

Memorandum



CITY OF DALLAS

DATE April 23, 2021

TO Honorable Mayor and Members of the City Council

SUBJECT **Agenda Item #PH1 – Fill Permit 19-04 2118 California Crossing**

The purpose of this memorandum is to share information regarding the environmental impact and the public acquisition report for fill permits. Fill Permit 19-04, located at 2118 California Crossing, involves the reclamation of 9.40 acres of the current 26.38 acres of floodplain on this property on the Elm Fork of the Trinity.

A virtual neighborhood meeting was held on December 18, 2020. Attendees included the property owner, three project developers, one project engineer, and three city staff members. No citizens from the area attended. There has been no objection to the fill permit.

The USACE issued a Nationwide Permit 39 for commercial and institutional developments for this project.

Park and Recreation and Sustainable Development and Construction reviewed the application for public acquisition. Park and Recreation expressed concerns about the project adversely affecting the park land adjacent to the property to the south, where there is currently an active restoration site. Staff explained that the site design must meet the development code requirements that prohibit adverse impacts to adjacent property as well as the floodplain regulation requirements, which similarly prohibit raising the water surface or increasing the flow rate in the Elm Fork.

The California Crossing site was filled without a permit and trees were removed without a tree removal permit. Going forward, the remaining protected and unprotected trees on the property must be fully protected in accordance with Section 51A-10.136 of the Dallas Development Code through all grading and other construction activity on the property.

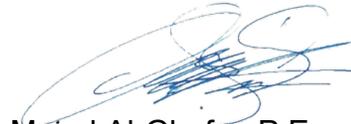
Sustainable Development and Construction – Current Planning had no objections to the proposed fill permit but noted that the property has Specific Use Permit (SUP) No. 2350 for a concrete batch plant on a portion of the property. The SUP was approved in October 2019 for a three-year period. The applicant must ensure that the fill operations do not alter the operation of the use as proposed in the SUP ordinance and site plan.

This application meets the engineering requirements outlined in the Dallas Development Code, Section 51A-5.105(h), floodplain regulations; as such, the City Council should approve the fill permit application. Alternatively, the City Council may resolve to acquire the property under the laws of eminent domain and may then deny the application.

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Please let me know if you need additional information.



Majed Al-Ghafry, P.E.
Assistant City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney
Mark Swann, City Auditor
Billerae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager

Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
Dr. Eric A. Johnson, Chief of Economic Development and Neighborhood Services
M. Elizabeth Reich, Chief Financial Officer
M. Elizabeth (Liz) Cedillo-Pereira, Chief of Equity and Inclusion
Directors and Assistant Directors