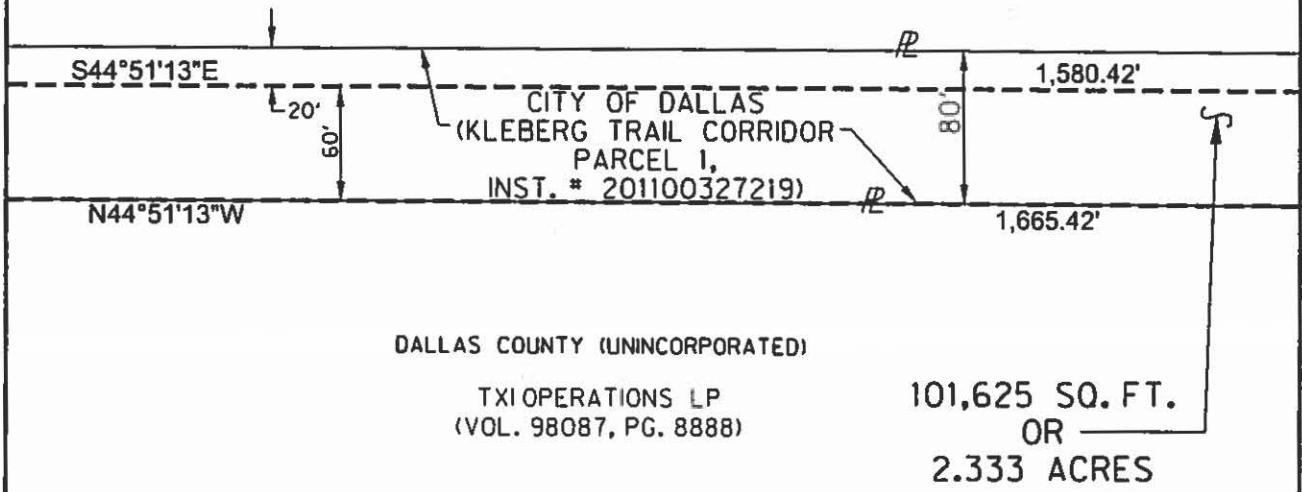
0 50 100 150 200

SCALE: 1"=100'

ROBERTO N. PULIDO  
(INST. # 201100055531)

DALLAS COUNTY (UNINCORPORATED)

MATCH LINE  
(See sheet 6 of 7)



MATCH LINE  
(See sheet 4 of 7)

DALLAS COUNTY (UNINCORPORATED)

TXI OPERATIONS LP  
(VOL. 98087, PG. 8888)

101,625 SQ. FT.  
OR  
2.333 ACRES

*Robert Kleberg Survey,  
Abstract No. 716*

1. The Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.  
2. The surveyor has relied on the commitment for title insurance issued by First American National Title Insurance Company, GF No. 10R34896 CR7, effective date May 30, 2011, issued date June 16, 2011 with regard to the existence of recorded easements, rights-of-way, and other matters of record affecting the subject tract. The Surveyor has relied upon the accuracy and completeness of the information described above and has made no independent investigation or search for this information.

## LEGEND

1/2" FIR W/CAP	1/2" FOUND IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF"
1/2" SIR W/ESMT CAP	1/2" SET IRON ROD WITH BLUE PLASTIC CAP STAMPED "HALFF ESMT"
INST. #	INSTRUMENT NUMBER
R/W	RIGHT-OF-WAY LINE
P	PROPERTY LINE
(C.M.)	CONTROL MONUMENT

2.333 ACRE (101,625 SQUARE FOOT)  
WASTEWATER PIPELINE EASEMENT  
CITY OF DALLAS DRAWING NO. 411Q-1618  
TO BE ACQUIRED

IN CITY BLOCK 8807 AND UNINCORPORATED DALLAS COUNTY  
ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716  
FROM CITY OF DALLAS PARK AND RECREATION DEPARTMENT



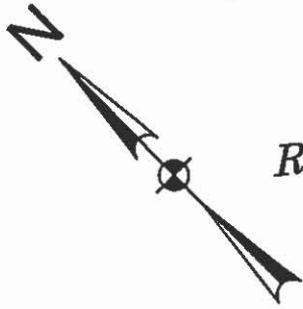
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081  
TELE. (214) 346-6200 FAX (214) 739-0095

DATE: MAY, 2013

AVO.: 21944

PAGE 5 OF 7

# ROBERT KLEBERG SURVEY ABSTRACT NO. 716



*Robert Kleberg Survey,  
Abstract No. 716*

0 50 100 150 200  
SCALE: 1"=100'

APPROX. DALLAS  
CITY LIMIT LINE

DALLAS COUNTY  
(UNINCORPORATED)

BLOCK 8807

ROBERTO N. PULIDO  
(INST. # 201100055531)

MATCH LINE  
(See sheet 7 of 7)

S44°51'13"E

CITY OF DALLAS  
(KLEBERG TRAIL CORRIDOR  
PARCEL 1,  
INST. # 201100327219)

1,580.42'

APPROX. DALLAS  
CITY LIMIT LINE

N44°51'13"W

DALLAS COUNTY (UNINCORPORATED)

TXI OPERATIONS LP  
(VOL. 98087, PG. 8888)

1,665.42'

MATCH LINE  
(See sheet 5 of 7)

101,625 SQ. FT.  
OR  
2.333 ACRES

## LEGEND

1/2" FIR W/CAP	1/2" FOUND IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF"
1/2" SIR W/ESMT CAP	1/2" SET IRON ROD WITH BLUE PLASTIC CAP STAMPED "HALFF ESMT"
INST. #	INSTRUMENT NUMBER
R/W	RIGHT-OF-WAY LINE
P	PROPERTY LINE
(C.M.)	CONTROL MONUMENT

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2. The surveyor has relied on the commitment for title insurance issued by First American National Title Insurance Company, of No. 10834896 CR7, effective date May 30, 2011, issued date June 16, 2011, with regard to the existence of recorded easements, rights-of-way, and other matters of record affecting the subject tract. The Surveyor has relied upon the accuracy and completeness of the information described above and has made no independent investigation or search for this information.

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IN CITY BLOCK 8807 AND UNINCORPORATED DALLAS COUNTY  
ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716  
FROM CITY OF DALLAS PARK AND RECREATION DEPARTMENT



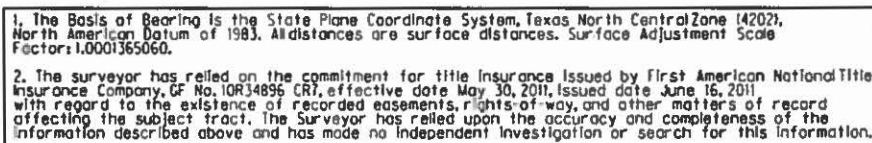
**HALFF**

1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081  
TELE. (214)346-6200 FAX (214)739-0095

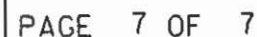
DATE: MAY, 2013

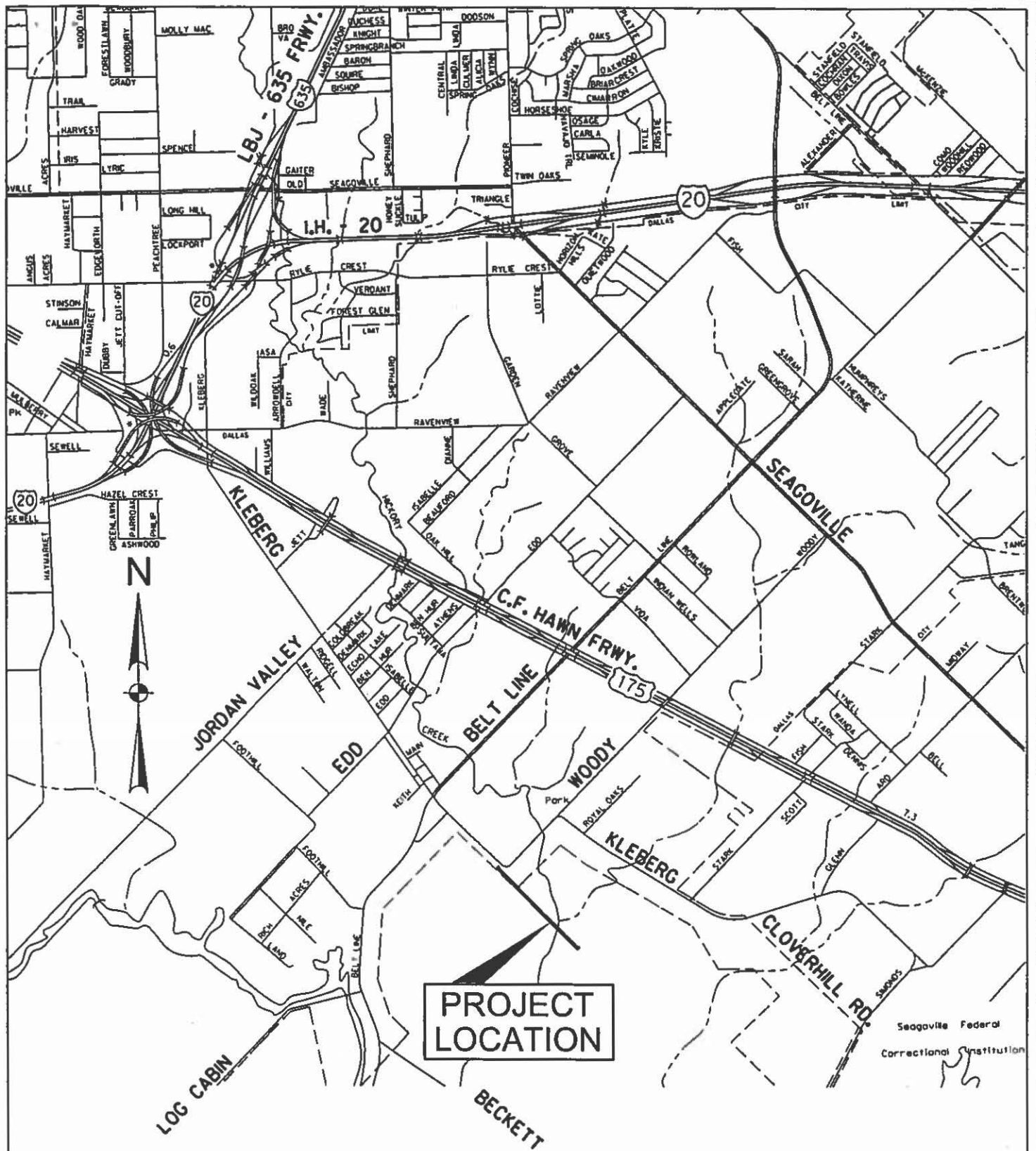
AVO.: 21944

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[illegible]

2.333 ACRE (101,625 SQUARE FOOT)  
WASTEWATER PIPELINE EASEMENT  
CITY OF DALLAS DRAWING NO. 411Q-1618  
TO BE ACQUIRED  
LOCK 8807 AND UNINCORPORATED DALLAS COUNTY  
ERT KLEBERG SURVEY, ABSTRACT NUMBER 716  
Y OF DALLAS PARK AND RECREATION DEPARTMENT





2.333 ACRE (101,625 SQUARE FOOT)  
 WASTEWATER PIPELINE EASEMENT  
 CITY OF DALLAS DRAWING NO. 411Q-1618  
 TO BE ACQUIRED

IN CITY BLOCK 8807 AND UNINCORPORATED DALLAS COUNTY  
 ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716  
 FROM CITY OF DALLAS PARK AND RECREATION DEPARTMENT

# LOCATOR MAP

NOT TO SCALE