AUGUST 14, 2019 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated August 14, 2019. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

T.C. Broadnax
City Manager

8/2/19
Date

M. Elizabeth Reich
Elizabeth Reich
Chief Financial Officer

8-2-19
Date

RECEIVED
2019 AUG -2 PM 4:15
CITY SECRETARY
DALLAS, TEXAS

City of Dallas

1500 Marilla Street
Dallas, Texas 75201

COUNCIL AGENDA

August 14, 2019

Lake Highlands North Recreation Center
9940 White Rock Trail
Dallas, Texas 75238

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

General Information

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

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

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

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

Rules of Courtesy

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

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

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

Información General

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

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

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

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

Reglas de Cortesía

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

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

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

Handgun Prohibition Notice for Meetings of Governmental Entities

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

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

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

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

AGENDA
CITY COUNCIL MEETING
WEDNESDAY, AUGUST 14, 2019
LAKE HIGHLANDS NORTH RECREATION CENTER
9940 WHITE ROCK TRAIL
DALLAS, TX 75238
ORDER OF BUSINESS

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

2:00 p.m.	**INVOCATION AND PLEDGE OF ALLEGIANCE**	
	OPEN MICROPHONE	
	MINUTES	Item 1
	CONSENT AGENDA	Items 2 - 54
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 2:15 p.m.		Items 55 - 58
	PUBLIC HEARINGS AND RELATED ACTIONS	
6:00 p.m.		Items 59 - 79

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

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. 19-1092 Approval of Minutes of the June 26, 2019 City Council Meeting

CONSENT AGENDA

City Attorney's Office

2. 19-962 Authorize settlement of the lawsuit styled Rayvette Hannah v. The City of Dallas, Cause No. DC-18-00803 - Not to exceed $70,000.00 - Financing: Risk Management Funds

3. 19-1017 Authorize Supplemental Agreement No. 2 to the professional services contract with Saul Ewing Arnstein & Lehr LLP, for additional legal services in connection with the bankruptcy captioned In re Energy Future Holdings Corp., et al., Case No. 14-10979 (CSS) (Bankr. D. Del) - Not to exceed $105,000.00, from $122,828.29 to $227,828.29 - Financing: Dallas Water Utilities Funds

Department of Aviation

4. 19-907 Authorize a professional services contract with VAI Architects Incorporated to provide design and construction administration services for Emergency Medical Service Renovation Project at Dallas Love Field - Not to exceed $156,000.00 - Financing: Aviation Capital Construction Fund

5. 19-905 Authorize Supplemental Agreement No. 2 to the professional services contract with Huitt-Zollars, Inc. to provide design revisions and construction administration services for Security Controls Enhancement Project at Dallas Love Field - Not to exceed $229,741.67, from $429,864.60 to $659,606.27 - Financing: Aviation Capital Construction Fund

Department of Dallas Animal Services

6. 19-1060 Authorize the **(1)** acceptance of a grant from PetSmart Charities, Inc., to host the Clear the Shelters adoption event in the amount of $5,000.00 for the period August 14, 2019 through February 14, 2020; **(2)** receipt and deposit of grant funds in an amount not to exceed $5,000.00 in the PetSmart Charities Grant Fund; **(3)** establishment of appropriations in an amount not to exceed $5,000.00 in the PetSmart Charities Grant Fund; and **(4)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed $5,000.00 - Financing: PetSmart Charities Grant Funds

Department of Public Works

7. 19-429 Authorize a professional services contract with Burgess & Niple, Inc. for the engineering design of Street Reconstruction Group 17-4008 (list attached to the Agenda Information Sheet) - Not to exceed $336,900.26 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($288,970.26) and Water Utilities Capital Improvement Funds ($47,930.00)

8. 19-618 Authorize a professional services contract with Freese and Nichols, Inc. for the engineering design of Complete Street Reconstruction Project - Casa View Street Improvements - Not to exceed $617,147.57 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($590,274.57) and Water Utilities Capital Improvement Funds ($26,873.00)

9. 19-626 Authorize a twenty-four-month contract for the 2019 Sidewalk and Barrier Free Ramp Improvements that includes water and wastewater adjustments in Service Maintenance Areas 3 and 4 Contract No. 2 - Estrada Concrete Company, LLC, lowest responsible bidder of five - Not to exceed $1,493,157.50 - Financing: Capital Assessment Fund ($1,064,884.00), Street and Transportation (A) Fund (2017 Bond Funds) ($377,273.50) and Water Utilities Capital Construction Funds ($51,000.00)

10. 19-970 Authorize a construction contract for the construction of Tyler Street/South Polk Street two-way conversion from Canty Street to Pembroke Avenue - Rebcon, Inc., lowest responsible bidder of five - Not to exceed $6,442,097.00 - Financing: General Fund ($60,000.00), Street and Transportation Improvements Fund (2006 Bond Funds) ($3,094,572.39), Street and Transportation Improvements Fund (2012 Bond Funds) ($2,484,923.61), Water Utilities Capital Improvement Funds ($763,827.00), and Water Utilities Capital Construction Funds ($38,774.00)

Department of Sanitation Services

11. 19-1050 A resolution ratifying the City Manager's execution of an emergency service price agreement with Hurricane Waste Systems, LLC, lowest responsible bidder of five, for hauling of reduced vegetative debris related to the June 9, 2019 storm - Estimated amount of $1,945,000.00 - Financing: Sanitation Operation Fund

Department of Sustainable Development and Construction

12. 19-944 Authorize acquisition from Margaret Laverne Carathers, of approximately 7,137 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $33,000.00 ($30,00.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund

13. 19-554 Authorize an actual reasonable moving and related expenses payment for Master Video System, Inc., who will be displaced as a direct result of property acquisition located at 4334 Scottsdale Drive in conjunction with the Dallas Water Utilities Distribution Scottsdale Project - Not to exceed $142,813.00 - Financing: Water Capital Improvement Fund

14. 19-625 Authorize an actual reasonable moving and related expenses payment for Crown Castle, USA, Inc., who was displaced as a direct result of property acquisition of the property located at 603 South Riverfront Boulevard in conjunction with the Levee Drainage System Sump A (Able Pump Station) Project - Not to exceed $64,900.00 - Financing: Flood Protection and Storm Drainage Facilities (2012 Bond Funds)

15. 19-940 A resolution authorizing the conveyance of a Special Warranty Deed and a Possession and Use Agreement, for a total of approximately 119,567 square feet of City-owned land to the State of Texas located near the intersection of Interstate Highway 30 and Dalrock Road - Revenue: $1,818,505.00

16. 19-1025 Authorize an addition to Kaufman County Municipal Utility District No. 3 within the City of Dallas' extraterritorial jurisdiction that would include approximately 77.978 acres on property located in Kaufman County on the west corner of University Drive and FM 548 - Financing: No cost consideration to the City

17. 19-643 An ordinance granting a private license to Jefferson West Love Owner - Phase 2, LLC, for the use of a total of approximately 230 square feet of land to occupy, maintain, and utilize twenty-nine trees with appurtenant irrigation system and fifteen light poles on portions of Forest Park Road and Hawes Avenue rights-of-way near its intersection with Forest Park Road - Revenue: $400.00 one-time fee, plus the $20.00 ordinance publication fee

18. 19-4 An ordinance abandoning portions of an alley to The Manhattan Project, LLC and Boltex Holdings, Ltd., the abutting owners, containing a total of approximately 3,500 square feet of land, located near the intersection of Yorktown and Haslett Streets; and authorizing the quitclaim; and providing for the dedication of approximately 3,027 square feet of land needed for right-of-way - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

19. 19-769 An ordinance abandoning a portion of a utility easement to Olerio Homes, LLC, the abutting owner, containing approximately 1,718 square feet of land, located near the intersection of Southwestern Boulevard and Preston Park Drive - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

20. 19-903 An ordinance abandoning a portion of a utility easement to Sulman Ahmed as Trustee of The SJD Trust, the abutting owner, containing approximately 3,793 square feet of land, located near the intersection of Alan Dale and Shadywood Lanes - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

Department of Transportation

21. 19-792 Authorize the **(1)** acceptance of a grant from the U.S. Department of Transportation, Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Highway Safety Improvement Program (HSIP) (Agreement No. CSJ 0430-01-060, etc., CFDA No. 20.205) in the amount of $572,991.89 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following nine on-system locations: Scyene Road (SH 352) and Prairie Creek Road, Robert B. Cullum Boulevard (SH 352) and Fitzhugh Avenue, Scyene Road (SH 352) and St. Augustine Drive, Buckner Boulevard (Loop 12) and Samuell Boulevard, Buckner Boulevard (Loop 12) and Mercer Drive, Buckner Boulevard (Loop 12) and Lake Highlands Drive, Kiest Boulevard (Spur 303) and Duncanville Road, Lancaster Road (SH 342) and Camp Wisdom Road, and Harry Hines Boulevard (Loop 354) and Lombardy Lane; **(2)** establishment of appropriations in the amount of $572,991.89 in the TxDOT Traffic Signal Improvement at Nine On-System Intersections-HSIP Project Fund; **(3)** receipt and deposit of funds in the amount of $572,991.89 in the TxDOT Traffic Signal Improvement at Nine On-System Intersections-HSIP Project Fund; and **(4)** execution of the Interlocal Agreement and all terms, conditions, and documents required by the agreement - Total amount of $572,991.89 - Financing: Texas Department of Transportation Grant Funds

22. 19-933 Authorize the **(1)** acceptance of a grant from the U.S. Department of Transportation, Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Highway Safety Improvement Program (HSIP) (Agreement No. CSJ 0918-47-178, etc., CFDA No. 20.205) in the amount of $207,085.26 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following five off-system locations: Lombardy Lane and Brockbank Drive, Illinois Avenue and Vernon Avenue, Ferguson Road and Maylee Boulevard/Shiloh Road, Cedar Springs Road and Douglas Avenue, and Olive Street and San Jacinto Street; **(2)** establishment of appropriations in the amount of $207,085.26 in the TxDOT Traffic Signal Improvement at Five Off-System Intersections-HSIP Project Fund; **(3)** receipt and deposit of funds in the amount of $207,085.26 in the TxDOT Traffic Signal Improvement at Five Off-System Intersections-HSIP Project Fund; and **(4)** execution of the Interlocal Agreement and all terms, conditions, and documents required by the agreement - Total amount of $207,085.26 - Financing: Texas Department of Transportation Grant Funds

23. 19-900 Authorize a construction contract for traffic signal construction of Warranted Traffic Signal Installation Group 5 at the following five locations: North Prairie Creek Road at Forney Road; North Prairie Creek Road at Jennie Lee Lane; West Ledbetter Drive at Joseph Hardin Drive; West Illinois Avenue at Hollywood Avenue; and West Camp Wisdom Road at Eagle Ford Drive - Roadway Solutions, Inc., lowest bidder of three - Not to exceed $1,297,982.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

24. 19-901 Authorize a construction contract for traffic signal construction of Warranted Traffic Signal Installation Group 6 at the following four locations: Singleton Boulevard at Kingbridge Street; Interstate Highway 20 Eastbound/Westbound at St. Augustine Drive; Interstate Highway 20 Eastbound/Westbound at Mountain Creek Parkway; and Lemmon Avenue at Travis Street - Roadway Solutions, Inc., lowest responsible bidder of three - Not to exceed $1,337,393.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

25. 19-954 Adopt a resolution to **(1)** support funding for the Rosemont Safe Routes to School (SRTS) and Southwest Pleasant Grove SRTS Projects as described in the City of Dallas' detailed applications to the 2019 Texas Department of Transportation (TxDOT) Safe Routes to School Program including the construction budget, TxDOT's administrative cost, and the required local match, if any, and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing; and **(2)** authorize the City Manager to enter into an agreement with TxDOT should the Rosemont SRTS Project and/or Southwest Pleasant Grove SRTS Project be selected for funding - Financing: No cost consideration to the City (see Fiscal Information)

Housing & Neighborhood Revitalization

26. 19-1052 Authorize a five-year subscription contract for software licenses, hosting services and technical support for various Department of Housing and Neighborhood Revitalization programs with Benevate Inc. dba Neighborly Software through an Intergovernmental Agreement with the City of Waco - Not to exceed $266,714.40 - Financing: General Fund ($62,400.00) and Community Development Block Grant Fund ($204,314.40) (subject to annual appropriations)

Office of Budget

27. 19-682 Authorize a public hearing to be held on August 28, 2019 to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

Office of Community Care

28. 19-930 Authorize the **(1)** acceptance of five donated vehicles from the U.S. Department of Agriculture through the Texas Health and Human Services, Health and Human Services Commission and the South Plains Community Action Associations, Inc. consisting of four Lone Star Conversion Vans and one 2019 Ford Escape for the City of Dallas; and **(2)** classification and reporting of the donated vehicles into City records as a donation to be used for the Special Supplemental Nutrition Program for Women, Infants and Children - Financing: This action has no cost consideration to the City (see Fiscal Information)

29. 19-977 Authorize **(1)** the acceptance of donations from electric and energy providers in the amount of $500,000.00, through the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center, to provide temporary financial assistance to individuals and families who are experiencing a temporary financial crisis for the period August 30, 2019 through September 30, 2020; **(2)** the receipt and deposit of funds in an amount not to exceed $500,000.00 in the OCC Energy Assistance Fund; and **(3)** an increase in appropriations in an amount not to exceed $500,000.00 in the OCC Energy Assistance Fund - Not to exceed $500,000.00 - Financing: OCC Energy Assistance Fund

30. 19-1026 Authorize the **(1)** acceptance of grants from the Texas Health and Human Services, Department of State Health Services (DSHS) for the Lactation Support Center Services Program (Contract No. HHS000455600001) in the amount of $320,000.00 from DSHS (Contract No. HHS000455600001) and $45,000.00 from the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (HHSCDC) through DSHS (Contract No. HHS000455600001/Federal ID No. 6 NU58DP006501-01-01/CFDA No. 93.439) for a total amount of $365,000.00 to **(a)** develop and implement the Lactation Support Center Services - Strategic Expansion Program; **(b)** provide a training center; and **(c)** provide lactation education, and counseling and referral services to women not currently participating in the Texas Special Supplemental Nutrition Program for Women, Infants and Children Lactation Services Center, for the period September 1, 2019 through August 31, 2020; **(2)** establishment of appropriations in an amount not to exceed $320,000.00 in the DSHS-Lactation Support Center Services Program 19-20 Fund and $45,000.00 in the HHSCDC-Lactation Support Center Services Program 19-20 Fund in a total amount not to exceed $365,000.00; **(3)** receipt and deposit of grant funds in an amount not to exceed $320,000.00 in the DSHS-Lactation Support Center Services Program 19-20 Fund and $45,000.00 in the HHSCDC-Lactation Support Center Services Program 19-20 Fund, for a total amount not to exceed $365,000.00; and **(4)** execution of a contract with option to renew with DSHS and all terms, conditions, and documents required by the contract - Total not to exceed $365,000.00 - Financing: Department of State Health Services Grant Funds

31. 19-976 Authorize the **(1)** fourth amendment to Contract No. 2017-049838-001 (Amendment No. 4, CFDA No. 10.557) with the Texas Health and Human Services Commission (HHSC) for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), to **(a)** extend the term of the contract from October 1, 2019 through September 30, 2020, to allow for successful completion of the WIC Program for FY 2020 grant allocations; **(b)** revise the budget for Contract No. 2017-049838-001, Amendment No. 2, to decrease the FY 2019 total budget amount by $499,453.00 from $14,529,596.00 to $14,030,143.00; **(c)** reallocate funds from the FY 2019 Dietetic Internship unit to the FY 2019 Lactation Services unit in the amount of $42,000.00 for the period of October 1, 2018 through September 30, 2019; and **(d)** accept grant funds from the U.S. Department of Agriculture passed through the HHSC for FY 2020 allocation (Contract No. 2017-049838-001 Amendment No. 4, CFDA No. 10.557), for the continuation of the Special Supplemental Nutrition Program for WIC in the amount of $14,030,143.00 for the period October 1, 2019 through September 30, 2020; **(2)** establishment of appropriations in an amount not to exceed $14,030,143.00 in the FY 2020 WIC Program - Women, Infants and Children Grant Fund; **(3)** receipt and deposit of funds in an amount not to exceed $14,030,143.00 in the FY 2020 WIC Program - Women, Infants and Children Grant Fund; and **(4)** execution of the contract amendment and all terms, conditions, and documents required by the contract - Total not to exceed $13,530,690.00, from $44,432,932.00 to $57,963,622.00 - Financing: Health and Human Services Commission Grant Funds

Office of Cultural Affairs

32. 19-1048 Authorize a contract with Andrew Scott for the fabrication and installation of a freestanding, outdoor sculpture at Anderson Bonner Park located at 12000 Park Central Drive - Not to exceed $68,000.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

33. 19-1046 Authorize a contract with Bernard Williams for the fabrication and installation of a site-specific, freestanding, outdoor sculpture at the South Lamar Street Gateway located at the intersection of Pine and South Lamar Streets - Not to exceed $63,000.00 - Financing: Street System Facilities Fund (1995 Bond Funds)

34. 19-1047 Authorize a contract with PLS Mosaics, LLC for the fabrication and installation of freestanding outdoor sculptures at the Dallas Animal Services Main Shelter located at 1818 North Westmoreland Road - Not to exceed $80,000.00 - Financing: Animal Control (7) Fund (2003 Bond Funds)

Office of Homeless Solutions

35. 19-950 Authorize the **(1)** acceptance of a grant from the Texas Department of Housing and Community Affairs ("TDHCA") in an amount not to exceed $1,101,611.00 to provide services to the homeless through the Homeless Housing and Services Program ("HHSP"), for the period September 1, 2019 through August 31, 2020; **(2)** establishment of appropriations in an amount not to exceed $1,101,611.00 in the FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund; **(3)** receipt and deposit of funds in an amount not to exceed $1,101,611.00 in the FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund; **(4)** City Manager to enter into, represent the City with respect to, and execute, the contract with TDHCA for FY 2020 TDHCA-Homeless Housing and Services Program Grant Funds; and **(5)** Assistant City Manager to enter into, represent the City with respect to, and execute the contract on the City Manager's behalf - Not to exceed $1,101,611.00 - Financing: Texas Department of Housing and Community Affairs Grant Funds

36. 19-951 Authorize **(1)** an amendment to Resolution No. 18-1380, previously approved on September 26, 2018, to accept additional grant funds from the Texas Health and Human Services Commission ("THHSC") for FY 2020 and FY 2021 (Contract No. 2016-049507-001C, Amendment No. 3), to provide services to homeless persons who have a mental illness, substance abuse use or co-occurring psychiatric disorder through the Healthy Community Collaborative Program in an amount not to exceed $3,500,000.00 for the period September 1, 2019 through August 31, 2021; **(2)** a private 1:1 cash or in-kind match by the City, through its subcontractors in an amount not to exceed $3,500,000.00; **(3)** the establishment of appropriations in an amount not to exceed $3,500,000.00 in the HHSC-FY 2020 - FY 2021 Healthy Community Collaborative Grant 19-21 Fund; **(4)** the receipt and deposit of grant funds for reimbursement in an amount not to exceed $3,500,000.00 by THHSC in the HHSC-FY 2020 - FY 2021 Healthy Community Collaborative Grant 19-21 Fund; and **(5)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total not to exceed $3,500,000.00 - Financing: Texas Health and Human Services - Health and Human Services Commission Grant Funds

Office of Procurement Services

37. 19-921 Authorize a three-year service price agreement for hydraulic cylinder, pump, and valve repair - FLR Solutions, LLC in the amount of $871,424.75 and Herco Equipment Company, Inc. in the amount of $140,375.00, lowest responsible bidders of two - Total not to exceed $1,011,799.75 - Financing: General Fund ($183,132.00), Equipment and Fleet Management Fund ($785,432.75), and Dallas Water Utilities Fund ($43,235.00)

38. 19-935 Authorize a three-year service price agreement for removal and disposal of excavated materials from City facilities and work sites for the Water Utilities Department - Herdez Trucking Co., lowest responsible bidder of two - Estimated amount of $1,935,450 - Financing: Dallas Water Utilities Fund

39. 19-1005 Authorize a three-year service price agreement for sports officiating services for the Park and Recreation Department - TOP Basketball Official Association in the estimated amount of $1,066,500, Metro Fort Worth ASA dba USA Softball of DFW in the estimated amount of $772,880, and Dallas Sports Alliance dba Oak Cliff Sports Group in the estimated amount of $45,000, lowest responsible bidders of three - Estimated amount of $1,884,380 - Financing: General Fund ($750,000) and Park and Recreation Program Fund ($1,134,380)

40. 19-1013 Authorize **(1)** rescinding the three-year service price agreement with The Ashelyn Group, LLC and Tremaine Hall, Individually dba Stellar Execucare Cleaning, previously approved on January 23, 2019, by Resolution No. 19-0187, for grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties; and **(2)** a three-year service price agreement for grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties for the Sanitation Services Department - Cross Plus Construction, LLC, lowest responsible bidder of six - Estimated amount of $551,000 - Financing: Sanitation Operation Fund

41. 19-785 Authorize a three-year concession contract, with five one-year renewal options, for operation of food and beverage concessions, catering, and miscellaneous services at the Majestic Theatre - Ed Campbell Concessions Company, most advantageous proposer of two - Estimated Annual Revenue: $225,000 (Revenue share 17.5 percent of gross food sales, less sales tax; 28.0 percent of gross non-alcoholic beverage sales, less sales tax; 28.0 percent of gross alcoholic beverage sales, less sales tax; 15.5 percent of gross catering sales, less sales tax; and 18.0 percent of all gross merchandise sales, less sales tax to the City)

42. 19-934 Authorize an acquisition contract for the purchase and installation of a modular building for the Water Utilities Department with Vanguard Modular Building Systems, LLC through The Interlocal Purchasing System cooperative agreement - Not to exceed $199,273 - Financing: Water Capital Improvement Fund

43. 19-904 Authorize the purchase of six vehicles and equipment for the Fire-Rescue Department with Siddons-Martin Emergency Group, LLC in the amount of $1,281,870 and Chastang Ford in the amount of $149,825 through the Houston Galveston Area Council of Governments cooperative agreement - Total not to exceed $1,431,695 - Financing: General Fund ($1,281,870) and Master Lease-Equipment Fund ($149,825)

44. 19-845 Authorize an eighteen-month master agreement for the purchase of advanced traffic controllers for the Department of Transportation with Texas Highway Products, LTD through the Texas Association of School Boards (BuyBoard) cooperative agreement - Estimated amount of $5,187,600 - Financing: Street and Transportation Fund

45. 19-1003 Authorize a three-year master agreement for hydrofluosilicic acid for the Water Utilities Department - Solvay Fluorides, LLC, lowest responsible bidder of four - Estimated amount of $1,163,625 - Financing: Dallas Water Utilities Fund

46. 19-947 Authorize **(1)** Supplemental Agreement No. 1 to increase the service contract with Global Information Systems, Inc. for temporary information technology staffing in the amount of $200,097.70, from $800,391.00 to $1,000,488.70; **(2)** Supplemental Agreement No. 2 to increase the service contract with Sierra Digital, Inc. for temporary information technology staffing in the amount of $732,281.25, from $2,929,125.00 to $3,661,406.25; and **(3)** Supplemental Agreement No. 2 to increase the service contract for the program to obtain specialized temporary information technology staffing through the use of the approved vendor list procured by the Department of Information Resources and to enter into contracts with selected vendors in the amount of $571,498.25, from $2,285,992.80 to $2,857,491.05 - Total not to exceed $1,503,877.20, from $6,015,508.80 to $7,519,386.00 - Financing: Data Services Fund (subject to appropriations)

47. 19-1126 Authorize Supplemental Agreement No. 4 to increase the service contract with Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service in the amount of $1,394,515, from $5,578,060 to $6,972,575 and Clarence T. Crews dba Crews Service Company in the amount of $22,500, from $90,000 to $112,500, for tree planting, tree removal, and stump grinding services related to the June 9, 2019 storm and to extend the term from August 27, 2019 to August 26, 2020 - Total not to exceed $1,417,015, from $6,502,060 to $7,919,075 - Financing: Sanitation Operation Fund

Park & Recreation Department

48. 19-956 Authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for schematic design, design development, construction documents, procurement and construction administration phases for the Friendship Park - Loop Trail and Picnic Pavilion Project located at 12700 Hornbeam Drive - Not to exceed $59,374.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

49. 19-1012 Authorize the purchase and installation of the Musco Control Link System which will provide an automated athletic field lighting control system at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Park and Recreation Department's RecTrac Reservation System with Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement - Not to exceed $98,985.00 - Financing: Park Beautification Fund ($9,105.00), P & R Athletic Field Maintenance Fund ($35,900.00) and Recreation Program Fund ($53,980.00)

Water Utilities Department

50. 19-929 Authorize a professional services contract with Halff Associates, Inc. for engineering services associated with the Floodplain Program Management Assistance Contract No. 1 - Not to exceed $450,000.00 - Financing: Storm Drainage Management Capital Construction Fund

51. 19-838 Authorize a professional services contract with Terracon Consultants, Inc. to provide engineering and architectural services for the condition assessment and design of roof and heating, ventilation, air conditioning, and refrigeration systems at Dallas Water Utilities' 270 facilities - Not to exceed $1,557,880.00 - Financing: Water Utilities Capital Improvement Funds ($1,357,784.00) and Storm Drainage Management Capital Construction Fund ($200,096.00)

52. 19-857 Authorize a construction contract for the installation of water and wastewater mains at 12 locations (list attached to the Agenda Information Sheet) - John Burns Construction Company of Texas, Inc., only bidder - Not to exceed $23,704,542.00 - Financing: Water Utilities Capital Drinking Water TWDB Fund ($15,248,542.00) and Water Utilities Capital Clean Water TWDB Fund ($8,456,000.00)

53. 19-953 Authorize an increase in the construction services contract with Ark Contracting Services, LLC for additional work associated with the construction of Erosion Control Improvement Package C for nine erosion control improvement projects (list attached to Agenda Information Sheet) - Not to exceed $1,095,234.55, from $5,424,990.00 to $6,520,224.55 - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) ($528,389.55) and Storm Drainage Management Capital Construction Fund ($566,845.00)

54. 19-938 Authorize Supplemental Agreement No. 8 to the professional services contract with HDR Engineering, Inc. to provide additional engineering services for the design and construction of three bridges on Cadiz Street and Riverfront Boulevard to replace existing undersized box culverts within the Levee Drainage System - Sump A and to perform additional construction support services for the Able Storm Water Pump Station - Not to exceed $262,579.00, from $10,987,502.00 to $11,250,081.00 - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) ($215,789.00) and Wastewater Capital Improvement Fund ($46,790.00)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

55. 19-1093 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)

Mayor and City Council Office

56. 19-912 A resolution instructing the City Manager to not spend any city funds or resources demolishing structures within the Tenth Street Historic District - Financing: No cost consideration to the City (via Councilmembers Arnold, Greyson, Atkins, Medrano, and Thomas)

Office of Economic Development

57. 19-998 Authorize a New Markets Tax Credit transaction between the Dallas Development Fund and its subsidiaries, Capital One N.A. and its subsidiaries (Capital One), and Cristo Rey Dallas, and its affiliates (Cristo Rey) for improvements to the Cristo Rey Dallas campus located at 1064 North St. Augustine Drive - Financing: No cost consideration to the City

ITEMS FOR FURTHER CONSIDERATION

Department of Sustainable Development and Construction

58. 19-968 An ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street - Z178-368 - Financing: No cost consideration to the City (This item was deferred on June 26, 2019)

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Sustainable Development and Construction

ZONING CASES - CONSENT

59. 19-1067 A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval of the amendments
Z178-223(CY)

60. 19-1069 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east line of South Fitzhugh Avenue, north of Lagow Street
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z178-309(SM)

61. 19-1070 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the northeast line of East Ledbetter Drive and the west line of Rocky Ridge Road
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z189-154(SM)

62. 19-1071 A public hearing to receive comments regarding an application for and an ordinance granting an Historic Overlay for Eagle Ford School (1601 Chalk Hill Road) on property zoned an IM Industrial Manufacturing District on the west side of Chalk Hill Road, south of Tom Landry Freeway
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Z189-162(LC)

63. 19-1072 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a D-1 Liquor Control Overlay; and **(2)** an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an NS(A)-D Neighborhood Services District with a D Liquor Control Overlay, on the southeast corner of Elam Road and Pleasant Drive
Recommendation of Staff and CPC: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions
Z189-204(SM)

64. 19-1073 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 880, on the north line of Lyndon B. Johnson Freeway, between Ridgeview Circle and Hughes Lane
Recommendation of Staff and CPC: Approval, subject to conditions
Z189-210(SM)

65. 19-1074 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 623, on the southeast corner of Royal Lane and Webb Chapel Road
Recommendation of Staff and CPC: Approval, subject to a revised development plan, landscape plan, revised traffic management plan, and conditions
Z189-213(SM)

66. 19-1075 A public hearing to receive comments regarding an application for and an ordinance granting a D(A) Duplex District on property zoned a CR Community Retail District on the southwest corner of Woodin Boulevard and Seevers Avenue
Recommendation of Staff and CPC: Approval
Z189-230(SM)

67. 19-1076 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 370 for a child-care facility and a community service center use on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northeast corner of Leland Avenue and Marburg Street
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions
Z189-236(AU)

68. 19-1077 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2150 for a bar, lounge, or tavern and an inside commercial amusement 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 northeast corner of Elm Street and South Good Latimer Expressway
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z189-239(CY)

69. 19-1078 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility use on property zoned an R-7.5(A) Single Family Residential District, on the west line of East Lake Highlands Drive, north of Harter Road, and south of Peavy Road
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z189-242(AU)

70. 19-1079 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center and a child-care facility on property zoned an MF-2(A) Multifamily District, on the southwest line of North Washington Avenue, northwest of Munger Avenue
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z189-255(SM)

71. 19-1080 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Planned Development District No. 842 with Specific Use Permit No. 1289 for a bar, lounge, or tavern use and an MD-1 Modified Delta Overlay, on the west line of Greenville Avenue, south of Sears Street
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z189-261(SM)

ZONING CASES - INDIVIDUAL

72. 19-1082 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Community Retail District uses and a boutique hotel use on property zoned a CR Community Retail District on the southwest corner of West 7th Street and North Beckley Avenue
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan, landscape plan and conditions
Z178-355(CY)

73. 19-1083 A public hearing to receive comments regarding an application for the removal of a D Liquor Control Overlay on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay, on the east line of Marvin D. Love Freeway, south of West Red Bird Lane with consideration being given to a D-1 Liquor Control Overlay
Recommendation of Staff and CPC: Denial without prejudice
Z189-159(CT)

74. 19-1084 A public hearing to receive comments regarding an application for the renewal of Specific Use Permit No. 1931 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the north side of Ann Arbor Avenue, east of South Marsalis Avenue
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Recommendation of CPC: Denial without prejudice
Z189-205(PD)

75. 19-1085 A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the northeast corner of Greenville Avenue and Oram Street
Recommendation of Staff: Approval, subject to staff's recommended conditions
Recommendation of CPC: Approval, subject to conditions
Z189-206(SM)

76. 19-1086 A public hearing to receive comments regarding an application for the termination of existing deed restrictions [Z778-181] on property zoned Subdistrict 6 within Planned Development District No. 830, on the south side of Fouraker Street, between North Vernon Avenue and North Van Buren Avenue
Recommendation of Staff: Approval
Recommendation of CPC: Denial without prejudice
Z189-224(CY)

77. 19-1087 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to a restaurant with drive-in or drive-through service on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay, on the southwest corner of Greenville Avenue and Alta Avenue
Recommendation of Staff: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a four-year period, subject to a site plan and conditions
Z189-251(AU)

MISCELLANEOUS HEARINGS

Department of Sustainable Development and Construction

78. 19-1088 An appeal of the City Plan Commission's decision to deny a waiver of the two-year waiting period to submit an application on property zoned Subdistrict B within Planned Development District No. 619 with Historic Overlay H/87 and Specific Use Permit No. 2127, on the north side of Main Street, east of Field Street - W189-004 - Financing: No cost consideration to the City

Office of Homeless Solutions

79. 19-949 A public hearing to receive comments on Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the Emergency Solutions Grant ("ESG") Program, to reallocate FY17 ESG funds in the amount of $333,895.00 from Emergency Shelter, Rapid Re-Housing, and Homeless Management Information System eligible activities to Street Outreach and Homelessness Prevention eligible activities; and at the close of the public hearing, authorize final adoption of Substantial Amendment No. 3 to the FY 2018-19 Action Plan - Financing: No cost consideration to the City

EXECUTIVE SESSION NOTICE

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

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

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

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

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

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

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

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

Agenda Date: August 14, 2019

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	V	N/A	N/A	Approval of Minutes of the June 26, 2019 City Council Meeting
2.	N/A	C	ATT	$70,000.00	Authorize settlement of the lawsuit styled Rayvette Hannah v. The City of Dallas, Cause No. DC-18-00803 - Not to exceed $70,000.00 - Financing: Risk Management Funds
3.	N/A	C	ATT	$105,000.00	Authorize Supplemental Agreement No. 2 to the professional services contract with Saul Ewing Arnstein & Lehr LLP, for additional legal services in connection with the bankruptcy captioned In re Energy Future Holdings Corp., et al., Case No. 14-10979 (CSS) (Bankr. D. Del) - Not to exceed $105,000.00, from $122,828.29 to $227,828.29 - Financing: Dallas Water Utilities Funds
4.	2	C	AVI	$156,000.00	Authorize a professional services contract with VAI Architects Incorporated to provide design and construction administration services for Emergency Medical Service Renovation Project at Dallas Love Field - Not to exceed $156,000.00 - Financing: Aviation Capital Construction Fund
5.	2	C	AVI	$229,741.67	Authorize Supplemental Agreement No. 2 to the professional services contract with Huitt-Zollars, Inc. to provide design revisions and construction administration services for Security Controls Enhancement Project at Dallas Love Field - Not to exceed $229,741.67, from $429,864.60 to $659,606.27 - Financing: Aviation Capital Construction Fund
6.	All	C	DAS	GT	Authorize the (1) acceptance of a grant from PetSmart Charities, Inc., to host the Clear the Shelters adoption event in the amount of $5,000.00 for the period August 14, 2019 through February 14, 2020; (2) receipt and deposit of grant funds in an amount not to exceed $5,000.00 in the PetSmart Charities Grant Fund; (3) establishment of appropriations in an amount not to exceed $5,000.00 in the PetSmart Charities Grant Fund; and (4) execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed $5,000.00 - Financing: PetSmart Charities Grant Funds
7.	4, 8	C	PBW	$336,900.26	Authorize a professional services contract with Burgess & Niple, Inc. for the engineering design of Street Reconstruction Group 17-4008 (list attached to the Agenda Information Sheet) - Not to exceed $336,900.26 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($288,970.26) and Water Utilities Capital Improvement Funds ($47,930.00)
8.	9	C	PBW	$617,147.57	Authorize a professional services contract with Freese and Nichols, Inc. for

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					the engineering design of Complete Street Reconstruction Project - Casa View Street Improvements - Not to exceed $617,147.57 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($590,274.57) and Water Utilities Capital Improvement Funds ($26,873.00)
9.	2, 6, 7, 9, 10, 11, 12, 13, 14	C	PBW	$1,493,157.50	Authorize a twenty-four-month contract for the 2019 Sidewalk and Barrier Free Ramp Improvements that includes water and wastewater adjustments in Service Maintenance Areas 3 and 4 Contract No. 2 - Estrada Concrete Company, LLC, lowest responsible bidder of five - Not to exceed $1,493,157.50 - Financing: Capital Assessment Fund ($1,064,884.00), Street and Transportation (A) Fund (2017 Bond Funds) ($377,273.50) and Water Utilities Capital Construction Funds ($51,000.00)
10.	1	C	PBW	$6,442,097.00	Authorize a construction contract for the construction of Tyler Street/South Polk Street two-way conversion from Canty Street to Pembroke Avenue - Rebcon, Inc., lowest responsible bidder of five - Not to exceed $6,442,097.00 - Financing: General Fund ($60,000.00), Street and Transportation Improvements Fund (2006 Bond Funds) ($3,094,572.39), Street and Transportation Improvements Fund (2012 Bond Funds) ($2,484,923.61), Water Utilities Capital Improvement Funds ($763,827.00), and Water Utilities Capital Construction Funds ($38,774.00)
11.	All	C	SAN	$1,945,000.00	A resolution ratifying the City Manager's execution of an emergency service price agreement with Hurricane Waste Systems, LLC, lowest responsible bidder of five, for hauling of reduced vegetative debris related to the June 9, 2019 storm - Estimated amount of $1,945,000.00 - Financing: Sanitation Operation Fund
12.	Outside	C	DEV	$33,000.00	Authorize acquisition from Margaret Laverne Carathers, of approximately 7,137 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $33,000.00 ($30,00.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund
13.	7	C	DEV	$142,813.00	Authorize an actual reasonable moving and related expenses payment for Master Video System, Inc., who will be displaced as a direct result of property acquisition located at 4334 Scottsdale Drive in conjunction with the Dallas Water Utilities Distribution Scottsdale Project - Not to exceed $142,813.00 - Financing: Water Capital Improvement Fund
14.	1	C	DEV	$64,900.00	Authorize an actual reasonable moving and related expenses payment for Crown Castle, USA, Inc., who was displaced as a direct result of property acquisition of the property located at 603 South Riverfront Boulevard in

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					conjunction with the Levee Drainage System Sump A (Able Pump Station) Project - Not to exceed $64,900.00 - Financing: Flood Protection and Storm Drainage Facilities (2012 Bond Funds)
15.	9	C	DEV	REV $1,818,505.00	A resolution authorizing the conveyance of a Special Warranty Deed and a Possession and Use Agreement, for a total of approximately 119,567 square feet of City-owned land to the State of Texas located near the intersection of Interstate Highway 30 and Dalrock Road - Revenue: $1,818,505.00
16.	Outside	C	DEV	NC	Authorize an addition to Kaufman County Municipal Utility District No. 3 within the City of Dallas' extraterritorial jurisdiction that would include approximately 77.978 acres on property located in Kaufman County on the west corner of University Drive and FM 548 - Financing: No cost consideration to the City
17.	2	C	DEV	REV $400.00	An ordinance granting a private license to Jefferson West Love Owner - Phase 2, LLC, for the use of a total of approximately 230 square feet of land to occupy, maintain, and utilize twenty-nine trees with appurtenant irrigation system and fifteen light poles on portions of Forest Park Road and Hawes Avenue rights-of-way near its intersection with Forest Park Road - Revenue: $400.00 one-time fee, plus the $20.00 ordinance publication fee
18.	6	C	DEV	REV $5,400.00	An ordinance abandoning portions of an alley to The Manhattan Project, LLC and Boltex Holdings, Ltd., the abutting owners, containing a total of approximately 3,500 square feet of land, located near the intersection of Yorktown and Haslett Streets; and authorizing the quitclaim; and providing for the dedication of approximately 3,027 square feet of land needed for right-of-way - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
19.	13	C	DEV	REV $5,400.00	An ordinance abandoning a portion of a utility easement to Olerio Homes, LLC, the abutting owner, containing approximately 1,718 square feet of land, located near the intersection of Southwestern Boulevard and Preston Park Drive - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
20.	13	C	DEV	REV $5,400.00	An ordinance abandoning a portion of a utility easement to Sulman Ahmed as Trustee of The SJD Trust, the abutting owner, containing approximately 3,793 square feet of land, located near the intersection of Alan Dale and Shadywood Lanes - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
21.	3, 5, 6, 7, 8, 9	C	TRN	GT	Authorize the (1) acceptance of a grant from the U.S. Department of Transportation, Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Highway Safety Improvement Program (HSIP) (Agreement No. CSJ 0430-01-060, etc., CFDA No. 20.205) in the amount of $572,991.89 to provide cost reimbursement for material and

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					labor costs incurred by the City for intersection and traffic signal improvements at the following nine on-system locations: Scyene Road (SH 352) and Prairie Creek Road, Robert B. Cullum Boulevard (SH 352) and Fitzhugh Avenue, Scyene Road (SH 352) and St. Augustine Drive, Buckner Boulevard (Loop 12) and Samuell Boulevard, Buckner Boulevard (Loop 12) and Mercer Drive, Buckner Boulevard (Loop 12) and Lake Highlands Drive, Kiest Boulevard (Spur 303) and Duncanville Road, Lancaster Road (SH 342) and Camp Wisdom Road, and Harry Hines Boulevard (Loop 354) and Lombardy Lane; (2) establishment of appropriations in the amount of $572,991.89 in the TxDOT Traffic Signal Improvement at Nine On-System Intersections-HSIP Project Fund; (3) receipt and deposit of funds in the amount of $572,991.89 in the TxDOT Traffic Signal Improvement at Nine On-System Intersections-HSIP Project Fund; and (4) execution of the Interlocal Agreement and all terms, conditions, and documents required by the agreement - Total amount of $572,991.89 - Financing: Texas Department of Transportation Grant Funds
22.	1, 2, 4, 6, 9, 14	C	TRN	GT	Authorize the (1) acceptance of a grant from the U.S. Department of Transportation, Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Highway Safety Improvement Program (HSIP) (Agreement No. CSJ 0918-47-178, etc., CFDA No. 20.205) in the amount of $207,085.26 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following five off-system locations: Lombardy Lane and Brockbank Drive, Illinois Avenue and Vernon Avenue, Ferguson Road and Maylee Boulevard/Shiloh Road, Cedar Springs Road and Douglas Avenue, and Olive Street and San Jacinto Street; (2) establishment of appropriations in the amount of $207,085.26 in the TxDOT Traffic Signal Improvement at Five Off-System Intersections-HSIP Project Fund; (3) receipt and deposit of funds in the amount of $207,085.26 in the TxDOT Traffic Signal Improvement at Five Off-System Intersections-HSIP Project Fund; and (4) execution of the Interlocal Agreement and all terms, conditions, and documents required by the agreement - Total amount of $207,085.26 - Financing: Texas Department of Transportation Grant Funds
23.	1, 3, 4, 5, 7	C	TRN	$1,297,982.00	Authorize a construction contract for traffic signal construction of Warranted Traffic Signal Installation Group 5 at the following five locations: North Prairie Creek Road at Forney Road; North Prairie Creek Road at Jennie Lee Lane; West Ledbetter Drive at Joseph Hardin Drive; West Illinois Avenue at Hollywood Avenue; and West Camp Wisdom Road at Eagle Ford Drive - Roadway Solutions, Inc., lowest bidder of three - Not to exceed

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					$1,297,982.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
24.	3, 6, 8, 14	C	TRN	$1,337,393.00	Authorize a construction contract for traffic signal construction of Warranted Traffic Signal Installation Group 6 at the following four locations: Singleton Boulevard at Kingbridge Street; Interstate Highway 20 Eastbound/Westbound at St. Augustine Drive; Interstate Highway 20 Eastbound/Westbound at Mountain Creek Parkway; and Lemmon Avenue at Travis Street - Roadway Solutions, Inc., lowest responsible bidder of three - Not to exceed $1,337,393.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
25.	1, 5, 7, 8	C	TRN	NC	Adopt a resolution to (1) support funding for the Rosemont Safe Routes to School (SRTS) and Southwest Pleasant Grove SRTS Projects as described in the City of Dallas' detailed applications to the 2019 Texas Department of Transportation (TxDOT) Safe Routes to School Program including the construction budget, TxDOT's administrative cost, and the required local match, if any, and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing; and (2) authorize the City Manager to enter into an agreement with TxDOT should the Rosemont SRTS Project and/or Southwest Pleasant Grove SRTS Project be selected for funding - Financing: No cost consideration to the City (see Fiscal Information)
26.	All	C	HOU	$62,400.00	Authorize a five-year subscription contract for software licenses, hosting services and technical support for various Department of Housing and Neighborhood Revitalization programs with Benevate Inc. dba Neighborly Software through an Intergovernmental Agreement with the City of Waco - Not to exceed $266,714.40 - Financing: General Fund ($62,400.00) and Community Development Block Grant Fund ($204,314.40) (subject to annual appropriations)
27.	N/A	C	BMS	NC	Authorize a public hearing to be held on August 28, 2019 to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City
28.	All	C	OCC	NC	Authorize the (1) acceptance of five donated vehicles from the U.S. Department of Agriculture through the Texas Health and Human Services, Health and Human Services Commission and the South Plains Community Action Associations, Inc. consisting of four Lone Star Conversion Vans and one 2019 Ford Escape for the City of Dallas; and (2) classification and reporting of the donated vehicles into City records as a donation to be used for the Special Supplemental Nutrition Program for Women, Infants and

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Children - Financing: This action has no cost consideration to the City (see Fiscal Information)
29.	All	C	OCC	GT	Authorize (1) the acceptance of donations from electric and energy providers in the amount of $500,000.00, through the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center, to provide temporary financial assistance to individuals and families who are experiencing a temporary financial crisis for the period August 30, 2019 through September 30, 2020; (2) the receipt and deposit of funds in an amount not to exceed $500,000.00 in the OCC Energy Assistance Fund; and (3) an increase in appropriations in an amount not to exceed $500,000.00 in the OCC Energy Assistance Fund - Not to exceed $500,000.00 - Financing: OCC Energy Assistance Fund
30.	All	C	OCC	GT	Authorize the (1) acceptance of grants from the Texas Health and Human Services, Department of State Health Services (DSHS) for the Lactation Support Center Services Program (Contract No. HHS000455600001) in the amount of $320,000.00 from DSHS (Contract No. HHS000455600001) and $45,000.00 from the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (HHSCDC) through DSHS (Contract No. HHS000455600001/Federal ID No. 6 NU58DP006501-01-01/CFDA No. 93.439) for a total amount of $365,000.00 to (a) develop and implement the Lactation Support Center Services - Strategic Expansion Program; (b) provide a training center; and (c) provide lactation education, and counseling and referral services to women not currently participating in the Texas Special Supplemental Nutrition Program for Women, Infants and Children Lactation Services Center, for the period September 1, 2019 through August 31, 2020; (2) establishment of appropriations in an amount not to exceed $320,000.00 in the DSHS-Lactation Support Center Services Program 19-20 Fund and $45,000.00 in the HHSCDC-Lactation Support Center Services Program 19-20 Fund in a total amount not to exceed $365,000.00; (3) receipt and deposit of grant funds in an amount not to exceed $320,000.00 in the DSHS-Lactation Support Center Services Program 19-20 Fund and $45,000.00 in the HHSCDC-Lactation Support Center Services Program 19-20 Fund, for a total amount not to exceed $365,000.00; and (4) execution of a contract with option to renew with DSHS and all terms, conditions, and documents required by the contract - Total not to exceed $365,000.00 - Financing: Department of State Health Services Grant Funds
31.	All	C	OCC	GT	Authorize the (1) fourth amendment to Contract No. 2017-049838-001 (Amendment No. 4, CFDA No. 10.557) with the Texas Health and Human

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Services Commission (HHSC) for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), to (a) extend the term of the contract from October 1, 2019 through September 30, 2020, to allow for successful completion of the WIC Program for FY 2020 grant allocations; (b) revise the budget for Contract No. 2017-049838-001, Amendment No. 2, to decrease the FY 2019 total budget amount by $499,453.00 from $14,529,596.00 to $14,030,143.00; (c) reallocate funds from the FY 2019 Dietetic Internship unit to the FY 2019 Lactation Services unit in the amount of $42,000.00 for the period of October 1, 2018 through September 30, 2019; and (d) accept grant funds from the U.S. Department of Agriculture passed through the HHSC for FY 2020 allocation (Contract No. 2017-049838-001 Amendment No. 4, CFDA No. 10.557), for the continuation of the Special Supplemental Nutrition Program for WIC in the amount of $14,030,143.00 for the period October 1, 2019 through September 30, 2020; (2) establishment of appropriations in an amount not to exceed $14,030,143.00 in the FY 2020 WIC Program - Women, Infants and Children Grant Fund; (3) receipt and deposit of funds in an amount not to exceed $14,030,143.00 in the FY 2020 WIC Program - Women, Infants and Children Grant Fund; and (4) execution of the contract amendment and all terms, conditions, and documents required by the contract - Total not to exceed $13,530,690.00, from $44,432,932.00 to $57,963,622.00 - Financing: Health and Human Services Commission Grant Funds
32.	11	C	OCA	$68,000.00	Authorize a contract with Andrew Scott for the fabrication and installation of a freestanding, outdoor sculpture at Anderson Bonner Park located at 12000 Park Central Drive - Not to exceed $68,000.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)
33.	7	C	OCA	$63,000.00	Authorize a contract with Bernard Williams for the fabrication and installation of a site-specific, freestanding, outdoor sculpture at the South Lamar Street Gateway located at the intersection of Pine and South Lamar Streets - Not to exceed $63,000.00 - Financing: Street System Facilities Fund (1995 Bond Funds)
34.	6	C	OCA	$80,000.00	Authorize a contract with PLS Mosaics, LLC for the fabrication and installation of freestanding outdoor sculptures at the Dallas Animal Services Main Shelter located at 1818 North Westmoreland Road - Not to exceed $80,000.00 - Financing: Animal Control (7) Fund (2003 Bond Funds)
35.	All	C	OHS	GT	Authorize the (1) acceptance of a grant from the Texas Department of Housing and Community Affairs ("TDHCA") in an amount not to exceed $1,101,611.00 to provide services to the homeless through the Homeless

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Housing and Services Program ("HHSP"), for the period September 1, 2019 through August 31, 2020; (2) establishment of appropriations in an amount not to exceed $1,101,611.00 in the FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund; (3) receipt and deposit of funds in an amount not to exceed $1,101,611.00 in the FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund; (4) City Manager to enter into, represent the City with respect to, and execute, the contract with TDHCA for FY 2020 TDHCA-Homeless Housing and Services Program Grant Funds; and (5) Assistant City Manager to enter into, represent the City with respect to, and execute the contract on the City Manager's behalf - Not to exceed $1,101,611.00 - Financing: Texas Department of Housing and Community Affairs Grant Funds
36.	All	C	OHS	GT	Authorize (1) an amendment to Resolution No. 18-1380, previously approved on September 26, 2018, to accept additional grant funds from the Texas Health and Human Services Commission ("THHSC") for FY 2020 and FY 2021 (Contract No. 2016-049507-001C, Amendment No. 3), to provide services to homeless persons who have a mental illness, substance abuse use or co-occurring psychiatric disorder through the Healthy Community Collaborative Program in an amount not to exceed $3,500,000.00 for the period September 1, 2019 through August 31, 2021; (2) a private 1:1 cash or in-kind match by the City, through its subcontractors in an amount not to exceed $3,500,000.00; (3) the establishment of appropriations in an amount not to exceed $3,500,000.00 in the HHSC-FY 2020 - FY 2021 Healthy Community Collaborative Grant 19-21 Fund; (4) the receipt and deposit of grant funds for reimbursement in an amount not to exceed $3,500,000.00 by THHSC in the HHSC-FY 2020 - FY 2021 Healthy Community Collaborative Grant 19-21 Fund; and (5) execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total not to exceed $3,500,000.00 - Financing: Texas Health and Human Services - Health and Human Services Commission Grant Funds
37.	All	C	POM	$1,011,799.75	Authorize a three-year service price agreement for hydraulic cylinder, pump, and valve repair - FLR Solutions, LLC in the amount of $871,424.75 and Herco Equipment Company, Inc. in the amount of $140,375.00, lowest responsible bidders of two - Total not to exceed $1,011,799.75 - Financing: General Fund ($183,132.00), Equipment and Fleet Management Fund ($785,432.75), and Dallas Water Utilities Fund ($43,235.00)
38.	All	C	POM	$1,935,450.00	Authorize a three-year service price agreement for removal and disposal of excavated materials from City facilities and work sites for the Water Utilities Department - Herdez Trucking Co., lowest responsible bidder of two -

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Estimated amount of $1,935,450 - Financing: Dallas Water Utilities Fund
39.	All	C	POM	$1,884,380.00	Authorize a three-year service price agreement for sports officiating services for the Park and Recreation Department - TOP Basketball Official Association in the estimated amount of $1,066,500, Metro Fort Worth ASA dba USA Softball of DFW in the estimated amount of $772,880, and Dallas Sports Alliance dba Oak Cliff Sports Group in the estimated amount of $45,000, lowest responsible bidders of three - Estimated amount of $1,884,380 - Financing: General Fund ($750,000) and Park and Recreation Program Fund ($1,134,380)
40.	All	C	POM	$551,000.00	Authorize (1) rescinding the three-year service price agreement with The Ashelyn Group, LLC and Tremaine Hall, Individually dba Stellar Execucare Cleaning, previously approved on January 23, 2019, by Resolution No. 19-0187, for grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties; and (2) a three-year service price agreement for grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties for the Sanitation Services Department - Cross Plus Construction, LLC, lowest responsible bidder of six - Estimated amount of $551,000 - Financing: Sanitation Operation Fund
41.	14	C	POM	REV $225,000.00	Authorize a three-year concession contract, with five one-year renewal options, for operation of food and beverage concessions, catering, and miscellaneous services at the Majestic Theatre - Ed Campbell Concessions Company, most advantageous proposer of two - Estimated Annual Revenue: $225,000 (Revenue share 17.5 percent of gross food sales, less sales tax; 28.0 percent of gross non-alcoholic beverage sales, less sales tax; 28.0 percent of gross alcoholic beverage sales, less sales tax; 15.5 percent of gross catering sales, less sales tax; and 18.0 percent of all gross merchandise sales, less sales tax to the City)
42.	Outside	C	POM	$199,273.00	Authorize an acquisition contract for the purchase and installation of a modular building for the Water Utilities Department with Vanguard Modular Building Systems, LLC through The Interlocal Purchasing System cooperative agreement - Not to exceed $199,273 - Financing: Water Capital Improvement Fund
43.	All	C	POM	$1,431,695.00	Authorize the purchase of six vehicles and equipment for the Fire-Rescue Department with Siddons-Martin Emergency Group, LLC in the amount of $1,281,870 and Chastang Ford in the amount of $149,825 through the Houston Galveston Area Council of Governments cooperative agreement - Total not to exceed $1,431,695 - Financing: General Fund ($1,281,870) and Master Lease-Equipment Fund ($149,825)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
44.	All	C	POM	$5,187,600.00	Authorize an eighteen-month master agreement for the purchase of advanced traffic controllers for the Department of Transportation with Texas Highway Products, LTD through the Texas Association of School Boards (BuyBoard) cooperative agreement - Estimated amount of $5,187,600 - Financing: Street and Transportation Fund
45.	All	C	POM	$1,163,625.00	Authorize a three-year master agreement for hydrofluosilicic acid for the Water Utilities Department - Solvay Fluorides, LLC, lowest responsible bidder of four - Estimated amount of $1,163,625 - Financing: Dallas Water Utilities Fund
46.	All	C	POM	$1,503,877.20	Authorize (1) Supplemental Agreement No. 1 to increase the service contract with Global Information Systems, Inc. for temporary information technology staffing in the amount of $200,097.70, from $800,391.00 to $1,000,488.70; (2) Supplemental Agreement No. 2 to increase the service contract with Sierra Digital, Inc. for temporary information technology staffing in the amount of $732,281.25, from $2,929,125.00 to $3,661,406.25; and (3) Supplemental Agreement No. 2 to increase the service contract for the program to obtain specialized temporary information technology staffing through the use of the approved vendor list procured by the Department of Information Resources and to enter into contracts with selected vendors in the amount of $571,498.25, from $2,285,992.80 to $2,857,491.05 - Total not to exceed $1,503,877.20, from $6,015,508.80 to $7,519,386.00 - Financing: Data Services Fund (subject to appropriations)
47.	All	C	POM	$1,417,015.00	Authorize Supplemental Agreement No. 4 to increase the service contract with Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service in the amount of $1,394,515, from $5,578,060 to $6,972,575 and Clarence T. Crews dba Crews Service Company in the amount of $22,500, from $90,000 to $112,500, for tree planting, tree removal, and stump grinding services related to the June 9, 2019 storm and to extend the term from August 27, 2019 to August 26, 2020 - Total not to exceed $1,417,015, from $6,502,060 to $7,919,075 - Financing: Sanitation Operation Fund
48.	10	C	PKR	$59,374.00	Authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for schematic design, design development, construction documents, procurement and construction administration phases for the Friendship Park - Loop Trail and Picnic Pavilion Project located at 12700 Hornbeam Drive - Not to exceed $59,374.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
49.	4, 6, 9, 13, 14	C	PKR	$98,985.00	Authorize the purchase and installation of the Musco Control Link System which will provide an automated athletic field lighting control system at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Park and Recreation Department's RecTrac Reservation System with Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement - Not to exceed $98,985.00 - Financing: Park Beautification Fund ($9,105.00), P & R Athletic Field Maintenance Fund ($35,900.00) and Recreation Program Fund ($53,980.00)
50.	All	C	DWU	$450,000.00	Authorize a professional services contract with Halff Associates, Inc. for engineering services associated with the Floodplain Program Management Assistance Contract No. 1 - Not to exceed $450,000.00 - Financing: Storm Drainage Management Capital Construction Fund
51.	100, Outside	C	DWU	$1,557,880.00	Authorize a professional services contract with Terracon Consultants, Inc. to provide engineering and architectural services for the condition assessment and design of roof and heating, ventilation, air conditioning, and refrigeration systems at Dallas Water Utilities' 270 facilities - Not to exceed $1,557,880.00 - Financing: Water Utilities Capital Improvement Funds ($1,357,784.00) and Storm Drainage Management Capital Construction Fund ($200,096.00)
52.	1, 2, 7, 13, 14	C	DWU	$23,704,542.00	Authorize a construction contract for the installation of water and wastewater mains at 12 locations (list attached to the Agenda Information Sheet) - John Burns Construction Company of Texas, Inc., only bidder - Not to exceed $23,704,542.00 - Financing: Water Utilities Capital Drinking Water TWDB Fund ($15,248,542.00) and Water Utilities Capital Clean Water TWDB Fund ($8,456,000.00)
53.	1, 3, 5, 10, 11	C	DWU	$1,095,234.55	Authorize an increase in the construction services contract with Ark Contracting Services, LLC for additional work associated with the construction of Erosion Control Improvement Package C for nine erosion control improvement projects (list attached to Agenda Information Sheet) - Not to exceed $1,095,234.55, from $5,424,990.00 to $6,520,224.55 - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) ($528,389.55) and Storm Drainage Management Capital Construction Fund ($566,845.00)
54.	All	C	DWU	$262,579.00	Authorize Supplemental Agreement No. 8 to the professional services contract with HDR Engineering, Inc. to provide additional engineering

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					services for the design and construction of three bridges on Cadiz Street and Riverfront Boulevard to replace existing undersized box culverts within the Levee Drainage System - Sump A and to perform additional construction support services for the Able Storm Water Pump Station - Not to exceed $262,579.00, from $10,987,502.00 to $11,250,081.00 - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) ($215,789.00) and Wastewater Capital Improvement Fund ($46,790.00)
55.	N/A	I	SEC	NC	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
56.	4	I	MCC	NC	A resolution instructing the City Manager to not spend any city funds or resources demolishing structures within the Tenth Street Historic District - Financing: No cost consideration to the City (via Councilmembers Arnold, Greyson, Atkins, Medrano, and Thomas)
57.	5	I	ECO	NC	Authorize a New Markets Tax Credit transaction between the Dallas Development Fund and its subsidiaries, Capital One N.A. and its subsidiaries (Capital One), and Cristo Rey Dallas, and its affiliates (Cristo Rey) for improvements to the Cristo Rey Dallas campus located at 1064 North St. Augustine Drive - Financing: No cost consideration to the City
58.	6	I	DEV	NC	An ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street - Z178-368 - Financing: No cost consideration to the City (This item was deferred on June 26, 2019)
59.	2, 14	PH	DEV	NC	A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses and an ordinance granting the amendments Recommendation of Staff and CPC: Approval of the amendments Z178-223(CY)
60.	7	PH	DEV	NC	A public hearing to receive comments regarding an application for and an

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east line of South Fitzhugh Avenue, north of Lagow Street Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions Z178-309(SM)
61.	4	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the northeast line of East Ledbetter Drive and the west line of Rocky Ridge Road Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions Z189-154(SM)
62.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an Historic Overlay for Eagle Ford School (1601 Chalk Hill Road) on property zoned an IM Industrial Manufacturing District on the west side of Chalk Hill Road, south of Tom Landry Freeway Recommendation of Staff and CPC: Approval, subject to preservation criteria Z189-162(LC)
63.	5	PH	DEV	NC	A public hearing to receive comments regarding an application for and (1) an ordinance granting a D-1 Liquor Control Overlay; and (2) an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an NS(A)-D Neighborhood Services District with a D Liquor Control Overlay, on the southeast corner of Elam Road and Pleasant Drive Recommendation of Staff and CPC: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions Z189-204(SM)
64.	11	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 880, on the north line of Lyndon B. Johnson Freeway, between Ridgeview Circle and Hughes Lane Recommendation of Staff and CPC: Approval, subject to conditions

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Z189-210(SM)
65.	13	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 623, on the southeast corner of Royal Lane and Webb Chapel Road Recommendation of Staff and CPC: Approval, subject to a revised development plan, landscape plan, revised traffic management plan, and conditions Z189-213(SM)
66.	4	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a D(A) Duplex District on property zoned a CR Community Retail District on the southwest corner of Woodin Boulevard and Seevers Avenue Recommendation of Staff and CPC: Approval Z189-230(SM)
67.	7	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 370 for a child-care facility and a community service center use on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northeast corner of Leland Avenue and Marburg Street Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions Z189-236(AU)
68.	2	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2150 for a bar, lounge, or tavern and an inside commercial amusement 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 northeast corner of Elm Street and South Good Latimer Expressway Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions Z189-239(CY)
69.	9	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility use on property zoned an R-7.5(A) Single Family Residential District, on the west line of East Lake Highlands Drive, north of Harter Road, and south of Peavy Road

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions Z189-242(AU)
70.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center and a child-care facility on property zoned an MF-2(A) Multifamily District, on the southwest line of North Washington Avenue, northwest of Munger Avenue Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions Z189-255(SM)
71.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Planned Development District No. 842 with Specific Use Permit No. 1289 for a bar, lounge, or tavern use and an MD-1 Modified Delta Overlay, on the west line of Greenville Avenue, south of Sears Street Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions Z189-261(SM)
72.	1	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Community Retail District uses and a boutique hotel use on property zoned a CR Community Retail District on the southwest corner of West 7th Street and North Beckley Avenue Recommendation of Staff: Denial Recommendation of CPC: Approval, subject to a development plan, landscape plan and conditions Z178-355(CY)
73.	3	PH	DEV	NC	A public hearing to receive comments regarding an application for the removal of a D Liquor Control Overlay on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay, on the east line of Marvin D. Love Freeway, south of West Red Bird Lane with consideration being given to a D-1 Liquor Control Overlay Recommendation of Staff and CPC: Denial without prejudice Z189-159(CT)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
74.	4	PH	DEV	NC	A public hearing to receive comments regarding an application for the renewal of Specific Use Permit No. 1931 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the north side of Ann Arbor Avenue, east of South Marsalis Avenue Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions Recommendation of CPC: Denial without prejudice Z189-205(PD)
75.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the northeast corner of Greenville Avenue and Oram Street Recommendation of Staff: Approval, subject to staff's recommended conditions Recommendation of CPC: Approval, subject to conditions Z189-206(SM)
76.	1	PH	DEV	NC	A public hearing to receive comments regarding an application for the termination of existing deed restrictions [Z778-181] on property zoned Subdistrict 6 within Planned Development District No. 830, on the south side of Fouraker Street, between North Vernon Avenue and North Van Buren Avenue Recommendation of Staff: Approval Recommendation of CPC: Denial without prejudice Z189-224(CY)
77.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to a restaurant with drive-in or drive-through service on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay, on the southwest corner of Greenville Avenue and Alta Avenue Recommendation of Staff: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions Recommendation of CPC: Approval for a four-year period, subject to a site plan and conditions Z189-251(AU)
78.	14	PH	DEV	NC	An appeal of the City Plan Commission's decision to deny a waiver of the

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					two-year waiting period to submit an application on property zoned Subdistrict B within Planned Development District No. 619 with Historic Overlay H/87 and Specific Use Permit No. 2127, on the north side of Main Street, east of Field Street - W189-004 - Financing: No cost consideration to the City
79.	All	PH	OHS	NC	A public hearing to receive comments on Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the Emergency Solutions Grant ("ESG") Program, to reallocate FY17 ESG funds in the amount of $333,895.00 from Emergency Shelter, Rapid Re-Housing, and Homeless Management Information System eligible activities to Street Outreach and Homelessness Prevention eligible activities; and at the close of the public hearing, authorize final adoption of Substantial Amendment No. 3 to the FY 2018-19 Action Plan - Financing: No cost consideration to the City

TOTAL $58,058,841.50

Agenda Information Sheet

File #: 19-1092 **Item #:** 1.

SUBJECT

Approval of Minutes of the June 26, 2019 City Council Meeting

City of Dallas

1500 Marilla Street
Dallas, Texas 75201

Agenda Information Sheet

File #: 19-962 **Item #:** 2.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize settlement of the lawsuit styled Rayvette Hannah v. The City of Dallas, Cause No. DC-18-00803 - Not to exceed $70,000.00 - Financing: Risk Management Funds

BACKGROUND

Plaintiff Rayvette Hannah filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries and other damages sustained in an automobile collision on March 12, 2016, involving a Sanitation Services vehicle. The City and Ms. Hannah have reached a proposed settlement subject to City Council approval. Plaintiff is represented by Godsey Martin, P.C.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum on August 9, 2019.

FISCAL INFORMATION

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

Risk Management Funds - $70,000.00

powered by Legistar™

August 14, 2019

WHEREAS, a lawsuit styled Rayvette Hannah v. The City of Dallas, Cause No. DC-18-00803, was filed by the plaintiff, Rayvette Hannah, seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in an automobile collision on March 12, 2016, involving a Sanitation Services vehicle; and

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Rayvette Hannah, Godsey Martin P.C., and all other persons having an interest in the settlement proceeds, the total amount of $70,000.00; and

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

Now, Therefore,

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

SECTION 1. That the proposed settlement of the lawsuit, styled Rayvette Hannah v. The City of Dallas, Cause No. DC-18-00803, in an amount not to exceed $70,000.00, is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Rayvette Hannah, Godsey Martin P.C., and all other persons having an interest in the settlement proceeds, the amount of $70,000.00, from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

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

Agenda Information Sheet

File #: 19-1017 **Item #:** 3.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Saul Ewing Arnstein & Lehr LLP, for additional legal services in connection with the bankruptcy captioned In re Energy Future Holdings Corp., et al., Case No. 14-10979 (CSS) (Bankr. D. Del) - Not to exceed $105,000.00, from $122,828.29 to $227,828.29 - Financing: Dallas Water Utilities Funds

BACKGROUND

Supplemental Agreement No. 2 will authorize Saul Ewing Arnstein & Lehr LLP, to provide additional legal services necessary to represent the City of Dallas in connection with the bankruptcy captioned In re Energy Future Holdings Corp., et al., Case No. 14-10979 (CSS) (Bankr. D. Del).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council was briefed by memorandum regarding this matter on November 9, 2018.

On November 14, 2018, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Saul Ewing Arnstein & Lehr LLP, to provide additional legal services necessary to represent the City of Dallas by Resolution No. 18-1584.

City Council will be briefed by memorandum regarding this matter on August 9, 2019.

FISCAL INFORMATION

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

Dallas Water Utilities Funds - $105,000.00

Original Contract	$ 22,828.29
Supplemental Agreement No. 1	$100,000.00
Supplemental Agreement No. 2 (this action)	$105,000.00
Total	$227,828.29

August 14,2019

WHEREAS, the City of Dallas is involved in a bankruptcy captioned In re Energy Future Holdings Corp., et al., Case No. 14-10979 (CSS) (Bankr. D. Del); and

WHEREAS, on March 28, 2018, Administrative Action No. 18-5546, authorized a professional services contract with Saul Ewing Arnstein & Lehr LLP, for legal services necessary to represent the City of Dallas, in an amount not to exceed $22,828.29; and

WHEREAS, on November 14, 2018, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Saul Ewing Arnstein & Lehr LLP, to provide additional legal services necessary to represent the City of Dallas, in an amount not to exceed $100,000.00, from $22,828.29 to $122,828.29, by Resolution No. 18-1584; and

WHEREAS, the professional services of Saul Ewing Arnstein & Lehr LLP, continue to be necessary.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 2 to the professional services contract with Saul Ewing Arnstein & Lehr LLP, approved as to form by the City Attorney, for additional legal services necessary to represent the City of Dallas in connection with the bankruptcy captioned In re Energy Future Holdings Corp., et al., Case No. 14-10979 (CSS) (Bankr. D. Del), in an amount not to exceed $105,000.00, increasing the contract amount from $122,828.29 to $227,828.29.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $105,000.00, in periodic payments to Saul Ewing Arnstein & Lehr LLP, from Dallas Water Utilities Fund, Fund 0100, Department DWU, Unit 7017, Object 3033, Encumbrance/Contract No. CX-ATT-2018-00006066, Vendor VC18395.

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

Agenda Information Sheet

File #: 19-907 **Item #:** 4.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize a professional services contract with VAI Architects Incorporated to provide design and construction administration services for Emergency Medical Service Renovation Project at Dallas Love Field - Not to exceed $156,000.00 - Financing: Aviation Capital Construction Fund

BACKGROUND

Emergency medical service requests are increasing annually at Dallas Love Field Airport. In 2017, there were 826 patient contacts with 173 transports, in 2018, there were 980 patient contacts with 197 transports. These numbers represent 18% and 14% increases, respectively. The first quarter of 2019 is trending 7% higher than 2018.

It is forecasted that Dallas Love Field Airport will service 20,000,000 passengers annually by 2025; a 25% increase from 2018 and emergency medical services calls are projected to continue to rise with the number of passengers. A larger service center is needed to accommodate the increasing demand.

Existing emergency medical service is provided from a small room located in the concourse stem, near the hold rooms and restaurants. New site will be located on first level of terminal with access to public and “sterile” side of terminal, as well as convenient ambulance parking near back side of the terminal.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	October 2019
Complete Design	April 2020
Begin Construction	July 2020
Complete Construction	December 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Aviation Capital Construction Fund - $156,000.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$156,000.00	Architectural & Engineering	25.66%	100.00%	$156,000.00
• This contract exceeds the M/WBE goal.				

OWNER

VAI Architects Incorporated

Jeff Simcik, AIA/Principal

powered by Legistar™

WHEREAS, it is forecasted that Dallas Love Field Airport will service 20,000,000 passengers annually by 2025; a 25% increase from 2018; and

WHEREAS, Emergency Medical Service calls have increased by 18% from 2017 to 2018 and are projected to continue to rise with the number of passengers; and

WHEREAS, updated space is required to support the increasing calls and to provide safe care for travelers while being stabilized and assessed for possible transport; and

WHEREAS, it is now necessary to authorize a professional services contract with VAI Architects Incorporated to provide design and construction administration services for the Emergency Medical Service Renovation Project at Dallas Love Field, in an amount not to exceed $156,000.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a professional services contract with VAI Architects Incorporated, approved as to form by the City Attorney, to provide design and construction administration services for Emergency Medical Service Renovation Project at Dallas Love Field, in an amount not to exceed $156,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $156,000.00 to VAI Architects Incorporated in accordance with the terms and conditions of the contract from the Aviation Capital Construction Fund, Fund 0131, Department AVI, Unit W357, Object 4112, Activity AAIP, Program AVIW357, Commodity 92500, Encumbrance/Contract No. CX-AVI-2019-00010668, Vendor 211286.

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

Agenda Information Sheet

File #: 19-905 **Item #:** 5.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Huitt-Zollars, Inc. to provide design revisions and construction administration services for Security Controls Enhancement Project at Dallas Love Field - Not to exceed $229,741.67, from $429,864.60 to $659,606.27 - Financing: Aviation Capital Construction Fund

BACKGROUND

In support of Federal Security Regulations (CFR 1542.201 and 1542.207), the Department of Aviation continually assesses and improves Dallas Love Field security systems. Based on an extensive study in 2014, designs were initiated to upgrade gates and fence in specific locations to deter vehicular breaches from local streets.

Innovation and improvements in security fencing systems have made higher crash ratings available. To make new fence stronger with a minimized footprint afforded by new security cable threaded through the fence itself.

This Supplemental Agreement No. 2 with Huitt-Zollars, Inc. is needed to coordinate design layout revisions to incorporate state-of-the-art fence specification with integral cable running in horizontal fence structural members. Additionally, this change in fence system and physical layout requires an additional 120 days in project schedule; additional construction administration fees are required to cover longer schedule.

Total fee increase in Supplemental Agreement No. 2 is $229,741.67.

ESTIMATED SCHEDULE OF PROJECT

Began Design	November 2015
Completed Design	March 2018
Began Construction	October 2018
Complete Construction	January 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2014, City Council authorized a professional services contract with Huitt-Zollars Inc. to provide engineering services for the Security Controls Enhancement Project at Dallas Love Field by Resolution No. 14-1918.

On August 22, 2018, City Council authorized a contract for the construction of the Security Controls Enhancement Project at Dallas Love Field by Resolution No. 18-1127.

On September 12, 2018, City Council authorized a professional services contract with Huitt-Zollars, Inc. to provide construction administration services for the Security Controls Enhancement Project at Dallas Love Field by Resolution No. 18-1239.

On June 26, 2019, City Council authorized an increase in the construction services contract with Construction-Rent-A-Fence, Inc. to provide installation of a revised fence with integral security cables by Resolution No. 19-0977.

FISCAL INFORMATION

Aviation Capital Construction Fund - $229,741.67

Original Contract	$413,206.60
Supplemental Agreement No. 1	$ 16,658.00
Supplemental Agreement No. 2 (this action)	$229,741.67
Total Contract Cost	$659,606.27

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$229,741.67	Architectural & Engineering	25.66%	47.80%	$109,813.00
• This contract exceeds the M/WBE goal.				
• Supplemental Agreement No. 2 - 51.16% Overall M/WBE participation				

OWNER

Huitt-Zollars, Inc.

John Anthony Sosebee, PE, Senior Vice President

WHEREAS, Dallas Love Field Airport is bounded by nearly 40,000 lineal feet of secure perimeter fence; and

WHEREAS, current condition of perimeter fence securing the airfield operations area has been assessed, and recommendations for upgrade were received and are being implemented; and

WHEREAS, on September 12, 2018, City Council authorized a professional services contract with Huitt-Zollars, Inc. to provide construction administration and close-out services in support of construction activities providing approved upgrades, in an amount not to exceed $413,206.60, by Resolution No. 18-1239; and

WHEREAS, on March 22, 2019, Administrative Action No. 19-5522 authorized Supplemental Agreement No. 1 to the contract with Huitt-Zollars, Inc. to incorporate owner requested design changes in the amount of $16,658.00, increasing the contract amount from $413,206.60 to $429,864.60; and

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 2 to the professional services contract with Huitt-Zollars, Inc. to provide design revisions and construction administration services for the Security Controls Enhancement project at Dallas Love Field, in an amount not to exceed $229,741.67, increasing the contract amount from $429,864.60 to $659,606.27.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 2 to the professional services contract with Huitt-Zollars, Inc., approved as to form by the City Attorney, to provide design revisions and construction administration services for Security Controls Enhancement Project at Dallas Love Field, in an amount not to exceed $229,741.67, increasing the contract amount from $429,864.60 to $659,606.27.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $229,741.67 to Huitt-Zollars, Inc. in accordance with the terms and conditions of the contract from the Aviation Capital Construction Fund, Fund 0131, Department AVI, Unit P746, Object 4111, Activity AAIP, Program P746, Commodity 92500, Encumbrance/Contract No. CX-AVI-2018-00007359, Vendor 090025.

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

Agenda Information Sheet

File #: 19-1060 **Item #:** 6.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Dallas Animal Services

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize the **(1)** acceptance of a grant from PetSmart Charities, Inc., to host the Clear the Shelters adoption event in the amount of $5,000.00 for the period August 14, 2019 through February 14, 2020; **(2)** receipt and deposit of grant funds in an amount not to exceed $5,000.00 in the PetSmart Charities Grant Fund; **(3)** establishment of appropriations in an amount not to exceed $5,000.00 in the PetSmart Charities Grant Fund; and **(4)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed $5,000.00 - Financing: PetSmart Charities Grant Funds

BACKGROUND

NBC and Telemundo owned stations are teaming up with hundreds of shelters across the country to host the fifth annual Clear the Shelters event, a nationwide pet adoption drive on Saturday, August 17, 2019 to help find loving homes for animals in need. More than 250,000 pets have found their forever homes since 2015.

This action will authorize a grant agreement between PetSmart Charities, Inc. and City of Dallas, Dallas Animal Services to host the Clear the Shelters adoption event at the PetSmart located at 16821 Coit Road, Dallas, Texas 75248.

Grant funds will be used for adoption preparation, to include wellness exams, spay/neuter surgeries, vaccinations and microchipping. These funds will also be utilized for marketing, event equipment and supplies (tables, chairs, tents, fencing, permits, heating and cooling and security), pet containment and supplies (crates, pens, bowls, leads, and collars) and other funds limited to 10 percent of overall grant award for volunteer support, refreshments and gas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

PetSmart Charities Grant Funds - $5,000.00

powered by Legistar™

WHEREAS, PetSmart Charities, Inc. has awarded the City of Dallas grant funds to host the Clear the Shelters adoption event in the amount of $5,000.00 for adoption preparation to include wellness exams, spay/neuter surgeries, vaccinations and microchipping, marketing, event equipment and supplies, pet containment and supplies, and other funds limited to 10 percent of overall grant award for volunteer support, refreshments and gas; and

WHEREAS, it is recommended that the City Manager be authorized to accept the grant funds in the amount of $5,000.00 for the period August 14, 2019 through February 14, 2020.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to accept a grant from PetSmart Charities, Inc. to host the Clear the Shelters adoption event in the amount of $5,000.00 for the period August 14, 2019 through February 14, 2020; and execute the grant agreement and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $5,000.00 into the PetSmart Charities Grant Fund, Fund P135, Department DAS, Unit 4089, Revenue Code 8411.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $5,000.00 in the PetSmart Charities Grant Fund, Fund P135, Department DAS, Unit 4089, Object 2280.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $5,000.00 from the PetSmart Charities Grant Fund, Fund P135, Department DAS, Unit 4089, Object 2280.

SECTION 5. That the City Manager is hereby authorized to reimburse to the granting agency any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final Petco Foundation monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. DAS-2019-00010973.

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

Agenda Information Sheet

File #: 19-429 **Item #:** 7.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 4, 8

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Burgess & Niple, Inc. for the engineering design of Street Reconstruction Group 17-4008 (list attached to the Agenda Information Sheet) - Not to exceed $336,900.26 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($288,970.26) and Water Utilities Capital Improvement Funds ($47,930.00)

BACKGROUND

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

This action will authorize a professional services contract with Burgess & Niple, Inc. for the engineering design of two street reconstruction thoroughfare projects as Street Reconstruction Group 17-4008. The street reconstruction thoroughfare projects will include replacing the existing deteriorating concrete streets with reinforced concrete pavement, curb, gutter, sidewalk, driveway approaches, storm drainage system, street lighting and water and wastewater improvements.

Following are the locations and design costs for each project:

Street Reconstruction - Thoroughfares - Improvements

Project	Council District	Amount
Morrell Avenue from Bonnie View Road to High Street	4	$ 83,642.35
Morgan Drive from Plaza Boulevard to Nandina Drive	8	$253,257.91

ESTIMATED SCHEDULE OF PROJECT

Begin Design	October 2019
Complete Design	August 2020
Begin Construction	January 2021
Complete Construction	January 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $288,970.26
Water Utilities Capital Improvement Funds - $47,930.00

Estimated Future Cost - Construction - $2,787,668.01

Council District	Amount
4	$ 83,642.35
8	$253,257.91
Total	$336,900.26

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$336,900.26	Architectural & Engineering	25.66%	34.27%	$115,459.00
• This contract exceeds the M/WBE goal.				

OWNER

Burgess & Niple, Inc.

Mark E. Bernhardt, Chairman

MAPS

Attached

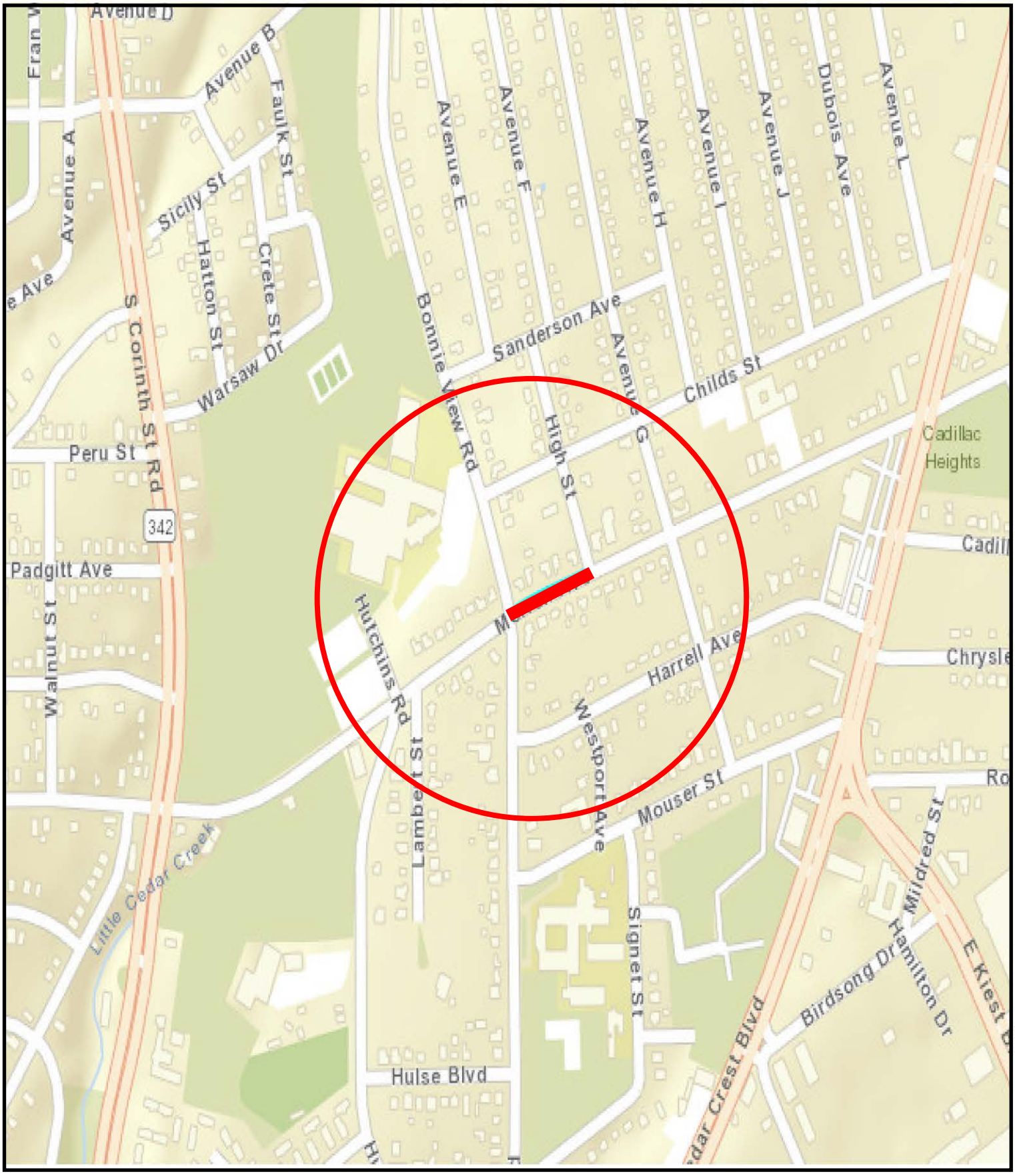
powered by Legistar™

Street Reconstruction Group 17-4008

Street Reconstruction - Thoroughfares - Improvements

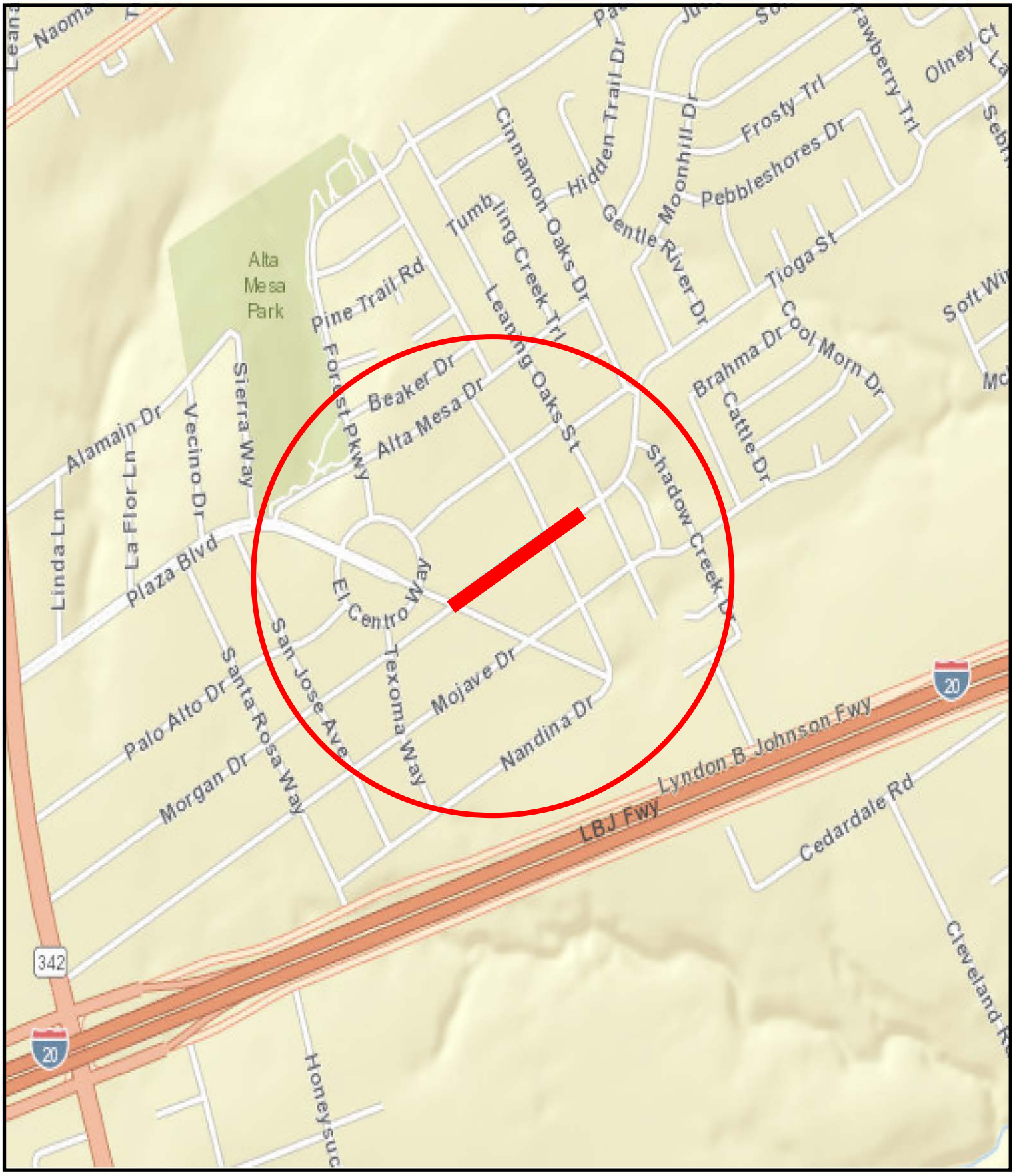
Project	**Council District**
Morrell Avenue from from Bonnie View Road to High Street	4
Morgan Drive from Plaza Boulevard to Nandina Drive	8

STREET RECONSTRUCTION
MORRELL AVENUE FROM BONNIE VIEW ROAD TO HIGH STREET



COUNCIL DISTRICT 4

STREET RECONSTRUCTION
MORGAN DRIVE FROM PLAZA BOULEVARD
TO NANDINA DRIVE



COUNCIL DISTRICT 8

August 14, 2019

WHEREAS, Burgess & Niple, Inc. was selected to provide engineering design for Street Reconstruction Group 17-4008.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a professional services contract with Burgess & Niple, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects, in an amount not to exceed $336,900.26.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $336,900.26 in accordance with the terms and conditions of the contract:

Burgess & Niple, Inc. for the engineering design of two street reconstruction thoroughfare projects on Morrell Avenue from Bonnie View Road to High Street; and Morgan Drive from Plaza Boulevard to Nandina Drive:

Street and Transportation (A) Fund	
Fund 1V22, Department PBW, Unit V306, Activity THRF	
Object 4111, Program PB17V306	
Encumbrance/Contract No. CX-PBW-2019-00010787	
Vendor 090012	$ 73,672.35
Street and Transportation (A) Fund	
Fund 1V22, Department PBW, Unit V308, Activity THRF	
Object 4111, Program PB17V308	
Encumbrance/Contract No. CX-PBW-2019-00010787	
Vendor 090012	$215,297.91
Water Capital Improvement Fund	
Fund 3115, Department DWU, Unit PW42	
Object 4111, Program 719157	
Encumbrance/Contract No. CX-PBW-2019-00010787	
Vendor 090012	$ 27,700.08

SECTION 2. (continued)

Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Object 4111, Program 719158 Encumbrance/Contract No. CX-PBW-2019-00010787 Vendor 090012	$ 20,229.92
Total amount not to exceed	$336,900.26

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

Agenda Information Sheet

File #: 19-618 **Item #:** 8.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Freese and Nichols, Inc. for the engineering design of Complete Street Reconstruction Project - Casa View Street Improvements - Not to exceed $617,147.57 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($590,274.57) and Water Utilities Capital Improvement Funds ($26,873.00)

BACKGROUND

The Request for Qualifications (CIZ1744) was issued on June 21, 2018 for the Special Bond Projects. The consulting firm, Freese and Nichols, Inc., was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

This action will authorize a professional services contract with Freese and Nichols, Inc. for the engineering design of Casa View Street Improvements. The Complete Street Reconstruction Project will reduce the current roadway from six lanes to four lanes. The project will include the installation of wider sidewalks, pedestrian lighting, landscaping, replacing the existing deteriorated concrete pavement with new reinforced concrete pavement, curb, gutter, sidewalk, driveway approaches, water and wastewater, and storm drainage enhancements.

Following is the location and design costs for the project:

Complete Street Reconstruction - Improvements

Project	Council District	Amount
Casa View Street Improvements	9	$617,147.57

ESTIMATED SCHEDULE OF PROJECT

Begin Design	September 2019
Complete Design	September 2020
Begin Construction	January 2021
Complete Construction	June 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $590,274.57
Water Utilities Capital Improvement Funds - $26,873.00

Estimated Future Cost - Construction - $5,672,004.50

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$617,147.57	Architectural & Engineering	25.66%	29.34%	$181,049.00
• This contract exceeds the M/WBE goal.				

OWNER

Freese and Nichols, Inc.

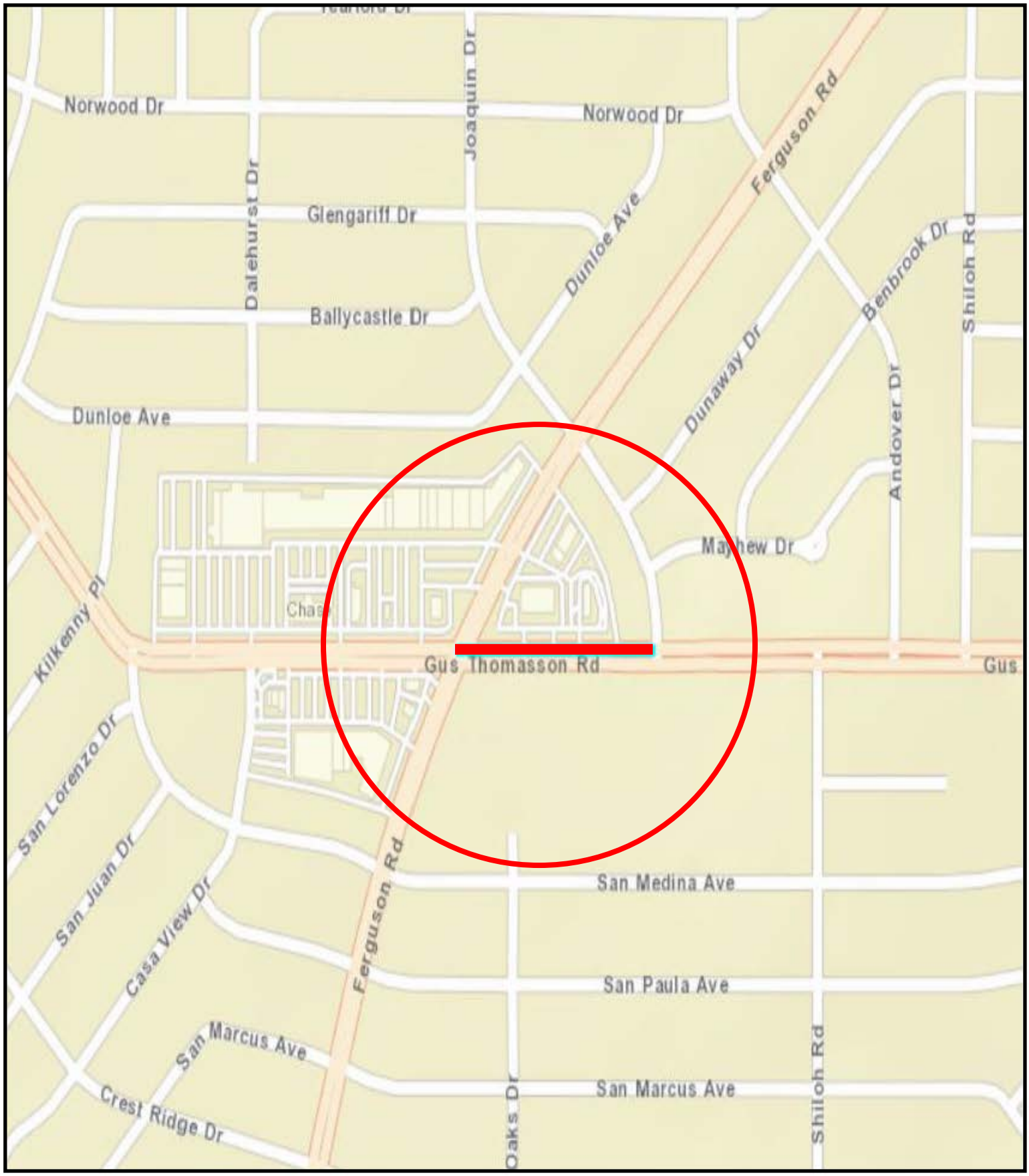
Chris Bosco, P.E., Principal/Vice President

MAP

Attached

STREET RECONSTRUCTION

CASA VIEW STREET IMPROVEMENTS



COUNCIL DISTRICT 9

August 14, 2019

WHEREAS, Freese and Nichols, Inc. was selected to provide engineering design of Complete Street Reconstruction Project – Casa View Street Improvements.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a professional services contract with Freese and Nichols, Inc., approved as to form by the City Attorney, for engineering design services for the indicated project, in an amount not to exceed $617,147.57.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $617,147.57 in accordance with the terms and conditions of the contract:

Freese and Nichols, Inc. for the engineering design of the Complete Street Reconstruction Project: Casa View Street Improvements:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V985, Activity SSUD Object 4111, Program PB17V985 Encumbrance/Contract No. CX-PBW-2019-00010794 Vendor 347200	$590,274.57
Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42 Object 4111, Program 719491 Encumbrance/Contract No. CX-PBW-2019-00010794 Vendor 347200	$ 20,961.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Object 4111, Program 719492 Encumbrance/Contract No. CX-PBW-2019-00010794 Vendor 347200	$ 5,912.00
Total amount not to exceed	$617,147.57

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

Agenda Information Sheet

File #: 19-626 **Item #:** 9.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 2, 6, 7, 9, 10, 11, 12, 13, 14

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a twenty-four-month contract for the 2019 Sidewalk and Barrier Free Ramp Improvements that includes water and wastewater adjustments in Service Maintenance Areas 3 and 4 Contract No. 2 - Estrada Concrete Company, LLC, lowest responsible bidder of five - Not to exceed $1,493,157.50 - Financing: Capital Assessment Fund ($1,064,884.00), Street and Transportation (A) Fund (2017 Bond Funds) ($377,273.50) and Water Utilities Capital Construction Funds ($51,000.00)

BACKGROUND

This action will authorize a twenty-four-month sidewalk and barrier free ramp installation paving services contract for the Sidewalk and Barrier Free Ramp Program. The installation of barrier free ramps throughout the city is required in order to be in compliance with the Americans with Disabilities Act. Projects being implemented with this contract include the Infrastructure Management Program and the 2017 Bond Program Sidewalk Improvements in Service Maintenance Areas 3 and 4. These projects will be constructed with funds from the FY 2019-2023 Infrastructure Management Program and 2017 Bond Program.

Estrada Concrete Company, LLC has had no contractual activities with the City of Dallas within the past three years.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	September 2019
Complete Construction	September 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Capital Assessment Fund - $1,064,884.00
Street and Transportation (A) Fund (2017 Bond Funds) - $377,273.50
Water Utilities Capital Construction Funds - $51,000.00

Council District	Amount
2	$ 174,705.00
6	$ 95,000.00
7	$ 80,272.00
9	$ 78,000.00
10	$ 385,000.00
11	$ 85,272.00
12	$ 80,274.50
13	$ 219,000.00
14	$ 295,634.00
Total Amount	$1,493,157.50

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,493,157.50	Construction	25.00%	100.00%	$1,493,157.50
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

The following five bids with quotes were received and opened on April 12, 2019.

*Denotes successful bidder

Bidders	Bid Amount
* Estrada Concrete Company, LLC 1623 Garza Avenue Dallas, Texas 75216	$1,493,157.50
Ragle, Inc.	$1,584,972.00
FNH Construction, LLC.	$1,864,025.00
NPL Construction Company	$2,519,345.00
VA Construction, Inc.	Non-responsive**

**VA Construction, Inc was deemed non-responsive due to not meeting specifications.

OWNER

Estrada Concrete Company, LLC

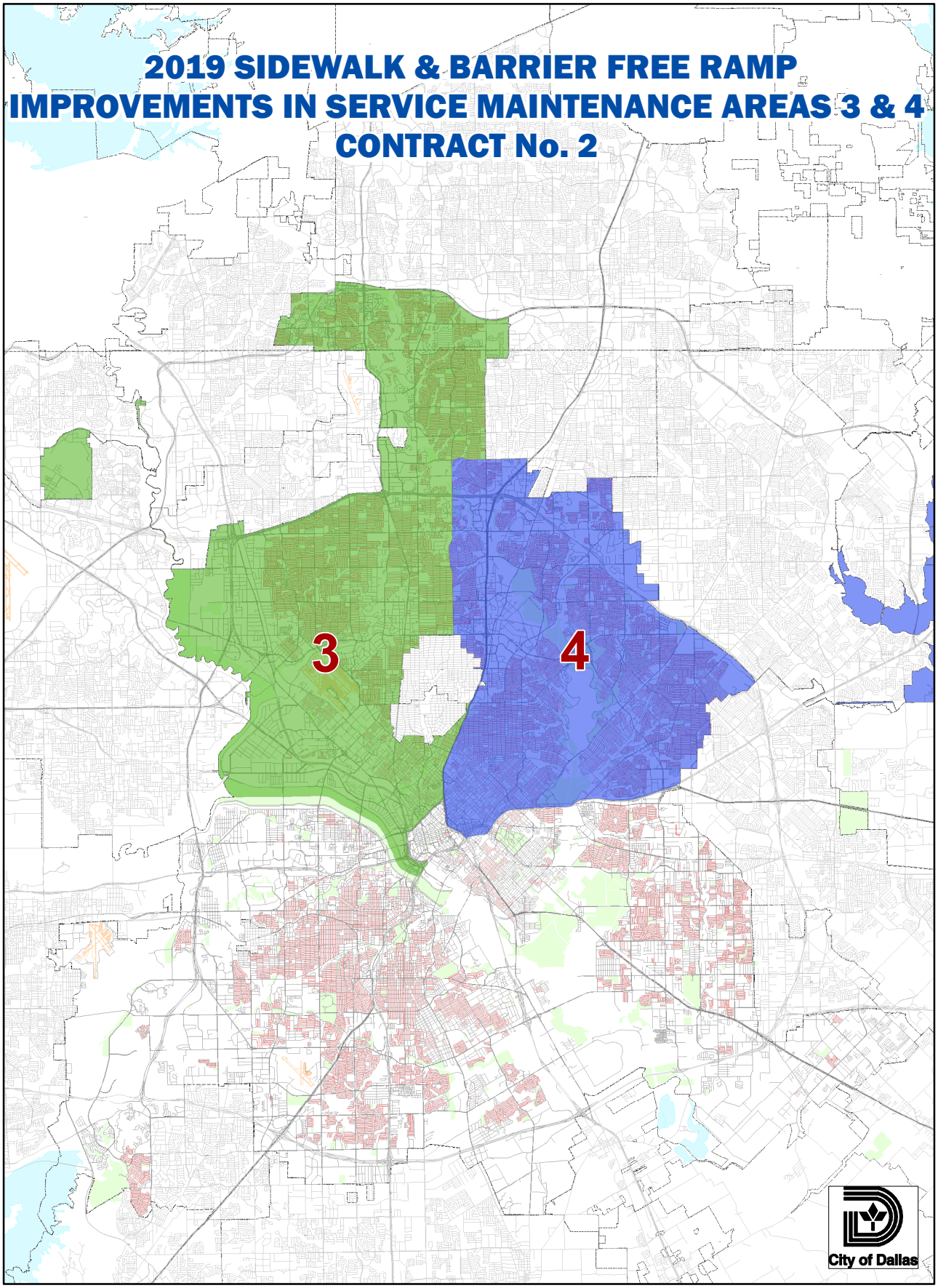
Francisco Estrada, President

MAP

Attached

powered by Legistar™

2019 SIDEWALK & BARRIER FREE RAMP IMPROVEMENTS IN SERVICE MAINTENANCE AREAS 3 & 4
CONTRACT No. 2



August 14, 2019

WHEREAS, in November 2017, a Capital Bond Program was approved by voters; and

WHEREAS, bid specifications were developed and publicly advertised for competitive bids associated with the 2019 Sidewalk and Barrier Free Ramp Improvements in Service Maintenance Areas 3 and 4 Contract No. 2; and

WHEREAS, on April 12, 2019, five bids were received for the 2019 Sidewalk and Barrier Free Ramp Improvements in Service Maintenance Areas 3 and 4 Contract No. 2 that includes water and wastewater adjustments as follows; and

Bidders	**Bid Amount**
Estrada Concrete Company, LLC	$1,493,157.50
Ragle, Inc.	$1,584,972.00
FNH Construction, LLC.	$1,864,025.00
NPL Construction Company	$2,519,345.00
VA Construction, Inc.	Non-responsive**

**VA Construction, Inc. was deemed non-responsive due to not meeting specifications.

WHEREAS, the bid submitted by Estrada Concrete Company, LLC in the amount of $1,493,157.50 is the lowest and best of all bids received.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a twenty-four-month contract with Estrada Concrete Company, LLC, approved as to form by the City Attorney, for the 2019 Sidewalk and Barrier Free Ramp Improvements that includes water and wastewater adjustments in Service Maintenance Areas 3 and 4 Contract No. 2, in an amount not to exceed $1,493,157.50, this being the lowest responsive bid received as indicated by the tabulation of bids.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,493,157.50 to Estrada Concrete Company, LLC, in accordance with the terms and conditions of the contract, as follows:

Capital Assessment Fund
Fund L003, Department PBW, Unit W308, Activity SIDI
Object 4530, Program PBSI0001
Encumbrance/Contract No. MASC-PBW-2019-00009809
Vendor 511236 $ 540,233.00

SECTION 2. (continued)

Capital Assessment Fund Fund L006, Department PBW, Unit W308, Activity SIDI Object 4530, Program PBSI0001 Encumbrance/Contract No. MASC-PBW-2019-00009809 Vendor 511236	$ 169,987.00
Capital Assessment Fund Fund L012, Department PBW, Unit W308, Activity SIDI Object 4530, Program PBSI0001 Encumbrance/Contract No. MASC-PBW-2019-00009809 Vendor 511236	$ 121,487.00
Capital Assessment Fund Fund L085, Department PBW, Unit W308, Activity SIDI Object 4530, Program PBSI0001 Encumbrance/Contract No. MASC-PBW-2019-00009809 Vendor 511236	$ 90,017.00
Capital Assessment Fund Fund L095, Department PBW, Unit W308, Activity SIDI Object 4530, Program PBSI0001 Encumbrance/Contract No. MASC-PBW-2019-00009809 Vendor 511236	$ 59,574.00
Capital Assessment Fund Fund L098, Department PBW, Unit W308, Activity SIDI Object 4530, Program PBSI0001 Encumbrance/Contract No. MASC-PBW-2019-00009809 Vendor 511236	$ 83,586.00
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V146, Activity SIDI Object 4530, Program PB17V146 Encumbrance/Contract No. MASC-PBW-2019-00009809 Vendor 511236	$ 202,568.50
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V155, Activity SIDI Object 4530, Program PB17V155 Encumbrance/Contract No. MASC-PBW-2019-00009809 Vendor 511236	$ 79,872.00

SECTION 2. (continued)

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V157, Activity SIDI Object 4530, Program PB17V157 Encumbrance/Contract No. MASC-PBW-2019-00009809 Vendor 511236	$ 94,833.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 3221, Program 7A1411X Encumbrance/Contract No. MASC-PBW-2019-00009809 Vendor 511236	$ 37,500.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Object 3222, Program 7A1412X Encumbrance/Contract No. MASC-PBW-2019-00009809 Vendor 511236	$ 13,500.00
Total amount not to exceed	$1,493.157.50

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

Agenda Information Sheet

File #: 19-970 **Item #:** 10.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a construction contract for the construction of Tyler Street/South Polk Street two-way conversion from Canty Street to Pembroke Avenue - Rebcon, Inc., lowest responsible bidder of five - Not to exceed $6,442,097.00 - Financing: General Fund ($60,000.00), Street and Transportation Improvements Fund (2006 Bond Funds) ($3,094,572.39), Street and Transportation Improvements Fund (2012 Bond Funds) ($2,484,923.61), Water Utilities Capital Improvement Funds ($763,827.00), and Water Utilities Capital Construction Funds ($38,774.00)

BACKGROUND

This action will authorize a construction contract with Rebcon, Inc. for the construction of Tyler Street/South Polk Street two-way conversion from Canty Street to Pembroke Avenue. The project scope includes a traffic roundabout, concrete pavement, nine traffic signal replacements, as well as a new traffic signal at Tyler Street/South Polk Street south of Page Avenue, barrier free ramps, pedestrian crosswalks, water and wastewater main replacement, and pavement markings.

The following chart illustrates Rebcon, Inc.'s contractual activities with the City of Dallas for the past three years:

	PBW	DWU	PKR
Projects Completed	1	1	0
Change Orders	3	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2017
Completed Design	February 2019
Begin Construction	October 2019
Complete Construction	December 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On July 21, 2016, the City Plan Commission Transportation Committee acted on the proposed Tyler Street and South Polk Street two-way conversion Thoroughfare Plan Amendment and followed staff recommendation of approval.

On August 18, 2016, the City Plan Commission acted on the proposed Tyler Street and South Polk Street two-way conversion Thoroughfare Plan Amendment and followed staff recommendation of approval.

On September 14, 2016, City Council held a public hearing to authorize a Thoroughfare Plan Amendment to change the dimensional classification of Tyler Street from Canty Street to Pembroke Avenue from an existing couplet (EXST CPLT) to a special two-lane undivided roadway (SPCL 2U) with parking within 60-feet of right-of-way; and South Polk Street from Canty Street to Pembroke Avenue from an existing couplet (EXST CPLT) to a special two-lane undivided roadway (SPCL 2U) with bicycle facilities within 60-feet of right-of-way by Resolution No. 16-1491.

On December 14, 2016, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Hayden Consultants, Inc. to provide additional engineering services for the two -way conversion project of Tyler Street and South Polk Street between Canty Street and Pembroke Avenue by Resolution No. 16-1931.

City Council will be briefed by memorandum regarding this matter on August 9, 2019.

FISCAL INFORMATION

General Fund - $60,000.00
Street and Transportation Improvements Fund (2006 Bond Funds) - $3,094,572.39
Street and Transportation Improvements Fund (2012 Bond Funds) - $2,484,923.61
Water Utilities Capital Improvement Funds - $763,827.00
Water Utilities Capital Construction Funds - $38,774.00

Design	$ 49,920.00
Supplemental Agreement No. 1	$ 444,694.00
Construction (this action)	$6,442,097.00
Total Project Cost	$6,936,711.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$6,442,097.00	Construction	25.00%	11.94%	$769,315.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

PROCUREMENT INFORMATION

The following five bids were received and opened on March 22, 2019:

*Denotes successful bidder

Bidders	Bid Amount
*Rebcon, Inc. 1868 West Northwest Highway Dallas, Texas 75220	$6,442,097.00
Pavecon, Ltd.	$6,771,362.10
Gibson Associates, Inc.	$6,796,480.03
Tiseo Paving Company	$6,963,000.00
FNH Construction, LLC	$9,635,818.50

OWNER

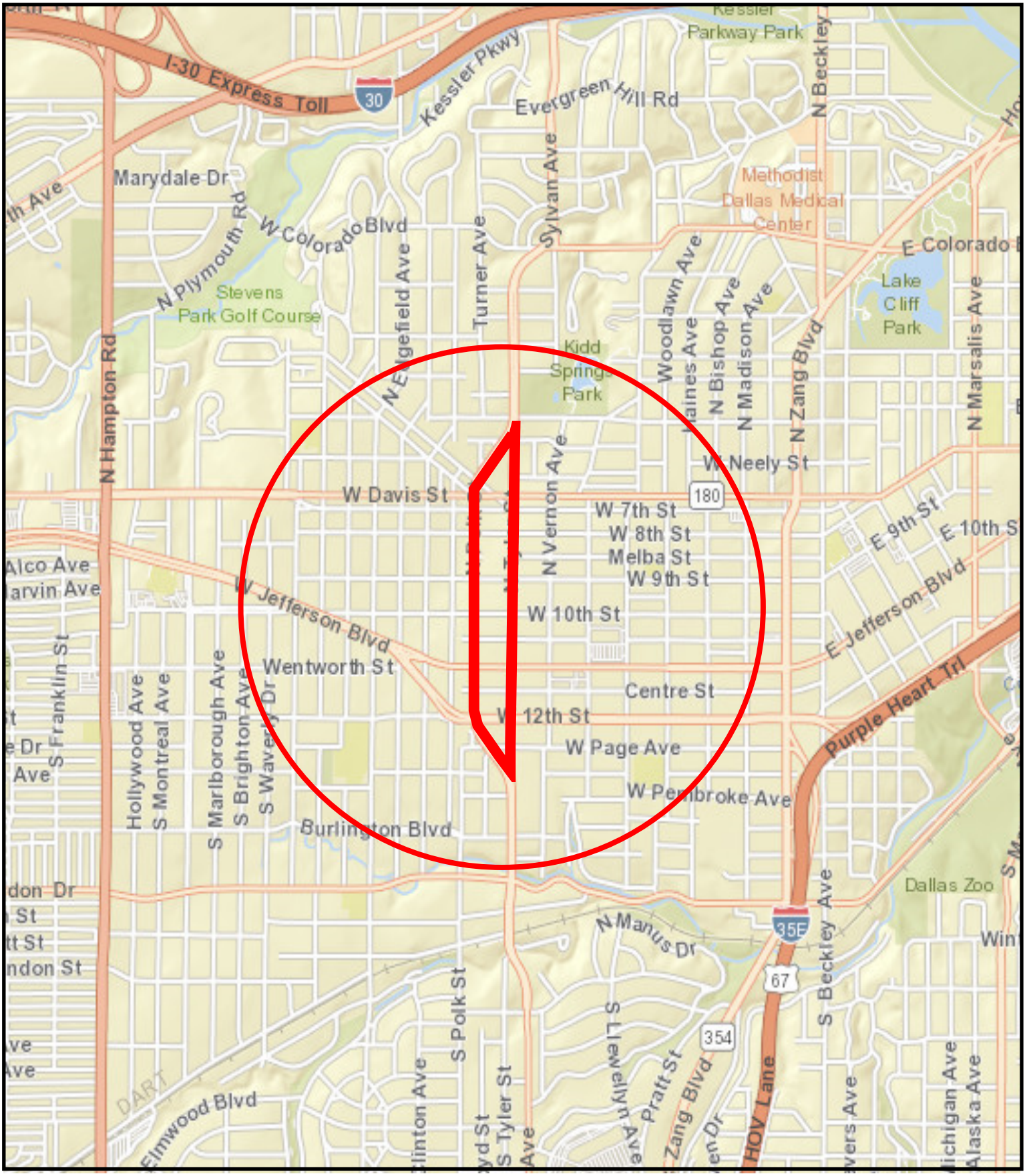
Rebcon, Inc.

Robert C. Bibby, President
Danny Krieg, Vice President
Mark Gaines, Corporate Secretary

MAP

Attached

TYLER STREET/POLK STREET TWO-WAY CONVERSION



COUNCIL DISTRICT 1

WHEREAS, Hayden Consultants, Inc. was selected to conduct a roundabout feasibility study for the proposed Tyler Street and South Polk Street between Canty Street and Pembroke Avenue two-way conversion project; and

WHEREAS, on June 16, 2014, Administrative Action No. 14-6138 authorized a professional services contract with Hayden Consultants, Inc. for a roundabout feasibility study for the proposed Tyler Street and South Polk Street between Canty Street and Pembroke Avenue two-way conversion project, in an amount not to exceed $49,920.00; and

WHEREAS, on September 14, 2016, City Council authorized a Thoroughfare Plan Amendment to change the dimensional classification of Tyler Street from Canty Street to Pembroke Avenue from an existing couplet (EXST CPLT) to a special two-lane undivided roadway (SPCL 2U) with parking within 60-feet of right-of-way; and South Polk Street from Canty Street to Pembroke Avenue from an existing couplet (EXST CPLT) to a special two-lane undivided roadway (SPCL 2U) with bicycle facilities within 60-feet of right-of-way by Resolution No. 16-1491; and

WHEREAS, on December 14, 2016, City Council authorized cancellation of the Oregon Avenue/Beckley Avenue Connection to I–30 Frontage Road project; reprograming of funds for the new Tyler Street and South Polk Street two–way conversion; and Supplemental Agreement No. 1 to the professional services contract with Hayden Consultants, Inc. for additional engineering services for the planned Tyler Street and South Polk Street between Canty Street and Pembroke Avenue Two-way Conversion Project, in an amount not to exceed $444,694.00, increasing the contract amount from $49,920.00 to $494,614.00, by Resolution No. 16-1931; and

WHEREAS, on March 22, 2019, five bids were received for the construction of Tyler Street/Polk Street two-way conversion from Canty Street to Pembroke Avenue, as follows:

Bidders	**Amount**
Rebcon, Inc.	$6,442,097.00
Pavecon, Ltd.	$6,771,362.10
Gibson Associates, Inc.	$6,796,480.03
Tiseo Paving Company	$6,963,000.00
FNH Construction, LLC	$9,635,818.50

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a construction contract with Rebcon, Inc., approved as to form by the City Attorney, for the construction of Tyler Street/South Polk Street two-way conversion from Canty Street to Pembroke Avenue, in an amount not to exceed $6,442,097.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $6,442,097.00 in accordance with the terms and conditions of the contract to Rebcon, Inc., as follows:

General Fund Fund 0001, Department TRN, Unit 1579, Activity HIBT Object 4510, Program PB06P894 Encumbrance/Contract No. CX-PBW-2019-00010849 Vendor 243551	$ 60,000.00
Street and Transportation Improvements Fund Fund 4T22, Department PBW, Unit P894, Activity INGV Object 4510, Program PB06P894 Encumbrance/Contract No. CX-PBW-2019-00010849 Vendor 243551	$3,094,572.39
Street and Transportation Improvements Fund Fund 1U22, Department PBW, Unit P894, Activity INGV Object 4510, Program PB06P894 Encumbrance/Contract No. CX-PBW-2019-00010849 Vendor 243551	$2,129,557.68
Street and Transportation Improvements Fund Fund 4U22, Department PBW, Unit P894, Activity INGV Object 4510, Program PB06P894 Encumbrance/Contract No. CX-PBW-2019-00010849 Vendor 243551	$ 355,365.93
Water Capital Improvements Fund Fund 3115, Department DWU, Unit PW42 Object 4550, Program 718509 Encumbrance/Contract No. CX-PBW-2019-00010849 Vendor 243551	$ 718,351.00

SECTION 2. (continued)

Wastewater Capital Improvements Fund Fund 2116, Department DWU, Unit PS42 Object 4560, Program 718510 Encumbrance/Contract No. CX-PBW-2019-00010849 Vendor 243551	$ 45,476.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 3221, Program 718509X Encumbrance/Contract No. CX-PBW-2019-00010849 Vendor 243551	$ 33,650.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Object 3222, Program 718510 Encumbrance/Contract No. CX-PBW-2019-00010849 Vendor 243551	$ 5,124.00
Total amount not to exceed	$6,442,097.00

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

Agenda Information Sheet

File #: 19-1050 **Item #:** 11.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Sanitation Services

EXECUTIVE: Joey Zapata

SUBJECT

A resolution ratifying the City Manager's execution of an emergency service price agreement with Hurricane Waste Systems, LLC, lowest responsible bidder of five, for hauling of reduced vegetative debris related to the June 9, 2019 storm - Estimated amount of $1,945,000.00 - Financing: Sanitation Operation Fund

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement. This service was bid and procured utilizing emergency procurement guidelines which allow for the procurement of goods and services where routine bidding requirements cannot be followed. Emergency procurements are exempt from competitive bidding under the City Charter and State Law.

This action is to ratify an emergency service agreement to provide hauling services for reduced vegetative debris from temporary debris staging areas opened to significantly increase storm debris collection efficiency related to the June 9, 2019 storm. Tree and other clean vegetative debris are collected and taken to a City established temporary debris staging area, where it is ground and then made ready to be efficiently hauled away for final disposal. Due to the volume of debris created by the storm and increased resource demands being placed on Sanitation Services' internal transfer station waste hauling operations, additional hauling resources are needed to haul ground debris from temporary staging areas in a timely manner.

On June 9, 2019, the City of Dallas suffered significant storm damage from a brief, yet extremely powerful, weather event that included heavy rain and straight-line winds in excess of 70 miles per hour. Tree damage from the storm was extensive and spread over a large portion of the City. It is estimated that over 600,000 cubic yards of debris will be collected because of the storm, which is almost 6 times an average monthly collection volume.

On the day of the storm, Sanitation Services immediately began preliminary assessments of the extent and severity of the damage. Based on the preliminary assessment, Sanitation Services immediately moved to increase collection capacity. Within 72 hours, Sanitation Services mobilized 17 private contract crews, and this number was eventually increased to 35 contract crews assisting with storm debris collection efforts.

In addition to adding collection capacity, Sanitation Services staff immediately began work to establish temporary staging areas and grind sites near areas hit hard by the storm and where disposal locations were a significant distance from the affected area. On Saturday, June 15, 2019, with the cooperation of Texas Department of Transportation, the City opened a key 16-acre temporary staging area and grind site near Interstate Highway (IH) -635 and US-75. Additionally, on July 11, 2019, an additional tree and vegetative debris staging site was opened on a 12+ acre parcel of City property located near Greenville Avenue and IH-635.

Temporary staging areas are where clean tree and other vegetative waste is taken to be ground and then efficiently hauled away for disposal. The temporary staging areas allow crews to collect debris from areas close to the site, take the debris to the temporary site, and then get back to the neighborhoods rapidly for additional collections. Without the temporary staging sites, depending on the collection area, collection crews could take 2-3 times longer to dispose of collected debris. The extensive hauling and disposal times without temporary staging areas would significantly slow collection efforts.

This item will ratify an emergency services contract with Hurricane Waste Systems, LLC for hauling of reduced vegetative debris related to the June 9, 2019 storm from the temporary staging areas to McCommas Bluff Landfill for disposal or to other designated disposal sites.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15. The selected vendor meets this requirement.

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 96 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on August 2, 2019.

FISCAL INFORMATION

Sanitation Operation Fund - $1,945,000.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,945,000.00	Emergency Services	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to emergency ratification contracts.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements
	• Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BC19-00010893, which closed on July 3, 2019. We recommend the City Council award this service price agreement in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount
*Hurricane Waste Systems, LLC	712 W. Shady Grove Road Irving, TX 75060	$1,945,000.00
Jack Herod Trucking	P.O. Box 36 Barry, TX 75102	$2,700,000.00
Shawnee Mission Tree Services Ba/Arbor Masters Tree Service	P.O. Box 41491 Kansas City, MO 64141	$2,278,750.00
Roberts Trucking	P.O. Box 765206 Dallas, TX 75376	$3,700,000.00
TFR Enterprises, Inc.	601 Leander Drive Leander, TX 78641	$6,595,000.00

OWNER

Hurricane Waste Systems, LLC

Grady Hicks, President
Belinda Hicks, Vice President

August 14, 2019

WHEREAS, on June 9, 2019, a storm event caused extensive tree damage and significant storm debris across Dallas; and

WHEREAS, preliminary estimates indicated that the storm may have created over 70,000 tons and over 600,000 cubic yards of storm related debris (mostly tree debris); and

WHEREAS, in the days following the assessment, additional contracted crews were added to assist with the storm debris collection and a temporary debris staging and reduction sites were set up near Interstate Highway (IH)-635 and US-75 and IH-635 and Greenville Avenue; and

WHEREAS, the temporary staging areas are where clean tree and other vegetative waste is taken to be ground and then efficiently hauled away for disposal, and the temporary sites allow crews to collect debris from areas close to the site, take the debris to the temporary site, and then get back to the neighborhoods rapidly for additional collections; and

WHEREAS, an additional contractor is necessary to increase hauling capacity of the ground debris from the temporary debris staging sites to a City approved final disposal location, which unless otherwise directed, would be the City's McCommas Bluff Landfill located at 5100 Youngblood Road; and

WHEREAS, it is now necessary to ratify an emergency service price agreement with Hurricane Waste Systems, LLC, lowest responsible bidder of five, for hauling of reduced vegetative debris related to the June 9, 2019 storm.

Now, Therefore,

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

SECTION 1. That an emergency service price agreement for hauling of reduced vegetative debris related to the June 9, 2019 storm with Hurricane Waste Systems, LLC in the estimated amount of $1,945,000.00 is hereby ratified.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in the estimated amount of $1,945,000.00 to Hurricane Waste Systems, LLC from the Sanitation Operation Fund, Fund 0440, Department SAN, Unit 3521, Object 3599, Encumbrance/Contract No. SAN-2019-00010893, Vendor VC20368.

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

Agenda Information Sheet

File #: 19-944 **Item #:** 12.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize acquisition from Margaret Laverne Carathers, of approximately 7,137 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $33,000.00 ($30,00.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund

BACKGROUND

This item authorizes the acquisition from Margaret Laverne Carathers, of approximately 7,137 square feet of land in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project. This property will be used for the construction of a 96-inch and 120-inch diameter treated water transmission line from the East Side Water Treatment Plant to Southwest Dallas. The consideration is based on an independent appraisal. No relocation benefits associated.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

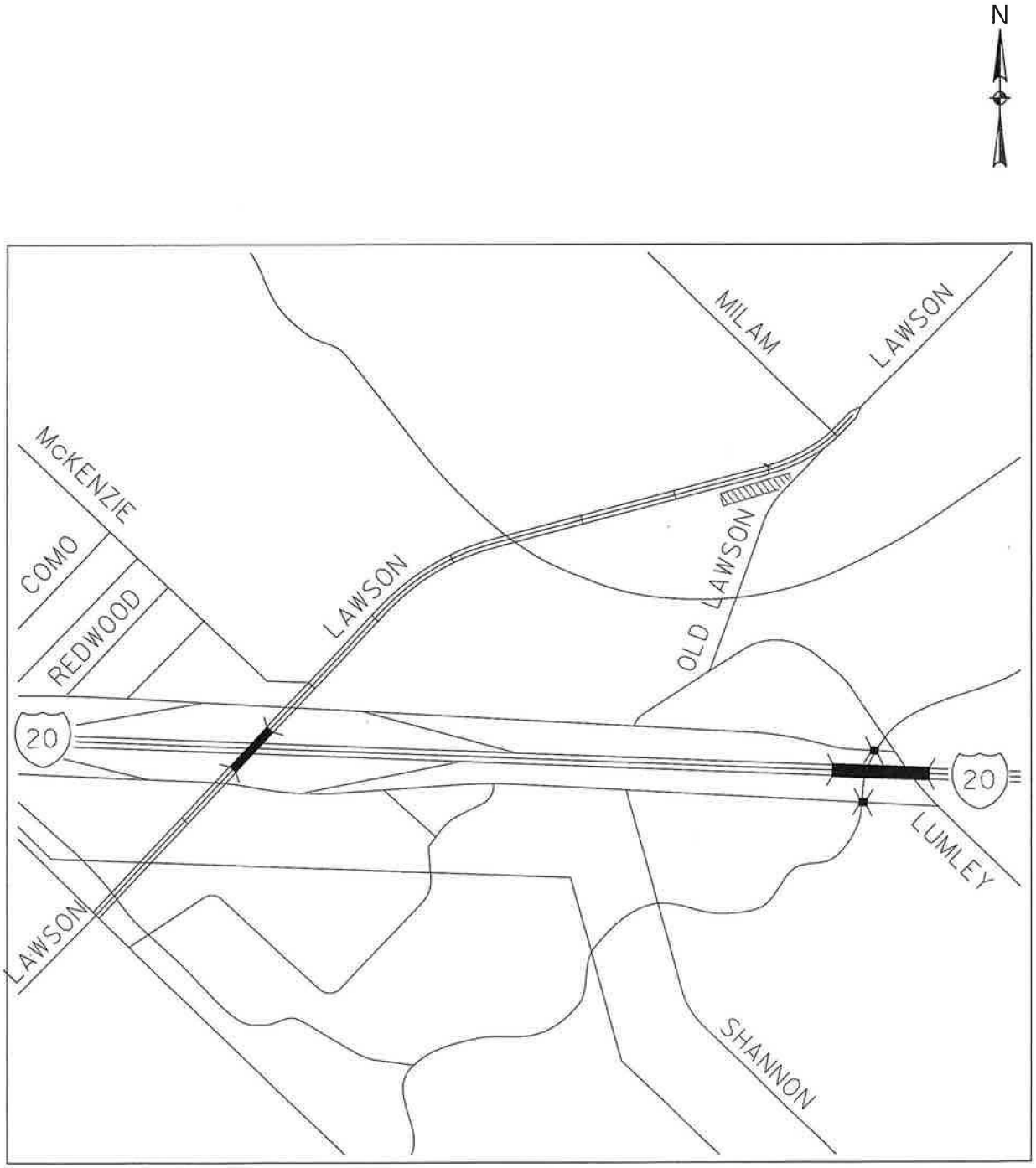
Water Construction Fund - $33,000.00 ($30,000.00, plus closing costs and title expenses not to exceed $3,000.00)

OWNER

Margaret Laverne Carathers

MAP

Attached


N
MILAM
LAWSON
McKENZIE
COMO
REDWOOD
LAWSON
OLD LAWSON
20
20
LUMLEY
LAWSON
SHANNON

SUBJECT:

August 14, 2019

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 7,137 square feet of land located in Dallas County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

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

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

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

"OWNER": Margaret Laverne Carathers, 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": $30,000.00

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

"AUTHORIZED AMOUNT": Not to exceed $33,000.00

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Construction Fund, Fund 0102, Department DWU, Unit CW40, Activity MPSA, Program 706623, Object 4210, Encumbrance/Contract No. CX-DWU-2019-00010816. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

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

BY: _____
Assistant City Attorney

Exhibit A

PARCEL E-247
CITY OF DALLAS RIGHT-OF-WAY
0.1638 ACRE TRACT
JOHN P. ANDERSON SURVEY, ABSTRACT NUMBER 1
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

BEING a tract of land situated in the John P. Anderson Survey, Abstract Number 1, City of Mesquite, Dallas County, Texas, and being a part of that tract of land described in Warranty Deed dated March 23, 1993, to Robert E. Carathers and wife, Margaret Carathers and Thomas Ray and wife, Sue Kay as recorded in Volume 93057, Page 7225 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and a part of that tract of land described in Cash Warranty Deed dated September 28, 1993, to Robert E Carathers and Margaret Carathers as recorded in Volume 93188, Page 3452, D.R.D.C.T., said tract also being part of Lot 2, Block 1 of Lawson Road Estates, Block 1, Lots 1 and 2, an addition to the City of Mesquite, Dallas County, Texas, as recorded in Volume 93156, Page 1575, D.R.D.C.T., and being more particularly described as follows:

BEGINNING at a 1/2-inch found iron rod with "RPLS 3963" cap for the most northerly common corner of said Lot 2 and Lot 1, Block 1 of said Lawson Road Estates addition on the southeasterly right-of-way line of Lawson Road (a 100 foot wide right-of-way as described in Agreed Judgment as recorded in Volume 89184, Page 3595, D.R.D.C.T.);

THENCE North 75 degrees 27 minutes 54 seconds East, with the common northwest line of said Lot 2 and said southeasterly right-of-way line of Lawson Road, a distance of 174.48 feet to a 1/2-inch found iron rod with "RPLS 3963" cap for the point of curvature of a tangent circular curve to the left having a radius of 1,390.00 feet whose chord bears North 73 degrees 26 minutes 01 second East a distance of 98.54 feet;

THENCE Northeasterly, continuing with said common line and with said curve, through a central angle of 04 degrees 03 minutes 46 seconds, an arc distance of 98.56 feet to a 1/2-inch found iron rod with "RPLS 3963" cap for end of said curve and for the northwest corner of a corner clip for the intersection of said southeasterly right-of-way line of Lawson Road with the northwesterly right-of-way line of Old Lawson Road (a variable width right-of-way as described in said Agreed Judgment as recorded in Volume 89184, Page 3595, D.R.D.C.T.);

THENCE South 64 degrees 25 minutes 13 seconds East, departing common line, with the common northerly line of said Lot 2 and said corner clip, a distance of 28.80 feet to a point for the southeast corner of said corner clip on said northwesterly right-of-way line of Old Lawson Road, and from which point a 1/2-inch found iron rod bears North 73 degrees 27 minutes 13 seconds West a distance of 0.28 of a foot;

THENCE South 20 degrees 27 minutes 11 seconds East, with the common easterly line of said Lot 2 and said northwesterly line of Old Lawson Road, a distance of 4.78 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the point of curvature of a non-tangent circular curve to the right having a radius of 1,415.00 feet whose chord bears South 73 degrees 00 minutes 44 seconds West a distance of 121.11 feet;

REVIEWED BY Date 1/27/11

Exhibit A

PARCEL E-247
CITY OF DALLAS RIGHT-OF-WAY
0.1638 ACRE TRACT
JOHN P. ANDERSON SURVEY, ABSTRACT NUMBER 1
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

THENCE Southwesterly, departing said common line, over and across said Lot 2, with a line offset 25 feet southeasterly from and parallel to said southeasterly right-of-way line of Lawson Road and with said curve, through a central angle of 04 degrees 54 minutes 20 seconds, an arc distance of 121.15 feet to a 1/2-inch set iron rod with cap for the point of tangency;

THENCE South 75 degrees 27 minutes 54 seconds West, continuing over and across said Lot 2 and with said parallel offset line, a distance of 172.92 feet to a 1/2-inch set iron rod with cap for corner on the common line between said Lots 1 and 2;

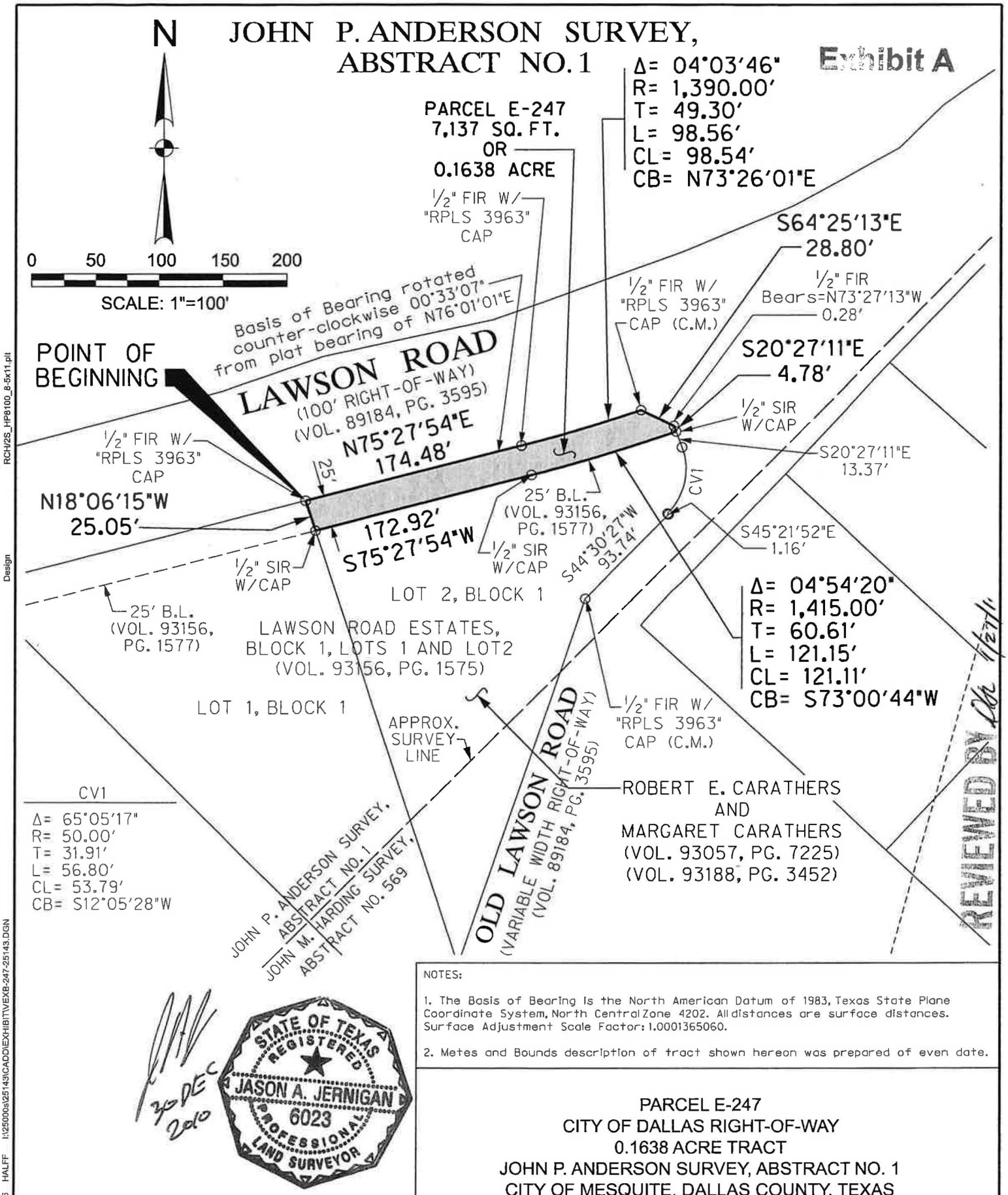
THENCE North 18 degrees 06 minutes 15 seconds West, departing said parallel offset line, with said common line, a distance of 25.05 feet to the POINT OF BEGINNING and containing 7,137 square feet or 0.1638 of an acre of land, more or less.

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.

30 DEC 2010

STATE OF TEXAS
REGISTERED
JASON A. JERNIGAN
6023
PROFESSIONAL
LAND SURVEYOR

REVIEWED BY 1/27/11



NOTES:

1. 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.

2. Metes and Bounds description of tract shown hereon was prepared of even date.

LEGEND

1/2" SIR W/CAP	1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF"
(C.M.)	CONTROL MONUMENT
FIR	FOUND IRON ROD

PARCEL E-247
CITY OF DALLAS RIGHT-OF-WAY
0.1638 ACRE TRACT
JOHN P. ANDERSON SURVEY, ABSTRACT NO. 1
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

HALFF
1201 N. BOWSER ROAD RICHARSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: DEC., 2010
AVO.: 25143

12/30/2010 12:03:50 PM alt435 HALFF I:\25000s\25143\CADD\EXHIBIT\EXB-247-25143.DGN
Design RCH/2S_HP8100_8-5x11.plt

EXHIBIT B

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

WARRANTY DEED

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

That Margaret Laverne Carathers, a single woman (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of DALLAS, State of Texas, for and in consideration of the sum of THIRTY THOUSAND AND 00/100 DOLLARS ($30,000.00) 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: This conveyance is made and accepted subject to the reservations provided in Exhibit B which is attached hereto and incorporated herein for all purposes.

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 _____, _____.

_____
Margaret Laverne Carathers

EXHIBIT B

* *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
by Margaret Laverne Carathers .

_____
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. 36436

Exhibit A

PARCEL E-247
CITY OF DALLAS RIGHT-OF-WAY
0.1638 ACRE TRACT
JOHN P. ANDERSON SURVEY, ABSTRACT NUMBER 1
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

BEING a tract of land situated in the John P. Anderson Survey, Abstract Number 1, City of Mesquite, Dallas County, Texas, and being a part of that tract of land described in Warranty Deed dated March 23, 1993, to Robert E. Carathers and wife, Margaret Carathers and Thomas Ray and wife, Sue Kay as recorded in Volume 93057, Page 7225 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and a part of that tract of land described in Cash Warranty Deed dated September 28, 1993, to Robert E Carathers and Margaret Carathers as recorded in Volume 93188, Page 3452, D.R.D.C.T., said tract also being part of Lot 2, Block 1 of Lawson Road Estates, Block 1, Lots 1 and 2, an addition to the City of Mesquite, Dallas County, Texas, as recorded in Volume 93156, Page 1575, D.R.D.C.T., and being more particularly described as follows:

BEGINNING at a 1/2-inch found iron rod with "RPLS 3963" cap for the most northerly common corner of said Lot 2 and Lot 1, Block 1 of said Lawson Road Estates addition on the southeasterly right-of-way line of Lawson Road (a 100 foot wide right-of-way as described in Agreed Judgment as recorded in Volume 89184, Page 3595, D.R.D.C.T.);

THENCE North 75 degrees 27 minutes 54 seconds East, with the common northwest line of said Lot 2 and said southeasterly right-of-way line of Lawson Road, a distance of 174.48 feet to a 1/2-inch found iron rod with "RPLS 3963" cap for the point of curvature of a tangent circular curve to the left having a radius of 1,390.00 feet whose chord bears North 73 degrees 26 minutes 01 second East a distance of 98.54 feet;

THENCE Northeasterly, continuing with said common line and with said curve, through a central angle of 04 degrees 03 minutes 46 seconds, an arc distance of 98.56 feet to a 1/2-inch found iron rod with "RPLS 3963" cap for end of said curve and for the northwest corner of a corner clip for the intersection of said southeasterly right-of-way line of Lawson Road with the northwesterly right-of-way line of Old Lawson Road (a variable width right-of-way as described in said Agreed Judgment as recorded in Volume 89184, Page 3595, D.R.D.C.T.);

THENCE South 64 degrees 25 minutes 13 seconds East, departing common line, with the common northerly line of said Lot 2 and said corner clip, a distance of 28.80 feet to a point for the southeast corner of said corner clip on said northwesterly right-of-way line of Old Lawson Road, and from which point a 1/2-inch found iron rod bears North 73 degrees 27 minutes 13 seconds West a distance of 0.28 of a foot;

THENCE South 20 degrees 27 minutes 11 seconds East, with the common easterly line of said Lot 2 and said northwesterly line of Old Lawson Road, a distance of 4.78 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the point of curvature of a non-tangent circular curve to the right having a radius of 1,415.00 feet whose chord bears South 73 degrees 00 minutes 44 seconds West a distance of 121.11 feet;

REVIEWED BY [illegible] 1/27/11

Exhibit A

PARCEL E-247
CITY OF DALLAS RIGHT-OF-WAY
0.1638 ACRE TRACT
JOHN P. ANDERSON SURVEY, ABSTRACT NUMBER 1
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

THENCE Southwesterly, departing said common line, over and across said Lot 2, with a line offset 25 feet southeasterly from and parallel to said southeasterly right-of-way line of Lawson Road and with said curve, through a central angle of 04 degrees 54 minutes 20 seconds, an arc distance of 121.15 feet to a 1/2-inch set iron rod with cap for the point of tangency;

THENCE South 75 degrees 27 minutes 54 seconds West, continuing over and across said Lot 2 and with said parallel offset line, a distance of 172.92 feet to a 1/2-inch set iron rod with cap for corner on the common line between said Lots 1 and 2;

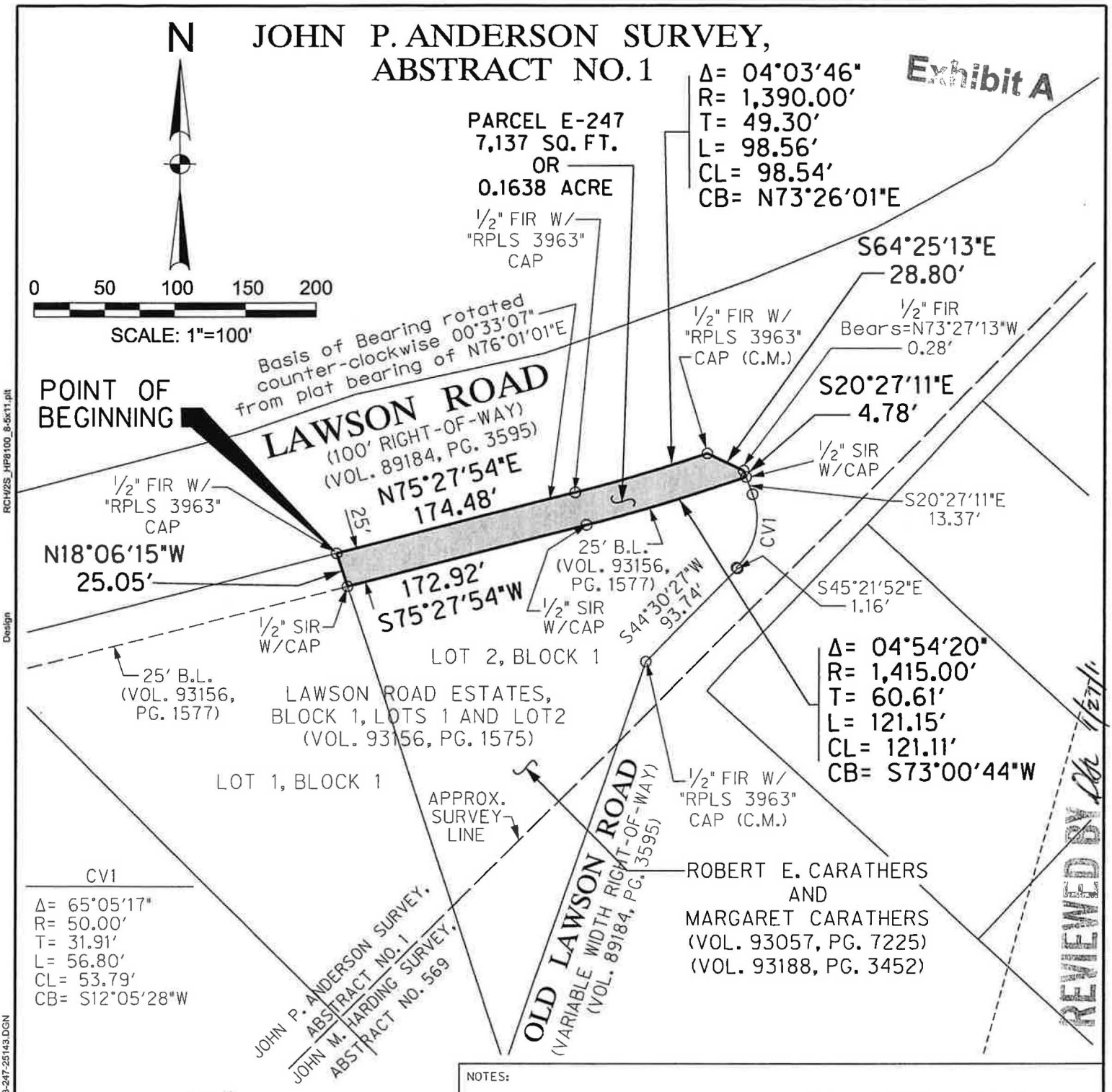
THENCE North 18 degrees 06 minutes 15 seconds West, departing said parallel offset line, with said common line, a distance of 25.05 feet to the POINT OF BEGINNING and containing 7,137 square feet or 0.1638 of an acre of land, more or less.

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.

30 DEC 2010



REVIEWED BY DK 1/27/11



CV1

Δ= 65°05'17"
R= 50.00'
T= 31.91'
L= 56.80'
CL= 53.79'
CB= S12°05'28"W

NOTES:

1. 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.

2. Metes and Bounds description of tract shown hereon was prepared of even date.

30 DEC 2010

STATE OF TEXAS
REGISTERED
JASON A. JERNIGAN
6023
PROFESSIONAL
LAND SURVEYOR

LEGEND

1/2" SIR W/CAP	1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF"
(C.M.)	CONTROL MONUMENT
FIR	FOUND IRON ROD

PARCEL E-247
CITY OF DALLAS RIGHT-OF-WAY
0.1638 ACRE TRACT
JOHN P. ANDERSON SURVEY, ABSTRACT NO. 1
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

HALFF
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: DEC., 2010
AVO.: 25143
PAGE 3 OF 3

12/30/2010 12:03:50 PM ah435 HALFF I:\25000s\25143\CADD\EXHIBIT\EXB-247-25143.DGN Design RCH/2S_HP8100_8-5x11.plt

EXHIBIT B

EASEMENT – ACCESS
[Specific Location]

Grantor, for Grantor and Grantor's heirs, successors and assigns ("the holder of the easement") does hereby reserve an easement over, on and across the property described in Attachment "1", attached hereto and made a part hereof by reference for all purposes, (the "Easement Area") to provide free and uninterrupted pedestrian, vehicular and utility access to and from Grantor's adjoining or abutting property, being more fully described in Attachment "2", attached hereto and made a part hereof by reference for all purposes, (the "Dominant Estate Property") and portions thereof, in a manner as not to endanger or interfere with the safe, efficient and/or convenient use of and activity on the property described in Exhibit "A" by City.

The easement is appurtenant to and runs with the Dominant Estate Property and all portions of it, whether or not the easement is referenced in any conveyance of the Dominant Estate Property or any portion of it. The easement binds and inures to the benefit of Grantor and City and their respective heirs, successors, and assigns.

The easement is perpetual.

This easement is nonexclusive, and City reserves for City and City's successors and assigns the right to convey the same or similar easement or other rights or easements to others. Notwithstanding any provision of this easement reservation to the contrary, City and City's successors and assigns shall in all respects and at all times have the superior and paramount right of use, access and control of the Easement Property, without any liability for damages, destruction or injury to any improvements located in the easement, from time to time.

Professionally engineered plans and specifications bearing the seal of a professional engineer currently registered in the State of Texas showing any and all improvements desired by the holder of the easement, including without limitation, fill or removal of soil within the easement, paving, support, protection of City's uses, utility lines, structures and facilities, must be submitted to and approved in writing by the City of Dallas Water Department ("DWU") in advance of any construction by the holder of the easement. No vehicle, equipment or machinery exceeding a total weight of 15,000 lbs may come on the easement or any use be allowed to exist that would exceed said weight limit at any time during normal use unless confined to the designated access points on improvements the plans and specifications for which are structurally designed and constructed with supporting appurtenances that meet or exceed H20 highway design capacity and that protect the City's facilities from all imposed loading. The parties acknowledge and agree that the paramount consideration in the evaluation of any proposed improvements is to fully and completely accommodate City's uses (current, anticipated, and/or potential) of the property described in Exhibit "A" and any facilities it may install. Consequently, City's determinations in this regard are conclusive and final. All such improvements and maintenance of the Easement Property will be at the sole expense of the holder of the easement and must be constructed in a good and workmanlike manner in

conformity with the approved plans and specifications. The holder of the easement will maintain the Easement Property in a neat, clean and safe condition at all times.

The holder of the easement agrees to indemnify, defend and hold City and City's successors in interest harmless from any loss, attorney's fees, court and other costs, expenses or claims attributable to any breach or default of any provision of this easement by the holder and/or any negligent act or omission by the holder with regard to this easement. In the event the holder of the easement shall place any unpermitted structure, improvement, use or material within the Easement Property and fails to remove same immediately upon receipt of notice from City, City shall have the right, but not the obligation, to remove such structure, improvement, use and/or material, and the holder of the easement shall reimburse City for any and all costs connected with such action immediately upon demand.

ATTACHMENT 1

ACCESS EASEMENT ACROSS
CITY OF DALLAS ACQUISITION PARCEL E-247
750 SQUARE FOOT (0.0172 ACRE) EASEMENT NO. 1 AND
750 SQUARE FOOT (0.0172 ACRE) EASEMENT NO. 2
ROBERT E. AND MARGARET CARATHERS
LOT 2, BLOCK 1, LAWSON ROAD ESTATES
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

ACCESS EASEMENT NO. 1

BEING a 750 square foot (0.0172 acre) tract of land situated in the John P. Anderson Survey, Abstract Number 1, City of Mesquite, Dallas County, Texas, and being a part of that tract of land described in Warranty Deed dated March 23, 1993, to Robert E. Carathers and wife, Margaret Carathers and Thomas Ray [sic] and wife, Sue Kay as recorded in Volume 93057, Page 7225 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and a part of that tract of land described in Cash Warranty Deed dated September 28, 1993, from Thomas Kay and Sue Kay to Robert E Carathers and Margaret Carathers as recorded in Volume 93188, Page 3452, D.R.D.C.T., said tract also being part of Lot 2, Block 1 of Lawson Road Estates, Block 1, Lots 1 and 2, an addition to the City of Mesquite, Dallas County, Texas, as recorded in Volume 93156, Page 1575, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with "RPLS 3963" cap for the most northerly common corner of said Lot 2 and Lot 1, Block 1 of said Lawson Road Estates addition, said point being on the southeasterly right-of-way line of Lawson Road (a 100 foot wide right-of-way as described in Agreed Judgment as recorded in Volume 89184, Page 3595, D.R.D.C.T.);

THENCE North 75 degrees 27 minutes 54 seconds East, with the common northwest line of said Lot 2 and said southeasterly right-of-way line of Lawson Road, a distance of 8.70 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the POINT OF BEGINNING;

THENCE North 75 degrees 27 minutes 54 seconds East, continuing with said common line, a distance of 30.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 14 degrees 32 minutes 06 seconds East, departing said common line, over and across said Lot 2, a distance of 25.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 75 degrees 27 minutes 54 seconds West, continuing over and across said Lot 2, with a line offset 25 feet southeasterly from and parallel to said southeasterly right-of-way line of Lawson Road, a distance of 30.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 14 degrees 32 minutes 06 seconds West, departing said parallel offset line, continuing over and across said Lot 2, a distance of 25.00 feet to the POINT OF BEGINNING and containing 750 square feet (0.0172 of an acre) of land, more or less.

REVIEWED BY [illegible] 6-10-11

ACCESS EASEMENT ACROSS
CITY OF DALLAS ACQUISITION PARCEL E-247
750 SQUARE FOOT (0.0172 ACRE) EASEMENT NO. 1 AND
750 SQUARE FOOT (0.0172 ACRE) EASEMENT NO. 2
ROBERT E. AND MARGARET CARATHERS
LOT 2, BLOCK 1, LAWSON ROAD ESTATES
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

ACCESS EASEMENT NO. 2

BEING a 750 square foot (0.0172 acre) tract of land situated in the John P. Anderson Survey, Abstract Number 1, City of Mesquite, Dallas County, Texas, and being a part of that tract of land described in Warranty Deed dated March 23, 1993, to Robert E. Carathers and wife, Margaret Carathers and Thomas Ray [sic] and wife, Sue Kay as recorded in Volume 93057, Page 7225 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and a part of that tract of land described in Cash Warranty Deed dated September 28, 1993, from Thomas Kay and Sue Kay to Robert E Carathers and Margaret Carathers as recorded in Volume 93188, Page 3452, D.R.D.C.T., said tract also being part of Lot 2, Block 1 of Lawson Road Estates, Block 1, Lots 1 and 2, an addition to the City of Mesquite, Dallas County, Texas, as recorded in Volume 93156, Page 1575, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with "RPLS 3963" cap for the most northerly common corner of said Lot 2 and Lot 1, Block 1 of said Lawson Road Estates addition on the southeasterly right-of-way line of Lawson Road (a 100 foot wide right-of-way as described in Agreed Judgment as recorded in Volume 89184, Page 3595, D.R.D.C.T.);

THENCE North 75 degrees 27 minutes 54 seconds East, with the common northwest line of said Lot 2 and said southeasterly right-of-way line of Lawson Road, a distance of 99.30 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the POINT OF BEGINNING;

THENCE North 75 degrees 27 minutes 54 seconds East, continuing with said common line, a distance of 30.00 feet to a 1/2-inch set iron rod with cap for corner;

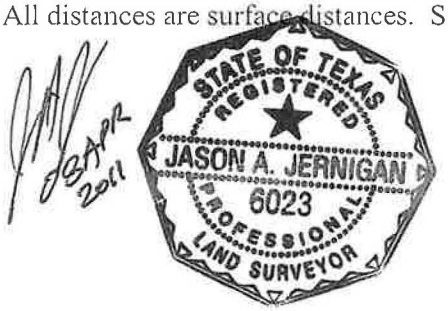
THENCE South 14 degrees 32 minutes 06 seconds East, departing said common line, over and across said Lot 2, a distance of 25.00 feet to a 1/2-inch set iron rod with cap for corner;

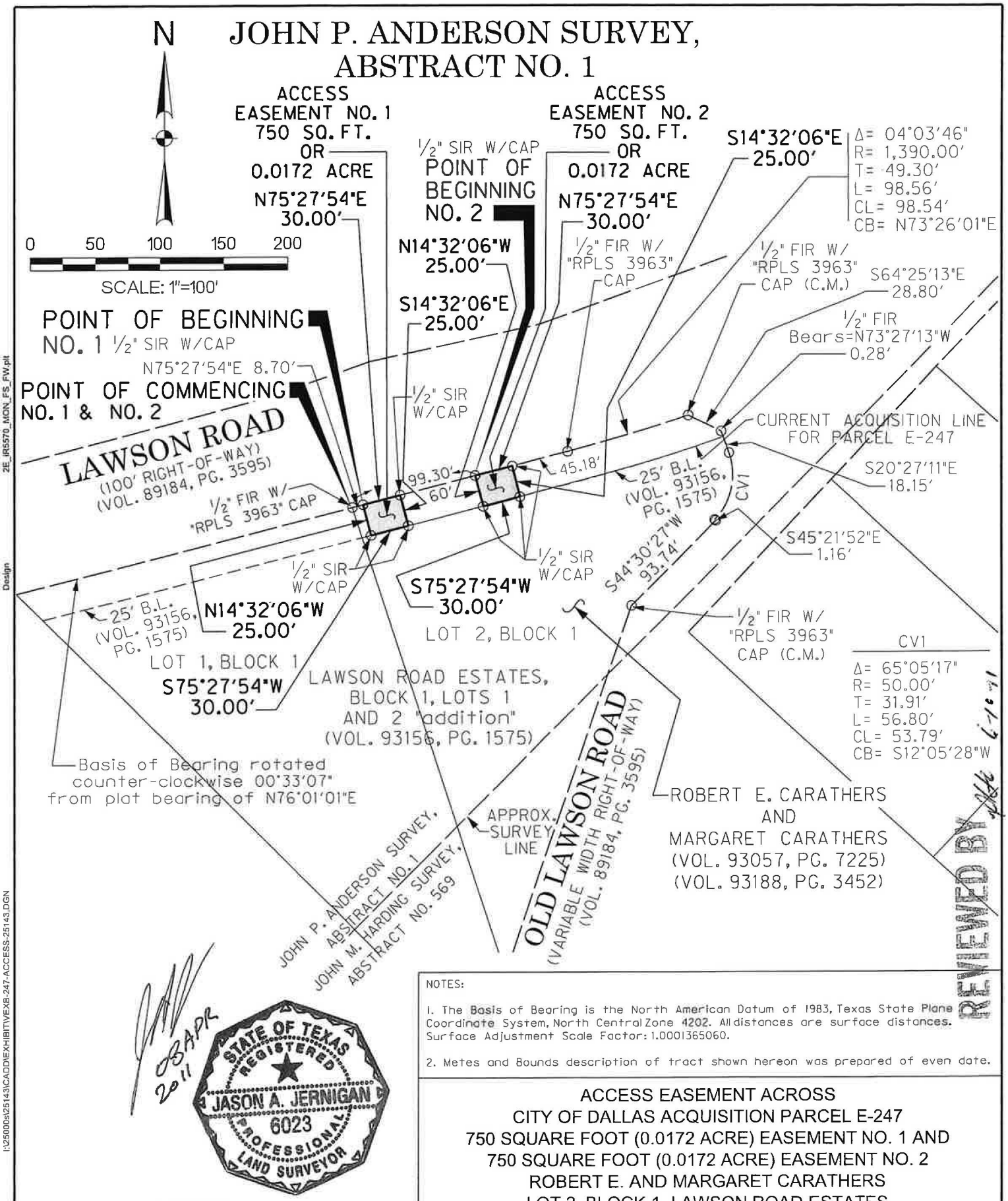
THENCE South 75 degrees 27 minutes 54 seconds West, continuing over and across said Lot 2, with a line offset 25 feet southeasterly from and parallel to said southeasterly right-of-way line of Lawson Road, a distance of 30.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 14 degrees 32 minutes 06 seconds West, departing said parallel offset line, continuing over and across said Lot 2, a distance of 25.00 feet to the POINT OF BEGINNING and containing 750 square feet (0.0172 of an acre) of land, more or less.

REVIEWED BY

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.





NOTES:

1. 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.

2. Metes and Bounds description of tract shown hereon was prepared of even date.

LEGEND

1/2" SIR W/CAP	1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF"
(C.M.)	CONTROLLING MONUMENT
FIR	FOUND IRON ROD
B.L.	BUILDING LINE

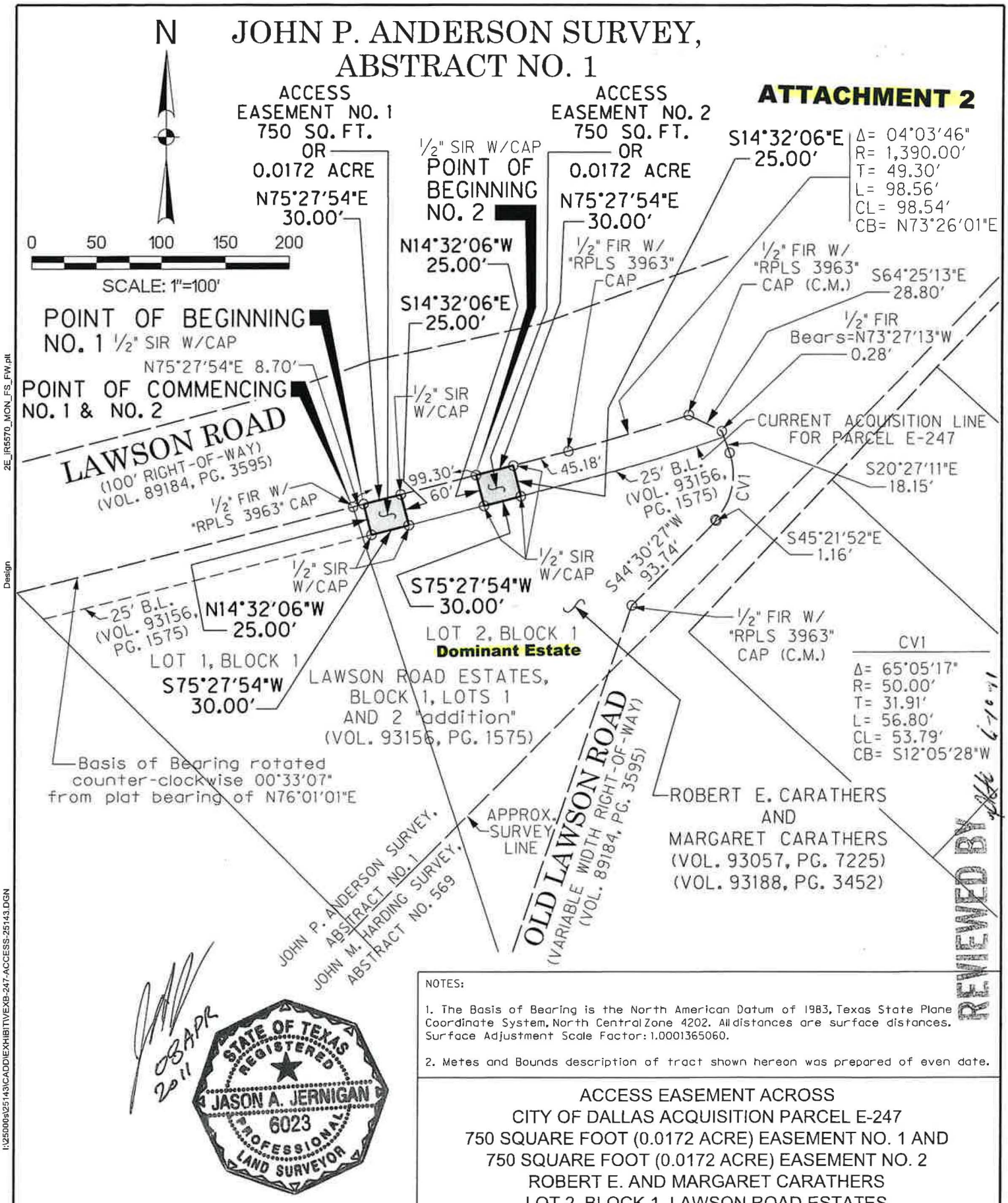
ACCESS EASEMENT ACROSS CITY OF DALLAS ACQUISITION PARCEL E-247 750 SQUARE FOOT (0.0172 ACRE) EASEMENT NO. 1 AND 750 SQUARE FOOT (0.0172 ACRE) EASEMENT NO. 2 ROBERT E. AND MARGARET CARATHERS LOT 2, BLOCK 1, LAWSON ROAD ESTATES CITY OF MESQUITE, DALLAS COUNTY, TEXAS

HALFF
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: APRIL, 2011

AVO.: 25143

I:\25000s\25143\CADD\EXHIBIT\VEXB-247-ACCESS-25143.DGN
5/18/2011 3:53:53 PM
Design
2E_IR5570_MON_FS_FW.plt



NOTES:

1. 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.

2. Metes and Bounds description of tract shown hereon was prepared of even date.

LEGEND

1/2" SIR W/CAP	1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF"
(C.M.)	CONTROLLING MONUMENT
FIR	FOUND IRON ROD
B.L.	BUILDING LINE

ACCESS EASEMENT ACROSS
CITY OF DALLAS ACQUISITION PARCEL E-247
750 SQUARE FOOT (0.0172 ACRE) EASEMENT NO. 1 AND
750 SQUARE FOOT (0.0172 ACRE) EASEMENT NO. 2
ROBERT E. AND MARGARET CARATHERS
LOT 2, BLOCK 1, LAWSON ROAD ESTATES
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

HALFF
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: APRIL, 2011
AVO.: 25143

I:\25000s\25143\CADD\EXHIBIT\EXB-247-ACCESS-25143.DGN
2E_IR5570_MON_FS_FW.plt
Design
5/18/2011 3:53:53 PM

Agenda Information Sheet

File #: 19-554 **Item #:** 13.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an actual reasonable moving and related expenses payment for Master Video System, Inc., who will be displaced as a direct result of property acquisition located at 4334 Scottsdale Drive in conjunction with the Dallas Water Utilities Distribution Scottsdale Project - Not to exceed $142,813.00 - Financing: Water Capital Improvement Fund

BACKGROUND

Chapter 39A of the Dallas City Code of the City of Dallas provides actual reasonable moving and related expenses for businesses displaced by the City of Dallas in conjunction with its real property acquisition activities.

On September 12, 2018, City Council authorized the acquisition of real property known as 4334 Scottsdale Drive for Dallas Water Utilities Distribution Scottsdale Project by Resolution No. 18-1253.

Master Video System, Inc. will be displaced as a direct result of this property acquisition. Master Video System, Inc. qualifies for an actual reasonable moving and related expenses payment not to exceed $142,813.00 which amount represents a moving expense payment of $115,313.00. A budget of up to $25,000.00 for re-establishment expenses and $2,500.00 for a site search.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 12, 2018, City Council authorized the acquisition from Lawshe Realty, LLC, of approximately 49,399 square feet of land improved with a commercial building located near the intersection of Scottsdale Drive and Military Parkway for the Dallas Water Utilities Distribution Division Scottsdale Drive Project by Resolution No. 18-1253.

FISCAL INFORMATION

Water Capital Improvement Fund - $142,813.00

OWNER

Master Video System, Inc.

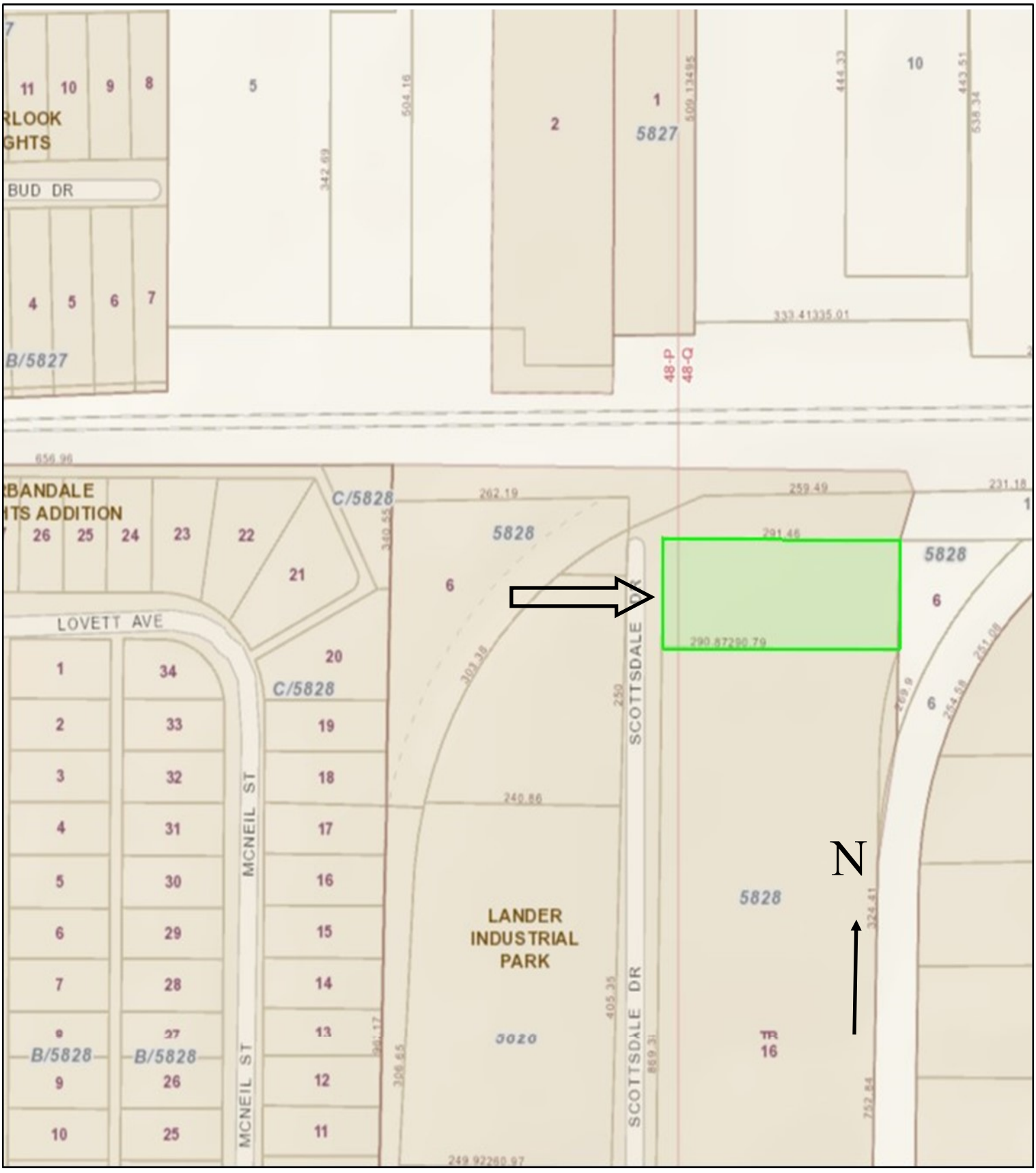
G. Michael Lawshe, President

MAP

Attached

powered by Legistar™

Dallas Water Utilities Distribution Division Scottsdale Project Relocation Assistance



Tract 8 , BLOCK 5828—4334 Scottsdale Drive

August 14, 2019

WHEREAS, on September 12, 2018, City Council authorized the acquisition of real property consisting of a tract of land containing approximately 1,415 acres, for public use in conjunction with the Dallas Water Utilities Distribution Scottsdale Drive Project by Resolution No. 18-1253; and

WHEREAS, Master Video System, Inc. will be displaced as a direct result of this property acquisition and will vacate the property; and

WHEREAS, Chapter 39A of the Dallas City Code of the City of Dallas provides actual reasonable moving and related expenses for businesses displaced as a result of the City's property acquisition activities for its projects, including moving expenses, reestablishment expenses incurred for small businesses relocating to a replacement site, and expenses related to the storage of personal property for a period not to exceed 12 months, unless the City determines that a longer period is necessary.

Now, Therefore,

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

SECTION 1. That Master Video, Inc. will be displaced in conjunction with the construction of Dallas Water Utilities Distribution Scottsdale Drive Project and is entitled to actual reasonable moving and related expenses, including re-establishment and storage of personal property pursuant to Chapter 39A of the Dallas City Code of the City of Dallas.

SECTION 2. That Master Video System, Inc., is eligible to receive an actual reasonable moving and related expenses-non-residential payment in an amount not to exceed $142,813.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw a warrant in favor of Master Video System, Inc., in an amount not to exceed $142,813.00 for actual reasonable moving and related expenses, including site search and re-establishment of personal property from Water Capital Improvement Fund, Fund 2115, Department DWU, Unit PW42, Object 4210, Program 7A1371, Encumbrance/Contract No. CX-DWU-2019-00009861, Vendor VS0000080606.

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

Agenda Information Sheet

File #: 19-625 **Item #:** 14.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an actual reasonable moving and related expenses payment for Crown Castle, USA, Inc., who was displaced as a direct result of property acquisition of the property located at 603 South Riverfront Boulevard in conjunction with the Levee Drainage System Sump A (Able Pump Station) Project - Not to exceed $64,900.00 - Financing: Flood Protection and Storm Drainage Facilities (2012 Bond Funds)

BACKGROUND

Chapter 39A of the Dallas City Code of the City of Dallas provides actual reasonable moving and related expenses for businesses displaced by the City of Dallas in conjunction with its real property acquisition activities.

On August 14, 2013, City Council authorized the acquisition of real property known as 603 South Riverfront Boulevard for the Able Pump Station Project by Resolution No. 13-1338.

Crown Castle, USA, Inc. was displaced as a direct result of this property acquisition. Crown Castle, USA, Inc. qualifies for an actual reasonable moving and related expenses payment of up to $64,900.00 in accordance with Chapter 39A of the Dallas City Code of the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 14, 2013, City Council authorized acquisition including the exercise of the right of eminent domain if such becomes necessary, from Lisa Marie Fouts, of an improved tract of land containing approximately 8,011 square feet located near the intersection of South Riverfront Boulevard and Old Zang Road for the Able Pump Station Project by Resolution No. 13-1338.

FISCAL INFORMATION

Flood Protection and Storm Drainage Facilities (2012 Bond Funds) - $64,900.00

OWNER

Crown Castle, USA, Inc.

Christina Alvarez, Manager

MAP

Attached

powered by Legistar™

Able Pump Station Project

RELOCATION ASSISTANCE



Lot 2 603 South Riverfront Boulevard

August 14, 2019

WHEREAS, on August 14, 2013, City Council authorized the acquisition of real property consisting of a tract of land containing approximately 8,011 square feet of land, for public use in conjunction with the Levee Drainage System Sump A (Able Pump Station) Project by Resolution No. 13-338; and

WHEREAS, Crown Castle, USA, Inc. will be displaced as a direct result of this property acquisition and will vacate the property; and

WHEREAS, Chapter 39A of the Dallas City Code of the City of Dallas provides moving expense and replacement housing payments for individuals displaced by City of Dallas property acquisition activities for its projects, including moving expenses, reestablishment expenses incurred for small businesses relocating to a replacement site, expenses related to the storage of personal property for a period not to exceed 12 months, unless the City determines that a longer period is necessary.

Now, Therefore,

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

SECTION 1. That Crown Castle, USA, Inc. will be displaced in conjunction with the construction of Levee Drainage System Sump A (Able Pump Station) Project and is entitled to actual reasonable moving and related expenses-non-residential payment, pursuant to Chapter 39A of the Dallas City Code of the City of Dallas.

SECTION 2. That Crown Castle, USA, Inc. is eligible to receive an actual reasonable moving and related expenses payment, in an amount not to exceed $64,900.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw warrants in favor of Crown Castle, USA, Inc., in an amount not to exceed $64,900.00 for actual moving and related expenses from Flood Protection and Storm Drainage Facilities Fund, Fund 3U23, Department TWM, Unit S768, Object 4240, Program PB06T513, Encumbrance/Contract No. CX-DWU-2019-00009861, Vendor VS0000080606.

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

Agenda Information Sheet

File #: 19-940 **Item #:** 15.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A resolution authorizing the conveyance of a Special Warranty Deed and a Possession and Use Agreement, for a total of approximately 119,567 square feet of City-owned land to the State of Texas located near the intersection of Interstate Highway 30 and Dalrock Road - Revenue: $1,818,505.00

BACKGROUND

This item authorizes the conveyance of a Special Warranty Deed and a Possession and Use Agreement, for a total of approximately 119,567 square feet of City-owned land to the State of Texas, located near the intersection of Interstate Highway 30 and Dalrock Road, for the redevelopment and improvement of Interstate Highway 30 Project. The State of Texas is an entity with the power of eminent domain. The City may sell or exchange its property to a governmental entity that has the power of eminent domain without complying with the notice and bid requirements pursuant to Chapter 272 of the Local Government Code. The purchase price is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: $1,818,505.00

MAP

Attached



N/s of IH 30 Frontage Rd, E of Dalrock Rd

N

WHEREAS, the City of Dallas is the owner of a tract of land containing approximately 119,567 square feet of unimproved City owned land in Rockwall County, Texas (the "Property"), and located near the intersection of Interstate Highway 30 (IH-30) and Dalrock Road, and is otherwise a part of Lake Ray Hubbard; as described in Exhibit "A", attached herein and incorporated by reference; and

WHEREAS, the Texas Department of Transportation, a State of Texas agency, has the power of eminent domain and proposes to purchase the property at fair market value for purposes of constructing, maintaining and reconstructing IH-30 Project; and

WHEREAS, the City of Dallas may sell or exchange its property to a governmental entity that has the power of eminent domain for fair market value as determined by an appraisal, without complying with the notice and bidding requirements for the sale of public lands provided for in Chapter 272, Section 272.001 of the Texas Local Government Code; and

WHEREAS, certain provisions of Section 2-24 of the Dallas City Code do not apply to the sale of land by the City of Dallas to other governmental entities as contemplated and authorized herein.

Now, Therefore,

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

SECTION 1. That upon receipt of **ONE MILLION EIGHT HUNDRED EIGHTEEN THOUSAND FIVE HUNDRED FIVE AND NO/100 DOLLARS ($1,818,505.00)** from the State of Texas, acting by and through the Texas Transportation Commission, the City Manager or designee is authorized to execute a Special Warranty Deed and a Possession and Use Agreement to be attested by the City Secretary, approved as to form by the City Attorney, for approximately 119,567 square feet of land located near the intersection of Interstate Highway 30 and Dalrock Road.

SECTION 2. That the Special Warranty Deed shall provide that the conveyance to the State of Texas, acting by and through the Texas Transportation Commission, **("GRANTEE")** are subject to the following:

(a) a restriction prohibiting the placement of industrialized housing on the property; and

(b) reservation by the City of Dallas of all oil, gas and other minerals in and under the property with a waiver of surface access rights relating to said minerals; and

(c) any visible and apparent easements and any encroachments whether of record or not; and

SECTION 2. (continued)

(d) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases or other instruments of record and applicable to the property or any part thereof; and

(e) to the maximum extent allowed by law, (i) **GRANTEE** is taking the Property "AS IS, WHERE IS, WITH ALL FAULTS"; (ii) GRANTOR disclaims responsibility as to the accuracy or completeness of any information relating to the Property; (iii) **GRANTEE** assumes all responsibility to examine all applicable building codes and zoning ordinances to determine if the Property can be used for the purposes desired and to check for outstanding or pending code enforcement actions including but not limited to repair or demolition orders; and (iv) GRANTOR expressly disclaims and **GRANTEE** expressly waives, any warranty or representation, express or implied, including without limitation any warranty of condition, habitability, merchantability or fitness for a particular purpose of the Property; and

(f) GRANTOR makes no representations of any nature regarding the Property and specifically disclaims any warranty, guaranty or representation, oral or written, express or implied, past, present, or future, concerning: (i) the nature and condition of the Property, including without limitation, the water, soil and geology, and the suitability thereof and the Property for any and all activities and uses which **GRANTEE** may elect to conduct thereon, and the existence of any environmental substances, hazards or conditions or presence of any endangered or protected species thereon or compliance with all applicable laws, rules or regulations; (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; (iii) the compliance of the Property or its operation with any law, ordinance or regulation of any federal, state, or local governmental authority; and (iv) whether or not the Property can be developed or utilized for any purpose. For purposes hereof, "environmental substances" means the following: (a) any "hazardous substance" under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. 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 lubrication oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C.A. Section 651 et. seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901 et.

SECTION 2. (continued)

seq., as amended, (f) asbestos, (g) polychlorinated biphenyls, (h) underground storage tanks, whether empty, filled, or partially filled with any substance, (i) any substance, the presence of which is prohibited by federal, state or local laws and regulations; and (j) any other substance which by federal, state or local laws and regulations requires special handling or notification of governmental authorities in its collection, storage, treatment or disposal.

(g) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

SECTION 3. That the proceeds ($1,793,505.00 for the special warranty deed and $25,000.00 for immediate possession and use of the Property) shall be deposited into the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction Services-Real Estate Division shall be reimbursed for the cost of obtaining 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 Water & Sewer Revenue Fund, Fund 0100, Department DWU, Unit 4005, Revenue Code 8416.

SECTION 4. That if a title policy is desired by **GRANTEE**, same shall be at the expense of said **GRANTEE**.

SECTION 5. That the sale shall be subject to standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes and assessments being assumed by **GRANTEE**.

SECTION 6. That the procedures required by Section 2-24 of the Dallas City Code that are not required by state law concerning the sale of unneeded real property are waived with respect to this tract of land.

SECTION 7. That this resolution is designated for City purposes as Contract No. DEV-2019-00010784.

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

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

BY: _____
Assistant City Attorney

Property Description for Tract 14
2.745-acre (119,567 square feet)
City of Dallas
Boundary Survey
State of Texas

County:	Rockwall
Highway:	IH 30
Tract:	14
STA.:	11+40.88 to 22+05.41
RCSJ:	0009-12-224

Property Description for Tract 14

Being a 2.745-acre (119,567 square feet) tract of land, of which approximately 0.9385 acres (40,880 square feet) are located in the William Haden Thomas Survey, Abstract No. 213, 0.0741 acres (3,226 square feet) are located in the H. McMillan Survey, Abstract No. 143 and 1.732 acres (75,461 square feet) are located in the Jared Stephenson Survey, Abstract Number 258, City of Dallas, Rockwall County, Texas, said 2.745-acre tract being out of Tracts S-4, 5, 6 and 7, as shown in the Dallas Water Utilities Maps 612 D-1 (Boundary Survey), Sheet 159, Ray Hubbard Dam and Reservoir Property Line, and City Map 610 R-1 (Acquisition map), and in a boundary survey performed by Forrest 7 Cotton dated October 12, 1960, also being out of a remainder portion of a called 56.13-acres tract known as Tract 1 and a called 50.00-acres known as Tract 3, (calculated 7.538-acres), conveyed from J.D. Carney and wife, Elizabeth L. Carney to the City of Dallas, executed December 30, 1960, as recorded in Volume 62, Page 312 of the Deed Records of Rockwall County, Texas (D.R.R.C.T.), and conveyed from Buck Frank and wife, Hattie Frank to the City of Dallas, executed December 31, 1960 as recorded in Volume 62, Page 323 of the D.R.R.C.T., said 2.745-acre tract of land being more particularly described by metes and bounds as follows:



FIELD NOTES APPROVED:
12/11/18

Property Description for Tract 14
2.745-acre (119,567 square feet)
City of Dallas
Boundary Survey
State of Texas

COMMENCING at a found 1/2-inch iron rod with yellow cap for the take line corner "S4-4", an angle point in the west line of said calculated 7.538-acre tract and take line, at the northeast corner of Lot 1-A , Block A of IH-30 Newcrest No. 1, recorded in Cabinet E, Slide 309 of the D.R.R.C.T. conveyed from RSD Enterprises, LLC to Prayosha Texas Enterprises, LLC, executed June 29, 2010 recorded in Volume 6164, Page 184 of the D.R.R.C.T. at an east corner of Lot 1, Block A, Shafer Plaza Addition, recorded in Cabinet F, Slide 305 of the D.R.R.C.T., same being a called 1.3141-acre tract conveyed from Keller Centerview Office Park, LTD. to TEAX GP, LLC executed August 26, 2014 recorded in Document No. 20140000012253 of the D.R.R.C.T., and at the east corner of Lot 1, Block A, Southwestern Bell Wireless Addition, recorded in Cabinet D, Slide 275 of the D.R.R.C.T.;

THENCE, South 63° 55' 47" East, along the west line of said calculated 7.538-acre tract, said take line, and the northeast line of said Lot 1-A, a distance of 266.98 feet to an angle point for the take line corner "S4-3" in the west line of said calculated 7.538-acre tract and the northeast line of said Lot 1-A;

THENCE, South 78° 35' 21" East, along the west line of said calculated 7.538-acre tract, said take line, and the northeast line of said Lot 1-A, a distance of 174.11 feet to a found 1/2-inch iron rod (bent), for the take line corner "S4-2A" in the existing northwest right-of-way line of IH 30 (a variable width right-of-way) as described in Volume 93, Page 233 of the D.R.D.C.T., same being the east corner of said Lot 1-A;

THENCE, North 59° 51' 04" East, along the existing northwest right-of-way line of said IH 30, same being the southeast line of said calculated 7.538-acre tract, a distance of 139.44 feet to a set 5/8-inch iron rod with TxDOT 1-3/4-inch pink plastic cap in the future right-of-way line of IH 30, for the west corner of the herein described tract, same being the **POINT OF BEGINNING** and northwest corner of the herein described parcel having coordinates of N=7,009,365.17, E=2,578,038.22, said point being 309.64 feet left from the future IH 30 Baseline Station 11+40.88;

Property Description for Tract 14
2.745-acre (119,567 square feet)
City of Dallas
Boundary Survey
State of Texas

1. THENCE, North 59° 51' 04" East, departing said existing northwest right-of-way of said IH 30, into and across said calculated 7.538-acre tract, along the future northwest right-of-way line of said IH 30, passing at a distance of 359.12 feet, a set 5/8-inch iron rod with TxDOT 1-3/4-inch pink plastic cap, said point being 309.56 feet left from the proposed IH 30 Baseline Station 15+00.00, and continuing for a total distance of 645.39 feet to a set 5/8-inch iron rod with TxDOT 1-3/4-inch pink plastic cap, at a non-tangent point of curvature to the left in the south line of the Missouri-Kansas-Texas (M. K. & T.) Railroad (variable-width right-of-way), same being in the west line of a called 59.35-acre tract known as Tract 1, conveyed from the City of Dallas to the Missouri-Kansas-Texas Railroad Company, executed October 30, 1972 in Volume 72212, Page 515 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) for the northeast corner of the herein described parcel, said point being 309.50 feet left from the future IH 30 Baseline Station 17+86.27;**

2. THENCE, departing said proposed northwest right-of-way line of IH 30, along the south line of said M. K. & T. Railroad and the north line of said calculated 7.538-acre tract, with said curve to the left having a delta angle of 05° 24' 26", a radius of 4633.66 feet, a chord bearing of North 76° 20' 20" East, a chord length of 437.14 feet and an arc length of 437.30 feet to a point at the intersection of said existing northwest right-of-way line of IH 30, the south line of said M. K. & T. Railroad and the north line of said calculated 7.538-acre tract, for the southeast corner of the herein described parcel, said point being 185.34 feet left from the future IH 30, Baseline Station 22+05.41;

3. THENCE, South 59° 51' 04" West, departing the south line of said M. K. & T. Railroad and along said existing northwest right-of-way line of said IH 30, same being the east line of said calculated 7.538-acre tract, a distance of 364.55 feet to a found 1/2-inch iron rod with orange cap stamped "RPLS 5094" for an angle point in said existing northwest right-of-way line of IH 30 and the herein described parcel;

Property Description for Tract 14
2.745-acre (119,567 square feet)
City of Dallas
Boundary Survey
State of Texas

4. THENCE, South 52° 43' 34" West, continuing along said existing northwest right-of-way line of IH 30, same being the east line of said calculated 7.538-acre tract, a distance of 201.56 feet to a found 1/2-inch iron rod with orange cap stamped "RPLS 5094" in the existing northwest right-of-way line of said IH 30 and the northwest line of said State of Texas tract, same being the east line of said calculated 7.538-acre tract;

5. THENCE, South 59° 51' 04" West, continuing along said existing northwest right-of-way line of said IH 30, same being the east line of said calculated 7.538-acre tract, a distance of 500.00 feet to a found 1/2-inch iron rod with orange cap stamped "RPLS 5094" in said existing northwest right-of-way line of IH 30, same being the east line of said calculated 7.538-acre tract for the southwest corner of the herein described parcel;

6. THENCE, North 30° 08' 56" West, continuing along said existing northwest right-of-way line of IH 30, same being the east line of said calculated 7.538-acre tract, a distance of 149.06 feet to the **POINT OF BEGINNING** and containing 2.745 acres (119,567 square feet) of land.

Property Description for Tract 14
2.745-acre (119,567 square feet)
City of Dallas
Boundary Survey
State of Texas

Notes:

All bearings and coordinates are based on the Texas Coordinate System, North Central Zone, North American Datum of 1983 (2011), Epoch 2010.00. Bearings and coordinates are based on TxDOT-provided control points E570165, E570185 and E1990105. All coordinates and distances shown are surface values and may be converted to grid by dividing by the Surface Adjustment Factor of 1.000146135. Units: US Survey Feet.

Record information shown hereon is based on a public records search by the surveyor. Abstracting was performed between April 2018 and May 2018. Field work was performed from May, 2018 to July, 2018.

A plat of even date was prepared in conjunction with this property description.

**The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Access will be permitted to the remainder property abutting the highway facility.

I hereby certify that this survey was performed on the ground under my supervision and that this property description and accompanying plat represent the facts as found at the time of the survey.

12/5/18

Roberto Araujo-Cruz
Registered Professional Land Surveyor
Texas Registration No. 6653
Vickrey & Associates, Inc.
12940 Country Parkway
San Antonio, Texas 78216
210-349-3271
TBPLS Firm No. 10004100

Date



EXHIBIT A

PROPERTY DESCRIPTION FOR TRACT 14
2.745-ACRES (119,567 SQUARE FEET)
CITY OF DALLAS, BOUNDARY SURVEY, STATE OF TEXAS

LEGEND

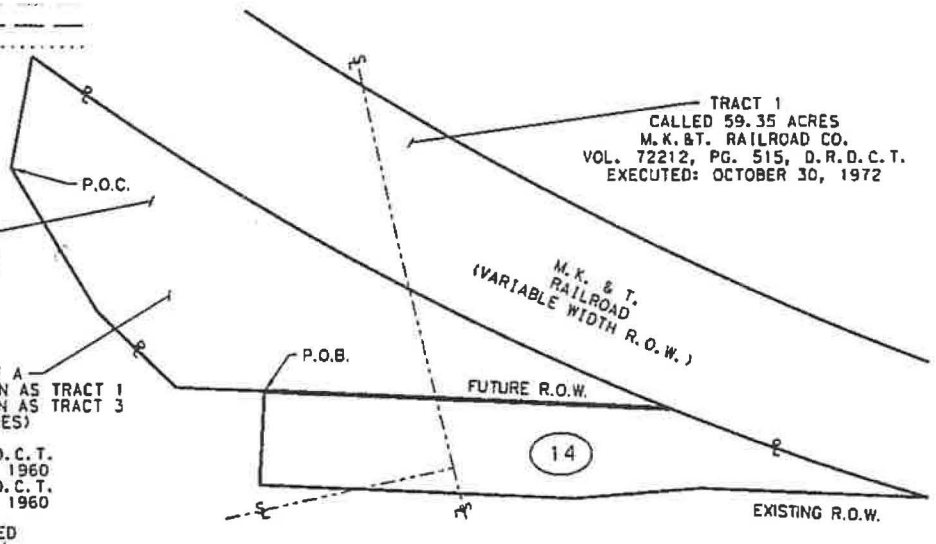
( )	RECORD DISTANCE
O	FOUND MONUMENT (AS NOTED)
●	SET 1/2" IRON ROD W/ CAP STAMPED "VICKREY PROP. COR.", UNLESS OTHERWISE NOTED
▣	SET 5/8" IRON ROD W/ TXDOT 1-3/4-INCH PINK PLASTIC CAP
△	CALCULATED POINT
⌐	LAND HOOK (IDENTICAL LAND OWNER)
D.R.R.C.T.	DEED RECORDS OF ROCKWALL COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PROPOSED R.O.W. LINE	
EXISTING R.O.W. LINE	
PROPERTY LINE	
PROPOSED BASELINE	
APPROXIMATE SURVEY LINE	
APPROXIMATE CITY LIMIT LINE	
EASEMENT LINE	
R.O.W. DEDICATION LINE	

JARED STEPHENSON SURVEY
ABSTRACT NUMBER 258
CITY OF DALLAS, TEXAS

WILLIAM HADEN THOMAS SURVEY
ABSTRACT NUMBER 213
CITY OF DALLAS, TEXAS

BEING OUT OF TRACTS 3-4, 5, 6&7 AS SHOWN IN DALLAS WATER UTILITIES MAP MAP 612D-1 (BOUNDARY SURVEY) SHEET 159 RAY HUBBARD DAM AND RESERVOIR PROPERTY LINE & CITY LIMIT MAP MAP 610R-1 (ACQUISITION MAP)

REMAINDER PORTION OF A CALLED 56.13-ACRES TRACT KNOWN AS TRACT 1 AND A CALLED 50.00-ACRES KNOWN AS TRACT 3 (CALCULATED 7.538-ACRES) CITY OF DALLAS VOL. 62, PG. 312, D.R.D.C.T. EXECUTED: DECEMBER 30, 1960 VOL. 62, PG. 323, D.R.D.C.T. EXECUTED: DECEMBER 31, 1960



H. MCMILLAN SURVEY
ABSTRACT NUMBER 143
CITY OF DALLAS, TEXAS

NOTES:

1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (2011), EPOCH 2010.00. BEARING AND COORDINATED ARE BASED ON TXDOT-PROVIDED CONTROL POINTS E570165, E570185 AND E1990105. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE SURFACE ADJUSTMENT FACTOR OF 1.000146135. UNITS: US SURVEY FEET.
2. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PLAT.
3. ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
4. ABSTRACTING WAS PERFORMED BETWEEN APRIL 2018 AND MAY 2018. FIELDWORK WAS PERFORMED FROM MAY, 2018 TO JULY 2018.
5. STATION AND OFFSET INFORMATION REFERS TO THE PROJECT SCHEMATIC DATED MARCH 29, 2018, CONTROL-SECTION-NUMBER 0009-11-241.
6. ACCESS WILL BE PERMITTED TO THE REMAINDER PROPERTY ABUTTING THE HIGHWAY.

AREA WITHIN SURVEY TABLE (ACRES)	
WILLIAM HADEN THOMAS	+/-0.9385/ 40,880
H. MCMILLAN	+/-0.0741/ 3,226
JARED STEPHENSON	+/-1.732/ 75,461
TOTAL TAKING	+/-2.745/ 119,567

TRACT INSET
TRACT NO. 14
N.T.S.

AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC. LEFT	REMAINDER AC. RIGHT
CALCULATED 7.538	2.745/ 119,567	4.793	

I, HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

ROBERTO A. ARAUJO-CRUZ
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NUMBER 6653

12/5/18
DATE

STATE OF TEXAS
REGISTERED
ROBERTO A. ARAUJO-CRUZ
6653
PROFESSIONAL
LAND SURVEYOR

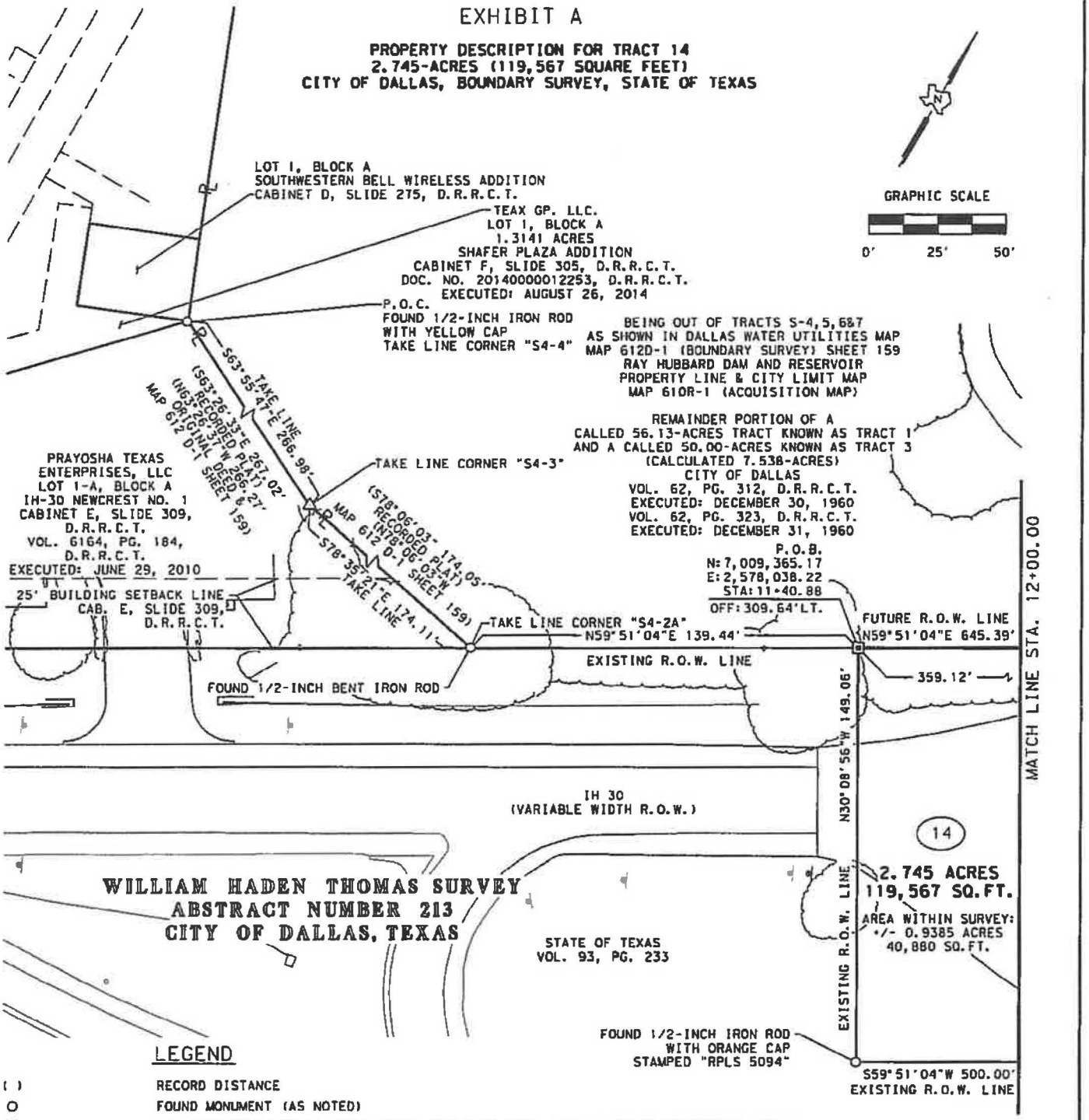
VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEY
12940 Country Parkway
San Antonio, TX 78216
Telephone: (210) 349-3271
TBPLS #10004100

©2018

PLAT
SHOWING
TRACT 14
IH 30
ROCKWALL COUNTY
R.C.S.J. NO. 0009-12-224
SEPTEMBER 21, 2018

EXHIBIT A

PROPERTY DESCRIPTION FOR TRACT 14
2.745-ACRES (119,567 SQUARE FEET)
CITY OF DALLAS, BOUNDARY SURVEY, STATE OF TEXAS



LEGEND

( )	RECORD DISTANCE
O	FOUND MONUMENT (AS NOTED)
●	SET 1/2" IRON ROD W/ CAP STAMPED "VICKREY PROP. COR.", UNLESS OTHERWISE NOTED
▣	SET 5/8" IRON ROD W/ TXDOT 1-3/4-INCH PINK PLASTIC CAP
△	CALCULATED POINT
⌐	LAND HOOK (IDENTICAL LAND OWNER)
D.R.R.C.T.	DEED RECORDS OF ROCKWALL COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PROPOSED R.O.W. LINE	
EXISTING R.O.W. LINE	
PROPERTY LINE	
PROPOSED BASELINE	
APPROXIMATE SURVEY LINE	
APPROXIMATE CITY LIMIT LINE	
EASEMENT LINE	
R.O.W. DEDICATION LINE	

REVISED: DECEMBER 5, 2018

VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS
CIVIL · ENVIRONMENTAL · SURVEY
12940 Country Parkway
San Antonio, TX 78216
Telephone: (210) 349-3271
TBPLS #10004100

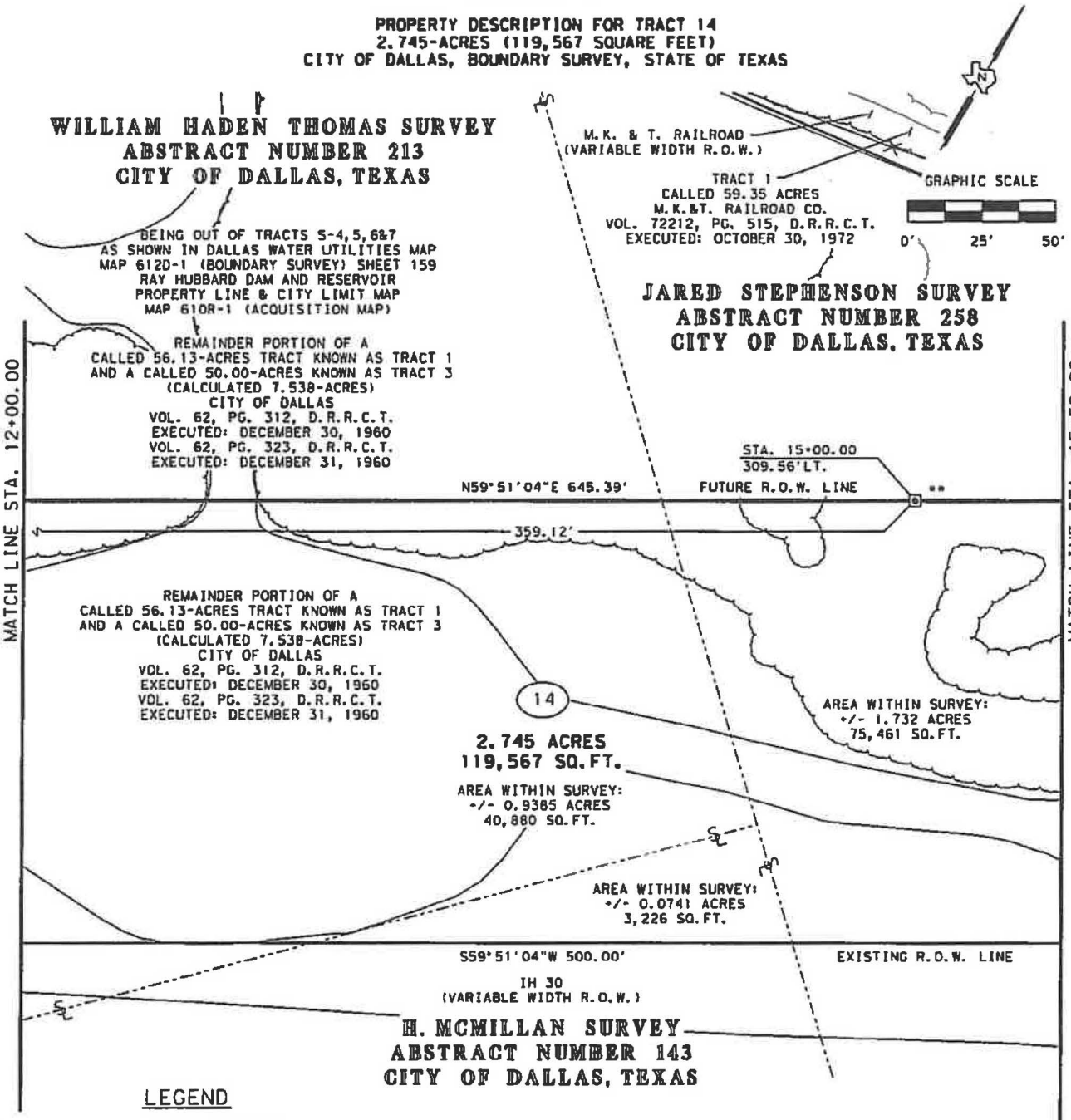
©2018

PLAT
SHOWING
TRACT 14
IH 30
ROCKWALL COUNTY
R.C.S.J. NO. 0009-12-224
SEPTEMBER 21, 2018

SCALE: 1" = 50'

EXHIBIT A

PROPERTY DESCRIPTION FOR TRACT 14
2.745-ACRES (119,567 SQUARE FEET)
CITY OF DALLAS, BOUNDARY SURVEY, STATE OF TEXAS



LEGEND

( )	RECORD DISTANCE
O	FOUND MONUMENT (AS NOTED)
●	SET 1/2" IRON ROD W/ CAP STAMPED "VICKREY PROP. COR.", UNLESS OTHERWISE NOTED
▣	SET 5/8" IRON ROD W/ TXDOT 1-3/4-INCH PINK PLASTIC CAP
△	CALCULATED POINT
⌐	LAND HOOK (IDENTICAL LAND OWNER)
D.R.R.C.T.	DEED RECORDS OF ROCKWALL COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PROPOSED R.O.W. LINE	
EXISTING R.O.W. LINE	
PROPERTY LINE	
PROPOSED BASELINE	
APPROXIMATE SURVEY LINE	
APPROXIMATE CITY LIMIT LINE	
EASEMENT LINE	
R.O.W. DEDICATION LINE	

VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEY
12940 Country Parkway
San Antonio, TX 78216
Telephone: (210) 349-3271
TBPLS #10004100

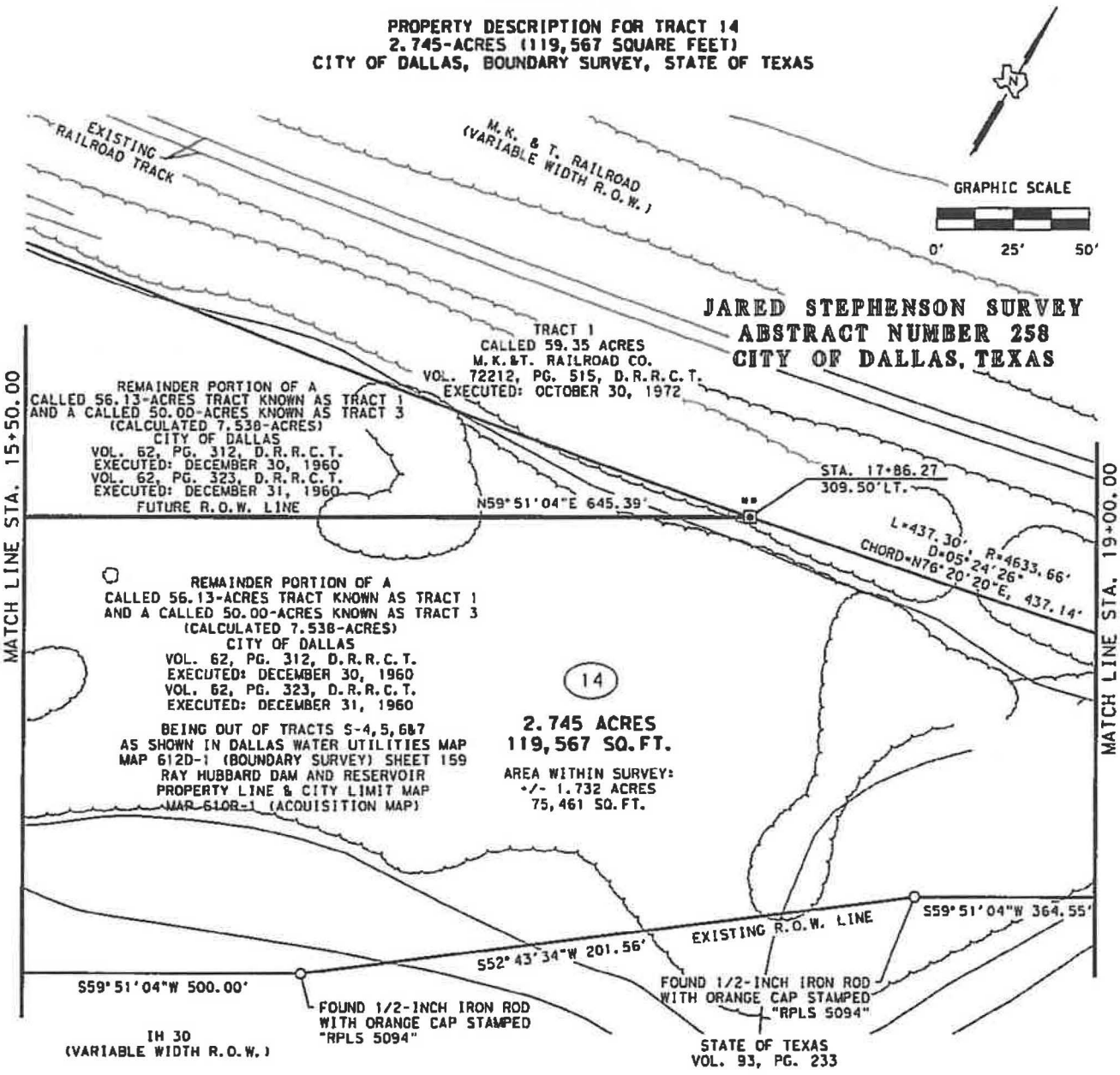
©2018

PLAT
SHOWING
TRACT 14
IH 30
ROCKWALL COUNTY
R.C.S.J. NO. 0009-12-224
SEPTEMBER 21, 2018
SCALE: 1"= 50'

REVISED: DECEMBER 5, 2018

EXHIBIT A

PROPERTY DESCRIPTION FOR TRACT 14
2.745-ACRES (119,567 SQUARE FEET)
CITY OF DALLAS, BOUNDARY SURVEY, STATE OF TEXAS



LEGEND

( )	RECORD DISTANCE
○	FOUND MONUMENT (AS NOTED)
●	SET 1/2" IRON ROD W/ CAP STAMPED "VICKREY PROP. COR.", UNLESS OTHERWISE NOTED
◙	SET 5/8" IRON ROD W/ TXDOT 1-3/4-INCH PINK PLASTIC CAP
△	CALCULATED POINT
⌐	LAND HOOK (IDENTICAL LAND OWNER)
D.R.R.C.T.	DEED RECORDS OF ROCKWALL COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PROPOSED R.O.W. LINE	
EXISTING R.O.W. LINE	
PROPERTY LINE	
PROPOSED BASELINE	
APPROXIMATE SURVEY LINE	
APPROXIMATE CITY LIMIT LINE	
EASEMENT LINE	
R.O.W. DEDICATION LINE	

REVISED: DECEMBER 5, 2018

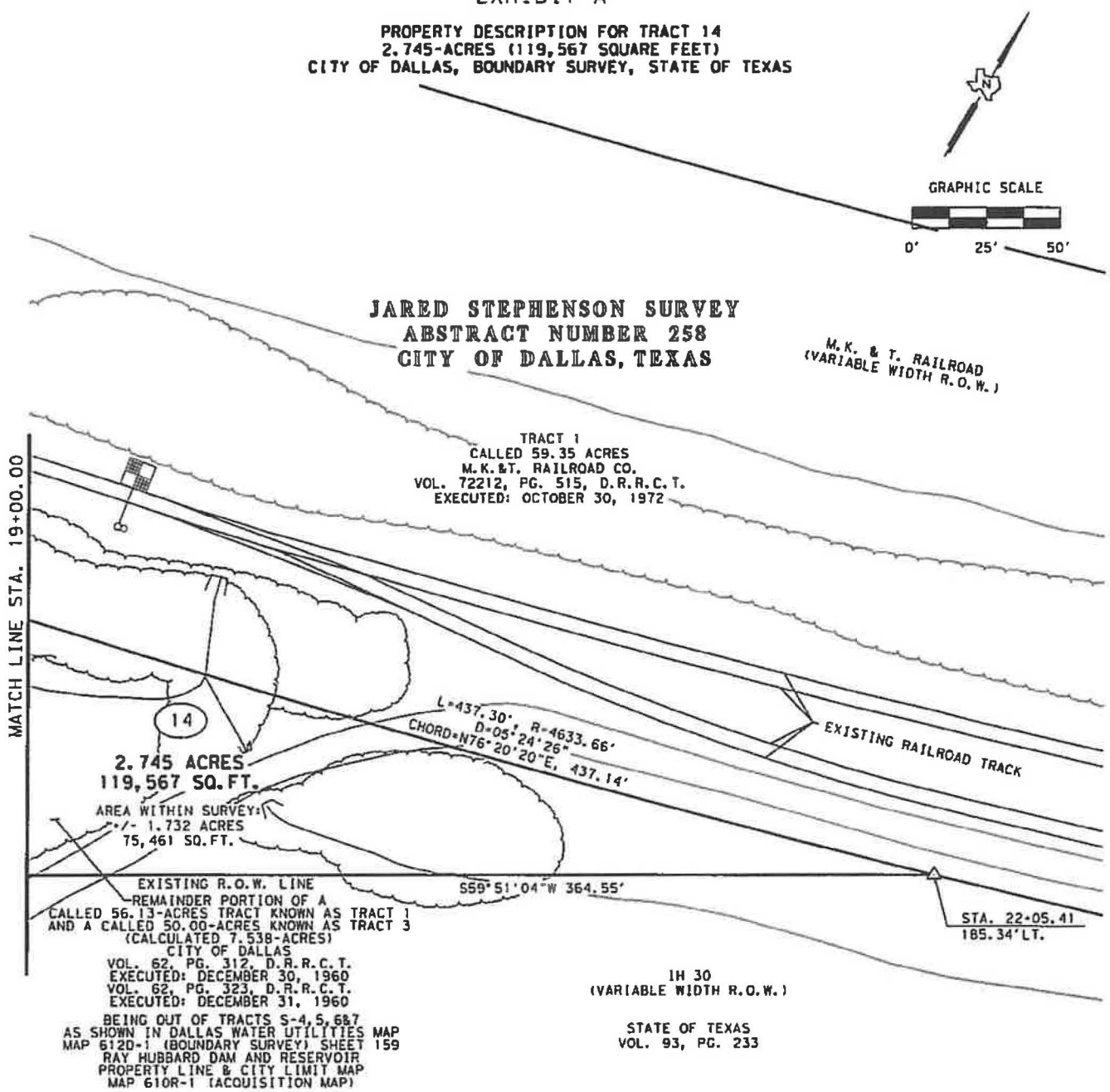
VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS
CIVIL · ENVIRONMENTAL · SURVEY
12940 Country Parkway
San Antonio, TX 78216
Telephone: (210) 349-3271
TBPLS #10004100

©2018

PLAT
SHOWING
TRACT 14
IH 30
ROCKWALL COUNTY
R.C.S.J. NO. 0009-12-224
SEPTEMBER 21, 2018
SCALE: 1"= 50'

EXHIBIT A

PROPERTY DESCRIPTION FOR TRACT 14
2.745-ACRES (119,567 SQUARE FEET)
CITY OF DALLAS, BOUNDARY SURVEY, STATE OF TEXAS



LEGEND

( )	RECORD DISTANCE
○	FOUND MONUMENT (AS NOTED)
●	SET 1/2" IRON ROD W/ CAP STAMPED "VICKREY PROP. COR.", UNLESS OTHERWISE NOTED
▣	SET 5/8" IRON ROD W/ TXDOT 1-3/4-INCH PINK PLASTIC CAP
△	CALCULATED POINT
	LAND HOOK (IDENTICAL LAND OWNER)
D.R.R.C.T.	DEED RECORDS OF ROCKWALL COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PROPOSED R.O.W. LINE	
EXISTING R.O.W. LINE	
PROPERTY LINE	
PROPOSED BASELINE	
APPROXIMATE SURVEY LINE	
APPROXIMATE CITY LIMIT LINE	
EASEMENT LINE	
R.O.W. DEDICATION LINE	

VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS
CIVIL · ENVIRONMENTAL · SURVEY
12940 Country Parkway
San Antonio, TX 78216
Telephone: (210) 349-3271
TBPLS #10004100

©2018

PLAT
SHOWING
TRACT 14
IH 30
ROCKWALL COUNTY
R.C.S.J. NO. 0009-12-224
SEPTEMBER 21, 2018
SCALE: 1" = 50'

REVISED: DECEMBER 5, 2018

Project: IH 30
RCSJ 0009-12-224
Date: Friday September 21, 2018
Revised: Wednesday December 5, 2018
Parcel Closure Report: 14

<* 36 Describe Parcel 14
Parcel 14 : 75049 75073 CUR CV11 75074 75075 75076 75077 75049
Total taken area = 119,567 sf 2.745 a
Description of parcel: 14
Beginning tract description

==========

POC Point 75046 N 7,009,446.91 E 2,577,507.16

Course from 75046 to 75047 S 63° 55' 47" E Dist 266.98

Point 75047 N 7,009,329.58 E 2,577,746.98

Course from 75047 to 75048 S 78° 35' 21" E Dist 174.11

Point 75048 N 7,009,295.13 E 2,577,917.64

Course from 75048 to 75049 N 59° 51' 04" E Dist 139.44

POB Point 75049 N 7,009,365.17 E 2,578,038.22

Course from 75049 to 75073 N 59° 51' 04" E Dist 645.39

PC Point 75073 N 7,009,689.31 E 2,578,596.30

Curve Data

Curve CV11
P.I. Station 8+64 N 7,009,730.90 E 2,578,811.12
Delta = 5° 24' 26" (LT)
Degree = 1° 14' 11"
Tangent = 218.81
Length = 437.30
Radius = 4,633.66
External = 5.16
Long Chord = 437.14
Mid. Ord. = 5.16
C.C. N 7,014,238.49 E 2,577,715.53
Back = N 79° 02' 33" E
Ahead = N 73° 38' 07" E
Chord Bear = N 76° 20' 20" E

PT Point 75074 N 7,009,792.55 E 2,579,021.07

Course from 75074 to 75075 S 59° 51' 04" W Dist 364.55

Point 75075 N 7,009,609.46 E 2,578,705.83

Course from 75075 to 75076 S 52° 43' 34" W Dist 201.56

Point 75076 N 7,009,487.39 E 2,578,545.45

Course from 75076 to 75077 S 59° 51' 04" W Dist 500.00

Point 75077 N 7,009,236.27 E 2,578,113.08

Course from 75077 to 75049 N 30° 08' 56" W Dist 149.06

Point 75049 N 7,009,365.17 E 2,578,038.22

==========

End of parcel 14 description

Property Description for Track 14
2.745-acre (119,567 square feet)
City of Dallas
Boundary Survey
State of Texas

PROJECT: IH 30
SUBJECT: TRACT 14
JOB NO: 0009-12-224
DATE: Friday, September 21, 2018
Revised:Wednesday, December 5, 2018

Mapcheck 1: P14

Closure Summary

Precision, 1 part in: 409167.46'

Error distance: 0.01'

Error direction: S44°33'40"E

Area: 119569.03 Sq. Ft.

Square area: 119569.026

Perimeter: 2297.86'

Point of Beginning

Easting: 2578038.22'

Northing: 7009365.17'

Side 1: Line

Direction: N59°51'04"E

Angle: [-120°09']

Deflection angle: [059°51']

Distance: 645.39'

Easting: 2578596.30'

Northing: 7009689.31'

Side 2: Curve

Curve direction: Counter-clockwise

Radius: [4633.66']

Arc length: 437.30'

Delta angle: 005°24'26"

Tangent: [218.81']

Chord direction: N76°20'20"E

Chord angle: [-163°31']

Deflection angle: [016°29']

Chord distance: 437.14'

Easting: 2579021.07'

Northing: 7009792.56'

Side 3: Line

Direction: S59°51'04"W

Angle: [-013°47']

Deflection angle: [166°13']

Distance: 364.55'

Easting: 2578705.84'

Northing: 7009609.46'

Side 4: Line

Direction: S52°43'34"W

Angle: [172°52']

Deflection angle: [-007°07']

Distance: 201.56'

Easting: 2578545.45'

Northing: 7009487.39'

Property Description for Track 14
2.745-acre (119,567 square feet)
City of Dallas
Boundary Survey
State of Texas

Side 5: Line

Direction: S59°51'04"W

Angle: [-172°52']

Deflection angle: [007°07']

Distance: 500.00'

Easting: 2578113.09'

Northing: 7009236.27'

Side 6: Line

Direction: N30°08'56"W

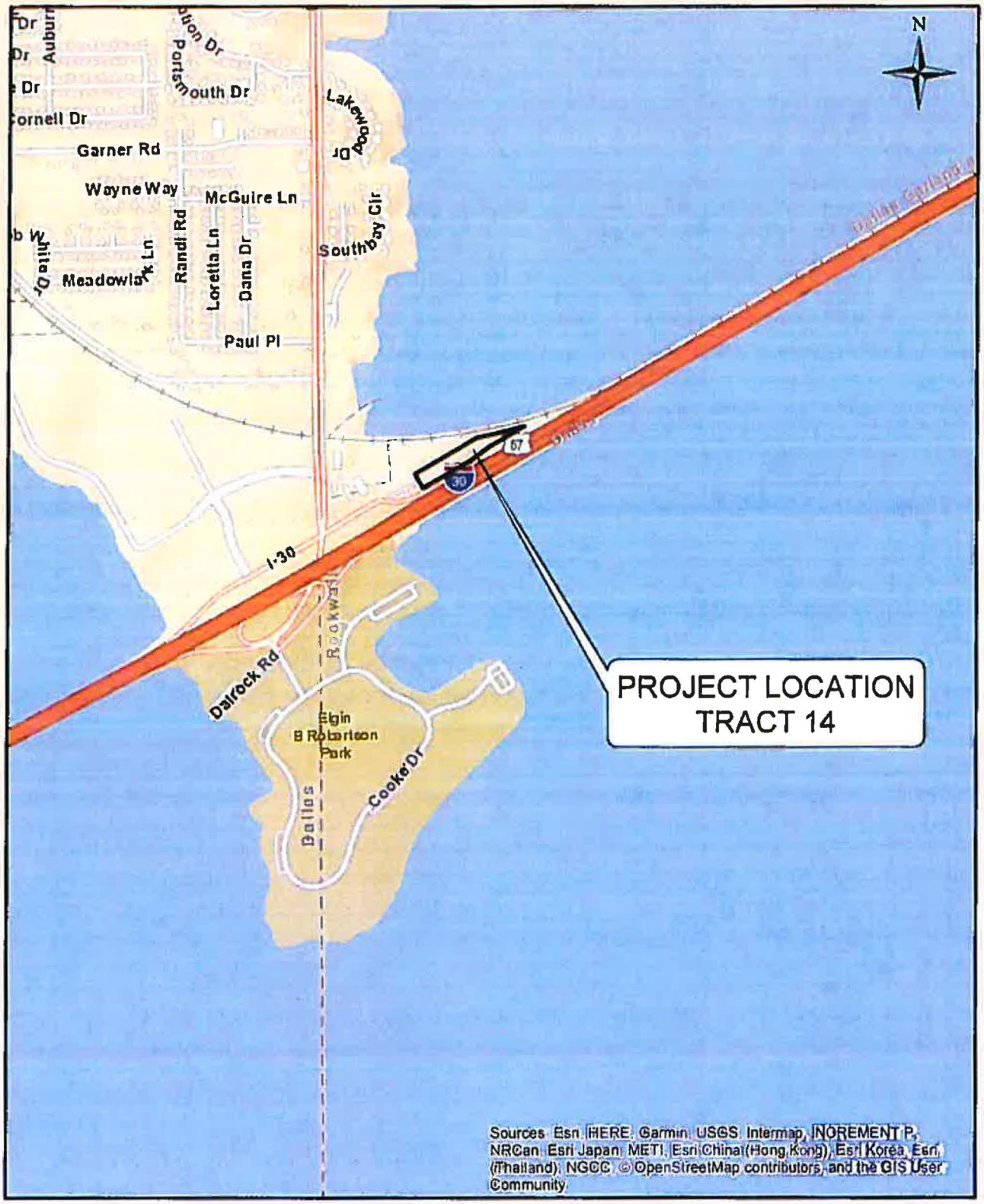
Angle: [-090°00']

Deflection angle: [090°00']

Distance: 149.06'

Easting: 2578038.22'

Northing: 7009365.16'



Legend	Property Description for Tract 14	ATTACHMENT A
PARCEL 14	2.745-acre (119,567 square feet) City of Dallas Boundary Survey State of Texas	0 0.05 0.1 0.2 0.3 0.4 Miles

Agenda Information Sheet

File #: 19-1025 **Item #:** 16.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an addition to Kaufman County Municipal Utility District No. 3 within the City of Dallas' extraterritorial jurisdiction that would include approximately 77.978 acres on property located in Kaufman County on the west corner of University Drive and FM 548 - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas has been petitioned by The Emory E. Horton and Pauline L. Horton U/T/A and The Horton Family Trust U/T/A, represented by Joshua A. Bethke with Coats Rose PLLC, owners of approximately 77.978 acres on the west corner of University Drive and FM 548 in Kaufman County, for the annexation of the 77.978 acres into the Kaufman County Municipal Utility District (MUD) No. 3 (See the attached request.). The property lies within the City of Dallas' extraterritorial jurisdiction (ETJ). MUD No. 3 was originally consented to on October 8, 2003, by Resolution No. 03-2751. An expansion of MUD No. 3 was consented to on December 12, 2018, by Resolution No. 18-1786.

City of Dallas consent for an addition to the MUD is required in accordance with Section 54.016 of the Texas Water Code and Section 42.042 of the Texas Local Government Code, because the land to be located within the expanded MUD would have the ability to issue tax exempt bonds to finance public water supply and conveyance, wastewater collection and treatment, and storm drainage facilities in accordance with the rules of the Texas Commission on Environmental Quality. The expansion area is contiguous to Tract 2 within Kaufman County MUD No. 3 and Kaufman County MUD No. 2. The representative indicates intended compliance with all applicable development regulations of the City of Dallas for all portions of the property within Dallas' ETJ. The applicants are not requesting the City of Dallas to pay for or provide any utility services to the property.

After the addition of the 77.978 acres, there will be approximately 2,562 single family homes in the MUD. The expansion area will have approximately 370 single family homes. The expansion of the MUD will provide financing to allow for the development of the necessary infrastructure and the construction of homes. The estimated development costs for utilities, paving and grading are $32,925,000 for the expansion area. The implementation of the MUD expansion allows the property to be developed without cost consideration to the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 12, 2018, City Council authorized an expansion of the Kaufman County MUD No. 3, by Resolution No. 18-1786.

City Council will be briefed by memorandum regarding this matter on August 9, 2019.

FISCAL INFORMATION

No cost consideration to the City.

OWNERS

The Emory E. Horton and Pauline L. Horton U/T/A

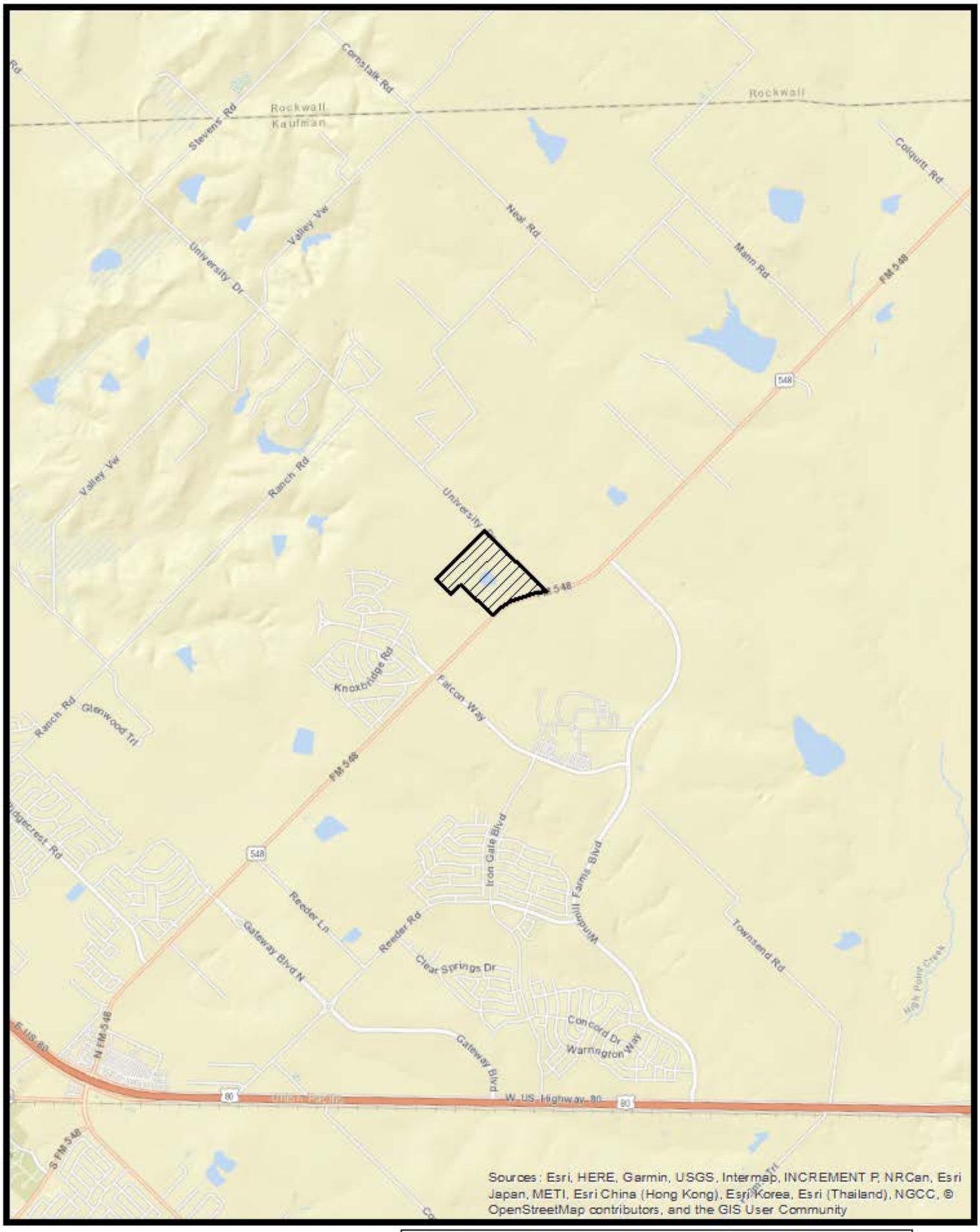
William W. Horton, Sole Trustee

The Horton Family Trust U/T/A

William W. Horton, Sole Trustee

MAP

Attached



1:40,000

Proposed Kaufman County MUD No. 3 Expansion
General Location Map

PETITION FOR CONSENT TO ADDITION OF LAND
TO A MUNICIPAL UTILITY DISTRICT

THE STATE OF TEXAS §

COUNTY OF DALLAS §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:

The undersigned, The Emory E. Horton and Pauline L. Horton U/T/A and The Horton Family Trust U/T/A (collectively referred to as "Property Owners"), respectfully petition the City of Dallas, Texas for its consent to the addition of land to the Kaufman County Municipal Utility District No. 3 (the "District"). In support of this Petition, the Property Owners would show the following:

I.

The land sought to be added to the District (the "Tract") is described by metes and bounds in Exhibit "A," attached hereto and made a part hereof for all purposes.

II.

The Tract lies within Kaufman County, and not within the boundaries of any incorporated city or town. The Tract lies wholly within the exclusive extraterritorial jurisdiction of the City of Dallas, Texas, as such term is determined pursuant to Chapter 42 V.T.C.A. Local Government Code.

III.

The Property Owners are the holders of title to the Tract as shown by the Kaufman County Tax Rolls and conveyances of record. There are no lienholders on the Tract.

IV.

The District was organized, created and established pursuant to an Order of the Texas Commission on Environmental Quality dated April 12, 2005, in accordance with Article XVI, Section 59 of the Texas Constitution and operates pursuant to Chapters 49 and 54, Texas Water Code, as amended. The District generally is empowered and authorized to purchase, construct, acquire, own, operate, maintain, repair, improve, or extend inside and outside its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary to accomplish the purposes of its creation.

V.

The general nature of the work to be done by and within the Tract at the present time is the construction, maintenance and operation of a waterworks system for residential and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection system and sewage disposal plant; the control, abatement and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the lands to be included within the District; and the construction of roads and of such additional facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is organized.

VI.

There is a necessity for the improvements above described because the Tract is located within an area that is experiencing substantial and sustained residential and commercial growth, is urban in nature and is not supplied with adequate water, sanitary sewer and drainage facilities and roads. The health and welfare of the future inhabitants of the Tract require the acquisition and installation of an adequate waterworks, sanitary sewer and storm drainage system and roads. The purchase, construction, extension, improvement, maintenance and operation of such waterworks system and storm and sanitary sewer collection and disposal systems and roads will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the inclusion of the Tract within the District.

VII.

Said proposed improvements are practicable and feasible, in that the terrain of the Tract is of such a nature that a waterworks system and sanitary and storm sewer systems and roads can be constructed at a reasonable cost; and said land will be rapidly developed for commercial, multi-family and residential purposes.

VIII.

A preliminary investigation has been instituted to determine the cost of the project attributable to the Tract, and it is now estimated that the ultimate cost of the development contemplated will be approximately $32,925,000.

WHEREFORE, the undersigned respectfully pray that this Petition be granted in all respects and that the City Council of the City of Dallas, Texas, adopt a resolution giving its written consent to the addition of the Tract to the District.

[SIGNATURES ON THE FOLLOWING PAGES]

"PROPERTY OWNER"

THE EMORY E. HORTON AND PAULINE L. HORTON U/T/A dated March 12, 2008, as amended by instrument dated November 7, 2018

By: _____
Name: William W. Horton
Title: Trustee

THE STATE OF TEXAS §

COUNTY OF Tarrant §

This instrument was acknowledged before me on the 25th day of June, 2019, by William W. Horton, Trustee of The Emory E. Horton and Pauline L. Horton U/T/A, in the capacity herein stated.

CHRISTA LYNN HODNETT
My Notary ID # 131972365
Expires April 15, 2023

(NOTARY SEAL)

Christa Lynn Hodnett
Notary Public in and for the State of T E X A S

"PROPERTY OWNER"

THE HORTON FAMILY TRUST U/T/A dated March 12, 2008 and first funded on December 31, 2009

By: _____
Name: William W. Horton
Title: Trustee

THE STATE OF TEXAS §

COUNTY OF Tarrant §

This instrument was acknowledged before me on the 25th day of June, 2019, by William W. Horton, Trustee of The Horton Family Trust U/T/A, in the capacity herein stated.

CHRISTA LYNN HODNETT
My Notary ID # 131972365
Expires April 15, 2023

(NOTARY SEAL)

Christa Lynn Hodnett
Notary Public in and for the State of T E X A S

EXHIBIT "D"

LIST OF OFFICERS

The Emory E. Horton and Pauline L. Horton U/T/A dated March 12, 2008, as amended by instrument dated November 7, 2018:

Sole Trustee: William W. Horton
No Officers

The Horton Family Trust U/T/A dated March 12, 2008 and first funded on December 31, 2009:

Sole Trustee: William W. Horton
No Officers

Kaufman County Municipal Utility District No. 3:

President: J. Cullen Aderhold
Vice President: Carrol Walcher
Secretary: Patrick Allen
Assistant Secretary: Deren Wilcox
Assistant Secretary: Sharon R. Caswell

WHEREAS, in 1975, the City of Dallas annexed property for the development of Lake Ray Hubbard which expanded the City of Dallas' extraterritorial jurisdiction east and south of the lake property into Rockwall and Kaufman Counties; and

WHEREAS, Kaufman County Municipal District No. 3, was originally consented to by the City Council on October 8, 2003, by Resolution No. 03-2751; and

WHEREAS, an expansion of Kaufman County Municipal District No. 3 was consented to by the City Council on December 12, 2018, by Resolution No. 18-1786; and

WHEREAS, Section 54.0165 of the Texas Water Code and Section 42.0425 of the Texas Local Government Code require an applicant to request municipal consent to expand a Municipal Utility District within a city's extraterritorial jurisdiction; and

WHEREAS, Section 51A-8.105 of the Dallas Development Code extends plat regulations to all applicable development activity within the extraterritorial jurisdiction of the City; and

WHEREAS, on June 25, 2019, the property owners, The Emory E. Horton and Pauline L. Horton U/T/A; and The Horton Family Trust U/T/A filed a completed application/petition with the Sustainable Development and Construction Department requesting the city's consent for the addition of approximately 77.978 acres into the Kaufman County Municipal Utility District No. 3 within Dallas' extraterritorial jurisdiction on the west corner of University Drive and FM 548.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby consents to and the City Manager is instructed to create such documents, if any, as required to evidence the City of Dallas' consent to the addition of approximately 77.978 acres to the Kaufman County Municipal Utility District No. 3, as depicted on the attached property description labelled as Exhibit A, within the City of Dallas' extraterritorial jurisdiction on the west corner of University Drive and FM 548 in Kaufman County.

SECTION 2. That consent to the addition of the Kaufman County Municipal Utility District No. 3 within the City of Dallas' extraterritorial jurisdiction includes the requirement that all development must comply with Article VIII, "Plat Regulations," of the Dallas Development Code.

SECTION 3. That as a condition of the consent given by the City of Dallas, pursuant to Texas Water Code Section 54.016(e) and (g), the Munipal Utility District shall be subject to the following terms and provisions:

(a) That the Municipal Utility District must construct all facilities in accordance with plans and specifications which have been approved by the City of Dallas.

(b) That the City of Dallas shall have the right to inspect all facilities being constructed by the Municipal Utility District.

(c) That the Municipal Utility District may only issue bonds for the purchase, construction, acquisition, repair, extension, and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:

  (i) provide a water supply for municipal uses, domestic uses, and commercial purposes;

  (ii) collect, transport, process, dispose of, and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state;

  (iii) gather, conduct, divert, and control local storm water or other local harmful excesses of water in the district;

  (iv) provide roadway improvements; and

  (v) provide payment of organization expenses, operation expenses during construction, and interest during construction.

(d) That the City of Dallas shall be entitled to injunctive relief or a writ of mandamus issued by a court of competent juridscition restraining, compelling, or requiring the Municipal Utility District and its officals to observe and comply with the terms and provisions prescribed by this resolution.

SECTION 4. That the City Council further hereby notifies the Municipal Utility District, its residents, and property owners that the Texas Local Government Code allows the City of Dallas to annex any portion of the district located within the City of Dallas' extraterritorial jurisdiction, and the City of Dallas hereby requests that the Municipal Utility District include a statement in the form required under Section 49.452 of the Texas Water Code reflecting the possibility of annexation by the City of Dallas.

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

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By: _____
Assistant City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION
77.978 ACRES

BEING a tract of land situated in the JUAN LOPEZ SURVEY, ABSTRACT NO. 286 and the SAMUEL SMITH SURVEY, ABSTRACT NO. 450, Kaufman County, Texas and being all of that tract of land described in Deed to Emory E. Horton and wife, Pauline L. Horton Trust, as recorded in Volume 3699, Page 471 (Document No. 2009-0021622), Deed Records, Kaufman County, Texas and being all of that tract of land described in Deed to Emory E. Horton and Pauline L. Horton, Co-Trustees, as recorded in Volume 3699, Page 475 (Document No. 2009-0021623), Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a point in the northwest line of Farm to Market Road No. 548, a 100 foot right-of-way, for the common east corner of that tract of land described as Tract 2 in Deed to Clay Shipman and Marilee A. Shipman, as recorded in Volume 2895, Page 27, Deed Records, Kaufman County, Texas and south corner of said Emory E. Horton and wife, Pauline L. Horton Trust tract;

THENCE North 45 degrees 51 minutes 36 seconds West, leaving said northwest line and with the common south line of said Emory E. Horton and wife, Pauline L. Horton Trust tract and north line of said Tract 2, passing at a distance of 0.45 feet a 1/2 inch iron rod found, and continuing in all for a total distance of 1,453.01 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common north corner of said Tract 2 and an interior ell corner of said Emory E. Horton and wife, Pauline L. Horton Trust tract;

THENCE South 44 degrees 35 minutes 31 seconds West, a distance of 450.30 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the northeast line of DEVONSHIRE PHASE 2B, an Addition to Kaufman County, Texas according to the Plat thereof recorded in Document No. 2016-0015991, Map Records, Kaufman County, Texas for the common west corner of that tract of land described as Tract 1 in Deed to Clay Shipman and Marilee A. Shipman, as recorded in Volume 2895, Page 27, Deed Records, Kaufman County, Texas and an exterior ell corner of said Emory E. Horton and wife, Pauline L. Horton Trust tract;

THENCE North 45 degrees 51 minutes 37 seconds West, with said northeast line, a distance of 520.76 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the west corner of said Emory E. Horton and wife, Pauline L. Horton Trust tract;

THENCE North 44 degrees 16 minutes 38 seconds East, leaving said northeast line, a distance of 1,904.41 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the southwest line of University Drive, a variable width right-of-way, for the north corner of said Emory E. Horton and wife, Pauline L. Horton Trust tract;

THENCE South 45 degrees 52 minutes 23 seconds East, with said southwest line, a distance of 381.69 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 45 degrees 28 minutes 11 seconds East, continuing with said southwest line, passing at a distance of 1,999.86 a TxDOT right-of-way marker found, and continuing in all for a total distance of 2,164.16 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set at the intersection of said southwest line with the northwest line of the above mentioned Farm to Market Road No. 548;

THENCE South 75 degrees 16 minutes 16 seconds West, with said northwest line, passing at a distance of 82.77 feet a TxDOT right-of-way marker found, and continuing in all for a total distance of 564.05 feet to a concrete monument found for corner at the beginning of a curve to the left having a central angle of 29 degrees 28 minutes 26 seconds, a radius of 1,960.00 feet and a chord bearing and distance of South 60 degrees 31 minutes 59 seconds West, 997.18 feet;

THENCE Southwesterly, with said curve to the left, an arc distance of 1,008.26 feet to the **POINT OF BEGINNING** and containing 77.978 acres of land, more or less.

Agenda Information Sheet

File #: 19-643 **Item #:** 17.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance granting a private license to Jefferson West Love Owner - Phase 2, LLC, for the use of a total of approximately 230 square feet of land to occupy, maintain, and utilize twenty-nine trees with appurtenant irrigation system and fifteen light poles on portions of Forest Park Road and Hawes Avenue rights-of-way near its intersection with Forest Park Road - Revenue: $400.00 one-time fee, plus the $20.00 ordinance publication fee

BACKGROUND

This item grants a private license to Jefferson West Love Owner - Phase 2, LLC, for the use of a total of approximately 230 square feet of land to occupy, maintain, and utilize twenty-nine trees with appurtenant irrigation system and fifteen light poles on portions of Forest Park Road and Hawes Avenue rights-of-way, near its intersection with Forest Park Road. The use of this area will not impede pedestrian or vehicular traffic. The term of this license is forty years.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: $400.00 one-time fee, plus the $20.00 ordinance publication fee

OWNER

Jefferson West Love Owner - Phase 2, LLC

Jefferson West Love - Phase 2, LLC

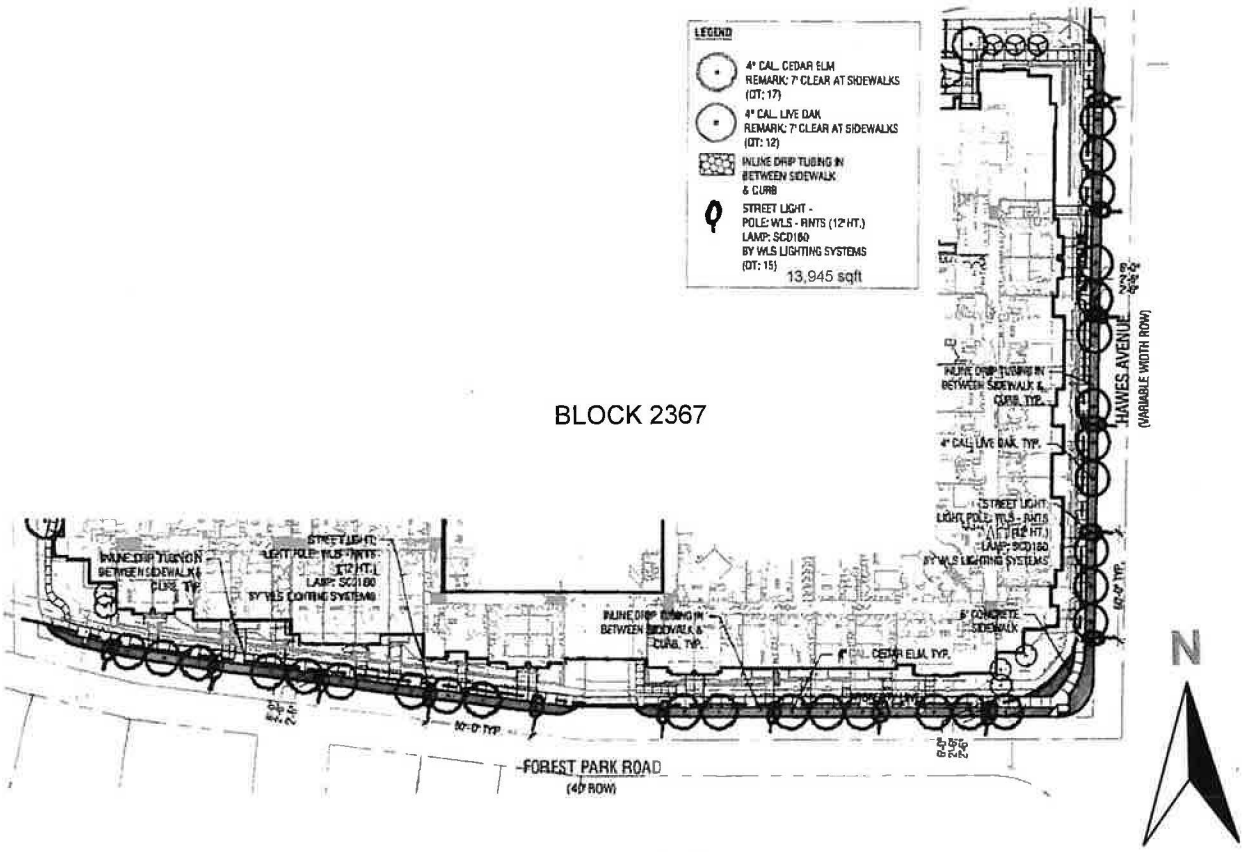
Jefferson West Love Manager - Phase 2, LLC

Matt Brendel, Managing Member

MAP

Attached

powered by Legistar™



LICENSE AREAS

- 29 trees with irrigation (200sf = 180sf plus 20sf)
- 15 light poles = (30sf)

Total 230sf

ORDINANCE NO. _____

An ordinance granting a private license to Jefferson West Love Owner – Phase 2, LLC to occupy, maintain and utilize portions of Forest Park Road and Hawes Avenue rights-of-way located near its intersection with Forest Park Road, adjacent to City Block E/2367 within the limits hereinafter more fully described, for the purpose of occupying, maintaining and utilizing twenty-nine (29) trees with appurtenant irrigation system and fifteen (15) light poles; providing for the terms and conditions of this license; providing for the one-time fee 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 Jefferson West Love Owner – Phase 2, 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 tracts 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 a one-time license fee in the sum of **FOUR HUNDRED AND NO/100 DOLLARS ($400.00)**, for the license herein granted, said sum to be paid prior to the final passage of this ordinance and shall cover the consideration for the license term, in accordance with the special fees established by Section 43-115.1 of the Dallas City Code. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. 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, 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

SECTION 3. (continued)

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 twenty-nine (29) trees with appurtenant irrigation system and fifteen (15) light poles on portions of Forest Park and Hawes Avenue.

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 areas 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** shall adhere to landscaping and development requirements of Planned Development 759 (PD 759).

(b) **GRANTEE** shall comply with all Americans with Disabilities Act (ADA) and Texas Department of Licensing and Regulation (TDLR) requirements.

(c) **GRANTEE** shall acknowledge that any soil with the potential to be contaminated should be managed or disposed of appropriately according to local, state and federal regulations.

(d) **GRANTEE** acknowledges that Hawes Avenue has existing four-inch, high-density polyethylene pipes (HDPE), **GRANTEE** must locate ATMOS existing main before digging underground to identify any conflicts.

(e) **GRANTEE** acknowledge that AT&T has underground cables in the license area and should contact AT&T to locate before digging.

SECTION 8. 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 areas, 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

SECTION 10. (continued)

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 ordinance is also designated for City purposes as Contract No. DEV-2019-00009193.

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:
CHRISTOPHER J. CASO,
Interim City Attorney

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: Linda Williams SOR
Assistant Director

Passed _____.

BEING a 13,945 square feet (0.3201 acre) tract of land situated in the Miles Bennett Survey, Abstract No. 52, City of Dallas, Dallas County, Texas, being part of City of Dallas Block 2367 and being part of a 5.1983 acre tract of land described in Special Warranty Deed with Vendor's Lien to Jefferson West Love Owner - Phase 2, LLC. recorded in Instrument No. 201800154660, Official Public Records of Dallas County, Texas and being part of Forest Park Road, (a generally recognized 40-wide public right-of-way, by use and occupation, with no record found) and Hawes Avenue, (a variable width right-of-way) described in Right of Way Deed to the City of Dallas recorded in Volume 2074, Page 122, Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point in the northeast right-of-way line of said Forest Park Road, at the south corner of Lot 1, Block D/2367 of Jackson Pottery Wholesale, a plat recorded in Instrument No. 200900124249, of said Official Records and in the northwest line of said 5.1983 acre tract;

THENCE departing said northeast right-of-way line of Forest Park Road and said northwest line of said 5.1983 acre tract, over and across said 5.1983 tract the following courses and distances to wit:

South 31°24'49" East, a distance of 104.31 feet to a point for corner, from which a 5/8" iron rod with cap stamped "Pate 5647" found in said northeast right-of-way line of Forest Park Road bears South 55°13'33" West, a distance of 8.01 feet;
South 38°08'05" East, a distance of 53.55 feet to a point for corner;
South 37°52'28" East, a distance of 194.97 feet to a point for corner, from which a "X" cut in concrete found in said northeast right-of-way line of Forest Park Road bears South 48°21'50" West, a distance of 8.02 feet;
South 45°23'53" East, a distance of 249.39 feet to a point in a circular right-of-way corner clip located at the northeast right-of-way of said Forest Park Road and the northwest right-of-way of said Hawes Avenue from which a "X" cut in concrete found at the west end said circular right-of-way corner clip bears along a curve to the right, having a central angle of 32°40'19", a radius of 51.13 feet, a chord bearing and distance of North 61°32'48" West, 28.76 feet, with an arc distance of 29.16 feet and being at the beginning of a non-tangent curve to the left having a central angle of 36°54'26", a radius of 51.13 feet, a chord bearing and distance of North 83°39'49" East, 32.37 feet;

THENCE with said circular right-of-way corner clip, in a northeasterly direction, with said curve to the left, an arc distance of 32.94 feet to a point for corner, from which a "X" cut in concrete found at the east end of said circular right-of-way corner clip located at the northeast right-of-way of said Forest Park Road and the northwest right-of-way of said Hawes Avenue bears along a curve to the left, having a central angle of 19°43'27", a raduis of 51.13 feet, a chord bearing and distance of North 55°20'52" East, 17.52 feet, with an arc distance of 17.60 feet;

THENCE departing said circular right-of-way corner clip over and across said 5.1983 acre tract, the following courses and distances to wit:

North 45°29'09" East, a distance of 363.87 feet to a point for corner;
South 46°18'22" East, passing at a distance of 3.00 feet to the southeast line of said 5.1983 acre tract, in all a total distance of 11.35 feet to a point for corner in said right-of-way of Hawes Avenue;

LEGAL DESCRIPTION CONTINUED ON NEXT PAGE

(For SPRG use only)
Reviewed By: JL
Date: 2-19-19
SPRG NO: 4755

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75240
PH. (972) 770-1300
ANDY.DOBBS@KIMLEY-HORN.COM

STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
2-14-19

LICENSE AGREEMENT

BEING PART OF 5.1983 ACRES & PART OF
FOREST PARK ROAD & HAWES AVENUE
PART OF CITY BLOCK 2367
MILES BENNETT SURVEY,
ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	LJG	JAD	DEC. 2018	064446447	1 OF 5

LEGAL DESCRIPTION CONTINUED

THENCE over and across said Hawes Avenue right-of-way and said Forest Park Road right-of-way, the following courses and distances to wit:

South 45°29'09" West, a distance of 384.36 feet to a point at the beginning of a tangent curve to the right having a central angle of 89°06'58", a radius of 20.00 feet, a chord bearing and distance of North 89°57'22" West, 28.07 feet;
in a northwesterly direction, with said curve to the right, an arc distance of 31.11 feet to a point for corner;
North 45°23'53" West, a distance of 261.80 feet to a point for corner;
North 37°52'28" West, a distance of 195.91 feet to a point for corner, from which a 5/8" iron rod found in said northeast right-of-way line of Forest Park Road and at the west corner of said 5.1983 acre tract and the south corner of said 1.609 acre tract bears North 51°59'44" East, a distance of 6.87 feet;
North 38°08'05" West, a distance of 54.39 feet to a point for corner;
North 31°24'49" West, a distance of 101.34 feet to a point for corner;
North 44°06'38" East, passing a 5/8" iron rod with cap stamped "Pate 5647" found in the northeast right-of-way line of said Forest Park Road and for the west corner of said 5.1983 acre tract at a distance of 7.10 feet, and continuing with said northwest right-of-way line, in all a total distance of 15.36 feet to the **POINT OF BEGINNING** and containing 13,945 square feet or 0.3201 acres of land.

Bearing system based on the State Plane Coordinate System of 1983, Texas North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 2-19-19
SPRG NO: 4755

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75240
PH. (972) 770-1300
ANDY.DOBBS@KIMLEY-HORN.COM

STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
2-14-19

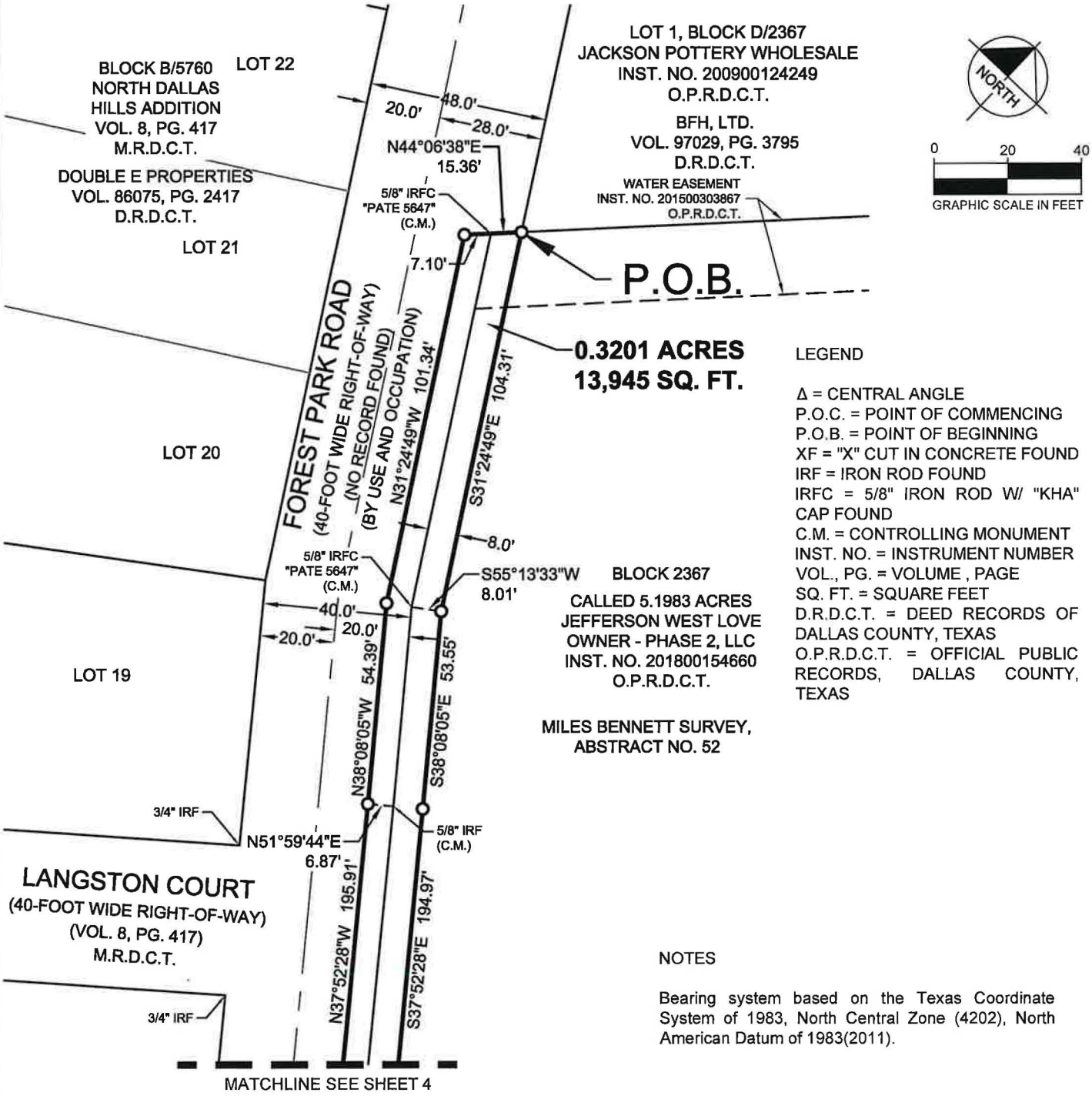
LICENSE AGREEMENT

BEING PART OF 5.1983 ACRES & PART OF
FOREST PARK ROAD & HAWES AVENUE
PART OF CITY BLOCK 2367
MILES BENNETT SURVEY,
ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	LJG	JAD	DEC. 2018	064446447	2 OF 5

Exhibit A



LEGEND

Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
XF = "X" CUT IN CONCRETE FOUND
IRF = IRON ROD FOUND
IRFC = 5/8" IRON ROD W/ "KHA" CAP FOUND
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
VOL., PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

NOTES

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

MATCHLINE SEE SHEET 4

(For SPRG use only)
Reviewed By: JL
Date: 2-19-19
SPRG NO: 4755

LICENSE AGREEMENT

BEING PART OF 5.1983 ACRES & PART OF
FOREST PARK ROAD & HAWES AVENUE
PART OF CITY BLOCK 2367
MILES BENNETT SURVEY,
ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS

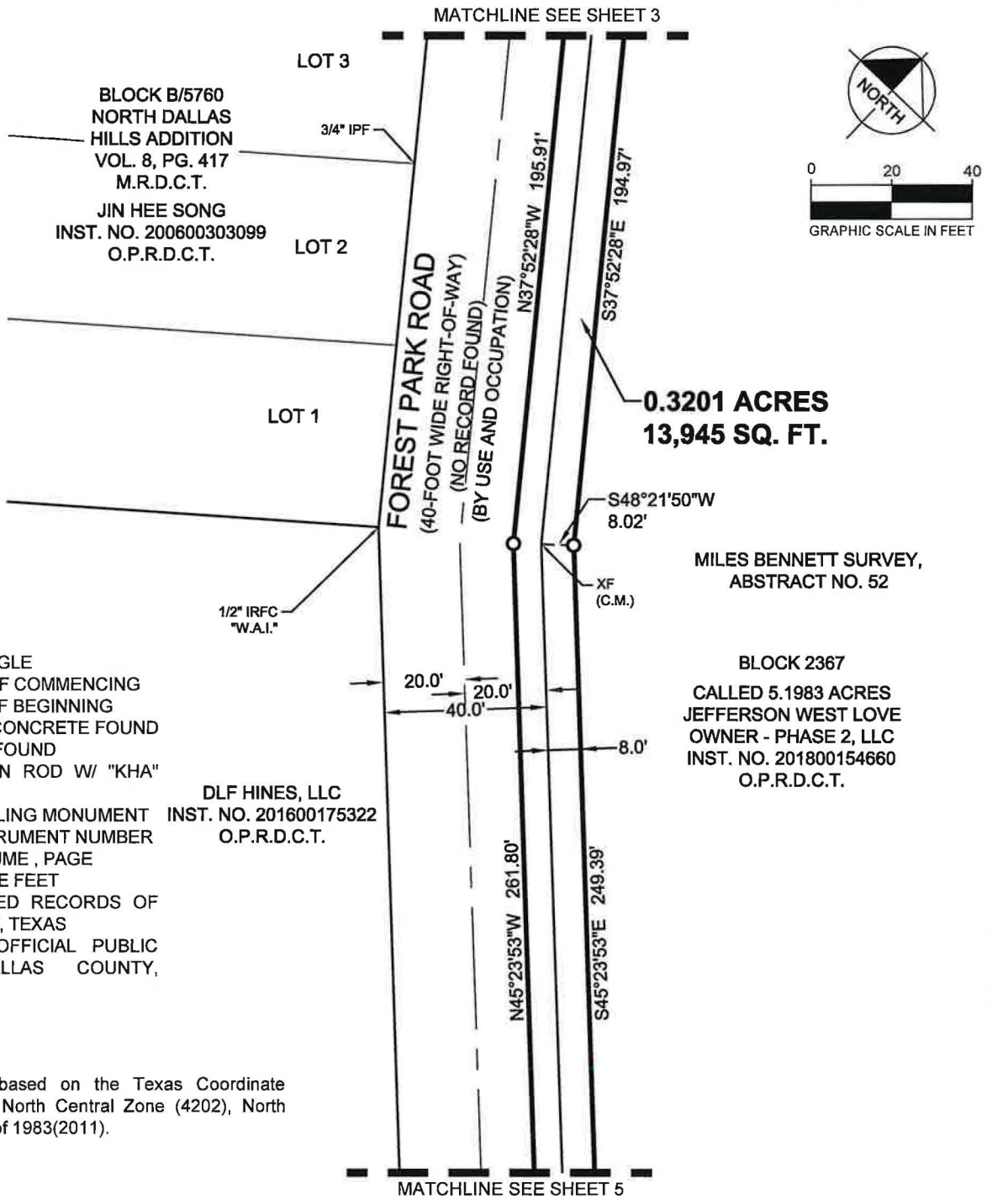
J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75240
PH. (972) 770-1300
ANDY.DOBBS@KIMLEY-HORN.COM

STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
2-14-19

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	LJG	JAD	DEC. 2018	064446447	3 OF 5

Exhibit A



LEGEND

Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
XF = "X" CUT IN CONCRETE FOUND
IRF = IRON ROD FOUND
IRFC = 5/8" IRON ROD W/ "KHA" CAP FOUND
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
VOL., PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

NOTES

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

(For SPRG use only)
Reviewed By: JL
Date: 2-19-19
SPRG NO: 4755

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75240
PH. (972) 770-1300
ANDY.DOBBS@KIMLEY-HORN.COM

STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
2-14-19

LICENSE AGREEMENT

BEING PART OF 5.1983 ACRES & PART OF
FOREST PARK ROAD & HAWES AVENUE
PART OF CITY BLOCK 2367
MILES BENNETT SURVEY,
ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	LJG	JAD	DEC. 2018	064446447	4 OF 5

Exhibit A

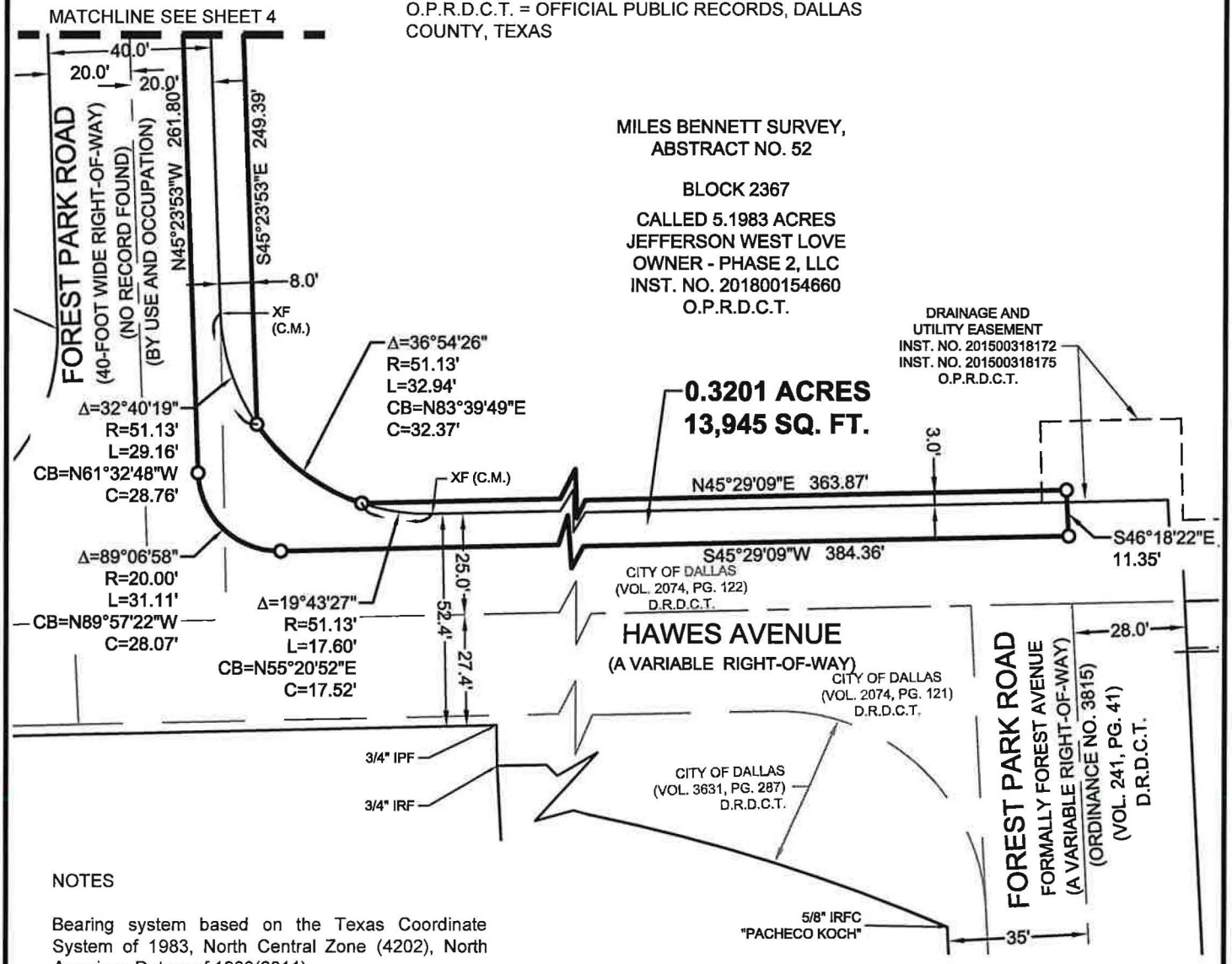
(For SPRG use only)
Reviewed By: JL
Date: 2-19-19
SPRG NO: 4755

LEGEND

Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
XF = "X" CUT IN CONCRETE FOUND
IRFC = 5/8" IRON ROD W/ "KHA" CAP FOUND
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
VOL., PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

NORTH

0 20 40
GRAPHIC SCALE IN FEET



NOTES

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

LICENSE AGREEMENT

BEING PART OF 5.1983 ACRES & PART OF
FOREST PARK ROAD & HAWES AVENUE
PART OF CITY BLOCK 2367
MILES BENNETT SURVEY,
ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS

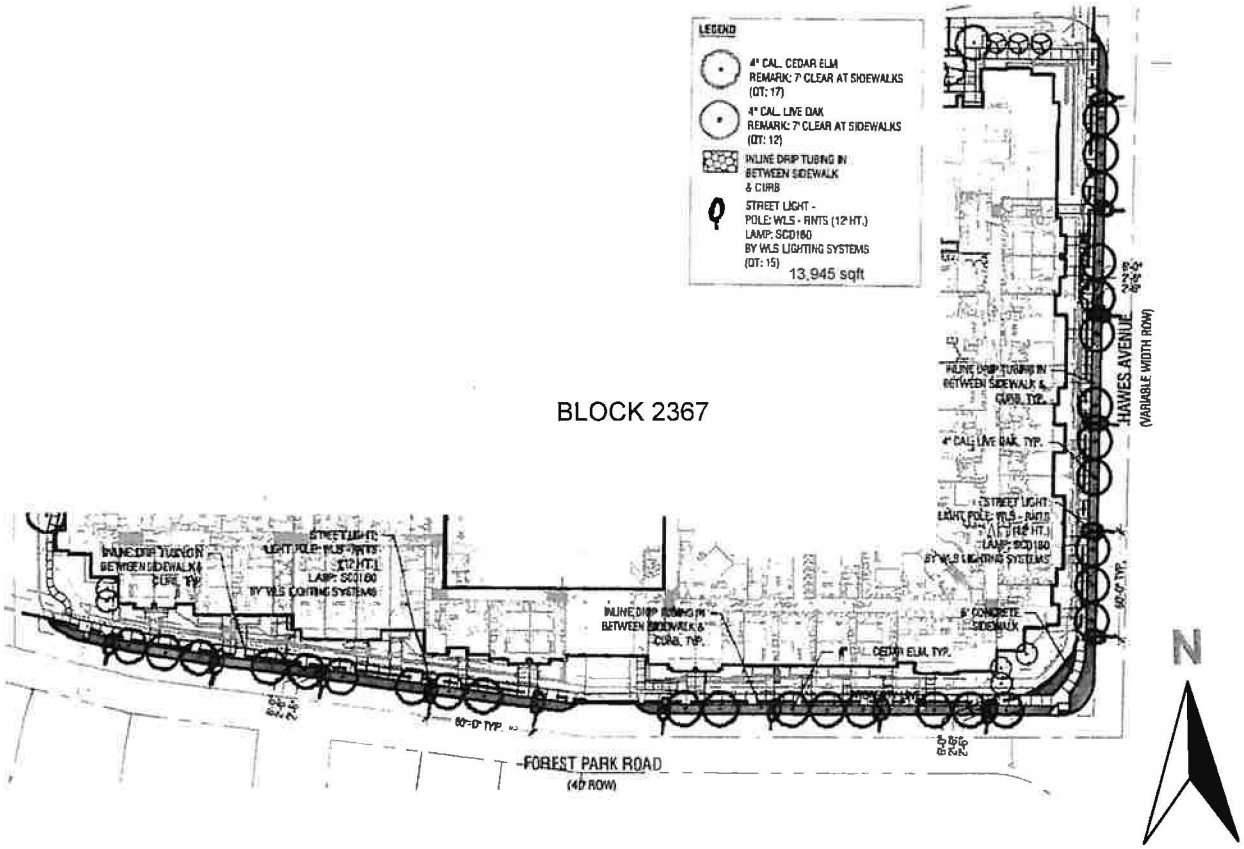
J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75240
PH. (972) 770-1300
ANDY.DOBBS@KIMLEY-HORN.COM

STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
2-14-19

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	LJG	JAD	DEC. 2018	064446447	5 OF 5

EXHIBIT A



LICENSE AREAS

- 29 trees with irrigation (200sf = 180sf plus 20sf)
- 15 light poles = (30sf)

Total 230sf

EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

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

(a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.

(b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

(c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than $500,000 per occurrence and $500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

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

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at 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

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

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 Information Sheet

File #: 19-4 **Item #:** 18.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance abandoning portions of an alley to The Manhattan Project, LLC and Boltex Holdings, Ltd., the abutting owners, containing a total of approximately 3,500 square feet of land, located near the intersection of Yorktown and Haslett Streets; and authorizing the quitclaim; and providing for the dedication of approximately 3,027 square feet of land needed for right-of-way - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of portions of an alley to The Manhattan Project, LLC and Boltex Holdings, Ltd., the abutting owners. The areas will be included with the property of the abutting owners for added parking and building expansion. The owner will dedicate approximately 3,027 square feet of land needed for right-of-way. 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 22 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)

This item has no prior action.

FISCAL INFORMATION

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

OWNERS

The Manhattan Project, LLC

Karl Sanford, Director

Boltex Holdings, Ltd.

Boltex Investment, Inc.

Joel Bolen, President

MAP

Attached

powered by Legistar™



Abandonment Areas: Tract 1

Tract 2

Dedication Area:

ORDINANCE NO. _____

An ordinance providing for the abandonment of portions of an alley located adjacent to City Block 9/6813 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to The Manhattan Project, LLC and Boltex Holdings, Ltd.; 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 The Manhattan Project, LLC, a Texas limited liability company, and Boltex Holdings, Ltd., a Texas limited partnership, hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon and quitclaim, subject to a reverter, the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portions of an alley 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, conditions and reverter hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the 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 reverter and the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of 1) a **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($5,400.00)** processing fee as required under 2-26.2(g)(1) of the Dallas City Code and 2) the sum of **THIRTY-FIVE THOUSAND AND NO/100 DOLLARS ($35,000.00)** which shall be due, owing and paid by **GRANTEE**, only upon default or nonperformance of Section 10, and the further consideration described in Sections 8, 9, 10, and 11 the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, the reverter, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A as follows: unto The Manhattan Project, LLC, all of its right, title and interest in Tract I of Exhibit A; unto Boltex Holdings, Ltd. all of its right, title and interest in Tract II of Exhibit A. Provided however, that if **GRANTEE,** their successors and assigns, fails to file a final replat of the adjoining properties as required in Section 9 of this ordinance, but no later than the earlier of (i) the date applicable pursuant to the requirements of the Dallas Development Code Chapter 51A-8.403(a)(4)(D) which provides in pertinent part, as may be amended:

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

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

SECTION 2. (continued)

together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE**.

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

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

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

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, their 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**, their 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**, their successors and assigns; (ii) the presence, generation,

SECTION 8. (continued)

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**, their 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**, their 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.

SECTON 9. That as a condition of this abandonment and as a apart of the consideration for the quitclaim made herein, **GRANTEE** shall adhere to Plan Development (PD-714) District Regulations requiring needed street right-of-way.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within one year of the effective date of this ordinance showing the dedication by easement of not less than 3,027 square feet of needed right-of-way in City Block

SECTION 10. (continued)

9/6813. 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 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, their successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Section 9, with the completion of the dedication set forth, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, subject to a reverter interest, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or

SECTION 12. (continued)

designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 13. That this ordinance is also designated for City purposes as Contract No. DEV-2019-00008934 for The Manhattan Project, LLC and Contract No. DEV-2019-00008789 for Boltex Holdings, Ltd.

SECTION 14. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

ALLEY ABANDONMENT

HARDING AND HARRISON'S WEST DALLAS ADDITION
BLOCK 9/6813
WILLIAM P. OVERTON SURVEY, ABSTRACT NO. 1106
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A – Tract 1

Being a 2,800 square foot or 0.064 acre tract of land and being part of a 14' alley right-of-way, located in WILLIAM P. OVERTON SURVEY, Abstract No. 1106, of Block 9/6813 of the Harding and Harrison's West Dallas Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 106, Page 159, Deed Records, Dallas County, Texas, and being more particularly described as follows:

Beginning at a 1/2" iron rod found at the intersection of the South line of Powell Street, formerly Pearl Street, a 30' right-of-way, recorded in Volume 106, Page 159, Deed Records, Dallas County, Texas, with the East line of said 14' alley right-of-way, same being the Northwest corner of Lot 7, of said Block 9/6813, and said point being South 89°00'52" West, 103.00' from a 5/8" iron rod found at the intersection of the said South line, with the West line of Sulphur Street, formerly Stella Street, a 40' right-of-way, recorded in Volume 106, Page 159, Deed Records, Dallas County, Texas;

Thence South 00°59'08" East, along said East line, and the West line of Lots 7, 8, 9, and 10, Block 9/6813, a distance of 200.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the Northwest corner of Lot 11, of said Block 9/6813;

Thence South 89°00'52" West, a distance of 14.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the East line of a tract of land described in deed to Yorktown Joint Venture, recorded in Volume 96157, Page 5036, Deed Records, Dallas County, Texas, and being the Northeast corner of Lot 2, of said Block 9/6813;

Thence North 00°59'08" West, along the West line of said 14' alley right-of-way, and the East line of Lots 3, 4, 5, and 6 of said Block 9/6813, a distance of 200.00' to a 1/2" iron rod found at the intersection of the West line of said 14' alley right-of-way, with the said South line of Powell Street, formerly Pearl Street, same being the Northeast corner of Lot 6, of said Block 9/6813, and said point being North 89°00'52" East, a distance of 103.00' from a 1/2" iron rod found at the intersection of the said South line, with the East line of Haslett Street, formerly Harrison Avenue, a 53' right-of-way, recorded in Volume 106, Page 159, Deed Records, Dallas County, Texas, and recorded in Volume 3283, Page 507, Deed Records, Dallas County, Texas;

Thence North 89°00'52" East, along said South line, a distance of 14.00' to the PLACE OF BEGINNING and containing 2,800 square feet or 0.064 of an acre of land.

(FOR SPRG USE ONLY)
REVIEWED BY: G.S.
DATE: 3-14-19
SPRG NO: 4682

BASIS OF BEARINGS IS THE SOUTH LINE
POWELL ST., (N. 89°00'52" E.)
BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983. (2011)

STATE OF TEXAS
REGISTERED
JOHN S. TURNER
#5310
PROFESSIONAL LAND SURVEYOR

John S. Turner, R.P.L.S. #5310 03-07-19

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

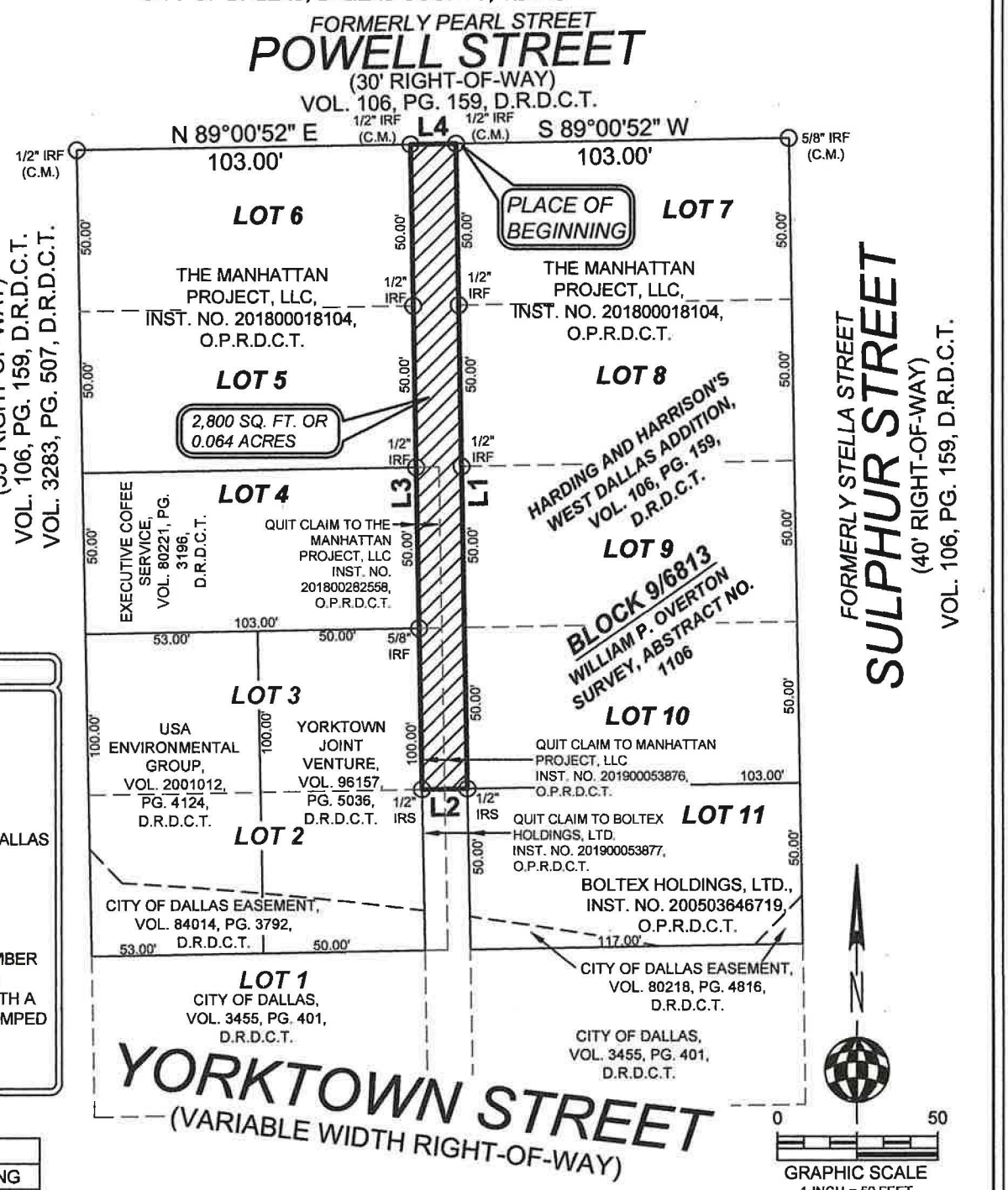
Job Number: 18-1687 Date: 08-01-2018 Drafter: 517

"A professional company operating in your best interest"

SHEET 2 OF 2

ALLEY ABANDONMENT
HARDING AND HARRISON'S WEST DALLAS ADDITION
BLOCK 9/6813
WILLIAM P. OVERTON SURVEY, ABSTRACT NO. 1106
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A – Tract 1



LEGEND	
C.M.	CONTROLLING MONUMENT
VOL.	VOLUME
PG.	PAGE
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
INST. NO.	INSTRUMENT NUMBER
IRF	IRON ROD FOUND
IRS	IRON ROD SET WITH A YELLOW CAP STAMPED "RPLS 5310"
CH. BEAR.	CHORD BEARING
SQ. FT.	SQUARE FEET

LINE TABLE		
LINE	LENGTH	BEARING
L1	200.00'	S00°59'08"E
L2	14.00'	S89°00'52"W
L3	200.00'	N00°59'08"W
L4	14.00'	N89°00'52"E

(FOR SPRG USE ONLY)
REVIEWED BY: G.S.
DATE: 3-14-19
SPRG NO: 4682

GRAPHIC SCALE
1-INCH = 50 FEET
BASIS OF BEARINGS IS THE SOUTH LINE POWELL ST., (N. 89°00'52" E.) BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983. (2011)

STATE OF TEXAS
REGISTERED
JOHN S. TURNER
#5310
PROFESSIONAL LAND SURVEYOR

John S. Turner

John S. Turner, R.P.L.S. #5310 03-07-19

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

Job Number: 18-1687 Date: 08-01-2018 Drafter: 517

"A professional company operating in your best interest"

ALLEY ABANDONMENT
HARDING AND HARRISON'S WEST DALLAS ADDITION
BLOCK 9/6813
WILLIAM P. OVERTON SURVEY, ABSTRACT NO. 1106
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A – Tract 2

Being a 700 square foot or 0.016 acre tract of land and being part of a 14' alley right-of-way, located in WILLIAM P. OVERTON SURVEY, Abstract No. 1106, of Block 9/6813 of the Harding and Harrison's West Dallas Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 106, Page 159, Deed Records, Dallas County, Texas, and being more particularly described as follows:

Commencing at a 1/2" iron rod found at the intersection of the South line of Powell Street, formerly Pearl Street, a 30' right-of-way, recorded in Volume 106, Page 159, Deed Records, Dallas County, Texas, with the East line of said 14' alley right-of-way, same being the Northwest corner of Lot 7, of said Block 9/6813, and said point being South 89°00'52" West, 103.00' from a 5/8" iron rod found at the intersection of the said South line, with the West line of Sulphur Street, formerly Stella Street, a 40' right-of-way, recorded in Volume 106, Page 159, Deed Records, Dallas County, Texas;

Thence South 00°59'08" East, along said East line, and the West line of Lots 7, 8, 9, and 10, Block 9/6813, a distance of 200.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Northwest corner of Lot 11, of said Block 9/6813, and being the PLACE OF BEGINNING of the tract of land described herein;

Thence South 00°59'08" East, along said East line, a distance of 50.00' to a Mag nail set for corner at the intersection of the present North line of Yorktown Street, a variable width right-of-way, recorded in Volume 3455, Page 398, and Volume 3455, Page 401, Deed Records, Dallas County, Texas, and being the South line of a City of Dallas Easement recorded in Volume 80218, Page 4816, Deed Records, Dallas County, Texas, with the said East line of said 14' alley right-of-way;

Thence South 89°00'52" West, along said South line of said 14' alley right-of-way, same being the North line of said Yorktown Street, a distance of 14.00' to a Mag nail set at the Southeast corner of a tract of land described in deed to Yorktown Joint Venture, recorded in Volume 96157, Page 5036, Deed Records, Dallas County, Texas, same being the Southeast corner of a City of Dallas Easement, recorded in Volume 84014, Page 3792, Deed Records, Dallas County, Texas;

Thence North 00°59'08" West, a distance of 50.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the East line of of said Lot 2, Block 9/6813;

Thence North 89°00'52" East, a distance of 14.00' to the PLACE OF BEGINNING and containing 700 square feet or 0.016 of an acre of land.

(FOR SPRG USE ONLY)
REVIEWED BY: G.S.
DATE: 4-8-19
SPRG NO: 4681

BASIS OF BEARINGS IS THE SOUTH LINE
POWELL ST., (N. 89°00'52" E.)
BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983. (2011)

STATE OF TEXAS
REGISTERED
JOHN S. TURNER
#5310
PROFESSIONAL
LAND SURVEYOR

John S. Turner, R.P.L.S. #5310 4-8-19

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

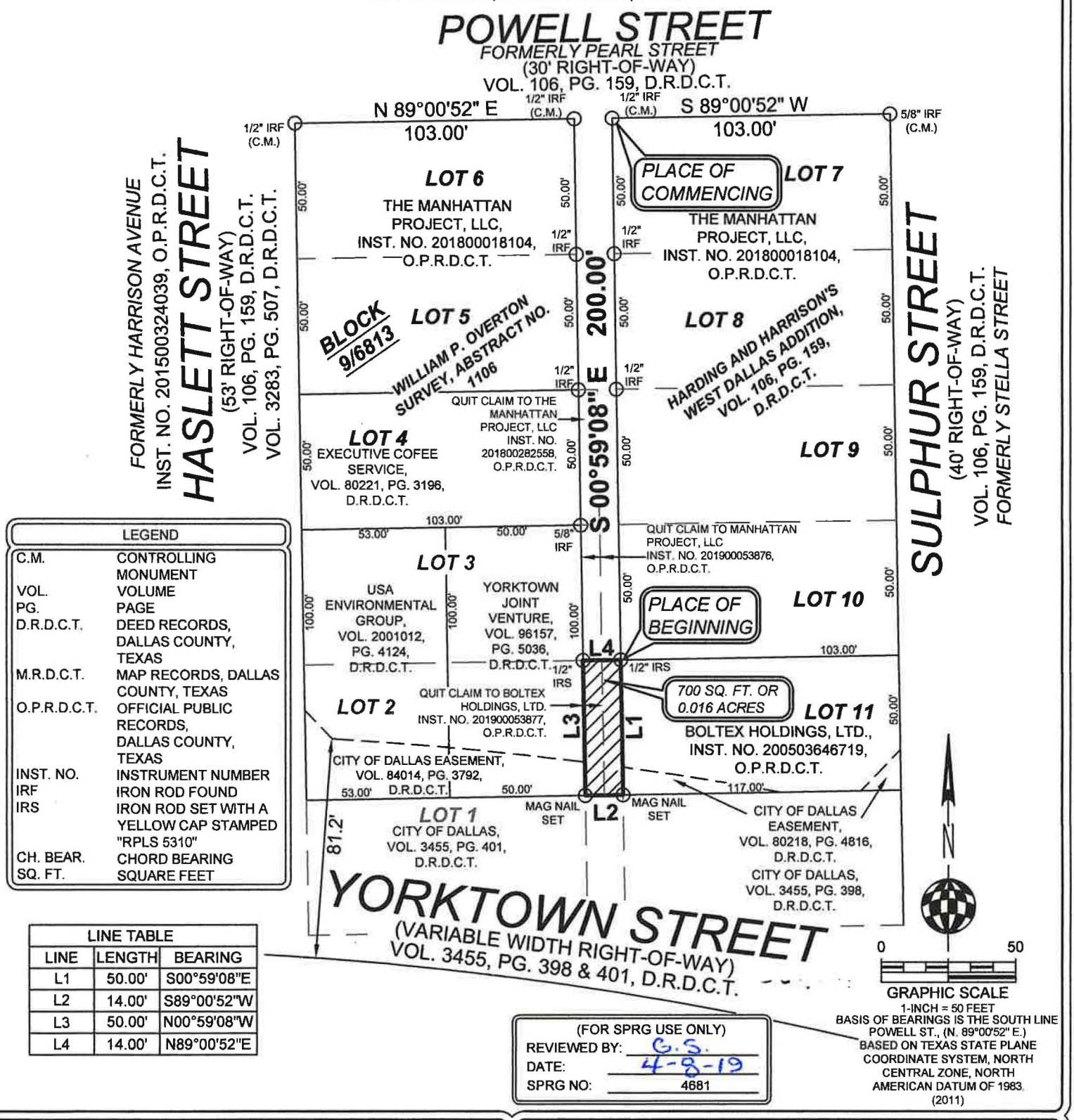
Job Number: 18-1688 Date: 08-01-2018 Drafter: 517

"A professional company operating in your best interest"

SHEET 2 OF 2

ALLEY ABANDONMENT
HARDING AND HARRISON'S WEST DALLAS ADDITION
BLOCK 9/6813
WILLIAM P. OVERTON SURVEY, ABSTRACT NO. 1106
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A – Tract 2



LEGEND	
C.M.	CONTROLLING MONUMENT
VOL.	VOLUME
PG.	PAGE
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
INST. NO.	INSTRUMENT NUMBER
IRF	IRON ROD FOUND
IRS	IRON ROD SET WITH A YELLOW CAP STAMPED "RPLS 5310"
CH. BEAR.	CHORD BEARING
SQ. FT.	SQUARE FEET

LINE TABLE		
LINE	LENGTH	BEARING
L1	50.00'	S00°59'08"E
L2	14.00'	S89°00'52"W
L3	50.00'	N00°59'08"W
L4	14.00'	N89°00'52"E

(FOR SPRG USE ONLY)
REVIEWED BY: G.S.
DATE: 4-8-19
SPRG NO: 4681

BASIS OF BEARINGS IS THE SOUTH LINE POWELL ST., (N. 89°00'52" E.) BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (2011)

STATE OF TEXAS REGISTERED JOHN S. TURNER #5310 PROFESSIONAL LAND SURVEYOR

John S. Turner, R.P.L.S. #5310 4-8-19

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

Job Number: 18-1688 Date: 08-01-2018 Drafter: 517

"A professional company operating in your best interest"

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.

1500 Marilla Street
Dallas, Texas 75201

City of Dallas

Agenda Information Sheet

File #: 19-769 **Item #:** 19.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance abandoning a portion of a utility easement to Olerio Homes, LLC, the abutting owner, containing approximately 1,718 square feet of land, located near the intersection of Southwestern Boulevard and Preston Park Drive - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of a utility easement to Olerio Homes, LLC, the abutting owner. The area will be included with the property of the abutting owner for the construction of a new single-family residence. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

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

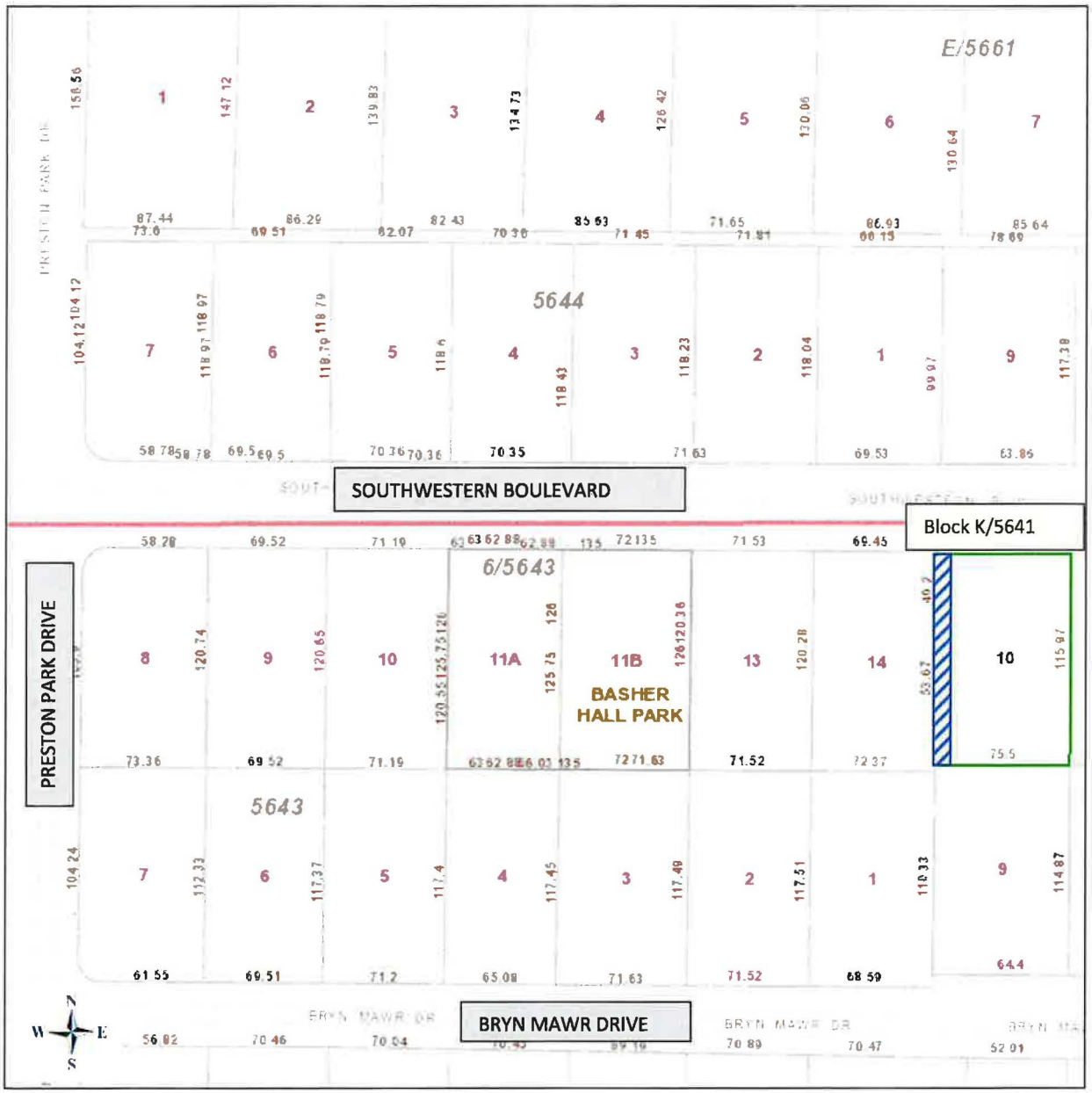
OWNER

Olerio Homes, LLC

Louis M. Olerio, Manager

MAP

Attached



Abandonment Area:

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a portion of a utility easement, located in City Block K/5641 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Olerio Homes, LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the 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 Olerio Homes, LLC, a Texas limited liability company; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

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

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

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

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

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

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

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

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

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

SECTION 9. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 10. That this ordinance is also designated for City purposes as Contract No. DEV-2019-00009988.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

Exhibit A

UTILITY EASEMENT ABANDONMENT
PORTION OF LOT 10, BLOCKS K/5641
OF RESUBDIVISION OF BLOCKS K, L AND THE NORTH ONE-HALF OF I, OF IDLEWILD ACRES ADDITION, FOURTH SECTION
ANDREW J. MANNIN SURVEY, ABASTRACT NO. 948
CITY OF DALLAS, DALLAS COUNTY TEXAS

Being 1,718 square feet (0.0394 acres) a tract of land situated in the Andrew J. Mannin Survey, Abstract No. 948, being a portion of Lot 10, Block K/5641, Resubdivision of Blocks K, L and the North one-half of I of Idlewild Acres Addition, Fourth Section, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 8, Page 293, Map Records, Dallas County, Texas, and being a portion of a 15 foot Utility Easement, recorded in Volume 8, Page 293, Map Records, Dallas County, Texas, same being that tract of land conveyed to Olerio Homes, LLC, by General Warranty Deed recorded in Instrument Number 201800323426, Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows;

BEGINNING at a 1/2 inch iron rod found for corner, said corner being the Northeast corner of Lot 14, and being the Northwest corner of Lot 10, of said Addition, and being along the South line of Southwestern Boulevard (50 foot right-of-way, Vol. 8, Pg. 293, M.R.D.C.T);

THENCE East, along the South line of said Southwestern Boulevard, a distance of 14.50 feet to point for corner, from which a 1/2 inch iron rod found for controlling monument bears East, a distance of 67.50 feet;

THENCE South 00 degrees 16 minutes 54 seconds East, a distance of 118.50 feet to a point for corner, said corner being along the North line of a 7.5 feet Utility Easement recorded in Volume 8, Page 293, Map Records, Dallas County, Texas;

THENCE West, along the North line of said easement, a distance of 14.50 feet to a point for corner, said corner being along the East line of said Lot 14, and being along the West line of said Lot 10, from which a 60D Nail bears North 65 Degrees 17 Minutes 00 Seconds East, a distance of 0.37 feet for witness;

THENCE North 00 degrees 16 minutes 54 seconds West, along the East line of said Lot 14, and being along the West line of said Lot 10, a distance of 118.50 feet to the POINT OF BEGINNING and containing 1,718 square feet or 0.0394 acres of land.

(For SPRG use only)	
Reviewed By:	G.S.
Date:	5-23-19
SPRG No.:	4890

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
PROFESSIONAL
LAND SURVEYOR

BRYAN CONNALLY
R.P.L.S. NO. 5513

GENERAL NOTES:
1) BASIS OF BEARING IS THE SOUTH LINE OF SOUTHWESTERN BOULEVARD (BEING EAST) AS RECORDED IN VOLUME 8, PAGE 293, MAP RECORDS DALLAS COUNTY, TEXAS.

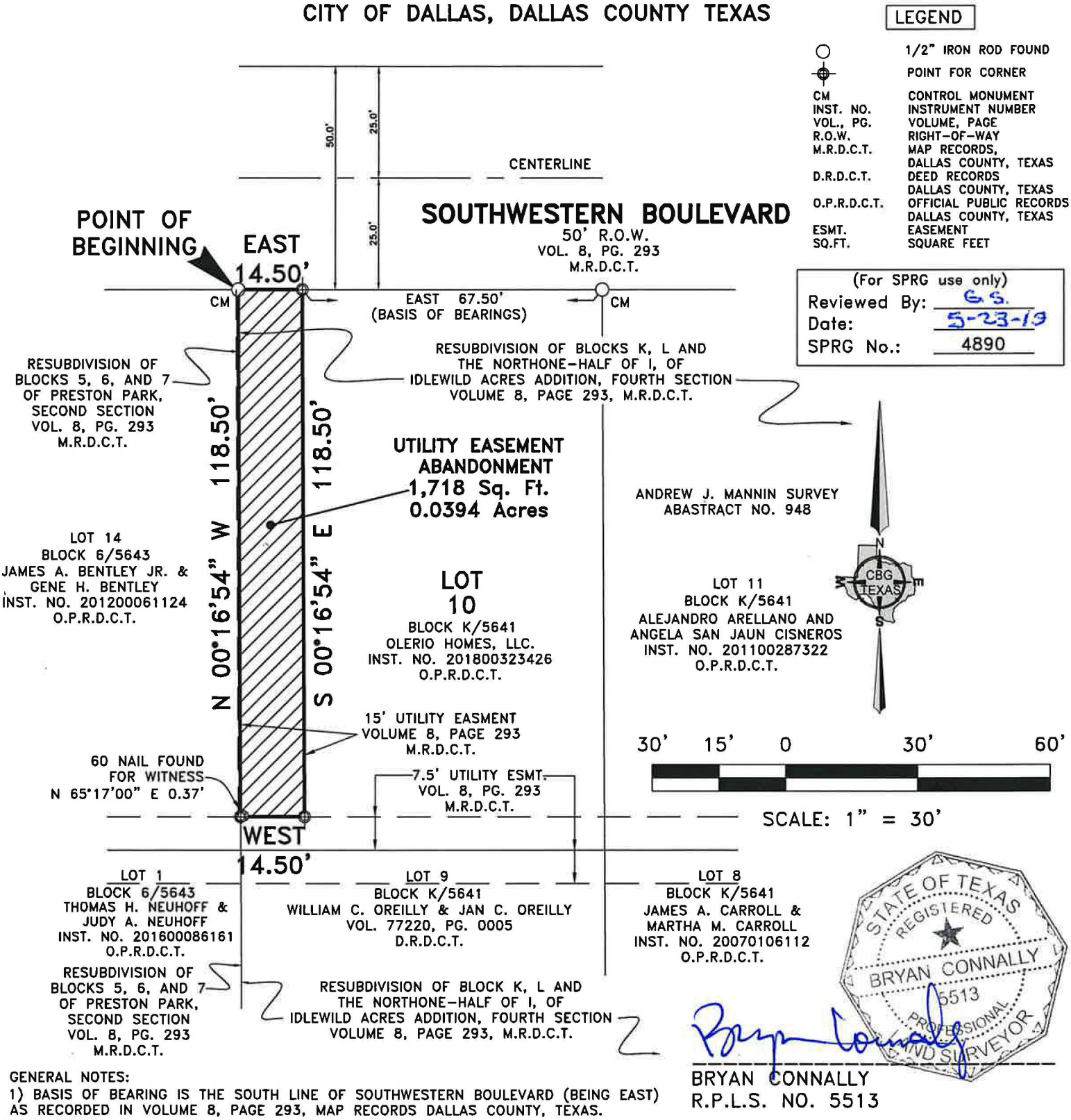
CBG Surveying Texas, LLC

PLANNING SURVEYING
12025 Shiloh Road • Suite 230 Dallas, Texas 75228
P 214.349.9485 F 214.349.2216
Firm No. 10168800
www.cbgdfw.com

SHEET 1 OF 2
JOB NO. 1822540-1
DRAWN BY: OR
DATE: 03/26/19
SCALE: 1" = 30'

UTILITY EASEMENT ABANDONMENT
PORTION OF LOT 10, BLOCKS K/5641
OF RESUBDIVISION OF BLOCK K, L AND THE NORTH ONE-HALF OF I, OF IDLEWILD ACRES ADDITION, FOURTH SECTION
ANDREW J. MANNIN SURVEY, ABASTRACT NO. 948
CITY OF DALLAS, DALLAS COUNTY TEXAS

Exhibit A



GENERAL NOTES:
1) BASIS OF BEARING IS THE SOUTH LINE OF SOUTHWESTERN BOULEVARD (BEING EAST) AS RECORDED IN VOLUME 8, PAGE 293, MAP RECORDS DALLAS COUNTY, TEXAS.

BRYAN CONNALLY
R.P.L.S. NO. 5513

CBG Surveying Texas, LLC
PLANNING • SURVEYING
12025 Shiloh Road • Suite 230 • Dallas, Texas 75228
P 214.349.9485 • F 214.349.2216
Firm No. 10168800
www.cbgdfw.com

SHEET 2 OF 2
JOB NO. 1822540-1
DRAWN BY: OR
DATE: 03/26/19
SCALE: 1" = 30'

Agenda Information Sheet

File #: 19-903 **Item #:** 20.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance abandoning a portion of a utility easement to Sulman Ahmed as Trustee of The SJD Trust, the abutting owner, containing approximately 3,793 square feet of land, located near the intersection of Alan Dale and Shadywood Lanes - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a utility easement to Sulman Ahmed as Trustee of The SJD Trust, the abutting owner. The area will be included with the property of the abutting owner for the construction of a new single-family residence. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

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

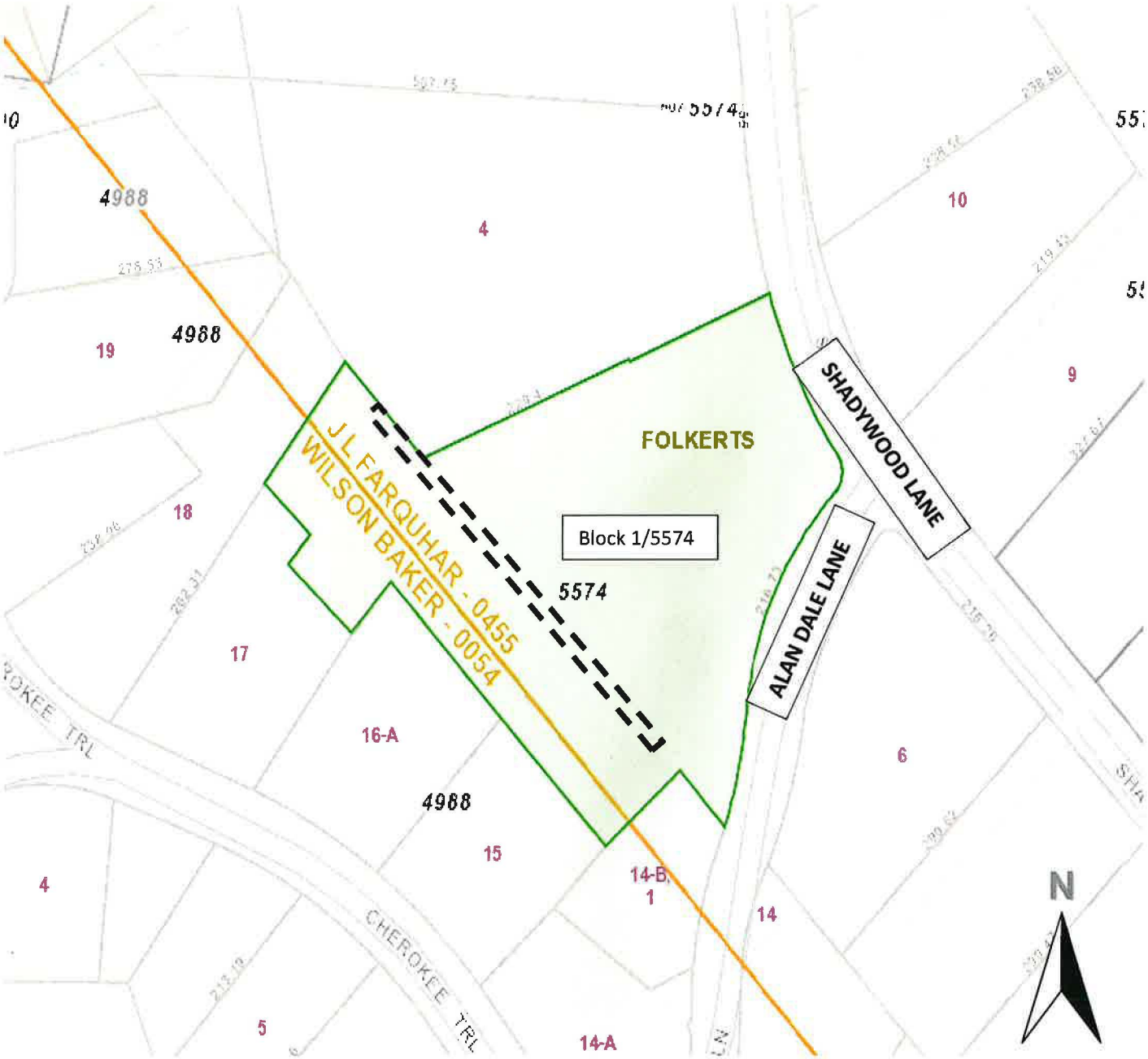
OWNER

Sulman Ahmed as Trustee of The SJD Trust

Sulman Ahmed, Trustee

MAP

Attached



Utility Easement Abandonment area:

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a utility easement, located in City Block 1/5574 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Sulman Ahmed as Trustee of The SJD Trust; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Sulman Ahmed as Trustee of The SJD Trust, an individual; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

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

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

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

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

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

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, his/her heirs and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

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

SECTION 9. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 10. That this ordinance is also designated for City purposes as Contract No. DEV-2019-00009881.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

Utility Easement Abandonment

Folkerts Addition
Lot 4A, Block 1/5574
James L. Farquhar Survey, Abstract No. 455
City of Dallas, Dallas County, Texas

Exhibit A

SITUATED in the State of Texas, the County of Dallas and the City of Dallas, being a 3,793 square foot (0.087 acre) tract of land out of the James L. Farquhar Survey, Abstract No. 455, being part of Dallas City Block 5574, being part of Lot 4A, Block 1/5574 of Folkerts Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 20080348818 of the Official Public Records of Dallas County, Texas, being part of a tract of land conveyed to Sulman Ahmed, Trustee of the SJD Trust by general warranty deed recorded in Instrument No. 201600337013 of the Official Public Records of Dallas County, Texas, being part of a 10 foot easement described in a deed recorded in Volume 2881, Page 70 of the Deed Records of Dallas County, Texas, being part of a 10 foot public utility easement as shown on the plat of Bluff View Estates, an addition to the City of Dallas , Dallas County, Texas, according to the plat thereof recorded in Volume 3, Page 131 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod capped "Roome" found for corner marking the south corner of a tract of land conveyed to Aaron Jayson Adair by deed recorded in Instrument No. 201300159110 of the Official Public Records of Dallas County, Texas and an ell corner of said Lot 4A;

THENCE crossing Lot 4A as follows:

South 44°19'56" East, 371.39 feet to a point for corner, from which a 1/2 inch iron rod found for reference bears South 44°19'56" East, 10.03 feet,

South 50°15'36" West, 10.03 feet to a point for corner,

North 44°19'56" West, 379.19 feet to a point for corner, and

North 48°26'42" East, 10.02 feet to a point for corner in the north line of said Lot 4A;

THENCE with a north line of said Lot 4A, South 44°14'44" East, 8.11 feet to the Point of Beginning and containing 3,793 square feet or 0.087 acres of land, more or less.

BASIS OF BEARINGS: Bearings are based on the platted northwest line of Lot 4A, Block 1/5744 of Folkerts Addition, North 68°30'34" East.

STATE OF TEXAS
REGISTERED
MICHAEL CUZZO
5693
PROFESSIONAL
LAND SURVEYOR

March 15, 2019

P:/ES/2019Q1/ES651339.DWG

(For SPRG Use Only)
Reviewed By: G.S
Date: 5-21-19
SPRG No. 4886

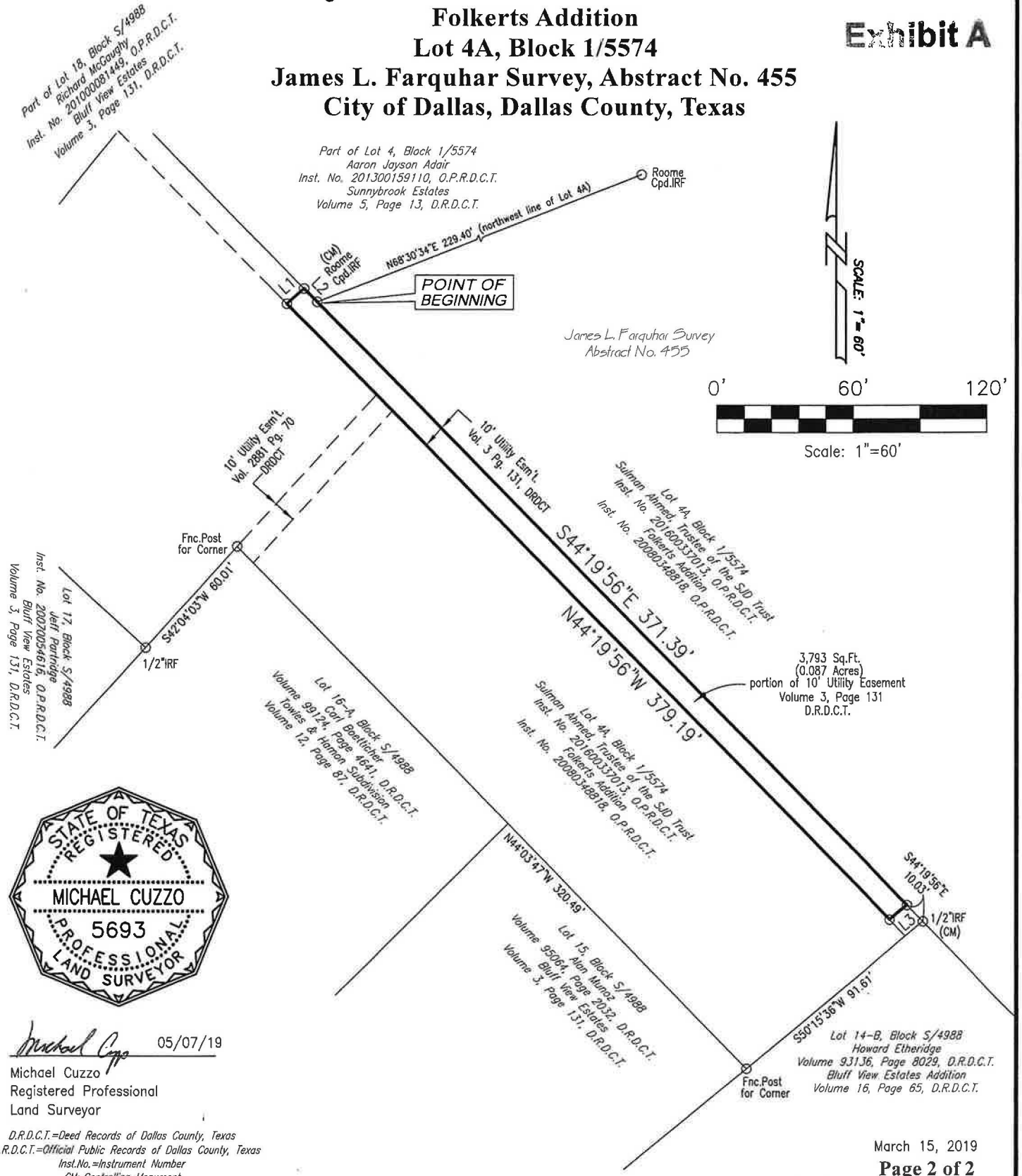
05/07/19
Michael Cuzzo
Registered Professional Land Surveyor

Roome
Land Surveying
2000 Avenue G, Suite 810
Plano, Texas 75074
Phone (972) 423-4372 / Fax (972) 423-7523
www.roomesurveying.com / Firm No. 10013100

Utility Easement Abandonment

Folkerts Addition
Lot 4A, Block 1/5574
James L. Farquhar Survey, Abstract No. 455
City of Dallas, Dallas County, Texas

Exhibit A



STATE OF TEXAS
REGISTERED
MICHAEL CUZZO
5693
PROFESSIONAL
LAND SURVEYOR

05/07/19

Michael Cuzzo
Registered Professional
Land Surveyor

D.R.D.C.T.=Deed Records of Dallas County, Texas
O.P.R.D.C.T.=Official Public Records of Dallas County, Texas
Inst.No.=Instrument Number
CM=Controlling Monument
RCIRF=Roome Capped Iron Rod Found
IRF=Iron Rod Found
Sq.Ft.=Square Feet
Esm't=Easement

LINE	BEARING	DISTANCE
L1	N48°26'42"E	10.02'
L2	S44°14'44"E	8.11'
L3	S50°15'36"W	10.03'

NOTE: Basis of bearing is the platted northwest line of Lot 4A, Block 1/5574 of Folkerts Addition, North 68°30'34" East.

(For SPRG Use Only)
Reviewed By: GS
Date: 5-21-19
SPRG No. 4886

March 15, 2019

P:/ES/2019Q1/ES651339.DWG

Roome
Land Surveying
2000 Avenue G, Suite 810
Plano, Texas 75074
Phone (972) 423-4372 / Fax (972) 423-7523
www.roomesurveying.com / Firm No. 10013100

Agenda Information Sheet

File #: 19-792 **Item #:** 21.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	August 14, 2019
COUNCIL DISTRICT(S):	3, 5, 6, 7, 8, 9
DEPARTMENT:	Department of Transportation
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize the **(1)** acceptance of a grant from the U.S. Department of Transportation, Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Highway Safety Improvement Program (HSIP) (Agreement No. CSJ 0430-01-060, etc., CFDA No. 20.205) in the amount of $572,991.89 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following nine on-system locations: Scyene Road (SH 352) and Prairie Creek Road, Robert B. Cullum Boulevard (SH 352) and Fitzhugh Avenue, Scyene Road (SH 352) and St. Augustine Drive, Buckner Boulevard (Loop 12) and Samuell Boulevard, Buckner Boulevard (Loop 12) and Mercer Drive, Buckner Boulevard (Loop 12) and Lake Highlands Drive, Kiest Boulevard (Spur 303) and Duncanville Road, Lancaster Road (SH 342) and Camp Wisdom Road, and Harry Hines Boulevard (Loop 354) and Lombardy Lane; **(2)** establishment of appropriations in the amount of $572,991.89 in the TxDOT Traffic Signal Improvement at Nine On-System Intersections-HSIP Project Fund; **(3)** receipt and deposit of funds in the amount of $572,991.89 in the TxDOT Traffic Signal Improvement at Nine On-System Intersections-HSIP Project Fund; and **(4)** execution of the Interlocal Agreement and all terms, conditions, and documents required by the agreement - Total amount of $572,991.89 - Financing: Texas Department of Transportation Grant Funds

BACKGROUND

The City of Dallas was awarded a grant of $5.9M from the 2015 HSIP administered TxDOT to upgrade twenty-one high accident intersections. In 2016, the total grant award was $8M for twenty-five locations, and in 2017 the City of Dallas was awarded $8.27M for an additional twenty-five locations. Upgrades will include removal of existing traffic signals and replacing them with new traffic signals; pedestrian and Americans with Disabilities Act related improvements; and other related construction.

The City is responsible for design of the traffic signals; and certain administrative fees. TxDOT is responsible for bidding the construction package, 100 percent construction costs for on-system intersections; construction engineering and project administration.

The current item is for nine of the seventy-one high accident intersections awarded in 2015-2017:

On-System Intersections:

- Scyene Road (SH 352) and Prairie Creek Road (2015 HSIP Award) (CSJ 0430-01-060), (Upgrade), (CD 5, 7)
- Robert B. Cullum Boulevard (SH 352) and Fitzhugh Avenue (2017 HSIP Award) (CSJ 0197-01-013), (Upgrade), (CD 7)
- Scyene Road (SH 352) and St. Augustine Drive (2016 HSIP Award) (CSJ 0430-01-061), (Upgrade), (CD 7)
- Buckner Boulevard (Loop 12) and Samuell Boulevard (2015 HSIP Award) (CSJ 0581-01-143), (Upgrade), (CD 7)
- Buckner Boulevard (Loop 12) and Mercer Drive (2017 HSIP Award) (CSJ 0581-01-153), (Upgrade), (CD 9)
- Buckner Boulevard (Loop 12) and Lake Highlands Drive (2016 HSIP Award) (CSJ 0581-01-149), (Upgrade), (CD 9)
- Kiest Boulevard (Spur 303) and Duncanville Road (2015 HSIP Award) (CSJ 2208-02-024), (Upgrade), (CD 3)
- Lancaster Road (SH 342) and Camp Wisdom Road (2017 HSIP Award) (CSJ 0048-01-65), (Upgrade), (CD 8)
- Harry Hines Boulevard (Loop 354) and Lombardy Lane (2015 HSIP Award) (CSJ 0196-06-031), (Upgrade), (CD 6)

To remain consistent with other equipment in the city-wide system, the City of Dallas will provide labor and material for installation of traffic signal controllers, controller cabinets, traffic signs and other traffic control equipment for the project. TxDOT has agreed to reimburse the City for 100 percent of the above costs which includes labor and materials.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	June 2019
Complete Construction	June 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 26, 2018, City Council authorized a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2015-2017 Highway Safety Improvement Program Grant to design, upgrade, and construct nine traffic signals and associated on-system intersection improvements at: Scyene Road (SH 352) and Prairie Creek Road, Robert B. Cullum Boulevard (SH 352) and Fitzhugh Avenue, Scyene Road (SH 352) and St. Augustine Drive, Buckner Boulevard (Loop 12) and Samuell Boulevard, Buckner Boulevard (Loop 12) and Mercer Drive, Buckner Boulevard (Loop 12) and Lake Highlands Drive, Kiest Boulevard (Spur 303) and Duncanville Road, Lancaster Road (SH 342) and Camp Wisdom Road, and Harry Hines Boulevard (Loop 354) and Lombardy Lane by Resolution No. 18-1360.

FISCAL INFORMATION

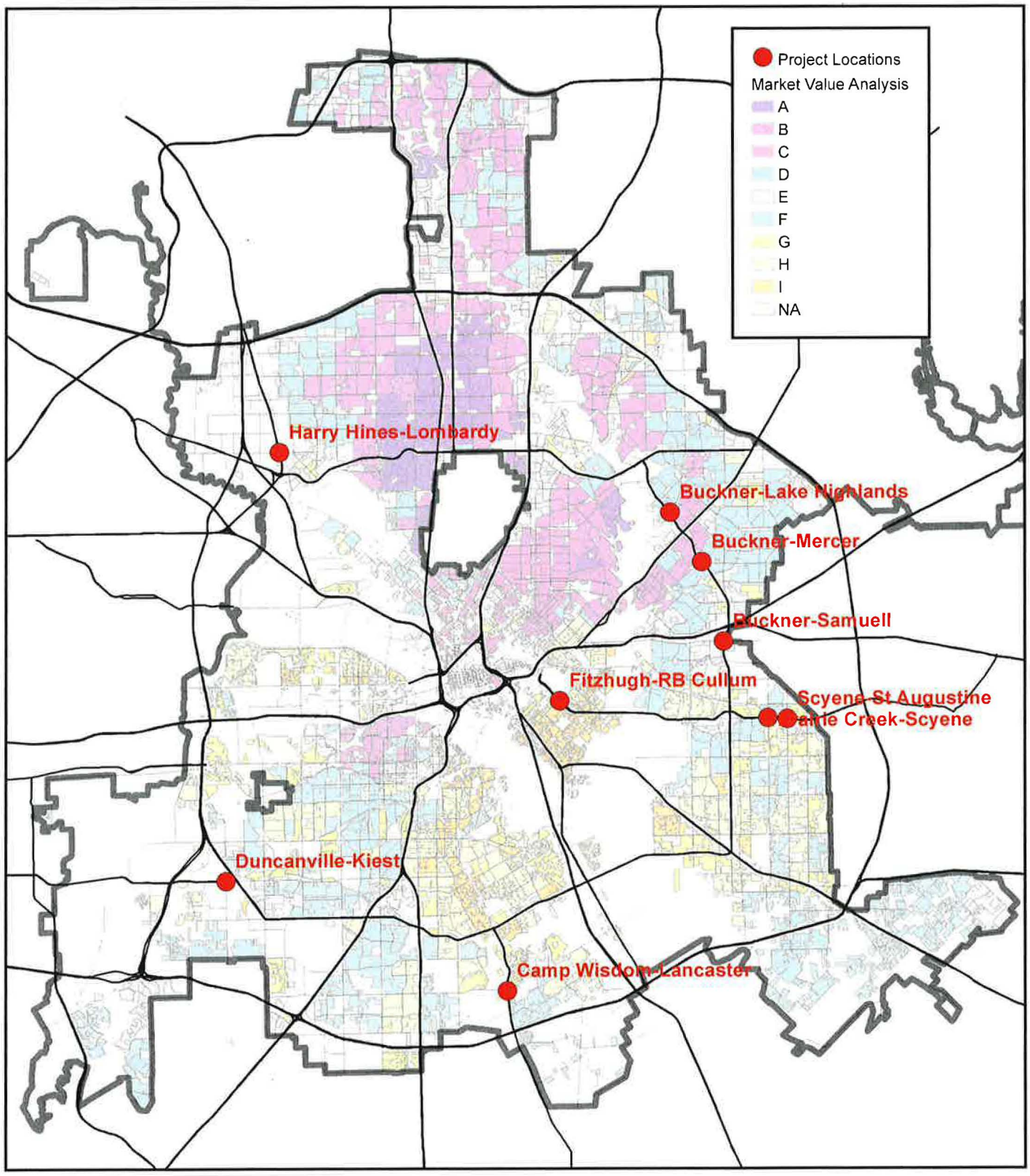
Texas Department of Transportation Grant Funds - $572,991.89

Council District	Amount
3	$ 68,814.30
5	$ 34,407.15
6	$ 56,883.36
7	$218,375.12
8	$ 68,814.30
9	$125,697.66
Total	$572,991.89

MAP

Attached

2015-17 HSIP, 2019 Let On-System Intersections



Council Districts 3, 5, 6, 7, 8, 9
Mapsco Pages 23-S, 37-H, 38-T, 46-U, 48-G, 49-W, 49-X, 52-Y, 65-V

Map by Transportation GIS, August 2018

August 14, 2019

WHEREAS, on September 26, 2018, City Council authorized a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2015-2017 Highway Safety Improvement Program Grant to design, upgrade, and construct nine traffic signals and associated on-system intersection improvements at: Scyene Road (SH 352) and Prairie Creek Road (CSJ 0430-01-060), Robert B. Cullum Boulevard (SH 352) and Fitzhugh Avenue (CSJ 0197-01-013), Scyene Road (SH 352) and St. Augustine Drive (CSJ 0430-01-061), Buckner Boulevard (Loop 12) and Samuell Boulevard (CSJ 0581-01-143), Buckner Boulevard (Loop 12) and Mercer Drive (CSJ 0581-01-153), Buckner Boulevard (Loop 12) and Lake Highlands Drive (CSJ 0581-01-149), Kiest Boulevard (Spur 303) and Duncanville Road (CSJ 2208-02-024), Lancaster Road (SH 342) and Camp Wisdom Road (CSJ 0048-01-065), and Harry Hines Boulevard (Loop 354) and Lombardy Lane (CSJ 0196-06-031), CFDA No. 20.205, by Resolution No. 18-1360; and

WHEREAS, the Texas Department of Transportation (TxDOT) will provide reimbursement to the City of Dallas for material and labor costs incurred for the improvements at nine traffic signals and associated on-system intersection improvements, at Scyene Road (SH 352) and Prairie Creek Road, Robert B. Cullum Boulevard (SH 352) and Fitzhugh Avenue, Scyene Road (SH 352) and St. Augustine Drive, Buckner Boulevard (Loop 12) and Samuell Boulevard, Buckner Boulevard (Loop 12) and Mercer Drive, Buckner Boulevard (Loop 12) and Lake Highlands Drive, Kiest Boulevard (Spur 303) and Duncanville Road, Lancaster Road (SH 342) and Camp Wisdom Road, and Harry Hines Boulevard (Loop 354) and Lombardy Lane; and

WHEREAS, TxDOT will reimburse 100 percent of labor and material costs, in the amount of $572,991.89; and

WHEREAS, the City of Dallas desires to enter into an Interlocal Agreement with TxDOT to receive cost reimbursement for material and labor cost incurred for traffic signal improvements under the Highway Safety Improvement Program (HSIP).

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to accept a grant from the U.S. Department of Transportation, Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Highway Safety Improvement Program (HSIP) in the amount of $572,991.89 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following nine on-system locations: Scyene Road (SH 352) and Prairie Creek Road (CSJ 0430-01-060), Robert B. Cullum Boulevard (SH 352) and Fitzhugh Avenue (CSJ 0197-01-013), Scyene Road (SH 352) and St. Augustine Drive (CSJ 0430-01-061), Buckner Boulevard (Loop 12) and Samuell Boulevard (CSJ 0581-01-143), Buckner Boulevard (Loop 12) and Mercer Drive (CSJ 0581-01-153), Buckner Boulevard (Loop 12) and Lake Highlands Drive (CSJ 0581-01-149), Kiest Boulevard (Spur 303) and Duncanville Road (CSJ 2208-02-024), Lancaster Road (SH 342) and Camp Wisdom Road (CSJ 0048-01-065), and Harry Hines Boulevard (Loop 354) and Lombardy Lane (CSJ 0196-06-031), CFDA No. 20.205; and execute the Interlocal Agreement and all the terms, conditions, and documents required by the agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in the amount of $572,991.89 in the TxDOT Traffic Signal Improvement at Nine On-System Intersections-HSIP Project Fund, Fund F8GB, Department TRN, Unit 89GB, Object 4820.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit all reimbursements from TxDOT in the amount of $572,991.89 in the TxDOT Traffic Signal Improvement at Nine On-System Intersections-HSIP Project Fund, Fund F8GB, Department TRN, Unit 89GB, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of $572,991.89 from the TxDOT Traffic Signal Improvement at Nine On-System Intersections-HSIP Project Fund, Fund F8GB, Department TRN, Unit 89GB, Object 4820, Activity THRG, Major Program MJRTRN, Program TPF8GB19.

SECTION 5. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No.TRN-2018-00007515.

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

Agenda Information Sheet

File #: 19-933 **Item #:** 22.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 1, 2, 4, 6, 9, 14

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize the **(1)** acceptance of a grant from the U.S. Department of Transportation, Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Highway Safety Improvement Program (HSIP) (Agreement No. CSJ 0918-47-178, etc., CFDA No. 20.205) in the amount of $207,085.26 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following five off-system locations: Lombardy Lane and Brockbank Drive, Illinois Avenue and Vernon Avenue, Ferguson Road and Maylee Boulevard/Shiloh Road, Cedar Springs Road and Douglas Avenue, and Olive Street and San Jacinto Street; **(2)** establishment of appropriations in the amount of $207,085.26 in the TxDOT Traffic Signal Improvement at Five Off-System Intersections-HSIP Project Fund; **(3)** receipt and deposit of funds in the amount of $207,085.26 in the TxDOT Traffic Signal Improvement at Five Off-System Intersections-HSIP Project Fund; and **(4)** execution of the Interlocal Agreement and all terms, conditions, and documents required by the agreement - Total amount of $207,085.26 - Financing: Texas Department of Transportation Grant Funds

BACKGROUND

The City of Dallas was awarded grant funding totaling $8 million from the 2016 HSIP administered by the TxDOT to reconstruct and install several traffic signals at high accident intersections in the City of Dallas. Upgrades will include removal of existing traffic signals and replacing them with new traffic signals; pedestrian and Americans with Disabilities Act related improvements; and other related construction.

The City is responsible for design of the traffic signals; and certain administrative fees. TxDOT is responsible for bidding the construction package, 100 percent construction costs for on-system intersections; construction engineering and project administration.

The current item is for five of the seventy-one high accident intersections awarded in 2015 - 2017:

- Lombardy Lane and Brockbank Drive (CSJ 0918-47-178), (Upgrade), (CD 6)
- Illinois Avenue and Vernon Avenue (CSJ 0918-47-181), (Upgrade), (CD 1, 4)
- Ferguson Road and Maylee Boulevard/Shiloh Road (CSJ 0918-47-189), (Upgrade), (CD 9)
- Cedar Springs Road and Douglas Avenue (CSJ 0918-47-190), (Upgrade), (CD 2, 14)
- Olive Street and San Jacinto Street (CSJ 0918-47-191), (Upgrade), (CD 14)

To remain consistent with other equipment in the city-wide system, the City of Dallas will provide labor and material for installation of traffic signal controllers, controller cabinets, traffic signs and other traffic control equipment for the project. TxDOT has agreed to reimburse the City for 100 percent of the above costs which includes labor and materials.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	April 2019
Complete Construction	March 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 28, 2017, City Council authorized a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2016 Highway Safety Improvement Program Grant to design, upgrade, and construct five traffic signals and associated off-system intersection improvements at Lombardy Lane and Brockbank Drive, Illinois Avenue and Vernon Avenue, Ferguson Road and Maylee Boulevard/Shiloh Road, Cedar Springs Road and Douglas Avenue, and Olive Street and San Jacinto Street by Resolution No. 17-1054.

FISCAL INFORMATION

Texas Department of Transportation Grant Funds - $207,085.26

Council District	Amount
1	$ 34,514.21
2	$ 34,514.21
4	$ 34,514.21
6	$ 34,514.21
9	$ 34,514.21
14	$ 34,514.21
Total	$207,085.26

MAP

Attached

powered by Legistar™

Highway Safety Improvement Program

CSJ 0918-47-178, 181, 189, 190, 191

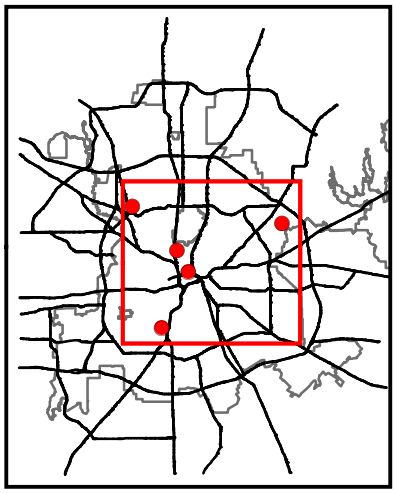
Council Districts 1, 2, 4, 6, 9, 14

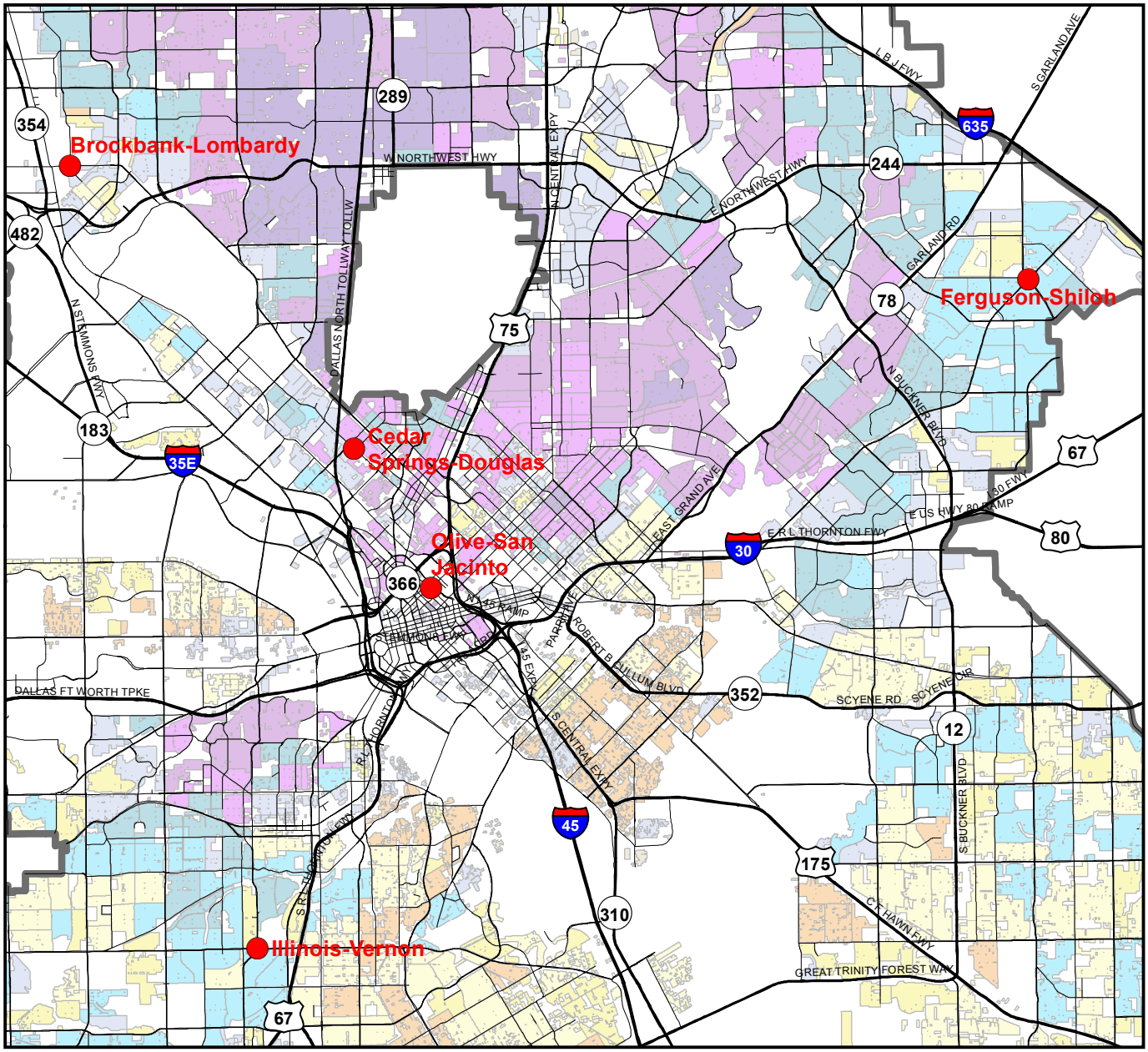
1:130,000

Traffic Signal

Market Value Analysis

- A
- B
- C
- D
- E
- F
- G
- H
- I
- NA





Map by Transportation GIS, June 2019

August 14, 2019

WHEREAS, on June 28, 2017, City Council authorized a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2016 Highway Safety Improvement Program Grant to design, upgrade, and construct five traffic signals and associated off-system intersection improvements at: Lombardy Lane and Brockbank Drive (CSJ 0918-47-178), Illinois Avenue and Vernon Avenue (CSJ 0918-47-181), Ferguson Road and Maylee Boulevard/Shiloh Road (CSJ 0918-47-189), Cedar Springs Road and Douglas Avenue (CSJ 0918-47-190), and Olive Street and San Jacinto Street (CSJ 0918-47-191), CFDA No. 20.205, by Resolution No. 17-1054; and

WHEREAS, the Texas Department of Transportation (TxDOT) will provide reimbursement to the City of Dallas for material and labor costs incurred for the improvements at five traffic signals and associated off-system intersection improvements at Lombardy Lane and Brockbank Drive, Illinois Avenue and Vernon Avenue, Ferguson Road and Maylee Boulevard/Shiloh Road, Cedar Springs Road and Douglas Avenue, and Olive Street and San Jacinto Street; and

WHEREAS, TxDOT will reimburse 100 percent of labor and material costs, in the amount of $207,085.26; and

WHEREAS, the City of Dallas desires to enter into an Interlocal Agreement with TxDOT to receive cost reimbursement for material and labor cost incurred for traffic signal improvements under the Highway Safety Improvement Program (HSIP).

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to accept a grant from the U.S. Department of Transportation, Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Highway Safety Improvement Program (HSIP) in the amount of $207,085.26 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following five off-system locations: Lombardy Lane and Brockbank Drive (CSJ 0918-47-178), Illinois Drive and Vernon Avenue (CSJ 0918-47-181), Ferguson Road and Maylee-Shiloh Road (CSJ 0918-47-189), Cedar Springs Road and Douglas Avenue (CSJ 0918-47-190), and Olive Street and San Jacinto Street (CSJ 0918-47-191), CFDA No. 20.205; and execute the Interlocal Agreement and all the terms, conditions, and documents required by the agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in the amount of $207,085.26 in the TxDOT Traffic Signal Improvement at Five Off-System Intersections-HSIP Project Fund, Fund F8GC, Department TRN, Unit 89GC, Object 4820.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit all reimbursements from TxDOT in the amount of $207,085.26 in the TxDOT Traffic Signal Improvement at Five Off-System Intersections-HSIP Project Fund, Fund F8GC, Department TRN Unit 89GC, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of $207,085.26 from the TxDOT Traffic Signal Improvement at Five Off-System Intersections-HSIP Project Fund, Fund F8GC, Department TRN, Unit 89GC, Object 4820, Activity THRG, Major Program MJRTRN, Program TPF8GC19.

SECTION 5. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. TRN-2019-00010818.

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

Agenda Information Sheet

File #: 19-900 **Item #:** 23.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 1, 3, 4, 5, 7

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a construction contract for traffic signal construction of Warranted Traffic Signal Installation Group 5 at the following five locations: North Prairie Creek Road at Forney Road; North Prairie Creek Road at Jennie Lee Lane; West Ledbetter Drive at Joseph Hardin Drive; West Illinois Avenue at Hollywood Avenue; and West Camp Wisdom Road at Eagle Ford Drive - Roadway Solutions, Inc., lowest bidder of three - Not to exceed $1,297,982.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

BACKGROUND

This action will authorize a construction contract with Roadway Solutions, Inc. for traffic signal construction of Warranted Traffic Signal Installation Group 5 at the following five locations: North Prairie Creek Road at Forney Road; North Prairie Creek Road at Jennie Lee Lane; West Ledbetter Drive at Joseph Hardin Drive; West Illinois Avenue at Hollywood Avenue; and West Camp Wisdom Road at Eagle Ford Drive, in an amount not to exceed $1,297,982.00.

The following chart illustrates Roadway Solutions, Inc.'s contractual activities with the City of Dallas for the past three years:

	PBW	DWU	PKR	TRN
Projects Completed	0	0	0	46
Changes Orders	0	0	0	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	September 2019
Complete Construction	May 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $1,297,982.00

Council District	Amount
1	$ 129,798.20
3	$ 519,192.80
4	$ 129,798.20
5	$ 259,596.40
7	$ 259,596.40
Total	$1,297,982.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,297,982.00	Construction	25.00%	100.00%	$1,297,982.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

The following three bids were received and opened on May 31, 2019:

*Denotes successful bidder

Bidders	Bid Amount
*Roadway Solutions, Inc. 1425 Crescent Dr. Carrollton, Texas 75006	$1,297,982.00
Highway Intelligent Traffic Solutions, Inc.	$1,307,625.20
Durable Specialties, Inc.	$1,435,085.00

OWNER

Roadway Solutions, Inc.

Morrie Gamini, President

MAP

Attached

powered by Legistar™

Warranted Traffic Signal Installations Group 5

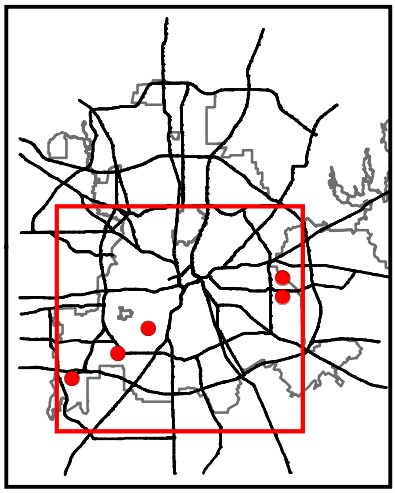
Council Districts 1,3,4,5,7

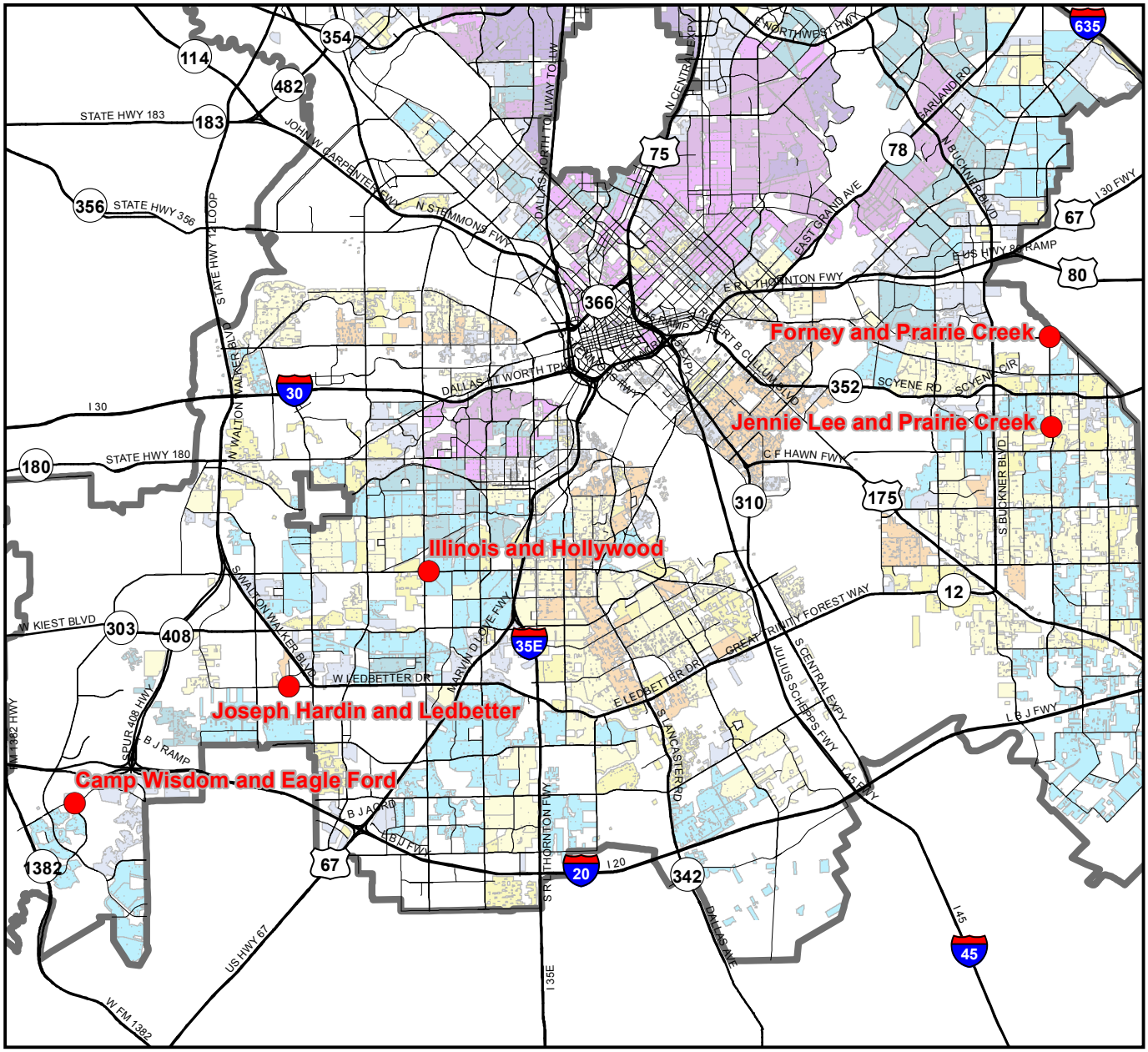
1:180,000

Traffic Signal

Market Value Analysis

- A
- B
- C
- D
- E
- F
- G
- H
- I
- NA





Map by Transportation GIS, June 2019

August 14, 2019

WHEREAS, on May 31, 2019, three bids were received for traffic signal construction of Warranted Traffic Signal Installation Group 5 at the following five locations: North Prairie Creek Road at Forney Road; North Prairie Creek Road at Jennie Lee Lane; West Ledbetter Drive at Joseph Hardin Drive; West Illinois Avenue at Hollywood Avenue; and West Camp Wisdom Road at Eagle Ford Drive.

Bidders	**Bid Amount**
Roadway Solutions, Inc.	$1,297,982.00
Highway Intelligent Traffic Solutions, Inc.	$1,307,625.20
Durable Specialties, Inc.	$1,435,085.00

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a construction contract with Roadway Solutions, Inc., approved as to form by the City Attorney, for the construction at the following five locations: North Prairie Creek Road at Forney Road; North Prairie Creek Road at Jennie Lee Lane; West Ledbetter Drive at Joseph Hardin Drive; West Illinois Avenue at Hollywood Avenue; and West Camp Wisdom Road at Eagle Ford Drive, in an amount not to exceed $1,297,982.00

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,297,982.00 to Roadway Solutions, Inc., in accordance with the terms and conditions of the contract from the Street and Transportation (A) Fund, Fund 1V22, Department TRN, Unit VA28, Object 4820, Activity THRG, Program PB17VA28, Encumbrance/Contract No. CX-TRN-2019-00010697, Vendor 502110.

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

Agenda Information Sheet

File #: 19-901 **Item #:** 24.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 3, 6, 8, 14

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a construction contract for traffic signal construction of Warranted Traffic Signal Installation Group 6 at the following four locations: Singleton Boulevard at Kingbridge Street; Interstate Highway 20 Eastbound/Westbound at St. Augustine Drive; Interstate Highway 20 Eastbound/Westbound at Mountain Creek Parkway; and Lemmon Avenue at Travis Street - Roadway Solutions, Inc., lowest responsible bidder of three - Not to exceed $1,337,393.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

BACKGROUND

This action will authorize a construction contract with Roadway Solutions, Inc. for traffic signal construction of Warranted Traffic Signal Installation Group 6 at the following four locations: Singleton Boulevard at Kingbridge Street; Interstate Highway 20 Eastbound/Westbound at St. Augustine Drive; Interstate Highway 20 Eastbound/Westbound at Mountain Creek Parkway; and Lemmon Avenue at Travis Street, in an amount not to exceed $1,337,393.00.

The following chart illustrates Roadway Solutions, Inc.'s contractual activities with the City of Dallas for the past three years:

	PBW	DWU	PKR	TRN
Projects Completed	0	0	0	46
Changes Orders	0	0	0	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Construction	September 2019
Complete Construction	May 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $1,337,393.00

Council District	Bid Amount
3	$ 334,348.25
6	$ 334,348.25
8	$ 334,348.25
14	$ 334,348.25
Total	$1,337,393.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,337,393.00	Construction	25.00%	100.00%	$1,337,393.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

The following three bids were received and opened on May 31, 2019:

*Denotes successful bidder

Bidders	Bid Amount
*Roadway Solutions, Inc. 1425 Crescent Drive Carrollton, Texas 75006	$1,337,393.00
Highway Intelligent Traffic Solutions, Inc.	$1,437,637.02
Durable Specialties, Inc.	$1,515,370.00

OWNER

Roadway Solutions, Inc.

Morrie Gamini, President

MAP

Attached

powered by Legistar™

Warranted Traffic Signal Installations Group 6

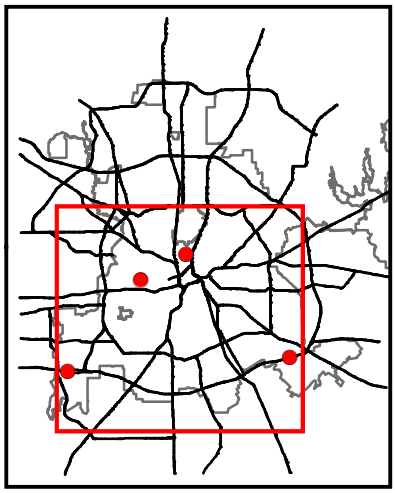
Council Districts 3,6,8,14

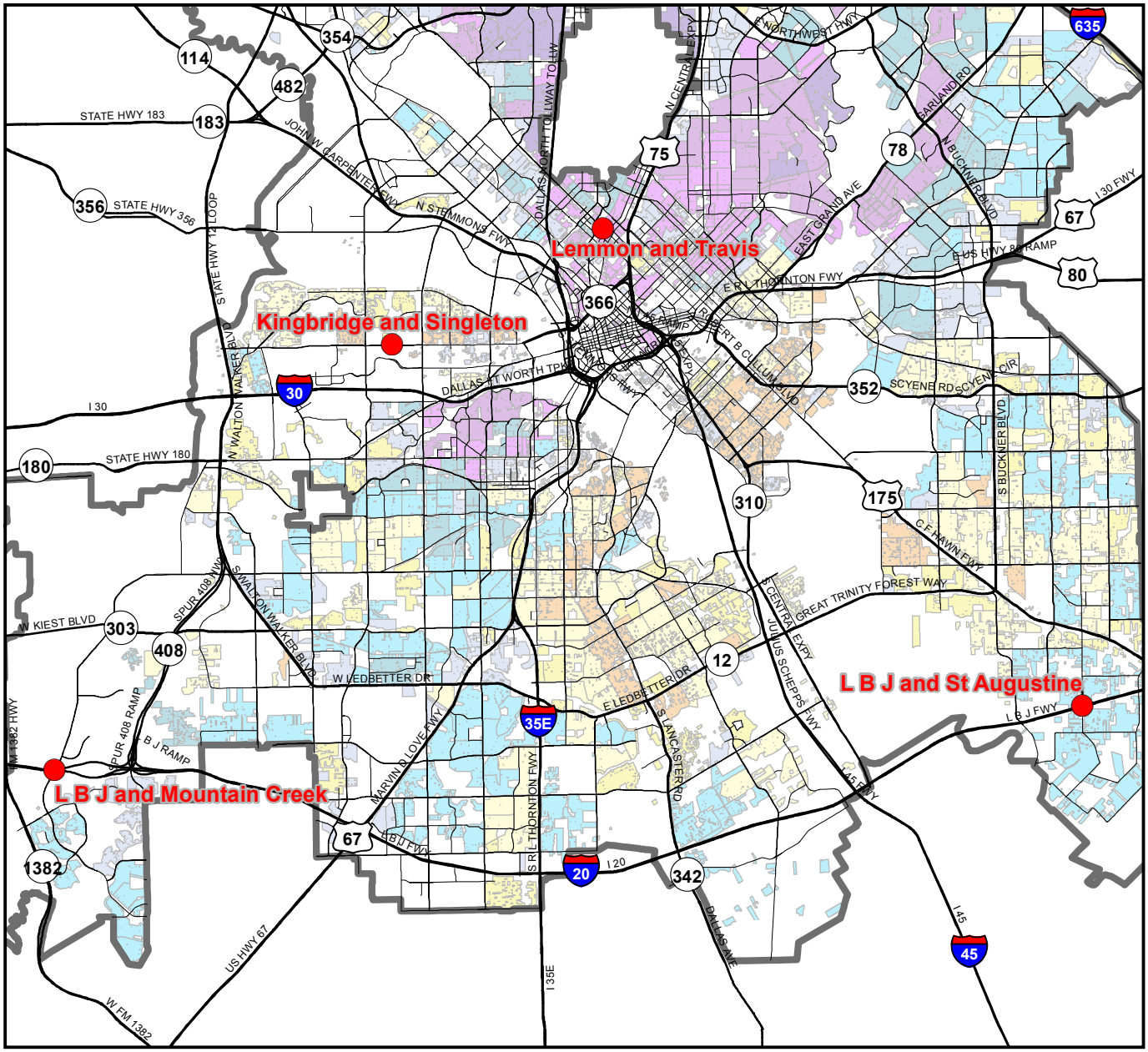
1:180,000

Traffic Signal

Market Value Analysis

- A
- B
- C
- D
- E
- F
- G
- H
- I
- NA





Map by Transportation GIS, June 2019

August 14, 2019

WHEREAS, on May 31, 2019, three bids were received and opened for traffic signal construction of Warranted Traffic Signal Installation Group 6 at the following four locations: Singleton Boulevard at Kingbridge Street; Interstate Highway 20 Eastbound/Westbound at St. Augustine Drive; Interstate Highway 20 Eastbound/Westbound at Mountain Creek Parkway; and Lemmon Avenue at Travis Street, listed as follows:

Bidders	**Bid Amount**
Roadway Solutions, Inc.	$1,337,393.00
Highway Intelligent Traffic Solutions, Inc.	$1,437,637.02
Durable Specialties, Inc.	$1,515,370.00

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a construction contract with Roadway Solutions, Inc., approved as to form by the City Attorney, for traffic signal construction of Warranted Traffic Signal Installation Group 6 at the following four locations: Singleton Boulevard at Kingbridge Street; Interstate Highway 20 Eastbound/Westbound at St. Augustine Drive; Interstate Highway 20 Eastbound/Westbound at Mountain Creek Parkway; and Lemmon Avenue at Travis Street, in an amount not to exceed $1,337,393.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,337,393.00 to Roadway Solutions, Inc., in accordance with the terms and conditions of the contract from the Street and Transportation (A) Fund, Fund 1V22, Department TRN, Unit VA28, Object 4820, Activity THRG, Program PB17VA28, Encumbrance/Contract No. CX-TRN-2019-00010696, Vendor 502110.

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

Agenda Information Sheet

File #: 19-954 **Item #:** 25.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 1, 5, 7, 8

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Adopt a resolution to **(1)** support funding for the Rosemont Safe Routes to School (SRTS) and Southwest Pleasant Grove SRTS Projects as described in the City of Dallas' detailed applications to the 2019 Texas Department of Transportation (TxDOT) Safe Routes to School Program including the construction budget, TxDOT's administrative cost, and the required local match, if any, and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing; and **(2)** authorize the City Manager to enter into an agreement with TxDOT should the Rosemont SRTS Project and/or Southwest Pleasant Grove SRTS Project be selected for funding - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

On February 8, 2019, TxDOT released a statewide call for projects for $8.7 million in SRTS Program funding. SRTS funding will be awarded to infrastructure projects that improve bike and pedestrian safety for children, encourage them to utilize these modes of travel to and from school, and contribute to a reduction in traffic, fuel consumption and air pollution around schools. SRTS is a cost reimbursable program and awarded projects will be 100 percent federally funded. A local match is not required, but the local government is responsible for cost overruns. Bicycle infrastructure and sidewalk improvements, shared use paths, and infrastructure related projects that improve safety for non-motorized travel are eligible for funding.

A City Council resolution is required for SRTS Program applications, and it must express that the local government supports funding the proposed project as described in the City of Dallas' detailed applications to the 2019 Texas Department of Transportation Safe Routes to School Program. If City of Dallas SRTS projects are awarded funding, there will be a future agenda item for execution of a funding agreement with TxDOT and acceptance of grant funds.

Due to the limited availability of funding, TxDOT has advised project sponsors to submit only two projects for funding consideration. Transportation, Public Works, Planning and Urban Design, and the Park Department collaborated on the identification of potential SRTS Project that met TxDOT's eligibility requirements. Southwest Pleasant Grove and Rosemont SRTS projects were identified based on the presence of child-pedestrian crashes along routes of proposed improvement, their ability to leverage 2017 Bond projects or other federal funding, connectivity to transit, trails, parks, and recreations centers, and their ability to be implemented within one fiscal year.

Rosemont SRTS includes design and construction of traffic calming and bicycle and pedestrian connections to the Rosemont Elementary School campus, as well as a network of limited-access safe streets throughout the surrounding neighborhood. Overall improvements include bump-outs and crosswalks, speed bumps, a two-way cycle track, through-traffic diversion at certain intersections, signage, sidewalks where necessary, a bikeway extension onto campus, and two bike racks beside the school.

Southwest Pleasant Grove SRTS includes improvements to major pedestrian routes leading to schools within the Comstock Middle School, Ireland Elementary School, and Adams Elementary School Attendance Zones. The improvements include updating school zones to Texas Manual on Unified Traffic Control Device standards, improvements to sidewalks, curb ramps, markings and other signage to create safe and comfortable routes.

This action will adopt a resolution to **(1)** support funding for the Rosemont Safe Routes to School (SRTS) and Southwest Pleasant Grove SRTS Projects as described in the City of Dallas' detailed applications to the 2019 Texas Department of Transportation (TxDOT) Safe Routes to School Program including the construction budget, TxDOT's administrative cost, and the required local match, if any, and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing; and **(2)** authorize the City Manager to enter into an agreement with TxDOT should the Rosemont SRTS Project and/or Southwest Pleasant Grove SRTS Project be selected for funding.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on August 9, 2019.

FISCAL INFORMATION

No cost consideration to the City. The projects, if selected in TxDOT's 2019 SRTS call for projects, will be 100 percent federally funded. A local match is not required.

Project Description	Amount
Rosemont Safe Routes to School	$ 798,036.00
Southwest Pleasant Grove Safe Routes to School	$ 924,695.00
Total	$1,722,731.00

MAPS

Attached

powered by Legistar™

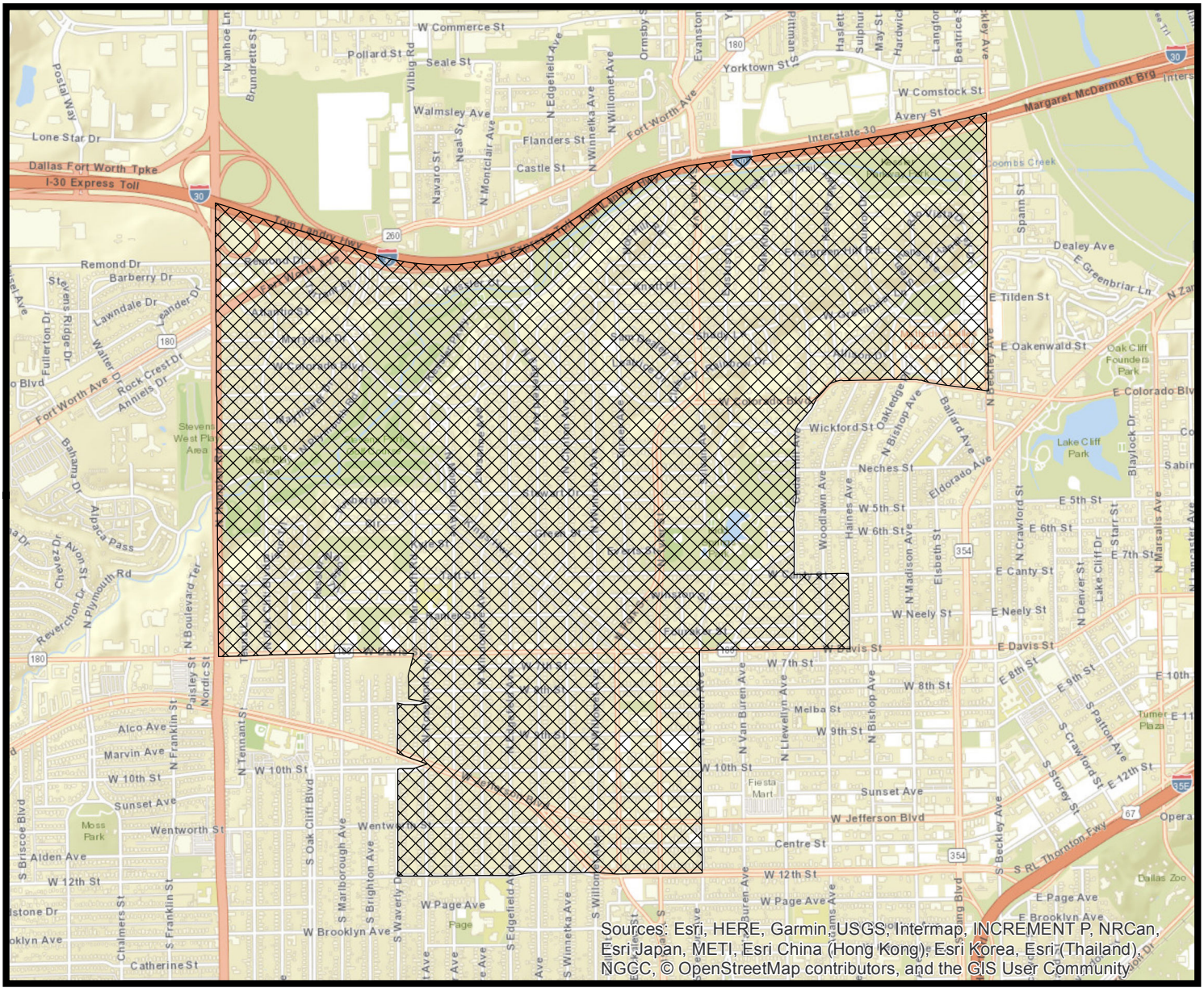
Rosemont Safe Routes to School

Council District: 1

MAPSCO: 43V,Z; 44S,T,U,V,W,X,Y,Z
44W,X,Y,Z; 53D; 54A,B,C,E,F



Rosemont Elementary School
Attendance Zone



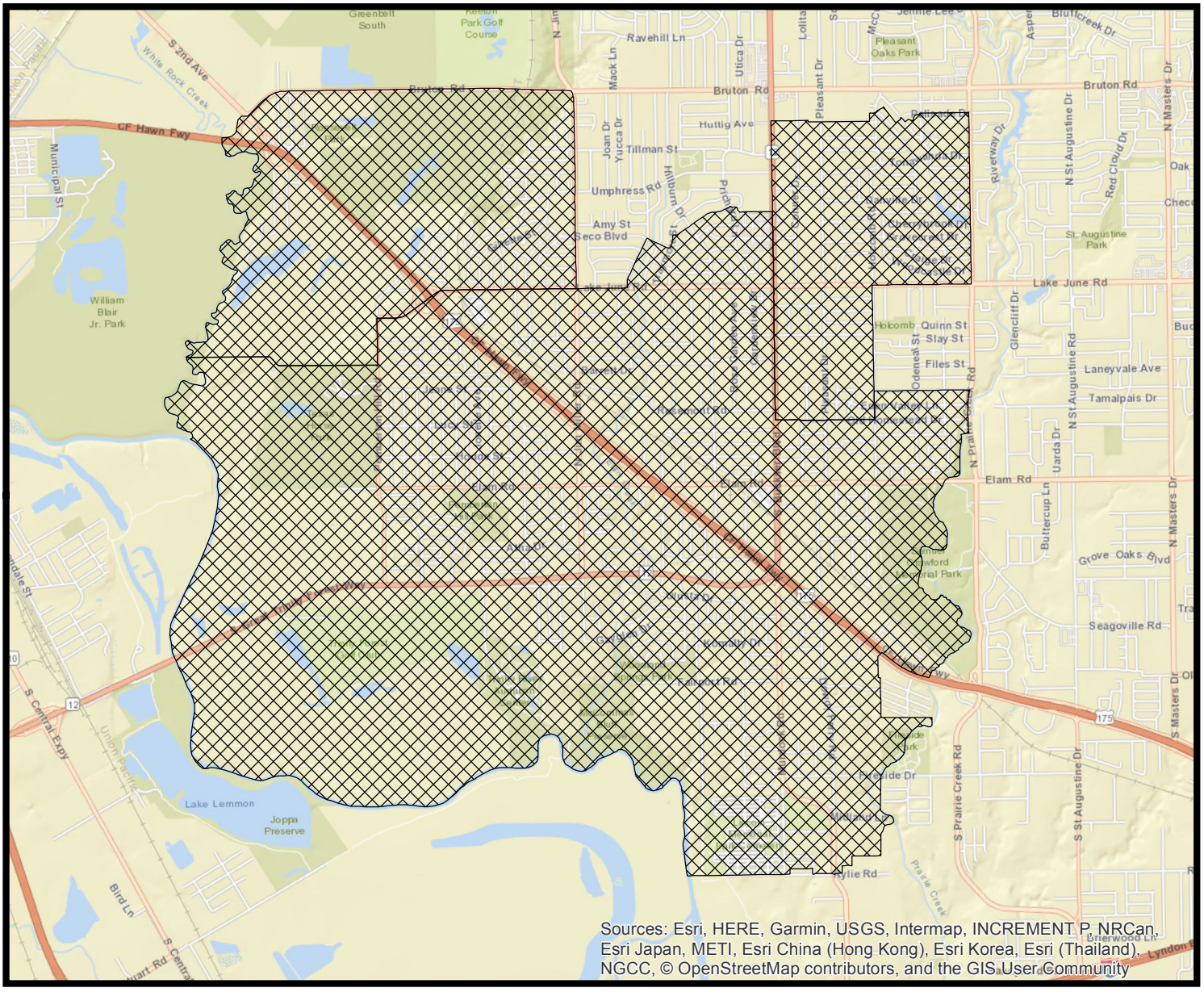
Southwest Pleasant Grove Safe Routes to School

Council District: 5, 7, 8

MAPSCO: 57B,C,D,F,G,H,J,K,L,M,N,P, Q,R,T,U,V,W,X,Y,Z; 58A,D,E,F,G,H,J,K, L,M,N,P,Q,R,S,T,U,V,X,Y,Z; 59E,J,N,S, W; 67A,B,C,D; 68A,B,C,D,F,G,H

Comstock MS, Ireland ES, and Adams ES Attendance Zone





August 14, 2019

WHEREAS, the Texas Department of Transportation (TxDOT) issued a call for projects in February 2019 for communities to apply for funding assistance through the Safe Routes to School-Infrastructure (SRTS) Program; and

WHEREAS, the SRTS Program is a cost reimbursable program; and

WHEREAS, the SRTS funds may be used for development of plans, specifications, and estimates; environmental documentation; and construction of pedestrian and/or bicycle infrastructure; and

WHEREAS, on August 15, 2019, the City will submit a SRTS detailed application for the Rosemont SRTS Project, which has a total estimated project cost of $798,036.00; and

WHEREAS, on August 15, 2019, the City will submit a SRTS detailed application for the Southwest Pleasant Grove SRTS Project, which has a total estimated project cost of $924,695.00; and

WHEREAS, the Southwest Pleasant Grove SRTS project and the Rosemont SRTS Project, if selected, would be 100 percent federally funded; and

WHEREAS, the SRTS funds do not require a local match from the Local Government Project Sponsor; and

WHEREAS, the Local Government Project Sponsor would be responsible for all non-reimbursable costs and 100 percent of cost overruns; and

Now, Therefore,

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

SECTION 1. That the City Council hereby adopts a resolution to support funding for the Rosemont SRTS and Southwest Pleasant Grove SRTS projects as described in the City of Dallas' detailed applications including the construction budget, TxDOT's administrative cost, and the required local match, if any, and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing.

SECTION 2. That the City Manager is hereby authorized to enter into an agreement with TxDOT should the Rosemont SRTS and/or Southwest Pleasant Grove SRTS projects be selected for funding.

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

Agenda Information Sheet

File #: 19-1052 **Item #:** 26.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize a five-year subscription contract for software licenses, hosting services and technical support for various Department of Housing and Neighborhood Revitalization programs with Benevate Inc. dba Neighborly Software through an Intergovernmental Agreement with the City of Waco - Not to exceed $266,714.40 - Financing: General Fund ($62,400.00) and Community Development Block Grant Fund ($204,314.40) (subject to annual appropriations)

BACKGROUND

This agreement will provide subscription services, including software licenses, hosting services and technical support for Neighborly Software. The software will be used to automate enrollment, qualification, administration and reporting for all Department of Housing and Neighborhood Revitalization programs. The software will be configured to the department's specific needs, including custom workflows, forms and document generation requirements.

Included in the agreement is an online portal for beneficiaries to apply for grant funding, view loan information, request loan payoff details and attest to ongoing program requirements. Contractors will use the portal to bid on construction projects, update their insurance/license information and make draw requests. Housing inspectors will be able to use the software to complete inspections and write-ups using a mobile table device. Other benefits include the ability to track multiple funding sources across all revitalization programs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 27, 2018, City Council approved the FY 2018-19 Consolidated Annual Action Plan Budget for federal funds which included Community Development Block Grant funds by Resolution No. 18-0987.

FISCAL INFORMATION

General Fund - $62,400.00
Community Development Block Grant Fund - $204,314.40 (subject to annual appropriations)

FY 2018-19 $62,400.00
FY 2019-20 $49,572.00 (subject to annual appropriations)
FY 2020-21 $50,563.44 (subject to annual appropriations)
FY 2021-22 $51,574.32 (subject to annual appropriations)
FY 2022-23 $52,604.64 (subject to annual appropriations)

August 14, 2019

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

SECTION 1. That the City Manager is hereby authorized to execute a subscription contract with Benevate Inc. dba Neighborly Software (VS100388) through an Intergovernmental Agreement with the City of Waco, approved as to form by the City Attorney, for software licenses, hosting services and technical support for various Housing and Neighborhood Revitalization Department programs for a term of five years, in an amount not to exceed $266,714.40. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Benevate Inc. dba Neighborly Software shall be based only on the amount of the services directed to be performed by the City and properly performed by Benevate Inc. dba Neighborly Software under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $266,714.40 (subject to annual appropriations) in accordance with this resolution to Benevate Inc. dba Neighborly Software, as follows:

Fund	Department	Unit	Code	Encumbrance/Contract No.	Amount
0001	HOU	4285	3070	HOU-2019-00010985	$13,800.00
0001	HOU	4285	3099	HOU-2019-00010985	$48,600.00
CDXX	HOU	TBD	3099	HOU-2019-00010985	$49,572.00
CDXX	HOU	TBD	3099	HOU-2019-00010985	$50,563.44
CDXX	HOU	TBD	3099	HOU-2019-00010985	$51,574.32
CDXX	HOU	TBD	3099	HOU-2019-00010985	$52,604.64

SECTION 3. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the contract, until such time as the contract documents are duly approved by all parties and executed.

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

Agenda Information Sheet

File #: 19-682 **Item #:** 27.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Budget

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a public hearing to be held on August 28, 2019 to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

BACKGROUND

Each year the City of Dallas holds public hearings to provide the residents of Dallas the opportunity to speak on the upcoming year's budget. Resident input is an important part of the budget development process.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Public hearings to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets were held on March 27, 2019 and May 8, 2019.

FISCAL INFORMATION

No cost consideration to the City.

August 14, 2019

WHEREAS, the City Council is committed to providing the residents of Dallas with the opportunity to speak on the City's FY 2019-20 budget.

Now, Therefore,

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

SECTION 1. That a public hearing on the City's FY 2019-20 Operating, Capital, and Grant & Trust Budgets will be held on August 28, 2019 in the City Council Chambers.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-930 **Item #:** 28.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Community Care

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize the **(1)** acceptance of five donated vehicles from the U.S. Department of Agriculture through the Texas Health and Human Services, Health and Human Services Commission and the South Plains Community Action Associations, Inc. consisting of four Lone Star Conversion Vans and one 2019 Ford Escape for the City of Dallas; and **(2)** classification and reporting of the donated vehicles into City records as a donation to be used for the Special Supplemental Nutrition Program for Women, Infants and Children - Financing: This action has no cost consideration to the City (see Fiscal Information)

BACKGROUND

The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) is a health and nutrition program with a successful record of improving the diet of infants, children, and pregnant, postpartum and breastfeeding women who are at risk for nutrition-related illnesses. The focus of WIC is educating low to moderate-income mothers about proper nutrition for babies and young children up to five years of age. In addition to nutrition education, the WIC Program provides participants with an electronic benefits transfer card so they can purchase nutritious foods and assistance in accessing health care providers. The WIC Mobile units will now be able to offer the same services received in our traditional WIC clinics while off site, enhancing our current outreach methods and increasing awareness in the communities.

First time WIC applicants or current WIC participants may go to the new WIC Mobile Clinics to be certified for the program or to pick up benefits instead of going to a WIC clinic location. WIC Mobile parking sites are designed to be closer and more convenient for families, often within walking distance of the participants' homes.

Each WIC Mobile unit is equipped with a Texas Integrated Network computer which will allow us to enter and have access to client information, determine clients' income eligibility, assess nutritional status (i.e., height, weight measurements, and iron status) of each client, provide nutritional counseling and education and issue WIC food benefits which can be taken to a grocery store for redemption.

The vehicles will be used as mobile WIC clinics, stationed at various locations Dallas County wide, increasing an awareness of the WIC Program and improving the accessibility to WIC services within the communities.

Vehicle	Vehicle Identification Number	Amount
2018 Ford Transit Wagon	VIN#1FBZX2CM5JKB47812	$78,334.46
2018 Ford Transit Wagon	VIN#1FBZX2CM7JKB47813	$78,334.46
2018 Ford Transit Wagon	VIN#1FBZX2CM9JKB47814	$78,334.46
2018 Ford Transit Wagon	VIN#1FBZX2CM2JKB47816	$78,334.46
2019 Ford Escape	VIN#1FMCU0F79KUA26903	$21,914.18

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on August 2, 2019.

FISCAL INFORMATION

This item has no cost consideration to the City. Equipment and Fleet Management projects future operation, maintenance schedule, and fuel costs will be approximately $3,471.48 per conversion van each year. The estimated maintenance schedule and fuel costs for the one 2019 Ford Escape is $3,416.73. Funds will be dispersed from the City of Dallas WIC Program's Funds beginning FY19 Fund F551, Unit 3849.

The above-mentioned vehicles are not part of the City of Dallas' existing grant agreement. The State Office Texas Health Human Services Commission purchased these vehicles through South Plains Community Action Associations, Inc. for each local agency and outfitted each vehicle with the necessary equipment to serve WIC clients. The State will not contribute any additional dollars for the maintenance, fuel costs, or upkeep of these vehicles. The five vehicles were titled to the City of Dallas WIC Program.

powered by Legistar™

WHEREAS, the City of Dallas Women, Infants and Children (WIC) Program will accept four WIC conversion vans and one 2019 Ford Escape from Texas Health and Human Services Commission; and

WHEREAS, the four conversion vehicles will be used to service clients closer to their homes throughout Dallas County, increase awareness of the WIC Program, and enhance the WIC Program's outreach opportunities; and

WHEREAS, the 2019 Ford Escape will be used by two WIC information technology staff to travel Dallas County wide to service all 16 WIC clinic locations, providing maintenance and support for all internal equipment and software; and

WHEREAS, the monthly maintenance rate for one conversion van is $222.15, for an annual cost of $2,665.80 for each conversion van while fuel costs for the four vehicles were estimated based on similar comparable vehicles and size of 99.1 gallons per month with a fuel rate of $2.71 per gallon for an annual fuel cost of $3,222.73 per year for the four vehicles or $805.68 fuel cost per year for each van, and a total annual maintenance and fuel cost of $3,471.48 per conversion van; and

WHEREAS, the monthly maintenance rate for one Ford Escape is $178.27, for an annual cost of $2,139.24 while the fuel cost for one 2019 Ford Escape is estimated at 471.4 gallons per year with a fuel rate of $2.71 per gallon, for an annual fuel cost of $1,277.49; and a total annual maintenance and fuel cost of $3,416.73; and

WHEREAS, Equipment and Fleet Management determined that these fees will cover all maintenance and repairs for normal operation and usage and the fuel rate is an estimate and final fuel cost will be based on actual usage.

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 five donated vehicles from the U.S. Department of Agriculture through the Texas Health and Human Services, Health and Human Services Commission and the South Plains Community Action Associations, Inc. consisting of four Lone Star Conversion Vans and one 2019 Ford Escape for the City of Dallas.

SECTION 2. That the Chief Financial Officer is hereby authorized to classify and report the donated vehicles consisting of four 2018 Ford Transit Wagons, each has a value of $78,334.46 and one 2019 Ford Escape with a value of $21,914.18, for a total value of $335,252.02 into City records as a donation to be used for the Special Supplemental Nutrition Program for WIC.

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

Agenda Information Sheet

File #: 19-977 **Item #:** 29.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Community Care

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize **(1)** the acceptance of donations from electric and energy providers in the amount of $500,000.00, through the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center, to provide temporary financial assistance to individuals and families who are experiencing a temporary financial crisis for the period August 30, 2019 through September 30, 2020; **(2)** the receipt and deposit of funds in an amount not to exceed $500,000.00 in the OCC Energy Assistance Fund; and **(3)** an increase in appropriations in an amount not to exceed $500,000.00 in the OCC Energy Assistance Fund - Not to exceed $500,000.00 - Financing: OCC Energy Assistance Fund

BACKGROUND

The Office of Community Care (OCC) provides utility assistance to individuals and families who are experiencing a temporary financial crisis. The assistance provides relief to those households most vulnerable to the high cost of energy for home heating and cooling. Customers experiencing difficulty in paying utility bills have an option to reach out to our social services department for assistance.

How the Program Works

- City receives funding from multiple electric and energy providers to provide utility assistance
- OCC qualifies clients based on funders established eligibility standards
- OCC makes pledge on behalf of client
- City remits payment to utility company with supporting documentation that denotes payment
- Payment should be remitted within 30-45 days from the pledge date
- OCC sends utility assistance funder a report at a frequency identified by funder via email recording activity and balance of funds

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on August 2, 2019.

FISCAL INFORMATION

OCC Energy Assistance Fund - $500,000.00

powered by Legistar™

August 14, 2019

WHEREAS, there is a need to provide energy assistance to city of Dallas residents experiencing a temporary financial crisis; and

WHEREAS, the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center have developed a partnership with electric and energy providers to provide financial assistance to residents of 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 accept donations from electric and energy providers in the amount of $500,000.00, through the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center to provide temporary financial assistance to individuals and families who are experiencing a temporary financial crisis for the period August 30, 2019 through September 30, 2020.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit donated funds from electric and energy providers in an amount not to exceed $500,000.00 in the OCC Energy Assistance Fund, Fund 0T76, Department MGT, Units 4282 and 4283, Revenue Code 8411.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $500,000.00 in the OCC Energy Assistance Fund, Fund 0T76, Department MGT, Units 4282 and 4283, Object 2140.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $500,000.00 from the OCC Energy Assistance Fund, Fund 0T76, Department MGT, Units 4282 and 4283, Object 2140.

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

Agenda Information Sheet

File #: 19-1026 **Item #:** 30.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Community Care

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize the **(1)** acceptance of grants from the Texas Health and Human Services, Department of State Health Services (DSHS) for the Lactation Support Center Services Program (Contract No. HHS000455600001) in the amount of $320,000.00 from DSHS (Contract No. HHS000455600001) and $45,000.00 from the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (HHSCDC) through DSHS (Contract No. HHS000455600001/Federal ID No. 6 NU58DP006501-01-01/CFDA No. 93.439) for a total amount of $365,000.00 to **(a)** develop and implement the Lactation Support Center Services - Strategic Expansion Program; **(b)** provide a training center; and **(c)** provide lactation education, and counseling and referral services to women not currently participating in the Texas Special Supplemental Nutrition Program for Women, Infants and Children Lactation Services Center, for the period September 1, 2019 through August 31, 2020; **(2)** establishment of appropriations in an amount not to exceed $320,000.00 in the DSHS-Lactation Support Center Services Program 19-20 Fund and $45,000.00 in the HHSCDC-Lactation Support Center Services Program 19-20 Fund in a total amount not to exceed $365,000.00; **(3)** receipt and deposit of grant funds in an amount not to exceed $320,000.00 in the DSHS-Lactation Support Center Services Program 19-20 Fund and $45,000.00 in the HHSCDC-Lactation Support Center Services Program 19-20 Fund, for a total amount not to exceed $365,000.00; and **(4)** execution of a contract with option to renew with DSHS and all terms, conditions, and documents required by the contract - Total not to exceed $365,000.00 - Financing: Department of State Health Services Grant Funds

BACKGROUND

Since 2010, the DSHS funded the Dallas Lactation Care Center through a grant contract with the City of Dallas Woman, Infants and Children (WIC) Program. The Dallas Lactation Care Center is a specialty walk-in clinic located in the heart of the Dallas Medical District. The staff includes a Registered Nurse, Internationally Board Certified Lactation Consultants and Senior Breastfeeding Peer Counselors who provide comprehensive breastfeeding support and assistance to mothers currently enrolled in the WIC Program. The Dallas Lactation Care Center also serves as a training center for students and resident physicians who want to expand their knowledge in the field of

lactation. In 2014, the Dallas Lactation Care Center received the IBCLC Care Award which is recognition by the International Board of Lactation Consultant Examiners and International Lactation Consultant Association for excellence in lactation care.

On February 11, 2015, City Council authorized a contract between the City of Dallas and DSHS through a grant to develop and implement the Lactation Resource and Training Center Strategic Expansion Program for FY 2015-16 by Council Resolution No. 15-0272. The contract included five renewal options, all five of which have been exercised.

This item will authorize entering into a new contract, with option for up to five twelve-month renewals. The City of Dallas shall work with the DSHS's Maternal and Child Health Unit and HHSCDC to develop and implement the Lactation Support Center Services - Strategic Expansion Program. This program, through the Dallas Lactation Care Center shall provide population-based public health services and implement strategies that will increase accessibility, quality and coordination of breastfeeding support services in the contractor's service delivery area. The services provided under this contract complement and expand upon the services by the City of Dallas under the DSHS WIC Dallas Lactation Center Contract, by which the DSHS WIC Program pays the City of Dallas to act as: (1) a lactation resource center for mothers with breastfeeding problems; (2) a training center for WIC local agency staff and other health providers to receive clinical experience working with breastfeeding mothers; and (3) a statewide Breastfeeding Resource Center for health providers to utilize for information and assistance when working with pregnant and breastfeeding women.

The total amount of this Contract will not exceed $365,000.00, of which funding from the State is $320,000.00 while federal pass-through the State funding is $45,000.00.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 11, 2015, City Council authorized a contract with five twelve-month renewal options with the Department of State Health Services, Office of Title V and Family Health Division for Family and Community Health Services and the City of Dallas WIC Program to develop and implement the Lactation Resource and Training Center Strategic Expansion Program for FY 2015-16 by Resolution No. 15-0272. All five renewal options have been exercised.

City Council will be briefed by memorandum regarding this matter on August 2, 2019.

FISCAL INFORMATION

Department of State Health Services Grant Funds - $365,000.00

Funding Summary:

State Funding (DSHS)	$320,000.00
Federal Pass-through Funding (HHSCDC)	$ 45,000.00

Total Grant Funds	$365,000.00

powered by Legistar™

WHEREAS, on February 11, 2015, City Council authorized a contract with five twelve-month renewal options for the Lactation Resource and Training Center Strategic Expansion Program for the Women, Infants and Children (WIC) Program in the amount of $390,000.00, by Resolution No. 15-0272; and

WHEREAS, from August 2016 to August 2019, the City of Dallas received annual grant allocations from the Dallas State Health Services for the Lactation Resource and Training Center Strategic Expansion Program and exercised the five twelve-month renewal options; and

WHEREAS, there is a continued need for the Lactation Support Center Services Strategic Expansion Program in the City of Dallas; and

WHEREAS, the Texas Department of State Health Services has offered a grant of $320,000.00 and a Federal Pass-through grant under the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention of $45,000.00, for a total grant amount of $365,000.00; and

WHEREAS, the City of Dallas will benefit in this contract for the FY 2020 grant allocation.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to accept grants from the Texas Health and Human Services, Department of State Health Services (DSHS) for the Lactation Support Center Services Program (Contract No. HHS000455600001) in the amount of $320,000.00 from DSHS (Contract No. HHS000455600001) and $45,000.00 from the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (HHSCDC) through DSHS (Contract No. HHS000455600001/Federal ID No. 6 NU58DP006501-01-01/CFDA No. 93.439) for a total contract amount of $365,000.00 to (a) develop and implement the Lactation Support Center Services - Strategic Expansion Program; (b) provide a training center, and (c) provide lactation education, and counseling and referral services to women not currently participating in the Texas Special Supplemental Nutrition Program for Women, Infants and Children Lactation Services Center, for the period September 1, 2019 through August 31, 2020; and execute a contract with DSHS and all terms, conditions, and documents required by the contract, 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 $320,000.00 in the DSHS-Lactation Support Center Services Program 19-20 Fund, Fund S341, Department MGT, Unit 4083, various Object Codes, according to the attached Schedule.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $45,000.00 in the HHSCDC-Lactation Support Center Services Program 19-20 Fund, Fund F582, Department MGT, Unit 4085, various Object Codes, according to the attached Schedule.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $365,000.00 for FY 2020 allocation from the DSHS, as follows:

Fund	Department	Unit	Revenue Code	Amount
S341	MGT	4083	6509	$ 320,000.00
F582	MGT	4085	6509	$ 45,000.00

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed $365,000.00 from the following, according to the attached Schedule:

Fund	Department	Unit	Object	Amount
S341	MGT	4083	Various	$ 320,000.00
F582	MGT	4085	Various	$ 45,000.00

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

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

SECTION 8. That this contract is designated as Contract No. MGT-2019-00010969.

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

SCHEDULE

Department of State Health Services
Lactation Support Center - Strategic Expansion Program
September 1, 2019 through August 31, 2020

Fund S341, Dept. MGT, Unit 4083, Revenue Code 6509

Object Code	Description	Amount
1101	Salaries	$152,808
1301	Pension	22,004
1303	Life Insurance	48
1304	Health Insurance	14,838
1306	FICA (Medicare Only)	2,216
1309	Wellness	54
2200	Chemical/Med/Surgical	76,170
3099	Miscellaneous Special Services	47,117
3361	Professional Development	4,745
	Total	**$320,000**

SCHEDULE

Health and Human Services Center for Disease Control and Prevention
Lactation Support Center - Strategic Expansion Program
September 1, 2019 through August 31, 2020

Fund F582, Dept. MGT, Unit 4085, Revenue Code 6509

Object Code	Description	Amount
3099	Miscellaneous Special Services	45,000
	Total	**$ 45,000**

Agenda Information Sheet

File #: 19-976 **Item #:** 31.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Community Care

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize the **(1)** fourth amendment to Contract No. 2017-049838-001 (Amendment No. 4, CFDA No. 10.557) with the Texas Health and Human Services Commission (HHSC) for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), to **(a)** extend the term of the contract from October 1, 2019 through September 30, 2020, to allow for successful completion of the WIC Program for FY 2020 grant allocations; **(b)** revise the budget for Contract No. 2017-049838-001, Amendment No. 2, to decrease the FY 2019 total budget amount by $499,453.00 from $14,529,596.00 to $14,030,143.00; **(c)** reallocate funds from the FY 2019 Dietetic Internship unit to the FY 2019 Lactation Services unit in the amount of $42,000.00 for the period of October 1, 2018 through September 30, 2019; and **(d)** accept grant funds from the U.S. Department of Agriculture passed through the HHSC for FY 2020 allocation (Contract No. 2017-049838-001 Amendment No. 4, CFDA No. 10.557), for the continuation of the Special Supplemental Nutrition Program for WIC in the amount of $14,030,143.00 for the period October 1, 2019 through September 30, 2020; **(2)** establishment of appropriations in an amount not to exceed $14,030,143.00 in the FY 2020 WIC Program - Women, Infants and Children Grant Fund; **(3)** receipt and deposit of funds in an amount not to exceed $14,030,143.00 in the FY 2020 WIC Program - Women, Infants and Children Grant Fund; and **(4)** execution of the contract amendment and all terms, conditions, and documents required by the contract - Total not to exceed $13,530,690.00, from $44,432,932.00 to $57,963,622.00 - Financing: Health and Human Services Commission Grant Funds

BACKGROUND

Since 1974, the Texas Health and Human Services' HHSC)previously referred to as the Department of State Health Services has funded the Special Supplemental Nutrition Program for WIC in Dallas. The WIC Program provides nutritious food, nutrition education, breastfeeding promotion and support, and referrals to health and social services. The program serves infants, children under age five, and pregnant, postpartum and breastfeeding women. WIC is a United States Department of Agriculture program administered in Texas by the HHSC. In Dallas County, the WIC Program is administered by the City of Dallas, Office of Community Care.

This item authorizes the reallocation of unearned grant funds, decreasing the FY19 total contract budget by $499,453.00 and guarantee funding in the amount of $14,030,143.00 for the FY 2020 allocation for the continuation of the Special Supplemental Nutrition Program for WIC for the period October 1, 2019 through September 30, 2020. The total expenditures are not to exceed $57,963,622.00.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 11, 2016, City Council authorized a contract for the Special Supplemental Nutrition Program for Women, Infants and Children Program by Resolution No. 16-1657.

On March 22, 2017, City Council authorized the first amendment to FY2017 contract and FY2018 contract allocations, and extended the contract period from October 1, 2017 through September 30, 2018, by Resolution No. 17-0487.

On September 12, 2018, City Council authorized the second amendment to Contract No. 2017-049838-001 (Amendment No. 2, CFDA No. 10.557) with Department of State Health Services for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), to extend the term of the contract from October 1, 2018 through September 30, 2019 to allow for successful completion of the WIC Program for FY 2019 grant allocations; revise the budget for Contract No. 2017-049838-001A, Amendment No. 1, to decrease the total budget amount by $234,902.00 from $15,056,672.00 to $14,821,770.00; reallocate funds from the FY 2018 WIC Administrative Program unit to the FY 2018 WIC Dietetic Internship unit, the Extra Funding unit for the Summer Food Service Program the Texas Integrated Network software implementation and support, and for all other eligible expenditures for the period October 1, 2017 through September 30, 2018; accept grant funds from the U.S. Department of Agriculture passed through the DSHS for FY 2019 allocation (Contract No. 2017-049838-001 Amendment No. 2, CFDA No. 10.557), for the continuation of the Special Supplemental Nutrition Program for WIC for the period October 1, 2018 through September 30, 2019; and execution of the contract amendment and all terms, conditions, and documents required by the contract by Resolution No. 18-1261.

On November 5, 2018, City executed a third amendment to Contract No. 2017-049838-001 (Amendment No. 3, CFDA No. 10.557) for HHSC for the Special Supplemental Nutrition Program for WIC, to submit to HHSC all vouchers and Financial Status Reports within ninety (90) days after the end of the Fiscal Year.

City Council will be briefed by memorandum regarding this matter on August 2, 2019.

FISCAL INFORMATION

Health and Human Services Commission Grant Funds - $13,530,690.00

Funding Summary:

FY19 HHSC Grant Funds (WIC Program)	$14,529,596.00
Redistribution/Decrease (this action)	($499,453.00)
Net FY19 Grant Funds (WIC)	$14,030,143.00
FY20 HHSC Grant Funds (WIC) (this action)	$14,030,143.00

WHEREAS, on October 11, 2016, City Council authorized Contract No. 2017-049838-001 for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Program in the amount of $15,055,566.00, by Resolution No. 16-1657; and

WHEREAS, on March 22, 2017, City Council authorized the first amendment to the Contract, No. 2017-049838-001, with the Department of State Health Services (DSHS) for the Women, Infants and Children Program to (a) amend the contract number from the Contract No. 2017-049838-001 to Contract No. 2017-049838-001A; (b) revise the budget and extend the term of the contract from September 30, 2017 to September 30, 2018 to allow for successful completion of the WIC Project for FY 2017 and FY 2018 grant allocations; (c) accept additional grant funds in the amount of $26,000.00 for FY 2017 allocation for the WIC Summer Food Service Program for the period October 1, 2016 through September 2017; (d) accept grant funds for FY 2018 allocation for continuation of the Special Supplemental Nutrition Program for the WIC Program in the amount of $15,056,672.00 for the period of October 1, 2017 through September 30, 2018, increasing the total contract amount by $15,082,672.00, from $15,055,566.00 to $30,138,238.00; and execution of the amendment and all terms, conditions, and documents required by the contract by Resolution No. 17-0487; and

WHEREAS, on September 12, 2018, City Council authorized the second amendment to Contract No. 2017-049838-001, (Amendment No. 2, CFDA No. 10.557) with the Department of State Health Services to (a) extend the term of the contract from October 1, 2018 through September 30, 2019 to allow for the successful completion of the WIC Program for FY 2019 grant allocations; (b) revise the budget for Contract No. 2017-049838-001A, Amendment No. 1, to decrease the total budget amount by $234,902.00 from $15,056,672.00 to $14,821,770.00; (c) reallocate grant funds from the FY 2018 WIC Administrative Program unit to the FY 2018 WIC Dietetic Internship unit, the Extra Funding unit for the Summer Food Service Program, the Texas Integrated Network software implementation and support, and for all other eligible expenditures in the amount of $968,649.00 for the period October 1, 2017 through September 30, 2018; (d) accept grant funds from the U.S. Department of Agriculture passed through the DSHS for FY 2019 allocation (Contract No. 2017-049838-001, Amendment No. 2, CFDA No. 10.557), for continuation of the Special Supplemental Nutrition Program for WIC in the amount of $14,529,596.00 for the period October 1, 2018 through September 30, 2019, increasing the total contract amount by $14,294,694.00, from $30,138,238.00 to $44,432,932.00; by Resolution No. 18-1261; and

WHEREAS, the Department of State Health Services (DSHS) was an original party to Contract No. 2017-049838-001; and

WHEREAS, all functions associated with Contract No. 2017-049838-001 were transferred from Department of State Health Services (DSHS) to the Health and Human Services Commission (HHSC) of the Texas Health and Human Services by operation of law in accordance with Senate Bill 200, 84th Legislature (requiring consolidation of the Health and Human Services System) and Government Code 531; and

WHEREAS, on November 5, 2018, the City executed the third amendment to Contract No. 2017-049838-001 (Amendment No. 3, CFDA No. 10.557) with HHSC for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), to submit to HHSC all vouchers and Financial Status Reports within ninety (90) days after the end of the Fiscal Year; and

WHEREAS, there is a continued need for the Special Supplemental Nutrition Program for Women, Infants and Children; and

WHEREAS, the HHSC has elected to extend Contract No. 2017-049838-001 from October 1, 2019 through September 30, 2020 for FY 2020 grant allocation, in accordance with Section III of the Contract; and

WHEREAS, the HHSC and the City desire to revise the budget for the WIC Program from $44,432,932.00 to $57,963,622.00 of which $499,453.00 is decreased for FY 2019 and $14,030,143.00 is allocated for FY 2020 WIC Program under Amendment No. 4; and

WHEREAS, the City of Dallas will benefit in this contract extension that includes funding for FY 2020.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to amend the Contract. No. 2017-049838-001, (Amendment No. 4, CFDA No. 10.557), with the Health and Human Services Commission (HHSC) for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) to **(a)** extend the term of the contract from October 1, 2019 through September 30, 2020, to allow for successful completion of the WIC Program for FY 2020 grant allocation; **(b)** revise the budget for Contract No. 2017-049838-001, Amendment No. 2, to decrease the FY 2019 total budget amount by $499,453.00 from $14,529,596.00 to $14,030,143.00; **(c)** reallocate funds from the FY 2019 Dietetic Internship unit to the FY 2019 Lactation Services unit in the amount of $42,000.00 for the period of October 1, 2018 through September 30, 2019; and **(d)** accept grant funds from the U.S. Department of Agriculture passed through the HHSC for FY 2020 allocation (Contract No. 2017-049838-001 Amendment No. 4, CFDA No. 10.557),

SECTION 1. (continued)

for the continuation of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in the amount of $14,030,143.00 for the period October 1, 2019 through September 30, 2020, increasing the total contract amount by $13,530,690.00 from $44,432,932.00 to $57,963,622.00; and execute the contract amendment and all terms, conditions, and documents required by the contract, 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 $14,030,143.00 in the FY 2020 WIC Program – Women, Infants and Children Grant Fund, Fund F581, Department MGT, Units 4202-4209, various Object Codes, according to the attached Schedule.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds from the HHSC for the FY 2020 allocation in an amount not to exceed $14,030,143.00 in the FY 2020 WIC Program – Women, Infants and Children Grant Fund, Fund F581, Department MGT, Units 4202-4209, Revenue Code 6509.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed $14,030,143.00 from the FY 2020 WIC Program – Women, Infants and Children Grant Fund, Fund F581, Department MGT, Units 4202-4209, various Object Codes, according to the attached Schedule.

SECTION 5. That the Chief Financial Officer is hereby authorized to reallocate grant funds in an amount not to exceed $42,000.00 in the FY 2019 WIC Program – Women, Infants and Children Grant Fund, F551, Department MGT, between Units 3846 and 3844, according to the attached Schedule.

SECTION 6. 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 Texas Health and Human Services Commission.

SECTION 7. That the City Manager is hereby authorized to reimburse the Texas Health and Human Services Commission any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 8. 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 9. That this contract is designated as Contract No. MGT-2019-00010966.

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.

REVISED SCHEDULE

Health and Human Services Commission
Special Supplemental Nutrition Program for Women, Infants, and Children
October 1, 2018 through September 30, 2019
Fund F551, Department MGT, Unit 3841, (Admin Only), Revenue Code 6509

ObjectCode	Description	Adopted Budget	Increase/(Decrease)	Revised Budget
1101	Salaries	$ 6,207,977	$ (185,923)	$ 6,022,054
1111	Cell Phone Reimbursement	$ 8,640		$ 8,640
1201	Overtime	$ 175,000	$ (10,353)	$ 164,647
1203	Service Incentive Pay	$ 45,000	$ (3,716)	$ 41,284
1301	Pension	$ 893,949	$ (33,977)	$ 859,972
1303	Life Insurance	$ 3,168	$ (531)	$ 2,637
1304	Health Insurance	$ 949,608	$ (28,668)	$ 920,940
1306	FICA (Medicare Only)	$ 90,016	$ (3,451)	$ 86,565
1309	Health & Wellness	$ 3,564	$ (265)	$ 3,299
2110	Office Supplies	$ 99,321	$ (6,637)	$ 92,684
2140	Light & Power	$ 111,600		$ 111,600
2160	Fuel Supplies	$ 16,000		$ 16,000
2170	Water & Sewage	$ 7,500		$ 7,500
2181	Fleet Fuel & Lube	$ 2,100		$ 2,100
2200	Chemical/Med/Surgical	$ 120,000	$ (6,636)	$ 113,364
2252	Meter Postage Fund	$ 4,200		$ 4,200
2261	Educational & Rec Supp	$ 30,000		$ 30,000
2710	Furniture & Fixtures	$ 5,000		$ 5,000
3050	Communications	$ 233,998	$ 2,389	$ 236,387
3053	Communications Circuits	$ 45,946	$ 110	$ 46,056
3085	Freight	$ 3,500		$ 3,500
3090	City Forces	$ 2,600		$ 2,600
3091	Custodial Services	$ 78,000		$ 78,000
3099	Misc. Special Services	$ 60,000		$ 60,000
3130	Copy Machine Rental	$ 51,224		$ 51,224
3330	Rents	$ 1,636,670		$ 1,636,670
3340	Membership Dues	$ 525		$ 525
3361	Professional Development	$ 25,000		$ 25,000
3363	Reimb Personal Vehicle Use	$ 32,200		$ 32,200
3364	Personnel Development	$ 8,000		$ 8,000
3410	Equip & Automotive Rental	$ 1,500		$ 1,500
3416	Enterprise GIS	$ 7,572		$ 7,572
3429	Blackberry Fees	$ 3,500		$ 3,500
3430	Computer Services	$ 157,092	$ 12,211	$ 169,303
3434	Programming	$ 467,876		$ 467,876

3651	Gen Fund Cost Reimb	$	100,000			$	100,000
3851	Pension Bond Debt Service	$	188,668	$	(188,668)	$	-
	Subtotal	$	**11,876,514**	**$**	**(454,115)**	$	**11,422,399**

REVISED SCHEDULE

Health and Human Services Commission
Special Supplemental Nutrition Program for Women, Infants, and Children
October 1, 2018 through September 30, 2019

Fund F551, Department MGT, Unit 3842 (BFPC), Revenue Code 6509

Object Code	Description	Adopted Budget	Increase/(Decrease)	Revised Budget
1101	Salaries	$ 995,441	$ -	$ 995,441
1301	Pension	$ 143,344	$ -	$ 143,344
1303	Life Insurance	$ 840	$ -	$ 840
1304	Health Insurance	$ 251,790	$ -	$ 251,790
1306	FICA (Medicare Only)	$ 14,433	$ -	$ 14,433
1309	Health & Wellness	$ 945	$ -	$ 945
2110	Supplies	$ 2,518	$ -	$ 2,518
2200	Chemical/Med/Surgical	$ 35,395	$ -	$ 35,395
3361	Professional Development	$ 22,523	$ -	$ 22,523
	Subtotal	**$1,467,229**	**$ -**	**$ 1,467,229**

Fund F551, Department MGT, Unit 3843 (RD), Revenue Code 6509

Object Code	Description	Adopted Budget	Increase/(Decrease)	Revised Budget
1101	Salaries	$ 129,918	$ -	$ 129,918
1301	Pension	$ 18,708	$ -	$ 18,708
1303	Life Insurance	$ 48	$ -	$ 48
1304	Health Insurance	$ 14,388	$ -	$ 14,388
1306	FICA (Medicare Only)	$ 1,884	$ -	$ 1,884
1309	Health & Wellness	$ 54	$ -	$ 54
	Subtotal	**$ 165,000**	**$ -**	**$ 165,000**

REVISED SCHEDULE

Health and Human Services Commission
Special Supplemental Nutrition Program for Women, Infants, and Children
October 1, 2018 through September 30, 2019

Fund F551, Department MGT, Unit 3844 (LC), Revenue Code 6509

Object Code	Description	Adopted Budget	Increase/(Decrease)	Revised Budget
1101	Salaries	$ 153,275	$ 32,298	$ 185,573
1301	Pension	$ 22,072	$ 4,668	$ 26,734
1303	Life Insurance	$ 72	$ 13	$ 85
1304	Health Insurance	$ 21,582	$ 4,536	$ 26,118
1306	FICA (Medicare Only)	$ 2,222	$ 462	$ 2,684
1309	Health & Wellness	$ 81	$ 17	$ 98
3361	Professional Development	$ 696	$ 12	$ 708
	Subtotal	**$ 200,000**	**$ 42,000**	**$ 242,000**

Fund F551, Department MGT, Unit 3845 (LCC), Revenue Code 6509

Object Code	Description	Adopted Budget	Increase/(Decrease)	Revised Budget
1101	Salaries	$ 238,487	$ -	$ 238,487
1301	Pension	$ 34,342	$ -	$ 34,342
1303	Life Insurance	$ 72	$ -	$ 72
1304	Health Insurance	$ 21,582	$ -	$ 21,582
1306	FICA (Medicare Only)	$ 3,458	$ -	$ 3,458
1309	Health & Wellness	$ 81	$ -	$ 81
2110	Supplies	$ 4,830	$ -	$ 4,830
2140	Light & Power	$ 4,750	$ -	$ 4,750
2200	Chemical/Med/Surgical	$ 8,743	$ -	$ 8,743
3330	Rents	$ 76,349	$ -	$ 76,349
3361	Professional Development	$ 4,306	$ -	$ 4,306
	Subtotal	**$ 397,000**	**$ -**	**$ 397,000**

Fund F551, Department MGT, Unit 3848 (Training Center), Revenue Code 6509

Object Code	Description	Adopted Budget	Increase/(Decrease)	Revised Budget
3330	Rents	$ 86,336	**$ -**	$ 86,336
3099	Misc. Special Services	$ 1,000	**$ -**	$ 1,000
		$ 87,336	**$ -**	**$ 87,336**

REVISED SCHEDULE

Health and Human Services Commission
Special Supplemental Nutrition Program for Women, Infants, and Children
October 1, 2018 through September 30, 2019

Fund F551, Department MGT, Unit 3846 (Dietetic Intern), Revenue Code 6509

Object Code	Description	Adopted Budget	Increase/(Decrease)	Revised Budget
1101	Salaries	$ 45,000	$ (45,000)	$ -
1301	Pension	$ 6,480	$ (6,480)	$ -
1303	Life Insurance	$ 48	$ (48)	$ -
1304	Health Insurance	$ 14,388	$ (14,388)	$ -
1306	FICA (Medicare Only)	$ 652	$ (652)	$ -
1309	Health & Wellness	$ 54	$ (54)	$ -
3361	Professional Development	$ 2,645	$ (2,645)	$ -
	Subtotal	**$ 69,267**	**$ (69,267)**	**$ -**

Fund F551, Department MGT, Unit 3847 (Innovation Center), Revenue Code 6509

Object Code	Description	Adopted Budget	Increase/(Decrease)	Revised Budget
1101	Salaries	$ 54,394	**$ -**	$ 54,394
1301	Pension	$ 7,832	**$ -**	$ 7,832
1303	Life Insurance	$ 96	**$ -**	$ 96
1304	Health Insurance	$ 28,776	**$ -**	$ 28,776
1306	FICA (Medicare Only)	$ 788	**$ -**	$ 788
1309	Health & Wellness	$ 108	**$ -**	$ 108
2110	Supplies	$ 4,684	**$ -**	$ 4,684
3361	Professional Development	$ 3,322	**$ -**	$ 3,322
	Subtotal	**$ 100,000**	**$ -**	**$ 100,000**

REVISED SCHEDULE

Health and Human Services Commission
Special Supplemental Nutrition Program for Women, Infants, and Children
October 1, 2018 through September 30, 2019

Fund F551, Department MGT, Unit 3849 (Extra Funding), Revenue Code 6509

Object Code	Description	Adopted Budget	Increase/(Decrease)	Revised Budget
1101	Salaries – Summer Feeding Program	$ 30,000	$ (18,071)	$ 11,929
2110	Supplies	$ 10,650	$ -	$ 10,650
3050	Communications (TXIN Internet)	$ 19,800	$ -	$ 19,800
3099	Misc. Special Services- (IPE & Other)	$ -	$ -	$ -
3430	Computer Services (TXIN IT Support)	$ 106,800	$ -	$ 106,800
	Subtotal	**$ 167,250**	**$ (18,071)**	**$ 149,179**
	Grand Total	**$14,529,596**	**$(499,453)**	**$14,030,143**

SCHEDULE

Health and Human Services Commission
Special Supplemental Nutrition Program for Women, Infants, and Children
October 1, 2019 through September 30, 2020
Fund F581, Department MGT, Unit 4202, (Admin Only), Revenue Code 6509

ObjectCode	Description	Adopted Budget
1101	Salaries	$ 6,022,054
1111	Cell Phone Reimbursement	$ 8,640
1201	Overtime	$ 164,648
1203	Service Incentive Pay	$ 41,284
1301	Pension	$ 859,972
1303	Life Insurance	$ 2,637
1304	Health Insurance	$ 920,940
1306	FICA (Medicare Only)	$ 86,565
1309	Health & Wellness	$ 3,299
2110	Office Supplies	$ 92,685
2140	Light & Power	$ 111,600
2160	Fuel Supplies	$ 16,000
2170	Water & Sewage	$ 7,500
2181	Fleet Fuel & Lube	$ 2,100
2200	Chemical/Med/Surgical	$ 113,364
2252	Meter Postage Fund	$ 4,200
2261	Educational & Rec Supp	$ 30,000
2710	Furniture & Fixtures	$ 5,000
3050	Communications	$ 236,387
3053	Communications Circuits	$ 46,056
3085	Freight	$ 3,500
3090	City Forces	$ 2,600
3091	Custodial Services	$ 78,000
3099	Misc. Special Services	$ 60,000
3130	Copy Machine Rental	$ 51,224
3330	Rents	$ 1,636,670
3340	Membership Dues	$ 525
3361	Professional Development	$ 25,000
3363	Reimb Personal Vehicle Use	$ 32,200
3364	Personnel Development	$ 8,000
3410	Equip & Automotive Rental	$ 1,500
3416	Enterprise GIS	$ 7,572
3429	Blackberry Fees	$ 3,500
3430	Computer Services	$ 169,303
3434	Programming	$ 467,876
3651	Gen Fund Cost Reimb	$ 100,000
	Subtotal	$ **11,422,399**

SCHEDULE

Health and Human Services Commission
Special Supplemental Nutrition Program for Women, Infants, and Children
October 1, 2019 through September 30, 2020

Fund F581, Department MGT, Unit 4203 (BFPC), Revenue Code 6509

Object Code	Description	Adopted Budget
1101	Salaries	$ 995,441
1301	Pension	$ 143,344
1303	Life Insurance	$ 840
1304	Health Insurance	$ 251,790
1306	FICA (Medicare Only)	$ 14,433
1309	Health & Wellness	$ 945
2110	Supplies	$ 2,518
2200	Chemical/Med/Surgical	$ 35,395
3361	Professional Development	$ 22,523
	Subtotal	**$1,467,229**

Fund F581, Department MGT, Unit 4204 (RD), Revenue Code 6509

Object Code	Description	Adopted Budget
1101	Salaries	$ 129,918
1301	Pension	$ 18,708
1303	Life Insurance	$ 48
1304	Health Insurance	$ 14,388
1306	FICA (Medicare Only)	$ 1,884
1309	Health & Wellness	$ 54
	Subtotal	**$ 165,000**

SCHEDULE

Health and Human Services Commission
Special Supplemental Nutrition Program for Women, Infants, and Children
October 1, 2019 through September 30, 2020

Fund F581, Department MGT, Unit 4205 (LS), Revenue Code 6509

Object Code	Description	Adopted Budget
1101	Salaries	$ 185,573
1301	Pension	$ 26,734
1303	Life Insurance	$ 85
1304	Health Insurance	$ 26,118
1306	FICA (Medicare Only)	$ 2,684
1309	Health & Wellness	$ 98
3361	Professional Development	$ 708
	Subtotal	**$ 242,000**

Fund F581, Department MGT, Unit 4206 (LSC), Revenue Code 6509

Object Code	Description	Adopted Budget
1101	Salaries	$ 238,487
1301	Pension	$ 34,342
1303	Life Insurance	$ 72
1304	Health Insurance	$ 21,582
1306	FICA (Medicare Only)	$ 3,458
1309	Health & Wellness	$ 81
2110	Supplies	$ 4,830
2140	Light & Power	$ 4,750
2200	Chemical/Med/Surgical	$ 8,743
3330	Rents	$ 76,349
3361	Professional Development	$ 4,306
	Subtotal	**$ 397,000**

Fund F581, Department MGT, Unit 4208 (Training Center), Revenue Code 6509

Object Code	Description	Adopted Budget
3330	Rents	$ 86,336
3099	Misc. Special Services	$ 1,000
		$ 87,336

SCHEDULE

Health and Human Services Commission
Special Supplemental Nutrition Program for Women, Infants, and Children
October 1, 2019 through September 30, 2020

Fund F581, Department MGT, Unit 4207 (Innovation Center), Revenue Code 6509

Object Code	Description	Adopted Budget
1101	Salaries	$ 54,394
1301	Pension	$ 7,832
1303	Life Insurance	$ 96
1304	Health Insurance	$ 28,776
1306	FICA (Medicare Only)	$ 788
1309	Health & Wellness	$ 108
2110	Supplies	$ 4,684
3361	Professional Development	$ 3,322
	Subtotal	**$ 100,000**

Fund F581, Department MGT, Unit 4209 (Extra Funding), Revenue Code 6509

Object Code	Description	Adopted Budget
1101	Salaries – Summer Feeding Program	$ 11,929
2110	Supplies	$ 10,650
3050	Communications (TXIN Internet)	$ 19,800
3099	Misc. Special Services- (IPE & Other)	$ -
3430	Computer Services (TXIN IT Support)	$ 106,800
	Subtotal	**$ 149,179**
	Grand Total	**$14,030,143**

Agenda Information Sheet

File #: 19-1048 **Item #:** 32.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 11

DEPARTMENT: Office of Cultural Affairs

EXECUTIVE: Joey Zapata

SUBJECT

Authorize a contract with Andrew Scott for the fabrication and installation of a freestanding, outdoor sculpture at Anderson Bonner Park located at 12000 Park Central Drive - Not to exceed $68,000.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

BACKGROUND

As established in Chapter 2, Article X of Dallas City Code, the Public Art Program of the Office of Cultural Affairs works to include works by visual artists in public places of the city using a percentage of City Capital Improvement Projects. Under this program, a commission for artwork at Anderson Bonner Park was initiated via community engagement and a request for qualifications for artists to design, fabricate and install a free-standing, outdoor public artwork to serve as a tribute to Anderson Bonner and his legacy of entrepreneurship, agriculture, literacy, education and scholarship.

Artist Andrew Scott was recommended for this public art project by the Selection Panel composed of community members, descendants of Anderson Bonner, artists, and representatives from the Park and Recreation Department. The Selection Panel's recommendation was followed by recommendations in support of this commission to Andrew Scott by the Public Art Committee and the Arts and Culture Advisory Commission.

About Anderson Bonner

Anderson Bonner was an African-American landowner, entrepreneur, and early Dallas pioneer born into slavery in Alabama, most likely in the late 1830s. Family tradition holds that Bonner was given as a wedding gift to the daughter of his master, taking him from Alabama to Arkansas and ultimately to Texas. By 1870, Bonner had arrived in Dallas, along with his sister Caroline and his brother Louis, where he worked the family farm just north of White Rock Creek. According to the 1870 United States census, Bonner's personal financial worth was valued at $275.00. Over the next few decades, Bonner was able to secure a remarkable amount of land in the Dallas area, ultimately making him a financial phenomenon of early Dallas.

Bonner has been the recipient of recognition from the City of Dallas. The Anderson Bonner School was located at Vickery Boulevard and Hillcrest Road and served as the neighborhood's lone African-American school until its closing in 1955 when Hamilton Park School opened. Bonner was also honored with the naming of a park, Anderson Bonner Park, located just west of Medical City Dallas, which had already been a popular destination for black family gatherings prior to World War II. This park was once part of Bonner's original farm and includes amenities such as tennis courts, bike trails, and soccer fields.

Artist Background

For 30 years Andrew Scott's artistic practice has been an exploration of African American culture through a combination of computer graphic technologies and traditional sculptural practice. This project advances and fits within the body of his existing work as a signature project that speaks in a civic vernacular honoring one of Dallas' celebrated American heroes.

As an artist, professor and design professional, he has worked and taught with a variety of materials and conceptual forms for over 30 years. This experience allows him to create work that is responsive to medium, method, and place. Combining the tools associated with digital multi-media, 3D modeling, animation, digital fabrication and projection mapping with the traditional artistic practices of metal and wood fabrication, casting, mold making and printmaking.

ESTIMATED SCHEDULE OF PROJECT

Begin design and fabrication of artwork	August 2019
Complete installation of artwork	August 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 1, 2018, the Park and Recreation Board authorized the Public Art Projects list for the 2017 Bond Projects.

On April 18, 2019, the Arts and Culture Advisory Commission approved a recommendation in support of this item.

On June 20, 2019, the Park and Recreation Board authorized a contract with Andrew Scott for a public artwork at Anderson Bonner Park located at 1200 Park Central Drive.

FISCAL INFORMATION

Park and Recreation Facilities (B) Fund (2017 Bond Funds) - $68,000.00

OWNER

Andrew Scott, Artist

WHEREAS, Chapter 2, Article X of the Dallas City Code establishes a Public Art Program to include works of art and design services of artists in certain City capital improvement projects; and

WHEREAS, in carrying out the intent of the Public Art Program, the Office of Cultural Affairs, working with the Public Art Committee, has identified a public art project to complement the Anderson Bonner Park located at 12000 Park Central Drive, Dallas, TX 75251; and

WHEREAS, Andrew Scott was selected for the project and was recommended by the Public Art Committee and the Arts and Culture Advisory Commission; and

WHEREAS, $68,000.00 is available from the 2017 Bond Funds to support the fabrication and installation of a freestanding, outdoor sculpture at Anderson Bonner Park.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a contract with Andrew Scott, approved as to form by the City Attorney, for the fabrication and installation of a freestanding, outdoor sculpture at Anderson Bonner Park located at 12000 Park Central Drive, in an amount not to exceed $68,000.00.

SECTION 2. That the Chief Financial Officer is authorized to disburse funds in an amount not to exceed $68,000.00 to Andrew Scott from the Park and Recreation Facilities (B) Fund, Fund 1V00, Department PKR, Unit PA57, Object 4425, Program PK17PA57, Encumbrance/Contract No. MASC-OCA-2019-00010828, Vendor VS99937.

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

Agenda Information Sheet

File #: 19-1046 **Item #:** 33.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Office of Cultural Affairs

EXECUTIVE: Joey Zapata

SUBJECT

Authorize a contract with Bernard Williams for the fabrication and installation of a site-specific, freestanding, outdoor sculpture at the South Lamar Street Gateway located at the intersection of Pine and South Lamar Streets - Not to exceed $63,000.00 - Financing: Street System Facilities Fund (1995 Bond Funds)

BACKGROUND

As established in Chapter 2, Article X of Dallas City Code, the Public Art Program of the Office of Cultural Affairs works to include artworks by visual artists in public places of the city using a percentage of city capital improvement projects. Under this program, a commission for public art at the intersection of Pine and South Lamar Streets, the gateway to the newly renovated South Lamar Street community, was initiated via community engagement and a request for artist qualifications.

The artist Bernard Williams was recommended for this public art project by the Selection Panel composed of community members, artists, and representatives from the Department of Public Works. The Selection Panel's recommendation was followed by recommendations in support of this commission to Bernard Williams by the Public Art Committee and the Arts and Culture Advisory Commission. The artwork is comprised of steel poles and symbols derived from input of the South Lamar Community describing the characteristics of the neighborhood.

Artist Background

Bernard Williams is a native of Chicago, Illinois. He holds a Bachelor of Fine Arts degree from the University of Illinois at Urbana-Champaign, and a Master of Fine Arts degree from Northwestern University in Evanston, Illinois. He also studied at the Skowhegan School of Painting and Sculpture, in Skowhegan, Maine, in 1987. Williams taught art at The School of the Art Institute of Chicago from 1991-2003.

The artist has been commissioned to create numerous outdoor murals around Chicago and abroad.

Mural commissions have been sponsored by a range of organizations and corporations including AT&T, GATX Corporation, Kraft Foods, the Snite Museum of Art at the University of Notre Dame, Indiana, Chicago Department of Cultural Affairs, and the Jackson Public School District in Mississippi.

ESTIMATED SCHEDULE OF PROJECT

Begin design and fabrication of artwork	September 2019
Complete installation of artwork	November 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 18, 2017, the Cultural Affairs Commission (now the Arts and Culture Advisory Commission) approved a recommendation in support of this project.

FISCAL INFORMATION

Street System Facilities Fund (1995 Bond Funds) - $63,000.00

OWNER

Bernard Williams, Artist

August 14, 2019

WHEREAS, Chapter 2, Article X of the Dallas City Code establishes a Public Art Program to include works of art and design services of artists in certain City capital improvement projects; and

WHEREAS, in carrying out the intent of the Public Art Program, the Office of Cultural Affairs, working with the Public Art Committee, has identified a public art project to complement the South Lamar Street Gateway located at the intersection of Pine and South Lamar Streets; and

WHEREAS, Bernard Williams was selected for the project and was recommended by the Public Art Committee and the Arts and Culture Advisory Commission; and

WHEREAS, $63,000.00 is available from the 1995 Bond Funds to support the fabrication and installation of a site-specific, freestanding, outdoor sculpture at the South Lamar Street Gateway.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a contract with Bernard Williams, approved as to form by the City Attorney, for the fabrication and installation of a site-specific, freestanding, outdoor sculpture at the South Lamar Street Gateway located at the intersection of Pine and South Lamar Streets, in an amount not to exceed $63,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $63,000.00 to Bernard Williams from the Street System Facilities Fund, Fund 0M22, Department PBW, Unit L706, Object 4425, Program PB03PA25, Encumbrance/Contract No. MASC-OCA-2019-00010829, Vendor VS94235.

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

Agenda Information Sheet

File #: 19-1047 **Item #:** 34.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office of Cultural Affairs

EXECUTIVE: Joey Zapata

SUBJECT

Authorize a contract with PLS Mosaics, LLC for the fabrication and installation of freestanding outdoor sculptures at the Dallas Animal Services Main Shelter located at 1818 North Westmoreland Road - Not to exceed $80,000.00 - Financing: Animal Control (7) Fund (2003 Bond Funds)

BACKGROUND

As established in Chapter 2, Article X of Dallas City Code, the Public Art Program of the Office of Cultural Affairs works to include artworks by visual artists in public places of the city using a percentage of city capital improvement projects. Under this program, a commission for artwork at the Dallas Animal Services Main Shelter was initiated via community engagement and a request for artist qualifications for freestanding, outdoor sculptures along a berm to direct traffic into the entrance of the building and to incorporate positive references to Dallas Animal Services.

PLS Mosaics, LLC (artist Barbara Dybala) was recommended for this public art project by the Selection Panel composed of community members, artists, and representatives from Dallas Animal Services. The Selection Panel's recommendation was followed by recommendations in support of this commission to PLS Mosaics, LLC (Barbara Dybala) by the Public Art Committee and the Arts and Culture Advisory Commission.

Artist Background - Barbara Dybala

Creating art with mosaic has been part of Barbara Dybala's creative journey for many years. Her penchant is to design and create one-of-a-kind works of art that inspire others to feel deeply, to think, and to passionately create. People of all ages have come to discover their own creative passion through her workshops and classes.

Her work stretches from traditional to contemporary, humorous to sublime. She uses a blend of materials which may include enameled glass, ceramic, tile, gems, precious stones, and recycled materials depending on the environment in which they are installed to create highly durable works of

art.

Project Description

The project consists of two 8-9 foot sculptures, one of a cat and one of a dog, to be installed on the south side of the Dallas Animal Services building. The animals' playful demeanors and colorful decorative elements will encourage passersby to come into the Dallas Animal Services facility. The sculptures also function as wayfinding elements to the Dallas Animal Services facility as drivers exit the highway toward Westmoreland Road. The surfaces of the animals will be colorful concrete and mosaics for durability and ease of maintenance.

ESTIMATED SCHEDULE OF PROJECT

Begin design and fabrication of artwork	August 2019
Complete installation of artwork	August 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 18, 2019, the Arts and Culture Advisory Commission approved a recommendation in support of this item.

FISCAL INFORMATION

Animal Control (7) Fund (2003 Bond Funds) - $80,000.00

OWNER

PLS Mosaics, LLC

Barbara Dybala, President and Artist

powered by Legistar™

WHEREAS, Chapter 2, Article X of the Dallas City Code establishes a Public Art Program to include works of art and design services of artists in certain City capital improvement projects; and

WHEREAS, in carrying out the intent of the Public Art Program, the Office of Cultural Affairs, working with the Public Art Committee, identified a public art project to complement the Dallas Animal Services Main Shelter located at 1818 North Westmoreland Road; and

WHEREAS, the Public Art Program requested submissions from artists to be considered to design, fabricate, and install freestanding outdoor sculptures to direct traffic into the entrance of the shelter; and

WHEREAS, PLS Mosaics, LLC was recommended by the Public Art Committee and approved by the Arts and Culture Advisory Commission, and was selected for the project; and

WHEREAS, $80,000.00 is available from 2003 Bond Funds to support the fabrication and installation of a site-specific artwork.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a contract with PLS Mosaics, LLC, approved as to form by the City Attorney, for the fabrication and installation of freestanding outdoor sculptures at the Dallas Animal Services Main Shelter located at 1818 North Westmoreland Road, in an amount not to exceed $80,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $80,000.00 to PLS Mosaics, LLC from the Animal Control (7) Fund, Fund 3R46, Department PBW, Unit PA05, Object 4425, Program PB03PA25, Encumbrance/Contract No. MASC-OCA-2019-00010827, Vendor VC19754.

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

Agenda Information Sheet

File #: 19-950 **Item #:** 35.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Homeless Solutions

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize the **(1)** acceptance of a grant from the Texas Department of Housing and Community Affairs ("TDHCA") in an amount not to exceed $1,101,611.00 to provide services to the homeless through the Homeless Housing and Services Program ("HHSP"), for the period September 1, 2019 through August 31, 2020; **(2)** establishment of appropriations in an amount not to exceed $1,101,611.00 in the FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund; **(3)** receipt and deposit of funds in an amount not to exceed $1,101,611.00 in the FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund; **(4)** City Manager to enter into, represent the City with respect to, and execute, the contract with TDHCA for FY 2020 TDHCA-Homeless Housing and Services Program Grant Funds; and **(5)** Assistant City Manager to enter into, represent the City with respect to, and execute the contract on the City Manager's behalf - Not to exceed $1,101,611.00 - Financing: Texas Department of Housing and Community Affairs Grant Funds

BACKGROUND

Beginning in 2009, the State Legislature has appropriated funding to be administered by the TDHCA for the HHSP, to provide funding to the largest cities in Texas (with a population greater than 285,500), in support of services to homeless individuals and families. There are currently nine cities receiving HHSP funding: Arlington, Austin, Corpus Christi, Dallas, El Paso, Fort Worth, Houston, Plano, and San Antonio.

The purpose of the HHSP Program is to provide housing and services for individuals and families who are homeless or at risk of homelessness. Eligible activities are administrative costs, case management, construction/conversion/rehabilitation, essential services, homelessness prevention, homelessness assistance (like rapid re-housing), operation of emergency shelters, and other local programs approved by TDHCA.

The City of Dallas has received HHSP funding since 2010, and has used the funding primarily to provide operating assistance for The Bridge Homeless Assistance Center as leverage for City of

Dallas and Dallas County operational funding.

On June 10, 2019, TDHCA notified the City of Dallas of its FY 2020 HHSP general allocation in the amount of $843,421.00, as well as an additional allocation of $258,190.00 set aside to address youth homelessness, for a total allocation of $1,101,611.00.

Approval of this item will authorize acceptance of the grant from TDHCA in an amount not to exceed $1,101,611.00 to provide services to the homeless through HHSP. All services related to the grant will be reported in the Homeless Management Information System.

Under a recently adopted HHSP rule, each municipality receiving HHSP funding must provide a resolution that, in addition to accepting the grant, includes specific authorization to enter into a contract with TDHCA for HHSP funds and provides the title of the person authorized to represent the entity and having signature authority to execute a contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 13, 2017, City Council authorized the acceptance of a grant from the Texas Department of Housing and Community Affairs ("TDHCA") in an amount not to exceed $833,481.00, to provide services to the homeless through the Homeless Housing and Services Program ("HHSP") for the period September 1, 2017 through August 30, 2018, by Resolution No.17-1421.

On August 22, 2018, City Council authorized the acceptance of a grant from TDHCA in an amount not to exceed $837,283.00, to provide services to the homeless through HHSP for the period September 1, 2018 through August 31, 2019, by Resolution No. 18-1157.

FISCAL INFORMATION

Texas Department of Housing and Community Affairs Grant Funds - $1,101,611.00

WHEREAS, beginning in 2009, the State Legislature has appropriated funds to be administered by the Texas Department of Housing Community Affairs ("TDHCA") to fund the Homeless Housing and Services Program ("HHSP") in Texas cities with a population of 285,500 or more; and

WHEREAS, nine cities currently receive HHSP funding, including Arlington, Austin, Corpus Christi, Dallas, El Paso, Fort Worth, Houston, Plano, and San Antonio; and

WHEREAS, the City of Dallas has received HHSP funding since 2010, and has used the funding to provide operating assistance for The Bridge Homeless Assistance Center as leverage for City and County funding; and

WHEREAS, on June 10, 2019, TDHCA notified the City of Dallas of its FY 2020 HHSP preliminary allocation in the amount of $1,101,611.00 for the period September 1, 2019 through August 31, 2020, and the City desires to accept this award for the continued provision of homeless assistance to persons experiencing homelessness.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to accept a grant from the Texas Department of Housing and Community Affairs ("TDHCA") in an amount not to exceed $1,101,611.00 to provide services to the homeless through the Homeless Housing and Services Program ("HHSP") for the period September 1, 2019 through August 31, 2020, and enter into, represent the City with respect to, and execute, the contract with TDHCA for FY 2020 TDHCA-Homeless Housing and Services Program grant funds; and that the Assistant City Manager is hereby authorized to enter into, represent the City with respect to, and execute the contract on the City Manager's behalf, 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 $1,101,611.00 in the FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund, as follows:

FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund Fund S340, Department MGT, Unit 4001, Object 3070	$ 843,421.00
FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund Fund S340, Department MGT, Unit 4002, Object 3070	$ 258,190.00
Total amount not to exceed	$1,101,611.00

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit TDHCA grant funds in an amount not to exceed $1,101,611.00 in the FY 2020 TDHCA-Homeless Housing and Services Program 19-20 Fund, Fund S340, Department MGT, Revenue Code 6516.

SECTION 4. That the City Manager is hereby authorized to provide additional information and take other actions or make adjustments relating to the grant budget as may be necessary in order to satisfy TDHCA requirements.

SECTION 5. That the City Manager is hereby authorized to reimburse to TDHCA any HHSP 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 6. That the City Manager shall keep the appropriate City Council Committee informed of all final TDHCA HHSP monitoring reports no later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. OHS-2019-00010834.

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

Agenda Information Sheet

File #: 19-951 **Item #:** 36.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Homeless Solutions

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize **(1)** an amendment to Resolution No. 18-1380, previously approved on September 26, 2018, to accept additional grant funds from the Texas Health and Human Services Commission ("THHSC") for FY 2020 and FY 2021 (Contract No. 2016-049507-001C, Amendment No. 3), to provide services to homeless persons who have a mental illness, substance abuse use or co-occurring psychiatric disorder through the Healthy Community Collaborative Program in an amount not to exceed $3,500,000.00 for the period September 1, 2019 through August 31, 2021; **(2)** a private 1:1 cash or in-kind match by the City, through its subcontractors in an amount not to exceed $3,500,000.00; **(3)** the establishment of appropriations in an amount not to exceed $3,500,000.00 in the HHSC-FY 2020 - FY 2021 Healthy Community Collaborative Grant 19-21 Fund; **(4)** the receipt and deposit of grant funds for reimbursement in an amount not to exceed $3,500,000.00 by THHSC in the HHSC-FY 2020 - FY 2021 Healthy Community Collaborative Grant 19-21 Fund; and **(5)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total not to exceed $3,500,000.00 - Financing: Texas Health and Human Services - Health and Human Services Commission Grant Funds

BACKGROUND

Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or mental illness. The Texas Department of State Health Services awarded Health Community Collaborative ("HCC") grant funds to five Texas municipalities in counties with populations of more than one million, including Bexar, Dallas, Harris, Tarrant, and Travis.

Acceptable uses for HCC Grant Funds and the required private match include: (1) the development of the infrastructure of the collaborative and the start-up costs of the collaborative; (2) the establishment, operation, or maintenance of other community service providers in the community served by the collaborative, including intake centers, detoxification units, sheltering centers for food, workforce training centers, microbusinesses, and educational centers; (3) the provision of clothing,

hygiene products, and medical services to and the arrangement of transitional and permanent residential housing for persons served by the collaborative; (4) the provision of mental health services and substance abuse treatment not readily available in the community served by the collaborative; (5) the provision of information, tools, and resource referrals to assist persons served by the collaborative in addressing the needs of their children; and (6) the establishment and operation of coordinated intake processes, including triage procedures, to protect the public safety in the community served by the collaborative.

The City and its subcontractors must match funds 1:1 from private sources. House Bill 4468 of the 86th regular legislative session amended Section 539.002 of the Texas Government Code to allow private match resources to include in-kind contributions.

On June 14, 2019, the City of Dallas received notification of the allocation of HCC Grant Funds for the period September 1, 2019 through August 31, 2021, in the amount of $2,000,000.00 in state fiscal year 2019/2020 funds and $1,500,000.00 in state fiscal year 2021 funds, for a total allocation of $3,500,000.00.

A Request for Competitively Sealed Proposal ("RFCSP") was advertised for subcontractors on June 28, 2018 and July 5, 2018 with proposals due on August 9, 2018. As a result of the procurement process, Bridge Steps, CitySquare, and Shelter Ministries of Dallas dba Austin Street Center were selected as subcontractors for a twelve-month contract for the period September 1, 2018 through August 31, 2019, with one twelve-month renewal option for the period September 1, 2019 through August 31, 2020. Renewal contracts are subject to Council approval at a later date. A future RFCSP is expected to be advertised for additional funds awarded under this contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council authorized the acceptance of a grant from the Texas Department of State Health Services to provide services to the homeless through the Healthy Community Collaborative for the period May 1, 2014 through August 31, 2015 and execution of any required grant agreements; and an eighth amendment to the Management Services Contract, Phase II, with Bridge Steps by Resolution No. 14-1080.

On October 14, 2015, City Council authorized the acceptance of a grant from the Texas Department of Housing and Community Affairs to provide services to the homeless through the Homeless Housing and Services Program for the period September 1, 2015 through August 31, 2016, and execution of the required grant agreements; the acceptance of a grant from the Texas Department of State Health Services to provide services to the homeless through the Healthy Community Collaborative for the period July 1, 2014 through August 31, 2017; and the first amendment to the Management Services Contract, Phase II, with Bridge Steps by Resolution No. 15-1893.

On February 10, 2016, City Council authorized an amendment to Resolution No. 14-1080, previously approved on June 25, 2014, for a grant from the Texas Department of State Health Services to provide services to the homeless through the Healthy Community Collaborative to extend the contract service date from August 31, 2015 to August 31, 2016, by Resolution No. 16-0302.

On August 24, 2016, City Council authorized an amendment to Resolution No. 15-1893, previously approved on October 14, 2015, to correct the FY 2016 grant term from the Texas Department of State Health Services (DSHS) to provide services to the homeless through the Healthy Community Collaborative (HCC) grant from July 1, 2014 through August 31, 2017 to August 1, 2016 through August 31, 2017; acceptance of the FY 2017 HCC grant from DSHS (Contract No. 2016-049507-001) to provide services to the homeless through the HCC for the period August 1, 2016 through August 31, 2017; and execution of the grant agreement by Resolution No. 16-1387.

On June 28, 2017, City Council authorized an amendment to Resolution No. 16-1387, previously approved on August 24, 2016 for the FY 2016 and FY 2017 Healthy Community Collaborative Grants; application and acceptance of FY 2018 HCC grant from HHSC (Contract No. 2016-049507-001A, Amendment No. 1) to provide services to the homeless through HCC grant for the period of September 1, 2017 through August 31, 2018; and execution of the grant agreement by Resolution No. 17-1050.

On September 26, 2018, City Council authorized an amendment to Resolution No. 17-1050, previously approved on June 28, 2017, to accept additional grant funds from the Texas Health and Human Services Commission for the FY 2019 HCC grant (Contract No. 2016-049507-001B, Amendment No. 2) to provide services to homeless individuals who have mental illness, substance abuse or co-occurring psychiatric disorder through the HCC Program for the period September 1, 2018 through August 31, 2019; and execution of the grant agreement by Resolution No. 18-1380.

FISCAL INFORMATION

Texas Health and Human Services - Health and Human Services Commission Grant Funds - $3,500,000.00
Private Match - $3,500,000.00

WHEREAS, Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness, substance abuse use or co-occurring psychiatric disorder; and

WHEREAS, the five eligible municipalities and counties include: Bexar, Dallas, Harris, Tarrant, and Travis; and

WHEREAS, on June 25, 2014, City Council authorized the acceptance of a grant from the Texas Department of State Health Services to provide services to the homeless through the Healthy Community Collaborative for the period May 1, 2014 through August 31, 2015 and execution of any required grant agreements; and an eighth amendment to the Management Services Contract, Phase II, with Bridge Steps by Resolution No. 14-1080; and

WHEREAS, on October 14, 2015, City Council authorized the acceptance of a grant from the Texas Department of Housing and Community Affairs to provide services to the homeless through the Homeless Housing and Services Program for the period September 1, 2015 through August 31, 2016, and execution of the required grant agreements; the acceptance of a grant from the Texas Department of State Health Services to provide services to the homeless through the Healthy Community Collaborative for the period July 1, 2014 through August 31, 2017; and the first amendment to the Management Services Contract, Phase II, with Bridge Steps by Resolution No. 15-1893; and

WHEREAS, on February 10, 2016, City Council authorized an amendment to Resolution No. 14-1080, previously approved on June 25, 2014, for a grant from the Texas Department of State Health Services to provide services to the homeless through the Healthy Community Collaborative to extend the contract service date from August 31, 2015 to August 31, 2016, by Resolution No. 16-0302; and

WHEREAS, on August 24, 2016, City Council authorized an amendment to Resolution No. 15-1893, previously approved on October 14, 2015, to correct the FY 2016 grant term from the Texas Department of State Health Services (DSHS) to provide services to the homeless through the Healthy Community Collaborative (HCC) grant from July 1, 2014 through August 31, 2017 to August 1, 2016 through August 31, 2017; acceptance of the FY 2017 HCC grant from DSHS (Contract No. 2016-049507-001) to provide services to the homeless through the HCC for the period August 1, 2016 through August 31, 2017; and execution of the grant agreement by Resolution No. 16-1387; and

WHEREAS, on June 28, 2017, City Council authorized an amendment to Resolution No. 16-1387, previously approved on August 24, 2016 for the FY 2016 and FY 2017 Healthy Community Collaborative Grants; application and acceptance of FY 2018 HCC grant from HHSC (Contract No. 2016-049507-001A, Amendment No. 1) to provide services to the homeless through HCC grant for the period of September 1, 2017 through August 31, 2018; and execution of the grant agreement by Resolution No. 17-1050; and

WHEREAS, on September 26, 2018, City Council authorized an amendment to Resolution No. 17-1050, previously approved on June 28, 2017, to accept additional grant funds from the Texas Health and Human Services Commission for the FY 2019 HCC grant (Contract No. 2016-049507-001B, Amendment No. 2) to provide services to homeless individuals who have mental illness, substance abuse or co-occurring psychiatric disorder through the HCC Program for the period September 1, 2018 through August 31, 2019; and execution of the grant agreement by Resolution No. 18-1380; and

WHEREAS, eradicating homelessness is a high priority of 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 amend Resolution No. 18-1380, previously approved on September 26, 2018, to accept additional grant funds from the Texas Health and Human Services Commission ("THHSC") for FY 2020 and FY 2021 (Contract No. 2016-049507-001C, Amendment No. 3), to provide services to homeless persons who have a mental illness, substance abuse use or co-occurring psychiatric disorder through the Healthy Community Collaborative Program in an amount not to exceed $3,500,000.00 for the period September 1, 2019 through August 31, 2021; provide a private 1:1 cash or in-kind match by the City, through its subcontractors in an amount not to exceed $3,500,000.00; and execute the grant agreement and all terms, conditions, and all documents required by the grant agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $3,500,000.00 in the HHSC-FY 2020 - FY 2021 Healthy Community Collaborative Grant 19-21 Fund, Fund S342, Department MGT, Unit 4148, and various Object Codes, according to the attached Schedule A.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds for reimbursement in an amount not to exceed $3,500,000.00 by THHSC in the HHSC-FY 2020 - FY 2021 Healthy Community Collaborative Grant 19-21 Fund, Fund S342, Department MGT, Unit 4148, Revenue Code 6508.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,500,000.00 by THHSC in the HHSC-FY 2020 - FY 2021 Healthy Community Collaborative Grant 19-21 Fund, Fund S342, Department MGT, Unit 4148, and various Object Codes, according to the attached Schedule A.

SECTION 5. That the City Manager is hereby authorized to provide additional information and take other actions or make adjustments relating to the grant budget as may be necessary in order to satisfy THHSC requirements.

SECTION 6. That the City Manager is hereby authorized to reimburse to the granting agency 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 receipt of the report.

SECTION 8. That this contract is designated as Contract No. MGT-2018-00007262.

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

SCHEDULE A

Texas Health and Human Services Commission ("THHSC")
Healthy Community Collaborative ("HCC") Grant
FY 2019-21 Grant – Contract No. 2016-049507-001C
Amendment No. 3

Fund S342, Dept. MGT, Unit 4148, Revenue Source 6508

Object Code	Description	Budget
1101	Salaries	$ 48,000.00
1301	Pension	$ 6,912.00
1303	Life Insurance	$ 48.00
1304	Health Insurance	$ 8,370.00
1306	FICA	$ 696.00
1309	Wellness	$ 54.00
2110	Supplies	$ 200.00
2890	Miscellaneous Equipment	$ 125,800.00
3070	Contractual Services	$3,309,320.00
3099	Miscellaneous Special Services	$ 200.00
3361	Professional Development	$ 324.00
3363	Mileage	$ 76.00
	Total	**$3,500,000.00**

Matching Funds
Private Cash or In-Kind
FY 2019-21 Grant – Contract No. 2016-049507-001C
Amendment No. 3

Awarded Agencies	Amount
TBD	$3,500,000.00

Agenda Information Sheet

File #: 19-921 **Item #:** 37.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement for hydraulic cylinder, pump, and valve repair - FLR Solutions, LLC in the amount of $871,424.75 and Herco Equipment Company, Inc. in the amount of $140,375.00, lowest responsible bidders of two - Total not to exceed $1,011,799.75 - Financing: General Fund ($183,132.00), Equipment and Fleet Management Fund ($785,432.75), and Dallas Water Utilities Fund ($43,235.00)

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis. We anticipate the following City departments will use this agreement:

- Equipment and Fleet Management
- Dallas Water Utilities
- Parks and Recreation Department
- Dallas Fire-Rescue

This service price agreement will be used citywide to repair and rebuild hydraulic cylinders, pumps, and valves on fleet vehicles such as fire service vehicles, refuse collection vehicles, and other heavy equipment. This service price agreement will be used to repair hydraulic components of vehicles that are no longer covered under the manufacturer's warranty.

Hydraulic pumps create flow in a hydraulic system; the flow creates pressure and then is controlled by a valve which directs the fluid to the cylinders for operation.

Equipment utilizing hydraulic cylinders include but are not limited to lift operations on ladder trucks, dump trucks, and refuse collection trucks; along with other heavy machinery utilized throughout the City.

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 8,257 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendors meet this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 24, 2016, City Council authorized a three-year service contract for hydraulic cylinder, pump and valve repair with FLR Solutions, LLC by Resolution No. 16-1305.

FISCAL INFORMATION

General Fund - $183,132.00
Equipment and Fleet Management Fund - $785,432.75
Dallas Water Utilities Fund - $43,235.00

Fund	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022 -23
General Fund	$ 56,570.00	$ 61,044.00	$ 61,044.00	$ 4,474.00
Equipment and Fleet Management Fund	$ 261,810.90	$ 261,810.90	$ 261,810.95	$ 0.00
Dallas Water Utilities Fund	$ 0.00	$ 14,411.66	$ 14,411.66	$ 14,411.68
Total	$ 318,380.90	$ 337,266.56	$ 337,266.61	$ 18,885.68

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,011,799.75	Other Services	23.80%	86.13%	$871,424.75
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BN1911. We opened them on March 29, 2019. We recommend the City Council award this service price agreement to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount
*FLR Solutions, LLC	2627 Cooper St. Suite C-17 Arlington, TX 76015	Multiple Groups
*Herco Equipment Company, Inc.	12824 Eastgate Dr. Balch Springs, TX 75181	Multiple Groups

OWNERS

FLR Solutions, LLC.

Roy Rogers, President
April Rogers, Vice President

Herco Equipment Company, Inc.

Richard Keen, President
Elizabeth Keen, Vice President

August 14, 2019

WHEREAS, on August 24, 2016, City Council authorized a three-year service contract for hydraulic cylinder, pump and valve repair with FLR Solutions, LLC, in an amount not exceed $2,093,987.56, by Resolution No. 16-1305.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a service price agreement with FLR Solutions, Inc. (VS0000063639) in an amount not to exceed $871,424.75, and Herco Equipment Company, Inc. (930853) in an amount not to exceed $140,375.00, approved as to form by the City Attorney, for hydraulic cylinder, pump, and valve repair for a term of three years in a total amount not to exceed $1,011,799.75. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to FLR Solutions, Inc. and Herco Equipment Company, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by FLR Solutions, Inc., and Herco Equipment Company, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,011,799.75 to FLR Solutions, Inc. and Herco Equipment Company, Inc. from Service Price Agreement No. POM-2019-00010420.

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

Agenda Information Sheet

File #: 19-935 **Item #:** 38.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement for removal and disposal of excavated materials from City facilities and work sites for the Water Utilities Department - Herdez Trucking Co., lowest responsible bidder of two - Estimated amount of $1,935,450 - Financing: Dallas Water Utilities Fund

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will provide for the removal and disposal of excavated materials (soil, sand, concrete, re-bar, and broken pipe) from City locations such as service centers, water main repair projects, or construction sites to an approved dumpsite. The City estimates approximately 300,000 cubic yards of excavated material will be removed by the awarded vendor within a three-year period.

The Water Utilities Department's maintenance crews excavate trenches to make repairs to water mains. The excess excavated material is hauled by the awarded vendor to an approved dumpsite or landfill according to the Texas Commission on Environmental Quality regulations.

In this solicitation, the Office of Procurement Services required bidders to submit a response using unit pricing. This bid resulted in a 10.56 percent decrease over comparable prices for the bids awarded in 2013.

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 165 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Dallas Water Utilities Fund - $1,935,450.00 (Estimated amount)

Fund	FY 2019-20	FY 2020-21	FY 2021-22
Dallas Water Utilities Fund	$645,150.00	$645,150.00	$645,150.00
Total	$645,150.00	$645,150.00	$645,150.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,935,450.00	Other Services	23.80%	100.00%	$1,935,450.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BF19-00009896. We opened them on May 23, 2019. We recommend the City Council award this service price agreement to the lowest responsive and responsible bidder in its entirety.

*Denotes successful bidder

Bidders	**Address**	**Amount**
*Herdez Trucking Co.	6426 C F Hawn Freeway Dallas, TX 75217	$1,935,450.00
Roberts Trucking	2508 Club Terrace Drive Dallas, TX 75237	$2,163,967.50

OWNER

Herdez Trucking Co.

Hector Hernandez, President

powered by Legistar™

August 14, 2019

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

SECTION 1. That the City Manager is hereby authorized to execute a service price agreement with Herdez Trucking Co. (338563), approved as to form by the City Attorney, for removal and disposal of excavated materials from City facilities and work sites for the Water Utilities Department for a term of three years in the estimated amount of $1,935,450. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Herdez Trucking Co. shall be based only on the amount of the services directed to be performed by the City and properly performed by Herdez Trucking Co. under the contract. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $1,935,450, but not more than the amount of budgetary appropriations for this service price agreement during its term to Herdez Trucking Co. from Service Contract No. POM-2019-00009896.

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

Agenda Information Sheet

File #: 19-1005 **Item #:** 39.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement for sports officiating services for the Park and Recreation Department - TOP Basketball Official Association in the estimated amount of $1,066,500, Metro Fort Worth ASA dba USA Softball of DFW in the estimated amount of $772,880, and Dallas Sports Alliance dba Oak Cliff Sports Group in the estimated amount of $45,000, lowest responsible bidders of three - Estimated amount of $1,884,380 - Financing: General Fund ($750,000) and Park and Recreation Program Fund ($1,134,380)

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement provides sports officiating services for basketball, baseball, soccer, flag football, volleyball, softball, and kickball. Officiating services are to include referees, umpires, timekeepers, and scorekeepers for youth sporting events sponsored by the Park and Recreation department.

The estimated annual number of games covered by the contract include:

- 1,000 for youth basketball
- 1,250 for youth baseball
- 1,800 for youth soccer
- 400 for youth flag football
- 3,650 for adult softball

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 27 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 14, 2014, City Council authorized a three-year service contract for sports officiating services for Park and Recreation with Carl Richardson dba TOP Sports Official Association, Dallas Softball Umpires Association, Inc., and Dallas Sports Alliance LLC dba Oak Cliff Sports Group by Resolution No. 14-0736.

On June 20, 2019, the Park and Recreation Board authorized a three-year service price agreement with TOP Basketball Official Association, Metro Fort Worth ASA dba USA Softball of DFW, and Dallas Sports Alliance dba Oak Cliff Sports Group.

FISCAL INFORMATION

General Fund - $750,000.00 (Estimated amount)
Park and Recreation Program Fund - $1,134,380.00 (Estimated amount)

Fund	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
General Fund	$100,000.00	$250,000.00	$250,000.00	$150,000.00
Park and Recreation Program Fund		$455,000.00	$455,000.00	$224,380.00
Total	$100,000.00	$705,000.00	$705,000.00	$374,380.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,884,380.00	Other Services	N/A	N/A	N/A
• M/WBE goal waived due to no M/WBE availability				

powered by Legistar™

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BT1906. We opened them on April 4, 2019. We recommend the City Council award this service price agreement to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount
*TOP Basketball Official Association	506 Forsythe Dr. Dallas, TX 75217	Multiple Groups
*Metro Fort Worth ASA dba USA Softball of DFW	222 W. Las Colinas Blvd. #1650E Irving, TX 75039	Multiple Groups
*Dallas Sports Alliance dba Oak Cliff Sports Group	2135 Elmwood Blvd. Dallas, TX 75224	Multiple Groups

OWNERS

TOP Basketball Official Association

Carl Richardson, Sr., President
Carl Richardson, Jr., Vice President
Gail Y. Richardson, Secretary

Metro Fort Worth ASA dba USA Softball of DFW

Gregg Gagnon, President
Steve McCown, Vice President
Lannette Strange, Secretary
Michael Devine, Treasurer

Dallas Sports Alliance dba Oak Cliff Sports Group

Claudia Mojica-Huerta, President
Estanisloa Huerta, Vice President
Alicia I. Huerta, Treasurer

WHEREAS, on May 14, 2014, City Council authorized a three-year service contract for sports officiating services for Park and Recreation with Carl Richardson dba TOP Sports Official Association in the amount of $568,250.00, Dallas Softball Umpires Association, Inc. in the amount of $494,892.80, and Dallas Sports Alliance LLC dba Oak Cliff Sports Group in the amount of $219,450.00, in a total amount not to exceed $1,282,592.80, by Resolution No. 14-0736; and

WHEREAS, on May 24, 2017, Administrative Action Nos. 17-6076, 17-6077 and 17-6082 authorized Supplemental Agreement No. 1 to extend the service contract for sports officiating services for the Park and Recreation Department with Dallas Softball Umpires Association, Inc., Dallas Sports Alliance LLC dba Oak Cliff Sports Group, and Carl Richardson dba TOP Sports Official Association from May 13, 2017 through May 12, 2018, with zero cost, having no effect on the contract amount; and

WHEREAS, on May 17, 2018, Administrative Action Nos. 18-6320, 18-6323, and 18-6371 authorized Supplemental Agreement No. 2 to extend the service contract for sports officiating services for the Park and Recreation Department with Dallas Softball Umpires Association, Inc., Dallas Sports Alliance LLC dba Oak Cliff Sports Group, and Carl Richardson dba TOP Sports Official Association from May 13, 2018 through May 12, 2019, with zero cost, having no effect on the contract amount.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a service price agreement with TOP Basketball Official Association (VS0000040023) in the estimated amount of $1,066,500.00, Metro Fort Worth ASA dba USA Softball of DFW (VC20338) in the estimated amount of $772,880.00, and Dallas Sports Alliance dba Oak Cliff Sports Group (VS0000075674) in the estimated amount of $45,000.00, approved as to form by the City Attorney, for sports officiating services for the Park and Recreation Department for a term of three years, in the total estimated amount of $1,884,380.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to TOP Basketball Official Association, Metro Fort Worth ASA dba USA Softball of DFW, and Dallas Sports Alliance dba Oak Cliff Sports Group shall be based only on the amount of the services directed to be performed by the City and properly performed by TOP Basketball Official Association, Metro Fort Worth ASA dba USA Softball of DFW, and Dallas Sports Alliance dba Oak Cliff Sports Group under the contract. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $1,884,380.00, but not more than the amount of budgetary appropriations for this service price agreement during its term to TOP Basketball Official Association, Metro Fort Worth ASA dba USA Softball of DFW, and Dallas Sports Alliance dba Oak Cliff Sports Group from Service Price Agreement No. PKR-2019-00010395.

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

Agenda Information Sheet

File #: 19-1013 **Item #:** 40.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** rescinding the three-year service price agreement with The Ashelyn Group, LLC and Tremaine Hall, Individually dba Stellar Execucare Cleaning, previously approved on January 23, 2019, by Resolution No. 19-0187, for grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties; and **(2)** a three-year service price agreement for grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties for the Sanitation Services Department - Cross Plus Construction, LLC, lowest responsible bidder of six - Estimated amount of $551,000 - Financing: Sanitation Operation Fund

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

The City has exercised the termination of the service price agreements with The Ashelyn Group, LLC and Tremaine Hall, Individually dba Stellar Execucare Cleaning, awarded on January 23, 2019, by Resolution No. 19-0187, for failure to obtain the necessary bonding required by the bid specifications. The service price agreement shall be awarded to Cross Plus Construction, LLC, the lowest responsible bidder for these services. This service price agreement will continue to allow the Sanitation Services Department to utilize grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties.

This service price agreement will provide for ground maintenance and vegetation clearance for alleys. Sanitation Services will use the service price agreement on an as needed basis to assist the alley vegetation abatement program which is in conjunction with the pilot alley maintenance program. The pilot alley maintenance program is a joint program of the Department of Public Works, Dallas Water Utilities, and Sanitation Services. This pilot program will provide for maintenance to address

overgrown vegetation and access through alleyways utilized by Sanitation Services vehicles.

This service price agreement will include all labor, materials, and equipment necessary to provide complete and continuous maintenance such as:

- Trees
- Shrubs
- Ground coverings
- Mowing
- Litter removal
- Disposal
- Line trimming
- Blade edging
- Pruning
- Manual watering
- Herbicide treatments

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 1,311 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $10.94, the selected vendors meet this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 17, 2015, City Council authorized a three-year service contract for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties with Good Earth Corporation and T. Smith’s Lawn Service by Resolution 15-1131.

On January 23, 2019, City Council authorized a three-year service price agreement for grounds maintenance for medians, rights-of-way, vacant lots, and residential properties with Good Earth Corporation, The Ashelyn Group, LLC, and Tremaine Hall, Individually dba Stellar Execucare Cleaning by Resolution 19-0187.

FISCAL INFORMATION

Sanitation Operation Fund - $551,000.00 (Estimated amount)

Fund	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-2022
Sanitation Operation Fund	$90,000.00	$180,000.00	$180,000.00	$101,000.00
Total	$90,000.00	$180,000.00	$180,000.00	$101,000.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$551,000.00	Other Services	23.80%	25.00%	$137,750.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BI1810. We opened them on July 12, 2018. We recommend the City Council award this service price agreement to the second lowest responsive and responsible bidder by group. Information related to this solicitation is available upon request.

*Denotes second lowest bidder

**Denotes rescinded

Bidders	Address	Amount
*Cross Plus Construction, LLC	7700 N. Hwy. 6 Waco, TX 76712	Multiple Groups
T. Smith's Lawn Service LLC	3315 Danieldale Rd. Lancaster, TX 75146	Multiple Groups
Good Earth Corporation	7922 Forney Rd. Dallas, TX 75227	Multiple Groups

powered by Legistar™

Evans Mobile Detailing	9399 Wade Blvd. #4304 Frisco, TX 75035	Multiple Groups
**The Ashelyn Group, LLC	615 E. Abrams St. Suite D Arlington, TX 76010	Multiple Groups
**Tremaine Hall, Individually dba Stellar Execucare Cleaning	6523 Autumn Woods Tr. Dallas, TX 75232	Multiple Groups

OWNER

Cross Plus Construction, LLC

Larry Cathey Sr., President
Ashley Cathey, Secretary
Michael Sexton, Treasurer

WHEREAS, on June 17, 2015, City Council authorized a three-year service contract for grounds maintenance services for medians, rights-of-way, vacant lots, and residential properties with Good Earth Corporation, in the amount of $8,410,020.00 and T. Smith's Lawn Service, in the amount of $1,664,175.00, by Resolution No. 15-1131; and

WHEREAS, on August 9, 2018, Administrative Action No. 18-6459 authorized to extend the service contract for grounds maintenance services for medians, rights-of-way, vacant lots, and residential properties with Good Earth Corporation from September 2, 2018 to March 1, 2019, with zero cost, having no effect on the contract amount; and

WHEREAS, on January 23, 2019, City Council authorized a three-year service price agreement for grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties with Good Earth Corporation, in the amount of $10,983,415.00, The Ashelyn Group, LLC, in the amount of $290,000.00 and Tremaine Hall, Individually dba Stellar Execucare Cleaning, in the amount of $5,700.00, by Resolution No. 19-0187.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to **(1)** rescind the three-year service price agreement with The Ashelyn Group, LLC and Tremaine Hall, Individually dba Stellar Execucare Cleaning, previously approved on January 23, 2019, by Resolution No. 19-0187, for grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties; and **(2)** execute a service price agreement with Cross Plus Construction, LLC (VS98353), approved as to form by the City Attorney, for grounds maintenance for medians, rights-of-way, vacant lots, alleys, and residential properties, for a term of three years, in the estimated amount of $551,000.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Cross Plus Construction, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Cross Plus Construction, LLC under the contract. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $551,000.00, but not more than the amount of budgetary appropriations for this service price agreement during its term to Cross Plus Construction, LLC from Service Price Agreement No. POM-2018-00008148.

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

Agenda Information Sheet

File #: 19-785 **Item #:** 41.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year concession contract, with five one-year renewal options, for operation of food and beverage concessions, catering, and miscellaneous services at the Majestic Theatre - Ed Campbell Concessions Company, most advantageous proposer of two - Estimated Annual Revenue: $225,000 (Revenue share 17.5 percent of gross food sales, less sales tax; 28.0 percent of gross non-alcoholic beverage sales, less sales tax; 28.0 percent of gross alcoholic beverage sales, less sales tax; 15.5 percent of gross catering sales, less sales tax; and 18.0 percent of all gross merchandise sales, less sales tax to the City)

BACKGROUND

This concession contract provides for the operation of food and beverage concessions, catering, and miscellaneous services at the Majestic Theater. The Majestic Theatre is a historic theater operated by the City of Dallas Office of Cultural Affairs as a multi-user performing arts center. The Majestic Theater will lease its space to various artistic, business, social, and community activities. Continuous efforts are made to expand the use of the building for a broad range of events.

This concession contract includes a revenue share of 17.5 percent of gross food sales, less sales tax; 28.0 percent of gross non-alcoholic beverage sales, less sales tax; 28.0 percent of gross alcoholic beverage sales, less sales tax; 15.5 percent of gross catering sales, less sales tax; and 18.0 percent of all gross merchandise sales, less sales tax to the City. Additionally, the vendor will provide $37,237.25 in capital investment within the first six months of the contract. Capital improvements/enhancements will immediately become the property of the City. Proposed capital improvements include:

- Digital menu boards
- Custom metallic bar wrap
- New catering and beverage equipment

The nature of performance events requires maximizing food and beverage services in a short period of time. In most cases, service begins when lobby doors open and continues until after the final intermission. Intermissions last an average of 20 minutes at which time as many as 1,700 patrons will require prompt, courteous and quality service.

In addition to food and beverage concessions the vendor will also provide catering services for some clients who host post or pre-show receptions or dinner receptions and other events. Attendance for such events may vary between 30 and 800 patrons.

A five-member committee from the following departments reviewed and evaluated the qualifications:

- Office of Cultural Affairs (1)
- Park & Recreation Department (1)
- Department of Convention and Event Services (1)
- Office of Business Diversity (1)*
- Office of Procurement Services (1)*

*The Office of Procurement Services only evaluated revenue and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

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

- Revenue 25 points
- Operations plan 20 points
- Experience at similar venues serving special events 10 points
- Proposed capital investment program 10 points
- Availability of resources 10 points
- Marketing and catering concepts 10 points
- Business Inclusion and Development Plan 15 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 46 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2011, City Council authorized a three-year concession contract, with five one-year renewal options, for operation of the food and beverage concessions at the Majestic Theatre with Ed Campbell Company by Resolution No. 11-1981.

powered by Legistar™

FISCAL INFORMATION

Estimated Annual Revenue: $225,000.00 (Revenue share 17.5 percent of gross food sales, less sales tax; 28.0 percent of gross non-alcoholic beverage sales, less sales tax; 28.0 percent of gross alcoholic beverage sales, less sales tax; 15.5 percent of gross catering sales, less sales tax; and 18.0 percent of all gross merchandise sales, less sales tax to the City)

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$225,000.00	Revenue	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Revenue contracts.				

PROCUREMENT INFORMATION

Method of Evaluation Award Type:

Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BPZ1908. We opened them on May 10, 2019. We recommend the City Council award this concession contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score
*Ed Campbell Company Company	5318 Hilton Head Dr. Dallas, TX 75287	83.00
Culinaire International, Inc.	2100 Ross Ave. Suite 3100 Dallas, TX 75201	58.34

powered by Legistar™

OWNER

Ed Campbell Concessions Company

Edward J. Campbell, President
Eddie Campbell, Vice President
George Fazakerly, Secretary

WHEREAS, on August 10, 2011, City Council authorized a three-year concession contract, with five one-year renewal options, for operation of the food and beverage concessions at the Majestic Theatre with Ed Campbell Company, for an estimated annual revenue amount of $44,683 (Revenue share 15.5% of gross food sales, less sales tax; 25.5% of gross beverage sales, less sales tax and 17.5% of all merchandise sales, less sales tax) by Resolution No. 11-1981; and

WHEREAS, on March 11, 2014, Administrative Action No. 14-5584 authorized Supplemental Agreement No. 1 to the concession contract with Ed Campbell Concessions Company to authorize the first of the five one-year renewal options, with zero cost, having no effect on the contract amount; and

WHEREAS, on June 19, 2015, Administrative Action No. 15-6184 authorized Supplemental Agreement No. 2 to the concession contract with Ed Campbell Concessions Company to authorize the second of the five one-year renewal options, with zero cost, having no effect on the contract amount; and

WHEREAS, on March 16, 2016, Administrative Action No. 16-5633 authorized Supplemental Agreement No. 3 to the concession contract with Ed Campbell Concessions Company to authorize the third of the five one-year renewal options, with zero cost, having no effect on the contract amount; and

WHEREAS, on January 1, 2017, Administrative Action No. 17-5560 authorized Supplemental Agreement No. 4 to the concession contract with Ed Campbell Concessions Company to authorize the fourth of the five one-year renewal options, with zero cost, having no effect on the contract amount; and

WHEREAS, on June 20, 2018, Administrative Action No. 18-6143 authorized Supplemental Agreement No. 5 to the concession contract with Ed Campbell Concessions Company to authorize the fifth and final of the five one-year renewal options, with zero cost, having no effect on the contract amount.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a concession contract with Ed Campbell Concessions Company (VS0000053844), approved as to form by the City Attorney, for operation of the food and beverage concessions, catering, and miscellaneous services at the Majestic Theatre for a term of three years, with five one-year renewal options, for an estimated annual revenue amount of $225,000 (Revenue share 17.5 percent of gross food sales, less sales tax; 28.0 percent of gross non-alcoholic beverage sales, less sales tax; 28.0 percent of gross alcoholic beverage sales, less sales tax; 15.5 percent of gross catering sales, less sales tax; and 18.0 percent of all gross merchandise sales, less sales tax to the City).

SECTION 2. That the Chief Financial Officer is authorized to receive and deposit funds received from Ed Campbell Concessions Company in General Fund, Fund 0001, Department OCA, Unit 5502, Revenue Code 7824.

SECTION 3. That this contract is designated as Contract No. OCA-2019-00009976.

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

Agenda Information Sheet

File #: 19-934 **Item #:** 42.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	August 14, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Office of Procurement Services
EXECUTIVE:	Elizabeth Reich

SUBJECT

Authorize an acquisition contract for the purchase and installation of a modular building for the Water Utilities Department with Vanguard Modular Building Systems, LLC through The Interlocal Purchasing System cooperative agreement - Not to exceed $199,273 - Financing: Water Capital Improvement Fund

BACKGROUND

This acquisition contract will allow for the purchase and installation of a modular building for lake patrol at Lake Ray Hubbard ("Lake"), which is a part of the Water Utilities Department's reservoir system. The modular building will be used as office space and will also house personnel from the Police Department and the Fire-Rescue Department, who are responsible for providing emergency services in response to incidents occurring on the surface waters of the Lake. The land around the Lake is outside the jurisdiction of the City of Dallas. During normal operations, three to five public safety personnel will operate from this location and approximately ten public safety personnel during weekends and holidays, as appropriate. Staffing public safety personnel near the Lake will allow for timely responses to emergency events on the Lake.

As part of an interlocal agreement with the City of Rowlett, the City of Dallas has a one-acre plot of land for a public safety facility, which is where the modular building will be installed. While this temporary building meets the immediate needs of public safety personnel, a more permanent facility may be required at a later date.

The Interlocal Purchasing System cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Capital Improvement Fund - $199,273.00. Operating and maintenance costs for utilities and general upkeep will be paid for by the Dallas Police Department. In the future, it may be necessary to provide a more permanent solution for public safety personnel and their equipment at Lake Ray Hubbard.

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$199,273.00	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNER

Vanguard Modular Building Systems, LLC

Peter V. Eberle, President

powered by Legistar™

August 14, 2019

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

SECTION 1. That the City Manager is hereby authorized to execute an acquisition contract with Vanguard Modular Building Systems, LLC (VS99571) through The Interlocal Purchasing System cooperative agreement, approved as to form by the City Attorney, for the purchase and installation of a modular building for the Water Utilities Department, in an amount not to exceed $199,273. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Vanguard Modular Building Systems, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Vanguard Modular Building Systems, LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $199,273 to Vanguard Modular Building Systems, LLC from Water Capital Improvement Fund, Fund 3115, Department DWU, Unit PW50, Object 4420, Master Agreement Service Contract No. DWU-2019-00010731.

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

Agenda Information Sheet

File #: 19-904 **Item #:** 43.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize the purchase of six vehicles and equipment for the Fire-Rescue Department with Siddons-Martin Emergency Group, LLC in the amount of $1,281,870 and Chastang Ford in the amount of $149,825 through the Houston Galveston Area Council of Governments cooperative agreement - Total not to exceed $1,431,695 - Financing: General Fund ($1,281,870) and Master Lease-Equipment Fund ($149,825)

BACKGROUND

This item will allow for the purchase of six vehicles and equipment to be used by the Fire-Rescue Department (DFR).

The purchase of one swift water rescue vehicle will allow the DFR Swift Water Teams to access the Trinity River bottoms to deploy inflatable boats for swift water rescue. This vehicle is specifically built to handle the swift water environment. This truck has been determined to be the most efficient and safest way to deploy rescue teams in these hazardous situations.

The purchase of five rescue vehicles will allow DFR to replace vehicles which are no longer in service. This purchase will ensure the appropriate level of rescue vehicle availability to respond to the emergency medical services.

The Houston Galveston Area Council of Governments cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2016, City Council authorized the purchase of twenty-three pieces of fleet vehicles and

equipment with Hudson Bus Sales, LLC and Metro Fire Apparatus Specialists, Inc.; one pumper truck with Brasada Ford, Ltd.; and one excavator with mower attachment with Landmark Equipment, Inc. by Resolution No. 16-1053.

On September 28, 2016, City Council authorized the purchase of four fleet vehicles for Fire-Rescue with Sam Pack's Five Star Ford by Resolution No. 16-1551.

On May 24, 2017, City Council authorized the purchase of 28 pieces of fleet vehicles and equipment with Metro Fire Apparatus Specialists, Daco Fire Equipment, Hudson Bus Sales, LLC, Rush Truck Centers of Texas, LP, Silsbee Ford, Inc., Cues, Inc., Johnston North America, Inc., and Houston Freightliner, Inc.; 8 pieces of fleet and equipment with Bond Equipment, Austin Truck & Equipment, Ltd. dba Freightliner of Austin, RDO Equipment, Chastang Ford, and Briggs Equipment; and 20 pieces of fleet and equipment with Sam Pack's Five Star Ford by Resolution No. 17-0827.

On February 28, 2018, City Council authorized a one-year master agreement for the purchase of 549 pieces of fleet vehicles and equipment with Austin Truck & Equipment, LTD dba Freightliner of Austin, Sam Pack's Five Star Ford, Freedom Dodge dba Duncanville Automotive, Holt Texas, LTD, Chastang Ford, BTE Body Co., Inc., Freedom Chevrolet dba Duncanville Automotive, Grande Truck Center, Bond Equipment, Rush Truck Centers of Texas, LP dba Rush Truck Center Dallas Light and Medium Duty, and Landmark Equipment; 56 pieces of fleet vehicles and equipment with Siddons Emergency Group, LLC, Hudson Bus Sales, LLC dba Hudson Emergency Vehicle Sales, Sam Pack's Five Star Ford, and Houston Freightliner, Inc.; 89 pieces of fleet vehicles with Sam Pack's Five Star Ford; 9 pieces of fleet vehicles with Southwest International Trucks, Inc.; and 1 piece of equipment with East Texas Mack Sales, LLC by Resolution No. 18-0374.

On August 22, 2018, City Council authorized a one-year master agreement for the purchase of two pieces of fleet vehicles with Siddons Martin Emergency Group, LLC and Houston Freightliner, Inc.; six pieces of equipment with Dickson Equipment Co., Inc.; five pieces of equipment with Rush Truck Centers of Texas, LP, Kirby-Smith Machinery, Four Brothers Outdoor Power and RDO Equipment Co.; four pieces of equipment with Scully's Aluminum Boats, Inc.; and four pieces of fleet vehicles with Sam Pack's Five Star Ford by Resolution No. 18-1145.

FISCAL INFORMATION

General Fund - $1,281,870.00
Master Lease-Equipment Fund - $149,825.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,431,695.00	CO-OP	N/A	N/A	N/A

• The Business Inclusion and Development Plan does not apply to Cooperative Purchasir Agreements (CO-OPs).

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNERS

Siddons-Martin Emergency Group, LLC

Leon Martin Jr., President
Jeffrey W. Keiser, Vice President
Kathryn A. Williams, Secretary

Chastang Ford

Joseph Chastang, President
Patrick Chastang, Vice President
Steve Bobo, Secretary

WHEREAS, on June 22, 2016, City Council authorized the purchase of twenty-three pieces of fleet vehicles and equipment with Hudson Bus Sales, LLC in the amount of $2,665,662.00 and Metro Fire Apparatus Specialists, Inc. in the amount of $7,053,525.00; one pumper truck with Brasada Ford, Ltd. in the amount of $151,750.00; and one excavator with mower attachment with Landmark Equipment, Inc. in the amount of $107,399.00, in a total amount not to exceed $9,978,336.00, by Resolution No. 16-1053; and

WHEREAS, on September 28, 2016, City Council authorized the purchase of four fleet vehicles for Fire-Rescue with Sam Pack's Five Star Ford in an amount of $121,380.68, by Resolution No. 16-1551; and

WHEREAS, on May 24, 2017, City Council authorized the purchase of 28 pieces of fleet vehicles and equipment with Metro Fire Apparatus Specialists in the amount of $5,779,817.00, Daco Fire Equipment in the amount of $1,663,124.00, Hudson Bus Sales, LLC in the amount of $1,534,608.00, Rush Truck Centers of Texas, LP in the amount of $319,062.00, Silsbee Ford, Inc. in the amount of $316,938.00, Cues, Inc. in the amount of $169,500.00, Johnston North America, Inc. in the amount of $140,600.00, and Houston Freightliner, Inc. in the amount of $51,717.00; 8 pieces of fleet and equipment with Bond Equipment in the amount of $1,000,560.00, Austin Truck & Equipment, Ltd. dba Freightliner of Austin in the amount of $148,532.00, RDO Equipment in the amount of $111,750.00, Chastang Ford in the amount of $83,879.00, and Briggs Equipment in the amount of $59,873.53; and 20 pieces of fleet and equipment with Sam Pack's Five Star Ford in the amount of $1,280,051.38, in a total amount not to exceed $12,660,011.91, by Resolution No. 17-0827; and

WHEREAS, on February 28, 2018, City Council authorized a one-year master agreement for the purchase of 549 pieces of fleet vehicles and equipment with Austin Truck & Equipment, LTD dba Freightliner of Austin in the amount of $7,739,741.00, Sam Pack's Five Star Ford in the amount of $7,336,460.78, Freedom Dodge dba Duncanville Automotive in the amount of $3,915,044.00, Holt Texas, LTD in the amount of $3,836,090.00, Chastang Ford in the amount of $3,503,450.00, BTE Body Co., Inc. in the amount of $1,121,466.00, Freedom Chevrolet dba Duncanville Automotive in the amount of $534,680.00, Grande Truck Center in the amount of $380,778.00, Bond Equipment in the amount of $273,429.00, Rush Truck Centers of Texas, LP dba Rush Truck Center Dallas Light and Medium Duty in the amount of $259,328.00, and Landmark Equipment in the amount of $154,388.00; 56 pieces of fleet vehicles and equipment with Siddons Emergency Group, LLC in the amount of $7,548,946.00, Hudson Bus Sales, LLC dba Hudson Emergency Vehicle Sales in the amount of $4,196,597.00, Sam Pack's Five Star Ford in the amount of $599,212.00, and Houston Freightliner, Inc. in the amount of $344,745.75; 89 pieces of fleet vehicles with Sam Pack's Five Star Ford in the amount of $2,914,138.00; 9 pieces of fleet vehicles with Southwest International Trucks, Inc. in the amount of $1,766,519.00; and 1 piece of equipment with East Texas Mack Sales, LLC in the amount of $264,125.00, in a total amount not exceed $46,689,137.53, by Resolution No. 18-0374; and

WHEREAS, on August 22, 2018, City Council authorized the purchase of two pieces of fleet vehicles and equipment with Siddons Martin Emergency Group, LLC in the amount of $924,341.00 and Houston Freightliner, Inc. in the amount of $339,455.75; six pieces of equipment with Dickson Equipment Co., Inc. in the amount of $893,175.42; five pieces of equipment with Rush Truck Centers of Texas, LP in the amount of $358,243.00, Kirby-Smith Machinery in the amount of $135,426.75, Four Brothers Outdoor Power in the amount of $109,999.00, and RDO Equipment Co. in the amount of $108,375.00; four pieces of fleet vehicles and equipment with Scully's Aluminum Boats, Inc. in the amount of $124,842.26; and four pieces of fleet vehicles with Sam Pack's Five Star Ford in the amount of $107,032.00, in a total not to exceed $3,100,890.18, by Resolution No. 18-1145.

Now, Therefore,

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

SECTION 1. That the purchase of six vehicles and equipment for the Fire-Rescue Department is authorized with Siddons-Martin Emergency Group, LLC (VS90252) in the amount of $1,281,870.00 and Chastang Ford (VS0000011688) in the amount of $149,825.00 through the Houston Galveston Area Council of Governments cooperative agreement.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for six vehicles and equipment for the Fire-Rescue Department. If a formal contract is required for this purchase instead of a purchase order, the City Manager is hereby authorized to execute the contract, approved as to form by the City Attorney.

SECTION 3. That in order to reimburse and finance the lease/purchase acquisition of the equipment described herein over a period not to exceed the estimated useful life (10 years) thereof, any Authorized Officer of the City designated in the Master Equipment Lease/Purchase Agreement (the "Master Lease") between Banc of America Public Capital Corp and the City is hereby authorized and directed to execute, acknowledge and deliver a Schedule A (as defined in the Master Lease) pertaining to such equipment including all attachments, financing statements and schedules thereto, in substantially the form attached to the Master Lease, with such changes as the signing officer shall determine to be advisable. Each Authorized Officer of the City is also authorized to execute, acknowledge and deliver any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Schedule A. The financing terms for such equipment, to be determined pursuant to the provisions of the Master Lease and reflected in such Schedule A, and the granting of a security interest in the financed equipment pursuant to the Master Lease, are hereby approved.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriations in an amount not to exceed $1,431,695.00:

Fund	Dept	Unit	Object	Amount	FY	Encumbrance
0001	DFD	MA01	4740	$1,281,870.00	FY19	PODFD00000146747
ML19	DFD	E386	4742	$149,825.00	FY19	PODFD00000146755

SECTION 5. That this contract is designated as Contract No. POM-2019-00010505.

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

Agenda Information Sheet

File #: 19-845 **Item #:** 44.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize an eighteen-month master agreement for the purchase of advanced traffic controllers for the Department of Transportation with Texas Highway Products, LTD through the Texas Association of School Boards (BuyBoard) cooperative agreement - Estimated amount of $5,187,600 - Financing: Street and Transportation Fund

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide for the purchase of advanced traffic controllers that operate signalized intersections throughout the City. The controllers will be installed at intersections for projects involving new traffic signals or equipment modernization efforts. The controllers include features to operate intersections efficiently, control complex intersections, and provide better connectivity to the central Traffic Management Center.

The Texas Association of School Boards (BuyBoard) cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 22, 2013, City Council authorized the purchase of advanced traffic signal controller software with Intelight, Inc.; and a one-year master agreement, with four one-year renewal options, for advanced traffic signal controllers with Texas Highway Products, Ltd., through an Interlocal Purchasing Agreement with the City of Fort Worth by Resolution No. 13-0802.

FISCAL INFORMATION

Street and Transportation Fund - $5,187,600.00 (Estimated amount)

Fund	FY 2019-20	FY 2020-21	FY 2021-22
Street and Transportation Fund	$200,023.00	$4,000,463.00	$987,114.00
Total	$200,023.00	$4,000,463.00	$987,114.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$5,187,600.00	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNER

Texas Highway Products, LTD

Darold R. Cherry, President

powered by Legistar™

WHEREAS, on May 22, 2013, City Council authorized the purchase of advanced traffic signal controller software with Intelight, Inc. in the amount of $772,400; and a one-year master agreement, with four one-year renewal options, for advanced traffic signal controllers in the amount of $2,752,640 with Texas Highway Products, Ltd., through an Interlocal Purchasing Agreement with the City of Fort Worth, total not to exceed $3,525,040, by Resolution No. 13-0802; and

WHEREAS, on April 25, 2014, Administrative Action No. 14-5843 authorized to extend the master agreement for one year for the purchase of advanced traffic signal controllers with the City of Fort Worth Interlocal agreement from May 22, 2014 to May 21, 2015, with a zero cost, having no effect on the contract amount; and

WHEREAS, on June 16, 2015, Administrative Action No. 15-6252 authorized to extend the master agreement for one year for the purchase of advanced traffic signal controllers with the City of Fort Worth Interlocal agreement from May 21, 2015 to May 21, 2016, with a zero cost, having no effect on the contract amount; and

WHEREAS, on July 20, 2016, Administrative Action No. 16-6342 authorized to extend the master agreement for one year for the purchase of advanced traffic signal controllers with the City of Fort Worth Interlocal agreement from May 21, 2016 to May 21, 2017, with a zero cost, having no effect on the contract amount; and

WHEREAS, on March 31, 2017, Administrative Action No. 17-5787 authorized to extend the master agreement for one year for the purchase of advanced traffic signal controllers with the City of Fort Worth Interlocal agreement from May 21, 2017 to May 21, 2018, with a zero cost, having no effect on the contract amount.

Now, Therefore,

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

SECTION 1. That a master agreement for the purchase of advanced traffic controllers for the Department of Transportation is authorized with Texas Highway Products, LTD. (515889), through the Texas Association of School Boards (BuyBoard) cooperative agreement, approved as to form by the City Attorney, for a term of eighteen months, in the estimated amount of $5,187,600. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for advanced traffic controllers for the Department of Transportation. If a written contract is required or requested for any or all purchases of advanced traffic controllers for the Department of Transportation under the master agreement instead of individual purchase orders, the City Manager is 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 estimated amount of at least $5,187,600, but not more than the amount of budgetary appropriations for this master agreement during its term to Texas Highway Products, LTD from Master Agreement Contract No. TRN-2019- 00010486.

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

Agenda Information Sheet

File #: 19-1003 **Item #:** 45.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for hydrofluosilicic acid for the Water Utilities Department - Solvay Fluorides, LLC, lowest responsible bidder of four - Estimated amount of $1,163,625 - Financing: Dallas Water Utilities Fund

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide hydrofluosilicic acid (fluoride) for the treatment of potable water as required by Resolution No. 65-4383, on August 9, 1965 to fluoridate drinking water at all three purification plants. Fluoride is a naturally occurring mineral that has been proven to protect against tooth decay throughout a person's lifetime. Dallas adds a small amount to the finished water to achieve the Centers for Disease Control optimal level for prevention of tooth decay. Fluoride is added in the treatment process as hydrofluosilicic acid.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 12.77 percent increase over comparable unit prices for the bid awarded in 2016.

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 251 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2015, City Council authorized a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water with Mosaic Crop Nutrition, LLC by Resolution No. 15-0196.

On December 14, 2016, City Council authorized a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water with Solvay Fluorides, LLC by Resolution No. 16-1912.

FISCAL INFORMATION

Dallas Water Utilities Fund - $1,163,625.00 (Estimated amount)

Fund	FY 2019	FY 2020	FY 2021
Dallas Water Utilities Fund	$100,000.00	$481,812.50	$581,812.50
Total	$100,000.00	$481,812.50	$581,812.50

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,163,625.00	Goods	18.00%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BF19-00010209. We opened them on May 31, 2019. We recommend the City Council award this master agreement in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	**Address**	**Amount**
*Solvay Fluorides, LLC	3737 Buffalo Speedway Suite 800 Houston, TX 77098	$1,163,625.00
Pencco, Inc.	831 Barlett Road Sealy, TX 77474	$1,239,750.00
DuBois Chemicals, Inc.	3630 E. Kemper Road Cincinnati, OH 45241	$1,298,438.75
Mosaic Global Sales, LLC	13830 Circa Crossing Drive Lithia, FL 33547	$1,337,625.00

OWNER

Solvay Fluorides, LLC

Ziad Haddad, President
Mark E. Looney, Vice President
Anthony Saviano, Secretary
Vincent Toussaint, Treasurer

WHEREAS, on January 28, 2015, City Council authorized a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water with Mosaic Crop Nutrition, LLC, in an amount not to exceed $1,060,800, by Resolution No. 15-0196; and

WHEREAS, on December 14, 2016, City Council authorized a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water with Solvay Fluorides, LLC, in an amount not to exceed $994,000, by Resolution No. 16-1912.

Now, Therefore,

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

SECTION 1. That a master agreement for the purchase of hydrofluosilicic acid for the Water Utilities Department is authorized with Solvay Fluorides, LLC (VS0000000689), approved as to form by the City Attorney, for a term of three years, in the estimated amount of $1,163,625. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term.

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

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $1,163,625, but not more than the amount of budgetary appropriations for this master agreement during its term to Solvay Fluorides, LLC from Master Agreement Contract No. POM-2019-00010209.

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

Agenda Information Sheet

File #: 19-947 **Item #:** 46.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** Supplemental Agreement No. 1 to increase the service contract with Global Information Systems, Inc. for temporary information technology staffing in the amount of $200,097.70, from $800,391.00 to $1,000,488.70; **(2)** Supplemental Agreement No. 2 to increase the service contract with Sierra Digital, Inc. for temporary information technology staffing in the amount of $732,281.25, from $2,929,125.00 to $3,661,406.25; and **(3)** Supplemental Agreement No. 2 to increase the service contract for the program to obtain specialized temporary information technology staffing through the use of the approved vendor list procured by the Department of Information Resources and to enter into contracts with selected vendors in the amount of $571,498.25, from $2,285,992.80 to $2,857,491.05 - Total not to exceed $1,503,877.20, from $6,015,508.80 to $7,519,386.00 - Financing: Data Services Fund (subject to 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.

These supplemental agreements will continue to provide temporary information technology (IT) staffing for the Department of Communications & Information Services (CIS). CIS utilizes temporary information technology labor to assist with time sensitive and/or complex projects. Highly skilled personnel utilized under this contract have specific IT skills in explicit technical areas which are needed to complete specialized, highly technical projects. Additionally, with the IT field becoming more competitive, the ability to hire IT professionals is becoming increasingly challenging.

The City will utilize temporary IT resources to design, develop, implement, secure, and manage projects for various hardware infrastructure and software systems. IT temporary resources can be utilized to assist the City with the deployment of new systems such as electronic document management, mobile applications, and electronic form/payment solutions. IT temporaries also help support enhancements to existing City systems. This contract also assists CIS' efforts in improvements to core IT functions such as data analytics and the automation of business processes.

CIS will also use the Department of Information Resources (DIR) to provide CIS with the ability to utilize temporary IT professionals with specialized, “niche” skills when needed. These technical temporaries have specialized skills in specific areas which augment current IT staff. Temporary staff contracted through DIR are intended to work on a limited basis for highly specialized assignments. When such specialized needs are identified, CIS will first verify the prime vendors that are unable to meet the request. CIS will then request temporary staffing information and proposals from the DIR list of approved vendors, and will select and contract with the company providing the best unique technical fit for the City.

The Department of Information Resources is authorized by Chapter 2054 of the Texas Government Code and Section 2054.0565 gives explicit authority for a political subdivision of the State to use a DIR contract. Subchapter F, Chapter 271 of Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendors meets this requirement

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 28, 2018, City Council authorized a three-year service contract for temporary information technology staffing with Sierra Digital, Inc. and Global Information Systems, Inc.; and a three-year program to obtain specialized temporary information technology staffing through use of the approved vendor list procured by the Department of Information Resources and to enter into contracts with selected vendors by Resolution No. 18-0368.

FISCAL INFORMATION

Data Services Fund - $1,503,877.20 (subject to appropriations)

FY 2019-20 $1,503,877.20

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,503,877.20	Other Services	23.80%	50.41%	$758,096.06
• This contract exceeds the M/WBE goal.				
• Supplemental Agreement No. 1 & 2 - 62.00% Overall M/WBE Participation				

OWNERS

Sierra Digital, Inc.

Sangeetha Kumar, President
Raghunathan Kumar, Vice President

Global Information Systems, Inc.

Sunitha Devabhaktuni, President
Prasad Devabhaktuni, Vice President
Sirisha Pinnamaneni, Secretary

WHEREAS, on February 28, 2018, City Council authorized a three-year service contract for temporary information technology staffing with Sierra Digital, Inc. in the amount of $2,929,125.00 and Global Information Systems, Inc. in the amount of $800,391.00; and a three-year program to obtain specialized temporary information technology staffing through use of the approved vendor list procured by the Department of Information Resources and to enter into contracts with selected vendors in the amount of $2,285,992.80, in a total amount not to exceed $6,015,508.80, by Resolution No. 18-0368; and

WHEREAS, on June 13, 2019, Administrative Action No. 19-6171 authorized Supplemental Agreement No. 1 to the service contract with Sierra Infosys, Inc. to formally change their business name to Sierra Digital, Inc., with a zero cost, having no effect on the contract amount; and

WHEREAS, on June 13, 2019, Administrative Action No. 19-6171 authorized Supplemental Agreement No. 1 to extend a service contract established under the program for temporary information technology staffing to obtain specialized temporary technical professionals through use of cooperative purchasing with the Department of Information Resources, with zero cost, having no effect on the contract amount.

Now, Therefore,

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

SECTION 1. The City Manager is hereby authorized to execute **(1)** Supplemental Agreement No. 1 to increase the service contract with Global Information Systems, Inc. (VS0000050253) for temporary information technology staffing in the amount of $200,097.70, from $800,391.00 to $1,000,488.70; **(2)** Supplemental Agreement No. 2 to increase the service contract with Sierra Digital, Inc. (VS0000049977) for temporary information technology staffing in the amount of $732,281.25, from $2,929,125.00 to $3,661,406.25; and **(3)** Supplemental Agreement No. 2 to increase the service contract for the program to obtain specialized temporary information technology staffing through the use of the approved vendor list procured by the Department of Information Resources and to enter into contracts with selected vendors in the amount of $571,498.25, from $2,285,992.80 to $2,857,491.05, in a total amount not to exceed $1,503,877.20, increasing the service contract amount from $6,015,508.80 to $7,519,386.00, approved as to form by the City Attorney.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds to Global Information Systems, Inc. in the amount of $200,097.70 and Sierra Digital, Inc. in the amount of $732,281.25, and selected vendors in the amount $571,498.25, in a total amount not to exceed $1,503,877.20 (subject to appropriations) from Service Contract No. BRZ1707.

SECTION 3. That the City Manager is authorized to obtain specialized temporary technical professionals through the use of cooperative purchasing with the Department of Information Resources and to enter into a contract or contracts with an entity on the approved vendor list.

SECTION 4. That this contract is designated as Contract No. DSV-2018-00005231.

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

Agenda Information Sheet

File #: 19-1126 **Item #:** 47.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize Supplemental Agreement No. 4 to increase the service contract with Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service in the amount of $1,394,515, from $5,578,060 to $6,972,575 and Clarence T. Crews dba Crews Service Company in the amount of $22,500, from $90,000 to $112,500, for tree planting, tree removal, and stump grinding services related to the June 9, 2019 storm and to extend the term from August 27, 2019 to August 26, 2020 - Total not to exceed $1,417,015, from $6,502,060 to $7,919,075 - Financing: Sanitation Operation Fund

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 Supplemental Agreement No. 4 to increase and extend the term of the service contract will allow for the continuation of services for emergency activation and mitigation services, the removal and pruning of public trees and tree debris, or those trees impacting public space, and stump grinding. This increase will also provide for the performance of pruning services on trees within the City maintained areas and public rights-of-way.

Due to the significant storm damage, primarily tree debris, the City suffered on June 9th and the substantial amount of private contract resources that have been and remain needed for the clean-up, additional funds for this agreement are needed. Increases to these agreements will allow the departments of Sanitation Services, Park and Recreation, Public Works, Water Utilities, and Transportation to continue the use of these contract resources for remaining storm clean-up efforts.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 28, 2013, City Council authorized a two-year service contract for tree planting, tree removal and stump grinding with Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service, Jose F. Cantu, Jr., and Clarence T. Crews dba Crews Service Company by Resolution No. 13-1414.

FISCAL INFORMATION

Sanitation Operation Fund - $1,417,015.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,417,015.00	Other Services	23.80%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
• Supplemental Agreement No. 4 - 0.00% Overall M/WBE participation				

OWNERS

Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service

Jerry Day, President

Clarence T. Crews dba Crews Service Company

Clarence T. Crews, Owner

WHEREAS, on August 28, 2013, City Council authorized a two-year service contract for tree planting, tree removal and stump grinding with Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service in the amount of $5,578,060, Jose F. Cantu, Jr. in the amount of $834,000 and Clarence T. Crews dba Crews Service Company in the amount of $90,000, in a total amount not to exceed $6,502,060, by Resolution No. 13-1414; and

WHEREAS, on May 28, 2015, Administrative Action No. 15-6060 authorized Supplemental Agreement No. 1 to extend the service agreement with Shawnee Mission Tree Service for tree planting, tree removal, and stump grinding for 12-months, from August 28, 2015 to August 28, 2016, with a zero cost, having no effect on the contract amount; and

WHEREAS, on April 28, 2016, Administrative Action No. 16-5831 authorized Supplemental Agreement No. 2 to extend the service agreement with Clarence T. Crews dba Crews Service Company for tree planting, tree removal, and stump grinding for 12-months, from August 28, 2016 to August 27, 2017, with a zero cost, having no effect on the contract amount; and

WHEREAS, on April 28, 2017, Administrative Action No. 17-5965 authorized Supplemental Agreement No. 3 to extend the service agreement with Shawnee Mission Tree Service for tree planting, tree removal, and stump grinding for 24-months, from August 28, 2017 to August 27, 2019, with a zero cost, having no effect on the contract amount.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 4 to increase the service contract with Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service (VS0000040826) in the amount of $1,394,515, from $5,578,060 to $6,972,575 and Clarence T. Crews dba Crews Service Company (500829) in the amount of $22,500, from $90,000 to $112,500, approved as to form by the City Attorney, for tree planting, tree removal, and stump grinding services related to the June 9, 2019 storm and to extend the term from August 27, 2019 to August 26, 2020, in a total amount not to exceed $1,417,015, increasing the service contract amount from $6,502,060 to $7,919,075.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,417,015 (subject to annual appropriations) to Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service and Clarence T. Crews dba Crews Service Company from Service Contract No. BL1332.

SECTION 3. That this contract is designated as Contract No. POM-2016-00000618.

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

Agenda Information Sheet

File #: 19-956 **Item #:** 48.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 10

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for schematic design, design development, construction documents, procurement and construction administration phases for the Friendship Park - Loop Trail and Picnic Pavilion Project located at 12700 Hornbeam Drive - Not to exceed $59,374.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

BACKGROUND

On May 9, 2018, a Request for Qualifications (RFQ) was issued for Engineering and Landscape Architecture Consulting Services for Park Site Development Projects in the 2017 Bond Program. The projects included in this RFQ were considered “Simple Projects” which utilize the RFQ only selection process. This RFQ document covered “Simple Projects” initiated within two years from the date when it was published on May 9, 2018. The Broussard Group, Inc. dba TBG Partners, a qualified firm, was selected for the Friendship Park - Loop Trail and Picnic Pavilion Project.

This action will authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for schematic design, design development, construction documents, procurement and construction administration phases for the Friendship Park - Loop Trail and Picnic Pavilion Project. The 2017 Bond Program included funding for this design project, which includes loop trail completion and improvements, as well as the design of a picnic pavilion.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	September 2019
Complete Design	February 2020
Begin Construction	May 2020
Complete Construction	August 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 20, 2019, the Park and Recreation Board authorized a professional services contract with The Broussard Group, Inc. dba TBG Partners for schematic design, design development, construction documents, procurement and construction administration phases for the Friendship Park - Loop Trail and Picnic Pavilion Project.

FISCAL INFORMATION

Park and Recreation Facilities (B) Fund (2017 Bond Funds) - $59,374.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE%	M/WBE $
$59,374.00	Architecture & Engineering	25.66%	33.12%	$19,665.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

In accordance with the City of Dallas Administrative Directive 4-5 procurement guidelines, The Broussard Group, Inc. dba TBG Partners was selected as the most qualified consultant for this project.

OWNER

The Broussard Group, Inc. dba TBG Partners

Jim Manskey, President

MAP

Attached

powered by Legistar™



0 75 150 300 450 Feet

1 in = 150 ft

N W E S

Dallas Park & Recreation

Friendship Park
(12700 Hornbeam Dr)

District 10

WHEREAS, on May 9, 2018, a Request for Qualifications (RFQ) was issued for Engineering and Landscape Architecture Consulting Services for Park Site Development Projects in the 2017 Bond Program; and

WHEREAS, this RFQ document also covered "Simple Projects" initiated within two years from May 9, 2019; and

WHEREAS, in accordance with Administrative Directive 4-5, Paragraph, The Broussard Group, Inc. dba TBG Partners was selected as the most qualified consultant for the Friendship Park – Loop Trail and Picnic Pavilion Project; and

WHEREAS, it is now desirable and in the best interest of the City of Dallas to authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for schematic design, design development, construction documents, procurement and construction administration phases for the Friendship Park – Loop Trail and Picnic Pavilion Project located at 12700 Hornbeam Drive, in an amount not to exceed $59,374.00.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a professional services contract with The Broussard Group, Inc. dba TBG Partners, approved as to form by the City Attorney, for schematic design, design development, construction documents, procurement and construction administration phases for the Friendship Park – Loop Trail and Picnic Pavilion Project located at 12700 Hornbeam Drive, in an amount not to exceed $59,374.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $59,374.00 to The Broussard Group, Inc. dba TBG Partners from Park and Recreation Facilities (B) Fund, Fund 1V00, Department PKR, Unit VK30, Object 4112, Activity RFSI, Program PK17VK30, Encumbrance/Contract No. CX-PKR-2019-00010423, Commodity 90656, Vendor 500736.

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

Agenda Information Sheet

File #: 19-1012 **Item #:** 49.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 4, 6, 9, 13, 14

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize the purchase and installation of the Musco Control Link System which will provide an automated athletic field lighting control system at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Park and Recreation Department's RecTrac Reservation System with Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement - Not to exceed $98,985.00 - Financing: Park Beautification Fund ($9,105.00), P & R Athletic Field Maintenance Fund ($35,900.00) and Recreation Program Fund ($53,980.00)

BACKGROUND

The Park and Recreation Department is prepared to implement Phase IV of the automated athletic field lighting control system from Musco Corporation dba Musco Sports Lighting, LLC. The Musco Control Link System will integrate with the Park and Recreation Department's RecTrac Reservation System. Each day RecTrac will report to the Musco Control Center with the schedule for the athletic fields utilizing the system. If a field has a valid reservation, the Musco Control Link System will activate the field lights at the beginning of the reservation time and turn them off after the reservation has ended. The initial pilot system has helped greatly reduce the amount of unauthorized play on athletic fields, has eliminated the need for staff to manually turn lights on and off and has resulted in reduced electrical costs.

The controller unit will be attached to the outside of the load center at each complex. The controller will electronically tie into the complexes' power by a certified Musco installer along with a staff electrician from the Park and Recreation Department. The controller unit cost is $7,725.00 for nine units, $7,855.00 for two units, and the installation cost per unit is $1,250.00. Phase IV total cost is $98,985.00 (11 units and installations). Musco Corporation dba Musco Sports Lighting, LLC is the manufacturer and only distributor.

The Texas Association of School Boards (BuyBoard) cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2017, the Park and Recreation Board authorized the purchase and installation of Musco Sports Lighting, LLC's Control Link System.

Information about this item was provided to the Quality of Life, Arts and Culture Committee on August 14, 2017.

On August 23, 2017, City Council authorized a service contract for the purchase and installation of Musco Sports Lighting, LLC's Control Link System which will provide an automated athletic field lighting system at Samuell Grand Park located at 6200 East Grand Avenue, Samuell Garland Park located at 12200 Garland Road, and Crawford Park located at 8700 Elam Road and integrate with the Department's RecTrac Reservation System from Musco Sports Lighting, LLC through The Texas Association of School Boards by Resolution No. 17-1312.

On June 20, 2019, the Park and Recreation Board authorized the purchase and installation of the Musco Control Link System at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Department's RecTrac Reservation System from Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement.

FISCAL INFORMATION

Park Beautification Fund - $9,105.00
P & R Athletic Field Maintenance Fund - $35,900.00
Recreation Program Fund - $53,980.00

Council District	Amount
4	$53,980.00
6	$17,950.00
9	$ 8,975.00
13	$ 9,105.00
14	$ 8,975.00
Total	$98,985.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$98,985.00	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

OWNER

Musco Corporation dba Musco Sports Lighting, LLC

Joe P. Crookham, President
Christopher K. Hyland, Treasurer
James M. Hanson, Secretary

WHEREAS, the City desires to enter into a contract with Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement for the purchase and installation of the Musco Control Link System which will provide an automated athletic field lighting control system at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Park and Recreation Department's RecTrac Reservation System, in an amount not to exceed $98,985.00.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement, approved as to form by the City Attorney, for the purchase and installation of the Musco Control Link System which will provide an automated athletic field lighting control system at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Park and Recreation Department's RecTrac Reservation System, in an amount not to exceed $98,985.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $98,985.00 to Musco Corporation dba Musco Sports Lighting, LLC, as follows:

Park Beautification Fund	
Fund 0641, Department PKR, Unit 8266	
Object 4890, Activity PK02, Project 0641-18-8266-002	
Encumbrance/Contract No. PKR-2019-00010646	
Commodity 28527, Vendor VS86283	$ 9,105.00
Recreation Program Fund	
Fund 0341, Department PKR, Unit 5784	
Object 4890, Activity PK02, Project 0341-18-5784-102	
Encumbrance/Contract No. PKR-2019-00010646	
Commodity 28527, Vendor VS86283	$53,980.00

SECTION 2. (continued)

P & R Athletic Field Maintenance Fund	
Fund 0349, Department PKR, Unit 6093	
Object 4890, Activity PK02, Project 0349-18-6093-005	
Encumbrance/Contract No. PKR-2019-00010646	
Commodity 28527, Vendor VS86283	$35,900.00
Total amount not to exceed	$98,985.00

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

Agenda Information Sheet

File #: 19-929 **Item #:** 50.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Halff Associates, Inc. for engineering services associated with the Floodplain Program Management Assistance Contract No. 1 - Not to exceed $450,000.00 - Financing: Storm Drainage Management Capital Construction Fund

BACKGROUND

The Floodplain Program Management Assistance (FPMA) provides the City of Dallas a source of trained technical staff to supplement City staff for flooding investigations and support for floodplain management activities. Floodplain management activities include flood investigations throughout the City, and updates to the City's Emergency Action Plans for the City's dams and levee system. An important floodplain management activity that the City of Dallas engages in is FEMA's Community Rating System (CRS). The CRS is a voluntary incentive program for communities participating in the National Flood Insurance Program. The CRS program measures the scope and effectiveness of a community's floodplain management efforts and activities and assigns a "class" rating. The City of Dallas has been participating in the CRS since 1991 and is currently a Class 5 rating. Dallas property owners receive a 25% discount on flood insurance premiums. Through the FPMA, the City of Dallas has received support for the annual recertification requirements of the CRS, support for CRS audits, and support to advance to a higher rating in the CRS.

This action authorizes a professional services contract with Halff Associates, Inc., one of two firms selected for the FPMA contracts, to provide engineering services for flooding investigations throughout the City, support for the annual CRS recertification, support for CRS audits, and support to advance to a higher rating in the CRS.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	August 2019
Complete Design	August 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Storm Drainage Management Capital Construction Fund - $450,000.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$450,000.00	Architectural & Engineering	25.66%	26.00%	$117,000.00
• This contract exceeds the M/WBE goal.				

OWNER

Halff Associates, Inc.

Patrick L. Kunz, P.E., President

powered by Legistar™

August 14,2019

WHEREAS, the City of Dallas has identified the need to supplement City staff for flood investigations, updates to the Emergency Action Plans for the City's dams and levee system, support for the annual Community Rating System (CRS) recertification, support for CRS audits, and support to advance to a higher rating in the CRS; and

WHEREAS, Halff Associates, Inc., was one of two firms selected for the Floodplain Program Management Assistance contracts, and has submitted an acceptable proposal to provide these engineering services; and

WHEREAS, Halff Associates, Inc., 1201 North Bowser Road, Richardson, Texas, 75081 has submitted an acceptable proposal to provide these engineering services.

Now, Therefore,

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

SECTION 1. That the proposal submitted by Halff Associates, Inc., in the amount of $450,000.00 be approved and the consultant be authorized to perform the required engineering services.

SECTION 2. That the City Manager is hereby authorized to execute a professional services contract with Halff Associates, Inc., approved as to form by the City Attorney, for engineering services associated with the Floodplain Program Management Assistance Contract No. 1, in an amount not to exceed $450,000.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds, in an amount not to exceed $450,000.00 to Halff Associates, Inc. from the Storm Drainage Management Capital Construction Fund, Fund 0063, Department SDM, Unit 4793, Object 3070, Encumbrance/Contract No. CX-SDM-2019-00009944, Vendor 089861.

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

Agenda Information Sheet

File #: 19-838 **Item #:** 51.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All, Outside City Limits

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Terracon Consultants, Inc. to provide engineering and architectural services for the condition assessment and design of roof and heating, ventilation, air conditioning, and refrigeration systems at Dallas Water Utilities' 270 facilities - Not to exceed $1,557,880.00 - Financing: Water Utilities Capital Improvement Funds ($1,357,784.00) and Storm Drainage Management Capital Construction Fund ($200,096.00)

BACKGROUND

Roofs and heating, ventilation, air conditioning, and refrigeration (HVACR) systems at Dallas Water Utilities (DWU) facilities are generally exposed to aggressive and corrosive environments due to the chemicals used and gas byproducts associated with the water and wastewater treatment processes. With this exposure, materials break down at a higher rate when compared to typical office building facilities. In an ongoing effort to better maintain and protect these assets DWU implemented its Roof and HVACR Condition Assessment and Renewal Program in 2012.

This action provides professional services for the condition assessment of approximately 1.5 million square feet of roof area and over 3,000 HVACR units at DWU's 270 facilities. Based on the condition assessment results, this item also provides design services for replacement of roof and HVACR systems that are nearing the end of their service life. Authorizing this condition assessment and design contract will continue DWU's maintenance program for roof and HVACR systems that protects the various types of production equipment and process controls. Protection of this equipment ensures the continued reliable water and wastewater services that DWU provides to approximately 2.5 million customers in Dallas and its surrounding cities.

The estimated construction cost associated with this design project is $6,500,000.00.

ESTIMATED SCHEDULE OF PROJECT

Begin Assessment	September 2019
Complete Assessment and Design	April 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $1,357,784.00
Storm Drainage Management Capital Construction Fund - $200,096.00

Council District	Amount
1	$ 5,610.00
2	$ 11,850.00
3	$ 86,650.00
4	$ 384,700.00
5	$ 5,610.00
6	$ 346,760.00
7	$ 47,400.00
8	$ 248,200.00
9	$ 53,500.00
10	$ 42,200.00
11	$ 18,000.00
12	$ 11,800.00
13	$ 9,200.00
14	$ 23,700.00
Outside City Limits	$ 262,700.00
Total	$1,557,880.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,557,880.00	Architectural & Engineering	25.66%	25.74%	$401,000.00
• This contract exceeds the M/WBE goal.				

OWNER

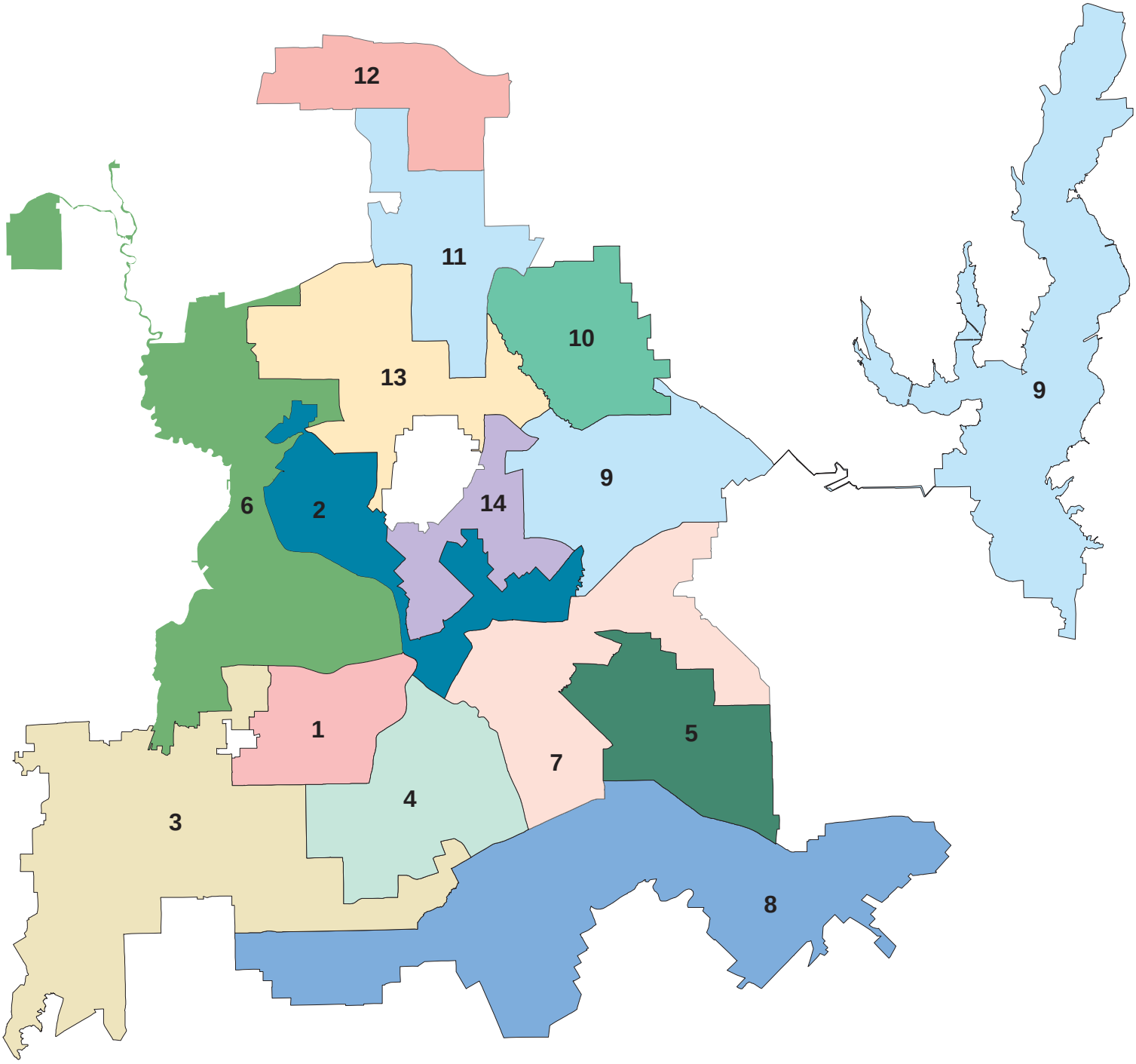
Terracon Consultants, Inc.

M. Gayle Packer, Chief Executive Officer and President

MAP

Attached

powered by Legistar™



Dallas Water Utilities
Contract No. 19-029/030E
Roof and HVAC Condition Assessment and Design

August 14, 2019

WHEREAS, this action consists of providing engineering and architectural services for the condition assessment and design of roof and heating, ventilation, air conditioning, and refrigeration systems at Dallas Water Utilities' (DWU) 270 facilities; and

WHEREAS, this action will continue DWU's maintenance program for roof, heating, ventilation, air conditioning, and refrigeration systems; and

WHEREAS, Terracon Consultants, Inc., 8901 John West Carpenter Freeway, Suite 100, Dallas, Texas 75247 has submitted an acceptable proposal to provide these professional services.

Now, Therefore,

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

SECTION 1. That the proposal submitted by Terracon Consultants, Inc., Contract No. 19-029/030E, in the amount of $1,557,880.00 be approved and the consultant be authorized to perform the required professional services.

SECTION 2. That the City Manager is hereby authorized to execute a professional services contract with Terracon Consultants, Inc., approved as to form by the City Attorney, to provide engineering and architectural services for the condition assessment and design of roof and heating, ventilation, air conditioning, and refrigeration systems at Dallas Water Utilities' 270 facilities, in an amount not to exceed $1,557,880.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,557,880.00 to Terracon Consultants, Inc., as follows:

Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42 Object 4111, Program 719029, Vendor 341409 Encumbrance/Contract No. CX-DWU-2019-00010538	$ 678,892.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Object 4111, Program 719030, Vendor 341409 Encumbrance/Contract No. CX-DWU-2019-00010538	$ 678,892.00
Storm Drainage Management Capital Construction Fund Fund 0063, Department SDM, Unit 4793, Activity SD01 Object 3110, Vendor 341409 Encumbrance/Contract No. CX-DWU-2019-00010538	$ 200,096.00
Total amount not to exceed	$1,557,880.00

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

Agenda Information Sheet

File #: 19-857 **Item #:** 52.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 1, 2, 7, 13, 14

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a construction contract for the installation of water and wastewater mains at 12 locations (list attached to the Agenda Information Sheet) - John Burns Construction Company of Texas, Inc., only bidder - Not to exceed $23,704,542.00 - Financing: Water Utilities Capital Drinking Water TWDB Fund ($15,248,542.00) and Water Utilities Capital Clean Water TWDB Fund ($8,456,000.00)

BACKGROUND

This action consists of the replacement and rehabilitation of approximately 37,795 feet of water and wastewater mains. This includes the installation of approximately 79 feet of 4-inch, 1,603 feet of 6-inch, 6,471 feet of 8-inch, 1,364 feet of 10-inch, 15,775 feet of 12-inch, 21 feet 16-inch, and 1,143 feet of 24-inch water mains, and approximately 8,872 feet of 8-inch, 780 feet of 10-inch, 894 feet of 12-inch, and 793 feet of 24-inch wastewater mains.

The existing water and wastewater mains were built between 1910 and 1976. These mains are contributing to an increase in maintenance costs as well as service interruptions. The installation of the proposed segments will improve the capacity of the water and wastewater systems and reduce maintenance costs.

The following chart illustrates John Burns Construction Company of Texas, Inc.'s contractual activities with the City of Dallas for the past three years:

	PBW	DWU	PKR
Projects Completed	0	0	0
Change Orders	0	2	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Begin Construction October 2019
Complete Construction October 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Drinking Water TWDB Fund - $15,248,542.00
Water Utilities Capital Clean Water TWDB Fund - $8,456,000.00

Council District	Amount
1	$ 7,770,854.91
2	$ 2,195,576.88
7	$ 1,146,943.15
13	$ 2,997,806.89
14	$ 9,593,360.17
Total	$23,704,542.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$23,704,542.00	Construction	25.00%	25.01%	$5,928,400.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

The following was the only bid with quotes that was received and opened on May 24, 2019:

*Denotes only bidder

Bidder	Bid Amount
*John Burns Construction Company of Texas, Inc. 655 East Main Street Lewisville, Texas 75057	$23,704,542.00

Note: Dallas Water Utilities has reviewed this procurement and determined that the bid was conducted in accordance with Administrative Directive 4-5 and that reasonable efforts were made to increase bid participation. This procurement meets the requirements for a single bid and represents a good value for the work to be performed.

OWNER

John Burns Construction Company of Texas, Inc.

Paul O'Malley, Owner

MAPS

Attached

Segment List
Contract No. 18-173/174
Water and Wastewater Main Installation

District 1

Bernice Street from Davis Street south
Davis Street from Bernice Street to Hampton Road
Davis Street from Hartsdale Drive to Montreal Avenue
Oak Cliff Boulevard from Davis Street to Fouts Lane

District 2

*Ervay Street from Corsicana Street to Pacific Avenue
*Harwood Street from Commerce Street to Cadiz Street

District 7

Pine Street from Crozier Street northeast

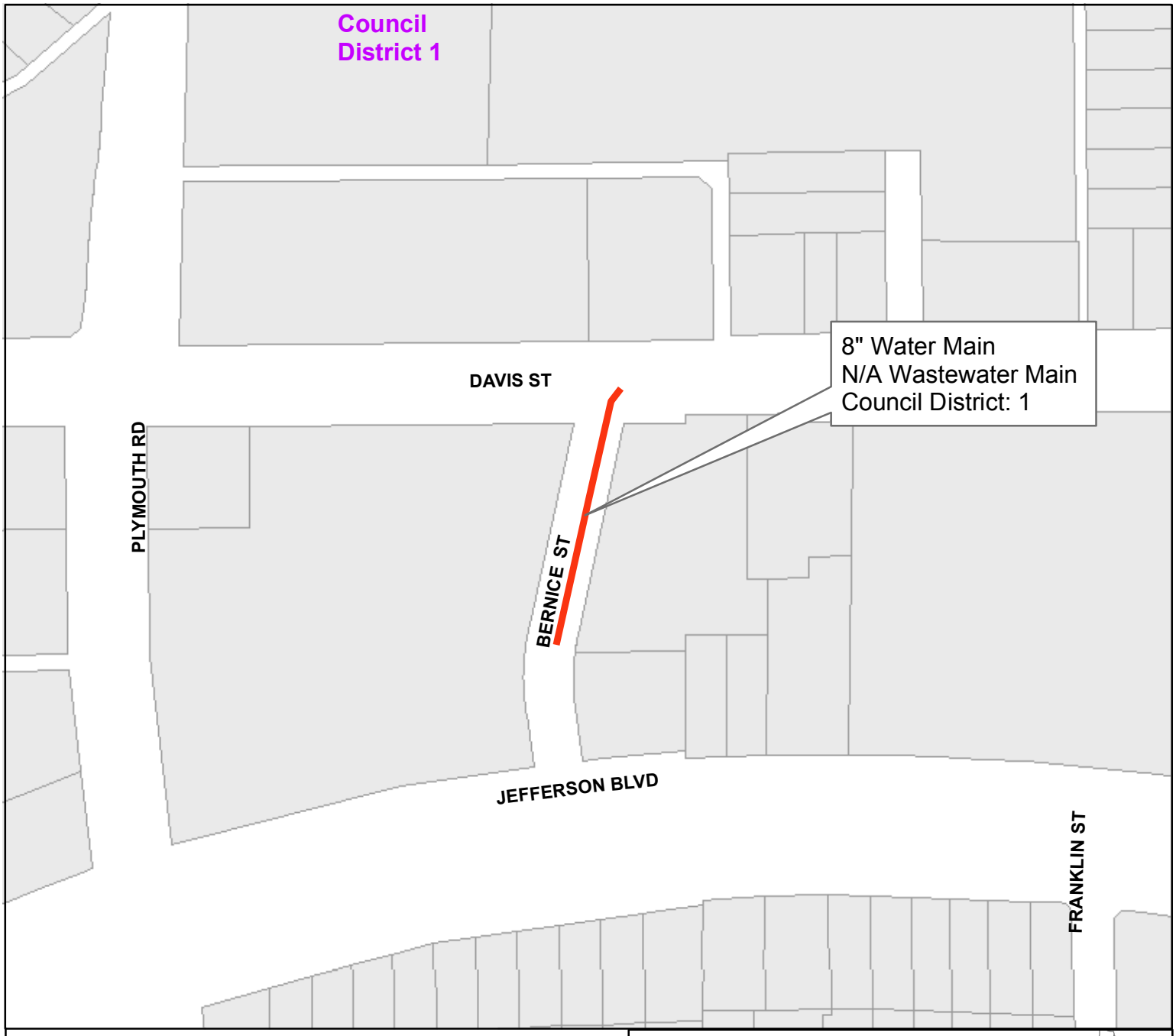
District 13

Colhurst Street from State Highway 289 (Preston Road) to Jourdan Way
Valley Ridge Road from Crestline Avenue to Rockbrook Drive

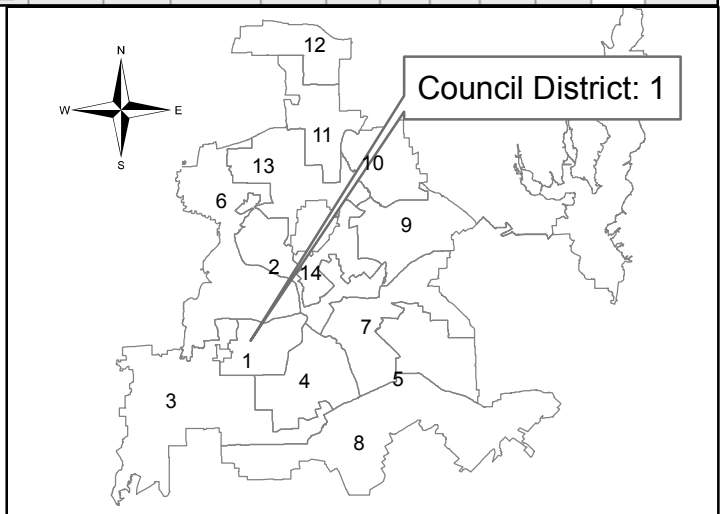
District 14

Commerce Street from Houston Street to Harwood Street and Market Street from Main Street to Commerce Street
Jackson Street west of Field Street from Commerce Street to Jackson Street
Main Street from Houston Street to Lamar Street
*(Ervay Street from Corsicana Street to Pacific Avenue)
(See District 2)
*(Harwood Street from Commerce Street to Cadiz Street)
(See District 2)

*Project limits in more than one Council District



Bernice Street
from Davis Street south



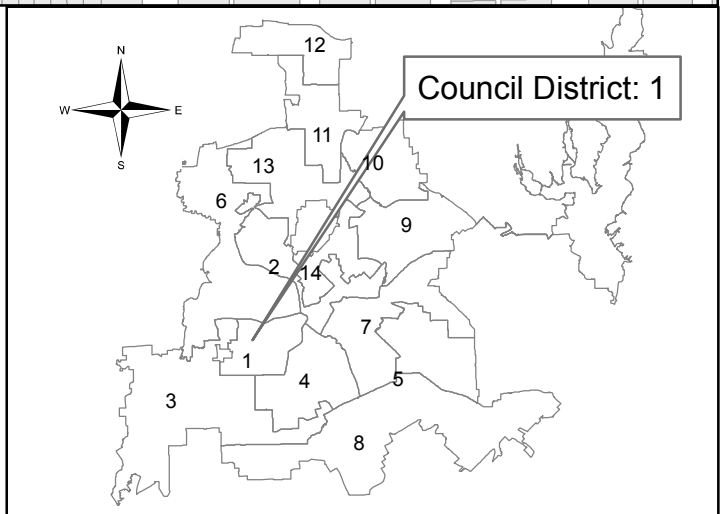
Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

PID: 3227

Segment 1 of 12



Davis Street
from Bernice Street to Hampton Road

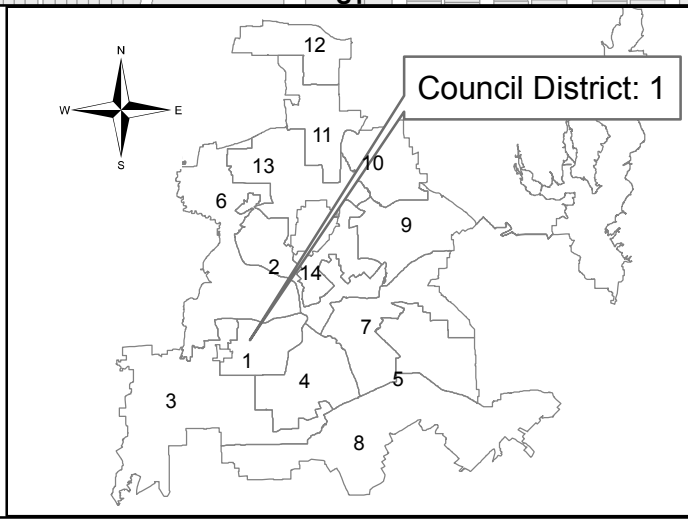


Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

PID: 3228



Davis Street
from Hartsdale Drive to Montreal Avenue



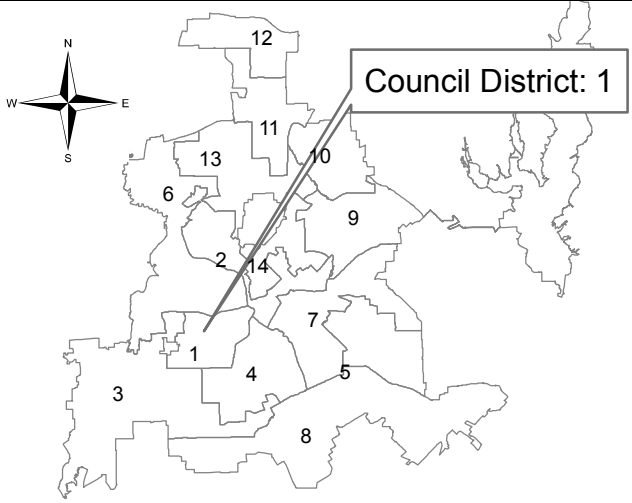
Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

PID: 3226

Segment 3 of 12



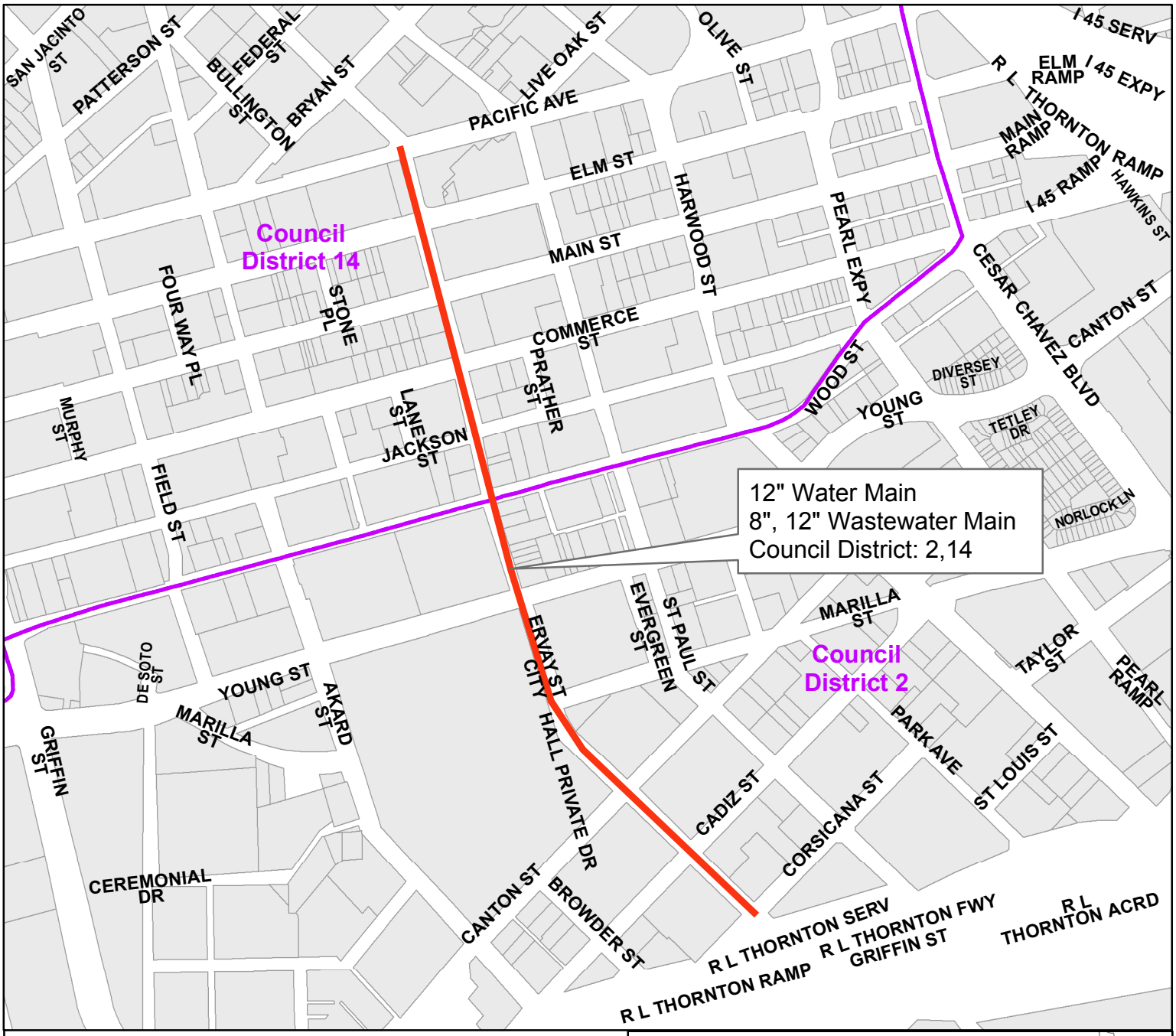
Oak Cliff Boulevard
from Davis Street to Fouts Lane



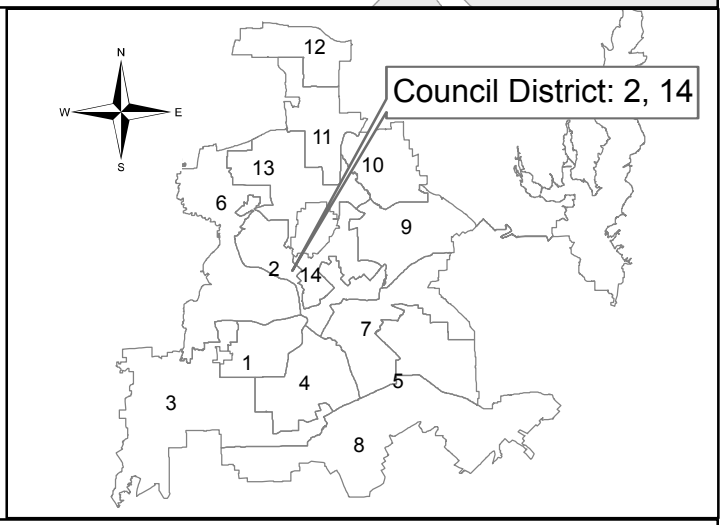
Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

PID: 5660

Segment 4 of 12



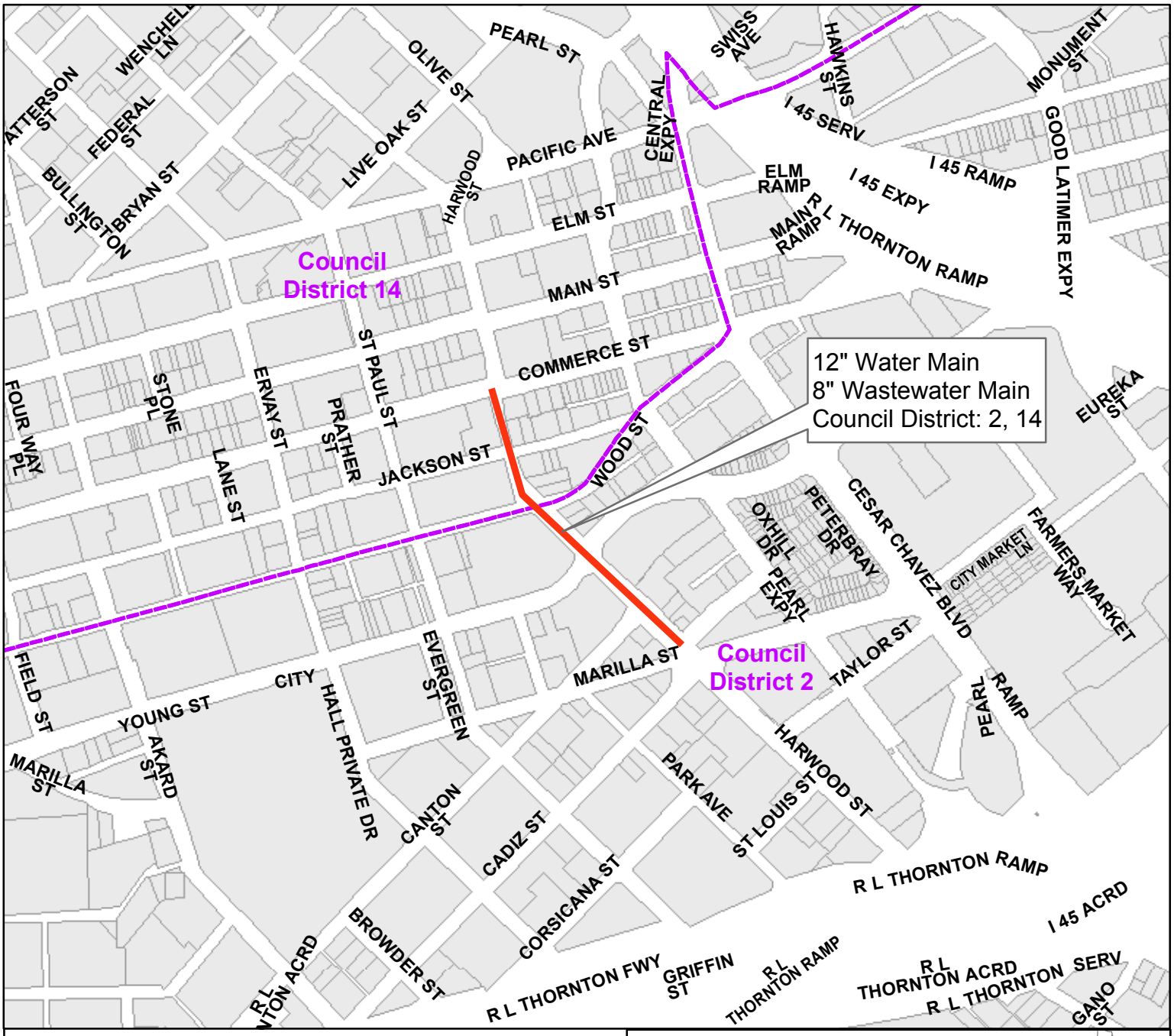
Ervay Street
from Corsicana Street to Pacific Avenue



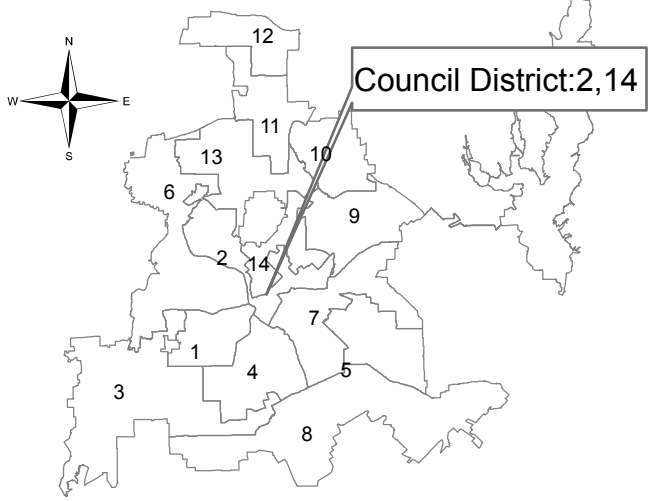
Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

PID: 5320

Segment 5 of 12



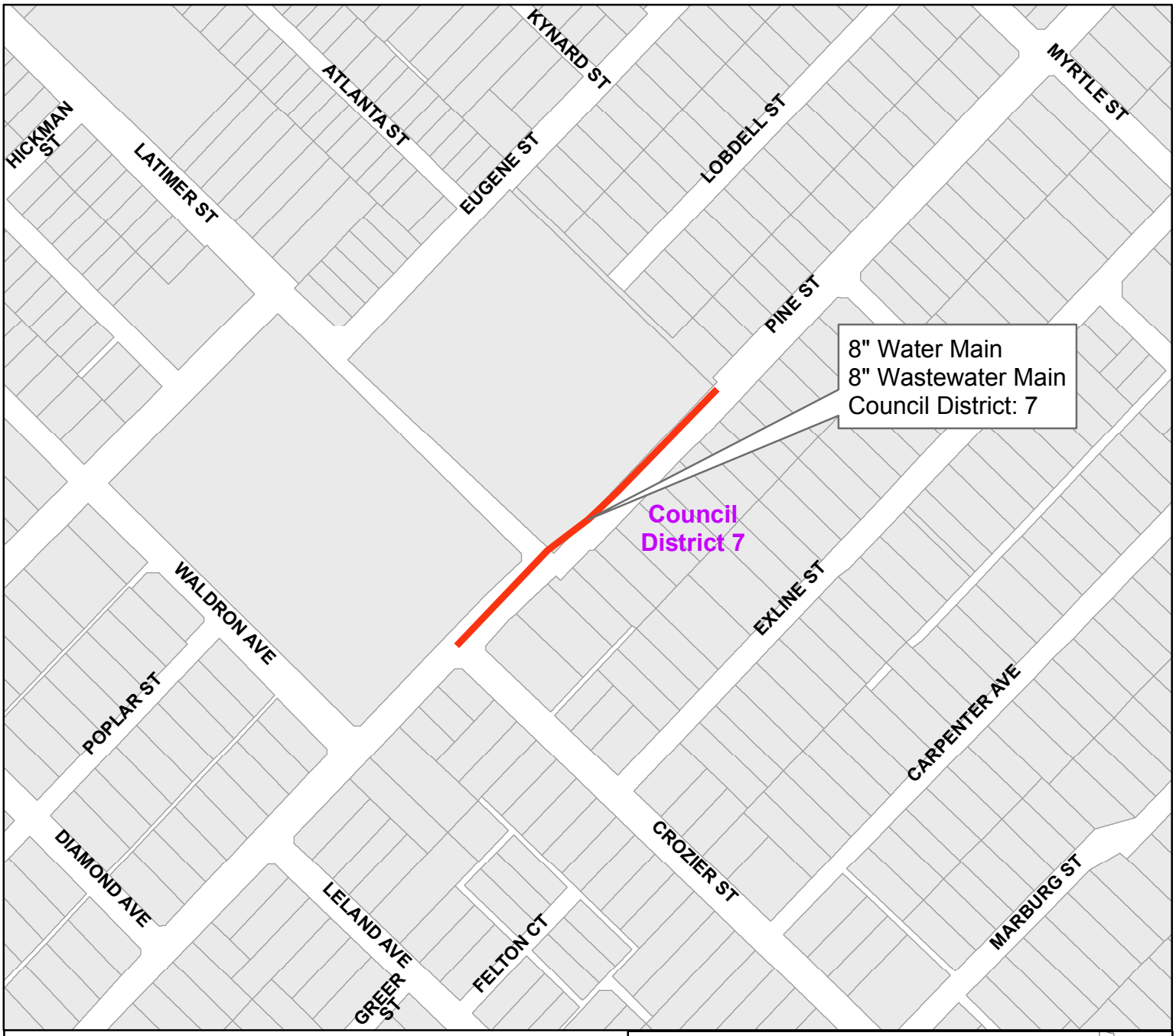
Harwood Street
from Commerce Street to Cadiz Street



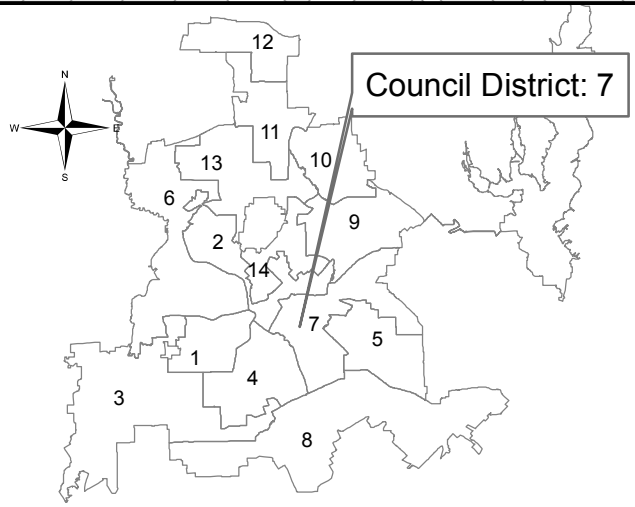
Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

PID: 5317

Segment 6 of 12



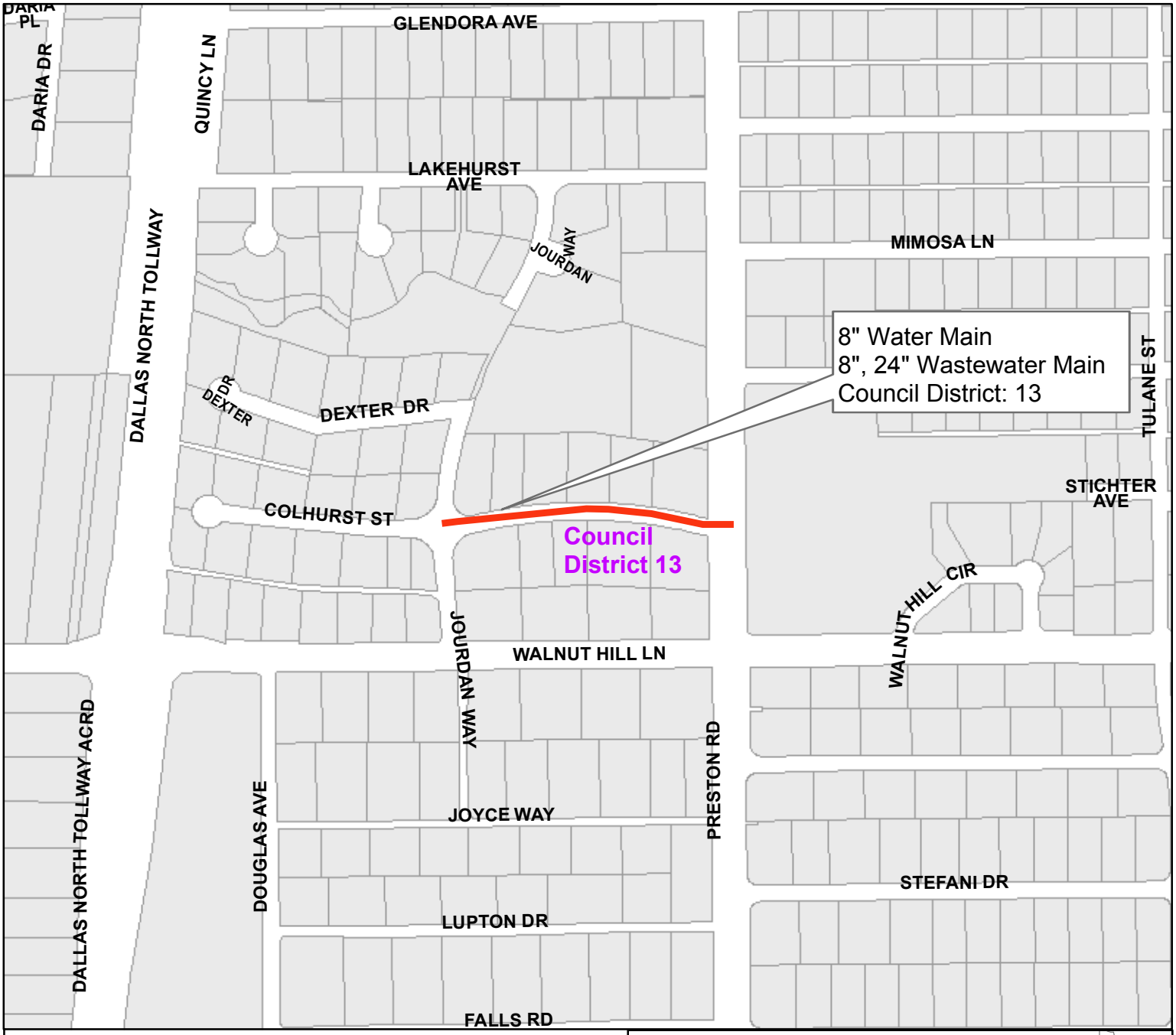
Pine Street
from Crozier Street northeast



Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

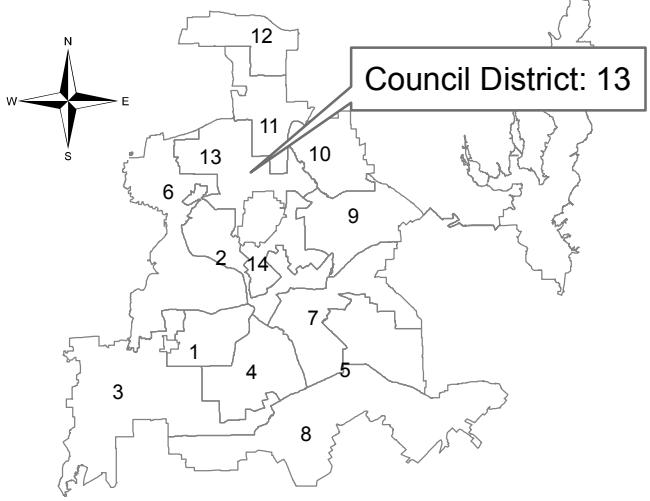
PID: 5890

Segment 7 of 12



Colhurst Street

from State Highway 289 (Preston Road)
to Jourdan Way



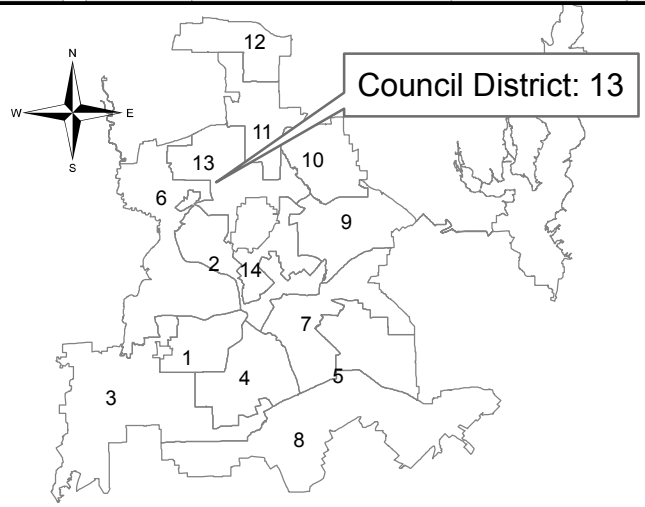
Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

PID: 1912

Segment 8 of 12



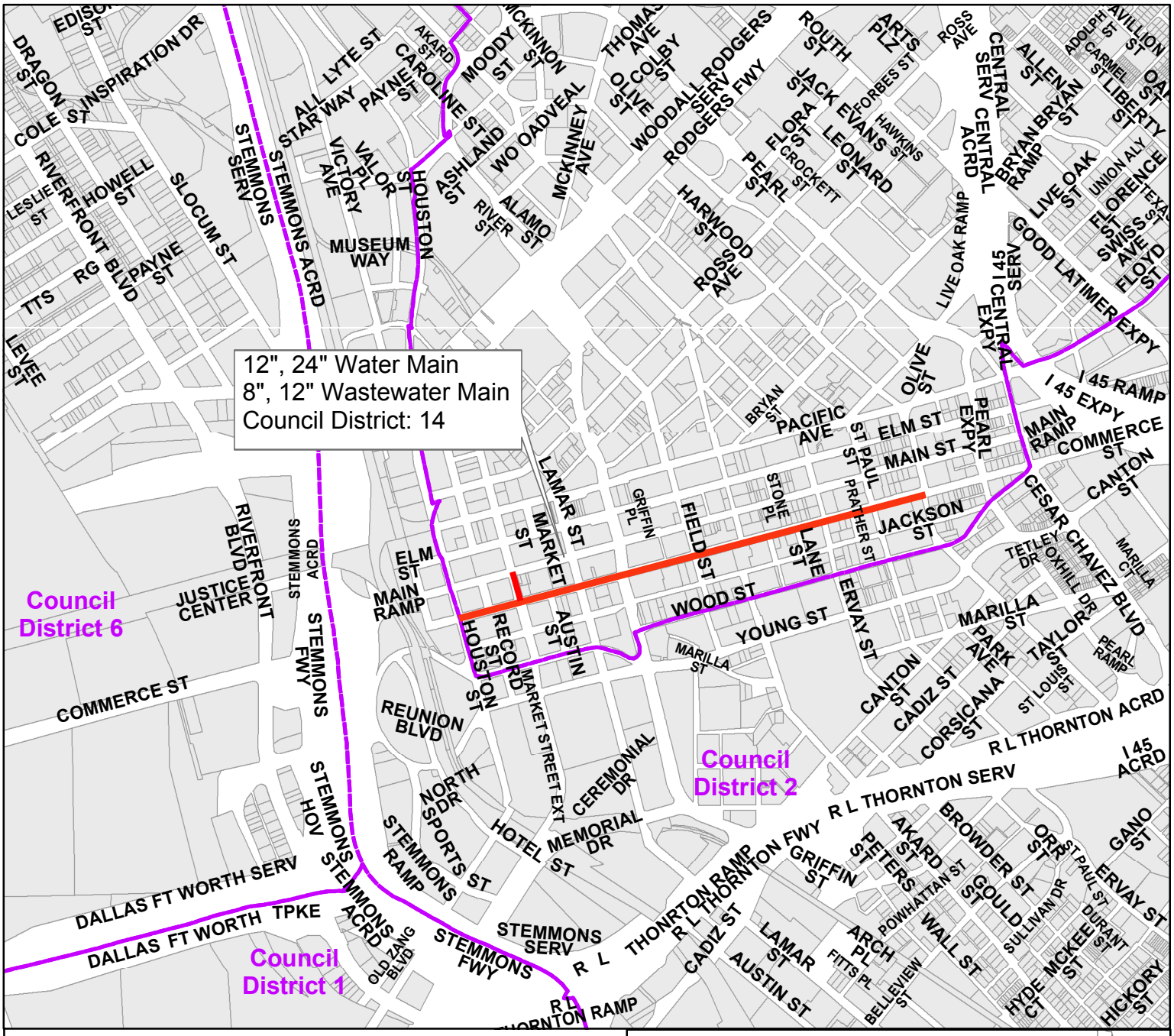
Valley Ridge Road
from Crestline Avenue to Rockbrook Drive



Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

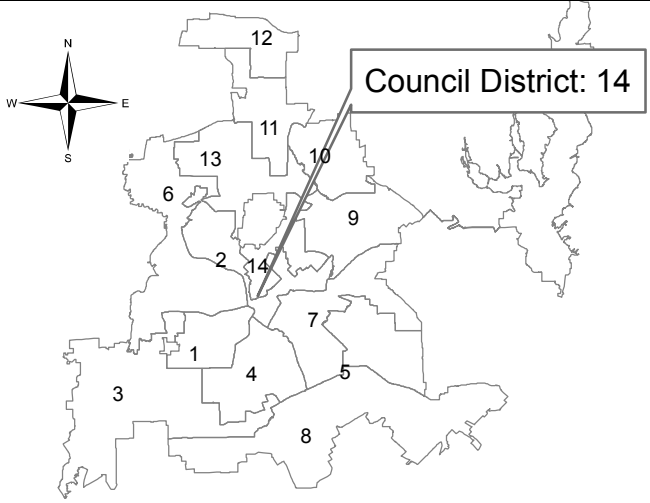
PID: 5942

Segment 9 of 12



Commerce Street
Houston Street to Harwood Street

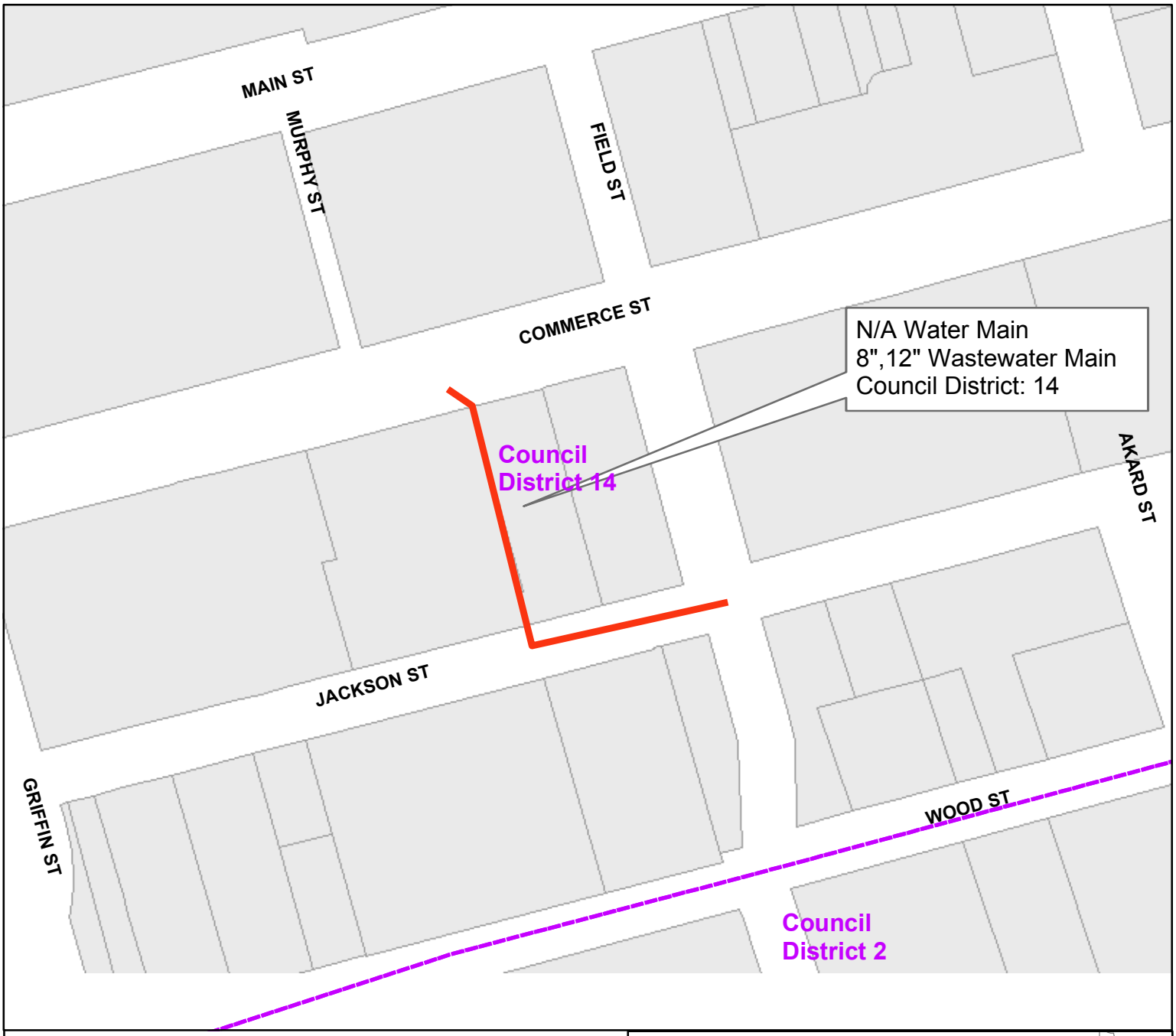
Market Street
from Main Street to Commerce Street



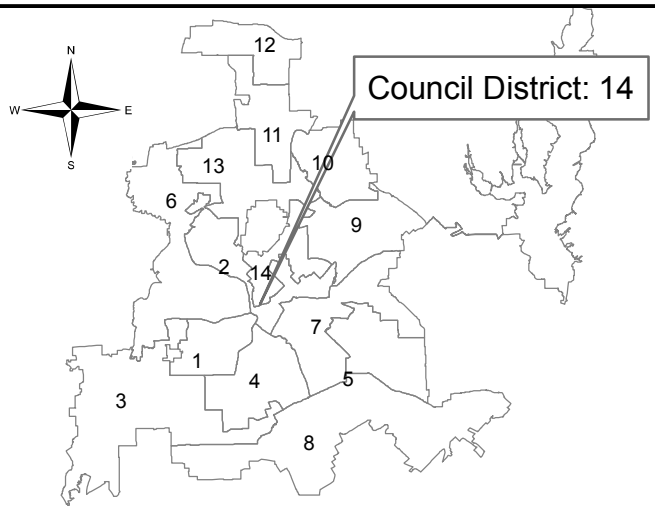
Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

PID: 5338 and 5923

Segment 10 of 12

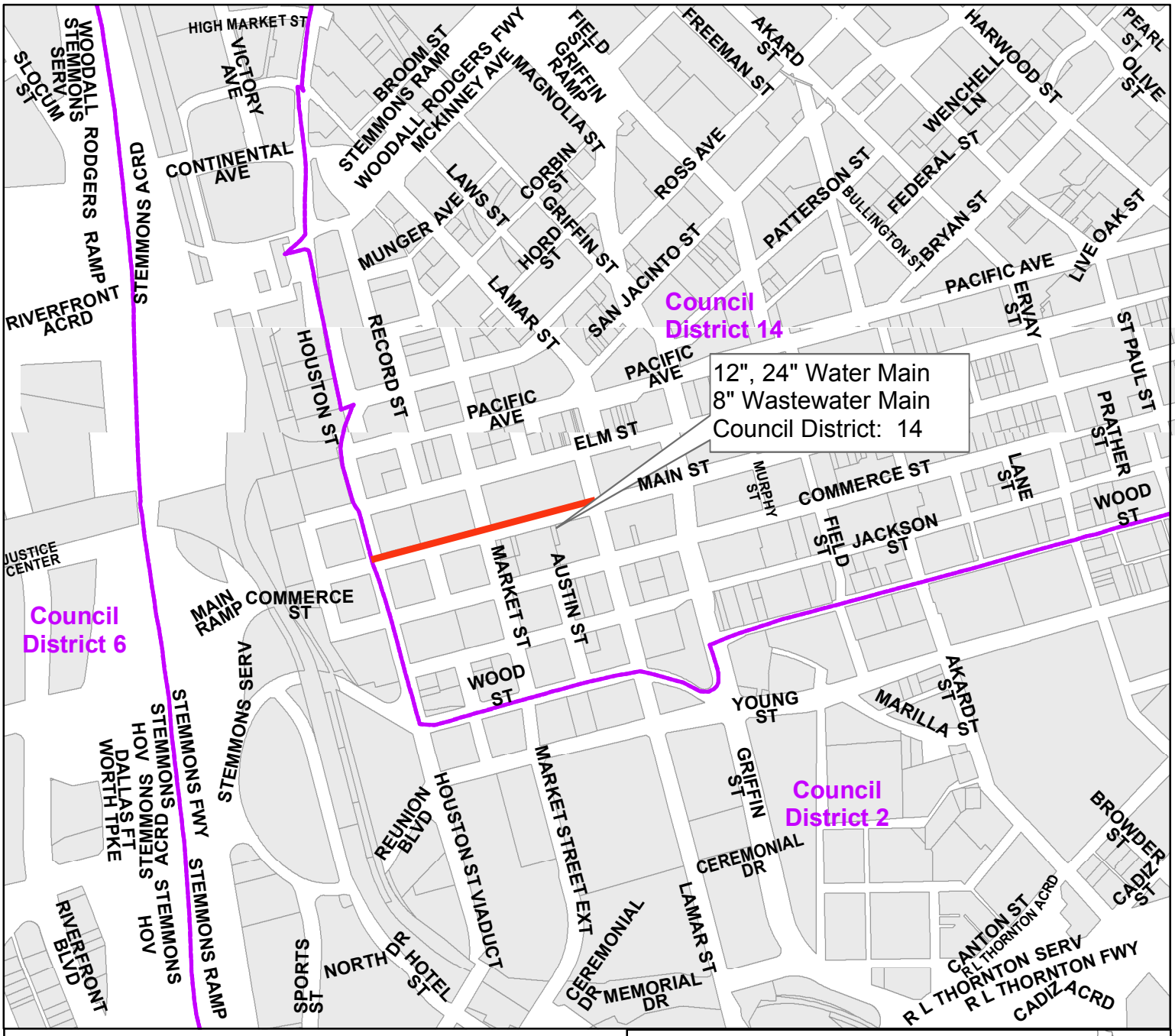


Jackson Street west of Field Street
from Commerce Street to Jackson Street

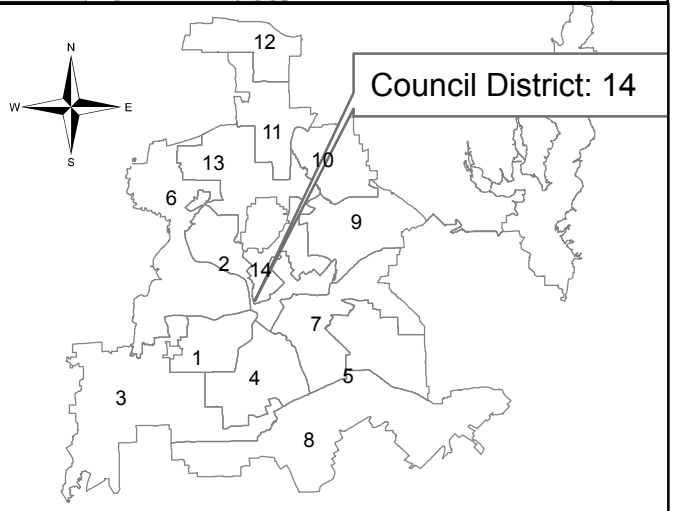


Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

PID: 6000



Main Street
from Houston Street to Lamar Street



Contract No. 18-173/174
Water and Wastewater Main Installations
at 12 Locations

PID: 5314

Segment 12 of 12

August 14, 2019

WHEREAS, on May 24, 2019, one bid was received for the installation of water and wastewater mains at 12 locations, Contract No. 18-173/174, listed as follows:

Bidder	**Bid Amount**
John Burns Construction Company of Texas, Inc.	$23,704,542.00

WHEREAS, the bid submitted by John Burns Construction Company of Texas, Inc., 655 East Main Street, Lewisville, Texas 75057, in the amount of $23,704,542.00, is the only bid received; and

WHEREAS, Dallas Water Utilities has reviewed this procurement and determined that the bid was conducted in accordance with Administrative Directive 4-5 and that reasonable efforts were made to increase bid participation. Dallas Water Utilities has also determined that this procurement meets the requirements for a single bid and represents a good value for the work to be performed.

Now, Therefore,

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

SECTION 1. That the bid submitted by John Burns Construction Company of Texas, Inc., in the amount of $23,704,542.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 18-173/174, be accepted.

SECTION 2. That the City Manager is hereby authorized to execute a construction contract with John Burns Construction Company of Texas, Inc., approved as to form by the City Attorney, for the installation of water and wastewater mains at 12 locations, in an amount not to exceed $23,704,542.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $23,704,542.00 to John Burns Construction Company of Texas, Inc., as follows:

Water (Drinking Water)-TWDB 2018 Fund Fund 1150, Department DWU, Unit FW40 Object 4550, Program 718173, Vendor 199054 Encumbrance/Contract No. CX-DWU-2019-00010667	$15,248,542.00
Wastewater (Clean Water)-TWDB 2018 Fund Fund 1151, Department DWU, Unit FS40 Object 4560, Program 718174, Vendor 199054 Encumbrance/Contract No. CX-DWU-2019-00010667	$ 8,456,000.00
Total amount not to exceed	$23,704,542.00

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

Agenda Information Sheet

File #: 19-953 **Item #:** 53.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 1, 3, 5, 10, 11

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an increase in the construction services contract with Ark Contracting Services, LLC for additional work associated with the construction of Erosion Control Improvement Package C for nine erosion control improvement projects (list attached to Agenda Information Sheet) - Not to exceed $1,095,234.55, from $5,424,990.00 to $6,520,224.55 - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) ($528,389.55) and Storm Drainage Management Capital Construction Fund ($566,845.00)

BACKGROUND

On February 28, 2018, City Council authorized a construction services contract with ARK Contracting Services, LLC for Erosion Control Package C at 19 locations by Resolution No. 18-0339. The scope of the project includes the installation of gabion and retaining walls, gabion mattresses, and slope and channel improvements to protect structures and minimize creek bank erosion along various creeks throughout the City of Dallas.

Due to changed site conditions and further erosion following the completion of design, the project limits and materials at various sites were required to be modified during construction. The scope of the construction work was increased or modified at 9 locations, including 8201 Fair Oaks Crossing, 9750 Royal Lane, 8444 Spring Valley Road, 7322 Rosemont Road, Twin Falls Park Trail, 9320 Greenville Avenue/8915 Vista View Drive, Coombs Creek I-30 Outfalls, Stephens Park Golf Course-Site 2 and Stephens Park Golf Course-Site 3. The additional work includes increases in excavation, gabion walls and mattresses, compacted fill and backfill, and other modifications to adjust to site conditions including anchorage and soil stabilization grids. Small reductions in scope at Stephens Park Golf Course-Site 1 and Stephens Park Golf Course-Site 4 were used to offset the overall financial impact to the contract.

This action will authorize Change Order No. 1 to the construction services contract with Ark Contracting Services, LLC, for additional work identified during construction. Execution of the change order will allow for the remaining construction work to be completed and the contractor to be compensated for the additional work.

ESTIMATED SCHEDULE OF PROJECT

Began Construction May 2018
Complete Construction January 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 28, 2018, City Council authorized a construction services contract with ARK Construction Services, LLC for the construction of Erosion Control Improvements Package C for 19 erosion control improvements projects by Resolution No. 18-0339.

FISCAL INFORMATION

Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) - $528,389.55
Storm Drainage Management Capital Construction Fund - $566,845.00

Construction	$ 5,424,990.00
Change Order No. 1 (this action)	$ 1,095,234.55
Total Project Cost	$ 6,520,224.55

Council District	Amount
1	$ 572,645.00
3	$ 163,916.65
5	$ 3,500.00
10	$ 146,922.90
11	$ 208,250.00
Total	$1,095,234.55

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,095,234.55	Construction	25.00%	42.00%	$460,000.00
• This contract exceeds the M/WBE goal.				

Change Order No. 1 - 28.02% Overall M/WBE participation

OWNER

Ark Contracting Services, LLC

Mark R. North, Chief Executive Officer

MAPS

Attached

Segment List
Erosion Control Package C CO#1
Stormwater Project Management

District 1

Coombs Creek I-30 Outfalls
Stephens Park Golf Course Sites 2 and 3

District 3

Twin Falls Park Trail

District 5

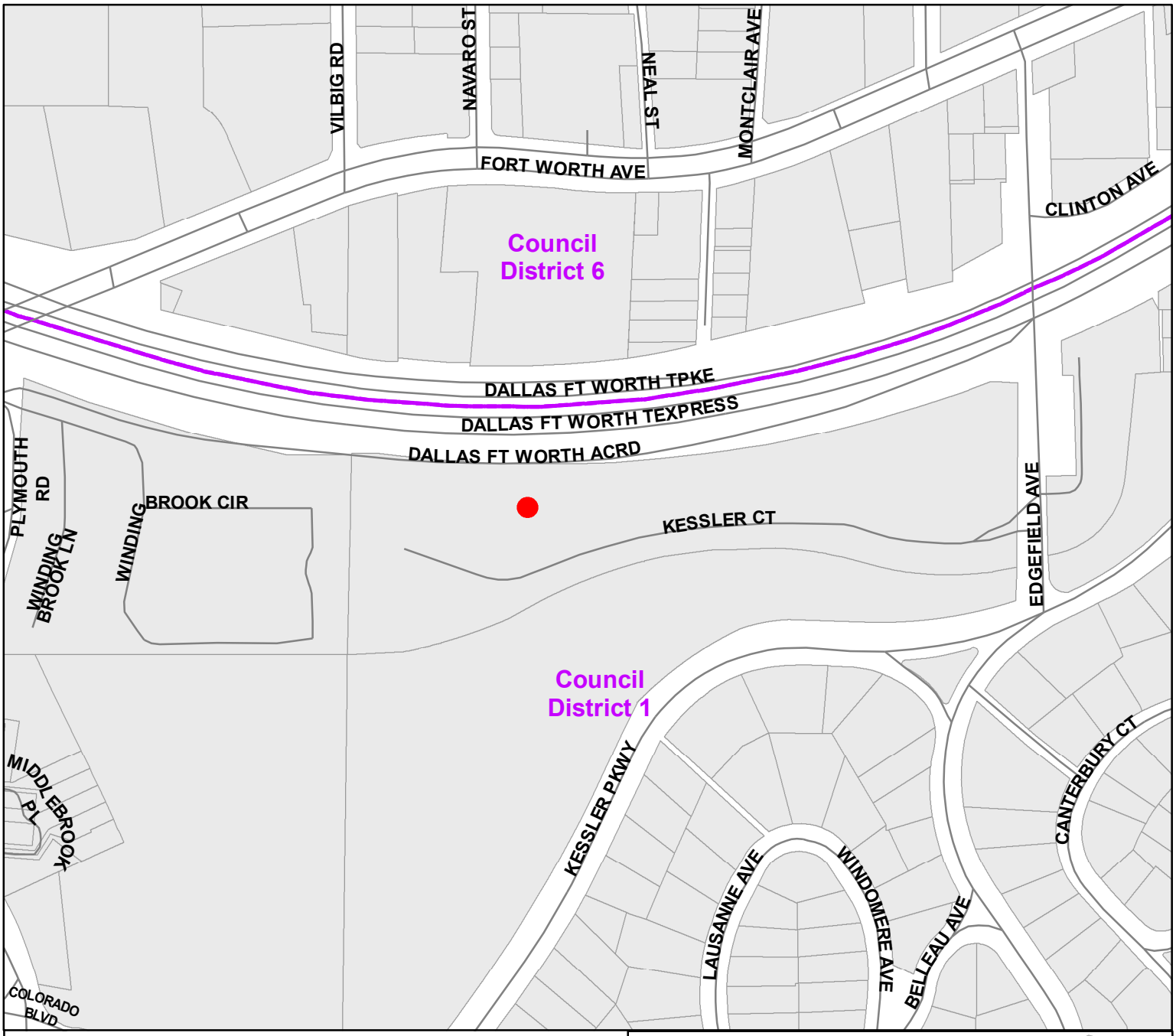
7322 Rosemont Road

District 10

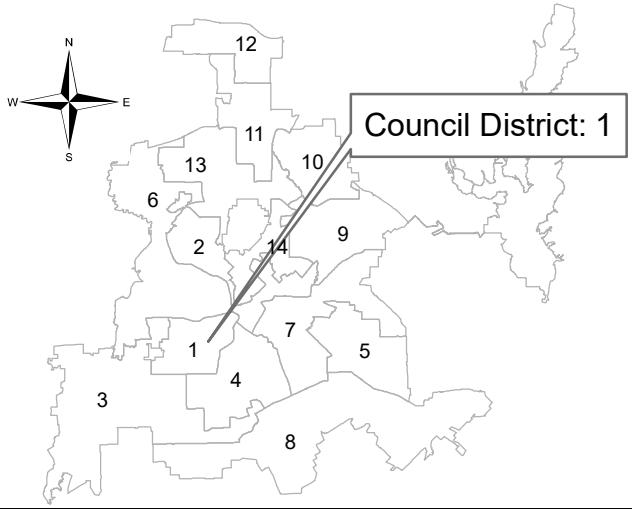
8201 Fair Oaks Crossing
9320 Greenville Avenue and 8915 Vista View Drive
9750 Royal Lane

District 11

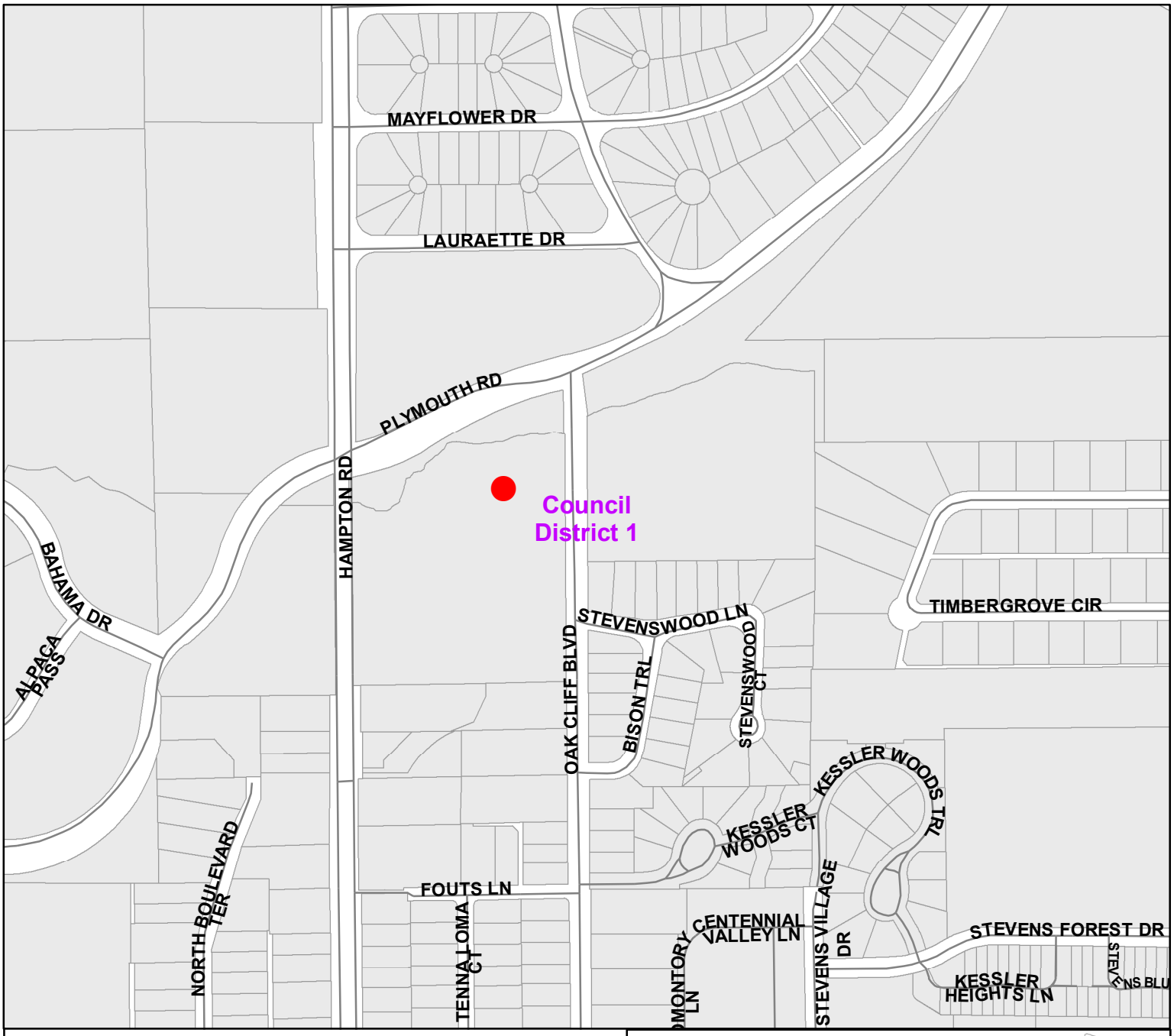
8444 Spring Valley Road



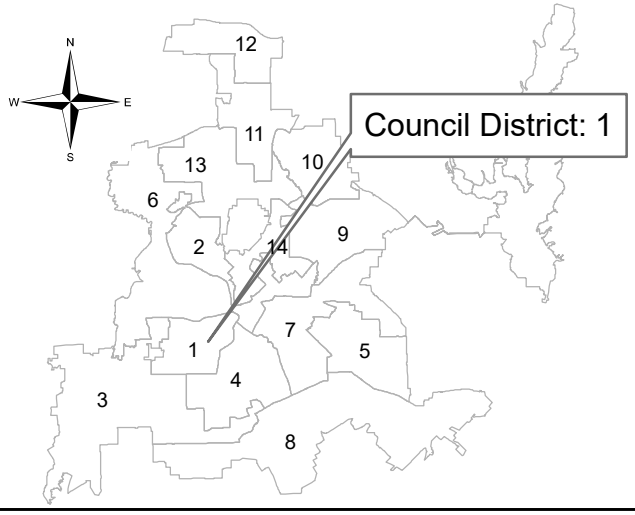
Coombs Creek I-30 Outfalls



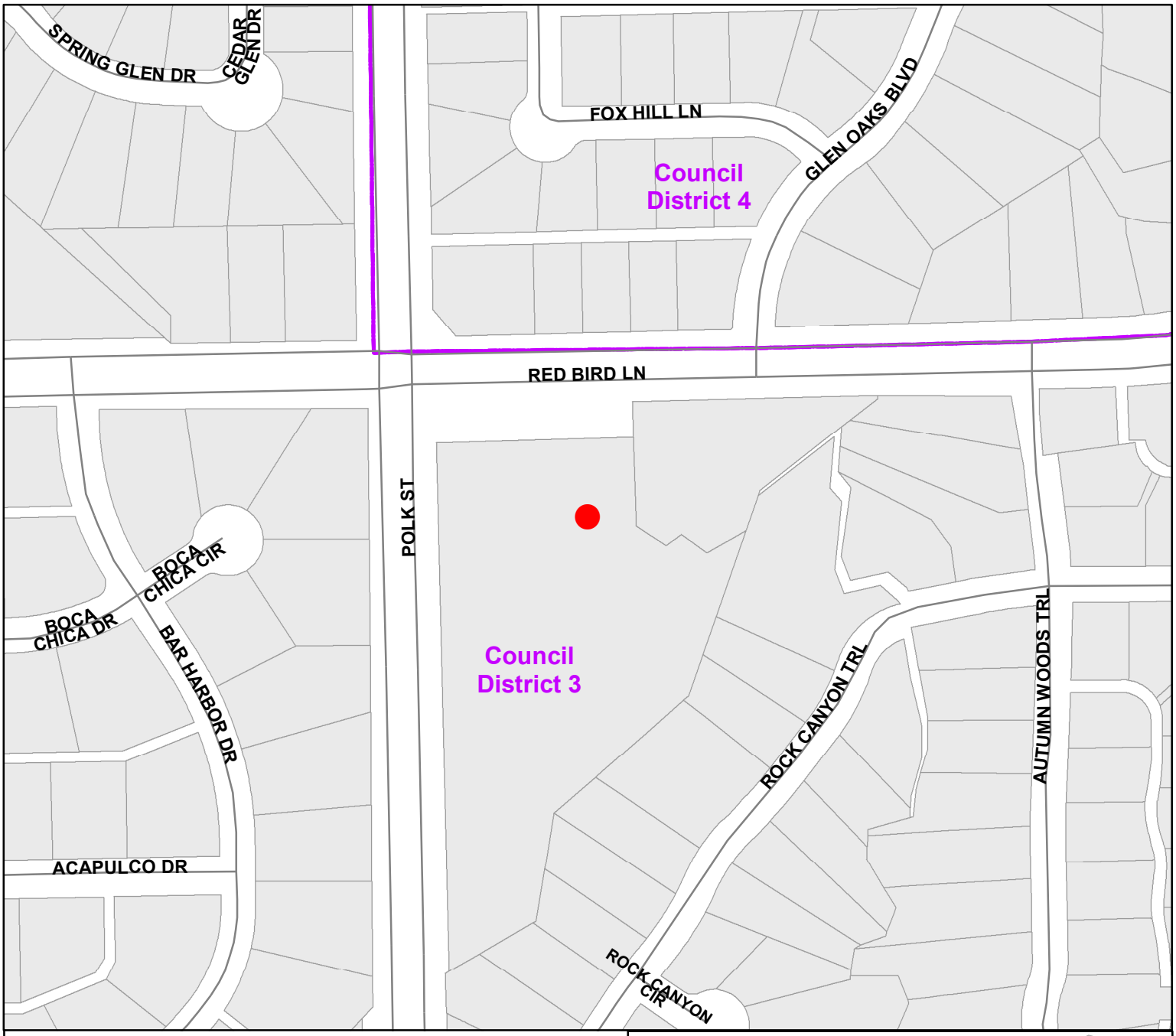
Dallas Water Utilities
Erosion Control Package C
Change Order #1



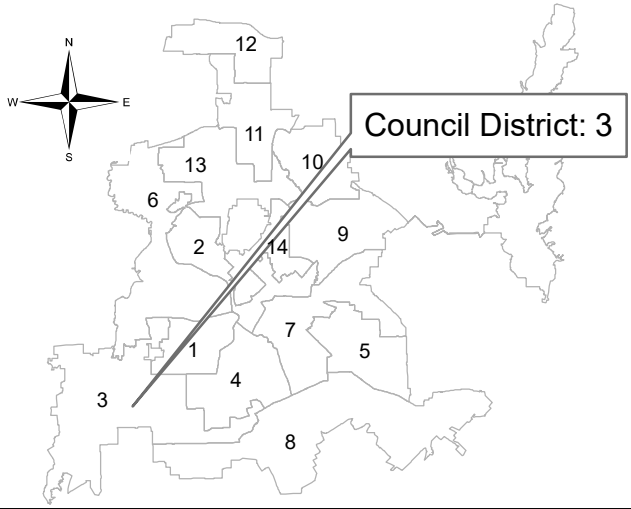
Stephens Park Golf Course -
Sites 2 and 3



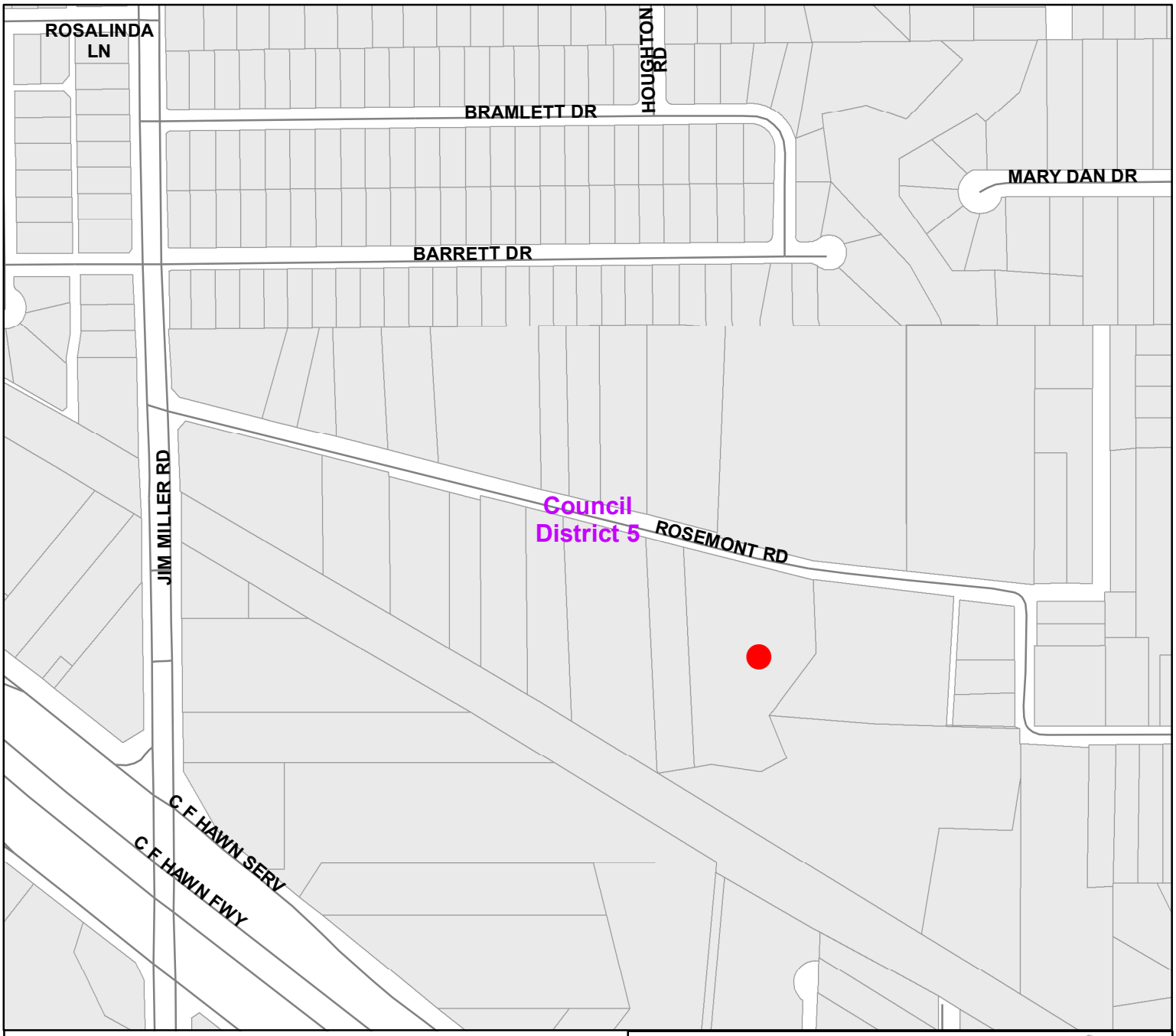
Dallas Water Utilities
Erosion Control Package C
Change Order #1



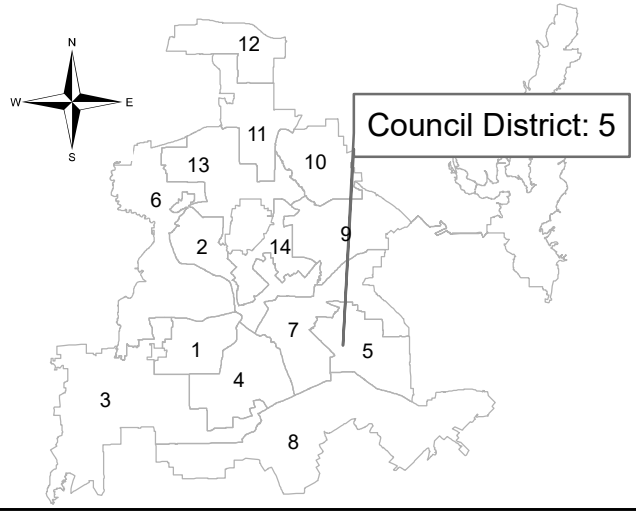
Twin Falls Park Trail



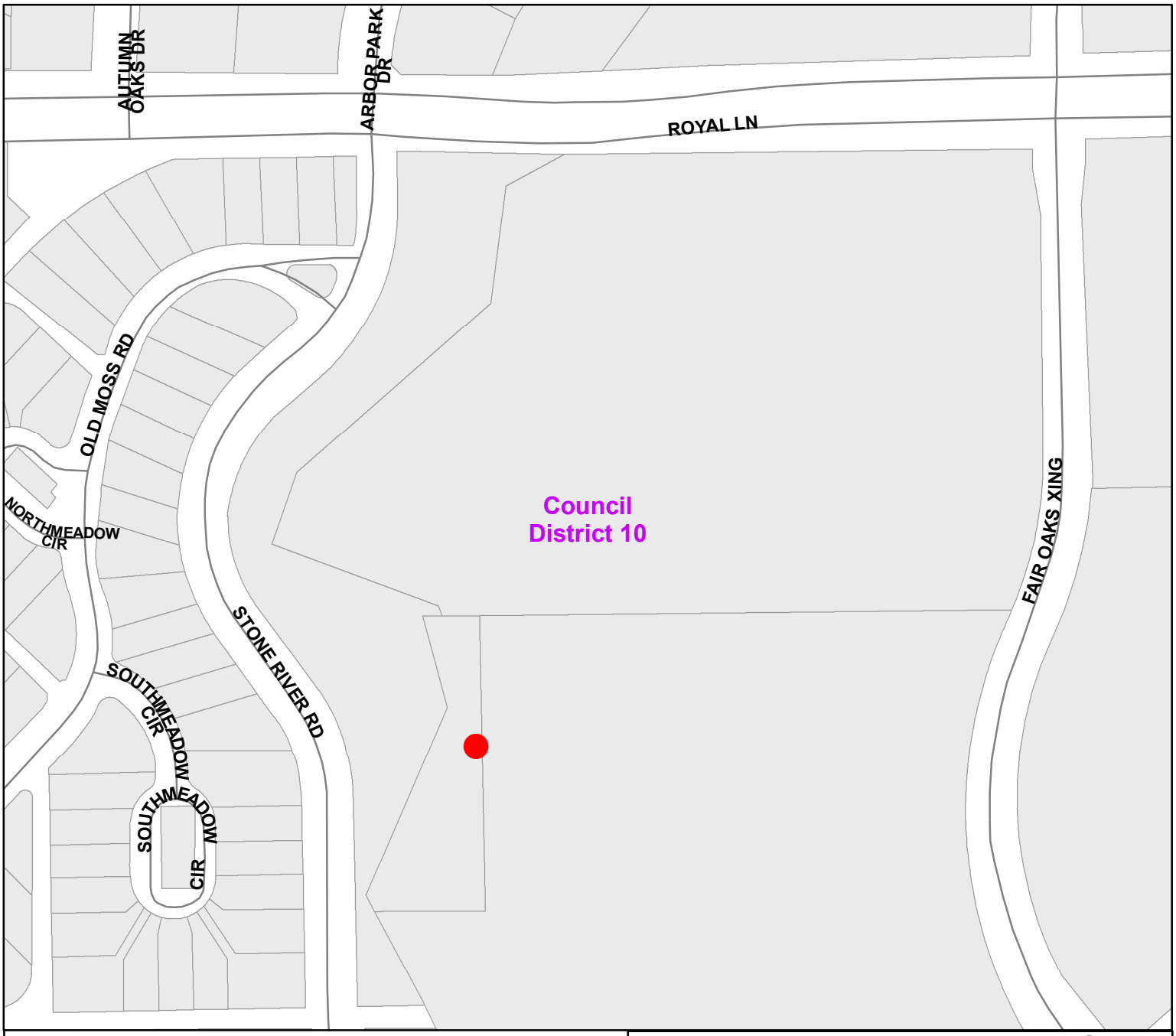
Dallas Water Utilities
Erosion Control Package C
Change Order #1



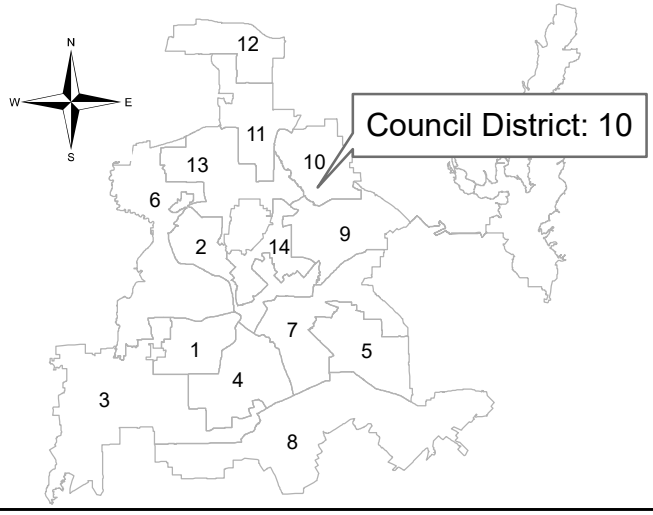
7322 Rosemont Road



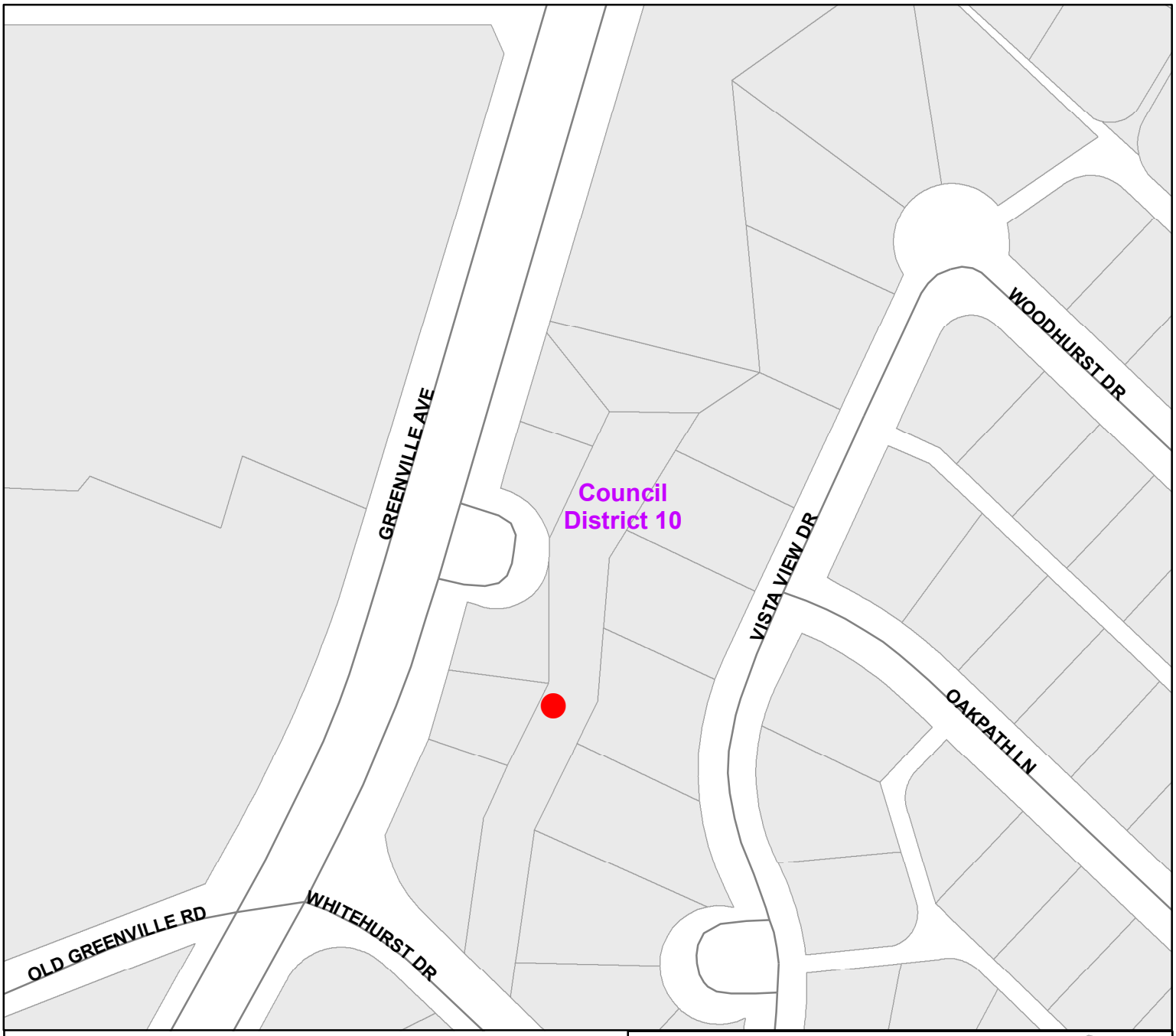
Dallas Water Utilities
Erosion Control Package C
Change Order #1



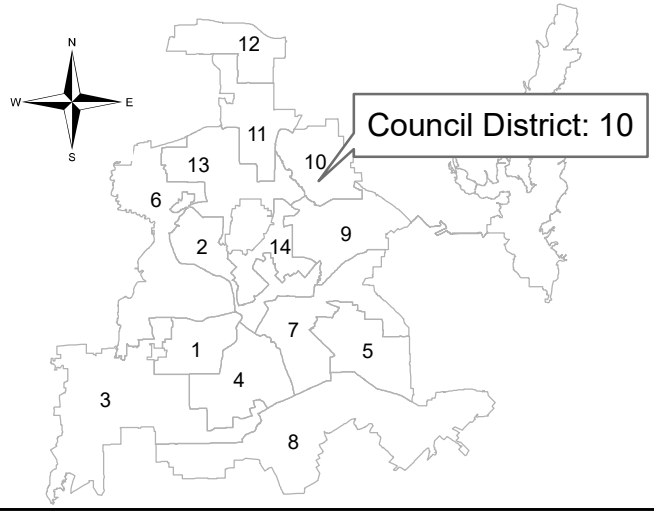
8201 Fair Oaks Crossing



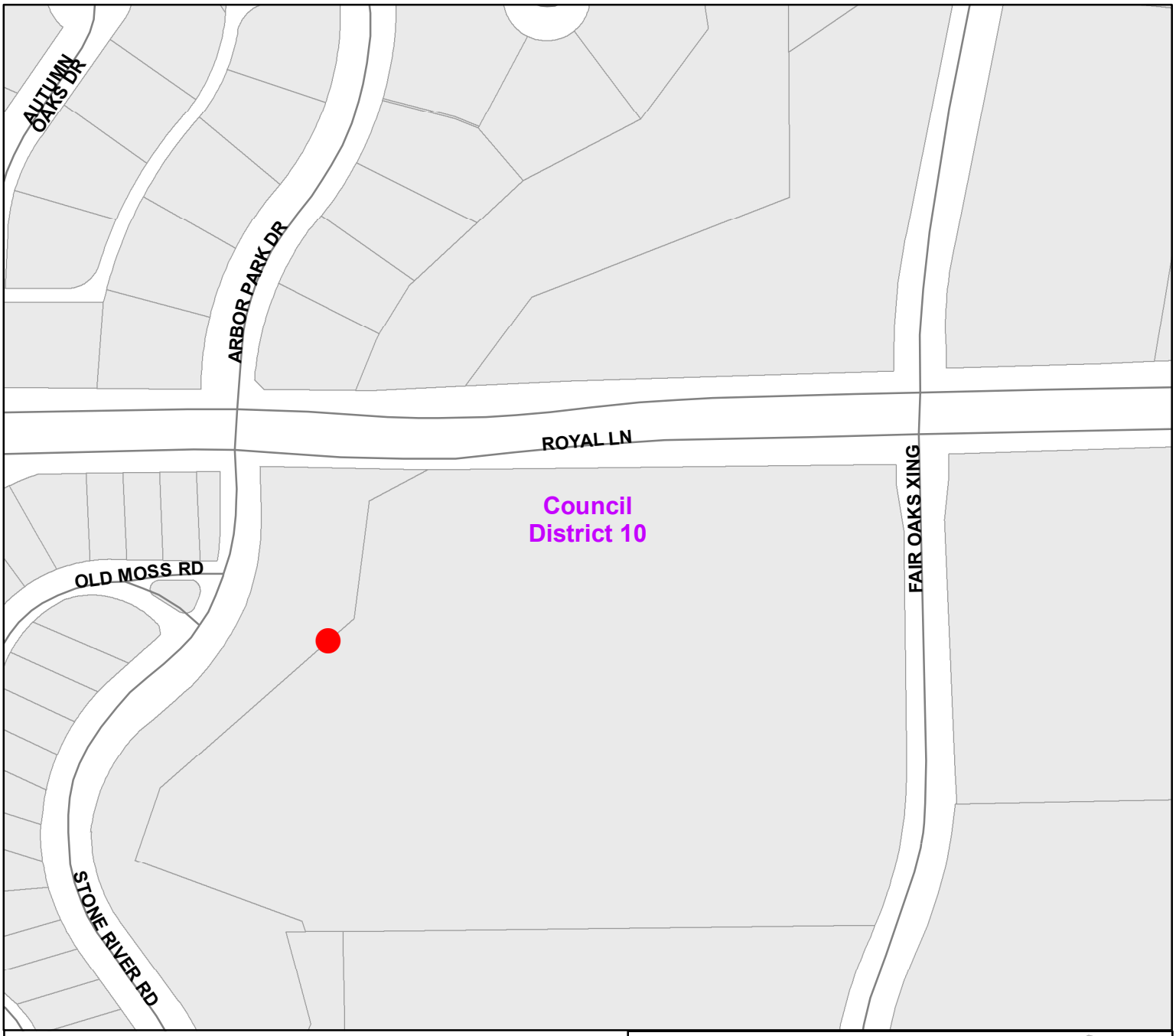
Dallas Water Utilities
Erosion Control Package C
Change Order #1



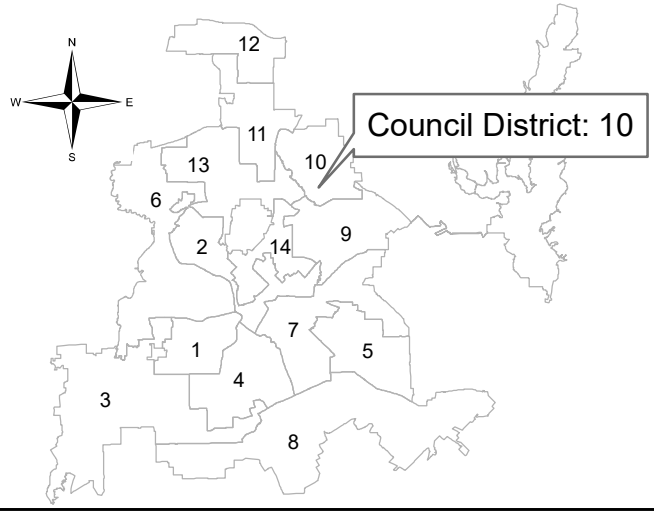
9320 Greenville Avenue
and 8915 Vista View Drive



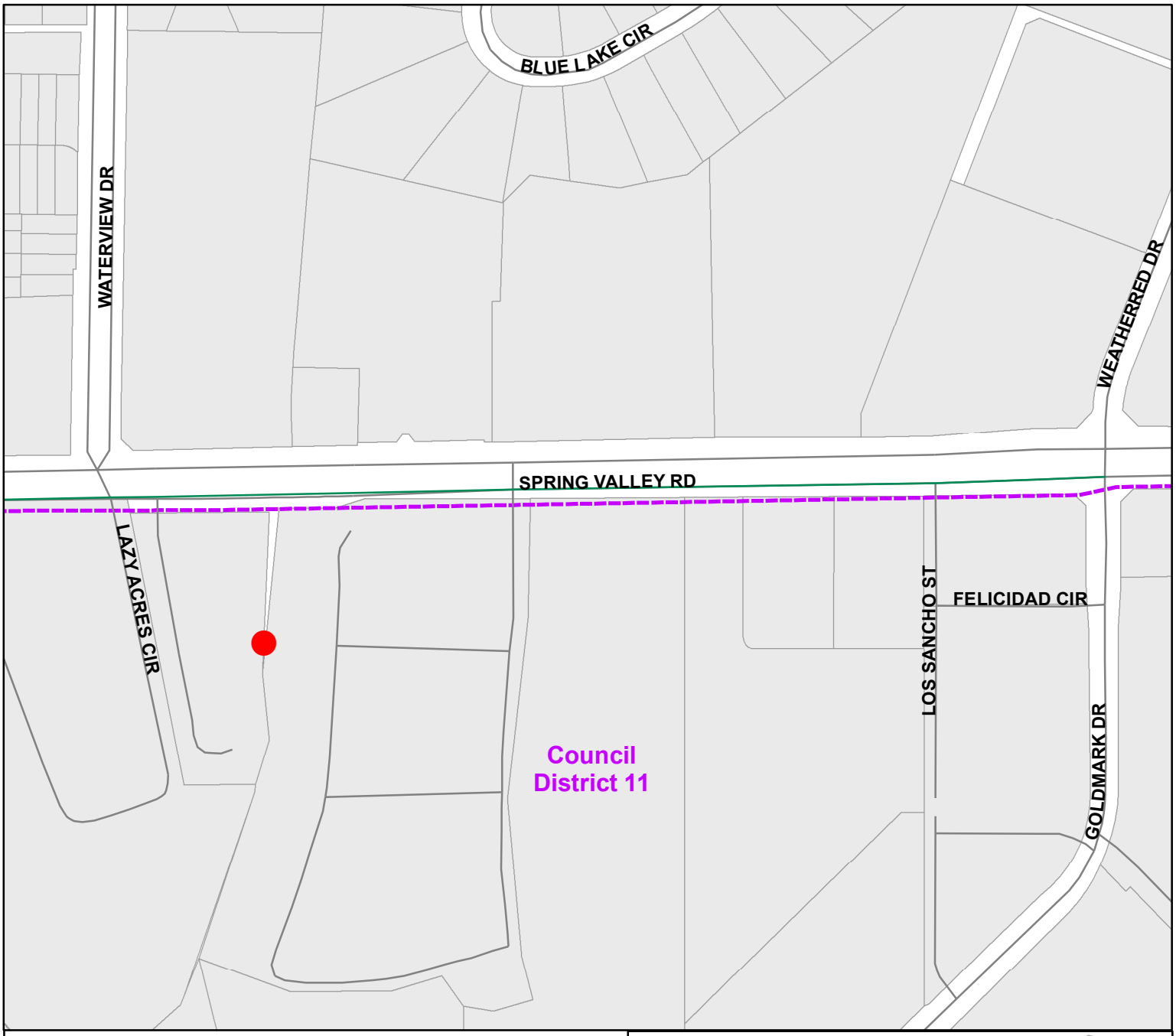
Dallas Water Utilities
Erosion Control Package C
Change Order #1



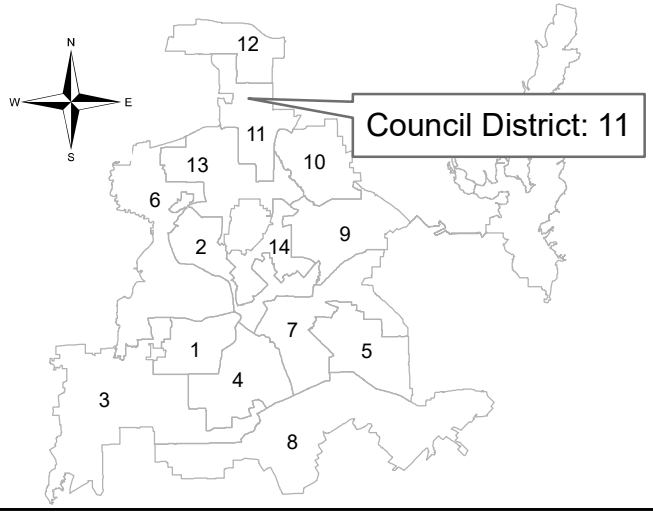
9750 Royal Lane



Dallas Water Utilities
Erosion Control Package C
Change Order #1



8444 Spring Valley Road



Dallas Water Utilities
Erosion Control Package C
Change Order #1

WHEREAS, on February 28, 2018, City Council authorized a construction services contract with Ark Contracting Services, LLC for the construction of Erosion Control Improvements Package C for 19 erosion control improvement projects, in an amount not to exceed $5,424,990.00, by Resolution No. 18-0339; and

WHEREAS, it is necessary to authorize Change Order No. 1 for additional work associated with the construction of Erosion Control Improvement Package C for nine erosion control improvement projects; and

WHEREAS, Ark Contracting Services, LLC, 420 South Dick Price Road, Kennedale, Texas 76060, has submitted an acceptable proposal for this additional work; and

WHEREAS, Dallas Water Utilities recommends that the construction services contract be increased by $1,095,234.55, from $5,424,990.00 to $6,520,224.55.

Now, Therefore,

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

SECTION 1. That an increase in the construction services contract with Ark Contracting Services, LLC (Change Order No. 1) is authorized for additional work associated with the construction of Erosion Control Improvement Package C for nine erosion control improvement projects, in an amount not to exceed $1,095,234.55, increasing the contract amount from $5,424,990.00 to $6,520,224.55.

SECTION 2. That the proposed Change Order No. 1 with Ark Contracting Services, LLC be accepted and that the contract be revised accordingly.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,095,234.55 to Ark Contracting Services, LLC, in accordance with the terms and conditions of the contract, as follows:

Flood Protection & Storm Drainage Facilities Fund Fund 4T23, Department TWM, Unit S720, Activity ERCT Object 4599, Program TW12S720 Encumbrance/Contract No. CX-TWM-2017-00003948 Vendor VS0000017816	$	18,528.00
Flood Protection & Storm Drainage Facilities Fund Fund BT23, Department TWM, Unit S747, Activity ERCT Object 4599, Program TW12S747 Encumbrance/Contract No. CX-TWM-2017-00003948 Vendor VS0000017816	$	35,638.90

SECTION 3. (continued)

Flood Protection & Storm Drainage Facilities Fund Fund 6T23, Department TWM, Unit S752, Activity ERCT Object 4599, Program TW12S752 Encumbrance/Contract No. CX-TWM-2017-00003948 Vendor VS0000017816	$ 208,250.00
Flood Protection & Storm Drainage Facilities Fund Fund 4T23, Department TWM, Unit S745, Activity ERCT Object 4599, Program TW12S745 Encumbrance/Contract No. CX-TWM-2017-00003948 Vendor VS0000017816	$ 3,500.00
Flood Protection & Storm Drainage Facilities Fund Fund 3T23, Department TWM, Unit S761, Activity ERCT Object 4599, Program TW12S761 Encumbrance/Contract No. CX-TWM-2017-00003948 Vendor VS0000017816	$ 161,394.00
Flood Protection & Storm Drainage Facilities Fund Fund 3U23, Department TWM, Unit S761, Activity ERCT Object 4599, Program TW12S761 Encumbrance/Contract No. CX-TWM-2017-00003948 Vendor VS0000017816	$ 2,522.65
Flood Protection & Storm Drainage Facilities Fund Fund 3U23, Department TWM, Unit S728, Activity ERCT Object 4599, Program TW12S728 Encumbrance/Contract No. CX-TWM-2017-00003948 Vendor VS0000017816	$ 92,756.00
Flood Protection & Storm Drainage Facilities Fund Fund 6T23, Department TWM, Unit W091, Activity ERCT Object 4599, Program TW06W091 Encumbrance/Contract No. CX-TWM-2017-00003948 Vendor VS0000017816	$ 5,800.00
Storm Drainage Management Capital Construction Fund Fund 0063, Department SDM, Unit W095, Activity SD01 Object 4599, Program SDMFPW095 Encumbrance/Contract No. CX-TWM-2017-00003948 Vendor VS0000017816	$ 566,845.00
Total amount not to exceed	$1,095,234.55

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

Agenda Information Sheet

File #: 19-938 **Item #:** 54.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 1, 2

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize Supplemental Agreement No. 8 to the professional services contract with HDR Engineering, Inc. to provide additional engineering services for the design and construction of three bridges on Cadiz Street and Riverfront Boulevard to replace existing undersized box culverts within the Levee Drainage System - Sump A and to perform additional construction support services for the Able Storm Water Pump Station - Not to exceed $262,579.00, from $10,987,502.00 to $11,250,081.00 - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) ($215,789.00) and Wastewater Capital Improvement Fund ($46,790.00)

BACKGROUND

The 2006 and 2012 Bond Programs included funding for the Able Pump Station and Levee Drainage System - Sump A Improvements. The Able Pump Station is located at 615 South Riverfront Boulevard between the Houston and Jefferson Street viaducts and will provide 100-year flood protection to a large industrial and commercial area in Dallas that has flooded several times in recent years. The pump station has a total pumping capacity of 880,000 gallons per minute.

On November 10, 2008, City Council authorized a professional services contract with HDR Engineering, Inc., to design the Able Pump Station and sump improvements. On April 13, 2011, City Council authorized Supplemental Agreement No. 1 to address changes to the location of the proposed pump station and increased capacity requirements as a result of the U.S. Army Corps of Engineers' requirements regarding construction adjacent to the levees. On August 27, 2014, City Council authorized Supplemental Agreement No. 4 to include construction phase services for the pump station. Additional supplemental agreements have been approved by administrative action and included reallocation of professional services to address design and construction needs and did not include additional funding.

This action will authorize Supplemental Agreement No. 8 to the professional services contract with HDR Engineering, Inc. for additional design and construction support services. The additional services include engineering to complete the design and construction of three bridges as part of the sump improvements and construction support services through the anticipated completion of the Able Pump Station. One bridge will be located on Cadiz Street just north of Riverfront Boulevard and the other two bridges will be located on Riverfront Boulevard just east of Cadiz Street. The bridges are necessary to replace existing undersized box culverts and provide full flood protection for the Levee Drainage System - Sump A. The three bridges will be bid as a separate construction project from the current pump station project with an anticipated construction completion of May 2022. Construction support services include submittal reviews and design clarifications to ensure compliance with the contract documents and engineering support to address any issues that may arise during construction.

ESTIMATED SCHEDULE OF PROJECT

Begin Services	September 2019
Complete Services	May 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 27, 2014, City Council authorized Supplemental Agreement No. 4 to the professional services contract with HDR Engineering, Inc., for design support services during construction, by Resolution No. 14-1395.

FISCAL INFORMATION

Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) - $215,789.00
Wastewater Capital Improvement Fund - $46,790.00

Design	$ 4,333,000.00
Supplemental Agreement No. 1	$ 5,052,772.00
Supplemental Agreement No. 2	$ 0.00
Supplemental Agreement No. 3	$ 0.00
Supplemental Agreement No. 4	$ 1,601,730.00
Supplemental Agreement No. 5	$ 0.00
Supplemental Agreement No. 6	$ 0.00
Supplemental Agreement No. 7	$ 0.00
Supplemental Agreement No. 8 (this action)	$ 262,579.00
Total Project Cost	$11,250,081.00

Council District	Amount
1	$ 68,929.00
2	$193,650.00
Total	$262,579.00

The estimated total construction cost for the three bridges is $13,859,900.00.

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$262,579.00	Architectural & Engineering	25.66%	35.68%	$93,700.00
• This contract exceeds the M/WBE goal.				
• Supplemental Agreement No. 8 - 26.51% Overall M/WBE participation.				

OWNER

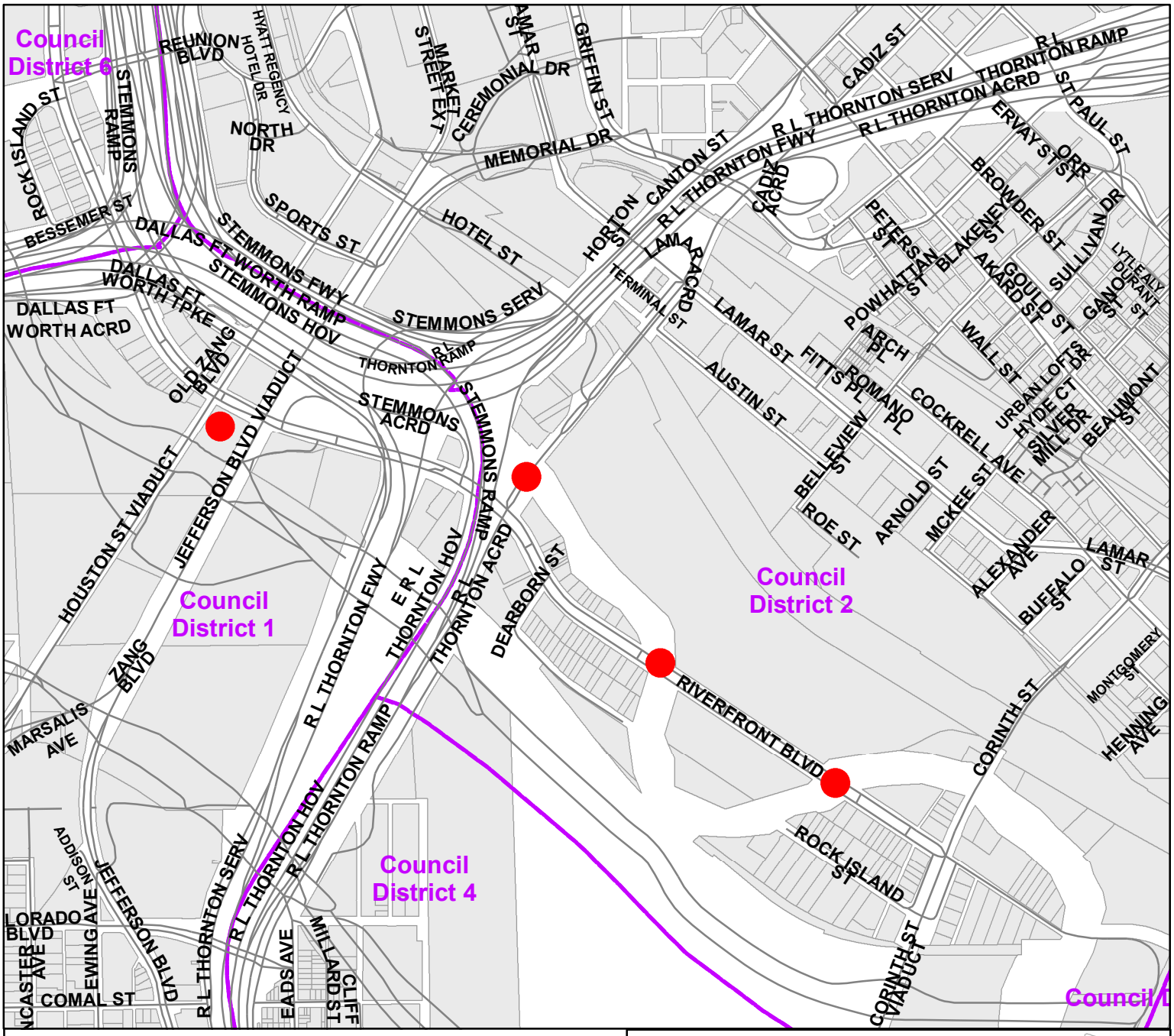
HDR Engineering, Inc.

Eric Keen, Chief Executive Officer

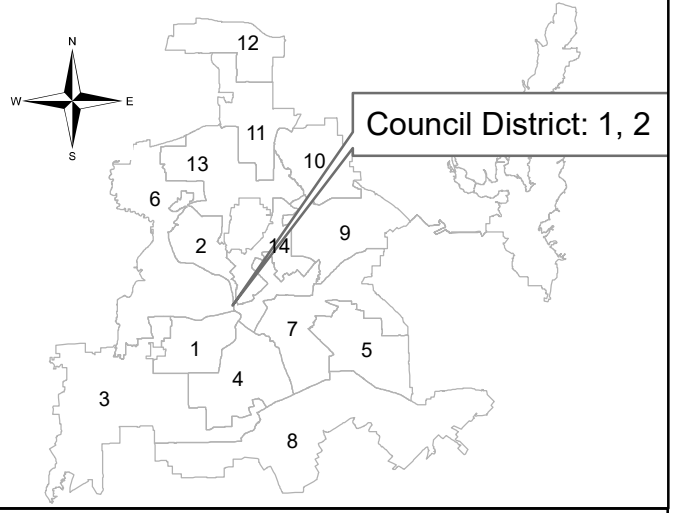
MAP

Attached

powered by Legistar™



Levee Drainage System – Sump A and Able Storm Water Pump Station



Dallas Water Utilities
Levee Drainage System – Sump A and Able Storm Water Pump Station
Supplemental Agreement #8

WHEREAS, on November 10, 2008, City Council authorized a professional services contract with HDR Engineering, Inc. for engineering design of major flood management and pump station improvement projects, in an amount not to exceed $4,333,000.00, by Resolution No. 08-3133; and

WHEREAS, on April 13, 2011, City Council authorized Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc., for additional design services on the Levee Drainage System - Sump A Improvements, also referred to as Able No. 3 Pump Station, to add items associated with the sump improvements and to comply with the Federal Emergency Management Agency's redundancy requirements, in an amount not to exceed $5,052,772.00, from $4,333,000.00 to $9,385,772.00, by Resolution No. 11-0961; and

WHEREAS, on January 10, 2014, Administrative Action No. 14-5250 authorized Supplemental Agreement No. 2 to the professional services contract with HDR Engineering, Inc., for additional design services on the Levee Drainage System - Sump A Improvements to comply with recommendations made by the United States Army Corps of Engineers and the Texas Parks and Wildlife Department with zero cost, having no effect on the contract amount; and

WHEREAS, on June 5, 2014, Administrative Action No. 14-6047 authorized Supplemental Agreement No. 3 to the professional services contract with HDR Engineering, Inc., for additional design services on the Levee Drainage System - Sump A Improvements to comply with the adoption of the 2012 International Building Code and additional items required by Dallas Water Utilities with zero cost, having no effect on the contract amount; and

WHEREAS, on August 27, 2014, City Council authorized Supplemental Agreement No. 4 to the professional services contract with HDR Engineering, Inc., for design support services during construction, in an amount not to exceed $1,601,730.00, from $9,385,772.00 to $10,987,502.00, by Resolution No. 14-1395; and

WHEREAS, on February 25, 2016, Administrative Action No. 16-5471 authorized Supplemental Agreement No. 5 to the professional services contract with HDR Engineering, Inc., for additional design support services during construction with zero cost, having no effect on the contract amount; and

WHEREAS, on August 30, 2016, Administrative Action No. 16-6643 authorized Supplemental Agreement No. 6 to the professional services contract with HDR Engineering, Inc., for additional design support services during construction with zero cost, having no effect on the contract amount; and

August 14, 2019

WHEREAS, on May 24, 2017, Administrative Action No. 17-6266 authorized Supplemental Agreement No. 7 to the professional services contract with HDR Engineering, Inc., for additional design support services during construction with zero cost, having no effect on the contract amount; and

WHEREAS, the City of Dallas has identified the need for additional design and construction support services, to finalize the design of three bridges, one on Cadiz Street and two on Riverfront Boulevard, necessary to replace existing undersized box culverts within the Levee Drainage System – Sump A and to perform additional construction support services on the current construction of the Able Pump Station; and

WHEREAS, HDR Engineering, Inc., 17111 Preston Road, Suite 300, Dallas, Texas 75248, has submitted an acceptable proposal to provide these engineering services; and

WHEREAS, Dallas Water Utilities recommends that the professional services with HDR Engineering, Inc. for the Levee Drainage System - Sump A Improvements be increased by $262,579.00, from $10,987,502.00 to $11,250,081.00.

Now, Therefore,

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

SECTION 1. That the proposed Supplemental Agreement No. 8 to the professional services contract be accepted and that the contract with HDR Engineering, Inc., be revised accordingly.

SECTION 2. That the City Manager is hereby authorized to execute Supplemental Agreement No. 8 to the professional services contract with HDR Engineering, Inc., approved as to form by the City Attorney, to provide additional engineering services for the design and construction of three bridges on Cadiz Street and Riverfront Boulevard to replace existing undersized box culverts within the Levee Drainage System - Sump A and to perform additional construction support services for the Able Storm Water Pump Station, in an amount not to exceed $262,579.00, increasing the contract amount from $10,987,502.00 to $11,250,081.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $262,579.00 to HDR Engineering, Inc., in accordance with the terms and conditions of the contract, as follows:

SECTION 3. (continued)

Flood Protection and Storm Drainage Facilities Fund Fund 2U23, Department TWM, Unit S768, Activity FLDM Object 4111, Program PB06T513 Encumbrance CT-PBW06T513B1 Vendor 181219	$ 215,789.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42, Object 4111, Program 719468 Encumbrance/Contract No. CX-TWM-2016-00000098 Vendor 181219	$ 46,790.00
Total amount not to exceed	$262,579.00

SECTION 4. That this contract is designated as Contract No. TWM-2016-00000098.

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.

1500 Marilla Street
Dallas, Texas 75201

City of Dallas

Agenda Information Sheet

File #: 19-1093 **Item #:** 55.

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Secretary's Office

SUBJECT

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

powered by Legistar™

Agenda Information Sheet

File #: 19-912 **Item #:** 56.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Mayor and City Council Office

EXECUTIVE: T.C. Broadnax

SUBJECT

A resolution instructing the City Manager to not spend any city funds or resources demolishing structures within the Tenth Street Historic District - Financing: No cost consideration to the City (via Councilmembers Arnold, Greyson, Atkins, Medrano, and Thomas)

BACKGROUND

The Tenth Street neighborhood is a historic freedman's town dating to the late 19th Century and is one of the last remaining freedman's towns in the nation.

The Tenth Street neighborhood was designated a city historic district in 1993 and was placed on the National Register of Historic Places in 1994.

Numerous structures have been demolished in the Tenth Street Historic District pursuant to a court order, thereby threatening the historic nature of the neighborhood.

This resolution seeks to stop city demolitions within the Tenth Street Historic District by instructing the City Manager to not expend any city funds or resources demolishing structures within the Tenth Street Historic District.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Individual demolition requests for individual properties have gone to the Landmark Commission and to the Planning Commission on appeal.

FISCAL INFORMATION

No cost consideration to the City.

Memorandum

RECEIVED
2019 JUN 10 PM 3:42
CITY SECRETARY
DALLAS, TEXAS

City of Dallas

DATE June 10, 2019
TO The Honorable Michael S. Rawlings
FROM Carolyn King Arnold
SUBJECT **Request for Placement of Agenda Item – Council Member(s)**

ITEM/ISSUE PROPOSED FOR COUNCIL CONSIDERATION:

Pursuant to Section 6.2 of the City Council Rules of Procedure, please post the following item on the first **VOTING** agenda scheduled at least 30 calendar days after receipt of this request:

A resolution instructing the city manager to not spend any city funds or resources demolishing structures within the Tenth Street Historic District.

BRIEF BACKGROUND:

The Tenth Street neighborhood is a historic freedman's town dating to the late 19th Century and is one of the last remaining freedman's towns in the nation.

The Tenth Street neighborhood was designated a city historic district in 1993 and was placed on the National Register of Historic Places in 1994.

Numerous structures have been demolished in the Tenth Street Historic District pursuant to a court order, thereby threatening the historic nature of the neighborhood.

This resolution seeks to stop city demolitions within the Tenth Street Historic District by instructing the city manager to not expend any city funds or resources demolishing structures within the Tenth Street Historic District.

Submitted for consideration by:

Carolyn King Arnold, Council District 4 — Signature
Printed Name, District #

Supporting Council Member Signatures (4 Signatures Only):

SANDY GREYSON 12 — Signature
Printed Name, District #

Tennell Atkins 8 — Signature
Printed Name, District #

Adam Medrano District 2
Printed Name, District #

Signature

Casey Thomas District 3
Printed Name, District #

Signature

Attachment: Draft Resolution

c: Honorable Council Members
T.C. Broadnax, City Manager
Christopher J. Caso, Interim City Attorney
Mark S. Swann, City Auditor
Bilierae Johnson, City Secretary
Scott Goldstein, Chief of Policy and Communications, Office of the Mayor

COUNCIL CHAMBER

June 12, 2019

WHEREAS, the Tenth Street neighborhood is a historic freedman's town dating to the late 19th Century;

WHEREAS, the Tenth Street neighborhood is one of the last remaining freedman's towns in the nation;

WHEREAS, the Tenth Street neighborhood was designated a city historic district in 1993 and was placed on the National Register of Historic Places in 1994;

WHEREAS, numerous structures have been demolished in the Tenth Street Historic District pursuant to a court order, thereby threatening the historic nature of the neighborhood; and

WHEREAS, the City Council no longer wishes to expend any city funds or resources demolishing structures within the Tenth Street Historic District.

Now, Therefore,

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

SECTION 1. That the city manager is instructed not to spend any city funds or resources demolishing structures within the Tenth Street Historic District.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

Each councilmember signing the five-person request to place an item on the agenda must review and confirm that they have read and agree with the draft resolution by dating, initialing, and placing their district number below.

6/10/19	6-10-19	6/10/19	6/10/19	6/10/19
DATE	DATE	DATE	DATE	DATE
CK Arnold	SG		AM	CT
CM INITIAL	CM INITIAL	CM INITIAL	CM INITIAL	CM INITIAL
4	12	8	2	3
DIST. NO.	DIST. NO.	DIST. NO.	DIST. NO.	DIST. NO.

August 14, 2019

WHEREAS, the Tenth Street neighborhood is a historic freedman's town dating to the late 19th Century; and

WHEREAS, the Tenth Street neighborhood is one of the last remaining freedman's towns in the nation; and

WHEREAS, the Tenth Street neighborhood was designated a city historic district in 1993 and was placed on the National Register of Historic Places in 1994; and

WHEREAS, numerous structures have been demolished in the Tenth Street Historic District pursuant to a court order, thereby threatening the historic nature of the neighborhood; and

WHEREAS, the City Council no longer wishes to expend any city funds or resources demolishing structures within the Tenth Street Historic District.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby instructed not to spend any city funds or resources demolishing structures within the Tenth Street Historic District.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-998 **Item #:** 57.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 5

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize a New Markets Tax Credit transaction between the Dallas Development Fund and its subsidiaries, Capital One N.A. and its subsidiaries (Capital One), and Cristo Rey Dallas, and its affiliates (Cristo Rey) for improvements to the Cristo Rey Dallas campus located at 1064 North St. Augustine Drive - Financing: No cost consideration to the City

BACKGROUND

On February 11, 2009, City Council authorized the creation of the Dallas Development Fund ("DDF"), a non-profit Community Development Entity ("CDE") by Resolution No. 09-0461, to apply for a New Markets Tax Credit ("NMTC") allocation from the U.S. Department of Treasury's Community Development Financial Institutions Fund in its 2009 funding cycle. DDF was awarded $55 million in the 2017 allocation cycle, and was previously awarded $130 million in allocation from the 2009, 2012 and 2014 cycles. DDF has closed $153.5 million in allocation to date.

The NMTC Program permits taxpayers to receive a credit against federal income taxes for making qualified equity investments in designated CDEs. These investments must be used by the CDE for projects and investments in low-income communities, as defined by the NMTC Program. The credit provided to the investor totals 39% of the cost of the investment and is claimed over a seven-year credit allowance period.

On July 30, 2019, the DDF Board considered and approved a NMTC transaction between DDF, Capital One, and Cristo Rey Dallas. This NMTC allocation will use up to $3.5 million of DDF's $55 million NMTC allocation. Capital One will invest up to $3.5 million in NMTC allocation from DDF which will in turn generate approximately $ 1.1 million in gross NMTC equity for the benefit of the Project. Raza Development Fund intends to provide $11 million in allocation and Capital One Community Renewal Fund intends to provide $2 million in allocation, for a total allocation amount to the project of $16.5 million.

Cristo Rey Dallas College Prep ("CRD") is a nonprofit private Catholic high school providing high-quality college prep education to low- and moderate-income students of all faiths.

CRD's mission is to see its student graduate high school, enroll in college, and graduate from college. CRD is the 30th independent school within the Cristo Rey Network, a national network of Catholic high schools serving low-income students. Key to the Cristo Rey model is its innovative Corporate Work Study Program ("CWSP") where students work one day a week at a professional services firm that subsidizes tuition while providing students with hard and soft skills and access to professional networks. Across the network, Cristo Rey graduates are completing college at a rate of four times non-Cristo Rey students of the same income cohort.

Located in Pleasant Grove, CRD was founded in 2014 and now enrolls almost 480 9-12th grade students. CRD's student body is nearly exclusively minority (approximately 94% Hispanic) with a median gross family income of $38,000.00. CRD has a family income cap of 75% of the national median household income (per capita), or $17,076.00 per household member. CRD determines income eligibility using a formula involving the national per capita Median Household Income ($17,076.00) times the number of family members. For a family of four, the maximum household income would be $68,304.00. Tuition is sliding scale with an average tuition of $804.00 and a cap of $2,500.00 per year. Roughly 75% of the student body would be eligible for free or reduced lunch.

Cristo Rey Dallas is located on the campus of the former St. Augustine Elementary School, which consists of two existing school buildings designed for up to 250 elementary school children and the recently completed Academic Center, which was a previous DDF NMTC project. The Phase I Academic Center is a 31,000 square-foot building that houses 15 classrooms, four state of the art science labs, and offices for academic administration. Cristo Rey Dallas had anticipated a second phase facility to provide the required amenities for a campus of approximately 560 students that Cristo Rey Dallas expects in the next two to three years. The cafeteria remains in the original structure that has been deemed unsalvageable by structural engineers and has, at best, three to four years of useful life. The gym only seats 1/5 of the student population and lacks what's needed for a vibrant extracurricular experience.

The new NMTC project will fund the Phase II improvements. The 41,000 square-foot Innovation Center will include a premier dining facility that allows for healthy options to be prepared on campus and athletic facilities that expand the potential of the student-athletes at Cristo Rey Dallas. Beyond that, the Innovation Center will allow dedicated space for a Fine Arts program, an office suite for a premier Counseling/Social Work Department, an office suite for the innovative Corporate Work Study Program, and much more. The building will be Leadership in Energy and Environment Design certified.

The project is located at 1064 North St. Augustine Drive in Pleasant Grove. The Project qualifies as highly distressed with median family income less than 60% of regional median (57.5%) and a poverty rate over 30% (36.2%).

Cristo Rey Dallas combines a rigorous, college-prep curriculum with a Corporate Work Study Program. The Corporate Work Study Program pairs students with an entry-level, professional services job in a range of industries (including legal, financial, nonprofit, and real estate). A team of four students "shares" one job, so that each student works one day a week, plus an extra day every 4th week. CRD's 150 current partners include companies like AT&T, The Dallas Morning News, Lincoln Property Company, and PricewaterhouseCoopers. Students are employed in a variety of functions including accounting, human resources, office services, finance, information technology, and marketing/business development.

The CWSP program has multiple benefits for the students. Each employer pays CRD $36,000.00 per year per job team, which helps to deeply subsidize the tuition for students. The positions provide valuable work experience with a strong emphasis on development of soft skills, such as time management, working on teams, and communicating with adults. The CWSP also provides access to professional contacts and networks that can help access jobs post high school.

The Cristo Rey Network is a proven model for increasing the number of low-income high school graduates who complete college. Across the network, 100% of students graduate and are accepted into two or four year universities, and 95% of students are first generation college students. Students complete college at 4x the rate of their low-income peers.

Cristo Rey Dallas has a strong focus on serving Southern Dallas. Approximately 73% of entering freshmen are from Dallas and 62% are from Southern Dallas. CRD has significant neighborhood support and a close relationship with Dallas Independent School District middle schools. CRD hosts recruiting events throughout Southern Dallas.

But for NMTC financing, CRD would be unable to complete the capital campaign in time to open the Phase II facility by September 2020 to meet the needs of additional incoming students.

Additional information on the project can be found in Attachment A attached to the Resolution.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 11, 2009, City Council authorized the creation of the Dallas Development Fund, a non-profit Community Development Entity by Resolution No. 09-0461.

On January 13, 2010, City Council authorized the acceptance of the $55 million NMTC allocation by Resolution No. 10-0210.

On January 19, 2010, the Economic Development Committee was briefed on the DDF and the NMTC Program.

On September 21, 2015, the Economic Development Committee was briefed on the DDF and the NMTC Program.

On July 30, 2019, the Dallas Development Fund was briefed on the Cristo Rey project and recommended City Council approval the transaction.

City Council will be briefed by memorandum regarding this matter on August 9, 2019.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

Cristo Rey Dallas High School, Inc.

Kelby Woodard, Chief Executive Officer

WHEREAS, the City is committed to supporting enhanced economic development opportunities for low-income communities within the City and to low-income persons residing within those communities; and

WHEREAS, the United States Department of Treasury has established the New Markets Tax Credit (NMTC) Program to stimulate investments in predominately low-income communities; and

WHEREAS, the goals and purposes of the NMTC Program are consistent with and complementary to the economic development programs previously established by the City to support expanded economic development opportunities for low-income communities within the City and to low-income persons residing within those communities; and

WHEREAS, under the NMTC Program, tax credits are competitively awarded annually by the Treasury Department through its Community Development Financial Institutions Fund to qualified Community Development Entities (CDEs) after review and evaluation of applications submitted by CDEs, which are then made available to investors; and

WHEREAS, the City of Dallas created the Dallas Development Fund (DDF) as a non-profit Texas corporation in order to apply for an award under the NMTC Program; and

WHEREAS, DDF was awarded a $55 million NMTC allocation under the 2009 NMTC Program; and

WHEREAS, DDF was awarded a $30 million NMTC allocation under the 2012 NMTC Program; and

WHEREAS, DDF was awarded a $45 million NMTC allocation under the 2014 NMTC program; and

WHEREAS, DDF was awarded a $55 million NMTC allocation under the 2017 NMTC Program; and

WHEREAS, the DDF Board has approved awarding of up to $3.5 million in NMTC allocation to Cristo Rey Dallas for improvements to the Cristo Rey Dallas campus located at 1064 North St. Augustine Drive.

Now, Therefore,

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

SECTION 1. That the City Council hereby authorizes a New Markets Tax Credit transaction between the Dallas Development Fund and its subsidiaries, Capital One N.A. and its subsidiaries, and Cristo Rey Dallas, and its affiliates (Cristo Rey), approved as to form by the City Attorney, for improvements to the Cristo Rey Dallas campus located at 1064 North St. Augustine Drive as further described in **Attachment A**.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

DALLAS DEVELOPMENT FUND

DATE: July 2019

SUBJECT: Cristo Rey Dallas Phase 2

FROM: City of Dallas Office of Economic Development

Project Overview

Project Sponsor: Cristo Rey Dallas College Prep

Cristo Rey Dallas College Prep ("CRD") is a nonprofit private Catholic high school providing high-quality college prep education to low and moderate-income students of all faiths. CRD's mission is to see its student graduate high school, enroll in college, and graduate from college. CRD is the 30th independent school within the Cristo Rey Network, a national network of Catholic high schools serving low-income students. Key to the Cristo Rey model is its innovative Corporate Work Study Program ("CWSP") where students work one day a week at a professional services firm that subsidizes tuition while providing students with hard and soft skills and access to professional networks. Across the network, Cristo Rey graduates are completing college at a rate of four times non-Cristo Rey students of the same income cohort.

Located in the Pleasant Grove neighborhood in Southern Dallas, CRD was founded in 2014 and graduated its first class in 2019. When it reaches full capacity, CRD will have approximately 560 9th-12th grade students. CRD's student body is nearly exclusively minority (approximately 94% Hispanic) with a median gross family income of $37,000 and an average family size of 4.7. CRD determines income eligibility using a formula involving the national per capita Median Household Income ($17,076) times the number of family members. For a family of four, the maximum household income would be $68,304. Tuition is sliding scale with an average tuition of $804 and a cap of $2,500 per year.

Project Description

In 2016 DDF supported CRD with $7MM of NMTC allocation alongside $2.5MM of allocation from Capital One. This first NMTC transaction supported the construction of a 31,000-square-foot Academic Center that houses 15 classrooms, 4 state-of-the-art science labs, and administrative offices. While the Academic Center provides sufficient space for core classes, the campus lacks adequate facilities to support a robust college prep curriculum for its projected student enrollment.

The second phase of the campus includes the construction of a 41,000-square-foot Innovation Center that will include many of the services and programs that are essential to the success of its students. The new Innovation Center will house offices and training spaces for the Corporate Work Study Program, an upgraded fine arts facility for both performance and visual arts, a full-service Social Work/Counseling Department, a college-style dining facility, and an athletic complex with a soccer field. Please see Exhibit 1 for project renderings.

The project site is located at 1064 N St. Augustine Drive in the Pleasant Grove neighborhood of Southeast Dallas. The site qualifies as severely distressed based on a median family income of 57.5% of the metro median and a poverty rate of 36.2%. Additionally, the project site is in a Texas Enterprise Zone.

Related/Sponsoring Entities

The NMTC borrower is anticipated to be a nonprofit affiliate of CRD which owns and improves the Project site and leases the facility back to CRD itself for operation.

Financing Terms

NMTC Allocation

Up to $3.5 million in allocation from DDF, up to $11 million in allocation from Raza Development Fund ("RDF"), and up to $2 million in allocation from Capital One Community Renewal Fund ("COCRF").

NMTC Investor

Capital One, N.A. ("Capital One")

Anticipated Closing Costs and Fees

DDF will charge upfront fees totaling 4% of the Qualified Equity Investment ("QEI") (estimated at $140,000). In addition, DDF will charge an annual Asset Management Fee of $12,250 per year.

DDF will separately secure reimbursement for costs associated with closing this transaction, as well as audit and tax return preparation costs associated with maintaining the financing structure during the 7-year NMTC compliance period.

Financing Structure

As NMTC Equity investor, Capital One is anticipated to provide a total of approximately $5.212 million in NMTC Equity ($0.81 pricing) to support the $16.5 million in total allocation from DDF, RDF, and Capital One. CRD will provide approximately $11.088 million in the form of a "Leverage Loan" for the transaction. The underlying sources for the Leverage Loan are cash on hand, eligible expenditures incurred by CRD within the prior 24 months, proceeds from a capital campaign, and a bridge loan for future proceeds from the campaign.

Capital One will form a special purpose investment fund entity and will be responsible for management of this fund. The equity and leverage debt will be combined to capitalize the investment fund (a subsidiary of Capital One), which in turn will make a QEI of up to $3.5 million into a subsidiary of Dallas Development Fund ("DDF Sub-CDE") and pay a 2% CDE Fee to DDF. This fund is also anticipated to make a QEI of up to $11 million into a subsidiary of RDF and $2 million into a subsidiary of COCRF.

DDF, through the aforementioned Sub-CDE, will make a Qualified Low-Income Community Investment (QLICI) loan to the QALICB. Pursuant to DDF's Allocation Agreement, DDF will take a fee of 2% of the QEI to finance its activities. The total QLICI loans to the QALICB will be up to approximately $16.21 million.

Closing Timeline

This project financing is expected to close by September 2019.

Community Benefits and Need for Assistance

Community Benefits

Holistic Approach to Academic Achievement. The school emphasizes a holistic approach to academic achievement that combines a rigorous academic curriculum with employment, extracurricular, and counseling services Expanded facilities will allow CRD to provide a robust college-prep education to approximately 560 low-income students annually. Across the Cristo Rey network, 100% of students graduate from high school and 95% are the first in their family to go to college. Students also have a college graduation rate of more than four times the rate of their low-income peers. CRD graduated its first senior class in 2019 and they are on pace to meet these system-wide benchmarks.

Work Study Opportunities. The Innovation Center will provide dedicated space for CRD's Corporate Work Study Program. This program develops a foundation for future success in the workplace by providing hands-on professional experiences to students throughout their four years of high school. Students spend five days each month working at one of more than 150 partner organizations (such as AT&T, Deloitte, and Moneygram) who help pay the student's tuition as compensation for their work. Students are matched with organizations based on their interests and receive valuable professional contacts and work experience that low-income students often lack access to.

Health and Wellness. The Innovation Center will also provide dedicated spaces for a variety of health and wellness services:

- **Counseling.** In addition to the stresses all high-school students face, many Cristo Rey students face stress from family trauma, food insecurity, and uncertainty around immigration policies. The school's onsite counseling services provide individual and group sessions that address both student and family needs. Family programs include a bilingual seminar called Safe Conversations where parents receive advice on improving their interactions with each other and their children.
- **Healthcare.** The school is planning to host a variety of health fairs on campus where students, their families, and the surrounding community can receive a variety of low-cost healthcare services including immunizations, flu shots, and health and dental screenings. These services are much needed given the school's location in a medically underserved census tract.
- **Healthy Food.** The new cafeteria will allow CRD to offer students healthy meals prepared onsite. The school also partners with Catholic Charities Dallas and the North Texas Food Bank to run a satellite food pantry out of its front reception desk. Future goals include starting a community garden to provide healthy food to both students and the community.

Need For NMTC Assistance

Cristo Rey Dallas planned for the entire $25+ million campus to be financed through the proceeds of a multi-year capital campaign and NMTC. The construction of the phase 2 Innovation Center has already been delayed by a year because of the timing of capital campaign gifts. Without NMTC, Cristo Rey would have to continue to fundraise and further delay the opening of the Innovation Center. Now that that the school is fully operational and has graduated its first class, it is critical that the new Innovation Center opens by fall of 2020 in order to provide critical services and allow CRD to expand to 560 students.

Exhibit 1: Project Images



West view of Innovation Center



Main entry to Innovation Center



Art Terrace at Innovation Center

Agenda Information Sheet

File #: 19-968 **Item #:** 58.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street - Z178-368 - Financing: No cost consideration to the City (This item was deferred on June 26, 2019)

BACKGROUND

On May 22, 2019, City Council held a public hearing and approved an application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District with the ordinance and deed restrictions to return on a future Council date.

The existing zoning prohibits single family uses and therefore, the existing residence is nonconforming and cannot be reconstructed or enlarged. The applicant requests to allow single family uses on the subject property. The deed restrictions prohibit certain uses and limit height to a maximum of 90 feet and seven stories.

On February 21, 2019, the City Plan Commission recommended approval, subject to deed restrictions volunteered by the applicant.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 21, 2019, the City Plan Commission recommended approval, subject to deed restrictions volunteered by the applicant.

On May 22, 2019, City Council held a public hearing and approved an application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District with the ordinance and deed restrictions to return on a future Council date.

On June 26, 2019, this item was deferred by Councilmember Omar Narvaez.

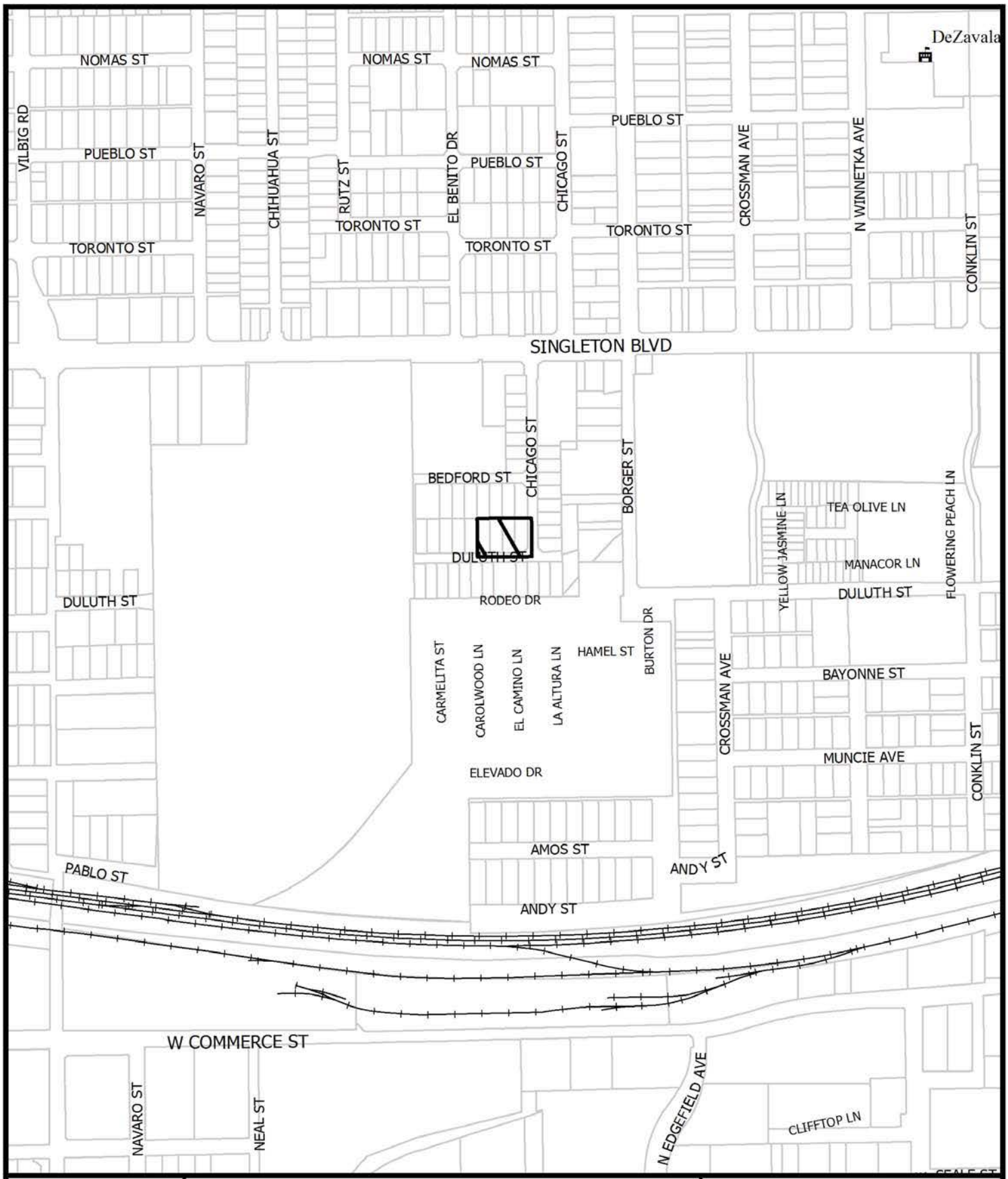
FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

powered by Legistar™



1:4,800

VICINITY MAP

Case no: Z178-368

Date: 10/30/2018

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 22, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z178-368(SM) **DATE FILED:** September 11, 2018

LOCATION: Northwest corner of Duluth Street and Chicago Street

COUNCIL DISTRICT: 6 **MAPSCO:** 69A L

SIZE OF REQUEST: Approx. 0.38 acre. **CENSUS TRACT:** 171.02

APPLICANT/OWNER: Irma and Rodrigo Saez

REPRESENTATIVE: Lindsay Kramer, Masterplan and Santos Martinez

REQUEST: An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

SUMMARY: The existing zoning prohibits single family uses and therefore, the existing residence is nonconforming and cannot be reconstructed or enlarged. The applicant requests to allow single family uses on the subject property. The deed restrictions prohibit certain uses and limit height to a maximum of 90 feet and seven stories.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request consists of four lots that are used as one nonconforming single family premises. According to Dallas Central Appraisal District records, the house was built in 1948 and contains 2,904 square feet.

- The older structures in the vicinity are a disparate mix of industrial, warehouse, and single-family uses. The single family uses were originally lawfully constructed because, prior to the city-wide transition from Chapter 51 to Chapter 51A in the 1980's, industrial zoning districts allowed any use that ranged in intensity from single family to industrial – this zoning practice is also known as cumulative zoning. When the City transitioned from cumulative zoning to our current zoning districts in the 1980's, single family uses became prohibited uses in the IR Industrial Research District and therefore, the existing single family uses became nonconforming[1]. Nonconforming single family uses are granted the following provisions to allow remodel, enlargement, and the right to rebuild in the event of a natural disaster or other unintentional act; however, a nonconforming single family structure may not be intentionally demolished and rebuilt in an IR Industrial Research district. Therefore, the applicant has requested a zoning change to allow a single family use as a permitted main use.

    - Pursuant to Section 51A-4.704(a)(2), the right to operate a nonconforming use ceases if the nonconforming use is discontinued for six months or more. The board may grant a special exception to this provision only if the owner can show that there was a clear intent not to abandon the use even though the use was discontinued for six months or more.

    - Pursuant to Section 51A-4.704(a)(4), the right to operate a nonconforming use ceases when the use becomes a conforming use.

    - Pursuant to Section 51A-4.704(a)(5), the right to operate a nonconforming use ceases when the structure housing the use is destroyed by the intentional act of the owner or his agent. If a structure housing a nonconforming use is damaged or destroyed other than by the intentional act of the owner or his agent, a person may restore or reconstruct the structure without board approval. The structure must be restored or reconstructed so as to have the same approximate height, floor area, and location that it had immediately prior to the damage or destruction. A

[1] Pursuant to Section 51A-2.102(90), NONCONFORMING USE means a use that does not conform to the use regulations of this chapter, but was lawfully established under the regulations in force at the beginning of operation and has been in regular use since that time.

restoration or reconstruction in violation of this paragraph immediately terminates the right to operate the nonconforming use.

- Pursuant to Section 51A-4.704(b)(2), a person may renovate, remodel, or repair a structure housing a nonconforming use if the work does not enlarge the nonconforming use.

- Pursuant to Section 51A-4.704(b)(3), an accessory structure for a nonconforming residential use may be constructed, enlarged, or remodeled in accordance with the requirements of Sections 51A-4.209(b)(6)(E)(vii) and 51A-4.217(a) without board approval.

- Pursuant to Section 51A-4.704(b)(5), structures housing a nonconforming single family or duplex use may be enlarged without board approval.

Zoning History: There have been four recent zoning changes requested in the area in the last five years.

1. **Z178-366**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the east line of Chicago Street, north of Duluth Street.

2. **Z178-367**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the south line of Duluth Street, at the terminus of Chicago Street.

3. **Z178-369**: On February 21, 2019, the City Plan Commission will consider an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the south line of Duluth Street, east of Chicago Street.

4. **Z145-185:** On June 17, 2015, City Council approved PDD No. 944 for single family uses on property zoned an IM Industrial Manufacturing District located south of the intersection of Duluth Street and Borger Street.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

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

The proposed zoning request meets the following goals and objectives of the comprehensive plan.

Land Use Element

Goal 1.1 Align land use strategies with economic development priorities

> Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

Economic Element

Goal 2.1 Promote balanced growth

> Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Neighborhood Plus

> Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety
>
> Policy 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

Area Plans: The request site is within the *West Dallas Comprehensive Land Use Study* and primarily complies with the intent of this study, adopted May 1999. The Study identifies the request site as being in the Western Heights/La Loma subarea. The Study's future land use recommendation indicates that, "Land use in general is in conformance with the zoning district regulations. No change in zoning is recommended at this time." Further, the Study notes, "Future rezoning considerations should support office and mixed uses along the Ft. Worth Avenue corridor that complement the adjacent neighborhoods" (page 3-9).

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	IR	Undeveloped, Single Family
North	IR	Commercial, Single Family
East	IR	Undeveloped, Single Family
South	IR	Single Family
West	IR	Church, Single Family

Land Use Compatibility:

The site consists of four lots that are used as one nonconforming single family premises developed with a nonconforming single family structure. The applicant proposes an MU-1 Mixed Use District to allow single family uses, whereas single family uses are currently prohibited. The nearby surrounding properties are developed with a mix of nonconforming single family uses, undeveloped land, and commercial uses on the north and south lines of Bedford Street. A church is also located on the south line of Duluth Street, west of Chicago Street. The surrounding properties located farther away include a mix of light industrial/office uses that front on Singleton Boulevard to the north, multifamily and townhouses to the east and a large shared access neighborhood to the south. A zoning application to develop another shared access development to the west is currently under staff review.

Although a comprehensive list to compare how permitted land uses would change in the existing and proposed zoning districts is available in Section 51A-4.104 of the Dallas Development Code, a summarized comparison is listed below. The following paragraphs 1) indicate how the deed restrictions volunteered by the applicant prohibit certain uses that would otherwise be allowed in the proposed zoning change by "~~strike out~~" and 2) the following paragraphs exclude uses that require a Specific Use Permit (SUP) in the proposed zoning district because an SUP requires two public hearings and consideration by CPC and Council.

The following residential uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District].

- ~~College dormitory, fraternity, or sorority house.~~
- Duplex.
- Handicapped group dwelling unit.
- Multifamily.
- ~~Residential hotel.~~
- Retirement housing.
- Single family.

The following institutional and community service uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District]:

- Convalescent and nursing homes, hospice care, and related institutions.
- ~~Foster home~~.
- Library, art gallery, or museum.

The following two retail uses are prohibited in the existing zoning district [IR Industrial Research District] and are allowed in the proposed zoning district [MU-1 Mixed Use District].

- General merchandise or food store greater than 3,500 square feet.
- ~~Mortuary, funeral home, or commercial wedding chapel~~.

Staff supports the request because it allows nonconforming single family uses the ability to redevelop the site as single family, thus remaining generally consistent with surrounding development patterns in the vicinity. Additionally, the request eliminates many uses that may be incompatible with surrounding uses as indicated in the remainder of this section.

The following uses are allowed without an SUP in the existing zoning district [IR Industrial Research District]; however, they will require an SUP or will be prohibited in the proposed zoning district [MU-1 Mixed Use District].

Commercial and business service uses.

- Building repair and maintenance shop.
- Bus or rail transit vehicle maintenance or storage facility.
- Commercial cleaning or laundry plant.
- Custom business services.
- Job or lithographic printing.
- Machine or welding shop.
- Machinery, heavy equipment, or truck sales and services.
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.
- Vehicle or engine repair or maintenance.

Industrial uses.

- ~~Alcoholic beverage manufacturing.~~
- ~~Industrial (inside).~~
- ~~Industrial (inside) for light manufacturing.~~
- ~~Industrial (outside).~~

Institutional and community service uses.

- Community service center.
- ~~Hospital.~~
- ~~Public school.~~

Lodging uses.

- ~~Lodging or boarding house.~~

Miscellaneous uses.

- ~~Hazardous waste management facility. [Except when operated as a hazardous waste incinerator.]~~

Retail and personal service uses.

- Home improvement center, lumber, brick or building materials sales yard.
- Household equipment and appliance repair.
- Pawn shop.
- Taxidermist.
- Vehicle display, sales, and service.

Transportation uses.

- Commercial bus station and terminal.
- Heliport.
- Helistop.

Utility and public service uses.

- ~~Radio, television, or microwave tower.~~

Wholesale, distribution, and storage uses.

- ~~Freight terminal.~~
- ~~Manufactured building sales lot.~~
- ~~Mini-warehouse.~~
- ~~Office showroom/warehouse.~~
- ~~Outside storage.~~
- ~~Trade center.~~
- ~~Warehouse.~~

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IR - Existing Industrial Research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
MU-1 - Proposed Mixed Use-1 With deed restrictions volunteered by the applicant (in ~~strikethroughs~~)	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	36' 3 stories ~~120' 9 stories with retail~~	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

Staff supports the applicant's request for an MU-1 Mixed Use District in lieu of a residential district because the proposed MU-1 District would not cause the adjacent IR-zoned properties to be nonconforming to side and rear yard setbacks.

Parking: Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Landscaping: Landscaping must be provided in accordance with Article X, as amended.

Market Value Analysis: Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is within an "E" MVA cluster.

CPC Action
November 15, 2018

Motion: In considering an application for for an MU-1 Mixed Use District on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street, it was moved to **hold** this case under advisement until January 17, 2019.

Maker: Carpenter
Second: Rieves
Result: Carried: 12 to 0

For: 12 - Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley
Against: 0
Absent: 1 - West
Vacancy: 2 - District 3, District 7

Notices: Area: 200 Mailed: 32
Replies: For: 5 Against: 0

Speakers: For: None
For (Did not speak): Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

CPC Action
January 17, 2019

Motion: In considering an application for an MU-1 Mixed Use District on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street, it was moved to **hold** this case under advisement until February 21, 2019.

Maker: Carpenter
Second: Housewright
Result: Carried: 10 to 0

For: 10 - MacGregor, Davis*, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 4 - District 2, District 3, District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 32
Replies: For: 6 Against: 0

Speakers: None

CPC Action
February 21, 2019

Motion: It was moved to recommend **approval** of MU-1 Mixed Use District, subject to revised deed restrictions volunteered by the applicant (as briefed) to include Clerestory provision limited to a height of four feet on property zoned an IR Industrial Research District, on the northwest corner of Duluth Street and Chicago Street.

Maker: Carpenter
Second: Lewis
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 32
Replies: For: 6 Against: 0

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

Proposed Deed Restrictions

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. The following uses are prohibited:

    a. Labor hall
    b. Medical or scientific laboratory
    c. All Industrial uses
    d. Cemetery or mausoleum
    e. College, university or seminary
    f. Convent or monastery
    g. Foster home
    h. Hospital
    i. Open enrollment charter school or private school
    j. Public school other than an open enrollment charter school
    k. All Lodging uses
    l. All Miscellaneous uses
    m. Financial institution with drive in window.
    n. College dormitory, fraternity, or sorority house.
    o. Residential hotel.
    p. Alcoholic beverage establishments
    q. Animal shelter or clinic without outside runs.
    r. Auto service center.
    s. Bail bonds office. (means an office for the issuance, brokerage, or procurement of bail bonds as a main use)
    t. Body piercing studio (a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.)
    u. Car wash
    v. Commercial amusement (inside)
    w. Commercial amusement (outside)
    x. Commercial parking lot or garage.
    y. Dry cleaning or laundry store.

z. Furniture store.

aa. General merchandise or food store 3500 square feet or more.

bb. General merchandise or food store 100,000 square feet or more.

cc. Massage establishment. (means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

dd. Mortuary, funeral home, or commercial wedding chapel.

ee. Motor vehicle fueling station.

ff. Paraphernalia shop.

gg. Restaurant with drive in or drive through service

hh. Swap or buy shop

ii. Tattoo studio (an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment)

jj. Commercial radio or television transmitting station

kk. Electrical substation

ll. Local utilities.

mm. Radio, television, or microwave tower.

nn. Tower/antenna for cellular communication.

oo. All wholesale, distribution, and storage uses

2. Maximum structure height is 36 feet. The following structures may project a maximum of nine feet above the maximum structure height for single family dwelling units:

a. Amateur communications tower.

b. Chimney and vent stacks.

c. Clerestory, limited to a height of four feet.

d. Ornamental cupola or dome.

e. Parapet wall or deck railing, limited to a height of four feet.

f. Skylights.

3. Maximum number of stories is three.



1:4,800

VICINITY MAP

Case no: Z178-368

Date: 10/30/2018

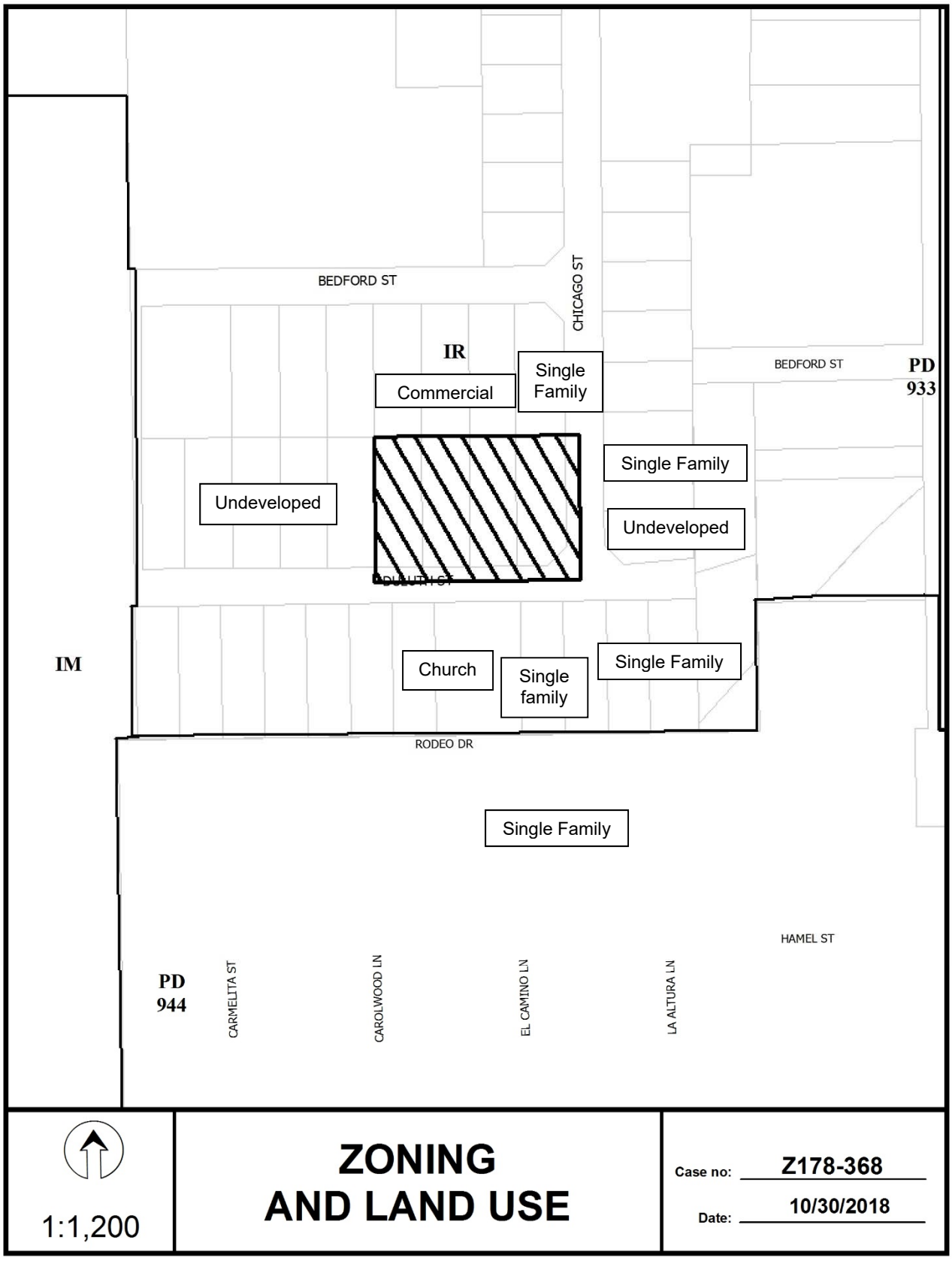


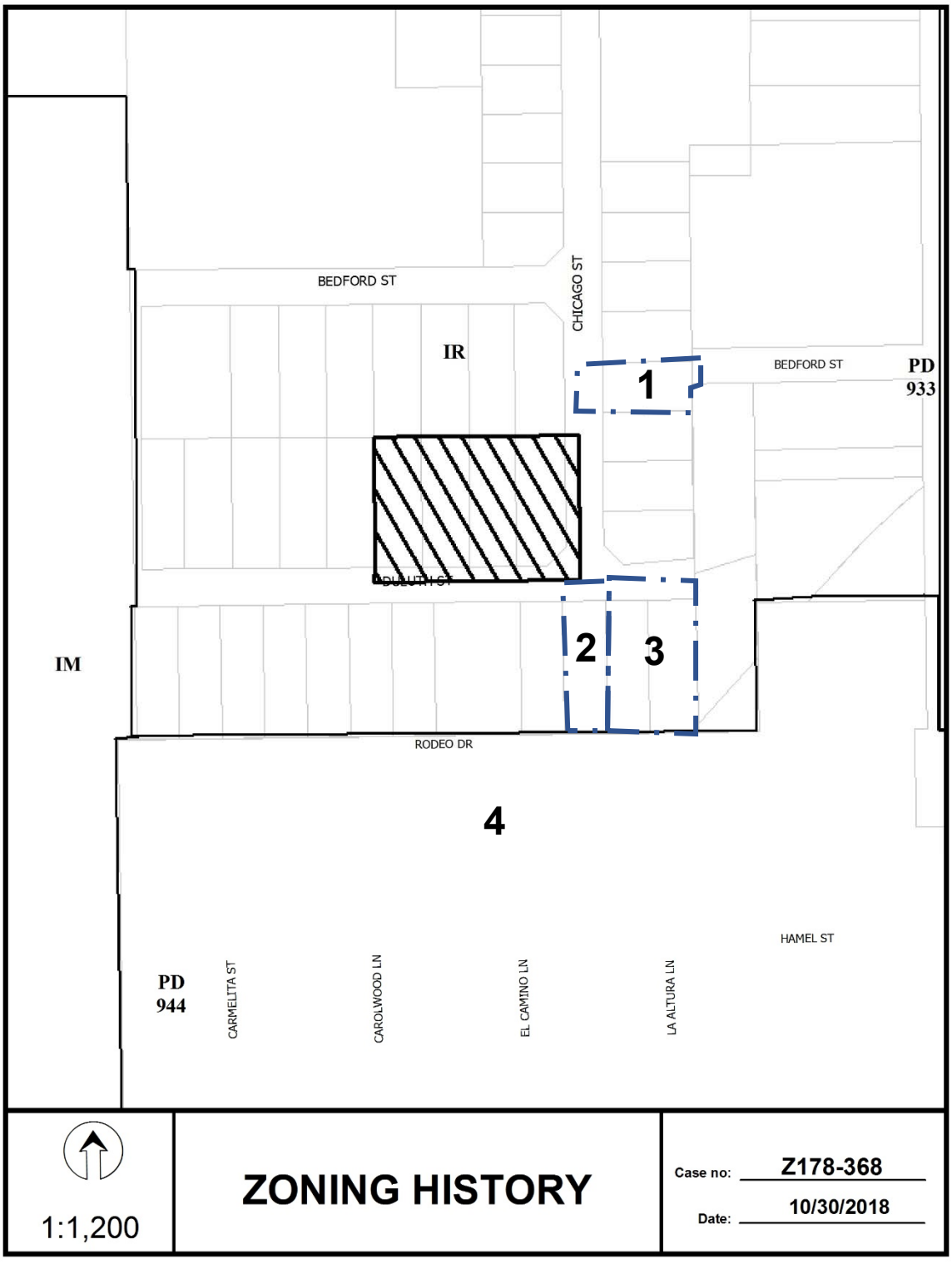
1:1,200

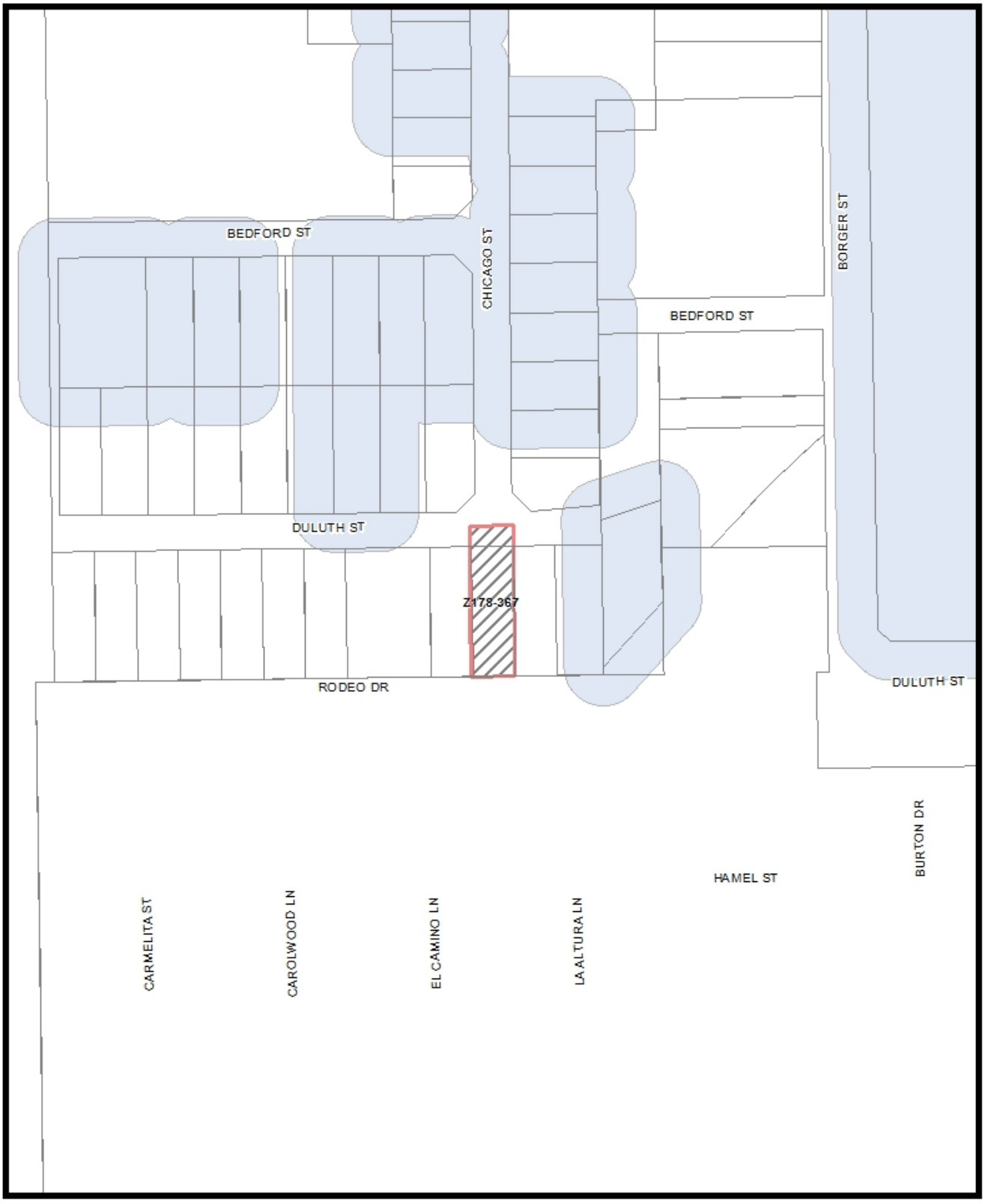
AERIAL MAP

Case no: Z178-368

Date: 10/30/2018


BEDFORD ST
CHICAGO ST
IR
Commercial
Single Family
BEDFORD ST
PD 933
Single Family
Undeveloped
Undeveloped
DULUTH ST
IM
Church
Single family
Single Family
RODEO DR
Single Family
HAMEL ST
PD 944
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
1:1,200
ZONING AND LAND USE
Case no: Z178-368
Date: 10/30/2018


BEDFORD ST
CHICAGO ST
IR
BEDFORD ST
PD
933
1
DULUTH ST
2
3
IM
RODEO DR
4
HAMEL ST
PD
944
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
1:1,200
ZONING HISTORY
Case no: Z178-368
Date: 10/30/2018


BEDFORD ST
CHICAGO ST
BORGER ST
BEDFORD ST
DULUTH ST
Z178-367
RODEO DR
DULUTH ST
BURTON DR
HAMEL ST
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:1,200
Market Value Analysis
Printed Date: 10/30/2018


CPC Responses
CHICAGO ST
BEDFORD ST
BORGER ST
DULUTH ST
RODEO DR
CARMELITA ST
CAROLWOOD LN
EL CAMINO LN
LA ALTURA LN
HAMEL ST
6
5
31
32
28
30
29
27
26
25
24
23
22
21
20
19
18
17
16
15
14
13
12
11
10
9
8
7
4
3
2
1
32 Property Owners Notified (49 parcels)
6 Replies in Favor (6 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
2/21/2019 Date
Z178-368
CPC
N
W
E
S
1:1,200

02/21/2019

Reply List of Property Owners

Z178-368

32 Property Owners Notified ***6 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	1401	DULUTH ST	SAENZ RODRIGO S & IRMA
O	2	1403	DULUTH ST	SAENZ IRMA HERNANDEZ
O	3	1407	DULUTH ST	SAENZ IRMA
O	4	1411	DULUTH ST	RODRIGO SAUCEDO SAENZ
	5	1600	SINGLETON BLVD	LRG L L C
	6	1500	SINGLETON BLVD	Dallas ISD
	7	1314	DULUTH ST	SUAREZ SILVERIA M
O	8	1320	DULUTH ST	MACIAS JULIA SUAREZ
	9	1400	DULUTH ST	GALINDO JAVIER FLORENTINO L &
	10	1404	DULUTH ST	TEMPLO PENA DE HOREB
	11	1412	DULUTH ST	HMK LTD
	12	2819	CHICAGO ST	LOPEZ FLORENTINO ET AL
	13	1404	BEDFORD ST	HERNANDEZ JENNIFER N
	14	1406	BEDFORD ST	ESCAMILLA FELIX &
	15	1410	BEDFORD ST	ESCAMILLA FELIX &
	16	1412	BEDFORD ST	RODRIGUEZ ALFREDO S
	17	1420	BEDFORD ST	ORTIZ YOLANDA
	18	2802	CHICAGO ST	LOZADA MANUEL
	19	2806	CHICAGO ST	LOZADA MANUEL JR &
	20	2810	CHICAGO ST	LOZADA CONSUELO
O	21	2814	CHICAGO ST	BANDA ELIDIO
	22	2818	CHICAGO ST	WILLIAMS W A ESTATE OF
	23	2902	CHICAGO ST	DILLARD CHARLES E JR &
	24	2904	CHICAGO ST	ELVISARA LLC
	25	2903	CHICAGO ST	LOPEZ SEFERINA
	26	2907	CHICAGO ST	WILCHES MARCELEN A

04/05/2019

Reply	*Label #*	*Address*		*Owner*
	27	2823	BORGER ST	TERRY R H
	28	2823	BORGER ST	SINGLETON TRINITY GROVES LP
	29	2819	BORGER ST	SINGLETON TRINITY GROVES LP
	30	1310	DULUTH ST	SALAZAR RICHARD EST OF
	31	1300	DULUTH ST	MEGATEL TRINITY MEADOWS LLC
	32	2901	BORGER ST	SINGLETON TRINITY GROVES LP



32	Property Owners Notified (49 parcels)
7	Replies in Favor (8 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
5/22/2019	Date

Z178-368

CC

N
W E
S

1:1,200

05/21/2019

Reply List of Property Owners

Z178-368

32 Property Owners Notified ***7 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	1401	DULUTH ST	SAENZ RODRIGO S & IRMA
O	2	1403	DULUTH ST	SAENZ IRMA HERNANDEZ
O	3	1407	DULUTH ST	SAENZ IRMA
O	4	1411	DULUTH ST	RODRIGO SAUCEDO SAENZ
	5	1600	SINGLETON BLVD	LRG L L C
	6	1500	SINGLETON BLVD	Dallas ISD
O	7	1314	DULUTH ST	SUAREZ SILVERIA M
O	8	1320	DULUTH ST	MACIAS JULIA SUAREZ
	9	1400	DULUTH ST	GALINDO JAVIER FLORENTINO L &
	10	1404	DULUTH ST	TEMPLO PENA DE HOREB
	11	1412	DULUTH ST	HMK LTD
	12	2819	CHICAGO ST	LOPEZ FLORENTINO ET AL
	13	1404	BEDFORD ST	HERNANDEZ JENNIFER N
	14	1406	BEDFORD ST	ESCAMILLA FELIX &
	15	1410	BEDFORD ST	ESCAMILLA FELIX &
	16	1412	BEDFORD ST	RODRIGUEZ ALFREDO S
	17	1420	BEDFORD ST	ORTIZ YOLANDA
	18	2802	CHICAGO ST	LOZADA MANUEL
	19	2806	CHICAGO ST	LOZADA MANUEL JR &
	20	2810	CHICAGO ST	LOZADA CONSUELO
O	21	2814	CHICAGO ST	BANDA ELIDIO
	22	2818	CHICAGO ST	WILLIAMS W A ESTATE OF
	23	2902	CHICAGO ST	DILLARD CHARLES E JR &
	24	2904	CHICAGO ST	ELVISARA LLC
	25	2903	CHICAGO ST	LOPEZ SEFERINA
	26	2907	CHICAGO ST	WILCHES MARCELEN A

Reply	*Label #*	*Address*		*Owner*
	27	2823	BORGER ST	TERRY R H
	28	2823	BORGER ST	SINGLETON TRINITY GROVES LP
	29	2819	BORGER ST	SINGLETON TRINITY GROVES LP
	30	1310	DULUTH ST	SALAZAR RICHARD EST OF
	31	1300	DULUTH ST	MEGATEL TRINITY MEADOWS LLC
	32	2901	BORGER ST	SINGLETON TRINITY GROVES LP

Agenda Information Sheet

File #: 19-1067 **Item #:** 59.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval of the amendments
Z178-223(CY)

powered by Legistar™

HONORABLE MAYOR AND CITY COUNCIL WEDNESDAY AUGUST 14, 2019
ACM: Majed Al-Ghafry

FILE NUMBER: Z178-223(CY) **DATE AUTHORIZED:** March 22, 2018

LOCATION: East and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east.

COUNCIL DISTRICT: 2 & 14 **MAPSCO:** 35 Y, 45 C; D

SIZE OF REQUEST: Approx. 116.62 acres. **CENSUS TRACT:** 16.00, 8.00 & 7.01

REQUEST: A City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; with consideration being given to amending the allowed square footage for nonresidential uses.

SUMMARY: The purpose of this authorized hearing is to eliminate the existing restrictions on the maximum allowable floor area for all nonresidential uses combined. The maximum floor area allowed is proposed to be regulated only by the floor area ratio (FAR) established for each subdistrict or subarea. Due to the limited number of items to be considered, an interested party, Urban Smart Growth LP, initiated and paid for the authorized hearing.

CPC RECOMMENDATION: **Approval** of the amendments.

STAFF RECOMMENDATION: **Approval** of the amendments.

BACKGROUND INFORMATION:

- Planned Development District No. 305, Cityplace, was established by City Council on January 10, 1990 and is comprised of approximately 168.83 acres.

- The District is divided into two zones, four subzones, 13 subdistricts and nine subareas. The authorized hearing area comprises approximately 116.62 acres and includes the subareas and subdistricts within the West Mixed-Use Subzone and the East Mixed-Use Subzone within the West and East Zones, respectively.

- On March 22, 2018, City Plan Commission authorized a public hearing for one change in the mixed-use subdistricts and subareas within PD No. 305.

- The only regulation for consideration in this authorized hearing is the non-residential density. More specifically, consideration is being given to the maximum allowable floor area for all non-residential uses combined which is currently limited to 7,715,114 square feet.

- Due to the limited number of items to be considered, an interested party [Urban Smart Growth, LP.] paid the fee for the authorized hearing. The case was proposed as a hybrid of a zoning case and an authorized hearing.

- On September 13, 2018, a community meeting was hosted by the City to present an overview of the proposed change to the community within the area of the authorized hearing. Afterwards, staff waited for the proposed amendments from the interested party.

Zoning History: There have been five zoning changes in the vicinity of the authorized hearing area during the last five years, two of them being within the authorized hearing area:

1. **Z145-164** On March 25, 2015, City Council approved an amendment to Subarea D-3 within Subdistrict D, West Mixed-Use Subzone, West Zone of Planned Development District No. 305, Cityplace on property bounded by Blackburn Street, Oak Grove Avenue, Cityplace West Boulevard, and Noble Avenue within the area of this authorized hearing.

2. **Z156-333** On January 11, 2017, City Council approved a zoning change from Subdisrict B-1 within the West Residential Subzone within Planned Development District No. 305, City Place, to a WR-20 Walkable Urban Residential District with an HM-5 Height Map Overlay on property bounded by Blackburn Street, Cole Avenue, Travis Street and Lemmon Avenue East; northwest of the authorized hearing area.

3. **Z178-186** On April 25, 2018, the City Council created a Demolition Delay Overlay for nearby properties that also included the area of this authorized hearing. A demolition delay overlay district is intended to encourage the preservation of historically significant buildings that are not located in a historic overlay district by helping the property owner identify alternatives to demolition.

4. **Z178-270** On October 24, 2018, the City Council approved an amendment to Subdistrict B, Tract I within Planned Development District No. 375 to allow additional nonresidential floor area ratio on property bounded by Lemmon Avenue East, Oak Grove Avenue, Cityplace West Boulevard and Howell Street, south of the authorized hearing area.

5. **Z189-141** On June 12, 2019, the City Council approved an amendment to and an expansion of Planned Development district No. 372 on property zoned Planned Development District No. 372 and Planned Development Subdistrict No. 6 within Planned Development District, generally bounded by McKinney Avenue to the east, Lemmon Avenue East to the north, Oak Grove Avenue to the west, and Lemmon Avenue to the south, west of the authorized hearing area.

Thoroughfares:

Thoroughfare	Type	Required ROW
Cole Avenue	Major Arterial	80 feet
McKinney Avenue	Major Arterial	80 feet
Blackburn Street	Community Collector	80 feet
North Haskell Avenue	Community Collector	160 feet
Lemmon Avenue East	Principal Arterial	Existing
Lemmon Avenue	Principal Arterial	100 feet
North Central Expressway	U.S. Highway	Variable

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

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

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES.

Policy 1.1.7: Ensure appropriately located capacity to achieve growth targets.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.2: Establish clear and objective standards for land use planning.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1: Ensure that zoning is flexible enough to respond to changing economic conditions.

Land Use:

	Zoning	Land Use
Site	West Mixed-Use Subzone, East Mixed-Use Subzone within West and East Zones within PD No. 305	Multifamily, retail, personal service, office, storage, school.
North	PD No. 193 with H/111 and SUP No. 893; PD No. 889; CS; PD No. 698 with H/76	School, church, undeveloped land.
East	PD No. 277; O-2 with D Liquor Control Overlay; Subdistricts I and J-1 within the East Residential Subzone within PD No. 305; and MU-1	Multifamily, office
South	PD No. 193; PD No. 372; PD No. 201, PD No. 375, PD No. 183; MF-2(A); PD No. 225, PD No. 594; Subdistrict I within the East Residential Subzone within PD No. 305	Retail and personal service, restaurant, office, cemetery, multifamily, public park
West	PD No. 193, WR-5; and Subdistricts B and B-1 within the West Residential Subzone within PD No. 305	Multifamily

Land Use Compatibility:

Planned Development District No. 305 is divided into two zones: The East Zone, and the West Zone which are divided into four subzones: The West Residential Subzone, West Mixed Use Subzone, East Residential Subzone and East Mixed Use Subzone. Each one of these subzones is divided into subdistricts some of which are divided into subareas.

The authorized hearing area includes only the nonresidential subdistricts and subareas existing within the East and West Mixed Use Subzones as indicated below:

East Mixed Use Subzone:
- Subdistrict E
- Subdistrict E-1
- Subdistrict E-2
- Subdistrict F
- Subdistrict G
- Subdistrict H
- Subdistrict H-1

West Mixed Use Subzone:
- Subdistrict C
  - -Subarea C-1
- Subdistrict D
  - Subareas D-1, D-2, D-3, D-4 and D-5

From the creation of PD No. 305 in 1990, maximum densities were established to ensure that the development in the district was compatible with the surrounding areas and could be supported by the infrastructure existing and proposed at the time of the creation of the PD. These maximum densities are established for both nonresidential and residential uses in all subdistricts within residential subzones and mixed use subzones.

Currently, the maximum nonresidential density allowed in PD No. 305 is regulated by the maximum floor area ratio established for each subdistrict and subarea; but it is also limited to an overall maximum floor area of 7,715,114 square feet allowed for all nonresidential uses combined. More specifically, the PD conditions establish that the maximum floor area for retail and personal service uses allowed on the property cannot exceed 640,000 square feet; and further limit this amount to a maximum of 450,000 square feet of floor area for either side of North Central Expressway.

The PD conditions establish that prior to the issuance of a building permit or a certificate of occupancy, a detailed development plan must be approved by the City Plan Commission and that this development plan must include sufficient information to verify compliance with the maximum floor area requirements.

According to the cumulative table presented with the development plan last approved by the City Plan Commission on December 3, 2015 [D145-035], the total amount of floor area for retail and personal service uses developed within the district is 638,590 square feet. Of that amount, 292,195 square feet have been developed within the West Zone, and 346,395 square feet have been developed within the East Zone.

As a result, only an additional 1,410 square feet remains for future development of any retail and personal service uses within the entire district.

The purpose of this authorized hearing is to eliminate the restriction in the maximum square feet of floor area for all nonresidential uses combined within the district. This

amendment would allow for density in future developments to be regulated by the existing maximum floor area ratios along with the maximum height and maximum lot coverage allowed in each subdistrict and subarea.

The authorization of this public hearing was the initiative of an interested party [Urban Smart Growth, LP] to process this case as a hybrid with a zoning case. The amendments proposed with the authorized hearing were deemed necessary by this interested party in order for their request of a zoning change for an increase in the floor area ratio in to allow for the future development of a mixed-use project on property within the East Mixed Use Subzone.

The purpose statement in PD No. 305 indicates that applications having the overall effect of increasing the maximum densities should be denied in the absence of changed conditions. However, it is noticeable that since the creation of the district, development in the area has increased as a result of changes in the market conditions and also as a result of the initiative of developers and City efforts to promote growth in the area.

On November 11, 1992, the City Council approved the Cityplace Area Tax Increment Financing District (TIF) that includes properties within PD No. 305. The Cityplace TIF District funded a series of private and public improvements to encourage development in the area. The district ceased collecting increment four years earlier, after collecting its full intended budget, in 2008, and was retired on time in 2012.

The final report of the Cityplace Area TIF district indicates that the public infrastructure improvements planned to be funded and designed to fully meet the long term circulation, lighting, utility and physical amenity needs of the area, have been completed.

Additionally, as a result of an agreement between the Dallas Area Rapid Transit (DART) and the owner of property in Planned Development No. 183 [Cityplace Tower]; The Cityplace DART rail station, a tri-level subway station with escalators to boarding platforms 10 stories below North Central Expressway, opened on December 18, 2000, as the first public subway station in the area.

As a result of these efforts and incentives to promote development, the Cityplace area has transitioned from a largely undeveloped area in the 1990's, to a vibrant mixed-use walkable neighborhood that includes a mix of residential and nonresidential uses in close proximity.

This development of mixed-use projects containing nonresidential uses in the ground floor and multifamily uses in the upper stories, are found primarily developed in the West Mixed Use Subzone. Properties on the East Mixed Use Subzone are largely developed with office, restaurant, and retail uses with a few multifamily uses scattered throughout.
The areas directly adjacent to West Mixed Use Subzone, contain multifamily uses to the northwest; a public school [North Dallas Highschool], a church and single family uses are to the north; multifamily uses are also found to the west of this subzone. Retail, restaurant and office uses are located adjacent to the south boundary of this portion of the authorized hearing area.

On the east side of North Central Expressway, properties adjacent to the north of the East Mixed use Subzone contain undeveloped land, office, personal service and a public school [Alex Spence Jr. Highschool]. Generally to the east, are office, and multifamily uses. To the south there is also a public school and additional multifamily uses.

While there are no undeveloped tracts of land left within the East and West Mixed Use Subzones, it is staff's opinion that removing the cap on the allowable floor area for nonresidential uses will encourage redevelopment particularly on the East Mixed Use Subzone and will allow for additional mixed-use projects to promote pedestrian-friendly developments, active community retail, and a live/work environment that also engages the surrounding residential neighborhoods. By promoting this type of development, the vision of urban-mixed use neighborhoods established in the *forwardDallas!* Comprehensive Plan for these areas can be achieved.

Floor area ratio.

The table below shows the existing floor area ratio (FAR) for each subdistrict and subarea within the authorized hearing area. The table also includes the land area in acres and in square feet for each subdistrict and subarea, and the calculation of maximum floor area that would be allowed based on the existing floor area ratios.

As indicated in the table, the sum of the maximum allowable floor area for non-residential uses after multiplying each FAR by the land area[1], adds up to 7,343,798.26 square feet, which is 371,315.74 square feet below the current cap of 7,715,114 square feet.

With the removal of the cap currently existing, development in the area would be limited to the allowable floor area resulting from the floor area ratio. It is staff's opinion that any concerns regarding increases in density and the impact in the area, can be analyzed in a case-by-case basis with any future applications requesting an increase in the FAR of any of the subdistricts or subareas which is the practice in other districts.

[1] Land area in acres taken from Exhibit 205A *Conceptual Plan* (Ord. No. 29210), then converted to square feet.

WEST MIXED-USE SUBZONE								
SUBDISTRICT / SUBAREA	FAR NON-RES.	FAR RESIDENTIAL	HEIGHT	LAND AREA (AC)	LAND AREA (S.F)	ALLOWABLE FLOOR AREA NON-RES	ALLOWABLE FLOOR AREA RES.	LOT COVERAGE
SD-C	1.5	1.5	90	8.64	376,358.40	564,537.60	564,537.60	80%
SD-C1	1.5	1.5	90	0.34	14,810.40	22,215.60	22,215.60	84%
SUBDISTRICT / SUBAREA	FAR NON-RES.	FAR RESIDENTIAL	HEIGHT	LAND AREA (AC)	LAND AREA (S.F)	ALLOWABLE FLOOR AREA NON-RES	ALLOWABLE FLOOR AREA RES.	LOT COVERAGE
SA-D-1*	2.83	2.83	240	10.177	443,310.12	1,254,567.64	1,254,567.64	90%
SA-D-2	4.0	4.0	240	3.084	134,339.04	537,356.16	537,356.16	90%
SA-D-3	4.0	4.0	240**	2.562	111,600.72	446,402.88	446,402.88	90%
SA-D-4	2.5	2.5	240	2.705	117,829.80	294,574.50	294,574.50	90%
SA-D-5	2.5	2.5	240	2.33	101,494.80	253,737.00	253,737.00	90%
EAST MIXED-USE SUBZONE								
SUBDISTRICT / SUBAREA	FAR NON-RES.	FAR RESIDENTIAL	HEIGHT	LAND AREA (AC)	LAND AREA (S.F)	ALLOWABLE FLOOR AREA NON-RES	ALLOWABLE FLOOR AREA RES.	LOT COVERAGE
SD-E	2.5	1.5	270	0.97	42,253.20	105,633.00	63,379.80	80%
SD-E1	2.0	1.75	135	9.93	432,550.80	865,101.60	756,963.90	85%
SD-E2	2.5	1.5	270	10.59	461,300.40	1,153,251.00	691,950.60	80%
SD-F	1.2	1.5	180	5.10	222,156.00	266,587.20	333,234.00	80%
SD-G	1.2	1.5	270	15.66	682,149.60	818,579.52	1,023,224.40	80%
SD-H	1.6	1.5	180	9.70	422,532.00	676,051.20	633,798.00	80%
SD-H1	1.2	1.5	60	1.63	71,002.80	85,203.36	106,504.20	80%
			TOTAL	**83.418**	**3,633,688.08**	**7,343,798.26**	**6,982,446.28**	
*Any area of Subarea D-1 dedicated for street purposes shall be included								
as lot area in order to calculate the maximum residential FAR of Subarea D-1.								
** must comply with structure height plan (Exhibit 305L)								

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The authorized hearing area contains properties within a “C” MVA Category located in the West Mixed Use Subzone; and properties within an “E” and a “G” MVA Category located in the East Mixed Use Subzone.

Parking:

No changes to the parking regulations are being considered with this authorized hearing.

Landscaping:

No changes to the landscape regulations are proposed to be made with this authorized hearing.

CPC Action
March 7, 2019

Motion: In considering a City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses, it was moved to **hold** this case under advisement until March 21, 2019.

Maker: Ridley
Second: Schulte
Result: Carried: 10 to 0

For: 10 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Schultz, Ridley, Tarpley
Against: 0
Absent: 1 - Murphy
Vacancy: 3 - District 4, District 7, District 12
Conflict: 1 - Housewright**

**out of the room, when vote taken

Notices:	Area:	500	Mailed:	547
Replies:	For:	2	Against:	1

Speakers: None

CPC Action
March 21, 2019

Motion: In considering a City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses, it was moved to **hold** this case under advisement until April 4, 2019.

Maker: Schulte
Second: Ridley
Result: Carried: 10 to 0

For: 10 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 3 - District 4, District 7, District 12
Conflict: 1 - Housewright**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 547
Replies: For: 4 Against: 37

Speakers: For: None
For (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
April 4, 2019

Motion: In considering a City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses, it was moved to **hold** this case under advisement until such time as the item has been amended, reauthorized, and a community meeting held; or if the amendment fails to be reauthorized the item shall return as currently authorized on the agenda.

Maker: Schulte
Second: Lewis
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss*, Johnson, Shidid, Carpenter, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12
Conflict: 1 - Housewright**

*out of the room, shown voting in favor
**out of the room, when vote taken

Notices: Area: 500 Mailed: 547
Replies: For: 5 Against: 37

Speakers: For: None
For (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
May 16, 2019

1. Suspension of the CPC Rules of Procedure to allow reconsideration of Z178-223(CY).

   Motion: It was moved to **approve** suspension of the CPC Rules of Procedure to allow reconsideration of Z178-223(CY).

   Maker: Ridley
   Second: Shidid
   Result: Carried: 11 to 0

   For: 11 - MacGregor, Criss, Johnson, Shidid, Carpenter*, Brinson, Lewis, Jung, Schultz, Ridley, Tarpley

   Against: 0
   Absent: 2 - Schulte, Murphy
   Vacancy: 1 - District 12
   Conflict: 1 - Housewright**

   *out of the room, shown voting in favor
   **out of the room, when vote taken

If #1 is approved then consideration of #2.

2. Reconsideration of action taken on April 4, 2019, which was to move to hold this case under advisement until such time as the item has been amended, reauthorized, and a community meeting held; or if the amendment fails to be reauthorized the item shall return as currently authorized on the agenda of considering determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses.

   Motion: It was moved to **approve** reconsideration of the action taken on April 4, 2019, which was to move to **hold** this case under advisement until such time as the item has been amended, reauthorized, and a community meeting held; or if the amendment fails to be reauthorized the item shall return as currently authorized on the agenda of considering determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the

south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses.

Maker: Ridley
Second: Shidid
Result: Carried: 11 to 0

For: 11 - MacGregor, Criss, Johnson, Shidid, Carpenter*, Brinson, Lewis, Jung, Schultz, Ridley, Tarpley

Against: 0
Absent: 2 - Schulte, Murphy
Vacancy: 1 - District 12
Conflict: 1 - Housewright**

*out of the room, shown voting in favor
**out of the room, when vote taken

If #2 is approved then consideration of #3.

3. **Z178-223(CY)**
Carolina Yumet
(CC District 2 & 14)

A City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses.
Staff Recommendation: **Approval** of the amendments.
U/A From: March 7, 2019 and March 21, 2019

Motion: In considering a City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on the east and west sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses, it was moved to **hold** this case under advisement until June 20, 2019, and to instruct staff to re-notify.

Maker: Ridley
Second: Shidid
Result: Carried: 11 to 0

For: 11 - MacGregor, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Ridley, Tarpley

Against: 0
Absent: 2 - Schulte, Murphy
Vacancy: 1 - District 12
Conflict: 1 - Housewright**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 547
Replies: For: 5 Against: 37

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of a City Plan Commission authorized hearing to determine proper zoning, subject to the amendments on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally on both sides of north central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres with consideration being given to amending the allowed square footage for nonresidential uses.

Maker: Schulte
Second: Criss
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Ridley, Murphy

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12
Conflict: 1 - Housewright**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 547
Replies: For: 6 Against: 1

Speakers: For: Peter Flint, 1 Oakwood Plaza, Hollywood, FL, 33020
For (Did not speak): Alan Ferguson, 10260 Wesheimer Rd., Houston, TX, 77042
Against: None

CPC RECOMMENDED CONDITIONS

ARTICLE 305.

PD 305.

Cityplace

SEC. 51P-305.101. LEGISLATIVE HISTORY.

PD 305 was established by Ordinance No. 20546, passed by the Dallas City Council on January 10, 1990. Ordinance No. 20546 amended Chapters 51 and 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 20546 was amended by Ordinance No. 21479, passed by the Dallas City Council on November 11, 1992; Ordinance No. 21508, passed by the Dallas City Council on December 9, 1992; Ordinance No. 22687, passed by the Dallas City Council on February 28, 1996; Ordinance No. 23572, passed by the Dallas City Council on June 24, 1998; Ordinance No. 23905, passed by the Dallas City Council on June 9, 1999; and Ordinance No. 24102, passed by the Dallas City Council on November 10, 1999. (Ord. Nos. 10962; 19455; 20546; 21479; 21508; 22687; 23572; 23905; 24102; 24826)

SEC. 51P-305.102. PROPERTY LOCATION AND SIZE.

PD 305 is established on property generally located on both sides of North Central Expressway between the area south of Carroll Avenue on the north and Thomas Avenue on the south. The size of PD 305 is approximately 168.83 acres. (Ord. Nos. 23905; 24826; 24830; 24896; 29019; 30306)

SEC. 51P-305.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions contained in Chapter 51A apply to this article. In the event of a conflict, this section controls. Unless the context clearly indicates otherwise, in this article:

(1) BAR AND RESTAURANT USES means the following uses defined in Section 51A-4.210:

(A) Bar, lounge, or tavern.

(B) Restaurant without drive-in or drive-through service.

(C) Restaurant with drive-in or drive-through service.

(1.1) DATA CENTER means a facility whose primary service is data processing and is used to house computer systems and associated components, such as telecommunications and storage systems, including but not limited to web hosting organizations and internet service organizations.

(2) DIR means "development impact review." (See Division 51A-4.800 in the Dallas Development Code.)

(3) DIRECTOR means the director or the director's authorized representative.

(4) FAR means floor area ratio. (Note: A 1:1 FAR is stated as "1.0"; 2:1 is stated as "2.0"; 2.5:1 is stated as "2.5"; etc.)

(5) FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.

(6) GARBAGE STORAGE AREA means a place outdoors where a container, such as a dumpster or a grease collector, for the deposit of garbage and other waste is regularly kept.

(7) LANDSCAPE ARCHITECT means a person licensed to use the title of "landscape architect" in the state of Texas pursuant to state law.

(8) LIF DWELLING UNIT means "lower income family dwelling unit" as defined in Section 51P-305.120 of this article.

(9) NONPERMEABLE COVERAGE means any coverage that is not permeable pavement as defined in this section.

(10) NONRESIDENTIAL FAR means the ratio of the combined floor areas of all nonresidential uses on a lot to the lot area.

(11) NONRESIDENTIAL USE means any use not listed in Section 51A-4.209.

(12) OAK LAWN ORDINANCE means Ordinance No. 21416, passed by the Dallas City Council on September 9, 1992, including any amendments thereto.

(13) OFFICE USES means the following uses defined in Section 51A-4.207:

(A) Financial institution without drive-in window.

(B) Financial institution with drive-in window.

(C) Office.

(14) OWNER means the owner or owners, from time to time, of property in this district.

(15) PARAGRAPH means the first division of a subsection. Paragraphs are designated by arabic numerals in parentheses, e.g. "(1)".

(16) PARKWAY means the portion of a street right-of-way between the projected street curb and the front lot line.

(17) PD 183 means the planned development district established by Ordinance No. 18578, passed by the Dallas City Council on February 6, 1985, as amended. (Commonly known as "Cityplace Center.")

(18) PD 193 means the Oak Lawn Special Purpose District established by the Oak Lawn Ordinance.

(19) PD 375 means Planned Development District No. 375, approved by the Dallas City Council on November 11, 1992.

(20) PERMEABLE PAVEMENT means a paving material that permits water penetration to a soil depth of 18 inches or more. Examples of permeable pavement are:

(A) nonporous surface materials poured or laid in sections not exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area; and

(B) loosely laid materials such as crushed stone or gravel.

(21) PERMITTED BY RIGHT means that the use is allowed and no specific use permit is required.

(22) PROJECTED STREET CURB means the future location of the street curb consistent with the city thoroughfare plan as determined by the director of public works and transportation.

(23) RESIDENTIAL ADJACENCY REVIEW ("RAR") means that, if the use is on a lot that has a residential adjacency as defined herein, a site plan must be submitted and approved in accordance with Section 51A-4.803. For purposes of this definition, a lot has a residential adjacency when:

(A) the lot is adjacent to or directly across:

(i) a street 64 feet or less in width; or

(ii) an alley;

from a single family, duplex, townhouse, or CH district; or

(B) an existing or proposed building or structure on the lot is within 330 feet of a lot in a single family, duplex, townhouse, or CH district.

(24) RESIDENTIAL FAR means the ratio of the combined floor areas of all residential uses on a lot to the lot area.

(25) RESIDENTIAL USES means the following uses defined in Section 51A-4.209:

(A) Duplex.

(B) Handicapped group dwelling unit.

(C) Multifamily.

(D) Retirement housing.

(E) Single family.

(26) RETAIL AND PERSONAL SERVICE USES means those uses defined in Section 51A-4.210.

(27) SECTION means a section of this article or a section in Chapter 51A.

(28) SUBDISTRICT means one of the subdistricts in this district, or if used with reference to PD 193, a subdistrict of PD 193 defined in the Oak Lawn Ordinance. The subzones in this district contain several subdistricts.

(29) SUBPARAGRAPH means the first division of a paragraph. Subparagraphs are designated by capital letters in parentheses, e.g. "(A)." A division of a subparagraph is also called a subparagraph.

(30) SUBSECTION means the first division of a section. Subsections are designated by lower case letters in parentheses, e.g. "(a)."

(31) SUBZONE means one of the subzones in this district.

(32) THIS DISTRICT means the entire planned development district created by Ordinance No. 20546, as amended.

(33) VISITOR PARKING means off-street parking spaces provided for and accessory to residential uses when such spaces are unassigned and available for use by visitors and residents.

(b) Unless otherwise stated, all references to code sections in this article refer to sections in Chapter 51A.

(c) The interpretations in Chapter 51A, including Section 51A-2.101, "Interpretations," apply to this article.

(d) If there is an irreconcilable conflict between an exhibit referenced in this article and the text of this article, the text of this article controls.

(e) The phrase "the main uses allowed in the ... [Subzone(s)] are the same as those allowed in the ... [District or Subdistrict]" means that an SUP is required for a main use in the applicable subzone(s) if an SUP is required for that use in the referenced district or subdistrict. As a general rule, DIR and RAR do not apply to uses in this district. [See Section 51P-305.112, "Detailed Development Plan."]

(f) In the event that PD 193 ever ceases to exist, all references in this article to uses and development standards in PD 193 shall mean those uses and development standards as they last were in that district. (Ord. Nos. 21508; 24826; 24830; 29020)

SEC. 51P-305.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 305A: conceptual plan.

(2) Exhibit 305B: mixed use development parking chart.

(3) Exhibit 305B-1: Subarea D-3 mixed use development parking chart.

(4) Exhibit 305C: development plan.

(5) Exhibit 305D: detailed development plan.

(6) Exhibit 305E-1: phasing of development.

(7) Exhibit 305E-2: street improvements.

(8) Exhibit 305E-3: traffic signal improvements.

(9) Exhibit 305F: landscape plan.

(10) Exhibit 305G: landscape master plan.

(11) Exhibit 305H: development/landscape plan.

(12) Exhibit 305I: detailed development plan.

(13) Exhibit 305J: landscape development plan.

(14) Exhibit 305K: conceptual plan.

(15) Exhibit 305L: structure height plan. (Ord. 29693)

SEC. 51P-305.104. ZONING CLASSIFICATION CHANGE.

Chapters 51 and 51A are amended by changing the zoning classification on the property described in Exhibit A of Ordinance No. 23905 to Planned Development District No. 305, as amended, to be known as "Cityplace." (Ord. Nos. 21508; 23905; 24826)

SEC. 51P-305.105. PURPOSE.

(a) Maximum densities are established in this article to ensure that development is compatible with the densities of the surrounding neighborhood and is adequately served by the infrastructure existing or proposed in this article. It is the opinion of the city council that the maximum **densities** ~~floor area~~ and dwelling unit regulations established in this article are appropriate, and that future applications having the overall effect of increasing those maximums should be denied in the absence of changed conditions. It is the responsibility of prospective purchasers of property in this district to evaluate approved detailed development plans or other sources of information in order to determine ~~the amount of floor area and~~ the number of dwelling units still available for development.

(b) Provisions for lower income family housing are included in this article to address destruction of lower income family housing within this district that may result from the new development authorized by this article, and to assure a mixture of housing types. Empirical studies conducted by the department of housing and neighborhood services and the department of planning and development demonstrate the following:

(1) There is a shortage of approximately 45,000 very-low income family dwelling units in the city.

(2) In 1980, there were approximately 240 very-low and lower income family dwelling units located within the boundaries of this district.

(3) These units have been or are planned to be demolished if the development authorized in this district is approved.

(4) Replacement of 200 of these units would impose only a minimal burden on the owners of the property in this district, in view of the fact that a total of over 5,700 dwelling units are permitted in this district.

(5) Provision of lower income family dwelling units in this district will enhance the mix of housing, create a market for lower income family residents, and benefit office and retail development in this district by allowing lower income workers to reside near the jobs created for them in this district. (Ord. Nos. 21508; 24826; 26102)

SEC. 51P-305.106. CREATION OF SEPARATE ZONES, SUBZONES, SUBDISTRICTS, AND SUBAREAS.

(a) In general. This district is divided into a series of separate zones, subzones, subdistricts, and subareas as described in this section. The boundaries of all zones, subzones, subdistricts, and subareas are shown on the map comprising Exhibit 305A.

(b) Zones. The largest subdivided areas in this district are the "zones." There are two zones: the West Zone and the East Zone (consisting of Tracts A and B, respectively, as described in Exhibit A of Ordinance Nos. 24896 and 24830, respectively).

(c) Subzones.

(1) The West Zone is dividedinto two "subzones": the West Residential Subzone and the West Mixed Use Subzone.

(2) The East Zone is divided into two "subzones": the East Residential Subzone and the East Mixed Use Subzone.

(d) Subdistricts.

(1) The West Residential Subzone is divided into three subdistricts: A, B, and B1.

(2) The West Mixed Use Subzone is divided into two subdistricts: C and D.

(3) The East Residential Subzone is divided into two subdistricts: I and J.

(4) The East Mixed Use Subzone is divided into six subdistricts: E, E1, E2, F, G, H, and H1.

(e) Subareas.

(1) Subdistrict D is divided into five subareas: Subareas D-1, D-2, D-3, D-4, and D-5.

(2) Subdistrict J is divided into three subareas: Subareas J-1, J-2, and J-3.

(3) Subdistrict C contains one subarea: Subarea C-1. (Ord. Nos. 23905; 24826; 24830; 24896; 26078; 27077; 29020)

SEC. 51P-305.107. USE REGULATIONS.

(a) Residential subzones.

(1) West Residential Subzone. Except as otherwise provided in Paragraph (3), the

main uses allowed in the West Residential Subzone are the same as those allowed in the MF-2 Subdistrict of PD 193.

(2) East Residential Subzone.

(A) Except as otherwise provided in Subparagraph (B) and Paragraph (3), the main uses allowed in Subdistrict I of the East Residential Subzone are the same as those allowed in the MF-3(A) Multifamily District, and the main uses permitted in Subdistrict J of the East Residential Subzone are the same as those allowed in the MF-2(A) Multifamily District.

(B) The following uses are prohibited in the East Residential Subzone:

-- Accessory private stable.
-- Cemetery or mausoleum.
-- College dormitory, fraternity, or sorority house.
-- Commercial parking lot or garage.
-- Country club with private membership.
-- Crop production.
-- Foster home.
-- Group residential facility.
-- Hospital.

(3) Uses permitted by right. Notwithstanding Paragraphs (1) and (2), the following main and accessory uses are permitted by right in the West and East Residential Subzones:

-- Institution for special education (including the school for the visually impaired located on Office Parkway).
-- Public or private school.
-- Public park, playground, or golf course.
-- Retirement housing.
-- Private street or alley. *[Must be shown on an approved development plan and comply with city design specifications.]*

(b) Mixed use subzones.

(1) In general.

(A) Except as otherwise provided in this subsection, the main uses allowed in the West and East Mixed Use Subzones are the same as those allowed in the city's MU-3 Mixed Use District.

(B) Except as otherwise provided in this paragraph, the following main uses are prohibited in the West and East Mixed Use Subzones:

-- Cemetery or mausoleum.
-- Except in Subdistrict D, commercial parking lot or garage. *[The commercial parking lot or garage use is permitted in Subdistrict D, subject to the same conditions applicable in the MU-3 Mixed Use District.]*
-- Crop production.
-- Foster home.
-- General merchandise or food store 100,000 square feet or more. *[Prohibited in Subarea D-3 only.]*

-- Group residential facility.
-- Heliport.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Pawn shop.
-- Swap or buy shop.
-- Tool or equipment rental.

(C) Notwithstanding Subparagraphs (A) and (B), the following main uses are permitted by right in the West and East Mixed Use Subzones:

-- Institution for special education.
-- Job or lithographic printing.
-- Public park, playground, or golf course.
-- Required parking for PD 183.
-- In Subdistrict D, required parking for PD 375.
-- Outside commercial amusement.
-- Mechanical plant.
-- Data center *[Permitted in Subdistrict E2 only.]*

(2) Provisions of special applicability.

(A) In the West Mixed Use Subzone, the "financial institution with drive-in window" and "restaurant with drive-in or drive-through service" uses are permitted by specific use permit only.

(B) In the East Mixed Use Subzone, residential adjacency review ("RAR") is required before the issuance of a building permit for the "financial institution with drive-in window" and "restaurant with drive-in or drive-through service" uses.

(c) Nonconforming uses.

(1) Nonconforming uses in this district are not subject to amortization by the board of adjustment.

(2) The right to operate a nonconforming use terminates if the use is discontinued for six months or more. When the owner is actively attempting to lease the building, the use shall not be considered discontinued unless it remains vacant for two years or more.

(3) Except as otherwise provided in this subsection, Section 51A-4.704 applies to all nonconforming uses in this district. (Ord. Nos. 23905; 24826; 24830; 29020; 29693)

SEC. 51P-305.108. YARD, LOT, AND SPACE REGULATIONS.

(a) Minimum setbacks.

(1) West Mixed Use Subzone.

(A) Except as otherwise provided in this paragraph, the minimum front, side, and rear yard setbacks in the West Mixed Use Subzone are 10 feet.

(B) In Subdistrict D, the minimum setback from any portion of a corner clip is

six feet. In no event may a structure be located in a visibility triangle. See Section 51A-4.602.

(C) Except as further restricted in Subparagraph (B) of this paragraph, the minimum setback along McKinney Avenue for Subarea D-4 is three feet.

(D) Except as provided in Subparagraph (E), if a building in the West Mixed Use Subzone fronts on McKinney Avenue south of Haskell Avenue, off-street parking is prohibited within 30 feet of the front lot line between grade and 12 feet above grade.

(E) In Subarea C-1, the minimum setbacks for a public school other than an open enrollment charter school are as shown on the development/landscape plan for Subarea C-1 (Exhibit 305H). Required off-street parking is allowed within 30 feet of McKinney Avenue for a public school other than an open enrollment charter school in Subarea C-1.

(F) Subarea D-3.

(i) Balconies, porte cocheres, awnings, canopies, signs, and entryways affixed to a building or part of a foundation may be located in the required front yard and must have a minimum height clearance of eight feet above a sidewalk.

(ii) Subject to the minimum unobstructed sidewalk regulations in Section 51P-305.117(g)(2)(B), cantilevered roof eaves and bay windows may project a maximum of five feet into the required front yard,

(iii) If a chimney does not exceed 12 square feet in area, and complies with unobstructed sidewalk the minimum unobstructed sidewalk regulations in Section 51P-305.117(g)(2)(B), a chimney may project a maximum of two feet into the required front yard,

(iv) Subject to the minimum unobstructed sidewalk regulations in Section 51P-305.117(g)(2)(B), planting areas, outdoor eating areas, patio/outdoor retail display areas with canopies, steps, handrails a maximum of four feet in height, retaining walls with maximum of four feet in height, and planter walls with a maximum of four feet in height are allowed in the required front yard.

(v) Ordinary projections of window sills, belt courses, cornices, and other architectural features may project a maximum of 12 inches into the required front yard.

(2) West Residential Subzone.

(A) The minimum front, side, and rear yard setbacks in the West Residential Subzone are the same as those in the MF-2(A) Multifamily District, except as noted in Section 51P-305.108(a)(2)(A) and Section 51P-305.108(a)(2)(B). A minimum side or rear yard setback for garages with automatic garage door opener(s) is permitted.

(B) In Subdistrict A of the West Residential Subzone, the minimum front yard setback is two feet from the street easement along Blackburn Street. There is no minimum front yard setback along the private access easement.

(C) In Subdistrict A of the West Residential Subzone, the minimum side and rear yard setback is five feet.

(3) East Mixed Use Subzone.

(A) Except as provided in this paragraph, the minimum front, side, and rear yard setbacks in the East Mixed Use Subzone are the same as those in the MU-3 Mixed Use District.

(B) A minimum side or rear yard setback for garages with automatic garage door opener(s) is permitted.

(C) In Subdistrict E1, the minimum front yard setback on Haskell Avenue is 15 feet, the minimum front yard setback on Peak Street and Capitol Avenue is 10 feet, and the minimum side and rear yard setback along the perimeter of the subdistrict is 10 feet. No setbacks are required between lots within Subdistrict E1.

(4) East Residential Subzone. The front, side, and rear yard setbacks in Subdistrict I of the East Residential Subzone are the same as those in the MF-3(A) Multifamily District. The front, side, and rear yard setbacks in Subdistrict J of the East Residential Subzone are the same as those in the MF-2(A) Multifamily District. A minimum side or rear yard setback for garages with automatic garage door opener(s) is permitted.

(b) Non-residential density.

(1) The maximum FAR for each building site varies depending on which subdistrict the site is in. The column entitled "FAR" shows the maximum FAR for non-residential uses. The maximum FAR shown in the chart below may be further limited by the phasing requirements of Section 51P-305.113. The FAR's for a Mixed Use Subdistrict, as shown on Exhibit 305A, are pursuant to Section 51A-4.125 of Chapter 51A.

MAXIMUM NONRESIDENTIAL FAR'S IN THE MIXED USE SUBZONES

SUBDISTRICT/SUBAREA	FAR
C	1.5
D-1	2.83*
D-2	4.0
D-3	4.0
D-4	2.5
D-5	2.5
E	2.5
E1	2.0
E2	2.5
F	1.2
G	1.2
H	1.6
H1	1.2

***Any area of Subarea D-1 dedicated for street purposes shall be included as lot area in order to calculate the maximum nonresidential FAR of Subarea D-1.**

~~(2) The maximum allowable floor area for retail and personal service uses allowed on the Property is 640,000 square feet which is further limited to a maximum of 450,000 square feet of floor area for either side of North Central Expressway.~~

~~(3) The maximum allowable floor area for all nonresidential uses combined is 7,715,114 square feet.~~

(c) Residential density in mixed use subzones.

(1) West Mixed Use Subzone. Except as provided in Paragraph (3), the maximum residential density permitted in the West Mixed Use Subzones is:

(A) 1.5 FAR for Subdistrict C;

(B) 2.83* FAR for Subarea D-1;

(C) 4.0 FAR for Subareas D-2 and D-3; and

(D) 2.5 FAR for Subareas D-4 and D-5.

*Any area of Subarea D-1 dedicated for street purposes shall be included as lot area in order to calculate the maximum residential FAR of Subarea D-1.

(2) East Mixed Use Subzone. Except as provided in Paragraph (3), the maximum residential density permitted in the Subdistricts is 1.5 FAR for Subdistrict E and E2; 1.75 FAR for Subdistrict E1; 1.5 FAR for Subdistricts F and G; and 1.5 FAR for Subdistricts H and H1.

(3) Phasing. The maximum residential density may be further limited by the phasing requirements of Section 51P-305.113.

(d) Amount and distribution of development in residential subzones/maximum residential densities in residential subzones. The maximum number of dwelling units permitted per acre in the West and East Residential Subzones is:

(1) 15 dwelling units per acre in Subdistrict A;

(2) 54 dwelling units per acres in Subdistricts B and B1; and

(3) 54 dwelling units per acre in Subdistricts I and J.

(e) Maximum structure height.

(1) If any portion of a structure in this district is over 36 feet in height, that portion may not be located above a residential proximity slope. Exception: 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. The maximum structure heights in Paragraph (2) are subject to the height restrictions in this paragraph. For more information regarding the residential proximity slope applicable to structures in this district, see Section 51P-305.109 of this article.

(2) The maximum structure heights in this district are as follows:

(A) In Subdistrict A, 43 feet.

(B) In Subdistrict B, 48 feet.

(C) In Subdistrict B1, 60 feet.

(D) In Subdistrict C, 90 feet.

(E) In Subdistrict D,

(i) for Subareas D-1, D-2, D-4, and D-5, 240 feet.

(ii) for Subarea D-3, except as provided in this subparagraph, maximum height must comply with the structure height plan (Exhibit 305L). The following may project a maximum of 12 feet above the maximum structure height zones as shown on the structure height plan:

(aa) Amateur communications tower.

(bb) Chimney and vent stacks.

(cc) Clerestory.

(dd) Cooling tower.

(ee) Elevator penthouse or bulkhead.

(ff) Mechanical equipment room.

(gg) Ornamental cupola or dome.

(hh) Parapet wall, limited to a height of four feet.

(ii) Skylights.

(jj) Tank designed to hold liquids.

(kk) Visual screens which surround roof mounted mechanical equipment.

(F) In Subdistricts E, E2 and G, 270 feet.

(G) In Subdistrict E1, 135 feet.

(H) In Subdistrict F, 180 feet.

(I) In Subdistrict H, 180 feet.

(J) In Subdistrict H1, 60 feet.

(K) In Subdistrict I, 60 feet.

(L) In Subdistrict J, 36 feet.

(f) Maximum lot coverage.

(1) Except as provided in this paragraph, the maximum lot coverage for building sites in the West and East Mixed Use Subzones is 80 percent. In Subdistrict D, the maximum lot coverage for building sites is 90 percent. In Subarea C-1, the maximum lot coverage is 84 percent. In Subdistrict E1, the maximum lot coverage for building sites is 85 percent.

(2) The maximum lot coverage for building sites in the West and East Residential

Subzones is 75 percent, except that in Subdistrict A of the West Residential Subzone the maximum lot coverage is 50 percent.

(3) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Minimum lot size. The minimum lot size for single family residential lots in Subdistrict A of the West Residential Subzone is 1,650 square feet.

(h) Single family structure spacing. In Subdistrict A of the West Residential Subzone, a minimum of five feet between each group of five single family structures must be provided by plat. (Ord. Nos. 24102; 24826; 24830; 26078; 27077; 29020; 29693)

SEC. 51P-305.109. RESIDENTIAL PROXIMITY SLOPE.

(a) Definitions. In this section:

(1) PRIVATE PROPERTY means any property not dedicated to public use, except that "private property" does not include the following:

(A) A private street or alley.

(B) Property on which a utility and public service use listed in Section 51A-4.212 is being conducted as a main use.

(C) A railroad right-of-way.

(D) A cemetery or mausoleum.

(2) RESTRICTED BUILDING OR STRUCTURE means the building or structure whose height is restricted by a residential proximity slope.

(3) SITE OF ORIGINATION means any private property in the city's MF-2(A) Multifamily District, or in the MF-2 Multiple Family Subdistrict in PD 193, except that property within the PD is not included as sites of origination.

(b) Residential proximity slope defined. The residential proximity slope is a plane projected upward and outward from every site of origination as defined in Subsection (a). Specifically, the slope is projected from the line formed by the intersection of:

(1) the vertical plane extending through the boundary line of the site of origination; and

(2) the grade of the restricted building or structure.

(c) Angle and extent of projection. The angle of the residential proximity slope is 45° (1 to 1 slope). The extent of projection terminates at a horizontal distance of 50 feet from the site of origination.

(d) Calculation of height restrictions. The horizontal distances used to calculate the height restrictions imposed by the residential proximity slope may be determined by using the lot, block, and right-of-way dimensions as shown on the official plat or zoning maps of the city, or by scale measurement of the

distances on such official maps. All dimensions and methodology used in determining the distance measurement are subject to the approval of the building official.

(e) Exceptions to the residential proximity slope. Subdistrict A of the West Residential Subzone is exempt from the residential proximity slope requirement in conjunction with the approved development plan. Termination of the approved development plan reinstates the residential proximity slope as a requirement within Subdistrict A of the West Residential Subzone. (Ord. Nos. 24102; 24826)

SEC. 51P-305.110. OFF-STREET PARKING, OFF-STREET LOADING, AND BICYCLE PARKING REQUIREMENTS.

(a) The following off-street parking, off-street loading, and bicycle parking requirements apply in this district.

(1) Office uses. Except as provided in this subsection, the maximum off-street parking requirement for an office use, as defined in this article, is one space for each 366 square feet of floor area. In Subdistrict D, the standard minimum off-street parking requirement for an office use is one space for each 366 square feet of floor area.

(2) Retail and personal service uses. Except as otherwise provided in this subsection, the standard minimum off-street parking requirement for a retail and personal service use, as defined in this article, is one space for each 200 square feet of floor area. In Subdistrict G of the East Mixed Use Subzone, the standard minimum off-street parking requirement for retail uses is one space for each 220 square feet of floor area.

(3) Multifamily uses. The standard minimum off-street parking requirement for a multifamily use is one space for each dwelling unit, which includes .25 space for each dwelling unit for visitors.

(4) Single family uses. The standard minimum off-street parking requirement for each single family dwelling unit is two spaces for each dwelling unit. Additionally, in Subdistrict A of the West Residential Subzone, eight unassigned off-street parking spaces must be provided as shown on the development plan.

(4.1) Public school other than open enrollment charter school. For a public school other than an open enrollment charter school in Subarea C-1, a minimum of 96 parking spaces must be provided within Subarea C-1 and Planned Development Subdistrict No. 65 within Planned Development District No. 193, in the location shown on Exhibit 305H.

(4.2) Data center. For a data center, one off-street parking space for each 2,000 square feet of floor area is required.

(5) Off-street parking reduction options.

(A) In general.

(i) A property owner may reduce the standard off-street parking requirement for certain uses in this district by exercising one or more of the following reduction options:

(aa) Making a payment into the Cityplace Transit Fund in

accordance with Paragraph (5)(B) of this section.

(bb) Filing an approved traffic management plan (TMP) agreement in accordance with Paragraph (5)(C) of this section.

(cc) Calculating an adjusted standard off-street parking requirement for a mixed use development in accordance with Paragraph (5)(D) of this section.

(ii) The reduction options in Paragraph (5)(A)(i) of this section may be used in any combination subject to the restrictions in Paragraphs (5)(B), (5)(C), and (5)(D) of this section.

(B) Payment into Cityplace Transit Fund.

(i) In general. A property owner may reduce the standard off-street parking requirement for an office-related or retail-related use up to 10 percent by making a payment into a special city account, to be known as the Cityplace Transit Fund, for development and operation of a shuttle transit system for this district. The amount of the payment required is calculated by taking 30 percent of the cost of constructing a parking garage space [See Subparagraph (B)(ii) below] and multiplying that cost by the number of parking spaces that will not be required by reason of the payment. In order for the reduction to be considered in cases involving work for which a permit is required, the entire payment must be made to the building official before issuance of the permit. The city council may transfer moneys from the Cityplace Transit Fund to the Cityplace Parking Fund provided for in Paragraph (5)(C) of this section when, in the opinion of the council, such a transfer would be in the best interest of the city.

(ii) Cost of constructing a parking garage space. Until January 2, 1993, the cost of constructing a parking garage space for purposes of this section is $6,774.65. On January 1, 1993, and on January 2 of each odd-numbered year thereafter, the director of planning and development shall determine a new cost of constructing a parking garage space by using the following formula:

$$\frac{\text{National Median Cost} \times 320 \text{ sq. ft.} \times \text{Dallas Cost Index}}{\text{Sq. Ft.}}$$

where National Median Cost/Sq.Ft. is the national median cost per square foot of a parking space in a parking garage. Both the National Median Cost/Sq.Ft. and the Dallas Cost Index must be derived from the most recent issue of Building Construction Cost Data, published by the Robert Snow Means Company, Inc., of Kingston, Massachusetts, unless another publication is designated by the director of planning and development.

(C) Traffic management plan (TMP) agreement.

(i) In general. A property owner may reduce the standard off-street parking requirement for an office or retail and personal service use up to 10 percent by entering into a written traffic management plan (TMP) agreement for the implementation of traffic mitigation measures to reduce the total number of vehicle trips and, thus, the need for a specified number of required off-street parking spaces. The agreement must be approved by the director of public works and transportation, approved as to form by the city attorney, and filed in the deed records of the county where the property is located. In order for the reduction to be considered in cases for which a permit is required, the agreement must be signed, approved, and filed pursuant to this subsection before issuance of the permit.

(ii) TMP agreement requisites. All TMP agreements must satisfy the following minimum requirements:

(aa) The agreement must adequately set forth the name of the owners of the property involved, the location of the property, and the number of off-street parking spaces currently required for the property by this article.

(bb) The agreement must contain a detailed plan for the mitigation of traffic. This plan must spell out the specific traffic mitigation measures proposed, e.g. car and van pooling, bus pass subsidy, subscription transit, and bicycling programs.

(cc) The agreement must state the number and percentage of required off-street parking spaces that should no longer be needed as a result of implementation of the plan. All data and evidence relied on in reaching this conclusion must be attached to the agreement.

(dd) As part of the agreement, the property owner must commit to achievement of the proposed vehicle trip reduction within two years of the date of issuance shown on a certificate of occupancy for any buildings for which the parking is required. If the director of public works and transportation determines that the property owner has failed to achieve the proposed vehicle trip reduction at the end of the two-year period or at any time thereafter, the agreement must require the property owner to make cash in lieu payments for any off-street parking spaces required under this article still needed but not provided. The amount of the payment must be equal to two times the full cost of constructing a parking garage space multiplied by the number of required parking spaces still needed but not provided. The cost of a parking garage space for purposes of this subsection is that cost stated in or determined pursuant to Paragraph (5)(B)(ii) of this section.

(ee) The agreement must require the property owner to make periodic reports on the effectiveness of the proposed traffic management plan. All data and evidence relied on in reaching conclusions or findings as to the effectiveness of the plan must be attached to the reports.

(ff) All payments in lieu of required parking made pursuant to the terms of the agreement must be kept in a special city account, to be known as the Cityplace Parking Fund, for financing the acquisition of sites for and the construction and operation of parking facilities in this district; however, the city council may transfer moneys from the Cityplace Parking Fund to the Cityplace Transit Fund when, in the opinion of the council, such a transfer would be in the best interest of the city.

(gg) The agreement must be signed by or on behalf of all of the owners of the property involved. In addition, the agreement must be approved by the director of public works and transportation and approved as to form by the city attorney.

(hh) A true and correct copy of the approved agreement must be filed in the deed records of the county where the property involved is located. No agreement shall be effective until it is properly filed in the deed records in accordance with this subsection.

(ii) The requirements in this section for execution, approval, and filing of a TMP agreement also apply to amending and terminating instruments.

(iii) TMP agreement review procedure. All proposed TMP agreements must be submitted to the director of public works and transportation for review. In reviewing a proposed TMP agreement, the director of public works and transportation shall carefully evaluate the proposed traffic mitigation measures to be employed and verify to his or her satisfaction that the measures will reduce the total number of vehicle trips so that the specified number of required off-street parking spaces will no longer be needed. In reviewing the proposed agreement, the director may require the property owner to submit additional evidence to support conclusions or assumptions made by the property owner. If the director is

not satisfied that the proposed traffic mitigation measures will eliminate the need for the specified number of required off-street parking spaces for the property when the plan is fully implemented, the director shall not sign the agreement. The refusal by the director of public works and transportation to sign a proposed TMP agreement submitted pursuant to this subsection may be appealed to the board in the same manner that appeals are made from decisions of the building official.

(D) Mixed use development option.

(i) In general. A property owner may reduce the standard off-street parking requirement for a mixed use development by using the mixed use development (MUD) parking chart (Exhibit 305B) or, for Subarea D-3, the Subarea D-3 mixed use development parking chart (Exhibit 305B-1) to calculate an "adjusted" standard off-street parking requirement for the development. This reduction option may be used in combination with the other reduction options available under Paragraphs (5)(B) and (5)(C) of this section to reduce the standard requirement for the development up to 30 percent. In no event may the standard requirement for a mixed use development be reduced by more than 30 percent.

(ii) Calculation of adjusted standard off-street parking requirement. An adjusted standard off-street parking requirement for a mixed use development is calculated as follows:

(aa) First, the standard parking requirements for each of the uses in the mixed use development must be ascertained.

(bb) Next, the parking demand for each use is determined for each of the five times of day shown in the MUD parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to that category of use. If a use in the development does not fall within one of the categories shown in the MUD parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(cc) Finally, the "time of day" columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted standard off-street parking requirement for the development.

(iii) Minimum parking requirement. If one or more of the main uses in a mixed use development is a retail or personal service use, the minimum parking requirement for the development under this reduction option is the sum of the standard parking requirements for each of the retail and personal service uses in the development.

(iv) Visitor parking required. If a property owner uses the mixed use development reduction option, a number of parking spaces equal to or greater than the difference between the aggregate standard and aggregate adjusted standard off-street parking requirement for the development must be available for use by visitors.

(6) Off-street-parking location restrictions.

(A) In general. Required off-street parking must be:

(i) on the same lot as the main use; or

(ii) on a separate lot that is:

(aa) the subject of an approved parking agreement filed in the deed records of the county where the property involved is located;

(bb) in a nonresidential subdistrict; and

(cc) within 300 feet (including streets and alleys) of the lot where the main use is located, or within 600 feet (including streets and alleys) of the lot where the main use is located if the main use has frontage on a special retail street as defined in PD 193, or within the distance required by the director of public works and transportation pursuant to the remote parking regulations contained in Chapter 51A. The distance measured is the shortest distance between the lots.

(B) Parking agreement requisites. All parking agreements must satisfy the following minimum requirements:

(i) The agreement must adequately set forth the names of the owners of the property involved, the location of the property, and a specified number of off-street parking spaces proposed to be provided on the separate lot for the benefit of the main use.

(ii) As part of the agreement, the owner of the separate lot must commit to providing the specified number of off-street parking spaces on the separate lot for the benefit of the main use as long as the agreement is in effect.

(iii) The agreement must contain a provision stating that it may be amended or terminated only by an instrument signed by the building official and approved as to form by the city attorney, and further stating that, if the building official determines that an amendment or termination of the agreement will result in less than the required number of off-street parking spaces being provided for the main use, the building official shall not sign the amending or terminating instrument unless a payment has been made for all required off-street parking spaces that will still be needed but not provided as a result of the proposed amendment or termination of the agreement. The amount and disposition of the payment must be the same as that required upon failure to achieve a proposed vehicle trip reduction under a TMP agreement.

(iv) The agreement must be signed by or on behalf of:

(aa) all of the owners of the property involved; and

(bb) the building official. In addition, the agreement must be approved as to form by the city attorney.

(v) A true and correct copy of the approved agreement must be filed in the deed records of the county where the property involved is located. No agreement shall be effective until it is properly filed in the deed records in accordance with this subsection.

(7) The requirements in this section for execution, approval, and filing of a parking agreement also apply to amending and terminating instruments. If the building official determines that a proposed amendment or termination of the agreement will not result in less than the required number of off-street parking spaces being provided for the main use, and if the amending or terminating instrument conforms to the other requirements of this section and has been approved as to form by the city attorney, the building official shall sign the amending or terminating instrument. Special parking regulations. Except as modified by this article, the special parking regulations contained in Chapter 51A apply to this district.

(A) Required parking serving uses in this district must be located in this district, in PD 183, or PD 375.

(B) Remote required parking serving uses in PD 183 and PD 375 are not subject to any maximum established in this article.

(8) Off-street loading requirements.

(A) Except as provided below, off-street loading spaces must be provided for all uses in this district in accordance with Section 51A-4.303.

(B) If adjacent building sites are designed to share a loading facility on an approved detailed development plan, the aggregate floor area of all buildings served by the shared loading facility must be used to calculate the loading space requirements.

(C) Loading spaces for a building site may be provided off-site if located in an underground truck terminal that has underground service connections to the building site. An underground truck terminal must be approved as to size, design, and location by the director of public works and transportation.

(D) In Subdistrict D, each off-street loading space must be designed with a reasonable means of access to and from the street or alley in a manner that least interferes with traffic movement. Each off-street loading space must be independently accessible so that no loading space obstructs another loading space. No trash removal facility or other structure may obstruct a loading space. The design of the ingress and egress to the loading space, and the maneuvering area for the loading space, must be approved by the director of public works and transportation in accordance with the provisions of this subparagraph.

(9) Bicycle parking. Parking for bicycles must be provided for buildings constructed after such time that the city council approves a parking requirement for bicycles.

(10) Fees may be charged for parking. A property owner may charge a fee on a daily, hourly, or other basis for the use of required off-street parking in this district.

(b) Any off-street parking and loading regulations not specifically modified or addressed in this article are governed by Chapter 51A. (Ord. Nos. 24102; 24826; 24845; 26078; 29020; 29683)

SEC. 51P-305.111. CONCEPTUAL PLAN.

Development of all property in this district must comply with the conceptual plan (Exhibit 305A). Development in Subdistrict E1 must also comply with the Subdistrict E1 conceptual plan (Exhibit 305K).

SEC. 51P-305.112. DETAILED DEVELOPMENT PLAN.

(a) When required under this subsection, an applicant for a permit or certificate of occupancy for work or a use on a building site in this district shall obtain approval of a new or amended detailed development plan as a prerequisite to issuance of the permit or certificate of occupancy. In the case of a building or structure already existing on the effective date of Ordinance No. 21508, a new or amended detailed development plan is required for any building site where the proposed work or use will increase the number of off-street parking spaces required to be located on that site. In Subdistrict E-2, a new or amended detailed development plan is not required for work or a use on a building site that will increase the number of required off-street parking spaces by two or less.

(b) A detailed development plan that included the property in Subdistrict E1 was approved by the city plan commission on January 12, 1995 for a theater use. If the theatre use is demolished, the city plan commission is authorized to approve a new detailed development plan for Subdistrict E1 that complies with the conceptual plan.

(c) Detailed development plans must comply with the requirements for a development plan listed in Section 51A-4.702. The submittal of a detailed development plan must also include the following:

(1) A ~~cumulative floor area and~~ dwelling unit total by use category for:

(A) the building site;

(B) the subdistrict, subzone, and zone in which the building site is located; and

(C) this district as a whole.

(2) Sufficient information to verify compliance with the maximum floor area requirements of this article.

(3) Identification of the street improvements required by this article and source of the required percentage of funding for those improvements approved by the director of public works and transportation.

(d) Except as required in Section 51P-305.107, development impact review and residential adjacency review are not required for any use in this district. However, if a building site in a detailed development plan is adjacent to or directly across a street or alley from a single family, duplex, or multifamily district in the city or a single family, duplex, or multiple family subdistrict in PD 193, the residential adjacency standards contained in Section 51A-4.803 must be used as a guide in the review of that detailed development plan.

(e) The director of planning and development may approve minor amendments to a detailed development plan to reflect a new off-street parking configuration on a building site. This subsection does not authorize the director to approve an amendment involving the erection or expansion of a building, nor does it authorize the director to change the parking requirements themselves.

(f) A development plan for Subdistrict A was approved by the Dallas City Council on November 10, 1999 (Exhibit 305C). A development plan for Subdistrict G was approved by the Dallas City Council on February 13, 2002 (Exhibit 305D). A development plan for Subarea D-1 of Subdistrict D was approved by the Dallas City Council on November 12, 2007 (Exhibit 305I).

(g) For a public school other than an open-enrollment charter school in Subarea C-1, development and use of the Property must comply with Exhibit 305H. In the event of a conflict between the provisions of this article and Exhibit 305H, the provisions of this article control. (Ord. Nos. 21508; 22687; 24102; 24826; 24845; 26078; 27000; 27077; 29365)

SEC. 51P-305.113. PHASING OF DEVELOPMENT.

(a) The Cityplace Tax Increment Financing ("TIF") Reinvestment Zone No. 2 (known as the "Cityplace TIF District"), approved by the Dallas City Council on November 11, 1992, will be the funding source for the infrastructure that is the subject of the phasing requirements in this section, to the extent provided in the reinvestment zone project plan and financing plan for the Cityplace TIF. Both plans, and the terms and conditions thereof, and any development agreement with the city related thereto, shall be

subject to city council approval in accordance with state law. In the event the Cityplace TIF ceases to exist, or funds from the TIF are insufficient to pay for the total cost of the improvements provided in the TIF plans and subject to these phasing regulations, funding for the improvements may be provided from another source.

(b) No building permit may be issued to authorize work that would cause the total floor area within any subarea to exceed the base floor area of the subarea as shown in Table 1 of Exhibit 305E until:

(1) the street improvements described in Table 2 in Exhibit 305E are completed;

(2) the traffic signals:

(A) described in Table 3 in Exhibit 305E; and

(B) determined to be necessary in accordance with Section 51P-305.114 are installed and operational; and

(3) the construction is completed or the funding is in place for a minimum of 50 percent of the cost of constructing a new Lemmon Avenue bridge over Central Expressway and a new Haskell Avenue/Blackburn Street bridge over Central Expressway. The amount of funding required for construction of the bridges shall be determined by the director of public works and transportation, based upon the estimated cost of constructing the bridges in accordance with the Texas Department of Transportation design criteria and specifications. The decision of the director of public works and transportation may be appealed to and will be heard by the city council. The final design of the bridges must comply with Texas Department of Transportation design criteria and specifications. (Ord. Nos. 21508; 24826)

SEC. 51P-305.114. TRAFFIC SIGNAL INSTALLATION.

The traffic signals described in Table 3 of Exhibit 305E must be installed at the time the associated street improvements described in Exhibit 305E are constructed if the director of public works and transportation determines that such installation is necessary for safe circulation within this district or for safe ingress and egress to and from property in this district. (Ord. Nos. 21508; 24826)

SEC. 51P-305.114.1. SUBAREA D-3 STREET INTERSECTION IMPROVEMENTS.

(a) Before the issuance of a certificate of occupancy, the following improvements must be provided:

(1) Installation of all-way stop signs at the intersection of City Place West Boulevard and Noble Avenue.

(2) Installation of all-way stop signs at the intersection of City Place West Boulevard and Oak Grove.

(b) Final design and installation of the all-way stop signs must be approved by the Department of Street Services. (Ord. 29693)

SEC. 51P-305.115. CORNER CLIP REQUIREMENTS.

(a) Except as provided in this section, the provisions of Section 51A-8.602(d) apply.

(b) In Tract I, the maximum size of a corner clip is that of a triangle with the legs along the edges of the street rights-of-way equaling 10 feet. A smaller corner clip may be required where conditions exist that permit the city to provide an adequate turning radius, or to maintain public appurtenances, within that reduced area. (Ord. Nos. 23905; 24826)

SEC. 51P-305.116. PRIVATE ACCESS EASEMENT.

(a) In general. This section applies to Subdistrict A of the West Residential Subzone.

(b) Frontage. Single family lots may front on a private access easement.

(c) Size. The minimum pavement width of the private access drive is 24 feet.

(d) Visibility triangles.

(1) The minimum visibility triangles for the intersection of the private access easement and Blackburn Street is 20 feet by 20 feet.

(2) The minimum visibility triangle for the intersection of the private access easement and Buena Vista Street is 20 feet by 10 feet.

(3) There is no visibility triangle requirement for the internal private access easement.

(e) Restricted access. Restricted access control devices and gates are allowed and must be provided as shown on the detailed development plan for Subdistrict A. (Ord. Nos. 24102; 24826)

SEC. 51P-305.117. LANDSCAPING REQUIREMENTS.

(a) Plan approval required and applicability of section.

(1) Except as provided in this subsection, a landscape plan for each building site must be submitted to and approved by the city plan commission. The landscape plan must be submitted to the commission with the detailed development plan for that building site. This section does not apply to single family and duplex uses in detached structures or single family attached structures in Subdistrict A of the West Residential Subzone except as noted in Section 51P-305.117(a)(6), or public schools other than open enrollment charter schools in Subarea C-1 except as noted in Section 51P-305.117(a)(7). This section shall become applicable to all other uses on an individual lot when work on the lot is performed that increases the existing building height; floor area ratio; nonpermeable coverage of the lot; or in Subdistrict E-2, when the floor area is increases by more than 200 square feet, unless the work is to restore a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind.

(2) Once this section becomes applicable to a lot, its requirements are binding on all current and subsequent owners of the lot.

(3) If a specific site plan containing landscaping requirements was approved by the city plan commission or city council prior to February 9, 1985, and if the site plan is made part of an ordinance or a deed restriction running with the land to which the city is a party, the landscaping

requirements of this section do not apply to the property that is the subject of the approved site plan as long as the site plan remains in effect.

(4) The board may grant a special exception to the landscaping requirements of this section, if in the opinion of the board, the special exception will not compromise the spirit and intent of this section. When feasible, the board shall require that the applicant submit and that the property comply with a landscape plan as a condition to granting a special exception under this subsection.

(5) Except as otherwise provided in this article, the landscape regulations in Article X apply. The sole landscape regulations for Subdistrict D are the landscaping regulations contained in this section (the landscaping regulations contained in Article X do not apply to property in Subdistrict D).

(6) The following rules apply in Subdistrict A of the West Residential Subzone:

(A) Landscaping and fountains must be provided on the landscape plan.

(B) Landscaping and fountains may be placed within utility easements.

(C) The building official may issue a tree removal permit prior to the issuance of a building permit for a single family dwelling unit.

(D) Replacement of trees planted as mitigation for tree preservation requirements may be planted within the adjacent Katy Trail area upon approval of the director of park and recreation and/or other governing entity.

(E) All landscaping must be provided in accordance with Article X.

(F) For purposes of issuing a tree removal permit, Subdistrict A of the West Residential Subzone may be treated as a single lot.

(7) For a public school other than an open enrollment charter school in Subarea C-1, landscaping must be provided as shown on Exhibit 305H.

(b) Landscaping requirements in general.

(1) Designated landscape areas.

(A) In general.

(i) Each property owner is required to designate portions of the lot and parkway in the front, side, or rear yard for landscaping purposes. These designations must be shown on the landscape plan required by this section. The first required designation is that of the "landscape site area." The landscape site area may consist of one large contiguous area or several smaller non-contiguous areas.

(ii) The second required designation is that of the "general planting area." The general planting area is a subarea of the landscape site area. Like the landscape site area, it may consist of one large contiguous area or several smaller non-contiguous areas.

(iii) The third required designation is that of the "special planting area." The special planting area is a subarea of the general planting area. Again, the special planting area may consist of one contiguous area or several non-contiguous areas.

(iv) The fourth required designation is that of the "parkway planting area," which, like the other areas, may consist of one contiguous area or several non-contiguous areas. The parkway planting area designation requirement does not apply to property located in Subdistrict D.

(B) Pavement restrictions. No pavement other than pavement for pedestrians and non-motorized vehicles is permitted in the designated landscape site area, except that permeable pavement for motor vehicles is allowed in multifamily subdistricts only. No pavement of any kind is allowed in the designated general planting, special planting, and parkway planting areas.

(C) Soil depth requirements. There are no minimum soil depth requirements for portions of the landscape site area that are outside of the general planting area. The minimum soil depth requirement for the parkway planting area and portions of the general planting area that are outside of the special planting area is 18 inches. The minimum soil depth requirement for the special planting area is 24 inches.

(D) Minimum planting requirements. The minimum planting requirements for designated landscape areas are as follows:

(i) Landscape site area. There are no minimum planting requirements for portions of the landscape site area that are outside of the general planting area.

(ii) General planting area. The general planting area must contain living trees, shrubs, vines, flowers, or ground cover vegetation. All plants in this area must be recommended for local area use by the director of park and recreation.

(iii) Special planting area. The special planting area must contain living trees, shrubs, or vines that are recommended for local area use by the director of park and recreation. Turf grass and ground cover are not counted toward meeting these minimum planting requirements. Initial plantings must be calculated to cover a minimum of 75 percent of this area at a minimum height of 24 inches within a three-year period. There must be at least one plant for each four square feet of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the minimum coverage requirement for this area.

(iv) Parkway planting area. The parkway planting area must contain living trees, turf grass, flowers, or ground cover vegetation that are recommended for local area use by the director of park and recreation. Initial plantings must be calculated to cover a minimum of 75 percent of this area within a three-year period.

(2) Irrigation and drainage systems. All landscaping required under this section must be irrigated and drained by automatic irrigation and permanent drainage systems installed to comply with industry standards.

(3) Off-street parking and screening requirements.

(A) Surface parking screening. All surface parking must be screened from the street and residentially zoned property by using one or more of the following three methods to separately or collectively attain a minimum height of three and one-half feet above the parking surface:

(i) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of park and recreation. The berm may not have a slope that exceeds one foot of height for each three feet of width.

(ii) Solid wood or masonry fence or wall.

(iii) Hedge-like evergreen plant materials recommended for local area use by the director of park and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years. This subsection supplements any other applicable screening provisions for off-street parking.

(B) Surface parking screening with single family or duplex adjacency. The three methods of providing screening listed above in Subsection (b)(3)(A) of this section may be used to provide screening to separate a surface parking area from an adjacent single family or duplex subdistrict if the screening barrier is at least six feet in height. This subsection supplements any other applicable screening provisions for off-street parking.

(C) Off-street loading and garbage storage area screening.

(i) All off-street loading spaces and garbage storage areas must be screened from:

(aa) a public street that is adjacent to the lot; and

(bb) property in a residential district that is adjacent to or directly across an alley from the lot. This subparagraph modifies Section 51A-4.602(b)(6).

(ii) Screening required by this subparagraph must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space or garbage storage area.

(iii) Required screening must be constructed of:

(aa) for off-street loading spaces, any of the materials described in Paragraph (3)(A) to separately or collectively attain the minimum height of six feet; and

(bb) for garbage storage areas, a solid wood or masonry fence or wall.

(iv) Access through required screening may be provided only by a solid gate that equals the height of the screening. The gate must remain closed at all times except when in actual use.

(v) No loading spaces or garbage storage areas may be erected or established in this district in violation of this subparagraph. All existing loading spaces and garbage storage areas in this district must be in full compliance with this subparagraph by September 13, 1994. No person shall have a nonconforming right to maintain a loading space or garbage storage area that does not fully comply with this subparagraph after September 13, 1994. (See Exhibit D-11 attached to PD 193.)

(4) Trees.

(A) Tree planting zone. For purposes of this section, the "tree planting zone" is that area parallel to and between two and one-half and five feet from the back of the projected street curb.

[If the tree planting zone is in the parkway, the property owner must apply for a landscape permit before any required trees may be planted in the parkway. See Subsection (d) of this section for more details regarding parkway landscaping.] In Subdistrict D, if a tree cannot be located in the tree planting zone due to a conflict with underground or aboveground utility lines, the tree may be located outside of the designated tree planting zone as long as it is located as near as practicable to the tree planting zone.

(B) Number, location, and type of trees required. Each lot must have one or more trees whose trunks are located wholly within the tree planting zone. The number of required trees is determined by dividing the number of feet of lot frontage by 25. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. All required trees must be recommended for local area use by the director of park and recreation. If a property owner cannot obtain a landscape permit to locate a required tree in the parkway, the owner shall locate the tree in the required front yard as near as practicable to the front lot line. If a lot has no front yard requirement and the property owner cannot obtain a landscape permit to locate a required tree in the parkway, the owner need not provide that required tree.

(C) Minimum tree height and trunk caliper. Required trees must have a minimum height of 14 feet, and a minimum trunk caliper of three and one-half inches measured at a point 12 inches above the root ball.

(D) Tree spacing requirements. Required trees must be spaced as uniformly as practicable. The trunk of a required tree must be within the following distance of another required tree:

(i) In residential subdistricts, 40 feet.

(ii) In mixed use subdistricts, 60 feet.

(E) Minimum clearance above pavement. The property owner shall maintain all trees to comply with the following minimum vertical height clearances over street and sidewalk pavements:

(i) Thirteen and one-half feet above street pavement.

(ii) Eight feet above a public sidewalk or the sidewalk required under Subsection (g) of this section.

(F) Tree grates required near sidewalks. Tree grates conforming to state standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth must be provided for all trees whose trunks are within 18 inches of the sidewalk required under Subsection (g) of this section.

(6) Landscape permit required. Unless an exemption in Subsection (a) of this section applies, an application for a landscape permit must be submitted to and approved by the building official before performing any work that will increase the existing building height, floor area ratio, or nonpermeable coverage of the lot. To obtain a landscape permit, a landscape plan must be submitted. Landscape plans required under this section must contain the following information:

(A) The date, scale, north point, and the names and addresses of both the property owner and the person preparing the plan.

(B) The location of existing boundary lines and dimensions of the lot, and the

zoning classification of the property.

(C) The approximate center line of existing water courses; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, and sidewalks in the parkway and on or adjacent to the lot.

(D) The location and size of landscape and planting area required to be designated under this section and the location, size, and species (common or botanical name) of proposed landscaping in these areas.

(E) Information necessary for verifying whether the required minimum percentages of landscape and planting areas have been designated pursuant to this section.

(F) An indication of how the property owner plans to protect existing trees, which are proposed to be retained, from damage during construction.

(G) The location of the required irrigation system.

(H) The location of all existing and proposed loading and garbage storage areas.

(7) When landscaping must be completed. Except as otherwise provided in this paragraph, if a landscape plan is required under this section, all landscaping must be completed in accordance with the approved landscape plan before the final inspection of any structure on the lot or, if no final inspection is required, within 120 days of the date of issuance of the landscape permit. In Subdistrict D, if a landscape plan is required under this section, all landscaping must be completed in accordance with the approved landscape plan before the final inspection of the last structure on the lot, or within six months of the approval of final inspection if the property owner provides the building official with documented assurance as defined in Article X.

(8) General maintenance.

(A) All required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for the regular weeding, mowing of grass, irrigating, fertilizing, pruning, or other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within six months after notification by the city. A required tree that dies after its original planting must be replaced by another living tree having a minimum height of 14 feet and a minimum trunk caliper of four inches measured at a point 12 inches above the root ball.

(B) Any damage to utility lines resulting from the negligence of the property owner, his agents, or employees in the installation and maintenance of required landscaping in the public right-of-way is the responsibility of the property owner. If a public utility disturbs a landscaped area in the public right-of-way, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If nonetheless some plant materials die, it is the obligation of the property owner to replace the plant materials.

(9) Garbage storage area landscaping. Where a garbage storage area is in the required front yard, a landscape planting area must be established and maintained between the required screening wall for the garbage storage area and the front lot line. The landscape planting must be at least three feet wide and have a minimum soil depth of 24 inches. No pavement of any kind is allowed in this area. This area must contain living evergreen shrubs or vines that are recommended for local area use by the director

of park and recreation. Initial plantings must be calculated to cover a minimum of 30 percent of the total wall area facing the street within a three-year period. Shrubs for vines must be planted 24 inches on center over the entire length of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the 30 percent minimum coverage requirement. All landscaping required by this paragraph must be in place by September 13, 1994. (See Exhibit D-12 attached to PD 193.)

(c) Private license granted. The city council hereby grants a private license to the owners of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this section. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with the Dallas Building Code. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(d) Parkway landscaping.

(1) Upon receipt of an application to locate trees, landscaping, or pavement (other than for the sidewalk required under Subsection (g) of this section) in the parkway and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction and planting proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, that official shall issue a landscape permit to the property owner; otherwise, that official shall deny the permit.

(2) A property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's denial of a landscape permit.

(3) A landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official’s revocation of a landscape permit.

(4) The issuance of a landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way.

(e) Visual obstruction regulations. A property owner is not required to comply with the landscaping requirements of this section to the extent that they conflict with the visual obstruction regulations in Section 51A-4.602(d). In the event of a conflict between this section and the visual obstruction regulations, the visual obstruction regulations control.

(f) Area designation and privacy fencing requirements. The following specific requirements apply to all building sites in this district.

(1) Landscape site area designation.

(A) Except as provided in this paragraph, at least 20 percent of a lot, including at least one-half of the required front yard, must be designated by the property owner as landscape site area.

(B) For lots in Subdistrict H containing a nonresidential use, at least 10 percent of the lot, including at least 60 percent of the required front yard, must be designated by the property owner as landscape site area.

(C) For Subdistrict D, at least 10 percent of a lot, including at least 60 percent of the required front yard, must be designated by the property owner as landscape site area.

(D) For Subdistrict E1, at least 15 percent of a lot, including at least 50 percent of the required front yard, must be designated by the property owner as landscape site area.

(2) General planting area designation. Except as provided in this paragraph, at least one-half of the landscape site area, including at least 25 percent of the required front yard, must be designated by the property owner as general planting area. In Subdistrict D, at least 12 percent of the required front yard must be designated by the property owner as general planting area.

(3) Special planting area designation. Except as provided in this paragraph, at least 20 percent of the general planting area, including at least five percent of the required front yard, must be designated by the property owner as special planting area. In Subdistrict D, at least six percent of the required front yard must be designated by the property owner as special planting area.

(4) Parkway planting area designation. Except as provided in this paragraph, at least 20 percent of the parkway must be designated by the property owner as parkway planting area. In Subdistrict D, there is no parkway planting area requirement.

(5) Front yard privacy fencing. A fence or wall with an average height of seven feet and a maximum height of nine feet above the top of the nearest street curb may be located in the required front yard if:

(A) the main building does not exceed 36 feet in height;

(B) there are no front street curb cuts, front yard driveways, or front entryways to garages or parking;

(C) a minimum setback of 12 feet is provided between the fence and the projected street curb; and

(D) all portions of the fence exceeding four feet in height are set back at least two feet from the lot line.

(6) Privacy fencing planting area designation. If a front yard privacy fence or wall is constructed or maintained in accordance with Subsection (f)(5) of this section, at least 80 percent of the required two-foot setback area from the lot line must be designated by the property owner as privacy fencing planting area. This area may consist of one contiguous area or several smaller noncontiguous areas. No pavement of any kind is allowed in this area. The minimum soil depth requirement for this area is 24 inches. This area must contain living evergreen shrubs or vines that are recommended for local area use by the director of park and recreation. Initial plantings must be calculated to cover a minimum of 30 percent of the total fence or wall area facing the street within a three-year period. Shrubs or vines must be planted 24 inches on center over the entire length of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the minimum coverage requirement for the fence or wall. (See Exhibit D-13 attached to PD 193.)

(g) Sidewalks required.

(1) Sidewalk construction is required along all public and private streets. All sidewalks must be designed and constructed to be barrier-free to the handicapped, and in accordance with the construction requirements contained in the Paving Design Manual and the Standard Construction Details of the city.

(2) No certificate of occupancy may be issued for new construction until hard surface sidewalks are provided on that building site in accordance with the following standards:

(A) Mixed Use Subzones C, E, E1, E2, F, G, H, and H1. A minimum unobstructed width of eight feet must be provided.

(B) Mixed Use Subzone D.

(i) Except as provided in this subparagraph, a minimum unobstructed width of eight feet must be provided.

(ii) Along Noble Street and Oak Grove Avenue, as shown on Exhibit 305A, and all other future streets located within Subzone D, a minimum unobstructed width of seven feet must be provided.

(iii) Along Lemmon Avenue East, a minimum unobstructed width of five feet must be provided.

(C) Residential Subzones A, B, B1, and I. A minimum unobstructed width of six feet must be provided.

(3) Sidewalks provided to comply with this subsection may be located in the public right-of-way. An existing sidewalk may not be used to comply with this subsection unless it meets the construction standards and minimum unobstructed widths specified above. New sidewalks provided to comply with this subsection must meet the unobstructed width standards specified above.

(h) Landscape plan for Subdistrict A. A landscape plan for Subdistrict A was approved by the Dallas City Council on November 10, 1999 (Exhibit 305F).

(i) Additional landscaping provisions for Subareas J-1, J-2, and J-3.

(1) For landscaping requirements, Subareas J-1, J-2, and J-3 may each be considered as a single lot.

(2) One site tree must be provided for every 4,000 square feet in each of these subareas. At least 50 percent of the site trees in each subarea must be planted within the rear 50 percent of the subarea. Every site tree must have a planting area of at least 25 square feet. The trunk of each site tree must be located more than two and one-half feet from any pavement.

(3) One large canopy tree must be provided for every 25 feet of frontage, with a minimum of two trees per subarea. These trees must be located within the parkway.

(4) A minimum of 20 percent of each subarea must be designated as landscape site area. Permeable pavement for motor vehicles does not count as part of the landscape site area.

(5) Fences in front yards and corner side yards may not exceed four feet in height if the fence is solid. Fences in front yards and corner side yards may not exceed six feet in height if the fence is a minimum of 50 percent open. In all other cases, fences may not exceed nine feet in height. In this paragraph, the term corner side yard means the portion of the front yard on a corner lot governed by side yard regulations.

(j) Landscape plan for Subdistrict G. Landscaping in Subdistrict G must be provided as shown on Exhibit 305G.

(k) Landscape plan for Subarea D-1 of Subdistrict D. A landscape plan for Subarea D-1 of Subdistrict D was approved by the Dallas City Council on November 12, 2007 (Exhibit 305J). (Ord. Nos. 24102; 24826; 24830; 24845; 26078; 26102; 27000; 27077; 29020; 29365)

SEC. 51P-305.118. STRUCTURE FACADE STANDARDS.

(a) Off-street parking structures. All permanent parking structures must be either underground or concealed in a building with a facade that is similar in appearance to the facade of the main non-parking building to which the parking is accessory. At least 12 percent of the parking structure facade must be covered with the same material used predominantly on the first 24 feet of height of the main non-parking building. (The facade area is calculated by including openings, if any.) Openings in the parking structure facade must not exceed 52 percent of the total facade area.

(b) Highly reflective glass prohibited. Highly reflective glass may not be used as an exterior building material on any building or structure in this district. For purposes of this subsection, "highly reflective glass" means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface

will appear.) (Ord. Nos. 21508; 24826)

SEC. 51P-305.119. COMMUNITY FACILITIES REQUIRED.

(a) No building permit may be issued to authorize the construction of more than 1,000 dwelling units (total) in the West Residential Subzone until the owner irrevocably dedicates to the city either 5,000 contiguous square feet of land area, or, at the owner's option, 10,000 contiguous square feet of ground level floor area, for the purpose of providing a needed community facility in this district. The property dedicated must be located in this district. Ground level floor area in a building may be "dedicated" for purposes of this subsection through the granting of a 99 year lease. For purposes of this subsection, "needed community facility" means any facility housing city services, including but not limited to police, fire, or park and recreation department services, that will substantially and directly benefit the residents of this district. The director of planning and development shall determine whether a proposed facility is a "needed community facility."

(b) Land or floor area dedicated pursuant to Subsection (a) must be furnished at a location selected by the owner that is approved by the director of planning and development. Dedicated land area must be provided at no cost to the city, and dedicated floor area must be provided at no cost to the city other than the cost of routine operating expenses such as taxes, insurance, utilities, maintenance, and the cost of constructing any improvements in the floor area. The city shall be responsible for complying with all zoning requirements related to the operation of needed community facilities.

(c) If land area is dedicated and the city chooses to construct a structure on that land, the city shall design a structure that conforms to the general architectural guidelines in effect for this district.

(d) Any instrument dedicating land or floor area pursuant to this subsection must be approved as to form by the city attorney and filed in the deed record of Dallas County by the owner making the dedication. (Ord. Nos. 21508; 24826; 26102)

SEC. 51P-305.120. LOWER INCOME FAMILY HOUSING REQUIREMENTS.

(a) In this section:

(1) DWELLING UNIT OF ADEQUATE SIZE means:

(A) an efficiency or larger unit for a family consisting of one person;

(B) a one-bedroom or larger unit for a family consisting of two persons;

(C) a two-bedroom or larger unit for a family consisting of three or four persons; and

(D) a three-bedroom or larger unit for a family consisting of more than four persons.

(2) FAMILY means one or more individuals living together as a single housekeeping unit in which not more than four individuals are unrelated to the head of the household by blood, marriage, or adoption.

(3) LIF DWELLING UNIT means lower income family dwelling unit.

(4) LIF RENTAL RATE means an amount equal to or less than 30 percent of the tenant's gross annual family income divided by 12, except that in no event shall the LIF rental rate be less than the fair market rental for existing housing for the Dallas Primary Statistical Area established by the Secretary of Housing and Urban Development periodically but not less than annually, adjusted to be effective on October 1 of each year, and published in the Federal Register as required by Section 8(c)(1) of the United States Housing Act of 1937, as amended [42 U.S.C.A. § 1437f, Subsection (c)(1)].

(5) LOWER INCOME FAMILY means a family whose income does not exceed 80 percent of the medial income for the Dallas Primary Statistical Area, as determined by the Secretary of Housing and Urban Development, with adjustments for smaller and larger families in accordance with Section 3(b)(2) of the United States Housing Act of 1937, as amended [42 U.S.C.A. § 1437a, Subsection (b)(2)].

(6) LOWER INCOME FAMILY ("LIF") DWELLING UNIT means a dwelling unit of adequate size:

(A) leased or offered for lease to a lower income family for an amount equal to or less than the utility-adjusted LIF rental rate[1]; or

(B) determined by the appropriate federal or state governmental authority to satisfy all necessary criteria for lower (or very-low) income family occupancy to qualify a project for federal or state tax relief or other housing or financial assistance under a program established by and administered in accordance with federal or state law for the purpose of aiding lower (or very-low) income families in obtaining a decent place to live.

(7) UTILITY-ADJUSTED LIF RENTAL RATE means the LIF rental rate minus a 10 percent adjustment for utilities, or, in other words, 90 percent of the LIF rental rate.

(b) Two hundred LIF dwelling units must be provided in this district. One hundred of the units must be leased or offered for lease before a building permit may be issued that would authorize the construction of more than 1,168 dwelling units (total) in this district. The remaining 100 units must be leased or offered for lease before a building permit may be issued that would authorize the construction of more than 2,337 dwelling units (total) in this district.

(c) Each owner providing LIF dwelling units for purposes of this section must enter into a housing agreement approved by the director of housing and neighborhood services. Each approved housing agreement must:

(1) contain a covenant running with the land stating that the property involved must be used to provide a stated number of LIF dwelling units;

(2) expressly provide that it may be enforced by the city;

(3) be approved as to form by the city attorney; and

(4) be filed by the owner in the deed records of Dallas County, Texas.

(d) Each owner of property subject to a recorded housing agreement shall submit an annual report to the director of housing and neighborhood services demonstrating continued compliance with the

[1] The utility-adjusted rental rate incorporates a deduction for the reasonable cost of utilities. Accordingly, it should be understood that this rate does not include utilities or telephone.

agreement and this article. All annual reports shall be due on June 30 of each year. Each annual report must include the following:

(1) A list of the LIF dwelling units currently leased including the names and family incomes of the tenants.

(2) A list of the LIF dwelling units currently offered for lease.

(3) The total number of dwelling units (LIF or otherwise) currently offered for lease.

(4) A list of all lower income families currently seeking to lease one or more of the LIF dwelling units.

(5) Any other reasonable and pertinent information the director determines to be necessary to demonstrate compliance with the recorded housing agreement and this article.

(e) A recorded housing agreement may be terminated or amended to reduce the number of LIF dwelling units on one building site if a corresponding number of LIF dwelling units are provided on one or more other building sites in this district in accordance with this section. An instrument terminating or amending a recorded housing agreement must be:

(1) approved by the director of housing and neighborhood services as to compliance with this article;

(2) approved as to form by the city attorney; and

(3) filed by the owner in the deed records of Dallas County, Texas.

The director shall not approve a termination or amendment that would cause the total number of LIF dwelling units to be reduced below the number required under this section, or that would otherwise cause this article to be violated.

(f) No owner who is not a party to a recorded housing agreement shall be liable for the failure of another owner to comply with that agreement.

(g) The director of housing and neighborhood services shall randomly, regularly, and periodically select a sample of families occupying LIF dwelling units for the purpose of income verification. Any information received pursuant to this subsection shall remain confidential and shall be used only for the purpose of verifying income in order to determine eligibility for occupation of the LIF dwelling units. All prospective tenants of an LIF dwelling unit must agree to provide or to allow the director to obtain sufficient information to enable income verification as contemplated in this subsection as a condition to leasing the unit. A person commits an offense if he or she, with the intent to lease or occupy an LIF dwelling unit, misrepresents the family income of its tenant or prospective tenant to the lessor or the city with knowledge of its falsity. A person who commits the offense described in the preceding sentence shall be guilty of a separate offense for each day or portion of a day that the unit is leased or occupied based on the misrepresentation.

(h) An LIF dwelling unit originally leased to a qualified applicant shall automatically lose its status as an LIF dwelling unit if the tenant no longer qualifies as a lower income family at the end of the primary term of the lease. When this occurs, the next vacated dwelling unit must be offered for lease as an LIF dwelling unit until the required number of LIF dwelling units are provided.

(i) The board of adjustment may grant a special exception to authorize a reduction in the

number of LIF dwelling units required under Subsection (b) of this section if the board finds, after a public hearing, that:

(1) the units have remained vacant for six months or more; and

(2) the owner has made good faith efforts to lease the units to lower income families during the period of vacancy.

In granting a special exception under this subsection, the board shall establish a termination date for the special exception, which shall be not later than one year after the date of the board's decision. This provision does not preclude the granting of additional special exceptions establishing new termination dates in accordance with this subsection. (Ord. Nos. 21508; 24826; 26102)

SEC. 51P-305.121. SIGNS.

Signs located in the West and East Mixed Use Subzones must meet the requirements for business zoning districts contained in the Dallas Development Code, as amended. Signs located in the West and East Residential Subzones must meet the requirements for non-business zoning districts contained in the Dallas Development Code, as amended. (Ord. Nos. 21508; 24826)

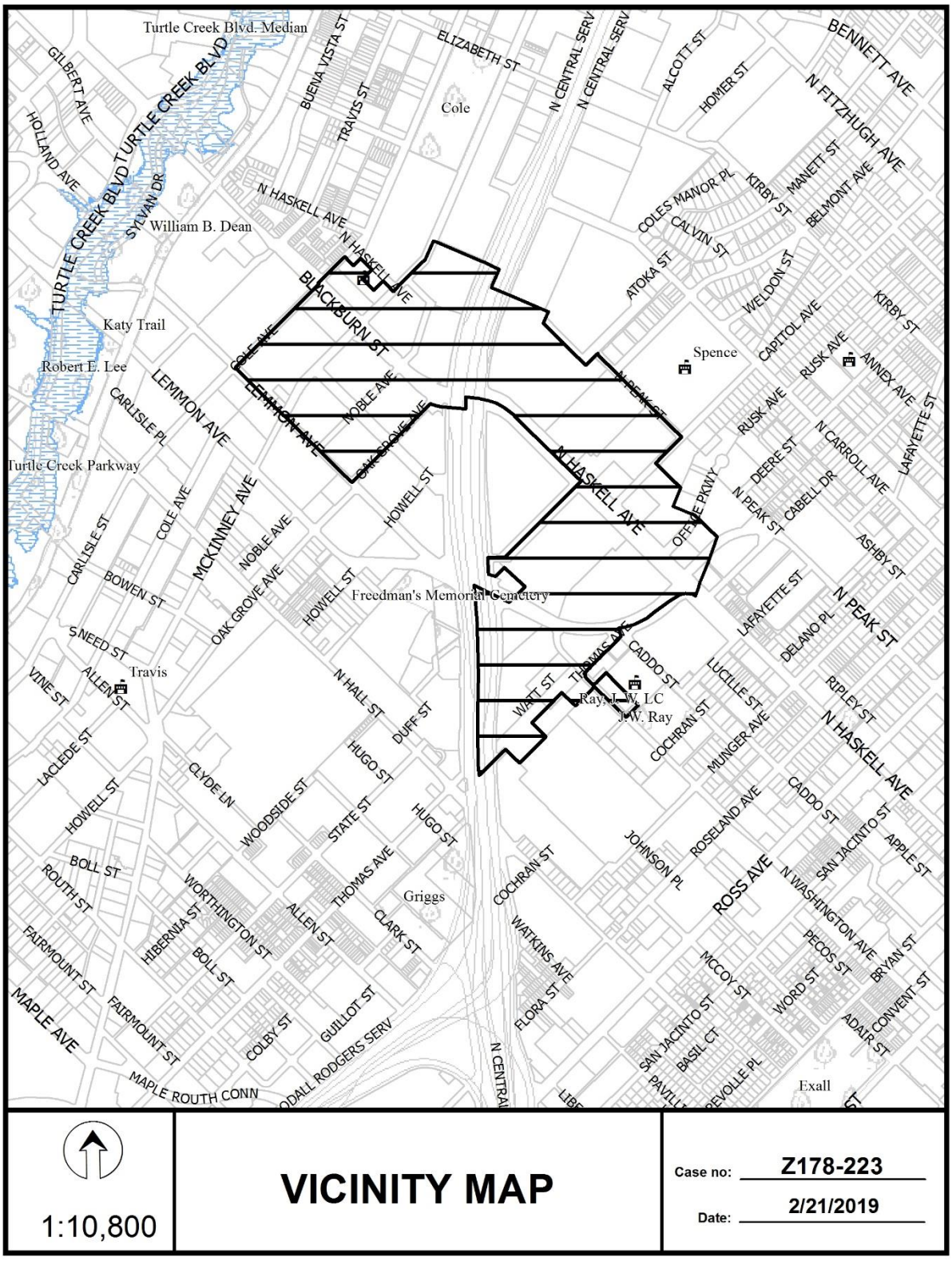
SEC. 51P-305.122. GENERAL REQUIREMENTS.

(a) Development of all property in this district must comply with all applicable federal and state laws and regulations and with all applicable ordinances, rules, and regulations of the city.

(b) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 21508; 24102; 24826; 26102)

SEC. 51P-305.123. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24102; 24826; 26102)

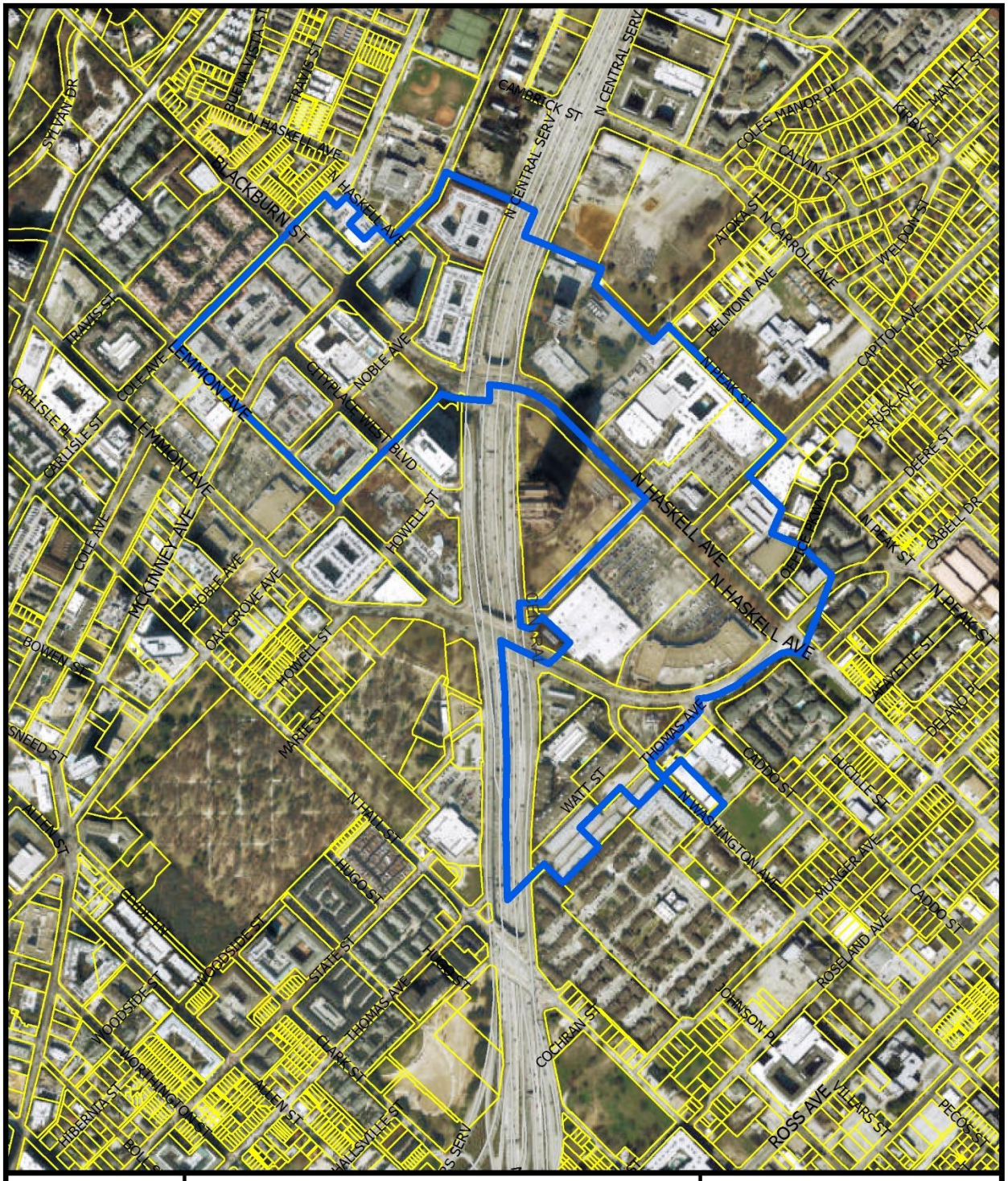


1:10,800

VICINITY MAP

Case no: Z178-223

Date: 2/21/2019

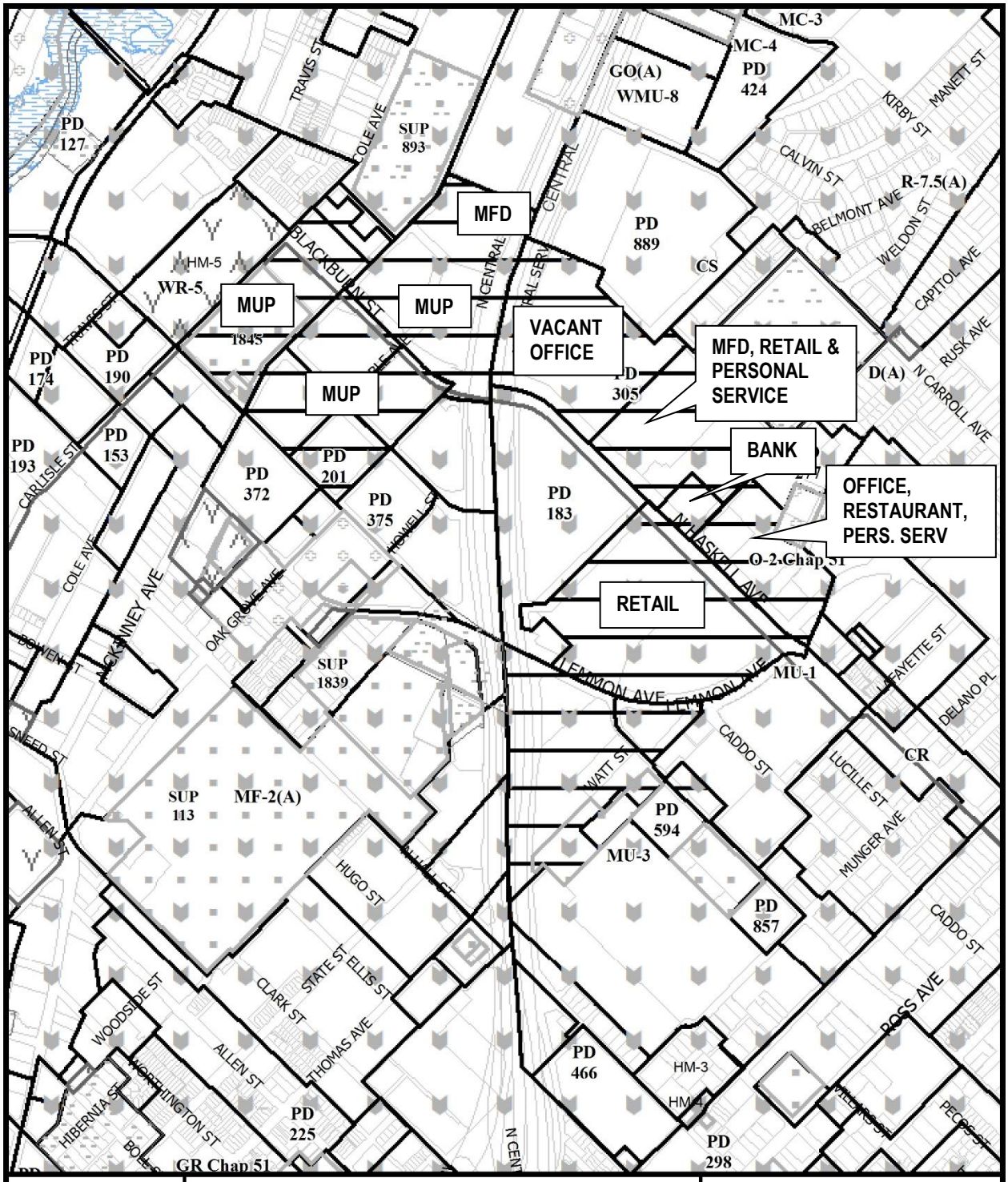


1:8,400

AERIAL MAP

Case no: Z178-223

Date: 2/21/2019

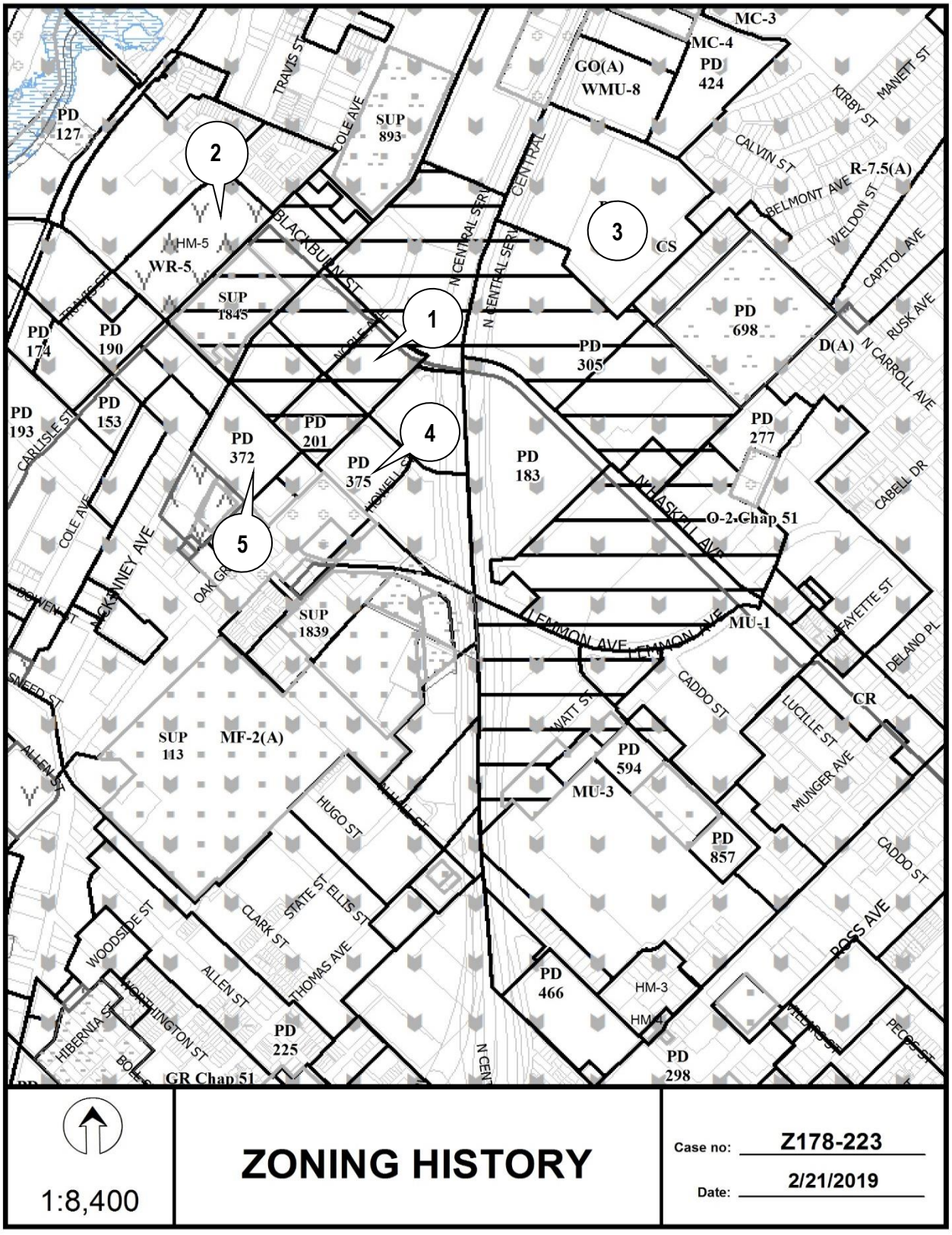


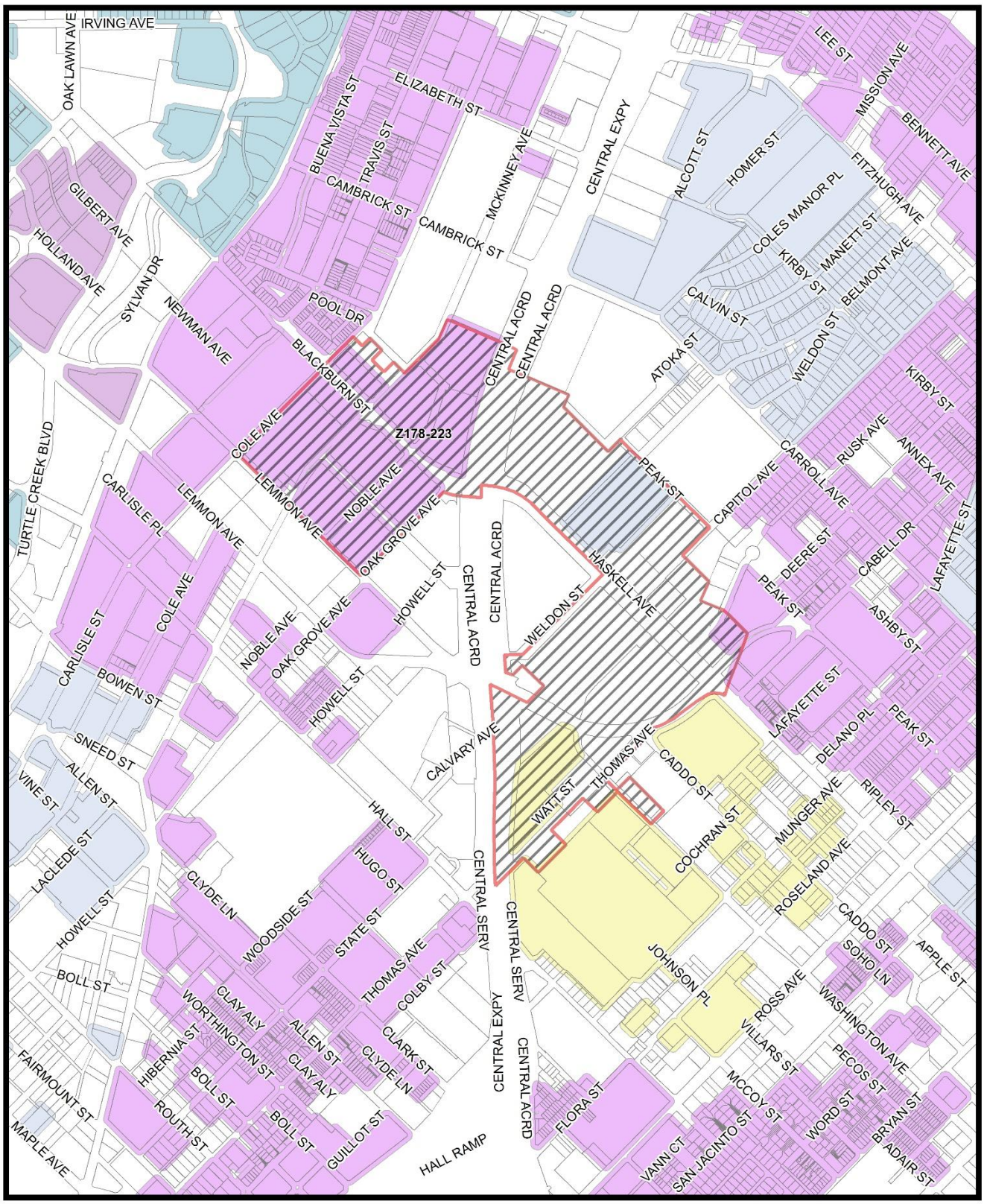
1:8,400

ZONING AND LAND USE

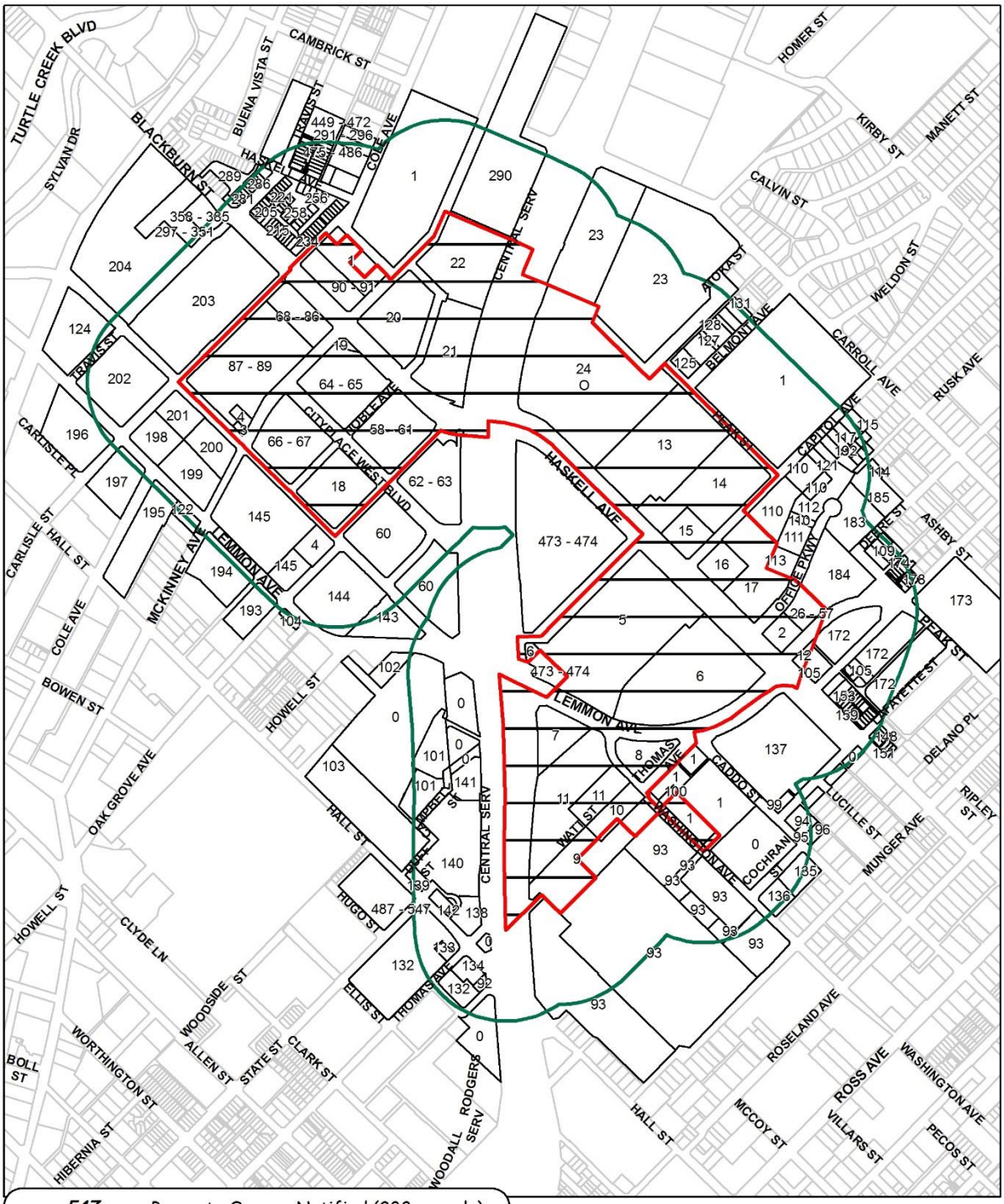
Case no: Z178-223

Date: 5/11/2018


MC-3
MC-4
PD 424
GO(A)
WMU-8
PD 127
SUP 893
TRAVIS ST
COLE AVE
KIRBY ST
MANETT ST
CALVIN ST
R-7.5(A)
BELMONT AVE
WELDON ST
CAPITOL AVE
RUSK AVE
N CARROLL AVE
D(A)
CS
N CENTRAL SERV
CENTRAL
2
3
1
4
5
HM-5
WR-5
SUP 1845
BLACKBURN ST
PD 174
PD 190
PD 193
PD 153
CARLISLE ST
PD 372
PD 201
PD 375
HOWELL ST
PD 305
PD 698
PD 277
PD 183
CABELL DR
O-2 Chap 51
MCKINNEY AVE
OAK GR
SUP 1839
LEMMON AVE
MU-1
LAFAYETTE ST
DELANO PL
CADDO ST
LUCILLE ST
MUNGER AVE
CR
WATT ST
PD 594
MU-3
PD 857
SUP 113
MF-2(A)
ALLEN ST
SNEED ST
HUGO ST
STATE ST
ELLIS ST
CLARK ST
THOMAS AVE
WOODSIDE ST
HIBERNIA ST
WORTHINGTON ST
ALLEN ST
PD 225
GR Chap 51
PD 466
HM-3
HM-4
PD 298
ROSS AVE
PECAN ST
1:8,400
ZONING HISTORY
Case no: Z178-223
Date: 2/21/2019


Z178-223
IRVING AVE
OAK LAWN AVE
ELIZABETH ST
BUENA VISTA ST
TRAVIS ST
CAMBRICK ST
MCKINNEY AVE
CENTRAL EXPY
LEE ST
MISSION AVE
BENNETT AVE
ALCOTT ST
HOMER ST
FITZHUGH AVE
COLES MANOR PL
KIRBY ST
MANETT ST
BELMONT AVE
CALVIN ST
WELDON ST
ATOKA ST
GILBERT AVE
HOLLAND AVE
SYLVAN DR
NEWMAN AVE
POOL DR
BLACKBURN ST
CENTRAL ACRD
COLE AVE
LEMMON AVE
NOBLE AVE
OAK GROVE AVE
PEAK ST
CAPITOL AVE
CARROLL AVE
RUSK AVE
ANNEX AVE
KIRBY ST
LAFAYETTE ST
TURTLE CREEK BLVD
CARLISLE PL
HOWELL ST
WELDON ST
HASKELL AVE
DEERE ST
CABELL DR
ASHBY ST
BOWEN ST
SNEED ST
CALVARY AVE
THOMAS AVE
CADDO ST
DELANO PL
RIPLEY ST
VINE ST
ALLEN ST
WATT ST
MUNGER AVE
COCHRAN ST
ROSELAND AVE
HALL ST
LACLEDE ST
HUGO ST
CLYDE LN
WOODSIDE ST
STATE ST
CENTRAL SERV
CENTRAL EXPY
JOHNSON PL
SOHO LN
APPLE ST
BOLL ST
COLBY ST
CLAY ALY
WORTHINGTON ST
CLARK ST
ROSS AVE
WASHINGTON AVE
HIBERNIA ST
FAIRMOUNT ST
ROUTH ST
GUILLOT ST
HALL RAMP
FLORA ST
VILLARS ST
PECOS ST
MCCOY ST
WORD ST
BRYAN ST
ADAIR ST
VANN CT
SAN JACINTO ST
MAPLE AVE
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:10,000
Market Value Analysis
Printed Date: 2/21/2019

CPC RESPONSES



547	Property Owners Notified (288 parcels)
6	Replies in Favor (6 parcels)
1	Replies in Opposition (1 parcels)
500'	Area of Notification
6/20/2019	Date

Z178-223
CPC

N
W E
S

1:8,400

06/19/2019

Reply List of Property Owners

Z178-223

547 Property Owners Notified 6 Property Owners in Favor 1 Property Owner Opposed

Reply	*Label #*	*Address*		*Owner*
	1	2211	CADDO ST	Dallas ISD
	2	4106	OFFICE PKWY	GRAND SKY VENTURES LLC
	3	3128	LEMMON AVE	BLACKBURN CTRL HLDG LP
	4	3605	MCKINNEY AVE	MESSINA MARIO L
	5	2417	N HASKELL AVE	DAYTON HUDSON CORP
	6	2415	N HASKELL AVE	KIR CITYPLACE MARKET L P
	7	2503	LEMMON AVE	SEJ ASSET MGMT & INVESTMENT COMPANY
	8	2404	N WASHINGTON AVE	TACO BELL OF AMERICA INC
	9	2320	N CENTRAL EXPY	PS LPT PROPERTIES INVESTORS
	10	2301	N WASHINGTON AVE	TEXAS UTILITIES ELECTRIC COMPANY
	11	2403	N WASHINGTON AVE	DALLAS CITYPLACE MF PARTNERS LLC
	12	4100	LEMMON AVE	OAK CREEK PARTNERS LTD
	13	2660	N HASKELL AVE	GATEWAY CITYVILLE INC
	14	2600	N HASKELL AVE	KROGER TEXAS LP
	15	2500	N HASKELL AVE	SCHMIDT 1980 DECEDENTS TRUST
	16	2428	N HASKELL AVE	WHATABURGER INC
	17	2420	N HASKELL AVE	SHURGARD FREMONT PTNRII
	18	2901	W CITY PLACE BLVD	BRYSON NOBLE LLC
	19	3700	MCKINNEY AVE	BLACKBURN CENTRAL
	20	3000	BLACKBURN ST	MEPT MONDRIAN CITYPLACE LLC
	21	2990	BLACKBURN ST	SVF BLACKBURN DALLAS CORP
	22	3930	MCKINNEY AVE	CRITERION MCKINNEY NOBEL APTS LP
	23	999	N CARROLL AVE	TC CENTRAL ASSOCIATES LLC
O	24	3972	N CENTRAL EXPY	URBAN SMART GROWTH LP
	25	11111	COLE AVE	CITY PLACE - DALLAS TIF 920
	26	4108	OFFICE PKWY	GARBUZ GREGORY

Reply	*Label #*	*Address*		*Owner*
	27	4108	OFFICE PKWY	ALBERTO GEOFFREY
	28	4108	OFFICE PKWY	SENOR CHARLES DAVID & JANE MARIE
	29	4108	OFFICE PKWY	AF CASTLE ROCK LLC
	30	4108	OFFICE PKWY	NGUYEN NAM X
	31	4108	OFFICE PKWY	POZO JOSE MANUEL
	32	4108	OFFICE PKWY	KANE EDWARD CHARLES
	33	4108	OFFICE PKWY	ALBORZ KIARASH
	34	4108	OFFICE PKWY	JUSTUS JASON & MONICA
	35	4108	OFFICE PKWY	DORMAN ROBERT PHILIP
	36	4108	OFFICE PKWY	BRECHT THOMAS
	37	4108	OFFICE PKWY	WONG JAMES C &
	38	4108	OFFICE PKWY	GUTIERREZ ALEXANDER
	39	4108	OFFICE PKWY	HACKETT MICHAEL
	40	4108	OFFICE PKWY	SERGEY'S TRUST
	41	4108	OFFICE PKWY	WILLBERG NATALIE R.
	42	4108	OFFICE PKWY	SEPID LLC
	43	4108	OFFICE PKWY	MODJBAFAN JAVAD
	44	4108	OFFICE PKWY	STOCK IAN
	45	4108	OFFICE PKWY	RODRIGUEZ ISSAC L
	46	4108	OFFICE PKWY	POITEVENT JOHN
	47	4108	OFFICE PKWY	POTTS ZACHARY A
	48	4108	OFFICE PKWY	SHINE THEODIS JR
	49	4108	OFFICE PKWY	TANGELLAMUDI DHRUVA TEJA
	50	4108	OFFICE PKWY	GRAY HEATHER &
	51	4108	OFFICE PKWY	BELL CORAL ALICE
	52	4108	OFFICE PKWY	ROSS STEPHENIE SHAE
	53	4108	OFFICE PKWY	YASIN PETRA
	54	4108	OFFICE PKWY	CHOULRAMOUNTRY PHONEPHASITH
	55	4108	OFFICE PKWY	PJ COASTAL PROPERTIES LLC
	56	4108	OFFICE PKWY	BILLS CHRISTOPHER & TONYA
	57	4108	OFFICE PKWY	CASTLE CARY A

Reply	*Label #*	*Address*		*Owner*
	58	2901	BLACKBURN	CITYPLACE HOTEL REALTY LP
	59	2901	BLACKBURN	FC 2901 BLACKBURN LLC
	60	2889	W CITYPLACE BLVD	BLACKBURN CENTRAL
	61	2901	BLACKBURN	7B SOUTH RETAIL PARTNERS LP
	62	2801	N CENTRAL EXPY	SBR REAL ESTATE HOLDINGS LP
	63	2801	N CENTRAL EXPY	TOWER WEST PARTNERS LP
	64	3700	MCKINNEY AVE	FC 3700 MCKINNEY OWNER LLC
	65	3700	MCKINNEY AVE	3700 MCKINNEY LTD
	66	3636	MCKINNEY AVE	CPI POLLACK WEST VILLAGE 3636 OWNER LP
	67	3600	MCKINNEY AVE	3600 MCKINNEY LTD PS
	68	3699	MCKINNEY AVE	WEST VILLAGE 2004 PO LTD
	69	3699	MCKINNEY AVE	WILLIAMSON ANA
	70	3699	MCKINNEY AVE	KAPORIS HELEN
	71	3699	MCKINNEY AVE	WILLIAMSON ANA R
	72	3699	MCKINNEY AVE	SAVAGE TAMARA ANN
	73	3699	MCKINNEY AVE	JONES MIRANDA
	74	3699	MCKINNEY AVE	GROUNDS GAVIN ANTHONY &
	75	3699	MCKINNEY AVE	SHERWOOD STEVEN TRUST
	76	3699	MCKINNEY AVE	BRADSHAW RACHEL
	77	3699	MCKINNEY AVE	SCHULZE MARK
	78	3699	MCKINNEY AVE	JOHNSON GLENN
	79	3699	MCKINNEY AVE	LIVINGSTON WILLIAM C &
	80	3699	MCKINNEY AVE	LEMMA YONATAN SOLOMON
	81	3699	MCKINNEY AVE	PHILZACH LLC
	82	3699	MCKINNEY AVE	REBELLO EUPHRASON G
	83	3699	MCKINNEY AVE	YOUNG FREDERICK C
	84	3699	MCKINNEY AVE	KHEMCHANDANI RAJESH RATAN
	85	3699	MCKINNEY AVE	ALIBHAI HUSEIN F
	86	3699	MCKINNEY AVE	SHAH SUMMIT J &
	87	3699	MCKINNEY AVE	3700 COLE AVE LLC
	88	3699	MCKINNEY AVE	SOUTH ALLEY LOFT LLC

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	89	3699	MCKINNEY AVE	MILLER ANGELA AMHADI
	90	3839	MCKINNEY AVE	CPI POLLACK WEST VILLAGE 3839 OWNER LP
	91	3839	MCKINNEY AVE	WVII LP
	92	2107	N CENTRAL EXPY	CLEAR CHANNEL OUTDOOR INC
	93	3535	MUNGER AVE	DALLAS HOUSING AUTHORITY
	94	2014	CADDO ST	4 GOLDEN PROPERTIES LLC
	95	2004	CADDO ST	RAGAN BRIAN R
	96	2000	CADDO ST	RANSOM BILLIE DEWEY III
	97	2013	LUCILLE ST	TING SIMON & SING TOH
	98	2014	LUCILLE ST	MORRIS BRENDA LIFE ESTATE
	99	2100	CADDO ST	ALCALA LUIS
	100	2226	N WASHINGTON AVE	TEXAS STATE OF
	101	3400	CAMPBELL ST	TEMPLE EMANUEL CONGREGATION
	102	2700	LEMMON AVE	TEMPLE EMANU EL
	103	2400	N HALL ST	CALVARY HILL CEMETERY
	104	3420	OAK GROVE AVE	ANTONETTI & VEGA LTD LP
	105	2120	N HASKELL AVE	BELLAMY JOHN H
	106	2116	N HASKELL AVE	MEARA JAMES F JR
	107	4312	DEERE ST	JOHNSON JUSTIN M
	108	4310	DEERE ST	LIES SHELBY R
	109	4304	DEERE ST	BSISO MAHER
	110	4306	CAPITOL AVE	DALLAS COUNTY ASSN FOR
	111	4225	OFFICE PKWY	HOUZZ VENTURES LLC
	112	4241	OFFICE PKWY	DALLAS CO ASSN FOR
	113	4141	OFFICE PKWY	4141 OFFICE PARKWAY LLC
	114	4334	RUSK AVE	VASQUEZ RUBEN
	115	4406	CAPITOL AVE	DALLAS SUNDOWN PROPERTY
	116	4402	CAPITOL AVE	KARGER REAL PROPERTIES LLC
	117	4330	CAPITOL AVE	IPENEMA INVESTMENTS LTF
	118	4326	CAPITOL AVE	MORRIS DAVID M &
	119	4322	CAPITOL AVE	MORRIS DAVID M

Reply	*Label #*	*Address*		*Owner*
	120	4318	CAPITOL AVE	MALDANADO AUGUSTIN & ANA
	121	4314	CAPITOL AVE	HOUGHTELING THOMAS W
	122	3103	LEMMON AVE	AJM LEMMON LLC
	123	3210	N HASKELL AVE	COLE FLOYD O JR
	124	3535	TRAVIS ST	KATY TRAIL PLACE INC
	125	4301	BELMONT AVE	BELMONT OFFICES LLC
	126	4311	BELMONT AVE	MARCELOREED PROPERTIES LLC
	127	4319	BELMONT AVE	BELMONT STUDIOS LLC
	128	4325	BELMONT AVE	OWEN MALLOY INVESTMENTS LLC
	129	4329	BELMONT AVE	BRAYNE VENTURES LLC
	130	4331	BELMONT AVE	PARK JONAS J
	131	4405	BELMONT AVE	REDTAIL COMMERCIAL LLC
	132	3108	STATE ST	3010 STATE ST LP
	133	3209	THOMAS AVE	RAR2-3209 THOMAS AVE LLC
	134	3200	THOMAS AVE	THOMAS LP
	135	1913	CADDO ST	HOUSING AUTHORITY OF THE
	136	1950	N WASHINGTON AVE	CHURCH OF THE INCARNATION
	137	2101	N HASKELL AVE	CARLETON CITYPLACE
	138	2200	N CENTRAL EXPY	WAL MART STORES TEXAS LP
	139	2404	N HALL ST	ANN & STEVE KIM LLC
	140	2305	N CENTRAL EXPY	WALMART REAL ESTATE
	141	2400	N CENTRAL EXPY	WALMART REAL ESTATE BUSINESS TRUST
	142	2500	N HALL ST	SWAIN BEVERLY TONEY GST NONEXEMPT TRUST
	143	2727	E LEMMON AVE	HC 2727 E LEMMON AVENUE LLC
	144	3515	HOWELL ST	NORTHWESTERN MUTUAL LIFE
	145	3524	MCKINNEY AVE	PAN COASTAL LIMITED PS
	146	4106	LAFAYETTE ST	SIEKER JUSTIN D
	147	4108	LAFAYETTE ST	WISSNER ROSS H
	148	4110	LAFAYETTE ST	SAFFIAN JONATHAN D
	149	4112	LAFAYETTE ST	WATSON JAMES W
	150	2016	N HASKELL AVE	NAJJAR ELIAS

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	151	2018	N HASKELL AVE	CROCKETT MATTHEW
	152	2020	N HASKELL AVE	TODD JOHN M & ABBIE N
	153	2112	N HASKELL AVE	BRITTINGHAM JEREMIAH D &
	154	2110	N HASKELL AVE	ELLIS CHRISTOPHER AARON
	155	4125	LAFAYETTE ST	HAINES LESLIE
	156	4123	LAFAYETTE ST	HOPFINGER KATHERINE CECILIA
	157	2108	N HASKELL AVE	FLANAGAN THOMAS E
	158	2106	N HASKELL AVE	PATEL SNEHA
	159	2104	N HASKELL AVE	BASS JASON ALLEN
	160	4119	LAFAYETTE ST	WHITELEY SHAUN ARTHUR
	161	4117	LAFAYETTE ST	PANKRATZ CARL WESTON III
	162	2102	N HASKELL AVE	CONNOLLY CORY J
	163	4115	LAFAYETTE ST	PILLAIPAKKAM PREETHI
	164	4105	LAFAYETTE ST	HOUSER KIRK S
	165	4107	LAFAYETTE ST	LU XING ER
	166	4109	LAFAYETTE ST	HENVEY JOHN S
	167	4111	LAFAYETTE ST	HAMED ADAM O
	168	4113	LAFAYETTE ST	DICK KARLA R
	169	4204	CABELL DR	LING ALEXANDER G &
	170	4202	CABELL DR	RODRIGUEZ NICHOLAS K &
	171	4200	CABELL DR	SIEKS KEITH
	172	4203	LAFAYETTE ST	FRONTLINE PARK GATES LP
	173	2110	PEAK ST	BEL LOFT ROW LLC
	174	2200	N PEAK ST	FUKUDA YOSUKE
	175	2202	N PEAK ST	DAO TRANG THUY
	176	2204	N PEAK ST	OXFORD IKE & SARA ABRAHAM OXFORD
	177	2206	N PEAK ST	MARTS JACK P & MARY E
	178	4307	CABELL DR	KEELER MARGO PERSON
	179	4305	CABELL DR	ROSEN MATT
	180	4303	CABELL DR	MARION KENNETH &
	181	4301	CABELL DR	MCCALLON DARREN M

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	182	4309	CABELL DR	BAUMANN JAMES J
	183	4242	OFFICE PKWY	DALLAS SERVICES
	184	4144	OFFICE PKWY	CARLETON CITYPLACE II LTD
	185	4319	DEERE ST	CENTRAL DALLAS COMMUNITY
	186	2322	RUSK PL	OLIVEIRA PETERSON S
O	187	2325	RUSK PL	JOHNSON ANTHONY W
	188	2323	RUSK PL	DREXLER LAUREN MICHELE
O	189	2318	RUSK CT	COBURN KYLE ANDREW
	190	2320	RUSK CT	NWAMADI FERDIE JAY
	191	2319	RUSK CT	KERR LISA G
	192	2321	RUSK CT	HUTCHISON CHASE A
	193	3411	OAK GROVE AVE	LG LEMMON OAK GROVE LLC
	194	3418	MCKINNEY AVE	WALGREEN CO
	195	3402	COLE AVE	POST APARTMENT HOMES LP
	196	3223	LEMMON AVE	POST KATY TRAIL LLC
	197	3400	CARLISLE ST	HC CARLISLE BUILDING LLC
	198	3130	LEMMON AVE	LEMMON & COLE PARTNERS LP
	199	3501	MCKINNEY AVE	3501 MCKINNEY LTD
	200	3133	LEMMON AVE	RP TOWN & COUNTRY SC &
	201	3522	COLE AVE	RP TOWN & COUNTRY SC
	202	3530	TRAVIS ST	CONNELL RIVIERA LLC
	203	3711	COLE AVE	LG CITYPLACE LP
	204	3377	BLACKBURN ST	TC BLACKBURN
	205	3201	HASKELL AVE	BLVD BLDRS/VALENCIA LP
X	206	3810	TRAVIS ST	SANDERS ANGELA L
	207	3808	TRAVIS ST	BARNETT ROBERT TRACY
	208	3806	TRAVIS ST	METZLER JONATHAN
	209	3804	TRAVIS ST	MCKENDRY PATRICIA & MATTHEW
	210	3802	TRAVIS ST	CURLEY BRINDA HOLT
	211	3224	BLACKBURN DR	DELPINO CARLOS M & DEBORAH A
	212	3222	BLACKBURN DR	DOUD BRIAN &

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	213	3220	BLACKBURN DR	BARRETT JOHN & LISA
	214	3218	BLACKBURN DR	MORTENSON TIMOTHY & KATHLEEN
	215	3216	BLACKBURN DR	DUNN JOHN R
	216	3214	BLACKBURN DR	TURNBULL JULIE & DERRICK J
	217	3212	BLACKBURN DR	LATHAM VAN & LYNN
	218	3210	BLACKBURN DR	FL DALLAS LLC
	219	3208	BLACKBURN DR	KUMAR RAJESWARI V
	220	3206	BLACKBURN DR	EDGERTON JAMES & LINDA L
	221	3223	POOL DR	HOA OF VALENCIA TOWNHOMES
	222	3839	COLE AVE	WOOMING GEORGE
	223	3837	COLE AVE	KOBETT PATRICK
	224	3835	COLE AVE	HARRIS DARRIUN & KRISTINA HARRIS
	225	3833	COLE AVE	BOATNER PRENTIS LEE III
	226	3831	COLE AVE	HOFF NANCY A
	227	3829	COLE AVE	PARKER RONALD C
	228	3825	COLE AVE	OZBILEK LEVENT & ZEYNEP BURCU
	229	3823	COLE AVE	MINARYJOLANDAN MAJID &
	230	3821	COLE AVE	DEHAAN KAMERON
	231	3819	COLE AVE	DOAN DUC H
	232	3817	COLE AVE	BRYANT DAVID B
	233	3815	COLE AVE	CHRISTOPHERSON AARON M
	234	3811	COLE AVE	DOAN DUC
	235	3815	HASKELL DR	PRITCHARD JEFFREY M &
	236	3817	HASKELL DR	CULLEN JOHN M & CONSTANCE L
	237	3819	HASKELL DR	WEIDE MARK
	238	3821	HASKELL DR	WALLACE CHRIS
	239	3823	HASKELL DR	HAUSER THOMAS M JR
	240	3825	HASKELL DR	BALL JOHN G
	241	3820	HASKELL CT	VICK MICHAEL M & GRETCHEN G P
	242	3818	HASKELL CT	CONNERS CHRISTOPHER
	243	3816	HASKELL CT	MAH JEFFERY

06/19/2019

Reply	*Label #*	*Address*		*Owner*
O	244	3814	HASKELL CT	TRUST PAM
	245	3812	HASKELL CT	ETHRIDGE JACOB J & AMANDA B
	246	3812	TRAVIS ST	SMITH TOBIAS
O	247	3814	TRAVIS ST	KAMINSKI ANDRZEJ S
O	248	3816	TRAVIS ST	ASINOF PAULA
	249	3818	TRAVIS ST	RICHARDSON MARK D
	250	3820	TRAVIS ST	HEPFER MAXINE
	251	3822	TRAVIS ST	ABERNETHY JULIE
	252	3824	TRAVIS ST	MASON ASHLEY L
	253	3231	HASKELL AVE	OZBILEK LEVENT & ZEYNEP B
	254	3227	HASKELL AVE	VELING MARIA C
	255	3223	HASKELL AVE	BOLDRICK DAVID B & SUSAN B
	256	3219	HASKELL AVE	MESCIOGLU KUTLAY
	257	3215	HASKELL AVE	HAMMETT DENNIS R
	258	3230	BLACKBURN DR	MAZUR ORLY & LEONARD
	259	3232	BLACKBURN DR	ROY IAN & BEVERLY DIANE
	260	3234	BLACKBURN DR	FARROW PAUL
	261	3900	TRAVIS ST	SHRI SONYA LIMITED PS
	262	3902	TRAVIS ST	NIDUMOLU VIJAY
	263	3904	TRAVIS ST	BLANKENSHIP MONICA L & LARRY D
	264	3238	N HASKELL AVE	OCONNOR JESSICA L
	265	3234	N HASKELL AVE	ARBOUR PAOLA M
	266	3230	N HASKELL AVE	RAUPERS GREGORY D
	267	3906	TRAVIS ST	NIREN LESLIE
	268	3908	TRAVIS ST	BONDS DOROTHEA
	269	3910	TRAVIS ST	POURCHOT GEORGIA BELL
	270	3250	N HASKELL AVE	KAVANAGH MARK ANTHONY
	271	3246	N HASKELL AVE	MAGSTADT BRYAN MICHAEL &
	272	3242	N HASKELL AVE	HUGHES DOUGLAS E & STEFANIE N
	273	3912	TRAVIS ST	WILLIAMS GARY REVOCABLE TRUST THE
	274	3914	TRAVIS ST	MURAKAMI CAROL S

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	275	3262	N HASKELL AVE	SHAKOURIAN NIKKI
	276	3258	N HASKELL AVE	NYSEWANDER BEN
	277	3254	N HASKELL AVE	WOODARD RACHEL
	278	3803	TRAVIS ST	HENRY LAUREY
	279	3805	TRAVIS ST	BERRY ROBERT E &
	280	3807	TRAVIS ST	STAIGER GARY
	281	3809	TRAVIS ST	DO TUAN & THUY LAM
	282	3811	TRAVIS ST	QUDAH FAIGA J
	283	3817	TRAVIS ST	CORREA ANDRES & CLAUDIA VARGAS
	284	3819	TRAVIS ST	MAGNESS SUE ANN
	285	3821	TRAVIS ST	KENNEDY LESLIE A
	286	3823	TRAVIS ST	BERMAN GEORGE &
	287	3825	TRAVIS ST	BREVELLE JOHNALAINE ALMARIA
	288	3827	TRAVIS ST	DEAN GAIL L SURVIVORS TRUST
	289	3300	BLACKBURN ST	PORTOBELLO LTD
	290	3966	MCKINNEY AVE	CHURCH OF INCARNATION
	291	3919	COLE AVE	ROBEY SCOTT
	292	3919	COLE AVE	COLE AVE 3919 102 LAND TR
	293	3919	COLE AVE	BOGARD KERRY BRYAN
	294	3919	COLE AVE	GORDON LAINEY ELIZABETH
	295	3919	COLE AVE	CARMICHAEL WILLIAM JAMES JR
	296	3919	COLE AVE	MOUTON ANDREW JAMES
	297	3311	BLACKBURN ST	GEOFFRION TRACY R
	298	3311	BLACKBURN ST	CHANDY AMY
	299	3311	BLACKBURN ST	THI DIEP KIEU T
	300	3311	BLACKBURN ST	SYAU SHENGYAU &
	301	3311	BLACKBURN ST	SULIT MARIO A
	302	3311	BLACKBURN ST	KATEB MEDHI
	303	3311	BLACKBURN ST	TRAN JOHN
	304	3311	BLACKBURN ST	DUNN CHANELLE L
	305	3311	BLACKBURN ST	BARLOW ERIN MARIE

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	306	3311	BLACKBURN ST	BREUNER PEYTON ALEXIS
	307	3311	BLACKBURN ST	BOYLE JAMILA J
	308	3311	BLACKBURN ST	YU KEVIN K
	309	3311	BLACKBURN ST	DANE EUGENE
	310	3311	BLACKBURN ST	COOKE CARRIE A
	311	3311	BLACKBURN ST	PANDYA AMIT & REEMA SHAH
	312	3311	BLACKBURN ST	NUNEZ CARLOS A
	313	3311	BLACKBURN ST	WILSON DEBORAH &
	314	3311	BLACKBURN ST	WEBB RONALD J
	315	3311	BLACKBURN ST	SMITH BRADFORD W
	316	3311	BLACKBURN ST	CASH ERIN TIFFANY
	317	3311	BLACKBURN ST	TRINH FAMILY LIVING TRUST
	318	3311	BLACKBURN ST	BRESLIN ALYSON L
	319	3311	BLACKBURN ST	MEADOR KIRSTEN M
	320	3311	BLACKBURN ST	ELLIS RYAN WINSTON
	321	3311	BLACKBURN ST	TCHEN DEXTER & GRACE CHENG
	322	3311	BLACKBURN ST	BUKOLT MARK & CAROLINE
	323	3311	BLACKBURN ST	JI XIUMING
	324	3311	BLACKBURN ST	SNYDER ANA
	325	3311	BLACKBURN ST	DOTRINH FAMILY TRUST
	326	3311	BLACKBURN ST	MOTLAGH AL &
	327	3311	BLACKBURN ST	ROBERTS DIANA
	328	3311	BLACKBURN ST	RUNNELS CASEY
	329	3311	BLACKBURN ST	TORRES DULCE
	330	3311	BLACKBURN ST	NGO HONGVIEN
	331	3311	BLACKBURN ST	CULPEPPER SUSAN
	332	3311	BLACKBURN ST	GREEN PHILLIP WISTER
	333	3311	BLACKBURN ST	TORRES DULCE M
	334	3311	BLACKBURN ST	HERNANDEZ DANIELLE
	335	3311	BLACKBURN ST	J & J LEE COMPANY LLC
	336	3311	BLACKBURN ST	HABERER STEFAN M & ELIZABETH

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	337	3311	BLACKBURN ST	NOLAN LEAH S & CLAYTON E
	338	3311	BLACKBURN ST	MAYBEN MICHAEL PAUL
	339	3311	BLACKBURN ST	WONG DEBBY HOI YEE
	340	3311	BLACKBURN ST	SPENSIERI AUTUMN &
	341	3311	BLACKBURN ST	LAROCCA ASHLEY
	342	3311	BLACKBURN ST	GUEST KIM
	343	3311	BLACKBURN ST	FRANK ROBERT EDWARD
	344	3311	BLACKBURN ST	REYES GARY & FAITH
	345	3311	BLACKBURN ST	MCKINLEY SHARON RUTH
	346	3311	BLACKBURN ST	KROCHESKI MATTHEW J
	347	3311	BLACKBURN ST	FOLEY NICHOLAS & MANJULA
	348	3311	BLACKBURN ST	GAMINI ARSHIN &
	349	3311	BLACKBURN ST	HERRERA MARIA S
	350	3311	BLACKBURN ST	TIMMS RYAN
	351	3311	BLACKBURN ST	GARRIGUES LINDA JEAN
	352	3915	COLE AVE	UNIVERSITY CONSTRUCTION
	353	3915	COLE AVE	DOYLE ROBERT
	354	3915	COLE AVE	COLE FLOYD
	355	4302	DEERE ST	WALTERS RUPERT MATTHEW
	356	4302	DEERE ST	KLOMPUS NANCY
	357	4302	DEERE ST	STEWART JORDAN P
	358	3303	BLACKBURN ST	PELLETIER BRENT A & MARY A
	359	3303	BLACKBURN ST	STRADTMAN CAROL C
	360	3303	BLACKBURN ST	ABBOTT LUIS
	361	3303	BLACKBURN ST	RANDALL WESLEY SPENCER & ANGELA M
	362	3303	BLACKBURN ST	THOMAS ATTICUS H &
	363	3303	BLACKBURN ST	DEAN GLENN MITCHELL JR
	364	3303	BLACKBURN ST	JOHNSON CAMERON T & JAMIRA V
	365	3303	BLACKBURN ST	DIETZ MARGARET M
	366	3303	BLACKBURN ST	GREEN WILLIAM H & SUE ANN
	367	3303	BLACKBURN ST	LEOPOLDI ROBERT & DEBRA

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	368	3303	BLACKBURN ST	RODRIGUEZ MARIA E F
	369	3303	BLACKBURN ST	KURIVILLA MERIN ELIZABETH
	370	3303	BLACKBURN ST	NORRIS ELIZABETH KOBE
	371	3303	BLACKBURN ST	WHEELER JOHN T
	372	3303	BLACKBURN ST	ALBRITTON JANE DEHART &
	373	3303	BLACKBURN ST	MULLEN JOHN M & JANE A
	374	3303	BLACKBURN ST	ESTES STEVEN E &
	375	3303	BLACKBURN ST	BHA LLC
	376	3303	BLACKBURN ST	MOU JAMES & PAMELA
	377	3303	BLACKBURN ST	PELFREY PATRIZIA
	378	3303	BLACKBURN ST	MORVAY LEON C & GAIL R
	379	3303	BLACKBURN ST	KEGLEVIC PAUL & KAREN
	380	3303	BLACKBURN ST	TOUCHSTONE SCOTT MICHAEL
	381	3303	BLACKBURN ST	SCOTT CAROL
	382	3303	BLACKBURN ST	BAUDENDISTEL MICHAEL
	383	3303	BLACKBURN ST	FARRAR DIANE E &
	384	3303	BLACKBURN ST	BROWN DAVID & ANGIE
	385	3303	BLACKBURN ST	ANDREI SILVIU & ANAMARIA
	386	3901	COLE AVE	MELENDEZ MYRNA GEORGINA
	387	3901	COLE AVE	HANSON KURT & PATRICA
	388	3901	COLE AVE	TUCKER THOMAS A
	389	3901	COLE AVE	FERGUSON ELIZABETH
	390	3901	COLE AVE	ROWLAND COLIN
	391	3901	COLE AVE	ROWLAND COLIN
	392	3901	COLE AVE	BREWER EMILY M
	393	3901	COLE AVE	SOKOLOVIC BENJAMIN S
	394	3901	TRAVIS ST	SIERS SCOTT A
	395	3901	TRAVIS ST	GARCIA RYAN
	396	3901	TRAVIS ST	HENNINGSEN JOSEPH H JR
	397	3901	TRAVIS ST	GILLETTE KRISTINE
	398	3901	TRAVIS ST	JEON TINA

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	399	3901	TRAVIS ST	KISSANE ERIN
	400	3901	TRAVIS ST	WEINBERG ELANDRA B
	401	3901	TRAVIS ST	GILG TERRANCE L
	402	3901	TRAVIS ST	TSAI ROGER W & MARGARET S C
	403	3901	TRAVIS ST	MCMANUS SEAN
	404	3901	TRAVIS ST	BAKER JONATHAN A
	405	3901	TRAVIS ST	GAMPPER CLOYD JOSEPH
	406	3901	TRAVIS ST	CCCC PROPERTY MGMT LLC
	407	3901	TRAVIS ST	SULLIVAN JOHN P REVOCABLE TRUST
	408	3901	TRAVIS ST	DOTLINK LLC
	409	3901	TRAVIS ST	SHERIDAN THOMAS M
	410	3901	TRAVIS ST	SHADLE KATHERINE A &
	411	3901	TRAVIS ST	FRIEDMAN JASON
	412	3901	TRAVIS ST	CAMERON AMANDA
	413	3901	TRAVIS ST	CUARTELON ADELE S
	414	3901	TRAVIS ST	WEEDMAN JONATHAN
	415	3901	TRAVIS ST	TSAI TAI CHUN
	416	3901	TRAVIS ST	WRIGHT KYLIE N
	417	3901	TRAVIS ST	THOMAS DARIUS & FALLYN
	418	3901	TRAVIS ST	HALAYDA STEPHEN J
	419	3901	TRAVIS ST	PLEITEZ CLAUDIA
	420	3901	TRAVIS ST	CCCC PPTY MGMT LLC
	421	3901	TRAVIS ST	SENOR CHARLES DAVID & JANE ALLEN
	422	3901	TRAVIS ST	ROUSSON GEORGE & BEATA
	423	3901	TRAVIS ST	WOOD CHARLES MARK
	424	3901	TRAVIS ST	MCALEAVEY DAVID J
	425	3901	TRAVIS ST	REYES JOSHUA P
	426	3901	TRAVIS ST	FULLER WILLIAM T
	427	3901	TRAVIS ST	JOHNSON CARRIE L
	428	3901	TRAVIS ST	SMITH SCOTT N & ALYSSA L
	429	3901	TRAVIS ST	MELCHER MARIAH B

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	430	3901	TRAVIS ST	LUPTON CHAD ARTHUR &
	431	3901	TRAVIS ST	COWICK JEFFERY DUANE & CARMEN
	432	3901	TRAVIS ST	BURNLEY ROBERT
	433	3901	TRAVIS ST	KAISER KASS
	434	3901	TRAVIS ST	WESTBROOK ASHLY
	435	3901	TRAVIS ST	BITENCOURT NICOLE
	436	3901	TRAVIS ST	MICHAEL RACHEL L
	437	3901	TRAVIS ST	SANCHEZ VICTOR G
	438	3901	TRAVIS ST	IVCHENKO NATALIA A
	439	3901	TRAVIS ST	CHEN SHYHDAH &
	440	3901	TRAVIS ST	GOMEZ MARK D
	441	3901	TRAVIS ST	MUNS CHRISTINE AMANDA
	442	3901	TRAVIS ST	FACCA THOMAS PAUL &
	443	3901	TRAVIS ST	MILLER LINDSEY R
	444	3901	TRAVIS ST	LOVATO CHRISTOPHER J
	445	3901	TRAVIS ST	BEARIST GROUP LLC
	446	3901	TRAVIS ST	TATUM JOHN & MARGARET
	447	3901	TRAVIS ST	MARTIN COLE R &
	448	3901	TRAVIS ST	BUIE THOMAS M & CAROLINE P
	449	3922	TRAVIS ST	FLAD JORDAN ELIZABETH
	450	3922	TRAVIS ST	PATEL RAJAN P
	451	3922	TRAVIS ST	STAFIRA JOHN
	452	3922	TRAVIS ST	MURREY MATTHEW LYNN & HEATHER FOX
	453	3922	TRAVIS ST	BURNS NICHOLS L
	454	3922	TRAVIS ST	WIGGS BRUCE
	455	3920	TRAVIS ST	KIM ERNEST YOON
	456	3920	TRAVIS ST	CASSADY KAREN
	457	3920	TRAVIS ST	BOYD TRACY J
	458	3920	TRAVIS ST	CORPACO 1 LP
	459	3920	TRAVIS ST	WENNING CONNOR
	460	3920	TRAVIS ST	DAVIS LANE C & VIVIAN O

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	461	3920	TRAVIS ST	WINSTON NANCY A
	462	3920	TRAVIS ST	GLENNON JASON NICHOLAS
	463	3920	TRAVIS ST	FIROOZBAKHT BOBACK F
	464	3920	TRAVIS ST	RODRIGUEZ HILDA M
	465	3920	TRAVIS ST	MOUSEL MICHAEL A
	466	3922	TRAVIS ST	SCHOENFELD BRENDA
	467	3922	TRAVIS ST	JAMES RICHARD D & RONALD S
	468	3920	TRAVIS ST	GLENN GAYLE
	469	3920	TRAVIS ST	KING CLAUDINE
	470	3920	TRAVIS ST	FARVARDIN ANOOSH
	471	3920	TRAVIS ST	WILCHER JACQUELINE K
	472	3920	TRAVIS ST	HOMSEY ANNA L
	473	2711	N HASKELL AVE	UPTOWN CITYPLACE LLC
	474	2711	N HASKELL AVE	UPTOWN TRS LLC
	475	3907	COLE AVE	HAMM PHILIP
	476	3907	COLE AVE	ANDERL RICHARD M
	477	3907	COLE AVE	SUTHERLAND SCOTT R &
	478	3907	COLE AVE	HAEGELE JOSHUA S & SARAH J SPECK
	479	3907	COLE AVE	SEARFOSS RALPH
	480	3907	COLE AVE	CULBERTSON DAVID EVAN
	481	3907	COLE AVE	STHRC REAL ESTATE TRUST
	482	3907	COLE AVE	REINHEIMER MARK &
	483	3907	COLE AVE	ABATE MATTHEW & ESTHER
	484	3907	COLE AVE	SHAH JHEEL H
	485	3907	COLE AVE	MASEK GEORGE E &
	486	3907	COLE AVE	FENNEMA RICHARD E & MARIA E
	487	3205	STATE ST	ABISLEIMAN RABIH N
	488	3205	STATE ST	CUADROS ALEJANDRO
	489	3205	STATE ST	UPTON MICHAEL
	490	3205	STATE ST	BAKER DANIEL W
	491	3205	STATE ST	BATES BRIAN THOMAS

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	492	3205	STATE ST	ORDONEZSANCHEZ JOSE CAMILO
	493	3205	STATE ST	POWELL JEFFREY A & MELISSA P
	494	3205	STATE ST	PATEL REKHABEN J & JITENDRA C
	495	3205	STATE ST	GHATTAS PAUL JOHN
	496	3205	STATE ST	SINGH GURPAL GILL &
	497	3205	STATE ST	MITCHELL JOHN ANTHONY
	498	2411	HALL ST	CROCKETT BRANDEN
	499	2411	HALL ST	HAMMOND JEFFREY M
	500	2411	HALL ST	MORIGI MICHAEL D
	501	2411	HALL ST	LEUNG DAN & OLGA
	502	2411	HALL ST	MACKENZIE KEVIN & TARA LIVING TRUST
	503	2411	HALL ST	HARDESTY BRADLEY & STUTEE AMIN
	504	2411	HALL ST	PHILLIPS CHAD D
	505	2411	HALL ST	KELFER ADAM M
	506	2411	HALL ST	HART COLBY RYAN VANOSSENBRUGGEN
	507	2411	HALL ST	JUAREZ JORDAN
	508	2411	HALL ST	COOK JOSHUA
	509	2411	HALL ST	JOHNSON MATTHEW L
	510	2411	HALL ST	CARRILLO MIGUEL
	511	2411	HALL ST	CHANG JEREMY
	512	2411	HALL ST	GRIFFITH MATTHEW
	513	2411	HALL ST	COHEN GARY R
	514	2411	HALL ST	HAUSMAN AARON &
	515	2411	HALL ST	MILLER ROBERT DON
	516	2411	HALL ST	KIRCHHOFF SCOTT
	517	2411	HALL ST	IP AARON
	518	2411	HALL ST	HOKE RICHARD STUART JR
	519	2411	HALL ST	MCVEY JOHN
	520	2411	HALL ST	SINGERLE BRIAN
	521	2411	HALL ST	RIEMAN JAY J & ANNE M
	522	2411	HALL ST	DUGONI BRIAN W

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	523	2411	HALL ST	TENNISON TAYLOR EATON
	524	2411	HALL ST	ONEIL JAMES & MARGOT
	525	2411	HALL ST	WASSEM DANIEL R
	526	2411	HALL ST	GREER GERALD KEITH JR
	527	2411	HALL ST	HANEY JOEY III & JORDAN
	528	2411	HALL ST	MICHNA MAGDA
	529	2411	HALL ST	LISTROM STEPHEN J
	530	2411	HALL ST	TREVINO DEAVON R
	531	2411	HALL ST	BARSOTTI MARGARET I
	532	2411	HALL ST	FULLER STEWART D
	533	2411	HALL ST	CARTER JOHN A JR
	534	2411	HALL ST	SALEHOUN DARIUS TRUST
	535	2411	HALL ST	SELBO CHRISTOPHER S
	536	2411	HALL ST	REILLY WILLIAM & MARCIA
	537	2420	HUGO ST	KEAY STUART E
	538	2420	HUGO ST	GUSTAFSON RICARD B &
	539	2420	HUGO ST	OHANESSIAN SEEREL S &
	540	2420	HUGO ST	ZELLERS KEVIN
	541	2420	HUGO ST	BOTTENFIELD JASON LIVING TRUST THE
	542	2420	HUGO ST	HITE CURTIS A
	543	2420	HUGO ST	SHETTY ASHVAT SHIVARAM
	544	2420	HUGO ST	MCCRADY RICK
	545	2420	HUGO ST	JACKSON RACHEL ANNE
	546	2420	HUGO ST	LITTLE BIG WINGS LLC
	547	2420	HUGO ST	MANDERS TRACY M

Agenda Information Sheet

File #: 19-1069 **Item #:** 60.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east line of South Fitzhugh Avenue, north of Lagow Street
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z178-309(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-309(SM) **DATE FILED:** July 25, 2018

LOCATION: East line of South Fitzhugh Avenue, north of Lagow Street

COUNCIL DISTRICT: 7 **MAPSCO:** 46 R

SIZE OF REQUEST: Approx. 13,500 sq. ft. **CENSUS TRACT:** 27.01

APPLICANT: David Hargrove, Communications Tower Group, LLC

OWNER: Isaac Brown, Jr.

REPRESENTATIVE: Peter Kavanagh, Zone Systems, Inc.

REQUEST: An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The applicant proposes to construct a monopole tower for cellular communication within a concealment tower with an overall height of 89 feet on the subject site which is currently undeveloped. The 40-foot by 40-foot wireless lease area is proposed approximately 109 feet southeast of South Fitzhugh Avenue and the tower and equipment is proposed to be surrounded by an eight-foot-tall concrete masonry unit (CMU) block wall. The proposed concealment tower will support T-Mobile and other cellular carriers to be determined later.

CPC RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently undeveloped but was once occupied by two residential structures with the addresses of 4214 and 4218 South Fitzhugh Avenue.

- The southwest half of the area of request property (4214 South Fitzhugh Avenue) is the proposed location of the cellular tower. Aerial photography shows the original residential structure on this property was razed between 1979 and 1989.

- The northeast half of the area of request will remain undeveloped (4218 South Fitzhugh Avenue). A demolition permit to raze the original residential structure was completed on May 2, 1989.

- On April 4, 2019, the City Plan Commission held this item under advisement to allow the applicant to investigate if Paul L. Dunbar Elementary School could be a potential alternative site location for the proposed cell tower. DISD declined siting the monopole in the only available campus locations which are on the front and side lawns of the school.

Zoning History: There have been no recent zoning cases requested in the area in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Street Width
S. Fitzhugh Avenue	Minor Arterial	Minimum-6 lanes-Divided; 100' ROW

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.

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 1.1 Align land use strategies with economic development priorities
Policy 1.1.2 Focus on Southern Sector development opportunities.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

Policy 2.1.4 Support efforts to expand targeted business and industry development within the Southern Sector.

STAFF ANALYSIS:

Surrounding Land Uses:

Location	Zoning	Land Use
Site	PDD No.595 (D(A) Subdistrict)	Undeveloped
Northeast	PDD No.595 (D(A) and NC Subdistricts)	Undeveloped and Retail
Southeast	PDD No.595 (R-5(A) Subdistrict)	Undeveloped and Single Family
Southwest	PDD No.595 (NC Subdistrict)	Vacant medical clinic and Church
Northwest	MF-2(A) and CR with Historic Overlay No. 33	Surface parking for Fair Park

Land Use Compatibility:

The applicant proposes to construct a monopole tower for cellular communication within a concealment tower on the southwestern half of the site with an overall height of 89 feet on the subject site which is currently undeveloped. The 40-foot by 40-foot wireless lease area is proposed approximately 109 feet southeast of South Fitzhugh Avenue and the tower and equipment is proposed to be surrounded by an eight-foot-tall concrete masonry unit (CMU) block wall. The northeastern half of the site will remain undeveloped.

The proposed location of the stealth monopole tower is southeast of, and across a major thoroughfare from, a surface parking lot for Fair Park. Retail uses are located to the northeast and are separated from the area of request by two residentially-zoned undeveloped lots. Surrounding uses to the southeast include undeveloped land and single family homes that front on Carl Street. Finally, a vacant medical clinic building abuts the site to the southwest and a church is located farther southwest, on the corner of Lagow Street and South Fitzhugh Avenue.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant proposes to construct a monopole tower at this location to provide cellular coverage to users within the vicinity and has provided depictions of existing adjacent and proposed T-Mobile antenna sites on the following pages.

Staff supports the request because the cellular array is concealed within a pole thus minimizing the visual effect of a cellular platform and the public utility service of increased coverage would significantly improve as shown by the following coverage maps.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
D(A) Duplex	25’	5’/5’ for SF 5/10’ Duplex 10’/10’ Other	1 Dwelling Unit/ 3,000 sq. ft.	36 ft*	60%	Min. Lot: 6,000 sq. ft	Duplex & single family

* Section 51A-4.408 of the DDC provides an exception to height for utility and public service uses

The D(A) Duplex District only specifies maximum structure height is 36 feet and does not specify an additional limitation to height in the form of a residential proximity slope (RPS). Therefore, residential proximity slope does not apply to the subject site. Additionally, Section 51A-4.408 of the Dallas Development Code provides an exception of maximum structure height for utility and public service uses, including a tower/antenna for wireless communication. Therefore, the maximum structure height of 36 feet in the D(A) Duplex District also does not apply to a tower/antenna for cellular communication.

However, a one-to-three slope, similar to RPS, can be utilized as a tool to consider height compatibility with surrounding uses and structures. For the proposed 89-foot tall tower to comply with a spacing of one foot in height for every three feet in distance, it must be placed 267 feet away from the nearest residentially zoned private property. Since the closest residential property line to the proposed monopole is approximately 25 feet to the southeast, if this spacing is applied, the proposed tower would not comply. Although the proposed monopole tower would not comply with a one-to-three slope staff can support the proposed cellular tower because it is proposed within a stealth design that allows the cellular antennas to be concealed within a structure, thereby camouflaging the tower. Also, the nearest single family structure is approximately 120 feet from the proposed location of the monopole tower.

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 120 square feet. No auxiliary building is proposed and therefore no additional parking is triggered by the development of this use.

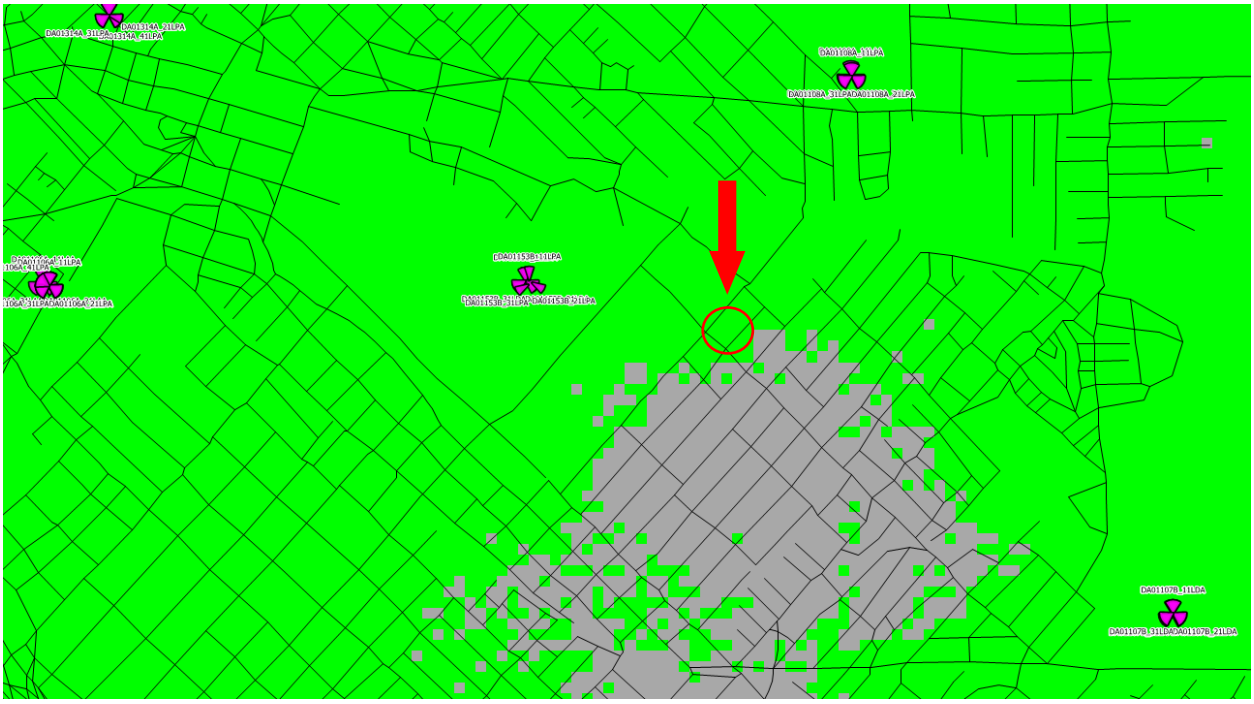
Landscaping:

In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Per the current proposal, the area of request will not be required to provide landscaping because less than 2,000 square feet of non-permeable surface will be installed.

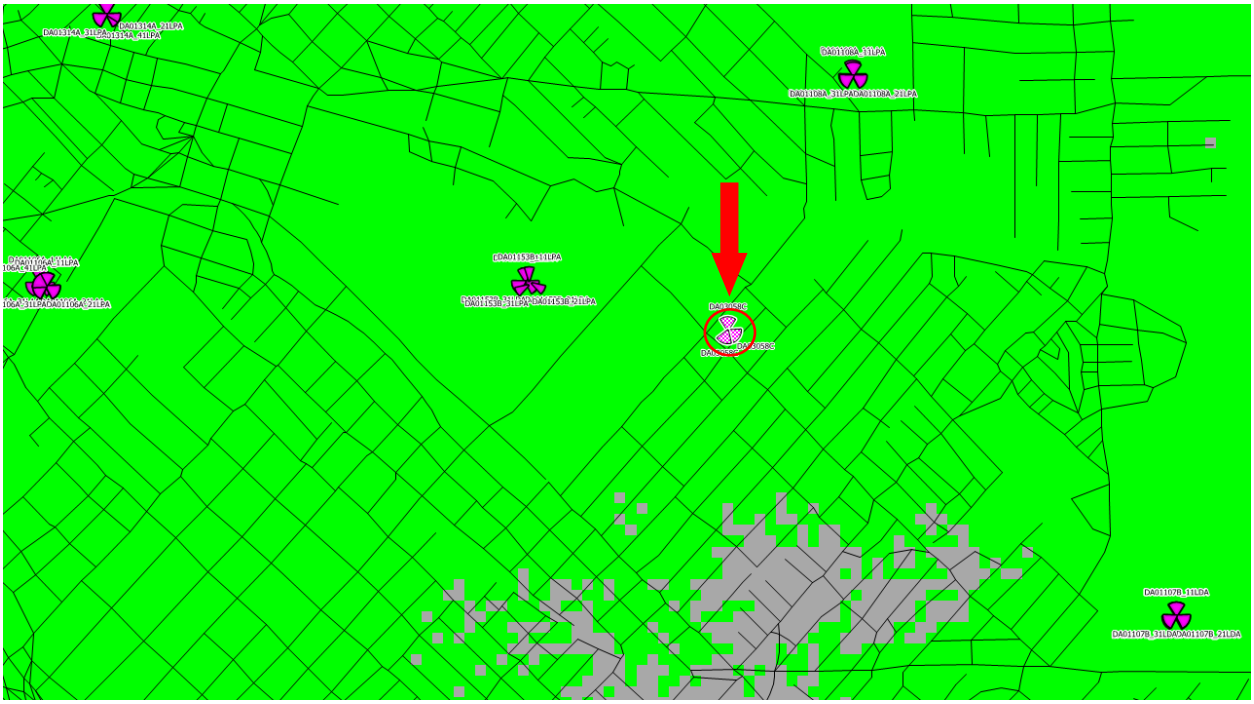
Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, it abuts an "I" MVA cluster to the southeast.

Actual Coverage:



Proposed Coverage:



CPC Action
April 4, 2019

Motion I: It was moved to recommend **denial without prejudice** of a Specific Use Permit for a tower/antenna for cellular communication on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east line of South Fitzhugh Avenue, north of Lagow Street.

Maker: Schultz
Second: Carpenter
Result: **Commissioner Schultz withdrew her motion. Commissioner Carpenter withdrew her second.**

Motion II: In considering an application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east line of South Fitzhugh Avenue, north of Lagow Street, it was moved to **hold** this case under advisement until June 6, 2019.

Maker: Schultz
Second: Carpenter
Result: Carried: 11 to 2

For: 11 - MacGregor, Criss, Johnson, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Tarpley

Against: 2 - Schulte, Ridley
Absent: 0
Vacancy: 2 - District 7, District 12

Notices: Area: 500 Mailed: 66
Replies: For: 0 Against: 0

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
David Hargrove, 322 Lochside, Cary, NC, 27518
Aubrey Coleman, 7336 Warren Pkwy., Frisco, TX, 75034
For (Did not speak): Haider, Tawfeq, 7668 Warren Pkwy., Frisco, TX, 75034
Against: None

CPC Action
June 6, 2019

Motion: It was moved to recommend **approval** of 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, subject to a site plan and conditions on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east line of South Fitzhugh Avenue, north of Lagow Street.

Maker: Brinson
Second: Schulte
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss*, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 66
Replies: For: 2 Against: 1

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
For (Did not speak): David Hargrove, 322 Lochside, Cary, NC, 27518
Aubrey Coleman, 7336 Warren Pkwy., Frisco, TX, 75034
Against: None

List of Officers

MEMBERS

COMMUNICATIONS TOWER GROUP LLC
15720 Brixham Hill Avenue, Suite 300
Charlotte, North Carolina 28277

The following is the Member of COMMUNICATIONS TOWER GROUP LLC, a Delaware limited liability company:

Ricardo Loor
Member and CEO

CPC Recommended 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 ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. COLLOCATION: Any tower/antenna support structure must be constructed to support the antenna arrays for at least two other wireless communications carriers. The tower/antenna support structure must be made available to other wireless communication carriers upon reasonable terms.

5. HEIGHT: The maximum height of a tower/antenna for cellular communication is 89 feet.

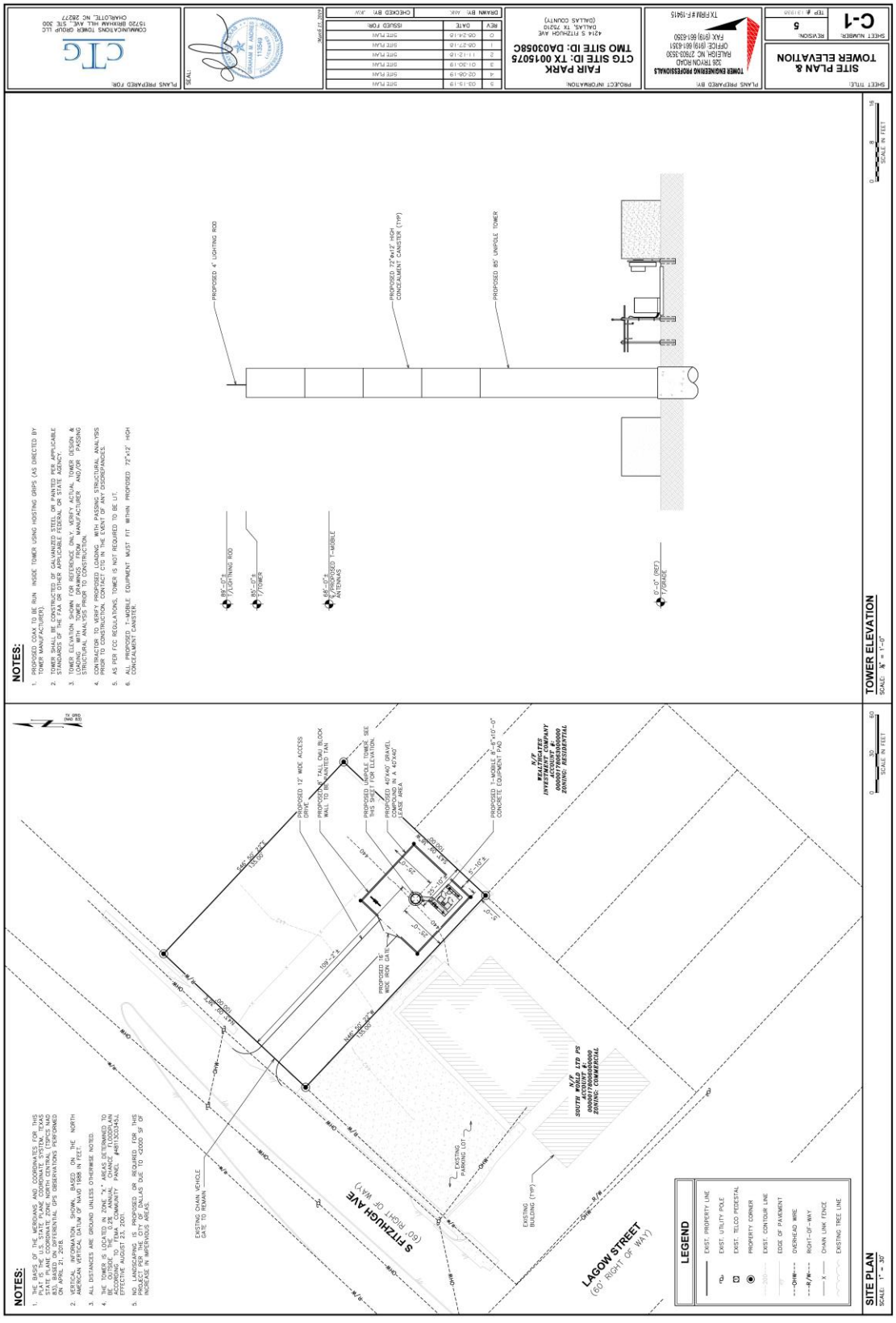
6. SCREENING: The lease area must be screened by a six-foot-tall solid screening fence and secured by a six-foot-tall access gate in the location shown on the attached site plan.

7. STEALTH DESIGN: The tower/antenna for cellular communication must be constructed with a stealth design with the platform concealed within the overall vertical design of the tower.

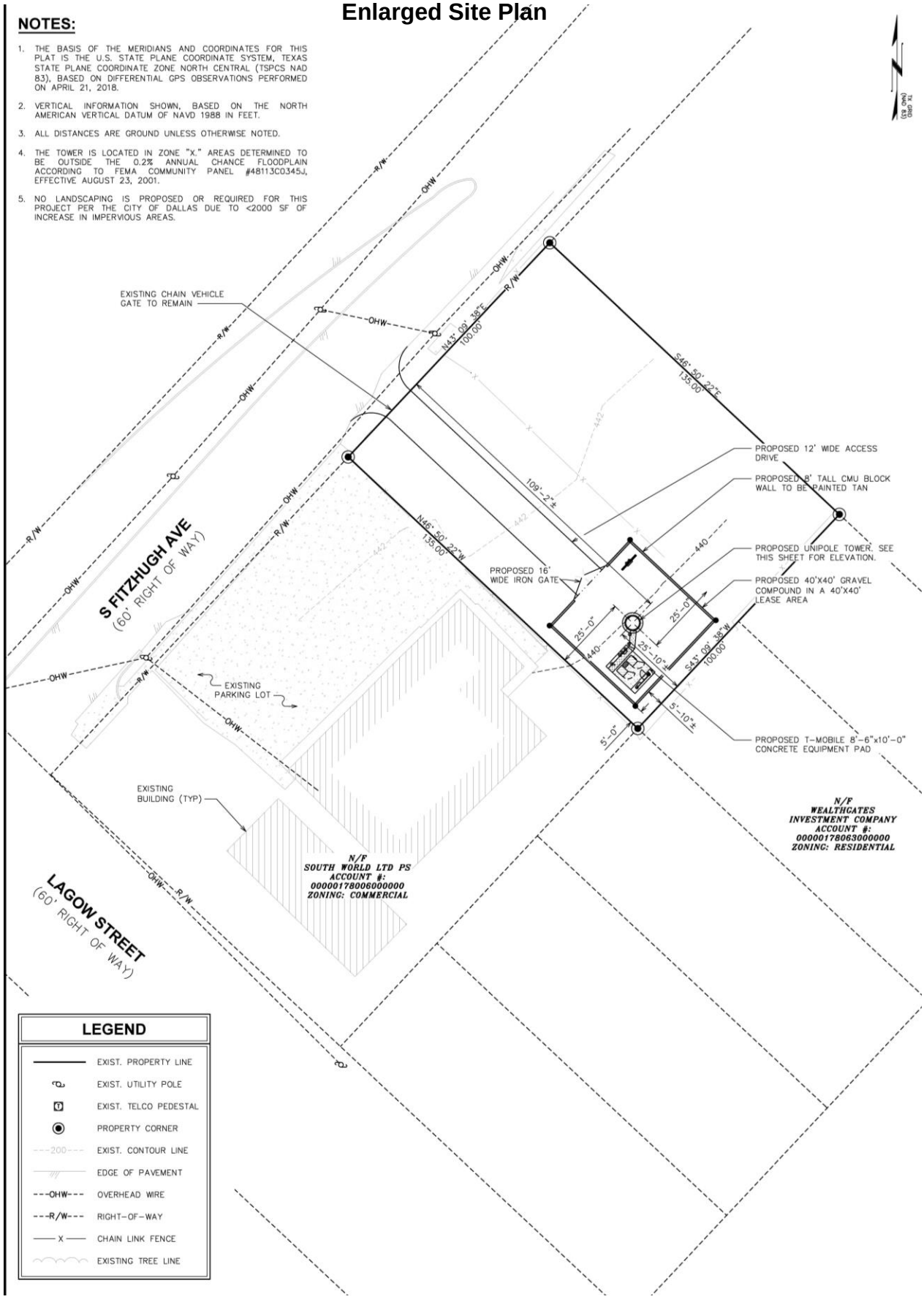
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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.

CPC Recommended Site Plan



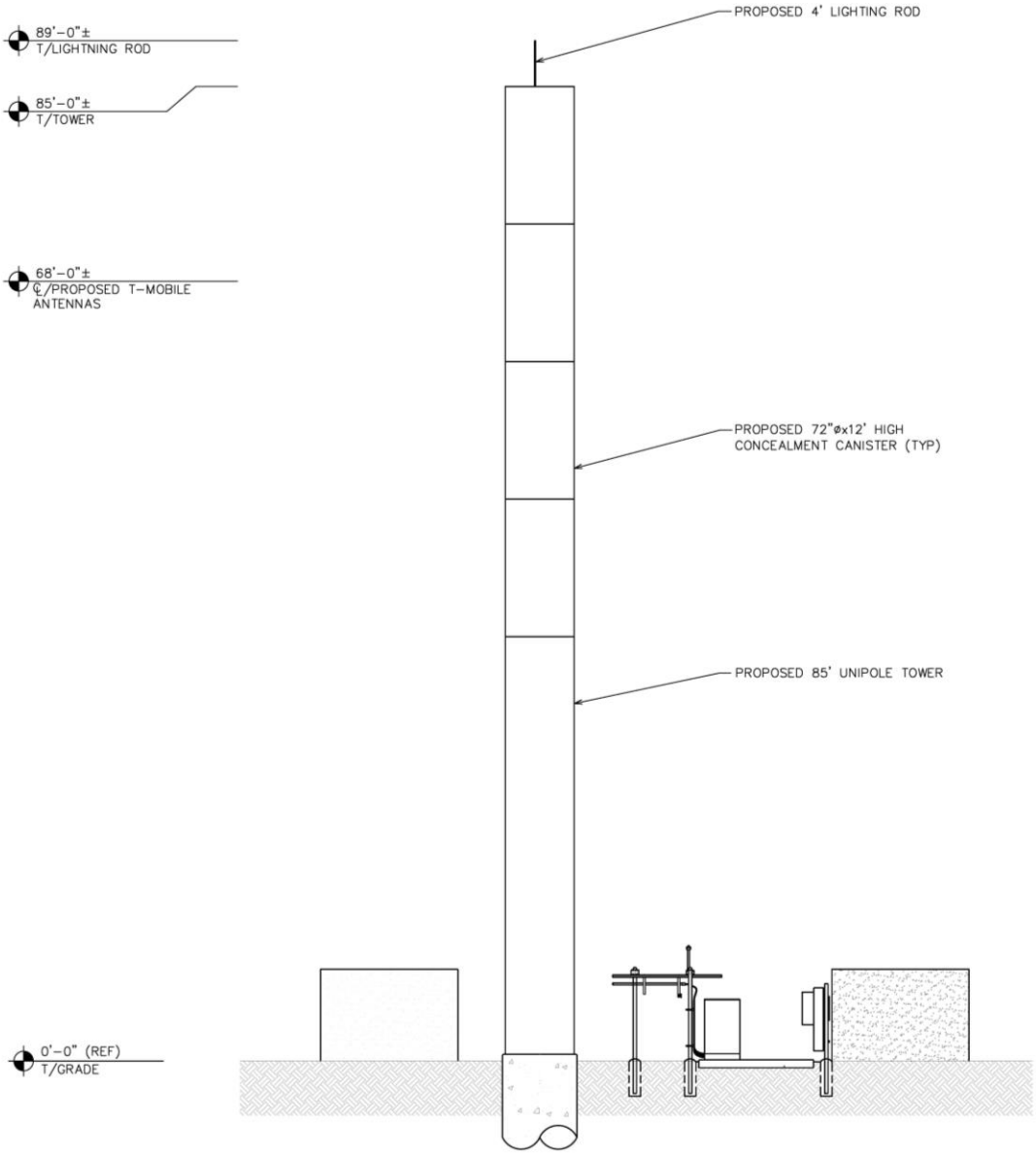
Enlarged Site Plan

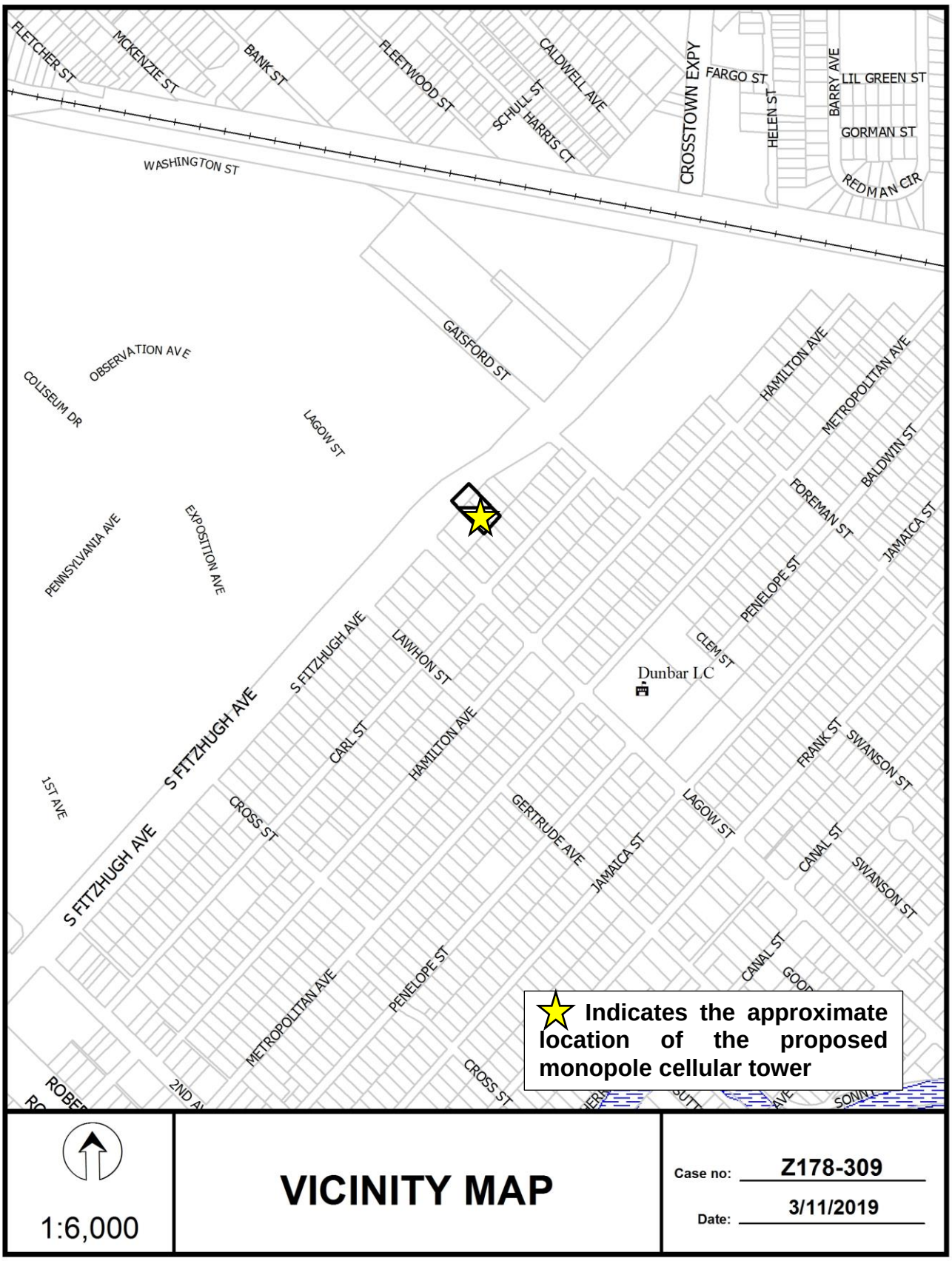


Enlarged Elevation Detail

NOTES:

1. PROPOSED COAX TO BE RUN INSIDE TOWER USING HOISTING GRIPS (AS DIRECTED BY TOWER MANUFACTURER).
2. TOWER SHALL BE CONSTRUCTED OF GALVANIZED STEEL OR PAINTED PER APPLICABLE STANDARDS OF THE FAA OR OTHER APPLICABLE FEDERAL OR STATE AGENCY.
3. TOWER ELEVATION SHOWN FOR REFERENCE ONLY. VERIFY ACTUAL TOWER DESIGN & LOADING WITH TOWER DRAWINGS FROM MANUFACTURER AND/OR PASSING STRUCTURAL ANALYSIS PRIOR TO CONSTRUCTION.
4. CONTRACTOR TO VERIFY PROPOSED LOADING WITH PASSING STRUCTURAL ANALYSIS PRIOR TO CONSTRUCTION. CONTACT CTG IN THE EVENT OF ANY DISCREPANCIES.
5. AS PER FCC REGULATIONS, TOWER IS NOT REQUIRED TO BE LIT.
6. ALL PROPOSED T-MOBILE EQUIPMENT MUST FIT WITHIN PROPOSED 72"x12' HIGH CONCEALMENT CANISTER.




FLETCHER ST
MCKENZIE ST
BANK ST
FLEETWOOD ST
SCHULL ST
HARRIS CT
CALDWELL AVE
CROSSTOWN EXPY
FARGO ST
HELEN ST
BARRY AVE
LIL GREEN ST
GORMAN ST
REDMAN CIR
WASHINGTON ST
GAISFORD ST
OBSERVATION AVE
COLISEUM DR
LAGOW ST
PENNSYLVANIA AVE
EXPOSITION AVE
HAMILTON AVE
METROPOLITAN AVE
BALDWIN ST
FOREMAN ST
JAMAICA ST
PENELOPE ST
CLEM ST
Dunbar LC
S FITZHUGH AVE
LAWHON ST
CARL ST
HAMILTON AVE
1ST AVE
CROSS ST
GERTRUDE AVE
JAMAICA ST
LAGOW ST
FRANK ST
SWANSON ST
CANAL ST
METROPOLITAN AVE
PENELOPE ST
2ND AVE
Indicates the approximate location of the proposed monopole cellular tower
1:6,000
VICINITY MAP
Case no: Z178-309
Date: 3/11/2019

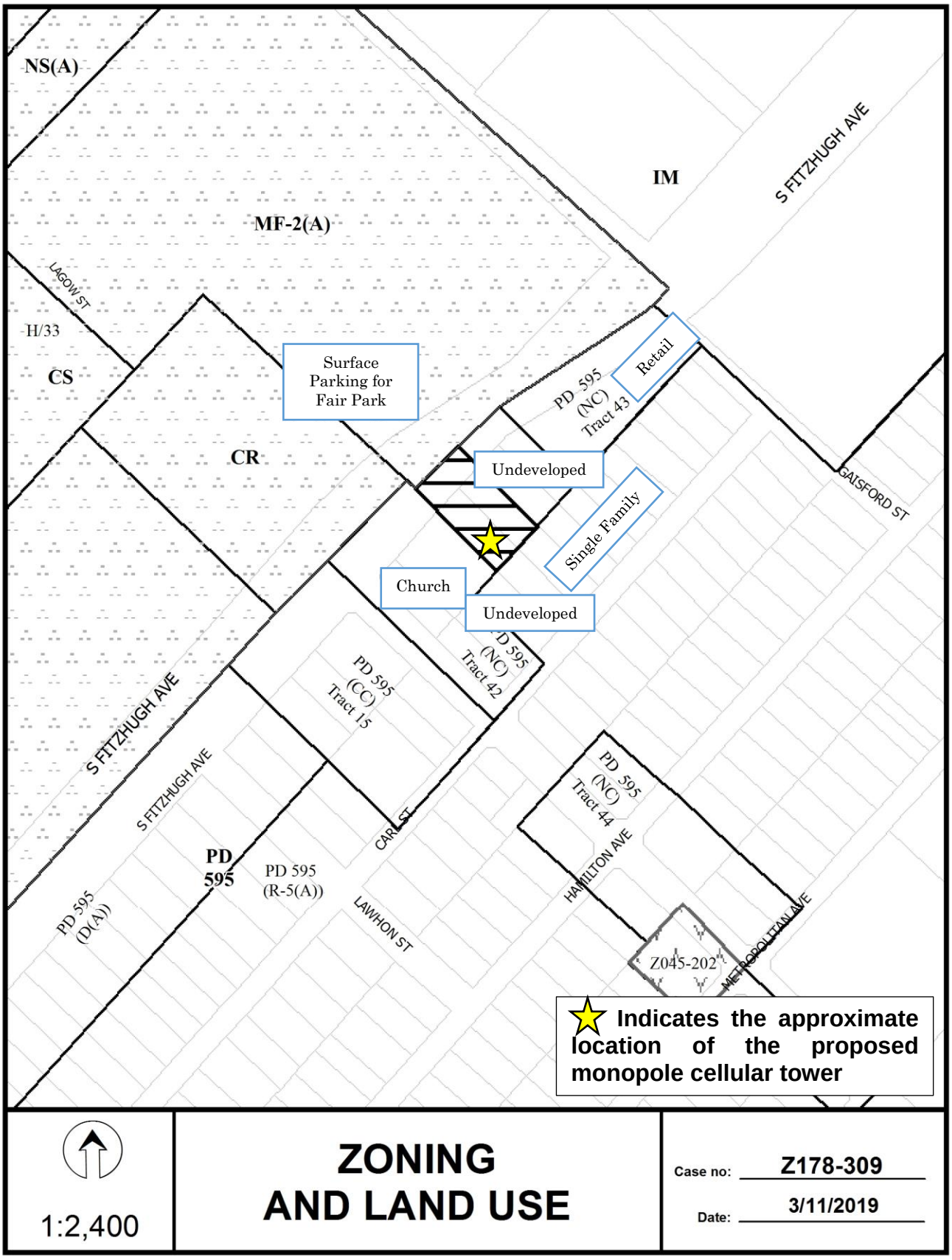


1:2,400

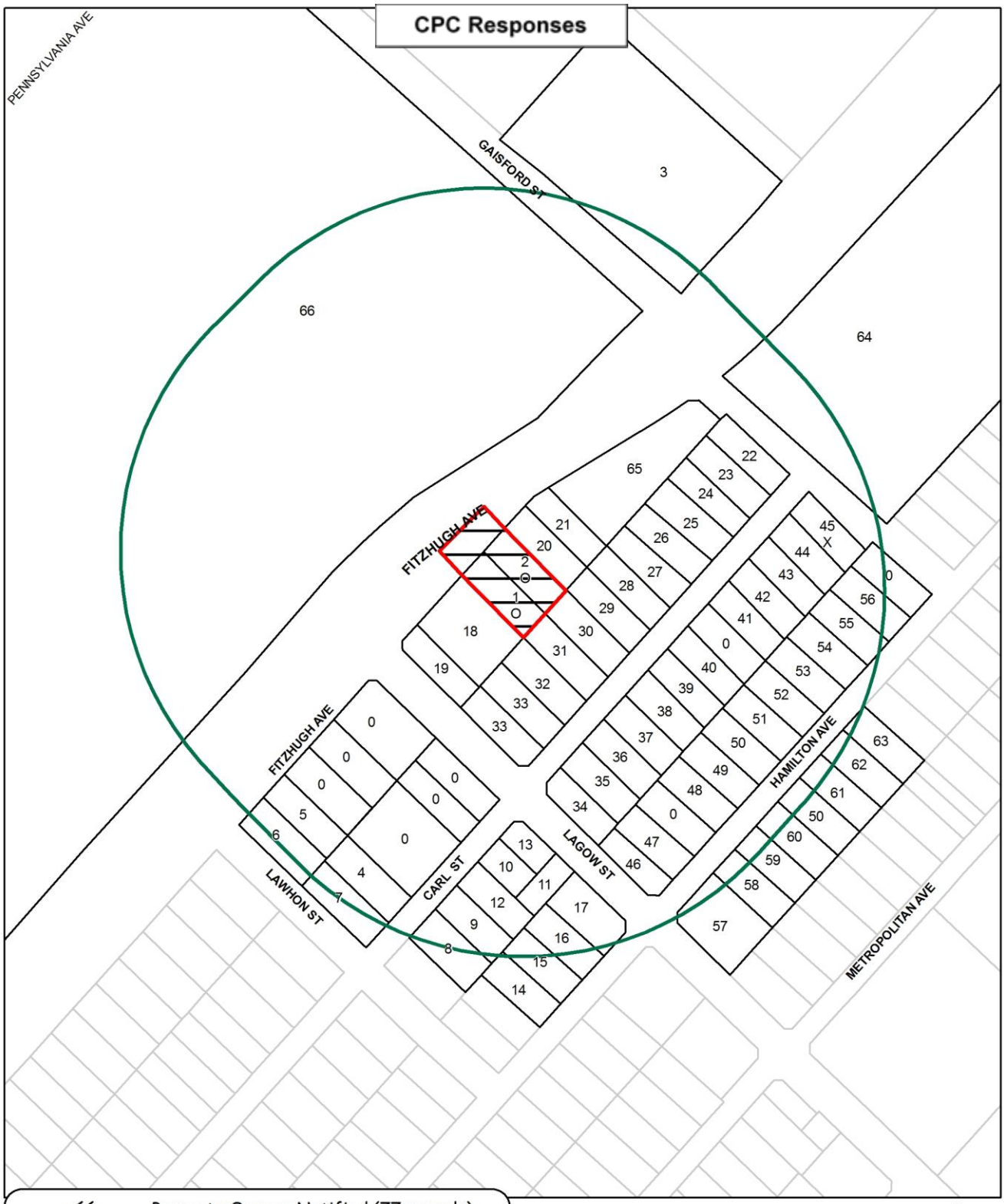
AERIAL MAP

Case no: Z178-309

Date: 3/11/2019


NS(A)
MF-2(A)
IM
S FITZHUGH AVE
LAGOW ST
H/33
CS
CR
Surface Parking for Fair Park
PD 595 (NC) Tract 43
Retail
Undeveloped
Single Family
GAISFORD ST
Church
Undeveloped
PD 595 (NC) Tract 42
PD 595 (CC) Tract 15
S FITZHUGH AVE
S FITZHUGH AVE
CARL ST
PD 595
PD 595 (R-5(A))
PD 595 (D(A))
LAWHON ST
PD 595 (NC) Tract 44
HAMILTON AVE
METROPOLITAN AVE
Z045-202
Indicates the approximate location of the proposed monopole cellular tower
1:2,400
ZONING AND LAND USE
Case no: Z178-309
Date: 3/11/2019


HASKELL AVE
HASKELL AVE
MCKENZIE ST
FLETCHER ST
BANK ST
HERNDON DR
FLEETWOOD ST
CALDWELL AVE
FITZHUGH AVE
HARRIS CT
CROSSTOWN EXPY
HELEN ST
BARRY AVE
HAMILTON AVE
GORMAN ST
WASHINGTON ST
COLISEUM DR
PENNSYLVANIA AVE
GASFORD ST
HAMILTON AVE
METROPOLITAN AVE
BALDWIN ST
FOREMAN ST
JAMAICA ST
PENELOPE ST
CLEM ST
Z178-309
EXPOSITION AVE
LAWHON ST
1ST AVE
FITZHUGH AVE
CARL ST
HAMILTON AVE
METROPOLITAN AVE
FRANK ST
CANAL ST
CROSS ST
GERTRUDE AVE
LAGOW ST
SWANSON ST
FITZHUGH AVE
JAMAICA ST
PENELOPE ST
CANAL ST
2ND AVE
CROSS ST
SPRING AVE
HERRLING ST
SONNY CIR
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 3/11/2019



66	Property Owners Notified (77 parcels)
2	Replies in Favor (2 parcels)
1	Replies in Opposition (1 parcels)
500'	Area of Notification
6/6/2019	Date

Z178-309
CPC

N
W E
S

1:2,400

06/05/2019

Reply List of Property Owners

Z178-309

66 Property Owners Notified ***2 Property Owners in Favor*** ***1 Property Owner Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	4214	S FITZHUGH AVE	BROWN ISAAC & DOYE
O	2	4218	S FITZHUGH AVE	BROWN ISAAC JR
	3	1800	GAISFORD ST	DALLAS OPERA THE
	4	4107	CARL ST	STEWARD JAMES &
	5	4104	S FITZHUGH AVE	CRUZ IRLANDI & WILLIAM
	6	4100	S FITZHUGH AVE	MADDEN KEVIN D
	7	4103	CARL ST	ECHOLS SAVELLA E
	8	4106	CARL ST	THOMAS NUGENT W &
	9	4110	CARL ST	CARR ROY
	10	4120	CARL ST	HILL ELBERT W EST OF
	11	2109	LAGOW ST	HUDGENS LEROY
	12	4114	CARL ST	GONZALEZ KIRSTEN
	13	4124	CARL ST	RANGEL JUAN
	14	4109	HAMILTON AVE	JIMENEZ JUAN DAVILA &
	15	4115	HAMILTON AVE	BODLEY THOMAS W
	16	4117	HAMILTON AVE	BODLEY DONALD RAY &
	17	4121	HAMILTON AVE	W2E INVESTMENTS LLC
	18	4206	S FITZHUGH AVE	SOUTH WORLD LTD PS
	19	4200	S FITZHUGH AVE	MY BROTHERS KEEPER NDUGO
	20	4222	S FITZHUGH AVE	JENKINS NORRIS
	21	4226	S FITZHUGH AVE	WWM PS TRUST
	22	4251	CARL ST	BIGGINS JOHN W
	23	4247	CARL ST	DIAZ SERGIO
	24	4245	CARL ST	GONZALEZ GUILLERMO
	25	4243	CARL ST	HUDGENS JOHNNIE MAE
	26	4235	CARL ST	HODGE EARLINE EST OF

Reply	*Label #*	*Address*		*Owner*
	27	4231	CARL ST	OIBARA CATTLE FAMILY HOLDINGS LLC
	28	4225	CARL ST	WALKER JOHN ETTA
	29	4223	CARL ST	SELMA VENTURES LTD
	30	4219	CARL ST	AVITIA GERMAN
	31	4215	CARL ST	WEALTHGATES INVESTMENT COMPANY
	32	4211	CARL ST	FORD MAURINE T
	33	4207	CARL ST	RECONCILIATION OUTREACH MINISTRIES INC
	34	4202	CARL ST	PRUITT LULA MAE
	35	4206	CARL ST	WIGGINS MARTIN
	36	4210	CARL ST	RIVAS JOSE
	37	4214	CARL ST	DALLAS HOUSING ACQUISITION & DEV CORP
	38	4218	CARL ST	LEIJA LUIS A
	39	4222	CARL ST	DAVIS TELAH & THEODORE EST OF
	40	4226	CARL ST	DUNN BILLY E
	41	4238	CARL ST	MCGOWAN DEBRA BAGLEY
	42	4240	CARL ST	GIBBS AVA L ROBERTS
	43	4242	CARL ST	LOZANO KARLA ZOLEY
	44	4246	CARL ST	SPRING 3242 REALTY LLC
X	45	4250	CARL ST	JACKSON TERESA L
	46	4201	HAMILTON AVE	SHAW RAYFIELD
	47	4207	HAMILTON AVE	ETI MANAGEMENT CO
	48	4215	HAMILTON AVE	WCP RETIREMENT TRUST
	49	4217	HAMILTON AVE	JOHNSON ISAAC JR
	50	4223	HAMILTON AVE	BERNABE MARIA &
	51	4225	HAMILTON AVE	DALLAS AREA HABITAT FOR HUMANITY INC
	52	4231	HAMILTON AVE	CAMPOS MARIA BELEN
	53	4235	HAMILTON AVE	WRIGHT KING DAVID
	54	4239	HAMILTON AVE	NORTON TOMMIE JR
	55	4301	HAMILTON AVE	LUIZ VASQUEZ HOLDINGS LLC
	56	4307	HAMILTON AVE	LOUNG&LI LLC
	57	4200	HAMILTON AVE	ALEXANDER PEARL L

06/05/2019

Reply	*Label #*	*Address*		*Owner*
	58	4208	HAMILTON AVE	DAVIS TREVIA EST OF
	59	4212	HAMILTON AVE	LAWSON JOHN
	60	4218	HAMILTON AVE	UBALDO BENIGNO &
	61	4226	HAMILTON AVE	KIMIAKI ITAMURA
	62	4228	HAMILTON AVE	BRUNER GENEVA
	63	4234	HAMILTON AVE	ALEXANDER MARK KEELIN
	64	4400	S FITZHUGH AVE	STATE FAIR OF TEXAS INC
	65	4248	S FITZHUGH AVE	REEVES GEORGE M III LTD
	66	3839	S FITZHUGH AVE	MCA PACE AMPHITHEATERS LP

Agenda Information Sheet

File #: 19-1070 **Item #:** 61.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the northeast line of East Ledbetter Drive and the west line of Rocky Ridge Road
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z189-154(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z189-154(SM)	**DATE FILED:**	December 14, 2018
LOCATION:	Northeast line of East Ledbetter Drive and the west line of Rocky Ridge Road		
COUNCIL DISTRICT:	4	**MAPSCO:**	64 M
SIZE OF REQUEST:	Approx. 0.7643 acres	**CENSUS TRACT:**	90.00

APPLICANT: Daiquiri Dash, LLC – Adrian Quezada, Sole Manager

OWNER: Tugboat Properties, Inc. – Jee Huyn Chung, President

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant requests to serve alcohol within a new restaurant within Suite E, which was previously occupied by Diva African Braids and Beauty Supply.

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 site that is developed within a multi-tenant, one-story, retail building with approximately 8,975 square feet overall and is in a D-1 Liquor Control Overlay.

- On January 23, 2013, City Council approved 1) a D-1 Liquor Control Overlay and 2) Specific Use Permit No. 2015 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on the north side of East Ledbetter Drive, southeast of Interstate 35 for a two-year period, subject to a site plan and conditions. [Suite C within subject site.]

- The applicant proposes to use the 1,700-square-foot suite for a new restaurant without drive-in service. The suite was previously occupied by Diva African Braids and Beauty Supply (Suite E).

- The restaurant without drive-in service is permitted by right within the existing zoning district but the D-1 Liquor Control Overlay requires a Specific Use Permit to serve alcoholic beverages.

Zoning History: There has been one zoning change requested in the area during the past five years.

1. **Z178-353**: On February 13, 2019, the City Council approved Specific Use Permit No. 2316 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the northeast side of East Ledbetter Drive, east of South R.L. Thornton Freeway for a two-year period, subject to a site plan and conditions.

Thoroughfares/Streets:

Thoroughfares/Street	Type	TP Dimension; ROW
East Ledbetter Drive	Principle Arterial	Standard-6 lane-divided; 107 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.
The request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

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

URBAN DESIGN

GOAL 5.3 ESTABLISH WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	RR-D-1	Retail
Northeast	RR-D	Undeveloped
Southeast	MF-2(A), RR-D	Multifamily, Undeveloped
Southwest	RR-D	Dance hall
Northwest	RR-D-1 with SUP No. 2316	Vacant gas station

Land Use Compatibility:

The site is developed with a one-story, multi-tenant retail development. The applicant requests to sell alcoholic beverages in a new restaurant. A Specific Use Permit is required to serve alcoholic beverages in the D-1 Liquor Control Overlay. The surrounding land uses consist of undeveloped land to the northeast, multifamily and undeveloped land to the southeast, a dance hall to the southwest, and a vacant gas station to the northwest.

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 sale of alcoholic beverages in conjunction with the existing restaurant should not be a detriment to the adjacent properties because the Specific Use Permit requires periodic review to ensure the site continues to comply with approved plans and other regulations; therefore, staff supports the request. However, due to the amount of police activity of the site, staff does not support automatic renewals at this time.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for all uses within the existing shopping center is 56. There are 20 parking spaces provided on site and 36 spaces are available to be provided through a remote parking agreement in the adjacent properties to the northwest and southeast.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention

strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, it abuts a "G" MVA cluster to the east and an "F" MVA cluster is located south of East Ledbetter Drive.

Police Report:

Staff obtained the following list of 11 arrests, 26 offenses, and 62 calls from the Dallas Police Department for the site between January 1, 2017 and February 6, 2019.

Arrests:

Incident No.	Arrest No.	Arrest Date	Charge Description
062520-2017	17-011226	3/20/2017	Warrant-Dallas PD (alias)
172503-2017	17-031190	7/29/2017	Warrant hold (outside agency)
172503-2017	17-031190	7/29/2017	Warrant-Dallas PD (alias)
225405-2017	17-040382	10/2/2017	Poss marijuana <2oz
225405-2017	17-040382	10/2/2017	Traf vio -driv w/out lic inv w/prev conv/susp/w/o fin res
279279-2017	17-049261	12/9/2017	Burglary of building - forced entry
045420-2018	18-007071	3/3/2018	APOWW (social services referral)
040962-2018	18-010934	4/3/2018	Warrant hold (outside agency)
040962-2018	18-010934	4/3/2018	Warrant-Dallas PD (ALIAS)
069611-2018	18-010931	4/3/2018	Warrant-Dallas PD (ALIAS)
079164-2018	18-012539	4/15/2018	APOWW (social services referral)

Offenses:

Incident No.	Signal	Offense Incident	Date	Day	Time
022518-2019	6x - Major Dist (Violence)	Mir (miscellaneous incident report no offense)	2/2/2019	Sat	3:25:00 PM
104402-2018	12b - Business Alarm	Alarm incident report (no offense)	5/16/2018	Wed	10:26:00 PM
079164-2018	46 - Cit	APOWW (social services referral)	4/15/2018	Sun	5:55:00 PM
069611-2018	58 - Routine Investigation	Warrant-Dallas pd (alias/capias)	4/3/2018	Tue	3:36:00 PM
045420-2018	40/01 - Other	APOWW (social services referral)	3/3/2018	Sat	12:10:00 PM
002095-2018	26/01- Missing Person-Critical	APOWW (social services referral)	1/3/2018	Wed	7:00:00 PM

Incident No.	Signal	Offense Incident	Date	Day	Time
287570-2017	20 - Robbery	Robbery of business (agg)	12/19/2017	Tue	7:36:00 PM
287570-2017	20 - Robbery	Robbery of business (agg)	12/19/2017	Tue	7:36:00 PM
286894-2017	12b - Business Alarm	Alarm incident report (no offense)	12/18/2017	Mon	10:27:00 PM
279279-2017	41/11b - Burg Busn In Progress	Burglary of building - forced entry	12/9/2017	Sat	1:41:00 AM
272870-2017	11b - Burg Of Bus	Burglary of building - forced entry	12/1/2017	Fri	3:25:00 AM
238081-2017	12b - Business Alarm	Alarm incident report (no offense)	10/17/2017	Tue	10:20:00 PM
227852-2017	07 - Minor Accident	Traf vio - duty on strike unattended (parked) vehicle >$200 damage	10/5/2017	Thu	1:30:00 PM
214063-2017	6x - Major Dist (Violence)	Mir (miscellaneous incident report no offense)	9/18/2017	Mon	5:45:00 PM
206631-2017	32 - Suspicious Person	Mir (miscellaneous incident report no offense)	9/9/2017	Sat	12:00:00 PM
201776-2017	40/01 - Other	Open building (no offense)	9/3/2017	Sun	7:40:00 AM
198193-2017	40/01 - Other	Crim mischief >or equal $750 but <$2,500	8/30/2017	Wed	1:50:00 AM
178701-2017	12b - Business Alarm	Alarm incident report (no offense)	8/6/2017	Sun	9:40:00 AM
168971-2017	Oads - Open Air Drug Sales	Mir (miscellaneous incident report no offense)	7/25/2017	Tue	1:52:00 PM
131226-2017	6x - Major Dist (Violence)	Theft of prop > or equal $100 but <$750- not shoplift	6/10/2017	Sat	3:00:00 PM
065890-2017	20 - Robbery	Theft of prop > or equal $750 but <$2,500 -shoplift (not emp	3/24/2017	Fri	12:35:00 PM
062520-2017	6x - Major Dist (Violence)	Warrant-Dallas pd (alias)	3/20/2017	Mon	12:30:00 PM
069843-2017	09v - Uumv	Unauthorized use of motor veh - automobile	2/28/2017	Tue	4:00:00 PM
039311-2017	40/01 - Other	Public intoxication	2/18/2017	Sat	9:35:00 PM
042280-2017	Pse/40 - Other	Harassment -preliminary investigation	2/6/2017	Mon	12:00:00 PM
026717-2017	11v/01 - Burg Motor Veh	BMV	2/3/2017	Fri	1:30:00 PM

Calls:

Master Incident No.	Date	Time	Problem	Location Name
19-0195442	2/2/2019	4:05:00 PM	07 - Minor Accident	Jin's Mart
19-0195243	2/2/2019	3:25:00 PM	6X - Major Dist (Violence)	Jin's Mart
19-0022986	1/4/2019	3:56:00 PM	7X - Major Accident	Jin's Mart
19-0015658	1/3/2019	11:06:00 AM	40/01 - Other	Jin's Mart
18-2281248	12/18/2018	3:37:00 PM	24 - Abandoned Property	Jin's Mart
18-2028805	11/7/2018	12:54:00 PM	6X - Major Dist (Violence)	Henderson Chicken
18-1989350	11/1/2018	8:36:00 AM	12B - Business Alarm	Henderson's Chicken
18-1964621	10/28/2018	11:05:00 AM	12B - Business Alarm	Metro PCS Ledbetter
18-1812651	10/4/2018	5:51:00 PM	6X - Major Dist (Violence)	Henderson Chicken
18-1601168	9/2/2018	1:01:00 AM	07 - Minor Accident	Henderson Chicken
18-1572250	8/28/2018	5:17:00 PM	6X - Major Dist (Violence)	Henderson Chicken
18-1469793	8/13/2018	12:18:00 PM	24 - Abandoned Property	Henderson Chicken
18-1246409	7/10/2018	2:43:00 PM	04 - 911 Hang Up	Jin's Mart
18-1036989	6/10/2018	3:25:00 PM	6X - Major Dist (Violence)	Henderson
18-0950747	5/29/2018	10:38:00 AM	6X - Major Dist (Violence)	Henderson
18-0940950	5/27/2018	7:51:00 PM	6X - Major Dist (Violence)	Henderson Chicken
18-0865161	5/16/2018	10:25:00 PM	12B - Business Alarm	Henderson Chicken
18-0824238	5/10/2018	8:46:00 PM	6X - Major Dist (Violence)	Henderson Chicken
18-0811454	5/8/2018	10:09:00 PM	12B - Business Alarm	Jin's Mart
18-0766394	5/2/2018	9:42:00 AM	6X - Major Dist (Violence)	Yosif
18-0659387	4/15/2018	5:40:00 PM	46 - CIT	Jin's Mart
18-0410066	3/8/2018	12:27:00 PM	20 - Robbery	Metro PCS
18-0378496	3/3/2018	12:18:00 PM	40/01 - Other	Plaza De Las Americas
18-0378008	3/3/2018	10:49:00 AM	07 - Minor Accident	Hendersons Chicken
18-0221433	2/5/2018	5:07:00 PM	6X - Major Dist (Violence)	Henderson Chicken
18-0047120	1/8/2018	11:13:00 AM	24 - Abandoned Property	Henderson Chicken
18-0018413	1/3/2018	7:03:00 PM	26/01- Missing Person-Critical	Jin's Mart/Hendersons Chicken
17-2389406	12/19/2017	7:47:00 PM	20 - Robbery	Metro Pcs
17-2383523	12/18/2017	10:27:00 PM	12B - Business Alarm	Henderson Chicken
17-2321157	12/9/2017	1:39:00 AM	41/11B - Burg Busn in Progress	Metro PCS
17-2268780	12/1/2017	3:27:00 AM	11B - Burg of Bus	Metro PCS

Master Incident No.	Date	Time	Problem	Location Name
17-2166259	11/14/2017	8:39:00 PM	20 - Robbery	Henderson Chicken
17-2100254	11/4/2017	7:31:00 PM	6X - Major Dist (Violence)	Jin's Mart
17-1993133	10/19/2017	9:16:00 PM	7X - Major Accident	Henderson Chicken
17-1980138	10/17/2017	10:24:00 PM	12B - Business Alarm	Henderson's Chicken
17-1935726	10/11/2017	1:12:00 PM	DH - Drug House	Henderson Chicken
17-1894889	10/5/2017	1:20:00 PM	07 - Minor Accident	
17-1782567	9/18/2017	5:44:00 PM	6X - Major Dist (Violence)	Yosif Tires
17-1720425	9/9/2017	12:14:00 PM	32 - Suspicious Person	Jin's Mart
17-1687968	9/4/2017	12:49:00 PM	6X - Major Dist (Violence)	Diva African Braids
17-1680975	9/3/2017	8:55:00 AM	40/01 - Other	Closed Down Raceway
17-1651877	8/30/2017	1:53:00 AM	40/01 - Other	Henderson Chicken
17-1494339	8/6/2017	9:38:00 AM	12B - Business Alarm	Henderson Chicken
17-1414825	7/25/2017	1:47:00 PM	OADS - Open Air Drug Sales	Hendersons Chicken
17-1397261	7/22/2017	9:05:00 PM	41/20 - Robbery - In Progress	Hendersons Chicken
17-1354879	7/16/2017	5:23:00 PM	04 - 911 Hang Up	Henderson Chicken
17-1102319	6/10/2017	3:19:00 PM	6X - Major Dist (Violence)	African Braids
17-0878520	5/9/2017	10:20:00 PM	12B - Business Alarm	Quick Stop Food Mart
17-0813099	4/30/2017	12:39:00 PM	40 - Other	Henderson Chicken
17-0556920	3/24/2017	12:20:00 PM	20 - Robbery	Metro PCS
17-0529729	3/20/2017	12:33:00 PM	6X - Major Dist (Violence)	Metro PCS
17-0525438	3/19/2017	7:12:00 PM	12B - Business Alarm	Quick Stop Mart
17-0506311	3/16/2017	8:59:00 PM	58 - Routine Investigation	
17-0409573	3/2/2017	11:24:00 PM	6X - Major Dist (Violence)	Diva African Braids
17-0352384	2/22/2017	5:26:00 PM	PSE/40 - Other	Henderson Chicken
17-0326921	2/18/2017	9:34:00 PM	40/01 - Other	Hendersons Chicken
17-0227033	2/4/2017	6:58:00 PM	6X - Major Dist (Violence)	Henderson Chicken
17-0217459	2/3/2017	1:20:00 PM	11V/01 - Burg Motor Veh	Henderson's Chicken
17-0207269	2/1/2017	9:33:00 PM	6X - Major Dist (Violence)	Henderson; Chicken
17-0196867	1/31/2017	12:04:00 PM	46A - CIT w/Ambulance	Henderson's Chicken
17-0128981	1/20/2017	7:51:00 PM	6X - Major Dist (Violence)	Jin's Mart
17-0031312	1/5/2017	5:41:00 PM	40 - Other	Henderson Chicken

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service for a two-year period, subject to a site plan and conditions on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the northeast line of east Ledbetter Drive and the west line of Rocky Ridge Road.

Maker: Schultz
Second: Ridley
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 6
Replies: For: 0 Against: 0

Speakers: None

CPC Recommended SUP Conditions

1. USE. The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service.

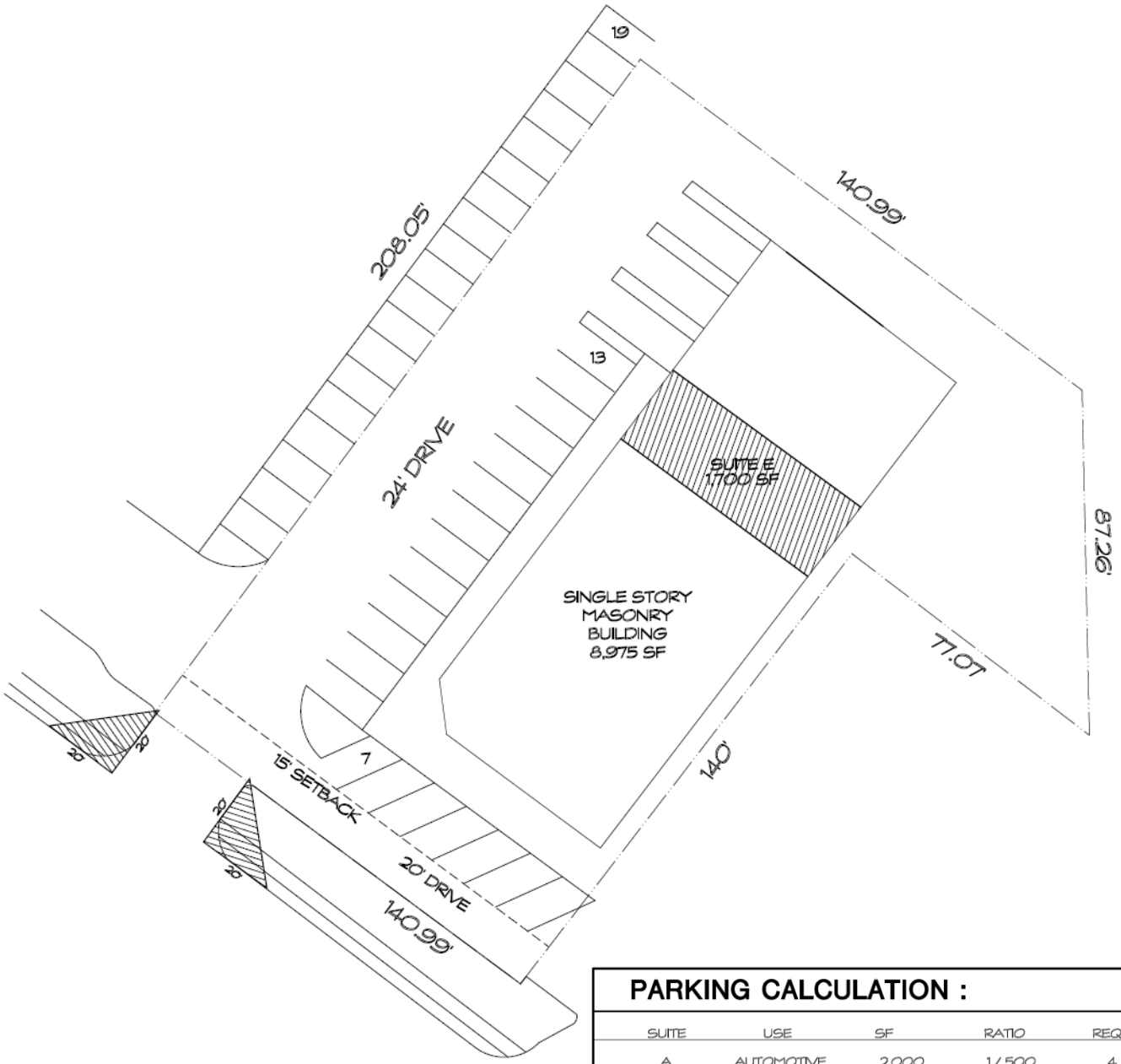
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on [two years from the passage of this ordinance]

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

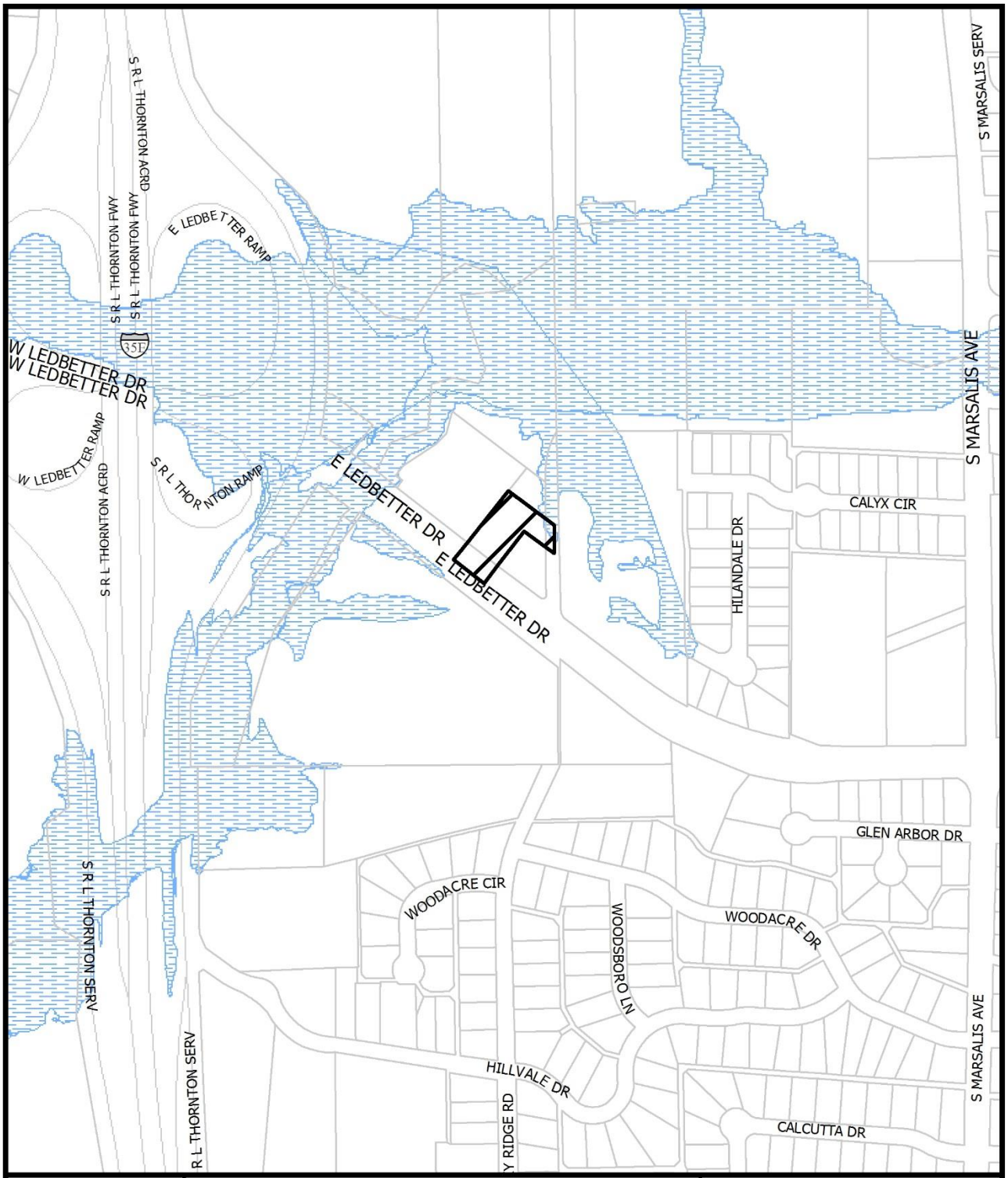
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

CPC Recommended Site Plan



PARKING CALCULATION :

SUITE	USE	SF	RATIO	REQ'D
A	AUTOMOTIVE	2,000	1 / 500	4
E	RESTAURANT	1,700	1 / 100	17
B	GEN MERCH	400	1 / 200	2
C	RESTAURANT	1,700	1 / 100	17
	RETAIL	3,175	1 / 200	16
	TOTAL SF	8,975		
			TOTAL PARKING REQUIRED	56
			PARKING PROVIDED ON-SITE	20
			PARKING PROVIDED VIA REMOTE PARKING AGREEMENT	36
			TOTAL PARKING PROVIDED	56
			PARKING SPACE SIZE :	9' x 18'



1:4,800

VICINITY MAP

Case no: Z189-154

Date: 5/20/2019

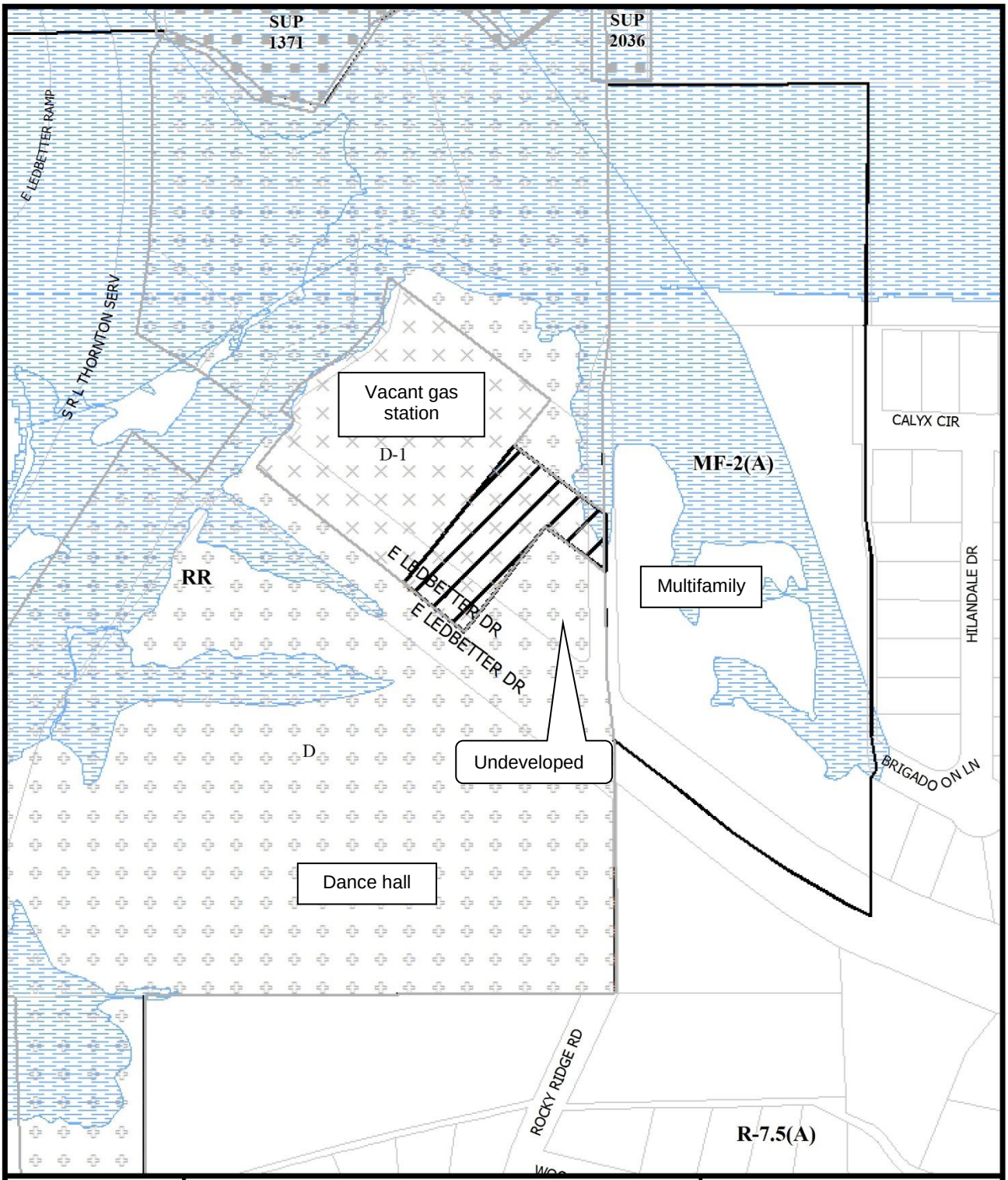


1:2,400

AERIAL MAP

Case no: Z189-154

Date: 5/20/2019

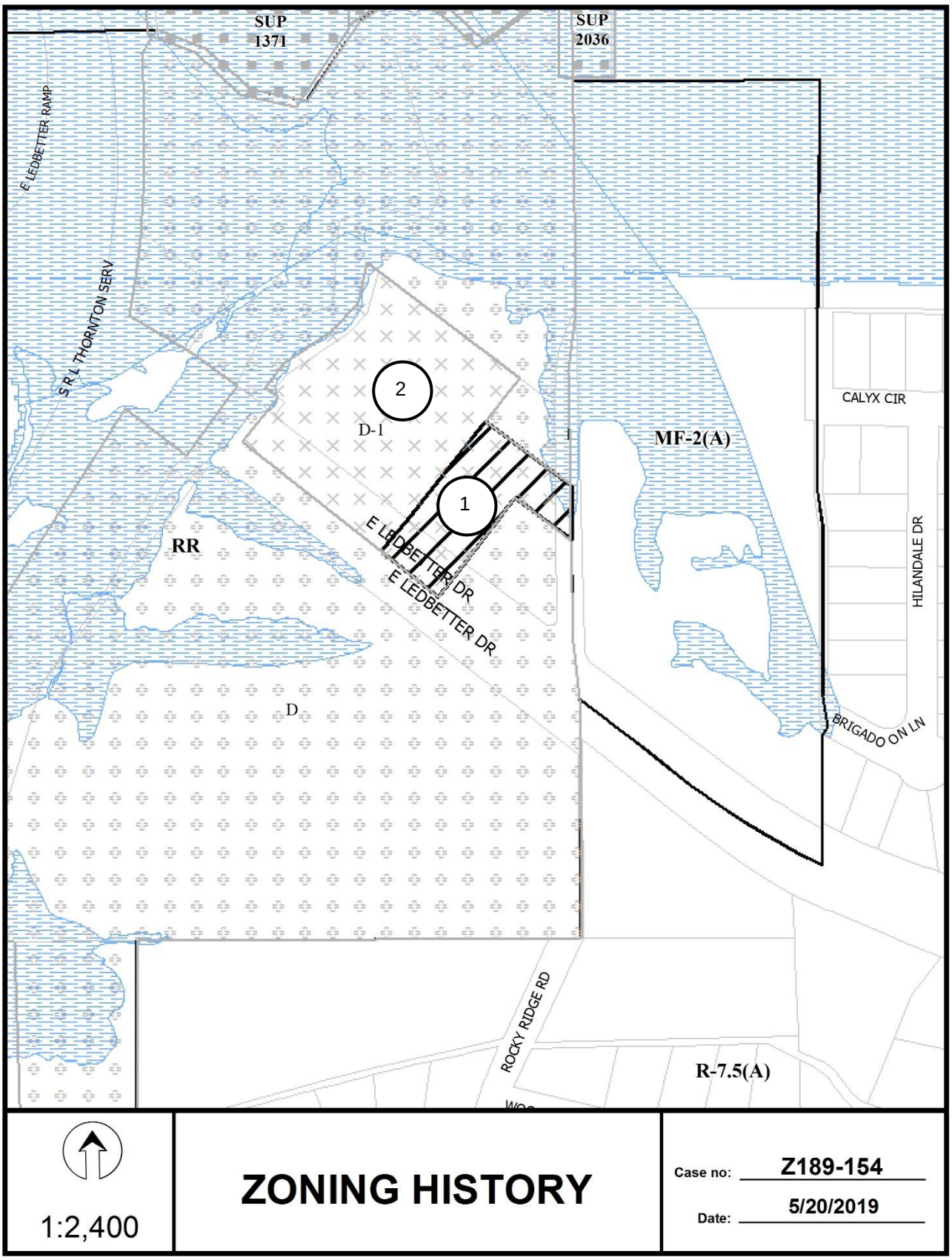


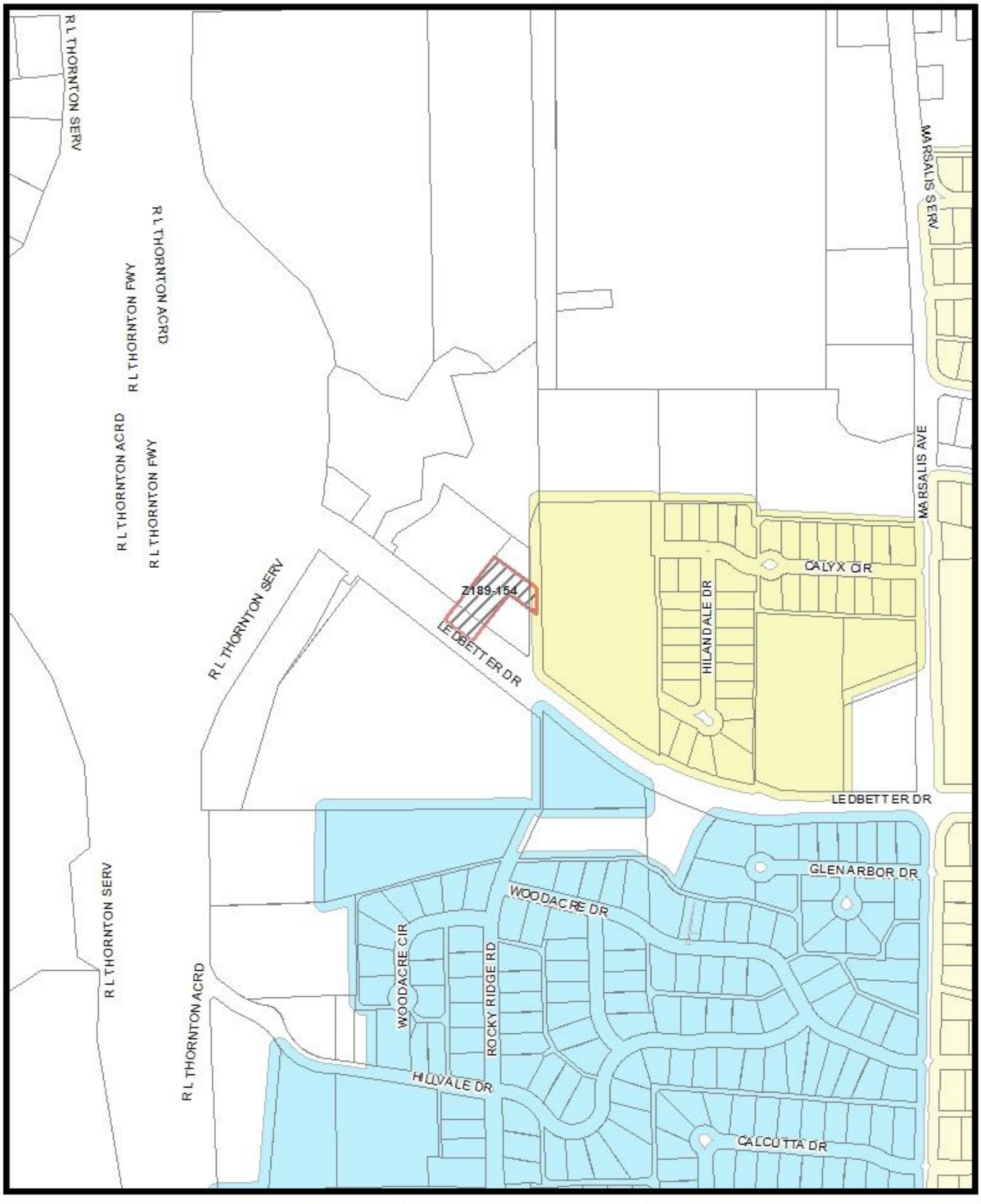
1:2,400

ZONING AND LAND USE

Case no: Z189-154

Date: 5/20/2019


SUP
1371
SUP
2036
E LEDBETTER RAMP
S R L THORNTON SERV
2
D-1
1
RR
E LEDBETTER DR
E LEDBETTER DR
D
MF-2(A)
CALYX CIR
HILANDALE DR
BRIGADO ON LN
ROCKY RIDGE RD
R-7.5(A)
1:2,400
ZONING HISTORY
Case no: Z189-154
Date: 5/20/2019

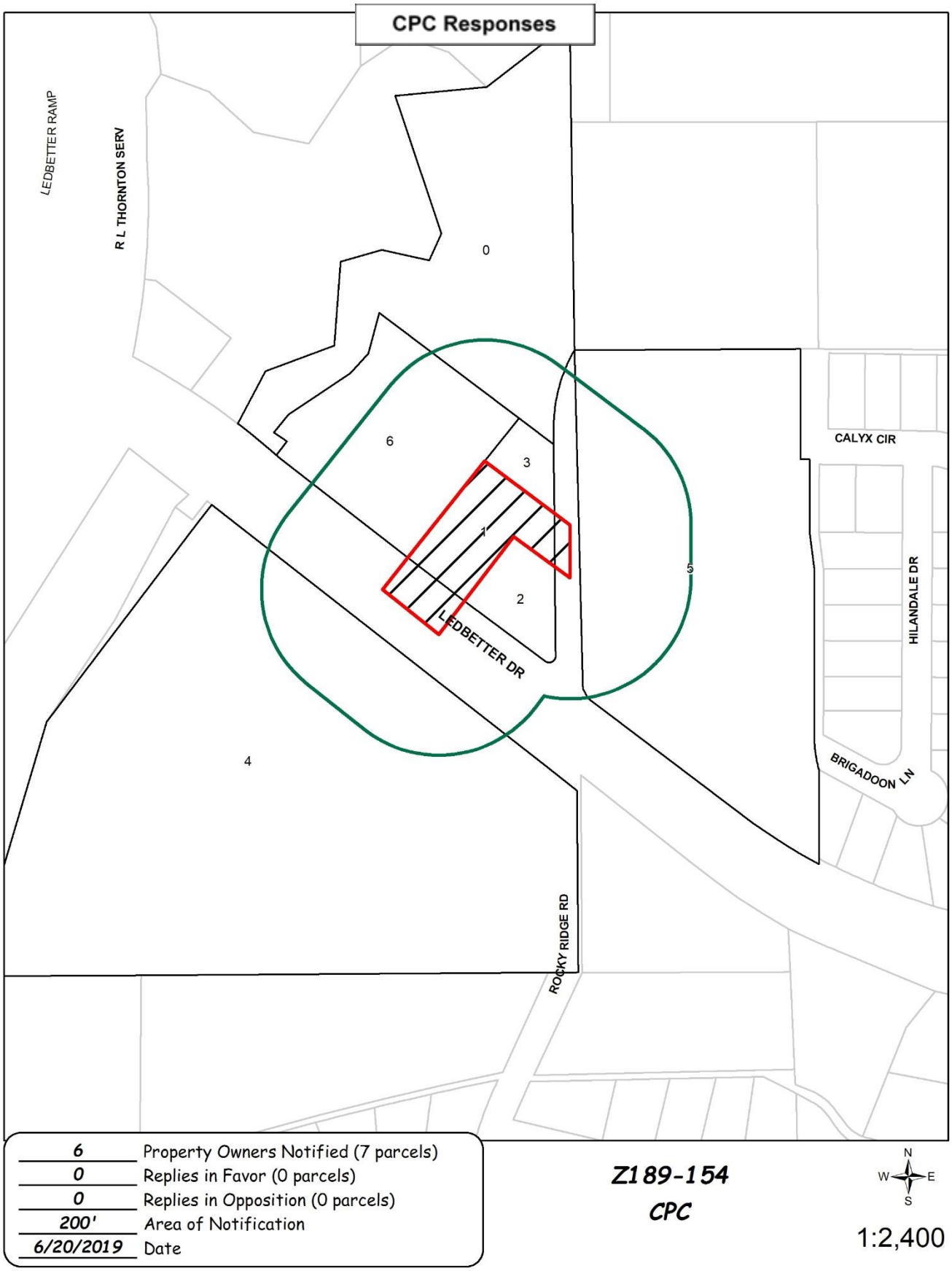


MVA Cluster A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 5/20/2019


CPC Responses
LEDBETTER RAMP
R L THORNTON SERV
0
6
3
1
2
5
4
LEDBETTER DR
CALYX CIR
HILANDALE DR
BRIGADOON LN
ROCKY RIDGE RD
6 Property Owners Notified (7 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
6/20/2019 Date
Z189-154
CPC
N
W
E
S
1:2,400

06/19/2019

Reply List of Property Owners

Z189-154

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

Reply	*Label #*	*Address*		*Owner*
	1	337	E LEDBETTER DR	TUGBOAT PROPERTIES INC
	2	423	E LEDBETTER DR	TUGBOAT PROPERTIES INC
	3	337	E LEDBETTER DR	RACETRAC PETROLEUM INC
	4	300	E LEDBETTER DR	BRIZZA INC
	5	433	E LEDBETTER DR	FIVE MILE FLATS LLC
	6	303	E LEDBETTER DR	RACETRACK PETROLEUM INC

Agenda Information Sheet

File #: 19-1071 **Item #:** 62.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an Historic Overlay for Eagle Ford School (1601 Chalk Hill Road) on property zoned an IM Industrial Manufacturing District on the west side of Chalk Hill Road, south of Tom Landry Freeway
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Z189-162(LC)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-162(LC) **DATE FILED:** February 6, 2017

LOCATION: On the west side of Chalk Hill Road, south of Tom Landry Freeway

COUNCIL DISTRICT: 6 **MAPSCO:** 42 Y

SIZE OF REQUEST: 0.38 acres **CENSUS TRACT:** 107.01

APPLICANT/OWNER: Eagle Ford School Limited Liability Co

REPRESENTATIVE: None

REQUEST: An application for an Historic Overlay for Eagle Ford School (1601 Chalk Hill Road) on property zoned an IM Industrial Manufacturing District.

SUMMARY: Eagle Ford School is located at 1601 Chalk Hill Road in west Dallas. The Landmark Commission initiated the historic designation of this historic school building as a City of Dallas Landmark. The designation is supported by the current property owner. A City of Dallas Landmark property must meet three of 10 designation criteria. This property has been determined to meet six.

CPC RECOMMENDATION: **Approval**, subject to preservation criteria.

STAFF RECOMMENDATION: **Approval**, subject to preservation criteria.

LANDMARK COMMISSION RECOMMENDATION: **Approval**, subject to preservation criteria and that a statement be added to the Historical Significance section of the Landmark nomination stating that Eagle Ford School is the last surviving structure of the Eagle Ford community, a community that included the workers of Trinity Portland Cement, who also helped to build Dallas.

BACKGROUND INFORMATION:

- Eagle Ford School is a Gothic Revival Style school building constructed in 1923-1924 by the residents of the Trinity Portland Cement Company's housing village, who were also employees of the company and parents of the children that would attend the school.

- The structural system consists of cast-in-place, reinforced concrete columns, floors, beams, roof and foundation walls (14-16 inches thick). Hand formed concrete blocks, laid in a running bond pattern provide infill walls. Trinity Portland Cement Company supplied the raw building materials for the construction of the school.

- The school served children from Trinity Portland Cement's company village, the southern areas of Eagle Ford, Arcadia Park, and surrounding rural areas. Bonnie Parker allegedly attended Eagle Ford School in the 1920s.

- The building was used as a school until 1965. It was used for storage by a private property owner from 1965 to 1987. From 1987 to the mid 2000s it was used as an office. The building remained vacant for many years until purchased in 2017 by the and current owner, who has also restored the building and given it a new use of event space on the main floor, and office/storage space for the basement.

- Eagle Ford School is the only remaining building associated with the Eagle Ford community.

- After the Landmark Commission authorized the public hearing on February 6, 2017, the Designation Committee of the Landmark Commission met one time to work on the landmark nomination form and preservation criteria.

- The Designation Committee approved the designation report, comprised of the landmark nomination form and preservation criteria, on October 17, 2018.

- The Landmark Commission approved the designation on April 1, 2019 with a request that a statement be added to the Historical Significance section of the Landmark nomination stating that Eagle Ford School is the last surviving structure of the Eagle Ford community, a community that included the workers of Trinity Portland Cement, who also helped to build Dallas. .

- The requested statement from Landmark Commission's April 1st motion was added to the first paragraph in the Historical Significance section of the Eagle Ford School Landmark nomination, as well as the concluding paragraph in the Summary section.

- The historic landmark designation will not change the land use.

STAFF ANALYSIS:

Comprehensive Plan:

The historic overlay is consistent with the Land Use Element of the Comprehensive Plan. Historic preservation has played a key role in defining Dallas' unique character. Preservation of open spaces that are historically and environmentally significant creates a direct, visual link to the past, contributing to a "sense of place."

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.

GOAL 1.2 Promote Desired Development

Policy 1.2.2 Establish clear and objective standards for land use planning.

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.

CPC ACTION:
June 6, 2019

Motion: It was moved to recommend **approval** of an Historic Overlay for Eagle Ford School (1601 Chalk Hill Road) , subject to preservation criteria and that a statement be added to the Historical Significance section of the Landmark nomination stating that Eagle Ford School is the last surviving structure of the Eagle Ford community, a community that included the workers of Trinity Portland Cement, who also helped to build Dallas on property zoned an IM Industrial Manufacturing District on the west side of Chalk Hill Road, south of Tom Landry Freeway.

Maker: Carpenter
Second: Housewright
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 5
Replies: For: 0 Against: 0

Speakers: For: David Preziosi, 2922 Swiss Ave., Dallas, TX, 75204
Against: None

LANDMARK COMMISSION ACTION:
April 1, 2019

This item appeared on the Commission's discussion agenda.

Motion: Approval, subject to preservation criteria and that a statement be added to the Historical Significance section of the Landmark nomination stating that Eagle Ford School is the last surviving structure of the Eagle Ford community, a community that included the workers of Trinity Portland Cement, who also helped to build Dallas.

Maker:	Amonett
Second:	Hinojosa
Results:	13/0

Ayes:	*Allender, Amonett, De La Harpe, Flabiano, Hinojosa, Montgomery, Payton, Richter, Seale, Slade, Strickland, Swann, Williams
Against:	None
Absent:	Peach, Spellicy
Vacancies:	District 3

Dallas Landmark Commission
Landmark Nomination Form

1. Name

Historic: Eagle Ford School
and/or common: n/a
Date: 1924

2. Location

Address: 1601 Chalk Hill Road
Location/neighborhood: Dallas, 75212
Block and lot: Block 7192, tract 2 ***land survey:*** n/a ***tract size:*** 0.852 Acres

3. Current Zoning

current zoning: Regional Retail (RR)

4. Classification

Category	*Ownership*	*Status*	*Present Use*	
____*district*	____*public*	____*occupied*	____*agricultural*	____*museum*
__1__*building(s)*	__x__*private*	__x__*unoccupied*	____*commercial*	____*park*
____*structure*	____*both*	____*work in progress*	____*educational*	____*residence*
____*site*	*Public*	*Accessibility*	____*entertainment*	____*religious*
____*object*	*Acquisition*	____*yes: restricted*	____*government*	____*scientific*
	____*in progress*	____*yes: unrestricted*	____*industrial*	____*transportation*
	____*being consider'd*	__x__*no*	____*military*	__x__*other, vacant*
				_____

5. Ownership

Current Owner: Eagle Ford School Limited Liability Company
Contact: Larry Moser
Address: 1601 Chalk Hill Road, Dallas TX 75212-5804

6. Form Preparation

Date: January 4, 2017 (revised March 19, 2019)
Name & Title: Marcel Quimby, FAIA, Quimby McCoy Preservation Architecture, LLP; consultant
Organization: Dallas Mexican American Historical League
Contact: Marcel Quimby

7. Representation on Existing Surveys

Alexander Survey (citywide): local state national
National Register no
H.P.L. Survey (CBD) A B C D Recorded Texas Historic Landmark
Oak Cliff Texas Antiquities Landmark
Victorian Survey
Dallas Historic Resources Survey, Phase ____ ___ high ___ medium ___ low

For Office Use Only

Date Rec'd:_____ Survey Verified: Y N by:_____ Field Check by:_____ Petitions Needed: Y N
Nomination: Archaeological Site Structure(s) Structure & Site District

8. Historic Ownership

Original owner:	Eagle Ford School District (Dallas County Schools)
Significant later owner(s):	Dallas Public Schools, Dallas Independent School District (DISD)

9. Construction Dates

Original:	1923 - 1924
Alterations/additions:	n/a

10. Architect

Original construction:	n/a
Alterations/additions:	n/a

11. Site Features

Eagle Ford School is located at 1601 Chalk Hill Road and sited at the top of a ridge that runs north-south, approximately one mile south of the Eagle Ford community and six miles west of downtown Dallas, in Dallas County. The school sits near the center of the relatively level 0.8-acre site with a grass front lawn facing Chalk Hill Road, with open yard at its north and west (rear) sides; the north side yard is gravel and used for parking. A chain link fence is located at the south, west and north property lines.

Road improvements by the City of Dallas at Chalk Hill Road in 2017-2019 have adversely affected the front lawn and the school's relationship to this public street. The construction project increases Chalk Hill Road from a 2-lane road to a divided 4-lane road, with a drop in grade at the road, leaving the historic school building and its front yard now elevated 8' higher than the adjacent road. The school building is now only partially visible from the street. Construction is still underway at the time of this document, with a tall (8'+) concrete wall under construction at the front property line. A wide driveway facing Chalk Hill Road near the southern edge of the site leads up a steep slope to the site's parking lot for vehicular and pedestrian access to the site.

Construction at the school and site is almost completed; much of the vegetation has been removed and is to be replaced. A concrete deck, stairs and a ramp have been added at the west (rear) side of the building, allowing pedestrian access to a new entry at this façade; the ramp will provide access to the building for those with disabilities. A small building and tall telecommunications tower is located at the south side of the school and is surrounded by a chain link fence. The historic concrete steps at the front façade remain in place. There are no other site features or paved areas at the site.

The surrounding property was largely agricultural until industrial and commercial development began in the late 1990s; the adjacent property to the north and west are large warehouses and parking lots. The shopping center at Pinnacle Park is east of the subject property and faces Interstate 30, with service access from Chalk Hill Road. Property to the south and east of the site (south of the shopping center) has recently changed from agricultural to commercial uses, with new, large warehouses built in the last several years.



Aerial view of Eagle Ford School, looking west; this photograph is prior to recent construction at Chalk Hill Road and school.
Courtesy www.texashideout.tripodcom/aerial_school.jpg, accessed March 19, 2016



Current aerial view of Eagle Ford School site, showing road construction at Chalk Hill Road currently underway.
Courtesy of Google Earth accessed January 28, 2019

12. Physical Description

Condition check one:			*Check one:*
____ *excellent*	__X__ *deteriorated*	____ *unaltered*	__X__ *original site*
____ *good*	____ *ruins*	__x__ *altered*	____ *Moved (date_____)*
____ *fair*	____ *unexposed*		

The two-story Eagle Ford School building served the communities of Eagle Ford, Arcadia Park, Trinity Portland Cement Company's housing villages and surrounding rural areas. The school was part of the Eagle Ford Common School District, within the Dallas County School District. Construction for the new school was partially funded by Dallas County School District, with bonds sold by the county in June 1923.[1] As the school served the students of Trinity Portland Cement Company's residential villages, the company supplied materials for the concrete blocks for the masonry school building; these blocks were then made and installed by the village residents - many of whom were parents of the children who would attend the new school. Located in what is now North Oak Cliff, the school building is a two-story rectangular building facing Chalk Hill Road. The school's main entrance facing Chalk Hill Road is accessed by the original wide concrete steps flanked by a masonry wall that leads to a recessed entry.

Gothic Revival Architectural Style and Building Type

With its projecting center section and slightly shorter and subordinate flanking units, the school is considered a central block with wings commercial type.[2] This building type has its origin in 16th-century Italian villas and since then has been widely used in larger American houses, public and institutional buildings including banks and schools in the early 20th century. The school is Gothic Revival architectural style, which was based on the medieval Gothic style developed and used in Europe in the 12th through the 16th centuries, typically for cathedrals, churches and castles. This style was revived and known as 'Gothic Revival' in the mid-19th century in Europe and America, and used on churches, larger homes and castles and frequently used in collegiate and public school buildings until the early 20th century. Typical Gothic Revival features at the Eagle Ford School include pointed arches, battlements, window hood molds and stucco finish.

Building Plan and Construction

The building plan is quite simple - a north-south corridor divides the building into two halves with stairs located at the two terminuses of this corridor at the center of the north and south facades. Entrances for students are located at the mid-level stair landing, with a half-flight of stairs up to the upper floor or down to the lower floor. These two separates entrances served the boys (north entrance) and girls (south entrance). Separate entrances for male and female students was common in late nineteenth and early twentieth century schools; these entrances were often adjacent to mud rooms/coat closets for each gender. The Dallas Morning News, in a July 20, 2015 article about the school states there were three classrooms at the upper floor and two at the lower floor.

The upper floor is raised half a floor level above grade with the lower floor semi-recessed; this lower floor has a ceiling height of approximately 8' to 9' while the upper floor has taller ceilings. The building's structural system consists of cast-in-place reinforced concrete columns, concrete floors, beams, roof and foundation walls. Hand-formed concrete blocks, approx. 8" x 12" in size, laid in a running bond pattern provide infill walls. Heritage Oak Cliff's website about Eagle Ford School notes the exterior walls are "14" to 16" thick made from two layers of cement bricks and 6" of cement layered in between" and also noted the floors were 5" thick reinforced concrete.[3] The building had large, paired window openings at the east and west facades which provided abundant natural light into the classrooms and interior spaces.

East (Front) Facade

---

[1] *'Eagle Ford School Bonds Sold Thursday Afternoon'*, Dallas Morning News, July 20, 1923; page 2.
[2] Longstreth, Richard W. *The Buildings of Main Street: A Guide to American Commercial Architecture,* Updated ed. 2000. Walnut Creek, California, Alta Mira Press. (c) 1987. pp 116-117.
[3] Heritage Oak Cliff, website, http://heritageoakcliff, article on Eagle Ford School. Accessed October 5, 2014.

The front facade of the school faces Chalk Hill Road with its main entrance in the center bay accessed from wide stairs that lead to a recessed porch with a large opening with Gothic arch. This center entrance bay protrudes slightly from the plane of the two flanking sections and is painted taupe with quoins and trim painted white. A pair of wood doors at the porch led into the school building. Smaller slightly flattened Gothic (or three-pointed arch) windows with hood molds were located on each side. A large concrete sign is inset above this entry - EAGLE FORD DISTRICT 49 - the school's name and its Dallas County School District number. Another Gothic Revival feature is the battlement at the top of this center section.

The two flanking sections of this facade feature a horizontal water course separating the upper and lower floors; this is concrete and painted white. A more detailed horizontal belt course is located slightly above the upper floor windows, with a parapet with concrete coping, painted white. The exterior walls at the lower floor level have a heavily textured cementitious stucco finish, painted taupe. The exterior walls at the upper level are a relatively smooth stucco finish, as is the finish of the concrete quoins at the exterior corners and painted white.

When originally constructed, each of the two side sections of the upper floor had three window openings with pairs of six-over-six double-hung wood windows. The lower floor also had three window openings with a pair of six-over-six, double-hung wood windows at its two side sections; these lower floor windows aligned with the windows above. The earliest known historic photograph of the building dates from the 1940s and shows these wood windows, water table and original recessed entrance porch. This photograph also shows the lower level with a darker color and upper level painted a slightly lighter color. A slightly later photograph from 1946-1947 clearly shows the heavy stucco texture of the exterior wall and a lighter color. Later changes to the front facade include removal of the infilled windows and replaced with new windows, new decorative metal doors at the front facade. The stucco finish at the walls had been painted red and salmon, with the horizontal water table, belt course, quoins and hood molds painted white; the base (lower level) of the building was gray. The battlements and coping remain in place.

The current construction includes repainting the exterior lower level walls taupe, with the upper walls painted white. The central, entry bay is also taupe, with the horizontal belt course, quoins and coping at the battlements, concrete school sign and window trim painted the off-white. This color scheme highlights the building's decorative features. New nine-over-one aluminum windows reflect the character of the historic windows and contribute greatly to the building's historic appearance.

North and South (Side) facades

The side facades have the same features as the front facade but are simpler in design. These facades have a narrow center section that protrudes slightly from the facade with similar Gothic Revival features as the front facade - a pointed arched opening at the student entrance entry, large, recessed solid brick panels, signs over the doors and quoins at the outside corners. The two flanking sections are similar to the side sections of the front facade - with a horizontal water course separating the upper level and lower level, horizontal belt course and a parapet with concrete block coping and heavily textured cementitious, stucco finish. The inset concrete signs of 'BOYS ENTRANCE' at the north facade and 'GIRLS ENTRANCE' at the south facade remain in place above these entrances. Like the front facade, the lower levels have a heavily textured stucco finish, the upper level wall surfaces and quoins have a relatively smooth stucco finish and the inset panels at the upper level also have a heavily textured stucco finish. The color scheme of this façade follows that of the east façade with white and taupe colors.

West (Rear) facade

The rear facade has the same features as the front facade but is simpler in design with large window openings, quoins at the outside corners, water course and a detailed horizontal belt course and a parapet with coping. There are eight masonry openings at the upper floor, with one as an entrance into the building and the remaining openings windows. Like the other facades, the lower level of this facade has a heavily textured stucco finish and the upper level wall surfaces and quoins have a relatively smooth stucco finish also painted off-white and taupe. A new set of stairs and accessible ramp lead to a new deck at the upper level, providing access to the building with those with disabilities at a new entrance to the upper level.

Building Interior

The original plan of the building remains largely intact with each floor having a north-south corridor, with girls and boys coatrooms and toilets at the lower level. The upper level accommodated an office and classrooms. The walls and ceilings are a plaster finish.

The current construction, designed to accommodate special events, has combined the classrooms at the first floor to form a large space that is now open to the corridor. New toilets and an office are also provided at this floor. The lower level will provide offices and a mechanical room.

Historic Photographs



Photograph of Eagle Ford School, c. 1940s; this is the earliest known photograph of the school. Courtesy of Dallas Mexican American Historical League.



Photograph of Eagle Ford School, third grade, c. 1946 - 47. Courtesy of Dina Mitchell and the Dallas Mexican American Historical League.



Photograph of Eagle Ford School prior to recent rehabilitation, August 14, 2014.

Current Photographs



East façade at Chalk Hill Road, looking west. This shows the new concrete retaining wall at cut into the site in conjunction with construction at Chalk Hill Road. January 28, 2019.



East façade at Chalk Hill Road, looking west. January 28, 2019.



Enlarged view of the front entry, looking west. January 28, 2019. Original sign over entrance refers to Dallas County School District.



North façade at left, original boy's entrance. January 28, 2019.



West (rear) facade, with new stairs, accessible ramp and porch at new rear door. January 22, 2018.



South façade with 'GIRLS ENTRANCE' sign. January 28, 201.9



Detail of inset concrete 'GIRLS ENTRANCE' sign at south facade. January 28, 2019.

13. Construction

No record of an architect or contractor has been found for Eagle Ford School. Trinity Portland Cement Company supplied materials to build the school's concrete blocks, which were fabricated and installed by the residents of the Trinity Portland Cement Company's housing village, who were parents of the children who would attend the school.

14. Historical Significance

The historic significance of the Eagle Ford School is twofold with the first being its direct association with several historic communities in western Dallas County that the school served - the Eagle Ford community, Trinity Portland Cement Company's company town, Arcadia Park (an unincorporated community) and rural residents in this area of Dallas County. Second, Eagle Ford School is the only remaining building associated with the Eagle Ford community and the Trinity Portland Cement Company - the largest manufacturer of portland cement and other cement products in Dallas County from 1909 until 1970. This company, the employees who worked for it and the raw materials and product they produced helped to build the City of Dallas.

The Eagle Ford community (1844 - 1956)

Early Development of the Eagle Ford Community

Enoch Horton (1871-1851), a Peters Colony setter, moved from Missouri to Dallas County in 1844 with his wife Martha and ten children and settled six miles west of what would become the city of Dallas.[4] Horton received 640 acres of land (tract 610) on the south side of the West Fork of the Trinity River; several family members also received land grants nearby. A ford (low water crossing with a stone bottom) was located nearby; Horton found an eagles nest at the ford and named the crossing Eagle Ford.[5, 6] His son James (1816-1876) established the Eagle Ford Grist Mill in 1857 and operated this until his death; James also donated land for the Horton Cemetery and for the Texas and Pacific Railway right-of-way and depot.[7, 8] The small community of Eagle Ford centered around its general store and in 1858, a post office.[9] The residents were largely farmers and included the Santerres, John F. Girard, John Laupot, B. Lavois and Horton and Cockrell families - many of whom were originally from La Reunion.[10] The community of Eagle Ford and James's grist mill are shown on Sams' Map of Dallas, 1900.

Eagle Ford as a Cattle Town, 1872 - 1878

The Texas and Pacific Railroad came into Dallas in 1872 and was to extend west towards Fort Worth until the depression of 1873 caused the expansion of the railroad to stop at Eagle Ford, making the small town the western terminus of the railroad. Cattle holding facilities were needed to accommodate the cattle driven in from the west waiting to be shipped north on the railroads and were quickly built. With this stock trade, Eagle Ford became a major cattle-shipping point between Dallas and Fort Worth, resulting in the growth of the community with fifty new businesses including a number of saloons, a 2-story hotel, railway station, a newspaper (the 'Weekly Eaglet') a cotton gin, flour mill, two schools, a general store and numerous residences; the community had a population of

[4] Mathew Haves Nail, Eagle Ford, Texas, The Handbook of Texas http://www.tshaonline.org/handbook/online/articles/hte02). Published by the Texas State Historical Association. Accessed March 18, 2015.
[5] Ibid.
[6] Horton Family Cemetery, http://www.cemeteries-of-tx.com/etx/dallas/cemetery/Hortonfamily.htm. Retrieved March 22, 2015.
[7] Horton Family Cemetery, http://www.cemeteries-of-tx.com/etx/dallas/cemetery/Hortonfamily.htm. Retrieved March 22, 2015.
[8] Eagle Ford, Texas. http://en.wikipedia.org/wiki/Eagle_Ford_Dallas. Accessed October 5, 2014.
[9] Mathew Hayes Nail, 'Eagle Ford, Texas', handbook of Texas Online. http://ww.tshaonline.org/handbook/online/articles. Published by the Texas State Historical Association. Accessed October 5, 2014.
[10] Sam Acheson, 'Eagle Ford was a Bustling City', Dallas Morning News, Accessed September 1, 1966.

several thousand people in the early to mid-1870s.[11] The community gained a notorious reputation for its saloons and wild ways that were typical of other cattle towns of the late nineteenth century. In 1876 construction resumed on the railroad and it was extended to Fort Worth in 1878 - bringing an end to the cattle-shipping industry in Eagle Ford. The community's population declined, and it evolved into a regional agricultural shipping point. The community decreased in size to about 200 in 1882 and by 1890 had only 75 residents as its base remained largely agricultural.[12]

The Cement Industry in Eagle Ford

An early settler in the area was Emile Remond, a former La Reunion (1855 - 1857) colonist who arrived from France in 1856. In the 1880s Remond purchased land north of the failed colony and began a brick-making business. With an interest in geology and chemistry, Remond experimented with the rich deposits of limestone, caliche and shale from the Trinity River. By the late 1880s Remond was proficient in making bricks and cement and started a local Portland Cement plant.[13] Working with another former colonist, Philip Frichot, Remond exhibited examples of his cement and brick making at the State Fair of Texas.[14, 15]

Texas Portland Cement and Lime Company / Texas Portland Cement Company / Lone Star Cement Company / Lone Star Industries and Cement City (1900 - 1979)

In 1900 a group of Galveston investors, led by Jens Moller, purchased Remond's plant and started the Texas Portland Cement & Lime Company - the first cement company in North Texas.[16] In 1903, Iola Portland Cement Company of Texas purchased Texas Portland Cement and Lime Company; Iola then operated the plant for five years.[17]

In 1908 Texas Portland Cement and Lime Company acquired the plant back from Iola, and announced plans to expand the manufacturing plant and create a town for its employees. This privately owned town was named ***Cement City*** and was incorporated as a town on April 28, 1908.[18, 19] A post office had opened in 1907, and the town soon would have telephone connections, a physician, grocery, drug and general stores; in the mid-1930s the town had fourteen businesses.[20] Houses were built and owned by Texas Portland Cement Company with separate housing villages for Mexican Americans and Anglos. Cement City's first mayor, W. H. Green, was elected in 1908.

---

[11] Eagle Ford, Texas. http://en.wikipedia.org/w/index.php?title+Eagle_Ford_Dallas&old inf=618911175". Accessed March 21, 2015.
[12] Sam Acheson, 'Eagle Ford was a Bustling City', Dallas Morning News, Accessed September 1, 1966.
[13] Lisa Lisa C. Maxwell, 'Cement, TX,' The Handbook of Texas Online, Published by the Texas State Historical Association. Texas State Historic Archives; http://www.tshaonline.org/ handbook/online/articles/hrc36. Accessed February 18, 2016.
[14] Cement City Collection, Texas/Dallas History and Archives, Dallas Public Library. Accessed October 5, 2014.
[15] Cement City Collection, Texas/Dallas History and Archives, Dallas Public Library. Accessed October 10, 2018.
[16] Bianca Mercado, 2008. *With Their Hearts in Their Hands: Founding a Mexican Community in Dallas,* 1900-1925.
[17] Cement City Collection, Texas/Dallas History and Archives, Dallas Public Library. Accessed October 5, 2014.
[18] Lisa C. Maxwell, "Cement, TX,", Handbook of Texas Online, Published by the Texas State Historical Association. Texas State Historic Archives; http://www.tshaonline.org/handbook/online/ articles/hrc36. Accessed February 18, 2016.
[19] Cement City Collection, Texas/Dallas History & Archives Division, Dallas Public Library, MA 04-9.
[20] Lisa C. Maxwell, "Cement, TX,", Handbook of Texas Online, Published by the Texas State Historical Association. Texas State Historic Archives; http://www.tshaonline.org/handbook/online/ articles/hrc36. Accessed March 14, 2019.

By 1910 the company was known as Texas Portland Cement Company and located in Cement, Texas in the Association of American Portland Cement Manufacturers' list of cement manufacturers in the United States.[21] Cement City's population was approximately 500 in 1915. In 1931 Cement's City's residential population was 609, 878 in 1920, but later declined to 249 residents in the early 1940s. This decline was largely due to the Depression and labor disputes; however the population had increased to 450 in the 1960 census.[22, 23] In the 1930s there were labor disputes in the cement industry in Texas but as Portland Cement agreed to arbitration and did not block the unions, this plant was less impacted than other plants. The Mexican American residential housing area of Cement City was commonly referred to as 'Cemento Chico' by its residents - reflecting its association with the smaller of the cement companies in the Eagle Ford area (Trinity Portland Cement Company was the larger company). The children who lived in Cement City attended the nearby Cement City School, one of the larger schools in the area; the school provided first grade thru high school. This school would become part of Dallas Public Schools in 1928. The town of Cement City was unincorporated by 1951.[24]

The Texas Portland Cement Company was purchased in 1935 by Lone Star Cement Corp, which was part of Lone Star Industries, Inc. In the 1950s Lone Star Industries greatly expanded operations and the company enjoyed a brief boon.[25] By 1970 the limestone ran out and the plant closed. Lone Star Properties, Inc., the real estate arm of Lone Star Industries, began developing Lone Star Business Park at the site in 1979, with the one remaining smokestack from the cement plant as the business park's centerpiece.[26]

Southwestern States Portland Cement Company / Trinity Portland Cement Company / General Portland Cement Company / General Portland Industries / Lafarge Corporation

In 1909, William Foster Cowham and Associates of Jackson, Mississippi acquired 500 acres of limestone and schist deposits southeast of Eagle Ford and founded Southwestern States Portland Cement Company; this land included some of James Horton's original holdings.[27] Cowham was known as an industrial engineer who designed and built cement plants. Upon his death in 1913, his son-in-law John Lawson Senior succeeded him as owner and also formed Cowham Engineering Company in Chicago. The company name was changed to Trinity Portland Cement Company in 1915, named for the nearby Trinity River. In addition to cements used in construction, the Trinity Portland Cement Company developed specialized cements for other uses, including oilfield cement (known as Trinity Inferno) for use under high temperatures in oil wells, and in 1940 Trinity White Portland, made from oyster shells dredged from Galveston Bay. These new products were used in the East Texas Oil Boom of the 1930s and 1940s.[28] By 1933 the company had cement plants in Dallas, Fort Worth, and Houston.

---

[21] *Concrete in the County*, Bulletin #26, Published by the Association of American Portland Cement Manufacturers, Land Title Building, Philadelphia, (c) 1910. https://books.google.com/books?id=aZ9BAAAAIAAJ&pg=PA114&lpg=PA114&dq=Texas+Portland+Cement+and+Lime+Company&source=bl&ots=TzuLK8kXit&sig=QdMi9EVsMYaTU4_0pDRs4SHKVyM&hl=en&sa=X&ved=0ahUKEwiDpoutpLjLAhVqmIMKHTIdBJ4Q6AEIQDAI#v=onepage&q=Texas%20Portland%20Cement%20and%20Lime%20Company&f=false.Accessed March 10, 2016.

[22] Lisa C. Maxwell, "Cement City, TX, "Handbook of Texas Online. Published by the Texas State Historical Association. Texas State Historic Archives; http://www.tshaonline.org/handbook/online/ articles/hrc36. Accessed February 18, 2016.

[23] Cement City Collection, Texas/Dallas History & Archives Division, Dallas Public Library, MA 04-9.

[24] Lisa C. Maxwell, "Cement City, TX, "Handbook of Texas Online. Published by the Texas State Historical Association. Texas State Historic Archives; http://www.tshaonline.org/handbook/online/ articles/hrc36. Accessed March 13, 2019.

[25] Cement City Collection, Texas/Dallas History & Archives Division, Dallas Public Library, MA 04-9.

[26] Cement City Collection, Texas/Dallas History & Archives Division, Dallas Public Library, MA 04-9.

[27] James, Frances and James, Barney C. Jones. *History of Eagle Ford Community, Trinity Portland Cement Company, Cemento Grande Company Village and Eagle Ford School*. Unpublished manuscript compiled from written narrative of Sidney A. Davidson, Jr., resident at the Trinity Portland Cement Company Town.

[28] Diana J. Kleiner, *Lafarge Corporation,* Handbook of Texas Online, http://www.tshaonline.org/handbook/online/articles/dql01. Accessed March 11, 2016.

In the mid to late 1930s Trinity Portland Cement Company and its Eagle Ford plant were affected by several issues - the depression reduced the market for cement and the company was embroiled in labor disputes and also embroiled in allegations from the Texas Attorney General over price fixing. The cement industry was among the county's most demanding and low paid jobs; a 1929 study of 102 Portland cement plants across the country noted male workers in Texas worked an average of 67.9 hours a week - the highest number in the study, and at the lowest average annual hourly wage.[29] Eagle Ford's plant operated 24 hours/day, requiring workers to work 11-hour shifts during the day, and 13-hour shifts during the night. Not surprisingly the cement industry had the highest work-related accident rates in the country, with recovery from accidents the responsibility of the employee, without compensation or time off. Other illnesses and operations that resulted in an inability to work resulted in loss of wages. Having refused to recognize rights of its employees to join trade unions, Trinity's labor issues continued until 1939 when the company finally recognized the union. The Texas Attorney General filed an anti-trust suit against Trinity and other cement companies in the state in response to allegations by the state highway department of high cement prices and collusion in bidding practices within the industry; this would also be resolved in 1939.[30] The impact of these events were disastrous for the workers at Trinity's Eagle Ford plant which was already running at less than half its capacity due to lack of construction projects during the depression.

Following John Lawson Senior's death in 1946, Trinity merged with two other Cowham companies to form General Portland Cement Company, which headquartered in Chicago and became the nation's fifth largest company.[31] The company was involved in the construction of DFW Airport and in 1967, the corporate offices moved to Dallas. General Portland continued to diversify and grow and changed its name to General Portland Industries. In 1951 they opened a second plant and in 1957 the original plant, constructed in 1909 by Cowham, was closed.

General Portland Industries was acquired by Lafarge Coppee Group, a major French cement producer in 1981, and two years later General Portland became an operating subsidiary of Lafarge Corporation. In the 1980s the company was the county's third-largest cement producer with 2,500 workers employed at ten cement plants.[32] However this growth did not continue at the Eagle Ford plant as the shale and limestone resources were expended and the plant closed in 1987.

Morning Park, Inc. a development firm, purchased the site from Lafarge North America in 1994, and developed remediation plans for the environmental cleanup of the plant site and developed plans for the Pinnacle Park redevelopment. This was followed by the development of the Pinnacle business and industrial park.

Trinity Portland Cement Company's company owned villages (early 1910s – 1959)

Due to the plant's remote location from West Dallas and Dallas, lack of housing in the surrounding smaller communities and rural areas surrounding the plant, lack of transportation for their workers to travel to work, and the workers long workday (11 hour day shift and 13 hour night shift), Trinity Portland Cement Company provided houses which could be rented by its employees. Like other industries in the early 1900s, many of the company's employees were Mexican immigrants who came to North Texas to escape the Mexican Revolution. Separate housing villages for its Mexican American and Anglo employees were provided; Negro families also lived in the Mexican American village. Each of the two villages contained 24 to 30 houses each; the company maintained the houses. Houses in the Mexican American village were mostly 'shotgun' style with five to six

[29] Andrews, Gregg. *Unionizing Dallas Workers in the Portland Cement Industry in the 1930s*. Unpublished paper given at the Texas State Historical Association, Accessed March 6, 2003.
[30] Andrews, Gregg. *Unionizing Dallas Workers in the Portland Cement Industry in the 1930s*. Unpublished paper given at the Texas State Historical Association, Accessed March 6, 2003.
[31] Kleiner, Diana J, *Lafarge Corporation,* Handbook of Texas Online. Published by the Texas State Historical Association. www.tshaonline.org/handbook/online/articles. Accessed March 12, 2016.
[32] Kleiner, Diana, ibid.

rooms and front porches and were without bathrooms; streets were unpaved.[33] The Mexican American village contrasted with the larger homes with indoor plumbing, paved streets, sidewalks and well-kept lawns in the Anglo village.[34] These two residential villages and businesses were owned by the Trinity Portland Cement Company as an unincorporated community and run by the company, with no input from the workers who lived there.

The Mexican American and Anglo children from these two Trinity Portland Cement Company villages attended school together at Eagle Ford School for over forty years. Negro children attended the Eagle Ford Negro School. The company's Mexican American housing village was commonly referred to as 'Cemento Grande', reflecting its association with the larger of the two cement plants in the Eagle Ford area. To provide recreation opportunities for the residents, a regulation size baseball diamond with bleachers was built; this became a popular place for families to picnic and watch baseball games played by the younger employees. There was also a golf course and driving range, and tennis courts.[35] While Trinity considered the community as an expression of the company's goodwill and concern for their employees, there were underlying forms of paternalism and autocratic control.[36] During the Depression, the company issued company food coupons to its employees as a protection against hunger but these could only be used at the company grocery store and meat market, and further increased employees' indebtedness and dependence on the company. During the labor unrests in the 1930s, this dependence and fear of eviction from their housing served to stifle the employees' voices and limit labor agitation.[37]

In 1959 General Portland Industries closed down the company housing; many of the homes were sold to employees and to newer residents in Eagle Ford, Ledbetter Gardens and other nearby areas. The last family to move from Cemento Grande was that of Filberto Martinez, whose father was one of the original Cemento Grande workers.[38]

Summary and Clarification of the company owned villages of Texas Portland Cement Company and Trinity Portland Cement Company.

There were two distinct company-owned residential communities near Eagle Ford - Cement City at the Texas Portland Cement Company, and the villages at the Trinity Portland Cement Company plant. Although both were 'company towns', their commercial and residential areas were very different. Cement City was an incorporated town, privately owned by Texas Portland Cement Company. Cement City included several private stores (located in spaces rented from the town), a doctor's office, a post office and two separate, residential villages for the company's Anglo and Mexican American workers and their families. As an incorporated town, it had an elected mayor and with more businesses and residents, was the larger of these two company towns. A public school – Cement City School – was located nearby on Eagle Ford Road (now Singleton Road).

---

[33] James, Frances and James, Barney C. Jones. *History of Eagle Ford Community, Trinity Portland Cement Company, Cemento Grande Company Village and Eagle Ford School*. Unpublished manuscript compiled from written narrative of Sidney A. Davidson, Jr., resident at the Trinity Portland Cement Company Town.

[34] Ibid

[35] James, Frances and James, Barney C. Jones. *History of Eagle Ford Community, Trinity Portland Cement Company, Cemento Grande Company Village and Eagle Ford School*. Unpublished manuscript compiled from written narrative of Sidney A. Davidson, Jr., resident at the Trinity Portland Cement Company Town.

[36] Andrews, Gregg. *Unionizing Dallas Workers in the Portland Cement Industry in the 1930s*. Unpublished paper given at the Texas State Historical Association, Accessed March 6, 2003.

[37] Andrews, Gregg. *Unionizing Dallas Workers in the Portland Cement Industry in the 1930s*. Unpublished paper given at the Texas State Historical Association, Accesses March 6, 2003.

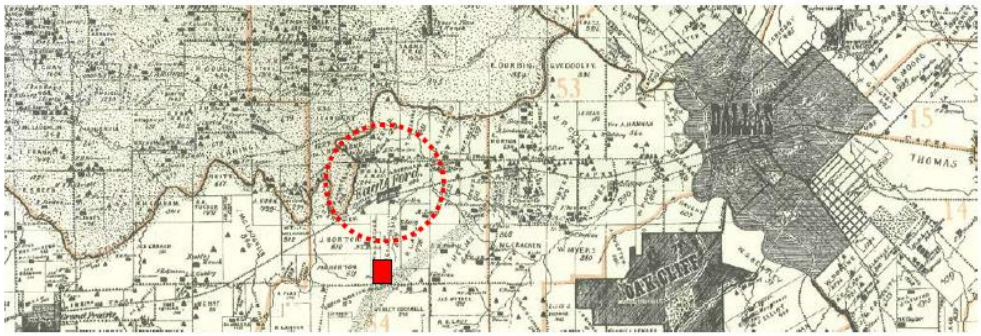
[38] Narrative of Henry and Filiberto Martinez, Courtesy of Dallas Mexican American Historic League.

Trinity Portland Cement Company was located at about three miles west of Texas Portland Cement Company and Cement City. While this plant was the larger of the two cement plants, it had smaller company-owned residential villages - Anglo and Mexican-American - as well as a just a few company owned stores. These residential villages were over a mile-and-a- half to Eagle Ford, the nearest community with businesses, and approximately three miles to Cement City.

Although these two company towns were physically separated (approximately three miles apart) and under separate ownership, they have often been incorrectly and collectively referred to as 'Cement City' as if this was one housing town under a single ownership. To clarify, each of these two company-owned towns -Cement City, owned by Texas Portland Cement Company, and Trinity Portland Cement Company's residential villages - were physically separated and had distinct villages (neighborhoods) for Anglo and Mexican American workers - for a total of four (4) distinct residential 'villages' within these two company-owned plants. Many references in various publications over the last half-century have erroneously referred to both, collectively as 'Cement City' instead of identifying the two separate company towns (and residential villages) that existed for the workers of these two separate companies. This clarification is intended to provide correct information about these two historic companies and their communities.

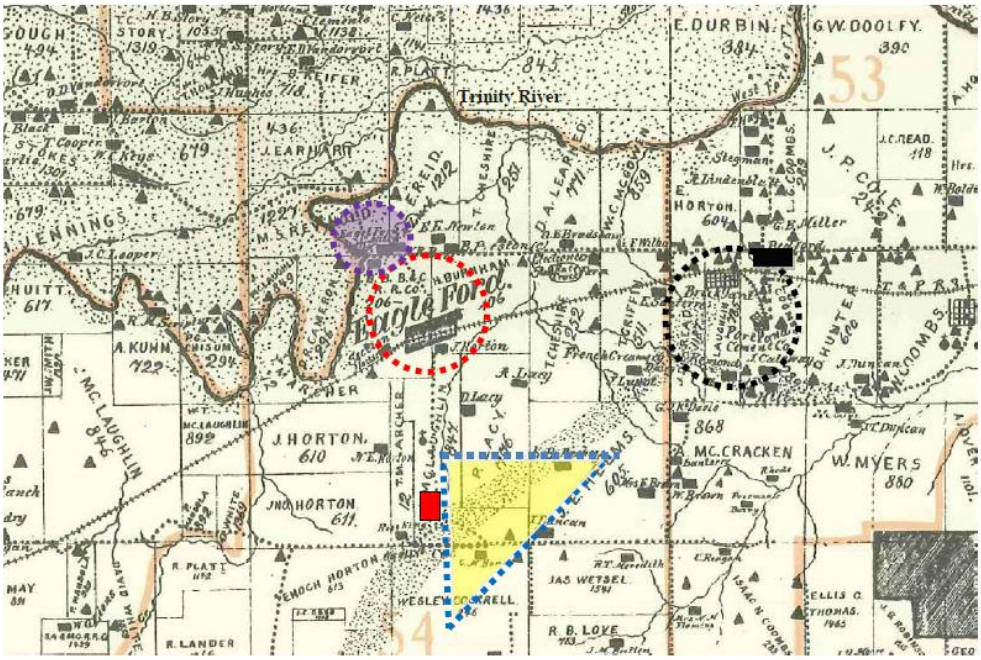
El Camposanto de Cemento Grande De La Compañía Trinity Portland (Trinity Portland Cement Company Cemetery)

Trinity Portland Cement Company donated land for a cemetery near its housing villages in 1918; it is thought the first burials were victims of the 1918 influenza epidemic, including many children. A number of Trinity's Mexican American workers and their family members were interred here, and the cemetery was cared for by residents of the company town. The last burial was Eladio R. Martinez (1921 - 1945), who was killed in action in the Pacific during World War II. The Trinity Portland Cement Company Cemetery remains and is now known as El Camposanto de Cemento Grande De La Compañía Trinity Portland. Although the company housing was removed from this area by 1959, this cemetery remains as a reminder of the residential village for the workers at Trinity Portland Cement Company which once occupied this area. The small cemetery is thought to hold around 30 - 40 gravesites, with the potential of an additional 200 unmarked gravesites within the cemetery and in surrounding property. The cemetery received a Texas Historical Commission subject marker in 1992.[39]



Sam Street's Map, c. 1900 - showing Eagle Ford and city of Dallas (red circle) and approximate location of the Eagle Ford School (red rectangle). Courtesy of Friends of Dallas Public Library.

[39] Texas Historical Commission Atlas website. www. http://atlas.thc.state.tx.us/Details/5113006903. Accessed June 16, 2016



Enlarged copy of Sam Street's Map, c. 1900. Courtesy of Friends of Dallas Public Library
Locations of 1900-era and later historic sites are indicated, including the Eagle Ford community (red circle), the Eagle Ford mill at the Trinity River (purple circle and shading), approximate location of Eagle Ford School (red rectangle), Cement City school/current Thomas Edison school (black rectangle) and general locations of the two cement plants and their housing villages - Trinity Portland Cement Company (blue triangle with yellow shading) and Remonde's property and brickyard and the adjacent Texas Portland Cement Company (noted as 'Portland Cement Co.,' black circle). Please note that both cement plants are near the Texas and Pacific Railroad line. This map also reflects the Trinity River's original location.

Trinity River Realignment (1929 - 1931)

Eagle Ford community was located on the Trinity River and the realignment of the river in 1929 - 1931 greatly affected the community. This realignment moved the main channel of the river to the north and levees were constructed between the river and the Eagle Ford community. The western, rural area of Eagle Ford had long been associated with Irving and the realignment moved the Trinity River to the east of this rural area, separating its' residents from the community of Eagle Ford; the levees and wider flood plain served to reinforce their closer relationship with Irving. This resulted in the children living in this western area of Eagle Ford attending schools in Irving School District. In 1951, this area was annexed by the City of Irving.

Eagle Ford - World War II, growth in the 1950s and Annexation by the City of Dallas (1956)

In 1941 Eagle Ford's population had increased to about 150. However, during WWII housing in the Dallas area was scarce for workers in the defense and related industries that supported the war effort. Following the war, returning servicemen were looking for suburban or semi-rural places to live with their families. Eagle Ford and its surrounding areas attracted these families and new residential development occurred as well as industrial growth and infrastructure development including a steel-fabrication plant, new schools and roads. Many of the new residents were Mexican American, some of which had grown up in the area and others who moved to the

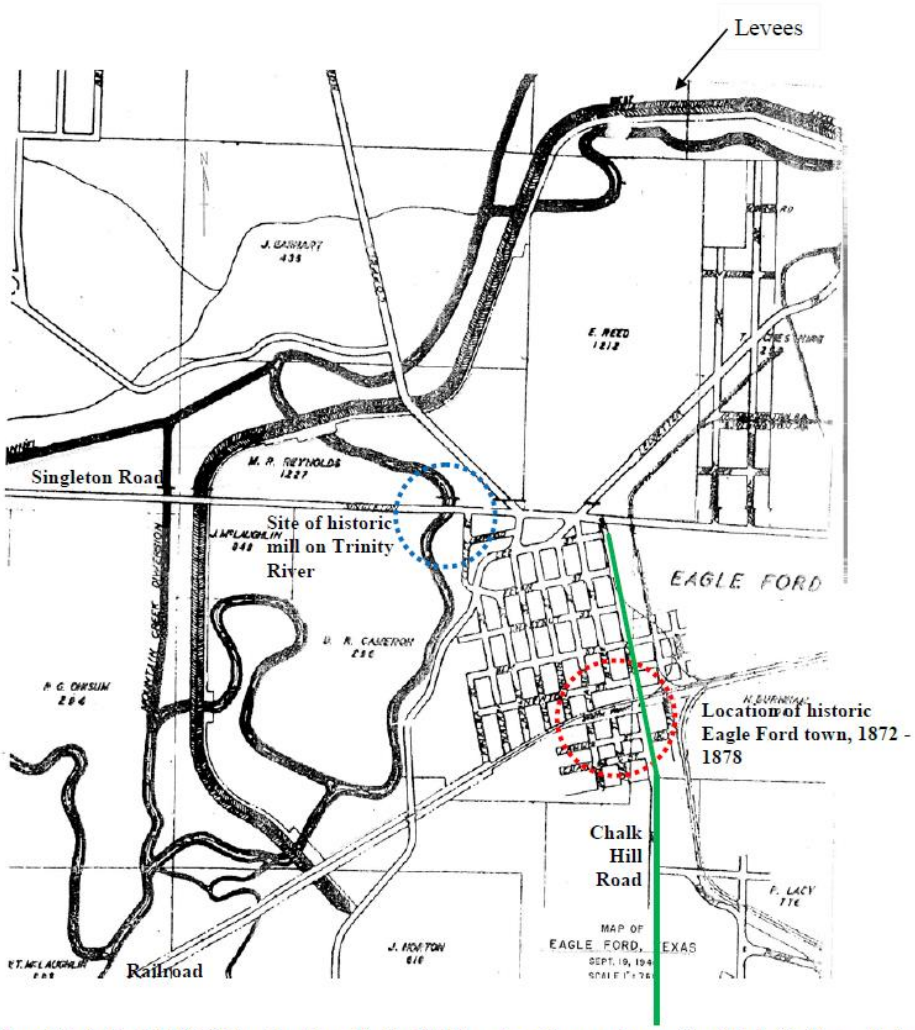
Dallas area for jobs, the opportunity to purchase a house and land, or both. Dallas schools struggled with this growth as the schools in this area, many of which were new, could not accommodate this growth.

In August 1946, residents of the unincorporated community of Eagle Ford voted to incorporate and the newly incorporated city of Eagle Ford swore in city officials on September 4, 1946.[40] By November, a group of dissatisfied citizens brought a petition for the dissolution of the new city to the voters. A second election was then held and a majority of the voters supported to dis-incorporate new city.[41] The legality of the second election was questioned, appealed to District Court and ultimately to the Texas Supreme Court in November 1951. The Texas Supreme Court ruled that the second election was invalid making Eagle Ford, once again, an incorporated city.

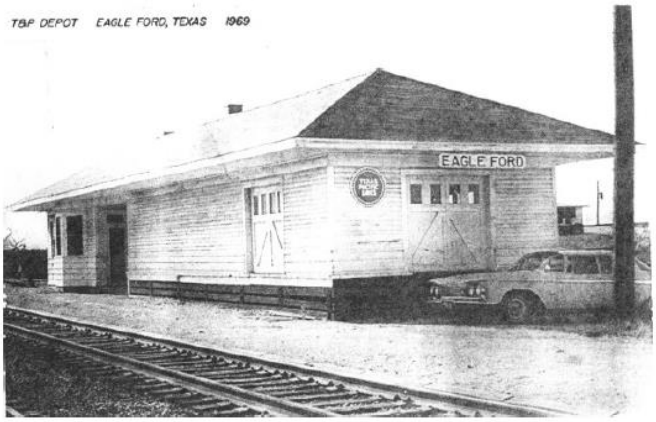
While these legal issues were ongoing, previously elected officials and community leaders held conversations with the City of Dallas regarding annexation. However, the City of Dallas' initial reaction was not to support annexation due to the large costs associated in improving the infrastructure of roads, water and sewer in the area. Simultaneously, Eagle Ford residents were discussing the need (and costs) of a sewer and water works program that would meet Texas Health Department requirements. Such improvements would include two artesian wells, a water system and sewer disposal plant. A proposed bond program for $1.75 million for these infrastructure improvements was rejected by Eagle Ford residents in 1951.[42]

In 1956, the town of Eagle Ford, with its population of 4,678, agreed to be annexed by the City of Dallas as a way to provide growth opportunities for the community as well as necessary infrastructure improvements.[43]

[40] Texas' Top Court Asked for Eagle Ford Decision, Dallas Morning New. Accessed June 30, 1951.
[41] Ibid.
[42] Dallas Morning News
[43] Dallas Morning News



Map of Eagle Ford, 1946. Note relocation of the Trinity River to north, away from original Eagle Ford town, the ford and the site of the historic mill on the Trinity River. This map shows the levees of the realigned Trinity River as well as the remnants of the original river that remain. Location of Eagle Ford School is south on Chalk Hill Road, below map graphic. Eagle Ford Road which led from Dallas to Grand Prairie and Fort Worth had been renamed Singleton Road by this time, in honor of Dallas County Commissioner Vernon Singleton.



Eagle Ford railroad depot, c. 1969 (demolished). Courtesy of Henry Martinez, Dallas Mexican American Historical League.



All rights reserved Dallas Public Library.
Permission is granted to students and teachers to download images for classroom use.
All other uses require permission.
Contact the Texas/Dallas History and Archives Division.

PA2000-3/254
C.O.C.

Aerial view of Eagle Ford community and surrounding cement and rock quarries, courtesy of Texas/Dallas History and Archives Division, Dallas Public Library.



Aerial view of Eagle Ford and surrounding cement and rock quarries, courtesy of Texas/Dallas History and Archives Division, Dallas Public Library. West Dallas and Trinity Portland Cement Company; the company housing is visible at the right.

Eagle Ford Schools / Eagle Ford Common School District, 1887 - 1928

According to a Dallas Morning News article in 1955[44], the first school in Eagle Ford was established in the 1870s and was described as a log and frame building. Randy Dumse, previous owner of the school has stated that Horton Ranch deeded acreage to Dallas County for a school in 1887;[45] this is thought to have been the first school in Eagle Ford.

Dallas County School records in 1889 indicate that the Eagle Ford Common School District, also known as Dallas County School District 49, consisted of two schools - the Eagle Ford School and Eagle Ford Colored School. Both schools received annual funding from Dallas County School Fund of $180.06 and $100.80 respectively that year. In 1892 these schools received $273.00 and $63.00 from the county.[46]

The original Eagle Ford School is thought to have been constructed of wood framing and was replaced by another structure in 1910; no information about this second Eagle Ford School building or its location has been found.

---

[44] Dallas Morning News. Accessed July 20, 1955

[45] James, Frances and James, Barney C. Jones. *History of Eagle Ford Community, Trinity Portland Cement Company, Cemento Grande Company Village and Eagle Ford School*. Unpublished manuscript compiled from written narrative of Sidney A. Davidson, Jr., resident at the Trinity Portland Cement Company Town. No date.

[46] Jim Wheat's Dallas County Texas Archives; www//freepages.history.rootsweb.ancestory.com/jwheat.schools/html. Accessed July 20, 2015.

In June 1923, Dallas County Schools made plans for a $15,000 bond program for Eagle Ford Schools, with newspaper articles also referring to a planned new brick school at Arcadia Park and a new frame school for negroes in the district (Eagle Ford Negro School).[47] The bond program passed on June 23, 1923, and by September the bonds had been sent to a bonding company in St. Louis, from whom Breg, Garrett & Company of Dallas purchased them, and the funds were then available to the school board.[48] A September 1923 Dallas Morning News article stated that a brick school house was being constructed - and it is assumed this was the subject Eagle Ford School.[49]

While the Eagle Ford and Arcadia Park School Districts had been separate districts, they were consolidated in 1923, resulting in confusion in the future name of this school.[50] By January 1, 1924, construction on the new school building had begun but had not yet been completed; a newspaper article implied the school 'will include an auditorium'.[51] An article from the following month noted that construction on the new Arcadia Park common school district No. 49 was progressing, and that it would be a modern four-room building with indoor lavatories and chemical toilets, electric lights, current for which will be obtained from the high voltage transmission line.[52] However when the new school opened, the sign over the front entrance identified the school as 'Eagle Ford' and 'District 49'.

The new school served Anglo and Mexican American children from the southern areas of Eagle Ford, Trinity Portland Cement Company's Anglo and Mexican American (Cemento Grande) residential villages, Arcadia Park (to the west) and surrounding rural areas. The school was located west of the Trinity Portland Cement Company plant and its residential villages; students from these villages walked to the school. Trinity Portland Cement Company supplied the materials for the cement blocks used in the two-story concrete structure while plant employees and residents in company's housing villages contributed their labor to make these cement blocks and were also thought to have built the school their children would attend.[53]

The new Eagle Ford Negro School was completed by the end of 1923. This school was located at 5590 Chippewa Street and has since been demolished.[54]

In 1924 Dallas County Schools had 15,441 students with a majority (9,224) being in 24 independent school districts; this did not include the separate Dallas Public School system students).[55] The remaining 6,217 students attended schools in 55 'common school districts' with the largest common district being Bonnie View (362 students).[56] Eagle Ford School had 222 students in its two schools that year, with four teachers and two principals.[57] Mrs. Roy Bosse (later known as Mrs. Edythe Bosse) was one of four teachers in the Eagle Ford School District in 1924; she would continue teaching at Eagle Ford School, serving as Principal from 1945 until her retirement in 1959.[58] In 1933, S. R. Phipps was Teacher in Charge of Eagle Ford School.[59]

Eagle Ford School typically provided elementary and middle school education, which was typical for most smaller school districts and Dallas County Schools during this time. However Mrs. Bosse, noted in a later interview with the Dallas Morning News that prior to annexation by Dallas Public Schools in 1928, Eagle Ford

---

[47] Local News, Dallas Morning News, June 22, 1923. p. 5.
[48] Eagle Ford School Bonds Receive Approval, Dallas Morning News, Accessed September 19, 1923, p 19.
[49] Ibid, pg. 19.
[50] County Schools Widely Improved. Dallas Morning News, Accessed January 1, 1924, p. 21.
[51] County Schools Widely Improved. Dallas Morning News, Accessed January 1, 1924, p. 21.
[52] Arcadia Park to have new school. Dallas Morning News, Accessed February 19, 1924. p. 13.
[53] James, Frances, and Barney C. Jones, The History of Eagle Ford Community, Trinity Portland Company, Cemento Grande Company Village and Eagle Ford Village; Dallas, undated.
[54] County Schools Widely Improved. Dallas Morning News, Accessed January 1, 1924, p. 21.
[55] Attendance Larger in County Schools. Dallas Morning News, Accessed June 14, 1924, p. 7.
[56] Attendance Larger in County Schools. Dallas Morning News, Accessed June 14, 1924, p. 7.
[57] Attendance Larger in County Schools. Dallas Morning News, Accessed June 14, 1924, p. 7.
[58] New Assignments set for 1956-57. Dallas Morning News, Accessed August 5, 1957. p. 13.
[59] Teachers Get Assignments for New Term. Dallas Morning News, Accessed September 3, 1933.

School provided a high school department.[60] Students who wished to pursue high school could attend the nearby Cement City High School or a Dallas Public School high school - Dallas High School in downtown, or Oak Cliff High School (renamed Adamson High School in 1935).

Bonnie Parker is thought to have attended Eagle Ford School in the 1920s.[61] Born in 1910 in Rowena, Texas, Bonnie, her mother and two siblings moved to Dallas County upon the death of her father in 1914. The family lived with her maternal grandparents, Frank and Mary Krause in a rural area adjacent to the Trinity Portland Cement Company plant.[62] It is possible that Bonnie did attend Eagle Ford School (the second or existing building) during elementary or middle school while living nearby at her grandparent's home. She later attended Cement City School High School but dropped out in the summer following her sophomore year and married Roy Thornton on September 25, 1926 (several days before her 16th birthday).

Eagle Ford School Annexed by Dallas Public School system (later Dallas Independent School District), 1928 - 1965 [63]

The first public school system that served students in the City of Dallas was the Dallas Public School system, which was founded in 1884 and operated by City of Dallas' municipal government. In 1904, Oak Cliff schools became part of the Dallas Public School system following its annexation by the City of Dallas in 1903. The jurisdiction of the Dallas Public School system originally aligned with the City of Dallas limits but by the 1920s, the school district *'annexed to Dallas for school purposes'* areas beyond Dallas City limits including West Dallas in 1927. Eagle Ford and Cement City school districts became part of Dallas Public School system in 1928 (including two schools in Eagle Ford and the single school in Cement City).[64]

After its annexation 1928, Eagle Ford School provided kindergarten thru 8th grades until 1955, and first through fifth grades from 1955 - 1965.

After WWII, Dallas Public Schools began a period of intense growth and construction of new schools with 97 new schools constructed between 1946 and 1966. This included several schools west of Dallas which had been underserved prior to WWII and were experiencing large growth in population after the war. The communities of Eagle Ford and Arcadia would be affected by this growth.[65]

In 1947 Dallas Schools found Eagle Ford Elementary school to be unfit for remodeling to handle the growing population of the area, and the school district decided to move students to a proposed new school that would replace the aging Eagle Ford School.[66] Following protests by parents, Eagle Ford School was retained. However by 1949, due to overcrowding at Eagle Ford School, the sixth and seventh grades were transferred to the new Thomas Edison Elementary School on Singleton Road (at the site of the historic Cement City School) which had opened in 1948.[67] This was beyond walking distance for most of the affected students, and as the school district did not offer bus transportation, they noted that like other district schools, students could utilize public bus transportation at half fare.[68] The new Gabe P. Allen Elementary School opened in 1955 in the Eagle Ford

---

[60] Eagle Ford Historic Background, Dallas Morning News, Accessed January 1, 1955.
[61] Gary Cartwright, The Whole Shooting Match, Texas Monthly, February 2001. www.texasmonthly.com/contents/wholeshootingmatch.com. Accessed October 5, 2014.
[62] In Search of Bonnie and Clyde, A History of Dallas, Texas. Http://www.watermelon-kid.com/history/dallas/features/bandc/Bonnie_and_Clyde.htm#west. Accessed March 10, 2016.
[63] Largely based on Johnson, Bob; Glenn Straus and Marcel Quimby, ed. 'Oak Cliff High School Dallas Landmark Nomination', September 15, 2009, pgs 14 - 15.
[64] Walter J. E. Schiebel, Ed.D. (1966) *Education in Dallas: Ninety-two Years of History 1874–1966*. Dallas: Dallas Independent School District. pgs. 253 - 256.
[65] Wikipedia, Dallas Independent School District; https://en.wikipedia.org/wiki/Dallas_Independent_School_District. Accessed July 20, 2015.
[66] Eagle Ford School to be Abandoned, Dallas Morning News June 22, 1947, p. 5.
[67] Parents Protest Shift in Eagle Ford Students, Dallas Morning News, September 23, 1949, p. 24.
[68] Ibid.

community; Eagle Ford School students were allowed to transfer to the new school in an effort to reduce overcrowding at the existing school. Eagle Ford School continued to serve around 100 students in first through fourth grades until Dallas Public Schools permanently closed Eagle Ford School in the summer of 1965. The closure of the school ended eighty-eight years of history with a public school that served the community of Eagle Ford, and reflected the community's name (1887 – 1965) as well as over forty years serving the children of Trinity Portland Cement Company's residential villages – whose employees provide the labor and materials to build the school that their children later attended.

The elementary school students who had attended Eagle Ford School then attended Thomas Edison Elementary from fall 1965 until it was changed to a junior high school in 1967, and then attended Gabe P. Allen Elementary School. Following completion of elementary school, students then attended Thomas Edison Junior High (beginning in 1967) and Crozier Tech High School in downtown Dallas.[69]

Eagle Ford School under private ownership, 1965 - 2019

Following Eagle Ford School's closure, Dallas School Board sold the Eagle Ford School and site in October 1965 for $4,507.11 to R. H. Henderson, president of a school furniture firm and the school building was used for storage.[70] In 1987, the school building and site was purchased by Randy Dumse, owner of New Micros Inc., a computer tech company. New Micros occupied the building for many years; the company moved out of the building in the mid-2000s and the building stood empty for several years. In November 2017 the property was purchased by Eagle Ford School Limited Liability Company, owned by Larry Moser. The new owners have recently completed a rehabilitation of the building and it is now open as a special events venue.

Cement City School (1911 - 1948)

Another local school that served the Eagle Ford community and children in Texas Portland Cement Company's residential village (including Cemento Chico) was the Cement City School. Cement City Independent School District was formed in 1911 and served Cement City, residents of the eastern portions of the community of Eagle Ford and surrounding rural areas. The district had one school, the Cement City School, which served first grade through high school. In 1916 a modern, 3-story brick building replaced the first school building and included a new high school; this new school was located on Eagle Ford Road (later renamed Singleton Boulevard).[71] In 1923 the school had a principal and 12 teachers.[72]

In 1928 Cement City school district was also annexed *'for school purposes only'* by Dallas Public Schools; the school had 250 students, of which 37 were high school students.[73] Parents of the high school students disputed the annexation based on Dallas Public School's plans to send the high school students to Dallas High School (later renamed Crozier Technical High School) in downtown Dallas. A compromise was reached, and the school retained its high school department but high school students had the option of attending Dallas Technical High School.[74] The schools' population remained at around 300 in 1930 and 390 in 1940.[75] Following WWII, the school's population increased as returning servicemen moved to the Eagle Ford area. By 1946, the school's population had increased to 600 and to 874 in 1947.[76,77]

---

[69] Thomas Edison Middle School was closed by DISD due to poor performance in the summer of 2018. These middle school students now attend the new Pinkston Junior High School, within the nearby Pinkston High School campus

[70] 'Board will Sell School Property', Dallas Morning News, Accessed October 14, 1965. P. 12.

[71] Cement City School Opens. Dallas Morning News, Accessed September 19, 1916, p. 5.

[72] Teachers Assigned in Dallas County Schools. Dallas Morning News, Accessed January 1, 1924.

[73] Name of article, Dallas Morning News, Accessed September 2, 1929. P. 9.

[74] Seniors Remain at Cement City School. Dallas Morning News, Accessed October 30, 1929.

[75] Its Years Later When School Feels War and Depression. Dallas Morning News, Accessed September 20, 1948. p. 1.

[76] Its Years Later When School Feels War and Depression. Dallas Morning News, Accessed September 20, 1948. p. 1.

Dallas School Board struggled to address similar increases across the school district and planned several new schools to accommodate these changing attendance patterns. A replacement school for Cement City was built on the same site; this new two-story Thomas Edison Elementary School opened in 1948 and accommodated 700 white students. This new school incorporated the historic Cement City school building and it was used for non-academic uses. Attendance at Edison Elementary continued to increase and the new school became over crowded. The historic Cement City school building was planned to be demolished in 1952 but was reactivated to house classrooms for 200 students for the next several years.[78] Thomas Edison School was desegregated in 1961, and was converted to a middle school in 1967. The historic Cement City School was later demolished as building expansions occurred at the school.

The history of Cement City School, the community of Eagle Ford and Eagle Ford School are intertwined, thus their inclusion of the former in this nomination. Many of the students at these two schools came from the residential villages of the 'company towns' with the Trinity Portland Cement Company and Texas Portland Cement Company– thought to be the last two company towns in Dallas County. Those students from these two schools share the distinction of being among the last children to live in a company town and attend public schools in the City of Dallas.

Summary

While the community of Eagle Ford is now part of the City of Dallas, its early history as a cattle shipping point, agricultural background and its cement plants (which were among the largest in Texas) and the community's combination of Mexican American and Anglo heritage is remarkable. The Eagle Ford School is associated with the historic communities of Eagle Ford, Arcadia and the 'company town' of the Trinity Portland Cement Company - whose children attended the school.

Eagle Ford School remains as the only physical reminder of these communities in what is now the City of Dallas. It is rare that an almost 100-year old building in a rural setting still retains such strong, diverse associations today. It is also thought that this is the only remaining school building in Dallas whose students included children who grew up and lived in a 'company town'. This community, most especially the workers of the Trinity Portland Cement Company, helped to shape and build the City of Dallas we know today.

[77] Cement City's Doomed School Has Served Well Since 1911. Dallas Morning News, Accessed February 10, 1946. p. 13.
[78] Abandoned 2 Schools put to use. Dallas Morning News, Accessed September 14, 1952. p. 22.

14. Bibliography

Acheson, Sam, *Eagle Ford was a Bustling City*, Dallas Morning News, September 1, 1966.

Andrews, Gregg. *Unionizing Dallas Workers in the Portland Cement Industry in the 1930s*. Unpublished paper given at the Texas State Historical Association, March 6, 2003.

Andrews, Gregg. Unionizing the *Trinity Portland Cement Company*, Texas Labor History. Texas A&M, College Station, Texas, 2014.

Dallas Mexican American Historic League, numerous historic resources and information.

Glasrud, Bruce and Maroney, James, ed. *Texas Labor History*. Texas A&M, College Station, Texas. 2014

Cadena, Elsa Maria Orozco, '*Excerpts from 'The Story of My Life*', unpublished manuscript, c. 2010.

Cement City Collection. Texas/Dallas History and Archives, Dallas Public Library. Accessed October 5, 2014.

James, Frances and James, Barney C. Jones. *History of Eagle Ford Community, Trinity Portland Cement Company, Cemento Grande Company Village and Eagle Ford School*. Unpublished manuscript compiled from written narrative of Sidney A. Davidson, Jr., resident at the Trinity Portland Cement Company Town. No date.

Longstreth, Richard W. *The Buildings of Main Street: A Guide to American Commercial Architecture,* Updated ed. 2000. Walnut Creek, California, Alta Mira Press. (c) 1987, pp 116 - 117.

Mercado, Bianca. *With Their Hearts in Their Hands: Founding a Mexican Community in Dallas,* 1900 -1925; unpublished manuscript, 2008.

Schiebel, Walter. *Education in Dallas, 1874-1966.* Dallas Independent School District, 1966.

Sam's Street Map, c. 1900. Courtesy of Friends of Dallas Public Library.

Internet and on-line Resources

Dallas Morning News Archives, Dallas Morning News, Dallas, Texas.

Concrete in the County, Bulletin #26, Published by the Association of American Portland Cement Manufacturers, Land Title Building, Philadelphia, (c) 1910. https://books.google.com/books?id=aZ9BAAAAIAAJ&pg=PA114&lpg=PA114&dq=Texas+Portland+Cement+and+Lime+Company&source=bl&ots=TzuLK8kXit&sig=QdMi9EVsMYaTU4_0pDRs4SHKVyM&hl=en&sa=X&ved=0ahUKEwiDpoutpLjLAhVqmIMKHTIdBJ4Q6AEIQDAI#v=onepage&q=Texas%20Portland%20Cement%20and%20Lime%20Company&f=false.

The Handbooks of Texas Online. Texas State Historical Association Online. www.online.org/handbook/online/articles.

Heritage Oak Cliff website, http://heritageoakcliff.org. (previously known as Old Oak Cliff Conservation League).

Horton Family Cemetery website. http://www.cemeteries-of-tx.com/etx/dallas/cemetery/Hortonfamily.htm.

In Search of Bonnie and Clyde. A History of Dallas, Texas. http://www.watermelon-kid.com/history/dallas/features/band/Bonnie_and_Clyde.htm#west. Accessed October 1, 2018.

Johnson, Bob; Glenn Straus and Marcel Quimby, ed. *Oak Cliff (Adamson) High School Dallas Landmark Nomination*, September 15, 2009.

Kleiner, Diana J, *Lafarge Corporation,* Handbook of Texas Online. Published by the Texas State Historical Association. www.tshaonline.org/handbook/online/articles.

Maxwell, Lisa C. *Cement, TX.* T Handbook of Texas Online. Published by the Texas State Historical Association. www.tshaonline.org/handbook/online/articles.

Nail, Mathew Hayes. *Eagle Ford, Texas.* Handbook of Texas Online. Published by the Texas State Historical Association. www.tshaonline.org/handbook/online/articles.

Wikipedia, various articles. http://en.wikipedia.org.

Jim Wheat's Dallas County Texas Archives. www//freepages.history.rootsweb.ancestory.com/jwheat.schools/html.

15. Attachments

District or Site Map	___ ***Additional descriptive material***
Site Plan	___ ***Footnotes***
_x_ ***Photographs (historic & current)***	___ ***Other:_____***

16. Designation Criteria

__X__ ***History, heritage and culture:*** *Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.*

____ ***Historic event:*** *Location of or association with the site of a significant historic event.*

____ ***Significant persons:*** *Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.*

__X__ ***Architecture:*** *Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.*

____ ***Architect or master builder:*** *Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state or country.*

_X__ ***Historic context:*** *Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.*

_X___ ***Unique visual feature:*** *Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.*

____ ***Archeological:*** *Archeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.*

__X__ ***National and state recognition:*** *Eligible of or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.*

_X___ ***Historic education:*** *Represents as era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.*

Recommendation

The Designation Committee requests the Landmark Commission to deem this nominated landmark meritorious of designation as outlined in Chapter 51 and Chapter 51A, Dallas Development Code.

Further, the Designation Committee endorses the Preservation Criteria, policy recommendations and landmark boundary as presented by the Department of Development Services.

Date: October 17, 2018

Daron Tapscott - Chair
Designation Committee

Liz Casso
Historic Preservation Planner

8-14-19

ORDINANCE NO. _____

An ordinance changing the zoning classification on the following property:

BEING a lot, tract or parcel of land situated in the James McLaughlin Survey, Abstract No. 847, and being in Block Number 7192, City of Dallas, Dallas County, Texas; and containing 16,415 square feet;

by establishing Historic Overlay District No. 152 (Eagle Ford School); providing procedures, regulations, and preservation criteria for structures and property in the district; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the Property described in this ordinance; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to establish this historic overlay district; Now, Therefore,

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

SECTION 1. That the zoning classification is changed by establishing Historic Overlay District No. 152 on the property described in Exhibit A ("the Property"), which is attached to and made a part of this ordinance.

SECTION 2. That the establishment of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the regulations in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, demolish, or remove any structure on the Property without first obtaining a certificate of appropriateness or certificate for demolition or removal in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit B.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, demolition, or removal of a building, structure, or land on the Property.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section l-4 of Chapter l of the Dallas City Code, as amended.

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

APPROVED AS TO FORM:

LARRY CASTRO, City Attorney

By _____
Assistant City Attorney

Passed_____

GIS_Approved

EXHIBIT A
Eagle Ford School

BEING a 16,415 square foot tract situated in the James McLaughlin Survey, Abstract No. 847, City of Dallas, Dallas County, Texas, being in City of Dallas Block Number 7192 and being a part of that same tract of land described in General Warranty Deed to Eagle Ford School Limited Liability Company, as recorded in Instrument Number 201700347020 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point for corner, being the (northern most) southeast corner of Lot 1 in Block A/7192 at the intersection with the northeast corner of said Eagle Ford School tract and lying on the west right-of-way line of Chalk Hill Road (variable width right-of-way), from which a 5/8 inch iron rod found bears South 83 degrees 14 minutes 20 seconds East, a distance of 0.73 feet;

THENCE South 01 degrees 58 minutes 51 seconds East, along the west right-of-way line of said Chalk Hill Road and the east line of said Eagle Ford School tract, a distance of 230.81 feet to a point for corner;

THENCE North 88 degrees 55 minutes 06 seconds West, along the south line of said Eagle Ford School tract, passing at 5.75 feet a 5/8 inch iron rod found being the southerly northeast corner of Stewart & Stevenson Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 2001174, Page 15 of the Map Records of Dallas County, Texas, and continuing a total distance of 44.01 feet to a point for corner lying on the south line of said Eagle Ford School tract;

THENCE, traversing said Eagle Ford School tract, the following bearings and distances:

North 01 degrees 24 minutes 12 seconds West, a distance of 31.73 feet to a point for corner;

North 53 degrees 59 minutes 27 seconds West, a distance of 68.24 feet to a point for corner;

North 01 degrees 24 minutes 12 seconds West, a distance of 78.80 feet to a point for corner;

North 49 degrees 51 minutes 15 seconds East, a distance of 69.49 feet to a point for corner;

North 01 degrees 24 minutes 12 seconds West, a distance of 33.60 feet to a point for corner lying on the north line of aforementioned Eagle Ford School tract and an interior line of aforementioned Stewart & Stevenson Addition;

THENCE North 88 degrees 50 minutes 59 seconds East, along the north line of said Eagle Ford School tract and with said Stewart & Stevenson Addition, a distance of 41.65 feet to the POINT OF BEGINNING and containing 0.38 if an acre of land.

NOTE: This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in the real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

EXHIBIT B
PRESERVATION CRITERIA
EAGLE FORD SCHOOL
1601 CHALK HILL ROAD

1. GENERAL.

1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.

1.2 Any alterations to property within this district must comply with the regulations in Chapter 51A of the Dallas City Code, as amended. If there is a conflict, these preservation criteria control.

1.3 Certificate of appropriateness.

a. A person may not alter a site within this district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.

b. The certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.

c. Any work done under a certificate of appropriateness must comply with any conditions imposed in the certificate of appropriateness.

d. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The Director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.

1.4 A person may not demolish or remove any structure in this district without first obtaining a certificate for demolition or removal in accordance with Section 51A-4.501 of the Dallas Development Code, as amended.

1.5 Preservation and restoration materials and methods used must comply with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library or on the National Park Service website.

1.6 No person shall allow a structure in this district to deteriorate through demolition by neglect. Demolition by neglect is neglect in the maintenance of a structure that results in deterioration of the structure and threatens preservation of the structure. All structures in this district must be preserved against deterioration and kept free from structural defects. See Section 51A-4.501 of the Dallas Development Code, as amended, for regulations concerning demolition by neglect.

1.7 Consult Article XI, "Development Incentives," of the Dallas Development Code, as amended, for tax incentives that may be available in this district.

1.8 The period of historic significance for this district is the period from 1923 to 1955.

2. DEFINITIONS.

2.1 Unless defined in this section, the definitions in Chapter 51A of the Dallas City Code, as amended, apply.

2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of this district, and consistent with these preservation criteria.

2.3 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.

2.4 DIRECTOR means the Director of the Department of Sustainable Development and Construction or the Director's representative.

2.5 DISTRICT means Historic Overlay District No. _____, the Eagle Ford School Historic Overlay District. This district contains the property described in Section 1 of this ordinance and as shown on Exhibit B.

2.6 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.

2.7 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.

2.8 INTERIOR SIDE FACADE means a facade not facing a street or alley.

2.9 INTERIOR SIDE FENCE means a fence not adjacent to a street or alley.

2.10 INTERIOR SIDE YARD means a side yard not abutting a street or alley.

2.11 MAIN BUILDING means the historic school building, as shown on Exhibit C.

2.12 MONUMENT SIGN means a detached sign applied directly onto a ground-level support structure (instead of a pole support) with no separation between the sign and the ground, or mounted on a fence.

2.13 NO-BUILD ZONE means that part of the lot in which no new construction may take place, as shown on Exhibit C.

2.14 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.

2.15 REAL ESTATE SIGN means a sign that advertises the sale or lease of an interest in real property.

3. BUILDING SITE AND LANDSCAPING.

3.1 New construction is prohibited in the no-build zone shown on Exhibit C.

3.2 The main building is protected.

3.3 New driveways, sidewalks, steps, and walkways must be constructed of brick, brush finish concrete, stone, crushed stone or other appropriate material. Artificial grass, artificially-colored concrete, asphalt, exposed aggregate, and outdoor carpet are not permitted.

3.4 Circular driveways and parking areas are not permitted in a front yard.

3.5 Any new mechanical equipment may be erected in the side or rear yards, and must be screened.

3.6 Landscaping.

a. Outdoor lighting, although not an historical feature, must be appropriate and enhance the structure. Reasonable security lighting is permitted. Temporary/seasonal festive lighting may be installed without Certificate of Appropriateness.

b. The placement and removal of landscaping may be reviewed and approved under the routine maintenance procedure in the Certificate of Appropriateness process prior to commencement of work.

c. Landscaping must be appropriate, enhance the structure and surroundings, and not obscure significant views of protected facades.

d. Landscaping shall be of native regional plants. In-kind replacement of landscaping in existing planting beds may occur without a Certificate of Appropriateness.

e. Existing trees are protected, except that unhealthy or damaged trees may be removed.

f. New trees are prohibited from being planted in the front yard area where they might obscure significant views of the historic school.

3.7 Fences.

a. Fences are permitted in the front yard and must be 75% open, not obscure the visibility of the protected building, and not exceed six feet in height.

b. Interior side fences must be 70% open and not exceed six feet in height.

c. Fences must be constructed of brick, cast stone, iron, steel, stone, wood, a combination of these materials, or other appropriate materials. Chain link fencing is not permitted. However, wood framed wire fencing to match the historic fencing may be replicated based on research and photographic evidence.

4. FACADES.

4.1 Protected facades.

a. The facades shown on Exhibit C are protected.

b. Reconstruction, renovation, repair, or maintenance of protected facades must be appropriate and must employ materials similar to the historic materials in texture, color, pattern, grain, and module size as much as practical.

c. Historic solid-to-void ratios of protected facades must be maintained.

d. Cast stone, and concrete elements on protected facades may not be painted, except that portions of the structure that had been painted before the effective date of this ordinance may remain painted.

4.2 Reconstruction, renovation, repair, maintenance, or alteration of nonprotected facades may be reviewed and approved under the routine maintenance procedure in the Certificate of Appropriateness process prior to commencement of work.

4.3 Concrete, cast stone, and stucco siding, trim, and detailing must be restored wherever practical.

4.4 All exposed wood must be painted, stained, or otherwise preserved.

4.5 Historic materials must be repaired if possible; they may be replaced only when necessary.

4.6 Paint must be removed in accordance with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library and on the National Park Service website, before refinishing.

4.7 Aluminum siding, wood siding, exterior insulation and finish system (EIFS), and vinyl cladding are not permitted.

4.8 Historic color must be maintained wherever practical. Color schemes for non-masonry elements should conform to any available documentation as to historic color.

4.9 Exposing and restoring historic finish materials is recommended.

4.10 Cleaning of the exterior of a structure must be in accordance with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library and on the National Park Service website. Sandblasting and other mechanical abrasive cleaning processes are not permitted.

5. FENESTRATION AND OPENINGS.

5.1 Historic doors and windows must remain intact except when replacement is necessary due to damage or deterioration.

5.2 Replacement of doors and windows that have been altered and no longer match the historic appearance is recommended.

5.3 Replacement doors and windows must express profile, muntin and mullion size, light configuration, and material to match the historic.

5.4 Storm doors and windows are permitted if they are appropriate and match the existing doors and windows in profile, width, height, proportion, glazing material, and color.

5.5 Decorative ironwork and burglar bars are not permitted over doors or windows of protected facades, except that the existing ironwork over the front entry may remain and be repaired in-kind. Interior mounted burglar bars are permitted if appropriate.

5.6 Glass and glazing must match historic materials as much as practical. Films and tinted or reflective glazings are not permitted on glass.

5.7 New door and window openings in protected facades are permitted only where there is evidence that historic openings have been filled or the safety of life is threatened.

5.8 The Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library and on the National Park Service website, should be referred to for acceptable techniques to improve the energy efficiency of historic fenestration.

6. ROOFS.

6.1 The historic slope, massing, configuration, and materials of the roof must be preserved and maintained.

6.2 The following roofing materials are allowed: built-up, metal, single-ply membrane, or other appropriate roofing.

6.3 Historic eaves, coping, cornices, dormers, parapets, and roof trim must be retained, and should be repaired with material matching in size, finish, module, and color.

6.4 Mechanical equipment, cell equipment and antennas, skylights, and solar panels on the roof must be set back or screened so that they are not visible to a person standing at ground level on the opposite side of any adjacent right-of-way.

6.5 Construction of a roof deck that is not visible from any adjacent right-of-way is permitted.

7. PORCHES AND BALCONIES.

7.1 Historic porches and steps on protected facades are protected.

7.2 Porches on protected facades may not be enclosed. It is recommended that existing enclosed porches on protected facades be restored to their historic appearance.

7.3 Historic detailing, railings, and trim on porches are protected.

7.4 Porch floors must be concrete. Concrete porch floors may not be covered with carpet or paint. A clear sealant is acceptable on porch floors.

8. EMBELLISHMENTS AND DETAILING.

8.1 The following architectural elements are considered important features and are protected:

a. Quoins

b. Crenelated parapet

c. Gothic arched openings

d. Historic cast stone signage.

e. Decorative string course

9. NEW CONSTRUCTION AND ADDITIONS.

9.1 Stand-alone new construction is not permitted.

9.2 Vertical additions are not permitted, except that a roof deck, not visible from any adjacent public right-of-way may be constructed.

9.3 Horizontal additions to the main building are not permitted on protected facades, as shown on Exhibit C.

9.4. The color, details, form, materials, and general appearance of new construction and additions must be compatible with the existing historic structure.

9.5. New construction and additions must have appropriate color, detailing, fenestration, massing, materials, roof form, shape, and solid–to–void ratios.

9.6. The height of new construction and additions must not exceed the height of the historic structure.

9.7. Aluminum siding exterior insulation and finish system (EIFS), and vinyl cladding are not permitted.

9.8 New construction and additions must be designed so that connections between new construction or additions and the historic structure are clearly discernible as suggested by the Secretary of the Interior in Preservation Brief No. 14. A clear definition of the transition between new construction or additions and the historic

structure must be established and maintained. Historic details in the coping, eaves, and parapet of the historic structure must be preserved and maintained at the point where the historic structure abuts new construction or additions.

10. SIGNS.

10.1 Signs may be erected if appropriate. Building/site identification signs, security signs, interpretive signs and historical markers, and directional signs are permitted and must be sensitive and compatible with the district.

10.2 Monument signs are permitted in the no build zone.

10.3 The historic cast stone signage on the front and side facades are protected.

10.4 All signs must comply with the provisions of the Dallas City Code, as amended.

10.5 Temporary political campaign signs and temporary real estate signs may be erected without a certificate of appropriateness.

11. ENFORCEMENT.

11.1 A person who violates these preservation criteria is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.

11.2 A person is criminally responsible for a violation of these preservation criteria if:

a. the person knowingly commits the violation or assists in the commission of the violation;

b. the person owns part or all of the property and knowingly allows the violation to exist;

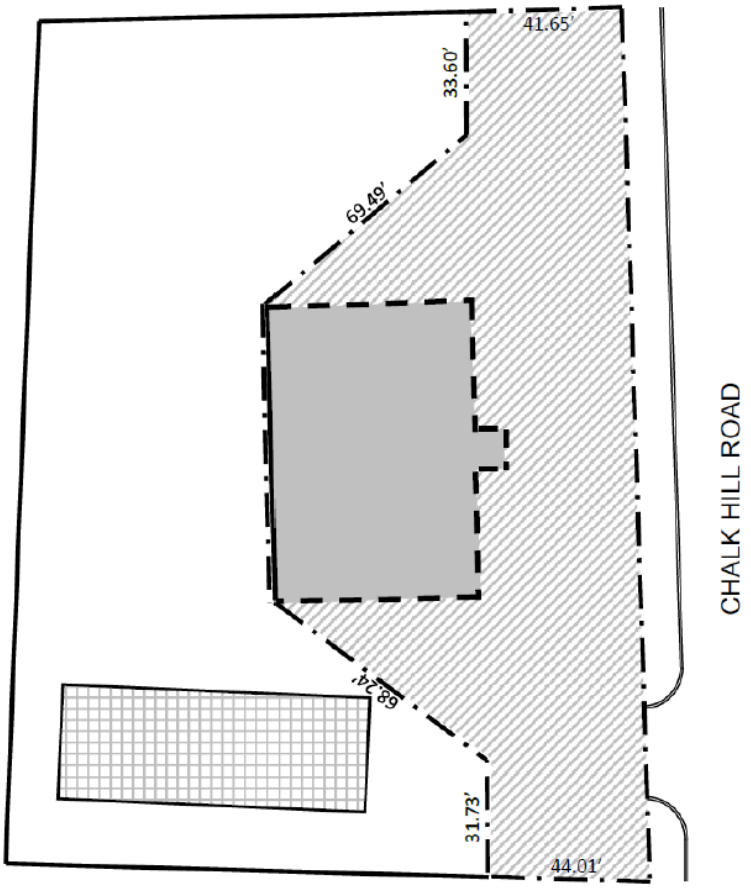
c. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials; or

d. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property.

11.3 Any person who adversely affects or demolishes a structure in this district in violation of these preservation criteria is liable pursuant to Section 315.006 of the Texas Local Government Code for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No certificates of appropriateness or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the Director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.

11.4 Prosecution in municipal court for a violation of these preservation criteria does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense.

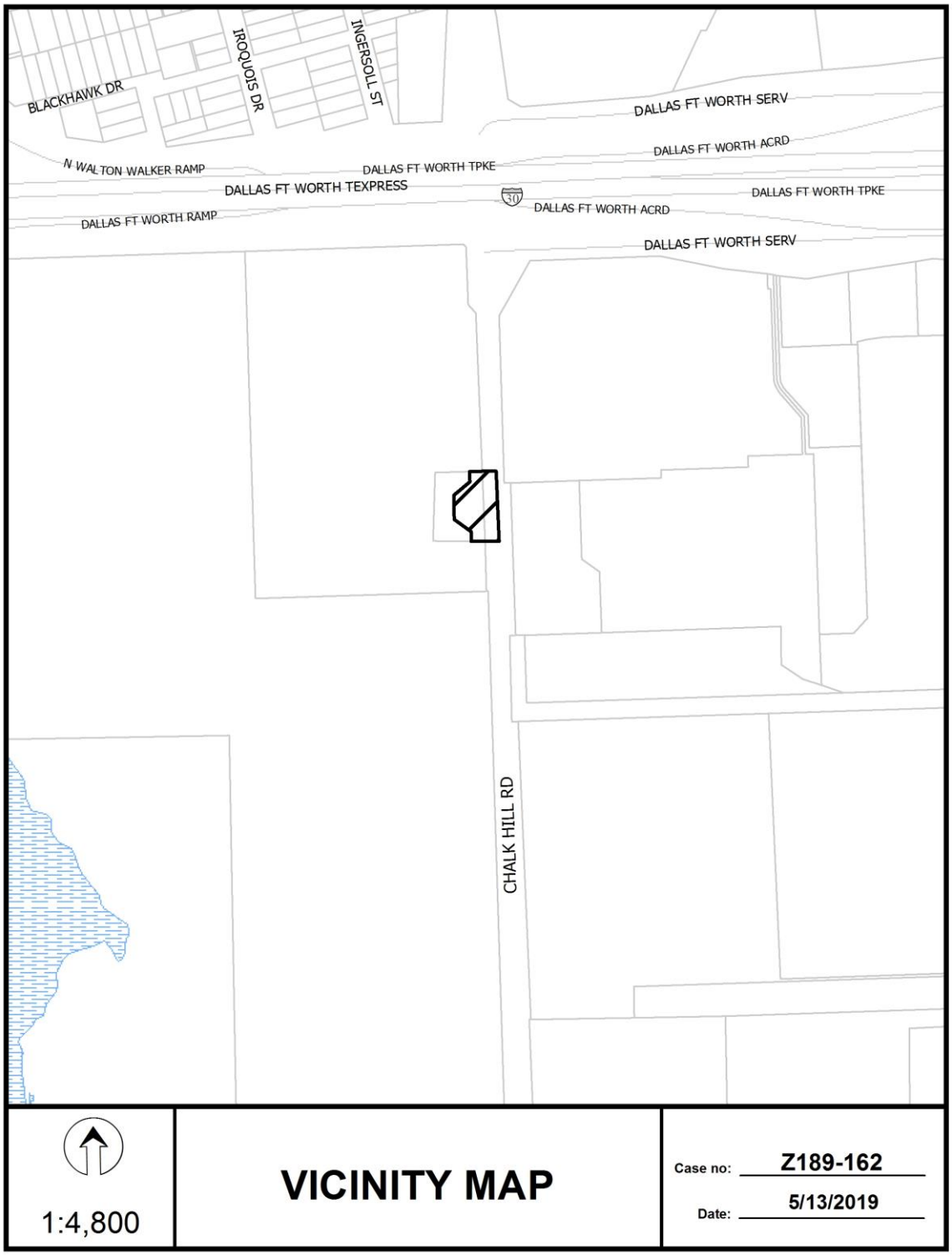
Exhibit C
Eagle Ford School
1601 Chalk Hill Road
Dallas, Texas 75212



LEGEND

- Limits of Designation
- Protected Facade
- Main Building
- No Build Zone
- Cell Tower Lease Area

N


BLACKHAWK DR
IROQUOIS DR
INGERSOLL ST
DALLAS FT WORTH SERV
DALLAS FT WORTH ACRD
N WALTON WALKER RAMP
DALLAS FT WORTH TPKE
DALLAS FT WORTH TEXPRESS
DALLAS FT WORTH TPKE
DALLAS FT WORTH RAMP
DALLAS FT WORTH ACRD
DALLAS FT WORTH SERV
CHALK HILL RD
1:4,800
VICINITY MAP
Case no: Z189-162
Date: 5/13/2019

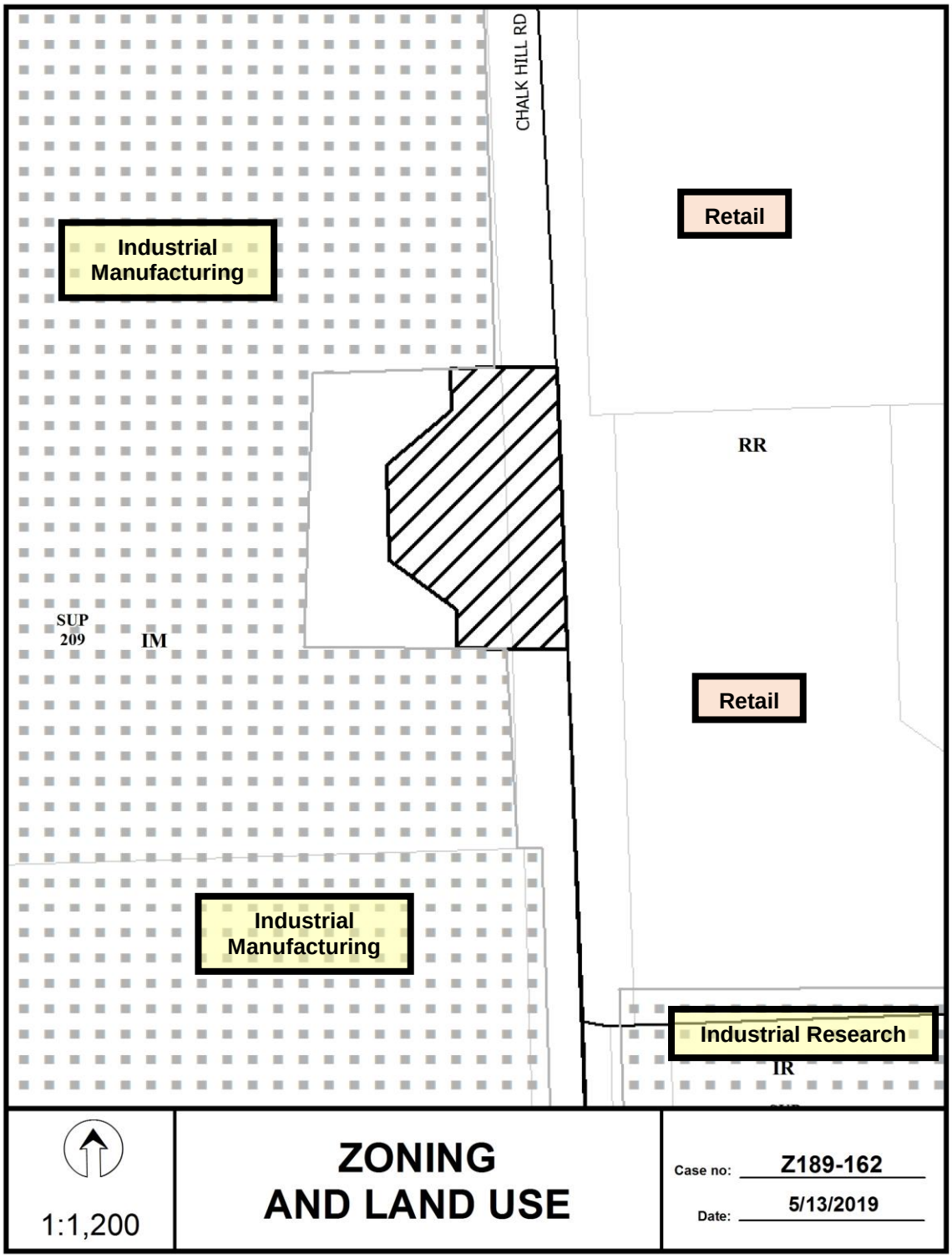


1:1,200

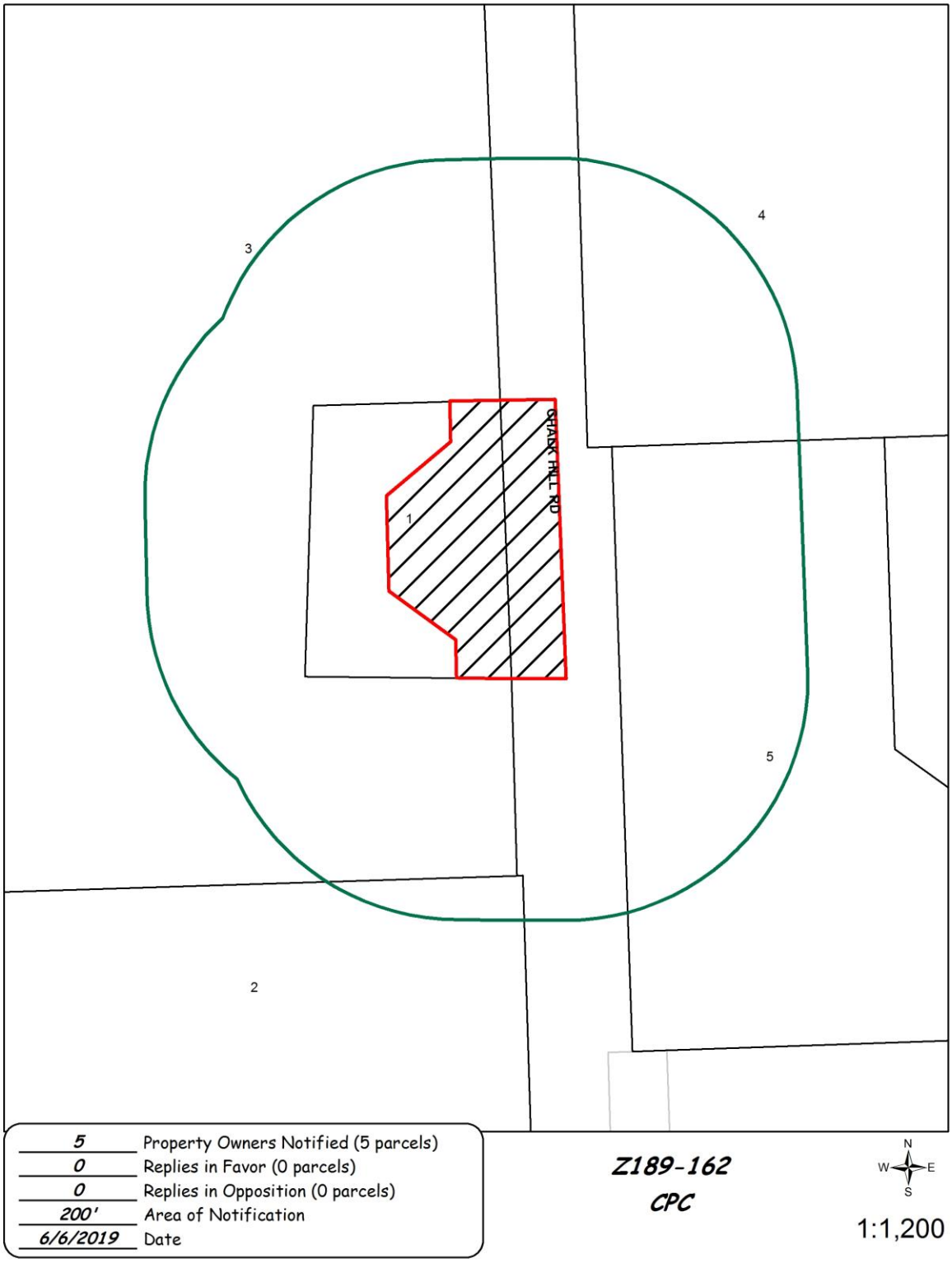
AERIAL MAP

Case no: Z189-162

Date: 5/13/2019


CHALK HILL RD
Industrial Manufacturing
Retail
RR
SUP 209
IM
Retail
Industrial Manufacturing
Industrial Research
IR
1:1,200
ZONING AND LAND USE
Case no: Z189-162
Date: 5/13/2019

CPC RESPONSES



06/05/2019

Reply List of Property Owners

Z189-162

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

Reply	*Label #*	*Address*		*Owner*
	1	1601	CHALK HILL RD	EAGLE FORD SCHOOL LIMITED LIABILITY CO
	2	1247	CHALK HILL RD	TXI OPERATIONS LP
	3	1631	CHALK HILL RD	STEWART & STEVENSON POWER
	4	1710	CHALK HILL RD	LOWES HOMES CENTERS INC
	5	1700	CHALK HILL DR	ZEN ESTATES LLC

Agenda Information Sheet

File #: 19-1072 **Item #:** 63.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 5

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a D-1 Liquor Control Overlay; and **(2)** an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an NS(A)-D Neighborhood Services District with a D Liquor Control Overlay, on the southeast corner of Elam Road and Pleasant Drive
Recommendation of Staff and CPC: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions
Z189-204(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z189-204(SM)	**DATE FILED:**	February 20, 2019
LOCATION:	Southeast corner of Elam Road and Pleasant Drive		
COUNCIL DISTRICT:	5	**MAPSCO:**	58 U
SIZE OF REQUEST:	Approx. 0.45 acre	**CENSUS TRACT:**	117.01

APPLICANT/OWNER: Abdel Hussein

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for (1) a D-1 Liquor Control Overlay; and (2) a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an NS(A)-D Neighborhood Services District with a D Liquor Control Overlay.

SUMMARY: The property is developed with a retail store with an overall size of 5,000 square feet which will be divided into two retail suites. The proposed suite for alcohol sales will be a convenience-type retail store within the easternmost suite and will not exceed 3,200 square feet in floor area.

CPC RECOMMENDATION: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- On October 17, 2018, a permit to construct an approximate 5,000-square foot retail shell building was completed.

- The suite that is proposed to sell alcohol is within the eastern portion of the existing shell building and the alcohol spacing survey submitted shows that the proposed location of the front door of this suite is 472 feet from the closest public entry of the church to the east, which meets the Texas Alcoholic Beverage Commission's minimum spacing requirement for an establishment to sell alcohol.

- At the time of writing this report, no Certificate of Occupancy for any suite within the shell building has been submitted to the Building Inspection Division.

Zoning History: There have been no recent zoning changes requested in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Thoroughfare Plan Dimension; ROW
Elam Road	Principal Arterial	Minimum-6 lanes-Divided; 100 feet
Pleasant Drive	Local	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system. The analysis is based upon the traffic worksheet the applicant provided during the application submittal.

Comprehensive Plan:

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

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	NS(A)-D	Retail shell building
North	R-7.5(A)	Single family
East	NS(A)-D with SUP No. 168	Undeveloped, formerly a nursing or convalescent home
South	R-7.5(A)	Single Family
West	R-7.5(A)	Church

Land Use Compatibility:

The area of request is currently developed with a one-story retail shell building. Surrounding uses include an undeveloped property to the east of the site that was developed with a nursing or convalescent home and demolished in 1981, a church is located west of the site, across Pleasant Drive; and the remainder of the surrounding area is developed with single family uses in all directions.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff supports the request because the sale of alcoholic beverages in conjunction with a new retail store should not be a detriment to the adjacent properties because the store will have to comply with the Convenience Store registration and inspection processes with the Dallas Police Department and because a two-year approval period would allow for the reevaluation of the site's compatibility with surrounding properties and compliance with licensing, approved plans, and other regulations.

Landscaping:

Landscaping is installed in accordance with Article X of the Dallas Development Code.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for all proposed uses within the 5,000-square-foot shopping center is 25 and 27 parking spaces are provided on site.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. Although the area of request is not within an identifiable MVA cluster, it abuts an “I” MVA cluster to the south and an “H” MVA cluster is located to the north, across Elam Road.

CPC Action
June 6, 2019

Motion: It was moved to recommend **approval** of 1) a D-1 Liquor Control Overlay and 2) a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to a site plan and conditions on property zoned an NS(A)-D Neighborhood Services District with a D Liquor Control Overlay, on the southeast corner of Elam Road and Pleasant Drive.

Maker: Shidid
Second: Housewright
Result: Carried: 10 to 3

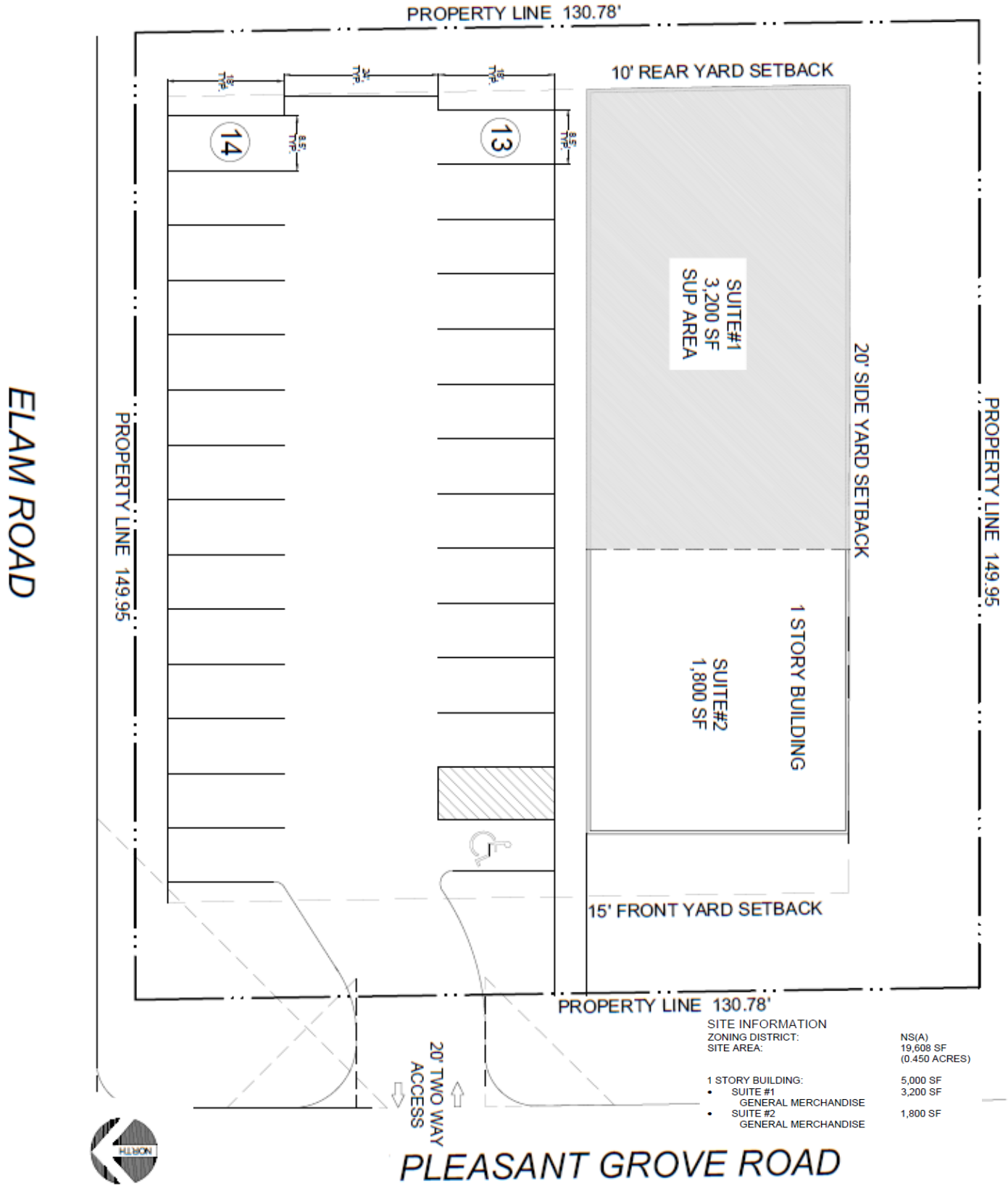
For: 10 - MacGregor, Schulte, Johnson, Shidid, Brinson, Jung, Housewright, Schultz, Murphy, Tarpley

Against: 3 - Criss, Carpenter, Lewis
Absent: 1 - Ridley
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 21
Replies: For: 0 Against: 2

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

Proposed Site Plan



CPC Recommended SUP Conditions

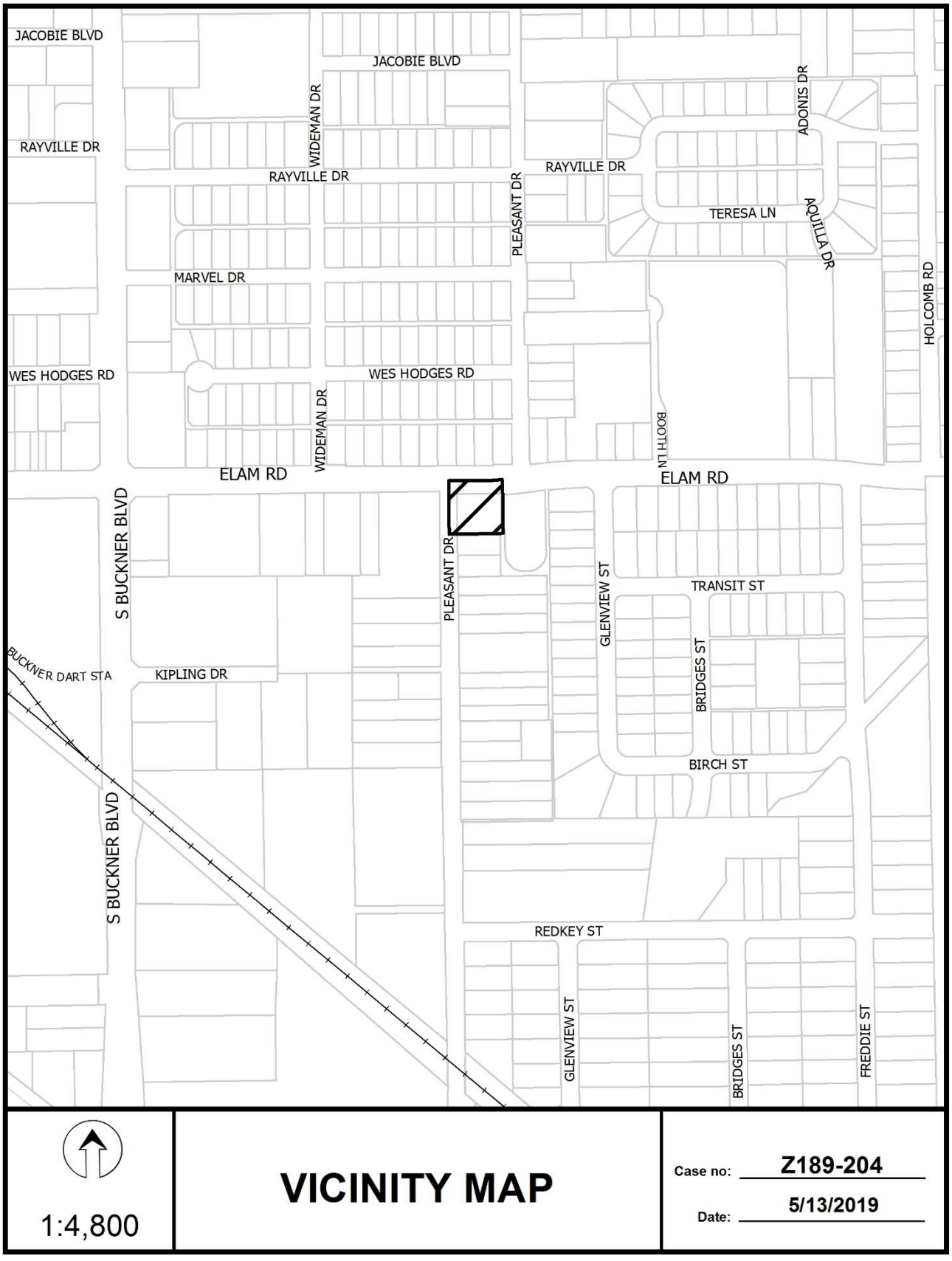
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

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

3. TIME LIMIT: This specific use permit expires on [TWO YEARS from the passage of this ordinance].

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

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


JACOBIE BLVD
JACOBIE BLVD
WIDEMAN DR
RAYVILLE DR
RAYVILLE DR
RAYVILLE DR
PLEASANT DR
ADONIS DR
TERESA LN
AQUILLA DR
HOLCOMB RD
MARVEL DR
WES HODGES RD
WES HODGES RD
WIDEMAN DR
BOOTH LN
ELAM RD
ELAM RD
S BUCKNER BLVD
PLEASANT DR
GLENVIEW ST
TRANSIT ST
BRIDGES ST
BUCKNER DART STA
KIPLING DR
BIRCH ST
S BUCKNER BLVD
REDKEY ST
GLENVIEW ST
BRIDGES ST
FREDDIE ST
1:4,800
VICINITY MAP
Case no: Z189-204
Date: 5/13/2019

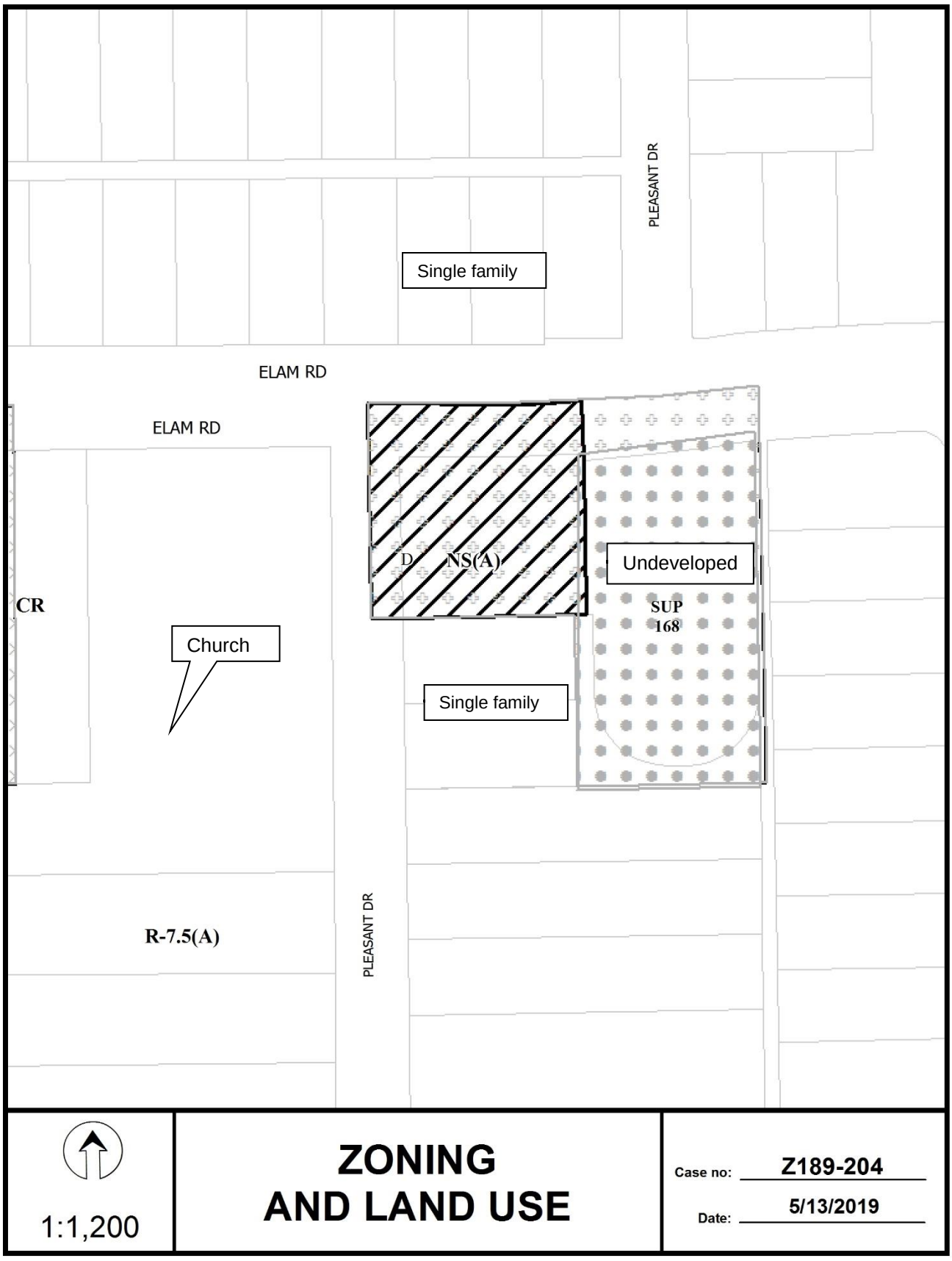


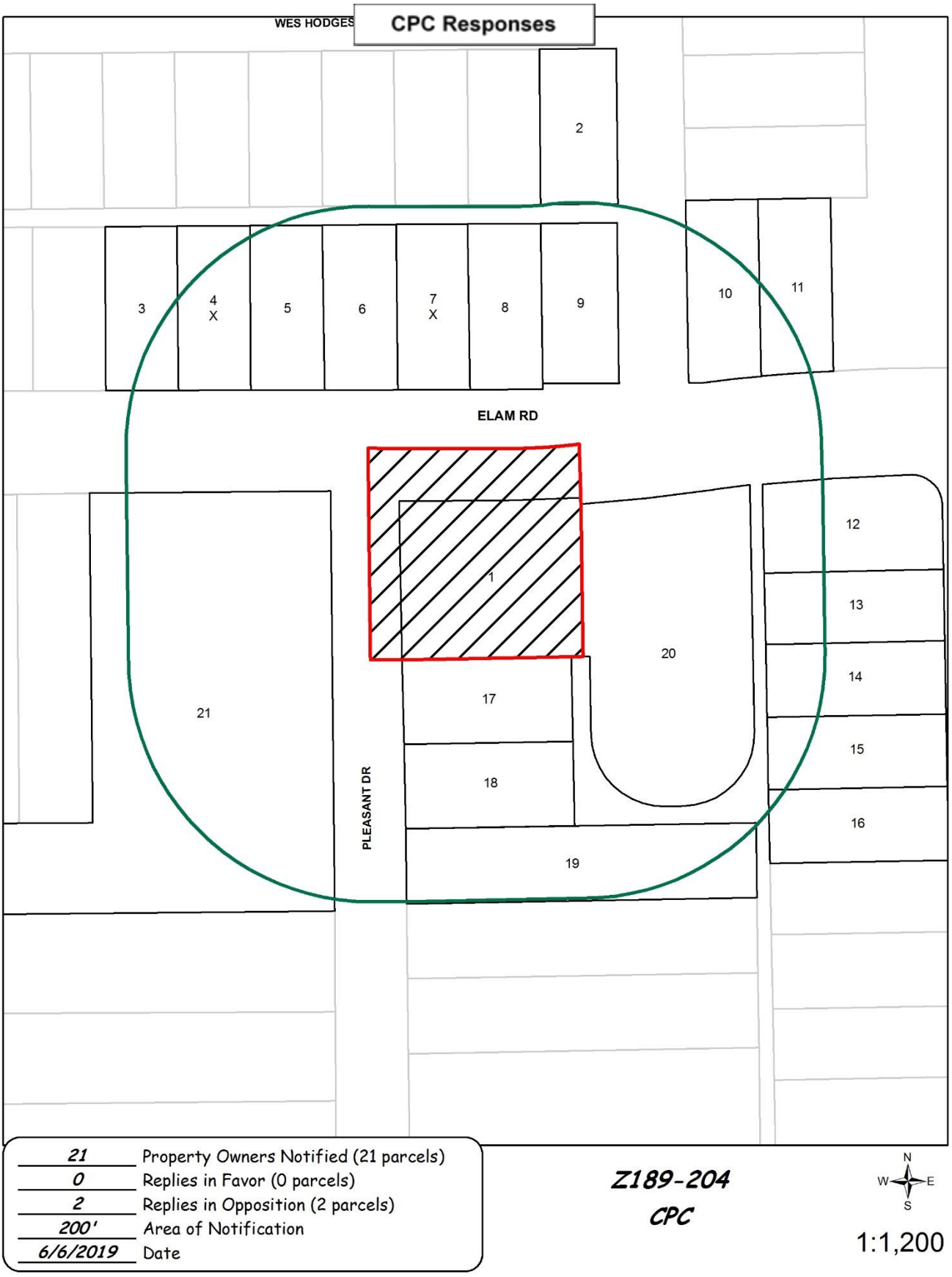
1:1,200

AERIAL MAP

Case no: Z189-204

Date: 5/13/2019


PLEASANT DR
Single family
ELAM RD
ELAM RD
D
NS(A)
Undeveloped
SUP
168
CR
Church
Single family
PLEASANT DR
R-7.5(A)
1:1,200
ZONING
AND LAND USE
Case no: Z189-204
Date: 5/13/2019


CPC Responses
WES HODGES
ELAM RD
PLEASANT DR
1
2
3
4
X
5
6
7
X
8
9
10
11
12
13
14
15
16
17
18
19
20
21
21 Property Owners Notified (21 parcels)
0 Replies in Favor (0 parcels)
2 Replies in Opposition (2 parcels)
200' Area of Notification
6/6/2019 Date
Z189-204
CPC
N
W
E
S
1:1,200

06/05/2019

Reply List of Property Owners

Z189-204

21 Property Owners Notified 0 Property Owners in Favor 2 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	8300	ELAM RD	MST DEVELOPMENT LLC
	2	8246	WES HODGES RD	OLIVAREZ JOSE
	3	8219	ELAM RD	HOWARD TIMOTHY
X	4	8223	ELAM RD	WRIGHT SHARON
	5	8227	ELAM RD	CASTRO GROGORIO CHAVEZ &
	6	8233	ELAM RD	MITCHELL JAMES R ETAL
X	7	8237	ELAM RD	PECINA NANCY SALINAS
	8	8243	ELAM RD	LAFUENTE ROY
	9	8247	ELAM RD	CASTRO GREGORIO CHAVEZ &
	10	8301	ELAM RD	TUDON JOSE ANGEL & MARTHA
	11	8305	ELAM RD	JONES C W
	12	8328	ELAM RD	BELTRAN MARIA G
	13	463	GLENVIEW ST	BURNES DAVID
	14	457	GLENVIEW ST	ESCANDON VICTOR &
	15	453	GLENVIEW ST	TOVAR OMAR ADRIAN
	16	447	GLENVIEW ST	ESCANDON EDUARDO & NARCISA GUADALUPE
	17	432	PLEASANT DR	LE THANH T
	18	426	PLEASANT DR	RIVAS DE LOURDES MARIA
	19	420	PLEASANT DR	MATA OCTAVIANO
	20	8314	ELAM RD	TOLOCKO STEPHENE
	21	8238	ELAM RD	IGLESIA BAUTISTA NUEVA

Agenda Information Sheet

File #: 19-1073 **Item #:** 64.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 11

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 880, on the north line of Lyndon B. Johnson Freeway, between Ridgeview Circle and Hughes Lane
Recommendation of Staff and CPC: Approval, subject to conditions
Z189-210(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z189-210(SM)	**DATE FILED:**	February 22, 2019
LOCATION:	North line of Lyndon B. Johnson Freeway, between Ridgeview Circle and Hughes Lane		
COUNCIL DISTRICT:	11	**MAPSCO:**	15 Q
SIZE OF REQUEST:	Approx. 4.815 acres	**CENSUS TRACT:**	136.08

OWNER: King of Glory Lutheran Church

APPLICANT: Michael Weir

REPRESENTATIVE: Robert Baldwin, Baldwin Associates

REQUEST: An application for an amendment to Planned Development District No. 880.

SUMMARY: The purpose of the request is to allow for modified signage regulations for an existing church (King of Glory Lutheran Church), which include the following proposed changes: 1) increase the effective area of an attached sign from 40 to 55 square feet; 2) increase the effective area of a detached sign from 50 to 65 square feet; 3) decrease the setback from the highway from 20 to five feet; and 4) increase the effective area for three movement control signs from two to six square feet.

CPC RECOMMENDATION: **Approval**, subject to conditions.

STAFF RECOMMENDATION: **Approval**, subject to conditions.

BACKGROUND INFORMATION:

- On March 27, 2013, City Council approved Planned Development District No. 880 to allow for the existing church to construct a surface parking lot to accommodate 113 parking spaces on approximately 1.04 acres of land which previously consisted of four existing single family dwellings. The purpose of the original request was because the Texas Department of Transportation acquired additional right-of-way along the Lyndon B. Johnson Freeway and as a result of the right-of-way acquisition, a portion of the church parking was eliminated.

Zoning History: There has been no zoning changes in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	ROW
LBJ Freeway Frontage	Expressway	Variable lane widths

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not have a negative impact on the surrounding street system.

Comprehensive Plan:

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

There are no goals or policies supporting or opposing the request.

STAFF ANALYSIS:

Land Use Compatibility:

The site consists of an existing church and surface parking lot. The site abuts the LBJ Freeway access road on the south and abuts single family neighborhoods to the north, east, and west. Staff considers a church compatible with the surrounding land uses.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 880	Church
North	PDD No. 78	Single Family
South	LO-1, NO(A)	LBJ Freeway
East	R-16(A)	Single Family
West	PDD No. 78	Undeveloped, Single Family

Landscaping:

Landscaping of any development will be in accordance with the attached landscape plan. Plant materials must be maintained in a healthy, growing condition.

Signs:

The applicant requests five modifications to the existing Article VII nonbusiness sign regulations with the purpose of gaining visibility to vehicles on the LBJ access road.

Attached signs:

The applicant requests one modification to the existing attached sign regulations with the purpose of adding "Lutheran Church" in one-foot tall letters below the existing "King of Glory" attached sign on the front of the building. The proposed amendment to increase the effective area[1] of an attached sign from 40 to 55 square feet is depicted in the image on the following page and was provided by the applicant. Staff supports this request because effective area of attached signs in business districts is limited to 25 percent the facade area, which is much greater than the request.

[1] EFFECTIVE AREA means the following:

(A) For a detached sign, the area within a minimum imaginary rectangle of vertical and horizontal lines that fully contains all extremities of the sign, excluding its supports. This rectangle is calculated from an orthographic projection of the sign viewed horizontally. The viewpoint for this projection that produces the largest rectangle must be used. If elements of the sign are movable or flexible, such as a flag or a string of lights, the measurement is taken when the elements are fully extended and parallel to the plane of view.

(B) For an attached sign, the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word. If a design, outline, illustration, or interior illumination surrounds or attracts attention to a word, then it is included in the calculation of effective area.



B1 B2 LETTER DISPLAY SCALE: 3/8"=1'-0"



EXISTING



PROPOSED

Detached signs:

The applicant also requests two modifications to detached sign regulations to increase the effective area from 50 to 65 square feet of one detached sign with a maximum height of 15 feet above grade and decrease the setback from an expressway from 20 to five feet. The applicant's request for these amendments is depicted in the below image and was provided by the applicant.

Staff supports the increase in effective area of one detached sign that will contain a static sign and a changeable message sign (e.g. the digital sign) because the changeable message portion of the sign will be regulated by Section 51A-7.216 which has standards for brightness levels, how frequent the message may change, and limits the display to 50 square feet. Staff also supports the decrease in the setback of the sign because a 20-foot setback would place the sign in the middle of the existing parking lot driveway shown to the right of the below image that was provided by the applicant.



Movement control signs:

The applicant also requests an increase in the effective area for three movement control signs[2] from two to six square feet. Specifically, the applicant noted the intent for this amendment is to convey a message of welcome or salutation (e.g. “Go in peace”). Staff notes that movement control signs traditionally communicate where vehicles and pedestrians are to enter and exit the property and where facilities are located and therefore, the applicant would still be allowed to communicate these kinds of messages with the proposed amendment.

Special purpose signs (not recommended by CPC, withdrawn by applicant):

Finally, the applicant requested to allow special purpose signs[3] with an effective area of 40 square feet, four times per year for 10 days each. Council removed provisions for special purpose signs via a code amendment circa 2007 thereby making them unlawful to erect unless special permissions were granted through a special purpose sign district or planned development district. Therefore, because historically, enforcement of special purpose signs were historically so difficult to enforce, CPC does not support this portion of the applicant’s original request and the applicant is no longer requesting this provision.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request is surrounded by “B” MVA clusters.

[2] MOVEMENT CONTROL SIGN means a sign that directs vehicular or pedestrian movement within or onto the premise on which the movement control sign is located.

[3] SPECIAL PURPOSE SIGN means a sign temporarily supplementing the permanent signs on a premise.

CPC Action
May 2, 2019

Motion: In considering this application for an amendment to Planned Development District No. 880, on the north line of Lyndon B. Johnson Freeway, between Ridgeview Circle and Hughes Lane, it was moved to **hold** this case under advisement until May 16, 2019.

Maker: Schultz
Second: Murphy
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss*, Johnson, Shidid, Carpenter, Brinson, Lewis, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12
Conflict: 1 - Jung**

*out of the room, shown voting in favor
**out of the room, when vote taken

Notices: Area: 500 Mailed: 95
Replies: For: 8 Against: 5

Speakers: For: None
For (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None
Against (Did not speak): Stuart Ridnour, 6250 Twin Oaks Cr., Dallas, TX, 75240

CPC Action
May 16, 2019

Motion: In considering an application for an amendment to Planned Development District No. 880, on the north line of Lyndon B. Johnson Freeway, between Ridgeview Circle and Hughes Lane, it was moved to **hold** this case under advisement until June 20, 2019.

Maker: Schultz
Second: MacGregor
Result: Carried: 12 to 0

For: 12 - MacGregor, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12
Conflict: 1 - Jung**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 95
Replies: For: 11 Against: 11

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of an amendment to Planned Development No. 880, subject to staff's recommended conditions on the north line of Lyndon B. Johnson Freeway, between Ridgecrest Circle and Hughes Lane.

Maker: Schultz
Second: MacGregor
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Housewright, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12
Conflict: 1 - Jung**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 95
Replies: For: 11 Against: 12

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX 75226
Against: None

LIST OF OFFICERS
King of Glory

- Cindy Brissman, President
- Brian Thomas, Vice President
- Ashley Hanks, Secretary
- Michael Weir, Treasurer

CPC RECOMMENDED PDD AMENDMENTS

ARTICLE 880.

PD 880.

SEC. 51P-880.101. LEGISLATIVE HISTORY.

PD 880 was established by Ordinance No. 28943, passed by the Dallas City Council on March 27, 2013. (Ord. 28943)

SEC. 51P-880.102. PROPERTY LOCATION AND SIZE.

PD 880 is established on property located on the north side of Lyndon B. Johnson Freeway between Ridgeview Circle and Hughes Lane. The size of PD 880 is approximately 4.815 acres. (Ord. 28943)

SEC. 51P-880.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district. (Ord. 28943)

SEC. 51P-880.104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 880A: development/landscape plan. (Ord. 28943)

SEC. 51P-880.105. DEVELOPMENT PLAN.

(a) Except as provided in this section, development and use of the Property must comply with the development/landscape plan (Exhibit 880A). If there is a conflict between the text of this article and the development/landscape plan, the text of this article controls.

(b) For residential 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. (Ord. 28943)

SEC. 51P-880.106. MAIN USES PERMITTED.

The following uses are the only main uses permitted:

-- Church.

-- Handicapped group dwelling unit.
-- Single family *[Each dwelling unit must be detached from other dwelling units.]*
-- Surface parking.

(Ord. 28943)

SEC. 51P-880.107. 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 51A-4.217.

(b) The following accessory use is permitted by SUP only:

-- Accessory community center (private).

(c) 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. 28943)

SEC. 51P-880.108. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Except as provided in this section, the yard, lot, and space regulations for the R-16(A) Single Family District apply.

(b) Front yard.

(1) Except as provided in this subsection, minimum front yard is 25 feet.

(2) For a church use, parking is permitted in the front yard.

(3) For a church use, a fence with a minimum height of four feet and a maximum height of eight feet, is permitted in the front yard in the location shown on the development/landscape plan. Materials for this fence must consist of wrought iron, masonry, or brick

(c) Side and rear yard. Minimum side yard is 10 feet. Minimum rear yard is 10 feet.

(d) Height. Maximum structure height is 24 feet.

(e) Lot coverage.

(1) Maximum lot coverage is:

(A) 45 percent for residential structures; and

(B) 25 percent for nonresidential structures.

(2) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(f) Lot size. Minimum lot size is 8,600 square feet.

(g) Stories. No maximum number of stories. (Ord. 28943)

SEC. 51P-880.109. OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Ingress and egress for off-street parking and loading from residential streets is prohibited. (Ord. 28943)

SEC. 51P-880.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 28943)

SEC. 51P-880.111. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided as shown on the development/landscape plan (Exhibit 880A). If there is a conflict between the text of this article and the development/landscape plan, the text of this article controls.

(b) For residential uses, landscaping must be provided in accordance with Article X.

(c) Plant materials must be maintained in a healthy, growing condition. (Ord. 28943)

SEC. 51P-880.112. SIGNS.

(a) In general. Except as provided in this subsection, s[~~S~~]igns must comply with the provisions for non-business zoning districts in Article VII.

(b) Church.

(1) A maximum of one attached sign may be erected with a maximum effective area of 55 square feet.

(2) A maximum of one detached sign may be erected with a maximum effective area of 65 square feet and 15 feet in height.

(3) For a detached sign that is within seven and one-half feet and 15 feet in height, the minimum setback is five feet.

(4) In addition to the regulations for movement control signs in Section 51A-4.7205, a maximum of three movement control signs may be erected with a maximum effective area between two and six square feet.

SEC. 51P-880.113. ADDITIONAL PROVISIONS.

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

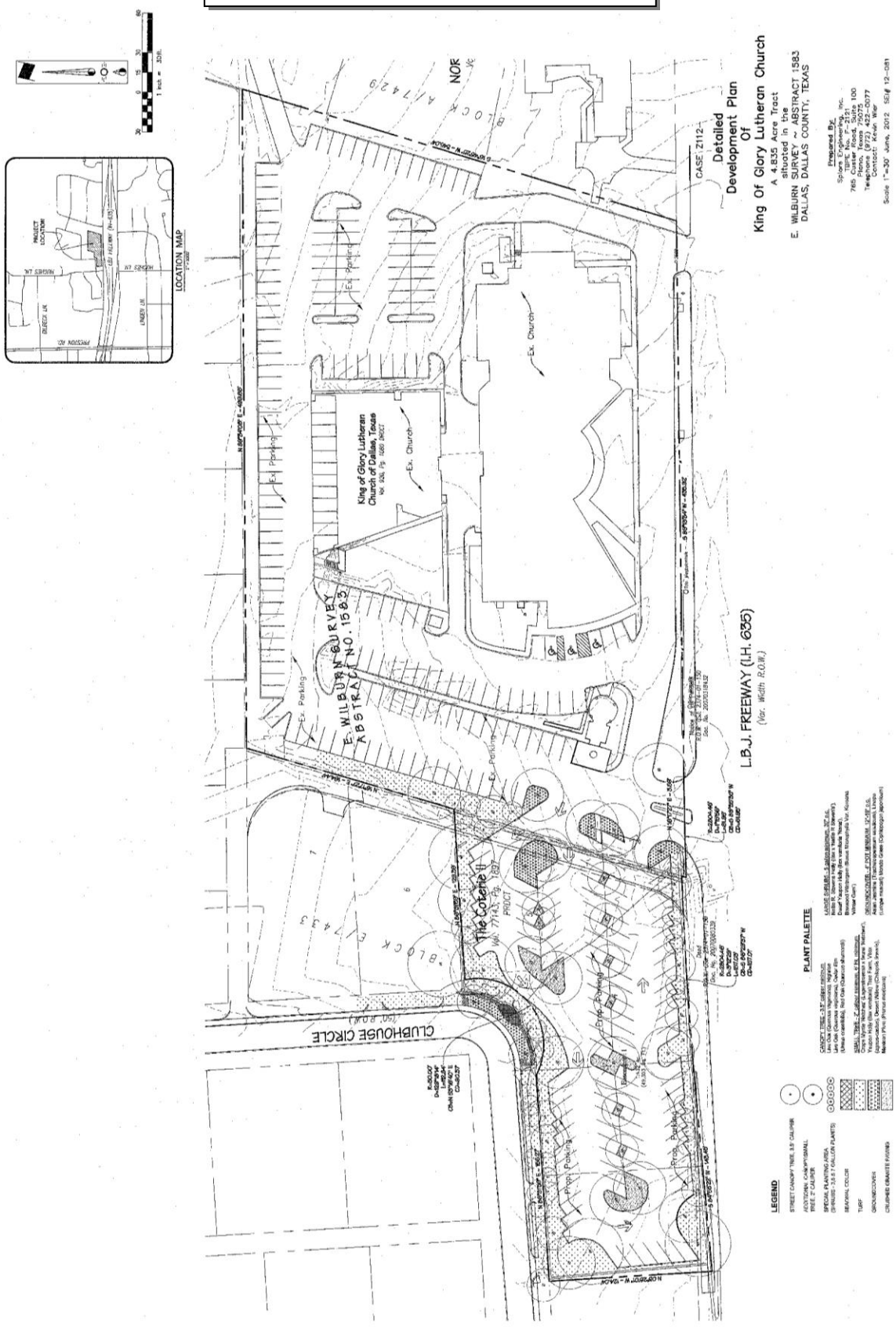
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. 28943)

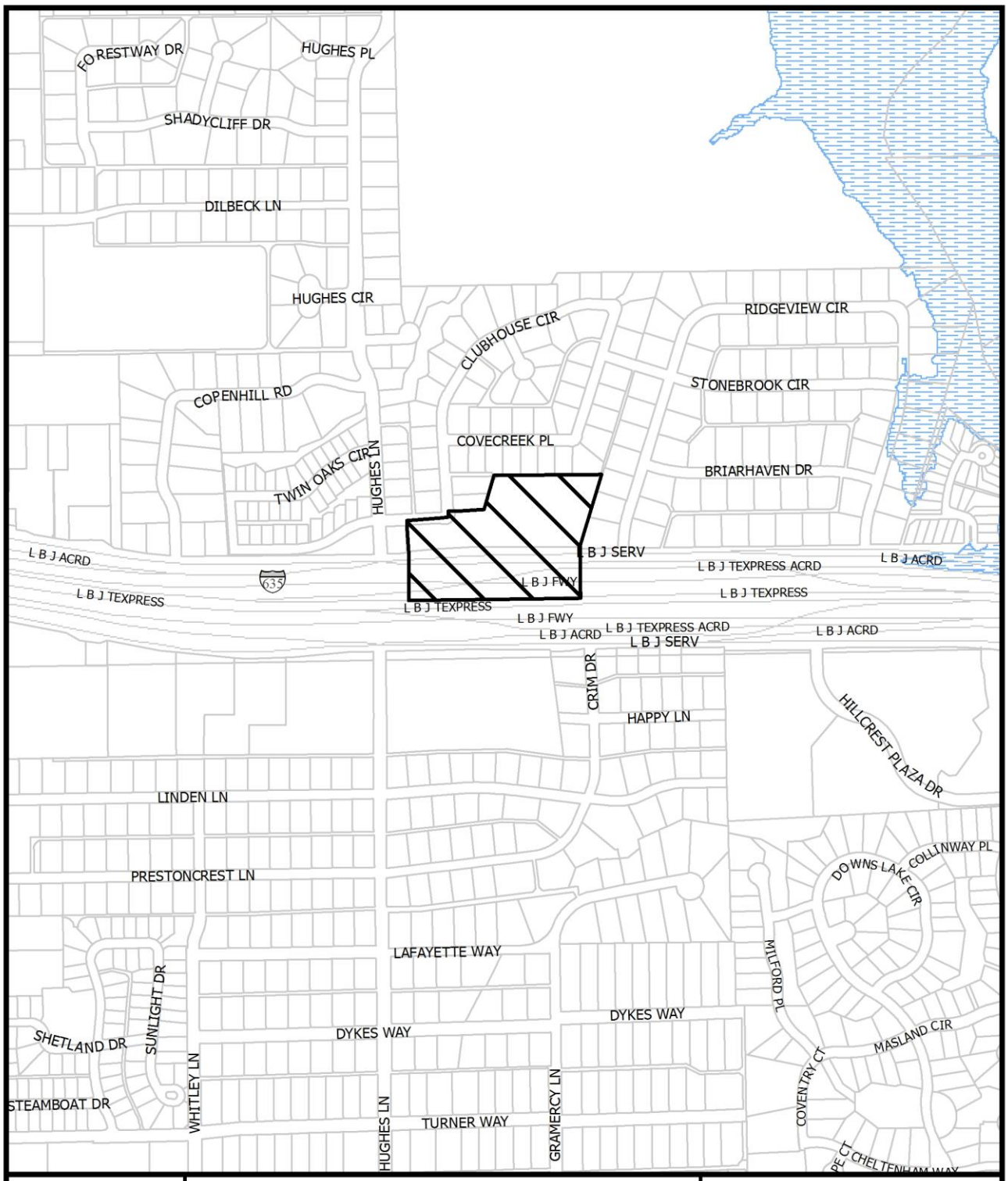
SEC. 51P-880.114. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, 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. 28943)

EXISTING DEVELOPMENT / LANDSCAPE PLAN (no changes)



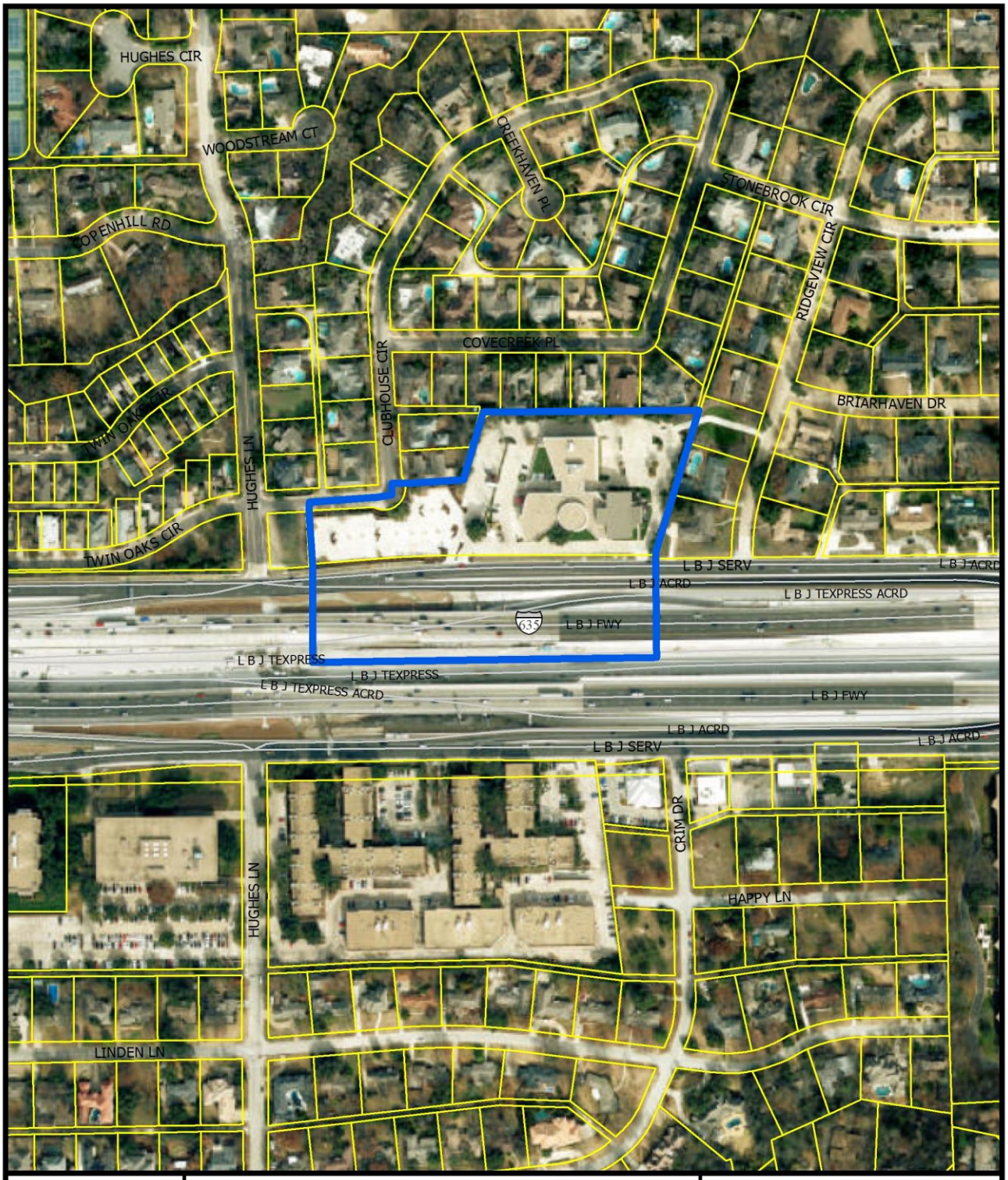


1:7,200

VICINITY MAP

Case no: Z189-210

Date: 3/6/2019



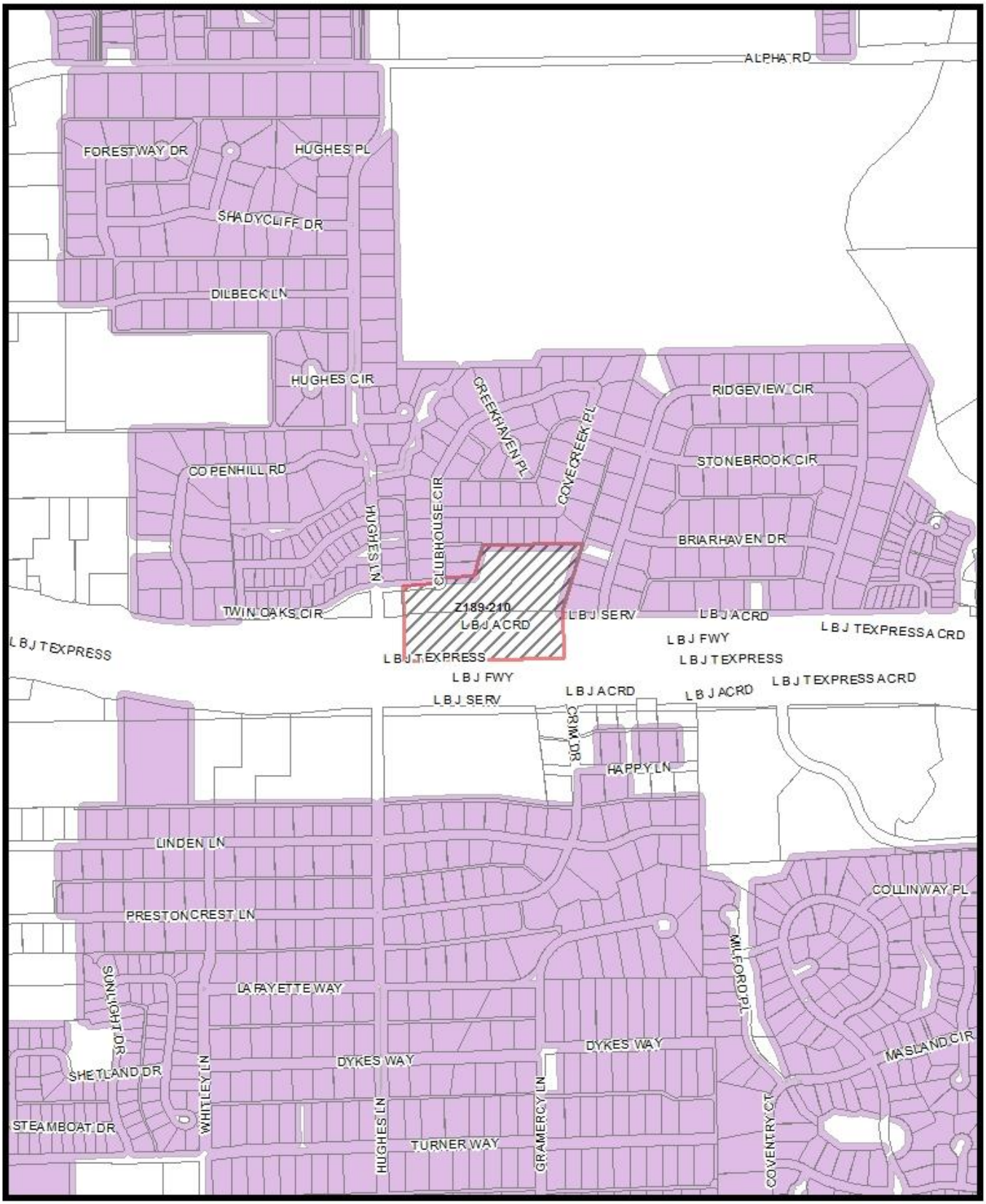
1:3,600

AERIAL MAP

Case no: Z189-210

Date: 3/6/2019


HUGHES CIR
R-1/2ac(A)
WOODSTREAM CT
CREEKHAVEN PL
COPENHILL RD
STONEBROOK CIR
RIDGEVIEW CIR
PD 78
COVECREEK PL
CLUBHOUSE CIR
Single Family
Single Family
TWIN OAKS CIR
R-16(A)
BRIARHAVEN DR
HUGHES LN
Undeveloped
TWIN OAKS CIR
PD 880
L B J SERV
L B J ACRD
L B J TEXPRESS ACRD
L B J FWY
635
L B J TEXPRESS
L B J TEXPRESS ACRD
L B J FWY
L B J ACRD
NO(A)
NS(A)
NO(A)
L B J ACRD
L B J SERV
NO(A)
SUP 1068
LO-1
CRIM DR
HAPPY LN
HUGHES LN
LINDEN LN
R-16(A)
1:3,600
ZONING AND LAND USE
Case no: Z189-210
Date: 3/6/2019

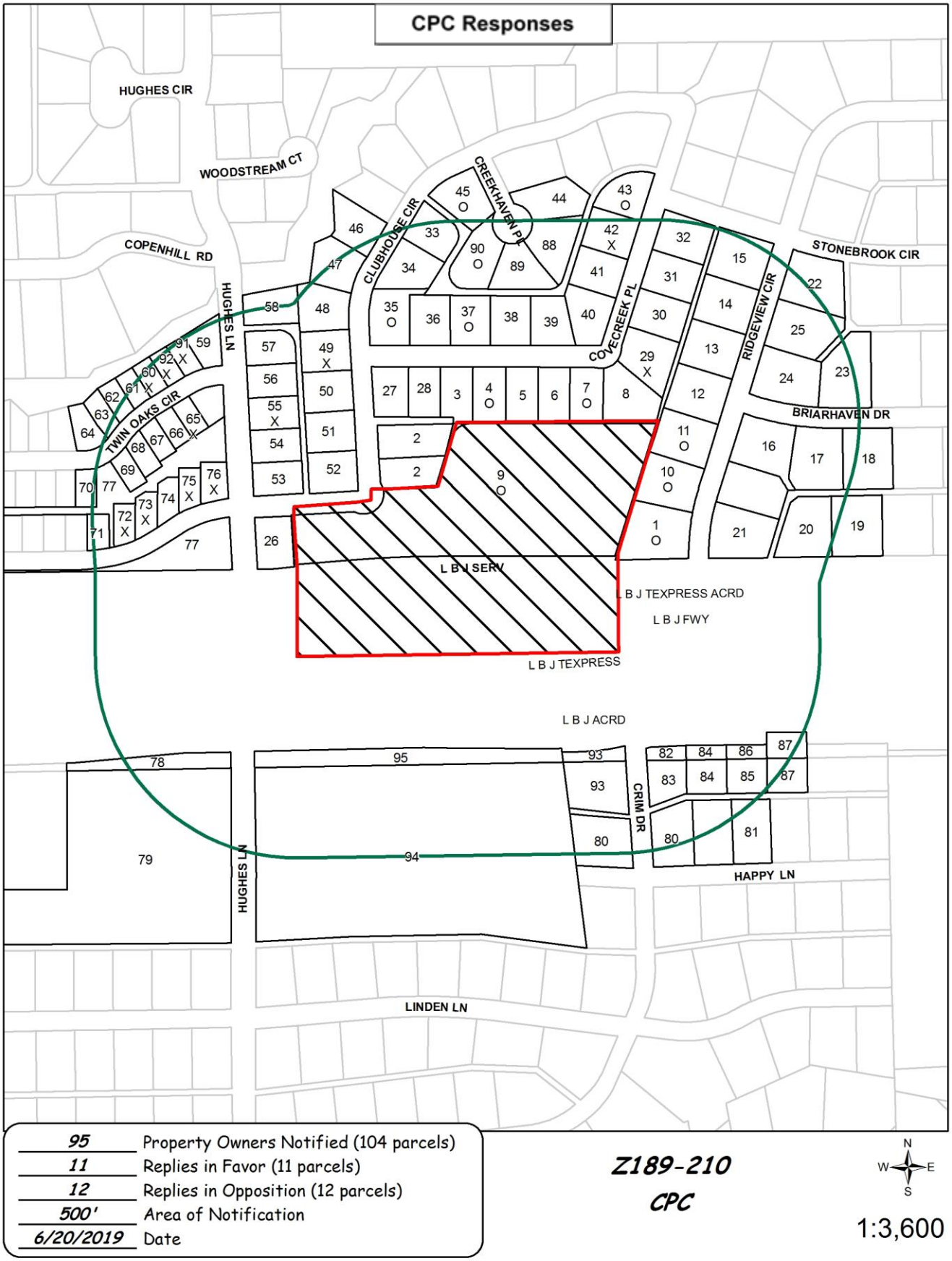


MVACluster A B C D E F G H I NA

1:7,200

Market Value Analysis

Printed Date: 3/6/2019


CPC Responses
HUGHES CIR
WOODSTREAM CT
COPENHILL RD
HUGHES LN
CLUBHOUSE CIR
CREEKHAVEN PL
COVECREEK PL
RIDGEVIEW CIR
STONEBROOK CIR
BRIARHAVEN DR
TWIN OAKS CIR
L B J SERV
L B J TEXPRESS ACRD
L B J FWY
L B J TEXPRESS
L B J ACRD
CRIM DR
HAPPY LN
LINDEN LN
95 Property Owners Notified (104 parcels)
11 Replies in Favor (11 parcels)
12 Replies in Opposition (12 parcels)
500' Area of Notification
6/20/2019 Date
Z189-210
CPC
N
W
E
S
1:3,600

06/19/2019

Reply List of Property Owners

Z189-210

95 Property Owners Notified ***11 Property Owners in Favor*** ***12 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	6507	RIDGEVIEW CIR	KING OF GLORY LUTHERN CH
	2	6406	CLUBHOUSE CIR	KING OF GLORY LUTHERAN CHURCH
	3	6410	COVECREEK PL	DUE JUDY WINGER
O	4	6414	COVECREEK PL	BROOKS JAMES & BARBARA
	5	6418	COVECREEK PL	ASHMORE KIMBERLY
	6	6422	COVECREEK PL	ALGHAFRY MAJED
O	7	6426	COVECREEK PL	ARNSTEIN BARBARA J TR &
	8	6502	COVECREEK PL	20183 TX 101 LLC
O	9	6411	LBJ FWY	KING OF GLORY LUTHERAN
O	10	6515	RIDGEVIEW CIR	SPEER WALTER B &
O	11	6523	RIDGEVIEW CIR	KING OF GLORY LUTHERAN CH
	12	6531	RIDGEVIEW CIR	STEAKLEY FAMILY LIVING TR
	13	6539	RIDGEVIEW CIR	MUIRHEID TRACI & DARREN
	14	6547	RIDGEVIEW CIR	ENGLISH DANA HARDIN
	15	6555	RIDGEVIEW CIR	POWELL RICHARD A
	16	6522	RIDGEVIEW CIR	DIRKS LEONARD F JR
	17	6516	BRIARHAVEN DR	OFFER PAUL J JR
	18	6524	BRIARHAVEN DR	MELKS FAMILY TRUST
	19	6545	LBJ FWY	STEVENSON DINO
	20	6537	LBJ FWY	SHAHI SAVITA GAIND &
	21	6508	RIDGEVIEW CIR	SAUCEDA JAVIER G &
	22	6554	RIDGEVIEW CIR	WALKINGTON KEVIN
	23	6517	BRIARHAVEN DR	PAULEY STEPHEN & DIANE
	24	6538	RIDGEVIEW CIR	BEDDINGFIELD ROBERT W &
	25	6546	RIDGEVIEW CIR	BROWN W DOUGLAS JR TR&
	26	6302	CLUBHOUSE CIR	SHULTS CONNI &

Reply	*Label #*	*Address*		*Owner*
	27	6402	COVECREEK PL	DUVALL SARA A
	28	6406	COVECREEK PL	REGALADO JUAN & WANDA E
X	29	6506	COVECREEK PL	LUBBE WILHELM
	30	6510	COVECREEK PL	FREEFIELD JERRY Y &
	31	6514	COVECREEK PL	PUGH JOEL A & LISA A
	32	6518	COVECREEK PL	KOTAMARTI VENKAT &
	33	6518	CLUBHOUSE CIR	JOHNSTON KENNETH M &
	34	6510	CLUBHOUSE CIR	JONES KAY
O	35	6403	COVECREEK PL	SULZBACH FRANK C &
	36	6407	COVECREEK PL	KAISER DOUGLAS S &
O	37	6411	COVECREEK PL	TOSTADO GLORIA B
	38	6415	COVECREEK PL	KALIDAS VASANTI
	39	6419	COVECREEK PL	CANNON JACK
	40	6501	COVECREEK PL	RIDER PAULA C
	41	6505	COVECREEK PL	AZIZ MAHSOOMA
X	42	6509	COVECREEK PL	SHANG HONGLU & JING XIAO
O	43	6515	COVECREEK PL	CHAILLET BRIAN S & SHIRLEE STEWART
	44	6408	CREEKHAVEN PL	TROMBLEY WANWISA & DJANGO
O	45	6524	CLUBHOUSE CIR	CAVE THOMAS A & TAMI K
	46	6515	CLUBHOUSE CIR	COHEN DOUGLAS O
	47	6511	CLUBHOUSE CIR	LANG ARIEL M
	48	6507	CLUBHOUSE CIR	ROBISON SALLY & SCOTT
X	49	6501	CLUBHOUSE CIR	SMOLLAR REED ALLEN &
	50	6411	CLUBHOUSE CIR	DRAIN LEE & LYNETT C
	51	6407	CLUBHOUSE CIR	TRAFTON KRIS R
	52	6403	CLUBHOUSE CIR	KARNI CATHERINE
	53	13016	HUGHES LN	BAKER WANDA
	54	13020	HUGHES LN	HICKS ROBERT B
X	55	13024	HUGHES LN	ALCHORBACHI RIAD
	56	13028	HUGHES LN	MOUNCE HAROLD JAY &
	57	13032	HUGHES LN	ZIMMERMANN BETTY

Reply	*Label #*	*Address*		*Owner*
	58	13036	HUGHES LN	WINFIELD RENA GOODSON
	59	13031	HUGHES LN	ARBELAEZ FAVIAN
X	60	6243	TWIN OAKS CIR	MARY LOU AVERA MGMT TRUST
	61	6239	TWIN OAKS CIR	BARNETT WILLIAMS BRADLEY &
	62	6235	TWIN OAKS CIR	NEWMANHAAS RYLAN &
	63	6231	TWIN OAKS CIR	ALEXANDER A ANN
	64	6227	TWIN OAKS CIR	SUSMAN JOAN R
X	65	6250	TWIN OAKS CIR	RIDNOUR STUART D
	66	6246	TWIN OAKS CIR	STEVENSON KENNETH
	67	6242	TWIN OAKS CIR	FAUVEAU ALEXANDER &
	68	6238	TWIN OAKS CIR	ALVEN ROBERT & HANNEKE
	69	6234	TWIN OAKS CIR	SMITHEY PAM J & LESLIE M
	70	6226	TWIN OAKS CIR	BOWER LOU ANN
	71	6127	TWIN OAKS CIR	QUISENBERRY JAMES R & SHERIDAN
X	72	6123	TWIN OAKS CIR	FRANKLIN MARLENE Z &
X	73	6117	TWIN OAKS CIR	DAVIS MICHAEL ROBERT
	74	6111	TWIN OAKS CIR	SKULLY NICHOLAS RAYMOND
X	75	6107	TWIN OAKS CIR	ROMO MARIVEL
X	76	6103	TWIN OAKS CIR	FISHER ROBERTA
	77	900001	HUGHES LN	COTERIE HOMEOWNERS ASSN
	78	6250	LBJ FWY	TUESDAY MORNING INC
	79	6250	LBJ FWY	TUESDAY MORNING INC
	80	6441	HAPPY LN	HAPPY LANE LP LLLP
	81	6525	HAPPY LN	HAPPY LANES LP
	82	6510	LBJ FWY	CRIM STREET INVESTMENTS LP
	83	6510	LBJ FWY	CRIM STREET INVESMENTS LP
	84	6518	LBJ FWY	THE KNOCHE LTD PS
	85	6526	LBJ FWY	THE KNOCHE LIMITED
	86	6526	LBJ FWY	KNOCHE LIMITED
	87	6532	LBJ FWY	TM PLAZA LLC
	88	6404	CREEKHAVEN PL	NAXON ADAM & ELLA

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	89	6405	CREEKHAVEN PL	ROSEN BARRY M & JAN A
O	90	6409	CREEKHAVEN PL	MCLEOD PAUL G
X	91	6251	TWIN OAKS CIR	KESZLER ELLEN U
X	92	6247	TWIN OAKS CIR	STOUT JOE W &
	93	6446	LBJ FWY	CAAWA INVESTMENT PPTIES LLC
	94	6310	LBJ FWY	LBJ CONCOURSE OFFICE LP
	95	6310	LBJ FWY	LBJ CONCOURSE OFFICE LP

Agenda Information Sheet

File #: 19-1074 **Item #:** 65.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 623, on the southeast corner of Royal Lane and Webb Chapel Road
Recommendation of Staff and CPC: Approval, subject to a revised development plan, landscape plan, revised traffic management plan, and conditions
Z189-213(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-213(SM) **DATE FILED:** February 25, 2019

LOCATION: Southeast corner of Royal Lane and Webb Chapel Road

COUNCIL DISTRICT: 13 **MAPSCO:** 23 G

SIZE OF REQUEST: Approx. 3.983 acres **CENSUS TRACT:** 97.02

OWNER/APPLICANT: The Cambridge School

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for an amendment to Planned Development District No. 623.

SUMMARY: The applicant [The Cambridge School] proposes a new landscape plan and to amend a previously approved development plan and traffic management plan for a private school for grades five through 12. The applicant proposes to 1) modify maximum structure height while maintaining residential proximity slope, 2) to increase the maximum allowable floor area of the school from 53,000 to 60,000 square feet, and 3) increase the previously approved projected enrollment of 210 students to 240 students. The applicant also proposes some modifications to the previously approved Traffic Management Plan which includes a request to 1) decrease the access points on Royal Lane from two to one to be used for all student drop off and pick up operations, 2) close the existing drive approach on Webb Chapel Road, and 3) prohibit school access to Regent Drive.

CPC RECOMMENDATION: **Approval**, subject to a revised development plan, landscape plan, revised traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised development plan, landscape plan, revised traffic management plan, and conditions.

BACKGROUND INFORMATION:

- The site is currently undeveloped.
- On September 25, 2002, City Council approved PDD No. 623 for a private school to operate within three structures that total approximately 17,207 square feet, built in 1971 for a church use and a private school.
- On January 25, 2017, City Council approved an amendment to PDD No. 623 so that the applicant could demolish some of the existing structures and to add three new buildings for approximately 45,000 square feet with a maximum proposed floor area for the school of 53,000 square feet. The applicant also proposed to relocate the existing private school that currently serves 105 students in grades sixth to 12th and redevelop the property with 10 middle school classrooms and 10 high school classrooms, with a maximum number of students to be 210.
- On November 21, 2018, an application to demolish all structures was approved and on January 17, 2019, all debris was removed from the subject site.

Zoning History: There has been no zoning changes in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	ROW
Royal Lane	Principal Arterial	100 feet
Webb Chapel Road	Principal Arterial	90 feet
Regent Drive	Local	50 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the proposed increase in enrollment from 210 students to 240 students, the addition of the fifth grade to the proposed campus, the development plan, and Traffic Management Plan and determined that it will not significantly impact the surrounding roadway 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.

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.

Urban Design

GOAL 5.2 Strengthen Community and Neighborhood Identity
Policy 5.2.1 Maintain neighborhood scale and character.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 623	Undeveloped
North	R-10(A)	Single Family
East	R-10(A)	Single Family
South	R-10(A)	Single Family
West	R-10(A) & NO(A)	Single Family & office
Northwest	CR	Retail

Land Use Compatibility:

The request site was previously developed with a church use with several structures built in 1971 that totaled approximately 17,207 square feet. The subject site, which is currently undeveloped, is surrounded by single family uses to the north, across Royal Lane, as well as to the east and south; additional single family uses and office uses are located to the west, across Webb Chapel Road; and a gas station and a shopping center is located to the northwest, across the Webb Chapel Road and Royal Lane intersection.

Staff considers the proposed land use of a private school compatible with surrounding land uses because a development plan, landscape plan, and traffic management plan can be used as tools to mitigate potential negative impacts of the proposed school on surrounding properties.

Development Standards:

The applicant requests two modifications to the yard, lot, and space regulations of the existing PDD which refers to the R-10(A) Single Family District, except as modified.

First, the applicant requests to simplify the maximum structure height for private schools to a maximum 37 feet while maintaining compliance with residential proximity slope. Staff supports this request because the underlying zoning, the R-10(A) Single Family District, would allow structures for institutional uses any legal height that is consistent with residential proximity slope[1].

Second, the site is limited to a maximum 53,000 square feet of floor area in the existing PDD and the applicant requests to increase this number to a maximum 63,000 square feet for the proposed new construction. Staff supports this request because it is considered more restrictive than the underlying zoning which does not limit floor area or floor area ratio and would allow up to 60 percent lot coverage for institutional uses in single family districts[2].

Parking:

Pursuant to the Dallas Development Code, the parking requirement for an elementary, middle, and high school is one and one-half, three and one-half, and nine and one-half parking spaces per classroom, respectively. The school proposes two classrooms per grade (fifth through 12th), which will require 100 parking spaces. The school proposes to provide 135 parking spaces.

Staff recommends two modifications to the parking requirements of the existing planned development district. First, staff proposes an updated condition where private schools are simply required to comply with the minimum parking requirement of the Dallas Development Code as described in the previous paragraph. Second, since the site is considered a residential district, the school would be allowed to construct or maintain a parking lot or garage that has access to a public alley that abuts a residential district in the future. Since staff objects to the possibility of this concept and the applicant has no intentions to access the alley, the applicant has agreed to prohibit access to the alley.

Since parking in the front yards of all three roadways was previously granted to the site, staff does not object to maintaining this condition. However, staff would prefer that parking within the front yard setback of Regent Drive is prohibited to be more consistent

[1] Reference Section 51A-4.408(a)(1) of the Dallas Development Code.
[2] Reference Section 51A-4.407(a)(1) of the Dallas Development Code.

with the remainder of the block face. A possible improvement to the site's design could include a swap of the parking within the front yard on Regent Drive and the proposed playfield to the east of the proposed building.

Landscaping:

Instead of full compliance with Article X, the applicant requests to have the proposed landscape plan regulate the landscape conditions of the site and to delete the requirement of one large canopy tree for each 30 linear feet within the landscape buffer. The applicant has also provided a comparison of Article X landscape standards to those in the proposed landscape plan on the following page.

Staff can support the requested modifications to preserve the existing street trees, allow smaller trees in the buffer strip to avoid a conflict with utilities, narrow residential perimeter buffer strip, and a reduction in parking lot trees, because the site is restricted in height and setbacks.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. Although the subject site is not depicted as within an MVA cluster, the area of request is abuts a "B" MVA cluster to the south and east and is separated from "D" MVA clusters to the north and west, across Royal Lane and Webb Chapel Road, respectively.

Artcile X Compliance - Cambridge PD

Site = 173,434 SF / 3.9815 Acres

Article X Mandatory Requirement	Required	Existing Conditions: Compliant / Non-Compliant	Needed For Compliance	Proposed To Meet Compliance
Site Trees (1:4,000 sf Site Area)	44 Site Trees	**Compliant** - Exisiting Trees = 56 Site Tree Credits (Existing Trees to Remain) + new trees	Compliant	Compliant
Parking Lot / Interior Trees (Tree within 70 ft of Parking Space)	Every parking space must be within 120 ft of a large canopy tree	**Non-Compliant**	To comply, a minimum of 2 proposed trees are required to be added in the playfield area or parking islands added.	Exception to be made to count non-canopy trees proposed for buffer as adequate tree coverage of parking lot.
Street Trees (1 per 40 ft Frontage)	Royal Lane – 14 Required (543 LF / 40 = 14)	**Compliant**, 14 proposed trees and 1 existing tree	Compliant	Compliant
	Regent Drive – 8 Required (295 LF / 40 = 8)	**Compliant**, 8 proposed trees	Compliant	Compliant
	Webb Chapel Road – 9 Required (348 LF / 40 = 9)	**Non-Compliant**, 9 Required, 3 Existing Canopy Trees and 6 Proposed Shade Trees	To comply, 6 proposed large canopy / shade trees are required to be planted within 30 ft of curb.	Exception asked to be made to plant 5 new trees instead of 6 in order to preserve 3 large mature trees, which reduce space available to plant.
Residential Buffer Planting where Residential Adjaceny Occurs: (Buffer Planting within 10' Landscape Buffer)	Buffer Planting Along West Property Line, 230 LF	**Non-Compliant**	10-Foot Buffer along property line with buffer planting from list.	Exception to be made in PD Amendment to allow for medium / non-canopy trees from list provided on PD to be used for screening with fence due to overhead utilities.
Residential Buffer Planting where Residential Adjaceny Occurs: (Buffer Planting within 10' Landscape Buffer)	Buffer Planting Along South Property Line, 245 LF	**Non-Compliant**	10-Foot Buffer along property line with buffer planting from list.	Exception to be made in PD Amendment to allow for medium / non-canopy trees from list provided on PD to be used for screening with fence due to overhead utilities.
Residential Buffer Planting where Residential Adjaceny Occurs: (Buffer Planting within 10' Landscape Buffer)	Buffer Planting Along Southwest Property Line / Service Drive	**Non-Compliant**	10-Foot Buffer along property line with buffer planting	Exception to be made in PD Amendment to allow for 2.5-foot buffer and no planting due to limited space. Phil Erwin recomends hardscpae or aggregate. I agree. Min. width for reg. spray irrigation is 5' in Texas.
Residential Buffer Planting where Residential Adjaceny Occurs: (Buffer Planting within 10' Landscape Buffer)	Buffer Planting Along Regent Drive	**Compliant**	Compliant	Compliant
	Canopy / Shade Trees = 7	**Compliant** - 7 proposed trees	Compliant	Compliant
	Large Evergreen Shrubs = 21	**Compliant** - 21 min. proposed shrubs	Compliant	Compliant

CPC Action
May 2, 2019

Motion: In considering an application for an amendment to Planned Development District No. 623, on the southeast corner of Royal Lane and Webb Chapel Road, it was moved to **hold** this case under advisement until June 20, 2019.

Maker: Murphy
Second: MacGregor
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss*, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 124
Replies: For: 12 Against: 10

Speakers: For: None
For (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of an amendment to Planned Development No. 623, subject to a revised development plan, landscape plan, a revised traffic management plan, and conditions with a modification to revise Sec. 51P-623.107(b)(2)(A) to read as follows: "Maximum structure height is 37 feet." with a clarification that Residential Proximity Slope applies on the southeast corner of Royal Lane and Webb Chapel Road.

Maker: Murphy
Second: Lewis
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss*, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 124
Replies: For: 13 Against: 15

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX 75226
Against: None

List of Officers

The Cambridge School of Dallas

Board of Trustees

Bob Farrow, Chairman

Carrie Williams, Vice-Chairman

Jason Runnels, Treasurer

Carl Bruce, Trustee

Tal Hicks, Trustee

Greg Hosler, Trustee

Laura McBridge, Trustee

Ana Moner, Trustee

John Owens, Trustee

Mark Peterman, Trustee

Michael Richmond, Trustee

Scott Upfield, Trustee

Blake Woodall, Trustee

Paul Wolfe, Ex Officio

CPC Recommended Amendments to:

ARTICLE 623.

PD 623.

SEC. 51P-623.101. LEGISLATIVE HISTORY.

PD 623 was established by Ordinance No. 25033, passed by the Dallas City Council on September 25, 2002. (Ord. 25033)

SEC. 51P-623.102. PROPERTY LOCATION AND SIZE.

PD 623 is established on property located on the southeast corner of the intersection of Webb Chapel Road and Royal Lane. The size of PD 623 is approximately 3.983 acres. (Ord. 25033)

SEC. 51P-623.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district. (Ord. 25033)

SEC. 51P-623.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 623A: development plan.

(2) Exhibit 623B: traffic management plan.

(3) Exhibit 623C: landscape plan.

SEC. 51P-623.104. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in in the R-10(A) Single Family District, subject to the same conditions applicable in the R-10(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-10(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-10(A) Single Family District is subject to DIR in this district; etc.

(b) The following main use is permitted by right:

-- Private school. (Ord. Nos. 25033; 30332)

SEC. 51P-623.105. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 25033)

SEC. 51P-623.106. DEVELOPMENT PLAN.

(a) For a private school, development and use or the Property must comply with the development plan (Exhibit 623A). 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. (Ord. Nos. 25033; 30332)

SEC. 51P-623.107. 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. 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-10(A) Single Family District apply.

(b) Private school.

(1) Floor area. Maximum floor area for all buildings combined is 63,000 [~~53,000~~] square feet.

(2) Height.

(A) [~~Except as provided in this section, maximum~~] Maximum structure height is 37 feet.

[~~(B) For Building B maximum height is 34 feet.~~

~~(C) For Building C maximum height is 18 feet.~~]

(B[~~e~~]) 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. 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. (Ord. Nos. 25033; 30332)

SEC. 51P-623.108. OFF-STREET PARKING AND LOADING.

(a) In general. 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.

(b) Private school.

(1) [~~Off street parking and loading must be provided as shown on the development plan.~~

~~(2)~~] Parking may be provided in the required front yards along Royal Lane, Webb Chapel Road, and Regent Drive as shown on the development plan.

(2) A person shall not construct or maintain a parking lot or garage that has access to a public alley that abuts a residential district.

SEC. 51P-623.108.1. TRAFFIC MANAGEMENT PLAN.

(a) In general. The operation of a private school must comply with the traffic management plan (Exhibit 623B).

(b) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(c) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the

(1) sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by the one year anniversary of issuance of the certificate of occupancy. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1 of each even-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of personnel assisting with loading and unloading of students;

(D) drop-off and pick-up locations;

(E) drop-off and pick-up hours for each grade level;

(F) hours for each grade level; and

(G) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(b) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion. (Ord. 30332)

SEC. 51P-623.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) In general. Except as provided in this section, see Article VI.

(b) Prohibited light sources. The following light fixtures and sources may not be used if the direct light emitted is visible from adjacent properties:

(1) Low pressure sodium and mercury vapor light sources.

(2) Cobra-head type fixtures having dished or drop lenses or refractors which house other than incandescent sources.

(3) Searchlights and other high intensity narrow-beam fixtures.

(c) Lighting design requirements. Outdoor lighting must primarily be used to provide safety, accent key architectural elements, or emphasize public art or landscape features. All lighting fixtures must meet the following requirements:

(1) Fixture (luminaire).

(A) The light source must be concealed.

(B) In order to direct light downward and minimize the amount of light spillage into the night sky and onto adjacent properties, all lighting fixtures must be full cutoff fixtures.

(C) Fixtures must be mounted in such a manner that the cone of light is contained on-site and does not cross any property line on the perimeter of the Property.

(D) Lighting fixtures may not exceed 12 feet in height above the parking surface and be shielded in order to direct light towards the parking surface.

(d) Specific lighting standards.

(1) Security lighting.

(A) Building mounted security light fixtures such as wall packs may not project above the roof line of the building and must be shielded.

(B) Security lighting fixtures may not face residential uses adjacent to the Property.

(2) Accent lighting. Only lighting used to accent architectural elements, landscaping, or art may be directed upward, provided that the fixture is located, aimed, or shielded to minimize light spill into the night sky.

(1) Excessive illumination. Lighting must not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of drivers. (Ord. Nos. 25033; 30332)

SEC. 51P-623.110. LANDSCAPING AND TREE PRESERVATION.

(a) In general. Except as provided in this section, landscaping and tree preservation, removal, and replacement must be provided in accordance with Article X.

(b) Private school.

(1) Landscaping must be provided as shown on the landscape plan (Exhibit 623C). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(2) [~~(c)~~] Trees located in the area labeled "Tree Conservation Area," shown on the development plan must be preserved.

(3) For landscaping purposes, a tree shown on the landscape plan that is removed, must be replaced in the location shown on the landscape plan or the closest location that complies with the tree spacing requirements of 51A-10.104(h).

(c) ~~The landscape buffer shown on the development plan along the easternmost boundary of the Property must contain a minimum of one large canopy tree for each 30 linear feet.~~

[~~(d)~~] Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 25033; 30332)

SEC. 51P-623.111. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII. (Ord. 25033)

SEC. 51P-623.111.1. FENCING.

(a) For a private school, required fencing must be provided in the location shown on the development plan.

(b) The maximum height for a fence in the required front yard is six feet.

(c) If the solid fence shown on the development plan is constructed of wood, it must be board-on-board type construction. (Ord. 30332)

SEC. 51P-623.112. ADDITIONAL PROVISIONS.

(a) The entire 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) A private school must comply with the following design standards:

(1) Facade materials. A minimum of 60 percent of each facade facing the Property line (not including those facing an interior courtyard) must be constructed of masonry material such as brick, stone, engineered stone, concrete, stucco, or a combination of these materials. Exterior insulated finish systems (EIFS) is limited to a maximum of 10 percent.

(2) Upper story windows.

(A) When [~~Windows~~] facing the Property line, [~~that are~~] located on an upper story, [~~the second floor~~] and within 100 feet of the property line, windows must: [~~be either~~]

(i) Have glazing that is translucent or made of[~~,~~] glass block or similar view-obscuring materials, or

(ii) Begin at a minimum height of six feet above [~~or greater from~~] the preceding story[~~ below~~].

(B) When [~~Any windows~~] located on an upper story and within 150 feet of an east property line, [~~the second floor of Building A that face~~] east-facing windows must: [~~be either~~]

(i) Have glazing that is translucent or made of[~~,~~] glass block or similar view-obscuring materials, or

(ii) Begin at a minimum height of six feet above [~~or greater from~~] the preceding story [~~below~~].

(3) Outdoor recreation or playfields. Outdoor recreation or playfields may not be lighted or have sound amplification. Permanent seating at outdoor recreation or playfields is prohibited.

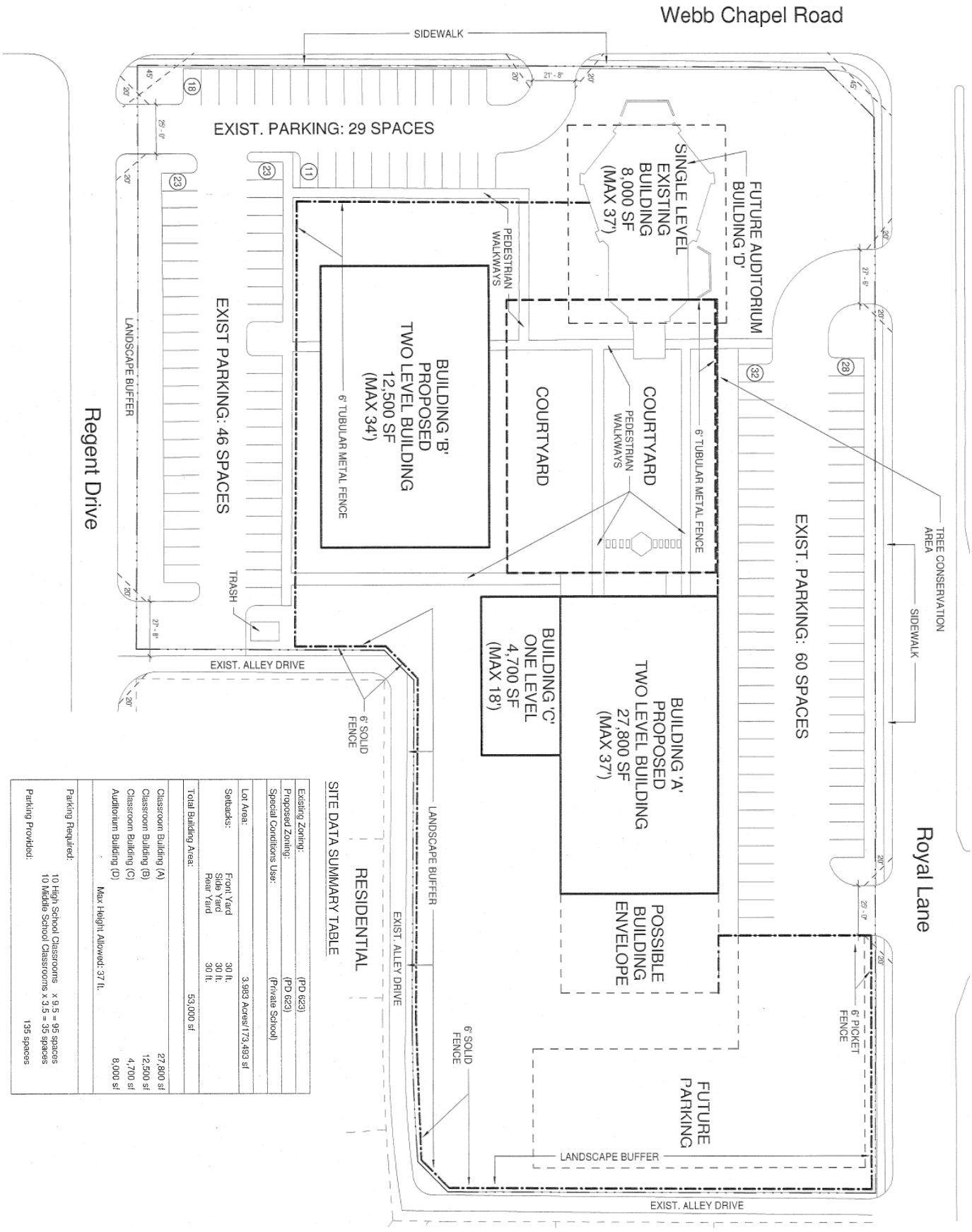
(4) Ingress/egress. Vehicular ingress and egress is prohibited from Regent Drive.

SEC. 51P-623.113. 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 or a certificate of occupancy for a use in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 25033; 26102)

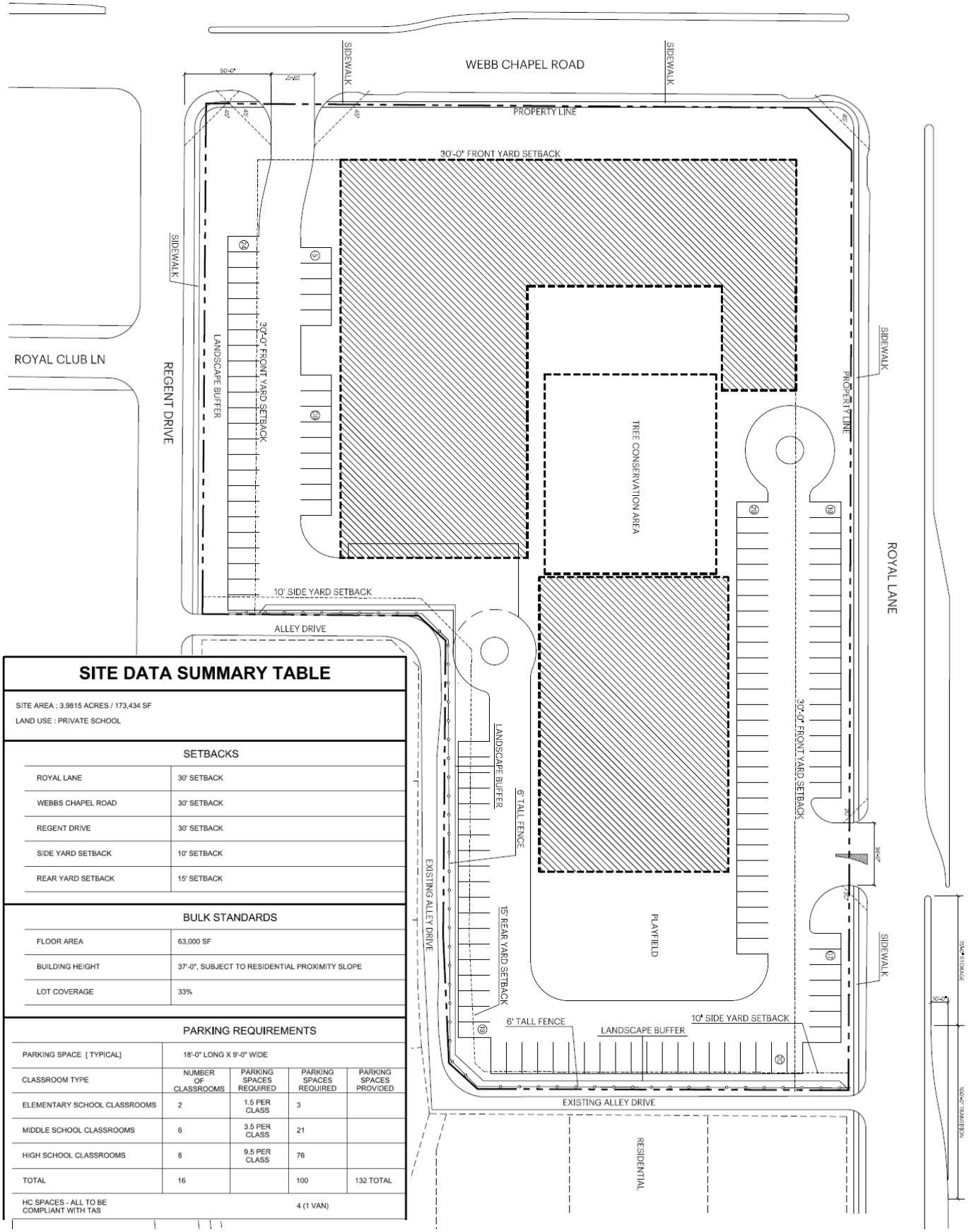
EXISTING DEVELOPMENT PLAN



SITE DATA SUMMARY TABLE

Existing Zoning:	(PD 623)	
Proposed Zoning:	(PD 623)	
Special Conditions Use:	(Private School)	
Lot Area:	3.983 Acres/173,493 sf	
Setbacks:	Front Yard	30 ft.
	Side Yard	30 ft.
	Rear Yard	30 ft.
Total Building Area:	53,000 sf	
Classroom Building (A)		27,800 sf
Classroom Building (B)		12,500 sf
Classroom Building (C)		4,700 sf
Auditorium Building (D)		8,000 sf
	Max Height Allowed: 37 ft.	
Parking Required:	10 High School Classrooms x 9.5 = 95 spaces 10 Middle School Classrooms x 3.5 = 35 spaces	
Parking Provided:	135 spaces	

CPC RECOMMENDED DEVELOPMENT PLAN



SITE DATA SUMMARY TABLE

SITE AREA : 3.9815 ACRES / 173,434 SF
LAND USE : PRIVATE SCHOOL

SETBACKS

ROYAL LANE	30' SETBACK
WEBBS CHAPEL ROAD	30' SETBACK
REGENT DRIVE	30' SETBACK
SIDE YARD SETBACK	10' SETBACK
REAR YARD SETBACK	15' SETBACK

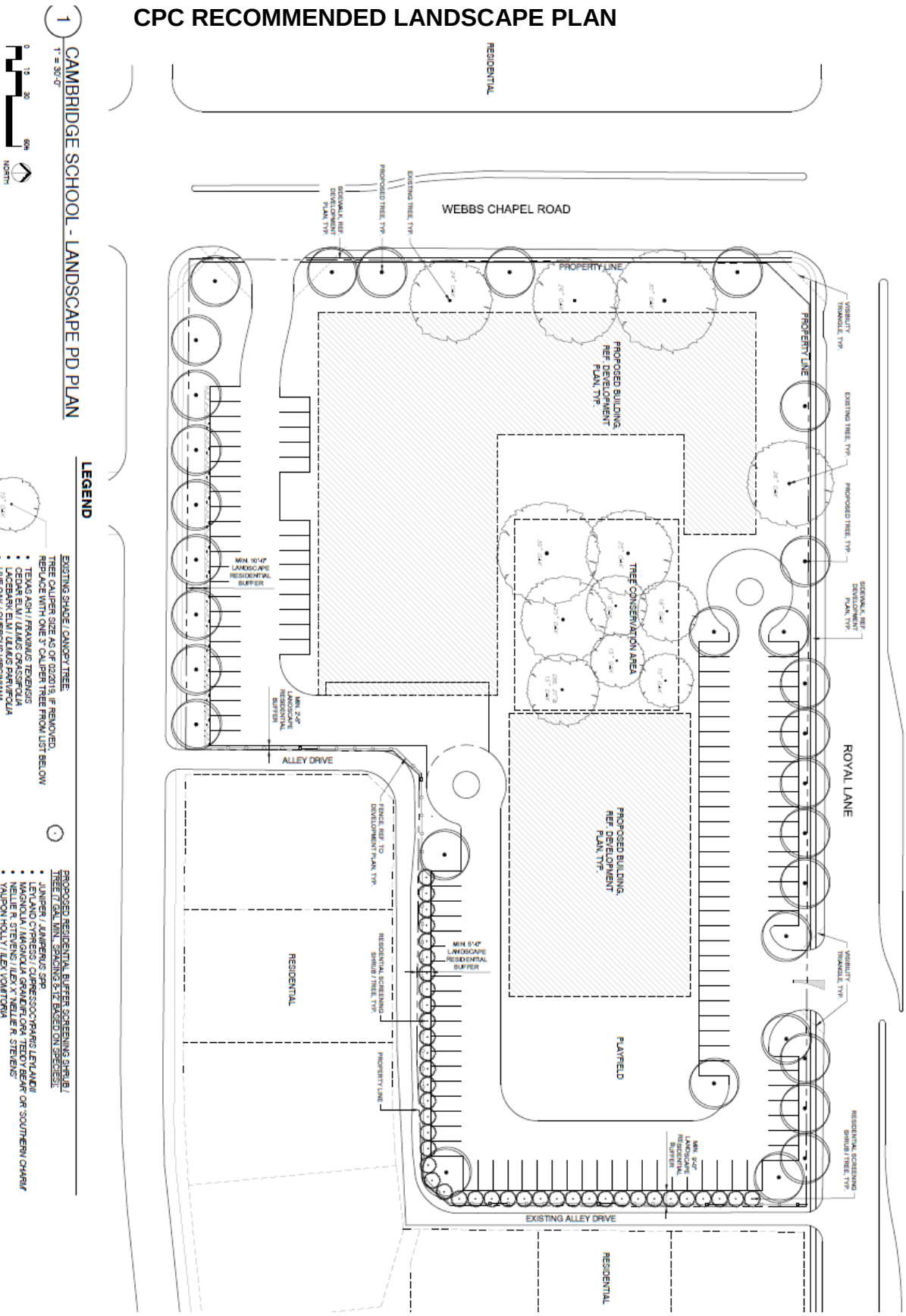
BULK STANDARDS

FLOOR AREA	63,000 SF
BUILDING HEIGHT	37'-0", SUBJECT TO RESIDENTIAL PROXIMITY SLOPE
LOT COVERAGE	33%

PARKING REQUIREMENTS

PARKING SPACE [TYPICAL]	18'-0" LONG X 9'-0" WIDE			
CLASSROOM TYPE	NUMBER OF CLASSROOMS	PARKING SPACES REQUIRED	PARKING SPACES REQUIRED	PARKING SPACES PROVIDED
ELEMENTARY SCHOOL CLASSROOMS	2	1.5 PER CLASS	3	
MIDDLE SCHOOL CLASSROOMS	6	3.5 PER CLASS	21	
HIGH SCHOOL CLASSROOMS	8	9.5 PER CLASS	76	
TOTAL	16		100	132 TOTAL
HC SPACES - ALL TO BE COMPLIANT WITH TAS			4 (1 VAN)	

CPC RECOMMENDED LANDSCAPE PLAN



EXISTING TRAFFIC MANAGEMENT PLAN

TRAFFIC MANAGEMENT PLAN FOR

THE CAMBRIDGE SCHOOL OF DALLAS

IN DALLAS, TEXAS

DESHAZO PROJECT NO. 16066

Z ____-____

Prepared for:

The Cambridge School of Dallas

PO Box 540186

Dallas, Texas 75354

Prepared by:

DeShazo Group

Texas Registered Engineering Firm F-3199

400 South Houston Street, Suite 330

Dallas, Texas 75202

214.748.6740

July 26, 2016



DeShazo Group, Inc.
July 26, 2016

Traffic Management Plan for

The Cambridge School of Dallas

~ DeShazo Project No. 16066 ~

Table of Contents

PRELIMINARY SITE PLAN I

INTRODUCTION 1

TRAFFIC MANAGEMENT PLAN 1

School Operational Characteristics 2
Site Access and Circulation 2
Passenger Unloading/Loading 3
Vehicle Queuing 3

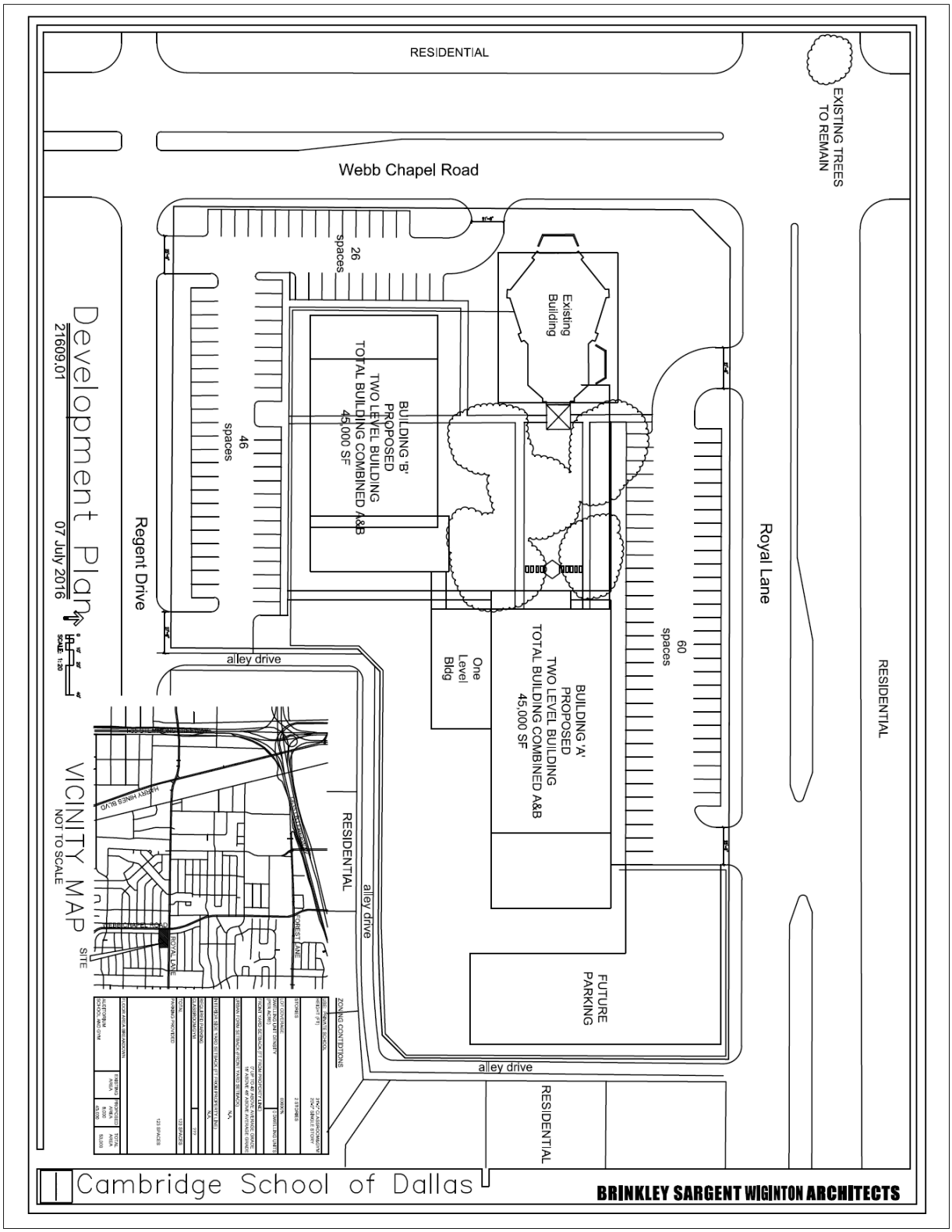
SUMMARY & RECOMMENDATIONS 3

LIST OF TABLES:

Table 1. Proposed School Operational Characteristics
Table 2. Peak On-Site Vehicle Demand during Afternoon Pick-Up Period

LIST OF EXHIBITS:

Exhibit 1. Traffic Management Plan for Peak School Traffic


RESIDENTIAL
EXISTING TREES TO REMAIN
Webb Chapel Road
26 spaces
Existing Building
BUILDING 'B' PROPOSED TWO LEVEL BUILDING TOTAL BUILDING COMBINED A&B 45,000 SF
46 spaces
Regent Drive
Royal Lane
60 spaces
RESIDENTIAL
alley drive
One Level Bldg
BUILDING 'A' PROPOSED TWO LEVEL BUILDING TOTAL BUILDING COMBINED A&B 45,000 SF
FUTURE PARKING
alley drive
RESIDENTIAL
alley drive
RESIDENTIAL
Development Plan
21609.01
07 July 2016
SCALE 1:20
VICINITY MAP
NOT TO SCALE
SITE
ROYAL LANE
FOREST LANE
ZONING CONDITIONS
PRIVATE SCHOOL
2 STORIES
Cambridge School of Dallas
BRINKLEY SARGENT WIGINTON ARCHITECTS

DeShazo Group
35 Years of Excellence!
Traffic. Transportation Planning. Parking. Design.

Technical Memorandum

To: *Bob Farrow — The Cambridge School of Dallas*

From: *David Nevarez, P.E. — DeShazo Group, Inc.*

Date: July 26, 2016

Re: Traffic Management Plan for The Cambridge School of Dallas in Dallas, Texas
DeShazo Project Number 16066; Case Number Z____-____

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering. The services of DeShazo were retained by The Cambridge School of Dallas ("School") to prepare a traffic management plan (TMP) for the proposed relocation of their campus.

The Cambridge School of Dallas is an academic institution currently serving over 105 students in 6th to 12th Grade. The School is currently located at 3877 Walnut Hill in Dallas, Texas. The school administration is planning a relocation of their facilities with the opportunity to provide additional student capacity for a maximum enrollment of 210 students. The proposed new campus is located at 3202 Royal Lane in Dallas, Texas. A preliminary site plan, prepared by BSW Architects, is provided as reference in this report.

The proposed school site is zoned Planned Development (PD) District 623. Zoning provisions permit the development of a private school under specific stipulations of a Specific Use Permit. As part of the approval process, the City of Dallas requires submittal of a TMP as a record of the preferred traffic control strategies and to ensure safe and efficient traffic operations. The plan is intended to assess anticipated traffic conditions during the morning drop-off and afternoon pick-up activities on the basis of satisfying these objectives. By consent of the TMP submittal, the school agrees to the strategies presented herein. In addition, the school is held self-accountable to enforce the plan until and unless the City of Dallas deems further mitigation measures are necessary.

TRAFFIC MANAGEMENT PLAN

A school TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up operations. By properly managing vehicular traffic generated during critical periods, the safety and efficiency of school carpool operations will also inherently improve. This TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it is a tool that aims to facilitate a safer and more efficient environment.

This analysis identifies minimum requirements needed to accommodate projected school traffic demands during peak periods. A concerted effort and full participation by the school administration, staff, students and parents are essential to maintain safe and efficient traffic operations.

School Operational Characteristics

Table *1* summarizes the proposed operational characteristics for the School:

Table 1. Proposed School Operational Characteristics

	Existing Conditions	**Proposed Conditions**
Student Enrollment:	Grades 6–9th .....45 Grades 10–12th .....60 *Total (all grades): 105*	Grades 6–9th ..... 90 Grades 10–12th .....120 *Total (all grades): 210*
School Staff:	28 staff members	38 staff members
Daily Arrival Schedule:	Grades 6–12th ..... 8:00 AM	Same As Before
Daily Departure Schedule:	Grades 6–12th .....3:00 PM	Same As Before
Students Travelling by Modes Other Than Drop-off/Pick-up:	School/Public Bus, Walk.....0% Student Drivers.....25% Afterschool Activities 45%	Same As Before

NOTE #1: In addition, the school may hold occasional events that generate traffic outside of traditional peak periods. While some measures presented in this report may apply to such cases, this analysis evaluates traffic characteristics associated only with traditional school peak periods.

NOTE #2: Up to 50 students (approximately 25% of the total student population) are anticipated to drive themselves to school. Only students from 10th through 12th grade are currently permitted to park on school campus; this policy will remain in effect in the future.

Site Access and Circulation

During the morning drop-off period, all students must be dropped off in front of the school at the south parking lot. Motorists should enter the school property from Regent Drive and proceed to drop off students at the designated loading zone in the front of the school building. All vehicular traffic should continue along the designated route and exit onto Webb Chapel Road. School administration and faculty staff parking will also be allocated in the south parking lot; student drivers will park at designated areas in the north lot.

Exhibit 1 presents a schematic depiction of site access and circulation during the afternoon pick-up period. The loading zone for 6th to 9th grade students is located in the south parking lot; the loading zone for 10th to 12th grade students is located in the north parking lot. Both lots will operate as one-way facilities during the afternoon pick-up period. The eastern driveway on Regent Drive and eastern driveway on Royal Lane will be inbound-only; the driveway on Webb Chapel Road and western driveway on Royal Lane will be exit-only during school pick-up and drop-off periods.

During the afternoon pick-up periods, passenger vehicles will access their corresponding driveway and directly proceed to form a queue towards the loading/unloading area along the designated route. Traffic circulation may be demarcated by either pavement markings or signs. Once in queue, 6th-9th grade traffic will operate as a double line of vehicles with the opportunity to park before reaching the loading area. Pick-up operations in the north parking lot are not expected to generate considerable queues. Traffic studies at various private academic institutions show a significantly dispersed pick-up operations for higher grades—considerably reduced due to the number of student drivers and after school activities.

NOTE: site access and circulation recommendations also included an evaluation of student population distribution by ZIP Code.

Passenger Unloading/Loading

During morning drop-off periods, vehicular traffic will enter the school site to unload students directly at their designated unloading areas. Alternatively, parents will be permitted to proceed toward the visitor-designated parking and walk students to the building. During afternoon pick-up periods, vehicular traffic will drive into the parking lot and either join the queue line to load passengers or park in a designated visitor parking space to wait for their student(s) to arrive.

The School will enforce a managed loading protocol during the afternoon pick-up periods whereby vehicles enter and circulate through the prescribed route and form a systematic queue. Students will be released from the school *en masse*. School staff will also be positioned at strategic locations ahead of the pick-up areas to relay the sequence of parents' arrival back to the loading zone. School will potentially load several vehicles simultaneously with the assistance of staff stationed at the loading area. Once loaded, vehicles are cleared by school staff to carefully egress along the designated route.

Vehicle Queuing

The goal for any school is to accommodate all vehicular queuing and drop-off/pick-up procedures on private property. In lieu of any published, standardized technique for projecting necessary queue lengths, DeShazo developed a proprietary methodology for estimating peak vehicular queue based upon historical studies conducted at various school sites. School observations consistently indicate that maximum queues occur during the afternoon peak period when students are being picked-up—the morning period is typically not a significant traffic issue since drop-off activities are more temporally distributed and occurs much more quickly than student pick-up. The projected peak number of vehicles during each dismissal time is provided in **Table 2**.

Table 2. Peak On-Site Vehicle Demand during Afternoon Pick-Up Period

Student Group:	6th-9th Grade	10th-12th Grade
Dismissal Time:	3:00 PM	3:00 PM
Student Drivers:	--	50 students
Student pick-up:	90 students	70 students
Peak Number of Vehicles (*estimated*):	**23 vehicles**	**10 vehicles**

SUMMARY & RECOMMENDATIONS

School traffic delays and congestion during the afternoon pick-up period is notably greater than the traffic generated during the morning drop-off period due to timing and concentration characteristics. In most instances, achieving efficiency during the afternoon period is most critical, while the morning traffic operations require nominal active management. The following recommendations are provided by DeShazo to the School for the management of traffic specifically generated by the School during the afternoon periods.

1. The School should implement an "Advance Passenger Identification System". At the beginning of each school term, parents should be issued hangtags with unique identification that pairs them with corresponding student(s). During the pick-up period, hangtags must be on display through the

vehicle's windshield while parents arrive at the pick-up areas. School staff should be positioned at strategic locations ahead of the loading area and relay the sequence of arrivals via hand radio while students are prepped for pick-up. With the assistance of other school staff stationed at the loading area, several vehicles should be loaded simultaneously. After loading, vehicles should be cleared by school staff to carefully exit the queue along the designated route.

2. DeShazo recommends implementation of the traffic circulation plan depicted in **Exhibit 1** based upon a review of the proposed site and the anticipated needs of traffic during peak conditions. This plan was designated to optimize the on-site vehicular circulation and retention of queued vehicles in a manner that promotes safety and operational efficiency. The recommended plan provides a designated route for each queue and its respective loading zone.
    - The loading area for 6th – 9th grade students in the south side of school campus provides 753 linear feet of on-site vehicular queuing or storage for up to 32 vehicles at 23.5 feet per vehicle. This capacity is expected to accommodate the projected vehicle demand for 6-9th grade students of 23 vehicles and provide a surplus of 212 linear feet.
    - The loading area for 10th – 12th grade students in the north side of school campus provides 564 linear feet of on-site vehicular queuing or storage for up to 24 vehicles at 23.5 feet per vehicle. This capacity is expected to accommodate the projected vehicle demand for 10th-12th grade students of 10 vehicles and provide a surplus of 329 linear feet.
3. School should block all vehicular access at the westernmost driveway on Regent Drive. The plan also includes a recommended configuration of temporary traffic control devices (such as traffic cones, etc.) that shall be installed on a daily basis when typical traffic conditions are expected. An appropriate number of school staff should be assigned to fulfill the duties of student supervision, traffic control, and other related duties as generally depicted on the plan.
4. Staff directing traffic should, in lieu of simple hand gestures, procure and use reversible hand-paddle signs with the messages (and symbols) for STOP and for SLOW (i.e., proceed slowly). Optional additional equipment used by staff may include whistles (for audible warnings) and flashlights (for visual warnings) in order to better-gain the attention of motorists.
5. No person(s) other than deputized officers of the law should engage or attempt to influence traffic operations in public right-of-way to minimize liabilities.
6. Reserved parking areas should be clearly marked for parents and visitors to identify staff and student parking to optimize traffic operations. The recommended parking assignment shown in **Exhibit 1** is meant to assign school staff (i.e., reserved) to spaces that may potentially be blocked by ingress queue under the assumption that those school staff do not arrive/depart the campus during student pick-up period(s). Likewise, the proposed student parking is intended to be located outside of the queue operations during the 6th-9th grade queue operations.
7. The school should install a temporary EXIT ONLY sign on the western driveway on Royal Lane to enforce a one-way traffic in the north parking lot.

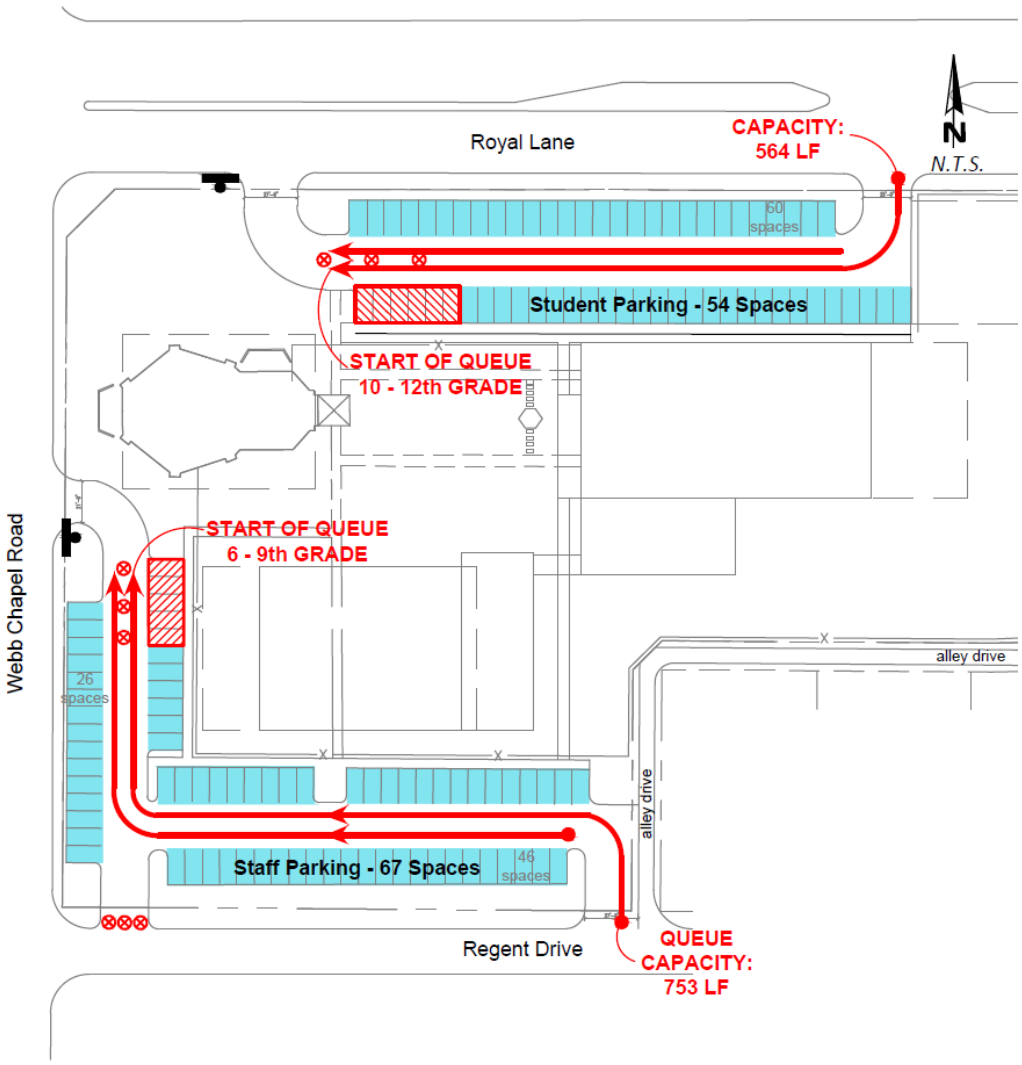
The full cooperation of all school staff members, students, and parents is crucial for the success of this traffic management plan. Proper training of school staff on duties and expectations pertaining to the plan is recommended. Sufficient communications at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended. In general, the following practices should also be enforced.

Passenger loading and unloading within public right-of-way should be avoided at all times to maximize personal safety. All queuing and parking should be accommodated within the school site boundaries. For circumstances where this cannot be avoided, coordination with City staff responsible for traffic operations in the area should occur so that appropriate mitigation measures can be immediately investigated.

This TMP is to be used by The Cambridge School of Dallas to provide safe and efficient transportation of students, staff, and faculty to and from the site. The plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating within the site vehicular traffic generated by the school at peak traffic periods. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness. A concerted effort and full participation by the school administration, staff, students and parents are essential to maintain safe and efficient traffic operations. The use of designated parking and queuing areas is necessary to minimize the operational impact on adjacent properties and the public street system.

END OF MEMO

DeShazo Group, Inc. Job No. 16066 Exhibit Created on 06-13-2016



Queuing Summary

Student Group	Dismissal Times & Students	Vehicular Demand	
6 - 9th: 90 Students	8:00 AM 3:00 PM	Provided: Projected: Surplus:	753 LF (32 Cars) 541 LF (23 Cars) 212 LF (9 Cars)
10 - 12th: 120 Students (50 driving)	8:00 AM 3:00 PM	Provided: Projected: Surplus:	564 LF (24 Cars) 235 LF (10 Cars) 329 LF (14 Cars)

**Vehicular queue calculated at 23.5 feet/passenger car based on field observations.*

Legend

- * - School Staff
- ⊗ - Traffic Cones
- Loading Area
- Parking
- Provided Queue Capacity
- Temporary EXIT ONLY Sign (OPTIONAL)

The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. This TMP was developed to prevent queuing of drop-off/pick-up related vehicles within the city rights-of-way. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.

I, David Nevarez, P.E. #106200, certify that the results of the queuing analysis–upon complete enforcement of this Traffic Management Plan–indicate that no queuing of vehicles will extend into City of Dallas rights-of-way as a result of internal queuing constraints during the study peak hours of school operation.

EXHIBIT **1**

Traffic Management Plan

The Cambridge School of Dallas
3202 Royal Lane, Dallas, TX

DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748.6740

Z189-213(SM)

CPC RECOMMENDED TRAFFIC MANAGEMENT PLAN

LAMBETH ENGINEERING ASSOCIATES PLLC

STATE OF TEXAS
CHRISTY H. LAMBETH
91036
LICENSED
PROFESSIONAL ENGINEER
June 6, 2019

Traffic Management Plan

To: Dr. Paul Wolfe
The Cambridge School of Dallas

From: Christy Lambeth, P.E., PTOE
Lambeth Engineering Associates, PLLC
Texas Registered Engineering Firm F-19508

Date: June 6, 2019

Re: TMP for The Cambridge School of Dallas's Planned Location on Royal Lane in Dallas, Texas
(City of Dallas # Z189-213(SM); Lambeth #007DAL)

Introduction

The Cambridge School of Dallas (Cambridge) is currently located at 3877 Walnut Hill Lane in Dallas, Texas. The services of Lambeth Engineering Associates, PLLC (herein Lambeth) were retained to update the traffic management plan (TMP) for Cambridge at their new, proposed location southeast of the Royal Lane/Webb Chapel Road intersection at 3202 Royal Lane in Dallas, Texas.

Cambridge's proposed location is currently zoned PD 623. The School is revising its development plan and PD; therefore, this TMP update is required for the planned Cambridge site.

The purpose of this TMP is to ensure safe vehicular and pedestrian circulation during peak morning drop-off and afternoon pick-up periods at the new site. Lambeth communicated and met with Dr. Paul Wolfe and Whitney Messer throughout the process of developing this TMP.

School Description

Cambridge currently has 14 homerooms and 104 students in 5th through 12th grades. The new school location is planned to accommodate 240 students and have 16 classrooms. Once at the new site, the student enrollment is planned to increase gradually over a five-plus-year period to its 240-student capacity.

School begins at 8:00 AM and classes are dismissed at 3:00 PM. Approximately 21% of the students drive, 3% walk and others are transported by parents or ride with sibling drivers. About 55% of the students stay for after-school activities.

Site Access

The new school site on Royal Lane will utilize two access points: one driveway on Royal Lane across from an existing median opening, and one driveway on Webb Chapel Road. The driveway on Webb Chapel Road will be right-in/right-out-only and used by school staff. Royal Lane and Webb Chapel Road are both six-lane, divided roadways and Regent Drive is a two-lane, undivided roadway.

8637 CR 148, Kaufman, TX 75142 • 972.989.3256 • christy@lambethengineering.com

Sidewalks are provided along Regent Drive and a major portion of Earlshire Drive. The school will add new sidewalks on Royal Lane and Webb Chapel Road.

A "NO PARKING FROM HERE TO CORNER" sign is posted on Regent Drive just east of Webb Chapel Road and a "NO PARKING" sign is posted on Webb Chapel Road at Royal Lane.

Traffic Management Plan

Observations

Traffic observations were conducted for the existing site's 2017 and 2019 TMPs - for a total of eight (8) observations over the last two years. As shown in **Table 1**, the peak observed queue was ten (10) vehicles in 2017 with a student enrollment of 118 students and 12 vehicles in 2019 with a student enrollment of 104 students. Although the peak of 12 vehicles occurred only one time throughout the observations, it is used as the basis for this TMP and represents the worst-case scenario, resulting in a demand of one (1) queued vehicle per nine (9) students. Observation notes are provided in the **Appendix.**

Table 1. TMP Observations

Day Observed	Time Period	Peak Queue
2017 Student Enrollment: 118		
Tuesday, August 29, 2017	PM Dismissal	10 Vehicles
Wednesday, August 30, 2017	AM Arrival	6 Vehicles
Wednesday, August 30, 2017	PM Dismissal	10 Vehicles
Wednesday, September 6, 2017	PM Dismissal	9 Vehicles
2019 Student Enrollment: 104		
Tuesday, January 22, 2019	PM Dismissal	9 Vehicles
Friday, February 1, 2019	AM Arrival	5 Vehicles
Monday, February 4, 2019	AM Arrival	5 Vehicles
Monday, February 4, 2019	PM Dismissal	12 Vehicles

Recommendations

The recommended TMP is shown in **Exhibit 1**. During the mornings, it is recommended that a faculty member monitor the drop-off area. During the afternoon, it is recommended that a faculty member monitor the pick-up area from 3:00 PM until at least 3:20 PM and notify students via walkie-talkie which parents have arrived in the parking lot so that the proper student is at the loading area prior to their parent's arrival.

Parents and students will enter/exit via Royal Lane. The queue space provided on the site plan provides enough space to accommodate the projected queue and still have nine (9) surplus queue spaces at site buildout.

When the student population reaches 150 students—or the queue reaches the driveway onto Royal Lane, traffic cones should be placed at the front driveway directing inbound motorists to turn right and proceed to queue around the turnaround on the north side of the school building.

To facilitate vehicles leaving the site, all motorists should turn right. Left turns will be prohibited with the modification of a hooded left-turn median that allows left turns into the site, but not out of the site.

School-related vehicles are not permitted to enter/exit the school via Regent Drive, Earlshire Drive or Royal Club Lane.

This TMP includes recommended parking locations for staff, students and visitors. About 75 parking spaces will be needed to satisfy the projected demand for staff/faculty and student drivers. The proposed development plan has 132 parking spaces, which is more than adequate to meet the demand for the projected increase in staff/faculty, students and visitors. The parking lot on Webb Chapel is for staff; parents are not permitted to drop-off or pick-up students in this parking lot.

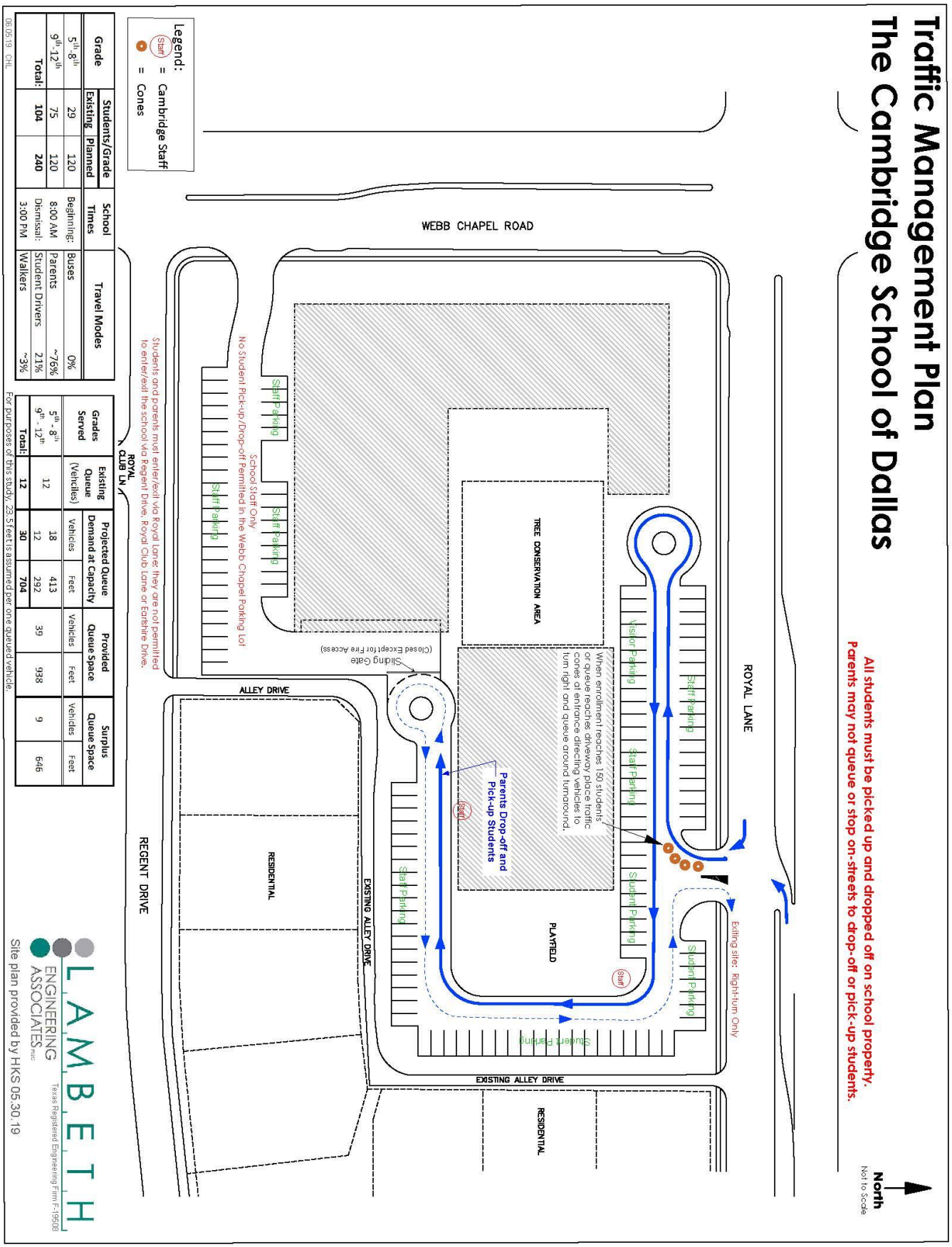
Cambridge should discuss the circulation plan with parents at student orientations, post the plan on-line, and provide to parents electronically and/or printed.

Summary

The Cambridge School of Dallas's Traffic Management Plan is designed to provide safe vehicular and pedestrian movement and to accommodate the projected vehicular queues on site with a surplus of nine (9) spaces (as shown on the TMP). The TMP was designed for full site buildout. Cambridge plans to slowly grow the school enrollment over at least a five-year period. This will allow modifications to be made to the TMP, if needed, so that the vehicular queue remains on site.

Parents and students are permitted to access the site via Royal Lane only – not traveling on Regent Drive, Earlshire Drive or Royal Club Lane. The parking lot on Webb Chapel is for staff parking; parents are not permitted to drop-off or pick-up students in this parking lot.

If traffic congestion or unsafe movements are noticed, the plan should be reviewed and updated promptly. If the City or neighbors have concerns with the school's traffic operations, they can contact Whitney Messer, Business and Facilities Manager, at 214-357-2995.



Grade	Students/Grade	
	Existing	Planned
5th - 8th	29	120
9th - 12th	75	120
Total:	104	240

School Times	
Beginning:	8:00 AM
Dismissal:	3:00 PM

Travel Modes	
Buses	0%
Parents	~76%
Student Drivers	21%
Walkers	~3%

Grades Served	Existing Queue	Projected Queue Demand at Capacity		Provided Queue Space		Surplus Queue Space	
	(Vehicles)	Vehicles	Feet	Vehicles	Feet	Vehicles	Feet
5th - 8th	12	18	413	39	938	9	646
9th - 12th		12	292				
Total:	12	30	704				

For purposes of this study, 23 Feet is assumed per one queued vehicle.

06.05.19 CHL

LAMBETH ENGINEERING ASSOCIATES

REVIEW AND COMMITMENT

The school traffic management plan for **The Cambridge School of Dallas,** on Royal Lane in Dallas, Texas, was developed with the intent of optimizing safety and accommodating vehicular traffic queues generated during school peak hours. A concerted effort and full participation by the school administration are essential to maintain safe and efficient traffic operations.

By consent of this TMP submittal, the school administration agrees to the strategies presented herein for which the school is held responsible unless the City of Dallas deems further measures are appropriate.

The school is also committed to continually review and assess the effectiveness of this plan and if warranted, implement changes in the interest of increasing safety and minimizing impacts on the surrounding community.

Whitney Messer
Signature

04/29/2019
Date

Name: Whitney Messer

Title: Business & Facilities Manager

END

Appendix

See statement regarding school-related vehicles accessing the school via the residential area.

THE CAMBRIDGE SCHOOL OF DALLAS
A Christ-Centered, Classical, College Preparatory School

April 30, 2019

Memorandum of Understanding

The following items reflect the commitments of The Cambridge School of Dallas (Cambridge) to homeowners in the area of 3202 Royal Lane. Cambridge desires to be a part of this community in a manner that enhances the neighborhoods in every way. Central to our philosophy of education is that we exist to prepare young men and women to live lives of virtue, be good citizens, and work for the good of the city. The following commitments reflect a few specific outward ways Cambridge seeks to maintain a positive presence within the community.

* Student, parent and teacher drivers will be instructed and held accountable to enter the site without going through the neighboring residential area. The only exception to this rule is for students and employees living within Sparkman Estates;

* Cambridge will endeavor to meet periodically with the area homeowners;

* Cambridge will address traffic and parking rules within its Student/Parent Handbook, which will be available on their webpage;

* Cambridge will annually (or sooner as needed) update information on its webpage for emergency contact related to the campus;

* A calendar of regular School events which may bring increased traffic to the campus during non-instructional times will be posted on the School's webpage.

* Regarding Construction of the New Campus:

  - A 24-hour contact number will be posted on-site and on the School's webpage;

  Cambridge will ensure contractors are aware of and governed by all appropriate City of Dallas regulations, including and/or in addition to the following:

  - Access to site for deliveries or employees is limited to Webb Chapel Road or Royal Lane;
  - Work is limited to those times allowed per City of Dallas regulations;
  - Contractor employees are not allowed on neighboring properties except as required to perform work related to the school construction.

3877 Walnut Hill Lane Dallas, Texas 75229 214-357-2995 csd@cambridgedallas.org www.cambridgedallas.org

2019 Cambridge TMP Observations

TMP Observations

LAMBETH ENGINEERING ASSOCIATES

Date: Tuesday, January 22, 2019
Location: The Cambridge School of Dallas, 3877 Walnut Hill Lane, Dallas, TX
Description: Private School, 6th - 12th grades
Observed by: Christy Lambeth and Andrew Nichols
Project: TMP Update for Cambridge School of Dallas (010DAL)

Time	Vehciles Queued		
	Tuesday Jan 22, 2019	Friday Feb 1, 2019	Monday Feb 4, 2019
7:30 AM		2	1
7:35 AM		1	1
7:43 AM		3	2
7:45 AM		2	3
7:50 AM		**5**	4
7:52 AM		2	2
7:53 AM		3	2
7:55 AM		2	1
7:57 AM		3	2
7:58 AM		1	5
8:00 AM		1	1
2:50 PM	2	--	5
2:55 PM	4	--	6
2:57 PM	7	--	9
3:00 PM	8	--	**12**
3:02 PM	**9**		9
3:04 PM	7	--	6
3:05 PM	7	--	8
3:06 PM	8	--	7
3:08 PM	6	--	6
3:10 PM	5	--	5
3:15 PM	5	--	6
3:17 PM	3	--	2
3:20 PM	2	--	2
Peak Queue:	**9**	**5**	**12**





Observation Notes:

One security guard was present during dismissal.

One faculty member in parking lot, during PM communicated with walking talkie to faculty that is with students in the student hall.

Faculty member stays in parking lot from 3:00 PM - 3:30 PM.

Two to four students walked after school.

One to five parents parked and walked into the school to pick up students.

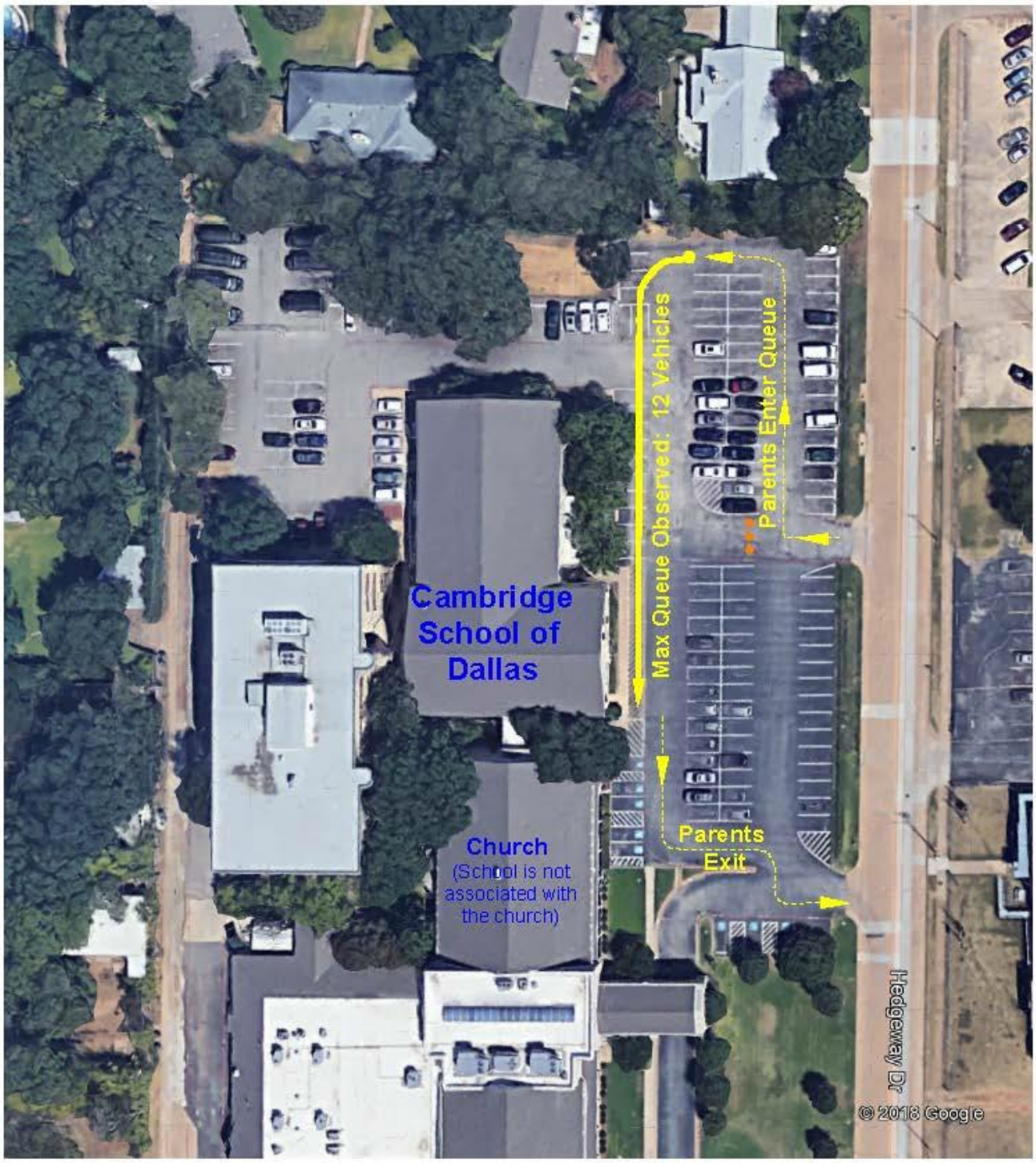
Parents followed TMP circulation plan.

There is a school zone on Hedgeway Drive.

Printed on 02/18/2019

The Cambridge School of Dallas
TMP Observations

LAMBETH ENGINEERING ASSOCIATES



Peak Queue: 12 Vehicles observed one time, next peak: 9 vehicles.
Parents followed TMP.
Observed 01.22.19, 02.01.19, 02.04.19

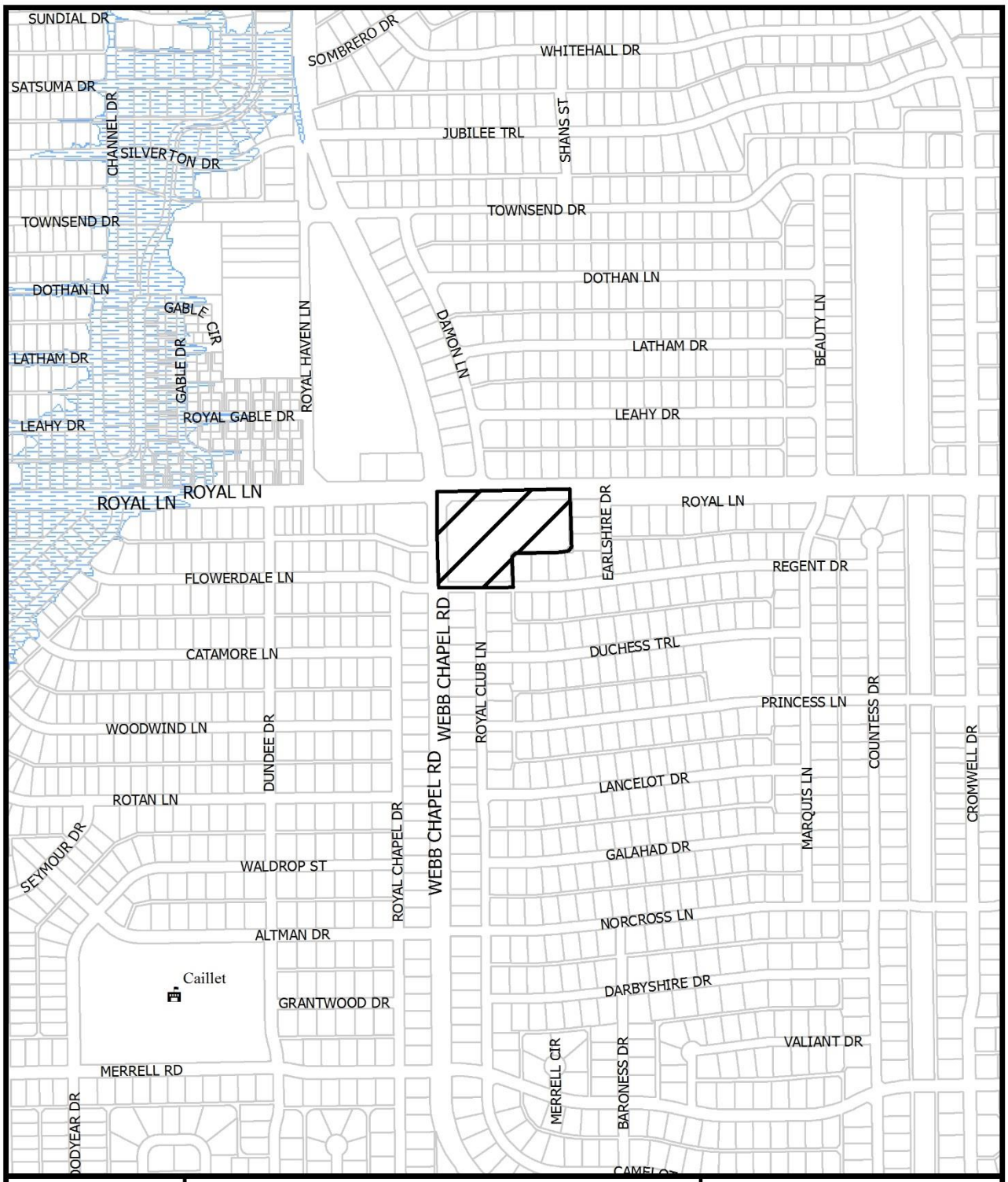
Lambeth #010DAL

2017 Cambridge TMP Observations

Table 2. Field Observations

Day, Date Observed	Time Observed	Peak Queue Observed
Tuesday, August 29, 2017	2:45 PM – 3:30 PM	10 Vehicles
Wednesday, August 30, 2017	7:20 AM – 8:15 AM	6 Vehicles
Wednesday, August 30, 2017	2:45 PM – 3:30 PM	10 Vehicles
Wednesday, September 6, 2017	2:45 PM – 3:30 PM	9 Vehicles

2017 Field Observations From:
Lambeth, Christy. "Traffic Management Plan: The Cambridge School of Dallas, in Dallas, TX." 17 October 2017, p. 3.

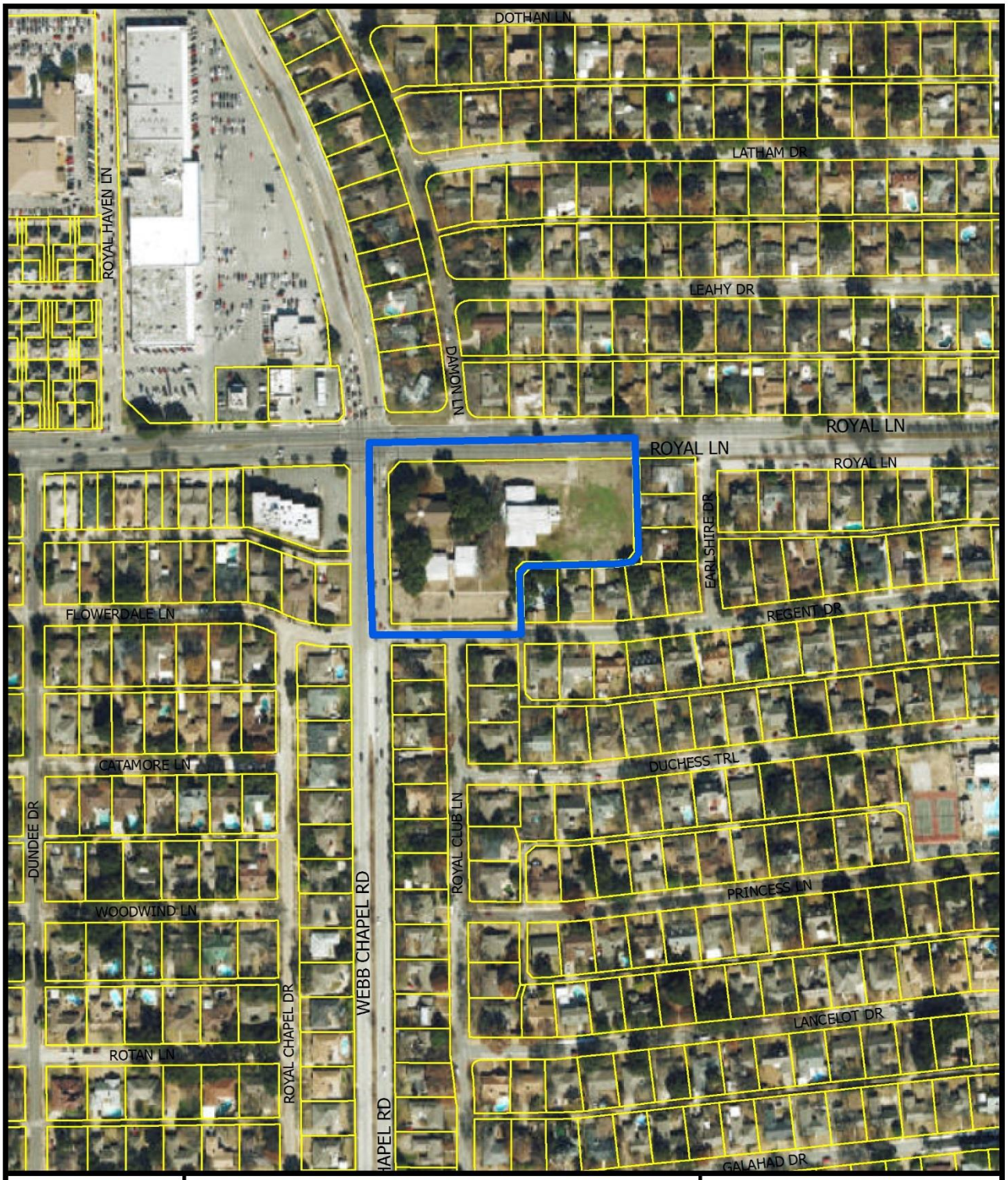


1:7,200

VICINITY MAP

Case no: Z189-213

Date: 3/8/2019

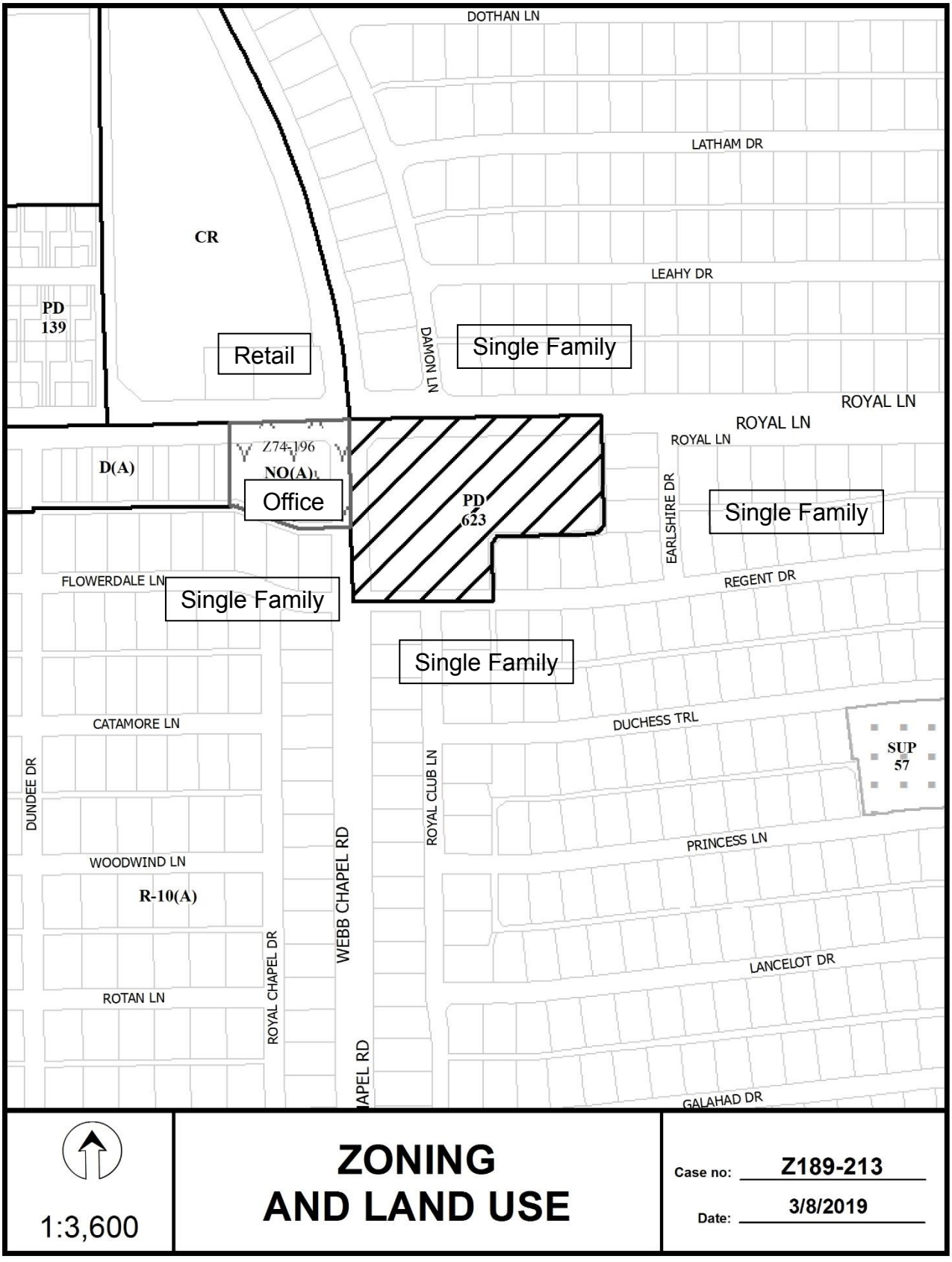


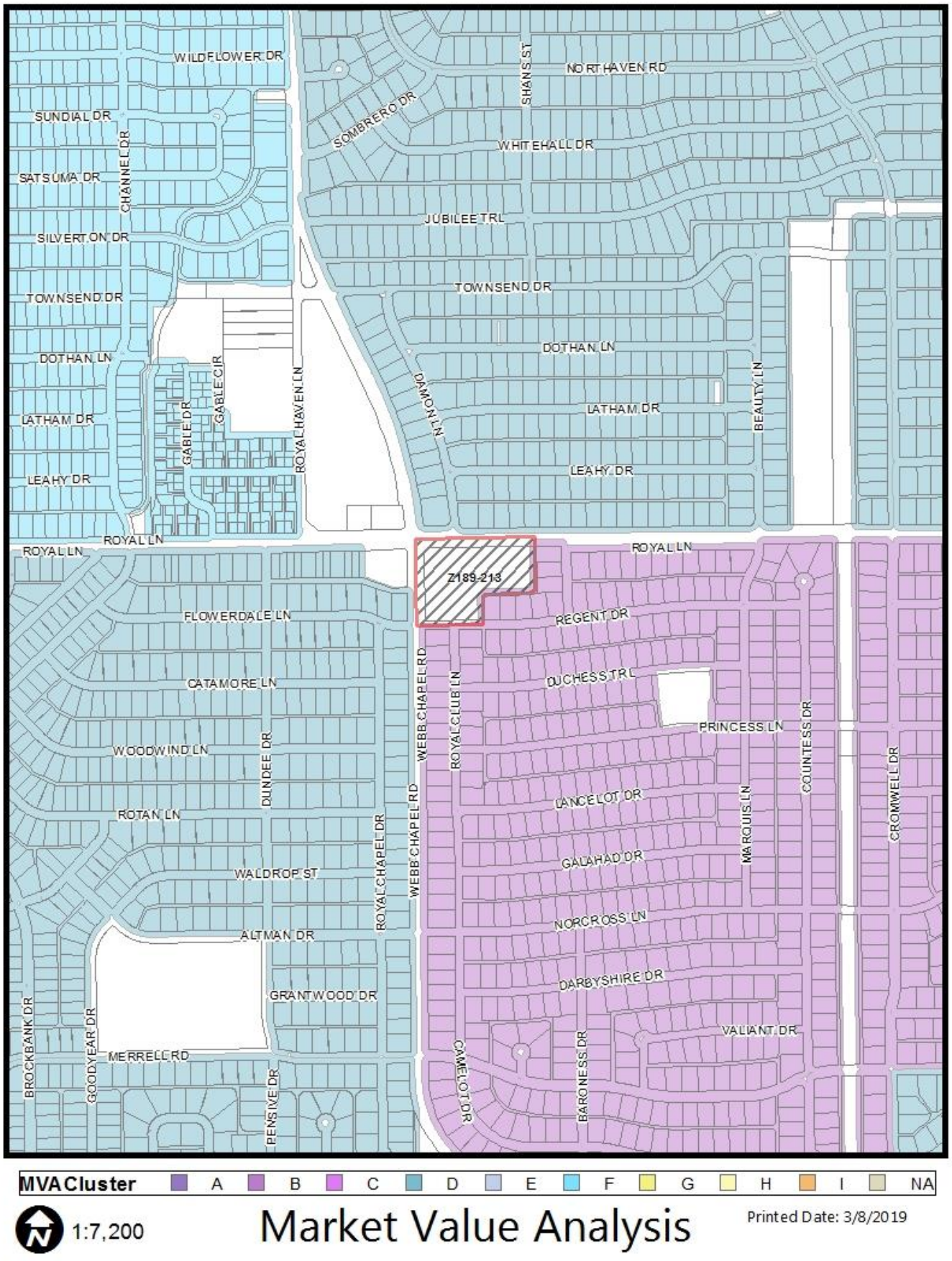
1:3,600

AERIAL MAP

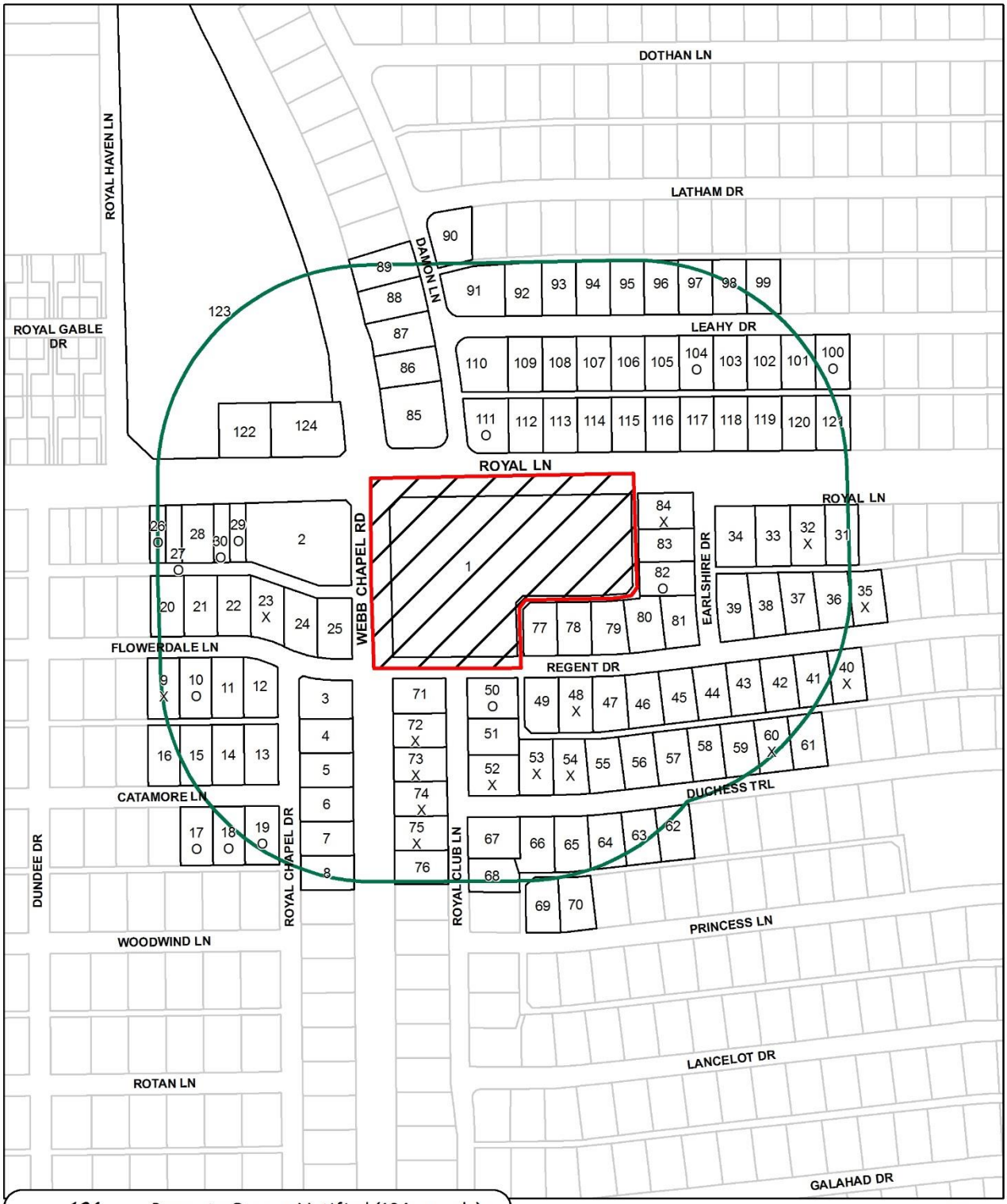
Case no: Z189-213

Date: 3/8/2019


DOTHAN LN
LATHAM DR
LEAHY DR
CR
PD 139
Retail
DAMON LN
Single Family
ROYAL LN
ROYAL LN
ROYAL LN
Z74-196
D(A)
NO(A)
Office
PD 623
EARLSHIRE DR
Single Family
FLOWERDALE LN
Single Family
REGENT DR
Single Family
CATAMORE LN
DUCHESS TRL
SUP 57
DUNDEE DR
ROYAL CLUB LN
PRINCESS LN
WOODWIND LN
R-10(A)
WEBB CHAPEL RD
ROYAL CHAPEL DR
LANCELOT DR
ROTAN LN
APEL RD
GALAHAD DR
1:3,600
ZONING
AND LAND USE
Case no: Z189-213
Date: 3/8/2019


WILDFLOWER DR
SUNDIAL DR
SATSUMA DR
SILVERTON DR
TOWNSEND DR
DOTHAN LN
LATHAM DR
LEAHY DR
ROYAL LN
CHANNEL DR
GABLE DR
GABLE CIR
ROYAL HAVEN LN
SOMBRERO DR
SHANS ST
NORTHAVEN RD
WHITEHALL DR
JUBILEE TRL
TOWNSEND DR
DOTHAN LN
DIAMOND LN
LATHAM DR
BEAUTY LN
LEAHY DR
ROYAL LN
ROYAL LN
Z189-213
REGENT DR
FLOWERDALE LN
CATAMORE LN
WOODWIND LN
ROTAN LN
WALDROP ST
ALTMAN DR
GRANTWOOD DR
MERRELL RD
BROCKBANK DR
GOODYEAR DR
PENSIVE DR
DUNDEE DR
ROYAL CHAPEL DR
WEBB CHAPEL RD
WEBB CHAPEL RD
ROYAL CLUB LN
DUCHESS TRL
PRINCESS LN
LANCELOT DR
GALAHAD DR
NORCROSS LN
DARBYSHIRE DR
VALIANT DR
CAMELOT DR
BARONESS DR
MARQUIS LN
COUNTESS DR
CROMWELL DR
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:7,200
Market Value Analysis
Printed Date: 3/8/2019

CPC RESPONSES



124	Property Owners Notified (124 parcels)
13	Replies in Favor (13 parcels)
15	Replies in Opposition (15 parcels)
500'	Area of Notification
6/20/2019	Date

Z189-213
CPC

N
W E
S

1:3,600

06/19/2019

Reply List of Property Owners

Z189-213

124 Property Owners Notified ***13 Property Owners in Favor*** ***15 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3202	ROYAL LN	CAMBRIDGE SCHOOL OF DALLAS THE
	2	3198	ROYAL LN	PRIDE CHARLEY ENT
	3	10636	ROYAL CHAPEL DR	CHISOLM ROBERT & HELEN
	4	10632	ROYAL CHAPEL DR	SOLANO BENITA
	5	10626	ROYAL CHAPEL DR	DUNLAP CECILE & CHARLES
	6	10622	ROYAL CHAPEL DR	GODINEZ GONZALO &
	7	10616	ROYAL CHAPEL DR	LOREDO JOHNNY &
	8	10612	ROYAL CHAPEL DR	RUSSELL BOYD TAYLOR III
X	9	3222	FLOWERDALE LN	GRIMES STEVEN
O	10	3228	FLOWERDALE LN	SCARBROUGH BENJAMIN P &
	11	3232	FLOWERDALE LN	BANDA PEDRO &
	12	3240	FLOWERDALE LN	LOPEZ ARMANDO & MIRTHALA
	13	3237	CATAMORE LN	DUSTIN STEPHEN C & CHERYL
	14	3233	CATAMORE LN	HANNAH CHASE & BRITNEY
	15	3227	CATAMORE LN	OLMSTED REESE M
	16	3221	CATAMORE LN	REBURN JEFFREY
O	17	3226	CATAMORE LN	PRIEST ROBYN &
O	18	3232	CATAMORE LN	HAMILTON FREDERICK W
O	19	3238	CATAMORE LN	BALDWIN ROBERT L &
	20	3223	FLOWERDALE LN	FISCHER DONALD C
	21	3229	FLOWERDALE LN	OBRIEN BUCKNER T &
	22	3235	FLOWERDALE LN	MONTERREY ENTERPRISES LTD
X	23	3241	FLOWERDALE LN	TAPIA ROBERT
	24	3247	FLOWERDALE LN	ORTIZ BRENDA
	25	3253	FLOWERDALE LN	ORTIZ JUAN C
O	26	3174	ROYAL LN	GREEN GORMAN R

06/19/2019

Reply	*Label #*	*Address*		*Owner*
O	27	3176	ROYAL LN	COKER CLAUDIA G
	28	3180	ROYAL LN	OGLE EDITH W
O	29	3188	ROYAL LN	HOWARD STEVEN C
O	30	3186	ROYAL LN	HOWARD STEVEN C
	31	3316	ROYAL LN	FRANCOIS CAROL V
X	32	3312	ROYAL LN	3312 ROYAL LANE
	33	3308	ROYAL LN	GOOLSBY TRACY LEE
	34	3304	ROYAL LN	KING RAYMOND MICHAEL &
X	35	3333	REGENT DR	KOPPA LANCE D & RACHEL
	36	3325	REGENT DR	THOMAS STEPHEN H &
	37	3319	REGENT DR	BEATTY DAVID JAMES &
	38	3311	REGENT DR	CAMPBELL CHARLES E &
	39	3305	REGENT DR	WALKER CAROL
X	40	3326	REGENT DR	MCCARTAN KYLE & ANDREA GREEN
	41	3320	REGENT DR	SMITH KERRIE & JEFFERY TODD
	42	3312	REGENT DR	WRIGHT ANN E
	43	3306	REGENT DR	BLUE HERON VENTURES LLC
	44	3264	REGENT DR	SOSA RONALD R
	45	3256	REGENT DR	DUARTE ENEDINA J TRUSTEE
	46	3248	REGENT DR	DUKE MARY CATHERINE & KYLE WAYNE
	47	3242	REGENT DR	FANG XIAO EN
X	48	3236	REGENT DR	PFANNENSTIEL DARRIN
	49	3228	REGENT DR	BENDER CRAIG ALEXANDER
O	50	10636	ROYAL CLUB LN	OBRIEN JAMES B &
	51	10632	ROYAL CLUB LN	HARRIS JOE DANIEL &
X	52	10626	ROYAL CLUB LN	KODAT JEFFREY & LAURA
X	53	3217	DUCHESS TRL	DEBTER CHARLES F &
X	54	3223	DUCHESS TRL	KEATHLEY DARRELL H
	55	3227	DUCHESS TRL	KENNEDY HUNTER &
	56	3233	DUCHESS TRL	CREAMER GAYLE F
	57	3237	DUCHESS TRL	MUNTZEL MARK JR &

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	58	3243	DUCHESS TRL	SCHWALB ORA MAE
	59	3247	DUCHESS TRL	LOMONT BART MICHAEL &
X	60	3305	DUCHESS TRL	STARK DOLLYE L
	61	3309	DUCHESS TRL	KEY MELISSA ANN
	62	3236	DUCHESS TRL	HOWARTH LAURA & RICHARD
	63	3232	DUCHESS TRL	ADR MCCORMICK
	64	3226	DUCHESS TRL	MULRY PAULETTE &
	65	3222	DUCHESS TRL	DEHAVEN CAROL J LIFE ESTATE
	66	3216	DUCHESS TRL	TOOTHAKER BESSIE A
	67	10618	ROYAL CLUB LN	BAUER JOSHUA
	68	10614	ROYAL CLUB LN	BEASLEY CLARENCE C III & JENNIFER THOMASBEASLEY
	69	3215	PRINCESS LN	MOORE ADAM & ANNEKA
	70	3221	PRINCESS LN	HAMPEL JUDITH E
	71	10637	ROYAL CLUB LN	VILLAVICENCIO REGINALD &
X	72	10633	ROYAL CLUB LN	LOMBARD CELIA RYNN D
X	73	10627	ROYAL CLUB LN	CALVER LEWIS C
X	74	10623	ROYAL CLUB LN	PULLIAM ROBERT
X	75	10619	ROYAL CLUB LN	PETTY MARY E
	76	10615	ROYAL CLUB LN	HUNT BRAIN J &
	77	3229	REGENT DR	HAGGARD DAVID II &
	78	3237	REGENT DR	FRAHER KAREN ELIZABETH &
	79	3243	REGENT DR	MODERN REMODELS LLC
	80	3249	REGENT DR	OTTOSEN DONALD CHAD
	81	3257	REGENT DR	PROUSE GREG HOWARD &
O	82	10711	EARLSHIRE DR	HANCOCK JOHN R &
	83	10717	EARLSHIRE DR	KIRKHAM RICHARD S & STEPHANIE
X	84	10723	EARLSHIRE DR	MILLER CASEY A &
	85	10811	DAMON LN	WOLOSHEN BRIAN J
	86	10817	DAMON LN	CORDOVA CATARINO &
	87	10823	DAMON LN	LOPEZ JOSE ALBERTO &
	88	10829	DAMON LN	NOVINSKI STEFAN PAUL &

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	89	10835	DAMON LN	ELIZONDO JORGE F
	90	3208	LATHAM DR	FARMER VALRIE L
	91	3207	LEAHY DR	BUHOLZ MARK A & STEPHANIE N
	92	3215	LEAHY DR	BANKS SCOTT MITCHELL
	93	3221	LEAHY DR	MALLORY JULIE
	94	3227	LEAHY DR	SHLANSKY ALAN M
	95	3233	LEAHY DR	CAMPBELL AMY M
	96	3239	LEAHY DR	A & E REI LLC
	97	3245	LEAHY DR	TYLER NANCY E
	98	3251	LEAHY DR	ROBERTSON EDWARD A JR &
	99	3305	LEAHY DR	LINDOERFER AL JORDAN &
O	100	3316	LEAHY DR	VANCE CATHERINE ANN
	101	3310	LEAHY DR	KYLE REX P & SARA E
	102	3304	LEAHY DR	SATTERFIELD FAMILY TRUST
	103	3250	LEAHY DR	STRAIN ERIK CHRISTOPHER &
O	104	3244	LEAHY DR	HILBURN WILLIAM H JR
	105	3238	LEAHY DR	WARD RUSTY ALLEN & KATRINA CRENWELGE
	106	3232	LEAHY DR	SULLIVAN BAILEY E
	107	3226	LEAHY DR	REEMTSMA WILLIAM L &
	108	3220	LEAHY DR	JAIMES JONERICK &
	109	3214	LEAHY DR	RAINBOW LEARNING UNLIMITED LLC
	110	3206	LEAHY DR	LOPEZ CHRISTIAN & RODOLFO
O	111	3209	ROYAL LN	BENSON BARBARA A
	112	3215	ROYAL LN	MITCHELL JOSHUA &
	113	3221	ROYAL LN	CAVIGLIA DANIEL
	114	3227	ROYAL LN	CAVIGLIA DANIEL L
	115	3233	ROYAL LN	VELEZ MARIA A &
	116	3239	ROYAL LN	EVR INVESTMENTS LLC
	117	3245	ROYAL LN	BAILEY CALVIN M JR
	118	3251	ROYAL LN	TAYLOR JAMES A &
	119	3305	ROYAL LN	ADAMS LANCASTER FAMILY TR

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	120	3311	ROYAL LN	GROUNDS FRANCES
	121	3317	ROYAL LN	FLORES SUZI BEATRIS
	122	3195	ROYAL LN	ROYAL LANE LLC
	123	10815	WEBB CHAPEL RD	CENTRO NP HOLDINGS 12 SPE LLC
	124	10811	WEBB CHAPEL RD	MDC COAST 6 LLC

Agenda Information Sheet

File #: 19-1075 **Item #:** 66.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a D(A) Duplex District on property zoned a CR Community Retail District on the southwest corner of Woodin Boulevard and Seevers Avenue
Recommendation of Staff and CPC: Approval
Z189-230(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-230(SM) **DATE FILED:** March 22, 2019

LOCATION: Southwest corner of Woodin Boulevard and Seevers Avenue

COUNCIL DISTRICT: 4 **MAPSCO:** 54 R

SIZE OF REQUEST: 32,008 square feet **CENSUS TRACT:** 54.00

APPLICANT: Steven Hillburn

OWNERS: Steven Hillburn, Stacy Hillburn, and John O. Baker

REPRESENTATIVE: Peter Kavanagh, Zone Systems

REQUEST: An application for a D(A) Duplex District on property zoned a CR Community Retail District.

SUMMARY: The applicant proposes to develop the four existing undeveloped lots with duplex structures.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The site consists of four undeveloped lots. Aerial photography from 1968 shows the site was previously developed with three residential structures on the three westernmost lots of the area of request (110, 114, and 118 East Woodin Bouivard). The easternmost lot, on the southwest corner of Woodin Boulevard and Seevers Avenue (122 East Woodin Boulevard), has remained undeveloped, according to aerial photography since 1952.

- By July 18, 1989, the area of request transitioned from a GR General Retail District, which allowed residential and nonresidential uses, to a CR Community Retail District which prohibits residential uses.

- Demolition permits were completed for the following lots within the area of request as follows:
    - October 26, 1992 at 114 East Woodin Boulevard,
    - January 6, 2016 at 118 East Woodin Boulevard, and
    - December 13, 2018 at 110 East Woodin Boulevard.

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

Thoroughfares/Streets:

Thoroughfares/Street	Function	ROW
Woodin Boulevard	Local	90 feet
Seevers Avenue	Local	50 feet

Traffic:

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

Comprehensive Plan:

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

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.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

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.

Neighborhood Plus Strategic Goal 5.0 EXPAND HOME-OWNERSHIP

5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

5.2 Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners.

STAFF ANALYSIS

Land Use Compatibility:

The overall site is comprised of four properties, which combined, total approximately 0.7348 acres of land. The purpose of this request is to change the zoning of the entire subject site to a D(A) Duplex District, which allows duplex uses. Surrounding uses include undeveloped land to the west and northwest; a dentist office and a nonconforming single family use to the north, across Woodin Boulevard; single family uses to the east, across Seevers Avenue, and to the south, across the abutting unpaved alley.

Staff supports the applicant's request for a D(A) Duplex District because duplex uses are considered as a compatible transitional use between retail and single family zoning.

Surrounding Land Uses:

	Zoning	Land Use
Site	CR	Undeveloped
North	CR	Undeveloped, Dentist, Single Family
East	R-7.5(A)	Single Family
South	R-7.5(A)	Single Family
West	CR	Undeveloped

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
Existing: CR 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
Proposed: D(A) Duplex	25'	5' for SF 5'/10' duplex OTHER: 10'	1 Dwelling Unit/ 3,000 sq. ft.	36'	60%	Min. Lot: 6,000 sq. ft	Duplex & single family

Staff supports the applicant's request for a D(A) Duplex District primarily because the existing neighborhood fabric of the area of request is residential in nature and because duplex uses would have been allowed under the GR General Retail District (a Chapter 51 zoning district) prior to the City's transition in the late 1980's. However, a zoning change from today's nonresidential zoning district (CR Community Retail) to a residential district (D(A) Duplex) causes more restrictive development standards upon the adjacent property to the west as described below.

1. The Dallas Development Code requires that when blocks are divided between two or more zoning districts, the district with the larger front yard setback establishes the front yard setback for the remainder of the block. Therefore, since the D(A) Duplex District requires a minimum 25-foot front yard setback and the CR Community Retail District requires a 15-foot setback, for the front yard setbacks on the south side of East Woodin Boulevard between Beckley Avenue and Seevers Avenue, the minimum front yard setback would increase from 15 feet to 25 feet, if the applicant's request is approved.

2. The side yard setback for the CR Community Retail District that abuts the area of request to the west would increase from zero to 20 feet.

3. The point of origination for Residential Proximity Slope in CR Community Retail Districts begins at the closest private property of D(A) Duplex Districts. Therefore,

the nonresidential districts to the north and west would have more height restrictions because the point of origination would be moving closer to the nonresidential zoned properties.

Staff considered recommending an MU-1 Mixed Use District in lieu of the requested D(A) Duplex District to avoid the above outcomes but ultimately decided the D(A) Duplex District is more appropriate because 1) the MU-1 Mixed Use District would require that the proposed duplex structures comply with residential proximity slope which would limit the proposed duplex structures to one story, 2) a D(A) Duplex District is a complementary transitional district between the nonresidential zoning of CR Community Retail to the north and west to the residential zoning of R-7.5(A) Single Family District to the east and south, and 3) because the site was previously developed with residential structures.

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. For a duplex use, the minimum parking requirement pursuant to the Dallas Development Code is two parking spaces per dwelling unit.

Landscaping:

Landscaping must be provided in accordance with Article X, as amended.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, the site is surrounded by an “H” MVA cluster.

CPC Action
June 6, 2019

Motion: It was moved to recommend **approval** of a D(A) Duplex District on property zoned a CR Community Retail District on the southwest corner of Woodin Boulevard and Seevers Avenue.

Maker: Johnson
Second: Schultz
Result: Carried: 13 to 0

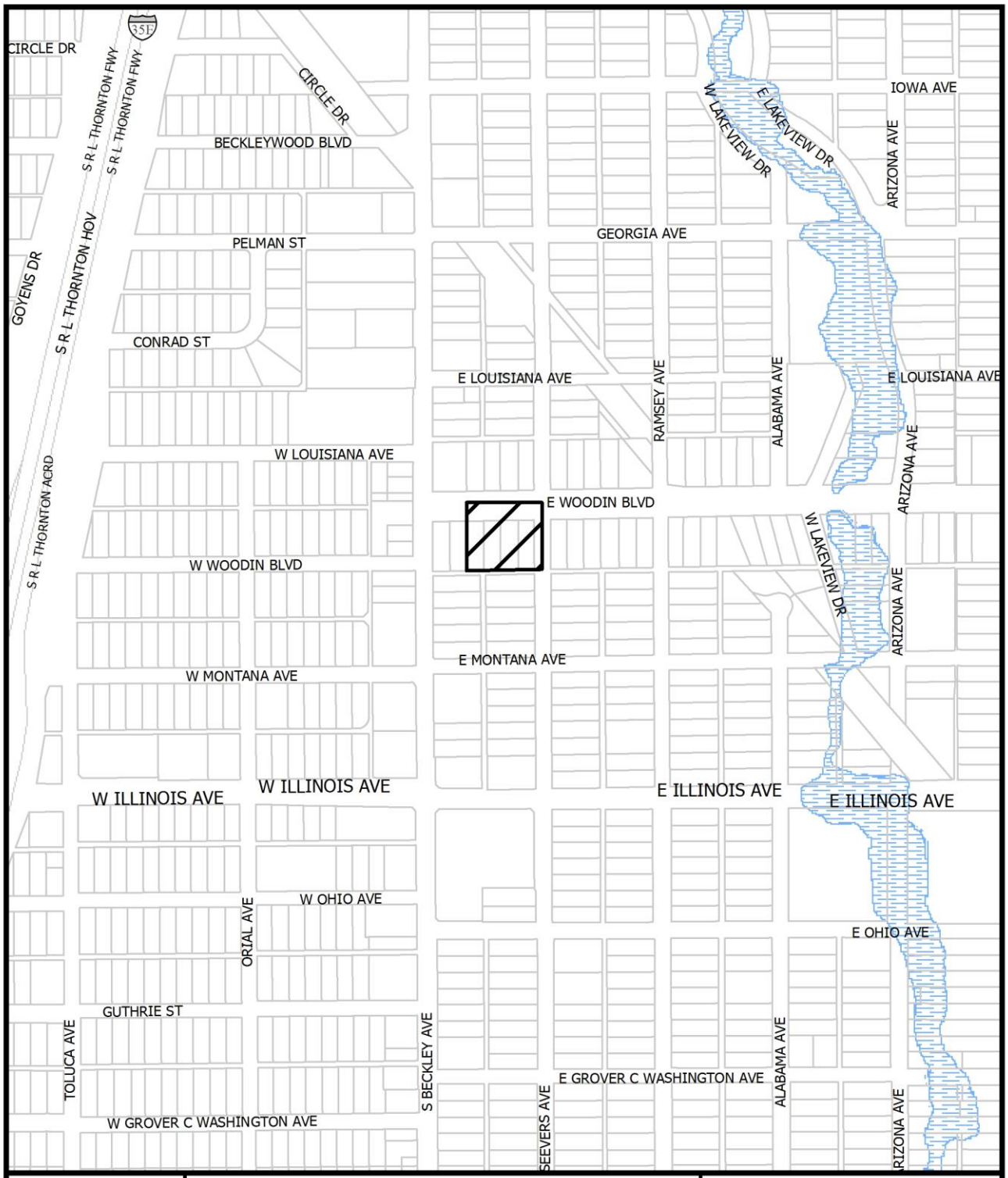
For: 13 - MacGregor, Schulte, Criss*, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 34
Replies: For: 0 Against: 1

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None



1:4,800

VICINITY MAP

Case no: Z189-230

Date: 4/4/2019

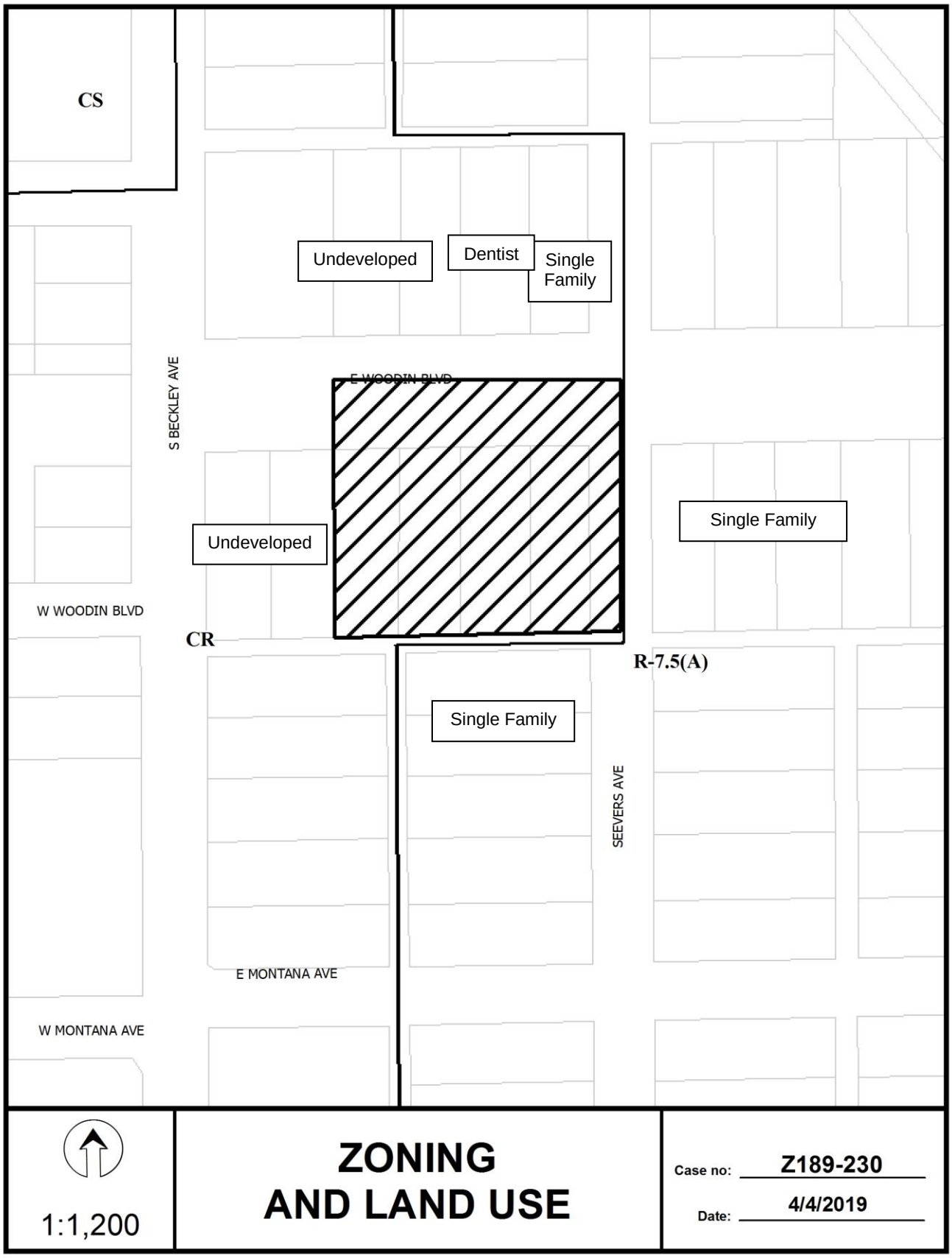


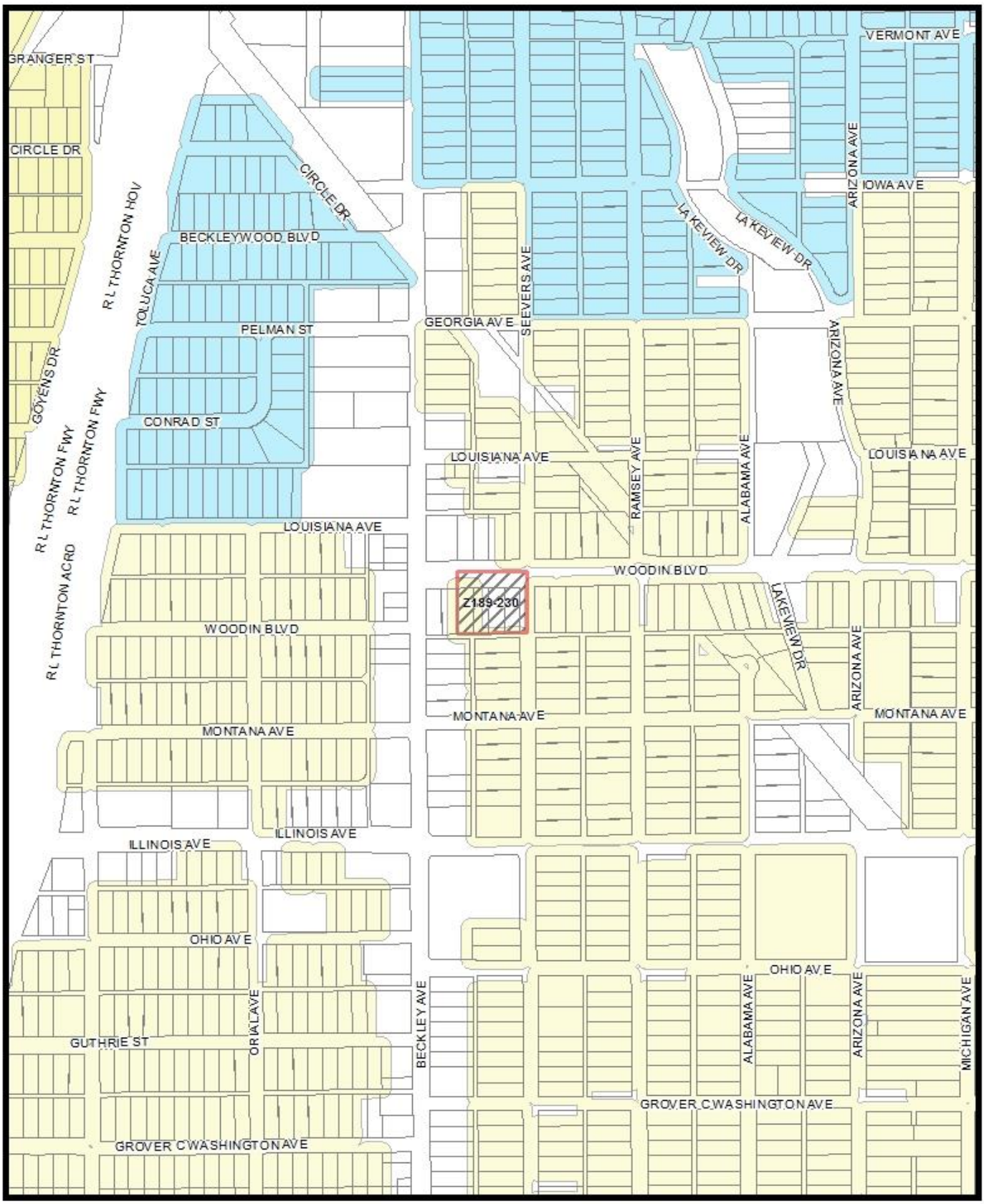
1:1,200

AERIAL MAP

Case no: Z189-230

Date: 4/4/2019


CS
Undeveloped
Dentist
Single Family
S BECKLEY AVE
E WOODIN BLVD
Undeveloped
Single Family
W WOODIN BLVD
CR
R-7.5(A)
Single Family
SEEVERS AVE
E MONTANA AVE
W MONTANA AVE
1:1,200
ZONING
AND LAND USE
Case no: Z189-230
Date: 4/4/2019

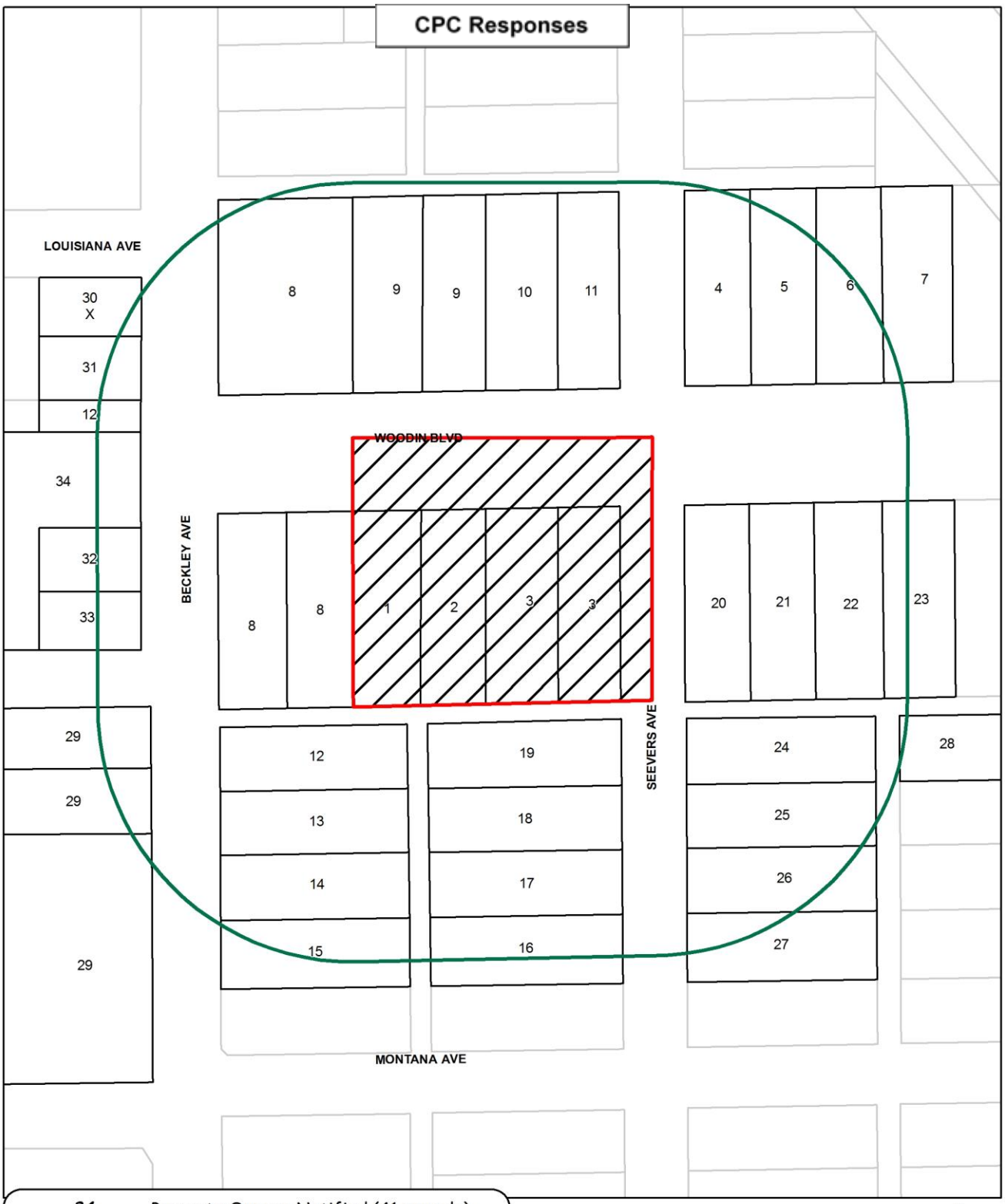


MVA Cluster A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 4/5/2019


CPC Responses
LOUISIANA AVE
WOODIN BLVD
BECKLEY AVE
SEEVERS AVE
MONTANA AVE
30 X
31
12
34
32
33
29
29
29
8
9
9
10
11
4
5
6
7
8
8
1
2
3
3
20
21
22
23
12
19
13
18
14
17
15
16
24
25
26
27
28
34 Property Owners Notified (41 parcels)
0 Replies in Favor (0 parcels)
1 Replies in Opposition (1 parcels)
200' Area of Notification
6/6/2019 Date
Z189-230
CPC
N
W
E
S
1:1,200

06/05/2019

Reply List of Property Owners

Z189-230

34 Property Owners Notified ***0 Property Owners in Favor*** ***1 Property Owner Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	110	E WOODIN BLVD	HILLBURN STEVE & STACEY
	2	114	E WOODIN BLVD	BAKER JOHN O
	3	118	E WOODIN BLVD	BAKER JOHN O
	4	203	E WOODIN BLVD	ROBLES ALTAGRACIA ESTATE OF &
	5	207	E WOODIN BLVD	AGUILAR ENRIQUE VALENZUEL
	6	209	E WOODIN BLVD	AGUILAR BRAULIO DAVID
	7	215	E WOODIN BLVD	TAH HOLDING LP
	8	2016	S BECKLEY AVE	ELISALDE SANTOS J
	9	111	E WOODIN BLVD	BAKER & LUDDEN
	10	119	E WOODIN BLVD	BAKER JOHN THOMAS
	11	123	E WOODIN BLVD	HILBURN STEVE & STACEY
	12	2116	S BECKLEY AVE	ZUBIRI GLORIA
	13	2118	S BECKLEY AVE	LAZARO NICOLE G &
	14	2122	S BECKLEY AVE	MONSIVAIS ALVARO &
	15	2124	S BECKLEY AVE	NOBLES DOCK C
	16	2127	SEEVERS AVE	JONES DORA MAE THOMPSON
	17	2123	SEEVERS AVE	4GG HOMES LLC
	18	2117	SEEVERS AVE	PATEL DHAVAL & SHWETA
	19	2113	SEEVERS AVE	BINION JOHN H
	20	200	E WOODIN BLVD	KENNEDY LARRY
	21	206	E WOODIN BLVD	KENNEDY DE ETTA &
	22	208	E WOODIN BLVD	BALTAZAR NAVOR MARTINA
	23	214	E WOODIN BLVD	OSTON IRA JEAN
	24	2114	SEEVERS AVE	RIVERA MORGELLO F &
	25	2118	SEEVERS AVE	SMITH JOHNNY & JEWELENE
	26	2122	SEEVERS AVE	ARMENTA ANA ELSA &

06/05/2019

Reply	*Label #*	*Address*		*Owner*
	27	2126	SEEVERS AVE	MENDOZA MARIA
	28	2115	RAMSEY AVE	ROJAS SILVINO SR &
	29	2103	S BECKLEY AVE	SHEKINAH TABERNACLE
X	30	2001	S BECKLEY AVE	CUADROS FERMAN
	31	2005	S BECKLEY AVE	TORRE MIGUEL DELA &
	32	2019	S BECKLEY AVE	KING J H
	33	2023	S BECKLEY AVE	COMPANIA DEMETRIO LLC
	34	2011	S BECKLEY AVE	DE LEON CRISTOBAL &

Agenda Information Sheet

File #: 19-1076 **Item #:** 67.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 370 for a child-care facility and a community service center use on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northeast corner of Leland Avenue and Marburg Street
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions
Z189-236(AU)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-236(AU) **DATE FILED:** April 5, 2019

LOCATION: Northeast corner of Leland Avenue and Marburg Street

COUNCIL DISTRICT: 7 **MAPSCO:** 36 C

SIZE OF REQUEST: +/- 1.278 acres **CENSUS TRACT:** 38.00

OWNER / APPLICANT / REPRESENTATIVE: Dallas Bethlehem Center

REQUEST: An application for the renewal of Specific Use Permit No. 370 for a child-care facility and a community service center use on a property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District

SUMMARY: The applicant proposes to continue the operation of a child-care facility and community service center (Dallas Bethlehem Center)

CPC RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions

PLANNED DEVELOPMENT DISTRICT No. 595:
http://www.dallascityattorney.com/51P/Supp%2055/Articles/ARTICLE%20595.pdf

PLANNED DEVELOPMENT DISTRICT No. 595 EXHIBITS:
http://www.dallascityattorney.com/51P/exhibits.html#a595

Background Information:

- The request site is currently developed with a 15,264-square-foot building that contains a community service center in the southern wing, and a child-care facility in the northern wing. The child-care facility is occupying a 6,584-square-foot portion, and the community service center is occupying a 8,680-square-foot portion. The site also contains 33 parking spaces distributed into two lots, and a 3,508-square-foot playground on the eastern side of the property.

- In December 1955, City Council approved SUP No. 124 for a community center and mission station, for a permanent time, subject to conditions.

- In July 1967, City Council approved SUP No. 370 for a community center (private) and mission station, for a permanent time, subject to conditions.

- In May 1982, City Council repealed SUP No. 124 and approved an amendment to SUP No. 370 for a private community center, a day-care center, and a mission station, for a permanent time, subject to a site plan and conditions.

- PD 595 was established in September 2001, and is divided into 10 subdistricts, residential and non-residential. The site is located within the R-5(A) Single Family Subdistrict. R-5(A) allows child-care facility and community service center uses subject to SUP approval.

- In December 2003, City Council approved an amendment to SUP No. 370 for child-care use only, and included a 10-year time limit, a new site plan/landscape plan, and conditions.

- In October 2013, the Board of Adjustment granted three Special Exceptions for this site:

    - Special Exception to permit a fence to exceed 4 feet in height in the front yard setback. The existing fence is 6 feet, 4 inches in height.

    - Special Exception to permit the fence to encroach in the visibility triangles on both side on the driveway from Leland Avenue and Marburg Street.

    - Special Exception to off street parking regulations to reduce required number of parking spaces for the community service center portion of the site from 43 parking spaces to 33 parking spaces.

- In April 2014, City Council renewed and amended SUP No. 370 for a child-care facility and a community service center for a five-year term limit. The amendments approved in 2014 included: new landscape plan, fence elevations, visibility triangles, new parking count, and new parking layout.

- The applicant submitted this application for a third SUP renewal on April 5, 2019, four days prior to its expiration on April 9, 2019.

Zoning History:

There have been no zoning cases requested in the area in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing & Proposed ROW
Leland Avenue	Local	50 ft.
Marburg Street	Local	40 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the existing roadway 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 that can serve as a framework for assisting in evaluating the applicant's request.

The applicant's request is consistent with the following goals and policies of the comprehensive plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.3 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.

1.1.5.4 Provide appropriate transitions between non-residential uses and neighborhoods to protect stability and quality of life.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

5.3.1.5 Build neighborhood facilities, such as schools, libraries and community centers, within walking distance of transit stations and homes.

The *Neighborhood Plus Plan* was adopted by the City Council in October 2015 to set a new direction and shape new policy for housing and neighborhood revitalization in Dallas. The final chapter, Strategic Goals, delineates six strategic goals to shift our approach, policies and actions to achieve greater equity and prosperity for all Dallas residents, expand the range of housing options, and enhance the quality of neighborhoods.

The applicant's request is consistent with the following goals and policies of the plan.

Policy 2.3 Expand health, childcare, and transportation programs for low income areas.

Policy 2.4 Improve Pre-K education opportunities for children in poverty.

Policy 4.1 Promote Dallas as a city of neighborhoods and publicize neighborhood assets and programs.

Policy 4.2 Support and leverage emerging school quality and school choice programs.

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety

STAFF ANALYSIS

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 595 (R-5(A)	Existing community service center and child-care facility
North Northeast Southeast	PD No. 595 (R-5(A)	Single-family homes
South Southwest	PD No. 595 (R-5(A)	Vacant
West	PD No. 595 (R-5(A)	Community Garden
Northwest	PD No. 595 (R-5(A)	Vacant

Land Use Compatibility:

The applicant, Dallas Bethlehem Center, is requesting the renewal of SUP No. 370 to continue operation of the existing community service center and child-care facility. Both uses are in separate wings within the same 15,264-square-foot building. Dallas Bethlehem Center has been operating at this location since 1955, serving the needs of the South Dallas Fair Park community.

Community centers and child-care facilities are complimentary uses to the residential neighborhoods, creating and maintaining a strong sense of community. The request site is surrounded by single-family residential uses. The applicant is also maintaining a community garden across the street, on Leland Avenue.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.
Considering the long-time operation of the center in this area of the city and the sustained

improvement of the property and the neighborhood, while continuously expanding the outreach and programming to respond to community needs, staff recommends approval of this request.

Landscaping:

The existing development provides for landscaping that complies with Article X. No revisions are proposed nor required with this application, as no new construction or modification is proposed on the site.

Parking:

The property contains 33 parking spaces distributed into two lots to serve the needs of the community service center and the child-care facility. This complies with the approved site/landscape plan and the SUP Conditions that specify the requirement to provide 33 parking spaces.

As previously noted, the Board of Adjustments granted a special exception to the parking requirements for the community service center use on this site, to be reduced from 43 spaces required to 33 spaces. In addition to this exception, based on the applicant's submitted parking analysis, the 2014 SUP approved the applicant's request for the child-care facility to be decreased and be included in the same parking provided for the community service center portion. The child-care portion requires 13 parking spaces.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The request site is located within an "I" MVA cluster.

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 370 for a child-care facility and a community service center use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northeast corner of Leland Avenue and Marburg Street.

Maker: Brinson
Second: Schulte
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright*, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 200 **Mailed:** 48
Replies: For: 1 **Against:** 0

Speakers: For: None
For (Did not speak): Chelsea White, 4410 Leland Ave., Dallas, TX, 75215
Against: None

LIST OF PARTNERS

Dallas Bethlehem Center Board of Directors:

Rev. Katherine Glaze Lyle – President
Gerald Meinecke – President Emeritus
Julie Noel – Vice President and NTC UMW President
Russell Williams – Secretary
Lori Dalton – Senior Vice President & General Counsel, Texas Scottish Rite Hospital for Children
James Franks
Ted Herrod
Rev. Andrew Lewis – Director of Center for Mission Outreach
Dr. Thalia Matherson
Pat Simon
Sharon Spratt
Mitchell Stein
Rev. Debra Hobbs Mason – Ex-Officio as Metro District Superintendent
Diane Martin – Ex-Officio as Metro District UMW President

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only uses authorized by this specific use permit are a child-care facility and a community service center.

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

3. TIME LIMIT: This specific use permit expires on [~~April 9, 2019~~] (ten-year period from passage of this Ordinance) but is eligible for automatic renewals for additional ten-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).

4. LANDSCAPING: Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended, and located as shown on the attached site/landscape plan.

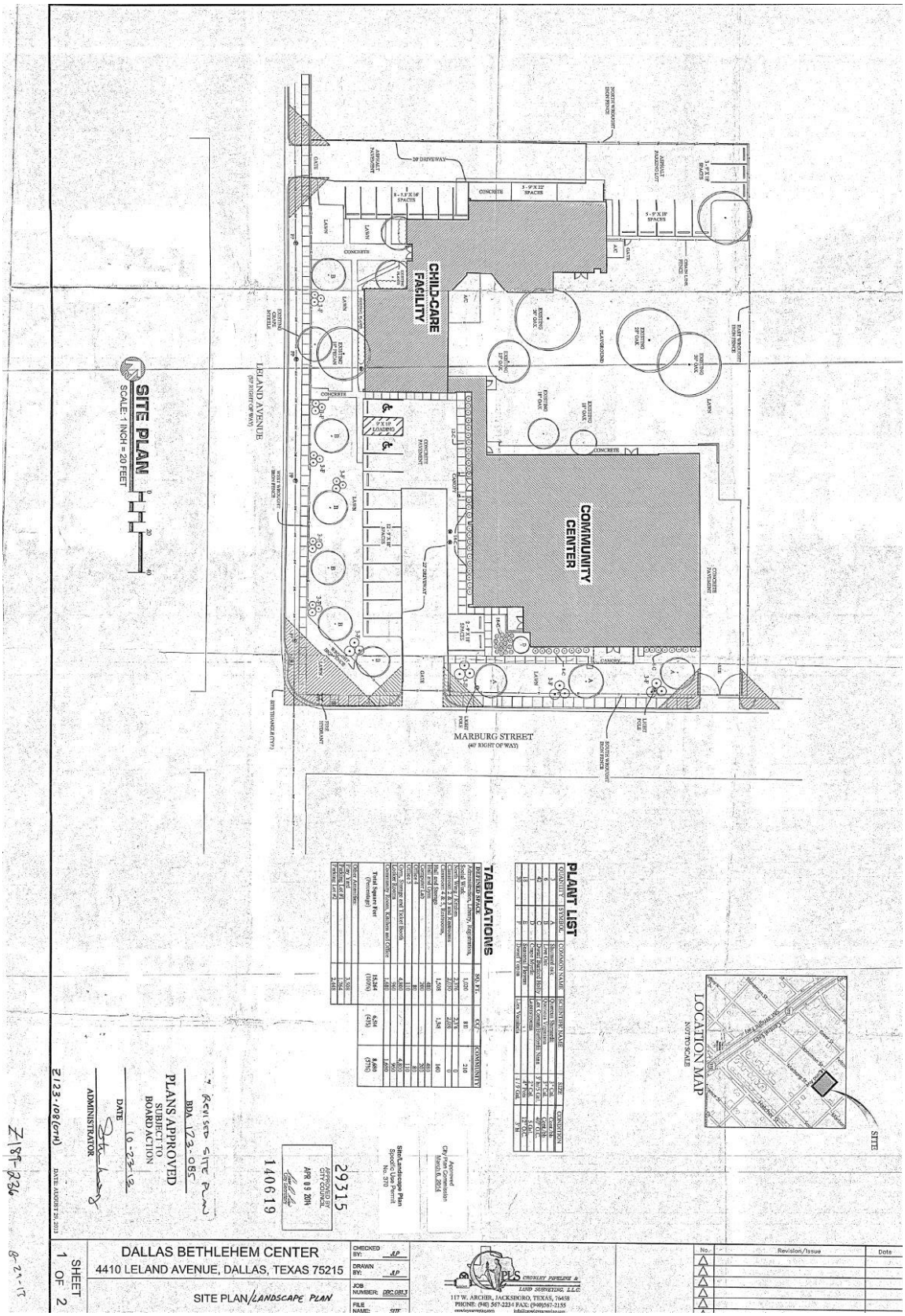
5. PARKING: A minimum of 33 off-street parking must be provided as shown on the attached site/landscape plan.

6. FENCING: Fencing must be provided as shown on the attached fence elevations.

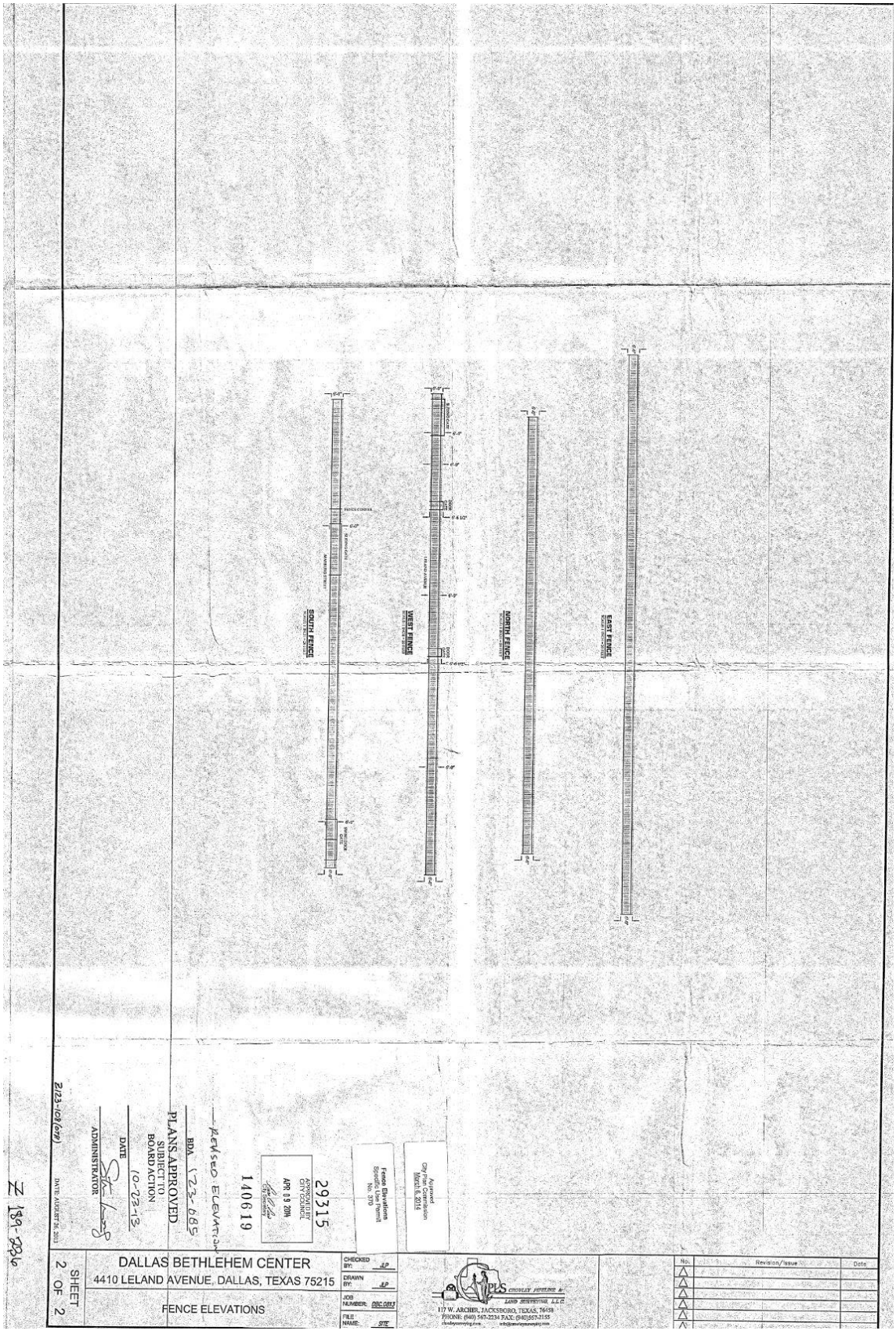
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

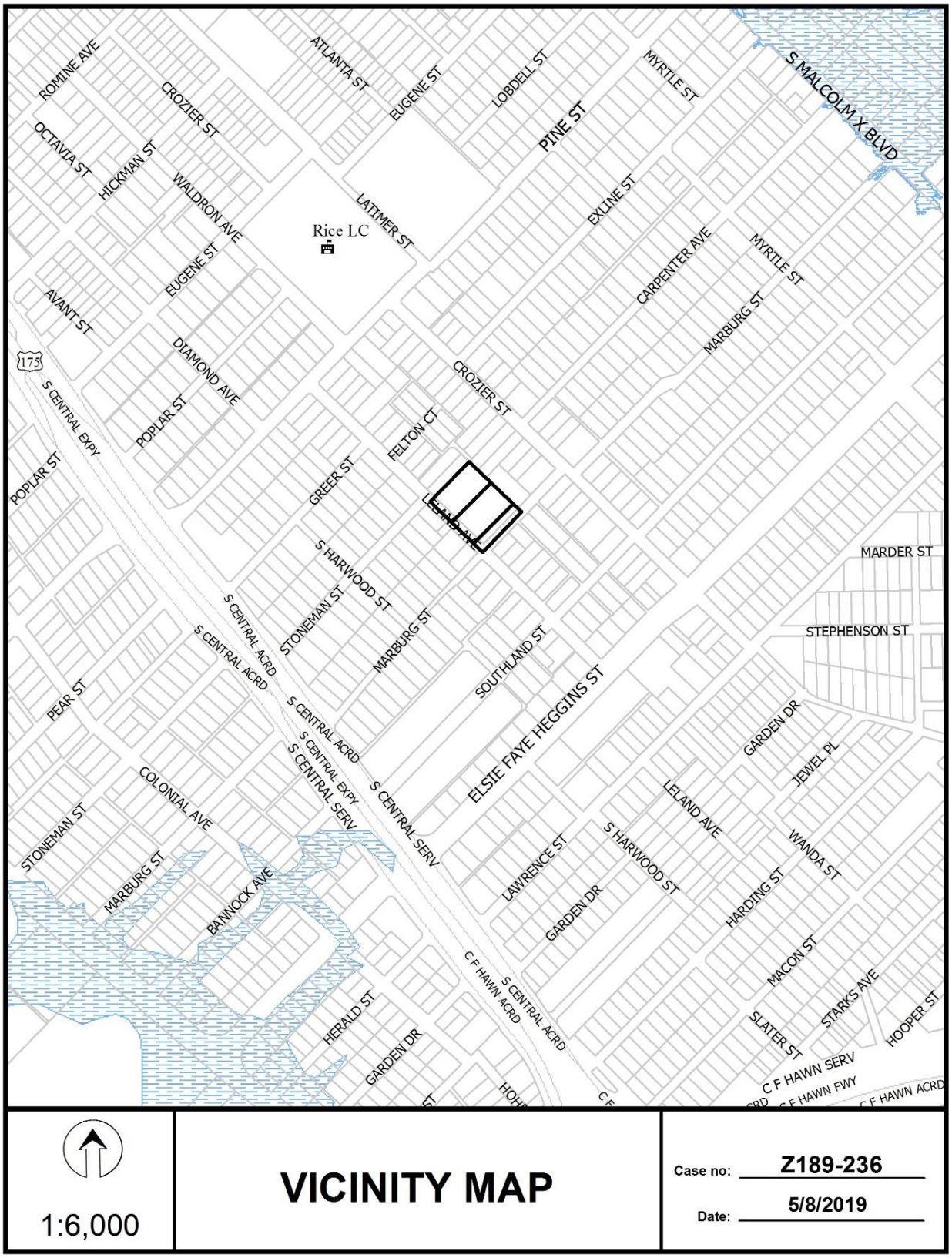
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

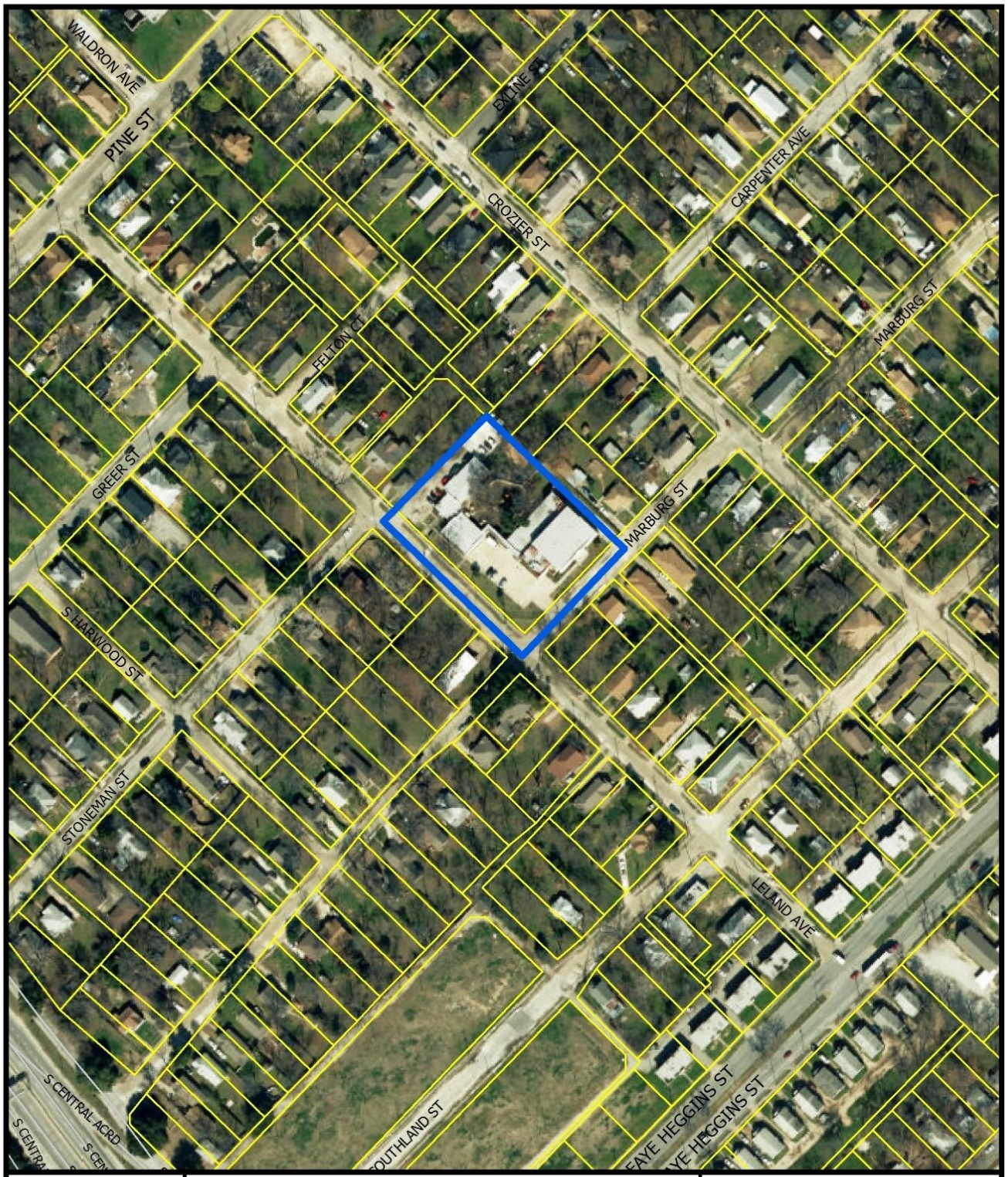
EXISTING SITE/LANDSCAPE PLAN
(no changes)



EXISTING FENCE ELEVATIONS
(no changes)




ROMINE AVE
CROZIER ST
OCTAVIA ST
HICKMAN ST
WALDRON AVE
EUGENE ST
AVANT ST
DIAMOND AVE
POPLAR ST
S CENTRAL EXPY
175
ATLANTA ST
EUGENE ST
LOBDELL ST
PINE ST
MYRTLE ST
S MALCOLM X BLVD
EXLINE ST
CARPENTER AVE
MYRTLE ST
MARBURG ST
LATIMER ST
Rice LC
CROZIER ST
FELTON CT
GREER ST
LELAND AVE
S HARWOOD ST
STONEMAN ST
MARBURG ST
SOUTHLAND ST
MARDER ST
STEPHENSON ST
ELSIE FAYE HEGGINS ST
GARDEN DR
JEWEL PL
LELAND AVE
WANDA ST
HARDING ST
MACON ST
STARKS AVE
HOOPER ST
SLATER ST
C F HAWN SERV
C F HAWN FWY
C F HAWN ACRD
S CENTRAL ACRD
S CENTRAL EXPY
S CENTRAL SERV
PEAR ST
COLONIAL AVE
STONEMAN ST
MARBURG ST
BANNOCK AVE
LAWRENCE ST
GARDEN DR
HERALD ST
GARDEN DR
1:6,000
VICINITY MAP
Case no: Z189-236
Date: 5/8/2019

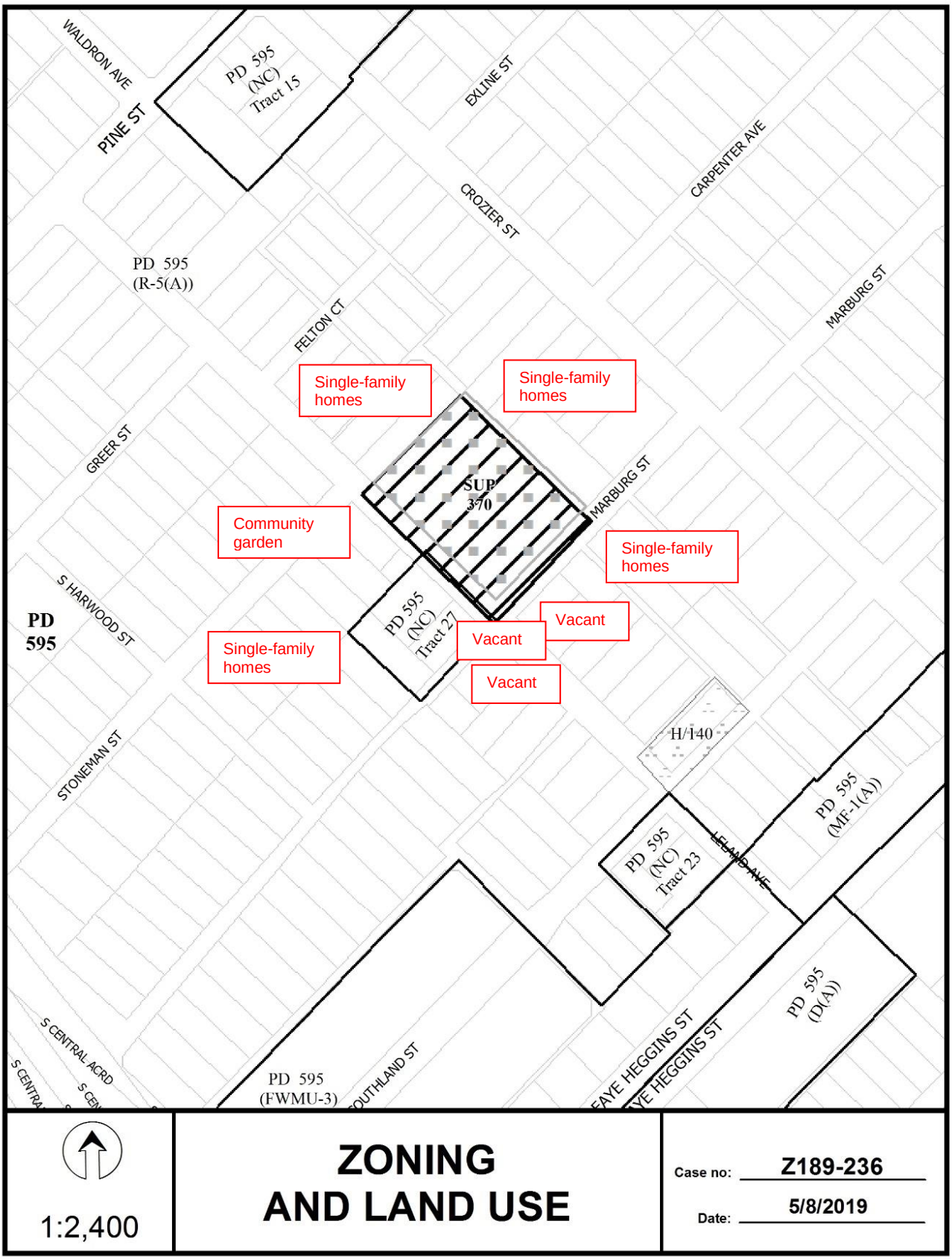


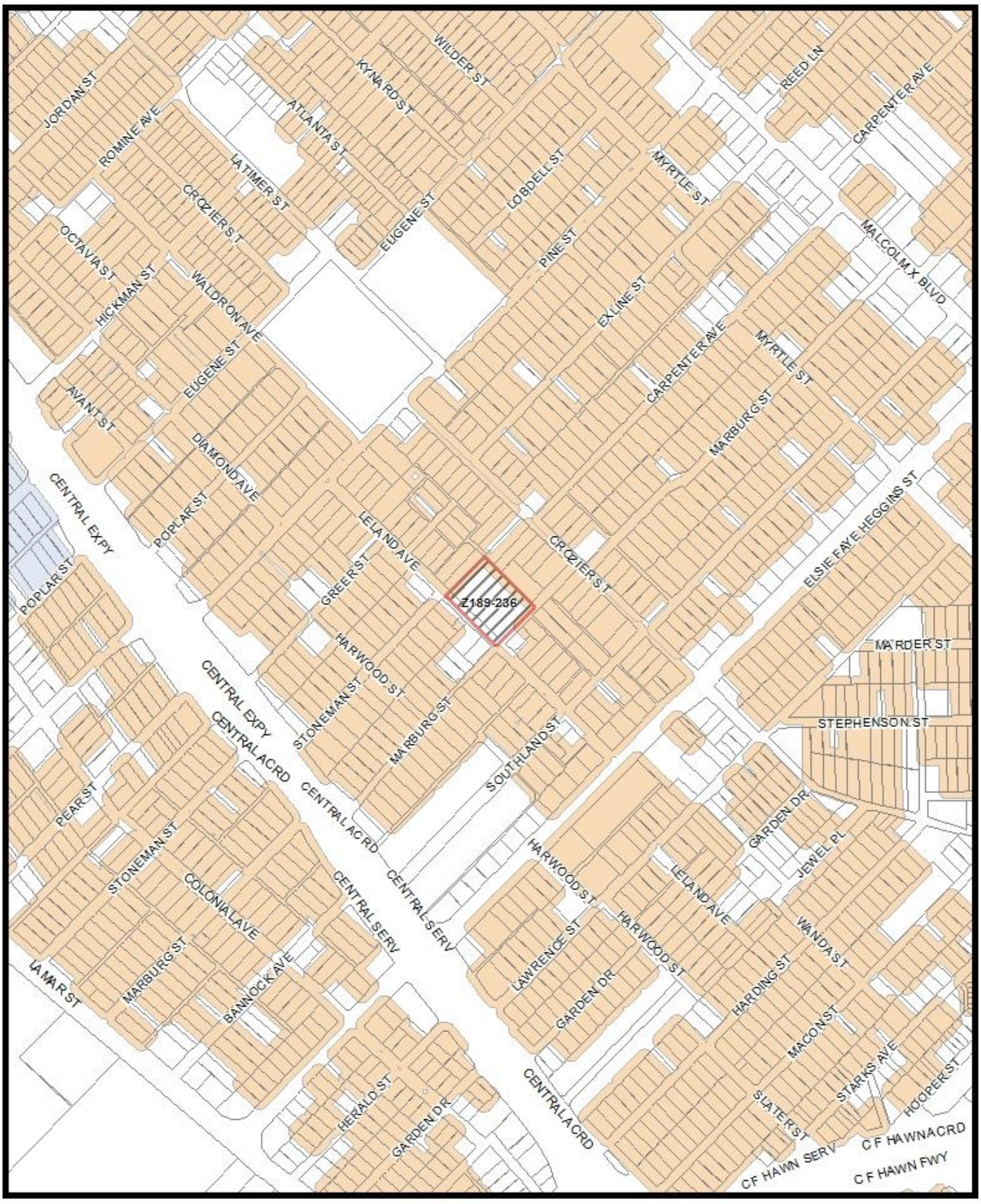
1:2,400

AERIAL MAP

Case no: Z189-236

Date: 5/8/2019


WALDRON AVE
PINE ST
PD 595 (NC) Tract 15
EXLINE ST
CROZIER ST
CARPENTER AVE
PD 595 (R-5(A))
FELTON CT
MARBURG ST
Single-family homes
Single-family homes
GREER ST
SUP 370
MARBURG ST
Community garden
Single-family homes
S HARWOOD ST
PD 595
PD 595 (NC) Tract 27
Vacant
Vacant
Vacant
Single-family homes
STONEMAN ST
H/140
PD 595 (MF-1(A))
PD 595 (NC) Tract 23
LELAND AVE
PD 595 (D(A))
S CENTRAL ACRD
PD 595 (FWMU-3)
SOUTHLAND ST
FAYE HEGGINS ST
FAYE HEGGINS ST
1:2,400
ZONING AND LAND USE
Case no: Z189-236
Date: 5/8/2019



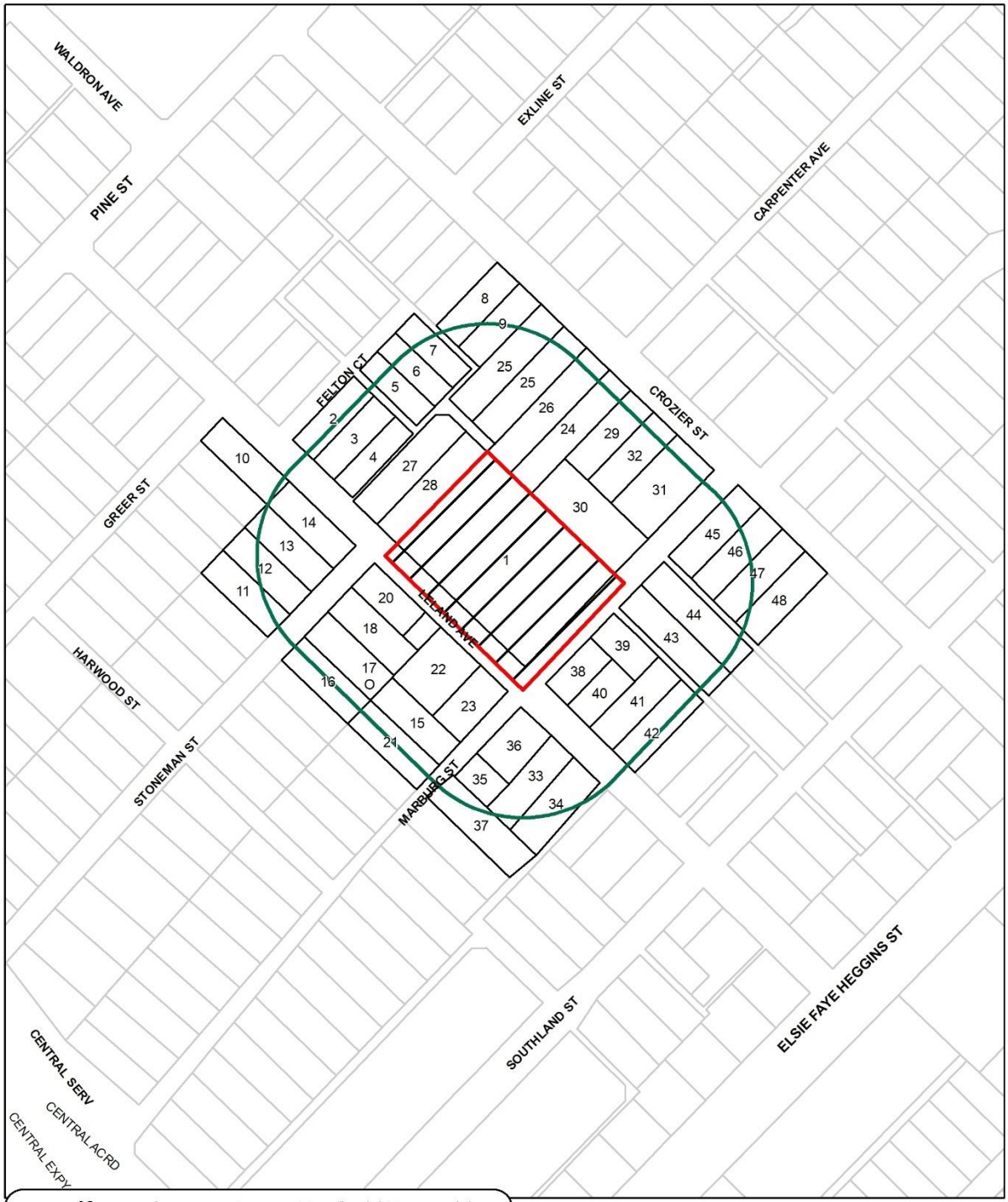
MVA Cluster A B C D E F G H I NA

1:6,000

Market Value Analysis

Printed Date: 5/8/2019

CPC Responses



48	Property Owners Notified (49 parcels)
1	Replies in Favor (1 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
6/20/2019	Date

Z189-236
CPC

N W E S

1:2,400

06/19/2019

Reply List of Property Owners

Z189-236

48 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
	1	4410 LELAND AVE	DALLAS BETHLEHEM
	2	4300 LELAND AVE	COLMENRO ARTURO
	3	4304 LELAND AVE	ROMERO JAIME &
	4	4308 LELAND AVE	ADVANCED INVESTMENTS INC
	5	2414 FELTON CT	LINWOOD MONTIEQUE
	6	2418 FELTON CT	CONGROVE-FRITZ BONNIE
	7	2422 FELTON CT	HOLLEY BETTY EST OF
	8	4325 CROZIER ST	LOPEZ LEOPOLDO
	9	4329 CROZIER ST	WASHINGTON EVA
	10	2330 GREER ST	BAILEY SHENIQUA
	11	2319 STONEMAN ST	BROWN VERA
	12	2323 STONEMAN ST	WILLIS TRACOMA
	13	2327 STONEMAN ST	COUNTY LAND & WATER LLC SERIES
	14	2329 STONEMAN ST	JAMERSON O V
	15	2325 MARBURG ST	PATTERSON PRINE ELLA
	16	2318 STONEMAN ST	RAINEY CHAD D
O	17	2322 STONEMAN ST	AAR LINKS LLC
	18	2326 STONEMAN ST	THOMPSON LARUTH
	19	4410 LELAND AVE	DALLAS BETHLEHEM CTR INC
	20	2330 STONEMAN ST	DALLAS BETHLEHEM CENTER
	21	2319 MARBURG ST	RIVERA PAULA
	22	4417 LELAND AVE	PIPKINS RODERICK A &
	23	4423 LELAND AVE	STEVE GRAHAM & COMPANY
	24	4415 CROZIER ST	LAREDO BENITO
	25	4403 CROZIER ST	BENITEZ TIOFILO & EDIS
	26	4411 CROZIER ST	COOPER LATROY

Reply	*Label #*	*Address*	*Owner*
	27	4324 LELAND AVE	EZQUIVEL ESTEFANA RICE
	28	4328 LELAND AVE	ADVANCED INVESTMENT INC
	29	4419 CROZIER ST	HENRY L M & VERESSA
	30	2419 MARBURG ST	JACKSON JOYCE M
	31	4429 CROZIER ST	ORELLANA JOSE DAVID &
	32	4423 CROZIER ST	HUBBARD JOHN
	33	4507 LELAND AVE	TRED HOLDINGS LP
	34	4511 LELAND AVE	HUNT ROBERT R &
	35	2322 MARBURG ST	WARREN LOUISE EST OF
	36	4503 LELAND AVE	SNEED REBECCA COLEMAN
	37	2318 MARBURG ST	CAZARES CASAS LLC
	38	4502 LELAND AVE	ASTON CUSTOM HOME
	39	2410 MARBURG ST	QJTT INVESTMENTS LLC
	40	4506 LELAND AVE	DALLAS UNITY FUND LLC
	41	4510 LELAND AVE	DONALDSON VERTA M
	42	4514 LELAND AVE	GODBOLT BOBBY G S
	43	2416 MARBURG ST	HUBBARD JOHN W & WANDA
	44	2418 MARBURG ST	BIRCH DORIS A
	45	4501 CROZIER ST	ROGERS GEORGE & ANN
	46	4505 CROZIER ST	TONEY SAMMIE J
	47	4509 CROZIER ST	TONEY SAMMIE JEAN
	48	4513 CROZIER ST	WASHINGTON SHAWANA

Agenda Information Sheet

File #: 19-1077 **Item #:** 68.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2150 for a bar, lounge, or tavern and an inside commercial amusement 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 northeast corner of Elm Street and South Good Latimer Expressway
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z189-239(CY)

powered by Legistar™

HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-239(CY) **DATE FILED:** April 10, 2019

LOCATION: Northeast corner of Elm Street and South Good Latimer Expressway

COUNCIL DISTRICT: 2 **MAPSCO:** 45 M

SIZE OF REQUEST: ± .11 acres **CENSUS TRACT:** 204.00

OWNER: Westdale Properties America I LTD.

APPLICANT: Eleven Entertainment, LLC

REPRESENTATIVE: Audra Buckley, Permitted Development

REQUEST: An application for the renewal of Specific Use Permit No. 2150 for a bar, lounge, or tavern and an inside commercial amusement 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 request is to continue the operation of an existing bar, lounge or tavern use with live music venue [Louie Louie's Piano Bar] within an existing 5,985-square-foot building.

CPC RECOMMENDATION: **Approval** for a three-year period, subject to conditions

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to conditions

BACKGROUND INFORMATION:

- The area of request is zoned Tract A within PD No. 269 and SUP No. 2150 for a bar, lounge, or tavern, and an inside commercial amusement limited to a live music venue.

- The site is currently developed with a one-story 5,985-square-foot building. The main floor contains approximately 4,545 square feet and an interior mezzanine of approximately 1,440 square feet of floor area.

- SUP No. 2150 was approved by City Council on June 10, 2015, for a two-year period.

- On September 28, 2016, the City Council approved the renewal of and an amendment to SUP No. 2150 for a three-year period. [Expiration date: September 28, 2019];

- The existing site plan is in compliance and no changes are proposed.

Zoning History: There have been five zoning change requests in the vicinity within the last five years.

1. **Z145-298** On September 22, 2015, the City Council approved Specific Use Permit No. 2158 for a tattoo studio for a three-year period on property located on the south line of Elm Street, east of North Good Latimer Expressway, southeast of the area of request.

2. **Z156-133** On February 25, 2016, the City Council approved an ordinance to terminate Specific Use Permit No. 2158 for a tattoo studio on property located on the south line of Elm Street, east of North Good Latimer Expressway, southeast of the area of request.

3. **Z156-134** On February 24, 2016, the City Council approved Specific Use Permit No. 2181 for a tattoo studio for a three-year period on property located on the south line of Elm Street, east of North Good Latimer Expressway, southeast of the area of request.

4. **Z167-270** On April 11, 2018, the City Council approved the expansion of Historic Overlay No. 46, the Knights of Pythias [2551 Elm Street], and amendments to the preservation criteria on property located on the northwest corner of Elm Street and North Good Latimer Expressway, west of the area of request.

5. **Z189-102** On February 13, 2019, the City Council approved the renewal of Specific Use Permit No. 2181 for a tattoo studio for a five-year period on property located on the south line of Elm Street, east of Good Latimer Expressway, southeast of the area of request.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW	Required ROW
Elm Street	Community Collector	60 ft.	60 ft.
Good Latimer Expressway	Principal Arterial	100 ft	118 ft.

Traffic:
The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested renewal and determined it will not significantly impact the surrounding street system.

STAFF ANALYSIS:

Comprehensive Plan:

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

The request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

Goal 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

URBAN DESIGN ELEMENT

GOAL 5.3 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	Tract A PD No. 269 & SUP No. 2150	Bar, lounge or tavern and inside commercial amusement limited to a live music venue
North	Tract A PD No. 269	Undeveloped land, DART rail line
East	Tract A PD No. 269	Restaurant, vacant building
South	Tract A PD No. 269	General merchandise
West	Tract B PD No. 269 with H/46	Vacant building (under renovation for hotel use)

Land Use Compatibility:

The purpose of the request for the renewal of Specific Use Permit No. 2150, is to allow the continued operation of a bar, lounge or tavern and an inside commercial amusement limited to a live music venue use within the existing structure. The site plan is not changing from the previously approved renewal of the SUP.

The area of request is within Tract A of PD No. 269, the Deep Ellum/Near East Side District. This area provides for a balance of housing, jobs, and shopping that permits residents to live, work, shop, and play in the same neighborhood. Wide sidewalks and pedestrian features offer alternative access options to the area, thus permitting foot and bike traffic to benefit from the mix of uses.

The subject site is currently developed with a one-story 5,985-square-foot building. The main floor contains approximately 4,545 square feet and an interior mezzanine of approximately 1,440 square feet of floor area. According to the Dallas Central Appraisal District, the building was constructed in 1952.

Land uses surrounding the area of request include a vacant tract of land immediately to the north, across Monument Street, followed by the Dallas Rapid Area Transit (DART) rail line and a multifamily use across the rail line. On the same block, along Elm Street and to the east of the site, there is a restaurant use and a vacant building. Across Elm Street, and to the southeast and south there is a mix of uses including restaurants, personal service and general merchandise. Vacant buildings are to the southwest and west, one of them, across North Good Latimer Expressway, is currently being renovated for a future hotel use [according to Building Inspections' permitting records]. The parcel directly adjacent to the site is undeveloped and contains only some art sculptures.

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 bar, lounge, or tavern use with live music venue contributes to the character of the neighborhood which is considered an entertainment district, and it is not foreseen to have a negative impact in the surrounding uses. Staff recommends approval for a three-year period.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA Category; however, it is in proximity to an "E" MVA Cluster to the north, across the DART rail line, and to the southeast across Elm Street.

Parking:

Planned Development District No. 269 includes a provision that no parking is required for the first 2,500 square feet of an original building.[1]. The existing building meets the criteria to be considered an original building.

Based on the total square footage of 5,985 square feet, minus 2,500 square feet of floor

[1] Sec.51P-269.104.(c)(27) defines an original building as a building constructed on or before June 27, 1984, with a floor area which has not since June 27,1984, been increased by more than:

(a) 150 percent if the increase is 5,000 square feet or less; or

(b) 100 percent if the increase is more than 5,000 square feet. An original building damaged or destroyed on or before June 27, 1984, other than by the intentional act of the owner or his agent, may be restored after that date without losing its original building status.

area waived for original buildings, and per the parking requirement for both uses of one space for every 100 square feet, a total of 35 spaces are required for the remaining 3,485 square feet of floor area. With proximity to the Deep Ellum DART station, the use also qualifies for a reduction of 10 percent or six spaces; therefore, a total of 29 off-street parking spaces are required.

The PD District allows for remote parking on a separate lot that is within walking distance[2] of the use served. According to Building Inspections' records, two Remote Parking Agreements, provide for all 29 required off-street parking spaces at two sites: 2505 Elm Street and 2603 Main Street.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed.

Dallas Police Department:

Staff requested a report of site-related crime statistics for a time period starting September 2016 [last SUP renewal] to date. The list of reported crime statistics obtained includes a total of 39 calls placed to the emergency call system, three offenses and two arrests [according to the arrest number, one arrest includes four charges]. The report is provided below:

OFFENSES:

IncidentNum	OffIncident	Premise	Address	TAAG	Date1
184496-2017	ASSAULT (AGG) -SERIOUS BODILY INJURY	Bar/NightClub/DanceHall ETC.	2605 ELM ST	Monument GoodLatimer	8/13/2017
078901-2018	ROBBERY OF INDIVIDUAL (AGG)	Highway, Street, Alley ETC	2605 ELM ST	Monument GoodLatimer	4/15/2018
155346-2018	ROBBERY OF INDIVIDUAL (AGG)	Parking (Business)	2605 ELM ST	Monument GoodLatimer	7/11/2018

ARRESTS:

IncidentNum	ArrestNumber	ArArrestDate	ArArrestTime	ArLAddress	NIBRS_Crime	ChargeDesc
001985-2019	19-000309	1/4/2019	2:25:00 AM	2605 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
001986-2019	19-000311	1/4/2019	2:28:00 AM	2605 ELM ST	DRUG/ NARCOTIC VIOLATIONS	POSS MARIJUANA <2OZ *DRUG FREE ZONE*
001986-2019	19-000311	1/4/2019	2:28:00 AM	2605 ELM ST	PUBLIC INTOXICATION	PUBLIC INTOXICATION
001986-2019	19-000311	1/4/2019	2:28:00 AM	2605 ELM ST	ALL OTHER OFFENSES	RESIST ARREST SEARCH OR TRANSPORT
001986-2019	19-000311	1/4/2019	2:28:00 AM	2605 ELM ST	WARRANT HOLD (OUTSIDE AGENCY)	WARRANT HOLD (OUTSIDE AGENCY)

[2] Sec. 51P-269.105(j)(2)(A)(ii) WALKING DISTANCE means the distance from the nearest point of the parking lot to the nearest public entrance to the main use, measured along the most convenient pedestrian walkway.
Sec. 51P-269.105(j)(2)(C)(i) Remote parking may be located on a separate lot that is the following walking distance of the use served by the remote parking: (bb) 1,200 feet if the use served is located in an original building.

CALLS:

Master_Incident_Numbers	Response_Date	Response_Time	Problem	Priority_Description	Address
16-2087635	10/19/2016	3:50:00 PM	40 - Other	3 - General Service	2506 Elm St
16-2211977	11/6/2016	1:52:00 AM	6X - Major Dist (Violenc	2 - Urgent	2605 Elm St
16-2251420	11/12/2016	12:45:00 AM	09 - Theft	4 - Non Critical	Elm St / N Good Latimer Expy
16-2278129	11/16/2016	2:47:00 AM	6X - Major Dist (Violenc	2 - Urgent	2608 Elm St
16-2328733	11/23/2016	6:31:00 PM	6X - Major Dist (Violenc	2 - Urgent	2605 Elm St
16-2506790	12/21/2016	5:40:00 AM	12B - Business Alarm	3 - General Service	2605 Elm St
16-2565885	12/29/2016	8:06:00 PM	6X - Major Dist (Violenc	2 - Urgent	2506 Elm St
17-0004031	1/1/2017	9:57:00 AM	11V - Burg Motor Veh	3 - General Service	2605 Elm St
17-0214594	2/3/2017	12:32:00 AM	6X - Major Dist (Violenc	2 - Urgent	2506 Elm St
17-0681629	4/11/2017	12:47:00 AM	40 - Other	3 - General Service	2605 Elm St
17-1018132	5/29/2017	8:03:00 PM	40 - Other	3 - General Service	2605 Elm St
17-1144858	6/16/2017	7:13:00 PM	40 - Other	3 - General Service	2506 Elm St
17-1266164	7/4/2017	3:10:00 AM	6XEA - Disturbance Eme	1 - Emergency	2605 ELM ST
17-1396288	7/22/2017	6:10:00 PM	6X - Major Dist (Violenc	2 - Urgent	2605 Elm St
17-1504976	8/8/2017	1:06:00 AM	6X - Major Dist (Violenc	2 - Urgent	N Good Latimer Expy / Elm St
17-1539264	8/13/2017	1:40:00 AM	6X - Major Dist (Violenc	2 - Urgent	2605 Elm St
17-1673048	9/2/2017	2:06:00 AM	34 - Suicide	2 - Urgent	2506 Elm St
17-1838692	9/27/2017	4:09:00 AM	40/01 - Other	2 - Urgent	2605 Elm St
17-2055071	10/29/2017	12:57:00 AM	07 - Minor Accident	3 - General Service	2605 ELM ST
17-2187433	11/17/2017	10:49:00 PM	26 - Missing Person	3 - General Service	Elm St / N Good Latimer Expy
18-0129254	1/21/2018	4:16:00 PM	20R - Robbery (report)+	4 - Non Critical	2605 Elm St
18-0137114	1/22/2018	9:50:00 PM	40/01 - Other	2 - Urgent	2506 Elm St
18-0303902	2/19/2018	11:47:00 AM	12B - Business Alarm	3 - General Service	2605 Elm St
18-0356097	2/27/2018	11:29:00 PM	6X - Major Dist (Violenc	2 - Urgent	2506 Elm St
18-0466102	3/17/2018	2:07:00 AM	DAEF-Dist Armed Encou	1 - Emergency	2605 Elm St
18-0474119	3/18/2018	4:24:00 AM	40/01 - Other	2 - Urgent	2605 Elm St
18-0501873	3/22/2018	2:39:00 PM	11V - Burg Motor Veh	4 - Non Critical	2605 Elm St
18-0520568	3/25/2018	3:05:00 AM	6X - Major Dist (Violenc	2 - Urgent	2605 Elm St
18-0899695	5/21/2018	7:31:00 PM	40 - Other	3 - General Service	2506 Elm St
18-1337060	7/24/2018	12:39:00 AM	6X - Major Dist (Violenc	2 - Urgent	2605 Elm St
18-1415790	8/4/2018	11:00:00 PM	7X - Major Accident	2 - Urgent	2605 Elm St
18-1521124	8/21/2018	12:04:00 AM	6X - Major Dist (Violenc	2 - Urgent	2506 Elm St
18-1940833	10/24/2018	8:40:00 PM	08 - Intoxicated Person	3 - General Service	Elm St / N Good Latimer Expy
18-1975519	10/30/2018	12:05:00 AM	32 - Suspicious Person	2 - Urgent	2605 Elm St
19-0410792	3/9/2019	2:08:00 AM	08 - Intoxicated Person	3 - General Service	2605 Elm St
19-0417972	3/10/2019	1:33:00 AM	40/01 - Other	2 - Urgent	2605 Elm St
19-0499968	3/22/2019	11:10:00 AM	6X - Major Dist (Violenc	2 - Urgent	2605 Elm St
19-0759158	4/29/2019	8:38:00 PM	40/01 - Other	2 - Urgent	2605 Elm St
19-0802550	5/5/2019	11:32:00 PM	**PD Requested by Fire	2 - Urgent	2605 Elm St

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2150 for a bar, lounge, or tavern and an inside commercial amusement limited to a live music venue for a three-year period, subject to conditions on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side Special Purpose District, at the northeast corner of Elm Street and South Good Latimer Expressway.

Maker: Brinson
Second: Schulte
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright*, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 200 **Mailed:** 12
Replies: For: 1 **Against:** 0

Speakers: None

List of Partners/Principals/Officers

Owner:

Westdale Properties America I, Ltd., a Texas limited partnership

Officers:

Joseph G. Beard	President
Ken Carlson	Vice President
Chuck Hixson	Vice President

JGB Ventures 1, Ltd., a Texas corporation, General Partner

Officers:

Joseph G. Beard	President
Ken Carlson	Vice President

JGB Holdings, Inc., a Texas corporation, General Partner

Joseph G. Beard	President

Applicant:

Eleven Entertainment, LLC

Ron Wilson	Managing Member and Director

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only uses authorized by this specific use permit are 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 (three-years from the passage of this ordinance) [~~September 28, 2019~~].

4. FLOOR AREA: The maximum floor area is 5,985 square feet in the location as shown on the attached site plan.

5. HOURS OF OPERATION: The bar, lounge, or tavern, and inside commercial amusement limited to a live music venue may only operate between 4:00 p.m. to 2:00 a.m. (the next day), Monday through Friday, and 12:00 p.m. to 2:00 a.m. (the next day), Saturday and Sunday.

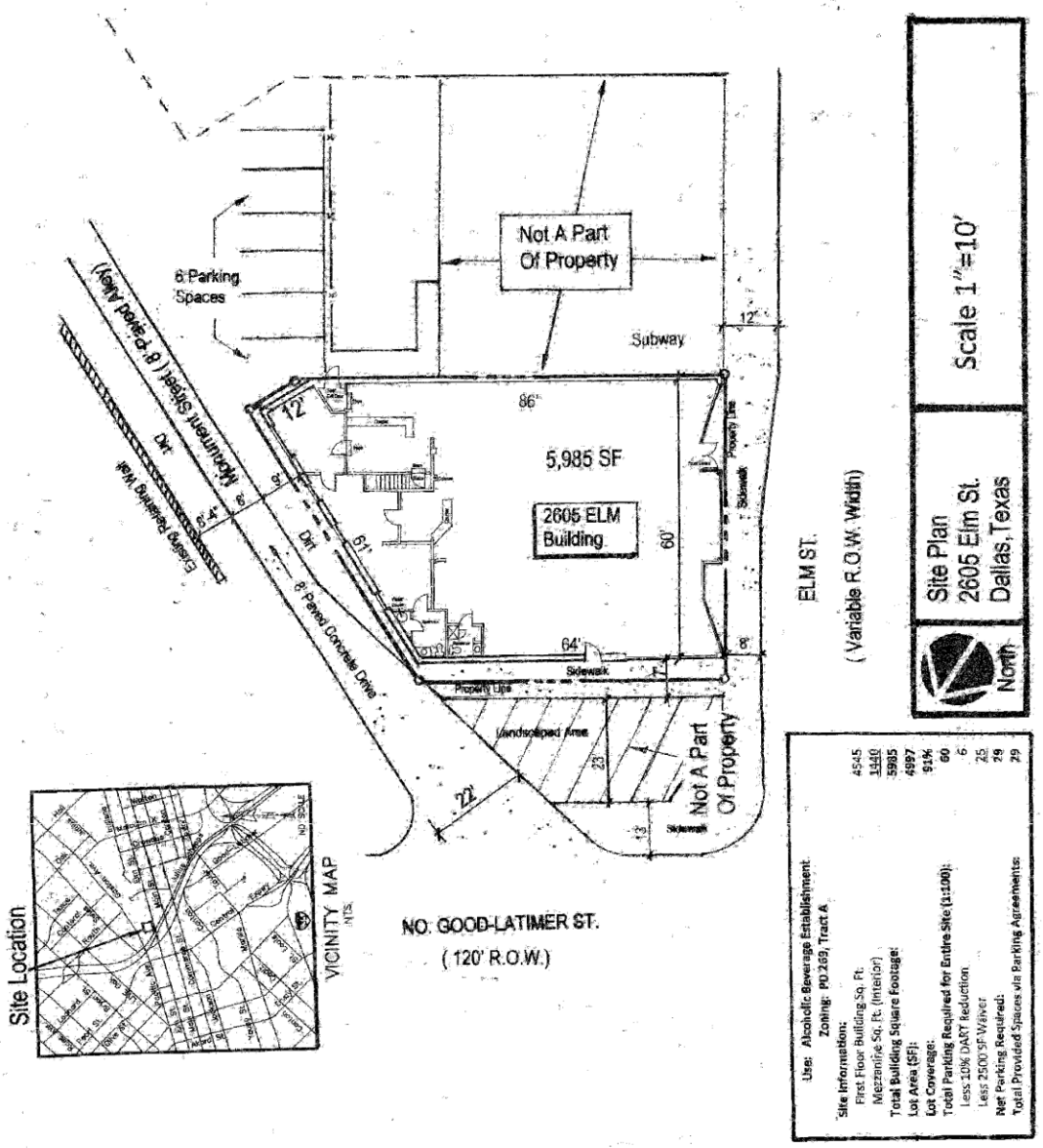
6. OFF-STREET PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269, the Deep Ellum/Near East Side District. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.

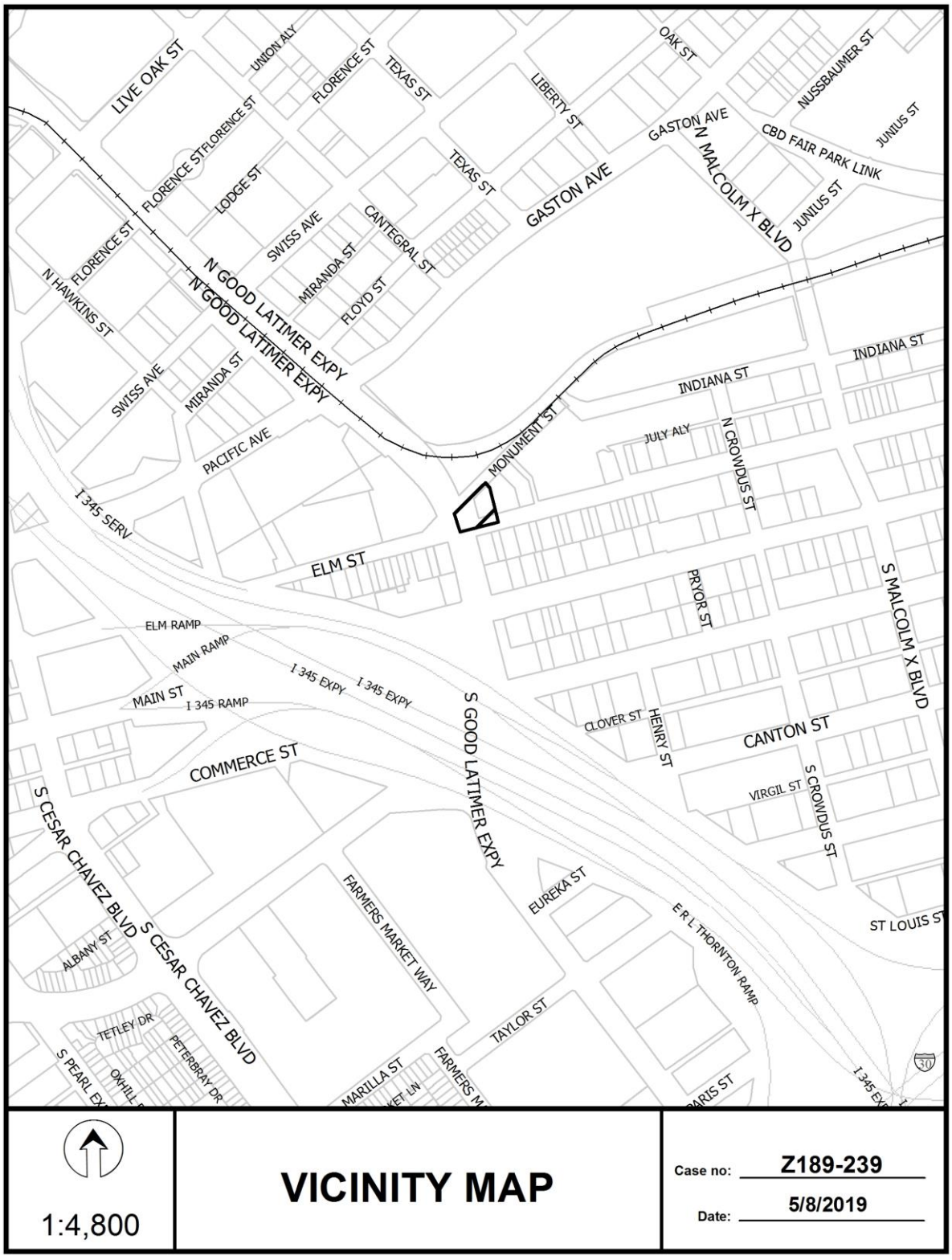
7. OUTDOOR SPEAKERS: Outdoor speakers are prohibited.

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

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

EXISTING SITE PLAN
(NO CHANGES)




LIVE OAK ST
UNION ALY
FLORENCE ST
TEXAS ST
LIBERTY ST
OAK ST
NUSSBAUMER ST
GASTON AVE
CBD FAIR PARK LINK
JUNIUS ST
N MALCOLM X BLVD
LODGE ST
SWISS AVE
CANTEGRAL ST
MIRANDA ST
FLOYD ST
N HAWKINS ST
N GOOD LATIMER EXPY
INDIANA ST
JULY ALY
N CROWDUS ST
MONUMENT ST
PACIFIC AVE
I 345 SERV
ELM ST
PRYOR ST
S MALCOLM X BLVD
ELM RAMP
MAIN RAMP
I 345 EXPY
MAIN ST
I 345 RAMP
CLOVER ST
HENRY ST
CANTON ST
VIRGIL ST
S CROWDUS ST
COMMERCE ST
S GOOD LATIMER EXPY
S CESAR CHAVEZ BLVD
FARMERS MARKET WAY
EUREKA ST
E R L THORNTON RAMP
ST LOUIS ST
ALBANY ST
TETLEY DR
PETERBRAY DR
TAYLOR ST
MARILLA ST
PARIS ST
1:4,800
VICINITY MAP
Case no: Z189-239
Date: 5/8/2019

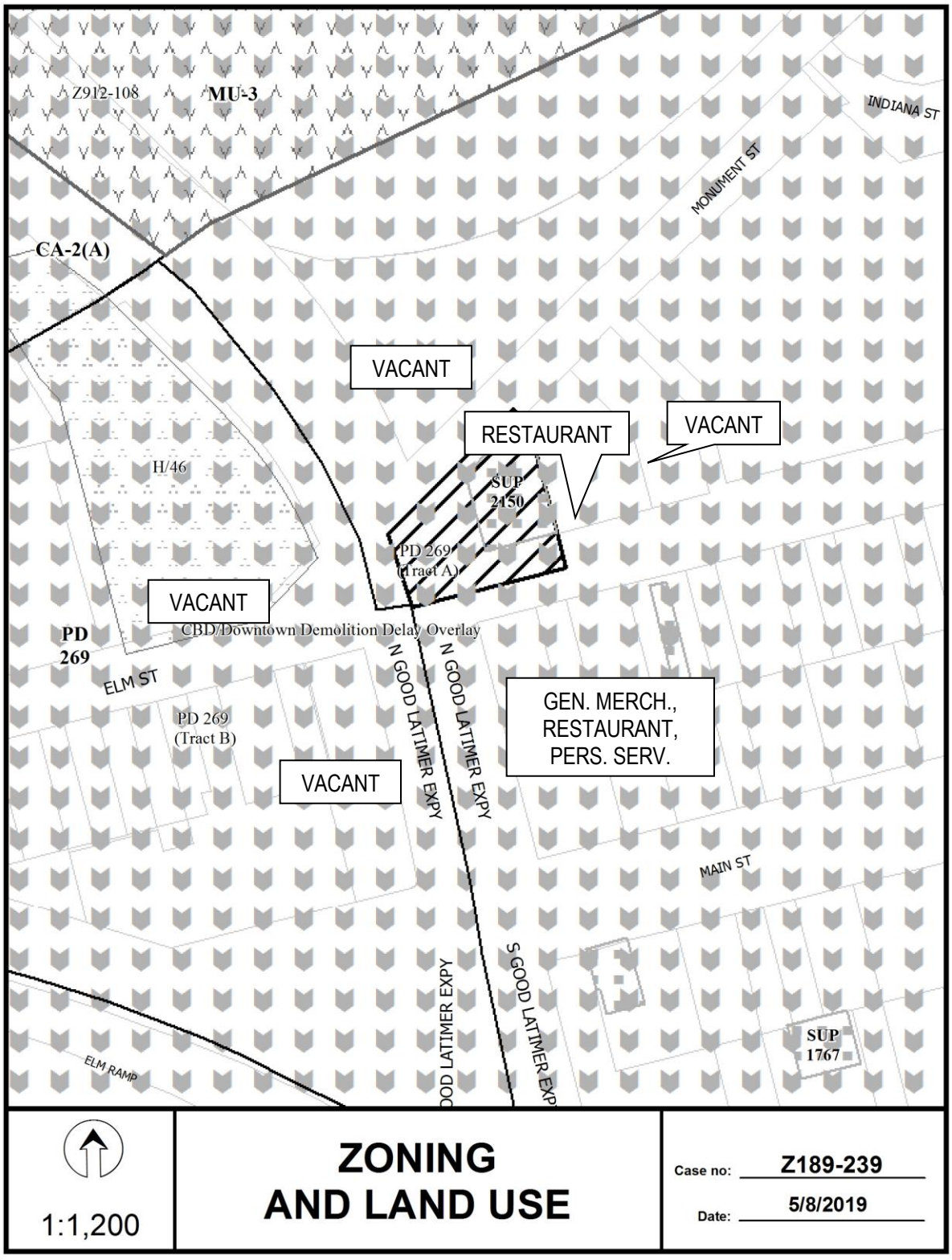


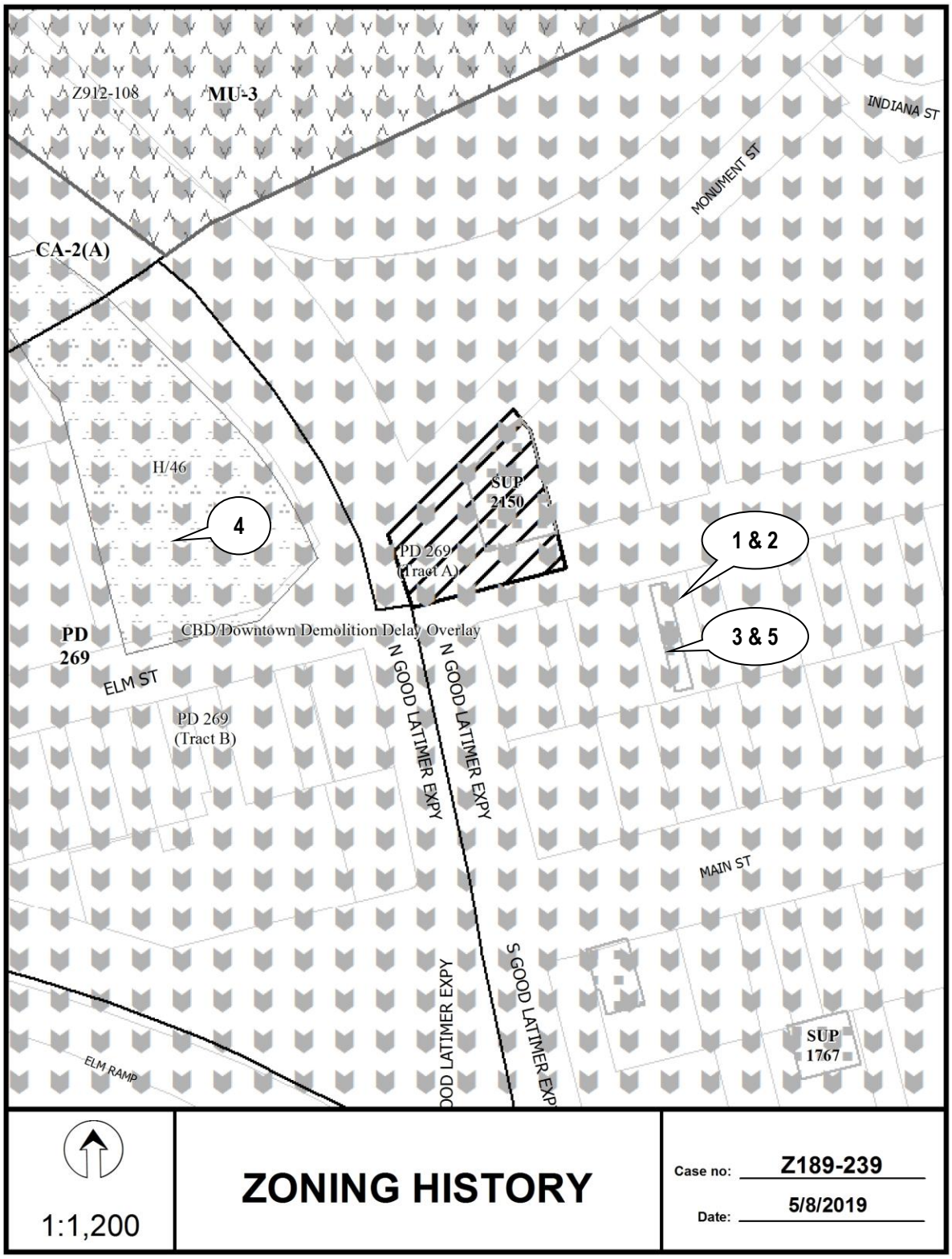
1:1,200

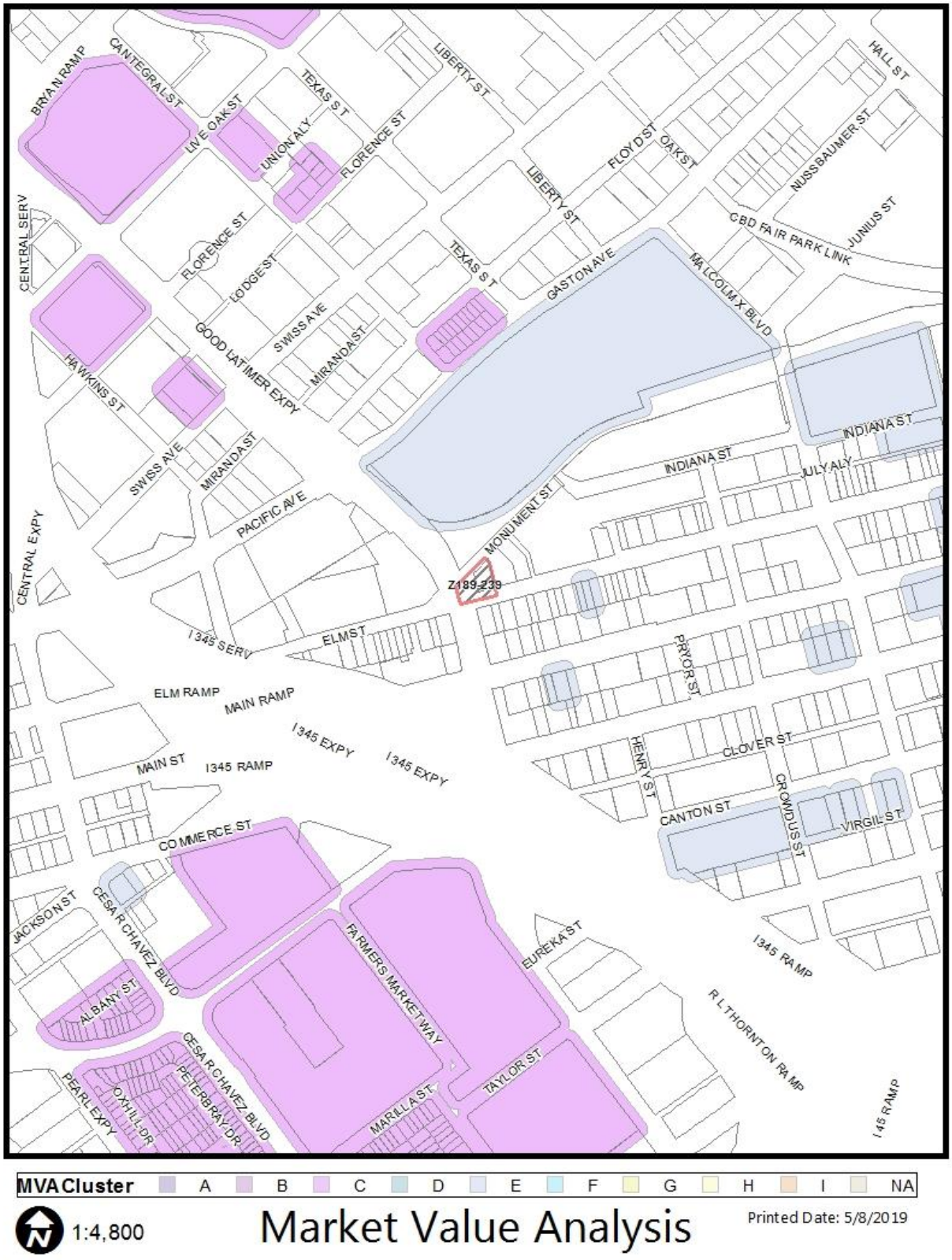
AERIAL MAP

Case no: Z189-239

Date: 5/8/2019


Z912-108
MU-3
INDIANA ST
MONUMENT ST
CA-2(A)
VACANT
RESTAURANT
VACANT
H/46
SUP 2150
PD 269 (Tract A)
VACANT
CBD/Downtown Demolition Delay Overlay
PD 269
ELM ST
PD 269 (Tract B)
N GOOD LATIMER EXPY
N GOOD LATIMER EXPY
GEN. MERCH., RESTAURANT, PERS. SERV.
VACANT
MAIN ST
OOD LATIMER EXPY
S GOOD LATIMER EXP
SUP 1767
ELM RAMP
1:1,200
ZONING AND LAND USE
Case no: Z189-239
Date: 5/8/2019


Z912-108
MU-3
INDIANA ST
MONUMENT ST
CA-2(A)
H/46
4
SUP 2150
PD 269 (Tract A)
1 & 2
3 & 5
PD 269
CBD/Downtown Demolition Delay Overlay
ELM ST
PD 269 (Tract B)
N GOOD LATIMER EXPY
MAIN ST
S GOOD LATIMER EXPY
SUP 1767
ELM RAMP
1:1,200
ZONING HISTORY
Case no: Z189-239
Date: 5/8/2019



MVA Cluster A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 5/8/2019

CPC RESPONSES



12	Property Owners Notified (27 parcels)
1	Replies in Favor (1 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
6/20/2019	Date

Z189-239
CPC

N
W E
S

1:1,200

06/19/2019

Reply List of Property Owners

Z189-239

12 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2605	ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	2	2511	MAIN ST	ELM STREET LOFTS LTD
	3	2509	MAIN ST	WESTDALE MAIN LTD
	4	2604	ELM ST	SEJ ASSET MGMT & INVESTMENT CO
	5	2610	ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	6	2621	MAIN ST	AP DEEP ELLUM LLC
O	7	2603	MAIN ST	PARKIN ART JOINT VENTURE
	8	2557	ELM ST	EPIC DALLAS HOTEL LP
	9	2625	ELM ST	UPLIFT EDUCATION
	10	2615	ELM ST	WESTDALE PPTIES AMERICA I LTD
	11	2600	MONUMENT ST	DALLAS AREA RAPID TRANSIT
	12	2752	GASTON AVE	DEEP ELLUM MARQUIS LP

Agenda Information Sheet

File #: 19-1078 **Item #:** 69.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility use on property zoned an R-7.5(A) Single Family Residential District, on the west line of East Lake Highlands Drive, north of Harter Road, and south of Peavy Road
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z189-242(AU)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-242(AU) **DATE FILED:** March 8, 2019

LOCATION: West line of East Lake Highlands Drive, north of Harter Road, and south of Peavy Road

COUNCIL DISTRICT: 9 **MAPSCO:** 38 E

SIZE OF REQUEST: Approx. 0.2089 acres **CENSUS TRACT:** 129.00

OWNER: 75218 Property Company, Inc.

APPLICANT: Susan L. Trumbo

REPRESENTATIVE: Matthew R. Heaton

REQUEST: An application for a Specific Use Permit for a child-care facility use on property zoned an R-7.5 (A) Single Family Residential District.

SUMMARY: The applicant proposes to remodel the existing building to accommodate a child development center to serve a maximum of 12 children. The proposed child-care facility will be an outreach of St John's Episcopal School. No new structures or parking areas are proposed with this request.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

Background Information:

- The applicant proposes to remodel and use the existing single-family residence as a child-care facility for maximum 12 children. The owner of the property also operates the St. John's Episcopal School, located immediately adjacent to the northwest. The proposed child-care facility will be an outreach of St John's Episcopal School and will serve mainly the faculty and staff, functioning as a limited enrollment facility.

- The subject site is approximately 9,100 square feet in area and contains an approximately 1,770-square feet building.

- The subject site is zoned an R-7.5 (A) Single Family Residential District. City of Dallas Development Code allows child-care facilities within R-7.5(A) District subject to approval of a Specific Use Permit.

Zoning History:

There have been no zoning cases requested in the area in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
East Lake Highlands Drive	Minor Arterial	80 feet / 100 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested and determined that it will not significantly impact the surrounding roadway system.

Comprehensive Plans:

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

The applicant's request is consistent with the following goals and policies of the comprehensive plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.3 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.

1.1.5.4 Provide appropriate transitions between non-residential uses and neighborhoods to protect stability and quality of life.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

5.3.1.5 Build neighborhood facilities, such as schools, libraries and community centers, within walking distance of transit stations and homes.

The Neighborhood Plus Plan was adopted by the City Council in October 2015 to set a new direction and shape new policy for housing and neighborhood revitalization in Dallas. The final chapter, Strategic Goals, delineates six strategic goals to shift our approach, policies and actions to achieve greater equity and prosperity for all Dallas residents, expand the range of housing options, and enhance the quality of neighborhoods.

Policy 4.2 Support and leverage emerging school quality and school choice programs.

STAFF ANALYSIS

Surrounding Land Uses:

	Zoning	Land Use
Site	R-7.5(A)	Single-family home Vacant building
Northeast	R-7.5(A)	Single-family homes
East	R-7.5(A)	Public park
South	R-7.5(A)	Single-family homes
West	R-7.5(A)	Private School and Church St. John's Episcopal School

Land Use Compatibility:

The 9,100-square-foot request site is developed with an existing building, 1,770 square feet in area, that used to be a single-family home. On site there is also a 423-sqaure-foot detached structure, the former garage. The applicant proposes to remodel and reuse the property for a child-care facility for a maximum of 12 children. A 633-square-foot area is set aside for a future outdoor playground on the rear side of the property. Two ADA accessible parking spaces are proposed on the property.

The request site will be directly accessible through a proposed pathway that will connect with St. John's Episcopal School through the rear alley between the two properties.

The site is surrounded by single family residential lots along East Lake Highlands Drive, St. John's Episcopal School and a public park across the street. Currently, the same entity that owns St. John's Episcopal School and the subject property, owns seven, of the eight, single family lots fronting East Lake Highlands Drive, and is in the process of acquiring the rear alley between the school and the single-family lots and abandon it.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the

public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The proposed SUP conditions include a five-year time limit, hours of operation, as well as provisions for maintenance and compliance with all federal and state regulations. The following hours of operation are stated in the proposed conditions: Monday, Tuesday, Thursday and Friday, between 7:30 a.m. and 4:00 p.m., and Wednesday between 7:30 a.m. and 4:30 p.m.

Considering this particular situation and proposed operation to serve almost exclusively the faculty and staff of St. John's Episcopal School, the immediate adjacency that is transitioning from single-family residential to institutional use, the direct access from the request site to the School, and the proposed conditions and site plan, staff is in support of this request.

Parking:

Per Section 51A-4.203, the parking requirement for a child care facility may be established by the SUP. The applicant is proposing two ADA-compliant parking spaces on site. In assessing the proposed operation to limit the facility to St. John's Episcopal School staff and faculty needs and looking at the immediate adjacency and good pedestrian accessibility to St. John's Episcopal School, staff supports the proposed parking.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. No new construction or expansion is proposed with this request; therefore, the landscape requirements will not be triggered at this time.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The

MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, it is in the vicinity of an “D” MVA cluster.

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for a child-care facility use for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family Residential District, on the west line of East Lake Highlands Drive, north of Harter Road, and south of Peavy Road.

Maker: Brinson
Second: Schulte
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright*, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 200 **Mailed:** 8
Replies: For: 5 **Against:** 0

Speakers: For: None
For (Did not speak): Matthew Heaton, 1506 Griffin St., Dallas, TX, 75215
Susan Trumbo, 1668 Glenlivet Dr., Dallas, TX, 75218
Against: None

LIST OF PARTNERS

75218 Property Company

Board of Directors:
Jay Patterson – Chairman
Mark Crotty – President
Susan Trumbo – Secretary
Gerald Kramer – Treasurer
Joh Bovard - Member

CPC RECOMMENDED
SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a child-care facility.

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

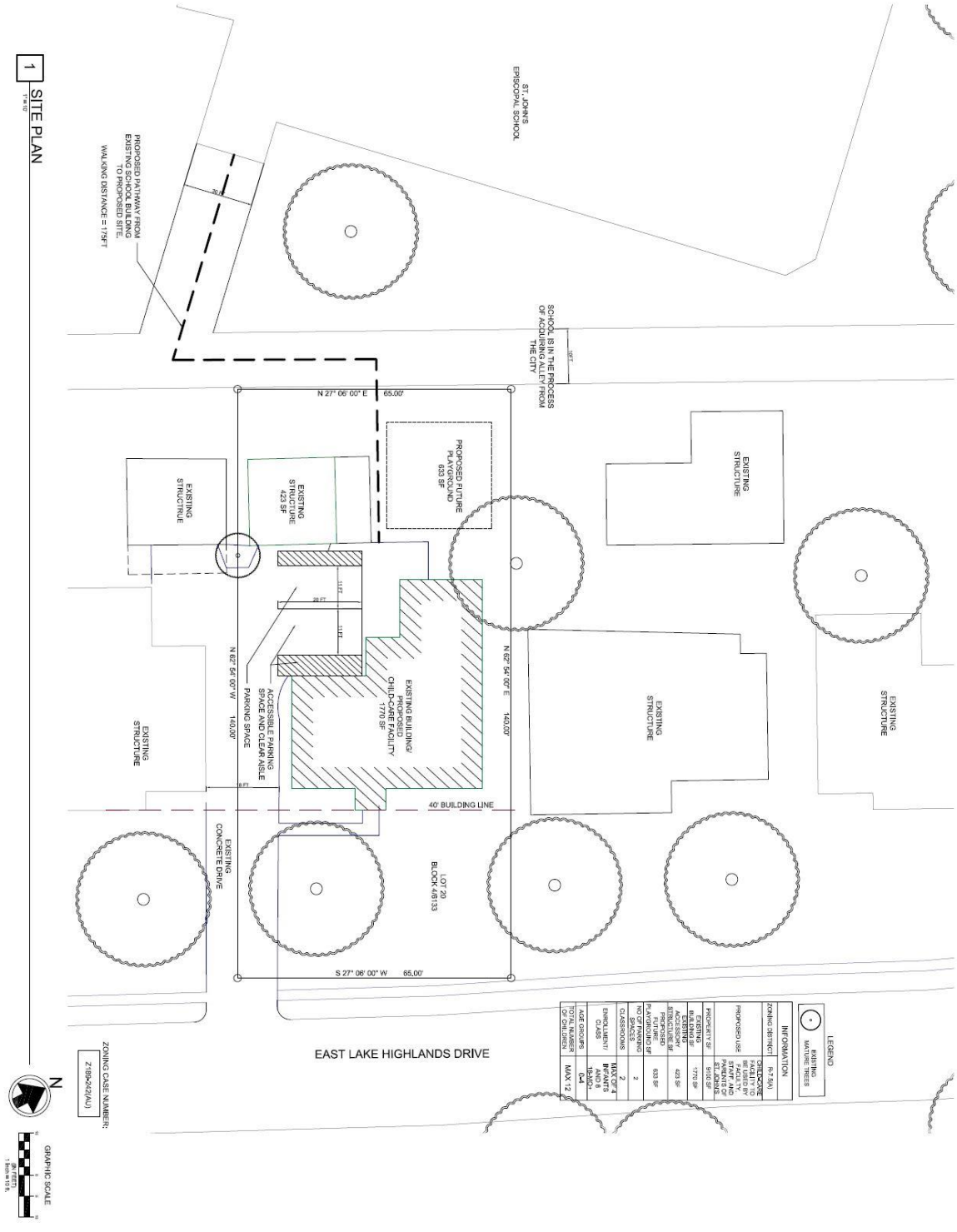
3. TIME LIMIT: This specific use permit expires on [five years from the passage of this ordinance] but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner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

4. HOURS OF OPERATION: The child-care facility will operate between 7:30 a.m. and 4:00 p.m., Monday, Tuesday, Thursday and Friday and between 7:30 a.m. and 4:30 p.m. on Wednesday.

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

6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations.

PROPOSED SITE PLAN



© 2016 L'Howard + associates architects, Inc. THIS DOCUMENT IS AN INSTRUMENT OF SERVICE FOR USE SOLELY WITH RESPECT TO THIS PROJECT. L'Howard + associates architects, Inc. SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING THE COPYRIGHT. THE CLIENT SHALL NOT REUSE, TRANSFER, OR SELL, OR PERMIT THE REUSE, TRANSFER, OR SALE OF, L'Howard + associates, Inc. DOCUMENTS EXCEPT BY MUTUAL AGREEMENT IN WRITING.

issue/ revision/ date: SUP APPLICATION
issue date: 05/29/2019
drawn by: Author
checked by: Checker
revision schedule
date description

ST. JOHN'S EPISCOPAL SCHOOL
CHILD-CARE FACILITY

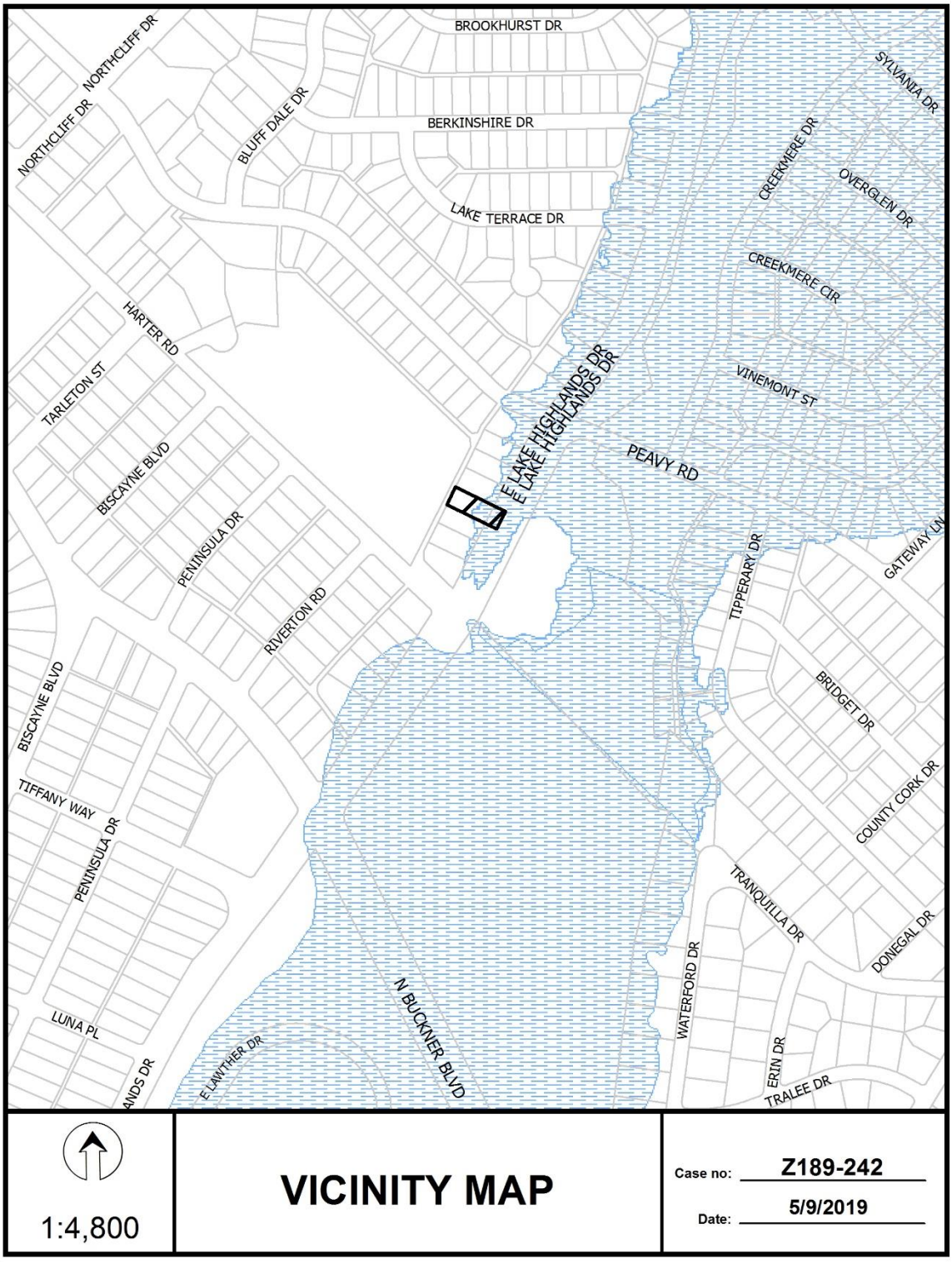
9627 E. LAKE HIGHLANDS DRIVE
DALLAS, TX 75218

th+a
ARCHITECTURE INTERIOR DESIGN PLANNING
1504 w. griffin street
dallas, texas 75215
214.522.1101 t
www.thearch.com

project number: 19-032

SITE PLAN

A2.00


BROOKHURST DR
NORTHCLIFF DR
NORTHCLIFF DR
BLUFF DALE DR
BERKINSHIRE DR
LAKE TERRACE DR
SYLVANIA DR
CREEKMERE DR
OVERGLEN DR
CREEKMERE CIR
HARTER RD
TARLETON ST
BISCAYNE BLVD
PENINSULA DR
RIVERTON RD
E LAKE HIGHLANDS DR
E LAKE HIGHLANDS DR
VINEMONT ST
PEAVY RD
TIPPERARY DR
GATEWAY LN
BRIDGET DR
COUNTY CORK DR
BISCAYNE BLVD
TIFFANY WAY
PENINSULA DR
TRANQUILLA DR
DONEGAL DR
WATERFORD DR
N BUCKNER BLVD
LUNA PL
E LAWTHER DR
ERIN DR
TRALEE DR
1:4,800
VICINITY MAP
Case no: Z189-242
Date: 5/9/2019

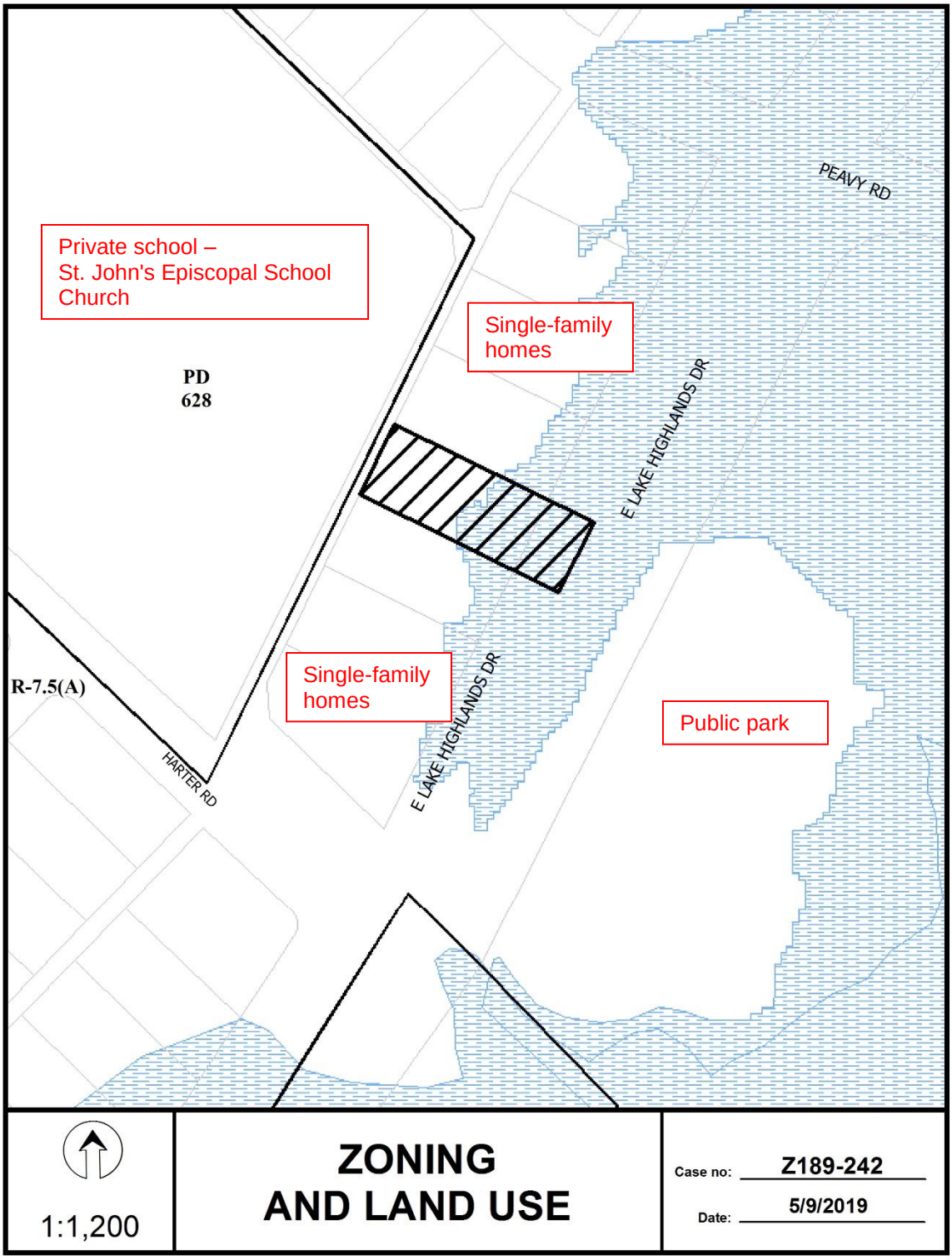


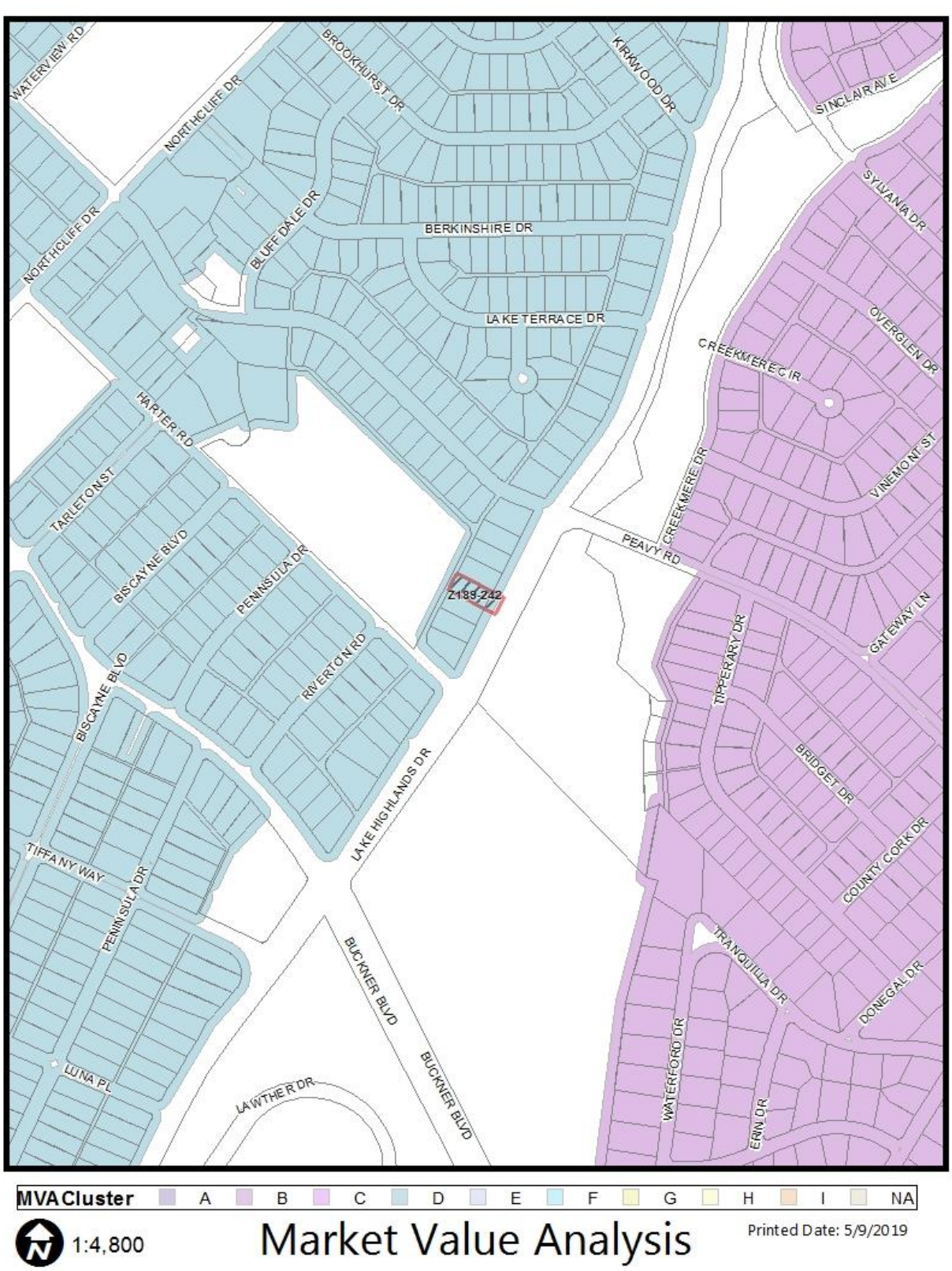
1:1,200

AERIAL MAP

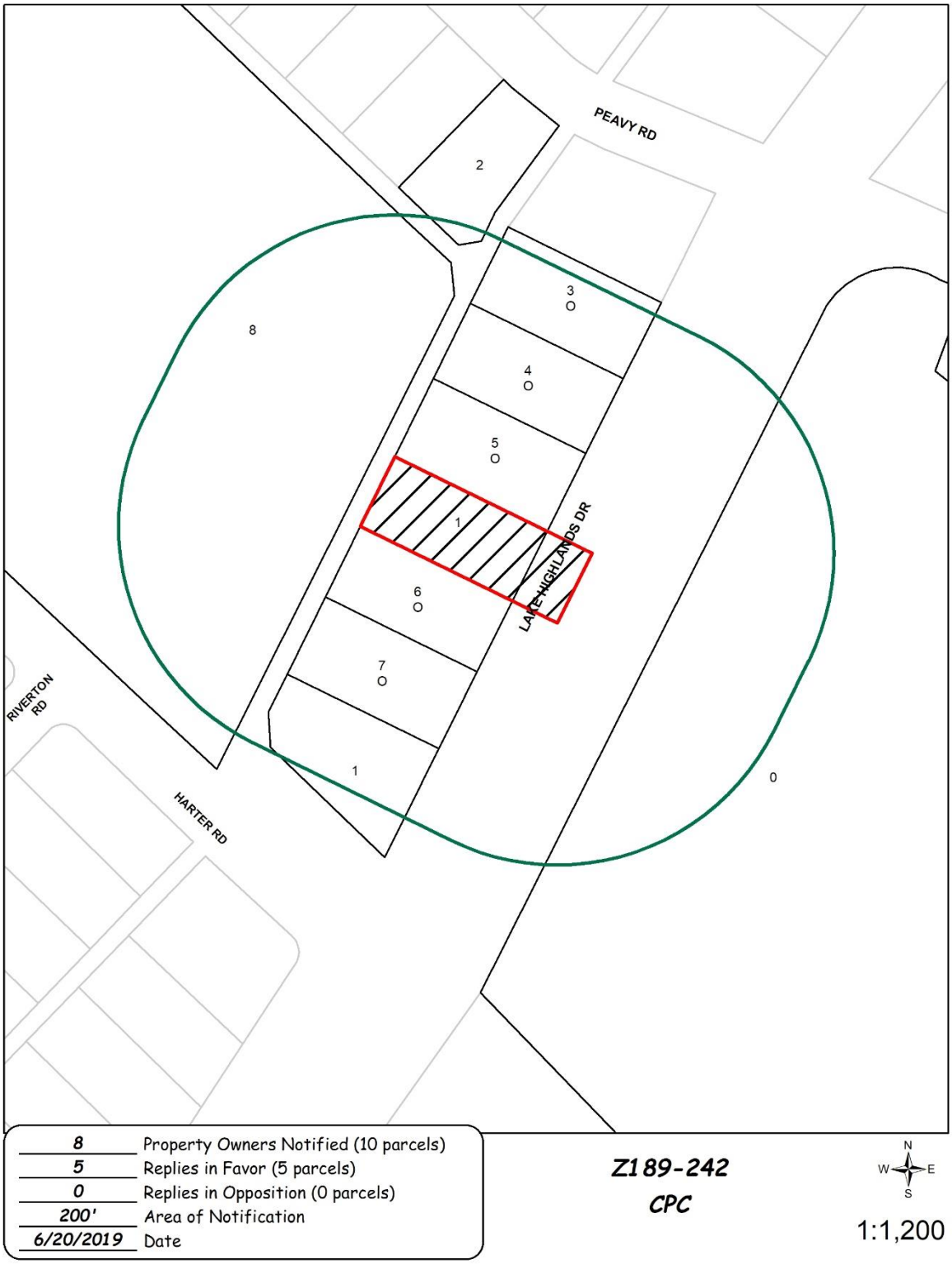
Case no: Z189-242

Date: 5/9/2019


Private school –
St. John's Episcopal School
Church
Single-family
homes
PD
628
PEAVY RD
E LAKE HIGHLANDS DR
Single-family
homes
E LAKE HIGHLANDS DR
Public park
R-7.5(A)
HARTER RD
1:1,200
ZONING
AND LAND USE
Case no: Z189-242
Date: 5/9/2019


WATERVIEW RD
NORTHCLIFF DR
BROOKHURST DR
KIRKWOOD DR
SINCLAIR AVE
SYLVANIA DR
BERKINSHIRE DR
BLUFF DALE DR
LAKE TERRACE DR
OVERGLEN DR
CREEKMERE CIR
CREEKMERE DR
VINEMONT ST
HARTER RD
TARLETON ST
BISCAYNE BLVD
PENINSULA DR
RIVERTON RD
Z189-242
PEAVY RD
GATEWAY LN
TIPPERARY DR
BRIDGET DR
LAKE HIGHLANDS DR
COUNTY CORK DR
TIFFANY WAY
PENINSULA DR
BUCKNER BLVD
TRANQUILLA DR
DONEGAL DR
WATERFORD DR
ERIN DR
LUNA PL
LAWTHER DR
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:4,800
Market Value Analysis
Printed Date: 5/9/2019

CPC Responses



Reply List of Property Owners

Z189-242

8 Property Owners Notified ***5 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
	1	9627 E LAKE HIGHLANDS DR	75218 PROPERTY COMPANY INC
	2	879 PEAVY RD	ODELL CLAUDIA
O	3	9643 E LAKE HIGHLANDS DR	75218 PROPERTY COMPANY
O	4	9637 E LAKE HIGHLANDS DR	75218 PPTY COMPANY
O	5	9631 E LAKE HIGHLANDS DR	75218 PROPERTY CO
O	6	9621 E LAKE HIGHLANDS DR	LOFLIN EVELYN LIFE ESTATE
O	7	9617 E LAKE HIGHLANDS DR	75218 PPTY CO INC
	8	848 HARTER RD	CORPORATION OF EPISCOPAL

Agenda Information Sheet

File #: 19-1079 **Item #:** 70.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center and a child-care facility on property zoned an MF -2(A) Multifamily District, on the southwest line of North Washington Avenue, northwest of Munger Avenue
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z189-255(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-255(SM) **DATE FILED:** April 26, 2019

LOCATION: Southwest line of North Washington Avenue, northwest of Munger Avenue

COUNCIL DISTRICT: 14 **MAPSCO:** 45 D

SIZE OF REQUEST: Approx. 2.77 acres **CENSUS TRACT:** 16.00

REPRESENTATIVE: Karl Crawley, Masterplan

APPLICANT/OWNER: Dallas Housing Authority

REQUEST: An application for a Specific Use Permit for a community service center and a child-care facility on property zoned an MF-2(A) Multifamily District.

SUMMARY: The applicant [Dallas Housing Authority] requests to continue operating within the existing facility with no changes proposed for the existing facility. The facility provides many community-based programs for area residents both within and outside the DHA owned properties in the area and services include educational, health and welfare classes, and physical activities. The previous SUP for this site expired on November 11, 2018.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- On November 12, 2003, the City Council approved Specific Use Permit No. 1531 for a community service center for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

- Two applications for automatic renewals were approved for five-year periods each and extended the expiration date to November 11, 2018 with eligibility for automatic renewals for additional five-year periods.

- Because an application for automatic renewal was not submitted prior to July 14, 2018, SUP No. 1531 expired.

Zoning History: There have been two recent zoning cases in the area within the past five years.

1. **Z178-223:** On June 20, 2019, the City Plan Commission will consider a City Plan Commission authorized hearing to determine proper zoning on property zoned Subarea C-1 within Subdistrict C; Subareas D-1, D-2, D-3, D-4, and D-5 within Subdistrict D; and Subdistricts E, E1, E2, F, G, H, H1 of Planned Development District No. 305, Cityplace; generally located on both sides of North Central Expressway with Carroll Avenue to the north, Hall Street to the south, Turtle Creek Boulevard to the west, and Ross Avenue to the east and consisting of approximately 116.62 acres. Consideration is to be given to amending the allowed square footage for nonresidential uses

2. **Z145-272**: On September 22, 2015, the City Council approved a WR-5 Walkable Urban Residential District with a Height Map Overlay on property zoned Planned Development District No. 466 and an MF-2(A) Multifamily District on the east corner of Hall Street and Munger Avenue

Thoroughfares/Streets:

Thoroughfare/Street	Type	ROW
Washington Avenue	Local	50-ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway 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.

LAND USE ELEMENT

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	MF-2(A)	Community service center and Child-care facility
Northeast	PDD No. 305 (East Residential) Subdistrict No. 1	Public park
Southeast	PDD No. 857	Multifamily
Southwest	MF-2(A)	Multifamily
Northwest	PDD No. 594	Multifamily

Land Use Compatibility:

The subject site is currently developed with three one-story buildings with a cumulative floor area of 27,899 square feet that includes two 8,152-square-foot buildings that have a Kid's Café and Teen Center in Building B and a community clinic, DHA and charitable offices, and administration building in Building C and a 11,595-square-foot child-care building with a head start daycare, all of which provides general support to residents in the nearby areas.

Surrounding uses include an elementary school to the north, a public park on the northeast line of North Washington Avenue, and multifamily uses to the southeast, and southwest northwest.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The existing MF-2(A) zoning allows a child-care facility and a community service use by SUP and staff recommends approval of the proposed use for a five-year period with eligibility for automatic renewals for additional five-year periods because the continuance of the existing uses are considered compatible with surrounding properties.

Parking:

Pursuant to the Dallas Development Code, a community service center requires one space per 200 square feet of floor area; for a child-care facility, one space per 500 square feet of child-care facility floor area is required. The existing facilities include 14,509 square feet of community center facilities in portions of Buildings A and B and all of Bundling C and 13,390 square feet of child-care facility in portions of Buildings A and B. Therefore, if both uses were allowed without an SUP, a total of 100 parking spaces would be required which includes 73 for the community service center and 27 for the child-care facility.

The site contains 44 off-street parking spaces and seven intended parallel on-street parking spaces on Washington Avenue. Since there are no changes to the site proposed with this request, the uses have been in operation for at least 15 years with a valid Certificate of Occupancy, and the buildings have been in the same configuration since the 1950's, the site is compliant with off-street parking requirements.

Further, the Transportation Department has reported there are no complaints or service requests regarding inadequate parking of the site have been recorded. Second, although on-street parking spaces do not count towards off-street parking requirements, there are seven indented parallel parking spaces on Washington Avenue that can provide additional parking. Finally, engineering staff has studied the site several years ago and has no objections to the current parking configuration.

Landscaping:

No changes to the site are proposed at this time. Landscaping of any future development will be in accordance with Article X, as amended.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The site is located within a “G” MVA cluster.

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for a community service center and a child-care facility for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an MF-2(A) Multifamily District, on the southwest line of North Washington Avenue, northwest of Munger Avenue.

Maker: Brinson
Second: Schulte
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright*, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 8
Replies: For: 0 Against: 1

Speakers: None

Partners/Principals/Officers:

DALLAS HOUSING AUTHORITY

BOARD
Victor Vital, Chairman
Jim Garner, Commissioner
Deborah Culberson, Commissioner
Jorge Baldor, Commissioner
Theresa Flores, Commissioner

Officers
Troy Broussard, CEO
David Zappasodi, SVP
Chetna Chaphekar, CFO
Greg Mays, General Counsel
Tim Lott, VP _ Capital Projects
Brooke Etie, VP

CPC Recommended SUP Conditions

1. USE: The only uses authorized by this specific use permit are a community service center and a child-care facility.

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

3. TIME LIMIT: This specific use permit expires on (five years from the passage of this ordinance), and 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. In order 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).

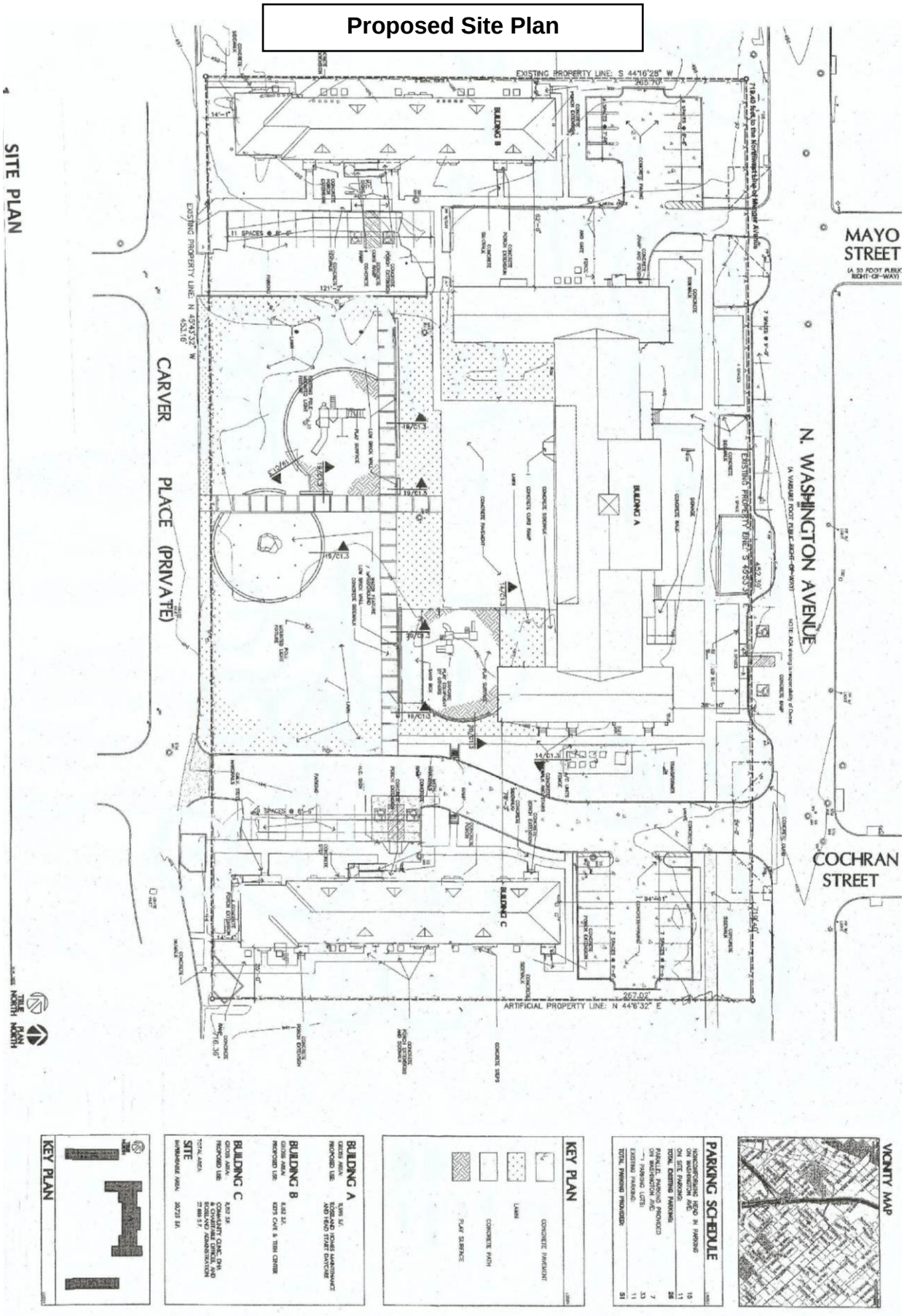
4. FLOOR AREA: The maximum cumulative floor area for a child-care facility and a community service center is 27,899 square feet in the locations shown on the attached site plan.

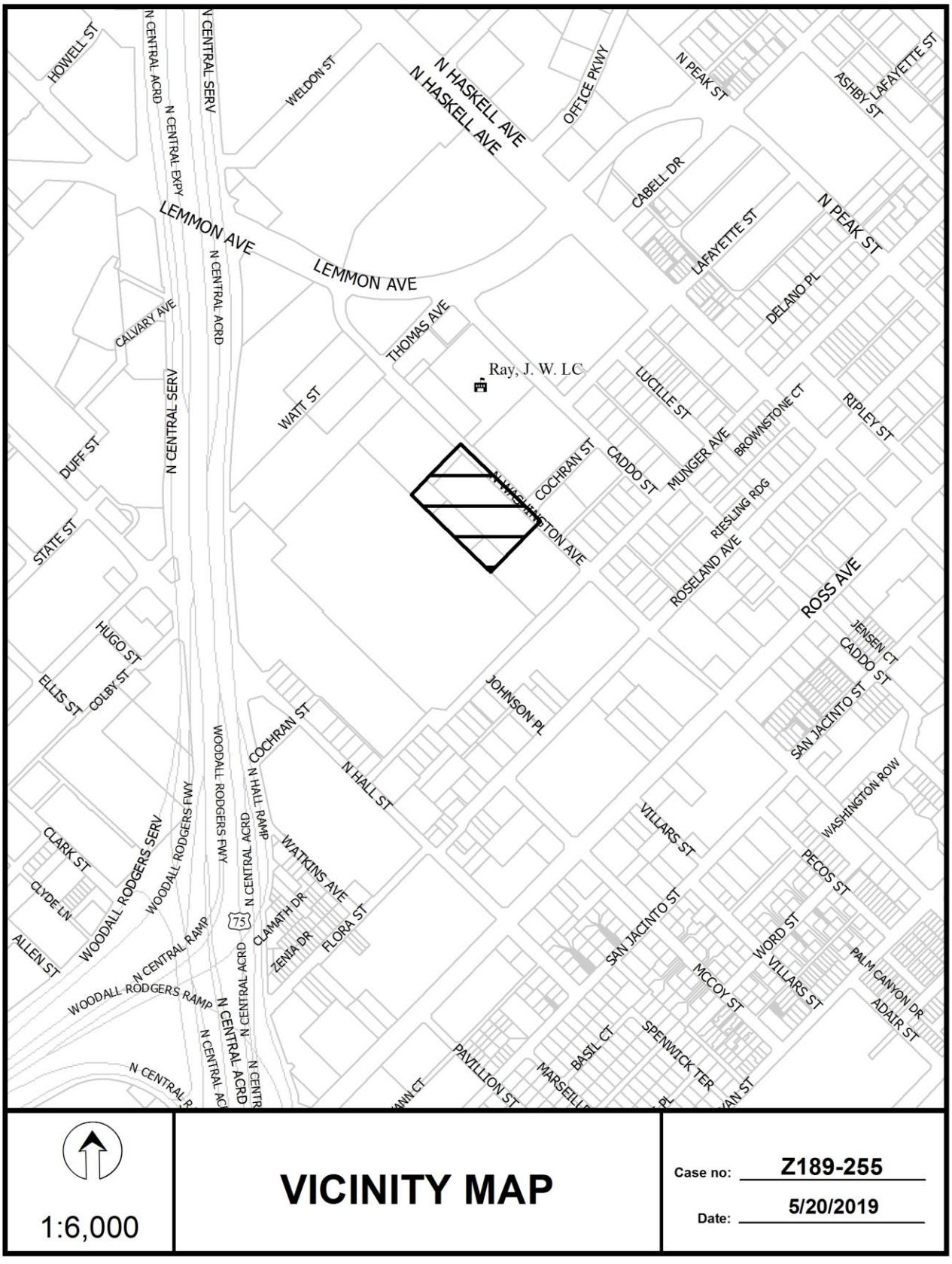
5. PARKING: A minimum of 44 off-street parking spaces are required in the location shown on the attached site plan.

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

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

Proposed Site Plan





1:6,000

VICINITY MAP

Case no: Z189-255

Date: 5/20/2019

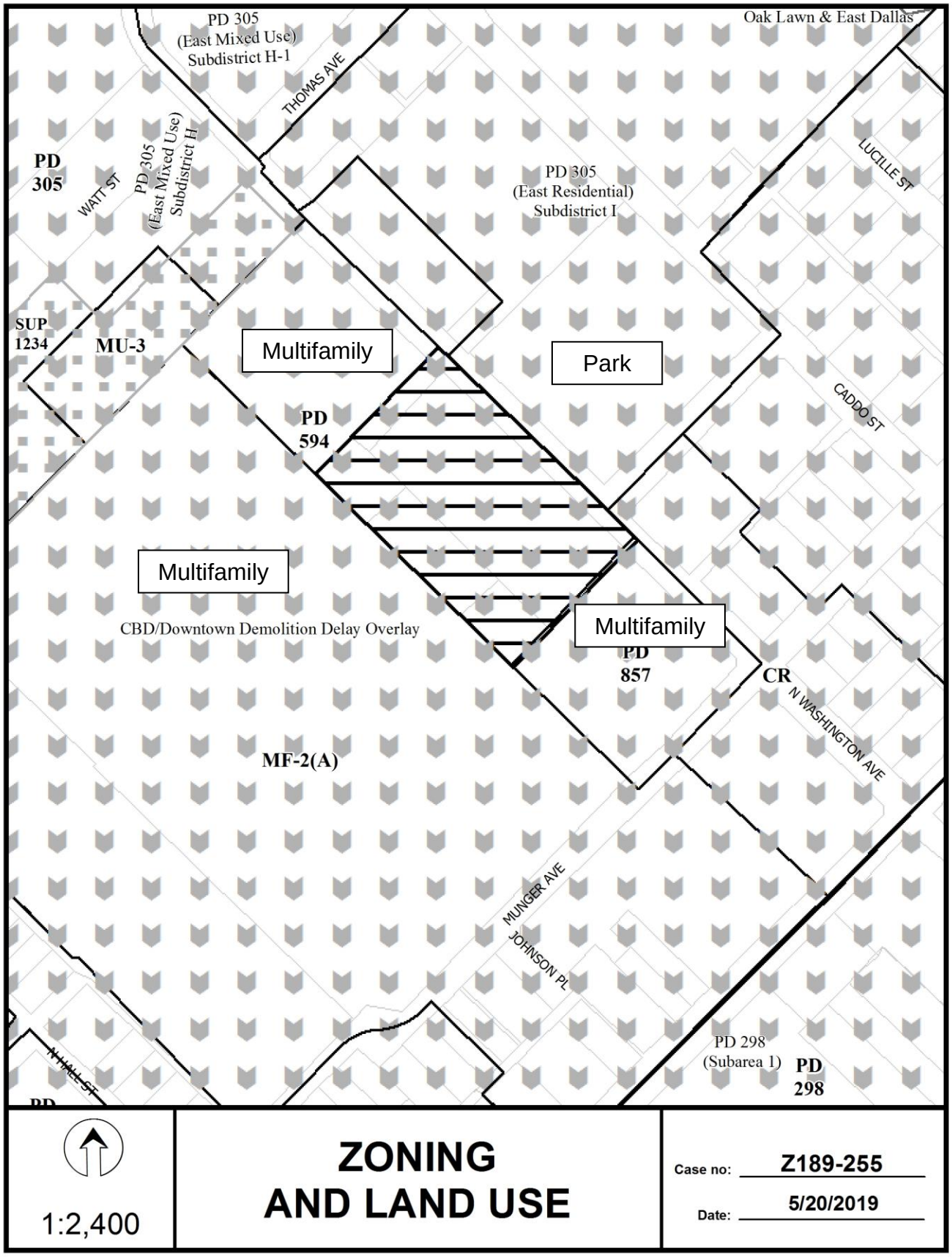


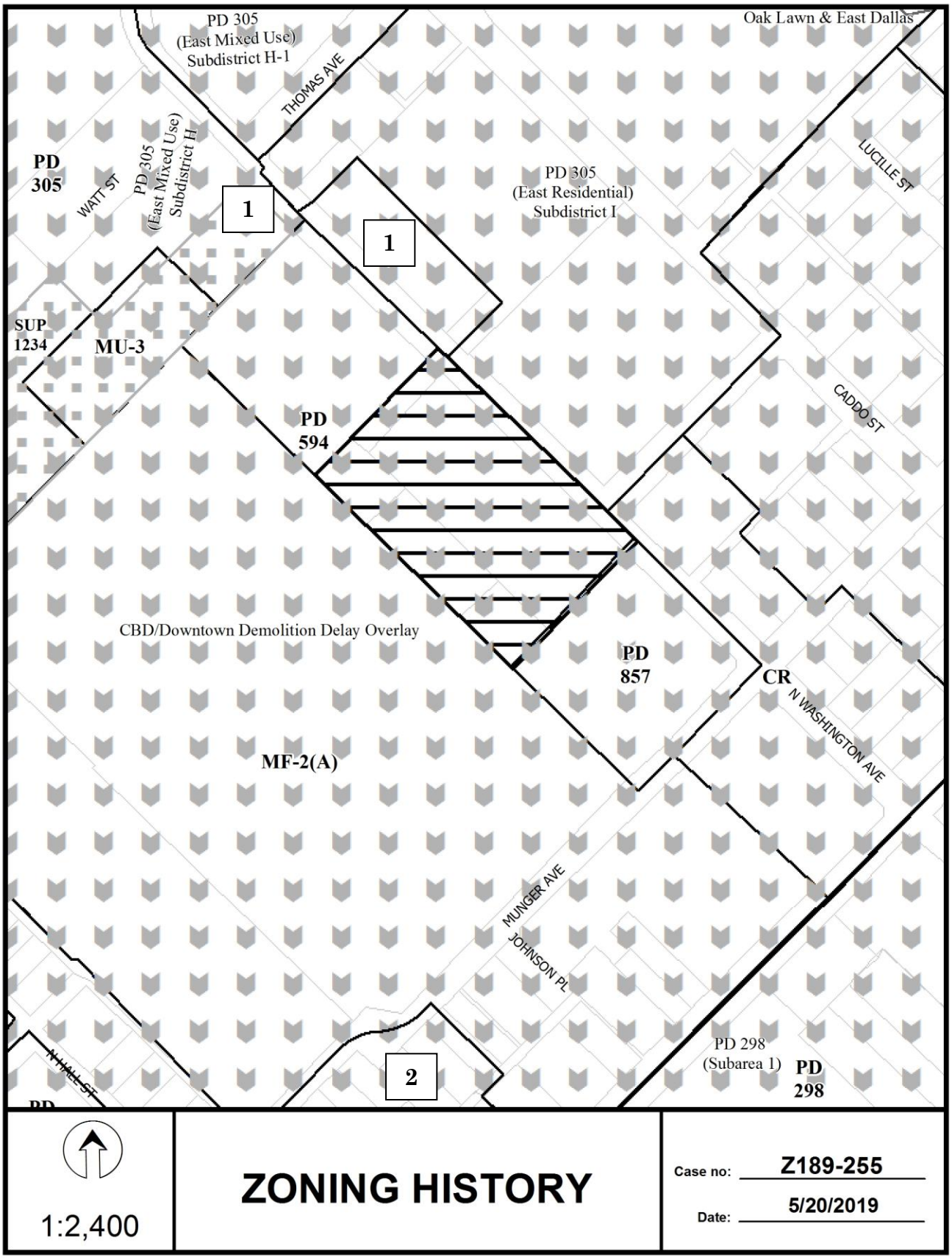
1:2,400

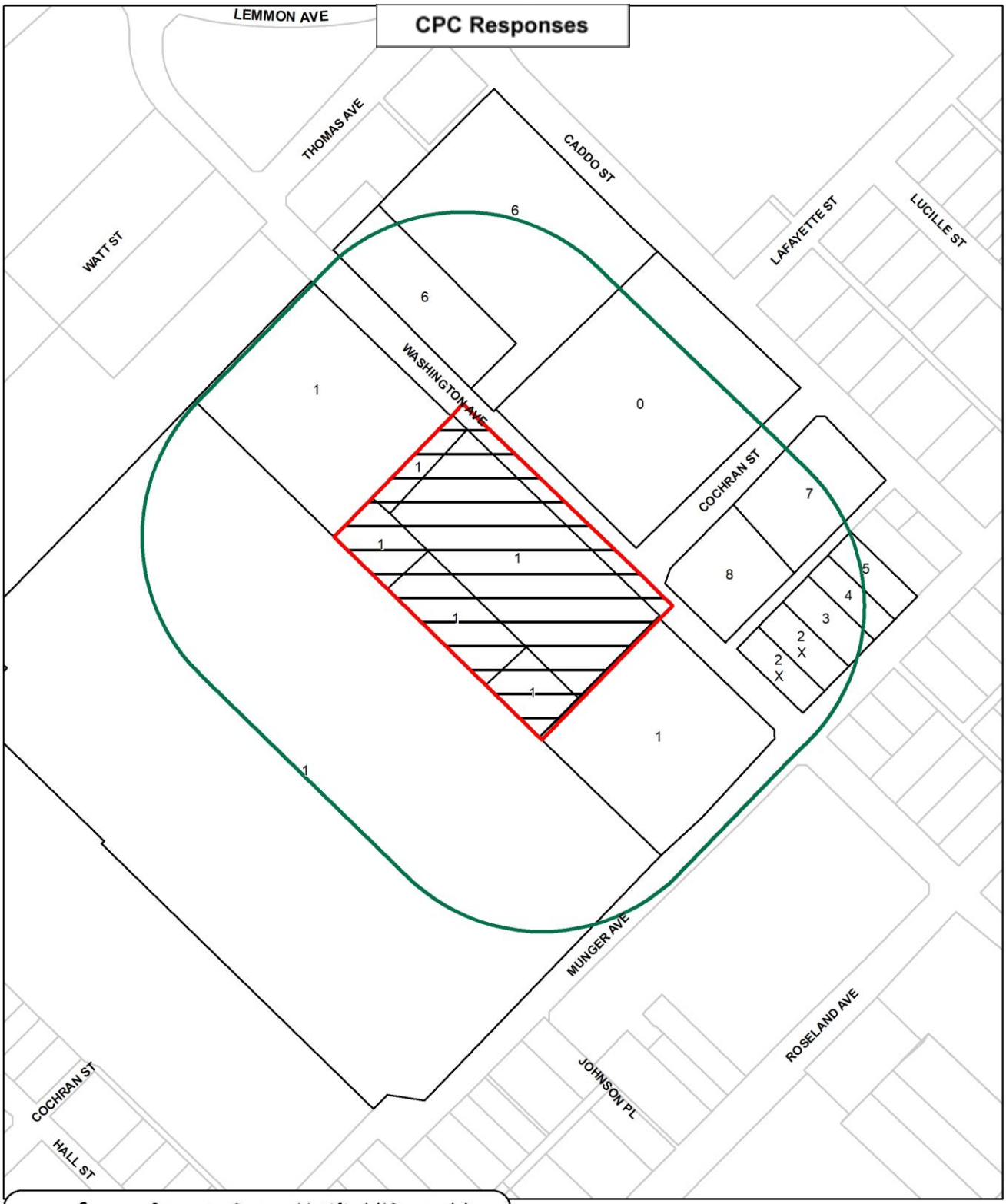
AERIAL MAP

Case no: Z189-255

Date: 5/20/2019


PD 305
(East Mixed Use)
Subdistrict H-1
THOMAS AVE
Oak Lawn & East Dallas
PD
305
WATT ST
PD 305
(East Mixed Use)
Subdistrict H
PD 305
(East Residential)
Subdistrict I
LUCILLE ST
SUP
1234
MU-3
Multifamily
Park
PD
594
CADDO ST
Multifamily
CBD/Downtown Demolition Delay Overlay
Multifamily
PD
857
CR
N WASHINGTON AVE
MF-2(A)
MUNGER AVE
JOHNSON PL
N HALL ST
PD 298
(Subarea 1)
PD
298
1:2,400
ZONING
AND LAND USE
Case no: Z189-255
Date: 5/20/2019


PD 305
(East Mixed Use)
Subdistrict H-1
THOMAS AVE
Oak Lawn & East Dallas
PD
305
WATT ST
PD 305
(East Mixed Use)
Subdistrict H
1
1
PD 305
(East Residential)
Subdistrict I
LUCILLE ST
SUP
1234
MU-3
PD
594
CADDO ST
CBD/Downtown Demolition Delay Overlay
PD
857
CR
N WASHINGTON AVE
MF-2(A)
MUNGER AVE
JOHNSON PL
2
PD 298
(Subarea 1)
PD
298
N HALL ST
1:2,400
ZONING HISTORY
Case no: Z189-255
Date: 5/20/2019


CPC Responses
LEMMON AVE
THOMAS AVE
CADDO ST
WATT ST
LAFAYETTE ST
LUCILLE ST
WASHINGTON AVE
COCHRAN ST
MUNGER AVE
ROSELAND AVE
JOHNSON PL
COCHRAN ST
HALL ST
6
6
1
0
1
1
1
1
1
1
7
8
5
4
3
2
X
2
X
8 Property Owners Notified (18 parcels)
0 Replies in Favor (0 parcels)
1 Replies in Opposition (2 parcels)
300' Area of Notification
6/20/2019 Date
Z189-255
CPC
N
W
E
S
1:2,400

06/19/2019

Reply List of Property Owners

Z189-255

8 Property Owners Notified ***0 Property Owners in Favor*** ***1 Property Owner Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3535	MUNGER AVE	DALLAS HOUSING AUTHORITY
X	2	1910	N WASHINGTON AVE	H5C LLC
	3	3811	MUNGER AVE	TRISKELE LLC
	4	3815	MUNGER AVE	EROSE CORPORATION
	5	3817	MUNGER AVE	PILGRIM REST VILLAGE
	6	2211	CADDO ST	Dallas ISD
	7	1913	CADDO ST	HOUSING AUTHORITY OF THE
	8	1950	N WASHINGTON AVE	CHURCH OF THE INCARNATION

Agenda Information Sheet

File #: 19-1080 **Item #:** 71.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Planned Development District No. 842 with Specific Use Permit No. 1289 for a bar, lounge, or tavern use and an MD-1 Modified Delta Overlay, on the west line of Greenville Avenue, south of Sears Street
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z189-261(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z189-261(SM)	**DATE FILED:**	April 30, 2019
LOCATION:	West line of Greenville Avenue, south of Sears Street		
COUNCIL DISTRICT:	14	**MAPSCO:**	36 X
SIZE OF REQUEST:	Approx. 0.11 acre	**CENSUS TRACT:**	10.02

OWNER: Intercity Investment Properties

APPLICANT: The Old Crow

REPRESENTATIVE: Audra Buckley, Permitted Development

REQUEST: An application for the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Planned Development District No. 842 with Specific Use Permit No. 1289 for a bar, lounge, or tavern use and an MD-1 Modified Delta Overlay.

SUMMARY: The applicant is proposing to continue the operation of an existing bar, lounge, or tavern use (The Old Crow) past midnight.

CPC RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

BACKGROUND INFORMATION:

- On August 14, 1996, the City Council approved SUP No. 1289 for a bar, lounge, or tavern use for a permanent time period, subject to a site plan (that was amended in 2011).

- On January 26, 2011, the City Council approved Planned Development District No. 842 for CR District Uses that includes the request site. The PDD requires an SUP for any retail and personal service uses operating between midnight and 6:00 a. m.

- On October 26, 2011, the City Council approved SUP No. 1912 for a bar, lounge, or tavern use with late hours for a two-year period on the subject site.

- On October 23, 2013, the City Council renewed and amended SUP No. 1912 for a three-year period on the subject site. The applicant proposed to continue operation of an existing bar, lounge, or tavern use with late hours as well as providing the ability to utilize the patio area fronting Greenville Avenue (360 ft^2).

- On January 20, 2015, the Board of Adjustment reinstated delta credits for the overall building site, which includes the suites to the north and south of the request site (BDA178-009).

- On October 26, 2016, the City Council renewed SUP No. 1912 for a three-year period on the subject site.

Zoning History: There have been 15 zoning change requests in the area within the last five years.

1. **Z189-150** On April 10, 2019, the City Council approved Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period.

2. **Z167-367** On December 13, 2017, the City Council approved Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period, subject to a site plan and conditions.

3. **Z178-304** On November 14, 2018, the City Council approved the renewal of Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period, subject to conditions.

4. **Z189-206** On June 20, 2019, the City Plan Commission will consider an application for a new subdistrict within Planned Development District No. 842 with an MD-1 Modified Delta Overlay located on the northeast corner of Greenville Avenue and Oram Street.

5. **Z189-124** On March 7, 2019, the City Plan Commission denied an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Avenue and La Vista Drive without prejudice.

6. **Z189-126** On March 7, 2019, the City Plan Commission denied an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Avenue and La Vista Drive without prejudice.

7. **Z189-131** On February 7, 2018, the City Plan Commission denied an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Street and La Vista Drive without prejudice.

8. **Z156-224** On June 22, 2016, the City Council approved Specific Use Permit No. 2230 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period.

9. **Z178-281** On September 26, 2018, the City Council approved amendment to Subdistricts 1, 2, and 4 within Planned Development District No. 691 with a MD-1 Modified Delta Overlay and a D Liquor Control Overlay on a portion to allow a tower/antenna for cellular communication, located on the northwest corner of Greenville Avenue and Lewis Street, subject to a revised development plan, elevation, and conditions.

10. **Z167-238** On December 13, 2017 the City Council approved an amendment to Planned Development District No. 691, with a MD-1 Modified Delta Overlay and a D Liquor Control Overlay on a portion, located on the northwest corner of Greenville Avenue and Lewis Street, subject to conditions.

11. **Z178-387** On January 23, 2019, the City Council approved 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 two-year period.

12. **Z167-342** On October 11, 2017, the City Council approved 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.

13. **Z156-294** On October 26, 2016, the City Council approved the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to a bar, lounge or tavern for a three-year period.

14. **Z178-272** On October 23, 2018, the City Council approved Subdistrict 1 within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the west side of Greenville Avenue, north of Alta Avenue.

15. **Z156-300** On October 26, 2016, the City Council renewed 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 uses with an MD-1 Modified Delta Overlay, on the west line of Greenville Avenue, south of Sears Street for a four-year period.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Greenville Avenue	Local	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the request will not significantly impact the surrounding roadway 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.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY
Policy 5.1.1 Promote pedestrian-friendly streetscapes.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE
Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Area Plans:

Studies conducted in the area include the Lower Greenville Avenue Parking Study (1986) that recommended that "the City enforce premise code violations as it does in other parts of the City of Dallas". Code Enforcement was also an issue highlighted in the Greenville Avenue Urban Design Study (1996-1997). It was recommended that "initiatives be taken to conduct a comprehensive sweep to clean-up the Greenville Avenue corridor and there after enforce codes with the assistance of property owners, residents, businesses and operations to maintain the property and report violations to the City for follow-up action." Recommendations from both studies are still applicable today and consistent with recommendations to address quality of life for adjacent residential neighborhoods and the Lowest Greenville Avenue corridor, respectively.

Modified Delta Overlay No. 1:

In general terms, 'delta theory' means the number of nonconforming parking or loading spaces for a use that may be carried forward when the use is converted or expanded.

The 'modified delta', in effect, limits the scope of delta theory due to an increasing need to encourage redevelopment and adaptive reuse of existing structures or that the continued application of the delta theory will create traffic congestion and public safety issues.

The site lies within Modified Delta Overlay No. 1 (MD-1), which was adopted by the City Council on October 1, 1987. MD-1 consists of three 'Areas' in an area generally bounded by Ellsworth Avenue, west of Matilda Street, north of Ross Avenue, and east of Summit Avenue/Worcola Street. This site lies within the Area 3 portion of MD-1.

On June 14, 1995, City Council approved a resolution that provides for replacing parking in the right-of-way that is lost due to locating public dining space (subject to the granting of a private license) within this area and requires parking for public dining areas at a ratio of 1 space per 300 square feet of public dining space. The most recent amendment was

approved by City Council on June 28, 1995, which provides for the following: 1) a use that is discontinued or remains vacant for 12 months loses the right to carry forward nonconforming parking/loading under the delta theory; 2) the Board of Adjustment may not grant a special exception for required parking; 3) walking distance for remote parking is increased to 900 feet; and, 4) special parking may account for more than 50 percent of required parking for a use.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 842, MD-1, SUP No. 1289	Bar, lounge, or tavern with late hours
North	PD No. 842, MD-1, SUP No. 1289	Retail
East	CR, MD-1	Retail and restaurants
South	PD No. 842, MD-1, SUP No. 1289	Retail
West	PD No. 842, MD-1, SUP No. 1903	Restaurant with late hours

Land Use Compatibility:

SUP No. 1289 grants the request site permission to operate as a bar, lounge, or tavern use with a patio area fronting Greenville Avenue for a permanent time period and SUP No. 1912 grants permission to operate until 2:15 a.m. until October 26, 2019. The applicant proposes to continue operation of an existing bar, lounge, or tavern use after midnight for an additional three years.

The site abuts two retail uses on the north and south, a bike shop and a T-shirt shop, respectively. On the east line of Greenville Avenue, there is a clothing store and restaurant use. A restaurant with late hours is located behind the request site, to the west. Additional retail, restaurant, and office uses are located in all directions in the immediate vicinity and residential uses (single family and multifamily structures) are found on properties further east and west of the Lower Greenville area.

The purpose of PDD No. 842 is to 'ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues.' As defined in the PDD, a late-hours establishment is any retail or personal service use that operates between midnight and 6:00 a.m., and furthermore requires an SUP for this defined use. Additionally, the City

Council adopted a compliance date of September 23, 2011 for any retail and personal service use operating beyond 12:00 a.m. to obtain the required SUP.

PDD No. 842 establishes the following criteria for consideration of an SUP for a late-hours establishment:

> (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 (1);
>
> (2) the number of citations issued by police for noise ordinance violations by the establishment (0);
>
> (3) the number of arrests for public intoxication or disorderly conduct associated with the establishment (0);
>
> (4) the number of Texas Alcoholic Beverage Code violations of the establishment (0); and
>
> (5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment (2);

Since October, 26, 2016, the Dallas Police Department reports the address has one food preparation citation, no citations for noise, no arrests, and one incident of aggravated assault for family violence with a weapon on September 29, 2018. Additionally, TABC reports that one violation on March 18, 2018 to sell/deliver alcoholic beverages to an intoxicated person which was dismissed with prejudice on April 25, 2019.

In addition to the regulations of PDD No. 842, the Dallas Development Code establishes general criteria for any use requiring an SUP:

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.

CPC supports the applicant's request to renew late hours operations because of the following reasons. The request is oriented on Greenville Avenue, consistent with similar retail and personal service uses in the immediate area. No outside operations (i. e., patio areas) face the residential areas in the vicinity. Use of outdoor loudspeakers is prohibited. The use possesses similar operational characteristics as expected along Greenville Avenue. The 2013 addition of sidewalk seating activates the sidewalk and makes the area livelier, thereby contributing to the *Main Street* character along Greenville Avenue. The applicant has operated in a responsible manner, with minimal citations, arrests, and/or violent crimes in the last three-year period. A valid certificate of occupancy exists and no building, health, or safety code violations have been recorded.

Parking:

The request site is one suite within a three-suite building site. Since parking requirements are calculated cumulatively over the building site and has utilized a mixed-use development parking chart where a mixture of uses can have compatibly overlapping peak demand hours, the highest parking demand for the building site is 50 spaces in the late afternoon on Saturdays as shown in the chart on the following page.

The building site has 50 spaces provided which includes 12 off-street parking spaces in the rear and 38 delta credits, which were reinstated by the Board of Adjustment on January 20, 2015.

City of Dallas Mixed Use Development Parking Chart

for properties regulated by Dallas Development Code, Chapter 51A

(for calculating adjusted standard parking requirement, ~~REQUIRES AGREEMENT~~)

Address: 1909, 1911, 1915 Greenville Avenue

ZONING ONLY APPROVED (subject to corrections noted) BY _____ 1/27/15

Use	Use Categories	Total SF (including vacancies)	Parking Ratio	Standard Parking Requirement	Parking Adjustment By Time of Day (Weekday)									
					Morning		Noon		Afternoon		Late Afternoon		Evening	
	Multifamily # units or bedrooms (whichever is greater)		1	0.00	80%	-	60%	-	60%	-	70%	-	100%	-
	Office Uses*		333	0.00	100%	-	80%	-	100%	-	85%	-	35%	-
	Retail Uses*	4,850	200	24.25	60%	14.55	75%	18.19	70%	16.98	65%	15.76	70%	16.98
	Retail 10,000+ SF		220	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Retail 40,000+ SF		250	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Retail 100,000+ SF		300	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Bar, restaurant, & commercial amusement (inside)	2,803	100	28.03	20%	5.61	100%	28.03	30%	8.41	30%	8.41	100%	28.03
	Health Studio		200	0.00	45%	-	70%	-	55%	-	80%	-	100%	-
	Game court center		n/a		45%	-	70%	-	55%	-	80%	-	100%	-
	Theater (1/28 seating)		28	0.00	0%	-	40%	-	60%	-	80%	-	100%	-
	Any other use				100%	-	100%	-	100%	-	100%	-	100%	-
Total SF (- residential & theater		**7,653**		**52**		**20**		**46**		**25**		**24**		**45**

Use	Use Categories	Total SF (including vacancies)	Parking Ratio	Standard Parking Requirement	Parking Adjustment By Time of Day (Saturday)									
					Morning		Noon		Afternoon		Late Afternoon		Evening	
N/A	Multifamily # units or bedrooms (whichever is greater)	0	1	0.00	100%	-	70%	-	75%	-	85%	-	95%	-
N/A	Office Uses*	0	333	0.00	15%	-	20%	-	15%	-	5%	-	0%	-
N/A	Retail Uses*	4,850	200	24.25	75%	18.19	85%	20.61	100%	24.25	90%	21.83	65%	15.76
	Retail 10,000+ SF	0	220	0.00	75%	-	85%	-	100%	-	90%	-	65%	-
	Retail 40,000+ SF	0	250	0.00	75%	-	85%	-	100%	-	90%	-	65%	-
	Retail 100,000+ SF	0	300	0.00	65%	-	75%	-	90%	-	75%	-	60%	-
N/A	Bar, restaurant, & commercial amusement (inside)	2,803	100	28.03	20%	5.61	60%	16.82	90%	25.23	100%	28.03	100%	28.03
N/A	Health Studio	0	200	0.00	100%	-	100%	-	100%	-	100%	-	100%	-
N/A	Game court center	0	n/a	0	100%	-	100%	-	100%	-	100%	-	100%	-
N/A	Theater (1/28 seating)	0	28	0.00	0%	-	40%	-	80%	-	100%	-	100%	-
N/A	Any other use	0	0	0	100%	-	100%	-	100%	-	100%	-	100%	-
Total SF (- residential & theater		**7,653**		**52**		**24**		**37**		**49**		**50**		**44**

* See Chapter 51A Definitions

**Based upon a report for ULI - The Urban Land Institute, Shared Parking. Washington, D.C.: ULI. 1983

Weekday MUD Parking requirement is 46 Saturday MUD Parking requirement is 50

Therefore, 50 is the parking requirement for 1909, 1911, 1915 Greenville

Updated 11/29/12

Printed 1/27/2015

Z189-261(SM)

6

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required. Any additions to the property that exceed 35 percent of the existing floor area or 2,000 square feet of new non-permeable pavement will require landscaping per Article X of the Dallas Development Code.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, the site is surrounded by a “C” MVA cluster in all directions.

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern for a three-year period, subject to conditions on property zoned Planned Development District No. 842 with Specific Use Permit No. 1289 for a bar, lounge, or tavern use and an MD-1 Modified Delta Overlay, on the west line of Greenville Avenue, south of Sears Street.

Maker: Brinson
Second: Schulte
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright*, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 19
Replies: For: 0 Against: 0

Speakers: None

List of Officers

Intercity Investment Properties - Officers

President	Christopher G Jordan
Vice President	Nick Hannon
Vice President/Secretary	Anne Jordan Logan
Treasurer	Curtis Garmon
Property Manager/Member	Jeff Weimer

Old Crow

Owner/Manager	Brian Hankins

CPC Recommended SUP No. 1912 Renewal

1. USE: The only use authorized by this specific use permit is a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern.

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 (three years from the passage of this ordinance) [~~October 26, 2019~~].

4. FLOOR AREA: Maximum floor area is 2,803 square feet in the location shown on the attached site plan.

5. HOURS OF OPERATION:

   A. The late-hours establishment may only operate between 12:00 a.m. (midnight) and 2:00 a.m., Monday through Sunday.

   B. All customers must leave the Property by 2:15 a.m.

6. OUTDOOR LOUDSPEAKERS: Use of outdoor loudspeakers on the Property is prohibited.

7. PARKING: Parking must be provided in accordance with Planned Development District No. 842 and MD-1 Modified Delta Overlay No. 1.

8. PATIO:

   A. An uncovered patio not to exceed 360 square feet in area is permitted in the location shown on the attached site plan.

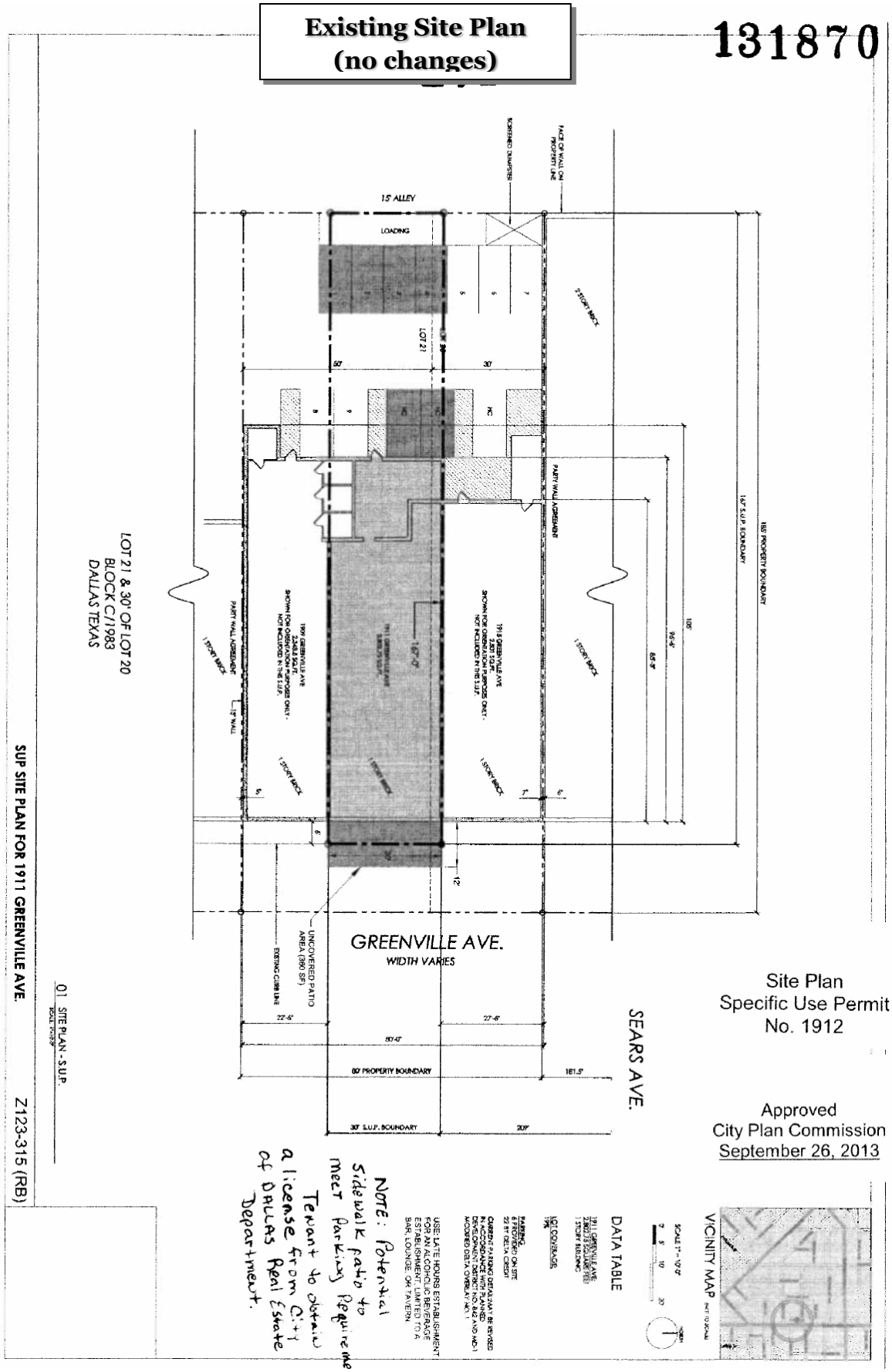
   B. The owner or operator must obtain a private license for the uncovered patio, with a copy of the private license provided to the building official before the uncovered patio may be used by customers.

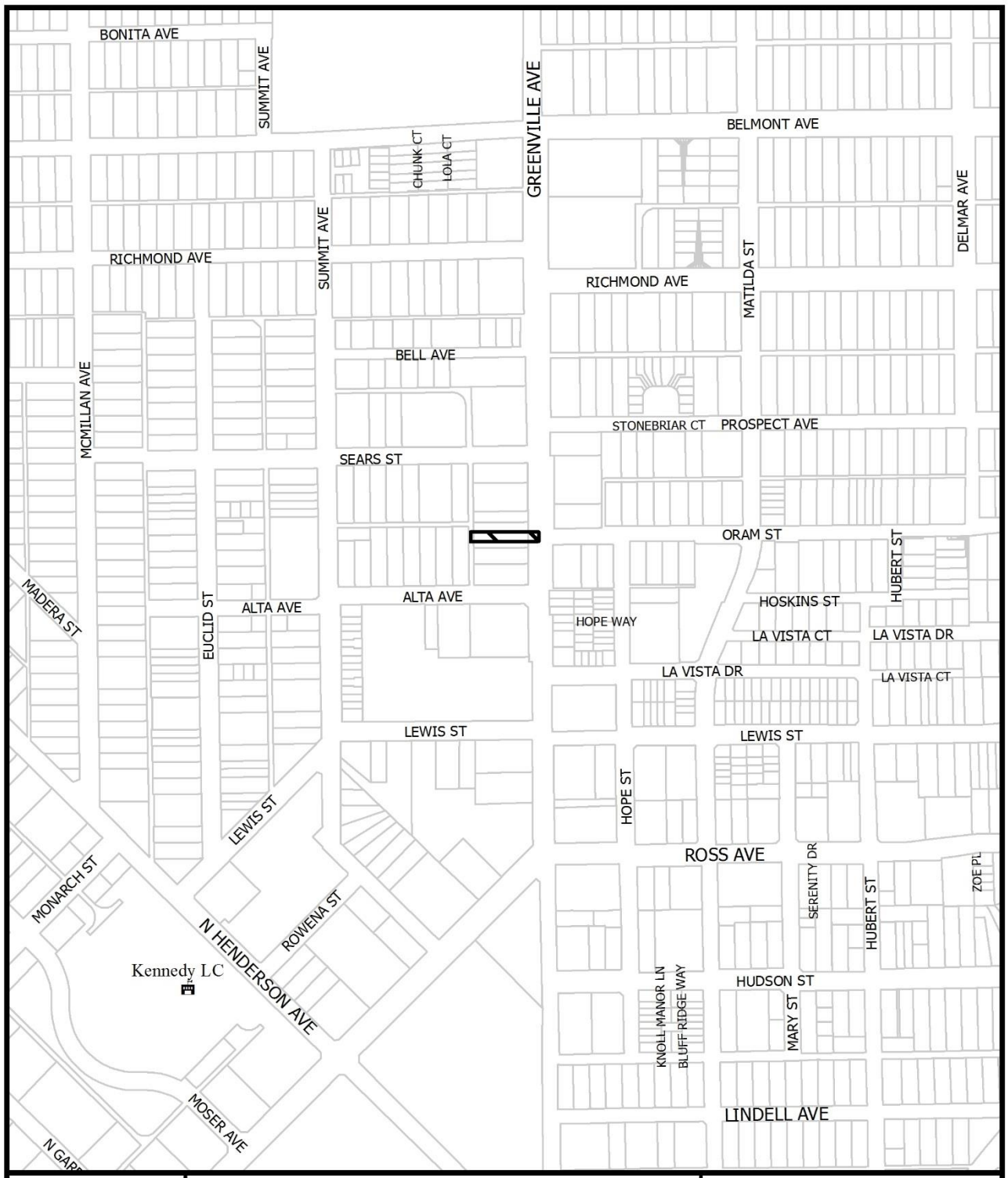
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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
(no changes)

131870





1:4,800

VICINITY MAP

Case no: Z189-261

Date: 5/21/2019

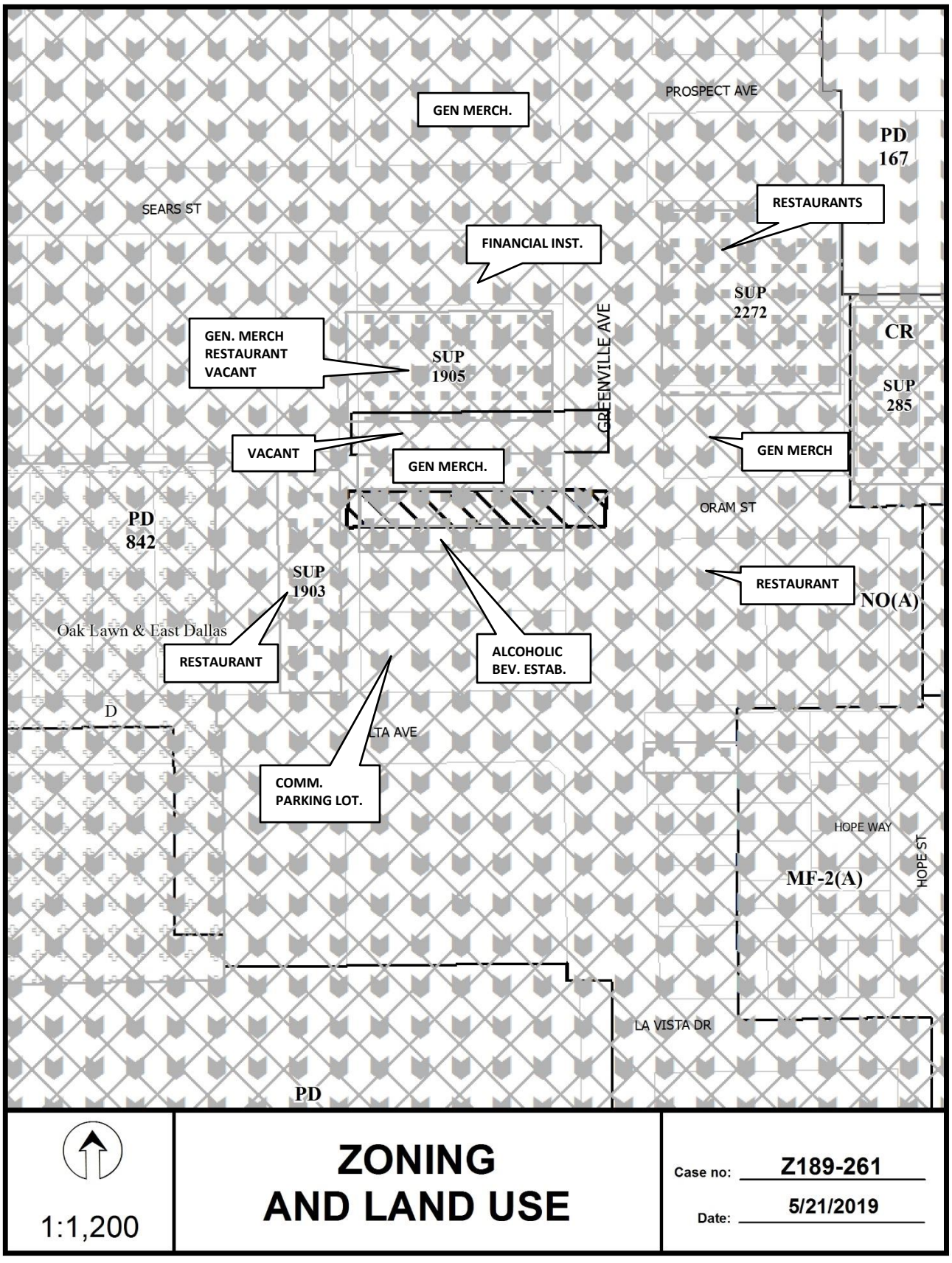


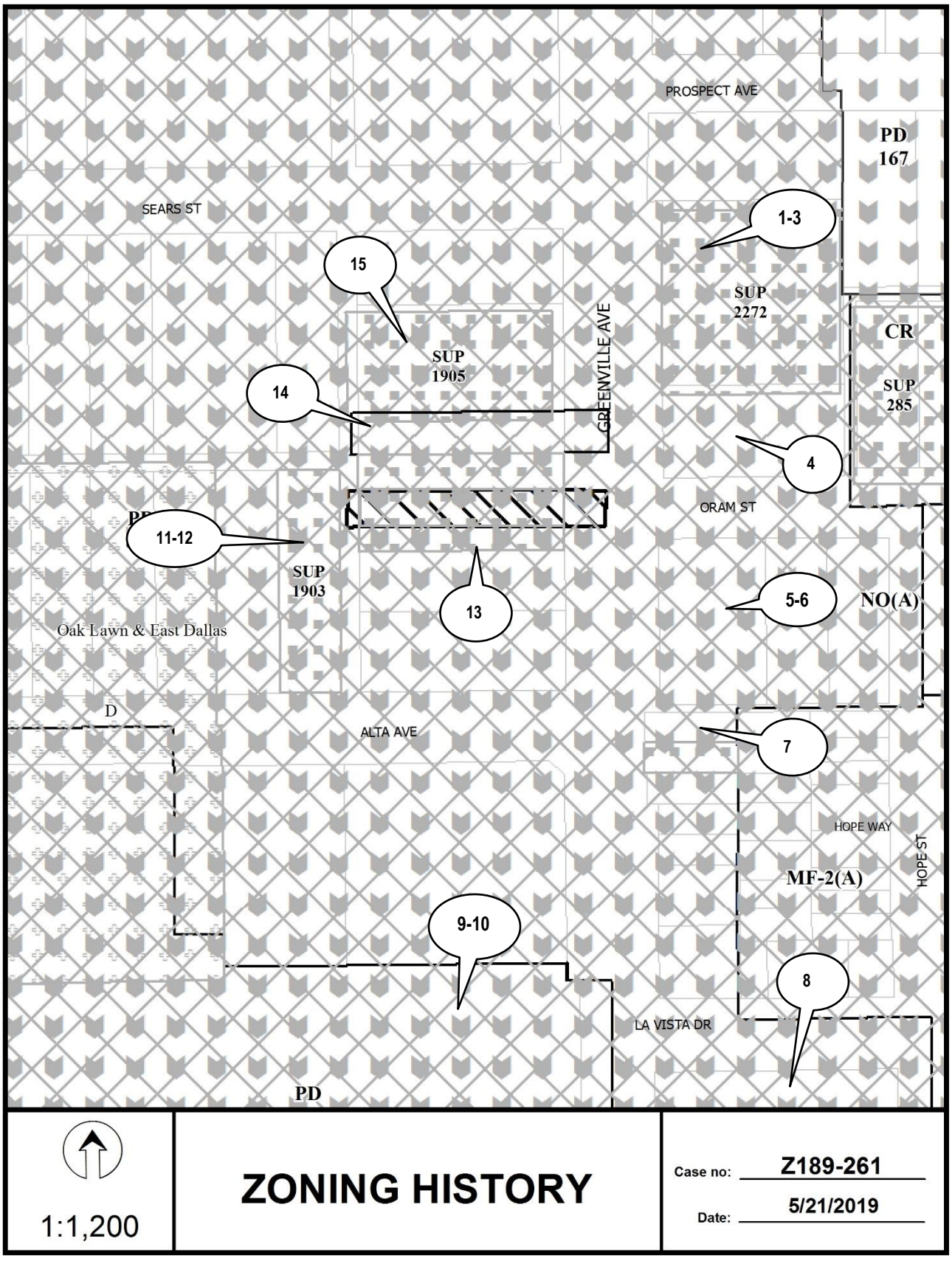
1:1,200

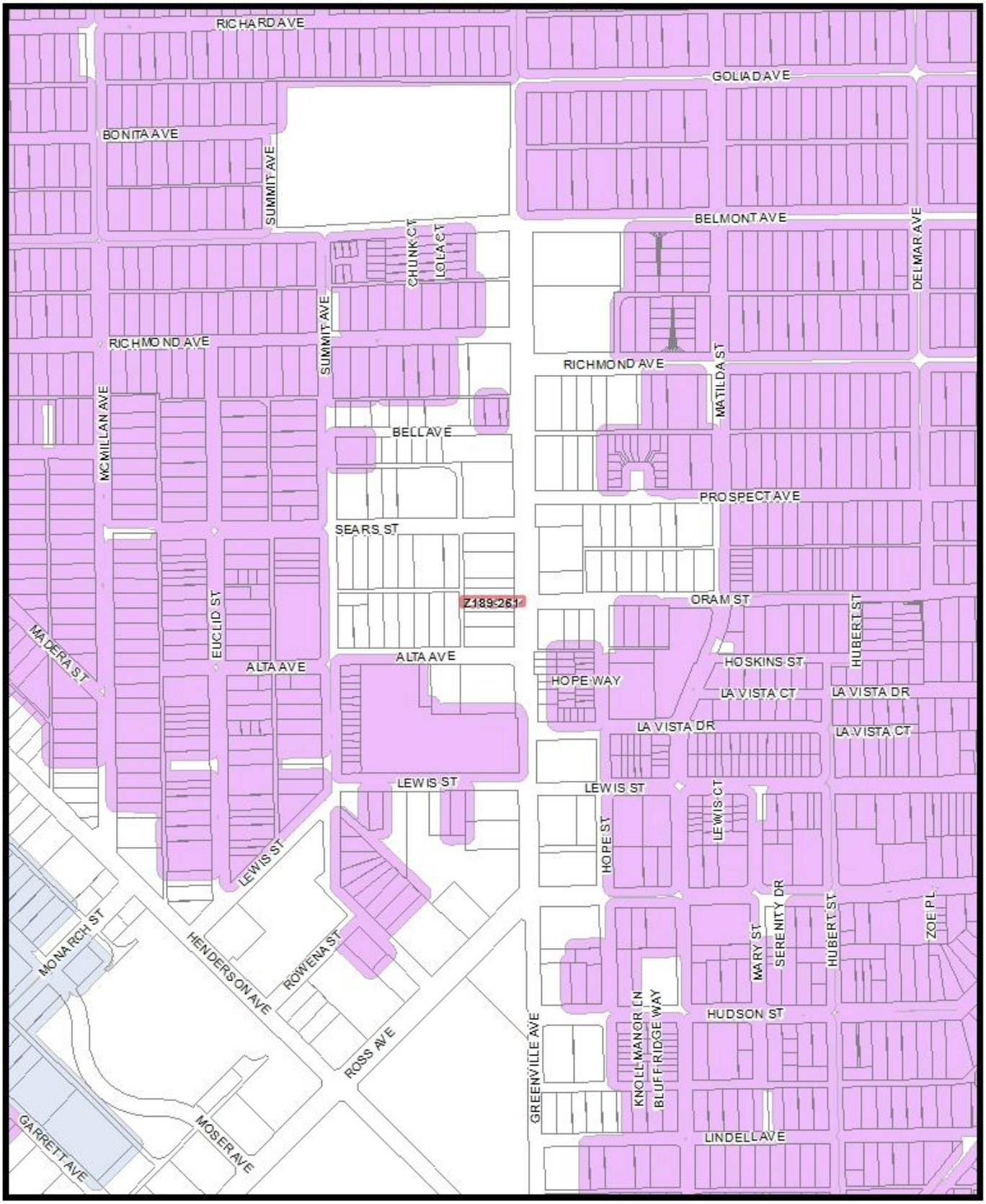
AERIAL MAP

Case no: Z189-261

Date: 5/21/2019


GEN MERCH.
PROSPECT AVE
PD 167
SEARS ST
RESTAURANTS
FINANCIAL INST.
SUP 2272
CR
GEN. MERCH
RESTAURANT
VACANT
SUP 1905
GREENVILLE AVE
SUP 285
VACANT
GEN MERCH.
GEN MERCH
ORAM ST
PD 842
SUP 1903
RESTAURANT
NO(A)
Oak Lawn & East Dallas
RESTAURANT
ALCOHOLIC BEV. ESTAB.
D
LTA AVE
COMM. PARKING LOT.
HOPE WAY
HOPE ST
MF-2(A)
LA VISTA DR
PD
1:1,200
ZONING AND LAND USE
Case no: Z189-261
Date: 5/21/2019


PROSPECT AVE
PD 167
SEARS ST
1-3
15
SUP 2272
CR
SUP 1905
GREENVILLE AVE
14
SUP 285
4
ORAM ST
11-12
SUP 1903
13
5-6
NO(A)
Oak Lawn & East Dallas
D
ALTA AVE
7
HOPE WAY
HOPE ST
MF-2(A)
9-10
8
LA VISTA DR
PD
1:1,200
ZONING HISTORY
Case no: Z189-261
Date: 5/21/2019

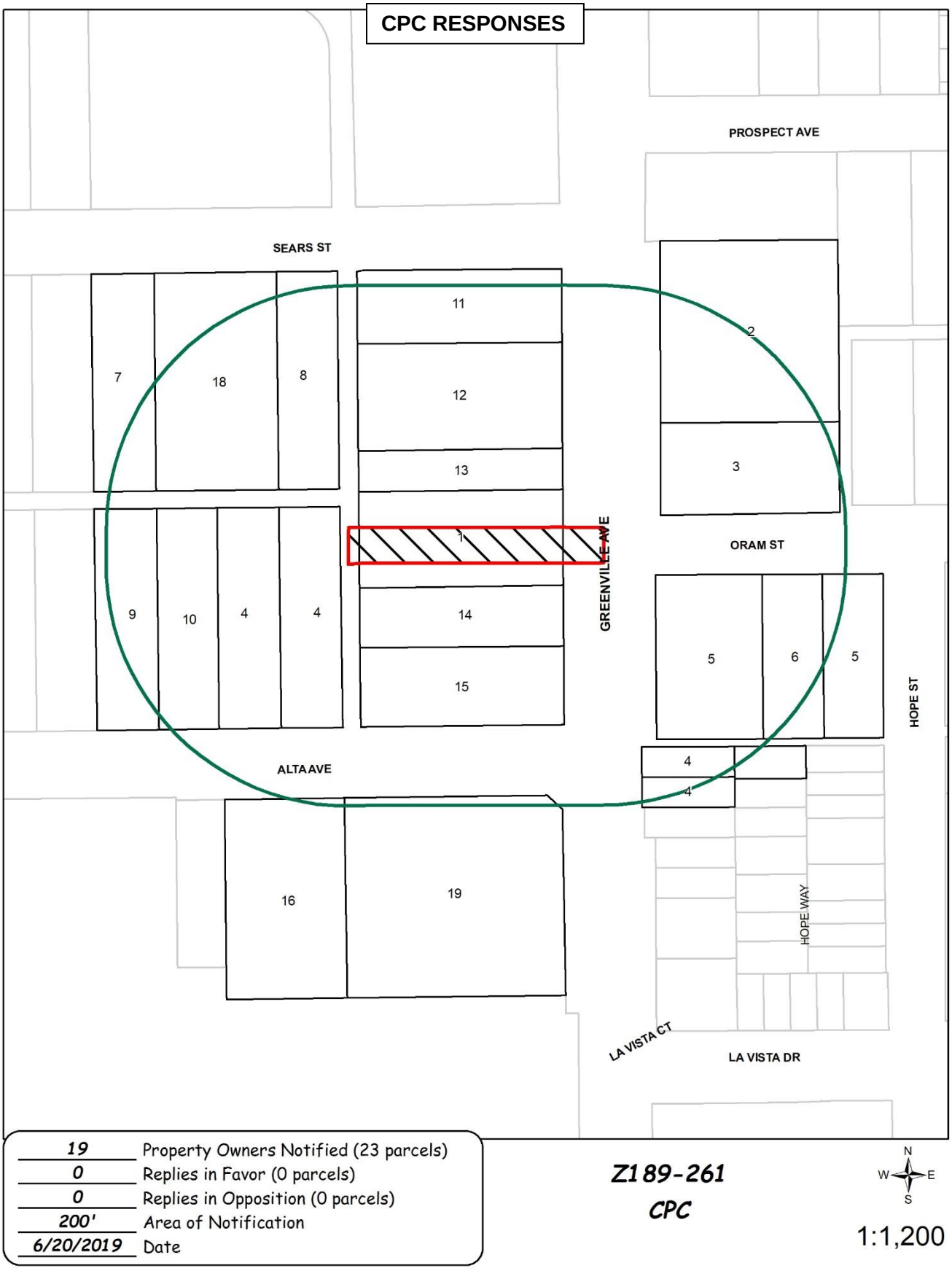


MVA Cluster A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 5/21/2019


CPC RESPONSES
PROSPECT AVE
SEARS ST
GREENVILLE AVE
ORAM ST
HOPE ST
ALTA AVE
HOPE WAY
LA VISTA CT
LA VISTA DR
7
18
8
11
12
13
1
14
15
9
10
4
4
2
3
5
6
5
4
4
16
19
19 Property Owners Notified (23 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
6/20/2019 Date
Z189-261
CPC
N
W
E
S
1:1,200

06/19/2019

Reply List of Property Owners

Z189-261

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

Reply	*Label #*	*Address*		*Owner*
	1	1911	GREENVILLE AVE	INTERCITY INVESTMENT PROP
	2	2008	GREENVILLE AVE	LAVO PROPERTIES LLC
	3	2000	GREENVILLE AVE	LANDE PAUL &
	4	1914	GREENVILLE AVE	LOWGREEN PS LTD
	5	5712	ORAM ST	LOWGREEN PS
	6	5710	ORAM ST	SOURIS GEORGIA REVOCABLE TRUST
	7	5618	SEARS ST	GREENVILLE HOLDINGS CO
	8	5628	SEARS ST	ANDRES FAMILY TRUSTS
	9	5619	ALTA AVE	THACKER RICHARD E JR
	10	5623	ALTA AVE	GREENWAYSEARS LP
	11	1931	GREENVILLE AVE	GREENWAY SEARS LP
	12	1919	GREENVILLE AVE	1919 27 GREENVILLE LTD
	13	1917	GREENVILLE AVE	SEB GROUP LLC
	14	1909	GREENVILLE AVE	WORLDWIDE FOOD INC
	15	1903	GREENVILLE AVE	LOWGREEN PS
	16	5626	ALTA AVE	LATORRE ROBERT INC
	17	1919	HOPE WAY	NGUYEN NGOC DIEP
	18	5622	SEARS ST	5624 SEARS STREET LTD
	19	1827	GREENVILLE AVE	LOWGREEN PS

Agenda Information Sheet

File #: 19-1082 **Item #:** 72.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Community Retail District uses and a boutique hotel use on property zoned a CR Community Retail District on the southwest corner of West 7th Street and North Beckley Avenue
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan, landscape plan and conditions
Z178-355(CY)

HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY AUGUST 14, 2019**

ACM Majed Al-Ghafry

FILE NUMBER: Z178-355(CY) **DATE FILED:** September 5, 2018

LOCATION: Southwest corner of West 7th Street and North Beckley Avenue

COUNCIL DISTRICT: 1 **MAPSCO:** 54 D

SIZE OF REQUEST: 0.37 acres **CENSUS TRACT:** 47.00

APPLICANT/OWNER: Bishop Arts Dallas MKEG, LLC

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for a Planned Development District for Community Retail District uses and a boutique hotel use on property zoned a CR Community Retail District.

SUMMARY: The applicant proposes to renovate the existing buildings and occupy them with a hotel and a restaurant use. The purpose of creating a new Planned Development District is to allow for the establishment of one of the existing buildings as a legacy building and relieve it of parking requirements for the hotel use, reduce the parking requirement for the restaurant use, and to allow for the existing landscaping to serve as the required landscaping. The proposed Planned Development District will be subject to a development plan and a landscape plan.

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

STAFF RECOMMENDATION: **Denial.**

BACKGROUND INFORMATION:

- The 0.37-acre site is currently developed with a 5,160-square foot two-story vacant multi-tenant building and a one-story approximately 1,250-square foot vacant automotive service building.
- Dallas Central Appraisal District records indicate that the two-story building was built in 1923 and the one-story building was constructed in 1969.
- The applicant proposes to renovate the two-story building to be used as a boutique hotel and to renovate the one-story building, expand its floor area with an 898-square foot addition and convert its use to restaurant without drive-in or drive through service.
- The proposed Planned Development District will allow for:
    1) The two-story building to be established as a legacy building and be used for a boutique hotel.
    2) The legacy building to be relieved of off-street parking requirements.
    3) Reduce the parking requirement for the restaurant use.
    4) Provide landscaping per an approved Landscape Plan.

Zoning History: There have been four zoning changes in the area in the past five years including the area of request.

1. **Z145-341** On November 10, 2015, City Council approved the Oak Cliff Demolition Delay Overlay for nearby properties to the west of the area of request. A demolition delay overlay district is intended to encourage the preservation of historically significant buildings that are not located in a historic overlay district by helping the property owner identify alternatives to demolition.

2. **Z156-222** On September 14, 2016, City Council approved Subdistrict K (WMU-8), a Walkable Mixed Use Subdistrict within Planned Development District No. 468 and the removal of a portion of the Shopfront Overlay No. 7 on property located on the north side of East Davis Street, between Zang Boulevard and North Beckley Avenue, north of the area of request.

3. **Z167-300** On November 8, 2017, City Council approved Subdistrict L (WMU-3), a Walkable Mixed Use Subdistrict within Planned Development District No. 468 on property located on the southwest corner of North Zang Boulevard and West Neely Street, northwest of the area of request.
4. **Z178-185** On April 25, 2018, City Council approved a Demolition Delay overlay for nearby properties including the area of request. A demolition delay overlay district is intended to encourage the preservation of historically significant buildings that are not located in a historic overlay district by helping the property owner identify alternatives to demolition.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
West 7th Street	Minor Arterial	60 feet	60 feet
North Beckley Street	Principal Arterial	60 feet	100 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the off-street parking the applicant proposes to provide for the development is not sufficient for the anticipated demand.

Staff requested a study including a parking demand analysis based on actual data and mix of proposed uses, as well as a description of proposed traffic operations. However, the applicant did not submit the study and requested the application to move forward without staff's support.

STAFF ANALYSIS:

Comprehensive Plan:

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

The applicant's request does not comply with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 5.1.3 Establish clear and objective standards for land use planning.

The applicant's request to create a new Planned Development District to seek relief from parking requirements was not supported with a parking study. Staff is unable to determine objective standards for the proposed district without having reliable data.

Land Use:

	Zoning	Land Use
Site	CR Community Retail	Vacant Building
North	CR Community Retail	General Merchandise
Northeast	Subdistrict E (WMU-8) within PD No. 468.	Auto service center, car wash.
East	CR Community Retail	Fire Station
South	MU-1 Mixed-Use	Auto Service Center, single family
West	CR Community Retail	Auto Service Center, laundry store

Land Use Compatibility:

The 0.37-acre area of request is zoned CR Community Retail and is developed with a one-story building and a two-story building with a rooftop deck. Both structures are currently vacant but according to Building Inspections' records, the one-story building contained an auto service center use and the two-story building included three suites occupied with personal service uses.

Dallas Central Appraisal District's records indicate that the two-story building was constructed in 1923 and the one-story building was built in 1969.

The applicant proposes to renovate the approximately 5,160-square-foot, two-story building and occupy it with a boutique hotel[1] use with up to 12 guest rooms. The rooftop deck will remain and will be used for hotel guests as an amenity deck. The approximately 1,250-square-foot, one-story building will also be renovated and expanded with an approximately 898-square-foot building addition for a total of 2,148 square feet of floor area. A proposed uncovered patio of approximately 1,000 square foot footprint is proposed; however, it is not calculated in the floor area total. The one-story building is proposed to be occupied with a restaurant without drive-in or drive-through use.

The proposed Planned Development District will allow for the boutique hotel as an allowed use by right and for the establishment of the two-story building containing the hotel as a legacy building, subject to certain criteria. With the establishment of the two-story building as a legacy building, the applicant also proposes to relieve the proposed 12-room hotel use from any off-street parking requirements.

[1] BOUTIQUE HOTEL means a lodging facility with 30 or fewer guest rooms that are rented to occupants on a daily basis for not more than 14 consecutive days; provides food that is prepared on-site; and more than 50 percent of the guest rooms are internal-entry.

Additionally, the applicant proposes a parking reduction in the requirement for the restaurant use and to allow for on-street parking to be counted in the calculations of the required off-street parking.

Lastly, the applicant proposes that the existing landscaping serve as the required landscape.

Uses surrounding the area of request include a general merchandise or food store to the north and across West 7th Street; an auto service center and carwash are to the northeast; a fire station is to the east, across North Beckley Avenue. To the south, across an existing alley, there is a vacant auto service center use and a single family use. Adjacent to the site and to the west, along West 7th Street, is an auto service center followed by a dry clean or laundry store use.

In general, the proposed hotel and restaurant uses are compatible with the area that shows clear indication of rapidly transitioning to a more urban neighborhood, particularly along Zang Boulevard, located west of the area of request. In terms of land use, staff does not foresee the proposed boutique hotel and restaurant uses having a negative impact in the area.

Staff supports the designation of the legacy building because it aligns with the preservation intent of the existing Demolition Delay Overlay; however, the parking reduction of 100 percent of the parking requirement for the hotel use in a legacy building cannot be supported. While staff acknowledges the site is amid an urban-mixed area containing residential and non-residential uses in close proximity to each other which promotes walkability, staff does not support the applicant's request primarily due to the lack of a parking study to justify the off-street parking reductions requested. Moreover, it is staff's opinion that the Dallas Development Code offers alternatives to provide for off-street parking requirements, such as parking agreements.

Additionally, even though the area of request it is also in relative proximity to other Planned Development Districts that allow for parking reductions [PD No 468, to the north and to the northeast, and PD No. 830 to the west], the approximately 51 percent off-street parking reduction proposed for this development, is not consistent with the allowed reductions for developments in those surrounding districts.

A further analysis of the parking requirements is provided in the parking section of this report.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
Existing: CR	15’	20’ when adjacent to residential, other no minimum	No Maximum	54’ with RPS	60%	Retail & personal service, office.
Proposed: PD for CR District Uses	0’	0’	No change	No change	No change	Retail & personal service, office, boutique hotel

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. Site is not within an identifiable MVA Category; however, it is in proximity to an “E” MVA Cluster to the south across the existing alley.

Parking:

According to the existing zoning regulations, off-street parking for a hotel use is required at a ratio of one space per unit (guest room) for units 1 to 250; ¾ space for each unit 251 to 500; ½ space for all units over 500; plus, one space per 200 square feet of meeting room area. Applying this ratio to the proposed boutique hotel, a total of 12 off-street parking spaces would be required.

For the proposed 2,148-square-foot restaurant use, the current zoning regulations would require a total of 21 off-street parking spaces [1 space per 100 square feet of floor area, 2,148/100= 21.48 spaces].

The overall requirement for both uses under the existing zoning regulations equates to 33 off-street parking spaces.

The applicant proposes that for a boutique hotel in a legacy building, no off-street parking be required and that for a restaurant use, off-street parking be provided at a ratio of one space for every 125 square feet of floor area.

With the proposed parking ratios, a total of 17 parking spaces would be required for the proposed development. This represents an overall reduction of 51 percent from the current regulations.

As shown on the proposed development plan, of the 17 spaces required, only 11 spaces are being provided as off-street parking. In addition to the reduction in the parking ratios, the applicant also requests to allow for on-street parking to be counted in the calculations of the required off-street parking and proposes to provide four on-street head-in parking spaces along North Beckley Avenue, and three parallel on-street parking spaces along West 7th Street for a total of 18 spaces provided. It is important to note that at time of permitting, on-street parking will require engineering approval.

While other Planned Development Districts in the surrounding area, such as PD No. 468, the Oak Cliff Gateway Special Purpose District, and PD No. 830, provide for parking reductions, there are limitations as to the maximum cumulative parking reduction allowed, which in some cases does not exceed 50 percent of the overall requirement by using a combination of different reduction methods.

Staff acknowledges that the site is in proximity to the Dallas Area Rapid Transit (DART) Streetcar which provides service between the Bishop Arts area and Downtown [Union Station]; however, staff has no verifiable data to support a parking reduction based on access to transit stations. Furthermore, considering the parking reductions the neighboring Planned Development Districts provide for projects with access to transit stations, a maximum reduction of 25 percent seems to be the standard in both PD Districts. This parking reduction is exceeded in the proposed subdistrict. If this reduction method was applied to the proposed development, a minimum of 25 spaces would be required. [33 spaces required overall minus 25 percent = 25 spaces].

Staff also recognizes that the adaptive reuse of existing buildings should be encouraged and allowing parking reductions for uses in existing buildings designated as legacy buildings is frequently found in other Planned Development Districts. However, without the substantiating data of a parking study, staff cannot support a reduction of 100 percent of the requirement for the hotel use. Furthermore, it is staff's opinion that the proposed reduction for a hotel use in a legacy building is not consistent with the uses eligible for parking reductions in legacy buildings on properties in the surrounding zoning districts. In comparison with the nearby PD Districts, uses with a parking reduction for up to 100 percent of the parking requirements when in a legacy building, include retail-related [not including restaurant] and office uses, while lodging uses have been excluded from this allowable reduction.

With regard to allowing on-street parking to count towards the parking requirements for the proposed uses, staff has concerns particularly with the head-in parking spaces along North Beckley Avenue. While these spaces are existing, they may be lost due to the expansion of North Beckley Avenue that per the City of Dallas Thoroughfare Plan, requires 100-foot right-of-way. An amendment to the Thoroughfare Plan would be required to retain these parking spaces.

Additionally, Section 43-62 of the Dallas City Code indicates that no indented parking [on-street parking] is allowed except as approved with this section. The criteria to approve indented parking includes the following:

(1) the speed limit for the portion of the public roadway required for maneuvering into or out of the proposed indented parking space or spaces is 35 miles per hour or less;

(2) the director determines that the proposed indented parking would not constitute a traffic hazard; and

(3) the application is not required to be denied on the basis of property owner objections under Subsection (e)[2].

All the proposed on-street parking spaces are subject to this review process and if at the time of permitting, it is found that the proposed spaces do not meet the above criteria, all these on-street spaces could be lost, leaving the development with only the 11 off-street spaces provided on site.

As previously mentioned, the applicant did not provide for a parking study to justify the request for the proposed parking reductions for the development; therefore, staff is unable to support the request and recommends denial.

Landscaping:

The request was reviewed by the District Arborist and determined that the proposed landscape plan is adequate and meets the intent of Article X.

[2] Sec 43-62(e) After receiving a notice, a property owner has 14 days from the date the notice is mailed to file an objection to the indented parking proposal with the director. If any property owner notified timely files an objection with the director, then the director shall deny the application for indented parking.

CPC Action
June 20, 2019

Motion I: It was moved to recommend **denial without prejudice** of a Planned Development District for Community Retail District uses and a boutique hotel use on property zoned a CR Community Retail District on the southwest corner of West 7th Street and North Beckley Avenue.

Maker: MacGregor
Second: Jung
Result: Failed: 2 to 9

For: 2 - MacGregor, Jung

Against: 9 - Criss, Shidid, Carpenter, Brinson, Lewis, Housewright, Schultz, Murphy, Ridley

Absent: 3 - Schulte, Johnson, Tarpley
Vacancy: 1 - District 12

Motion II: It was moved to recommend **approval** of a Planned Development District for Community Retail District uses and a boutique hotel use, subject to a development plan, landscape plan and conditions on property zoned a CR Community Retail District on the southwest corner of West 7th Street and North Beckley Avenue.

Maker: MacGregor
Second: Schultz
Result: Carried: 10 to 1

For: 10 - MacGregor, Criss, Shidid, Carpenter, Brinson, Lewis, Housewright, Schultz, Murphy, Ridley

Against: 1 - Jung
Absent: 3 - Schulte, Johnson, Tarpley
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 46
Replies: For: 4 Against: 0

Speakers: For: Rob Baldwin, 3904 elm St., Dallas, TX, 75226
Against: None

List of Officers

Bishop Arts Dallas MKEG, LLC

- Steve Lichter Manager
- Timothy P. Matthews Member

CPC RECOMMENDED CONDITIONS

ARTICLE _____.

PD _____.

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- ____.102. PROPERTY LOCATION AND SIZE.

PD _____ is established on property located on the southwest corner of Beckley Avenue and 7th Street. The size of PD _____ is approximately 0.37 acres.

SEC. 51P- ____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. In this Article,

(1) BOUTIQUE HOTEL means a lodging facility with 30 or fewer guest rooms that are rented to occupants on a daily basis for not more than 14 consecutive days; provides food that is prepared on-site; and more than 50 percent of the guest rooms are internal-entry.

(2) LEGACY BUILDING means a building constructed on or before 1923 that has:

(A) all original street-facing facades remaining;

(B) a primary street-facing facade located within 15 feet of the right-of-way line of Beckley Avenue;

(C) a main entrance facing Beckley Avenue; and

(D) window and door openings that total a minimum of 20 percent of the street-facing facade area along Beckley Avenue.

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P- ____.104. EXHIBITS.

The following exhibit is incorporated into this article:

(1) Exhibit A: development

(2) Exhibit ___B: landscape plan

SEC. 51P- ____.106. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ___A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- ____.107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted 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. For example, a use permitted in the CR Community Retail District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this district; etc.

(b) The following use is permitted by right:

-- Boutique hotel.

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 CR Community Retail District apply.

(b) Front yard. No minimum front yard is required.

(c) Side and rear yard. No minimum side or rear yard is required.

SEC. 51P- ____.110. OFF-STREET PARKING AND LOADING.

(a) Except as provided, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(b) For a boutique hotel use, one parking space is required for each unit, except that if the use is within a legacy building, no parking is required for units 1 to 12.

(c) For a restaurant without drive-in or drive-through service use, a minimum of one space per 125 square feet of floor area is required.

(d) Except as provided in this subparagraph, any on-street parking spaces that abut the building site may be counted as a reduction of the off-street parking requirement of the use adjacent to the on-street parking space. On-street parking must be striped in accordance with standard city specifications. To be counted as a reduction of the off-street parking requirement, on-street parking must be approved in accordance with Chapter 43-62 of the Dallas City Code.

(1) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement for a mixed use development.

(2) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of the parking space (8 / 24 = 1/3). The total number of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

SEC. 51P- ____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-_____.112. LANDSCAPING.

(a) Landscaping must be provided as shown on the landscape plan (Exhibit _____B). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

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

SEC. 51P- ____.113. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- ____.114. ADDITIONAL PROVISIONS.

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

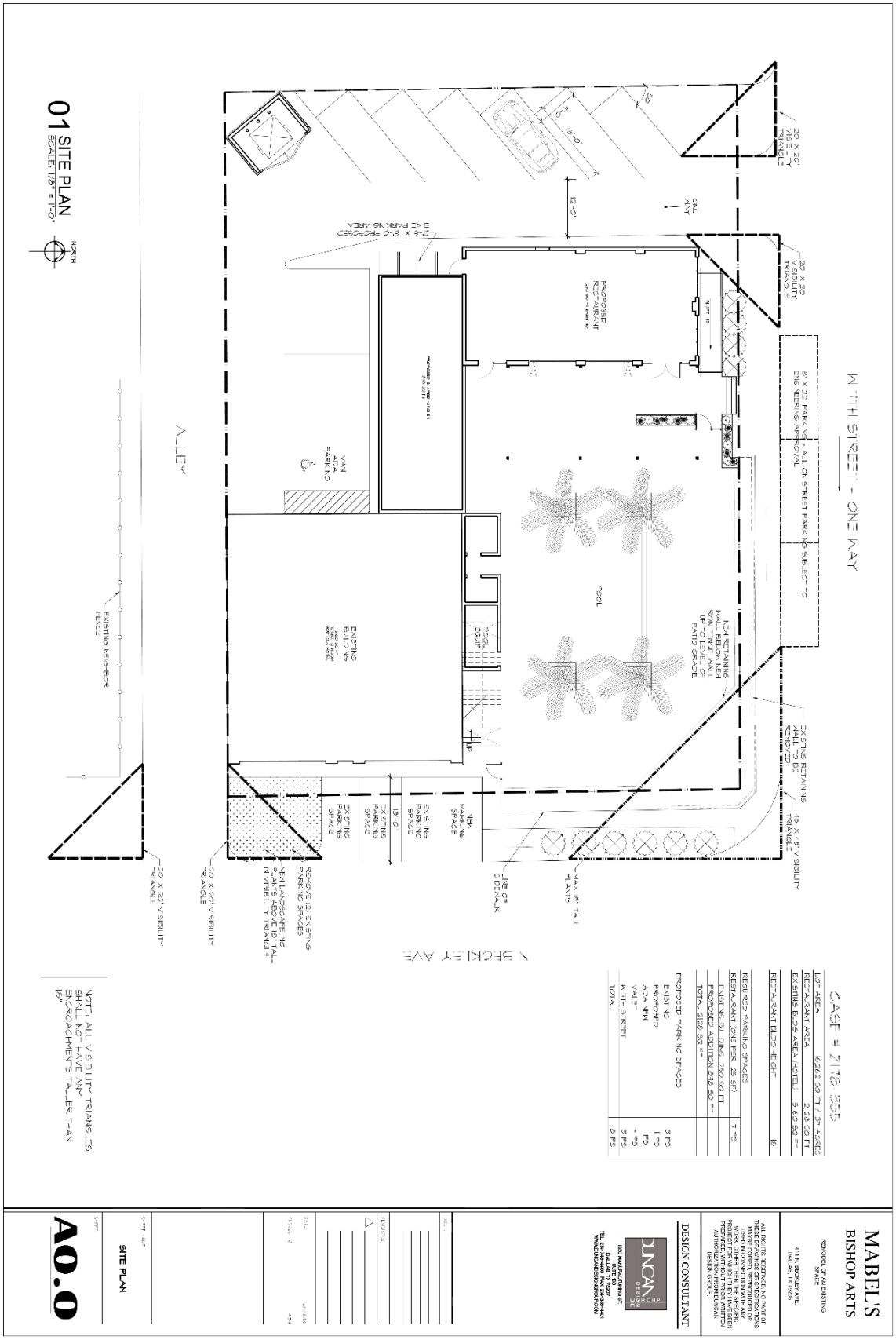
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-_____.115. COMPLIANCE WITH CONDITIONS.

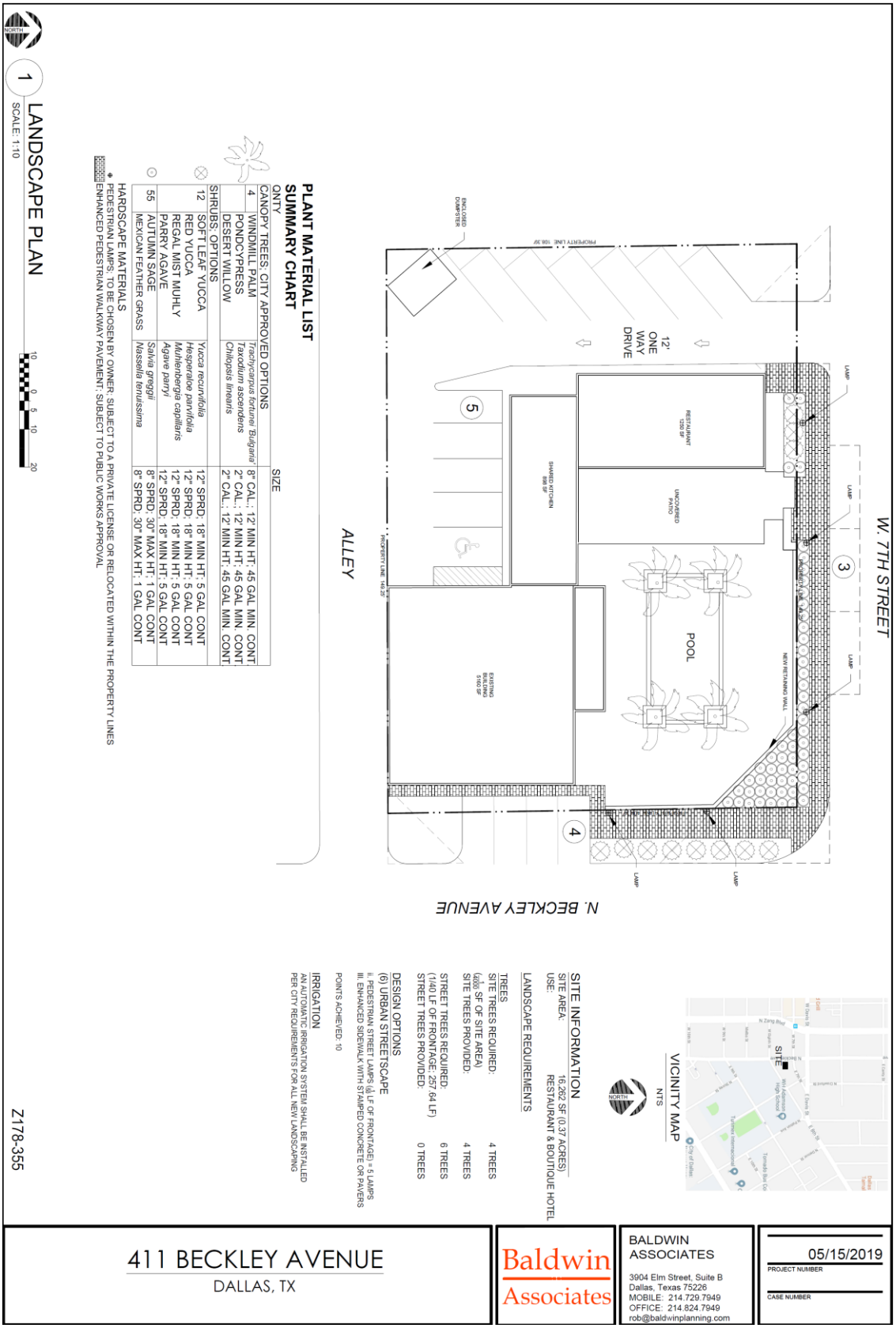
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

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

PROPOSED DEVELOPMENT PLAN



PROPOSED LANDSCAPE PLAN



PLANT MATERIAL LIST
SUMMARY CHART

QNTY			SIZE
CANOPY TREES: CITY APPROVED OPTIONS			
4	WINDMILL PALM	*Trachycarpus fortunei 'Bulgaria'*	8" CAL.; 12' MIN HT; 45 GAL MIN. CONT
	PONDCYPRESS	*Taxodium ascendens*	2" CAL.; 12' MIN HT; 45 GAL MIN. CONT
	DESERT WILLOW	*Chilopsis linearis*	2" CAL.; 12' MIN HT; 45 GAL MIN. CONT
SHRUBS: OPTIONS			
12	SOFT LEAF YUCCA	*Yucca recurvifolia*	12" SPRD; 18" MIN HT; 5 GAL CONT
	RED YUCCA	*Hesperaloe parviflolia*	12" SPRD; 18" MIN HT; 5 GAL CONT
	REGAL MIST MUHLY	*Muhlenbergia capillaris*	12" SPRD; 18" MIN HT; 5 GAL CONT
	PARRY AGAVE	*Agave parryi*	12" SPRD; 18" MIN HT; 5 GAL CONT
55	AUTUMN SAGE	*Salvia greggii*	8" SPRD; 30" MAX HT; 1 GAL CONT
	MEXICAN FEATHER GRASS	*Nassella tenuissima*	8" SPRD; 30" MAX HT; 1 GAL CONT

HARDSCAPE MATERIALS
PEDESTRIAN LAMPS; TO BE CHOSEN BY OWNER; SUBJECT TO A PRIVATE LICENSE OR RELOCATED WITHIN THE PROPERTY LINES
ENHANCED PEDESTRIAN WALKWAY PAVEMENT; SUBJECT TO PUBLIC WORKS APPROVAL

SITE INFORMATION

SITE AREA: 16,262 SF (0.37 ACRES)
USE: RESTAURANT & BOUTIQUE HOTEL

LANDSCAPE REQUIREMENTS

TREES
SITE TREES REQUIRED: 4 TREES
(1/4000 SF OF SITE AREA)
SITE TREES PROVIDED: 4 TREES

STREET TREES REQUIRED: 6 TREES
(1/40 LF OF FRONTAGE: 257.64 LF)
STREET TREES PROVIDED: 0 TREES

DESIGN OPTIONS
(6) URBAN STREETSCAPE
II. PEDESTRIAN STREET LAMPS (@ LF OF FRONTAGE) = 5 LAMPS
III. ENHANCED SIDEWALK WITH STAMPED CONCRETE OR PAVERS

POINTS ACHIEVED: 10

IRRIGATION
AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED PER CITY REQUIREMENTS FOR ALL NEW LANDSCAPING

Z178-355

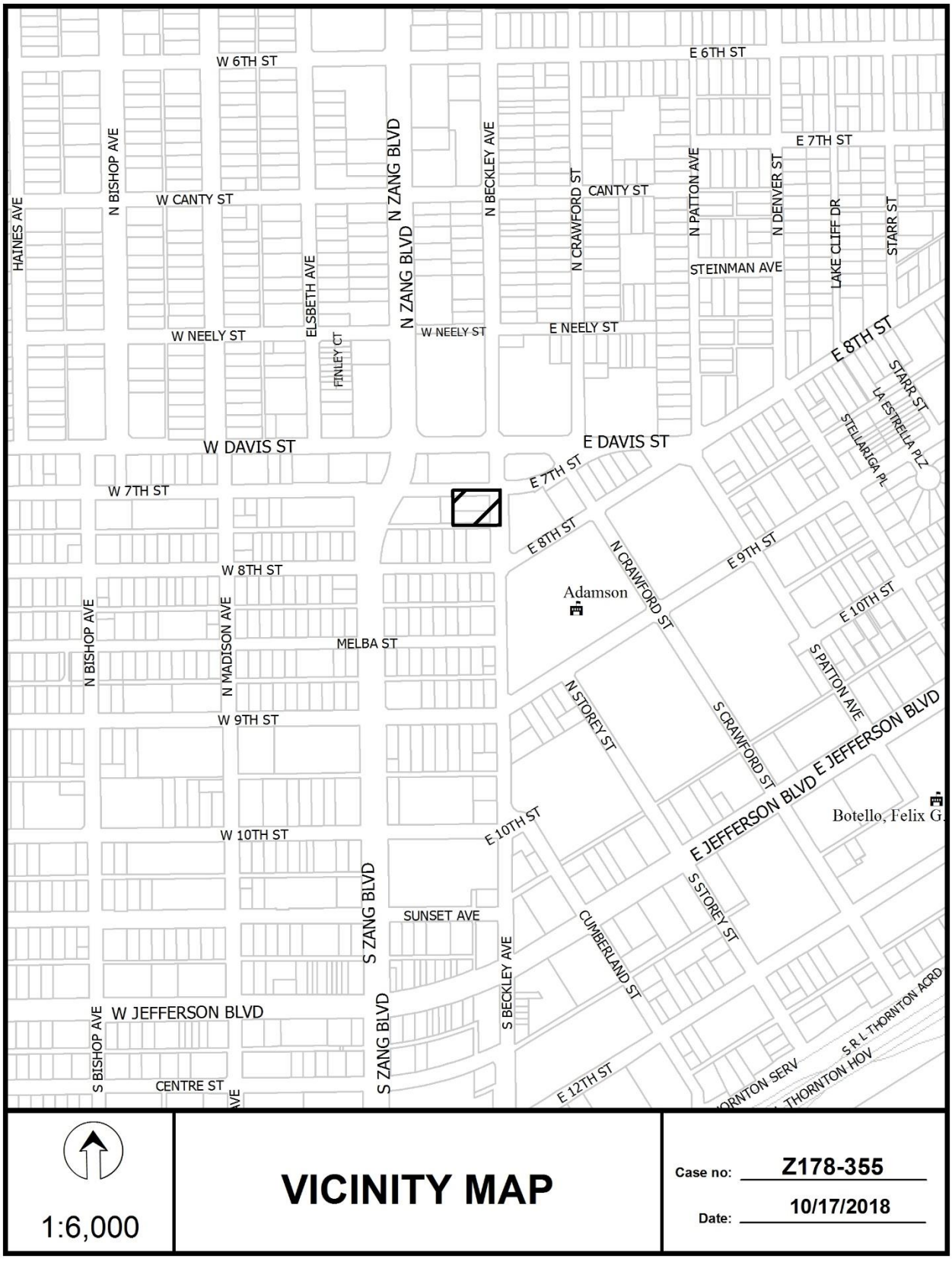
411 BECKLEY AVENUE
DALLAS, TX

Baldwin Associates

BALDWIN ASSOCIATES
3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.824.7949
rob@baldwinplanning.com

05/15/2019
PROJECT NUMBER

CASE NUMBER

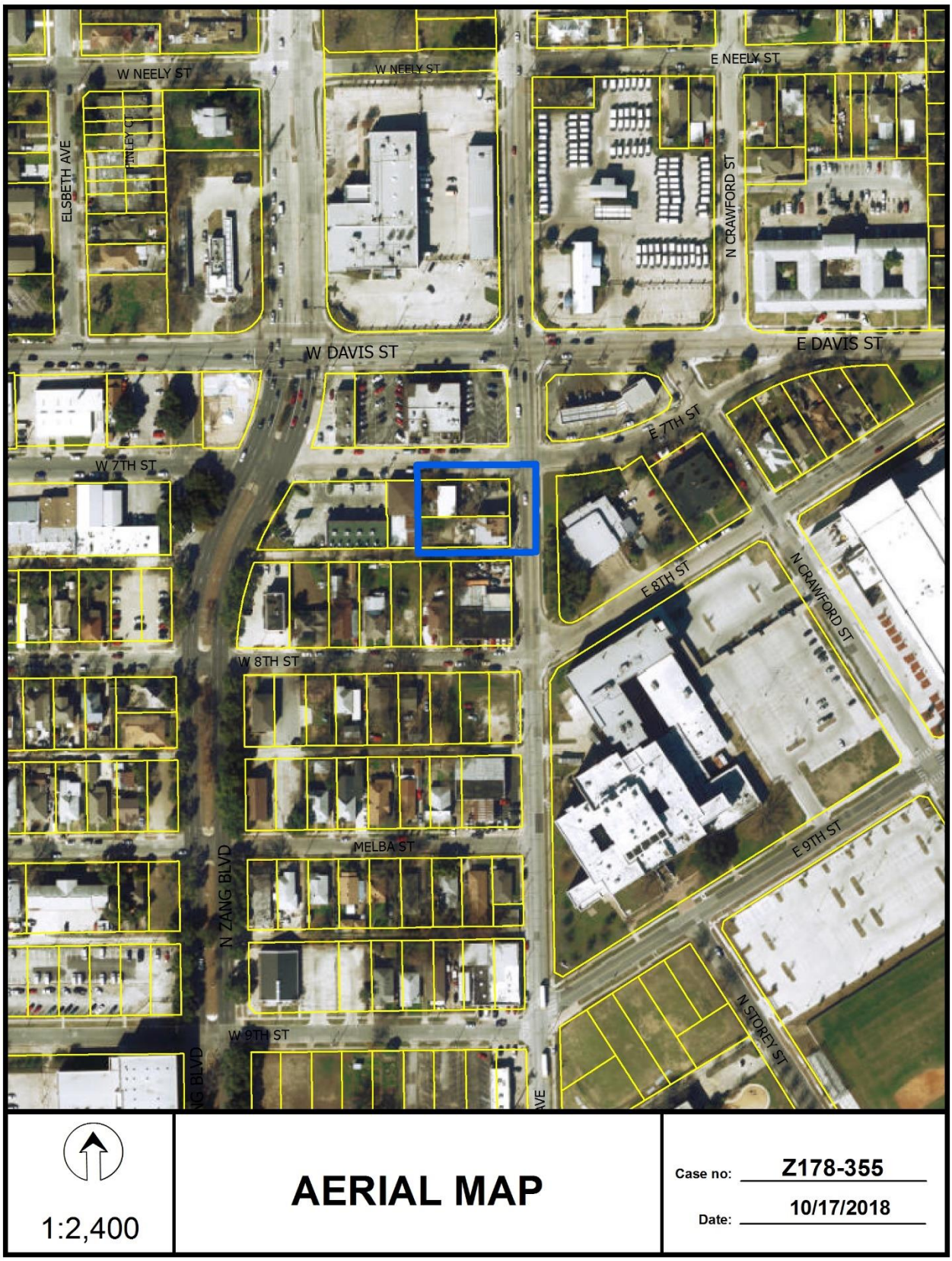


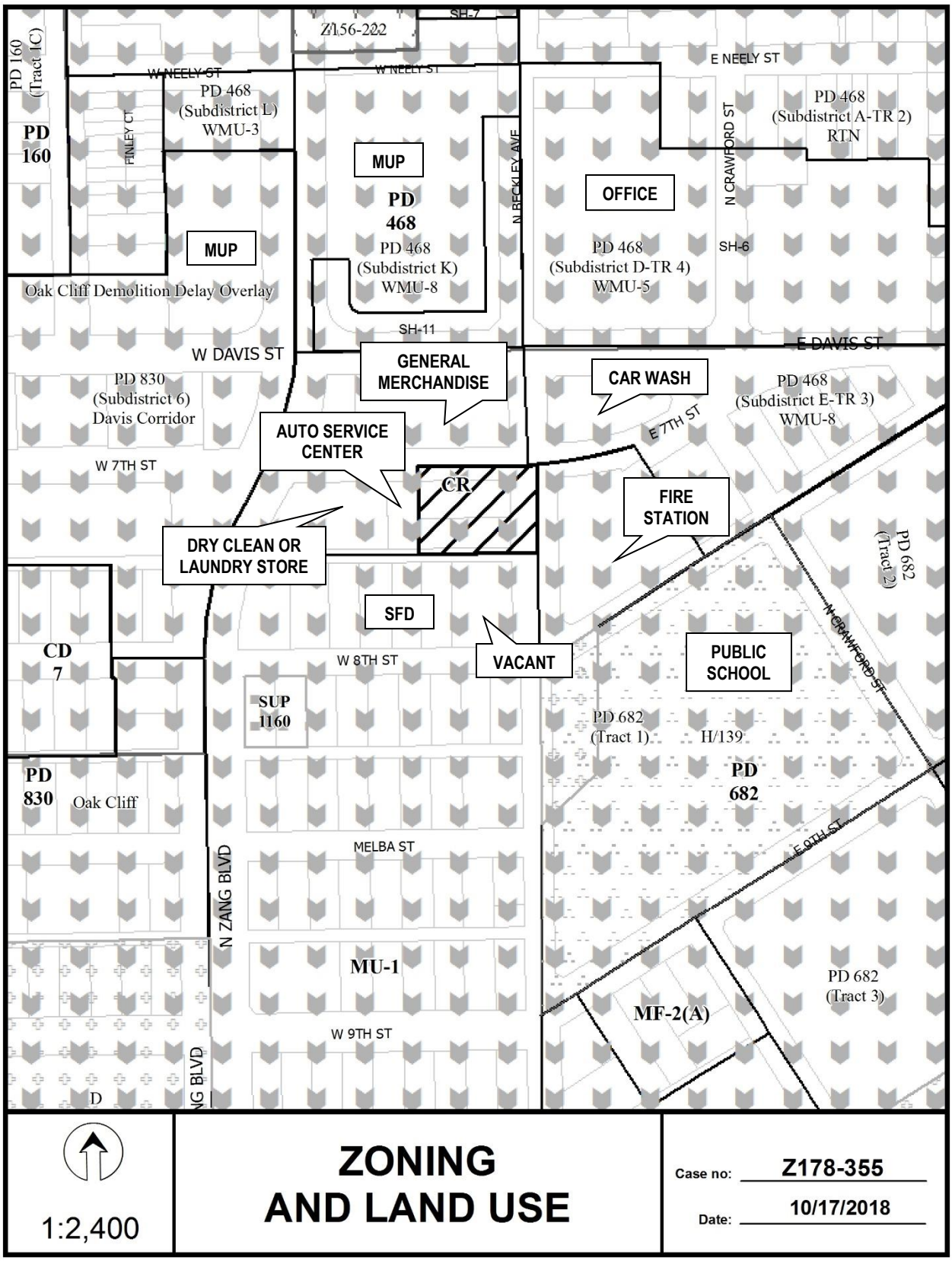
1:6,000

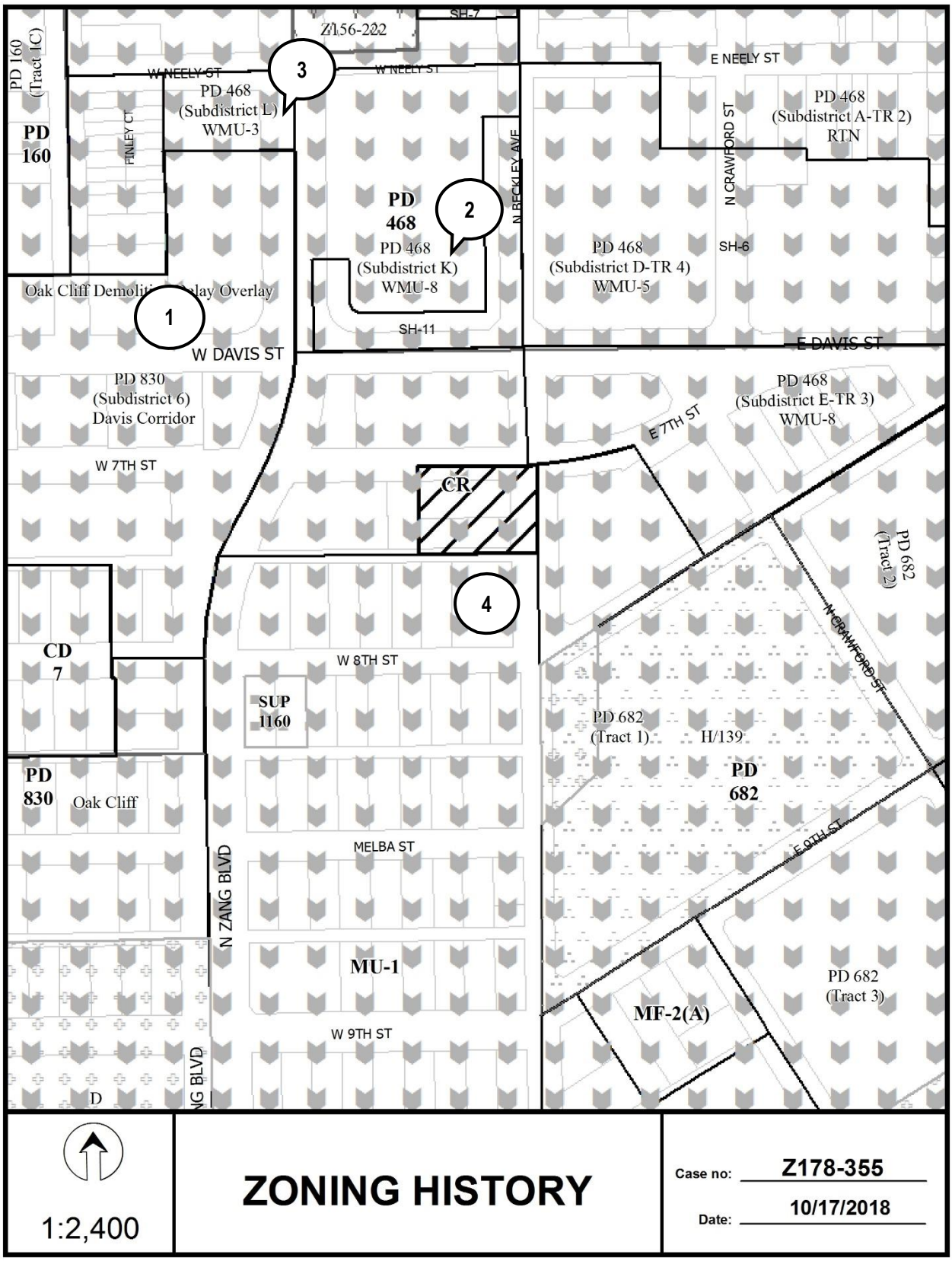
VICINITY MAP

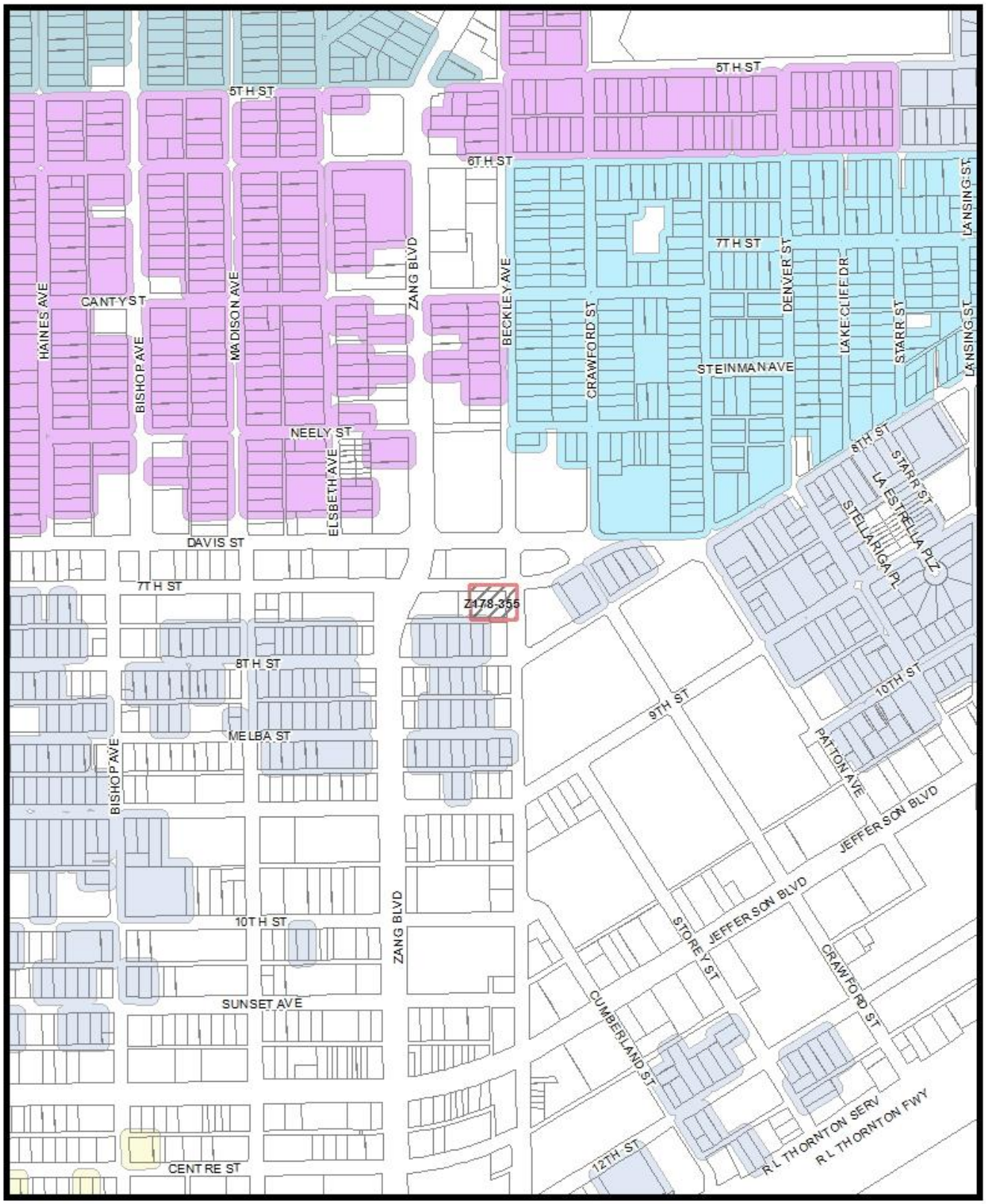
Case no: Z178-355

Date: 10/17/2018


W NEELY ST
W NEELY ST
E NEELY ST
ELSBETH AVE
FINLEY CT
N CRAWFORD ST
W DAVIS ST
E DAVIS ST
E 7TH ST
W 7TH ST
E 8TH ST
N CRAWFORD ST
W 8TH ST
MELBA ST
N ZANG BLVD
E 9TH ST
W 9TH ST
N STOREY ST
1:2,400
AERIAL MAP
Case no: Z178-355
Date: 10/17/2018


Z156-222
SH-7
PD 160 (Tract 1C)
W NEELY ST
E NEELY ST
PD 468 (Subdistrict L) WMU-3
PD 160
FINLEY CT
MUP
PD 468
N BECKLEY AVE
OFFICE
PD 468 (Subdistrict A-TR 2) RTN
N CRAWFORD ST
MUP
PD 468 (Subdistrict K) WMU-8
PD 468 (Subdistrict D-TR 4) WMU-5
SH-6
Oak Cliff Demolition Delay Overlay
SH-11
W DAVIS ST
E DAVIS ST
GENERAL MERCHANDISE
CAR WASH
PD 830 (Subdistrict 6) Davis Corridor
PD 468 (Subdistrict E-TR 3) WMU-8
AUTO SERVICE CENTER
E 7TH ST
W 7TH ST
CR
FIRE STATION
DRY CLEAN OR LAUNDRY STORE
PD 682 (Tract 2)
SFD
CD 7
W 8TH ST
VACANT
PUBLIC SCHOOL
N CRAWFORD ST
SUP 1160
PD 682 (Tract 1)
H/139
PD 830 Oak Cliff
PD 682
MELBA ST
E 9TH ST
N ZANG BLVD
MU-1
PD 682 (Tract 3)
MF-2(A)
W 9TH ST
NG BLVD
D
1:2,400
ZONING AND LAND USE
Case no: Z178-355
Date: 10/17/2018


Z156-222
SH-7
PD 160 (Tract 1C)
W NEELY ST
PD 468 (Subdistrict L) WMU-3
FINLEY CT
PD 160
3
E NEELY ST
PD 468 (Subdistrict A-TR 2) RTN
N CRAWFORD ST
N BECKLEY AVE
PD 468
2
PD 468 (Subdistrict K) WMU-8
PD 468 (Subdistrict D-TR 4) WMU-5
SH-6
Oak Cliff Demolition Delay Overlay
1
SH-11
W DAVIS ST
E DAVIS ST
PD 830 (Subdistrict 6) Davis Corridor
PD 468 (Subdistrict E-TR 3) WMU-8
E 7TH ST
W 7TH ST
CR
PD 682 (Tract 2)
4
CD 7
W 8TH ST
SUP 1160
PD 682 (Tract 1)
H/139
PD 682
PD 830 Oak Cliff
MELBA ST
E 9TH ST
N ZANG BLVD
MU-1
PD 682 (Tract 3)
MF-2(A)
W 9TH ST
D
1:2,400
ZONING HISTORY
Case no: Z178-355
Date: 10/17/2018


5TH ST
6TH ST
7TH ST
8TH ST
9TH ST
10TH ST
12TH ST
HAINES AVE
CANTY ST
BISHOP AVE
MADISON AVE
ZANG BLVD
BECKLEY AVE
CRAWFORD ST
DENVER ST
LAKECLIFF DR
STARR ST
LANSING ST
STEINMAN AVE
NEELY ST
ELSBETH AVE
DAVIS ST
LA ESTRELLA PLZ
STELLARIGA PL
Z178-355
MELBA ST
PATTON AVE
JEFFERSON BLVD
STOREY ST
CUMBERLAND ST
SUNSET AVE
CENTRE ST
R L THORNTON SERV
R L THORNTON FWY
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 10/17/2018

CPC RESPONSES



46	Property Owners Notified (56 parcels)
4	Replies in Favor (5 parcels)
0	Replies in Opposition (0 parcels)
500'	Area of Notification
6/20/2019	Date

Z178-355
CPC

N
W E
S

1:2,400

06/19/2019

Reply List of Property Owners

Z178-355

46 Property Owners Notified ***4 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	423	N BECKLEY AVE	BISHOP ARTS DALLAS MKEG LLC
O	2	125	E 8TH ST	SALA GARRY W
	3	201	E 8TH ST	GOMEZ JOHN M &
	4	207	E 8TH ST	GOMEZ JOHN MARTIN
	5	215	E 8TH ST	RUIZ RAMON & BERTHA A
	6	211	E 8TH ST	TORRES MARIA
	7	510	N ZANG BLVD	ORANGE BISHOP ARTS LLC
	8	108	W DAVIS ST	ORANGE BISHOP ATRS LLC
	9	400	N ZANG BLVD	SRK PROPERTIES LLC
	10	125	W 8TH ST	MORIEL BENITO
	11	119	W 8TH ST	SERRANO JESUS R & LUCIA
	12	117	W 8TH ST	BECKLEY AVE INVESTMENTS LLC
	13	115	W 8TH ST	CALMIA KATHY & GARY
	14	111	W 8TH ST	LAMAS PRIMITIVO &
	15	105	W 8TH ST	WILSON ED
	16	114	W 7TH ST	RUIZ MANUEL SNS
	17	409	N ZANG BLVD	ALAMO MANHATTAN BAD LLC
O	18	209	W 8TH ST	216 W 7TH LLC
	19	317	N ZANG BLVD	BARREIRO CRISEIDA M &
O	20	321	N ZANG BLVD	228 POOL LLC
	21	135	MELBA ST	BEISER NED E
	22	127	MELBA ST	ORTIZ MANUEL &
	23	123	MELBA ST	ACEVEDO FELIPE &
	24	117	MELBA ST	SOTO CARMEN
	25	115	MELBA ST	BARELAS BERTHA & BERNABE
	26	111	MELBA ST	BARELAS BERTHA & RENE

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	27	305	N BECKLEY AVE	BECKLEY AVE INVESTMENTS LLC
	28	110	W 8TH ST	IGBOKWE OBI E
	29	112	W 8TH ST	MONTOYA JOSE & MARTHA
	30	118	W 8TH ST	LANDEROS JAVIER R
	31	122	W 8TH ST	WILLIAMS ANDY E
	32	126	W 8TH ST	GIRLS INCORPORATED OF METROPOLITAN DALLAS
	33	130	W 8TH ST	GIRLS INC OF METROPOLITAN
	34	102	MELBA ST	HURTADO WILLIAM N ETAL
	35	106	MELBA ST	BURCIAGA INOCENCIA
	36	110	MELBA ST	LOPEZ ALEXIS DAVID &
	37	114	MELBA ST	QUINONEZ MORENA C
	38	118	MELBA ST	VILLARREAL MARIA
	39	600	ELSBETH ST	ALIGN LP
O	40	205	E DAVIS ST	CFS 1 LTD
	41	309	E 9TH ST	Dallas ISD
	42	150	E DAVIS ST	GARNER BRIAN S
	43	202	W DAVIS ST	ALAMO MANHATTAN BISHOP
	44	122	W 7TH ST	Z WASH LTD
	45	612	N ZANG BLVD	PR II CRESCENT BISHOP ARTS LP
	46	111	E DAVIS ST	HEB GROCERY COMPANY LP

Agenda Information Sheet

File #: 19-1083 **Item #:** 73.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for the removal of a D Liquor Control Overlay on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay, on the east line of Marvin D. Love Freeway, south of West Red Bird Lane with consideration being given to a D-1 Liquor Control Overlay
Recommendation of Staff and CPC: Denial without prejudice
Z189-159(CT)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z189-159(CT)	**DATE FILED:**	December 21, 2018
LOCATION:	East line of Marvin D. Love Freeway, south of West Red Bird Lane		
COUNCIL DISTRICT:	3	**MAPSCO:**	63 R
SIZE OF REQUEST:	± 17.08 acres	**CENSUS TRACT:**	109.02

OWNER/APPLICANT: TCHF V, LP

REPRESENTATIVE: Charles Lucenay

REQUEST: An application for the removal of a D Liquor Control Overlay on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay with consideration being given to a D-1 Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow for the future sale of alcoholic beverages for on-premise consumption in conjunction with a restaurant or retail use.

CPC RECOMMENDATION: **Denial without prejudice.**

STAFF RECOMMENDATION: **Denial without prejudice.**

BACKGROUND INFORMATION:

- The request site is currently developed with a 183,390-square-foot shopping center.
- The applicant proposes to sell alcohol in conjunction with a restaurant or retail use.
- On May 16, 2019, the City Plan Commission held this item under advisement and instructed staff to readvertise the request with consideration of a D-1 Liquor Control Overlay in lieu of removal of the D Liquor Control Overlay.
- The applicant has decided to maintain the request for the removal of the D Liquor Control Overlay.

Zoning History:

There have been no recent zoning cases within close proximity of the subject site within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Right-of-Way
W. Red Bird Lane	Minor Arterial	100 ft.
Hampton Road	Principal Arterial	100 ft.

Land Use:

Area	Zoning	Land Use
Site	RR-D	Shopping Center
North	RR-D	Undeveloped
South	R-10(A)	Single Family
West	IR, SUP No. 169	Red Bird Airport
East	PDD No. 48, R-7.5(A)	Single Family

STAFF ANALYSIS

Comprehensive Plan:

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

The request does not comply with the following land use goals and policies of the Comprehensive Plan:

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

NEIGHBORHOOD ELEMENT

GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.2 Promote neighborhood-development compatibility.

The proposed use does not complement the characteristics of the Hampton Road corridor which is a vastly residential sector of the city.

Land Use Compatibility:

The subject site is currently developed with a shopping center. Both the subject site and the property to the north, across West Red Bird Lane, are within an RR Regional Retail District. The RR Regional Retail District serves to provide for the development of regional-serving retail, personal service, and office uses. Single family neighborhoods exist to the east and southeast, and a residential district abuts the subject site to the south, at the rear property line. Furthermore, a D Liquor Control Overlay covers the RR Regional Retail District, including the property north of the subject site, seemingly to perform as a barrier to residential uses.

Alcohol Spacing Regulations:

The D Liquor Control Overlay prohibits the sale of alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises. The applicant has requested the removal of the D Liquor Control Overlay, which, if approved, will allow the sale of alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises.

Staff does not support the removal of the D Liquor Control Overlay as the overlay has been placed purposefully over the Regional Retail District as to prevent the sale and consumption of alcoholic beverages in proximity to residential districts that surround the subject site.

The sale of alcohol is prohibited within 300 feet of a church, public or private school, public hospital, day-care center or child-care facility. Spacing from the site to a church and hospital is measured from front door to front door. Spacing from the site to a school, day-care, or child care facility is property line to property line. Due to the church and child-

care facility located on the subject site resulting in an inability to meet the spacing requirement, the applicant has applied for an alcohol spacing variance.

The applicant seeks for the zoning change request and variance request to reach City Council at the same hearing. As the zoning change and alcohol spacing variance are separate processes and the alcohol variance does not require City Plan Commission approval, the City Plan Commission may consider this zoning request before the alcohol spacing variance is approved.

Development Standards:

District	Setbacks		Density/ FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
RR Regional Retail	15'	20' adjacent to residential OTHER: No Min.	0.5 for office 1.5 FAR for all uses combined	70' 5 stories	80%	Proximity Slope Visual Intrusion	Retail & personal service, office

Parking:

Parking is required for each use on the property pursuant to Section 51A-4.200 the Dallas Development Code.

Landscaping:

Landscaping will be provided per Article X, as amended.

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.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request is not within an identifiable MVA category; however, it surrounded by an "F" MVA cluster on the immediate east, southeast, and south.

CPC ACTION:
May 16, 2019

Motion: In considering an application for the removal of a D Liquor Control Overlay on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay on the east line of Marvin D. Love Freeway, south of West Red Bird Lane, it was moved to **hold** this case under advisement until June 20, 2019 and to instruct staff to re-notify for a D-1 Liquor Control Overlay.

Maker: Criss
Second: Shidid
Result: Carried: 13 to 0

For: 13 - MacGregor, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 400 Mailed: 120
Replies: For: 2 Against: 9

Speakers: For: Charles Lucenay, 118 Vintage Park Blvd., Houston, TX, 77070
For (Did not speak): Lillie Rosborough, 6520 Club Wood Dr., Dallas, TX, 75237
Against: Darlene Jones, 2540 Club Terrace Dr., Dallas, TX, 75237

CPC ACTION:
June 20, 2019

Motion I: In considering an application for the removal of a D Liquor Control Overlay on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay with consideration given to a D-1 Liquor Control Overlay on the east line of Marvin D. Love Freeway, south of West Red Bird Lane, it was moved to **hold** this case under advisement until July 11, 2019.

Maker: Criss
Second: Housewright
Result: Failed: 5 to 7

For: 5 - Criss, Shidid, Jung, Housewright, Schultz,

Against: 7 - MacGregor, Schulte, Carpenter, Brinson, Lewis, Murphy, Ridley
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

Motion II: It was moved to recommend **denial without prejudice** of the removal of a D Liquor Control Overlay on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay with consideration given to a D-1 Liquor Control Overlay on the east line of Marvin D. Love Freeway, south of West Red Bird Lane.

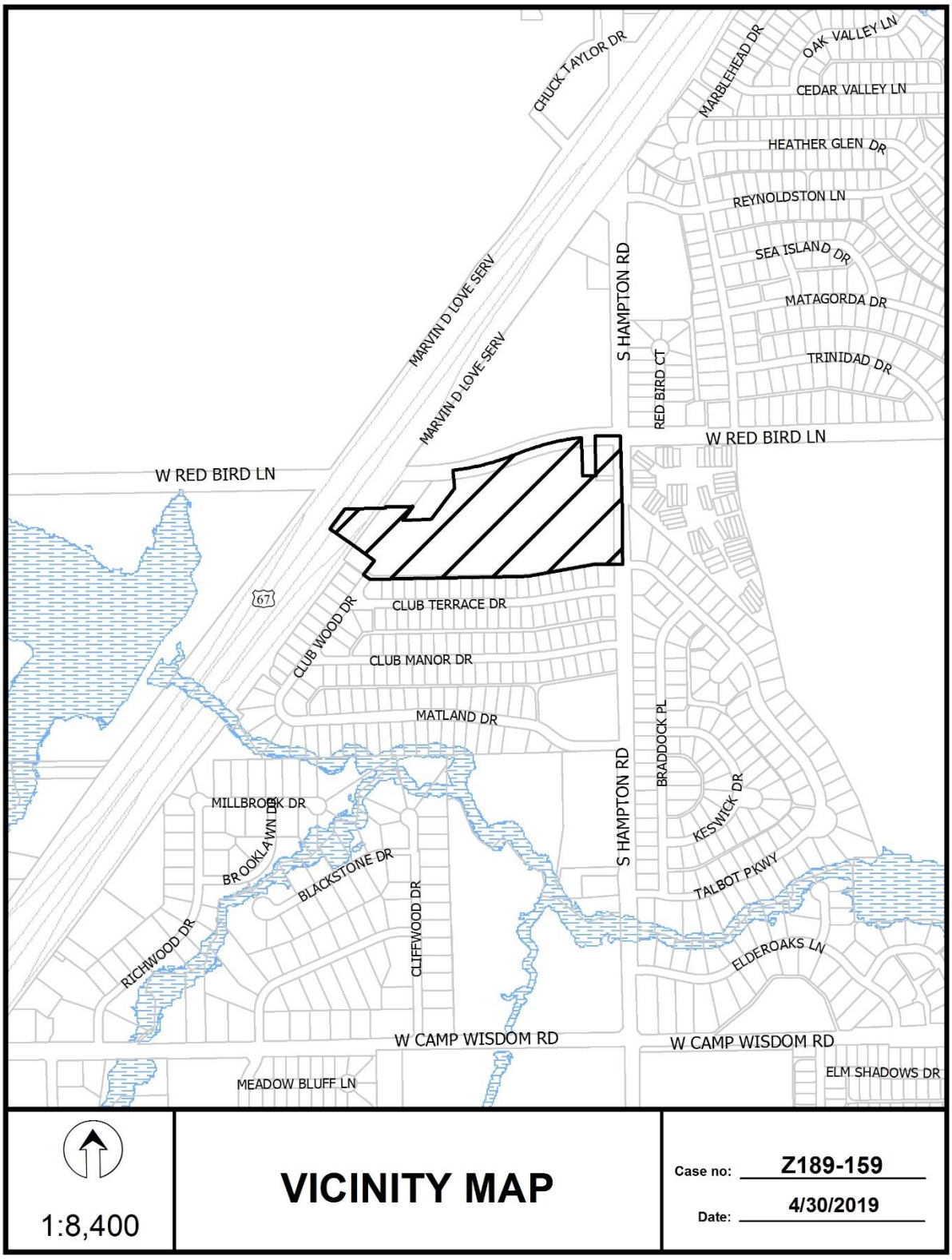
Maker: Ridley
Second: Schulte
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley

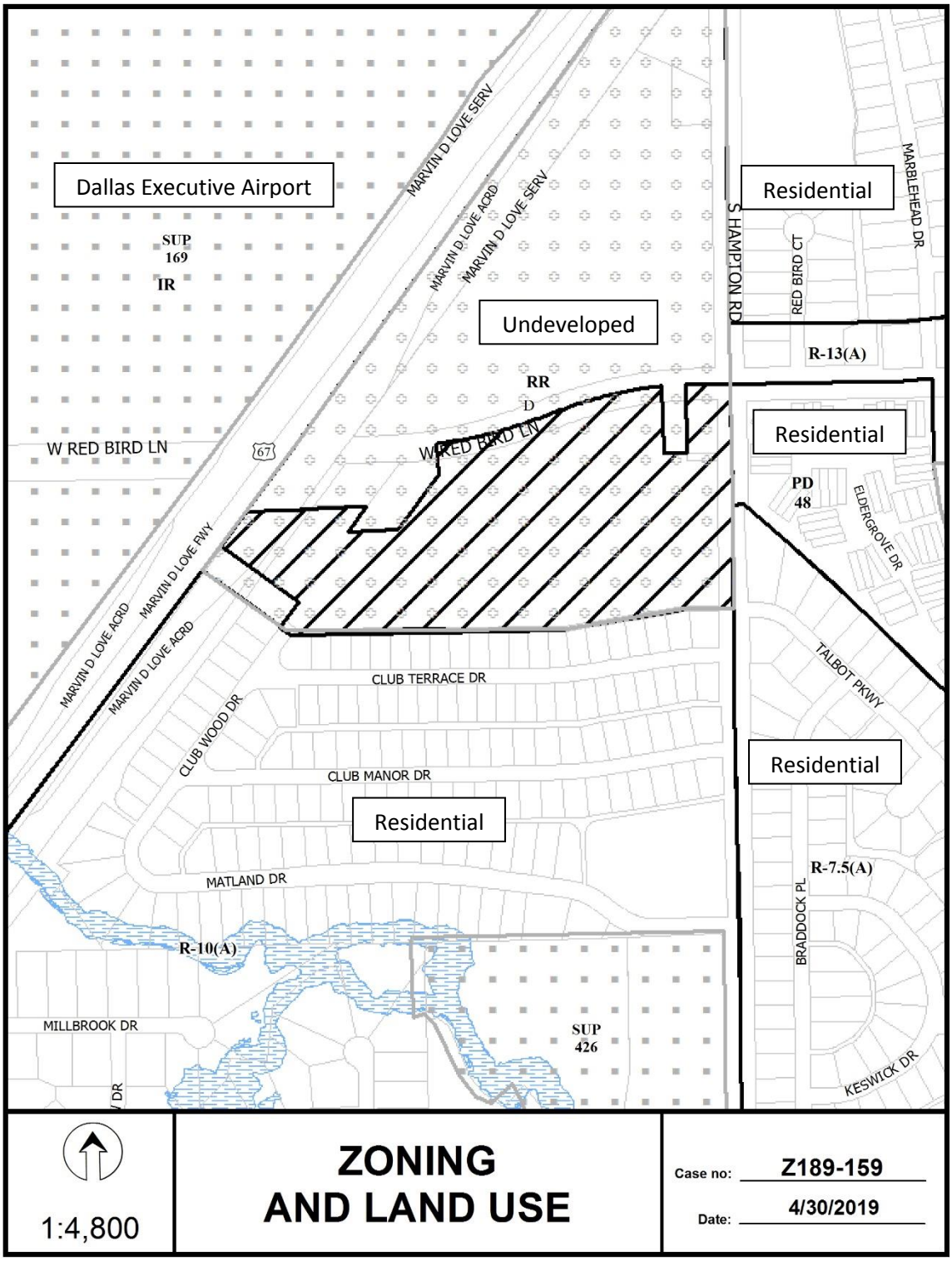
Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

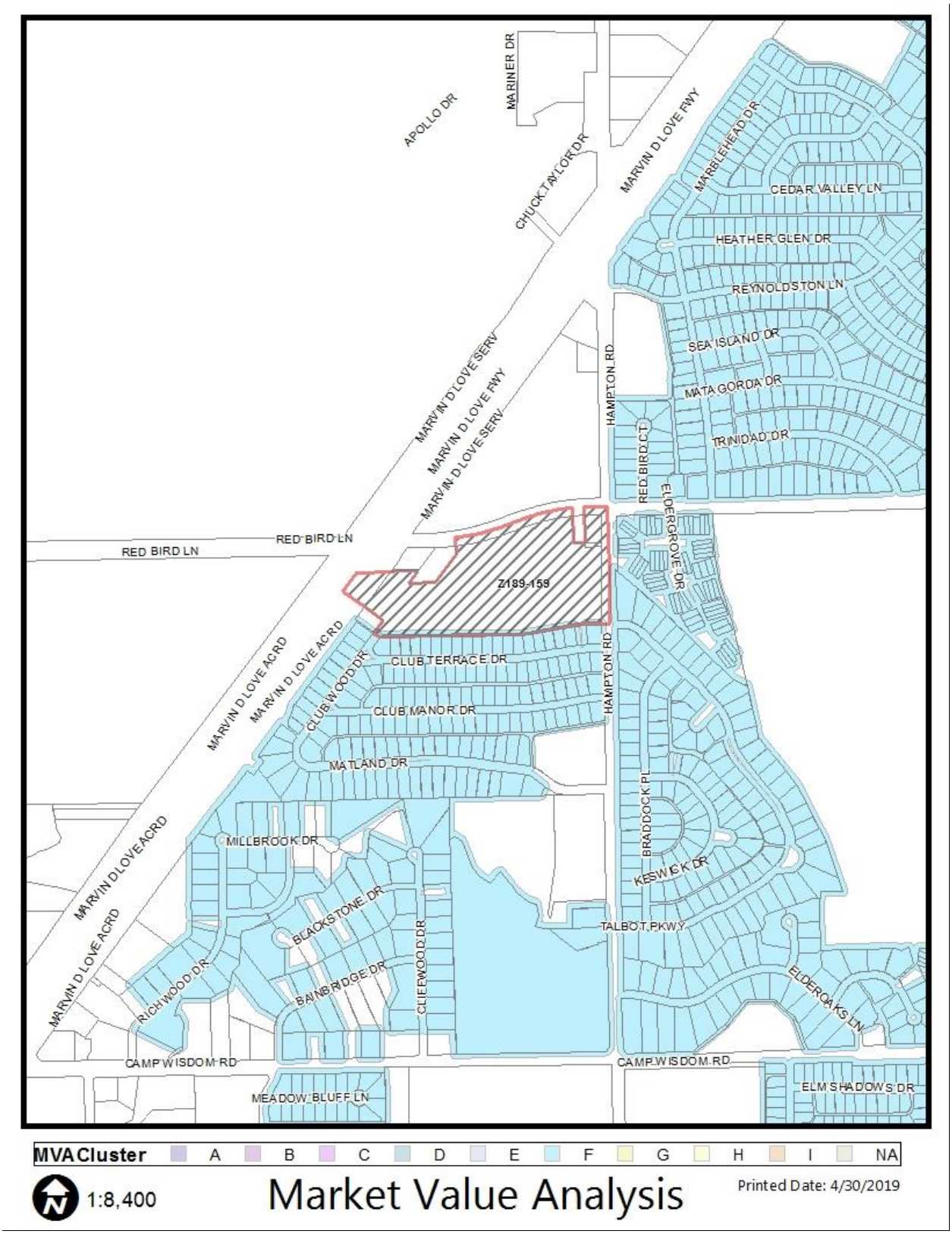
Notices: Area: 400 Mailed: 120
Replies: For: 5 Against: 7

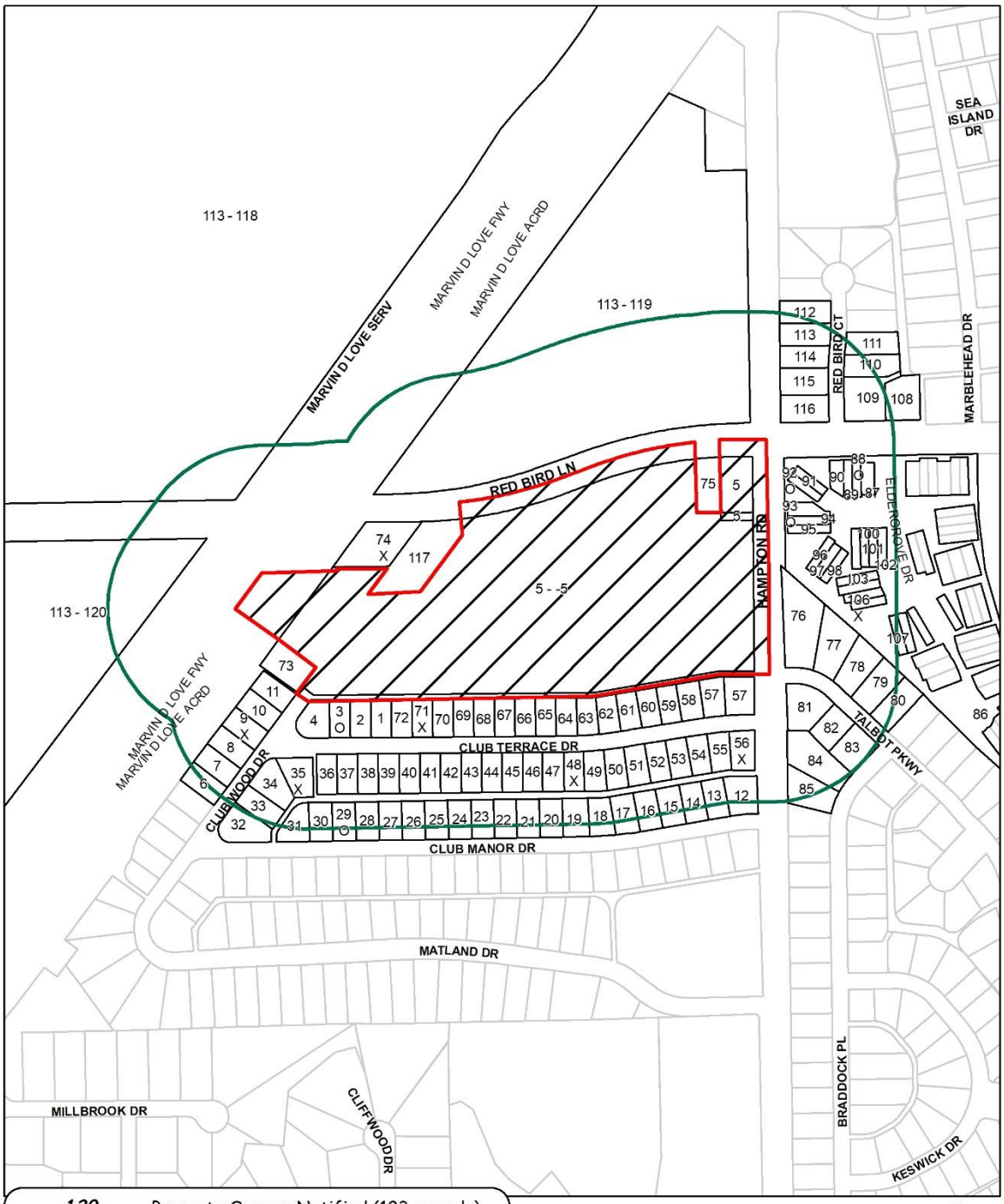
Speakers: For: None
Against: Martha Fernandez, 2467 Club Terrace Dr., Dallas, TX, 75237


CHUCK TAYLOR DR
MARBLEHEAD DR
OAK VALLEY LN
CEDAR VALLEY LN
HEATHER GLEN DR
REYNOLDSTON LN
SEA ISLAND DR
MATAGORDA DR
TRINIDAD DR
MARVIN D LOVE SERV
MARVIN D LOVE SERV
S HAMPTON RD
RED BIRD CT
W RED BIRD LN
W RED BIRD LN
67
CLUB WOOD DR
CLUB TERRACE DR
CLUB MANOR DR
MATLAND DR
BRADDOCK PL
KESWICK DR
S HAMPTON RD
MILLBROOK DR
BROOKLAWN DR
BLACKSTONE DR
CLIFFWOOD DR
TALBOT PKWY
RICHWOOD DR
ELDEROAKS LN
W CAMP WISDOM RD
W CAMP WISDOM RD
MEADOW BLUFF LN
ELM SHADOWS DR
1:8,400
VICINITY MAP
Case no: Z189-159
Date: 4/30/2019


MARVIN D LOVE ACRD
MARVIN D LOVE SERV
MARVIN D LOVE ACRD
MARVIN D LOVE SERV
S HAMPTON RD
MARBLEHEAD DR
RED BIRD CT
W RED BIRD LN
W RED BIRD LN
MARVIN D LOVE FWY
67
MARVIN D LOVE ACRD
MARVIN D LOVE FWY
MARVIN D LOVE ACRD
ELDERGROVE DR
TALBOT PKWY
CLUB TERRACE DR
CLUB WOOD DR
CLUB MANOR DR
S HAMPTON RD
MATLAND DR
BRADDOCK PL
MILLBROOK DR
KESWICK DR
1:4,800
AERIAL MAP
Case no: Z189-159
Date: 4/30/2019


Dallas Executive Airport
SUP 169
IR
MARVIN D LOVE SERV
MARVIN D LOVE ACRD
MARVIN D LOVE SERV
Undeveloped
RR
D
W RED BIRD LN
67
W RED BIRD LN
MARVIN D LOVE FWY
MARVIN D LOVE ACRD
MARVIN D LOVE ACRD
CLUB TERRACE DR
CLUB WOOD DR
CLUB MANOR DR
Residential
MATLAND DR
R-10(A)
MILLBROOK DR
SUP 426
S HAMPTON RD
Residential
MARBLEHEAD DR
RED BIRD CT
R-13(A)
Residential
PD 48
ELDERGROVE DR
TALBOT PKWY
Residential
R-7.5(A)
BRADDOCK PL
KESWICK DR
1:4,800
ZONING
AND LAND USE
Case no: Z189-159
Date: 4/30/2019


MARINER DR
APOLLO DR
CHUCK TAYLOR DR
MARVIN D LOVE FWY
MARBLEHEAD DR
CEDAR VALLEY LN
HEATHER GLEN DR
REYNOLDSTON LN
SEA ISLAND DR
MATAGORDA DR
TRINIDAD DR
HAMPTON RD
RED BIRD CT
ELDERGROVE DR
MARVIN D LOVE SERV
MARVIN D LOVE FWY
MARVIN D LOVE SERV
RED BIRD LN
RED BIRD LN
Z189-159
MARVIN D LOVE ACRD
MARVIN D LOVE ACRD
CLUBWOOD DR
CLUB TERRACE DR
CLUB MANOR DR
HAMPTON RD
MATLAND DR
BRADDOCK PL
KESWICK DR
MILLBROOK DR
MARVIN D LOVE ACRD
MARVIN D LOVE ACRD
BLACKSTONE DR
TALBOT PKWY
RICHWOOD DR
BAINBRIDGE DR
CLIFFWOOD DR
ELDER OAKS LN
CAMP WISDOM RD
CAMP WISDOM RD
MEADOW BLUFF LN
ELM SHADOWS DR
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:8,400
Market Value Analysis
Printed Date: 4/30/2019


113 - 118
113 - 119
113 - 120
MARVIN D LOVE SERV
MARVIN D LOVE FWY
MARVIN D LOVE ACRD
RED BIRD LN
HAMPTON RD
CLUB TERRACE DR
CLUB WOOD DR
CLUB MANOR DR
MATLAND DR
MILLBROOK DR
CLIFFWOOD DR
BRADDOCK PL
KESWICK DR
TALBOT PKWY
ELDERGROVE DR
RED BIRD CT
MARBLEHEAD DR
SEA ISLAND DR
5 - -5
117
74
75
73
76
77
78
79
80
81
82
83
84
85
86
112
113
114
115
116
111
110
109
108
120 Property Owners Notified (123 parcels)
5 Replies in Favor (5 parcels)
7 Replies in Opposition (7 parcels)
400' Area of Notification
6/20/2019 Date
Z189-159
CPC
N
W
E
S
1:4,800

06/19/2019

Reply List of Property Owners

Z189-159

120 Property Owners Notified 5 Property Owners in Favor 7 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	2527	CLUB TERRACE DR	WASHINGTON BRANDON
	2	2531	CLUB TERRACE DR	AMERICAN EAGLE TRUST
O	3	2535	CLUB TERRACE DR	BOSTON JOSEPH W JR
	4	2539	CLUB TERRACE DR	JEFFERSON TERRON D &
	5	2550	W RED BIRD LN	TCHF V LP
	6	6519	CLUB WOOD DR	MORGAN JAMES L & ANNIE J
	7	6515	CLUB WOOD DR	WATSON JOHN & VICKIE
	8	6509	CLUB WOOD DR	KNOX NATHANIEL P JR &
X	9	6505	CLUB WOOD DR	DENSON CHARLES E
	10	6431	CLUB WOOD DR	PONCE JOSE FELIX
	11	6425	CLUB WOOD DR	JACKSON WANDA J
	12	2407	CLUB MANOR DR	ZENO DONETTE
	13	2411	CLUB MANOR DR	TANNER VENITA B A
	14	2417	CLUB MANOR DR	HARRIS VON & TAMMY
	15	2421	CLUB MANOR DR	MATTHEWS DOROTHY ENOLA EST OF
	16	2427	CLUB MANOR DR	WILEY DONALD C TRUSTEE
	17	2431	CLUB MANOR DR	ANDERSON KAMMI
	18	2437	CLUB MANOR DR	NATIONSTAR MTG LLC
	19	2443	CLUB MANOR DR	WILLIAMS MARILYNN Y
	20	2449	CLUB MANOR DR	MCMILLIAN EUGENE L
	21	2455	CLUB MANOR DR	WEAVER CECIL OBRIAN
	22	2461	CLUB MANOR DR	COLLINS ANDREW & GRETCHEN
	23	2507	CLUB MANOR DR	PORTER DONNELL & LOUISE L
	24	2511	CLUB MANOR DR	QUEZADA EVA
	25	2517	CLUB MANOR DR	YOUNG JAMES BOWMAN III
	26	2521	CLUB MANOR DR	DIAZ KARINA

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	27	2527	CLUB MANOR DR	CASADOS NOEMI ALICIA &
	28	2531	CLUB MANOR DR	ANTAI-OTONG DEBORAH &
O	29	2537	CLUB MANOR DR	BROWN LEMANUEL & MELBA J
	30	2541	CLUB MANOR DR	JONES LEORA LEE
	31	2547	CLUB MANOR DR	MORRIS JEANETTE
	32	6520	CLUB WOOD DR	ROSBOROUGH LILLIE B
	33	6516	CLUB WOOD DR	MARSHALL STACY E
	34	6510	CLUB WOOD DR	WALTON ALEX JR & DOROTHY J
X	35	2540	CLUB TERRACE DR	JONES HARVEY L & DARLENE
	36	2538	CLUB TERRACE DR	WALTON WILLIE JAMES
	37	2532	CLUB TERRACE DR	HUNT JANETTA
	38	2528	CLUB TERRACE DR	GREY FAYETTA R
	39	2524	CLUB TERRACE DR	FLOWER BRYAN L &
	40	2520	CLUB TERRACE DR	PANIAGUA SANDRA
	41	2516	CLUB TERRACE DR	HERNANDEZ NUVIA
	42	2512	CLUB TERRACE DR	HARRIS TRAVIS EDWARD
	43	2508	CLUB TERRACE DR	ROBERTS QUINCY
	44	2502	CLUB TERRACE DR	COLEMAN FLO J
	45	2466	CLUB TERRACE DR	MENDOZA JANETH DEL CARMEN SALINAS
	46	2460	CLUB TERRACE DR	BLACKWELL JAMES L & JULIA P
	47	2454	CLUB TERRACE DR	DRAKE VINCENT L &
X	48	2448	CLUB TERRACE DR	WORDLAW DOROTHY
	49	2442	CLUB TERRACE DR	WRIGHT JAMIE
	50	2436	CLUB TERRACE DR	BONAT & KINO PROPERTIES LLC
	51	2430	CLUB TERRACE DR	FOPPE VILLA
	52	2426	CLUB TERRACE DR	TRAYLOR SONNIE
	53	2420	CLUB TERRACE DR	WESTBROOK MARY E EST OF
	54	2416	CLUB TERRACE DR	CHISM HAROLD W
	55	2410	CLUB TERRACE DR	SMITH WALTER EST OF
X	56	2404	CLUB TERRACE DR	JAMES JEAN FAMILY TRUST THE
	57	2405	CLUB TERRACE DR	MORGAN SHEILA BELINDA

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	58	2417	CLUB TERRACE DR	VALDEZ JUAN
	59	2421	CLUB TERRACE DR	TAYLOR BOBBIE JEAN
	60	2427	CLUB TERRACE DR	GREER JOHN EARL
	61	2431	CLUB TERRACE DR	ECHEVERRIA YESENIA
	62	2437	CLUB TERRACE DR	POWERS ERVIN EARL & JOAN
	63	2443	CLUB TERRACE DR	JOHNSON VANESSA R
	64	2449	CLUB TERRACE DR	ALDANA PATRICIA M
	65	2455	CLUB TERRACE DR	TIPPS CELESTINE
	66	2461	CLUB TERRACE DR	CHAPPLE WILLIE C EST OF
	67	2467	CLUB TERRACE DR	FERNANDEZ MARTHA
	68	2503	CLUB TERRACE DR	JONES CHARLES H
	69	2509	CLUB TERRACE DR	DICKERSON JOHNNY &
	70	2515	CLUB TERRACE DR	PATTERSON TIMETRA L
X	71	2519	CLUB TERRACE DR	MCKINNEY DETROIT M
	72	2523	CLUB TERRACE DR	WILEY ERNEST R JR &
	73	6230	MARVIN D LOVE FWY	MAO LP
X	74	6210	MARVIN D LOVE FWY	IRMAZA INC
	75	2420	W RED BIRD LN	JAS MAVERICK PPTIES LLC
	76	6408	TALBOT PKWY	COOPER MICHAEL
	77	6414	TALBOT PKWY	MARSHALL PHEBIA
	78	6420	TALBOT PKWY	LEWIS CHARLES D SR &
	79	6426	TALBOT PKWY	WALLACE JERRY BOB
	80	6432	TALBOT PKWY	JACKSON CYNTHIA REYNA
	81	6415	TALBOT PKWY	TODD JERRY R
	82	6423	TALBOT PKWY	JOHNSON KAREN L
	83	6431	TALBOT PKWY	SMITH JOHNNY C & VIOLET R
	84	6517	BRADDOCK PL	SIMPSON CAROL A
	85	6523	BRADDOCK PL	THORNTON MICHAEL & DIANA
	86	6301	ELDER GROVE DR	ELDERWOOD TOWNHOUSE
	87	6301	ELDER GROVE DR	FLAGG ROBERT
O	88	6302	ELDER GROVE DR	HENSON RONALD JEROME

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	89	6303	ELDER GROVE DR	JOYCE LEATRICE R
	90	6304	ELDER GROVE DR	BRANTLEY MARCUS LYNN &
	91	6305	ELDER GROVE DR	WILLIS JOSHUA HOWARD &
O	92	6306	ELDER GROVE DR	BAKER DARRYL
O	93	6307	ELDER GROVE DR	BENJAMIN TOMMY K
	94	6308	ELDER GROVE DR	PHILLIPS HELEN M
	95	6309	ELDER GROVE DR	PRUITT CINDY
	96	6310	ELDER GROVE DR	SCOTT JUDY ANN &
	97	6311	ELDER GROVE DR	BERRYMAN LYN F &
	98	6312	ELDER GROVE DR	DIEROLF MARIA ESTRELLA LIFE ESTATE
	99	6314	ELDER GROVE DR	IRWIN MARY J
	100	6315	ELDER GROVE DR	WASHINGTON ANNETTE
	101	6316	ELDER GROVE DR	STIMAC HEDDA
	102	6317	ELDER GROVE DR	SZETELA DAVID L &
	103	6318	ELDER GROVE DR	PRICE KYMBERLIN
	104	6319	ELDER GROVE DR	YOUNG CAROLYN
	105	6320	ELDER GROVE DR	SMITH TAMRA A
X	106	6321	ELDER GROVE DR	ROBERDS GERALD & BONITA
	107	6322	ELDER GROVE DR	SCHNEIDER MICHAEL B
	108	2317	W RED BIRD LN	LOCKETT GLORIA D
	109	6224	RED BIRD CT	CARROLL FRANK III
	110	6212	RED BIRD CT	KING CHRISTINE
	111	6206	RED BIRD CT	NEALY IDELLA I
	112	6121	RED BIRD CT	COLEMAN MALCOLM E &
	113	6205	RED BIRD CT	WASHINGTON VIOLET LIFE EST
	114	6211	RED BIRD CT	RISCHER ARLENE &
	115	6219	RED BIRD CT	HILL DORIS
	116	6227	RED BIRD CT	MOODY PAUL &
	117	2570	W RED BIRD LN	MCDONALDS CORPORATION
	118	5787	S HAMPTON RD	OXLEY LEASING NORTH LOOP LLC
	119	5787	S HAMPTON RD	OXLEY LEASING NORTH LOOP LLC

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	120	5787	S HAMPTON RD	OXLEY LEASING NORTH LOOP LLC

Agenda Information Sheet

File #: 19-1084 **Item #:** 74.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for the renewal of Specific Use Permit No. 1931 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the north side of Ann Arbor Avenue, east of South Marsalis Avenue
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Recommendation of CPC: Denial without prejudice
Z189-205(PD)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-205 (PD) **DATE FILED:** February 20, 2019

LOCATION: North side of Ann Arbor Avenue, east of South Marsalis Avenue

COUNCIL DISTRICT: 4 **MAPSCO:** 65 E

SIZE OF REQUEST: Approx. 11,407 sq. ft. **CENSUS TRACT:** 59.01

APPLICANT: Sam's Grocery

OWNER: Hoang Chau & Tu Huynh

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for the renewal of Specific Use Permit No. 1931 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow for the applicant to continue selling alcohol for off-premise consumption in the existing convenience store [Sam's Grocery].

CPC RECOMMENDATION: **Denial without prejudice.**

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

BACKGROUND INFORMATION:

- In January 2012, the City Council approved a D-1 Liquor Control Overlay and Specific Use Permit No. 1931 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period.

- On April 23, 2014, the City Council approved the renewal of Specific Use Permit No. 1931 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a five-year period with eligibility of automatic renewal for additional five-year periods.

- The property missed the automatic renewal window which necessitates the renewal application.

- On June 4, 2012, the site passed the inspection to receive its Chapter 12B license. The site is currently in compliance with Chapter 12B with an expiration date of June 3, 2020.

Zoning History: There has been one recent zoning request in the area within the last five years.

1. **Z123-359:** On April 23, 2014, the City Council approved the renewal of Specific Use Permit No. 1931 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Ann Arbor Avenue	Local	60 ft.	60 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed use will not have a negative impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	CR-D-1 w/SUP 1931	General merchandise store
North	R-7.5(A)	Single Family
South	CR	Cstore, Restaurant, Retail & personal service
East	CR-D	General merchandise store
West	CR	General merchandise 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.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

STAFF ANALYSIS:

Land Use Compatibility:

The approximately 11,407-square-foot request site is zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and SUP No. 1931 and developed with an approximately 3,506 square foot general merchandise use.

In January 2012, SUP No. 1931 was approved for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period. In April 2014, the SUP was renewed for a five-year period with eligibility of automatic renewal for additional five-year periods. While the SUP did not expire until April 23, 2019, the applicant submitted the application in February of this year.

The surrounding land uses consist of single family uses to the north, and general merchandise uses to the west and east. South of the request site, across Ann Arbor Avenue, is developed with a retail development, a restaurant and a Cstore. The general merchandise use is permitted by right. The sale of alcoholic beverages on property requires a specific use permit in the D-1 Dry Liquor Control Overlay.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually. The Dallas Police Department has determined that the request site meets the standards in Chapter 12B.

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. Staff supports the proposed five-year time period with eligibility of automatic renewals for additional five-year periods because the use is compatible in this location and in compliance with Chapter 12B Convenience Store registration requirements, which the operator has maintained in good standing.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, it is surrounded by "H" MVA clusters.

Landscaping:

There are no changes to the site. So, no additional landscaping is required.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area. The development requires 18 spaces with 18 spaces being provided per the attached site plan. There are no changes to the site and the parking is being provided the same as when the SUP was initially approved.

Crime Statistics:

Crime statistics covering the period from April 23, 2014 to April 15, 2019 follows. The crime statistics reflect 219 calls, 10 offenses, and 35 arrests within a five year period.

Calls:

Master_Incident_Number	Response_Date	Response_Time	Watch	Jurisdiction	MDivision	MSector	MBeat	MRA	Problem	Priority_Description	Location_Name	Address	City	State
14-0703695	4/15/2014	12:38:00 PM	2	Dallas Police	South Central	750	751	4302	DASV-Dist Active Shooter Veh	1 - Emergency	SAM; GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-0717038	4/17/2014	12:20:00 PM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	sam's grocery store	717 Ann Arbor Ave	Dallas	TX
14-0733280	4/19/2014	4:05:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM; GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-0762542	4/23/2014	7:07:00 PM	3	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent	SAM; GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-0767597	4/24/2014	2:22:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM; GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-0775491	4/25/2014	3:54:00 PM	2	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM; GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-0822786	5/2/2014	1:57:00 AM	1	Dallas Police	South Central	750	751	4302	32 - Suspicious Person	2 - Urgent	SAM; GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-0921497	5/15/2014	5:06:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM; GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-1092951	6/8/2014	8:37:00 AM	2	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent		717 ANN ARBOR AVE	Dallas	TX
14-1169651	6/18/2014	9:46:00 PM	3	Dallas Police	South Central	750	751	4302	04 - 911 Hang Up	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
14-1345923	7/12/2014	11:06:00 PM	3	Dallas Police	South Central	750	751	4302	7X - Major Accident	2 - Urgent		717 ANN ARBOR AVE	Dallas	TX
14-1352691	7/13/2014	9:36:00 PM	3	Dallas Police	South Central	750	751	4302	32 - Suspicious Person	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
14-1438071	7/25/2014	9:21:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM; GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-1445389	7/26/2014	9:30:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-1470520	7/30/2014	1:10:00 PM	2	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM; GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-1652192	8/24/2014	10:44:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM; GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-1653647	8/25/2014	6:50:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	Sam Grocery Store	717 Ann Arbor Ave	Dallas	TX
14-1729264	9/5/2014	12:27:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
14-1902381	9/29/2014	6:21:00 PM	3	Dallas Police	South Central	750	751	4302	31 - Criminal Mischief	4 - Non Critical		717 Ann Arbor Ave	Dallas	TX
14-2207135	11/11/2014	4:23:00 PM	3	Dallas Police	South Central	750	751	4302	20 - Robbery	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
14-2227933	11/14/2014	11:03:00 PM	3	Dallas Police	South Central	750	751	4302	07 - Minor Accident	3 - General Service	SAMS	717 Ann Arbor Ave	Dallas	TX
15-0331805	2/19/2015	10:34:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
15-0582422	3/28/2015	11:00:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM; GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
15-0585324	3/29/2015	10:16:00 AM	2	Dallas Police	South Central	750	751	4302	04 - 911 Hang Up	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
15-0714315	4/15/2015	8:28:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	sams food store	717 Ann Arbor Ave	Dallas	TX
15-0861753	5/5/2015	10:57:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAMS GROGERY	717 Ann Arbor Ave	Dallas	TX
15-0903109	5/11/2015	5:02:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
15-0905570	5/11/2015	11:37:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
15-0924707	5/14/2015	6:24:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical		717 Ann Arbor Ave	Dallas	TX
15-0941904	5/16/2015	10:54:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
15-0935099	5/16/2015	2:06:00 AM	1	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
15-0972100	5/20/2015	10:10:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1001924	5/24/2015	11:33:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1084358	6/4/2015	11:56:00 AM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROVERY	717 ANN ARBOR AVE	Dallas	TX
15-1107739	6/7/2015	12:08:00 AM	1	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1183875	6/16/2015	7:31:00 PM	3	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
15-1300670	7/1/2015	4:58:00 PM	3	Dallas Police	South Central	750	751	4302	09/01 - Theft	3 - General Service	SAM GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1315086	7/3/2015	1:29:00 PM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1326684	7/4/2015	8:16:00 PM	3	Dallas Police	South Central	750	751	4302	46 - CIT	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1320347	7/4/2015	12:14:00 AM	1	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1336365	7/5/2015	5:52:00 PM	3	Dallas Police	South Central	750	751	4302	16A - Injured Person w/Amb	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1555621	8/3/2015	5:12:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1622055	8/11/2015	11:36:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	sams grocery	717 Ann Arbor Ave	Dallas	TX
15-1634448	8/13/2015	5:23:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1666473	8/17/2015	9:01:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1673987	8/18/2015	9:27:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1709843	8/23/2015	3:50:00 PM	2	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical		717 Ann Arbor Ave	Dallas	TX
15-1712260	8/23/2015	9:57:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
15-1754232	8/29/2015	3:12:00 PM	2	Dallas Police	South Central	750	751	4302	DAEF-Dist Armed Encounter Foot	1 - Emergency	SAM'S GROVERY	717 Ann Arbor Ave	Dallas	TX

15-1760298	8/30/2015	10:12:00 AM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS MART	717 Ann Arbor Ave	Dallas
15-1772465	9/1/2015	12:06:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S STORE	717 Ann Arbor Ave	Dallas
15-1781908	9/2/2015	9:18:00 AM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas
15-1790330	9/3/2015	11:47:00 AM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	sams grocery	717 Ann Arbor Ave	Dallas
15-1793677	9/3/2015	8:02:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 ANN ARBOR AVE	Dallas
15-1949514	9/24/2015	11:27:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas
15-2038473	10/7/2015	11:02:00 AM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas
15-2186060	10/28/2015	7:55:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas
15-2233495	11/4/2015	6:19:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas
15-2362336	11/23/2015	8:34:00 PM	3	Dallas Police	South Central	750	751	4302	41/20 - Robbery - In Progress	1 - Emergency	SAMS GROCERY	717 Ann Arbor Ave	Dallas
15-2363304	11/24/2015	12:34:00 AM	1	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY	717 Ann Arbor Ave	Dallas
15-2375941	11/25/2015	9:13:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas
15-2462906	12/9/2015	1:33:00 AM	1	Dallas Police	South Central	750	751	4302	46 - CIT	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
15-2537398	12/19/2015	7:45:00 PM	3	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent	SAM GROCERY	717 Ann Arbor Ave	Dallas
15-2576341	12/25/2015	2:31:00 PM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERIES	717 Ann Arbor Ave	Dallas
16-0025993	1/4/2016	10:25:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERIES	717 Ann Arbor Ave	Dallas
16-0045491	1/7/2016	11:12:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0055170	1/9/2016	12:31:00 PM	2	Dallas Police	South Central	750	751	4302	6XA - Major Dist Ambulance	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0082775	1/13/2016	9:25:00 PM	3	Dallas Police	South Central	750	751	4302	04 - 911 Hang Up	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0161997	1/26/2016	5:51:00 AM	1	Dallas Police	South Central	750	751	4302	19 - Shooting	1 - Emergency	SAMS C STORE	717 Ann Arbor Ave	Dallas
16-0201456	1/31/2016	10:52:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAMS GROCERY	717 ANN ARBOR AVE	Dallas
16-0269467	2/11/2016	5:32:00 AM	1	Dallas Police	South Central	750	751	4302	70 - ETS Activation	1 - Emergency		717 Ann Arbor Ave	Dallas
16-0308713	2/16/2016	9:11:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	STORE	717 Ann Arbor Ave	Dallas
16-0398399	2/29/2016	8:44:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0485488	3/13/2016	6:38:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0527610	3/19/2016	7:39:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0534593	3/20/2016	8:21:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0536293	3/21/2016	3:40:00 AM	1	Dallas Police	South Central	750	751	4302	41/20 - Robbery - In Progress	1 - Emergency	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0577427	3/27/2016	12:10:00 AM	1	Dallas Police	South Central	750	751	4302	20 - Robbery	2 - Urgent	SAM'S GRPCERY STORE	717 Ann Arbor Ave	Dallas
16-0581708	3/27/2016	6:22:00 PM	3	Dallas Police	South Central	750	751	4302	41/20 - Robbery - In Progress	1 - Emergency	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0584080	3/28/2016	2:27:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0584415	3/28/2016	5:02:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0631831	4/3/2016	10:07:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas
16-0645606	4/5/2016	9:01:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAMS GROCERY	717 Ann Arbor Ave	Dallas
16-0707189	4/14/2016	4:44:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0743217	4/19/2016	5:58:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAMS GROCRY STORE	717 Ann Arbor Ave	Dallas
16-0783054	4/25/2016	4:57:00 AM	1	Dallas Police	South Central	750	751	4302	31 - Criminal Mischief	4 - Non Critical	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0880652	5/8/2016	5:43:00 PM	3	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-0882443	5/8/2016	10:26:00 PM	3	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-1048012	5/30/2016	10:18:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service		717 Ann Arbor Ave	Dallas
16-1046438	5/30/2016	6:44:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-1056068	5/31/2016	10:29:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas
16-1087426	6/4/2016	11:10:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-1219549	6/22/2016	11:59:00 AM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	sam's grocery store	717 Ann Arbor Ave	Dallas
16-1248518	6/26/2016	1:59:00 AM	1	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY	717 Ann Arbor Ave	Dallas
16-1366061	7/11/2016	5:53:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas
16-1372398	7/12/2016	1:33:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY	717 Ann Arbor Ave	Dallas
16-1530406	8/3/2016	7:10:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas
16-1542276	8/4/2016	6:13:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	sams grocery	717 Ann Arbor Ave	Dallas
16-1603756	8/13/2016	1:17:00 AM	1	Dallas Police	South Central	750	751	4302	07 - Minor Accident	3 - General Service	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas

16-1636306	8/17/2016	5:54:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	sam's grocery store	717 Ann Arbor Ave	Dallas	TX
16-1681054	8/24/2016	1:08:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
16-1686657	8/24/2016	7:55:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
16-1730344	8/30/2016	8:53:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
16-2062827	10/16/2016	1:23:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
16-2315625	11/21/2016	6:38:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
16-2384115	12/2/2016	3:45:00 PM	2	Dallas Police	South Central	750	751	4302	20 - Robbery	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
16-2384788	12/2/2016	5:16:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-0090189	1/14/2017	9:03:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent		717 ANN ARBOR AVE	Dallas	TX
17-0218313	2/3/2017	3:43:00 PM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-0261866	2/9/2017	3:28:00 PM	2	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-0274030	2/11/2017	11:08:00 AM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM	717 Ann Arbor Ave	Dallas	TX
17-0282647	2/12/2017	1:04:00 PM	2	Dallas Police	South Central	750	751	4302	06 - Minor Disturbance	4 - Non Critical	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-0326814	2/18/2017	9:19:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-0360597	2/23/2017	8:57:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-0386508	2/27/2017	10:21:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	sam's grocery	717 Ann Arbor Ave	Dallas	TX
17-0587634	3/29/2017	12:33:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-0685336	4/11/2017	3:38:00 PM	2	Dallas Police	South Central	750	751	4302	OADS - Open Air Drug Sales	3 - General Service	sams grocery store	717 Ann Arbor Ave	Dallas	TX
17-0710652	4/15/2017	3:31:00 AM	1	Dallas Police	South Central	750	751	4302	7X - Major Accident	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
17-1325664	7/12/2017	12:05:00 PM	2	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
17-1389550	7/21/2017	5:47:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-1444561	7/29/2017	9:07:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-1479146	8/4/2017	3:21:00 AM	1	Dallas Police	South Central	750	751	4302	34 - Suicide	2 - Urgent	SAM'S	717 Ann Arbor Ave	Dallas	TX
17-1515055	8/9/2017	2:57:00 PM	2	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-1657366	8/30/2017	9:34:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	sams grocery	717 Ann Arbor Ave	Dallas	TX
17-1696724	9/5/2017	6:57:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
17-1737186	9/12/2017	12:31:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCEY	717 Ann Arbor Ave	Dallas	TX
17-1887650	10/4/2017	11:56:00 AM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
17-1914659	10/8/2017	4:34:00 AM	1	Dallas Police	South Central	750	751	4302	31 - Criminal Mischief	4 - Non Critical	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-1933376	10/11/2017	2:53:00 AM	1	Dallas Police	South Central	750	751	4302	**PD Requested by Fire	2 - Urgent	sam's store	717 Ann Arbor Ave	Dallas	TX
17-1939367	10/11/2017	11:37:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-1961727	10/15/2017	1:17:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
17-1985668	10/18/2017	7:07:00 PM	3	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent	SAM'S STORE	717 Ann Arbor Ave	Dallas	TX
17-2022830	10/24/2017	5:14:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
17-2110254	11/6/2017	8:40:00 AM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
17-2143419	11/11/2017	11:24:00 AM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-2190800	11/18/2017	12:27:00 PM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
17-2194492	11/18/2017	11:03:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
17-2380522	12/18/2017	1:11:00 PM	2	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0050420	1/8/2018	8:40:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0054428	1/9/2018	2:05:00 PM	2	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0076217	1/12/2018	11:27:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0082621	1/14/2018	1:01:00 AM	1	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0105511	1/17/2018	11:16:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0138558	1/23/2018	6:09:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0217688	2/4/2018	3:26:00 PM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
18-0279599	2/15/2018	3:11:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0298301	2/18/2018	1:11:00 PM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
18-0536635	3/27/2018	4:49:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0601731	4/6/2018	7:17:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	sams grocery	717 Ann Arbor Ave	Dallas	TX

18-0633566	4/11/2018	9:38:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0654876	4/14/2018	10:47:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
18-0654485	4/14/2018	9:42:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	sams groceries	717 Ann Arbor Ave	Dallas	TX
18-0655633	4/15/2018	1:03:00 AM	1	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0677182	4/18/2018	12:54:00 PM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0730072	4/26/2018	7:21:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0758251	4/30/2018	11:09:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0771319	5/3/2018	12:26:00 AM	1	Dallas Police	South Central	750	751	4302	09V - UUMV	4 - Non Critical	SAM'S GROCERY	717 ANN ARBOR AVE	Dallas	TX
18-0783155	5/4/2018	6:30:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	sams grocery store	717 Ann Arbor Ave	Dallas	TX
18-0782855	5/4/2018	5:47:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
18-0796079	5/6/2018	4:06:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0912971	5/23/2018	7:44:00 PM	3	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent		717 ANN ARBOR AVE	Dallas	TX
18-0915275	5/24/2018	5:38:00 AM	1	Dallas Police	South Central	750	751	4302	46 - CIT	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
18-0933871	5/26/2018	7:18:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0965568	5/31/2018	12:50:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	sam's grocery	717 Ann Arbor Ave	Dallas	TX
18-0967876	5/31/2018	6:48:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-0979405	6/2/2018	10:05:00 AM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
18-0983058	6/2/2018	8:23:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCREY	717 Ann Arbor Ave	Dallas	TX
18-1118717	6/22/2018	5:36:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
18-1125658	6/23/2018	5:44:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-1132267	6/24/2018	5:19:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	sam's grocery	717 Ann Arbor Ave	Dallas	TX
18-1145234	6/26/2018	3:59:00 PM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent		717 Ann Arbor Ave	Dallas	TX
18-1154063	6/27/2018	9:50:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-1217911	7/6/2018	3:33:00 AM	1	Dallas Police	South Central	750	751	4302	38 - Meet Complainant	4 - Non Critical	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-1294809	7/17/2018	6:49:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-1336550	7/23/2018	10:25:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	sams grocery	717 Ann Arbor Ave	Dallas	TX
18-1381704	7/30/2018	8:30:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-1401552	8/2/2018	10:52:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-1537797	8/23/2018	3:56:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	sams grocery	717 Ann Arbor Ave	Dallas	TX
18-1630405	9/6/2018	6:30:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	Sam's Grocer	717 Ann Arbor Ave	Dallas	TX
18-1729715	9/21/2018	11:11:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-1870041	10/13/2018	9:03:00 AM	2	Dallas Police	South Central	750	751	4302	41/20 - Robbery - In Progress	1 - Emergency	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
18-1875204	10/14/2018	1:15:00 AM	1	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
18-1945279	10/25/2018	4:31:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-2117268	11/21/2018	6:44:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-2127397	11/23/2018	5:11:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 ANN ARBOR AVE	Dallas	TX
18-2127954	11/23/2018	6:57:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-2155422	11/28/2018	12:06:00 PM	2	Dallas Police	South Central	750	751	4302	6XA - Major Dist Ambulance	2 - Urgent	SAMS	717 Ann Arbor Ave	Dallas	TX
18-2155561	11/28/2018	12:28:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
18-2162541	11/29/2018	3:13:00 PM	2	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S	717 Ann Arbor Ave	Dallas	TX
18-2191066	12/3/2018	10:20:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-2224833	12/9/2018	9:17:00 AM	2	Dallas Police	South Central	750	751	4302	OADS - Open Air Drug Sales	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-2237982	12/11/2018	2:07:00 PM	2	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent	sam's grocery	717 Ann Arbor Ave	Dallas	TX
18-2269362	12/16/2018	4:40:00 PM	3	Dallas Police	South Central	750	751	4302	33 - Prostitution	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-2286632	12/19/2018	1:13:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-2306075	12/22/2018	12:47:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
18-2306375	12/22/2018	1:41:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-2313703	12/23/2018	6:01:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-2312859	12/23/2018	2:53:00 PM	2	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
18-2324062	12/25/2018	3:16:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
18-2328802	12/26/2018	2:06:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service		717 Ann Arbor Ave	Dallas	TX
19-0004536	1/1/2019	5:57:00 AM	1	Dallas Police	South Central	750	751	4302	11B - Burg of Bus	3 - General Service	sam's grocery	717 ANN ARBOR AVE	Dallas	TX
19-0007279	1/1/2019	6:42:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0012304	1/2/2019	6:08:00 PM	3	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAM GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0016627	1/3/2019	2:30:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	Sam's Grocery	717 Ann Arbor Ave	Dallas	TX
19-0016750	1/3/2019	2:57:00 PM	2	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0054450	1/9/2019	6:22:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
19-0073211	1/12/2019	9:23:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0088891	1/15/2019	4:43:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
19-0331116	2/24/2019	3:52:00 PM	2	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY STORE	717 Ann Arbor Ave	Dallas	TX
19-0364459	3/1/2019	9:39:00 PM	3	Dallas Police	South Central	750	751	4302	40/01 - Other	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0420675	3/10/2019	2:51:00 PM	2	Dallas Police	South Central	750	751	4302	PH - Panhandler	4 - Non Critical	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0442084	3/13/2019	6:27:00 PM	3	Dallas Police	South Central	750	751	4302	6X - Major Dist (Violence)	2 - Urgent	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0442768	3/13/2019	8:19:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0448603	3/14/2019	6:14:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0563337	3/31/2019	7:36:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0563519	3/31/2019	8:14:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0623690	4/9/2019	8:11:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0657878	4/14/2019	9:31:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAM'S GROCERY	717 Ann Arbor Ave	Dallas	TX
19-0664867	4/15/2019	10:06:00 PM	3	Dallas Police	South Central	750	751	4302	40 - Other	3 - General Service	SAMS GROCERY	717 Ann Arbor Ave	Dallas	TX

Offenses:

IncidentNum	Watch	OffIncident	Premise	Address	ZipCode	City	State	RA	Beat	Division	Sector	District	Date1
207996-2015	1	ROBBERY OF INDIVIDUAL	Parking Lot (All Others)	717 ANN ARBOR AVE	75216	DALLAS	TX	4302	751	SOUTH CENTRAL	750	D4	9/7/2015
273241-2015	3	ROBBERY OF BUSINESS (AGG)	Gas or Service Station	717 ANN ARBOR AVE	75216	DALLAS	TX	4302	751	SOUTH CENTRAL	750	D4	11/23/2015
033650-2016	1	BMV	Highway, Street, Alley ETC	717 ANN ARBOR AVE	75216	DALLAS	TX	4302	751	SOUTH CENTRAL	750	D4	2/11/2016
067375-2016	1	ROBBERY OF BUSINESS (AGG)	Convenience Store	717 ANN ARBOR AVE	75216	DALLAS	TX	4302	751	SOUTH CENTRAL	750	D4	3/21/2016
072583-2016	3	ROBBERY OF BUSINESS (AGG)	Convenience Store	717 ANN ARBOR AVE	75216	DALLAS	TX	4302	751	SOUTH CENTRAL	750	D4	3/26/2016
104560-2017	2	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Parking Lot (All Others)	717 ANN ARBOR AVE	75216	DALLAS	TX	4302	751	SOUTH CENTRAL	750	D4	5/10/2017
028363-2018	3	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Outdoor Area Public/Private	717 ANN ARBOR AVE	75216	DALLAS	TX	4302	751	SOUTH CENTRAL	750	D4	2/7/2018
225516-2018	2	ROBBERY OF BUSINESS (AGG)	Grocery/Supermarket	717 ANN ARBOR AVE	75216	DALLAS	TX	4302	751	SOUTH CENTRAL	750	D4	10/13/2018
225516-2018	2	ROBBERY OF BUSINESS (AGG)	Grocery/Supermarket	717 ANN ARBOR AVE	75216	DALLAS	TX	4302	751	SOUTH CENTRAL	750	D4	10/13/2018
000180-2019	1	BURGLARY OF BUILDING - FORCED ENTRY	Grocery/Supermarket	717 ANN ARBOR AVE	75216	DALLAS	TX	4302	751	SOUTH CENTRAL	750	D4	1/1/2019

Arrests:

IncidentNum	ArrestNumber	ArArrestDate	ArArrestTime	ArLAddress	NIBRS_Crime	UCRArrestChg	PClass	ChargeDesc
224675-2014	14-040689	9/18/2014	1:45:00 AM	717 ANN ARBOR AVE	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	F2	MAN DEL CONT SUB PEN GRP 1 > OR EQUAL 1G<4G
273376-2015	15-046289	11/24/2015	12:40:00 AM	717 ANN ARBOR AVE	APOWW	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
294896-2015	15-049676	12/19/2015	8:55:00 PM	717 ANN ARBOR AVE	TRESPASS OF REAL PROPERTY	OTHER /CRIMINAL TRESPASS	MB	CRIMINAL TRESPASS
294896-2015	15-049676	12/19/2015	8:55:00 PM	717 ANN ARBOR AVE	WARRANT-DALLAS PD (ALIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (ALIAS)
294896-2015	15-049676	12/19/2015	8:55:00 PM	717 ANN ARBOR AVE	WARRANT-DALLAS PD (CAPIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (CAPIAS)
003574-2016	16-000606	1/5/2016	10:45:00 AM	717 ANN ARBOR AVE	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
003574-2016	16-000606	1/5/2016	10:45:00 AM	717 ANN ARBOR AVE	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
033650-2016	16-005809	2/11/2016	6:30:00 AM	717 ANN ARBOR AVE	ALL OTHER LARCENY	FELONY THEFT	FS	THEFT OF PROP <$2500 2/MORE PREV CONV - NOT SHOPLIFT
033650-2016	16-005809	2/11/2016	6:30:00 AM	717 ANN ARBOR AVE	WARRANT-DALLAS PD (ALIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (ALIAS)
040927-2016	16-007202	2/19/2016	9:07:00 PM	717 ANN ARBOR AVE	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS MARIJUANA >4OZ< OR EQUAL 5LBS
040927-2016	16-007202	2/19/2016	9:07:00 PM	717 ANN ARBOR AVE	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	MA	POSS OF DANGEROUS DRUG
040927-2016	16-007202	2/19/2016	9:07:00 PM	717 ANN ARBOR AVE	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	MA	POSS OF DANGEROUS DRUG
040927-2016	16-007202	2/19/2016	9:07:00 PM	717 ANN ARBOR AVE	WEAPON LAW VIOLATIONS	UCW/CPW	MA	UNLAWFUL CARRYING WEAPON
137819-2016	16-025193	6/7/2016	10:00:00 PM	717 ANN ARBOR AVE	WARRANT-DALLAS PD (ALIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (ALIAS)
154266-2016	16-028123	6/25/2016	10:13:00 PM	717 ANN ARBOR AVE	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	MB	POSS MARIJUANA <2OZ
154266-2016	16-028123	6/25/2016	10:13:00 PM	717 ANN ARBOR AVE	ALL OTHER OFFENSES	OTHER	FS	EVADING ARREST DETENTION W/PREV CONVICTION
154266-2016	16-028123	6/25/2016	10:13:00 PM	717 ANN ARBOR AVE	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
154266-2016	16-028123	6/25/2016	10:13:00 PM	717 ANN ARBOR AVE	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
154266-2016	16-028123	6/25/2016	10:13:00 PM	717 ANN ARBOR AVE	WARRANT-DALLAS PD (ALIAS)	ALIAS/CAPIAS	NA	WARRANT-DALLAS PD (ALIAS)
277521-2017	17-048971	12/6/2017	9:25:00 PM	717 ANN ARBOR AVE	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	FS	POSS CONT SUB PEN GRP 1 <1G
069200-2018	18-010875	4/3/2018	2:35:00 AM	717 ANN ARBOR AVE	APOWW	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
094360-2018	18-014807	5/4/2018	6:45:00 PM	717 ANN ARBOR AVE	PUBLIC INTOXICATION	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
110379-2018	18-017336	5/24/2018	6:50:00 AM	717 ANN ARBOR AVE	APOWW	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
137197-2018	18-021744	6/24/2018	6:30:00 PM	717 ANN ARBOR AVE	PUBLIC INTOXICATION	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
200905-2018	18-032805	9/10/2018	5:00:00 AM	717 ANN ARBOR AVE	TRAFFIC VIOLATION - HAZARDOUS		MC	TRAFFIC VIOLATION - HAZARDOUS
200905-2018	18-032805	9/10/2018	5:00:00 AM	717 ANN ARBOR AVE	TRAFFIC VIOLATION - NON HAZARDOUS		MC	TRAFFIC VIOLATION - NON HAZARDOUS
200905-2018	18-032805	9/10/2018	5:00:00 AM	717 ANN ARBOR AVE	TRAFFIC VIOLATION - NON HAZARDOUS		MC	TRAFFIC VIOLATION - NON HAZARDOUS
268980-2018	18-044016	12/16/2018	5:40:00 PM	717 ANN ARBOR AVE	WARRANT HOLD (OUTSIDE AGENCY)		NA	WARRANT HOLD (OUTSIDE AGENCY)
268980-2018	18-044016	12/16/2018	5:40:00 PM	717 ANN ARBOR AVE	WARRANT-DALLAS PD (CAPIAS)		NA	WARRANT-DALLAS PD (CAPIAS)
036852-2019	19-006541	2/23/2019	4:00:00 AM	717 ANN ARBOR AVE	DRUG/ NARCOTIC VIOLATIONS		FS	POSS CONT SUB PEN GRP 1 <1G
036852-2019	19-006541	2/23/2019	4:00:00 AM	717 ANN ARBOR AVE	DRUG/ NARCOTIC VIOLATIONS		MB	POSS MARIJUANA <2OZ
036852-2019	19-006541	2/23/2019	4:00:00 AM	717 ANN ARBOR AVE	WARRANT-DALLAS PD (CAPIAS)		NA	WARRANT-DALLAS PD (CAPIAS)

IncidentNum	ARArrestDate	ArArrestTime	ArrestYr	ArLAddress	ArrestNumber	ArChgNumID	ChargeFlag	ChargeDesc	PClass	UCRWord
-	4/23/2014	9:30:00 PM	2014	717 ANN ARBOR AVE	14017703	0017703-2014-01	CITY	PUBLIC INTOXICATED	MC	D&D
20140104582	5/2/2014	2:30:00 AM	2014	717 ANN ARBOR AVE	14019098	0019098-2014-01	County	CRIM TRESPASS/BLDG/PROP	MB	OTHERS
-	5/21/2014	1:10:00 AM	2014	717 ANN ARBOR AVE	14022124	0022124-2014-01	CITY	PUBLIC INTOX	MC	D&D

CPC ACTION:
JUNE 20, 2019

Motion: It was moved to recommend **denial without prejudice** of the renewal of Specific Use Permit No. 1931 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the north side of Ann Arbor venue, east of South Marsalis Avenue

Maker: Schultz
Second: Ridley
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 16
Replies: For: 0 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: Olam Allen, 4111 Summit Ridge Dr., Dallas, TX, 75216
Sundra Law, 4053 Huckleberry Cr., Dallas, TX, 75216
Greg Walker, 4215 Elk Horn Trl., Dallas, TX, 75216

LIST OF OFFICERS
Ann Arbor Retail Corp

- Chau Hoang
- Tu Huynh

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square.

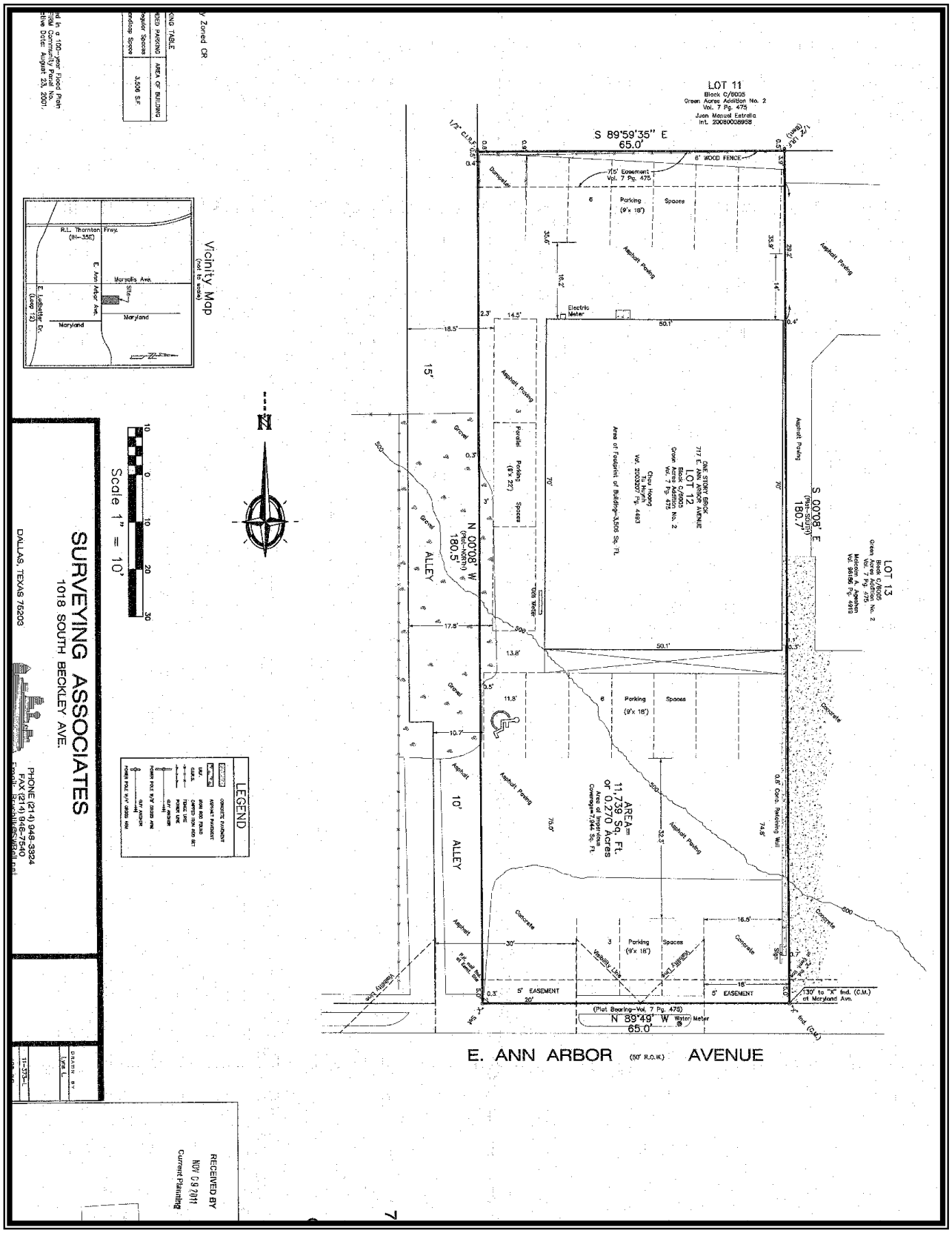
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on [~~April 23, 2019~~], (five-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).

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

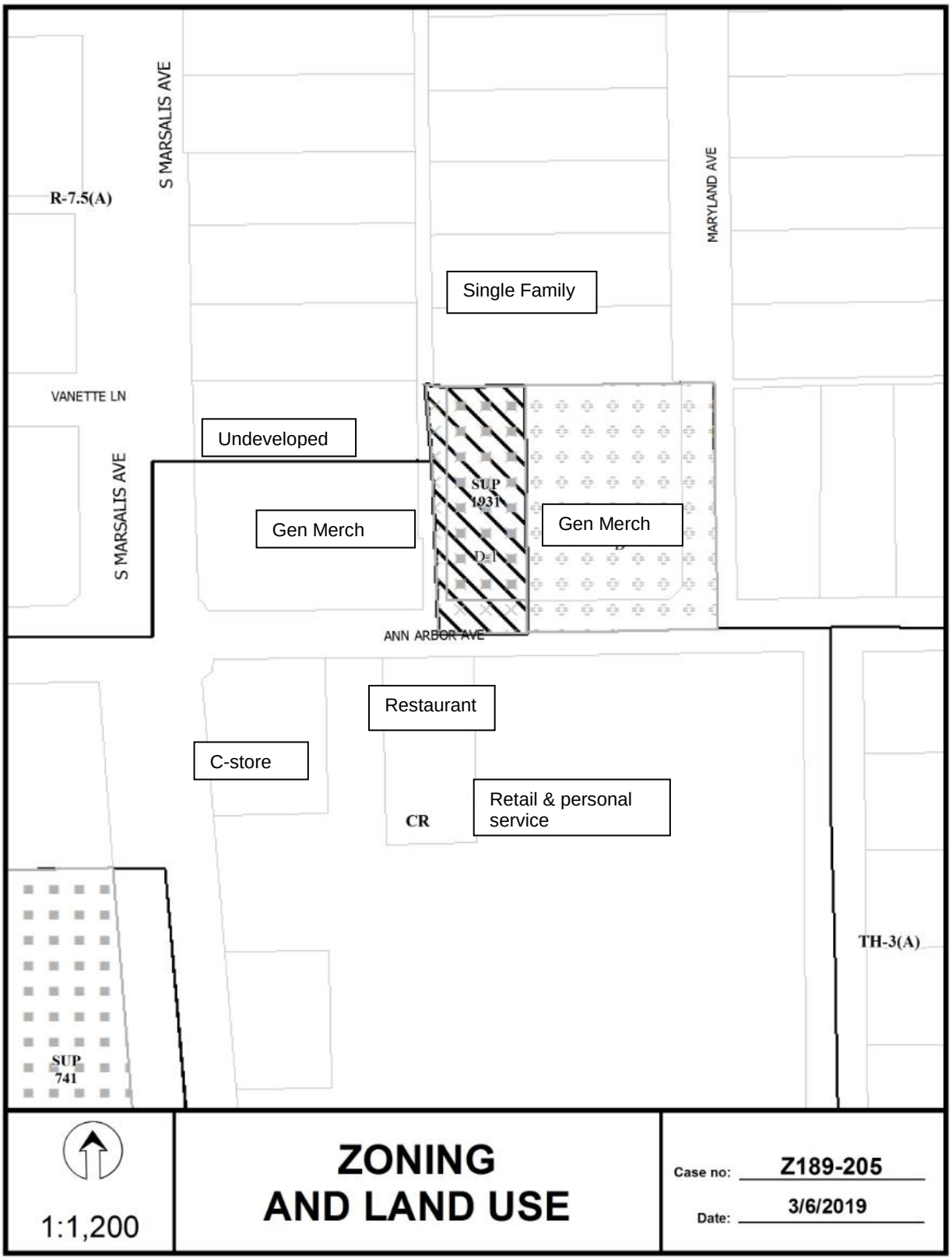
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

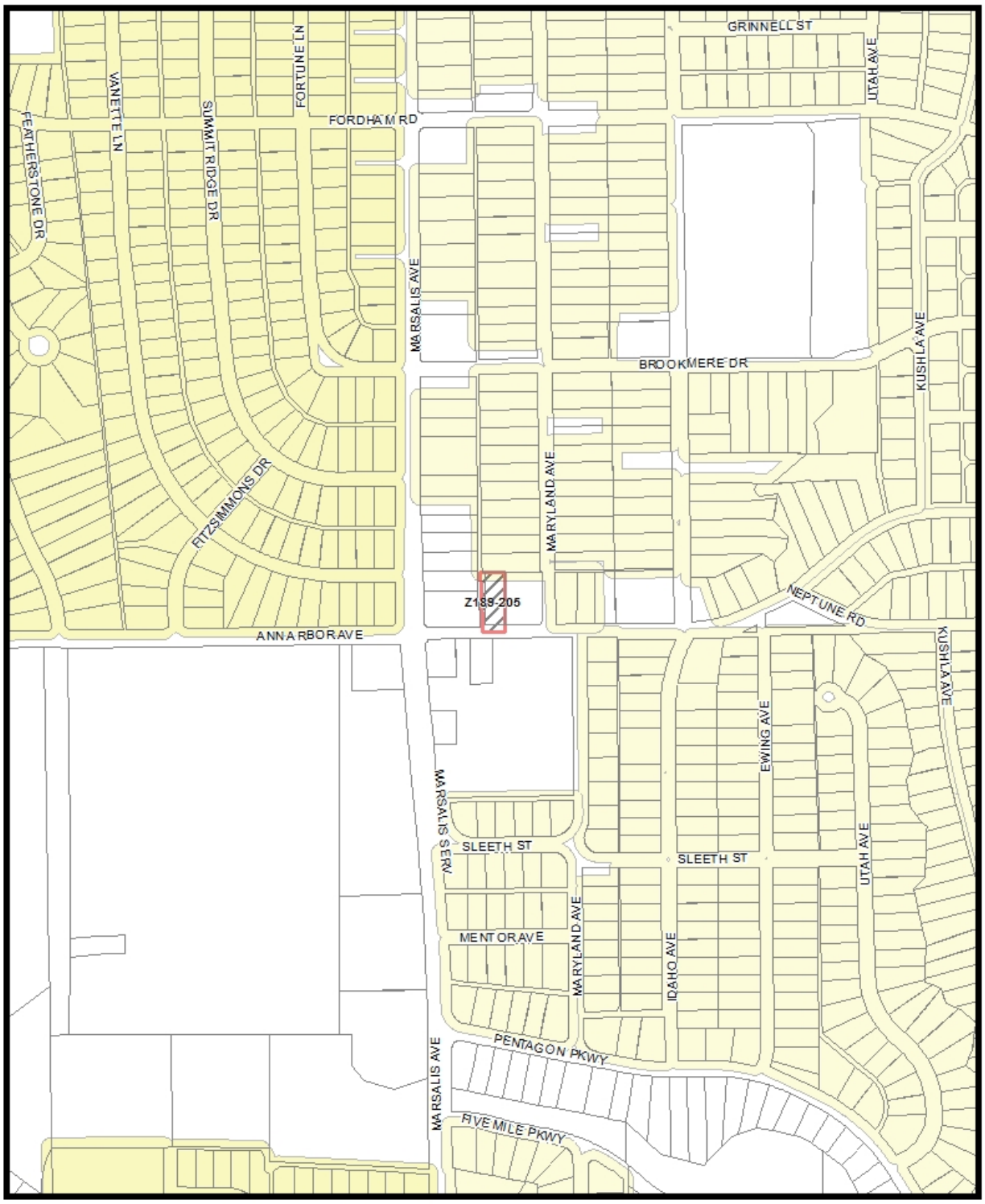
EXISTING SITE PLAN
(No changes)



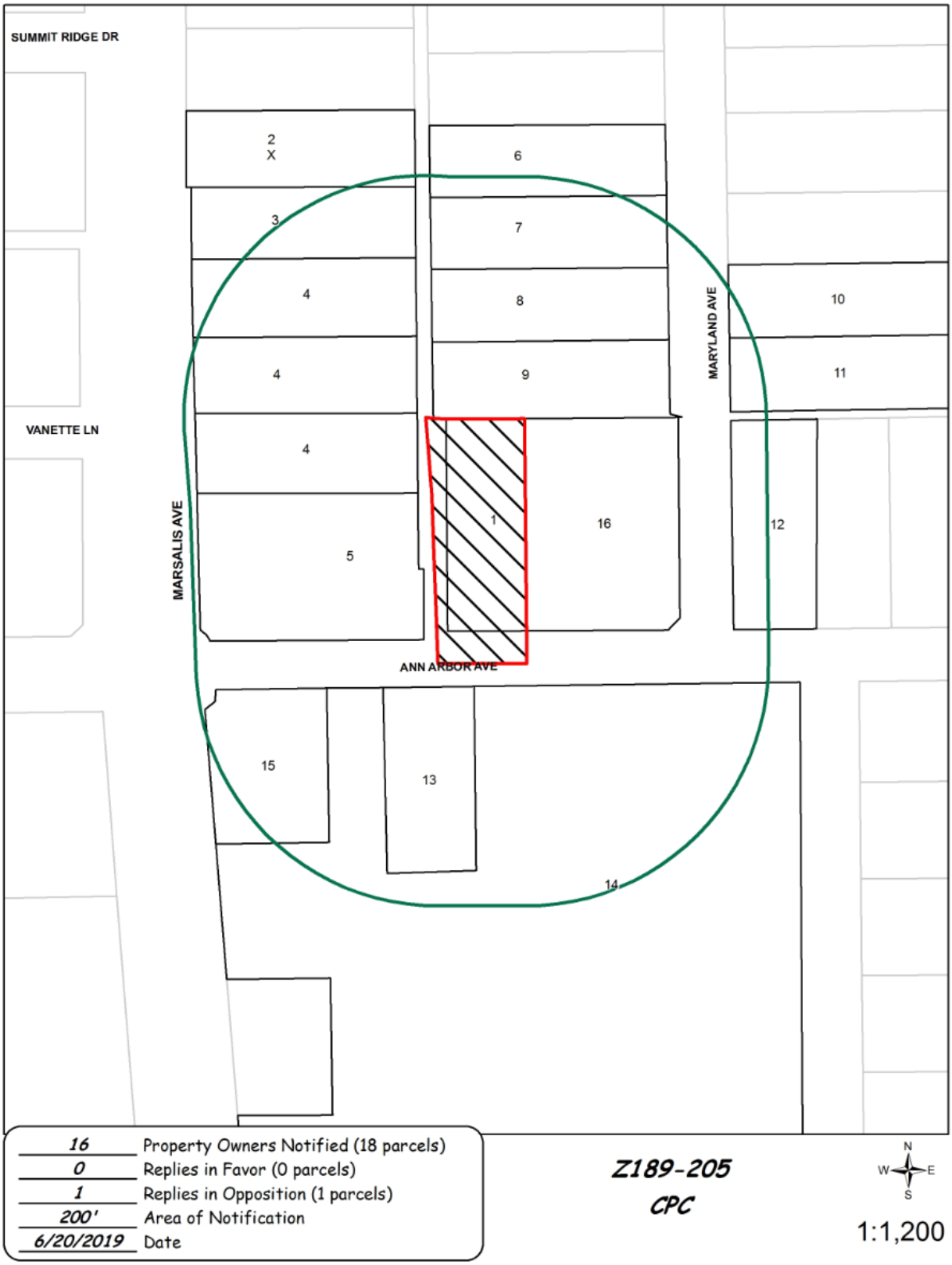

FORDHAM RD
SUMMIT RIDGE DR
FORTUNE LN
S MARSALIS AVE
Oliver
BROOKMERE DR
KUSHLA AVE
MARYLAND AVE
FITZSIMMONS DR
VANETTE LN
ANN ARBOR AVE
NEPTUNE RD
S EWING AVE
S MARSALIS SERV
SLEETH ST
SLEETH ST
UTAH AVE
MENTOR AVE
MARYLAND AVE
IDAHO AVE
E PENTAGON PKWY
MARSALIS AVE
E FIVE MILE PKWY
1:4,800
VICINITY MAP
Case no: Z189-205
Date: 3/6/2019


S MARSALIS AVE
VANETTE LN
S MARSALIS AVE
MARYLAND AVE
ANN ARBOR AVE
MARYLAND AVE
1:1,200
AERIAL MAP
Case no: Z189-205
Date: 3/6/2019


S MARSALIS AVE
R-7.5(A)
MARYLAND AVE
Single Family
VANETTE LN
Undeveloped
S MARSALIS AVE
SUP 1931
Gen Merch
Gen Merch
ANN ARBOR AVE
Restaurant
C-store
Retail & personal service
CR
TH-3(A)
SUP 741
1:1,200
ZONING AND LAND USE
Case no: Z189-205
Date: 3/6/2019


GRINNELL ST
UTAH AVE
FORDHAM RD
FORTUNE LN
VANETTE LN
SUMMIT RIDGE DR
FEATHERSTONE DR
MARSALIS AVE
BROOKMERE DR
KUSHLA AVE
MARYLAND AVE
FITZSIMMONS DR
Z189-205
NEPTUNE RD
ANN ARBOR AVE
EWING AVE
MARSALIS SERV
SLEETH ST
SLEETH ST
UTAH AVE
MENTOR AVE
MARYLAND AVE
IDAHO AVE
PENTAGON PKWY
MARSALIS AVE
FIVE MILE PKWY
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:4,800
Market Value Analysis
Printed Date: 3/6/2019

CPC RESPONSES



06/19/2019

Reply List of Property Owners

Z189-205

16 Property Owners Notified ***0 Property Owners in Favor*** ***1 Property Owner Opposed***

Reply	*Label #*		*Address*	*Owner*
	1	717	E ANN ARBOR AVE	HOANG CHAU & TU HUYNH
X	2	4304	S MARSALIS AVE	HAWKINS PATRICIA JO ANN
	3	4310	S MARSALIS AVE	HAWKINS PATRICIA DEAL
	4	4314	S MARSALIS AVE	HAWKINS PATRICIA
	5	4328	S MARSALIS AVE	GHIMIRE SUNITA S
	6	4237	MARYLAND AVE	HOLCOMB IRMA GONZALEZ
	7	4241	MARYLAND AVE	PALACIOS HERMAN
	8	4247	MARYLAND AVE	PERSPECTIVE PLUS LLC
	9	4251	MARYLAND AVE	VICTORY HOUSING VESTERS LLC
	10	4246	MARYLAND AVE	MAYAGALLEGOS ANGEL &
	11	4250	MARYLAND AVE	HOINVEST 400 LLC
	12	803	E ANN ARBOR AVE	CHURCH AT NINEVEH THE
	13	710	E ANN ARBOR AVE	HERRON ALFRED
	14	4404	S MARSALIS AVE	GALLOWAY HERRON REALTORS
	15	4404	S MARSALIS AVE	JEFFERS J C
	16	727	E ANN ARBOR AVE	AGESHEN MALCOLM A

Agenda Information Sheet

File #: 19-1085 **Item #:** 75.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the northeast corner of Greenville Avenue and Oram Street
Recommendation of Staff: Approval, subject to staff's recommended conditions
Recommendation of CPC: Approval, subject to conditions
Z189-206(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z189-206(SM)	**DATE FILED:**	February 20, 2019
LOCATION:	Northeast corner of Greenville Avenue and Oram Street		
COUNCIL DISTRICT:	14	**MAPSCO:**	36 X
SIZE OF REQUEST:	11,100 square feet	**CENSUS TRACT:**	11.01

OWNER: Lande Greenville Ave, LLC.

APPLICANT: Gideon Interests, Inc.

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay.

SUMMARY: The applicant proposes to create a new subdistrict to allow for an existing building to be occupied with a mixture of uses with no off-street parking for office uses and retail and personal service uses when located within the existing building. The applicant has also proposed to prohibit a second story, outdoor speakers, rooftop uses, and prohibiting public entrances facing south or east. The applicant has also proposed to limit a restaurant to 3,000 square feet and, if a restaurant is proposed in the future, will provide off-street parking at a ratio of one space per 100 square feet of restaurant floor area at a remote location.

CPC RECOMMENDATION: **Approval**, subject to conditions.

STAFF RECOMMENDATION: **Approval**, subject to staff's recommended conditions.

BACKGROUND INFORMATION:

- Dallas Central Appraisal District records indicate that the building was constructed in 1925.

- On October 21, 1987, the City Council created the MD-1 Modified Delta Overlay District in those areas where it was determined that a continued operation of the delta theory is not justified because there is no longer a need to encourage redevelopment and adaptive reuse of existing structures, or a continued application of the delta theory will create traffic congestion and public safety problems and would not be in the public interest.

- The MD-1 Overlay District establishes that the right to carry forward nonconforming parking and loading spaces under the delta theory terminates when a use is discontinued or remains vacant for 12 months or more [Ord. 19726].

- On April 1, 2010, Lula B's Antique Mall vacated 2004 Greenville Avenue, according to a Dallas Observer article.

- On January 26, 2011 City Council approved Planned Development No. 842. The purpose of the district is to ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues.

- The area of request has no off-street parking provided and is developed with a one-story nonresidential structure with approximately 10,500 square feet of floor area.

    - 2000 Greenville Avenue is currently occupied by a retail store (IBC Design Studio) and contains approximately 3,500 square feet of floor area and has retained 18 delta credits.

    - The remainder of the site, 2004 Greenville Avenue, is currently unoccupied but was previously occupied by another retail store (DBA Lula B's Antique Mall) and is approximately 7,000 square feet in floor area. Since 2004 Greenville Avenue has been vacant for more than 12 months, the MD-1 Overlay prescribes that the 35 delta credits may not be carried forward to the next certificate of occupancy.

- The applicant envisions utilizing the existing building in two ways: 1) to have a mix of restaurant, retail, and office uses or 2) to have a small hotel with up to 60 guest rooms. In either scenario, the applicant is not proposing to acquire off-street parking spaces for the proposed uses.

Zoning History: There have been 17 zoning change requests in the area within the last five years.

1. **Z189-170** On April 24, 2019, the City Council renewed Specific Use Permit No. 1881 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 located on the northwest corner of Greenville Avenue and Bell Avenue for a three-year period.

2. **Z145-189** On June 10, 2015, the City Council renewed Specific Use Permit No. 1881 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 located on the northwest corner of Greenville Avenue and Bell Avenue for a four-year period.

3. **Z156-217** On June 22, 2016, the City Council renewed Specific Use Permit No. 1889 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use on property within Planned Development District No. 842 for CR Community Retail District Uses with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, north of Prospect Avenue for a five-year period.

4. **Z189-150** On April 10, 2019, the City Council approved Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period.

5. **Z167-367** On December 13, 2017, the City Council approved Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period, subject to a site plan and conditions.

6. **Z178-304** On November 14, 2018, the City Council approved the renewal of Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period, subject to conditions.

7. **Z189-124** On March 7, 2019, the City Plan Commission denied an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Avenue and La Vista Drive without prejudice.

8. **Z189-126** On March 7, 2019, the City Plan Commission denied an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Avenue and La Vista Drive without prejudice.

9. **Z189-131** On February 7, 2018, the City Plan Commission denied an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Street and La Vista Drive without prejudice.

10. **Z156-224** On June 22, 2016, the City Council approved Specific Use Permit No. 2230 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period.

11. **Z178-281** On September 26, 2018, the City Council approved amendment to Subdistricts 1, 2, and 4 within Planned Development District No. 691 with a MD-1 Modified Delta Overlay and a D Liquor Control Overlay on a portion to allow a tower/antenna for cellular communication, located on the northwest corner of Greenville Avenue and Lewis Street, subject to a revised development plan, elevation, and conditions.

12. **Z167-238** On December 13, 2017 the City Council approved an amendment to Planned Development District No. 691, with a MD-1 Modified Delta Overlay and a D Liquor Control Overlay on a portion, located on the northwest corner of Greenville Avenue and Lewis Street, subject to conditions.

13. **Z178-387** On January 23, 2019, the City Council approved 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 two-year period.

14. **Z167-342** On October 11, 2017, the City Council approved 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.

15. **Z156-294** On October 26, 2016, the City Council approved the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to a bar, lounge or tavern for a three-year period.

16. **Z178-272** On October 23, 2018, the City Council approved Subdistrict 1 within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the west side of Greenville Avenue, north of Alta Avenue.

17. **Z156-300** On October 26, 2016, the City Council renewed 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 uses with an MD-1 Modified Delta Overlay, on the west line of Greenville Avenue, south of Sears Street for a four-year period.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Greenville Avenue	Local	60 feet
Oram Street	Local	40 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that staff's recommendation will not significantly impact the surrounding roadway 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.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Area Plans:

Studies conducted in the area include the Lower Greenville Avenue Parking Study (1986) that recommended that "the City enforce premise code violations as it does in other parts of the City of Dallas". Code Enforcement was also an issue highlighted in the Greenville Avenue Urban Design Study (1996-1997). It was recommended that "initiatives be taken to conduct a comprehensive sweep to clean-up the Greenville Avenue corridor and there after enforce codes with the assistance of property owners, residents, businesses and operations to maintain the property and report violations to the City for follow-up action." Recommendations from both studies are still applicable today and consistent with recommendations to address quality of life for adjacent residential neighborhoods and the Lowest Greenville Avenue corridor, respectively.

Modified Delta Overlay No. 1:

In general terms, 'delta theory' means the number of nonconforming parking or loading spaces for a use that may be carried forward when the use is converted or expanded.

The 'modified delta', in effect, limits the scope of delta theory due to an increasing need to encourage redevelopment and adaptive reuse of existing structures or that the continued application of the delta theory will create traffic congestion and public safety issues.

The site lies within Modified Delta Overlay No. 1 (MD-1), which was adopted by the City Council on October 1, 1987. MD-1 consists of three 'Areas' in an area generally bounded by Ellsworth Avenue, west of Matilda Street, north of Ross Avenue, and east of Summit Avenue/Worcola Street. This site lies within the Area 3 portion of MD-1.

On June 14, 1995, City Council approved a resolution that provides for replacing parking in the right-of-way that is lost due to locating public dining space (subject to the granting of a private license) within this area and requires parking for public dining areas at a ratio of 1 space per 300 square feet of public dining space. The most recent amendment was approved by City Council on June 28, 1995, which provides for the following: 1) a use that is discontinued or remains vacant for 12 months loses the right to carry forward nonconforming parking/loading under the delta theory; 2) the Board of Adjustment may not grant a special exception for required parking; 3) walking distance for remote parking is increased to 900 feet; and, 4) special parking may account for more than 50 percent of required parking for a use.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 842, MD-1	Vacant and retail
North	PD No. 842, MD-1, and SUP No. 2272	Restaurants
East	CR, MD-1, and SUP No. 285	Electric Substation
South	PD No. 842, MD-1	Vacant restaurant, retail, and restaurant
West	PD No. 842(Subdistrict 1), MD-1	Vacant

Land Use Compatibility:

The area of request has no off-street parking provided and is developed with a one-story nonresidential structure with approximately 10,500 square feet of floor area that is divided into two suites. The applicant proposes a new subdistrict that is consistent with the permitted and prohibited uses of the site directly to the west, within Subdistrict 1, which is similar to this request, with two exceptions. The applicant proposes to allow a liquor store and a restaurant without drive-in or drive-through service use.

The site is surrounded by the nonresidential uses noted in the table above and residential uses farther away to the east and west. Staff supports the applicant's requested land uses because it is more restrictive than the existing permitted uses and therefore more compatible with the surrounding neighborhood.

Development Standards:

The applicant proposes one change to the existing development standards: limit restaurant floor area to 3,000 square feet. Staff does not object to the applicant's request to limit restaurant uses; however, it is staff's position that any size restaurant use would be compatible with the surrounding properties when off-street parking is provided per code.

Parking:

In general, the delta theory means the number of nonconforming parking or loading spaces for a use that may be carried forward when the use is converted or expanded. The Greenville Avenue Modified Delta Overlay District establishes that the right to nonconforming delta parking credits are lost if the use is vacant for 12 months or more.

The area of request has no off-street parking provided and is developed with a one-story nonresidential structure with approximately 10,500 square feet of floor area that is divided into two suites with two addresses. 2000 Greenville Avenue is currently occupied by a retail store (DBA: IBC Design Studio) and contains approximately 3,500 square feet of floor area and has retained 18 delta credits. The remainder of the site, 2004 Greenville Avenue, is currently unoccupied but was previously occupied by another retail store (DBA: Lula B's Antique Mall) and is approximately 7,000 square feet in floor area. Since the suite addressed at 2004 Greenville Avenue has been vacant for more than 12 months, the MD-1 Overlay prescribes that the 35 delta credits may not be carried forward to the next certificate of occupancy. Therefore, the existing zoning regulations require that any use of 2004 Greenville provide the minimum parking requirements on-site, through a parking agreement, or the Board of Adjustment may approve the reinstatement of the 35 lost delta credits if the applicant can demonstrate that there was not an intent to abandon the use.

CPC supports the applicant's proposal to adaptively reuse the existing structure without providing any parking for most retail and personal service uses that close by 9:00 p.m. and all office uses without hours of operations restrictions. The Dallas Development Code generally requires a minimum of one parking space for most retail and personal service uses[1] and medical offices at a ratio of one space per 200 square feet of floor area and offices are required to provide one space per 333 square feet of office floor area. The applicant has agreed to provide the full amount of off-street parking required for restaurant uses, at a ratio of one space per 100 square feet of floor area, which complies with the Dallas Development Code.

CPC and staff support the applicant's request that parking requirements for a hotel use be determined through the process of obtaining a Specific Use Permit; however, the applicant has not provided a parking demand analysis or a parking management plan to support the requested parking reductions for office and retail uses that close by 9:00 p.m. and therefore, staff cannot fully support the applicant's request. However, staff can support a parking exception for uses that would close by 7:00 p.m. thereby activating the building for daytime uses and have parking ratios that would effectively reinstate the 35 delta credits that were lost due to the Modified Delta Overlay. Staff's rationale for this recommendation is because the Lower Greenville nonresidential area is primarily developed with uses that have parking ratios of one space per 100 square feet of floor

[1] Furniture stores require parking at a ratio of 1:500 SF, most commercial amusement (inside) uses require 1:100 SF, and restaurants and bars require 1:100 SF. Therefore, applicant's request does not require parking for a furniture store, but would require parking for restaurant and bar uses.

area (such as bar, lounge, or tavern, restaurant, and inside commercial amusement uses) with peak parking demand times in the evenings.

Special Parking:

The Dallas Development Code, as amended, provides alternatives to provide the off-street parking requirements such as remote parking and shared parking. Moreover, the Greenville Avenue Modified Delta Overlay District enhances the availability of these special parking provisions by allowing for the walking distances for the remote parking to be increased from 600 feet to 900 feet and allows for special parking to account for more than 50 percent of the off-street parking required for any use.

Staff can support the applicant's request to allow parking agreements by lease because it has been adopted in many other areas in Dallas, including but not limited to, the Bishop Art's District (PDD No. 830) and Deep Ellum/Near East Side District (PDD No. 269); however, staff would prefer special parking regulations to be consistent throughout the overall planned development district or more globally within the Modified Delta Overlay.

Additionally, the applicant requested that the walking distance for remote parking agreements for the site be extended anywhere within PDD No. 842. This portion of the applicant's request is not eligible to be included in the request because the Modified Delta Overlay extends the Dallas Development Code walking distances and therefore, the PDD cannot alter Modified Delta Overlay regulations. To consider the applicant's request, the Modified Delta Overlay would need to be terminated or amended. Further, staff does not support the concept of the applicant's request because PDD No. 842 extends south of Ross Avenue and north to Belmont Avenue, which extends the walking distance beyond industry-accepted maximums.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required. Any additions to the property that exceed 35 percent of the existing floor area or 2,000 square feet of new non-permeable pavement will require landscaping per Article X of the Dallas Development Code.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials

and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, the site is surrounded by a “C” MVA cluster in all directions.

CPC Action
May 16, 2019

Motion: In considering an application for a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay on the northeast corner of Greenville Avenue and Oram Street, it was moved to **hold** this case under advisement until June 20, 2019.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - MacGregor, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung*, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 138
Replies: For: 15 Against: 4

Speakers: For: None
For (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of a new subdistrict, subject to staff's recommended conditions with the following changes: 1) to require an SUP for a hotel or motel under Sec. 106.(b); 2) retail uses must close by 9 PM to obtain a parking waiver under Sec 109(c) and no limit on office; 3) parking ratio for restaurant, bar or tavern uses in the legacy building reduced to 1/100 square feet; 4) no second story or roof top buildout; 5) no outdoor speakers or amplified music; 6) main entry to be on Greenville Avenue only, with only fire exits on Oram; and 7) remove condition prohibiting accessory uses within Planned Development No. 842 with a MD-1 Modified Delta Overlay on the northeast corner of Greenville Avenue and Oram Street.

Maker: Ridley
Second: Schultz
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 138
Replies: For: 18 Against: 5

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Beth Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Jon Hetzel, 2622 Commerce St., Dallas, TX, 75226
Against: None

List of Officers

Lande Greenville, LLC

Gail K. Bayer, Director
Sheri R. Vine, Director

Gideon Interests, Inc.

Steve Schwartz, President and sole member

CPC Recommended Conditions

PD 842.

SEC. 51P-842.101. LEGISLATIVE HISTORY.

PD 842 was established by Ordinance No. 28109, passed by the Dallas City Council on January 26, 2011. (Ord. 28109)

SEC. 51P-842.102. PROPERTY LOCATION AND SIZE.

PD 842 is established on property located on both sides of Greenville Avenue between Belmont Avenue and Bryan Street. The size of PD 842 is approximately 50.598 acres. (Ord. Nos. 28109; 28825)

SEC. 51P-842.103. PURPOSE.

The purpose of this district is to ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional- serving, late-night venues. (Ord. 28109)

SEC. 51P-842.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article,

(1) BAIL BOND OFFICE means an office for the issuance, brokerage, or procurement of bail bonds.

(2) LATE-HOURS ESTABLISHMENT means a retail and personal service use that operates between 12 a.m. (midnight) and 6 a.m. See Section 51P-842.113.

(2.1) LEGACY BUILDING means a building and building facade which exists within Subdistrict 2 prior to 1926.

(3) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Texas Occupation Code Chapter 455, as amended.

(4) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment, but does not include permanent makeup application or intradermal cosmetics

as a component or service of a duly licensed beauty parlor or salon.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P-842.104.1 EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 842A: Subdistrict map.

SEC. 51P-842.104.2 SUBDISTRICT.

This district contains the following subdistricts: Subdistrict 1 and Subdistrict 2 as shown on the subdistrict map (Exhibit 842A).

SEC. 51P-842.105. DEVELOPMENT PLAN.

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. 28109)

SEC. 51P-842.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted 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. For example, a use permitted in the CR Community Retail District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this district; etc.

(b) The following use is permitted only by SUP:

-- Hotel and motel. *[SUP in Subdistrict 2.]*
-- Late-hours establishment. *[See Section 51P-842.113.]*

(c) In Subdistricts 1 and 2, the following uses are prohibited.

-- Alcoholic beverage establishment.
-- Alternative financial establishment.
-- Auto service center.
-- Bail bond office.
-- Car wash.

-- Commercial amusement (inside).
-- Commercial amusement (outside).
-- Convenience store with drive-through.
-- Late-hours establishment.
-- Liquor store. *[Prohibited in Subdistrict 1 only.]*
-- Massage establishment.
-- Mini-warehouse.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Paraphernalia shop.
-- Restaurant without drive-in or drive-through service. *[Prohibited in Subdistrict 1 only.]*
-- Restaurant with drive-in or drive-through service.
-- Swap or buy shop.
-- Tattoo studio.

SEC. 51P-842.107. 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 51A- 4.217. (Ord. 28109)

SEC. 51P-842.108. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the CR Community Retail District apply.

(b) Floor area ratio.

(1) In Subdistrict 1, maximum floor total floor area for office and retail and personal service uses combined is 6,000 square feet.

(2) In Subdistrict 2, a restaurant use may not exceed 3,000 square feet.

(c) Stories. In Subdistrict 2, except for mezzanines within a legacy building, maximum number of stories is one.

SEC. 51P-842.109. OFF-STREET PARKING AND LOADING.

(a) In general. 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.

(b) Subdistrict 1. No off-street parking or loading is required for an office use or a retail and personal service use that only operates between 6:00 a.m. and 7:00 p.m. and has parking ratio of 1:200 or less.

(c) Subdistrict 2.

CPC recommended:

(1) Except for a restaurant without drive-in or drive-through service, no parking or loading is required for retail and personal service uses within a legacy building that only operate between 6:00 a.m. and 9:00 p.m. and have parking ratios of 1:200 or less.

(2) No parking is required for office uses within a legacy building.

Staff recommended:

(1) Except for a restaurant without drive-in or drive-through service, no parking or loading is required for office and retail and personal service uses within a legacy building that only operate between 6:00 a.m. and 7:00 p.m. and have parking ratios of 1:200 or less.

(3) A minimum of one space per 100 square feet is required for a restaurant use and bar, lounge, or tavern use. Delta credits may not be used to meet this off-street parking requirement.

(4) For a hotel use, the off-street parking requirement may be established in the ordinance granting a Specific Use Permit.

(5) Except as provided in this subsection, remote parking must be in accordance with 51A-4.320. An agreement authorizing a nonresidential use or a mixed use development to use special parking for nonresidential uses may be based on a lease of the special parking spaces only if the lease:

(A) is in writing;

(B) contains legal descriptions of the properties affected;

(C) specifies the special parking being provided and the hours of operation of any use involved;

(D) is governed by the laws of the state of Texas;

(E) is signed by all owners of the properties affected;

(F) signed by all lienholders, other than taxing entities, that have an interest in or an improvement on the properties;

(G) is for a minimum term of three years; and

(H) provides both the owner of the lot occupied by the nonresidential use or mixed use development use and the owner of the remote parking lot shall notify the building official in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

SEC. 51P-842.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 28109)

SEC. 51P-842.111. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. 28109)

SEC. 51P-842.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII. (Ord. 28109)

SEC. 51P-842.113. ADDITIONAL PROVISIONS.

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

(b) Compliance. 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) Late-hours operations.

(1) Except for late-hours establishments operating under a valid specific use permit, all services for the public must be stopped and all customers must be removed from the establishment between 12 a.m. (midnight) and 6 a.m. Any retail and personal service use that offers services to the public or that has customers remaining in the establishment between 12 a.m. (midnight) and 6 a.m. is a late-hours establishment.

(2) No occupancy shall have nonconforming rights to operate between 12 a.m. (midnight) and 6 a.m. All occupancies must come into compliance with this subsection by September 23, 2011.

(d) Traffic impact analysis waiver. A traffic impact analysis is not required in connection with an application for a specific use permit for a late-hours establishment.

(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.

(f) Street improvements. If the city has not begun streetscape enhancements within this district by January 1, 2017, the director shall request that the city plan commission authorize a public hearing to determine proper zoning with consideration given to repeal of this district. For purposes of this subsection, "streetscape enhancements" means improvements to the streetscape such as wider sidewalks, street landscaping, and pedestrian lighting.

(g) Subdistrict 2.

(1) Except for maintenance, use of rooftops are prohibited.

(2) Outdoor speakers and amplified music are prohibited.

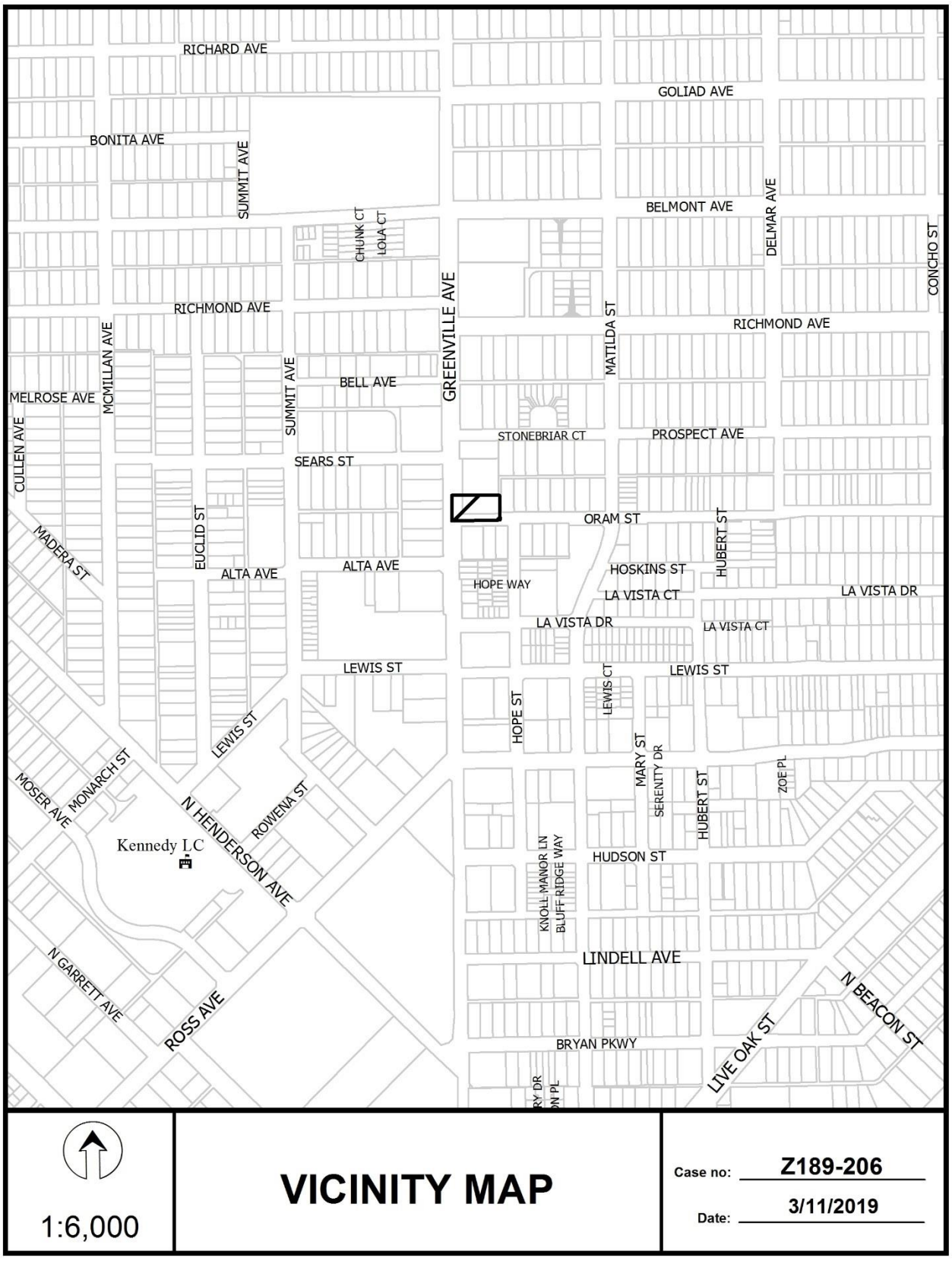
(3) Main entry to be on Greenville Avenue, with only fire exits on Oram Street.

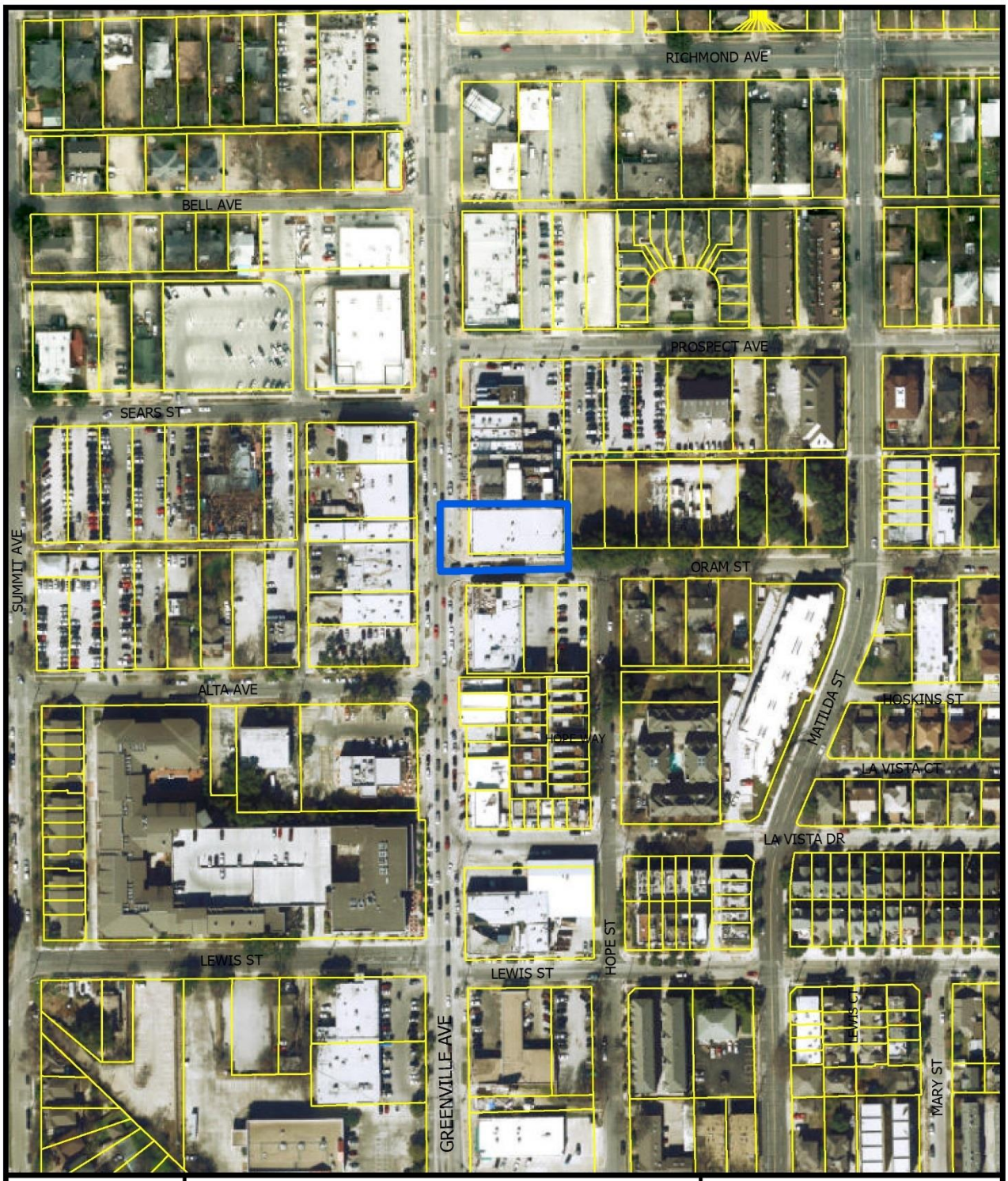
SEC. 51P-842.114. COMPLIANCE WITH CONDITIONS.

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

of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 28109)


RICHARD AVE
GOLIAD AVE
BONITA AVE
SUMMIT AVE
CHUNK CT
LOLA CT
BELMONT AVE
DELMAR AVE
CONCHO ST
GREENVILLE AVE
MATILDA ST
RICHMOND AVE
MCMILLAN AVE
BELL AVE
MELROSE AVE
CULLEN AVE
STONEBRIAR CT
PROSPECT AVE
SEARS ST
ORAM ST
HUBERT ST
EUCLID ST
MADERA ST
ALTA AVE
HOPE WAY
HOSKINS ST
LA VISTA CT
LA VISTA DR
LEWIS ST
LEWIS CT
HOPE ST
MARY ST
SERENITY DR
ZOE PL
MONARCH ST
MOSER AVE
N HENDERSON AVE
ROWENA ST
Kennedy LC
KNOLL MANOR LN
BLUFF RIDGE WAY
HUDSON ST
LINDELL AVE
N GARRETT AVE
ROSS AVE
BRYAN PKWY
LIVE OAK ST
N BEACON ST
1:6,000
VICINITY MAP
Case no: Z189-206
Date: 3/11/2019

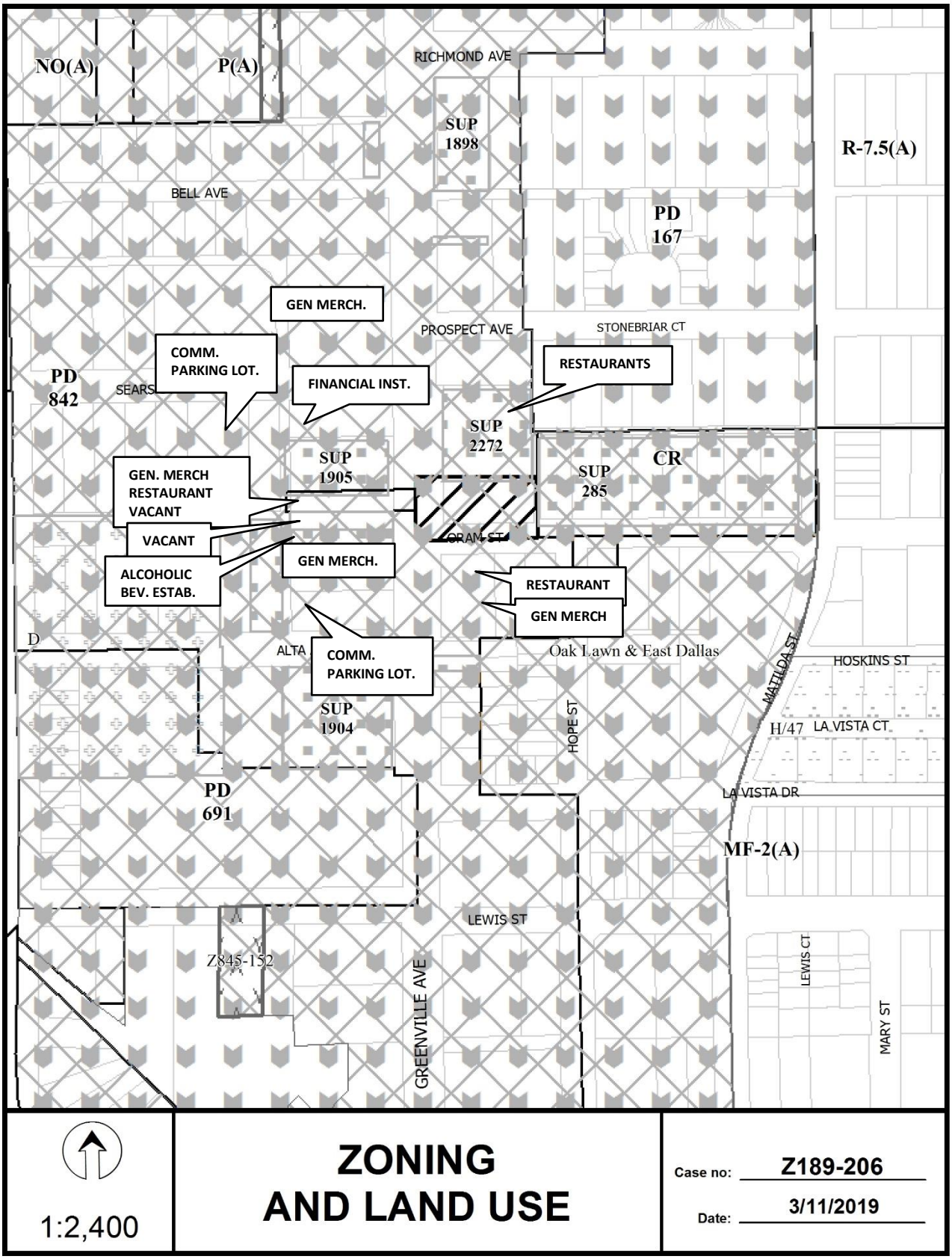


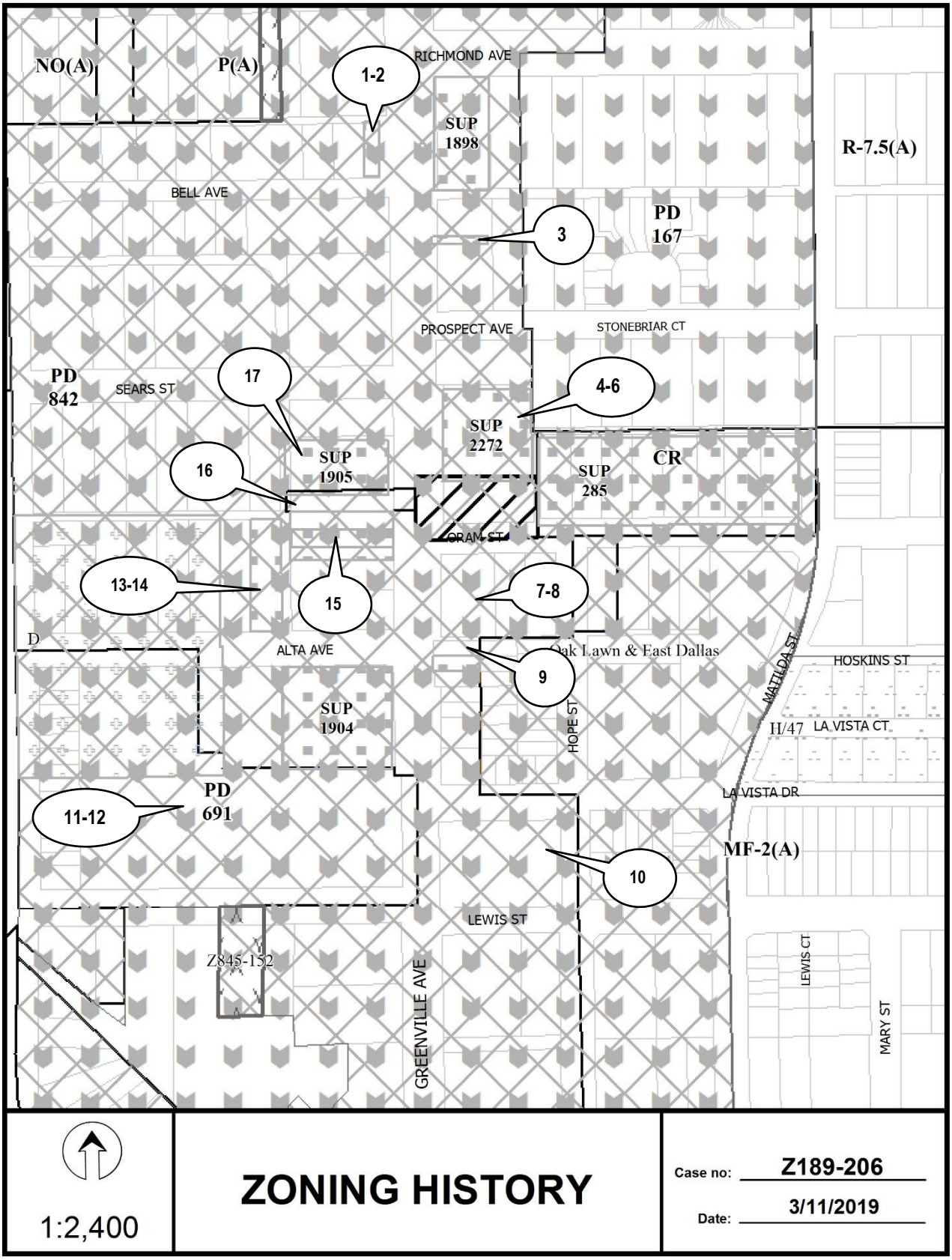
1:2,400

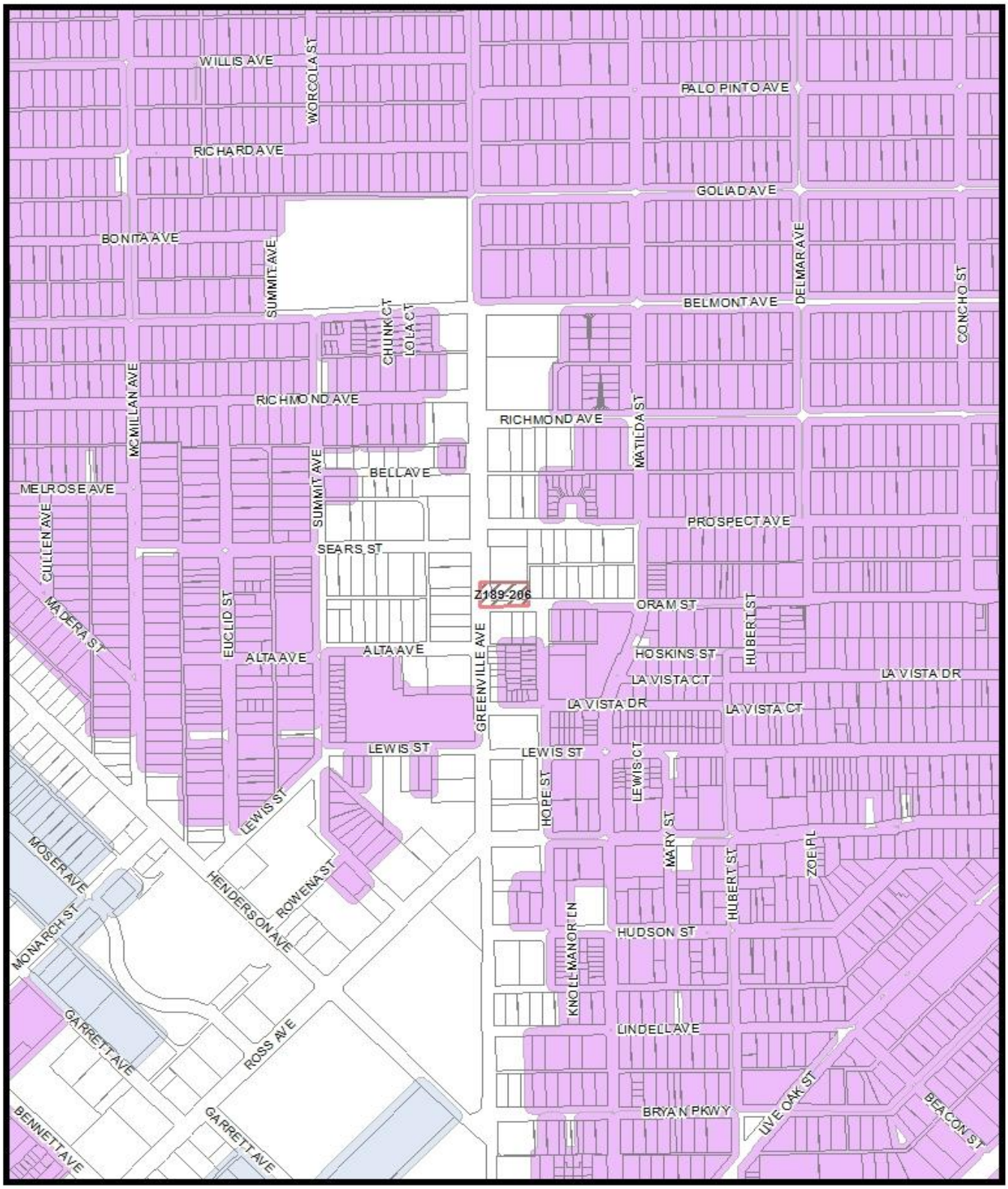
AERIAL MAP

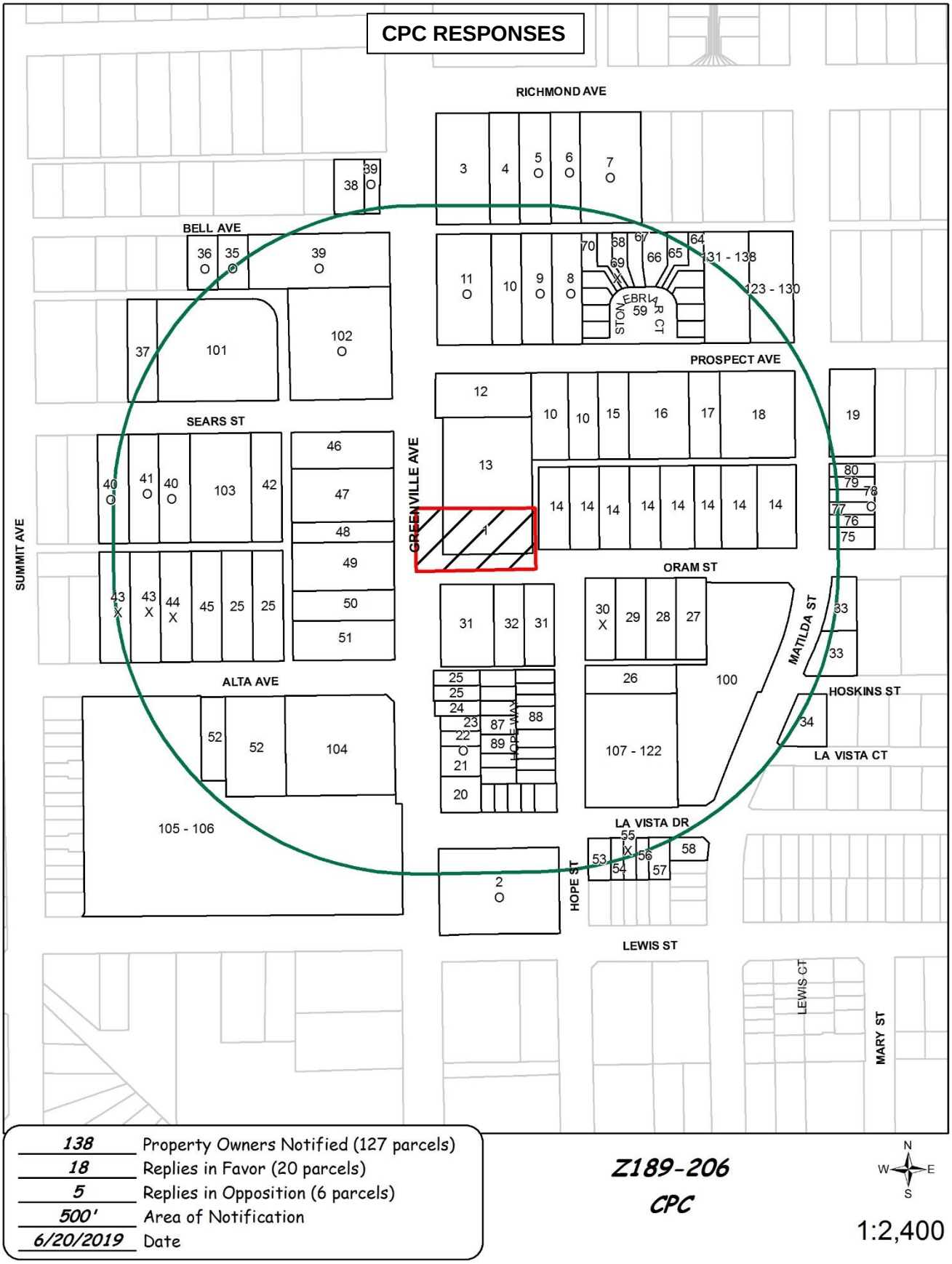
Case no: Z189-206

Date: 3/11/2019


NO(A)
P(A)
RICHMOND AVE
SUP 1898
R-7.5(A)
BELL AVE
PD 167
GEN MERCH.
PROSPECT AVE
STONEBRIAR CT
COMM. PARKING LOT.
FINANCIAL INST.
RESTAURANTS
PD 842
SEARS
SUP 2272
SUP 1905
CR
SUP 285
GEN. MERCH
RESTAURANT
VACANT
VACANT
ORAM ST
ALCOHOLIC BEV. ESTAB.
GEN MERCH.
RESTAURANT
GEN MERCH
D
ALTA
COMM. PARKING LOT.
Oak Lawn & East Dallas
MATILDA ST
HOSKINS ST
SUP 1904
HOPE ST
H/47
LA VISTA CT.
PD 691
LA VISTA DR
MF-2(A)
LEWIS ST
Z845-152
GREENVILLE AVE
LEWIS CT
MARY ST
1:2,400
ZONING AND LAND USE
Case no: Z189-206
Date: 3/11/2019


NO(A)
P(A)
RICHMOND AVE
1-2
SUP 1898
R-7.5(A)
BELL AVE
3
PD 167
PROSPECT AVE
STONEBRIAR CT
PD 842
SEARS ST
17
4-6
SUP 2272
16
SUP 1905
SUP 285
CR
ORAM ST
13-14
15
7-8
D
ALTA AVE
Oak Lawn & East Dallas
9
HOSKINS ST
MATILDA ST
SUP 1904
HOPE ST
H/47
LA VISTA CT
PD 691
11-12
LA VISTA DR
MF-2(A)
10
LEWIS ST
Z845-152
GREENVILLE AVE
LEWIS CT
MARY ST
1:2,400
ZONING HISTORY
Case no: Z189-206
Date: 3/11/2019


WILLIS AVE
WORCOLA ST
PALO PINTO AVE
RICHARD AVE
GOLIAD AVE
BONITA AVE
SUMMIT AVE
DELMAR AVE
CONCHO ST
BELMONT AVE
CHUNK CT
LOLA CT
MCMILLAN AVE
RICHMOND AVE
RICHMOND AVE
MATILDA ST
BELL AVE
MELROSE AVE
SUMMIT AVE
PROSPECT AVE
CULLEN AVE
SEARS ST
Z189-206
ORAM ST
MADERA ST
EUCLID ST
ALTA AVE
ALTA AVE
GREENVILLE AVE
HUBERT ST
HOSKINS ST
LA VISTA CT
LA VISTA DR
LA VISTA DR
LA VISTA CT
LEWIS ST
LEWIS ST
LEWIS CT
HOPE ST
LEWIS ST
MARY ST
MOSER AVE
HENDERSON AVE
ROWENA ST
HUBERT ST
ZOE PL
MONARCH ST
HUDSON ST
KNOLLMANOR LN
GARRETT AVE
ROSS AVE
LINDELL AVE
BRYAN PKWY
LIVE OAK ST
BEACON ST
BENNETT AVE
GARRETT AVE
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 3/11/2019



138	Property Owners Notified (127 parcels)
18	Replies in Favor (20 parcels)
5	Replies in Opposition (6 parcels)
500'	Area of Notification
6/20/2019	Date

Z189-206
CPC

N
W E
S

1:2,400

06/19/2019

Reply List of Property Owners

Z189-206

138 Property Owners Notified ***18 Property Owners in Favor*** ***5 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2000	GREENVILLE AVE	LANDE PAUL &
O	2	1802	GREENVILLE AVE	1800 GREENVILLE PARTNERS LLC
	3	5702	RICHMOND AVE	GREENVILLE ROSS PTNR LTD
	4	5710	RICHMOND AVE	SANCHEZ FIDENCIO
O	5	5714	RICHMOND AVE	REESE GRANDCHILDRENS &
O	6	5716	RICHMOND AVE	REESE GRANDCHILDRENS TRUST NO 1 &
O	7	5722	RICHMOND AVE	RICHMOND 5700 LLC
O	8	5719	PROSPECT AVE	MADISON PACIFIC DEV COM
O	9	5715	PROSPECT AVE	REESE GRANDCHILDRENS
	10	5711	PROSPECT AVE	ANDRES FAMILY TRUST
O	11	2100	GREENVILLE AVE	GREENVILLE 2100 LTD
	12	2026	GREENVILLE AVE	ANDRES FAMILY TRUSTS THE
	13	2008	GREENVILLE AVE	LAVO PROPERTIES LLC
	14	5715	ORAM ST	TEXAS UTILITIES ELEC CO
	15	5724	PROSPECT AVE	ANDRES FAMILY TRUST
	16	5728	PROSPECT AVE	WALL JOHN E JR
	17	5736	PROSPECT AVE	BLACK HAWK MGMT INC
	18	5740	PROSPECT AVE	BLACK HAWK MGMT INC
	19	5800	PROSPECT AVE	LUFESA INVESTMENT PROPERTIES LLC
	20	1900	GREENVILLE AVE	TRUST REAL ESTATE
	21	1904	GREENVILLE AVE	GREENVILLE PARKS LP
O	22	1908	GREENVILLE AVE	GREENVILLE PARKS LP
	23	1910	GREENVILLE AVE	MORENO RICHARD
	24	1912	GREENVILLE AVE	CAMPBELL OLIVER
	25	1914	GREENVILLE AVE	LOWGREEN PS LTD
	26	1916	HOPE ST	1916 HOPE LLC

Reply	*Label #*	*Address*		*Owner*
	27	5734	ORAM ST	SUBDIVISIONS REALTY LLC
	28	5730	ORAM ST	SOUZA DIANA FAYE
	29	5726	ORAM ST	TARL CABOT LLC &
X	30	5722	ORAM ST	MCKINNEY FEARGAL &
	31	5712	ORAM ST	LOWGREEN PS
	32	5710	ORAM ST	SOURIS GEORGIA REVOCABLE TRUST
	33	5800	ORAM ST	JOUNEGHANI FATINA GHASSEMI
	34	5749	LA VISTA CT	MEEHAN COLIN RYDER
O	35	5626	BELL ST	FOREMOST PROPERTY HOLDINGS LLC
O	36	5622	BELL ST	BELL AVENUE HOLDINGS II LLC
	37	5615	SEARS ST	RUNGRUANGPHOL VEERACHAI &
	38	5643	BELL ST	BELL AVENUE HOLDINGS LLC
O	39	2101	GREENVILLE AVE	2001 GREENVILLE VENTURE
O	40	5610	SEARS ST	GREENVILLE HOLDINGS CO
O	41	5614	SEARS ST	GREENVILLE HOLDINGS INC
	42	5628	SEARS ST	ANDRES FAMILY TRUSTS
X	43	5611	ALTA AVE	THACKER RICHARD E
X	44	5619	ALTA AVE	THACKER RICHARD E JR
	45	5623	ALTA AVE	GREENWAYSEARS LP
	46	1931	GREENVILLE AVE	GREENWAY SEARS LP
	47	1919	GREENVILLE AVE	1919 27 GREENVILLE LTD
	48	1917	GREENVILLE AVE	SEB GROUP LLC
	49	1911	GREENVILLE AVE	INTERCITY INVESTMENT PROP
	50	1909	GREENVILLE AVE	WORLDWIDE FOOD INC
	51	1903	GREENVILLE AVE	LOWGREEN PS
	52	5626	ALTA AVE	LATORRE ROBERT INC
	53	5702	LA VISTA DR	JOHNSON C RYAN
	54	5704	LA VISTA DR	BIERING JOSH D
X	55	5706	LA VISTA DR	KRAUS SUSANNE S REVOCABLE
	56	5708	LA VISTA DR	MCLEOD ALEXANDER W &
	57	5710	LA VISTA DR	REED JASON

Reply	*Label #*	*Address*		*Owner*
	58	1811	MATILDA ST	RUCKDESCHEL CALEB A &
	59	2100	STONEBRIAR CT	STONEBRIAR CT H O A
	60	15	STONEBRIAR CT	PARRA JUAN P
O	61	14	STONEBRIAR CT	SCHRENKEISEN FRANK S
	62	13	STONEBRIAR CT	BLACKLEDGE KATHRYN & EFREN
O	63	12	STONEBRIAR CT	HOSEK HERVE &
	64	11	STONEBRIAR CT	MA QUIGGANG
	65	10	STONEBRIAR CT	MITTS CALVIN S
	66	9	STONEBRIAR CT	KORZENIEWSKI KERI
	67	8	STONEBRIAR CT	KORZENIEWSKI DREW A & KERI
	68	7	STONEBRIAR CT	LEE BRANDON D
X	69	6	STONEBRIAR CT	KELLEY STEPHANIE C &
	70	5	STONEBRIAR CT	WHITELEY ANDREW
	71	4	STONEBRIAR CT	STOKES ROBERT CHARLES
	72	3	STONEBRIAR CT	MATTHEW JOHN W &
	73	2	STONEBRIAR CT	GERDES ANDREW KIRK
	74	1	STONEBRIAR CT	HOOPER NICOLE E
	75	2002	MATILDA ST	TURMAN KYLE
	76	2004	MATILDA ST	GREENSPAN MICHAEL THE
	77	2006	MATILDA ST	HAWORTH KEVIN
O	78	2008	MATILDA ST	VAYNER BRIAN JAMES & RYAN
	79	2010	MATILDA ST	POINDEXTER BRIAN R &
	80	2012	MATILDA ST	WHALEY MATTHEW
	81	1919	HOPE WAY	NGUYEN NGOC DIEP
	82	1922	HOPE WAY	ELGUEA CARLOS &
	83	1917	HOPE WAY	MCFALL JAMES
	84	1920	HOPE WAY	ISAACSON CHRISTOPHER M
O	85	1918	HOPE WAY	MARCH SEAN
	86	1915	HOPE WAY	ALARCON WALDO & YAZMIN R
	87	1913	HOPE WAY	HERNDON LINDSEY
	88	1916	HOPE WAY	OTOOLE TIMOTHY

Reply	*Label #*	*Address*		*Owner*
	89	1911	HOPE WAY	NIEHUUS MICHAEL
	90	1912	HOPE WAY	SHUCH MATTHEW T &
	91	1910	HOPE WAY	DANISH DAVID
	92	1909	HOPE WAY	JOHNSON RONALD L
	93	1908	HOPE WAY	GANDHI ANUPAMA K
	94	1907	HOPE WAY	WEINER ERIC DAVID
	95	1906	HOPE WAY	ABOUJAOUDE DORY
	96	5715	LA VISTA DR	CATHCART DAVID
	97	5713	LA VISTA DR	JACOBSON TYLER B &
	98	5711	LA VISTA DR	WHITE JULIUS
	99	5709	LA VISTA DR	SHANE MARIO M & RACHELLE
	100	1965	MATILDA ST	1965 MATILDA LLC
	101	5623	SEARS ST	2001 GREENVILLE VENTURE LTD
O	102	2001	GREENVILLE AVE	2001 GREENVILLE VENTURE LTD
	103	5622	SEARS ST	5624 SEARS STREET LTD
	104	1827	GREENVILLE AVE	LOWGREEN PS
	105	1811	GREENVILLE AVE	EGW GREENVILLE INVESTMENTS LP
	106	1811	GREENVILLE AVE	GREENWAY GREENVILLE LP
	107	1910	HOPE ST	MOJICA EDWARD
	108	1910	HOPE ST	KEELING THOMAS
	109	1910	HOPE ST	CALVERT DAVID
	110	1910	HOPE ST	KUPERMAN YELENA
	111	1910	HOPE ST	CROUCH EDIE D
	112	1910	HOPE ST	HANLON WILLIAM R &
	113	1910	HOPE ST	BEAHM CYNTHIA DIANE
	114	1910	HOPE ST	RADIGAN MEGAN M
	115	1910	HOPE ST	UTKOV GARY S & CAROL C
	116	1910	HOPE ST	KOBAYASHI AARON S &
	117	1910	HOPE ST	MERZ RYAN E
	118	1910	HOPE ST	HOPE STREET RENTAL COMPANY LLC
	119	1910	HOPE ST	ANKERSEN KRISTEN A

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	120	1910	HOPE ST	DROUILLARD SUZETTE M
	121	1910	HOPE ST	VITALE JOSEPH K & ANNE
	122	1910	HOPE ST	BREWSTER LLOYD R & DANA L
	123	5747	PROSPECT AVE	SALVATO ANTHONY III
	124	5747	PROSPECT AVE	COLLINSWORTH ASHLEY WALKER
	125	5747	PROSPECT AVE	
	126	5747	PROSPECT AVE	HALL TYLER & BRITTNEY
	127	5747	PROSPECT AVE	STOCKIN TAMARA MICHELLE
	128	5747	PROSPECT AVE	LIN ANDREW EUGENE
	129	5747	PROSPECT AVE	WITTE NATHAN
	130	5747	PROSPECT AVE	SANDRIDGE STEFANI LYNN
	131	5743	PROSPECT AVE	COOPER SAMANTHA &
	132	5743	PROSPECT AVE	DUNCAN NEAL C
	133	5743	PROSPECT AVE	APPLEGATE LANDON
	134	5743	PROSPECT AVE	THOMAS MITCHEM HUGH &
	135	5743	PROSPECT AVE	SCOTTI STEPHEN
	136	5743	PROSPECT AVE	TABER RICHARD A
	137	5743	PROSPECT AVE	ASSAR PRATAP N
	138	5743	PROSPECT AVE	BUSHEY SARAH

Agenda Information Sheet

File #: 19-1086 **Item #:** 76.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for the termination of existing deed restrictions [Z778-181] on property zoned Subdistrict 6 within Planned Development District No. 830, on the south side of Fouraker Street, between North Vernon Avenue and North Van Buren Avenue
Recommendation of Staff: Approval
Recommendation of CPC: Denial without prejudice
Z189-224(CY)

powered by Legistar™

HONORABLE MAYOR AND CITY COUNCIL WEDNESDAY AUGUST 14, 2019
ACM: Majed Al-Ghafry

FILE NUMBER: Z189-224(CY) **DATE FILED:** March 14, 2019

LOCATION: South side of Fouraker Street, between North Vernon Avenue and North Van Buren Avenue

COUNCIL DISTRICT: 1 **MAPSCO:** 54 C

SIZE OF REQUEST: Approx. 0.98 acres **CENSUS TRACT:** 42.01

OWNER/APPLICANT: Bishop/Davis Urban, LLC

REPRESENTATIVE: Peter Kavanagh, Zone Systems, Inc**.**

REQUEST: An application for the termination of existing deed restrictions [Z778-181] on property zoned Subdistrict 6 within Planned Development District No. 830.

SUMMARY: The purpose of the request is to terminate the existing deed restrictions which 1) limit the allowable uses of the property to warehouse, an office, a loading dock and a parking lot, all as defined in Chapter 51 of the Dallas City Code, as amended; 2) limit the maximum height of the warehouse use to 14 feet; 3) prohibit outside storage; 4) require a one-foot retaining wall to be provided along the south line of Fouraker Street, three feet from the sidewalk and with an eight-foot solid concrete screening fence atop of said retaining wall; 5) require eight-foot solid concrete screening fences along Vernon Avenue and Van Buren Avenue, including chain link gates for access; and 6) require landscaping to be provided along Fouraker Street, between the retaining wall and the sidewalk. The applicant proposes to develop the site in accordance with the existing zoning regulations.

CPC RECOMMENDATION: **Denial without prejudice.**

STAFF RECOMMENDATION: **Approval.**

BACKGROUND INFORMATION:

- The 0.98-acre area of request is zoned Subdistrict 6 within PD No. 830 with existing deed restrictions and is currently undeveloped.

- Planned Development District No. 830 was established by City Council on August 11, 2010, and comprises approximately 290.5 acres divided into 13 subdistricts.

- The existing deed restrictions, which the applicant is proposing to terminate, were volunteered in conjunction with a request for Heavy Commercial zoning which was approved by City Council on July 19, 1978.

- The property is impressed with the following deed restrictions:
    1. The uses of the property shall be limited to a warehouse, an office, a loading dock, and a parking lot, all as defined in Chapter 51 of the Dallas City Code, as amended.
    2. The warehouse shall extend in height to a maximum of fourteen feet above average grade level.
    3. There shall be no outside storage except for vehicles used in conjunction with the main use.
    4. A retaining wall shall be constructed along the south line of Fouraker Street, from Vernon Avenue to Van Buren Avenue. Said wall is to be three feet south of the concrete sidewalk running parallel to Fouraker Street, with an average height above grade of one foot.
    5. An eight-foot high solid concrete screening fence shall be constructed on top of the retaining wall referenced in paragraph (4) above.
    6. An eight-foot high solid concrete screening fence shall be constructed along the east line of Vernon Avenue and the northwest line of Van Buren Avenue, with the exception of any visibility corner clips that may be required to provide access to and use of the parking area and loading dock facilities. The height of the screening fence is to be measured from existing grade.
    7. The gates referenced in paragraph (6) above shall be of chain link fencing.
    8. Landscaping shall be provided along Fouraker Street between the retaining wall referenced in paragraph (4) above and the sidewalk. The planting material is to be suitable to cover the retaining wall at the time of planting and shall be maintained in a healthy, growing condition at all times.

- The existing deed restrictions limit the use of the property to a warehouse use and its incidental uses such as office, loading dock and parking lot. According to the existing zoning regulations, warehouse is not an allowed use.

- The applicant requests to remove the existing deed restrictions to allow for the redevelopment of the property with a mixed-use development in accordance with the regulations of Subdistrict 6 within PD No.830.

Zoning History: There has been one zoning change and one Board of Adjustment request in the vicinity during the last five years.

1. BDA189-044 On April 16, 2019, the Board of Adjustment granted a special exception to the visual obstruction regulations on property on the northeast corner of North Tyler Street and West Davis Street, west of the area of request.

2. Z178-185 On April 25, 2018, City Council approved a Demolition Delay Overlay for nearby properties to the south of the area of request. A demolition delay overlay district is intended to encourage the preservation of historically significant buildings that are not located in a historic overlay district by helping the property owner identify alternatives to demolition.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Required ROW
North Vernon Avenue	Minor Arterial	60 feet	60 feet
Fouraker Street	Minor Arterial	50 feet	60 feet
North Van Buren Avenue	Minor Arterial	60 feet	60 feet

Traffic:
The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and recommended reducing or limiting the number of dwelling units and compliance with the corresponding off-street parking requirements.

STAFF ANALYSIS:

Comprehensive Plan:

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

The request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

BISHOP-DAVIS LAND USE STUDY (2010)

The Bishop-Davis Land Use Study was created in 2009 and revised in 2010 and provided recommendations that were later taken into consideration to create Planned Development District No. 830, the Davis Street Special Purpose District. Section 51P-830.107 indicates that this study should be consulted for goals and recommendations for development of this district.

The goals of this land use study focused on the desired results envisioned for the area, which among other aspects included: stimulating reinvestment in the area, encourage density (in the right places), create incentives to increase open space and provide public art and to create a set of land uses for each subarea.

The Bishop-Davis Land Use Study identified the area of request within Subarea 6 and established characteristics and objectives that included the beautification and rehabilitation of Davis Street streetscape, creating a desirable pedestrian experience and a pleasant walkable environment, street trees, sidewalks and other amenities. The study also proposed for this subarea uses that included a mix of residential and light to medium density commercial uses which are consistent with the uses allowed in the existing Subdistrict 6 within PD No. 830.

The study includes a mixed-use prototype site plan that envisions the area of request and the property to the south, as a mixed use development incorporating ground-floor retail and office uses and upper-floor residential uses. With the existing deed restrictions, a development of this type would not be allowed.

Land Use:

	Zoning	Land Use
Site	Subdistrict 6 within PD No.830	Undeveloped land
North	PD No. 160	Single family
East	Subdistrict 6 within PD No.830	Multifamily
South	Subdistrict 6 within PD No.830	Undeveloped land
West	Subdistrict 6 within PD No.830	Undeveloped land, single family.

Land Use Compatibility:

The approximate 0.98-acre area of request is zoned Subdistrict 6 within Planned Development District No. 830 and is currently undeveloped; however, according to Building Inspections' records, the site previously contained a one-story, approximately 1,800-square-foot warehouse building that was constructed in 1979, and later demolished in 1998.

The existing deed restrictions were volunteered in conjunction with a request for a Heavy Commercial zoning district which was approved by City Council on July 19, 1978. These restrictions include 1) limit the allowable uses of the property to warehouse, an office, a loading dock and a parking lot, all as defined in Chapter 51 of the Dallas City Code, as amended; 2) limit the maximum height of the warehouse use to 14 feet; 3) prohibit outside storage; 4) require a one-foot retaining wall to be provided along the south line of Fouraker Street, three feet from the sidewalk and with an eight-foot solid concrete screening fence atop of said retaining wall; 5) require eight-foot solid concrete screening fences along Vernon Avenue and Van Buren Avenue, including chain link gates for access; and 6) require landscaping to be provided along Fouraker Street, between the retaining wall and the sidewalk.

The existing deed restrictions limit the use of the property to a warehouse use and its incidental uses such as office, loading dock and parking lot. According to the existing zoning regulations, warehouse is not allowed an allowed use.

The applicant proposes to terminate the deed restrictions to be able to develop the site in accordance with the regulations established for the existing zoning. According to the applicant, the plan is to construct a mixed-use project containing retail uses at ground level and multifamily use in the upper floors.

The properties to the west of the area of request include one tract of land developed with a single family use and two other tracts of land that are currently undeveloped. To the northwest and to the north, across Fouraker Street, the properties are developed with traditional detached single family dwellings. To the east, across North Van Buren Avenue, there is a multifamily and to the southeast an undeveloped tract of land. The property directly adjacent to the site to the south [which is part of the same tax plat] is currently undeveloped; however, the properties further south, across West Davis Street, contain a mix of commercial uses including personal service, general merchandise, warehouse, an industrial use for light manufacturing, and office uses.

Staff supports the applicant's request to terminate the existing deed restrictions to allow for the development of the property in accordance with the existing zoning regulations, which are also applicable to the surrounding properties to the west, south and east. These regulations allow for a mix of commercial and residential uses, establish landscape provisions, as well as architectural design standards, and street and sidewalk standards that apply to new construction particularly of buildings with multifamily, mixed-use or non-residential uses. Staff considers that the development standards provided in the existing zoning are intended to preserve the character of the Davis Corridor while allowing

compatible new construction that respect the corridor's historical, cultural, and architectural significance.

Development Standards

DISTRICT	SETBACKS		Density	Height	RPS	Lot Coverage	Lot Size	PRIMARY Uses
	Front	Side/Rear						
Existing: PD No. 830 Subdistrict 6	Min 0', Max 10' if fronting Davis Other Min. 10'	No minimum.	No maximum.	75' *	Yes (for structures over 30-feet) **	100%	No minimum	***Commercial and Residential.

*no more than 80 percent of any building footprint may exceed 60 feet in height.
**The residential proximity slope is a plane projected upward and outward at a one-to-one rise over run from private property that is outside the district, abutting Subdistrict 6 with no intervening street, and zoned for residential uses with a density of less than 12 dwelling units per acre.
*** The existing deed restrictions do not allow for this mix of uses.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA Category; however, it is in proximity to an "D" MVA Cluster to the west, north and to the east.

Parking:

The current deed restrictions do not restrict parking and therefore the termination of the existing deed restrictions will not change the site's parking requirements, as stipulated in PD No. 830.

Landscaping:

Landscaping must be provided in accordance with the Landscape regulations for subdistrict 6 within Planned Development District No. 830

CPC Action
May 16, 2019

Motion I: It was moved to recommend **denial without prejudice** of the termination of existing deed restrictions [Z778-181] on property zoned Subdistrict 6 within Planned Development District No. 830, on the south side of Fouraker Street, between North Vernon Avenue and North Van Buren Avenue.

Maker: MacGregor
Second: Schultz
Result: Failed: 5 to 8

For: 5 - MacGregor, Criss, Carpenter, Jung, Schultz

Against: 8 - Johnson, Shidid, Brinson, Lewis, Housewright, Murphy, Ridley, Tarpley
Absent: 1 - Schulte
Vacancy: 1 - District 12

Motion II: In considering an application for the termination of existing deed restrictions [Z778-181] on property zoned Subdistrict 6 within Planned Development District No. 830, on the south side of Fouraker Street, between North Vernon Avenue and North Van Buren Avenue, it was moved to **hold** this case under advisement until June 20, 2019.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley
Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 32
Replies: For: 1 Against: 1

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Rick Garza, 1314 Kings Highway, Dallas, TX, 75208
Ed Wilson, 975 Easton Pl., Dallas, TX, 75218
For (Did not speak): Allison Bradshaw, 1234 Kings Highway, Dallas, TX, 75208
Tanner Garza, 1234 Kings Highway, Dallas, TX, 75208
Brenda Garza, 223 E. Sixth St., Dallas, TX, 75203
Allison Garza, 1314 Kings Highway, Dallas, TX, 75208
Against: None

CPC Action
June 20, 2019

Motion: It was moved to recommend **denial without prejudice** of the termination of existing deed restrictions [Z778-181] on property zoned Subdistrict 6 within Planned Development District No. 830, on the south side of Fouraker Street, between North Vernon

Maker: MacGregor
Second: Carpenter
Result: Carried: 9 to 3

For: 9 - MacGregor, Schulte, Criss, Carpenter, Brinson, Jung, Housewright, Schultz, Murphy

Against: 3 - Shidid, Lewis, Ridley
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 32
Replies: For: 5 Against: 3

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Robert Garza, 223 E. 6th St., Dallas, TX, 75203
Ninette McDonald, 601 W. 8th Street, Dallas, TX, 75208
Isaac Martinez, 319 N. Clinton Ave., Dallas, TX, 75208
Greg Walker, 4215 Elk Horn Trl., Dallas, TX, 75216
Allison Garza, 1314 Kings Hwy., Dallas, TX, 75208
Linda DeLos Santos, 450 Mayrant Dr., Dallas, TX, 75224
Rick Garza, 1314 Kings Hwy., Dallas, TX, 75208
For (Did not speak): Tanner Garza, 1234 Kings Hwy., Dallas, TX, 75208
Alli Bradshaw, 1234 King Hwy., Dallas, TX, 75208
Michael DeLos Santos, 450 Mayrant Dr., Dallas, TX, 75224
Dustin Higgins, 3987 Sarasota Springs Dr., Fort Worth, TX, 76123
Against: Pam Conley, P.O. Box 5212, Dallas, TX, 75208
Marco Vejagas, P.O. Box 3706, Dallas, TX, 75208
Steve Vessels, 730 Winston St., Dallas, TX, 75208
Elizabeth Schubert, 721 Winston St., Dallas, TX, 75208
Holly Spriestersbach, 721 Winston St., Dallas, TX, 75208
Giovanni Valderas, 427 Marshalldale Dr., Arlington, TX, 76013

LIST OF PARTNERS / PRINCIPALS / OFFICERS

Rick Garza
Bishop Davis Urban, LLC
General Partner for Davis Street Market, LP.

EXISTING DEED RESTRICTIONS

782558

ESTRICTIONS

SEP-20-78 704127 73 — A 7.0

DEED RECORD

DEED RESTRICTIONS

THE STATE OF TEXAS)
)
COUNTY OF DALLAS)

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, W. B. Sewell, Jr., is the owner of the following described property situated in Dallas County, Texas, being in particular a tract of land out of the T. H. Campbells Addition, City Block 3196, City of Dallas, Dallas County, Texas, and being part of that same tract of land conveyed to W. B. Sewell, Jr. by T. H. Campbell Realty Corporation by deed dated November 1, 1973, and recorded in Volume 73247, Page 420 in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the South line of Fouraker St with the East line of Vernon Ave, said beginning point being the Northwest corner of said Lot 1

THENCE East, along the South line of Fouraker St, 441.0 ft to its intersection with the Northwest line of Van Buren Ave, the Northeast corner of said Lot 6

THENCE S 27° 00' W, along the Northwest line of Van Buren Ave, 115.6 ft to the Southeast corner of said Lot 6, the NEC of the Thomas LeMaster tract (Same being the North line LeMaster Tract)

THENCE West, along the South line of Lots 6, 5, 4, 3, 2 and 1 of Block 3196, a distance of 388.56 ft. to the East line of Vernon Ave.

THENCE North, along the East line of Vernon Ave., 103.0 ft. to the POINT OF BEGINNING and containing 42,720 sq. ft. of land.

That the undersigned, W. B. Sewell, Jr., does hereby impress all of the above described property with the following deed restrictions, to-wit:

(1) The uses of the property shall be limited to a warehouse, an office, a loading dock, and a parking lot, all as defined in Chapter 51 of the Dallas City Code as amended.

(2) The warehouse shall extend in height to a maximum of fourteen (14) feet above average grade level.

COUNTY COURT OF DALLAS COUNTY, TEXAS

782558 3454

Z189-224

(3) There shall be no outside storage except for vehicles used in conjunction with main use.

(4) A retaining wall shall be constructed along the south line of Fouraker Street, from Vernon Avenue to Van Buren Avenue. Said wall is to be three feet south of the concrete sidewalk running parallel to Fouraker Street, with an average height above grade of one foot.

(5) An eight (8) foot high solid concrete screening fence shall be constructed on top of the retaining wall referenced in paragraph (4) above.

(6) An eight (8) foot high solid concrete screening fence shall be constructed along the east line of Vernon Avenue and the northwest line of Van Buren Avenue, with the exception of any visibility corner clips that may be required by the City of Dallas, and such gates as may be required to provide access to and use of the parking area and loading dock facilities. The height of the screening fence is to be measured from existing grade.

(7) The gates referenced in paragraph (6) above shall be of chain-link fencing.

(8) Landscaping shall be provided along Fouraker Street between the retaining wall referenced in paragraph (4) above and the sidewalk. The planting material is to be suitable to cover the retaining wall at the time of planting and shall be maintained in a healthy, growing condition at all times.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

The restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owner hereof does hereby grant to the City of Dallas the

COUNTY COURT OF DALLAS COUNTY, TEXAS

782558

right to prosecute, at law and in equity, against the person violating or attempting to violate such restrictions, either to prevent him from so doing and to correct such violation and for further remedy, the City of Dallas may withhold the Certificate of Occupancy necessary for the lawful use of the property until such restrictions described herein are fully complied with.

These restrictions are hereby declared covenants running with the land and shall be fully binding upon all persons acquiring property within the above described tract, and any person by acceptance of title to any of the above described property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

EXECUTED this the 11 day of MAY, 1978.

W. B. Sewell
W. B. SEWELL, JR.

THE STATE OF TEXAS)
)
COUNTY OF DALLAS)

BEFORE ME, the undersigned, a Notary Public in and for Dallas County, Texas, on this day personally appeared W. B. Sewell, Jr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 11th day of May, 1978.

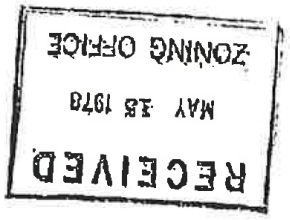
Jill J. Vinden Eckel
NOTARY PUBLIC in and for
Dallas County, Texas
Jill J. Vinden Eckel

My Commission Expires:
2/27/80

Approved as to form:
LEE E. HOLT, City Attorney
By Charles M. Hunter, Jr.
Assistant City Attorney

-3-

COUNTY COURT OF DALLAS COUNTY, TEXAS



Return TO
City Secretary
City Hall
1500 Marilla
Dallas Tx 75201

STATE OF TEXAS
I hereby certify that ...
filed on the date and time ...
by me and was duly recorded in the ...
and page of the named records of Dallas
County, Texas as stamped hereon by me.

SEP 20 1978

L E Murdock
COUNTY CLERK, Dallas County, Texas

TERMINATION OF DEED RESTRICTIONS

TERMINATION OF DEED RESTRICTIONS

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

I.

The undersigned, BISHOP/DAVIS URBAN, LLC ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the Aaron Overton Survey, Abstract No. 1101, part of City Block 3196, City of Dallas ("City"), Dallas County, Texas, and being part of a tract of land conveyed to the Owner by Richard P. Garza, by deed dated September 3, 2009, and recorded in Instrument 200900286485, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the South line of Fouraker St. with the East line of Vernon Ave, said beginning point being the Northwest corner of said Lot 1;

THENCE East, along the South line of Fouraker St, 441.0 ft to its intersection with the Northwest line of Van Buren Ave, the Northeast corner of said Lot 6;

THENCE S 27º 00' W, along the Northwest line of Van Buren Ave, 115.6 ft to the Southeast corner of said Lot 6;

THENCE West, along the South line of Lots 6, 5, 4, 3, 2 and 1 of Block 3196, a distance of 388.56 ft. to the the East line of Vernon Ave.;

THENCE North, along the East line of Vernon Ave., 103.0 ft. to the POINT OF BEGINNING and containing 42,720 sq. ft. of land.

II.

The Property was impressed with certain deed restrictions ("restrictions") as shown in an instrument dated May 11, 1978, signed by W.B. Sewell, Jr., and recorded in Volume 78182, Page 3454, of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "A" and made a part of this instrument.

III.

The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

(1) The uses of the property shall be limited to a warehouse, an office, a loading dock, and a parking lot, all as defined in Chapter 51 of the Dallas City Code as amended.

(2) The warehouse shall extend in height to a maximum of fourteen (14) feet above average grade level.

(3) There shall be no outside storage except for vehicles used in conjunction with main use.

(4) A retaining wall shall be constructed along the south line of Fouraker Street, from Vernon Avenue to Van Buren Avenue. Said wall is to be three feet south of the concrete sidewalk running parallel to Fouraker Street, with an average height above grade of one foot.

(5) An eight (8) foot high solid concrete screening fence shall be constructed on top of the retaining wall referenced in paragraph (4) above.

(6) An eight (8) foot high solid concrete screening fence shall be constructed along the east line of Vernon Avenue and the northwest line of Van Buren Avenue, with the exception of any visibility corner clips that may be required by the City of Dallas, and such gates as may be required to provide access to and use of the parking area and loading dock facilities. The height of the screening fence is to be measured from existing grade.

(7) The gates referenced in paragraph (6) above shall be of chain-link fencing.

(8) Landscaping shall be provided along Fouraker Street between the retaining wall referenced in paragraph (4) above and the sidewalk. The planting material is to be suitable to cover the retaining wall at the time of planting and shall be maintained in a healthy, growing condition at all times.

IV.

The above termination was made following 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 was given as would have been required by law for a zoning change on the Property. The Owner must file this 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 termination becomes effective.

V.

The termination of these restrictions is not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

THE OWNER AGREES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY FROM AND AGAINST ALL CLAIMS OR LIABILITIES ARISING OUT OF OR IN CONNECTION WITH THIS TERMINATION.

VII.

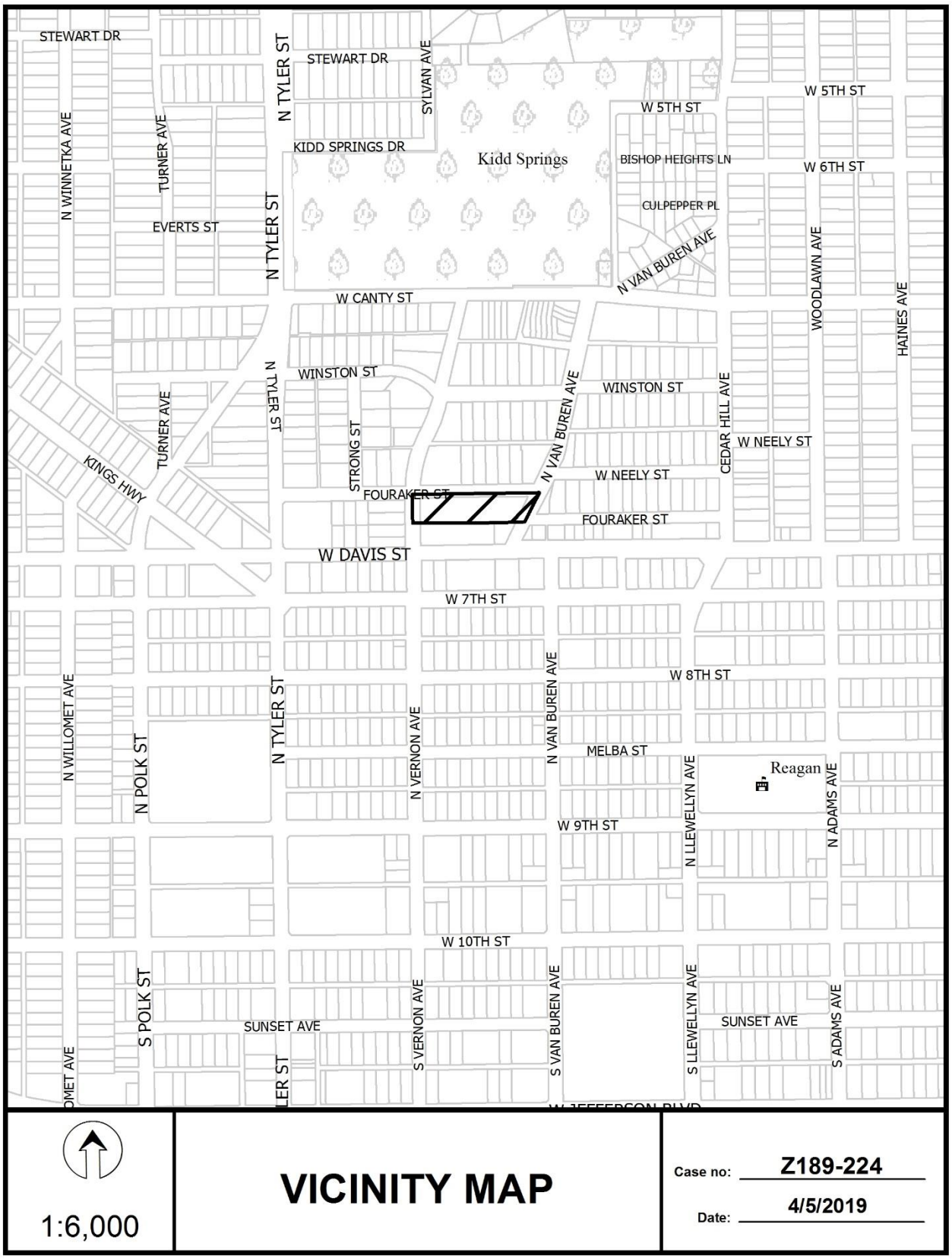
Unless stated otherwise in this instrument, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this instrument as if recited in this instrument.

VIII.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

IX.

The invalidation of any provision in this instrument by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

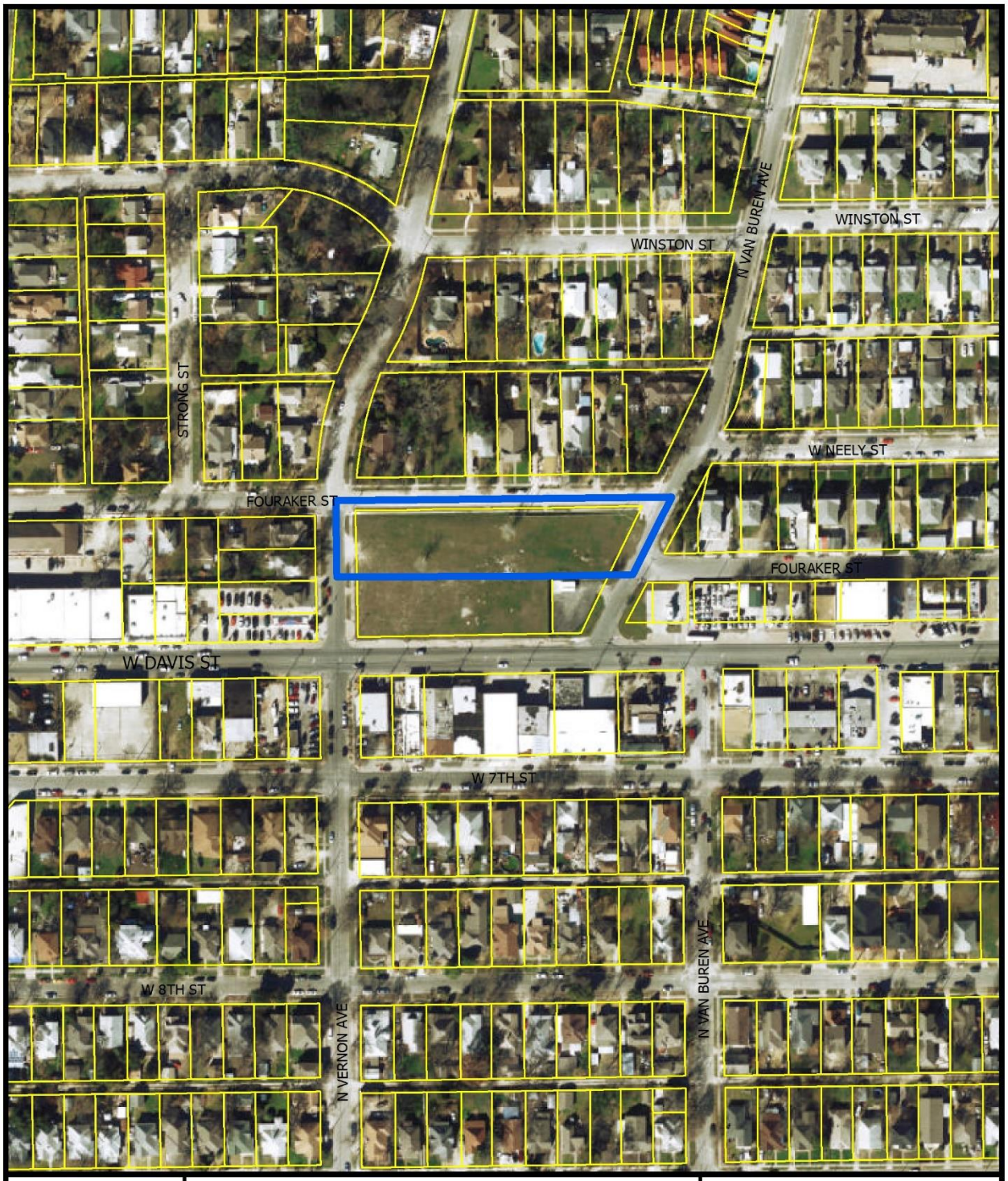


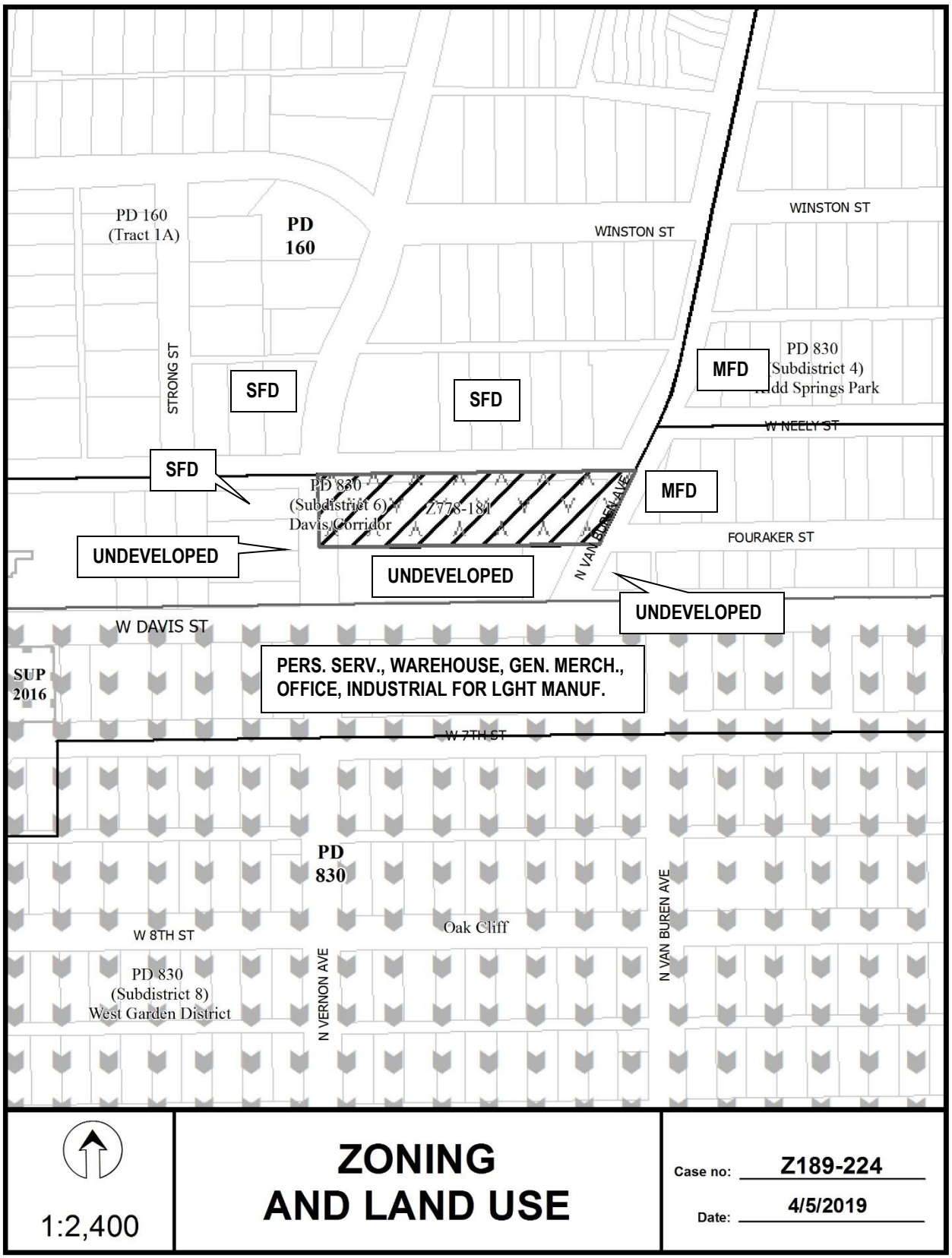
1:6,000

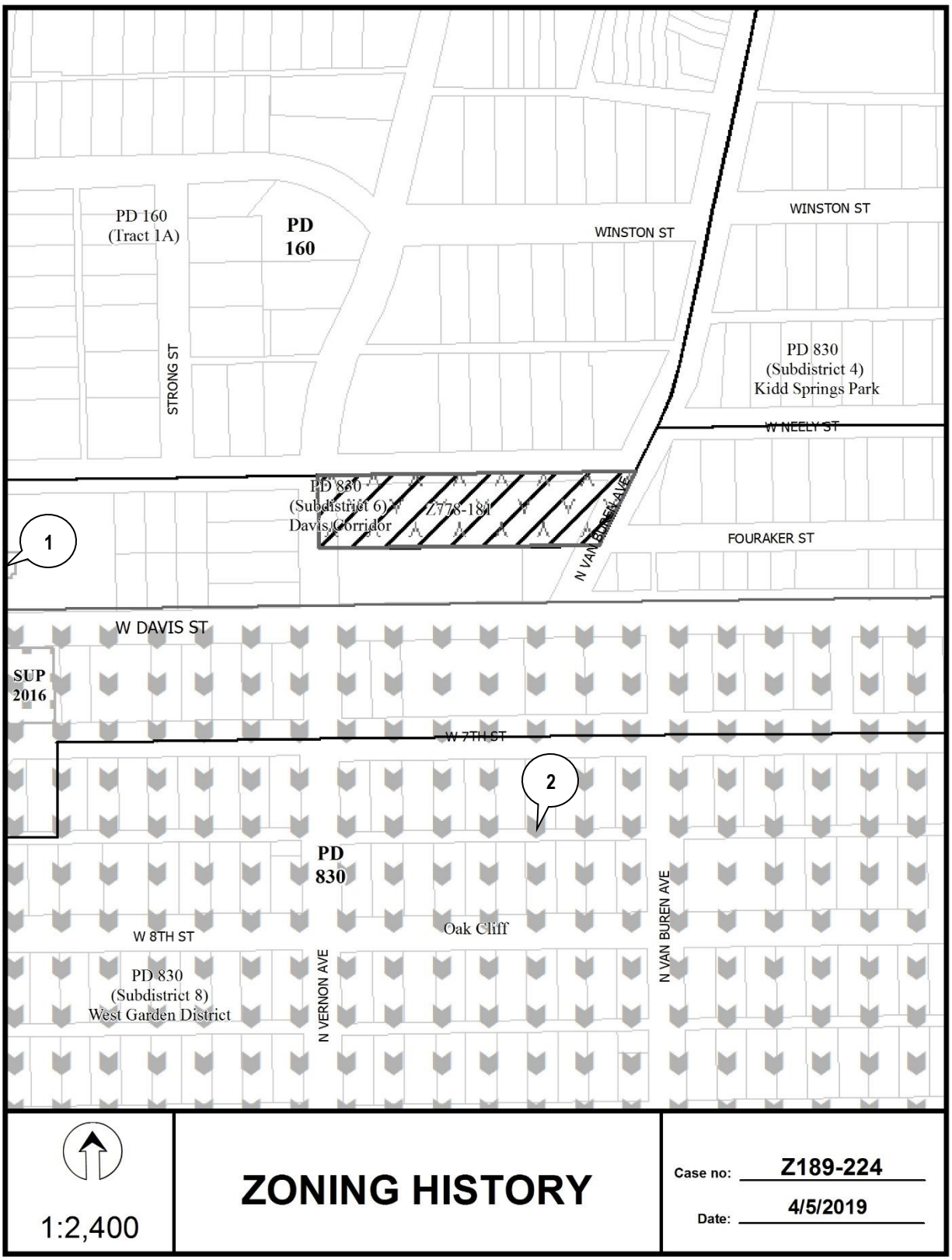
VICINITY MAP

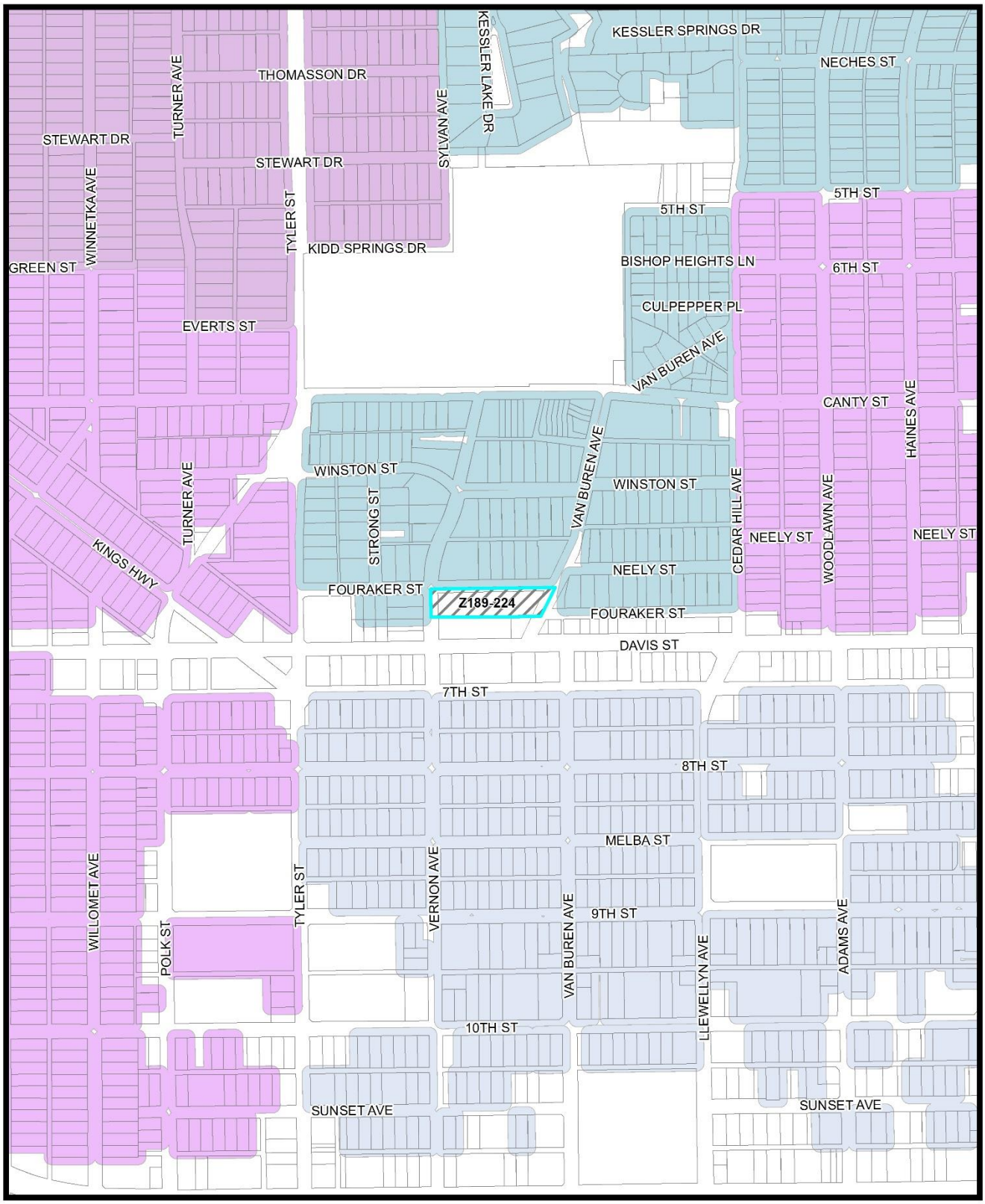
Case no: Z189-224

Date: 4/5/2019

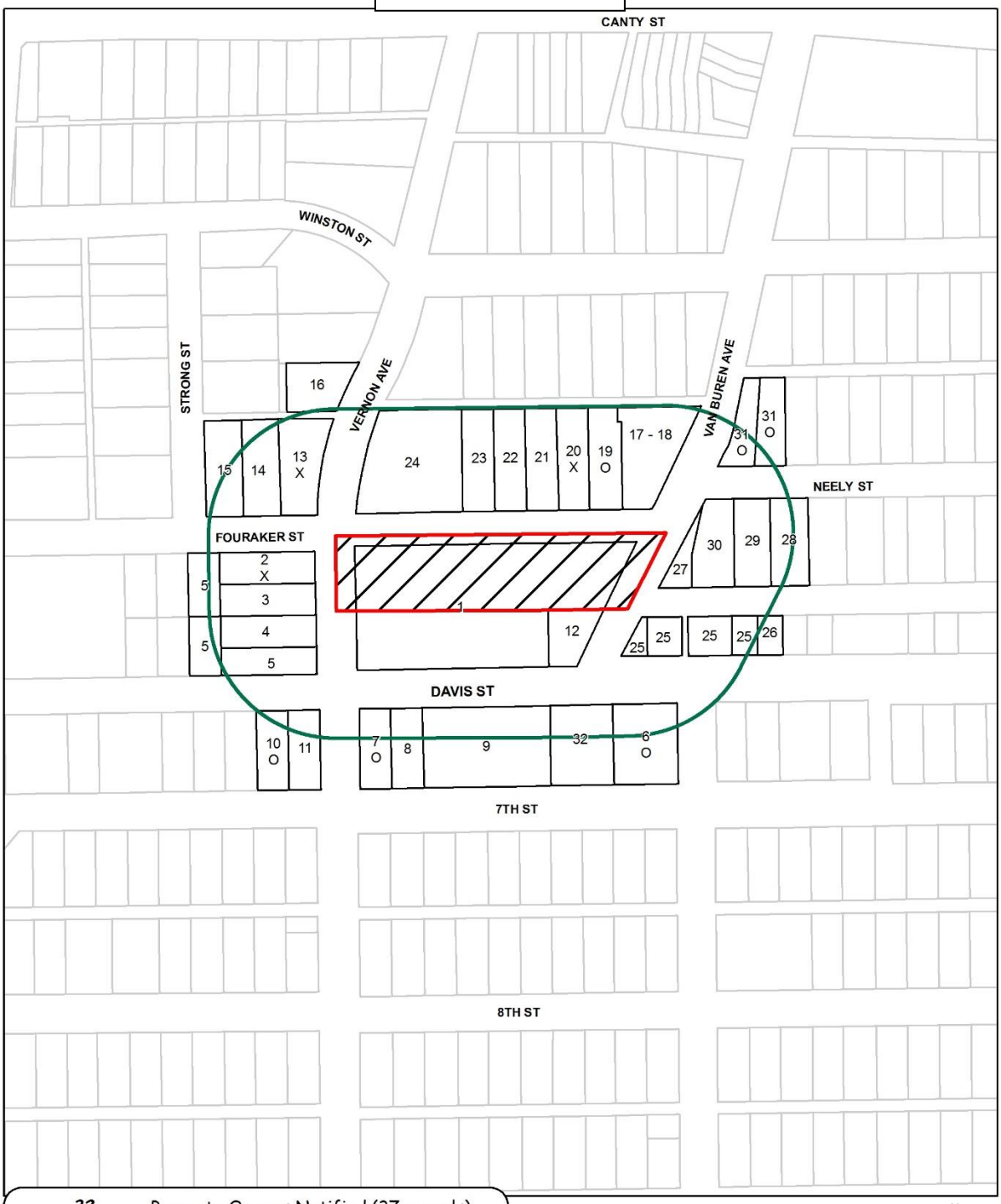

WINSTON ST
WINSTON ST
N VAN BUREN AVE
STRONG ST
W NEELY ST
FOURAKER ST
FOURAKER ST
W DAVIS ST
W 7TH ST
W 8TH ST
N VERNON AVE
N VAN BUREN AVE
1:2,400
AERIAL MAP
Case no: Z189-224
Date: 4/5/2019


PD 160
(Tract 1A)
PD
160
WINSTON ST
WINSTON ST
STRONG ST
SFD
SFD
MFD
PD 830
(Subdistrict 4)
Trinidad Springs Park
W NEELY ST
SFD
PD 830
(Subdistrict 6)
Davis Corridor
Z778-181
MFD
N VAN BUREN AVE
FOURAKER ST
UNDEVELOPED
UNDEVELOPED
UNDEVELOPED
W DAVIS ST
SUP
2016
PERS. SERV., WAREHOUSE, GEN. MERCH.,
OFFICE, INDUSTRIAL FOR LGHT MANUF.
W 7TH ST
PD
830
Oak Cliff
W 8TH ST
N VAN BUREN AVE
PD 830
(Subdistrict 8)
West Garden District
N VERNON AVE
1:2,400
ZONING
AND LAND USE
Case no: Z189-224
Date: 4/5/2019


PD 160
(Tract 1A)
PD
160
WINSTON ST
WINSTON ST
STRONG ST
PD 830
(Subdistrict 4)
Kidd Springs Park
W NEELY ST
PD 830
(Subdistrict 6)
Davis Corridor
Z178-181
N VAN BUREN AVE
FOURAKER ST
1
W DAVIS ST
SUP
2016
W 7TH ST
2
PD
830
Oak Cliff
W 8TH ST
N VAN BUREN AVE
N VERNON AVE
PD 830
(Subdistrict 8)
West Garden District
1:2,400
ZONING HISTORY
Case no: Z189-224
Date: 4/5/2019


KESSLER SPRINGS DR
NECHES ST
KESSLER LAKE DR
SYLVAN AVE
THOMASSON DR
TURNER AVE
STEWART DR
STEWART DR
WINNETKA AVE
TYLER ST
KIDD SPRINGS DR
5TH ST
5TH ST
BISHOP HEIGHTS LN
6TH ST
GREEN ST
CULPEPPER PL
EVERTS ST
VAN BUREN AVE
CANTY ST
HAINES AVE
WINSTON ST
VAN BUREN AVE
WINSTON ST
CEDAR HILL AVE
WOODLAWN AVE
NEELY ST
NEELY ST
TURNER AVE
STRONG ST
KINGS HWY
NEELY ST
FOURAKER ST
Z189-224
FOURAKER ST
DAVIS ST
7TH ST
8TH ST
MELBA ST
WILLOMET AVE
TYLER ST
VERNON AVE
9TH ST
VAN BUREN AVE
LLEWELLYN AVE
ADAMS AVE
POLK ST
10TH ST
SUNSET AVE
SUNSET AVE
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 4/5/2019

CPC RESPONSES



32	Property Owners Notified (37 parcels)
5	Replies in Favor (6 parcels)
3	Replies in Opposition (3 parcels)
200'	Area of Notification
6/20/2019	Date

Z189-224
CPC

N
W E
S

1:2,400

06/19/2019

Reply List of Property Owners

Z189-224

32 Property Owners Notified ***5 Property Owners in Favor*** ***3 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	715	W DAVIS ST	BISHOP/DAVIS URBAN LLC
X	2	613	N VERNON AVE	ROSAS CONNIE
	3	609	N VERNON AVE	ANGEL 11 11 LLC
	4	605	N VERNON AVE	ANGEL 11 11 LLC
	5	803	W DAVIS ST	ANGEL 11 11 LLC
O	6	700	W DAVIS ST	AUSBROOKE LLC
O	7	738	W DAVIS ST	SWEET 200 LLC
	8	732	W DAVIS ST	COOPER L DEWAYNE
	9	722	W DAVIS ST	D MC LEASING INC
O	10	805	W 7TH ST	J & PD LLC
	11	800	W DAVIS ST	SOLIS JOSE & MARIA
	12	701	W DAVIS ST	GARZA RICHARD P
X	13	621	N VERNON AVE	ROSAS JOSE & MARCELINA
	14	807	FOURAKER ST	GUZMAN JUAN M
	15	813	FOURAKER ST	GUZMAN GUADALUPE
	16	633	N VERNON AVE	COLEMAN GUILLERMO &
	17	631	N VAN BUREN AVE	BRYSON JOHN MICHAEL
	18	629	N VAN BUREN AVE	BRYSON INVESTMENTS INC
O	19	705	FOURAKER ST	MUNOZ LETICIA MOTA
X	20	711	FOURAKER ST	VASQUEZ JUAN JOSE
	21	713	FOURAKER ST	MALDONADO HECTOR
	22	717	FOURAKER ST	REEVES EDDIE WAYNE &
	23	721	FOURAKER ST	JC LEASING LLP
	24	624	N VERNON AVE	DIAZ FERNANDO &
	25	667	W DAVIS ST	PENNY LANE PROPERTIES LLC
	26	649	W DAVIS ST	PENNY LANE PROPERTIES LLC

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	27	654	W NEELY ST	RAMIREZ MARIA JESUS
	28	640	W NEELY ST	GARCIA ROBERTO &
	29	646	W NEELY ST	JENNIFER OWENS LLC
	30	650	W NEELY ST	RAMIREZ MARIA J
O	31	645	W NEELY ST	RAMIREZ RIGOBERTO ET AL
	32	714	W DAVIS ST	D MC LEASING INC

Agenda Information Sheet

File #: 19-1087 **Item #:** 77.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to a restaurant with drive-in or drive-through service on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay, on the southwest corner of Greenville Avenue and Alta Avenue
Recommendation of Staff: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a four-year period, subject to a site plan and conditions
Z189-251(AU)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 14, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-251(AU) **DATE FILED:** April 22, 2019

LOCATION: Southwest corner of Greenville Avenue and Alta Avenue

COUNCIL DISTRICT: 14 **MAPSCO:** 36 X

SIZE OF REQUEST: +/- 0.69 acres **CENSUS TRACT:** 10.02

APPLICANT: Texas Taco Cabana, L.P.

OWNER: Lowgreen P.S.

REPRESENTATIVE: Suzan Kedron/Jackson Walker LLP

REQUEST: An application for a Specific Use Permit for a late-hours establishment limited to a restaurant with drive-in or drive-through service on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay.

SUMMARY: The applicant proposes to continue the operation of the existing restaurant use (Taco Cabana) past midnight. The previous SUP No. 1904 expired on November 12, 2018.

CPC RECOMMENDATION: **Approval** for a four-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

PLANNED DEVELOPMENT DISTRICT No. 842:
http://www.dallascityattorney.com/51P/Articles%20Supp%2026/ARTICLE%20841.pdf

PLANNED DEVELOPMENT DISTRICT No. 842 EXHIBITS:
http://www.dallascityattorney.com/51P/Exhibits%20Supp%2054/842A.pdf

Background Information:

- The applicant is requesting a Specific Use Permit for late-hours to provide for daily operation 24 hours per day to continue the operation of the existing drive-through restaurant (Taco Cabana). The applicant has operated at this location since 1993. The existing restaurant is 3,986 square feet of floor area and possesses a 1,450 square foot uncovered patio located along the Greenville Avenue frontage. The property contains 40 parking spaces.

- On January 26, 2011, City Council approved Planned Development District No. 842 allowing CR Community Retail uses. The purpose of the district is to ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues. PD 842 requires Specific Use Permit approval for any retail and personal service uses operating between 12 a. m. and 6 a. m.

- On September 14, 2011, City Council granted Specific Use Permit No. 1904 for a late-hours establishment limited to a restaurant with drive-in or drive-through service, for a two-year time period, to the same owner and applicant as the current request.

- On September 23, 2011, a certificate of occupancy for a restaurant with drive-in service, with an outdoor patio, 1,450 square feet in area, and allowed to be open 24 hours every day, was issued to the applicant.

- On November 12, 2013, SUP No. 1904 was renewed for a five-year time period, but subsequently expired on November 12, 2018, because the applicant failed to submit for the SUP renewal in time. The applicant submitted the current application on April 22, 2019.

- The site is located within the Area 3 portion of Modified Delta Overlay No. 1. In 1987, the City Council created the MD-1 Modified Delta Overlay District in those areas where it was determined that a continued operation of the delta theory is not justified because there is no longer a need to encourage redevelopment and adaptive reuse of existing structures, or a continued application of the delta theory will create traffic congestion and public safety problems and would not be in the public interest.

Zoning History:

There have been 20 zoning cases requested in the area in the past five years:

1. Z134-204 On August 13, 2014, City Council approved Specific Use Permit No. 2044 for a late-hours establishment limited to a restaurant without drive-in or drive-through service, for a three-year period, for property located on southwest corner of Greenville Avenue and Sears Street.

2. Z134-262 On October 8, 2014, City Council approved 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 three-year period, for property located on north side of Alta Avenue, and west of Greenville Avenue.

3. Z156-224 On June 22, 2016, City Council approved Specific Use Permit No. 2203 for a late-hours establishment limited to a restaurant without drive-in or drive-through service, for a one-year period, for property located on the east line of Greenville Avenue, and on the north line of Lewis Street.

4. Z156-294 On October 26, 2016, City Council approved the renewal of Specific Use Permit No. 1912 for a bar, lounge or tavern, for a three-year period, for property located on the west line of Greenville Avenue, south of Sears Street.

5. Z156-300 On October 26, 2016, City Council renewed Specific Use Permit No. 1905 for a late-hours establishment limited to a restaurant without drive-in or drive-through service, for a four-year period, for property located on the west line of Greenville Avenue, south of Sears Street.

6. Z167-227 On June 28, 2017, the Planning Director approved the automatic renewal of Specific Use Permit No. 1879 for a late-hours establishment limited to an alcoholic beverage establishment operated as bar, lounge, or tavern, for a two-year period, for property located on the east line of Greenville Avenue between Oram Street and La Vista Drive.

7. Z167-238 On December 13, 2017, City Council approved an amendment to Planned Development District No. 691, amending definitions and interpretations regulations for tattoo studio, for property located on the southeast corner of Greenville Avenue and Alta Avenue.

8. Z167-263 On June 28, 2017, the Planning Director approved the automatic renewal of Specific Use Permit No. 2044 for a late-hours establishment limited to a restaurant without drive-in or drive-through service, for a two-year period, for property located on the west line of Greenville Avenue, south of Sears Street.

9. Z167-342 On October 11, 2017, City Council approved 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, for property located on the north line of Alta Avenue, west of Greenville Avenue.

10. Z167-367 On December 13, 2017, City Council approved Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service, for a one-year period, for property located on the east line of Greenville Avenue between Prospect Avenue and Oram Street.

11. Z178-186 On April 25, 2018, City Council approved the establishment of a demolition delay overlay district, Oak Lawn and East Dallas – DDO-4, for approximately 3,277 acres located in Downtown and Uptown Dallas.

12. Z178-272 On October 23, 2018, City Council approved the creation of Subdistrict 1 within Planned Development District No. 842, for property located on the west side of Greenville Avenue between Sears Street and Alta Avenue.

13. Z178-281 On September 26, 2018, City Council approved amendments to exhibits and main uses permitted within Subdistricts 1, 2, and 4 within Planned Development District No. 691 to allow a tower/antenna for cellular communication, for property located on the northwest corner of Greenville Avenue and Lewis Street.

14. Z178-304 On November 14, 2018, City Council approved the renewal of Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service, for a one-year period, for property located on the east line of Greenville Avenue between Prospect Avenue and Oram Street.

15. Z178-387 On January 23, 2019, City Council approved 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 two-year period, for property located on the north line of Alta Avenue, west of Greenville Avenue.

16. Z189-124 On March 7, 2019, City Plan Commission denied without prejudice an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service, on property located on the southeast corner of Greenville Avenue and Oram Avenue.

17. Z189-126 On March 7, 2019, City Plan Commission denied without prejudice an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service, on property located on the southeast corner of Greenville Avenue and Oram Avenue.

18. Z189-131 On February 7, 2018, City Plan Commission denied without prejudice an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service, on property located on the east line of Greenville Avenue, between Oram Street and La Vista Drive.

19. Z189-150 On April 10, 2019, City Council approved Specific Use Permit No. 2327 for a late-hours establishment limited to a restaurant without drive-in or drive-through service, for a one-year period, for property located on the east line of Greenville Avenue, south of Stonebriar Court.

20. Z189-227 On May 1, 2019, the Planning Director approved the automatic renewal of Specific Use Permit No. 1879 for a late-hours establishment limited to an alcoholic beverage establishment operated as a bar, lounge, or tavern, for a two-year period, for property located on the east line of Greenville Avenue between Oram Street and La Vista Drive.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Greenville Avenue	Local	60 feet
Alta Avenue	Local	50 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the existing roadway 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 is consistent with the following Plan recommendations.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.3 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.

Area Plans:

Studies conducted in the area include the Lower Greenville Avenue Parking Study (1986) that recommended that "the City enforce premise code violations as it does in other parts of the City of Dallas". Code Enforcement was also an issue highlighted in the Greenville Avenue Urban Design Study (1996-1997). It was recommended that "initiatives be taken

to conduct a comprehensive sweep to clean-up the Greenville Avenue corridor and there after enforce codes with the assistance of property owners, residents, businesses and operations to maintain the property and report violations to the City for follow-up action." Recommendations from both studies are still applicable today and consistent with recommendations to address quality of life for adjacent residential neighborhoods and the Lowest Greenville Avenue corridor, respectively.

STAFF ANALYSIS

Surrounding Land Uses:

	Zoning	Land Use
Site	PD 842 MD-1	Existing late-hours establishment limited to a restaurant with drive-in or drive-through (Taco Cabana)
North	PD 842 MD-1	Parking lot (private) Bar, lounge, or tavern Late-hours establishment limited to bar, lounge, or tavern
Northeast East	PD 842 MD-1 SUP No. 1879	Restaurants Bar, lounge, or tavern Late-hours establishment limited to bar, lounge, or tavern Retail
Southeast	PD 842 MD-1	Tattoo studio Parking lot (private)
South	PD 691 MD-1	Multifamily with first floor retail
West	PD 842 MD-1	Office
Northwest	PD 842 MD-1 SUP No. 1903	Late-hours establishment limited to bar, lounge, or tavern Office and personal service

Land Use Compatibility:

The 30,078-square-foot request site is developed with an approximate 3,986-square-foot building with an uncovered outdoor patio, approximately 1,449 square feet in area along Greenville Avenue. The speaker box for the drive-through portion of the operation is

located along the western façade, with the speaker oriented towards the rear side of the property, adjacent to office uses. There are 40 parking spaces on site.

The applicant is requesting an SUP for a late-hours establishment to permit the existing use to operate daily, 24 hours per day. The restaurant has been at this location since 1993 and has been approved by Specific Use Permit No. 1904 in 2011. SUP No. 1904 expired in November 2018, because the applicant failed to submit the renewal application in time.

In addition to the mix of retail and entertainment uses located along Greenville Avenue, to the north and east of the request site, multifamily residential uses are located to the south and further west of the site, and an office building abuts the site to the west. To the northwest there are more office and personal service uses. The site is not located in the immediate vicinity of single-family residential uses.

The main uses permitted in PD 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. The purpose of PDD No. 842 is to ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues. As defined in the PDD, a late-hours establishment is any retail or personal service use that operates between 12:00 a.m. and 6:00 a.m., and furthermore requires an SUP for this defined use. Additionally, the City Council adopted a compliance date of September 23, 2011 for any retail and personal service use operating beyond 12:00 a.m. to obtain the required SUP.

PDD No. 842 establishes the following criteria for consideration of an SUP for a late-hours establishment:

> (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 *(two, one of the two occurred between 12:00 a.m. and 6:00 a.m.);*
>
> (2) the number of citations issued by police for noise ordinance violations by the establishment *(none)*;
>
> (3) the number of arrests for public intoxication or disorderly conduct associated with the establishment *(six)*;
>
> (4) the number of Texas Alcoholic Beverage Code violations of the establishment *(one written warning)*; and

(5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment *(none)*.

The Dallas Police Department has provided responses to these criteria, which follow later in this report.

In addition to the regulations of PDD No. 842, the Dallas Development Code establishes general criteria for any use requiring an SUP.

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.

Considering the surrounding uses that are similar to the request, and the entire retail and entertainment character of Greenville Avenue, and considering the fact that the applicant has operated in a responsible manner at the location for the period of the last SUP No. 1904 renewal in 2013, staff is in support of this request.

Parking:

Pursuant to §51A-4.210 of the Dallas Development Code, the existing restaurant requires one space for each 100 square feet of floor area. Therefore, the 3,986 square-foot restaurant requires 40 parking spaces. As shown on the proposed site plan, 40 parking spaces are provided. All required parking is provided as shown on the attached site plan. The proposed site plan is identical with the previous SUP site plan. No changes to the site plan are requested, nor required.

Landscaping:

The existing development provides for landscaping that complies with Article X as well as enhanced planting areas surrounding the patio. No revisions are proposed nor required with this application, as no new construction or modification is proposed on the site.

Crime Report:

From November 2013 to April 2019, 127 phone calls were placed to the Dallas Police Department (DPD) with the location Taco Cabana, of which 39 calls were coded either a general service or non-critical, and three calls were coded an emergency. DPD also reported the following two incidents and ten arrest charges as detailed below within the same period since the previous SUP approval action.

Offenses:

Incident Number	Incident	Premise	Date	Offense
0318240-2013	BURGLARY OF A MOTOR VEHICLE	PUBLIC PARKING LOT	12/17/2013	THEFT | OTHER THEFTS | BMV/UNATTACH PROP INSIDE VEH | $200 +
107182-2017	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Highway, Street, Alley ETC	5/12/2017	AUTO THEFT - UUMV

Arrests:

Incident Number	Arrest Number	Arrest Date	Arrest Time	Crime	Description
215436-2014	14-039000	9/7/2014	1:53:00 AM	PUBLIC INTOXICATION	PUBLIC INTOXICATION
215436-2014	14-039003	9/7/2014	1:35:00 AM	PUBLIC INTOXICATION	PUBLIC INTOXICATION
286097-2014	14-051348	11/30/2014	11:00:00 PM	PUBLIC INTOXICATION	PUBLIC INTOXICATION
289463-2014	14-051890	12/5/2014	4:14:00 AM	PUBLIC INTOXICATION	PUBLIC INTOXICATION
000181-2016	16-000047	1/1/2016	3:15:00 AM	DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	CRIM MISCHIEF >OR EQUAL $100 BUT <$750
000181-2016	16-000047	1/1/2016	3:15:00 AM	PUBLIC INTOXICATION	PUBLIC INTOXICATION
000181-2016	16-000047	1/1/2016	3:15:00 AM	TRESPASS OF REAL PROPERTY	CRIMINAL TRESPASS
140539-2016	16-025695	6/10/2016	8:00:00 PM	WARRANT-DALLAS PD (ALIAS)	WARRANT-DALLAS PD (ALIAS)
265973-2016	16-047349	11/6/2016	2:50:00 AM	WARRANT HOLD (OUTSIDE AGENCY)	WARRANT HOLD (OUTSIDE AGENCY)
189511-2018	18-030839	8/26/2018	6:17:00 PM	APOWW	APOWW (SOCIAL SERVICES REFERRAL)

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The request site is located within an “C” MVA cluster.

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for a late-hours establishment limited to a restaurant with drive-in or drive-through service for a four-year period, subject to a site plan and conditions on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay, on the southwest corner of Greenville Avenue and Alta Avenue.

Maker: Ridley
Second: MacGregor
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 37
Replies: For: 1 Against: 0

Speakers: For: Shannon Quine, 2323 Ross Avenue, Suite 600, Dallas TX 75201
Against: None

LIST OF PARTNERS

Texas Taco Cabana L.P.
T.C. Management, Inc. – General Partner
TPAC Holdings Corporation – Limited Partner

T.C. Management, Inc
Richard Stockinger – CEO and Director
Charles E. Locke – President
Louis DiPietro – Sr. Vice President, Secretary, and General Counsel
Cheri Kinder – Vice President, Interim CFO, Treasurer, and CAO

TPAC Holdings Corporation
Richard Stockinger – CEO and Director
Charles E. Locke – President
Louis DiPietro – Sr. Vice President, Secretary, and General Counsel
Cheri Kinder – Vice President, Interim CFO, Treasurer, and CAO

Property Owner List of Officers and Director
Lowgreen PS – Property Owner
Marc Andres – Partner
Roger Andres – Partner
Shula and Aharon Netzer - Partner

CPC RECOMMENDED
SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a late-hours establishment limited to a restaurant with drive-in or drive-through service.

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

4. FLOOR AREA: Maximum floor area is 3,983~~3~~6 square feet in the location shown on the attached site plan.

5. HOURS OF OPERATION: The late-hours establishment limited to a restaurant with drive-in or drive-through service may only operate between 12:00 a.m. (midnight) and 6:00 a.m. (the next day), Monday through Sunday.

6. PARKING: Off-street parking must be provided in accordance with Planned Development District No. 842.

7. OUTDOOR PATIO:

    A. Maximum land area for the outdoor patio is 1,450 square feet in the location shown on the attached site plan.

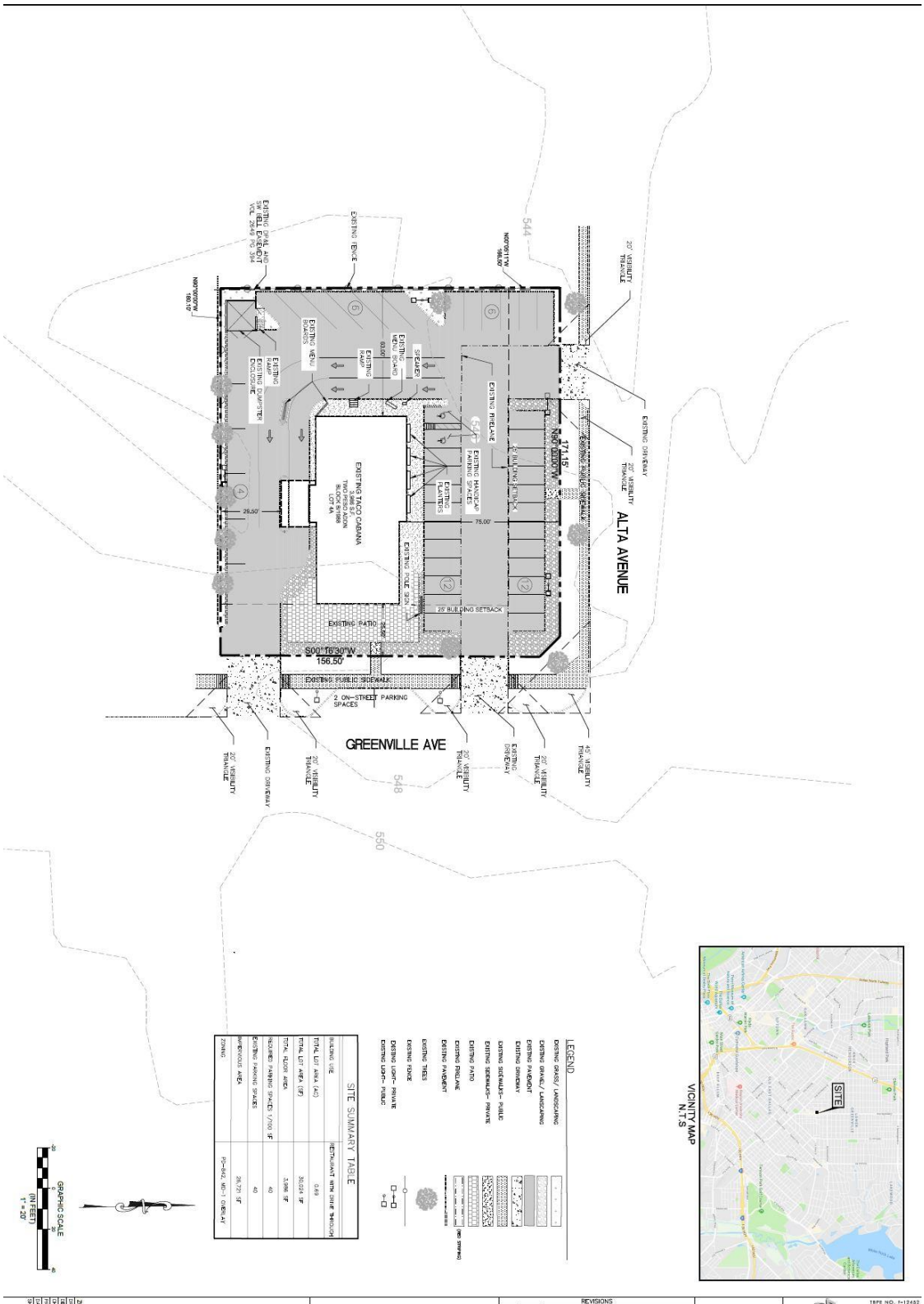
    B. The outdoor patio must remain uncovered.

8. OUTDOOR SPEAKERS: Except for the existing speaker box for use at the menu board located as shown on the site plan, speakers located outdoors are prohibited.

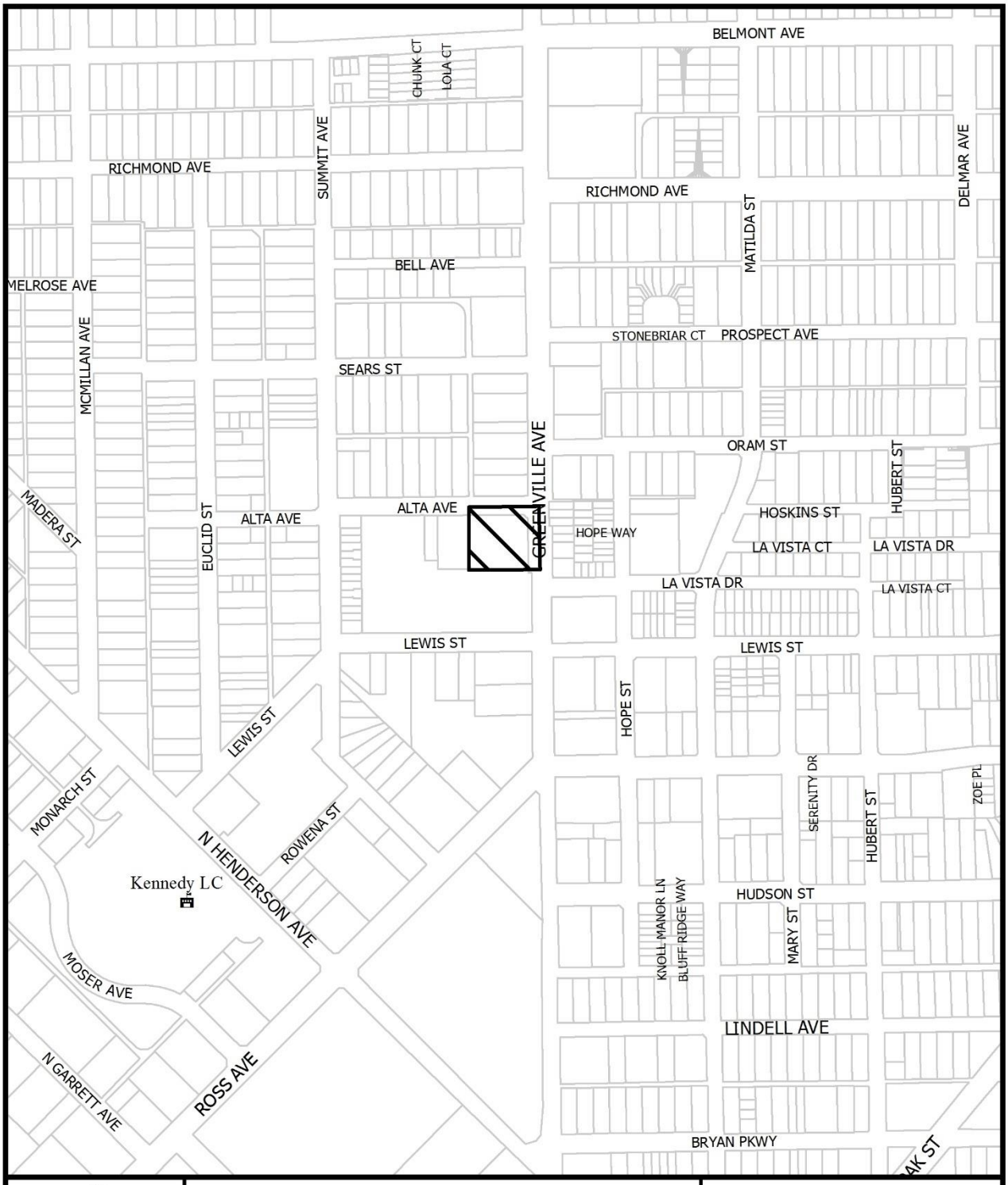
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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

PROPOSED SITE PLAN



ZONING CASE NO. Z189-251	Site Plan	Existing Taco Cabana 1827 Greenville Ave Dallas, TX 75206	REVISIONS NO. DATE COMMENTS	TBPE NO. F-12482 evolving civil engineering + planning 420 Throckmorton, Ste 420, Fort Worth, TX 76102 817-529-2700 evolvingtexas.com
DRAWN BY: CDM CHECKED BY: MS PROJECT NO: 2019005 DATE: JAN. 15, 2019 SHEET: 1 OF 1				



1:4,800

VICINITY MAP

Case no: Z189-251

Date: 5/8/2019

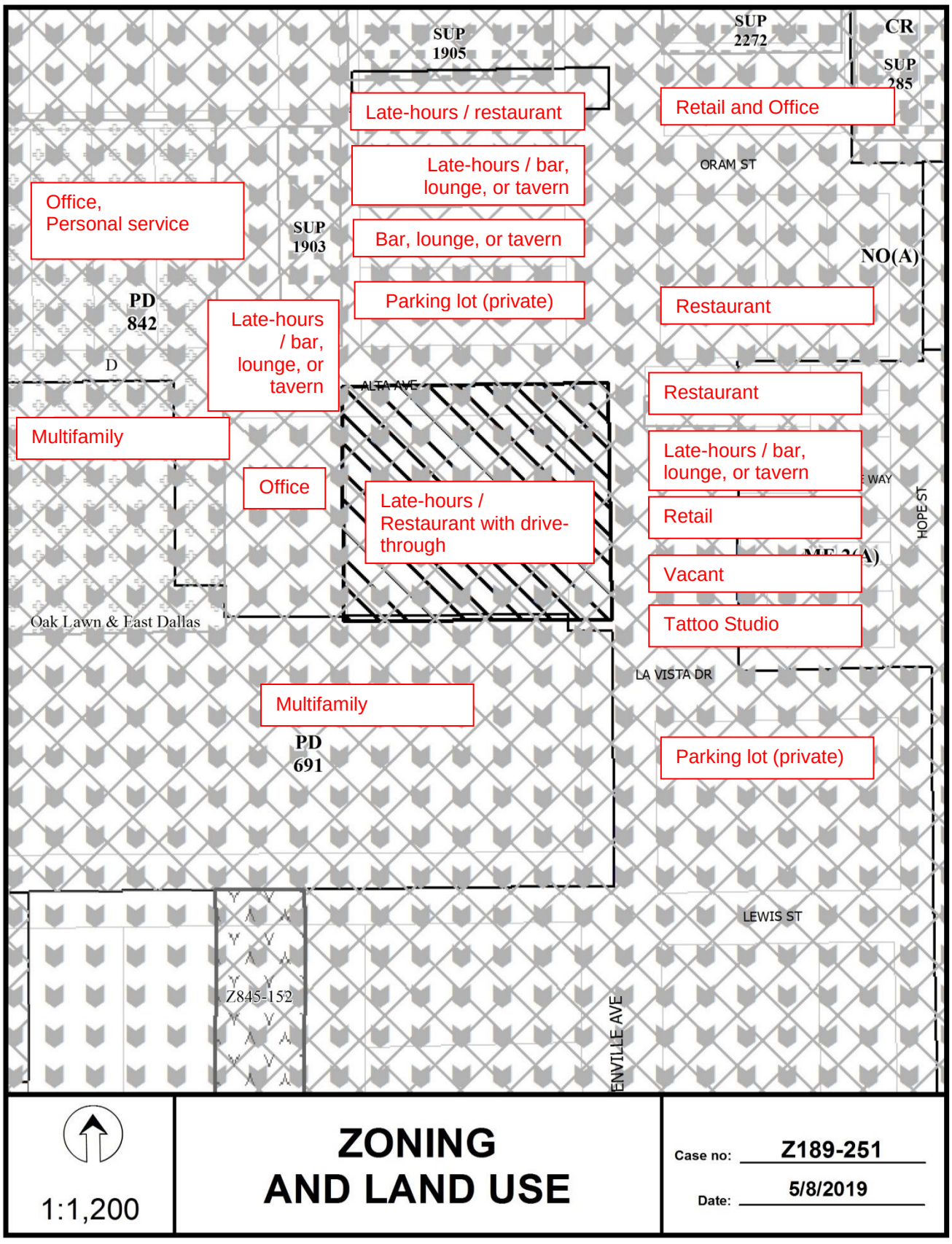


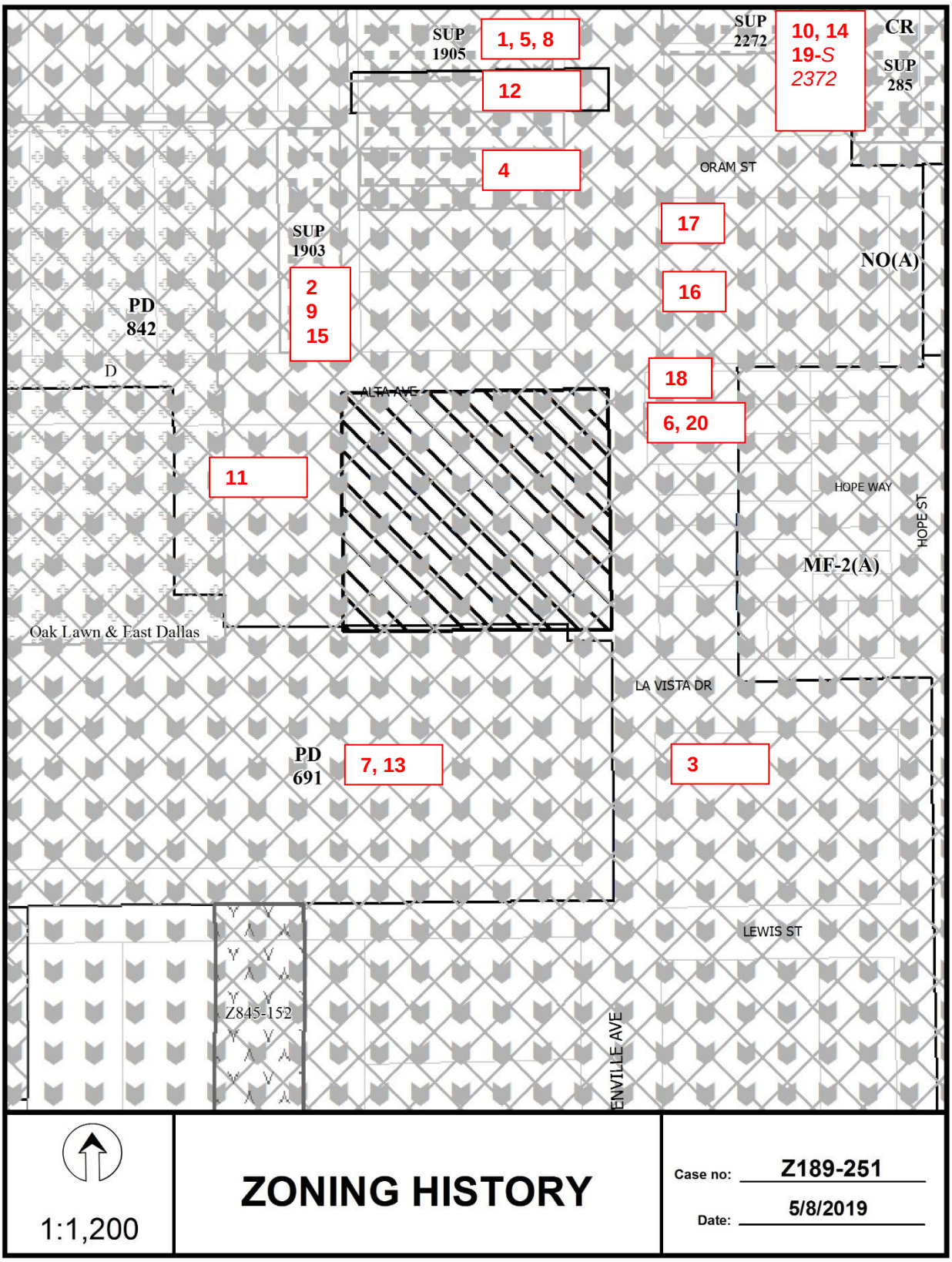
1:1,200

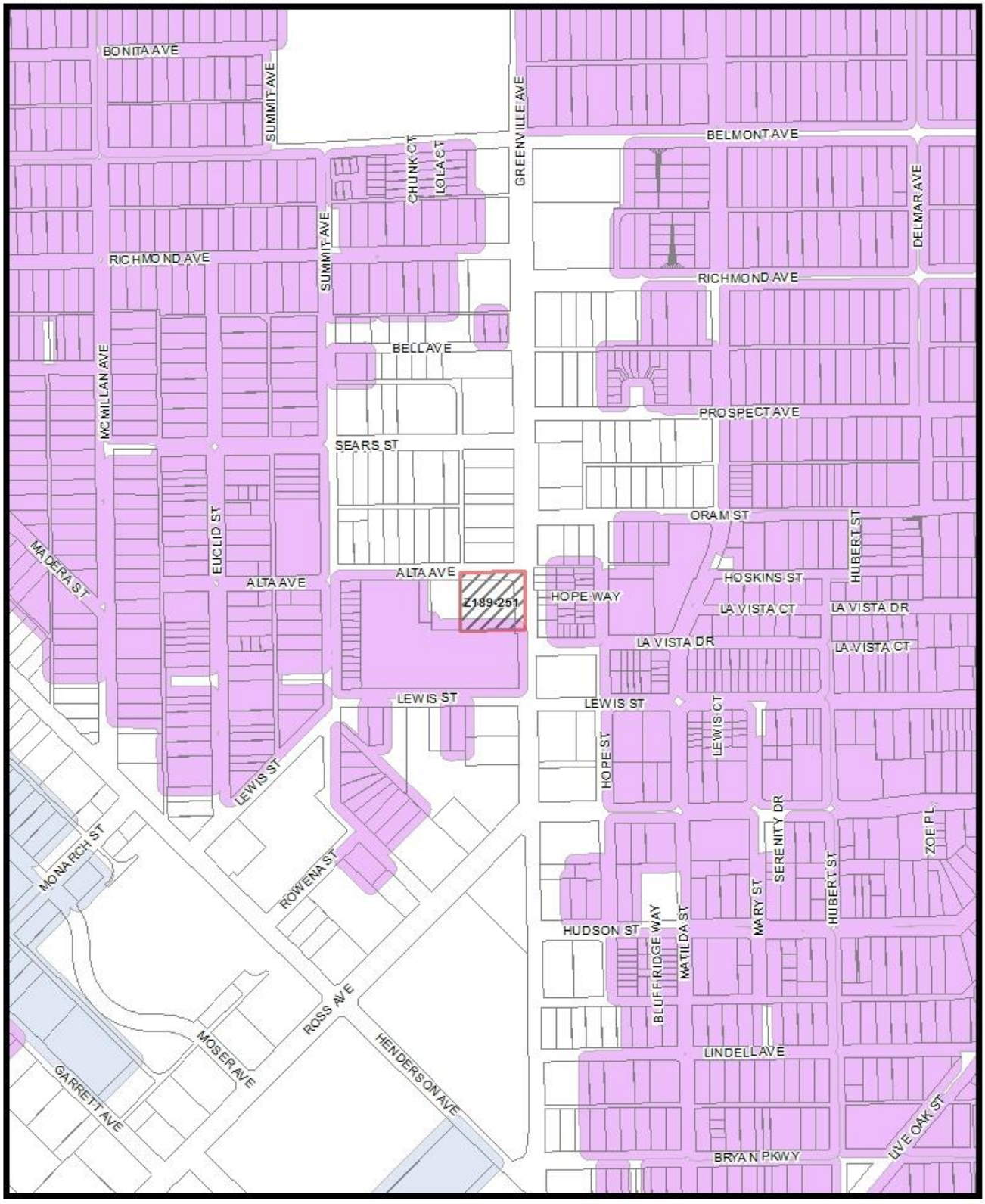
AERIAL MAP

Case no: Z189-251

Date: 5/8/2019


SUP 1905
SUP 2272
CR
SUP 285
Late-hours / restaurant
Retail and Office
Late-hours / bar, lounge, or tavern
ORAM ST
Office, Personal service
SUP 1903
Bar, lounge, or tavern
NO(A)
Parking lot (private)
PD 842
Late-hours / bar, lounge, or tavern
Restaurant
D
ALTA AVE
Restaurant
Multifamily
Late-hours / bar, lounge, or tavern
Office
Late-hours / Restaurant with drive-through
WAY
HOPE ST
Retail
Vacant
Oak Lawn & East Dallas
Tattoo Studio
LA VISTA DR
Multifamily
PD 691
Parking lot (private)
LEWIS ST
Z845-152
ENVILLE AVE
1:1,200
ZONING AND LAND USE
Case no: Z189-251
Date: 5/8/2019


SUP
1905
1, 5, 8
12
4
SUP
2272
10, 14
19-S
2372
CR
SUP
285
ORAM ST
17
SUP
1903
2
9
15
NO(A)
16
PD
842
D
18
6, 20
ALTA AVE
11
HOPE WAY
HOPE ST
MF-2(A)
Oak Lawn & East Dallas
LA VISTA DR
PD
691
7, 13
3
LEWIS ST
Z845-152
ENVILLE AVE
1:1,200
ZONING HISTORY
Case no: Z189-251
Date: 5/8/2019



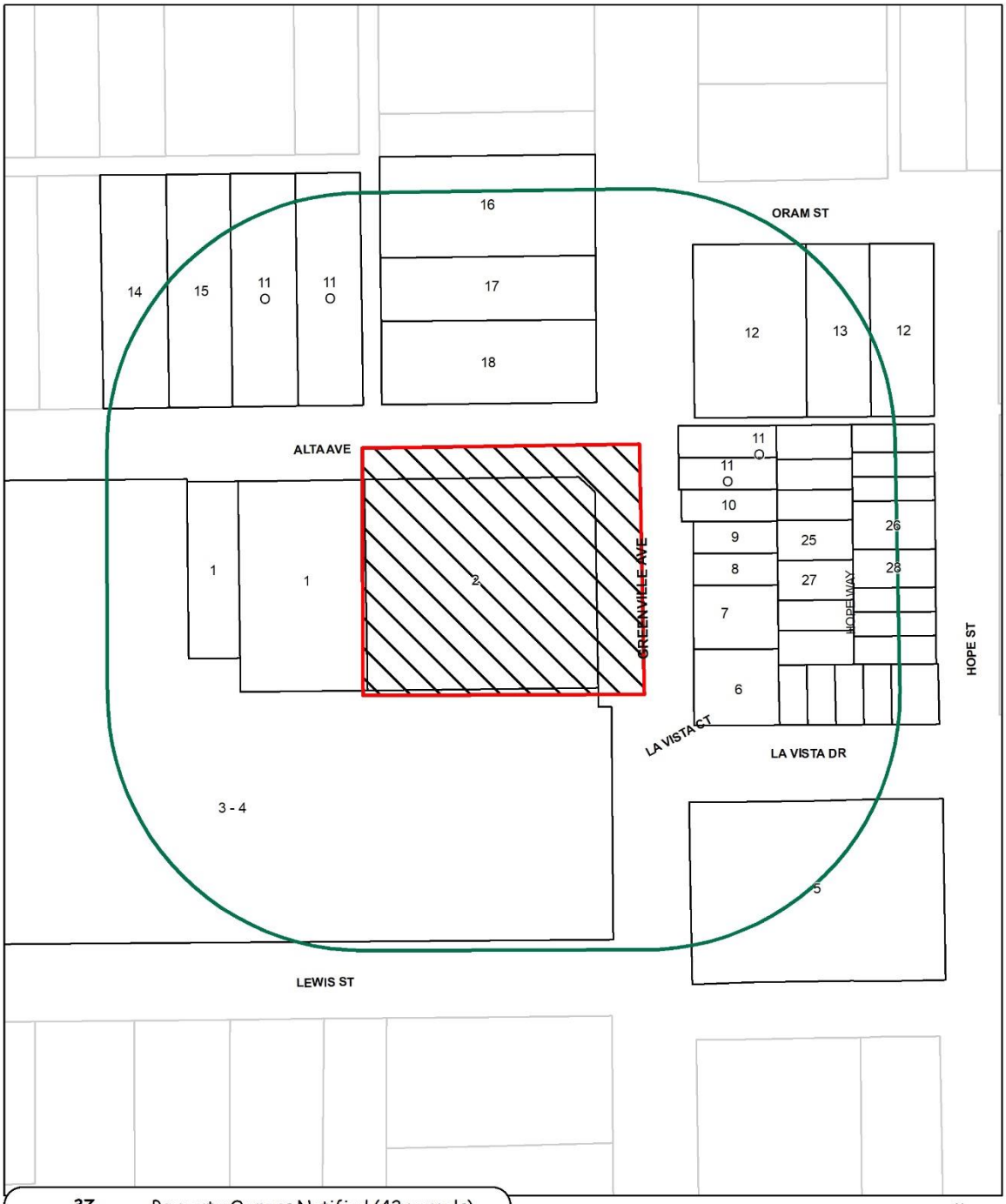
MVA Cluster A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 5/8/2019

CPC Responses



37	Property Owners Notified (42 parcels)
1	Replies in Favor (4 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
6/20/2019	Date

Z189-251
CPC

N
W E
S

1:1,200

06/19/2019

Reply List of Property Owners

Z189-251

37 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
	1	5626 ALTA AVE	LATORRE ROBERT INC
	2	1827 GREENVILLE AVE	LOWGREEN PS
	3	1811 GREENVILLE AVE	EGW GREENVILLE INVESTMENTS LP
	4	1811 GREENVILLE AVE	GREENWAY GREENVILLE LP
	5	1802 GREENVILLE AVE	1800 GREENVILLE PARTNERS LLC
	6	1900 GREENVILLE AVE	TRUST REAL ESTATE
	7	1904 GREENVILLE AVE	GREENVILLE PARKS LP
	8	1908 GREENVILLE AVE	GREENVILLE PARKS LP
	9	1910 GREENVILLE AVE	MORENO RICHARD
	10	1912 GREENVILLE AVE	CAMPBELL OLIVER
O	11	1914 GREENVILLE AVE	LOWGREEN PS LTD
	12	5712 ORAM ST	LOWGREEN PS
	13	5710 ORAM ST	SOURIS GEORGIA REVOCABLE TRUST
	14	5619 ALTA AVE	THACKER RICHARD E JR
	15	5623 ALTA AVE	GREENWAYSEARS LP
	16	1911 GREENVILLE AVE	INTERCITY INVESTMENT PROP
	17	1909 GREENVILLE AVE	WORLDWIDE FOOD INC
	18	1903 GREENVILLE AVE	LOWGREEN PS
	19	1919 HOPE WAY	NGUYEN NGOC DIEP
	20	1922 HOPE WAY	ELGUEA CARLOS &
	21	1917 HOPE WAY	MCFALL JAMES
	22	1920 HOPE WAY	ISAACSON CHRISTOPHER M
	23	1918 HOPE WAY	MARCH SEAN
	24	1915 HOPE WAY	ALARCON WALDO & YAZMIN R
	25	1913 HOPE WAY	HERNDON LINDSEY
	26	1916 HOPE WAY	OTOOLE TIMOTHY

06/19/2019

Reply	*Label #*	*Address*	*Owner*
	27	1911 HOPE WAY	NIEHUUS MICHAEL
	28	1912 HOPE WAY	SHUCH MATTHEW T &
	29	1910 HOPE WAY	DANISH DAVID
	30	1909 HOPE WAY	JOHNSON RONALD L
	31	1908 HOPE WAY	GANDHI ANUPAMA K
	32	1907 HOPE WAY	WEINER ERIC DAVID
	33	1906 HOPE WAY	ABOUJAOUDE DORY
	34	5715 LA VISTA DR	CATHCART DAVID
	35	5713 LA VISTA DR	JACOBSON TYLER B &
	36	5711 LA VISTA DR	WHITE JULIUS
	37	5709 LA VISTA DR	SHANE MARIO M & RACHELLE

Agenda Information Sheet

File #: 19-1088 **Item #:** 78.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	August 14, 2019
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

An appeal of the City Plan Commission's decision to deny a waiver of the two-year waiting period to submit an application on property zoned Subdistrict B within Planned Development District No. 619 with Historic Overlay H/87 and Specific Use Permit No. 2127, on the north side of Main Street, east of Field Street - W189-004 - Financing: No cost consideration to the City

BACKGROUND

Section 51A-4.701(d) of the Dallas Development Codes states that "after a final decision is reached by the Commission or City Council either granting or denying a request for a change in a zoning district classification or boundary, no further applications may be considered for that property for two years from the date of the final decision." The code allows for a property owner to apply for a waiver of the two-year limitation. The Commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing. If the City Plan Commission denies the request, the applicant may appeal to the City Council.

An applicant submitted an application for the renewal of Specific Use Permit No. 2127 for a restaurant without drive-in or drive-through service on property zoned Subdistrict B within Planned Development District No. 619 with Historic Overlay H/87, on the north side of Main Street, east of Field Street. This request was approved by the City Council on January 24, 2018. Thereafter, on June 20, 2019, the City Plan Commission denied a request for a waiver of the two-year waiting period.

The applicant indicates the change in circumstance regarding the property to warrant a new hearing is that the previous tenant has since vacated the space and a waiver of the two-year waiting period will be needed in order to allow potential tenants to submit a new zoning application, as deemed necessary.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 24, 2018, the City Council approved an application for the renewal of Specific Use Permit No. 2127 for a restaurant without drive-in or drive-through service on property zoned Subdistrict B within Planned Development District No. 619 with Historic Overlay H/87, on the north side of Main Street, east of Field Street.

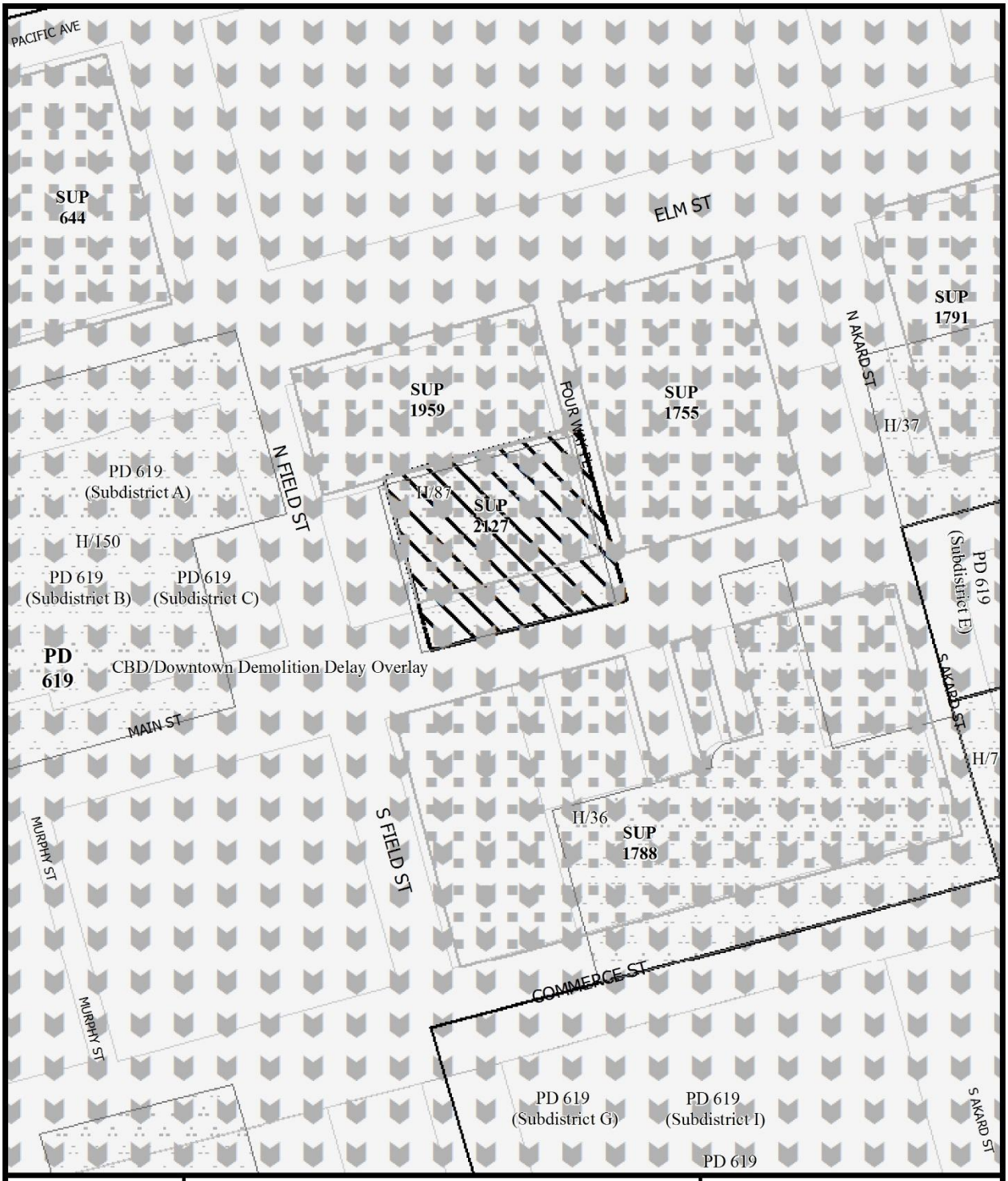
On June 20, 2019, the City Plan Commission denied a request for a waiver for the two-year waiting period.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



1:1,200

ZONING MAP

Case no: W189-004

Date: 06/12/2019

0159-004

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z167-398/SUP 2127

Location 1309 Main Street, Dallas, Texas 75202

Date of last CPC or CC Action 1-24-2018

Applicant's Name, Address & Phone Number Joseph Rys

2711 North Haskell Avenue, Suite 2800 Dallas, Texas 75204 Phone: 708-308-4197

Property Owner's Name, Address and Phone No., if different from above

Davis 1309 Main, LLC

2711 North Haskell Avenue, Suite 2800 Dallas, Texas 75204 Phone: 214-696-0606

State briefly change of circumstances since the last hearing on the property that would warrant reconsideration of another request in less than two years.

Tenant that filed SUP 2127 in 2014/ and renewed in 2018 has been vacated from space. Tenant was vacated due to not proceeding with construction. Building permit was pulled in 2016 and never completed. We are requesting a waiver from the 2 year rule in order to allow potential new tenants to file for SUP based on a different land use.

Applicant's Signature

Receipt #9153

RECEIVED
MAY 30 2019
By

Owner's Signature (if individual) or

Date Received

DAVIS 1309 MAIN LLC

2711 North Haskell Avenue, Suite 2800
Dallas, TX 75204
214-696-0606

May 29th, 2019

TO: The City of Dallas

RE: Letter of Authorization for Application for Waiver of Two-Year Waiting Period for an SUP

The Davis Building ("Project"), located at 1309 Main Street, Dallas, TX 75202, is owned by DAVIS 1309 MAIN LLC, ("Owner") and contains a commercial retail space ("Premises") located within the Project at 1309 Main Street, Dallas, TX 75202.

Owner authorizes Joe Rys, an employee of Owner, to submit an Application For Waiver Of Two-Year Waiting Period to replace SUP 2127 located at the Premises within the Project.

Please contact me if you have any questions.

Regards,

Nick Galen
Vice President, Urban Planning & Development

CPC Action
June 20, 2019

Motion: It was moved to **deny** a waiver of the two-year period to submit a zoning application on property zoned Subdistrict B within Planned Development District No. 619 with Historic Overlay H/87 and Specific Use Permit No. 2127, on the north side of Main Street, east of Field Street.

Maker: Ridley
Second: Jung
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

Speakers: For: Joseph Rys, 2711 N. Haskell Ave., Dallas, TX 75204
Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

WHEREAS, Section 51A-4.701(d) of the Dallas Development Code states that "after a final decision is reached by the Commission or City Council either granting or denying a request for a change in a zoning district classification or boundary, no further applications may be considered for that property for two years from the date of the final decision; and

WHEREAS, the code allows for a property owner to apply for a waiver of the two-year limitation; and

WHEREAS, the City Plan Commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing; and

WHEREAS, if the City Plan Commission denies the request, the applicant may appeal to the City Council; and

WHEREAS, January 24, 2018, the City Council approved an application for the renewal of Specific Use Permit No. 2127 for a restaurant without drive-in or drive-through service on property zoned Subdistrict B within Planned Development District No. 619 with Historic Overlay H/87, on the north side of Main Street, east of Field Street; and

WHEREAS, on June 20, 2019, in case no. W189-004, the City Plan Commission denied a request for a waiver of the two-year waiting period; and

WHEREAS, the applicant is appealing this decision to the City Council.

Now, Therefore,

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

SECTION 1. That the City Plan Commission's decision to deny a waiver of the two-year waiting period to submit an application on property zoned Subdistrict B within Planned Development District No. 619 with Historic Overlay H/87 and Specific Use Permit No. 2127, on the north side of Main Street, east of Field Street is reversed.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By: _____
Assistant City Attorney

Agenda Information Sheet

File #: 19-949 **Item #:** 79.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: August 14, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Homeless Solutions

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

A public hearing to receive comments on Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the Emergency Solutions Grant ("ESG") Program, to reallocate FY17 ESG funds in the amount of $333,895.00 from Emergency Shelter, Rapid Re-Housing, and Homeless Management Information System eligible activities to Street Outreach and Homelessness Prevention eligible activities; and at the close of the public hearing, authorize final adoption of Substantial Amendment No. 3 to the FY 2018-19 Action Plan - Financing: No cost consideration to the City

BACKGROUND

On May 24, 2017, City Council authorized the preliminary adoption of the Proposed FY 2017-18 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development ("HUD") Grant Funds, including FY17 ESG funds, in the preliminary amount of $1,211,466.00, by Resolution No. 17-0848.

On June 14, 2017, HUD published the final grant allocations for the FY 2017-18 Consolidated Plan Budget for HUD Grant Funds, including the actual FY17 ESG grant allocation in the amount of $1,193,613.00. On June 23, 2017, City Council was briefed by memorandum on the final grant allocations. By letter dated June 30, 2017, HUD notified the City of Dallas that it would receive an FY17 ESG Supplemental Allocation in the amount of $1,923,927.00, for a total FY17 ESG allocation of $3,117,540.00.

On August 9, 2017, City Council authorized the final adoption of the FY 2017-18 Consolidated Plan Budget for HUD Grant Funds, including FY17 ESG funds in the amount of $3,117,540.00, by Resolution No. 17-1171.

On September 14, 2017, the City of Dallas Office of Procurement Services advertised a Request for Competitive Sealed Proposals ("RFCSP") (#BTZ1726) soliciting proposals for the FY 2017-18 ESG Program funded using FY17 ESG funds. On December 13, 2017, by Council Resolution No. 17-1874, the proposals were rejected and authorization to re-advertise a solicitation was granted.

On January 11, 2018, the City of Dallas Office of Procurement Services re-advertised an RFCSP (#BTZ1810) soliciting proposals for the FY 2017-18 ESG Program. Eleven provider contracts were awarded funding for Emergency Shelter, Rapid Re-housing, and Homelessness Prevention activities, in the amount of $1,413,895.00.

On June 7, 2018, the City of Dallas Office of Procurement Services advertised an RFCSP (#BTZ1818) for ESG Facility Development funds, in the amount of $1,000,000.00. Three providers were awarded and accepted funds for facility development, consisting of shelter renovations, in the amount of $265,011.00.

On January 31, 2019, the City of Dallas Office of Procurement Services advertised a fourth RFCSP (#BKZ1909) for FY17 ESG funding in the amount of $734,989.00. Four providers were awarded funds for emergency shelter activities in the amount of $734,989.00. Proposers are required to match ESG funds dollar-for-dollar. The match total must equal or exceed the amount of ESG funds awarded.

On April 10, 2019, City Council authorized Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2018-19 Action Plan to use unspent prior year Community Development Block Grant ("CDBG") funds by Resolution No. 19-0556.

On April 24, 2019, City Council authorized the preliminary adoption of Substantial Amendment No. 2 to the FY 2018-19 Action Plan for HOME Investment Partnerships Program and CDBG to revise the Dallas Homebuyer Assistance Program Statement and the Housing Improvement and Preservation Program Statement by Resolution No. 19-0639. The public hearing on Substantial Amendment No. 2 was held on June 26, 2019 and at the close of the public hearing, Substantial Amendment No. 2 was adopted.

FY17 ESG funds must be expended within 24 months after the date HUD signed the grant agreement with the City of Dallas, which is October 19, 2019. Spending the additional special $1.9 million FY17 ESG Supplemental Allocation (over and above our normal annual allocation of approximately $1.2 million) has proved challenging. The Dallas housing market conditions, along with specific program requirements, such as the dollar-for-dollar match requirement, have been exacerbating factors. The Office of Homeless Solutions has been working with ESG partners to mitigate challenges. However, it is necessary to reallocate FY17 ESG funds among eligible activities to meet the expenditure deadline.

Federal regulations and the City's Citizen Participation Plan require a public hearing to authorize a substantial amendment and require that a public hearing be held with not less than a 30-day public review and comment period to allow for public comments and input with respect to any substantial amendment.

This action holds the public hearing and at the close of the public hearing, authorizes final adoption of Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the ESG Program, to reallocate FY17 ESG funds in the amount of $333,895.00 from Emergency Shelter, Rapid Re-Housing, and Homeless Management Information System eligible activities to Street Outreach and Homelessness Prevention eligible activities.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 24, 2017, City Council authorized the preliminary adoption of the Proposed FY 2017-18 Consolidated Plan Budget for HUD Grant Funds by Resolution No. 17-0848.

City Council was briefed by memorandum on the final grant allocations for the FY 2017-18 Consolidated Plan Budget for HUD Grant Funds on June 23, 2017.

On August 9, 2017, City Council authorized the final adoption of the FY 2017-18 Consolidated Plan Budget for HUD Grant Funds by Resolution No. 17-1171.

On April 10, 2019, City Council authorized Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2018-19 Action Plan to use unspent prior year CDBG funds by Resolution No. 19-0556.

On April 24, 2019, City Council authorized the preliminary adoption of Substantial Amendment No. 2 to the FY 2018-19 Action Plan for HOME Investment Partnerships Program and Community Development Block Grant ("CDBG") to revise the Dallas Homebuyer Assistance Program Statement and the Housing Improvement and Preservation Program Statement by Resolution No. 19-0639.

The Human and Social Needs Committee was briefed by memorandum regarding Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the Emergency Solutions Grant ("ESG") Program on June 21, 2019.

On June 26, 2019, City Council authorized the final adoption of Substantial Amendment No. 2 to the FY 2018-19 Action Plan for HOME Investment Partnerships Program and CDBG to revise the Dallas Homebuyer Assistance Program Statement and the Housing Improvement and Preservation Program Statement by Resolution No. 19-1061.

On June 26, 2019, City Council authorized the preliminary adoption of Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the ESG Program to reallocate FY17 ESG funds by Resolution No. 19-1063.

FISCAL INFORMATION

No cost consideration to the City.

WHEREAS, on May 24, 2017, City Council authorized preliminary adoption of the Proposed FY 2017-18 Consolidated Plan Budget for U.S. Department of Housing and Urban Development ("HUD") Grant Funds, including FY17 Emergency Solutions Grant ("ESG") funds in the preliminary amount of $1,211,466.00, by Resolution No. 17-0848; and

WHEREAS, on June 14, 2017, HUD published the final grant allocations for the FY 2017-18 Consolidated Plan Budget for HUD Grant Funds, including the actual FY17 ESG grant allocation in the amount of $1,193,613.00, and City Council was briefed by memorandum on these final grant allocations on June 23, 2017; and

WHEREAS, on June 30, 2017, HUD notified the City of Dallas that it would receive an FY17 ESG Supplemental Allocation in the amount of $1,923,927.00, for a total FY17 ESG allocation of $3,117,540.00; and

WHEREAS, on August 9, 2017, City Council authorized final adoption of the FY 2017-18 Consolidated Plan Budget for HUD Grant Funds, including FY17 ESG funds in the amount of $3,117,540.00, by Resolution No. 17-1171; and

WHEREAS, on April 10, 2019, City Council authorized Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2018-19 Action Plan to use unspent prior year Community Development Block Grant ("CDBG") funds by Resolution No. 19-0556; and

WHEREAS, on April 24, 2019, City Council authorized the preliminary adoption of Substantial Amendment No. 2 to the FY 2018-19 Action Plan for HOME Investment Partnerships Program and CDBG to revise the Dallas Homebuyer Assistance Program Statement and the Housing Improvement and Preservation Program Statement, by Resolution No. 19-0639; and

WHEREAS, on June 26, 2019, City Council authorized the final adoption of Substantial Amendment No. 2 to the FY 2018-19 Action Plan for HOME Investment Partnerships Program and CDBG to revise the Dallas Homebuyer Assistance Program Statement and the Housing Improvement and Preservation Program Statement by Resolution No. 19-1061; and

WHEREAS, on June 26, 2019, City Council authorized the preliminary adoption of Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the ESG Program to reallocate FY17 ESG funds by Resolution No. 19-1063; and

WHEREAS, FY17 ESG funds must be expended within 24 months after the date HUD signed the grant agreement with the City of Dallas, which is October 19, 2019; and

August 14, 2019

WHEREAS, it is necessary to reallocate FY17 ESG funds among eligible activities to meet the expenditure deadline.

Now, Therefore,

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

SECTION 1. That the City Council hereby authorizes the final adoption of Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the Emergency Solutions Grant ("ESG") Program, to reallocate FY17 ESG funds in the amount of $333,895.00 from Emergency Shelter, Rapid Re-Housing, and Homeless Management Information System eligible activities to Street Outreach and Homelessness Prevention eligible activities, as provided in the attached **Schedule A**.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

SCHEDULE A

Substantial Amendment No. 3 to
FY 2018-19 Action Plan for
Emergency Solutions Grant (ESG) Program

FY17 Emergency Solutions Grant (ESG) Funds

Fund	Dept	Unit	Project Description	FY 2017-18 City Council Adopted Budget	Change Increase(+) Decrease (-)	FY 2017-18 Revised Budget
	Management Services/Office of Homeless Solutions					
ES17	MGT	281B	Emergency Shelter	1,587,807	(18,370)	1,569,437
ES17	MGT	282B	Street Outreach	69,072	232,015	301,087
ES17	MGT	283B	Homelessness Prevention	50,000	0	50,000
ES17	MGT	284B	Rapid Re-Housing	1,065,784	(302,778)	763,006
ES17	MGT	285B	HMIS Data Collection	69,000	(12,747)	56,253
ES17	MGT	286B	ESG Administration	155,877	0	155,877
	Management Services/Office of Community Care					
ES17	MGT	287B	Homelessness Prevention	120,000	101,880	221,880
			Total ESG Funds	**3,117,540**	**0**	**3,117,540**