

**FEBRUARY 12, 2014 CITY COUNCIL AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated February 12, 2014. 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.



A.C. Gonzalez
Interim City Manager

1-31-14
Date



Edward Scott
City Controller

1.31.14
Date

RECEIVED

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CITY SECRETARY
DALLAS, TEXAS



COUNCIL AGENDA

February 12, 2014

Date

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

General Information

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

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 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 en 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.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

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

Reglas de Cortesía

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

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

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben 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 este 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 este presidiendo la sesión a tomar acción." Según la sección 3.3 (c) de las reglas de procedimientos del Ayuntamiento.

**AGENDA
CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 12, 2014
ORDER OF BUSINESS**

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

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

OPEN MICROPHONE

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 31

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 32 - 35

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 36 - 48

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

AGENDA
CITY COUNCIL MEETING
FEBRUARY 12, 2014
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the January 22, 2014 City Council Meeting

CONSENT AGENDA

Aviation

2. Ratify an emergency procurement with Cryotech Deicing Technology to replace the deicing materials stored and used for the deicing of the runways, taxiways, and roadways at Dallas Love Field - Not to exceed \$109,880 - Financing: Aviation Current Funds
3. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation, Aviation Division, to perform a phased runway extension and reconstruction project at Dallas Executive Airport as part of the capital improvement plan under TxDOT's State Block Grant Program in the amount of \$35,349,000; TxDOT under the State Block Grant Program will provide 90% of the project costs up to \$31,814,100; **(2)** the City to match 10% of the project costs; and **(3)** execution of the grant agreement for the period January 2014 through December 2017 - Total not to exceed \$3,534,900 - Financing: Aviation Capital Construction Funds

CONSENT AGENDA (Continued)**Business Development & Procurement Services**

4. Authorize a service contract for the refurbishment of two digester sludge mixers located at the Southside Wastewater Treatment Plant - SPX Flow Technology USA, Inc., lowest responsible bidder of two - Not to exceed \$273,099 - Financing: Water Utilities Capital Construction Funds
5. Authorize a three-year service contract for purchase and installation of remanufactured automatic transmissions - D McIntosh Enterprises, LLC dba Eagle Transmission, lowest responsible bidder of seven - Not to exceed \$1,377,705 - Financing: Current Funds (\$1,340,970), Water Utilities Current Funds (\$27,435), Confiscated Monies Funds (\$9,000) and Aviation Current Funds (\$300) (subject to annual appropriations)
6. Authorize a three-year service contract to process fingerprint based criminal history record checks and security threat assessments which are required by the Transportation Security Administration for all individuals who are issued an airport identification badge at Love Field - Airport Research and Development Foundation, Inc., most advantageous proposer of three - Not to exceed \$281,250 - Financing: Aviation Current Funds (subject to annual appropriations) (to be partially reimbursed by participating airport vendors, concessionaires and tenants)
7. Authorize a five-year service contract for medical examinations, drug and alcohol testing services for police and civilian employees - Primary Health, Inc. dba CareNow, most advantageous proposer of three - Not to exceed \$2,136,250 - Financing: Current Funds (subject to annual appropriations)
8. Authorize a five-year service contract for the purchase and processing of library books - Brodart Co., lowest responsible bidder of four - Not to exceed \$11,619,844 - Financing: Current Funds (subject to annual appropriations)
9. Authorize a three-year master agreement for the purchase of personal safety protection equipment, clothing and accessories - Fisher Scientific Company, LLC in the amount of \$977,991, Safety Supply, Inc. in the amount of \$545,458, BKW Environmental in the amount of \$368,356, Motion Industries, Inc. in the amount of \$310,186, Lone Star Safety and Supply, Inc. in the amount of \$209,582, The Strong Group, Inc. in the amount of \$171,208, Security Safety and Supply, Inc. in the amount of \$155,497 and Evco Partners LP dba Burgoon Company in the amount of \$92,741, lowest responsible bidders of nine - Total not to exceed \$2,831,019 - Financing: Current Funds (\$1,782,330), Water Utilities Current Funds (\$783,824), Stormwater Drainage Management Current Funds (\$170,256), Aviation Current Funds (\$62,334), 2013-14 Community Development Block Grant Funds (\$24,075) and Convention and Event Services Current Funds (\$8,200)

CONSENT AGENDA (Continued)**City Attorney's Office**

10. Authorize settlement of a claim filed by National Liability & Fire Insurance Company as subrogee of PWA Coalition of Dallas, Claim No. 12470894 - Not to exceed \$27,881 - Financing: Current Funds
11. Authorize settlement of the claims of one of the two plaintiffs in the lawsuit styled Richard Taylor and Charles Gholston v. City of Dallas, Cause No. DC-12-08362-A - Not to exceed \$40,000 - Financing: Current Funds
12. Authorize the acceptance of a dedication from Prestonwood Golf Club, LLC, of a wastewater easement along White Rock Creek within Prestonwood Golf Club's The Creek Course in Dallas valued at \$772,000, based on an independent appraisal, in settlement of a disputed, unfiled claim for water usage - Not to exceed \$6,000 (closing costs and title expenses) - Financing: Water Utilities Capital Improvement Funds

Economic Development

13. Authorize **(1)** the Dallas Housing Finance Corporation (DHFC) to utilize up to \$10,000,000 of tax exempt bond allocation from the 2013 Private Activity Bond Program to be converted into \$7,100,000 Mortgage Credit Certificates (MCCs) pursuant to the 2014 Single Family Mortgage Credit Certificate Program in order to provide financial assistance to approximately 71 low to moderate income first time homebuyers who purchase homes in the City of Dallas; and **(2)** approval of the financing plan related to this program which includes placing the MCC program on the Housing Department website and marketing it with the Mortgage Assistance Program (MAP) when a Homebuyer meets all other MAP requirements - Financing: No cost consideration to the City

Housing/Community Services

14. Authorize an amendment to increase funding for a contract that commenced October 1, 2009, between the Dallas Housing Acquisition and Development Corporation (the "Land Bank") and Consolidated Consulting Group, LLC to provide environmental land analysis including a transaction screen analysis and other environmental services, as needed, on lots scheduled to be purchased by the Land Bank in each of the two remaining subsequent renewals - Not to exceed \$287,500 - Financing: 2003 Bond Funds (\$58,721) and General Obligation Commercial Paper Funds (\$228,779)
15. Authorize **(1)** the expenditure of up to \$500,000 in 2006 General Obligation Bond proceeds for the acquisition of property by the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) from the Dallas County Sheriff's tax foreclosure sales for affordable housing development; and **(2)** the expenditure of up to \$500,000 in 2006 General Obligation Bond proceeds for administrative fees related to the Land Bank's acquisition of property - Total not to exceed \$1,000,000 - Financing: 2006 Bond Funds (\$150,000) and General Obligation Commercial Paper Funds (\$850,000)

CONSENT AGENDA (Continued)**Intergovernmental Services**

16. Authorize **(1)** acceptance of the Cities Expanding Health Access for Children and Families planning grant from the National League of Cities for the period November 25, 2013 through June 1, 2014; and **(2)** execution of the grant agreement - Not to exceed \$25,439 - Financing: National League of Cities Grant Funds

Police

17. Authorize a continuation of cooperative working agreements with the Dallas County District Attorney's Office in the amount of \$11,500, Tarrant County District Attorney's Office in the amount of \$8,500, Potter County District Attorney's Office in the amount of \$6,651, Collin County Sheriff's Office in the amount of \$15,000, Taylor County Sheriff's Office in the amount of \$10,000, Wichita County Sheriff's Office in the amount of \$7,500, Lubbock Police Department in the amount of \$20,000, Arlington Police Department in the amount of \$10,000, Garland Police Department in the amount of \$10,000, Longview Police Department in the amount of \$20,000, and the Dallas Children's Advocacy Center in the amount of \$37,000, for the period July 1, 2013 through June 30, 2014 through the 2013 Internet Crimes Against Children Continuation Grant supplement - Total not to exceed \$156,151 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

Public Works Department

18. Authorize an increase in the construction contract with System Electric Company, increasing the contractor's scope of work to include revisions to the fire alarm system and emergency lighting upgrade at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$219,982, from \$4,217,725 to \$4,437,707 - Financing: 2009 Convention Center Revenue Bonds

Sustainable Development and Construction

19. Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 101,942 square feet from G & G Development Partnership, Ltd. located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$50,544, increased from \$78,956 (\$76,456, plus closing costs and title expenses not to exceed \$2,500) to \$129,500 (\$126,456, plus closing costs and title expenses not to exceed \$3,044) - Financing: Water Utilities Capital Improvement Funds
20. A resolution authorizing the conveyance of a pipeline easement, containing approximately 6,543 square feet of land, to ONEOK Sterling III Pipeline, LLC for the construction and maintenance of a pipeline across City-owned land located in Kaufman County - Revenue: \$5,000

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

21. A resolution authorizing the conveyance of a pipeline easement and a temporary construction easement, containing a total of approximately 21,497 square feet of land, to Seaway Crude Pipeline, LLC for the construction and maintenance of a pipeline across City-owned land located in Kaufman County - Revenue: \$1,679
22. A resolution authorizing the dedication of a drainage easement containing approximately 600 square feet of City-owned land to the public, for the purpose of drainage improvements located near the intersection of Garden Grove Drive and Edd Road - Financing: No cost consideration to the City

Water Utilities**Wholesale Water and Wastewater contract renewals**

23. * Authorize a thirty-year contract with the City of Cockrell Hill to continue providing treated water service, for the period February 22, 2014 through February 21, 2044 - Estimated Annual Revenue: \$267,000
24. * Authorize a thirty-year contract with the City of Cockrell Hill to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044 - Estimated Annual Revenue: \$336,000
25. * Authorize a thirty-year contract with the City of Hutchins to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044 - Estimated Annual Revenue: \$411,000
26. * Authorize a thirty-year contract with the City of University Park to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044 - Estimated Annual Revenue: \$2,398,000
27. * Authorize a thirty-year contract with the City of Wilmer to continue providing wastewater service, for the period March 21, 2014 through March 20, 2044 - Estimated Annual Revenue: \$211,000
28. * Authorize a thirty-year contract with the Town of Addison to continue providing wastewater service, for the period March 21, 2014 through March 20, 2044 - Estimated Annual Revenue: \$1,075,000
29. * Authorize a thirty-year contract with the Town of Highland Park to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044 - Estimated Annual Revenue: \$961,000

CONSENT AGENDA (Continued)

Water Utilities (Continued)

30. Authorize an increase in the contract with Archer Western Construction, LLC for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant - Not to exceed \$278,564, from \$17,144,185 to \$17,422,749 - Financing: Water Utilities Capital Improvement Funds
31. Authorize a five-year contract, with two five-year renewal options, with the Prestonwood Golf Club, LLC to provide untreated water for the Prestonwood Golf Club's The Hills Golf Course located in Plano, Texas, for the period February 12, 2014 through February 11, 2019 - Estimated Annual Revenue: \$46,013

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

32. 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)

ITEMS FOR FURTHER CONSIDERATION

Housing/Community Services

33. Authorize **(1)** the acceptance of \$13,350,000 of Community Development Block Grant Section 108 Guarantee Loan Program Funds (Section 108 Loan Funds) from the U.S. Department of Housing and Urban Development (HUD) for Lake Highlands Town Center Phase I commercial development project; **(2)** a loan agreement with PC LH Land Partners LP (the Section 108 Borrower), its affiliates or assigns in the amount of \$13,350,000 of Section 108 Loan Funds for development of the Lake Highlands Town Center Phase I project (the Section 108 Borrower Loan) including construction of commercial buildings with approximately 145,000 square feet of space and parking structure with approximately 1,069 parking spaces, sitework, loan interest reserve, and financing costs for public offering for the transit-oriented development located in the 7140 to 7160 blocks of Skillman Street; **(3)** the City Manager to enter into all necessary agreements with HUD including a Funding Approval/Agreement, a Fiscal Agency Agreement, a Promissory Note, up to two letters of agreement for establishment of a custodial account, documents relating to additional security if required by HUD, and a letter requesting advance funds for interim financing; **(4)** the City Manager to establish appropriations for Section 108 Loan Funds for a commercial development loan; and **(5)** the City Controller to deposit and disburse funds from an identified account for Section 108 Loan Funds - Not to exceed \$13,350,000 - Financing: Community Development Block Grant Section 108 Guarantee Loan Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

34. Authorize a Chapter 380 Forgivable Loan in the amount of \$275,000 to Two Podner's Retail Eateries, LLC for gap financing to develop a 11,000 square foot commercial building located at 1441 Robert B. Cullum in Dallas to expand Two Podner's Barbeque and Seafood Restaurant and add 6,500 square feet of retail space - Not to exceed \$275,000 - Financing: Public/Private Partnership Funds
35. Authorize a third amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution No. 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: **(1)** extend the deadline to complete the construction of the Hillside West project and obtain the applicable certificate of occupancy from July 2, 2013 to January 2, 2014; and **(2)** extend the deadline to execute and fund an operation and maintenance agreement for non-standard public improvements associated with the project, and if necessary, obtain a license from City for the purpose of maintaining any improvements in the public right-of-way from May 1, 2013 to May 1, 2014 - Financing: No cost consideration to the City

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

36. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a restaurant with a drive-through on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest line of Lemmon Avenue, southeast of Knight Street
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions
Z123-378(WE)

ZONING CASES - INDIVIDUAL

37. A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District along the southeast line of Cedardale Road, east of Lancaster Road
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z123-348(RB)

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

38. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for single family uses on property zoned an R-16(A) Single Family District on the northwest corner of Forest Lane and Creekway Drive
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z134-106(WE)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

39. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for single-family detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions

Z123-135(WE)

Note: This item was considered by the City Council at a public hearing on January 22, 2014, and was taken under advisement until February 12, 2014, with the public hearing open

40. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 1808 for an industrial (inside) potentially incompatible use for an automobile recycling plant and an ordinance granting a Specific Use Permit for an outside salvage and reclamation use on property zoned an IM Industrial Manufacturing District on the west line of Weir Street, south of Singleton Boulevard

Recommendation of Staff and CPC: Approval to renew Specific Use Permit No. 1808 for a two-year period with eligibility for automatic renewals of two-year periods, subject to a revised site plan and revised conditions; and approval of a Specific Use Permit for an outside salvage and reclamation use for a two-year period with eligibility for automatic renewals of two-year periods, subject to a site plan and conditions

Z123-250(OTH)

Note: This item was considered by the City Council at a public hearing on January 8, 2014, and was taken under advisement until February 12, 2014, with the public hearing open

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

41. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school and a Child-care facility on property zoned an R-7.5(A) Single Family District on property bounded by Palo Alto Drive, South El Centro Way, Texoma Way, Morgan Drive, and San Jose Avenue
Recommendation of Staff: Approval for a three-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, traffic management plan and conditions
Recommendation of CPC: Approval for a two-year period, subject to a site plan, traffic management plan and conditions
Z123-280(RB)
Note: This item was considered by the City Council at a public hearing on January 22, 2014, and was taken under advisement until February 12, 2014, with the public hearing open
42. A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and 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 a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue
Recommendation of Staff: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Recommendation of 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
Z123-328(MW)
Note: This item was considered by the City Council at a public hearing on January 8, 2014, and was taken under advisement until February 12, 2014, with the public hearing open
43. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 764, the Second Avenue Special Purpose District, on the southwest line of Second Avenue, northwest of Hatcher Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z134-113(WE)
Note: This item was considered by the City Council at a public hearing on January 22, 2014, and was taken under advisement until February 12, 2014, with the public hearing open

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

44. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan and conditions
Z123-148(WE)
45. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned a CR Community Retail District on the northeast corner of Arapaho Road and North Dallas Tollway
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z123-322(WE)
46. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 456 on property zoned Planned Development District No. 456, Planned Development District No. 133 and an R-10(A) Single Family District on property generally bounded by Forest Lane, Landa Lane, Skyline Drive, Shepard Road, and Stults Road
Recommendation of Staff and CPC: Approval, subject to a conceptual/development plan, traffic exhibit and conditions
Z123-364(JH)
47. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Lemmon Avenue and Reagan Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z134-121(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

48. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a detached non-premise sign (billboard) use on property zoned a GO(A) General Office District on the southwest corner of LBJ Freeway and Bank Way Lane (formerly Nelda Lane)

Recommendation of Staff: Approval for a ten-year period, subject to site plan and conditions

Recommendation of CPC: Denial without prejudice

Z123-361(CG)

Note: This item was considered by the City Council at public hearings on December 11, 2013 and January 22, 2014, and was taken under advisement until February 12, 2014, with the public hearing open

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

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.

AGENDA DATE February 12, 2014

ITEM	OK	IND	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of January 22, 2014 City Council Meeting
2			2	C	AVI	\$109,880.00	NA	NA	Ratify an emergency procurement with Cryotech Deicing Technology to replace the deicing materials stored and used for the deicing of the runways, taxiways, and roadways at Dallas Love Field
3			3	C	AVI	\$3,534,900.00	NA	NA	Authorize an Interlocal Agreement with the Texas Department of Transportation, Aviation Division, to perform a phased runway extension and reconstruction project at Dallas Executive Airport as part of the capital improvement plan under TxDOT's State Block Grant Program in the amount of \$35,349,000; TxDOT under the State Block Grant Program will provide 90% of the project costs up to \$31,814,100; the City to match 10% of the project costs; and execution of the grant agreement for the period January 2014 through December 2017
4			8	C	PBD, WTR	\$273,099.00	23.64%	0.57%	Authorize a service contract for the refurbishment of two digester sludge mixers located at the Southside Wastewater Treatment Plant
5			All	C	PBD, AVI, EBS, FIR, SAN, WTR, POL	\$1,377,705.00	100.00%	0.00%	Authorize a three-year service contract for purchase and installation of remanufactured automatic transmissions
6			All	C	PBD, AVI, CIS	\$281,250.00	0.00%	1.78%	Authorize a three-year service contract to process fingerprint based criminal history record checks and security threat assessments which are required by the Transportation Security Administration for all individuals who are issued an airport identification badge at Love Field
7			All	C	PBD, ORM	\$2,136,250.00	100.00%	0.00%	Authorize a five-year service contract for medical examinations, drug and alcohol testing services for police and civilian employees
8			All	C	PBD, LIB	\$11,619,843.75	0.00%	0.00%	Authorize a five-year service contract for the purchase and processing of library books
9			All	C	PBD, AVI, CES, TWM, WTR	\$2,806,943.90	20.29%	8.17%	Authorize a three-year master agreement for the purchase of personal safety protection equipment, clothing and accessories
10			N/A	C	ATT, ORM	\$27,880.41	NA	NA	Authorize settlement of a claim filed by National Liability & Fire Insurance Company as subrogee of PWA Coalition of Dallas, Claim No. 12470894
11			N/A	C	ATT, POL	\$40,000.00	NA	NA	Authorize settlement of the claims of one of the two plaintiffs in the lawsuit styled Richard Taylor and Charles Gholston v. City of Dallas, Cause No. DC-12-08362-A
12			11	C	ATT, WTR, DEV	\$6,000.00	NA	NA	Authorize the acceptance of a dedication from Prestonwood Golf Club, LLC, of a wastewater easement along White Rock Creek within Prestonwood Golf Club's The Creek Course in Dallas valued at \$772,000, based on an independent appraisal, in settlement of a disputed, unfilled claim for water usage
13			All	C	ECO	NC	NA	NA	Authorize the Dallas Housing Finance Corporation (DHFC) to utilize up to \$10,000,000 of tax exempt bond allocation from the 2013 Private Activity Bond Program to be converted into \$7,100,000 Mortgage Credit Certificates (MCCs) pursuant to the 2014 Single Family Mortgage Credit Certificate Program in order to provide financial assistance to approximately 71 low to moderate income first time homebuyers who purchase homes in the City of Dallas; and approval of the financing plan related to this program which includes placing the MCC program on the Housing Department website and marketing it with the Mortgage Assistance Program (MAP) when a Homebuyer meets all other MAP requirements
14			1, 2, 3, 4, 5, 6, 7, 8	C	HOU	\$287,500.00	NA	NA	Authorize an amendment to increase funding for a contract that commenced October 1, 2009, between the Dallas Housing Acquisition and Development Corporation (the "Land Bank") and Consolidated Consulting Group, LLC to provide environmental land analysis including a transaction screen analysis and other environmental services, as needed, on lots scheduled to be purchased by the Land Bank in each of the two remaining subsequent renewals
15			1, 2, 3, 4, 5, 6, 7, 8	C	HOU	\$1,000,000.00	NA	NA	Authorize the expenditure of up to \$500,000 in 2006 General Obligation Bond proceeds for the acquisition of property by the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) from the Dallas County Sheriff's tax foreclosure sales for affordable housing development; and the expenditure of up to \$500,000 in 2006 General Obligation Bond proceeds for administrative fees related to the Land Bank's acquisition of property

AGENDA DATE February 12, 2014

ITEM	IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF							
16			All	C	IGS	GT	NA	NA	Authorize acceptance of the Cities Expanding Health Access for Children and Families planning grant from the National League of Cities for the period November 25, 2013 through June 1, 2014; and execution of the grant agreement
17			All	C	POL	GT	NA	NA	Authorize a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center, for the period July 1, 2013 through June 30, 2014 through the 2013 Internet Crimes Against Children Continuation Grant supplement
18			2	C	PBW, CES	\$219,982.00	60.15%	53.19%	Authorize an increase in the construction contract with System Electric Company, increasing the contractor's scope of work to include revisions to the fire alarm system and emergency lighting upgrade at the Kay Bailey Hutchison Convention Center Dallas
19			Outside	C	DEV, WTR	\$50,544.00	NA	NA	Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 101,942 square feet from G & G Development Partnership, Ltd. located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project
20			Outside	C	DEV, WTR	REV \$5,000	NA	NA	A resolution authorizing the conveyance of a pipeline easement, containing approximately 6,543 square feet of land, to ONEOK Sterling III Pipeline, LLC for the construction and maintenance of a pipeline across City-owned land located in Kaufman County
21			Outside	C	DEV, WTR	REV \$1,679	NA	NA	A resolution authorizing the conveyance of a pipeline easement and a temporary construction easement, containing a total of approximately 21,497 square feet of land, to Seaway Crude Pipeline, LLC for the construction and maintenance of a pipeline across City-owned land located in Kaufman County
22			8	C	DEV, PBW	NC	NA	NA	A resolution authorizing the dedication of a drainage easement containing approximately 600 square feet of City-owned land to the public, for the purpose of drainage improvements located near the intersection of Garden Grove Drive and Edd Road
23			All	C	WTR	REV \$267,000	NA	NA	Authorize a thirty-year contract with the City of Cockrell Hill to continue providing treated water service, for the period February 22, 2014 through February 21, 2044
24			All	C	WTR	REV \$336,000	NA	NA	Authorize a thirty-year contract with the City of Cockrell Hill to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044
25			All	C	WTR	REV \$411,000	NA	NA	Authorize a thirty-year contract with the City of Hutchins to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044
26			All	C	WTR	REV \$2,398,000	NA	NA	Authorize a thirty-year contract with the City of University Park to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044
27			All	C	WTR	REV \$211,000	NA	NA	Authorize a thirty-year contract with the City of Wilmer to continue providing wastewater service, for the period March 21, 2014 through March 20, 2044
28			All	C	WTR	REV \$1,075,000	NA	NA	Authorize a thirty-year contract with the Town of Addison to continue providing wastewater service, for the period March 21, 2014 through March 20, 2044
29			All	C	WTR	REV \$961,000	NA	NA	Authorize a thirty-year contract with the Town of Highland Park to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044
30			Outside	C	WTR	\$278,564.00	37.01%	26.29%	Authorize an increase in the contract with Archer Western Construction, LLC for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant
31			All	C	WTR	REV \$46,013	NA	NA	Authorize a five-year contract, with two five-year renewal options, with the Prestonwood Golf Club, LLC to provide untreated water for the Prestonwood Golf Club's The Hills Golf Course located in Plano, Texas, for the period February 12, 2014 through February 11, 2019
32			N/A	I	SEC	NC	N/A	N/A	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

AGENDA DATE February 12, 2014

ITEM	IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF							
33			10	I	HOU	GT	NA	NA	Authorize the acceptance of \$13,350,000 of Community Development Block Grant Section 108 Guarantee Loan Program Funds (Section 108 Loan Funds) from the U.S. Department of Housing and Urban Development (HUD) for Lake Highlands Town Center Phase I commercial development project; a loan agreement with PC LH Land Partners LP (the Section 108 Borrower), its affiliates or assigns in the amount of \$13,350,000 of Section 108 Loan Funds for development of the Lake Highlands Town Center Phase I project (the Section 108 Borrower Loan) including construction of commercial buildings with approximately 145,000 square feet of space and parking structure with approximately 1,069 parking spaces, sitework, loan interest reserve, and financing costs for public offering for the transit-oriented development located in the 7140 to 7160 blocks of Skillman Street; the City Manager to enter into all necessary agreements with HUD including a Funding Approval/Agreement, a Fiscal Agency Agreement, a Promissory Note, up to two letters of agreement for establishment of a custodial account, documents relating to additional security if required by HUD, and a letter requesting advance funds for interim financing; the City Manager to establish appropriations for Section 108 Loan Funds for a commercial development loan; and the City Controller to deposit and disburse funds from an identified account for Section 108 Loan Funds
34			7	I	ECO	\$275,000.00	NA	NA	Authorize a Chapter 380 Forgivable Loan to Two Podner's Retail Eateries, LLC for gap financing to develop a 11,000 square foot commercial building located at 1441 Robert B. Cullum in Dallas to expand Two Podner's Barbeque and Seafood Restaurant and add 6,500 square feet of retail space
35			1, 3	I	ECO	NC	NA	NA	Authorize a third amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution No. 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: extend the deadline to complete the construction of the Hillside West project and obtain the applicable certificate of occupancy from July 2, 2013 to January 2, 2014; and extend the deadline to execute and fund an operation and maintenance agreement for non-standard public improvements associated with the project, and if necessary, obtain a license from City for the purpose of maintaining any improvements in the public right-of-way from May 1, 2013 to May 1, 2014
36			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a restaurant with a drive-through on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest line of Lemmon Avenue, southeast of Knight Street
37			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District along the southeast line of Cedardale Road, east of Lancaster Road
38			11	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for single family uses on property zoned an R-16(A) Single Family District on the northwest corner of Forest Lane and Creekway Drive
39			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for single-family detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street
40			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 1808 for an industrial (inside) potentially incompatible use for an automobile recycling plant and an ordinance granting a Specific Use Permit for an outside salvage and reclamation use on property zoned an IM Industrial Manufacturing District on the west line of Weir Street, south of Singleton Boulevard
41			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school and a Child-care facility on property zoned an R-7.5(A) Single Family District on property bounded by Palo Alto Drive, South El Centro Way, Texoma Way, Morgan Drive, and San Jose Avenue

AGENDA DATE February 12, 2014

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
42			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and 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 a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue
43			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 764, the Second Avenue Special Purpose District, on the southwest line of Second Avenue, northwest of Hatcher Street
44			11	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive
45			11	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned a CR Community Retail District on the northeast corner of Arapaho Road and North Dallas Tollway
46			10	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 456 on property zoned Planned Development District No. 456, Planned Development District No. 133 and an R-10(A) Single Family District on property generally bounded by Forest Lane, Landa Lane, Skyline Drive, Shepard Road, and Stults Road
47			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Lemmon Avenue and Reagan Street
48			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a detached non-premise sign (billboard) use on property zoned a GO(A) General Office District on the southwest corner of LBJ Freeway and Bank Way Lane (formerly Nelda Lane)

TOTAL \$24,325,342.06

AGENDA ITEM # 2

KEY FOCUS AREA: Public Safety

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Aviation

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 34E

SUBJECT

Ratify an emergency procurement with Cryotech Deicing Technology to replace the deicing materials stored and used for the deicing of the runways, taxiways, and roadways at Dallas Love Field - Not to exceed \$109,880 - Financing: Aviation Current Funds

BACKGROUND

This action will authorize an emergency procurement with Cryotech Deicing Technology for the replacement of deicing materials that were used during the icing event of December 5, 2013 through December 7, 2013, and will provide enough material on-hand for any additional emergencies until a new Master Agreement can be completed.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$109,880.00 - Aviation Current Funds

M/WBE INFORMATION

There were no M/WBE vendors contacted for this item, the recommended awardee is the sole source provider.

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Cryotech Deicing Technology

White Male	42	White Female	26
Black Male	0	Black Female	0
Hispanic Male	2	Hispanic Female	1
Other Male	0	Other Female	0

BID INFORMATION

<u>Bidder</u>	<u>Address</u>	<u>Amount of Bid</u>
Cryotech Deicing Technology	6103 Orthoway, Fort Madison, IA 52627-9415	\$109,880.00

OWNER

Cryotech Deicing Technology

Keith Johnson, President
Craig Starwalt, Vice President

February 12, 2014

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

Section 1. That the emergency purchase of deicing chemicals to maintain airport operations by clearing the runways and taxiways of snow and ice from Cryotech Deicing Technology in the amount of \$109,880.00 is hereby ratified as an emergency expenditure.

Section 2. That the City Controller be and is hereby authorized to pay the amount of \$109,880.00 from the Aviation Current Funds as follows:

Fund: 0130; Dept. AVI; Unit: 7722; Object: 2200; Encumbrance: CTAVICRY0T0114;
Amount: \$109,880.00; Vendor: Cryotech Deicing Technology #500637

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

AGENDA ITEM # 3

KEY FOCUS AREA: Public Safety

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 3

DEPARTMENT: Aviation

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 63L

SUBJECT

Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation, Aviation Division, to perform a phased runway extension and reconstruction project at Dallas Executive Airport as part of the capital improvement plan under TxDOT's State Block Grant Program in the amount of \$35,349,000; TxDOT under the State Block Grant Program will provide 90% of the project costs up to \$31,814,100; **(2)** the City to match 10% of the project costs; and **(3)** execution of the grant agreement for the period January 2014 through December 2017 - Total not to exceed \$3,534,900 - Financing: Aviation Capital Construction Funds

BACKGROUND

Dallas Executive Airport performed a nondestructive pavement analysis for Runway 13/31 and Runway 17/35 and all associated taxiways from June through August of 2012. The analysis included the use of a Heavy Weight Deflectometer (HWD) and a Rolling Dynamic Deflectometer (RDD), which measured continuous subgrade deflection profiles and identified critical sections, cracks, and joints along the entire section of the tested airfield pavement.

The results of the nondestructive full depth analysis showed high pavement and subgrade deflections which indicated deficient pavement strength within large areas of the runways. Based on deflection data, pavement thickness and aircraft fleet mix, the pavement life expectancy has expired. The findings prompted the Department of Aviation and Texas Department of Transportation (TxDOT) to establish a prioritized pavement reconstruction project divided into four separate phases based on grant funding from TxDOT.

BACKGROUND (Continued)

Dallas Executive Airport's new runway pavement will be constructed to provide adequate support for the loads imposed by airplanes and produce a firm, stable, smooth, all-year, all-weather surface. The pavement will be of such quality and thickness that it will not fail under the loads imposed. In addition, the pavement will provide sufficient inherent stability to withstand, without damage, the abrasive action of traffic, adverse weather conditions, and other deteriorating influences. The new runway will meet all current FAA standards.

TxDOT assumes responsibility for administering the FAA's Airport Improvement Program grants at airports classified as "other than primary" airports, Dallas Executive Airport is designated a reliever airport under the National Plan of Integrated Airport Systems eligible projects; the 90%-10% match project at Dallas Executive Airport is estimated to cost a total of \$35,349,000.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$3,534,900.00 - Aviation Capital Construction Funds

February 12, 2014

WHEREAS, the City of Dallas intends to enhance the city's economic vibrancy; particularly within the city's southern sector; and,

WHEREAS, Dallas Executive Airport is proven to be a significant economic generator within the city's southern sector; and,

WHEREAS, it is desirable to maintain the airport infrastructure to provide a safe and attractive environment for aircraft owners and operators to conduct business at Dallas Executive Airport; and,

WHEREAS, the Texas Department of Transportation (TxDOT) has indicated that capital improvement program is a project that is eligible for federal funding through the FAA State Block Grant Program through which it has responsibilities for the federal improvement program for general aviation airports and will participate in 90% of eligible costs, not to exceed \$31,814,100.00; and,

WHEREAS, total project costs are estimated to be \$35,349,000, and the City of Dallas will be responsible for 10% of \$35,349,000 of the project costs, estimated to be \$3,534,900; and,

WHEREAS, the City of Dallas names TxDOT as its agent for the purpose of receiving and disbursing all funds for the capital improvement project and for the administration of contracts necessary for completing this project.

Now, Therefore,

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

Section 1. That the City Manager be and is hereby authorized to enter into an interlocal agreement on behalf of the City of Dallas with the Texas Department of Transportation, Aviation Division, to perform a runway extension and reconstruction project at Dallas Executive Airport as part of the capital improvement plan under TxDOT's State Block Grant Program; in an amount not to exceed the total project cost which is currently estimated to be \$35,349,000. Under the State Block Grant Program, TxDOT will provide 90% of the project costs; and the City will provide match 10% of the project costs, after it has been approved as to form by the City Attorney.

February 12, 2014

Section 2. That the City Manager be and is hereby authorized to execute at the appropriate time, all contracts and agreements with the State of Texas, represented by the Texas Department of Transportation, Aviation Division and such other parties as shall be necessary and appropriate for the execution of capital improvement projects at Dallas Executive Airport.

Section 3. That the City Manager be and is hereby authorized to establish appropriations by \$3,534,900 in Fund 0131, Dept. AVI, Unit P873, Object 4599.

Section 4. That the City Controller be and is hereby authorized to disburse funds in an amount not to exceed \$3,534,900 from Fund 0131, Dept. AVI, Unit P873, Activity AAIP, Object 4599, Program AVTXDOT, Vendor No. 020318, Encumbrance CTAVITXDOT0114, to pay the City's share of this project.

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

AGENDA ITEM # 4

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 8

DEPARTMENT: Business Development & Procurement Services
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Forest E. Turner, 670-3390

MAPSCO: 69A-X

SUBJECT

Authorize a service contract for the refurbishment of two digester sludge mixers located at the Southside Wastewater Treatment Plant - SPX Flow Technology USA, Inc., lowest responsible bidder of two - Not to exceed \$273,099 - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This award will allow Water Utilities to establish a service contract for the refurbishment of two digester sludge mixers located at the Southside Wastewater Treatment Plant. The mixers are used to stir sludge in order to maintain proper water flow and reduce odor. The mixers have been in use for approximately fifteen years and now require overhaul services to optimize the equipment performance. Each mixer will be disassembled, inspected and refurbished to meet factory performance standards.

Water Utilities provides wastewater treatment services to approximately 1.1 million customers in Dallas and surrounding communities. The City treats approximately 56 billion gallons of wastewater per year.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 789 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$273,099.00 – Water Utilities Capital Construction Funds

M/WBE INFORMATION

224 - Vendors contacted

224 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

789 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

SPX Flow Technology USA, Inc.

White Male	8	White Female	2
Black Male	2	Black Female	6
Hispanic Male	2	Hispanic Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BM1327 and opened on August 8, 2013. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*SPX Flow Technology USA, Inc.	135 Mt. Read Blvd. Rochester, NY 14611	\$273,099.00
Able Machinery Movers, Inc.	600 Westport Pkwy. Grapevine, TX 76051	\$313,530.00

OWNER

SPX Flow Technology USA, Inc.

Andy Zizinia, President

Harry D. Kirk, Chief Executive Officer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a service contract for the refurbishment of two digester sludge mixers located at the Southside Wastewater Treatment Plant - SPX Flow Technology USA, Inc., lowest responsible bidder of two - Not to exceed \$273,099 - Financing: Water Utilities Capital Construction Funds

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

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$64,550.00	23.64%
Total non-local contracts	\$208,549.00	76.36%
TOTAL CONTRACT	\$273,099.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Haynes Enterprises, Inc.	WFWB59537Y1214	\$1,550.00	2.40%
Total Minority - Local		\$1,550.00	2.40%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$1,550.00	2.40%	\$1,550.00	0.57%
Total	\$1,550.00	2.40%	\$1,550.00	0.57%

February 12, 2014**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

Section 1. That the City Manager is authorized to execute a service contract with SPX Flow Technology USA, Inc. (VC0000004110) for the refurbishment of two digester sludge mixers for a term of one year in an amount not to exceed \$273,099.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to SPX Flow Technology USA, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by SPX Flow Technology USA, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds from the following appropriation in an amount not to exceed \$273,099.00:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>AMOUNT</u>	<u>ENCUMBRANCE</u>
0103	DWU	CS50	3110	\$273,099.00	CTDWU7A1234EN

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

AGENDA ITEM # 5

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Equipment & Building Services
Fire
Sanitation Services
Water Utilities
Police

CMO: Jeanne Chipperfield, 670-7804
Theresa O'Donnell, 671-9195
Forest E. Turner, 670-3390
Charles Cato, 670-9194
Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for purchase and installation of remanufactured automatic transmissions – D McIntosh Enterprises, LLC dba Eagle Transmission, lowest responsible bidder of seven - Not to exceed \$1,377,705 - Financing: Current Funds (\$1,340,970), Water Utilities Current Funds (\$27,435), Confiscated Monies Funds (\$9,000) and Aviation Current Funds (\$300) (subject to annual appropriations)

BACKGROUND

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

This service contract will provide for the purchase and installation of remanufactured automatic transmissions on City owned vehicles. City owned vehicles consists of approximately 5,870 sedans, light and heavy duty pick-up trucks, squad cars, fire engines and rescue units.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a decrease of 30% from the previous award in 2012.

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 257 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 11, 2012, City Council authorized a three-year service contract for purchase and installation of remanufactured/rebuilt automatic transmissions by Resolution No. 12-0119.

FISCAL INFORMATION

\$1,340,970.00 - Current Funds (subject to annual appropriations)
\$ 27,435.00 - Water Utilities Current Funds (subject to annual appropriations)
\$ 9,000.00 - Confiscated Monies Funds (subject to annual appropriations)
\$ 300.00 - Aviation Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

257 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

D McIntosh Enterprises, LLC dba Eagle Transmission

White Male	2	White Female	1
Black Male	0	Black Female	0
Hispanic Male	2	Hispanic Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BJ1403 and were opened on December 12, 2013. This service contract is being awarded to the lowest responsive and responsible bidder by group. Information related to this solicitation is available upon request.

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*D McIntosh Enterprises, LLC dba Eagle Transmission	4010 Lakeview Pkwy. Rowlett, TX 75088	Multiple Groups
A.S.M. Pro., Inc. dba T&K Automotive Specialists	1100 West LBJ Suite 100 Irving, TX 75063	Multiple Groups
ESS Auto Fleet Service	4020 Main St. Dallas, TX 75226	Multiple Groups
Freedom Dodge	815 E. Camp Wisdom Duncanville, TX 75116	Multiple Groups
Freedom Chevrolet	8008 Marvin D. Love Dallas, TX 75237	Multiple Groups
Allstate Transmissions	160 W. Main St. Richardson, TX 75081	Multiple Groups
The Transmission Shop	1403 Forest Ln. Garland, TX 75042	Multiple Groups

OWNER

D McIntosh Enterprises, LLC dba Eagle Transmission

Devin McIntosh, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for purchase and installation of remanufactured automatic transmissions – D McIntosh Enterprises, LLC dba Eagle Transmission, lowest responsible bidder of seven - Not to exceed \$1,377,705 - Financing: Current Funds (\$1,340,970), Water Utilities Current Funds (\$27,435), Confiscated Monies Funds (\$9,000) and Aviation Current Funds (\$300) (subject to annual appropriations)

D McIntosh Enterprises, LLC dba Eagle Transmission is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$1,377,705.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$1,377,705.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

February 12, 2014

WHEREAS, on January 11, 2012, City Council authorized a three-year service contract for purchase and installation of remanufactured/rebuilt automatic transmissions by Resolution No. 12-0119;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a service contract with D McIntosh Enterprises, LLC dba Eagle Transmission (VS0000082666) for the purchase and installation of remanufactured automatic transmissions for a term of three years in an amount not to exceed \$1,377,705.00, upon approval as to form by the City Attorney. If the service contract was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to D McIntosh Enterprises, LLC dba Eagle Transmission shall be based only on the amount of the services directed to be performed by the City and properly performed by D McIntosh Enterprises, LLC dba Eagle Transmission under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$1,377,705.00 (subject to annual appropriations).

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

AGENDA ITEM # 6

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Communication and Information Services

CMO: Jeanne Chipperfield, 670-7804
Theresa O'Donnell, 671-9195
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract to process fingerprint based criminal history record checks and security threat assessments which are required by the Transportation Security Administration for all individuals who are issued an airport identification badge at Love Field - Airport Research and Development Foundation, Inc., most advantageous proposer of three - Not to exceed \$281,250 - Financing: Aviation Current Funds (subject to annual appropriations) (to be partially reimbursed by participating airport vendors, concessionaires and tenants)

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 service contract will allow Aviation to process fingerprint based criminal history record checks and security threat assessments required by Transportation Security Administration (TSA), on individuals who work in security sensitive areas and are being issued Love Field airport identification badges. These services must be obtained through one of three providers approved by the TSA.

TSA, in accordance with Federal Aviation Regulation, requires each air carrier airport, such as Love Field, to submit background check information for individuals having unescorted access to security sensitive areas of the airport. These individuals include City employees, vendors, concessionaires and airport tenants. The Department of Aviation collects fees from individuals and contractors, with the exception of non city employees, for the processing of the required background checks.

BACKGROUND (Continued)

A seven member committee from the following departments reviewed and evaluated the proposals:

- Police (1)
- Public Works (1)
- Communication and Information Services (1)
- Aviation (2)
- Business Development & Procurement Services (2)*

*Business Development and Procurement Services only evaluated the Business Inclusion and Development Plan and cost.

The successful proposer was selected by the committee on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 45%
- Technical Compliance 15%
- Management 15%
- Business Inclusion and Development Plan (BID) 15%
- Implementation 10%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1480 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$281,250.00 - Aviation Current Funds (subject to annual appropriations)

M/WBE INFORMATION

225 - Vendors contacted

225 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

1480 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Airport Research and Development Foundation, Inc.

White Male	27	White Female	22
Black Male	6	Black Female	5
Hispanic Male	1	Hispanic Female	2
Other Male	4	Other Female	5

PROPOSAL INFORMATION

The following proposals were received from solicitation number BUZ1329 and were opened on August 8, 2013. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Airport Research and Development Foundation, Inc.	601 Madison Street Suite 400 Alexandria, VA 22314	89.60%	\$281,250.00
Telos Identify Management Solutions, LLC	19886 Ashburn Road Ashburn, VA 20147	86.88%	\$292,420.00
MorphoTrust USA, Inc.	206 Concord Road Billerica, MA 01821	61.32%	\$428,750.00

OWNER

Airport Research and Development Foundation, Inc.

Todd Hauptli, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract to process fingerprint based criminal history record checks and security threat assessments which are required by the Transportation Security Administration for all individuals who are issued an airport identification badge at Love Field - Airport Research and Development Foundation, Inc., most advantageous proposer of three - Not to exceed \$281,250 - Financing: Aviation Current Funds (subject to annual appropriations) (to be partially reimbursed by participating airport vendors, concessionaires and tenants)

Airport Research and Development Foundation, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractor.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$281,250.00	100.00%
TOTAL CONTRACT	\$281,250.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
TransSolutions, LLC	WFDB59433Y1114	\$5,000.00	1.78%
Total Minority - Non-local		\$5,000.00	1.78%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$5,000.00	1.78%
Total	\$0.00	0.00%	\$5,000.00	1.78%

February 12, 2014**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

Section 1. That the City Manager is authorized to execute a service contract with Airport Research and Development Foundation, Inc. (VS0000079705) to process fingerprint based criminal history record checks and security threat assessments which are required by the Transportation Security Administration for all individuals who are issued an airport identification badge at Love Field for a term of three years in an amount not exceed \$281,250.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Airport Research and Development Foundation, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Airport Research and Development Foundation, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$281,250.00 (subject to annual appropriations).

Section 3. That the City Controller is hereby authorized to deposit all revenues received from vendors, concessionaires and airport tenants to:

<u>Fund</u>	<u>Dept.</u>	<u>Unit</u>	<u>Revenue Source</u>
0130	AVI	7719	7467

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

AGENDA ITEM # 7

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Office of Risk Management

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a five-year service contract for medical examinations, drug and alcohol testing services for police and civilian employees - Primary Health, Inc. dba CareNow, most advantageous proposer of three - Not to exceed \$2,136,250 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract will provide medical examinations, drug and alcohol testing for police and civilian employees, to include:

- Screening of new hire candidates- drug and alcohol testing for all candidates; medical examination and drug/alcohol testing for applicable candidates based on job duties
- Department of Transportation (DOT) certifications for employees required to have a Commercial Driver's License (CDL)
 - Driver recertification- CDL and Police
 - Random drug testing- CDL and primary drivers
 - Return-to-duty examination- performed as a result of a failed DOT recertification. Upon written notification from the employee's treating physician that the DOT requirement has been resolved, CareNow will release employee to return to work
- Fit-for-duty examination- performed, upon the request of management, when an employee appears unable to perform an essential function of his or her job

BACKGROUND (Continued)

Approximately 6,000 individuals will be tested annually. Of those approximately 1,600 individuals fall under the DOT requirements. The recommended vendor will provide the testing, manage randomly selected employee testing and will provide results to the City. Primary Health, Inc. dba CareNow will also assist in obtaining new hire testing for out-of-state applicants.

A five member evaluation committee was selected from the following departments:

- Sanitation Services (1)
- Street Services (1)
- Office of Risk Management (1)
- Business Development and Procurement Services (2)*

*Business Development and Procurement Services only evaluated the proposed pricing and the Business Inclusion and Development Plan.

The successful proposer was selected by the committee on the basis of demonstrated competence and qualifications under the following criteria:

- | | |
|--|-----------|
| ● Costs | 35 Points |
| ● Vendor capability | 40 Points |
| ● Responsiveness to the RFCSP | 5 Points |
| ● Responsiveness of the personal interview | 5 Points |
| ● Business Inclusion and Development Plan | 15 Points |

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services used its procurement system to send out 132 email bid notifications to vendors registered under respective commodities. To further increase competition, Business Development and 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, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2009, City Council authorized a sixty-month professional services contract for medical examinations, drug and alcohol testing for the Fire Department, Police Department, City Marshal's Office and Human Resources by Resolution No. 09-0338.

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

On February 3, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

FISCAL INFORMATION

\$2,136,250.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

132 - M/WBE and non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Primary Health, Inc. dba CareNow

White Male	3	White Female	13
Black Male	0	Black Female	4
Hispanic Male	0	Hispanic Female	2
Other Male	0	Other Female	3

PROPOSAL INFORMATION

The following proposals were received from solicitation number BHZ1316 and opened on November 14, 2013. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount of Bid</u>
*Primary Health, Inc. dba CareNow	645 East State Highway 121 South, Suite 600 Coppell, TX 75019	89.33%	\$2,136,250.00

PROPOSAL INFORMATION (Continued)

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount of Bid</u>
Concentra	5080 Spectrum Drive Suite 1200W Addison, TX 75001	81.79%	\$2,352,000.00
MedAlert Occupational Management, Inc.	3141 Irving Boulevard Suite 220 Dallas, TX 75247	57.81%	\$2,860,000.00

OWNER**Primary Health, Inc. dba CareNow**

Tim Miller, President
Robin Richardson, Vice President
Joseph Walter, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract for medical examinations, drug and alcohol testing services for police and civilian employees - Primary Health, Inc. dba CareNow, most advantageous proposer of three - Not to exceed \$2,136,250 - Financing: Current Funds (subject to annual appropriations)

Primary Health, Inc. dba CareNow is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$2,136,250.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$2,136,250.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

February 12, 2014

WHEREAS, on January 28, 2009, City Council authorized a sixty-month professional services contract for medical examinations, drug and alcohol testing for the Fire Department, Police Department, City Marshal's Office and Human Resources by Resolution No. 09-0338;

On February 3, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a service contract with Primary Health, Inc. dba CareNow (518539) for medical examinations, drug and alcohol testing services for civilian and police employees for a term of five years in an amount not to exceed \$2,136,250.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Primary Health, Inc. dba CareNow shall be based only on the amount of the services directed to be performed by the City and properly performed by Primary Health, Inc. dba CareNow under the contract.

Section 2. That the City Controller is hereby authorized to disburse funds in an amount not to exceed \$2,136,250.00 (subject to annual appropriations).

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

AGENDA ITEM # 8

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Library

CMO: Jeanne Chipperfield, 670-7804
Joey Zapata, 670-1204

MAPSCO: N/A

SUBJECT

Authorize a five-year service contract for the purchase and processing of library books - Brodart Co., lowest responsible bidder of four - Not to exceed \$11,619,844 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract will allow for the purchase and processing of approximately 716,000 library books. The books purchased will be cataloged, inventoried and processed (barcodes, labels, and covers) by the vendor, arriving at the library "shelf ready" and ready for immediate availability.

There are currently 27 branch libraries, Bookmarks at NorthPark Center and the Central library. In FY2013, patrons checked out over 10.1 million items from Dallas public libraries.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 144 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 27, 2007, City Council authorized a thirty-six-month master agreement for the purchase, cataloging and physically processing of books for the Dallas public libraries by Resolution No. 07-1958.

On January 21, 2014, this item was included as a briefing memo to the Arts, Culture & Libraries Committee.

FISCAL INFORMATION

\$11,619,843.75 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

144 - M/WBE and Non-M/WBE vendors were contacted.

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Brodart Co.

White Male	225	White Female	397
Black Male	5	Black Female	6
Hispanic Male	1	Hispanic Female	3
Other Male	6	Other Female	10

BID INFORMATION

The following bids were received from solicitation number BT1402 and opened on November 7, 2013. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

BID INFORMATION (Continued)

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*Brodart Co.	500 Arch St. Williamsport, PA 17701	\$11,619,843.75
Baker & Taylor, Inc.	2550 West Tyvola Rd. Suite 300 Charlotte, NC 28217	\$11,722,027.50
Ingram Library Services, Inc.	One Ingram Blvd. La Vergne, TN 37086	\$11,748,633.75
Cengage Learning	27500 Drake Rd. Farmington Hills, MI 48331	Non-Responsive**

**Cengage Learning was deemed non-responsive due to not meeting specifications.

OWNER**Brodart Co.**

Joseph Largen, President
Gretchen Herman, Vice President
Richard Dill, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract for the purchase and processing of library books - Brodart Co., lowest responsible bidder of four - Not to exceed \$11,619,844 - Financing: Current Funds (subject to annual appropriations)

Brodart Co., is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$11,619,843.75	100.00%
TOTAL CONTRACT	\$11,619,843.75	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

February 12, 2014

WHEREAS, on June 27, 2007, City Council authorized a thirty-six-month master agreement for the purchase, cataloging and physically processing of books for the Dallas public libraries by Resolution No. 07-1958;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a service contract with Brodart Co. (008873) for the purchase and processing of library books for a term of five years in an amount not to exceed \$11,619,843.75, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Brodart Co. shall be based only on the amount of the services directed to be performed by the City and properly performed by Brodart Co. under the contract.

Section 2. That the City Controller is hereby authorized to disburse funds in an amount not to exceed \$11,619,843.75 (subject to annual appropriations).

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

AGENDA ITEM # 9

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Convention and Event Services
Trinity Watershed Management
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Theresa O'Donnell, 671-9195
Forest E. Turner, 670-3390
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for the purchase of personal safety protection equipment, clothing and accessories – Fisher Scientific Company, LLC in the amount of \$977,991, Safety Supply, Inc. in the amount of \$545,458, BKW Environmental in the amount of \$368,356, Motion Industries, Inc. in the amount of \$310,186, Lone Star Safety and Supply, Inc. in the amount of \$209,582, The Strong Group, Inc. in the amount of \$171,208, Security Safety and Supply, Inc. in the amount of \$155,497 and Evco Partners LP dba Burgoon Company in the amount of \$92,741, lowest responsible bidders of nine – Total not to exceed \$2,831,019 – Financing: Current Funds (\$1,782,330), Water Utilities Current Funds (\$783,824), Stormwater Drainage Management Current Funds (\$170,256), Aviation Current Funds (\$62,334), 2013-14 Community Development Block Grant Funds (\$24,075) and Convention and Event Services Current Funds (\$8,200)

BACKGROUND

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

This master agreement will provide personal safety protection equipment, clothing and accessories for field personnel citywide. Protective clothing and equipment is an essential part of conducting daily operation for field staff who depend on their safety equipment to work effectively while protecting their body from the elements of their work environment. This master agreement will make available the proper clothing and safety equipment to all City staff that require such to perform their daily duties.

BACKGROUND (Continued)

Examples of personal safety protection equipment and clothing on this agreement include but are not limited to the following:

- Knee pads
- Hand protection
- Respiratory protection
- Back support and climbing gear
- Eyewear and ear protection
- Hard hats
- Safety vests
- Coveralls
- Rainwear
- Police gas masks

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 17.26% decrease over comparable unit prices for the bid awarded in 2010.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 576 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 10, 2010, City Council authorized a three-year citywide master agreement for protective clothing and gear by Resolution No. 10-2801.

FISCAL INFORMATION

\$1,782,330.35 - Current Funds
\$ 783,823.66 - Water Utilities Current Funds
\$ 170,255.86 - Stormwater Drainage Management Current Funds
\$ 62,334.03 - Aviation Current Funds
\$ 24,075.00 - 2013-14 Community Development Block Grant Funds
\$ 8,200.00 - Convention and Event Services Current Funds

M/WBE INFORMATION

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

576 M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Fisher Scientific Company, LLC

White Male	433	White Female	450
Black Male	17	Black Female	15
Hispanic Male	5	Hispanic Female	8
Other Male	39	Other Female	21

Safety Supply, Inc.

White Male	3	White Female	8
Black Male	0	Black Female	1
Hispanic Male	1	Hispanic Female	1
Other Male	1	Other Female	0

BKW Environmental

White Male	21	White Female	6
Black Male	2	Black Female	0
Hispanic Male	8	Hispanic Female	2
Other Male	0	Other Female	0

Motion Industries, Inc.

White Male	12	White Female	5
Black Male	2	Black Female	0
Hispanic Male	2	Hispanic Female	0
Other Male	0	Other Female	0

ETHNIC COMPOSITION (Continued)

Lone Star Safety and Supply, Inc.

White Male	29	White Female	11
Black Male	0	Black Female	0
Hispanic Male	3	Hispanic Female	4
Other Male	0	Other Female	1

The Strong Group, Inc.

White Male	1	White Female	1
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

Security Safety and Supply, Inc.

White Male	5	White Female	7
Black Male	5	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

Evco Partners LP dba Burgoon Company

White Male	1	White Female	10
Black Male	1	Black Female	2
Hispanic Male	0	Hispanic Female	1
Other Male	0	Other Female	1

BID INFORMATION

The following bids were received from solicitation number BY1333 and opened on September 12, 2013. This master agreement is being awarded to the lowest responsive and responsible bidders by group. Information regarding this solicitation is available upon request.

*Denotes successful bidders

<u>Bidder</u>	<u>Address</u>	<u>Amount</u>
*Fisher Scientific Company, LLC	4500 A Turnberry Dr. Hanover Park, IL 60133	Multiple groups

BID INFORMATION (Continued)

<u>Bidder</u>	<u>Address</u>	<u>Amount</u>
*Safety Supply, Inc.	11827 Tech Com Rd. Suite 114 San Antonio, TX 78233	Multiple groups
*BKW Environmental	2330 Pasadena Blvd. Pasadena, TX 77502	Multiple groups
*Motion Industries, Inc.	2221 W. Mockingbird Ln. Dallas, TX 75235	Multiple groups
*Lone Star Safety and Supply, Inc.	2631 Freewood Dr. Dallas, TX 75220	Multiple groups
*The Strong Group, Inc.	222 Atlantic Ave. Oceanside, NY 11572	Multiple groups
*Security Safety and Supply, Inc.	12701 Fuqua Suite 103 Houston, TX 77034	Multiple groups
*Evco Partners LP dba Burgoon Company	910 21st St. Galveston, TX 77550	Multiple groups
Alpha Omega Systems and Services, Inc. dba AOSS Medical Supply	4971 Central Ave. Monroe, LA 71203	Multiple groups

OWNERS**Fisher Scientific Company, LLC**

Ed Pescieka, President

Safety Supply, Inc.

Michael Wacaser, President
Horace Wacaser, Vice President
Kenneth Wacaser, Secretary

OWNERS (Continued)

BKW Environmental

Kevin Whatley, President

Motion Industries, Inc.

William Stevens, President

Tim Breen, Vice President

Harold Donaway, Secretary

Matt Harper, Treasurer

Lone Star Safety and Supply, Inc.

Gale Rhine, President

Rita Rhine, Secretary

The Strong Group, Inc.

Walter Bistrong, President

Ann F. Siegel, Vice President

Security Safety and Supply, Inc.

Leonard Lungaro, President

Evco Partners LP dba Burgoon Company

Nancy Evans, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of personal safety protection equipment, clothing and accessories – Fisher Scientific Company, LLC in the amount of \$977,991, Safety Supply, Inc. in the amount of \$545,458, BKW Environmental in the amount of \$368,356, Motion Industries, Inc. in the amount of \$310,186, Lone Star Safety and Supply, Inc. in the amount of \$209,582, The Strong Group, Inc. in the amount of \$171,208, Security Safety and Supply, Inc. in the amount of \$155,497 and Evco Partners LP dba Burgoon Company in the amount of \$92,741, lowest responsible bidders of nine – Total not to exceed \$2,831,019 – Financing: Current Funds (\$1,782,330), Water Utilities Current Funds (\$783,824), Stormwater Drainage Management Current Funds (\$170,256), Aviation Current Funds (\$62,334), 2013-14 Community Development Block Grant Funds (\$24,075) and Convention and Event Services Current Funds (\$8,200)

Motion Industries, Inc. is a local, non-minority firm has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor. Lone Star Safety and Supply, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use their own workforces. Safety Supply, Inc. is a non-local, non-minority firm has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor. Evco Partners LP dba Burgoon Company is a non-local, minority firm has signed the "Business Inclusion & Development" documentation, and propose to use their own workforces. BKW Environmental, Fisher Scientific Company, LLC, Security Safety and Supply, Inc. and The Strong Group, Inc. are non-local, non-minority firms have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$574,312.70	20.29%
Total non-local contracts	\$2,256,706.20	79.71%
TOTAL CONTRACT	\$2,831,018.90	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Hazel's Hot Shot	WFWB32930N1214	\$84,000.00	14.63%
Mach 1 Global Services	WFWB14526N1214	\$54,545.79	9.50%
Total Minority - Local		\$138,545.79	24.12%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Evco Partners dba Burgoon Co.	WFWB57544N0514	\$92,740.90	4.11%
Total Minority - Non-local		\$92,740.90	4.11%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$138,545.79	24.12%	\$231,286.69	8.17%
Total	\$138,545.79	24.12%	\$231,286.69	8.17%

February 12, 2014

WHEREAS, on November 10, 2010, City Council authorized a three-year citywide master agreement for protective clothing and gear by Resolution No. 10-2801;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of personal safety protection equipment, clothing and accessories is authorized with Fisher Scientific Company, LLC (029953) in the amount of \$977,991.18, Safety Supply, Inc. (138114) in the amount of \$545,457.90, BKW Environmental (VC0000000547) in the amount of \$368,356.13, Motion Industries, Inc. (001973) in the amount of \$310,185.83, Lone Star Safety and Supply, Inc. (VS0000024771) in the amount of \$209,581.78, The Strong Group, Inc. (508200) in the amount of \$171,207.75, Security Safety and Supply, Inc. (508648) in the amount of \$155,497.43, Evco Partners LP dba Burgoon Company (246097) in the amount of \$92,740.90, for a term of three years in a total amount not to exceed \$2,831,018.90.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for personal safety protection equipment, clothing and accessories. If a written contract is required or requested for any or all purchases of personal safety protection equipment, clothing and accessories under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed \$2,831,018.90.

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

AGENDA ITEM # 10

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Office of Risk Management

CMO: Warren M.S. Ernst, 670-3491
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize settlement of a claim filed by National Liability & Fire Insurance Company as subrogee of PWA Coalition of Dallas, Claim No. 12470894 - Not to exceed \$27,881 - Financing: Current Funds

BACKGROUND

Claimant National Liability & Fire Insurance Company as subrogee of PWA Coalition of Dallas filed a claim against the City seeking compensation for property damage sustained in an automobile accident on October 23, 2012, involving a Water Utilities Department vehicle.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council will be briefed by memorandum concerning this item.

FISCAL INFORMATION

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

\$27,880.41 - Current Funds

February 12, 2014

WHEREAS, a claim was filed by National Liability & Fire Insurance Company as subrogee of PWA Coalition of Dallas Claim No. 12470894, seeking compensation from the City of Dallas for alleged property damage sustained in an automobile accident on October 23, 2012, involving a Water Utilities Department vehicle; and,

WHEREAS, claimant National Liability & Fire Insurance Company as subrogee of PWA Coalition of Dallas has agreed to settle this claim for the amount of \$27,880.41; **Now, Therefore,**

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

Section 1. That settlement of the claim filed by National Liability & Fire Insurance Company as subrogee of PWA Coalition of Dallas Claim No. 12470894, in an amount not to exceed \$27,880.41 is hereby approved.

Section 2. That the City Controller is authorized to pay to National Liability & Fire Insurance Company as subrogee of PWA Coalition of Dallas the amount of \$27,880.41 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor MVORM001.

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

AGENDA ITEM # 11

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Police

CMO: Warren M.S. Ernst, 670-3491
Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize settlement of the claims of one of the two plaintiffs in the lawsuit styled Richard Taylor and Charles Gholston v. City of Dallas, Cause No. DC-12-08362-A - Not to exceed \$40,000 - Financing: Current Funds

BACKGROUND

Plaintiffs filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries sustained in an automobile accident on August 30, 2010, involving a Dallas Police Department vehicle. The City and Mr. Taylor reached a proposed settlement at a court-ordered mediation. Mr. Taylor is represented by Eberstein & Witherite, LLP. Mr. Gholston's claims remain pending.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council will be briefed by memorandum concerning this item.

FISCAL INFORMATION

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

\$40,000.00 - Current Funds

February 12, 2014

WHEREAS, a lawsuit styled Richard Taylor and Charles Gholston v. City of Dallas, Cause No. DC-12-08362-A, was filed by the plaintiffs seeking compensation from the City of Dallas for alleged bodily injuries sustained in an automobile accident on August 30, 2010, involving a Dallas Police Department vehicle; and,

WHEREAS, Richard Taylor has agreed to a settlement of the case whereby the City of Dallas will pay Mr. Taylor and his attorney the amount of \$40,000.00; and,

WHEREAS, it is in the best interest of the City of Dallas to settle the claims of one of the two plaintiffs in this case; **Now, Therefore**,

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

Section 1. That the settlement of the claims of Richard Taylor, one of two plaintiffs in the lawsuit, styled Richard Taylor and Charles Gholston v. City of Dallas, Cause No. DC-12-08362-A, in an amount not to exceed \$40,000.00 is hereby approved.

Section 2. That the City Controller is authorized to pay to Richard Taylor and his attorney, Eberstein & Witherite, LLP the amount of \$40,000.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTATT001.

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

AGENDA ITEM # 12

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 11

DEPARTMENT: City Attorney's Office
Water Utilities
Sustainable Development and Construction

CMO: Warren M.S. Ernst, 670-3491
Forest E. Turner, 670-3390
Theresa O'Donnell, 671-9195

MAPSCO: 5 X

SUBJECT

Authorize the acceptance of a dedication from Prestonwood Golf Club, LLC, of a wastewater easement along White Rock Creek within Prestonwood Golf Club's The Creek Course in Dallas valued at \$772,000, based on an independent appraisal, in settlement of a disputed, unfiled claim for water usage - Not to exceed \$6,000 (closing costs and title expenses) - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The McKamy and Osage Wastewater Interceptor Relocation Project ("Project") involves acquisition of permanent wastewater easements in several locations within Prestonwood Country Club's The Creek Course in Dallas for the construction and subsequent maintenance of proposed wastewater interceptor and mains. The Project also generally relocates much of the interceptor alignment into accessible City right-of-way and easements, improving maintenance access.

This item authorizes acceptance of the dedication of approximately 3.142 acres of land for a wastewater easement from Prestonwood Golf Club, LLC, which will encumber the Dallas location of the Prestonwood Golf Club. The City needs the easement for the Project and Prestonwood offered to dedicate the easement in settlement of a disputed, unfiled claim for outstanding, unpaid charges incurred at the Prestonwood Golf Club's The Hills Golf Course, located in Plano, Texas. The value of the land to be dedicated is approximately \$772,000, based on an independent appraisal, which is roughly equivalent to the value of the disputed claim for unpaid water usage.

A five-year contract with two five-year renewal options with Prestonwood Golf Club, LLC to provide untreated water, with an initial term of February 12, 2014 through February 11, 2019 is also on the February 12, 2014 agenda for Council consideration.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council will be briefed in Executive Session regarding this item.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - \$6,000 (closing costs and title expenses)

OWNER

Prestonwood Golf Club, LLC

February 12, 2014

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 3.142 acres 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": The McKamy and Osage Wastewater Interceptor Relocation Project involves acquisition of permanent wastewater easements in several locations within the Prestonwood Country Club property for the construction and subsequent maintenance of proposed wastewater interceptor and mains. The project also generally relocates much of the interceptor alignment into accessible City right-of-way and easements, improving maintenance access.

"USE": An easement for the purpose of laying, constructing, maintaining, repairing and replacing a City wastewater main or mains and appurtenances and such additional main or mains and appurtenances as are needed in the future.

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

"OWNER": PRESTONWOOD GOLF CLUB, INC., 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.

"CONSIDERATION": Settlement value of unfilled claim for unpaid water usage, which is roughly equivalent to the PROPERTY's appraised value of \$772,000.

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$6,000.00.

February 12, 2014

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 CONSIDERATION, dedication, 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 in the event this acquisition closes, the City Controller is 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 CLOSING COSTS AND TITLE EXPENSES payable out of Wastewater Capital Improvement Fund, Fund 0116, Department DWU, Unit PS40, Activity MPSA, Program No. 709272, Object 4230, Encumbrance No. CTDWU709272CPA.

SECTION 5. 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 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

BY _____
Assistant City Attorney

AGENDA ITEM # 13

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize **(1)** the Dallas Housing Finance Corporation (DHFC) to utilize up to \$10,000,000 of tax exempt bond allocation from the 2013 Private Activity Bond Program to be converted into \$7,100,000 Mortgage Credit Certificates (MCCs) pursuant to the 2014 Single Family Mortgage Credit Certificate Program in order to provide financial assistance to approximately 71 low to moderate income first time homebuyers who purchase homes in the City of Dallas; and **(2)** approval of the financing plan related to this program which includes placing the MCC program on the Housing Department website and marketing it with the Mortgage Assistance Program (MAP) when a Homebuyer meets all other MAP requirements - Financing: No cost consideration to the City

BACKGROUND

The Dallas City Council created the Dallas Housing Finance Corporation (DHFC) in 1984 to provide financing for affordable single-family ownership and multi-family rehabilitation and development within the city. One of the functions of the DHFC is to authorized to issuance tax-exempt mortgage revenue bonds on behalf of the City to provide funds to assist in the financing of mortgage loans made to persons of low to moderate income to purchase residences located in the City of Dallas. Since its creation, the DHFC has issued approximately \$124,337,002 in tax-exempt mortgage revenue bonds on behalf of the City to provide funds to finance mortgage loans and down payment assistance to 1,621 homebuyers.

As a result of unfavorable market conditions, the DHFC has been unable to execute a single family tax-exempt bond issuance to support mortgage loan programs since 2008. As an alternative to the loan program, the City Council authorized the DHFC, on December 9, 2009, to drawdown \$25,000,000 of its tax-exempt bond allocation from the HERA Emergency Volume Cap to be converted into Mortgage Credit Certificates (MCCs). The 2009 Single Family MCC Program, which ended on December 11, 2010, issued 47 certificates for a total loan amount of \$4,989,024.

BACKGROUND (Continued)

On November 10, 2010 the City Council authorized the DHFC to drawdown \$25,000,000 of its \$50,000,000 2010 Private Activity Bond Allocation from the Texas Bond Review Board to convert (1) \$25 Million into \$6,250,000 in MCC Authority (MCCs) and (2) use \$25 Million for a Traditional Single Family Mortgage Revenue Bond Program to provide a below market interest rate and 3½% of the loan amount in downpayment assistance at a later date, subject to favorable market conditions (and if not, to convert this \$25 Million into a second MCC Program at a later date). 102 first time homebuyers with a total loan amount of \$10,208,167 have benefited from the 2011 Mortgage Credit Certificate (MCC) Program.

The MCC Program is a federal income tax credit program to assist first-time low-to-moderate income homebuyers. It allows qualified homebuyers in the City of Dallas to receive a federal income tax credit equal to 40% of the annual mortgage interest paid up to a maximum of \$2,000 per year. The homebuyer pays a 1% fee, receives a certificate and has two options: (1) give the Certificate to their employer and receive up to \$166.67 per month or (2) include the certificate in their tax return to receive a tax credit up to a maximum of \$2,000 per year.

The requirements for the MCC Program are:

- Homebuyer cannot have owned a residence in the past (3) three years

- Home must be occupied as a primary residence

- Homebuyer must apply for the MCC through a participating lender

- Applicant must purchase a home within the City of Dallas

- Income levels must not exceed IRS guidelines (Families of two or less, \$67,900 and families of three or more \$78,085)

- Maximum Purchase Price is \$250,200

- Funds are available on a first come first serve basis

- Homes that are sold prior to nine years of purchase may be subject to a recapture tax

BACKGROUND (Continued)

On December 3, 2013, a Bond Reservation in the amount of \$10,000,000 was issued by the Texas Bond Review Board to be used for the issuance of an MCC Program. Subject to City Council approval, the DHFC will require that this MCC Program be marketed with the Mortgage Assistance Program (MAP), a down payment program administered by the City's Housing Department, and the MCC Program will be included in the Housing Department's website.

Use of the MAP program in conjunction with the MCC Program, requires that maximum incomes cannot exceed 80% of Area Wide Median Income and meet other MAP requirements, including but not limited to homebuyer training.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 13, 2006, City Council authorized the Dallas Housing Finance Corporation to issue tax-exempt bonds in an amount not to exceed \$14,337,022 for the 2006 Single Family Tax Exempt Mortgage Bond Program by Resolution No. 06-3404.

On December 9, 2009, the City Council authorized the DHFC to drawdown \$25,000,000 of its tax-exempt bond allocation from the HERA Emergency Volume Cap to convert into \$6,250,000 Mortgage Credit Certificate (MCCs) grant authority to provide up to 179 MCCs to low-to-moderate income first-time homebuyers purchasing homes in the City of Dallas and approved the plan related to that financing by Resolution No. 09-2949. 47 MCC Certificates were issued under the 2009 MCC Program.

On November 10, 2010, the Dallas City Council approved the 2011 Mortgage Credit Certificate Program. Dallas Housing Finance Corporation (DHFC) was authorized to drawdown \$50,000,000 of tax-exempt bond allocation from the 2010 Private Activity Bond Volume Cap from the Texas Bond Review Board to: (1) convert \$25,000,000 into \$6,250,000 of Mortgage Credit Certificates (MCCs), give authority to provide MCCs and approve the plan related to that financing; and (2) use \$25,000,000 for a Standard Single Family Mortgage Revenue Bond Program to provide a below market interest rate and 3½% downpayment assistance, at a later date subject to favorable market conditions (and if not, to convert this \$25,000,000 into a second MCC Program) by Resolution No. 10-2868. 102 MCC Certificates were issued under the 2011 MCC Program.

On January 21, 2014, the Housing Committee was provided with a briefing memo on the 2014 Mortgage Credit Certificate Program.

FISCAL INFORMATION

No cost consideration to the City

February 12, 2014

WHEREAS, on April 25, 1984, the City of Dallas (City) authorized the creation of the Dallas Housing Finance Corporation (DHFC) as a Texas nonprofit corporation, pursuant to the Texas Housing Finance Corporation Act, Chapter 394, Local Government Code, V.T.C.A. as amended (the Act), to act on behalf of the City in carrying out the public purposes of the Act; and

WHEREAS, the DHFC is authorized by the Act to issue its revenue bonds on behalf of the City for the purpose of providing funds to finance mortgage loans made to persons of low and moderate income to purchase residences located within the City of Dallas; and

WHEREAS, on December 1, 2008, the DHFC received a Certificate of Reservation from the Texas Bond Review Board in Housing and Economic Recovery Act (HERA) Emergency Volume Cap in an amount not to exceed \$150,000,000; and

WHEREAS, on December 9, 2009, City Council authorized the plan for financing of the 2009 Single Family Mortgage Credit Certificate Program and drawdown of \$25,000,000 of its \$150,000,000 in tax-exempt bond allocation from the HERA Emergency Volume Cap to convert into \$6,250,000 in Mortgage Credit Certificate Authority (MCCs) to provide mortgage interest credit in available cash that equals 35% of interest paid for up to \$2,000 yearly or \$166.67 monthly to qualified low-to-moderate income homebuyers in the City of Dallas. 47 certificates were issued under the 2009 MCC program by Resolution No. 09-2949; and

WHEREAS, on April 26, 2010, the Dallas Housing Finance Corporation approved transferring \$75 Million of its HERA volume Cap to the Texas State Affordable Housing Corporation to be used for a statewide single family program; and

WHEREAS, on October 19, 2010, City Council voted to Authorize the Dallas Housing Finance Corporation (DHFC) to drawdown \$50,000,000 of tax-exempt bond allocation from the 2010 Private Activity Bond Volume Cap to (1) convert \$25,000,000 into \$6,250,000 Mortgage Credit Certificate (MCC's) give authority to provide MCCs and approve the plan related to that financing, and (2) use \$25,000,000 for a Standard Single Family Mortgage Revenue Bond Program to provide a below market interest rate and 3½% downpayment assistance at a later date subject to favorable market conditions (and if not, to convert this \$25,000,000 into a second MCC Program at a later date) 102 certificates were issued under the 2011 MCC Program by Resolution No. 10-2868; and

WHEREAS, on October 31, 2013 and November 5, 2013, a publication of public notice on the 2014 Single Family Mortgage Credit Certificate Program was placed in the Dallas Morning News; and

February 12, 2014

WHEREAS, Section 147 of the Internal Revenue Code of 1986, as amended (the Code), requires that City Council approve the drawdown of bonds and the financing plans after a ninety day public notice; and

WHEREAS, on November 4, 2013, the Dallas Housing Finance Corporation authorized the DHFC to drawdown up to \$17,655,368 of tax-exempt bond allocation from the 2013 Private Activity Bond Volume Cap to be converted into Mortgage Credit Certificates (MCC's), and gives authorization to the DHFC to provide MCCs and approve the plan related to that financing, for low-to-moderate income first-time homebuyers purchasing homes in the City of Dallas; and

WHEREAS, on December 3, 2013, the Texas Bond Review Board issued a Bond Reservation to the DHFC in the amount of \$10,000,000, to be converted into \$7.1 Million in MCC capacity to provide approximately 71 MCCs, referred to as the 2014 MCC Program; and

WHEREAS, on January 21, 2014, the Housing Committee was provided with a briefing memo on the 2014 Single Family Mortgage Credit Certificate Program and the financing plan; and

WHEREAS, the City Council desires to authorize the DHFC to drawdown up to \$10,000,000 of tax-exempt bond allocation from the 2013 Private Activity Bond Volume Cap to (1) convert this allocation into \$7,100,000 of Mortgage Credit Certificates (MCC's) (2) give authority to provide MCCs and approve the plan related to that financing, for low-to-moderate income first-time homebuyers purchasing homes in the city of Dallas.

NOW, THEREFORE,

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

Section 1. That the City Council hereby authorizes the DHFC to drawdown up to \$10,000,000 of tax-exempt bond allocation from the 2013 Private Activity Bond Volume Cap to convert up to \$7,100,000 into Mortgage Credit Certificates (**MCCs**) pursuant to the **2014 Single Family Mortgage Credit Certificate Program for up to 71** first-time homebuyers.

February 12, 2014

Section 2. That the approval of the City Council is provided solely for the purpose of satisfying the conditions and requirements of the Corporation's Articles of Incorporation and By-Laws and the City Council's consent for the DHFC to drawdown up to \$10,000,000 of the Private Activity Tax-exempt Bond allocation from the Texas Bond Review Board, is for the purpose of converting up to \$7,100,000 into Mortgage Credit Certificates ("MCCs") and authorize and, consent to the plan of financing for the 2014 Single Family Mortgage Credit Certificate Program. This action shall not be construed to subject the City, its officers or employees to any liability or obligation with respect to the MCCs. The MCCs shall specifically provide that the MCCs are not a debt of the City, Dallas County and State of Texas and that the City, Dallas County and State of Texas are not liable with respect to the MCCs.

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, and it is accordingly so resolved.

AGENDA ITEM # 14

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 1, 2, 3, 4, 5, 6, 7, 8

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 33 34 35 36 37 38 42 43 44 45 46 47 48 49 51 52 53 54 55 56
57 58 59 61 62 63 64 65 66 67 68 69 70 71 73 74 75 76

SUBJECT

Authorize an amendment to increase funding for a contract that commenced October 1, 2009, between the Dallas Housing Acquisition and Development Corporation (the "Land Bank") and Consolidated Consulting Group, LLC to provide environmental land analysis including a transaction screen analysis and other environmental services, as needed, on lots scheduled to be purchased by the Land Bank in each of the two remaining subsequent renewals – Not to exceed \$287,500 - Financing: 2003 Bond Funds (\$58,721) and General Obligation Commercial Paper Funds (\$228,779)

BACKGROUND

On December 9, 2009, the City Council authorized the Land Bank to: (1) enter into a one-year contract beginning October 1, 2009, with Consolidated Consulting Group, LLC (CCG) to provide environmental land analysis including a transaction screen analysis and other environmental services, if needed, on lots scheduled to be purchased by the Land Bank, (2) exercise five one-year renewal options to extend the contract, and (3) expend an amount not to exceed \$287,500 under the contract both during the original term and the subsequent renewal terms.

The Land Bank has expended an average of \$70,000 each year during the original term and first three renewals of the contract.

This action will authorize an amendment to increase funding for the Land Bank contract with CCG for the two remaining renewal terms in the amount not to exceed \$287,500. CCG has been providing these services to the Land Bank since 2005.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 9, 2009, by Resolution No. 09-2770, the City Council approved a contract for environmental land analysis between the Land Bank and CCG.

FISCAL INFORMATION

2003 Bond Funds - \$ 58,720.61

2006 Bond Program (General Obligation Commercial Paper Funds) - \$228,779.39

ETHNIC COMPOSITION

Consolidated Consulting Group, LLC

Hispanic Female	0	Hispanic Male	1
African-American Female	1	African-American Male	0
Other Female	1	Other Male	1
White Female	2	White Male	4

OWNER(S)

Consolidated Consulting Group, LLC

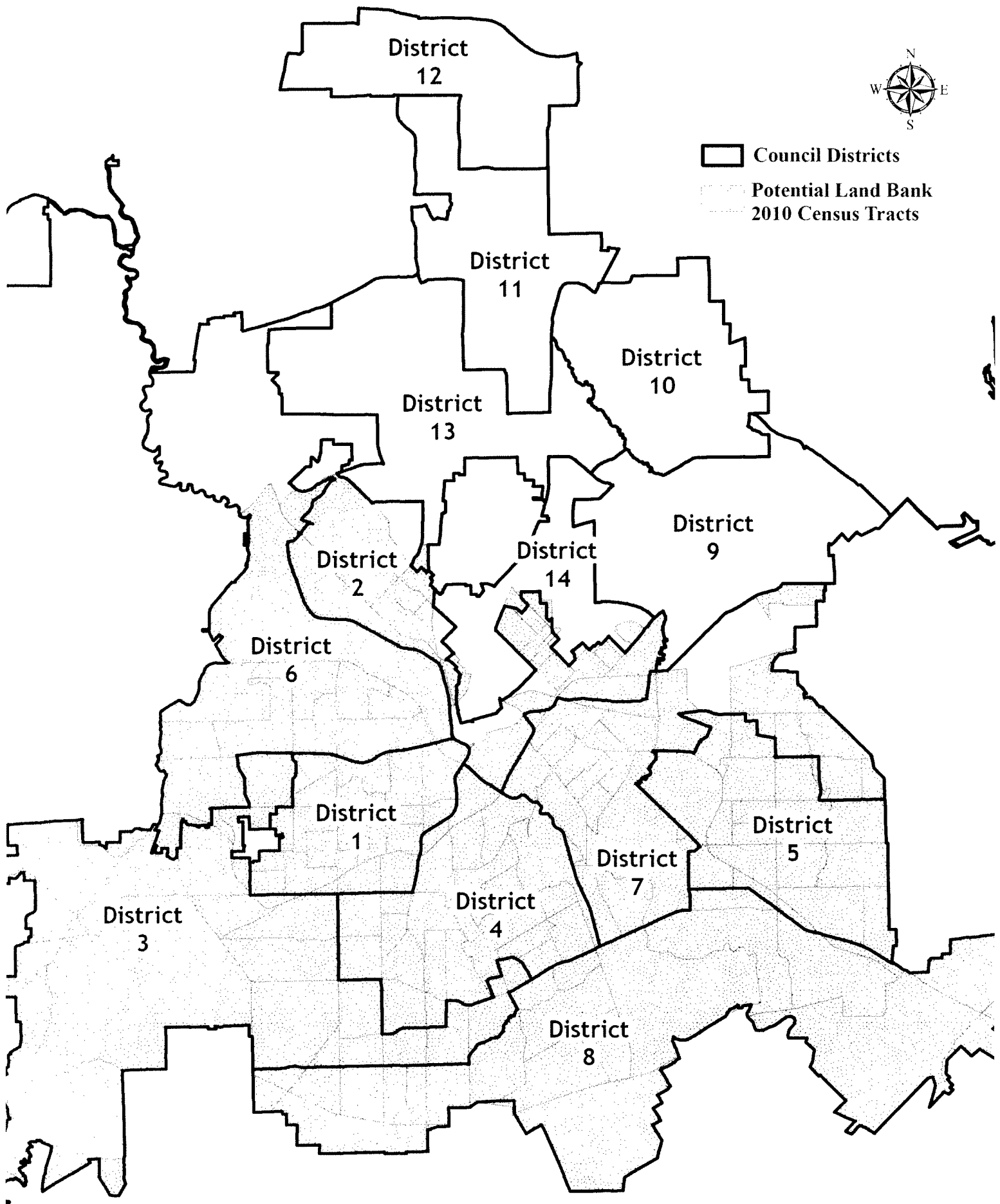
Tonya Golden, President

MAP

Attached

Potential Land Bank Census Tracts

2013-2014



February 12, 2014

WHEREAS, on November 9, 2009, by Resolution No. 09-2770, the City Council authorized the Land Bank to: (1) enter into a one-year contract beginning October 1, 2009, with Consolidated Consulting Group, LLC (CCG) to provide environmental land analysis including a transaction screen analysis and other environmental services, if needed, on lots scheduled to be purchased by the Land Bank, (2) exercise five one-year renewal options to extend the contract, and (3) expend an amount not to exceed \$287,500 under the contract both during the original term and the subsequent renewal terms; and

WHEREAS, the Land Bank has expended an average of \$70,000 each year during the original term and first three renewals of the contract;

NOW, THEREFORE,

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

SECTION 1. That the Land Bank is hereby authorized to amend the contract that commenced October 1, 2009 between the Dallas Housing Acquisition and Development Corporation (the "Land Bank") and Consolidated Consulting Group, LLC (CCG) to provide environmental land analysis including a transaction screen analysis and other environmental services, as needed, on lots scheduled to be purchased by the Land Bank in each of the two remaining subsequent renewals to increase funding in an amount not to exceed \$287,500 during the two remaining renewal terms in accordance with the terms of the contract.

SECTION 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract:

Consolidated Consulting Group, LLC Vendor # 517375

Fund 4R10, Dept. HOU Unit R930, Obj 3099, CT HOUR930C070 in an amount not to exceed \$58,720.61

Fund 2T10, Dept. HOU Unit T802, Obj 3099, CT HOUT802C071 in an amount not to exceed \$228,779.39

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 1, 2, 3, 4, 5, 6, 7, 8

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 33 34 35 36 37 38 42 43 44 45 46 47 48 49 51 52 53 54 55 56
57 58 59 61 62 63 64 65 66 67 68 69 70 71 73 74 75 76

SUBJECT

Authorize **(1)** the expenditure of up to \$500,000 in 2006 General Obligation Bond proceeds for the acquisition of property by the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) from the Dallas County Sheriff's tax foreclosure sales for affordable housing development; and **(2)** the expenditure of up to \$500,000 in 2006 General Obligation Bond proceeds for administrative fees related to the Land Bank's acquisition of property - Total not to exceed \$1,000,000 - Financing: 2006 Bond Funds (\$150,000) and General Obligation Commercial Paper Funds (\$850,000)

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004, by Resolution No. 04-0458.

On September 16, 2013, the Housing Committee received a briefing regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

BACKGROUND (continued)

In November 2006, Dallas voters approved approximately \$1.5 million in General Obligation Bonds for land acquisition for affordable housing and related expenses. On August 2010, the Dallas City Council authorized an ongoing contract with the DHADC to provide land bank services. The primary source of property for land bank acquisition is the tax-foreclosure process. Under the Code and City of Dallas Resolution No. 04-0458, the DHADC is authorized to purchase qualified tax-foreclosed property directly from the Dallas County Sheriff without a public bid.

The DHADC will purchase the property for an amount equal to the reasonable and customary court costs and costs of sale. The funding source for acquisition by direct Sheriff's sale to DHADC is proceeds from the sale of the General Obligation Bonds for the purpose of land acquisition for development of affordable housing.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, the City Council authorized the establishment of the DHADC as its land bank, authorized amendments to the Articles of Incorporation and By-Laws of the DHADC, and authorized an interlocal contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-0458.

On May 26, 2004, the City Council authorized a contract with DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program previously approved by City Council on January 28, 2004, by Resolution No. 04-1726.

On August 11, 2010, the City Council authorized a new contract with DHADC for the provision of land bank services by Resolution No. 10-1952.

FISCAL INFORMATION

2006 Bond Funds - \$150,000

2006 Bond Program (General Obligation Commercial Paper Funds) - \$850,000

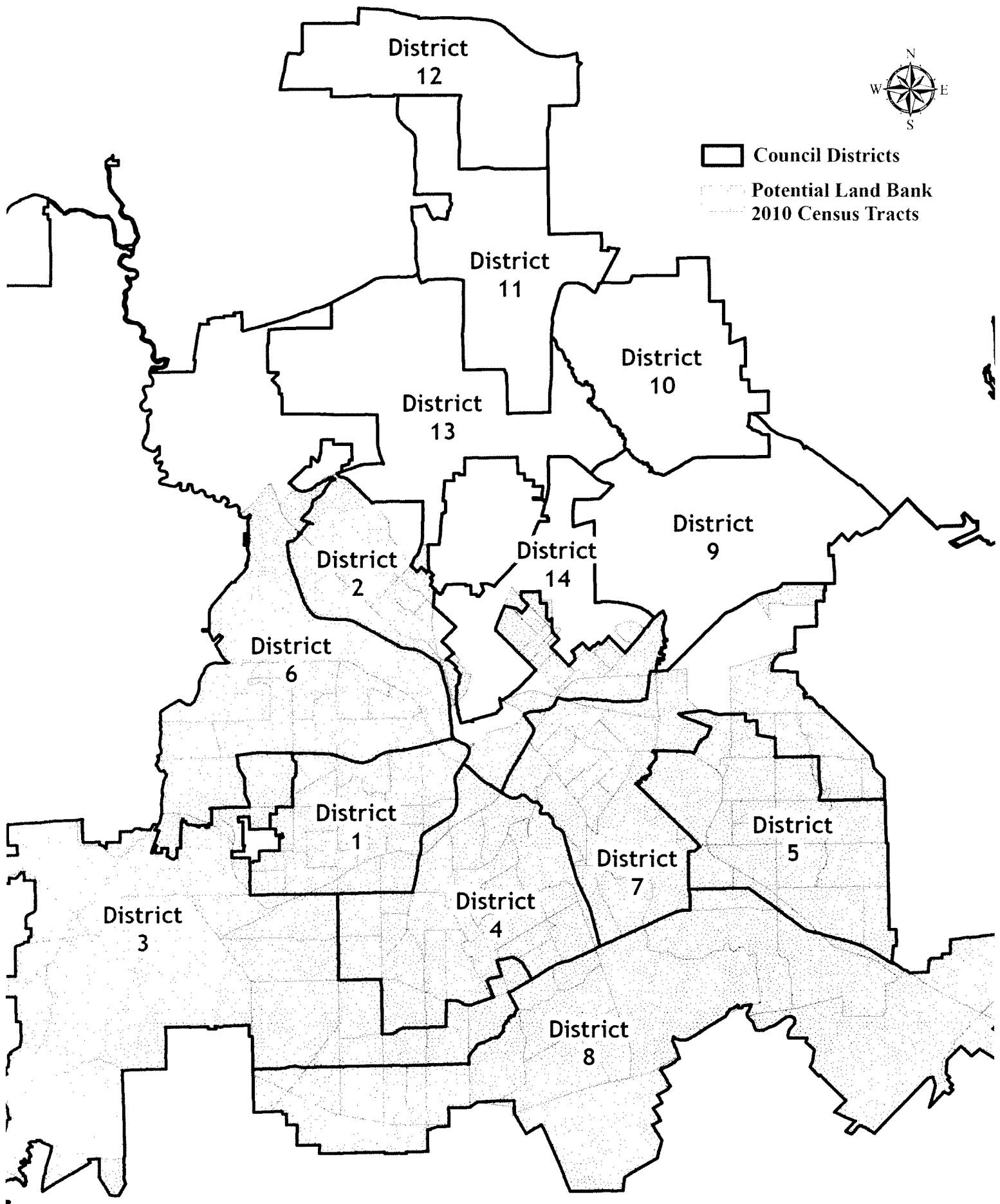
Council District 1	\$125,000
Council District 2	\$125,000
Council District 3	\$125,000
Council District 4	\$125,000
Council District 5	\$125,000
Council District 6	\$125,000
Council District 7	\$125,000
Council District 8	\$125,000

MAP

Attached

Potential Land Bank Census Tracts

2013-2014



February 12, 2014

WHEREAS, on January 28, 2004, by Resolution No. 04-0458, the City Council: 1) approved the City of Dallas Urban Land Bank Demonstration Program Plan; 2) approved the Program Statement for the Dallas Urban Land Bank Demonstration Program; 3) authorized amendments to the Articles of Incorporation and By-Laws of the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank); and 4) authorized an interlocal contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program; and

WHEREAS, on May 26, 2004, the City Council authorized a contract with the DHADC for the provision of land bank services as set forth in the Program Statement for the Dallas Urban Land Bank Demonstration Program approved by the City Council on January 28, 2004, by Resolution No. 04-0458; and

WHEREAS, on August 11, 2010, the Dallas City Council authorized a new contract with the DHADC by Resolution No. 10-1952; and

WHEREAS, the City Council desires to provide funding from the 2006 General Obligation Bond Program to acquire property under the Dallas Urban Land Bank Demonstration Program; and

WHEREAS, the City Council desires to provide funding from the 2006 General Obligation Bond Program for administrative fees related to acquisition of property under the Dallas Urban Land Bank Demonstration Program;

NOW, THEREFORE,

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

SECTION 1. That, upon request of the DHADC, the City Controller be and is hereby authorized to encumber and disburse proceeds from the sale of 2006 General Obligation Bond Funds up to \$500,000 for the acquisition of property by the DHADC from Dallas County Sheriff's tax foreclosure sales for affordable housing development as follows:

Fund 1T10, Agency HOU, Org T802, Obj 3099, CT HOUT802C072, Vendor # MVHOU001- \$75,000

Fund 2T10, Agency HOU, Org T802, Obj 3099, CT HOUT802C073, Vendor # MVHOU001- \$425,000

February 12, 2014

SECTION 2. That the City Controller be and is hereby authorized to encumber and disburse proceeds from the sale of 2006 General Obligation Bond Funds up to \$500,000 to DHADC for administrative fees related to DHADC's acquisition of property as follows:

Fund 1T10, Agency HOU, Org T802, Obj 3099, CT HOUT802C074, Vendor # MVHOU001- \$75,000

Fund 2T10, Agency HOU, Org T802, Obj 3099, CT HOUT802C075, Vendor # MVHOU001- \$425,000

SECTION 3. 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.

AGENDA ITEM # 16

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services

CMO: Jeanne Chipperfield, 670-7804
A. C. Gonzalez, 670-3302

MAPSCO: N/A

SUBJECT

Authorize **(1)** acceptance of the Cities Expanding Health Access for Children and Families planning grant from the National League of Cities for the period November 25, 2013 through June 1, 2014; and **(2)** execution of the grant agreement – Not to exceed \$25,439 – Financing: National League of Cities Grant Funds

BACKGROUND

The National League of Cities (NLC), through its Institute for Youth, Education and Families (YEF Institute), has awarded competitive grants to cities across the United States. The funding will be used to plan and develop a formal business plan for a health benefit outreach campaign aimed at enrolling eligible children and families in Medicaid and the Children's Health Insurance Program to increase access to health insurance coverage for children and families.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$25,439.00 – National League of Cities Grant Funds

February 12, 2014

WHEREAS, the National League of Cities has awarded the City of Dallas, funds to plan and develop a formal business plan for a health benefit outreach campaign aimed at enrolling eligible children and families in Medicaid and the Children's Health Insurance Program; and

WHEREAS, it is recommended that the City Manager be authorized to accept the grant award in an amount not to exceed \$25,439.00 for the period of November 25, 2013 through June 1, 2014.

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 and execute the grant agreement with the National League of Cities.

Section 2. That the City Controller is hereby authorized to deposit National League of Cities grant funds into Fund P110, Department MGT, Unit 1524, Revenue Source 8411 in an amount not to exceed \$25,439.00.

Section 3. That the City Manager is hereby authorized to establish appropriations in Fund P110, Department MGT, Unit 1524, in an amount not to exceed \$25,439.00.

Section 4. That the City Controller is hereby authorized to disburse funds from Fund P110, Department MGT, Unit 1524, object code various in accordance with the grant agreement for Cities Expanding Health Access for Children and Families planning grant, in an amount not to exceed \$25,439.00.

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

AGENDA ITEM # 17

KEY FOCUS AREA: Public Safety

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize a continuation of cooperative working agreements with the Dallas County District Attorney's Office in the amount of \$11,500, Tarrant County District Attorney's Office in the amount of \$8,500, Potter County District Attorney's Office in the amount of \$6,651, Collin County Sheriff's Office in the amount of \$15,000, Taylor County Sheriff's Office in the amount of \$10,000, Wichita County Sheriff's Office in the amount of \$7,500, Lubbock Police Department in the amount of \$20,000, Arlington Police Department in the amount of \$10,000, Garland Police Department in the amount of \$10,000, Longview Police Department in the amount of \$20,000, and the Dallas Children's Advocacy Center in the amount of \$37,000, for the period July 1, 2013 through June 30, 2014 through the 2013 Internet Crimes Against Children Continuation Grant supplement - Total not to exceed \$156,151 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

BACKGROUND

The Dallas Police Department has received the 2013 Internet Crimes Against Children (ICAC) Continuation Grant (07/01/2013 to 06/30/2014). The grant will fund the Dallas Crimes Against Children Task Force to reduce crime related to the internet sexual exploitation of children. The ICAC Grant allows the Dallas Police Department to support internet crime operations through designated satellite law enforcement agencies that assist the Dallas Police Department in its efforts to combat internet crimes against children.

This grant will provide funding for the District Attorney's Offices in Dallas, Tarrant and Potter Counties; and the Collin County, Taylor County and Wichita County Sheriff's Offices; and the Police Department in the Cities of Lubbock, Arlington, Garland, and Longview. All the funds will be for each agency to use on equipment, training, undercover expenses, and overtime as related to their Internet Crimes Against Children efforts.

BACKGROUND (continued)

This grant will also provide funding for the Dallas Children's Advocacy Center to sponsor scholarships for smaller agencies that normally would not be able to send representative to the 2014 Crimes Against Children Conference to be held in Dallas.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized an application for and acceptance of the Internet Crimes Against Children Task Force Grant on August 10, 2005, by Resolution No. 05-2211.

Authorized Internet Crimes Cooperative Working Agreements with the Amarillo Police Department, Austin Police Department, Bexar County Sheriff's Department, Corpus Christi Police Department, Dallas Children's Advocacy Center, Dallas County District Attorney's Office, Denton County District Attorney's Office, El Paso Police Department, Harris County Constable's Office, Longview Police Department, Tarrant County District Attorney's Office, Texas Attorney's General's Office, and Steve Wiederrich on August 24, 2005, by Resolution No. 05-2479.

Authorized Internet Cooperative Working Agreements with the Potter County District Attorney's Office, Lubbock County District Attorney's Office, Bowie County Sheriff's Department, Collin County Sheriff's Department, Ellis County Sheriff's Department, and the Taylor County Sheriff's Department on December 13, 2006, by Resolution No. 06-3411.

Authorized an application for and acceptance of the 2007 Internet Crimes Against Children Continuation Grant supplement on November 28, 2007, by Resolution No. 07-3501.

Authorized Internet Crimes Cooperative Working Agreements with the Longview Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's, and the Dallas Children's Advocacy Center on November 28, 2007, by Resolution No. 07-3502.

Authorized an application for and acceptance of the 2008 Internet Crimes Against Children Continuation Grant No. 2008-MC-CX-K024 on December 10, 2008, by Resolution No. 08-3355.

Authorized Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Lubbock County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, the Dallas Children's Advocacy Center, and the Fox Valley Technical College on December 10, 2008, by Resolution No. 08-3357.

PRIOR ACTION/REVIEW (Council, Boards, Commissions) (continued)

Authorized an application for and acceptance of the 2009 Internet Crimes Against Children Continuation Grant No. 2008-MC-CX-K026 on November 9, 2009, by Resolution No. 09-2784.

Authorized Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, the Dallas Children's Advocacy Center, and the Fox Valley Technical College on November 9, 2009, by Resolution No. 09-2784.

Authorized an application for and acceptance of the 2010 Internet Crimes Against Children Continuation Grant No. 2010-MC-CX-K037 on October 13, 2010, by Resolution No. 10-2590.

Authorized Internet Crimes Cooperative Working Agreements with Authorized Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, and Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, and the Dallas Children's Advocacy Center, and the Fox Valley Technical College by Resolution No. 10-2591.

Authorized an application for and acceptance of the Internet Crimes Against Children Continuation Grant supplement, 2010-MC-CX-K037 October 26, 2011, by Resolution No. 11-2841.

Authorized Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, and the Dallas Children's Advocacy Center on October 26, 2011, by Resolution No. 11-2835.

Authorize Council Resolution #11-2838 Addendum to add Wichita Falls Sheriff's Office into the Internet Crimes Cooperative Working Agreements. Taylor County Sheriff's Department will decrease by \$11,000, and be added to Wichita Falls Sheriff Office, Encumbrance Number PX2728CR11L41, commodity 95217, Vendor Number VC0000008139.

Authorized an application for and acceptance of the Internet Crimes Against Children Continuation Grant supplement, 2010-MC-CX-K037 September 28, 2012, by Resolution No. 12-2756.

PRIOR ACTION/REVIEW (Council, Boards, Commissions) (continued)

Authorized Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Dallas County District Attorney's Office, Potter County District Attorney's Office, and Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita Falls Sheriff's Office and the Dallas Children's Advocacy Center on September 28, 2012, by Resolution No. 12-2757.

Authorized an application for and acceptance of the Internet Crimes Against Children Continuation Grant supplement, 2013-MC-FX-K036 October 23, 2013, by Resolution No. 13-1842.

The Public Safety Committee was briefed on February 10, 2014.

FISCAL INFORMATION

\$156,151 - U. S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

February 12, 2014

WHEREAS, the City of Dallas applies for grant funds available from the U.S. Department of Justice to aid missing and exploited children; and

WHEREAS, the services of the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office and the Dallas Children's Advocacy Center are approved by the execution of Cooperative Working Agreements; and

WHEREAS, the 2013 Internet Crimes Against Children Continuation Grant (07/01/13 to 06/30/2014) No. 2013-MC-FX-K036 was awarded to the City of Dallas on September 16, 2013; and

WHEREAS, the 2013 Internet Crimes Against Children Continuation Grant supplement No. 2013-MC-FX-K036 was accepted and appropriations and expenditures were authorized by the Dallas City Council on November 6, 2013; and

WHEREAS, execution of the Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office and the Dallas Children's Advocacy Center must be authorized by the Dallas City Council.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into the respective Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office and the Dallas Children's Advocacy Center for the investigation, prosecution, education, and counseling activities related to the Dallas Internet Crimes Against Children Task Force response to the Internet related sexual exploitation of children.

February 12, 2014

Section 2. That the City Controller is hereby authorized to pay: An amount not to exceed \$11,500, from F407, Department DPD, Unit 1505, Object 3099, Encumbrance Number PX1505CR14C45, Commodity 95217, Vendor Number 014003 (Dallas County District Attorney's Office); and

An amount not to exceed \$8,500, from F407, Department DPD, Unit 1505, Object 3099, Encumbrance Number PX1505CR14C46, Commodity 95217, Vendor Number 331260 (Tarrant County District Attorney's Office); and

An amount not to exceed \$6,651, from F407, Department DPD, Unit 1505, Object 3099, Encumbrance Number PX1505CR14C47, Commodity 95217, Vendor Number VC0000001926 (Potter County District Attorney's Office); and

An amount not to exceed \$15,000, F407, Department DPD, Unit 1505, Object 3099, Encumbrance Number PX1505CR14C48, Commodity 95217, Vendor Number VS0000014264 (Collin County Sheriff's Department); and

An amount not to exceed \$10,000, from F407, Department DPD, Unit 1505, Object 3099, Encumbrance Number PX1505CR14C49, Commodity 95217, Vendor Number VS0000014301 (Taylor County Sheriff's Department); and

An amount not to exceed \$7,500, from F407, Department DPD, Unit 1505, Object 3099, Encumbrance Number PX1505CR14C50, Commodity 95217, Vendor Number VC000008139 (Wichita County Sheriff's Department); and

An amount not to exceed \$20,000, from F407, Department DPD, Unit 1505, Object 3099, Encumbrance Number PX1505CR14C51, Commodity 95217, Vendor Number VC0000009161 (Lubbock Police Department); and

An amount not to exceed \$10,000, from F407, Department DPD, Unit 1505, Object 3099, Encumbrance Number PX1505CR14C52, Commodity 95217, Vendor Number 520488 (Arlington Police Department); and

An amount not to exceed \$10,000, from F407, Department DPD, Unit 1505, Object 3099, Encumbrance Number PX1505CR14C53, Commodity 95217, Vendor Number 268175 (Garland Police Department); and

An amount not to exceed \$20,000, from F407, Department DPD, Unit 1505, Object 3099, Encumbrance Number PX1505CR14C54, Commodity 95217, Vendor Number 516362 (Longview Police Department); and

February 12, 2014

An amount not to exceed \$37,000, from F407, Department DPD, Unit 1505, Object 3099, Encumbrance Number PX1505CR14C55, Commodity 95217, Vendor Number 263854 (Dallas Children's Advocacy Center).

Section 3. 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.

KEY FOCUS AREA: Public Safety

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Convention and Event Services

CMO: Jill A. Jordan, P.E., 670-5299
Forest E. Turner, 670-3390

MAPSCO: 45P

SUBJECT

Authorize an increase in the construction contract with System Electric Company, increasing the contractor's scope of work to include revisions to the fire alarm system and emergency lighting upgrade at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$219,982, from \$4,217,725 to \$4,437,707 - Financing: 2009 Convention Center Revenue Bonds

BACKGROUND

This action will authorize Change Order No. 5 to the contract with System Electric Company to furnish materials and labor for the fire alarm system and emergency lighting upgrade at the Kay Bailey Hutchison Convention Center Dallas to comply with current code requirements and Dallas Fire Rescue's Plan Review. The fire alarm system and emergency lighting upgrade project is included in the Dallas Convention Center Facility Improvement Program.

This scope of work includes adding pull stations, adding speakers for voice alarm compliance and changing out existing strobe alarm devices that do not synchronize with adjacent areas. Also included in the contract is all required wiring, conduit and the disposal of self-illuminating signs.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2011
Completed Design	January 2012
Began Construction	July 2012
Complete Construction	May 2014

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with HKS, Inc. for architectural and engineering design services to include the finishout of the Upper Level D Meeting Rooms and assessment for operational improvements and renovation of existing spaces for the Dallas Convention Center on January 26, 2010, by Resolution No. 10-0328.

Authorized Supplemental Agreement No. 1 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 for the Dallas Convention Center Improvement Program on August 25, 2010, by Resolution No. 10-2142.

Authorized Supplemental Agreement No. 2 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design for the Dallas Convention Center Improvement Program on June 22, 2011, by Resolution No. 11-1709.

Authorized a contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center on June 13, 2012, by Resolution No. 12-1535.

Authorized Change Order No. 2 to increase the contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center to include additional fire alarm requirements for the Arena, Administration Area, the Parking Garage, Vertiport, A, D, and F Halls and rooftop mechanical areas on April 24, 2013, by Resolution No. 13-0711.

FISCAL INFORMATION

2009 Convention Center Revenue Bonds - \$219,982

Design	\$ 731,670.00
Construction	\$3,893,704.00
Change Order No. 1	\$ 9,747.00
Change Order No. 2	\$ 244,809.11
Change Order No. 3	\$ 21,602.00
Change Order No. 4	\$ 47,863.11
Change Order No. 5 (this action)	<u>\$ 219,982.00</u>

Total Project Cost	\$5,169,377.22
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M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

System Electric Company

Hispanic Female	6	Hispanic Male	83
African-American Female	0	African-American Male	3
White Female	11	White Male	110
Other Female	0	Other Male	2

OWNER

System Electric Company

James Gomes, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with System Electric Company, increasing the contractor's scope of work to include revisions to the fire alarm system and emergency lighting upgrade at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$219,982, from \$4,217,725 to \$4,437,707 - Financing: 2009 Convention Center Revenue Bonds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$132,319.00	60.15%
Non-local contracts	\$87,663.00	39.85%
TOTAL THIS ACTION	\$219,982.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

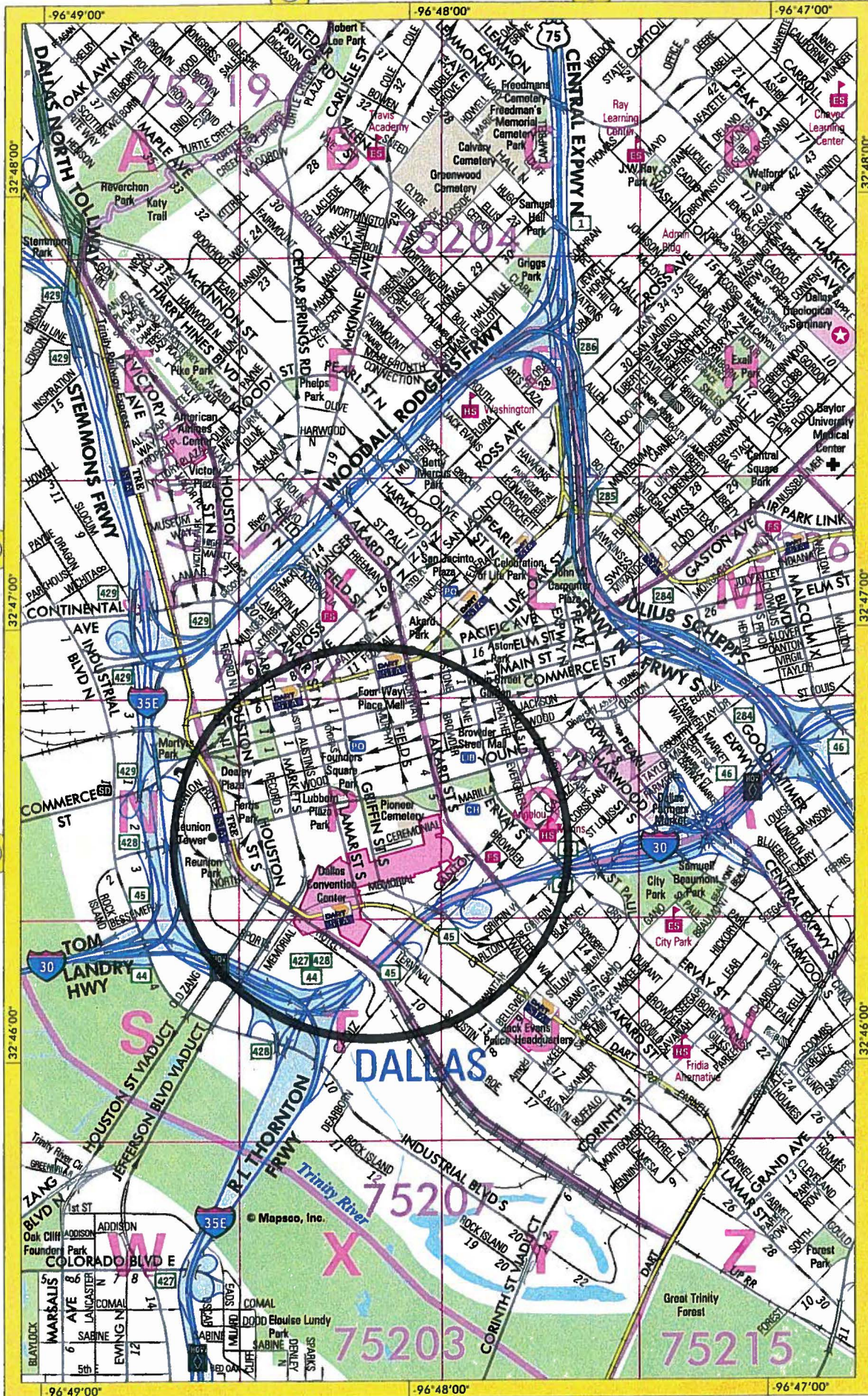
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Triton Supply	WFDB58714Y0914	\$6,600.00	4.99%
Total Minority - Local		\$6,600.00	4.99%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
System Electric Company	HMMB59823Y0115	\$87,663.00	100.00%
Total Minority - Non-local		\$87,663.00	100.00%

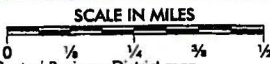
TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$87,663.00	39.85%	\$2,176,112.22	49.04%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$6,600.00	3.00%	\$184,094.00	4.15%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$94,263.00	42.85%	\$2,360,206.22	53.19%



CONTINUED ON MAP 44

CONTINUED ON MAP 46



For Central Business District map coverage see pages 10 and 11



February 12, 2014

WHEREAS, on January 27, 2010, Resolution No. 10-0328 authorized a professional services contract with HKS, Inc. for architectural and engineering design for the Dallas Convention Center Improvement Program in the amount of \$2,616,466.00; and,

WHEREAS, on August 25, 2010, Resolution No. 10-2142 authorized Supplemental Agreement No. 1 to the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 for the Dallas Convention Center Improvement Program in an amount not to exceed \$54,625.00, increasing the contract from \$2,616,466.00 to \$2,671,091.00; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1709 authorized Supplemental Agreement No. 2 to the professional services contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design for the Dallas Convention Center Improvement Program in an amount not to exceed \$1,437,740.00, increasing the contract from \$2,671,091.00 to \$4,108,831.00; and,

WHEREAS, on June 13, 2012, Resolution No. 12-1535 authorized a construction contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center in an amount not to exceed \$3,893,704.00; and,

WHEREAS, on March 1, 2013, Administrative Change Order No. 13-5282 authorized Change Order No. 1 to the construction contract with System Electric Company for fixture changes and additions to emergency lighting, including changes of exit lighting in A Ballroom and the addition of required emergency light fixtures in Arena vestibule and C-100 meeting room areas at the Dallas Convention Center in an amount not to exceed \$9,747.00, increasing the contract from \$3,893,704.00 to \$3,903,451.00; and,

WHEREAS, on April 24, 2013, Resolution No. 13-0711 authorized Change Order No. 2 to the construction contract with System Electric Company, increasing the contractor's scope of work to include additional fire alarm requirements for the Arena, Administration Building, the Parking Garage, Vertiport, F Hall, A Hall, D Hall, and rooftop mechanical areas for the Fire Alarm System and emergency lighting upgrade at the Dallas Convention Center in an amount not to exceed \$244,809.11, from \$3,903,451.00 to \$4,148,260.11; and,

February 12, 2014

WHEREAS, on June 13, 2013, Administrative Change Order No. 13-5774 authorized Change Order No. 3 to the construction contract with System Electric Company, increasing the contractor's scope of work to include contractor revisions to base plans to incorporate additional rooms and spaces not shown on original referenced documents for the Fire Alarm System and emergency lighting upgrade at the Dallas Convention Center in an amount not to exceed \$21,602, from \$4,148,260.11 to \$4,169,862.11; and,

WHEREAS, on October 21, 2013, Administrative Change Order No. 13-6585 authorized Change Order No. 4 to the construction contract with System Electric Company for emergency lighting circuits to existing electrical panels in the Arena Levels 2 and 3, installing new self-illuminating exit signs in C Area, installing new six circuit inverter and adding new circuits to new exit lights at the Dallas Convention Center, in an amount not to exceed \$47,863.11, from \$4,169,862.11 to \$4,217,725.22; and,

WHEREAS, it is now necessary to authorize Change Order No. 5 to the construction contract with System Electric Company, increasing the contractor's scope of work to include a revision to the fire alarm system that is not a contract area of work to bring the entire existing building into full compliance as a result of changes made by Dallas Fire Rescue's Plan Review, for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center, in an amount not to exceed \$219,982, increasing the contract from \$4,217,725.22 to \$4,437,707.22.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to increase the construction contract with System Electric Company, increasing the contractor's scope of work to include revisions to the fire alarm system and emergency lighting upgrade at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed \$219,982, increasing the contract from \$4,217,725.22 to \$4,437,707.22, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

2009 Convention Center Revenue Bonds	
Fund 0568, Dept. CCT, Unit 4722, Act. CCIM	
Obj. 4311, Program No. PBC00038, CT PBWC00038I1	
Vendor #503959, in an amount not to exceed	\$219,982

February 12, 2014

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

AGENDA ITEM # 19

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction
Water Utilities

CMO: Theresa O'Donnell, 671-9195
Forest E. Turner, 670-3390

MAPSCO: 75U

SUBJECT

Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 101,942 square feet from G & G Development Partnership, Ltd. located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$50,544, increased from \$78,956 (\$76,456, plus closing costs and title expenses not to exceed \$2,500) to \$129,500 (\$126,456, plus closing costs and title expenses not to exceed \$3,044) – Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes a settlement for the acquisition of a tract of land containing approximately 101,942 square feet located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project. This property will be used for the construction of a 96-inch and 120-inch diameter treated water transmission line from the East Side Water Treatment Plant to Southwest Dallas. The consideration is based on an independent appraisal. This settlement will allow acquisition of the property without further condemnation proceedings.

The first resolution approved on February 23, 2011, authorized the purchase and/or condemnation in the amount of \$78,956. The settlement will avoid increased costs associated with construction delays, commissioners' costs, updated appraisal reports, court filing fees and uncertainty associated with possibility of commissioners' award being higher than the negotiated amount of \$126,456.

PRIOR ACTION / REVIEW (COUNCIL BOARDS, COMMISSIONS)

City Council authorized acquisition on February 23, 2011, by Resolution No. 11-0560.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - \$50,544

Resolution No. 11-0560	\$ 78,956
Additional Amount (this action)	\$ <u>50,544</u>

Total Authorized Amount	\$129,500
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OWNER

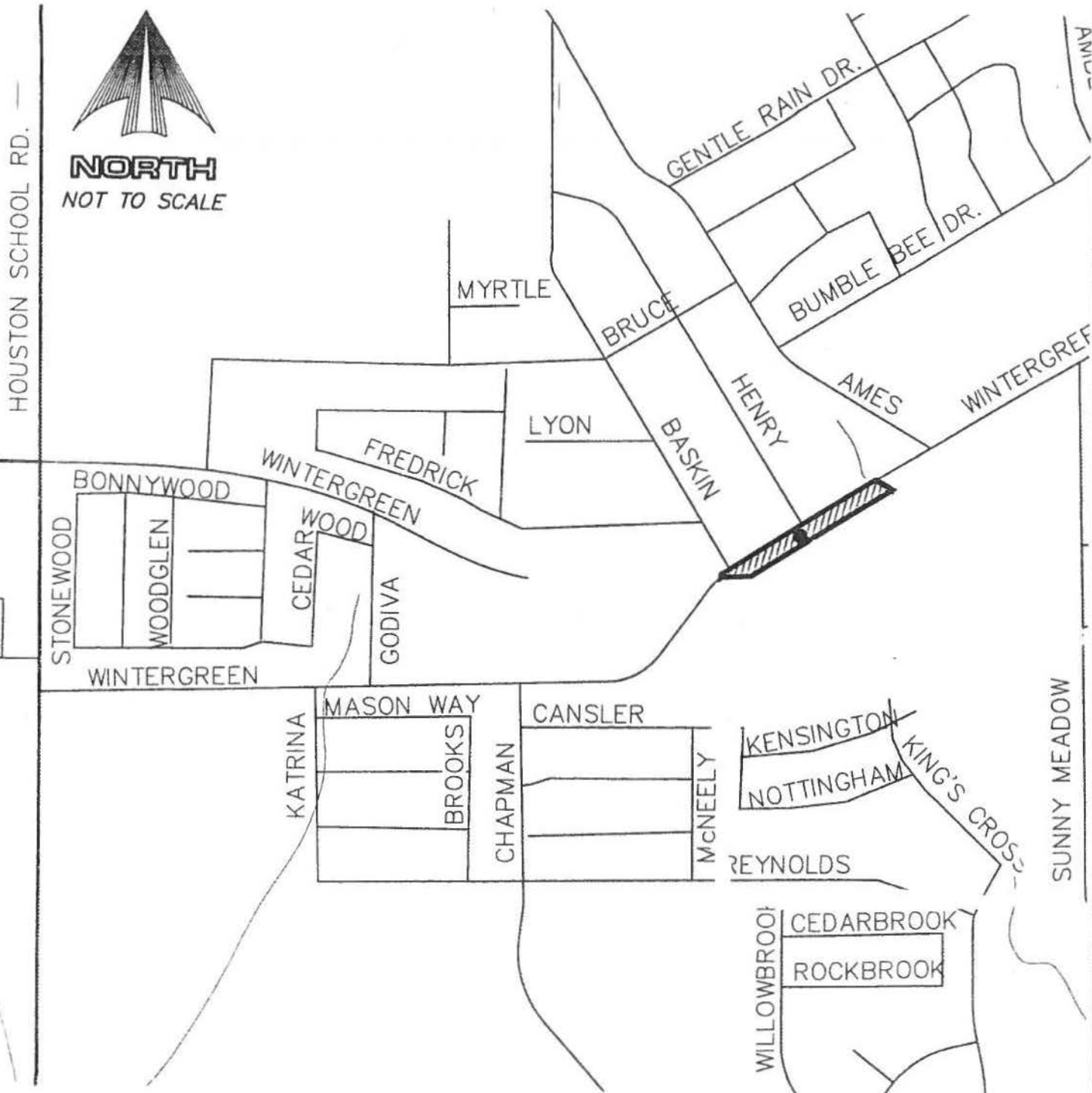
G & G Development Partnership, Ltd.

G & G Development, LLC

Gary J. Baker, Manager

MAP

Attached



SUBJECT:



February 12, 2014

A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR A NEGOTIATED PRICE HIGHER THAN THE AUTHORIZED PURCHASE AMOUNT.

WHEREAS, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase and/or eminent domain, of the PROPERTY INTEREST in the PROPERTY held by OWNER for the PROJECT (all said capitalized terms being defined below); and

WHEREAS, OWNER refused the offer authorized by the FIRST RESOLUTION, but has agreed to the SETTLEMENT AMOUNT stated herein; and

WHEREAS, the City Council desires to authorize the City Manager to acquire the PROPERTY INTEREST in the PROPERTY for the negotiated SETTLEMENT AMOUNT stated herein: **Now, Therefore,**

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

SECTION 1. That the following definitions shall apply to this resolution:

"CITY": The City of Dallas

"FIRST RESOLUTION": Resolution No. 11-0560 was approved by the Dallas City Council on February 23, 2011 authorizing the acquisition by purchase and/or eminent domain of approximately 101,942 square feet of land for a purchase amount of \$78,956 (\$76,456, plus closing costs and title expenses not to exceed \$2,500).

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

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

"OWNER": G & G Development Partnership, Ltd., provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

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

February 12, 2014

"PROPERTY": Approximately 101,942 square feet of land 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 hereto.

"FIRST RESOLUTION PURCHASE AMOUNT": \$78,956

"SETTLEMENT AMOUNT": \$126,456

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,044

"REVISED AUTHORIZED AMOUNT": \$129,500

SECTION 2. 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 the CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyance 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 the transaction.

SECTION 3. 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 4. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 5. That the City Controller is authorized to draw a check for the difference between the FIRST RESOLUTION AMOUNT and the REVISED AUTHORIZED AMOUNT payable out of Water Utilities Capital Improvement Funds, \$46,756 from Fund No. 2115, Department DWU, Unit PW40, Activity MPSA, Program No. 706035, Object 4210, Encumbrance No. CT-DWU706035CPBA and \$1,000 from Fund No. 0115, Department DWU, Unit PW40, Activity MPSA, Program No. 706035, Object 4210, Encumbrance No. CT-DWU706035CPBD and \$2,788 from Fund No. 0115, Department DWU, Unit PW40, Activity MPSA, Program No. 706035, Object 4210, Encumbrance No. CT-DWU706035CPBR and said payment shall be delivered to a title insurance company after evidence of satisfactory title has been provided to and approved by the City Attorney. The SETTLEMENT AMOUNT - \$126,456 and CLOSING COSTS AND TITLE EXPENSES - \$3,044 together shall not exceed the REVISED AUTHORIZED AMOUNT - \$129,500 which includes amounts authorized in the FIRST RESOLUTION.

February 12, 2014

SECTION 6. That the CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and the 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 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

BY


Assistant City Attorney

100' RIGHT-OF-WAY ACQUISITION FOR WATER
2.3403 ACRE PARCEL
PETER HALL SURVEY, ABSTRACT NO. 634
A.M. McBRAYER SURVEY, ABSTRACT NO. 910
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 2.3403 acre tract of land situated in the Peter Hall Survey, Abstract No. 634 and the A.M. McBrayer Survey, Abstract No. 910, being in the City of Lancaster, Dallas County, Texas and being a portion of the remainder of a called 69.125 acre tract as described in that certain Special Warranty Deed with Vendor's Lien to G & G Development Partnership as recorded in Volume 2000192, Page 1593 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a mag-nail found in asphalt in the middle of a bridge over Deep Branch Creek for the northeast corner of the aforementioned 69.125 acre tract, said corner being the intersection of the centerline of Wintergreen Road (variable width right-of-way) and the center of said Deep Branch Creek;

THENCE S 57°18'29" E (deed-S 56°48'25" E), departing said centerline of Wintergreen Road and with the easterly line of said 69.125 acre tract and said center of Deep Branch Creek, 112.04 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 59°29'56" W, departing the easterly line of said 69.125 acre tract and said center of Deep Branch Creek, 961.44 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 89°10'03" W, 162.29 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of said 69.125 acre tract and being in the right-of-way of Wintergreen Road;

THENCE N 00°02'54" W (deed-N 00°21'00" E), with the west line of said 69.125 acre tract and the right-of-way of Wintergreen Road, 22.82 feet to a 1/2" iron rod found in asphalt for the northwest corner of said 69.125 acre tract and being in the centerline of said Wintergreen Road;

REVIEWED BY
Jkt 5-24-09

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00

Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

Dallas Water Utilities
Southwest Water Transmission Pipeline

AECOM

AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082


JULY 6, 2009

7059-EX63.dwg

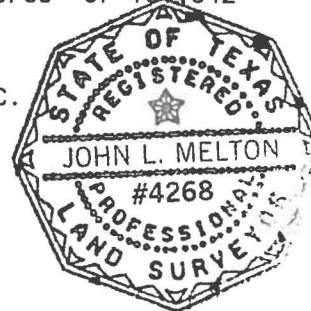
100' RIGHT-OF-WAY ACQUISITION FOR WATER
2.3403 ACRE PARCEL
PETER HALL SURVEY, ABSTRACT NO. 634
A.M. McBRAYER SURVEY, ABSTRACT NO. 910
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

THENCE N 59°29'56" E (deed-N 60°00'00" E), with the northerly line of said 69.125 acre tract and said centerline of Wintergreen Road, 1040.36 feet (deed-1040.09 feet) to the POINT OF BEGINNING and containing 2.3403 acres or 101,942 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.



John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTE:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

REVIEWED BY
NDC 8-24-09

Dallas Water Utilities
Southwest Water Transmission Pipeline

NDM
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7059-EX63.dwg

CITY OF LANCASTER, DALLAS COUNTY, TEXAS

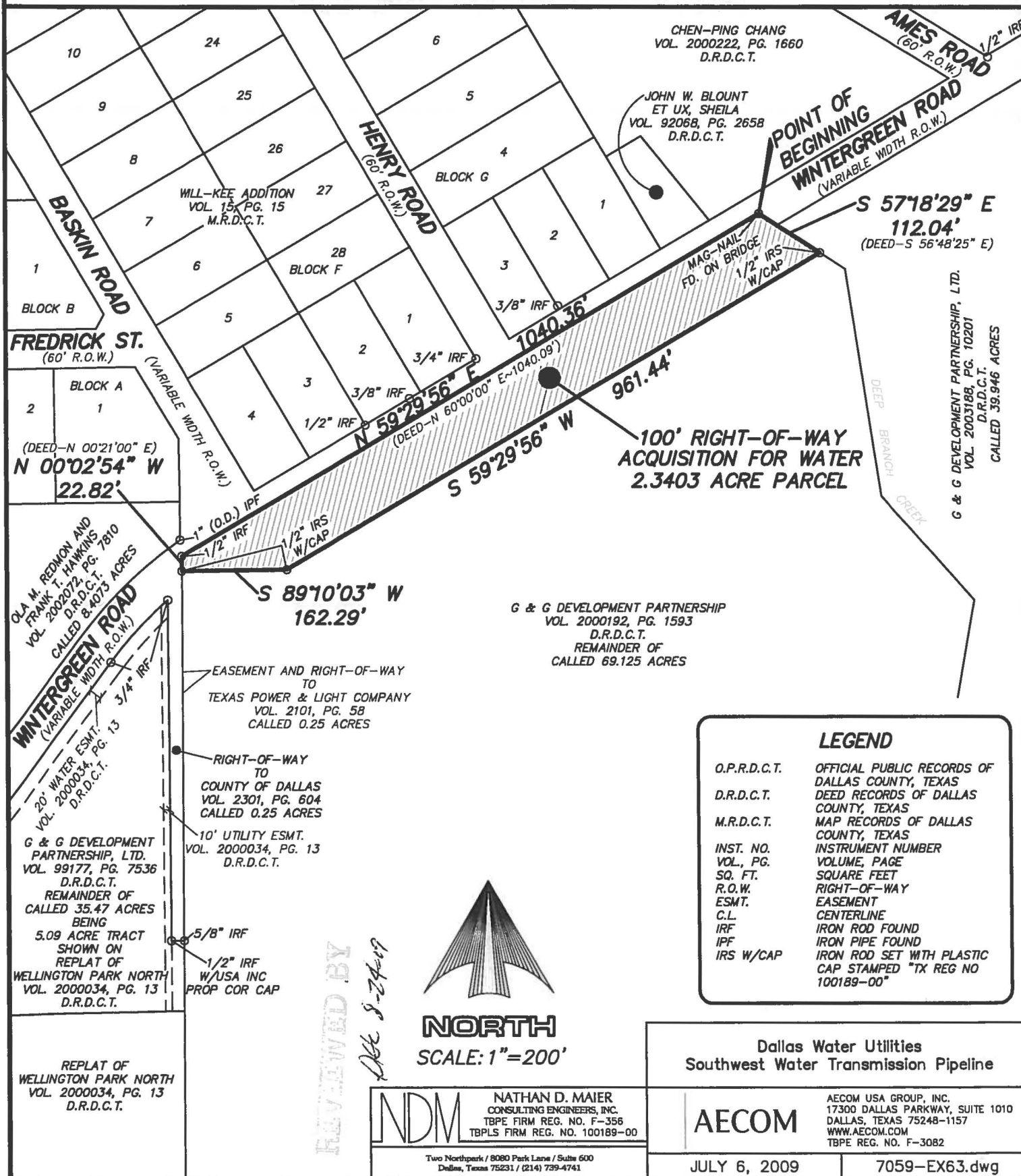


EXHIBIT B

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 G & G Development Partnership, Ltd., a Texas limited partnership (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of ONE HUNDRED TWENTY-SIX THOUSAND FOUR HUNDRED FIFTY-SIX AND 00/100 DOLLARS (\$126,456.00) 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 subjected to the reservation 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 _____, _____.

G & G Development Partnership, Ltd.,
a Texas limited partnership

By: G & G Development, LLC,
a Texas limited liability company, its general partner

By: _____
Gary J. Baker, Manager



EXHIBIT B

* * * * *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
by Gary J. Baker, Manager of G & G Development, LLC, a Texas limited liability
company, general partner of G & G Development Partnership, Ltd., a Texas limited
partnership, on behalf of said limited partnership.

Notary Public, State of TEXAS

* * * * *

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

Warranty Deed Log No. 35021 / Parcel W-63

100' RIGHT-OF-WAY ACQUISITION FOR WATER
2.3403 ACRE PARCEL
PETER HALL SURVEY, ABSTRACT NO. 634
A.M. McBRAYER SURVEY, ABSTRACT NO. 910
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

DESCRIPTION

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BEGINNING at a mag-nail found in asphalt in the middle of a bridge over Deep Branch Creek for the northeast corner of the aforementioned 69.125 acre tract, said corner being the intersection of the centerline of Wintergreen Road (variable width right-of-way) and the center of said Deep Branch Creek;

THENCE S 57°18'29" E (deed-S 56°48'25" E), departing said centerline of Wintergreen Road and with the easterly line of said 69.125 acre tract and said center of Deep Branch Creek, 112.04 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 59°29'56" W, departing the easterly line of said 69.125 acre tract and said center of Deep Branch Creek, 961.44 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 89°10'03" W, 162.29 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of said 69.125 acre tract and being in the right-of-way of Wintergreen Road;

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REVIEWED BY
10-12-8
NAT

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JULY 6, 2009

7059-EX63.dwg

100' RIGHT-OF-WAY ACQUISITION FOR WATER

2.3403 ACRE PARCEL

PETER HALL SURVEY, ABSTRACT NO. 634

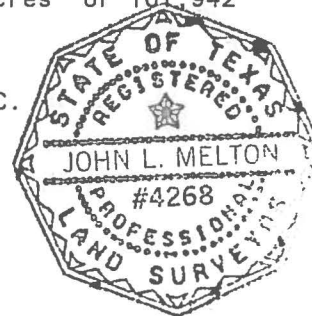
A.M. McBRAYER SURVEY, ABSTRACT NO. 910

CITY OF LANCASTER, DALLAS COUNTY, TEXAS

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FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.


John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTE:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

REVIEWED BY
Mc 8-24-09

Dallas Water Utilities
Southwest Water Transmission Pipeline

NDM

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JULY 6, 2009

7059-EX63.dwg

2.3403 ACRE PARCEL

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.

PAGE 1 OF 4
PARCEL W-63
ACCESS EASEMENT
1,714 SQ. FT. PARCEL

PETER HALL SURVEY, ABSTRACT NO. 634
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

Attachment One

DESCRIPTION

BEING a 1,714 square foot tract of land situated in the Peter Hall Survey, Abstract No. 634, being in the City of Lancaster, Dallas County, Texas and being a portion of the remainder of a called 69.125 acre tract as described in that certain Special Warranty Deed with Vendor's Lien to G & G Development Partnership as recorded in Volume 2000192, Page 1593 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the northwest line of the aforementioned 69.125 acre tract, said northwest line being the centerline of Wintergreen Road (variable width right-of-way), from whence a 1/2" iron rod found in asphalt for the northwest corner of said 69.125 acre tract bears S 59°29'56" W (deed-N 60°00'00"E), 54.42 feet;

THENCE N 59°29'56" E (deed-N 60°00'00"E), with the northwest line of said 69.125 acre tract and said centerline of Wintergreen Road, 29.21 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence a mag-nail found in asphalt in the middle of a bridge over Deep Branch Creek for the northeast corner of said 69.125 acre tract bears N 59°29'56" E (deed-N 60°00'00"E), 956.73 feet

THENCE S 30°30'04" E, departing the northwest line of said 69.125 acre tract and said centerline of Wintergreen Road, 12.21 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 06°04'04" W, 24.29 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 00°49'57" E, 16.85 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 89°10'03" E, 41.16 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 56°11'33" E, 22.22 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 89°09'54" W, 70.54 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

NDM NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-358
TBPLS FIRM REG. NO. 100189-00

Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

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

AECOM

AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

MAY 12, 2010

7059-AE63.dwg

6/10/10
JHE
100189-00

PAGE 2 OF 4
PARCEL W-63
ACCESS EASEMENT
1,714 SQ. FT. PARCEL

PETER HALL SURVEY, ABSTRACT NO. 634
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

Attachment One

THENCE N 05°26'09" W, 27.66 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 40°28'45" W, 12.83 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 30°30'04" W, 14.16 feet to the POINT OF BEGINNING and containing 0.0393 acres or 1,714 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.


John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTE:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

REVIEWED BY: [Signature] 4/10/11

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-358
TBPLS FIRM REG. NO. 100189-00

Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

Dallas Water Utilities
Southwest 120/96-inch Water
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17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
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TBPE REG. NO. F-3082

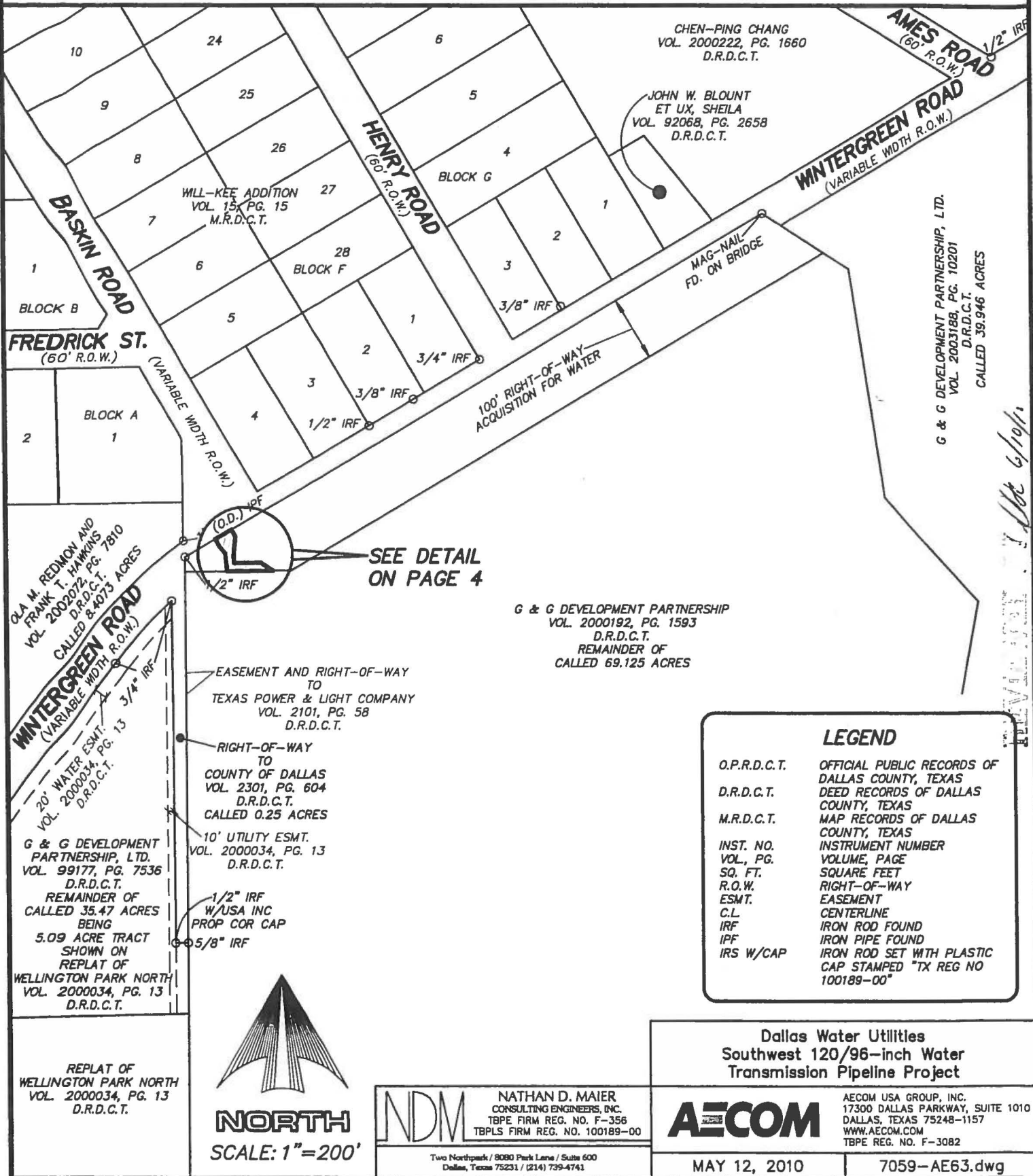
MAY 12, 2010

7059-AE63.dwg

PAGE 3 OF 4
PARCEL W-63
ACCESS EASEMENT

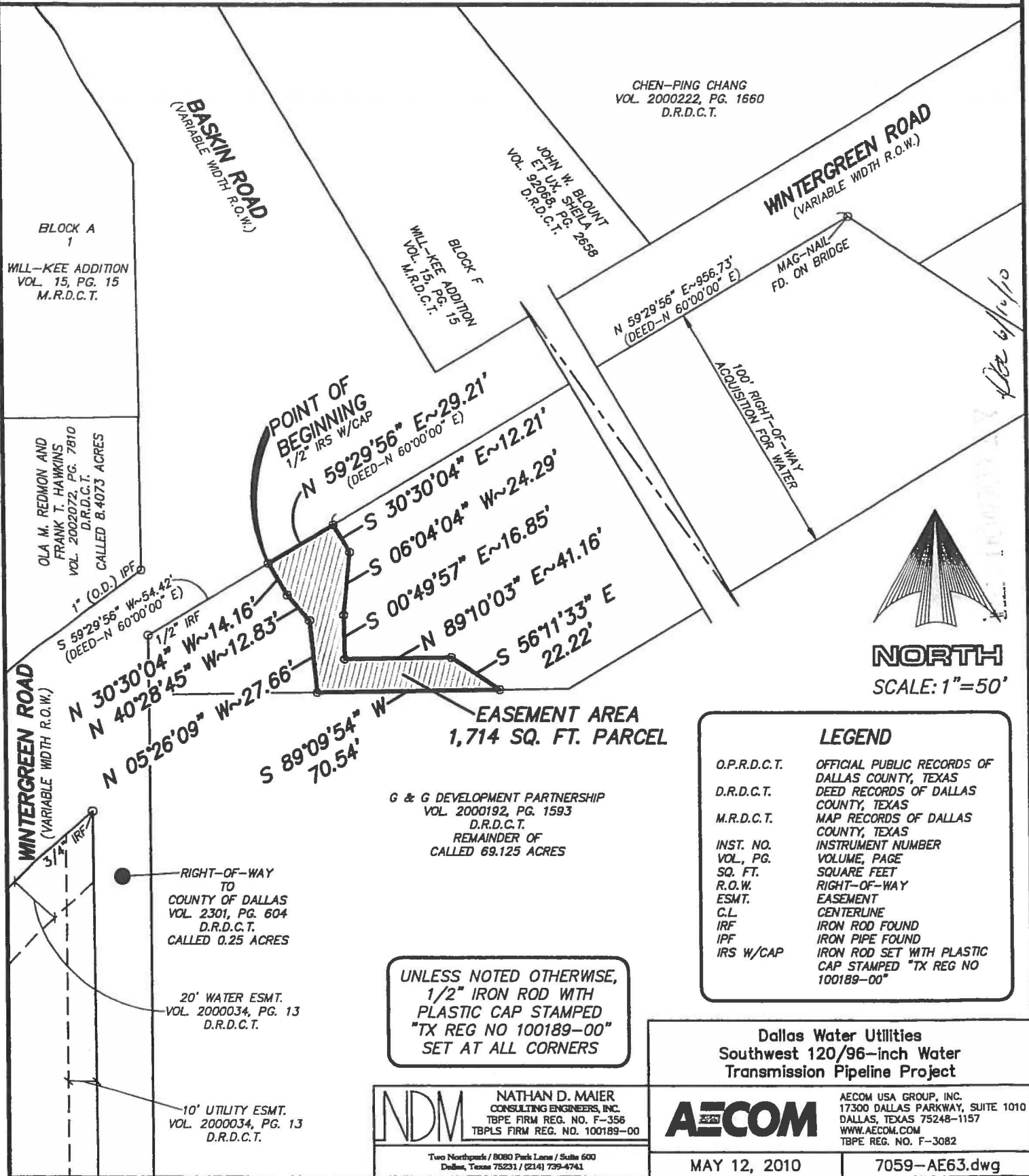
1,714 SQ. FT. PARCEL
 PETER HALL SURVEY, ABSTRACT NO. 634
 CITY OF LANCASTER, DALLAS COUNTY, TEXAS

Attachment One



PAGE 4 OF 4
PARCEL W-63
ACCESS EASEMENT
 1,714 SQ. FT. PARCEL
 PETER HALL SURVEY, ABSTRACT NO. 634
 CITY OF LANCASTER, DALLAS COUNTY, TEXAS

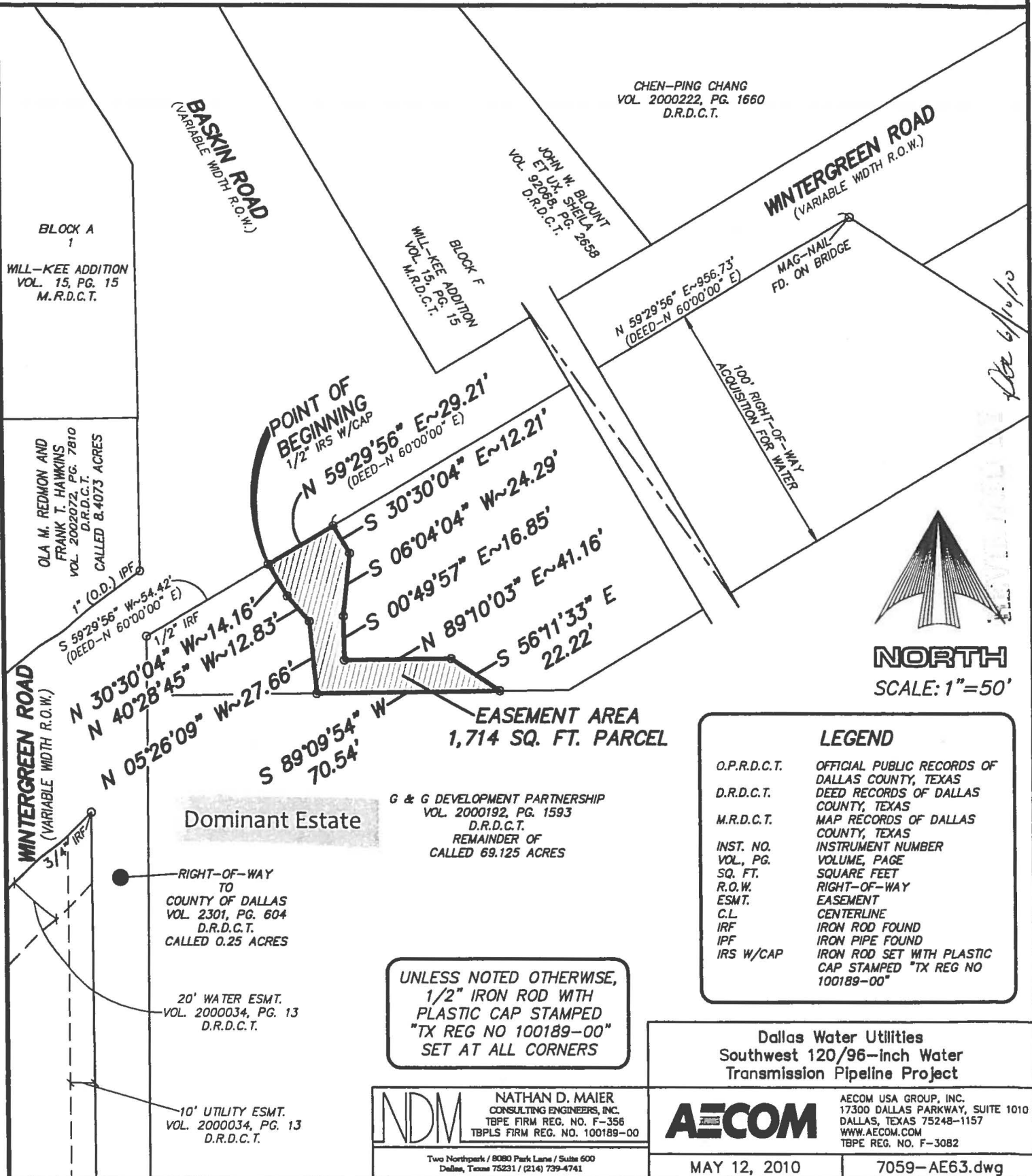
Attachment One



PARCEL W-63

Attachment Two

1,714 SQ. FT. PARCEL
PETER HALL SURVEY, ABSTRACT NO. 634
CITY OF LANCASTER, DALLAS COUNTY, TEXAS



AGENDA ITEM # 20

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction
Water Utilities

CMO: Theresa O'Donnell, 671-9195
Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

A resolution authorizing the conveyance of a pipeline easement, containing approximately 6,543 square feet of land, to ONEOK Sterling III Pipeline, LLC for the construction and maintenance of a pipeline across City-owned land located in Kaufman County - Revenue: \$5,000

BACKGROUND

This item authorizes the conveyance of a pipeline easement across the City-owned land in Kaufman County to ONEOK Sterling III Pipeline, LLC for the purpose of transporting oil, oil products, crude petroleum, natural gas, gas liquids or other liquefied mineral solutions. The construction, operation, repair and full maintenance of the pipeline will be at no cost to the City. The consideration for the conveyance of the easement is based on an offer substantiated by an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: \$5,000

OWNER

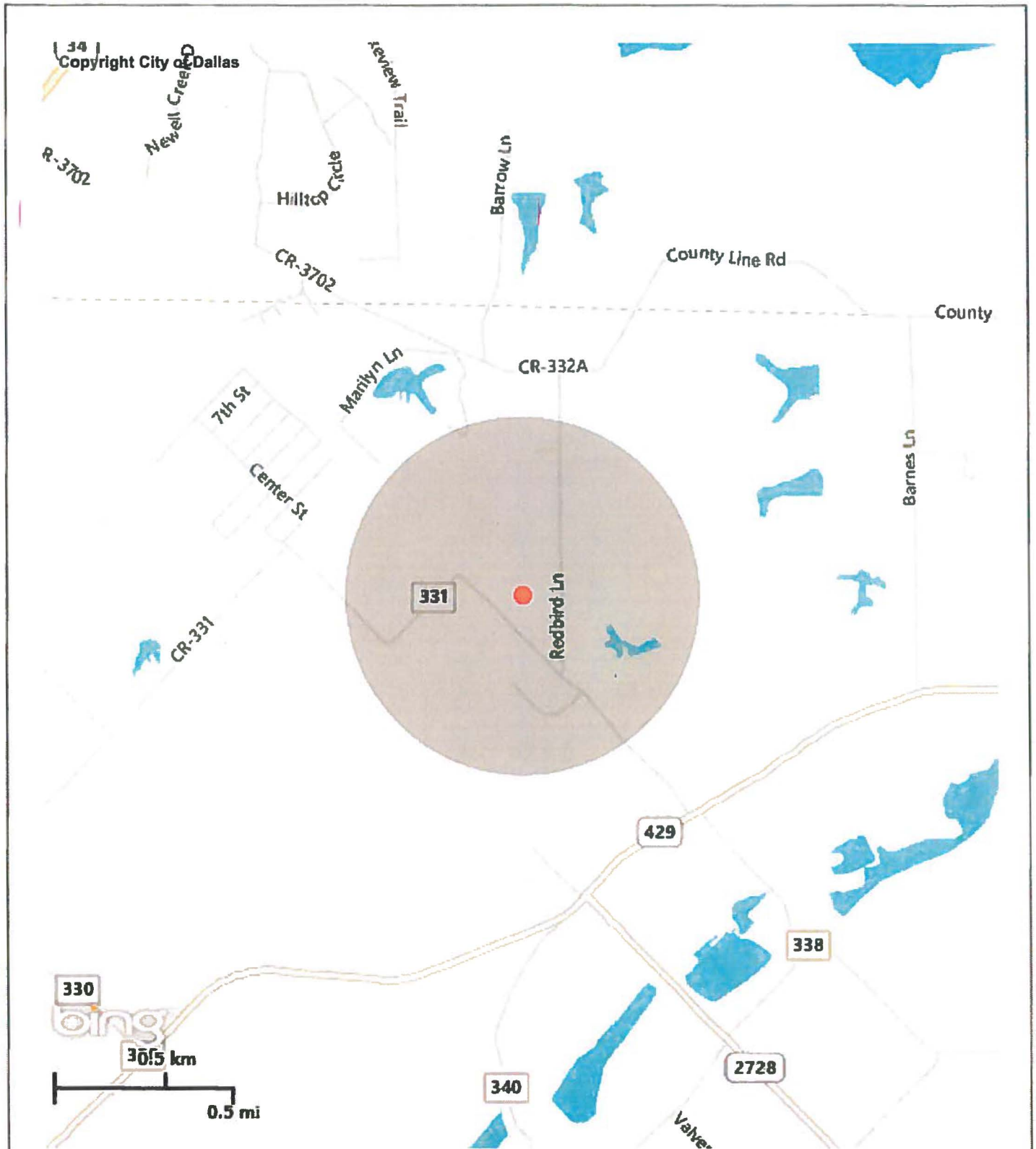
ONEOK Sterling III Pipeline, LLC

Wesley J. Christensen, Senior Vice President-Operations

MAP

Attached

VICINITY MAP



Abstract No. 6, Kaufman County – Easement Map

DISCLAIMER

This data has been compiled for City of Dallas. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.



February 12, 2014

WHEREAS, the City of Dallas owns a tract of land which are used for raw water pipeline facilities; and

WHEREAS, ONEOK Sterling III Pipeline, LLC, a Oklahoma limited liability company has requested a pipeline easement on and across said land for the construction, maintenance and use of raw water pipeline facilities containing a total of approximately 6,543 square feet of land, located in Abstract No. 6, Kaufman County, Texas; **Now, Therefore,**

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


SECTION 1. That upon receipt of **FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00)** from ONEOK Sterling III Pipeline, LLC, the City Manager is authorized to execute a pipeline easement to be attested by the City Secretary upon approval as to form by the City Attorney for a total of approximately 6,543 square feet of land located in Abstract No. 6, Kaufman County, Texas, to ONEOK Sterling III Pipeline, LLC as **GRANTEE**, more fully described in Exhibit "A", attached hereto and incorporated herein for all purposes.

SECTION 2. That the City Controller is authorized to deposit proceeds into the General Fund 0001, Dept DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction, Real Estate Division shall be reimbursed for administrative costs incurred (Fund 0001, Dept DEV Unit 1183, Object 5011). Any remaining proceeds shall be transferred to the Water and Sewer Revenue Fund 0100, Department DWU, Unit 7005, Revenue Source 8428.

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

APPROVED AS TO FORM:
WARREN M. S. ERNST
CITY ATTORNEY

By:



Assistant City Attorney

EXHIBIT A

ATTACHMENT A

Field Notes Describing a 6,543.6 Square Feet (0.15 of an acre) Fifty (50) Foot Wide Permanent Pipeline Easement Across the City of Dallas 137,214 Square Feet (3.15 Acre) Tract of Land Described in Volume 440, Page 375 and Volume 440, Page 377 in the Deed Records of Kaufman County, Texas

Being a 6,543.6 Square Feet (0.15 of an acre) tract of land description of a Fifty (50) Foot Wide Permanent Easement out of the Ezekial Ables Survey, Abstract No. 6, Kaufman County, Texas, being on, over, through and across a certain 137,214 Square Feet (3.15 Acre) tract of land, described by Deeds to City of Dallas, Texas, recorded under Volume 440, PG. 375 and Volume 440, Page 377 in the Deed Records of Kaufman County, Texas, and being more particularly described as follows:

COMMENCING at a Found 5 inch Concrete Monument with Brass Disk stamped "City of Dallas" referencing the Southeast corner of the said 137,214 Square Feet (3.15 Acre) tract of land and being on the northeasterly right of way line of County Road 331;

THENCE S 81° 19' 40" W, a distance of 656.96 feet crossing County Road 331 and continuing along the common boundary line between the said 137,214 Square Feet (3.15 Acre) tract of land and a certain Remainder of 2,526,480 Square Feet (58 Acre) tract of land, described by Deed to Ben E. Jarvis and Bruce Wilder, recorded under Document Number 3033, Volume 847, Page 127 in the Deed Records of Kaufman County, Texas to a Set 1/2 inch Iron Rod, said rod being the **POINT OF BEGINNING**;

THENCE N 14° 50' 46" W, a distance of 130.77 feet to a Set 1/2 inch Iron Rod, being on the southerly line of a certain 38,855.5 Square Feet (0.892 Acre) tract of land, described by Deed to Michael G. Leal and Wife, Maria D. Leal, recorded under Volume 02019, Page 00462 in the Deed Records of Kaufman County, Texas;

THENCE N 81° 19' 40" E, along the common boundary line between the said 137,214 Square Feet (3.15 Acre) tract and the said 38,855.5 Square Feet (0.892 Acre) tract, a distance of 50.29 feet to a Set 1/2 inch Iron Rod;

THENCE S 14° 50' 46" E, departing the northwesterly line and over and across the said The City of Dallas tract a distance of 130.77 feet to a 1/2 inch Iron Rod Set in the southeasterly line of said The City of Dallas tract;

THENCE S 81° 19' 40" W, along said The City of Dallas tract a distance of 50.29 feet to the **POINT OF BEGINNING** of the herein described Fifty (50) Foot Wide Permanent Easement on the southerly line of the said 137,214 Square Feet (3.15 Acre) tract. The centerline of the future pipeline has a length of 130.77 feet or 7.93 rods and the permanent easement contains 6,543.6 Square Feet (0.15 of an acre) of land more or less.

BASIS OF BEARINGS: All bearings are based on the UTM Zone 14, North American Datum 1983.



11/22/2013

NOTES:

1. BEARINGS BASED ON UTM ZONE 14, NAD 83, DERIVED FROM GPS OBSERVATIONS.
2. UNITS ARE U.S. SURVEY FEET.


JAMES R. STEPHENS
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6293

FIELD NOTES APPROVED:




ONEOK STERLING III PIPELINE A MAJORITY OF CHECK PARTNERS			
TXKA0015.00 CITY OF DALLAS, TEXAS			
E. ABLES SURVEY, ABSTRACT NO. 6			
SCALE: N.T.S.	DRAWN BY: JBS	02/06/12	REV. 7
 L.W. Survey Co. 8400 N. Sam Houston Pkwy W., Suite 100 Houston, TX 77064		STERLING III PIPELINE KAUFMAN COUNTY TEXAS	
			SHEET 1 OF 4

EXHIBIT A

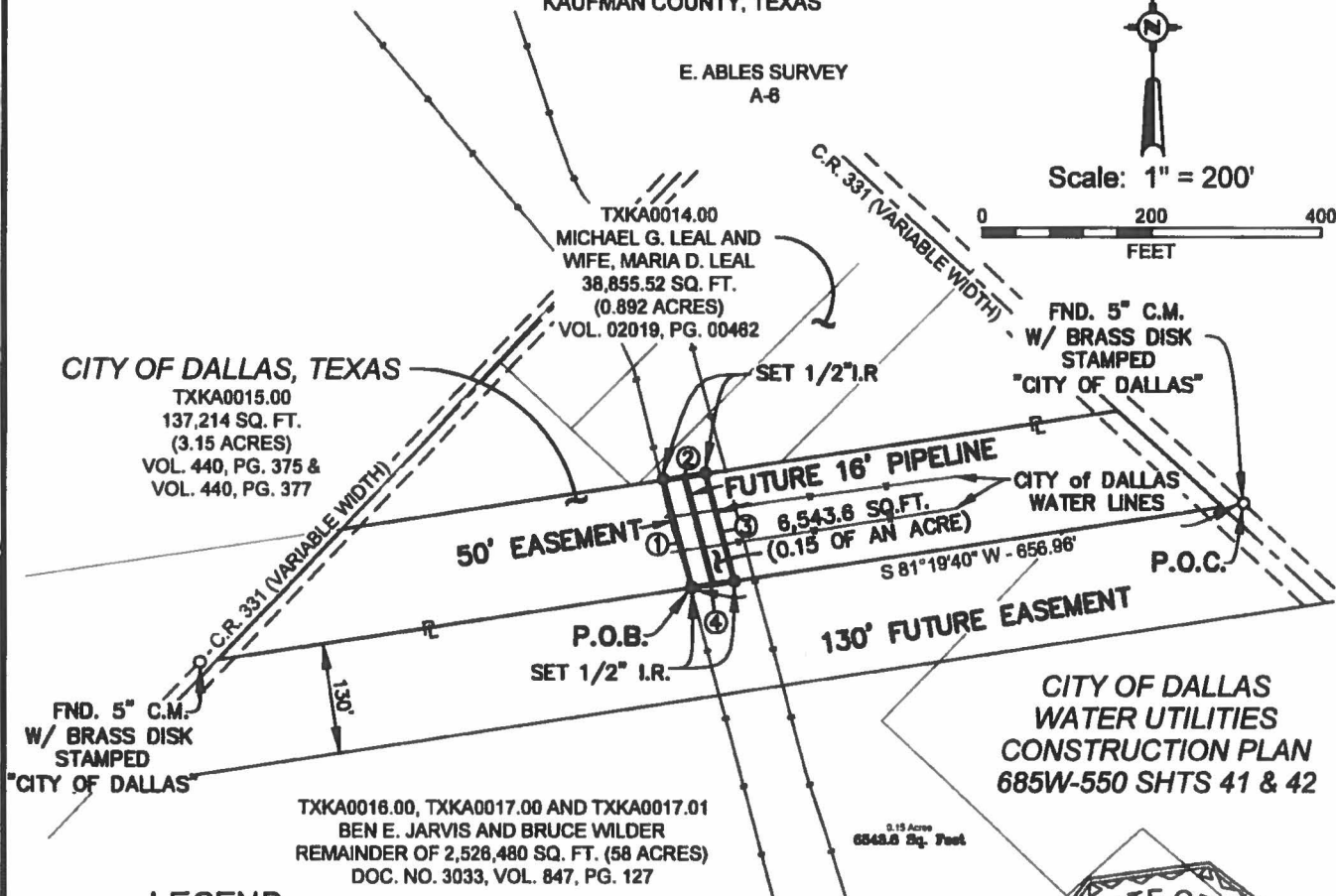
ATTACHMENT A

EZEKIAL ABLES SURVEY, A-6
KAUFMAN COUNTY, TEXAS

E. ABLES SURVEY
A-6

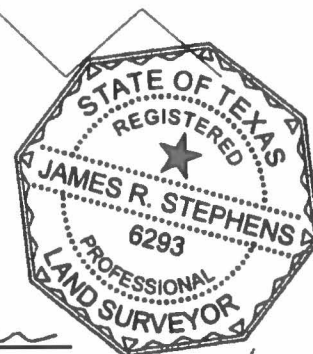


Scale: 1" = 200'



LEGEND

- SET 1/2" IRON ROD
- FOUND 5" CONCRETE MON. W/BRASS DISK STAMPED "CITY OF DALLAS"
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P— PROPERTY LINE
- C— CENTER LINE
- W— WATER LINE
- C.M. CONTROLLING MONUMENT



James R. Stephens
JAMES R. STEPHENS
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6293

11/22/2013

TOTAL LENGTH: 131.35 FEET = 7.96 RODS
PERMANENT EASEMENT (8,567.5 SQ. FT.)(0.15 AC.)

LINE	BEARING	DISTANCE
1	N 14°50'46" W	130.77'
2	N 81°19'40" E	50.29'
3	S 14°50'46" E	130.77'
4	S 81°19'40" W	50.29'

NOTES:
1. BEARINGS BASED ON UTM ZONE 14, NAD 83,
DERIVED FROM GPS OBSERVATIONS.
2. UNITS ARE U.S. SURVEY FEET.

ONEOK
STERLING III PIPELINE
A SUBSIDIARY OF ONEOK PARTNERS

TXKA0015.00
CITY OF DALLAS, TEXAS

E. ABLES SURVEY, ABSTRACT NO. 6

SCALE: 1" = 200'

DRAWN BY: JBS 02/08/13

REV. 7



L.W. Survey Co.
8400 N. Sam Houston Pkwy W.,
Suite 100
Houston, TX 77064

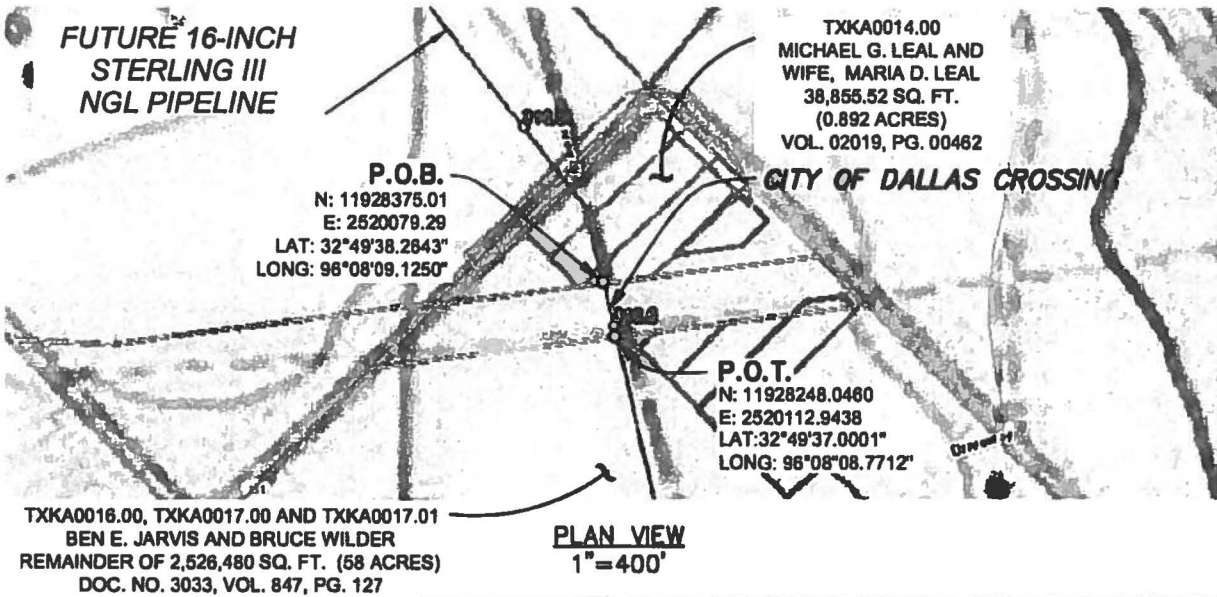
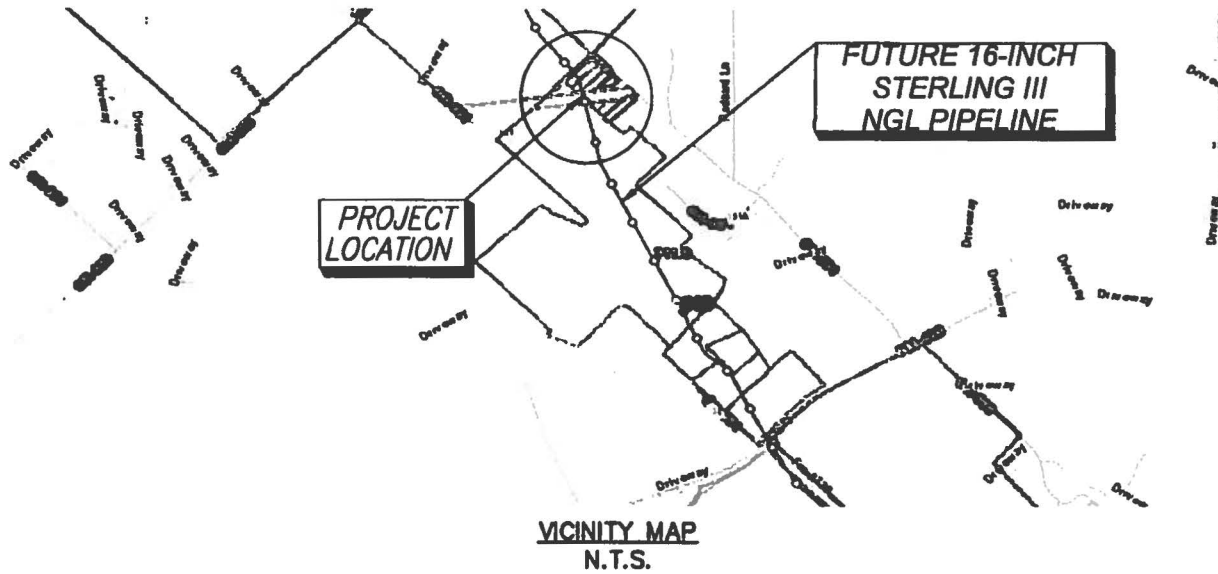
STERLING III PIPELINE
KAUFMAN COUNTY, TEXAS

SHEET
2 of 4

EXHIBIT A

ATTACHMENT A

EZEKIAL ABLES SURVEY, A-6
KAUFMAN COUNTY, TEXAS



ONOK
STERLING III PIPELINE
A SUBSIDIARY OF ONEOK PARTNERS, L.P.

TXKA0015.00
CITY OF DALLAS, TEXAS

E. ABLES SURVEY, ABSTRACT NO. 6

SCALE: AS NOTED

DRAWN BY: JBS 02/06/13

REV. 7



L.W. Survey Co.
6400 N. East Houston Pkwy W.,
Suite 100
Houston, TX 77064

STERLING III PIPELINE
KAUFMAN COUNTY, TEXAS

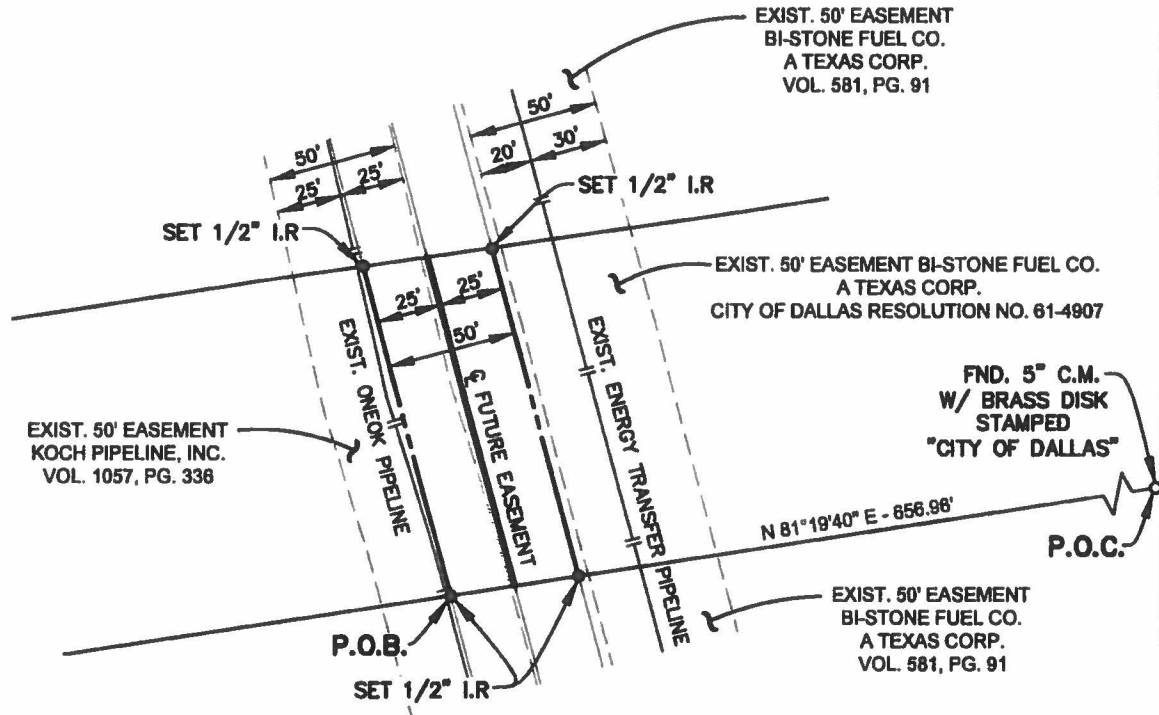
SHEET
3 of 4

EXHIBIT A

ATTACHMENT A

EZEKIAL ABLES SURVEY, A-6
KAUFMAN COUNTY, TEXAS

PIPELINE EASEMENTS DETAIL



DETAIL "A"

N.T.S.

ONEOK
STERLING III PIPELINE
A DIVISION OF ONEOK PARTNERS

TXKA0015.00
CITY OF DALLAS, TEXAS

E. ABLES SURVEY, ABSTRACT NO. 6

SCALE: N.T.S.

DRAWN BY: JBS 02/08/13

REV. 7



L.W. Survey Co.
8400 N. Sam Houston Pkwy W.,
Suite 100
Houston, TX 77064

STERLING III PIPELINE
KAUFMAN COUNTY TEXAS

SHEET
4 of 4

AGENDA ITEM # 21

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction
Water Utilities

CMO: Theresa O'Donnell, 671-9195
Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

A resolution authorizing the conveyance of a pipeline easement and a temporary construction easement, containing a total of approximately 21,497 square feet of land, to Seaway Crude Pipeline, LLC for the construction and maintenance of a pipeline across City-owned land located in Kaufman County - Revenue: \$1,679

BACKGROUND

This item authorizes the conveyance of a pipeline easement and a temporary construction easement to Seaway Crude Pipeline, LLC, for the purpose of transporting oil, oil products, crude petroleum, natural gas. The construction, operation, repair and full maintenance of the pipeline will be at no cost to the City. The consideration for the conveyance of the easement is based on an offer substantiated by an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: \$1,679

OWNER

Seaway Crude Pipeline, LLC

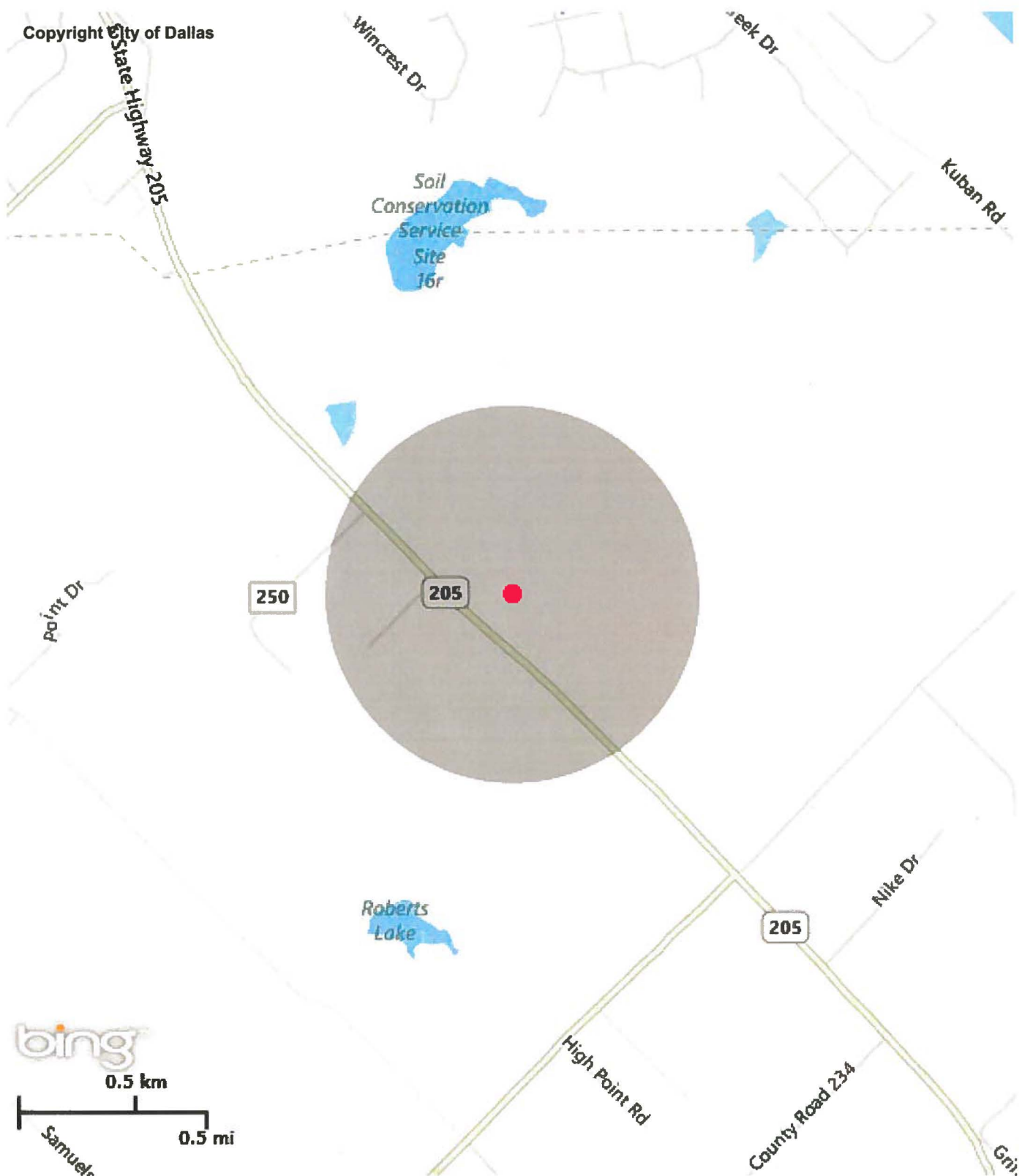
Richard A Blake, Agent and Attorney in Fact

MAP

Attached

Vicinity Map

Copyright © City of Dallas



Abstract No. 48, Kaufam County - Easement Map

DISCLAIMER

This data has been compiled for City of Dallas. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.



February 12, 2014

WHEREAS, the City of Dallas owns a tract of land which is used for the raw water pipeline facilities; and

WHEREAS, Seaway Crude Pipeline, LLC, a Delaware limited liability company has requested a pipeline easement with a temporary construction easement on and across said land for the construction, maintenance and use of raw water pipeline facilities containing a total of approximately 21,497 square feet of land, located in Abstract No. 48, Kaufman County, Texas; **Now, Therefore**,

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

SECTION 1. That upon receipt of **ONE THOUSAND SIX HUNDRED SEVENTY-NINE AND NO/100 DOLLARS (\$1,679.00)** from Seaway Crude Pipeline, LLC, the City Manager is authorized to execute a pipeline easement with a temporary construction easement to be attested by the City Secretary upon approval as to form by the City Attorney for a total of approximately 21,497 square feet of land located in Abstract No. 48, Kaufman County, Texas, to Seaway Crude Pipeline, LLC as **GRANTEE**, more fully described in Exhibit "A", attached hereto and incorporated herein for all purposes.

SECTION 2. That the City Controller is authorized to deposit proceeds into the General Fund 0001, Dept DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction, Real Estate Division shall be reimbursed for administrative costs incurred (Fund 0001, Dept DEV Unit 1183, Object 5011). Any remaining proceeds shall be transferred to the Water and Sewer Revenue Fund 0100, Department DWU, Unit 7005, Revenue Source 8428.

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

APPROVED AS TO FORM:
WARREN M. S. ERNST
CITY ATTORNEY

By: _____



Assistant City Attorney

EXHIBIT A

Field Notes Describing a 7,809 Square Foot (0.1793 Acres) Pipeline Easement To Be Acquired From The City of Dallas

Being a 7,809 Square Foot (0.1793 Acres) tract of land out of the E. L. Boyd Survey, Abstract Number 48, Kaufman County, Texas, and being within a called 18.10 Acre Tract (First Tract) as described in Warranty Deed to The City of Dallas, Texas, recorded in Volume 435, Page 330, Deed Records of Kaufman County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a found 3 inch brass disk in concrete stamped "City of Dallas", **THENCE** South 79°43'05" West, a distance of 5331.32 feet to a 1/2 inch iron rod with cap stamped "Sam, INC." set in the south line of said 18.10 acre tract, same being the north line of a tract of land conveyed to HWY. 205 Farm, LTD. (Exhibit A-2, First Tract) by deed recorded in Volume 1137, Page 112, Official Public Records, Kaufman County, Texas, for the southeast corner and **POINT OF BEGINNING** of the tract described herein, from which a fence corner post found at the northwest corner of a tract of land conveyed to HWY 205 Farm, LTD. (Tract No. I) by deed recorded in Volume 1137, Page 112, Official Public Records, Kaufman County, Texas, same being in the east line of said HWY. 205 Farm, LTD. (Exhibit A-2, First Tract) tract, bears South 63°54'10" East, a distance of 584.46 feet;

THENCE South 79°11'39" West with the common line between said HWY. 205 Farm, LTD. (Exhibit A-2, First Tract) and City of Dallas tracts, a distance of 60.27 feet to a 1/2 inch iron rod with cap stamped "Sam, INC." set for the southwest corner of the tract described herein;

THENCE North 05°25'06" West, departing the common line between said HWY. 205 Farm, LTD. (Exhibit A-2, First Tract) and City of Dallas tracts, a distance of 130.16 feet to a 1/2 inch iron rod with cap stamped "Sam, INC." set in the north line of said City of Dallas tract and south line of a tract of land conveyed to HWY. 205 Farm LTD. (First Tract) by deed recorded in Volume 1137, Page 112, Official Public Records, Kaufman County, Texas, for the northwest corner of the tract described herein;

THENCE North 79°12'17" East with the common line between said City of Dallas and HWY. 205 Farm LTD. (First Tract) tracts, a distance of 60.27 feet to a 1/2 inch iron rod with cap stamped "Sam, INC." set for the northeast corner of the tract described herein, from which a 3 inch brass disk in concrete, stamped "City of Dallas" bears North 79°48'28" East, a distance of 5941.46 feet;

THENCE South 05°25'06" East, departing the common line between said City of Dallas and HWY. 205 Farm LTD. (First Tract) tracts, a distance of 130.15 feet to the **POINT OF BEGINNING**, containing 7,809 Square Feet or 0.1793 Acres of land.

Notes:

- 1) Bearings are based on Grid North and coordinates are based on UTM Zone 14 North, NAD-83. All distances and coordinates are represented in grid values, measured in U.S. Survey Feet, and are based on said Horizontal Datum. To compute surface values, multiply grid values by an averaged combined scale factor of 1.0003229480.
- 2) Record information shown herein is based upon a public records search performed by Paragon Partners LTD.

Surveying And Mapping, Inc. (SAM Inc.)
4801 Southwest Parkway
Parkway Two, Suite 100
Austin, Texas 78735

FN12654 (DWR)



Guy W. Grisdale
Guy W. Grisdale
Registered Professional Land Surveyor
No. 6202, State of Texas

Page 1 of 2

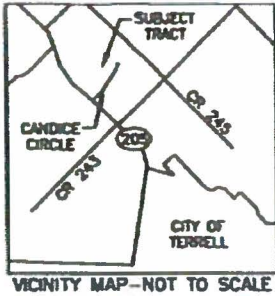


FIELD NOTES APPROVED:

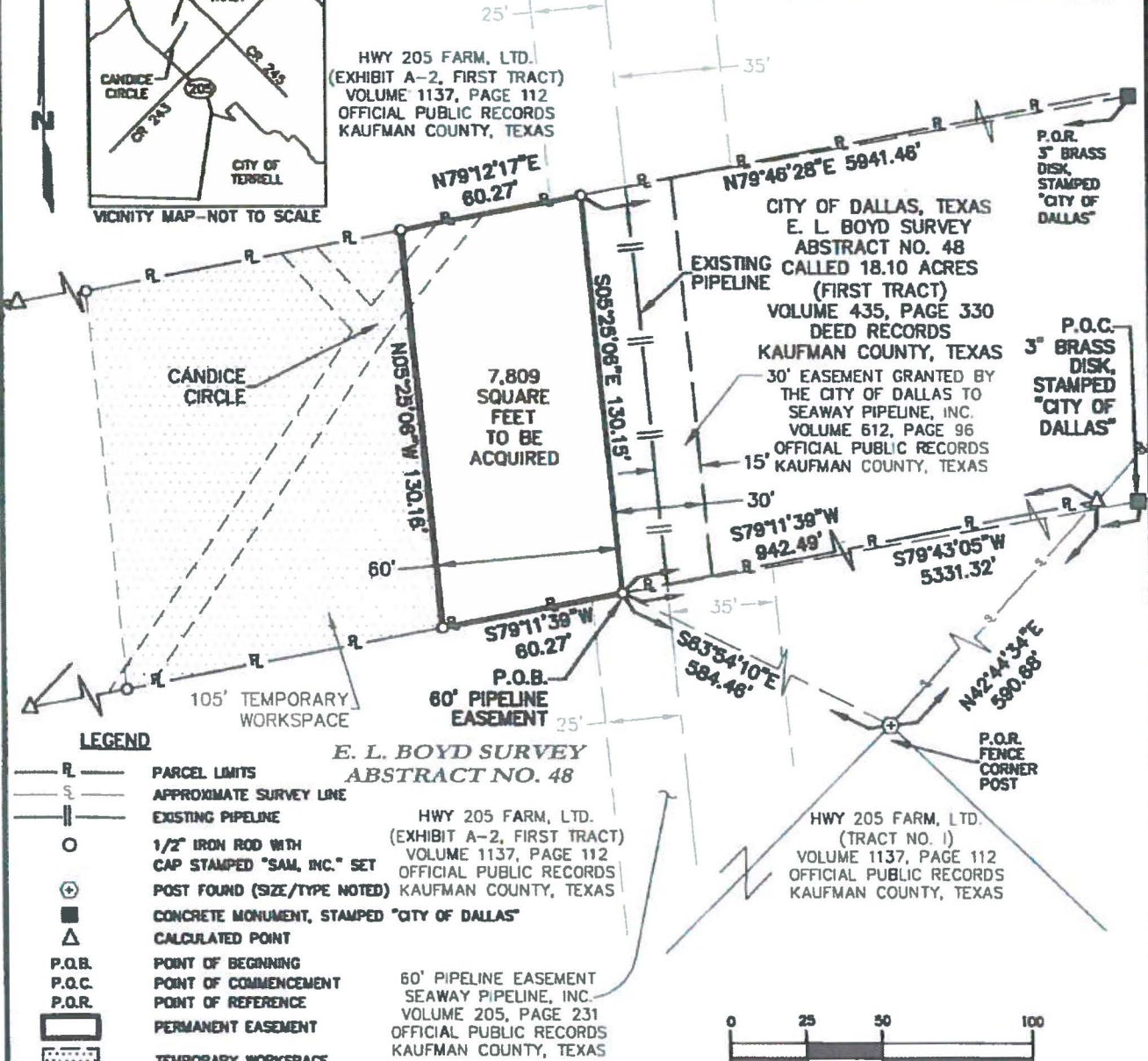
OK 9/4/13

EXHIBIT A

PERMANENT EASEMENT AREA
7,809 SQUARE FEET OR 0.1793 ACRES



HWY 205 FARM, LTD.
(EXHIBIT A-2, FIRST TRACT)
VOLUME 1137, PAGE 112
OFFICIAL PUBLIC RECORDS
KAUFMAN COUNTY, TEXAS



LEGEND

- R — PARCEL LIMITS
- S — APPROXIMATE SURVEY LINE
- || EXISTING PIPELINE
- 1/2" IRON ROD WITH CAP STAMPED "SAM, INC." SET
- ⊕ POST FOUND (SIZE/TYPE NOTED)
- CONCRETE MONUMENT, STAMPED "CITY OF DALLAS"
- △ CALCULATED POINT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.O.R. POINT OF REFERENCE
- ▭ PERMANENT EASEMENT
- ▨ TEMPORARY WORKSPACE
- ▩ A.T.W.S.
- A.T.W.S. ADDITIONAL TEMPORARY WORKSPACE

E. L. BOYD SURVEY
ABSTRACT NO. 48

HWY 205 FARM, LTD.
(EXHIBIT A-2, FIRST TRACT)
VOLUME 1137, PAGE 112
OFFICIAL PUBLIC RECORDS
KAUFMAN COUNTY, TEXAS

HWY 205 FARM, LTD.
(TRACT NO. 1)
VOLUME 1137, PAGE 112
OFFICIAL PUBLIC RECORDS
KAUFMAN COUNTY, TEXAS



NOTES

- ALL BEARINGS ARE GRID BEARINGS AND ARE BASED ON UTM ZONE 14 NORTH, NAD-83. ALL DISTANCES AND COORDINATES ARE REPRESENTED IN GRID VALUES, MEASURED IN U.S. SURVEY FEET, AND ARE BASED ON SAID HORIZONTAL DATUM TO COMPUTE SURFACE VALUES. MULTIPLY GRID VALUES BY AN AVERAGED COMBINED SCALE FACTOR OF 1.0003229480.
- THIS EXHIBIT WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD NOT SHOWN. RECORD INFORMATION SHOWN HEREON ARE BASED UPON A PUBLIC RECORDS SEARCH PERFORMED BY PARAGON PARTNERS LTD.
- THIS EXHIBIT MAY NOT DEPICT ALL EXISTING UTILITIES IN THE AREA. PLEASE NOTIFY THE ONE-CALL SYSTEM FOR ALL UTILITY LOCATIONS BEFORE EXCAVATING OR DIGGING.
- THE TIES AND FOOTAGES SHOWN ON THIS PLAT ARE FROM LINES OF OCCUPATION FROM A SURVEY MADE ON THE GROUND AND THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY.
- FOR ADDITIONAL INFORMATION, SEE ATTACHED LEGAL DESCRIPTION (EXHIBIT "A") MADE IN CONJUNCTION WITH AND CONSIDERED AN INTEGRAL PART OF THIS PLAT OF EASEMENT.

I, GUY W. GRISDALE, HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF



GUY W. GRISDALE
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6202, STATE OF TEXAS

PROJECT: SEAWAY CRUDE PIPELINE CO. LLC.
SEAWAY LOOP PIPELINE-SEG. 2
SURVEYING AND MAPPING, INC.

ASS. METER: 32189
DATE: 09/24/13
SCALE: 1" = 50'
SURVEYED BY: GUY W. GRISDALE
TECHNICAL DRAFTSMAN
CHECKED BY: GUY W. GRISDALE
DATE: 10-17-13
PRINTED BY: GUY W. GRISDALE
DATE: 10-17-13

DWG. NO.: TX-12-0002-00000-S-5311

EXHIBIT B

Field Notes Describing a 13,688 Square Foot (0.3142 Acres) Temporary Workspace Easement To Be Acquired From The City of Dallas

Being a 13,688 Square Foot (0.3142 Acres) tract of land out of the E. L. Boyd Survey, Abstract Number 48, Kaufman County, Texas, and being within a called 18.10 Acre Tract (First Tract) as described in Warranty Deed to The City of Dallas, Texas, recorded in Volume 435, Page 330, Deed Records of Kaufman County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a found 3 inch brass disk in concrete stamped "City of Dallas", **THENCE** South 79°42'44" West, a distance of 5391.58 feet to a 1/2 inch iron rod with cap stamped "Sam, INC." set in the south line of said 18.10 acre tract, same being the north line of a tract of land conveyed to HWY. 205 Farm, LTD. (Exhibit A-2, First Tract) by deed recorded in Volume 1137, Page 112, Official Public Records, Kaufman County, Texas, for the southeast corner and **POINT OF BEGINNING** of the tract described herein, from which a fence corner post found at the northwest corner of a tract of land conveyed to HWY 205 Farm, LTD. (Tract No. 1) by deed recorded in Volume 1137, Page 112, Official Public Records, Kaufman County, Texas, same being in the east line of said HWY. 205 Farm, LTD. (Exhibit A-2, First Tract) tract, bears South 67°10'35" East, a distance of 633.69 feet;

THENCE South 79°11'39" West with the common line between said HWY. 205 Farm, LTD. (Exhibit A-2, First Tract) and City of Dallas tracts, a distance of 105.47 feet to a 1/2 inch iron rod with cap stamped "Sam, INC." set for the southwest corner of the tract described herein;

THENCE North 05°25'06" West, departing the common line between said HWY. 205 Farm, LTD. (Exhibit A-2, First Tract) and City of Dallas tracts, a distance of 130.18 feet to a 1/2 inch iron rod with cap stamped "Sam, INC." set in the north line of said City of Dallas tract and south line of a tract of land conveyed to HWY. 205 Farm LTD. (First Tract) by deed recorded in Volume 1137, Page 112, Official Public Records, Kaufman County, Texas, for the northwest corner of the tract described herein;

THENCE North 79°12'17" East with the common line between said City of Dallas and HWY. 205 Farm LTD. (First Tract) tracts, a distance of 105.46 feet to a 1/2 inch iron rod with cap stamped "Sam, INC." set for the northeast corner of the tract described herein, from which a 3 inch brass disk in concrete, stamped "City of Dallas" bears North 79°46'07" East, a distance of 6001.72 feet;

THENCE South 05°25'06" East, departing the common line between said City of Dallas and HWY. 205 Farm LTD. (First Tract) tracts, a distance of 130.16 feet to the **POINT OF BEGINNING**, containing 13,688 Square Feet or 0.3142 Acres of land.

Notes:

- 1) Bearings are based on Grid North and coordinates are based on UTM Zone 14 North, NAD-83. All distances and coordinates are represented in grid values, measured in U.S. Survey Feet, and are based on said Horizontal Datum. To compute surface values, multiply grid values by an averaged combined scale factor of 1.0003229480.
- 2) Record information shown herein is based upon a public records search performed by Paragon Partners LTD.



Surveying And Mapping, Inc. (SAM Inc.)
4801 Southwest Parkway
Parkway Two, Suite 100
Austin, Texas 78735

Paul Rust 5/28/13
Paul Rust
Registered Professional Land Surveyor
No. 6003, State of Texas

FIELD NOTES APPROVED:

DATE 6/11/13



AGENDA ITEM # 22

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction
Public Works Department

CMO: Theresa O'Donnell, 671-9195
Jill A. Jordan, P.E., 670-5299

MAPSCO: 69A M

SUBJECT

A resolution authorizing the dedication of a drainage easement containing approximately 600 square feet of City-owned land to the public, for the purpose of drainage improvements located near the intersection of Garden Grove Drive and Edd Road - Financing: No cost consideration to the City

BACKGROUND

This item authorizes the dedication of a drainage easement across City-owned land to the public for the purpose of drainage improvements located near the intersection of Garden Grove Drive and Edd Road.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



Garden Grove Drive

Edd Road

A/8826



Site

February 12, 2014

WHEREAS, the City of Dallas owns certain land being part of City of Dallas Block No. 8826, the same land conveyed to the City of Dallas in that one certain instrument recorded in Volume 84069, Page 2343 of the Deed Records of Dallas County Texas; and

WHEREAS, the City of Dallas desires to dedicate to the public from the city-owned land described above, an easement containing approximately 600 square feet of land, being more fully described in Exhibit "A", attached hereto and incorporated herein for all purposes (the Easement); and

WHEREAS, the City of Dallas deems it to be necessary, convenient and appropriate and in the public's interest to dedicate the Easement; **Now, Therefore,**

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

SECTION 1. That the City Manager or designee is authorized to execute an appropriate instrument, approved as to form by the City Attorney, dedicating to the public a drainage easement as to and encumbering the land described in Exhibit "A".

SECTION 2. That the Easement shall be held; utilized; and, when and if appropriate, closed, vacated and/or abandoned as determined by the City of Dallas to be in the public interest, and subject to state law, Dallas City Charter and Dallas City Code, as would any dedicated public easement.

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

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

BY: 
Assistant City Attorney

EXHIBIT A

**Drainage Easement
Garden Grove Road
City Block 8826, Robert Kleberg Survey, Abstract No. 716
City of Dallas, Dallas County, Texas
Page 1 of 2**

Being a 600 square foot tract of land situated in the Robert Kleberg Survey, Abstract No 716, Dallas County Texas and being a portion of Lot 1, Block A/8826, Kleberg/Rylie Park as recorded in Volume 88212, Page 235 of the Deed Records of Dallas County, Texas which was conveyed from Chamco Corporation to the City of Dallas in Warranty Deed recorded in Volume 84069, Page 2343 of the Deed Records of Dallas County, Texas and being more particularly described as follows;

BEGINNING at a 1/2 inch iron rod with yellow cap stamped "RPLS 5632" set for the westerly corner of said Lot 1 and the southerly corner of a tract of land described in Warranty Deed to the Dallas County Board of School Trustees as recorded in Volume 72110, Page 654 of the Deed Records of Dallas County and on the northeasterly line of a tract of land described in Warranty Deed to the City of Dallas as recorded in Volume 97066, Page 4375 of the Deed Records of Dallas County, Texas from which a 1 inch iron pipe found bears North 45°01'58" East for a distance of 621.42' for the westerly corner of said Dallas County Board of School Trustees tract;

THENCE North 45°04'55" East along the common line of said Lot 1 and the Dallas County Board of School Trustee tract a distance of 60.00 feet to a 1/2 inch iron rod with yellow cap stamped "RPLS 5632" set;

THENCE South 44°55'05" East departing said common line for a distance of 10.00 feet to a 1/2 inch iron rod with yellow cap stamped "RPLS 5632" set;

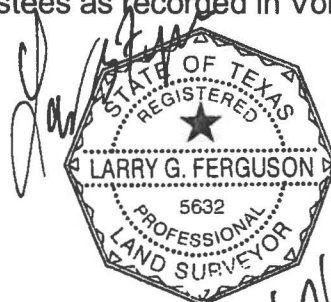
THENCE South 45°04'55" West for a distance of 59.98 feet to a 1/2 inch iron rod with yellow cap stamped "RPLS 5632" set on the southwesterly line of said Lot 1 and said northeasterly line of the City of Dallas tract;

THENCE North 45°01'58" West along said common line for a distance of 10.00 feet to the POINT OF BEGINNING

Said tract having a computed area of 600 square feet or 0.014 Acres.

Bearings are based on a 1" iron pipe found for the westerly corner and a 3" wood post for the northerly corner being the northwesterly line (N45°00'00"E) of a tract of land described in deed to the Dallas County Board of School Trustees as recorded in Vol 72110, Page 654, D.R.D.C.T.

(for SPRG use only)
Reviewed by: DBF
Date 11.11.2013
SPRG No. 2706



Legend

CM-Control Monument
D.R.D.C.T.-Deed Records, Dallas
County, TX
IRF-Iron Rod Found
IRS-1/2" Iron rod set with yellow cap
stamped "5632"
IPF-Iron Pipe Found
sq.ft.-square feet

City of Dallas
Vol 97066, Pg 4375
D.R.D.C.T.

POINT OF BEGINNING

Scale = 1"=20'



Drainage Easement
600 sq.ft
0.014 acres

1" iron pipe found bears
N45°01'58"W 621.42'
(N45°00'W, 622.83)

Course	Bearing	Distance
L1	N45°04'55"E	60.00'
L2	S44°55'05"E	10.00'
L3	S45°04'55"W	59.98'
L4	N45°01'58"W	10.00'

City of Dallas
Vol 84069, Pg 2343
D.R.D.C.T.

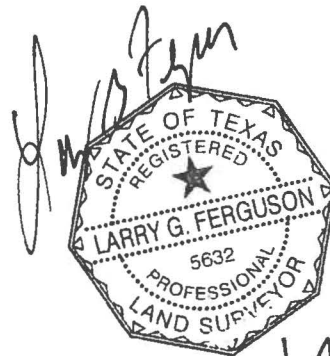
Lot 1, Block A/8826
Kleberg/Rylie Park
Vol 88212, Pg 235
D.R.D.C.T.

Dallas County Board of School Trustees
Vol 72110, Page 654
D.R.D.C.T.

(for SPRG use only)

Reviewed by: DBF
Date: 11-11-2013
SPRG No. 2706

Bearings are based on a 1" iron pipe found for the westerly corner and a 3" wood post for the northerly corner being the northwesterly line (N45°00'00"E) of a tract of land described in deed to the Dallas County Board of School Trustees as recorded in Vol 72110, Page 654, D.R.D.C.T.



LGF LAND SURVEYING

Accurate Reliable Responsive

Firm #10148100
3044 Old Denton Road #230
Carrollton, TX 75007
Phone: 214-289-6804
Fax: 972-212-7294

SCALE	DATE	JOB NO.
1"=20'	8-9-2013	12728-DAL-DE

Drainage Easement

Garden Grove Road

**City Block 8826, Robert Kleberg Survey, Abstract No. 716
City of Dallas, Dallas County, Texas**

AGENDA ITEM # 23

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: Outside City Limits

SUBJECT

Authorize a thirty-year contract with the City of Cockrell Hill to continue providing treated water service, for the period February 22, 2014 through February 21, 2044 – Estimated Annual Revenue: \$267,000

BACKGROUND

This item is for authorization to enter into a new wholesale treated water contract, including Reciprocal Water and/or Wastewater Agreement, with the City of Cockrell Hill, Texas. This entity is currently receiving City of Dallas treated water under an existing wholesale treated water contract which will expire on February 22, 2014.

The City of Cockrell Hill is located within Dallas Water Utilities' service area and desires to continue to purchase treated water from the City of Dallas under the terms of a standard wholesale treated water customer contract.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized Wholesale Treated Water Contract with the City of Cockrell Hill on February 22, 1984, by Resolution No. 84-0733.

Authorized Wholesale Wastewater Contract with the City of Cockrell Hill on February 22, 1984, by Resolution No. 84-0734.

Authorized First Amendment to the Wholesale Treated Water Contract with the City of Cockrell Hill on May 13, 1987, by Resolution No. 87-1558.

Authorized Supplemental Agreement No. 1 to the Wholesale Wastewater Contract with the City of Cockrell Hill on August 14, 1991, by Resolution No. 91-2383.

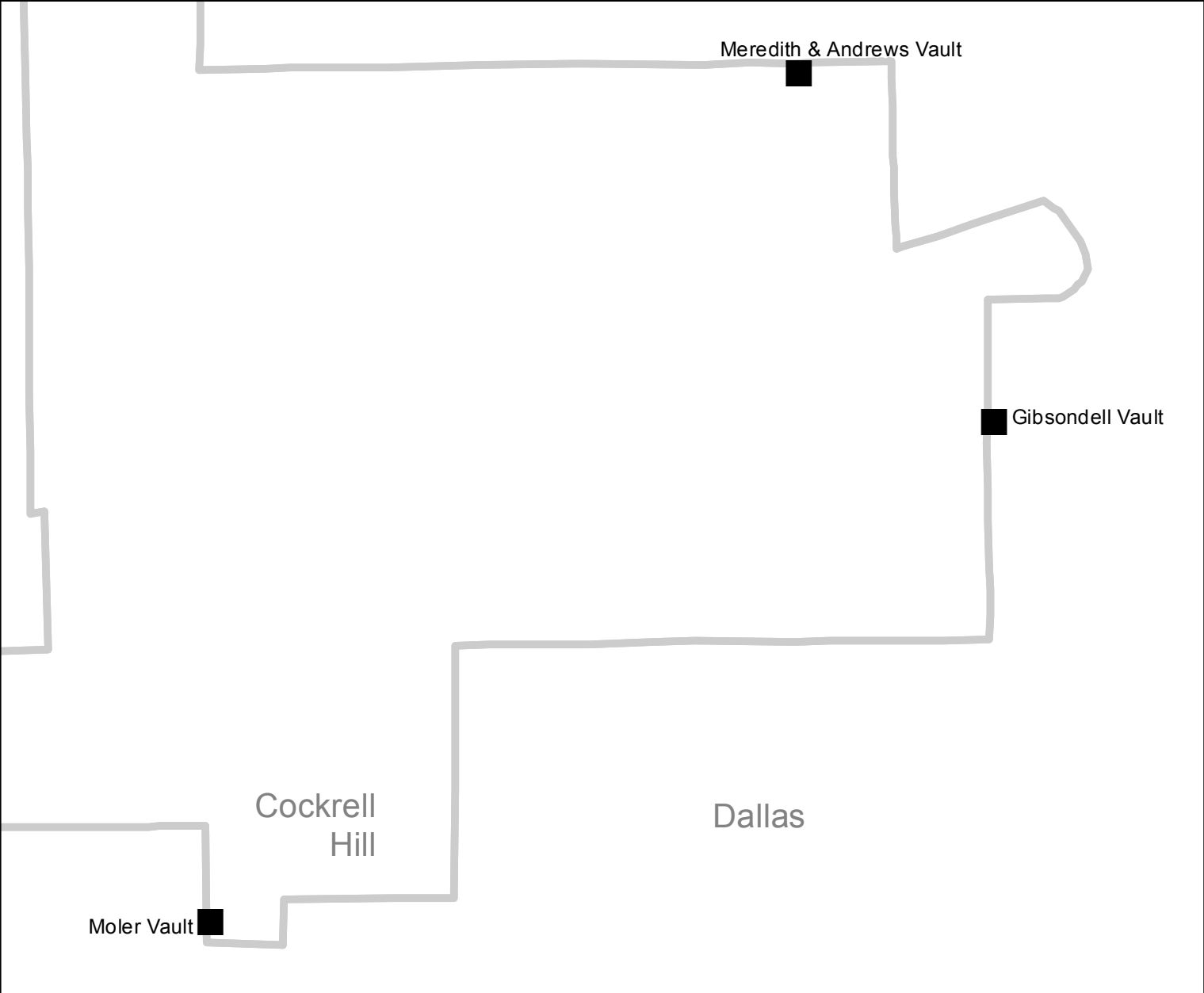
On February 3, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

FISCAL INFORMATION

Estimated Annual Revenue: \$267,000 (at current wholesale treated water flat rate)

MAP

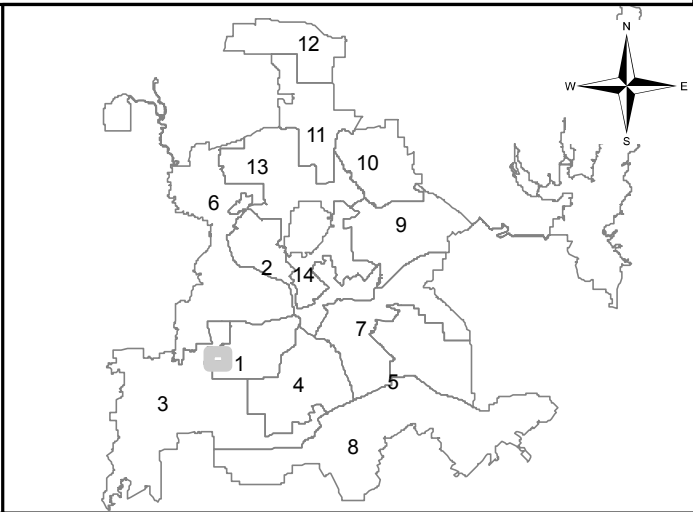
Attached



Location: Cockrell Hill Meter Vaults (multiple locations)

Council Districts: Adjacent to Districts 1 and 3

Department: DWU



Treated Water Contract with City of Cockrell Hill

February 12, 2014

WHEREAS, the City of Cockrell Hill, Texas currently purchases wholesale treated water from the City of Dallas, and Dallas currently delivers and sells wholesale treated water to Cockrell Hill as set forth under the terms, covenants, and conditions stated in a Wholesale Treated Water Contract between the Cities of Dallas and Cockrell Hill, dated February 22, 1984; and,

WHEREAS, from time-to-time, both Dallas and Cockrell Hill have need to request the other to furnish water and/or wastewater service to each other's customers along common boundary lines wherein only one city has facilities available; and,

WHEREAS, Cockrell Hill's current contract, including Reciprocal Water and/or Wastewater Agreement, with Dallas will expire on February 22, 2014; and,

WHEREAS, Dallas and Cockrell Hill desire to enter into a new Wholesale Treated Water Contract and Reciprocal Water and Wastewater Agreement; and,

WHEREAS, the term of the new 30-year Wholesale Treated Water Contract will be February 22, 2014 through February 21, 2044; and,

WHEREAS, approval of the new contract would be in the best interest of the City of Dallas as well as the City of Cockrell.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a Wholesale Treated Water Contract with the City of Cockrell Hill to purchase treated water from the City of Dallas for the period February 22, 2014 through February 21, 2044 in the estimated annual amount of \$267,000 after approval of the contract documents by the City Attorney.

SECTION 2. That the City Controller is hereby authorized and directed to deposit receipts for services provided under this contract to the Water Utilities Operating Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>FUNC</u>	<u>REVENUE RESOURCE CODE</u>
0100	DWU	7005	7REV	7836

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

AGENDA ITEM # 24

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: Outside City Limits

SUBJECT

Authorize a thirty-year contract with the City of Cockrell Hill to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044 – Estimated Annual Revenue: \$336,000

BACKGROUND

This item is for authorization to enter into a new wholesale wastewater contract, with the City of Cockrell Hill, Texas. This entity is currently receiving City of Dallas wastewater services under an existing wholesale wastewater contract which will expire on February 22, 2014.

The City of Cockrell Hill desires to continue to purchase wastewater service from the City of Dallas under the terms of a standard wholesale wastewater customer contract.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized Wholesale Treated Water Contract with the City of Cockrell Hill on February 22, 1984, by Resolution No. 84-0733.

Authorized Wholesale Wastewater Contract with the City of Cockrell Hill on February 22, 1984, by Resolution No. 84-0734.

Authorized Supplemental Agreement No. 1 to the Wholesale Wastewater Contract with the City of Cockrell Hill on August 14, 1991, by Resolution No. 91-2383.

Authorized First Amendment to the Wholesale Water Contract with the City of Cockrell Hill on May 13, 1987, by Resolution No. 87-1558.

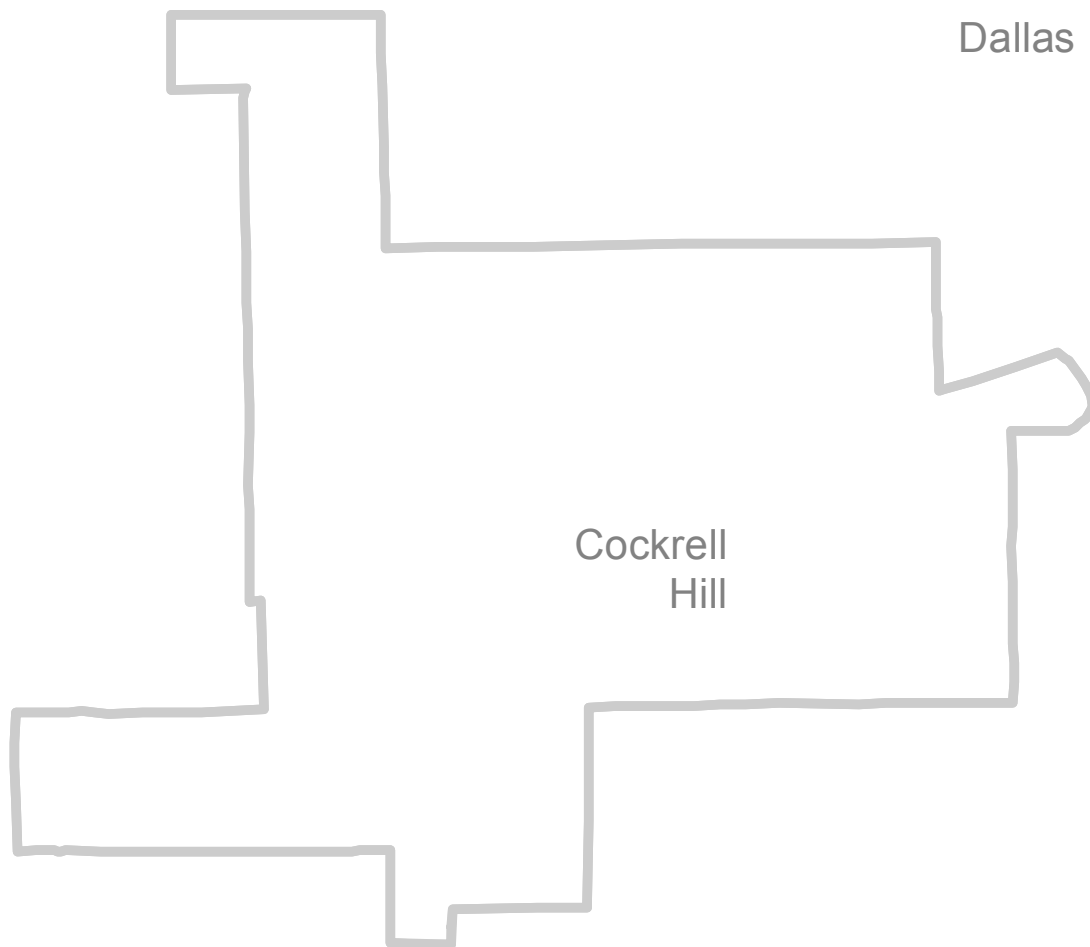
On February 3, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

FISCAL INFORMATION

Estimated Annual Revenue: \$336,000 (at current wholesale wastewater rate)

MAP

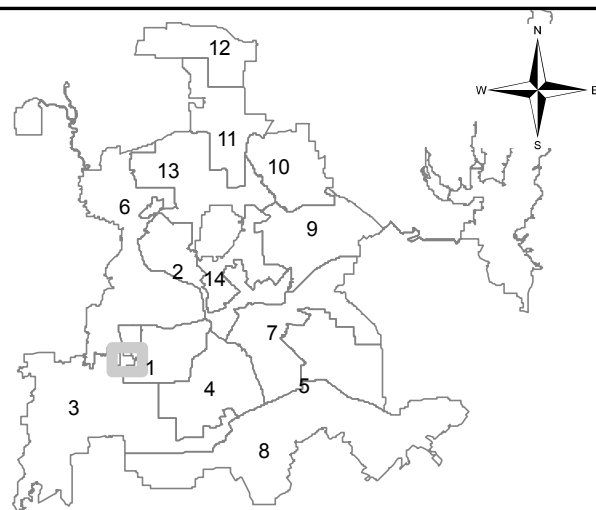
Attached



Location: City of Cockrell Hill

Council Districts: Adjacent to Districts 1 and 3

Department: DWU



Wastewater Treatment Contract with City of Cockrell Hill

D01062014CHW

February 12, 2014

WHEREAS, the City of Cockrell Hill, Texas currently purchases wholesale wastewater service from City of Dallas, and Dallas currently provides wholesale wastewater service to Cockrell Hill as set forth under the terms, covenants, and conditions stated in a Wholesale Wastewater Contract between the Cities of Dallas and Cockrell Hill, dated February 22, 1984; and,

WHEREAS, Cockrell Hill's current wholesale wastewater contract with Dallas will expire on February 22, 2014; and,

WHEREAS, Dallas and Cockrell Hill desire to enter into a new Wholesale Wastewater Contract; and,

WHEREAS, the term of the new 30-year Wholesale Wastewater Contract will be February 22, 2014 through February 21, 2044; and,

WHEREAS, approval of the new contract would be in the best interest of the City of Dallas as well as the City of Cockrell.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a Wholesale Wastewater Contract with the City of Cockrell Hill to purchase wastewater services from the City of Dallas for the period February 22, 2014 through February 21, 2044 in the estimated annual amount of \$336,000 after approval of the contract documents by the City Attorney.

SECTION 2. That the City Controller is hereby authorized and directed to deposit receipts for services provided under this contract to the Water Utilities Operating Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>FUNC</u>	<u>REVENUE RESOURCE CODE</u>
0100	DWU	7005	7REV	7864

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

AGENDA ITEM # 25

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 12, 2014
COUNCIL DISTRICT(S): All
DEPARTMENT: Water Utilities
CMO: Forest E. Turner, 670-3390
MAPSCO: Outside City Limits

SUBJECT

Authorize a thirty-year contract with the City of Hutchins to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044 – Estimated Annual Revenue: \$411,000

BACKGROUND

This item is for authorization to enter into a new wholesale wastewater contract with the City of Hutchins, Texas. This entity is currently receiving City of Dallas wastewater services under an existing wholesale wastewater contract which will expire on February 22, 2014.

The City of Hutchins desires to continue to purchase wastewater service from the City of Dallas under the terms of a standard wholesale wastewater customer contract.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized Wholesale Wastewater Contract with the City of Hutchins on February 22, 1984, by Resolution No. 84-0731.

Authorized Supplemental Agreement No. 1 to the Wholesale Wastewater Contract with the City of Hutchins on August 14, 1991, by Resolution No. 91-2383.

Authorized Supplemental Agreement No. 2 to the Wholesale Wastewater Contract with the City of Hutchins on January 12, 2011, by Resolution No. 11-0184.

Authorized Wholesale Treated Water Contract with the City of Hutchins on March 28, 2012, by Resolution No. 12-0948.

On February 3, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

FISCAL INFORMATION

Estimated Annual Revenue: \$411,000 (at current wholesale wastewater rate)

MAP

Attached

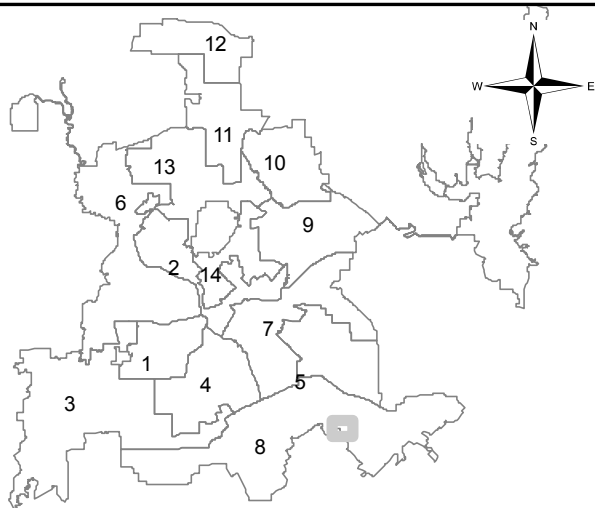
Dallas

Hutchins Wastewater Vault
2251 DOWDY FERRY RD.

Location: Hutchins Wastewater Meter Vault
2251 Dowdy Ferry Rd
Dallas, TX

Council District: 8

Department: DWU



Wastewater Treatment Contract with City of Hutchins

February 12, 2014

WHEREAS, the City of Hutchins, Texas currently purchases wholesale wastewater service from the City of Dallas, and Dallas currently provides wholesale wastewater service to Hutchins as set forth under the terms, covenants, and conditions stated in a Wholesale Wastewater Contract between the Cities of Dallas and Hutchins, dated February 22, 1984; and,

WHEREAS, Hutchins' current wholesale wastewater contract with Dallas will expire on February 22, 2014; and,

WHEREAS, Dallas and Hutchins desire to enter into a new Wholesale Wastewater Contract; and,

WHEREAS, the term of the new 30-year Wholesale Wastewater Contract will be February 22, 2014 through February 21, 2044; and,

WHEREAS, approval of the new contract would be in the best interest of the City of Dallas as well as the City of Hutchins.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a Wholesale Wastewater Contract with the City of Hutchins to purchase wastewater services from the City of Dallas for the period February 22, 2014 through February 21, 2044 in the estimated annual amount of \$411,000 after approval of the contract documents by the City Attorney.

SECTION 2. That the City Controller is hereby authorized and directed to deposit receipts for services provided under this contract to the Water Utilities Operating Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>FUNC</u>	<u>REVENUE RESOURCE CODE</u>
0100	DWU	7005	7REV	7864

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: Outside City Limits

SUBJECT

Authorize a thirty-year contract with the City of University Park to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044 – Estimated Annual Revenue: \$2,398,000

BACKGROUND

This item is for authorization to enter into a new wholesale wastewater contract, including Reciprocal Water and/or Wastewater Agreement, with the City of University Park, Texas. This entity is currently receiving City of Dallas wastewater services under an existing wholesale wastewater contract which will expire on February 22, 2014.

The City of University Park desires to continue to purchase wastewater service from the City of Dallas under the terms of a standard wholesale wastewater customer contract.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized Wholesale Wastewater Contract with the City of University Park on February 22, 1984, by Resolution No. 84-0732.

Authorized First Amendment to the Wholesale Wastewater Contract with the City of University Park on May 13, 1987, by Resolution No. 87-1558.

Authorized Supplemental Agreement No. 2 to the Wholesale Wastewater Contract with the City of University Park on August 14, 1991, by Resolution No. 91-2383.

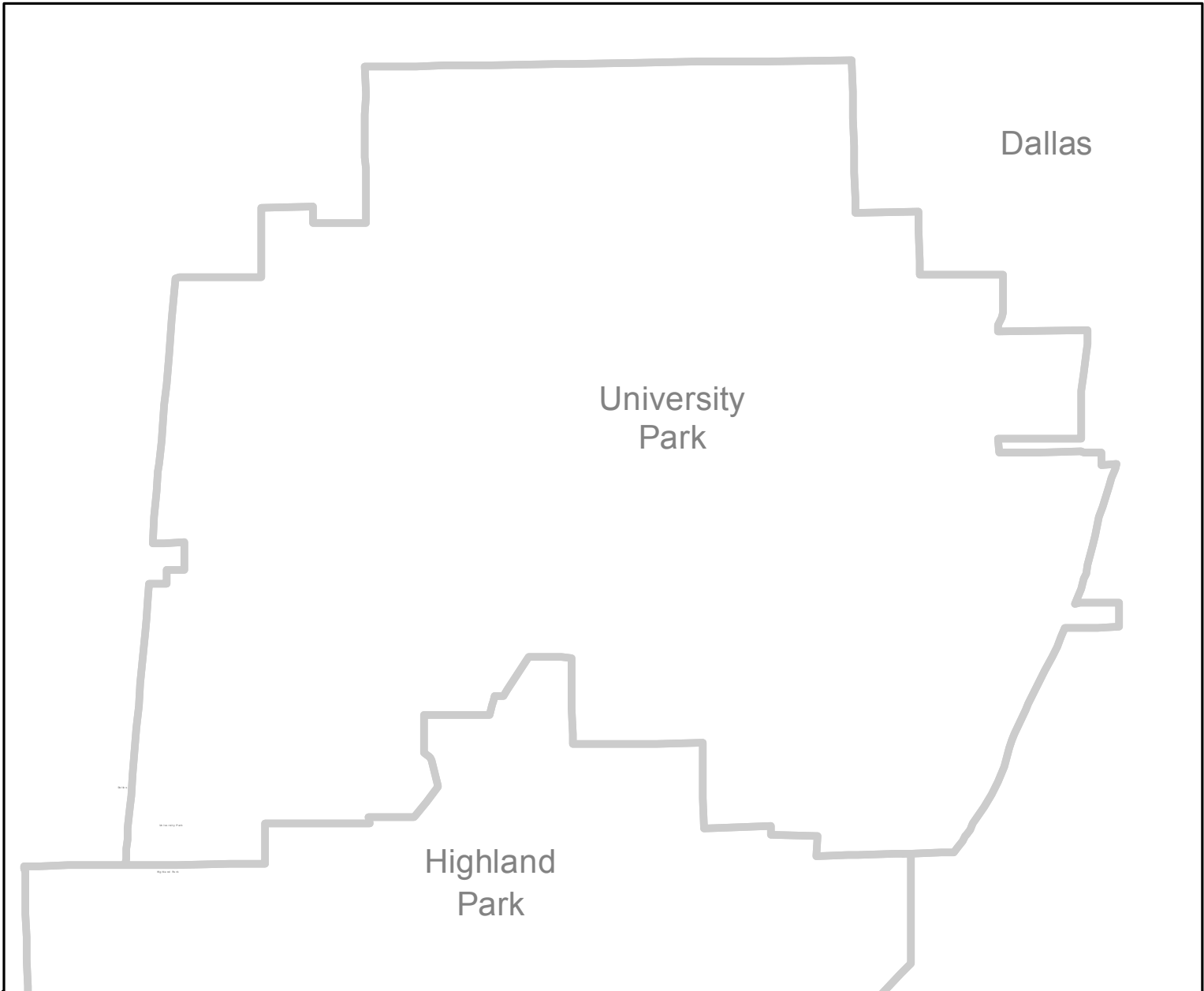
On February 3, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

FISCAL INFORMATION

Estimated Annual Revenue: \$2,398,000 (at current wholesale wastewater rate)

MAP

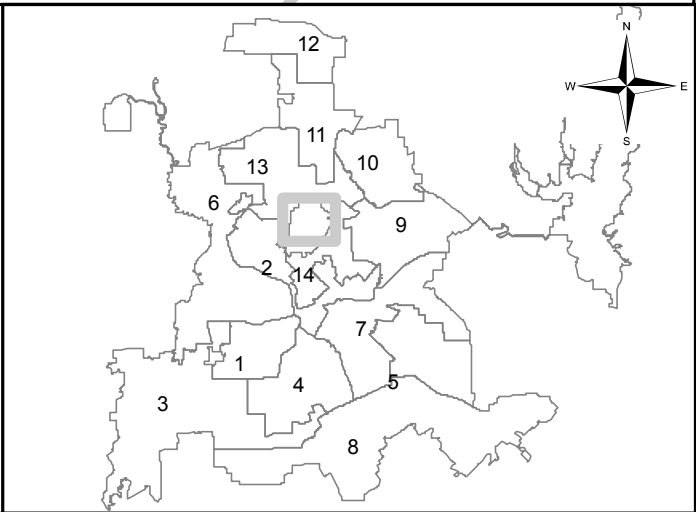
Attached



Location: City of University Park

Council Districts: Adjacent to Districts 13 and 14

Department: DWU



Wastewater Treatment Contract with City of University Park

February 12, 2014

WHEREAS, the City of University Park, Texas currently purchases wholesale wastewater service from the City of Dallas, and Dallas currently provides wholesale wastewater service to University Park as set forth under the terms, covenants, and conditions stated in a Wholesale Wastewater Contract between the Cities of Dallas and University Park, dated February 22, 1984; and,

WHEREAS, from time-to-time, both Dallas and University Park have need to request the other to furnish water and/or wastewater service to each other's customers along common boundary lines wherein only one city has facilities available; and,

WHEREAS, University Park's current wholesale wastewater contract, including Reciprocal Water and/or Wastewater Agreement, with Dallas will expire on February 22, 2014; and,

WHEREAS, Dallas and University Park desire to enter into a new Wholesale Wastewater Contract and Reciprocal Water and Wastewater Agreement; and,

WHEREAS, the term of the new 30-year Wholesale Wastewater Contract will be February 22, 2014 through February 21, 2044; and,

WHEREAS, approval of the new contract would be in the best interest of the City of Dallas as well as the City of University 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 enter into a Wholesale Wastewater Contract with the City of University Park to purchase wastewater services from the City of Dallas for the period February 22, 2014 through February 21, 2044 in the estimated annual amount of \$2,398,000 after approval of the contract documents by the City Attorney.

SECTION 2. That the City Controller is hereby authorized and directed to deposit receipts for services provided under this contract to the Water Utilities Operating Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>FUNC</u>	<u>REVENUE RESOURCE CODE</u>
0100	DWU	7005	7REV	7864

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

AGENDA ITEM # 27

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 12, 2014
COUNCIL DISTRICT(S): All
DEPARTMENT: Water Utilities
CMO: Forest E. Turner, 670-3390
MAPSCO: Outside City Limits

SUBJECT

Authorize a thirty-year contract with the City of Wilmer to continue providing wastewater service, for the period March 21, 2014 through March 20, 2044 – Estimated Annual Revenue: \$211,000

BACKGROUND

This item is for authorization to enter into a new wholesale wastewater contract, including Reciprocal Water and/or Wastewater Agreement, with the City of Wilmer, Texas. This entity is currently receiving City of Dallas wastewater services under an existing wholesale wastewater contract which will expire on March 21, 2014.

The City of Wilmer desires to continue to purchase wastewater service from the City of Dallas under the terms of a standard wholesale wastewater customer contract.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized Wholesale Wastewater Contract with the City of Wilmer on March 21, 1984, by Resolution No. 84-1061.

Authorized Supplemental Agreement No. 1 to the Wholesale Wastewater Contract with the City of Wilmer on August 14, 1991, by Resolution No. 91-2383.

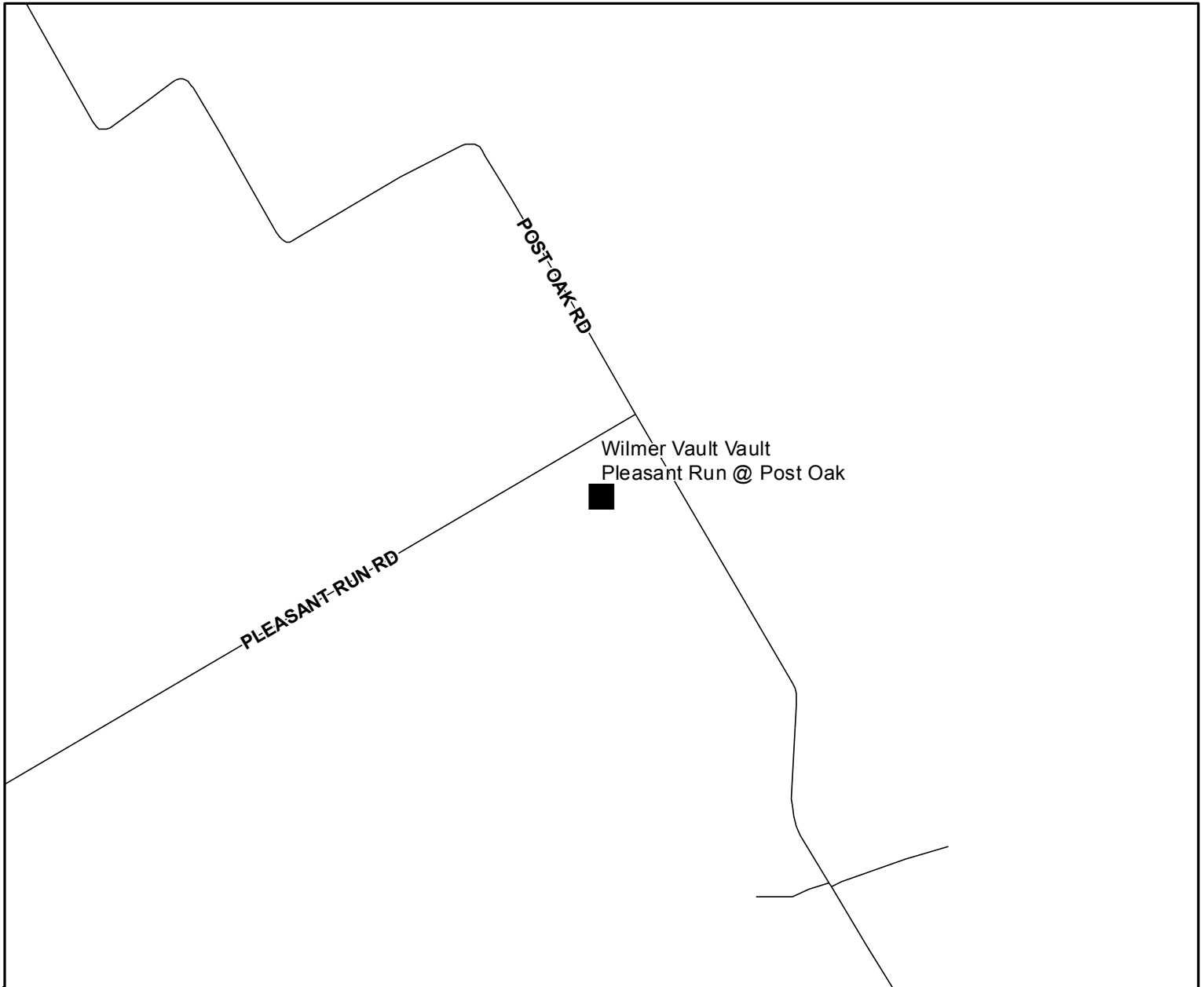
On February 3, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

FISCAL INFORMATION

Estimated Annual Revenue: \$211,000 (at current wholesale wastewater rate)

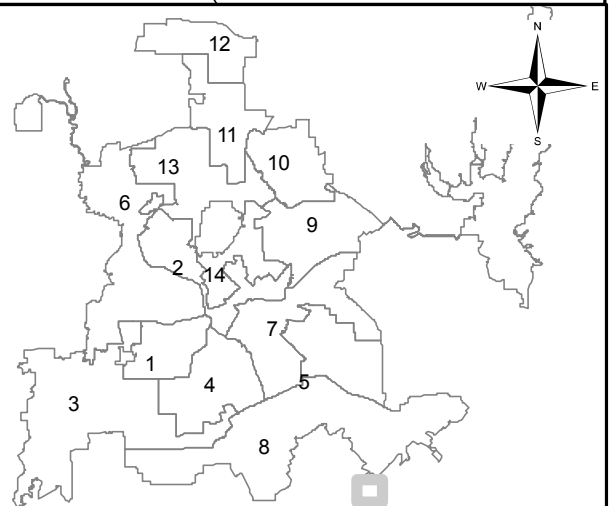
MAP

Attached



Location: Wilmer Wastewater Meter Vault
Pleasant Run Rd @ Post Oak Rd
Unincorporated Area, Dallas County, TX

Department: DWU



Wastewater Treatment Contract with City of Wilmer

D01062014WW

February 12, 2014

WHEREAS, the City of Wilmer, Texas currently purchases wholesale wastewater service from the City of Dallas, and Dallas currently provides wholesale wastewater service to Wilmer as set forth under the terms, covenants, and conditions stated in a Wholesale Wastewater Contract between the Cities of Dallas and Wilmer, dated March 21, 1984; and,

WHEREAS, from time-to-time, both Dallas and Wilmer have need to request the other to furnish water and/or wastewater service to each other's customers along common boundary lines wherein only one city has facilities available; and,

WHEREAS, Wilmer's current wholesale wastewater contract with Dallas will expire on March 21, 2014; and,

WHEREAS, Dallas and Wilmer desire to enter into a new Wholesale Wastewater Contract and Reciprocal Water and Wastewater Agreement; and,

WHEREAS, the term of the new 30-year Wholesale Wastewater Contract will be March 21, 2014 through March 20, 2044; and,

WHEREAS, approval of the new contract would be in the best interest of the City of Dallas as well as the City of Wilmer.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a Wholesale Wastewater Contract with the City of Wilmer to purchase wastewater services from the City of Dallas for the period March 21, 2014 through March 20, 2044 in the estimated annual amount of \$211,000 after approval of the contract documents by the City Attorney.

SECTION 2. That the City Controller is hereby authorized and directed to deposit receipts for services provided under this contract to the Water Utilities Operating Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>FUNC</u>	<u>REVENUE RESOURCE CODE</u>
0100	DWU	7005	7REV	7864

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

AGENDA ITEM # 28

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: Outside City Limits

SUBJECT

Authorize a thirty-year contract with the Town of Addison to continue providing wastewater service, for the period March 21, 2014 through March 20, 2044 – Estimated Annual Revenue: \$1,075,000

BACKGROUND

This item is for authorization to enter into a new wholesale wastewater contract, including Reciprocal Water and/or Wastewater Agreement, with the Town of Addison, Texas. This entity is currently receiving City of Dallas wastewater services under an existing wholesale wastewater contract which will expire on March 21, 2014.

The Town of Addison desires to continue to purchase wastewater service from the City of Dallas under the terms of a standard wholesale wastewater customer contract.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized Wholesale Wastewater Contract with the Town of Addison on March 21, 1984, by Resolution No. 84-1060.

Authorized Supplemental Agreement No. 1 to the Wholesale Wastewater Contract with the Town of Addison on August 14, 1991, by Resolution No. 91-2383.

Authorized Wholesale Treated Water Contract with the Town of Addison on February 8, 2012, by Resolution No. 12-0475.

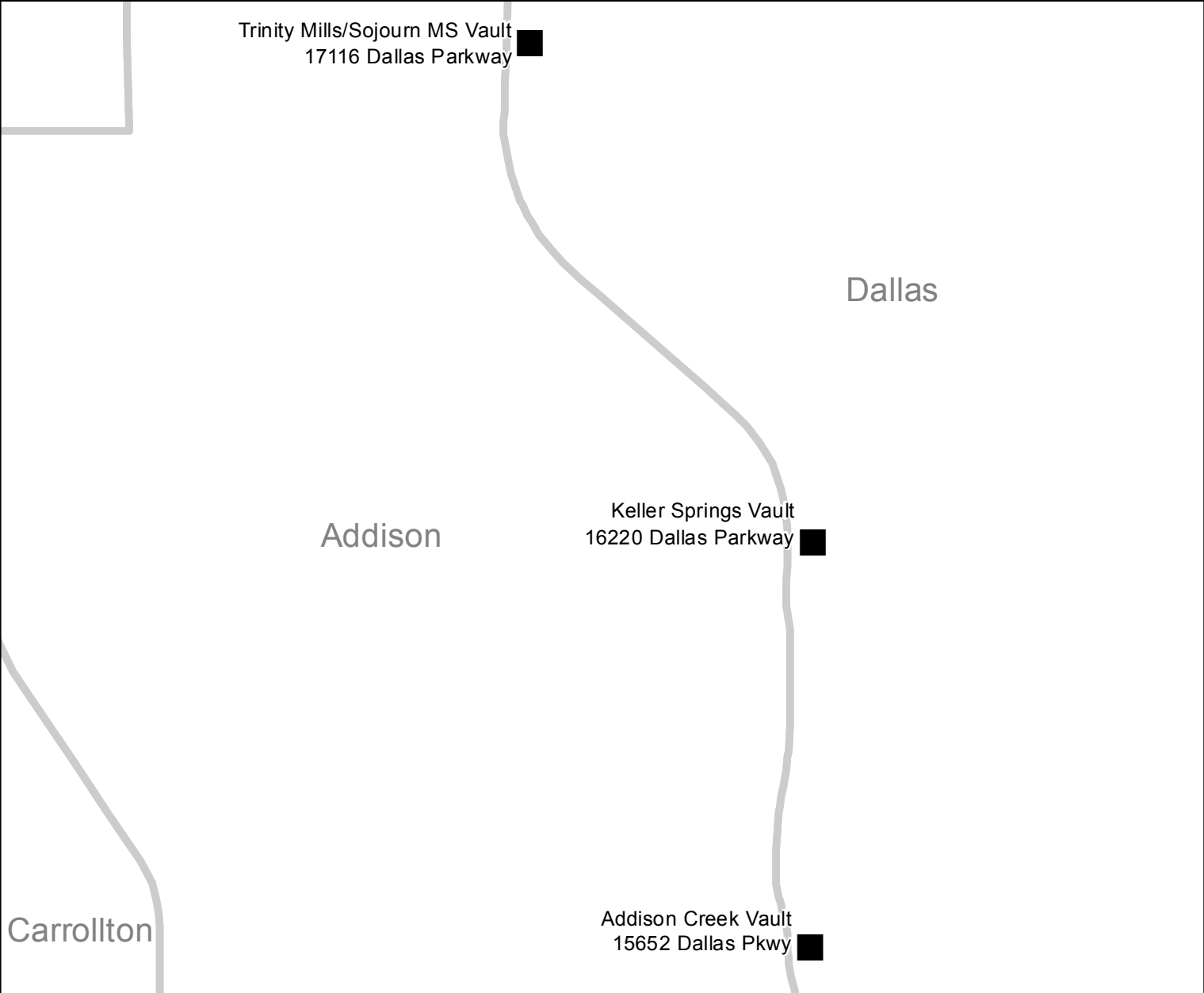
On February 3, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

FISCAL INFORMATION

Estimated Annual Revenue: \$1,075,000 (at current wholesale wastewater rate)

MAP

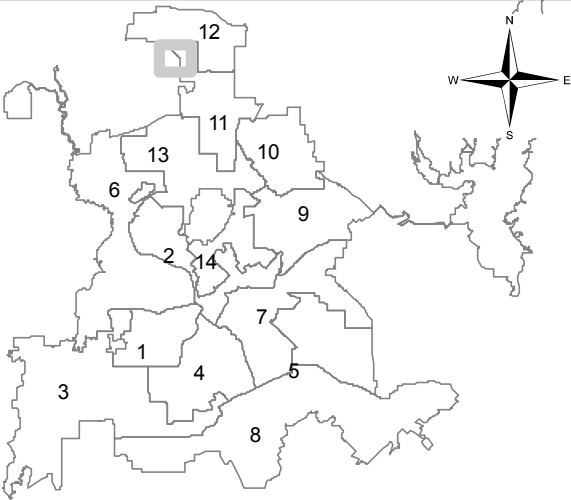
Attached



Location: Addison Wastewater Meter Vaults
(multiple locations)

Council District: 12

Department: DWU



Wastewater Treatment Contract with Town of Addison

February 12, 2014

WHEREAS, the Town of Addison, Texas currently purchases wholesale wastewater service from the City of Dallas, and Dallas currently provides wholesale wastewater service to Addison as set forth under the terms, covenants, and conditions stated in a Wholesale Wastewater Contract between the City of Dallas and the Town of Addison, dated March 21, 1984; and,

WHEREAS, Addison's current wholesale wastewater contract with Dallas will expire on March 21, 2014; and,

WHEREAS, Dallas and Addison desire to enter into a new Wholesale Wastewater Contract; and,

WHEREAS, the term of the new 30-year Wholesale Wastewater Contract will be March 21, 2014 through March 20, 2044; and,

WHEREAS, approval of the new contract would be in the best interest of the City of Dallas as well as the Town of Addison.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a Wholesale Wastewater Contract with the Town of Addison to purchase wastewater services from the City of Dallas for the period March 21, 2014 through March 20, 2044 in the estimated annual amount of \$1,075,000 after approval of the contract documents by the City Attorney.

SECTION 2. That the City Controller is hereby authorized and directed to deposit receipts for services provided under this contract to the Water Utilities Operating Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>FUNC</u>	<u>REVENUE RESOURCE CODE</u>
0100	DWU	7005	7REV	7864

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

AGENDA ITEM # 29

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 12, 2014
COUNCIL DISTRICT(S): All
DEPARTMENT: Water Utilities
CMO: Forest E. Turner, 670-3390
MAPSCO: Outside City Limits

SUBJECT

Authorize a thirty-year contract with the Town of Highland Park to continue providing wastewater service, for the period February 22, 2014 through February 21, 2044 – Estimated Annual Revenue: \$961,000

BACKGROUND

This item is for authorization to enter into a new wholesale wastewater contract, including Reciprocal Water and/or Wastewater Agreement, with the Town of Highland Park, Texas. This entity is currently receiving City of Dallas wastewater services under an existing wholesale wastewater contract which will expire on February 22, 2014.

The Town of Highland Park desires to continue to purchase wastewater service from the City of Dallas under the terms of a standard wholesale wastewater customer contract.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized Wholesale Wastewater Contract with the Town of Highland Park on February 22, 1984, by Resolution No. 84-0735.

Authorized First Amendment to the Wholesale Wastewater Contract with the Town of Highland Park on May 13, 1987, by Resolution No. 87-1558.

Authorized Supplemental Agreement No. 2 to the Wholesale Wastewater Contract with the Town of Highland Park on August 14, 1991, by Resolution No. 91-2383.

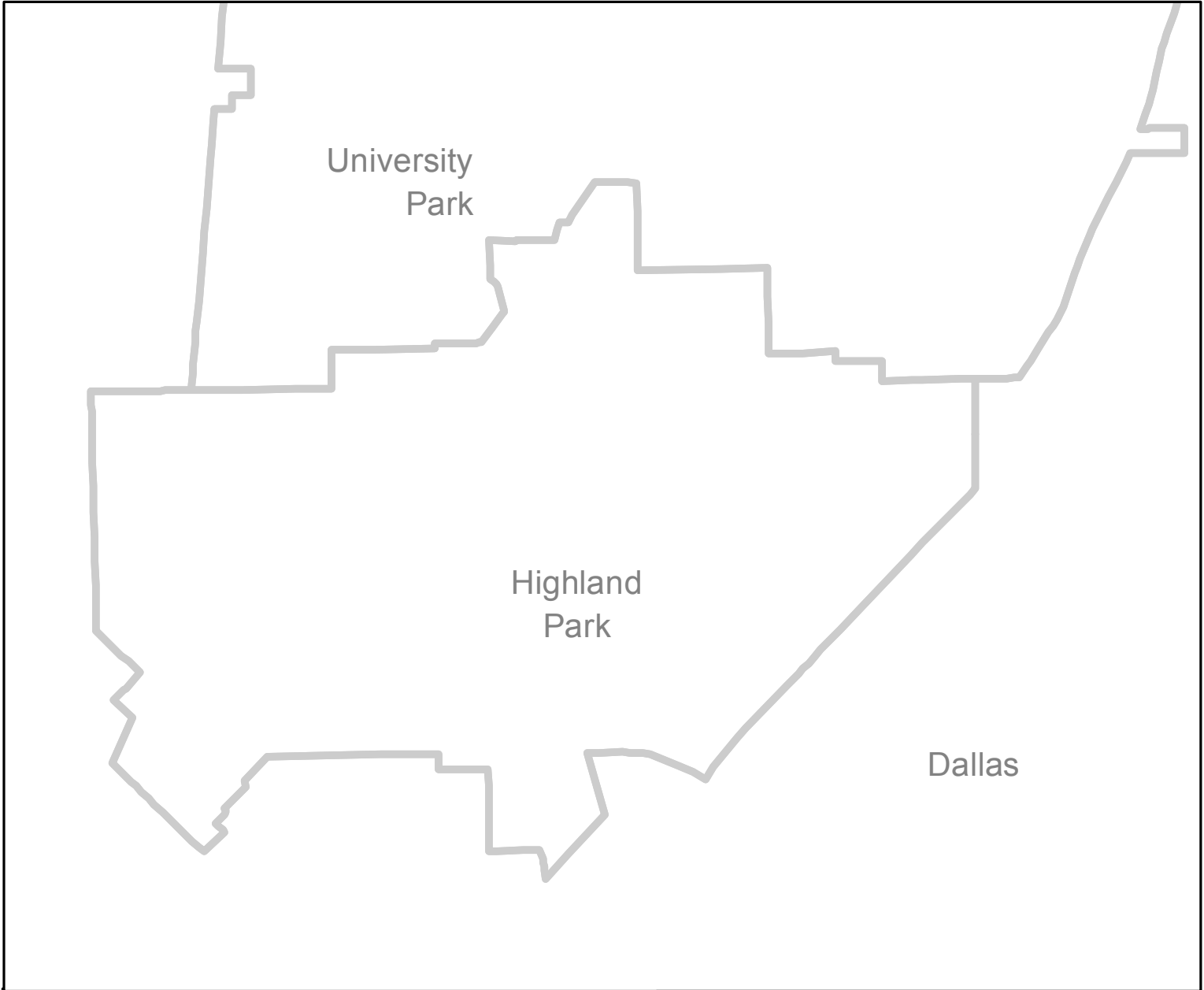
On February 3, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

FISCAL INFORMATION

Estimated Annual Revenue: \$961,000 (at current wholesale wastewater rate)

MAP

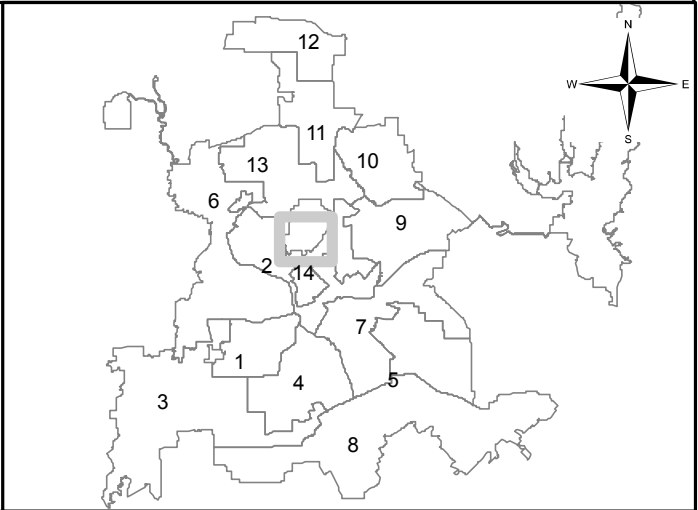
Attached



Location: Town of Highland Park

Council Districts: Adjacent to Districts 2, 13 and 14

Department: DWU



Wastewater Treatment Contract with Town of Highland Park

February 12, 2014

WHEREAS, the Town of Highland Park, Texas currently purchases wholesale wastewater service from the City of Dallas, and Dallas currently provides wholesale wastewater service to Highland Park as set forth under the terms, covenants, and conditions stated in a Wholesale Wastewater Contract between the City of Dallas and Town of Highland Park, dated February 22, 1984; and,

WHEREAS, from time-to-time, both Dallas and Highland Park have need to request the other to furnish water and/or wastewater service to each other's customers along common boundary lines wherein only one city has facilities available; and,

WHEREAS, Highland Park's current wholesale wastewater contract, including Reciprocal Water and/or Wastewater Agreement, with Dallas will expire on February 22, 2014; and,

WHEREAS, Dallas and Highland Park desire to enter into a new Wholesale Wastewater Contract and Reciprocal Water and Wastewater Agreement; and,

WHEREAS, the term of the new 30-year Wholesale Wastewater Contract will be February 22, 2014 through February 21, 2044; and,

WHEREAS, approval of the new contract would be in the best interest of the City of Dallas as well as the Town of Highland 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 enter into a Wholesale Wastewater Contract with the Town of Highland Park to purchase wastewater services from the City of Dallas for the period February 22, 2014 through February 21, 2044 in the estimated annual amount of \$961,000 after approval of the contract documents by the City Attorney.

SECTION 2. That the City Controller is hereby authorized and directed to deposit receipts for services provided under this contract to the Water Utilities Operating Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>FUNC</u>	<u>REVENUE RESOURCE CODE</u>
0100	DWU	7005	7REV	7864

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: 2 T

SUBJECT

Authorize an increase in the contract with Archer Western Construction, LLC for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant - Not to exceed \$278,564, from \$17,144,185 to \$17,422,749 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The Elm Fork Water Treatment Plant located in Carrollton, Texas, the second largest of three water treatment plants serving customers of Dallas Water Utilities, was constructed in the 1950s, underwent an expansion and renovation to its current capacity of 300 million gallons per day in the early 1990s, and is now in need of rehabilitation to continue providing reliable drinking water service to its customers.

On September 12, 2012, the City Council awarded a construction contract to Archer Western Construction, LLC, which authorized rehabilitation of the undersized chlorine gas scrubber system. The improvements included installation of new evaporators and chlorinators, a new scrubber system sized for scrubbing one 90-ton rail car release, and extension of the existing building to secure a third 90-ton rail car. The scrubber system required a new containment area with bulk tanks for storage of caustic chemical. Other improvements included installation of access control and replacement of the ozone destruct units.

BACKGROUND (Continued)

Approval of this item will authorize additional work due to unforeseen site conditions, constructability issues, and errors and omissions that are typically associated with rehabilitation and underground type work. This includes security changes, pipe alignment modification, addition of new chlorine air pad check valves, and painting of a fire header. The item will also authorize the addition of temporary transition ducting, paving grade changes around the railroad track, and additional pipe supports. The change order includes a credit for not having to bury the containment pipe as deeply as indicated in the contract documents. This additional work is needed to keep the Elm Fork Water Treatment Plant fully operational and continue to provide clean drinking water to customers.

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2012
Completed Design	May 2012
Began Construction	October 2012
Complete Construction	March 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Malcolm Pirnie, Inc. to provide engineering services for Elm Fork Water Treatment Plant water quality improvements on June 23, 2010, by Resolution No. 10-1641.

Authorized a contract with Archer Western Construction, LLC for the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant on September 12, 2012, by Resolution No. 12-2277.

Authorized an increase in the contract with Archer Western Construction, LLC for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant on June 26, 2013, by Resolution No. 13-1094.

FISCAL INFORMATION

\$278,564.00 - Water Utilities Capital Improvement Funds

Design	\$ 7,562,770.00
Construction Contract	\$16,994,500.00
Change Order No. 1	\$ 149,685.00
Change Order No. 2 (this action)	<u>\$ 278,564.00</u>
Total Project Cost	\$24,985,519.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Archer Western Construction, LLC

Hispanic Female	7	Hispanic Male	238
Black Female	1	Black Male	12
Other Female	1	Other Male	8
White Female	19	White Male	181

OWNER

Archer Western Construction, LLC

Daniel P. Walsh, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Archer Western Construction, LLC for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant - Not to exceed \$278,564, from \$17,144,185 to \$17,422,749 - Financing: Water Utilities Capital Improvement Funds

Archer Western Construction, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$103,090.48	37.01%
Non-local contracts	\$175,473.52	62.99%
TOTAL THIS ACTION	\$278,564.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

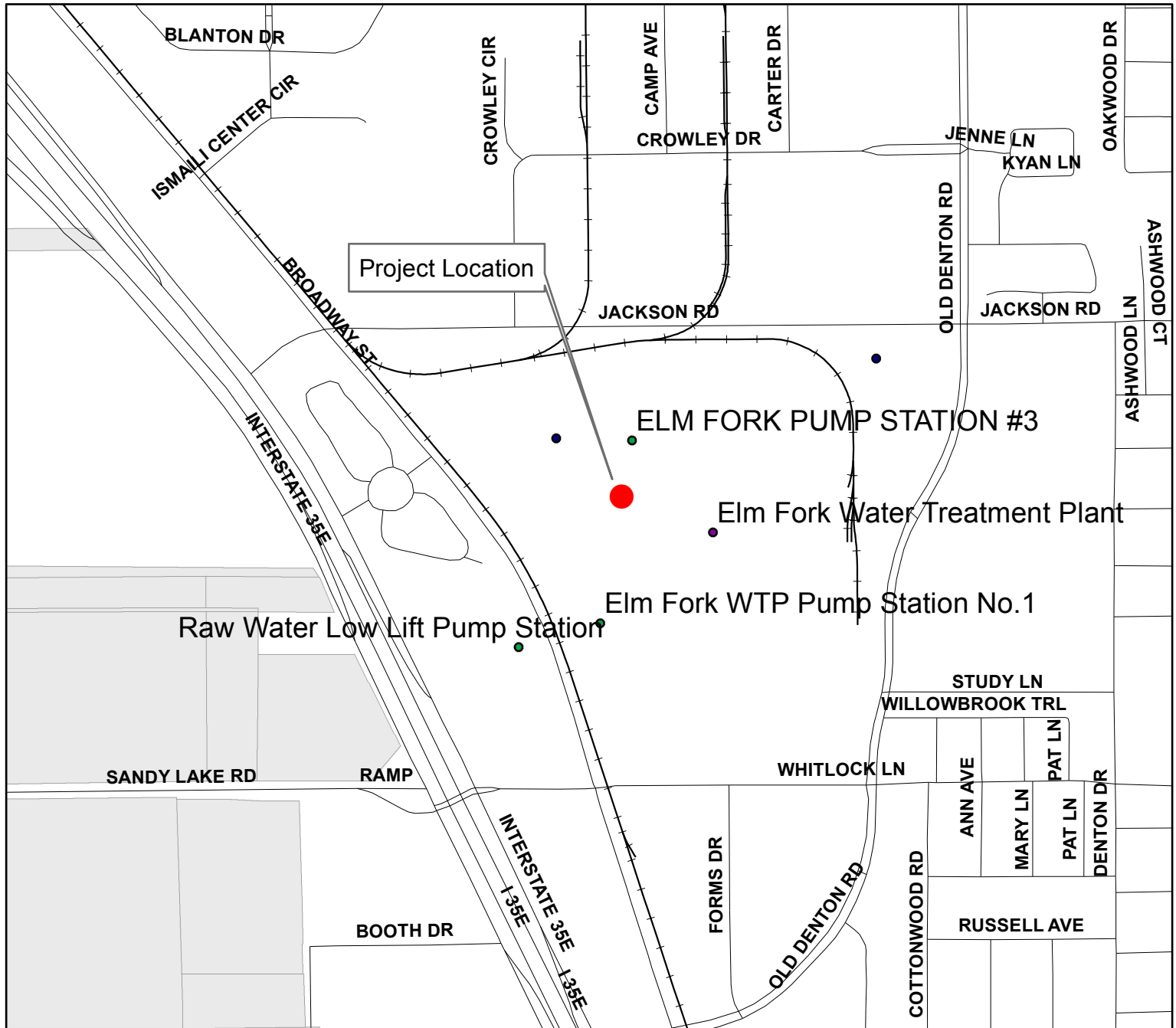
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
A-Star Masonry and Stucco, LLC	HMDB57190Y0414	\$5,868.00	5.69%
Corr Tech, Inc	WFWB59443N1214	\$55,587.48	53.92%
Total Minority - Local		\$61,455.48	59.61%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Gardner Mechanical, LLC	WFWB56283Y0114	\$3,140.34	1.79%
Total Minority - Non-local		\$3,140.34	1.79%

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$33,308.00	0.19%
Hispanic American	\$5,868.00	2.11%	\$218,198.00	1.25%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$1,914,250.00	10.99%
WBE	\$58,727.82	21.08%	\$2,414,848.72	13.86%
Total	\$64,595.82	23.19%	\$4,580,604.72	26.29%



Mapsc0: 2 T

Council District: Outside City Limits



February 12, 2014

WHEREAS, on June 23, 2010, the City Council awarded Contract No. 10-027E in the amount of \$7,562,770.00, by Resolution No. 10-1641, to Malcolm Pirnie, Inc., 12400 Coit Road, Suite 1200, Dallas, Texas 75251, to provide engineering services for Elm Fork Water Treatment Plant water quality improvements; and,

WHEREAS, on September 12, 2012, the City Council awarded Contract No. 12-135 in the amount of \$16,994,500.00, by Resolution No. 12-2277, to Archer Western Construction, LLC, 1411 Greenway Drive, Irving, Texas 75038, for the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant; and,

WHEREAS, on June 26, 2013, the City Council awarded Change Order No. 1 in the amount of \$149,685.00, by Resolution No. 13-1094, for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant; and,

WHEREAS, it is now necessary to authorize Change Order No. 2 for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant; and,

WHEREAS, Archer Western Construction, LLC has submitted an acceptable proposal for this additional work; and,

WHEREAS, the Water Utilities Department recommends that Contract No. 12-135 be increased by \$278,564.00, from \$17,144,185.00 to \$17,422,749.00.

Now, Therefore,

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

Section 1. That the proposed Change Order No. 2 be accepted and that Contract No. 12-135 with Archer Western Construction, LLC, be revised accordingly.

Section 2. That the City Controller is hereby authorized to pay the amount of \$278,564.00 from the Water Capital Improvement Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>PRO</u>	<u>REP</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
0115	DWU	PW31	WTPF	4550	712135	W3KB	CTDWU712135CP	VS0000064407

Archer Western Construction, LLC - (Contract No. 12-135) - \$278,564.00

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 ITEM # 31

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: Outside City Limits

SUBJECT

Authorize a five-year contract, with two five-year renewal options, with the Prestonwood Golf Club, LLC to provide untreated water for the Prestonwood Golf Club's The Hills Golf Course located in Plano, Texas, for the period February 12, 2014 through February 11, 2019 – Estimated Annual Revenue: \$46,013

BACKGROUND

This item is for authorization to enter into a new untreated water contract with Prestonwood Golf Club, LLC to serve the Plano location.

Prestonwood Golf Club, LLC requests the purchase of a maximum of 96,351,795 gallons of untreated water annually from Dallas from a diversion point located on Indian Creek, tributary to the Elm Fork Trinity River, for recreational purposes and for irrigation at Prestonwood Golf Club, LLC's The Hills Golf Course located in Plano, Texas.

The City of Dallas has water rights in the Elm Fork of the Trinity River for multiple purposes including rights for recreational and agricultural (irrigation) use. The untreated water diverted by the Prestonwood Golf Club, LLC shall be considered diverted from the Elm Fork Trinity River at Prestonwood Golf Club, LLC's diversion point.

This water will be billed at the ordinance rate for regular untreated water service in accordance with Chapter 49. The sale of untreated water to the Prestonwood Golf Club, LLC is subject to and limited by available system supply.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

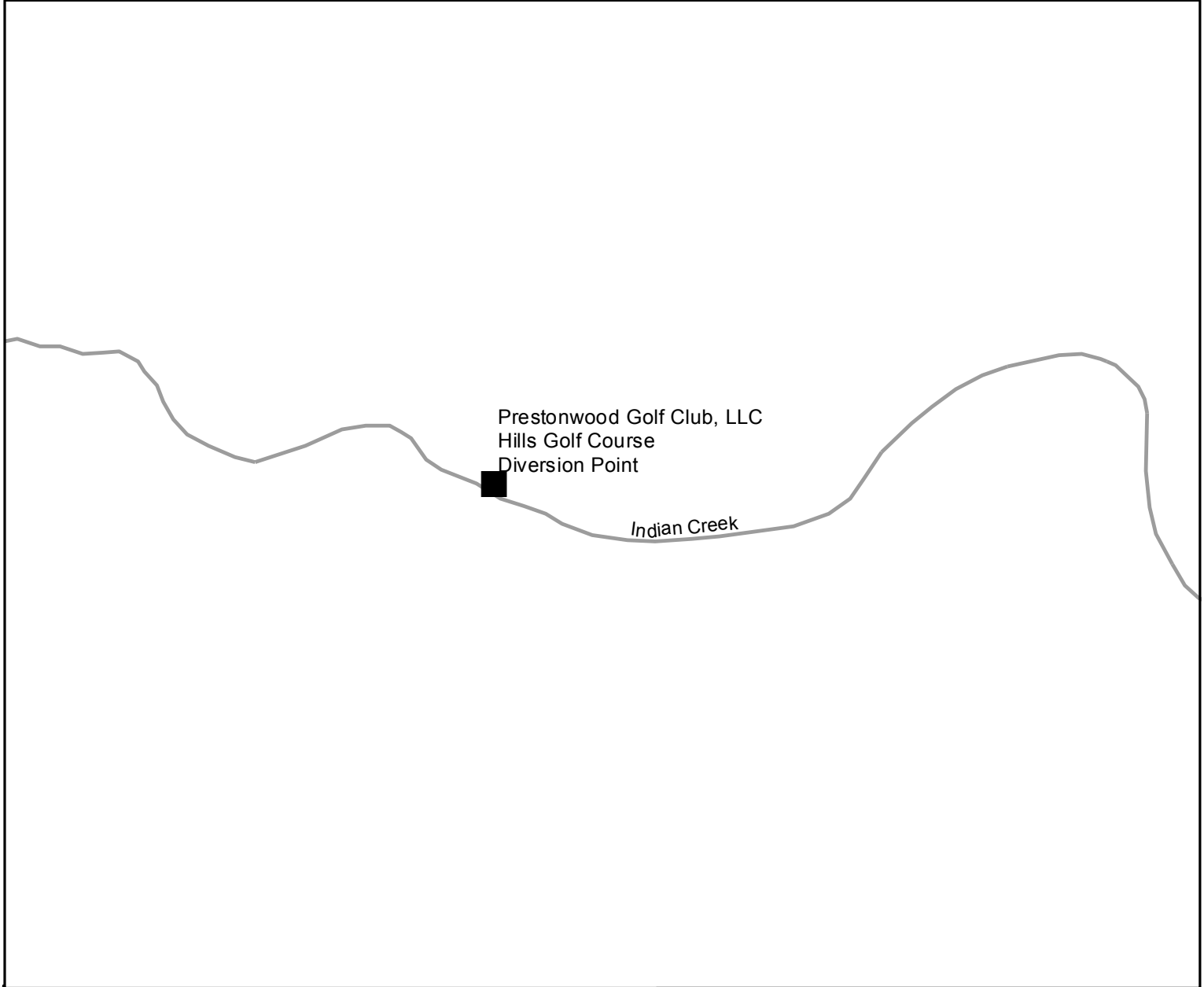
This item has no prior action.

FISCAL INFORMATION

Estimated Annual Revenue: \$46,013 (at current untreated water rate)

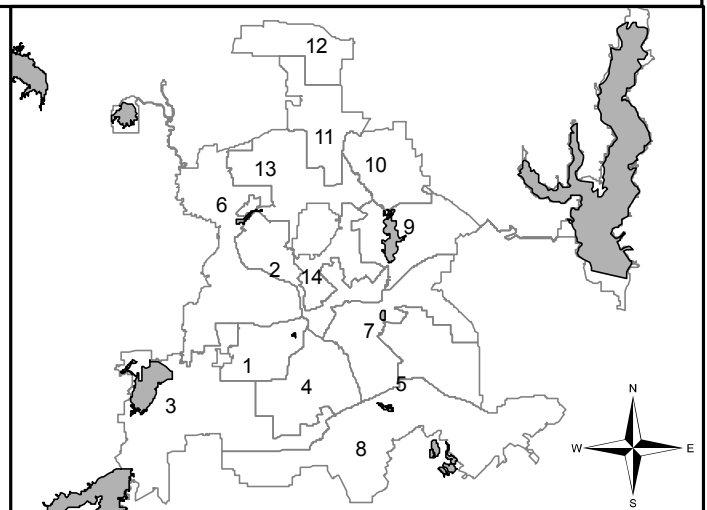
MAP

Attached



Diversion of Water From Indian Creek
Tributary of Elm Fork Trinity River
Location: Prestonwood Country Club - Hills Golf Course
6600 Columbine Way
Plano, TX

Department: DWU



Untreated Water Contract with Prestonwood Golf Club, LLC

D01132014

February 12, 2014

WHEREAS, the City of Dallas owns water rights in the Elm Fork Trinity River including recreational and agricultural (irrigation) water rights; and,

WHEREAS, Prestonwood Golf Club, LLC requests to purchase untreated water from the City of Dallas for recreation and irrigation purposes for use at its The Hills Golf Course; and,

WHEREAS, Dallas and Prestonwood Golf Club, LLC desire to enter into a new Untreated Water Contract; and,

WHEREAS, the initial term of the new 5-year Untreated Water Contract which has two, five-year renewal options will be February 12, 2014 through February 11, 2019; and,

WHEREAS, approval of the new contract would be in the best interest of the City of Dallas as well as the Prestonwood Golf Club, LLC; **Now, Therefore,**

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

SECTION 1. That the City Manager is hereby authorized to enter into an Untreated Water Contract with Prestonwood Golf Club, LLC to purchase untreated water from the City of Dallas for the initial term of February 12, 2014 through February 11, 2019 in the estimated annual amount of \$46,013 after approval of the contract documents by the City Attorney.

SECTION 2. That the City Controller is hereby authorized and directed to deposit receipts for services provided under this contract to the Water Utilities Current Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>FUNC</u>	<u>REVENUE SOURCE CODE</u>
0100	DWU	7005	7REV	7847

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 10

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 27P

SUBJECT

Authorize **(1)** the acceptance of \$13,350,000 of Community Development Block Grant Section 108 Guarantee Loan Program Funds (Section 108 Loan Funds) from the U.S. Department of Housing and Urban Development (HUD) for Lake Highlands Town Center Phase I commercial development project; **(2)** a loan agreement with PC LH Land Partners LP (the Section 108 Borrower), its affiliates or assigns in the amount of \$13,350,000 of Section 108 Loan Funds for development of the Lake Highlands Town Center Phase I project (the Section 108 Borrower Loan) including construction of commercial buildings with approximately 145,000 square feet of space and parking structure with approximately 1,069 parking spaces, sitework, loan interest reserve, and financing costs for public offering for the transit-oriented development located in the 7140 to 7160 blocks of Skillman Street; **(3)** the City Manager to enter into all necessary agreements with HUD including a Funding Approval/Agreement, a Fiscal Agency Agreement, a Promissory Note, up to two letters of agreement for establishment of a custodial account, documents relating to additional security if required by HUD, and a letter requesting advance funds for interim financing; **(4)** the City Manager to establish appropriations for Section 108 Loan Funds for a commercial development loan; and **(5)** the City Controller to deposit and disburse funds from an identified account for Section 108 Loan Funds - Not to exceed \$13,350,000 - Financing: Community Development Block Grant Section 108 Guarantee Loan Funds

BACKGROUND

In January 2009, the City Council adopted the Community Development Block Grant Section 108 Guarantee Loan Fund Program to provide up to a total of all Section 108 projects of \$75,000,000, primarily to increase the amount of funding available for economic development through making of loans that promote activities which contribute to the development of viable communities by providing decent housing and a suitable living environment, and by promoting local economic development to stimulate business and commercial activity in the City of Dallas leading to creation of permanent jobs and provision of goods and services to project areas.

BACKGROUND (continued)

The City seeks to fund projects that increase the level of business activity by expanding economic activities. It is also important to the City that Section 108 loan repayments from borrowers match the City's required repayments to HUD on the Section 108 Guarantee Loan. Annual repayments of Section 108 Guarantee loans should be credit enhanced to eliminate risk of City making payments from annual CDBG allocations, to the extent reasonably possible. The City applied to HUD for five years of interest reserve to cover the interest payments on the Section 108 Borrower Loan during the construction and lease-up period and through stabilization of the project. Lake Highlands Town Center Phase I (Lake Highlands) project is in a transit-oriented development area in the Skillman Corridor Tax Increment Financing (TIF) District, and an estimated \$17,500,000 in future TIF funds available to the project will be used to repay the Section 108 Borrower Loan for the project.

The City received a proposal from PC LH Land Partners, LP for a loan in the amount of \$13,350,000 in Community Development Block Grant Section 108 Guarantee Loan funds for eligible activities which may include construction of commercial buildings and parking structure, sitework, loan interest reserve, and financing costs for public offering to assist with development of Lake Highlands Town Center Phase I project. The project is a commercial development including construction of approximately 145,000 square feet of commercial space containing seven buildings that will be occupied by a grocery anchor, retail, office, restaurant, and service-oriented businesses and a structured multi-level parking deck with approximately 1,069 parking spaces located in the 7140 to 7160 blocks of Skillman Street. The project will create an estimated 475 permanent jobs including an estimated 394 jobs held by individuals with incomes at 80% or less of Area Median Family Income as established by HUD.

Phase I is part of a multi-phase Lake Highlands Town Center development, which at full completion will include 1.9 million square feet of mixed-use commercial space for office, restaurant, and service-oriented businesses, and approximately 1,200 units comprised of multi-family rental units and for-sale units for mixed-income households with 20% of the units reserved for affordable housing. The project is in a transit-oriented development area located in the Skillman Corridor TIF District. 100% of the infrastructure on the site has been completed and the development is "shovel ready" to start Phase I of the vertical commercial development, which will be funded with Section 108 loan funds. None of the Section 108 loan funds will be used for any aspect of the construction of residential units.

The project is part of a public/private partnership in which proposed funding will be provided from Tax Increment Financing (TIF) District funding and City funding. The City Council approved a TIF development agreement with PC LH Land Partners, LP to provide TIF funds for development of the Lake Highlands Town Center project on June 13, 2007, for funding not to exceed \$23,000,000.

BACKGROUND (continued)

The Economic Development Committee was briefed on a proposed amendment to the TIF development agreement to increase the TIF funding and voted favorably to recommend the funding increase on June 20, 2011. The City Council approved the amendment to the TIF development agreement with PC LH Land Partners, LP to increase funding for development of the multi-phase Lake Highlands Town Center development from \$23,000,000 to \$40,000,000 on June 22, 2011.

Total project costs to develop the commercial portion of Phase I of the development including construction of commercial buildings with approximately 145,000 square feet of space for a grocery anchor, retail, office, restaurant, and service-oriented businesses and 1,069-space structured parking garage is approximately \$46.2M with the City contributing 28.9%. Funding for the project will come from the \$13.35M Section 108 Loan funds and from a first lien note of \$25.9M and owner/developer equity of \$6.9M.

The Economic Development Committee was briefed on the Community Development Block Grant Section 108 Guarantee Loan proposed application for submission to HUD for development of Lake Highlands Town Center Phase I project on December 5, 2011. The Committee gave favorable recommendation for the City to apply for Section 108 Guarantee Loan funds for the project. The City held a neighborhood public hearing at the Audelia Road Library Branch at 10045 Audelia Road on January 12, 2012, and received favorable comments on the application to be submitted to HUD for the Lake Highlands project. On December 14, 2011, the City Council authorized a public hearing to be held on January 25, 2012, which complies with HUD regulations and the City's Citizen Participation Plan of 30 days comment period from date of call for public hearing.

After the City Council public hearing held on January 25, 2012, the City Council approved submission of the Section 108 Loan funds application to HUD for the Lake Highlands project, and the City submitted the application to HUD on February 2, 2012. The City submitted an amended application to HUD on March 23, 2012, in conformance with revisions required by HUD following its preliminary review of the application. HUD approved an award of \$13,350,000 in Section 108 funds for the Lake Highlands project on July 17, 2012.

The Section 108 loan application requested \$13,350,000 for Lake Highlands Town Center Phase I project. The loan term will be for twenty (20) years with interest only payments for the first five (5) years and principal and interest payments due for years six (6) through twenty (20). The Section 108 Borrower will repay principal and pay interest on the City's Section 108 Lake Highlands Loan with a pledge of future TIF reimbursements beginning in 2015.

BACKGROUND (continued)

The interest rate for the City's Section 108 loan from HUD will be determined by the 3 month London Interbank Offered Rate (LIBOR) plus twenty (20) basis points before the loan is required by HUD to be sold at public offering. HUD public offerings are usually held in the fall of every year, at which time the full balance of the loan will be advanced by HUD at a permanent interest rate determined by yields on U.S. Treasury obligations of similar maturity plus a small additional basis point spread.

Interest will be paid by Prescott Realty Group, Inc., the developer, through a combination of interest reserve built into the construction loan, and a pledge of partnership distributions until the TIF reimbursements start in 2015. The interest rate on the loan to the developer will be .50% higher than the Section 108 Loan from HUD and both loans will have matching amortization. The pledge of an income stream and/or a guaranty by the borrower may be pledged as a backstop guaranty, if required, for the loan repayment. All loan payments by borrower will provide adequate funds for the City to make its payments on the Section 108 Loan from HUD.

The Section 108 Loan funds will be used to fund construction of approximately 145,000 square feet of commercial space that will be occupied by a grocery anchor, retail, office, restaurant, and service-oriented businesses and a 1,069-space structured parking structure and to fund sitework, loan interest reserve, and financing costs related to public offering. The commercial development of the project will meet the statements of community development objectives in the City's Consolidated Plan dealing with creation of employment opportunities by creating approximately 394 jobs that will be held by low to moderate-income employees. The job creation also meets a HUD National Objective of providing jobs to low- to moderate-income persons.

This action item requests authorization for the City Manager to execute the documents necessary to enter into a \$13,350,000 Section 108 loan agreement with HUD; to appropriate the Section 108 loan funds to the proper account; to execute a loan agreement with the Section 108 Borrower in the amount of \$13,350,000 of Section 108 loan funds for Lake Highlands Town Center Phase I project including construction of commercial buildings with approximately 145,000 square feet of space and a 1,069-space parking structure, sitework, loan interest reserve, and financing costs for public offering.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2007, the City Council approved a TIF development agreement with PC LH Land Partners, LP to provide TIF funds for development of the Lake Highlands Town Center project for funding in an amount not to exceed \$23,000,000 by Resolution Nos. 07-1739 and 07-1740.

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

On November 17, 2008, the Economic Development Committee and the Housing Committees were briefed and gave favorable approval on CDBG Section 108 Loan Application authorization for the use of Section 108 Guarantee Loan funds to provide project gap financing or mezzanine debt necessary to move projects forward in today's financial market, to minimize, if not eliminate, the risk to the CDBG program revenue and set guidelines by which the funds would be used.

On January 5, 2009, the Economic Development Committee and the Housing Committees were briefed and gave favorable approval on CDBG Section 108 Guarantee Loan fund application requirements and proposed Program Guidelines for City to apply for up to a total of \$75,000,000 in guarantee loans.

On January 28, 2009, the City Council adopted CDBG Section 108 Guarantee Loan Program Statement, setting out the program purpose, description, operations and project criteria by Resolution No. 09-0291.

On June 20, 2011, the Economic Development Committee was briefed on a proposed amendment to the TIF development agreement with PC LH Land Partners, LP for development of the Lake Highlands Town Center project to increase TIF funding from \$23,000,000 to \$40,000,000 and voted favorably to recommend the increase in funding.

On June 22, 2011, the City Council approved an amendment to the TIF development agreement with PC LH Land Partners, LP to increase funding for development of the Lake Highlands Town Center project from \$23,000,000 to an amount not to exceed \$40,000,000 by Resolutions Nos. 11-1744 and 11-1745.

On December 5, 2011, the Economic Development Committee was briefed on the Community Development Block Grant Section 108 Guaranteed loan application to HUD for development of the Lake Highlands Town Center project and voted to favorably recommend that the City apply for Section 108 Guarantee Loan funds for the project.

On December 14, 2011, the City Council authorized a public hearing to be held on January 25, 2012, to receive comments on the proposed City of Dallas submission of an application to HUD for a Section 108 loan not to exceed \$13,350,000 for the Lake Highlands Town Center project by Resolution No. 11-3306.

On January 25, 2012, the City Council held a public hearing and following the public hearing authorized submission of a Section 108 Guarantee Loan Funds application to HUD for a Community Development Block Grant Section 108 loan in the amount of \$13,350,000 by Resolution No. 12-0337.

On June 26, 2013, this item was deferred by Councilmember Allen.

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

On November 12, 2013, this item was deferred by Councilmember Allen.

FISCAL INFORMATION

Community Development Block Grant Section 108 Guarantee Loan Funds -
\$13,350,000

OWNER

PC LH Land Partners, LP

Judson L. Pankey, Manager
& Co-General Partner

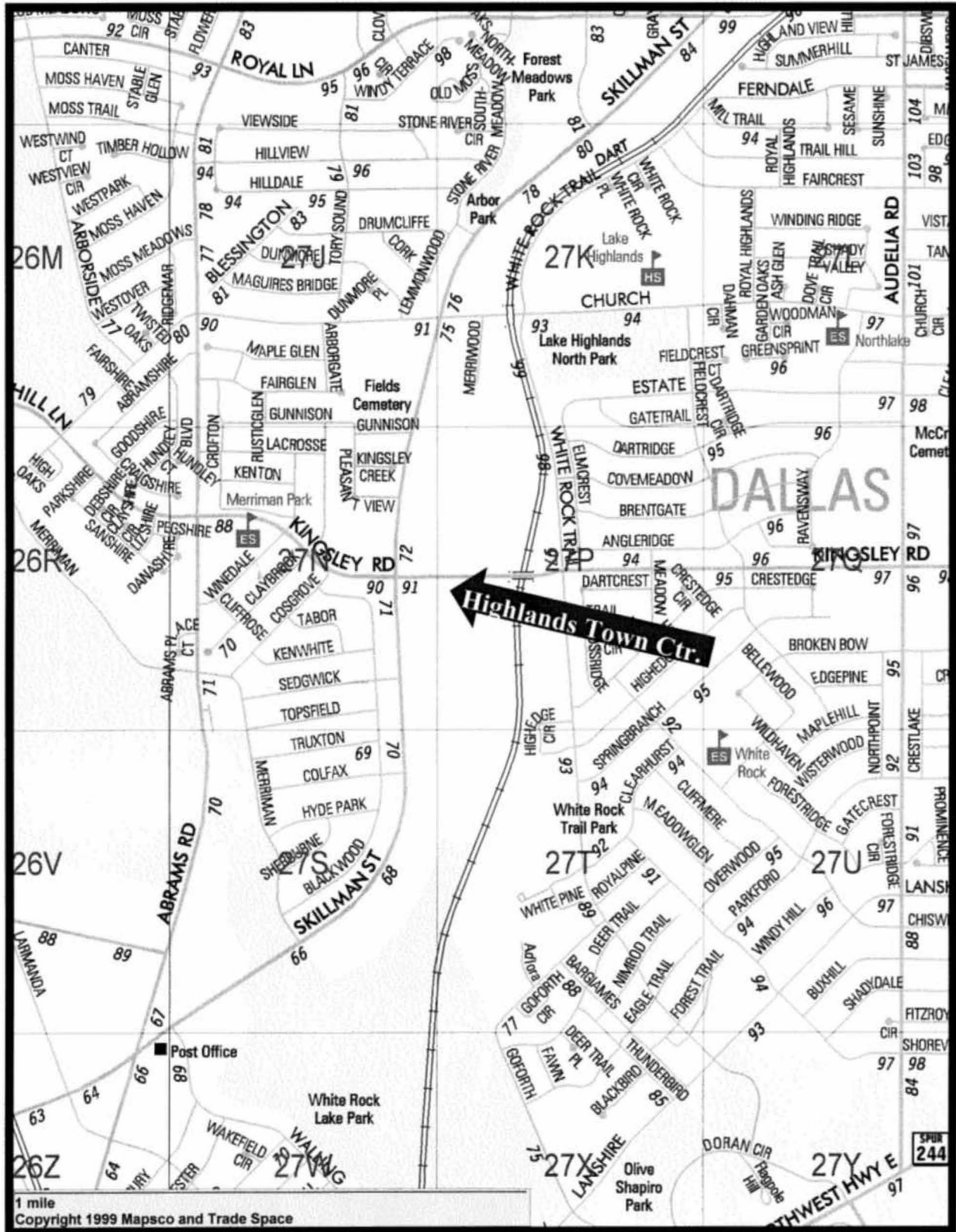
DEVELOPER

Prescott Realty Group, Inc.

Judson L. Pankey, Chief Executive Officer

MAP

Attached



MAPSCO 27P

February 12, 2014

WHEREAS, the City of Dallas seeks to increase the amount of funding available for economic development through making loans that promote activities which contribute to the development of viable communities by providing decent housing and a suitable living environment, by promoting local economic development to stimulate business and commercial activity in the City of Dallas leading to creation of permanent jobs and provision of goods and services to project areas, and by providing for elimination of specific conditions of blight, physical decay, or environmental contamination to protect the health and safety of the public; and

WHEREAS, the City of Dallas seeks to keep momentum going in growth prone areas and stimulate investment in more challenged areas by providing a substitute for declining availability of capital funding while banks are not willing to loan as much against collateral, interest rates for available funding have increased and proceeds from sales of tax credits has declined; and

WHEREAS, on June 13, 2007, the City Council authorized a development agreement with PC LH Land Partners, LP ("PC LH") to provide TIF funding not to exceed \$23,000,000 related to the development of the Lake Highlands Town Center by Resolution Nos. 07-1739 and 07-1740; and

WHEREAS, on November 17, 2008, the Economic Development Committee and the Housing Committees were briefed and gave favorable approval on CDBG Section 108 Loan Application authorization for the use of Section 108 Guarantee Loan funds to provide project gap financing or mezzanine debt necessary to move projects forward in today's financial market, to minimize, if not eliminate, the risk to the CDBG program revenue and set guidelines by which the funds would be used; and

WHEREAS, on January 5, 2009, the Economic Development Committee and the Housing Committees were briefed and gave favorable approval on CDBG Section 108 Guarantee Loan fund application requirements and proposed Program Guidelines for the City to apply for up to a total of \$75,000,000 in guarantee loans; and

WHEREAS, on January 28, 2009, the City Council adopted CDBG Section 108 Guarantee Loan Program Statement, setting out the program purpose, description, operations and project criteria by Resolution No. 09-0291; and

WHEREAS, on June 20, 2011, the Economic Development Committee was briefed and gave favorable approval on a proposed amendment to the TIF development agreement with PC LH Land Partners, LP for development of the Lake Highlands Town Center project to increase TIF funding from \$23,000,000 to \$40,000,000; and

February 12, 2014

WHEREAS, on June 22, 2011, the City Council authorized an amendment to the TIF development agreement with PC LH Land Partners, LP ("PC LH") to provide an increase in funding related to the development of the Lake Highlands Town Center project from \$23,000,000, not to exceed \$40,000,000 by Resolutions Nos. 11-1744 and 11-1745; and

WHEREAS, Prescott Realty Group, Inc., the developer, submitted a proposal to the City for CDBG Section 108 Guarantee Loan Program funds (Section 108 Loan funds) for eligible economic development activities related to the development of Lake Highlands Town Center Phase I project; and

WHEREAS, on December 5, 2011, the Economic Development Committee was briefed on the developer's request for Section 108 Loan funds in the amount of \$13,350,000 for development of Lake Highlands Town Center Phase I project and voted to favorably recommend that the City apply for Section 108 Loan funds for the project; and

WHEREAS, On December 14, 2011, the City Council authorized a public hearing to be held on January 25, 2012, to receive comments on the proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a CDBG Section 108 Loan funds loan not to exceed \$13,350,000 for Lake Highlands Town Center Phase I project by Resolution No. 11-3306; and

WHEREAS, on January 25, 2012, the City Council held a public hearing and following the public hearing authorized submission of an application to HUD for a CDBG Section 108 Guarantee Loan Funds loan in an amount not to exceed of \$13,350,000 for development of Lake Highlands Town Center Phase I project by Resolution No. 12-0337; and

WHEREAS, on February 2, 2012, the City of Dallas applied to HUD for a CDBG Section 108 Loan funds loan for PC LH Land Partners, LP, its affiliates or assigns, for a commercial development project in the 7140 to 7160 blocks of Skillman Street including construction of approximately 145,000 square feet of commercial space and 1,069-space parking structure, sitework, loan interest reserve, and financing costs for public offering for development of Lake Highlands Town Center Phase I project; and

WHEREAS, on July 17, 2012, HUD approved an award of \$13,350,000 for a CDBG Section 108 Guarantee Loan Funds loan for development of Lake Highlands Town Center Phase I project; **NOW, THEREFORE**,

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

February 12, 2014

SECTION 1. That the City Manager, upon the U.S. Department of Housing and Urban Development's (HUD's) approval of Lake Highlands Town Center Phase I project and the use of Community Development Block Grant Section 108 Guarantee Loan funds (Section 108 Loan funds) for the project, and upon approval as to form by the City Attorney, is hereby authorized to accept \$13,350,000 in Section 108 funds for Lake Highlands Town Center Phase I project located in the 7140 to 7160 blocks of Skillman Street in the Skillman Tax Increment Financing (TIF) District to fund construction of approximately 145,000 square feet of commercial space including grocery anchor, retail, office, restaurant, and service-oriented businesses and 1,069-space parking structure, and to fund sitework, loan interest reserve, and financing costs for public offering.

SECTION 2. that the City Manager, subject to approval as to form by the City Attorney, is authorized to enter into a Fiscal Agency Agreement with the local fiscal agent selected by HUD, a Contract for Loan Guarantee Assistance with HUD, a Promissory Note for either interim or permanent financing, two letters of agreement with a custodian and establishment of custodial accounts at a financial institution, other documents relating to additional security which are required by HUD when the term of the loan is ten years or more, and if funds are needed immediately, a letter requesting advance funds for interim financing.

SECTION 3. That, in connection with this Section 108 Loan, the City Manager is further authorized to execute any other necessary documents, upon approval as to form by the City Attorney, including, but not limited to, a Funding Approval/Agreement, assignment of lien to HUD, blank endorsement of note to HUD, Co-lenders agreement, a request for project funding, and Community Development Block Grant Contract.

SECTION 4. That the City Manager is authorized to enter into loan agreements and execute, subject to approval as to form by the City Attorney, all necessary loan documents with PC LH Land Partners LP, its affiliates or assigns for development of Lake Highlands Town Center Phase I project in the 7140 to 7160 blocks of Skillman Street in the Skillman Corridor Tax Increment Financing (TIF) District to fund construction of approximately 145,000 square feet of commercial space including grocery anchor, retail, office, restaurant, and service-oriented businesses and 1,069-space parking structure, and to fund sitework, loan interest reserve, and financing costs for public offering.

February 12, 2014

SECTION 5. That the terms of the loan documents for the \$13,350,000 Section 108 Borrower Loan fund loan include:

- a. The Borrower must execute a Note payable to the City of Dallas for no more than \$13,350,000 for the economic development loan for Lake Highlands Town Center Phase I project and will execute a Deed of Trust for the period of HUD's Section 108 loan with the City and Use Restrictions on the property for a period of fifteen (15) years from the closing date of the loan. The interest payments for the first five years of the loan will be funded out of five years of interest reserve and Tax Increment Financing District (TIF) reimbursements to be used to make City Loan payments of principal and interest due for years 6 through 20 until the City Loan is paid in full. Both the Section 108 Loan from HUD and the City Loan to the Borrower will have matching amortization and maturity dates, and the Section 108 Lake Highlands Town Center Phase I Loan will have an interest rate which is .5% higher than the Section 108 Loan from HUD. Based on projections, all loan payments by borrower will provide adequate funds for City to make its payment on the Section 108 Loan from HUD.
- b. The Section 108 Borrower must use Section 108 Borrower Loan funds to complete construction of approximately 145,000 square feet of commercial space including grocery anchor, retail, office, restaurant, and service-oriented businesses and 1,069-space parking structure, and fund sitework, loan interest reserve, and financing costs for public offering for Lake Highlands Town Center project located at 7140 to 7160 Skillman Street.
- c. The grocery anchor, retail, office, restaurant, and service-oriented businesses in the commercial space must produce a minimum of 394 jobs held by low/moderate income individuals.
- d. Borrower will begin construction no later than twelve (12) months from contract execution and obtain Certificate of Occupancy no later than three (3) years of the closing of Section 108 Borrower Loan and will expend all of the funds for approved construction line items, except interest reserve funds, within three (3) years of the closing of the Section 108 Borrower Loan and will expend all of the funds except those necessary to meet debt service requirements.
- e. Borrower will document and report ongoing occupancy requirements on a monthly basis for the commercial tenants and will report on the incomes of low- and moderate-income persons occupying jobs created by the project. Borrower will also document job creation as necessary to meet the HUD requirements for public benefit and the National Objectives of the Section 108 Program.
- f. Borrower must provide source documentation for all other sources of funds necessary to complete Lake Highlands Town Center Phase I commercial development project.

February 12, 2014

SECTION 6. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute loan agreements, co-funding agreements, subordination of lien, intercreditor agreements, HUD regulatory agreement and any other documents necessary to document the Section 108 Borrower Loan.

SECTION 7. That the City Manager, upon approval as to form by the City Attorney is authorized to execute releases of liens on the property and other collateral upon compliance with the terms of the loans.

SECTION 8. That the City Manager is authorized to establish appropriations in the amount of \$13,350,000 in Fund 0J54, Unit 0J5D, Obj 3090 for project costs and those necessary to make repayments to HUD.

SECTION 9. That the City Controller is authorized to accept and deposit Section 108 loan funds in the amount of \$13,350,000 in Fund 0J54, Unit 0J5D, Revenue Source 8461, for project costs and those necessary to make repayments to HUD.

SECTION 10. That the City Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the loan documents authorized in Section 5 as follows:

PC LH Land Partners, LP C/O Prescott Realty Group Vendor # VS0000021277

Fund 0J54, Dept HOU, Unit 0J5D, Obj 3075, Program # LKHighland
HOU0J5DH123 – in an amount not to exceed \$13,350,000

SECTION 11. That the City Controller is hereby authorized to set up receivable balance sheet account (033F) and deferred revenue (088M) in Fund 0J54 for the amount of the Section 108 Borrower loan.

SECTION 12. That the City Controller is authorized to accept and deposit TIF reimbursements into Fund 0J54 necessary to make HUD repayments. Principal amounts to be deposited into Revenue Source 8503 and interest amounts of the loan to be deposited into Revenue Source 8556.

SECTION 13. That the City Controller is authorized to accept and deposit repayments from the Section 108 Borrower into Fund 0J54 necessary to make HUD repayments. Principal amounts to be deposited into Revenue Source 8503 and interest amounts to be deposited into Revenue Source 8556.

SECTION 14. That the City Controller is hereby authorized to reverse the receivable balance sheet account (033F) and deferred revenue (088M) in Fund 0J54 for repayments of all principal amounts of loans.

February 12, 2014

SECTION 15. That the City Controller is authorized to encumber and disburse loan payments to HUD in accordance with the terms and conditions of the loan documents authorized in Section 2 from Fund 0J54 - Vendor # 263304. Principal amounts to be disbursed from Object Code 3077 and interest amounts to be disbursed from Object Code 3076.

SECTION 16. That nothing in this resolution shall be construed as a binding contract or agreement upon the City; that it is subject to HUD approval of the Lake Highlands Phase I project, compliance with all HUD regulations and requirements, and available HUD funding; approval of the final loan terms and loan documents by the City Manager and City Attorney; and there will be no liability or obligation on the City until the final contract documents are approved, executed, and final closing completed.

SECTION 17. 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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 7

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 46 P

SUBJECT

Authorize a Chapter 380 Forgivable Loan in the amount of \$275,000 to Two Podner's Retail Eateries, LLC for gap financing to develop a 11,000 square foot commercial building located at 1441 Robert B. Cullum in Dallas to expand Two Podner's Barbeque and Seafood Restaurant and add 6,500 square feet of retail space - Not to exceed \$275,000 - Financing: Public/Private Partnership Funds

BACKGROUND

Two Podner's Retail Eateries LLC is a development company created by Fred Conwright and James Runnels, owners of Two Podner's Barbeque and Seafood restaurant to develop a building for an expanded restaurant and other retail eateries. Two Podner's has operated in a 2,500 square foot facility at their current location in the South Dallas/Fair Park area for over 30 years.

The new development when fully tenanted is expected to create 40 – 50 FTE jobs. The total project cost is \$1,835,000. The developers, Fred Conwright and James Gunnels, will bring \$460K of equity to the project. Spirit Bank of Texas has issued a Commitment of one million dollars. A loan not to exceed \$100,000 from the South Dallas Fair Park Trust Fund will complete funding for the project. The project will demolish the current facility and build a 4,500 square foot restaurant as the anchor tenant and add 6,500 square feet of additional space. The developers are in discussions with Del Taco, Krispy Cream, Subway and a Chinese take out to fill the tenant space.

The development of the Property will further the City's goals for redevelopment in the Southern Sector. The total consideration of \$275,000 is contingent upon approval of one million dollars in financing from bank financing, a loan not to exceed \$100,000 from the South Dallas Fair Park Trust Fund if needed and completion of the redevelopment of the subject site within three (3) years from the date of the Loan Agreement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 3, 2014, a memo was submitted to the Economic Development Committee regarding a Chapter 380 Forgivable Loan in the amount of \$275,000 to Two Podner's Retail Eateries, LLC for gap financing to develop a 11,000 square foot commercial building located at 1441 Robert B. Cullum in Dallas to expand Two Podner's Barbeque and Seafood Restaurant and add 6,500 square feet of retail space.

FISCAL INFORMATION

\$275,000 – Public/Private Partnership Funds

OWNER

Two Podner's Retail Eateries, LLC

Fred Conwright, Partner
James Runnels, Partner

DEVELOPERS

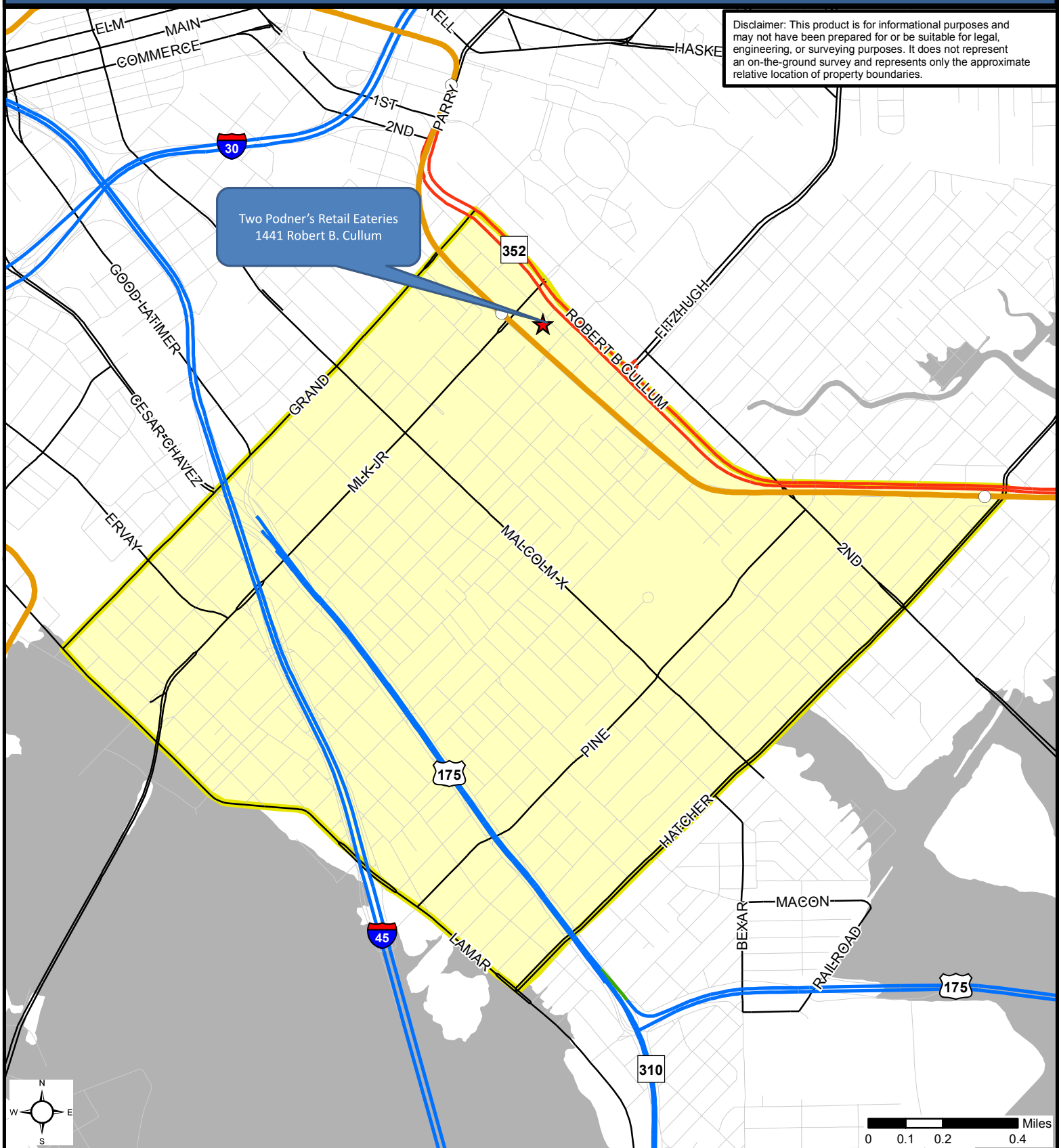
Two Podner's Retail Eateries, LLC

Fred Conwright, Partner
James Runnels, Partner

MAP

Attached.

Two Podner's Retail Eateries, LLC



**DALLAS
ECONOMIC
DEVELOPMENT**

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 10.17.2012 - 12.10.16 Venus Cobb.TCG

February 12, 2014

WHEREAS, Two Podner's Retail Eateries, LLC wishes to partner with the City of Dallas to develop a 11,000 square foot commercial building located at 1441 Robert B. Cullum in Dallas to expand Two Podner's Barbeque and Seafood Restaurant and add 6,500 square feet of new retail space; and

WHEREAS, on June 13, 2012, City Council, pursuant to Resolution No. 12-1520 authorized the approval to: (1) adopt revised Public/Private Partnership Program – Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) establish programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City of Dallas pursuant to the Economic Development Programs provision under chapter 380 of the Texas Local Government Code, (the "Act"); and

WHEREAS, on June 13, 2012, City Council elected to continue its participation in economic development loans and grants pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 12-1520, as amended; and

WHEREAS, the Two Podner's Retail Eateries, LLC project will bring new development to a focus area of redevelopment for the city, diversify eating out options, add 40 - 50 new jobs and further the City's goals for development in the Southern Sector.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a Chapter 380 Forgivable Economic Development Loan Agreement in the amount of \$275,000 to Two Podner's Retail Eateries, LLC to develop a 11,000 square foot commercial building located at 1441 Robert B. Cullum in Dallas to expand Two Podner's Barbeque and Seafood Restaurant and add 6,500 square feet of new retail space.

Section 2. That the other terms of the loan documents shall include:

- (a) Borrower must complete redevelopment of the subject site within three (3) years from the date of the Loan Agreement.
- (b) If the Borrower fails to complete development of the subject site within the three year period, the City of Dallas has the option to require Borrower to convey to the City of Dallas Fee simple title to the properties acquired with funds under the loan and at its option may foreclose on the property if the project is not complete within three (3) years from the date of the Loan Agreement.

February 12, 2014

Section 2. (Continued)

- (c) Borrower shall execute a subordinate lien deed of trust to the 1st lien of the primary bank lender and the 2nd lien of the South Dallas Fair Park Trust fund on the subject development for all costs expended from loan proceeds.
- (d) Borrower shall obtain approval from the City for permitted uses of the property. "Permitted uses" includes those uses that are permitted under the Dallas Development Code on the property, but in no event may they include any use that requires a sexually oriented business license under Chapter 41A of the Dallas City Code, or a liquor store, a pawn shop, a body piercing studio, or a tattoo studio as those terms are defined by the Dallas Development Code.
- (e) Loan proceeds are to be used specifically for equipment and signage pursuant to the budget unless otherwise approved by the Director of the City of Dallas Office of Economic Development.
- (f) When a certificate of occupancy has been obtained for the constructed improvement as defined, Borrower will be released from any obligation associated with the Loan corresponding with loan proceeds advanced.
- (g) Deed Restrictions to prevent property sale or transfer of ownership without consent and the approval of the City.
- (h) Funding is subject to final approval of all financing necessary to complete the project including \$460,000 from the Developer, conventional financing of \$1,000,000 and a loan not to exceed \$100,000 from the South Dallas Fair Park Trust Fund if needed.

Section 3. That the loan be secured by a subordinate lien on the real property. Loan is forgivable if development of site is completed within the three year period and certificate of occupancy is issued for the project. An option, the City may foreclose on the project if it is not completed within three (3) years from the date of the Loan Agreement. Time may be extended by the Director of City of Dallas, Office of Economic Development.

Section 4. That the City Controller is hereby authorized to disburse the forgivable loan from Fund 0352, Department ECO, Unit 9992, Object Code 3015 (developers loan), Activity PPPF, Encumbrance No. ECO9992D259, Vendor No. VC0000012691, Balance Sheet Account 033F (debit notes receivable – developers loan), Balance Sheet Account 0898 (credit deferred revenue – business loan), as necessary to make payments in an amount not to exceed \$275,000.

February 12, 2014

Section 5. That the City Controller is hereby authorized to receive and deposit loan principal repayments, in accordance with the terms of the loan agreement, in Fund 0352, Department ECO, Unit 9992, Revenue Source 847G (credit principal repayment), Activity PPPF, Balance Sheet Account 0898 (debit deferred revenue), Balance Sheet Account 033F (credit notes receivable), in an amount up to \$275,000.

Section 6. That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available funding, and there will be no liability or obligation on the City until final contract documents are approved, executed and final closing complete.

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 1, 3

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 53 B

SUBJECT

Authorize a third amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution No. 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: **(1)** extend the deadline to complete the construction of the Hillside West project and obtain the applicable certificate of occupancy from July 2, 2013 to January 2, 2014; and **(2)** extend the deadline to execute and fund an operation and maintenance agreement for non-standard public improvements associated with the project, and if necessary, obtain a license from City for the purpose of maintaining any improvements in the public right-of-way from May 1, 2013 to May 1, 2014 - Financing: No cost consideration to the City

BACKGROUND

Staff is recommending extensions to the project deadlines to address industry-wide material and labor shortages which delayed the project. The project was completed on August 7, 2013. Approval of the recommended extensions will allow the developer to close out the project.

On April 28, 2010, City Council approved GFD Opportunity II, LLC's request for \$1,600,000 in TIF reimbursement for the development of the Hillside West senior housing project. The project includes the following improvements at 3757 Falls Bluff Drive (formerly 4512 West Davis Street): (1) environmental remediation activities consisting of the assessment and removal of environmental hazards; and (2) construction of a senior housing development and clubhouse within a 4-story building; and (3) infrastructure, streetscaping, and landscaping improvements that consists of the burial of overhead utilities; the construction of water utilities, stormwater drainage, sanitary sewers and new sidewalks; the replacement and repair of existing sidewalks; the planting of native plants and trees; and the addition of pedestrian lighting.

The building contains approximately 104,086 square feet in total residential rental space and 130 affordable housing units.

BACKGROUND (Continued)

The clubhouse measures approximately 7,000 square feet and contains the housing development's leasing office, a business center and a fitness center. The common area also includes an outdoor pool adjacent to the clubhouse, a circulation/mechanical area that measures approximately 23,536 square feet and the housing development's corridors, lobbies, elevators, etc.; The new sidewalks for the development project shall be a minimum of 12' measured from the back of the curb and include a minimum 3-foot wide landscaping/pedestrian lighting zone adjacent to the curb and a minimum 7-foot wide pedestrian zone.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2007, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Sixteen, the Davis Garden TIF District by Ordinance No. 26799, as amended.

On February 27, 2008, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Davis Garden TIF District by Ordinance No. 27090, as amended.

On April 28, 2010, City Council authorized (1) a development agreement with GFD Opportunity II, LLC, to dedicate future TIF revenues for eligible project costs related to environmental remediation, infrastructure and public right-away improvements located at 4512 West Davis Street in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and (2) the Davis Garden TIF District Board of Directors to dedicate up to \$1,600,000 from future Davis Garden TIF District revenues in accordance with the development agreement in an amount not to exceed \$1,600,000 by Resolution Nos. 10-1098 and 10-1099.

On February 22, 2012, City Council authorized an amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the deadlines related to the completion of the Hillside West project and modify the developer's fees for the project from an amount not to exceed the lesser of \$1,784,744.00 or 11% of the total cost of the project improvements to an amount not to exceed 11% of the total cost of the project improvements by Resolution No. 12-0577.

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

On January 23, 2013, City Council authorized a second amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: (1) extend the deadline to obtain Design Review approval for the Hillside West project's final elevations, physical elements and the quality of its building material from April 12, 2012 to October 12, 2012; and (2) specify the project's outstanding TIF obligation is intended to be reimbursed out of the Davis Garden TIF District's Affordable Housing set-aside fund based on a ratio of Cumulative Individual Increment of the project to the sum of all the Cumulative Individual Increment generated by projects eligible for reimbursement from the affordable housing set-aside for a given year by Resolution No. 13-0207.

On December 2, 2013, the Davis Garden TIF Board of Directors recommended City Council consideration and approval of a third amendment to the development agreement with GFD Opportunity II, LLC.

On February 3, 2014, a memo was submitted to the Economic Development Committee regarding the third amendment to the development agreement with GFD Opportunity II, LLC.

FISCAL INFORMATION

No cost consideration to the City

PROJECT COUNCIL DISTRICT

District 3

OWNER

GFD Opportunity II, LLC
A Texas Limited Liability Company

Brandon Bolin, Principal

DEVELOPER

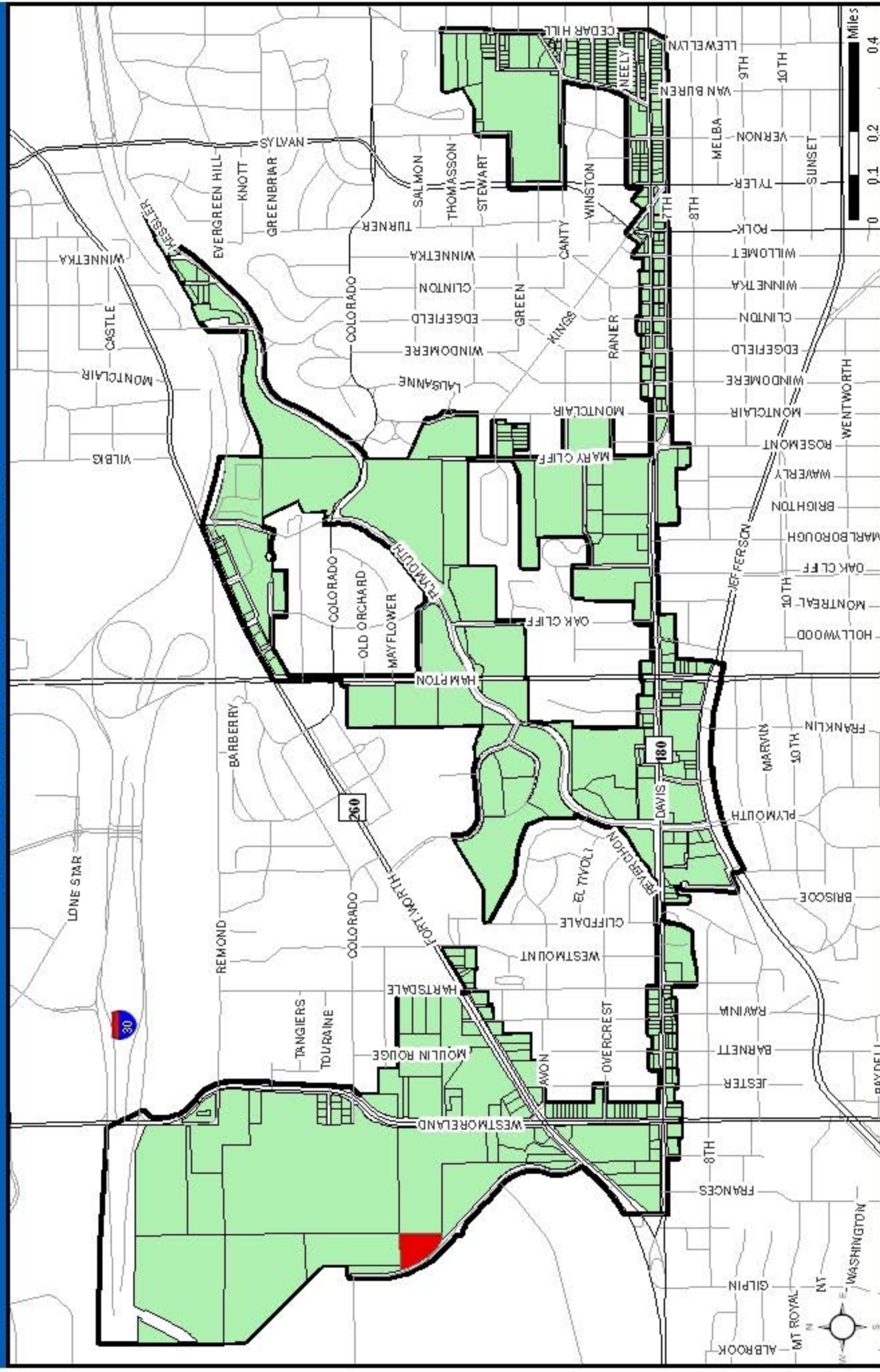
GFD Opportunity II, LLC
A Texas Limited Liability Company

Brandon Bolin, Principal

MAP

Attached.

Davis Garden TIF District



City of Dallas - Office of Economic Development

Research & Information Division
 (214) 670-1685
<http://www.Dallas-EcoDev.org>
 Created 1/16/08, Last Updated 11/6/08 - R2.16 Web_Map.TOG

Legend

- Davis Garden TIF Boundary
- Davis Garden TIF Parcels
- Hillside West Project Site
- Primary Highway
- Secondary Highway
- Major Arterial
- Local Streets

City of Dallas
 Davis Garden TIF

Source: City of Dallas, 2009-09

February 12, 2014

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

WHEREAS, on June 13, 2007, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Sixteen (the Davis Garden TIF District) in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311 (the "Act") to promote development and redevelopment in the District through the use of tax increment financing by Ordinance No. 26799, as amended; and

WHEREAS, on February 27, 2008, City Council authorized the Davis Garden TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 27090, as amended; and

WHEREAS, on April 28, 2010, City Council authorized (1) a development agreement with GFD Opportunity II, LLC, to dedicate future TIF revenues for eligible project costs related to environmental remediation, infrastructure and public right-away improvements located at 4512 West Davis Street in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and (2) the Davis Garden TIF District Board of Directors to dedicate up to \$1,600,000 from future Davis Garden TIF District revenues in accordance with the development agreement in an amount not to exceed \$1,600,000 by Resolution Nos. 10-1098 and 10-1099; and

WHEREAS, on February 22, 2012, City Council authorized an amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the deadlines related to the completion of the Hillside West project and modify the developer's fees for the project from an amount not to exceed the lesser of \$1,784,744.00 or 11% of the total cost of the project improvements to an amount not to exceed 11% of the total cost of the project improvements by Resolution No. 12-0577, and

WHEREAS, on January 23, 2013, the City Council authorized a second amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: (1) extend the deadline to obtain Design Review approval for the Hillside West project's final elevations, physical elements and the quality of its building material from April 12, 2012 to October 12, 2012; and (2) specify the project's outstanding TIF obligation is intended to be reimbursed out of the Davis Garden TIF District's Affordable Housing set-aside fund based on a ratio of Cumulative Individual Increment of the project to the sum of all the Cumulative Individual Increment generated by projects eligible for reimbursement from the affordable housing set-aside for a given year by Resolution No. 13-0207, and

February 12, 2014

WHEREAS, on December 2, 2013, the Davis Garden TIF Board of Directors recommended City Council consideration and approval of a third amendment to the development agreement with GFD Opportunity II, LLC; and

WHEREAS, in furtherance of the Davis Garden TIF District Project Plan and Reinvestment Zone Financing Plan, the City desires to reimburse the GFD Opportunity II, LLC for the costs of environmental remediation, infrastructure and public right-away improvements at 3757 Falls Bluff Drive (formerly 4512 West Davis Street) in the Davis Garden TIF District.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney is hereby authorized to execute a third amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution No. 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to:

- A. Extend the deadline to complete the construction of the Hillside West project and obtain the applicable certificate of occupancy from July 2, 2013 to January 2, 2014; and
- B. Extend the deadline to execute and fund an operation and maintenance agreement for non-standard public improvements associated with the project, and if necessary, obtain a license from City for the purpose of maintaining any improvements in the public right-of-way from May 1, 2013 to May 1, 2014.

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

Section 3. That all other terms and conditions as set forth in Resolution Nos. 10-1098, 10-1099, 12-0577 and 13-0207 shall remain in full force and effect, except as specifically outlined in Section 1 above.

Section 4. That the Director of the Office of Economic Development, after approval and recommendation of the Davis Garden TIF District Board of Directors, may authorize minor modifications to the project including the development site plan and/or an extension of the project deadlines up to six months.

February 12, 2014

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

AGENDA ITEM # 36

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 12, 2014
COUNCIL DISTRICT(S): 14
DEPARTMENT: Sustainable Development and Construction
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 45 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a restaurant with a drive-through on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest line of Lemmon Avenue, southeast of Knight Street

Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions

Z123-378(WE)

ACM: Theresa O'Donnell**FILE NUMBER:** Z123-378(WE) **DATE FILED:** September 25, 2013**LOCATION:** Southwest line of Lemmon Avenue, southeast of Knight Street**COUNCIL DISTRICT:** 14 **MAPSCO:** 35-W**SIZE OF REQUEST:** Approx. 0.523 acres **CENSUS TRACT:** 6.05

APPLICANT: Erin McKool, Start Restaurant**OWNER:** 4015 Lemmon L.P.**REPRESENTATIVE:** Paul Cragun, Cumulus Design**REQUEST:** An application for a Specific Use Permit for a restaurant with a drive-through on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.**SUMMARY:** The purpose of this request is to allow the applicant to construct a 2,497 square foot restaurant on site.**CPC RECOMMENDATION:** Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions.**STAFF RECOMMENDATION:** Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The proposed restaurant with drive-through use should not impact the surrounding uses negatively. The proposed development is compatible in scale with the adjacent retail uses along the Lemmon Avenue corridor.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – This proposed restaurant with drive through fronts on a major arterial where the various retail and office uses operate. The proposed use will afford the residents to continue to shop and dine at various businesses in the area. The proposed SUP, if approved, will have conditions that are associated with the use. An SUP could be revoked or have a reduced time period if the applicant is not adhering to the proposed conditions during the time the SUP is being renewed.
3. *Not a detriment to the public health, safety, or general welfare* – The use is not anticipated to be a detriment to the public welfare. The proposed Specific Use Permit conditions are an additional layer of regulatory requirements the owner will have to comply with when operating the business. The City Plan Commission and City Council can revoke or reduce the owner's ability to operate the business through the SUP process.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards.

BACKGROUND INFORMATION:

- The request for a Specific Use Permit will allow the applicant to construct a one-story, 2,497-square-foot restaurant with a drive-through on approximately 0.523 acre site.
- The request site has frontage on Lemmon Avenue and is adjacent to a variety of retail uses along the Lemmon Avenue corridor. Southwest of the request site, across a 20-foot alley, is developed with multiple family uses.

Zoning History: There have not been any recent zoning cases in the area.

Land Use:

	Zoning w/in PDD No. 193	Land Use
Site	GR	Undeveloped
Northeast	GR	Restaurant, Office
Southeast	GR & MF-2	Retail, Multiple Family
Northwest	GR	Office, Undeveloped
Southwest	MF-2	Multiple Family

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 Plan identifies the request site being within the Urban Neighborhood Building Block. The proposed development is in compliance with the *forwardDallas! Comprehensive Plan*.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

LAND USE:**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The applicant's request for a PDS for a restaurant with a drive-through meets objectives 2, 4, 6 and 7. The request does not meet the remaining objectives, 1, and 3. The building's orientation to meet the urban form criteria would be in conflict with objection 4 in maintaining the character of the surrounding uses. The applicant proposes to construct a 2,497 square foot restaurant with a drive through.

STAFF ANALYSIS:

Land Use Compatibility: The applicant's request for a Specific Use Permit will allow for the construction of a one-story, 2,497-square-foot restaurant with a drive-through. The applicant will install a minimum 6-foot high, solid screening fence along the property line that is adjacent to the multiple family uses. In addition, the speaker box will be oriented toward the adjacent retail use to prevent any noise that may affect the residents in the adjacent multiple family uses. The applicant proposes to operate the restaurant from Monday through Sunday, 7:00 a.m. to 9:00 p.m.

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 request does not appear to have an adverse impact on the surrounding zoning and land uses.

Staff's recommendation is for approval for a five year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
GR General Retail	10'	0/0'	2:1 FAR	120'	80%	None	Residential uses, Bar & Restaurant uses, Office

Landscaping: Landscaping of any development will be in accordance with Part I landscaping requirements in PDD No. 193.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Lemmon Avenue	Local Street	80 ft.	80 ft.

Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

Parking: The off-street parking requirement for a drive through restaurant is 1 space per 100 square feet of floor area. The off-street parking regulation requires the applicant to provide 25 spaces and the applicant is providing 25 spaces.

CPC Action (January 9, 2014)

Motion: It was moved to recommend **approval** a Specific Use Permit for a restaurant with a drive-through for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southwest line of Lemmon Avenue, southeast of Knight Street.

Maker: Shidid
Second: Ridley
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 53
Replies: For: 2 Against: 0

Speakers: For (Did not speak): Frank Stich, 4224 N. Hall St., Dallas,
TX, 75219
Against: None

LIST OF OFFICERS

List of Partners, Principals, and Officers for:
4015 Lemmon LP ✓

The Partners are:

GP – Claycombe Group, LLC

LPs – Filoli Investments 4, Ltd

The Shelly B Wilson 2006 Family Trust

The Susan K George 2006 Family Trust

The Kim Dawn Bruce 2006 Trust

The Principals are:

Claycombe Group, LLC – W. Robert Claycombe, Manager

Susan George Claycombe, Manager

Filoli Investments 4, Ltd – Michael and Jacqueline George

Trusts are self explanatory

The Officers are:

See above for Claycombe Group

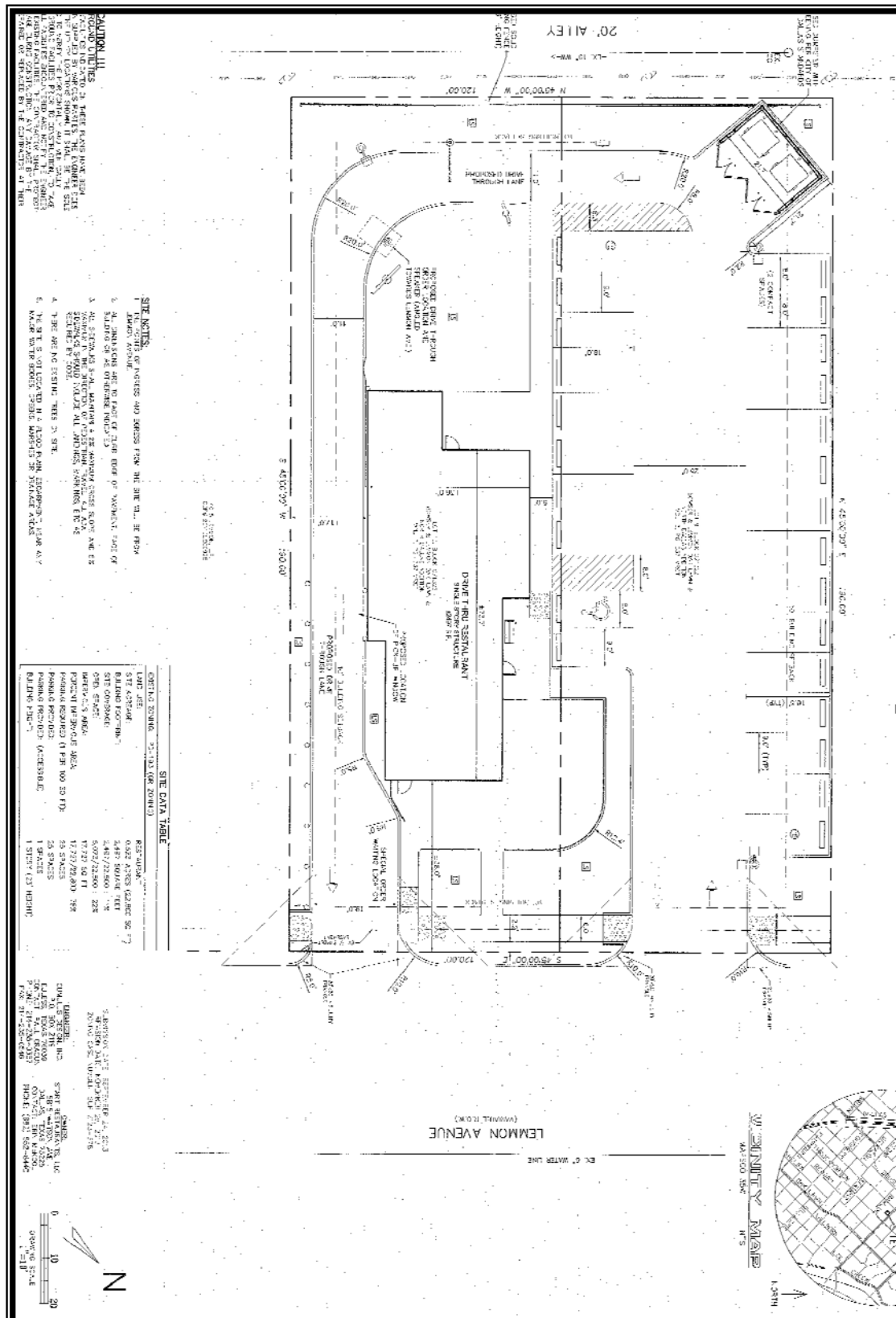
Filoli Investments 4, Ltd – Susan Claycombe, President

No officers in the trusts

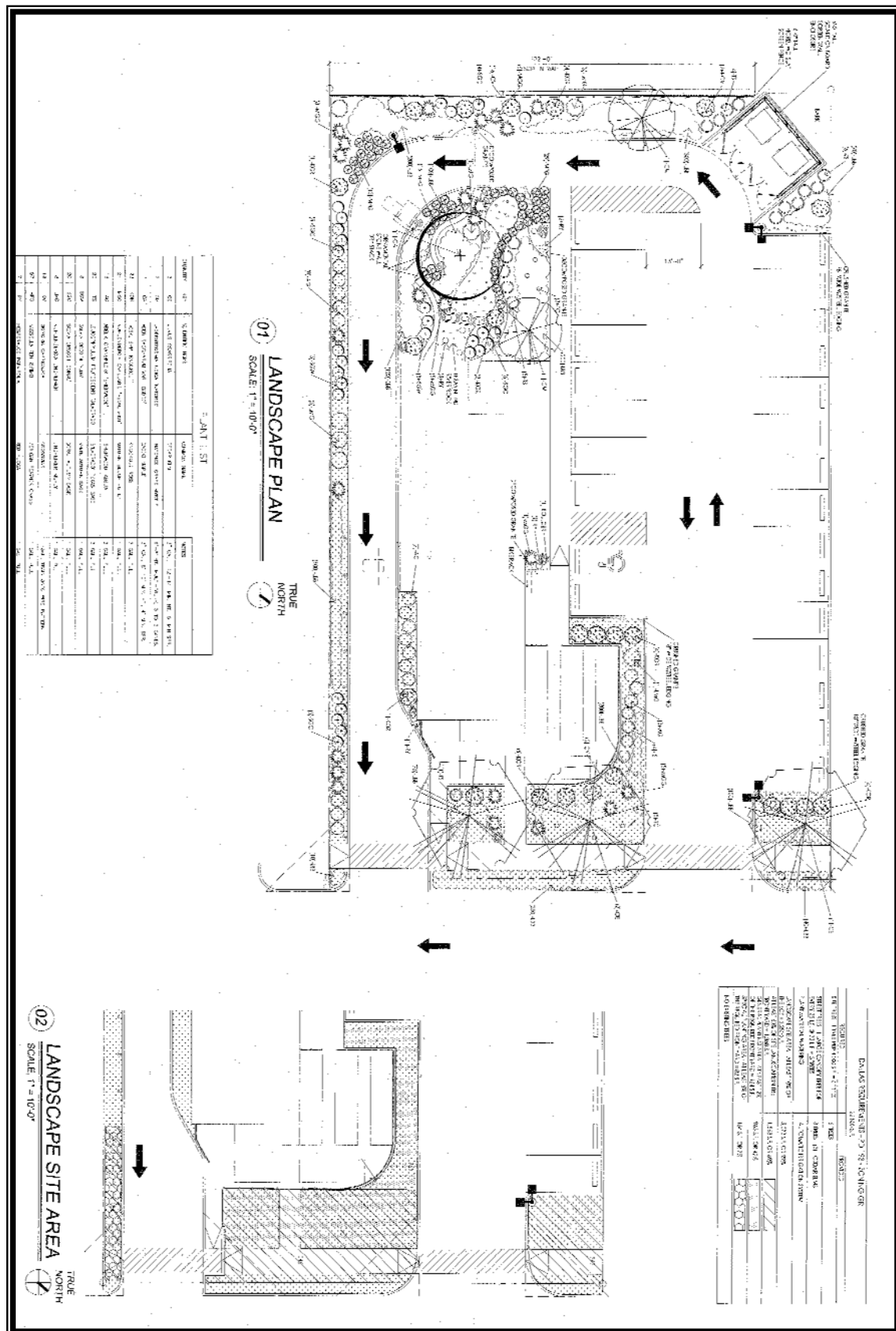
**CPC PROPOSED PDS
CONDITIONS**

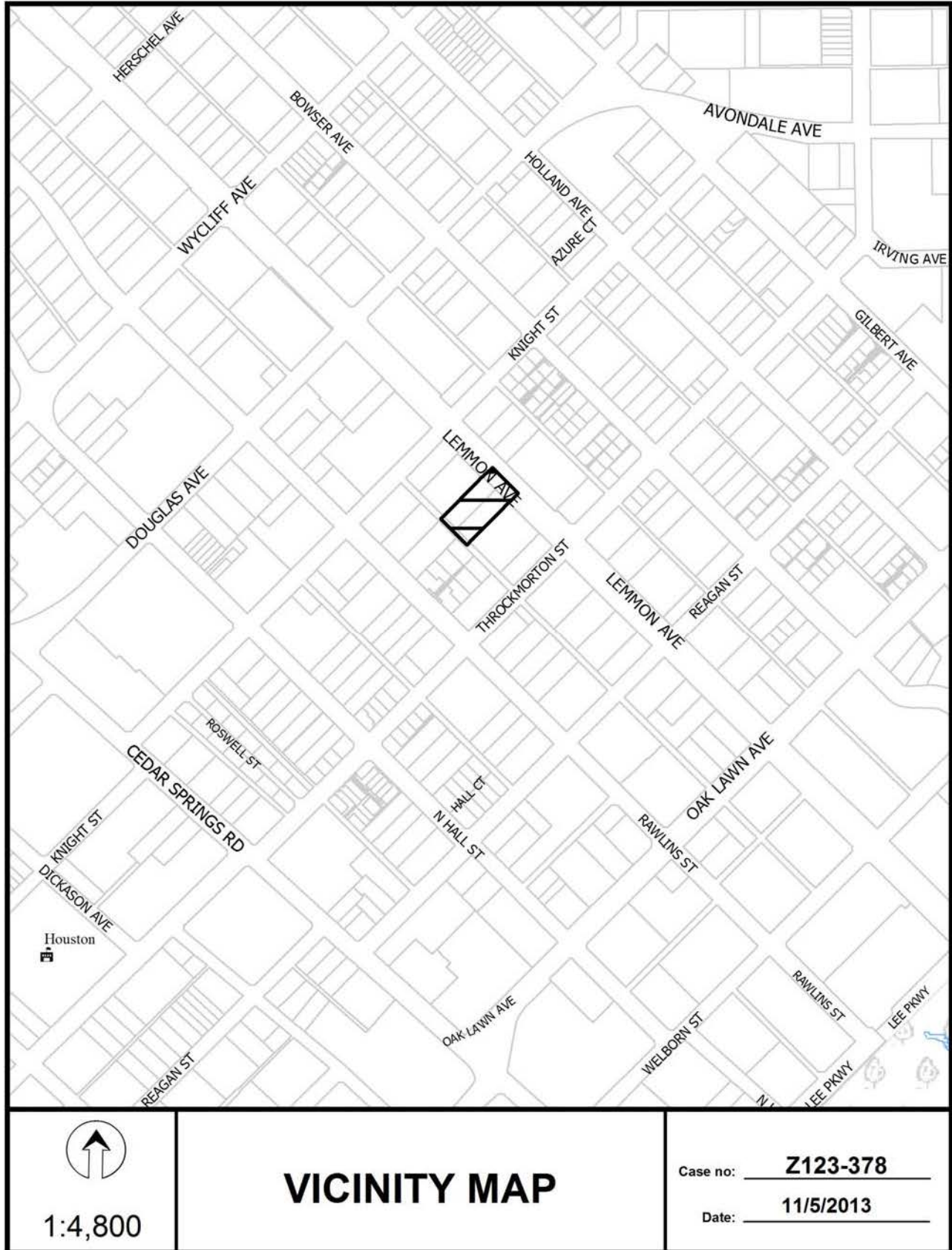
1. USE: The only use authorized by this specific use permit is a restaurant with drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five-years from the passage of the ordinance), 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 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. INGRESS/ EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
5. HOURS OF OPERATION: The hours of operation of the restaurant with drive through are from Monday to Sunday, 7:00 a.m. to 9:00 p.m.
6. FENCE: A minimum of six-foot chain link fence must be provided along the alley in the location as shown on the site plan.
7. SPEAKER BOX. The speaker box must be located as shown on the site plan.
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.

PROPOSED SITE PLAN



PROPOSED LANDSCAPE PLAN





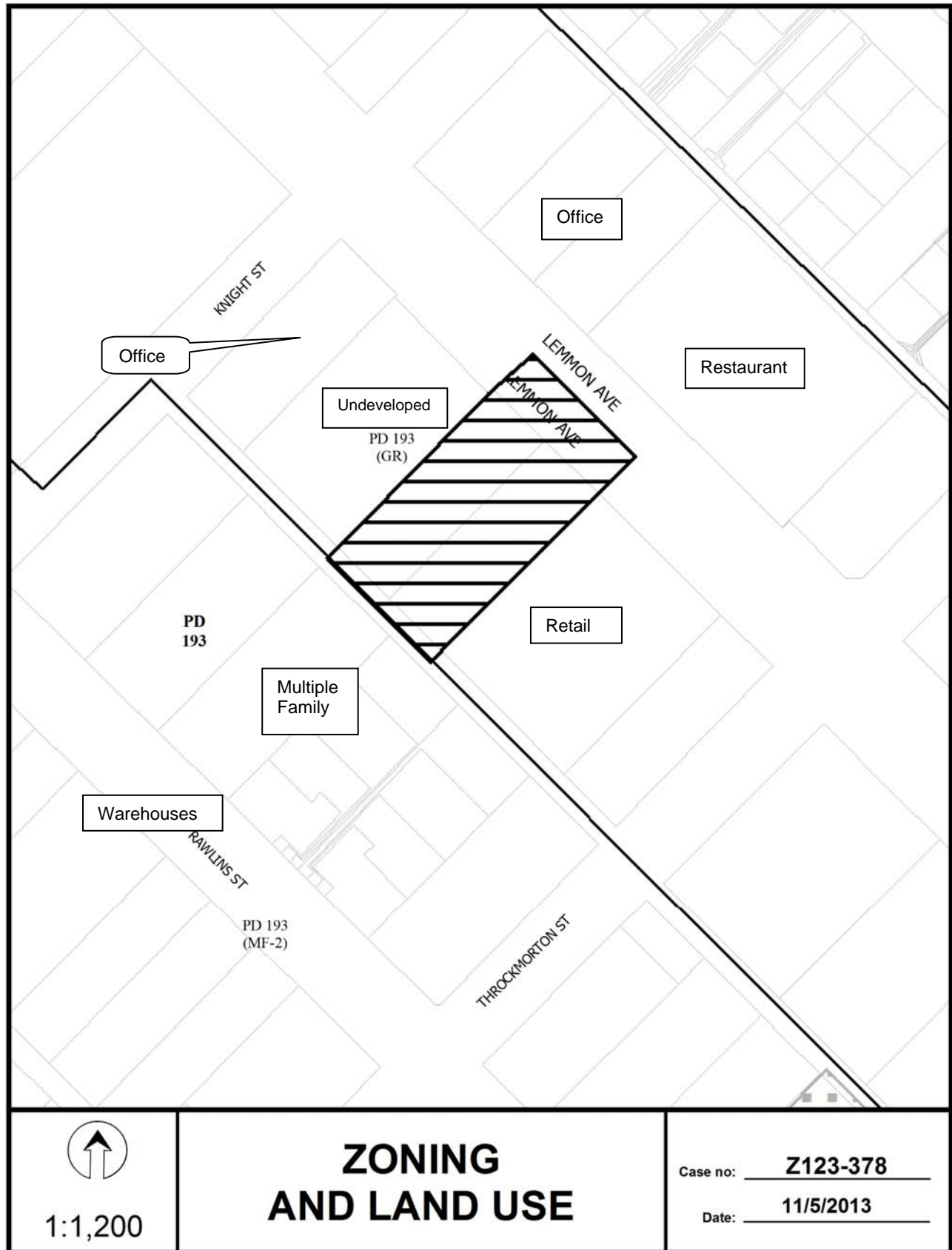


1:1,200

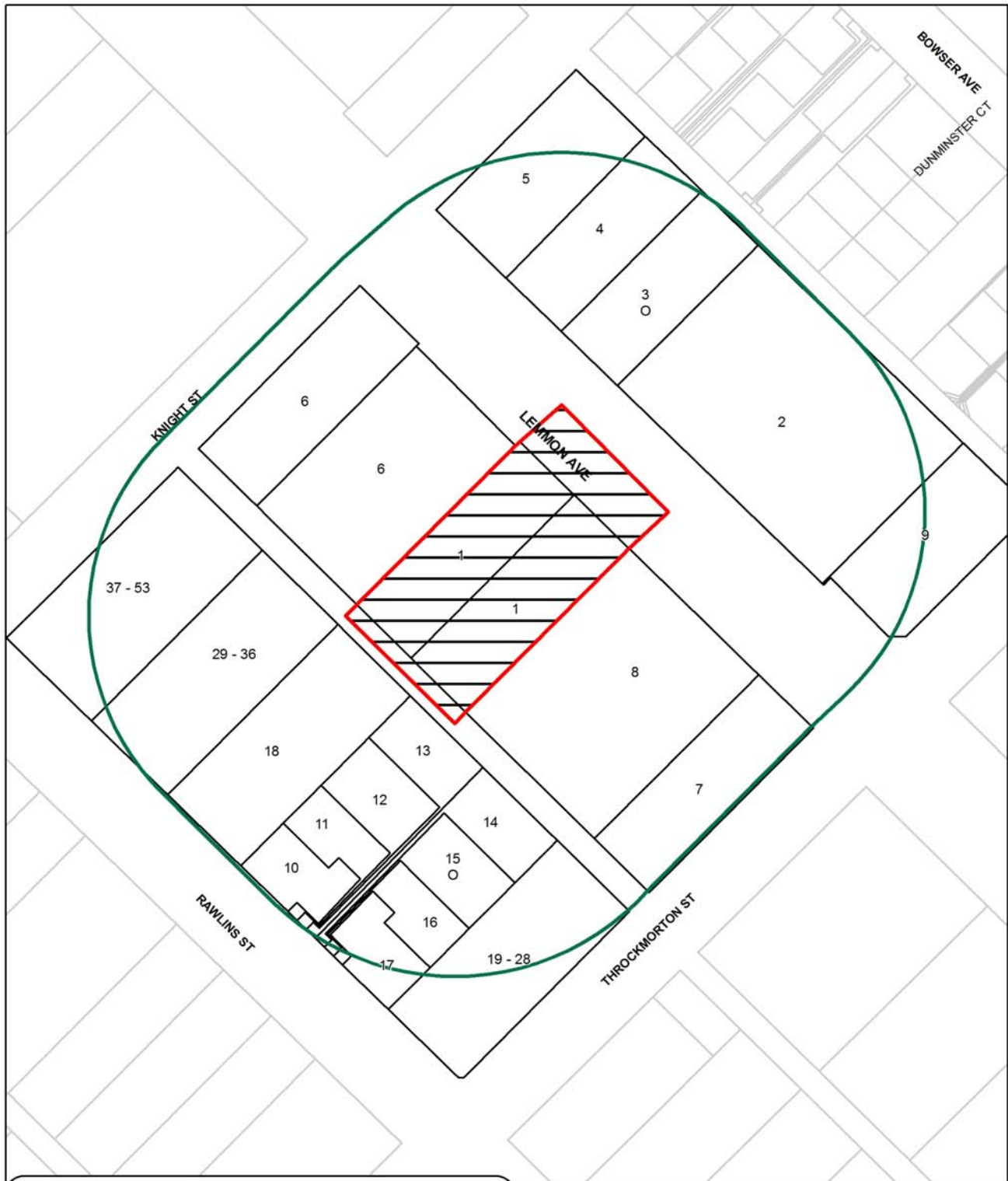
AERIAL MAP

Case no: **Z123-378**

Date: **11/5/2013**



CPC RESPONSES



<u>53</u>	Property Owners Notified (23 parcels)
<u>2</u>	Replies in Favor (2 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>1/9/2014</u>	Date

Z123-378
CPC



1:1,200

Notification List of Property Owners

Z123-378

53 Property Owners Notified			0 Property Owners Opposed		2 Property Owners in Favor	
Vote	Label #	Address	Owner			
O	1	4023	LEMMON AVE	4015 LEMMON LP		
	2	4018	LEMMON AVE	ROSSMORE ENTERPRISES		
	3	4026	LEMMON AVE	BALLAS LOS INC		
	4	4030	LEMMON AVE	FARR TERESA M		
	5	4038	LEMMON AVE	TRAYMORE PARTNERS LTD		
	6	4037	LEMMON AVE	KEELEY ROBERT THEODORE		
	7	4001	LEMMON AVE	OLIVERIE DOMINICK		
	8	4003	LEMMON AVE	4015 LEMMON LP		
	9	4004	LEMMON AVE	DALLAS LUBE VENTURE LLC		
	10	4016	RAWLINS ST	WEN HUANG-CHUN & NAN WEN YAN		
O	11	4014	RAWLINS ST	ROSSLAND ERIC		
	12	4012	RAWLINS ST	DIOP DESAGANA		
	13	4010	RAWLINS ST	GINSBERG KAREN		
	14	4008	RAWLINS ST	MCCOY C FRANCE &		
	15	4006	RAWLINS ST	HAWKINS STEVEN B		
	16	4004	RAWLINS ST	RUTLEDGE GEORGE &		
	17	4002	RAWLINS ST	BURKHART BRENT & LINDA		
	18	4020	RAWLINS ST	IVANYI INC		
	19	4000	RAWLINS ST	RITTER MARISA		
	20	4000	RAWLINS ST	ESCAMILLA GUADALUPE		
	21	4000	RAWLINS ST	ADAIR TAYLOR		
	22	4000	RAWLINS ST	TOWNEND WILLIAM H		
	23	4000	RAWLINS ST	KLYMOV YEVGEN		
	24	4000	RAWLINS ST	GROSECLOSE LARRY E &		
	25	4000	RAWLINS ST	NYMARK JAMES P TRUST		
	26	4000	RAWLINS ST	ROBBINS CHRISTINE		

Friday, January 10, 2014

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4000	RAWLINS ST	PEPIN SCOTT M
28	4000	RAWLINS ST	4000 RAWLINS LLC
29	4030	RAWLINS ST	HAYES NATALIE I
30	4030	RAWLINS ST	WU CHI YUAN & WEI YING
31	4030	RAWLINS ST	PIERSON RHEANNE
32	4030	RAWLINS ST	MEDLEY CHARLOTTE
33	4030	RAWLINS ST	ATKINSON PRESTON
34	4030	RAWLINS ST	CORLEW JOSEPH A
35	4030	RAWLINS ST	BURKE MARONDA JAN
36	4030	RAWLINS ST	WU JAFFEE CHIH KAI
37	4034	RAWLINS ST	SWANCUTT MARK A & JESSICA N RICALDI
38	4034	RAWLINS ST	ROE MICHAEL ALAN
39	4034	RAWLINS ST	WASHINGTON ROBERT GREY &
40	4034	RAWLINS ST	SCHAFER NATHANIEL ELLIOT
41	4034	RAWLINS ST	LANKFORD BONNIE
42	4034	RAWLINS ST	HILL CANDACE
43	4034	RAWLINS ST	ROWAN MARCUS
44	4034	RAWLINS ST	MERCADO JESUS V
45	4034	RAWLINS ST	YIP JACLYN K
46	4034	RAWLINS ST	PALMER BRITTANY
47	4034	RAWLINS ST	THOMPSON EMILY
48	4034	RAWLINS ST	GIACOBBE ROBERT L
49	4034	RAWLINS ST	FLOYD LAWSON E &
50	4034	RAWLINS ST	RUTTAGA RAMIRO
51	4034	RAWLINS ST	JORDAN CRAIG D
52	4034	RAWLINS ST	LIM LEONG PIN
53	4034	RAWLINS ST	REISINGER JOSEPH M &

Friday, January 10, 2014

AGENDA ITEM # 37

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 76 E

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District along the southeast line of Cedardale Road, east of Lancaster Road

Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant

Z123-348(RB)

FILE NUMBER: Z123-348(RB)

DATE FILED: August 5, 2013

LOCATION: Southeast Line of Cedardale Road, East of Lancaster Road

COUNCIL DISTRICT: 8

MAPSCO: 76 E

SIZE OF REQUEST: Approx. 18.7 Acres

CENSUS TRACT: 167.03

APPLICANT/OWNER: Sowell Lancaster Partners, L.P.

REPRESENTATIVE: Gladys Bowens

REQUEST: An application for an LI Light Industrial District, with deed restrictions volunteered by the applicant, on property zoned an A(A) Agricultural District.

SUMMARY: The applicant is proposing to improve the property with a warehouse/distribution facility. Volunteered deed restrictions will prohibit certain uses as well as provide for increased setbacks and solid screening along the northern property line.

CPC RECOMMENDATION: Approval with deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: Approval with deed restrictions volunteered by the applicant.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends denial of the request based upon:

1. *Performance impacts upon surrounding property (lighting, noise, odor, etc.)* – The proposed zoning district will permit certain commercial and retail uses, as well as the proposed use (warehouse/distribution) that can possess operational characteristics that negatively impact adjacent residential uses.
2. *Traffic impact* – The projected increase in trip generations for a 520,000-square-foot distribution facility could impact adjacent uses along Cedardale Road. Additional ingress/egress points anticipated through the abutting parcel to the west located in the Lancaster city limits have been proposed by the applicant, but cannot be considered in this analysis by city staff.
3. *Comprehensive Plan or Area Plan Conformance* – The subject site is in a transitional area on the forwardDallas! Vision Illustration that falls into three building blocks – “Commercial Center or Corridor”, “Residential Neighborhood”, and “Industrial Area”. When commercial areas meet residential neighborhoods, the Comprehensive Plan envisions enhanced protections to buffer the residential neighborhood.
4. Staff provided the applicant various items of concern that could impact the residential uses within the immediate area, consisting of legally nonconforming single family dwellings. At this time, no consideration has been given to these land use issues. It should be noted that staff’s concerns are relevant, regardless of the requested LI District or any other zoning district that provides for the applicant’s projected development.

BACKGROUND INFORMATION:

- The request site is undeveloped, while possessing a significant inventory of native trees. The applicant’s development includes an approximate 10.2 acre parcel fronting on Lancaster Road.
- The applicant proposes to develop the entire site (Dallas and Lancaster parcels) with warehouse/distribution uses. Volunteered deed restrictions will prohibit certain uses as well as provide for increased setbacks and solid screening along the northern property line.
- Flood plain traverses the extreme southwest quadrant of the site.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
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1. Z101-261	On June 27, 2007, the City Council approved an LI District on property zoned as Planned Development District No. 673.
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<u>Thoroughfare</u>	<u>Designation; Existing & Proposed ROW</u>
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Cedardale Road	Collector; 60' & 60' ROW
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Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's request and determined that it will not negatively impact the surrounding street system.

STAFF ANALYSIS:

Comprehensive Plan: The subject site is in a transitional area on the *forwardDallas!* Vision Illustration that falls into three building blocks – “Commercial Center or Corridor”, “Industrial Area”, and “Residential Neighborhood”.

The Commercial Center or Corridor primarily functions as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other “town center” features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

Industrial Areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to

rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

The Residential Neighborhood represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

The request complies with the following land use goals and policies of forwardDallas!

GOAL 1.1 Align land use strategies with economic development priorities.

Policy 1.1.2 Focus on Southern Sector development opportunities.

The request is in conflict with the following land use goals and policies of forwardDallas!

GOAL 5.2 Strengthen community and neighborhood identity.

Policy 5.2.1 Maintain neighborhood scale and character.

GOAL 7.1 Promote vibrant and viable neighborhoods.

Policy 7.1.2 Promote neighborhood-development compatibility.

Land Use Compatibility: The request site is undeveloped. Designated flood plain traverses the area to the south, encroaching into the site at its southwest corner. The applicant is proposing to develop the site with a warehouse/distribution facility. It should be noted that an abutting 10.2 acre parcel to the west, located in the city of Lancaster, will be part of the overall development.

The site is located in an area generally providing for nonresidential zoning. It should be noted that a presence of legally non-conforming single family uses are developed on properties along both sides of Cedardale Road, some of which abut the site's northwestern quadrant. Recently approved rezoning of 327 acres to the south (see Zoning History) is making way for some industrial (warehouse/distribution) uses. Lastly, an institutional use (church) is situated across Cedardale Road from the site's northeastern quadrant, with scattered residential uses further northeast and east of the site.

Z123-348(RB)

Prior to the City's Zoning Transition in the late 1980's, the area south of Cedardale Road and east of Lancaster Road was zoned for A Agricultural District Uses. As a result, these residential uses continue to enjoy legally non-conforming status.

With a sensitivity towards ensuring these residential uses are recognized and protected as the area begins to develop/redevelop, staff presented items of concern related to the applicant's intent of developing a 520,000 square foot warehouse/distribution campus:

- 1) truck traffic across Cedardale Road;
- 2) days/hours of operation;
- 3) mechanical service (inside or outside, proximity to residential) on trucks and equipment associated with the development;
- 4) yard, lot, and space regulations (setbacks, height, massing of floor area); and,
- 5) orientation of open dock and service areas.

Regardless of the applicant's intended development (warehouse/distribution) or other permitted uses afforded by the requested LI District, the following development standards would permit an encroachment of improvements on these residential uses:

- 1) minimum 15-foot front yard setback and no minimum side and rear yard setback;
- 2) residential proximity slope regulations (structure height greater than 26 feet) not applicable;
- 3) maximum structure height of 70 feet;
- 4) lack of solid screening for certain outside components of permitted uses; and,
- 5) certain uses not compatible with residential.

For orientation purposes, the recently rezoned 327 acres to the south providing for unencumbered LI District use and development standards is situated anywhere between 575-884 feet from the closest residential uses. The applicant has been unwilling to discuss mitigating measures related to any of the above items, thus part of the basis of staff's denial. Aside from the one warehouse/distribution use to the south, the balance of the 327 acres could be a possibility for a development site for the applicant to assemble for its anticipated facility.

Z123-348(RB)

During the CPC public hearing, the applicant volunteered deed restrictions that prohibit certain uses and provide for additional setbacks and a masonry wall along portions of the northern property line (see attached volunteered deed restrictions).

In summary, staff has concluded that the requested LI District could ultimately permit development of incompatible uses/development standards and/or possess negative operational characteristics that would not be appropriate in close proximity to these single family uses, thus negatively affecting residential quality of life.

Landscaping: The site possesses significant stands of trees. A tree survey will need to be submitted to the city and mitigation of protected trees slated for removal will be required. Landscaping for any permitted use will need to comply with Article X.

CPC ACTION

(December 5, 2013)

Motion: In considering an application for an LI Light Industrial District on property zoned an A(A) Agricultural District on property along the southeast line of Cedardale Road, east of Lancaster Road, it was moved to **hold** this case under advisement until December 19, 2013.

Maker: Lavallaisaa
Second: Shellene
Result: Carried: 12 to 0

For: 12 - Soto, Rodgers, Shidid, Hinojosa, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar
Against: 0
Absent: 3 - Anglin, Culbreath, Bagley
Vacancy: 0

Notices: Area: 400 Mailed: 42
Replies: For: 1 Against: 3

Speakers: None

(December 19, 2013)

Motion: It was moved to recommend **approval** of an LI Light Industrial District, subject to revised deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District on property along the southeast line of Cedardale Road, east of Lancaster Road.

Maker: Lavallaisaa
Second: Anglin
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa,
Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley,
Alcantar
Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 400 Mailed: 42
Replies: For: 1 Against: 3

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Gladys Bowens, 900 Jackson St., Dallas, TX, 75202
William Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

DEED RESTRICTIONS

[illegible]

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, Sowell Lancaster Partners, L. P. , a Texas Limited Partnership ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the Smith Elkins Survey, Abstract No. 430 , City Block 8296 , City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by deed dated July 19, 2013 , and recorded in Instrument Number 201300228575 , in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

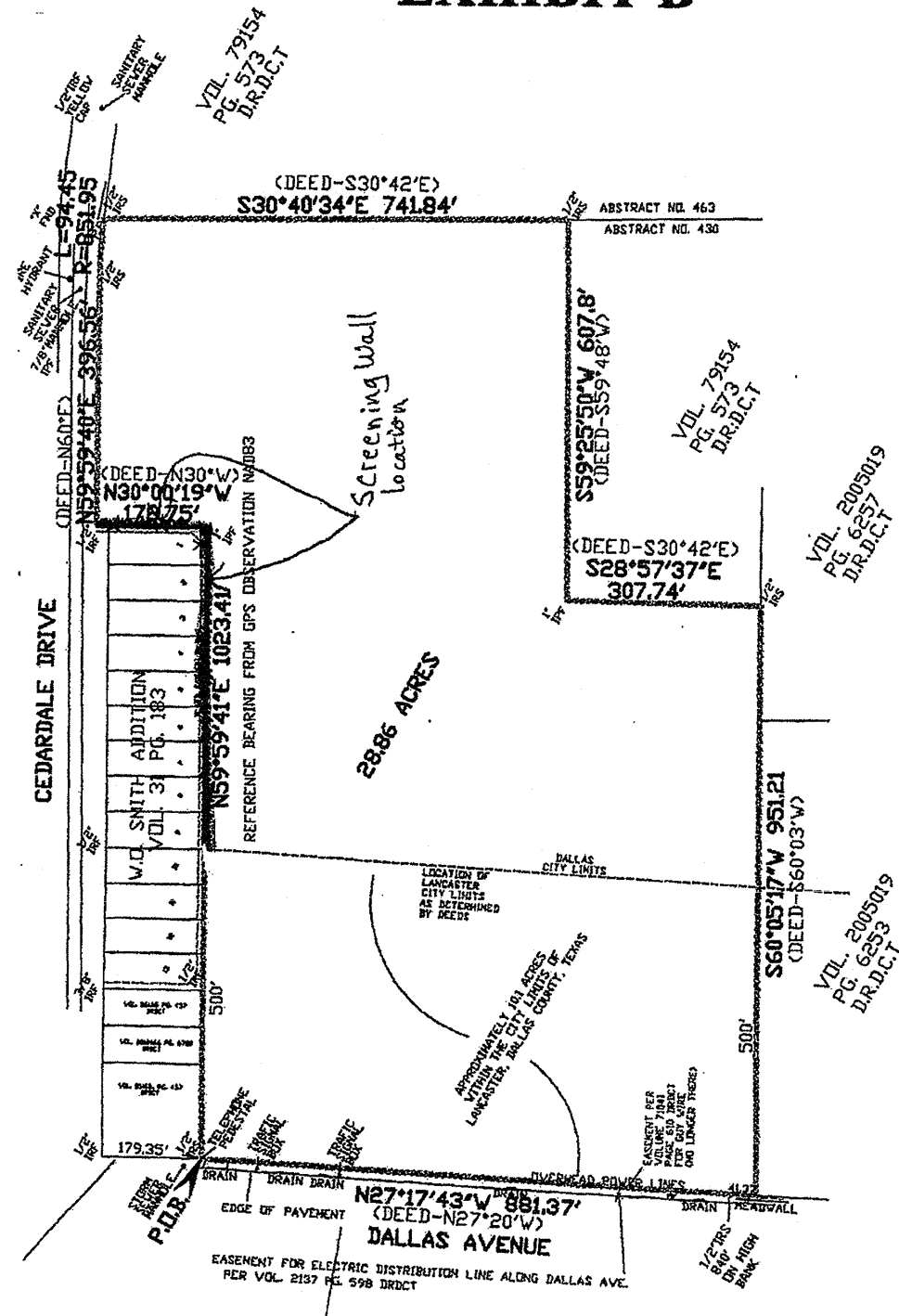
See Exhibit A

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. Minimum 50-foot setback along the northern property line;
2. A maximum height for all buildings constructed on the property shall not exceed 60 feet;
3. An eight-foot screening wall is to be constructed on the northern and western property line adjacent to the 9 residential lots fronting the south side of Cedardale Avenue as shown on Exhibit B pursuant to Section 51A-4.301(f)(1)(A); and
4. The following transportation use is not permitted:
 - a. Commercial bus station or terminal
5. The following lodging use is not permitted:
 - a. Extended stay hotel or motel
6. The following retail and personal service use is not permitted:
 - a. Commercial parking lot or garage
7. 100-foot setback from the northern property line for hotel and motel uses;
8. Outside display in conjunction with a machinery, heavy equipment or trucks sales and service use is not permitted on the property.

EXHIBIT B



OFFICERS

James E. Sowell

Chief Executive Officer

Stephen L. Brown

President

James S. Cornelius

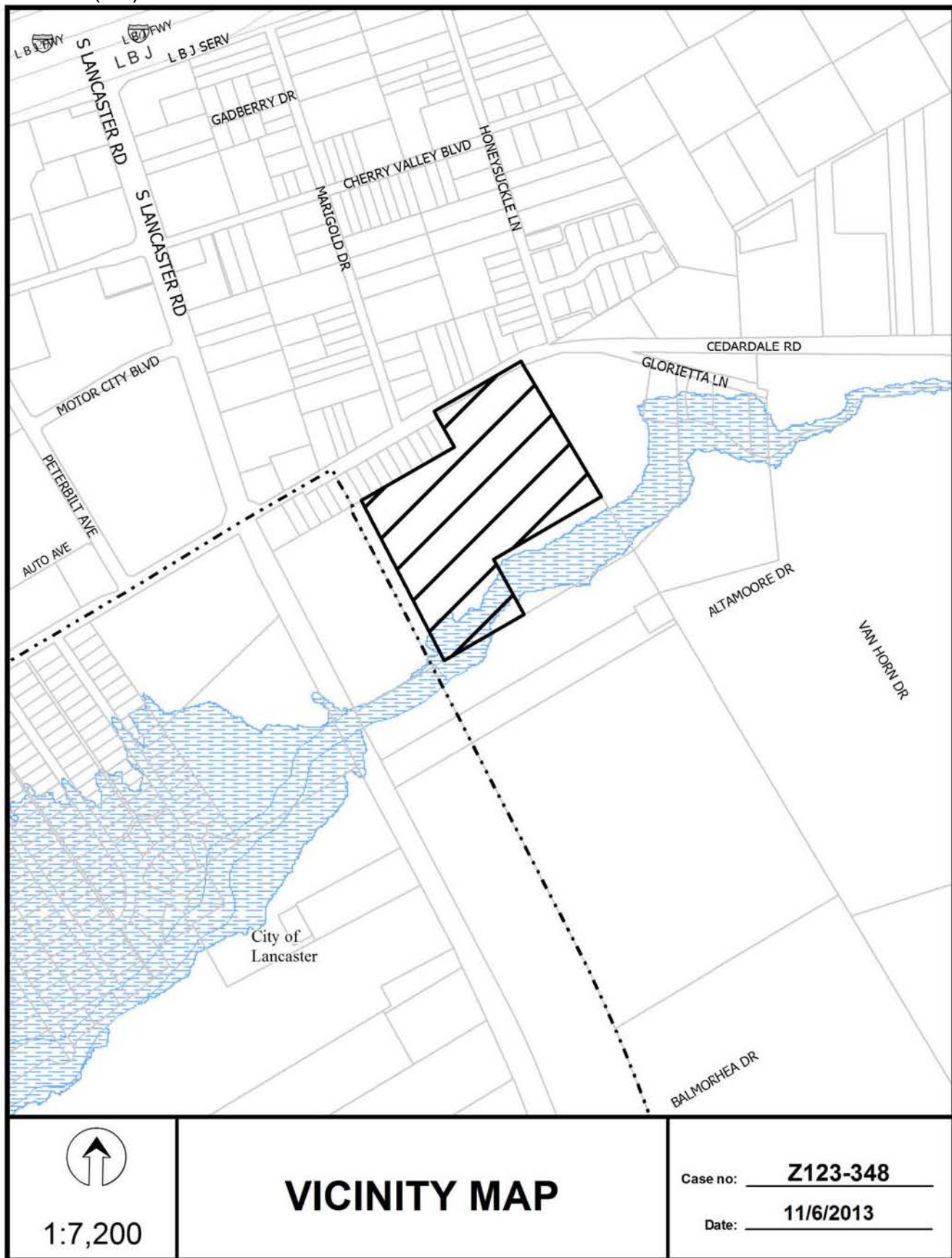
Vice President

Kathy Fox Powell

Vice President and Secretary

Keith D. Martin

Chief Financial Officer



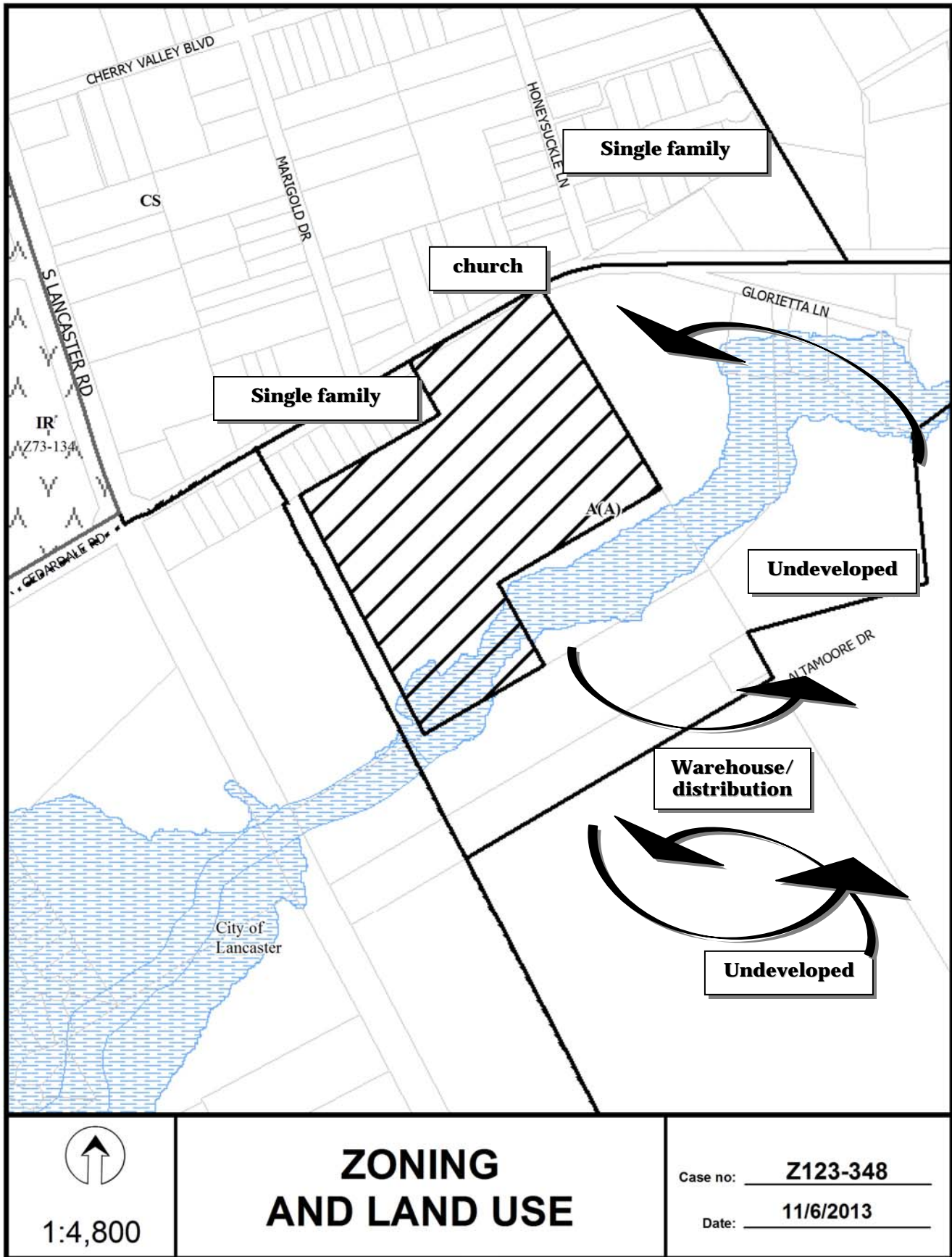


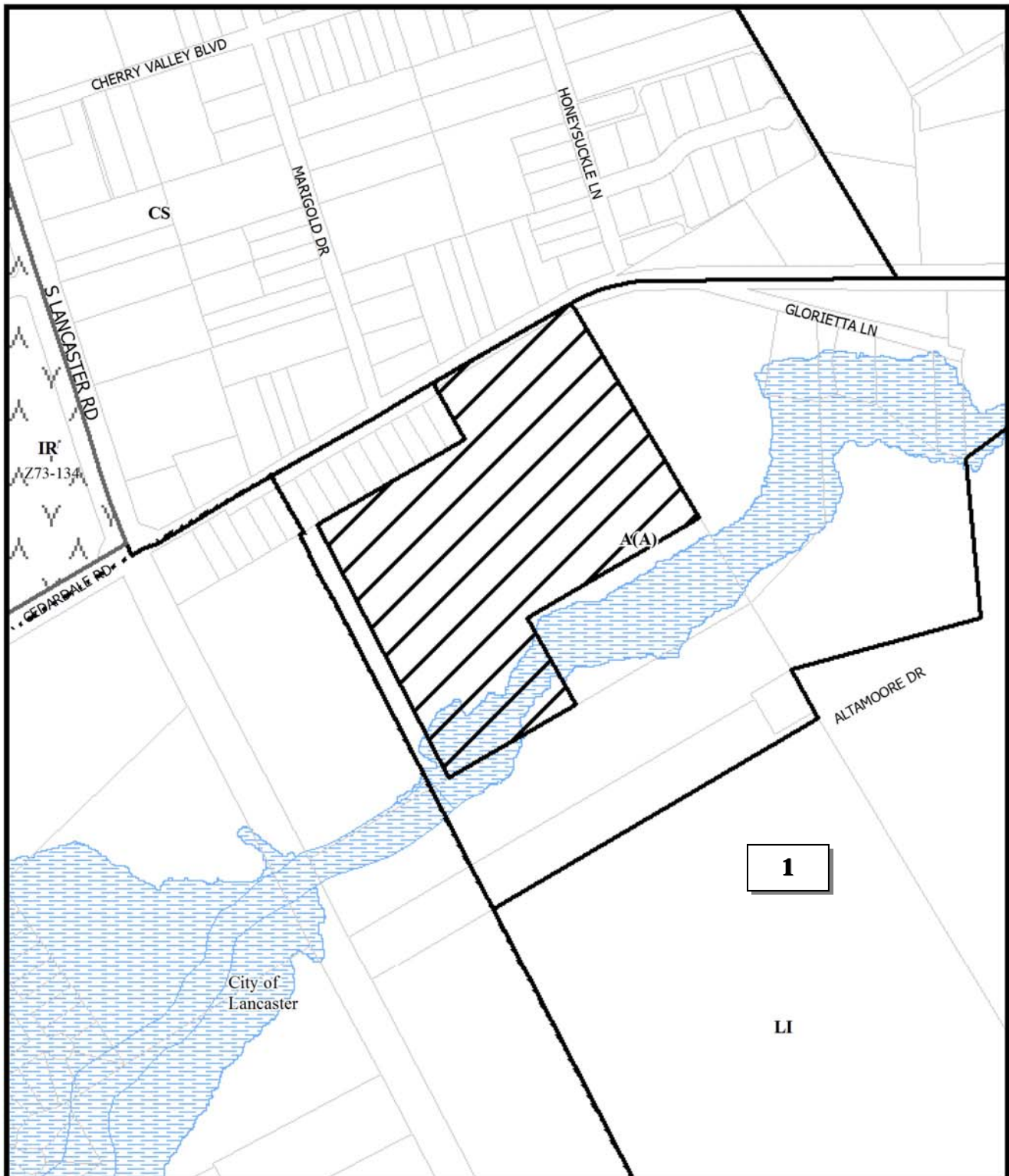
1:4,800

AERIAL MAP

Case no: **Z123-348**

Date: **11/6/2013**





1:4,800

ZONING HISTORY

Case no: Z123-348

Date: 11/6/2013

CPC RESPONSES42 Property Owners Notified (57 parcels)1 Replies in Favor (1 parcels)3 Replies in Opposition (5 parcels)400' Area of Notification12/19/2013 Date 12/5/2013 Under Advisement**Z123-348**
CPC

1:3,600

Notification List of Property Owners
Z123-348

<i>42 Property Owners Notified</i>			<i>3 Property Owners Opposed</i>	<i>1 Property Owner in Favor</i>
<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	1	2800 CEDARDALE RD	MANN EDWIN S	
X	2	2900 CEDARDALE RD	FUNK J LEON	
	3	8301 GLORIETTA LN	KEETON PAUL L	
	4	2747 CEDARDALE RD	HARDY FREDDY C &	
	5	2743 CEDARDALE RD	HARDY FREDDY & CAROL	
	6	2749 CEDARDALE RD	HARDY FREDDY C	
	7	8711 MARIGOLD DR	MONTTOYA REBECCA	
	8	8707 MARIGOLD DR	HICKS FANNIE	
	9	2833 CEDARDALE RD	SANCHEZ CONCRETE FORMS INC	
	10	8704 MARIGOLD DR	COY JASPER	
	11	8720 MARIGOLD DR	FULTON RICHARD &	
	12	8712 MARIGOLD DR	MEDLEY CHARLOTTE A	
	13	2815 CEDARDALE RD	THOMAS WALTER	
	14	2837 CEDARDALE RD	QUINTERO RUBICEL	
	15	3013 COLUMBINE AVE	MARTINEZ FERNANDO	
	16	8611 HONEYSUCKLE LN	CARSON WILLIE	
	17	8623 HONEYSUCKLE LN	CASTILLO VERONICA	
	18	8617 HONEYSUCKLE LN	FARRY NELSON A CO	
	19	8559 HONEYSUCKLE LN	BRANCH CLEMME	
	20	8603 HONEYSUCKLE LN	GALLEGOS ANTONIO &	
	21	8541 HONEYSUCKLE LN	MONTGOMERY WILLIE L	
	22	3006 COLUMBINE AVE	POUGES ROY D & B J	
	23	2820 CEDARDALE RD	ARMSTRONG T J	
	24	2814 CEDARDALE RD	PIPER ROY E	
	25	2810 CEDARDALE RD	SAINZ MARIA IRMA	
	26	2804 CEDARDALE RD	MATHIS JIMMIE LEE	

Thursday, December 19, 2013

Z123-348(RB)

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2762 CEDARDALE RD	KNIGHT BOBBY K
	28	2758 CEDARDALE RD	BROWN LLOYD D
X	29	2752 CEDARDALE RD	SMALLWOOD DEBRA JONES
	30	2748 CEDARDALE RD	MAJORS BILLY JOE
	31	2744 CEDARDALE RD	WU YIWEI
	32	2740 CEDARDALE RD	DANIELS CLAVON & BRENDA
	33	4040 DALLAS AVE	ANGTON RICHARD T
	34	2750 CEDARDALE RD	ENSERCH CORP
	35	3001 CEDARDALE RD	ARMBRUSTER FRANZ OWEN J
X	36	8828 LANCASTER RD	NEW GENERATION BAPTIST
	37	8624 MARIGOLD DR	LOGAN ANDREW
	38	2736 CEDARDALE RD	CAB CONSTRUCTION
	39	2730 CEDARDALE RD	ROGERS JOHN L &
	40	2726 CEDARDALE RD	LANCASTER CITY OF
	41	4040 DALLAS AVE	ANGTON RICHARD T
O	42	2704 CEDARDALE RD	HIGH FIVE VENTURE

Thursday, December 19, 2013

AGENDA ITEM # 38

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 12, 2014
COUNCIL DISTRICT(S): 11
DEPARTMENT: Sustainable Development and Construction
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 15 Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for single family uses on property zoned an R-16(A) Single Family District on the northwest corner of Forest Lane and Creekway Drive

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z134-106(WE)

ACM: Theresa O'Donnell**FILE NUMBER:** Z134-106(WE) **DATE FILED:** October 7, 2013**LOCATION:** Forest Lane and Creekway Drive, northwest corner**COUNCIL DISTRICT:** 11 **MAPSCO:** 15-Y**SIZE OF REQUEST:** Approx. 4.47 acres **CENSUS TRACT:** 132

APPLICANT: Charles Hicks**OWNER:** Unity Church of Dallas**REPRESENTATIVE:** Audra Buckley**REQUEST:** An application for a Planned Development District for single family uses on property zoned an R-16(A) Single Family District.**SUMMARY:** The purpose of this request is to allow for the construction of a single family shared access development. The maximum number of single family detached dwellings proposed is 18 units.**CPC RECOMMENDATION:** Approval, subject to a development plan, landscape plan and conditions**STAFF RECOMMENDATION:** Approval, subject to a development plan, landscape plan and conditions

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The request for a Planned Development District to increase the density of single family uses in this location will not have a negative impact on the surrounding area.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request to increase the number of dwelling units will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in a Residential Building Block and is in compliance with the Comprehensive Plan.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – With the exception of lot coverage, the straight zoning district that would most accommodate the proposed development is R-5 Single Family Residential due to the lot area, lot coverage and setbacks. The desire for a screening wall in what would be considered a front yard and an increase in the lot coverage over what's permitted in R-5 are what triggered this PD request.

BACKGROUND INFORMATION:

- The request site is currently undeveloped and is proposed to be developed with a single family shared access development. The proposed development will be permitted to construct between 14 and 18 single family units.
- The proposed shared access development will have a minimum lot size of 7,150 square feet and is similar in lot size to the Planned Development Districts in the surrounding area.
- The request site is adjacent to single family uses and a church. Planned Development District No. 115 is east of the request site, across Creekway Drive, is a 11-unit single family development with minimum lot size of 7,800 square feet.

Zoning History: There has been one recent zoning change requested in the area.

1. Z123-121 On January 23, 2013, the City Council approved a Specific Use Permit for private streets on property zoned an R-16(A) Single Family District on the north side of Forest Lane, between Hampstead Lane and Creekway Drive.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Forest Lane	Principal Arterial	80 ft.	80 ft.
Creekway Drive	Local	50 ft.	50 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction 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.

Surrounding Land Uses:

	Zoning	Land Use
Site	R-16(A) Single Family	Undeveloped
North	R-16(A) Single Family	Single Family
South	R-1ac(A), PDD No. 117	Single Family
East	PDD No. 115	Single Family
West	R-16(A)	Church

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 Plan identifies the request site as being in a Residential Building Block.

The proposed shared access development is also consistent with the lot size of several Planned Development District for single family uses in the surrounding area.

The Residential Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility: The 4.47 acre site is undeveloped and is adjacent to single family uses and a church. Planned Development District No. 115 which is east of the request site, across Creekway Drive, is a single family development with lot sizes ranging between 8,200 square feet and 17,000 square feet.

The applicant is proposing to construct a maximum of 18 dwelling units in a single-family shared access development. The proposed gated development will comply with the development standards and regulations for a shared access development. The Planned Development is consistent with several Planned Development Districts that are developed with single family uses as it relates to the lot coverage and lot size. The minimum lot size proposed is 7,150 square feet. A chart showing a comparison between the applicant's development and surrounding Planned Development Districts with similar lot coverage and lot sizes is provided below.

Proposed PDD	PD 109*	PD 384*	PD 115*	PD 719*
Total Lot Size per square feet				
7,765	5,164	6,783	7,598	8,251
7,765	5,471	6,892	7,617	7,431
7,765	5,548	6,941	7,745	6,033
7,895	5,891	6,990	7,829	6,026
7,895	6,031	7,029	8,440	6,259
7,895	6,047	7,105	10,390	7,569

Note: Lot sizes are based on the information provided by DCADs

The applicant is also proposing to preserve a green belt along Forest Lane. This green belt will serve as a buffer between the proposed development and the vehicular traffic. The proposed shared access development will have two driveway approaches, with the primary access being located at the terminus of Creekway Drive. The applicant will submit an application to the City to abandon a 50-foot right-of-way and a 15-foot alley that are located on the property.

Staff recommendation is for approval of the applicant's request for a Planned Development District for single family uses, subject to a development plan and conditions.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
R-16(A) - Existing Single Family	35'	10'	1 Dwelling Unit/ 16,000 sq. ft.	30'	40%	N/A	Single family
R-5(A) – For Comparison	20'	5'	1 Dwelling Unit/ 5,000 sq. ft.	30'	45%	N/A	Single family
PDD - Proposed Single family	10' Creekway 20' Forest Ln	10'	18 units	30'	60%	Proximity Slope Visual Intrusion	Single family

Landscaping: Landscaping will be in accordance with Article X, as amended.

CPC Action (January 9, 2014)

Motion: It was moved to recommend **approval** a Planned Development District for single family uses, subject to a development plan, landscape plan and revised conditions with the following: 1) Except as otherwise provided, landscape must be provided per Article X for a shared access development in “other than a single family district,” in Section 51A-10.125(a)(2)(B), 2) A landscape plan must be provided for Lots 1-5 and Lot 19, and Creekway Drive frontage and entry within the district, 3) Lots 1-6 must have 2 large canopy trees per lot within the 10 feet setback along the alley to the north on property zoned an R-16(A) Single Family District on the northwest corner of Forest Lane and Creekway Drive.

Maker: Bernbaum
Second: Hinojosa
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 71
Replies: For: 6 Against: 11

Speakers: For: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201
Lee Wilkins, 6657 Crestway Ct., Dallas, TX, 75230
Against: George Hanson, 6554 Greenwich Ln., Dallas, TX, 75230
Jennifer Hanson, 6554 Greenwich Ln., Dallas, TX, 75230
Stacy Sims, 6610 Greenwich Ln., Dallas, TX, 75230
Laura Wilson, 6532 Greenwich Ln., Dallas, TX, 75230
Joseph Moline, 6633 Greenwich Ln., Dallas, TX, 75230
Diane Glass, 6544 Greenwich Ln., Dallas, TX, 75230
Against (Did not speak): Katherine Flatt, 6522 Greenwich Ln., Dallas, TX,
75230

LIST OF OFFICERS
Unity Church of Dallas



October 2, 2013

BOARD OF DIRECTORS
UNITY OF DALLAS

Rev. Aliza Bloom Robinson	Senior Minister
Rev. Robert Robinson	Senior Minister
Rick A. Hawkins	President
Jim Nippert	Vice President
Jonathan Kreider	Treasurer
Joy Perkins	Secretary
Fred Clausen	Director
Robert Edwards	Director
Phil Leslie	Director
Debby Thomas	Director

Rick A. Hawkins, is authorized signatory as President of the Board of Directors of Unity of Dallas.

CPC PROPOSED PDD CONDITIONS
--

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 northwest corner of Forest Lane and Creekway Drive. The size of PD _____ is approximately 4.47 acres.

SEC. 51P-____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P-____.104. EXHIBIT.

The following exhibit is incorporated into this article:

Exhibit ____A: development plan.

SEC. 51P- ____.105. HOMEOWNERS ASSOCIATION.

Prior to final plat approval, the owner of the Property must execute an instrument creating a homeowner's association for the maintenance of common areas, screening walls, landscape areas (including right-of-way landscaping areas), and for other functions. This instrument must be approved as to form by the city attorney and filed in the Dallas County deed records..

SEC. 51P-____.106. DEVELOPMENT PLAN.

(a) For a shared access development, Development and use of the Property must comply with the development plan (Exhibit ____). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(b) For all other uses, no development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P-____.107. MAIN USES PERMITTED.

(a) The uses permitted in this district are the same as those uses permitted in the R-16(A) Single Family District, subject to the same conditions applicable in the R-16(A) Single Family District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the R-16(A) Single Family District only by specific use permit (SUP) is permitted in this planned development district only by SUP; a use subject to development impact review (DIR) in the R-16(A) Single Family District is subject to DIR in this planned development district; etc.

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.

(a) The following accessory uses are not permitted in this district.

- Accessory helistop
- Accessory medical /infectious waste incinerator
- Accessory outside display of merchandise
- Accessory outside sales
- Accessory pathological waste incinerator

(b) In this district, the following accessory use is permitted by SUP only:

- Accessory community center (private)

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. In the event of a conflict, between this section and Division 51A-4.400, this section controls.

In general. Except as provided in this section, the yard, lot, and space regulations for the R-16(A) Single Family District apply.

(a) For a shared access development, minimum front yard is:

- i. 10 feet from Creekway Drive

II. 20 feet from Forest Lane

- (b) Side yard: Minimum side yard is 10 feet.
- (c) A minimum separation of 10 feet is required between two single family structures.
- (d) Density. Maximum number of dwelling units is 18 units.
- (e) Height. Maximum structure height is 30 feet.
- (f) Maximum lot coverage:
 - (1) Except as provided in this subsection, maximum lot coverage is 40 percent.
 - (2) For a shared access development, maximum lot coverage is 60 percent.
 - (3) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.
- (g) Lot size. Minimum lot size is 7,150 square feet.
- (h) Shared access development: A shared access development is treated as one lot.

SEC. 51P-____.110. SCREENING FENCE.

- (a) A minimum 6-foot perimeter fence is required as shown on the development plan. The perimeter fence may be constructed of [~~wrought iron~~] stone, masonry, [~~wood~~] or any combination.
- (b) A perimeter screening wall is permitted in the setbacks.

SEC. 51P-____.111. SIDEWALKS.

- (a) Sidewalks in the interior of the district are allowed but not required. Interior sidewalks must be a minimum of three feet wide.

SEC. 51P-____.112. 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/loading requirements for each use.

(b) For a shared access development:

(1) A minimum of two off-street parking spaces is required for each dwelling unit.

(2) Guest parking. For a shared access development, guest parking spaces may cross lot lines.

SEC. 51P-____.113. ACCESS.

(a) Ingress and egress to and from the Property is only allowed in the locations shown on the development plan.

(b) The developer should provide funding for design, construction of exclusive eastbound left turn deceleration lane on Forest Lane into Creekway Drive, subject to Transportation Section of Street Department approval.

SEC. 51P-____.114. SHARED ACCESS PAVEMENT WIDTHS.

(a) The shared access area must be provided as shown on the development plan.

(b) The shared access area must have a minimum width of 20 feet, and a minimum pavement width of 20 feet. Pavement widths are measured perpendicularly from the edge of the pavement to the opposite edge of pavement.

(c) Paving may consist of decorative or stamped paving.

(d) Visibility triangles, that are a minimum of 20-feet, are required at all intersections of driveways with public streets. Visibility triangles are not required at the exterior corners of the district.

SEC. 51P-____.115. SHARED ACCESS DEVELOPMENT.

The regulations in Division 51A-4.411, Shared Access Development apply.

SEC. 51P-____.116. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.117. LANDSCAPING.

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

(1) landscape must be provided per Article X for a shared access development in “other than a single family district,” in Section 51A-10.125(a)(2)(B),

(2) A landscape plan must be provided for Lots 1-5 and Lot 19, and Creekway Drive frontage and entry within the district; and

(3) Lots 1-6 must have 2 large canopy trees per lot within the 10 feet setback along the alley to the north

(b) All plant materials must be maintained in a healthy, growing condition.

SEC. 51P-____.118. SIGNS.

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

(b) For shared access developments, monument signs are prohibited

SEC. 51P-____.119. ADDITIONAL PROVISIONS.

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

(b) A water feature may be permitted in the front yard setback on Forest Lane.

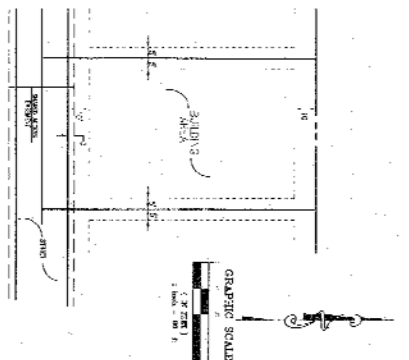
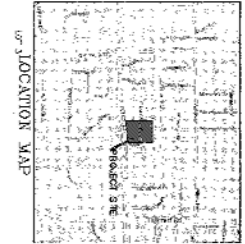
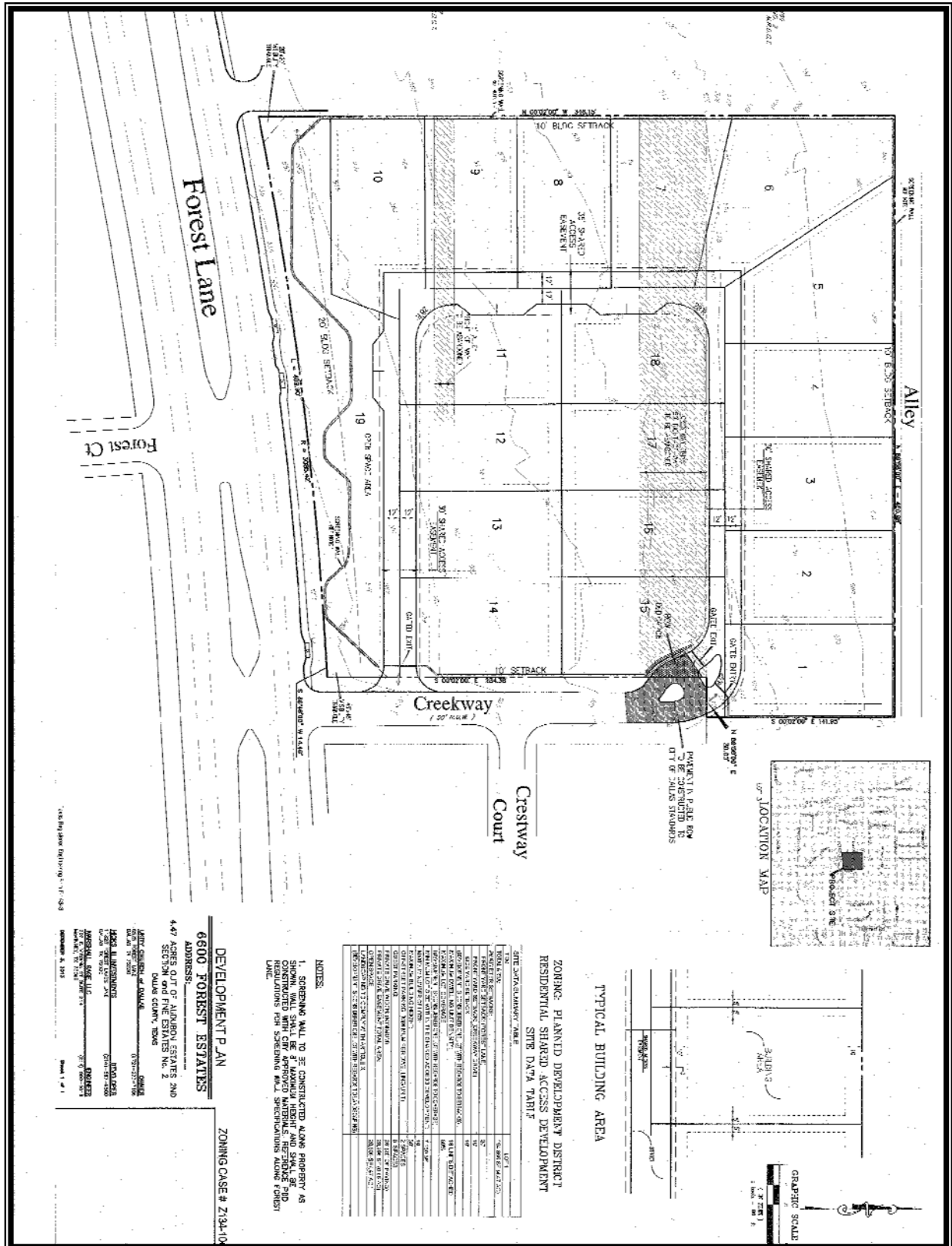
(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-____.120 COMPLIANCE WITH CONDITIONS.

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

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

PROPOSED DEVELOPMENT PLAN



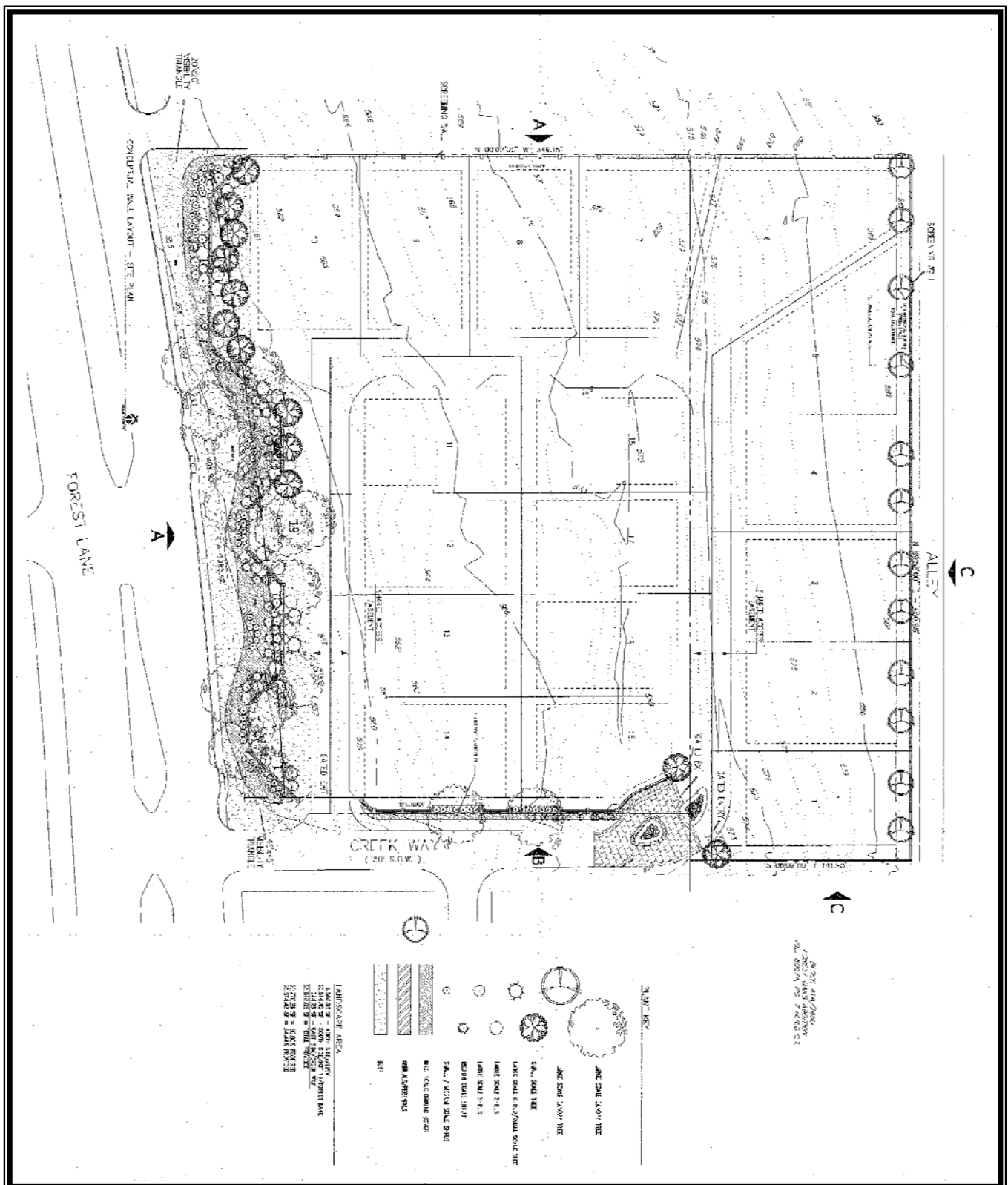
ZONING: PLANNED DEVELOPMENT DISTRICT
RESIDENTIAL SHARED ACCESS DEVELOPMENT
SITE DATA TABLE

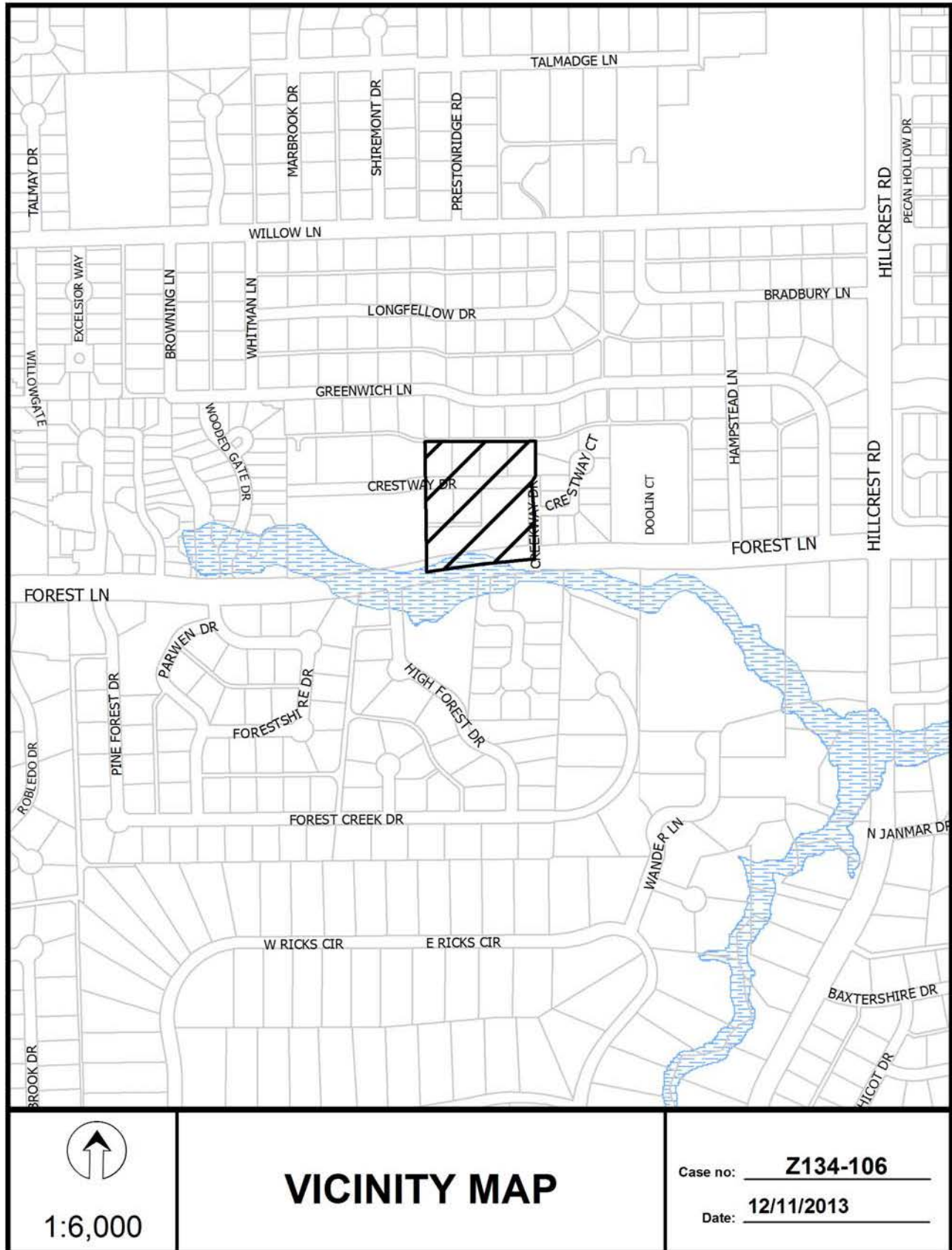
LOT	AREA (SQ. FT.)	AREA (AC.)	PERCENTAGE OF TOTAL AREA
1	10,000	0.23	1.26
2	10,000	0.23	1.26
3	10,000	0.23	1.26
4	10,000	0.23	1.26
5	10,000	0.23	1.26
6	10,000	0.23	1.26
7	10,000	0.23	1.26
8	10,000	0.23	1.26
9	10,000	0.23	1.26
10	10,000	0.23	1.26
11	10,000	0.23	1.26
12	10,000	0.23	1.26
13	10,000	0.23	1.26
14	10,000	0.23	1.26
15	10,000	0.23	1.26
16	10,000	0.23	1.26
17	10,000	0.23	1.26
18	10,000	0.23	1.26
19	10,000	0.23	1.26
TOTAL	190,000	4.37	100.00

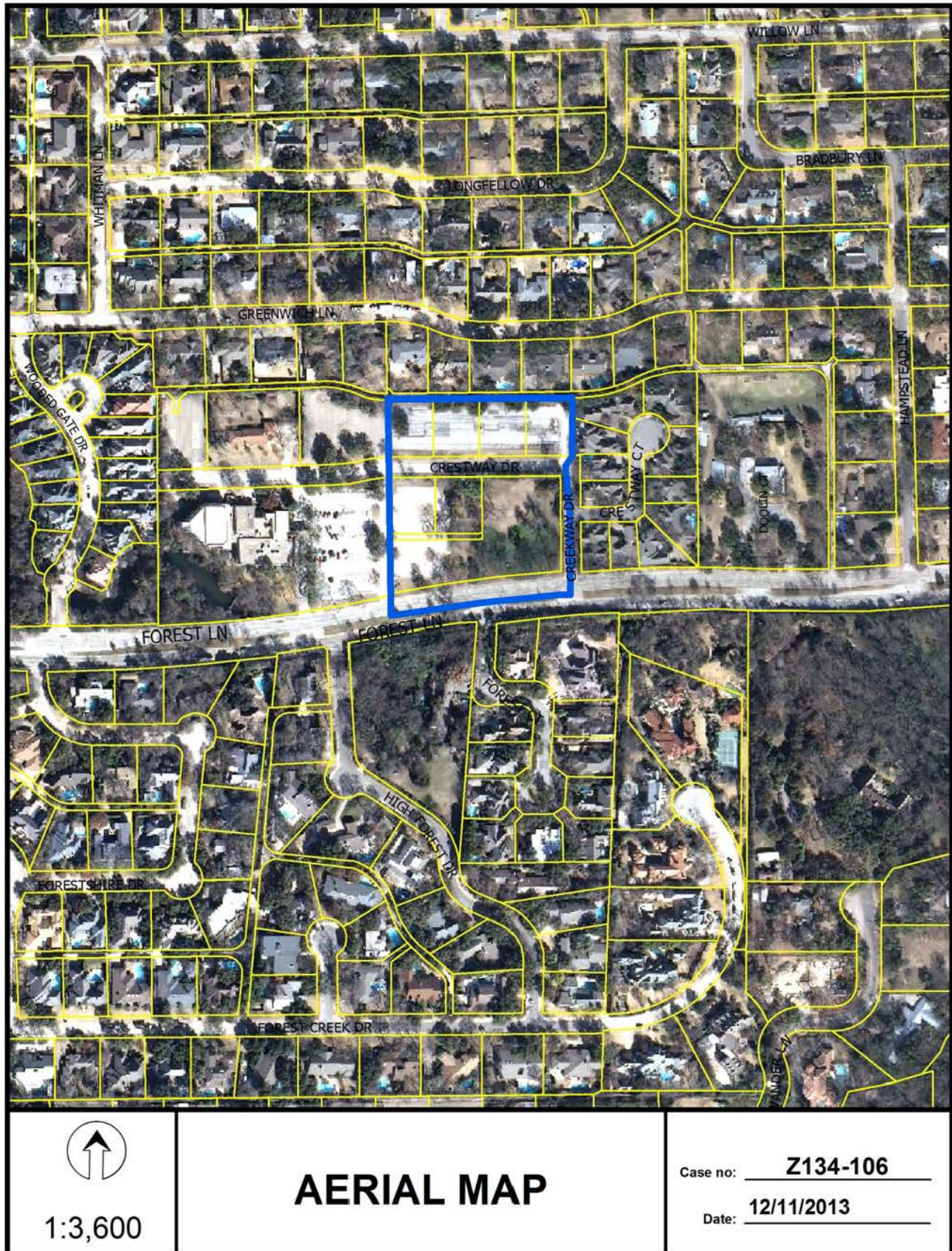
NOTES:
1. SETBACKS SHALL BE AS SHOWN ON THIS PLAN. PROPERTY AS SHOWN SHALL BE AS SHOWN HEREON AND SHALL BE CONSIDERED WITH CITY APPROVED MATERIALS, REVISIONS, AND REGULATIONS FOR SETBACKS AND SPECIFICATIONS ALONG FOREST LANE.

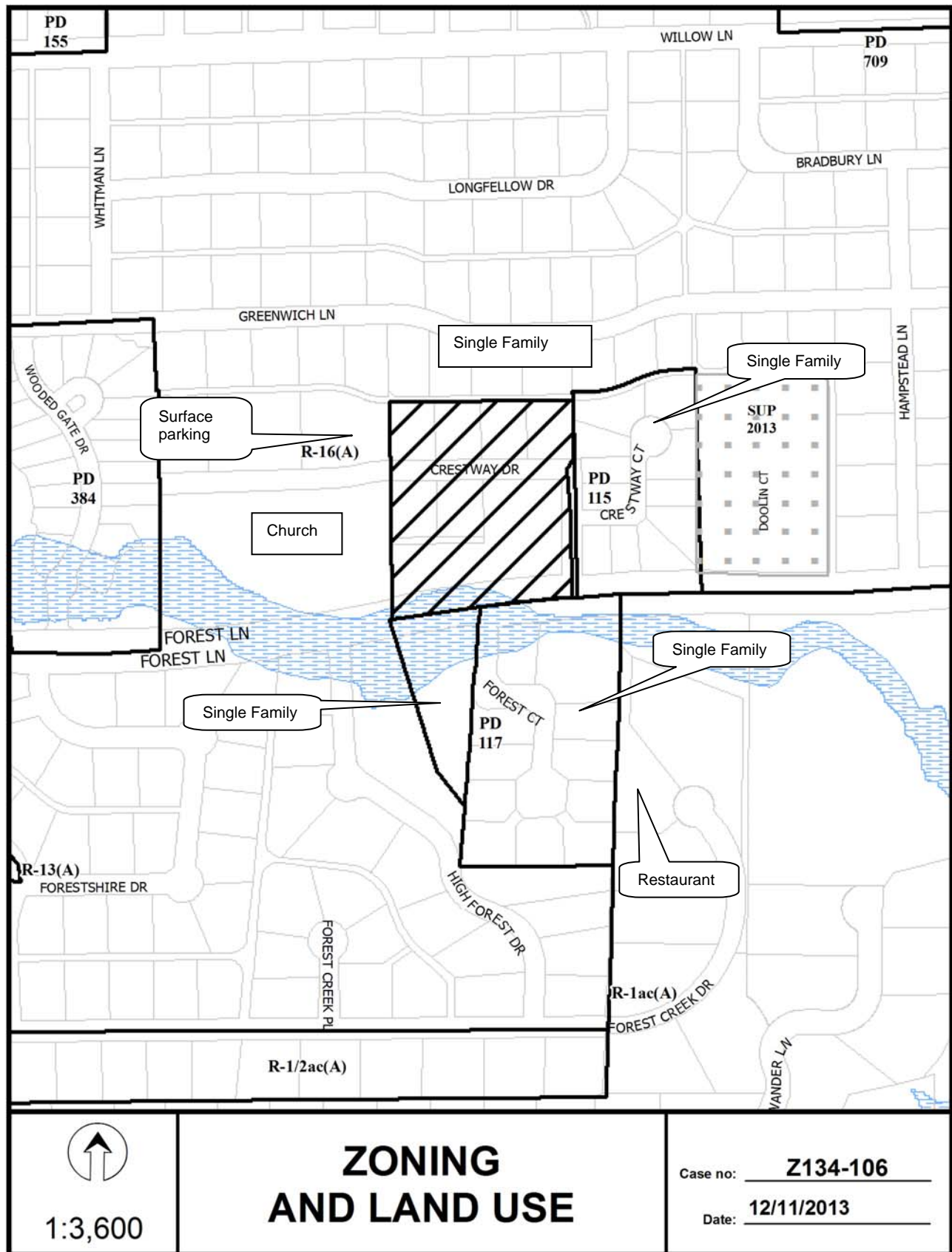
DEVELOPMENT PLAN
6600 FOREST ESTATES
ADDRESS: 6600 FOREST ESTATES AND SECTION AND PINE ESTATES NO. 2
DALLAS COUNTY, TEXAS
DATE: 10/15/2010
DRAWN BY: J. L. WATSON
CHECKED BY: J. L. WATSON
APPROVED BY: J. L. WATSON
DATE: 10/15/2010
PROJECT NO.: 1010101010
SHEET 1 OF 1

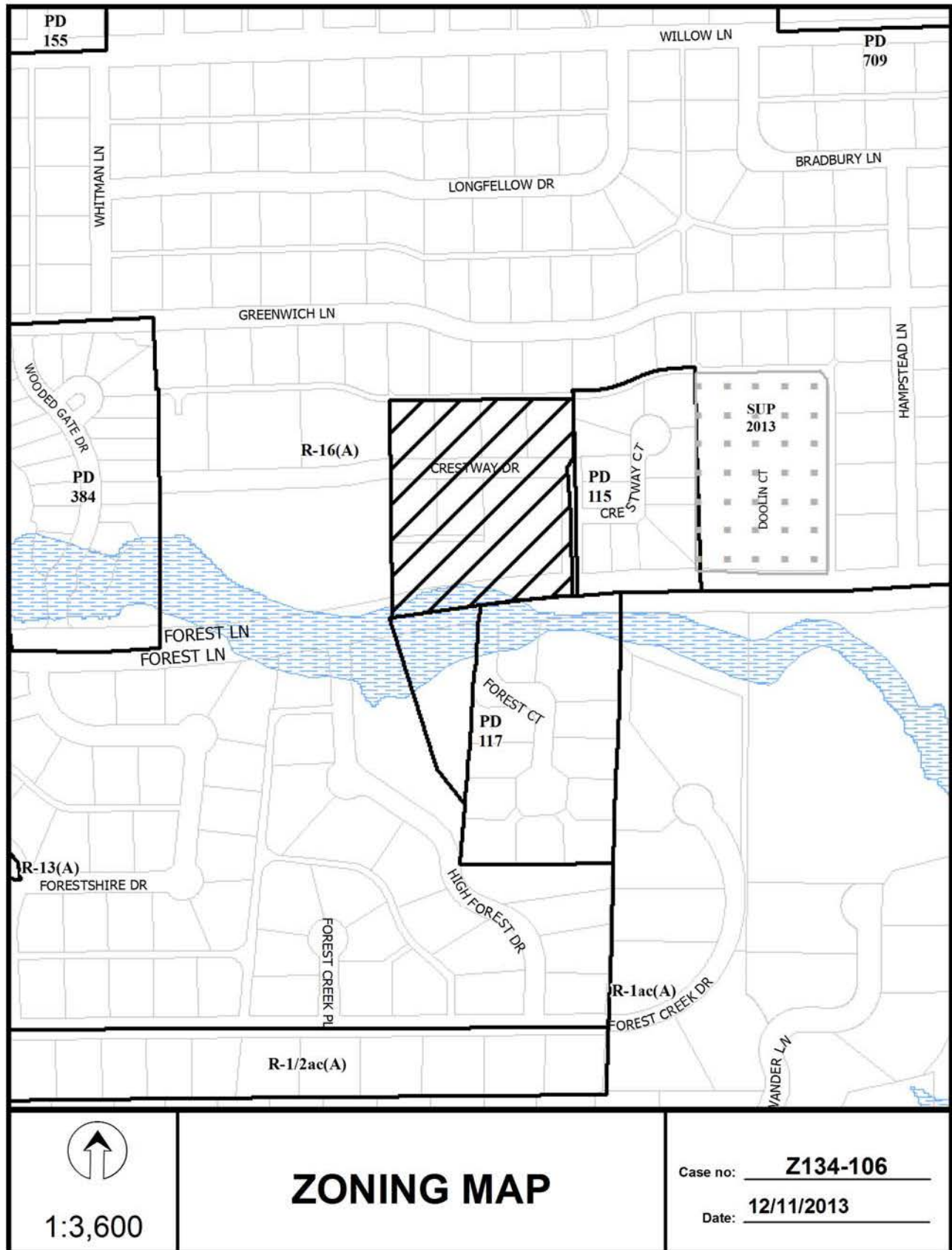
PROPOSED LANDSCAPE PLAN







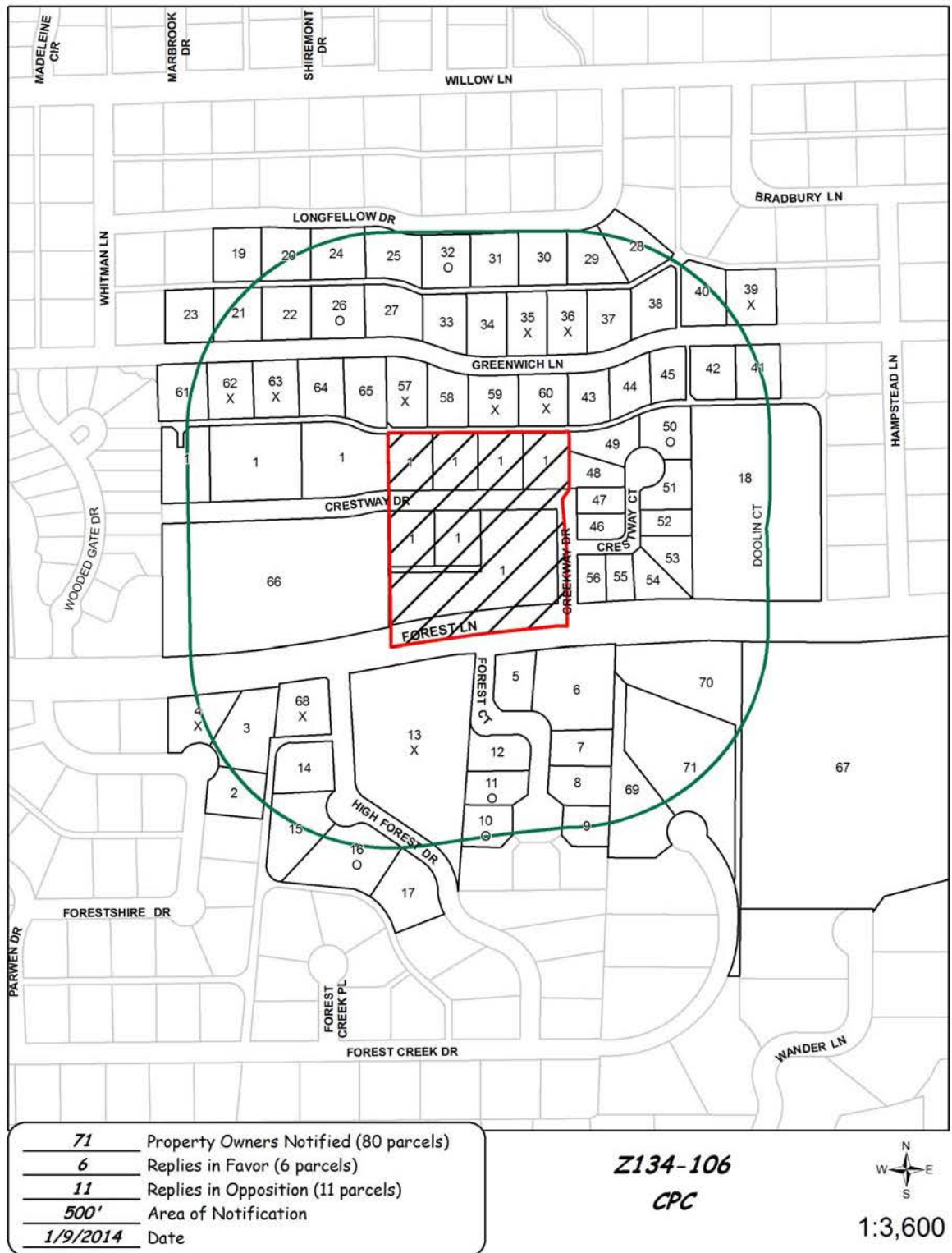




ZONING MAP

Case no: **Z134-106**

Date: **12/11/2013**



Notification List of Property Owners

Z134-106

71 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6625 CRESTWAY DR	UNITY CHURCH OF DALLAS
2	6502 FORESTSHIRE DR	ZIDELL LISA HELENE TR
3	6414 FORESTSHIRE DR	GRANT J KIRLAND & CARMEN J
4	6410 FORESTSHIRE DR	BEST ROBERT J & DAPHNE
5	11734 FOREST CT	MCKAMY BOBBIE TRUSTEE
6	11726 FOREST CT	MCKAMY BOBBIE N TRUSTEE
7	11720 FOREST CT	TERRY GAYLE K
8	11712 FOREST CT	DECLEVA KATHIANN LEAKE
9	11706 FOREST CT	DUNNING DAVID W
10	11707 FOREST CT	ROBINSON JEFFREY & BETSY D
11	11711 FOREST CT	SHAFFER GEORGE A & SHIRLEY
12	11719 FOREST CT	FEMRITE JOHN F
13	6600 FOREST LN	GORDON WILLIAM K III
14	11727 HIGH FOREST DR	SANDERSON MARY K & MARK W
15	11717 HIGH FOREST DR	LOEWINSOHN ALAN
16	11711 HIGH FOREST DR	JOHNSON CHRISTINA & EDWARD
17	11705 HIGH FOREST DR	ROFSKY NEIL M & LISA R
18	6723 FOREST LN	DOOLIN C E &
19	6522 LONGFELLOW DR	GREIF ELIZABETH ROSENBERG
20	6532 LONGFELLOW DR	GREIF JULES & ELIZABETH ROSENBERG
21	6523 GREENWICH LN	FURMAN ALLAN J FURMAN BARBARA A
22	6533 GREENWICH LN	HIGGINBOTHAM JEAN TR
23	6515 GREENWICH LN	DEAN JEFFREY A & ALTHEA KAY JARRETT
24	6544 LONGFELLOW DR	JAMIESON GEORGES E & LISA K
25	6552 LONGFELLOW DR	SHADLE TODD & MARIA REYES
26	6545 GREENWICH LN	DENEMARK HOWARD A & GRACE M TANNIN

12/11/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6553 GREENWICH LN	LESHIN MARK & CANDACE K
28	6636 LONGFELLOW DR	MILLER ANDREW & TRACY
29	6630 LONGFELLOW DR	PHAN NAM H
30	6624 LONGFELLOW DR	HAMBLIN PASCHALL B & SHANA E
31	6616 LONGFELLOW DR	WARD MICHAEL & TIGI
32	6608 LONGFELLOW DR	BARRON MATTHEW BRETT & ANGELA GAIL SHOUP
33	6609 GREENWICH LN	THOMPSON JOHN G
34	6617 GREENWICH LN	BEAL MICHELLE MCKANNA
35	6625 GREENWICH LN	VAN WEY KAY L
36	6633 GREENWICH LN	MOLINE DAVID KENNETH
37	6641 GREENWICH LN	GUNNIN BARBARA ANN
38	6651 GREENWICH LN	BROWN RICHARD C & KAY V
39	6729 GREENWICH LN	KLINEFELTER CHRISTOPHER & MARTHA
40	6719 GREENWICH LN	LAWSON CADMUS K II
41	6730 GREENWICH LN	WILDMAN DAVID R ETAL
42	6720 GREENWICH LN	WOODWARD STEVE C & TERRI
43	6634 GREENWICH LN	ABBOTT DAN E LF ESTATE
44	6642 GREENWICH LN	LINDSAY JOSEPH H JR TRUST
45	6652 GREENWICH LN	WEST VALARY L & ROGER A WEST
46	6629 CRESTWAY CT	RADMAN BETTY L
47	6633 CRESTWAY CT	EISENBERG ALAN LEE
48	6637 CRESTWAY CT	SMISER RAYBOURN H III
49	6643 CRESTWAY CT	RHEUDASIL MYRNA
50	6649 CRESTWAY CT	FIRTH ROSEMARIE
51	6657 CRESTWAY CT	WILKINS T LEE & LINDA A WILKINS
52	6667 CRESTWAY CT	SIMPSON JAMES A & KATHERINE E
53	6671 CRESTWAY CT	NEWBERRY ALLAN & LINDA
54	6673 CRESTWAY CT	BODDY DIANE JOHNSON
55	6677 CRESTWAY CT	SHIRLEY W JOHN
56	6681 CRESTWAY CT	CASPERSON PAUL C & CYNTHIA L
57	6554 GREENWICH LN	HANSON GEORGE & JENNIFER

12/11/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	6610 GREENWICH LN	SIMS STEVEN LAWRENCE & STACY JEAN
59	6618 GREENWICH LN	SPIVEY THOMAS A
60	6628 GREENWICH LN	GEISBAUER JEFFREY & JESSICA
61	6516 GREENWICH LN	DARDAGANIAN STEPHEN G
62	6522 GREENWICH LN	FLATT EDWARD L & KATHERINE M
63	6532 GREENWICH LN	WILSON JEFFREY A & LAURA C
64	6544 GREENWICH LN	GLASS MICHAEL E & DIANE C
65	6550 GREENWICH LN	HELMS EUGENE W & NORMA J TRUSTEE
66	6525 FOREST LN	UNITY CHURCH OF DALLAS EXEMPT 1974
67	6700 FOREST LN	CARR GLADYS W TR SUITE 125
68	11737 HIGH FOREST DR	BARNES JAMIE MORETON & LAVONNA KUHNERT
69	6625 FOREST CREEK DR	MACK MICHAEL J
70	11700 FOREST CREEK DR	OAK FOREST EST HOMEOWNERS ASSOC
71	6624 FOREST CREEK DR	NOBLE ANTHONY S & NATALIE E NOBLE

AGENDA ITEM # 39

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 12, 2014
COUNCIL DISTRICT(S): 2
DEPARTMENT: Sustainable Development and Construction
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 34 Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for single-family detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street

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

Z123-135(WE)

Note: This item was considered by the City Council at a public hearing on January 22, 2014, and was taken under advisement until February 12, 2014, with the public hearing open

ACM: Theresa O'Donnell**FILE NUMBER:** Z123-135(WE) **DATE FILED:** November 13, 2012**LOCATION:** Northwest line of Hawthorne Avenue between Production Dr.
and Afton Street**COUNCIL DISTRICT:** 2 **MAPSCO:** 34-Y**SIZE OF REQUEST:** Approx. 5.509 acres **CENSUS TRACT:** 4.01

APPLICANT / OWNER: Texas Intownhomes, LLC.**REPRESENTATIVE:** Robert Baldwin**REQUEST:** An application for a Planned Development Subdistrict for single-family detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.**SUMMARY:** The purpose of this request is to allow for the construction of a single family development and a community service center. The maximum number of single family dwellings proposed is 118.**CPC RECOMMENDATION:** Approval, subject to a conceptual plan and conditions**STAFF RECOMMENDATION:** Approval, subject to a conceptual plan and conditions

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The request site is currently zoned for MF-2 Multiple Family Subdistrict uses and could be developed with multiple family uses, however, due to certain limitations to the MF-2 development standards, the applicant requested a Planned Development Subdistrict to develop the site. The proposed 118 single family development is compatible with the surrounding development.
2. *Traffic impact* – The Engineering Section of the Department Sustainable development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.
3. *Comprehensive Plan or Area Plan Conformance* The proposed request is in compliance with the forwardDallas! Comprehensive Plan.
4. Justification for PD Planned Development District Zoning as opposed to a straight zoning district – The proposed Planned Development Subdistrict is justified because the existing MF-2 Multiple Family Subdistrict prohibits certain development rights and standards the applicant is proposing in the single family development.

BACKGROUND INFORMATION:

- The request for a Planned Development Subdistrict is to construct a 118-single family detached development is twofold: 1) increase the structure height from 36 feet to 58 feet and 2) modify the yard, space and yard regulations in an MF-2(A) Subdistrict. The MF-2 Subdistrict development standards are more restrictive than what is proposed by the applicant to construct the single family development.
- The Medical District Tax Increment Finance District has reached an agreement with the applicant to receive funds for the site's redevelopment. As part of the agreement, the developer has agreed to allocate approximately 20 percent of the units as affordable units.
- On October 25, 2013, the Peer Review Panel will review and comment on the applicant's proposed plan. The Peer Review Panel consists of a Panel from the Design Team. The Review Panel is the first of two review committees that will consider the applicant's request to receive TIF funding. The applicant will have to receive final approval from TIF Board and City Council to receive the funds for the proposed development.
- The surrounding land uses consist of single family uses to the northeast and an elementary school (PDS No. 28) to the southeast, which is across Hawthorne Avenue. A flood plain borders the request site's northwestern and southwestern

boundaries that separate the industrial and commercial type uses that are on Macatee Drive and Production Drive, respectively.

Zoning History: There have been two recent Board of Adjustment cases requested in the area.

1. BDA101-011 On May 17, 2011, the Board of Adjustment Panel A granted a variance of 15 feet to the front yard setback regulations at 2201 Kings Road.
2. BDA101-040 On May 17, 2011, the Board of Adjustment Panel A granted a variance of 15 feet to the front yard setback regulations at 4701 Bengal Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Hawthorne Avenue	Local Street	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	MF-2 w/in PDD No. 193	Undeveloped
Northeast	MF-2 w/in PDD No. 193	Single Family
Southeast	PDS No. 28 w/in PDD No. 193	Elementary School
Northwest	IR	Industrial
Southwest	IR	Industrial, Warehouses

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 Plan identifies the request site being within the Urban Mixed Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options

and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

LAND USE:

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

GOAL 3.1 ENSURE A SUSTAINABLE AND EFFICIENT LONG-RANGE HOUSING SUPPLY

Policy 3.1.2 Encourage alternatives to single-family housing developments for homeownership.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
- (6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

- (7) To promote landscape/streetscape quality and appearance.

The applicant's request for a PDS for a single family development meets objectives 1, 4, 6 and 7. The request does not meet the remaining objectives, 2, 3, and 5 because the proposed development will not have a retail component nor is located in a commercial area. The proposed single family development will only provide the appropriate off-street parking requirements necessary to service the development.

STAFF ANALYSIS:

Land Use Compatibility: The 5.509 acre site is undeveloped and is adjacent to a floodplain which flows along the request site's northwestern and southwestern property lines. The surrounding land uses consist of primarily residential uses, however there is an elementary school that is southeast of the site, across Hawthorne Avenue and industrial type uses (e.g., warehouse uses) to the southwest, across Production Drive.

The applicant's request for a Planned Development Subdistrict for single detached dwellings will permit the construction of a 110-single family shared access development. The applicant has requested several modifications to the MF-2 Subdistrict's development standards and regulations to allow for the proposed single family development to be developed. These modifications refer primarily to the yard, lot and space regulations, and parking regulations. The MF-2 Subdistrict development standards are more restrictive than is proposed by the applicant to construct the single family development. The MF-2 Subdistrict permits a front yard setback of 20 feet, a side yard setback of 10 feet and a rear yard setback of 15 feet. The proposed development will allow for zero yard setbacks. In addition, the City Council approved a similar development in the Farmer's Market area that is being proposed on the request site.

In addition, the applicant and the Medical District Tax Increment Finance District have reached an agreement to allocate approximately 20 percent of the units as affordable units. Also, the Medical District Tax Increment Finance will provide some financial funding for the site's redevelopment. On October 25, 2013, the Peer Review Panel, which consists of the Design Team, will review and comment on the applicant's proposed plan. The Review Panel is the first of two review committees that will consider the applicant's request to receive TIF funding. The applicant will have to receive final approval from TIF Board and City Council to receive the funds for the proposed development.

Staff's recommendation is for approval, subject to a conceptual plan and staff's recommended conditions.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
MF-2 – existing Multiple Family	15'	10/15'	Min lot 2,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%		Multifamily, duplex, single family
PDS for single family - proposed	0'	0/0'	Min lot 2,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	58'	90%		Multifamily, duplex, single family

Landscaping: Landscaping of any development will be in accordance with Part I landscaping requirements in PDD No. 193.

Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

Miscellaneous – Conditions: Staff has reviewed supports the applicant Planned Development conditions. However, there are some provisions in the conditions that are not supported by staff and will be reflected in the appropriate sections.

As of November 21, 2013, staff has not received any revisions to the PDS conditions or conceptual plan that may reflect the Peer Review Team's comments. The Peer Review Team reviewed the applicant's project on October 25, 2013.

CPC Action (August 8, 2013)

Motion: In considering an application for a Planned Development Subdistrict for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street, it was moved to **hold** this case under advisement until September 26, 2013.

Maker: Wally
Second: Culbreath
Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Culbreath, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley, Bernbaum,
Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 10

Notices: Area: 500 Mailed: 76
Replies: For: 3 Against: 0
Speakers: None

CPC Action (September 26, 2013)

Motion: In considering an application for a Planned Development Subdistrict for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue; between Production Drive and Afton Street, it was moved to **hold** this case under advisement until October 24, 2013.

Maker: Wally
Second: Tarpley
Result: Carried: 14 to 0

For: 14 - Wally, Anglin, Culbreath, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum,
Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Davis
Vacancy: 0

Notices: Area: 500 Mailed: 76
Replies: For: 4 Against: 0
Speakers: None

CPC Action (October 24, 2013)

Motion: In considering an application for a Planned Development Subdistrict for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street; it was moved to **hold** this case under advisement until November 7, 2013.

Maker: Soto
Second: Ridley
Result: Carried: 12 to 0

For: 12 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene*, Peadon,
Murphy, Ridley

Against: 0
Absent: 3 - Culbreath, Bernbaum, Alcantar
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 76
Replies: For: 4 Against: 0

Speakers: For (Did not speak): Robert Baldwin, 3904 Elm St., Dallas, TX,
75226

Against: None

CPC Action (November 7, 2013)

Motion: In considering an application for a Planned Development Subdistrict for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street; it was moved to **hold** this case under advisement until December 5, 2013.

Maker: Soto
Second: Tarpley
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum,
Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 500 Mailed: 76
Replies: For: 4 Against: 0

Speakers: None

CPC Action (December 5, 2013)

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for single detached dwellings, subject to a revised conceptual plan and revised conditions on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue, between Production Drive and Afton Street.

Maker: Soto
Second: Shellene
Result: Carried: 12 to 0

For: 12 - Soto, Rodgers, Shidid, Hinojosa, Lavallaisaa,
Tarpley, Shellene, Bernbaum, Peadon, Murphy,
Ridley, Alcantar

Against: 0
Absent: 3 - Anglin, Culbreath, Bagley
Vacancy: 0

Notices:	Area: 500	Mailed: 76
Replies:	For: 4	Against: 0

Speakers: None

<p>LIST OF OFFICERS Texas in Townhomes, LLC</p>

- Frank M. K. Liu, President
- Ming Liu, Vice-President
- Helen Ghozali, Vice-President

CPC PROPOSED PDS CONDITIONS
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SEC. S-____.101. LEGISLATIVE HISTORY.

PD Subdistrict ____ was established by Ordinance No. _____, passed by the Dallas City Council on _____.

SEC. S-____.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict ____ is established on property generally located on the northeast corner of the intersection of Hawthorne Street and Production Drive. The size of PD Subdistrict ____ is approximately 5.509 acres.

SEC. S-____.103. PURPOSE.

The general objectives of these standards are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and, in part, to achieve the following:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment by encouraging the development of residential structures in an urban context.

(3) To encourage a mix in the design of residential structures.

(4) To promote landscape/streetscape quality and appearance.

(5) To provide visual buffering and enhance the beautification of the city.

(6) To safeguard and enhance property values and to protect public and private investment.

(7) To conserve energy.

SEC. S-____.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part 1 of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part 1 of this article, Part 1 of this article controls. In this division,

(1) COLORED CONCRETE means concrete with one or more pigments added to it.

(2) SUBDISTRICT means a subdistrict of PD 193.

(3) TYPE A UNITS means a unit that has a two car garage.

(4) TYPE B UNITS means a unit that has a one car garage.

(b) Unless otherwise state, all references to articles, divisions, or sections in this division are articles, divisions or sections in Chapter 51.

(c) This subdistrict is considered to be a residential zoning district.

SEC. S-____.105. EXHIBIT.

The following exhibit is incorporated into this division:

Exhibit S-__A: conceptual plan.

SEC. S-____.106. CONCEPTUAL PLAN

Development and use of the Property must comply with the conceptual plan (Exhibit S- ____). If there is a conflict between the text of this division and the conceptual plan, the text of this division controls.

SEC. S-____.107. DEVELOPMENT PLAN

(a) Except as provided in this section, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this subdistrict. If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For property developed as a Residential Development Tract, a final plat may serve as a development plan.

SEC. S-____.108. HOMEOWNERS ASSOCIATION.

Prior to final plat approval, the owner of the Property must execute an instrument creating a homeowner's association for the maintenance of common areas, screening walls, landscape areas (including right-of-way landscaping areas), and for other functions. This instrument must be approved as to form by the city attorney and filed in the Dallas County deed records.

SEC. S-____.110. MAIN USES PERMITTED.

(a) The following uses are the only main uses permitted in this subdistrict:

- Accessory community center (private).
- Handicapped group dwelling unit.
- Local utilities.
- Single-family.
- Temporary construction or sales office.

SEC. S-____.111. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-____.112. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part 1 of this article. In the event of a conflict between this section and Part 1 of this article, this section controls.)

(a) Single-family uses.

(1) Front yard. No minimum front yard.

(2) Side and rear yard. No minimum side or rear yard.

(3) Density. The maximum dwelling unit density is 118 units.

(a) At least 80% of the total units must be Type A units.

(b) no more than 20% of the total units can be Type B units.

(4) Height. Maximum structure height is 58 feet to the midpoint of the roof. Rooftop projections, trellis projections and other architectural features may exceed the height by 12 feet.

(5) Projections. Windows, sills, belt courses, cornices, or other architectural features may project no more than 12 inches into the right-of-way with a City of Dallas license for use of the public right-of-way. Cantilevered roof eaves, steps, stoops and balconies may project no more than three feet in the right-of-way with a City of Dallas license for use of the public right-of-way.

(6) Lot coverage. Maximum lot coverage is 90 percent. For purposes of lot coverage, the entire property ~~[subject to these regulations]~~ will be treated as a single lot.

(7) Lot size: No minimum lot size.

(8) Stories. No maximum stories.

(9) Plat requirements. In this subdistrict, a minimum of 10 feet must be provided by plat between each group of no more than eight single family structures.

(10) Platted lots. Each dwelling unit must be located on a separate lot. Platted lots may have frontage on two opposite sides.

SEC. S-____.113. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult Part 1 of this article for the specific off-street parking and loading requirements for each use.

(b) Parking for Single-family Residential Uses.

(1) Type A Units: Two off-street parking spaces are required per unit.

(2) Type B Units: One off-street parking space is required per unit.

(c) Guest Parking. A total of .25 parking spaces are required and these spaces may cross lot lines and may be located in the public right-of-way.

(d) Parking Space Dimensions. Except for on-street parallel parking spaces along Bengal Drive and Hawthorne Avenue, off-street parking spaces must be a minimum of 18 feet long by eight feet wide.

(e) There is no parking requirement for accessory uses, such as a sales office, accessory community center (private) or fitness center, provided the accessory use is principally for the residents.

(f) Accessory community center (private). Off-street parking is not required for an accessory community center (private) use.

SEC. S-____.114. RESIDENTIAL DEVELOPMENT TRACT PAVEMENT WIDTHS.

(a) The access drives must be provided as shown on the conceptual plan.

(b) Single-family lots may front on access drives.

(c) The residential development access area must have a minimum width of 20 feet, and a minimum pavement width of 20 feet. Pavement widths are measured perpendicularly from the edge of the pavement to the opposite edge of the pavement.

(d) Minimum visibility triangles are required at all driveways and intersections with public streets. At all driveways and intersections, visibility triangles must be 10 feet by 10-feet for driveways and 20 feet by 20-feet at street intersections.

SEC. S-____.115. PARAPET WALL.

Parapet walls are required. A four-foot tall opaque parapet wall is required on all dwelling units facing the eastern property line.

SEC. S-____.116. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-____.117. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping and screening must be provided in accordance with Part 1 of this article.

(b) Street trees. Street trees must be planted at one tree for each 30 linear feet of frontage along the perimeter of the property, exclusive of the visibility triangles and points of ingress and egress.

- (1) A minimum of four caliper inches must be planted.
- (2) Tree branches must not hang lower than 13.5 feet above the street or sidewalk pavement.
- (3) On Hawthorne Avenue, all street trees must be planted within a four (4) foot-wide planting area that is adjacent to the curb.
- (4) Any shrubs provided must be at least 18 inches in height and may be planted in a planter or a metal or concrete pot.
- (5) Trees, shrubs, water features, benches, mailboxes and other amenities may be provided in open space easements provided by plat.

(c) Sidewalks.

- (1) A minimum sidewalk width of 5 feet must be provide along Hawthorne Avenue.
- (2) A minimum sidewalk width of 10 feet, with 7.5 feet unobstructed by any structure or planting, must be provided along Bengal Street.
- (3) Sidewalks elsewhere in the interior of the subdistrict are allowed but not required. Interior sidewalks must be a minimum of three feet wide.
- (4) Sidewalks can be constructed with concrete, colored concrete or pavers.
- (5) Sidewalks can be located within Floodway Management Areas, provided that permeable materials are used.

(d) Maintenance. Plant material must be maintained in a healthy, growing condition.

SEC. S-____.118. URBAN DESIGN CONSIDERATIONS.

(a) Building materials. A minimum of 40 percent of total building facade area, excluding openings, must incorporate stone, brick or a combination of those materials. Hardi-board may be used on all facades.

(b) Drive-through porte-cocheres. Drive-through porte-cocheres must have a minimum height of 18 feet and may be located across shared drives.

(c) Outdoor lighting.

(1) Along Bengal Street and Hawthorne Avenue, light poles must be located a minimum of 50 feet and a maximum of 100 feet on center with a minimum of one foot-candle at the mid-point between fixtures.

(2) Outdoor light sources must be indirect, diffused, or shielded-type fixtures, installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited.

(3) Fixtures must be attached to buildings or mounted on permanent poles at a maximum height of 20 feet.

(4) Fixtures may be located within the public right-of-way with a City of Dallas license or on adjoining property.

(5) Pedestrian areas must be lighted beginning one-half hour after sunset and continuing until one-half hour before sunrise.

(d) Tree grates. Tree grates conforming to state and federal 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 may be provided for all trees planted within a public sidewalk, ~~but are not required~~.

(e) Fencing.

(1) Solid fencing is allowed.

(2) Wrought iron fencing with or without gates is permitted between buildings along the perimeter of the subdistrict.

(3) Maximum fence height is eight feet.

(f) Pavement markings. Pedestrian crosswalks across ingress and egress driveways and interior drives or streets must be clearly marked by colored concrete or patterned or stamped concrete and must be consistent.

(g) Common areas. Mailboxes, water features and community service (private) use, pools, pool houses and accessory structures are allowed in common areas.

(h) Translucent windows.

(1) Translucent glass must be used on any windows located on the first two stories of any dwelling units that are adjacent to single family units on Afton Street.

(i) Dumpsters. Dumpsters are prohibited in this district.

SEC. S-____.119. SIGNS.

Signs must comply with the provisions for residential zoning districts in Article VII.

SEC. S-____.120. ADDITIONAL PROVISIONS.

(a) A maximum of 118 single family lots can be platted in a residential development tract.

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

(d) 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.

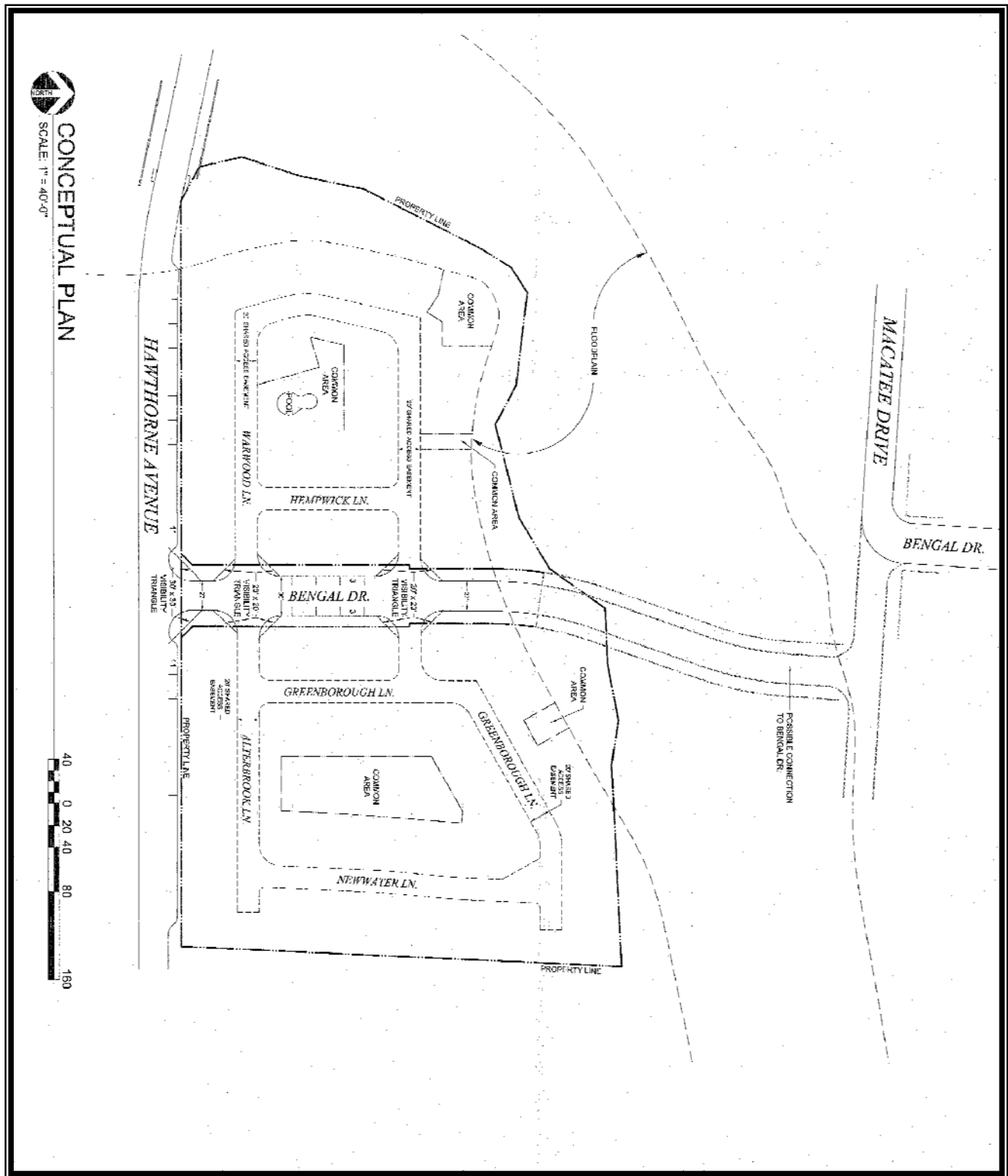
(e) Development and use of the Property must comply with Part 1 of this Article.

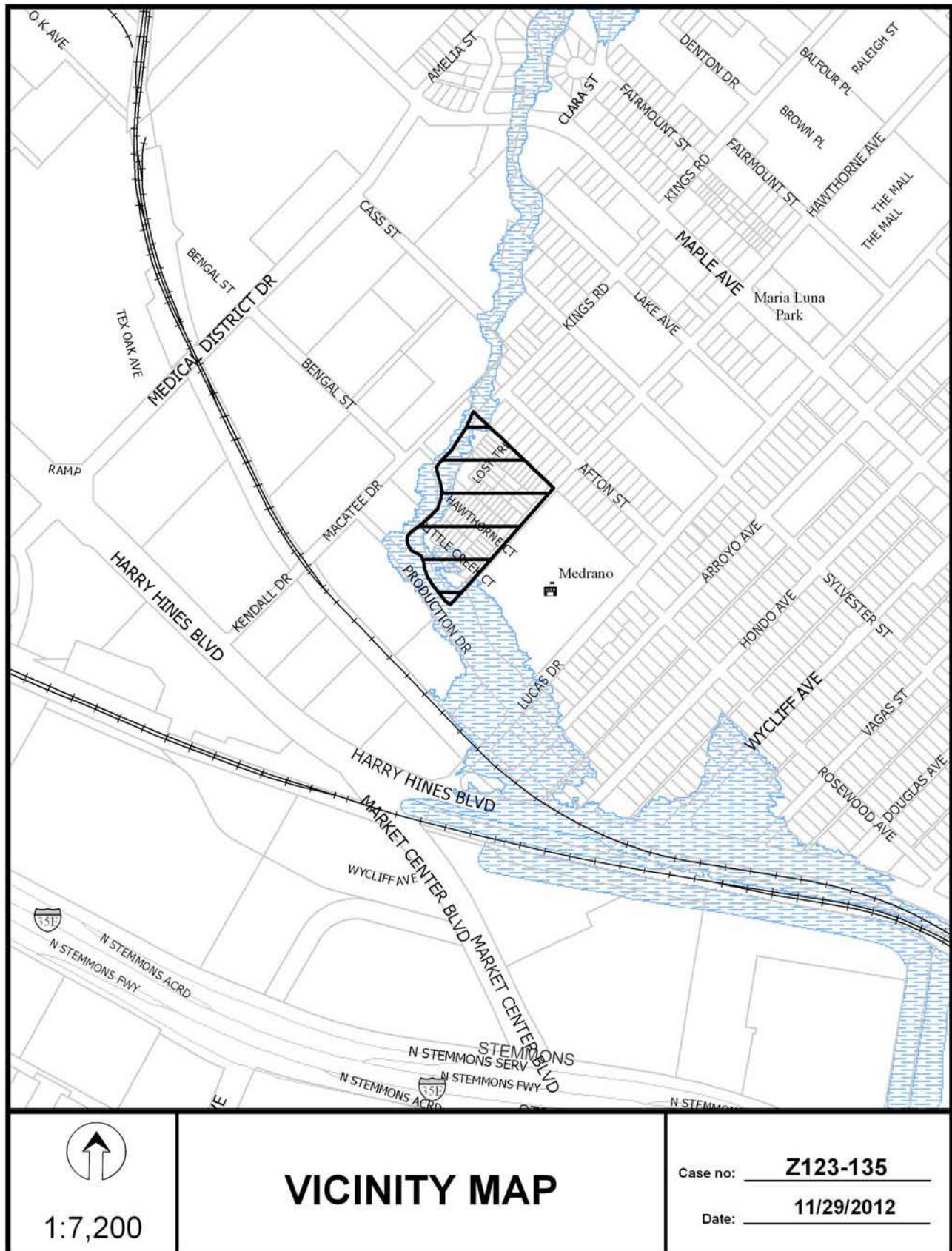
SEC. S-____.121. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this 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.

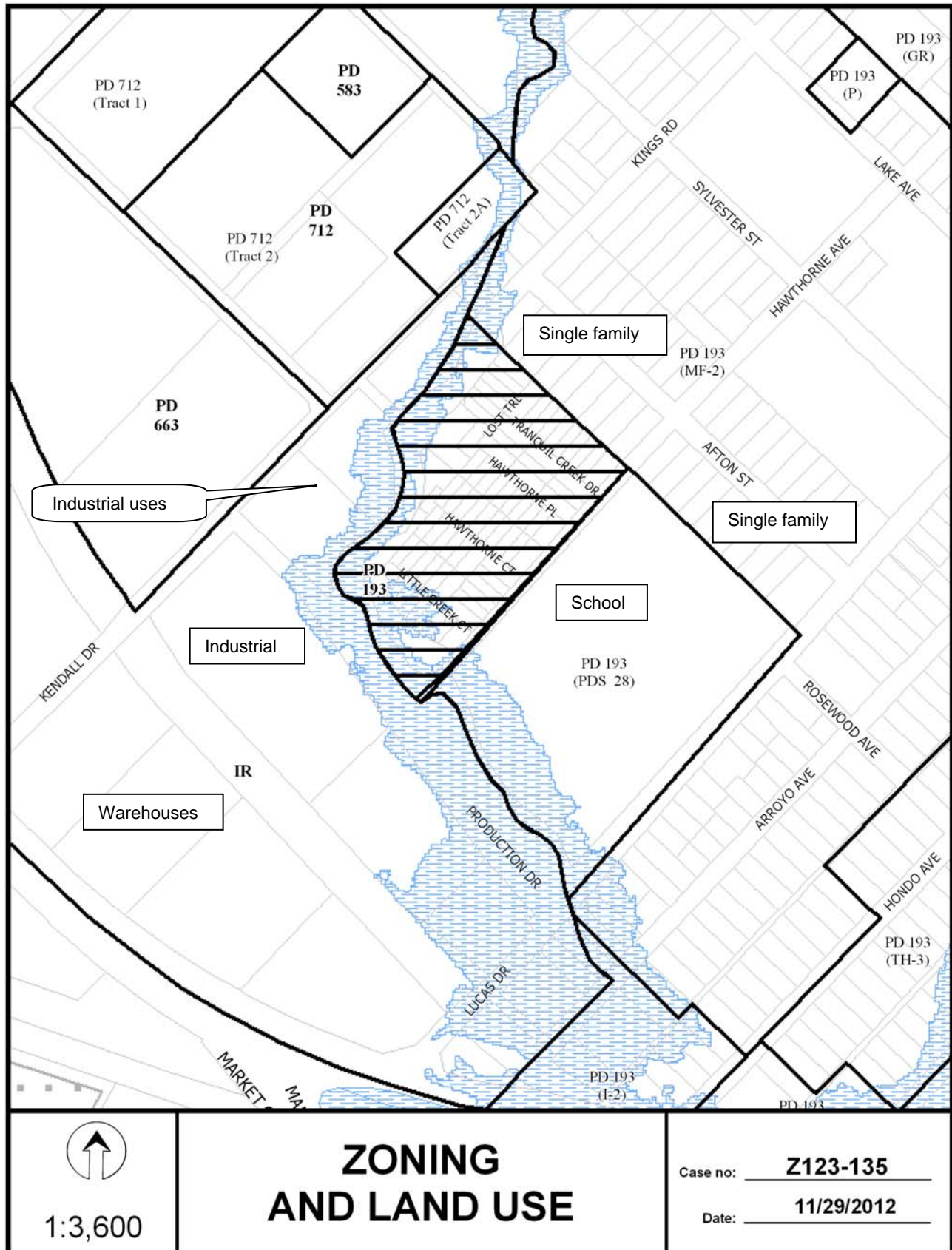
PROPOSED CONCEPTUAL PLAN

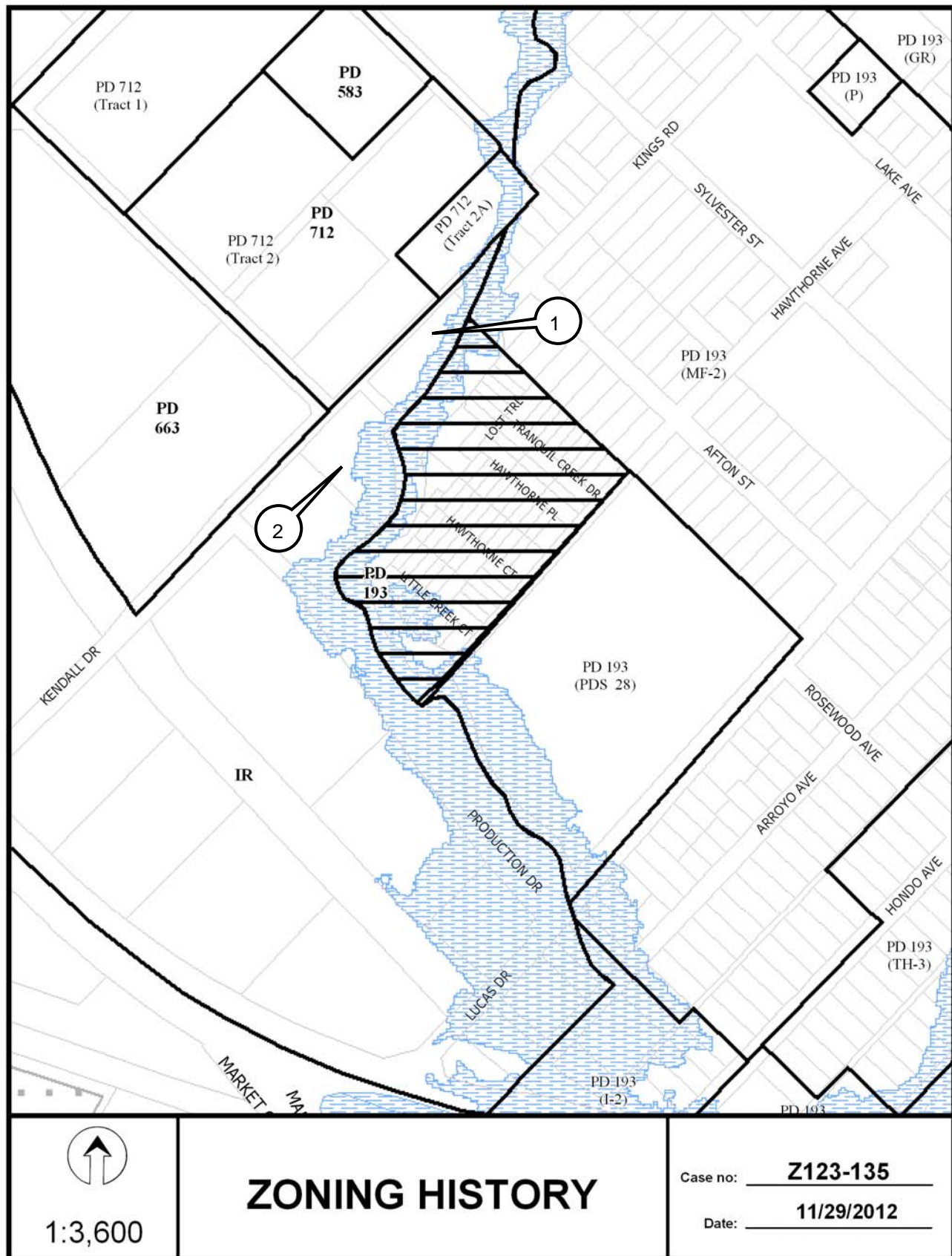




Ariel Map







CPC RESPONSES



<u>76</u>	Property Owners Notified (156 parcels)
<u>4</u>	Replies in Favor (78 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>500'</u>	Area of Notification
<u>11/7/2013</u>	Date <u>10/24/2013</u> Under Advisement

Z123-135
CPC



1:3,600

Notification List of Property Owners

Z123-135

<i>76 Property Owners Notified</i>				<i>0 Property Owners Opposed</i>	<i>4 Property Owners in Favor</i>
<i>Vote</i>	<i>Label #</i>	<i>Address</i>		<i>Owner</i>	
O	1	2201	KINGS RD	CRASH INC	
O	2	4622	TRANQUIL CREEK DR	TEXAS INTOWNHOMES LLC	
	3	4525	SYLVESTER ST	TUNG CHYUAN INV INC	
	4	2319	HAWTHORNE AVE	DELGADO SALVADOR & DINA	
	5	4601	SYLVESTER ST	MALAGON MARTIN & GADRIELA	
	6	4607	SYLVESTER ST	LOEZA CRISTINA	
	7	4615	SYLVESTER ST	GARCIA BRENDA N	
	8	4619	SYLVESTER ST	GANDARA AURELIANO &	
	9	4623	SYLVESTER ST	HOLGUIN FERNANDO &	
	10	4625	SYLVESTER ST	KEMP JACK R	
	11	2330	KINGS RD	HYDE HEATH	
	12	2251	KINGS RD	SINGER ARTURO	
	13	4634	AFTON ST	CHANDLER NANCY ANN S TR	
	14	2324	KINGS RD	SANCHEZ MARIA	
	15	4703	SYLVESTER ST	CARRILLO CIRILO ESTATE OF	
	16	4707	SYLVESTER ST	SEPULVEDA JAMES L &	
	17	4711	SYLVESTER ST	BARRIOS JOSE LUIS &	
	18	4719	SYLVESTER ST	HOLGUIN DANIEL &	
	19	2200	KINGS RD	ODONNELL AUDREY L	
	20	4508	AFTON ST	AGUINAGA JOSE A & ALICIA	
	21	4514	AFTON ST	DAO CUONG P & QUYEN T VO	
	22	4518	AFTON ST	MARTINEZ MARIA CARMEN	
	23	4522	AFTON ST	HERNANDEZ EPIFANIO	
	24	4526	AFTON ST	CORTEZ ANGEL &	
	25	4530	AFTON ST	NGUYEN HOANG	
	26	4534	AFTON ST	LE HOA THI XUAN	

Thursday, November 07, 2013

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	4538 AFTON ST	OSORIO ISRAEL ANTUNEZ &
	28	4542 AFTON ST	MEDRANO PROPERTIES LLC
	29	4600 AFTON ST	GALINDO XOCHILT
	30	4606 AFTON ST	RAMIREZ JOSE &
	31	4610 AFTON ST	MEDINA ADAN V &
	32	4614 AFTON ST	VO HUONG THANH
	33	4618 AFTON ST	DINH MY HOANG
	34	4622 AFTON ST	LE MINH HOANG
	35	4624 AFTON ST	LE KY VAN &
	36	4630 AFTON ST	NGUYEN THANH PHONG
	37	4501 AFTON ST	LIVE MODERN HOMES LLC
O	38	4515 AFTON ST	URBINA CELIA
	39	4519 AFTON ST	PEREZ JENNIFER
	40	4523 AFTON ST	YOHANNES KIDUS
	41	4527 AFTON ST	RODRIGUEZ JUAN P
	42	4531 AFTON ST	ZUNIGA ANTONIO JUAN
	43	4533 AFTON ST	DEITELHOFF KATRINA
	44	4535 AFTON ST	QUINONES DANIEL G
	45	4543 AFTON ST	MANUEL CLEMENTE
	46	4601 AFTON ST	DICKERSON DOROTHY
	47	4607 AFTON ST	GALINDO JOSE H & ROSA
	48	4611 AFTON ST	PEREZ DENISE
	49	4615 AFTON ST	FRANCISCO TOMAS
O	50	4619 AFTON ST	CAO TRANG THI
	51	4623 AFTON ST	NGUYEN VAN NGOC
	52	4699 PRODUCTION DR	RUPLEY HELEN GAIL
	53	2023 LUCAS DR	WALRAVEN A T III &
	54	4525 PRODUCTION DR	PRODUCTION PPTY PTNR LLC
	55	4641 PRODUCTION DR	GREENWAY 4641 PRODUCTION
	56	4600 HARRY HINES BLVD	UNIVERSITY OF TEXAS
	57	4640 HARRY HINES BLVD	SOVRAN ACQUISITION LTD PS

Thursday, November 07, 2013

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4714	CASS ST	KALOGRIDIS REAL EST LTD
59	4814	BENGAL ST	TCF INTERESTS PARTNERSHIP
60	4722	BENGAL ST	FOSTER M POOLE JR
61	4815	CASS ST	UNION GOSPEL MISSION
62	2313	HAWTHORNE AVE	JORY ROBERT
63	4611	SYLVESTER ST	GUZMAN JOSE GUADALUPE
64	2359	KINGS RD	BOUNNHING SAY
65	2355	KINGS RD	GOMEZ ELPIDIA
66	2351	KINGS RD	LARA OLGA L
67	4637	AFTON ST	NGUYEN DIEM TRANG HOANG
68	4633	AFTON ST	NGO HUNG VI &
69	4629	AFTON ST	NGUYEN MINH
70	2221	LUCAS DR	Dallas ISD
71	4700	BENGAL ST	TCF INTERESTS PARTNERSHIP LTD
72	4816	BENGAL ST	TCF INTERESTS PS LTD
73	4816	BENGAL ST	POOLE FOSTER M JR
74	4707	BENGAL ST	RONALD MCDONALD HOUSE OF
75	2140	MEDICAL DISTRICT DR	MOTOR STREET APTS LP
76	555	2ND AVE	DART

Thursday, November 07, 2013

AGENDA ITEM # 40

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 42 Q

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 1808 for an industrial (inside) potentially incompatible use for an automobile recycling plant and an ordinance granting a Specific Use Permit for an outside salvage and reclamation use on property zoned an IM Industrial Manufacturing District on the west line of Weir Street, south of Singleton Boulevard

Recommendation of Staff and CPC: Approval to renew Specific Use Permit No. 1808 for a two-year period with eligibility for automatic renewals of two-year periods, subject to a revised site plan and revised conditions; and approval of a Specific Use Permit for an outside salvage and reclamation use for a two-year period with eligibility for automatic renewals of two-year periods, subject to a site plan and conditions

Z123-250(OTH)

Note: This item was considered by the City Council at a public hearing on January 8, 2014, and was taken under advisement until February 12, 2014, with the public hearing open

FILE NUMBER: Z123-250(OTH)

DATE FILED: April 9, 2013

LOCATION: On the west line of Weir Street, south of Singleton Boulevard

COUNCIL DISTRICT: 6

MAPSCO: 42-Q

SIZE OF REQUEST: Approx. 1.4521 acre

CENSUS TRACT: 105.00

APPLICANT/OWNER: Peter S. Kim

REPRESENTATIVE: Hyeon Jin Jeong

REQUEST: An application for an amendment to and for renewal of Specific Use Permit No. 1808 for an industrial (inside) potentially incompatible use for an automobile recycling plant and a new Specific Use Permit for an outside salvage and reclamation use on property zoned an IM Industrial Manufacturing District.

SUMMARY: The applicant's request is to renew the existing automobile recycling operations [PJ Metal Recycling] and to add a new use for outside salvage and reclamation on the premises.

CPC RECOMMENDATION: **Approval** to renew Specific Use Permit No. 1808 for a two-year period with eligibility for automatic renewals of two-year periods, subject to a revised site plan and revised conditions; and **approval** of a Specific Use Permit for outside salvage and reclamation for a two-year period with eligibility for automatic renewals of two-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** to renew Specific Use Permit No. 1808 for a two-year period with eligibility for automatic renewals of two-year periods, subject to a revised site plan and revised conditions; and **approval** of a Specific Use Permit for outside salvage and reclamation for a two-year period with eligibility for automatic renewals of two-year periods, subject to a site plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The request will utilize existing improvements. The site is surrounded by industrial uses and industrial manufacturing zoning district, thus continuing the use of the property with compatible uses. The nearest residential district is over 600 feet away from the proposed outside salvage use. Additional measures such as screening are required to mitigate any potential negative impacts.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing and proposed uses are similar to those that adjoin the site. As result, staff anticipates that it will neither enhance nor detract from the area.
3. *Not a detriment to the public health, safety, or general welfare* – Staff does not anticipate that the existing and proposed uses will be a detriment to the public health, safety or general welfare of the area. The existing and proposed use is not anticipated to be a detriment to the area.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The existing certificate of occupancy will be required to be updated to reflect the proposed use of the property as well as compliance with the approved (pending a future City Council public hearing) site plan and conditions. No variances or exceptions to the base zoning district are part of this Special Use Permit request.

BACKGROUND INFORMATION:

- The request site is developed with a 21,110-square-foot building presently utilized for the industrial (inside) potentially incompatible use for an automobile recycling plant. The applicant wishes to continue this use and to add an outside salvage and reclamation use on 5,253 square feet with a stacking height not to exceed 8 feet as labeled on the site plan.
- The applicant originally requested an amendment to the site plan for SUP No. 1808 because the parking layout had changed from the originally approved site plan. Also, a truck scale was installed in the area where parking was located. The applicant decided to amend the existing SUP and request another SUP for an outside salvage and reclamation use.
- The applicant proposes to add a use to the existing recycling operations to include the recycling of scrap materials to include various types of ferrous and non-ferrous metals, plastics, inoperable motor vehicle parts, machinery, and

appliances. The recyclable materials will be dismantled/separated, cleaned, and resold to recycling companies. For this use, the applicant is required to have a Specific Use Permit for outside salvage and reclamation.

- Both uses are only permitted in an IM District with a special use permit.

Zoning History: Specific Use Permit No. 1808 was originally approved on August 11, 2010 for a two-year period. A minor amendment to the site plan was approved on May 19, 2011 to provide for a canopy structure on the northwest corner of the property.

There have been no recent zoning changes in the immediate area.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Weir Street	Principal Arterial	100 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not negatively 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 Plan identifies the request site as being in an Industrial Building Block.

Industrial Areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

The request site is located within an industrial area and is surrounded by industrial uses. The applicant proposes to continue the use of the property for an Industrial (inside) potentially incompatible use for an automobile recycling plant and the addition of

an outside salvage and reclamation use. The applicant's request is in compliance with the goals and policies in the forwardDallas! Comprehensive Plan.

LAND USE

ENVIRONMENT USE

GOAL 6.6 Increase Recycling and Conservation of Renewable Resources

Policy 6.6.1 Increase recycling and composting

STAFF ANALYSIS:

Land Use Compatibility:

The request site is located within an industrial area and is surrounded by warehouses and industrial type uses. An existing rail line is located south of the request site.

Additional provisions for an outside salvage or reclamation use require that:

- 1) *The use must have a visual screen of at least nine feet in height which consists of solid masonry, concrete, or corrugated sheet metal wall, or a chain link fence with metal strips through all links.* The salvage area with a maximum stacking height of 8 feet will be located on the eastern portion of the property. There is an existing 10-foot, metal wall along the eastern and western property lines. The site plan needs to be amended to show the screening requirement on the northern and southern property lines prior to consideration by Council.
- 2) *Objects shall not be stacked higher than eight feet within 40 feet of the visual screen.* The site plan shows that the stacking area will not exceed eight feet.
- 3) *A minimum of 500 feet is required between the outside salvage and reclamation use and a residential district.* The location of the proposed area for the outside salvage and reclamation use is approximately 600 feet from the nearest residential district to the west of the property.

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

Z123-250(OTH)

applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Landscaping: The request does not trigger Article X landscaping of the property. Landscaping improvements are triggered when there is a proposed new structure or addition to an existing one. The applicant does not propose to add any square footage to the property.

CPC ACTION:

November 21, 2013

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1808 for a two-year period with eligibility for automatic renewals of two-year periods, subject to a revised site plan and revised conditions; and **approval** of a new Specific Use Permit for a period of two-years with eligibility for automatic renewals of two-year periods, subject to a revised site plan and conditions for an outside salvage and reclamation use on property zoned an IM Industrial Manufacturing District on the west line of Weir Street, south of Singleton Boulevard.

Maker: Hinojosa
Second: Bernbaum
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0

Absent: 1 - Culbreath

Vacancy: 0

Notices:	Area: 300	Mailed: 8
Replies:	For: 0	Against: 0

Speakers: None

**INDUSTRIAL (INSIDE) POTENTIALLY INCOMPATIBLE
REVISED CONDITIONS**

1. USE: The only use authorized by this specific use permit is an industrial (inside) potentially incompatible use for an automobile recycling plant.
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) [August 11, 2013], but is eligible for automatic renewal for additional two-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 an automatic renewal is strictly enforced.)

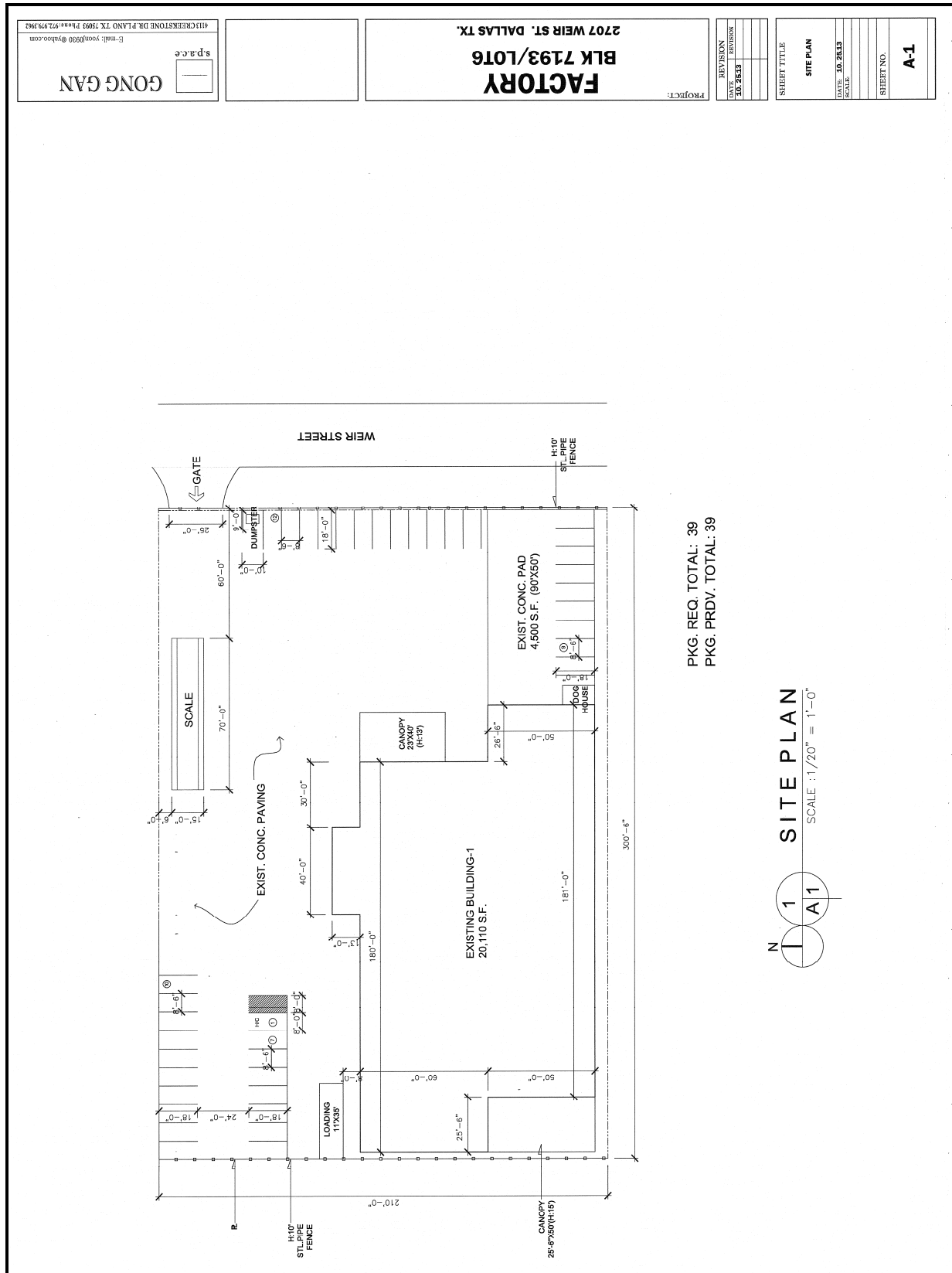
FLOOR AREA: The maximum floor area for an industrial (inside) potentially incompatible use for an automobile recycling plant is 20,110 square feet.

4. HOURS OF OPERATION: The industrial (inside) potentially incompatible use for an automobile recycling plant use may only operate between 8:00 a.m. and 5:00 p.m., Monday through Friday.
5. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: A minimum of 34 parking spaces must be provided in the location shown on the attached site plan.
7. ~~PERMITS: a certificate of occupancy may not be issued until all required environmental permits are obtained from the Texas Commission on Environmental Quality, Federal Emergency Management Administration, and other federal, state, or local agencies.~~
7. 8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. 9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

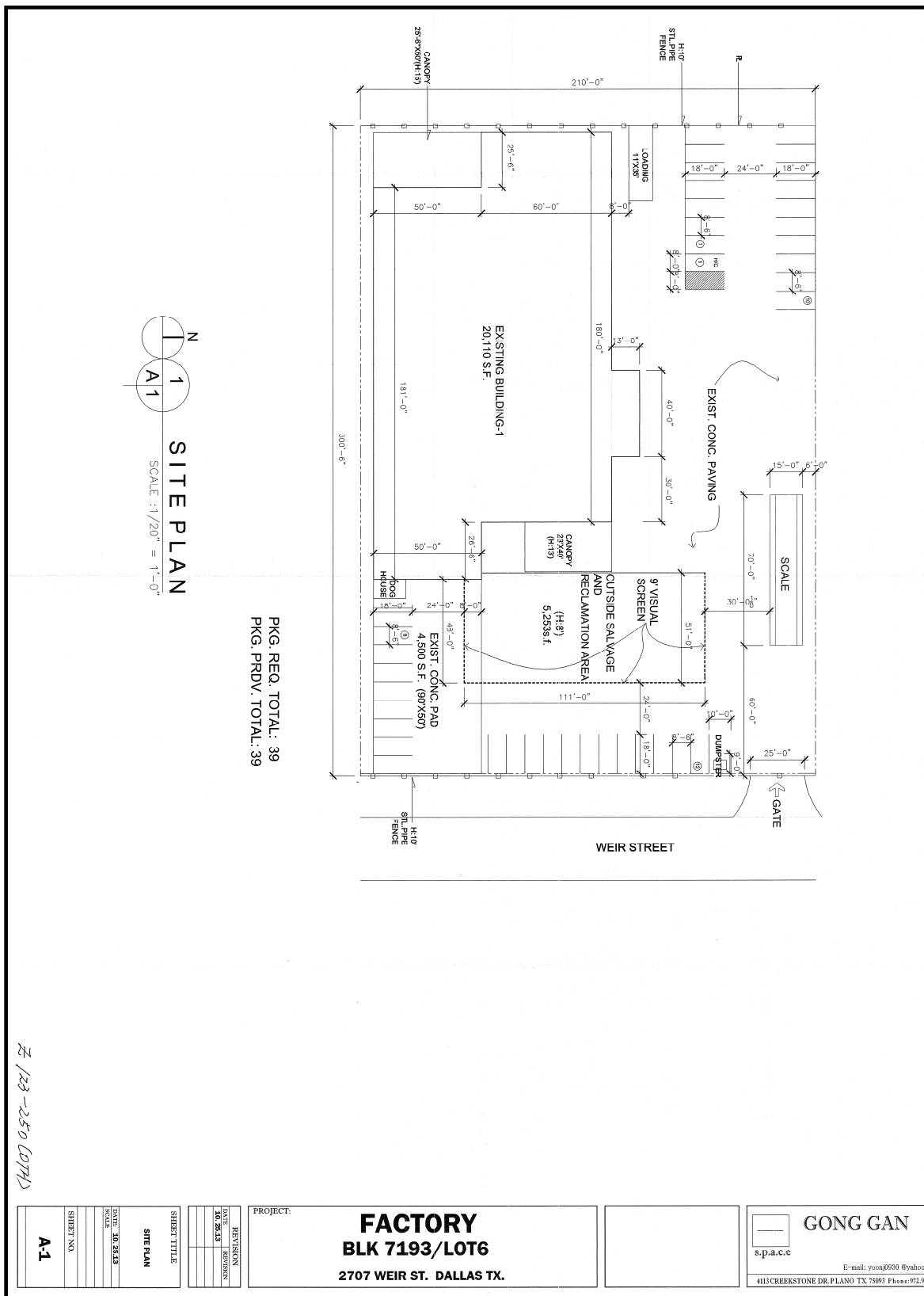
**PROPOSED CONDITIONS
FOR SUP OUTSIDE SALVAGE AND RECLAMATION USE**

1. USE: The only use authorized by this specific use permit is an outside salvage or reclamation use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires two years from the date of approval but is eligible for automatic renewal for additional two-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 an automatic renewal is strictly enforced.).
4. FLOOR AREA: The maximum floor area for an outside salvage or reclamation use is 5,323 square feet in the location shown in the development plan.
5. HOURS OF OPERATION: The outside storage and reclamation use may only operate between 8:00 a.m. and 5:00 p.m., Monday through Friday.
6. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: A minimum of 5 parking spaces must be provided in the location shown on the attached site plan.
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.

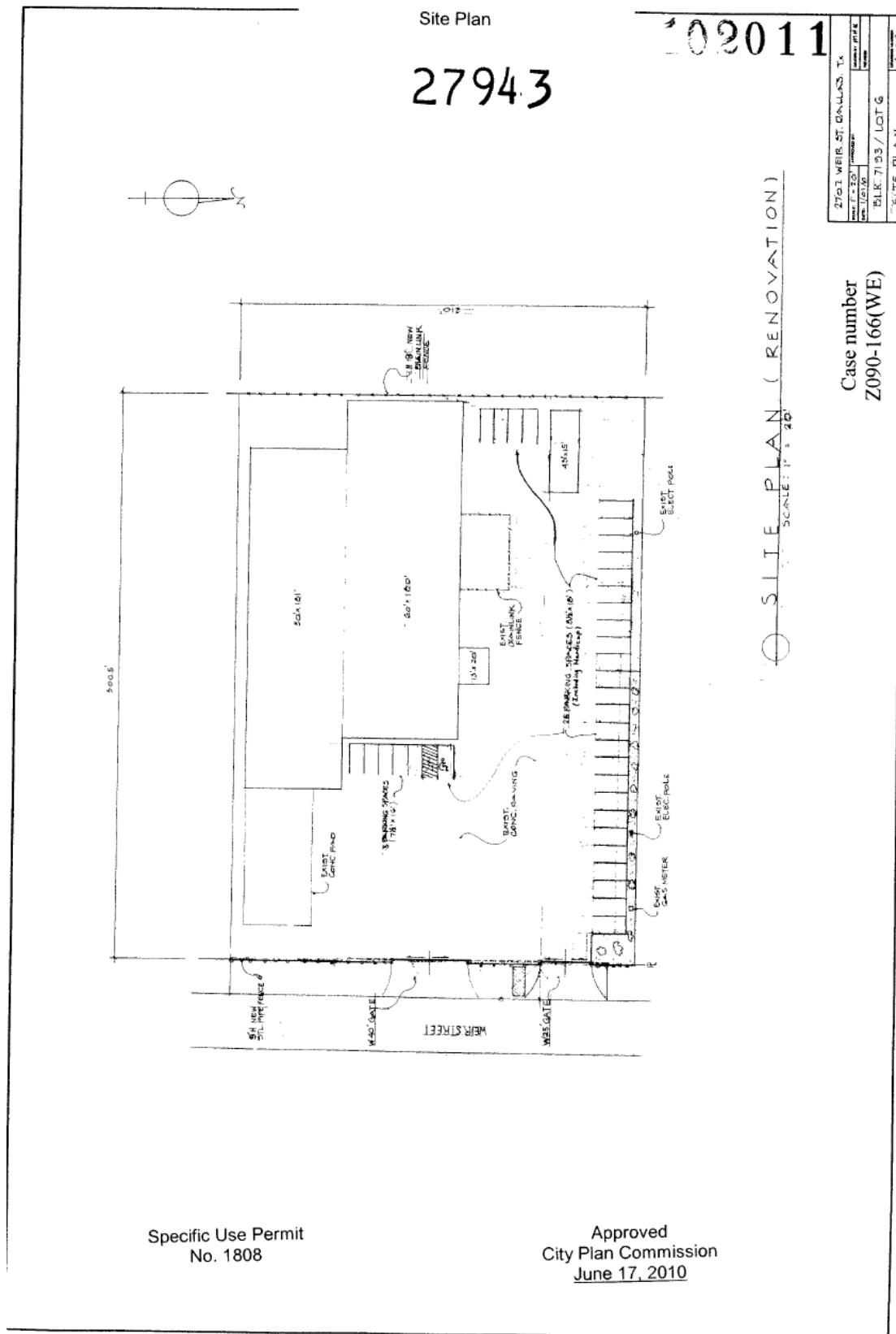
SITE PLAN FOR SUP No. 1808



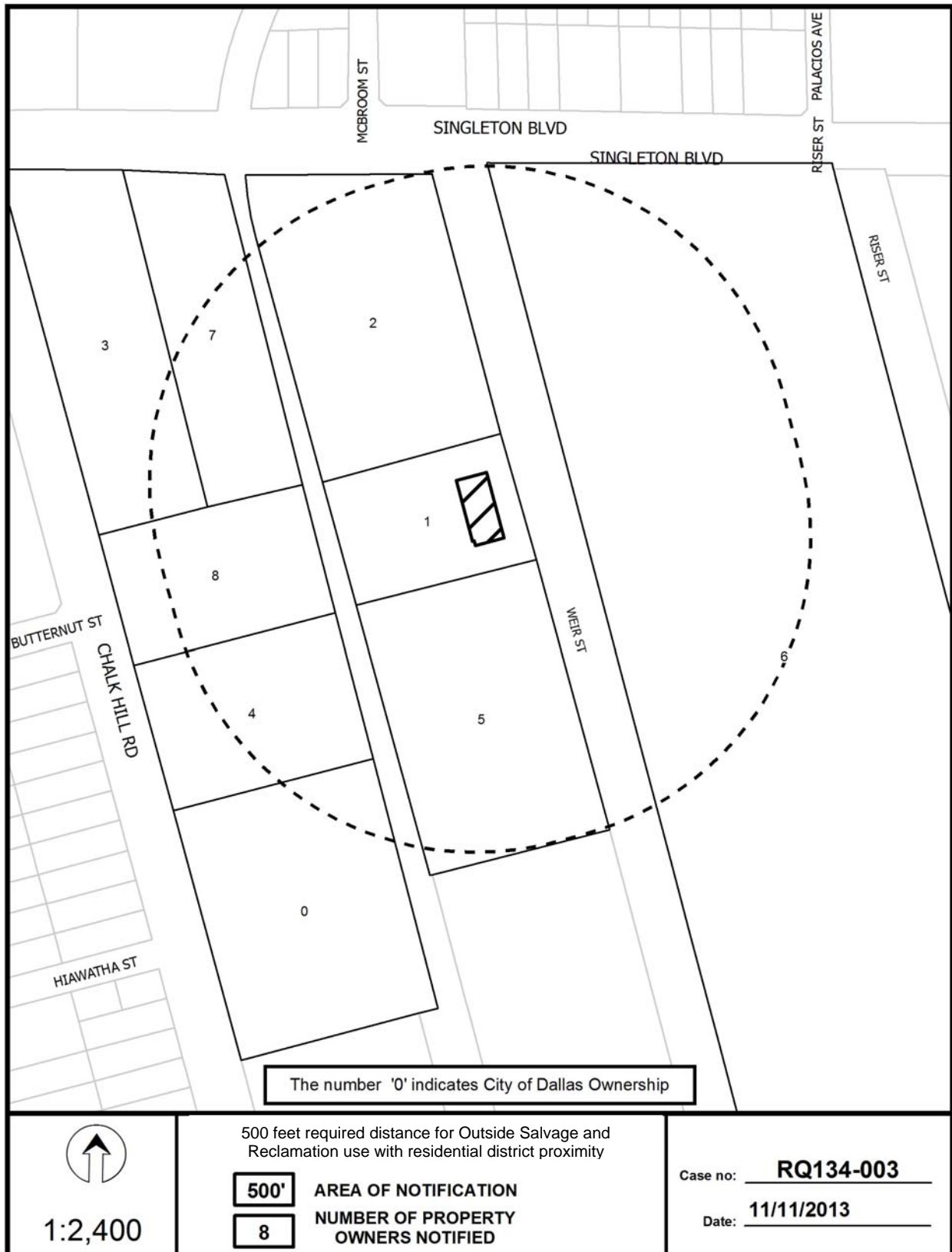
SITE PLAN FOR OUTSIDE SALVAGE AND RECLAMATION USE



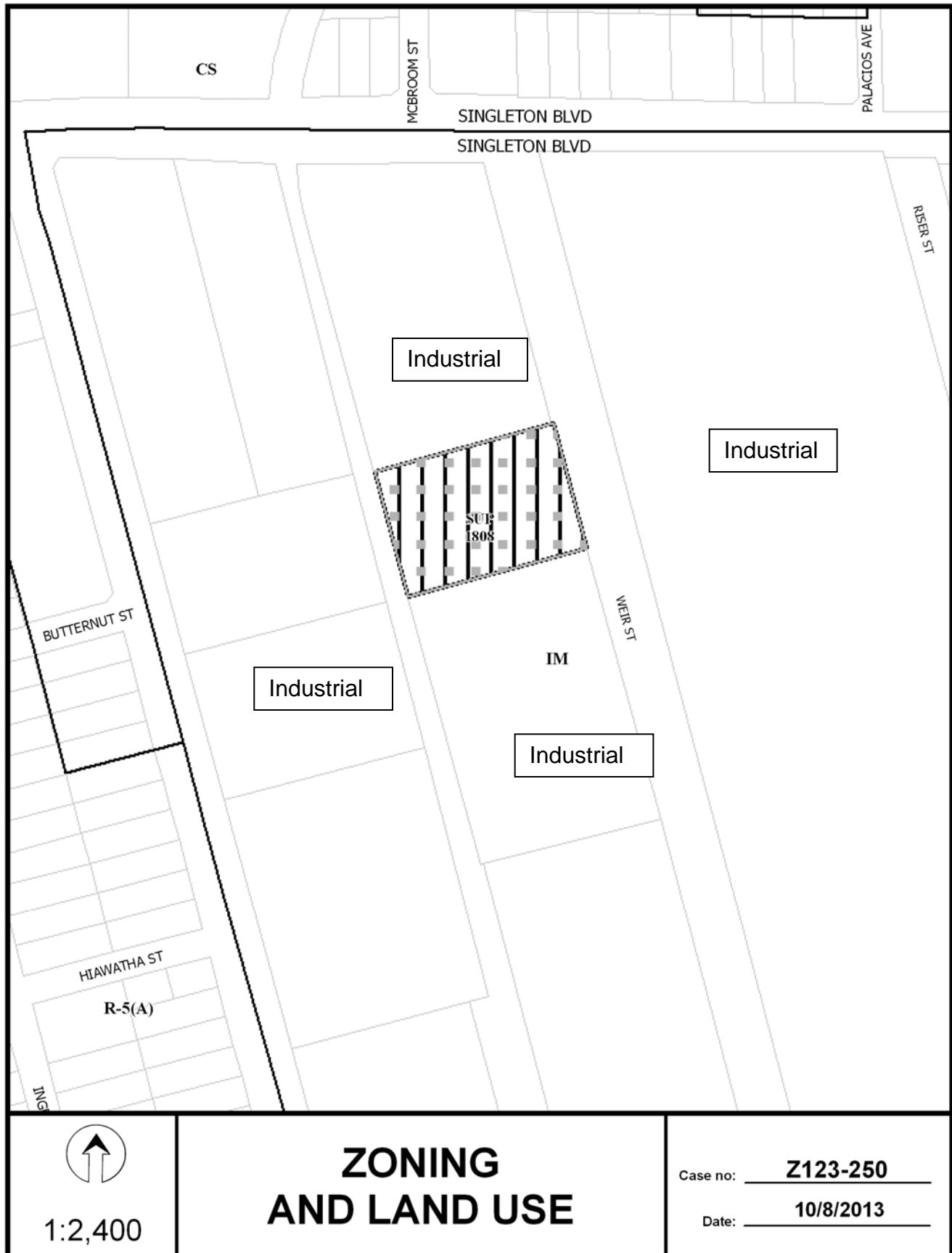
EXISTING SITE PLAN



500-foot distance required for Outside Salvage and Reclamation use from residential district







Z123-250(OTH)



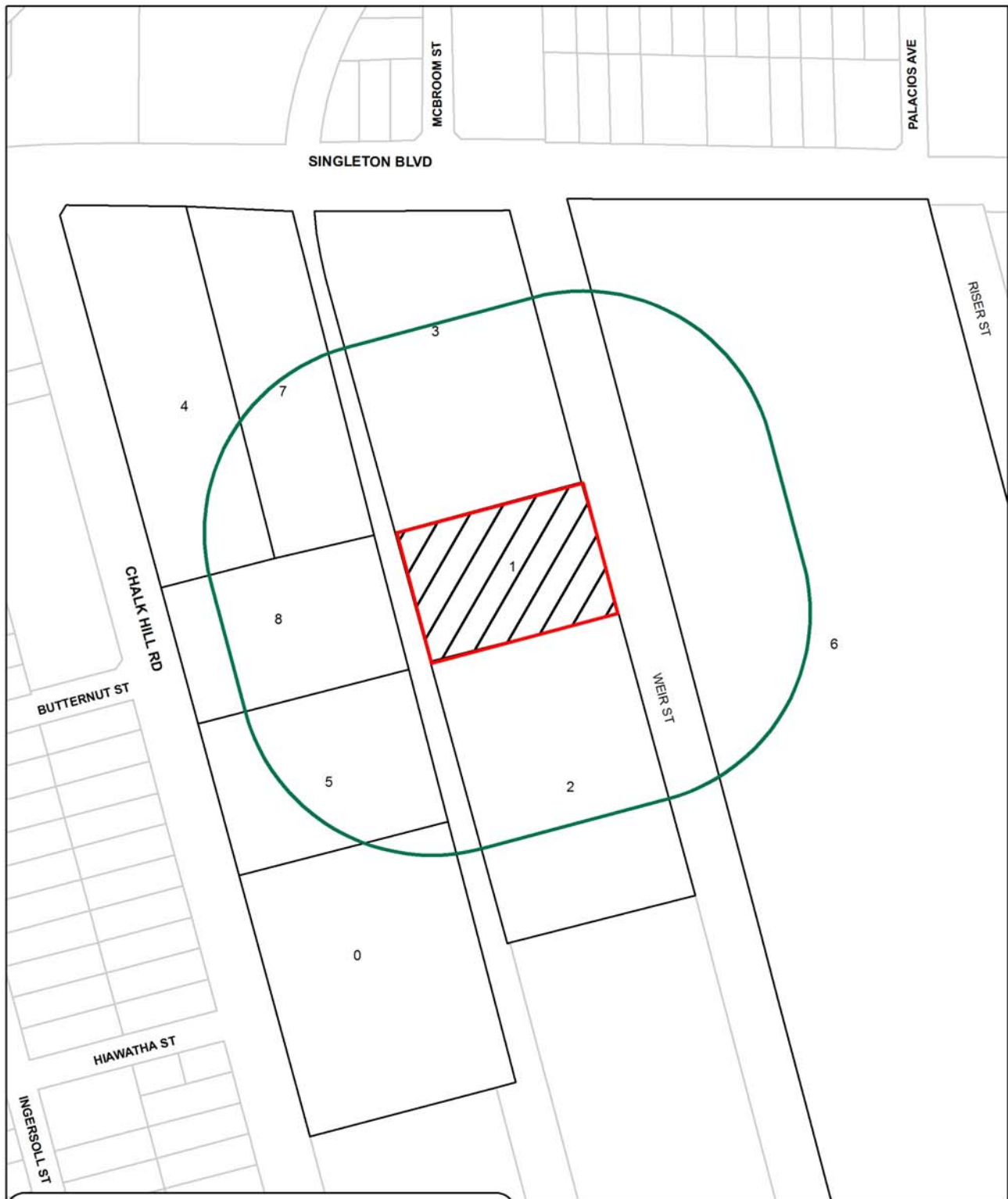
1:2,400

AERIAL MAP

Case no: **Z123-250**

Date: **10/8/2013**

CPC RESPONSES



<u>8</u>	Property Owners Notified (9 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>300'</u>	Area of Notification
<u>11/21/2013</u>	Date

Z123-250
CPC



1:2,400

Z123-250(OTH)

11/4/2013

Notification List of Property Owners

Z123-250

8 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2707 WEIR ST	P J METAL RECYCLING INC
2	2627 WEIR ST	HCI ACQUISITIONS INC
3	4960 SINGLETON BLVD	CACTUS OF DALLAS PROPERTY HOLDINGS LP
4	2828 CHALK HILL DR	HUDGINS RUTH A GRANDCHILDRENS TRUST
5	2632 CHALK HILL DR	AHMEND SHAHZAD & FAREEHA
6	4900 SINGLETON BLVD	KOCHGLITSCH LP
7	5000 SINGLETON BLVD	CHALK HILL PROPERTIES LLC
8	2700 CHALK HILL DR	CHALK HILL PROPERTIES LLC

AGENDA ITEM # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 66 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school and a Child-care facility on property zoned an R-7.5(A) Single Family District on property bounded by Palo Alto Drive, South El Centro Way, Texoma Way, Morgan Drive, and San Jose Avenue

Recommendation of Staff: Approval for a three-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, traffic management plan and conditions

Recommendation of CPC: Approval for a two-year period, subject to a site plan, traffic management plan and conditions

Z123-280(RB)

Note: This item was considered by the City Council at a public hearing on January 22, 2014, and was taken under advisement until February 12, 2014, with the public hearing open

FILE NUMBER: Z123-280(RB)

DATE FILED: May 18, 2013

LOCATION: Property bounded by Palo Alto Drive, South El Centro Way, Texoma Way, Morgan Drive, and San Jose Avenue

COUNCIL DISTRICT: 8

MAPSCO: 66 W

SIZE OF REQUEST: Approx. 4.64 Acres

CENSUS TRACT: 167.01

APPLICANT/OWNER: American Can dba Texans Can

REPRESENTATIVE: Ralph Martinez

REQUEST: An application for a Specific Use Permit for an Open-enrollment charter school and a Child-care facility on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant is proposing to operate an open-enrollment charter school for high school students as well as a child-care facility utilizing the existing improvements on the property.

CPC RECOMMENDATION: Approval for a two-year period, subject to a site plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: Approval for a three-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, traffic management plan, and conditions.

Guiding Criteria for Recommendation:

Staff recommends approval of the request, subject to a site plan, traffic management plan, and conditions, based upon:

1. *Compatibility with surrounding uses and community facilities* – The request will utilize existing improvements once occupied by a similar use (public school) which co-existed with an adjacent church and accessory child-care facility and low density residential uses. The site is bounded by public rights-of-way, thus creating additional setbacks from the existing housing stock in the immediate area.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – Institutional uses such as the two requested are generally found in close proximity to residential uses.
3. *Not a detriment to the public health, safety, or general welfare* – The attached conditions ensure all unloading/loading activities are conducted on-site. Additionally, periodic updates will be required to the Traffic Management Plan so as to monitor vehicular activity associated with the request.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – A valid certificate of occupancy will be required as well as compliance with the approved (pending a future City Council public hearing) site plan and conditions. No variances or exceptions to the base zoning district are part of this Special Use Permit request.

BACKGROUND INFORMATION:

- The request site is developed with multiple buildings/areas previously utilized for a public elementary school (Alta Mesa Elementary School-Wilmer Hutchins School District).
- The applicant is proposing to operate an open-enrollment charter school for high school students as well as a child-care facility utilizing the existing improvements on the property.
- The proposed school will accommodate an anticipated maximum enrollment of 350 students and a maximum of 60 children for the child-care facility.
- The child-care facility will serve both the high school students who maintain a family as well as being available for parents' child-care needs outside of any affiliation with the school.

Zoning History: There have been no zoning requests in the area within the past five years.

<u>Streets</u>	<u>Designation; Existing & Proposed ROW</u>
Palo Alto Drive	Local; 50' ROW
South El Centro Way	Local; 60' ROW
Texoma Way	Local; 50' ROW
Morgan Drive	Local; 50' ROW
San Jose Avenue	Local; 50' ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's traffic management plan and supports as an acceptable analysis. No additional drive approaches or additions to the public street system will be required to accommodate the requested uses. Scheduled updates are recommended by staff as noted in the attached conditions.

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility: The request site is developed with multiple buildings/areas previously utilized for a public elementary school (Alta Mesa Elementary School-Wilmer Hutchins School District).

The site possesses five street frontages and is surrounded by low density single family uses. A church is located at the east corner of Palo Alto Drive and South El Centro Way.

Staff has worked with the applicant to ensure the above referenced residential areas are not impacted by a school at this location. Certain site design (location of outdoor play areas, on-site circulation as required by the traffic management plan) has been incorporated into the applicant's request.

Off-Street Parking: A recent code amendment provides for certain institutional uses to establish specific off-street parking requirements when demonstrated (via a parking study or other documentation) and analyzed by staff.

With regard to the proposed open-enrollment charter school, a parking study was provided to staff that assumes the child-care facility parks per code (one space/500 square feet of floor area). The proposed 17 classroom open-enrollment charter school requires 9.5 spaces for each classroom. The study presented a basis of 20 percent (provided by the applicant) of the students (350 maximum students) will drive and park on the campus property. Two similar schools are operated by the applicant and were considered for parking demands by the applicant's traffic engineer.

Based on staff's review, support is given to an off-street parking ratio of 6.17 spaces/classroom for the school (limited to this applicant or a future school operator that can replicate the parking demands of the parking study) with code requirements for the child-care facility. Lastly, annual updates will be required for the first three years (coinciding with staff's recommended time period) as well as continued updates every third year thereafter. Should parking demands increase, the site possesses significant unimproved areas that could be improved for surface parking.

Landscaping: The site possesses some landscape materials provided during the initial construction of the improvements associated with the previous public school. The increase in nonpermeable surface areas (off-street parking) will trigger additional landscaping. The attached landscape plan captures existing landscaping as well as additional plantings, which has been approved by the chief arborist.

Miscellaneous – Reported Offenses at applicant's other school locations: During the October 24, 2013 public hearing, CPC instructed staff to provide any reported offenses for comparable school campuses similar in scope to the applicant's request in this application. Of the other three campuses, only one has similar adjacency (residential) characteristics. Provided in this section is a summary of reported offenses since the issuance of a certificate of occupancy for this school (1227 Masters Road):

Dallas Police Department Reports
Public Offense Search Results

	SERVICE #	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	BEAT	REPORTING AREA
1	0252759-A	09/27/2013	THEFT	+TEKANG CAN ACADEMY	01227 N MASTERSDR	334	2205
2	0260440-A	10/10/2013	THEFT	SIFUENTES,PEDRO,	01227 N MASTERSDR	334	2205
3	0277964-A	10/30/2013	THEFT	VASQUEZ, SAUL	01227 N MASTERSDR	334	2205
4	0085622-Y	04/06/2011	THEFT	BARNES,RASHANE	01227 N MASTERSDR	334	2205
5	0295858-Y	11/09/2011	THEFT	ARNICK,RONDA	01227 N MASTERSDR	334	2205
6	0318184-Y	12/05/2011	THEFT	TAYLOR, KENDRICK	01227 N MASTERSDR	334	2205
7	0025181-Z	01/30/2012	ASSAULT	GUZMAN, ADRIANNA	01227 N MASTERSDR	334	2205
8	0081264-Z	04/05/2012	CRIMINAL MISCHIEF/VANDALISM	GAY, JOHNATHON	01227 N MASTERSDR	334	2205
9	0008849-A	01/11/2013	MISSING PERSON	TERRY,ISHEANNA	01227 N MASTERSDR	334	2205
10	0314508-Z	12/20/2012	MISSING PERSON	TERRY, ISHEANNA	01227 N MASTERSDR	334	2205
11	0013883-A	01/18/2013	AUTO THEFT-UUMV	TRAVERAS,CRYSTALES	01227 N MASTERSDR	334	2205

CPC ACTION

(October 24, 2013)

Motion: In considering an application for a Specific Use Permit for an Open-enrollment charter school and a Child-care facility on property zoned an R-7.5(A) Single Family District on property bounded by Palo Alto Drive, South El Centro Way, Texoma Way, Morgan Drive, and San Jose Avenue, it was moved to **hold** this case under advisement until December 5, 2013.

Maker: Lavallaisaa
Second: Shellene
Result: Carried: 13 to 0

For: 13 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley

Against: 0
Absent: 2 - Culbreath, Alcantar
Vacancy: 0

Notices: Area: 300 Mailed: 65
Replies: For: 5 Against: 0

Speakers: For: Lew Blackburn, 325 W. 12th St., Dallas, TX, 75208
Against: Lionel Churchill, 7439 San Jose Ave., Dallas, TX, 75241
Arbertha Herrod, 5151 Lauderdale Dr., Dallas, TX, 75241
James Williams, 3019 Pine Trail Rd., Dallas, TX, 75241
Robert Lee Cornell, 3634 Moonstone Dr., Dallas, TX, 75241
Angel Brown, 6659 Cool Morn Rd., Dallas, TX, 75241
Frances Churchill, 7439 San Jose Ave., Dallas, TX, 75241
Against (Did not speak): Bernice Herod, 3002 Pine Trail Ct., Dallas, TX, 75241
Dieter King, 3002 Pine Trail Ct., Dallas, TX, 75241

(December 5, 2013)

Motion I: It was moved to recommend denial without prejudice of a Specific Use Permit for an Open-enrollment charter school and a Child-care facility on property zoned an R-7.5(A) Single Family District on property bounded by Palo Alto Drive, South El Centro Way, Texoma Way, Morgan Drive, and San Jose Avenue.

Maker: Lavallaisaa
Second: Rodgers

Result: Failed: 5 to 7

For: 5 - Soto, Rodgers, Lavallaisaa, Tarpley, Shellene

Against: 7 - Shidid, Hinojosa, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Absent: 3 - Anglin, Culbreath, Bagley

Vacancy: 0

Motion: It was moved to recommend approval of a Specific Use Permit for an Open-enrollment charter school and a Child-care facility for a two-year period, subject to a site plan, traffic management plan and conditions on property zoned an R-7.5(A) Single Family District on property bounded by Palo Alto Drive, South El Centro Way, Texoma Way, Morgan Drive, and San Jose Avenue.

Maker: Hinojosa

Second: Ridley

Result: Carried: 9 to 3

For: 9 - Shidid, Hinojosa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 3 - Soto, Rodgers, Lavallaisaa

Absent: 3 - Anglin, Culbreath, Bagley

Vacancy: 0

Notices: Area: 300 Mailed: 65

Replies: For: 1 Against: 29

Speakers: For: Richard Marquez, 325 W. 12th St., Dallas, TX, 75208

For (Did not speak): Lew Blackburn, 325 W. 12th St., Dallas, TX, 75208

Against: Marquita Shaw, 2648 Palo Alto Dr., Dallas, TX, 75241

Lionel Churchill, 7439 San Jose Ave., Dallas, TX, 75241

James Williams, 3019 Pine Trail Rd., Dallas, TX, 75241

Sandra Crenshaw, 1431 Quartet Dr., Dallas, TX, 75241

Frances Churchill, 7439 San Jose Ave., Dallas, TX, 75241



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**CPC RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT
FOR AN OPEN ENROLLMENT CHARTER SCHOOL AND A CHILD-CARE FACILITY**

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school 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 (three years from the passage of the 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. CLASSROOMS: The maximum number of classrooms for the open-enrollment charter school is 17.
5. CHILD-CARE FACILITY. The maximum floor area for the child-care facility is 6,400 square feet.
6. HOURS OF OPERATION:
 - A. The child-care facility may only operate between 6:30 a.m. and 6:30 p.m., Monday through Friday.
 - B. Use of the outdoor play area is prohibited before 9:00 a.m., Monday through Friday.
7. OFF-STREET PARKING: Except as provided in this section, off-street parking must be provided as required by the Dallas Development Code.
 - A. For a high school, 6.1 spaces for each classroom with not less than 105 spaces.
 - B. For any open-enrollment charter school that does not comply with the attached Technical Memorandum dated September 20, 2013, parking must be provided as required by the Dallas Development Code.

8. TRAFFIC MANAGEMENT PLAN:

A. In general. Operation of the open-enrollment charter school must comply with the attached traffic management plan.

B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

C. Traffic study.

i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2014. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st of each year for the first three years, and by November 1st of each third year, thereafter.

ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- a. ingress and egress points;
- b. queue lengths;
- c. number and location of personnel assisting with loading and unloading of students;
- d. drop-off and pick-up locations;
- e. drop-off and pick-up hours for each grade level;
- f. hours for each grade level; and
- g. circulation.

iii. Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

a. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

b. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

D. Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

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

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

TRAFFIC MANAGEMENT PLAN

Texas Can! Academy - Grant East Campus
Dallas, Texas

August 27, 2013

Prepared for
RGM Architects



S. P. Booth 8/27/2013
T.E. Firm # F-32
AVO 29621



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I. INTRODUCTION

Halff Associates, Inc. (Halff) was retained by RGM Architects (Client) to prepare a Traffic Management Plan (TMP) for the proposed Texas Can! Academy - Grant East Campus Charter High School (charter school) and Early Childhood Development Center (daycare) located in Dallas, Texas. Figure 1 below is a map detailing the site location. A copy of the site plan has been included in the Appendix on Exhibit 1.



Figure 1 – Site Location Map

The site for the proposed school is the now vacant Alta Mesa Elementary school (2901 Morgan Drive), which is located in a residential neighborhood in the northeast quadrant of IH-20 and Lancaster Road. The proposed school will have a maximum of 350 students and 24 staff members. The child care center will have a maximum of 84 children with 9 staff members.

1.1 Existing and Future Roadway Conditions

The proposed school is surrounded by residential streets on all sides. To the north is Palo Alto Drive, which is an asphalt roadway (with no curb) 24 feet in width and El Centro Way, which is concrete roadway (with curb and gutter) 36 feet in width. East of the site is Texoma Way, which is a 20 foot wide asphalt roadway. Along the southern edge of the site is Morgan Drive, which is a 27' wide asphalt roadway. To the west of the site is San Jose Avenue, which is a concrete road 36 feet in width. There are no known proposed/planned improvements to existing roadways surrounding the site.

II. TRAFFIC MANAGEMENT PLAN

The purpose of the Traffic Management Plan (TMP) is to have established procedures for traffic flow and circulation around the charter school and daycare facility related to student drop-off and pick-up operations. Use of a TMP helps improve traffic/student safety and helps maximize the efficiency of drop-off and pick-up operations. The analysis summarized in this report identifies critical elements of the TMP such as available queuing space that is both on and off site, circulation patterns for the charter school and day care facilities, and the projected trip generation (and estimated queuing) during the morning and afternoon peaks.

2.1 Operational Characteristics

Based on information from the client, the charter school and day care facility will have:

- maximum of 350 students,
- maximum of 84 children at ECDC (day care),
- 24 staff members for high school, and
- 9 staff members for ECDC.

The daycare center will be open from 6:30 a.m. until 6:30 p.m. and the high school will be open from 7:00 a.m. until 5:00 p.m. Classes are scheduled to start at 8:00 a.m. and end at 4:45 p.m. Typical operations for a daycare facility result in traffic flows that are spread out over the peak hours of operation. For schools, the peak times of traffic flow are concentrated around the start and end of classes and are shorter than an hour (typically 30 minutes).

With the daycare facility being combined on site with the charter school, the dynamics of traffic flow during the peak times for both uses changes. Students and staff arriving at the school that are dropping children off at the daycare will arrive earlier than students without children and will leave later after picking up children. This applies to both students/staff that drive to school and those students that are dropped off/picked up by relatives.

The result is a spread of peak traffic volumes related to the school, but a consolidation of traffic volumes for the daycare facility. It is anticipated that peak traffic flows for the site will occur in the morning between 7:15 and 8:15 a.m. and in the afternoon between 4:45 and 5:45 p.m. It is anticipated that the peak fifteen minutes of flow will occur between 7:30 and 7:45 a.m. and again at 5:00 to 5:15 p.m. Furthermore, the afternoon/evening peak will be the critical time period for queuing and a TMP given that pick-up operations tend to take longer than drop-off and drivers picking up students tend to queue prior to the dismissal of class. The following analysis and discussion covers both the AM and PM operations, but focuses on the TMP for the PM peak time period.

2.1.1 Trip Generation

Development of trip generation projections for the charter school and daycare was based on a combination of data from the ITE Trip Generation Manual – Ninth Edition and data from other charter schools operated by Texas Can! Academy.

As stated above, the charter high school will have a maximum of 350 students. Data provided by Texas Can! Academy shows the anticipated modal split of students, which is:

- 70 percent of students will walk or use transit (there is a DART route on Morgan Drive),
- 10 percent of students will be dropped off (picked up) by relatives/parents, and
- 20 percent will drive own vehicle.

Therefore, 245 students will walk or ride the bus (DART), 35 students will be dropped off/picked up by relatives/parents, and 70 students will drive. It is assumed that all 24 staff members will drive. Combining staff and students that result in vehicular trips, it is anticipated that there will be 129 trips inbound to the school in the morning. The outbound or exiting trip total would be 35 trips, which are the vehicles leaving the site after dropping of students. In the afternoon, the trip generation would be opposite of the morning totals, with 129 trips exiting the site and 35 trips entering.

For the daycare facility, 50 percent of the children (42) will be from a student attending the charter high school, 10 percent will be children (8) of staff members, and the remaining 40 percent will be from the surrounding community. It is not anticipated that students who walk or use transit will have a child in the daycare facility. Thus 60 percent of the trips related to the daycare are already captured in the trip generation totals for the high school. For the remaining 40 percent (34 children), the trip generation totals were based on the ITE trip generation data (ITE Land Use Code 565). In the AM peak, there are 32 trips (17 in and 15 out) associated with the 34 children from the community. In the PM peak there are also 32 trips (15 in and 17 out).

The daycare is open from 6:30 a.m. until 6:30 p.m., which results in not all of the nine staff members arriving during the morning peak or leaving with the evening peak. It is anticipated that half of the daycare staff will arrive and/or depart during the peak hours. The combined trip generation estimates for the daycare are 37 trips in the morning peak hour and 37 trips in afternoon/evening peak hour. Trip generation for the school and daycare are summarized in Table 1 below.

Table 1 – Trip Generation Summary for Vehicle Trips

Land Use	Independent Variable	Units	AM-Peak Hour			PM-Peak Hour		
			In	Out	Total	In	Out	Total
High School	Students	350	129	35	164	35	129	164
Daycare*	Children	34**	22	15	37	15	22	37
Total Trips			151	50	201	50	151	201

* Trips related to children of students/staff are included in high school trip totals.

** The 34 children indicated are from the community.

2.2 Circulation

Since the site is currently vacant, there were no operations to observe. The following discussion is based on anticipated site operations as shown in Exhibit 1 of the Appendix.

2.2.1 Student and Staff Parking

As part of the redevelopment of this site, two new driveways will be constructed to serve the additional parking areas that are being built north of the campus buildings. One new driveway will be located on El Centro Way and the other on Morgan Drive. The existing driveway on Palo Alto Drive will remain to serve the student/staff parking lots and parking stalls closest to the school will be designated for staff only (See Exhibit 1). Signage at the entrances to the parking lots will indicate student and/or staff parking with students using the driveways connecting to El Centro Way and Palo Alto Drive and staff being allowed to use all three driveways.

2.2.2 Early Childhood Development Center (Daycare)

With the new daycare center, a one-way loop drive will be constructed adjacent to the daycare facilities that front Morgan Drive. The loop drive will have angled parking that is designated only for daycare drop-off/pick-up operations. It is anticipated that community members with children at the daycare and students with children at the daycare, who are being dropped off by relatives/parents, will be those using the daycare loop driveway. Students and staff who have their own vehicle will park in the student/staff lot and will walk over to the daycare to drop off their child.

After school, students with children in daycare and that are being picked up by a parent or relative will walk over to the daycare facility to pick up their child and then be picked up at the loop drive. Students with children at daycare and their own vehicle will also walk over to the daycare center to retrieve their child and then will walk to their vehicle in the staff/student parking lot.

2.2.3 Student Drop-off and Pick-up

Based on the modal split discussed previously, it is anticipated that approximately 35 students would be dropped off and picked up by relatives. Of those 35, twelve are anticipated to have a child at the daycare facility (and are accounted for in daycare related vehicle circulation); leaving 23 students associated with the high school drop-off and pick-up operations.

In the afternoon, parents will form queues upwards of 20 minutes prior to class dismissal. These queues quickly dissipate (typically within 15 minutes) following dismissal. To minimize impact to the residential streets, it is desirable to contain queues on the site where feasible. To that end, Halff is recommending an onsite drop-off/pick-up area that will serve the projected needs of the facility.

Exhibit 1 in the Appendix shows the proposed pick-up loop with vehicles entering the site from the El Centro Way driveway, looping through the student/staff parking lot and queuing/pick-up/drop-off operations adjacent to the staff only parking areas. The anticipated queue capacity for this loop is 620 feet or approximately 25 vehicles (assuming 25 feet per vehicle).

It is recommended that parking/standing be restricted on Morgan Drive from the intersection at San Jose Avenue east to the exit of the daycare loop driveway. This would eliminate conflicts with the DART busses, which stop just east of San Jose Avenue.

2.2.4 On-Street Circulation

All the streets surrounding the site are residential roadways of varying widths. A site visit of the area on a weekday in the late afternoon indicated very low vehicle volumes on the adjacent streets. It is anticipated that the school related traffic will have minimal impact on the traffic flow surrounding the site. It is recommended that the existing signage for one-way restrictions on Morgan Drive during school hours (that were in place for Alta Mesa Elementary) be removed and two-way traffic be allowed at all times.

2.3 Queue Lengths

For typical school operations, maximum queuing occurs in the afternoon when students are being picked up. The queues will build in the 20 minutes prior to dismissal and then begin to dissipate as students are picked up. Vehicle queues are nearly eliminated within the 15 minutes after dismissal. This same pattern is anticipated for the proposed charter high school and the daycare facility.

2.3.1 High School Queuing

As was discussed above, 10 percent of the students are anticipated to be picked up after school. Of the approximately 35 students, twelve of those will walk to the daycare to pick up a child and then be picked up at the daycare center. The remaining 23 students will be picked up at one of the pick-up areas discussed in the previous section. Therefore, it was assumed that the maximum queue would be 23 vehicles or 575 feet in length (assuming 25 feet per vehicle) and would occur near the dismissal time of 4:45 p.m. Based on the proposed circulation/queuing plan, all of the anticipated queue will be contained on site. This assumes a worst case scenario where all 23 vehicles are queued up prior to dismissal.

2.3.2 Daycare Center Queuing

The peak times for the daycare will occur between 5:00 and 5:15 since students will walk to the daycare facility following the dismissal of class. It is expected that all 14 students that are picked up by parents/relatives and that have a child in daycare will be picked up within the 15 minute peak period. In addition, it is anticipated that approximately four children from the surrounding community will also be picked up in the 5:00 to 5:15 p.m. time period. That is a total of 18 vehicles cycling through the daycare loop driveway in the peak 15 minutes to pick up children.

Pick-up operations for the daycare will consist of parents/relatives parking in one of the available spaces, retrieving their child (and student if applicable), and then departing. This can take an average of four minutes per child. With seven available parking spaces (plus two handicap parking) a total of 26 children (15 min/4 min/space X 7 spaces) can be picked up from daycare in

a fifteen minute period. Therefore, it is anticipated that the proposed loop drive will be able to contain all pick-up activity associated with the daycare facility during the afternoon peak.

2.4 Staff Assistance

For elementary and middle schools, assistance from staff is necessary to optimize traffic flow, especially during the afternoon pick-up. For high schools, students are more self-sufficient, so staff assistance is not required during student pick up, but high school staff will monitor traffic operations to ensure a safe and efficient flow of traffic. Staff from the daycare facility will monitor the circulation of students and parents to optimize traffic flow, minimize vehicular congestion, and maintain a safe environment for pedestrians.

III. RECOMMENDATIONS

Based upon information provided by the client regarding the proposed high school and daycare center, the proposed improvements planned for the site and the existing conditions of the streets adjacent to the site, Halff provides the following recommendations for the Traffic Management Plan:

- Specify student parking spaces in the lot on the north side of the site.
- Encourage students to access the parking spaces off Palo Alto Drive.
- Specify staff parking in spaces located on the north side of the site nearest Classroom Buildings G & H and adjacent to the child care play area along the east side of the site.
- Staff can use any access drive to the parking, but encourage staff to use the access drives off El Centro Way and Morgan Drive.
- Daycare operations will take place in the proposed loop drive off Morgan Drive with a total of 9 parking spaces to be used, if needed, while dropping off or picking up children and students with children.
- Daycare staff will assist in the drop-off/pick-up operations, as needed, to keep vehicles moving in the loop drive.
- On-site queue space for the pick up of students will take place in the drive aisle adjacent to Classroom Buildings G & H and the drive aisle east of the child care play area. This area provides approximately 310 feet of queue space or 12 vehicles with an additional 310 feet back in the student parking areas for a total of 620 feet.
- Restrict parking/standing on the north side of Morgan Drive between San Jose Avenue and the daycare loop drive exit to keep the DART bus stop clear as well as the loop drive exit.
- Remove the existing "One-Way" with school hour signs located at the Morgan Drive/San Jose Avenue and Morgan Drive/ Texoma Way intersections.
- High School staff to monitor traffic operations primarily during the pick-up period.

IV. SUMMARY

The proposed high school/daycare facility will be located on an existing elementary school site within a residential area and on a DART service line. A site visit of the area on a weekday in the late afternoon indicated very low vehicle volumes on the adjacent streets. The previous elementary school had minimal on-site parking and no loop drives to serve student drop off and pick up operations. (It was assumed all drop-off/pick-up operations occurred on the street.) The new site will have expanded parking to adequately serve the anticipated parking for both students and staff. In addition, a loop drive with parking is being provided off Morgan Drive to serve the daycare operations.

Based upon experience with existing high schools of this type, the large majority of students attending the school rely upon public transportation which greatly helps to reduce the number of parking spaces needed to serve the school and the number of vehicle trips to and from the site. In addition, approximately 12 percent of the students that attend the school also have a young child and the need for daycare services while in school. By having both uses on the site, this helps in reducing the number of vehicle trips generated by the site by combining one trip to serve both the school and the daycare.

The proposed plan should provide sufficient on-site parking to serve both uses based upon proposed enrollments/staff and the projected break down of how students get to and from the school. The proposed loop drive with angled parking in front of the daycare facility on Morgan Drive should accommodate the drop-off/pick-up operations without relying on the street. The projected maximum queue for the high school pick-up operation (23 vehicles) should be contained on site in the queuing space provided in the pick-up/drop-off loop that circles around the north and east sides of the school as shown in Exhibit 1.

The Traffic Management Plan will be used by the high school/daycare campus staff to provide a safe and efficient operation for the afternoon peak operations. The afternoon peak operations will be monitored by staffs at the high school and daycare to insure the intent of the Traffic Management Plan is carried out. Adjustments to the plan will be made, if needed, to maintain a safe and efficient operation.



1201 North Bowser Road
Richardson, Texas 75081-2275

Technical Memorandum

TO: Ralph Martinez – RGM Architects
FROM: Scott Booth, PE, PTOE
DATE: September 20, 2013
RE: Parking Demand for Texas Can! Academy – Grant East Campus



S. P. Booth 9/20/2013
TSPPE Firm # F-312

Introduction

Halff Associates, Inc. (Halff) was retained by RGM Architects (Client) to prepare a Parking Justification Study supporting the parking reduction request for the Texas Can! Academy - Grant East Campus Charter High School (charter school) and Early Childhood Development Center (daycare) located in Dallas, Texas. The site for the proposed charter school is the now vacant Alta Mesa Elementary school (2901 Morgan Drive), which is located in a residential neighborhood in the northeast quadrant of IH-20 and Lancaster Road. The proposed school will have a maximum of 350 students and 24 staff members. The child care center will have a maximum of 84 children with 9 staff members.

City of Dallas Parking Requirements

City of Dallas parking requirements for the charter school and the daycare facility are based on the number of classrooms. For the high school, the required parking ratio is 9.5 parking spaces per classroom. For the daycare facility, the parking ratio is 1.0 parking space per 500 square feet of building space.

The charter high school is proposed to have 17 classrooms. Based on the ratio from the City of Dallas, the required parking is 162 spaces (17×9.5) for the high school. The daycare center is proposed to be 6,384 square feet, which translates to a required 13 spaces ($6,384/500$). Adding the two uses together yields a total of 175 required spaces. Assuming a maximum enrollment of 350 students, the overall parking ratio for the entire facility are (per City of Dallas requirements) 0.5 parking spaces per student ($175 \text{ spaces}/350 \text{ students}$). See summary of parking requirements in Table 1 below.

Parking Demand/Requirements Based on Other Sources

From the *ITE Parking Generation Manual – 4th Edition*, the average peak parking demand for a suburban high school is 0.23 vehicles per student. For an urban high school, the average parking demand is 0.09 vehicles per student. Although the Grant East Campus will likely function somewhere between the suburban and urban cases, as a worst case scenario, the average parking demand for a suburban site (0.23 vehicles per student) was used. For the Grant East Campus

*Texas Can! Academy – Grant East Campus
Parking Reduction Request*

Charter High School, the parking demand (based on ITE) for the high school facility would be 81 spaces.

For the daycare facility, the average parking demand (based on ITE) is 0.24 vehicles per student. At a projected maximum capacity of 84 students, the parking demand for the daycare would be 20 vehicles. Combining the daycare with the high school yields a total parking demand for the Grant East Campus (based on ITE parking generation rates) of 101 vehicles, or 0.29 vehicles per student (101 vehicles/350 students).

For comparison, the City of Houston parking requirements for a high school are 9.5 spaces per classroom assuming 30 students per classroom. With the charter school size being limited to 350 students, the class size will be approximately 20 students per class room (350 students/17 classrooms). Thus the parking requirement for a 20 student classroom is 6.5 spaces, which is a total 110 for the high school (6.5 spaces/classroom X 17 classrooms). Adding the 13 spaces for the daycare facility (per City of Dallas), the total parking demand is 123 spaces, which is 0.35 required spaces per student (123 spaces/350 students).

One final comparison is with the City of Plano parking requirements. For grades 9-10, the parking requirement is one (1) space per 6 students. For grades 11-12, the requirement is one (1) space per 1.5 students. With the Grant East Campus serving grades 9-12, the parking requirement rates were averaged to one (1) space per 3.75 students. This translates to 93 required spaces for the high school. Coupled with the parking spaces required for the daycare (13 spaces per City of Dallas) the total requirement would be 106 spaces, or 0.30 spaces per student (106 spaces/350 students). A summary of these three parking demand/requirement comparisons can be found in Table 1 below.

Parking Demand

Based on information supplied by the client, approximately 20 percent of the students at the Grant East Campus charter school will drive their own vehicle and park at the school. With a maximum of 350 students, the projected parking demand related to students is 70 vehicles. The proposed number of staff members for the high school is 24. Assuming one vehicle per staff member yields an additional 24 vehicles for the high school and a projected parking demand total of 94 spaces for the high school facility. For the daycare facility, parking is needed for the nine (9) vehicles related to staff members. Adding the charter high school and daycare facilities together, parking demand for the Grant East Campus is projected to be 103 vehicles, or 0.29 vehicles per student (103 vehicles/350 students). Exhibit 1 shows the proposed site parking.

To verify that the parking demand numbers for the Grant East Campus as discussed above are adequate, a comparison to parking provided at the existing Ross Avenue Campus and the parking demand at the Pleasant Grove Campus was prepared.

The Ross Avenue Campus is located at 4601 Ross Avenue, Dallas, Texas. It is located on a DART bus route similarly to the Grant East Campus (DART route 553). The Ross Avenue Campus has 350 students and 25 staff members at the high school and 90 children with 14 staff at the onsite daycare facility. Field observations of the provided parking show a total number of

*Texas Can! Academy – Grant East Campus
Parking Reduction Request*

113 available parking spaces, which includes 66 spaces for students, 34 spaces for staff, 8 spaces for the daycare facility, and 5 handicap spaces. The ratio of parking spaces to students is 0.32 spaces per student (113 spaces/350 students). Staff at the Ross Avenue Campus has indicated there is sufficient parking for the current operations of that site.

At the Pleasant Grove Campus there are 309 students enrolled with 40 total staff (high school and daycare) and a daycare facility similar to the proposed Grant East Campus. Based on an observation completed on Monday, August 26, 2013, the peak parking demand for the complete Pleasant Grove Campus at 10:30 a.m. was 87 parked vehicles or 0.28 vehicles per student (87 vehicles/309 students). This is very similar to the parking demand ratio for the Grant East Campus (0.29 vehicles per student), the ITE parking demand ratio (0.29 vehicles per student) and the City of Plano parking demand ratio (0.30 vehicles per student).

Scaling the parking demand ratio from the 309 students at the Pleasant Grove Campus up to the 350 students projected for the Grant East Campus, the parking demand at the proposed facility (Grant East) would be 98 vehicles, which is within five (5) vehicles of the projected parking demand (103 vehicles) as discussed above.

Based on the comparison to the Ross Avenue and the Pleasant Grove campuses, the projected parking demand of 103 vehicles for the proposed Grant East Campus is within the expected parameters. The projected parking demand rates are comparable to the parking demand rates from the *ITE Parking Generation Manual* and the City of Plano and, therefore, represent an accurate depiction of parking demand for the proposed facility.

Table 1 below summarizes the parking demand based on the different sources discussed above and also includes the observations from the Ross Avenue and Pleasant Grove campuses.

Table 1 – Parking Demand/Requirements and Observations Summary

Standard Source	Use	Variable	Parking Ratio per Variable	Spaces Required	Total Spaces Required	Surplus/Deficiency To	
						Provided Parking (120)	City of Dallas Standard (175)
City of Dallas	High School	Classrooms (17)	9.5	162	175	-55	n/a
	Daycare	per 500 sqft (12.8)	1.0	13			
ITE	High School	Students (350)	0.23	81	101	+19	-67
	Daycare	Students (84)	0.24	20			
City of Houston	High School	Classrooms (17)	6.5	110	123	-3	-52
	Daycare	per 500 sqft (12.8)	1.0*	13			
City of Plano	High School	Students (350)	0.267	93	106	+14	-69
	Daycare	per 500 sqft (12.8)	1.0*	13			
Observations							
Pleasant Grove	309 students (40 staff)		0.28	87	98**	+22	-70
Ross Avenue	350 students (39 staff)		0.32	113	113	+7	-55
Grant East (Projected)	350 students (33 staff)		0.29	103	103	+17	-65

* No City standard given, used City of Dallas standard

** Projected for 350 students

*Texas Can! Academy – Grant East Campus
Parking Reduction Request*

Parking Reduction Request

The proposed plans for the Grant East Campus show a total parking supply of 120 spaces (0.34 spaces per student), which includes 5 handicap spaces, 7 dedicated spaces in front of the daycare facility, and 108 remaining spaces to the north and east of the buildings. The provided parking of 120 spaces is 55 spaces less than the City of Dallas requirements (175 spaces), but is 17 more than the projected parking demand (103), which is based on operational information and observations from the other similar Texas Can Academy facilities. The provided number of parking spaces also exceeds the parking demand projections based on ITE Parking Generation data (101 total vehicles) and City of Plano requirements (106 spaces), and is on par with the City of Houston parking requirements (123 spaces). Table 2 below summarizes the provided parking in relation to the City of Dallas requirements and the attached Exhibit 1 shows the proposed parking for the campus.

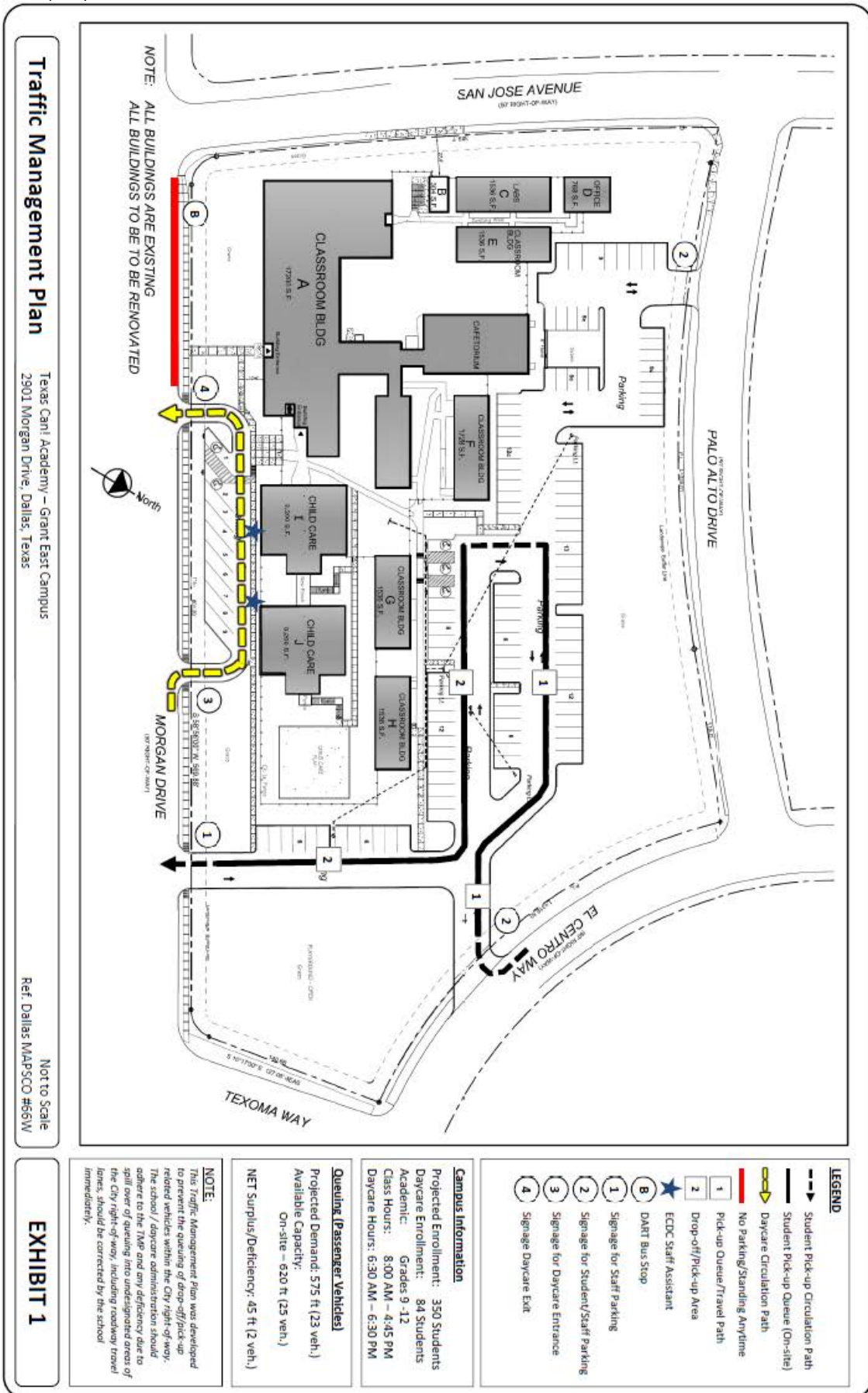
Table 2 – Summary of Parking Supply versus Requirements

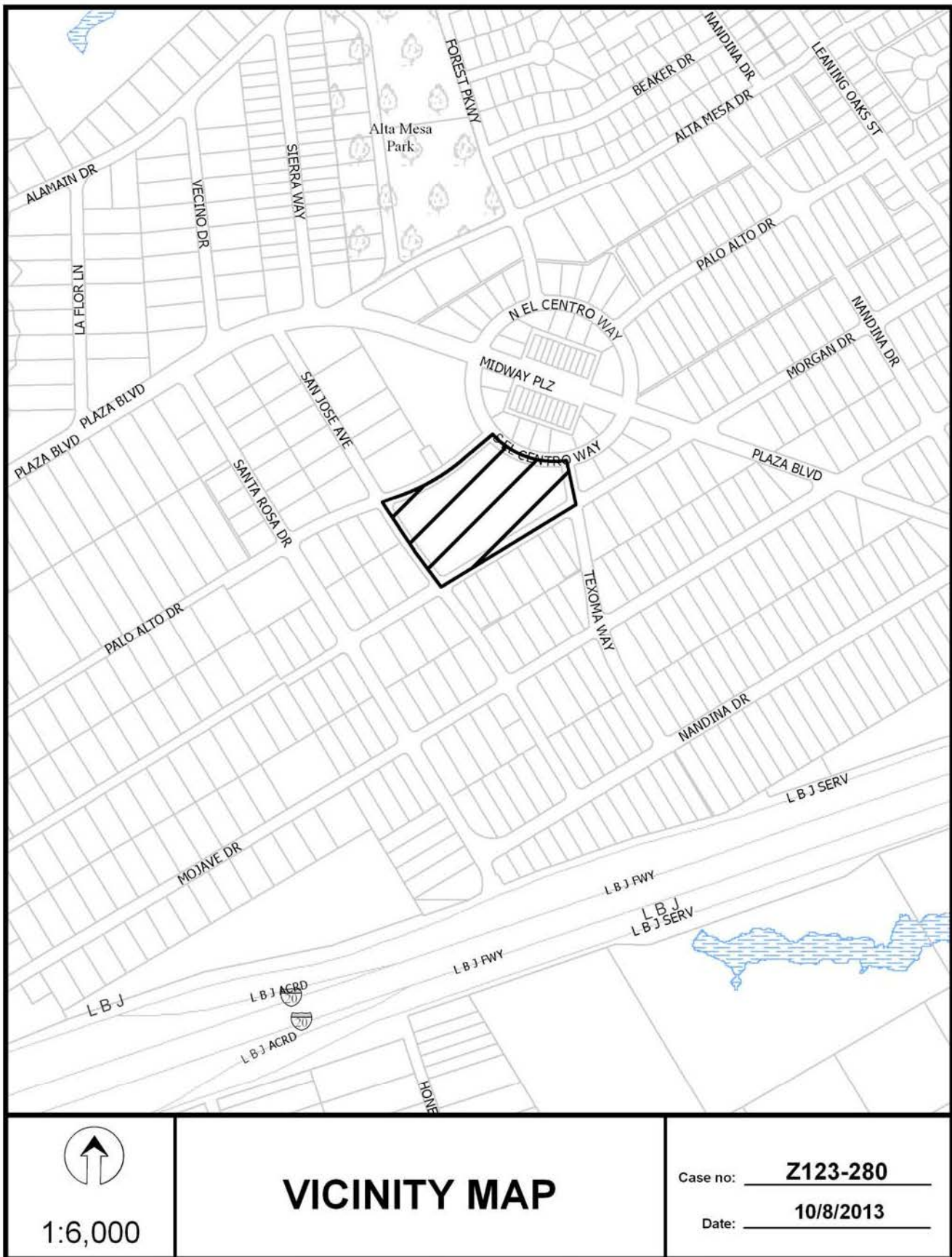
School Site	Use	Variable	Parking Ratio per Variable	Spaces Required Per COD	Total Spaces Provided	Surplus/Deficiency to COD Standard
Grant East Campus	High School	Classrooms (17)	9.5	162	105	-57
	Daycare	per 500 sqft (12.8)	1.0	13	15	+2

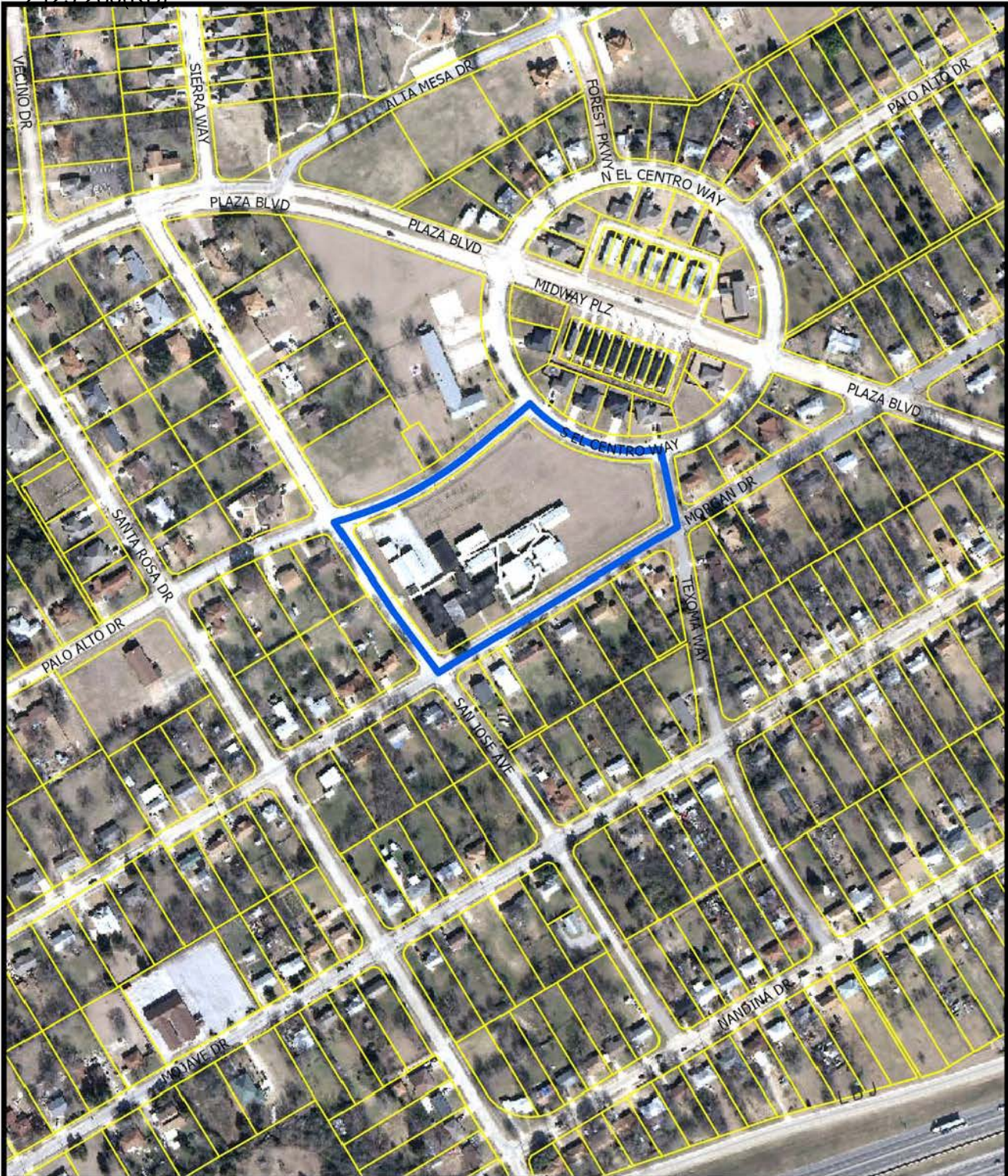
Summary

Based on the discussion presented above, Halff Associates, Inc. believes that the provided parking total of 120 spaces will meet the projected parking demands of the Grant East Campus. A very large percentage of students that attend Texas Can high schools rely heavily upon public transportation to get to and from school. As with the Ross Avenue site (350 students), the Grant East Campus site is on a DART route, which makes it very convenient for students to access the school.

If it is determined at a later date that additional parking is necessary, there is sufficient space on the site for additional parking. Halff does not anticipate additional parking being required unless the campus is expanded from that currently proposed.





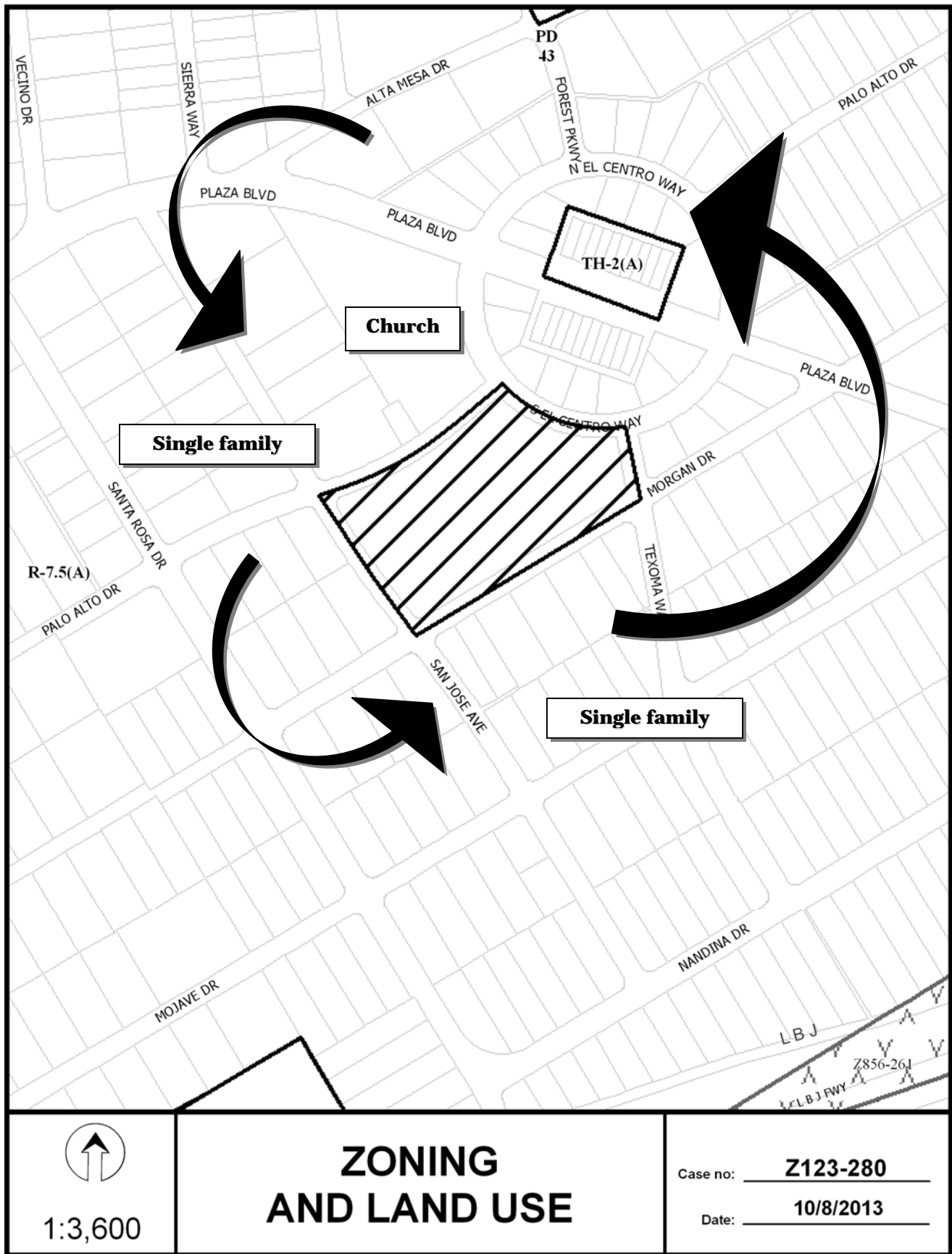


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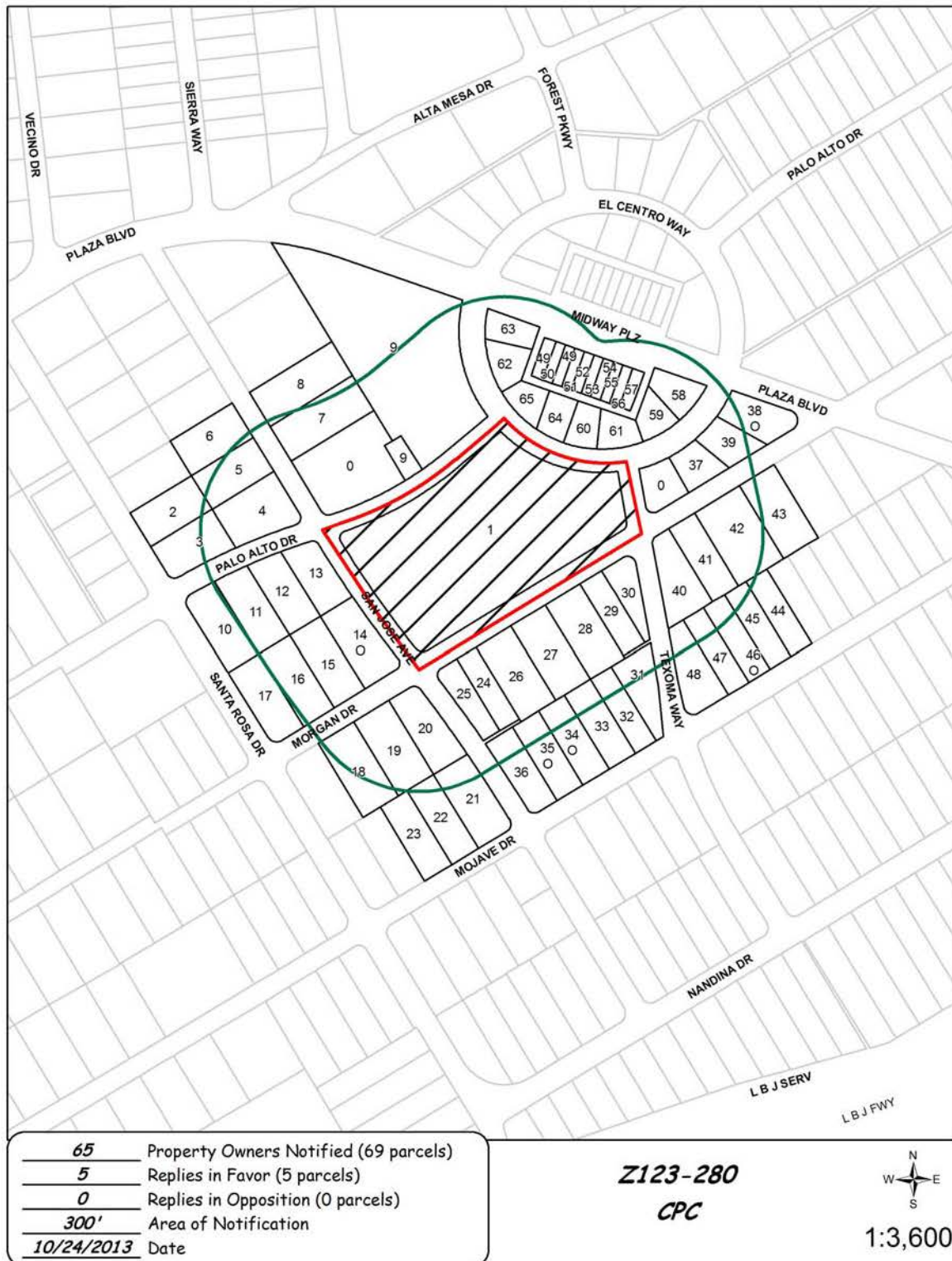
AERIAL MAP

Case no: Z123-280

Date: 10/8/2013



CPC RESPONSES



12/12/2013

Notification List of Property Owners

Z123-280

**65 Property Owners Notified
Owner in Favor**

29 Property Owners Opposed

1 Property

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2901 MORGAN DR	AMERICA CAN/DBA TEXANS CAN
	2	7624 SANTA ROSA WAY	CARY CEPHUS EST OF
	3	7632 SANTA ROSA WAY	KIRK KELLY REAL ESTATE LP
X	4	7527 SAN JOSE AVE	MORRIS LLOYD D & KIMBERLY
X	5	7515 SAN JOSE AVE	GILMORE ROSCOE CONKLIN &
X	6	7507 SAN JOSE AVE	RAY LAWRENCE
	7	7516 SAN JOSE AVE	WASHINGTON DAVID WAYNE
	8	7508 SAN JOSE AVE	RED MOON PPTIES LP
X	9	2939 PALO ALTO DR	ALTA MESA BAPTIST CH
X	10	2808 PALO ALTO DR	ALLEN MARY A
	11	2814 PALO ALTO DR	DANE JUDY &
	12	2822 PALO ALTO DR	COOK DELOIS
X	13	2830 PALO ALTO DR	SHAW WANDA JEAN
X	14	2831 MORGAN DR	SHELTON WALLACE
X	15	2821 MORGAN DR	WILLIS CHAVOUS & GOLDEAN
X	16	2813 MORGAN DR	WASHINGTON RACHEL
	17	2807 MORGAN DR	POSADA NOE
	18	2816 MORGAN DR	ROBENSON WILLIE JAMES
	19	2824 MORGAN DR	JOHNSON ALLEN RAY
	20	2830 MORGAN DR	HISLAND CORP
	21	2839 MOJAVE DR	BROOKS THERESA
	22	2825 MOJAVE DR	AUGUSTIN RODERICK L
	23	2819 MOJAVE DR	THOMAS BARBARA MARILYN
X	24	2912 MORGAN DR	MCNEAL DOUGLAS
X	25	2910 MORGAN DR	DURHAM JAVAN JR
X	26	2918 MORGAN DR	NOLEN SHANIQUA

Thursday, December 12, 2013

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	27	2926 MORGAN DR	ROSE EVELYN
	28	2934 MORGAN DR	WILSON HERMAN
X	29	2938 MORGAN DR	COX VALARIE A
X	30	2946 MORGAN DR	ROCK NATALIE
X	31	2931 MOJAVE DR	THOMAS ANNA L WILLIAMS
	32	2927 MOJAVE DR	JACKSON LEE PERVIS EST OF
	33	2921 MOJAVE DR	TRINITY MORTGAGE COMPANY
X	34	2915 MOJAVE DR	TATUM JOHNNIE LEE
X	35	2911 MOJAVE DR	YOUNG MINNIE P FOWLER
X	36	2905 MOJAVE DR	HARRISON JAMES O
X	37	3019 MORGAN DR	WALTON TERRY SONYA C ET AL
X	38	3035 MORGAN DR	MECCA APRIL INC
X	39	3027 MORGAN DR	JONES DOROTHY
	40	7718 TEXOMA WAY	ESPINOZA ALFREDO G & YOLANDA
X	41	3010 MORGAN DR	LANKFORD OLIVER WAYNE
X	42	3020 MORGAN DR	KENNEDY MARTHA LEE
X	43	3028 MORGAN DR	HADNOT MYRIA LYNETTE
O	44	3037 MOJAVE DR	SMITH THEODORE EST OF & ALETHA M
	45	3035 MOJAVE DR	BABERS JAMES H
X	46	3029 MOJAVE DR	BABERS CELESTINE
X	47	3025 MOJAVE DR	JOHNSON BESSIE
	48	3013 MOJAVE DR	BIGGER BILLY & CAROL
	49	2914 MIDWAY PLZ RD	POSANKA WILLIAM & AIMEE
	50	2910 MIDWAY PLZ RD	SAN MIGUEL AND ASSOCIATES INC
	51	2918 MIDWAY PLZ RD	REEDER REAL ESTATE LP
	52	2922 MIDWAY PLZ RD	DAL TEX GROUP LLC
	53	2926 MIDWAY PLZ RD	PARCHER M WILLIAM & ADRIENNE LISA
	54	2930 MIDWAY PLZ RD	CUENCA ADRIAN & ARIENE
	55	2934 MIDWAY PLZ RD	WILLIAMS BYRON
	56	2938 MIDWAY PLZ RD	D DYNASTY INV
	57	2942 MIDWAY PLZ RD	CHRISTOPHER ELLEN

Thursday, December 12, 2013

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	58	2946 EL CENTRO WAY	MORENO KIMBAR E &
	59	2944 EL CENTRO WAY	ADAMS SYLVESTA
X	60	2947 EL CENTRO WAY	PRECISION GARDENS INC
	61	2951 EL CENTRO WAY	WEST FORK PPTIES LLC
	62	2919 EL CENTRO WAY	A&E ASSOCIATION CORP
	63	1 EL CENTRO WAY	BGB TOTAL INC
	64	2939 EL CENTRO WAY	PROCTOR ANTWAN
	65	2931 EL CENTRO WAY	ADAMS SYLVESTA

Thursday, December 12, 2013

AGENDA ITEM # 42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 54 E

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and 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 a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue

Recommendation of Staff: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions

Recommendation of 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

Z123-328(MW)

Note: This item was considered by the City Council at a public hearing on January 8, 2014, and was taken under advisement until February 12, 2014, with the public hearing open

FILE NUMBER: Z123-328(MW)

DATE FILED: July 23, 2013

LOCATION: Northwest corner of West Jefferson Boulevard and North Brighton Avenue

COUNCIL DISTRICT: 1

MAPSCO: 54-E

SIZE OF REQUEST: ±0.27 acre

CENSUS TRACT: 46.00

REPRESENTATIVE: Parvez Malik, Business Zoom

APPLICANT: Patric Henson

OWNER: Moe Barakat

REQUEST: An application for a D-1 Liquor Control Overlay and 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 a CR-D Community Retail District with a D Liquor Control Overlay

SUMMARY: The applicant proposes the sale of alcoholic beverages for off-premise consumption in conjunction with the existing convenience store.

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 with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store 3,500 square feet or less is compatible with the surrounding land uses. The sale of alcoholic beverages in conjunction with the main use does not affect compatibility.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing general merchandise or food store, which offers the sale of alcoholic beverages, provides a service to this area of the City and does not appear to negatively impact to the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores 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.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan complies all applicable zoning regulations and standards.

BACKGROUND INFORMATION:

- The ±0.27-acre request site is developed with a ±697.39-square foot general merchandise or food store (convenience store) which includes gas pumps.
- The general merchandise or food store use is permitted by right. The D Liquor Control prohibits sale of alcoholic beverages on the property.
- No new construction is proposed by this application.

Surrounding Zoning History:

1. **Z112-326:** On February 13, 2013, the City Council denied without prejudice a request for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned CR Community Retail District with a D Dry Liquor Control Overlay.

2. **Z101-150:** On June 22, 2011, the City Council denied a request for a D-1 Dry Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned CR Community Retail District with a D Dry Liquor Control Overlay.
3. **Z101-117:** On February 9, 2011, the City Council approved a Specific Use Permit for a private recreation center, club or area on property zoned an MF-1(A) Multifamily District for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
West Jefferson Boulevard	Minor arterial	100 feet
North Brighton Avenue	Local	60 feet

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Construction and Development has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Surrounding Land Use:

	Zoning	Land Use
North	D(A)	Single family
East	R-7.5(A)	Single family
South	CR	Retail and personal services
West	CR	Auto related

STAFF ANALYSIS:

Comprehensive Plan:

The Comprehensive Plan does not make a specific land use recommendation related to the request, however the ***forwardDallas! Vision Illustration***, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within an *Urban Neighborhood Building Block*. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

LAND USE ELEMENT

Goal 1.1: Promote desired development.

Policy 1.1.5: Use Vision Building Blocks as a general guide for desired development patterns

The existing general merchandise or food store 3,500 square feet or less is generally consistent with the development desired in an Urban Neighborhood. The sale of alcoholic beverages in conjunction with the main use does not directly impact the consistency.

Land Use Compatibility:

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request conforms with the applicable zoning regulations and standards and is consistent with the intent of the Dallas Development Code. The proposed sale of

alcoholic beverages in conjunction with the existing convenience store is not anticipated to negatively impact the adjacent properties. Therefore, staff recommends approval for a two-year period with eligibility for automatic renewal for additional five-year periods subject to a site plan and conditions. The short initial time period will allow reevaluation of the request to ensure ongoing compliance.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR-D	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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area; the requirement for a motor vehicle fueling station is two (2) spaces. Therefore, the ±697.39-square foot convenience store with gas pumps requires a total of five parking spaces. The applicant will provide seven parking spaces, as depicted on the site plan.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required. Any new development on the property will require landscaping per Article X of the Dallas Development Code.

Police Report:

An online search of the Dallas Police Department's offense incident reports for the period from October 18, 2011 to October 18, 2013 revealed the following results:

Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0055597-A	03/08/2013	*U STOP FINA GAS STATION	BURGLA...	01909	W	JEFFERSONB...	444	4116	05121	

Page 1 of 1 (1 items)

CPC Action: November 21, 2013:

Motion: It was moved to recommend approval of a D-1 Liquor Control Overlay and approval of 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 revised conditions to include 8 ft. solid fence on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue.

Maker: Anglin
Second: Shellene
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices:	Area:	200	Mailed:	38
Replies:	For:	2	Against:	6

Speakers: For: Parvez, Malik, 1901 Central Dr., Bedford, TX, 76021
Patrick Henson, 1909 W. Jefferson St., Dallas, TX, 75208
Vincent Williams, 602 B N. Marsalis Ave., Dallas, TX, 75203
Margaret Padilla, 203 S. Edgefield Ave., Dallas, TX, 75208
Noel Ocampo, 208 N. Waverly Dr., Dallas, TX, 75208
William Spotson, 602 N. Marsalis Ave., Dallas, TX, 75203
Against: None

CPC Recommended 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 use 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

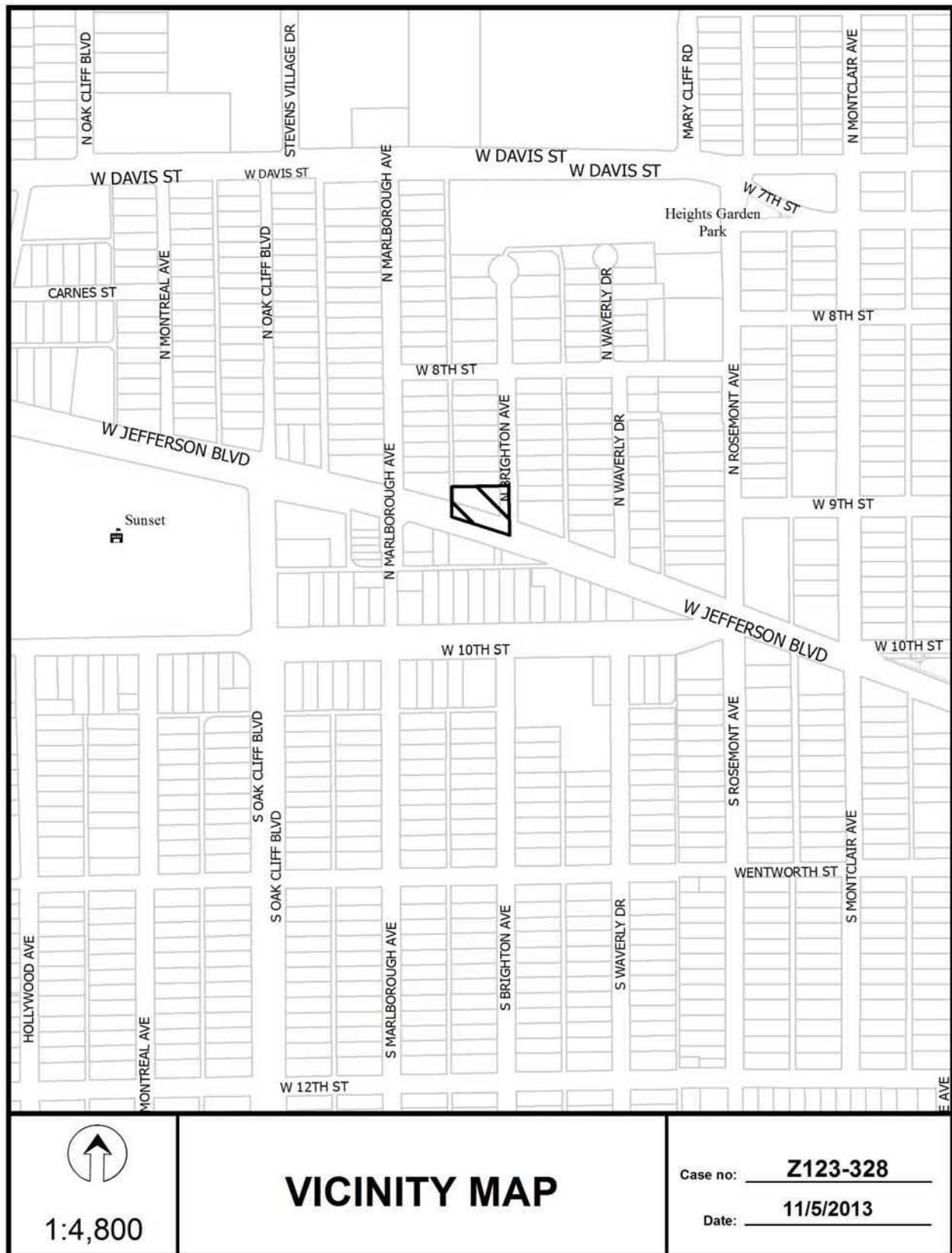
CPC Recommended:

- | |
|---|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on (two years). |
|---|

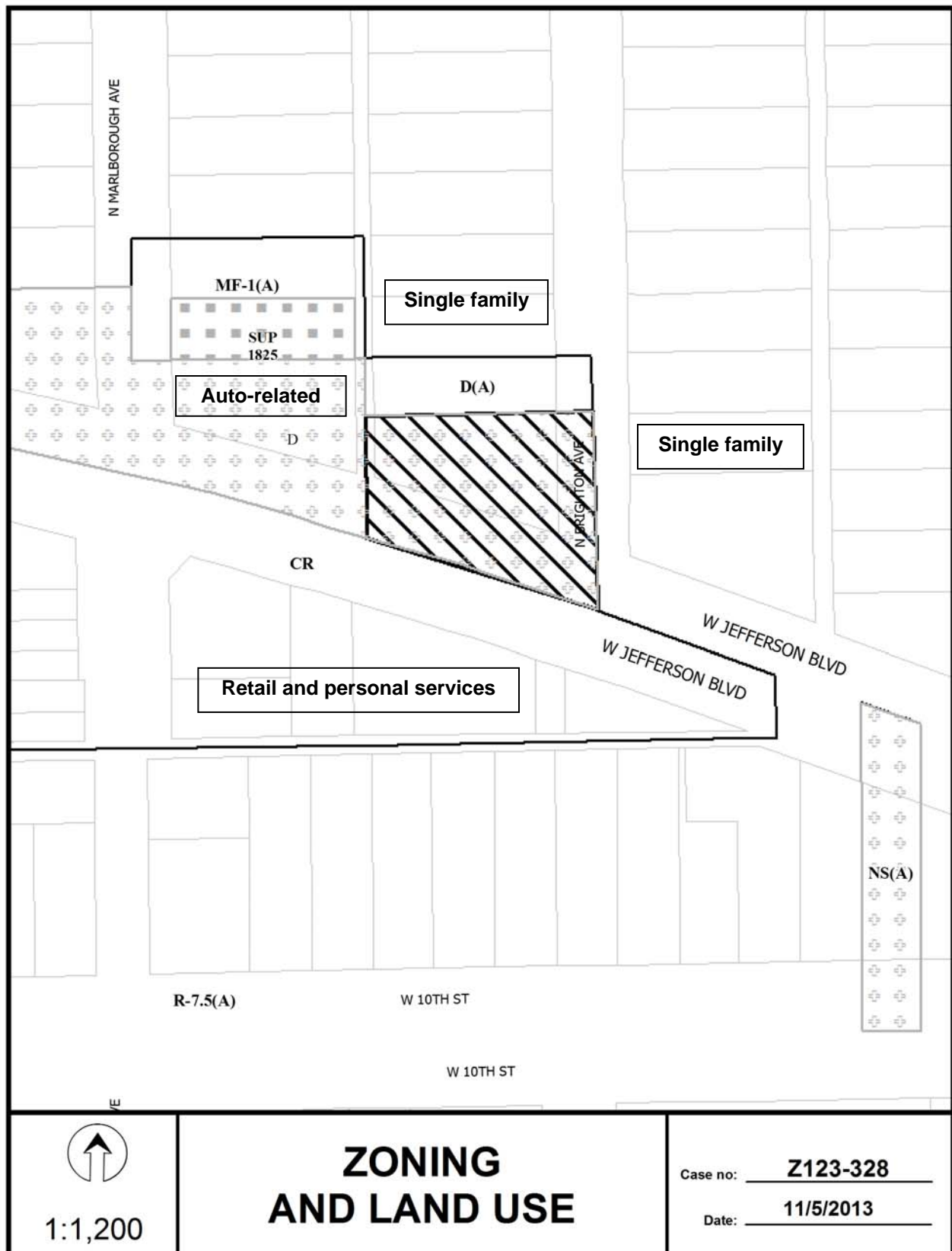
Staff Recommended:

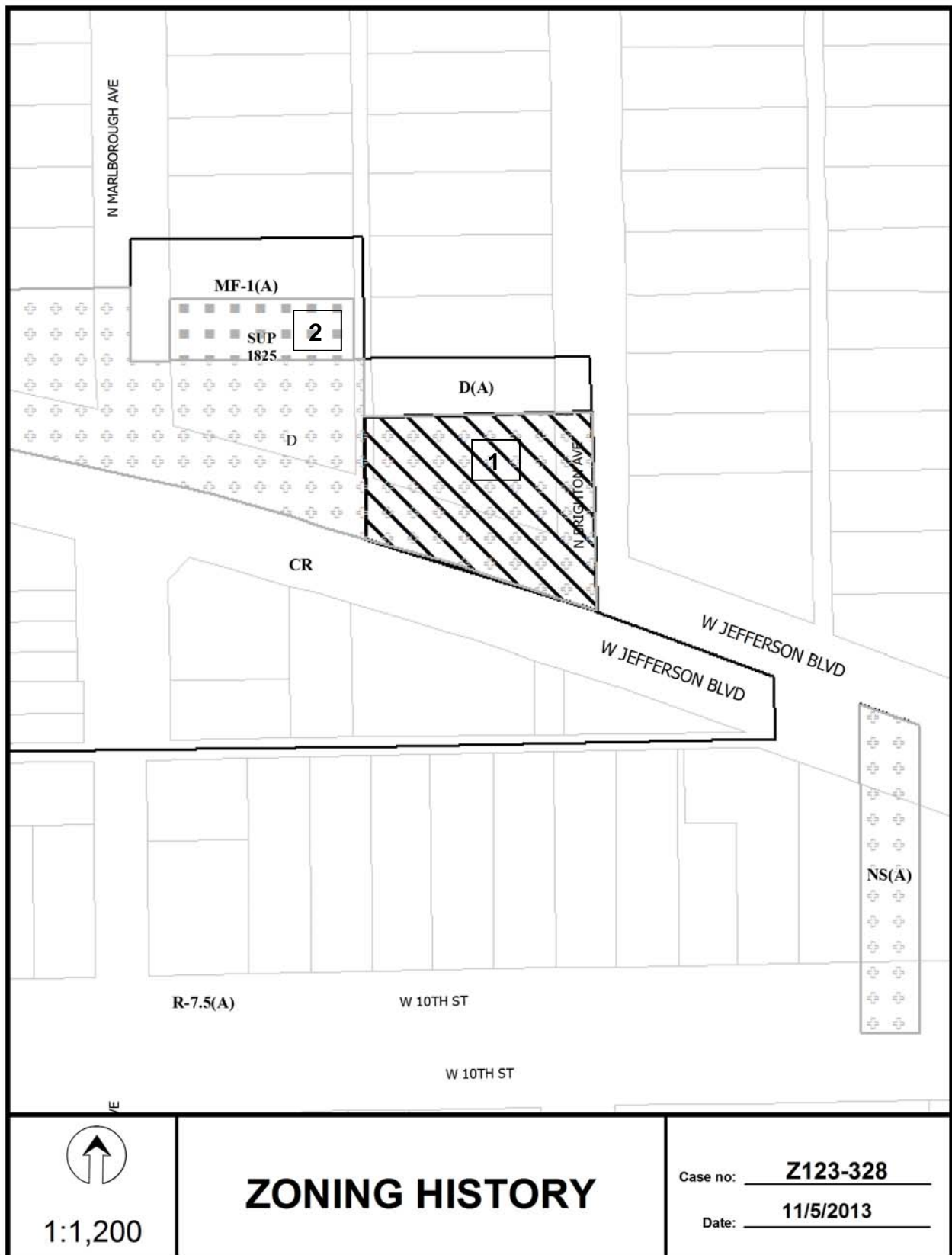
- | |
|---|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file 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. SCREENING: An eight-foot solid screening fence must be provided in the location shown on the site plan.
 5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
 4. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.











CPC Responses



Notification List of Property Owners

Z123-328

38 Property Owners Notified 6 Property Owners Opposed 2 Property Owners in Favor

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	1909 JEFFERSON BLVD	BARAKAT MOE
	2	228 BRIGHTON AVE	MCCOY SARA & KALLEN
	3	224 BRIGHTON AVE	GAMEZ FRANK R
X	4	220 BRIGHTON AVE	ANGEL ANGELA J
	5	216 BRIGHTON AVE	BRADY ROSEANN
X	6	212 BRIGHTON AVE	DOWPROCACCINI ANNA M &
	7	208 BRIGHTON AVE	TAYLOR STEPHANIE S
X	8	204 BRIGHTON AVE	ALLEN DONALD LEE
	9	207 WAVERLY DR	DEARING NANCY C WONDERS
	10	211 WAVERLY DR	WILSON MIRANDA ANGER &
	11	215 WAVERLY DR	EWERS LIMITED PARTNERSHIP
	12	217 WAVERLY DR	GONZALEZ FERNANDO & CRYSTAL
	13	221 WAVERLY DR	PRIBYL THOMAS &
	14	227 WAVERLY DR	PARAMO RUDOLPH
	15	218 MARLBOROUGH AVE	OLGUIN JULIAN
	16	216 MARLBOROUGH AVE	LOZADA GERARDO
	17	210 MARLBOROUGH AVE	PITZER ENTERPRISES LP
	18	206 MARLBOROUGH AVE	NEFFENDORF SHANNON &
	19	1919 JEFFERSON BLVD	SAMUEL PETER & SUSHEILA
	20	1919 JEFFERSON BLVD	SAMUEL PETER
	21	211 BRIGHTON AVE	AVILA JAIME &
	22	217 BRIGHTON AVE	EQUABLE INV CORP
	23	221 BRIGHTON AVE	EDWARDS J B & MARSHA H
X	24	225 BRIGHTON AVE	FERNANDEZ MAUREEN F & ANTHONY
X	25	229 BRIGHTON AVE	YOCKEL SCOTT & LAUREN

Thursday, November 21, 2013

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	26	1924 JEFFERSON BLVD	BALLAS VICTOR
	27	1916 JEFFERSON BLVD	DIAZ OCTAVIO
	28	1900 JEFFERSON BLVD	NOLAN PATRICK & ROSE ANNA
	29	1836 JEFFERSON BLVD	1836 W JEFFERSON LLC
	30	1917 10TH ST	GALLEGOS JESUS C ET AL
	31	1915 10TH ST	Taxpayer at
	32	1913 10TH ST	MACIAS JOSE A JR &
	33	1909 10TH ST	TRIDESERT INVESTMENTS INC
	34	1903 10TH ST	NILES KERRY W
	35	1827 10TH ST	BETANCOURT SERGIO & EVA
	36	1825 10TH ST	PALOMO MANUEL LIFE ESTATE
	37	1821 10TH ST	CARR BRYAN
X	38	1817 10TH ST	MELGOZA JOSE JJ &

AGENDA ITEM # 43

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 12, 2014
COUNCIL DISTRICT(S): 7
DEPARTMENT: Sustainable Development and Construction
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 46 Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 764, the Second Avenue Special Purpose District, on the southwest line of Second Avenue, northwest of Hatcher Street

Recommendation of Staff and CPC: Approval, subject to conditions

Z134-113(WE)

Note: This item was considered by the City Council at a public hearing on January 22, 2014, and was taken under advisement until February 12, 2014, with the public hearing open

ACM: Theresa O'Donnell

FILE NUMBER: Z134-113(WE) **DATE FILED:** June 27, 2013
LOCATION: Southwest line of Second Avenue, northwest of Hatcher Street
COUNCIL DISTRICT: 7 **MAPSCO:** 46-Z
SIZE OF REQUEST: Approx. 5,000 sq. ft. **CENSUS TRACT:** 39.01

APPLICANT: Mario Diaz

OWNER: Diann Lee

REPRESENTATIVE: Cheryl McNeil

REQUEST: An application for a new Subdistrict within Planned Development District No. 764, the Second Avenue Special Purpose District.

SUMMARY: The purpose of this request is to create a new subdistrict to allow a job or lithographic printing use. A printing company will operate within the existing building. Currently, Planned Development District No. 264 does not permit this use within the district.

CPC RECOMMENDATION: Approval, subject to conditions.

STAFF RECOMMENDATION: Approval, subject to conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The request for a new Subdistrict to permit the job or lithographic printing use within Planned Development District No. 764 should not have a negative impact on the surrounding areas based upon the location along a principal arterial and the size of the parcel. The additional uses proposed for the site could support the adjacent businesses that are located along the business corridor.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable development and Constructions has determined that the request will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in an Urban Neighborhood Building Block. An existing structure will be used to operate the use and will be limited in the maximum allowable floor area for the proposed use. The request is in compliance with the *forwardDallas! Comprehensive Plan*.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* –The proposed job or lithographic printing use could support efforts to grow retail and residential opportunities in the Southern Sector even though the proposed use is prohibited in the NC Neighborhood Commercial District. The new Subdistrict allows the City to limit the proposed use to 2,500 square feet of floor area, thereby reducing the potential for a larger operation that could be incompatible with the adjoining residential neighborhood.

BACKGROUND INFORMATION:

- The new Subdistrict will allow for a printing company to operate within a 1,500 square foot building. The last Certificate of Occupancy was issued in 1982, for a personal service use. Currently, the structure is vacant.
- In August 2007, the City Council approved a Planned Development District for NC Neighborhood Commercial uses. The Planned Development District allowed for the existing retail and commercial businesses to display merchandise outside on their properties. The outside display and outside storage would be an accessory use to the main use and would be limited to 5 percent of the lot.
- The adjacent land uses consist of retail and personal service uses and commercial service uses along the Second Street corridor. Properties southwest of the request site consist of a residential development.

- **Zoning History:** There has been one recent zoning change in the area.

1. Z067-174 On August 3, 2007, the City Council approved a Planned Development District for NC Neighborhood Commercial uses.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Second Avenue	Principal Arterial	Variable right-of-way	80 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 764	Vacant building
Northeast	PDD No. 764	Commercial
Southeast	PDD No. 764	Commercial
Southwest	R-7.5(A)	Residential
Northwest	PDD No. 764	Commercial

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 Plan identifies the request site as being in an Urban Neighborhood Building Block.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The request site is within a retail corridor that is located within the Southern Sector. The proposed request for will provide additional small business and employment opportunities within the southern sector and is in compliance with the forwardDallas! Comprehensive Plan.

The following goals support this request:

LAND USE

GOAL 1.1 PROMOTE DESIRED DEVELOPMENTALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

STAFF ANALYSIS:

Land Use Compatibility: The 5,000-square-foot site is developed with a one-story, 1,500-square-foot building and has frontage along Second Avenue. Planned Development District No. 764 is developed with retail and commercial service uses and permits outside display and storage on each lot. Properties that are contiguous to the site on the southwestern property line are developed with single family uses.

The applicant's request for a new subdistrict within Planned Development District will permit a job or lithographic printing use to operate within the new district. The new subdistrict will limit the maximum floor area for the job or lithographic use to only 2,500 square feet, the existing footprint, to keep the business in scale with the surrounding neighborhood that consists of residential uses adjacent to the subject site. The applicant proposes to operate a print shop where approximately 50 percent of the production will be digital design and the remaining 50 percent will include printing on various types of substrates.

The new Subdistrict within Planned Development District No. 764 does not alter the currently permitted land uses or development standards and should not negatively impact the surrounding areas.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 764	0'	215' adjacent to residential OTHER: No Min.	0.75 FAR	30' 2 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Landscaping: Landscaping of any development will be in accordance with Article X, as amended. The request site will not trigger any landscaping requirements because there are no increases in impervious surfaces or floor area.

Screening: The applicant will be required to provide a minimum 6-foot solid screening fence on the residential side of the property and the materials must comply with Section 51A-4.602(b).

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

CPC Action (December 19, 2013)

Motion: It was moved to recommend **approval** of a new subdistrict, subject to conditions within Planned Development District No. 764, the Second Avenue Special Purpose District on the southwest line of Second Avenue, northwest of Hatcher Street.

Maker: Bagley
Second: Shellene
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum,
Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

Notices: Area: 500 Mailed: 108
Replies: For: 5 Against: 2

Speakers: None

PROPOSED PPD CONDITIONS

ARTICLE 764.

PD 764.

Second Avenue Special Purpose District

SEC. 51P-764.101. LEGISLATIVE HISTORY.

PD 764 was established by Ordinance No. 26875, passed by the Dallas City Council on August 8, 2007.

SEC. 51P-764.102. PROPERTY LOCATION AND SIZE.

PD 764 is established on property located on both sides of Second Avenue between Pine Street and Hatcher Street. The size of PD 764 is approximately 11.23 acres.

SEC. 51P-764.103. DEFINITIONS AND INTERPRETATIONS.

(a) Except as provided in this article, the definitions and interpretations in Chapter 51A apply.

(b) Except as provided in this article, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) **FOOD OR BEVERAGE STORE 3,500 SQUARE FEET OR LESS** means a retail store with a floor area of 3,500 square feet or less for the sale of food and beverages. The term "food or beverage store" includes a grocery, delicatessen, convenience store, and specialty foods store. This use does not include other uses in this article that are specifically listed.

(d) **GENERAL MERCHANDISE STORE 3,500 SQUARE FEET OR LESS** means a retail store with a floor area of 3,500 square feet or less for the sale of general merchandise. Typical general merchandise includes clothing and other apparel, equipment for hobbies and sports, gifts, flowers and household plants, dry goods, toys, furniture, antiques, books and stationery, pets, drugs, auto parts and accessories, and similar consumer goods. This use does not include other uses in this article that are specifically listed.

(e) This district is considered to be a nonresidential zoning district.

SEC. 51P-764.104. ESTABLISHMENT OF SUBDISTRICTS.

This district created a new subdistrict: Subdistrict 1

SEC. 51P-764.10[4](5). 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.

SEC. 51P-764.10[5](6). MAIN USES PERMITTED.

(a) The following uses are the only main uses permitted in this district and Subdistrict 1:

(1) Agricultural uses. None permitted.

(2) Commercial and business service uses.

-- Catering service. [SUP]

-- Job or lithographic printing [Subdistrict 1 only]

(3) Industrial uses.

-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

-- Adult day care facility.

-- Child-care facility.

-- Church.

-- Community service center. [SUP]

-- Library, art gallery, or museum.

-- Public or private school. [RAR]

(5) Lodging uses. None permitted.

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.

-- Medical clinic or ambulatory surgical center.

-- Office.

(8) Recreation uses.

- Private recreation center, club, or area. [SUP]
- Public park, playground, or golf course.

(9) Residential uses. None permitted.

(10) Retail and personal service uses.

- Auto service center.
- Car wash. [DIR]
- Commercial amusement (inside).
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise store 3,500 square feet or less.
- Mortuary, funeral home, or commercial wedding chapel. [SUP]
- Motor vehicle fueling station.
- Personal service uses.
- Restaurant without drive-in or drive-through service.

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Electrical substation. [SUP]
- Local utilities.
- Police or fire station. [SUP]
- Post office. [SUP]
- Tower/antenna for cellular communication. [SUP]

(13) Wholesale, distribution, and storage uses. None permitted.

(b) The food or beverage store 3,500 square feet or less use is prohibited.

SEC. 51P-764.10[6](7). 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 not permitted:

-- Accessory outside sales.

(c) The following accessory use is permitted only with a solid screening fence and plant material screening that complies with Section 51A-4.602(b):

-- Accessory outside storage.

(d) Accessory outside display of merchandise is permitted subject to the additional regulations in Section 51A-4.217(b)(4). A maximum of five individual furniture items may be displayed outside. These furniture items may be furniture that is not customarily used outside and does not have to be made of a material that is resistant to damage or deterioration from exposure to the outside environment.

SEC. 51P-764.10[7](8). YARD, LOT, AND SPACE REGULATIONS.

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

(a) Front yard.

(1) Except as provided in this subsection, a front yard is not required.

(2) If a front yard is provided, it must be a minimum of 15 feet with landscaping provided in accordance with Section 51P-764.110.

(3) A front yard of up to five feet may be provided to the extent needed to accommodate a wider than standard sidewalk for any portion of the wider sidewalk that cannot be placed in the right-of-way.

(b) Side yard. Minimum side yard is:

(1) 15 feet where adjacent to or directly across an alley from a planned development residential subdistrict or an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(2) no minimum in all other cases, but if a setback is provided it must be at least five feet.

(c) Rear yard. Minimum rear yard is:

(1) 15 feet where adjacent to or directly across an alley from a planned development residential subdistrict or an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(2) no minimum in all other cases, but if a setback is provided it must be at least five feet.

(d) Floor area ratio. Maximum floor area ratio is 0.75.

(1) In Subdistrict 1, the maximum floor area is 2,500 square feet.

(e) Height.

(1) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a one-to-three residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(2) Maximum height. Unless further restricted under Paragraph (1), maximum structure height is 30 feet.

(f) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories above grade is two. Parking garages are exempt from this requirement, but must comply with the height regulations of Subsection (e).

SEC. 51P-764.10[8](9). OFF-STREET PARKING AND LOADING.

(a) In general. Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Except as provided in this section, consult the off-street parking and loading regulations in Divisions 51A-4.300 et seq. for information regarding off-street parking and loading generally.

(b) Parking setback. Required off-street parking is prohibited within 30 feet of the public street, measured from the back of the curb (or if there are no curbs, what would be the normal curb line).

(c) Parking screening.

(1) Required off-street parking must be screened from the street using the methods listed in Section 51A-4.301(f)(5).

(2) Required off-street parking must be screened from adjoining residential property by screening as described in Section 51A-4.301(f)(3).

(3) A perimeter landscape buffer strip complying with Section 51A-10.125(b)(1) must be provided on the residential side of any screening required by this subsection. Perimeter landscape buffer strip materials must comply with Section 51A-10.125(b)(7).

SEC. 51P-764.10[9](10). ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) Except as provided in this section, see Article VI.

(b) Outside amplified speakers are prohibited.

SEC. 51P-764.11[0](1). LANDSCAPING.

(a) In general. The regulations in this section must be read together with the regulations contained in Article X, "Landscape and Tree Preservation Regulations." In the event of a conflict between this section and Article X, this section controls.

(b) Front yard landscaping. If a 15-foot front yard is provided, it must be landscaped as follows:

(1) At least 40 percent of the front yard must be landscaped with trees, shrubs, or a combination of trees and shrubs, that have the potential to attain a minimum height of 30 inches within a three-year period.

(2) One tree having a caliper of at least three and one-half inches, or two trees each having a caliper of at least one and one-half inches, must be provided in the front yard for each 30 feet of lot frontage, exclusive of driveways, visibility triangles, and points of ingress or egress.

(3) No more than 60 percent of the front yard may be landscaped with walkways, plazas, courtyards, or other non-plant decorative landscape features.

(4) An underground irrigation system must be provided in the front yard.

SEC. 51P-764.11[0](2). FENCE.

Subdistrict 1. A minimum 6-foot solid fence must be provided on the residential side and the material must comply with Section 51A-4.602(b).

SEC. 51P-764.11[4](3). SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P-764.11[2](4). 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.

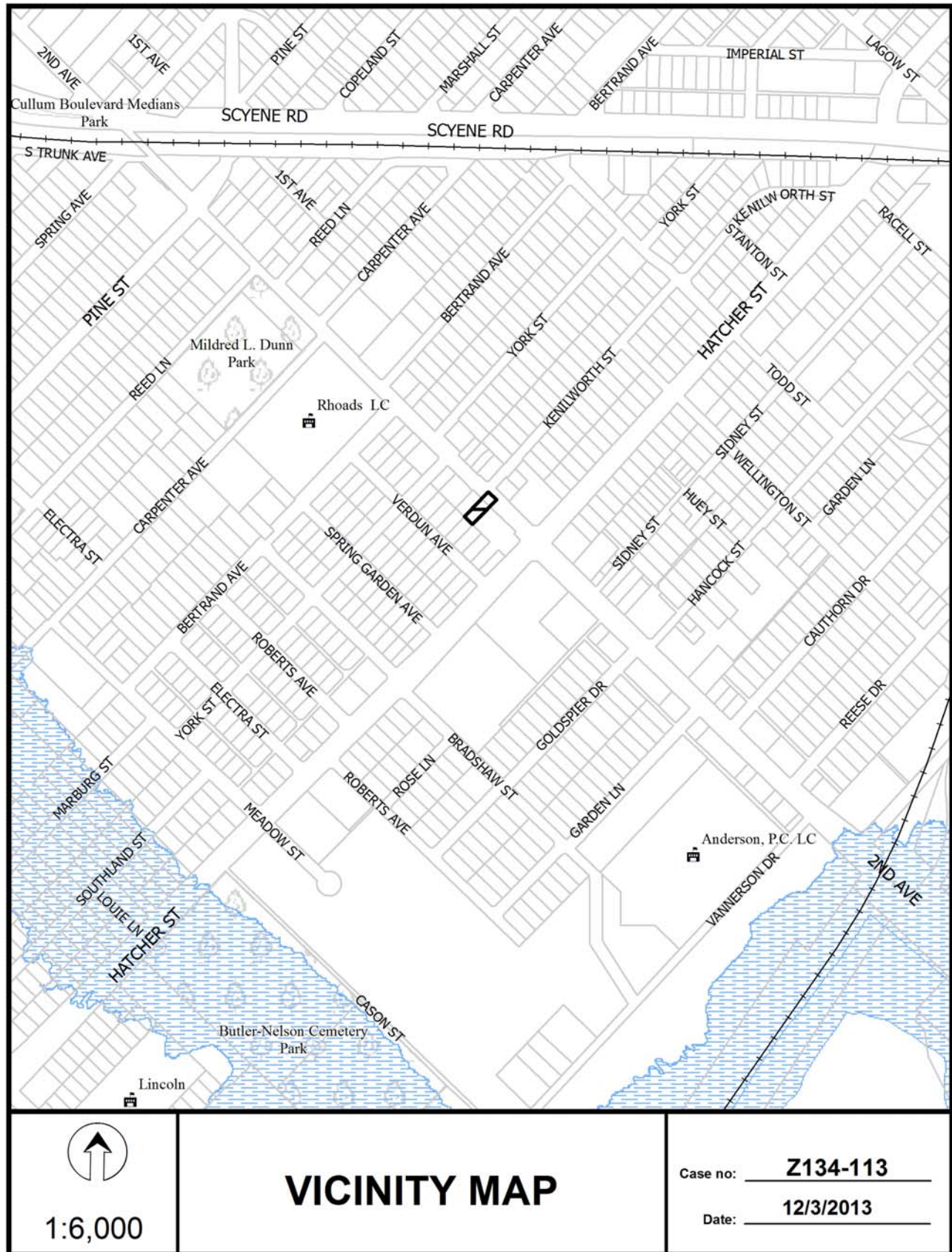
SEC. 51P-764.11[3](5). COMPLIANCE WITH CONDITIONS.

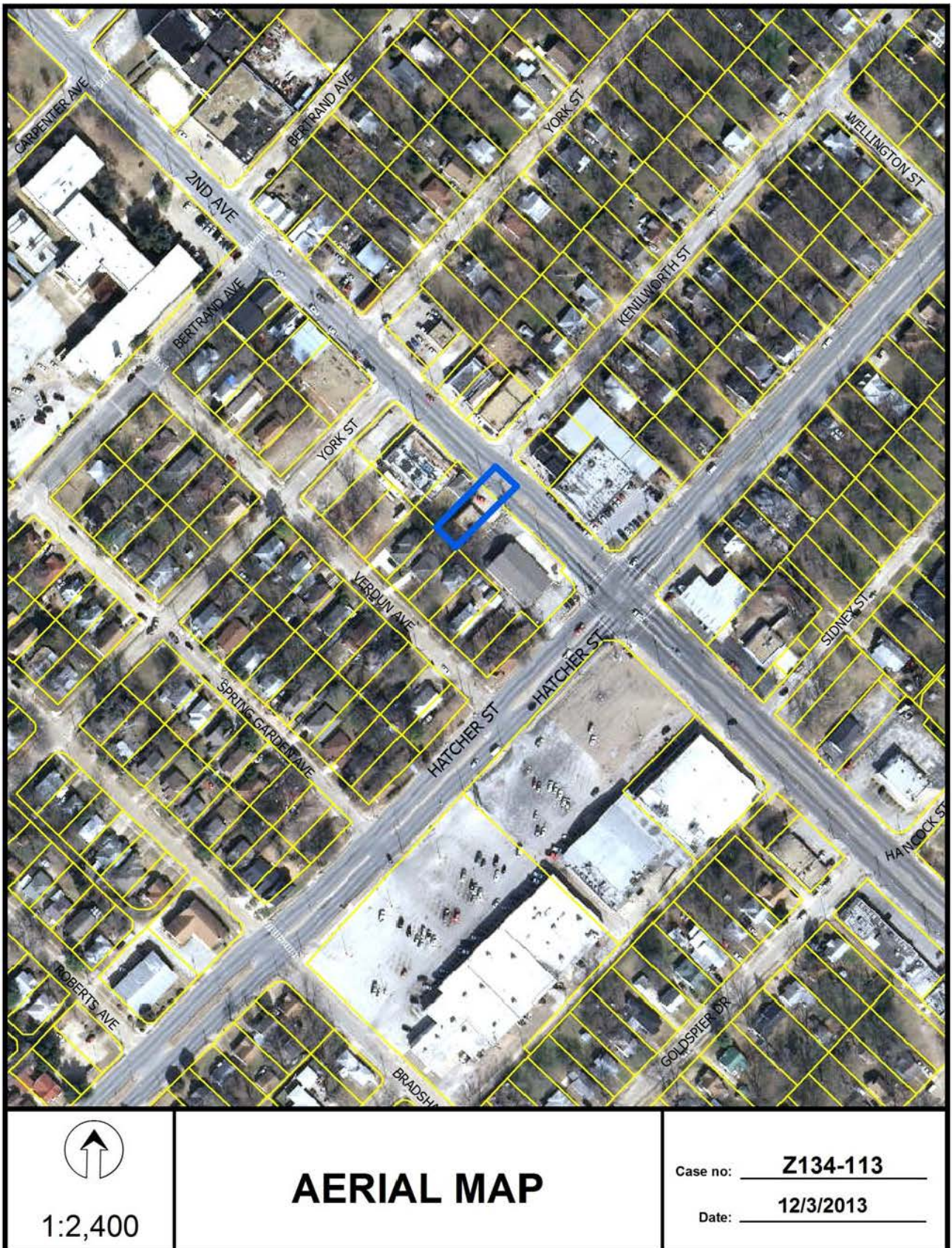
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

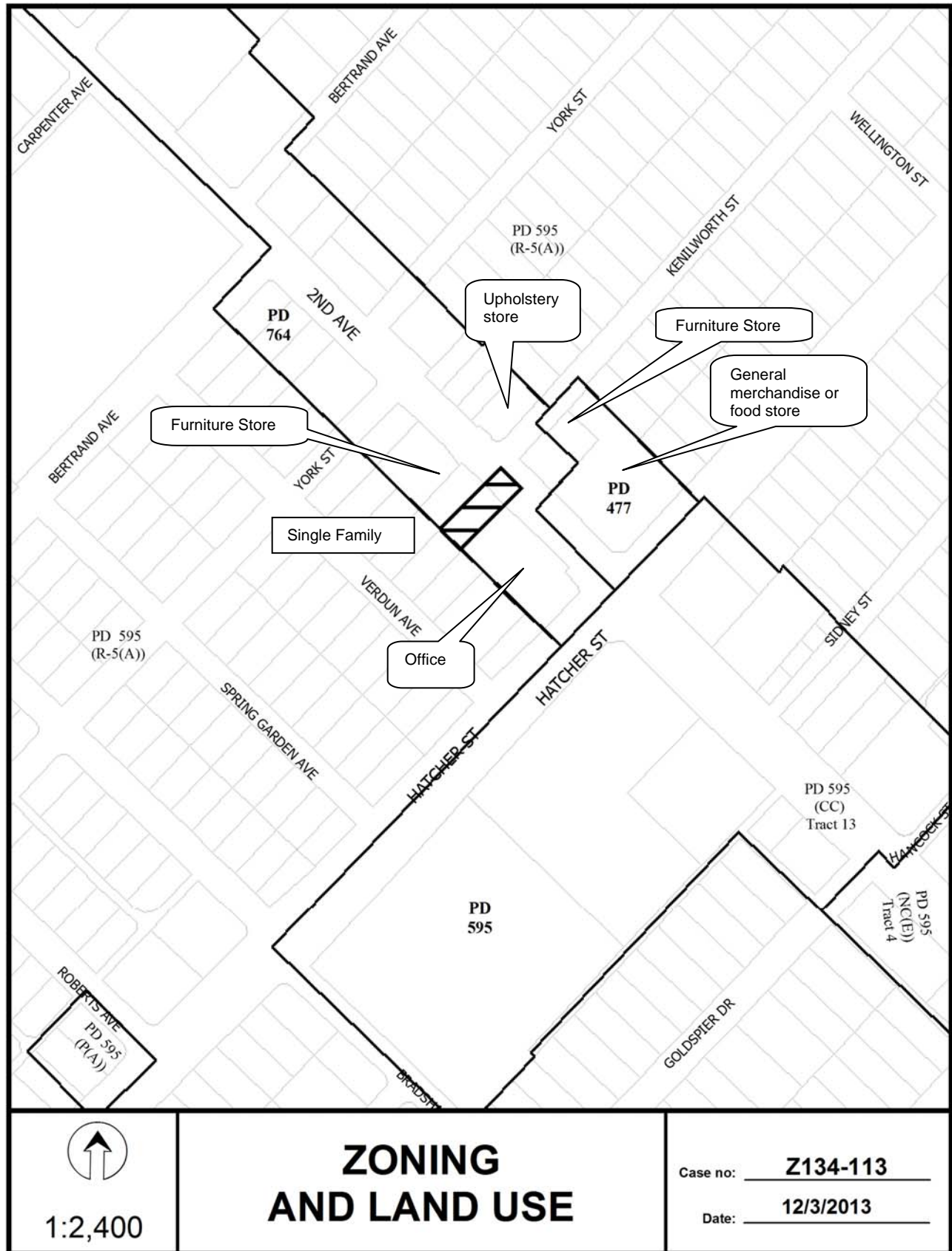
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules,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

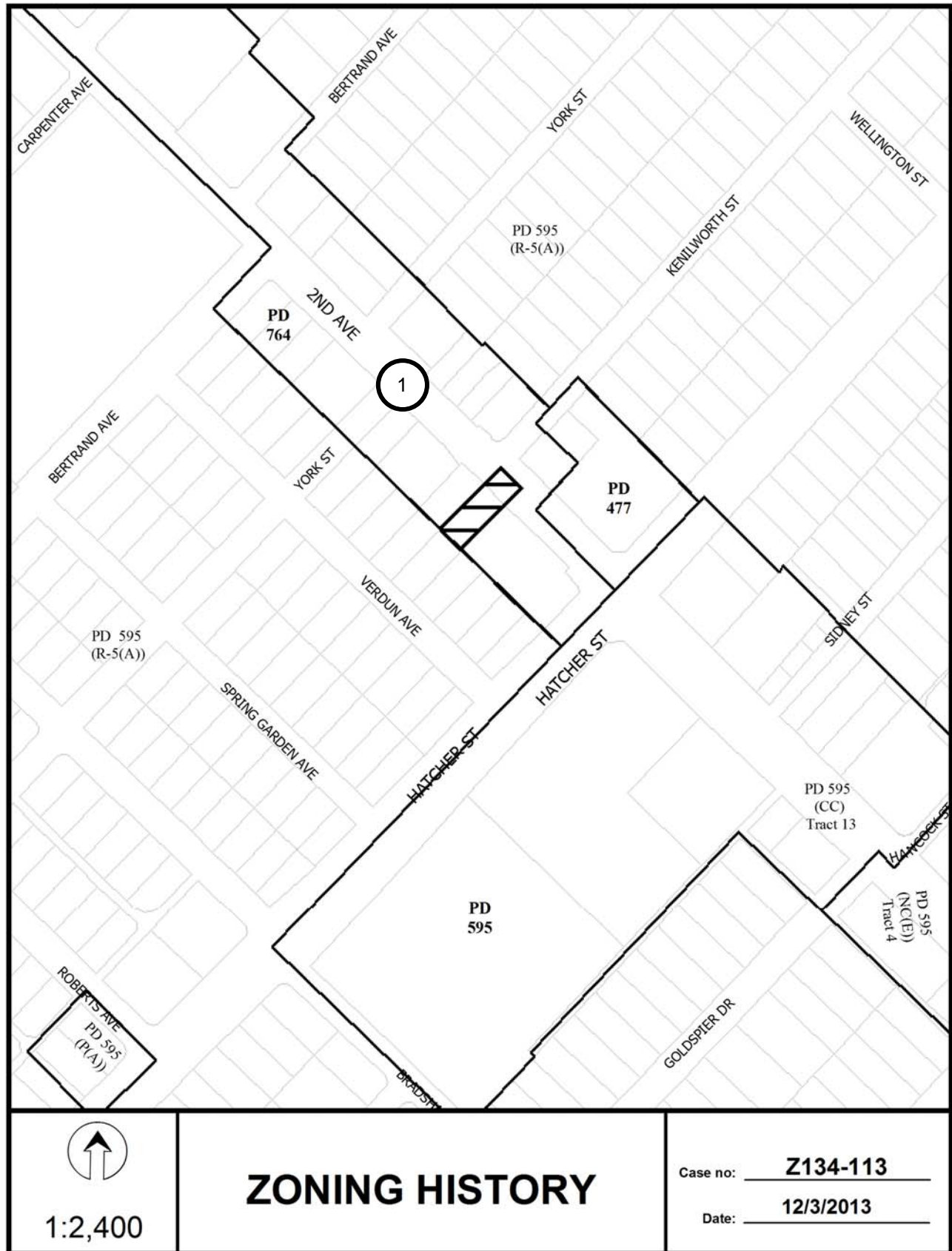
~~[SEC. 51P-764.114. ZONING MAP.]~~

~~[PD 764 is located on Zoning Map Nos. K-8 and K-9.]~~

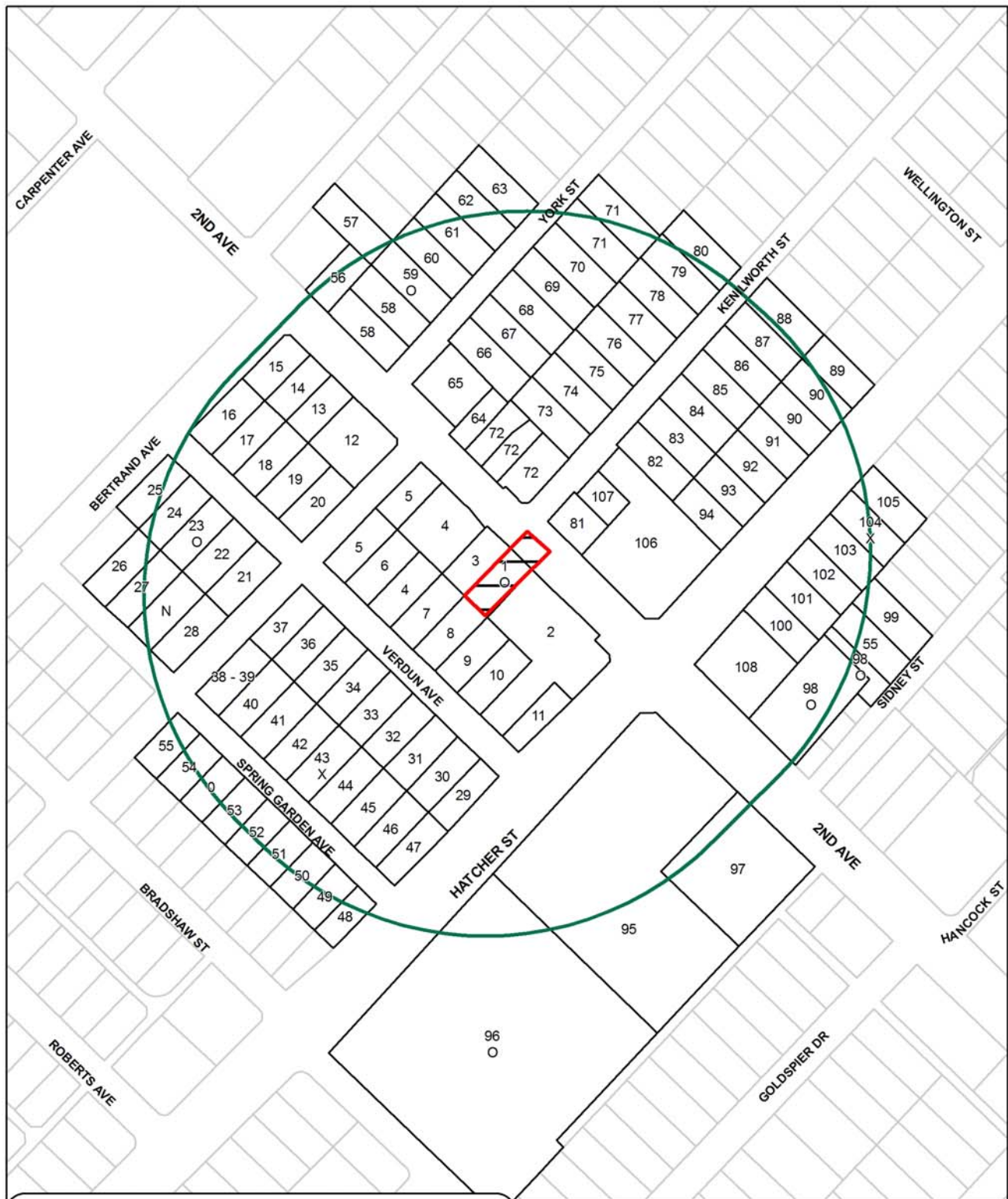








CPC RESPONSES



<u>108</u>	Property Owners Notified (118 parcels)
<u>5</u>	Replies in Favor (6 parcels)
<u>2</u>	Replies in Opposition (2 parcels)
<u>500'</u>	Area of Notification
<u>12/19/2013</u>	Date

Z134-113
CPC



1:2,400

Notification List of Property Owners

Z134-113

<i>108 Property Owners Notified</i>			<i>2 Property Owners Opposed</i>	<i>5 Property Owners in Favor</i>
<i>Vote</i>	<i>Label #</i>	<i>Address</i>		<i>Owner</i>
O	1	4619 2ND AVE		LEE DIANN JOHNSON
	2	4627 2ND AVE		CNB REAL ESTATE LLC
	3	4615 2ND AVE		ADKINS JOHN & VIRGINIA
	4	4610 VERDUN AVE		HOWARD JAMES
	5	4602 VERDUN AVE		COX SAMUEL L &
	6	4606 VERDUN AVE		HOWARD JAMES
	7	4614 VERDUN AVE		LIFENET COMMUNITY BEHAVIO
	8	4618 VERDUN AVE		BLUE TOM III
	9	4622 VERDUN AVE		FULL CIRCLE FUNDING LP
	10	4626 VERDUN AVE		THAMES REAL ESTATE INC
	11	4634 VERDUN AVE		ADAMS DANIEL
	12	4519 2ND AVE		KING TROY A
	13	4509 2ND AVE		MCADAMS HENRY A
	14	4507 2ND AVE		GARRETT DANYEAL
	15	4501 2ND AVE		BEAUTIFUL GATE BAPTIST
	16	4502 VERDUN AVE		RUBIO GEORGE JR
	17	4506 VERDUN AVE		BEAUTIFUL GATE MISSIONARY BAPTIST
	18	4510 VERDUN AVE		JORDAN HELEN MARIE
	19	4514 VERDUN AVE		JOHNSON MARGARET AP
	20	4516 VERDUN AVE		KING TROY A
	21	4519 VERDUN AVE		BEXAR EQUITY LP
	22	4515 VERDUN AVE		NORTHERN TRUST COMPANY
O	23	4511 VERDUN AVE		TOLBERT MYRTLE &
	24	4507 VERDUN AVE		MOORE GARY RENARD
	25	3330 BERTRAND AVE		MOORE GARY
	26	4506 SPRING GARDEN RD		CERVANTES AURELIO

Thursday, December 19, 2013

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	4510 SPRING GARDEN RD	CERVANTES AURELIO
	28	4518 SPRING GARDEN RD	WILSON MARIE
	29	4635 VERDUN AVE	SURRELL NANCY MAE
	30	4629 VERDUN AVE	THOMAS MELVIN L
	31	4627 VERDUN AVE	JB III INV INC
	32	4623 VERDUN AVE	GOLDSTEIN JAKE ET AL
	33	4619 VERDUN AVE	FELTON ALONNA
	34	4615 VERDUN AVE	MCGILL CURREY
	35	4611 VERDUN AVE	PAYNE CARRIE ESTATE OF
	36	4607 VERDUN AVE	WOODSON DORIS J
	37	4601 VERDUN AVE	MATTHEWS LETRICIA
	38	4600 SPRING GARDEN RD	MOCK EARNEST JR
	39	4600 SPRING GARDEN RD	MOCK EARNEST JR EST OF
	40	4606 SPRING GARDEN RD	WINN SAMUEL LAVON
	41	4610 SPRING GARDEN RD	NANCE RONALD E J
	42	4614 SPRING GARDEN RD	EDNEY MARGARETTE
X	43	4618 SPRING GARDEN RD	ROBERTSON EMMA J GADBERRY
	44	4620 SPRING GARDEN RD	GALLAGHER MATTHEW LY
	45	4624 SPRING GARDEN RD	SMITH ORINE
	46	4630 SPRING GARDEN RD	JOSE B
	47	4634 SPRING GARDEN RD	HENDERSON LOUISA
	48	4635 SPRING GARDEN DR	HALL JUDGE M
	49	4631 SPRING GARDEN RD	KNOX GERTRUDE &
	50	4627 SPRING GARDEN RD	JONES DELPHIA
	51	4623 SPRING GARDEN RD	JOHNSON DIANE
	52	4619 SPRING GARDEN RD	TOPLETZ DENNIS
	53	4613 SPRING GARDEN RD	HARIS & HARRIS PROPERTIES LLC
	54	4607 SPRING GARDEN RD	RICHARDSON TATJANA
	55	3517 SIDNEY ST	DALLAS HOUSING ACQUISITION & DEV
	56	4510 2ND AVE	BRIGHT ELLA
	57	3508 BERTRAND AVE	WILLIAMS JOHNNIE MAE

Thursday, December 19, 2013

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	58	4520 2ND AVE	PALMER BENNIE E &
	59	3511 YORK ST	FELDER KEVIN D
	60	3515 YORK ST	GONZALEZ MR CO ANTONIO
	61	3519 YORK ST	THOMLINSON MARVIN
	62	3523 YORK ST	WHITE LELAN M
	63	3527 YORK ST	BERRY GERTIE LEE EST OF
	64	4610 2ND AVE	DALLAS STOVE HOSP INC
	65	4600 2ND AVE	WALSTAD SCOTT ROBERT
	66	3510 YORK ST	DALLAS HOUSING ACQUISITION &
	67	3516 YORK ST	OLIVER IARISSA
	68	3518 YORK ST	DALLAS CITY OF ETAL
	69	3522 YORK ST	SINGHAL FAMILY HOMES LLC
	70	3526 YORK ST	MURKLEDOVE LARRY
	71	3530 YORK ST	MYLIN INVESTMENTS
	72	4614 2ND AVE	HARRIS HERBERT JR
	73	3509 KENILWORTH ST	HARRIS HERBERT JR
	74	3515 KENILWORTH ST	YOUNG ROBERT L JR
	75	3519 KENILWORTH ST	RIVERS ODESSA
	76	3523 KENILWORTH ST	GREEN BETTIE
	77	3525 KENILWORTH ST	BLACK LANE R ETAL
	78	3531 KENILWORTH ST	DANIELS BRENDA
	79	3603 KENILWORTH ST	SYLVESTER DAVIDSON
	80	3607 KENILWORTH ST	TENCH EDWIN E
	81	4630 2ND AVE	JB III INVESTMENTS INC
	82	3514 KENILWORTH ST	HENDERSON CURTIS EST OF
	83	3518 KENILWORTH ST	JACKSON TOMMIE LEE &
	84	3522 KENILWORTH ST	JONES VERLINE COOKS
	85	3526 KENILWORTH ST	BULLARD PATSY R
	86	3530 KENILWORTH ST	TAPIA MANAGEMENT LLC
	87	3602 KENILWORTH ST	SNEED JEROME
	88	3606 KENILWORTH ST	SELMA VENTURES LTD

Thursday, December 19, 2013

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	3609 HATCHER ST	ABOVO CORP
	90	3603 HATCHER ST	TRAYLOR DORETHA
	91	3525 HATCHER ST	TOPLETZ HAROLD & JACK
	92	3523 HATCHER ST	KHAMOOSHI FARZAD
	93	3519 HATCHER ST	THAMES REAL ESTATE INC
	94	3515 HATCHER ST	STOKER LEIWANDA &
	95	3334 HATCHER ST	LEE HEE D
O	96	3308 HATCHER ST	HOPPENSTEIN PROPERTIES
	97	4727 2ND AVE	KIM MYUNG H
O	98	4712 2ND AVE	FORD JACQUELINE A ETAL
	99	3521 SIDNEY ST	DALLAS CITY OF COUNTY OF
	100	3510 HATCHER ST	DAVIS DOUGLAS E JR
	101	3514 HATCHER ST	DAVIS DOUGLAS E &
	102	3516 HATCHER ST	FENDER H R
	103	3524 HATCHER ST	POURAHMADI MOE
X	104	3526 HATCHER ST	HOLLAND WILLIAM
	105	3530 HATCHER ST	GRANT JOHNNY C
	106	4640 2ND AVE	CAIN KENNETH THOMAS &
	107	3506 KENILWORTH ST	CAIN REALTY CO
	108	4700 2ND AVE	HAMM GUY L & JOYCE

Thursday, December 19, 2013

AGENDA ITEM # 44

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 11

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 26 E; F; J; K

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a development plan and conditions
Z123-148(WE)

ACM: Theresa O'Donnell**FILE NUMBER:** Z123-148(WE) **DATE FILED:** December 12, 2012**LOCATION:** Steppington Drive and Riverfall Drive, northeast corner**COUNCIL DISTRICT:** 11 **MAPSCO:** 26 – E, F, J, K**SIZE OF REQUEST:** Approx. 4.42 acres **CENSUS TRACT:** 131.05

APPLICANT/ OWNER: Steppington SLJ/McKinney L.P.**REPRESENTATIVE:** Maxwell Fisher
MASTERPLAN**REQUEST:** An application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District.**SUMMARY:** The purpose of this request is to permit the development of various retail, office and storage uses on site. The applicant is proposing to divide the site into two subareas. Each subarea will be developed separately, with Subarea A being developed with approximately 150,000 square feet of retail and personal service uses and Subarea B with approximately 315,000 square feet of mini-warehouse uses.**CPC RECOMMENDATION:** Approval, subject to a development plan and conditions.**STAFF RECOMMENDATION:** Denial**DESIGNATED ZONING CASE**

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends denial of the Planned Development District based upon:

1. *Performance impacts upon surrounding property* – The proposed retail and office uses are compatible with the surrounding development, which contains the same uses. However, the proposed mini-warehouse use does not appear to be the highest and best use of this property given its proximity to and partial frontage on Central Expressway.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable development and Construction has determined that the request will not have a negative impact on the street system based on the information that was provided on the traffic worksheet.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in an Urban Neighborhood. The proposed mini-warehouse use is not in compliance with the Urban Neighborhood Building Block.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The current GO(A) General Office District does not permit mini-warehouse uses. The applicant requests a PD to permit mini-warehouses so that they are contextually sensitive to the surrounding neighborhood.
5. Staff reviewed the applicant's conditions and cannot support the mini-warehouse uses that are proposed in both Subareas. The PDD conditions are specifically written for development in both subareas. In addition, staff is opposed to any outside storage of any vehicles, trailers and recreational vehicles within a mini-warehouse use.

As a result of the requirements and regulations the applicant has incorporated in the conditions for a mini-warehouse use, staff cannot support the applicant's request for a Planned Development District for non-residential uses.

BACKGROUND INFORMATION:

- Since the September 26, 2013 City Plan Commission hearing, the representative provided staff with revisions to the proposed PDD conditions and replaced the conceptual plan with a development plan.
- The applicant's request for a Planned Development District for non-residential uses will allow for the development of mini-warehouses, office and limited retail uses. The

applicant will create two subareas within the request site to accommodate the proposed development.

- The applicant has incorporated specific language that relates to the development rights and standards for mini-warehouse uses in both subareas. In Subarea A, the maximum floor area is 140,000 square feet and for Subarea B, the maximum floor area is 35,000 square feet; totaling approximately 175,000 square feet of buildable floor area in both subareas.
- The request site is adjacent to multifamily uses to west, across Steppington Drive, and office uses to the east and south. Properties south of the request site, across Riverfall Drive, consist of a child-care facility and retail uses.

Zoning History: There has not been any recent zoning change requested in the area.

Land Use:

	Zoning	Land Use
Site	GO(A)	Office, Undeveloped
North	MF-3(A)	Multifamily
South	MU-1, GO(A), RR	Retail, Office
East	GO(A)	Office
West	GO(A), MF-4(A)	Multifamily

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 Plan identifies the request site as Urban Neighborhood Building Block. The proposed mini-warehouses is not in compliance with the *forwardDallas! Comprehensive Plan*.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility:

The applicant has provisions in the Planned Development District conditions that pertain to the treatment of the building's elevation. These provisions require certain building materials and architectural features for a mini-warehouse development.

It should be noted that staff objects to the urban form setback adjacent to the multifamily uses to the north and to the west. The urban form setbacks protects existing property owners from structures

Staff's recommendation is for denial of a Planned Development District for non-residential uses. However, the City Plan Commission recommended approval of the request, subject to the applicant's conditions.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
GO(A) -existing General office	15'	20' adjacent to residential OTHER: No Min.	4.0 FAR	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, lodging – limited retail & personal service uses
PDD –Proposed non-residential Applicant's Proposal	15'	0'	150,000 sq. ft. Subarea A 35,000 sq. ft. Subarea B For all other uses - 4.0 FAR	140'	60%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, lodging – limited retail & personal service uses, Mini-warehouse

Landscaping: Landscaping of any development will be in accordance with Article X requirements.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has determined that the proposed development will not have a negative impact on the surrounding street system.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Steppington Drive	Local	30 ft.	30 ft.
Riverfall Drive	Local	30 ft.	30 ft.
Central Expressway		Variable lane widths	Variable lane widths

Miscellaneous – conditions: The city attorney has reviewed and has made the necessary changes to the applicant's proposed conditions in the event the zoning case is approved by the City Plan Commission and then forwarded for City Council consideration.

CPC Action (July 11, 2013)

Motion: In considering an application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive, it was moved to **hold** this case under advisement until August 8, 2013.

Maker: Bernbaum
Second: Hinojosa
Result: Carried: 13 to 0

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish,
Schwartz, Ridley, Alcantar

Against: 0
Absent: 2 - Tarpley, Shellene
Vacancy: 0

Notices: Area: 500 Mailed: 305
Replies: For: 0 Against: 97

Speakers: None

CPC Action (August 8, 2013)

Motion: In considering an application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive, it was moved to **hold** this case under advisement until September 26, 2013.

Maker: Bernbaum
Second: Hinojosa
Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Culbreath, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley, Bernbaum,
Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 0

Vacancy: 1 - District 10

Notices: Area: 500 Mailed: 305

Replies: For: 0 Against: 98

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

CPC Action (September 26, 2013)

Motion: In considering an application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive, it was moved to **hold** this case under advisement until December 19, 2013.

Maker: Bernbaum
Second: Ridley
Result: Carried: 14 to 0

For: 14 - Wally, Anglin, Culbreath, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum,
Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Davis
Vacancy: 0

Notices: Area: 500 Mailed: 305

Replies: For: 0 Against: 98

Speakers: None

CPC Action (December 19, 2013)

Motion: In considering an application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive, it was moved to **hold** this case under advisement until January 9, 2014.

Maker: Bernbaum
Second: Hinojosa

Result: Carried: 14 to 0

For: 14 - Anglin*, Soto, Rodgers, Shidid, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum,
Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 1 - Culbreath
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 305
Replies: For: 0 Against: 98

Speakers: None

CPC Action (January 9, 2014)

Motion: It was moved to recommend **approval** of a Planned Development District for non-residential uses, subject to a development plan and revised conditions on property zoned a GO(A) General Office District on the northeast corner of Steppington Drive and Riverfall Drive.

Maker: Bernbaum
Second: Ridley
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene*,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 305
Replies: For: 0 Against: 98

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

LIST OF OFFICERS

General Partners:

Steppington SLJ / McKinney L.P., a Texas Limited Liability Company

- J. Tim Moore President

SLJ COMPANY, LLC, a Texas Limited Liability Company

- Louis H. Lebowitz President

Limited Partners:

2009 MCKINNEY INVESTMENTS FUND, L.P., a Texas Limited Partnership

- J. Tim Moore President

SLJ / EOF VIII, LTD, a Colorado Limited Partnership

- Louis H. Lebowitz President

<p>CPC PROPOSED PDD CONDITIONS</p>

SEC. 51P- __.101 . LEGISLATIVE HISTORY.

PD__ was established by Ordinance No.____, passed by the Dallas City Council on _____, 2013.

SEC. 51P- __.102. PROPERTY LOCATION AND SIZE.

PD__ is established on property located west of North Central Expressway and north of Riverfall Drive. The size of PD __ is approximately 4.42 acres.

SEC. 51P- __.103 DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC 51P- __.104 CREATION OF SUBAREAS.

The district is divided into two subareas: Subarea A and B.

SEC 51P- __.105 EXHIBITS.

The following exhibit is incorporated in this article:

Exhibit S-__ conceptual plan.

Exhibit S-__ development plan

SEC 51P- __.106 CONCEPTUAL PLAN.

Development of the Property must comply with the Conceptual Plan (Exhibit ____). If there is a conflict between the text of this article and the Conceptual plan, the provisions of this article control.

SEC 51P- __.107 DEVELOPMENT PLAN.

(a) For Subarea A. Development and use of the Property must comply with the Subarea A development plan (Exhibit ____). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(b) For Subarea B. Development and use of the Property must comply with the Subarea B development plan (Exhibit ____). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

CPC Recommendation

(c) A development plan is not required for a building permit for exterior or interior remodeling or renovation of existing buildings.

Staff's Recommendation

(c) A development plan is not required for a building permit for exterior or interior remodeling or renovation of existing buildings.
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SEC 51P- __.108 MAIN USES PERMITTED.

(a) For Subareas A and B. The uses permitted in this district are the same as those uses permitted in the GO(A) General Office District, subject to the same conditions applicable in the GO(A) General Office District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the GO(A) General Office District only by specific use permit (SUP) is permitted in this planned development district only by SUP; a use subject to development impact review (DIR) in the GO(A) General Office District is subject to DIR in this planned development district; etc.

- (b) Extended stay hotel or motel
- (c) Hotel or motel. *[In Subarea B only]*
- (d) Mini-Warehouse

SEC 51P- __.109 ACCESSORY USES.

(a) In general. As a general rule, an accessory use is permitted in any subarea 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 allowed by right in this district:

-- Inside retail sales associated with a mini-warehouse use is permitted.

SEC. 51P-___.110 YARD, LOT AND SPACE PROVISIONS.

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

a. In general. Except as provided in this section, the yard, lot and space regulations for the GO(A) District apply.

(1) Front yard setbacks: For a mini-warehouse use, the minimum front yard setback on Central Expressway, Steppington Drive, and Riverfall Drive is 15 feet.

(2) For all other uses, the minimum front yard setback is 15 feet.

CPC Recommendation

(3) <u>Side yard Setback:</u> For a mini-ware house use, the minimum side yard setback is 0 feet.

Staff's Recommendation

(3) <u>Side yard Setback:</u> Except as provided in this subsection, no minimum setback.

(4) A minimum of 20 feet where adjacent to-or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district.
--

b. Lot Coverage.

(1) For a mini-warehouse use, the maximum lot coverage for Subareas A and B combined is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground structures are not.

(2) In all other case, the maximum lot coverage is 80 percent.

c. Height.

(1) Subarea A. Except as provided in this subsection, the maximum structure height is 140 feet.

(2) Mini-warehouse use. Maximum structure height is 56 feet.

(3) Subarea B. Maximum structure height is 140 feet.

(4) Roof-top equipment. Roof-top mechanical equipment may extend up to 12 feet above the roofline or the maximum allowable building height for all subareas. Mechanical equipment, skylights, and solar panels on roofs must be integrated into the

building design, screened, or setback so that they are not visible from a point five feet, six inches above grade at the Property line.

d. Floor Area.

(1) For a mini-warehouse use.

(A) In Subarea A, maximum floor area for a mini-warehouse use is 140,000 square feet.

(B) In Subarea B, maximum floor area for a mini-warehouse use is 35,000 square feet.

SEC. 51P- __.111 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) For the purpose of this section parking requirements, this district is considered as one lot.

SEC. 51P __.112 ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- __.113 LANDSCAPING AND SCREENING.

(a) Landscaping must be provided in accordance with Article X.

(b) Landscaping must be maintained in a healthy, growing condition.

SEC. 51P- __.114 SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- __.115 BUILDING ELEVATIONS

CPC Recommendation

(a) Building Elevation – Exterior Treatments for Mini-Warehouse Uses only.

(1) The exterior materials of the eastern building elevation and the easternmost 75 feet of both the northern and southern elevations of Building A shall be comprised of 100% masonry, excluding glass or openings. For this provision, masonry includes stone, brick, decorative concrete blocks, stucco, concrete, split-face concrete masonry block or tile or other similar building materials, or combination of those materials.

(2) The exterior materials of those portions of building elevations located within 40 feet and facing Steppington Drive shall be comprised of no less 80% masonry, excluding glass or openings. For this provision, masonry includes stone, brick, concrete, stucco, hollow clay tile, cementitious fiber siding, split-face masonry block, decorative concrete blocks or tile, glass block, or other similar building materials, or a combination of those materials.

(3) The following architectural features are required on a portion of the eastern building elevation of Building A.

(a) Display windows, faux windows, or decorative windows.

(b) Canopies, awnings or similar projections.

(4) Building Elevation – Exterior Treatments for Mini-Warehouse Uses, Exceptions. The following exterior materials may only be used on internal walls not directly facing a public street:

(a) Smooth-faced painted concrete block that is non-tinted or non-burnished.

(b) Tilt-up concrete panels that are unadorned or untextured. Textured painted tilt wall is acceptable.

(c) Prefabricated steel panels.

Staff's Recommendation

(a) ~~Building Elevation – Exterior Treatments for Mini-Warehouse Uses only.~~

~~(1) The exterior materials of the eastern building elevation and the easternmost 75 feet of both the northern and southern elevations of Building A shall be comprised of 100% masonry, excluding glass or openings. For this provision, masonry includes stone, brick, decorative concrete blocks, stucco, concrete, split-face concrete masonry block or tile or other similar building materials, or combination of those materials.~~

~~(2) The exterior materials of those portions of building elevations located within 40 feet and facing Steppington Drive shall be comprised of no less 80% masonry, excluding glass or openings. For this provision, masonry includes stone, brick, concrete, stucco, hollow clay tile, cementitious fiber siding, split-face masonry block, decorative concrete blocks or tile, glass block, or other similar building materials, or a combination of those materials.~~

~~(3) The following architectural features are required on a portion of the eastern building elevation of Building A.~~

~~(a) Display windows, faux windows, or decorative windows.~~

~~(b) Canopies, awnings or similar projections.~~

~~(4) Building Elevation — Exterior Treatments for Mini-Warehouse Uses. Exceptions. The following exterior materials may only be used on internal walls not directly facing a public street:~~

~~(a) Smooth-faced painted concrete block that is non-tinted or non-burnished.~~

~~(b) Tilt-up concrete panels that are unadorned or untextured. Textured painted tilt wall is acceptable.~~

~~(c) Prefabricated steel panels.~~

SEC. 51P-__116 ADDITIONAL PROVISIONS.

(a) For a mini-warehouse:

(1) Storage units in Building A must be accessed by an internal corridor or directly from the exterior provided the exterior door does not directly face the perimeter.

CPC Recommendation

(2) The outside storage of vehicles, trailers, and recreational vehicles is limited to internal areas screened by perimeter walls or buildings. Any outside storage areas must be located a minimum of 40 feet from public rights-of-way.

Staff's Recommendation

~~(2) The outside storage of vehicles, trailers, and recreational vehicles is limited to internal areas screened by perimeter walls or buildings. Any outside storage areas must be located a minimum of 40 feet from public rights-of-way.~~

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

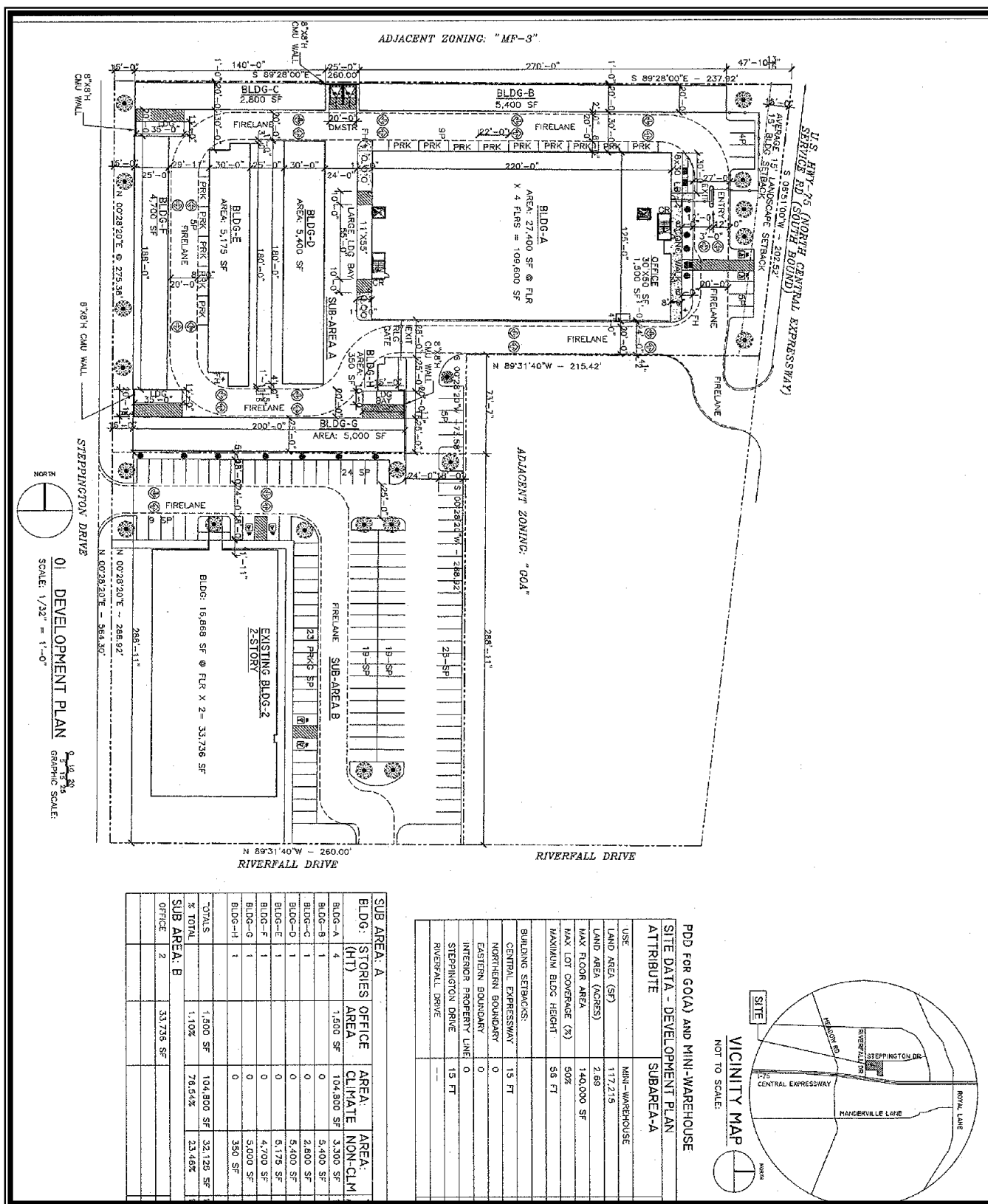
(c) For hotel and motel or extended stay hotel or motels, all guest rooms must have primary access to an internal hallway.

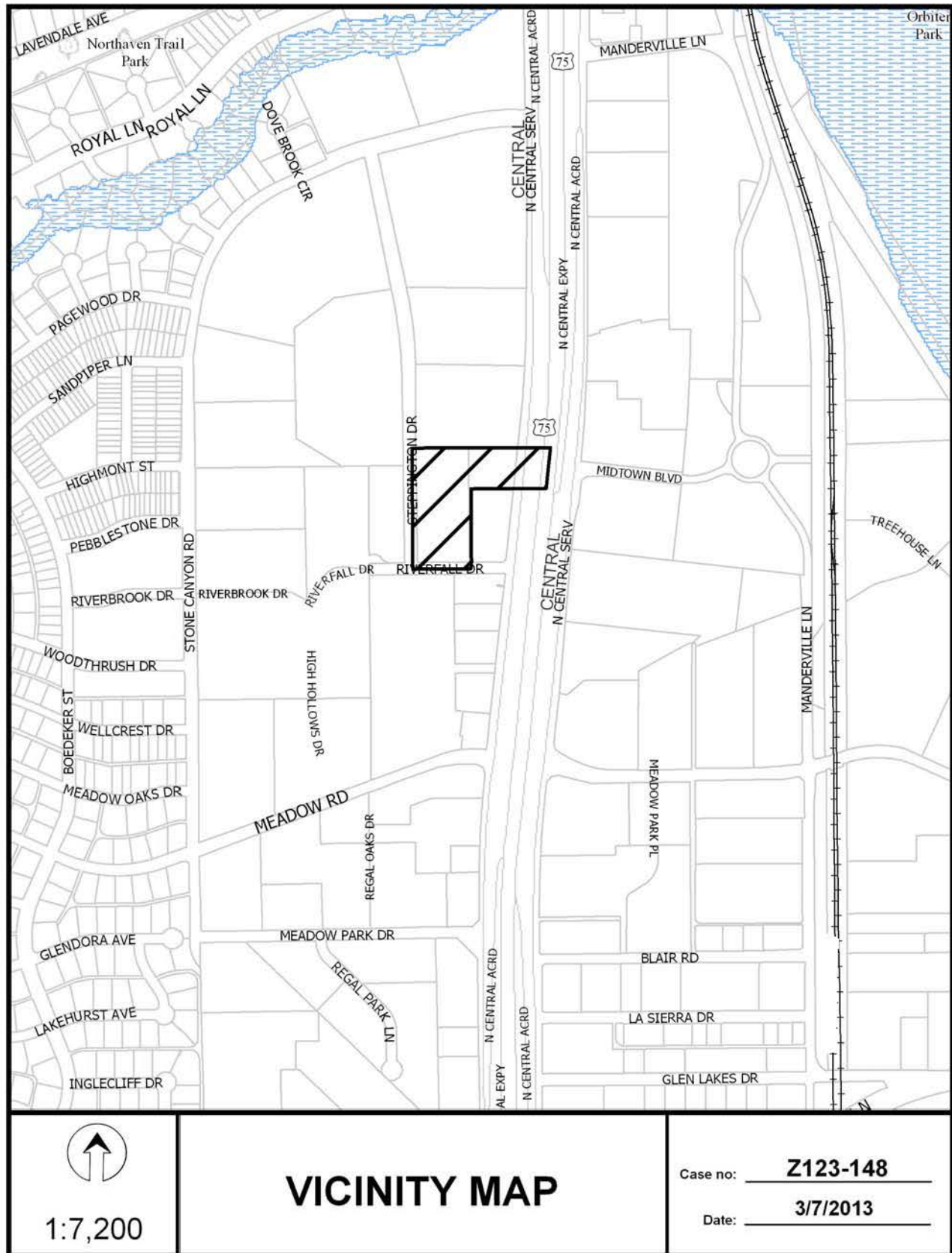
SEC. 51P-__117 COMPLIANCE WITH CONDITIONS.

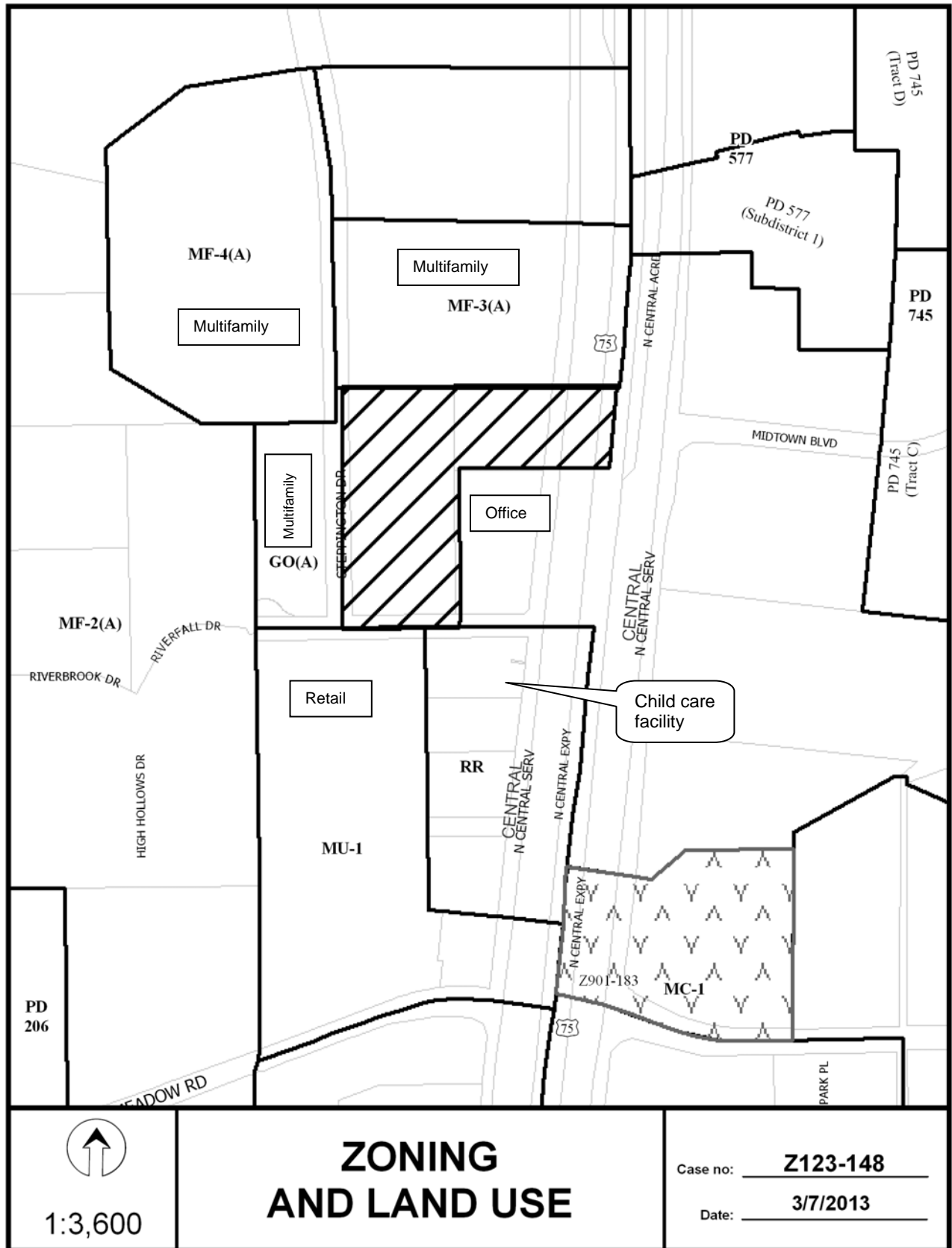
(a) All new paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(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.

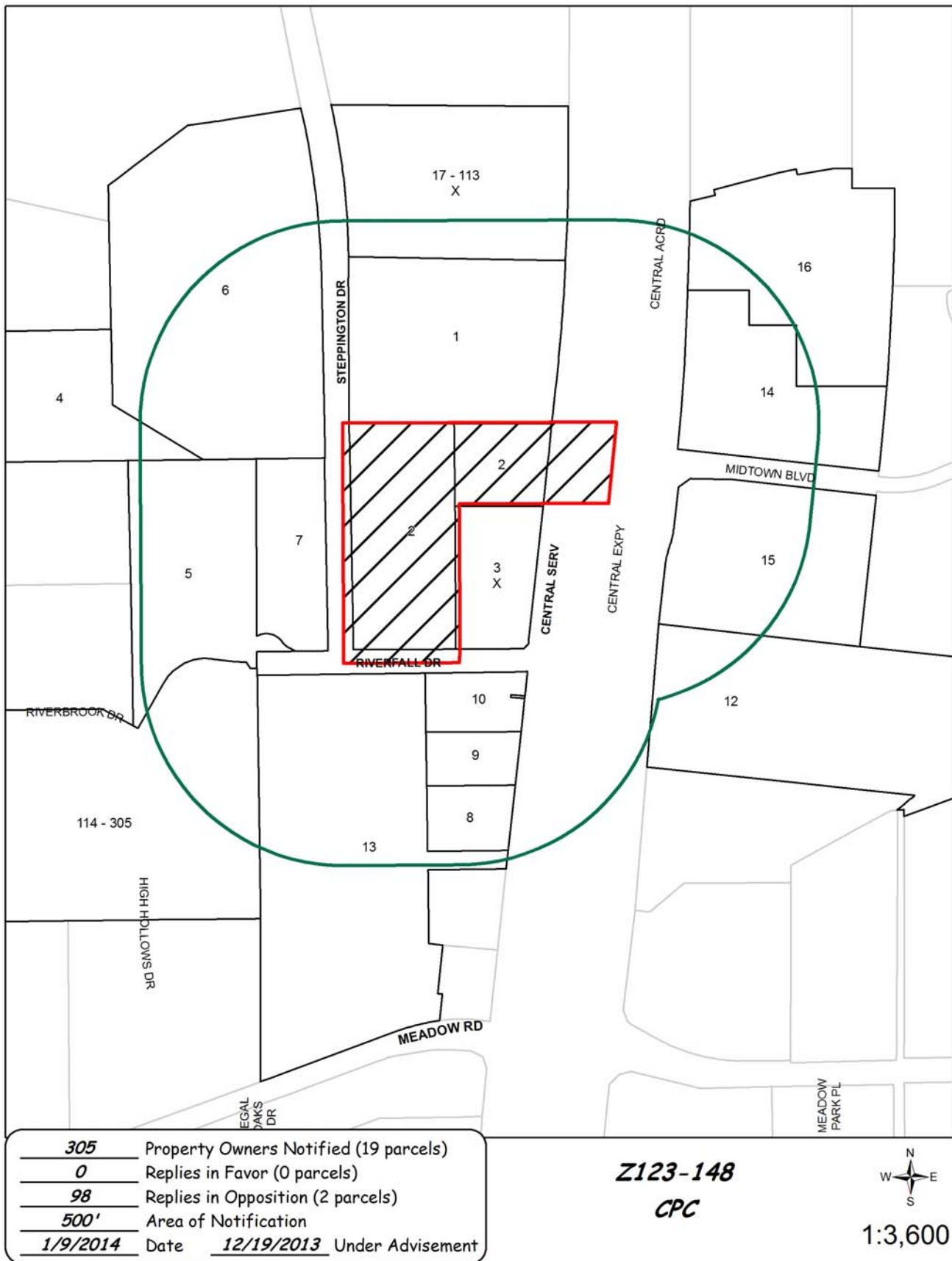
PROPOSED DEVELOPMENT PLAN







CPC RESPONSES



Notification List of Property Owners

Z123-148

305 Property Owners Notified			98 Property Owners Opposed		0 Property Owners in Favor	
Vote	Label #	Address	Owner			
X	1	10640	STEPPINGTON DR	STEPPINGTON DALLAS INC		
	2	10500	STEPPINGTON DR	06 QCC 0121 LLC		
	3	10501	CENTRAL EXPY	CHARTOWN NC GENERAL PS		
	4	10602	STONE CANYON RD	FATH VIEWPOINT LP		
	5	7879	RIVERFALL DR	IRG RIVERFALL LLC		
	6	10641	STEPPINGTON DR	SEVILLE URBAN INVESTMENTS		
	7	10501	STEPPINGTON DR	COLLCAIN LTD		
	8	10433	CENTRAL EXPY	CCP MEADOWCENT I LP		
	9	10443	CENTRAL EXPY	CHAN NELSON S & BELLE H		
	10	10453	CENTRAL EXPY	MEADOW & CENTRAL LTD PS		
	11	10453	CENTRAL EXPY	PRESCOTT INTERESTS LTD		
	12	10550	CENTRAL EXPY	COMMODORE PARTNERS LTD		
	13	10455	CENTRAL EXPY	MEADOW & CENTRAL LTD PS		
	14	10670	CENTRAL EXPY	SEARCH PLAZA OFFICE LP		
	15	10650	CENTRAL EXPY	COMMORDORE PTNRS LTD		
	16	10720	CENTRAL EXPY	SK23 NORTH DALLAS LTD		
X	17	10650	STEPPINGTON DR	GALVEZ CHARLES		
X	18	10650	STEPPINGTON DR	DUCHON MADELINE		
X	19	10650	STEPPINGTON DR	CABRIA MARIOLA M		
X	20	10650	STEPPINGTON DR	TALIS PAMELA D &		
X	21	10650	STEPPINGTON DR	SHELLENBERG DONALD P		
X	22	10650	STEPPINGTON DR	KAZIC EDIN &		
X	23	10650	STEPPINGTON DR	MINIKES ALAN N		
X	24	10650	STEPPINGTON DR	HERRON RODNEY GLEEN &		
X	25	10650	STEPPINGTON DR	MOORE JACQUELINE P		
X	26	10650	STEPPINGTON DR	LONG MICHAEL A		

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<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	27	10650 STEPPINGTON DR	BOSWELL YOLANDA ANN
X	28	10650 STEPPINGTON DR	NAIK JANDRERAI & MADHU
X	29	10650 STEPPINGTON DR	NEWMAN KATHERINE
X	30	10650 STEPPINGTON DR	WRETA DAWIT
X	31	10650 STEPPINGTON DR	REICHARDT WILLIAM
X	32	10650 STEPPINGTON DR	MALHI K S & MANJIT
X	33	10650 STEPPINGTON DR	NELSON VIRGINIA D
X	34	10650 STEPPINGTON DR	LEJEUNE AMANDA
X	35	10650 STEPPINGTON DR	BURSTYN PEARCE L
X	36	10650 STEPPINGTON DR	ZOU YONGLONG & WANG YUAN
X	37	10650 STEPPINGTON DR	MCCART TERRY D
X	38	10650 STEPPINGTON DR	ANDRADE MIRIAM C
X	39	10650 STEPPINGTON DR	BEHROOZI KAMRAN
X	40	10650 STEPPINGTON DR	CREIGHTON LARRY &
X	41	10650 STEPPINGTON DR	SHACKELFORD LEWIS L III
X	42	10650 STEPPINGTON DR	ADCOCK SHIRLEY A
X	43	10650 STEPPINGTON DR	DARRAH JOHN S
X	44	10650 STEPPINGTON DR	BRASLAVSKY GEORGY & LILYA
X	45	10650 STEPPINGTON DR	PYSIAK GREGORY & EVA
X	46	10650 STEPPINGTON DR	BRUER HOMER L
X	47	10650 STEPPINGTON DR	DAVIDSON ROBERT LAWRENCE &
X	48	10650 STEPPINGTON DR	SUTTERFIELD ODIS R TR &
X	49	10650 STEPPINGTON DR	RUBIO ROSA
X	50	10650 STEPPINGTON DR	LANGE NATALIE G
X	51	10650 STEPPINGTON DR	DELA PENA A & GABRIELA
X	52	10650 STEPPINGTON DR	VALENTINE CANDICE &
X	53	10650 STEPPINGTON DR	LONDON ALAN N & JEAN A
X	54	10650 STEPPINGTON DR	LONDON ALAN N & JEAN A
X	55	10650 STEPPINGTON DR	CAUSEVIC HASAN & DIKA
X	56	10650 STEPPINGTON DR	WHITE SUE
X	57	10650 STEPPINGTON DR	GARVIN CATHERINE L

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<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	58	10650 STEPPINGTON DR	FOWLER CHERYL A
X	59	10650 STEPPINGTON DR	HARRISON MARY B
X	60	10650 STEPPINGTON DR	SPANN LIBERTY MANAGEMENT
X	61	10650 STEPPINGTON DR	CARRASCO GILDA L
X	62	10650 STEPPINGTON DR	CASTANEDA GEORGE
X	63	10650 STEPPINGTON DR	GOLDMAN STANLEY
X	64	10650 STEPPINGTON DR	HAILU YODIT
X	65	10650 STEPPINGTON DR	SPRUIELL STANLEY M
X	66	10650 STEPPINGTON DR	JACOBS SUSAN D
X	67	10650 STEPPINGTON DR	LONDON ALAN M & JEAN A
X	68	10650 STEPPINGTON DR	MURILLO ESTALLA B
X	69	10650 STEPPINGTON DR	BARNETT DON &
X	70	10650 STEPPINGTON DR	CAUSEVIC ADEL
X	71	10650 STEPPINGTON DR	CHAROENDIREKSAP RUNGRATH
X	72	10650 STEPPINGTON DR	BAILEY TONYA B
X	73	10650 STEPPINGTON DR	WIDEMAN TERRENCE T
X	74	10650 STEPPINGTON DR	PATRICK & SONS LLC
X	75	10650 STEPPINGTON DR	TOLEDO TEX LLC
X	76	10650 STEPPINGTON DR	MORALES MARIBEL G
X	77	10650 STEPPINGTON DR	SMITH SHIRLEY A
X	78	10650 STEPPINGTON DR	GHEBRAY STEFANOS T
X	79	10650 STEPPINGTON DR	JACKSON JAMES
X	80	10650 STEPPINGTON DR	WILBER LYN REID
X	81	10650 STEPPINGTON DR	LIU YAN
X	82	10650 STEPPINGTON DR	FUENTES ALMA
X	83	10650 STEPPINGTON DR	GREBOW MARTIN
X	84	10650 STEPPINGTON DR	ABAY ASMAMAW
X	85	10650 STEPPINGTON DR	COX KIMBERLY LOU
X	86	10650 STEPPINGTON DR	SHULTS JANICE S
X	87	10650 STEPPINGTON DR	REASONOVER TODD
X	88	10650 STEPPINGTON DR	CHERNYAKHOVSKY CYNTHIA

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<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	89	10650 STEPPINGTON DR	ZERMENO MARIA
X	90	10650 STEPPINGTON DR	AGS INVESTMENTS LLC
X	91	10650 STEPPINGTON DR	DAVIS JON T
X	92	10650 STEPPINGTON DR	GARCIA VICTOR MANUEL
X	93	10650 STEPPINGTON DR	DILLINGHAM TOM
X	94	10650 STEPPINGTON DR	MURPHY STEPHEN CHAD
X	95	10650 STEPPINGTON DR	RIOPELLE ONEIDA
X	96	10650 STEPPINGTON DR	PERL JACK &
X	97	10650 STEPPINGTON DR	ANDREWS SUSAN
X	98	10650 STEPPINGTON DR	EBBIGHAUSEN RAY & JEAN
X	99	10650 STEPPINGTON DR	HUMPHRIES JOHN F JR & DENNIS R
X	100	10650 STEPPINGTON DR	PERRY MELISSA
X	101	10650 STEPPINGTON DR	PYSIAK GREGORY & EWA
X	102	10650 STEPPINGTON DR	LEE FLOYD H
X	103	10650 STEPPINGTON DR	GANE SUE H
X	104	10650 STEPPINGTON DR	LEE FLOYD H
X	105	10650 STEPPINGTON DR	SANFORD LILA
X	106	10650 STEPPINGTON DR	LONDON ALAN W &
X	107	10650 STEPPINGTON DR	SCHENKLER BRUCE G
X	108	10650 STEPPINGTON DR	KAZIC ESMA
X	109	10650 STEPPINGTON DR	MILLER SHERALYN O
X	110	10650 STEPPINGTON DR	SUMMEY JOHN M
X	111	10650 STEPPINGTON DR	WALL SIMEON H
X	112	10650 STEPPINGTON DR	MCINTOSH JAMES L
X	113	10650 STEPPINGTON DR	NGUYEN MYLY T
	114	10526 STONE CANYON RD	HOWELL CRAIG
	115	10526 STONE CANYON RD	MILLER MURIEL LIEBERS
	116	10526 STONE CANYON RD	FARRIS ROY D JR
	117	10526 STONE CANYON RD	STEWART VERA A
	118	10526 STONE CANYON RD	BERRY KENNETH
	119	10526 STONE CANYON RD	VYAS ABHINAV

Friday, January 10, 2014

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	10526	STONE CANYON RD	TIMRECK THOMAS J
121	10526	STONE CANYON RD	FLEMING GRACE
122	10530	STONE CANYON RD	EVANS EVA L
123	10530	STONE CANYON RD	KLEINMAN DIANA E
124	10530	STONE CANYON RD	MAY JANET WOODWARD
125	10530	STONE CANYON RD	SCHNORMEIER MARILYN R
126	10530	STONE CANYON RD	KANNER LEONARD
127	10530	STONE CANYON RD	SPT REAL ESTATE SUB III LLC
128	10530	STONE CANYON RD	TURNER KEVIN F & ET AL
129	10530	STONE CANYON RD	NEWBERG MARVIN
130	10532	STONE CANYON RD	KLP INVESTMENTS LLC
131	10532	STONE CANYON RD	HARTSOCK MARLENE
132	10532	STONE CANYON RD	DALEY PATRICK
133	10532	STONE CANYON RD	STONE MARILYN R & ALTON H
134	10534	STONE CANYON RD	HERNANDEZ REGINA T
135	10534	STONE CANYON RD	LITTLEJOHN COREY
136	10534	STONE CANYON RD	HAMILTON GREGORY G
137	10534	STONE CANYON RD	HERMOSILLO JOSE
138	10534	STONE CANYON RD	WILKINSON AARON C &
139	10534	STONE CANYON RD	RUBENSTEIN LEON
140	10534	STONE CANYON RD	VELEZ OSCAR GOMEZ &
141	10534	STONE CANYON RD	VELEZ OSCAR GOMEZ &
142	10536	STONE CANYON RD	LONGORIA BARBARA
143	10536	STONE CANYON RD	REEVES TERRY F
144	10536	STONE CANYON RD	GONZALES VANESSA V
145	10536	STONE CANYON RD	TAYLOR DEBORAH G
146	10536	STONE CANYON RD	DIAZ HUGH
147	10536	STONE CANYON RD	LOZANO ENEDELIA
148	10536	STONE CANYON RD	EMERSON NORA C
149	10536	STONE CANYON RD	PHAM JACQUELINE
150	10544	STONE CANYON RD	WARD BERT TRUST

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<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	10544	STONE CANYON RD	MIDDLETON CHARLES ZACHARY
152	10544	STONE CANYON RD	MURPHREE JOHN E
153	10544	STONE CANYON RD	GOODSON CAROLYN K
154	10544	STONE CANYON RD	WEISFELD RONALD A
155	10544	STONE CANYON RD	DONALDSON JAMES A
156	10544	STONE CANYON RD	ZAMLEN CYNTHIA JO
157	10544	STONE CANYON RD	WIGLEY ROBERT TR
158	10546	STONE CANYON RD	ZAK MICHAEL S
159	10546	STONE CANYON RD	BROWN LAUREN B
160	10546	STONE CANYON RD	KAGAN ALAN M
161	10546	STONE CANYON RD	LEVINE LAWRENCE J & MARCIA P
162	10546	STONE CANYON RD	NAVARRO WENDY C
163	10546	STONE CANYON RD	WILDE TARA C
164	10546	STONE CANYON RD	SANTIAGO DEWITT L
165	10546	STONE CANYON RD	MULLEY MARY
166	10548	STONE CANYON RD	DUKE BILLY J
167	10548	STONE CANYON RD	DUKE BJ
168	10548	STONE CANYON RD	ISAKSSON CHARLIE & JAHLYN C
169	10548	STONE CANYON RD	WALLACE JILL SANDEL BALLARD
170	10548	STONE CANYON RD	ISAACSON PAMELA
171	10548	STONE CANYON RD	CONDON KATHLEEN
172	10548	STONE CANYON RD	CHANNING JENNIFER A
173	10548	STONE CANYON RD	COLEMAN CALEB & VANESSA SALAZAR
174	10550	HIGH HOLLOWS DR	HOLLOWS NORTH CONDO ASSOC
175	10550	HIGH HOLLOWS DR	DAVIS MICHAEL
176	10550	HIGH HOLLOWS DR	WANG DIING-YUAN &
177	10550	HIGH HOLLOWS DR	CANTY JOHN P
178	10552	HIGH HOLLOWS DR	SMITH DONALD R & LYNDIA J
179	10552	HIGH HOLLOWS DR	FRITTS REX CALLOWAY
180	10552	HIGH HOLLOWS DR	HAVERSTICK MICHAEL
181	10552	HIGH HOLLOWS DR	CLARK NATHAN

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<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	10552	HIGH HOLLOWS DR	HOLLOWS NORTH CONDOMINIUM
183	10552	HIGH HOLLOWS DR	GENTILE NANCY
184	10552	HIGH HOLLOWS DR	FOREMAN SHERYL L
185	10552	HIGH HOLLOWS DR	CARSON WILLIAM C
186	10556	HIGH HOLLOWS DR	FITZGERALD DAVID M
187	10556	HIGH HOLLOWS DR	SEARSON REX LEROY &
188	10556	HIGH HOLLOWS DR	WHIDDEN DAVID L III &
189	10556	HIGH HOLLOWS DR	SCHILL TERRY M
190	10556	HIGH HOLLOWS DR	BARGONETTI MERRY ANN
191	10556	HIGH HOLLOWS DR	STERLING TRACY
192	10556	HIGH HOLLOWS DR	BURKET JAMES
193	10556	HIGH HOLLOWS DR	DAVIS ROBERT A ET AL
194	10558	HIGH HOLLOWS DR	MATISE JAN C
195	10558	HIGH HOLLOWS DR	KENDRA KAROL A
196	10558	HIGH HOLLOWS DR	MOMIN ASMA S
197	10558	HIGH HOLLOWS DR	WHITESIDE TRACY
198	10558	HIGH HOLLOWS DR	MANTANONA TINA
199	10558	HIGH HOLLOWS DR	SOMMER CLAUDIA M
200	10558	HIGH HOLLOWS DR	GOSNELL DAVID WILLIAM
201	10558	HIGH HOLLOWS DR	HARTLEP KORY
202	10562	HIGH HOLLOWS DR	MINTZ ERIN M
203	10562	STONE CANYON RD	LEE SELMA RUE
204	10562	HIGH HOLLOWS DR	GUARDIAN MTG CO INC
205	10562	HIGH HOLLOWS DR	ISAKSSON CHARLIE &
206	10562	HIGH HOLLOWS DR	KLEIN KATHERINE JOANNA
207	10562	HIGH HOLLOWS DR	NEWBERG MARVIN J
208	10562	HIGH HOLLOWS DR	BLAIR DAVID C
209	10562	HIGH HOLLOWS DR	HANNAH BRYON W
210	10564	HIGH HOLLOWS DR	HOLLOWS NORTH CONDO ASN INC
211	10564	HIGH HOLLOWS DR	HINKLE MELISSA
212	10564	HIGH HOLLOWS DR	BARBERO ISABEL

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<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	10564	HIGH HOLLOWS DR	DRYZER LOWELL M TRUST &
214	10564	HIGH HOLLOWS DR	MCCURRACH PAMELA & DAVID
215	10564	HIGH HOLLOWS DR	HUD
216	10564	HIGH HOLLOWS DR	GRIFFITH CHARLES D
217	10564	HIGH HOLLOWS DR	HOLM RICHARD D
218	10566	HIGH HOLLOWS DR	BARRETT MARTHA E
219	10566	HIGH HOLLOWS DR	VINSONHALER MARY C
220	10566	HIGH HOLLOWS DR	BERNBAUM PHYLISS N
221	10566	HIGH HOLLOWS DR	COUNTS LYNNA KAY
222	10566	HIGH HOLLOWS DR	ORDNER JOHN R & KAREN W TRUSTEES
223	10566	HIGH HOLLOWS DR	MOORE D P
224	10566	HIGH HOLLOWS DR	LEON JAIRO CHING
225	10566	HIGH HOLLOWS DR	ALCALA LUIS M
226	10570	HIGH HOLLOWS DR	SORIA MARIO &
227	10570	HIGH HOLLOWS DR	POUNDS TIM L & BUNNI
228	10570	HIGH HOLLOWS DR	YARBROUGH DANA LEE
229	10570	HIGH HOLLOWS DR	CATHCART PATRICIA
230	10572	HIGH HOLLOWS DR	MONTGOMERY MILLIE
231	10572	HIGH HOLLOWS DR	TSCHUMY SHEILA A
232	10572	HIGH HOLLOWS DR	ALCALEN LIVING TRUST
233	10572	HIGH HOLLOWS DR	ANDERSON DENISE
234	10574	HIGH HOLLOWS DR	WILKERSON KAREN M
235	10574	HIGH HOLLOWS DR	ALOI TOM
236	10574	HIGH HOLLOWS DR	SMITH SHARON E
237	10574	HIGH HOLLOWS DR	DUBNOV WILLIAM L
238	10574	HIGH HOLLOWS DR	GROCE TERESA ANN
239	10574	HIGH HOLLOWS DR	GLENN DON V
240	10574	HIGH HOLLOWS DR	MCCOY DENNIS G
241	10574	HIGH HOLLOWS DR	JSL TRUST
242	10578	HIGH HOLLOWS DR	MARTIN OPAL S
243	10578	HIGH HOLLOWS DR	VIRDEN JOHN C

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<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	10578	HIGH HOLLOWS DR	MARSHALL JUNE
245	10578	HIGH HOLLOWS DR	SMITH DIANNE
246	10578	HIGH HOLLOWS DR	D & F PRODUCTIONS LTD
247	10578	HIGH HOLLOWS DR	ZIELINSKI TANYA A
248	10578	HIGH HOLLOWS DR	JACKSON LORIE M
249	10578	HIGH HOLLOWS DR	CURTIS CONSTANCE C
250	10580	HIGH HOLLOWS DR	KEOUGH KATHRYN
251	10580	HIGH HOLLOWS DR	SAIDI ROSAMOND VIRGINIA
252	10580	HIGH HOLLOWS DR	AIKMAN ANITA G
253	10580	HIGH HOLLOWS DR	BLOCK HOWARD
254	10580	HIGH HOLLOWS DR	RING INTERNATIONAL LLC
255	10580	HIGH HOLLOWS DR	ARONSON THOMAS W
256	10580	HIGH HOLLOWS DR	FRANCE WARREN D
257	10580	HIGH HOLLOWS DR	GUCHEREAU JAN
258	10584	HIGH HOLLOWS DR	WILMOTH AMANDA BYARS &
259	10584	HIGH HOLLOWS DR	LOWE FRED FAMILY PTNRS LTD
260	10584	HIGH HOLLOWS DR	MILAKOVICH MARKS & ANNA
261	10584	HIGH HOLLOWS DR	FISHER FRANCES JUNE EST OF
262	10584	HIGH HOLLOWS DR	BAGGETT SUSANNE L
263	10584	HIGH HOLLOWS DR	GARNER NANCY
264	10584	HIGH HOLLOWS DR	DIA PROPERTIES
265	10584	HIGH HOLLOWS DR	GARRETT CONNIE
266	10586	HIGH HOLLOWS DR	PHILLIPS JOYCE I &
267	10584	HIGH HOLLOWS DR	BRZEZINSKI ARTUR & ETAL
268	10586	HIGH HOLLOWS DR	JANIAK TERESA
269	10586	HIGH HOLLOWS DR	GOLDBERG DAVID V
270	10588	HIGH HOLLOWS DR	GALER VINCENT H
271	10588	HIGH HOLLOWS DR	GERSON CHARISSE
272	10588	HIGH HOLLOWS DR	WERN JASON E
273	10588	HIGH HOLLOWS DR	WILLIAMS CAROL RAND TR
274	10588	HIGH HOLLOWS DR	WILLIAMS-EAKINS CATEHRINE E

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<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
275	10588	HIGH HOLLOWS DR	TOASTON TANISHA A
276	10588	HIGH HOLLOWS DR	MARTINEZ ARMANDO & FLORENCIA
277	10588	HIGH HOLLOWS DR	KATZEN ELLEN
278	10590	HIGH HOLLOWS DR	HUNTER TANA LYNN
279	10590	HIGH HOLLOWS DR	CALVERT EVELYN A
280	10590	HIGH HOLLOWS DR	BRUCH MICHELE
281	10590	HIGH HOLLOWS DR	DOWLER LYNNE L
282	10590	HIGH HOLLOWS DR	TRUSTEE SERVICES OF AMERICA INC
283	10590	HIGH HOLLOWS DR	LAMBERT HELEN &
284	10590	HIGH HOLLOWS DR	DOWLER LYNNE L & DONALD R
285	10590	HIGH HOLLOWS DR	REN XIJING
286	10594	HIGH HOLLOWS DR	LAMBERT ALLISON
287	10594	HIGH HOLLOWS DR	MONARCH MARTHA
288	10594	HIGH HOLLOWS DR	ASTRAHAN EDELWEISS P
289	10594	HIGH HOLLOWS DR	GARCIA RUBIELA VILLA
290	10594	HIGH HOLLOWS DR	WILDBERGER PAUL L
291	10594	HIGH HOLLOWS DR	CLARK ADAIR W
292	10594	HIGH HOLLOWS DR	HALL LEANNE C
293	10594	HIGH HOLLOWS DR	MINOR TRACY
294	10596	HIGH HOLLOWS DR	SEIJAS ENNIE
295	10596	HIGH HOLLOWS DR	SCHROEDER WENDY K
296	10596	HIGH HOLLOWS DR	SEIJAS ENNIE G
297	10596	HIGH HOLLOWS DR	CADY LESLIE G & CHARLINE
298	10598	HIGH HOLLOWS DR	BARNETT DON &
299	10598	HIGH HOLLOWS DR	MUETHER ROBERT MICHAEL
300	10598	HIGH HOLLOWS DR	GOULD KEVIN A
301	10598	HIGH HOLLOWS DR	SMITH SUSAN L
302	10598	HIGH HOLLOWS DR	GRANGER GAYLE E
303	10598	HIGH HOLLOWS DR	RUPP BETTY JO
304	10598	HIGH HOLLOWS DR	SCHLICHTING STEPHEN J
305	10598	HIGH HOLLOWS DR	GRAY EMILY E

Friday, January 10, 2014

AGENDA ITEM # 45

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 12, 2014
COUNCIL DISTRICT(S): 11
DEPARTMENT: Sustainable Development and Construction
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 4 Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned a CR Community Retail District on the northeast corner of Arapaho Road and North Dallas Tollway

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

Z123-322(WE)

ACM: Theresa O'Donnell**FILE NUMBER:** Z123-322(WE) **DATE FILED:** June 24, 2013**LOCATION:** Arapaho Road and North Dallas Tollway, northeast corner**COUNCIL DISTRICT:** 11 **MAPSCO:** 4-Z**SIZE OF REQUEST:** Approx. 6.2 acres **CENSUS TRACT:** 136.20

APPLICANT/OWNER: SA-OMAX 2007, L.P.**REPRESENTATIVE:** MASTERPLAN
Dallas Cothrum or Maxwell Fisher**REQUEST:** An application for a Planned Development District for mixed uses on property zoned a CR Community Retail District.**SUMMARY:** The purpose of this request is to allow for the construction of a 440-unit multifamily development**CPC RECOMMENDATION:** Approval, subject to a development plan and conditions.**STAFF RECOMMENDATION:** Approval, subject to a development plan and conditions.**DESIGNATED ZONING CASE**

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The surrounding area is characterized by mixed uses and retail uses. The proposed development will not have a negative impact upon surrounding property.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is located within an Urban Neighborhood Building Block and is compliance with the forwardDallas! Comprehensive Plan. However, it should be noted that the Greater Far North Dallas Area Land use and Transportation Plan supports a density almost three times less than what is proposed. Given the location of this site and the surrounding land uses, staff believes the Comprehensive Plan, a more recent plan for the entire city, should guide this land use determination.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The proposed development cannot comply with the block length requirement for WM-5 zoning. Therefore, the applicant has submitted this PD request. Staff is considering bringing forward amendments to address future developments that may exceed the block length standards.

BACKGROUND INFORMATION:

- The applicant's request for a Planned Development District for multifamily uses will allow for construction of a 440-unit multifamily development. The proposed development will comply with the WM-5 development standards and regulations.
- The WM-5 District will allow the applicant the flexibility to vary the structure height of the proposed development. The structure height may vary between 2 and 5 stories, or a maximum height of 80 feet. The applicant proposes to develop approximately 528,288 square feet of buildable floor area on site, which includes a 5-1/2 story parking garage.
- The request site is adjacent to the North Dallas Tollway to the west, retail and restaurant uses to the east and PDD No. 614 to the south, across Arapaho Road, which consist of various retail and office uses. There are additional retail uses to the south, across Arapaho Road that are in an MU-1 Mixed Use District.

Zoning History: There have been three recent zoning change requests in the area.

1. Z067-163 On March 22, 2007, the City Plan Commission denied without prejudice an amendment to the conditions on Tract VI of Planned

Development No. 614 for RR Regional Retail uses on the west side of Montfort Drive, south of Arapaho Road.

2. Z078-206 On July 24, 2008, the City Plan Commission denied without prejudice a MU-2 Mixed Use District on property zoned a CR Community Retail District on the east line of the North Dallas Tollway, north of Arapaho Road.
3. Z101-249 On January 11, 2012, the City Council approved a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern on the west side of Knoll Trail Drive, north of Arapaho Road.

Land Use:

	Zoning	Land Use
Site	CR	Office Max, Sports Authority
North	A(A), RR	Rail Line, Office
South	CR, RR	Retail, Office, Service Center
East	MU-1	Retail
West		City of Addison

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 Plan identifies the request site being adjacent to a Transit Centers or Multi-Modal Corridors Building Block and within an Urban Neighborhood Building Block.

The Transit Centers or Multi-Modal Corridors support a compact mix of employment, retail, cultural facilities and housing. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from

the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety. The site is adjacent to a proposed DART rail line.

The Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The multifamily development proposed for the site is compatible with the existing development in the area. The flexibility of zoning for WM-5 District uses will allow for the necessary density to construct the multifamily development. However, the Greater Far North Dallas Area Land use and Transportation Plan recommends a lower residential and non-residential density.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas

ECONOMIC:

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions

Area Plan: The request site is located with the Greater Far North Dallas Area Land Use and Transportation Plan, Update 1995 and recommends medium density commercial, retail and offices uses for the area. The Study also recommends that commercial, retail, and office uses not exceed a 2.0 FAR and limits a maximum of 24 units per acre for residential uses.

STAFF ANALYSIS:

Land Use Compatibility: The proposed Planned Development District for a multifamily development will provide the applicant the flexibility to construct a 440-unit multifamily development. The intent of the WM-5 District is to provide the flexibility to various developments by creating a walkable urban neighborhood where higher density mixed use and mixed housing types promote less dependence on the automobile. The proposed low-to-medium multifamily development will create a walkable pedestrian environment. The proposed development is adjacent retail uses and is near the Cottonbelt Trail, where the City Trail Master Plan shows the trails connection from the City of Addison to Richardson through Far North Dallas on an existing rail easement.

The applicant is also proposing to enhance specific design criteria within the proposed development. These additional standards will include incorporating wider sidewalks, street furniture and banners to allow for a more pedestrian friendly development. Even though the proposed multifamily development is limited to a maximum structure height of 80 feet, the proposed structure may be located within the Addison Airport's designated flight path.

In addition, the proposed multifamily development will be developed with a maximum density of 70.96-units per acre. These proposed densities do not comply with the development standards that are recommended in the Greater Far North Dallas Area Land Use and Transportation Plan. The Plan recommends Medium Density type commercial, retail, or office uses for the area and a 2.0 Floor Area Ratio and 24 units per acre for residential uses. However, there are several Planned Development Districts in the surrounding area that were developed with residential uses that exceeded the density of 24-units per acre as recommended in the above report.

Staff can support a higher density mixed use development at this location even though the Greater Far North Dallas Area Land Use and Transportation Plan recommends a lower density of 24 dwelling units per acre. The request site has primary access from Arapaho Road and the North Dallas Tollway Frontage Road and could support a higher density development.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CR – Existing Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
PDD for WM-5 Multifamily	Per plan'	5'/5'	70.9 DUA	80' 5 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Multifamily

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
North Dallas Tollway		Variable lane widths	Variable lane widths
Arapaho Road	Principal Arterial	100 ft.	100 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

Landscaping: Landscaping of any development will be in accordance with Article X with the exception of street trees. The applicant requests to adhere to Public Utility standards.

Parking: Parking will be provided in a structure, subject to code.

CPC Action: (January 9, 2014)

Motion: It was moved to recommend **approval** a Planned Development District for mixed uses, subject to a development plan and conditions on property zoned a CR Community Retail District on the northeast corner of Arapaho Road and North Dallas Tollway.

Maker: Bernbaum
Second: Hinojosa
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 25
Replies: For: 3 Against: 0

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

**LIST OF OFFICERS
SA-OMAX 2007, L.P.**

- Don Ferris, President - sole officer

**CPC PROPOSED PDD
CONDITIONS**

ARTICLE ____.
PD ____.

SEC.51P-____101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No. _____, passed by the Dallas City Council on _____, 2014.

SEC. 51P-____102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located on the northeast corner of Arapaho Road and Dallas Parkway. The size of PD ____ is approximately 6.2 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: BLADE SIGN means a sign projecting perpendicularly from a main building facade, visible from both sides, and made of rigid or soft materials.

(c) This district is considered to be a residential district.

SEC 51P- ____104. EXHIBIT.

The following exhibit is incorporated in this article:

Exhibit ____A: development plan.

SEC. 51P- ____105. DEVELOPMENT PLAN.

(a) Development and use of the Property must comply with the development plan (Exhibit ____). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control. Development plans may be submitted in phases.

SEC 51P-__106. MAIN USES PERMITTED.

(a) The only main uses permitted are those main uses permitted in the WR-5 Walkable Urban Residential District, subject to the same conditions applicable in the WR-5 Walkable Urban Residential District, as set out in Chapter 51A-13.306. For example, a use permitted in the WR-5 Walkable Urban Residential District only by specific use permit (SUP) is permitted only by SUP in the WR-5 Walkable Urban Residential District.

SEC. 51P-__107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-13.306. For more information regarding accessory uses, consult Section 51A-13.306.

SEC. 51P-__108. DISTRICT REGULATIONS.

(Note: The district regulations in this section must be read together with district regulations of Division 51A-13.300. If there is a conflict between this section and Division 51A-13.300, this section controls.)

SEC. 51P-__109. DEVELOPMENT TYPES.

Except as provided in this section, development must comply with Sections 51A.13.300 through 51A-13.304 District Regulations and Development Types.

SEC. 51P-__110. OFF-STREET PARKING AND LOADING.

Except as provided in this section, consult the use regulations contained in Division 51A-13.402 for the specific off-street parking/loading requirements for each use.

SEC.51P-__111. NEW MINOR STREETS.

Except as provided in this section, block perimeters must adhere to the provisions Section 51A-13.502 New Minor Streets. The required pedestrian path along the northern property line, as shown on the development plan, shall satisfy provisions of Section 51A-13.502 (a)(3)(C) and Section 51A-13.502(b)(7) regarding a mid-block pedestrian passage, allowing a block perimeter of greater than 1,600 lineal feet.

SEC. 51P-__112. DESIGN STANDARDS.

(a) Purpose. Continuous facades along pedestrian-oriented streets often have negative impacts on community aesthetics, pedestrian circulation, and the scale and rhythm of streetscapes. These design standards are intended to ensure that continuous

facades that are located along well-traveled pedestrian ways are compatible with the surrounding area and mitigate the negative impact of continuous facades, while allowing creativity, flexibility, and variety in design.

(b) Facade walls. Facade walls facing a public right-of-way, including DART right-of-way, must incorporate at least three of the following design elements. The remaining facade walls must incorporate at least two of the following design elements. The cumulative length of these design elements must extend for at least 60 percent of the facade wall's horizontal length.

(1) A repeating pattern of wall recesses and projections, such as bays, offsets, reveals, or projecting ribs, that has a relief of at least eight inches.

(2) Trim, molding, or accent elements using decorative contrasting colors of at least five percent of the area of the facade wall.

(3) At least three of the following design elements at the primary entrance, so that the primary entrance is architecturally prominent and clearly visible from the abutting street:

(A) Architectural details such as arches, friezes, tile work, murals, or moldings.

(B) Integral planters or wing walls that incorporate landscaping or seating.

(C) Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.

(D) Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets.

(E) Awnings, lintels, or other features.

(4) A repeating pattern of pilasters projecting from the facade wall by a minimum of eight inches or architectural or decorative columns.

(5) Display windows, faux windows, or decorative windows.

(6) Arcades, awnings, canopies, covered walkways, or porticos.

(7) Any other comparable design elements approved by the building official.

(c) Facade wall changes. Facade walls, excluding garage structures, must have one or more of the following:

(1) Changes of color, texture, or material, either diagonally, horizontally, or vertically, at intervals of not less than 20 feet and not more than 100 feet.

(2) Changes in plane with a depth of at least 24 inches, either diagonally, horizontally, or vertically, at intervals of not less than 20 feet and not more than 100 feet.

(d) Materials.

(1) The exterior façade walls must be comprised of at least 80 percent masonry. Masonry includes stone, brick, concrete, stucco, hollow clay tile, cementitious fiber siding, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials. For purposes of this provision, Exterior Finish Insulations System (EFIS) materials are not considered masonry. Textured painted tilt wall may be used on no more than 20 percent of the area of the facade walls.

(2) When adjacent to or visible from a public right-of-way, excluding any rail right-of-way, exterior parking structure facades must be constructed in a way that is similar in materials, architecture, and appearance to the facade of the main structure or the adjacent structure, except that breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations. Openings in the exterior parking structure facade may not exceed 50 percent of the total parking structure facade area, except for garages facing the DART rail line. Garages facing the rail line may not have openings exceeding 60 percent of the total parking structure façade area. Except garage entrances and exits, openings in parking structure facades that are visible from an adjacent public right-of-way, excluding any rail road right-of-way, may not exceed 45 percent of the total parking structure.

(e) Roofs.

(1) Roof-mounted mechanical equipment, skylights, and solar panels must be screened or set back so they are not visible from a point 5.5 feet above grade at the property line. Screening materials must match the materials and colors used on the main building. Chainlink fences may not be used as a screening material.

(2) Roofs must have at least one of the following design elements:

(A) Parapets having a rhythmic pattern and detailing such as cornices, moldings, trim, or variations in brick coursing.

(B) Sloping roofs with the following design elements:

(i) Slope of at least 5:12.

(ii) Two or more slope planes.

(3) Sloping roofs must be asphalt composition shingles, metal standing seam, clay tiles, concrete tiles, or similar materials.

(4) Overhanging eaves extending at least two feet beyond the supporting wall.

SEC. 51P-___113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P.-___114. LANDSCAPING

Except as provided in this section, landscaping must be provided in accordance with Section 51A-13.304 (2) Development Types, Landscaping:

(1) Trees may be placed in tree wells and encroach into the sidewalk.

(2) A minimum 14-foot wide landscape buffer strip and pedestrian path shall be provided along the northern perimeter from the public sidewalk along the eastern parkway of the Dallas Parkway. The pedestrian path within the minimum 14-foot wide area must be no less than seven (7) feet wide. A minimum of one large tree shall be provided for each 40 lineal feet of pedestrian path. These trees may count toward meeting the minimum site tree requirements of Section 51A-13.304 (e)(6).

(3) Landscaping may be installed in phases in accordance with the area approved on the development plan.

SEC. 51P.-___115. SITE DEVELOPMENT REGULATIONS.

Except as provided in this section, development must adhere to Section 51A-13.600. Site Development Regulations.

(1) ADA approved tree well grates may be provided in sidewalks and are not considered an obstruction.

(2) Pedestrian path. Refer to Section 51P Landscaping above for specifications of the required pedestrian path along the northern property line.

(3) Enhanced paving. Vehicular access points from rights-of-way must have a change in surface materials (or enhanced paving) such as pavers, bricks, patterned concrete or stamped or stained concrete. Each section of enhanced paving must have a minimum length of 10 feet for drive entrances and must span the entire width of the driveway throat (from curb to curb). Stained, imprinted or scored/patterned concrete are acceptable paving treatments to meet this provision. This provision may count towards any credits afforded by Section 51A-13.300.

(4) Pedestrian amenities.

(1) The following pedestrian amenities are required on the site:

(A) a minimum of five (5) benches;

(B) a minimum of four (4) trash receptacles;

C) pedestrian lighting placed at a minimum of one per 75 lineal feet of frontage on a public street; and

D) pedestrian lighting must be provided for each 50 feet of pedestrian path as required in Section 51A-____ Site Development Standards.

(5) All pedestrian amenities must be maintained by the owner of the property; if there is more than one owner, all owners are jointly and severally responsible for maintenance.

SEC. 51P- 116. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions of Section 51A-13.603 Signs.

(b) For multifamily uses and retirement housing, three blade signs are allowed, subject to the following regulations:

(1) Maximum effective area for each blade sign is 72 square feet per side except that blade signs located along the Dallas Parkway may have an effective area not to exceed 92 square feet. Blade signs may be internally illuminated only on Dallas Parkway and Arapaho Road.

(2) Blade signs must be attached to a main structure.

(3) Blade signs may project a maximum of 2.5 feet into required setbacks.

SEC. 51P- 117. ADDITIONAL PROVISIONS.

(a) One temporary leasing or sales office may be erected for up to 180 days from the date of permit without the requirement of a development plan. The temporary leasing office is permitted within the required setbacks. The building official may approve additional 30-day extensions.

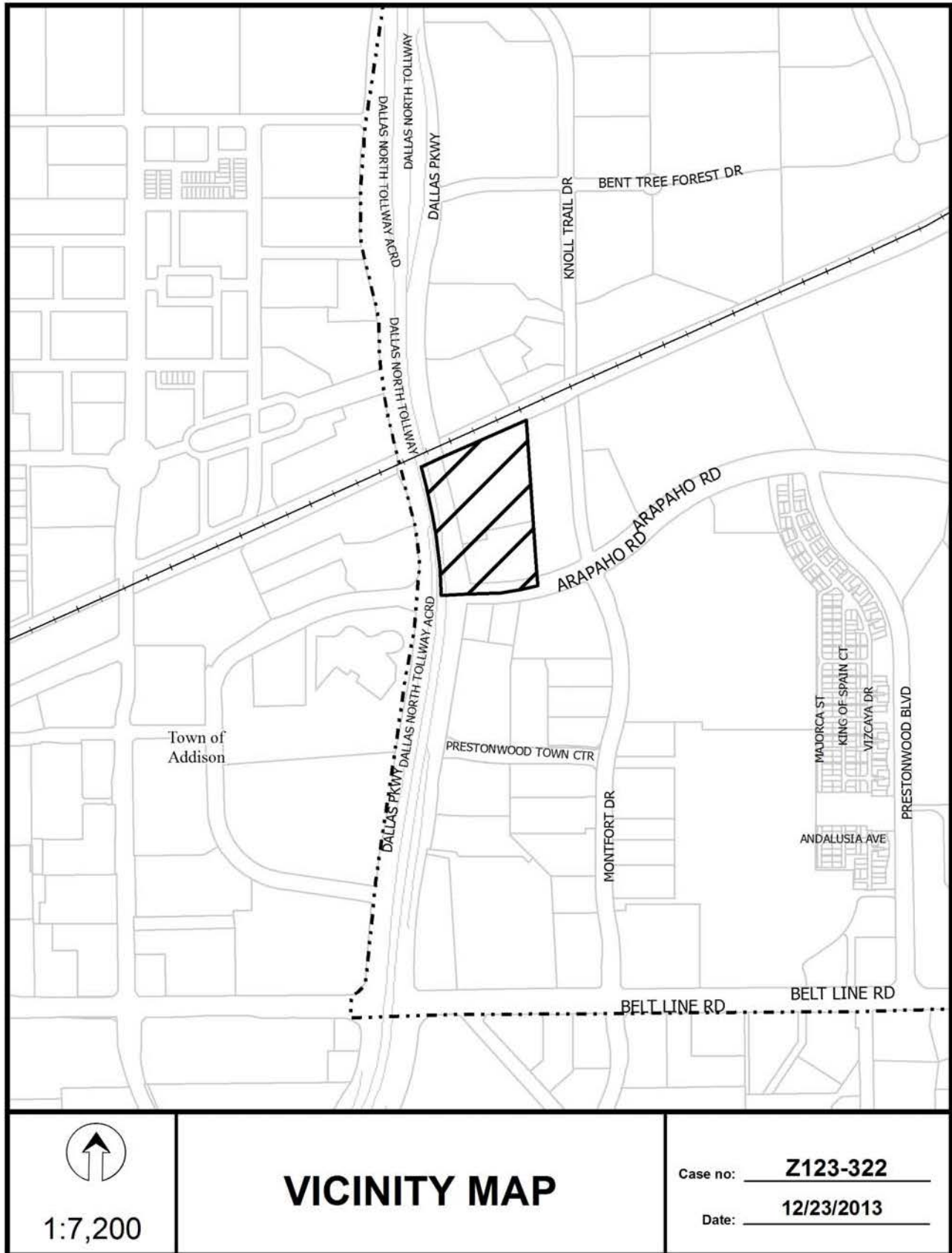
(b) The Property must be properly maintained in a state of good repair and neat appearance.

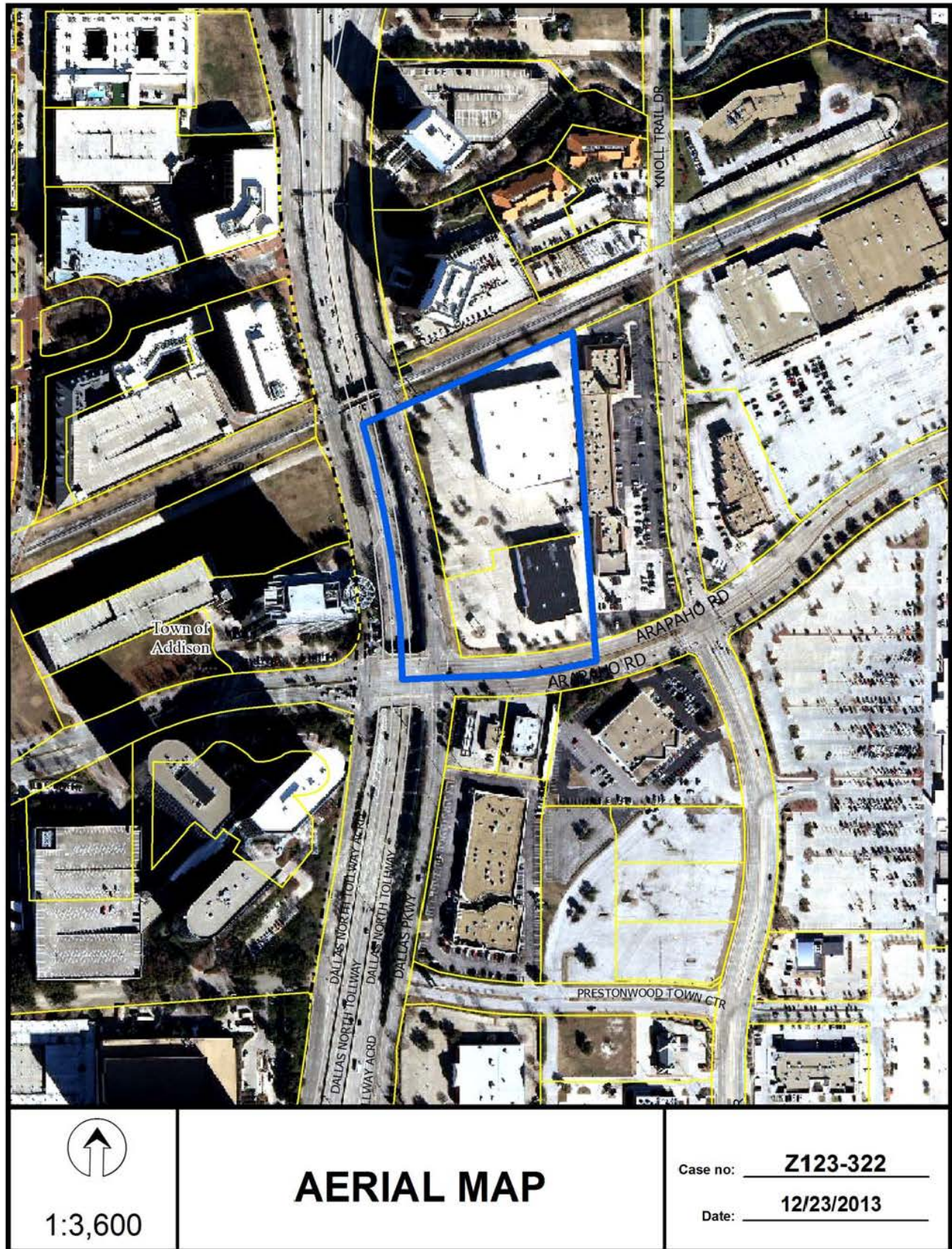
(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

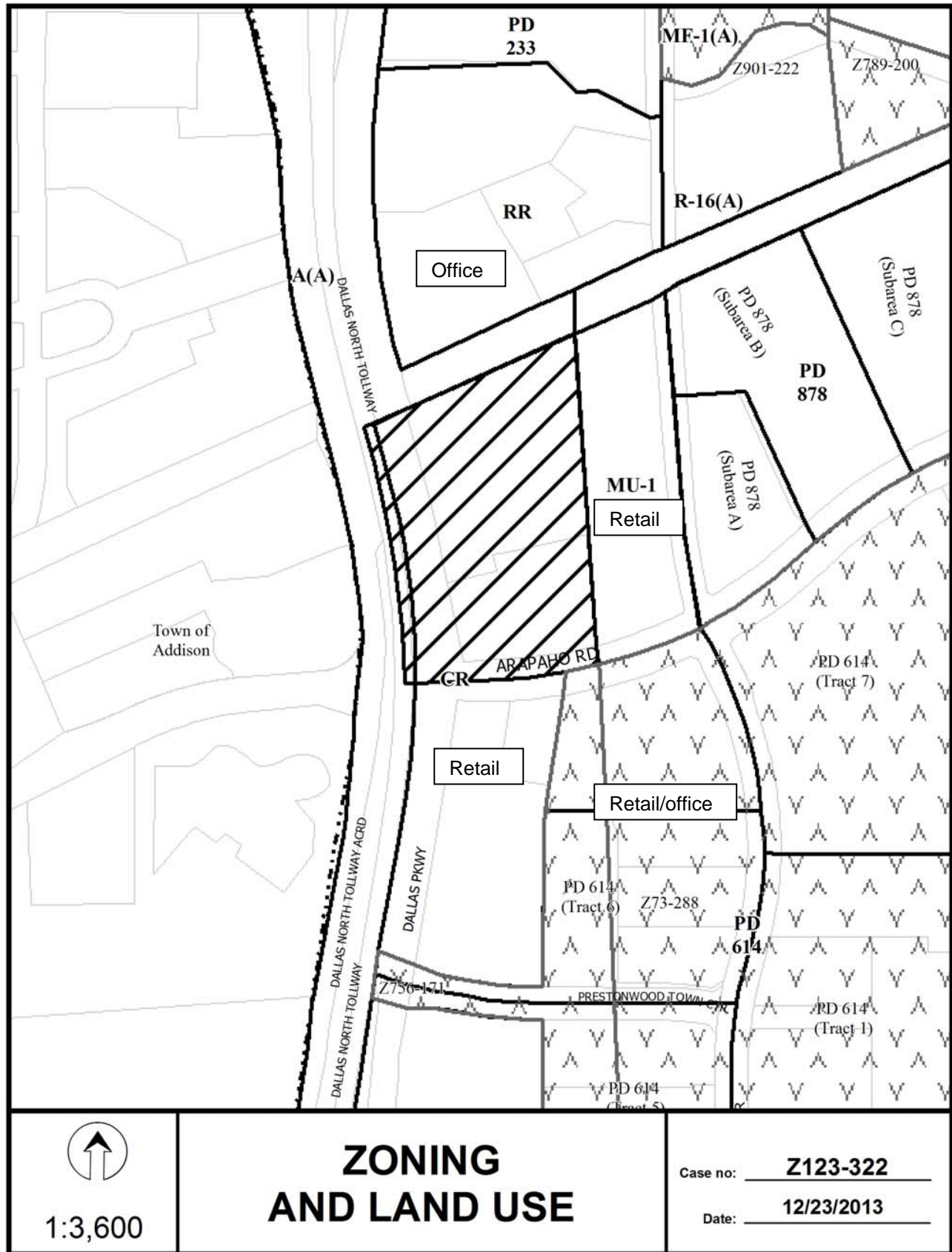
SEC. 51P-___118. COMPLIANCE WITH CONDITIONS.

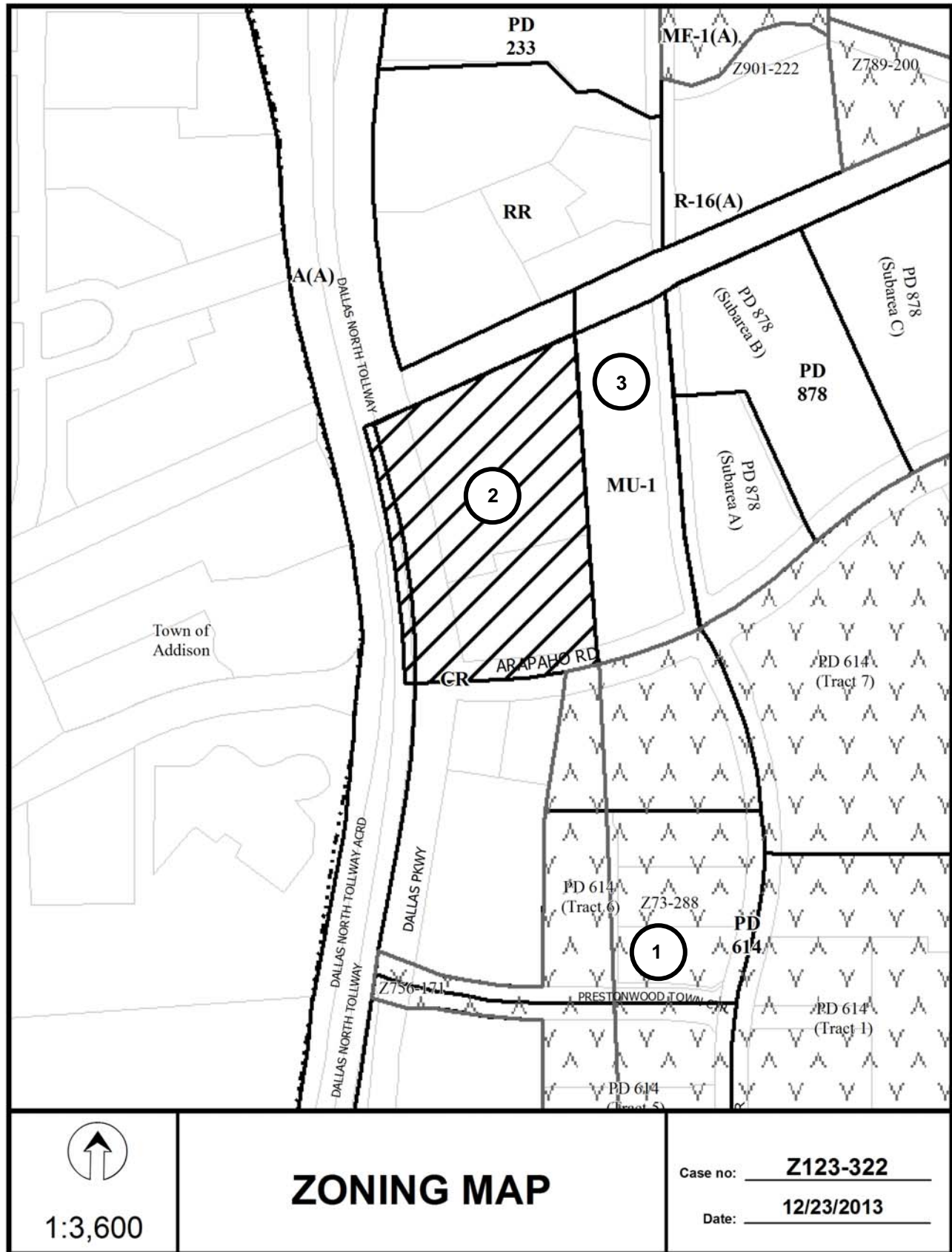
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

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

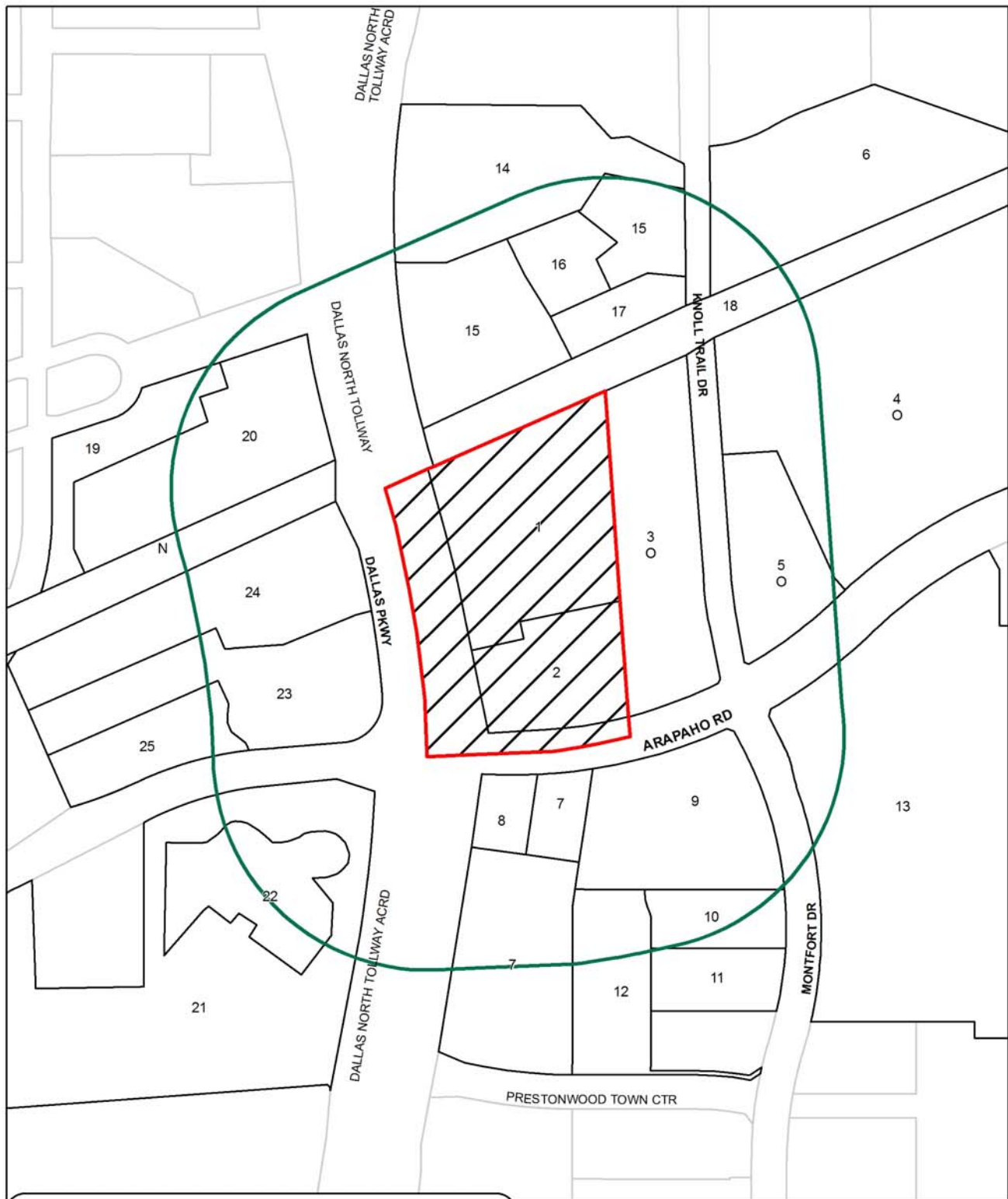








CPC RESPONSES



<u>25</u>	Property Owners Notified (28 parcels)
<u>3</u>	Replies in Favor (3 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>500'</u>	Area of Notification
<u>1/9/2014</u>	Date

Z123-322
CPC



1:3,600

Notification List of Property Owners

Z123-322

<i>25 Property Owners Notified</i>		<i>0 Property Owners Opposed</i>		<i>3 Property Owners in Favor</i>
<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>	
	1	15490 DALLAS PKWY	SA OMAX 2007 LP	
	2	15440 DALLAS PKWY	SA OMAX 2007	
O	3	15203 KNOLL TRAIL DR	PRESTONWOOD PARTNERS LTD	
O	4	5519 ARAPAHO RD	PV PRESTONWOOD I LTD	
O	5	5519 ARAPAHO RD	PV PRESTONWOOD II LTD	
	6	15400 KNOLL TRAIL DR	PRESTONWOOD REALTY LTD	
	7	5314 ARAPAHO RD	SANDS JULIA ELIZABETH	
	8	5304 ARAPAHO RD	SANDS JULIA ELIZABETH TRUST	
	9	15402 PRESTONWOOD BLVD	JEWISH FAMILY SERVICE OF	
	10	15313 MONTFORT DR	BLUE WAVE MONFORT	
	11	15313 MONTFORT DR	ZORDA MANAGEMENT CORP	
	12	15237 MONTFORT DR	GENIUSCHILD II LLC	
	13	15220 MONTFORT RD	WAL-MART REAL ESTATE BUSI	
	14	15770 DALLAS PKWY	ONE WEST LTD	
	15	15441 KNOLL TRAIL DR	GRANITE ONE WEST LTD	
	16	15443 KNOLL TRAIL DR	BRO CO LLC	
	17	15401 KNOLL TRAIL DR	TEXAS UTILITIES ELEC CO	
	18	401 BUCKNER BLVD	DART	
	19	15500 QUORUM DR	POST ADDISON CIRCLE	
	20	15601 DALLAS PKWY	FSP ADDISON CIR LP	
	21	15301 DALLAS PKWY	FPG COLONNADE LP	
	22	15303 DALLAS PKWY	FPG COLONNADE LP	
	23	15455 DALLAS PKWY	KBS MILLENNIUM I LLC	
	24	15403 DALLAS PKWY	CHAMPION TOLLWAY PARTNERS LP	
	25	5002 ARAPAHO RD	CMA LAND LLC	

Friday, January 10, 2014

AGENDA ITEM # 46

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 10

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 16 Y; 26 C; D

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 456 on property zoned Planned Development District No. 456, Planned Development District No. 133 and an R-10(A) Single Family District on property generally bounded by Forest Lane, Landa Lane, Skyline Drive, Shepard Road, and Stults Road

Recommendation of Staff and CPC: Approval, subject to a conceptual/development plan, traffic exhibit and conditions

Z123-364(JH)

FILE NUMBER: Z123-364(JH)

DATE FILED: August 30, 2013

LOCATION: Generally bounded by Forest Lane, Landa Lane, Skyline Drive,
Shepard Road, and Stults Road

COUNCIL DISTRICT: 10

MAPSCO: 16-Y, 26-C, D

SIZE OF REQUEST: Approx. 66.4 acres

CENSUS TRACT: 78.05

REPRESENTATIVE: Tom Barone

APPLICANT: Presbyterian Communities & Services

OWNER: Presbyterian Village North

REQUEST: An application to amend and expand Planned Development District (PDD) No. 456 on property zoned PDD No. 456, PDD No. 133 and R-10(A) Single Family Residential District.

SUMMARY: The applicant proposes to expand the Planned Development District to allow the redevelopment of the convalescent and nursing homes, hospice care, and related institutions, retirement housing, and adult day care uses. Proposed redevelopment includes multiple two-story buildings, a three-story building, two four-story buildings, and one centrally located six-story building limited to the locations shown on a conceptual plan.

CPC RECOMMENDATION: **Approval**, subject to a conceptual/development plan, traffic exhibit, and conditions

STAFF RECOMMENDATION: **Approval**, subject to a conceptual/development plan, traffic exhibit, and conditions

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to conditions based upon:

1. *Performance impacts upon surrounding property (lighting, noise, odor, etc.)* – The proposed redevelopment of the property will meet the screening requirements for residential adjacency, which will mitigate any negative impacts.
2. *Traffic impact* – The increased density will impact the surrounding traffic circulation. However, the proposed conditions in the TIA as part of the PD will mitigate these issues. These conditions include an evaluation of the signal timing at Forest Lane and Greenville Avenue and restriping to create a turn lane on Landa Lane prior to the completion of the last phase of redevelopment.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed conditions comply with *forward Dallas!*.
4. *Deviation from base zoning* – PD's were previously approved on this site to provide a development to accommodate the desired density while still being contextually sensitive to the surrounding neighborhoods. The applicant is requesting up to six stories for a building centrally located within the site and some new four-story buildings. Currently PDD No. 133 limits height to 24 feet and PDD No. 455 to 36 feet. The four- and six-story buildings will comply with residential proximity slope.

BACKGROUND INFORMATION:

- The request site is currently with convalescent and nursing homes, hospice care, and related institutions, retirement housing, and adult day care uses. The existing structures range from one to three stories in height. There are multiple buildings that will provide nursing care and wellness programs that are accessory to the convalescent use.
- The applicant is proposing a phased redevelopment of the majority of the request site. New buildings will range from one to six stories.

Zoning History:

1. Z090-221 On March 9, 2011, the City Council denied without prejudice an application for a Planned Development District for a commercial amusement (inside) use on property zoned an R-10(A) Single Family District located on the west side of Stults Road, south of Forest Lane.

STAFF ANALYSIS:

Comprehensive Plan:

The request complies with the following land use goals and policies of the Comprehensive Plan because of the additional housing options proposed. The conceptual/development plan will allow the redevelopment of the property to occur in phases.

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

HOUSING ELEMENT

GOAL 3.1 ENSURE A SUSTAINABLE AND EFFICIENT LONG-RANGE HOUSING SUPPLY

Policy 3.1.2 Encourage alternatives to single-family housing developments for homeownership.

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 Compatibility:

The surrounding land uses are single family to the north across Skyline Drive; office and retail to the north across Forest Lane; single family residential to the west and south; church and school to the south; child care facility to the southeast; and church and medical office to the east.

The request site provides a range of housing options – single-family detached, townhouse, apartment, and assisted living type structures. Currently, most structures are one- or two-story. On the proposed conceptual/development plan, structures are labeled with their proposed heights when it will exceed a two-story building. Taller buildings, up to a six-story building (72 feet), are located in Subareas B and C, Tract 1 and are generally internal to the site. These buildings comply with the residential proximity slope.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Forest Lane	Principle Arterial	120 ft
Skyline Drive	Local	50 ft
Landa Lane	Local	50 ft
Shepard Drive	Local	50 ft
Stults Drive	Local	60 ft

Parking/Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and recommends the PD conditions include the traffic improvements indicated in the traffic impact analysis. The PD conditions will require the traffic improvements if those improvements are warranted at the time of the last phase of development.

The redevelopment of the convalescent and nursing homes, hospice care, and related institutions, retirement housing, and adult day care uses will provide parking in accordance with Chapter 51A parking requirements in the form of surface parking and underground parking structures.

Landscaping:

The proposed PD conditions indicate that the landscaping for the redevelopment will comply with Article X, but may consider the subareas as artificial lots and may be provided in phasing. This will allow for building permits for the area where construction will occur to provide the required landscaping in that area without having to fully comply with Article X on the entire site.

List of Partners/Principals/Officers

PRESBYTERIAN COMMUNITIES AND SERVICES

Godwin Dixon, Chief Executive Officer
Brenda Terry, VP of Operations
Kliff Rodgers, Chief Financial Officer
Ric D'Amico, Director of Project Development

PRESBYTERIAN VILLAGE NORTH

BOARD OF TRUSTEES

Howard Chase, FACHE
Lisa Clark, M.D.
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Rev. Blair Monie
Phillip Wentworth
Sharon Walker
Tom Williams
Michael G. Wright, Chair

CPC MINUTES – January 9, 2014

Z123-364(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to recommend **approval** to amend and expand Planned Development District (PDD) No. 456, subject to a conceptual/development plan, traffic exhibit and revised conditions on property zoned PDD No. 456, PDD No. 133 and R-10(A) Single Family Residential District on property generally bounded by Forest Lane, Landa Lane, Skyline Drive, Shepard Road, and Stults Road.

Maker: Shellene
Second: Bagley
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 247
Replies: For: 5 Against: 18

Speakers: For: Thomas Barone, 4144 N. Central Expwy., Dallas, TX, 75204, Ron Kelly, 11405 Prestige Dr., Frisco, TX, 75033, Walter Arnold, 1602 Country Hills Dr., Midlothian, TX, 76065
Against: None

CPC RECOMMENDED PD CONDITIONS

ARTICLE 133.

PD 133.

SEC. 51P-133.101. LEGISLATIVE HISTORY.

~~PD 133 was established by Ordinance No. 17254, passed by the Dallas City Council on January 6, 1982. Ordinance No. 17254 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 17254 was amended by Ordinance No. 17603, passed by the Dallas City Council on November 10, 1982.~~

SEC. 51P-133.102. PROPERTY LOCATION AND SIZE.

~~PD 133 is established on property generally located at the southwest corner of Forest Lane and Landa Lane. The size of PD 133 is approximately 9.2113 acres.~~

SEC. 51P-133.103. DEFINITIONS AND INTERPRETATIONS.

~~(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 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 51.~~

SEC. 51P-133.104. SITE PLAN.

~~Utilization of the Property must be in accordance with a site plan approved by the city plan commission on October 7, 1982, and labelled Exhibit 133A.~~

SEC. 51P-133.105. USES.

~~The uses in this PD are limited to a residence home for the aged and as follows:~~

~~(1) Ten one-bedroom residences.~~

~~(2) Forty-six two-bedroom residences.~~

~~(3) Eleven private residences.~~

SEC. 51P-133.106. HEIGHT.

~~No structure may exceed 24 feet in height.~~

~~SEC. 51P-133.107. PARKING.~~

~~_____ A minimum of 96 parking spaces must be provided and located as shown on the approved site plan.~~

~~SEC. 51P-133.108. PAVING.~~

~~(a) All parking spaces, aisles, maneuvering areas, and driveway connections to streets or alleys, whether enclosed or unenclosed, must be surfaced to comply with the standards set out in the Dallas Development Code.~~

~~_____ (b) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications to the satisfaction of the director of public works and transportation.~~

~~SEC. 51P-133.109. GENERAL REQUIREMENTS.~~

~~_____ Utilization of this property must be in compliance with all other applicable statutes, codes, and regulations of the city.~~

~~SEC. 51P-133.110. COMPLIANCE WITH CONDITIONS.~~

~~_____ The building official shall not issue a certificate of occupancy until there is full compliance with this article, together with all applicable provisions of the Dallas City Code, as amended.~~

~~SEC. 51P-133.111. ZONING MAP.~~

~~_____ PD 133 is located on Zoning Map No. D-8.~~

ARTICLE 456.

PD 456.

SEC. 51P-456.101. LEGISLATIVE HISTORY.

PD 456 was created by Ordinance No. 22913, passed by the Dallas City Council on October 9, 1996. Ordinance No. 22913 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Ordinance No. 22913 was amended by Ordinance No. 24382, passed by the Dallas City Council on September 13, 2000.

SEC. 51P-456.102. PROPERTY LOCATION AND SIZE.

PD 456 was established on property generally located between Skyline Drive and Stults Road, west of Shepherd Road. The size of PD 456 is approximately ~~53.972~~ 66.4 acres.

SEC. 51P-456.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations contained in Chapter 51A apply. In this division,

~~In this article,~~

(1) ~~on-site laundry facility~~ ON-SITE LAUNDRY FACILITY means a facility for the cleaning or laundering of garments or linens used by or for the residents of the convalescent and nursing homes, hospice care, and other related institutions, the retirement housing uses, and the adult day care facility.

(b) ~~Unless otherwise stated, all code references are to Chapter 51A. Unless otherwise stated, all references to articles, divisions, or sections in this article are articles, divisions, or sections in Chapter 51A.~~

(c) ~~For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, t This district is considered to be a residential zoning district.~~

SEC.51P- . EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit A: conceptual/development plan.

(2) Exhibit B: traffic improvements.

SEC. 51P-456.104. CONCEPTUAL/DEVELOPMENT PLAN.

Development and use of the Property must comply with the conceptual/development plan (Exhibit 456A). ~~The development portion of the plan is labeled Phase I and the conceptual portion of the plan is labeled Phase II. A development plan for Phase II must be approved by the city plan commission prior to the issuance of a building permit. Exhibit 456A serves as a development plan for Subareas A and B and a conceptual plan for all other subareas.~~ Exhibit 456A serves as a development plan for Subareas A and B and a conceptual plan for all other subareas. In the event of a conflict between the provisions of this article and the conceptual/development plan, the provisions of this article control.

SEC.51P-____.____ DEVELOPMENT PLAN.

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. Development plans may be submitted in phases or for any portion of the Property. If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-456.105. MAIN USES PERMITTED.

- (a) Adult day care facility.
- (b) Convalescent and nursing homes, hospice care, and related institutions.
- (c) Retirement housing.

SEC. 51P-456.106. ACCESSORY USES.

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

(b) The following activities or amenities are specifically permitted as accessory uses on the Property:

(1) Activity center uses, which include but are not limited to:

(A) health offices, including a physician's office with two examining rooms, an occupational therapist office, a physical therapy room, a dental office, and a podiatrist office;

(B) auditorium;

(C) chapel, including a chaplain's and counseling office;

(D) central dining room;

(E) game and card rooms;

(F) library;

(G) administrative offices, including areas for the administrator, secretaries, security, accountants, program director, and social worker, and a reception area;

(H) barber and beauty shops;

(I) volunteer office;

(J) resident commissary and gift shop;

(K) food service area, including an area for the receiving, storage, refrigeration and preparation of food, and office area;

(L) central mail room;

(M) classrooms for instruction in ceramic, woodworking, weaving, painting, and other crafts; and

(N) on-site laundry facility.

(2) Recreational and related uses, which include but are not limited to:

(A) three hole golf course and putting green;

(B) two tennis courts;

(C) two shuffleboard courts;

(D) one greenhouse;

(E) small park with an appropriate structure;

(F) swimming pool;

(G) maintenance and storage facilities;

(H) six guest houses.

(c) Three guard houses.

(d) The accessory uses listed in Subparagraph (b) above are intended for the sole use of the residents of the convalescent and nursing homes, hospice care, and related institutions, the retirement housing uses, and the adult day care facility. These uses may be located in one or more buildings or locations on the Property.

SEC. 51P-456.107. 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) Front, side, and rear yards. Front, side, and rear yard setbacks and exceptions to the setbacks must be provided as shown on the conceptual/development plan.

(b) Density.

(1) Maximum number of dwelling units or suites permitted on the Property is ~~824~~ 1,032.

~~(2) Maximum number of dwelling units or suites permitted in Phase I is 550.~~

~~(3) Maximum number of dwelling units or suites permitted in Phase II is 375.~~

~~(#) Floor area ratio. Maximum floor area ratio is 0.5.~~

(c) Height.

~~(1) Phase I maximum structure heights are restricted as follows:~~

~~(A) For housing types "N" and "G" as shown on the conceptual/development plan, maximum structure height is 36 feet.~~

~~(B) For housing types "P" and "C" as shown on the conceptual/development plan, maximum structure height is 24 feet.~~

~~(C) Maximum height for the activity center is 36 feet.~~

~~(D) Maximum height for all other structures is 24 feet.~~

(21) The structure located along Stults Road and containing the adult day care facility use may project through a residential proximity slope to a height not to exceed 36 feet and the skilled nursing transitional care building located along Stults Road, as shown on the conceptual/development plan.

~~(3) Phase II maximum structure height is 36 feet.~~

(2) Subareas A, D and F. Maximum height is 30 feet.

(3) Subareas B and E. Maximum height is 55 feet.

(4) Subarea C. Maximum height is 72 feet.

(d) Lot coverage. Maximum lot coverage is ~~22~~ 25 percent.

(e) Lot size. No minimum lot size.

(f) Stories. No maximum number of stories.

SEC. 51P-456.108. OFF-STREET PARKING AND LOADING.

~~(a) Phase I and II off-street parking must be provided as follows:~~

~~_____ (1) One space per every six beds for the convalescent and nursing homes, hospice care, and related institutions.~~

~~_____ (2) One space per dwelling unit or suite for the retirement housing use.~~

~~_____ (3) One space per employee position for the shift which employs the most number of people on the Property.~~

~~_____ (4) Three spaces for each tennis court.~~

~~_____ (5) One space per 500 square feet of floor area for the adult day care facility.~~

~~_____ (b) Phase I off-street parking must be located as shown on the conceptual/development plan.~~

~~_____ Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.~~

SEC. 51P-456.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-456.110. LANDSCAPE PLAN, TREE MITIGATION, AND BUFFER STRIP.

~~_____ (a) A landscape plan for each Phase I building site subarea that complies with Article X must be submitted to and approved by the city plan commission before issuance of a building permit increasing the floor area within the building site by more than 10 percent. Each landscape plan must indicate the caliper of trees and the types and quantity of plant material. In addition, each plan must be reasonably consistent with the standards and purposes of Article X. in accordance with the applicability standard in Article X.~~

~~_____ (b) Landscaping for Phase II must be provided in accordance with Article X.~~

~~_____ (c) For Phases I and II, tree mitigation must comply with the regulations contained in Division 51A-10.130.~~

~~_____ (d) For Phase I, a minimum ten-foot-wide landscape buffer strip must be provided and shown on a landscape plan for the following property:~~

~~_____ (1) Adjacent to the boundary of the district beginning at the north line of Stults Road, thence north along a line North 00 degrees 03 minutes 58 seconds West for a distance of 253.01 feet.~~

~~_____ (2) Adjacent to the boundary of the district along a line North 89 degrees 35 minutes 50 seconds West along the north line of Stults Road for a distance of 439.96 feet.~~

~~_____ (3) Adjacent to the boundary of the district along a line South 00 degrees 12 minutes 30 seconds West for a distance of 353 feet to the north line of Stults Road.~~

(b) A subarea may be landscaped as an artificial lot and may be permitted in phases if phases are shown on an approved landscaping plan.

~~(e c) For Phases I and II, pPlant material must be maintained in a healthy, growing condition.~~

SEC. 51P-456.111. SIGNS.

(a) Signs must comply with the provisions for non-business zoning districts contained in Article VII.

(b) A sign that requires right turn only from the hours of 7:30 a.m. to 8:30 a.m. on school days must be erected along Stults Road, as shown on the conceptual/development plan.

SEC. 51P-456.112. PRIVATE STREETS.

~~The Phase I private street shown on the conceptual/development plan must have a minimum pavement width of 28 feet and must meet Internal driveways may be private streets if all paving requirements of the department of public works and transportation are met.~~

SEC. 51P-456.113. SCREENING. FENCING.

~~_____ Phase I screening must be provided as shown on the conceptual/development plan and city plan commission approved landscape plans. In addition, all Phase I and II parking areas which face adjacent residential uses must be screened by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface:~~

~~_____ (1) Brick, stone, or concrete masonry, stucco, concrete, or wood wall or fence.~~

~~_____ (2) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width.~~

~~_____ (3) Evergreen plant materials recommended for local area use by the director of parks 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 a maximum of 24 inches on center over the entire length of the bed unless the building~~

~~official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.~~

(a) A fence located in the required front yard may be built to a maximum height of six feet above grade if all conditions in the following subparagraphs are met:

(1) No gates for vehicular traffic may be located less than 20 feet from the back of the street curb.

(2) No fence panel having less than 50 percent open surface area may be located less than five feet from the front lot line. For purposes of this subsection, fence panels are the portions of the fence located between the posts or columns.

(3) Columns may not exceed eight feet in height.

SEC. 51P-456.114. LIGHTING.

~~In Phases I and II,~~ Lighting must comply with the following standards:

(1) Tennis courts. Lighting must be reflected downward and directed into the interior of the courts. All lighting must be turned off by 10:00 p.m.

(2) Shuffleboard courts. Lighting must be reflected downward and directed into the interior of the courts. All lighting must be turned off by 10:00 p.m.

(3) Swimming pool. Lighting must be reflected downward and directed into the pool. All lighting must be turned off by 10:00 p.m.

(4) Additional lighting. All additional lighting must be reflected toward the interior of the Property.

SEC. 51P-456.115. ~~FIRE LANE.~~ TRAFFIC IMPROVEMENTS.

~~_____ In Phase I, an approved 20-foot-wide, hard-surfaced fire lane easement must be designated, marked, and maintained pursuant to the requirements of Section 16-61 of the Dallas Fire Code as shown on the conceptual/development plan.~~

_____ Before the issuance of a permit for construction in Subarea F, the following traffic improvements must be installed or completed at the owner's expense if warranted in accordance with city standards and Exhibit 456C and approved by the city's traffic engineer.

_____ (a) Restripe Landa Lane for exclusive right and left turn lane into Forest Lane.

_____ (b) Revise existing traffic signal phasing patterns during the peak period at the Forest Lane and Greenville Avenue intersection.

SEC. 51P-456.116. 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 applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city.

SEC. 51P-456.117. GENERAL REQUIREMENTS.

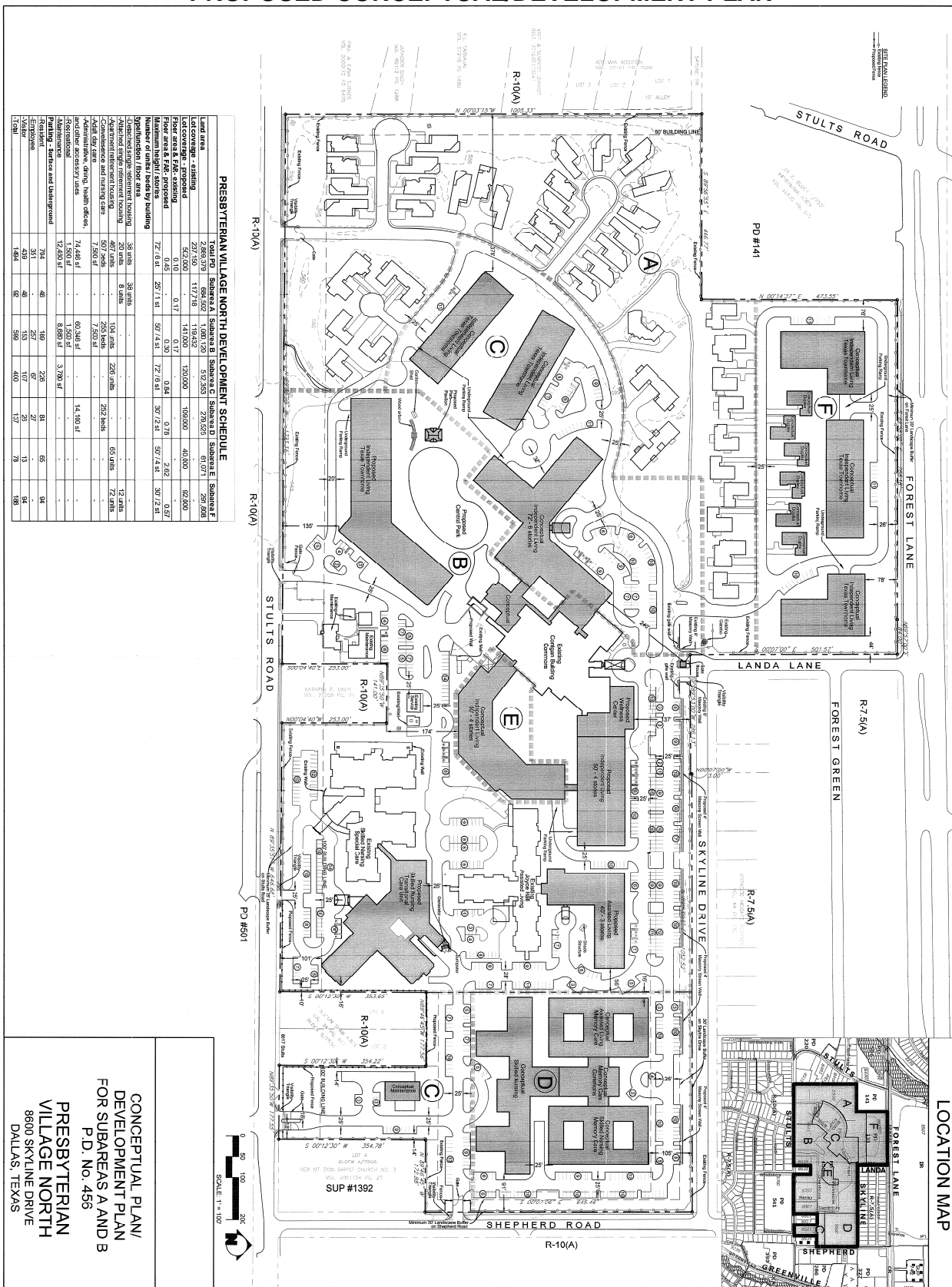
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

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

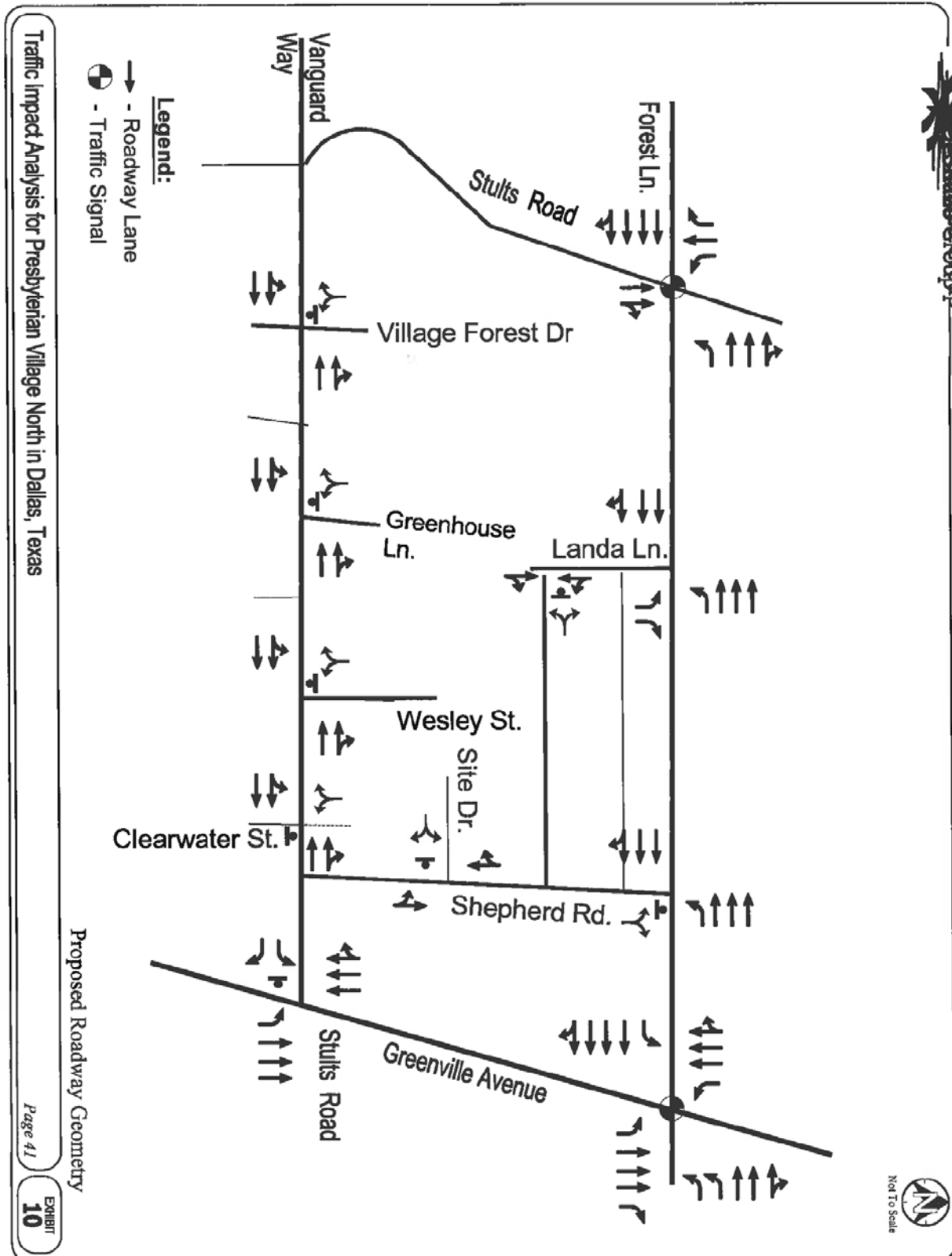
~~SEC. 51P-456.118. ZONING MAP.~~

~~PD 456 is located on Zoning Map Nos. D-8 and E-8.~~

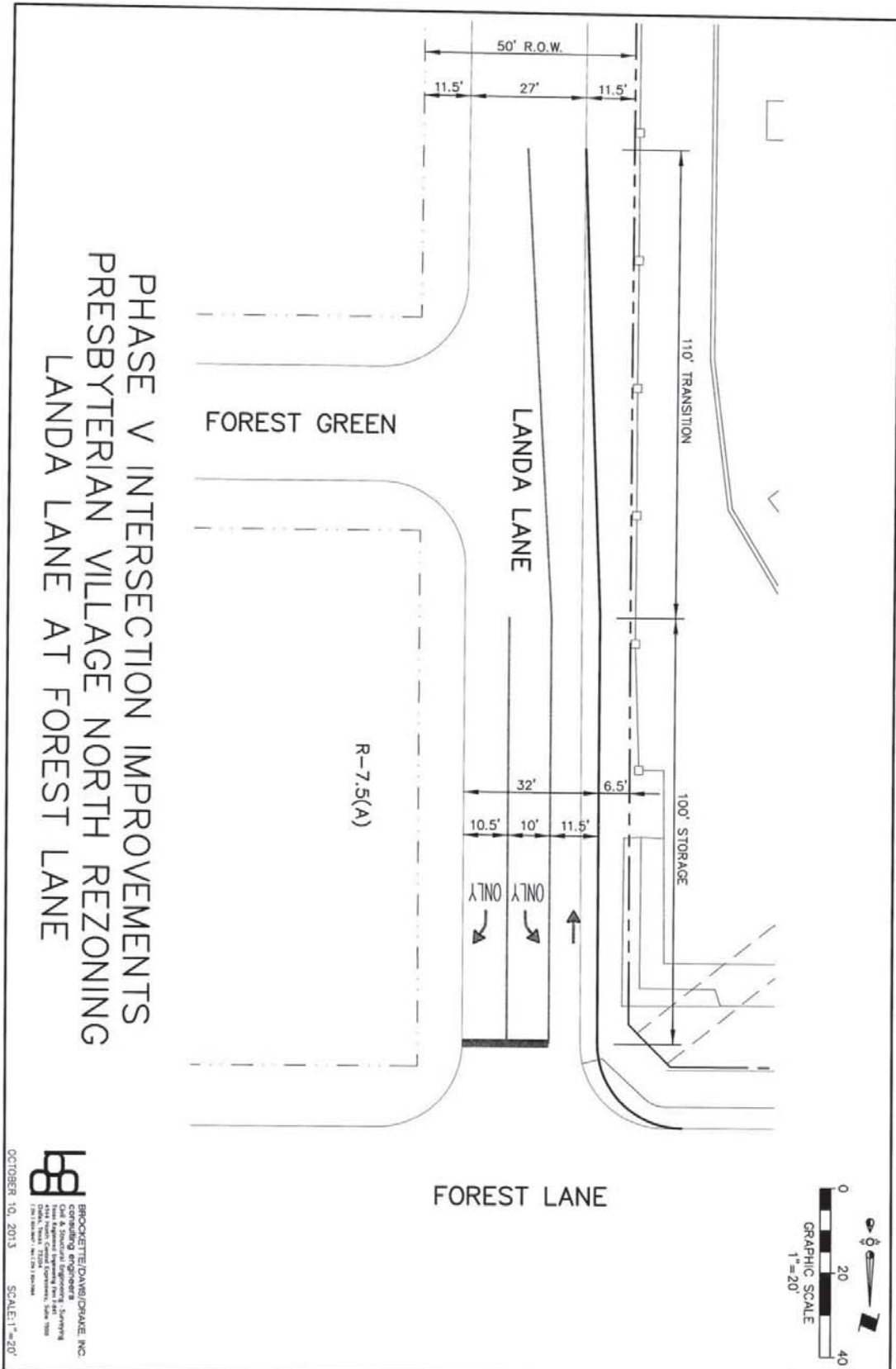
PROPOSED CONCEPTUAL/DEVELOPMENT PLAN



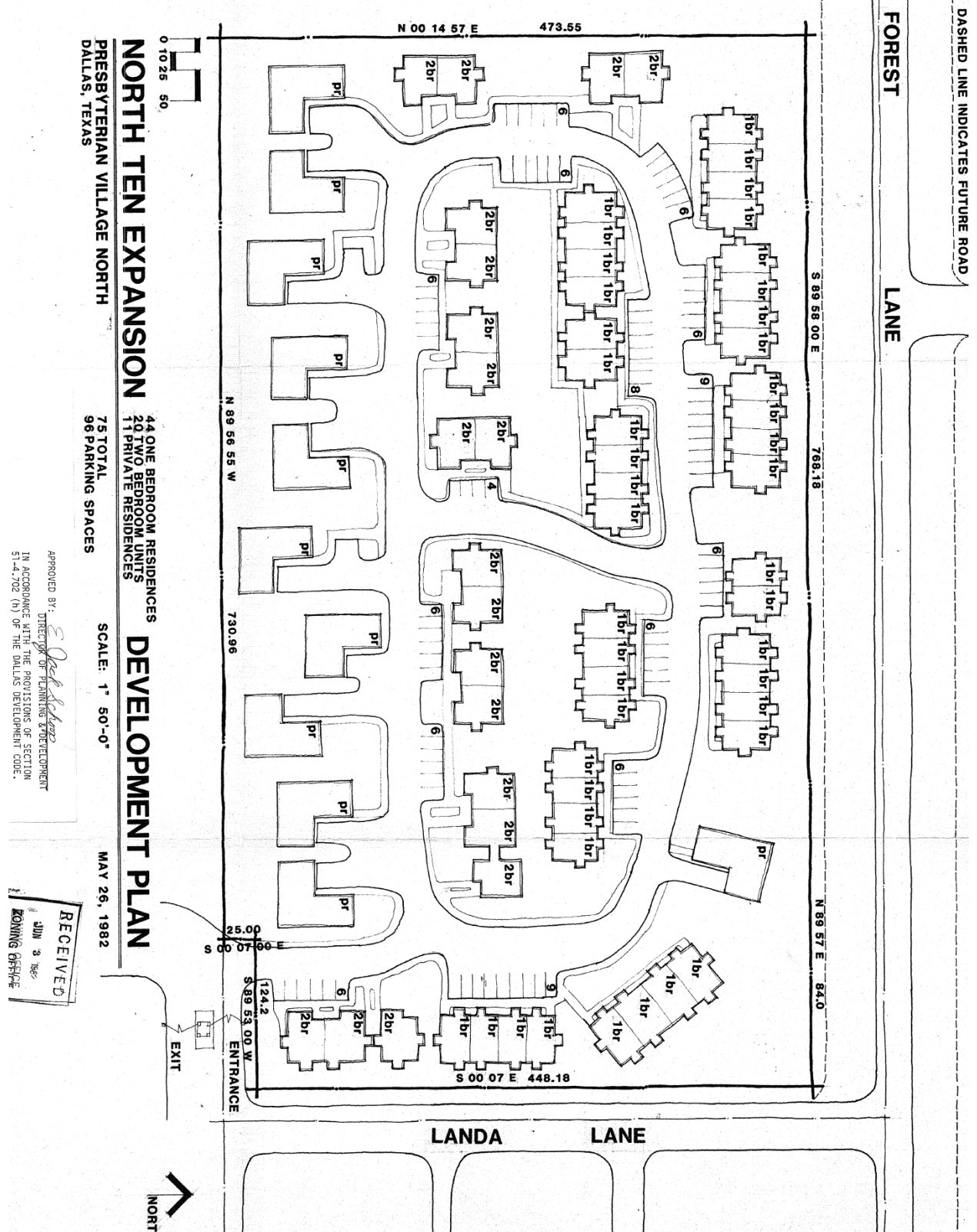
PROPOSED TRAFFIC EXHIBIT



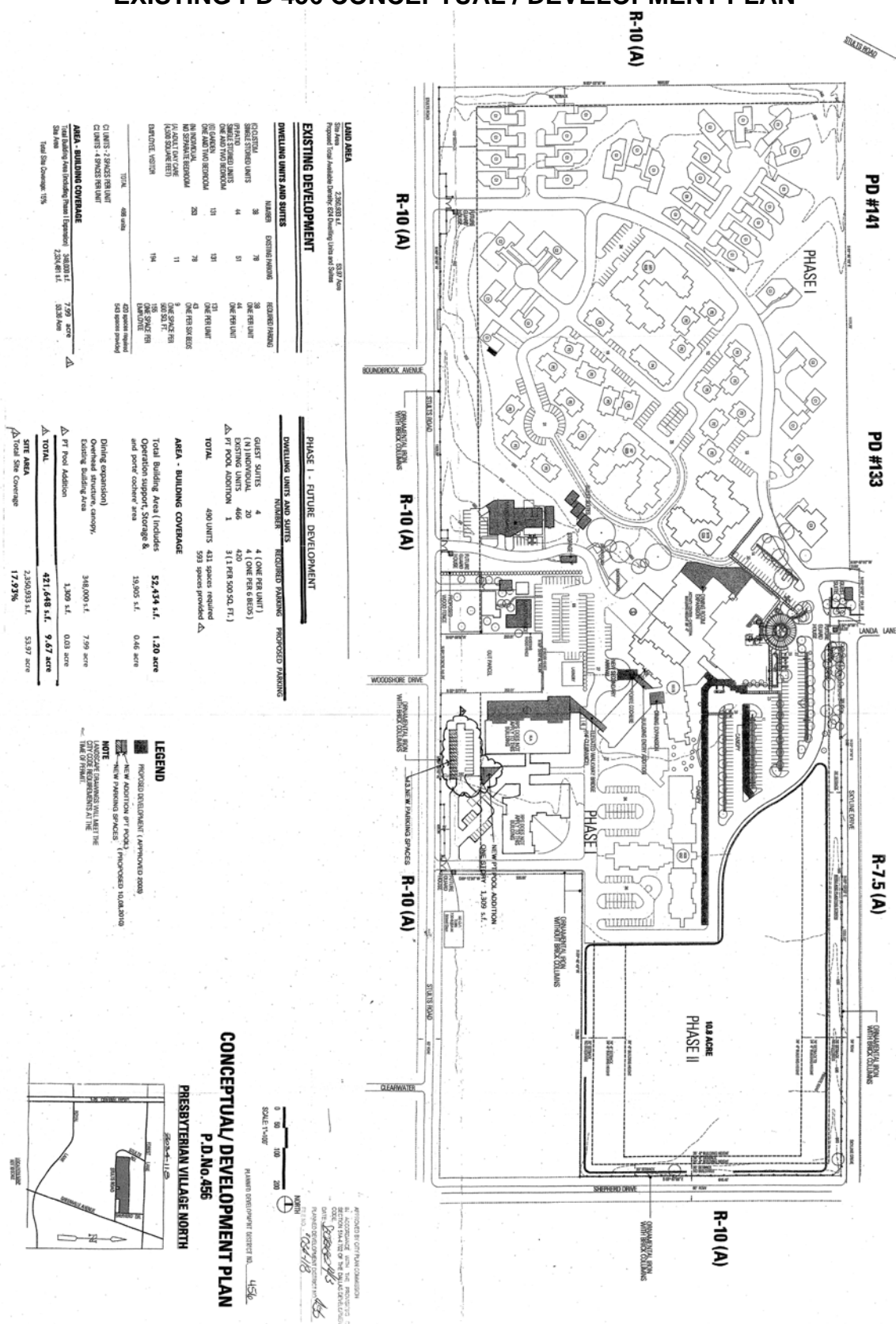
PROPOSED TRAFFIC EXHIBIT

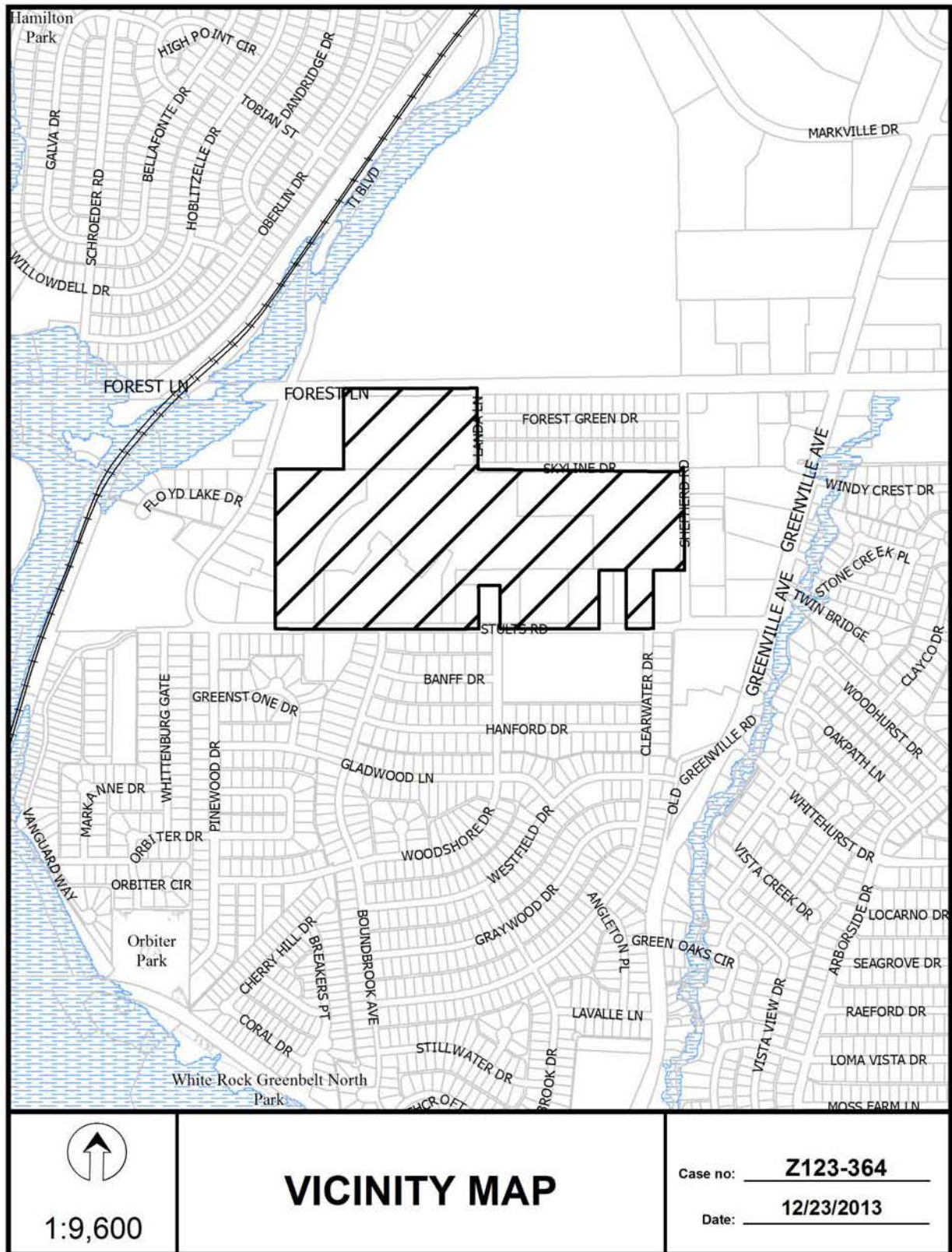


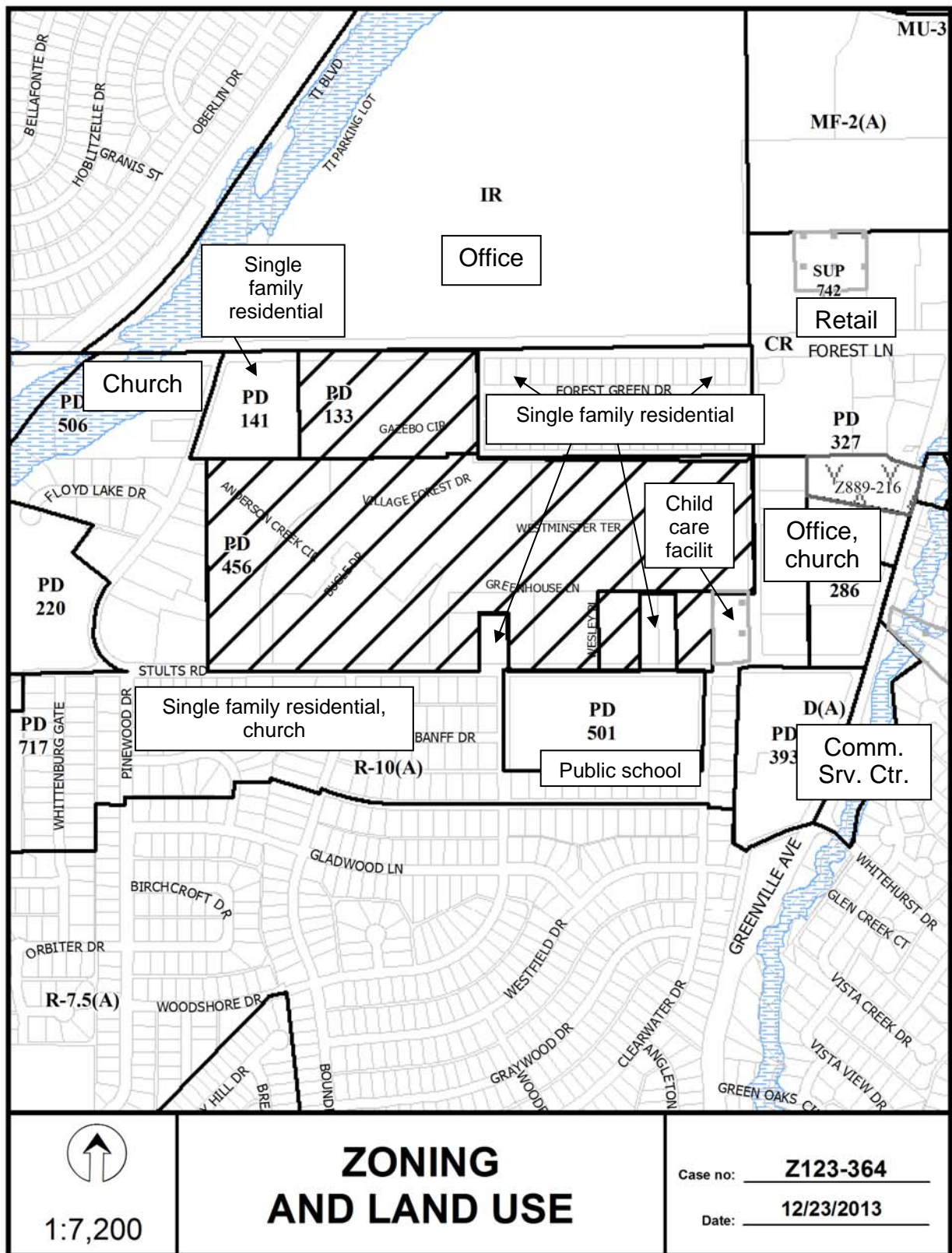
EXISTING PD 133 DEVELOPMENT PLAN

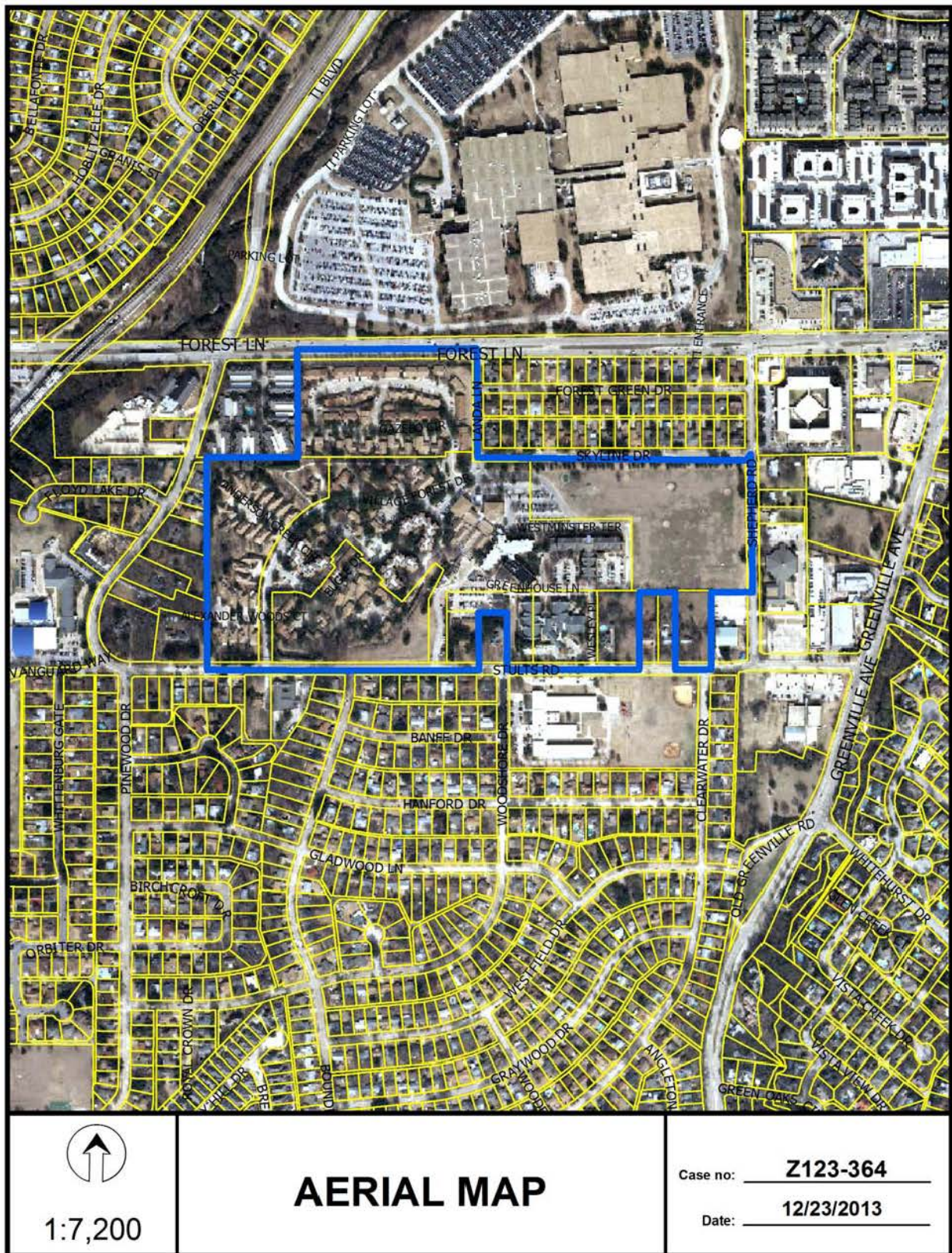


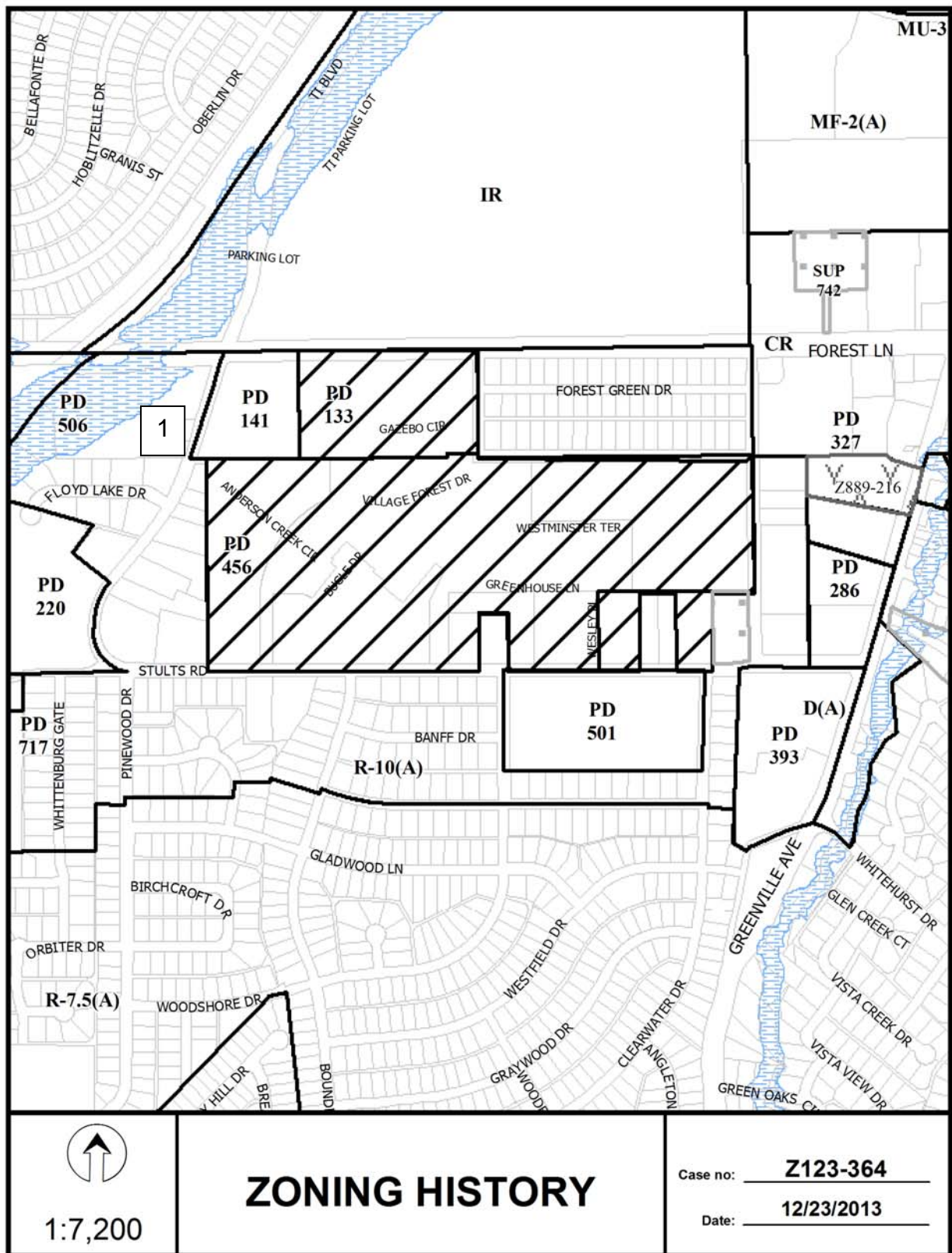
EXISTING PD 456 CONCEPTUAL / DEVELOPMENT PLAN



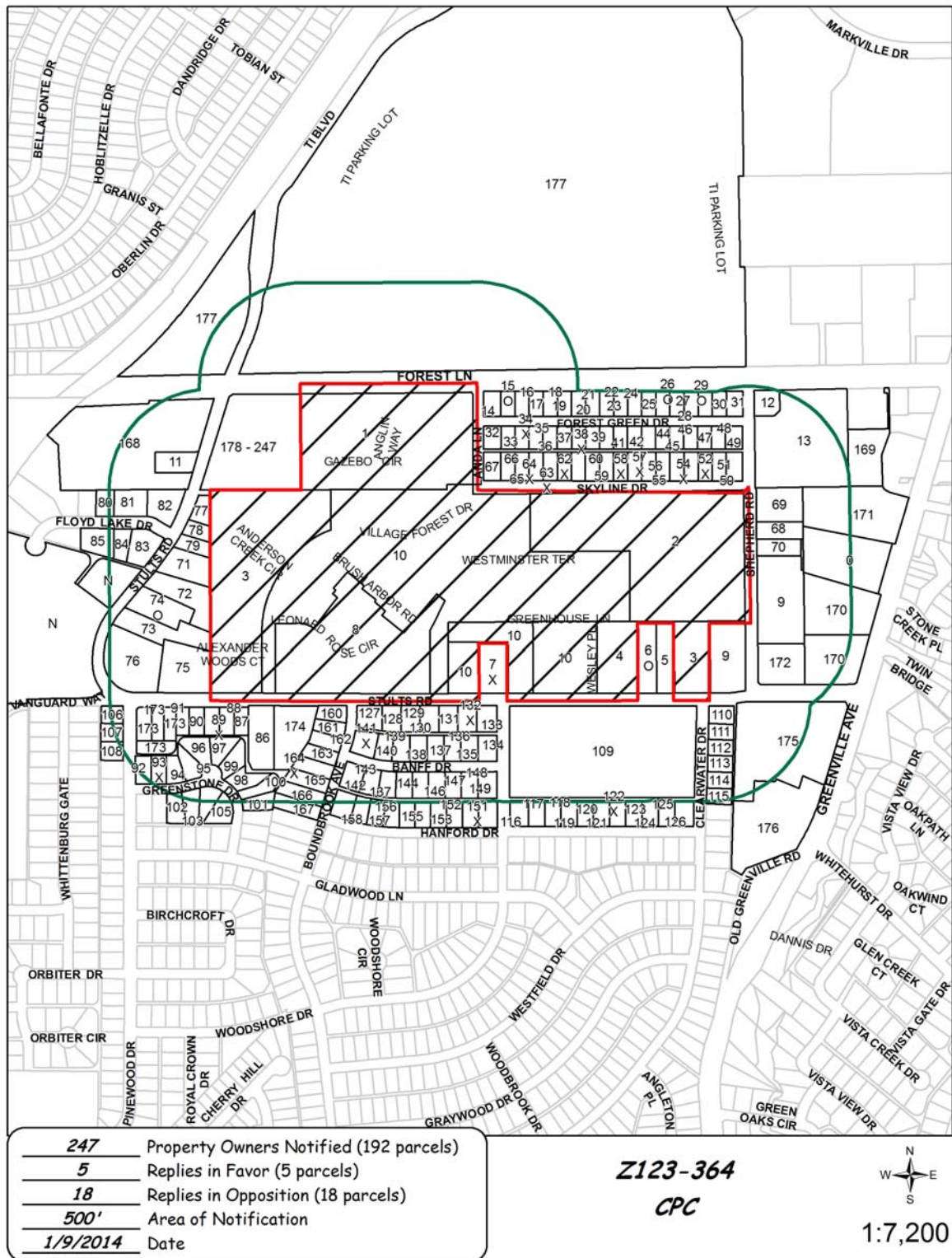








CPC RESPONSES



1/10/2014

Notification List of Property Owners

Z123-364

247 Property Owners Notified 18 Property Owners Opposed 5 Property Owners in Favor

Vote	Label #	Address	Owner
	1	1100 SKYLINE DR	PRESBYTERIAN VILLAGE N
	2	8800 SKYLINE DR	PRESBYTERIAN VILLAGE NORTH
	3	8500 STULTS RD	PRESBYTERIAN VILLAGE NORTH
	4	8807 STULTS RD	PRESBYTERIAN VILLAGE NORTH
	5	8817 STULTS RD	CORNELL CLYDE BLAKE
O	6	8811 STULTS RD	DAMIENS ROY A
X	7	8631 STULTS RD	DAVIS KATHRYN B
	8	8611 STULTS RD	PRESBYTERIAN VILLAGE NO
	9	9550 SHEPHERD RD	NEW MOUNT ZION BAPTIST
	10	8625 STULTS RD	PRESBYTERIAN VILLAGE
	11	8440 STULTS RD	WESTBROOK LEATRICE &
	12	8900 FOREST LN	ARBOREAL CREEK PROPERTIES &
	13	9730 SHEPHERD RD	DALLAS HOUSING AUTHORITY
	14	8605 FOREST GREEN DR	BLAIR LENORA
O	15	8611 FOREST GREEN DR	MADERE A R
	16	8617 FOREST GREEN DR	MOSE A & BARBARA J JOHNSON
	17	8623 FOREST GREEN DR	OLIVER CHERYL
	18	8629 FOREST GREEN DR	TEAL PRINCE O & JOYCE W
	19	8635 FOREST GREEN DR	CASH FAMILY TRUST
	20	8703 FOREST GREEN DR	MACK JESSIE & JUANITA
	21	8709 FOREST GREEN DR	UPSHAW TRAVIS
	22	8715 FOREST GREEN DR	BELAY TEMESGHEN
	23	8721 FOREST GREEN DR	HUMPHREY MANUEL
	24	8727 FOREST GREEN DR	LAZIMOVIC DAMIR & PAULA CANTU

Vote	Label #	Address	Owner
	25	8733 FOREST GREEN DR	SEALE RACHEL & NATHAN
O	26	8805 FOREST GREEN DR	JAMES DONALD
	27	8811 FOREST GREEN DR	SMITH MURIEL C
	28	8817 FOREST GREEN DR	BIRDSONG TROY A & ROSIE
O	29	8823 FOREST GREEN DR	SANTAMARIA ALEJANDRO &
	30	8829 FOREST GREEN DR	WILSON NINA
	31	8837 FOREST GREEN DR	JACKSON TASBY MARJORIE TR
	32	8606 FOREST GREEN DR	TURNER BELLE E
	33	8612 FOREST GREEN DR	MULLINS JAMES H & RENEE J
X	34	8618 FOREST GREEN DR	CAVAZOS JOSEPHINE
	35	8624 FOREST GREEN DR	DAVIS LOUIS W JR
	36	8630 FOREST GREEN DR	GAINES WILLIAM R
	37	8636 FOREST GREEN DR	MARGOL STUART
X	38	8704 FOREST GREEN DR	CARTER LOZELL
	39	8710 FOREST GREEN DR	COLEMAN RICHARD A
	40	8716 FOREST GREEN DR	DANIELS KENNETH E
	41	8722 FOREST GREEN DR	PATE ORVILLE C
	42	8728 FOREST GREEN DR	ARAGAW TESFAYE H
	43	8734 FOREST GREEN DR	ALLEN EDWARD L
	44	8806 FOREST GREEN DR	ADAMS CARRIE
	45	8812 FOREST GREEN DR	NOWLIN WILLIAM J
	46	8818 FOREST GREEN DR	BUCKLEY ARTHUR L
	47	8824 FOREST GREEN DR	TUCKER CHRISTINE R & JASON R
	48	8830 FOREST GREEN DR	ALLEN SUMMER L
	49	8838 FOREST GREEN DR	ARNOLD JAMES R
	50	8833 SKYLINE DR	SHRODE JIMMIE M &
	51	8827 SKYLINE DR	NGUYEN LEHONG T &
X	52	8821 SKYLINE DR	HAAC JOHN G & VIRGINIA L
	53	8815 SKYLINE DR	CANFIELD KEISHA L
X	54	8809 SKYLINE DR	MONEY BUNYAN TR
	55	8803 SKYLINE DR	PETRIN BARBARA C &
	56	8735 SKYLINE DR	WILLIAMS MACLE RAY LF EST
X	57	8729 SKYLINE DR	STEVENS DOROTHY M

Friday, January 10, 2014

Vote	Label #	Address	Owner
X	58	8723 SKYLINE DR	ROBERTSON SAMPSON K
	59	8717 SKYLINE DR	PRICE ROBERT E EST OF
	60	8711 SKYLINE DR	VANDYKE ARTHELMA
X	61	8705 SKYLINE DR	DANIELS BRUCE E &
X	62	8633 SKYLINE DR	BELL ULYSSES S
X	63	8627 SKYLINE DR	HAGGERTY MYRNA SUE
X	64	8621 SKYLINE DR	HOLMES JAMES SR
	65	8615 SKYLINE DR	TUCKER CHRISTINE RENE &
	66	8609 SKYLINE DR	FIELDS ALLENE EST OF &
	67	8603 SKYLINE DR	PRESBYTERIAN VILLAGE NORTH INC
	68	9622 SHEPHERD RD	REGAN MARGARET
	69	9626 SHEPHERD RD	REGAN PETER JAMES &
	70	9616 SHEPHERD RD	REGAN MARGARET
	71	8469 STULTS RD	LERVISIT VIVIT & SUMRITTI
	72	8473 STULTS RD	CARVAJAL MARY ELLEN
	73	8487 STULTS RD	SINGH JATINDER
O	74	8483 STULTS RD	HOWELL THOMAS A &
	75	8533 STULTS RD	TURNER PAUL E &
	76	8499 STULTS RD	BAKER JAY KEITH &
	77	8443 STULTS RD	NAJERA BULMARA
	78	8447 STULTS RD	SMITH BENNETT
	79	8453 STULTS RD	ROBERTS PAULA E &
	80	8331 FLOYD LAKE DR	GOMEZ ALFONSO
	81	8341 FLOYD LAKE DR	CASTLE PHILLIP RAY
	82	8353 FLOYD LAKE DR	MONTGOMERY BOBBY GENE
	83	8350 FLOYD LAKE DR	BUDDHIST CENTER OF DALLAS
	84	8340 FLOYD LAKE DR	BUDDIST CENTER OF DALLAS
	85	8332 FLOYD LAKE DR	BUDDHIST CENTER OF DALLAS
	86	8566 STULTS RD	YOUTH BELIEVING IN CHANGE
	87	8550 STULTS RD	ZEDLITZ GENEVIEVE P
	88	8546 STULTS RD	TRATTER ANGELICA

Friday, January 10, 2014

Vote	Label #	Address	Owner
X	89	8542 STULTS RD	BRANHAM MARTHA
	90	8538 STULTS RD	TARNOWER GERALD
	91	8534 STULTS RD	JOHNSON JOHN P ETAL
	92	8405 GREENSTONE DR	HERNANDEZ BENITO
X	93	8411 GREENSTONE DR	CAUDELL DENNIS L
	94	8417 GREENSTONE DR	MARTINEZ JOSEPH F
	95	8423 GREENSTONE DR	DOHEARTY REAL ESTATE LLC
	96	8427 GREENSTONE DR	REYNA MARIO & MARY I
	97	8431 GREENSTONE DR	MILLER BRANDT & VANESSA
	98	8441 GREENSTONE DR	SANDOVAL APOLINAR
	99	8435 GREENSTONE DR	RUSSELL BENJAMIN
	100	8445 GREENSTONE DR	RUIZ OLGA A
	101	8449 GREENSTONE DR	KRUEGER ALEX G IV
	102	8418 GREENSTONE DR	WINKLER NATHA LEE
	103	8424 GREENSTONE DR	WATERS BILL F &
	104	8434 GREENSTONE DR	JACKSON VIRGINIA RUTH &
	105	8448 GREENSTONE DR	WILSON NICKOLAS ZANE
	106	9433 PINWOOD DR	SCROGGINS CARLI P
	107	9425 PINWOOD DR	MATUS GREGORY J & JUDY S MARTINS
	108	9417 PINWOOD DR	GAUTT JIMMIE E
	109	8700 WOODSHORE DR	RICHARDSON I S D
	110	9422 CLEARWATER DR	MARSHALL JERALDENE M &
	111	9416 CLEARWATER DR	DAVIS DOROTHY
	112	9410 CLEARWATER DR	MCHANNEY DEBRA K
	113	9404 CLEARWATER DR	STEPHENS CARL EST OF
	114	9324 CLEARWATER DR	FOUNTAIN BOBBY JOE
	115	9318 CLEARWATER DR	JUDD COURT LP
	116	8707 HANFORD DR	GEORGE MONCY &
	117	8715 HANFORD DR	AVANT LINDA
	118	8721 HANFORD DR	COLLERETTE C BRYCE &
	119	8727 HANFORD DR	RUVALCABA ROGELIO

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Vote	Label #	Address	Owner
	120	8735 HANFORD DR	BARNHART JAMES E
	121	8741 HANFORD DR	ECHOLS HERTHA H
X	122	8805 HANFORD DR	FIELDS L B ESTATE OF
	123	8811 HANFORD DR	MORENO ROBERTO B
	124	8819 HANFORD DR	BOYD CHERYL L
	125	8827 HANFORD DR	PALMER KAREL L&
	126	8835 HANFORD DR	ROCCA CHRISTOPHER &
	127	8584 STULTS RD	WOLFE DONALD PAUL
	128	8592 STULTS RD	CERVANTES JOSE
	129	8598 STULTS RD	WALSH GRANT A
	130	8606 STULTS RD	WHETSTONE BEVERLY J
	131	8614 STULTS RD	KUROKAWA DANIEL
X	132	8622 STULTS RD	SMITH WILLIE F JR LF EST
	133	8630 STULTS RD	SMITH THOMAS LEE
	134	8633 BANFF DR	REDMAN CECILE M EST OF
	135	8625 BANFF DR	TREVIZO ANASTASIO &
	136	8619 BANFF DR	MARTIN WELTON
	137	8611 BANFF DR	SMITH MARI
	138	8605 BANFF DR	WALLACE HILDA SUE
	139	8599 BANFF DR	WILLIAMS SHIRLEY A
	140	8589 BANFF DR	WHETSTONE BEVERLY
X	141	8581 BANFF DR	MINOR ELGIE
	142	8580 BANFF DR	BLUE JANE
	143	8586 BANFF DR	ANDERSON SANDRA & JAMES
	144	8598 BANFF DR	TAAFFE SELENE
	145	8606 BANFF DR	BARNHILL VINCE E &
	146	8612 BANFF DR	EMBAYE SOLOMON &
	147	8620 BANFF DR	GRIMES CHRISTOPHER
	148	8626 BANFF DR	HILL KAREN
	149	8634 BANFF DR	AGERLID PATRICIA
	150	8633 HANFORD DR	TERRELL LURLENE &

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Vote	Label #	Address	Owner
X	151	8625 HANFORD DR	TERRELL BUCKNEY W
	152	8619 HANFORD DR	MERCADO LIVORIO &
	153	8611 HANFORD DR	GRIFFITH CHAD MICHAEL & MELISSA
	154	8605 HANFORD DR	WELKER LUKE & KRISTIN J HENRY
	155	8599 HANFORD DR	JUAREZ BENJAMIN &
	156	8593 HANFORD DR	ESTRADA EDUARDO
	157	8587 HANFORD DR	TAYLOR STEPHEN E
	158	8581 HANFORD DR	SIBLEY PRENTIS A
	159	8575 HANFORD DR	FENNELL WALTER D
	160	9415 BOUNDBROOK AVE	HUEY JANE ANN
	161	9409 BOUNDBROOK AVE	WHITMAN MATTHEW BRYAN &
	162	9405 BOUNDBROOK AVE	HAAR JANICE
	163	9325 BOUNDBROOK AVE	PARNELL DAVID Z & SUSAN K
X	164	9319 BOUNDBROOK AVE	BRYAN PHILIP C &
	165	9315 BOUNDBROOK AVE	HARO KELLY J
	166	9309 BOUNDBROOK AVE	CASE JAMES III
	167	9303 BOUNDBROOK AVE	VALDEZ MARTIN
	168	8350 FOREST LN	GREATER CORNERSTONE BAPT
	169	9076 FOREST LN	TOMROM LTD
	170	9505 GREENVILLE AVE	TEXAS HCP HOLDING LP
	171	9639 GREENVILLE AVE	GREENVILLE PARTNERS L P
	172	9510 SHEPHERD RD	NEW MT ZION BAPTIST
	173	8526 STULTS RD	SL ARTSCAPE LLC
	174	8568 STULTS RD	YOUTH BELIEVING IN CHANGE
	175	8920 STULTS RD	YOUNG MENS CHRISTIAN ASSN
	176	9303 GREENVILLE AVE	YMCA OF METROPOLITAN
	177	8609 FOREST LN	TEXAS INSTRUMENTS INC
	178	8404 FOREST LN	FAIRCHILD GLENDA &
	179	8404 FOREST LN	CLEMENT YLONDA
	180	8404 FOREST LN	ALFORD THOMAS L
	181	8404 FOREST LN	JOKIEL SEAMUS P

Friday, January 10, 2014

Vote	Label #	Address	Owner
182	8404	FOREST LN	JOKIEL SEAMUS P &
183	8404	FOREST LN	SMITH DEBORAH E &
184	8404	FOREST LN	ALULA HELEN
185	8404	FOREST LN	WISE BENJAMIN M
186	8404	FOREST LN	FOREST POINT PARTNERSHIP
187	8404	FOREST LN	SPANN CLEOLETTA GEE
188	8404	FOREST LN	LEIJA HECTOR
189	8404	FOREST LN	BENEDICT JAMES R ETAL
190	8404	FOREST LN	TREJO CARLOS E
191	8404	FOREST LN	BD PROPERTY GROUP 2 LLC
192	8404	FOREST LN	BD PPTY GROUP 2 LLC
193	8404	FOREST LN	ANSARI SALMAN & AMNA
194	8404	FOREST LN	TUBBS WALTER E
195	8404	FOREST LN	SHARPE KEVIN C
196	8404	FOREST LN	WHITSON ROBERT DALE &
197	8404	FOREST LN	AGBODJI AYIKOE E
198	8404	FOREST LN	RUNYON DOLORES F
199	8404	FOREST LN	HARRIS KIMBERLY ANN
200	8404	FOREST LN	BAXTER MORRIS RICHARD
201	8404	FOREST LN	GIPSON SAMUEL
202	8404	FOREST LN	NEW HOPE FOUNDATION
203	8404	FOREST LN	SLEEPER WILLIAM E ETAL
204	8404	FOREST LN	DENMAN W F III
205	8404	FOREST LN	WERNICK ROSANN
206	8404	FOREST LN	JOKIEL SEAMUS P & ETAL
207	8404	FOREST LN	FAIRCHILD GLENDA L &
208	8404	FOREST LN	FOREST POINT OWNERS ASSOCIATION
209	8404	FOREST LN	DUDEK VIRGINIA
210	8404	FOREST LN	MARIANNE BRUNE INVESTMENT
211	8404	FOREST LN	DAVISON NATHAN G
212	8404	FOREST LN	HAZLEWOOD JAMES MERTON

Friday, January 10, 2014

Vote Label # Address**Owner**

213	8404	FOREST LN	PELLIZZI AUGUST & KAREN
214	8404	FOREST LN	JOKIEL SSEAMUS P &
215	8404	FOREST LN	WATKINS PATRICE A
216	8404	FOREST LN	COOMER L DON & PAMELA R
217	8404	FOREST LN	SOBREVILLA VICTOR &
218	8404	FOREST LN	SADOWSKI JUSTIN M &
219	8404	FOREST LN	WILLAMS LOREN DEMARK
220	8404	FOREST LN	BRABY MICHAEL LEE
221	8404	FOREST LN	NARCISO VINCENT JOSE
222	8404	FOREST LN	BRADY PAGE L
223	8404	FOREST LN	FAIRCHILD GLENDA ETAL
224	8404	FOREST LN	DICKEY SANDRA LYNN
225	8404	FOREST LN	SOLOMON LIYA
226	8404	FOREST LN	KAPP ROBERTA E
227	8404	FOREST LN	FAIRCHILD GLENDA
228	8404	FOREST LN	BROOKS GLENDA
229	8404	FOREST LN	EVANS BRENDA
230	8404	FOREST LN	STOCKETT LORI L
231	8404	FOREST LN	SETLIFF TARA LEA
232	8404	FOREST LN	MAZZINI CHRISTOPHER G
233	8404	FOREST LN	DENMAN WILLIAM F III
234	8404	FOREST LN	DENMAN W F III
235	8404	FOREST LN	CHUENCHOMPOO SOMJAI
236	8404	FOREST LN	GARCIA ANA LAURA
237	8404	FOREST LN	ATGF PROPERTIES
238	8404	FOREST LN	VOGELPOHL CINDY
239	8404	FOREST LN	KRUSE KENT H
240	8404	FOREST LN	RATLIFF MARY ANN &
241	8404	FOREST LN	KINDRICK JAN W &
242	8404	FOREST LN	BAUGHER ERIC
243	8404	FOREST LN	NEWMAN JOLIE
244	8404	FOREST LN	PTC INVESTMENTS LLC
245	8404	FOREST LN	COLES JOSEPH R III
246	8404	FOREST LN	JANOSEK SANDRA G
247	8404	FOREST LN	SMITH DORIS

AGENDA ITEM # 47

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 12, 2014
COUNCIL DISTRICT(S): 14
DEPARTMENT: Sustainable Development and Construction
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 35 X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Lemmon Avenue and Reagan Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z134-121(RB)

FILE NUMBER: Z134-121(RB)

DATE FILED: October 31, 2013

LOCATION: Lemmon Avenue and Reagan Street, West Corner

COUNCIL DISTRICT: 14

MAPSCO: 35 X

SIZE OF REQUEST: Approx. 12,730 Square Feet **CENSUS TRACT:** 6.05

APPLICANT: Smoothie King Company, Inc.-Wan Kim, Sole Officer

REPRESENTATIVE: Peter Kavanagh

OWNER: 3903 Lemmon Avenue, Ltd.-Leland Burk, Manager

REQUEST: An application for a Specific Use Permit for a Drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant intends to redevelop the site with a drive-through restaurant.

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: Denial

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

While the proposed use is generally considered in compliance with the majority of the following items, staff's basis of denial is partially in consideration of item number 2, below:

1. *Performance impacts upon surrounding property* – As the site plan provides for a solid screening wall along the southern property line, impact on adjacent properties (lighting, noise, odor) is not anticipated.
2. *Traffic impact* – The proposed development could create unsafe situations for drivers and pedestrians as they traverse through the area (see analysis, below).
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area. Additionally, the request as recommended in the attached conditions complies with the Oak Lawn Special Purpose District and Oak Lawn Plan criteria for redevelopment.

BACKGROUND INFORMATION:

- The site is developed with a vacant retail structure.
- The applicant proposes to remove all improvements and redevelop the site with an approximate 1,050 square foot drive-through restaurant.
- The use will provide for specified drive-through hours of operation.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z112-217	On August 8, 2012, the City Council denied without prejudice a Specific Use Permit for a drive-through restaurant.
2. Z123-263	On July 11, 2013, the City Plan Commission recommended denial without prejudice of a Specific Use Permit for a drive-through restaurant. The applicant did not appeal the CPC recommendation to City Council.

<u>Thoroughfare/Street</u>	<u>Designation: Existing & Proposed ROW</u>
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Lemmon Avenue

Principal Arterial; 80' & 80' ROW

Reagan Street

Local; 60' ROW

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
- (6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
- (7) To promote landscape/streetscape quality and appearance.

In general terms, the proposed redevelopment will provide for overall compliance with the above-referenced objectives, exclusive of No. 3. While the applicant will provide an outdoor seating area that establishes a pedestrian-friendly environment (No. 2), it should be noted that this area is located internal to the site.

As the proposed use will place a greater reliance on the automobile (i.e., drive-through service, seven days/week from 7:00 a.m. until 10:00 p.m. and 11:00 p.m., depending on day), staff has determined the request is not in compliance with No. 4

Comprehensive Plan: The request site is identified as being within an Urban Neighborhood Building Block on the *forwardDallas!* Vision Illustration, adopted June 2006. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments.

These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility: The request site is developed with a vacant retail structure. The applicant intends to redevelop the site with a drive-through restaurant containing approximately 1,050 square feet.

The site is situated at the corner of Lemmon Avenue and Reagan Street. Its frontage along Lemmon Avenue possesses typical retail and office uses along both sides of its alignment as it traverses west and east of the property. With respect the site's frontage along Reagan Street, the dominate land use transitions very quickly to low-to-medium density residential uses (predominately multiple family structures).

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 has oriented its speaker box eastward, away from the above referenced residential uses. Additionally, the site plan provides for a solid screening wall along its southern property line, which should contain headlights of vehicles staging through the property as they circulate through the drive through. It should also be noted the proposed use will accommodate patrons who wish to enter the building for purchases and/or sit outside in the amenity area noted on the site plan.

Staff has asked for alternate drive-through hours of operation so as to minimize impact on morning traffic patterns traveling northbound along Reagan Street to proceed either west or east along Lemmon Avenue. While these have been provided, there still exists a concern as to potential conflicts between vehicles as they enter/traverse through/exit the site. This could lead to situations where vehicles are queuing in the right-of-way, thus creating unsafe situations for drivers and pedestrians. Engineering staff has made a suggestion to shift the structure, along with the drive thru lane, to the northwest to create space for a bypass lane immediately adjacent to the drive thru lane. Traffic turning off of Reagan Street into the site would be forced into this bypass lane and would have to circle the building in order to join the queue for the drive thru. This would eliminate queuing on Reagan (as the vehicles would queue on site instead of in the right-of-way). At this time, the applicant has not offered a revised site plan to provide for this alternative.

As a result of this analysis, staff cannot support the request.

Parking: PDD requires one space for each 100 square feet of floor area. The attached site plan provides for this requirement.

Landscaping: Landscaping must be provided in accordance the GR General Retail landscaping requirements of PDD No. 193, the Oak Lawn Special Purpose District. The applicant has met with the city arborist to discuss a preliminary landscape plan that has been found to comply with the PDD's requirements.

CPC ACTION

(January 9, 2014)

Motion: It was moved to recommend **approval** a Specific Use Permit for a Drive-through restaurant for a for a five year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and revised conditions to include no cueing in public street on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west corner of Lemmon Avenue and Reagan Street.

Maker: Ridley
Second: Hinojosa
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Peadon, Murphy, Ridley,
Alcantar

Against: 0
Absent: 0
Vacancy: 0

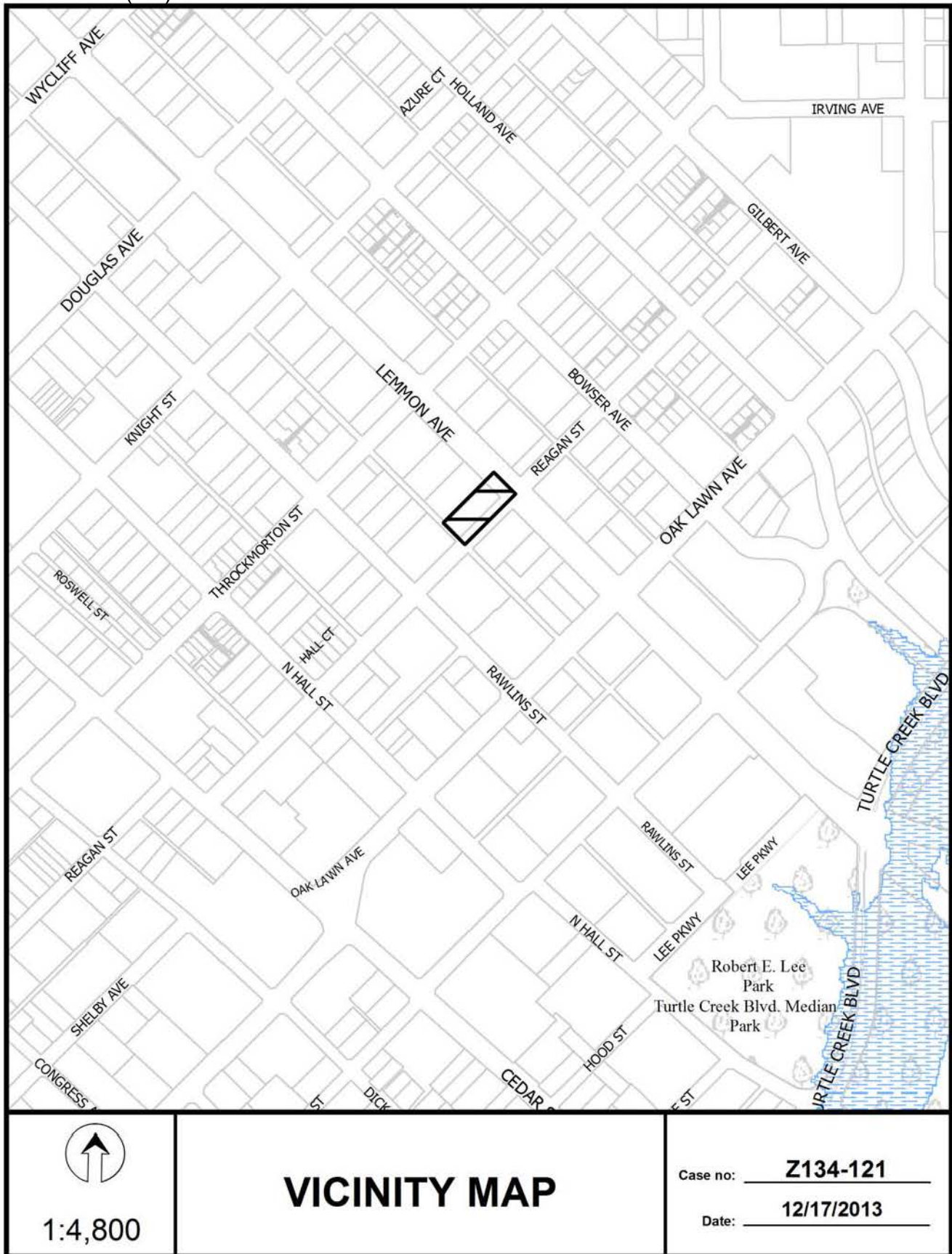
Notices: Area: 200 Mailed: 31
Replies: For: 10 Against: 0

Speakers: For: Peter Kavanagh, 160 Handley Dr., Dallas, TX 75208
Katherine Cook, 3904 Rawlins St., Dallas, TX, 75219
Frank Stich, 4224 N. Hall St., Dallas, TX, 75219
Against: None

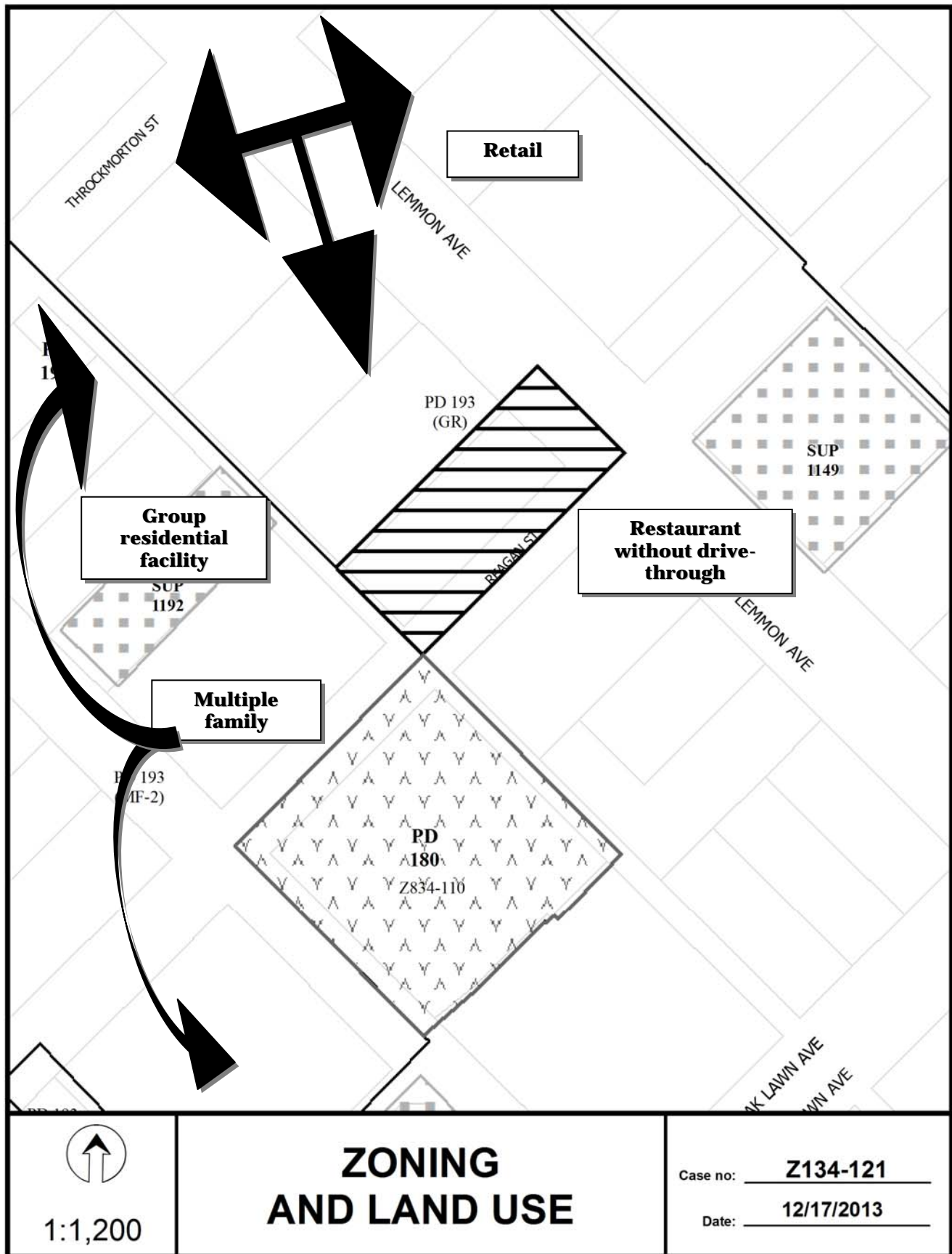
CPC RECOMMENDED CONDITIONS

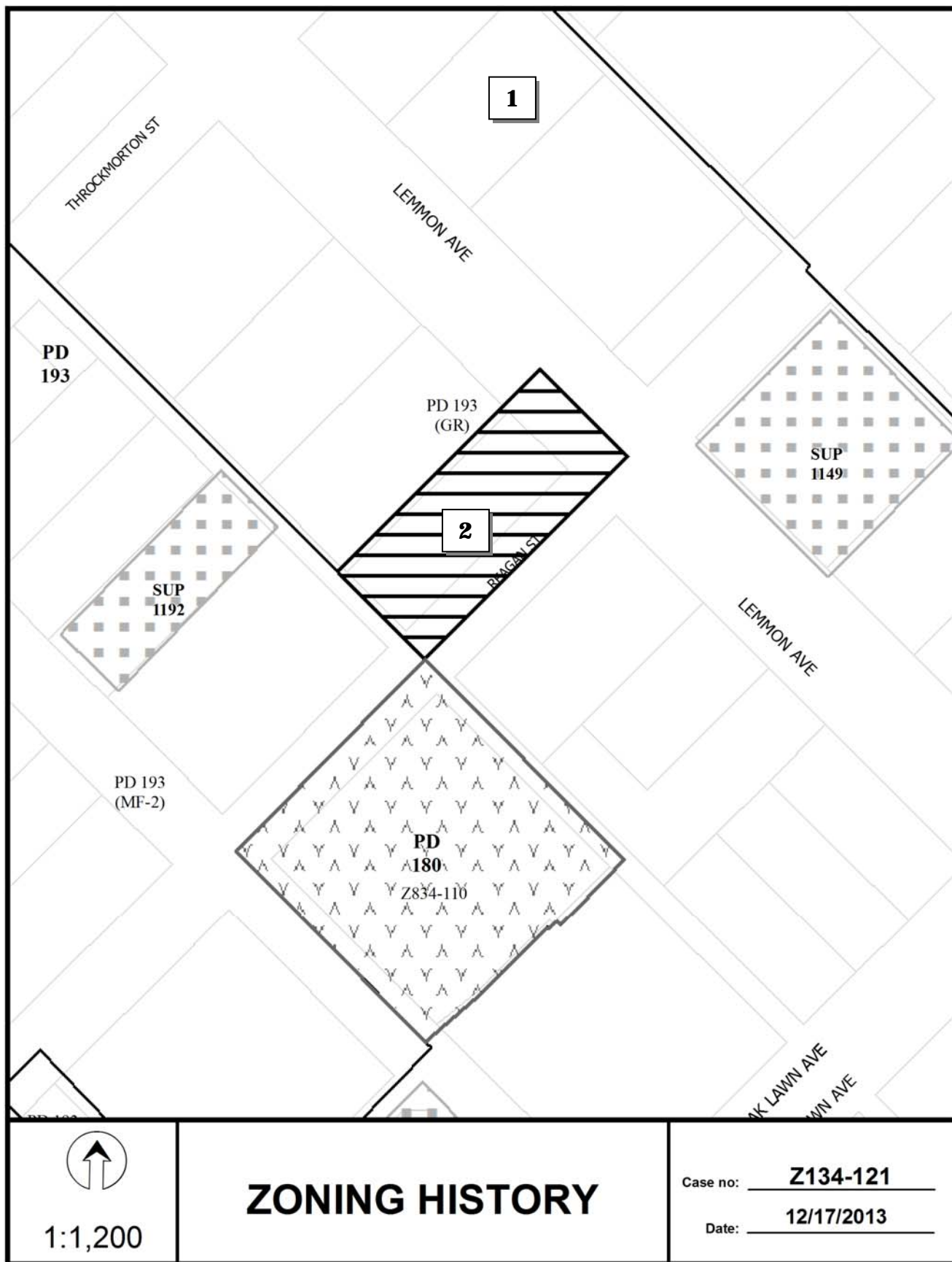
1. USE: The only use authorized by this specific use permit is a drive-through restaurant.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years), but is eligible for automatic renewal for additional five-year 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. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. PARKING: Parking must be located as shown on the attached site plan.
6. DRIVE-THROUGH LANE HOURS OF OPERATION: The drive-through lane of may only be operated between 7:00 a.m. and 10:00 p.m., Monday through Thursday and Sunday; and between 7:00 a.m. and 11:00 p.m., Friday through Saturday.
7. QUEUING: Queuing in the public right-of-way is 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 ordinances, rules, and regulations of the City of Dallas.

Z134-121(RB)

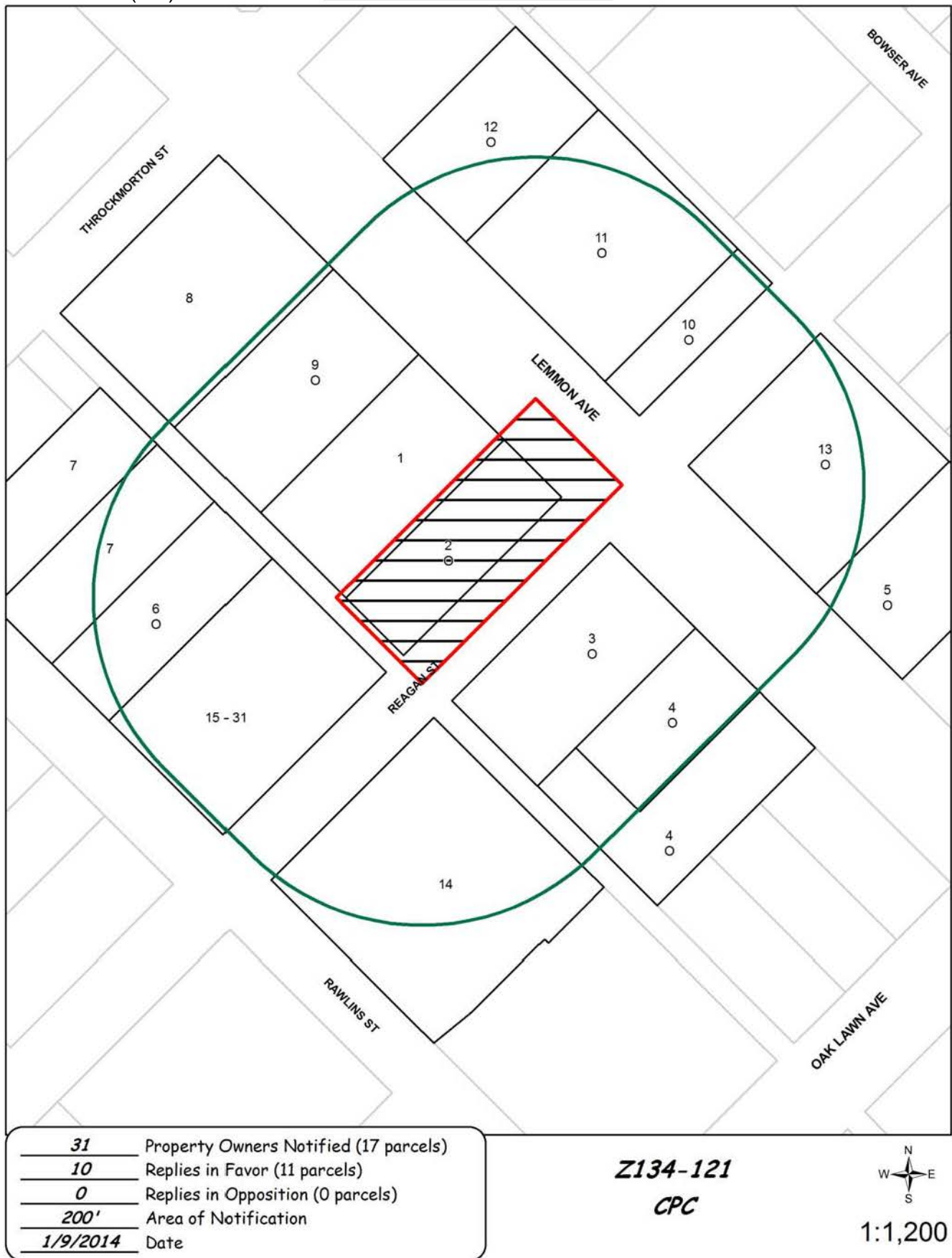








CPC RESPONSES



Notification List of Property Owners

Z134-121

***31 Property Owners Notified
Owners in Favor***

0 Property Owners Opposed

10 Property

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	3911 LEMMON AVE	3911 LEMMON AVE ASSOCIATE
O	2	3903 LEMMON AVE	3903 LEMMON AVE LTD
O	3	3827 LEMMON AVE	HASKELL LEMMON PTR LTD
O	4	3817 LEMMON AVE	RP LEMMON PPTIES LP
O	5	3812 LEMMON AVE	GSSW AVON LLC
O	6	3912 RAWLINS ST	OUR FRIENDS PLACE
	7	3916 RAWLINS ST	MALT INVESTMENTS INC
	8	3923 LEMMON AVE	BLUE PROPERTIES LLC
O	9	3915 LEMMON AVE	STANLEY GAINES & VICKIE
O	10	3900 LEMMON AVE	PANOUSOPOULUS NICKOS
O	11	3906 LEMMON AVE	BERLIN RONALD P & GAIL M
O	12	3922 LEMMON AVE	RP HH/LEMMON PPTIES LP
O	13	3826 LEMMON AVE	KLINE TRUST INV LTD
	14	3838 RAWLINS ST	NAKASH LINCOLN COURT LLC
	15	3904 RAWLINS ST	STEWART BRIAN & ABBIE KOPF
	16	3904 RAWLINS ST	LOHNER JACK E JR
	17	3904 RAWLINS ST	COOK KATHERINE R
	18	3904 RAWLINS ST	SMITH JENNIFER L
	19	3904 RAWLINS ST	GENTRY NEWMAN F
	20	3904 RAWLINS ST	MCFARLENE MATTHEW R &
	21	3904 RAWLINS ST	SLACK DELPIN SUE ANN
	22	3904 RAWLINS ST	DELANO JEANA M
	23	3904 RAWLINS ST	TRIPRO SERVICES INC
	24	3904 RAWLINS ST	CRUIT TARA T
	25	3904 RAWLINS ST	TORRES GERARDO J
	26	3904 RAWLINS ST	BIRNBAUM MARC A &

Z134-121(RB)

Friday, January 10, 2014

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3904	RAWLINS ST	THONY JAIME CHRISTIAN
28	3904	RAWLINS ST	HUBBLE JONATHAN
29	3904	RAWLINS ST	WEBB NATALIE L
30	3904	RAWLINS ST	TANG STEVEN
31	3904	RAWLINS ST	PHILLIPS JAMIE

Friday, January 10, 2014

AGENDA ITEM # 48

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 12, 2014
COUNCIL DISTRICT(S): 6
DEPARTMENT: Sustainable Development and Construction
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 13 X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a detached non-premise sign (billboard) use on property zoned a GO(A) General Office District on the southwest corner of LBJ Freeway and Bank Way Lane (formerly Nelda Lane)

Recommendation of Staff: Approval for a ten-year period, subject to site plan and conditions

Recommendation of CPC: Denial without prejudice
Z123-361(CG)

Note: This item was considered by the City Council at public hearings on December 11, 2013 and January 22, 2014, and was taken under advisement until February 12, 2014, with the public hearing open

ACM: Theresa O'Donnell

FILE NUMBER: Z123-361(CG) **DATE FILED:** August 21, 2013

LOCATION: Southwest corner, LBJ Freeway and Bank Way Lane (formerly Nelda Lane)

COUNCIL DISTRICT: 6 **MAPSCO:** 13-X

SIZE OF REQUEST: ± 670 sq. ft. **CENSUS TRACT:** 96.05

APPLICANT/ OWNER: LBJ Metroplex LP
Ralston Outdoor

REPRESENTATIVE: MASTERPLAN

REQUEST: An application for a Specific Use Permit for a detached non-premise sign (billboard) use on property zoned a GO(A) General Office District.

SUMMARY: The purpose of this request is to relocate an existing detached non-premise sign (billboard) from its current location at 11570 N. Stemmons Freeway to the southwest corner of LBJ Freeway and Bank Way Lane.

CPC RECOMMENDATION: **Denial** without prejudice

STAFF RECOMMENDATION: **Approval** for a ten-year period, subject to site plan and conditions.

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval to relocate an existing detached non-premise sign (billboard) from its current location at 11570 N. Stemmons Freeway to the southwest corner of LBJ Freeway and Bank Way Lane based upon the following:

1. *Compatibility with surrounding uses and community facilities* – The proposed detached non-premise sign (billboard) would not be incompatible with the surrounding land uses that predominately consist of office, commercial and retail uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The billboard would be located in the parking lot area of existing office and institution uses with no residential adjacency, and proposed signage and does not exceed the maximum effective area of 672 square feet.
3. *Not a detriment to the public health, safety, or general welfare* – There is no indication that the relocation of the billboard to the subject site would be a detriment to the public health, safety, or general welfare in the parking lot area.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the proposed site plan and review by the Building Inspection Department, the proposed detached non-premise sign complies with all applicable zoning regulations and standards for relocation of an HBA sign.

BACKGROUND INFORMATION:

- Due to Texas Department of Transportation (TxDOT) road construction along the Stemmons Freeway corridor, the existing sign encroaches into the required right-of-way (ROW).
- The applicant's request is to relocate an existing detached non-premise sign (billboard) from its current location (11570 N. Stemmons Freeway) to the southwest corner of LBJ Freeway and Bank Way Lane.
- The Development Code, Section 51A-7.307(i)(2), allows for the relocation of a Highway Beautification Act (HBA) sign or expressway sign in an LO(A), MO(A) or GO(A) district by Specific Use Permit.
- Section 51A-7.307(b) states that "no detached non-premise sign may be relocated within 100 feet of an expressway unless it was originally located within 100 feet of an expressway or new expressway." Section 51A-7.307(g) states that "no detached HBA sign may be relocated within 300 feet of a non-business or residential zoning district."

- City Council may grant a specific use permit to authorize a detached non-premise sign to have lesser spacing than that required in Section 51A-7.307(g).
- On November 7, 2013, the City Plan Commission denied the request without prejudice. The applicant filed an appeal within 10 days for consideration by the City Council.

Zoning History:

There has not been any recent zoning activity in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
LBJ Freeway Frontage Road	Variable Width, Limited Access Freeway		
Bankway Lane		60 ft.	60 ft.

Land Use:

	Zoning	Land Use
Site	GO(A)	Office and financial institution
North	N/A (City of Farmers Branch)	I-635 Freeway
South	CR	Retail and commercial
East	PDD No. 140	Office
West	MU-2	Office and retail

Comprehensive Plan:

The Comprehensive Plan does not make a specific land use recommendation related to the request; however, the ***forwardDallas! Vision Illustration***, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within a *Commercial Center or Corridor*. These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles.

The applicant's request to relocate the detached non-premise sign from the Stemmons Freeway corridor to the LBJ Freeway corridor is not inconsistent with the following goal and policy of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development.

Policy 1.1.5: Use Vision Building Blocks as a general guide for desired development patterns

STAFF ANALYSIS:

Land Use Compatibility: The subject site is developed with office and financial institutional uses. The city of Farmers Branch is to the north and developed with commercial and retail uses. To the east and south are retail and commercial uses and land use to the west is comprised of office and retail uses.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Parking: No parking is required for this use.

Sign Setbacks: Minimum setbacks are measured from the edge of the nearest expressway or new expressway travel lane. No sign may occupy the space between two feet and 14 feet above grade within 15 feet of the right-of-way, except for supports. No sign may be nearer than five feet to the public right-of-way or to the right-of-way line extended across a railroad right-of-way. The existing sign meets the setback requirements.

CPC Action:

(November 7, 2013)

Motion I: It was moved to recommend **approval** of a Specific Use Permit for a detached non-premise sign (billboard) use for a 25-year period, subject to a site plan and conditions on property zoned a GO(A) General Office District on the southwest corner of LBJ Freeway and Bank Way Lane (formerly Nelda Lane).

Maker: Hinojosa
Second: Culbreath
Result: Failed: 7 to 8

For: 7 - Soto, Rodgers, Culbreath, Hinojosa, Lavallaisaa,
Bernbaum, Peadon

Against: 8 - Anglin, Shidid, Bagley, Tarpley, Shellene, Murphy,
Ridley, Alcantar

Absent: 0

Vacancy: 0

Motion II: It was moved to recommend **denial without prejudice** of a Specific Use Permit for a detached non-premise sign (billboard) use on property zoned a GO(A) General Office District on the southwest corner of LBJ Freeway and Bank Way Lane (formerly Nelda Lane).

Maker: Ridley
Second: Shellene
Result: Carried: 13 to 2

For: 13 - Anglin, Soto, Rodgers, Shidid, Bagley,
Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon,
Murphy, Ridley, Alcantar

Against: 0

Absent: 2 - Culbreath, Hinojosa

Vacancy: 0

Notices: Area: 200 Mailed: 2

Replies: For: 0 Against: 1

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: John Cook, 3010 LBJ Frwy., Suite 1401, Dallas, TX, 75234
James Langford, 3001 Bookhout St., Dallas, TX, 75201

**APPLICANT PROPOSED SUP
CONDITIONS**

1. USE: The only use authorized by this specific use permit is a detached non-premise sign (billboard).
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Applicant's recommendation:

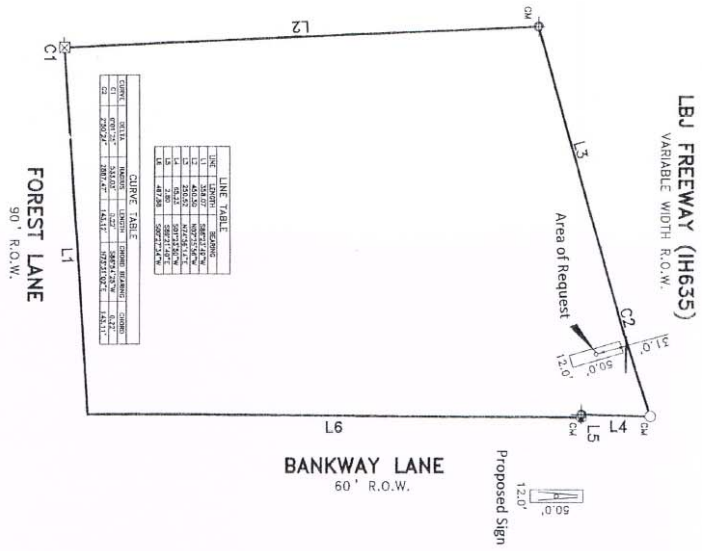
3. TIME LIMIT: This specific use permit expires on _____ (twenty-five years from date of passage) and is eligible for automatic renewal for additional twenty-five year time periods.

Staff's recommendation:

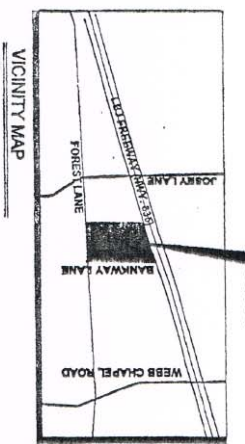
3. TIME LIMIT: This specific use permit expires on _____ (ten years from date of passage).

4. MAINTENANCE: The entire 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

PROPOSED SITE PLAN

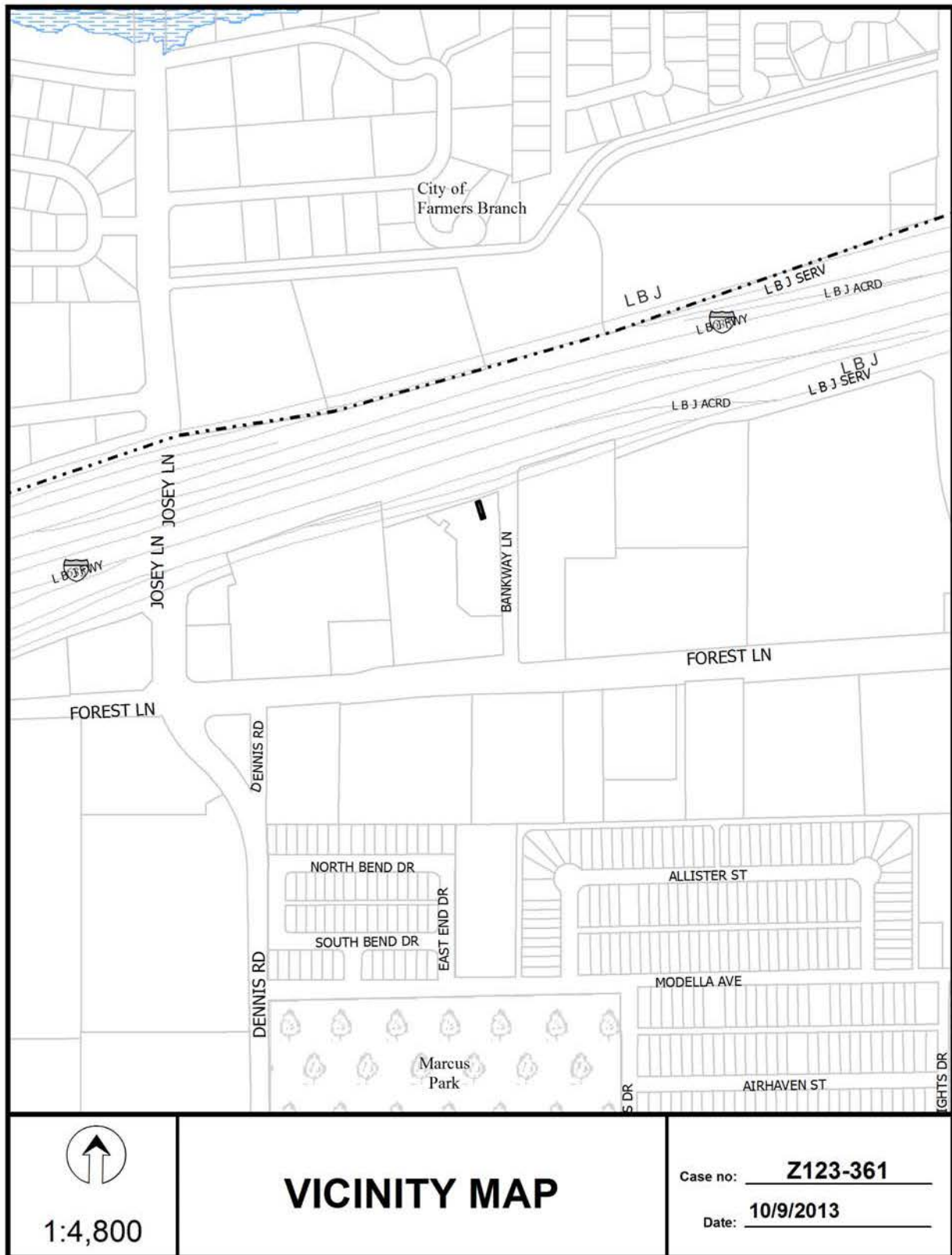


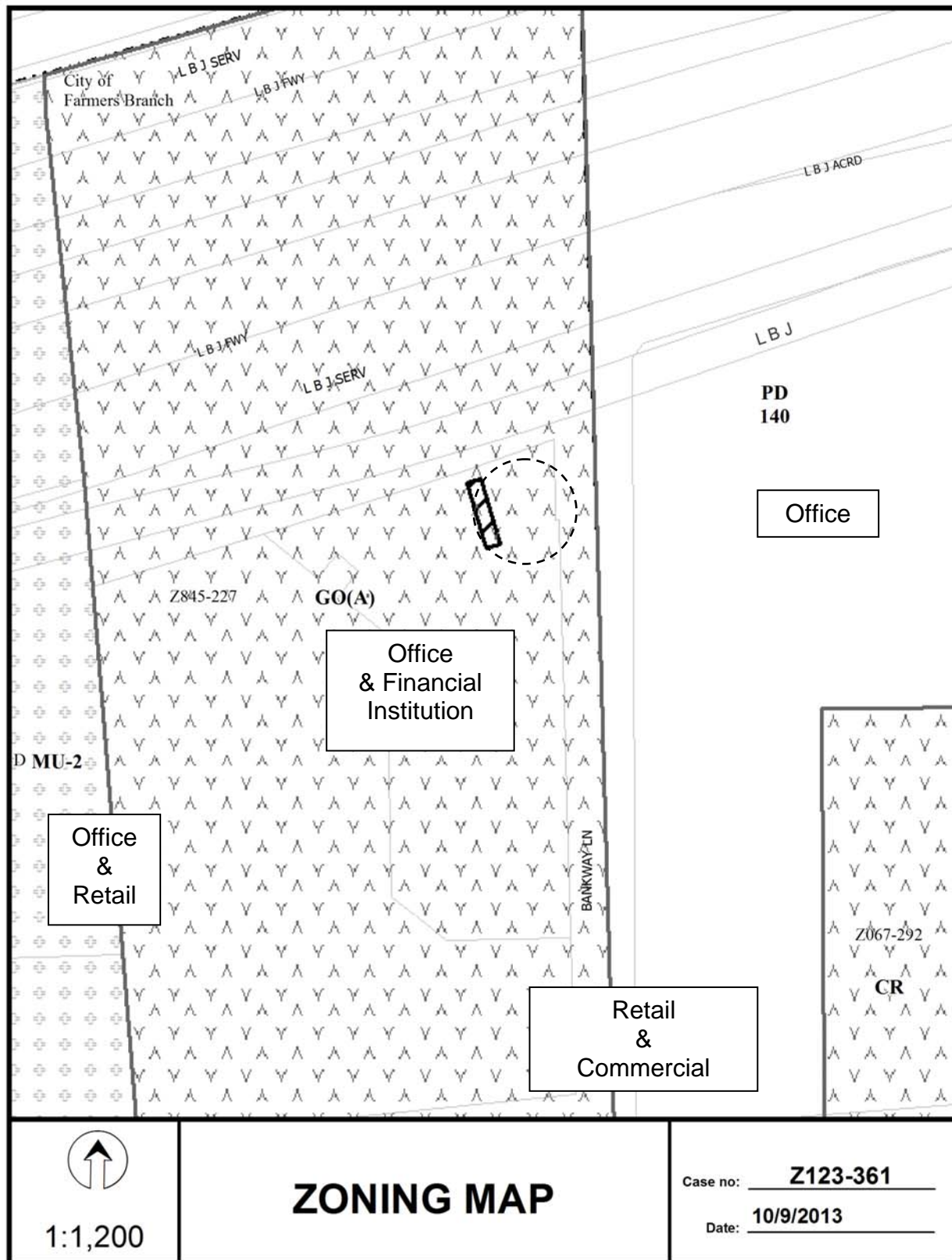
SCALE: 1" = 100'



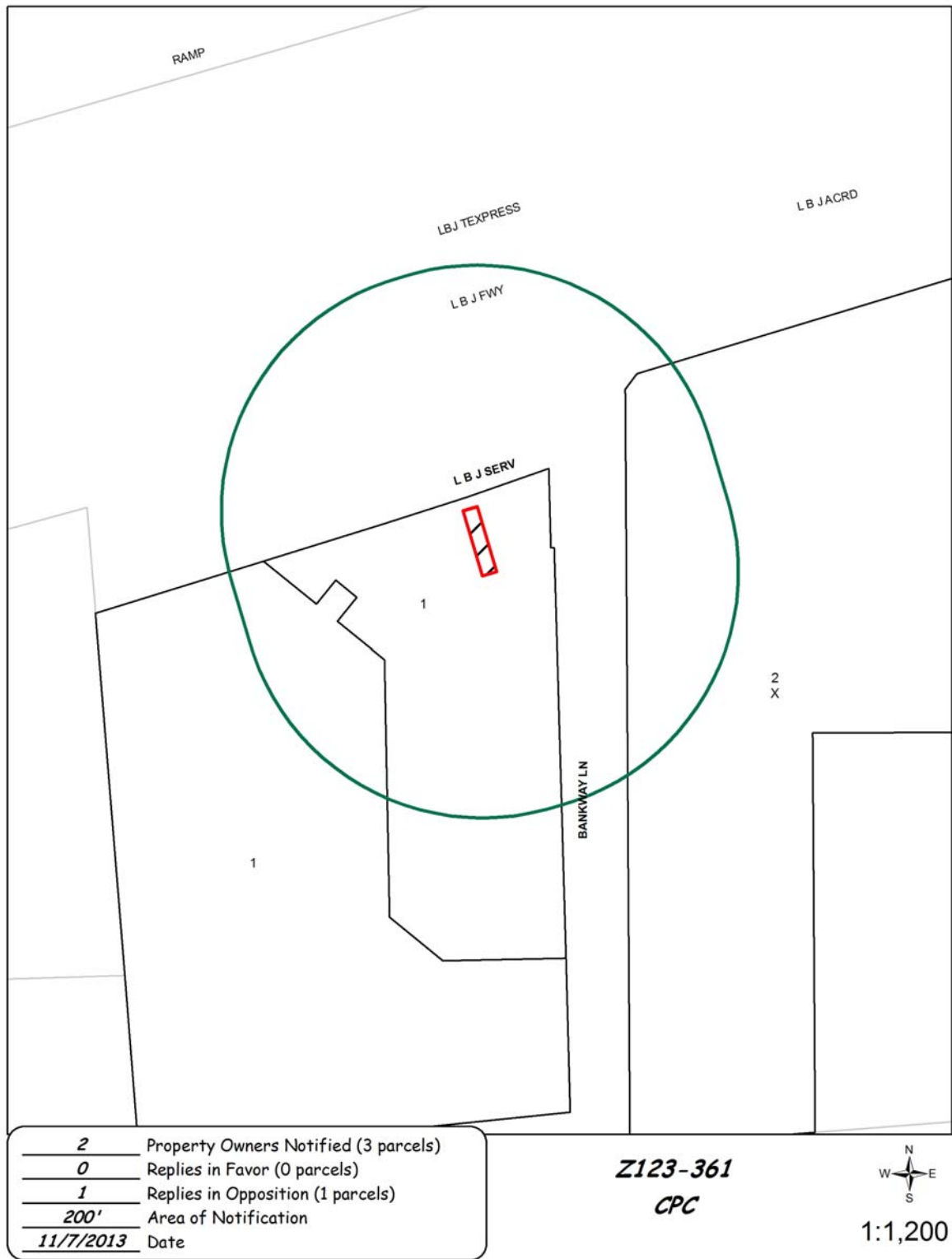
SITE SUMMARY

Existing Zoning: G0(A)
 Request: SUP for detached non-premise sign
 Area of Request: 670 s.f.
 Required Parking: 0





CPC RESPONSES



11/7/2013

Notification List of Property Owners
Z123-361

2 Property Owners Notified
Owners in Favor


1 Property Owner Opposed

0 Property

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2974 LBJ FWY	LBJ METROPLEX LP
X	2	3010 LBJ FWY	ONE GRAYSTONE CENTRE LP

**FEBRUARY 12, 2014 CITY COUNCIL ADDENDUM
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated February 12, 2014. 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.



A.C. Gonzalez
City Manager

2-7-14
Date



Edward Scott
City Controller

2/7/14
Date

RECEIVED

2014 FEB -7 PM 4:17

CITY SECRETARY
DALLAS, TEXAS

**ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 12, 2014
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.**

REVISED ORDER OF BUSINESS

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

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

OPEN MICROPHONE

CLOSED SESSION

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 31

CONSENT ADDENDUM

Items 1 - 4

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 32 - 35
Addendum Items 5 - 9

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 36 - 48

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 12, 2014
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session

5ES

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Olivia Lord v. Dwayne A. Thompson, Civil Action No. 3:11-CV-3241-M

CONSENT ADDENDUM

Office of Financial Services

1. Authorize an extension through September 30, 2014 for Community Development Block Grant (CDBG) funded projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement - Financing: No cost consideration to the City

Office of Management Services

2. Authorize the Program Statement for the growSouth Neighborhood Challenge providing requirements, eligibility criteria, and project scope for neighborhood groups to receive competitive grant-based financial assistance for projects that will improve an area's quality of life - Financing: This action has no cost consideration to the City

Public Works Department

3. Authorize **(1)** Amendment No. 1 to the Project Specific Agreement with Dallas County for the final design, right-of-way acquisition, and construction of paving and drainage improvements on Walnut Hill Lane from Malibu Drive to the Elm Fork Athletic Complex; and **(2)** an additional payment to Dallas County for the City's share of final design, right-of-way acquisition, and construction costs - Not to exceed \$545,229, from \$3,537,500 to \$4,082,729 - Financing: 2006 Bond Funds (\$121,126), Water Utilities Capital Construction Funds (\$4,620) and Water Utilities Capital Improvement Funds (\$419,483)

Trinity Watershed Management

4. Authorize a Discretionary Service Agreement between the City and Oncor Electric Delivery LLC (Oncor) to relocate an existing 138 kilovolt electric transmission tower on Oncor's East Levee-West Industrial line for the Able Pump Station Improvement Project - Not to exceed \$273,174 - Financing: General Obligation Commercial Paper Funds

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 12, 2014**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

Business Development & Procurement Services

5. Execute the casting of lots to identify the recommended vendor resulting from tie bids on line 16 for bid BJ1404, for a three-year master agreement for aftermarket automotive and heavy equipment parts - Installer Sales and Service and Uni-Select USA - Financing: This action has no cost consideration to the City
6. Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 6, 7, 8, 9, 11, 12, 23, 25, 39, 40, 41, 42, 43, 44 and 45, for bid BP1404, for a two-year master agreement for the purchase of granulated and liquid fertilizer - Winfield Solutions, LLC, BWI Companies, Inc. and Greensmiths, Inc. - Financing: This action has no cost consideration to the City

City Secretary's Office

7. A resolution designating absences by Councilmember Philip Kingston as being for "official city business" - Financing: No cost consideration to the City
8. Authorize the appointment of William Tsao to the Dallas/Fort Worth International Airport Board for a term to begin February 12, 2014, and expire January 31, 2016 - Financing: No cost consideration to the City

ITEMS FOR FURTHER CONSIDERATION

Park & Recreation

9. Authorize **(1)** a professional services contract with Hargreaves Associates, Inc. for schematic design and construction cost estimates for improvements to John Carpenter Plaza located at 2201 Pacific Avenue; **(2)** the acceptance of funds in the amount of \$307,555 from The Decherd Foundation; and **(3)** the establishment of appropriations in the amount of \$307,555 in the Capital Gifts, Donation and Development Fund - Not to exceed \$307,555 - Financing: Capital Gifts, Donation and Development Funds

ADDENDUM DATE February 12, 2014

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
1			N/A	C	OFS	NC	NA	NA	Authorize an extension through September 30, 2014 for Community Development Block Grant (CDBG) funded projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement
2			All	C	MGT, IGS	NC	NA	NA	Authorize the Program Statement for the growSouth Neighborhood Challenge providing requirements, eligibility criteria, and project scope for neighborhood groups to receive competitive grant-based financial assistance for projects that will improve an area's quality of life
3			6	C	PBW, WTR	\$545,228.41	NA	NA	Authorize Amendment No. 1 to the Project Specific Agreement with Dallas County for the final design, right-of-way acquisition, and construction of paving and drainage improvements on Walnut Hill Lane from Malibu Drive to the Elm Fork Athletic Complex; and an additional payment to Dallas County for the City's share of final design, right-of-way acquisition, and construction costs
4			All	C	TWM	\$273,173.60	NA	NA	Authorize a Discretionary Service Agreement between the City and Oncor Electric Delivery LLC (Oncor) to relocate an existing 138 kilovolt electric transmission tower on Oncor's East Levee-West Industrial line for the Able Pump Station Improvement Project
5			All	I	PBD	NC	NA	NA	Execute the casting of lots to identify the recommended vendor resulting from tie bids on line 16 for bid BJ1404, for a three-year master agreement for aftermarket automotive and heavy equipment parts
6			All	I	PBD	NC	NA	NA	Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 6, 7, 8, 9, 11, 12, 23, 25, 39, 40, 41, 42, 43, 44 and 45, for bid BP1404, for a two-year master agreement for the purchase of granulated and liquid fertilizer
7			All	I	SEC	NC	NA	NA	A resolution designating absences by Councilmember Philip Kingston as being for "official city business"
8			All	I	SEC	NC	NA	NA	Authorize the appointment of William Tsao to the Dallas/Fort Worth International Airport Board for a term to begin February 12, 2014, and expire January 31, 2016
9			14	I	PKR	GT	7.66%	7.66%	Authorize a professional services contract with Hargreaves Associates, Inc. for schematic design and construction cost estimates for improvements to John Carpenter Plaza located at 2201 Pacific Avenue; the acceptance of funds from The Decherd Foundation

TOTAL \$818,402.01

ADDENDUM ITEM # 1

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize an extension through September 30, 2014 for Community Development Block Grant (CDBG) funded projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement - Financing: No cost consideration to the City

BACKGROUND

On August 18, 1993, the City Council approved Resolution No. 93-3001, establishing specific timeframes for the obligation and expenditure of Community Development Block Grant (CDBG) funds. Funds are to be obligated within 12 months and expended within 24 months of budget adoption. On March 28, 2007, the City Council approved Resolution No. 07-0992, enhancing the City's existing expenditure policy with additional benchmarks. Additional time to obligate and expend funds may be granted by the City Council.

Timely expenditure of CDBG funds by entitlement cities continues to be a primary concern of the U. S. Department of Housing and Urban Development (HUD). HUD requires that cities expend CDBG funds so that at least 60 days prior to the start of a new program year, the unexpended balance of CDBG funds should be less than 1.5 times the cities' CDBG allocation amount for the current year. The City of Dallas continues to meet this HUD regulation.

For FY 2013-14, a review of the projects based on the timely expenditure policy (including the benchmarks), identified unspent funds remaining in 37 projects recommended for extension for a total of \$5,575,209 and unspent funds remaining in 16 projects recommended for reprogramming for a total of \$1,185,650.

On December 19, 2013, the Community Development Commission (CDC) Financial Monitoring Committee reviewed and recommended the City Manager's proposed extensions and reprogramming of CDBG funds with no amendments.

BACKGROUND (Continued)

On January 2, 2014, the CDC reviewed and approved the CDC Financial Monitoring Committee's recommendation from the December 19, 2013 committee meeting. Unspent funds remaining in 37 projects recommended for extension for a total of \$5,575,209 and unspent funds remaining in 16 projects recommended for reprogramming for a total of \$1,185,650.

On February 5, 2014, the City Council was briefed on the FY 2013-14 CDBG Extensions and Reprogramming recommendations.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 18, 1993, the City Council approved Resolution No. 93-3001, establishing specific timeframes for the obligation and expenditure of Community Development Block Grant (CDBG) Funds.

On March 28, 2007, the City Council approved Resolution No. 07-0992, enhancing the City's existing expenditure policy with additional benchmarks.

On June 26, 2013, the City Council approved Resolution No. 13-1142, adopting the final FY 2013-14 Consolidated Plan Budget and the final FY 2012-13 Reprogramming Budget.

On December 19, 2013, the Community Development Commission (CDC) Financial Monitoring Committee reviewed and recommended the City Manager's proposed extensions and reprogramming of CDBG funds with no amendments.

On January 2, 2014, the Community Development Commission was briefed and recommended extending and reprogramming of the CDBG project funds.

On February 5, 2014, the City Council was briefed on the FY 2013-14 City Manager's Proposed Extension/Reprogramming Budget.

FISCAL INFORMATION

No cost consideration to the City.

February 12, 2014

WHEREAS, on August 18, 1993, the City Council approved Resolution No. 93-3001 establishing specific timeframes for the obligation and expenditure of Community Development Block Grant (CDBG) funds; and

WHEREAS, on March 28, 2007, the City Council approved Resolution No. 07-0992 enhancing the City's existing expenditure policy with additional benchmarks; and

WHEREAS, on June 26, 2013, the City Council approved Resolution No. 13-1142, adopting the final FY 2013-14 Consolidated Plan Budget and the final FY 2012-13 Reprogramming Budget; and

WHEREAS, at the discretion of the City Council, the timeframes may be extended for obligating and expending CDBG funded activities; and

WHEREAS, on December 19, 2013, the Community Development Commission (CDC) Financial Monitoring Committee reviewed and recommended the City Manager's proposed extensions and reprogramming of CDBG funds with no amendments; and

WHEREAS, on January 2, 2014, the Community Development Commission was briefed on the extensions and reprogramming of the CDBG project funds and made recommendations. Unspent funds remaining in 37 CDBG projects, totaling \$5,575,209 were recommended for extension. In addition, 16 CDBG projects, totaling \$1,185,650 were identified for reprogramming in conjunction with the FY 2014-15 Consolidated Plan Budget; and

WHEREAS, on February 5, 2014, the City Council was briefed on the FY 2013-14 CDBG Extensions and Reprogramming recommendations.

Now, Therefore,

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

Section 1. That the City Council authorizes an extension to the timeframes for the obligation and expenditure of prior CDBG funds to September 30, 2014 per Attachment A.

Section 2. That the City Council authorizes the release of funds from their originally budgeted purposes for future reprogramming in conjunction with the FY 2014-15 Consolidated Plan Budget per Attachment B.

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.

ATTACHMENT A

CDBG Extension of Expenditures/Commitment Policy
Recommended by Community Development Commission (CDC) on 01/02/2014
Briefed to City Council on 02/05/2014

#	FY	Fund	Unit	Project Name	Amount
1	12-13	CD12	852E	South Oak Cliff Community Court	\$3,967
2	12-13	CD12	858E	Dedicated SAFEII Expansion Code Inspection -DPD	\$50,698
3	10-11	09R1	631B	Bexar Street Mixed-Used Project	\$154,570
4	05-06	0R04	482C	Business Development Program	\$21,885
5	01-02	0R00	483C	Business Incentive Program	\$126,808
6	10-11	CD10	493C	Community Based Development Corp -EDCO	\$237,515
7	10-11	CD10	491C	Community Based Development Corporation	\$113,932
8	09-10	CD09	648B	Community Based Development Organization (CBDO)	\$5,000
9	12-13	CD12	870E	Housing Management Support (P/PO)	\$19,737
10	10-11	CD10	428C	Major Systems Repair Program	\$758
11	11-12	CD11	718D	Major Systems Repair Program	\$38,552
12	10-11	CD10	485C	NEP-Bexar Street Phase I	\$7,541
13	10-11	CD10	486C	NEP-Bexar Street Phase I	\$2,802
14	09-10	CD09	647B	NEP-Neighborhood Enhancement Program	\$7,083
15	11-12	CD11	809D	NIP-Bexar Street Phase I	\$33,553
16	10-11	CD10	487C	NIP-Ideal/Rochester Park Street Improvements	\$187,749
17	07-08	06R2	8676	NIP-Neighborhood Investment Program-Infrastructure	\$158,602
18	09-10	08RP	682B	NIP-Neighborhood Investment Program-Infrastructure	\$216,770
19	08-09	CD08	307A	NIP-Neighborhood Investment Program-Infrastructure	\$33,943
20	09-10	CD09	650B	NIP-Neighborhood Investment Program-Infrastructure	\$51,384
21	10-11	09RP	400C	NIP-Neighborhood Investment Program-Reprogram	\$17,101
22	11-12	10RP	807D	NIP-North Oak Cliff Improvements	\$646,704
23	11-12	10RP	804D	NIP-Spring Avenue Infrastructure	\$200,643
24	10-11	CD10	484C	NIP-Spring Avenue Infrastructure	\$1,304,171
25	11-12	CD11	805D	NIP-Spring Avenue Infrastructure	\$334,059

ATTACHMENT A

CDBG Extension of Expenditures/Commitment Policy
Recommended by Community Development Commission (CDC) on 01/02/2014
Briefed to City Council on 02/05/2014

#	FY	Fund	Unit	Project Name	Amount
26	11-12	CD11	721D	People Helping People- Volunteer Home Repair	\$56,915
27	11-12	CD11	731D	Public Improvement for Non-Profits	\$85,000
28	10-11	CD10	423C	Residential Development Acquisition Loan Program	\$478,509
29	11-12	CD11	712D	Residential Development Acquisition Loan Program	\$70,219
30	11-12	CD11	821D	Residential Development Loan Program -EVERgreen	\$521,491
31	10-11	CD10	422C	South Dallas/Fair Park - Major Systems Repair Program	\$60,866
32	11-12	CD11	711D	South Dallas/Fair Park - Major Systems Repair Program	\$50,000
33	07-08	06R1	4464	Southern Sector Housing & Economic Development	\$142,626
34	07-08	06R2	4468	Southern Sector Housing & Economic Development	\$20,664
35	10-11	09R1	653B	Reconstruction/SHARE Program	\$94,389
36	12-13	CD12	860E	Economic Development Oversight	\$2,451
37	12-13	CD12	885E	Grant Compliance -Monitoring	\$16,550
TOTAL Extension Recommendation					\$5,575,209

ATTACHMENT B

CDBG Reprogramming of Expenditures/Commitment Policy
Recommended by Community Development Commission (CDC) on 01/02/2014
Briefed to City Council on 02/05/2014

#	FY	Fund	Unit	Project Name	Amount
1	12-13	CD12	861E	Child Care Services Program	\$20,000
2	12-13	CD12	865E	Clinical Dental Care Program	\$18
3	12-13	CD12	868E	Housing Contract Administration	\$109,065
4	11-12	CD11	715D	Housing Development Support	\$53,420
5	12-13	CD12	869E	Housing Development Support	\$378,191
6	11-12	CD11	728D	Housing/Community Services-Contract Monitoring (P/PO)	\$27
7	10-11	CD10	490C	NEP-West Dallas Improvements	\$262
8	11-12	CD11	727D	Offender Re-entry Program (HOU)	\$5,014
9	12-13	CD12	876E	Offender Re-entry Program (HOU)	\$32,244
10	11-12	CD11	721D	People Helping People- Volunteer Home Repair	\$225,005
11	10-11	CD10	431C	People Helping People- Volunteer Home Repair	\$201,567
12	09-10	CD09	638B	South Dallas/Fair Park - Major Systems Repair Program	\$3,641
13	11-12	CD11	796D	BAC#1 Greater Hispanic Chamber of Commerce	\$3,199
14	11-12	CD11	797D	BAC#2 Inncity Community Development Corporation	\$383
15	11-12	CD11	799D	BAC#4 Greater Dallas Hispanic Chamber of Commerce	\$678
16	11-12	CD11	803D	BAC#8 Greater Dallas American Indo Chamber of Commerce	\$22,755
17		TBD	TBD	Reprogrammed Funds	\$130,180
Total CDBG Reprogramming Recommendation					\$1,185,650

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Management Services
Intergovernmental Services

CMO: Jeanne Chipperfield, 670-7804
A. C. Gonzalez, 670-3302

MAPSCO: N/A

SUBJECT

Authorize the Program Statement for the growSouth Neighborhood Challenge providing requirements, eligibility criteria, and project scope for neighborhood groups to receive competitive grant-based financial assistance for projects that will improve an area's quality of life - Financing: This action has no cost consideration to the City

BACKGROUND

City Council adopted FY 2008-09 Budget Amendments on September 17, 2008, which included \$100,000 for the "My Dallas" program, now named "Loving My Community (LMC) Neighborhood Improvement Grant."

In 2009, the City of Dallas presented the vision and mission of the Loving My Community (LMC) Neighborhood Improvement Grant to the Communities Foundation of Texas (CFT) and was awarded the Mabel Peters Caruth Fund in the amount of \$100,000. Jointly, the program used City funds and the Mabel Peters Caruth Fund grant to fund one grant cycle, which was held in FY 2009-2010. The Loving My Community (LMC) Neighborhood Improvement Grant awarded grants to groups with a \$10,000 maximum per project.

The Loving My Community (LMC) Neighborhood Improvement Grant was renamed growSouth Neighborhood Challenge in the FY 2013-14 Budget, with a focus on community neighborhoods located south of I-30 east of Downtown, or south of the Trinity River west of Downtown.

The vision for the Challenge is for residents to come together, using the assets in their neighborhood, such as their knowledge, skills, contacts and creativity, to improve their neighborhood.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed to the Quality of Life Council Committee on the “Loving My Community (LMC) Neighborhood Improvement Grant” on May 11, 2009.

The City Council authorized the implementation of the LMC Grant Program on May 27, 2009, by Resolution No. 09-1342.

The City Council authorized the acceptance of a grant from the Communities Foundations of Texas for \$100,000 and established appropriations in the amount of \$200,000 in the FY 2009-10 Budget on September 23, 2009, by Resolution No. 09-2375.

Briefed to the Quality of Life and Environment Committee on the “growSouth Neighborhood Challenge” on January 27, 2014.

FISCAL INFORMATION

This action has no cost consideration to the City

February 12, 2014

WHEREAS, the City of Dallas recognizes the importance of its role in neighborhood quality of life; and

WHEREAS, the City of Dallas desires to provide incentives to neighborhood-oriented organizations to engage in activities that will enhance the quality of life in the City through the “growSouth Neighborhood Challenge”; and

WHEREAS, the Dallas City Council has allocated the necessary funds as part of the FY 2013-14 adopted budget to implement the “Loving My Community Neighborhood Improvement Grant” program, now named “growSouth Neighborhood Challenge”; and

WHEREAS, the City of Dallas herein has the opportunity to assist neighborhoods in offering funds to help improve the quality of life in their community and encourage positive community activity; and

WHEREAS, the City intends that funding be for Southern Sector projects in the area of Dallas south of Interstate 30 on the east and south of the Trinity River on the west; and

WHEREAS, the City Council of the City of Dallas desires to adopt the growSouth Neighborhood Challenge Program Statement;

Now, Therefore;

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

Section 1. That the City Council of the City of Dallas hereby adopts the growSouth Neighborhood Challenge Program Statement, a copy of which is attached hereto as (Exhibit “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.

EXHIBIT A

PROGRAM STATEMENT growSouth NEIGHBORHOOD CHALLENGE

Program Purpose:

To provide up to \$100,000 in total funding for neighborhood revitalization and improvement projects. To offer financial incentives to neighborhood groups to develop and implement self-help projects or programs for their communities. To offer neighborhood groups competitive grant-based financial assistance for projects that will improve their community's quality of life. To improve the condition of neighborhoods which will result in a more revitalized community and a better city.

Program Description:

The City will award up to \$10,000 in grant funds, a minimum of ten (10), to neighborhood groups with top-ranked projects and programs. Residents will come together in their community and/or neighborhood to utilize their existing assets, knowledge, skills, contacts, and creativity to improve their neighborhood.

Funding will be considered for the following activities:

- Service Projects - Activities that benefit the community and can be continued or repeated after funding is exhausted. These Community Enrichment projects can include events and/or activities that increase community involvement or help supplement City programs geared to improve the quality of life of the residents.
- Construction - Improvement Project - Activities that include building and/or altering an area's "look" or appearance. Include a plan and timeline for implementing the project. Projects should be self-sustaining and enhance the landscape of the neighborhood.
- Construction - Neighborhood Feature Projects - Activities designed to improve the entrance points to a neighborhood area.
- Construction - New Physical Community Improvement Project - Those activities that involve new, large-scale neighborhood landscaping with the community.

Neighborhood oriented groups will submit application packages to the Application Review Board for review by the application deadline. Basic eligibility requires that each group have at least one member attend and complete an Application Development Workshop to ensure all parties fully understand requirements, restrictions, and guidelines.

Program Operations:

- Project proposals will be accepted until the application submission deadline.
- City staff, led by Strategic Customer Services, is responsible for reviewing completeness of funding application and determining if the applicant meets the requirements of this program statement. Those proposals not meeting the criteria of this program statement will not be sent to the Application Review Board for consideration.
- City Staff, led by Strategic Customer Services, will provide mandatory training in the Application Development Workshop for applicants.
- City Staff, led by Strategic Customer Services, will hold a program overview meeting with Application Review Board.
- City Staff, led by Strategic Customer Services, and the Application Review Board will review applications and host finalist interviews.

Program Requirements:

The Application Review Board will consider applications for neighborhood groups whose projects or programs will:

- Build a stronger and healthier community
- Provide a public benefit in the community
- Meet an obvious neighborhood need or desire
- Involve residents and other members of the community in all aspects of the project
- Be completed or launched within one (1) year of signing the funding agreement
- Be maintained by the neighborhood or the applicant group for a minimum of four (4) years for construction projects and two (2) years for ongoing service programs

Program Restrictions:

Neighborhood groups are not allowed to use funds for the following activities:

- Individual maintenance projects required by city code
- Projects that will require ongoing maintenance from the City of Dallas, including staffing or operating expenses
- Replace or serve as an association's operating budget
- Projects that conflict with city policies or codes
- Expenditures incurred or financial commitments made prior to receiving funding
- Food, beverages and/or catering services over \$250 for projects under \$5,000 and \$500 for projects over \$5,000
- Travel expenses
- Payment to individuals other than those who provide their professional services to the project
- Payment to community members for volunteer services connected to the project

Program Selection Criteria:

The Application Review Board will review and rank applications based on the following evaluation criteria:

- Neighborhood Description – 15 points
- Project/ Idea Description – 30 points
- Community Involvement – 20 points
- Budget – 20 points
- Community Impact and Project Evaluation – 15 points

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 6

DEPARTMENT: Public Works Department
Water Utilities

CMO: Jill A. Jordan, P.E., 670-5299
Forest E. Turner, 670-3390

MAPSCO: 22Q

SUBJECT

Authorize **(1)** Amendment No. 1 to the Project Specific Agreement with Dallas County for the final design, right-of-way acquisition, and construction of paving and drainage improvements on Walnut Hill Lane from Malibu Drive to the Elm Fork Athletic Complex; and **(2)** an additional payment to Dallas County for the City's share of final design, right-of-way acquisition, and construction costs – Not to exceed \$545,229, from \$3,537,500 to \$4,082,729 - Financing: 2006 Bond Funds (\$121,126), Water Utilities Capital Construction Funds (\$4,620) and Water Utilities Capital Improvement Funds (\$419,483)

BACKGROUND

Walnut Hill Lane from Luna Road to Malibu Drive was submitted by the City of Dallas and accepted as a candidate project by Dallas County in their 2003 Major Capital Improvement Program Call for Projects. The Master Interlocal Agreement for the implementation of Dallas County projects was approved on January 10, 2001, and was later renewed on April 13, 2011. In addition to the Master Agreement, a Funding Agreement with Dallas County for the preliminary engineering phase of the Walnut Hill Lane Project was executed on February 18, 2008, and a Project Specific Agreement with Dallas County for the final design, right-of-way acquisition, and construction of Walnut Hill Lane Project was executed on June 26, 2012. This action will authorize Amendment No. 1 to the Project Specific Agreement with Dallas County for the final design, right-of-way acquisitions, and construction of Walnut Hill Lane from Malibu Drive to the Elm Fork Athletic Complex, and additional payment to Dallas County in the amount of \$545,228.41 for the City's share of project costs.

Currently, Walnut Hill Lane is improved from IH-35E to Malibu Drive; however, west of Malibu Drive, there is only a two-lane unimproved roadway that provides local access extending approximately 2,500 feet westward. The Walnut Hill Lane Project's original scope entailed constructing a 6-lane divided roadway from Malibu Drive to Luna Road.

BACKGROUND (Continued)

However, due to financial constraints and based on the existing traffic demands for the area, the project scope was modified to only provide at this time a 4-lane divided roadway from Malibu Drive to Elm Fork Athletic Complex for a total length of approximately 2,100 feet. In addition to roadway improvements, the project scope includes a 6-foot sidewalk along the south side of Walnut Hill Lane, a 12-foot trail along the north side of Walnut Hill Lane, and 830 feet of 12" water main improvements.

Dallas County is the lead agency for this project and is responsible for administering the design, right-of-way acquisition, and construction. Dallas County has completed the design phase of the project and plans to award the construction contract to the lowest responsible bidder. The total project cost is estimated at \$7,741,353.82, of which, the City is responsible for \$4,082,728.41. This action will authorize the City's remaining share of \$545,228.41.

ESTIMATED SCHEDULE OF PROJECT

Began Final Design	December 2011
Completed Final Design	October 2013
Began Right-of-Way	August 2012
Completed Right-of-Way	May 2013
Begin Construction	March 2014
Complete Construction	March 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Master Interlocal Agreement with Dallas County on January 10, 2001, by Resolution No. 01-0104.

Authorized submission of candidate projects for Dallas County's 2003 Major Capital Improvement Program Call for Projects on August 27, 2003, by Resolution No. 03-2345.

Authorized a Funding Agreement with Dallas County on December 12, 2007, by Resolution No. 07-3721.

Authorized a new Master Agreement governing Major Capital Improvement Program with Dallas County on April 13, 2011, by Resolution No. 11-0927.

Authorized a Project Supplemental Agreement with Dallas County on February 8, 2012, by Resolution No. 12-0466.

FISCAL INFORMATION

2006 Bond Funds - \$121,125.41

Water Utilities Capital Construction Funds – \$4,620.00

Water Utilities Capital Improvement Funds – \$419,483.00

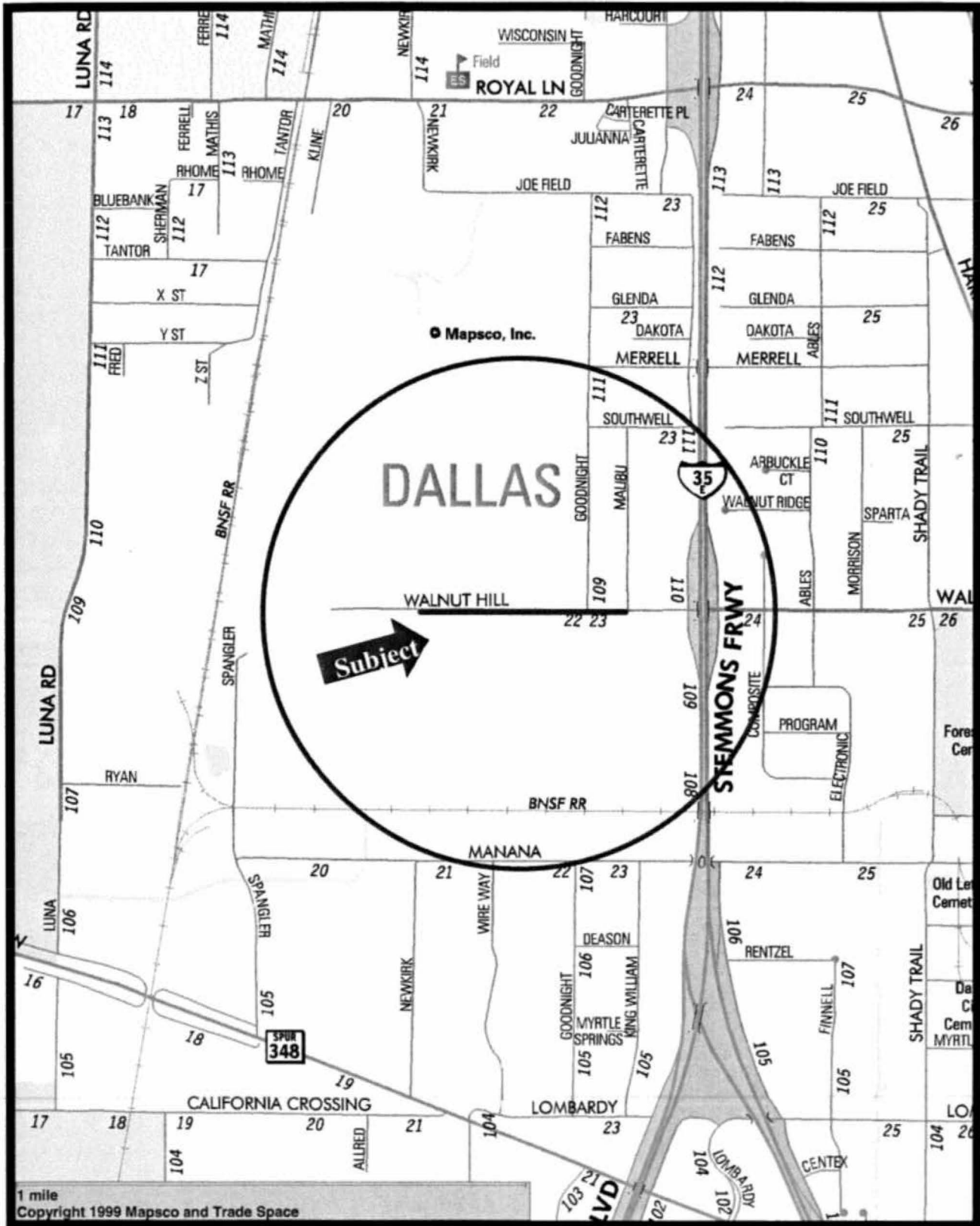
Design	\$ 362,294.00
Construction	\$3,175,206.00
Amendment No. 1 (this action)	<u>\$ 545,228.41</u>

Total Project Cost	\$4,082,728.41
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MAP

Attached.

WALNUT HILL LANE



MAPSCO 22Q

February 12, 2014

WHEREAS, on January 10, 2001, Resolution No. 01-0104 authorized the Master Agreement with Dallas County governing major capital improvement projects to be jointly funded and developed by the County and the City; and,

WHEREAS, on August 27, 2003, Resolution No. 03-2345 authorized the submission, acceptance, and implementation of City of Dallas candidate projects for the Dallas County Major Capital Improvement Program's 2003 Call for Projects; and,

WHEREAS, Walnut Hill Lane from Luna Road to Malibu Drive was submitted and subsequently selected for Dallas County's 2003 Call for Projects; and,

WHEREAS, on December 12, 2007, Resolution No. 07-3721 authorized a Funding Agreement with Dallas County in the amount of \$362,294 for the preliminary design of paving and drainage improvements on Walnut Hill Lane from Luna Road to Malibu Drive; and,

WHEREAS, on April 13, 2011, Resolution No. 11-0927 authorized the new Master Agreement with Dallas County governing Major Capital Improvement Program with Dallas County; and,

WHEREAS, Dallas County is the lead agency for project development; and,

WHEREAS, due to technical and cost considerations the project limits have been modified to Walnut Hill Lane from Malibu Drive to Elm Fork Athletic Complex; and,

WHEREAS, on February 8, 2012, Resolution No. 12-0466 authorized a Project Specific Agreement with Dallas County for the final design, right-of-way acquisition, and construction of paving and drainage improvements on Walnut Hill Lane from Malibu Drive to Elm Fork Athletic Complex and additional payment to Dallas County for the City's share of final design, right-of-way acquisition, and construction costs in an amount not to exceed \$3,175,206; and,

WHEREAS, it is now necessary to authorize Amendment No. 1 to the Project Specific Agreement with Dallas County for the final design, right-of-way acquisition, and construction of paving and drainage improvements on Walnut Hill Lane from Malibu Drive to Elm Fork Athletic Complex and additional payment to Dallas County for the City's share of final design, right-of-way acquisition, and construction costs in an amount not to exceed \$545,228.41.

February 12, 2014

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) execute Amendment No. 1 to the Project Specific Agreement with Dallas County for the final design, right-of-way acquisition, and construction of paving and drainage improvements on Walnut Hill Lane from Malibu Drive to Elm Fork Athletic Complex; and, (2) make additional payment to Dallas County for the City's share of final design, right-of-way acquisition, and construction costs in an amount not to exceed \$545,228.41, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from:

Street and Transportation Improvements Fund
Fund 1T22, Dept PBW, Unit U236, Act. INGV
Obj. 4510 Program #PB06U236, CT PBW06U236C1
Vendor #014003, in an amount not to exceed \$ 121,125.41

Water Utilities Capital Improvement Funds
Fund 0115, Dept DWU, Unit PW42, Act. RELP
Obj. 4550, Program #713019, Rep. W3JW, CT PBW713019CP
Vendor #014003, in an amount not to exceed \$ 419,483.00

Water Utilities Capital Construction Funds
Fund 0102, Dept DWU, Unit CW42, Act. RELP
Obj. 3221, Program #713019X, Rep. W3JW, CT PBW713019EN
Vendor #014003, in an amount not to exceed \$ 4,620.00

Total in an amount not to exceed \$ 545,228.41

Section 3. That the City Controller is hereby authorized to deposit any unused Bond Funds advanced to Dallas County pertaining to this project in Fund 1T22, Department PBW, Unit U236, Object 4510.

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Trinity Watershed Management

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: Citywide

SUBJECT

Authorize a Discretionary Service Agreement between the City and Oncor Electric Delivery LLC (Oncor) to relocate an existing 138 kilovolt electric transmission tower on Oncor's East Levee-West Industrial line for the Able Pump Station Improvement Project - Not to exceed \$273,174 – Financing: General Obligation Commercial Paper Funds

BACKGROUND

The 2006 and the 2012 Bond Programs include funding for design and construction of a new pump station at Sump A (Able Pump Station). Design of the new pump station is currently underway, and construction is planned to begin later this year. Construction of the new pump station will necessitate the relocation of one of Oncor's 138 kilovolt electric transmission towers on Oncor's East Levee-West Industrial line, which runs along the East Levee of the Trinity River, in the vicinity of the Able Pump Station. Relocation of this electric transmission tower is important and is expected to be completed by the end of April 2014, in advance of Oncor's increased demand load created by the summer heat.

This action will authorize a Discretionary Service Agreement between the City and Oncor to relocate an existing 138 kilovolt electric transmission on Oncor's East Levee-West Industrial line in conjunction with the Able Pump Station improvement project in an amount not to exceed \$273,173.60.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

2006 Bond Funds (General Obligation Commercial Paper Funds) - \$273,173.60

OWNER

Oncor Electric Delivery LLC

Bob Shapard, Chairman and Chief Executive Officer

February 12, 2014

WHEREAS, the 2006 and the 2012 Bond Programs included funding for design and construction of a new pump station at Sump A (Able Pump Station); and,

WHEREAS, design of the new pump station is currently underway, and construction is planned to begin later this year; and,

WHEREAS, construction of the new pump station will necessitate the relocation of one of Oncor's 138 kilovolt electric transmission towers on Oncor's East Levee-West Industrial line, which runs along the East Levee of the Trinity River, in the vicinity of the Able Pump Station; and,

WHEREAS, relocation of this electric transmission tower is scheduled to be complete by the end of April 2014 in advance of Oncor's increased demand load created by the summer heat; and,

WHEREAS, it is now necessary to authorize a Discretionary Service Agreement between the City and Oncor Electric Delivery LLC (Oncor) to relocate an existing 138 kilovolt electric transmission on Oncor's East Levee-West Industrial line in conjunction with the Able Pump Station Improvement Project.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a Discretionary Service Agreement between the City and Oncor Electric Delivery LLC (Oncor) to relocate an existing 138 kilovolt electric transmission on Oncor's East Levee-West Industrial line in conjunction with the Able Pump Station improvement project in an amount not to exceed \$273,173.60, after it has been approved as to form by the City Attorney.

SECTION 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from:

Flood Protection and Storm Drainage Facilities Fund
Fund 2T23, Agency TWM, Unit T513, Activity FLDM
Object 4154, Program No. PB06T513, Encumbrance No. CT- PBW06T513F1
Vendor #255302, in an amount not to exceed \$273,173.60

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.

ADDENDUM ITEM # 5

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Execute the casting of lots to identify the recommended vendor resulting from tie bids on line 16 for bid BJ1404, for a three-year master agreement for aftermarket automotive and heavy equipment parts - Installer Sales and Service and Uni-Select USA - Financing: This action has no cost consideration to the City

BACKGROUND

This action is not intended to make an award, but to execute the casting of lots to identify a vendor for each of the lines for which the City has received identical bids. This process is being executed in accordance with Texas Local Government Code, Section 271.901. This section of the Texas Local Government Code states, in part:

- The municipality must select identical bids by the casting of lots
- The casting of lots must be in the presence of the governing body of the municipality
- If one of the bidders submitting an identical bid is a resident of the municipality, the municipality must select that bidder

This particular solicitation resulted in identical bids from vendors located outside the city limits.

Once the vendor(s) are selected for each line by a casting of lots, a recommendation will be presented to Council for award on February 26, 2014.

BID INFORMATION

The following bids were received from solicitation number BJ1404 and opened on November 14, 2013. This master agreement will be awarded by line.

<u>Bidders</u>	<u>Address</u>	<u>Tie Bid Line</u>
Installer Sales and Service	3030 Lincoln Ct. Garland, TX 75041	Line 16
Uni-Select USA	901 N. Lenola Rd. Moorestown, NJ 08057	Line 16

OWNERS

Installer Sales and Service

Wilson McMillion, President

Uni-Select USA

Brent Windom, President

ADDENDUM ITEM # 6

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 6, 7, 8, 9, 11, 12, 23, 25, 39, 40, 41, 42, 43, 44 and 45, for bid BP1404, for a two-year master agreement for the purchase of granulated and liquid fertilizer – Winfield Solutions, LLC, BWI Companies, Inc. and Greensmiths, Inc. - Financing: This action has no cost consideration to the City

BACKGROUND

This action is not intended to make an award but to execute the casting of lots to identify a vendor for each of the lines for which the City has received identical bids. This process is being executed in accordance with Texas Local Government Code, Section 271.901. This section of the Texas Local Government Code states, in part:

- The municipality must select from identical bids by the casting of lots
- The casting of lots must be in the presence of the governing body of the municipality
- If one of the bidders submitting an identical bid is a resident of the municipality the municipality must select that bidder

This particular solicitation resulted in identical bids from vendors located outside the city limits.

Once the vendor(s) are selected for each line by a casting of lots a recommendation will be presented to Council for award on February 26, 2014.

BID INFORMATION

The following bids were received from solicitation number BP1404 and opened on December 12, 2013. This master agreement will be awarded by line.

<u>Bidders</u>	<u>Address</u>	<u>Tie Bid Lines</u>
Winfield Solutions, LLC	1221 Champion Circle Carrollton, TX 75006	Lines 6-9, 11, 12, 39-45
BWI Companies, Inc.	1418 Upfield Road Carrollton, TX 75006	Lines 6-9, 11, 12, 23, 25, 39-45
Greensmiths, Inc.	1419 Upfield Road Carrollton, TX 75006	Lines 23, 25

OWNERS

Winfield Solutions, LLC

Rod Schroder, President
Mitch Eviston, Vice President

BWI Companies, Inc.

Jim Bunch, President
Robert Bunch, Director
Mike Mize, Vice President

Greensmiths, Inc.

James Montgomery, President
TL Morgan, Vice President
Gary Mayberry, Secretary

ADDENDUM ITEM # 7

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: City Secretary

CMO: Rosa A. Rios, 670-5654

MAPSCO: N/A

SUBJECT

A resolution designating absences by Councilmember Philip Kingston as being for "official city business" - Financing: No cost consideration to the City

BACKGROUND

Chapter III, Section 4(e) of the Dallas City Charter provides in part, "If any city council member, including the mayor, misses more than 10 percent of the total number of regular meetings held by the city council during any compensation year, then the city council member's compensation...for that year will be reduced proportionately by the percentage of meetings missed.... Meetings missed by a city council member while he or she is on the official business of the city council and at the direction of the city council will not be counted towards the percentage of missed meetings for which compensation reduction is required... but will be counted as though the member had attended the meetings that are missed while so engaged in city business."

Section 4.11(b) of the City Council Rules of Procedure provides that an absence by a council member for (1) attending a meeting or conference of a professional organization of or association of municipalities or municipal officers, (2) testifying at a legislative hearing at the request of the mayor, the city council, the chair of the council's legislative affairs committee or the city manager, or (3) attending a meeting of a board, commission, or committee to which the council member has been appointed by the mayor or the city council, will automatically be deemed to be for "official city business at the direction of the city council" and will not be counted against a city council member for purposes of determining the council member's annual compensation.

BACKGROUND (Continued)

Section 4.11(c) of the City Council Rules of Procedure provides that, in addition to those absences automatically considered to be on "official city business at the direction of the city council" under Section 4.11(b) above, the city council may by resolution designate whenever a council member's absence is for official city business and not counted as a missed meeting for purposes of determining the council member's annual compensation under Chapter III, Section 4 of the Dallas City Charter.

The proposed resolution authorizes and directs the city secretary to amend the minutes of city council meetings, without further city council action or approval, to reflect when the absences by designated council members have been deemed by the city council to be for "official city business."

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

February 12, 2014

WHEREAS, Chapter III, Section 4(e) of the Dallas City Charter provides in part, "If any city council member, including the mayor, misses more than 10 percent of the total number of regular meetings held by the city council during any compensation year, then the city council member's compensation... for that year will be reduced proportionately by the percentage of meetings missed.... Meetings missed by a city council member while he or she is on the official business of the city council and at the direction of the city council will not be counted towards the percentage of missed meetings for which compensation reduction is required... but will be counted as though the member had attended the meetings that are missed while so engaged in city business"; and

WHEREAS, Section 4.11(b) of the City Council Rules of Procedure provides that an absence by a council member for (1) attending a meeting or conference of a professional organization or association of municipalities or municipal officers, (2) testifying at a legislative hearing at the request of the mayor, the city council, the chair of the council's legislative affairs committee or the city manager, or (3) attending a meeting of a board, commission, or committee to which the council member has been appointed by the mayor or the city council, will automatically be deemed to be for "official city business at the direction of the city council" and will not be counted against a city council member for purposes of determining the council member's annual compensation; and

WHEREAS, Section 4.11(c) of the City Council Rules of Procedure provides that, in addition to those absences automatically considered to be on "official city business at the direction of the city council" under Section 4.11(b) above, the city council may by resolution designate whenever a council member's absence is for official city business and not counted as a missed meeting for purposes of determining the council member's annual compensation under Chapter III, Section 4 of the Dallas City Charter; and

WHEREAS, Councilmember Philip Kingston participated in event(s) and/or meeting(s), as described in **Exhibit A** attached, which required him to miss all or part of one or more city council meeting(s) or committee meeting(s) on the date(s) noted in Exhibit A;
Now, Therefore,

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

February 12, 2014

SECTION 1. That, in accordance with Chapter III, Section 4(e) of the Dallas City Charter and Section 4.11(c) of the City Council Rules of Procedure, the event(s) and/or meeting(s) described in **Exhibit A**, attached, are hereby deemed to be for "official city business," and any absences from city council meeting(s) and/or city council committee meeting(s), on the date(s) noted in Exhibit A, by Councilmember Philip Kingston because of his participation in any event(s) and/or meeting(s) will not be counted against him in determining his annual compensation under Chapter III, Section 4 of the Dallas City Charter.

SECTION 2. That, in accordance with Section 4.11(a) of the City Council Rules of Procedure, the City Secretary shall maintain a record of the absence on official city business so that such absence will not count against Councilmember Philip Kingston in determining his annual compensation under Chapter III, Section 4 of the Dallas City Charter.

SECTION 3. That the City Secretary is authorized and directed to amend the minutes of each city council meeting held on the date(s) specified in Exhibit A, if applicable, to reflect that the absence by Councilmember Philip Kingston as described in Exhibit A, was for "official city business," and no further city council action or approval of those minutes is required.

SECTION 4. 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.

EXHIBIT A
CITY COUNCIL MEMBER(S)
REQUEST ABSENT AS OFFICIAL CITY BUSINESS

COUNCILMEMBER	TRIP/EVENT	LOCATION	DATE	PURPOSE	MEETING(S) MISSED	ABSENCE TYPE
Philip Kingston	Attended a rededication of the Norman Rockwell Mosaic	New York City, NY	02/03/2014	Representing the City of Dallas	Housing Committee	Absent
Philip Kingston	Attended a rededication of the Norman Rockwell Mosaic	New York City, NY	02/03/2014	Representing the City of Dallas	Budget, Finance & Audit Committee	Absent
Philip Kingston	Attended a rededication of the Norman Rockwell Mosaic	New York City, NY	02/05/2014	Representing the City of Dallas	City Council Briefing	Absent

OFFICE OF THE CITY SECRETARY
V:\Attendance\Exhibit A (Kingston 2-12-14).doc

DALLAS, TEXAS

ADDENDUM ITEM # 8

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: City Secretary

CMO: Rosa A Rios, 670-5654

MAPSCO: N/A

SUBJECT

Authorize the appointment of William Tsao to the Dallas/Fort Worth International Airport Board for a term to begin February 12, 2014, and expire January 31, 2016 - Financing: No cost consideration to the City

BACKGROUND

Pursuant to the contract and agreement between the City of Dallas and the City of Fort Worth, as amended, the City Council of the City of Dallas is authorized to appoint six (6) members to the Dallas/Fort Worth International Airport Board (DFW). Each Dallas board member is appointed to occupy designated Position Nos. 1, 4, 5, 6, 9, 11 and Position 10 shall at all times be filled by the duly elected Mayor of the City of Dallas.

The terms of office for Places 4, 6, and 9 expired January 31, 2014. On January 15, 2014, Sam Coats and Bernice J. Washington were appointed to the Board, with terms that began February 1, 2014 and expire January 31, 2016. Further, William Tsao was appointed for a term to begin July 1, 2014 and to expire January 31, 2016. The partial term allowed the existing member, Robert Hsueh, to remain in holdover status until July 1, 2014.

It has become necessary to move up the effective date of Mr. Tsao's term. This action will enable Mr. Tsao to begin serving on the Dallas/Fort Worth International Airport Board effective February 12, 2014 and expire January 31, 2016. While Mr. Tsao is also a member of the Dallas Area Rapid Transit Board of Directors (DART), he is not prohibited from serving simultaneously on both DFW and DART boards.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 16, 2011, the City Council approved Resolution No. 11-3106 formalizing the selection process for use in appointing members of the Dallas/Fort Worth International Airport Board.

On December 9, 2013, the Transportation & Trinity River Project Council Committee interviewed Sam Coats, Bernice Washington, William Tsao and Theresa Flores, respectively, for positions 4, 6, and 9 on the D/FW International Airport Board. The Transportation & Trinity River Project Council Committee subsequently submitted these (re)nominees to the City Council for possible appointment.

On January 15, 2014, the City Council approved Resolution No. 14-0156 appointing Sam Coats and Bernice Washington for a two-year term (beginning February 1, 2014 and expiring January 31, 2016), and William Tsao for a partial term (beginning July 1, 2014 and expiring January 31, 2016).

FISCAL INFORMATION

No cost consideration to the City

February 12, 2014

WHEREAS, pursuant to the CONTRACT and AGREEMENT between the City of Dallas and the City of Fort Worth, as amended, the City Council of the City of Dallas is authorized to appoint six (6) members to the DALLAS/FORT WORTH INTERNATIONAL AIRPORT BOARD ("Board"), such appointments to be evidenced by a resolution on file in the Dallas city records; and

WHEREAS, each Dallas Board member shall be appointed to occupy designated Place Nos. 1, 4, 5, 6, 9, 11 and that Place 10 shall at all times be filled by the duly elected Mayor of the City of Dallas; and

WHEREAS, the terms of office of three of the Dallas appointed members serving in Places 4, 6 and 9 expired January 31, 2014; and

WHEREAS, on January 15, 2014, the City Council reappointed Sam Coats and Bernice J. Washington to the Board, respectively, with terms that began on February 1, 2014 and that will expire on January 31, 2016; and

WHEREAS, on January 15, 2014, the City Council allowed Robert Hsueh to remain on the Board in a holdover status in Place 4 until June 30, 2014 with William Tsao appointed to take Mr. Hsueh's place on the Board beginning July 1, 2014 with his term expiring January 31, 2016; and

WHEREAS, in accordance with Resolution No. 11-3106, the City Secretary assigned the three appointed individuals to one of the available board places, Sam Coats to Place 9, Bernice Washington to Place 6, and William Tsao to Place 4.

WHEREAS, it has become necessary to move up the effective date of Mr. Tsao's (Place 4) appointment to the Board;

Now, Therefore,

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

Section 1: The following individual is hereby appointed to the DALLAS/FORT WORTH INTERNATIONAL AIRPORT BOARD with a term to begin upon the effective date of this resolution and expire January 31, 2016:

PLACE 4 William Tsao

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.

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: February 12, 2014

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 45-L

SUBJECT

Authorize **(1)** a professional services contract with Hargreaves Associates, Inc. for schematic design and construction cost estimates for improvements to John Carpenter Plaza located at 2201 Pacific Avenue; **(2)** the acceptance of funds in the amount of \$307,555 from The Decherd Foundation; and **(3)** the establishment of appropriations in the amount of \$307,555 in the Capital Gifts, Donation and Development Fund - Not to exceed \$307,555 - Financing: Capital Gifts, Donation and Development Funds

BACKGROUND

Hargreaves Associates, Inc. will provide for schematic design and construction cost estimates for improvements to John Carpenter Plaza.

Redevelopment of John Carpenter Plaza is identified in the Downtown Parks Master Plan Update to be one of the next priorities for Downtown. This contract provides for schematic design for the future improvements to the park. Funding for this contract is provided by The Decherd Foundation.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	February 2014
Complete Design	August 2014
Begin Construction	October 2014
Complete Construction	May 2015

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized award of the professional services contract on December 5, 2013.

On January 8, 2014, this item was deferred by Councilmember Kingston.

FISCAL INFORMATION

Capital Gifts, Donation and Development Funds - \$307,555

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Hargreaves Associates, Inc.

White Male	14	White Female	9
Black Male	1	Black Female	0
Hispanic Male	1	Hispanic Female	0
Other Male	2	Other Female	3

OWNER

Hargreaves Associates, Inc.

Mary Margaret Jones, FASLA, FAAR, President/Senior Principal
Glenn Allen, Secretary
Gavin McMillian, Principal
George Hargreaves, Chief Executive Officer

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** a professional services contract with Hargreaves Associates, Inc. for schematic design and construction cost estimates for improvements to John Carpenter Plaza located at 2201 Pacific Avenue; **(2)** the acceptance of funds in the amount of \$307,555 from The Decherd Foundation; and **(3)** the establishment of appropriations in the amount of \$307,555 in the Capital Gifts, Donation and Development Fund - Not to exceed \$307,555 - Financing: Capital Gifts, Donation and Development Funds

Hargreaves Associates is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$23,555.00	7.66%
Total non-local contracts	\$284,000.00	92.34%
TOTAL CONTRACT	\$307,555.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Lim & Associates, Inc.	PMDB56988Y0314	\$18,555.00	78.77%
Nathan D. Maier Consulting Engineers	WFWB58329Y0814	\$5,000.00	21.23%
Total Minority - Local		\$23,555.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$18,555.00	78.77%	\$18,555.00	6.03%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$5,000.00	21.23%	\$5,000.00	1.63%
Total	\$23,555.00	100.00%	\$23,555.00	7.66%

February 12, 2014

WHEREAS, it is necessary to hire a firm to provide for schematic design and construction cost estimates for improvements to John Carpenter Plaza located at 2201 Pacific Avenue, and the firm of Hargreaves Associates, Inc. has presented a proposal dated November 22, 2013 to provide for these services for a fee not to exceed \$307,555.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a professional services contract with Hargreaves Associates, Inc. for schematic design and construction cost estimates for improvements to John Carpenter Plaza, in an amount not to exceed \$307,555.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Hargreaves Associates, Inc., after approval as to form by the City Attorney's Office.

SECTION 3. That the City Controller is hereby authorized to receive and deposit funds from The Decherd Foundation, in the amount of \$307,555, in the Capital Gifts, Donation and Development Fund, Fund 0530, Department PKR, Unit P851, Revenue Code 8411.

SECTION 4. That the City Manager is hereby authorized to establish appropriations in the amount of \$307,555, to the Capital Gifts, Donation and Development Fund, Fund 0530, Department PKR, Unit P851, Object 4114.

SECTION 5. That the City Controller is hereby authorized to pay the amount of \$307,555 to Hargreaves Associates, Inc. from Capital Gifts, Donation and Development Fund, Fund 0530, Department PKR, Unit P851, Object 4114, Activity DWTN, Program PKP851, CT-PKR14019427, Commodity 92500, Vendor 358380.

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 ITEM # 36

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 12, 2014
COUNCIL DISTRICT(S): 14
DEPARTMENT: Sustainable Development and Construction
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 45 35 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a restaurant with a drive-through on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest line of Lemmon Avenue, southeast of Knight Street

Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions

Z123-378(WE)

ACM: Theresa O'Donnell**FILE NUMBER:** Z123-378(WE) **DATE FILED:** September 25, 2013**LOCATION:** Southwest line of Lemmon Avenue, southeast of Knight Street**COUNCIL DISTRICT:** 14 **MAPSCO:** 35-W**SIZE OF REQUEST:** Approx. 0.523 acres **CENSUS TRACT:** 6.05

APPLICANT: Erin McKool, Start Restaurant**OWNER:** 4015 Lemmon L.P.**REPRESENTATIVE:** Paul Cragun, Cumulus Design**REQUEST:** An application for a Specific Use Permit for a restaurant with a drive-through on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.**SUMMARY:** The purpose of this request is to allow the applicant to construct a 2,497 square foot restaurant on site.**CPC RECOMMENDATION:** Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions.**STAFF RECOMMENDATION:** Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The proposed restaurant with drive-through use should not impact the surrounding uses negatively. The proposed development is compatible in scale with the adjacent retail uses along the Lemmon Avenue corridor.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – This proposed restaurant with drive through fronts on a major arterial where the various retail and office uses operate. The proposed use will afford the residents to continue to shop and dine at various businesses in the area. The proposed SUP, if approved, will have conditions that are associated with the use. An SUP could be revoked or have a reduced time period if the applicant is not adhering to the proposed conditions during the time the SUP is being renewed.
3. *Not a detriment to the public health, safety, or general welfare* – The use is not anticipated to be a detriment to the public welfare. The proposed Specific Use Permit conditions are an additional layer of regulatory requirements the owner will have to comply with when operating the business. The City Plan Commission and City Council can revoke or reduce the owner's ability to operate the business through the SUP process.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards.

BACKGROUND INFORMATION:

- The request for a Specific Use Permit will allow the applicant to construct a one-story, 2,497-square-foot restaurant with a drive-through on approximately 0.523 acre site.
- The request site has frontage on Lemmon Avenue and is adjacent to a variety of retail uses along the Lemmon Avenue corridor. Southwest of the request site, across a 20-foot alley, is developed with multiple family uses.

Zoning History: There have not been any recent zoning cases in the area.

Land Use:

	Zoning w/in PDD No. 193	Land Use
Site	GR	Undeveloped
Northeast	GR	Restaurant, Office
Southeast	GR & MF-2	Retail, Multiple Family
Northwest	GR	Office, Undeveloped
Southwest	MF-2	Multiple Family

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 Plan identifies the request site being within the Urban Neighborhood Building Block. The proposed development is in compliance with the *forwardDallas! Comprehensive Plan*.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

LAND USE:**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The applicant's request for a PDS for a restaurant with a drive-through meets objectives 2, 4, 6 and 7. The request does not meet the remaining objectives, 1, and 3. The building's orientation to meet the urban form criteria would be in conflict with objection 4 in maintaining the character of the surrounding uses. The applicant proposes to construct a 2,497 square foot restaurant with a drive through.

STAFF ANALYSIS:

Land Use Compatibility: The applicant's request for a Specific Use Permit will allow for the construction of a one-story, 2,497-square-foot restaurant with a drive-through. The applicant will install a minimum 6-foot high, solid screening fence along the property line that is adjacent to the multiple family uses. In addition, the speaker box will be oriented toward the adjacent retail use to prevent any noise that may affect the residents in the adjacent multiple family uses. The applicant proposes to operate the restaurant from Monday through Sunday, 7:00 a.m. to 9:00 p.m.

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 request does not appear to have an adverse impact on the surrounding zoning and land uses.

Staff's recommendation is for approval for a five year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
GR General Retail	10'	0/0'	2:1 FAR	120'	80%	None	Residential uses, Bar & Restaurant uses, Office

Landscaping: Landscaping of any development will be in accordance with Part I landscaping requirements in PDD No. 193.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Lemmon Avenue	Local Street	80 ft.	80 ft.

Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

Parking: The off-street parking requirement for a drive through restaurant is 1 space per 100 square feet of floor area. The off-street parking regulation requires the applicant to provide 25 spaces and the applicant is providing 25 spaces.

CPC Action (January 9, 2014)

Motion: It was moved to recommend **approval** a Specific Use Permit for a restaurant with a drive-through for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southwest line of Lemmon Avenue, southeast of Knight Street.

Maker: Shidid
Second: Ridley
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 53
Replies: For: 2 Against: 0

Speakers: For (Did not speak): Frank Stich, 4224 N. Hall St., Dallas,
TX, 75219
Against: None

LIST OF OFFICERS

List of Partners, Principals, and Officers for:
4015 Lemmon LP ✓

The Partners are:

GP – Claycombe Group, LLC

LPs – Filoli Investments 4, Ltd

 The Shelly B Wilson 2006 Family Trust

 The Susan K George 2006 Family Trust

 The Kim Dawn Bruce 2006 Trust

The Principals are:

Claycombe Group, LLC – W. Robert Claycombe, Manager

 Susan George Claycombe, Manager

Filoli Investments 4, Ltd – Michael and Jacqueline George

Trusts are self explanatory

The Officers are:

See above for Claycombe Group

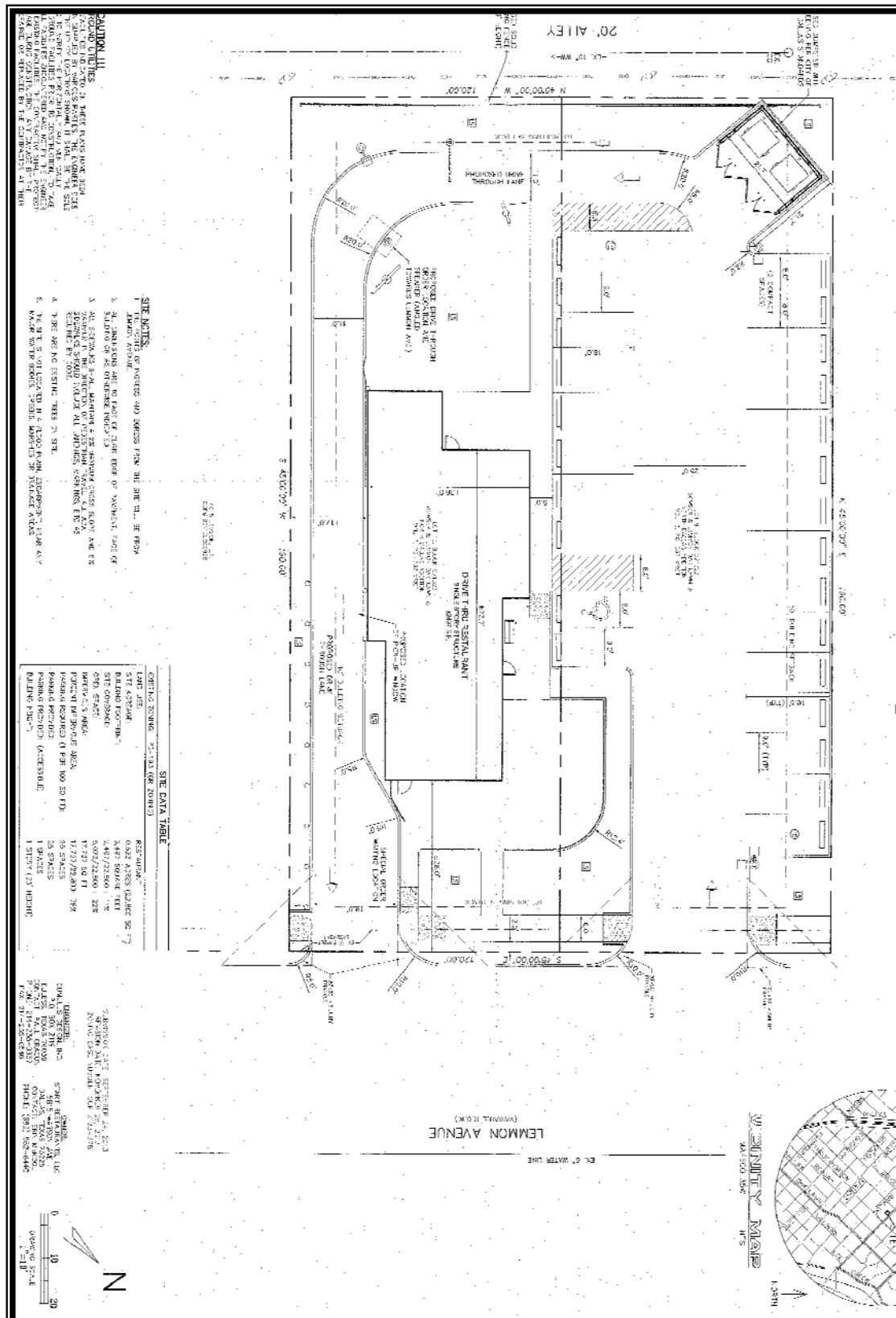
Filoli Investments 4, Ltd – Susan Claycombe, President

No officers in the trusts

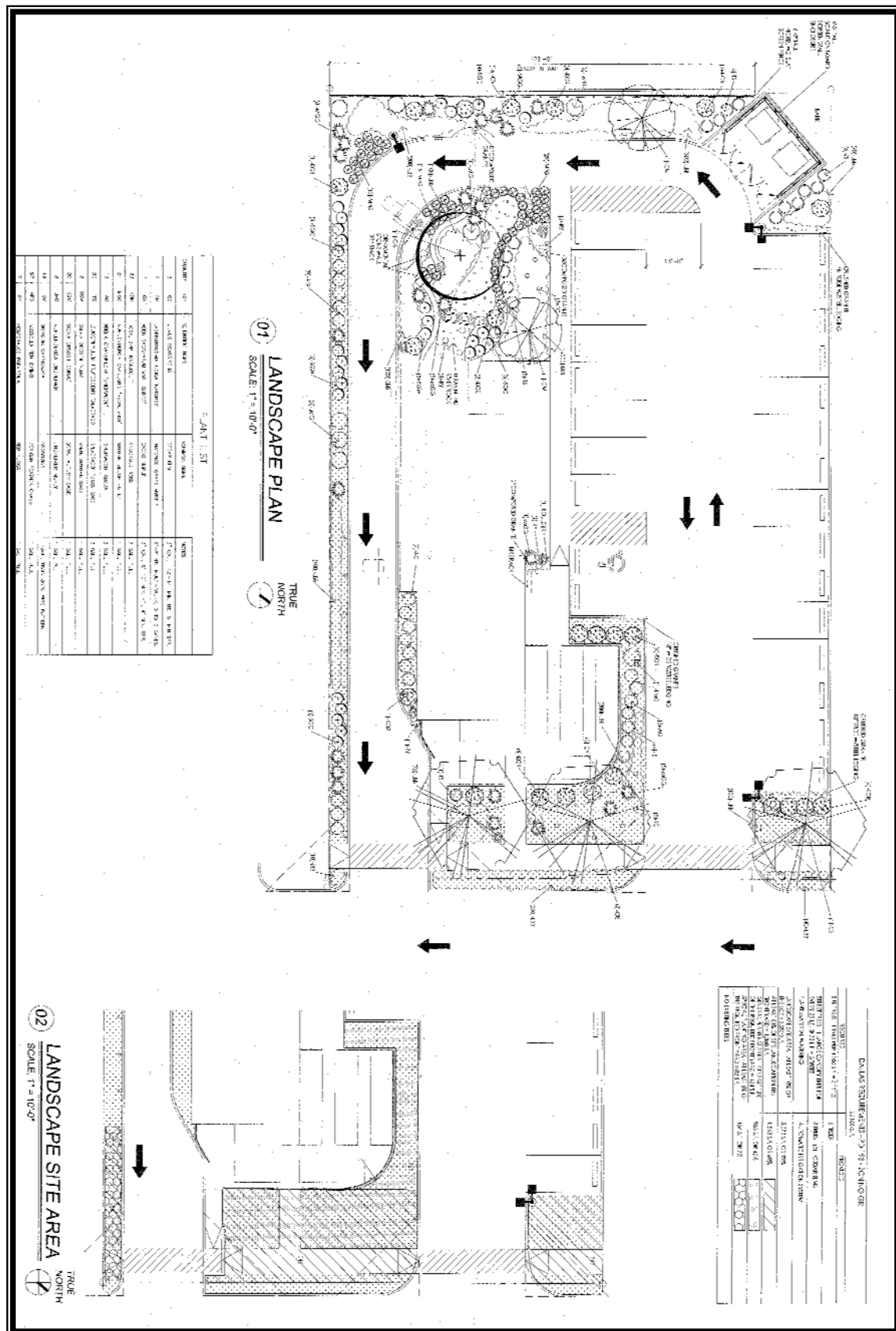
**CPC PROPOSED PDS
CONDITIONS**

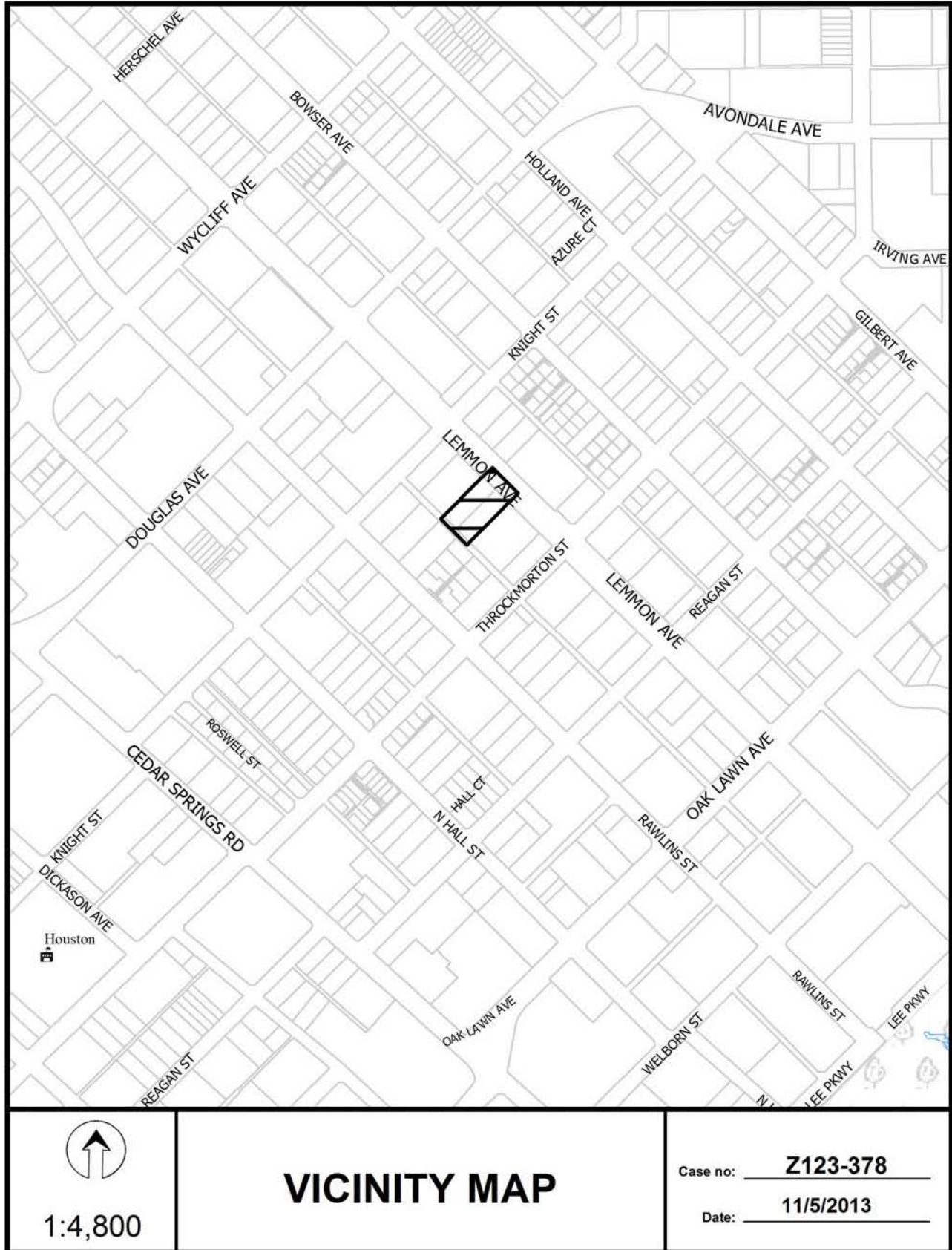
1. USE: The only use authorized by this specific use permit is a restaurant with drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five-years from the passage of the ordinance), 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 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. INGRESS/ EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
5. HOURS OF OPERATION: The hours of operation of the restaurant with drive through are from Monday to Sunday, 7:00 a.m. to 9:00 p.m.
6. FENCE: A minimum of six-foot chain link fence must be provided along the alley in the location as shown on the site plan.
7. SPEAKER BOX. The speaker box must be located as shown on the site plan.
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.

PROPOSED SITE PLAN



PROPOSED LANDSCAPE PLAN





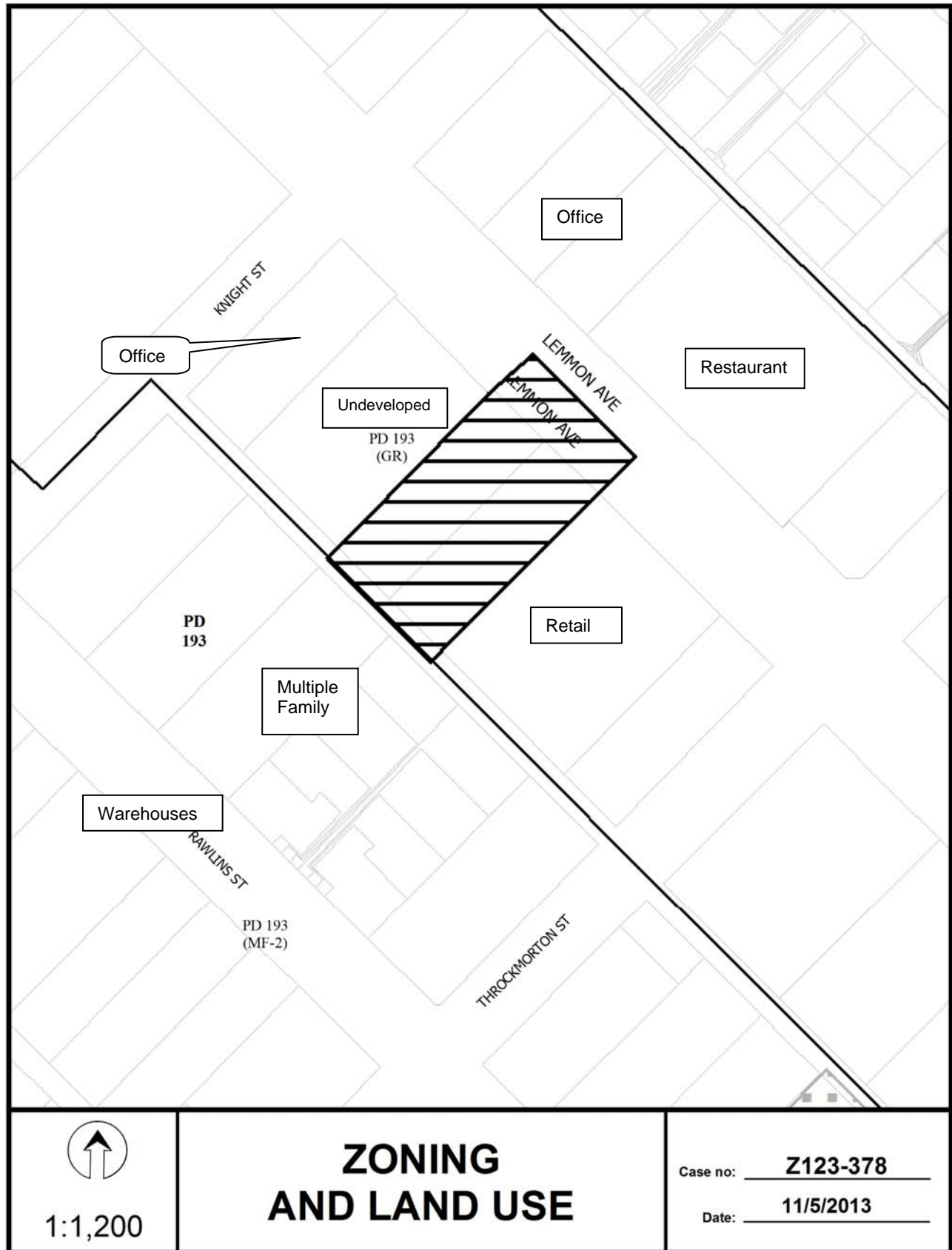


1:1,200

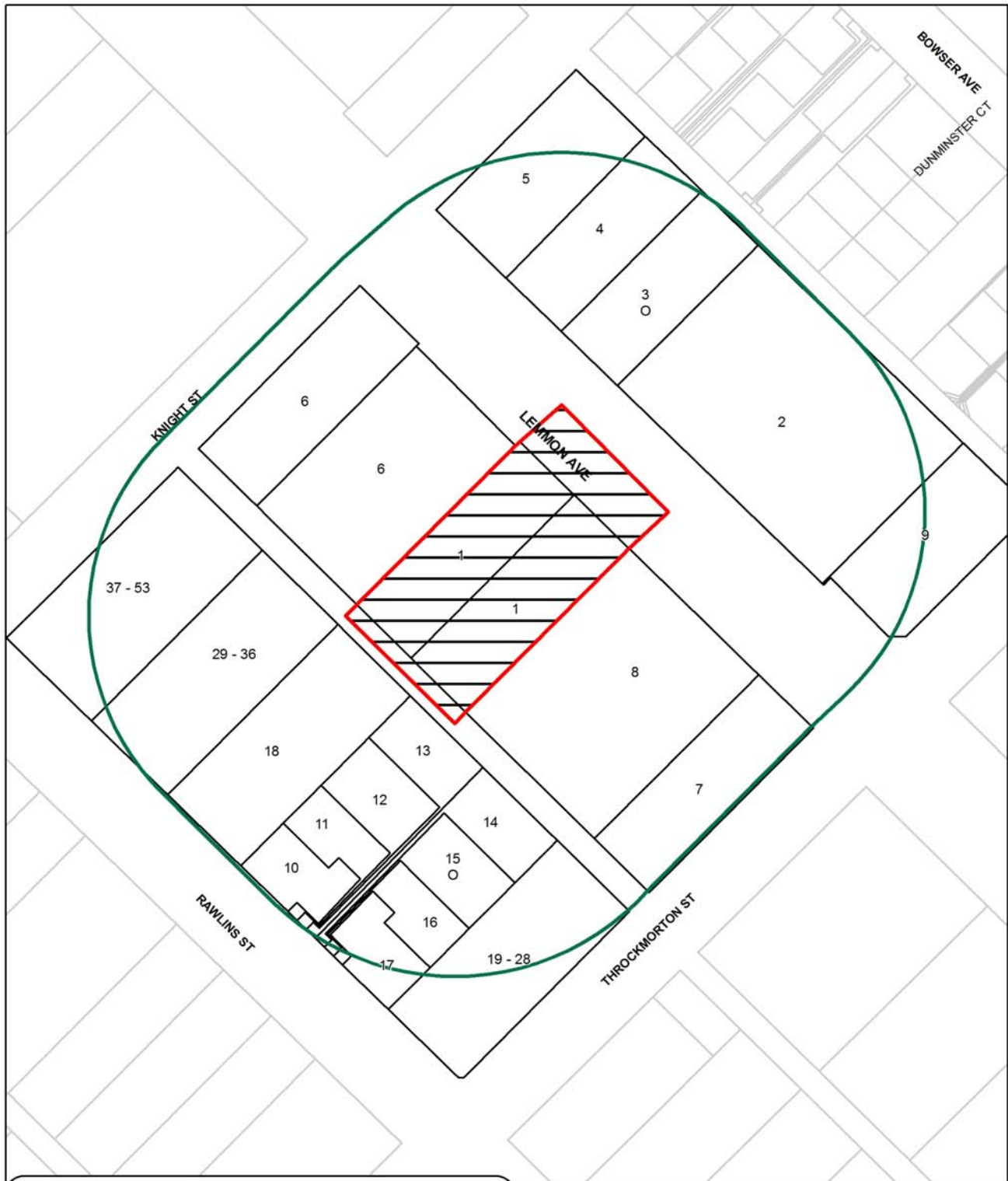
AERIAL MAP

Case no: **Z123-378**

Date: **11/5/2013**



CPC RESPONSES



<u>53</u>	Property Owners Notified (23 parcels)
<u>2</u>	Replies in Favor (2 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>1/9/2014</u>	Date

Z123-378
CPC



1:1,200

Notification List of Property Owners

Z123-378

53 Property Owners Notified			0 Property Owners Opposed		2 Property Owners in Favor	
Vote	Label #	Address	Owner			
O	1	4023	LEMMON AVE	4015 LEMMON LP		
	2	4018	LEMMON AVE	ROSSMORE ENTERPRISES		
	3	4026	LEMMON AVE	BALLAS LOS INC		
	4	4030	LEMMON AVE	FARR TERESA M		
	5	4038	LEMMON AVE	TRAYMORE PARTNERS LTD		
	6	4037	LEMMON AVE	KEELEY ROBERT THEODORE		
	7	4001	LEMMON AVE	OLIVERIE DOMINICK		
	8	4003	LEMMON AVE	4015 LEMMON LP		
	9	4004	LEMMON AVE	DALLAS LUBE VENTURE LLC		
	10	4016	RAWLINS ST	WEN HUANG-CHUN & NAN WEN YAN		
O	11	4014	RAWLINS ST	ROSSLAND ERIC		
	12	4012	RAWLINS ST	DIOP DESAGANA		
	13	4010	RAWLINS ST	GINSBERG KAREN		
	14	4008	RAWLINS ST	MCCOY C FRANCE &		
	15	4006	RAWLINS ST	HAWKINS STEVEN B		
	16	4004	RAWLINS ST	RUTLEDGE GEORGE &		
	17	4002	RAWLINS ST	BURKHART BRENT & LINDA		
	18	4020	RAWLINS ST	IVANYI INC		
	19	4000	RAWLINS ST	RITTER MARISA		
	20	4000	RAWLINS ST	ESCAMILLA GUADALUPE		
	21	4000	RAWLINS ST	ADAIR TAYLOR		
	22	4000	RAWLINS ST	TOWNEND WILLIAM H		
	23	4000	RAWLINS ST	KLYMOV YEVGEN		
	24	4000	RAWLINS ST	GROSECLOSE LARRY E &		
	25	4000	RAWLINS ST	NYMARK JAMES P TRUST		
	26	4000	RAWLINS ST	ROBBINS CHRISTINE		

Friday, January 10, 2014

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4000	RAWLINS ST	PEPIN SCOTT M
28	4000	RAWLINS ST	4000 RAWLINS LLC
29	4030	RAWLINS ST	HAYES NATALIE I
30	4030	RAWLINS ST	WU CHI YUAN & WEI YING
31	4030	RAWLINS ST	PIERSON RHEANNE
32	4030	RAWLINS ST	MEDLEY CHARLOTTE
33	4030	RAWLINS ST	ATKINSON PRESTON
34	4030	RAWLINS ST	CORLEW JOSEPH A
35	4030	RAWLINS ST	BURKE MARONDA JAN
36	4030	RAWLINS ST	WU JAFFEE CHIH KAI
37	4034	RAWLINS ST	SWANCUTT MARK A & JESSICA N RICALDI
38	4034	RAWLINS ST	ROE MICHAEL ALAN
39	4034	RAWLINS ST	WASHINGTON ROBERT GREY &
40	4034	RAWLINS ST	SCHAFER NATHANIEL ELLIOT
41	4034	RAWLINS ST	LANKFORD BONNIE
42	4034	RAWLINS ST	HILL CANDACE
43	4034	RAWLINS ST	ROWAN MARCUS
44	4034	RAWLINS ST	MERCADO JESUS V
45	4034	RAWLINS ST	YIP JACLYN K
46	4034	RAWLINS ST	PALMER BRITTANY
47	4034	RAWLINS ST	THOMPSON EMILY
48	4034	RAWLINS ST	GIACOBBE ROBERT L
49	4034	RAWLINS ST	FLOYD LAWSON E &
50	4034	RAWLINS ST	RUTTAGA RAMIRO
51	4034	RAWLINS ST	JORDAN CRAIG D
52	4034	RAWLINS ST	LIM LEONG PIN
53	4034	RAWLINS ST	REISINGER JOSEPH M &

Friday, January 10, 2014