

**MAY 14, 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 May 14, 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

5/2/14

Date



Edward Scott
City Controller

5/2/14

Date

RECEIVED

2014 MAY -2 PM 5:27

CITY OF DALLAS
DALLAS, TEXAS



COUNCIL AGENDA

May 14, 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, MAY 14, 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 - 34

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 35 - 39

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 40 - 51

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

AGENDA
CITY COUNCIL MEETING
MAY 14, 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 April 23, 2014 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize a consultant contract for a comprehensive plan update and a recreation master plan study for Park and Recreation - Wallace Roberts & Todd, LLC, most advantageous proposer of three - Not to exceed \$480,750 - Financing: Current Funds (\$162,000) and Park and Recreation Program Funds (\$318,750)
3. Authorize a three-year service contract to provide ground transportation starter services at Love Field - Parking Systems of America, L.P., lowest responsible bidder of five - Not to exceed \$917,514 - Financing: Aviation Current Funds (subject to annual appropriations)
4. Authorize a three-year service contract for sports officiating services for Park and Recreation - Carl Richardson dba TOP Sports Official Association in the amount of \$568,250, Dallas Softball Umpires Association, Inc. in the amount of \$494,893 and Dallas Sports Alliance LLC dba Oak Cliff Sports Group in the amount of \$219,450, lowest responsible bidders of three - Total not to exceed \$1,282,593 - Financing: Current Funds (subject to annual appropriations)

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

5. Authorize a three-year service contract, with two one-year renewal options, for medical testing for Fire-Rescue new recruits and uniformed employees - HealthTexas Provider Network dba MedProvider in the amount of \$3,443,655 and Occupational Health Centers of the Southwest PA dba Concentra Medical Centers in the amount of \$154,950, most advantageous proposers of three - Total not to exceed \$3,598,605 - Financing: Current Funds (subject to annual appropriations)
6. Authorize a five-year service contract for alcohol and controlled substance testing for Police - JumpR2, Inc. dba Arcpoint Labs of Plano, lowest responsible bidder of six - Not to exceed \$115,023 - Financing: Current Funds (subject to annual appropriations)
7. Authorize a five-year service contract for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas - Andrew's Building Service, Inc., lowest responsible bidder of eight - Not to exceed \$16,789,100 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)
8. Authorize Supplemental Agreement No. 1 to increase the service contract with Trane U.S., Inc. for service, parts and equipment for all Trane heating, ventilation and air conditioning equipment - Trane U.S., Inc. through The Cooperative Purchasing Network - Not to exceed \$2,848,174, from \$11,392,695 to \$14,240,869 - Financing: Current Funds (\$2,220,152), Aviation Current Funds (\$170,890), Convention and Event Services Current Funds (\$370,263), Stormwater Drainage Management Current Funds (\$1,424) and Water Utilities Current Funds (\$85,445) (subject to annual appropriations)

Housing/Community Services

9. Authorize **(1)** the sale of one vacant lot located at 4614 Jones Street from the Dallas Housing Acquisition and Development Corporation to True Vine Missionary Baptist Church; and **(2)** the execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City
10. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 3 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and **(3)** execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City - Financing: No cost consideration to the City
11. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 3 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity (list attached); **(3)** the exchange of deed restrictions from the 3 lots proposed to be purchased from the Land Bank to 3 comparable lots owned by the developer; and **(4)** execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Housing/Community Services** (Continued)

12. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Frazier Revitalization, Inc. for the construction of affordable houses; and **(2)** the exchange of deed restrictions from 3 lots previously purchased from the Dallas Housing Acquisition and Development Corporation to 3 comparable lots owned by the developer (list attached) - Financing: No cost consideration to the City
13. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC for the construction of an affordable duplex; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Harvard Finance North America LLC; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City
14. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC for the construction of affordable houses; and **(2)** the exchange of deed restrictions from 2 lots previously purchased from the Dallas Housing Acquisition and Development Corporation to 2 comparable lots owned by the developer (list attached) - Financing: No cost consideration to the City
15. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Mascorro Properties for the construction of an affordable house; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Mascorro Properties; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City - Financing: No cost consideration to the City
16. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by New Vision Properties & Land for the construction of affordable houses; **(2)** the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to New Vision Properties & Land; and **(3)** execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City - Financing: No cost consideration to the City
17. Authorize **(1)** the acceptance of an amended proposal from Frazier Revitalization, Inc. for the development of 1 improved property located at 4010 Montie obtained under the Land Assembly process through the Land Transfer Program; and **(2)** execution of amended Deed Restrictions - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)

Housing/Community Services (Continued)

18. Authorize **(1)** an amendment to the grant agreement between the City of Dallas and the U. S. Department of Housing and Urban Development (HUD) to add Eban Village as a project site to the grant agreement; and **(2)** approval of a Memorandum of Understanding (MOU) between the City of Dallas and HHF Eban Village I & II, LLC herein referred to as Eban Village to provide project-based affordable housing to the Gateway to Permanent Supportive Housing Program, contingent upon approval of the amendment by HUD in Subject Number 1 for the term June 1, 2014 through May 31, 2015, with two twelve-month renewal options - Financing: No cost consideration to the City

Office of Financial Services

19. Authorize a public hearing to be held on May 28, 2014 to receive comments on the FY 2014-15 Operating, Capital, and Grant/Trust budgets - Financing: No cost consideration to the City

Park & Recreation

20. Authorize an agreement with Shakespeare Festival of Dallas dba Shakespeare Dallas to manage, operate and maintain the Samuell-Grand Amphitheatre for theatrical performances and events from May 1 through October 31 of each year for a period of ten years with two five-year renewal options - Estimated Revenue: \$5,000
21. Authorize an increase in the contract with RoeschCo Construction, Inc. for additional scope of work to include: repair of existing stormwater headwall, additional drainage, deletion of chain link fence, replacement of paving at new inlet and retaining wall stain at the Trinity Strand Trail located between Farrington Street to Oak Lawn Avenue - Not to exceed \$114,674, from \$5,435,933 to \$5,550,607 - Financing: North Central Texas Council of Governments Grant Funds
22. Authorize an increase in the contract with Travelers Casualty and Surety Company of America for repairs and replacements necessary as a result of vandalism to the facility and revisions to the plans at Cummings Recreation Center located at 2976 Cummings Street - Not to exceed \$214,661, from \$1,437,702 to \$1,652,363 - Financing: 2006 Bond Funds
23. Authorize **(1)** a public hearing to be held on May 28, 2014 to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State Law; and, at the close of the hearing, **(2)** approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Police**

24. Authorize **(1)** the application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period April 29, 2014 through June 7, 2014 in the amount of \$59,949; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$17,355; and **(3)** execution of the grant agreement - Total not to exceed \$77,304 - Financing: Current Funds (\$17,355) and Texas Department of Transportation Grant Funds (\$59,949)

Public Works Department

25. Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, lowest responsive bidder of three, for construction of the Kessler Theater pedestrian amenities project - Not to exceed \$195,323 - Financing: Regional Toll Revenue II Funds (\$179,200) and Davis Garden TIF District Funds (\$16,123)
26. Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of two, for construction of the Central Police and Southwest Police substation renovations, located at 334 South Hall Street and 4230 West Illinois Avenue, respectively - Not to exceed \$808,333 - Financing: 2003 Bond Funds (\$578,308) and 2006 Bond Funds (\$230,025)
27. Authorize a contract with Jeske Construction Company, lowest responsible bidder of three, for the construction of street paving, storm drainage, traffic signals, street lights, landscape, water and wastewater upgrades for Routh Street from Flora Street to San Jacinto Street - Not to exceed \$1,306,700 - Financing: 2006 Bond Funds (\$306,000), General Obligation Commercial Paper Funds (\$872,447), Water Utilities Capital Improvement Funds (\$115,173) and Water Utilities Capital Construction Funds (\$13,080)
28. Authorize the rejection of bids for the construction of intersection improvements for North Beckley Avenue at Commerce Street; and, the re-advertisement for new bids - Financing: No cost consideration to the City

Sustainable Development and Construction

29. Authorize acquisition from Charlotte Skinner Coffman, of approximately 18,881 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$6,608, increased from \$11,556 (\$10,385, plus closing costs and title expenses not to exceed \$1,171) to \$18,164 (\$16,993, plus closing costs and title expenses not to exceed \$1,171) - Financing: Water Utilities Capital Improvement Funds

CONSENT AGENDA (Continued)

Sustainable Development and Construction (Continued)

30. Authorize acquisition of six parcels of land consisting of four single family dwellings and two vacant lots in the Cadillac Heights neighborhood located near the intersection of Birdsong Drive and Gloyd Street for the Cadillac Heights Phase II Project (list attached) - Not to exceed - \$169,150 (\$157,150, plus closing costs and title expenses not to exceed \$12,000) - Financing: 2006 Bond Funds
31. Authorize moving expense and replacement housing payments for Nicandro Villa and Guadalupe Villa in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 719 Pontiac Avenue for future City facilities - Not to exceed \$53,550 - Financing: 2006 Bond Funds
32. An ordinance granting a private license to HPI/GSA-2B, L.P., for approximately 2,795 square feet of land to use and maintain existing landscaping and a subsurface tunnel for mechanical equipment under portions of Akard and Young Streets - Revenue: \$5,534 annually and a \$1,000 one-time fee, plus the \$20 ordinance publication fee

Water Utilities

33. Authorize a professional services contract with CP&Y, Inc. for preliminary engineering services associated with improvements to the grit removal and screenings handling processes at the Southside Wastewater Treatment Plant - Not to exceed \$850,000 - Financing: Water Utilities Capital Improvement Funds
34. Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for emergency repairs to a 60-inch wastewater main and other connected pipelines at the vicinity of Overton Road and Interstate Highway 45 - Not to exceed \$488,550, from \$8,327,448 to \$8,815,998 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

35. 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)

Trinity Watershed Management

36. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the City of Irving, of an unimproved tract of land containing approximately 20 acres located on the east bank of the Trinity River near the west termination of Mexicana Drive for the Dallas Floodway Project - Not to exceed \$39,700 (\$36,700 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Trinity Watershed Management (Continued)

37. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Common Ground Community Economic Development Corporation, of an unimproved tract of land containing approximately 32,311 square feet located on Barber Avenue near its intersection with Dixon Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$36,000 (\$33,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds
38. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the John G. Campbell Trust, of an unimproved tract of land containing approximately 4 acres located on Wildwood Drive near its intersection with California Crossing Road for the Elm Fork Flood Control Project - Not to exceed \$18,279 (\$16,079 plus closing costs and title expenses not to exceed \$2,200) - Financing: 1998 Bond Funds

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

39. Authorize a housing development loan in an amount not to exceed \$900,000 with Dallas Area Habitat for Humanity, Inc. (DAHFH), a non-profit developer, for construction of thirty affordable single family homes for the Jimmy & Rosalynn Carter project to be located on Exeter, Wilhurt, Landrum, and Custer Streets - Not to exceed \$900,000 - Financing: 2013-14 HOME Investment Partnership Program Grant Funds (\$300,000) and FY 13-14 HOME Program Income #1 (\$600,000)

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

40. A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned an A(A) Agricultural District south of East Belt Line Road and west of South Northlake Road
Recommendation of Staff and CPC: Approval
Z134-163(LHS)

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

41. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District, on property bounded by Milton Street, Birchbrook Drive, and Amesbury Drive
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z134-112(RB)

DESIGNATED ZONING CASES - INDIVIDUAL

42. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District on the southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z123-365(MW)
43. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District, on property at the southwest corner of Milton Street and Amesbury Drive
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z134-111(RB)
44. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for CS Commercial Service District uses on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Robert B. Cullum Boulevard and Borich Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan and condition
Z134-123(WE)
45. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 291 for MF-2(A) Multifamily District Uses and RR Regional Retail District Uses on the northeast corner of Verde Valley Lane and the Dallas North Tollway
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan and revised conditions
Z134-130(RB)

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

46. A public hearing to receive comments regarding an application for an ordinance terminating Specific Use Permit No. 351 on property zoned an MF-2(A) Multifamily District and a D(A) Duplex District and an ordinance granting an MF-2(A) Multifamily District on property zoned a D(A) Duplex District on the southeast corner of Abrams Road and Reiger Avenue
Recommendation of Staff and CPC: Approval of the termination of Specific Use Permit No. 351 and approval of an MF-2(A) Multifamily District
Z134-142(MW)
47. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a motor vehicle fueling station on property zoned Subdistrict 1 in Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the east corner of Oak Lawn Avenue and Market Center Boulevard
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
Z134-158(MW)

SPECIAL PROVISION SIGN DISTRICT - INDIVIDUAL

48. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict A of the Arts District Special Provision Sign District, Section 51A-7.1214.1 of the Dallas City Code, in an area generally bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street
Recommendation of Staff and CPC: Approval of the amendments to the amended application to increase the effective area from 20 to 30 square feet, approval to amend tenant and building identification signage, and approval to prohibit signage on Leonard Street
SPSD134-002(CG)

MISCELLANEOUS HEARINGS

Sustainable Development and Construction

49. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from Sam Houston Elementary School required by Section 6-4 of the Dallas City Code to allow a restaurant with a mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate [La Paloma Taqueria Richardson, LLC, DBA Xamac Mexican Cuisine & Bar] on property on the southwest side of Cedar Springs Road, between Douglas Avenue and Knight Street - AV134-005 - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

Mall Area Redevelopment TIF District

Note: Item Nos. 50 and 51
must be considered collectively.

- 50. * A public hearing to receive comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Twenty for the Valley View Center Mall area and the Southwest Center Mall area, to be known as the Mall Area Redevelopment TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City
- 51. * An ordinance establishing Tax Increment Financing Reinvestment Zone Number Twenty to be known as the Mall Area Redevelopment TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City

May 14, 2014

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**Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity**
Agenda Item # 10

<u>Property Address</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 2606 Wilhurt	4	\$ 7,434.43
2. 2626 Exeter	4	\$14,478.12
3. 2538 Exeter	4	\$15,682.26

**Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity
Agenda Item # 11**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 2022 Custer	65C	4
2. 2031 Custer	65C	4
3. 4231 Biglow	65C	4

Lots to Be Exchanged By Developer

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 2226 Exeter	65D	4
2. 2230 Exeter	65D	4
3. 2251 Exeter	65D	4

**Lots Acquired From Land Bank (DHADC) By
Frazier Revitalization, Inc.
Agenda Item # 12**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 4018 Montie	47S	7
2. 4622 Imperial	47S	7
3. 4630 Imperial	47S	7

**Lots Owned by Frazier Revitalization, Inc.
to Be Exchanged For Land Bank Lots**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 4234 Copeland	46V	7
2. 4413 Metropolitan	46R	7
3. 2809 Foreman	46R	7

May 14, 2014

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**Land Bank (DHADC) Sale of Lot to
Harvard Finance North America LLC**
Agenda Item # 13

<u>Property Address</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 3116 South	7	\$30,310.08

**Lots Acquired From Land Bank (DHADC) By
Harvard Finance North America LLC
Agenda Item # 14**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 5424 Santa Fe	46G	2
2. 5420 Terry	46G	2

**Lots Owned By Harvard Finance North America LLC
to Be Exchanged For Land Bank Lots**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 1316 Fletcher	46L	7
2. 1322 Fletcher	46L	7

May 14, 2014

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**Land Bank (DHADC) Sale of Lot to
Mascorro Properties**
Agenda Item # 15

<u>Property Address</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 3423 Pueblo	6	\$9,479.19

May 14, 2014

17

**Land Bank (DHADC) Sale of Lots to
New Vision Properties & Land**
Agenda Item # 16

<u>Property Address</u>	<u>Mapsc</u>	<u>Amount Of Non-Tax Liens</u>
1. 2522 Britton	55T	\$14,751.42
2. 2526 Britton	55T	\$23,721.88

Cadillac Heights Phase II Project - Property List
Agenda Item # 30

<u>Parcel No.</u>	<u>Owner</u>	<u>Address</u>	<u>Legal Description</u>
1.	Maria Martinez	2942 Gloyd Street	Lot 26, Block 6642
2.	Jorge T. Arias	2946 Gloyd Street	Lot 27, Block 6642
3.	Jorge T. Arias and Lesvia Arias	2950 Gloyd Street	Lot 28, Block 6642
4.	Jesus Ugalde	708 Pontiac Avenue	Lot 7, Block 11/6641
5.	Jesus Ugalde	716 Pontiac Avenue	Lot 5, Block 11/6641
6.	Nicandro Villa	715 Pontiac Avenue	Lot 13, Block 12/6641

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 May 14, 2014

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
1			All	V	NA	NA	NA	NA	Approval of Minutes of April 23, 2014 City Council Meeting
2			All	C	PBD, PKR	\$480,750.00	17.67%	23.91%	Authorize a consultant contract for a comprehensive plan update and a recreation master plan study for Park and Recreation
3			2	C	PBD, AVI	\$917,514.00	100.00%	0.00%	Authorize a three-year service contract to provide ground transportation starter services at Love Field
4			All	C	PBD, PKR	\$1,282,592.80	100.00%	0.00%	Authorize a three-year service contract for sports officiating services for Park and Recreation
5			All	C	PBD, FIR	\$3,598,605.00	100.00%	0.00%	Authorize a three-year service contract, with two one-year renewal options, for medical testing for Fire-Rescue new recruits and uniformed employees
6			All	C	PBD, POL	\$115,023.00	0.00%	0.00%	Authorize a five-year service contract for alcohol and controlled substance testing for Police
7			2	C	PBD, CES	\$16,789,100.00	76.20%	100.00%	Authorize a five-year service contract for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas
8			All	C	PBD, AVI, CES, EBS, PKR, PBW, STS, TWM, WTR	\$2,848,173.75	NA	NA	Authorize Supplemental Agreement No. 1 to increase the service contract with Trane U.S., Inc. for service, parts and equipment for all Trane heating, ventilation and air conditioning equipment
9			7	C	HOU	NC	NA	NA	Authorize the sale of one vacant lot located at 4614 Jones Street from the Dallas Housing Acquisition and Development Corporation to True Vine Missionary Baptist Church; and the execution of a release of lien for any non-tax liens that may have been filed by the City
10			4	C	HOU	NC	NA	NA	Authorize approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; the sale of 3 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City
11			4	C	HOU	NC	NA	NA	Authorize approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; the sale of 3 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; the exchange of deed restrictions from the 3 lots proposed to be purchased from the Land Bank to 3 comparable lots owned by the developer; and execution of a release of lien for any non-tax liens that may have been filed by the City
12			7	C	HOU	NC	NA	NA	Authorize approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Frazier Revitalization, Inc. for the construction of affordable houses; and the exchange of deed restrictions from 3 lots previously purchased from the Dallas Housing Acquisition and Development Corporation to 3 comparable lots owned by the developer
13			7	C	HOU	NC	NA	NA	Authorize approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC for the construction of an affordable duplex; the sale of 1 vacant lot from Dallas Housing Acquisition and Development Corporation to Harvard Finance North America LLC; and execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City
14			7	C	HOU	NC	NA	NA	Authorize approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC for the construction of affordable houses; and the exchange of deed restrictions from 2 lots previously purchased from the Dallas Housing Acquisition and Development Corporation to 2 comparable lots owned by the developer
15			6	C	HOU	NC	NA	NA	Authorize approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Mascorro Properties for the construction of an affordable house; the sale of 1 vacant lot from Dallas Housing Acquisition and Development Corporation to Mascorro Properties; and execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City
16			4	C	HOU	NC	NA	NA	Authorize approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by New Vision Properties & Land for the construction of affordable houses; the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to New Vision Properties & Land; and execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City
17			7	C	HOU	NC	NA	NA	Authorize the acceptance of an amended proposal from Frazier Revitalization, Inc. for the development of 1 improved property located at 4010 Montie obtained under the Land Assembly process through the Land Transfer Program; and execution of amended Deed Restrictions

AGENDA DATE May 14, 2014

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
18			7	C	HOU	NC	NA	NA	Authorize an amendment to the grant agreement between the City of Dallas and the U. S. Department of Housing and Urban Development (HUD) to add Eban Village as a project site to the grant agreement; and approval of a Memorandum of Understanding (MOU) between the City of Dallas and HHF Eban Village I & II, LLC herein referred to as Eban Village to provide project-based affordable housing to the Gateway to Permanent Supportive Housing Program, contingent upon approval of the amendment by HUD in Subject Number 1 for the term June 1, 2014 through May 31, 2015, with two twelve-month renewal options
19			N/A	C	OFS	NC	NA	NA	Authorize a public hearing to be held on May 28, 2014 to receive comments on the FY 2014-15 Operating, Capital, and Grant/Trust budgets
20			2	C	PKR	REV \$5,000	NA	NA	Authorize an agreement with Shakespeare Festival of Dallas dba Shakespeare Dallas to manage, operate and maintain the Samuell-Grand Amphitheatre for theatrical performances and events from May 1 through October 31 of each year for a period of ten years with two five-year renewal options
21			6	C	PKR	GT	21.06%	54.77%	Authorize an increase in the contract with RoeschCo Construction, Inc. for additional scope of work to include: repair of existing stormwater headwall, additional drainage, deletion of chain link fence, replacement of paving at new inlet and retaining wall stain at the Trinity Strand Trail located between Farrington Street to Oak Lawn Avenue
22			4	C	PKR	\$214,660.84	100.00%	30.25%	Authorize an increase in the contract with Travelers Casualty and Surety Company of America for repairs and replacements necessary as a result of vandalism to the facility and revisions to the plans at Cummings Recreation Center located at 2976 Cummings Street
23			All	C	PKR	NC	NA	NA	Authorize a public hearing to be held on May 28, 2014 to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State Law; and, at the close of the hearing, approval of an ordinance to readopt Chapter 12 of the Dallas City Code
24			All	C	POL	\$17,355.00	NA	NA	Authorize the application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period April 29, 2014 through June 7, 2014; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreement
25			1	C	PBW, ECO	\$195,323.00	81.80%	81.80%	Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, lowest responsive bidder of three, for construction of the Kessler Theater pedestrian amenities project
26			2, 3	C	PBW, POL	\$808,333.00	80.70%	70.80%	Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of two, for construction of the Central Police and Southwest Police substation renovations, located at 334 South Hall Street and 4230 West Illinois Avenue, respectively
27			14	C	PBW, WTR	\$1,306,700.00	76.96%	25.03%	Authorize a contract with Jeske Construction Company, lowest responsible bidder of three, for the construction of street paving, storm drainage, traffic signals, street lights, landscape, water and wastewater upgrades for Routh Street from Flora Street to San Jacinto Street
28			6	C	PBW, TWM, WTR	NC	NA	NA	Authorize the rejection of bids for the construction of intersection improvements for North Beckley Avenue at Commerce Street; and, the re-advertisement for new bids
29			Outside	C	DEV, WTR	\$6,608.00	NA	NA	Authorize acquisition from Charlotte Skinner Coffman, of approximately 18,881 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project
30			4	C	DEV, PBW	\$169,150.00	NA	NA	Authorize acquisition of six parcels of land consisting of four single family dwellings and two vacant lots in the Cadillac Heights neighborhood located near the intersection of Birdsong Drive and Gloyd Street for the Cadillac Heights Phase II Project
31			2	C	DEV, PBW	\$53,550.00	NA	NA	Authorize moving expense and replacement housing payments for Nicandro Villa and Guadalupe Villa in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 719 Pontiac Avenue for future City facilities
32			2	C	DEV	REV \$6,534	NA	NA	An ordinance granting a private license to HPI/GSA-2B, L.P., for approximately 2,795 square feet of land to use and maintain existing landscaping and a subsurface tunnel for mechanical equipment under portions of Akard and Young Streets
33			8	C	WTR	\$850,000.00	78.82%	78.82%	Authorize a professional services contract with CP&Y, Inc. for preliminary engineering services associated with improvements to the grit removal and screenings handling processes at the Southside Wastewater Treatment Plant

AGENDA DATE May 14, 2014

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
34			7	C	WTR	\$488,550.00	75.22%	33.59%	Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for emergency repairs to a 60 inch wastewater main and other connected pipelines at the vicinity of Overton Road and Interstate Highway 45
35			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)
36			6	I	TWM	\$39,700.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the City of Irving, of an unimproved tract of land containing approximately 20 acres located on the east bank of the Trinity River near the west termination of Mexicana Drive for the Dallas Floodway Project
37			7	I	TWM	\$36,000.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Common Ground Community Economic Development Corporation, of an unimproved tract of land containing approximately 32,311 square feet located on Barber Avenue near its intersection with Dixon Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project
38			6	I	TWM, PBW	\$18,279.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the John G. Campbell Trust, of an unimproved tract of land containing approximately 4 acres located on Wildwood Drive near its intersection with California Crossing Road for the Elm Fork Flood Control Project
39			4	I	HOU	GT	NA	NA	Authorize a housing development loan with Dallas Area Habitat for Humanity, Inc. (DAHFH), a non-profit developer, for construction of thirty affordable single family homes for the Jimmy & Rosalynn Carter project to be located on Exeter, Wilhurt, Landrum, and Custer Streets
40			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned an A(A) Agricultural District south of East Belt Line Road and west of South Northlake Road
41			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District, on property bounded by Milton Street, Birchbrook Drive, and Amesbury Drive
42			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District on the southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue
43			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District, on property at the southwest corner of Milton Street and Amesbury Drive
44			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for CS Commercial Service District uses on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Robert B. Cullum Boulevard and Borich Street
45			11	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 291 for MF-2(A) Multifamily District Uses and RR Regional Retail District Uses on the northeast corner of Verde Valley Lane and the Dallas North Tollway
46			2, 14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for an ordinance terminating Specific Use Permit No. 351 on property zoned an MF-2(A) Multifamily District and a D(A) Duplex District and an ordinance granting an MF-2(A) Multifamily District on property zoned a D(A) Duplex District on the southeast corner of Abrams Road and Reiger Avenue
47			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 motor vehicle fueling station on property zoned Subdistrict 1 in Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the east corner of Oak Lawn Avenue and Market Center Boulevard
48			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict A of the Arts District Special Provision Sign District, Section 51A-7.1214.1 of the Dallas City Code, in an area generally bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street

AGENDA DATE May 14, 2014

ITEM		IND							DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
49			2	PH	DEV	NC	NA	NA	A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from Sam Houston Elementary School required by Section 6-4 of the Dallas City Code to allow a restaurant with a mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate [La Paloma Taqueria Richardson, LLC, DBA Xamac Mexican Cuisine & Bar] on property on the southwest side of Cedar Springs Road, between Douglas Avenue and Knight Street
50			8, 11	PH	ECO	NC	NA	NA	Mall Area Redevelopment TIF District: A public hearing to receive comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Twenty for the Valley View Center Mall area and the Southwest Center Mall area, to be known as the Mall Area Redevelopment TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311)
51			8, 11	PH	ECO	NC	NA	NA	Mall Area Redevelopment TIF District: An ordinance establishing Tax Increment Financing Reinvestment Zone Number Twenty to be known as the Mall Area Redevelopment TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311)
TOTAL						\$30,235,967.39			

AGENDA ITEM # 2

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Park & Recreation

CMO: Jeanne Chipperfield, 670-7804
Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a consultant contract for a comprehensive plan update and a recreation master plan study for Park and Recreation – Wallace Roberts & Todd, LLC, most advantageous proposer of three - Not to exceed \$480,750 - Financing: Current Funds (\$162,000) and Park and Recreation Program Funds (\$318,750)

BACKGROUND

This consultant contract will engage the services of a qualified consulting firm to develop a comprehensive plan update and a recreation master plan. The consultant will coordinate and work closely with Park and Recreation throughout the entire comprehensive plan update and recreation master plan process.

In 2002, the Park and Recreation Department completed its first comprehensive plan known as the Renaissance Plan. The plan has guided the department for over twelve years. The plan incorporated many scope components including:

- Public input process
- Mission statement
- Goals and objectives
- Demographics and trends
- Transportation patterns
- Needs assessment/inventory

BACKGROUND (Continued)

The purpose of this comprehensive plan update is to study whether the goals and findings of the Renaissance Plan are still relevant and to ensure that the department is meeting the current needs of citizens and patrons. Also, several agencies that the department partners with and receives grants from require an updated comprehensive plan as a prerequisite for funding. The consultant team will conduct multiple public meetings and stakeholder interviews, conduct surveys, perform demographic and transportation accessibility analyses, review department goals and provide a strategic plan to facilitate the implementation of the recommendations.

The recreation master plan will thoroughly evaluate many components of the department's indoor and outdoor recreation services. Specifically, it will identify recreation service gaps, evaluate staffing levels and placement, determine adequacy of fields, courts, courses and facilities, evaluate fee structure and levels of cost recovery, make recommendations for new programming based upon current trends and offer many other analyses and observations.

The recreation master plan will be the department's first planning effort to focus specifically on indoor and outdoor recreation programming. It will serve as a guide to develop programming and facilities that are desirable to the community while ensuring that the recreation offerings are current and financially viable. The master plan will incorporate various analyses and processes including:

- Public input
- Recreation trends
- Facility utilization
- Service gaps
- Business and staffing operations

The end product will include an overall implementation plan.

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

- | | |
|---|------|
| ● Office of Financial Services | (1) |
| ● Office of Cultural Affairs | (1) |
| ● Economic Development | (1) |
| ● Park and Recreation | (2) |
| ● Business Development & Procurement Services | (2)* |

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

BACKGROUND (Continued)

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

- | | |
|---|-----|
| ● Firm's Experience | 35% |
| ● Cost | 30% |
| ● Business Inclusion and Development Plan | 15% |
| ● Qualifications of Key Personnel | 15% |
| ● Approach and Schedule | 5% |

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 1,219 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)

Scheduled for Park Board approval on May 8, 2014.

FISCAL INFORMATION

\$162,000.00 - Current Funds

\$318,750.00 - Park and Recreation Program Funds

M/WBE INFORMATION

256 - Vendors contacted

256 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

1,219 - 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

Wallace Roberts & Todd, LLC

White Male	38	White Female	27
Black Male	1	Black Female	2
Hispanic Male	5	Hispanic Female	2
Other Male	3	Other Female	5

PROPOSAL INFORMATION

The following proposals were received from solicitation number BUZ1410 and were opened on January 16, 2014. This 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>
*Wallace Roberts & Todd, LLC	1700 Market St. 28 th Floor Philadelphia, PA 19103	83.35%	\$480,750.00
GreenPlay, LLC	211 N. Public Rd. Suite 225 Lafayette, CO 80026	74.80%	\$229,945.00
Brinkley Sargent Architects	5000 Quorum Dr. Suite 600 Dallas, TX 75254	56.75%	\$558,500.00

OWNER

Wallace Roberts & Todd, LLC

Joseph Healey, Managing Principal
John Fernsler, Principal

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a consultant contract for a comprehensive plan update and a recreation master plan study for Park and Recreation – Wallace Roberts & Todd, LLC, most advantageous proposer of three - Not to exceed \$480,750 - Financing: Current Funds (\$162,000) and Park and Recreation Program Funds (\$318,750)

Wallace Roberts & Todd, 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: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$84,950.00	17.67%
Total non-local contracts	\$395,800.00	82.33%
TOTAL CONTRACT	\$480,750.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
K Strategies Group, LLC	BFDB59986Y0115	\$38,700.00	45.56%
Verdunity, Inc.	WFDB60410Y0315	\$20,000.00	23.54%
Quimby McCoy Preservation Architecture, LLP	WFWB59452N1214	\$20,000.00	23.54%
MS Dallas Reprographics, Inc	WFWB61023Y0315	\$6,250.00	7.36%
Total Minority - Local		\$84,950.00	100.00%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
National Service Research	WFDB57340Y0414	\$30,000.00	7.58%
Total Minority - Non-local		\$30,000.00	7.58%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$38,700.00	45.56%	\$38,700.00	8.05%
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	\$46,250.00	54.44%	\$76,250.00	15.86%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$84,950.00	100.00%	\$114,950.00	23.91%

May 14, 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 Wallace Roberts & Todd, LLC (VS0000082427) for consulting services for a comprehensive plan update and a recreation master plan study for Park and Recreation in an amount not exceed \$480,750.00, 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 Wallace Roberts & Todd, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Wallace Roberts & Todd, LLC under the contract.

Section 2. That the City Controller is hereby authorized to disburse funds from the following appropriations in an amount not to exceed \$480,750.00:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>AMOUNT</u>	<u>FY</u>	<u>ENCUMBRANCE</u>
0001	PKR	5167	3070	\$162,000.00	2014	CTPKR14G018
0395	PKR	5012	3070	\$318,750.00	2014	CTPKR14G018

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: Efficient, Effective and Economical Government

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Business Development & Procurement Services
Aviation

CMO: Jeanne Chipperfield, 670-7804
Theresa O'Donnell, 671-9195

MAPSCO: 34E

SUBJECT

Authorize a three-year service contract to provide ground transportation starter services at Love Field – Parking Systems of America, L.P., lowest responsible bidder of five - Not to exceed \$917,514 - Financing: Aviation 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 ground transportation starter services at Love Field Airport. Transportation starters guide, control and ensure orderly use of the taxicabs, limousines, shuttles, and shared rides at Love Field. Transportation starters are responsible for the safe loading and unloading of passengers and their luggage at the terminal. They maintain communication with the Transportation Coordinator, Airport Operation Office and Airport Police to ensure that taxicabs, limousines, shuttle services, and shared rides are operated safely, efficiently, and in compliance with all applicable regulations.

Starter service personnel annually manage trip control of approximately:

- Taxicab 328,500
- Limousine 45,625
- Courtesy shuttle and shared rides 110,000

In an effort to increase vendor participation for this bid, the solicitation was extended by six weeks and telephone calls were made to potential vendors; these efforts resulted in five responses.

BACKGROUND (Continued)

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 6.68% increase over comparable prices for the bids awarded in 2011.

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 1208 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 March 9, 2011, City Council authorized a three-year service contract to provide transportation starter services at Dallas Love Field by Resolution No. 11-0631.

FISCAL INFORMATION

\$917,514.00 - Aviation Current Funds (subject to annual appropriations)

M/WBE INFORMATION

220 - Vendors contacted

220 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

1208 - M/WBE and Non-M/WBE vendors were contacted

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

ETHNIC COMPOSITION

Parking Systems of America, L.P.

White Male	6	White Female	3
Black Male	11	Black Female	9
Hispanic Male	7	Hispanic Female	3
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BK1407 and were opened on January 30, 2014. 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 of Bid</u>
*Parking Systems of America, L.P.	4011 Commerce Street Dallas, TX 75246	\$ 917,514.00
Highpoint Enterprises Maintenance, Inc.	700 Ferrule Drive McKinney, TX 75069	\$1,036,547.20
Preferred Parking and Transportation	1303 Columbia Drive Suite 207 Richardson, TX 75081	\$1,493,232.00
Faith M. Supply	12618 Katie Lane Balch Springs, TX 75180	\$1,576,380.00
G2 Premier Staff, LLC	400 E. Las Colinas Boulevard Suite 750 Irving, TX 75039	Non-Responsive**

**G2 Premier Staff, LLC was deemed non-responsive due to not meeting specifications.

OWNER

Parking Systems of America, L.P.

Fred Baker, President
Erik Ward, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract to provide ground transportation starter services at Love Field – Parking Systems of America, L.P., lowest responsible bidder of five - Not to exceed \$917,514 - Financing: Aviation Current Funds (subject to annual appropriations)

Parking Systems of America, L.P. 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	\$917,514.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$917,514.00	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%

May 14, 2014

WHEREAS, on March 9, 2011, City Council authorized a three-year service contract to provide transportation starter services at Dallas Love Field by Resolution No. 11-0631;

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 Parking Systems of America, L.P. (VS0000023416) to provide ground transportation starter services at Love Field for a term of three years in an amount not to exceed \$917,514.00, 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 Parking Systems of America, L.P. shall be based only on the amount of the services directed to be performed by the City and properly performed by Parking Systems of America, L.P. under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$917,514.00 (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 # 4

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Park & Recreation

CMO: Jeanne Chipperfield, 670-7804
Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for sports officiating services for Park and Recreation - Carl Richardson dba TOP Sports Official Association in the amount of \$568,250, Dallas Softball Umpires Association, Inc. in the amount of \$494,893 and Dallas Sports Alliance LLC dba Oak Cliff Sports Group in the amount of \$219,450, lowest responsible bidders of three - Total not to exceed \$1,282,593 - 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 sports officiating services to include referees, umpires, timekeepers and scorekeepers for sporting events sponsored by Park and Recreation. The officials will provide sports officiating services for basketball, baseball, soccer, flag football and softball.

The estimated annual number of games covered by the contract include:

- 750 for youth basketball
- 1,000 for youth baseball
- 900 for youth soccer
- 200 for youth flag football
- 6,300 for adult softball

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 268 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)

This item has no prior action.

FISCAL INFORMATION

\$1,282,592.80 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

268 - 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

Carl Richardson dba TOP Sports Official Association

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

ETHNIC COMPOSITION (Continued)

Dallas Softball Umpires Association, Inc.

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

Dallas Sports Alliance LLC dba Oak Cliff Sports Group

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

BID INFORMATION

The following bids were received from solicitation number BY1403 and opened on January 9, 2014. This service contract is being awarded to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

*Denotes successful bidders

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*Carl Richardson dba TOP Sports Official Association	506 Forsythe Dr. Dallas, TX 75217	Multiple Groups
*Dallas Softball Umpires Association, Inc.	2200 Anders Dr. Mesquite, TX 75150	Multiple Groups
*Dallas Sports Alliance LLC dba Oak Cliff Sports Group	2135 Elmwood Blvd. Dallas, TX 75224	Multiple Groups

OWNERS

Carl Richardson dba TOP Sports Official Association

Carl Richardson, President
Carl Richardson Jr., Vice President

OWNERS (Continued)

Dallas Softball Umpires Association, Inc.

Carla Cash, President

Leroy Spencer, Vice President

Dallas Sports Alliance LLC dba Oak Cliff Sports Group

Claudia Mojica-Huerta, President

Estanislao Huerta, Jr., Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for sports officiating services for Park and Recreation - Carl Richardson dba TOP Sports Official Association in the amount of \$568,250, Dallas Softball Umpires Association, Inc. in the amount of \$494,893 and Dallas Sports Alliance LLC dba Oak Cliff Sports Group in the amount of \$219,450, lowest responsible bidders of three - Total not to exceed \$1,282,593 - Financing: Current Funds (subject to annual appropriations)

Carl Richardson dba TOP Sports Official Association, Dallas Softball Umpires Association, Inc. and Dallas Sports Alliance LLC dba Oak Cliff Sports Group are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$1,282,592.80	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$1,282,592.80	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%

May 14, 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 Carl Richardson dba TOP Sports Official Association (VS0000040023) in the amount of \$568,250.00, Dallas Softball Umpires Association, Inc. (VS0000061955) in the amount of \$494,892.80 and Dallas Sports Alliance LLC dba Oak Cliff Sports Group (VS0000075674) in the amount of \$219,450.00 for sports officiating services for Park and Recreation for a term of three years in a total amount not to exceed \$1,282,592.80, 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 Carl Richardson dba TOP Sports Official Association, Dallas Softball Umpires Association, Inc. and Dallas Sports Alliance LLC dba Oak Cliff Sports Group shall be based only on the amount of the services directed to be performed by the City and properly performed by Carl Richardson dba TOP Sports Official Association, Dallas Softball Umpires Association, Inc. and Dallas Sports Alliance LLC dba Oak Cliff Sports Group under the contract.

Section 2. That the City Controller is hereby authorized to disburse funds in an amount not to exceed \$1,282,592.80 (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 # 5

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Fire

CMO: Jeanne Chipperfield, 670-7804
Charles Cato, 670-9194

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract, with two one-year renewal options, for medical testing for Fire-Rescue new recruits and uniformed employees – HealthTexas Provider Network dba MedProvider in the amount of \$3,443,655 and Occupational Health Centers of the Southwest PA dba Concentra Medical Centers in the amount of \$154,950, most advantageous proposers of three - Total not to exceed \$3,598,605 - 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 testing for Fire-Rescue new recruits and uniformed employees. New recruit testing is for pre-placement physical and controlled substance testing. Current uniformed employees in the line of duty have yearly physical examinations and fitness assessments. This contract also provides a medical surveillance program for the Hazardous Materials Response Team. National Fire Protection Association (NFPA) mandates all Fire-Rescue medical testing on a yearly basis.

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

- Fire-Rescue (2)
- Housing/Community Services (1)
- Police (1)
- Business Development and Procurement Services (2)*

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

BACKGROUND (Continued)

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

- | | |
|--|-----|
| ● Costs | 30% |
| ● Business Inclusion and Development Plan | 15% |
| ● Approach to the project | 10% |
| ● Capabilities and resources | 10% |
| ● Experience in serving entities or cities the size of the City | 10% |
| ● Knowledge of firefighters job risk | 10% |
| ● Number of board certified physicians, with an emphasis in occupational medicine, cardiology and pulmonary medicine | 10% |
| ● Customer service | 5% |

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 563 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 September 25, 2013, City Council authorized Supplemental Agreement No. 1 to extend the service contract through December 31, 2013 for medical examinations and fitness assessments for Dallas Fire-Rescue firefighters; and an increase in the service contract by Resolution No. 13-1729.

FISCAL INFORMATION

\$3,598,605.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

563 - M/WBE and non-M/WBE vendors were contacted.

M/WBE INFORMATION (Continued)

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

HealthTexas Provider Network dba MedProvider

White Male	22	White Female	74
Black Male	0	Black Female	31
Hispanic Male	1	Hispanic Female	23
Other Male	6	Other Female	4

Occupational Health Centers of the Southwest PA dba Concentra Medical Centers

White Male	1709	White Female	3796
Black Male	290	Black Female	1145
Hispanic Male	333	Hispanic Female	1165
Other Male	290	Other Female	488

PROPOSAL INFORMATION

The following proposals were received from solicitation number BYZ1401 and opened on October 23, 2013. This service contract is being awarded to the most advantageous proposer by group.

*Denotes successful proposers

<u>Proposers</u>	<u>Address</u>	<u>Amount of Bid</u>
*HealthTexas Provider Network dba MedProvider	3434 Swiss Avenue Dallas, TX 75204	Multiple Groups
*Occupational Health Centers of the Southwest PA dba Concentra Medical Centers	5080 Spectrum Drive Suite 1200W Addison, TX 75001	Multiple Groups
Primary Health, Inc. dba CareNow	645 East State Highway 121 South, Suite 600 Coppell, TX 75019	Multiple Groups

OWNERS

HealthTexas Provider Network dba MedProvider

Sarah Gahm, Chief Administration Officer

Cindy Decoursin, Chief Operating Officer

Occupational Health Centers of the Southwest PA dba Concentra Medical Centers

W. Tom Fogarty, MD, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract, with two one-year renewal options, for medical testing for Fire-Rescue new recruits and uniformed employees – HealthTexas Provider Network dba MedProvider in the amount of \$3,443,655 and Occupational Health Centers of the Southwest PA dba Concentra Medical Centers in the amount of \$154,950, most advantageous proposers of three - Total not to exceed \$3,598,605 - Financing: Current Funds (subject to annual appropriations)

HealthTexas Provider Network dba MedProvider and Occupational Health Centers of the Southwest PA dba Concentra Medical Centers are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$3,598,605.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$3,598,605.00	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%

May 14, 2014

WHEREAS, on September 25, 2013, City Council authorized Supplemental Agreement No. 1 to extend the service contract through December 31, 2013 for medical examinations and fitness assessments for Dallas Fire-Rescue firefighters; and an increase in the service contract by Resolution No. 13-1729;

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 HealthTexas Provider Network dba MedProvider (VS0000020237) in the amount of \$3,443,655.00 and Occupational Health Centers of the Southwest PA dba Concentra Medical Centers (341143) in the amount of \$154,950.00 for medical testing for Fire-Rescue new recruits and uniformed employees for a term of three years, with two one-year renewal options, in a total amount not to exceed \$3,598,605.00, 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 HealthTexas Provider Network dba MedProvider and Occupational Health Centers of the Southwest PA dba Concentra Medical Centers shall be based only on the amount of the services directed to be performed by the City and properly performed by HealthTexas Provider Network dba MedProvider and Occupational Health Centers of the Southwest PA dba Concentra Medical Centers under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$3,598,605.00 (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: Public Safety
Efficient, Effective and Economical Government

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Police

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize a five-year service contract for alcohol and controlled substance testing for Police – JumpR2, Inc. dba Arcpoint Labs of Plano, lowest responsible bidder of six - Not to exceed \$115,023 - 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 five-year service contract provides alcohol and controlled substance testing for uniformed Police employees and includes random and reasonable suspicion testing. This testing is to ensure that the members of the department who are in positions that impact public safety are not impaired either physically or mentally by substance abuse. The goal of the random selection drug testing program is to test approximately 800 uniformed employees per calendar year. This service contract will cover all costs for administering the program, including collection of samples and the analysis of the sample by a Medical Review Officer.

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 155 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.

BACKGROUND (Continued)

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 April 28, 2014, the Public Safety Committee was briefed.

FISCAL INFORMATION

\$115,023.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

17 - Vendors contacted

17 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful vendor

155 - 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

JumpR2, Inc. dba Arcpoint Labs of Plano

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

BID INFORMATION

The following bids were received from solicitation number BY1408 and were opened on January 30, 2014. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

BID INFORMATION (Continued)

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*JumpR2, Inc. dba Arcpoint Labs of Plano	720 E. Park Blvd. #102 Plano, TX 75074	\$115,023.00
Recovery Healthcare Corporation	9090 N. Stemmons Fwy. Suite A Dallas, TX 75247	\$149,350.00
medALERT Occupational Management, Inc.	3141 Irving Blvd. Ste. 220 Dallas, TX 75247	\$164,060.00
Quick Staffing, LLC	8500 N. Stemmons Fwy. Suite 5046 Dallas, TX 75247	\$200,010.00
Concentra Health Services, Inc.	5080 Spectrum Dr., #1200W Addison, TX 75001	\$204,685.00
Primary Health, Inc. dba CareNow	645 E. State Hwy. 121 S. Suite 600 Coppell, TX 75019	Non-Responsive**

**Primary Health, Inc. dba CareNow was deemed non-responsive due to not meeting the specifications.

OWNER

JumpR2, Inc. dba Arcpoint Labs of Plano

Robert E. Robert, President
Gregory A. Jump, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract for alcohol and controlled substance testing for Police – JumpR2, Inc. dba Arcpoint Labs of Plano, lowest responsible bidder of six - Not to exceed \$115,023 - Financing: Current Funds (subject to annual appropriations)

JumpR2, Inc. dba Arcpoint Labs of Plano is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$115,023.00	100.00%
TOTAL CONTRACT	\$115,023.00	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%

May 14, 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 JumpR2, Inc. dba Arcpoint Labs of Plano (VS0000084537) for alcohol and controlled substance testing for Police for a term of five years in an amount not to exceed \$115,023.00, 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 JumpR2, Inc. dba Arcpoint Labs of Plano shall be based only on the amount of the services directed to be performed by the City and properly performed by JumpR2, Inc. dba Arcpoint Labs of Plano under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$115,023.00 (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 # 7

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Business Development & Procurement Services
Convention and Event Services

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

MAPSCO: 45P

SUBJECT

Authorize a five-year service contract for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas – Andrew's Building Service, Inc., lowest responsible bidder of eight - Not to exceed \$16,789,100 - Financing: Convention and Event Services 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 provides event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas (the Convention Center). The Convention Center has over 2.2 million square feet of space that requires janitorial service and hosts in excess of one million visitors each year, creating significant economic impact and contributes to the vitality of the downtown area and surrounding communities.

Daily janitorial maintenance will consist of cleaning of offices, public areas, restrooms, and facility exterior. Event cleaning includes exhibit halls, public areas, meeting rooms, and restrooms. Set-up tasks consist of setting chairs, tables, and stages for convention meetings. The vendor is required to provide all supplies, equipment and labor necessary for the performance of the contract. The use of environmentally friendly Green Seal certified cleaning products and supplies is a requirement in this contract. Furthermore, as additional products become Green Seal certified, the vendor is required to incorporate these products at the Convention Center.

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 741 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 December 12, 2007, City Council authorized a thirty-six-month service contract for janitorial services at the Dallas Convention Center, Reunion Arena and Farmers Market by Resolution No. 07-3742.

On August 14, 2013, this item was deferred by Mayor Pro Tem Atkins.

On August 21, 2013, City Council authorized the rejection of bids for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1395.

On August 28, 2013, City Council authorized Supplemental Agreement No. 1 to increase the service contract to extend the contract term through February 28, 2014, for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1507.

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

On March 26, 2014, City Council rejected the proposals for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 14-0497.

On May 5, 2014, this item was included as a briefing memo to the Budget, Finance, and Audit Committee.

FISCAL INFORMATION

\$16,789,100.00 - Convention and Event Services Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Andrew's Building Service, Inc.

White Male	20	White Female	22
Black Male	72	Black Female	36
Hispanic Male	58	Hispanic Female	39
Other Male	20	Other Female	10

M/WBE INFORMATION

153 - Vendors Contacted
148 - No response
5 - Response (Bid)
0 - Response (No Bid)
1 - Successful

741 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.

BID INFORMATION

The following bids were received from solicitation number BK1426 and opened on April 17, 2014. 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>
*Andrew's Building Service, Inc.	11503 Reeder Rd. Dallas, TX 75229	\$16,789,100.00
Member's Building Maintenance, LLC	11363 Denton Dr. Dallas, TX 75229	\$17,168,990.00
Crown Building Maintenance dba Able Building Maintenance	1452 Hughes Rd. Suite 2005 Grapevine, TX 76051	\$19,280,226.23

BID INFORMATION (Continued)

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
A.C.A. Industries, Inc. dba American Maintenance	385 West Main St. Babylon, NY 11702	\$19,404,101.60
UBM Enterprise, Inc.	11102 Ables Ln. Dallas, TX 75229	\$21,464,884.20
United Maintenance Company, Inc.	1550 S. Indiana Ave. Chicago, IL 60605	\$25,022,862.32
Oriental Building Services, Inc.	2526 Manana Dr. Suite 208 Dallas, TX 75220	\$26,208,680.00
CTJ Maintenance, Inc.	6565 N. MacArthur Blvd. Irving, TX 75039	Non-Responsive**

**CTJ Maintenance, Inc. was deemed non-responsive due to not meeting specifications

OWNER

Andrew's Building Service, Inc.

Peter S. Kim, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas – Andrew's Building Service, Inc., lowest responsible bidder of eight - Not to exceed \$16,789,100 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Andrew's Building Service, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$12,793,294.00	76.20%
Total non-local contracts	\$3,995,806.00	23.80%
TOTAL CONTRACT	\$16,789,100.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Andrew's Building Service, Inc.	PMMB58339N0814	\$12,793,294.00	100.00%
Total Minority - Local		\$12,793,294.00	100.00%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Diversified Chemical & Supply	WFWB58220Y0714	\$2,316,896.00	57.98%
Professional Polish Inc	WFWB15314N0315	\$1,678,910.00	42.02%
Total Minority - Non-local		\$3,995,806.00	100.00%

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	\$12,793,294.00	100.00%	\$12,793,294.00	76.20%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$3,995,806.00	23.80%
Total	\$12,793,294.00	100.00%	\$16,789,100.00	100.00%

May 14, 2014

WHEREAS, on December 12, 2007, City Council authorized a thirty-six-month service contract for janitorial services at the Dallas Convention Center, Reunion Arena and Farmers Market by Resolution No. 07-3742; and,

WHEREAS, on August 21, 2013, City Council authorized the rejection of bids for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1395; and,

WHEREAS, on August 28, 2013, City Council authorized Supplemental Agreement No. 1 to increase the service contract to extend the contract term through February 28, 2014, for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1507; and,

WHEREAS, on March 26, 2014, City Council authorized the rejection of proposals for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution 14-0497;

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 Andrew's Building Service, Inc. (356444) for event set up and janitorial services at the Kay Bailey Hutchison Convention Center Dallas for a term of five years in an amount not to exceed \$16,789,100.00, 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 Andrew's Building Service, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Andrew's Building Service, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$16,789,100.00 (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: May 14, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Convention and Event Services
Equipment & Building Services
Park & Recreation
Public Works Department
Street 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
Willis C. Winters, 670-4100

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 1 to increase the service contract with Trane U.S., Inc. for service, parts and equipment for all Trane heating, ventilation and air conditioning equipment - Trane U.S., Inc. through The Cooperative Purchasing Network – Not to exceed \$2,848,174, from \$11,392,695 to \$14,240,869 - Financing: Current Funds (\$2,220,152), Aviation Current Funds (\$170,890), Convention and Event Services Current Funds (\$370,263), Stormwater Drainage Management Current Funds (\$1,424) and Water Utilities Current Funds (\$85,445) (subject to annual appropriations)

BACKGROUND

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

This Supplemental Agreement will allow for additional funding to provide continued maintenance of Trane heating, ventilation and air conditioning (HVAC) equipment and allow ample time to complete the new solicitation process.

BACKGROUND (Continued)

The City has approximately 350 Trane units citywide consisting of condensers, air handling, and package units, ranging from 1.5 to 50 tons and includes services for refrigeration, cooling towers, pumps and heat recovery. Additionally, the Supplemental Agreement will continue to allow authorized Trane service technicians to supplement staff and assist with scheduled maintenance or unexpected service needs.

Equipment and Building Services is responsible for the repair and maintenance of heating and cooling systems for approximately 785 City-owned facilities such as:

- City Hall
- The Morton Meyerson Symphony Center
- Libraries
- Golf Course Club Houses
- Park and Recreation Centers
- Fire Stations
- Police Stations
- Service Centers
- Offices
- Pump Stations
- Water Plant Operations Buildings
- Wastewater Plant Operations Buildings
- Warehouses
- Maintenance Facilities

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 28, 2010, City Council authorized a three-year service contract for equipment, parts, maintenance, service/repair and upgrades or replacements for all Trane equipment including existing boilers, chillers, heating, ventilation and air conditioning units by Resolution No. 10-1046.

On February 8, 2012, City Council authorized a three-year service contract for service, parts and equipment for all heating, ventilation and air conditioning Trane equipment by Resolution No. 12-0454.

On May 5, 2014, this item was included as a briefing memo to the Budget, Finance, and Audit Committee.

FISCAL INFORMATION

\$2,220,151.42 - Current Funds (subject to annual appropriations)

\$ 370,262.59 - Convention and Event Services Current Funds (subject to annual appropriations)

\$ 170,890.43 - Aviation Current Funds (subject to annual appropriations)

\$ 85,445.22 - Water Utilities Current Funds (subject to annual appropriations)

\$ 1,424.09 - Stormwater Drainage Management Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Trane U.S., Inc.

White Male	215	White Female	38
Black Male	5	Black Female	3
Hispanic Male	8	Hispanic Female	4
Other Male	0	Other Female	0

OWNER

Trane U.S., Inc.

Dave Regnery, President

May 14, 2014

WHEREAS, on April 28, 2010, City Council authorized a three-year service contract for equipment, parts, maintenance, service/repair and upgrades or replacements for all Trane equipment including existing boilers, chillers, heating, ventilation and air conditioning units by Resolution No. 10-1046; and,

WHEREAS, on February 8, 2012, City Council authorized a three-year service contract for service, parts and equipment for all heating, ventilation and air conditioning Trane equipment by Resolution No. 12-0454;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to increase the service contract with Trane U.S., Inc. (192154) for service, parts and equipment for all Trane heating, ventilation and air conditioning equipment, in an amount not to exceed \$2,848,173.75, increasing the service contract from \$11,392,695.00 to \$14,240,868.75.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$2,848,173.75 (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: Economic Vibrancy
AGENDA DATE: May 14, 2014
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing/Community Services
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 47N

SUBJECT

Authorize **(1)** the sale of one vacant lot located at 4614 Jones Street from the Dallas Housing Acquisition and Development Corporation to True Vine Missionary Baptist Church; and **(2)** the execution of a release of lien for any non-tax liens that may have been filed by the City – Financing: No cost consideration to the City

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. In 2004, the Dallas City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank.

If a land bank determines that a property it owns is not appropriate for residential development, Section 379C.0106 of the Texas Local Government Code (Code) requires that the land bank first offer the property for sale to an eligible adjacent property owner for the lower of the fair market value of the property as determined by the appraisal district in which the property is located or the sales price recorded in the annual plan.

True Vine Missionary Baptist Church is an eligible adjacent property owner, as defined in the Code, and has submitted a proposal to purchase the DHADC-owned lot located at 4614 Jones Street for \$5,000.00, which amount is the sales price of the property recorded in the annual plan. The DHADC Board has approved the sale, subject to City Council approval.

BACKGROUND (continued)

This item will authorize the sale of one lot from DHADC to True Vine Missionary Baptist Church and the release of lien for any non-tax liens that may have been filed by the City. The vacant lot was purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens in accordance with the Code. The instrument conveying the property will include a restriction limiting the purchaser's ability to lease, sell, or transfer the property for a period of three years in accordance with the Code.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

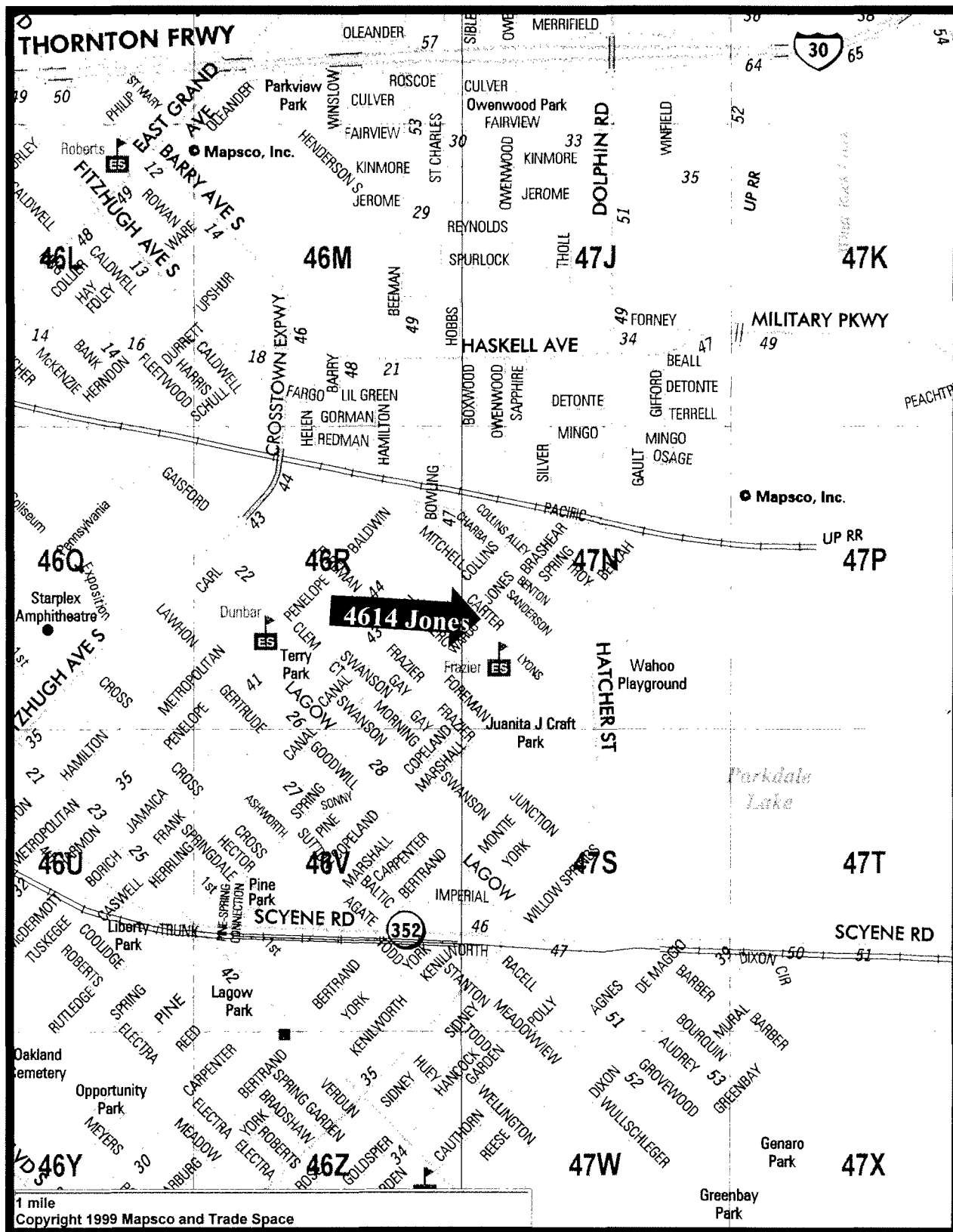
On January 23, 2014, the DHADC Board approved the sale to True Vine Missionary Baptist Church, subject to City Council approval.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached



MAPSCO 47N

May 14, 2014

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code (Code) by Resolution No. 04-0458; and

WHEREAS, if a land bank determines that a property it owns is not appropriate for residential development, Section 379C.0106 of the Code requires that the land bank first offer the property for sale to an eligible adjacent property owner for the lower of the fair market value of the property as determined by the appraisal district in which the property is located or the sales price recorded in the annual plan; and

WHEREAS, True Vine Missionary Baptist Church is an eligible adjacent property owner, as defined in the Code, and has submitted a proposal to purchase the DHADC-owned lot located at 4614 Jones Street for \$5,000.00, which amount is the sales price of the property recorded in the annual plan; and

WHEREAS, the instrument conveying the property will include a restriction limiting the purchaser's ability to lease, sell, or transfer the property for a period of three years in accordance with the Code; and

WHEREAS, on January 23, 2014, the DHADC Board approved the sale to True Vine Missionary Baptist Church, subject to City Council approval;

NOW, THEREFORE,

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

Section 1. That the sale of the lot located at 4614 Jones Street from DHADC to True Vine Missionary Baptist Church is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lot located at 4614 Jones Street.

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: May 14, 2014

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 55Z

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 3 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and **(3)** execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City – Financing: No cost consideration to the City

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.

Dallas Area Habitat for Humanity (Habitat) has submitted a proposal and development plan to DHADC for 3 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Habitat to the City's Land Bank, the sale of those lots from DHADC to Habitat and the release of lien for any non-tax liens that may have been filed by the City.

BACKGROUND (continued)

The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Habitat will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Habitat and construction financing is not closed within three years of conveyance.

These lots will be part of the Jimmy & Rosalynn Carter Work Project, a Habitat partnership with Pioneer Natural Resources to revitalize the Oak Cliff Gardens-Lisbon Heights Neighborhood by constructing 30 single family homes. Construction will begin in June 2014.

Habitat will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,279 square feet and from \$80,000 to \$90,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (3 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$15,000.00 for the sales price, as calculated from the 2013-14 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On January 23, 2014, DHADC approved the development plan and sale of 3 lots from DHADC to Habitat.

On April 21, 2014, the Housing Committee was briefed on the Jimmy & Rosalynn Carter Work Project, a Habitat development.

FISCAL INFORMATION

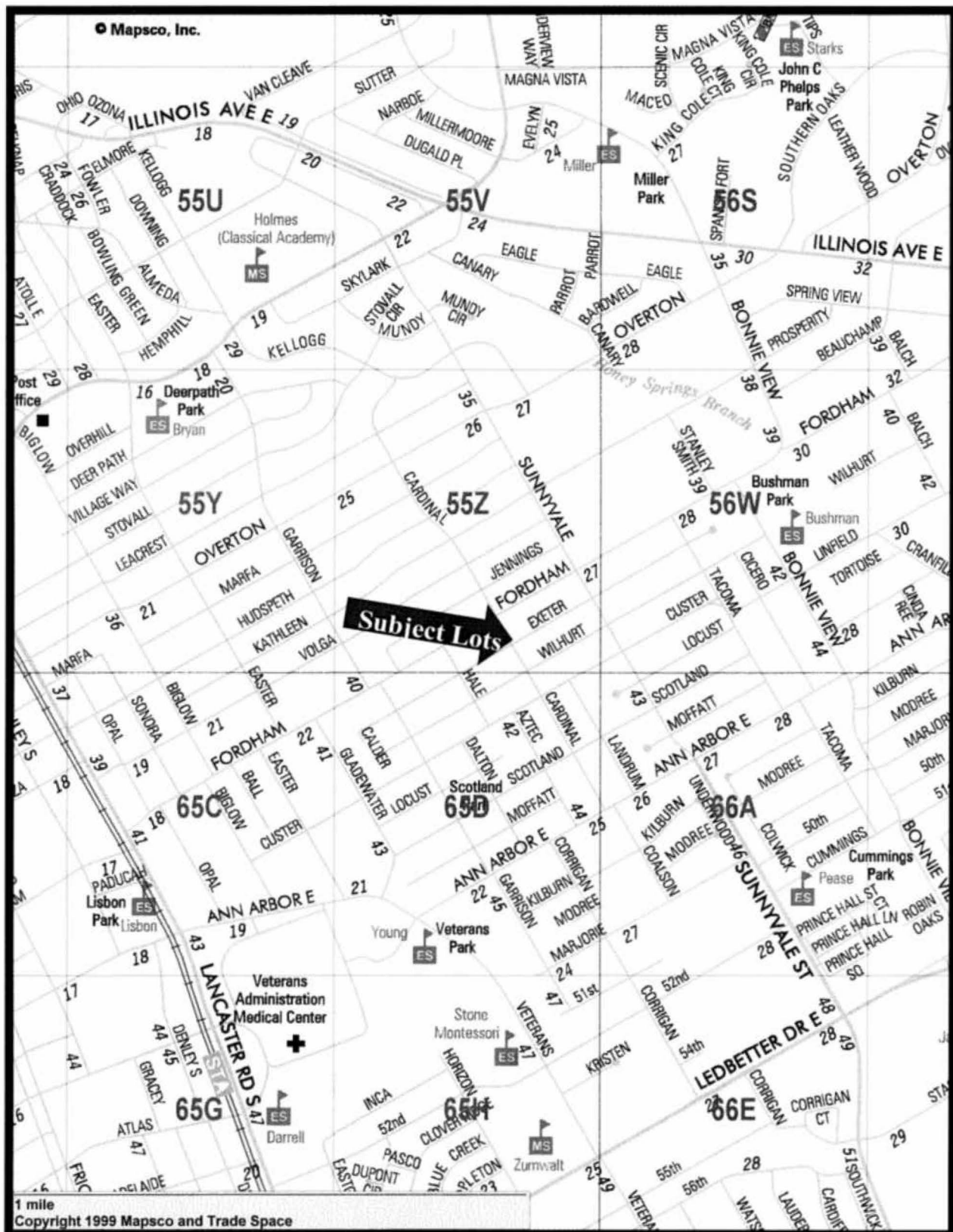
No cost consideration to the City

MAP

Attached

**Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity**

<u>Property Address</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 2606 Wilhurt	4	\$ 7,434.43
2. 2626 Exeter	4	\$14,478.12
3. 2538 Exeter	4	\$15,682.26



MAPSCO 55Z

May 14, 2014

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) 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; and

WHEREAS, Dallas Area Habitat for Humanity (Habitat) submitted a proposal and development plan to DHADC for 3 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Habitat and authorize the sale of the said 3 lots from DHADC to Habitat to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by Habitat and the sale of 3 lots shown on Exhibit "A" from DHADC to Habitat is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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.

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	2606 Wilhurl Lot 2, Lisbon Heights Addition Block 6/5852	Dallas Area Habitat for Humanity	1	\$5,000.00
2	2626 Exeter Lot 7, Lisbon Heights Addition Block 4/5852	Dallas Area Habitat for Humanity	1	\$5,000.00
3	2538 Exeter Lot 10, Lisbon Heights Addition Block 3/5852	Dallas Area Habitat for Humanity	1	\$5,000.00
TOTAL				\$15,000.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 3

(2) Land Bank name for this parcel of lots. Unknown

(3) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

Number	Street	Lot	Block	Subdivision	DCAD Value	Plan
2606	Withurt	2	6/5862	Lisbon Heights Annex	\$6,900.00	Trinity B-R
2626	Exeter	7	4/5862	Lisbon Heights	\$6,900.00	Trinity A-R
2538	Exeter	10		Lisbon Heights	\$6,900.00	Tahoe-L

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots 1 on each lot
Square Footage of each home Approximately 1279 AC: 1691 total
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports Detached Attached
Type of Exterior Veneer Brick or hardiboard Which sides 4
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$80-90,000

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots
Square Footage of each home
Number of Bedrooms/Baths in each home /
Number of Garages Number of Carports Detached Attached
Type of Exterior Veneer Which sides
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots
Square Footage of each home
Number of Bedrooms/Baths in each home /
Number of Garages Number of Carports Detached Attached
Type of Exterior Veneer Which sides
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a ~~two~~ three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 1095 days
Completion of Construction 1215 days
Sale of first affordable housing unit to low income households 1305 days
Sale of last affordable unit to low income households 1305 days

AGENDA ITEM # 11

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 14, 2014
COUNCIL DISTRICT(S): 4
DEPARTMENT: Housing/Community Services
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 65C D

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 3 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity (list attached); **(3)** the exchange of deed restrictions from the 3 lots proposed to be purchased from the Land Bank to 3 comparable lots owned by the developer; and **(4)** execution of a release of lien for any non-tax liens that may have been filed by the City – Financing: No cost consideration to the City

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.

Dallas Area Habitat for Humanity has submitted a proposal and development plan to DHADC for the acquisition of 3 lots, as shown on the attached list, and also for the exchange of the deed restrictions from the 3 lots proposed to be purchased from the Land Bank to 3 comparable lots owned by the developer, as allowed under Section 379C.0105 of the Texas Local Government Code. The DHADC Board has approved the development plan, sale and exchange of deed restrictions, subject to City Council approval.

BACKGROUND (continued)

This item will authorize City Council approval of the development plan submitted by Dallas Area Habitat for Humanity to the City's Land Bank, the sale of those lots from DHADC to Dallas Area Habitat for Humanity, the exchange of deed restrictions and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Dallas Area Habitat for Humanity will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Dallas Area Habitat for Humanity and construction financing is not closed within three years of conveyance.

These lots will be part of the Jimmy & Rosalynn Carter Work Project, a Habitat partnership with Pioneer Natural Resources to revitalize the Oak Cliff Gardens-Lisbon Heights Neighborhood by constructing 30 single family homes. Construction will begin in June 2014.

The approximate square footage and sale prices of the houses will be 1,279 square feet and from \$80,000 to \$90,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (3 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30% of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$15,000.00 for the sale price, as calculated from the 2013-14 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On January 23, 2014, the DHADC Board approved Dallas Area Habitat for Humanity's development plan and the sale and exchange of the deed restrictions, subject to City Council approval.

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

On April 21, 2014, the Housing Committee was briefed on the Jimmy & Rosalynn Carter Work Project, a Habitat development.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached

**Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 2022 Custer	65C	4
2. 2031 Custer	65C	4
3. 4231 Biglow	65C	4

Lots to Be Exchanged By Developer

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 2226 Exeter	65D	4
2. 2230 Exeter	65D	4
3. 2251 Exeter	65D	4

May 14, 2014

WHEREAS, on January 28, 2004, by Resolution No. 04-0458, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code; and

WHEREAS, Dallas Area Habitat for Humanity submitted a proposal and development plan to DHADC for the acquisition of 3 lots shown on Exhibit A and the exchange of the deed restrictions from the 3 lots proposed to be purchased from the Land Bank to 3 comparable lots owned by the developer, as permitted under Section 379C.0105 of the Texas Local Government Code and the DHADC Board has approved the development plan and the sale and exchange of the deed restrictions, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Dallas Area Habitat for Humanity and authorize the sale of the said 3 lots from DHADC to Dallas Area Habitat for Humanity and exchange of the deed restrictions to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by Dallas Area Habitat for Humanity and the sale of 3 lots shown on Exhibit "A" from DHADC to Dallas Area Habitat for Humanity and the exchange of the deed restrictions from the 3 lots proposed to be purchased from the Land Bank to 3 comparable lots owned by the developer.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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.

EXHIBIT "A"

LAND BANK PROPERTY					
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT	
1	2022 Custer Part of Lot 1, Oak Cliff Gardens Addition Block 5/5019	Dallas Area Habitat for Humanity	1	\$5,000.00	
2	2031 Custer Lot 8B, Oak Cliff Gardens Addition Block 2/5017	Dallas Area Habitat for Humanity	1	\$5,000.00	
3	4231 Biglow Part of Lot 10; 50x150; 100ft Lot 8, Oak Cliff Gardens Addition Block 1/4340-1/2	Dallas Area Habitat for Humanity	1	\$5,000.00	
TOTAL				\$15,000.00	

EXHIBIT "A"

LAND BANK PROPERTY					
EXCHANGE	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SIZE OF LOT/SF	ASSESSED LAND VALUE
		LOTS TO BE ACQUIRED FROM LAND BANK			
1	2022 Custer Part of Lot 1, Oak Cliff Gardens Addition Block 5/5019	Dallas Area Habitat for Humanity	1	5,498	\$6,900
2	2031 Custer Lot 8B, Oak Cliff Gardens Addition Block 2/5017	Dallas Area Habitat for Humanity	1	7,244	\$6,900
3	4231 Biglow Part of Lot 10, 50x150, 100ft Lot 8, Oak Cliff Gardens Addition Block 1/4340-1/2	Dallas Area Habitat for Humanity	1	6,819	\$7,000
				TOTAL	\$20,800

TO BE EXCHANGED	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SIZE OF LOT/SF	ASSESSED LAND VALUE
		LOTS EXCHANGED BY DEVELOPER			
1	2226 Exeter Lot 1, Lisbon Heights Annex Addition Block 3/5853	Dallas Area Habitat for Humanity	1	6,494	\$6,900
2	2230 Exeter Lot 2, Lisbon Heights Annex Addition Block 3/5853	Dallas Area Habitat for Humanity	1	6,319	\$6,900
3	2251 Exeter Lot 15, Lisbon Heights Annex Addition Block 1/5853	Dallas Area Habitat for Humanity	1	6,772	\$6,900
				TOTAL	\$20,700

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND BANK LOT(S) ACQUIRED BY DEVELOPER AND THE PROPOSED LOT(S) TO BE EXCHANGED

(1) Provide the property address and legal description of the lot(s) acquired from the Land Bank by the developer to be exchanged (attach extra sheets if necessary) (the "Property"). We are concurrently applying to purchase three lots in East Oak Cliff that we intend to resell. Those addresses are ~~2002~~ Custer, 2031 Custer, and 4231 Biglow.

(2) Provide the property address and legal description of the proposed lot(s) owned by the developer to be exchanged for the Land Bank lot(s) (attach extra sheets if necessary) (the "Property"). 2226 Exeter (Lot 1, Block 3/5853 Lisbon Heights Annex), 2230 Exeter (Lot 2, Block 3/5853 Lisbon Heights Annex), 2251 Exeter (Lot 15, Block 1/5853, Lisbon Heights Annex). We will be building the Tahoe floor plan on 2226 Exeter and the Trinity floor plan on the other two lots. These floor plans were provided with the application to purchase lots that we submitted on 12/20/2013.

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots 1 on each lot
Square Footage of each home Approximately 1279 AC; 1691 total
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports Detached Attached
Type of Exterior Veneer Brick or hardiboard Which sides 4
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$80-90,000

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots
Square Footage of each home
Number of Bedrooms/Baths in each home /
Number of Garages Number of Carports Detached Attached
Type of Exterior Veneer Which sides
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots
Square Footage of each home
Number of Bedrooms/Baths in each home /
Number of Garages Number of Carports Detached Attached
Type of Exterior Veneer Which sides
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the original Land Bank property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 1095 days
Completion of Construction 1215 days
Sale of first affordable housing unit to low income households 1305 days
Sale of last affordable unit to low income households 1305 days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 14, 2014
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing/Community Services
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 47S

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Frazier Revitalization, Inc. for the construction of affordable houses; and **(2)** the exchange of deed restrictions from 3 lots previously purchased from the Dallas Housing Acquisition and Development Corporation to 3 comparable lots owned by the developer (list attached) – Financing: No cost consideration to the City

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. On January 24, 2004, the City Council 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 both under the Act or otherwise.

Frazier Revitalization, Inc. has submitted a proposal and development plan to DHADC for the exchange of the deed restrictions from 3 lots previously purchased from the Land Bank to 3 comparable lots owned by the developer. Frazier proposes to develop the original Land Bank lots, upon replat with adjacent properties owned by or to be acquired by Frazier, as the Hatcher Station Village Medical Clinic containing approximately 44,000 square feet to be leased by Parkland Health and Hospital System. Construction should begin in May 2014 with completion estimated in the first quarter of 2015. The DHADC Board has approved the development plan and exchange of the deed restrictions, subject to City Council approval.

BACKGROUND (continued)

This item will authorize City Council approval of the development plan submitted by Frazier Revitalization, Inc. to the City's Land Bank and the exchange of the deed restrictions on the lots. Frazier Revitalization, Inc. will build affordable townhouses on the lots previously owned by them.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On April 7, 2014, the Economic Development Committee was briefed on the Hatcher Station Village Medical Clinic.

On April 24, 2014, the DHADC Board approved Frazier Revitalization, Inc.'s development plan and exchange of the deed restrictions, subject to City Council approval.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached

**Lots Acquired From Land Bank (DHADC) By
Frazier Revitalization, Inc.**

<u>Property Address</u>	<u>Mapsko</u>	<u>Council District</u>
1. 4018 Montie	47S	7
2. 4622 Imperial	47S	7
3. 4630 Imperial	47S	7

**Lots Owned by Frazier Revitalization, Inc.
to Be Exchanged For Land Bank Lots**

<u>Property Address</u>	<u>Mapsko</u>	<u>Council District</u>
1. 4234 Copeland	46V	7
2. 4413 Metropolitan	46R	7
3. 2809 Foreman	46R	7

May 14, 2014

WHEREAS, on January 28, 2004, by Resolution No. 04-0458, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code; and

WHEREAS, Frazier Revitalization, Inc. submitted a proposal and development plan to DHADC to exchange the deed restrictions from 3 lots previously purchased from the Land Bank to 3 comparable lots owned by the developer as shown on Exhibit "A", as permitted under Section 379C.0105 of the Texas Local Government Code and the DHADC Board has approved the development plan and exchange of the deed restrictions, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Frazier Revitalization, Inc. and authorize the exchange of the deed restrictions to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by Frazier Revitalization, Inc. and the exchange of the deed restrictions from 3 lots previously purchased from the Land Bank to 3 comparable lots owned by the developer as shown on Exhibit "A" are approved.

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"

LAND BANK PROPERTY						
EXCHANGE	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SIZE OF LOT/SF	ASSESSED LAND VALUE	
		LOTS ACQUIRED FROM LAND BANK				
1	4018 Montie Lot 4, Thompsons & Swansons Block D/4478	Frazier Revitalization, Inc.	1	7,200	\$4,200	
2	4622 Imperial Lot 6, Thompsons & Swansons Block D/4478	Frazier Revitalization, Inc.	1	6,400	\$4,200	
3	4630 Imperial Lot 7, Thompsons & Swansons Block D/4478	Frazier Revitalization, Inc.	1	4,500	\$4,200	
				TOTAL	\$12,600	

TO BE EXCHANGED	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SIZE OF LOT/SF	ASSESSED LAND VALUE	
		LOTS EXCHANGED BY DEVELOPER				
1	4234 Copeland Lot 4, Donnell's Addition Block 4/1856	Frazier Revitalization, Inc.	1	3,840	\$5,000	
2	4413 Metropolitan Lot 3 & Part Lot 4, Metropolitan Addition Block A/2443	Frazier Revitalization, Inc.	1	8,424	\$5,000	
3	2809 Foreman Lot 6, Mays Brook Spring Ave Addition Block A/1855	Frazier Revitalization, Inc.	1	5,400	\$5,000	
				TOTAL	\$15,000	

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND BANK LOT(S) ACQUIRED BY DEVELOPER AND THE PROPOSED LOT(S) TO BE EXCHANGED

(1) Provide the property address and legal description of the lot(s) acquired from the Land Bank by the developer to be exchanged (attach extra sheets if necessary) (the "Property").

Lot 4, Block D/4478 Thompson & Swanson Addition (4018 Montic, 75210)
Lot 6, Block D/4478 " " (4622 Imperial, 75210)
Lot 7, Block D/4478 " " (4630 Imperial, 75210)

(2) Provide the property address and legal description of the proposed lot(s) owned by the developer to be exchanged for the Land Bank lot(s) (attach extra sheets if necessary) (the "Property").

Lot 4, Block 4/1856 Donnell's Addition (4284 Copeland, 75210)
Lot 3 and Pt Lot 4, Block A/2443 Metropolitan Addition (4443 Metropolitan, 75210)
Lot 6, Block A/1855 Maple Brook Spring Addition (2809 Foreman, 75210)

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots 1
Square Footage of each home 1100-1200
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports - Detached - Attached 1
Type of Exterior Veneer Brick Which sides Front & sides (not back)
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 100,000

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots 1
Square Footage of each home 1100-1200
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports - Detached - Attached 1
Type of Exterior Veneer Brick Which sides Front & sides (not back)
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 100,000

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots 1
Square Footage of each home 11-1200
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports - Detached - Attached 1
Type of Exterior Veneer Brick Which sides Front & sides (not back)
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 100,000

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the original Land Bank property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 365 days
Completion of Construction 635 days
Sale of first affordable housing unit to low income households 816 days
Sale of last affordable unit to low income households 1,175 days

AGENDA ITEM # 13

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 14, 2014
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing/Community Services
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 46P

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC for the construction of an affordable duplex; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Harvard Finance North America LLC; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City – Financing: No cost consideration to the City

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.

Harvard Finance North America LLC has submitted a proposal and development plan to DHADC for 1 lot shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval.

BACKGROUND (continued)

This item will authorize City Council approval of the development plan submitted by Harvard Finance North America LLC to the City's Land Bank, the sale of that lot from DHADC to Harvard Finance North America LLC and the release of lien for any non-tax liens that may have been filed by the City. The vacant lot was purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Harvard Finance North America LLC will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Harvard Finance North America LLC and construction financing is not closed within three years of conveyance.

Harvard Finance North America LLC will build an affordable duplex on the lot. The approximate square footage and sales prices of the duplex will be 1,333 square feet per side and from \$95,000 to \$105,000. The lot will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (2 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30% of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$5,000.00 for the sales price, as calculated from the 2013-14 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On January 23, 2014, DHADC approved the development plan and sale of 1 lot from DHADC to Harvard Finance North America LLC.

FISCAL INFORMATION

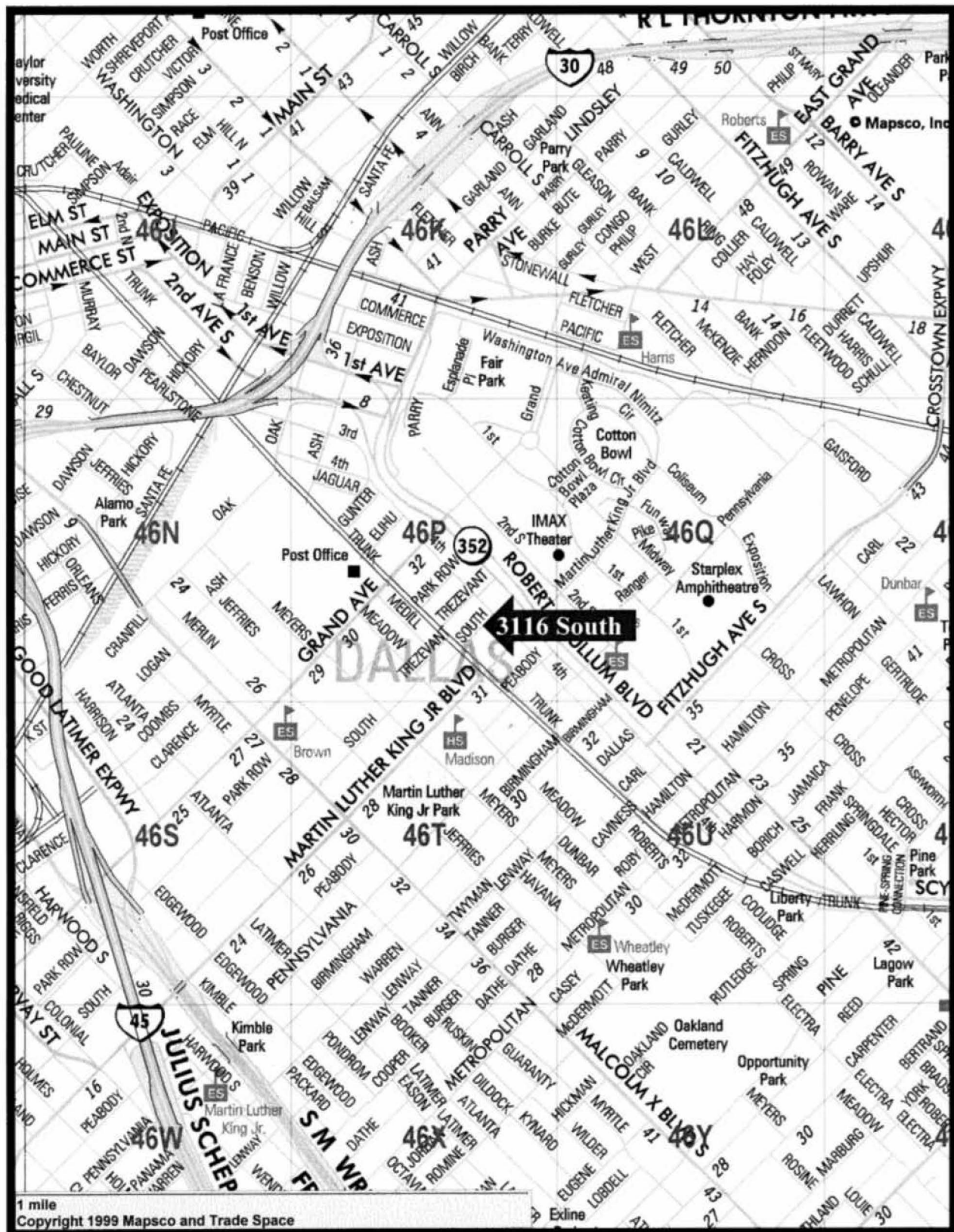
No cost consideration to the City

MAP

Attached

**Land Bank (DHADC) Sale of Lot to
Harvard Finance North America LLC**

<u>Property Address</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 3116 South	7	\$30,310.08



MAPSCO 46P

May 14, 2014

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) 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; and

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

WHEREAS, Harvard Finance North America LLC submitted a proposal and development plan to DHADC for 1 lot shown on Exhibit A and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit B submitted by Harvard Finance North America LLC and authorize the sale of the said 1 lot from DHADC to Harvard Finance North America LLC to build an affordable duplex;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit B submitted by Harvard Finance North America LLC and the sale of 1 lot shown on Exhibit A from DHADC to Harvard Finance North America LLC is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lot shown on Exhibit A.

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.

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	3116 South Lot 13, McDougall Subdivision Addition Block 1/1349	Harvard Finance North America LLC	2	\$5,000.00
TOTAL				\$5,000.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

- (1) Number of lots requested in this proposal. 1 (ONE)
- (2) Land Bank name for this parcel of lots. _____
- (3) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

3116 SOUTH AVE

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

DUPLEX
TO BE SOLD
AS TWO
SINGLE FAMILY
TOWNHOMES

Number of homes to be built on lots 1
Square Footage of each home 1333 PER SIDE — 2666 sq/ft total
Number of Bedrooms/Baths in each home 6 / 5
Number of Garages 2 Number of Carports _____ Detached _____ Attached yes
Type of Exterior Veneer MASONRY Which sides 4 SIDES
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$95,000K - \$105,000K

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a two year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 360 days
Completion of Construction 450 days
Sale of first affordable housing unit to low income households 180 days
Sale of last affordable unit to low income households 180 days

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 46L

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC for the construction of affordable houses; and **(2)** the exchange of deed restrictions from 2 lots previously purchased from the Dallas Housing Acquisition and Development Corporation to 2 comparable lots owned by the developer (list attached) – Financing: No cost consideration to the City

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. On January 24, 2004, the City Council 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 both under the Act or otherwise.

Harvard Finance North America LLC has submitted a proposal and development plan to DHADC for the exchange of the deed restrictions from 2 lots previously purchased from the Land Bank to 2 comparable lots owned by the developer. The DHADC Board has approved the development plan and exchange of the deed restrictions, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Harvard Finance North America LLC to the City's Land Bank and the exchange of the deed restrictions on the lots. Harvard Finance North America LLC will build affordable townhouses on the lots previously owned by them.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On January 23, 2014, the DHADC Board approved Harvard Finance North America LLC's development plan and exchange of the deed restrictions, subject to City Council approval.

FISCAL INFORMATION

No cost consideration to the City

MAP

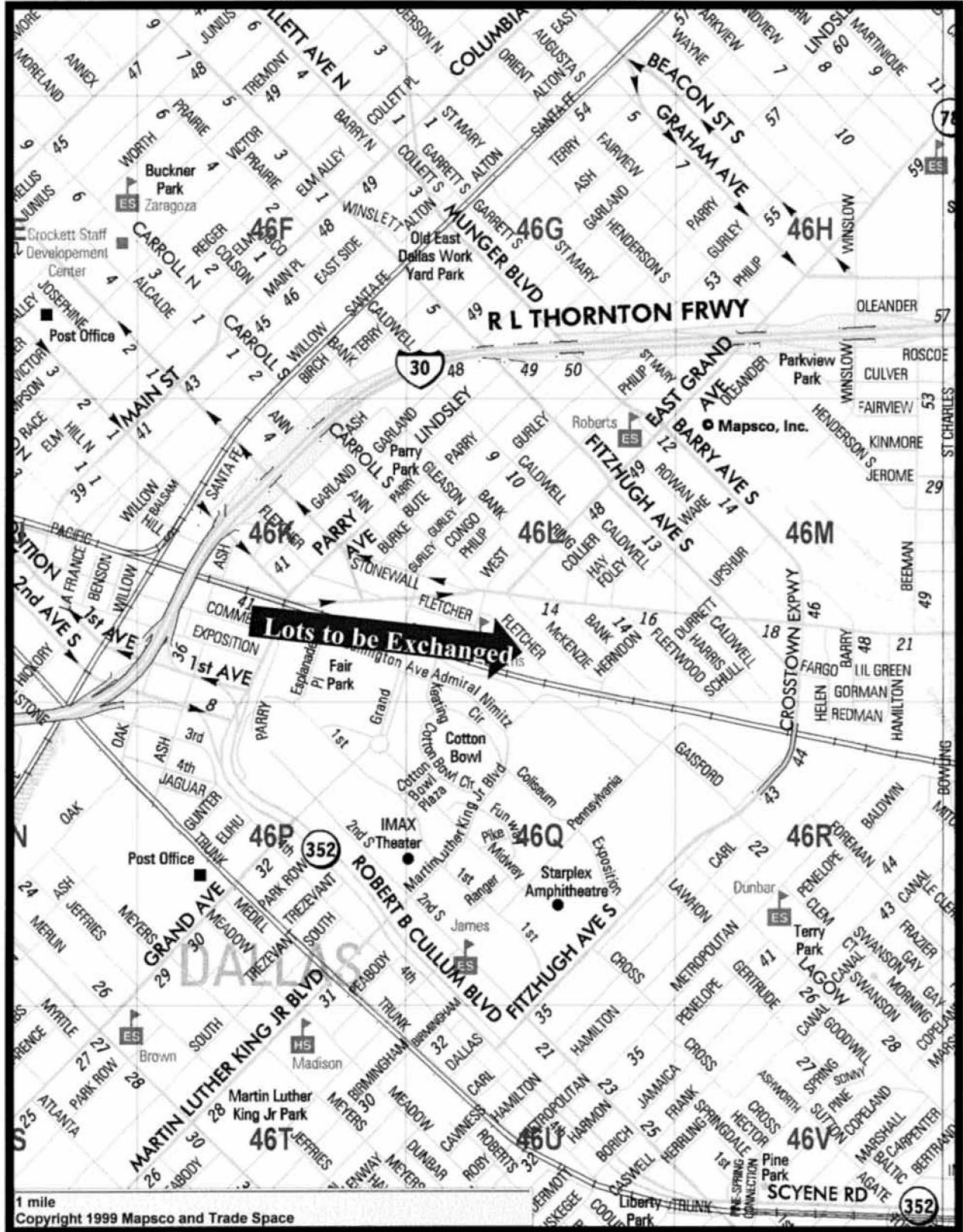
Attached

**Lots Acquired From Land Bank (DHADC) By
Harvard Finance North America LLC**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 5424 Santa Fe	46G	2
2. 5420 Terry	46G	2

**Lots Owned By Harvard Finance North America LLC
to Be Exchanged For Land Bank Lots**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1. 1316 Fletcher	46L	7
2. 1322 Fletcher	46L	7



MAPSCO 46L

May 14, 2014

WHEREAS, on January 28, 2004, by Resolution No. 04-0458, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code; and

WHEREAS, Harvard Finance North America LLC submitted a proposal and development plan to DHADC to exchange the deed restrictions from 2 lots previously purchased from the Land Bank to 2 comparable lots owned by the developer as shown on Exhibit "A", as permitted under Section 379C.0105 of the Texas Local Government Code and the DHADC Board has approved the development plan and exchange of the deed restrictions, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Harvard Finance North America LLC and authorize the exchange of the deed restrictions to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by Harvard Finance North America LLC and the exchange of the deed restrictions from 2 lots previously purchased from the Land Bank to 2 comparable lots owned by the developer as shown on Exhibit "A" are approved.

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"

LAND BANK PROPERTY						
EXCHANGE	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SIZE OF LOT/SF	ASSESSED LAND VALUE	
		LOTS ACQUIRED FROM LAND BANK				
1	5424 Santa Fe Lot 14, East We Go Addition Block O/1611	Harvard Finance North America LLC	1	7,440	\$15,000	
2	5420 Terry Lot 15, East We Go Addition Block M/1611	Harvard Finance North America LLC	1	7,395	\$15,000	
				TOTAL	\$30,000	

TO BE EXCHANGED	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SIZE OF LOT/SF	ASSESSED LAND VALUE	
		LOTS EXCHANGED BY DEVELOPER				
1	1316 Fletcher Lot 12, J D Herndon Addition Block 1272	Harvard Finance North America LLC	2	6,225	\$6,250	
2	1322 Fletcher Lot 13, J D Herndon Addition Block 1272	Harvard Finance North America LLC	2	6,225	\$6,250	
				TOTAL	\$12,500	

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND BANK LOT(S) ACQUIRED BY DEVELOPER AND THE PROPOSED LOT(S) TO BE EXCHANGED

(1) Provide the property address and legal description of the lot(s) acquired from the Land Bank by the developer to be exchanged (attach extra sheets if necessary) (the "Property").

5420 Terry DALLAS, TX 75223
5424 SANTA FE DALLAS, TX 75223

(2) Provide the property address and legal description of the proposed lot(s) owned by the developer to be exchanged for the Land Bank lot(s) (attach extra sheets if necessary) (the "Property").

1316 Fletcher ST DALLAS, TX 75223
1322 Fletcher SE DALLAS, TX 75223

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Duplex
TO BE SOLD
AS TWO
SINGLE FAMILY
TOWNHOMES

Number of homes to be built on lots 2
Square Footage of each home 1333 per side - 2666 sq ft total
Number of Bedrooms/Baths in each home 6 / 5
Number of Garages 2 Number of Carports _____ Detached _____ Attached yes
Type of Exterior Veneer MASONRY Which sides 4 SIDES
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$95,000K - 105,000K per side

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the original Land Bank property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 360 days
Completion of Construction 450 days
Sale of first affordable housing unit to low income households 180 days
Sale of last affordable unit to low income households 180 days

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 6

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 43P

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Mascorro Properties for the construction of an affordable house; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Mascorro Properties; and **(3)** execution of a release of lien for any non-tax liens on the 1 property that may have been filed by the City – Financing: No cost consideration to the City

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.

Mascorro Properties has submitted a proposal and development plan to DHADC for 1 lot shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Mascorro Properties to the City's Land Bank, the sale of that lot from DHADC to Mascorro Properties and the release of lien for any non-tax liens that may have been filed by the City. The vacant lot was purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Mascorro Properties will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Mascorro Properties and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Mascorro Properties will build an affordable house on the lot. The approximate square footage and sales prices of the house will be 1,200 square feet and \$90,000. The lot will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (1 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30% of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$5,000.00 for the sales price, as calculated from the 2013-14 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On January 23, 2014, DHADC approved the development plan and sale of 1 lot from DHADC to Mascorro Properties.

FISCAL INFORMATION

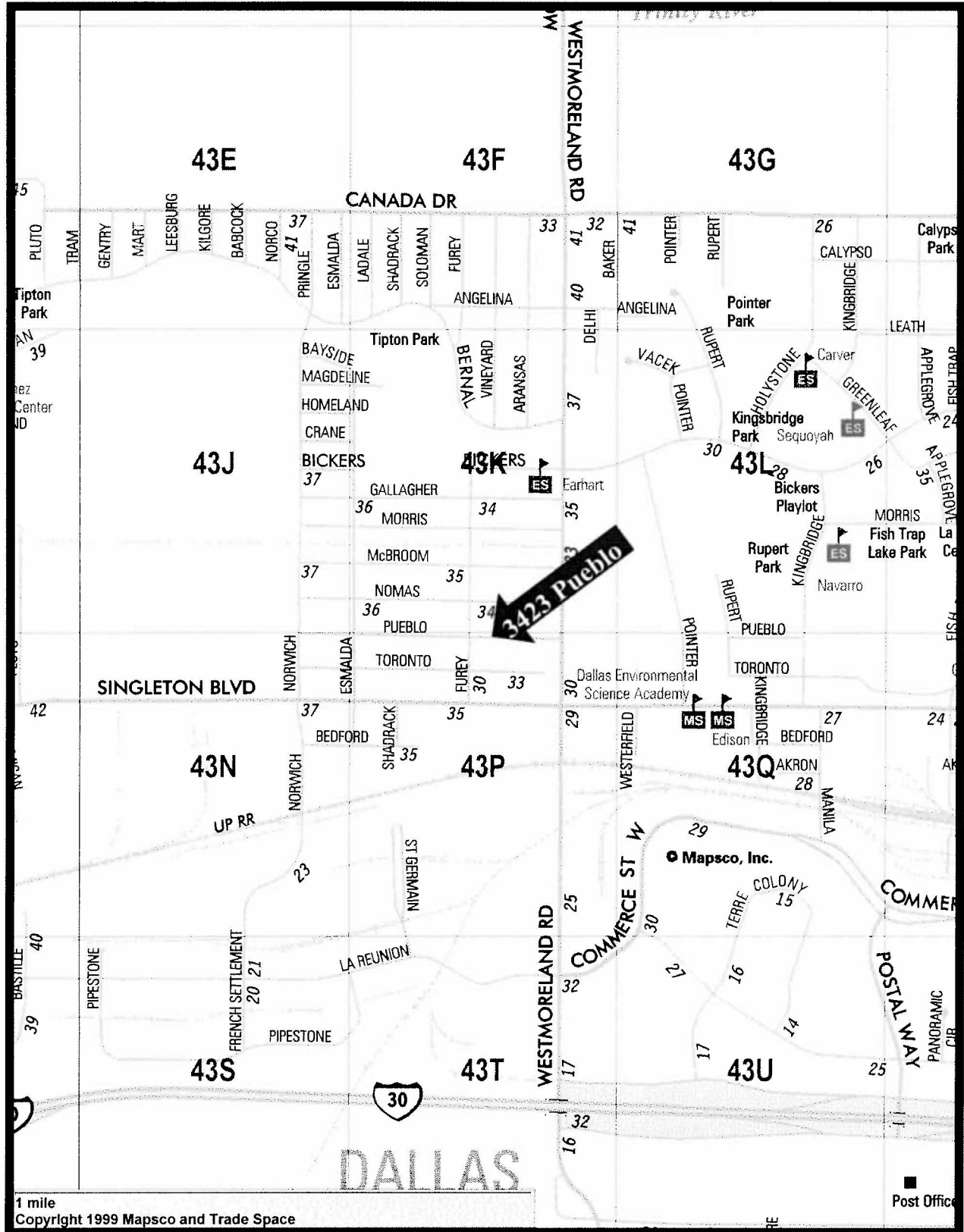
No cost consideration to the City

MAP

Attached

**Land Bank (DHADC) Sale of Lot to
Mascorro Properties**

<u>Property Address</u>	<u>Council District</u>	<u>Amount of Non-Tax Liens</u>
1. 3423 Pueblo	6	\$9,479.19



MAPSCO 43P

May 14, 2014

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) 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; and

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

WHEREAS, Mascorro Properties submitted a proposal and development plan to DHADC for 1 lot shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Mascorro Properties and authorize the sale of the said 1 lot from DHADC to Mascorro Properties to build an affordable house;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by Mascorro Properties and the sale of 1 lot shown on Exhibit "A" from DHADC to Mascorro Properties is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lot shown on Exhibit "A".

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.

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	3423 Pueblo Lot 24, Westmoreland Park Addition Block 3/7144	Mascorro Properties	1	\$5,000.00
TOTAL				\$5,000.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

- (1) Number of lots requested in this proposal. 1
- (2) Land Bank name for this parcel of lots. _____
- (3) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

3423 Pueblo St. Dallas, TX 75212, Lot 24, Block 3/7144, Westmoreland Park Addition, Dallas County

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots 1
Square Footage of each home 1200
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer Brick Which sides All sides
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$90,000

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a two year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 60 days

Completion of Construction 60 days

Sale of first affordable housing unit to low income households 60 days

Sale of last affordable unit to low income households _____ days

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 55T

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by New Vision Properties & Land for the construction of affordable houses; **(2)** the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to New Vision Properties & Land; and **(3)** execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City – Financing: No cost consideration to the City

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.

New Vision Properties & Land has submitted a proposal and development plan to DHADC for 2 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by New Vision Properties & Land to the City's Land Bank, the sale of those lots from DHADC to New Vision Properties & Land and the release of lien for any non-tax liens that may have been filed by the City.

BACKGROUND (continued)

The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to New Vision Properties & Land will contain a reverter that returns the property to DHADC if a construction permit is not applied for by New Vision Properties & Land and construction financing is not closed within three years of conveyance.

New Vision Properties & Land will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be approximately 1,395 square feet and from \$90,000 to \$105,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (2 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$10,000.00 for the sales price, as calculated from the 2013-14 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On April 24, 2014, DHADC approved the development plan and sale of 2 lots from DHADC to New Vision Properties & Land.

FISCAL INFORMATION

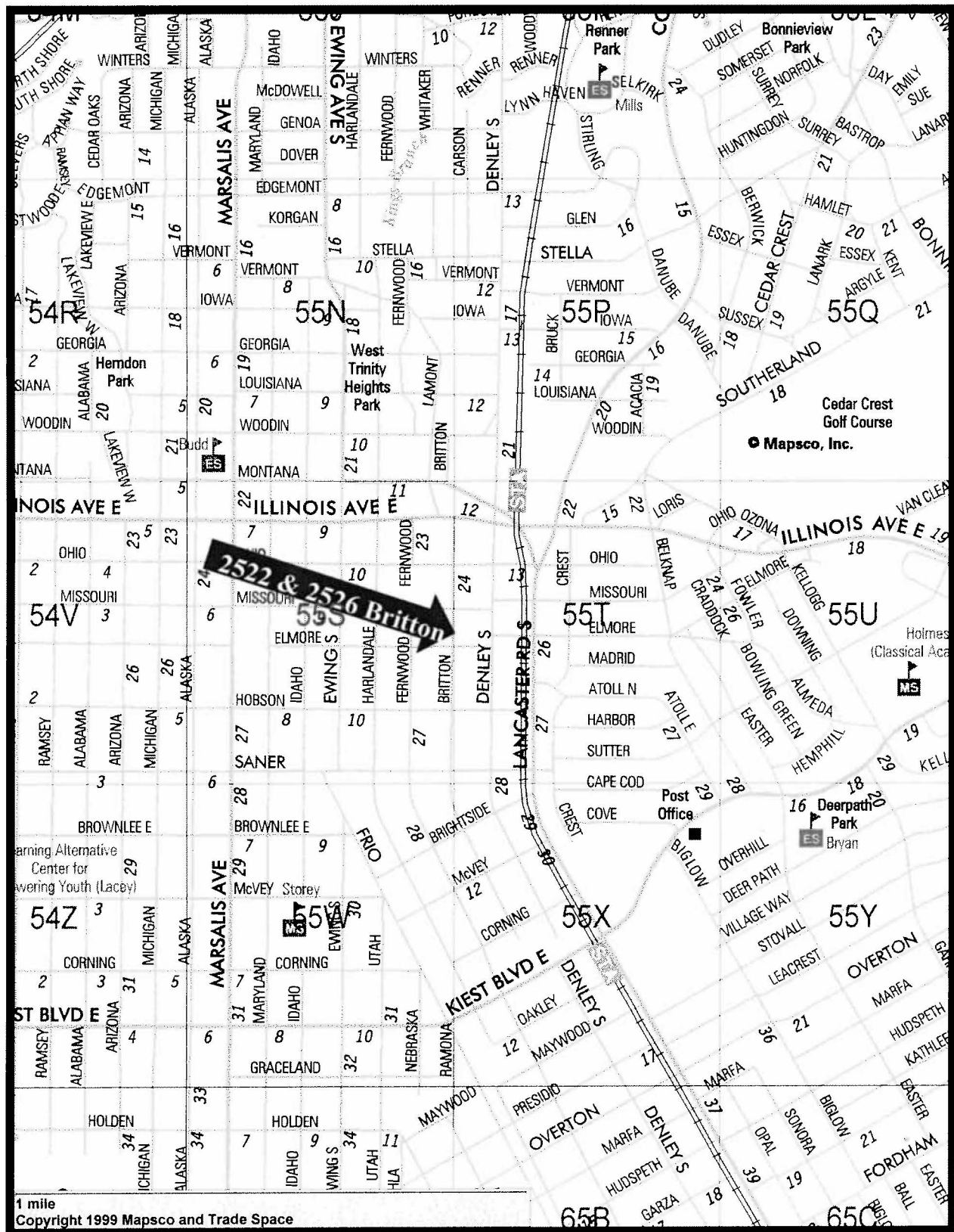
No cost consideration to the City

MAP

Attached

**Land Bank (DHADC) Sale of Lots to
New Vision Properties & Land**

<u>Property Address</u>	<u>Mapsc</u>	<u>Amount Of Non-Tax Liens</u>
1. 2522 Britton	55T	\$14,751.42
2. 2526 Britton	55T	\$23,721.88



MAPSCO 55T

May 14, 2014

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) 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; and

WHEREAS, New Vision Properties & Land submitted a proposal and development plan to DHADC for 2 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by New Vision Properties & Land and authorize the sale of the said 2 lots from DHADC to New Vision Properties & Land to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by New Vision Properties & Land and the sale of 2 lots shown on Exhibit "A" from DHADC to New Vision Properties & Land is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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.

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	2522 Britton Lot 6, Broadmoor Addition Block 31/4230	New Vision Properties & Land	1	\$5,000.00
2	2526 Britton Lot 7, Broadmoor Addition Block 31/4230	New Vision Properties & Land	1	\$5,000.00
TOTAL				\$10,000.00

SECTION II: DEVELOPMENT PLAN EXHIBIT B

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

- (1) Number of lots requested in this proposal. 2
- (2) Land Bank name for this parcel of lots. Dallas
- (3) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").
lots 6 + 7; 31/4230 Broadmoor
2522 & 2526 Britton Drive, Dallas TX 75201

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots 2
Square Footage of each home 1395
Number of Bedrooms/Baths in each home 4 / 2
Number of Garages 0 Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer Brick Which sides front
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 90-105

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages _____ Number of Carports _____ Detached _____ Attached _____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a two year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 60 days
Completion of Construction 60 days
Sale of first affordable housing unit to low income households 30 days
Sale of last affordable unit to low income households 30 days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 14, 2014
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing/Community Services
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 47S

SUBJECT

Authorize **(1)** the acceptance of an amended proposal from Frazier Revitalization, Inc. for the development of 1 improved property located at 4010 Montie obtained under the Land Assembly process through the Land Transfer Program; and **(2)** execution of amended Deed Restrictions - Financing: No cost consideration to the City

BACKGROUND

On March 18, 2013, Frazier Revitalization, Inc. (Frazier), a qualified non-profit organization, submitted a proposal to the City for the private purchase of 1 improved property located at 4010 Montie under the Land Assembly process through the Land Transfer Program to develop a single-family home for a low-income homebuyer. On April 10, 2013, the City Council passed Resolution No. 13-0610 accepting Frazier's proposal for the property.

On March 10, 2014, Frazier submitted a written modified Land Transfer Proposal to the City to approve changes in the proposal to develop 1 improved Property. Frazier proposes to develop the Property, upon replat with adjacent properties owned by or to be acquired by Frazier, as a medical clinic containing approximately 44,000 square feet to be leased by Parkland Health and Hospital System under the economic development option of the Land Assembly process.

The Property is deed restricted for affordability and the Deed Restrictions will be amended to allow Frazier to develop a medical clinic on the replatted Property, in accordance with its amended proposal for the property as described above.

The anticipated commencement date of construction is Summer 2014.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 10, 2013, the City Council accepted a proposal from Frazier for the private purchase of 1 improved property, subject to five year deed restrictions for affordable housing and the written proposal submitted by Frazier on March 18, 2013 by Resolution No. 13-0610.

On April 7, 2014, the Economic Development Committee was briefed on the Hatcher Station Village Medical Clinic.

FISCAL INFORMATION

No cost consideration to the City

OWNER

Frazier Revitalization, Inc.

Dorothy Hopkins, President

MAP

Attached

May 14, 2014

WHEREAS, on March 18, 2013, Frazier Revitalization, Inc. ("Frazier"), a qualified non-profit organization, submitted a proposal to the City for the private purchase of 1 improved property located at 4010 Montie ("Property") under the Land Assembly process through the Land Transfer Program to develop a single-family home for a low-income homebuyer; and

WHEREAS, on April 10, 2013, the City Council passed Resolution No. 13-0610 accepting Frazier's proposal for the Property, subject to five year deed restrictions for affordability and written proposal submitted by Frazier; and

WHEREAS, Frazier has submitted an amended proposal and now requests a change in its proposal to develop a medical clinic containing approximately 44,000 square feet to be leased by Parkland Health and Hospital System on the Property; and

WHEREAS, the Amended Deed Restrictions to this Property will contain:

- (1) a requirement that Frazier seek to replat the Property within twelve months of execution of the Amended Deed Restrictions, which consent may be withheld,
- (2) a requirement that within three (3) years of execution of the Amended Deed Restrictions, Frazier develop the replatted Property with a medical clinic containing a total of approximately 44,000 square feet, and
- (3) a requirement that Frazier develop the replatted Property as described in (2) above within three (3) years and to lease the replatted Property as built for twenty-five (25) years with an option to sell to the tenant after seven (7) years, and
- (47) a right of reverter to be exercised by the City if the conditions in (1) and (2) are not met; and

WHEREAS, the City Council desires to amend the Deed Restrictions on the Property other consideration to be used in the development of two mixed-use buildings;

NOW, THEREFORE,

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

SECTION 1. That the amended proposal, submitted by Frazier on March 10, 2014, be accepted by the City for the Property.

SECTION 2. That the City Manager is authorized to execute, upon approval as to form by the City Attorney, an amendment to the Deed Restrictions for the Property. The Amended Deed Restrictions will reflect the acceptance of the March 10, 2014 amendment to the proposal for the Property to develop a medical clinic.

May 14, 2014

SECTION 3. That the Amended Deed Restrictions to this Property will contain:

- (1) a requirement that Frazier seek to replat the Property within twelve months of execution of the Amended Deed Restrictions, which consent may be withheld,
- (2) a requirement that within three (3) years of execution of the Amended Deed Restrictions, Frazier develop the replatted Property with a medical clinic containing a total of approximately 44,000 square feet, and
- (3) a requirement that Frazier develop the replatted Property as described in (2) above within three (3) years and to lease the replatted Property as built for twenty-five (25) years with an option to sell to the tenant after seven (7) years, and
- (47) a right of reverter to be exercised by the City if the conditions in (1) and (2) are not met.

SECTION 4. That the City's acceptance of the proposal does not obligate the City of Dallas to expend any funding for the development of the Property.

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 is accordingly so resolved.

AGENDA ITEM # 18

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 46P

SUBJECT

Authorize **(1)** an amendment to the grant agreement between the City of Dallas and the U. S. Department of Housing and Urban Development (HUD) to add Eban Village as a project site to the grant agreement; and **(2)** approval of a Memorandum of Understanding (MOU) between the City of Dallas and HHF Eban Village I & II, LLC herein referred to as Eban Village to provide project-based affordable housing to the Gateway to Permanent Supportive Housing Program, contingent upon approval of the amendment by HUD in Subject Number 1 for the term June 1, 2014 through May 31, 2015, with two twelve-month renewal options - Financing: No cost consideration to the City

BACKGROUND

Eban Village staff expressed an interest in partnering with the City of Dallas to provide housing units for program participants in the Comprehensive Homeless Outreach Program. Discussions were held between the City of Dallas and Eban Village staff to determine if the property could accommodate its program participant's needs in its project-based program. Tours were conducted of the property location and the apartment units. The property was selected because of its capacity to house program participants, amenities comparable to the first site, close proximity to additional case managers located at the Martin Luther King, Jr. Community Center, and a variety of family and community services offered by Eban Village to keep clients engaged in community services. Units at the property will be required to meet Housing Quality Standards. The Eban Village administrative office is located at 3023 Park Row Avenue. The apartment complex covers three parcels of land located at 2900 Grand Avenue, 2710 Jefferies Street, and 2901 South Boulevard.

BACKGROUND (Continued)

The City of Dallas contacted the U. S. Department of Housing and Urban Development (HUD) to request guidance on the process to include Eban Village as an additional project site for the Gateway to Permanent Supportive Housing Program. HUD provided the following guidance (1) the City of Dallas must document site control (execution of MOU which will be binding upon City and Eban if HUD approves the City's request for an amendment), (2) conduct an environmental review, and (3) amend the application to include the additional site. This agenda item is the first step in the process to document site control by entering into a Memorandum of Understanding (MOU) with Eban Village. All of these documents will be submitted to HUD for review and approval. HUD will issue a grant amendment for execution between HUD and the City of Dallas once all documents have been reviewed and approved.

The MOU will outline the City of Dallas' responsibilities as the service provider and Eban Village as the property owner. City staff will continue to provide social or rehabilitative services to all persons for whom rental payments are made. City staff will continue to partner with community agencies through non-financial agreements. Services include case management, drug treatment, medications, psychiatric counseling, legal aid, employment, and training classes. Clients/Tenants will continue to be referred to the program directly by the homeless assistance center (the Bridge) staff, shelter staff, and self-referral. Eban Village will provide office space for City staff at no cost and a community meeting space for Gateway clients; carry out rent collections from clients paying a portion of their rent towards their own assistance; janitorial, maintenance, repair, and other related services for the safety and security of staff and clients.

The City of Dallas has received funding for the Permanent Supportive Housing grant since 2008 for project-based rental assistance and case management for chronically homeless persons. Under the grant agreement, the program will pay rent and utilities for 70 chronically homeless persons annually who are high utilizers of public services (emergency rooms, jails and etc). The grant will continue to fund 3-Caseworkers (Grade H) and 1-Coordinator (Grade G) to carry out the program. Match requirements will remain no less than a 25 percent cash match or In-Kind Contribution. Rental payments will be made directly to the apartment complex based on the Fair Market Rent (FMR) rate as determined by HUD. Clients/Tenants are eligible to receive rental assistance permanently depending on the client needs.

Program participants must sign a minimum of a one-year lease agreement under project-based housing. Lease must also comply with other HUD requirements. Clients/Tenants with active leases located at Village Oaks will be transitioned to Eban Village as their leases expire. All clients are expected to transition to Eban Village by March 31, 2015. Eban Village management staff has agreed to assist with moving costs for those clients requiring moving assistance.

PRIOR ACTION/REVIEW (COUNCIL, BOARD, COMMISSIONS)

Authorized acceptance of a Permanent Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on August 13, 2008, by Resolution No. 08-2059.

Authorized acceptance of a Permanent Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on May 26, 2010, by Resolution No. 10-1297.

Authorized acceptance of a Permanent Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on June 22, 2011, by Resolution No. 11-1668.

Authorized acceptance of a Permanent Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on April 25, 2012, by Resolution No. 12-1184.

Authorized acceptance of a Permanent Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on August 14, 2013, by Resolution No. 13-1293.

FISCAL INFORMATION

No cost consideration to the City

May 14, 2014

WHEREAS, there is a need to assist single chronically homeless persons by providing rental assistance, in conjunction with support services, to break the cycle of homelessness; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides for the distribution of Permanent Supportive Housing Grant funds to assist the homeless with rental assistance; and

WHEREAS, under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), enacted into law on May 20, 2009, all eligible funding costs accepted must be matched with no less than a 25 percent cash match or In-Kind Contribution; and

WHEREAS, HUD has executed the FY 2012 grant agreement for the Continuum of Care Grant funds (formerly Permanent Supportive Housing) funds totaling \$768,280;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, and City Manager is hereby authorized **(1)** an amendment to the grant agreement between the City of Dallas and the U. S. Department of Housing and Urban Development (HUD) to add Eban Village as a project site to the grant agreement; and **(2)** approval of a Memorandum of Understanding (MOU) between the City of Dallas and HHF Eban Village I & II, LLC herein referred to as Eban Village to provide project-based affordable housing to the Gateway to Permanent Supportive Housing Program, contingent upon approval of the amendment by HUD in Subject Number 1 for the term June 1, 2014 through May 31, 2015, with two twelve-month renewal options.

Section 2. That the City Manager is hereby authorized to execute all agreements and provide additional information and make adjustments to take other actions relating to these budgets as may be necessary in order to satisfy HUD requirements.

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: Efficient, Effective and Economical Government

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a public hearing to be held on May 28, 2014 to receive comments on the FY 2014-15 Operating, Capital, and Grant/Trust budgets - Financing: No cost consideration to the City

BACKGROUND

Each year the City of Dallas holds a series of public hearings to provide the citizens of Dallas the opportunity to speak on next year's budget.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

May 14, 2014

WHEREAS, the City Council is committed to providing the citizens of Dallas with the opportunity to speak on the City's FY 2014-15 budget;

Now, Therefore,

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

Section 1. That a public hearing on the City's FY 2014-15 Operating, Capital, and Grant / Trust budgets will be held on May 28, 2014 in the Council Chambers.

Section 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize an agreement with Shakespeare Festival of Dallas dba Shakespeare Dallas to manage, operate and maintain the Samuell-Grand Amphitheatre for theatrical performances and events from May 1 through October 31 of each year for a period of ten years with two five-year renewal options – Estimated Revenue: \$5,000

BACKGROUND

The City has had a long and favorable relationship with Shakespeare Dallas dating back to 1972 when Shakespeare Dallas provided free summer evening performances at Fair Park. On January 24, 1990, the Council approved the construction of an amphitheatre, now known as Samuell-Grand Amphitheatre, to provide a facility better suited to serve as a performance site for the Shakespeare Festival of Dallas concert series. On May 25, 1994, the Council approved a resolution to enter into a use agreement with Shakespeare Dallas for a term of 10 years with the option of two five-year renewal periods. The second 5-year renewal period authorized in the original use agreement will expire in May 2014. The City and Shakespeare Dallas desire to enter into a use agreement under substantially similar terms.

The agreement will be subject to the following terms:

- 1) The term is for 10 years with two consecutive five-year renewal options. The contract may be terminated for convenience by either party with 90 days written notice.
- 2) Notwithstanding the City's right of entry or use by the City, with notice to Shakespeare Dallas, for such periods which do not interfere with functions scheduled by Shakespeare Dallas, Shakespeare Dallas shall be entitled to exclusive use of the Facility during its use period of May 1 through October 31 of each calendar year.

BACKGROUND (continued)

- 3) Shakespeare Dallas shall not sublease the Facility without prior written consent of the City.
- 4) Shakespeare Dallas shall provide the City ten percent of the gross receipts from concession sales during the use period.
- 5) Shakespeare Dallas shall provide a portion of the theatrical performances free to the public. The current fees were approved by the Park and Recreation Board in December 2010 and any changes in admission and/or parking fees are subject to approval of the Park and Recreation Board.
- 6) The current fees are as follows: Tuesday, Wednesday – no admission fees; Thursday, Friday, Saturday, Sunday - \$10 for 13 years and older, senior and student discount is \$3 and free for anyone 12 years and under, no shows on Monday. No parking fees are charged.
- 7) Shakespeare Dallas shall provide at no charge 1,000 tickets for admission to performances at the Facility to the Park and Recreation Department for distribution to members of the community. Shakespeare Dallas shall also provide theatrical programming at one or more recreation centers each year.
- 8) Shakespeare Dallas shall make no alterations to the Facility of a permanent nature without prior written consent of the City. Such approved changes shall be at the sole expense of Shakespeare Dallas. All fixtures attached to the facility shall become property of the City.
- 9) Shakespeare Dallas shall be permitted to place temporary directional signs around Samuell-Grand Park on the day of performances for safety and to facilitate traffic flow with prior written approval by the City.
- 10) Performances shall conclude before midnight unless otherwise agreed to in writing by the Director.
- 11) Shakespeare Dallas acknowledges that it has fully inspected and accepted the Facility for the purpose of the lease and shall return the Facility to the City in the same condition, reasonable wear and tear excepted, at the conclusion of each use period.
- 12) Shakespeare Dallas shall provide for janitorial maintenance during the use period and shall pay for all utility costs during the use period.
- 13) Shakespeare Dallas shall purchase and maintain, during the term of the agreement insurance as prescribed by the City.

BACKGROUND (continued)

- 14) Shakespeare Dallas has the exclusive right to provide beer, wine, food, beverage and novelty concessions (sales) within the Facility during the Use Period. Festival may allow for the consumption of alcoholic beverages within the gated areas of the Facility brought on the premises by audience members, and agrees to comply with all provisions of the Texas Alcoholic Beverage Code subject to TABC regulations.
- 15) The City shall provide for maintenance to the Facility such as turf, pest control, litter control, and structural maintenance consistent with City current maintenance standards and available funding.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized the agreement on April 17, 2014.

FISCAL INFORMATION

Estimated Revenue: \$5,000

MAP

Attached



May 14, 2014

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and Shakespeare Festival of Dallas, dba Shakespeare Dallas, a Texas non-profit organization (Shakespeare Dallas), desires to enter into an agreement for the use of Samuell-Grand Amphitheatre and its appurtenances (Facility) at Samuell-Grand Park. **Now, Therefore,**

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager is authorized to execute an agreement with Shakespeare Dallas for the use of the Facility at Samuell-Grand Park.

SECTION 2. That the duration of the agreement shall be for an initial term of ten years with two consecutive five-year renewal options.

SECTION 3. That Shakespeare Dallas shall be entitled to exclusive use of the Facility during its use period of May 1 through October 31 of each calendar year, notwithstanding the City's right of entry or use by the City, with notice to Shakespeare Dallas, for such periods which do not interfere with functions scheduled by Shakespeare Dallas.

SECTION 4. That Shakespeare Dallas shall provide a portion of the theatrical performances free to the public. The current fees were approved by the Park and Recreation Board in December 2010 and any changes in admission and/or parking fees are subject to approval of the Park and Recreation Board.

SECTION 5. That Shakespeare Dallas shall pay the City 10% of the gross receipts from concession sales at the Facility during the use period.

SECTION 6. That the City Controller is authorized to receive, deposit funds from this agreement in Fund 0330, Department PKR, Unit 6975, Revenue Source 7824, and expend money from Fund 0330, Department PKR, Unit 6975, Various Object Codes, for repair and maintenance of the Facility.

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

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 44 B C D F G H

SUBJECT

Authorize an increase in the contract with RoeschCo Construction, Inc. for additional scope of work to include: repair of existing stormwater headwall, additional drainage, deletion of chain link fence, replacement of paving at new inlet and retaining wall stain at the Trinity Strand Trail located between Farrington Street to Oak Lawn Avenue - Not to exceed \$114,674, from \$5,435,933 to \$5,550,607 - Financing: North Central Texas Council of Governments Grant Funds

BACKGROUND

The original contract was awarded to RoeschCo Construction, Inc. by Council on September 12, 2012, by Resolution No. 12-2260, for Phase I and Phase II of a 12-foot-wide hike and bike trail for the Trinity Strand Trail from Farrington Street to Oak Lawn Avenue and Stemmons Freeway, in an amount not to exceed \$5,426,113.55.

Change Order No. 1, was authorized on September 11, 2013, by Resolution No. 13-1569, for a decrease in the contract to change originally designed boardwalks to retaining walls at Phase I of the Trinity Strand Trail from Farrington Street to Turtle Creek Plaza (near Turtle Creek Boulevard and Market Center Drive) and credits to include: piers abutments, bents, slabs and surface treatments for all boardwalks in Phase I. Additional retaining wall costs: retaining wall blocks, concrete footings, trail, engineering services and piers as required. Additional scope of work: provide downspout extensions, remove additional trees, credit drainage, demolish guardrails at Wycliff Avenue and power shutdown at Wycliff bridge for installation of pedestrian bridge, in an amount not to exceed (\$195,859.22), making a revised contract amount of \$5,230,254.33.

BACKGROUND (Continued)

Change Order No. 2, was authorized on February 26, 2014, by Resolution No. 14-0398, for additional scope of work which includes existing water line relocations and replacement near Anatole Partners property and at Wycliff Avenue; and the replacement of a damaged existing storm line, retaining wall and repair of a parking lot at the Trinity Strand Trail located between Farrington Street and Oak Lawn Avenue, in an amount not to exceed \$205,678.69, making a revised contract amount of \$5,435,933.02.

This action will authorize Change Order No. 3 to the contract with RoeschCo Construction, Inc. in an amount not to exceed \$114,673.10, from \$5,435,933.02 to \$5,550,606.12 for additional scope of work to include: repair of existing stormwater headwall, additional drainage, deletion of chain link fence, replacement of paving at new inlet and retaining wall stain at the Trinity Strand Trail located between Farrington Street to Oak Lawn Avenue.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	November 2012
Complete Construction	July 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized the advertisement for a Request for Competitive Sealed Proposals on September 1, 2011.

The Park and Recreation Board authorized award of the contract on January 12, 2012.

The Park and Recreation Board authorized the rescinding of the contract award and the re-advertisement to proceed with construction procurement on March 1, 2012.

The Park and Recreation Board authorized award of the contract on August 2, 2012.

City Council authorized award of the contract on September 12, 2012, by Resolution No. 12-2260.

The Park and Recreation Board authorized Change Order No. 1 on August 15, 2013.

City Council authorized Change Order No. 1 on September 11, 2013, by Resolution No. 13-1569.

The Park and Recreation Board authorized Change Order No. 2 on January 9, 2014.

City Council authorized Change Order No. 2 on February 26, 2014, by Resolution No. 14-0398.

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

The Park and Recreation Board authorized Change Order No. 3 on April 17, 2014.

FISCAL INFORMATION

North Central Texas Council of Governments Grant Funds - \$114,673.10

Original Contract Amount	\$5,426,113.55
Change Order No. 1	(\$195,859.22)
Change Order No. 2	\$205,678.69
Change Order No. 3 (this action)	<u>\$114,673.10</u>

Total amount not to exceed	\$5,550,606.12
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M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

RoeschCo Construction, Inc.

White Male	3	White Female	1
Black Male	0	Black Female	0
Hispanic Male	9	Hispanic Female	0
Other Male	1	Other Female	0

OWNER

RoeschCo Construction, Inc.

Marcie L. Roeschley, President
Sarah N. Roeschley, Vice President
Keith R. Roeschley, Secretary/Treasurer

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with RoeschCo Construction, Inc. for additional scope of work to include: repair of existing stormwater headwall, additional drainage, deletion of chain link fence, replacement of paving at new inlet and retaining wall stain at the Trinity Strand Trail located between Farrington Street to Oak Lawn Avenue - Not to exceed \$114,674, from \$5,435,933 to \$5,550,607 - Financing: North Central Texas Council of Governments Grant Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$24,146.00	21.06%
Non-local contracts	\$90,527.10	78.94%
TOTAL THIS ACTION	\$114,673.10	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

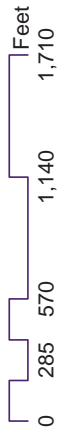
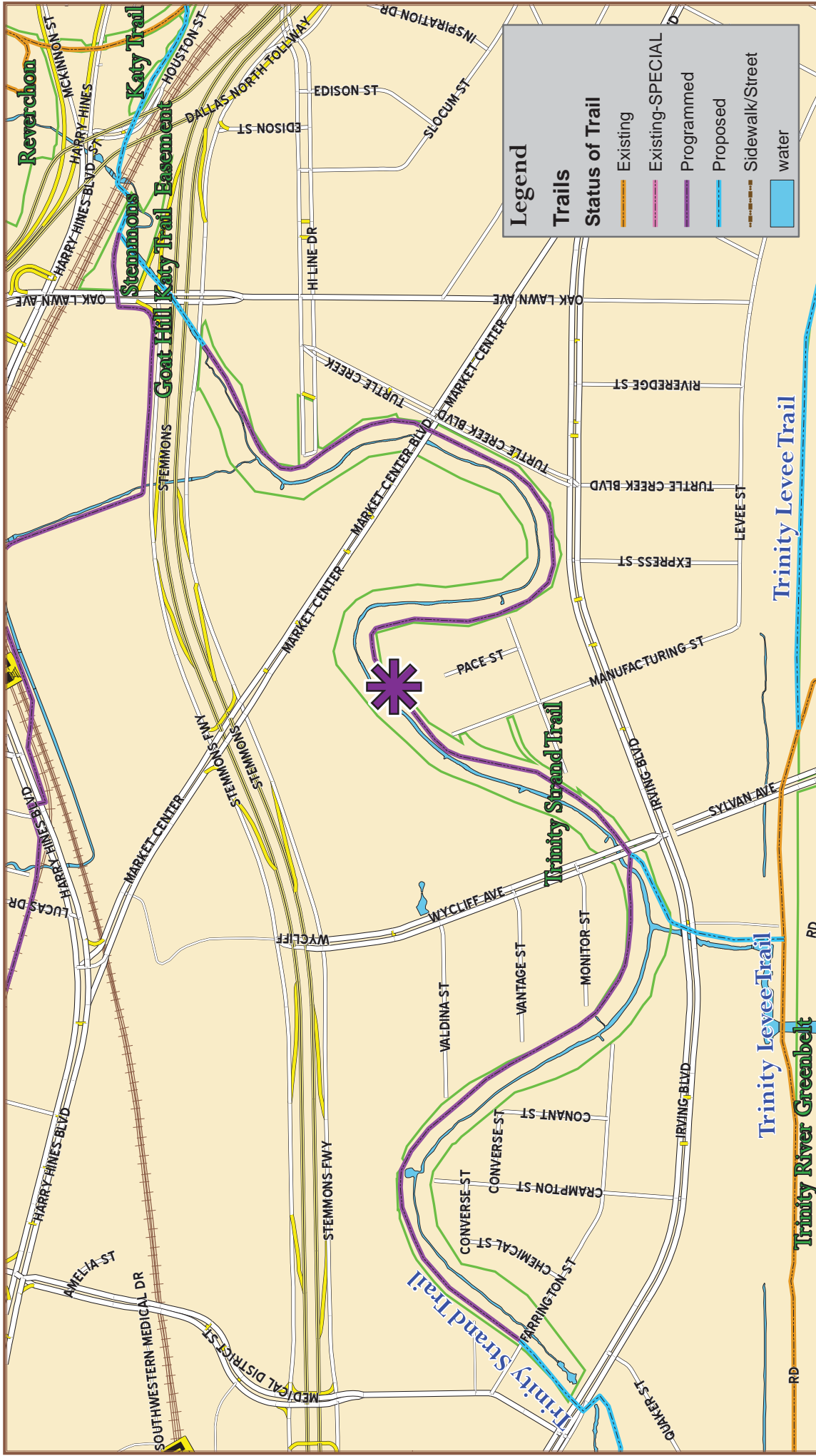
None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
RoeschCo Construction, Inc.	WFWB57896N0614	\$70,508.10	77.89%
Total Minority - Non-local		\$70,508.10	77.89%

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%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$1,505,679.00	27.13%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$70,508.10	61.49%	\$1,534,184.80	27.64%
Total	\$70,508.10	61.49%	\$3,039,863.80	54.77%



January 8, 2014

Trinity Strand Trail
(Farrington Street—Oak Lawn Avenue)

Mapsco District
44 B C D F G H 6

May 14, 2014

WHEREAS, on September 12, 2012, by Resolution No. 12-2260, RoeschCo Construction, Inc. was awarded a contract for Phase I and Phase II of a 12-foot-wide hike and bike trail for the Trinity Strand Trail from Farrington Street to Oak Lawn Avenue and Stemmons Freeway, in an amount not to exceed \$5,426,113.55; and

WHEREAS, on September 11, 2013, Resolution No. 13-1569, authorized Change Order No. 1, for a decrease in the contract to change originally designed boardwalks to retaining walls at Phase I of the Trinity Strand Trail from Farrington Street to Turtle Creek Plaza (near Turtle Creek Boulevard and Market Center Drive) and credits to include: piers abutments, bents, slabs and surface treatments for all boardwalks in Phase I. Additional retaining wall costs: retaining wall blocks, concrete footings, trail, engineering services and piers as required. Additional scope of work: provide downspout extensions, remove additional trees, credit drainage, demolish guardrails at Wycliff Avenue and power shutdown at Wycliff bridge for installation of pedestrian bridge, in an amount not to exceed (\$195,859.22), increasing the contract amount from \$5,426,113.55 to \$5,230,254.33; and

WHEREAS, on February 26, 2014, Resolution No. 14-0398, authorized Changer Oder No. 2, for additional scope of work which includes existing water line relocations and replacement near Anatole Partners property and at Wycliff Avenue; and the replacement of a damaged existing storm line, retaining wall and repair of a parking lot at the Trinity Strand Trail located between Farrington Street and Oak Lawn Avenue, in an amount not to exceed \$205,678.69, increasing the contract amount from \$5,230,254.33 to \$5,435,933.02; and

WHEREAS, this action will authorize Change Order No. 3 to the contract with RoeschCo Construction, Inc. for additional scope of work to include: repair of existing stormwater headwall, additional drainage, deletion of chain link fence, replacement of paving at new inlet and retaining wall stain at the Trinity Strand Trail located between Farrington Street to Oak Lawn Avenue, in an amount not to exceed \$114,673.10, from \$5,435,933.02 to \$5,550,606.12.

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 execute Change Order No. 3 to the contract with RoeschCo Construction, Inc. for additional scope of work to include: repair of existing stormwater headwall, additional drainage, deletion of chain link fence, replacement of paving at new inlet and retaining wall stain at the Trinity Strand Trail located between Farrington Street to Oak Lawn Avenue, in an amount not to exceed \$114,673.10, from \$5,435,933.02 to \$5,550,606.12.

May 14, 2014

SECTION 2. That the City Controller is hereby authorized to pay the amount of \$114,673.10 to RoeschCo Construction, Inc. from North Central Texas Council of Governments Grant Fund, Fund S205, Department PKR, Unit T304, Object 4599, Activity RFSI, Program PKSTRAND, CT-PKR12019341, Commodity 91200, Vendor VS0000057213.

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 # 22

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 4

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 66-A B

SUBJECT

Authorize an increase in the contract with Travelers Casualty and Surety Company of America for repairs and replacements necessary as a result of vandalism to the facility and revisions to the plans at Cummings Recreation Center located at 2976 Cummings Street - Not to exceed \$214,661, from \$1,437,702 to \$1,652,363 - Financing: 2006 Bond Funds

BACKGROUND

The original contract was awarded to Primestar Construction Corporation by Council on June 22, 2011, by Resolution No. 11-1684, for renovation and an addition to include a new multipurpose room, restrooms and a fitness room at Cummings Recreation Center, in an amount not to exceed \$1,383,740.00.

Change Order No. 1, was authorized by Administrative Change Order No. 12-1460, on June 8, 2012, for plumbing, roof drain, demolition and other miscellaneous items at Cummings Recreation Center, in an amount not to exceed \$23,345.00, making a revised contract amount of \$1,407,085.00.

Change Order No. 2, was authorized by Administrative Change Order No. 13-0078, on December 21, 2012, for sidewalk replacement, electrical re-routing, surveying and layout of sidewalk and overhead and profit at Cummings Recreation Center, in an amount not to exceed \$30,616.63, making a revised contract amount of \$1,437,701.63.

Change Order No. 3, was authorized by Administrative Change Order No. 13-0598, on May 23, 2013, for force account work with the Primestar Construction Corporation, in the amount of \$49,999.00. This action is hereby rescinded, so the contract amount remains at \$1,437,701.63.

BACKGROUND (Continued)

On May 31, 2013, Primestar's contract was terminated after being paid a total of \$641,413.54. The bonding surety, Travelers Casualty and Surety Company of America took over control by an agreement signed by the Dallas City Manager and Travelers on November 12, 2013. Travelers selected a new contractor and construction work was re-started as of December, 2013.

This action will authorize Change Order No. 3 to the contract with Travelers Casualty and Surety Company of America, in an amount not to exceed \$214,660.84, from \$1,437,701.63 to \$1,652,362.47 for repairs and replacements necessary as a result of vandalism to the facility and revisions to the plans at Cummings Recreation Center. This Change Order does not release or waive the rights of the City of Dallas to seek future reimbursement for funds contained in this change order amount which provides for the repair or replacement of building components damaged or stolen.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	December 2011
Complete Construction	September 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized advertisement for construction procurement on November 18, 2010.

The Park and Recreation Board authorized award of the contract on June 2, 2011.

City Council authorized award of the contract on June 22, 2011, by Resolution No. 11-1684.

The Park and Recreation Board authorized Change Order No. 3 on April 17, 2014.

FISCAL INFORMATION

2006 Bond Funds - \$214,660.84

Original Contract Award	\$1,383,740.00
Change Order No. 1	\$23,345.00
Change Order No. 2	\$30,616.63
Change Order No. 3 (this action)	<u>\$214,660.84</u>
Total	\$1,652,362.47

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Travelers Casualty and Surety Company of America

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

OWNER

Travelers Casualty and Surety Company of America

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Travelers Casualty and Surety Company of America for repairs and replacements necessary as a result of vandalism to the facility and revisions to the plans at Cummings Recreation Center located at 2976 Cummings Street - Not to exceed \$214,661, from \$1,437,702 to \$1,652,363 - Financing: 2006 Bond Funds

Travelers Casualty and Surety Company of America is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$214,660.84	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$214,660.84	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

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%	\$499,855.36	30.25%
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%	\$499,855.36	30.25%



March 6, 2014

Mapsco
66 A B

District
4

Cummings Recreation Center (2976 Cummings Street)

May 14, 2014

WHEREAS, on June 22, 2011, by Resolution No. 11-1684, Primestar Construction Corporation was awarded a contract for renovation and an addition to include a new multipurpose room, restrooms and a fitness room at Cummings Recreation Center, in an amount not to exceed \$1,383,740.00; and

WHEREAS, on June 8, 2012, Change Order No. 1 was authorized by Administrative Change Order No. 12-1460 for plumbing, roof drain, demolition and other miscellaneous items at Cummings Recreation Center, in an amount not to exceed \$23,345.00, increasing the contract amount from \$1,383,740.00 to \$1,407,085.00; and

WHEREAS, on December 21, 2012, Change Order No. 2 was authorized by Administrative Change Order No. 13-0078, for sidewalk replacement, electrical re-routing, surveying and layout of sidewalk and overhead and profit at Cummings Recreation Center, in an amount not to exceed \$30,616.63, increasing the contract amount from \$1,407,085.00 to \$1,437,701.63; and

WHEREAS, on May 23, 2013, Change Order No. 3 was authorized by Administrative Change Order No. 13-0598, for force account work with the Primestar Construction Corporation, an amount not to exceed \$49,999.00. This action is hereby rescinded, so the contract amount remains at \$1,437,701.63; and

WHEREAS, on May 31, 2013, Primestar's contract was terminated after being paid a total of \$641,413.54. The bonding surety, Travelers Casualty and Surety Company of America took over control by an agreement signed by the Dallas City Manager and Travelers on November 12, 2013. Travelers selected a new contractor and construction work was re-started as of December, 2013; and

WHEREAS, this action will authorize Change Order No. 3 to the contract with Travelers Casualty and Surety Company of America, for repairs and replacements necessary as a result of vandalism to the facility and revisions to the plans at Cummings Recreation Center, in an amount not to exceed \$214,660.84, from \$1,437,701.63 to \$1,652,362.47.

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 execute Change Order No. 3 to the contract with Travelers Casualty and Surety Company of America for repairs and replacements necessary as a result of vandalism to the facility and revisions to the plans at Cummings Recreation Center, in an amount not to exceed \$214,660.84, from \$1,437,701.63 to \$1,652,362.47.

May 14, 2014

SECTION 2. That the City Controller is hereby authorized to pay the amount of \$214,660.84 to Travelers Casualty and Surety Company of America, as follows:

(2006) Park and Recreation Facilities Improvement Fund
Fund BT00, Department PKR, Unit T058, Object 4310
Activity RFSI, Program PK06T058, CT-PKR11019260-1
Commodity 91200, Vendor VC0000002345 \$112,400.00

(2006) Park and Recreation Facilities Improvement Fund
Fund 1T00, Department PKR, Unit T058, Object 4310
Activity RFSI, Program PK06T058, CT-PKR11019260-1
Commodity 91200, Vendor VC0000002345 \$52,261.84

(2006) Park and Recreation Facilities Improvement Fund
Fund BT00, Department PKR, Unit T059, Object 4310
Activity RFSI, Program PK06T058, CT-PKR11019260-1
Commodity 91200, Vendor VC0000002345 \$49,999.00

Total amount not to exceed \$214,660.84

SECTION 3. That this resolution shall take effect 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 # 23

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize **(1)** a public hearing to be held on May 28, 2014 to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State Law; and, at the close of the hearing, **(2)** approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

BACKGROUND

Section 42.041(b)(14) of the Texas Human Resources Code, as amended, allows city-sponsored youth recreation programs to be exempted from the state's day care licensing laws if the city adopts standards of care for those programs and complies with other requirements of that legislation. One requirement is that the City Council hold a public hearing annually on the city's youth program standards of care and adopt an ordinance re-establishing and continuing in effect the standards.

Ordinance No. 23159, adopted by the City Council on June 11, 1997, created Chapter 12 of the Dallas City Code in order to exempt City of Dallas youth programs from State child-care licensing requirements and provide minimum standards by which the City operates youth programs. Chapter 12 was readopted by Ordinance No. 23534 on June 10, 1998, by Ordinance No. 23907 on June 9, 1999, by Ordinance No. 24281 on June 14, 2000, by Ordinance No. 24611 on May 23, 2001, by Ordinance No. 24943 on May 22, 2002, by Ordinance No. 25269 on May 28, 2003, by Ordinance No. 25628 on June 9, 2004, by Ordinance No. 25998 on May 25, 2005, by Ordinance No. 26376 on June 14, 2006, by Ordinance No. 26800 on June 13, 2007, by Ordinance No. 27222 on June 11, 2008, by Ordinance No. 27565 on June 10, 2009, by Ordinance No. 27911 on June 9, 2010; by Ordinance No. 28217 on May 25, 2011; by Ordinance No. 28670 on May 23, 2012; and by Ordinance No. 29036 on June 12, 2013. Chapter 12 will expire on June 16, 2014 unless sooner terminated or extended by ordinance of the City Council.

BACKGROUND (continued)

The Director of the Park and Recreation Department implements, administers, and enforces Chapter 12, which applies to youth programs sponsored by the City, whether offered after school, during the summer, or during holidays. A coordinator initiates an inspection report for each program to confirm that standards of care are being met.

The youth program coordinators and leaders must meet certain qualifications pertaining to age, education, and experience and are provided orientation and training relating to working with children.

Each program must operate with a participant to leader ratio of 20:1 and must follow guidelines pertaining to safety, fire, and health as set forth in the standards of care.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

May 14, 2014

WHEREAS, the City of Dallas has a long history of providing recreational programs for youth ages five through thirteen years, which programs contribute to the overall well-being of the city's youth and families; and

WHEREAS, the City found it necessary to adopt standards of care for those youth programs in compliance with the requirements of Section 42.041(b)(14) of the Texas Human Resources Code, as amended, in order to exempt those programs from state child care licensing requirements; and

WHEREAS, Section 42.041(b)(14) of the Texas Human Resources Code, as amended, requires the City to annually readopt the standards of care for city-sponsored youth programs after holding a public hearing; **Now, Therefore,**

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

SECTION 1. That a public hearing on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, which establishes standards of care for certain city youth programs sponsored by the City of Dallas, will be held on Wednesday, May 28, 2014, after the public hearing.

SECTION 2. That an ordinance readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city-sponsored youth programs in compliance with State Law, will be considered by the Council on Wednesday, May 28, 2014, after the public hearing.

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: Public Safety

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize **(1)** the application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period April 29, 2014 through June 7, 2014 in the amount of \$59,949; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$17,355; and **(3)** execution of the grant agreement - Total not to exceed \$77,304 - Financing: Current Funds (\$17,355) and Texas Department of Transportation Grant Funds (\$59,949)

BACKGROUND

The Click-It or Ticket Grant provides for the reimbursement of overtime salaries paid to officers enforcing Seatbelt and Child Safety Seat laws at locations throughout the City of Dallas.

This grant is one of the "wave" grants from TXDOT that are part of the national traffic safety plan and are awarded to TXDOT grant recipients. The grant is for the increased enforcement of Seatbelt and Child Safety Seat laws during the national campaign of April 29, 2014 through June 7, 2014.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized an application for and acceptance of the "Click It or Ticket" Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on March 27, 2002, by Resolution No. 02-1095.

Authorized an application for and acceptance of the "Click It or Ticket" Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on November 13, 2002, by Resolution No. 02-3216.

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

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on April 9, 2003, by Resolution No. 03-1205.

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on November 12, 2003, by Resolution No. 03-3109.

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on April 28, 2004, by Resolution No. 04-1456.

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on May 11, 2005, by Resolution No. 05-1477.

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on April 26, 2006, by Resolution No. 06-1219.

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on April 25, 2007, by Resolution No. 07-1349.

Authorized an application for and acceptance of the “Click It or Ticket” Mobilization grant from the Texas Department of Transportation for a safety belt initiative on May 14, 2008, by Resolution No. 08-1415.

Authorized an application for and acceptance of the “Click It or Ticket” Mobilization grant from the Texas Department of Transportation for a safety belt initiative on April 22, 2009, by Resolution No. 09-1072.

Authorized an application for and acceptance of the “Click It or Ticket” Mobilization grant from the Texas Department of Transportation for a safety belt initiative on October 14, 2009, by Resolution No. 09-2527.

Authorized an application for and acceptance of the “Click It or Ticket” Mobilization grant from the Texas Department of Transportation for a safety belt initiative on April 27, 2011, by Resolution No. 11-1127.

Authorized an application for and acceptance of the “Click It or Ticket” Mobilization grant from the Texas Department of Transportation for a safety belt initiative on May 9, 2012, by Resolution No. 12-1267.

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

Authorized an application for and acceptance of the “Click It or Ticket” Mobilization grant from the Texas Department of Transportation for a safety belt initiative on May 22, 2013, by Resolution No. 13-0828.

The Public Safety Committee was briefed on April 28, 2014.

FISCAL INFORMATION

\$59,949 – Texas Department of Transportation Grant Funds

\$17,355 – Current Funds

May 14, 2014

WHEREAS, the Texas Department of Transportation has made the "Click It or Ticket" Mobilization Grant funds available for overtime salaries for a safety belt enforcement initiative for the period April 29, 2014 through June 7, 2014; and

WHEREAS, the "Click It or Ticket" Mobilization Grant will provide \$59,949; and

WHEREAS, the City of Dallas contributes pension and FICA costs of \$17,355; and

WHEREAS, it is in the best interest of the City of Dallas to apply for and accept such funding.

Now, Therefore,

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

Section 1. That the City Manager or designee is authorized to apply for and accept the "Click It or Ticket" Mobilization Grant, 2014-Dallas-CIOT-00009, CFDA #20.609, in the amount of \$59,949 and execute the grant agreement.

Section 2. That the City Controller is authorized to deposit grant funds in the amount of \$59,949 into Fund F424, Department DPD, Unit 1528, Revenue Source 6506.

Section 3. That the City Manager is authorized to establish the appropriation in the Click It or Ticket Mobilization Grant fund in the amount of \$59,949, in Fund F424, Department DPD, Unit 1528 Object Code 3090.

Section 4. That the City Controller is authorized to transfer funds in an amount not to exceed \$59,949 from Fund F424, Department DPD, Unit 1528, Object Code 3090 to Fund 0001, Department DPD, Unit 2127, Object Code 5011.

Section 5. That the City Manager is hereby authorized to reimburse to the Texas Department of Transportation, any expenditures identified as ineligible.

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 # 25

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 1

DEPARTMENT: Public Works Department
Office of Economic Development

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 54 B

SUBJECT

Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, lowest responsive bidder of three, for construction of the Kessler Theater pedestrian amenities project - Not to exceed \$195,323 – Financing: Regional Toll Revenue II Funds (\$179,200) and Davis Garden TIF District Funds (\$16,123)

BACKGROUND

Bids were received on February 27, 2014 for construction of the Kessler Theater pedestrian amenities project. This action will authorize a construction contract with Gilbert May, Inc. dba Phillips/May Corporation (Phillips May Corporation), as they were the lowest responsive bidder. The Kessler Theater project is funded from the State Highway 161 Subaccount regional toll road revenues (“RTR funds”) in partnership with the North Central Texas Council of Governments (NCTCOG) and the Texas Department of Transportation (TXDOT). The estimated construction cost for the Kessler Theater Pedestrian Amenities project is \$195,323.

The \$179,200 in RTR funds was leveraged (including required local match) by approximately \$60,000 of the \$1 million that the Stratford Land Fund III, L.P., deposited into Davis Garden TIF District Tax Increment Fund pursuant to Resolution No. 11-1750 on June 22, 2011, and pursuant to a development agreement with Kessler Theater, LLC as amended, by Resolution No. 13-0209 on January 23, 2013. Design of the project has been commissioned by the Kessler Theater, LLC, utilizing a portion of this TIF funding.

The Kessler Theater Pedestrian Amenities project will construct streetscape amenities within public right-of-way outside of the Kessler Theater.

BACKGROUND (Continued)

Phillips May has completed 14 projects with City of Dallas, to date:

	<u>PBW</u>	<u>WTR</u>	<u>PKR</u>
Projects On-going	1	0	1
Change Orders	0	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2013
Completed Design	April 2014
Begin Construction	July 2014
Complete Construction	January 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2011, City Council authorized the Third Amendment to the Development Agreement with Stratford Land Fund III, L.P. (formerly INCAP) that included the acceptance of funds in the amount of \$1 million for future TIF infrastructure improvements that benefit the Davis Garden TIF District by Resolution No. 11-1750.

On September 23, 2011, the Davis Garden Board voted to approve funding for a prioritized list of potential streetscape and open space improvements in the District, including an amount not to exceed \$60,000 in matching funds for the Kessler Theater streetscape project, from the \$1 million advanced by Stratford Land Fund III, L.P. and recommended each for approval by City Council.

On January 17, 2012, the Economic Development Committee approved the Davis Garden TIF Board's recommendation to utilize Stratford Land Fund III, L.P.'s \$1 million deposit into the Davis Garden TIF District Increment Fund to fund the prioritized list of potential streetscape and open space improvements including an amount not to exceed \$60,000 in matching funds for the Kessler Theater streetscape project.

On January 23, 2013, City Council authorized an amendment to the development agreement with the Kessler Theater, LLC that included a deadline extension for completion of streetscape improvements associated with the RTR funds by Resolution No. 13-0209.

On February 27, 2013, City Council authorized an agreement with the State of Texas and receipt of payment for the Kessler Theater Pedestrian Amenities project by Resolution No. 13-0403.

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

On May 5, 2014, a memo was submitted to the Economic Development Committee to consider authorizing the construction contract with Gilbert May, Inc. dba Phillips/May Corporation for the Kessler Theater Pedestrian Amenities project.

FISCAL INFORMATION

Regional Toll Revenue II Funds - \$179,200
Davis Garden TIF District Funds - \$16,123

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Gilbert May, Inc. dba Phillips/May Corporation

Hispanic Female	8	Hispanic Male	44
African-American Female	0	African-American Male	4
Other Female	0	Other Male	1
White Female	7	White Male	43

BID INFORMATION

The following bids with quotes were received and opened on February 27, 2014:

*Denotes successful bidder

Bidders

Bid Amount

*Gilbert May, Inc. dba Phillips/May Corporation	\$195,323.00
Texas Standard Construction	\$ 214,138.50
Forward Concept	\$ 326,466.00
Nissi Group	Non-responsive**

**Nissi Group was deemed non-responsive for submitting an incomplete bid.

Original estimate: ECO - \$204,650

OWNER(S)

Gilbert May, Inc. dba Phillips/May Corporation

Gilbert May, President
Gilbert May III, Treasurer

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, lowest responsive bidder of three, for construction of the Kessler Theater Pedestrian Amenities project in an amount not to exceed \$195,323 – Financing: Texas Department of Transportation RTR II Funds (\$179,200) and Davis Garden TIF District Funds (\$16,123)

Gilbert May, Inc. dba Phillips/May Corporation a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$159,773.00	81.80%
Total non-local contracts	\$35,550.00	18.20%
TOTAL CONTRACT	\$195,323.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

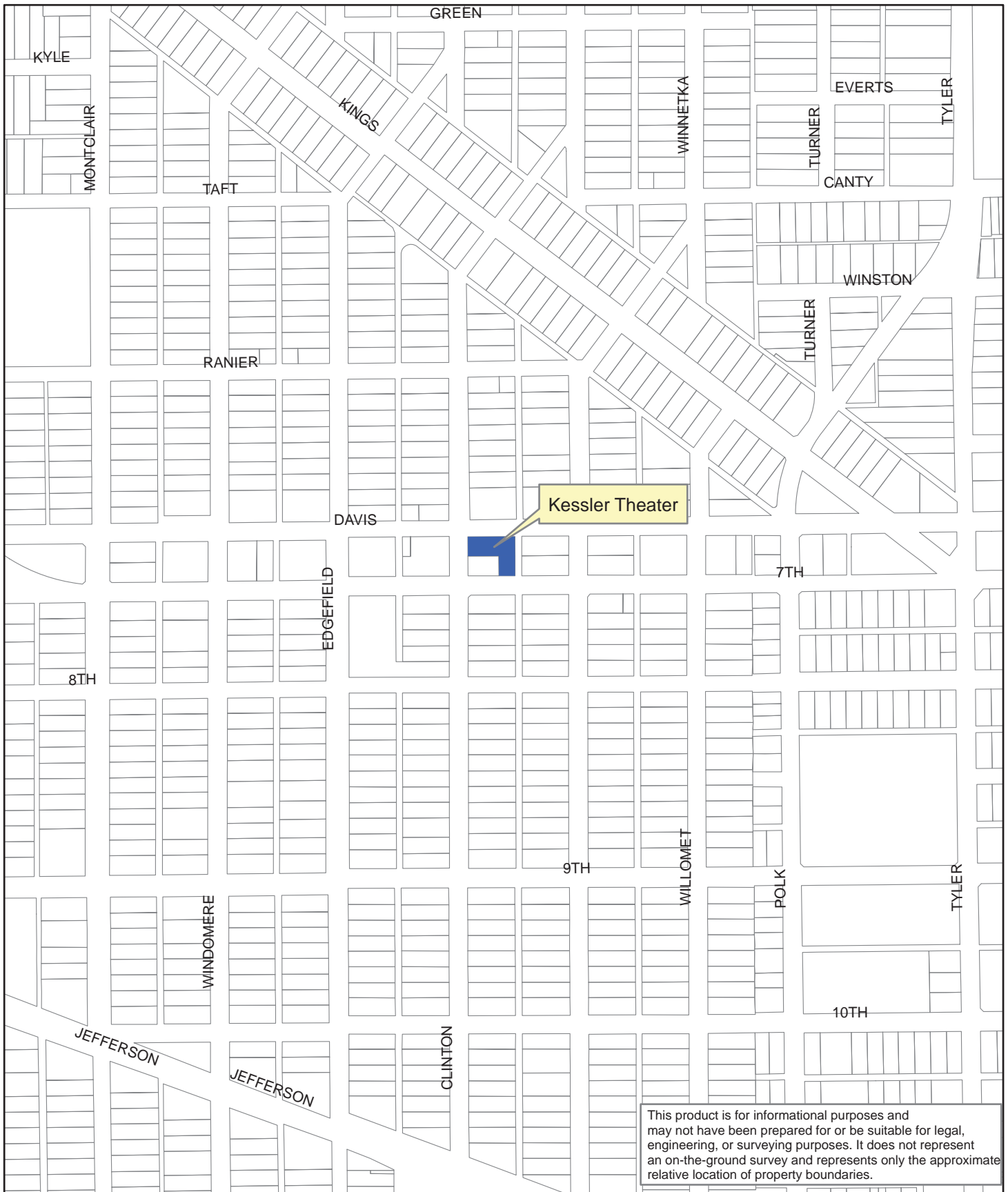
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Chubbs Construction	HFDB57366Y0514	\$23,820.00	14.91%
Gilbert May, Inc. dba Phillips/May Corp.	HMMB59343Y1114	\$73,343.00	45.90%
MB Concrete	HMMB60270N0215	\$62,610.00	39.19%
Total Minority - Local		\$159,773.00	100.00%

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	\$159,773.00	100.00%	\$159,773.00	81.80%
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	\$159,773.00	100.00%	\$159,773.00	81.80%



Kessler Theater Project Location



Office of Economic Development
January 2013

May 14, 2014

WHEREAS, on September 29, 2011, the RTC selected the Kessler Theater pedestrian amenities project to be funded from the State Highway 161 Subaccount regional toll road revenues ("RTR funds") for the construction of sidewalk enhancements and pedestrian improvements; and

WHEREAS, on June 22, 2011, City Council authorized the Third Amendment to the Development Agreement with Stratford Land Fund III, L.P. (formerly INCAP) that included the acceptance of funds in the amount of \$1 million for future TIF infrastructure improvements that benefit the Davis Garden TIF District by Resolution No. 11-1750; and

WHEREAS, on September 23, 2011, the Davis Garden TIF District Board of Directors voted to approve funding for a prioritized list of potential streetscape and open space improvements in the District, including an amount not to exceed \$60,000 in matching funds for the Kessler Theater streetscape project, from the \$1 million advanced by Stratford Land Fund III, L.P. and recommended each for approval by City Council; and

WHEREAS, on January 17, 2012, the Economic Development Committee approved the Davis Garden TIF District Board of Directors recommendation to utilize Stratford Land Fund III, L.P.'s \$1 million deposit into the Davis Garden TIF District Increment Fund to fund the prioritized list of potential streetscape and open space improvements including an amount not to exceed \$60,000 in matching funds for the Kessler Theater streetscape project; and

WHEREAS, the development agreement with the Kessler Theater, LLC, as amended by Resolution No. 13-0209, included a deadline extension for completion of streetscape improvements associated with the RTR funds; and

WHEREAS, on February 27, 2013, City Council authorized an agreement with the State of Texas and receipt of payment for the Kessler Theater pedestrian amenities project in the amount of \$179,200 by Resolution No. 13-0403; and

WHEREAS, bids were received on February 27, 2014, for the construction of the Kessler Theater pedestrian amenities project, as follows:

<u>Bidders</u>	<u>Bid Amount</u>
Gilbert May, Inc. dba Phillips/May Corporation	\$ 195,323.00
Texas Standard Construction	\$ 214,138.50
Forward Concept	\$ 326,466.00
Nissi Group	Non-responsive

May 14, 2014

WHEREAS, on May 5, 2014, a memo was submitted to the Economic Development Committee to consider authorizing the construction contract with Gilbert May, Inc. dba Phillips/May Corporation for the Kessler Theater pedestrian amenities 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 enter into a contract with Gilbert May, Inc. dba Phillips/May Corporation for the construction of the Kessler Theater pedestrian amenities project in an amount not to exceed \$195,323, this being the lowest responsive bid received as indicated by the tabulation of bids.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contract from:

Regional Toll Revenue II Funds: Fund S260, Department ECO, Unit. P782, Activity INGV, Object Code 4510, Program No. DGTIF0011, CT ECOP782G266-01, Vendor No. VS0000039750, in an amount not to exceed \$179,200; and

Davis Garden TIF District Fund: Fund 0060, Department ECO, Unit. P754, Activity DGTI, Object Code 4510, Program No. DGTIF0011, CT ECOP782G266-02, Vendor No. VS0000039750, in an amount not to exceed \$16,123.

Total in an amount not to exceed \$195,323.

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 # 26

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 2, 3

DEPARTMENT: Public Works Department
Police

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 46J; 53S

SUBJECT

Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of two, for construction of the Central Police and Southwest Police substation renovations, located at 334 South Hall Street and 4230 West Illinois Avenue, respectively - Not to exceed \$808,333 - Financing: 2003 Bond Funds (\$578,308) and 2006 Bond Funds (\$230,025)

BACKGROUND

The 2003 and 2006 bond programs allocated funds for major renovations at the Central Police substation, located at 334 South Hall Street, and Southwest Police substation, located at 4230 West Illinois Avenue. To date, the HVAC systems have been replaced, all windows have been replaced, emergency generators have been installed and miscellaneous improvements were made. The remaining funds are marked for interior improvements, including locker expansions, and ADA upgrades to the toilets.

In January 2014, Gilbert May, Inc. dba Phillips/May Corporation was selected as the best value proposer of two proposing firms following a Construction Request for Competitive Sealed Proposals, in accordance with the City of Dallas procurement guidelines (Administrative Directive 4-5).

This action will authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation for the construction of Central and Southwest Police substation renovations, located at 334 South Hall St. and 4230 West Illinois Ave., respectively, in an amount not to exceed \$808,333.

BACKGROUND (Continued)

Competitive Sealed Proposals submitted for this project were evaluated according to criteria published in the project specifications. These criteria with respective weights were as follows:

Proposed Construction Contract Amount	60%
Qualifications and Experience of the General Contractor	15%
Sustainability Commitment / Financial Sufficiency	10%
Business Inclusion and Development Requirements	15%

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2006
Completed Design	December 2013
Begin Construction	May 2014
Complete Construction	September 2014

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Alexander & Kienast, Inc. to provide architectural and engineering services for design and construction administration for improvements at Central and Southwest Police substation renovations, located at 334 South Hall St. and 4230 West Illinois Ave., respectively, on June 14, 2006, by Resolution No. 06-1554.

FISCAL INFORMATION

2003 Bond Funds - \$578,307.50
2006 Bond Funds - \$230,025.50

<u>Council District</u>	<u>Amount</u>
2	\$333,000
3	<u>\$475,333</u>
Total	\$808,333

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Gilbert May, Inc. dba Phillips/May Corporation

Hispanic Female	9	Hispanic Male	43
African-American Female	0	African-American Male	4
Other Female	0	Other Male	1
White Female	7	White Male	48

PROPOSAL INFORMATION

A Request for Competitive Sealed Proposals (RFSCP) was issued on October 23, 2013 for construction of the Central Police and Southwest Police substation renovations, located at 334 South Hall Street and 4230 West Illinois Avenue, respectively. Two (2) competitive sealed proposals were received in response to this request on December 12, 2013. The proposers were ranked as follows:

*Denotes successful best value proposer.

Proposer

Ranking

*Gilbert May, Inc. dba Phillips/May Corporation
4861 Sharp Street
Dallas, Texas 75247

1

Affiliated Western Inc.

2

Consultant's estimate: \$854,504

OWNER

Gilbert May, Inc. dba Phillips/May Corporation

Gilbert May, President

MAPS

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of two, for construction of the Central Police and Southwest Police substation renovations, located at 334 South Hall Street and 4230 West Illinois Avenue, respectively - Not to exceed \$808,333 - Financing: 2003 Bond Funds (\$578,308) and 2006 Bond Funds (\$230,025)

Gilbert May, Inc. dba Phillips/May Corporation is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$652,324.00	80.70%
Total non-local contracts	\$156,009.00	19.30%
TOTAL CONTRACT	\$808,333.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

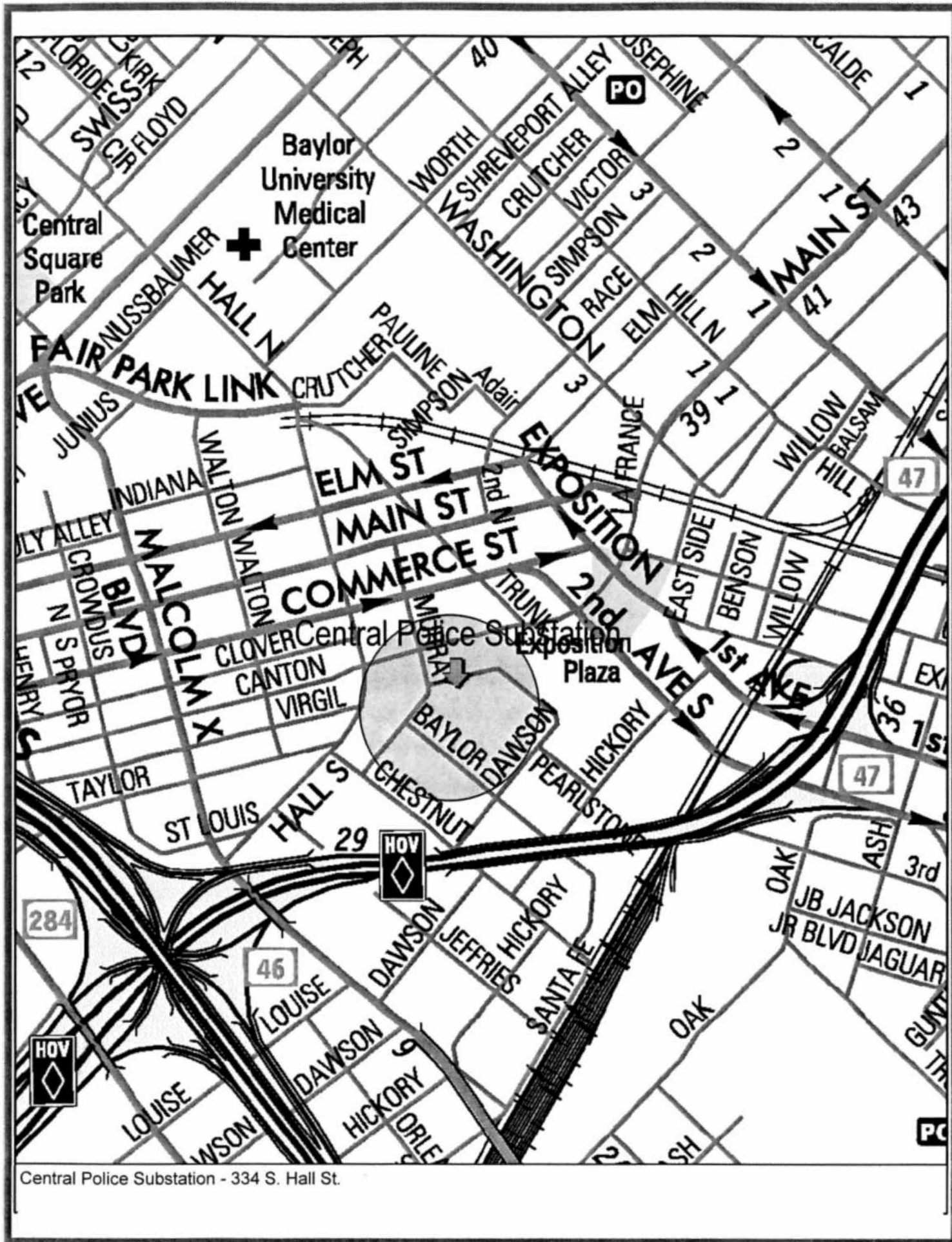
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Phillips May Corp.	HMMB59343Y1114	\$366,494.00	56.18%
Ace Door & Repair, Inc.	HMMB58608N0914	\$50,036.00	7.67%
Carrco Painting Contractors, Inc.	HMDB58270Y0714	\$29,990.00	4.60%
MB Concrete	HMMB60270N0215	\$10,751.00	1.65%
Denali Construction Services	WFDB57343Y0514	\$105,003.00	16.10%
Total Minority - Local		\$562,274.00	86.20%

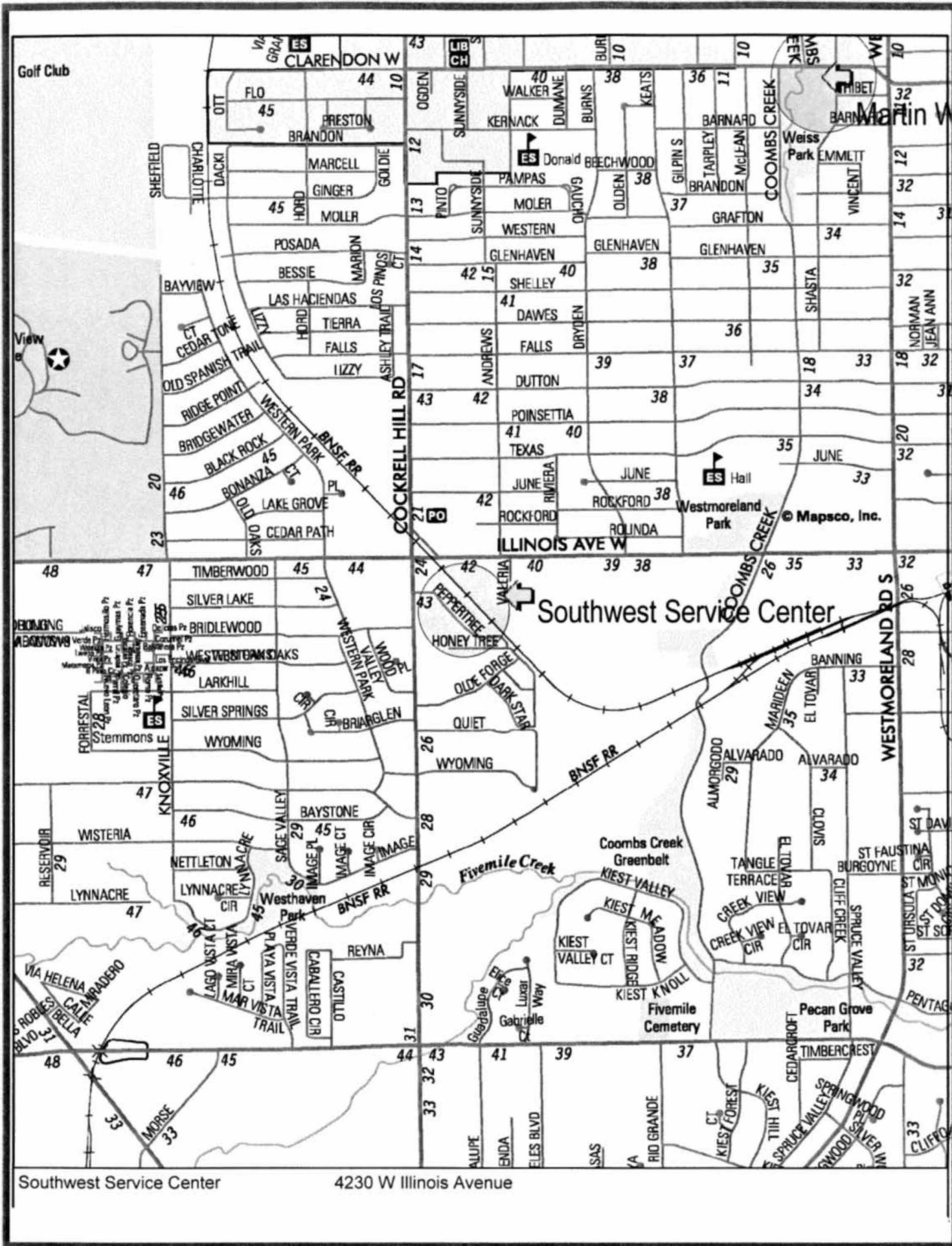
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Zion Contractors LLC	HFDB57247Y0414	\$10,024.00	6.43%
Total Minority - Non-local		\$10,024.00	6.43%

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	\$457,271.00	70.10%	\$467,295.00	57.81%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$105,003.00	16.10%	\$105,003.00	12.99%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$562,274.00	86.20%	\$572,298.00	70.80%





May 14, 2014

Whereas, two firms responded to the Construction Requests for Competitive Sealed Proposals on December 12, 2013; and,

Whereas, Gilbert May, Inc. dba Phillips/May Corporation was selected as the most advantageous proposer of two; and,

WHEREAS, it is desirable to authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of two, for construction of the Central Police and Southwest Police substation renovations, located at 334 S. Hall St. and 4230 W. Illinois Ave., respectively, in an amount not to exceed \$808,333.

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 Building Construction Services Agreement with Gilbert May, Inc., dba Phillips/May Corporation, best value proposer of two, for construction of the Central Police and Southwest Police substation renovations, located at 334 S. Hall St. and 4230 W. Illinois Ave., respectively, in an amount not to exceed \$808,333, 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:

Police Facilities Fund
Fund 6R44, Department PBW, Unit R962, Act. POFA
Object 4310, Program #PB03R962, CT #PBW03R962H1
Vendor #VS0000039750 in an amount not to exceed \$174,141.00

Public Safety Facilities Fund
Fund 6T33, Department PBW, Unit R962, Act. POFA
Object 4310, Program #PB03R962, CT #PBW03R962H1
Vendor #VS0000039750 in an amount not to exceed \$227,695.00

Public Safety Facilities Fund
Fund 7T33, Department PBW, Unit R962, POFA
Object 4310, Program #PB03R962, CT #PBW03R962H1
Vendor #VS0000039750 in an amount not to exceed \$ 2,330.50

May 14, 2014

Police Facilities Fund	
Fund 6R44, Department PBW, Unit R965, POFA	
Object 4310, Program #PB03R965, CT #PBW03R962H1	
Vendor #VS0000039750 in an amount not to exceed	<u>\$404,166.50</u>
 Total not to exceed	 \$808,333.00

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 # 27

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 14

DEPARTMENT: Public Works Department
Water Utilities

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

MAPSCO: 45G

SUBJECT

Authorize a contract with Jeske Construction Company, lowest responsible bidder of three, for the construction of street paving, storm drainage, traffic signals, street lights, landscape, water and wastewater upgrades for Routh Street from Flora Street to San Jacinto Street - Not to exceed \$1,306,700 - Financing: 2006 Bond Funds (\$306,000), General Obligation Commercial Paper Funds (\$872,447), Water Utilities Capital Improvement Funds (\$115,173) and Water Utilities Capital Construction Funds (\$13,080)

BACKGROUND

A professional services contract with ARS Engineers, Inc. was authorized on December 12, 2007, by Resolution No. 07-3794 for the engineering design of Routh Street from Woodall Rodgers Freeway to San Jacinto Street. This action will authorize a contract with Jeske Construction Company for the construction of street paving, storm drainage, traffic signal, street lights, landscape, water and wastewater upgrades for Routh Street from Flora Street to San Jacinto Street.

Routh Street from Woodall Rodgers Freeway to San Jacinto Street was originally envisioned to be one construction project. However, due to right-of-way issues along Routh Street south of Ross Avenue and ongoing adjacent private development construction immediately north of Ross Avenue, the project was separated into two construction packages in 2009 so as to expedite the construction of Routh Street from Woodall Rodgers Freeway to Flora Street. Routh Street from Woodall Rodgers Freeway to Flora Street started construction in July 2009 and was completed in February 2010.

BACKGROUND (Continued)

The scope of this project entails reconstructing Routh Street from an existing two-lane unimproved roadway to a four-lane divided concrete roadway with curbs and gutters, and sidewalks from Flora Street to Ross Avenue, and a five-lane undivided (two lanes each direction and a continuous two-way center left turn lane) concrete roadway with curbs and gutters, and sidewalks from Ross Avenue to San Jacinto Street. The project is also providing new traffic signals, street lighting, storm drainage improvements, water and wastewater upgrades.

The following chart shows Jeske Construction Company's completed contractual activities for the past three years:

	<u>PBW</u>	<u>WTR</u>	<u>PKR</u>
Projects Completed	8	0	0
Change Orders	0	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2008
Completed Design	March 2014
Begin Construction	June 2014
Complete Construction	January 2015

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering services on December 12, 2007, by Resolution No. 07-3794.

Authorized Supplemental Agreement No. 1 to the professional services contract for engineering services on January 28, 2009, by Resolution No. 09-0306.

Authorized a construction contract on May 27, 2009, by Resolution No. 09-1369 with Omega Contracting, Inc. for Routh Street from Flora Street to Woodall Rodgers Freeway.

FISCAL INFORMATION

2006 Bond Funds - \$306,000

2006 Bond Program (General Obligation Commercial Paper Funds) - \$872,447

Water Utilities Capital Improvement Funds - \$115,173

Water Utilities Capital Construction Funds - \$13,080

Design	\$ 334,698.20
Supplemental Agreement No. 1	\$ 153,902.00
Supplemental Agreement No. 2	\$ 6,820.00

Construction (this action)	
Paving & Drainage - PBW	\$1,178,447.00
Water & Wastewater - DWU	<u>\$ 128,253.00</u>

Total	\$1,802,120.20
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M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Jeske Construction Company

Hispanic Female	0	Hispanic Male	19
African-American Female	0	African-American Male	3
Other Female	0	Other Male	0
White Female	1	White Male	5

BID INFORMATION

The following bids with quotes were received and opened on March 27, 2014:

*Denotes successful bidder(s)

<u>BIDDERS</u>		<u>BID AMOUNT</u>
*Jeske Construction Company P. O. Box 59025 Dallas, Texas 75229		\$1,306,700.00
Tiseo Paving Company		\$1,564,832.65
Gibson Associates, Inc.		\$1,832,454.75
Engineer's Estimate:	PBW	\$1,307,809.00
	DWU	<u>\$ 114,384.19</u>
Total		\$1,422,193.19

OWNER

Jeske Construction Company

Steve Jeske, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Jeske Construction Company, lowest responsible bidder of three, for the construction of street paving, storm drainage, traffic signals, street lights, landscape, water and wastewater upgrades for Routh Street from Flora Street to San Jacinto Street - Not to exceed \$1,306,700 - Financing: 2006 Bond Funds (\$306,000), General Obligation Commercial Paper Funds (\$872,447), Water Utilities Capital Improvement Funds (\$115,173) and Water Utilities Capital Construction Funds (\$13,080)

Jeske Construction Company is a 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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$1,005,642.00	76.96%
Total non-local contracts	\$301,058.00	23.04%
TOTAL CONTRACT	\$1,306,700.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Logan Trucking, Inc.	BMMB59568N1214	\$20,000.00	1.99%
WOE Construction	WFWB22300N0514	\$6,000.00	0.60%
Total Minority - Local		\$26,000.00	2.59%

Non-Local Contractors / Sub-Contractors

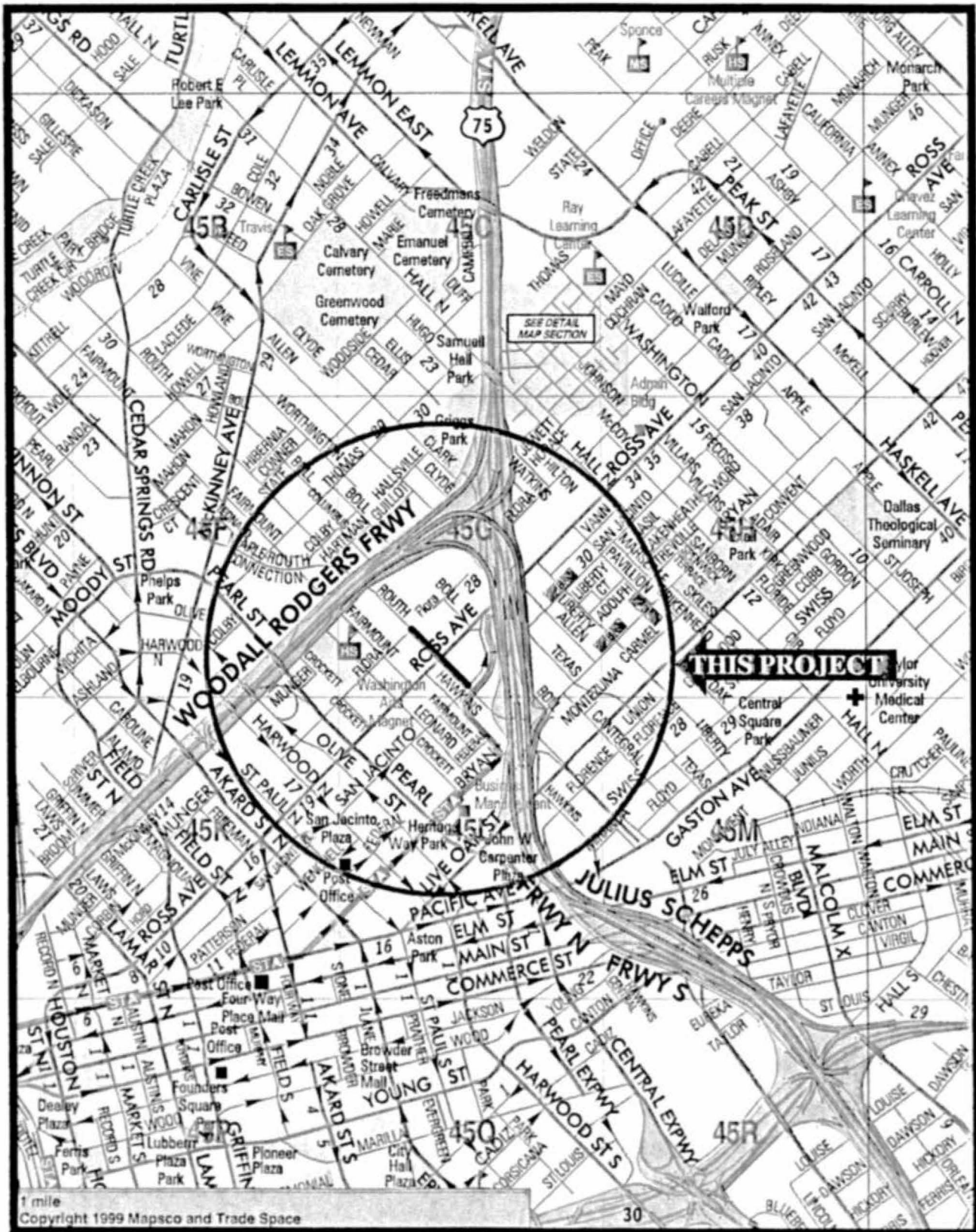
<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
C Green Scaping	HFDB57606Y0514	\$93,808.00	31.16%
Flow Line Utilities, Inc.	HMMB60319N0215	\$204,100.00	67.79%
Champion Solutions	WFDB57670Y0614	\$2,000.00	0.66%
Buyers Barricades	WFDB61106Y0415	\$600.00	0.20%
MMG Building & Const Services	WFWB57725N0614	\$550.00	0.18%
Total Minority - Non-local		\$301,058.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$20,000.00	1.99%	\$20,000.00	1.53%
Hispanic American	\$0.00	0.00%	\$297,908.00	22.80%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$6,000.00	0.60%	\$9,150.00	0.70%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$26,000.00	2.59%	\$327,058.00	25.03%

STREET RECONSTRUCTION

ROUTH STREET FROM SAN JACINTO STREET TO FLORA STREET



MAPSCO 45G

May 14, 2014

WHEREAS, on December 12, 2007, Resolution No. 07-3794 authorized professional services contracts with 11 consulting firms for the engineering design of 15 bridge repair and modification projects, 7 erosion control projects, 1 flood management project, 3 street reconstruction projects, 2 streetscape/urban design projects, 1 target neighborhood project and 11 thoroughfare projects; and,

WHEREAS, on January 28, 2009, Resolution No. 09-0306 authorized Supplemental Agreement No. 1 to the contract with ARS Engineers, Inc. for additional design services and construction plans preparation for Routh Street from Woodall Rodgers Freeway to Ross Avenue and Routh Street from Ross Avenue to San Jacinto Street in the amount of \$153,902.00; and,

WHEREAS, on May 27, 2009, Resolution No. 09-1369 authorized a construction contract with Omega Contracting, Inc. for street paving, storm drainage, water and wastewater main improvements for Routh Street from Flora Street to Woodall Rodgers Freeway in the amount of \$1,524,333.53; and,

WHEREAS, on February 28, 2014, Administrative Action No. 14-5601 authorized Supplemental Agreement No. 2 to the contract with ARS Engineers, Inc. for geotechnical investigation of the roadway subgrade for Routh Street from San Jacinto Street to Flora Street in the amount of \$6,820.00; and,

WHEREAS, bids were received on March 27, 2014, for the construction of street paving, storm drainage, traffic signal, street lights, landscape, water and wastewater main improvements for Routh Street from Flora Street to San Jacinto Street, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Jeske Construction Company	\$1,306,700.00
Tiseo Paving Company	\$1,564,832.65
Gibson Associates, Inc.	\$1,832,454.75

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a contract with Jeske Construction Company for the construction of street paving, storm drainage, traffic signal, street lights, landscape, water and wastewater main improvements for Routh Street from Flora Street to San Jacinto Street in an amount not to exceed \$1,306,700, this being the lowest responsive bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

May 14, 2014

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

Street and Transportation Improvements Fund
Fund 2T22, Department PBW, Unit U800, Act. THRF
Obj. 4510, Program #PB06U800, CT PBW06U800G1
Vendor #083791, in an amount not to exceed \$ 872,447.00

Street and Transportation Improvements Fund
Fund 7T22, Department PBW, Unit U800, Act. THRF
Obj. 4510, Program #PB06U800, CT PBW06U800G1
Vendor #083791, in an amount not to exceed \$ 306,000.00

Water Capital Improvement Fund
Fund 2115, Department DWU, Unit PW42
Obj. 4550, Program #714179, CT DWU714179CP
Vendor #083791, in an amount not to exceed \$ 21,796.00

Water Construction Fund
Fund 0102, Department DWU, Unit CW42
Obj. 3221, Program #714179X, CT DWU714179EN
Vendor #083791, in an amount not to exceed \$ 7,950.00

Wastewater Capital Improvement Fund
Fund 2116, Department DWU, Unit PS42
Obj. 4560, Program #714180, CT DWU714180CP
Vendor #083791, in an amount not to exceed \$ 93,377.00

Wastewater Construction Fund
Fund 0103, Department DWU, Unit CS42
Obj. 3222, Program #714180X, CT DWU714180EN
Vendor #083791, in an amount not to exceed \$ 5,130.00

Total in an amount not to exceed \$1,306,700.00

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 6

DEPARTMENT: Public Works Department
Trinity Watershed Management
Water Utilities

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

MAPSCO: 44R

SUBJECT

Authorize the rejection of bids for the construction of intersection improvements for North Beckley Avenue at Commerce Street; and, the re-advertisement for new bids - Financing: No cost consideration to the City

BACKGROUND

The engineering design for this project was authorized by City Council on December 14, 2005. This action will authorize the rejection of bids for the construction of the North Beckley Avenue at Commerce Street intersection improvements project. Only one bid was received on October 10, 2013, by Omega Contracting, Inc. and the bid was approximately 43% higher than the engineer's estimate. This project was re-advertised in April, 2014, and the bid opening took place April 24.

The improvements for North Beckley Avenue at Commerce Street intersection project will include the construction of a reinforced concrete pavement surface, drive approaches, sidewalks, storm drainage, traffic signal, street lights, landscaping, irrigation, street furniture, pedestrian crosswalks, water and wastewater improvements.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2011
Completed Design	June 2013
Begin Construction	July 2014
Complete Construction	April 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Bridgefarmer & Associates, Inc. on December 14, 2005, by Resolution No. 05-3470 for the engineering services.

Authorized Supplemental Agreement No. 2 to the contract with Bridgefarmer & Associates on May 14, 2008, by Resolution No. 08-1424 to increase the scope of the contract for additional engineering design and survey services.

Authorized the rejection of bids on June 10, 2009, by Resolution No. 09-1472.

Briefed the Trinity River Corridor Project Committee on August 3, 2010.

Authorized Supplemental Agreement No. 1 to the contract with Wallace Roberts & Todd, LLC on November 10, 2010, by Resolution No. 10-2877 for engineering and survey services.

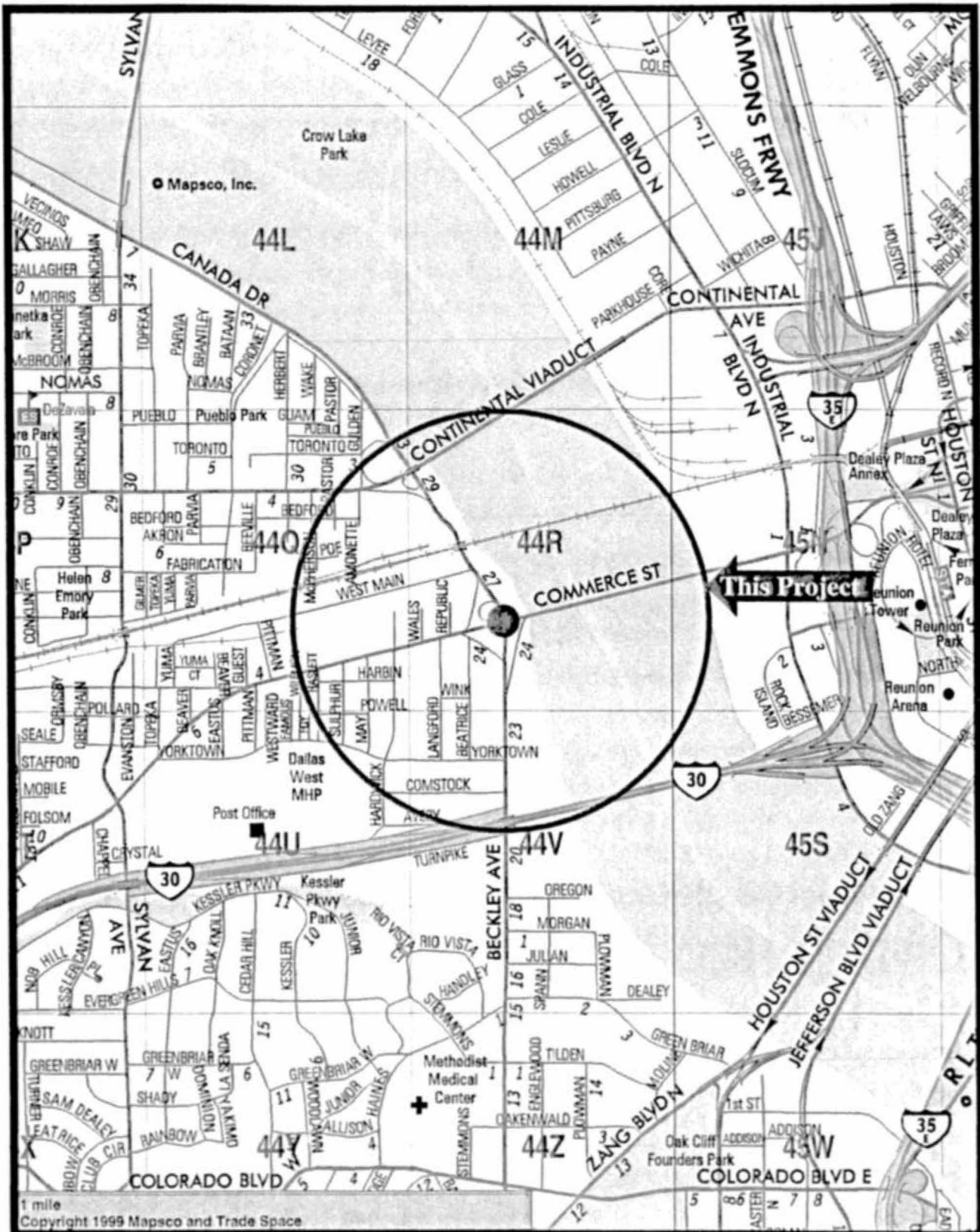
FISCAL INFORMATION

No cost consideration to the City

MAP

Attached.

NORTH BECKLEY @ COMMERCE STREET INTERSECTION IMPROVEMENTS



Mapsco 44R

May 14, 2014

WHEREAS, on December 14, 2005, Resolution No. 05-3470 authorized a professional services contract with Bridgefarmer & Associates, Inc. for the engineering services for North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$191,900.00; and,

WHEREAS, on December 7, 2006, Administrative Action No. 06-3514 authorized Supplemental Agreement No. 1 to the contract with Bridgefarmer & Associates, Inc. to increase the scope of the contract to provide supplemental services for retaining wall, coordination with UPRR and additional field survey work for North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$11,800.00; and,

WHEREAS, on May 14, 2008, Resolution No. 08-1424 authorized Supplemental Agreement No. 2 to the contract with Bridgefarmer & Associates, Inc. to increase the scope of the contract for additional engineering design and survey services for water and wastewater design for North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$71,423.00; and,

WHEREAS, on March 26, 2009, Administrative Action No. 09-0917 authorized Supplemental Agreement No. 3 to the contract with Bridgefarmer & Associates, Inc. to increase the scope of the contract to provide additional survey and drainage design for North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$20,173.00; and,

WHEREAS, on May 14, 2009, Administrative Action No. 09-1239 authorized Supplemental Agreement No. 4 to the contract with Bridgefarmer & Associates, Inc. to increase the scope of the contract to provide additional sidewalk, landscaping, irrigation and water line design for North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$24,810.00; and,

WHEREAS, on June 10, 2009, Resolution No. 09-1472 authorized the rejection of bids for North Beckley Avenue at Commerce Street intersection improvements; and,

WHEREAS, on August 21, 2009, Administrative Action No. 09-2149 authorized Supplemental Agreement No. 5 to the contract with Bridgefarmer & Associates, Inc. to increase the scope of the contract to provide project renderings for public outreach for North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$2,350.00; and,

WHEREAS, on July 10, 2009, Administrative Action No. 09-2016 authorized a professional services contract with Wallace Roberts & Todd, LLC for the North Beckley Avenue Corridor Usage Study, in the amount of \$24,975.00; and,

May 14, 2014

WHEREAS, on November 10, 2010, Resolution No. 10-2877 authorized Supplemental Agreement No. 1 to the professional services contract with Wallace Roberts & Todd, LLC for engineering and survey services, paving, drainage, illumination, signalization, water and wastewater main improvements for North Beckley Avenue at Commerce Street, in the amount of \$477,810.50; and,

WHEREAS, bids were received on October 10, 2013, for the construction of North Beckley Avenue at Commerce Street intersection improvements; and,

WHEREAS, it is now necessary to reject the bids received for North Beckley Avenue at Commerce Street intersection improvements; and to re-advertise for new bids.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to reject the bids received for North Beckley Avenue at Commerce Street intersection improvements, and to re-advertise for new bids.

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: Economic Vibrancy

AGENDA DATE: May 14, 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: 69A B

SUBJECT

Authorize acquisition from Charlotte Skinner Coffman, of approximately 18,881 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$6,608, increased from \$11,556 (\$10,385, plus closing costs and title expenses not to exceed \$1,171) to \$18,164 (\$16,993, plus closing costs and title expenses not to exceed \$1,171) - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes the acquisition of approximately 18,881 square feet of land located in Dallas County from Charlotte Skinner Coffman. This property will be used for the Southwest 120/96-inch Water Transmission Pipeline Project. The consideration is based on an independent appraisal.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Resolution No. 13-0199 approved on January 23, 2013, authorized acquisition and/or eminent domain and a total of \$11,556 for the offer amount and closing costs.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - \$6,608

Resolution No. 13-0199	\$11,556
Additional Amount (this action)	<u>\$ 6,608</u>

Total Authorized Amount	\$18,164
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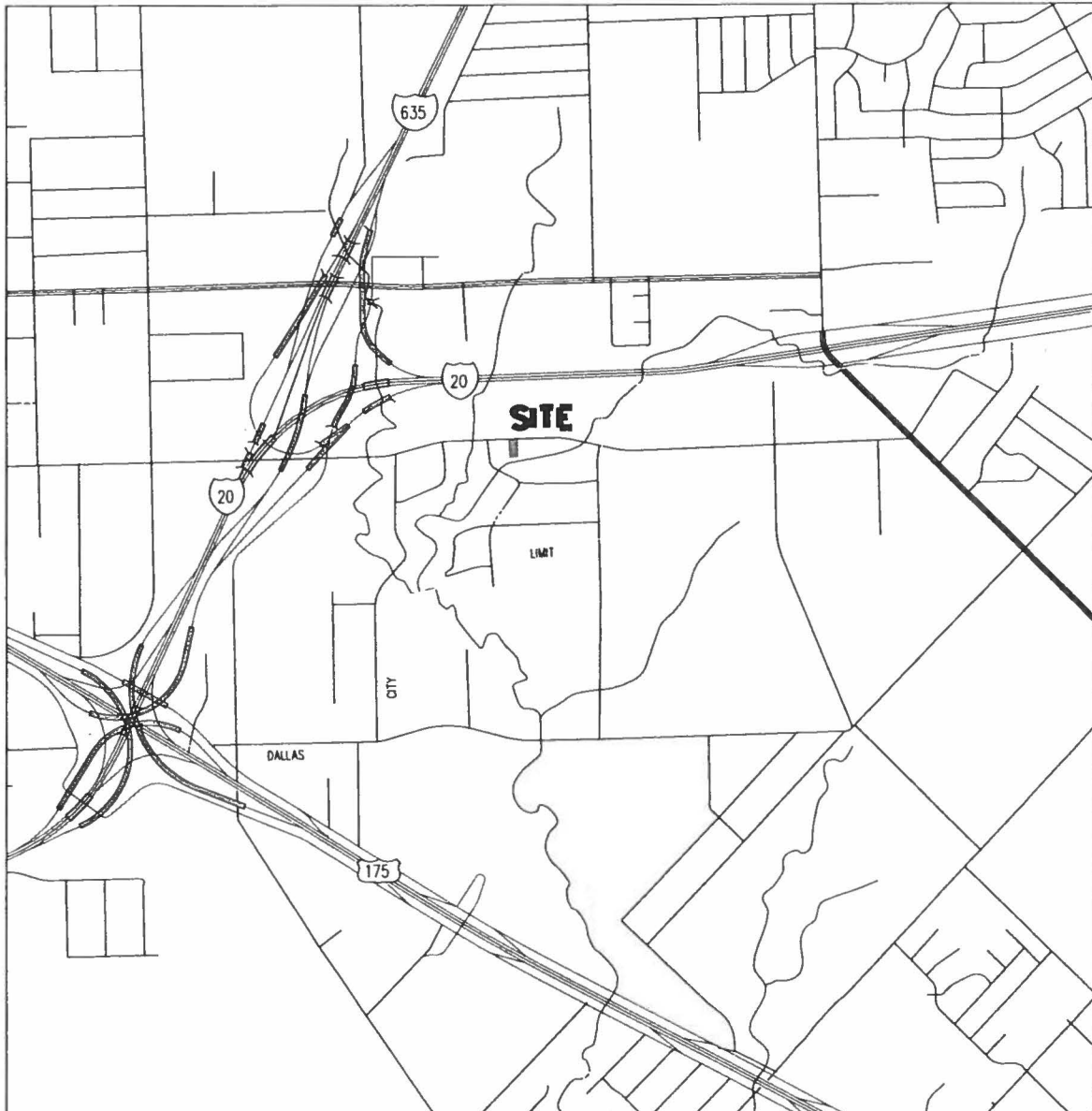
OWNER

Charlotte Skinner Coffman

MAP

Attached

PARCEL E-301
18,881 SQUARE FEET
WEST ONE HALF OF LOT 2, BLOCK K OF
PLEASANT FOREST ADDITION
TO THE CITY BALCH SPRINGS, TEXAS
TO BE ACQUIRED FOR A 120-INCH WATER LINE



VICINITY MAP - NOT TO SCALE

May 14, 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 FIRST RESOLUTION PURCHASE AMOUNT, 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 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. 13-0199 approved by the Dallas City Council on January 23, 2013, to authorize the purchase and/or eminent domain for an authorized amount of \$11,556 (\$10,385, plus closing costs and title expenses not to exceed \$1,171).

“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”: Charlotte Skinner Coffman, 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 interests, if any provided in the form instrument more particularly described in Exhibit “B” attached hereto and made a part hereof for all purposes.

May 14, 2014

"PROPERTY": Approximately 18,881 square feet of land located in Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"FIRST RESOLUTION PURCHASE AMOUNT": \$10,385

"SETTLEMENT AMOUNT": \$16,993

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,171

"REVISED AUTHORIZED AMOUNT": \$18,164

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, Fund No. 0115, Department DWU, Unit PW40, Activity MPSA, Program No. 706623, Object 4230, Encumbrance No. CT-DWU706623CPAVV - \$6,608 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 - \$16,993 and CLOSING COSTS AND TITLE EXPENSES - \$1,171 together shall not exceed the REVISED AUTHORIZED AMOUNT - \$18,164 which includes amounts authorized in the FIRST RESOLUTION.

May 14, 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

EXHIBIT A

PARCEL E-301

FIELD NOTES DESCRIBING THE WEST ONE HALF OF LOT 2, BLOCK K OF PLEASANT FOREST ADDITION TO THE CITY OF BALCH SPRINGS TO BE ACQUIRED FOR A 120 INCH WATER LINE

ALL THAT certain lot, tract, or parcel of land lying and being situated in the City of Balch Springs and County of Dallas, Texas, more particularly described as follows:

BEING a 18,881 square feet tract of land in the William J. Snow Survey, Abstract Number 1348, Dallas County, Texas, and being all that land conveyed to Charlotte Skinner by Warranty Deed dated November 5, 1975 from Charlotte Skinner, an Independent Executrix of the Will and Estate of Benny F. Skinner, Deceased as recorded in Volume 75218, Page 1096 of the Deed Records of Dallas County, Texas, also being all of the west one half of Lot 2, Block K of Pleasant Forest Addition, an addition to the City of Balch Springs, Dallas County, Texas, filed on July 16, 1954 according to the map or plat thereof recorded in Volume 23, Page 41 of the Map Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a set ½ inch iron rod with a yellow cap stamped "GLD" at the northwest corner of Lot 2, Block K of Pleasant Forest Addition, an addition to the City of Balch Springs, Dallas County, Texas, filed on July 16, 1954 according to the map or plat thereof recorded in Volume 23, Page 41 of the Map Records, Dallas County, Texas;

THENCE North 88°45'45" East along the common line between said Lot 2 and the south right of way of Rylie Crest Drive (90 feet wide) a distance of 105.00 feet to a set ½ inch iron rod with a yellow cap stamped "GLD";

THENCE South 1°04'34" East along the common line between said Skinner tract and the east one half of said Lot 2, as conveyed to Perry D. Harbour by Assignment of Contract dated September 12, 1970 from Maxie E. Werline as recorded in Volume 70193, Page 0621 of the Deed Records of Dallas County, Texas, said Harbour tract also being all of that land conveyed to Maxie E. Werline by Contract and Agreement filed on April 23, 1970 from the Estate of Norman E. Bell, deceased and Martha Jane Sable, Executrix as recorded in Volume 70079, Page 185 of said Deed Records, said Harbour and Werline tracts also being a portion of that land conveyed Martha Jane Sable, wife of Jerome Sable and Zeta Marie Bluhm, wife of Howard J. Bluhm by Deed dated May 25, 1964 from W.C. Bell as recorded in Volume 384, Page 698 of said Deed Records, a distance of 179.38 feet to a set ½ inch iron rod with a yellow cap stamped "GLD";

RECEIVED BY Mr. C/29/12

EXHIBIT A

PARCEL E-301

FIELD NOTES DESCRIBING THE WEST ONE HALF OF LOT 2, BLOCK K OF PLEASANT FOREST ADDITION TO THE CITY OF BALCH SPRINGS TO BE ACQUIRED FOR A 120 INCH WATER LINE

THENCE South 89°06'36" West along the south line of Lot 2 a distance of 79.18 feet to a set ½ inch iron rod with a yellow cap stamped "GLD";

THENCE South 69°01'38" West along said south line of Lot 2 a distance of 26.96 feet to a set ½ inch iron rod with a yellow cap stamped "GLD" at the most southwesterly corner of said Lot 2;

THENCE North 1°13'30" West along the common line between Lot 2 and Lot 1 of said Pleasant Forest Addition, a distance of 188.0 feet to the POINT OF BEGINNING and containing approximately 18,881 square feet or 0.433 acres of land.

THE INTENT is to convey the west half of Lot 2, Block K of Pleasant Forest Addition, an addition to the City of Balch Springs, Dallas County, Texas, filed on July 16, 1954 according to the map or plat thereof recorded in Volume 23, Page 41 of the Map Records, Dallas County, Texas as conveyed to Charlotte Skinner by Warranty Deed dated November 5, 1975 from Charlotte Skinner, an Independent Executrix of the Will and Estate of Benny F. Skinner, Deceased as recorded in Volume 75218, Page 1096 of the Deed Records of Dallas County, Texas, also being all of that land conveyed to Benny Skinner by Deed dated January 5, 1973 from Martha Jane Sable, wife of Jerome Sable and Zeta Marie Bluhm, wife of Howard J. Bluhm as recorded in Volume 73025, Page 2162 of said Deed Records.

BASIS OF BEARINGS: North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface adjustment scale factor: 1.0001365060. The south right of way line of Rylie Crest Drive has been rotated 1°08'15" counterclockwise from North 89°54' East according to Pleasant Forest Addition, an addition to the City of Balch Springs, Dallas County, Texas, filed on July 16, 1954 according to the map or plat thereof recorded in Volume 23, Page 41 of the Map Records, Dallas County, Texas in order to match this.

KB 4/23/10
5330 E-301



Kevin Buchanan
3 June, 2010

REVIEWED BY *da 9/29/10*

EXHIBIT A

WILLIAM J. SNOW SURVEY
ABSTRACT NO. 1348

TRACT III
635-120 JV
VOL. 97252, PG. 275

MA MARSH
VOL. 2178, PG. 38

CHIESL BASEBALL CORP.
DOC. 20070387151
O.P.R.D.C.T.



0 30 60
SCALE: 1"=60'

3/8" IRF
(CM)

N74°17'24"W
308.77'

RYLIE CREST DRIVE

(90-FOOT RIGHT-OF-WAY)

BASIS OF BEARING
ROTATED
COUNTER-CLOCKWISE
01°08'15" FROM
PLAT BEARING OF
N89°54'E

POINT OF
BEGINNING

LOT 1

ISIDORO LOPEZ
VOL. 2000052, PG. 3098
D.R.D.C.T.

PLEASANT FOREST
ADDITION
VOL. 23, PG. 41

N88°45'45"E 105.00'

1/2" IRS

WEST 1/2
LOT 2
BLOCK K

CHARLOTTE SKINNER
VOL. 75218, PG. 1096
D.R.D.C.T.

PARCEL E-301
18,881 SQ. FT.
OR 0.433 ACRES

N01°13'30"W 188.00'

S01°04'34"E 179.38'

EAST 1/2
LOT 2

3/8" IRF
N88°42'56"E
104.98'
(CM)

1/2" IRF
N88°45'30"E
314.78'
(CM)

LOT 3

PERRY D. HARBOUR
VOL. 70193, PG. 621
D.R.D.C.T.

FORMERLY
MAXIE E WERLINE
VOL. 70079, PG. 185
D.R.D.C.T.

FORMERLY
MARTHA JANE SABLE
VOL. 384, PG. 698
D.R.D.C.T.

1/2" IRS

S69°01'38"W
26.96'

S89°06'36"W
79.18'

JORGE A. OUILO
VOL. 2005146, PG. 5230
D.R.D.C.T.

LOT 12

JORGE A. OUILO
VOL. 2005146, PG. 5230
D.R.D.C.T.

LOT 11

JORGE A. OUILO
VOL. 2005128, PG. 9184
D.R.D.C.T.

LOT 10

LEGEND:

IRF	IRON ROD FOUND
IRS	IRON ROD SET W/ YELLOW 'GLD' CAP
IPF	IRON PIPE FOUND
MON.	MONUMENT
C.M.	CONTROL MONUMENT
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES:

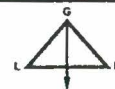
1.) BEARING SYSTEM: NORTH AMERICAN DATUM
OF 1983, TEXAS STATE PLANE COORDINATE
SYSTEM, NORTH CENTRAL ZONE 4202,
SURFACE ADJUSTMENT SCALE FACTOR
1.0001365060



Kevin Buchanan
3 June 2010

REVIEWED BY *Dr. 9/29/10*

**PARCEL E-301
WEST 1/2 OF LOT 2, BLOCK K OF
PLEASANT FOREST ADDITION
TO THE CITY BALCH SPRINGS, TEXAS
TO BE ACQUIRED FOR A 120-INCH WATER LINE**



Garcia Land Data, Inc.

T 214-987-0149 6210 Campbell Rd., Ste. 110
F 214-987-4026 Dallas, TX 75248-1388

DATE: 06/03/10

PROJ: 5330

PAGE 3 OF 3

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 Charlotte Skinner Coffman, a single person (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 SIXTEEN THOUSAND NINE HUNDRED NINETY-THREE AND 00/100 DOLLARS (\$16,993.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: None.

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

EXECUTED this _____ day of _____, _____.

Charlotte Skinner Coffman

EXHIBIT B

* * * * *

STATE OF TEXAS '

COUNTY OF DALLAS '

This instrument was acknowledged before me on _____

by Charlotte Skinner Coffman.

Notary Public, State of TEXAS

Approved As To Form
WARREN M. S. ERNET.

Assistant City Attorney

Approved As To Form
WARREN M. S. ERNET.
City Attorney

By: *Kyanne Diamond*
Assistant City Attorney

* * *

* * * * *

After recording return to:
City of Dallas

Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Reginald Collins

Warranty Deed Log No. 36097

EXHIBIT B

EXHIBIT A

PARCEL E-301

FIELD NOTES DESCRIBING THE WEST ONE HALF OF LOT 2, BLOCK K OF PLEASANT FOREST ADDITION TO THE CITY OF BALCH SPRINGS TO BE ACQUIRED FOR A 120 INCH WATER LINE

ALL THAT certain lot, tract, or parcel of land lying and being situated in the City of Balch Springs and County of Dallas, Texas, more particularly described as follows:

BEING a 18,881 square feet tract of land in the William J. Snow Survey, Abstract Number 1348, Dallas County, Texas, and being all that land conveyed to Charlotte Skinner by Warranty Deed dated November 5, 1975 from Charlotte Skinner, an Independent Executrix of the Will and Estate of Benny F. Skinner, Deceased as recorded in Volume 75218, Page 1096 of the Deed Records of Dallas County, Texas, also being all of the west one half of Lot 2, Block K of Pleasant Forest Addition, an addition to the City of Balch Springs, Dallas County, Texas, filed on July 16, 1954 according to the map or plat thereof recorded in Volume 23, Page 41 of the Map Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a set ½ inch iron rod with a yellow cap stamped "GLD" at the northwest corner of Lot 2, Block K of Pleasant Forest Addition, an addition to the City of Balch Springs, Dallas County, Texas, filed on July 16, 1954 according to the map or plat thereof recorded in Volume 23, Page 41 of the Map Records, Dallas County, Texas;

THENCE North 88°45'45" East along the common line between said Lot 2 and the south right of way of Rylie Crest Drive (90 feet wide) a distance of 105.00 feet to a set ½ inch iron rod with a yellow cap stamped "GLD";

THENCE South 1°04'34" East along the common line between said Skinner tract and the east one half of said Lot 2, as conveyed to Perry D. Harbour by Assignment of Contract dated September 12, 1970 from Maxie E. Werline as recorded in Volume 70193, Page 0621 of the Deed Records of Dallas County, Texas, said Harbour tract also being all of that land conveyed to Maxie E. Werline by Contract and Agreement filed on April 23, 1970 from the Estate of Norman E. Bell, deceased and Martha Jane Sable, Executrix as recorded in Volume 70079, Page 185 of said Deed Records, said Harbour and Werline tracts also being a portion of that land conveyed Martha Jane Sable, wife of Jerome Sable and Zeta Marie Bluhm, wife of Howard J. Bluhm by Deed dated May 25, 1964 from W.C. Bell as recorded in Volume 384, Page 698 of said Deed Records, a distance of 179.38 feet to a set ½ inch iron rod with a yellow cap stamped "GLD";

Handwritten: 6/29/10
W.C. Bell

EXHIBIT B

EXHIBIT A

PARCEL E-301

FIELD NOTES DESCRIBING THE WEST ONE HALF OF LOT 2, BLOCK K OF PLEASANT FOREST ADDITION TO THE CITY OF BALCH SPRINGS TO BE ACQUIRED FOR A 120 INCH WATER LINE

THENCE South 89°06'36" West along the south line of Lot 2 a distance of 79.18 feet to a set ½ inch iron rod with a yellow cap stamped "GLD";

THENCE South 69°01'38" West along said south line of Lot 2 a distance of 26.96 feet to a set ½ inch iron rod with a yellow cap stamped "GLD" at the most southwesterly corner of said Lot 2;

THENCE North 1°13'30" West along the common line between Lot 2 and Lot 1 of said Pleasant Forest Addition, a distance of 188.0 feet to the POINT OF BEGINNING and containing approximately 18,881 square feet or 0.433 acres of land.

THE INTENT is to convey the west half of Lot 2, Block K of Pleasant Forest Addition, an addition to the City of Balch Springs, Dallas County, Texas, filed on July 16, 1954 according to the map or plat thereof recorded in Volume 23, Page 41 of the Map Records, Dallas County, Texas as conveyed to Charlotte Skinner by Warranty Deed dated November 5, 1975 from Charlotte Skinner, an Independent Executrix of the Will and Estate of Benny F. Skinner, Deceased as recorded in Volume 75218, Page 1096 of the Deed Records of Dallas County, Texas, also being all of that land conveyed to Benny Skinner by Deed dated January 5, 1973 from Martha Jane Sable, wife of Jerome Sable and Zeta Marie Bluhm, wife of Howard J. Bluhm as recorded in Volume 73025, Page 2162 of said Deed Records.

BASIS OF BEARINGS: North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface adjustment scale factor: 1.0001365060. The south right of way line of Rylie Crest Drive has been rotated 1°08'15" counterclockwise from North 89°54' East according to Pleasant Forest Addition, an addition to the City of Balch Springs, Dallas County, Texas, filed on July 16, 1954 according to the map or plat thereof recorded in Volume 23, Page 41 of the Map Records, Dallas County, Texas in order to match this.

KB 4/23/10
5330 E-301



Kevin Bluhm
3 June, 2010

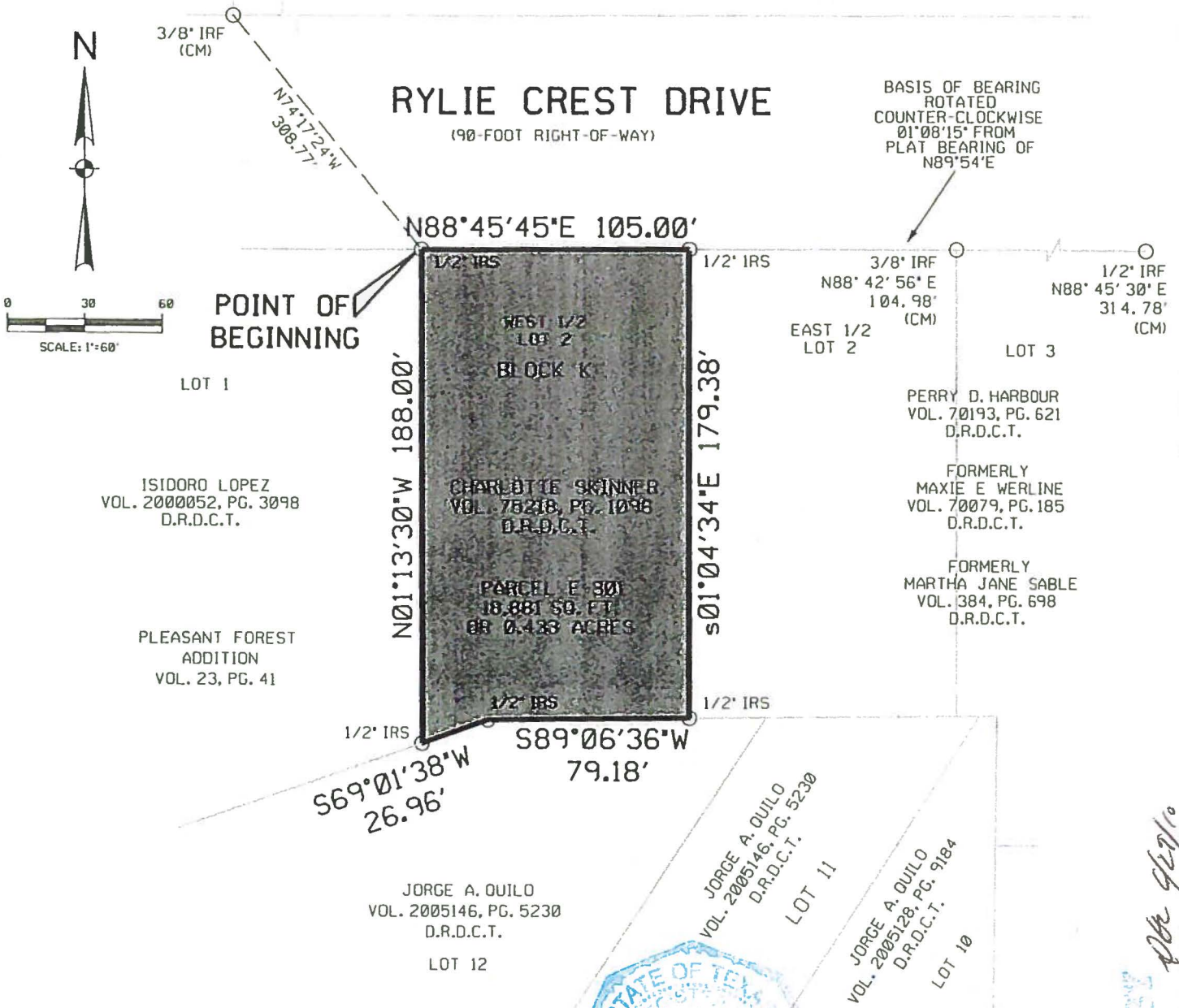
EXHIBIT B EXHIBIT A

TRACT III
635-120 JV
VOL. 97252, PG. 275

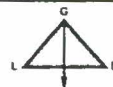
MA MARSH
VOL. 2178, PG.38

CHIESL BASEBALL CORP.
DOC. 20070387151
O.P.R.D.C.T.

WILLIAM J. SNOW SURVEY
ABSTRACT 10.1248



PARCEL E-301
WEST 1/2 OF LOT 2, BLOCK K OF
PLEASANT FOREST ADDITION
TO THE CITY BALCH SPRINGS, TEXAS
TO BE ACQUIRED FOR A 120-INCH WATER LINE



Garcia Land Data, Inc.

T 214-987-0149
F 214-987-4026
6210 Campbell Rd., Ste 110
Dallas, TX 75248-1388

DATE: 06/03/10

PROJ: 5330

PAGE 3 OF 3

AGENDA ITEM # 30

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 4

DEPARTMENT: Sustainable Development and Construction
Public Works Department

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

MAPSCO: 55H

SUBJECT

Authorize acquisition of six parcels of land consisting of four single family dwellings and two vacant lots in the Cadillac Heights neighborhood located near the intersection of Birdsong Drive and Gloyd Street for the Cadillac Heights Phase II Project (list attached)
- Not to exceed - \$169,150 (\$157,150, plus closing costs and title expenses not to exceed \$12,000) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of six parcels of land consisting of four single family dwellings and two vacant lots in the Cadillac Heights neighborhood located near the intersection of Birdsong Drive and Gloyd Street. These properties will be used for future city facilities. The consideration is based on independent appraisals.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

2006 Bond Funds - \$169,150 (\$157,150, plus closing costs and title expenses not to exceed \$12,000)

OWNERS

Maria I. Martinez

Jorge Arias

Lesvia Arias

Jesus Ugalde

Elizabeth Ugalde

Nicandro Villa

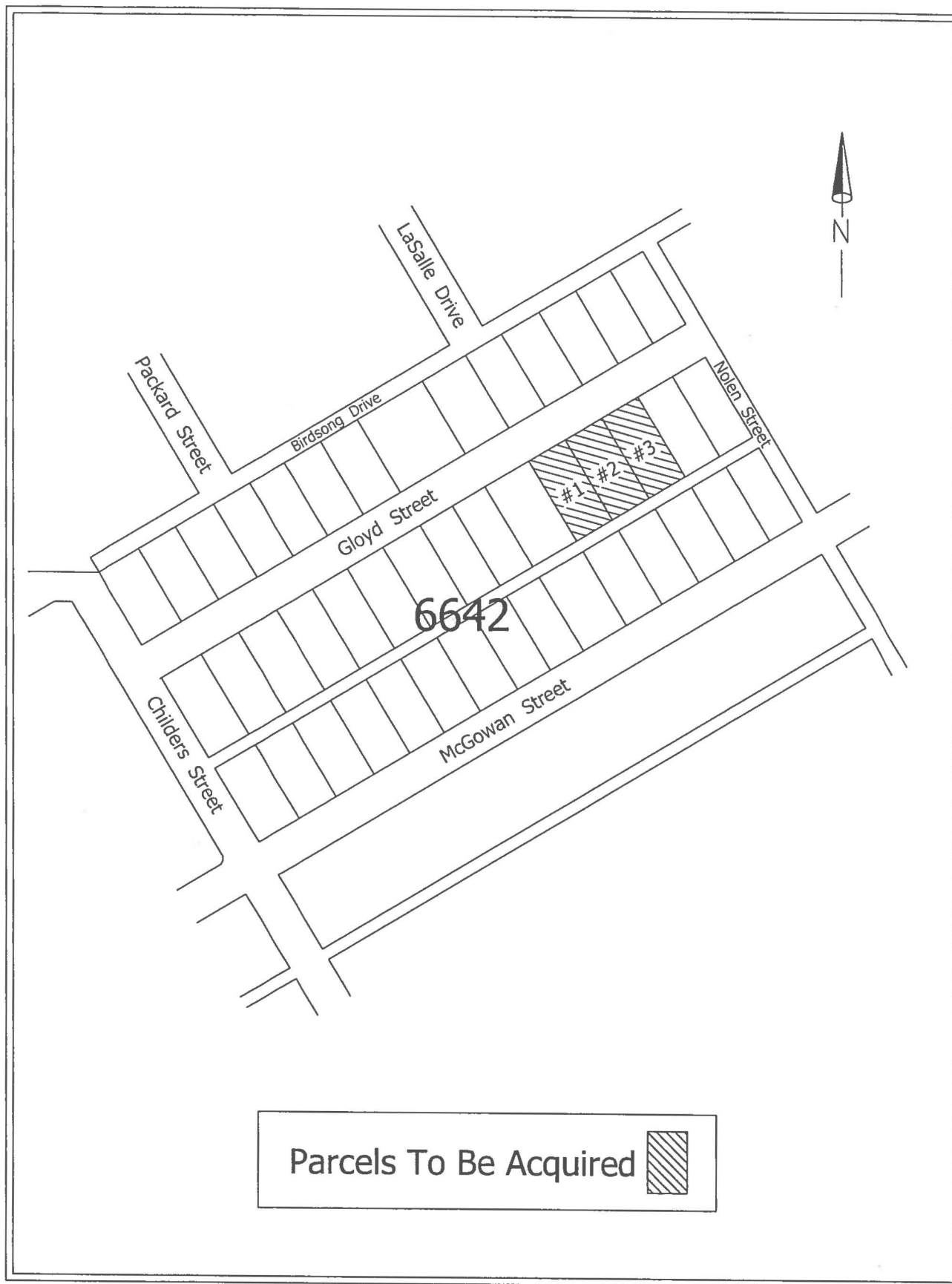
Guadalupe Villa

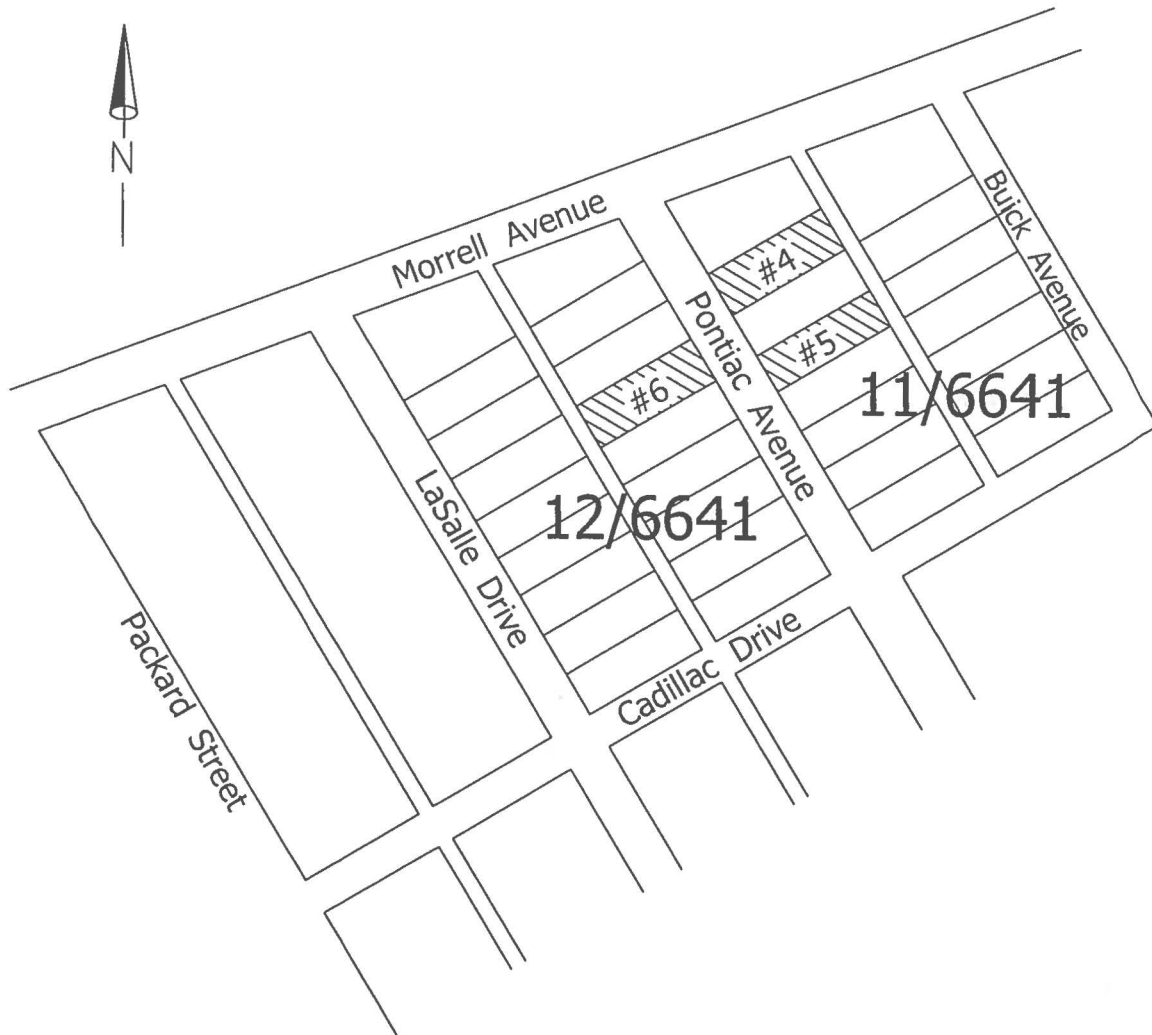
MAPS

Attached

Cadillac Heights Phase II Project – Property List

<u>Parcel No.</u>	<u>Owner</u>	<u>Address</u>	<u>Legal Description</u>
1.	Maria Martinez	2942 Gloyd Street	Lot 26, Block 6642
2.	Jorge T. Arias	2946 Gloyd Street	Lot 27, Block 6642
3.	Jorge T. Arias and Lesvia Arias	2950 Gloyd Street	Lot 28, Block 6642
4.	Jesus Ugalde	708 Pontiac Avenue	Lot 7, Block 11/6641
5.	Jesus Ugalde	716 Pontiac Avenue	Lot 5, Block 11/6641
6.	Nicandro Villa	715 Pontiac Avenue	Lot 13, Block 12/6641





Parcels To Be Acquired



May 14, 2014

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

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

"CITY": The City of Dallas

"PROPERTY": The tracts or parcels 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": Cadillac Heights Phase II

"USE": Future City Facilities provided, however, to the extent fee title to the PROPOERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

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

"OWNER": Listed in Exhibit A, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": \$157,150

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$12,000

"AUTHORIZED AMOUNT": Not to exceed \$169,150

"OFFER AMOUNT" AND "OWNER" described below:

<u>Parcel No.</u>	<u>Owner</u>	<u>Offer Amount</u>	<u>Closing Costs and Title Expenses not to Exceed</u>	<u>Authorized Amount</u>
1	Maria Martinez	\$31,500.00	\$2,500.00	\$34,000.00
2	Jorge Arias	\$33,000.00	\$2,500.00	\$35,500.00
3	Jorge Arias	\$ 9,700.00	\$1,500.00	\$11,200.00
4	Jesus Ugalde	\$ 9,950.00	\$1,500.00	\$11,450.00
5	Jesus Ugalde	\$53,000.00	\$2,500.00	\$55,500.00
6	Nicandro Villa	\$20,000.00	\$1,500.00	\$21,500.00

May 14, 2014

Now, Therefore,

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

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

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

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase and conveyance to 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 this transaction.

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

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

SECTION 6. That in the event this acquisition closes, the 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 PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Land Acquisition Cadillac Heights Funds, Fund No. 1T11, Department PBW, Unit T825, Activity LAAQ, Program No. PB06T825, Object 4230. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

<u>Owner</u>	<u>Offer Amount</u>	<u>Closing Costs and Title Expenses not to Exceed</u>	<u>Authorized Amount</u>	<u>Encumbrance No.</u>
Maria Martinez	\$31,500.00	\$2,500.00	\$34,000.00	SUST825VL18
Jorge Arias	\$33,000.00	\$2,500.00	\$35,500.00	SUST825VL19
Jorge Arias	\$ 9,700.00	\$1,500.00	\$11,200.00	SUST825VL20
Jesus Ugalde	\$ 9,950.00	\$1,500.00	\$11,450.00	SUST825VL21
Jesus Ugalde	\$53,000.00	\$2,500.00	\$55,500.00	SUST825VL22
Nicandro Villa	\$20,000.00	\$1,500.00	\$21,500.00	SUST825VL23

May 14, 2014

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

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

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

BY Roxanne Diamond
Assistant City Attorney

Exhibit A

<u>Parcel No.</u>	<u>Owner</u>	<u>Address</u>	<u>Legal Description</u>
1.	Maria Martinez	2942 Gloyd Street	Lot 26, Block 6642
2.	Jorge T. Arias	2946 Gloyd Street	Lot 27, Block 6642
3.	Jorge T. Arias and Lesvia Arias	2950 Gloyd Street	Lot 28, Block 6642
4.	Jesus Ugalde	708 Pontiac Avenue	Lot 7, Block 11/6641
5.	Jesus Ugalde	716 Pontiac Avenue	Lot 5, Block 11/6641
6.	Nicandro Villa	715 Pontiac Avenue	Lot 13, Block 12/6641

PARCEL 1
Exhibit A

Being Lot 26, of MEADOW GARDENS (sometimes more commonly known as MCNABB'S MEADOW GARDENS), an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 465, of the Map Records of Dallas County, Texas.

PARCEL 2 & 3

EXHIBIT A

Lots 27 & 28 in Block 6642 of MEADOW GARDENS, an Addition to the City of Dallas, Dallas County, Texas according to the Map thereof recorded in Volume 7, Page 465, Map Records of Dallas County, Texas.

PARCEL 4

Exhibit A

Being Lot 7, in Block 11/6641, of CADILLAC PLACE, FIRST SECTION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas.

PARCEL 5

Exhibit A

Being Lot 5, in Block 11/6641, of CADILLAC PLACE ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas.

PARCEL 6

EXHIBIT "A"

Being Lot 13, in Block 12/6641, of CADILLAC PLACE, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas.

NOTICE OF CONFIDENTIALITY OF 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.

EXHIBIT B

GENERAL WARRANTY DEED

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

KNOW ALL PERSONS BY THESE PRESENTS:

That Ma. Isabel Pineda De Martinez, a married person not joined by her spouse, as the property hereby conveyed constitutes no part of their business or residence homestead and is in her sole management and control as separate property (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of THIRTY ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$31,500.00) 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, the following (all said property and interests being collectively referred to herein as the "Property"):

- (a) that certain tract or parcel of land (the "Land") in Dallas County, Texas, described more fully on Exhibit "A", attached hereto and incorporated herein for all purposes;
- (b) all right, title and interest of Grantor, as owner of the Land, in (i) strips or gores, if any, between the Land and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Land;
- (c) all improvements, buildings, structures, fixtures, and open parking areas which may be located on the Land (the "Improvements"), including, without limitation, all mechanical, electrical, heating, ventilation, air conditioning and plumbing fixtures, systems and equipment as well as compressors, engines, elevators and escalators, if any;
- (d) all right, title and interest of Grantor, as owner of the Land, in and to any easements, rights-of-way, rights of ingress and egress or other interests in, on, or to any land, highway, street, road or avenue, opened or proposed, in, on, across from, in front of, abutting, adjoining or otherwise appurtenant to the Land; and
- (e) all other rights, privileges and appurtenances owned by Grantor and in any way related to the Property.

TO HAVE AND TO HOLD the Property, 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 _____, _____.

Ma. Isabel Pineda De Martinez

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Ma. Isabel Pineda De Martinez.

After recording return to:
City of Dallas, Department of Development Services
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: VLeal

Warranty Deed Log No. 40306

Exhibit A

Being Lot 26, of MEADOW GARDENS (sometimes more commonly known as MCNABB'S MEADOW GARDENS), an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 465, of the Map Records of Dallas County, Texas.

NOTICE OF CONFIDENTIALITY OF 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.

GENERAL WARRANTY DEED **Exhibit B**

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

That Jorge Arias a/k/a Jorge Tiburcio Arias and spouse, Lesvia Arias (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 FORTY TWO THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$42,700.00) 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, the following (all said property and interests being collectively referred to herein as the "Property"):

- (a) that certain tract or parcel of land (the "Land") in Dallas County, Texas, described more fully on Exhibit "A", attached hereto and incorporated herein for all purposes;
- (b) all right, title and interest of Grantor, as owner of the Land, in (i) strips or gores, if any, between the Land and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Land;
- (c) all improvements, buildings, structures, fixtures, and open parking areas which may be located on the Land (the "Improvements"), including, without limitation, all mechanical, electrical, heating, ventilation, air conditioning and plumbing fixtures, systems and equipment as well as compressors, engines, elevators and escalators, if any;
- (d) all right, title and interest of Grantor, as owner of the Land, in and to any easements, rights-of-way, rights of ingress and egress or other interests in, on, or to any land, highway, street, road or avenue, opened or proposed, in, on, across from, in front of, abutting, adjoining or otherwise appurtenant to the Land; and
- (e) all other rights, privileges and appurtenances owned by Grantor and in any way related to the Property.

TO HAVE AND TO HOLD the Property, 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 _____, _____.

Jorge Arias

Jorge Tiburcio Arias

Lesvia Arias

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Jorge Arias.

Notary Public, State of TEXAS

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Jorge Tiburcio Arias.

Notary Public, State of TEXAS

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Lesvia Arias.

Notary Public, State of TEXAS

After recording return to:
City of Dallas, Department of Development Services
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: VLeal

Warranty Deed Log No.40307 & 40308

EXHIBIT A

Lots 27 & 28 in Block 6642 of MEADOW GARDENS, an Addition to the City of Dallas, Dallas County, Texas according to the Map thereof recorded in Volume 7, Page 465, Map Records of Dallas County, Texas.

NOTICE OF CONFIDENTIALITY OF 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.

EXHIBIT B

GENERAL WARRANTY DEED

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

That Jesus Ugalde and spouse, Elizabeth Ugalde n/k/a Elizabeth Veliz (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 NINE THOUSAND NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$9,950.00) 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, the following (all said property and interests being collectively referred to herein as the "Property"):

(a) that certain tract or parcel of land (the "Land") in Dallas County, Texas, described more fully on Exhibit "A", attached hereto and incorporated herein for all purposes;

(b) all right, title and interest of Grantor, as owner of the Land, in (i) strips or gores, if any, between the Land and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Land;

(c) all improvements, buildings, structures, fixtures, and open parking areas which may be located on the Land (the "Improvements"), including, without limitation, all mechanical, electrical, heating, ventilation, air conditioning and plumbing fixtures, systems and equipment as well as compressors, engines, elevators and escalators, if any;

(d) all right, title and interest of Grantor, as owner of the Land, in and to any easements, rights-of-way, rights of ingress and egress or other interests in, on, or to any land, highway, street, road or avenue, opened or proposed, in, on, across from, in front of, abutting, adjoining or otherwise appurtenant to the Land; and

(e) all other rights, privileges and appurtenances owned by Grantor and in any way related to the Property.

TO HAVE AND TO HOLD the Property, 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 _____, _____.

Jesus Ugalde

Elizabeth Ugalde n/k/a/ Elizabeth Veliz



ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Jesus Ugalde.

Notary Public, State of TEXAS

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Elizabeth Ugalde n/k/a Elizabeth Veliz.

Notary Public, State of TEXAS

After recording return to:
City of Dallas, Department of Development Services
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: VLeal

Warranty Deed Log No. 40309

Exhibit A

Being Lot 7, in Block 11/6641, of CADILLAC PLACE, FIRST SECTION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas.

NOTICE OF CONFIDENTIALITY OF 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.

EXHIBIT B

GENERAL WARRANTY DEED

THE STATE OF TEXAS

§

COUNTY OF DALLAS

§

§

KNOW ALL PERSONS BY THESE PRESENTS:

That Jesus V. Ugalde and spouse, Elizabeth Ugalde (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 FIFTY THREE THOUSAND AND NO/100 DOLLARS (\$53,000.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED and does hereby GRANT, SELL AND CONVEY unto City, its successors and assigns, the following (all said property and interests being collectively referred to herein as the "Property"):

(a) that certain tract or parcel of land (the "Land") in Dallas County, Texas, described more fully on Exhibit "A", attached hereto and incorporated herein for all purposes;

(b) all right, title and interest of Grantor, as owner of the Land, in (i) strips or gores, if any, between the Land and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Land;

(c) all improvements, buildings, structures, fixtures, and open parking areas which may be located on the Land (the "Improvements"), including, without limitation, all mechanical, electrical, heating, ventilation, air conditioning and plumbing fixtures, systems and equipment as well as compressors, engines, elevators and escalators, if any;

(d) all right, title and interest of Grantor, as owner of the Land, in and to any easements, rights-of-way, rights of ingress and egress or other interests in, on, or to any land, highway, street, road or avenue, opened or proposed, in, on, across from, in front of, abutting, adjoining or otherwise appurtenant to the Land; and

(e) all other rights, privileges and appurtenances owned by Grantor and in any way related to the Property.

TO HAVE AND TO HOLD the Property, 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 _____, _____.

Jesus V. Ugalde

Elizabeth Ugalde



ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Jesus V. Ugalde.

Notary Public, State of TEXAS

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Elizabeth Ugalde.

Notary Public, State of TEXAS

After recording return to:
City of Dallas, Department of Development Services
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: VLeal

Warranty Deed Log No. 36816

Exhibit A

Being Lot 5, in Block 11/6641, of CADILLAC PLACE ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas.

NOTICE OF CONFIDENTIALITY OF 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.

EXHIBIT B

GENERAL WARRANTY DEED

THE STATE OF TEXAS

§

COUNTY OF DALLAS

§

KNOW ALL PERSONS BY THESE PRESENTS:

§

That Nicandro Villa and spouse, Guadalupe Villa (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 TWENTY THOUSAND AND NO/100 DOLLARS (\$20,000.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED and does hereby GRANT, SELL AND CONVEY unto City, its successors and assigns, the following (all said property and interests being collectively referred to herein as the "Property"):

(a) that certain tract or parcel of land (the "Land") in Dallas County, Texas, described more fully on Exhibit "A", attached hereto and incorporated herein for all purposes;

(b) all right, title and interest of Grantor, as owner of the Land, in (i) strips or gores, if any, between the Land and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Land;

(c) all improvements, buildings, structures, fixtures, and open parking areas which may be located on the Land (the "Improvements"), including, without limitation, all mechanical, electrical, heating, ventilation, air conditioning and plumbing fixtures, systems and equipment as well as compressors, engines, elevators and escalators, if any;

(d) all right, title and interest of Grantor, as owner of the Land, in and to any easements, rights-of-way, rights of ingress and egress or other interests in, on, or to any land, highway, street, road or avenue, opened or proposed, in, on, across from, in front of, abutting, adjoining or otherwise appurtenant to the Land; and

(e) all other rights, privileges and appurtenances owned by Grantor and in any way related to the Property.

TO HAVE AND TO HOLD the Property, 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 _____, _____.

Nicandro Villa

Guadalupe Villa



ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Nicandro Villa.

Notary Public, State of TEXAS

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Guadalupe Villa.

Notary Public, State of TEXAS

After recording return to:
City of Dallas, Department of Development Services
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: VLeal

Warranty Deed Log No. 36814

EXHIBIT "A"

Being Lot 13, in Block 12/6641, of CADILLAC PLACE, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas.

AGENDA ITEM # 31

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction
Public Works Department

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

MAPSCO: 55H

SUBJECT

Authorize moving expense and replacement housing payments for Nicandro Villa and Guadalupe Villa in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 719 Pontiac Avenue for future City facilities - Not to exceed \$53,550 - Financing: 2006 Bond Funds

BACKGROUND

Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas provides moving expense and replacement housing payments for homeowners displaced by the City of Dallas in conjunction with its real property acquisition activities. On August 14, 2013, the City Council approved Resolution No. 13-1314 which authorized the acquisition of real property known as 719 Pontiac Avenue for future City facilities. Nicandro Villa and Guadalupe Villa will be displaced as a direct result of this property acquisition. They have qualified for a moving expense payment of up to \$2,050 and a replacement housing payment of up to \$51,500 pursuant to City Code and will use the replacement housing payment to acquire a replacement property.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 14, 2013, the City Council authorized the acquisition of single family homes in the Cadillac Heights neighborhood for future City facilities by Resolution No. 13-1314.

FISCAL INFORMATION

2006 Bond Funds - \$53,550

OWNERS

Nicandro Villa

Guadalupe Villa

MAP

Attached

FUTURE CITY FACILITIES PROJECT RELOCATION ASSISTANCE



Lot 14, Block 12/6641– 719 Pontiac Avenue

May 14, 2014

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

WHEREAS, Nicandro Villa and Guadalupe Villa will be displaced as a direct result of this property acquisition and will vacate the property; and

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

WHEREAS, on August 14, 2013, the City Council approved Resolution No. 13-1314 authorizing the acquisition of 719 Pontiac Avenue located in the Cadillac Heights neighborhood, to be used in conjunction with the construction of future City facilities; and,

Now, Therefore,

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

SECTION 1. That Nicandro Villa and Guadalupe Villa will be displaced in conjunction with the construction of future City facilities and are entitled to moving expense and replacement housing payments pursuant to Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas.

SECTION 2. That Nicandro Villa and Guadalupe Villa are eligible to receive a moving expense payment in an amount up to \$2,050 and a replacement housing payment in an amount up to \$51,500.

SECTION 3. That the City Controller is authorized to draw warrants in favor of Nicandro Villa and Guadalupe Villa in an amount not to exceed \$53,550 for moving expense and replacement housing payments.

These warrants are to be paid as follows:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Obj</u>	<u>Act Code</u>	<u>Prog No</u>	<u>CT</u>	<u>Vendor No</u>	<u>Amount</u>
1T11	PBW	T825	4240	LAAQ	PB06T825	SUST825EP16	VC0000012851	\$51,500
1T11	PBW	T825	4240	LAAQ	PB06T825	SUST825EP17	VC0000012850	\$2,050

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 # 32

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 45P

SUBJECT

An ordinance granting a private license to HPI/GSA-2B, L.P., for approximately 2,795 square feet of land to use and maintain existing landscaping and a subsurface tunnel for mechanical equipment under portions of Akard and Young Streets - Revenue: \$5,534 annually and a \$1,000 one-time fee, plus the \$20 ordinance publication fee

BACKGROUND

This item grants a license for the use and maintenance of approximately 2,795 square feet of land for a subsurface tunnel for mechanical equipment under portions of Akard and Young Streets rights-of-way. This use will not impede pedestrian or vehicular traffic.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Ordinance No. 24006 passed by City Council on September 9, 1999.

Ordinance No. 24006 terminated by City Council on December 7, 2004.

FISCAL INFORMATION

Revenue: \$5,534 annually and a \$1,000 one-time fee, plus the \$20 ordinance publication fee

OWNER

HPI/GSA-2B, L.P.

HPI/GSA Properties Two, LP, Managing Member

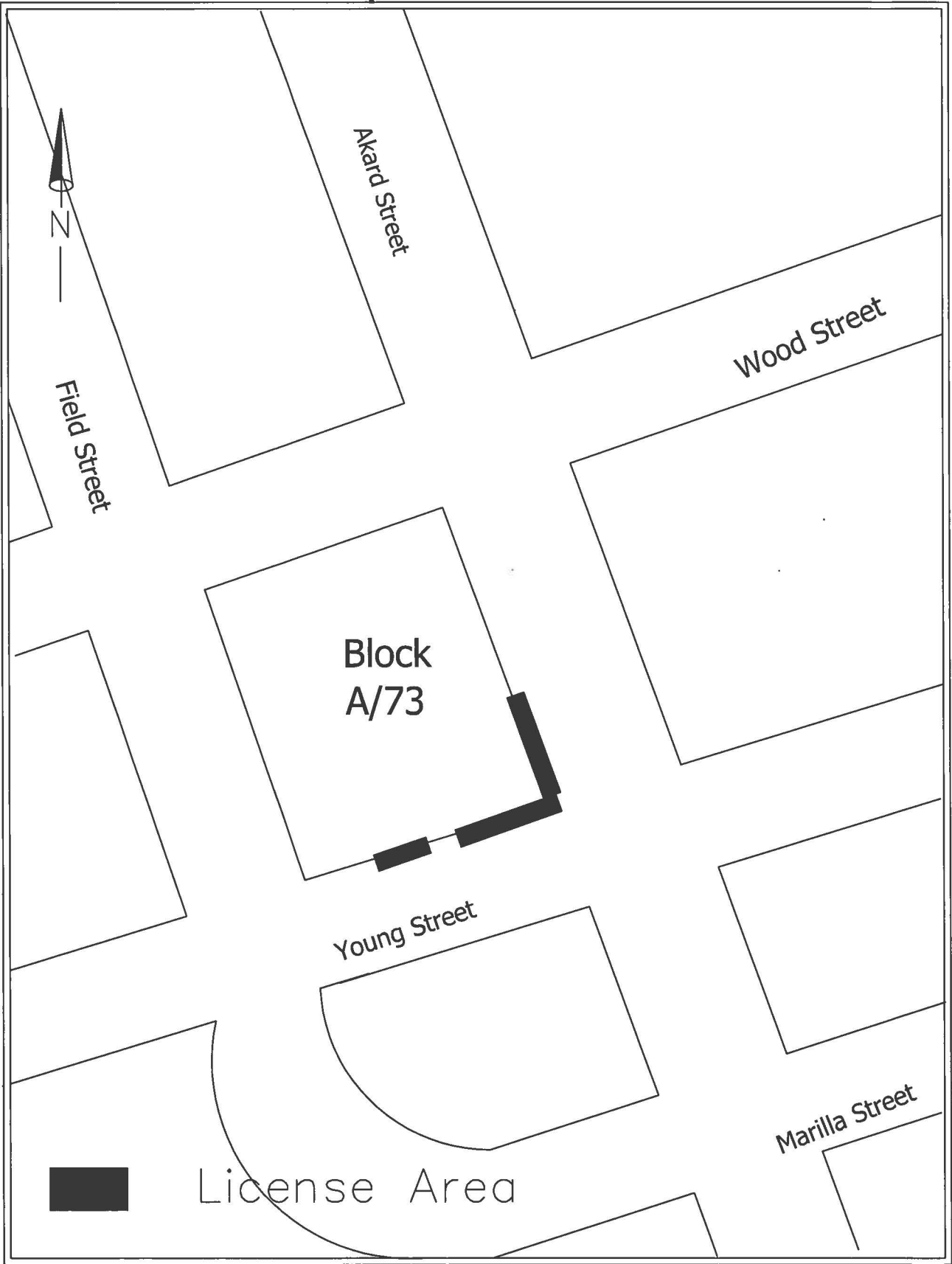
HPI/GSA Properties Two, LLC, General Partner

Michael Verruto, Authorized Member

MAP

Attached

Mapsko 45P



ORDINANCE NO. _____

An ordinance granting a private license to HPI/GSA-2B, L.P. to occupy, maintain, and utilize portions of Akard and Young Street rights-of-way located near the intersection with Akard and Wood Street, adjacent to City Block A/73 within the limits hereinafter more fully described, for the purpose of using and maintaining a subsurface tunnel for mechanical equipment that vents into the sidewalk and landscaping; providing for the terms and conditions of this license; providing for the annual compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

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

SECTION 1. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to HPI/GSA-2B, L.P., a Delaware limited partnership, its successors and assigns, hereinafter referred to as "**GRANTEE**" to occupy, maintain, and utilize for the purpose set out hereinbelow the tracts of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

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

SECTION 3. That **GRANTEE** shall pay to the City of Dallas the sum of **FIVE THOUSAND FIVE HUNDRED THIRTY-FOUR AND NO/100 (\$5,534.00) DOLLARS** annually for the license herein granted, said sum to become due and payable on the 2nd day of January each year, in advance, during the term hereof and shall cover the annual fee for the area licensed for use of a subsurface tunnel for mechanical equipment that vents into the sidewalk and landscaping, provided, however, that the first payment due hereunder in the sum of **SIX THOUSAND FIVE HUNDRED THIRTY-FOUR AND NO/100 (\$6,534.00) DOLLARS** shall become due and payable upon the final passage of this ordinance and shall cover the consideration for 2014. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of

Department of Sustainable Development and Construction may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the City Controller of the City of Dallas and deposited in Fund 0001, Dept. DEV, Unit 1181, Revenue Source 8428. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of \$25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10% a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: using and maintaining a subsurface tunnel for mechanical equipment that vents into the sidewalk and landscaping within the public right-of-way.

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

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

Department of Sustainable Development and Construction.

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

- a) **GRANTEE** acknowledges that AT&T has conduit facilities in the area of the requested license that will need to be located and avoided or relocated if in conflict.
- b) **GRANTEE** shall obtain a street cut permit. Please call 214-948-4042 at least 48 hours prior to work performed in the City's right-of-way.

SECTION 8. That the license granted hereby shall not become effective until and unless **GRANTEE** files a final acceptance, in writing, to the terms and conditions of this ordinance with the Director of Department of Sustainable Development and Construction and said written acceptance shall be forwarded to the City Secretary of the City of Dallas. In the event said written final acceptance is not filed within six (6) months after the passage of this ordinance as provided for herein, then the Director of Department of Sustainable Development and Construction, or her designee, may terminate this license.

SECTION 9. That upon receipt of **GRANTEE's** final written acceptance, the Director of Department of Sustainable Development and Construction, or her designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or her designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 10. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 11. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or her designee. Such assignment shall recite that it is subject to the terms, restrictions, and conditions contained in this ordinance.

The assignee shall deliver evidence of ownership of property abutting the licensed area, and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or her designee, may terminate this license.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or her designee. Upon receipt of the fee for the year 2014, an acceptable certificate of insurance, and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or her designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or her designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

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

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

DAVID COSSUM
Interim Director of Department of
Sustainable Development and Construction

BY 
Assistant City Attorney

BY 
Assistant Director

Passed _____.

EXHIBIT A

**LICENSE AGREEMENT
PART OF AKARD STREET
ADJACENT TO LOT 1-A
CITY BLOCK A/73
YOUNG STREET 1301 ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING a 1,535 sq. ft. tract of land situated in the J. GRIGSBY SURVEY, ABSTRACT NO. 495, City of Dallas, Dallas County, Texas and being part of the right-of-way of Akard Street (a variable width right-of-way) adjacent to Amended Plat Minor of Young Street 1301 Addition, Lot 1-A, Block A/73, recorded in Instrument No. 201300164478, Official Public Records, Dallas County, Texas and being more particularly described as follows:

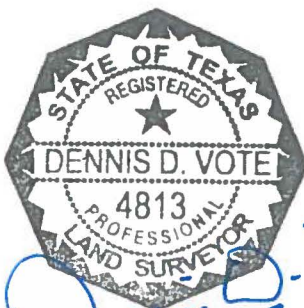
BEGINNING at a point for corner in the southwesterly right-of-way line of Akard Street (a variable width right-of-way), and in the northeast line of said Lot 1-A, said point bearing N 15 deg. 45 min. 44 sec. W, a distance of 3.89 feet from the intersection of the southwesterly right-of-way line of said Akard Street with the northwesterly right-of-way line of Young Street (a 64.50' R.O.W.) said reference point being the southeast corner of said Lot 1-A;

THENCE N 15 deg. 45 min. 44 sec. W, along the southwesterly right-of-way line of said Akard Street and the northeast line of said Lot 1-A, a distance of 153.50 feet to a point for corner;

THENCE N 74 deg. 14 min. 16 sec. E, departing the southwesterly right-of-way line of said Akard Street and the northeast line of said Lot 1-A, a distance of 10.00 feet to a point for corner;

THENCE S 15 deg. 45 min. 44 sec. E, a distance of 153.50 feet to a point for corner;

THENCE S 74 deg. 14 min. 16 sec. W, a distance of 10.00 feet to the POINT OF BEGINNING and containing 1535 sq. ft. of land.



*Dennis D. Vote
Jan 7, 2014*

BEARING SOURCE:

THE WEST RIGHT-OF-WAY LINE OF AKARD STREET (S 15°45'44" E) AS REFERRED TO IN TRACT 1 OF THE DEED RECORDED IN VOL. 99095, PG. 2442, DEED RECORDS OF DALLAS COUNTY, DALLAS, TEXAS.

(For SPRG use only)

Reviewed by: JL
Date: 1-9-14
SPRG NO. 2807

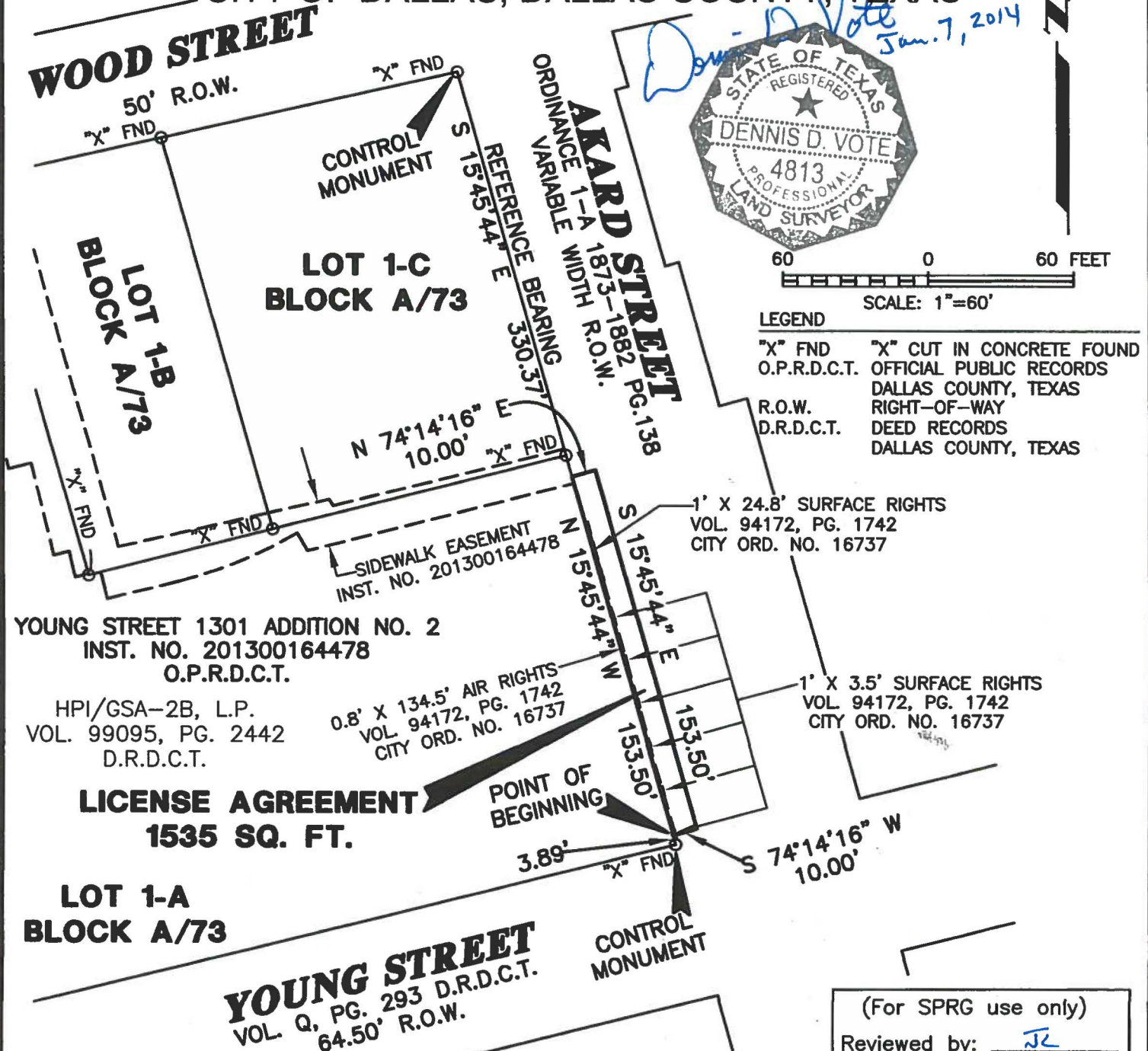
DATE: JANUARY 7, 2014
SHEET 1 OF 2
PROJECT NO. 25053-I

EXHIBIT A

ADJACENT TO LOT 1-A

YOUNG STREET 1301 ADDITION NO. 2

CITY OF DALLAS, DALLAS COUNTY, TEXAS



THE WEST RIGHT-OF-WAY LINE OF AKARD STREET (S 15°45'44" E) AS
REFERRED TO IN TRACT 1 OF THE DEED RECORDED IN VOL. 99095, PG. 2442,
DEED RECORDS OF DALLAS COUNTY, DALLAS, TEXAS.

DATE: JANUARY 7, 2014
SHEET 2 OF 2
PROJECT NO. 25053-1

EVALUATE-A

LICENSE AGREEMENT
PART OF YOUNG STREET
ADJACENT TO LOT 1-A
CITY BLOCK A/73
YOUNG STREET 1301 ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 321 sq. ft. tract of land situated in the J. GRIGSBY SURVEY, ABSTRACT NO. 495, City of Dallas, Dallas County, Texas and being part of the right-of-way of Young Street as recorded in Volume Q, Page 293, Deed Records, Dallas County, Texas, and being adjacent to Amended Plat Minor of Young Street 1301 Addition, Lot 1-A, Block A/73, recorded in Instrument No. 201300164478, Official Public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point for corner in the northwesterly right-of-way line of Young Street (a 64.50' R.O.W.) and the southeasterly line of said Lot 1-A, and bearing S 76 deg. 13 min. 16 sec. W, a distance of 100.44 feet from the intersection of the southwesterly right-of-way line of Akard Street (a variable width R.O.W.) with the northwesterly right-of-way line of said Young Street and being the southeast corner of said Lot 1-A;

THENCE S 13 deg. 46 min. 44 sec. E, departing the northwesterly right-of-way line of said Young Street and the southeasterly line of said Lot 1-A, a distance of 8.93 feet to a point for corner;

THENCE S 76 deg. 13 min. 16 sec. W, a distance of 36.00 feet to a point for corner;

THENCE N 13 deg. 46 min. 44 sec. W, a distance of 8.93 feet to a point for corner in the northwesterly right-of-way line of said Young Street and the southeasterly line of said Lot 1-A;

THENCE N 76 deg. 13 min. 16 sec. E, along the northwesterly right-of-way line of said Young Street and the southeasterly line of said Lot 1-A, a distance of 36.00 feet to the POINT OF BEGINNING and containing 321 sq. ft. of land.



Dennis D. Vote
Jan. 2, 2014

(For SPRG use only)

Reviewed by: JL
Date: 1-6-14
SPRG NO. 2805

BEARING SOURCE:

THE WEST RIGHT-OF-WAY LINE OF AKARD STREET (S 15°45'44" E) AS REFERRED TO IN TRACT 1 OF THE DEED RECORDED IN VOL. 99095, PG. 2442, DEED RECORDS OF DALLAS COUNTY, DALLAS, TEXAS.

DATE: JANUARY 2, 2014
SHEET 1 OF 2
PROJECT NO. 25053-I-2

LICENSE AGREEMENT

EXHIBIT A

PART OF YOUNG STREET

ADJACENT TO LOT 1-A

CITY BLOCK A/73

YOUNG STREET 1301 ADDITION NO. 2

CITY OF DALLAS, DALLAS COUNTY, TEXAS

WOOD STREET
50' R.O.W.

**LOT 1-B
BLOCK A/73**

**LOT 1-C
BLOCK A/73**

YOUNG STREET 1301 ADDITION NO. 2
INST. NO. 201300164478
O.P.R.D.C.T.

HPI/GSA-2B, L.P.
VOL. 99095, PG. 2442
D.R.D.C.T.

**LICENSE AGREEMENT
321 SQ. FT.**

**LOT 1-A
BLOCK A/73**

25' X 30' D.P. & L.
COMPANY EASEMENT
VOL. 81222, 0513

290.2' X 1.5' X
266.2' X 24.05' X
AIR RIGHTS
VOL. 94172, PG. 1742
CITY ORD. NO. 16737

12.0' X 150.0'
SUBSURFACE RIGHTS
VOL. 94172, PG. 1742
CITY ORD. NO. 16737

N 13°46'44" W 8.93'

8.93' X 36.0'
SUBSURFACE RIGHTS
VOL. 92150, PG. 496
VOL. 99196, PG. 20930
CITY ORD. NO. 20930

0.5' X 2.5'
SURFACE RIGHTS
VOL. 94172, PG. 1742
CITY ORD. NO. 16737
POINT OF BEGINNING

CONTROL MONUMENT

BEARING SOURCE:

THE WEST RIGHT-OF-WAY LINE OF AKARD STREET (S 15°45'44" E) AS
REFERRED TO IN TRACT 1 OF THE DEED RECORDED IN VOL. 99095, PG.
2442, DEED RECORDS OF DALLAS COUNTY, DALLAS, TEXAS.

REFERENCE BEARING
S 15°45'44" E 330.37'

AKARD STREET
ORDINANCE 1-A
1873-1882 PG.138
VARIABLE WIDTH R.O.W.

60 0 60 FEET
SCALE: 1"=60'

LEGEND

"X" FND
O.P.R.D.C.T.
R.O.W.
D.R.D.C.T.

"X" CUT IN CONCRETE FOUND
OFFICIAL PUBLIC RECORDS
DALLAS COUNTY, TEXAS
RIGHT-OF-WAY
DEED RECORDS
DALLAS COUNTY, TEXAS

YOUNG STREET
VOL. Q, PG. 293 D.R.D.C.T.
64.50' R.O.W.

(For SPRG use only)

Reviewed by: JL
Date: 1-6-14
SPRG NO. 2805

DATE: JANUARY 2, 2014
SHEET 2 OF 2
PROJECT NO. 25053-I-2

**LICENSE AGREEMENT
PART OF YOUNG STREET
ADJACENT TO LOT 1-A
CITY BLOCK A/73**

EXHIBIT A

**YOUNG STREET 1301 ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING a 939 sq. ft. tract of land situated in the J. GRIGSBY SURVEY, ABSTRACT NO. 495, City of Dallas, Dallas County, Texas, being part of the right-of-way of Young Street as recorded in Volume Q, Page 293, Deed Records, Dallas County, Texas, and being adjacent to Amended Plat Minor of Young Street 1301 Addition, Lot 1-A, Block A/73, recorded in Instrument No. 201300164478, Official Public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point for corner at the intersection of the southwesterly right-of-way line of Akard Street (a variable width R.O.W.) with the northwesterly right-of-way line of Young Street (a 64.50' R.O.W.) and being the southeast corner of said Lot 1-A;

THENCE S 13 deg. 46 min. 44 sec. E, departing the northwesterly right-of-way line of said Young Street and the southeasterly line of said Lot 1-A, a distance of 8.04 feet to a point for corner;

THENCE S 74 deg. 25 min. 33 sec. W, a distance of 29.05 feet to a point for corner;

THENCE S 13 deg. 46 min. 44 sec. E, a distance of 0.75 feet to a point for corner;

THENCE S 76 deg. 13 min. 16 sec. W, a distance of 71.40 feet to a point for corner;

THENCE N 13 deg. 46 min. 44 sec. W, a distance of 9.70 feet to a point for corner in the northwesterly right-of-way line of said Young Street and the southeasterly line of said Lot 1-A;

THENCE N 76 deg. 13 min. 16 sec. E, along the northwesterly right-of-way line of said Young Street and the southeasterly line of said Lot 1-A, a distance of 100.44 feet to the POINT OF BEGINNING and containing 939 sq. ft. of land.



(For SPRG use only)

Reviewed by: JL
Date: 1-7-14
SPRG NO. 2866

BEARING SOURCE:

THE WEST RIGHT-OF-WAY LINE OF AKARD STREET (S 15°45'44" E) AS REFERRED TO IN TRACT 1 OF THE DEED RECORDED IN VOL. 99095, PG. 2442, DEED RECORDS OF DALLAS COUNTY, DALLAS, TEXAS.

**DATE: JANUARY 2, 2014
SHEET 1 OF 2
PROJECT NO. 25053-I-1**

LICENSE AGREEMENT

PART OF YOUNG STREET

ADJACENT TO LOT 1-A

CITY BLOCK A/73

YOUNG STREET 1301 ADDITION NO. 2

CITY OF DALLAS, DALLAS COUNTY, TEXAS

WOOD STREET
50' R.O.W.

**LOT 1-B
BLOCK A/73**

**LOT 1-C
BLOCK A/73**

YOUNG STREET 1301 ADDITION NO. 2
INST. NO. 201300164478
O.P.R.D.C.T.

HPI/GSA-2B, L.P.
VOL. 99095, PG. 2442
D.R.D.C.T.

**LICENSE
AGREEMENT
939 SQ. FT.**

**LOT 1-A
BLOCK A/73**

25' X 30' D.P. & L.
COMPANY EASEMENT
VOL. 81222, 0513

290.2' X 1.5' X
266.2' X 24.05'
AIR RIGHTS
VOL. 94172, PG. 1742
CITY ORD. NO. 16737

12.0' X 150.0'
SUBSURFACE RIGHTS
VOL. 94172, PG. 1742
CITY ORD. NO. 16737

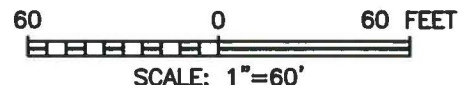
8.93' X 36.0'
SUBSURFACE RIGHTS
VOL. 92150, PG. 4702 &
VOL. 99196, PG. 496
CITY ORD. NO. 20930

0.5' X 2.5'
SURFACE RIGHTS
VOL. 94172, PG. 1742
CITY ORD. NO. 16737

1.5' X 50.6'
SURFACE RIGHTS
VOL. 94172, PG. 1742
CITY ORD. NO. 16737

AKARD STREET
ORDINANCE 1-A
1873-1882 PG.138
VARIABLE WIDTH R.O.W.

POINT OF
BEGINNING
CONTROL
MONUMENT



LEGEND

"X" FND "X" CUT IN CONCRETE FOUND
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS
DALLAS COUNTY, TEXAS
R.O.W. RIGHT-OF-WAY
D.R.D.C.T. DEED RECORDS
DALLAS COUNTY, TEXAS

BEARING SOURCE:

THE WEST RIGHT-OF-WAY LINE OF AKARD STREET (S 15°45'44" E) AS
REFERRED TO IN TRACT 1 OF THE DEED RECORDED IN VOL. 99095, PG.
2442, DEED RECORDS OF DALLAS COUNTY, DALLAS, TEXAS.

(For SPRG use only)
Reviewed by: JL
Date: 1-7-14
SPRG NO. 2806

DATE: JANUARY 2, 2014
SHEET 2 OF 2
PROJECT NO. 25053-1-1

**EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

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

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

**EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

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

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

**EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

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

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

**EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

whether such damage is due to flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 8

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: 79 G

SUBJECT

Authorize a professional services contract with CP&Y, Inc. for preliminary engineering services associated with improvements to the grit removal and screenings handling processes at the Southside Wastewater Treatment Plant - Not to exceed \$850,000 – Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item is the first of two planned awards for engineering services associated with the grit removal and screenings handling improvements project at the Southside Wastewater Treatment plant. This phase includes condition and performance assessment of the grit facility, gravity belt thickeners, and the associated electrical distribution system. A completed design report outlining the various alternatives along with recommended improvements will be developed as part of this preliminary engineering services scope.

Implementation of the recommended improvements will be addressed under the second phase of the engineering services. This includes completed plans and specifications as well as construction administration services required for the project. The second phase of the engineering services will be presented for Council approval at a future date.

Grit removal is a critical step in the wastewater treatment process. Inorganic material in the wastewater stream called “grit” tends to be very abrasive, which if left unattenuated, can cause significant damage to equipment used at other parts of the treatment process. It also accumulates throughout the plant requiring frequent cleaning to prevent systems from clogging and causing odors. The Southside Treatment Plant has two grit removal facilities, constructed in 1979 and 1988. Improvements to these facilities will extend their service life and improve efficiencies in the operation of the grit systems.

ESTIMATED SCHEDULE OF PROJECT

Begin Study June 2014
Complete Study December 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$850,000.00 - Water Utilities Capital Improvement Funds

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

CP&Y, Inc.

Hispanic Female	13	Hispanic Male	16
Black Female	2	Black Male	5
Other Female	7	Other Male	7
White Female	43	White Male	98

OWNER

CP&Y, Inc.

W. Walter Chiang, P.E., Director and Founder
Pete K. Patel, P.E., Chairman of the Board/Chief Executive Officer

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with CP&Y, Inc. for preliminary engineering services associated with improvements to the grit removal and screenings handling processes at the Southside Wastewater Treatment Plant - Not to exceed \$850,000 – Financing: Water Utilities Capital Improvement Funds

CP&Y, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-consultants.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$670,000.00	78.82%
Total non-local contracts	\$180,000.00	21.18%
TOTAL CONTRACT	\$850,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

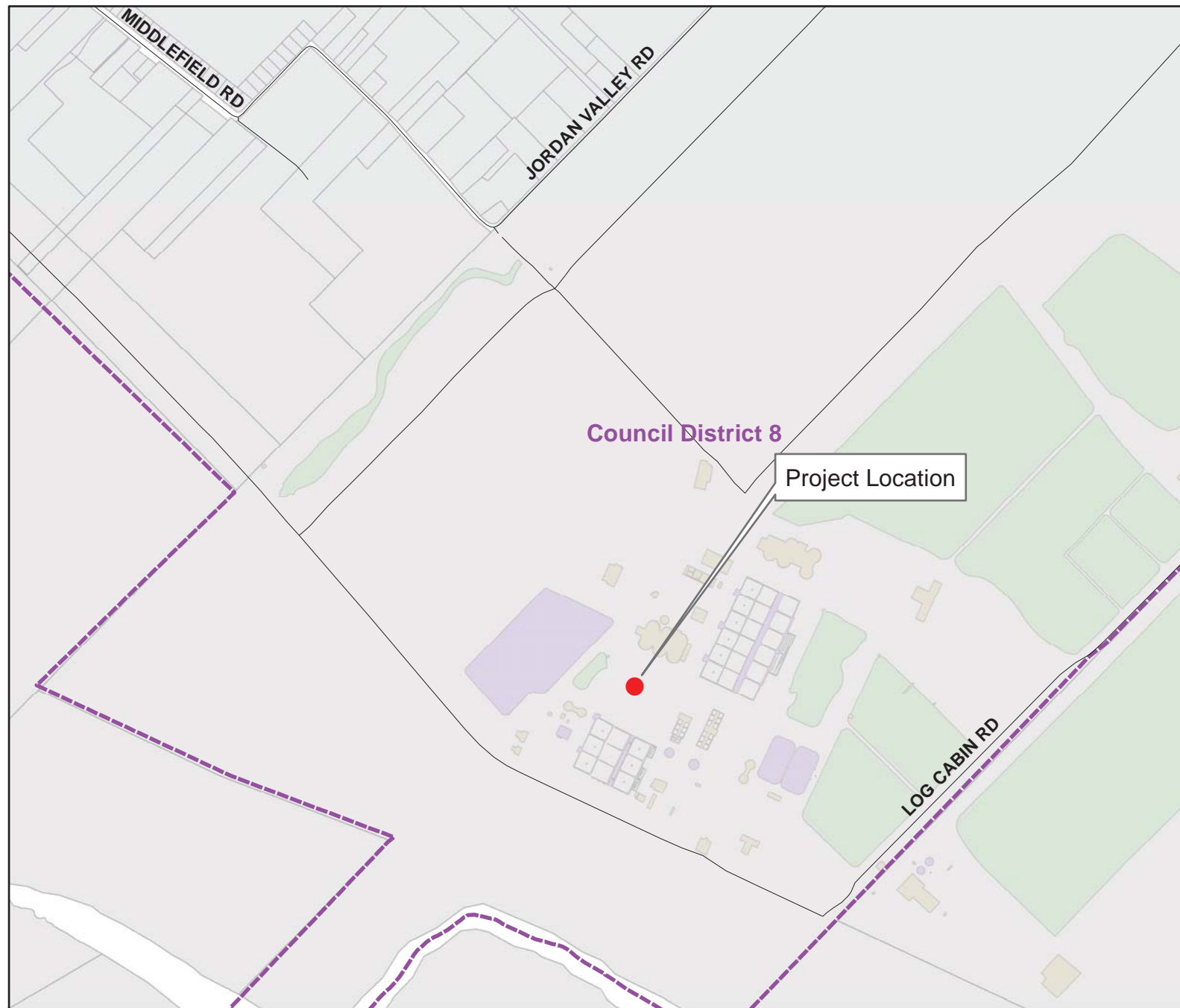
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
EJES Incorporated	BMDB58455Y0814	\$35,000.00	5.22%
JQ Infrastructure, LLC	IMDB58200Y0714	\$155,514.00	23.21%
2M Associates, LLC	IMDB58122Y0714	\$46,000.00	6.87%
CP&Y, Inc.	PMMB60198Y0215	\$433,486.00	64.70%
Total Minority - Local		\$670,000.00	100.00%

Non-Local Contractors / Sub-Contractors

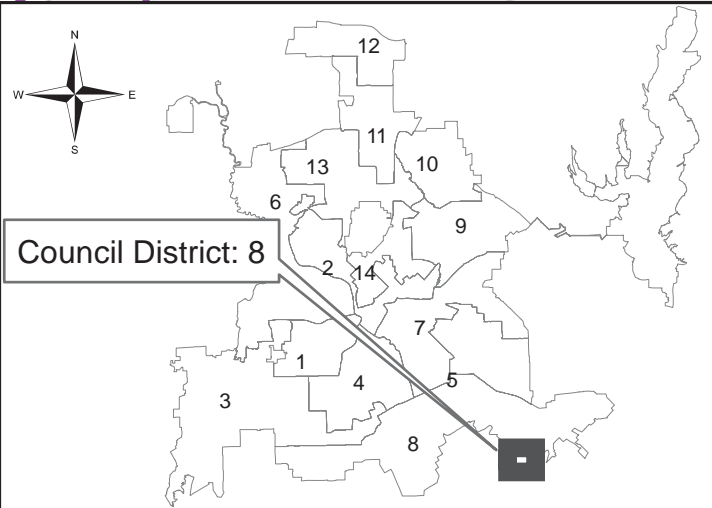
None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$35,000.00	5.22%	\$35,000.00	4.12%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$635,000.00	94.78%	\$635,000.00	74.71%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$670,000.00	100.00%	\$670,000.00	78.82%



Mapsc0: 79 G



**Water Utilities Department
Contract No. 13-054E
Grit Removal and Screening Improvements
at the Southside Wastewater Treatment Plant**

May 14, 2014

WHEREAS, the City of Dallas has identified a need to evaluate and improve deteriorating grit and screening removal infrastructure and prepare a design report with recommendations for improvements and evaluated alternatives for the grit removal and screening efficiency improvements at the Southside Wastewater Treatment Plant; and,

WHEREAS, engineering services are required for the investigation, study and development of a preliminary design report for each individual improvement; and,

WHEREAS, CP&Y, Inc., 1820 Regal Row, Suite 200, Dallas, Texas 75235, has submitted an acceptable proposal to provide these engineering services.

Now, Therefore,

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

Section 1. That the proposal submitted by CP&Y, Inc. in the amount of \$850,000.00 be approved and the consultant be authorized to perform the required engineering services.

Section 2. That the City Manager is hereby authorized to enter into a contract with CP&Y, Inc., for the investigation, study and development of a preliminary design report associated with improvements to the grit removal and screenings handling processes at the Southside Wastewater Treatment Plant, after having approval of the contract documents by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of \$850,000.00 from the Wastewater Capital Improvement Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
2116	DWU	PS31	4111	713054	CTDWU713054CP	VC0000005625

CP&Y, Inc. - (Contract No. 13-054E) - \$850,000.00

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 7

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: 56 P

SUBJECT

Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for emergency repairs to a 60-inch wastewater main and other connected pipelines at the vicinity of Overton Road and Interstate Highway 45 - Not to exceed \$488,550, from \$8,327,448 to \$8,815,998 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

On March 27, 2013, the City Council authorized a contract with John Burns Construction Company of Texas, Inc. for the installation of water and wastewater mains and replacement of large valves at various locations. A need has arisen for additional work to perform emergency repairs to a 60-inch wastewater main and other connected pipelines adjacent to Interstate Highway 45 just north of Overton Road.

While in performance of a pipeline inspection on March 12, 2014, Dallas Water Utilities (DWU) staff observed the appearance of a sinkhole and a sanitary sewer overflow at a location near Interstate Highway 45 and Overton Road. The flows were immediately bypassed and diverted to another part of the wastewater collection system. DWU staff excavated the location around the sinkhole and discovered that a portion of the 60-inch wastewater main was broken. After assessing the situation, extent of repair work and depths involved, staff determined that the resources of a private construction company was necessary.

This change order consists of the installation of approximately 500 feet of 60-inch, 24-inch, 18-inch, and 15-inch wastewater pipes and three manholes. The repair work is critical because the affected pipeline carries up to 100 million gallons per day of wastewater flow to the Central Wastewater Treatment Plant. Performance of the emergency repairs prevented overflows upstream of this location and ultimately avoided sewage backing up onto private properties.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2011
Completed Design	November 2012
Began Construction	May 2013
Complete Construction	November 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with EJES, Incorporated to provide engineering design services for the renewal of water and wastewater mains at 31 locations on January 12, 2011, by Resolution No. 11-0186.

Authorized a contract with John Burns Construction Company of Texas, Inc. for the installation of water and wastewater mains and the replacement of large valves at 46 locations on March 27, 2013, by Resolution No. 13-0516.

FISCAL INFORMATION

\$488,550.00 - Water Utilities Capital Improvement Funds

Design	\$1,049,890.00
Construction Contract	\$8,327,447.20
Change Order No. 1 (this action)	<u>\$ 488,550.00</u>
Total Project Cost	\$9,865,887.20

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

John Burns Construction Company of Texas, Inc.

Hispanic Female	0	Hispanic Male	45
Black Female	0	Black Male	0
Other Female	0	Other Male	0
White Female	3	White Male	21

OWNER

John Burns Construction Company of Texas, Inc.

John B. O'Malley, Owner

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for emergency repairs to a 60-inch wastewater main and other connected pipelines at the vicinity of Overton Road and Interstate Highway 45 - Not to exceed \$488,550, from \$8,327,448 to \$8,815,998 - Financing: Water Utilities Capital Improvement Funds

John Burns Construction Company of Texas, Inc. is a 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	\$367,504.00	75.22%
Non-local contracts	\$121,046.00	24.78%
TOTAL THIS ACTION	\$488,550.00	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>
Bussey Trucking, Inc.	BMMB58079Y0714	\$7,074.00	1.92%
Magnum Manhole & Underground Company	WFDB61186Y0415	\$10,168.00	2.77%
Total Minority - Local		\$17,242.00	4.69%

Non-Local Contractors / Sub-Contractors

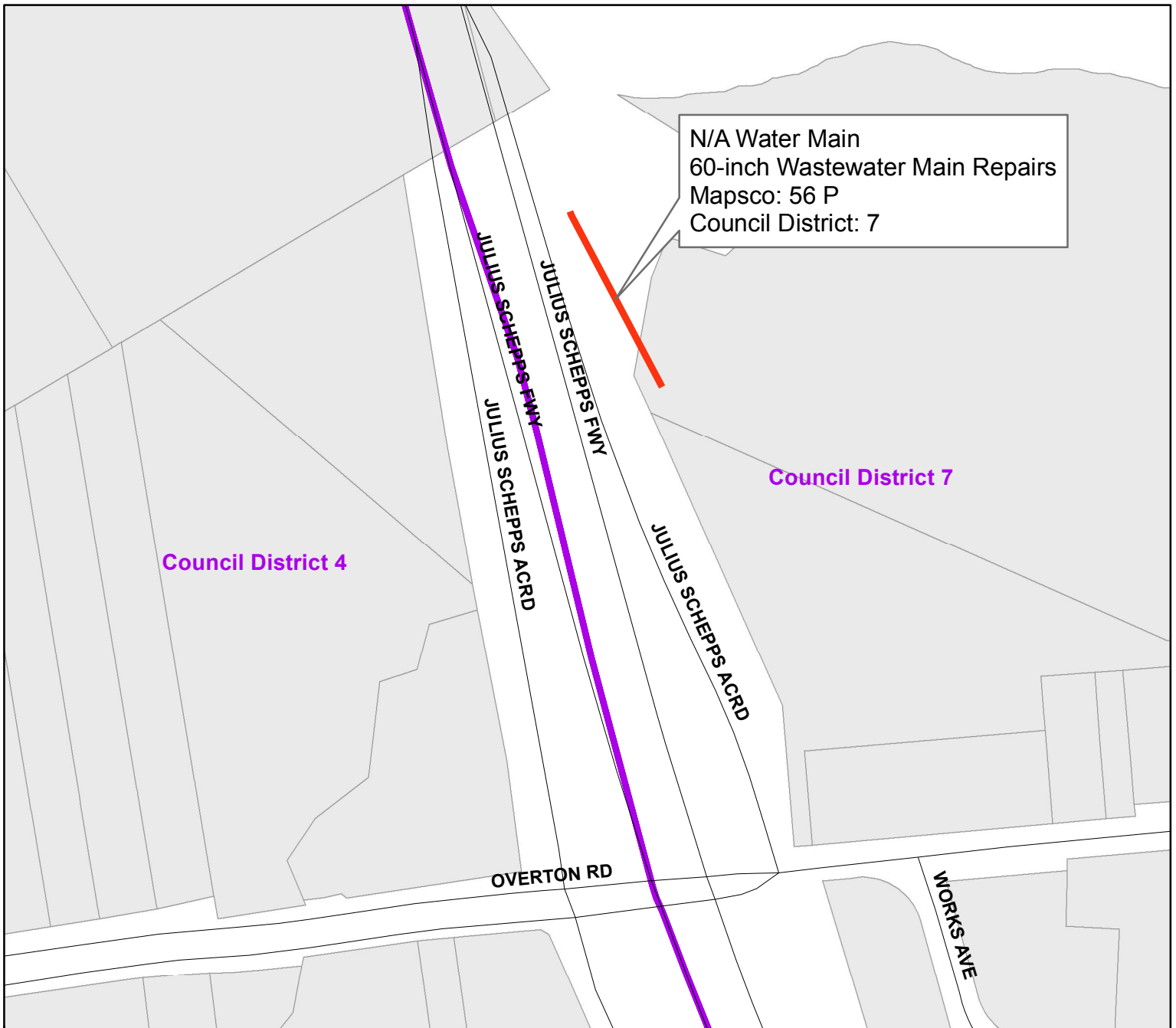
<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
SHEA Services, Inc.	WFDB58250Y0714	\$7,046.00	5.82%
Total Minority - Non-local		\$7,046.00	5.82%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

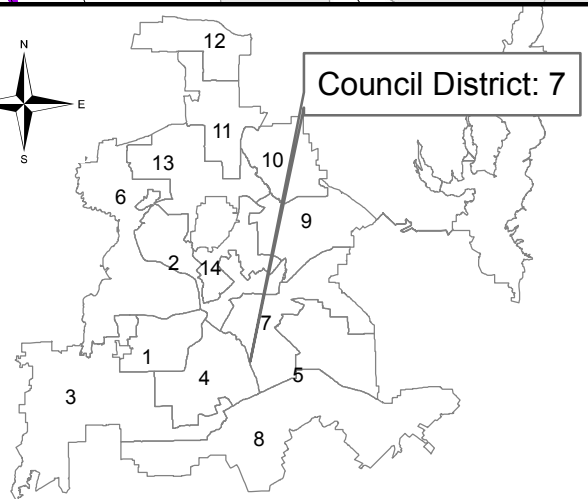
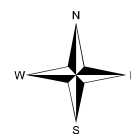
Page 2

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$7,074.00	1.45%	\$1,866,926.50	21.18%
Hispanic American	\$0.00	0.00%	\$733,488.00	8.32%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$17,214.00	3.52%	\$360,799.00	4.09%
Total	\$24,288.00	4.97%	\$2,961,213.50	33.59%



Easement east of Julius Schepps Freeway
from north of Overton Road north



Dallas Water Utilities
Contract No. 13-029/030, Change Order No. 1
60-inch Wastewater Main Emergency Repairs

May 14, 2014

WHEREAS, on March 27, 2013, the City Council awarded Contract No. 13-029/030 in the amount of \$8,327,447.20, by Resolution No. 13-0516, to John Burns Construction Company of Texas, Inc., 655 East Main Street, Lewisville, Texas 75067, for the installation of water and wastewater mains and the replacement of large valves at 46 locations; and,

WHEREAS, Dallas Water Utilities (DWU) staff investigated a sinkhole that was observed near Interstate Highway 45 and Overton Road and a sanitary sewer overflow at the upstream manhole; and,

WHEREAS, DWU staff excavated the location and discovered that a portion of the 60-inch wastewater main was broken and requires emergency repair; and,

WHEREAS, John Burns Construction Company of Texas, Inc. has submitted an acceptable proposal for this emergency work; and,

WHEREAS, DWU recommends that Contract No. 13-029/030 be increased by \$488,550.00, from \$8,327,447.20 to \$8,815,997.20.

Now, Therefore,

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

Section 1. That the proposed Change Order No. 1 be accepted and that Contract No. 13-029/030 with John Burns Construction Company of Texas, Inc., be revised accordingly.

Section 2. That the City Controller is hereby authorized to pay the amount of \$488,550.00 from the Wastewater Capital Improvement Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
2116	DWU	PS40	4560	713030	CTDWU713030CPA	VS0000000852

John Burns Construction Company of Texas, Inc. - \$488,550.00

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 6

DEPARTMENT: Trinity Watershed Management

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

MAPSCO: 42F G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the City of Irving, of an unimproved tract of land containing approximately 20 acres located on the east bank of the Trinity River near the west termination of Mexicana Drive for the Dallas Floodway Project - Not to exceed \$39,700 (\$36,700 plus closing costs and title expenses not to exceed \$3,000) – Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of an unimproved tract of land containing approximately 20 acres from the City of Irving. This property is located on the east bank of the Trinity River near the west termination of Mexicana Drive and will be used for the Dallas Floodway Project. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

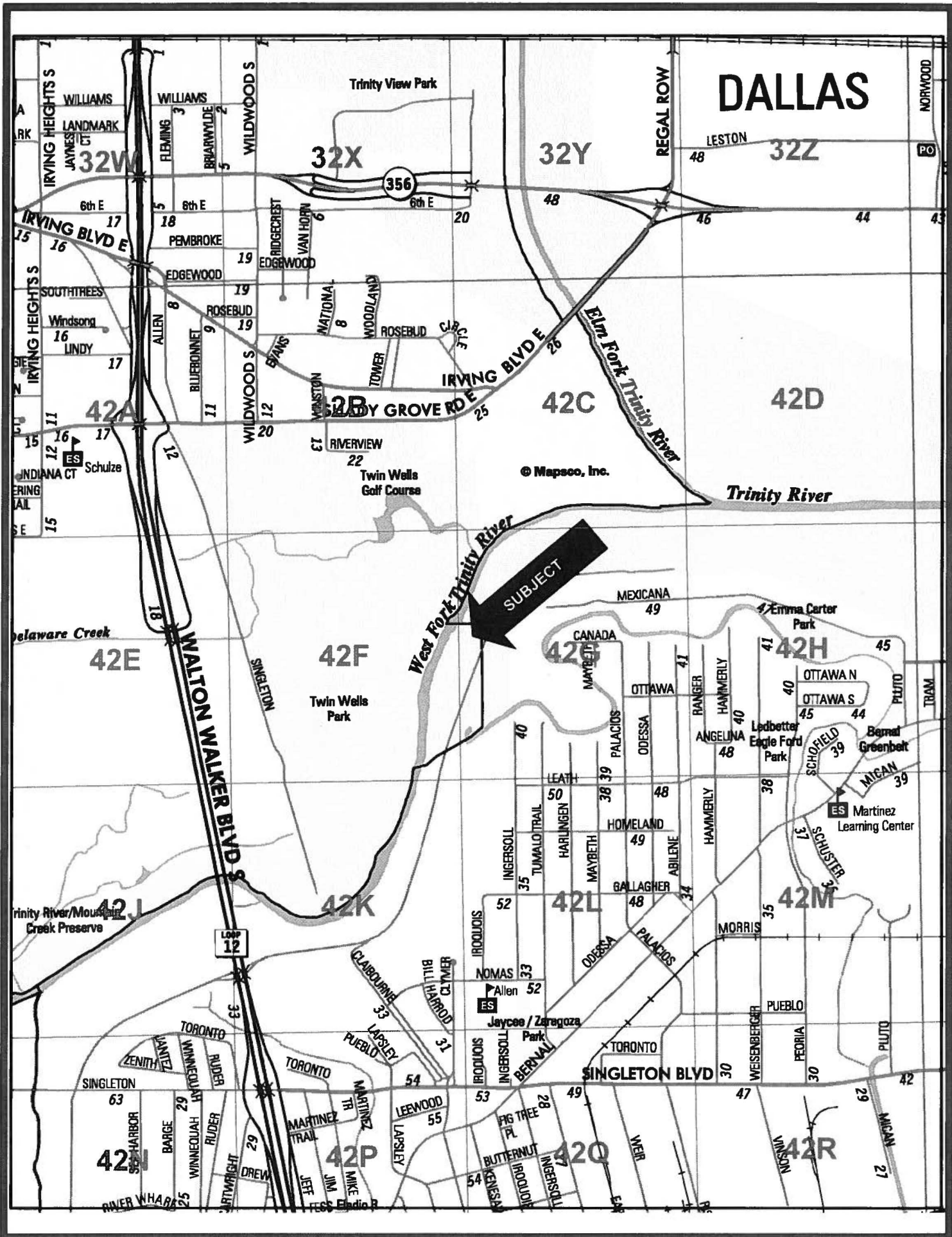
2006 Bond Funds - \$39,700 (\$36,700 plus closing costs and title expenses not to exceed \$3,000)

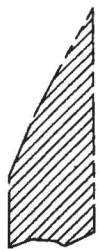
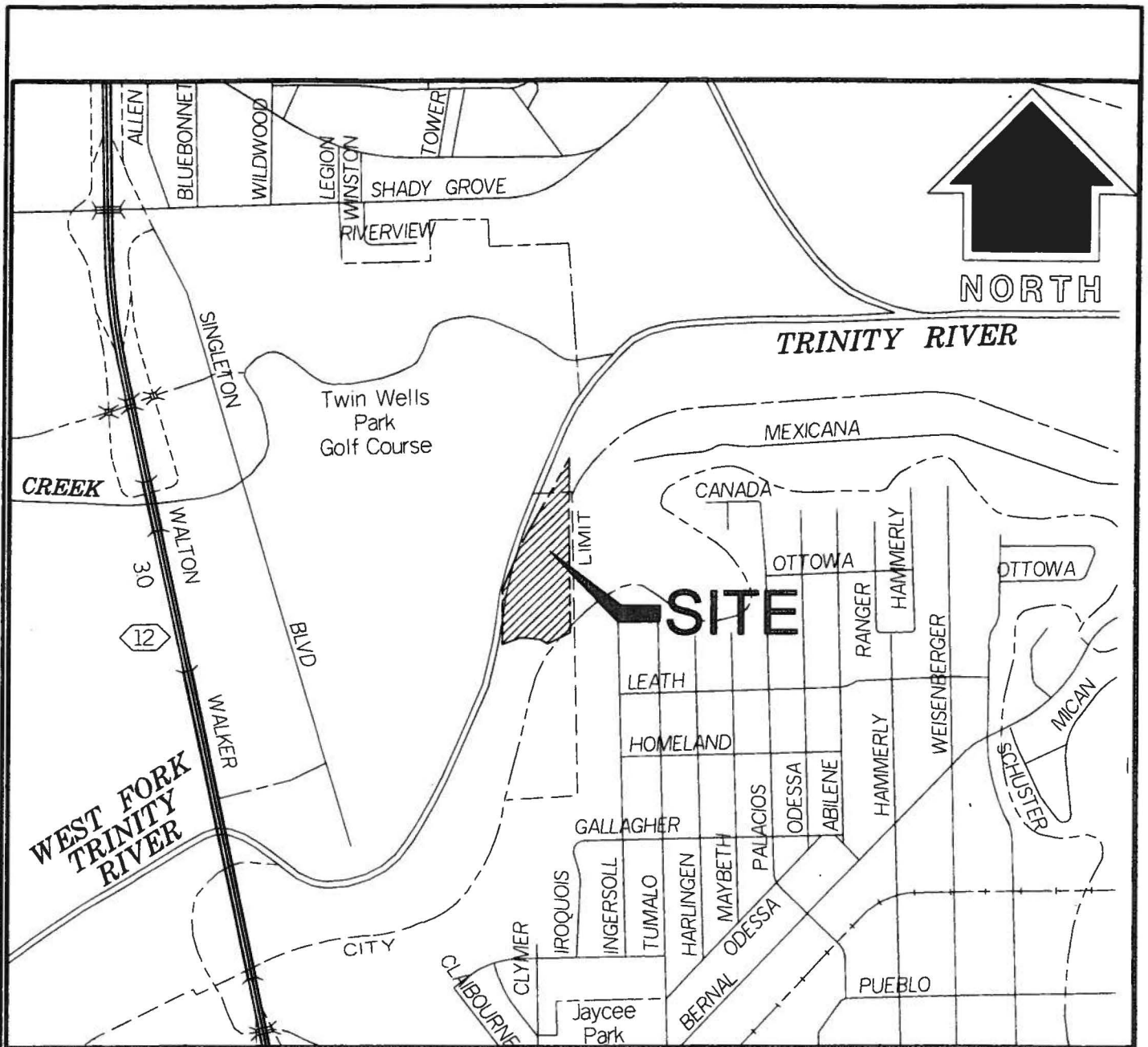
OWNER

City of Irving

MAPS

Attached





AREA TO BE ACQUIRED

May 14, 2014

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

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

"CITY": The City of Dallas.

"PROPERTY": Approximately 20 acres of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Dallas Floodway

"USE": The use and maintenance of the Dallas Levee together with such appurtenant facilities as may be necessarily provided.

"PROPERTY INTEREST": Fee Simple

"OWNER": City of Irving, 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.

"OFFER AMOUNT": \$36,700.00

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

"AUTHORIZED AMOUNT": \$39,700.00

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

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

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

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Sustainable Development and Construction Department, Real Estate Division, or such person as he/she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

May 14, 2014

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, 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 OFFER AMOUNT payable out of the Flood Protection and Storm Drainage Facilities Fund: Fund No. BT23, Department TWM, Unit P646, Activity TRPP, Program No. TW06P646, Object 4210, Encumbrance No. CT-TWM06P646F1. CLOSING COSTS AND TITLE EXPENSES payable out of the Flood Protection and Storm Drainage Facilities Fund: Fund No. BT23, Department TWM, Unit P646, Activity TRPP, Program No. TW06P646, Object 4230, Encumbrance No. CT-TWM06P646F2. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. 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 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

May 14, 2014

SECTION 10. That in the event the City Attorney files a condemnation proceeding because the OWNER refused to accept the OFFER AMOUNT; and in the event the special commissioners appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit for the amount awarded by the special commissioners; and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the special commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council; and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$3,000.00 for Closing Costs and Title Expenses in favor of the title company closing the transaction described herein. The Award, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 11. 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

FIELD NOTES DESCRIBING PARCEL 3001
19.84 ACRES (864,397 SQUARE FEET) TO BE ACQUIRED FROM
THE CITY OF IRVING, TEXAS
FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,
IN THE J. B. EARHART SURVEY, ABSTRACT NUMBER 436
AND THE HEIRS OF BENJAMIN KEIFER SURVEY, ABSTRACT NO. 718,
CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 19.84 acre (864,397 square feet) tract of land situated in the J. B. Earhart Survey, Abstract Number 436 and the Heirs of Benjamin Keifer Survey, Abstract Number 718, City of Irving and City of Dallas, Dallas County, Texas, and being part of Lot 1, Block A of Twin Wells Golf Course, an addition to the City of Irving, Dallas County, Texas, as recorded in Volume 87138, Page 4320 of the Deed Records of Dallas County, Texas, (D.R.D.C.T.), and being part of that called 69 acre tract of land described as Tract One in Warranty Deed to the City of Irving, Texas, as recorded in Volume 4549, Page 416, D.R.D.C.T., and being part of that called 187.40 acre tract of land described in General Warranty Deed to the City of Irving, Texas, as recorded in Volume 72203, Page 0277, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a found concrete monument for the common southeast corner of said J. B. Earhart Survey, the northeast corner of the M. B. Reynolds Survey, Abstract Number 1227 and the most westerly northwest corner of Joe Irwin No. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 10, Page 165 of the Map Records of Dallas County, Texas (M.R.D.C.T.), said point being the intersection of the north right-of-way line of Bickers Street (a 50 foot wide right-of-way) with the west right-of-way line of Iroquois Street, formerly known as Matthews Avenue, (a 60 foot wide right-of-way), from which point a found 24-inch Elm tree marked "X" bears North 09 degrees 38 minutes 06 seconds West, a distance of 13.89 feet;

THENCE North 00 degrees 42 minutes 00 seconds West, with the common east line of said J. B. Earhart Survey and the west line of the Edwin Reid Survey, Abstract Number 1212, a distance of 1,733.08 feet to the POINT OF BEGINNING, said point being on the former west bank of the West Fork of the Trinity River and on the east line of said 69 acre tract (unable to set);

THENCE South 64 degrees 16 minutes 49 seconds West, departing said common line and with the former west bank of said West Fork of the Trinity River and with the prolongation of the south line of said Lot 1, passing at a distance of 9.17 feet a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for witness, passing at a distance of 18.90 feet a point for the southeast corner of said Lot 1, and continuing in all, a total distance of 274.50 feet to 1/2-inch set iron rod with cap for corner;

THENCE North 60 degrees 37 minutes 11 seconds West, continuing with the former west bank of said West Fork of the Trinity River and the south line of said Lot 1, a distance of 82.70 feet to a 1/2-inch set iron rod with cap for corner;

FIELD NOTES O.
 Diana E. Roberts 8-3-11

**FIELD NOTES DESCRIBING PARCEL 3001
19.84 ACRES (864,397 SQUARE FEET) TO BE ACQUIRED FROM
THE CITY OF IRVING, TEXAS
FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,
IN THE J. B. EARHART SURVEY, ABSTRACT NUMBER 436
AND THE HEIRS OF BENJAMIN KEIFER SURVEY, ABSTRACT NO. 718,
CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS**

THENCE North 83 degrees 51 minutes 11 seconds West, continuing with the former west bank of said West Fork of the Trinity River and the south line of said Lot 1, a distance of 195.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 70 degrees 03 minutes 49 seconds West, continuing with the former west bank of said West Fork of the Trinity River and the south line of said Lot 1, passing at a distance of 49.11 feet a 1/2-inch set iron rod with cap for witness, and continuing in all, a total distance of 202.10 feet to a point for corner lying in the waters of the relocated channel of said West Fork of the Trinity River (unable to set);

THENCE North 00 degrees 03 minutes 21 seconds West, departing the former west bank of said West Fork of the Trinity River and the south line of said Lot 1, a distance of 576.90 feet to a point for corner lying in the waters of the relocated channel of said West Fork of the Trinity River (unable to set);

THENCE North 22 degrees 43 minutes 02 seconds East, a distance of 538.24 feet to a point for corner lying in the waters of the relocated channel of said West Fork of the Trinity River (unable to set);

THENCE North 28 degrees 26 minutes 18 seconds East, a distance of 977.34 feet to a point for corner lying in the waters of the said West Fork of the Trinity River, said point being on the east line of said Lot 1 (unable to set);

THENCE South 00 degrees 18 minutes 45 seconds East, departing the waters of the relocated channel of said West Fork of the Trinity River and with the east line of said Lot 1, passing at a distance of 310.45 feet a 1/2-inch set iron rod with cap for witness, and continuing in all, a total distance of 732.87 feet to 1/2-inch set iron rod with cap for an angle point in the east line of said Lot 1;

THENCE South 05 degrees 18 minutes 02 seconds East, departing the east line of said Lot 1, a distance of 167.21 feet to a point for the common southeast corner of said Heirs of Benjamin Keifer Survey, the northeast corner of said J. B. Earhart Survey, the southwest corner of said Radcliff Platt Survey and the northwest corner of said Edwin Reid Survey (unable to set);

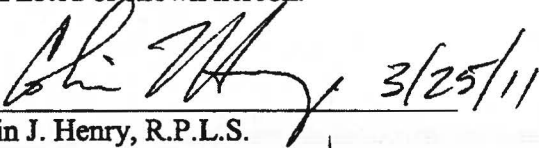
THENCE South 00 degree 42 minutes 00 seconds East, with the common east line of said 69 acre tract, same being the east line of said J.B. Earhart Survey and the west line of said Edwin Reid Survey, a distance of 906.92 feet to the POINT OF BEGINNING AND CONTAINING 864,397 square feet or 19.84 acres of land, more or less.

**FIELD NOTES DESCRIBING PARCEL 3001
19.84 ACRES (864,397 SQUARE FEET) TO BE ACQUIRED FROM
THE CITY OF IRVING, TEXAS
FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,
IN THE J. B. EARHART SURVEY, ABSTRACT NUMBER 436
AND THE HEIRS OF BENJAMIN KEIFER SURVEY, ABSTRACT NO. 718,
CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS**

Basis of Bearing is defined by NAD 83 (NSRS2007) Texas State Plane North Central Zone 4202 as observed by VRS RTK GPS from City of University Park control station DUNP. Convergence angle at "DUNP" is +00 degrees 56 minutes 34.23759 seconds. Combined Surface Adjustment Scale Factor = 1.000136506

Surveyor's Certification

This plat of survey was prepared under my supervision as surveyed on the ground on October 28, 2009. Items in Schedule B of the Title Commitment GF#10R32970 CR7, issued by First American Title Insurance Company November 2, 2010, effective October 10, 2010, have either been noted or shown hereon.


Colin J. Henry, R.P.L.S.
Registered Professional Land Surveyor
State of Texas Number 5230



PARCEL 3001
19.84 ACRES (864,397 SQUARE FEET) TO BE ACQUIRED FROM
THE CITY OF IRVING, TEXAS
FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,
IN THE J. B. EARHART SURVEY, ABSTRACT 436 AND THE HEIRS
OF BENJAMIN KEIFER SURVEY, ABSTRACT NO. 718
CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS

SHADY GROVE ROAD

RADCLIFF PLATT
SURVEY,
ABSTRACT NO. 1141

HEIRS OF BENJAMIN
KEIFER SURVEY,
ABSTRACT NO. 718

(3001)
(OWNER)
THE CITY OF IRVING, TEXAS
TRACT ONE
VOL. 4549, PG. 416
D.R.D.C.T.
(CALLED 69 AC.)
CITY OF IRVING, TEXAS
VOL. 72203, PG. 0277
D.R.D.C.T.
(CALLED 187.40 AC.)

LOT 1, BLOCK A OF
TWIN WELLS GOLF COURSE
VOL. 87138, PG. 4320
D.R.D.C.T.
864,397 SQ. FT.
OR
19.84 ACRES

J. B. EARHART SURVEY,
ABSTRACT NO. 436

M. B. REYNOLDS SURVEY,
ABSTRACT NO. 1227

0 500 1000 1500 2000

SCALE: 1"=1000'

NOTE: SEE PAGE 5 OF 5
FOR DETAIL "A" AND
OWNERSHIP

LEGEND

()	RECORD CALLS
○	1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF" (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
U.T.S.	UNABLE TO SET
FIR	FOUND IRON ROD
MR.D.C.T.	MAP RECORDS DALLAS COUNTY TEXAS
D.R.D.C.T.	DEED RECORDS DALLAS COUNTY TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS

PARCEL 3001
19.84 ACRES (864,397 SQUARE FEET) TO BE ACQUIRED FROM
THE CITY OF IRVING, TEXAS
FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,
IN THE J. B. EARHART SURVEY, ABSTRACT 436 AND THE HEIRS
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CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS



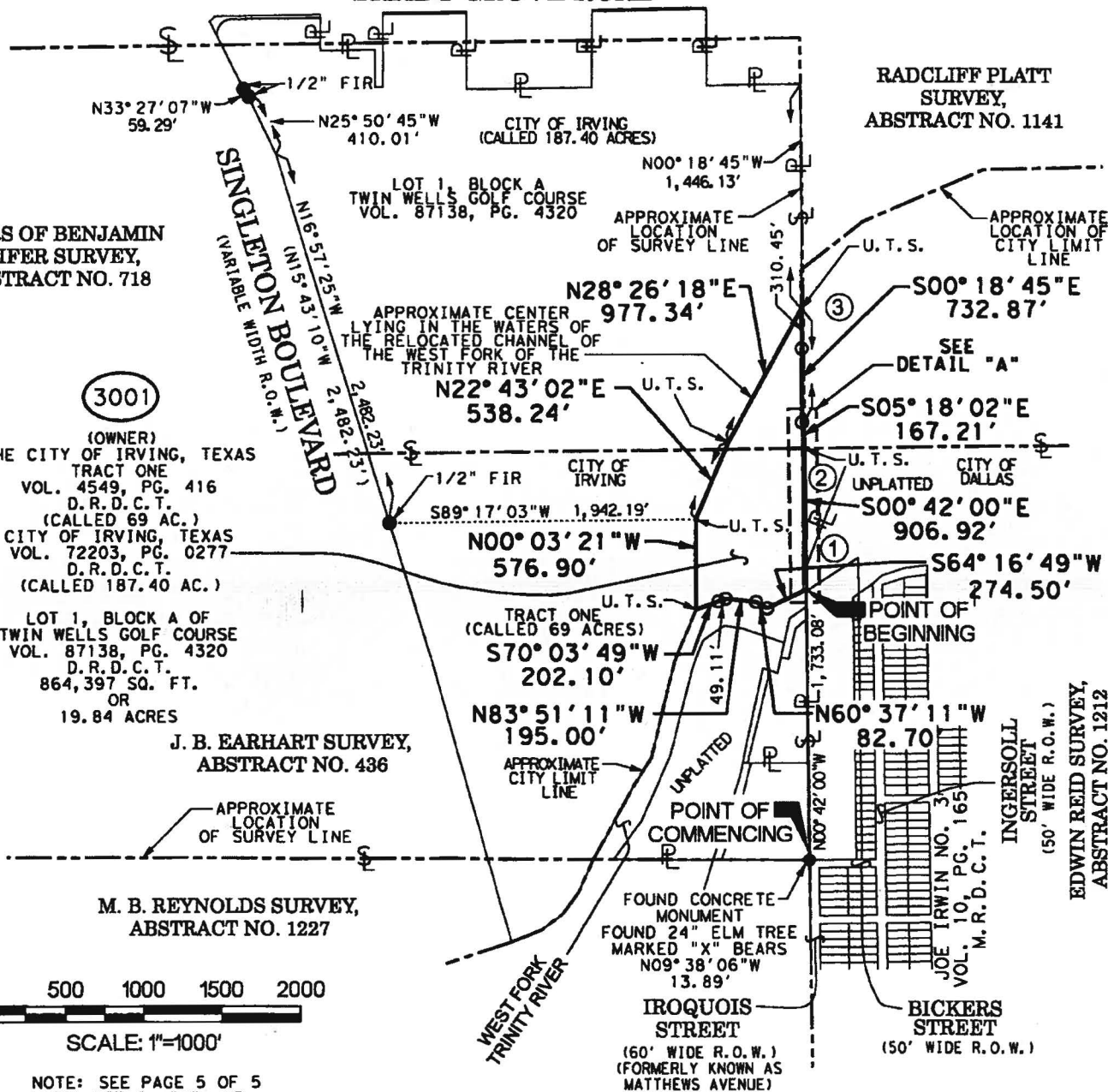
HALFF

TBPE FIRM #F-312
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214) 346-6200 FAX (214) 739-0095

DATE: MAR. 2011

AVO.: 17826 W059

PAGE 4 OF 5



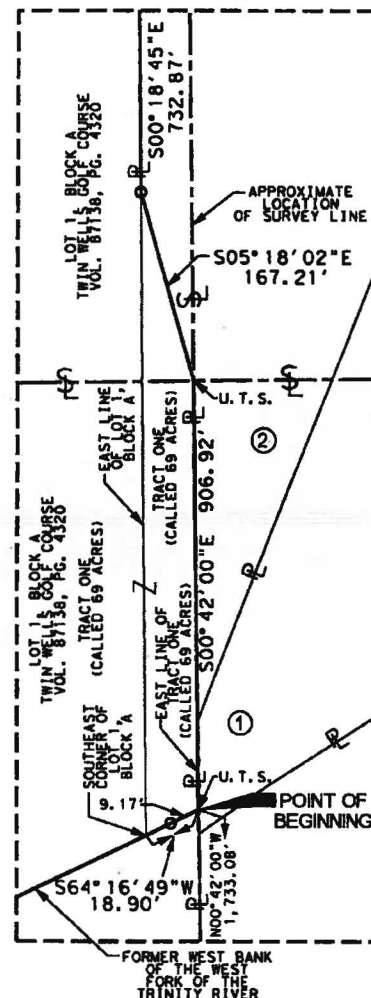
PARCEL 3001
19.84 ACRES (864,397 SQUARE FEET) TO BE ACQUIRED FROM
THE CITY OF IRVING, TEXAS
FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,
IN THE J.B. EARHART SURVEY, ABSTRACT 436 AND THE HEIRS
OF BENJAMIN KEIFER SURVEY, ABSTRACT NO. 718
CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS



NOTES

1. Basis of Bearing is defined as NAD 83 (NSRS2007) Texas State Plane North Central Zone 4202 as observed by VRS RTK GPS from City of University Park control station DUNP. Convergence angle at "DUNP" is +00 degrees 56 minutes 34.23759 seconds." Combined Surface Adjustment Scale Factor = 1.000136506.
2. The Easement to Texas Power & Light Company, as recorded in Volume 1484, Page 316, Deed Records of Dallas County, Texas, could not be located per record document.
3. The Easement to the City of Dallas and the County of Dallas Levee Improvement District, as recorded in Volume 1502, Page 238, Deed Records of Dallas County, Texas, could not be located per record document.
4. The Easement to Texas Power & Light Company, as recorded in Volume 1712, Page 253, Deed Records of Dallas County, Texas, could not be located per record document.
5. The Easement to Lone Star Gas Company, as recorded in Volume 1910, Page 455, Deed Records of Dallas County, Texas, could not be located per record document.
6. The Easement to Texas Power & Light Company, as recorded in Volume 2520, Page 143, Deed Records of Dallas County, Texas, could not be located per record document.
7. The Easement to Texas Power & Light Company, as recorded in Volume 3174, Page 49, Deed Records of Dallas County, Texas, could not be located per record document.
8. The Easement to Texas Power & Light Company, as recorded in Volume 77091, Page 2234, Deed Records of Dallas County, Texas, and as shown on plat recorded in Volume 87138, Page 4320, Deed Records of Dallas County, Texas, does not affect the subject property.
9. The mineral lease to Chesapeake Exploration Limited Partnership, as evidenced by Memorandum of Oil and Gas Lease recorded in Instrument Number 20070220425, Official Public Records of Dallas County, Texas, affects the subject tract.
10. The terms, provisions and conditions of lease recorded in Volume 89040, Page 1912, Deed Records of Dallas County, Texas affect the subject tract.
11. The terms, provisions and conditions of Permit to Appropriate State Water recorded in Volume 88031, Page 3866, Deed Records of Dallas County, Texas affect the subject tract.
12. The Affidavit to the public recorded in Volume 89036, Page 2309, Deed Records of Dallas County, Texas does not affect the subject property.
13. The Notice of former Use as Municipal Solid Waste Landfill recorded in Instrument Number 201000222720, Official Public Records of Dallas County, Texas does not affect the subject property.

DETAIL "A"
N. T. S.



①
 STERLING W. KENTY
 (2.82 ACRES PER DALLAS
 CENTRAL APPRAISAL DISTRICT)
 UNPLATTED

②
 DALLAS COUNTY LTD
 (4.2 ACRES PER DALLAS
 CENTRAL APPRAISAL DISTRICT)
 UNPLATTED

③
 CITY OF DALLAS
 (56.75 ACRES PER DALLAS
 CENTRAL APPRAISAL DISTRICT)
 UNPLATTED

PARCEL 3001
19.84 ACRES (864,397 SQUARE FEET) TO BE ACQUIRED FROM
THE CITY OF IRVING, TEXAS
FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,
IN THE J.B. EARHART SURVEY, ABSTRACT 436 AND THE HEIRS
OF BENJAMIN KEIFER SURVEY, ABSTRACT NO. 718
CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS



HALFF

TBPE FIRM #F-312
 1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
 TELE. (214) 346-6200 FAX (214) 739-0095

DATE: MAR. 2011

AVO.: 17826 W059

PAGE 5 OF 5

AGENDA ITEM # 37

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 14, 2014
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 47 T

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Common Ground Community Economic Development Corporation, of an unimproved tract of land containing approximately 32,311 square feet located on Barber Avenue near its intersection with Dixon Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$36,000 (\$33,000 plus closing costs and title expenses not to exceed \$3,000) – Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of an unimproved tract of land containing approximately 32,311 square feet from the Common Ground Community Economic Development Corporation. This property is located on Barber Avenue near its intersection with Dixon Avenue and will be used for the Mill Creek/Peaks Branch/ State Thomas Drainage Relief Tunnel Project. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

2006 Bond Funds - \$36,000 (\$33,000 plus closing costs and title expenses not to exceed \$3,000)

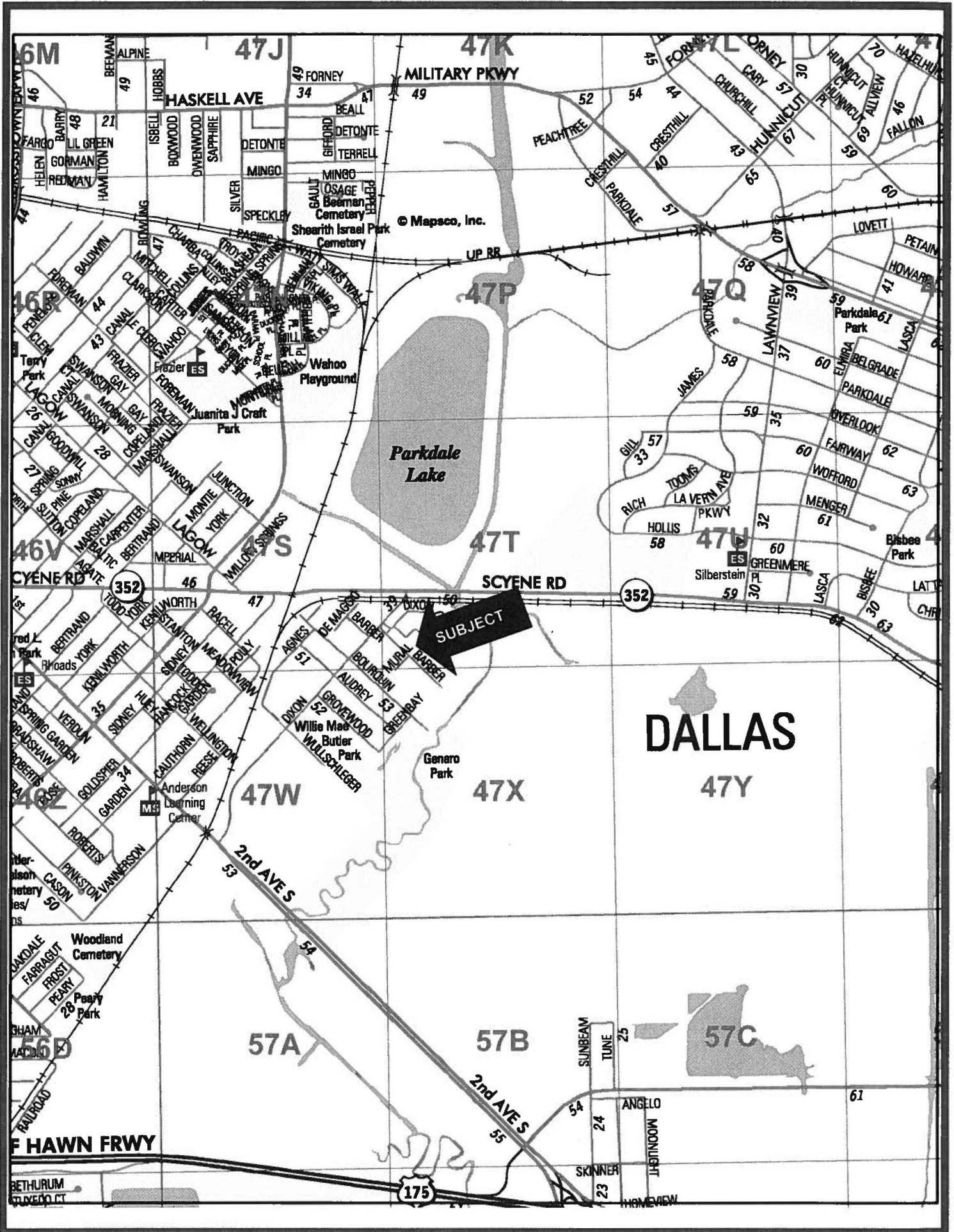
OWNER

Common Ground Community Economic Development Corporation

John F. Fullinwider, President

MAPS

Attached





May 14, 2014

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

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

"CITY": The City of Dallas.

"PROPERTY": Approximately 32,311 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel

"USE": The construction, installation, use, and maintenance of a realigned section of roadway, storm drainage inlet structure and connecting lines for the collection and transmission of storm drainage, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fee Simple

"OWNER": Common Ground Community Economic Development Corporation, 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.

"OFFER AMOUNT": \$33,000.00

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

"AUTHORIZED AMOUNT": \$36,000.00

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

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

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

May 14, 2014

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, 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 OFFER AMOUNT payable out of the Flood Protection and Storm Drainage Facilities Fund: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525H8. CLOSING COSTS AND TITLE EXPENSES payable out of the Flood Protection and Storm Drainage Facilities Fund: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525H9. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. 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.

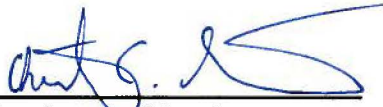
SECTION 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

May 14, 2014

SECTION 10. That in the event the City Attorney files a condemnation proceeding because the OWNER refused to accept the OFFER AMOUNT; and in the event the special commissioners appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit for the amount awarded by the special commissioners; and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the special commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council; and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$3,000.00 for Closing Costs and Title Expenses in favor of the title company closing the transaction described herein. The Award, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 11. 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

PROPERTY ACQUISITION

City of Dallas Drawing No. 423R-54 (Parcel 101)

EXHIBIT A

32,311 Sq. Ft. or 0.7417 Acres

Being a Part of Lots 2 and 3, City of Dallas Block 6/6122

South Dallas Gardens Addition

Thomas Lagow Survey, Abstract No. 759

City of Dallas, Dallas County, Texas

From Common Ground Community Economic Development Corporation

Being a 32,311 square feet or 0.7417 acre tract of land situated in the Thomas Lagow Survey, Abstract No. 759, in the City of Dallas, Dallas County, Texas, being part of Lots 2 and 3, Block 6 (Official City of Dallas Block Number 6/6122) of the South Dallas Gardens Addition, an Addition to the City of Dallas, Recorded by Plat in Volume 1, Page 448, of the Map Records of Dallas County, Texas, being all of that tract of land conveyed to Common Ground Community Economic Development Corporation, recorded in Volume 85101, Page 2973 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at an angle Iron found (Controlling Monument), being the most easterly corner of said Community tract, being the most easterly southeast corner of a tract of land conveyed to Stonewood Terrace Apartments, LTD, by Deed recorded in Volume 2001250, Page 5188 of the Official Public Records of Dallas County, Texas, being on the common west line of Lot 4, of said Block 6/6122, and the east line of said Lot 3, Block 6/6122, and being in the northwest line of a tract of land conveyed to the City of Dallas, by Deed recorded in Volume 86121, Page 106 of the Deed Records of Dallas County, Texas;

THENCE South 42°23'25" West, departing the common line of said Community tract and Stonewood tract and along the southeast line of said Community tract and said northwest line of said Dallas tract, same being said common line of Lots 3 and 4, Block 6/6122, a distance of 195.83 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in the northeast line of Barber Avenue (30' Right-of-Way) Dedicated by said South Dallas Gardens Addition, being the southeast corner of said Community tract, being the southwest corner of said Dallas tract, and being the common corner of said Lots 3 and 4, Block 6/6122;

THENCE North 45°49'30" West, with the common northeast line of said Barber Avenue and the southwest line of said Community Tract, and being the southwest line of said Block 6/6122, a distance of 167.36 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being the most westerly corner of said Community tract, being the most southerly corner of a tract of land conveyed to James Earl Teel and Mildred Teel, by Deed recorded in Volume 76159, Page 202 of the Deed Records of Dallas County, being in the northeast line of said Barber Avenue, and being in the southwest line of said Block 6/6122;

THENCE North 43°27'03" East, departing said northeast line of Barber Avenue and said southwest line of Block 6/6122, over and across said Lot 2, Block 6/6122 and with the common northwesterly line of said Community tract and the southeasterly line of said Teel tract, a distance of 194.63 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in the southwest line of said Stonewood tract, being the most easterly corner of said Teel tract, and being the most northerly corner of said Community tract;

THENCE South 46°12'54" East, along the common northeast line of said Community tract and the southwest line of said Stonewood tract, a distance of 163.72 feet, to the **POINT OF BEGINNING** and containing 0.7417 acres (32,311 square feet) of land, more or less.



FIELD NOTES APPROVED:

4-14-14 DER

PROPERTY ACQUISITION

EXHIBIT A

City of Dallas Drawing No. 423R-54 (Parcel 101)

32,311 Sq. Ft. or 0.7417 Acres

Being a Part of Lots 2 and 3, City of Dallas Block 6/6122

South Dallas Gardens Addition

Thomas Lagow Survey, Abstract No.759

City of Dallas, Dallas County, Texas

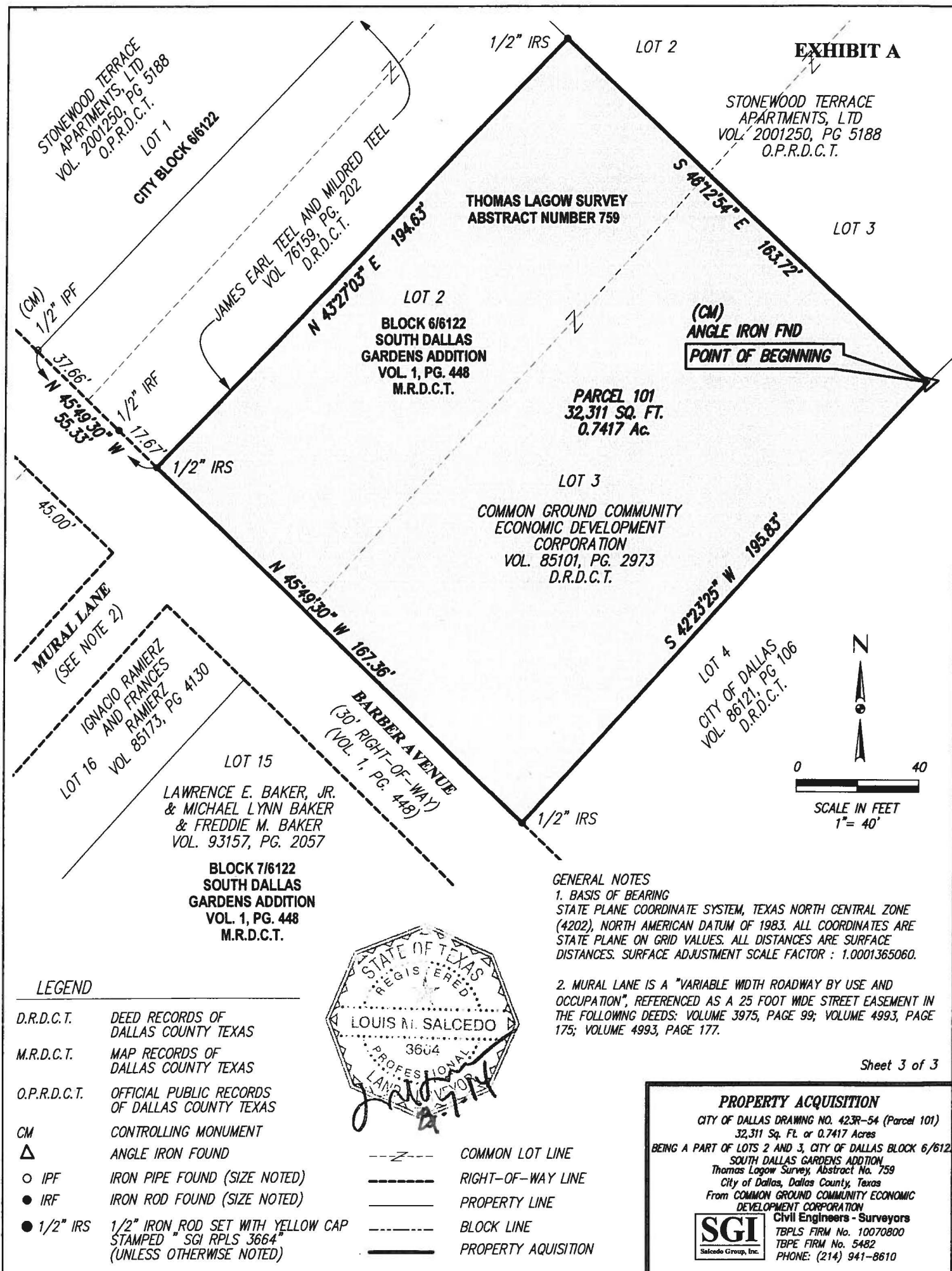
From Common Ground Community Economic Development Corporation

BASIS OF BEARING State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All Coordinates are State Plane on grid values. All Distances are Surface Distances. Surface Adjustment Scale Factor: 1.0001365060.



FIELD NOTES APPROVED:

over 4-14-14



KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 6

DEPARTMENT: Trinity Watershed Management
Public Works Department

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

MAPSCO: 22X

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the John G. Campbell Trust, of an unimproved tract of land containing approximately 4 acres located on Wildwood Drive near its intersection with California Crossing Road for the Elm Fork Flood Control Project - Not to exceed \$18,279 (\$16,079 plus closing costs and title expenses not to exceed \$2,200) – Financing: 1998 Bond Funds

BACKGROUND

This item authorizes the acquisition of an unimproved tract of land containing approximately 4 acres from the John G. Campbell Trust. This property is located on Wildwood Drive near its intersection with California Crossing Road and will be used as a floodway management area for the Elm Fork Flood Control Project. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

1998 Bond Funds - \$18,279 (\$16,079 plus closing costs and title expenses not to exceed \$2,200)

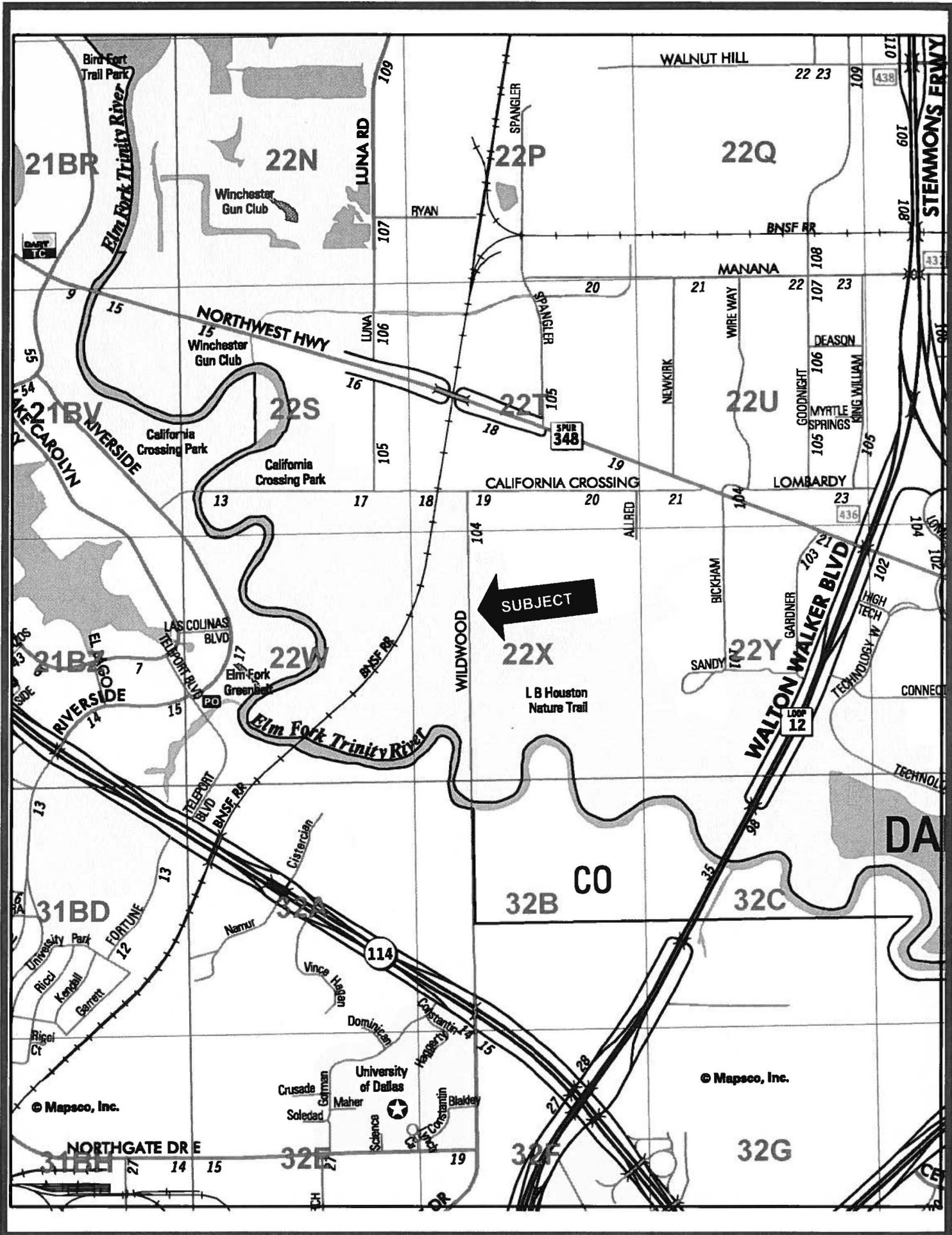
OWNER

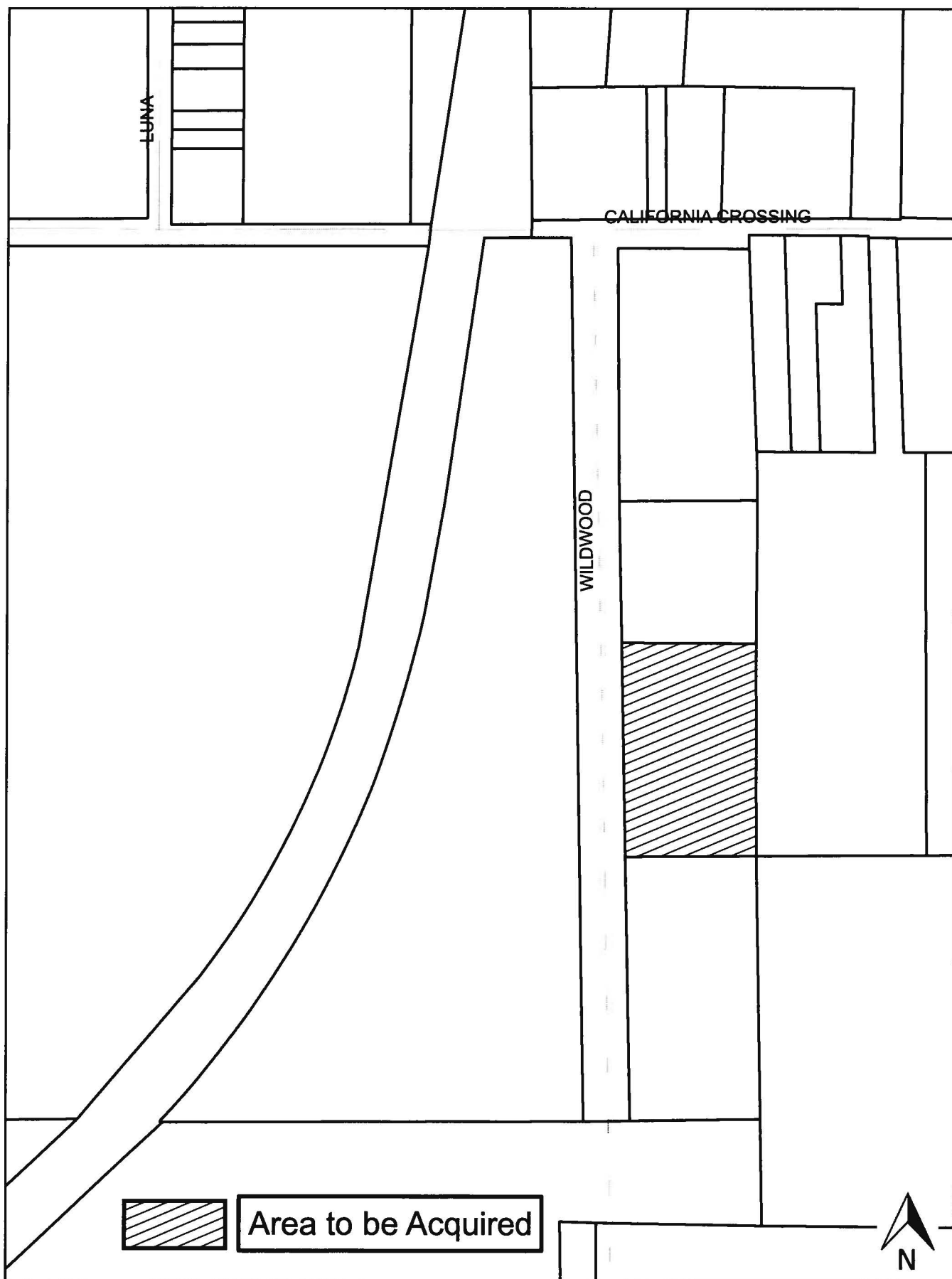
John G. Campbell Trust

John G. Campbell, Trustee

MAPS

Attached





May 14, 2014

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

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

"CITY": The City of Dallas.

"PROPERTY": Approximately 4 acres of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Elm Fork Flood Control Project

"USE": The construction, installation, use, and maintenance of a floodway management area, together with such appurtenant facilities as may be necessarily provided.

"PROPERTY INTEREST": Fee Simple

"OWNER": John G. Campbell Trust, 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.

"OFFER AMOUNT": \$16,079.00

"CLOSING COSTS AND TITLE EXPENSES ": Not to exceed \$2,200.00

"AUTHORIZED AMOUNT": \$18,279.00

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

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

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

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

May 14, 2014

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, 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 OFFER AMOUNT payable out of the Trinity River Corridor Project Fund: Fund No. 5P14, Department PBW, Unit N964, Activity TRPP, Program No. PB98N964, Object 4210, Encumbrance No. CT-PBW98N964H2. CLOSING COSTS AND TITLE EXPENSES payable out of the Trinity River Corridor Project Fund: Fund No. 5P14, Department PBW, Unit N964, Activity TRPP, Program No. PB98N964, Object 4230, Encumbrance No. CT-PBW98N964H3. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. 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 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

May 14, 2014

SECTION 10. That in the event the City Attorney files a condemnation proceeding because the OWNER refused to accept the OFFER AMOUNT; and in the event the special commissioners appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit for the amount awarded by the special commissioners; and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the special commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council; and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$2,200.00 for Closing Costs and Title Expenses in favor of the title company closing the transaction described herein. The Award, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 11. 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

**Field Notes Describing a 175,853 Square Foot (4.037 Acre) Tract of Land to Be
Acquired in City Block 8368 from John G. Campbell, Trust**

Being a 175,853 Sq. Ft. (4.037 Acres) tract of land situated in the Joshua McCants Survey, Abstract No. 934, City of Dallas, Dallas County, Texas, and being a portion of Block 8368, official City of Dallas Block Numbers, and being all of the land as conveyed to John G. Campbell, Trust by Quitclaim deed dated May 19, 2006 and recorded in Instrument No. 200600203952, Official Public Records, Dallas County, Texas (OPRDCT) and being more particularly described as follows:

BEGINNING at a ½" Iron Rod (controlling monument) found at the intersection of the east line of Wildwood Dr. (120' Right-of-Way) as conveyed to the County of Dallas by Warranty Deed dated April 14, 1954 and recorded in Volume 4032, Page 533, Deed Records, Dallas County, Texas (DRDCT) with the north line of said Campbell tract from which the intersection of the south line of California Crossing (Variable Width Right-of-Way) and the said east line of Wildwood Dr. bears North 00°58'29" West, a distance of 1069.62 feet; said iron rod also being at the northwest corner of the herein described tract;

THENCE North 89°32'11" East, departing the north line of said Wildwood Dr., and with the north line of said Campbell Tract, a distance of 364.86 feet to a 5/8" Iron Rod (controlling monument) found at the northeast corner of the herein described tract and in the west line of a tract of land conveyed to Joe Funk, Marshall Funk and Sandy Funk by Warranty Deed dated February 27, 1984 and recorded in Volume 84044, Page 3513, DRDCT, said west line also being the west line of the Greenbelt Industrial Park Addition, an addition to the City of Dallas recorded in Volume 72078, Page 2589, DRDCT;

THENCE South 1°35'20" East, with said west line of Funk Tract and Greenbelt Industrial Park Addition, a distance of 479.15 feet (476.63' deed) to a point (in pond – unable to monument) at the southeast corner of the herein described tract, said point also being the southwest corner of the said Funk Tract and the Greenbelt Industrial Park Addition and in the north line of a tract of land conveyed to the City of Dallas by Warranty Deed dated January 2, 1964 and recorded in Volume 221, Page 1797, DRDCT;

THENCE South 89°55'32" West, along the common line between the Campbell and City of Dallas tracts, passing at a distance of 294.25 feet, a ½" iron rod found at the southeast corner of a Dallas Power and Light easement dated February 17, 1979 and recorded in Volume 79075, Page 1333 and continuing for a total to distance of 370.06 feet (370.00' deed) to a rectangle rod found and the southwest corner of the herein described tract and lying in the east line of said Wildwood Dr.;

THENCE North 0°58'29" West, along the said east line of Wildwood Dr., a distance of 476.56 feet to the **POINT OF BEGINNING** and containing 175,853 square feet (4.037 acres) of land ;

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

END 1/2" IRON ROD

END 1/2" IRON ROD

WM. BABBITT SURVEY
ABSTRACT NO. 155

CALIFORNIA CROSSING

(VARIABLE WIDTH RIGHT-OF-WAY)

EXHIBIT A

JOSHUA MCCANTS SURVEY
ABSTRACT NO. 934



Sht. 2 of 2

CRI & G RR
VOL. 386, PG. 116

CITY OF DALLAS
Vol. 221, Pg. 1797
TR. 2

100' DP&L EASEMENT
Vol. 80253, Pg. 0301
TR. IV

BLOCK 8370

CITY OF DALLAS
Vol. 221, Pg. 1797
TR. 2



AREA TO BE ACQUIRED

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

WILDWOOD DR. (120' Width Right-of-Way)

POB
END 1/2" IRON ROD
C.M.

END RECT. IRON ROD
C.M.

COUNTY OF DALLAS
Vol. 4032, Pg. 533

WILDWOOD INDUSTRIAL CENTER ADDITION
Vol. 81115, Pg. 1198

Lot 1 BLOCK A/8368
SOUTHERN STAR CONCRETE
Vol. 2003145, Pg. 7294

F & F INVESTMENT
Vol. 84075, Pg. 2096

BLOCK 8368

175,853 Sq. Ft (4.037 Ac)
TO BE ACQUIRED

JOHN G. CAMPBELL, TRUST
INST. #200600203952

DP&L EASEMENT
Vol. 79075, Pg. 1333

END 1/2" IRON ROD

CITY OF DALLAS
Vol. 221, Pg. 1797
TR. 3

INTERNATIONAL SUPPLY
REALTY COMPANY
Vol. 85128, Pg. 3173

INTERNATIONAL SUPPLY
REALTY COMPANY
Vol. 93201, Pg. 1398

STOCKWEATHER A GRANT
Vol. 97241, Pg. 5138

GREENBELT INDUSTRIAL PARK ADDITION
Vol. 72078, Pg. 2529

Lot 1 BLOCK 8367

JOE FUNK (50%)
MARSHALL FUNK (40%)
SANDY FUNK (10%)
Vol. 84044, Pg. 3513

END 5/8" IRON ROD
C.M.

UNABLE TO MONUMENT

100' DP&L EASEMENT
Vol. 80253, Pg. 0301
TR. III



JOHN G. CAMPBELL, TR.

Block 8368

AREA TO BE ACQUIRED BY CITY OF DALLAS

DEPT. OF PUBLIC WORKS & TRANSPORTATION

SURVEY DIVISION CITY OF DALLAS, TEXAS

OPERNAME	DESIGN FILE NAME	SCALE	DATE
D. Copeland	16\ENGR\SURVEY\COPELAND\Final\DAIRY Field Notes.dgn	As Noted	4-04-2014
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
D. Copeland	D. Copeland	Block 8368	

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 65D

SUBJECT

Authorize a housing development loan in an amount not to exceed \$900,000 with Dallas Area Habitat for Humanity, Inc. (DAHFH), a non-profit developer, for construction of thirty affordable single family homes for the Jimmy & Rosalynn Carter project to be located on Exeter, Wilhurt, Landrum, and Custer Streets – Not to exceed \$900,000 - Financing: 2013-14 HOME Investment Partnership Program Grant Funds (\$300,000) and FY 13-14 HOME Program Income #1 (\$600,000)

BACKGROUND

DAHFH has been incorporated as a nonprofit developer in Dallas County since 1986. During this time, they have built over 1,200 homes investing over \$120M and recruited over 12,000 volunteers. They serve a target population of families at or below 60% AMFI.

In February 2014, Dallas Area Habitat for Humanity, Inc. submitted a proposal to the City of Dallas requesting gap financing of \$900,000 for the development of 30 single family affordable housing units for low and moderate income families at or below 60% AMFI.

In partnership with Pioneer Natural Resources, DAHFH plans to revitalize the Oak Cliff Gardens-Lisbon Heights Neighborhood, to include land acquisition (including nuisance properties), demolition, new construction, and home repair (Brush of Kindness Program).

The proposed new construction of single family homes will be part of the scheduled nationally recognized Jimmy & Rosalynn Carter build-out in October 2014. The homes will be 3 to 4 bedroom, 1,200 to 1,400 square feet, priced between \$85,000 - \$92,500, and located on Exeter, Wilhurt, Landrum, and Custer Streets.

BACKGROUND (continued)

The FY 2013-14 HOME Investment Partnership Program Funds (HOME) from the Department of Housing and Urban Development (HUD) would be utilized for this project which the City Council appropriated for housing developments such as this. The City of Dallas will provide gap construction financing for the units to be built and sold to eligible low and moderate income families. Habitat will leverage approximately \$3M with City funds to complete this build-out. The construction work will be completed within two years with occupancy within the same year.

City Council approval of this agenda item will authorize the City Manager to execute the loan documents with DAHFH for these HOME Funds, subject to environmental review by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, the City Council approved the City of Dallas Consolidated Plan Budget for FY 2013-14 federal funds which included the HOME Investment Partnership Funds, CHDO Development Loans, by Resolution No. 13-1142.

On April 21, 2014, the Housing Committee was briefed on the Dallas Area Habitat for Humanity, Inc. Jimmy & Rosalynn Carter Work Project.

FISCAL INFORMATION

2013-14 – HOME Investment Partnership Program Grant Funds - \$300,000
FY 13-14 HOME Program Income #1 - \$600,000

OWNERS

Dallas Area Habitat for Humanity, Inc.

William Hall, Chief Executive Officer

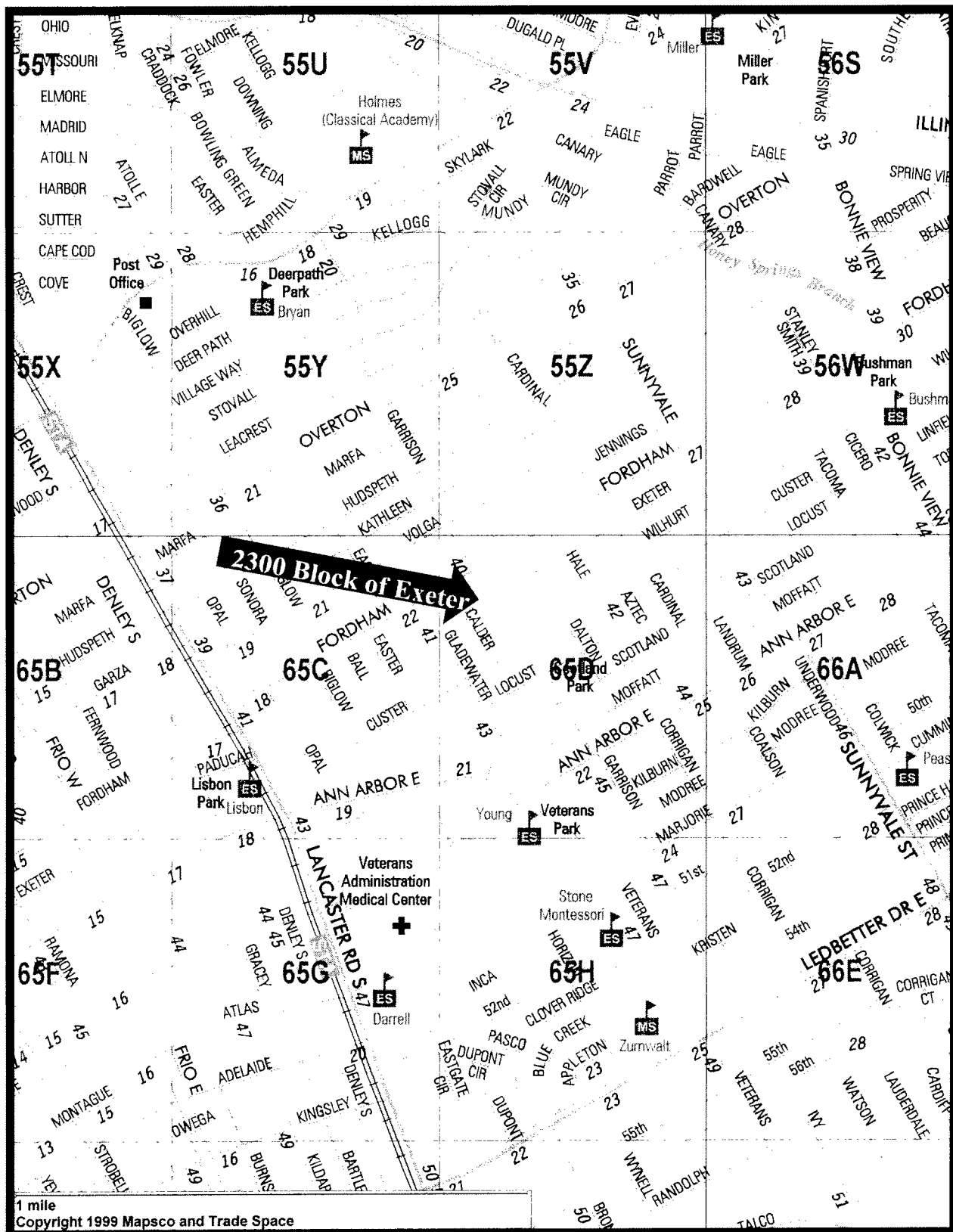
DEVELOPER

Dallas Area Habitat for Humanity, Inc.

William Hall, Chief Executive Officer

MAP

Attached



MAPSCO 65D

May 14, 2014

WHEREAS, affordable housing for low and moderate income families is a high priority of the City of Dallas; and

WHEREAS, on June 26, 2013, the City Council approved the FY 2013-14 Consolidated Plan Budget which included the HOME Investment Partnership Program, CHDO Development Loan funds, by Resolution No. 13-1142; and

WHEREAS, on April 21, 2014, the Housing Committee was briefed on the Dallas Area Habitat for Humanity, Inc. Jimmy & Rosalynn Carter Work Project for \$900,000; and

WHEREAS, Dallas Area Habitat for Humanity, Inc. proposed to work with the City of Dallas to undertake the development of 30 affordable single family units on Exeter and Custer Streets; and

WHEREAS, the City desires for Dallas Area Habitat for Humanity, Inc. to develop affordable single family units for low and moderate income families; **NOW, THEREFORE**,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a housing development loan in an amount not to exceed \$900,000 with Dallas Area Habitat for Humanity, Inc., a certified nonprofit organization, for the development of 30 affordable single family homes to be located on Exeter, Wilhurl, Landrum, and Custer Streets.

Section 2. The terms of the loan agreement include:

- (a) Dallas Area Habitat for Humanity, Inc. must execute a deed of trust and a note payable to the City of Dallas for \$900,000 for the loan.
- (b) Dallas Area Habitat for Humanity, Inc. will execute a lien through a Deed of Trust for a 10-year term for the affordable units.
- (c) Dallas Area Habitat for Humanity, Inc. will have two (2) years to fully complete the project.
- (d) Dallas Area Habitat for Humanity, Inc. must build and occupy the affordable units to low and moderate income families with incomes at or below 60% of area median family income.
- (e) Upon completion of each home, Dallas Area Habitat for Humanity, Inc. will be released of a prorated indebtedness and each homebuyer will assume a ten year deed restriction to ensure affordability.
- (f) The City will subordinate its lien and deed of trust to Dallas Area Habitat for Humanity, Inc. financing.

May 14, 2014

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the property upon compliance with the loan terms and deed restrictions.

Section 4. That the City Controller is hereby authorized to disburse funds in accordance with this resolution and the terms and conditions of the loan agreement as follows:
Dallas Area Habitat for Humanity, Inc. Vendor VC0000002756

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>CT</u>	<u>AMOUNT</u>
HM13	HOU	233F	3015	HOU310FG112	\$300,000
13M1	HOU	310F	3015	HOU310FG112	\$600,000

Section 5. That the City Controller is hereby authorized to modify receivable balance sheet account 033F and an allowance for uncollectible debt 022D in funds HM13, 13M1 for the amount of the loan.

Section 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loan, until such time as the loan documents are duly approved by all parties and executed.

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.

AGENDA ITEM # 40

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 14, 2014
COUNCIL DISTRICT(S): 6
DEPARTMENT: Sustainable Development and Construction
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 11 A-D

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned an A(A) Agricultural District south of East Belt Line Road and west of South Northlake Road

Recommendation of Staff and CPC: Approval
Z134-163(LHS)

FILE NUMBER: Z134-163(LHS)

DATE FILED: February 18, 2014

LOCATION: South of East Belt Line Road and west of South North Lake Road

COUNCIL DISTRICT: 6

MAPSCO: 11A-D

SIZE OF REQUEST: Approx. 22.8 acres

CENSUS TRACT: 141.27

REPRESENTATIVE: Robert Baldwin

APPLICANT/OWNER: Henry Land, Ltd.; CW Shoreline Land, Ltd.; Trammell Crow Company No. 43, Ltd.

REQUEST: An application for an R-5(A) Single Family District on property zoned an A(A) Agricultural District.

SUMMARY: The property is proposed to be developed with a single-family development with lots having a minimum lot size of 5,000 square feet. The area could provide for approximately 130 lots.

CPC RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to conditions based upon:

1. *Performance impacts upon surrounding property (lighting, noise, odor, etc.)* – The proposed rezoning to single-family is compatible with surrounding uses in the area and will have no negative impacts.
2. *Traffic impact* – The increased traffic will create the need for roadway improvements along South North Lake Road.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is inconsistent with the Business Centers or Corridors Building Block for this property. However, staff does not oppose the request given the site constraints surrounding the property.

Surrounding Zoning History:

1. Z090-103 On June 23, 2010, PD 741 was expanded and amended to incorporate the subject site denoted on the Zoning History Map.
2. Z134-122 On April 3, 2014, the City Plan Commission recommended approval to rezone approximately 6.2 acres from A(A) to R-5(A) submitted by the same applicant of the subject request.

Background:

- The northern boundary of the subject site forms the city limit boundary line with Coppell.
- The subject site is part of the Cypress Waters Tax Increment Financing (TIF) District. The TIF Plan identifies the subject site as “Future Development” with no specific land use assumptions.

Thoroughfares/Streets:

Belt Line Road is the nearest major access point for this property. South North Lake Road is being improved to provide access to this development.

The developer will be responsible for necessary right-of-way if needed, and funding for possible construction and re-striping of the North Lake Road approach at the intersection with Belt Line Road to provide two approach lanes — one lane for left turns and an exclusive lane for right-turn maneuvers onto Belt Line Road subject to Transportation Section of the Street Department approval.

Water/Sewer:

The City of Dallas has no immediate plans to provide service to this tract.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas!* Plan designates this area as a Business Centers or Corridors Building Block.

The Business Centers or Corridors Building Block represents major employment or shopping destinations outside of Downtown. Business Centers are usually at major intersections or along highways or major arterials and rely heavily on car access. These areas typically include high-rise office towers and low- to mid-rise residential buildings for condos or apartments and may include multifamily housing. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

The proposed request for suburban-style, single-family lots is inconsistent with this building block. However, due to a future alignment of a potential railroad line to the north and existing site constraints (creek, power lines, old substation) to the south of the subject site, staff is not opposed to a plan for lower-density housing at this location. The Comprehensive Plan foresaw that market conditions may dictate a different growth plan and zoning should be flexible to accommodate such.

Policy 2.1.1: Ensure that zoning is flexible enough to respond to changing economic conditions.

Planning for balanced growth in a dynamic economic environment calls for flexible zoning regulations to enable the City to respond to changing markets and to better facilitate development that aligns with economic priorities.

Land Use Compatibility:

The subject site is approximately 1,300 feet north of another request submitted by the same applicant and owner for R-5(A) zoning (Z134-122). If this request is granted, approximately 130 lots could be constructed. The property owners do not own the surrounding property between these requests. Therefore, it is not included in this rezoning.

The northern boundary of the subject site forms the city limit boundary line with Coppell. North of Belt Line in the City of Coppell is a flood plain and single-family residences.

The property to the south, City of Dallas, is zoned agriculture and was part of the TXU power plant's property. The power plant is no longer operational. However, the office to the west is operational.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed							
R-5(A) Single Family	20'	5'	1 Dwelling Unit / 5,000 sq. ft.	30'	45%	N/A	Single family
Existing							
A(A) Agricultural	50'	20"	1 Dwelling Unit / 3 acres	24'	10%, 25%	N/A	Single family, agricultural

Landscaping:

There subject site has sparse foliage. For single-family development, each lot will be required to have at least three trees with a caliper equal to or exceeding two inches. At least two of the trees must be located in the front yard.

CPC MINUTES – April 17, 2014

Motion: It was moved to recommend **approval** of an R-5(A) Single Family District on property zoned an A(A) Agricultural District, south of East Belt Line Road and west of South Northlake Road.

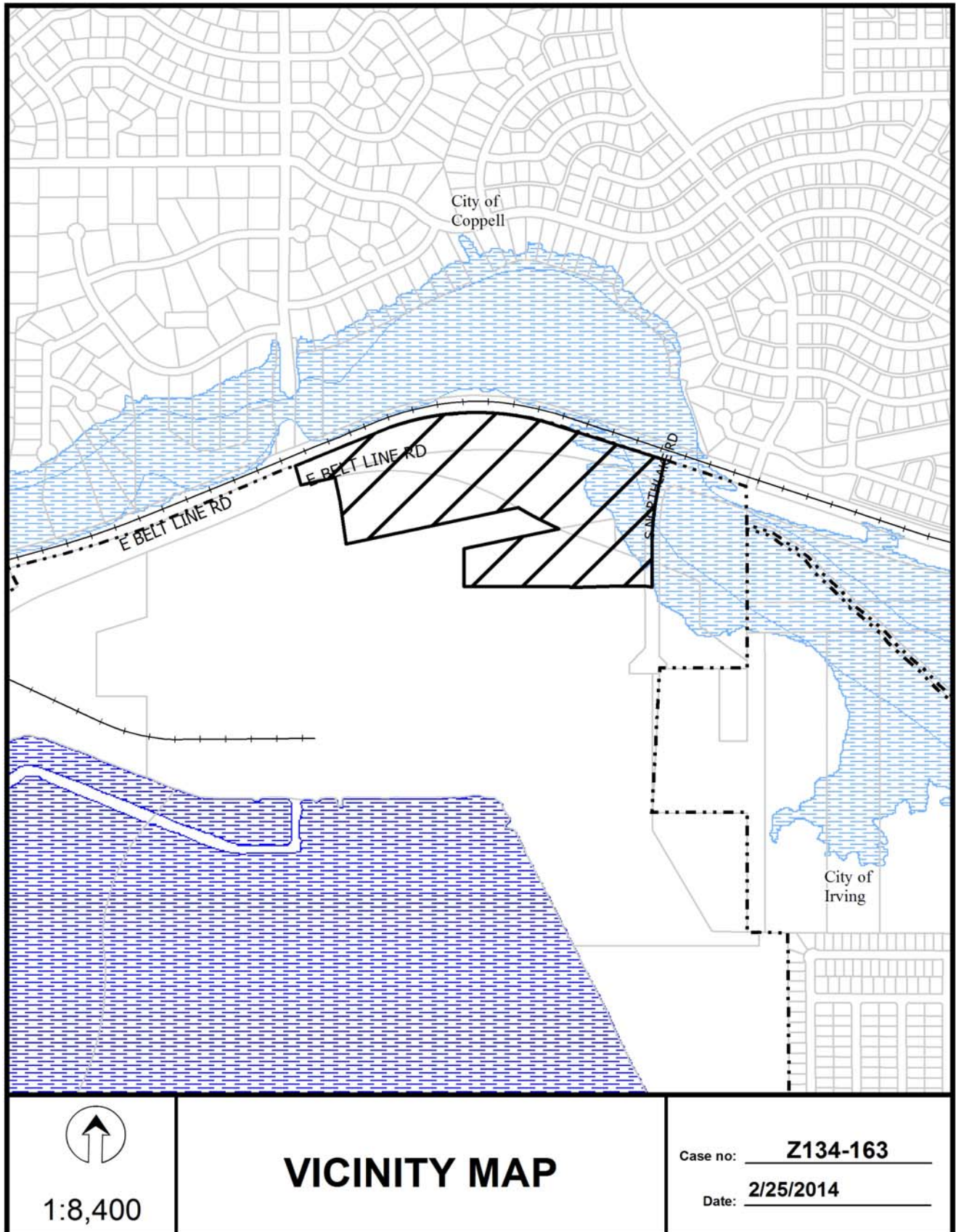
Maker: Anantasomboon
Second: Shidid
Result: Carried: 14 to 0

For: 14 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

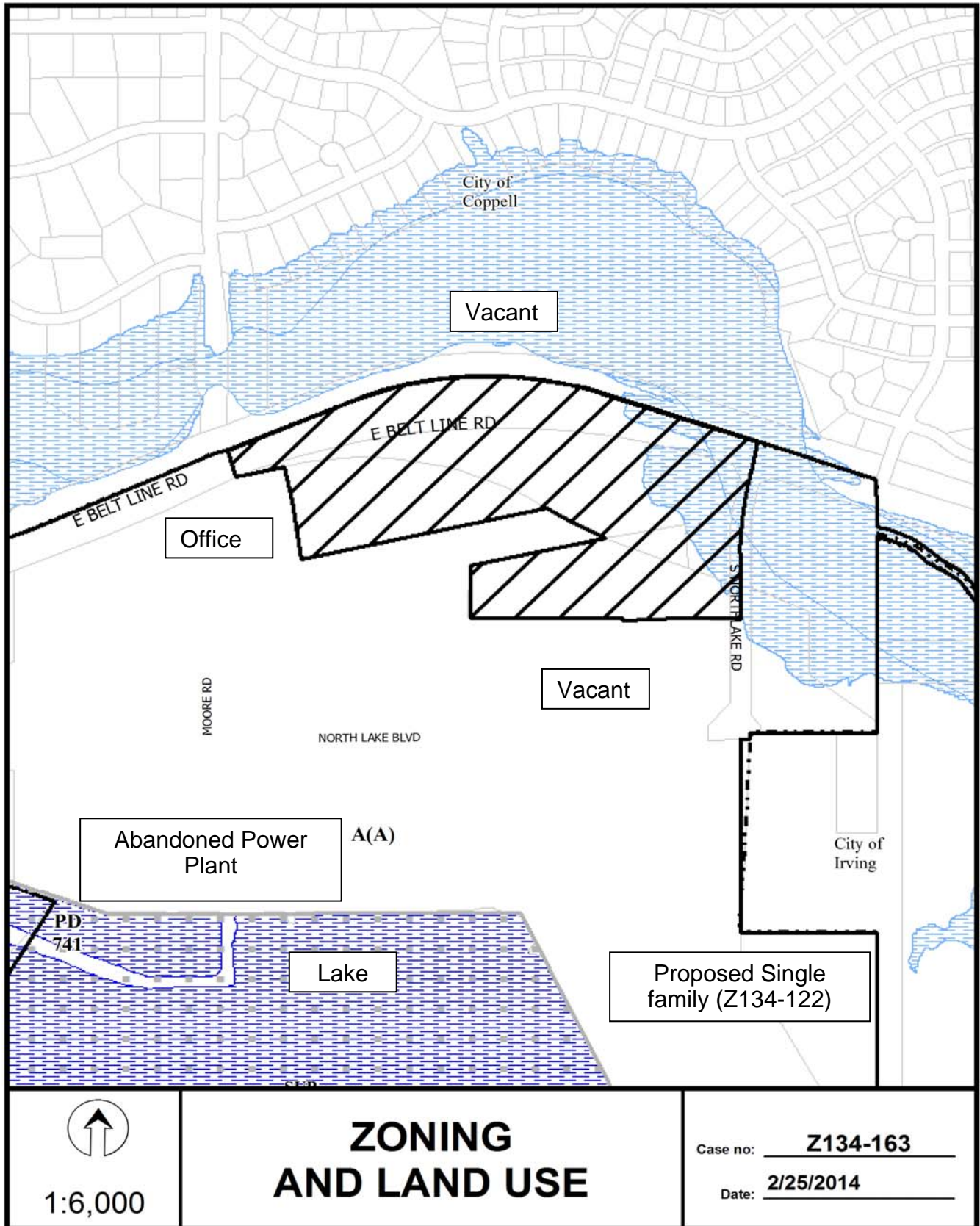
Against: 0
Absent: 1 - Schultz
Vacancy: 0

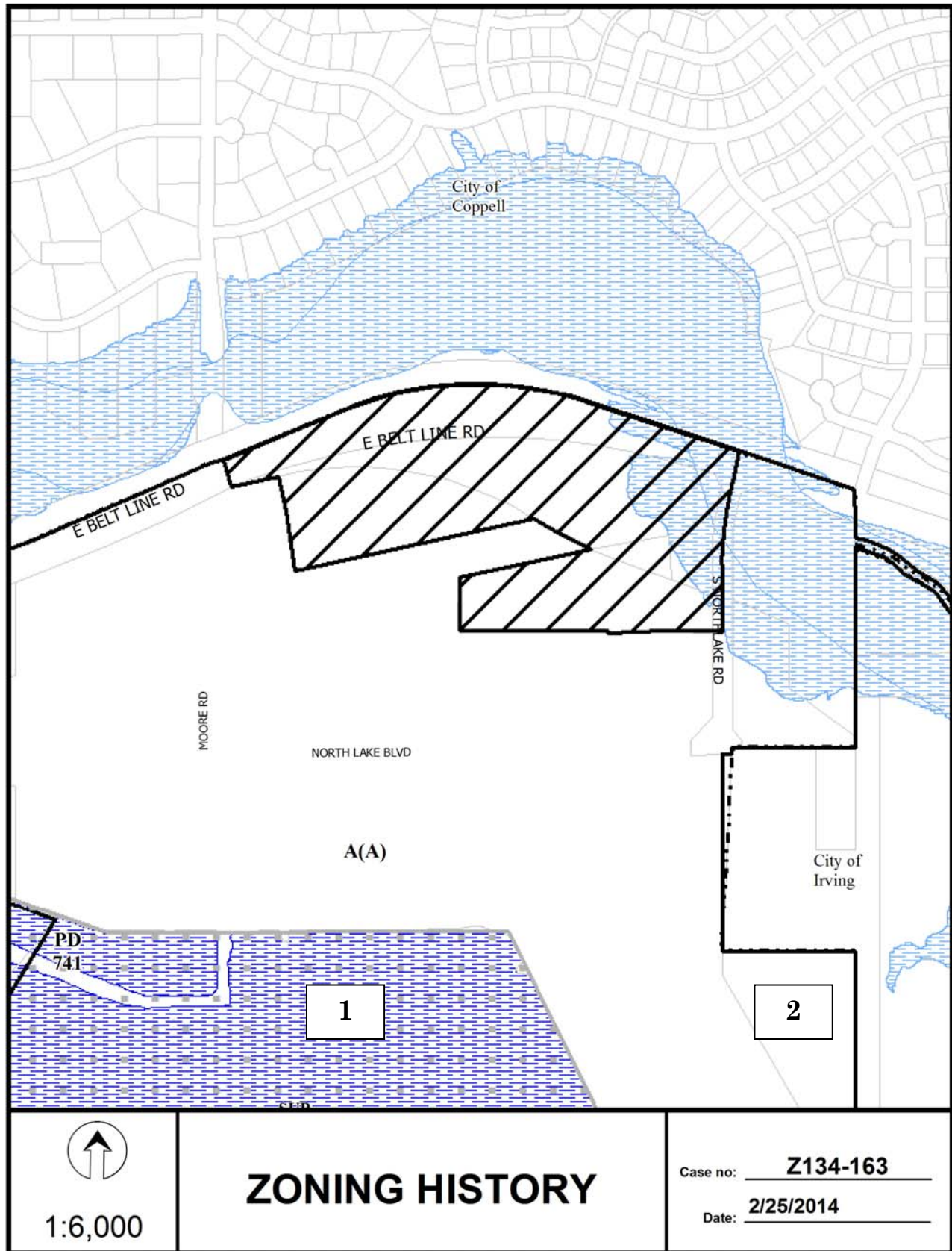
Notices: Area: 400 Mailed: 14
Replies: For: 0 Against: 3

Speakers: For (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

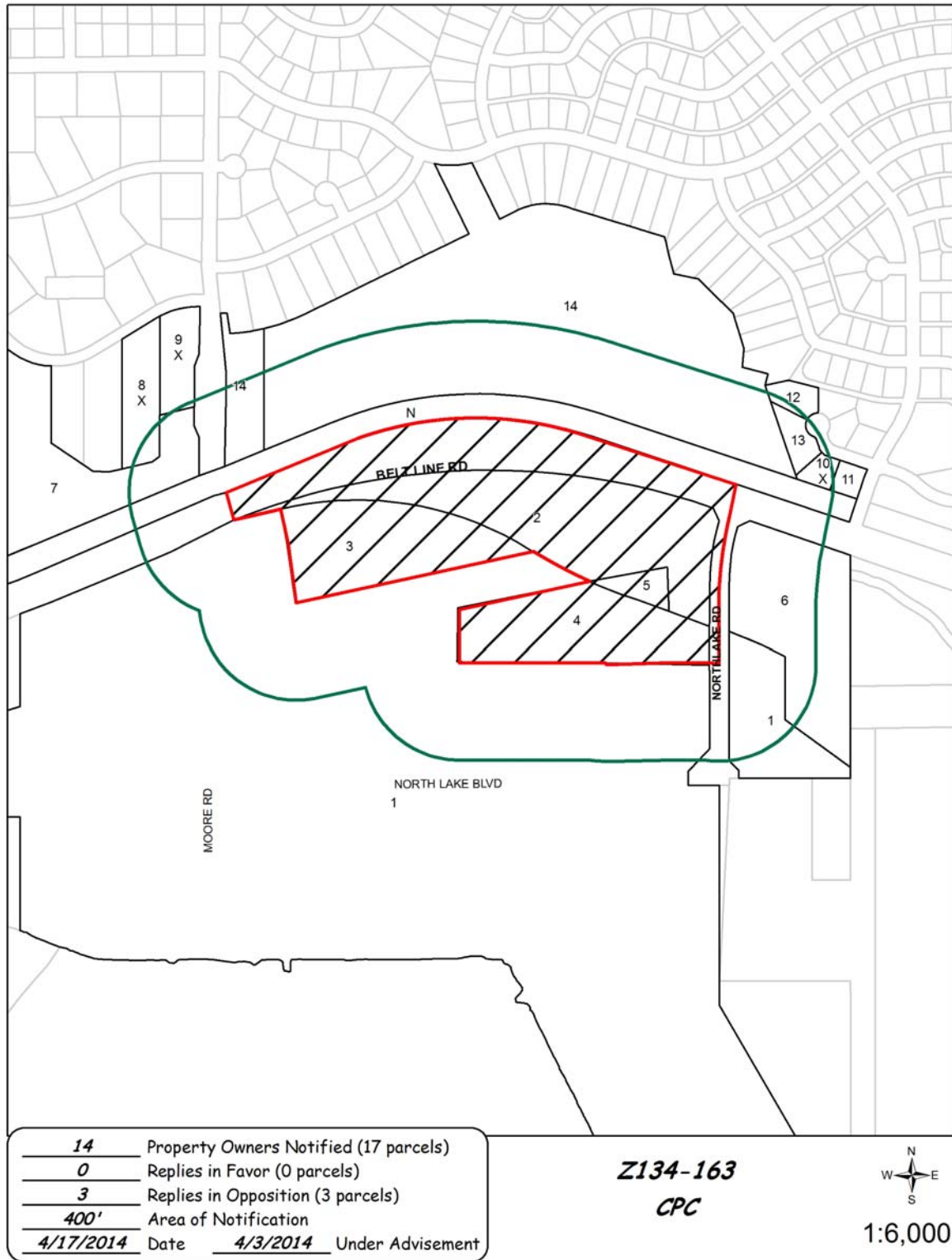








CPC Responses



Reply List of Property Owners

Z134-163

14 Property Owners Notified

0 Property Owners in Favor

3 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	14901 NORTH LAKE RD	LUMINANT GENERATION CO LLC
	2	14901 NORTH LAKE RD	CROW BILLINGSLEY 17
	3	700 BELT LINE RD	CW SHORELINE LAND LTD
	4	700 BELT LINE RD	CW SHORELINE LAND LTD
	5	708 BELT LINE RD	LUMINANT GENERATION CO LLC
	6	1403 NORTH LAKE RD	CROW BILLINGSLEY N LAKE
	7	501 CARTER DR	RATHE BRIAN & ELIZABETH A
X	8	525 CARTER DR	SHEPARD JOHN A & ANN
X	9	533 CARTER DR	LASATER JAMES T & ROANNE
X	10	768 CRESTVIEW CT	PARSONS JUDY & TRUST
	11	764 CRESTVIEW CT	REID DARLINGTON &
	12	780 CRESTVIEW CT	HUTCHINSON JOHN D &
	13	776 CRESTVIEW CT	LONG HENRY C
	14	640 MOORE RD	COPPELL CITY OF

AGENDA ITEM # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 36 B; F

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District, on property bounded by Milton Street, Birchbrook Drive, and Amesbury Drive

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

Z134-112(RB)

FILE NUMBER: Z134-112(RB)

DATE FILED: October 13, 2013

LOCATION: Property bounded by Milton Street, Birchbrook Drive, and Amesbury Drive

COUNCIL DISTRICT: 14

MAPSCO: 36-B, -F

SIZE OF REQUEST: Approx. 6.8 Acres

CENSUS TRACT: 79.13

APPLICANT: Stillwater Residential Partners, LLC

OWNER: Alden Amesbury Enterprise, LLC

REPRESENTATIVE: Karl Crawley

REQUEST: An application for a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District.

SUMMARY: The applicant proposes to redevelop the property with 325 multifamily units. The applicant is requesting a PDD for consideration of the following: 1) to increase in dwelling unit density; 2) to increase in structure height; 3) to increase in lot coverage; and 4) to permit certain improvements to encroach into the required front yard.

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

STAFF RECOMMENDATION: Approval, subject to a development plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to a development plan and conditions based upon:

1. *Performance impacts upon surrounding property* – As a proposed residential development, impact on adjacent properties (lighting, noise, odor) is not anticipated.
2. *Traffic impact* – While the request represents an increase in density over that currently permitted, it is anticipated the increase in trip generation will not be proportionate to the additional density, partly to the fact tenants will be able to walk to adjacent retail and transit (bus and rail).
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.
4. The applicant has worked with staff to ensure various provisions (i.e., design criteria, wide sidewalks) are provided to ensure compatibility with adjacent residential uses and provides for connectivity to the site's close proximity to established retail areas and the DART Lovers Lane Station.

BACKGROUND INFORMATION:

- The property is developed with multifamily dwellings spanning the site within various structures.
- The applicant proposes to demolish the existing improvements and redevelop the property with 325 multifamily dwelling units.

Zoning History:

File Number	Request, Disposition, and Date
1. Z067-259	On September 24, 2008, the City Council approved a PDD for certain Mixed Uses.
2. Z134-111	A PDD for MF-1(A) Multifamily District Uses. Pending the March 20, 2014 CPC public hearing.

<u>Street</u>	<u>Existing & Proposed ROW</u>
Amesbury Drive	Local; 50' ROW
Milton Street	Local; 50' ROW
Birchbrook Drive	Local; 50' ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined it will not impact the surrounding street system.

STAFF ANALYSIS

Comprehensive Plan: The request site is located in an area considered Urban Mixed-Use. 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 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 site is currently developed with various multifamily structures. All improvements will be removed, with the applicant providing for a new multifamily development. See table accompanying table for a comparison of existing/proposed provisions.

The entire site enjoys 100 percent street frontage. The applicant has worked with staff

to require certain design criteria is incorporated into the development with sensitivities to the residential character of the area. As noted above, all ground level/street facing dwelling units will be required to provide access to the respective units. Along with certain design criteria and a commitment to wide sidewalks, the proposed development will possess significant visual interest and enhanced pedestrian/tenant interactions.

As DART's Lovers Lane Station (Red Line) is situated to the west (approximately 2,300 feet from the Milton/Amesbury corner to the rail platform), the development sits just outside of typically acceptable walking distances (one-quarter mile). Staff has determined the secured pathway to the station, as well as an established retail area (within one-quarter mile walking distance) does warrant consideration of supporting increased densities in this area.

Off-Street Parking: Off-street parking will be provided as required by the Dallas Development Code (one space for each bedroom with not less than one space per dwelling unit). As noted on the attached development plan, all required parking will be internalized with no spaces between the street facing facades and the respective street frontages.

Landscaping: Compliance with Article X will be required prior to issuance of a certificate of occupancy for the new development.

Provision	Existing MF-1(A)	Proposed PDD
F/S/R YARD SETBACKS	15'/10'/10' ASSUMES MULTIFAMILY STURCTURES	15'/10'/10' CERTAIN PROJECTIONS MAY ENCROACH FIVE FEET INTO REQUIRED FRONT YARD
DENSITY	NO MAX; GENERALLY DEVELOPS TO A RANGE OF 25-28 DU/ACRE DEPENDING ON UNIT MIX	325 DU'S (48 DU/ACRE)
FLOOR AREA RATIO	NO MAXIMUM	NO MAXIMUM
STRUCTURE HEIGHT/STORIES	36 FEET/NO MAX	48 FEET/THREE
LOT COVERAGE	60%	80%
LANDSCAPING	ARTICLE X	ARTICLE X
OFF-STREET PARKING	CODE	CODE
MISCELLANEOUS	N/A	SIX FOOT-WIDE SIDEWALKS; DESIGN CRITERIA

CPC ACTION

(March 20, 2014)

Motion: It was moved to recommend **approval** of a Planned Development District for MF-1(A) Multifamily District Uses, subject to a development plan and conditions on property zoned an MF-1(A) Multifamily District, on property bounded by Milton Street, Birchbrook Drive, and Amesbury Drive.

Maker: Ridley
Second: Rodgers
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley,
Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices:	Area: 500	Mailed: 501
Replies:	For: 1	Against: 2

Speakers: None

Z134-112(RB)

OWNER:

Alden Amesbury Enterprise, LLC
Dennis T. Wong, Sole Manager

Applicant:

Stillwater Residential Partners. LLC
Stillwater Capital Investments, LLC; Manager
Aaron Sherman, Member
Robert Elliot, Member
Richard Coady, Member
Leeds Real Estate Consulting, Inc.; Manager
Jason D. Leeds, Director

“ARTICLE

PD

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- ____ .102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located at the southeast corner of Amesbury Drive and Milton Street. The size of PD ____ is approximately 6.8 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 residential zoning district.

SEC. 51P- ____ .104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit ____A: development plan.

SEC. 51P- ____ .105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

SEC. 51P- ____ .106. MAIN USES PERMITTED.

The only main uses permitted are those main uses permitted in the MF-1(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-1(A) Multifamily District only by specific use permit (SUP) is permitted in this district only

by SUP; a use subject to development impact review (DIR) in the MF-1(A) Multifamily District is subject to DIR in this district; etc.

SEC. 51P-____.107. ACCESSORY USES.

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

(b) The following accessory uses are not permitted:

- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

SEC. 51P-____.108. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-1(A) Multifamily District apply.

(b) Front yard.

(1) Minimum front yard is 15 feet.

(2) The following may project up to five feet into the required front yard:

(A) cantilevered roof eaves and balconies; and

(B) stoops and stairs that do not exceed eight feet in width and four feet in height.

(3) The following may be located in the required front yard:

(A) retaining walls with a maximum height of four feet;

(B) fences with a maximum height of four feet;

(C) railings for stairs, stoops, and porches with a maximum height of 42 inches; and

(D) patios.

(4) Any fence located in the required front yard have at least 50 percent open surface.

(c) Density. Maximum number of dwelling units is 325.

(d) Floor area ratio. No maximum floor area ratio.

(e) Height. Maximum structure height for a multifamily use is 48 feet as measured to the mid-point of the roof.

(f) Lot size. No minimum lot size.

(g) Stories. Maximum number of stories is three.

SEC. 51P- _____.109. OFF-STREET PARKING AND LOADING.

Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P- _____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.111. LANDSCAPING.

(a) In general. Landscaping must be provided in accordance with Article X and the additional provisions in this section. If there is a conflict between the text of this section and Article X, the text of this section controls.

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

SEC. 51P- _____.112. URBAN DESIGN CONSIDERATIONS.

(a) Building facades longer than 80 feet shall incorporate at least three of the following design features or architectural elements:

(1) Change in building materials, color, and texture which contrasts from the rest of the facade;

(2) Articulate building with projections, recesses, material changes, parapets, cornices, and varying roof heights;

(3) Distinguish between the building's base (street and lower levels), middle (core mid-section), and top (the upper level which distinguishes the building and how it meets the sky) with architectural elements and articulated through materials, details, and changes in wall plane;

(4) Deep inset windows;

(5) Stepped-back floor plates at upper levels to diminish overall scale;

(6) Architectural elements which protrude from the face of the building, such as terraces, decks, balconies, overhangs, and sunshades integrated into the building's architecture.

(7) Aboveground parking structures must be constructed so as to screen vehicle headlights from shining on adjacent property by a minimum forty-two inch wall.

(8) Openings in the parking structure facade must not exceed 55 percent of the total garage facade area.

(b) Each ground floor, street facing unit must have direct access to the street through use of individual walkways or the sharing of a walkway between two units.

(c) A minimum of two of each of the following pedestrian amenities must be provided along for each 300 linear feet of street frontage or fraction thereof:

(A) benches,

(A) trash receptacles, and

(C) bicycle racks (at least one five-bike rack must be provided).

SEC. 51P- _____.113.

SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P- _____.114.

ADDITIONAL PROVISIONS.

(a) Minimum sidewalk width is six feet.

(b) Highly reflective glass may not be used as an exterior building material on any building or structure.

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

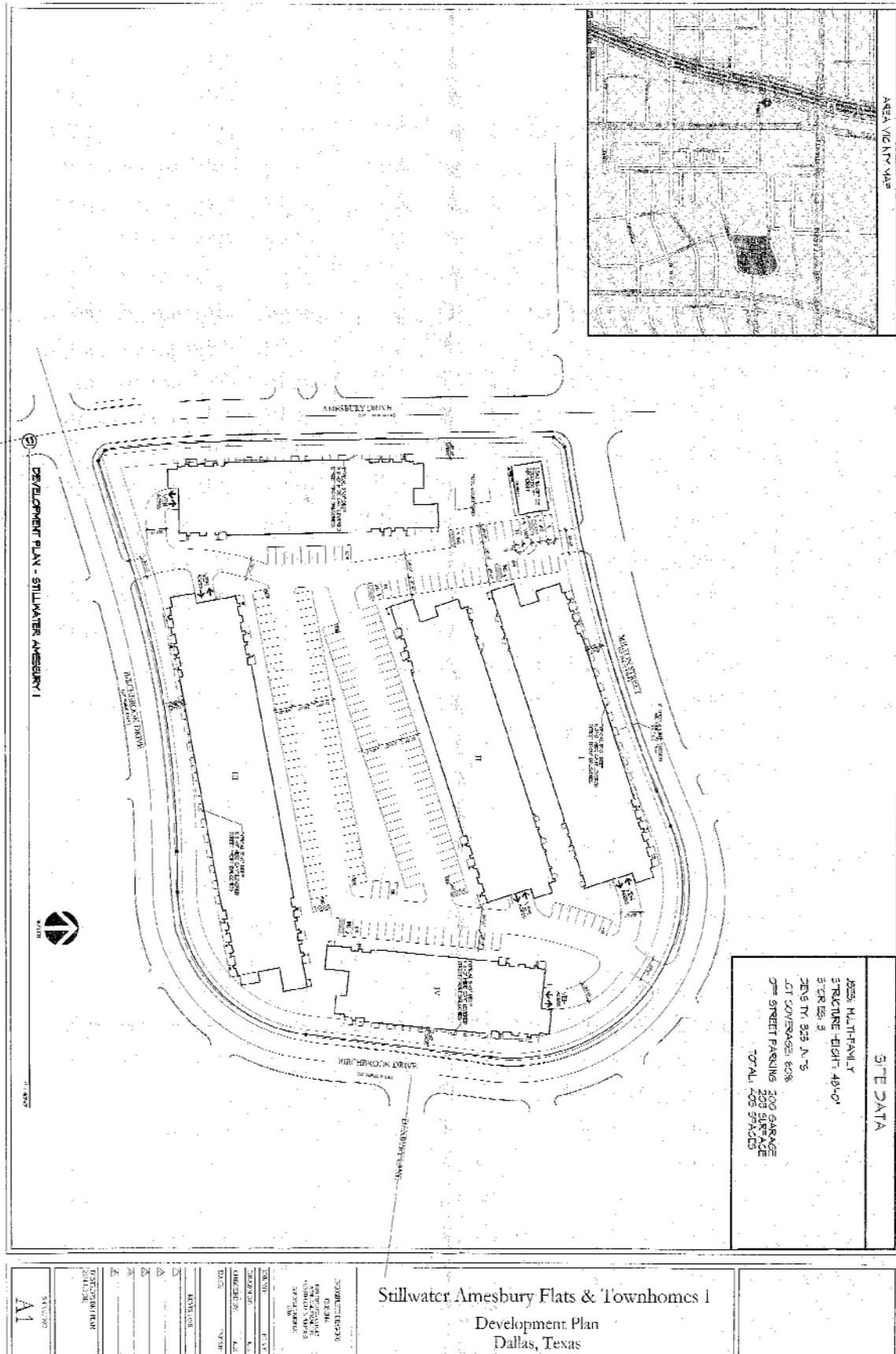
(d) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

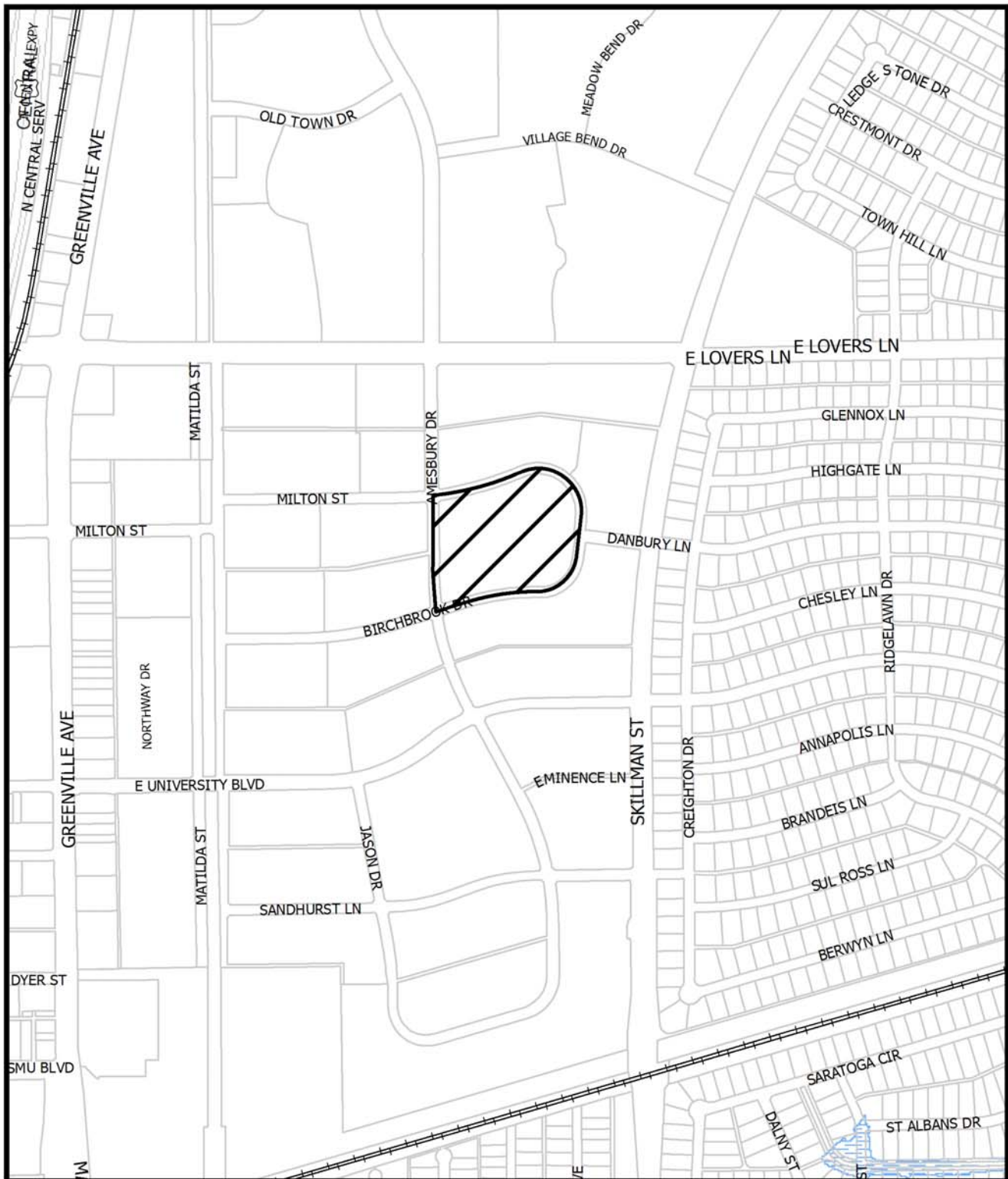
SEC. 51P-____.114.

COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use 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 of Dallas.



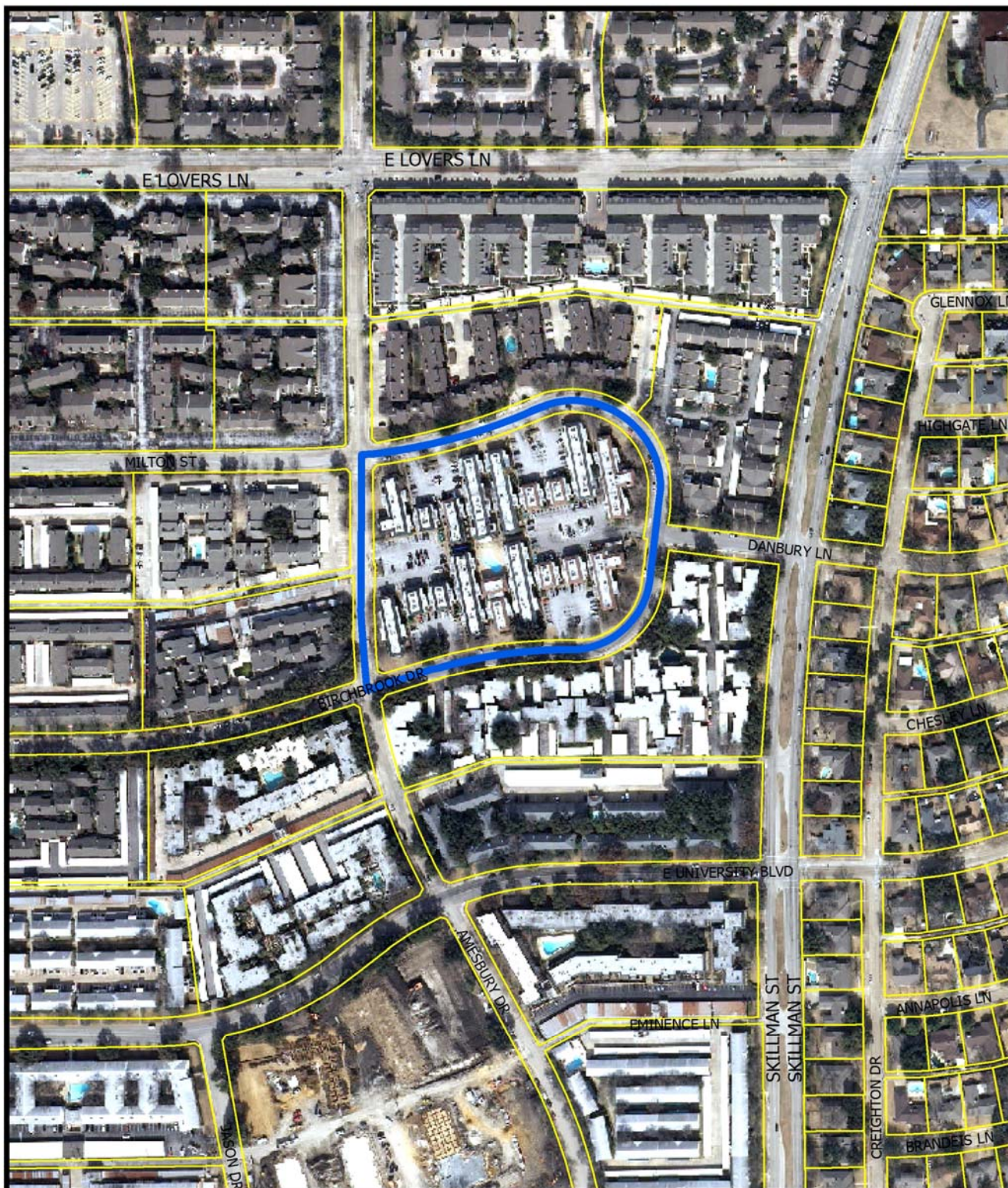


1:7,200

VICINITY MAP

Case no: **Z134-112**

Date: **12/3/2013**

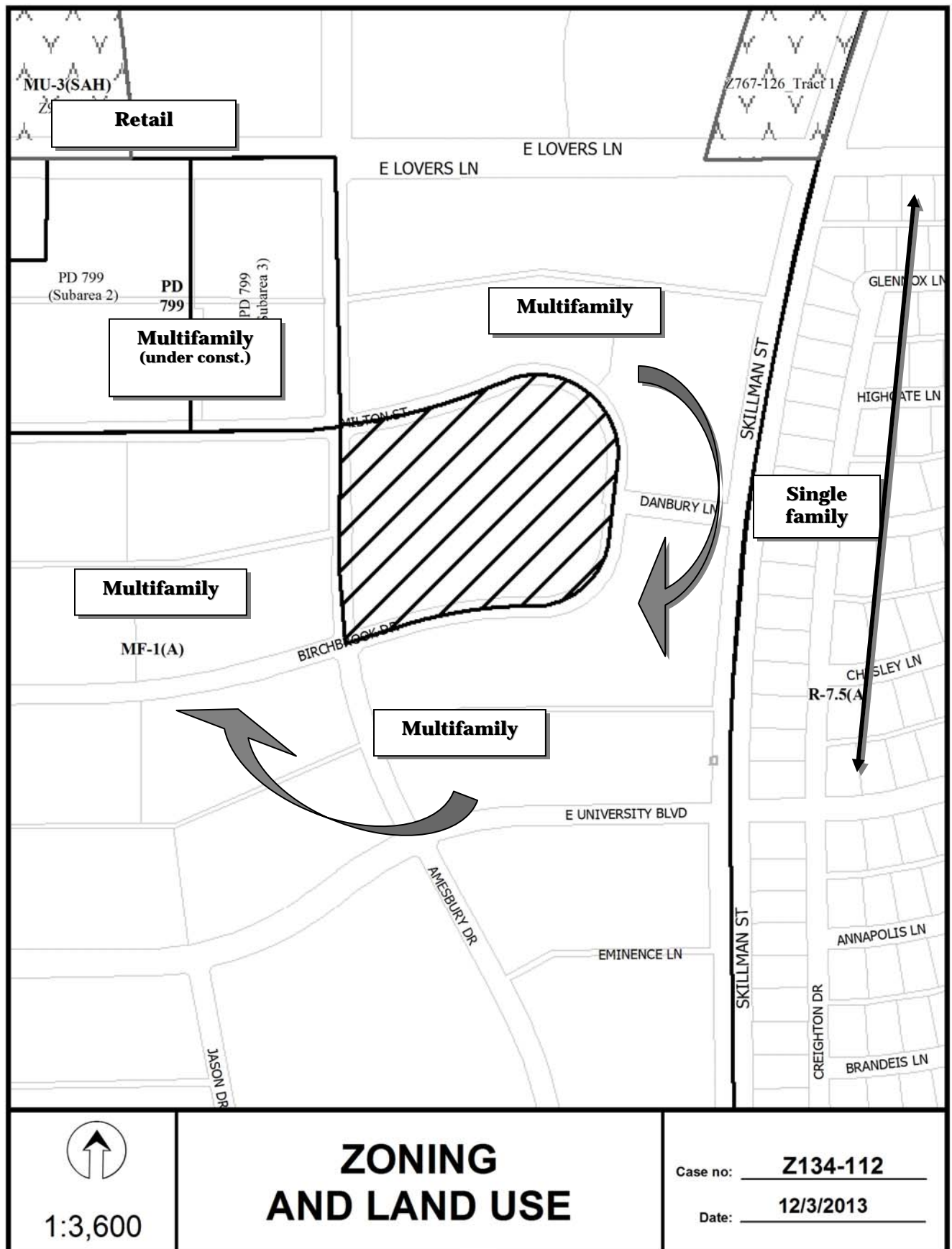


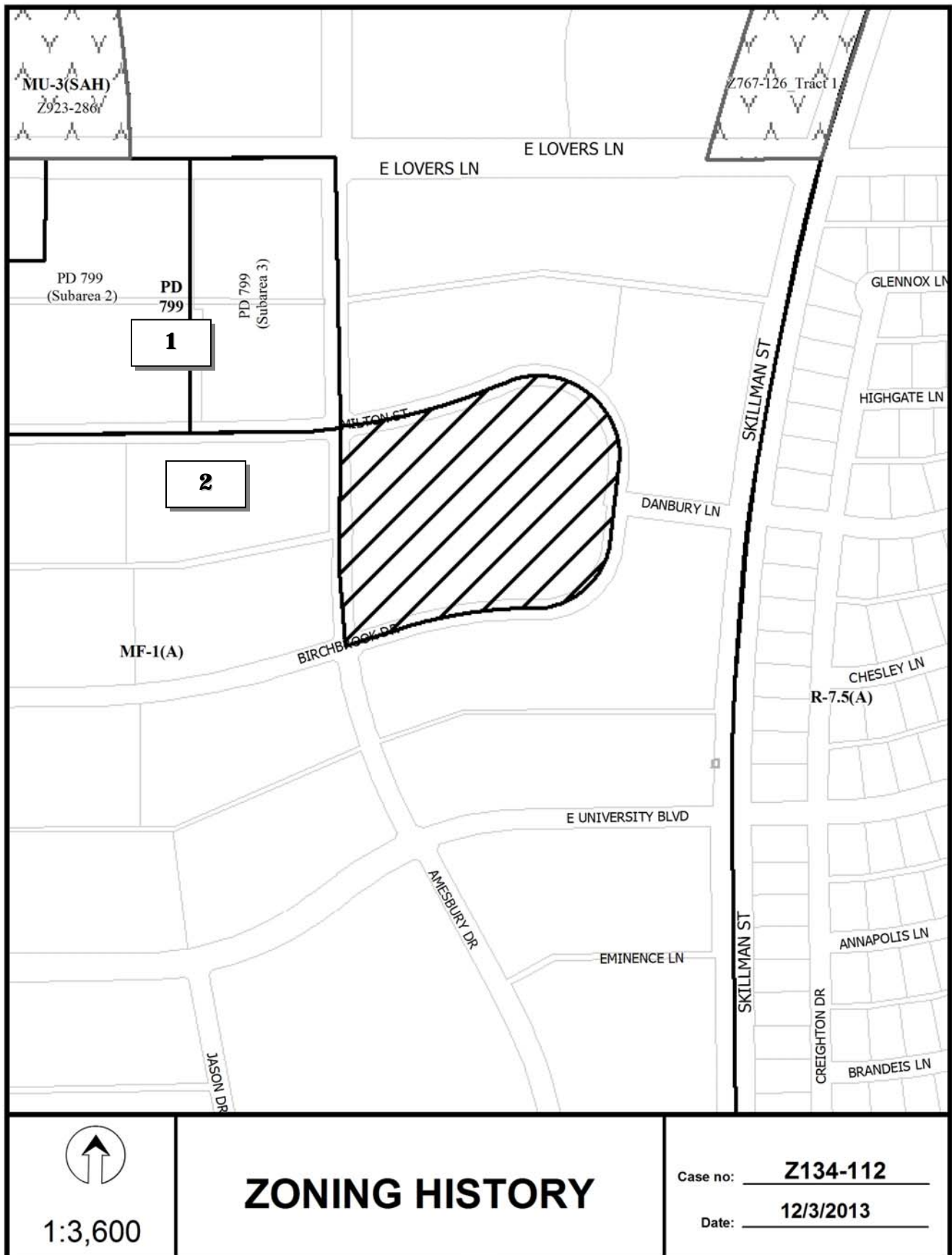
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AERIAL MAP

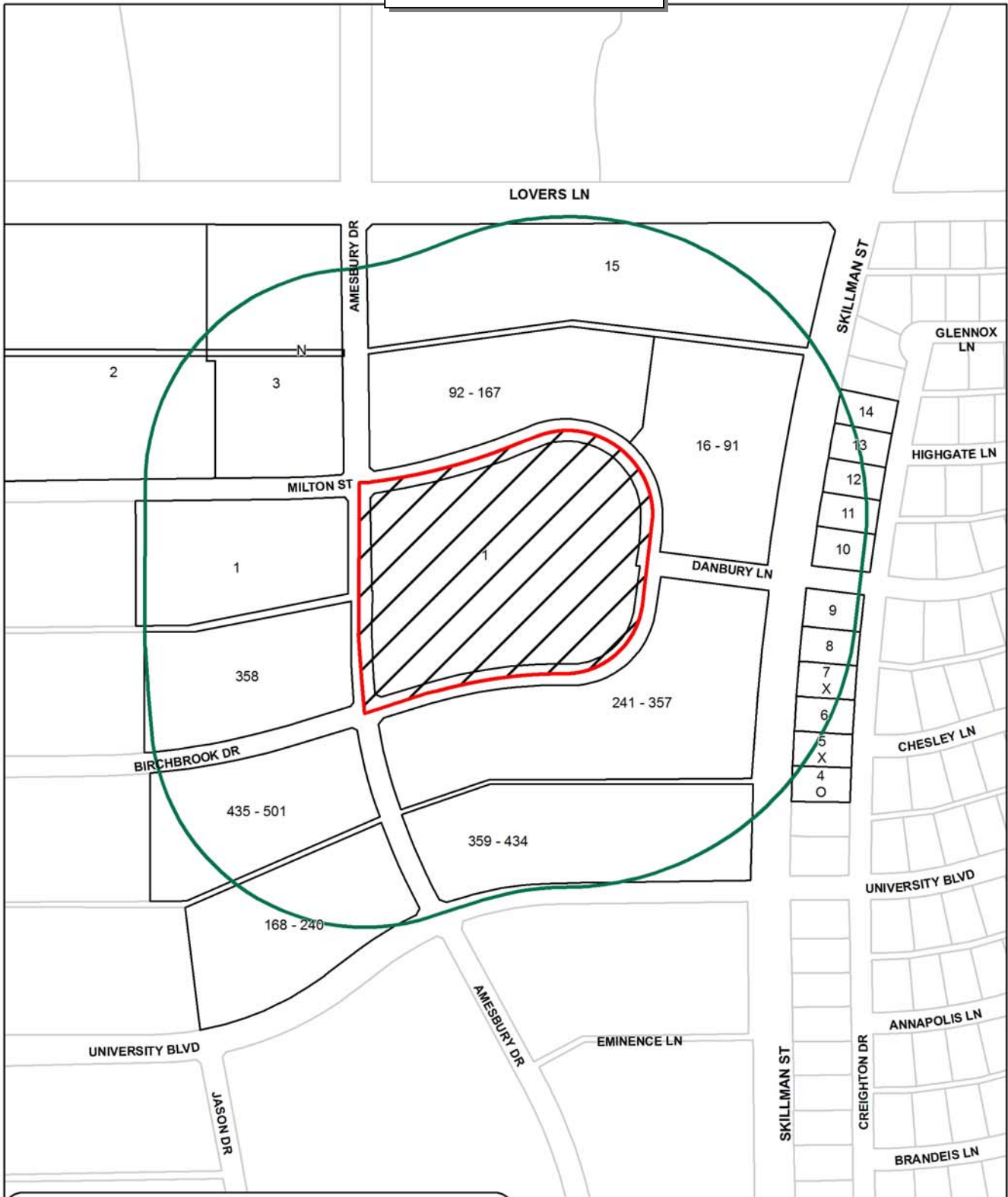
Case no: Z134-112

Date: 12/3/2013





CPC RESPONSES



<u>501</u>	Property Owners Notified (24 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>2</u>	Replies in Opposition (2 parcels)
<u>500'</u>	Area of Notification
<u>3/20/2014</u>	Date

Z134-112
CPC



1:3,600

3/20/2014

Reply List of Property Owners***Z134-112******501 Property Owners Notified
Owners Opposed******1 Property Owners in Favor******2 Property***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	5025 AMESBURY DR	ALDEN AMESBURY ENTERPRISE LLC
	2	5936 LOVERS LN	LOVERS TRADITION II LP
	3	5936 LOVERS LN	CT LOVERS LANE APARTMENTS LP
O	4	4921 CREIGHTON DR	VOGEL ANN M & JESUS
X	5	4927 CREIGHTON DR	MATASSA FRANCES
	6	4933 CREIGHTON DR	BEKKER ALEX
X	7	4939 CREIGHTON DR	RUPPEL DORIS ELIZABETH
	8	4947 CREIGHTON DR	DONNELLY BRENDA &
	9	4955 CREIGHTON DR	BOLT JOHN M
	10	5007 CREIGHTON DR	TODORA ANN
	11	5015 CREIGHTON DR	TODORA STEVEN T &
	12	5021 CREIGHTON DR	WEIR THOMAS C & ROSALIE S
	13	5027 CREIGHTON DR	WILSON ROBERT H JR
	14	5105 CREIGHTON DR	DAVIS DAVID M
	15	6044 LOVERS LN	BEHRINGER HARVARD LOVERS LANE REIT I LLC
	16	6005 DANBURY LN	SMALL LEE REVOCABLE TRUST
	17	6005 DANBURY LN	KRISHNAMURTHI DEEPA
	18	6005 DANBURY LN	RODRIGUEZ YOLANDA
	19	6005 DANBURY LN	EQUITY TRUST COMPANY
	20	6005 DANBURY LN	REESE DEEANN
	21	6005 DANBURY LN	VANIAN DANIEL J TR &
	22	6005 DANBURY LN	VIGER ANGELA & EDWARD TIMOTHY
	23	6011 DANBURY LN	ARNOLD COLIN &
	24	6011 DANBURY LN	GOLDMAN AYA & EREZ
	25	6011 DANBURY LN	GUERRERO VERONICA
	26	6011 DANBURY LN	GOLDMAN SAM

3/20/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6011	DANBURY LN	RING INTERNATIONAL LLC
28	6011	DANBURY LN	WEISFELD RONALD A
29	6011	DANBURY LN	MORENO BARBARA
30	5003	SKILLMAN ST	US BANK NA
31	5003	SKILLMAN ST	BAXAVANIS NICHOLAS &
32	5003	SKILLMAN ST	FRASER LEWIS J III
33	5003	SKILLMAN ST	LAM SUI LUN
34	5003	SKILLMAN ST	BAXAVANIS NICHOLAS &
35	5003	SKILLMAN ST	LESTER JULIA CLAIRE
36	5003	SKILLMAN ST	STOKES RYAN K & MARRI P
37	5003	SKILLMAN ST	FITZGERALD STEVEN &
38	5003	SKILLMAN ST	MAJESTIC SKIES SERIES LLC
39	5003	SKILLMAN ST	BOWSHEWICZ TORY &
40	5003	SKILLMAN ST	STOKES RYAN K & MARRI P
41	5005	SKILLMAN ST	MORGAN PARK LTD &
42	5005	SKILLMAN ST	LEVITAN INVESTMENTS LLC
43	5005	SKILLMAN ST	KEEFE JANET R EST OF
44	5005	SKILLMAN ST	GEBREDINGIL TESFA
45	5003	SKILLMAN ST	HABTEGEBRIEL ZEWIDITU &
46	5005	SKILLMAN ST	5005 SKILLMAN LAND TRUST
47	5005	SKILLMAN ST	REDICK MICHAEL
48	5005	SKILLMAN ST	WILSON KATHRYN
49	5103	SKILLMAN ST	LLN PROPERTIES LLC
50	5103	SKILLMAN ST	GARCIA MARY
51	5105	SKILLMAN ST	CLIFFORD INVESTMENTS INC
52	5103	SKILLMAN ST	CHUNG FRANK F
53	5105	SKILLMAN ST	LEVITAN MICHAEL M
54	5111	SKILLMAN ST	VANIAN MARY TRUSTEE
55	5111	SKILLMAN ST	DONOVAN JAMES
56	5111	SKILLMAN ST	SHEGERE AMELEWRK H
57	6061	MILTON ST	HSU YU JEN

3/20/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5111	SKILLMAN ST	DECKARD JOHN & DEBORAH C
59	5107	SKILLMAN ST	BEANE STEVEN E &
60	5111	SKILLMAN ST	HIPPS CLARENCE E &
61	5111	SKILLMAN ST	FLORES CARLOS T &
62	5111	SKILLMAN ST	FISHER ROBERT W &
63	5111	SKILLMAN ST	LEVITAN INVESTMENTS LLC
64	5111	SKILLMAN ST	EQUITY TRUST CO
65	5111	SKILLMAN ST	ACOSTA VIRGINIA
66	5111	SKILLMAN ST	HAMMONDS DEXTER
67	5111	SKILLMAN ST	GEBRIEL TESSGAY
68	6061	MILTON ST	YAMMANEE SUKANYA
69	6065	MILTON ST	GREGG GARY L TR &
70	6065	MILTON ST	ADAM RONALD
71	6067	MILTON ST	LOVE ERIC
72	6067	MILTON ST	HILL WILLIAM & STEPHEN
73	6065	MILTON ST	STOCKERT ANDREA D TRUST
74	6065	MILTON ST	SABUNCUYAN ARDAS & NIRVA
75	6067	MILTON ST	ROBERTS MARK S
76	6077	MILTON ST	GOLDMAN EREZ & AYA
77	6077	MILTON ST	SOLIZ DANIEL & KIMBERLY
78	6073	MILTON ST	RAY ANDREW J
79	6073	MILTON ST	HSU YUJEN
80	6077	MILTON ST	KIT JOHN S &
81	6077	MILTON ST	MATEVOSYAN KARINE
82	6073	MILTON ST	DAVIS DWAYNE G & SUSAN C
83	6073	MILTON ST	OTTON RICHARD
84	6081	MILTON ST	LEE NORMAN R & PAT ANN M
85	6081	MILTON ST	CARDENAS LEONARD
86	6081	MILTON ST	JACKMAN SADIE
87	6081	MILTON ST	BRYANT JUDY K
88	6081	MILTON ST	PARSONS VIROJ &

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89	6081	MILTON ST	KERWIN THOMAS M
90	6081	MILTON ST	SANI AL &
91	6081	MILTON ST	KIMMEL LARRY
92	5130	AMESBURY DR	CHAVEZ CONSUELO BERNAL
93	5130	AMESBURY DR	REINHART COLIN
94	5130	AMESBURY DR	SILVA GENARO
95	5132	AMESBURY DR	COUSINO JAY FREDERICK &
96	5132	AMESBURY DR	LABARBA FRANK JR
97	5132	AMESBURY DR	SALGADO GARY
98	5130	AMESBURY DR	JONES TERRY P & REBECCA B
99	5130	AMESBURY DR	COUSINO JAY & LORI
100	5130	AMESBURY DR	PARKER LORI
101	5132	AMESBURY DR	ARRANGEMENT CONDO HOA
102	5132	AMESBURY DR	G4 LLC
103	5132	AMESBURY DR	MORANTE JAVIER
104	5136	AMESBURY DR	BUFORD R LEE
105	5136	AMESBURY DR	CASTELLANOS JOSEFA
106	5138	AMESBURY DR	GOLDEN STEPHANIE W &
107	5138	AMESBURY DR	RICKRICH WHITE LLC
108	5138	AMESBURY DR	COUSINO JAY
109	5136	AMESBURY DR	GILBREATH CYNTHIA
110	5136	AMESBURY DR	STRAIN ELIZABETH A
111	5138	AMESBURY DR	CCHIRCA ANATOMIO
112	5138	AMESBURY DR	PHILLIPS ROGER
113	5140	AMESBURY DR	BARONET ALICE K
114	5140	AMESBURY DR	CHAVEZ RIGOBERTO &
115	5142	AMESBURY DR	KRANICH GEORGE W
116	5142	AMESBURY DR	KRANICH GEORGE W
117	5142	AMESBURY DR	ERNST BOBBIE JEAN
118	5140	AMESBURY DR	BRIDGES WILLIAM SAMUEL JR
119	5140	AMESBURY DR	CVIJETIC GORAN

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120	5142	AMESBURY DR	FERIA JULIA V
121	5142	AMESBURY DR	GARZA ERICK
122	5142	AMESBURY DR	KENNEDY CAROLE K
123	5148	AMESBURY DR	AVIVA INVESTMENTS LP
124	5148	AMESBURY DR	FELLOWS HOWARD F JR &
125	5148	AMESBURY DR	SIGAUD JOSE
126	5148	AMESBURY DR	KELLER PHILLIP LANCE
127	5148	AMESBURY DR	JOHNSON MARGARET E
128	5148	AMESBURY DR	KAROVA RENI TZVETANOVA
129	5148	AMESBURY DR	NEGA AKLIL
130	5148	AMESBURY DR	BROTHERTON KATHERINE
131	5150	AMESBURY DR	STEVENS MICHAEL W
132	5150	AMESBURY DR	FAITH DORIS
133	5150	AMESBURY DR	SABOGAL ANDREW
134	5150	AMESBURY DR	GRAY GARY T
135	5150	AMESBURY DR	LOZANO JR LINO GARZA &
136	5150	AMESBURY DR	WATKINS BUSTAMANTE
137	5150	AMESBURY DR	SIKORSKI JOSEPH
138	5154	AMESBURY DR	COLE MICHAEL
139	5154	AMESBURY DR	DEVITO JILL
140	5154	AMESBURY DR	MORENO BARBARA
141	5154	AMESBURY DR	STARK RANDY
142	5154	AMESBURY DR	ORTEGA TABITHA C & JOSE B
143	5154	AMESBURY DR	HOLMES WILLIAM H
144	6001	MILTON ST	GHENNET MICHELE
145	6003	MILTON ST	WELCH JO T
146	6005	MILTON ST	VANGRUBER Yael
147	6007	MILTON ST	DAMETIE TADELE
148	6009	MILTON ST	DUNN ZENEBECH
149	6011	MILTON ST	FISHER RENEE C
150	6015	MILTON ST	NORMAN THOMAS E

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	6017	MILTON ST	DAVENPORT LESLIE C
152	6019	MILTON ST	HUPP ANDREW & EKATERINA KONOVALOVA
153	6021	MILTON ST	IBRAHIM MARY
154	6023	MILTON ST	SMITH CLAELE
155	6025	MILTON ST	CARTER KEVIN R & BARBARA
156	6033	MILTON ST	DAMARYS QUINTANA D
157	6035	MILTON ST	SMITH MARLYS L
158	6037	MILTON ST	MULLENNIX BERRY J & REGINA A CO- TRUSTEES
159	6039	MILTON ST	ROBBINS MYRA ELIZABETH
160	6041	MILTON ST	COCANOUGHIER ANDREW MARK
161	6043	MILTON ST	FRERICH BRADLEY J
162	6045	MILTON ST	PATTERSON BRIAN S
163	6047	MILTON ST	NAKPAIRAT SOPON & ANN M
164	6049	MILTON ST	RESENDEZ JENNIFER
165	6051	MILTON ST	CORSE CATHY DOWDY TR
166	6053	MILTON ST	MERCHED CHADI J
167	6055	MILTON ST	MOLHOEK DAVID C
168	5907	UNIVERSITY BLVD	MARSHALL AARON
169	5907	UNIVERSITY BLVD	CAMACHO GERARD M
170	5907	UNIVERSITY BLVD	GAST JASON T
171	5907	UNIVERSITY BLVD	MANDALA STEPHEN &
172	5907	UNIVERSITY BLVD	DUPONT JASON
173	5907	UNIVERSITY BLVD	LISENBY DANA
174	5915	UNIVERSITY BLVD	KONOPA OTTO
175	5915	UNIVERSITY BLVD	KILHOFFER GREGORY N
176	5915	UNIVERSITY BLVD	BANK OF AMERICA NA
177	5915	UNIVERSITY BLVD	VENABLE JOSEPH R ET AL
178	5915	UNIVERSITY BLVD	YONGLOVE GEOFF & BELINDA
179	5915	UNIVERSITY BLVD	GLENN STEPHEN T
180	5915	UNIVERSITY BLVD	HARTLEY TIMOTHY &
181	5917	UNIVERSITY BLVD	SONDECKER PENNY

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	5917 UNIVERSITY BLVD	GORDILLO DIEGO M &
	183	5917 UNIVERSITY BLVD	VAN LERBERGHE WIM H
	184	5917 UNIVERSITY BLVD	VOIGT ALEXANDER R
	185	5917 UNIVERSITY BLVD	BURBANK ELI T
	186	5917 UNIVERSITY BLVD	BGY INVESTMENTS LP
	187	5919 UNIVERSITY BLVD	SIMON DREW SCOTT &
	188	5919 UNIVERSITY BLVD	FLEMING DAGMAR B
	189	5919 UNIVERSITY BLVD	SAAVEDRA BRUNA
	190	5919 UNIVERSITY BLVD	EICHSTADT ANDRESS & ALEX LEE
	191	5919 UNIVERSITY BLVD	MEDCALF PAUL ERIC
	192	5919 UNIVERSITY BLVD	DAVIS CHARLES C
	193	5927 UNIVERSITY BLVD	EARSLEY JAMES L
	194	5927 UNIVERSITY BLVD	NIELSEN STEVEN
	195	5927 UNIVERSITY BLVD	BEAUDRY GABRIELLE
	196	5927 UNIVERSITY BLVD	FREED CLAYTON N
	197	5931 UNIVERSITY BLVD	STOVALL BILLY J II
	198	5931 UNIVERSITY BLVD	PARKER PRISCILLA &
	199	5927 UNIVERSITY BLVD	GROGMAN RYAN
	200	5927 UNIVERSITY BLVD	DENNIS RICHARD G
	201	5927 UNIVERSITY BLVD	GILSON LISA
	202	5927 UNIVERSITY BLVD	GILBERT JENNIFER C
	203	5927 UNIVERSITY BLVD	GLASS MARK W
	204	5931 UNIVERSITY BLVD	ORTEGON ANTHONY L & COURTNEY
	205	5931 UNIVERSITY BLVD	SHU KEE J
	206	5931 UNIVERSITY BLVD	KOKIC SUMMER
	207	5931 UNIVERSITY BLVD	ORTEGON ANTHONY
	208	5931 UNIVERSITY BLVD	STEPHENSON SALLY TAYLOR
	209	5931 UNIVERSITY BLVD	WALIA SUMMIT S
	210	5931 UNIVERSITY BLVD	PAI JAMES
	211	5931 UNIVERSITY BLVD	ELLIS CHAD M
	212	5931 UNIVERSITY BLVD	SMITH BISSELL & MARIA C

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213	5937	UNIVERSITY BLVD	KING PRESTON A
214	5937	UNIVERSITY BLVD	MILES RACHEL
215	5937	UNIVERSITY BLVD	THACKER RORY
216	5937	UNIVERSITY BLVD	PERRYMAN DALE
217	5937	UNIVERSITY BLVD	GALVAN DAVID
218	5937	UNIVERSITY BLVD	BAYNARD PAUL T &
219	5937	UNIVERSITY BLVD	CHATTERJEE BASUDEB &
220	5937	UNIVERSITY BLVD	HEGRANES JONATHAN B
221	5911	UNIVERSITY BLVD	CHAMBWE FUNGISAL
222	5911	UNIVERSITY BLVD	STERN STACEY N & DEBORAH
223	5911	UNIVERSITY BLVD	ALEXANDER SINDHU M
224	5911	UNIVERSITY BLVD	ABBOTT CHRISTINE F
225	5911	UNIVERSITY BLVD	MONACELLI CHRISTOPHER A
226	5911	UNIVERSITY BLVD	CHUMBLEY KEVIN WAYNE
227	5911	UNIVERSITY BLVD	SESSION SAMUEL A
228	5911	UNIVERSITY BLVD	ALVES NATHALIE Y
229	5911	UNIVERSITY BLVD	SHAW TIFFANY LEIGH
230	5911	UNIVERSITY BLVD	HENSLEY WILLIS &
231	5911	UNIVERSITY BLVD	BUTCHER KALE
232	5925	UNIVERSITY BLVD	DICKEY BERT G IV
233	5925	UNIVERSITY BLVD	ROSILES ASHLEIGH S
234	5925	UNIVERSITY BLVD	FLORES YVETTE
235	5925	UNIVERSITY BLVD	CHRISTENSEN KATHRINE
236	5925	UNIVERSITY BLVD	CAFFALL DANIEL C
237	5925	UNIVERSITY BLVD	THWEATT JANETTE
238	5925	UNIVERSITY BLVD	SMITH MARIA A
239	5925	UNIVERSITY BLVD	CONERLY LAMAR A III
240	5925	UNIVERSITY BLVD	HAMLIN CURTIS C
241	4944	AMESBURY DR	STAFFORD CLYDE JR & JACQUELINE
242	4944	AMESBURY DR	GARRETT H FRANCES
243	4944	AMESBURY DR	MCEOWEN JONATHAN SCOTT

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244	4944	AMESBURY DR	SCRIMA ELIZABETH
245	4944	AMESBURY DR	MCGUIRE JIMMIE W II &
246	4944	AMESBURY DR	PROBST LEAH SUZANNE
247	4944	AMESBURY DR	CIMO JUDY A
248	4944	AMESBURY DR	NERO FRANCES J TRUST THE
249	4944	AMESBURY DR	RICHARDS IAN J & MARIA C
250	4944	AMESBURY DR	LEWIS SARAH &
251	4944	AMESBURY DR	BURK ANN R
252	4944	AMESBURY DR	LUDWIN CLAUDIA
253	4944	AMESBURY DR	SNYDER JEREMY M &
254	4944	AMESBURY DR	SUNG CAROLINE
255	6020	BIRCHBROOK DR	FLOOD SHIRLEY K
256	6020	BIRCHBROOK DR	RHODES ROBERT L ETAL
257	6020	BIRCHBROOK DR	SCHERMANN GARRY R
258	6020	BIRCHBROOK DR	SCHMID JACK R
259	6020	BIRCHBROOK DR	KARLOS RICHARD L &
260	6020	BIRCHBROOK DR	PARIS ROY
261	6020	BIRCHBROOK DR	TYRA JOE CLIFFORD
262	6020	BIRCHBROOK DR	WEBB HELEN F
263	6020	BIRCHBROOK DR	VINTON PATRICIA A
264	6026	BIRCHBROOK DR	MAY LAURA L
265	6026	BIRCHBROOK DR	PAUL CAMMIE K
266	6026	BIRCHBROOK DR	COLBY LISA FAY
267	6026	BIRCHBROOK DR	EMORY CYNTHIA
268	6026	BIRCHBROOK DR	LASKA DAVID &
269	6026	BIRCHBROOK DR	MORGAN STEPHEN T
270	6026	BIRCHBROOK DR	RICKRICH WHITE LLC
271	6026	BIRCHBROOK DR	WILLIAMS R L
272	6026	BIRCHBROOK DR	DRAKE RONALD G
273	6026	BIRCHBROOK DR	HENDERSON JAY M
274	6026	BIRCHBROOK DR	WHITE LINDA LOUISE

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275	6026	BIRCHBROOK DR	DEBROW CHRISTOPHER B
276	6030	BIRCHBROOK DR	BURNETTE MARY
277	6030	BIRCHBROOK DR	MARTIN DONALD RAY
278	6030	BIRCHBROOK DR	FAKIER KURT
279	6030	BIRCHBROOK DR	OFSTAD NORMAN & PAULINE
280	6030	BIRCHBROOK DR	ANDERSON DOUGLAS W &
281	6030	BIRCHBROOK DR	ARRINGTON JAMES M
282	6030	BIRCHBROOK DR	LE BOEUF RAYMOND J
283	6030	BIRCHBROOK DR	LA BARBA CHRISTOPHER L
284	6030	BIRCHBROOK DR	MARTIN BARRY W
285	6030	BIRCHBROOK DR	CAIN MARGARET C
286	6030	BIRCHBROOK DR	ALLEN MARK S & KAREN
287	6036	BIRCHBROOK DR	ONEILL SANDRA J
288	6036	BIRCHBROOK DR	BLACK CAROL A
289	6036	BIRCHBROOK DR	VEYTSMAN ARTHUR
290	6036	BIRCHBROOK DR	STRASMICK DEBBIE
291	6036	BIRCHBROOK DR	YEE SAM K JR
292	6036	BIRCHBROOK DR	DUNCAN THOMAS FAMILY TRUST
293	6036	BIRCHBROOK DR	PACKER GREGORY D
294	6036	BIRCHBROOK DR	HILL DOROTHY A & JOSEPH M JR
295	6036	BIRCHBROOK DR	MENDE GENE
296	6036	BIRCHBROOK DR	DURTSCHI CHARLES A & PANSY G
297	6036	BIRCHBROOK DR	LAPARCHE LORELLE M
298	6036	BIRCHBROOK DR	BROWN KIMBRA L
299	6046	BIRCHBROOK DR	KLEIN KEVIN W
300	6046	BIRCHBROOK DR	MACCORKLE LAURA R
301	6046	BIRCHBROOK DR	CANTWELL NANCY
302	6046	BIRCHBROOK DR	DAVIS SANDRA M
303	6046	BIRCHBROOK DR	GLASER RICHARD E JR
304	6046	BIRCHBROOK DR	BERRY VERNON H JR &
305	6046	BIRCHBROOK DR	MARTIN RUBY N

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306	6040	BIRCHBROOK DR	BUEHRING CAROL C
307	6040	BIRCHBROOK DR	STONEBRAKER JOHN
308	6040	BIRCHBROOK DR	FORESTER GENE & TAMMY
309	6040	BIRCHBROOK DR	SUMTER RONALD S &
310	6040	BIRCHBROOK DR	NICHOLS GREGORY L &
311	6050	BIRCHBROOK DR	MORGAN WILLIAM DAVID JR
312	6050	BIRCHBROOK DR	GARRETT BENTLEY T
313	6050	BIRCHBROOK DR	VAN UUM JOHANNES C H &
314	6050	BIRCHBROOK DR	GILMORE DEAN H
315	6050	BIRCHBROOK DR	DAVIS SARA B
316	6050	BIRCHBROOK DR	HOPKINS THOMAS LELAND &
317	6050	BIRCHBROOK DR	BOUDREAUX JANE A
318	6050	BIRCHBROOK DR	SUMMERFIELD DONNA J
319	6050	BIRCHBROOK DR	CROSSLAND MARY ELLEN
320	6050	BIRCHBROOK DR	COLLINS JOHN
321	6050	BIRCHBROOK DR	HAIK SAMIEL
322	6050	BIRCHBROOK DR	MCQUARTERS EDDIE L JR &
323	6050	BIRCHBROOK DR	DELANEY ANNE M
324	6050	BIRCHBROOK DR	ANDERSON ANDREA &
325	4933	SKILLMAN ST	COX LAUREN
326	4933	SKILLMAN ST	CLAY MICHAEL S
327	4933	SKILLMAN ST	BOUDREAUX JANE A LIFE ESTATE
328	4933	SKILLMAN ST	BUGBEE DAVID L
329	4933	SKILLMAN ST	RODRIGUEZ JULIO
330	4933	SKILLMAN ST	THORNTON JEAN
331	4933	SKILLMAN ST	WISEMAN PAUL L &
332	4933	SKILLMAN ST	WATSON TIMOTHY C
333	4933	SKILLMAN ST	BEDELL MARY E
334	4933	SKILLMAN ST	GATHINGS JOYCE
335	4933	SKILLMAN ST	MARTIN JAMES DWAYNE
336	4949	SKILLMAN ST	TAGG DEBRA B & PAUL F

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	337	4949 SKILLMAN ST	HURDLE STEVEN W
	338	4949 SKILLMAN ST	SUMTER SCOTT S
	339	4949 SKILLMAN ST	BENNATT MOLLY
	340	4949 SKILLMAN ST	YOUNG LINDA
	341	4949 SKILLMAN ST	DEUTSCH BLANCHE I & KARL RONALD
	342	4949 SKILLMAN ST	NORTON IMA EST OF
	343	4949 SKILLMAN ST	HARBOUR ERIN &
	344	4949 SKILLMAN ST	HANSEN GLADYS M
	345	4949 SKILLMAN ST	PLAISANCE WILLIAM G
	346	6060 BIRCHBROOK DR	HERRERA MARTHA E
	347	6060 BIRCHBROOK DR	CHATFIELD EVELYN
	348	6060 BIRCHBROOK DR	MARSH FREDERICK W JR
	349	6060 BIRCHBROOK DR	SANTILLO A C
	350	6060 BIRCHBROOK DR	GLEBOFF STEPHEN G & DEE M
	351	6060 BIRCHBROOK DR	DAVIS JUNE M
	352	6060 BIRCHBROOK DR	HORTON SAUNDRA
	353	6060 BIRCHBROOK DR	HOLLAND MARJORIE BRUCE
	354	6060 BIRCHBROOK DR	DEMERS MICHEL
	355	6060 BIRCHBROOK DR	SEIFERT CHARLOTTE
	356	6060 BIRCHBROOK DR	HOLLAND JOHN B &
	357	6060 BIRCHBROOK DR	BANKSTON HAZEL &
	358	5909 BIRCHBROOK DR	LA CIMA NEWPORT PARTNERS LLC
	359	6019 UNIVERSITY BLVD	WORTH ANNE L
	360	6019 UNIVERSITY BLVD	FAYNAN JEFFREY B & JULEE
	361	6021 UNIVERSITY BLVD	WOLFE STEVEN C & PATTI L
	362	6021 UNIVERSITY BLVD	M M MULTIPLE HOLDINGS LLC
	363	6019 UNIVERSITY BLVD	VATICALOS ROBERT L & ETAL
	364	6019 UNIVERSITY BLVD	PIERCE JAN
	365	6021 UNIVERSITY BLVD	TOWNSWICK MARIYA A
	366	6021 UNIVERSITY BLVD	MARTIN CHRISTENE P
	367	6023 UNIVERSITY BLVD	DESALME ROGER A

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368	6023	UNIVERSITY BLVD	HAMEDI ALYSSA N &
369	6023	UNIVERSITY BLVD	HERRING CHARLES W
370	6023	UNIVERSITY BLVD	LISING JOHN B & ALICIA
371	6029	UNIVERSITY BLVD	SCHOCK SUMMER S
372	6029	UNIVERSITY BLVD	SOLIS BRUCE A
373	6029	UNIVERSITY BLVD	BARNETT ANGELA
374	6029	UNIVERSITY BLVD	BENEKE ROBERT L
375	6029	UNIVERSITY BLVD	GAMEZ CARLA CONTRERAS
376	6029	UNIVERSITY BLVD	SMITH KIMBERLY D
377	6029	UNIVERSITY BLVD	BANK OF AMERICA NA
378	6027	UNIVERSITY BLVD	PRICHARD JULIA A M
379	6027	UNIVERSITY BLVD	MEYERS KAREN LINNET
380	6027	UNIVERSITY BLVD	BOLLES CATHRYN TR
381	6027	UNIVERSITY BLVD	SUNIO MARIA L
382	6027	UNIVERSITY BLVD	WILSON LORI M
383	6027	UNIVERSITY BLVD	BERGERON MICHELE V
384	6025	UNIVERSITY BLVD	ORTON ASHLEA D
385	6025	UNIVERSITY BLVD	HENSEY MARY LOUISE
386	6017	UNIVERSITY BLVD	KRAUTTER REEDITH
387	6017	UNIVERSITY BLVD	CASEY KAREN S
388	6017	UNIVERSITY BLVD	COUCH THERESA A &
389	6017	UNIVERSITY BLVD	PEREZ KARINA
390	6017	UNIVERSITY BLVD	ZACKEY BOBBIE R
391	6017	UNIVERSITY BLVD	SNAVELY LINDA K
392	6017	UNIVERSITY BLVD	SHELLEY JASON
393	6017	UNIVERSITY BLVD	BOYD KAREN
394	6017	UNIVERSITY BLVD	HAMMOND JIMMIE
395	6017	UNIVERSITY BLVD	JOHNSON CATHERINE
396	6015	UNIVERSITY BLVD	LAW RACHEL M
397	6015	UNIVERSITY BLVD	VERHEIN M KERLIN
398	6015	UNIVERSITY BLVD	VIA ROBERT M

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	399	6015 UNIVERSITY BLVD	TUCKER FRANCIS TRUST
	400	6015 UNIVERSITY BLVD	BAUGHER LAUREN
	401	6015 UNIVERSITY BLVD	KNUTH CHARLOTTE
	402	6015 UNIVERSITY BLVD	MCLURE RICHARD D
	403	6015 UNIVERSITY BLVD	NWABUISI ROSE & AUGUSTINE
	404	6015 UNIVERSITY BLVD	BOONE JAMES VANNES JR
	405	6015 UNIVERSITY BLVD	BOSCH LYNN S
	406	6015 UNIVERSITY BLVD	RICHARDSON GREGORY D & CHRISTEN
G			
	407	6015 UNIVERSITY BLVD	MARCUM MELISSA &
	408	6009 UNIVERSITY BLVD	GILLESPIE LINDA SHARON
	409	6009 UNIVERSITY BLVD	BEASLEY WILLIAM SCOTT
	410	6009 UNIVERSITY BLVD	SIFFORD LEWIS R
	411	6007 UNIVERSITY BLVD	MOSELEY JULIAN P JR EST OF
	412	6007 UNIVERSITY BLVD	CHANDLER GAY EDNA
	413	6007 UNIVERSITY BLVD	MCKELVEY RICHARD S & CHELSEA R &
	414	6007 UNIVERSITY BLVD	MAXWELL SARAH H
	415	6007 UNIVERSITY BLVD	TOZER RICHARD F
	416	6005 UNIVERSITY BLVD	ROSALES MARIA B
	417	6005 UNIVERSITY BLVD	FLAY KATHERINE A & JOHN CLARK
	418	6005 UNIVERSITY BLVD	PAQUET STEVE
	419	6005 UNIVERSITY BLVD	REYNOLDS SEAN
	420	6005 UNIVERSITY BLVD	LAMMERS ELIZABETH L
	421	6005 UNIVERSITY BLVD	CARR RACHEL G
	422	6005 UNIVERSITY BLVD	FOWLER NATALIE J
	423	6011 UNIVERSITY BLVD	CHAPMAN MARK C
	424	6011 UNIVERSITY BLVD	DAY JOHN
	425	6011 UNIVERSITY BLVD	CARPENTER GRANT ALLEN
	426	6011 UNIVERSITY BLVD	SHALLEY JACOB H & HAYLEY
	427	6011 UNIVERSITY BLVD	DANIEL DEIDRE D
	428	6011 UNIVERSITY BLVD	DEVER LAURA E
	429	6013 UNIVERSITY BLVD	LAMB DAVID B JR FAMILY LIVING TRUST

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	430	6013 UNIVERSITY BLVD	JONES BRANDY R
	431	6013 UNIVERSITY BLVD	WEIRICH ANTHONY W
	432	6013 UNIVERSITY BLVD	ELDER WILLIAM
	433	6013 UNIVERSITY BLVD	LAPIANA NAOMI
	434	6013 UNIVERSITY BLVD	BOBADILLA JULIO C ETAL
	435	5916 BIRCHBROOK DR	REA MALCOM & LINDA G
	436	5916 BIRCHBROOK DR	BOX DOROTHY B
	437	5916 BIRCHBROOK DR	IBARRA GUADALUPE
	438	5916 BIRCHBROOK DR	CROWDER MORGEN KING &
	439	5916 BIRCHBROOK DR	REDDEN TRENT
	440	5916 BIRCHBROOK DR	GROSS BARBARA LYNN
	441	5916 BIRCHBROOK DR	MCGRAW MARISSA E &
	442	5916 BIRCHBROOK DR	CHUMBLEY JESSICA
	443	5916 BIRCHBROOK DR	BURRESON KATHRYN C &
	444	5916 BIRCHBROOK DR	GRAY BRENDA
	445	5916 BIRCHBROOK DR	QUICK JAMES E & VICKI D
	446	5916 BIRCHBROOK DR	OCONNELL AMY C
	447	5916 BIRCHBROOK DR	HALL LINDSEY
	448	5916 BIRCHBROOK DR	WOLFE ROSE H
	449	5916 BIRCHBROOK DR	BARLOEO HEIDI M
	450	5916 BIRCHBROOK DR	JOHNSON JEFFREY & AMY
	451	5916 BIRCHBROOK DR	EDSON THOMAS
	452	5916 BIRCHBROOK DR	TALLEY RENEE S
	453	5916 BIRCHBROOK DR	CUNNINGHAM WILLIAM R JR
	454	5916 BIRCHBROOK DR	GRIFFITH RICKEY S
	455	5916 BIRCHBROOK DR	DEFRANGE JAMES A
	456	5916 BIRCHBROOK DR	FORMAN ERIC W
	457	5916 BIRCHBROOK DR	WATSON STACEY L &
	458	5916 BIRCHBROOK DR	ELLSBERRY MARTHA M
	459	5916 BIRCHBROOK DR	RENZ CONRAD & SUSAN
	460	5916 BIRCHBROOK DR	CUMBIE LINDA &

3/20/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
461	5916	BIRCHBROOK DR	KRUEGER REBECCA C &
462	5916	BIRCHBROOK DR	MINEHANE MICHELLE &
463	5916	BIRCHBROOK DR	EDMONDSON SHAINA N
464	5916	BIRCHBROOK DR	MILLER CLAUDE VINCENT JR
465	5930	BIRCHBROOK DR	NUMAX PPTIES LLC
466	5924	BIRCHBROOK DR	JOHNSON JEFFREY
467	5930	BIRCHBROOK DR	VAUGHN LISLE & SHARON
468	5930	BIRCHBROOK DR	CLARKE NORMA RUTH
469	5924	BIRCHBROOK DR	PULLIAM ROBERT
470	5924	BIRCHBROOK DR	SCOTT GLENN
471	5924	BIRCHBROOK DR	GRIFFITH RICK
472	5924	BIRCHBROOK DR	KELTNER MELANIE J
473	5924	BIRCHBROOK DR	GILBERT SARA
474	5930	BIRCHBROOK DR	CHRISTMAN MELISSA A
475	5924	BIRCHBROOK DR	NULPH WENDY D
476	5924	BIRCHBROOK DR	GRAHAM LOUISE M
477	5924	BIRCHBROOK DR	JACKSON RANDY K
478	5930	BIRCHBROOK DR	MARKHOFF STEVEN
479	5924	BIRCHBROOK DR	WHITLATCH ALLAN
480	5924	BIRCHBROOK DR	NASUHUGLU JAMIE
481	5924	BIRCHBROOK DR	DUNLAP ELIJAH THOMAS &
482	5924	BIRCHBROOK DR	BEAL ROBERT &
483	5924	BIRCHBROOK DR	PEREZ ALBERTO
484	5930	BIRCHBROOK DR	LANE JIM
485	5930	BIRCHBROOK DR	REICHENSTEIN JAKE M &
486	5924	BIRCHBROOK DR	MAUPIN MATT
487	5930	BIRCHBROOK DR	WEISFELD RONALD A
488	5924	BIRCHBROOK DR	BANFIELD SANDRA &
489	5930	BIRCHBROOK DR	BYRD JOYCE
490	5930	BIRCHBROOK DR	FLEMING WALTER LEE III
491	5930	BIRCHBROOK DR	CARLSON CARPENTER MAXINE

Z134-112(RB)

3/20/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
492	5930	BIRCHBROOK DR	KRATUS ROBERT
493	5924	BIRCHBROOK DR	BRAGG JAMIE L
494	5924	BIRCHBROOK DR	KINCEL ALISON F
495	5924	BIRCHBROOK DR	FOREMAN MELISSA
496	5924	BIRCHBROOK DR	SHIMPS ANTHONY
497	5930	BIRCHBROOK DR	LEACH KEN W
498	5930	BIRCHBROOK DR	BAIG MOHAMMAD AHMAD
499	5930	BIRCHBROOK DR	MONAGHAN CAROLINA D
500	5930	BIRCHBROOK DR	RUSSELL ARGARTHA
501	5930	BIRCHBROOK DR	RIVERA ANTONIO

AGENDA ITEM # 42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 36 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District on the southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue

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

Z123-365(MW)

FILE NUMBER: Z123-365(MW)

DATE FILED: August 30, 2013

LOCATION: Southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue.

COUNCIL DISTRICT: 2

MAPSCO: 36-W

SIZE OF REQUEST: ±4.1 acres

CENSUS TRACT: 9.00

REPRESENTATIVE: Robert Baldwin

APPLICANT: Alliance Residential Company, LLC

OWNER: Urban Southwest – East Dallas
2301 Garrett Partners, LTD.

REQUEST: An application for a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District.

SUMMARY: The applicant proposes to redevelop the site with approximately 325 multifamily dwelling units. The Planned Development District will allow a maximum structure height of 60 feet and includes design standards to encourage pedestrian activity.

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

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

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon the following:

1. *Performance impacts upon surrounding property* – Based on the site's location along four thoroughfares, its proximity to institutional uses, and conditions for height and setback along Moser Avenue (adjacent to the single-family neighborhood), no negative performance are anticipated.
2. *Traffic impact* – The proposed development is basically an increase in multifamily density permitted on the site. The surrounding roadway system can accommodate the increased density.
3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the Comprehensive Plan.
4. *Justification for PD Planned Development District zoning as opposed to a straight zoning district* – The primary purpose of the request is to permit an increase in height and lot coverage. Staff and the applicant discussed the option of a form district in lieu of a Planned Development District to meet this objective; however, it was determined that the request site exceeds the maximum block perimeter of a form district. The applicant has incorporated aspects of form-based zoning into the proposed PDD conditions.

BACKGROUND INFORMATION:

- The ±4.1-acre request site is currently developed with a 109-unit multifamily complex.

Zoning History:

1. **Z101-321:** On Wednesday, January 25, 2012, the City Council approved a Planned Development District for Multifamily District Uses subject to a development plan and conditions.

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.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Fuqua Street	Local	55 feet
Garrett Avenue	Local	60 feet
Monarch Street	Local	67 feet
Moser Avenue	Local	60 feet

Surrounding Land Uses:

	Zoning	Land Use
Northeast	MF-2(A)	Single family
Southeast	LO-1 w/ deed restrictions; CR; MF-2(A)	Office; school; fire station
Southwest	MF-2(A)	Multifamily
Northwest	MF-2(A)	Townhomes; multifamily

STAFF ANALYSIS:**Comprehensive Plan:**

The subject site is identified as being within an Urban Neighborhood on the *forwardDallas!* Vision Illustration, adopted June 2006. Urban neighborhoods are predominantly 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 mid-rise 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 residents.

The proposed multifamily project is consistent with the desired urban neighborhood development pattern identified on the *forwardDallas!* Vision Illustration, as it promotes diversity in housing choices.

URBAN DESIGN ELEMENT**GOAL 5.1: PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY****Policy 5.1.1 Promote pedestrian-friendly streetscapes.**

The request site is located near Fitzhugh Avenue, which is an established commercial corridor. The proposed PD conditions require wider sidewalks

and urban design standards, such as enhanced pedestrian entrances and façade wall changes, which will promote a pedestrian-friendly environment and will encourage walking to nearby shopping and services.

Policy 5.1.3 Encourage complementary building height, scale, design and character.

The proposed project is consistent in height, scale and character with the two recent redevelopment projects in the area (PDD No. 763 and PDD No. 860). To promote compatibility with the existing mix of single and multifamily development, a 15-foot front setback is proposed, consistent with that of the MF-2(A) District. This will maintain continuity of the established setback along all street frontages and will help preserve the existing character of the neighborhood.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

The request site is located within walking distance of an established commercial corridor; proposed design standards promote a pedestrian-friendly environment.

Land Use Compatibility:

The request site is surrounded by a mix of single family and multifamily development and is within close proximity to the Fitzhugh Avenue commercial corridor.

The MF-2(A) Multifamily District, which is prevalent in this area, allows a maximum height of 36 feet, a density range of approximately 36 to 54 dwelling units per acre and maximum lot coverage of 60 percent. The requested Planned Development District proposes a maximum height of 60 feet (proposed height zones are as depicted on the conceptual plan) with a maximum density of approximately 79 units per acre and 75 percent maximum lot coverage.

The applicant intends to maintain a 15-foot front yard setback, consistent with that of the MF-2(A) District. This will maintain continuity of the established setback along the street frontages and will help ensure compatibility with the single family homes on the northeast line of Moser Avenue. To promote a more urban, walkable character, the proposed conditions also include a maximum front yard setback of 20 feet with a provision that the front facade equal to at least 70 percent of the length of the lot, excluding pedestrian and vehicular ingress and egress points and the required recessed areas on the Moser Avenue facade must be located within the area between the minimum and maximum setback. The remainder of the front facade (less than 30 percent of the length of the lot) must comply only with the minimum front yard setback.

While properties in the area have redeveloped under the existing MF-2(A) Multifamily District standards, staff recognizes the transitional state of the neighborhood. Therefore, staff supports the increase in density at this location subject to the proposed conditions which would require urban design standards to promote a pedestrian-friendly environment.

Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
MF-2(A) Multifamily	15'	15'	No maximum	36'	60%	Proximity Slope	Multifamily, duplex, single family
Proposed							
PDD Multifamily	15' minimum 20' maximum*	10'	325 units	60'	75%	Proximity Slope	Multifamily

*A portion of the front facade equal to at least 70 percent of the length of the lot, excluding pedestrian and vehicular ingress and egress points and the required recessed areas on the Moser Avenue facade, must be located within the area between the minimum and maximum setback. The remainder of the front facade (less than 30 percent of the length of the lot) must comply only with the minimum front yard setback.

Parking:

Parking must be provided in accordance with the Dallas Development Code, which requires one space for each bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only.

Landscaping:

Landscaping is being provided in accordance with Article X of the Dallas Development Code with the exception of site trees and parkway trees. Also, the applicant proposes enhanced streetscape provisions which require parkway trees at one tree per each 35 feet of street frontage. Parkway trees must be located within a tree planting zone, which is that area parallel to and between two-and-one-half and ten feet from the back of the projected street curb. In addition, the applicant proposes six-foot sidewalks, with at least four feet of unobstructed width, along all street frontages.

CPC Action: April 3, 2014:

Motion I: In considering an application for a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District on the southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue, it was moved to **hold** this case under advisement until April 17, 2014.

Maker: Soto
Second: Anantasomboon
Result: Failed: 3 to 12

For: 3 - Soto, Anantasomboon, Lavallaisaa

Against: 12 - Anglin, Rodgers, Culbreath, Shidid, Bagley,
Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley,
Abtahi
Absent: 0
Vacancy: 0

Motion II: It was moved to recommend **approval** of a Planned Development District for MF-2(A) Multifamily District uses, subject to a revised conceptual plan and revised conditions on property zoned an MF-2(A) Multifamily District on the southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue.

Maker: Culbreath
Second: Shellene
Result: Carried: 14 to 1

For: 14 - Anglin, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene,
Schultz, Peadon, Murphy, Ridley, Abtahi

Against: 1 - Soto
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 89
Replies: For: 13 Against: 6

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Evan Beattie, 5318 Willis Ave., Dallas, TX, 75206
Hudson Henley, 2121, 2201, 2205, 2209 N. Henderson Ave., Dallas, TX, 75206
For (Did not speak): Melody Parra, 1921 Moser Ave., Dallas, TX, 75206
Violet Vilchis, 1925 Moser Ave., Dallas, TX, 75206
Dana Lafargue, 1902 Moser Ave., Dallas, TX, 75206
David McQuaid, 1916 N. Garrett Ave., Dallas, TX, 75206

Z123-365(MW)

Todd White, 2012 Garrett Ave., Dallas, TX, 75206
Pamela Garcia, 2000 Garrett Ave., Dallas, TX, 75206
W. T. McQuaid, 1918 Garrett Ave., Dallas, TX, 75206
Ben Beaird, 5121 McKinney Ave., Dallas, TX, 75205
Dan Beaird, 5121 McKinney Ave., Dallas, TX, 75205
Karl Hirschey, 8111 Preston Rd., Dallas, TX, 75225
Chad Jackson, 8111 Preston Rd., Dallas, TX, 75225
Lisa Jackson Jones, 3811 Sage Dr., McKinney, TX, 75070
Lane Kommer, 1920 N. Fitzhugh St., Dallas, TX, 75206
Zachary Farrell, 10142 Lingo Ln., Dallas, TX, 75228

Against: None

Partners/Principals/Officers:

Applicant: Alliance Residential Company

Bruce C. Ward, President
Robert M. Hutt, Vice President
V. Jay Hiemenz, Secretary
John T. Rippel, Treasurer

Owners: Urban Southwest – East Dallas, LP

General Partner: Urban Southwest – East Dallas, GP

Ben Weil, Manager

2301 Garrett Partners, LTD.

General Partner: Citivest, Inc.

David McQuaid, President

**Z123-365
CPC Recommended Conditions**

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 at the south side of Moser Avenue, between Fuqua Avenue and Monarch Avenue. The size of PD ___ is approximately 4.107 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 51 A.

(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: conceptual plan.

SEC. 51P-___.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit ___A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P-___.106. DEVELOPMENT PLAN.

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

SEC. 51P-___.107. MAIN USES PERMITTED.

The only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by

SUP: a use subject to development impact review (DIR) in the MF-2(A) Multifamily District is subject to DIR in this 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.

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 51 A-4.400. If there is a conflict between this section and Division 51 A-4.400, this section controls.)

(a) Front yard.

- (1) Minimum front yard is 15 feet.
- (2) Maximum front yard in 20 feet.
- (3) Urban form setback is not required.
- (4) Cantilevered roof eaves and balconies may project up to five feet into the required front yard.
- (5) The following may be located in the required front yard:
 - (A) Retaining walls with a maximum height of four feet.
 - (B) Railings for stairs, stoops, porches, and patios with a maximum height of three and one-half feet.
 - (C) Stoops and stairs.
- (6) Fences located in the front yard must be at least 50 percent open.

(b) Side and rear yard.

- (1) Minimum side yard is 10 feet. Minimum rear yard is 10 feet.
- (2) Tower spacing is not required.
- (3) The following may project up to five feet into required side or rear yards:
 - (A) Cantilevered roof eaves and balconies.

(B) Stoops and stairs that do not exceed eight feet in width and four feet in height.

(4) The following are allowed to be located in required side or rear yards:

(A) Fences with a maximum height of six feet.

(B) Railings for stairs, stoops, porches, and patios with a maximum height of 42 inches.

(c) Density. Maximum number of dwelling units is 325.

(d) Facade location. A portion of the front facade equal to at least 70 percent of the length of the lot, excluding pedestrian and vehicular ingress and egress points and the required recessed areas on the Moser Avenue facade, must be located within the area between the minimum and maximum setback. The remainder of the front facade (less than 30 percent of the length of the lot) must comply only with the minimum front yard setback.

(e) Ground-story transparency. A minimum of 30 percent along Moser Avenue and Garrett Avenue.

(f) Upper-story transparency. A minimum of 20 percent for floors two through four. There will be no openings on the fifth floor facing Moser Avenue.

(g) Pedestrian entrance. Pedestrian entrances are required along Moser Avenue and Garrett Avenue.

(h) Blank wall area. The maximum length for a blank wall is 30 feet.

(i) Floor area ratio. No maximum floor area ratio.

(j) Height.

(1) Except as provided in this subsection, maximum structure height is 50 feet. No portion of a structure may be located above the residential proximity slope.

(2) Moser Avenue. Maximum structure height is 40 feet within 45 feet of Moser Avenue in the area shown on the conceptual plan.

(3) Monarch Avenue. Maximum structure height is 60 feet along Monarch Avenue in the area shown on the conceptual plan.

(4) Projections.

(A) A Clerestory may project a maximum of four feet above the maximum structure height.

(B) An elevator penthouse or bulkhead may project a maximum of 12 feet above the maximum structure height if located a minimum of 50 feet from the Moser Avenue property line.

(C) A chimney or vent stack may project a maximum of three feet above the maximum structure height.

(D) A parapet wall may project a maximum of three feet above the maximum structure height.

(f) Lot coverage. Maximum lot coverage is 75 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. Except as provided in this section, maximum number of stories is four.

(1) The maximum number of stories within 45 feet of Moser Avenue is three.

(2) A fifth level amenity area is allowed on the roof of the parking garage as shown on the conceptual plan (Exhibit A).

(3) The maximum number of stories for parking structures is five.

SEC. 51P-__110. DESIGN STANDARDS FOR STREET FRONTAGES.

(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) A minimum of 60 percent of the total street-facing, ground floor dwelling units must have individual entries that access the street and must have an improved path connecting to the sidewalk. All ground floor dwelling units facing Moser Avenue must meet the individual entry requirement in this paragraph. The improved path may be constructed of concrete, decomposed granite, or other similar material. Individual entries may be gated and private yards fenced if the fencing is not entirely solid.

(c) The use of stoops or porches at each street-facing, ground floor dwelling unit is encouraged.

(d) A minimum of two of each of the following pedestrian amenities are required along Moser Avenue and Garrett Avenue: bench, trash receptacle, and bicycle rack.

(e) Facade wall changes. Facade walls must have one or more of the following changes:

(1) Changes of color, texture, or material, either diagonally, horizontally, or vertically.

(2) Changes in plane with a depth of at least 24 inches, either diagonally, horizontally, or vertically.

(3) The Moser Avenue frontage must include at least three recessed areas to provide facade relief. These recessed areas must:

(A) have a minimum width of 20 feet;

(B) have a minimum depth of 7 feet; and

(C) be separated by at least 100 feet.

(4) Recessed areas are not required along the Fuqua Avenue, Garrett Avenue or Monarch Avenue frontages.

(f) Materials and colors. No more than 80 percent of the area of a street facade wall, exclusive of fenestration, may consist of a single color.

(g) Enhanced pedestrian building entrances. A minimum of one visible and usable building entrance is required per street frontage. The entrance must be clearly identified using an awning, paving treatments, a change in roofline, porticos, arcades, arches, integral planters, a stoop, or front porch, color treatments, or similar means. Enhanced pedestrian building entrances must face the street and be recessed a minimum of four feet from the facade or provide covering extending a minimum of four feet out from the facade.

(h) Parking structures must be located either underground or be enhanced by an architectural facade.

(i) Openings in the parking structure facade must not exceed 55 percent of the total garage facade area.

(j) Aboveground parking structures must be constructed so as to screen vehicle headlights from shining on adjacent property by a minimum forty-two inch wall.

(k) All ground floor dwelling units facing Moser Avenue must have individual front door entries with access to a public sidewalk via an improved path. The improved path may be constructed of concrete, decomposed granite or a similar material.

(l) All ground floor dwelling units facing Moser Avenue must have an illuminated unit number on the building façade.

SEC. 51P-____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) In general. Sec Article VI.

(b) Prohibited light sources. The following outdoor light fixtures and sources may not be used if the direct light emitted is visible from adjacent properties:

(1) Low pressure sodium and mercury vapor light sources.

(2) Cobra-head type fixtures having dished or drop lenses or refractors which house other than incandescent sources.

(3) Searchlights and other high intensity narrow-beam fixtures.

(c) Lighting design requirements. Outdoor lighting must primarily be used to provide safety, accent key architectural elements, or emphasize public art or landscape features. All lighting fixtures must meet the following requirements:

(1) Fixture (luminaire).

(A) In order to direct light downward and minimize the amount of light spillage into the night sky and onto adjacent properties, all lighting fixtures must be full cutoff fixtures.

(B) Fixtures must be mounted in such a manner that the cone of light is contained on-site and does not cross any property line on the perimeter of the Property.

(C) Lighting fixtures in parking areas may not exceed 10 feet in height above the parking surface. Lighting fixtures located at the top level of the parking garage must be shielded in order to direct light towards the parking surface.

(D) Lighting fixtures in pedestrian areas may not be less than nine feet nor more than 15 feet in height above the sidewalk. Pedestrian street lights must be provided at a maximum spacing of 50 feet along all public street right-of-ways.

(2) Light source (lamp).

(A) The light source must be concealed.

(B) Only incandescent, fluorescent, metal halide, or color corrected high-pressure sodium may be used.

(C) The same light source type must be used for the same or similar types of lighting throughout the Property.

(d) Specific lighting standards.

(1) Security lighting.

(A) Building mounted security light fixtures such as wall packs may not project above the roof line of the building and must be shielded.

(B) Security lighting fixtures may not face residential uses adjacent to the Property.

(C) Security lighting fixtures may not be substituted for parking area or pedestrian area lighting and are restricted to loading, storage, service, and similar locations.

(2) Accent lighting. Only lighting used to accent architectural elements, landscaping, or art may be directed upward, provided that the fixture is located, aimed, or shielded to minimize light spill into the night sky.

(3) Entrances and exits. All entrances to and exits from buildings must be lighted to ensure the safety of persons and the security of the building.

(4) Parking area lighting. The provisions of Section 51 A-4.301(e) apply to all off-street parking areas except as expressly modified in this section.

(5) Excessive illumination.

(A) Lighting that substantially interferes with the use or enjoyment of any other property is prohibited.

(B) Lighting must not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of drivers.

SEC. 51P-___.113. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X. If there is a conflict between the text of this section and Article X, the text of this section controls.

(b) Site trees. Site trees must have a minimum height of eight feet and a minimum caliper of two inches measured at a point 12 inches above the root ball at the time of installation.

(c) Parkway trees.

(1) Tree planting zone. Parkway trees must be located within the tree planting zone, which is that area parallel to and between two-and-one-half and ten feet from the back of the projected street curb. Trees planted within the tree planting zone may count toward site tree and street tree requirements.

(2) Number. The minimum number of required parkway trees is determined by dividing the number of feet of street frontage, exclusive of visibility triangles, by 35. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. A one street tree credit will be allowed for each existing street tree that is preserved.

(3) Type. Parkway trees must be recommended for local area use by the building official.

(4) Height and caliper. Parkway trees must have a minimum height of 8 feet and a minimum caliper of three-and-one-half inches measured at a point 12 inches above the root ball at the time of installation.

(5) Spacing. Parkway trees must be spaced as uniformly as practicable, but must be within 50 feet of the trunk of another required tree or an existing preserved street tree, exclusive of all visibility clips and vehicular drives.

(d) Landscaping features. Decorative landscaping features, including fountains, are permitted in parking lots.

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

SEC. 51P-___.114. SIDEWALKS.

(a) A minimum six-foot-wide sidewalk with at least four feet of unobstructed width must be provided along all street frontages. Tree grates do not count toward the minimum unobstructed sidewalk width.

(b) Except where on-street parking bays are to be constructed, sidewalks must be located in an area parallel to and within two-and-one-half feet to fifteen feet of the back of the projected street curb. Where there are on-street parking bays, the sidewalk can be located at the back of curb.

(c) If a sidewalk is located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrian way.

SEC. 51P-___.115. SIGNS.

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

(b) Any detached sign along Moser Avenue is limited to a maximum of 12 feet in height.

(c) A blade sign along Moser Avenue is permitted and encouraged.

- (d) Any sign along Moser Avenue may not be internally illuminated.

SEC. 51P-__116. ADDITIONAL PROVISIONS.

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

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

(c) During construction, the Property must be fenced and secured nightly and on Sundays, and the owner shall ensure that no work is performed outside of the times allowed by city regulations.

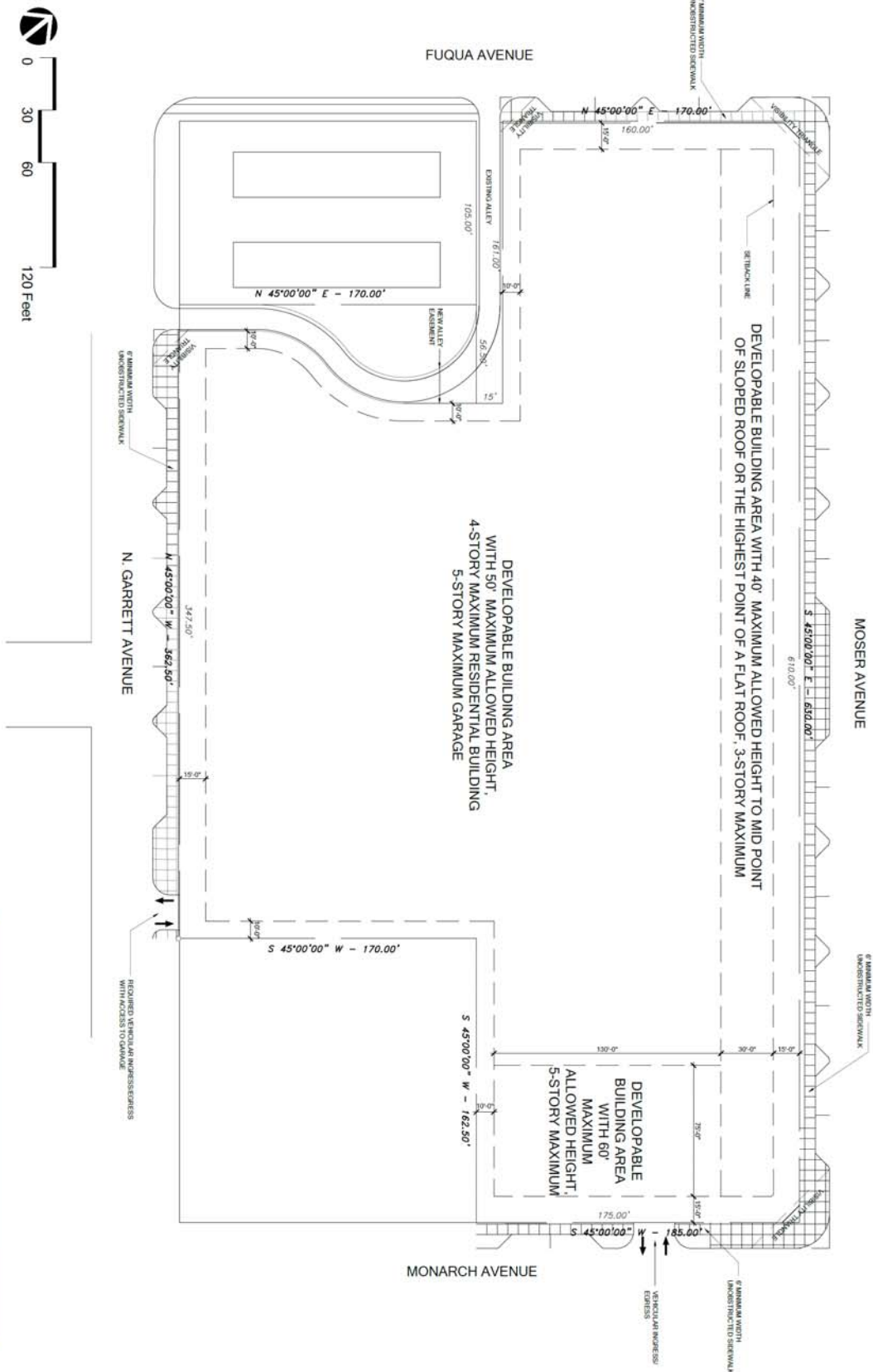
(d) A minimum of two vehicular ingress/egress points must be provided along Garrett Avenue, one of which shall provide access to the parking garage.

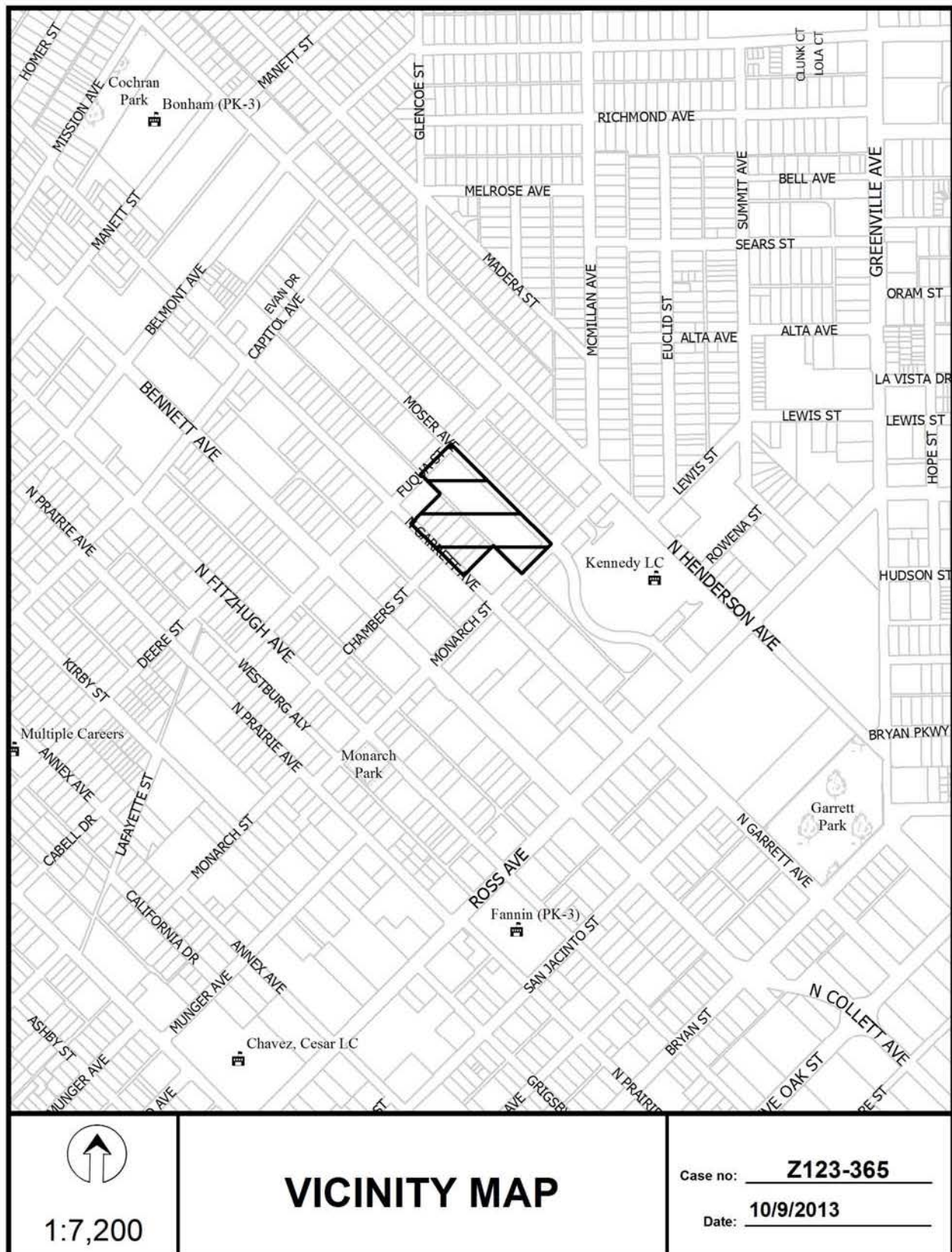
SEC. 51P-__ 117. COMPLIANCE WITH CONDITIONS.

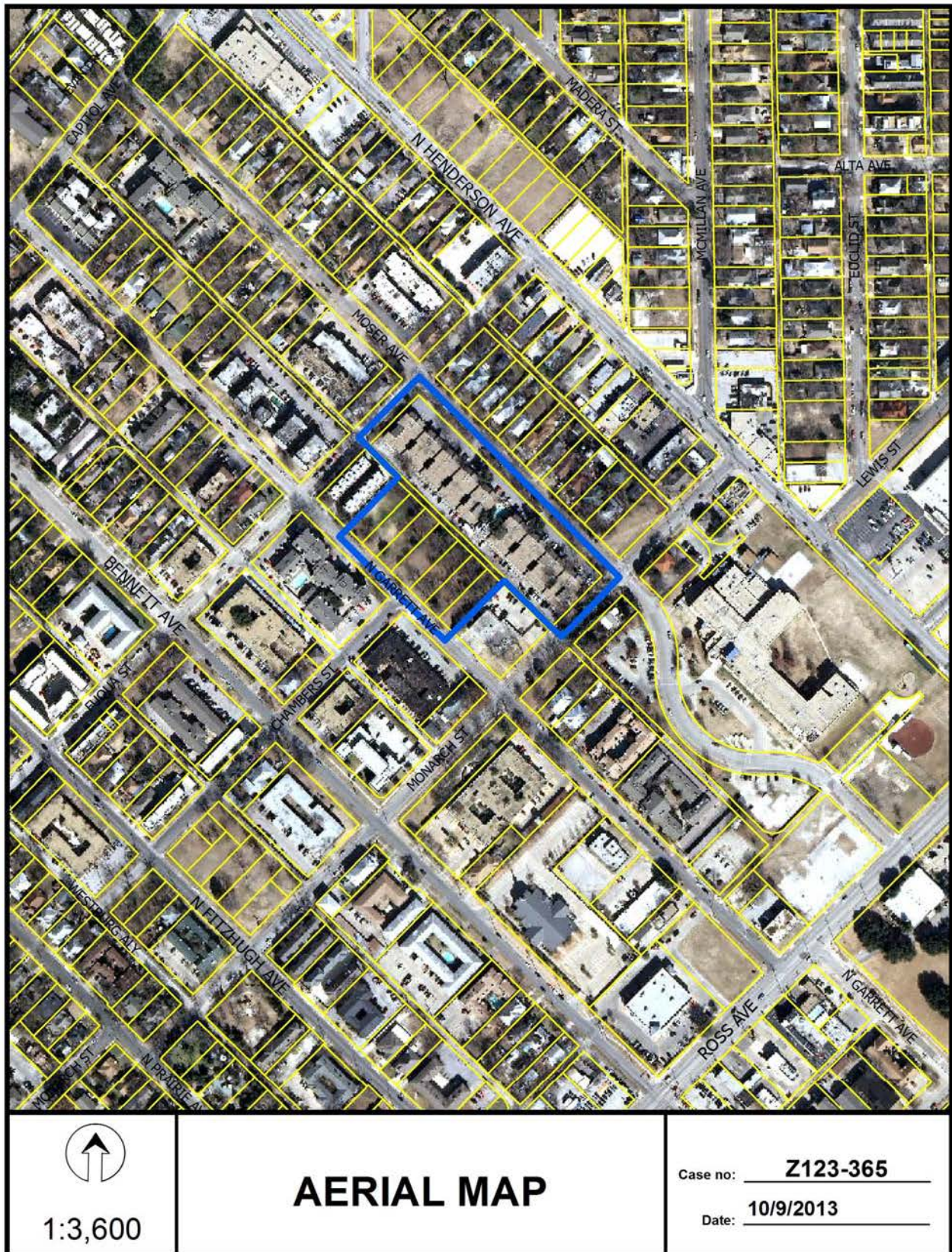
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

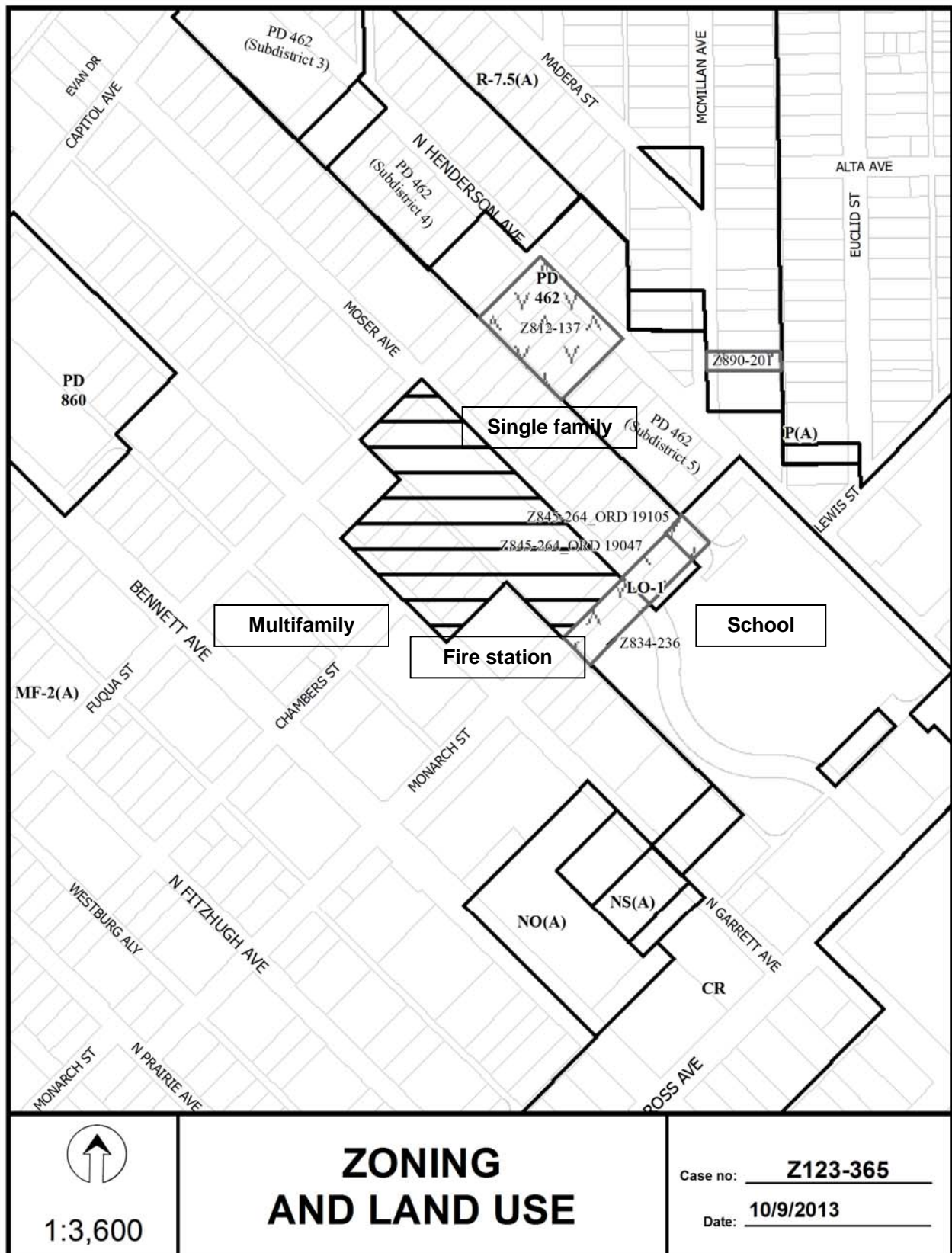
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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

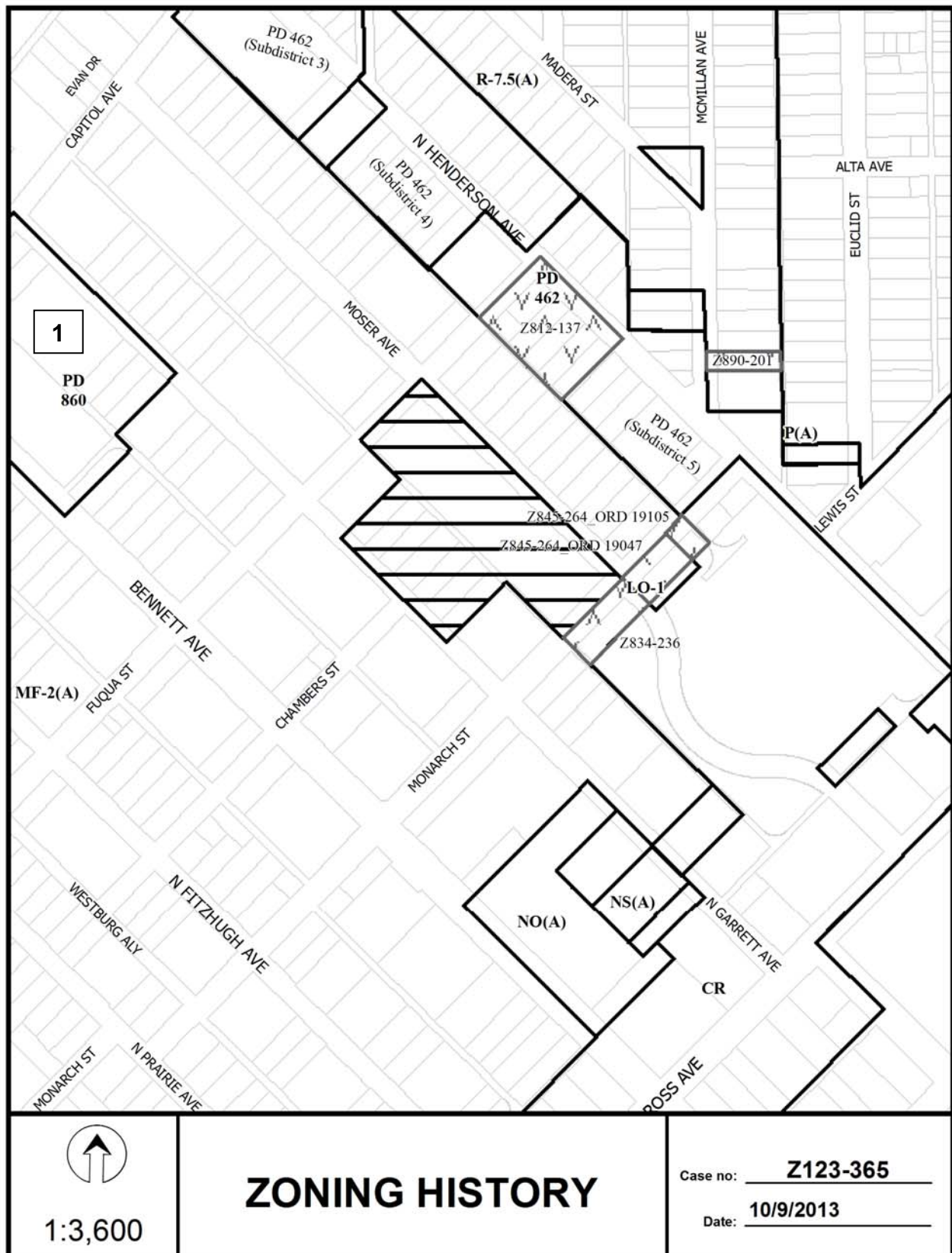
Proposed Conceptual Plan



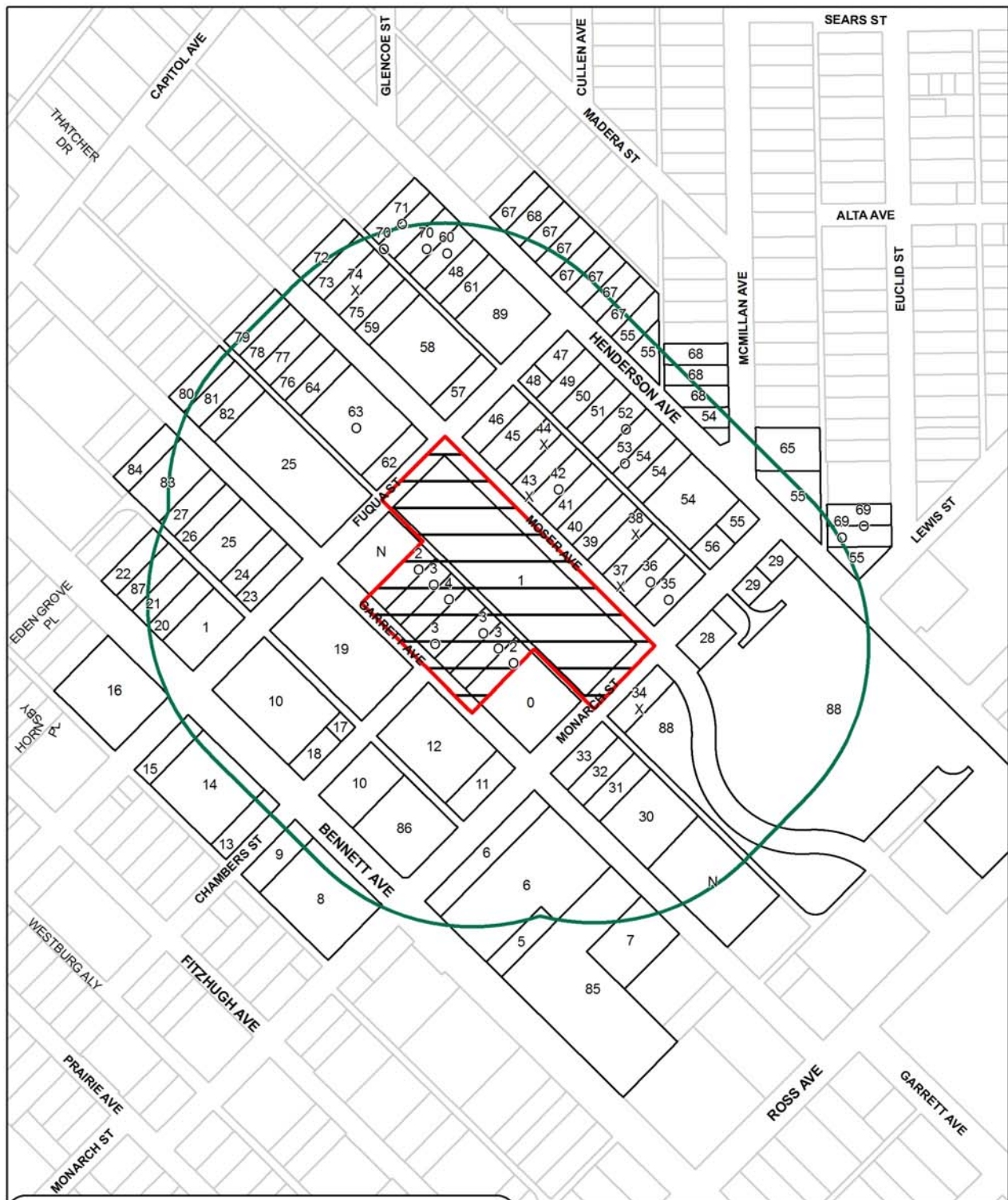








CPC Responses



89	Property Owners Notified (121 parcels)
13	Replies in Favor (19 parcels)
6	Replies in Opposition (6 parcels)
500'	Area of Notification
4/3/2014	Date 3/20/2014 Under Advisement

Z123-365
CPC



1:3,600

4/3/2014

Reply List of Property Owners***Z123-365******89 Property Owners Notified 13 Property Owners in Favor 6 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2106 BENNETT AVE	URBAN SOUTHWESTEAST
O	2	2012 GARRETT AVE	2301 GARRETT PTNR LTD
O	3	2008 GARRETT AVE	2301 GARRETT PARTNERS LTD
O	4	2004 GARRETT AVE	2301 GARRETT PARTNERS LT
	5	1808 BENNETT AVE	RAMIREZ RICHARD & MARIE
	6	1830 BENNETT AVE	VILLA SANTA MARIA INC
	7	1805 GARRETT AVE	MEDHANFALEM ERITREAN
	8	1909 BENNETT AVE	1909 HODLINGS LTD
	9	1919 BENNETT AVE	WRUCK GEORGE JR
	10	1918 BENNETT AVE	URBAN SOUTHWEST EAST
	11	1903 GARRETT AVE	ARGO MARVIN L
	12	1919 GARRETT AVE	URBAN SOUTHWEST VILLA GARRETT LP
	13	2003 BENNETT AVE	G220 ENTERPRISES
	14	2015 BENNETT AVE	BLUE FIN PARTNERS INC
	15	2021 BENNETT AVE	ADENDORFF JUSTIN
	16	2109 BENNETT AVE	SEAHORSE HOLDINGS LP
	17	5011 CHAMBERS ST	IRA PLUS SOUTHWEST LLC
	18	5005 CHAMBERS ST	BROWN MEGAN
	19	2015 GARRETT AVE	MADDOX RONALD C &
	20	2110 BENNETT AVE	ANDRADE MIGUEL LIRA
	21	2112 BENNETT AVE	DOMINGUEZ MARIANO &
	22	2122 BENNETT AVE	TORREZ JUAN & MARIA
	23	5023 FUQUA ST	CARDOSO JOSE L & MARIA E
	24	2107 GARRETT AVE	PINA MARTHA PARRA
	25	2115 GARRETT AVE	ANGKOR PROPERTIES LTD
	26	2117 GARRETT AVE	HERNANDEZ SALVADOR

4/3/2014

	<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
		27	2121 GARRETT AVE	VILLAREAL AMPARO
		28	1830 MOSER AVE	BLAIR IAN
		29	1839 HENDERSON AVE	CANELAKES LOUIS
		30	1820 GARRETT AVE	TOMAR HOLDINGS LTD
		31	1828 GARRETT AVE	TOPSPIN DEVELOPMENT LP
		32	1832 GARRETT AVE	TOPSIN DEV LP
		33	1836 GARRETT AVE	BURNS ROBERT &
	X	34	1833 MOSER AVE	BURNS ROBERT W
	O	35	1902 MOSER AVE	BOSWELL BRADLY
	O	36	1906 MOSER AVE	STELLMACHER RICHARD &
	X	37	1912 MOSER AVE	TICHANSKY MICHAEL S &
	X	38	1914 MOSER AVE	MCCULLOUGH DAVID W &
		39	1918 MOSER AVE	MONDELL FONYA NAOMI
		40	1922 MOSER AVE	MONDELL CYNTHIA & ALLEN
		41	2002 MOSER AVE	GOODENOW GEORGE
	O	42	2006 MOSER AVE	ULLAH ANJUM
	X	43	2008 MOSER AVE	LOPEZ JAVIER
	X	44	2014 MOSER AVE	CUELLAR- VALDEZ ROSANN
		45	2018 MOSER AVE	RIBEIRO PATRICIA X
		46	2022 MOSER AVE	ESCARCEGA CARLOS
		47	2023 HENDERSON AVE	RIVAS ELIZABETH C
		48	5216 FUQUA ST	SMITH ISABELLE M
		49	2019 HENDERSON AVE	ALARCON ANDRES
		50	2015 HENDERSON AVE	ESPINOZA GRACIELA
		51	2011 HENDERSON AVE	NGUYEN CUNG LUONG 2010 TRUST
	O	52	2007 HENDERSON AVE	NORTH HENDERSON AVENUE LLC
	O	53	2003 HENDERSON AVE	MUNTZEL MARK
		54	1925 HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
		55	1901 HENDERSON AVE	HENDERSON MAIN DALLAS LLC
		56	5217 MONARCH ST	MUELLER MARK C
		57	2100 MOSER AVE	FIG TREE ASSOC INC

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	2110 MOSER AVE	FIG TREE ASSOCIATES INC
	59	2122 MOSER AVE	GARCIA JOSE
O	60	2121 HENDERSON AVE	HENLEY HAROLD HUDSON
	61	2115 HENDERSON AVE	AVILA PASTORA MARIA
	62	2103 MOSER AVE	HOLZWARTH DENNIS
O	63	2107 MOSER AVE	YDB PROPERTIES LLC
	64	2123 MOSER AVE	HSIANG YUEH YUE &
	65	1804 MCMILLAN AVE	HENDERSON MAIN DALLAS LLC
	66	1924 HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
	67	2116 HENDERSON AVE	HENDERSON RESIDENTIAL LANDS DALLAS LLC
	68	2114 HENDERSON AVE	HENDERSON RESIDENTIAL LANDS
O	69	1805 EUCLID AVE	MAREK MARVIN R
O	70	2201 HENDERSON AVE	HENLEY HAROLD H
O	71	2209 HENDERSON AVE	HENLEY HUDSON
	72	2214 MOSER AVE	FLORES IRMA RUFINA
	73	2208 MOSER AVE	FOUR MAD OX LLC
X	74	2206 MOSER AVE	CHEFCHIS AMELIA
	75	2202 MOSER AVE	NEGRETE BLANCA G
	76	2203 MOSER AVE	ALVAREZ RODRIGO & MARIA
	77	2207 MOSER AVE	NILASENA NANCY
	78	2211 MOSER AVE	SEGOVIA ESPERANZA
	79	2215 MOSER AVE	KHAN IRFAN A &
	80	2214 GARRETT AVE	PAUKEN THOMAS WEIR
	81	2208 GARRETT AVE	KEMP JACK R
	82	2206 GARRETT AVE	SITTERLE KAREN
	83	2201 GARRETT AVE	OHIRHIAN SAMUEL O
	84	2211 GARRETT AVE	JLB BENCAP LP
	85	1800 BENNETT AVE	CHURCH OF JESUS CHRIST OF
	86	1902 BENNETT AVE	BENNETT LOFT LLC
	87	2120 BENNETT AVE	RUIZ JAIMIE
	88	1802 MOSER AVE	Dallas ISD

Z123-365(MW)

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	2107 HENDERSON AVE	MASAKI MARIA A

AGENDA ITEM # 43

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 14, 2014
COUNCIL DISTRICT(S): 14
DEPARTMENT: Sustainable Development and Construction
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 36 B; F

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District, on property at the southwest corner of Milton Street and Amesbury Drive

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

Z134-111(RB)

FILE NUMBER: Z134-111(RB)

DATE FILED: October 13, 2013

LOCATION: Milton Street and Amesbury Drive, Southwest Corner

COUNCIL DISTRICT: 14

MAPSCO: 36 B, F

SIZE OF REQUEST: Approx. 3.009 Acres

CENSUS TRACT: 79.13

APPLICANT: Stillwater Residential Partners, LLC

OWNER: Alden Amesbury, Enterprise, LLC

REPRESENTATIVE: Karl Crawley, MasterPlan

REQUEST: An application for a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District.

SUMMARY: The applicant proposes to redevelop the property with 240 multifamily units. The applicant is requesting a PDD for consideration of the following: 1) to increase in dwelling unit density; 2) to increase in structure height; 3) to increase in lot coverage; and 4) to permit certain improvements to encroach into the required front and side yard.

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 subject to a development plan and conditions based upon:

1. *Performance impacts upon surrounding property* – As a proposed residential development, impact on adjacent properties (lighting, noise, odor) is not anticipated.
2. *Traffic impact* – While the request represents an increase in density over that currently permitted, it is anticipated the increase in trip generation will not be proportionate to the additional density, partly to the fact tenants will be able to walk to adjacent retail and transit (bus and rail).
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.
4. The applicant has worked with staff to ensure various provisions (i.e., design criteria, wide sidewalks) are provided to ensure compatibility with adjacent residential uses and provides for connectivity to the site's close proximity to established retail areas and the DART Lovers Lane Station.

BACKGROUND INFORMATION:

- The property is developed with multifamily dwellings spanning the site within various structures.
- The applicant proposes to demolish the existing improvements and redevelop the property with 240 multifamily dwelling units.

Zoning History:

File Number	Request, Disposition, and Date
1. Z067-259	On September 24, 2008, the City Council approved a PDD for certain Mixed Uses.
2. Z134-112	A PDD for MF-1(A) Multifamily District Uses – Pending the March 20, 2014 CPC public hearing.

<u>Street</u>	<u>Existing & Proposed ROW</u>
Amesbury Drive	Local; 50' ROW
Milton Street	Local; 50' ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined it will not impact the surrounding street system.

STAFF ANALYSIS

Comprehensive Plan: The request site is located in an area considered Urban Mixed-Use. 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 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 site is currently developed with various multifamily structures. All improvements will be removed, with the applicant providing for a new multifamily development. See accompanying table for a comparison of existing/proposed provisions.

The site is located at the intersection of two streets, both possessing significant frontage. The applicant has worked with staff to ensure that certain design criteria is

incorporated into the development with sensitivities to the residential character of the area. As noted above, all ground level/street facing dwelling units will be required to provide access to the respective units. Along with certain design criteria and a commitment to wide sidewalks, the proposed development will possess significant visual interest and enhanced pedestrian/tenant interactions.

As DART's Lovers Lane Station (Red Line) is situated to the west (approximately 1,800 feet from the Milton/Amesbury corner to the rail platform), the development sits just outside of typically acceptable walking distances (one-quarter mile). Staff has determined the secured pathway to the station, as well as an established retail area (within one-quarter mile walking distance) does warrant consideration of supporting increased densities in this area.

Off-Street Parking: Off-street parking will be provided as required by the Dallas Development Code (one space for each bedroom with not less than one space per dwelling unit). As noted on the attached development plan, all required parking will be internalized with no spaces between the street facing facades and the respective street frontages.

Landscaping: Compliance with Article X will be required prior to issuance of a certificate of occupancy for the new development.

Provision	Existing MF-1(A)	Proposed PDD
F/S/R YARD SETBACKS	15'/10'/10' ASSUMES MULTIFAMILY STRUCTURES	10'/10'/10' CERTAIN PROJECTIONS MAY ENCROACH FIVE FEET INTO REQUIRED FRONT YARD AND BALCONIES FOUR FEET INTO THE SIDE YARD
DENSITY	NO MAX; GENERALLY DEVELOPS TO A RANGE OF 25-28 DU/ACRE DEPENDING ON UNIT MIX	240 DU'S (80 DU/ACRE)
FLOOR AREA RATIO	NO MAXIMUM	NO MAXIMUM
STRUCTURE HEIGHT/STORIES	36 FEET/NO MAX	48 FEET/THREE, PLUS 12 FEET FOR MECHANICALS, ETC
LOT COVERAGE	60%	80% (EXCLUDE LAND AREA FOR NON-POOL COURTYARD)
LANDSCAPING	ARTICLE X	ARTICLE X
OFF-STREET PARKING	CODE	CODE
MISCELLANEOUS	N/A	SIX FOOT-WIDE SIDEWALKS; DESIGN CRITERIA

CPC ACTION

(March 20, 2014)

Motion: It was moved to recommend **approval** of a Planned Development District for MF-1(A) Multifamily District Uses, subject to a revised development plan and revised conditions to include a provision for fencing along the west property line on property zoned an MF-1(A) Multifamily District, on property at the southwest corner of Milton Street and Amesbury Drive.

Maker: Ridley
Second: Rodgers
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 449
Replies: For: 59 Against: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Debra Barrios, 5072 Matilda St., Dallas, TX, 75206
Against: None

Z134-111(RB)

OWNER:

Alden Amesbury Enterprise, LLC
Dennis T. Wong, Sole Manager

Applicant:

Stillwater Residential Partners. LLC
Stillwater Capital Investments, LLC; Manager
Aaron Sherman, Member
Robert Elliot, Member
Richard Coady, Member
Leeds Real Estate Consulting, Inc.; Manager
Jason D. Leeds, Director

CPC RECOMMENDED CONDITIONS
“ARTICLE

PD

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- _____.102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located at the southwest corner of Amesbury Drive and Milton Street. The size of PD ____ is approximately 3.009 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 residential zoning district.

SEC. 51P- _____.104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit ____A: development plan.

SEC. 51P-_____.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

SEC. 51P- _____.106. MAIN USES PERMITTED.

The only main uses permitted are those main uses permitted in the MF-1(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-1(A) Multifamily District only by specific use permit (SUP) is permitted in this district only

by SUP; a use subject to development impact review (DIR) in the MF-1(A) Multifamily District is subject to DIR in this district; etc.

SEC. 51P-____.107. ACCESSORY USES.

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

(b) The following accessory uses are not permitted:

- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

SEC. 51P-____.108. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-1(A) Multifamily District apply.

(b) Front yard.

(1) The minimum front yard is 10 feet.

(2) The following may project up to five feet into the required front yard:

(A) cantilevered roof eaves and balconies; and

(B) stoops and stairs that do not exceed eight feet in width and four feet in height.

(3) The following are allowed to be located in the required front yard:

(A) retaining walls with a maximum height of four feet;

(B) fences with a maximum height of four feet; and

(C) railings for stairs, stoops, porches, and patios with a maximum height of 42 inches;

(4) Any fence located in the required front yard have at least 50 percent open surface.

(c) Side yard.

(1) The minimum side yard is 10 feet.

(2) Balconies may project up to five feet into the required front yard:

(d) Density. Maximum number of dwelling units is 240.

(e) Floor area ratio. No maximum floor area ratio.

(f) Height. Except as provided in this subsection, maximum structure height for a multifamily use is 48 feet to the highest point of the structure.

(1) The following structures may project a maximum of twelve feet above the maximum structure height:

- (A) Elevator penthouse or bulkhead.
- (B) Mechanical equipment room.
- (C) Cooling tower.
- (D) Tank designed to hold liquids.
- (E) Ornamental cupola or dome.
- (F) Skylights.
- (G) Clearstory.
- (H) Visual screens which surround roof mounted mechanical equipment.
- (I) Chimney and vent stacks.
- (J) Parapet wall, limited to a height of four feet.

(g) Lot coverage. Except as provided in this subsection, maximum lot coverage is 80 percent. Above-ground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(1) For purposes of this subsection, the land area for the non-pool courtyard located as shown on the attached development plan is exempt from lot coverage calculations.

(h) Lot size. For a multifamily use, no minimum lot size.

- (i) Stories. Maximum number of stories is four.

SEC. 51P- _____.109. OFF-STREET PARKING AND LOADING.

Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P- _____.110. URBAN DESIGN CONSIDERATIONS.

Prior to the issuance of a certificate of occupancy for a multifamily use, the following must be provided:

- (a) Building facades longer than 80 feet shall incorporate at least three of the following design features or architectural elements:

(1) Change in building materials, color, and texture which contrasts from the rest of the facade;

(2) Articulate building with projections, recesses, material changes, parapets, cornices, and varying roof heights;

(3) Distinguish between the building's base (street and lower levels), middle (core mid-section), and top (the upper level which distinguishes the building and how it meets the sky) with architectural elements and articulated through materials, details, and changes in wall plane;

(4) Deep inset windows;

(5) Stepped-back floor plates at upper levels to diminish overall scale;

(6) Architectural elements which protrude from the face of the building, such as terraces, decks, balconies, overhangs, and sunshades integrated into the building's architecture.

(7) Aboveground parking structures must be constructed so as to screen vehicle headlights from shining on adjacent property by a minimum forty-two inch wall.

(8) Openings in the parking structure facade must not exceed 55 percent of the total garage facade area.

- (b) Each ground floor, street facing unit must have direct access to the street through use of individual walkways or the sharing of a walkway between two units.

(c) A minimum of two of each of the following pedestrian amenities must be provided along for each 300 linear feet of street frontage or fraction thereof:

- (A) benches,
- (B) trash receptacles, and
- (C) bicycle racks (at least one five-bike rack must be provided).

SEC. 51P- _____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.112. LANDSCAPING.

(a) In general. Landscaping must be provided in accordance with Article X and the additional provisions in this section. If there is a conflict between the text of this section and Article X, the text of this section controls.

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

SEC. 51P- _____.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P- _____.114. ADDITIONAL PROVISIONS.

(a) Minimum sidewalk width is six feet.

(b) Highly reflective glass may not be used as an exterior building material on any building or structure.

(c) A minimum six foot-tall solid screening fence must be located along the western property line in the location as shown on the attached development plan.

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

(e) 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 of Dallas.

SEC. 51P-____.115.

COMPLIANCE WITH CONDITIONS.

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

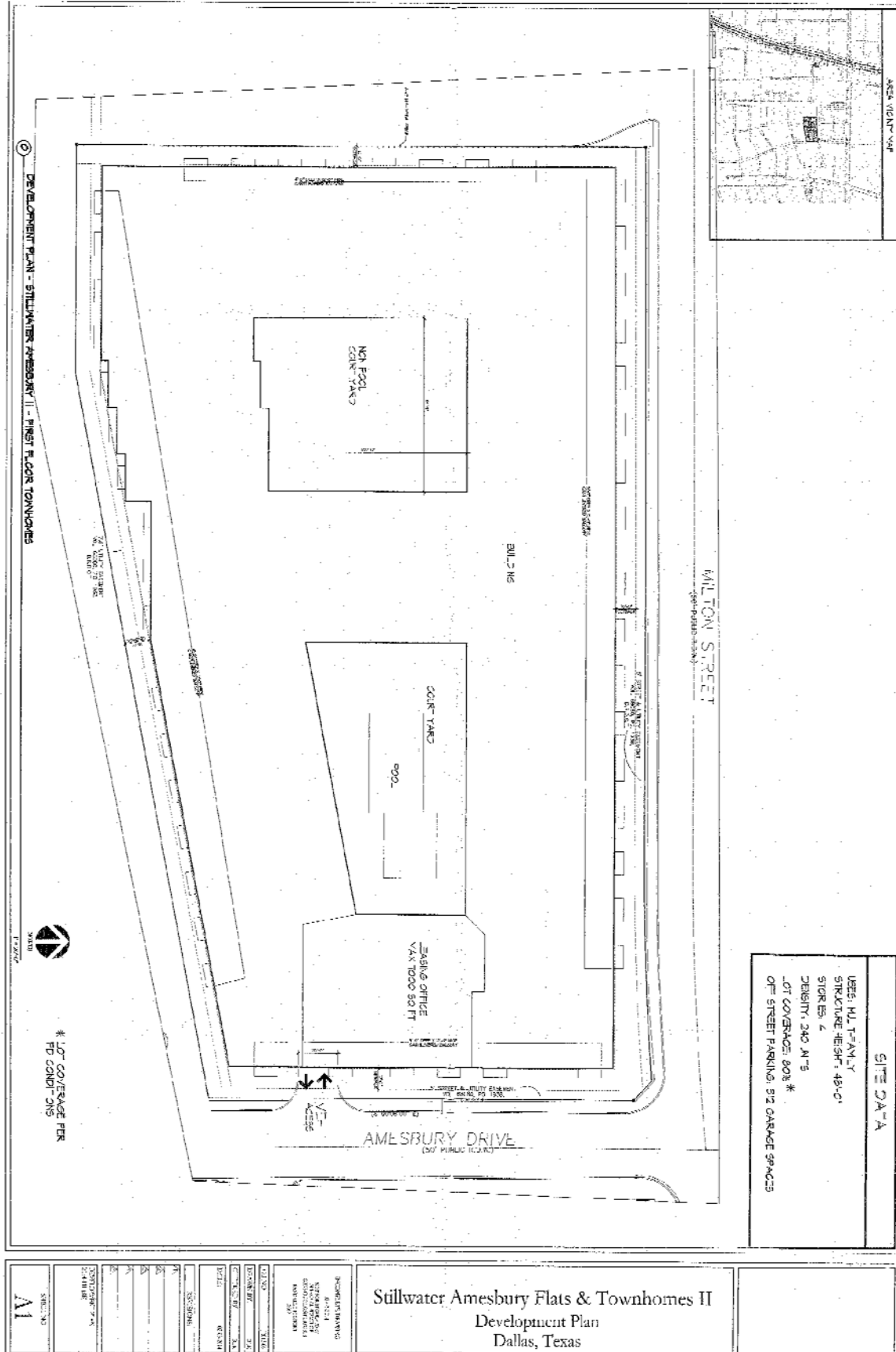
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules,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

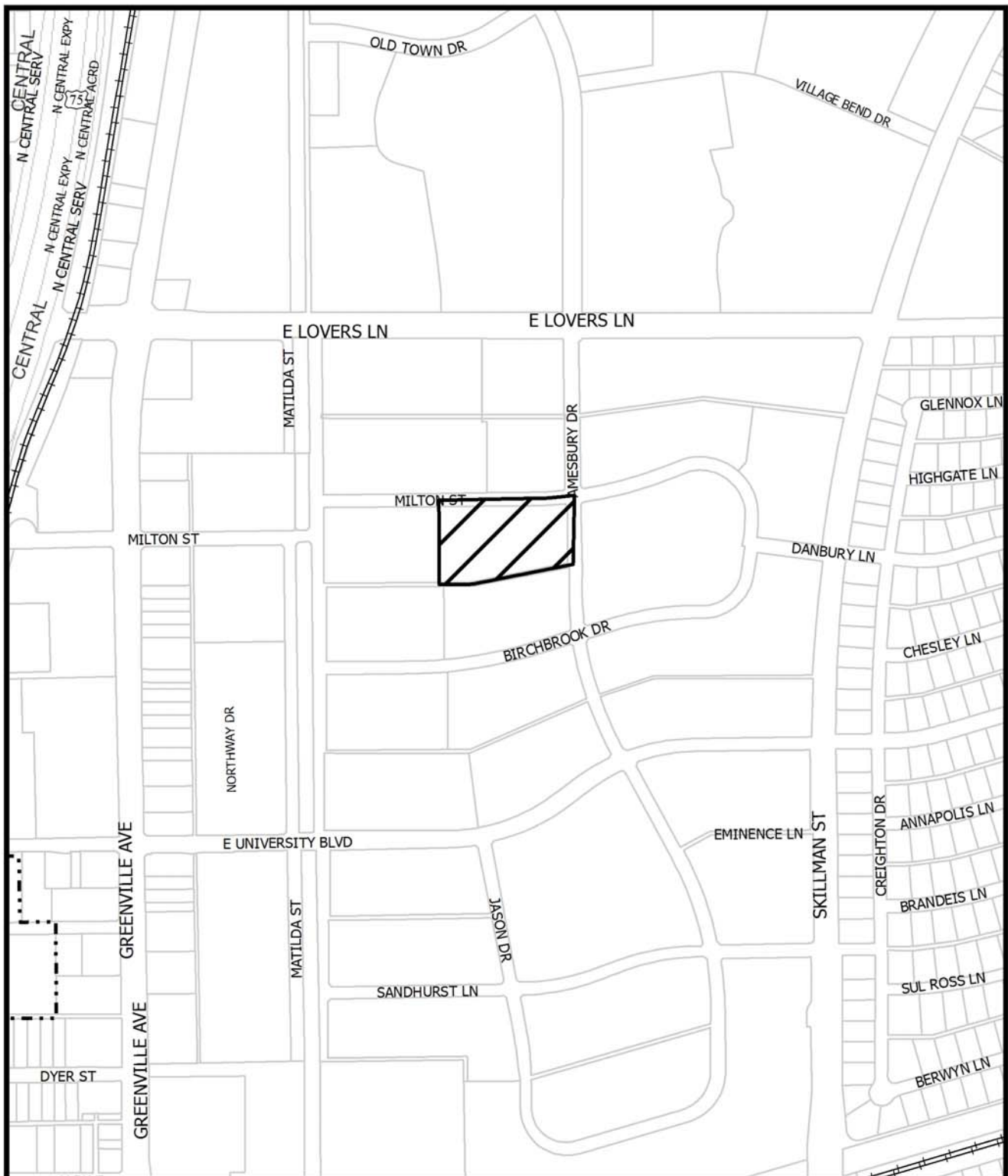
SEC. 51P-____.115.

COMPLIANCE WITH CONDITIONS.

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



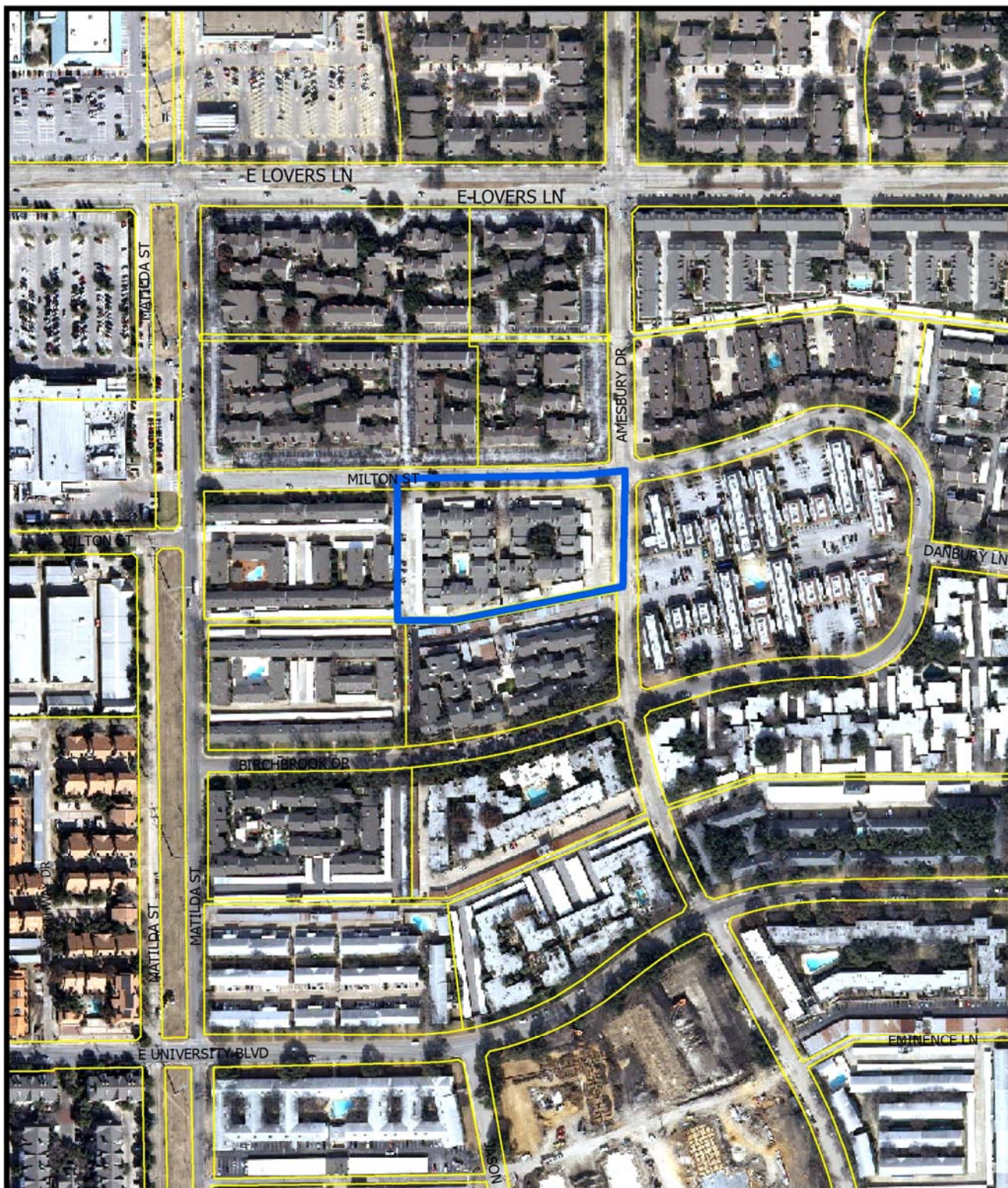


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VICINITY MAP

Case no: Z134-111

Date: 12/3/2013

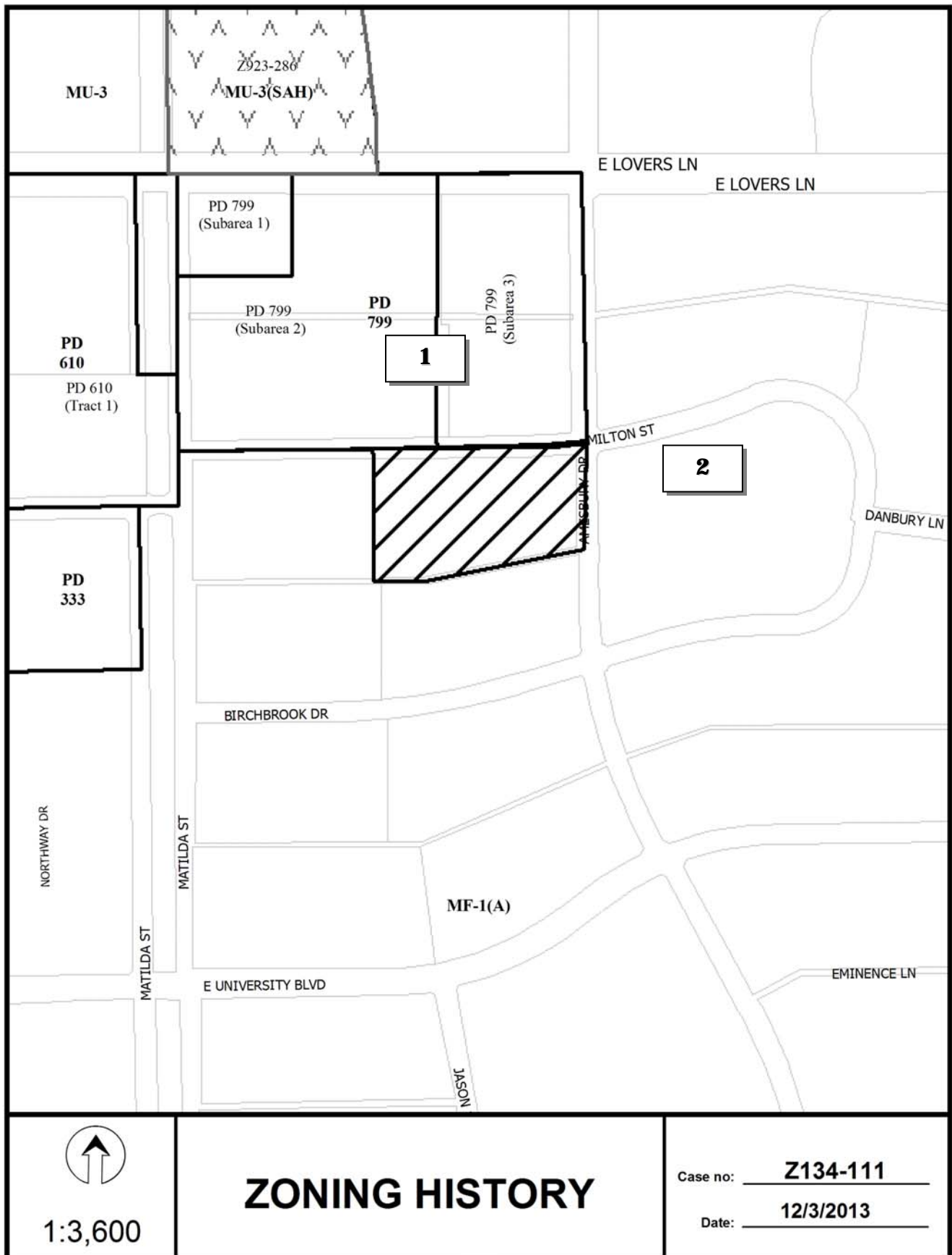


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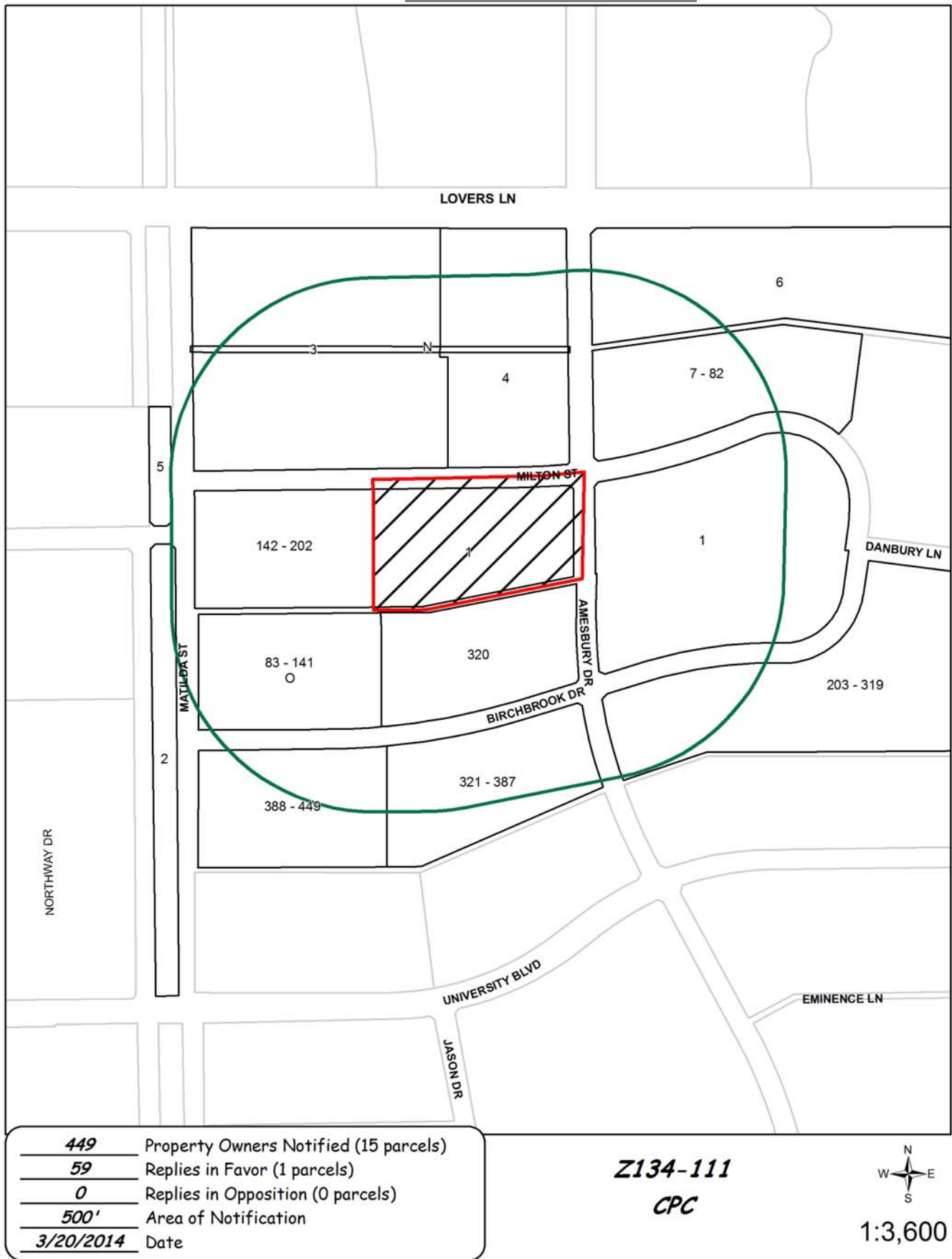
AERIAL MAP

Case no: Z134-111

Date: 12/3/2013



CPC RESPONSES



3/20/2014

Reply List of Property Owners***Z134-111******449 Property Owners Notified
Owners Opposed******59 Property Owners in Favor******0 Property***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5025	AMESBURY DR	ALDEN AMESBURY ENTERPRISE LLC
2	4500	GREENVILLE AVE	TEXAS UTILITIES ELEC CO
3	5936	LOVERS LN	LOVERS TRADITION II LP
4	5936	LOVERS LN	CT LOVERS LANE APARTMENTS LP
5	4500	GREENVILLE AVE	TXU ELECTRIC & GAS
6	6044	LOVERS LN	BEHRINGER HARVARD LOVERS LANE REIT I LLC
7	5130	AMESBURY DR	CHAVEZ CONSUELO BERNAL
8	5130	AMESBURY DR	REINHART COLIN
9	5130	AMESBURY DR	SILVA GENARO
10	5132	AMESBURY DR	COUSINO JAY FREDERICK &
11	5132	AMESBURY DR	LABARBA FRANK JR
12	5132	AMESBURY DR	SALGADO GARY
13	5130	AMESBURY DR	JONES TERRY P & REBECCA B
14	5130	AMESBURY DR	COUSINO JAY & LORI
15	5130	AMESBURY DR	PARKER LORI
16	5132	AMESBURY DR	ARRANGEMENT CONDO HOA
17	5132	AMESBURY DR	G4 LLC
18	5132	AMESBURY DR	MORANTE JAVIER
19	5136	AMESBURY DR	BUFORD R LEE
20	5136	AMESBURY DR	CASTELLANOS JOSEFA
21	5138	AMESBURY DR	GOLDEN STEPHANIE W &
22	5138	AMESBURY DR	RICKRICH WHITE LLC
23	5138	AMESBURY DR	COUSINO JAY
24	5136	AMESBURY DR	GILBREATH CYNTHIA
25	5136	AMESBURY DR	STRAIN ELIZABETH A
26	5138	AMESBURY DR	CCHIRCA ANATOMIO

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27	5138	AMESBURY DR	PHILLIPS ROGER
28	5140	AMESBURY DR	BARONET ALICE K
29	5140	AMESBURY DR	CHAVEZ RIGOBERTO &
30	5142	AMESBURY DR	KRANICH GEORGE W
31	5142	AMESBURY DR	KRANICH GEORGE W
32	5142	AMESBURY DR	ERNST BOBBIE JEAN
33	5140	AMESBURY DR	BRIDGES WILLIAM SAMUEL JR
34	5140	AMESBURY DR	CVIJETIC GORAN
35	5142	AMESBURY DR	FERIA JULIA V
36	5142	AMESBURY DR	GARZA ERICK
37	5142	AMESBURY DR	KENNEDY CAROLE K
38	5148	AMESBURY DR	AVIVA INVESTMENTS LP
39	5148	AMESBURY DR	FELLOWS HOWARD F JR &
40	5148	AMESBURY DR	SIGAUD JOSE
41	5148	AMESBURY DR	KELLER PHILLIP LANCE
42	5148	AMESBURY DR	JOHNSON MARGARET E
43	5148	AMESBURY DR	KAROVA RENI TZVETANOVA
44	5148	AMESBURY DR	NEGA AKLIL
45	5148	AMESBURY DR	BROTHERTON KATHERINE
46	5150	AMESBURY DR	STEVENS MICHAEL W
47	5150	AMESBURY DR	FAITH DORIS
48	5150	AMESBURY DR	SABOGAL ANDREW
49	5150	AMESBURY DR	GRAY GARY T
50	5150	AMESBURY DR	LOZANO JR LINO GARZA &
51	5150	AMESBURY DR	WATKINS BUSTAMANTE
52	5150	AMESBURY DR	SIKORSKI JOSEPH
53	5154	AMESBURY DR	COLE MICHAEL
54	5154	AMESBURY DR	DEVITO JILL
55	5154	AMESBURY DR	MORENO BARBARA
56	5154	AMESBURY DR	STARK RANDY
57	5154	AMESBURY DR	ORTEGA TABITHA C & JOSE B

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		58	5154 AMESBURY DR	HOLMES WILLIAM H
		59	6001 MILTON ST	GHENNET MICHELE
		60	6003 MILTON ST	WELCH JO T
		61	6005 MILTON ST	VANGRUBER Yael
		62	6007 MILTON ST	DAMETIE TADELE
		63	6009 MILTON ST	DUNN ZENEBECH
		64	6011 MILTON ST	FISHER RENEE C
		65	6015 MILTON ST	NORMAN THOMAS E
		66	6017 MILTON ST	DAVENPORT LESLIE C
		67	6019 MILTON ST	HUPP ANDREW & EKATERINA KONOVALOVA
		68	6021 MILTON ST	IBRAHIM MARY
		69	6023 MILTON ST	SMITH CLAELE
		70	6025 MILTON ST	CARTER KEVIN R & BARBARA
		71	6033 MILTON ST	DAMARYS QUINTANA D
		72	6035 MILTON ST	SMITH MARLYS L
		73	6037 MILTON ST	MULLENNIX BERRY J & REGINA A CO- TRUSTEES
		74	6039 MILTON ST	ROBBINS MYRA ELIZABETH
		75	6041 MILTON ST	COCANOUGH ANDREW MARK
		76	6043 MILTON ST	FRERICH BRADLEY J
		77	6045 MILTON ST	PATTERSON BRIAN S
		78	6047 MILTON ST	NAKPAIRAT SOPON & ANN M
		79	6049 MILTON ST	RESENDEZ JENNIFER
		80	6051 MILTON ST	CORSE CATHY DOWDY TR
		81	6053 MILTON ST	MERCHED CHADI J
		82	6055 MILTON ST	MOLHOEK DAVID C
O		83	5805 BIRCHBROOK DR	BLACKMAN CLAIRE R
O		84	5805 BIRCHBROOK DR	SMITH CHRISTINA
O		85	5811 BIRCHBROOK DR	MCMILLAN DARLENE J
O		86	5811 BIRCHBROOK DR	LUEDTKE GRETCHEN M
O		87	5805 BIRCHBROOK DR	ATKINS ENGLISH E
O		88	5805 BIRCHBROOK DR	KALKER AVIE

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O	89	5811 BIRCHBROOK DR	MCDANIEL STEPHEN D &
O	90	5811 BIRCHBROOK DR	ELLIOTT WENDY
O	91	5819 BIRCHBROOK DR	EMMONS MIKE
O	92	5819 BIRCHBROOK DR	JONES TRICIA L
O	93	5833 BIRCHBROOK DR	PLIMPTON PAMELA
O	94	5833 BIRCHBROOK DR	FANTINI DAVID P
O	95	5825 BIRCHBROOK DR	CLUMPNER JUSTIN & ANASTASIA L VILLESCHAS
O	96	5833 MILTON ST	BELL ELLEN M
O	97	5833 BIRCHBROOK DR	TWAY DUANE C & CONSTANCE
O	98	5010 MATILDA ST	AGUILAR JOSE I
O	99	5010 MATILDA ST	MCBEATH SHERRY L
O	100	5010 MATILDA ST	ABBOTT JUDITH P
O	101	5010 MATILDA ST	ZAVITKOVSKY F KARL &
O	102	5016 MATILDA ST	MORGAN BRYAN II
O	103	5016 MATILDA ST	BLANKENSHIP JAMES T &
O	104	5020 MATILDA ST	DUPUY CHARLOTTE B
O	105	5020 MATILDA ST	VERSCOYLE JOAN
O	106	5016 MATILDA ST	RAMP MARIA
O	107	5016 MATILDA ST	PEDIGO PATRICK J &
O	108	5020 MATILDA ST	BULLENTINI ROBERT &
O	109	5020 MATILDA ST	WHISNANT DENISE
O	110	5026 MATILDA ST	ZABY VINCENT RAY
O	111	5026 MATILDA ST	BRYSON MARK H
O	112	5026 MATILDA ST	JONES BRADY
O	113	5026 MATILDA ST	SALDANA LILIANA J
O	114	5032 MATILDA ST	THOMPSON LAURALEE
O	115	5032 MATILDA ST	TSADA NEGUSE &
O	116	5032 MATILDA ST	FORTENBERRY AUSTIN
O	117	5032 MATILDA ST	QUEEN DAVID ROBERT
O	118	5038 MATILDA ST	FANTINI DAVID
O	119	5038 MATILDA ST	ANDERSON LORANNA R

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O	120	5038 MATILDA ST	ANSLEY WILLIAM F
O	121	5038 MATILDA ST	BENAVIDES NATHAN
O	122	5044 MATILDA ST	SHEEHAN MARY L TRUSTEE
O	123	5044 MATILDA ST	DRISKELL STANLEY B SR
O	124	5050 MATILDA ST	ALLEN STEPHANIE M
O	125	5050 MATILDA ST	BURCH RICHARD M &
O	126	5056 MATILDA ST	TAYLOR TIMOTHY F
O	127	5056 MATILDA ST	GARCIA ERIC
O	128	5062 MATILDA ST	GOLDER MELANIE M & WILLIAM E
O	129	5062 MATILDA ST	SOTELO ANTONIA
O	130	5068 MATILDA ST	ROBERTSON JESSICA R
O	131	5068 MATILDA ST	DICKINSON DUDLEY
O	132	5044 MATILDA ST	MONGARAS JAMES J
O	133	5044 MATILDA ST	HARMAN MICHAEL J
O	134	5050 MATILDA ST	GOROM MEGAN R
O	135	5050 MATILDA ST	YANG VICTOR
O	136	5056 MATILDA ST	ANSTEAD CLIFFORD R
O	137	5056 MATILDA ST	GOLDIN LILIA
O	138	5062 MATILDA ST	KIDANE TESFAMARIAN &
O	139	5062 MATILDA ST	IBRAHIM DANA L
O	140	5068 MATILDA ST	ASSEFA HAILE A
O	141	5068 MATILDA ST	WELCH JULIE
	142	5804 MILTON ST	JACKSON OLIVIA ZENA
	143	5804 MILTON ST	HOPKINS PEGGY
	144	5808 MILTON ST	SELVADURAI JOHNSON J & SABRINA
	145	5808 MILTON ST	ROSE SHEILA DIANNE
	146	5804 MILTON ST	FANTA SOLOMON
	147	5804 MILTON ST	ACEVEDO MARIA C
	148	5808 MILTON ST	WANG SUIJUN &
	149	5808 MILTON ST	YILMA ALEMNESH F
	150	5812 MILTON ST	BAKEWELL THOMAS B

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151	5812	MILTON ST	BERNSTEIN IRL D &
152	5816	MILTON ST	FIELDS MARION LYNN
153	5816	MILTON ST	COFFEY BARBARA
154	5820	MILTON ST	DANIEL RAVI
155	5820	MILTON ST	BUTTS DWAYNE M
156	5816	MILTON ST	CORONADO ELIAS & MARIA T
157	5816	MILTON ST	BAGG DAVID S
158	5820	MILTON ST	WULF JOSHUA
159	5820	MILTON ST	BENSKIN NORA &
160	5098	MATILDA ST	JONES RANDY L & LU ANN
161	5098	MATILDA ST	PORRAS MARLENE YEPEZ
162	5098	MATILDA ST	DIAZ OSCAR
163	5098	MATILDA ST	COLEMAN BENNIE J JR
164	5090	MATILDA ST	HUTTASH HARRY JAMES
165	5090	MATILDA ST	MOORE PARWIN
166	5088	MATILDA ST	VANDERHEYDEN TERRANCE
167	5088	MATILDA ST	DELGADO CABRERA JUAN
168	5090	MATILDA ST	HAYNES KELLY
169	5090	MATILDA ST	SHELMIRE DOROTHY M
170	5088	MATILDA ST	CHONG YANWAH
171	5088	MATILDA ST	TORREZ JESSIE N
172	5086	MATILDA ST	COTTLE LAWRENCE W JR
173	5086	MATILDA ST	MULLER DANIEL V
174	5086	MATILDA ST	WILLIAMS DENA M
175	5086	MATILDA ST	VATCOSKAY JOHN R & JULIE ANNE TROST
176	5084	MATILDA ST	LUNA GERARDO
177	5084	MATILDA ST	CELAYA ROSARIO A
178	5084	MATILDA ST	MACALUSO MATTIE G
179	5084	MATILDA ST	ABREHAM HAILE S MR
180	5082	MATILDA ST	BASU AMIT & EUGENIA D
181	5082	MATILDA ST	PATTERSON DORIS MARIE

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	182	5082 MATILDA ST	GILVALENZUELA LIBRADA
	183	5082 MATILDA ST	LOWRANCE CHRISTOPHER K
	184	5072 MATILDA ST	SAVAGE SHANNON COOPER
	185	5072 MATILDA ST	BARRIOS ALBERT &
	186	5074 MATILDA ST	SUPUNYABOOT SUNISA
	187	5074 MATILDA ST	DAVIS JANIS
	188	5076 MATILDA ST	WEISS JERRY I
	189	5076 MATILDA ST	AGANLIC MUHAMED
	190	5078 MATILDA ST	PEDIGO PATRICK J & SAMIA
	191	5078 MATILDA ST	DALLAS AREA HABITAT FOR HUMANITY INC
	192	5080 MATILDA ST	BOGGS NANCY A
	193	5080 MATILDA ST	ROCK HIVE LLC
	194	5072 MATILDA ST	BIADAILIGNE HABTAMU
	195	5072 MATILDA ST	HAGEDORN ELEANOR DIVIS TRUST
	196	5074 MATILDA ST	EATON DONNA &
	197	5074 MATILDA ST	ROUNGRONG PORNTHIP &
	198	5076 MATILDA ST	KING PAUL & VICKIE MASSIE
	199	5076 MATILDA ST	GRIMES MATHEW
	200	5078 MATILDA ST	REDA FREWEINI ASMEROM
	201	5078 MATILDA ST	PUMPHANG KRAISORN
	202	5080 MATILDA ST	POLJAK MILENA
	203	4944 AMESBURY DR	STAFFORD CLYDE JR & JACQUELINE
	204	4944 AMESBURY DR	GARRETT H FRANCES
	205	4944 AMESBURY DR	MCEOWEN JONATHAN SCOTT
	206	4944 AMESBURY DR	SCRIMA ELIZABETH
	207	4944 AMESBURY DR	MCGUIRE JIMMIE W II &
	208	4944 AMESBURY DR	PROBST LEAH SUZANNE
	209	4944 AMESBURY DR	CIMO JUDY A
	210	4944 AMESBURY DR	NERO FRANCES J TRUST THE
	211	4944 AMESBURY DR	RICHARDS IAN J & MARIA C
	212	4944 AMESBURY DR	LEWIS SARAH &

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213	4944	AMESBURY DR	BURK ANN R
214	4944	AMESBURY DR	LUDWIN CLAUDIA
215	4944	AMESBURY DR	SNYDER JEREMY M &
216	4944	AMESBURY DR	SUNG CAROLINE
217	6020	BIRCHBROOK DR	FLOOD SHIRLEY K
218	6020	BIRCHBROOK DR	RHODES ROBERT L ETAL
219	6020	BIRCHBROOK DR	SCHERMANN GARRY R
220	6020	BIRCHBROOK DR	SCHMID JACK R
221	6020	BIRCHBROOK DR	KARLOS RICHARD L &
222	6020	BIRCHBROOK DR	PARIS ROY
223	6020	BIRCHBROOK DR	TYRA JOE CLIFFORD
224	6020	BIRCHBROOK DR	WEBB HELEN F
225	6020	BIRCHBROOK DR	VINTON PATRICIA A
226	6026	BIRCHBROOK DR	MAY LAURA L
227	6026	BIRCHBROOK DR	PAUL CAMMIE K
228	6026	BIRCHBROOK DR	COLBY LISA FAY
229	6026	BIRCHBROOK DR	EMORY CYNTHIA
230	6026	BIRCHBROOK DR	LASKA DAVID &
231	6026	BIRCHBROOK DR	MORGAN STEPHEN T
232	6026	BIRCHBROOK DR	RICKRICH WHITE LLC
233	6026	BIRCHBROOK DR	WILLIAMS R L
234	6026	BIRCHBROOK DR	DRAKE RONALD G
235	6026	BIRCHBROOK DR	HENDERSON JAY M
236	6026	BIRCHBROOK DR	WHITE LINDA LOUISE
237	6026	BIRCHBROOK DR	DEBROW CHRISTOPHER B
238	6030	BIRCHBROOK DR	BURNETTE MARY
239	6030	BIRCHBROOK DR	MARTIN DONALD RAY
240	6030	BIRCHBROOK DR	FAKIER KURT
241	6030	BIRCHBROOK DR	OFSTAD NORMAN & PAULINE
242	6030	BIRCHBROOK DR	ANDERSON DOUGLAS W &
243	6030	BIRCHBROOK DR	ARRINGTON JAMES M

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244	6030	BIRCHBROOK DR	LE BOEUF RAYMOND J
245	6030	BIRCHBROOK DR	LA BARBA CHRISTOPHER L
246	6030	BIRCHBROOK DR	MARTIN BARRY W
247	6030	BIRCHBROOK DR	CAIN MARGARET C
248	6030	BIRCHBROOK DR	ALLEN MARK S & KAREN
249	6036	BIRCHBROOK DR	ONEILL SANDRA J
250	6036	BIRCHBROOK DR	BLACK CAROL A
251	6036	BIRCHBROOK DR	VEYTSMAN ARTHUR
252	6036	BIRCHBROOK DR	STRASMICK DEBBIE
253	6036	BIRCHBROOK DR	YEE SAM K JR
254	6036	BIRCHBROOK DR	DUNCAN THOMAS FAMILY TRUST
255	6036	BIRCHBROOK DR	PACKER GREGORY D
256	6036	BIRCHBROOK DR	HILL DOROTHY A & JOSEPH M JR
257	6036	BIRCHBROOK DR	MENDE GENE
258	6036	BIRCHBROOK DR	DURTSCHI CHARLES A & PANSY G
259	6036	BIRCHBROOK DR	LAPARCHE LORELLE M
260	6036	BIRCHBROOK DR	BROWN KIMBRA L
261	6046	BIRCHBROOK DR	KLEIN KEVIN W
262	6046	BIRCHBROOK DR	MACCORKLE LAURA R
263	6046	BIRCHBROOK DR	CANTWELL NANCY
264	6046	BIRCHBROOK DR	DAVIS SANDRA M
265	6046	BIRCHBROOK DR	GLASER RICHARD E JR
266	6046	BIRCHBROOK DR	BERRY VERNON H JR &
267	6046	BIRCHBROOK DR	MARTIN RUBY N
268	6040	BIRCHBROOK DR	BUEHRING CAROL C
269	6040	BIRCHBROOK DR	STONEBRAKER JOHN
270	6040	BIRCHBROOK DR	FORESTER GENE & TAMMY
271	6040	BIRCHBROOK DR	SUMTER RONALD S &
272	6040	BIRCHBROOK DR	NICHOLS GREGORY L &
273	6050	BIRCHBROOK DR	MORGAN WILLIAM DAVID JR
274	6050	BIRCHBROOK DR	GARRETT BENTLEY T

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275	6050	BIRCHBROOK DR	VAN UUM JOHANNES C H &
276	6050	BIRCHBROOK DR	GILMORE DEAN H
277	6050	BIRCHBROOK DR	DAVIS SARA B
278	6050	BIRCHBROOK DR	HOPKINS THOMAS LELAND &
279	6050	BIRCHBROOK DR	BOUDREAUX JANE A
280	6050	BIRCHBROOK DR	SUMMERFIELD DONNA J
281	6050	BIRCHBROOK DR	CROSSLAND MARY ELLEN
282	6050	BIRCHBROOK DR	COLLINS JOHN
283	6050	BIRCHBROOK DR	HAIK SAMIEL
284	6050	BIRCHBROOK DR	MCQUARTERS EDDIE L JR &
285	6050	BIRCHBROOK DR	DELANEY ANNE M
286	6050	BIRCHBROOK DR	ANDERSON ANDREA &
287	4933	SKILLMAN ST	COX LAUREN
288	4933	SKILLMAN ST	CLAY MICHAEL S
289	4933	SKILLMAN ST	BOUDREAUX JANE A LIFE ESTATE
290	4933	SKILLMAN ST	BUGBEE DAVID L
291	4933	SKILLMAN ST	RODRIGUEZ JULIO
292	4933	SKILLMAN ST	THORNTON JEAN
293	4933	SKILLMAN ST	WISEMAN PAUL L &
294	4933	SKILLMAN ST	WATSON TIMOTHY C
295	4933	SKILLMAN ST	BEDELL MARY E
296	4933	SKILLMAN ST	GATHINGS JOYCE
297	4933	SKILLMAN ST	MARTIN JAMES DWAYNE
298	4949	SKILLMAN ST	TAGG DEBRA B & PAUL F
299	4949	SKILLMAN ST	HURDLE STEVEN W
300	4949	SKILLMAN ST	SUMTER SCOTT S
301	4949	SKILLMAN ST	BENNATT MOLLY
302	4949	SKILLMAN ST	YOUNG LINDA
303	4949	SKILLMAN ST	DEUTSCH BLANCHE I & KARL RONALD
304	4949	SKILLMAN ST	NORTON IMA EST OF
305	4949	SKILLMAN ST	HARBOUR ERIN &

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306	4949	SKILLMAN ST	HANSEN GLADYS M
307	4949	SKILLMAN ST	PLAISANCE WILLIAM G
308	6060	BIRCHBROOK DR	HERRERA MARTHA E
309	6060	BIRCHBROOK DR	CHATFIELD EVELYN
310	6060	BIRCHBROOK DR	MARSH FREDERICK W JR
311	6060	BIRCHBROOK DR	SANTILLO A C
312	6060	BIRCHBROOK DR	GLEBOFF STEPHEN G & DEE M
313	6060	BIRCHBROOK DR	DAVIS JUNE M
314	6060	BIRCHBROOK DR	HORTON SAUNDRA
315	6060	BIRCHBROOK DR	HOLLAND MARJORIE BRUCE
316	6060	BIRCHBROOK DR	DEMERS MICHEL
317	6060	BIRCHBROOK DR	SEIFERT CHARLOTTE
318	6060	BIRCHBROOK DR	HOLLAND JOHN B &
319	6060	BIRCHBROOK DR	BANKSTON HAZEL &
320	5909	BIRCHBROOK DR	LA CIMA NEWPORT PARTNERS LLC
321	5916	BIRCHBROOK DR	REA MALCOM & LINDA G
322	5916	BIRCHBROOK DR	BOX DOROTHY B
323	5916	BIRCHBROOK DR	IBARRA GUADALUPE
324	5916	BIRCHBROOK DR	CROWDER MORGEN KING &
325	5916	BIRCHBROOK DR	REDDEN TRENT
326	5916	BIRCHBROOK DR	GROSS BARBARA LYNN
327	5916	BIRCHBROOK DR	MCGRAW MARISSA E &
328	5916	BIRCHBROOK DR	CHUMBLEY JESSICA
329	5916	BIRCHBROOK DR	BURRESON KATHRYN C &
330	5916	BIRCHBROOK DR	GRAY BRENDA
331	5916	BIRCHBROOK DR	QUICK JAMES E & VICKI D
332	5916	BIRCHBROOK DR	OCONNELL AMY C
333	5916	BIRCHBROOK DR	HALL LINDSEY
334	5916	BIRCHBROOK DR	WOLFE ROSE H
335	5916	BIRCHBROOK DR	BARLOEO HEIDI M
336	5916	BIRCHBROOK DR	JOHNSON JEFFREY & AMY

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337	5916	BIRCHBROOK DR	EDSON THOMAS
338	5916	BIRCHBROOK DR	TALLEY RENEE S
339	5916	BIRCHBROOK DR	CUNNINGHAM WILLIAM R JR
340	5916	BIRCHBROOK DR	GRIFFITH RICKEY S
341	5916	BIRCHBROOK DR	DEFRANGE JAMES A
342	5916	BIRCHBROOK DR	FORMAN ERIC W
343	5916	BIRCHBROOK DR	WATSON STACEY L &
344	5916	BIRCHBROOK DR	ELLSBERRY MARTHA M
345	5916	BIRCHBROOK DR	RENTZ CONRAD & SUSAN
346	5916	BIRCHBROOK DR	CUMBIE LINDA &
347	5916	BIRCHBROOK DR	KRUEGER REBECCA C &
348	5916	BIRCHBROOK DR	MINEHANE MICHELLE &
349	5916	BIRCHBROOK DR	EDMONDSON SHAINA N
350	5916	BIRCHBROOK DR	MILLER CLAUDE VINCENT JR
351	5930	BIRCHBROOK DR	NUMAX PPTIES LLC
352	5924	BIRCHBROOK DR	JOHNSON JEFFREY
353	5930	BIRCHBROOK DR	VAUGHN LISLE & SHARON
354	5930	BIRCHBROOK DR	CLARKE NORMA RUTH
355	5924	BIRCHBROOK DR	PULLIAM ROBERT
356	5924	BIRCHBROOK DR	SCOTT GLENN
357	5924	BIRCHBROOK DR	GRIFFITH RICK
358	5924	BIRCHBROOK DR	KELTNER MELANIE J
359	5924	BIRCHBROOK DR	GILBERT SARA
360	5930	BIRCHBROOK DR	CHRISTMAN MELISSA A
361	5924	BIRCHBROOK DR	NULPH WENDY D
362	5924	BIRCHBROOK DR	GRAHAM LOUISE M
363	5924	BIRCHBROOK DR	JACKSON RANDY K
364	5930	BIRCHBROOK DR	MARKHOFF STEVEN
365	5924	BIRCHBROOK DR	WHITLATCH ALLAN
366	5924	BIRCHBROOK DR	NASUHUGLU JAMIE
367	5924	BIRCHBROOK DR	DUNLAP ELIJAH THOMAS &

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368	5924	BIRCHBROOK DR	BEAL ROBERT &
369	5924	BIRCHBROOK DR	PEREZ ALBERTO
370	5930	BIRCHBROOK DR	LANE JIM
371	5930	BIRCHBROOK DR	REICHENSTEIN JAKE M &
372	5924	BIRCHBROOK DR	MAUPIN MATT
373	5930	BIRCHBROOK DR	WEISFELD RONALD A
374	5924	BIRCHBROOK DR	BANFIELD SANDRA &
375	5930	BIRCHBROOK DR	BYRD JOYCE
376	5930	BIRCHBROOK DR	FLEMING WALTER LEE III
377	5930	BIRCHBROOK DR	CARLSON CARPENTER MAXINE
378	5930	BIRCHBROOK DR	KRATUS ROBERT
379	5924	BIRCHBROOK DR	BRAGG JAMIE L
380	5924	BIRCHBROOK DR	KINCEL ALISON F
381	5924	BIRCHBROOK DR	FOREMAN MELISSA
382	5924	BIRCHBROOK DR	SHIMPS ANTHONY
383	5930	BIRCHBROOK DR	LEACH KEN W
384	5930	BIRCHBROOK DR	BAIG MOHAMMAD AHMAD
385	5930	BIRCHBROOK DR	MONAGHAN CAROLINA D
386	5930	BIRCHBROOK DR	RUSSELL ARGARTHA
387	5930	BIRCHBROOK DR	RIVERA ANTONIO
388	5806	BIRCHBROOK DR	MARQUEZ NURIS C
389	5806	BIRCHBROOK DR	5919 BIRCHBROOK DRIVE ASSOCIATES LLC
390	5806	BIRCHBROOK DR	PRIHODA LINDSEY
391	5806	BIRCHBROOK DR	MORELAND WENDY
392	5806	BIRCHBROOK DR	CURTIS JEFREY N
393	5806	BIRCHBROOK DR	JONES JESSICA L
394	5806	BIRCHBROOK DR	MOUNT EMILY E
395	5806	BIRCHBROOK DR	FERNANDEZ FAMILY LIVING TRUST
396	5806	BIRCHBROOK DR	CURTIS ADAM RYAN
397	5806	BIRCHBROOK DR	VINES KAREN M
398	5806	BIRCHBROOK DR	SANTAMARIA ANTHONY IV & KRISTIN

3/20/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	399	5806 BIRCHBROOK DR	ROBINSON JENELLE
	400	5816 BIRCHBROOK DR	SHAW HASMIK
	401	5816 BIRCHBROOK DR	HAIRE TIFFANY D
	402	5816 BIRCHBROOK DR	JACKSON COLE ELLIOT
	403	5816 BIRCHBROOK DR	TAYLOR CARL & NELL
	404	5816 BIRCHBROOK DR	MINTON AMY C
	405	5816 BIRCHBROOK DR	DARAKHSHAN DUSTIN
	406	5816 BIRCHBROOK DR	WARD BROOKE
	407	5816 BIRCHBROOK DR	SHARRY GREG &
	408	5816 BIRCHBROOK DR	HERRING KRISTIN
	409	5816 BIRCHBROOK DR	HOFFMAN SPESS L
	410	5816 BIRCHBROOK DR	BARMASSE MATTHEW &
	411	5836 BIRCHBROOK DR	WATSON ALEX JAMES
	412	5836 BIRCHBROOK DR	STERN ALEXIS B
	413	5836 BIRCHBROOK DR	KLEINFELDT JAMES BRADLEY & JANA HANZELOV
	414	5836 BIRCHBROOK DR	FRANKLIN CHRISTOPHER
	415	5836 BIRCHBROOK DR	HINE PATRICIA ANN
	416	5836 BIRCHBROOK DR	EBERHART CARL & KATHY
	417	5836 BIRCHBROOK DR	FENTON MARILYN D
	418	5836 BIRCHBROOK DR	COLLAZO RAFAEL &
	419	5836 BIRCHBROOK DR	DONCKERS ERICA
	420	5806 BIRCHBROOK DR	GILLELAND MATTHEW & CATHERINE
	421	5806 BIRCHBROOK DR	MILLER STACEY
	422	5806 BIRCHBROOK DR	STORK ELIZABETH
	423	5806 BIRCHBROOK DR	CONWAY MICHELLE SHARLENE
	424	5806 BIRCHBROOK DR	HAQUE AMBER
	425	5806 BIRCHBROOK DR	MOON YOUNG AH
	426	5806 BIRCHBROOK DR	UPTMOOR JOHN J
	427	5806 BIRCHBROOK DR	GRUPPEN MARCON AB
	428	5806 BIRCHBROOK DR	BYNUM AVERY
	429	5806 BIRCHBROOK DR	PATEL SONAL R

3/20/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
430	5816	BIRCHBROOK DR	FALCON EMILY T &
431	5816	BIRCHBROOK DR	TODD EMBER RAE
432	5816	BIRCHBROOK DR	FERRIS AMANDA
433	5816	BIRCHBROOK DR	GARCIA ISMAEL
434	5816	BIRCHBROOK DR	RASCHLE EMIL & KERSTIN
435	5816	BIRCHBROOK DR	MARTINEZ RAUL
436	5816	BIRCHBROOK DR	JANULIS STEPHANIE ANNE
437	5816	BIRCHBROOK DR	BAKER ANDREW J
438	5816	BIRCHBROOK DR	STERNER THOMAS M & MARCIA K
439	5816	BIRCHBROOK DR	JEELANI FARAZA
440	5836	BIRCHBROOK DR	STEIN BETSY ANN
441	5836	BIRCHBROOK DR	SMITH LISA &
442	5836	BIRCHBROOK DR	MCMULLAN DAVID R
443	5836	BIRCHBROOK DR	LAW SIN YAN HEDY
444	5836	BIRCHBROOK DR	SEABAUGH JOHN E
445	5836	BIRCHBROOK DR	5919 BIRCHBROOK DRIVE ASSOCIATES LLC
446	5836	BIRCHBROOK DR	GUISCARDO ALEJANDRO ESTEBAN
447	5836	BIRCHBROOK DR	JOHNSTON JENNIFER M
448	5836	BIRCHBROOK DR	WOODRUFF K BRENT III
449	5836	BIRCHBROOK DR	DRABEK JUSTIN

AGENDA ITEM # 44

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 46 U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for CS Commercial Service District uses on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Robert B. Cullum Boulevard and Borich Street

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a development plan and condition
Z134-123(WE)

ACM: Theresa O'Donnell**FILE NUMBER:** Z134-123(WE) **DATE FILED:** November 4, 2013**LOCATION:** Robert B. Cullum Boulevard and Borich Street, south corner**COUNCIL DISTRICT:** 7 **MAPSCO:** 46-U**SIZE OF REQUEST:** Approx. 1.0668 acres **CENSUS TRACT:** 27.02

APPLICANT: ACT Services**OWNER:** JK Hill Street, LLC**REPRESENTATIVE:** Robert Reeves

REQUEST: An application for a Planned Development District for CS Commercial Service District uses on property zoned a CC Community Commercial Subdistrict, Tract 10 within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The purpose of this request is to allow the applicant to consolidate their events-related equipment into one storage facility. The applicant proposes to create a Planned Development District to permit a warehouse use, which is currently a prohibited use with the current zoning of the property.

CPC RECOMMENDATION: Approval, subject to a development plan and conditions

STAFF RECOMMENDATION: Denial

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval the Planned Development District based upon:

1. *Performance impacts upon surrounding property* – This area of PD 595 is intended to provide for uses supportive to the DART rail line such as medium- to high-density residential, small institutional and community service, office, retail and personal service. The introduction of a warehouse use is not consistent with the surrounding zoning and land uses.
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 *forwardDallas! Comprehensive Plan* shows that the request site is located along a Multi-modal Corridor. The request is not in compliance with the Comprehensive Plan.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The applicant requests a new PDD that mimics the conditions of the existing PD 595 subdistrict with the addition of a warehouse use. While staff is not supportive of a warehouse use at this location, staff would prefer to see a new subdistrict in PD 595 or an amendment to the existing subdistrict if the Commission and City Council are inclined to grant this zoning change. Creating a Planned Development District to permit an additional use that is prohibited within a Subdistrict could slowly erode the integrity of PD 595.

BACKGROUND INFORMATION:

- The request site is currently developed with a one-story, 24,680-square-foot structure. The applicant proposes to use the vacant building for storage space for the various types of event-related equipment.
- Currently, the CC Community Commercial Subdistrict prohibits warehouse uses. The applicant request is to create a Planned Development District for a CS Commercial Service District, but limit the main uses to CC Community Commercial uses and warehouse uses.
- The request site is adjacent to the DART light rail line, a church and residential uses. There are several undeveloped tracts of land that are adjacent to the request site.

Zoning History: There have not been any recent zoning changes requested in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Robert B. Cullum Blvd.	Principal Arterial	100 ft.	100 ft.
Borich Street	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.

Surrounding Land Uses:

	Zoning with/in PDD No. 595	Land Use
Site	CC Subdistrict	Abandoned building
North	CC Subdistrict	Retail,
South	CC Subdistrict, R-5(A)	DART Line, Single Family
East	CC Subdistrict	Undeveloped
West	CC Subdistrict, MF-2(A), SUP No. 120	Church, undeveloped

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 along a Multi-modal Corridor.

Transit Centers or Multi-Modal Corridors

Transit centers 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 proposed warehouse use is not consistent with the Comprehensive Plan designation for the area. However, the City Plan Commission Recommended approval of the applicant’s request for a Planned Development District for a CS Commercial Service District, subject to a development plan and revised 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>					
PDD - Proposed Commercial Service	0'	0'/0'	.	54'	60%	Proximity Slope Visual Intrusion	Office, Retail and personal service, warehouse
CC Subdistrict - Existing Community Commercial	0'	0'/0"		54'	60%	Proximity Slope Visual Intrusion	Office, Retail and personal service

Landscaping: Landscaping will be in accordance with Article X, as amended.

Parking: The parking requirement for a warehouse use is one space per 1,000 square feet of floor area up to 20,000 square feet, and one space per 4,000 square feet of floor area over 20,000 square feet. The off-street parking regulation requires the applicant to provide 21 spaces and the applicant is providing 26 spaces.

CPC Action (April 3, 2014)

Motion: It was moved to recommend **approval** of a Planned Development District for CS Commercial Service District uses, subject to a development plan and applicant's revised condition to include 1) Exclude the following land uses: Cemetery or mausoleum, Hotel or motel, alcoholic beverage establishments, auto service center, car wash, liquor store, personal service uses: tattoo parlors and massage parlors, vehicle display, sales and service, and office showroom/warehouse, 2) Amend the parking setback from 30 feet to 15 feet, and 3) Amend sign regulations to allow business zoning district sign standards on property zoned a CC Community Commercial Subdistrict, Tract 10 within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the south corner of Robert B. Cullum Boulevard and Borich Street.

Maker: Bagley
Second: Anglin
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 110
Replies: For: 1 Against: 3

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Against: None

LIST OF OFFICERS
ACT Event Services

- Ken Ellefson, Sole Owner

LIST OF OFFICERS
JK Hill Street, LLC

- Ken Ellefson, Sole Owner

**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 south corner of Borich Street and Robert B. Cullum Boulevard. The size of PD _____ is approximately 1.0668 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 CS Commercial Service District.

SEC. 51P-____.104. EXHIBIT.

The following exhibit is incorporated into this article:

Exhibit ____A: development plan.

SEC. 51P-____.105. DEVELOPMENT PLAN.

(a) For a warehouse use, 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-____.106 MAIN USES PERMITTED.

(a) Main uses permitted.

(1) Agricultural uses.

- None permitted.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Job or lithographic printing. *[3,500 square feet or less.]*
- Medical or scientific laboratory. *[SUP]*

(3) Industrial Uses.

- None permitted.

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. *[SUP]*
- Child-care facility.
- Church.
- College, university, or seminary. *[SUP]*
- Community service center, *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*
- Convent or monastery.
- Library, art gallery, or museum.
- Public or private school. *[RAR]*

(5) Miscellaneous uses.

- Temporary construction or sales office.

(6) Office Uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. *[DIR]*
- Medical clinic or ambulatory surgical center.
- Office.

(7) Recreation uses.

- Private recreation center, club, or area.
- Public park, playground, or golf course.

(8) Residential Uses.

- None permitted.

(9) Retail and personal service uses.

- Ambulance service. *[RAR]*
- Animal shelter or clinic without outside run. *[RAR]*
- Business school.
- Commercial amusement (inside). *[See Section 51A-4.210(b)(7). Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.]*
- Commercial parking lot or garage. *[RAR]*
- Dry cleaning or laundry store.
- Food or beverage store 3,500 square feet or less. *[SUP]*
- Furniture store.
- General merchandise store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center; lumber, brick, or building materials sales yard. *[DIR]*
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service. *[RAR]*
- Restaurant with drive-in or drive-through service. *[DIR]*
- Swap or buy shop. *[SUP]*
- Theater.

(10) Transportation uses.

- Transit passenger shelter.
- Transit passenger station or transfer center. *[SUP or city council resolution.]*

(11) Utility and public service uses.

- Electrical substation. *[SUP]*
- Local utilities. *[SUP or RAR may be required. See Section 51A-4.212(4), "Local Utilities."]*
- Police or fire station.
- Tower/antenna for cellular communication.

(12) Wholesale, distribution, and storage uses.

- Mini-warehouse.
- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
- Warehouse.

SEC. 51P-____.107. PROHIBITED USES.

The following retail and personal service uses are prohibited in this district:

- (1) -- Tattoo parlors
- (2) -- Massage parlors

SEC. 51P-____.108. ACCESSORY USES.

(1) 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.

(2) The following accessory uses are prohibited:

- Accessory outside display of merchandise.
- Accessory outside storage.

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.

(1) Front yard.

(A) Except as otherwise provided in this paragraph, a front yard is not required.

(B) If a front yard is provided, it must be a minimum of 15 feet with landscaping provided in accordance with Section 51P-595.118, "Landscaping."

(C) 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.

(2) Side yard. The minimum side yard is:

(A) 15 feet where adjacent to or directly across an alley from a residential subdistrict or an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(B) no minimum in all other cases, but if a setback is provided it must be at least 5 feet.

(3) Rear yard. The minimum rear yard is:

(A) 15 feet where adjacent to or directly across an alley from a residential subdistrict or an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(B) no minimum in all other cases, but if a setback is provided it must be at least 5 feet.

(4) Floor area ratio. The maximum floor area ratio is:

(A) .75 for office uses;

(B) 0.5 for retail uses; and

(C) .75 for all uses combined.

(5) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a 1-to-3 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.

(B) Maximum height. Unless further restricted under Subparagraph (A), the maximum structure height is 54 feet.

(6) Lot coverage. The maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories. The maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (5).

(9) Floor area. Maximum floor area for a warehouse use is 25,000 square feet.

SEC. 51P-____.110. SCREENING FENCE.

(a) A minimum 6-foot fence is required as shown on the development plan.

SEC. 51P-____.111. 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. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(1) Parking setback. Required off-street parking is prohibited within 15 feet of the public street curb.

(2) Parking screening.

(A) Required off-street parking must be screened from the street using the methods listed in Section 51A-4.301(f)(5).

(B) Required off-street parking must be screened from adjoining residential property by screening as described in Section 51A-4.301(f)(3).

(C) A perimeter landscape buffer strip complying with Section 51A-10.125(b)(1), "Perimeter Landscape Buffer Strip," 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), "Buffer Plant Materials."

SEC. 51P-____.112. ACCESS.

Ingress and egress to and from the Property is only allowed in the locations shown on the development plan.

SEC. 51P-____.113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.114. LANDSCAPING.

- (a) Landscaping must be provided in accordance with Article X.
- (b) All plant materials must be maintained in a healthy, growing condition.

SEC. 51P-____.115. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

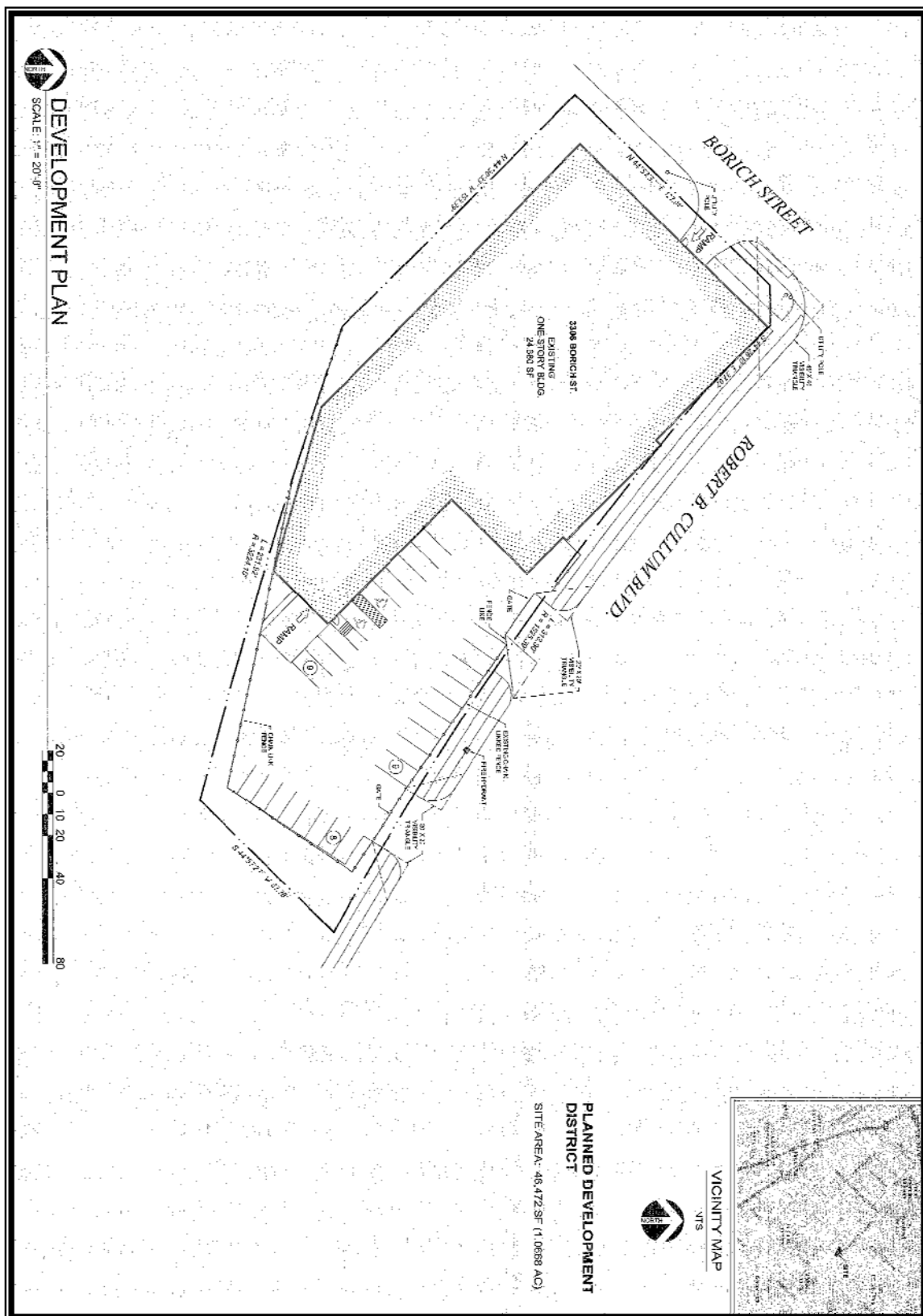
SEC. 51P-____.116. ADDITIONAL PROVISIONS.

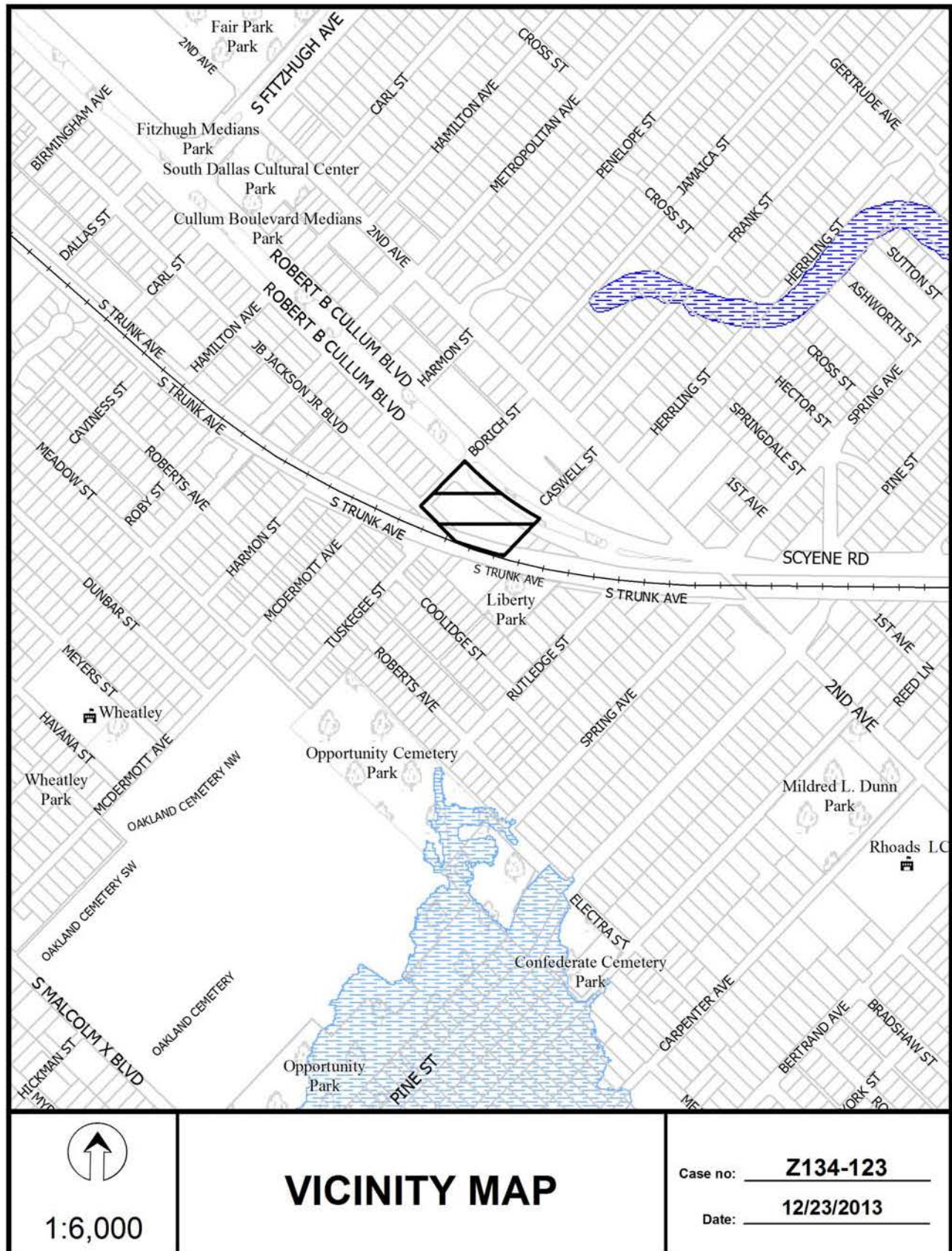
- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

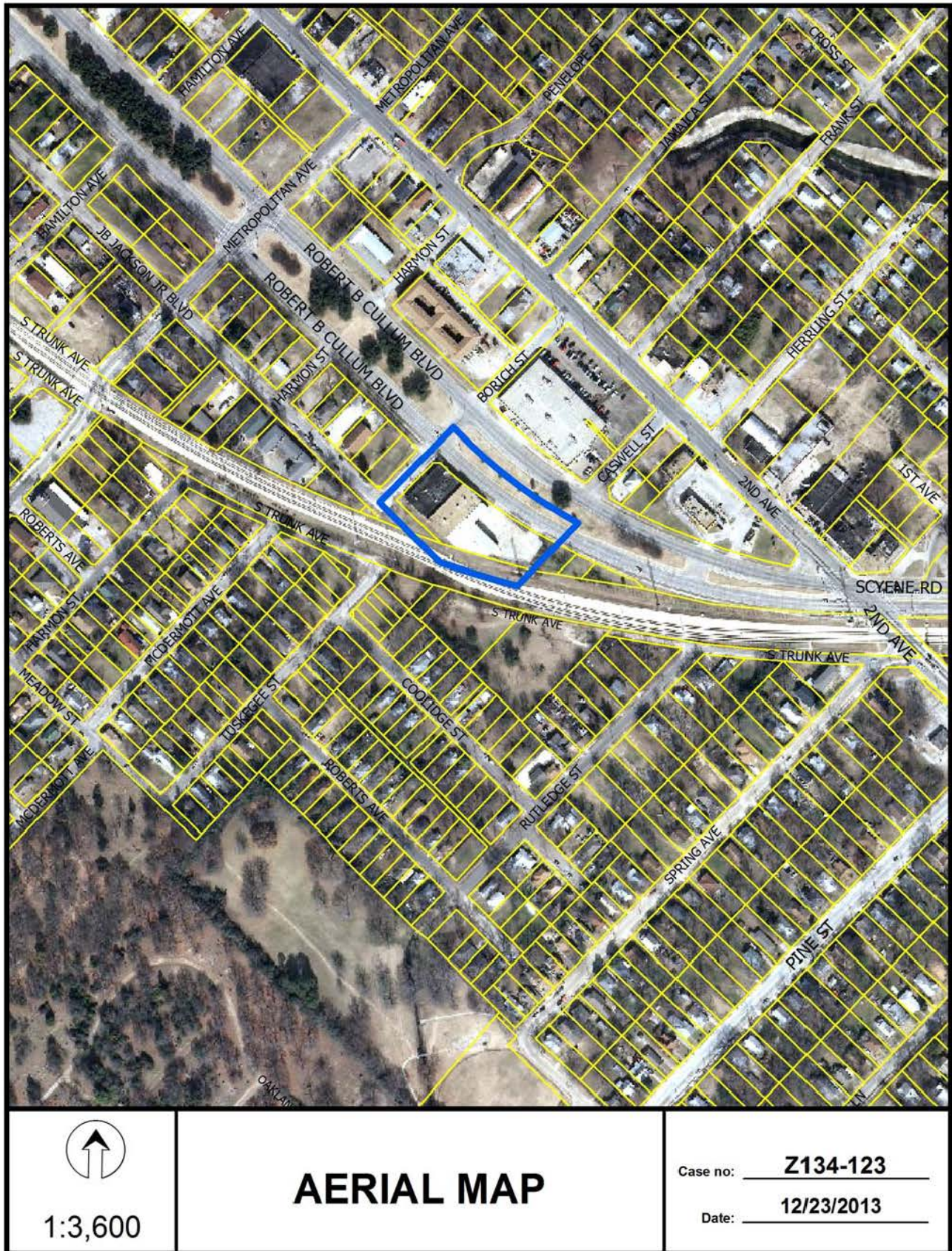
SEC. 51P-____.117 COMPLIANCE WITH CONDITIONS.

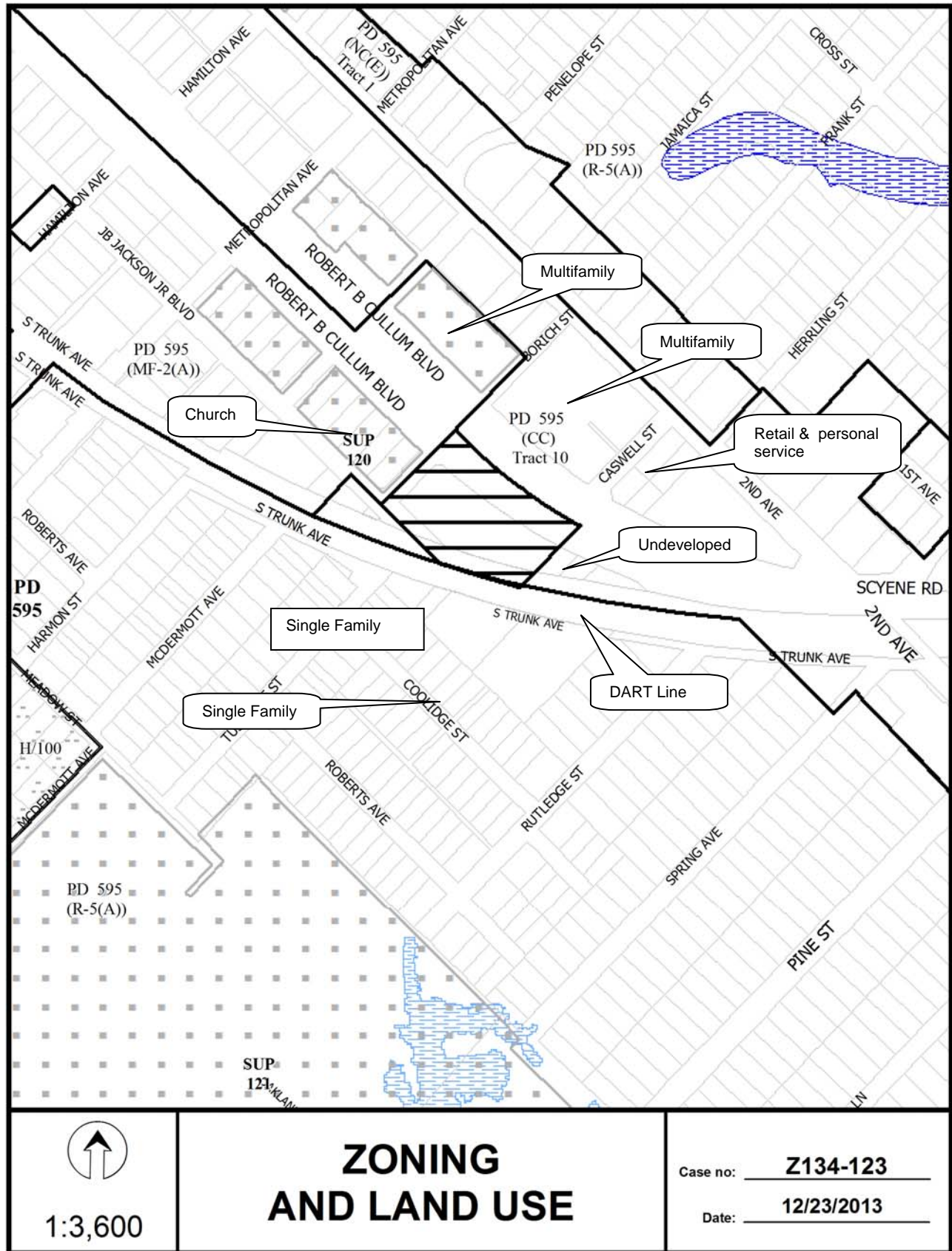
- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit to 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

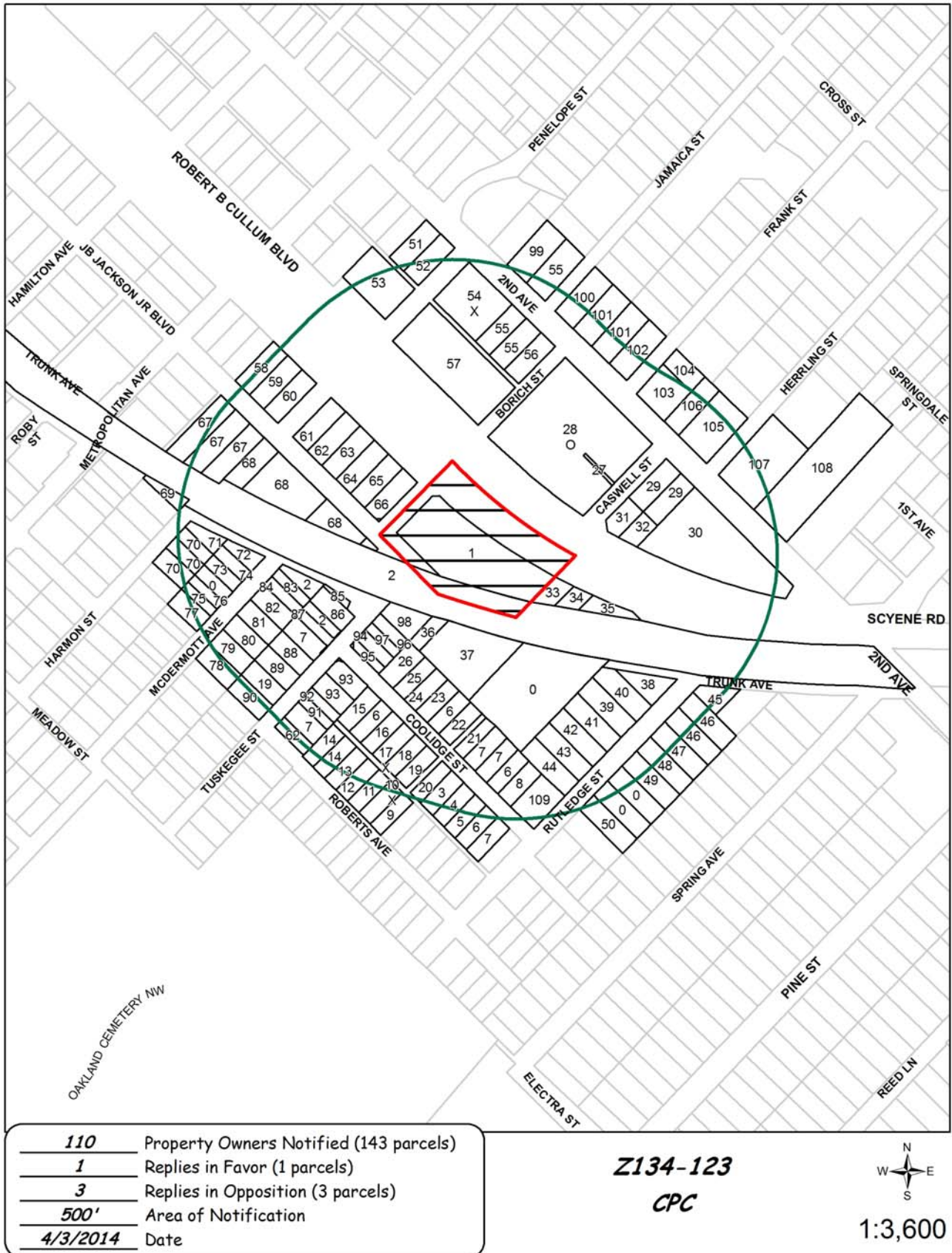








CPC RESPONSES



Notification List of Property Owners

Z134-123

110 Property Owners Notified

1 Property Owners in Favor

3 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	3306 BORICH ST	JK HILL STREET LLC
	2	3152 MCDERMOTT AVE	DART
	3	3931 COOLIDGE ST	BYRD ERIC L
	4	3935 COOLIDGE ST	EVANGELISTIC OUTREACH
	5	3939 COOLIDGE ST	JOHNSON WILL
	6	3943 COOLIDGE ST	DALLAS HOUSING ACQUISITION & DEV CORP
	7	3947 COOLIDGE ST	DALLAS NEIGHBORHOOD
	8	3942 COOLIDGE ST	WILLIAMS TIFFANY J &
	9	3926 ROBERTS AVE	COOKS SAM
X	10	3922 ROBERTS AVE	BROWN JERRY
	11	3918 ROBERTS AVE	SMITH WALTER
	12	3914 ROBERTS AVE	MILLS BEATRICE
	13	3910 ROBERTS AVE	JONES ROBERT L EST OF
	14	3906 ROBERTS AVE	EPHRAIM HAZEL MAE
	15	3903 COOLIDGE ST	ARMENDAREZ ALVINA
	16	3911 COOLIDGE ST	ROBINSON CLARENCE JR
X	17	3915 COOLIDGE ST	MEDLOCK HARVEY L
	18	3919 COOLIDGE ST	JERNIGAN PATRICIA
	19	3923 COOLIDGE ST	BASHOVER MATTHEW
	20	3927 COOLIDGE ST	FOY ROBERT &
	21	3926 COOLIDGE ST	CARTER CALVIN
	22	3922 COOLIDGE ST	SELLARS ERVIE MAE &
	23	3914 COOLIDGE ST	BARNETT HELEN HALL
	24	3910 COOLIDGE ST	DEAN BOBBIE
	25	3906 COOLIDGE ST	SMITH ROBERT L
	26	3902 COOLIDGE ST	LARY TERRI G LIFE ESTATE

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	3400 CASWELL ST	WHITE MONEY ORDERS 33
O	28	2505 2ND AVE	SAFFELL DOUG
	29	2601 2ND AVE	TSAI PETER
	30	2660 ROBERT B CULLUM BLVD	WILLIAMS FRIED CHICKEN
	31	2602 ROBERT B CULLUM BLVD	ALEXANDER FREDERICK E
	32	2506 ROBERT B CULLUM BLVD	TSAI PETER
	33	2503 ROBERT B CULLUM BLVD	LEWIS EDWARD JR
	34	2507 ROBERT B CULLUM BLVD	GILLIAM EDWARD CHRISTIAN
	35	2511 ROBERT B CULLUM BLVD	DALLAS CITY OF COUNTY OF
	36	2511 TRUNK AVE	CEMETERY
	37	3900 TRUNK AVE	JONES WASHINGTON JR
	38	3327 RUTLEDGE ST	AGENT HOMER
	39	3319 RUTLEDGE ST	TOVAR PAUL
	40	3323 RUTLEDGE ST	ALEXANDERS TALENT CMMTTEE
	41	3315 RUTLEDGE ST	FREEMAN CHARLES
	42	3311 RUTLEDGE ST	REVEST PPTIES INV LLC
	43	3307 RUTLEDGE ST	BROWN OLLIE GENE &
	44	3303 RUTLEDGE ST	BROWN BETTY JEAN
	45	3332 RUTLEDGE ST	JERNIGAN HARVIE C
	46	3330 RUTLEDGE ST	ABOVO CORP
	47	3322 RUTLEDGE ST	SUN LAND RESERVE OF AMERICA INC
	48	3318 RUTLEDGE ST	HOLMES LOUISE EST OF
	49	3314 RUTLEDGE ST	NORMAN JEFFREY
	50	3300 RUTLEDGE ST	HERITAGE COMPASSION
	51	2319 2ND AVE	DAVIS ROBERT R JR & DANN
	52	2323 2ND AVE	WOFFORD DONDI
	53	2212 3RD AVE	DALLAS BAPTIST ASSN INC
X	54	2403 2ND AVE	LEVINGSTON JOEL ETAL
	55	2415 2ND AVE	LAGRONE ANGANETTA
	56	2423 2ND AVE	OLADIRAN EPHRAIM A
	57	2410 ROBERT B CULLUM BLVD	FEEDAL INVESTMENTS INC

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2214	J B JACKSON JR BLVD	WOOTEN MERCIE DAVID
59	2218	J B JACKSON JR BLVD	GALVAN MARTIN R & SILVIA A
60	2222	J B JACKSON JR BLVD	RODRIGUEZ RONALDO AGUSTIN
61	2302	J B JACKSON JR BLVD	ONEAL BOZY ESTATE
62	2306	J B JACKSON JR BLVD	JBIII INVESTMENT INC
63	2310	J B JACKSON JR BLVD	MEMORIAL MISSIONARY
64	2312	J B JACKSON JR BLVD	MEMORIAL MISS BAPT CHURCH
65	2316	J B JACKSON JR BLVD	MEMORIAL BAPTIST CHURCH
66	2322	J B JACKSON JR BLVD	MEMORIAL MISS BAPT CH
67	2215	J B JACKSON JR BLVD	AGUSTIN RONALDO
68	2227	J B JACKSON JR BLVD	FOURTH AVENUE HOLDINGS LLC
69	3147	HARMON ST	CONLEY VERMA J
70	3136	HARMON ST	SOUTH DALLAS FAIR PARK INNERCITY COMMUNI
71	3144	HARMON ST	ANTHONY DAVID LEE
72	3149	MCDERMOTT AVE	ATKINS JOE L
73	3145	MCDERMOTT AVE	PATTERSON WILLIAM H &
74	3147	MCDERMOTT AVE	ALEXANDER LLOYD I &
75	3137	MCDERMOTT AVE	MARQUEZ MARCELLA
76	3139	MCDERMOTT AVE	WIGGINS MARTIN &
77	3135	MCDERMOTT AVE	WORLD IS YOURS INVESTMENT GROUP THE
78	3130	MCDERMOTT AVE	WORKS G W & CO
79	3132	MCDERMOTT AVE	LIM CHIA J & WAN LAURA Y
80	3140	MCDERMOTT AVE	SCOTT BRENDA JEAN
81	3142	MCDERMOTT AVE	CHAKAMOI MATIDI
82	3144	MCDERMOTT AVE	AFFORDABLE REALTY INC
83	3150	MCDERMOTT AVE	WILKINS MILLIE
84	3148	MCDERMOTT AVE	WILSON RALPH
85	3225	TUSKEGEE ST	FRY DEBORAH ANN
86	3223	TUSKEGEE ST	CORREA MARIA
87	3217	TUSKEGEE ST	LOPEZ FLORENTINO
88	3211	TUSKEGEE ST	HICKS PAULINE D &

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	3207	TUSKEGEE ST	SIMPSON DAVID L &
90	3131	TUSKEGEE ST	SOUTH DALLAS LAND COMPANY
91	3208	TUSKEGEE ST	BOLDEN ARTHUR
92	3210	TUSKEGEE ST	ADVANCE INVESTMENT
93	3212	TUSKEGEE ST	MOXIE INVESTMENTS LTD
94	3224	TUSKEGEE ST	CLARK ARON
95	3222	TUSKEGEE ST	TRINITARIAN CHRISTIAN
96	3228	TUSKEGEE ST	COMMUNITY CH GOD CHRIST
97	3226	TUSKEGEE ST	CONNALLY FRANKIE
98	3232	TUSKEGEE ST	WASHINGTON SARAH J
99	2416	2ND AVE	VASQUEZ FLORIBERTO
100	2500	2ND AVE	WALKER MARK E
101	2506	2ND AVE	LEALAM INVESTMENTS LLC
102	2514	2ND AVE	CAMPOS BELEN
103	2526	2ND AVE	HENDLEY JAMES G &
104	3510	FRANK ST	MORELAND ESTHER MAE &
105	2542	2ND AVE	DAVIS ROBERT E JR & D ANN
106	2536	2ND AVE	DAVIS ROBERT E JR & D ANN
107	2616	2ND AVE	HOLY GROVE MISSIONARY BAPTIST CH
108	2702	2ND AVE	2702 SECOND AVE LLC
109	3950	COOLIDGE ST	TRINITARIAN CHRISTIAN CH
110	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT

AGENDA ITEM # 45

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 11

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 14 H

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 291 for MF-2(A) Multifamily District Uses and RR Regional Retail District Uses on the northeast corner of Verde Valley Lane and the Dallas North Tollway

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan and revised conditions

Z134-130(RB)

FILE NUMBER: Z134-130(RB)

DATE FILED: November 12, 2013

LOCATION: Verde Valley Lane and Dallas North Tollway, Northeast Corner

COUNCIL DISTRICT: 11

MAPSCO: 14-H

SIZE OF REQUEST: Approx. 11.0277 Acres

CENSUS TRACT: 136.74

APPLICANT/OWNER: Sabino/Renaissance Parc, LP

REPRESENTATIVE: Jonathan Wood

REQUEST: An application for an amendment to Planned Development District No. 291 for MF-2(A) Multifamily District Uses and RR Regional Retail District Uses.

SUMMARY: The applicant is requesting an amendment to the existing Planned Development District for consideration of an increase in dwelling unit density and structure height.

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

STAFF RECOMMENDATION: Approval, subject to a revised conceptual plan and revised conditions.

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to a revised conceptual plan and revised conditions based upon:

1. *Performance impacts upon surrounding property* – As redevelopment will provide for a replacement of existing multifamily dwelling units with a new multifamily development, impact on adjacent properties (lighting, noise, odor) is not anticipated. Additionally, certain design criteria will be incorporated into the new development to create visual interest.
2. *Traffic impact* – Trip generations will be consistent with existing demands, with a small increase in number of trips based on the increase in density over that currently existing.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.
4. Subject to staff's recommended amending conditions, the request maintains the vision of the initial zoning, while maintaining a sense of scale (of development). Furthermore, staff is supporting only those amending conditions that do not lessen compatibility with adjacent residential uses to the south.

BACKGROUND:

- The request site is developed with various two-story multifamily buildings, surface parking, and typical common areas normally provided in such developments.
- On March 9, 1988, the City Council approved the creation of PDD No. 291. The PDD was subsequently amended twice, most recently April 17, 1994 providing for an amended conceptual plan and revised conditions. On May 5, 1994, the City Plan Commission approved a development providing for 294 multifamily dwelling units.
- The applicant proposes to redevelop the site with new multifamily dwellings.
- The requested amending conditions submitted by the applicant will address the following: 1) to increase the density [from 294 dwelling units to 662 dwelling units (60 dwelling units per acre) assuming the property is developed 100 percent with multifamily]; 2) to increase the structure height from 45 feet to 60 feet; and, 3) to increase the number of stories (from three to four) for occupied structures.

Zoning History:

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
Dallas North Tollway	Variable ROW
Verde Valley Lane	Local; 60' ROW

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction reviewed a traffic impact analysis submitted in conjunction with the requested amendment and determined it will not negatively impact the surrounding street system.

STAFF ANALYSIS:

Comprehensive Plan: The site is located in an area considered an Urban Neighborhood. 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 1.2 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 structures

accommodating a multifamily development, inclusive of surface parking and amenity areas typically found in this type of residential development. The applicant proposes to demolish the existing improvements and redevelop the site with multifamily uses. The requested amendment will increase density and structure height.

The site possesses two frontages that abut the Town of Addison and developed with retail (Village on the Parkway) and office uses to the north and west (across the elevated portion of the Dallas North Tollway), respectively. The areas to the east [current multifamily construction-310 dwelling units (54 du/acre); 60 feet and 76 feet story, plus architectural height; and, five stories] and south (existing two-story multifamily development) provide for similar housing stock as is anticipated by the applicant. SUP No. 1277 (Anne Frank Elementary School) within PDD No. 676 for MF-1(A) District Uses and a financial institution with drive-in window are adjacent to the southeast and southwest corners of the site, respectively.

While staff is supportive of an increase in density, there are concerns as to the scale of the development's impact (specifically, structure height) to the two-story multifamily development to the south. As a result, recommendations have been made to establish a maximum height zone so as to transition the applicant's requested increase in structure height northward, away from these residential uses. Additionally, design criteria will be required to create visual interest and activity at street level. This will include changes in plane, building materials, and tenant access points along the perimeter's screening (in conjunction with private, street-facing privacy patios for ground level dwelling units).

As part of staff's support and recommended amending ordinance, the existing development plan will be rescinded.

Parking: For permitted uses, off-street parking remains a requirement per the Dallas Development Code.

Landscaping: The site possesses mature plantings across the site. The applicant has agreed to retain the mature street tree inventory (see attached conceptual plan for designated area) which will be incorporated into the redevelopment. The balance of required landscaping will be in compliance with Article X.

CPC ACTION

(March 20, 2014)

Motion: In considering an application for an amendment to Planned Development District No. 291 for MF-2(A) Multifamily District Uses and RR Regional Retail District Uses on property on the northeast corner of Verde Valley Lane and the Dallas North Tollway, it was moved to **hold** this case under advisement until April 3, 2014.

Maker: Bagley
Second: Shellene
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley,
Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 147
Replies: For: 1 Against: 0

Speakers: None

(April 3, 2014)

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 291 for MF-2(A) Multifamily District Uses and RR Regional Retail District Uses, subject to a revised conceptual plan and staff's revised conditions on property on the northeast corner of Verde Valley Lane and the Dallas North Tollway.

Maker: Schultz
Second: Murphy
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley,
Abtahi

Against: 0
Absent: 0
Vacancy: 0

Z134-130(RB)

Notices: Area: 500

Mailed: 147

Replies: For: 136

Against: 1

Speakers: None

SABINO/RENAISSANCE PARC, LP

3701 Executive Center Drive, Suite 110

Austin, Texas 78731

Telephone (512) 494-5934

E-mail: sbrannon@ix.netcom.com

11 September 2013

Department of Development Services
City of Dallas, Texas
1500 Marilla Street, Room 5-B North
Dallas, Texas 75201

RE: Re-zoning of 5151 Verde Valley Lane, Dallas, Texas

Dear Ladies and/or Gentlemen:

In accordance with **Checklist Explanation, R. List of Partners/Principals/Officers**, the following are submitted:

Shaun Brannon	Ken Levy	Larry & Jan Birenbaum	Myron Brody
Tom Chaffin	Wilf Corrigan	Dick Elkus	Greg Finley
Sy Goldblatt	Arnold Levin	Mark Levy	Burt McMurtry
Lynn Nixon	Raj Rajaratnam	Arthur Samberg	Jon Tompkins
Wayne Levy	Mord Wiesler	Peter Wolken	

Mr. Shaun Brannon is President of Sabino Properties and the others are Partners. The corporate address for all of the above listed is:

3701 Executive Center Drive, Suite 110
Austin, Texas 78731

Sincerely,
SABINO /RENAISSANCE PARC, LP



SHAUN BRANNON
President

Z134-130

CPC RECOMMENDED AMENDING CONDITIONS

ARTICLE 291.

PD 291.

SEC. 51P-291.101. LEGISLATIVE HISTORY.

PD 291 was established by Ordinance No. 19885, passed by the Dallas City Council on March 9, 1988. Ordinance No. 19885 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Ordinance No. 19885 was amended by Ordinance No. 22033, passed by the Dallas City Council on April 27, 1994.

SEC. 51P-291.102. PROPERTY LOCATION AND SIZE.

PD 291 is established on property generally located at the northeast corner of Dallas ~~Parkway~~ North Tollway and Verde Valley Lane. The size of PD 291 is approximately 11.0277 acres.

SEC. 51P-291.103. 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.

SEC. 51P-291.104. CONCEPTUAL PLAN.

(a) Use of the Property must comply with the conceptual plan (Exhibit 291A).

(b) The number and location of ingress/egress points shown on the conceptual plan are estimates, however the number of ingress/egress points for cannot be increased. Final location must be provided on a city plan commission approved development plan.

SEC. 51P-291.105. DEVELOPMENT AND LANDSCAPE PLANS.

(a) ~~A development plan for each phase of development must be submitted to the city plan commission for approval prior to the issuance of a building permit for construction of any structure within that phase. Each development plan must be accompanied by a landscape plan which must also be approved by the city plan commission. All development must comply with the approved development and landscape plans. A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a~~

conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-291.106. USES.

~~The only uses permitted in Zone A are MF-2(A) Multifamily District uses and RR Regional Retail District uses, except the financial institution with drive-in window use. The only uses permitted in Zone B are MF-2(A) Multifamily District uses.~~

The only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MF-2(A) Multifamily District is subject to DIR in this district; etc.

SEC. 51P-291.107. SETBACKS.

~~(a) Section 51A-4.401(a)(6) does not apply to this PD.~~

~~(b) Ramps to below-grade parking and covered and elevated pedestrian ways may be located within the setback areas. Ramps to above-grade parking are not permitted within the setback areas.~~

~~(c) Minimum building setback lines for the Property are as follows:~~

~~(1) Ten feet from the northern boundary line of the Property, as shown on the conceptual plan.~~

~~(2) Ten feet from the eastern boundary line of the Property, as shown on the conceptual plan.~~

~~(3) Twenty-five feet from the southern boundary line of the Property, except for an easement for street purposes as shown on the conceptual plan.~~

~~(4) Twenty-five feet from the western boundary line of the Property, as shown on the conceptual plan.~~

(a) Front yard.

(1) Except as provided in this subsection, minimum front yard on Verde Valley Lane and the Dallas North Tollway is 25 feet.

(A) Minimum setback is 25 feet inclusive of the street easements in the area noted on the attached conceptual plan.

(2) The following may project up to five feet into the required front yard:

- (A) cantilevered roof eaves and balconies; and
 - (B) stoops and stairs that do not exceed eight feet in width and four feet in height.
- (3) The following may be located in the required front yard:
 - (A) retaining walls with a maximum height of four feet;
 - (B) fences with a maximum height of four feet;
 - (C) railings for stairs, stoops, and porches with a maximum height of 42 inches; and
 - (D) patios.
- (4) Any fence located in the required front yard have at least 50 percent open surface.
- (b) Side yard.
 - (1) Minimum side yard along the Dallas North Tollway is 25 feet.
 - (2) Minimum side yard along Verde Valley Lane is 35 feet.
- (c) Rear yard.
 - (1) Minimum rear yard is ten feet.

SEC. 51P-291.108. HEIGHT.

- (a) Maximum height for any structure located in Height Zone A is ~~54~~45 feet.
- (b) Maximum height for any structure located in Height Zone B is 45 ~~60~~ feet.

SEC. 51P-291.108.1. STORIES.

- (a) Maximum number of stories for Height Zone A is three.
- (b) Maximum number of stories for Height Zone B is five.

SEC. 51P-291.109. LOT COVERAGE.

Maximum permitted lot coverage of the Property is 80 percent. The calculation of lot coverage includes aboveground parking structures but does not include parking lots or underground parking structures.

SEC. 51P-291.110. FLOOR AREA.

~~Covered pedestrian ways used solely for pedestrian traffic flow between buildings are not included in the calculation of floor area. Maximum total permitted floor area and maximum floor area for each use category on the Property are governed by the following chart:~~

<u>Use categories</u>	<u>Maximum floor area by right (in square feet or units)</u>
Multifamily	294 units
RR Regional Retail	48,036 square feet
<u>No maximum floor area.</u>	

SEC. 51P-291.111 DENSITY.

Maximum dwelling unit density is 660 dwelling units.

~~SEC. 51P-291.111. ACCESS.~~

~~Curb cuts for vehicular ingress and egress must be provided in the number and at the approximate locations shown on the conceptual plan.~~

SEC. 51P-291.112. OFF-STREET PARKING.

(a) Requirements for permitted uses. All uses permitted on the Property must supply parking in accordance with the minimum requirements of Chapter 51A.

(b) No parking signs. The owner(s) must provide “no parking” signs on all dedicated streets traversing or bordering the Property as required by the director of the department of ~~development services~~ sustainable development and construction.

(c) Parking structure facade. All facades of above-grade parking structures visible at a location 100 feet or less from the existing right-of-way line of Verde Valley Lane (the “affected facades”) must be concealed with a material that is similar in appearance to the facade of the main non-parking building for which the parking is accessory. At least 12 percent of the total area of the affected facades must be covered with the similar material used predominantly on the first 24 feet of height of the main building as shown on the conceptual plan. Openings in the affected facades may not exceed 52 percent of the total area of the affected facades. Total area of the affected

facades means the area enclosed by the minimum imaginary rectangle of vertical and horizontal lines which fully contain the extremities of a facade.

SEC. 51P-291.113. ROAD IMPROVEMENTS.

(a) A 10-foot corner clip must be provided at the southeast corner of Dallas Parkway and Verde Valley Lane as shown on the conceptual plan.

(b) An eight-foot easement for street purposes on the north line of Verde Valley Lane must be provided as shown on the conceptual plan.

SEC. 51P-291.114. SIGNS.

All signs must comply with the provisions for non-business zoning district contained in Article VII, ~~except that no non-premise signs are permitted. Flagpoles, banners, and kiosks are exempted from compliance with Article VII, except that no non-premise signs are permitted. Flagpoles, banners, and kiosks are exempted from compliance with Article VII, but must be approved by the city plan commission as part of a landscape plan. The following standards for approval of flagpoles, banners, and kiosks ("exempt signs") must be met.~~

~~(1) Purpose. Exempt signs may be used only to identify entries, circulation routes, pedestrian gathering spaces, edges of activity zones, or other points facilitating the movement of vehicles or people.~~

~~(2) Spatial relationships. Exempt signs must bear a relationship to structures so that they align with the extension of building axes, identify exterior spaces that support interior activities, and visually reinforce building entries.~~

~~(3) Continuity. The size, mounting heights, and hardware configuration for any type of exempt signs must be uniform throughout districts on the Property.~~

~~(4) Visibility. Exempt signs may not be placed so as to obstruct traffic visibility or encroach upon view access to traffic signs or other control devices.~~

SEC. 51P- .115. URBAN DESIGN CONSIDERATIONS.

Prior to the issuance of a certificate of occupancy for a multifamily use, the following must be provided:

(a) Building facades longer than 80 feet shall incorporate at least three of the following design features or architectural elements:

(1) Change in building materials, color, and texture which contrasts from the rest of the façade;

(2) Articulate building with projections, recesses, material changes, parapets, cornices, and varying roof heights;

(3) Distinguish between the building's base (street and lower levels), middle (core mid-section), and top (the upper level which distinguishes the building and how it meets the sky) with architectural elements and articulated through materials, details, and changes in wall plane;

(4) Deep inset windows;

(5) Stepped-back floor plates at upper levels to diminish overall scale;

(6) Architectural elements which protrude from the face of the building, such as terraces, decks, balconies, overhangs, and sunshades integrated into the building's architecture.

(b) Aboveground parking structures must be constructed so as to screen vehicle headlights from shining on adjacent property by a minimum forty-two inch wall.

(c) Openings in the parking structure facade must not exceed 55 percent of the total garage facade area.

(d) Highly reflective glass may not be used as an exterior building material on any building or structure.

(e) A minimum of two of each of the following pedestrian amenities must be provided along for each 300 linear feet of the Verde Valley Road street frontage or fraction thereof:

(1) benches,

(2) trash receptacles, and

(3) bicycle racks (at least one five-bike rack must be provided).

(f) Tenant access through the perimeter fence along Verde Valley Lane must be provided at a rate of one access gate for each four ground floor, street facing dwelling units.

SEC. 51P-____.116.

LANDSCAPING.

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

(b) Prior to the issuance of a demolition permit, a tree survey must be submitted to the building official.

(c) Existing street trees located in the Perimeter Street Tree Zone as shown on the attached conceptual plan must be retained and shown on the required landscape plan.

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

SEC. 51P-291.117 5. GENERAL REQUIREMENTS.

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

(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-291.118 6. PAVING.

~~(a) All streets, driveways, parking spaces, and maneuvering areas must comply with the requirements of Chapter 51A.~~

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

SEC. 51P-291.117 8. COMPLIANCE WITH CONDITIONS.

(a) The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city.

(b) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city. And you could move it to compliance w conditions?

SEC. 51P-291.118. ZONING MAP.

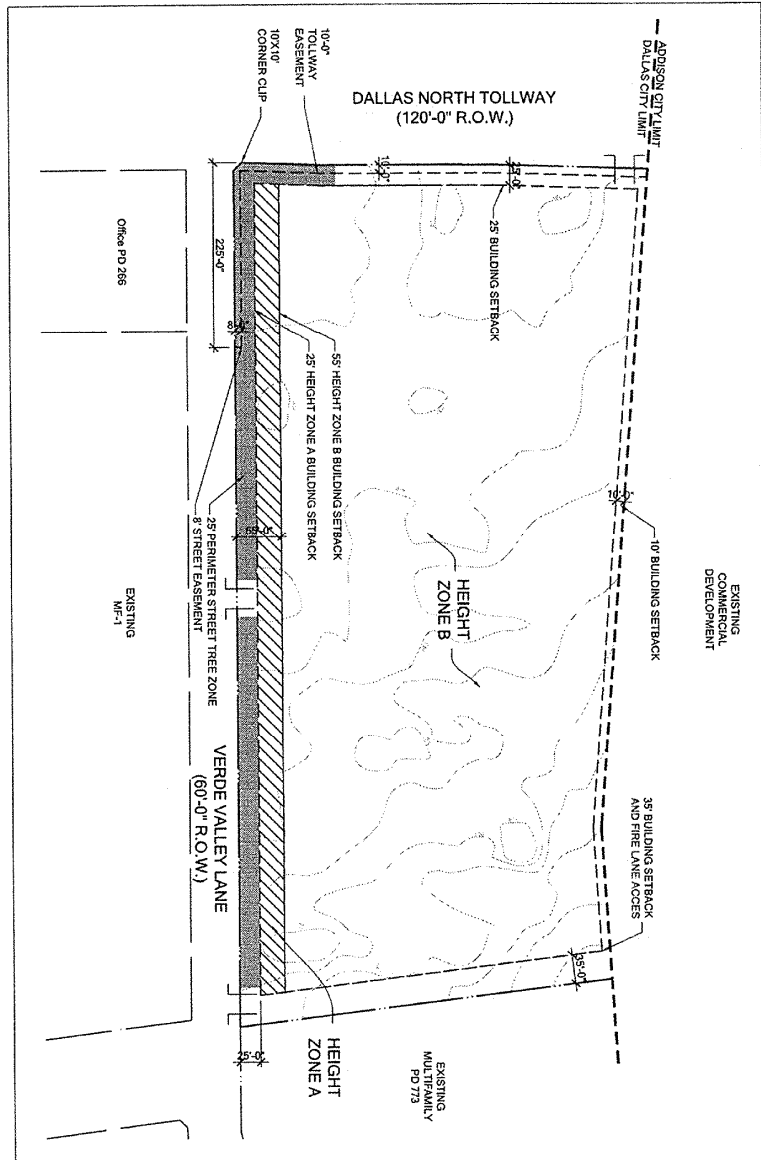
~~PD 291 is located on Zoning Map No. C-7.~~



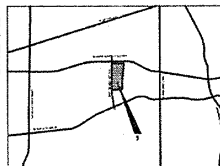
GFF Planning

CONCEPTUAL PLAN

Case: Z134-130 (RB)



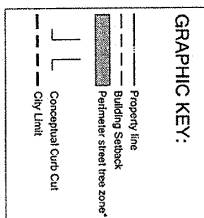
VICINITY MAP



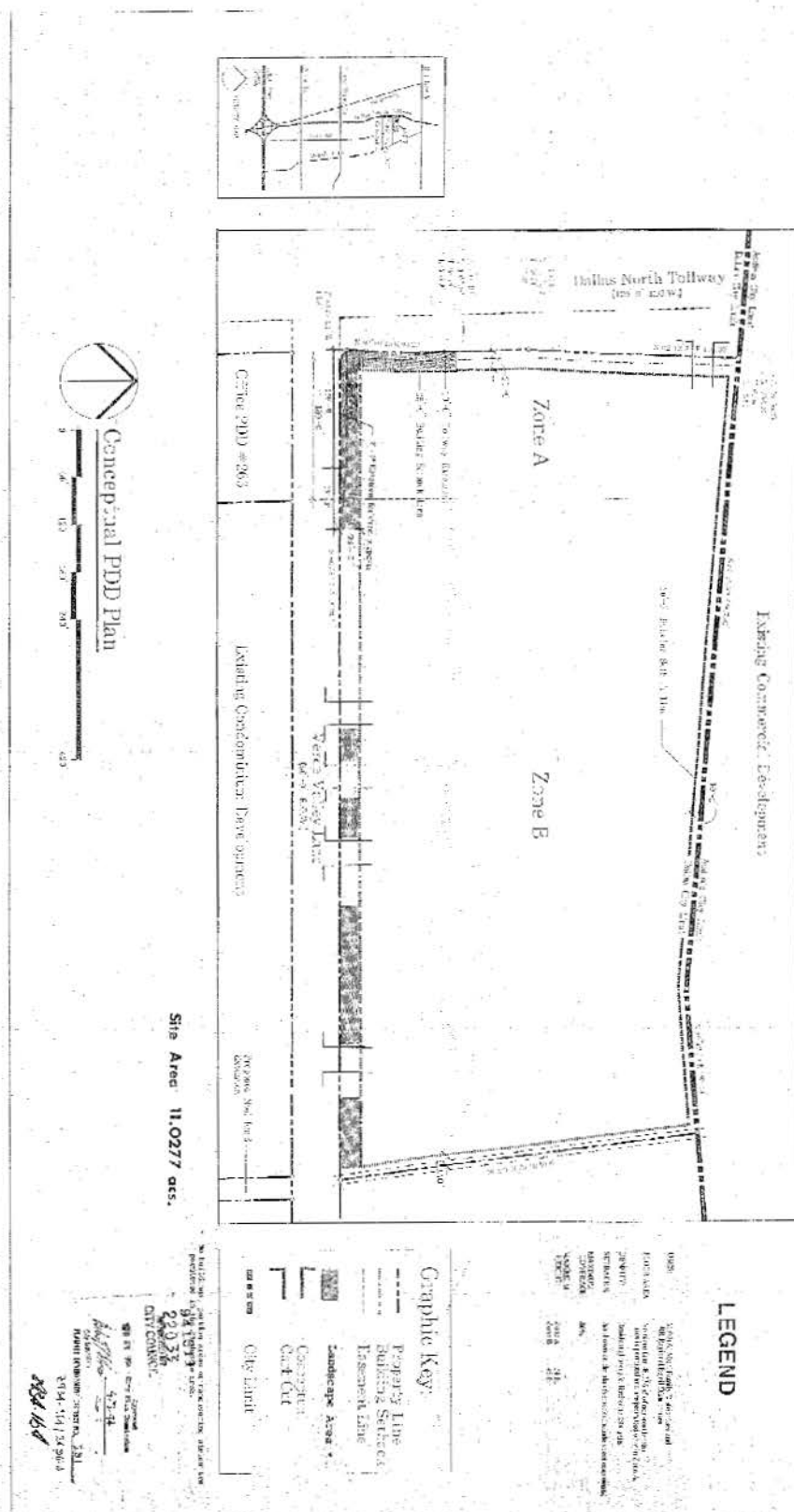
LEGEND

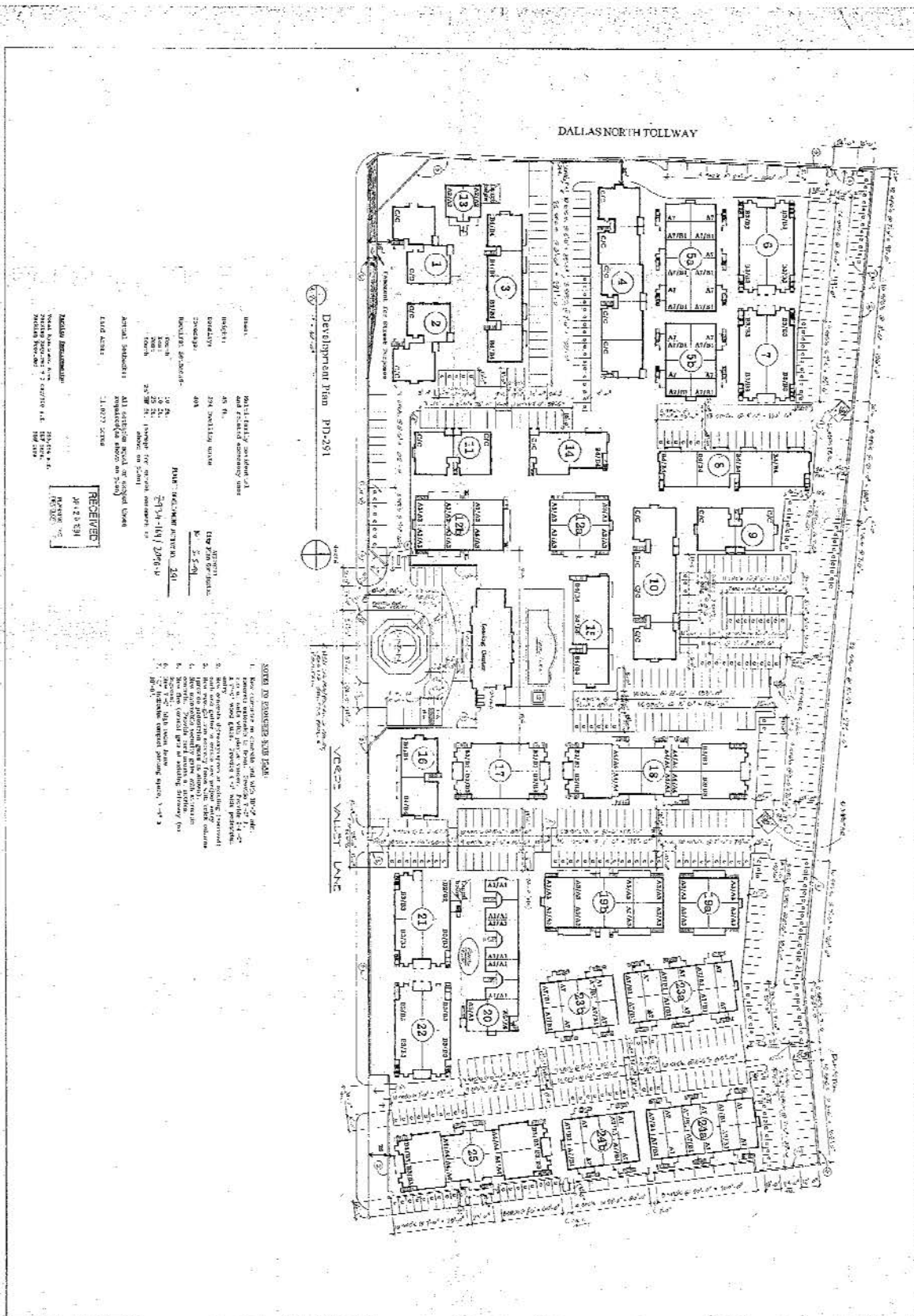
SITE AREA: 11.0277 acres
DENSITY: Maximum of 650 dwelling units.
MAXIMUM COVERAGE: 80%
MAXIMUM HEIGHT: Height Zone A - 45'
MAXIMUM STORES: Height Zone A - 3 stories
 Height Zone B - 5 stories
 No Maximum
FLOOR AREA: No Maximum

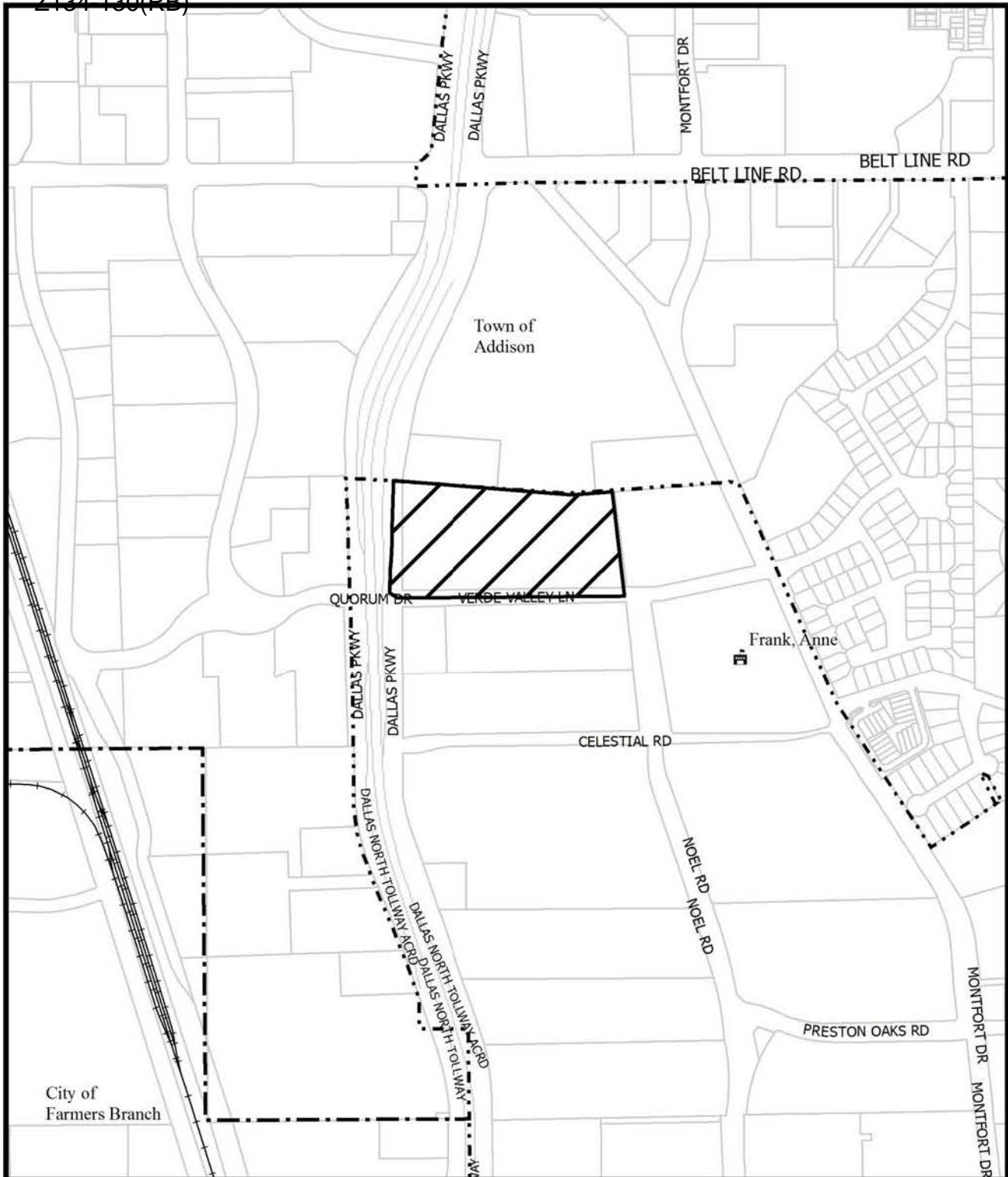
GRAPHIC KEY:



* No buildings, parking areas, or maneuvering aisles are permitted in perimeter street zone area





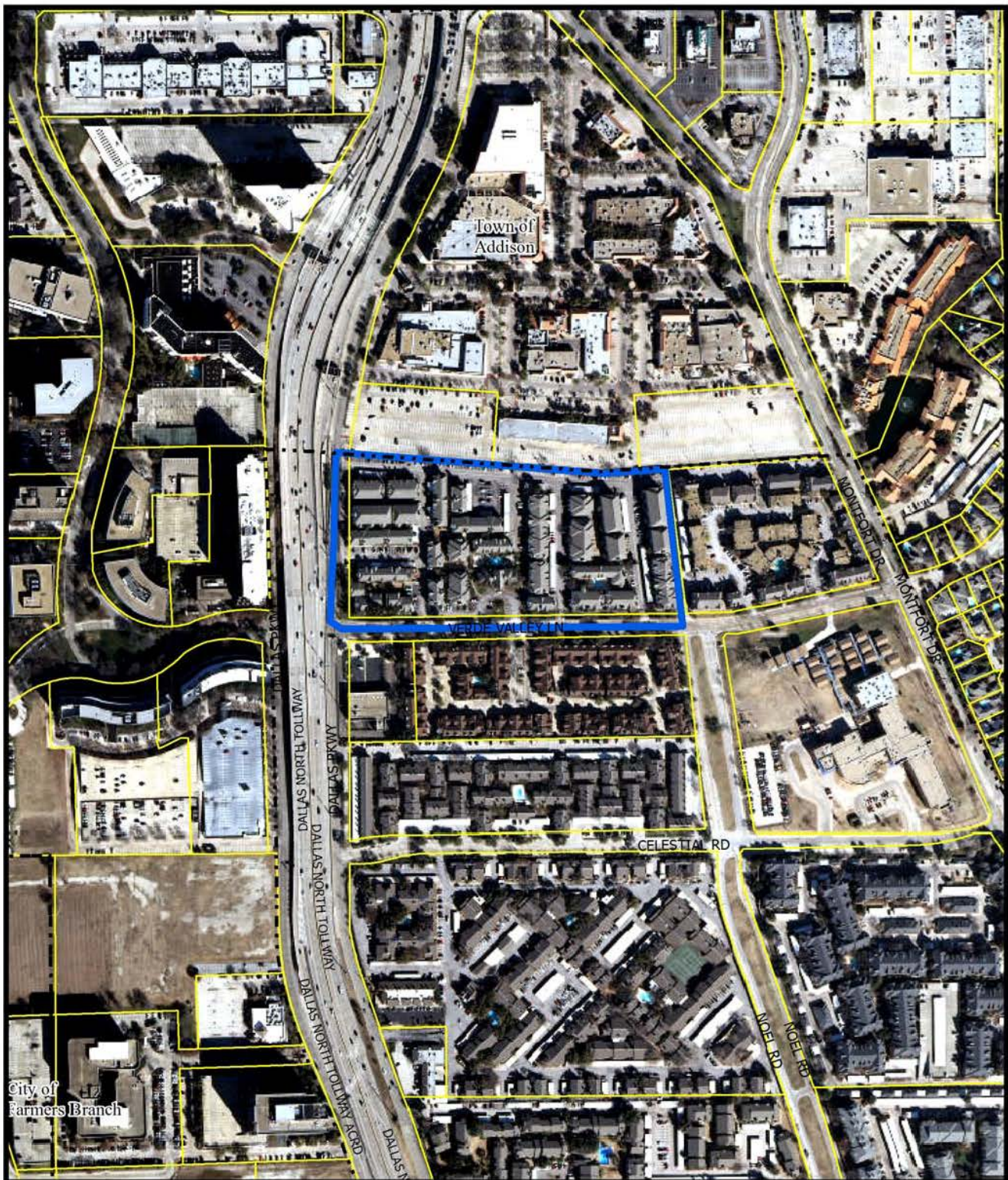


1:7,200

VICINITY MAP

Case no: **Z134-130**

Date: **12/23/2013**

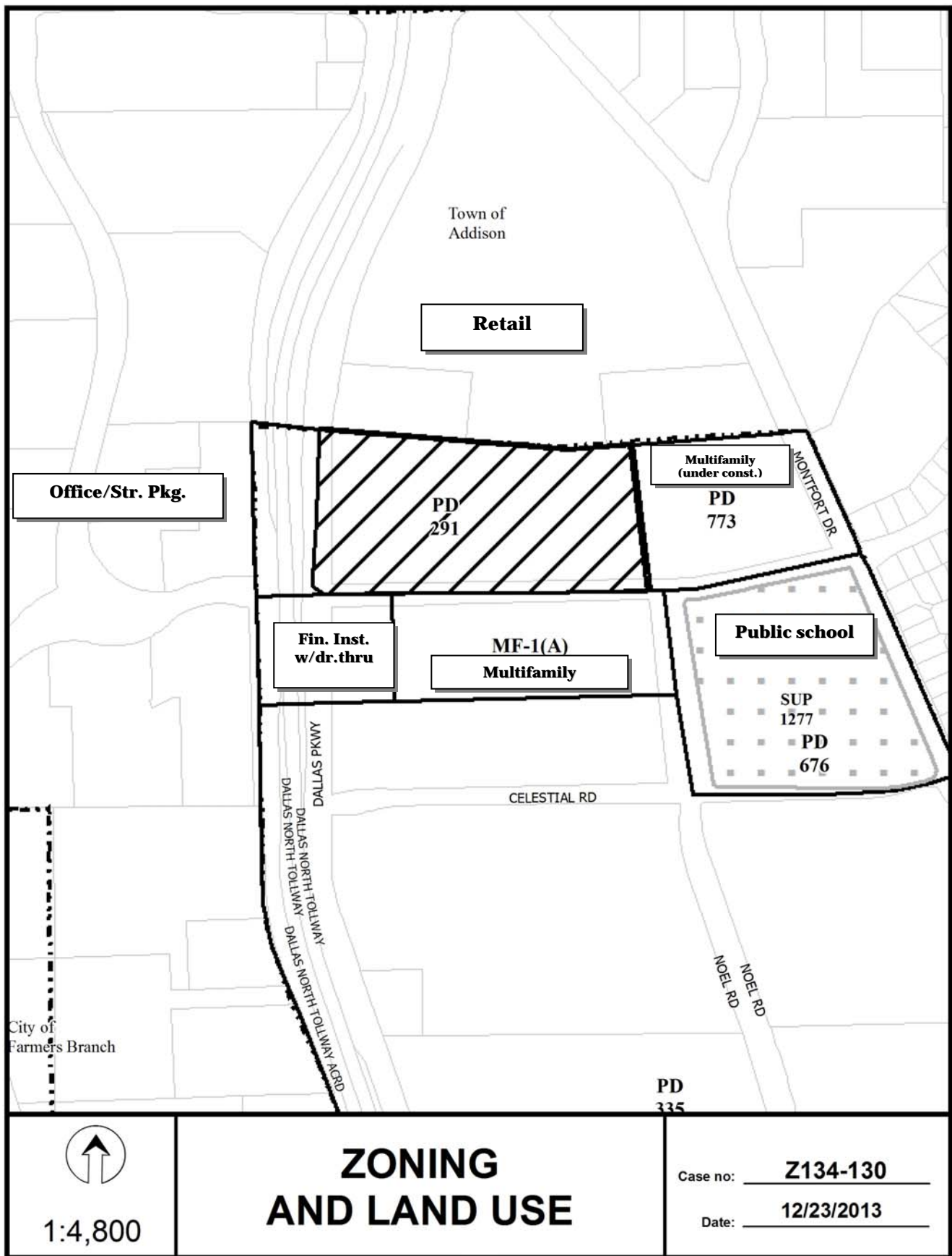


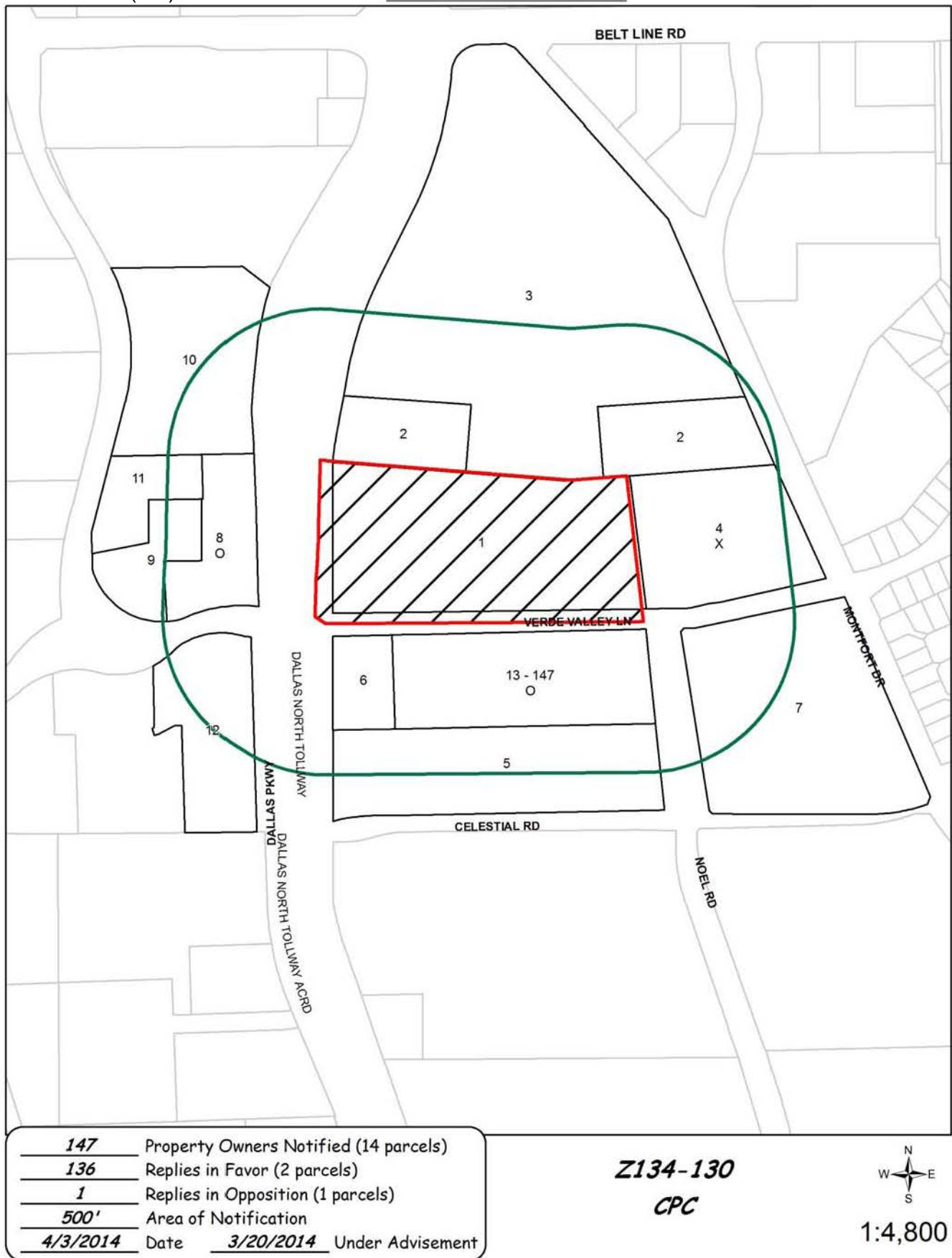
1:4,800

AERIAL MAP

Case no: **Z134-130**

Date: **12/23/2013**



CPC RESPONSES

4/3/2014

Reply List of Property Owners***Z134-130******147 Property Owners Notified
Owners Opposed******136 Property Owners in Favor******1 Property***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	5151 VERDE VALLEY LN	SABINO RENAISSANCE PARC
	2	5100 BELT LINE RD	VOP LP
	3	5100 BELT LINE RD	VOP LP
X	4	14735 MONTFORT DR	CRITERION BILTMORE LP
	5	14606 DALLAS PKWY	WESTDALE DAVENPORT LTD
	6	5006 VERDE VALLEY LN	FIRST STATES INVESTORS
	7	5201 CELESTIAL RD	Dallas ISD
O	8	14841 DALLAS PKWY	JP ABERDEEN PARTNERS LP
	9	14800 QUORUM DR	BOXER F2 LP
	10	14901 DALLAS PKWY	HOST DALLAS QUORUM LLC
	11	14850 QUORUM DR	TPP 6 QUORUM LLC
	12	5050 QUORUM DR	BILLINGSLEY COMPANY
O	13	5100 VERDE VALLEY LN	RODGERS NANCY D
O	14	5100 VERDE VALLEY LN	NAMAZY DAVID
O	15	5100 VERDE VALLEY LN	FLEKSER BARBARA L
O	16	5100 VERDE VALLEY LN	CROSIER FRANKLIN
O	17	5100 VERDE VALLEY LN	NAKASHIMA CARTER L
O	18	5100 VERDE VALLEY LN	MATA OMAR
O	19	5100 VERDE VALLEY LN	SPENCE DONALD E
O	20	5100 VERDE VALLEY LN	KIBLER CHRISTOPHER
O	21	5100 VERDE VALLEY LN	ZAMORA ARTURO JR
O	22	5100 VERDE VALLEY LN	BERRONES EDUARDO A MONTIEL &
O	23	5100 VERDE VALLEY LN	LESIEUR DENNIS
O	24	5100 VERDE VALLEY LN	VILLASANA MARIA DEL SOCORRO J
O	25	5100 VERDE VALLEY LN	STOKES VERNON JR
O	26	5100 VERDE VALLEY LN	HOLDCROFT ROBERT G

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	27	5100 VERDE VALLEY LN	ONGAY DONNA L REVOCABLE TRUST
O	28	5100 VERDE VALLEY LN	BOGNER BEAUEN A
O	29	5100 VERDE VALLEY LN	DURAN EDUARDO
O	30	5100 VERDE VALLEY LN	ERSAN OKTAY &
O	31	5100 VERDE VALLEY LN	PETZOLD DAVID
O	32	5100 VERDE VALLEY LN	MOSES GARY J TRUSTEE
O	33	5100 VERDE VALLEY LN	HSU SUE YUEH
O	34	5100 VERDE VALLEY LN	DOAN VIVIAN
O	35	5100 VERDE VALLEY LN	BARMAKI NASRIN
O	36	5100 VERDE VALLEY LN	ANDUJO OSCAR F
O	37	5100 VERDE VALLEY LN	SMITH RICHARD
O	38	5100 VERDE VALLEY LN	MACKEY DACIA E
O	39	5100 VERDE VALLEY LN	HENSLEY AMANDA
O	40	5100 VERDE VALLEY LN	MCCARTY JANICE D
O	41	5100 VERDE VALLEY LN	ZOLOTUHIN BORIS
O	42	5100 VERDE VALLEY LN	CARRINGTON JEFF
O	43	5100 VERDE VALLEY LN	WORLAND EMILY &
O	44	5100 VERDE VALLEY LN	KIRR REVOCABLE TRUST
O	45	5100 VERDE VALLEY LN	BROWN CLIFFORD E
O	46	5100 VERDE VALLEY LN	ALLAN AUTUMN L
O	47	5100 VERDE VALLEY LN	TUSKAN YAZANIA
O	48	5100 VERDE VALLEY LN	ALEGRIA-BOLDEN ADALIZ A
O	49	5100 VERDE VALLEY LN	WOODCOCK KAREN &
O	50	5100 VERDE VALLEY LN	LE HUNG T
O	51	5100 VERDE VALLEY LN	ASAVA VIJAY
O	52	5100 VERDE VALLEY LN	ORR ROBERTA P &
O	53	5100 VERDE VALLEY LN	WEBER JAMES C
O	54	5100 VERDE VALLEY LN	MERCER STEWART A & NOELLE
O	55	5100 VERDE VALLEY LN	ALEGRIA SHANA R
O	56	5100 VERDE VALLEY LN	SIMS AMY R
O	57	5100 VERDE VALLEY LN	KANE SUZANNE

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	58	5100 VERDE VALLEY LN	MEDINA JOSEPH
O	59	5100 VERDE VALLEY LN	FOWLS DLANDRIA M
O	60	5100 VERDE VALLEY LN	BARRETT NICHOLAS
O	61	5100 VERDE VALLEY LN	BRIGGS MARGUERITE L
O	62	5100 VERDE VALLEY LN	PAXTON JOHN DAVID
O	63	5100 VERDE VALLEY LN	CATRON JAMES CRAWFORD
O	64	5100 VERDE VALLEY LN	GOLINSKI ZBIGNIEW & ANNA
O	65	5100 VERDE VALLEY LN	SOBIESKI MARGARET
O	66	5100 VERDE VALLEY LN	WONG ICY H
O	67	5100 VERDE VALLEY LN	BLANTON JOHN JR
O	68	5100 VERDE VALLEY LN	BROUILLARD KERN
O	69	5100 VERDE VALLEY LN	LIN YAOHSIN
O	70	5100 VERDE VALLEY LN	ARNOTT CHRISTOPHER JEREMY
O	71	5100 VERDE VALLEY LN	BLANTON JOHN R JR
O	72	5100 VERDE VALLEY LN	DIZON DEREK JOYA
O	73	5100 VERDE VALLEY LN	LIRA DONAJI
O	74	5100 VERDE VALLEY LN	NORDSETH STEVEN L & JUDY
O	75	5100 VERDE VALLEY LN	TOLES WILLIAM
O	76	5100 VERDE VALLEY LN	HOWARD JAMELIA
O	77	5100 VERDE VALLEY LN	RUDMAN KATHRYN M
O	78	5100 VERDE VALLEY LN	YIM YIK MING
O	79	5100 VERDE VALLEY LN	MCDONALD SUSAN
O	80	5100 VERDE VALLEY LN	MURRAY CATHERINE M
O	81	5100 VERDE VALLEY LN	FORTENBOHER ALFREDO
O	82	5100 VERDE VALLEY LN	CHEN CHU MEI-JUNG
O	83	5100 VERDE VALLEY LN	MCDONALD LAUREN
O	84	5100 VERDE VALLEY LN	RAM SATYANANDA K
O	85	5100 VERDE VALLEY LN	TRIMAJ TOMAS
O	86	5100 VERDE VALLEY LN	MOE RICHARD E
O	87	5100 VERDE VALLEY LN	FANG JINGHUI
O	88	5100 VERDE VALLEY LN	VEAL JEREMY

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	89	5100 VERDE VALLEY LN	RAMSEY BRENDA K
O	90	5100 VERDE VALLEY LN	LARUSSA JAMES K
O	91	5100 VERDE VALLEY LN	GLENN DENISE
O	92	5100 VERDE VALLEY LN	FADOIR SARAH S
O	93	5100 VERDE VALLEY LN	JOHNSON TAMIKA R
O	94	5100 VERDE VALLEY LN	MICHAEL DAN J
O	95	5100 VERDE VALLEY LN	MCSHANE JOHN INCENT
O	96	5100 VERDE VALLEY LN	WEINBERG MARY A
O	97	5100 VERDE VALLEY LN	DINH QUANG
O	98	5100 VERDE VALLEY LN	PHEARSE CYNTHIA & BRUCE
O	99	5100 VERDE VALLEY LN	DICKEY EUGENE WESLEY
O	100	5100 VERDE VALLEY LN	HAVARD VINCENT
O	101	5100 VERDE VALLEY LN	HOUSMAN XAN
O	102	5100 VERDE VALLEY LN	MCWHORTER KATHY DONTJE
O	103	5100 VERDE VALLEY LN	BOBULA MATTHEW J
O	104	5100 VERDE VALLEY LN	RIDER PRESTON J
O	105	5100 VERDE VALLEY LN	BIRK DAVID BRIAN
O	106	5100 VERDE VALLEY LN	ABSHIRE KEVIN G
O	107	5100 VERDE VALLEY LN	CARTER KEITH L
O	108	5100 VERDE VALLEY LN	CHAN MAN HUNG
O	109	5100 VERDE VALLEY LN	PIETZSCH BEATRICE L
O	110	5100 VERDE VALLEY LN	DOBBINS DARREN L
O	111	5100 VERDE VALLEY LN	BARDI DINA H
O	112	5100 VERDE VALLEY LN	GREEN RONALD
O	113	5100 VERDE VALLEY LN	HINKLE JOHN C & LINDA S
O	114	5100 VERDE VALLEY LN	JONES CHADWICK D
O	115	5100 VERDE VALLEY LN	TUCKER SUSAN
O	116	5100 VERDE VALLEY LN	WANG GEORGE
O	117	5100 VERDE VALLEY LN	MCGILBERRY KIMBERLY
O	118	5100 VERDE VALLEY LN	WELLS BARBARA MOTLEY
O	119	5100 VERDE VALLEY LN	NGUYEN TWEEDY

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	120	5100 VERDE VALLEY LN	MURILLO YENDRY
O	121	5100 VERDE VALLEY LN	BAUMANN BRYAN P
O	122	5100 VERDE VALLEY LN	WATSON KEVIN TODD
O	123	5100 VERDE VALLEY LN	BYRNE SCOTT
O	124	5100 VERDE VALLEY LN	SAGERS JARED M
O	125	5100 VERDE VALLEY LN	KILLEN SHARON
O	126	5100 VERDE VALLEY LN	EVANS BILLIE C & HARDY
O	127	5100 VERDE VALLEY LN	MATHEWS ALLISON
O	128	5100 VERDE VALLEY LN	DURBIN WILLIAM P
O	129	5100 VERDE VALLEY LN	ARREDONDO MIGUEL L
O	130	5100 VERDE VALLEY LN	JOHNSON JAMES C
O	131	5100 VERDE VALLEY LN	WAMBSGANSS BETH
O	132	5100 VERDE VALLEY LN	BOARDWALK ON THE PKWY CONDO ASSOC INC
O	133	5100 VERDE VALLEY LN	LISMEY CASTRO
O	134	5100 VERDE VALLEY LN	HOEGGER JERRY
O	135	5100 VERDE VALLEY LN	HUDSON PAULA M
O	136	5100 VERDE VALLEY LN	DOMINGUEZ DYLAN R
O	137	5100 VERDE VALLEY LN	COLLINSSHOFFNER AMBER
O	138	5100 VERDE VALLEY LN	MCDERMOTT WILLIAM F
O	139	5100 VERDE VALLEY LN	BELINA NADIA
O	140	5100 VERDE VALLEY LN	BROOKS WHITNEY
O	141	5100 VERDE VALLEY LN	CULIVER TALIBAH
O	142	5100 VERDE VALLEY LN	WOODHAM BRENDA
O	143	5100 VERDE VALLEY LN	ORLICH CLAIRE PATRICIA
O	144	5100 VERDE VALLEY LN	LOK YIN HAR
O	145	5100 VERDE VALLEY LN	ROSA PATRICIA G
O	146	5100 VERDE VALLEY LN	BLANTON JOHN R
O	147	5100 VERDE VALLEY LN	ALLIANT PROPERTIES LLC SERIES C

AGENDA ITEM # 46

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 46 C; D

SUBJECT

A public hearing to receive comments regarding an application for an ordinance terminating Specific Use Permit No. 351 on property zoned an MF-2(A) Multifamily District and a D(A) Duplex District and an ordinance granting an MF-2(A) Multifamily District on property zoned a D(A) Duplex District on the southeast corner of Abrams Road and Reiger Avenue

Recommendation of Staff and CPC: Approval of the termination of Specific Use Permit No. 351 and approval of an MF-2(A) Multifamily District

Z134-142(MW)

FILE NUMBER: Z134-142 (MW)

DATE FILED: December 12, 2013

LOCATION: Located on the southeast corner of Abrams Road and Reiger Avenue

COUNCIL DISTRICT: 2, 14

MAPSCO: 46-C; 46-D

SIZE OF REQUEST: ±20.8 acres

CENSUS TRACT: 13.01

REPRESENTATIVE: Devin King, Kimley-Horn and Associates

APPLICANT/OWNER: Juliette Fowler Properties, Inc.

REQUEST: An application for the termination of Specific Use Permit No. 351 on property zoned an MF-2(A) Multifamily District and a D(A) Duplex District and the rezoning of the D(A) Duplex District to an MF-2(A) Multifamily District

SUMMARY: The applicant proposes to construct additional retirement housing, convalescent nursing home, and related institutional uses, which are not permitted uses in the D(A) Duplex, on an undeveloped ±5.8-acre portion of the request site. In addition, the applicant proposes to terminate SUP No. 351, which covers the ±20.8-acre Juliette Fowler property, as the existing and proposed uses are permitted by right in the MF-2(A) Multifamily District.

CPC RECOMMENDATION: Approval of the termination of Specific Use Permit No. 351 and approval of an MF-2(A) Multifamily District.

STAFF RECOMMENDATION: Approval of the termination of Specific Use Permit No. 351 and approval of an MF-2(A) Multifamily District.

DESIGNATED ZONING CHANGE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The existing uses are residential in nature and appear to be operating compatibly with the surrounding neighborhood. The proposed retirement housing project is not anticipated to negatively impact surrounding property.
2. *Traffic impact* – The increased density will not significantly impact the surrounding roadway system.
3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the Comprehensive Plan.

BACKGROUND INFORMATION:

- The ±20.8-acre request site is developed with the Juliette Fowler Homes senior community, which based on information provided by the applicant, consists of retirement housing, convalescent nursing home, and related institutional uses. It is noted that the Certificate of Occupancy, completed on October 12, 1993, is for an “office building.” A ±5.8-acre portion of the request site, previously identified as an expansion area, is undeveloped.
- Specific Use Permit No. 351 for “a day care center, nursing home, residence home for the aging, child caring institution, health center, and community center” was approved by the City Council on October 4, 1978 for a permanent time period. Subsequent amendments were approved on May 2, 1979, December 14, 1983, and November 14, 2012.
- The November 14, 2012 amendment (Z112-253) included the expansion of Specific Use Permit No. 351. On November 21, 2013, the City Plan Commission granted a waiver of the two-year waiting period to file a zoning request.
- On December 12, 2013, an application for an amendment to Specific Use Permit No. 351 was submitted to allow for the depiction of the footprints of proposed buildings on the site plan.
- It was determined that the Specific Use Permit on this site is not technically eligible for expansion since it was approved for Chapter 51 uses (and other various uses not identified in Chapter 51 or Chapter 51A). Furthermore, the uses proposed for the expansion area are not permitted in the D(A) Duplex District. However, the existing and proposed uses are permitted by right in the MF-2(A) Multifamily District, making the Specific Use Permit unnecessary if the zoning change request is approved.

Zoning History:

1. **Z123-335:** On January 21, 2014, the City Council approved a Planned Development District on property zoned a CR Community Retail District and a D(A) Duplex District with H/128 Historic Overlay District No. 128 (Junius Heights).

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.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Abrams Road	Minor Arterial	80 feet	80 feet
Columbia Avenue	Local	60 feet	N/A
Juliette Fowler Street	Local	55 feet	N/A
South Fulton Street	Local	50 feet	N/A
Reiger Street	Local	50 feet	N/A
Santa Fe Avenue	Local	40 feet	N/A

Adjacent Zoning and Land Use:

	Zoning	Land Use
North	PDD No. 397 with H/128	Single family
Northeast	R-7.5(A)	Park
Southeast	PDD No. 134	Single family; church; trail
Southwest	D(A); PDD No. 397 with H/128	Single family; duplex
Northwest	PDD No. 397 with H/128	Single family

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 a *Residential Neighborhood Building Block*. 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.

In general, the applicant's proposal is consistent with the following goals and policies 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

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.3 Encourage complementary building height, scale, design and character.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

Land Use Compatibility:

According to the website for Juliette Fowler Homes, in 1911, the institution began operating a home for the elderly at this location and has operated continuously since that time. The existing uses are residential in nature and appear to be operating compatibly with the surrounding neighborhood.

The applicant proposes to expand the existing building to accommodate 40 retirement housing units and a community center for the residents. The applicant also proposes to develop the remainder of the request site with 36 retirement housing units and 104 convalescent and nursing home units.

It is noted that the Santa Fe Trail, which is a part of the City of Dallas trails system, is adjacent to the request site. This 4.2 mile concrete surface trail connects multiple parks throughout lower east Dallas, as well as to the White Rock Lake Park Loop Trail and the Union Pacific Trail.

Parking:

Parking must be provided in accordance with the Dallas Development Code, which requires 0.7 spaces per dwelling unit or suite, plus one space per 300 square feet of floor area not in a dwelling unit or suite for the retirement housing use and 0.3 spaces per bed for the convalescent and nursing homes, hospice care, and related institutions use.

It is noted that on March 13, 1979, the Board of Adjustment approved a variance to the off-street parking regulations to permit 45 off-street parking spaces within a required front yard and a variance of 72 off-street parking spaces for the “residence home for the aging.”

Landscaping:

New development will require landscaping in accordance with Article X of the Dallas Development Code.

CPC Action: April 9, 2014:

Motion: It was moved to recommend **approval** of the termination of Specific Use Permit No. 351 on property zoned an MF-2(A) Multifamily District and a D(A) Duplex District and **approval** of the rezoning of the D(A) Duplex District to an MF-2(A) Multifamily District on the southeast corner of Abrams Road and Reiger Avenue.

Maker: Shidid
Second: Bagley
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene,
Schultz, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 400 Mailed: 182
Replies: For: 6 Against: 3

Speakers: None

Partners/Principals/Officers

**Juliette Fowler Properties, Inc. (Juliette Fowler Homes, Inc.)
DBA: Juliette Fowler Communities**

Officers:

Sabrina R. Porter, CEO
Teresa Whittington, COO
Nicole Gann, CFO

Board Members:

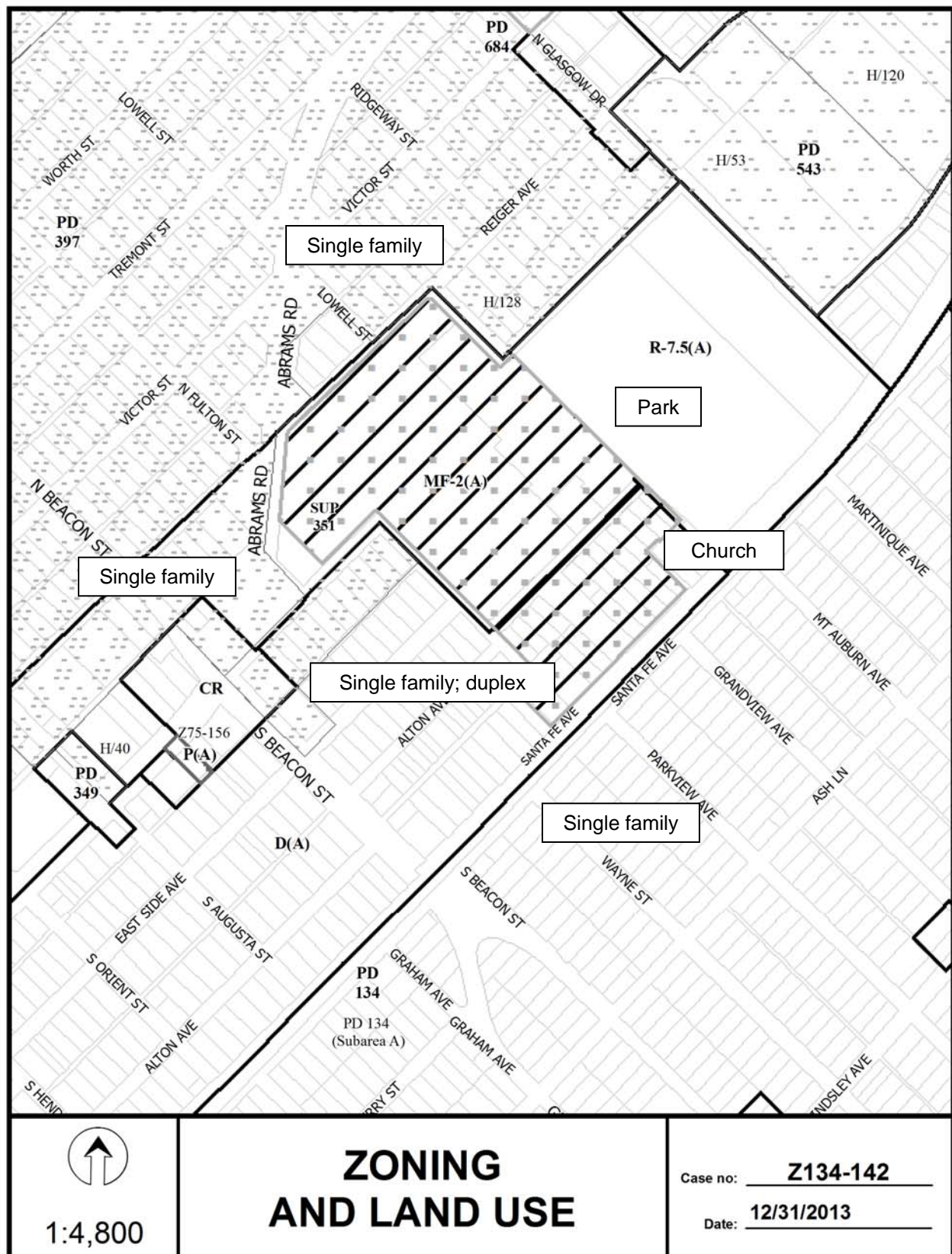
Richard Dooley, Chair
Don Postell, Vice Chair
Kenneth Kellam, 2nd Vice Chair
Don Monworren, Past Chair
Victoria Gilkerson, Secretary
Pete Bratlie, Treasurer
Roland Bandy
Lane Bond
Sebetha Jenkins-Booker
Ben Brooks
Linda Dame
Tera L. Brown-Daniels
Linda Dorsey
Elizabeth Hermann
Patricia Maples
Don McKenzie
Jill Nelson
Jo Dawn Noble
John Pennington
LeAnn Roberts
Jim Rollins
Mark Wassenich
James Whitten
Kathryn Williams
Christopher Wilson
Mike Wilson
Sydney Wirsdorfer
John Wright

Conditions for Specific Use Permit No. 351 (will be terminated):

1. SITE PLAN: ~~Use and [D]development [and utilization] of the property must comply with the attached site plan [approved by the City Plan Commission on November 3, 1983, which is attached to and made a part of this ordinance].~~
 2. USES: ~~The only [U]uses authorized by [within] this [S]specific [U]use [P]permit are [shall include] a day care center for children and adults, a nursing home, a residence home for the aging, a child caring institution, a health center and a community center along with staff houses, dormitories, maintenance buildings, administrative offices, and related uses.~~
 3. PARKING: ~~Except as provided in this paragraph, [P]parking must be provided in accordance with the Dallas Development Code , as amended[, and located as shown on the approved site plan for all uses except that] [p]Parking for the apartments for the elderly must be provided in accordance with the order of the Board of Adjustment appeal No. BDA-79-145/4797.~~
 4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
 - A. Plant materials must be maintained in a healthy, growing condition.
 - B. A visual screen of evergreen shrubs must be provided and maintained at a minimum height of four feet in front of the parking area facing Fowler Street.
 - C. Prior to the issuance of a certificate of occupancy, the enhanced landscape area shown on the site plan must be provided.
- ~~[PAVING: All parking spaces, aisles, maneuvering areas, and driveway connections to street and/or alleys, whether enclosed or unenclosed, must be surfaced with non-combustible materials such as asphaltic paving materials or concrete. The surface must consist of a compacted subgrade covered by: 1) concrete paving; 2) hot mix asphaltic paving consisting of a binder course and a surface course; or 3) an approved equivalent. The surface must be maintained so as to be continuously hard, dustless, and suitable for use under all weather conditions.~~
5. TIME LIMIT: This Specific Use Permit has no expiration date [Specific Use Permit shall remain in effect for a permanent time period after passage of this ordinance].
 6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance at all times.

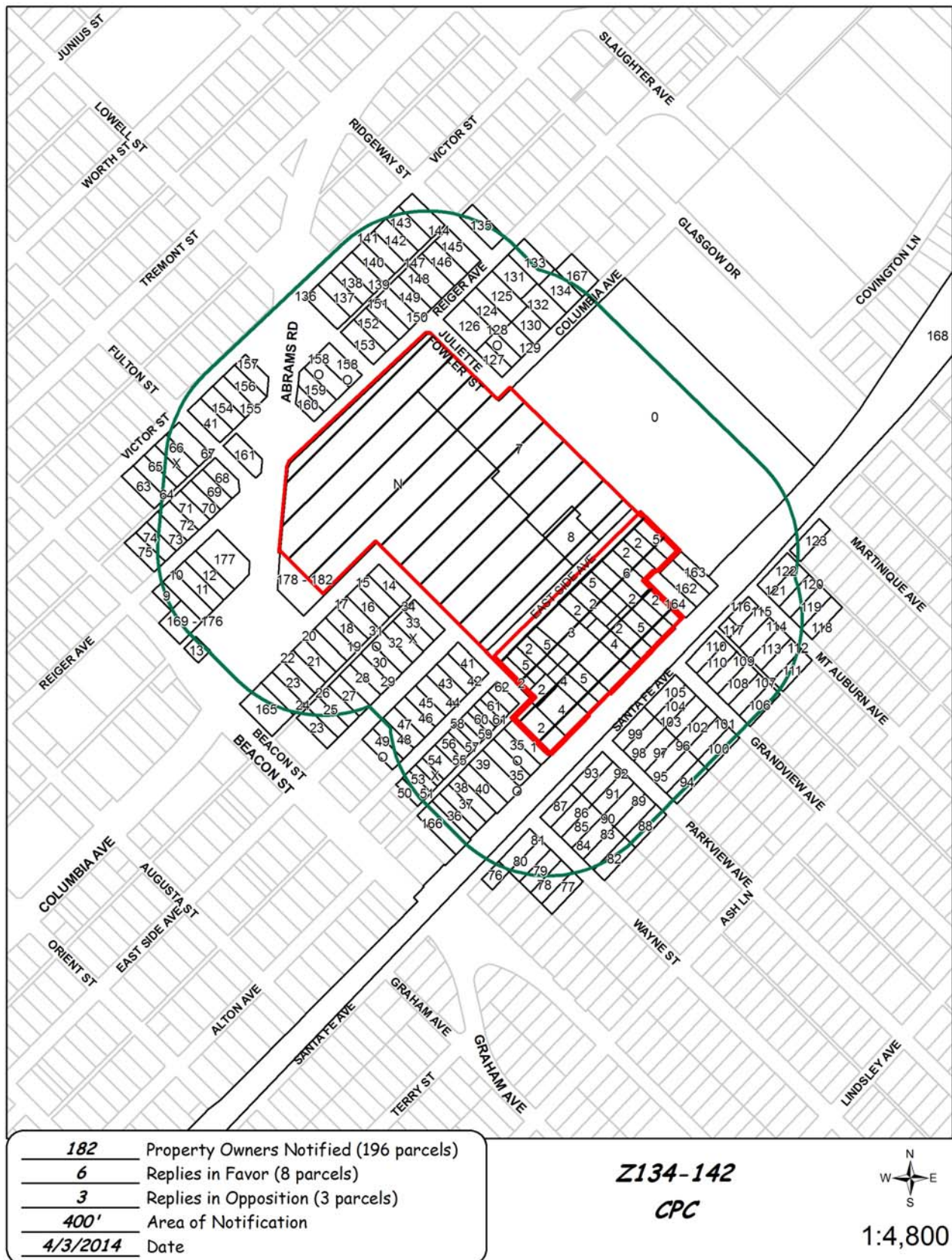
7. ~~[SIGNS: All signs must comply with the provisions of non-business zoning districts contained in Article VII, "Sign Regulations", of the Dallas Development Code, as amended.]~~
- 8.] GENERAL REQUIREMENTS: Use of the Property shall be in compliance with all other applicable codes and regulations and regulations of the City of Dallas.
- [9. SCREENING: ~~A visual screen of evergreen shrubs shall be provided and maintained at a 4 foot height in front of the parking lot facing East Side Avenue and in front of the parking lot facing Fowler Street, as indicated on the approved revised site plan.]~~







CPC Responses



4/3/2014

Reply List of Property Owners***Z134-142******182 Property Owners Notified 6 Property Owners in Favor 3 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5645	SANTA FE AVE	HERNANDEZ DAVID &
2	5651	SANTA FE AVE	FOWLER JULIETTE PROPERTIES INC
3	5722	EAST SIDE AVE	FOWLER JULIETTE PROPERTIES INC
4	5727	SANTA FE AVE	JULIETTE FOWLER PPTIES INC
5	5826	EAST SIDE AVE	FOWLER JULIETTE PROPERTIES INC
6	5814	EAST SIDE AVE	JULIETTE FOWLER PROPERTIES INC
7	105	JULIETTE FOWLER ST	FOWLER CHRISTIAN APARTMENTS INC
8	1280	ABRAMS RD	FOWLER CHRISTIAN APTS II
9	5604	REIGER AVE	GARCIA JADD W
10	5610	REIGER AVE	HAYNES JACOB & LAURA
11	5612	REIGER AVE	WILLIAMS WILLIAM E & MARSUE
12	5616	REIGER AVE	BATTERSON JIM &
13	112	BEACON ST	ALARCON MARIE E
14	5700	COLUMBIA AVE	JULIETTE FOWLER REALITY
15	5644	COLUMBIA AVE	COMMUNITY ON COLUMBIA
16	5640	COLUMBIA AVE	RUTLEDGE JOHN M &
17	5636	COLUMBIA AVE	CARSON ANN W
18	5632	COLUMBIA AVE	BUCKNER GARY R
19	5630	COLUMBIA AVE	COTTINGHAM ROBERT & DANA
20	5624	COLUMBIA AVE	NOPARAT VICTOR V
21	5620	COLUMBIA AVE	MARTIN ANGELA & KEVIN
22	5616	COLUMBIA AVE	BROOKS THOMAS M &
23	5612	COLUMBIA AVE	LUNA BLUE LLC
24	5606	COLUMBIA AVE	LONG CHRISTOPHER
25	5613	EAST SIDE AVE	WALLER JACK F
26	5619	EAST SIDE AVE	RAMOS LONNY G

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	5621 EAST SIDE AVE	SMITH TODD R &
	28	5627 EAST SIDE AVE	MORENO RAFAEL
	29	5631 EAST SIDE AVE	OROZCO JUANITA L
	30	5635 EAST SIDE AVE	ELLIS REX
O	31	5639 EAST SIDE AVE	SCHWEITZER CARRIE
	32	5643 EAST SIDE AVE	JOHNSTON BERNARD M & SHANON A
X	33	5649 EAST SIDE AVE	LORCY ANN
	34	5651 EAST SIDE AVE	HOUSEWRIGHT EDWIN W
O	35	5643 SANTA FE AVE	RANGEL MARTIN & CARMELA
	36	5619 SANTA FE AVE	AHMED JAMAL
	37	5623 SANTA FE AVE	GUERRA NATALIA
	38	5623 SANTA FE AVE	RIOJAS GUADALUPE
	39	5633 SANTA FE AVE	WATSON MICHAEL
	40	5631 SANTA FE AVE	RAMOS ROGELIO & LINDA KAY
	41	5648 EAST SIDE AVE	ALLEGRO ROBERT
	42	5644 EAST SIDE AVE	ELLIOTT MARTHA FLEMING
	43	5640 EAST SIDE AVE	KALICH PAUL G
	44	5636 EAST SIDE AVE	KALICH PAUL
	45	5632 EAST SIDE AVE	DELBOSQUE RICRADO
	46	5628 EAST SIDE AVE	DELBOSQUE RICARDO &
	47	5624 EAST SIDE AVE	MUNIZ JACQUELINE &
	48	5620 EAST SIDE AVE	BUCKMAN CAPITAL LLC
O	49	5616 EAST SIDE AVE	DELAURENTI MARY
	50	5615 ALTON AVE	GALINDO FRANCISCO L &
	51	5617 ALTON AVE	REYES JOSIE S
O	52	5621 ALTON AVE	HENLEY HUDSON
	53	5619 ALTON AVE	GARCIA DANIEL &
X	54	5623 ALTON AVE	ACEVES INEZ M
	55	5627 ALTON AVE	MORALES ARMANDO & MARIA
	56	5629 ALTON AVE	RUIZ CANDELARIO &
	57	5631 ALTON AVE	RUIZ CANDELARIO &

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	5633 ALTON AVE	SANCHEZ JOEL
	59	5635 ALTON AVE	ALCARAZ REFUGIO & MARCELA I
	60	5637 ALTON AVE	MARTINEZ GREGORIO
	61	5639 ALTON AVE	LIFENET COMMUNITY
	62	5645 ALTON AVE	PORTILLO AMPARO
	63	5620 VICTOR ST	SPEIR WALTER S III &
	64	5626 VICTOR ST	WARD PEGGY JOYCE
	65	5630 VICTOR ST	PETERSON CAITLIN ANN
X	66	5634 VICTOR ST	CLENDENING CATHARINE
	67	5638 VICTOR ST	RODRIGUEZ TANYA S &
	68	5639 REIGER AVE	LONG CHRISTOPHER R
	69	5635 REIGER AVE	FAZ RUBEN
	70	5629 REIGER AVE	DEUTSCHE BANK NATIONAL TR
	71	5623 REIGER AVE	CAIN KELLENE NELL
	72	5619 REIGER AVE	MOORE DAVID F
	73	5617 REIGER AVE	GRADISAR CHRISTOPHER C
	74	5609 REIGER AVE	HOWELL ROY PATTON III
	75	5607 REIGER AVE	DUNNAWAY ROBERT LF EST &
	76	5610 SANTA FE AVE	MAIN STREET CHURCH OF
	77	419 WAYNE ST	COPPOLA HENRY & GLENDA
	78	415 WAYNE ST	CANALES MANUEL ALBA
	79	411 WAYNE ST	NUNEZ RAMON & MARTHA A
	80	407 WAYNE ST	BURCIAGA CARMEN
	81	401 WAYNE ST	TIJERINA PABLO A
	82	420 WAYNE ST	BRUCE GORDON & MONICA U
	83	416 WAYNE ST	FERNANDEZ RUBEN V
	84	412 WAYNE ST	CAMBEROS MARIA JUANA &
	85	408 WAYNE ST	ESPINOZA SOCORRO &
	86	404 WAYNE ST	CODA PROPERTIES LP
	87	402 WAYNE ST	SALCEDO ADAN & MARIA
	88	421 PARKVIEW AVE	RODRIGUEZ LIZETTE

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	417	PARKVIEW AVE	ROCHA BENJAMIN &
90	413	PARKVIEW AVE	DE AVILA VALENTIN &
91	411	PARKVIEW AVE	MCINTYRE JOHN MICHAEL TR
92	405	PARKVIEW AVE	PEARSON THOMAS G
93	403	PARKVIEW AVE	TUN JOSE T & LETICIA A
94	422	PARKVIEW AVE	GONZALEZ JORGE
95	418	PARKVIEW AVE	HERNANDEZ FERNANDO
96	412	PARKVIEW AVE	THOMPSON MALAREE ANN
97	410	PARKVIEW AVE	CASTILLO JOSE &
98	408	PARKVIEW AVE	TANGHONGS JAMES
99	404	PARKVIEW AVE	WELLS PETER & LINDA
100	421	GRANDVIEW AVE	BANDA TOMAS
101	419	GRANDVIEW AVE	JAB ASSETS LLC
102	413	GRANDVIEW AVE	GOOCH STEPHEN & PEGGY
103	411	GRANDVIEW AVE	FACUNDO JOSIE
104	405	GRANDVIEW AVE	GARCIAZAMORE ANTHONY
105	403	GRANDVIEW AVE	CERVANTES JOSE A & AMALIA
106	420	GRANDVIEW AVE	BINFIELD KENT
107	418	GRANDVIEW AVE	GUTIERREZ ARTURO & AURORA
108	412	GRANDVIEW AVE	QUIROGA MAURO JR & OLGA
109	408	GRANDVIEW AVE	LOERA GLORIA P
110	404	GRANDVIEW AVE	GONZALEZ PEDRO & MARIA
111	423	MT AUBURN AVE	MENDOZA MIGUEL P &
112	419	MT AUBURN AVE	GUERRERO MANUEL
113	415	MT AUBURN AVE	PEREZ LORENZO & IRENE
114	407	MT AUBURN AVE	MILAN JOAQUIN L
115	405	MT AUBURN AVE	MARTINEZ ROBERTO C
116	401	MT AUBURN AVE	CARDENAS OLGA S
117	5906	SANTA FE AVE	GUERRERO ASCENCION L &
118	416	MT AUBURN AVE	AYALA JOSE
119	412	MT AUBURN AVE	ORDONEZ RAFAEL JR

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	406 MT AUBURN AVE	CAVELLO MARK
	121	404 MT AUBURN AVE	ORDONEZ RAFAEL
	122	400 MT AUBURN AVE	MARCON ANTHONY
	123	401 MARTINIQUE AVE	CLAIRE HORACE F
	124	5830 REIGER AVE	STEVENSON ANITA J
	125	5832 REIGER AVE	BRUNER THOMAS E &
	126	5820 REIGER AVE	CPP 5X5 TRUST
	127	5823 COLUMBIA AVE	GUERECANORMA
O	128	5825 COLUMBIA AVE	COLUMBIA GROUP
	129	5831 COLUMBIA AVE	HARE ALLEN L & OK HWA
	130	5833 COLUMBIA AVE	GALAVIZ JUAN CARLOS &
	131	5834 REIGER AVE	BOVEE PAUL R
	132	5837 COLUMBIA AVE	JURGENSEN CHRIS L &
	133	5906 REIGER AVE	ANDERSON JOSEPH H MRS EST
	134	5907 COLUMBIA AVE	GRESHAM WILLIAM CARTER II
	135	5901 REIGER AVE	CASTLEBERRY CHARLOTTE &
	136	5802 VICTOR ST	GODINEZ BERNARDINO & MARGARET
	137	5806 VICTOR ST	BLOCK MARGUERITE
	138	5812 VICTOR ST	MOORE MARY L &
	139	5816 VICTOR ST	VELASQUEZ TRINIDAD &
	140	5818 VICTOR ST	LARA JUANITA
	141	5822 VICTOR ST	OBRIEN MICHAEL THOMAS &
	142	5826 VICTOR ST	TCA APARTMENTS, INC
	143	5832 VICTOR ST	BOYD ANDREW C
	144	5834 VICTOR ST	RUPRECHT THOMAS STUART
	145	5835 REIGER AVE	COONROD DALE C
	146	5829 REIGER AVE	J C BAXAVANIS LIVING
	147	5827 REIGER AVE	M N BAXAAVANIS LIVING
	148	5825 REIGER AVE	CUTCHER JOSEPH
	149	5821 REIGER AVE	MARES MARTIN &
	150	5815 REIGER AVE	SMITH THOMAS M

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	5811 REIGER AVE	SYKES SQUARED LLC
	152	5807 REIGER AVE	WEBSTER PEGGY ELLEN
	153	5801 REIGER AVE	BARRILLEAUX DOUGLAS &
	154	5704 VICTOR ST	LUCAS J W
	155	5712 VICTOR ST	RAWSON TIMOTHY L
	156	5716 VICTOR ST	DUNHAM LOTA WHISENANT
	157	5718 VICTOR ST	ALLEN SUSAN A
O	158	5737 REIGER AVE	WILKINSON HARRY R
	159	5723 REIGER AVE	PINA JUAN & GAIL
	160	5721 REIGER AVE	REED KARIN I &
	161	5701 REIGER AVE	CARROLL ROBERT W & MARY J
	162	5823 SANTA FE AVE	EMMANUEL PENTECOSTAL
	163	5827 SANTA FE AVE	EMANUEL TEMPLO
	164	5819 SANTA FE AVE	MEMIJE DELFINO S
	165	100 BEACON ST	FRAGOSO ROBERT & SHEA
	166	5615 SANTA FE AVE	AHMED JAMAL
	167	5915 COLUMBIA AVE	GENTRY MARTHA NAVAR
	168	401 BUCKNER BLVD	DART
	169	218 BEACON ST	SELL MATTHEW W
	170	218 BEACON ST	PAULK BYRON JOSEPH
	171	218 BEACON ST	DAMRON WILLIAM BLAKE
	172	218 BEACON ST	CRAIG ANGELA C
	173	218 BEACON ST	BRASWELLCARLISLE B A &
	174	218 BEACON ST	ANDERSON EILEEN TERESA
	175	218 BEACON ST	PRITCHARD MARK A & VANESSA N
	176	218 BEACON ST	PENNA FRANCISCO GARCIA
	177	1221 ABRAMS RD	LUNA BLUE LLC
	178	5631 COLUMBIA AVE	RENO JANE A
	179	5631 COLUMBIA AVE	RICHARDSON ROBERT W
	180	5631 COLUMBIA AVE	WARD MARGIE LEDDY EST OF
	181	5631 COLUMBIA AVE	HUMPHRESS CRYSTAL

Z134-142(MW)

4/3/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	5631 COLUMBIA AVE	TRINITY FOUNDATION INC

AGENDA ITEM # 47

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 44 H

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a motor vehicle fueling station on property zoned Subdistrict 1 in Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the east corner of Oak Lawn Avenue and Market Center Boulevard

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

Z134-158(MW)

FILE NUMBER: Z134-158(MW)

DATE FILED: January 17, 2014

LOCATION: East corner of Oak Lawn Avenue and Market Center Boulevard

COUNCIL DISTRICT: 6

MAPSCO: 44-H

SIZE OF REQUEST: ±0.6 acre

CENSUS TRACT: 100.00

REPRESENTATIVE: Audra Buckley, Permitted Development

APPLICANT: Vertical Construction Management, LLC

OWNER: Prescott Interests 1300 Oak Lawn, LTD

REQUEST: An application for a Specific Use Permit for a motor vehicle fueling station on property zoned Subdistrict 1 in Planned Development District No. 621, the Old Trinity and Design District Special Purpose District.

SUMMARY: The applicant intends to develop the site with a ±3,000-square-foot convenience store [7-Eleven] (general merchandise or food store 3,500 square feet or less) with fuel pumps (motor vehicle fueling station).

CPC RECOMMEDATION: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods; subject to a site plan and conditions.

STAFF RECOMMENDATION: Denial

DESIGNATED ZONING CASE

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 a Specific Use Permit shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The purpose of requiring Specific Use Permits for particular uses within certain zoning districts is to allow for the determination of compatibility on a site-by-site basis. A Specific Use Permit is subject to a site plan, as well as conditions of operation to mitigate land use incompatibility factors. The proposed site design for this auto-oriented use is not consistent with the character envisioned for the area through the Comprehensive Plan and Planned Development District No. 621. To encourage pedestrian activity and bicycle usage, consistent with the intent of Planned Development District No. 621, staff suggested that the applicant consider moving the building closer to the street(s) and provided alternative site layouts for the applicant's consideration. However, the applicant has opted not to reorient the building.
2. *Contributes to, enhances, or promotes the welfare of the area of request and adjacent properties* – The proposed motor-vehicle fueling station will likely provide a service to the community, but will not necessarily contribute to, enhance, or promote the welfare of the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – Although the auto-oriented use is a concern, it is not foreseen that the motor vehicle fueling station would be detrimental to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The project will meet all regulations; no variances are requested.

BACKGROUND INFORMATION:

- The ±0.6-acre request site is undeveloped.
- A general merchandise or food store 3,500 square feet or less is permitted by right; the proposed motor vehicle fueling station requires a specific use permit.
- As stated in Article 621, Subdistrict 1 is a transit-oriented, mixed-use zoning district for the development of combinations of medium-density residential, retail, and office uses. Development should encourage residential, retail, office, and lodging uses in compatible combinations within walking distance of DART light-rail stations; conserve energy; provide for efficient traffic circulation; conserve land; minimize vehicular travel; encourage both day-time and night-time activity; encourage use of mass transit; increase pedestrian activity; and encourage bicycle usage. Subdistrict 1 retains the potential for limited industrial and warehouse uses.

Surrounding Zoning History:

There has been no zoning activity in the vicinity of the request site within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Market Center Boulevard	Principal Arterial	100 feet	130 feet
Oak Lawn Avenue	Principal Arterial	80 feet	100 feet

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.

Surrounding Land Uses:

	Zoning	Land Use
North	PDD No. 621, Subdistrict 1	Office showroom
East	PDD No. 621, Subdistrict 1	Office showroom
South	PDD No. 621, Subdistrict 1	Print shop
West	PDD No. 621, Subdistrict 1	Office showroom; bail bonds

STAFF ANALYSIS:**Comprehensive Plan:**

The Vision Illustration depicts the request site as within an *Urban Mixed Use* Block on the ***forwardDallas! Vision Illustration***, adopted June 2006. 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 midrise 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.

The site design of the proposed auto-oriented use in this area of the City is not consistent with the following goals and policies of the Comprehensive Plan.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY.

Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

Development Standards:

District	Setbacks		Density/FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
PDD No. 621, Subdistrict 1	No min.	No min.	No max/4.0	150'	80%	Tower size and orientation; height bonuses	Residential, retail, office, and lodging

Land Use Compatibility:

The proposed motor-vehicle fueling station is not necessarily incompatible with the existing adjacent development. However, the site design of the proposed auto-oriented use is not consistent with the character envisioned for the area. The request site is within an *Urban Mixed Use* building block as well as within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, which is intended as a transit-oriented, mixed-use zoning district for the development of combinations of medium-density residential, retail, and office uses.

Planned Development District No. 621 includes point-based architectural design guidelines. Pursuant to these guidelines, new construction (or a major modification, as defined in the PDD) for properties with a floor area ratio of 2.0 or less must earn at least 50 out of 205 possible points. According to the information provided on the site plan, the proposed building qualifies for 60 points, as detailed below:

PD POINT CHECKLIST:		POINTS
MAINTENANCE OF ORIGINAL FACADES	NO EXISTING FACADE WILL BE UTILIZED.	0
RETAIL AND SHOWROOMS	THE GROUND FLOOR OF THE BUILDING IS ALLOCATED TO MERCHANDISE AND SALES.	10
FACADE TREATMENTS	THE BUILDING DESIGN USES HORIZONTAL BANDING, HEIGHTENED ENTRYWAY, AND VARYING MATERIAL PALETTE.	10
PEDESTRIAN AMENITIES: BENCHES	3 SEATING AREAS ARE LOCATED WITHIN THE SITE PROPERTY LINES FOR USE BY PEDESTRIANS.	5
PEDESTRIAN AMENITIES: TRASH	TRASH RECEPTACLES ARE LOCATED AT EACH OF THE THREE SEATING AREAS AND ALONG THE BLDG. FACADE.	5
PEDESTRIAN AMENITIES: CANOPY	AN ALUMINUM CANOPY COVERS THE BUILDING ENTRY AND SIDEWALK ALONG THE FRONT FACADE.	5
PEDESTRIAN AMENITIES: BIKE RACK	4 BIKE RACKS EACH HOUSING 5 BIKES ARE LOCATED TO THE NORTH SIDE OF THE FRONT OF THE BUILDING.	5
PEDESTRIAN AMENITIES: LIGHTS	PEDESTRIAN STREET LIGHTING IS NOT INCORPORATED INTO THE DEVELOPMENT.	0
PUBLIC ART OR WATER FEATURE	ART AND WATER FEATURES ARE NOT INCLUDED IN THE DEVELOPMENT.	0
PAVING MATERIAL	ENHANCED SIDEWALK AND PAVEMENT MATERIAL IS NOT INCLUDED IN THE DEVELOPMENT.	0
PEDESTRIAN FACADE	THE FRONT FACADE TRANSPARENCY IS 26% MEETING THE 25% MINIMUM.	20
STRUCTURED PKG. FACILITIES	A PARKING FACILITY IS NOT PROVIDED WITHIN THE DEVELOPMENT.	0
ENERGY CONSERVATION	THE HVAC SYSTEM USES FOSSIL FUELS.	0
PERMEABLE SURFACE	NO PERVIOUS SURFACE IS UTILIZED WITHIN THE DEVELOPMENT.	0
LEED CERTIFIED	THE PROJECT WILL NOT BE A LEED CERTIFIED PROJECT.	0
TOTAL		60

While the proposal complies with the point-based architectural design guidelines, it does so minimally. The proposed motor-vehicle fueling station will likely provide a service to the community, but will not necessarily contribute to, enhance, or promote the welfare of the adjacent properties. To encourage pedestrian activity and bicycle usage, consistent with the intent of Planned Development District No. 621, staff suggested that the applicant consider moving the building closer to the street(s) and provided alternative site layouts for the applicant's consideration. However, the applicant has opted not to reorient the building.

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.

A motor vehicle fueling station requires a Specific Use Permit in Planned Development District No. 621 to allow for consideration of the use on a site-by-site basis. From a land use perspective, staff does not believe this prominent intersection within an area envisioned for redevelopment is the appropriate location for the proposed auto-oriented use. Therefore, staff does not support the request.

Parking:

Pursuant to the parking requirements of Planned Development District No. 621, a general merchandise or food store 3,500 square feet or less requires one space per 275 square feet of floor area; a motor vehicle fueling station requires two spaces. Therefore, the proposed ±3,000-square foot convenience store with fuel pumps requires 13 spaces; 16 spaces will be provided in the locations depicted on the site plan.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements of Planned Development District No. 621. The applicant proposes a landscape plan, which exceeds those requirements, for Council's approval.

Partners/Principals/Officers:

APPLICANT: Vertical Construction Management, LLC

T. K. Keen, Member

Michael Montgomery, Member

OWNER: Prescott Interests 1300 Oak Lawn, LTD

Sole General Partner: Carlisle Acquisitions, Inc

John K Percy, President

Sandy Owens, Senior Vice President

CPC Action: April 3, 2014:

Motion: It was moved to recommend **approval** of a Specific Use Permit for a motor vehicle fueling station for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned Subdistrict 1 in Planned Development District No. 621, the Old Trinity and Design District Special Purpose District on the east corner of Oak Lawn Avenue and Market Center Boulevard.

Maker: Anantasomboon
Second: Abtahi
Result: Carried: 11 to 4

For: 11 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Anantasomboon, Lavallaisaa, Tarpley, Shellene,
Peadon, Abtahi

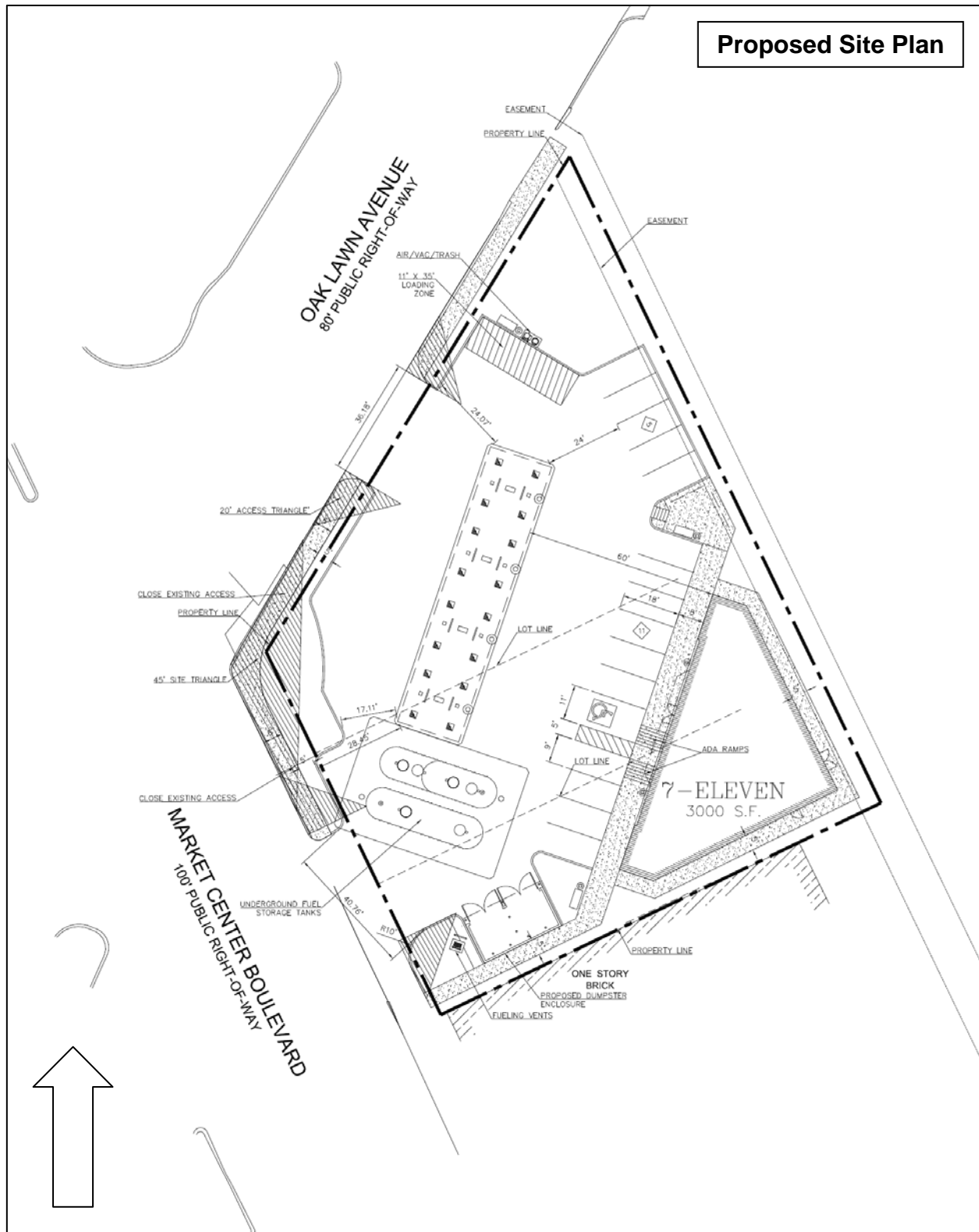
Against: 4 - Bagley, Schultz, Murphy, Ridley,
Absent: 0
Vacancy: 0

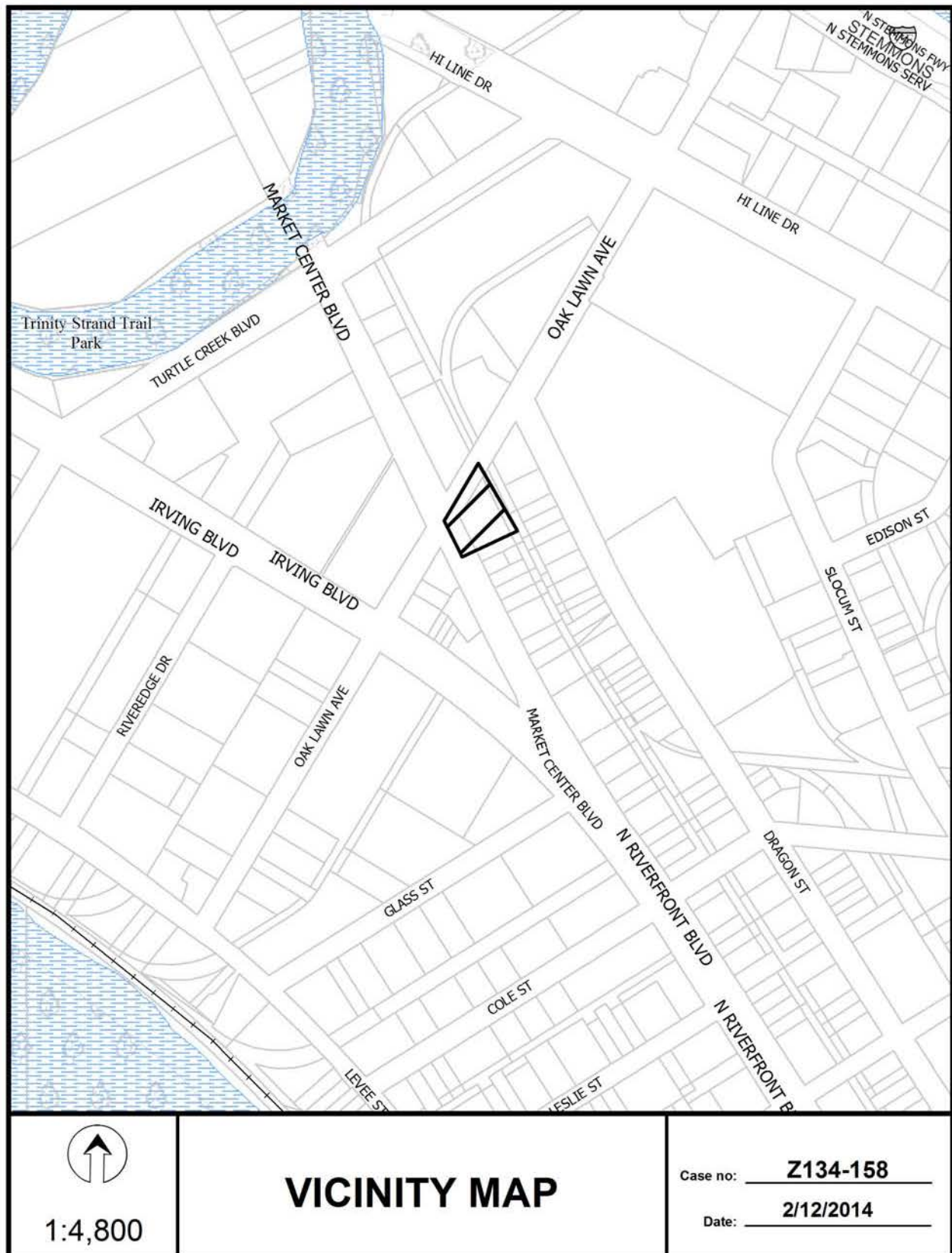
Notices: Area: 200 Mailed: 22
Replies: For: 5 Against: 3

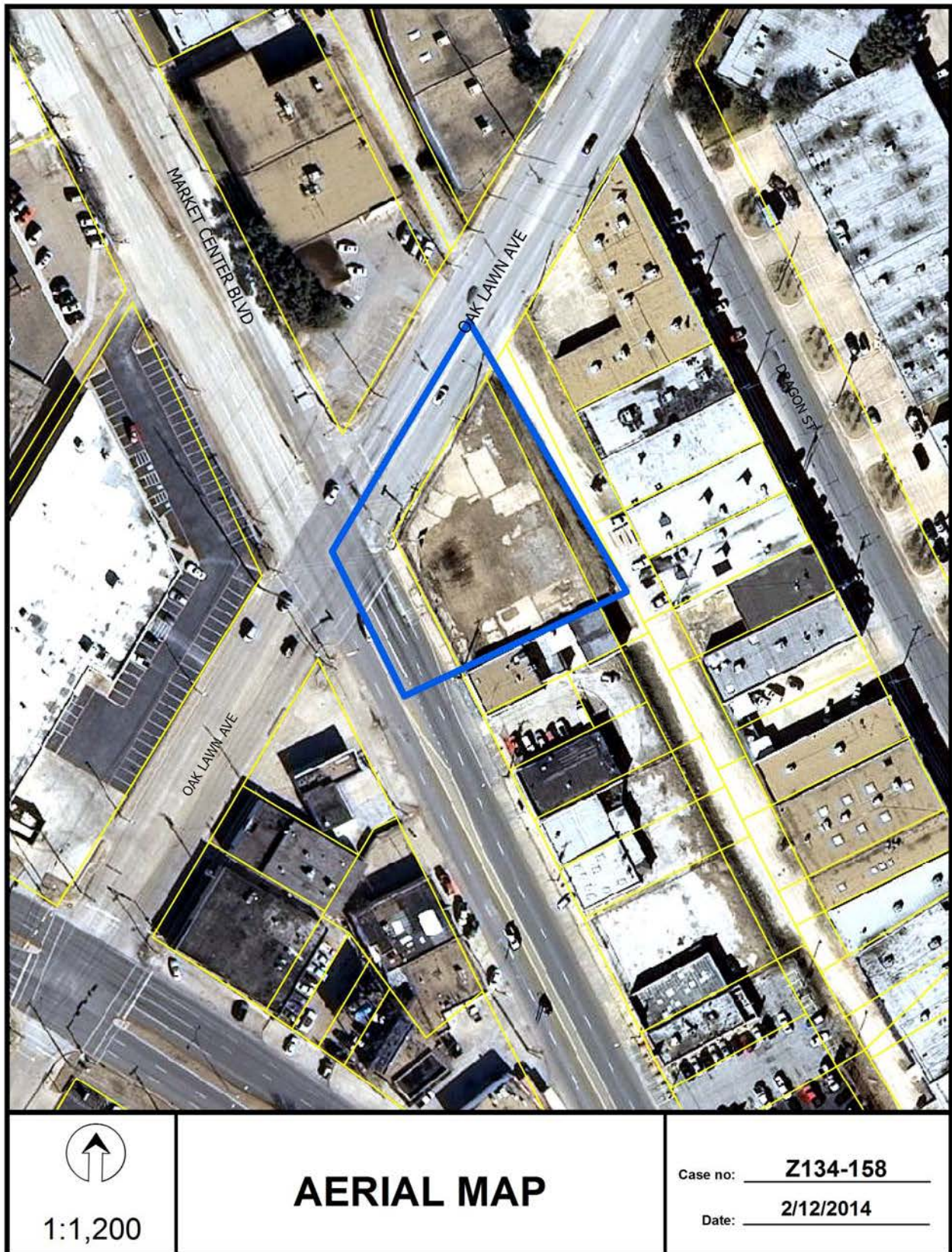
Speakers: For: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201
Bob Darrouzet, 5335 Anita St., Dallas, TX, 75206
Philip Mala, 1209 Slocum St., Dallas, TX, 75207
For (Did not speak): Gerald McAdams, 1211 Levee St., Dallas, TX, 75207
Raymond McShane, 1022 Dragon St., Dallas, TX, 75207
Randy Marx, 127 Howell St., Dallas, TX, 75207
Anthony Borino, 107 Pittsburg St., Dallas, TX, 75207
Against: Charles Kendrick, 120 Oak Lawn Ave., Dallas, TX, 75207
Susan Kendrick, 120 Oak Lawn Ave., Dallas, TX, 75207
Payman Pahlavan, 107 Oak Lawn Ave., Dallas, TX, 75207

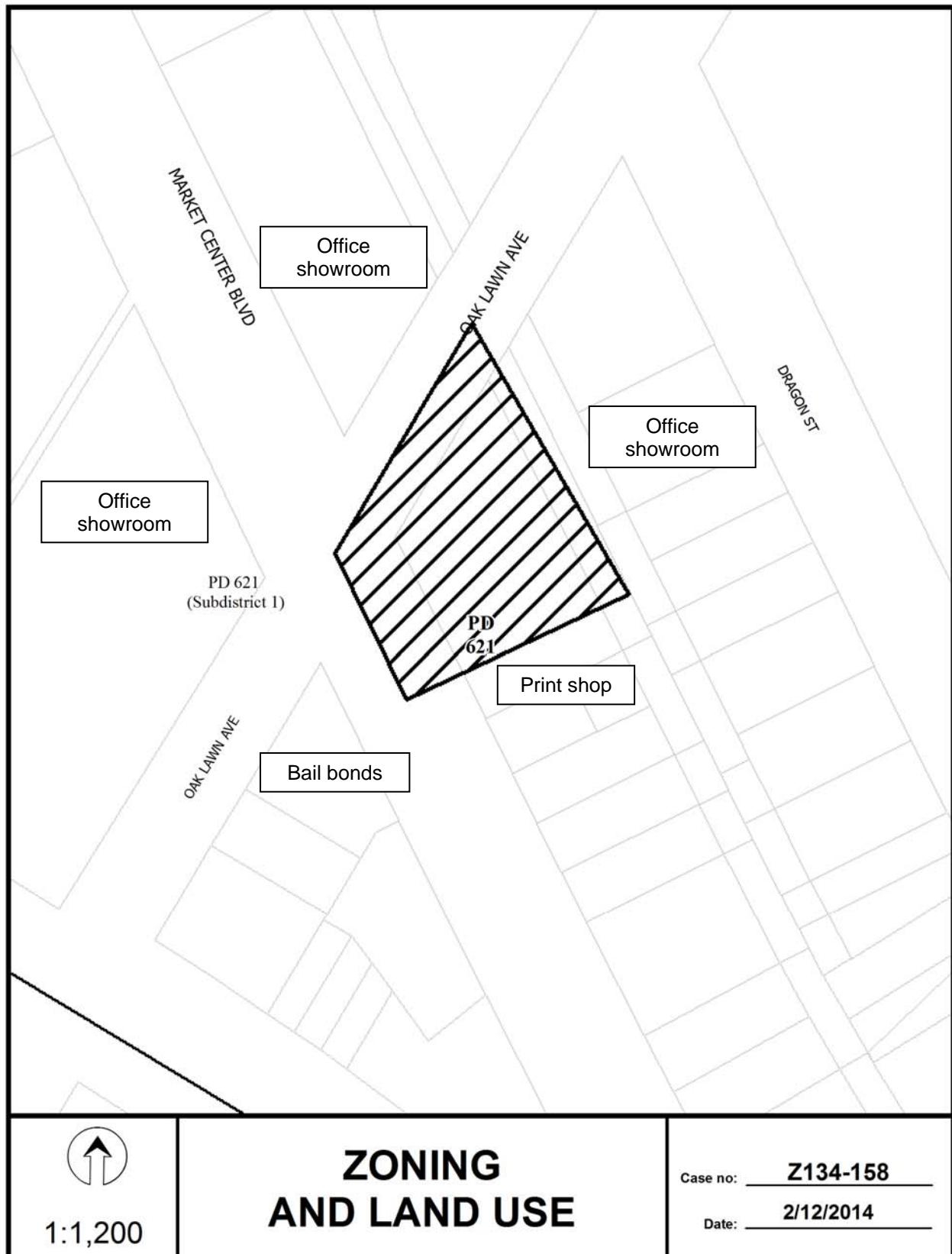
CPC Recommended Conditions

1. USE: The only use authorized by this specific use permit is a motor vehicle fueling station.
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. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.









CPC Responses



<u>22</u>	Property Owners Notified (35 parcels)
<u>5</u>	Replies in Favor (7 parcels)
<u>3</u>	Replies in Opposition (3 parcels)
<u>200'</u>	Area of Notification
<u>4/3/2014</u>	Date

Z134-158
CPC



1:1,200

4/3/2014

Reply List of Property Owners***Z134-158******22 Property Owners Notified 5 Property Owners in Favor 3 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1634 MARKET CENTER BLVD	PRESCOTT INTERESTS 1300 OAK LAWN
	2	1614 MARKET CENTER BLVD	PADIAN JOSEPH J
	3	1622 MARKET CENTER BLVD	MARTIN CHARLES
O	4	1626 MARKET CENTER BLVD	ESTRELLO RAYMONDO C
	5	1643 DRAGON ST	SKL AND ALCSL REVOCABLE TRUST
	6	1633 DRAGON ST	YANG EBDAL
	7	1631 DRAGON ST	YANG EBDAL MEI YING
	8	1627 DRAGON ST	ASHORALI GHASEM
	9	1621 DRAGON ST	LUCCHESI INC
	10	1615 MARKET CENTER BLVD	DIXIE FAMILY LTD PS 2
	11	1639 MARKET CENTER BLVD	DIXIE FAMILY LTD PS 3
	12	1212 OAK LAWN AVE	3999 LTD
X	13	1708 MARKET CENTER BLVD	STEVENS DAVID & SHELLEY
X	14	1333 OAK LAWN AVE	STEVENS DAVID L &
	15	1201 OAK LAWN AVE	343 W SUNSET LTD
O	16	1615 DRAGON ST	THE ZUEGER 2ND FAMILY LP
O	17	1300 OAK LAWN AVE	ZUEGER DAVID M
	18	1632 MARKET CENTER BLVD	ESTRELLO RAY C
O	19	1611 DRAGON ST	ZUEGER 2ND FAMILY LTD PR
O	20	1611 DRAGON ST	ZUEGER SECOND FAMILY LP
	21	1300 OAK LAWN AVE	FUND DESIGN DISTRICT LLC
X	22	1708 MARKET CENTER BLVD	STEVENS DAVID L &

AGENDA ITEM # 48

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 45 G

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict A of the Arts District Special Provision Sign District, Section 51A-7.1214.1 of the Dallas City Code, in an area generally bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street

Recommendation of Staff and CPC: Approval of the amendments to the amended application to increase the effective area from 20 to 30 square feet, approval to amend tenant and building identification signage, and approval to prohibit signage on Leonard Street

SPSD134-002(CG)

FILE NUMBER: SPSD134-002

DATE INITIATED: November 1, 2013

LOCATION: An area generally bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street.

COUNCIL DISTRICT: 14

MAPSCO: 45-G

SIZE OF REQUEST: +2.718 acres

CENSUS TRACT: 17.01

APPLICANT: Hall Arts Center Office, LLC

REPRESENTATIVE: Robert Miklos (Milby, PLLC)

REQUEST: An application for an amendment to Subdistrict A of the Arts District Special Provision Sign District, Section 51A-7.1214.1 of the Dallas City Code.

CPC RECOMMENDATION: Approval of the amendments to the amended application to increase the effective area from 20 to 30 square feet; approval to amend tenant and building identification signage; and approval to prohibit signage on Leonard Street.

STAFF RECOMMENDATION: Approval of the amendments to the amended application to increase the effective area from 20 to 30 square feet; approval to amend tenant and building identification signage; and approval to prohibit signage on Leonard Street.

BACKGROUND INFORMATION:

- On November 7, 2011, the City Council approved the creation of Subdistrict A within the Arts District Special Provision Sign District, Section 51A-1200 of the Dallas City Code, to allow four signs and a building identification sign.
- On October 24, 2013, the City Plan Commission granted a waiver of the two-year waiting period to allow the applicant to request an amendment to Subdistrict A.
- The applicant is requesting “limited” signage and states that “the modifications to Subdistrict A (Arts District SPSPD) are intended to provide the secondary main tenant requisite signage.”
- On November 12, 2013, the Arts District Sign Advisory Committee approved the request to increase the effective area from 20 to 30 square feet and denied the request to amend language related to tenant and building identification signage.
- On February 20, 2014, the City Plan Commission remanded the case to the Arts District Sign Advisory Committee to consider the applicant’s amended request.
- On March 11, 2014, the Arts District Sign Advisory Committee recommend to deny the request to increase the effective area of signage; allow 1 tenant ID or building ID sign per façade, except on Leonard Street where a tenant ID or building ID be prohibited; and a tenant ID sign be located above the highest leasable floor with the exception of the Ross Avenue facing facade, which sign may be located at any level.

STAFF ANALYSIS:

The applicant's amended original requests to regulate signage on Leonard Street and Ross Avenue are as follows:

Regulations (current)	Applicant's Request	Recommendation
1. <i>Only 1 tenant identity sign or building identification sign is permitted per facade.</i>	One (1) tenant ID sign or building ID sign per façade, except the Leonard St. facing façade, where a tenant ID sign or building ID sign is prohibited.	ADSAC: Denied. Staff: Approval.
2. <i>Tenant identity signs must be located above the highest leasable floor.</i>	Tenant ID signs must be located above the highest leasable floor, with the exception of the tenant identity sign located on the Ross Avenue facing facade, which sign may be located at any level on the façade.	ADSAC: Denied. Staff: Approval.
3. <i>No detached premise sign may exceed 20 square feet in effective area.</i>	No detached premise sign may exceed 30 square feet in effective area.	ADSAC: Denial. Staff: Approval.

The applicant is requesting that a tenant ID or building ID sign be prohibited on Leonard Street façade. Staff supports signage on all building facades to complement the Arts District's intent to promote the commercial success of each individual tenant and, in turn, the commercial success of all the tenants in the district collectively.

City Plan Commission Action:
(4/3/2014)

Motion: It was moved to recommend **approval** of the amendments to the amended application to increase the effective area from 20 to 30 square feet and **approval** to amend tenant and building identification signage, and **approval** to prohibit signage on Leonard Street to Subdistrict A of the Arts District Special Provision Sign District, Section 51A-7.1214.1 of the Dallas City Code, in an area generally bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street.

Maker: Ridley
Second: Shidid
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley,
Abtahi

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 8
Replies: For: 2 Against: 0

Speakers: For: Robert Miklos, 1909 Woodall Rodgers, Dallas, TX 75201
Susan Kedron, 901 Main St., Dallas, TX, 75202
Against: None

City Plan Commission Action:
(2/20/2014)

SPSD134-002

Motion: It was moved to **remand** an application for an amendment to Subdistrict A of the Arts District Special Provision Sign District, Section 51A-7.1214.1 of the Dallas City Code, in an area generally bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street to the Art District Sign Advisory Committee.

Maker: Ridley
Second: Murphy
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 8
Replies: For: 2 Against: 0

Speakers: For: Robert Miklos, 1909 Woodall Rodgers, Dallas, TX, 75201
Against: None

List of Partners/Principal Officers

The officers of Hall Lone Star GP, Inc., the general partner of Hall Lone Star Associates, L.P. are:

President and Treasurer: Donald L. Braun

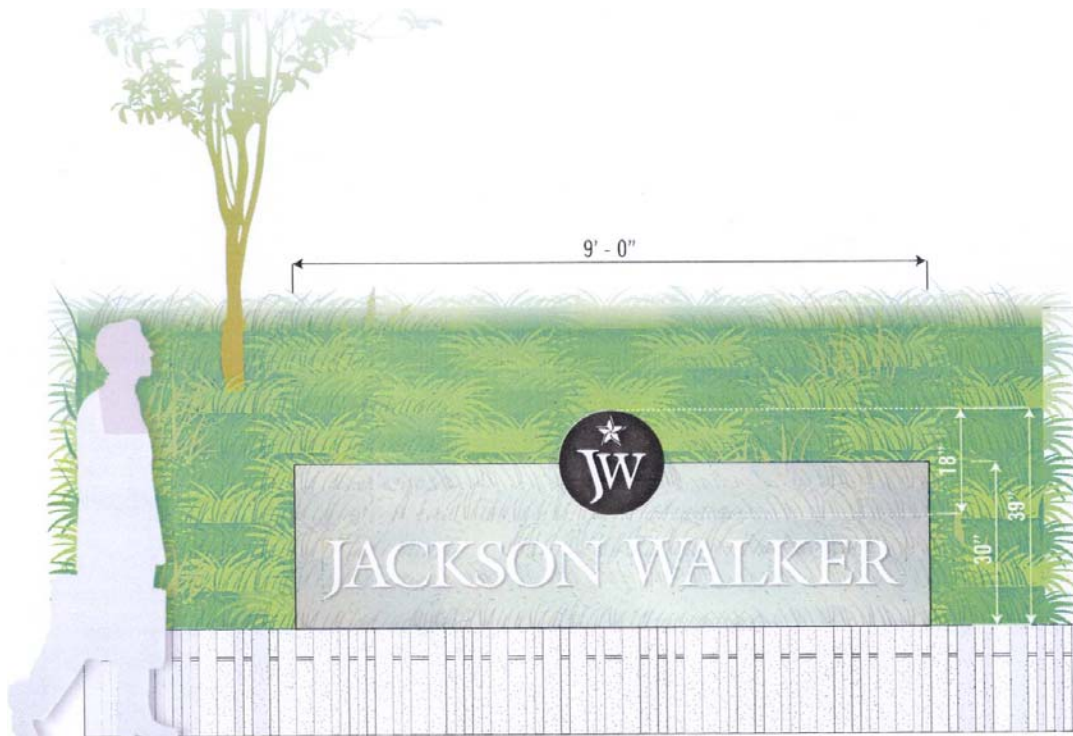
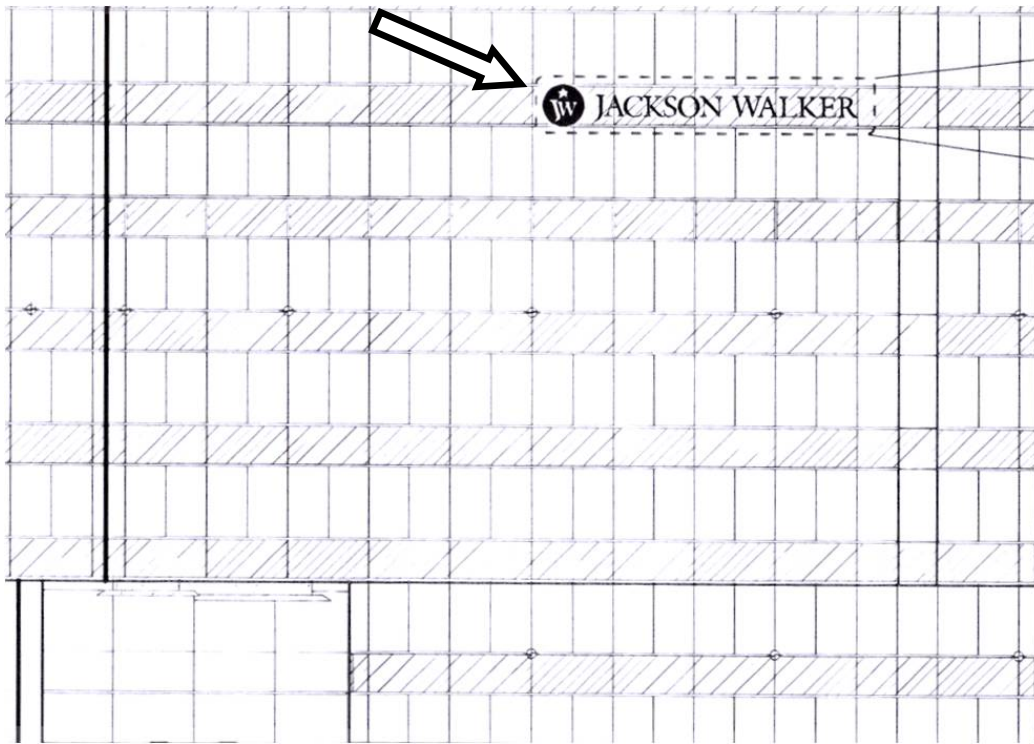
Executive Vice President: Mark T. Depker

Executive Vice President and Secretary: Larry E. Levey

Vice President of Finance: Bryan Tolbert

ILLUSTRATIVE PURPOSES

Tenant ID (south façade)



Detached premise sign: Flora St.

3-20-14

ORDINANCE NO. _____

An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Section 51A-7.1214.1; amending the tenant identity, building identification, and detached premise signs in Subdistrict A; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Section 51A-7.1214.1, “Subdistrict A,” of Division 51A-7.1200, Provisions for Arts District Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455,” of the Dallas City Code, as amended, is amended to read as follows:

SEC. 51A-7.1214.1. SUBDISTRICT A.

(a) In general. Except as provided in this division, the provisions of the Arts District Sign District apply in this subdistrict.

(b) Tenant identity signs and building identification signs.

(1) Only one tenant identity sign or building identification sign is permitted per facade, except that a tenant identity sign or building identification sign is not permitted on the Leonard Street facing facade.

(2) Except as otherwise provided in this paragraph, T[~~t~~]enant identity signs must be located above the highest leasable floor. The tenant identity sign for the Ross Avenue facing facade may be located at any floor.

(3) Tenant identity signs must be composed of individual letters only and illumination of these signs, if any, must be internal to each letter. No illuminated sign or element of a sign may turn on or off or change its brightness.

(4) All tenant identity signs and building identification signs must be the same color.

(c) Integrated sign.

(1) Only one integrated sign is permitted.

(2) This sign must be either an attached sign or a monument sign

(A) If the sign is an attached sign, it must be attached to a wall and face Crockett Street.

(B) If the sign is a monument sign, it may be two sided, but must be located in the building plaza area.

(3) This sign may identify the building's owner or developer and multiple tenants.

(4) This sign may be located at the building line.

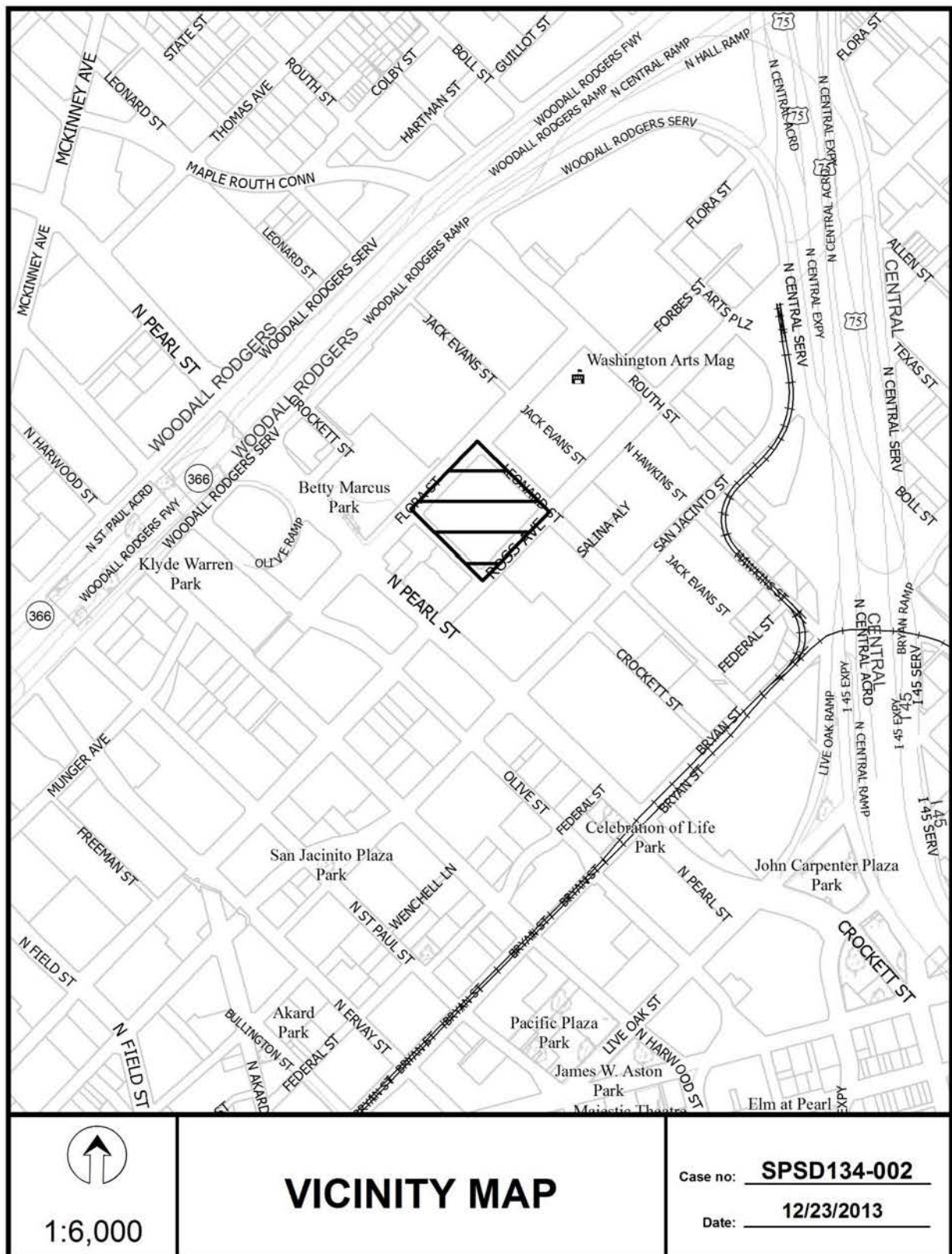
(5) This sign may be located within five feet of a public right-of-way.

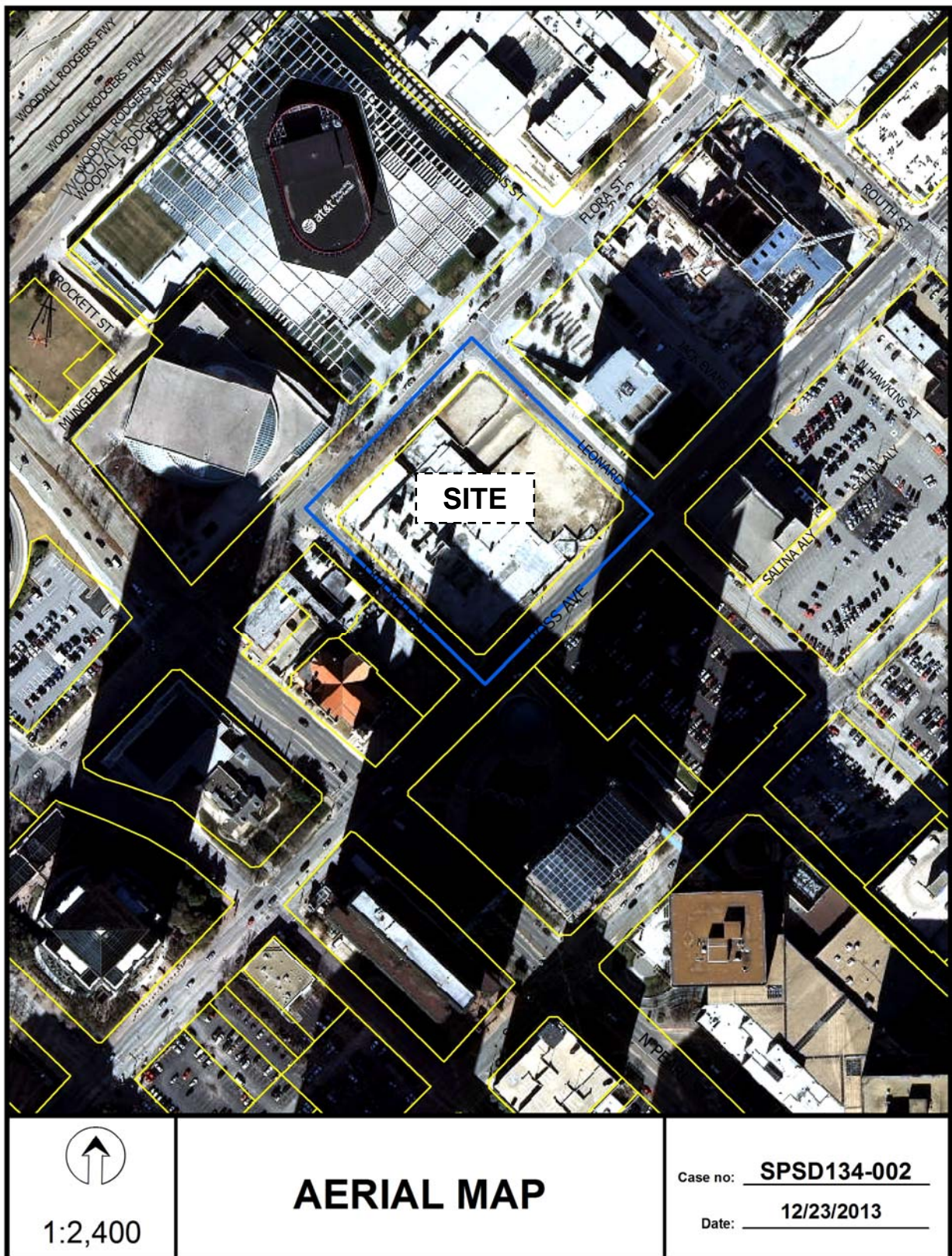
(6) The maximum height for the sign is eight feet measured from the bottom of the sign face to the top of the sign face.

(7) The maximum effective area for the sign is 50 square feet.

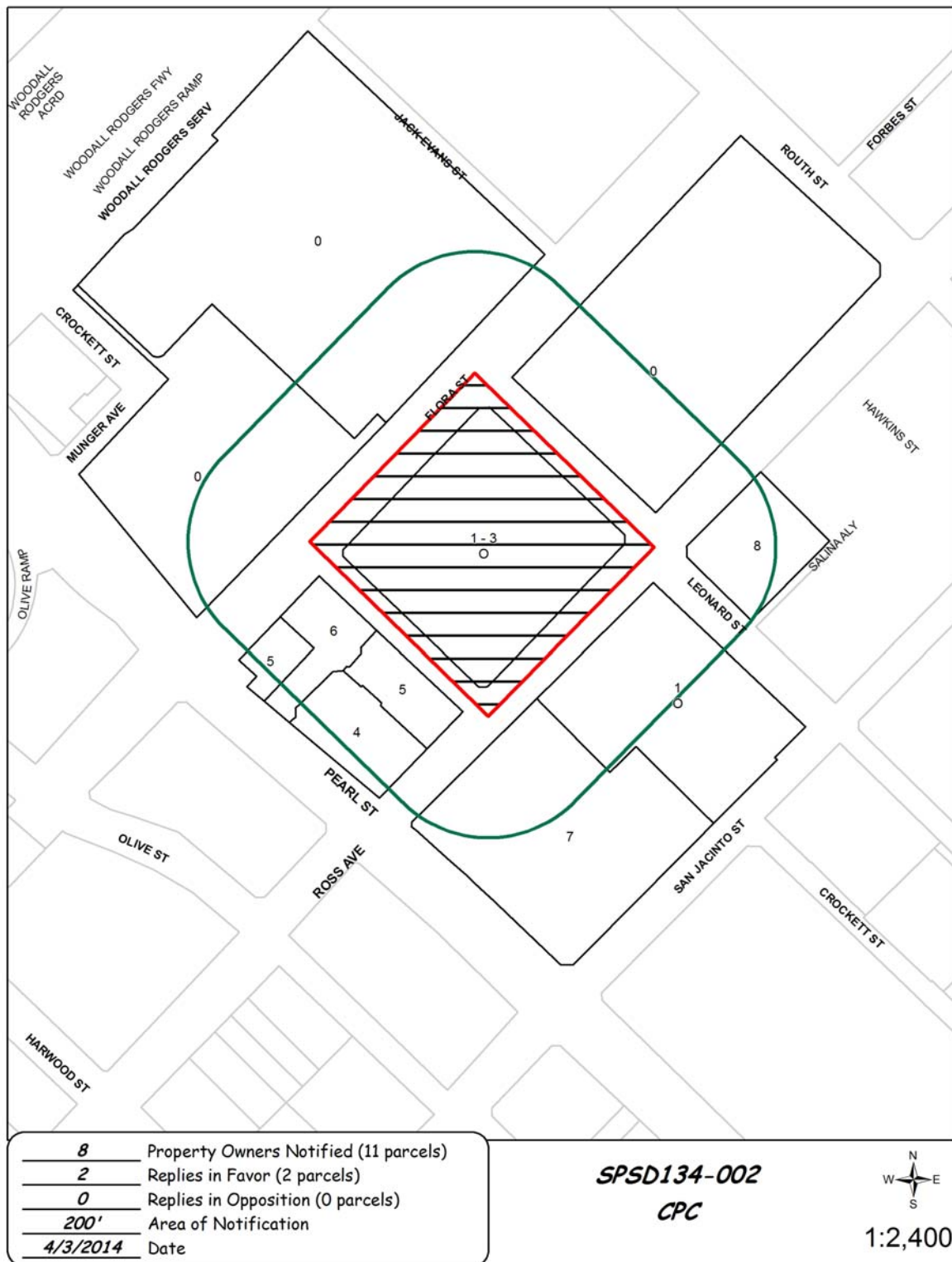
(8) All elements of an integrated sign must be consistent in color and materials.

(d) Detached premise sign. Detached premise signs may not exceed 30 square feet."





CPC RESPONSES



CPC RESPONSES

4/3/2014

Reply List of Property Owners

SPSD134-002

***8 Property Owners Notified
Owners Opposed***

2 Property Owners in Favor

0 Property

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	2318 ROSS AVE	HALL LONE STAR ASSOC LP
	2	2301 ROSS AVE	DALLAS CITY OF
O	3	2301 ROSS AVE	HALL LONE STAR ASSOCS LP
	4	1722 PEARL ST	SACRED HEART CATHEDRAL
	5	1726 PEARL ST	ROMAN CATH DIOCESE DALLAS
	6	2251 PEARL ST	ROMAN CATH DIOCESE DALLAS
	7	2200 ROSS AVE	HINES REIT 2200 ROSS AVE LP
	8	2400 ROSS AVE	SOUTHWESTERN BELL

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 35 W

SUBJECT

A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from Sam Houston Elementary School required by Section 6-4 of the Dallas City Code to allow a restaurant with a mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate [La Paloma Taqueria Richardson, LLC, DBA Xamac Mexican Cuisine & Bar] on property on the southwest side of Cedar Springs Road, between Douglas Avenue and Knight Street - AV134-005 - Financing: No cost consideration to the City

BACKGROUND

Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code allows Council to grant a variance from the usual spacing required between an alcohol business and a protected use. The usual spacing requirement is 300 feet along the property lines of the street fronts and from front door to front door, and in a direct line across intersections.

The standard for approval of the variance is that:

A. the application is for one of the following permits pursuant to the following chapters of the Texas Alcoholic Beverage Code:

- (i) a brewer's permit, Chapter 12;
- (ii) a distiller's and rectifier's permit, Chapter 14;
- (iii) a winery permit, Chapter 16;
- (iv) a wine and beer retailer's permit, Chapter 25;
- (v) a wine and beer retailer's off-premise permit, Chapter 26;
- (vi) a mixed beverage permit with a food and beverage certificate, Chapter 28;
or
- (vii) a manufacturer's license, Chapter 62.

BACKGROUND (Continued)

B. the application is for one of the following land uses:

- (i) general merchandise or food store use with 10,000 square feet or more of floor area
- (ii) restaurant without drive-in or drive-through service with a food and beverage certificate pursuant to the Texas Alcoholic Beverage Code;
- (iii) alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery; or
- (iv) alcoholic beverage manufacturing.

C. alcoholic beverages will not be sold by drive-in or drive-through service; and

D. enforcement of the spacing requirements in this particular instance:

- (i) is not in the best interest of the public;
- (ii) constitutes waste or inefficient use of land or other resources;
- (iii) creates an undue hardship on an applicant for an alcohol permit;
- (iv) does not serve its intended purpose;
- (v) is effective or necessary; or
- (vi) for any other reason that the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

An application for a waiver of the spacing requirements was submitted on April 7, 2014, by Xamach Mexican Cuisine & Bar. Sam Houston Elementary School, located to the south of the request site, creates the need for the variance.

The applicant has submitted the attached letter providing a statement of why the variance meets the standard of approval

- (1) "The ±3.485-acre request site, which is zoned Subdistrict No. 76 within Planned Development District No. 193, the Oak Lawn Special Purpose District, is developed with a mixed use building. The request site is surrounded by retail uses and a library to the northeast, a bank and retail uses to the southeast, and mixed density residential uses to southwest and northwest. The public school is located to the south of the request site on the corner of Knight Street and Dickason Street. While the required spacing from a school is measured property line to property line, the distance from the school to the proposed restaurant suite is over 500 feet if measured from door-to-door. Due to the restaurant suite's location on Cedar Springs Road among other similar non-residential uses, staff supports this request."

This item requires two seconds to pass.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 9, 2009, the City Council approved an amendment to Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code to allow a process for a variance to the spacing requirements between a business selling alcohol and a public or private school.

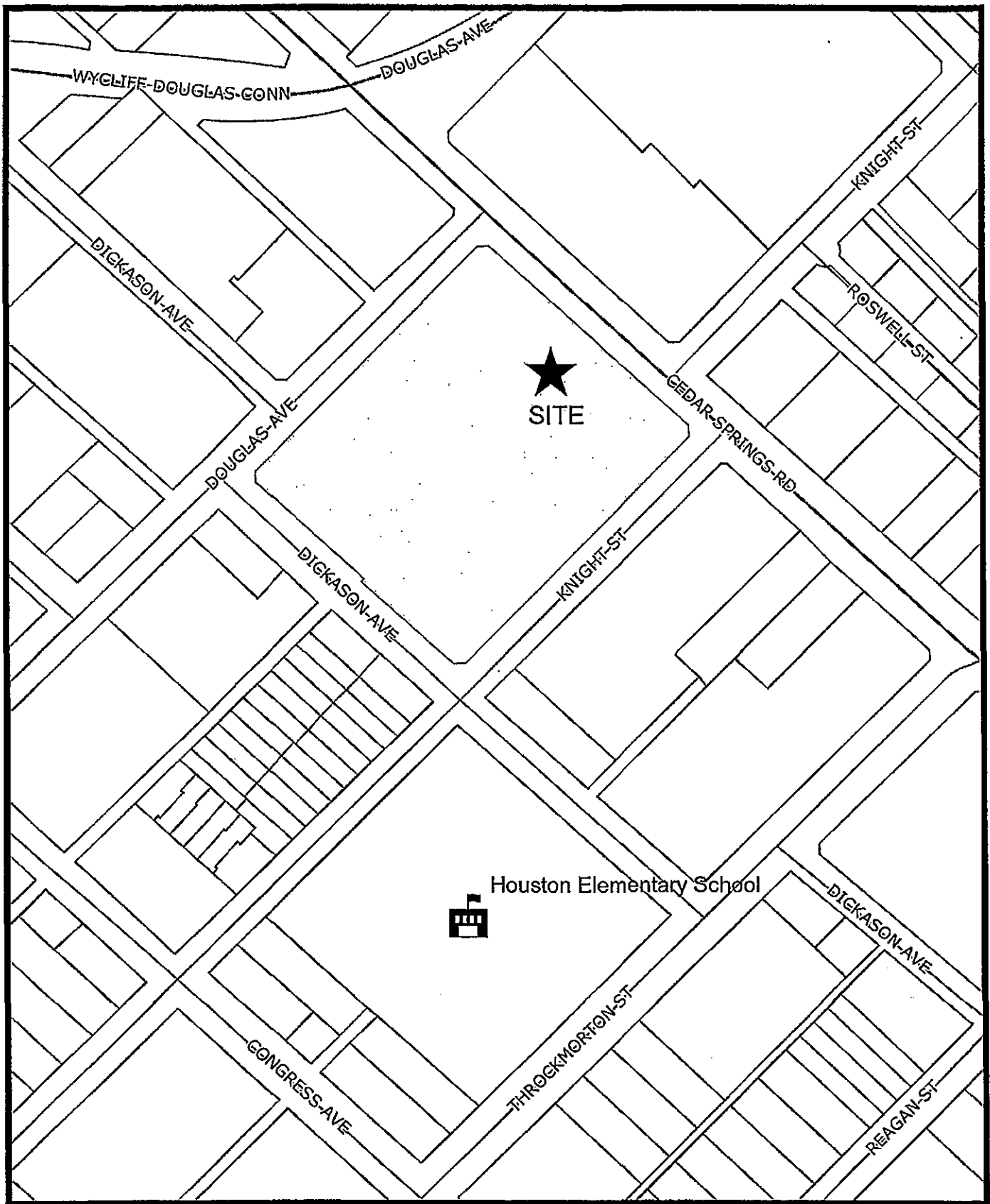
On October 26, 2011, September 26, 2012, and January 22, 2014, the City Council further amended Section 6-4 of Chapter 6.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached.



AV134-005



1:2,000



Approximate location of business
requesting alcohol variance



Land use requiring spacing from
business requesting alcohol sales: school

La Paloma Taqueria Richardson, LLC
d/b/a Xamach Mexican Cuisine & Bar
4123 Cedar Springs Road
Suite 105
Dallas, Texas 75219

March 21, 2014

Ms. Theresa O'Donnell
Director
City of Dallas Department of Sustainable Development and Construction
1500 Marilla Street, Room 5B North
Dallas, TX 75201

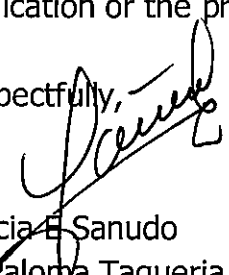
Re: Authorization of The Crosland Group to make application for Variance under
Section 6-4(a)(1) for Xamach Mexican Cuisine & Bar

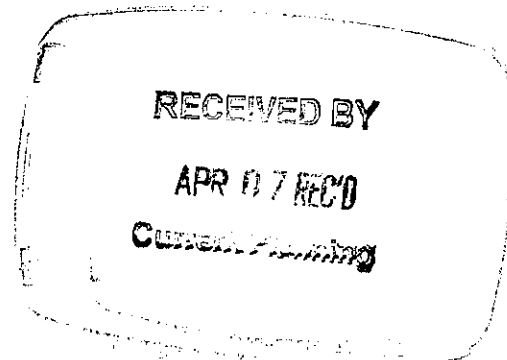
Ms. O'Donnell:

Please be advised that La Paloma Taqueria Richardson, LLC dba Xamach Mexican Cuisine & Bar hereby authorizes The Crosland Group to make application for a variance from the distance limit established under Section 6-4(a)(1) of the Dallas City Code and to carry out any administrative duties required to process the application to completion.

Please contact Rick Williamson at (214) 566-7353 with any questions about the application or the process.

Respectfully,


Leticia E. Sanudo
La Paloma Taqueria Richardson, LLC
dba Xamach Mexican Cuisine & Bar



AV134-005

March 21, 2014

RECEIVED BY
APR 07 REC'D
Current Planning

Ms. Theresa O'Donnell
Director City of Dallas
Department of Sustainable Development and Construction
1500 Marilla Street, Room 58 North
Dallas, TX 75201
(214) 670-4209

**Re: *Xamach Mexican Cuisine& Bar, located at 4123 Cedar Springs
Road, Suite 105, Dallas
Request and Application for Variance under Section 6-4(a)(I)***

Dear Ms. O'Donnell:

On behalf of our tenant, Xamach Mexican Cuisine & Bar, please consider this letter as an application and request for a variance from the distance requirements of Section 6-4(a)(1) of the City of Dallas Code. This request is made to allow for the sale of mixed beverages for on premises consumption at the business of La Paloma Taqueria Richardson, LLC dba Xamach Mexican Cuisine & Bar, to be located at 4123 Cedar Springs Rd, Suite 105, Dallas, Texas 75219 (the "Location"). This variance is requested so that the Location, between Knight Street and Douglas Ave., at the head of the Cedar Springs Entertainment District and located in an area zoned for retail and restaurant uses, may serve and sell mixed alcoholic beverages, as have previous tenants in the space, without the need for a private club permit from the Texas Alcoholic Beverage Commission (the "TABC").

Also enclosed is a check in the amount of \$1,200 to cover the application fee and a survey showing the location and distance of the protected use and the front door of the Location.

In support of this application and request, La Paloma Taqueria Richardson, LLC dba Xamach Mexican Cuisine & Bar would show:

- (A) The Location meets the standard of approval under Section 6-4(g)(5) as a mixed beverage permit with food and beverage certificate is being applied for. It is a restaurant without drive-in or drive-through service and with approval by TABC will have a food and beverage certificate, it will not sell alcoholic beverages by drive-in or drive-through service, and the enforcement of the spacing requirements in this instance is not in the public interest, constitutes waste or inefficient use of land or other resources, creates an undue hardship on the applicant for an alcohol permit, does not serve its intended purpose and is not effective or necessary.

(B) The name of the owner of the property where the alcohol business will be located: Redwood Illume Cedar Springs, LP

(C) The name and address of the applicant for the alcohol permit:

La Paloma Taqueria Richardson, LLC
d/b/a Xamach Mexican Cuisine & Bar
4123 Cedar Springs Road
Suite 105
Dallas, Texas 75219

(D) The type of alcohol permit for which application is being made:

The TABC permit sought is a mixed beverage permit with a food and beverage certificate (commonly known as a TABC "RM" permit).

(E) The name and address of the protected use (public school):

Sam Houston Elementary School
2827 Throckmorton Street
Dallas, Texas 75219

(F) Statement of why the variance meets the variance standards of the City Code:

The applicant is seeking a mixed beverage permit pursuant to Chapter 28 of the Texas Alcohol Beverage Code with a food and beverage certificate.

The use of the Location by the applicant is for a restaurant without drive-in or drive-through service with a food and beverage certificate pursuant to the Texas Alcohol Beverage Code.

Alcoholic beverages will not be sold by drive-in or drive-through service.

Enforcement of the spacing requirements in this particular instance:

Is not in the best interest of the public, in that the Planned Development zoning specific to the building in which the Location will operate was designed, planned and approved as a part of the Cedar Springs Entertainment District. Internal parking requirements were set for restaurant uses in the Location and other retail locations facing Cedar Springs Road in the building. These locations are over 370 feet from the property line of the protected use (public school), with the remainder of the building being multifamily rental use.

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APR 07 REC'D

Current Planning

Constitutes waste or inefficient use of land or other resources because the Location was planned and zoned as an anchor to the Cedar Springs Entertainment District, an area which generates over \$30 million annually in wine, beer and liquor sales. The intended use for the Location during planning, city approval and development was as a food and beverage operation serving alcohol for on-premise consumption. This is the highest and best use of the Location and to not allow the applicant a variance will reduce the value of the building for ad valorem purposes and reduce alcohol and sales tax collections, directly correlated to the inefficient use of the Location.

Creates an undue hardship on the applicant because surrounding businesses, including those within the same building and other buildings similarly physically located in relation to the protected use, currently hold permits allowing them to serve alcohol, beer and wine. To be located within this district and not be allowed the same business licenses will create an economic disadvantage for the applicant relative to its peers. Additionally, a restaurant previously located in the same Location held the same permit the applicant seeks and such permit was approved by both the City of Dallas and TABC. Accordingly, when executing its lease, applicant believed that a permit was available for the Location.

Does not serve its intended purpose, given that other businesses located in the same building currently hold active alcohol sales permits and that other businesses located within similar distance of the restricted use (measuring actual business-to-restricted use distance) have been, are currently and will continue to serve alcohol, beer and wine. The marginal impact of this Location and its operations is insignificant. Enforcement of the minimum distance requirement will not affect whether or not alcohol is sold near the protected use.

Is not effective or necessary because of the location of other alcohol sales outlets in the area and because the Location and the protected use are in a historically mixed use, urban environment where multiple eclectic uses have existed in close proximity for decades. If we are to build the communities envisioned in the Forward Dallas and other similar plans, we must accept a variety of land uses in propinquity.

RECEIVED BY
APR 07 1990
Current Planning

For these reasons, La Paloma Taqueria Richardson, LLC dba Xamach Mexican Cuisine & Bar respectfully requests approval of a variance pursuant to Section 6-4(g) of the City Code. Should you have any questions or need additional information, please do not hesitate to contact me via email at rick@thecroslandgroup.com or via phone at (214) 566-7353.

Sincerely,

Rick Williamson
Executive Vice President - Development and COO
The Crosland Group

APR 6 2017

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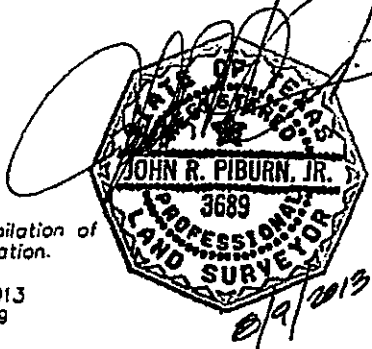
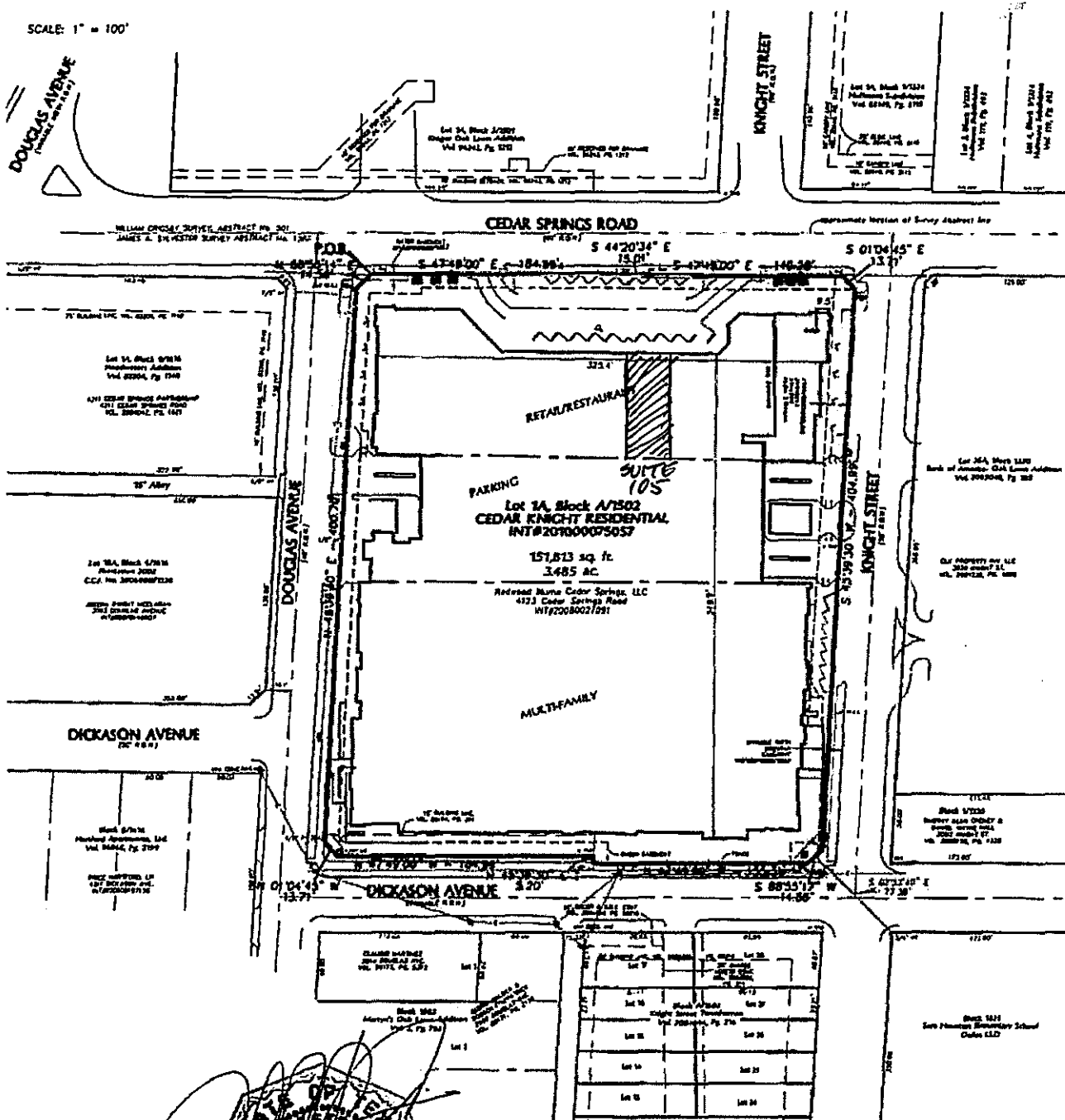
APR 6 / RECD

Current Planning

Exhibit

RECEIVED BY
APR 6 / 2013
Current Planning

SCALE: 1" = 100'



Note: A compilation of record information.

Date: 8/8/2013
Job No. 10069



Piburn & Carson, LLC

9535 Forest Ln. - Suite 229
Dallas, Texas 75243

Ph: (214) 328-3500 Fax: (214) 328-3512

www.piburncarson.com

email@piburncarson.com

Surveying Firm #100671-00

Engineering Firm #E-12324

May 14, 2014

WHEREAS, Subsection 6-4(g) of the Dallas City Code authorizes the City Council to grant variances from the alcohol spacing requirements prescribed by Subsection 6-4(a) of the Dallas City Code; and

WHEREAS, La Paloma Taqueria Richardson, LLC, DBA Xamach Mexican Cuisine & Bar, has submitted an application for a mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate, and is requesting a variance to the alcohol spacing requirements for a property on the south side of Cedar Springs Road, between Douglas Avenue and Knight Street, northeast of Sam Houston Elementary School, a public school; and

WHEREAS, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, finds that enforcement of the alcohol spacing requirements in this particular instance:

- (1) is not in the best interest of the public;
- (2) constitutes waste or inefficient use of land or other resources;
- (3) creates an undue hardship on an applicant for an alcohol permit;
- (4) does not serve its intended purpose; and
- (5) is not effective or necessary; and

WHEREAS, the City Council desires to grant the alcohol spacing variance; **Now, Therefore,**

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

Section 1. That the variance to the alcohol spacing requirements for La Paloma Taqueria Richardson, LLC, DBA Xamach Mexican Cuisine & Bar, for property on the south side of Cedar Springs Road, between Douglas Avenue and Knight Street, northwest of Sam Houston Elementary School is granted, subject to the following conditions:

- (1) This alcohol spacing variance is valid only for a mixed beverage permit for on-premise consumption pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate.
- (2) This alcohol spacing variance is valid only for a restaurant without drive-in or drive-through service with a food and beverage certificate pursuant to the Texas Alcoholic Beverage Code in the location shown on the attached location map.

May 14, 2014

- (3) Alcoholic beverages may not be sold by drive-in or drive-through service.
- (4) This alcohol spacing variance is valid for subsequent renewals of the alcohol permit.
- (5) This alcohol spacing variance may not be transferred to another location or to another alcohol permit holder.

Section 2. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By _____
Assistant City Attorney

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 8, 11

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 14R 15N 15P 63S 63T 63W 63X

SUBJECT

Mall Area Redevelopment TIF District

- * A public hearing to receive comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Twenty for the Valley View Center Mall area and the Southwest Center Mall area, to be known as the Mall Area Redevelopment TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City
- * An ordinance establishing Tax Increment Financing Reinvestment Zone Number Twenty to be known as the Mall Area Redevelopment TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City

BACKGROUND

State law requires that, in order to create a new Tax Increment Financing ("TIF") Reinvestment Zone, a public hearing must be held to allow individuals for and against the proposal to voice their opinions on the proposed Mall Area Redevelopment TIF District ("District"). This item allows for the public hearing and, at the close of the public hearing, allows City Council to designate by ordinance the new District.

The proposed District represents the City's effort to establish a funding mechanism in order to stimulate private investment and sustain the orderly redevelopment and revitalization of two commercial core assets while taking advantage of each area's strategic regional location at the crossroads of key transportation corridors.

As allowed by Chapter 311 of the Texas Tax Code ("TIF Act"), the proposed District shall comprise two non-contiguous sub-districts—the Montfort-IH 635 Sub-District for the Valley View Center Mall area in northern Dallas and the Westmoreland-IH 20 Sub-District for the Southwest Center Mall area in southern Dallas.

BACKGROUND (Continued)

Originally, the Valley View Center Mall and the Southwest Center Mall were created by complex configurations of super-blocks, private land ownership, and reciprocal easement agreements that bound multiple owners together. Over the last decade as market conditions have shifted significantly, these same configurations have heavily burdened each mall area, making redevelopment and revitalization extremely difficult without public participation.

With the assistance of the proposed Mall Area Redevelopment TIF District, each mall area is to be reconfigured over time into a traditional pattern of public streets, public open space, public infrastructure, and smaller parcels of private land ownership, thereby setting the stage for incremental redevelopment that is flexible to meet market and community needs.

The proposed Montfort-IH 635 Sub-District is generally bounded by Alpha Road, Preston Road, Noel Road, and Interstate Highway 635 (LBJ Freeway). The Sub-District encompasses approximately 173.9 acres, not including rights-of-way. For tax year 2013, the appraised value of taxable real property in the Montfort-IH 635 Sub-District was approximately \$142.7 million based on information from the Dallas Central Appraisal District (DCAD). The proposed Montfort-IH 635 Sub-District is recommended by and consistent with the City's adopted Valley View-Galleria Area Plan (May 2013) and will serve as a long-term funding tool to help implement the shared vision for the area by further leveraging other implementation tools (PD 887 form-based zoning and Thoroughfare Plan amendment) approved by the City Council in June 2013.

The proposed Westmoreland-IH 20 Sub-District is generally bounded by Westmoreland Road, Camp Wisdom Road, Highway 67 (Marvin D. Love Freeway), and Interstate Highway 20 (LBJ Freeway). The Sub-District encompasses approximately 96.6 acres, not including rights-of-way. For tax year 2013, the appraised value of taxable real property in the Westmoreland-IH 20 Sub-District was approximately \$19.6 million based on information from the DCAD. The proposed Westmoreland-IH 20 Sub-District is recommended by and consistent with the City-sponsored Advisory Services Panel report published by the Urban Land Institute (2009) and will serve as a long-term funding tool to help implement many of the report's recommendations over time.

During the 30-year term of the proposed District, additional taxable value attributed to new private investment is projected at approximately \$4.2 billion in total dollars.

The City's participation is proposed to be 0% in 2015; 90% from 2016 through 2042; 75% in 2043; and 55% in 2044. The County's participation is anticipated to be 0% for the first five years and then at least 55% for 20 years (2020 through 2039) or until the District is terminated.

BACKGROUND (Continued)

The preliminary project plan and reinvestment zone financing plan for the Mall Area Redevelopment TIF District consists of a program of public improvements, economic development grants, and land assembly for a public open space under the authority of the TIF Act, which is intended to stimulate private investment in the area to occur earlier and to a much greater extent than would occur solely through private investment in the reasonably foreseeable future.

The potential public improvements, based on an estimated budget of approximately \$432.5 million (net present value of \$182.9 million in 2014 dollars) would include:

- Infrastructure improvements
- Grants for economic development
- Acquisition of land for public open space
- Administration and implementation

On February 23, 2005, the City Council approved Criteria for Evaluating Potential TIF Districts (and as amended on November 9, 2009) as a policy tool for the Area Redevelopment Program. The City has prepared the preliminary project plan and reinvestment zone financing plan for the proposed Mall Area Redevelopment TIF District in conformance with the approved criteria.

The entities other than the City of Dallas that levy real property taxes within the proposed zone are Dallas County, Dallas County Community College District, Dallas County Hospital District, Dallas Independent School District, and Richardson Independent School District. The City is currently in discussion with Dallas County about their participation in the zone.

The area within the proposed zone substantially impairs the sound growth of Dallas, retards the provision of housing accommodations, constitutes an economic and social liability, and is a menace to the public welfare due to the presence of: (1) inadequate street and sidewalk layout, (2) faulty lot layout, (3) vacant land, (4) vacant and/or deteriorating structures, (5) deteriorating public infrastructure, and (6) a lack of parks and open space.

The following conditions are proposed to further define the City's intent with regard to this District:

1. The District shall take effect on January 1, 2015 and terminate on December 31, 2044, or at an earlier time designated by subsequent ordinance of the City Council in the event the City determines that the Mall Area Redevelopment TIF District should be terminated due to insufficient private investment or at such time as all project costs have been paid in full.

BACKGROUND (Continued)

2. After the District's creation, a final project plan and reinvestment zone financing plan will be developed and will be subject to City Council approval. For any proposed project requesting TIF funding assistance, the developer's commitments for redevelopment will comply with the final project plan and reinvestment zone financing plan and be secured by a development agreement for the specific project that is subject to City Council approval. Any development agreements will clearly specify that District funds are to be repaid solely from the Mall Area Redevelopment TIF District revenues and only to the extent that those revenues are available during the defined life of the District.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 7, 2014, a briefing was presented to the Economic Development Committee for the City Council to consider a resolution on April 23, 2014 to call a public hearing to be held on May 14, 2014 to consider designation of TIF Reinvestment Zone Number 20 (Mall Area Redevelopment TIF District).

On April 23, 2014, the City Council approved Resolution No. 14-0659 to authorize a public hearing to be held on May 14, 2014, and to authorize at the close of the hearing, consideration of an ordinance designating TIF Reinvestment Zone Number 20 (Mall Area Redevelopment TIF District).

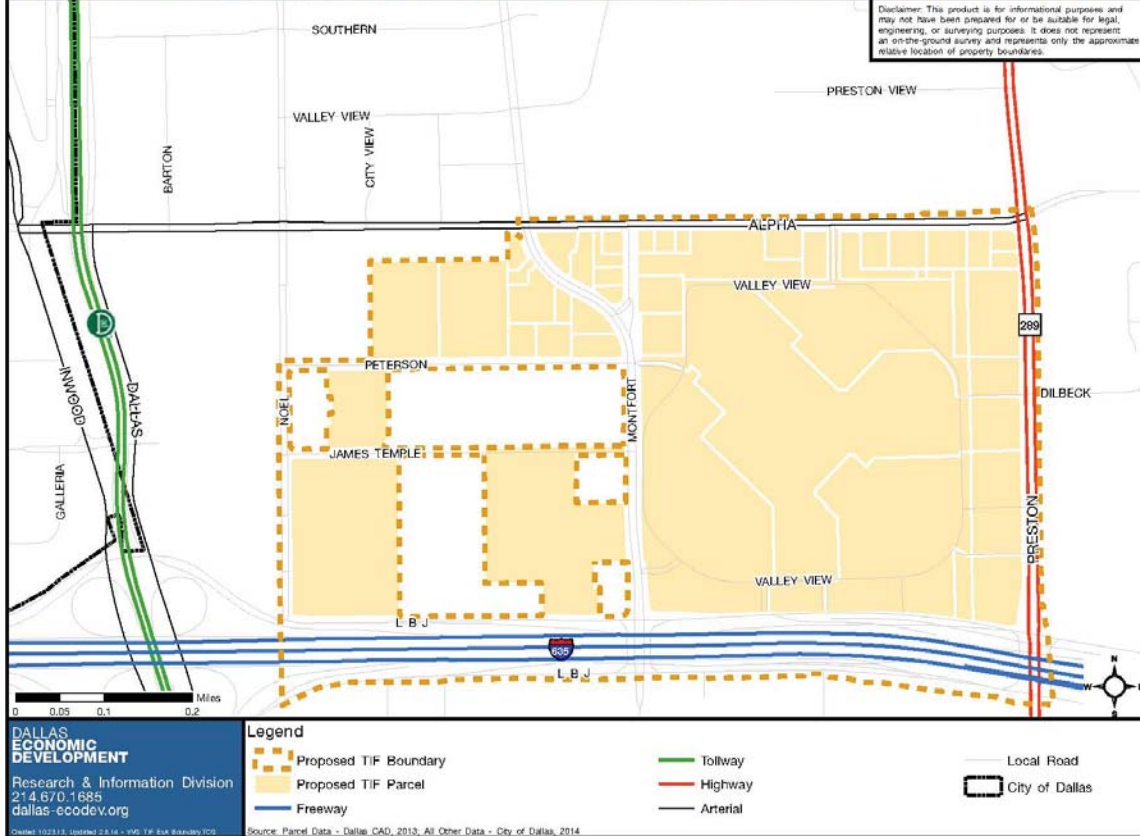
FISCAL INFORMATION

No cost consideration to the City

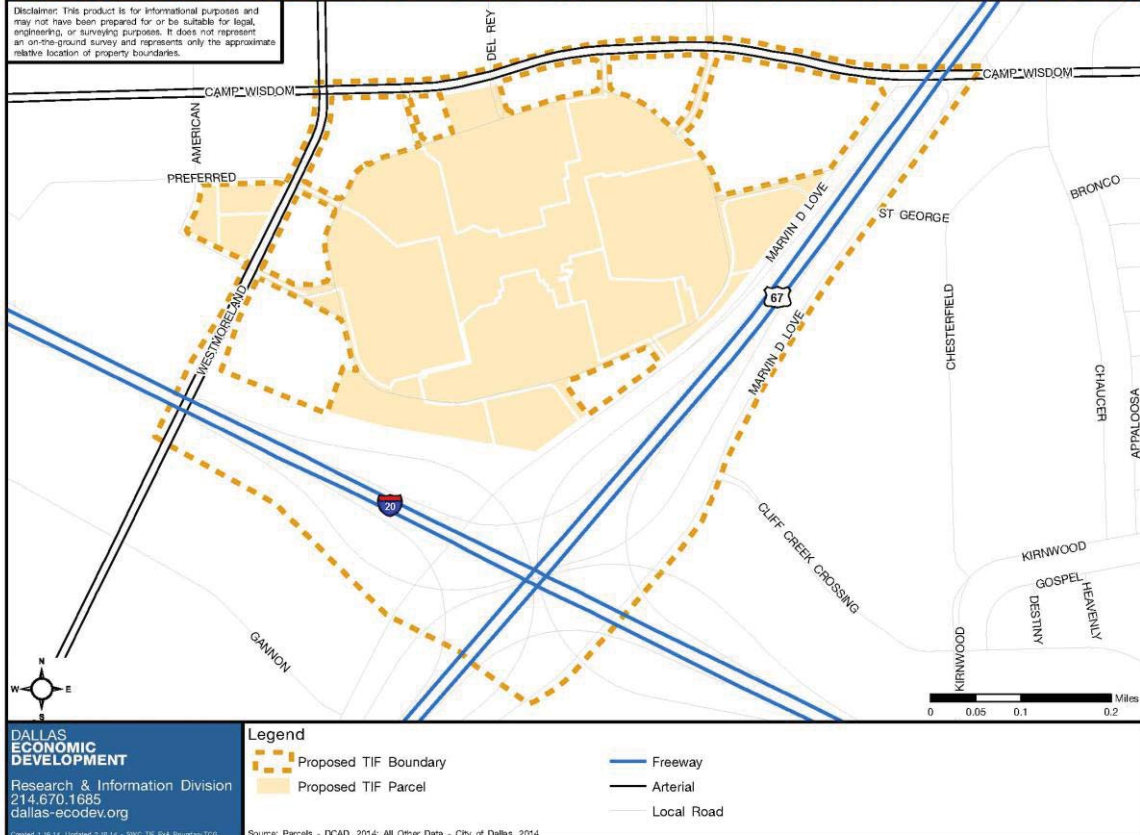
MAP

Attached.

Mall Area Redevelopment TIF District: Montfort-IH 635 Subdistrict (Proposed)



Mall Area Redevelopment TIF District: Westmoreland-IH 20 Subdistrict (Proposed)



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DALLAS, DESIGNATING A CERTAIN AREA AS TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWENTY, CITY OF DALLAS, TEXAS (THE "MALL AREA REDEVELOPMENT TIF DISTRICT"); ESTABLISHING A BOARD OF DIRECTORS; ESTABLISHING AN EFFECTIVE DATE; ESTABLISHING A TAX INCREMENT FUND FOR THE MALL AREA REDEVELOPMENT TIF DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND ENACTING OTHER MATTERS RELATED THERETO.

WHEREAS, the City desires to promote the development and redevelopment of the Valley View Center Mall area and the Southwest Center Mall area by creating a tax increment financing ("TIF") reinvestment zone, (the "Mall Area Redevelopment TIF District"), pursuant to the Tax Increment Financing Act, Chapter 311 of the Tax Code as amended, (the "Act"); and

WHEREAS, on February 23, 2005, the City Council authorized the Criteria for Evaluating Potential TIF Districts as a policy tool for the Area Redevelopment Program by Resolution No. 09-2761, as amended; and

WHEREAS, the City has prepared the preliminary project plan and reinvestment zone financing plan for the proposed zone in conformance with the approved criteria; and

WHEREAS, the City Council finds that the Valley View Center Mall area and the Southwest Center Mall area (as shown in **Exhibit A-2**) substantially impair the sound growth of the municipality and that development or redevelopment of the Mall Area Redevelopment TIF District would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, in accordance with the Act, the City held a public hearing on the creation of the proposed reinvestment zone and its benefits to the City and to property in the proposed reinvestment zone; and

WHEREAS, in compliance with the Act, the City called a public hearing to hear public comments on the creation of the proposed reinvestment zone and its benefits to the City and to the property, residents and property owners within the proposed reinvestment zone; and

WHEREAS, the Act further requires the City to publish notice of the hearing in a newspaper having general circulation in the City; and

WHEREAS, in compliance with the Act, notice of such public hearing was published in the Dallas Morning News, a daily paper of general circulation in the City, such publication date being not later than seven days prior to the date of the public hearing; and

WHEREAS, such hearing was convened at the time and place mentioned in the published notice, to wit, on the 14th day of May, 2014, at 1:00 p.m., at the Council Chamber in the City Hall of the City of Dallas, which hearing was then closed; and

WHEREAS, the City, at such hearing, invited any interested person, or his attorney, to appear and contend for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, as described in **Exhibit A-1 (General Boundary Description) and Exhibit A-2 (Map of Mall Area Redevelopment TIF Reinvestment Zone)** attached hereto, whether all or part of the territory which is described and depicted in **Exhibit A-1** and **Exhibit A-2** should be included in such proposed reinvestment zone, the concept of tax increment financing and the appointment of a board of directors for the proposed reinvestment zone; and

WHEREAS, all owners of property located within the proposed reinvestment zone and all other taxing units and other interested persons were given the opportunity at such public hearing to protest the creation and to protest the inclusion of property in the proposed reinvestment zone; and

WHEREAS, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone, and opponents, if any, of the reinvestment zone appeared to contest creation of the reinvestment zone; and

WHEREAS, the City has prepared a preliminary reinvestment zone financing plan, attached hereto as **Exhibit B**.

NOW, THEREFORE,

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

SECTION 1. That the City hereby creates a reinvestment zone over the area generally described in **Exhibit A-1** and depicted by the map attached hereto as **Exhibit A-2**, and such reinvestment zone shall hereafter be identified as Tax Increment Financing Reinvestment Zone Number Twenty, City of Dallas, Texas to be known as the Mall Area Redevelopment TIF District.

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

SECTION 3. That the City Council, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on adoption of the reinvestment zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law.
- (b) That creation of the proposed reinvestment zone with boundaries as described in **Exhibit A-1** and depicted in **Exhibit A-2** will result in benefits to the City, its residents and property owners, in general, and to the property, residents and property owners in the reinvestment zone.
- (c) That the preliminary project plan and reinvestment zone financing plan for the development or redevelopment of the Valley View Center Mall area and the Southwest Center Mall area contains a list of proposed public works or public improvements designed to facilitate a mix of new housing, new retail, new office, and other commercial uses, and public infrastructure to support a more pedestrian oriented environment, and funding to help provide public open space.
- (d) That the reinvestment zone, as defined in **Exhibit A-1** and **Exhibit A-2**, meets the criteria for the creation of a reinvestment zone as set forth in the Act in that:
 - (1) The reinvestment zone is a contiguous or noncontiguous geographic area located wholly within the corporate limits of the City.
 - (2) The area within the reinvestment zone substantially arrests or impairs the sound growth of the City, retards the provision of housing accommodations, constitutes an economic and social liability, and is a menace to the public welfare in its present condition and use because of the presence of: (1) inadequate street and sidewalk layout, (2) faulty lot layout in relation to size, adequacy, accessibility, or usefulness, (3) vacant land, (4) vacant and/or deteriorating structures, (5) deteriorating public infrastructure, and (6) a lack of parks and open space.
- (e) That the total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal roll of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal roll of the City, does not exceed 25 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any.

SECTION 3. (Continued)

- (f) That the improvements in the reinvestment zone will significantly enhance the value of all taxable real property in the reinvestment zone and will be of general benefit to the City.
- (g) That not more than 30 percent of the property in the proposed reinvestment zone, excluding property that is publicly owned, is used for residential purposes, within the meaning of the Act.
- (h) That the development or redevelopment of the property in the proposed reinvestment zone will not occur solely through private investment in the reasonably foreseeable future.

SECTION 4. That the City hereby creates a reinvestment zone over the area described in **Exhibit A-1** and depicted by the map attached hereto as **Exhibit A-2**, and such reinvestment zone shall hereafter be identified as Tax Increment Financing Reinvestment Zone Number Twenty, City of Dallas, Texas to be known as the Mall Area Redevelopment TIF District.

SECTION 5. That there is hereby established a board of directors for the Mall Area Redevelopment TIF District which shall consist of up to 7 members. The board of directors for the Mall Area Redevelopment TIF District shall be appointed as follows (subject to change if the requirements of the Act necessitate a change):

- (a) Six (6) members shall be appointed by the City Council, and one (1) member may be appointed by the Dallas County Commissioners Court. However, if the Dallas County Commissioners Court does not approve a participation agreement to contribute all or part of its tax increment into the tax increment fund or if the Dallas County Commissioners Court waives its right to appoint a member of the board, the City Council may appoint such a board member in its stead.
- (b) The initial board of directors shall be appointed by resolution of the City Council and by court order of the Dallas County Commissioners Court as provided herein within sixty (60) days of the passage of this ordinance or within a reasonable time thereafter. All members appointed to the board shall meet eligibility requirements as set forth in the Act.
- (c) The terms of the City-appointed board members shall be for two years. Each year, the Mayor shall nominate a member of the board to serve as chairman of the board of directors, subject to City Council approval, and the board shall elect from its members a vice chairman. The City staff liaison to the board shall serve as the board secretary.

SECTION 5. (Continued)

- (d) The board of directors shall make recommendations to the City Council concerning the administration of the Mall Area Redevelopment TIF District. It shall prepare and adopt a final project plan and reinvestment zone financing plan for the Mall Area Redevelopment TIF District and must submit such plans to the City Council for its approval. The board of directors shall possess all powers necessary to prepare, implement, and monitor such project plans for the Mall Area Redevelopment TIF District, as the City Council considers advisable, including the submission of an annual report on the status of the Mall Area Redevelopment TIF District.

SECTION 6. That the Mall Area Redevelopment TIF District shall take effect on January 1, 2015, and that the termination of the Mall Area Redevelopment TIF District shall occur on December 31, 2044, (including collection of the 2044 increment in calendar year 2045 and any related matters to be concluded in 2045) or at an earlier time designated by subsequent ordinance of the City Council in the event the City determines that the Mall Area Redevelopment TIF District should be terminated due to insufficient private investment, or at such time as all project costs have been paid in full. Additionally, if private investment of at least \$100 million has not occurred within five years of the adoption of the final project plan and reinvestment zone financing plan, the City Council may desire to dissolve the TIF District, subject to the satisfaction of all outstanding financial obligations of the tax increment fund.

SECTION 7. That the tax increment base for the Mall Area Redevelopment TIF District, which is the total appraised value of all taxable real property located in the Mall Area Redevelopment TIF District, is to be determined as of January 1, 2014, the year in which the Mall Area Redevelopment TIF District was designated a reinvestment zone. For detailed information involving the appraised value of the property in the Mall Area Redevelopment TIF District, see attached **Exhibit B**.

SECTION 8. That there is hereby confirmed the establishment of a tax increment fund for the Mall Area Redevelopment TIF District which may be divided into such sub accounts as may be authorized by subsequent resolution or ordinance, into which all tax increments produced by the City and any other participating jurisdictions pursuant to the terms of a participation agreement, less any of the amounts not required to be paid into the tax Increment fund pursuant to the Act, are to be deposited.

SECTION 8. (Continued)

The City's final participation level for the tax increment fund will be determined by the final project plan and reinvestment zone financing plan. The tax increment fund and any sub accounts are to be maintained in an account at the City Treasurer's affiliated depository bank of the City and shall be secured in the manner prescribed by law of Texas cities. In addition, all revenues from the sale of any tax increment bonds and notes hereafter issued by the City, revenues from the sale of any property acquired as part of the final project plan and reinvestment zone financing plan, and other revenues to be dedicated to and used in the Mall Area Redevelopment TIF District shall be deposited into such fund or sub account from which money will be disbursed to pay project costs for the Mall Area Redevelopment TIF District.

SECTION 9. That the Mall Area Redevelopment TIF District is designated as a reinvestment zone under Section 311.005(a)(1) of the Act.

SECTION 10. That the total reimbursable project costs to be adopted in the preliminary project plan and reinvestment zone financing plan are estimated to be approximately \$432,450,706 in total dollars (NPV value in 2014 dollars of \$182,947,606).

SECTION 11. That the City may consider TIF bond sales in accordance with the City's Financial Management Performance Criteria if tax increment revenues are sufficient to support debt service in the future.

SECTION 12. That subject to the approval of the City Council, the board of directors of the Mall Area Redevelopment TIF District, as necessary or convenient to implement the project plan and reinvestment zone financing plan and achieve their purposes, may establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the zone, eliminating unemployment and underemployment in the zone, and developing or expanding transportation, business, and commercial activity in the zone, including programs to make grants and loans from the tax increment fund of the zone in an aggregate amount not to exceed the amount of the tax increment produced by the City and paid into the tax increment fund for activities that benefit the zone and stimulate business and commercial activity in the zone.

SECTION 13. That Mixed Income Housing Guidelines will be developed for the Mall Area Redevelopment TIF District.

SECTION 14. That Urban Design Guidelines will be developed for the Mall Area Redevelopment TIF District.

SECTION 15. That developers receiving TIF funding shall comply with the City's Fair Share Guidelines for private construction.

SECTION 16. That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or un-enforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

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

APPROVED AS TO FORM:

WARREN M. S. ERNST
CITY ATTORNEY

By 
Assistant City Attorney

Passed _____

Exhibit A-1

General Boundary Description Mall Area Redevelopment TIF Reinvestment Zone

The Mall Area Redevelopment TIF District shall comprise two non-contiguous sub-districts—the Montfort-IH 635 Sub-District for the Valley View Center Mall area in northern Dallas and the Westmoreland-IH 20 Sub-District for the Southwest Center Mall area in southern Dallas.

The Montfort-IH 635 Sub-District is generally bounded by Alpha Road, Preston Road, Noel Road, and Interstate Highway 635 (LBJ Freeway). The Montfort-IH 635 Sub-District encompasses approximately 173.9 acres, not including rights-of-way.

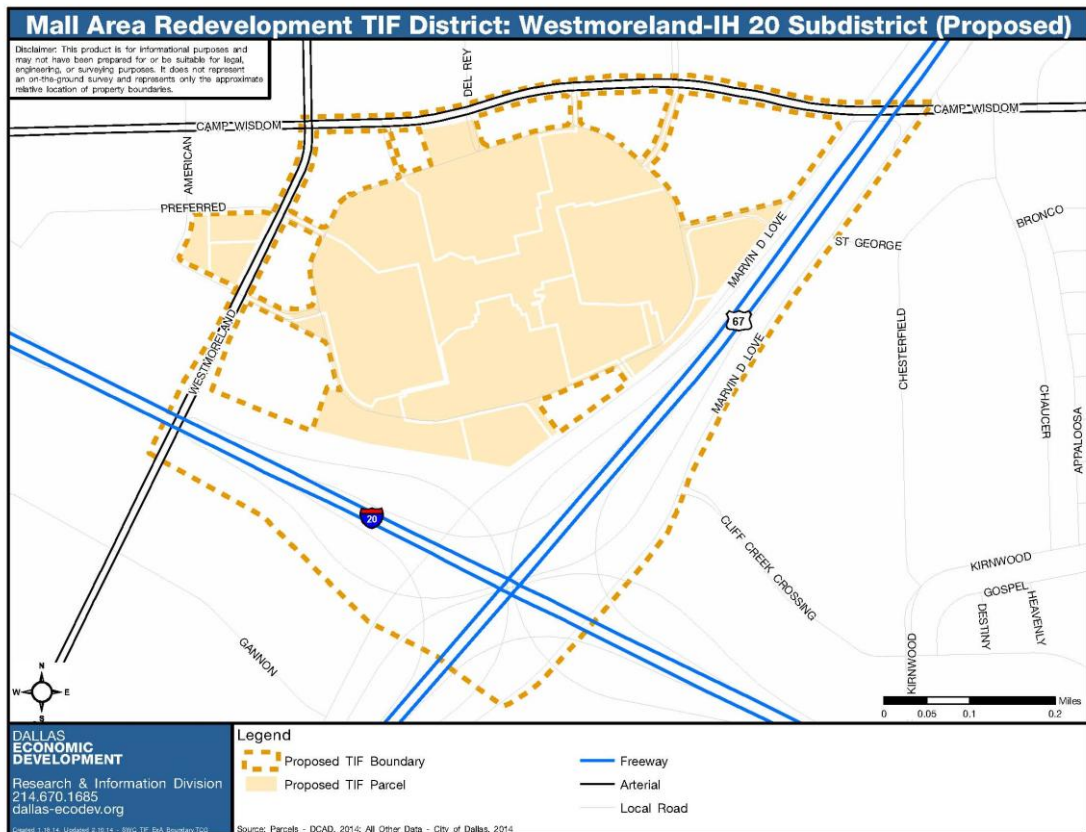
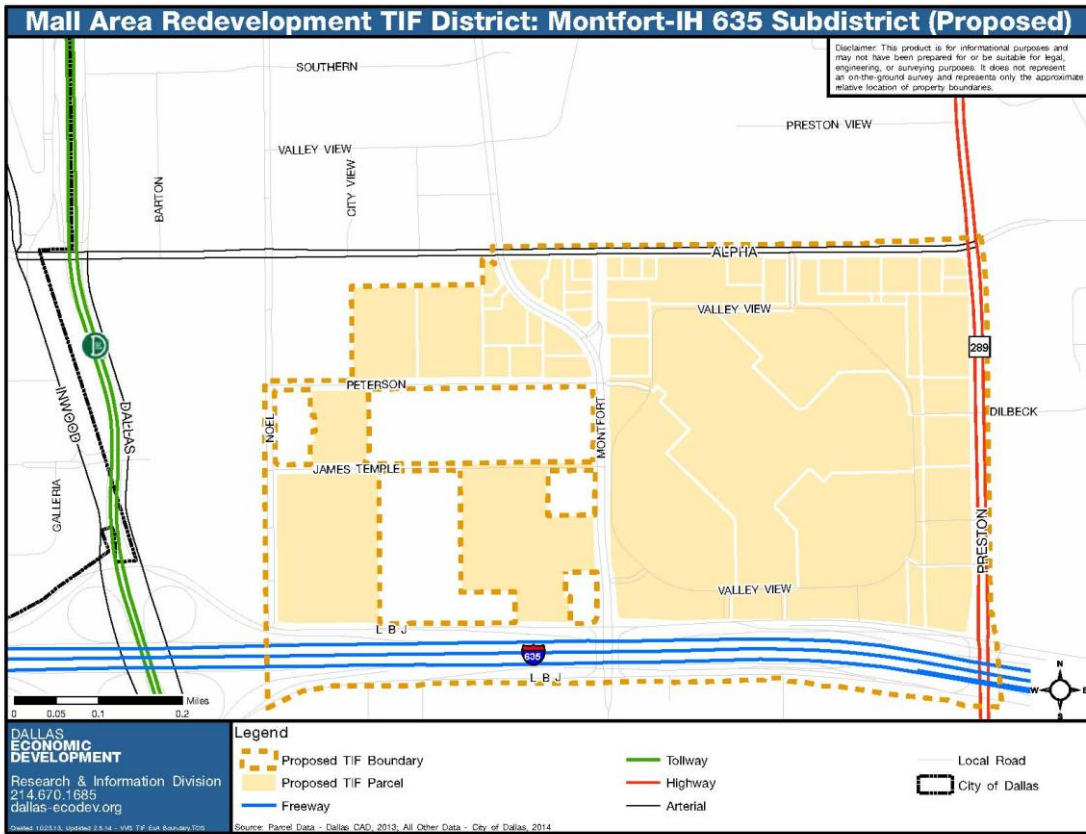
The Westmoreland-IH 20 Sub-District is generally bounded by Westmoreland Road, Camp Wisdom Road, Highway 67 (Marvin D. Love Freeway), and Interstate Highway 20 (LBJ Freeway). The Westmoreland-IH 20 Sub-District encompasses approximately 96.6 acres, not including rights-of-way.

District boundaries that follow public streets and highways shall be construed to extend to the far sides of such rights-of-way, measured from the reinvestment zone, except where zone boundaries abut another TIF zone or the jurisdictional limits of another City. In such cases, the boundary shall run to the centerline of the right-of-way. Boundaries that approximate property lines shall be construed as following such property lines.

See Exhibit A-2 for a detailed boundary map.

Exhibit A-2

Map of Mall Area Redevelopment TIF Reinvestment Zone



MALL AREA REDEVELOPMENT TAX INCREMENT FINANCING DISTRICT

(COMPRISING THE VALLEY VIEW CENTER MALL AREA AND SOUTHWEST CENTER MALL AREA)



PRELIMINARY PROJECT PLAN & REINVESTMENT ZONE FINANCING PLAN

MAY 2014



City of Dallas

Acknowledgements

The Mall Area Redevelopment TIF District Preliminary Project Plan and Reinvestment Zone Financing Plan was prepared by the City of Dallas, Office of Economic Development (the Montfort-IH 635 Sub-District was partially based on an initial analysis prepared by Stein Planning, LLC). The Office of Economic Development wishes to acknowledge the efforts of everyone who contributed to the development of this plan, including the following individuals:

City of Dallas

A.C. Gonzalez	City Manager
Ryan S. Evans	First Assistant City Manager (Interim)
Karl Zavitskovsky	Director, Office of Economic Development (OED)
J. Hammond Perot	Assistant Director, OED
Karl Stundins	Area Redevelopment Manager, OED
Kevin Spath	Senior Coordinator, OED
Sue Hounsel	Senior Coordinator, OED
Tim Glass	Research & Information Manager, OED
Pam Thompson	Economic Development Analyst, OED
Barbara Martinez	Assistant City Attorney, City Attorney's Office
Sarah Hasib	Assistant City Attorney, City Attorney's Office

Dallas City Council

Mayor Mike Rawlings
District 1 - Scott Griggs
District 2 - Adam Medrano
District 3 - Vonciel Jones Hill
District 4 - Dwaine R. Caraway
District 5 - Rick Callahan
District 6 - Deputy Mayor Pro Tem Monica R. Alonzo
District 7 - Carolyn R. Davis
District 8 - Mayor Pro Tem Tennell Atkins
District 9 - Sheffie Kadane
District 10 - Jerry R. Allen
District 11 - Lee M. Kleinman
District 12 - Sandy Greyson
District 13 - Jennifer Staubach Gates
District 14 - Philip T. Kingston

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Section 1: Project Plan

Background

The proposed Mall Area Redevelopment Tax Increment Financing (TIF) District (“District”) represents the City of Dallas’ effort to encourage the sustainable redevelopment of properties including and around two obsolete shopping malls while taking advantage of each area’s strategic regional location at the crossroads of key transportation corridors. As allowed by Chapter 311 of the Texas Tax Code, the proposed District shall comprise two non-contiguous sub-districts—the Montfort-IH 635 Sub-District for the Valley View Center Mall area in northern Dallas and the Westmoreland-IH 20 Sub-District for the Southwest Center Mall area in southern Dallas.

Originally, the Valley View Center Mall and the Southwest Center Mall were created by complex configurations of super-blocks, private land ownership, and reciprocal easement agreements that bound multiple owners together. Over the last decade as market conditions have shifted significantly, these same configurations have heavily burdened each mall area, making redevelopment and revitalization extremely difficult without public participation. With the assistance of the proposed Mall Area Redevelopment TIF District, each mall area is to be reconfigured into a traditional pattern of public streets, public open space, public infrastructure, and smaller parcels of private land ownership, thereby setting the stage for incremental redevelopment that is flexible to meet market and community needs.

Montfort-IH 635 Sub-District

The crossroads of Interstate Highway 635 (LBJ Freeway), the Dallas North Tollway, and Preston Road (SH 289) has been one of Dallas’ major regional business centers with significant Class A office space, strong destination retail, and several high quality hotels. Preston Road registers over 50,000 vehicles per day, the Dallas North Tollway registers over 120,000 vehicles per day, and LBJ Freeway (currently undergoing \$2.7 billion in improvements) provides access to more than 250,000 vehicles daily (estimated 450,000 vehicles daily upon completion). However, despite its general locational advantages, portions of the area have experienced significant economic and physical decline over the last twenty years, and substantial revitalization and orderly redevelopment of the area is not likely to occur without public assistance. As such, this area is identified as a key growth area in the City of Dallas Strategic Engagement Plan as well as the forwardDallas! Comprehensive Plan. Further, this area fulfills the criteria for the City Council’s citywide “megasite” redevelopment opportunity area goal as outlined in the FY 2011-2012 Strategic Plan.

Valley View Center Mall, itself, is economically and physically obsolete. The first anchor of what later became Valley View Center Mall was the Sears store which opened in the mid-1960s, followed by the in-line mall development which opened in 1973. The Galleria (one-half mile to the west of Valley View Center Mall) opened in 1982. While the Galleria continues to be a strong destination retail site, the Valley View Center Mall site and many of its surrounding properties have significantly declined over the past decade.

Exhibit B

The Sears store continues to operate as the only anchor; however, due to the closing of the other major anchors at Valley View Center Mall and changes in mall ownership, the overall property is significantly under performing and is mostly vacant. Multi-family housing stock in the area is also aging and deteriorating. Both the mall and the surrounding retail do not reflect the potential that exists based on the strong residential communities as well as office uses nearby.

This strong base in the surrounding community as well as the strategic regional location indicate the area would likely support increased density and diversified uses such as additional housing choices, shopping, entertainment, hospitality, and office uses. The Galleria has continued to serve this market, and, with new ownership of a substantial portion of Valley View Mall to serve as a catalyst, there is strong interest in concerted public and private efforts aimed at the revitalization of Valley View Center Mall and the surrounding area.

From 2011 to 2013, a public-private partnership was forged among the City of Dallas, the North Dallas Chamber of Commerce, and many other stakeholders in the area, including property and business owners. The partnership resulted in a process to develop an area planning study in 2012-13. Adopted in May 2013, the Valley View-Galleria Area Plan ("Area Plan") resulted in the creation of a unified vision and implementation plan for the redevelopment and economic growth of approximately 440 acres in this area. The Area Plan establishes a comprehensive vision to guide future private investment, economic development, and public infrastructure investments in a coordinated fashion towards optimal tax base, quality of life, and accessibility.

Exhibit A Valley View-Galleria Area Plan Adopted Illustrative Vision

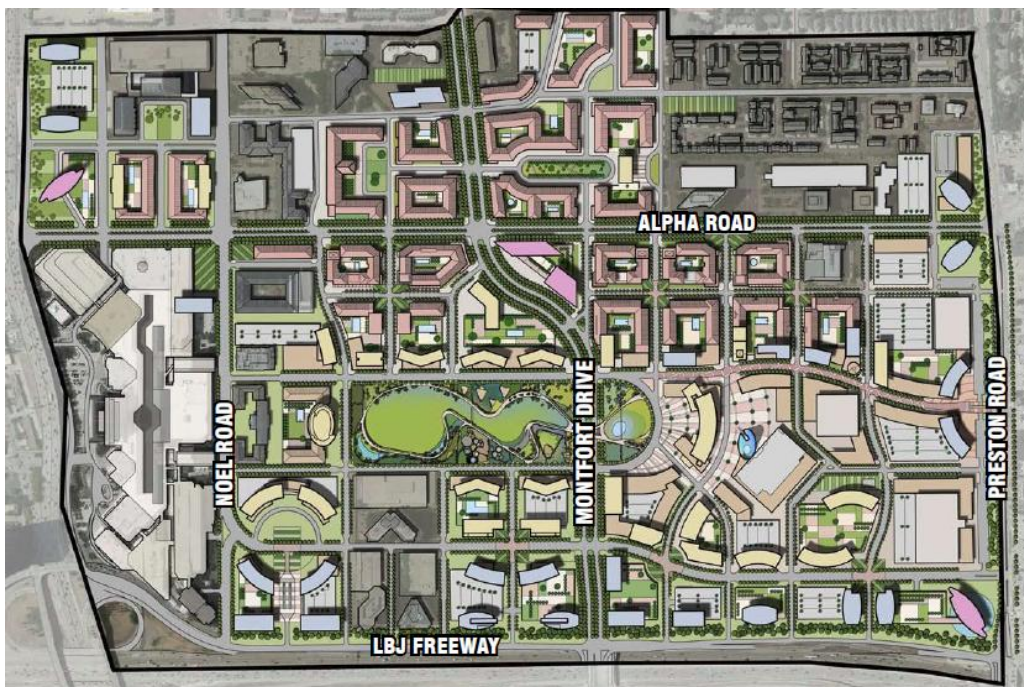


Exhibit B

The adopted illustrative vision (as shown in Exhibit A) for the area is of a new mixed use neighborhood (higher density and pedestrian friendly) that is: (1) anchored by a large central park; (2) supported by vibrant retail uses, office uses, entertainment uses, and mixed housing choices; (3) connected by an integrated network of walkable streets and open spaces, and (4) eventually linked to the Dallas Area Rapid Transit (DART) light rail network via an underground line connecting the existing Red Line with the proposed Cotton Belt Line.

Two key opportunities identified in the Area Plan are: (1) to break down the super blocks into pedestrian-scale developable parcels in order to provide a more walkable urban fabric, and (2) to provide a community-scale central park with the potential to serve as a regional destination that will also support local residents, workers, and visitors, making up for a severe lack of open space in the area.

Following the adoption of the Area Plan in May 2013, the City of Dallas has coordinated with owners of a substantial amount of land in the area, including Beck Ventures, Diversion Capital Partners, Sears Roebuck and Co., and EF Properties to analyze and potentially designate a TIF district for the area.

Existing Conditions

Most of the proposed Sub-District is characterized by a wide variety of commercial property types as well as two multi-family residential properties ranging in age from thirty to fifty years. Many of these properties are economically or physically obsolete. In its present condition, the area exhibits deteriorated structures, an inadequate sidewalk and street layout, large tracts of vacant land, faulty lot layouts, unsanitary or unsafe conditions, and deteriorated site improvements. These conditions substantially arrest or impair the sound growth of the City and property within the proposed Sub-District. No property in the proposed Sub-District is currently being used for residential use with fewer than five living units. Photos of property in the proposed Sub-District show deteriorated public infrastructure and building stock (see Exhibit B). Many of the commercial structures in the Sub-District were developed in the 1960s and 1970s. Many streets and utilities are now over fifty years old and require significant improvements.

Existing Zoning and Existing Land Uses

The Area Plan also served as the basis for the City to undertake an area-wide form-based rezoning to PD 887 (Valley View-Galleria Area Special Purpose District), thereby ensuring a sound regulatory framework to encourage economic development consistent with the vision. This zoning designation governs nearly all of the proposed Sub-District. Prior to the adoption of PD 887 in June 2013, the existing zoning in the area had been a patchwork quilt of over twenty different zoning categories that reflected a disorderly development pattern. Additionally, the City undertook an associated Thoroughfare Plan amendment for the area in June 2013 to ensure compatibility between key roadways and anticipated future land uses.

See Exhibit C for a map of existing zoning in the Sub-District and Exhibit D for a map of existing land uses in the Sub-District.

Exhibit B

The proposed Sub-District is being considered for designation by the City of Dallas, pursuant to Section 311.005, Texas Tax Code, because the City finds that the Montfort-IH 635 area substantially impairs the sound growth of Dallas, retards the provision of housing accommodations, constitutes an economic and social liability, and is a menace to the public welfare due to a substantial number of substandard, deteriorating, and deteriorated structures and infrastructure as well as a severe lack of parks and open spaces. The proposed Sub-District is consistent with the City's adopted Area Plan and will serve as a long-term tool to implement the shared vision for the area by further leveraging the regulatory framework (PD 887 form-based zoning and Thoroughfare Plan amendment) already in place. The public improvement program of the proposed Sub-District will encourage new private redevelopment that is not likely to occur solely through private investment, thereby offering employment and quality living for the people of Dallas for years to come.

Exhibit B Existing Conditions Images Montfort-IH 635 Sub-District



Exhibit C Existing Zoning Montfort-IH 635 Sub-District

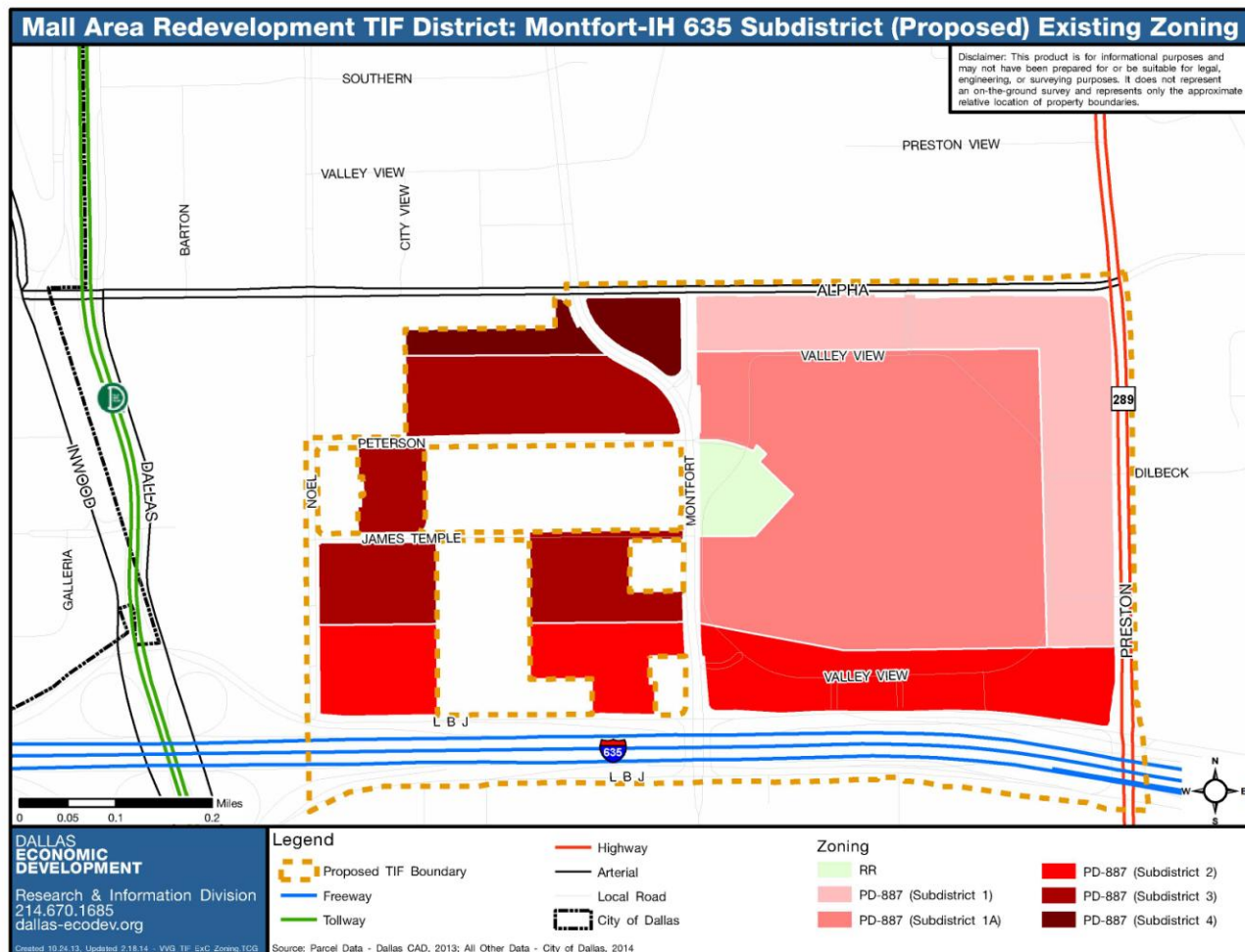


Exhibit D Existing Land Use Montfort-IH 635 Sub-District

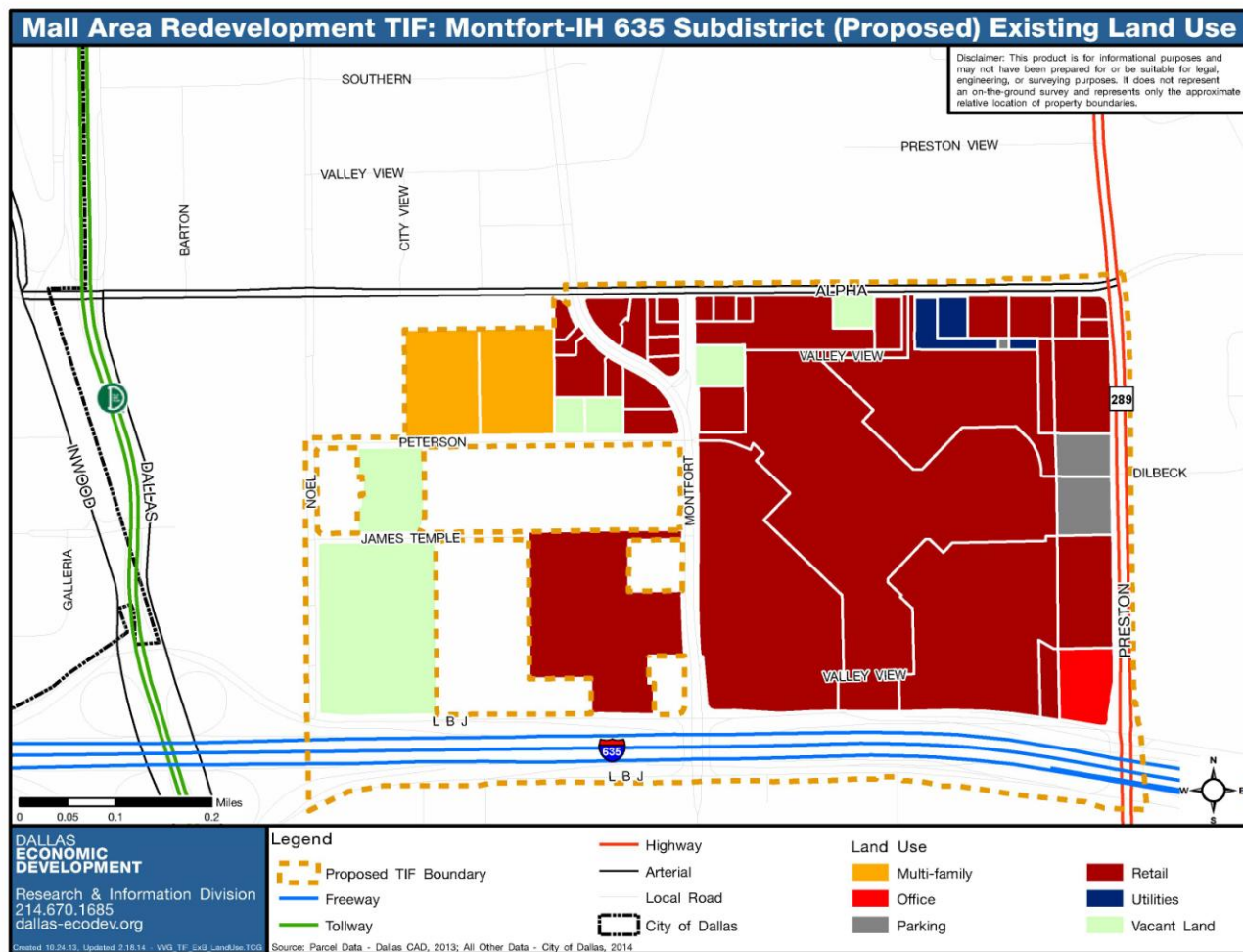


Exhibit B

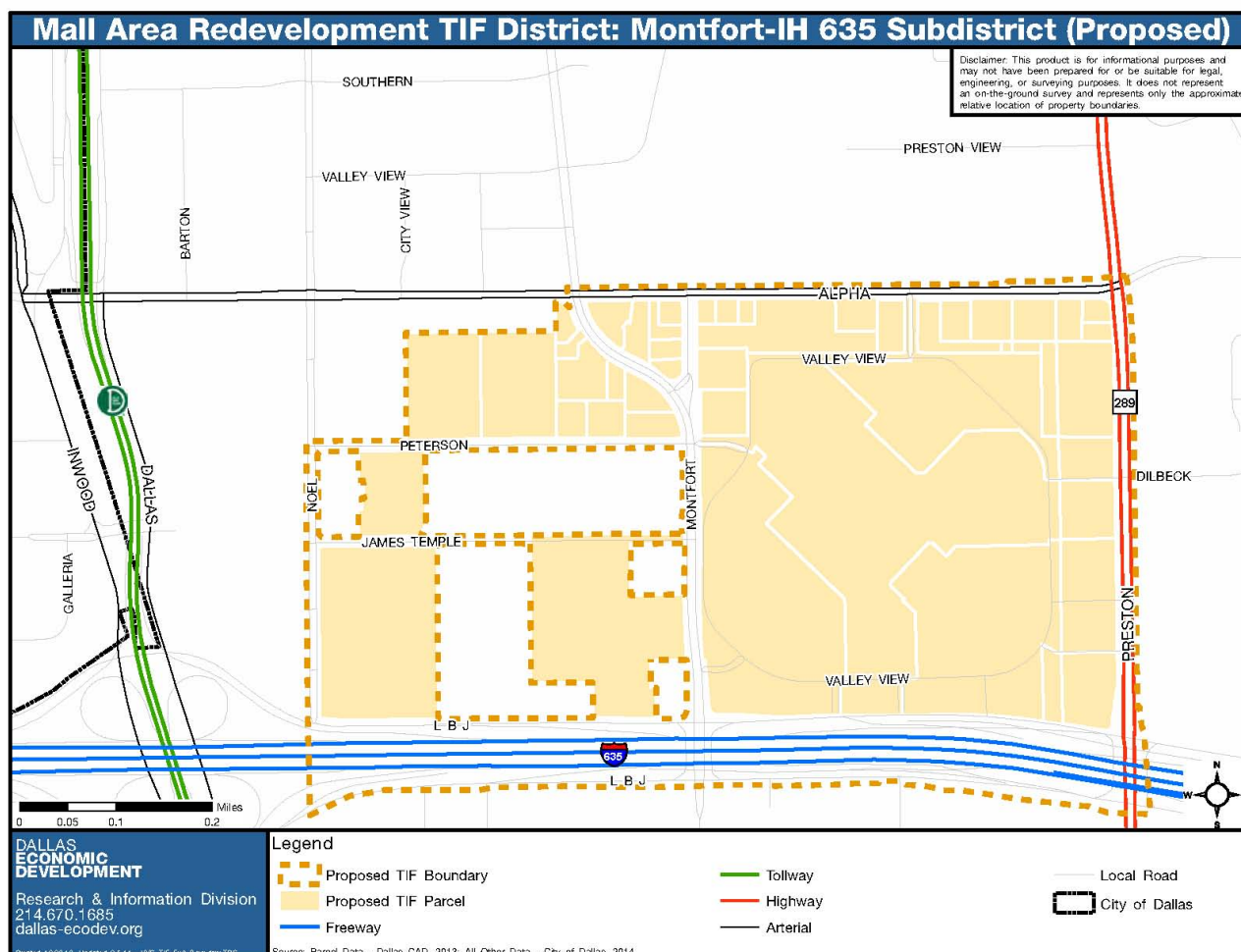
Description of the Montfort-IH 635 Sub-District

As depicted in Exhibit E, the proposed Montfort-IH 635 Sub-District is generally bounded by Alpha Road, Preston Road, Noel Road, and LBJ Freeway. Boundaries that follow public streets and highways shall be construed to extend to the far sides of such rights-of-way. Boundaries that approximate property lines shall be construed as following such property lines. The Sub-District encompasses approximately 173.9 acres, not including rights-of-way. Taxable land for 2014 is expected to be 168.3 acres.

In order to optimize the reliability of the TIF increment projections as well as the TIF project needs, the Sub-District boundary has been drawn at its inception to include only the most underutilized and vacant parcels in the area that are anticipated to begin redevelopment in the short-term (i.e. next 5 years). Beyond the next 5 years, other parcels in the immediate area may emerge and ripen for redevelopment.

Based on the 2013 certified tax roll from the Dallas Central Appraisal District ("DCAD"), the total appraised value of taxable real property (46 parcels) in the Sub-District is estimated to be \$142.7 million.

Exhibit E Montfort-IH 635 Sub-District Map



Westmoreland-IH 20 Sub-District

The crossroads of Marvin D. Love Freeway (Highway 67), LBJ Freeway (Interstate Highway 20), Westmoreland Road, and Camp Wisdom Road has been one of southern Dallas' major regional business areas. Marvin D. Love Freeway registers over 85,000 vehicles per day, and LBJ Freeway provides access to more than 166,000 vehicles daily. However, despite the general locational advantages, portions of the area have experienced significant economic and physical decline over the last twenty years, and substantial revitalization and orderly redevelopment of the area is not likely to occur without public assistance. As such, this area is identified as a key focus area in the City of Dallas Strategic Engagement Plan as well as the forwardDallas! Comprehensive Plan. Further, this area is identified as a core investment area in the City Council's FY 2012-2013 Strategic Plan as well as the Mayor's GrowSouth initiative.

Built in 1975 by the DeBartolo Company, the Southwest Center Mall is located 11 miles south of downtown Dallas. When it opened, it was the only regional mall in southern Dallas and was named Red Bird Mall after the community it served. Designed as a typical center-oriented mall with large anchor stores surrounding a core of smaller in-line retail spaces, Southwest Center Mall was built with 1.1 million square feet of space (including the anchor stores).

The mall's customer base began to weaken soon after completion due to competition from newer retail space built nearby. In 2001, new owners renamed the mall Southwest Center Mall after investing in revitalizing improvements, primarily a food court. Nevertheless, over the past several years, as more competition has occurred with newer nearby retail centers, decline has quickened.

Montgomery Ward went bankrupt and liquidated in 2001. Its anchor building is currently occupied by Burlington Coat Factory. JC Penney also vacated its anchor building in 2001 and left for nearby Cedar Hill. JC Penney's anchor building was demolished in 2012. Dillard's (originally Titcher's and then Joske's) vacated its anchor building in 2006 and left for the same nearby location. The Dillard's anchor building remains vacant today. In 2006, Macy's replaced Foley's (originally Sanger-Harris) when the May Company was acquired by Federated Department Store. The three current anchors—Macy's, Sears, and Burlington Coat Factory—are operating but have been impacted by the turnover at the mall. The in-line portion of the mall has changed ownership several times in recent decades because of bankruptcies and foreclosures. Over half the floor space is vacant, consumer traffic is low, and the configuration is obsolete.

In 2009, the City of Dallas sponsored a five-day visit by a group of nine real estate development experts with the Urban Land Institute (ULI). Known as a ULI Advisory Services Panel ("Panel"), the group's assignment was to formulate a plan to revitalize the Southwest Center Mall by exploring alternative uses for the anchor stores, studying the feasibility of mixed uses, and considering the desirability of civic and public uses to contribute to a sense of place at the Southwest Center Mall area. The Panel also considered strategies for public investment through public/private partnerships to address the challenging economic and infrastructure needs. The Panel was also charged with formulating implementation strategies for achieving its recommendations.

Exhibit B

The Panel's visit resulted in a published report. The report highlighted the following observations and findings with the Southwest Center Mall: (1) market too weak to solely support private investment in revitalization without public investment, (2) fragmented property ownership and lack of interdependent cooperation, (3) lack of a consensus vision/plan for how to revitalize the area, (4) poor site access from the freeway, (5) strong community support for revitalization, and (6) community concerns about the City's commitment to help with revitalization.

In the report, the Panel made the following comments and recommendations: (1) the area has strong potential for walkable mixed use redevelopment with residential, retail, office, entertainment, and community uses, (2) the City should initiate an Area Plan process with the community, resulting in a consensus vision and leading to area-wide rezoning and thoroughfare plan amendments consistent with the vision, (3) the City should coordinate with TxDOT to improve freeway access, (4) the City should establish a tax increment financing district for the area to help close funding gaps and push forward projects that might not otherwise succeed, (5) the City should play an active role in land assembly and developer recruitment, and (6) the City should assist with public infrastructure improvements in the area (network of new internal streets, new streetscape on existing perimeter streets, new central open space, etc.).

The panel emphasized that a successful plan for the redevelopment of the site needs to be flexible and allow the program of uses to evolve as redevelopment occurs over time. As such, the panel offered an initial redevelopment concept for a new town center "village" organized around a new central open space/plaza and anchored by a new open-air retail street tied directly into the existing eastern end of the mall. The redevelopment concept assumes demolition of both levels of the west end of the mall (from the center court through the former Dillard's space, with the new open-air retail street (a collection of two-story mixed use buildings) tying directly into the upper level of the in-line mall at the line of demolition. This initial phase would allow successful existing tenants and new tenants to consolidate in the eastern end of the mall. The redevelopment concept also includes the renovation and retention of the three existing anchor stores (Macy's, Sears, and Burlington Coat Factory). Additionally, the Panel believed that a grocery store, a multi-screen movie theater, offices, multi-family housing (for rent), senior housing (for rent or for sale), townhomes, and a hotel could be market feasible if developed within the framework of the new town center village. The town center village concept is depicted in Exhibit F below and serves as the basis for the anticipated development shown in Exhibit P-2.

Exhibit F

Southwest Center Mall Area Redevelopment Concept (2009 ULI Advisory Services Panel)



Existing Conditions

Most of the proposed Sub-District is characterized by a wide variety of commercial property types ranging in age from thirty to forty years. Many of these properties are economically or physically obsolete. In its present condition, the area exhibits deteriorated structures, an inadequate sidewalk and street layout, large tracts of vacant land, faulty lot layouts, unsanitary or unsafe conditions, and deteriorated site improvements. These conditions substantially arrest or impair the sound growth of the City and property within the proposed Sub-District. No property in the proposed Sub-District is currently being used for residential use with fewer than five living units. Photos of property in the proposed Sub-District show deteriorated public infrastructure and building stock (see Exhibit G). Many of the commercial structures in the Sub-District were developed in the 1970s. Many streets and utilities are now over forty years old and require significant improvements.

Exhibit B

Existing Zoning and Existing Land Uses

See Exhibit H for a map of existing zoning in the Sub-District and Exhibit I for a map of existing land uses in the Sub-District.

The proposed Sub-District is being considered for designation by the City of Dallas, pursuant to Section 311.005, Texas Tax Code, because the City finds that the Westmoreland-IH 20 area substantially impairs the sound growth of Dallas, retards the provision of housing accommodations, constitutes an economic and social liability, and is a menace to the public welfare due to a substantial number of substandard, deteriorating, and deteriorated structures and infrastructure as well as a severe lack of parks and open spaces. The project plan for the proposed Sub-District will encourage new private redevelopment that is not likely to occur solely through private investment, thereby offering employment and quality living for the people of Dallas for years to come.

Exhibit G Existing Conditions Images Westmoreland-IH 20 Sub-District



Exhibit H Existing Zoning Westmoreland-IH 20 Sub-District

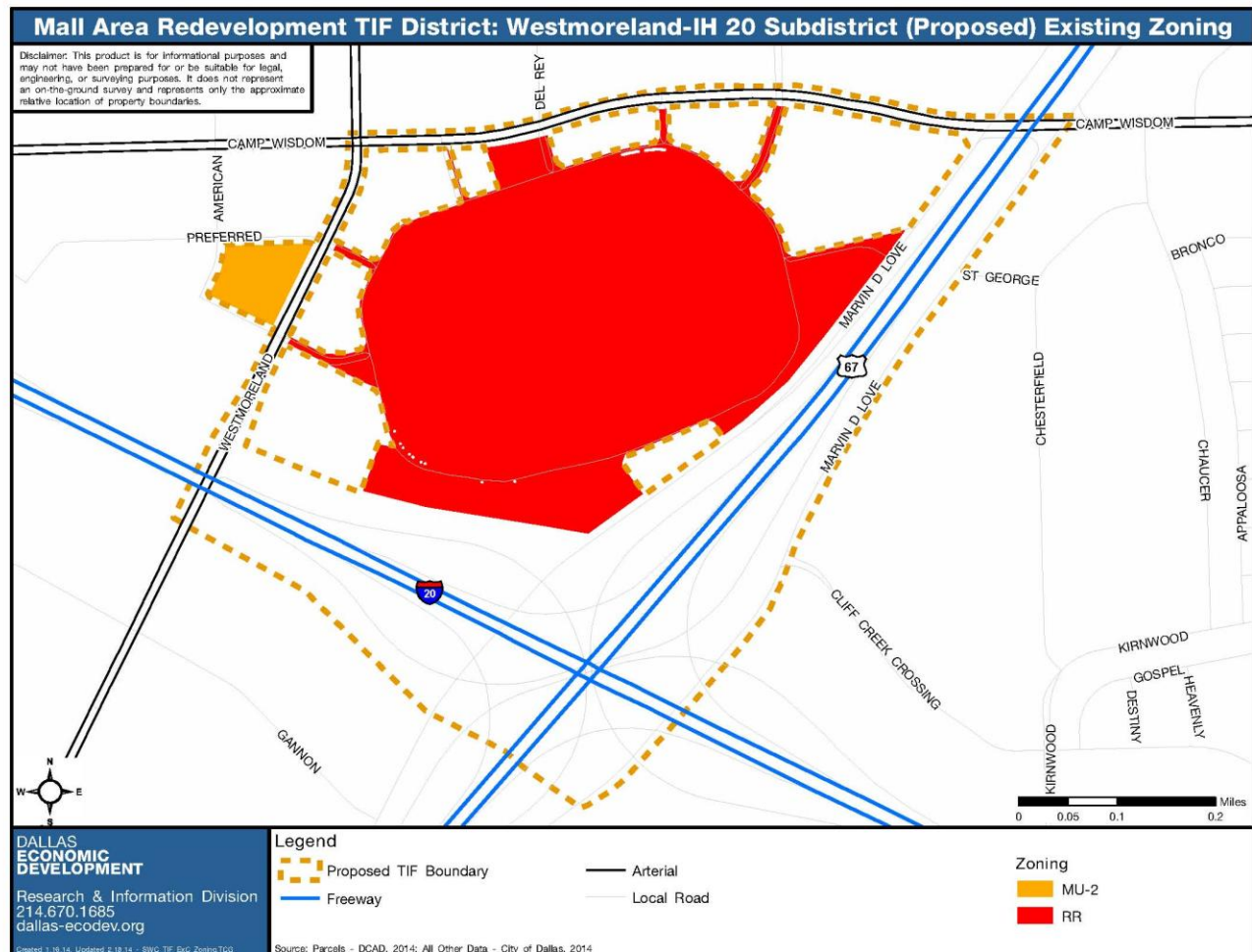
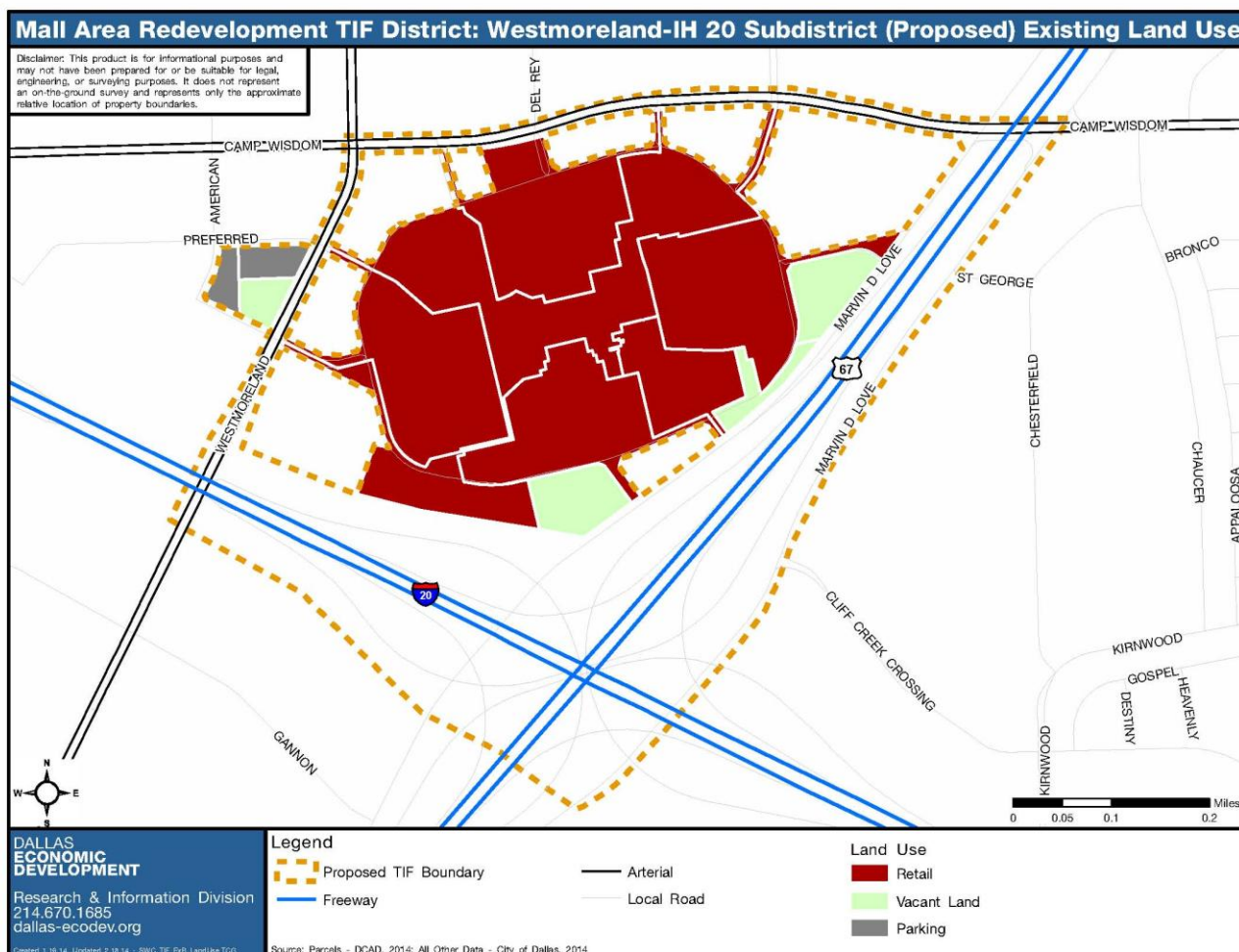


Exhibit I Existing Land Use Westmoreland-IH 20 Sub-District



Description of the Westmoreland-IH 20 Sub-District

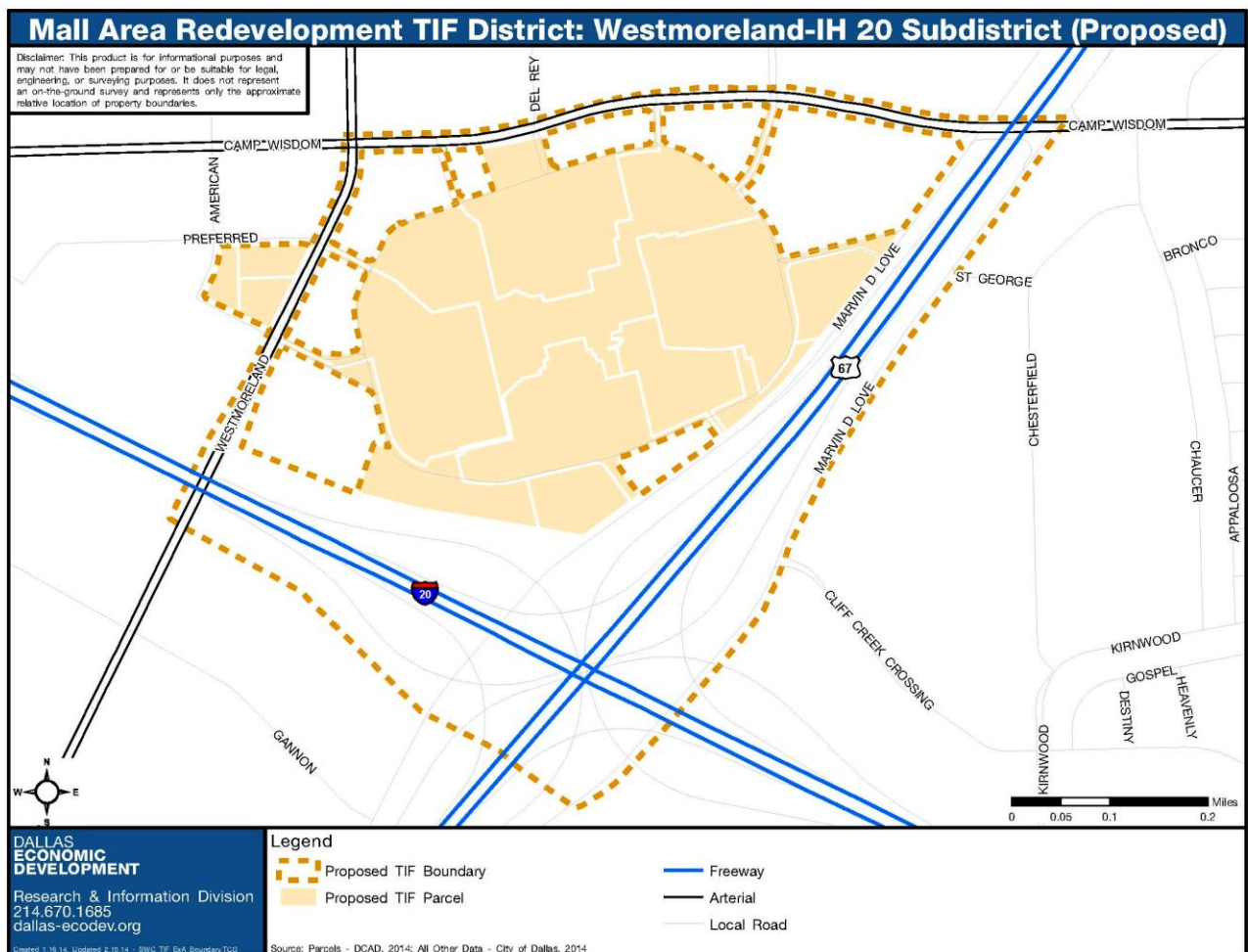
As depicted in Exhibit J, the proposed Westmoreland-IH 20 Sub-District is generally bounded by Westmoreland Road, Camp Wisdom Road, Marvin D. Love Freeway (Highway 67), and LBJ Freeway (Interstate Highway 20). Boundaries that follow public streets and highways shall be construed to extend to the far sides of such rights-of-way. Boundaries that approximate property lines shall be construed as following such property lines. The Sub-District encompasses approximately 96.6 acres, not including rights-of-way. Taxable land for 2014 is expected to be 96.6 acres.

Exhibit B

In order to optimize the reliability of the TIF increment projections as well as the TIF project needs, the Sub-District boundary has been drawn at its inception to include only the most underutilized and vacant parcels in the area. Over time, other parcels in the immediate area may emerge and ripen for redevelopment.

Based on the 2013 certified tax roll from DCAD, the total appraised value of taxable real property (12 parcels) in the Westmoreland-IH 20 Sub-District is estimated to be \$19.6 million.

Exhibit J Westmoreland-IH 20 Sub-District Map



General Considerations

Per Chapter 311 of the Texas Tax Code, a city with a population of 100,000 or more may not designate a tax increment reinvestment zone if the total appraised value of taxable real property in the proposed zone and in existing reinvestment zones exceeds 25% of the total appraised value of taxable real property in the city. Based on the 2013

Exhibit B

certified tax roll from DCAD, the total appraised value of the proposed zone and other existing reinvestment zones is approximately 10% of the total appraised value of taxable real property in the City of Dallas.

Per the City of Dallas Financial Management Performance Criteria (“FMPC”), no reinvestment zone can be created if the total real property tax base of all active tax increment reinvestment zones plus the total real property and business personal property tax base of all tax abatement reinvestment zones exceeds 10% of the total tax base (all real and business personal property) of the City. Based on the 2013 certified tax roll from DCAD, the total real property tax base of all active tax increment reinvestment zones plus the total real property and business personal property tax base of all tax abatement reinvestment zones is approximately 8.87% of the total tax base (all real and business personal property) of the City.

All real property accounts known to be within the District boundary, based on DCAD’s 2013 certified tax roll, are listed in Appendix A. The base value of the District is the total appraised value of all taxable real property in the zone, as determined by DCAD. Note: The base value of the District will be adjusted to reflect the 2014 certified tax roll when it becomes available from DCAD in August 2014. The base value of the District may also be adjusted in the future to reflect property tax protests, tax roll corrections, and litigation that affect the 2014 valuation of properties within the District. Inclusion of property in the District does not change tax rates for any property in the District. Tax rates remain the same as tax rates outside the District, given a constant set of taxing jurisdictions.

The proposed duration of the Mall Area Redevelopment TIF District is 30 years. The District’s base year is 2014. Year 1 of the District is scheduled to begin on January 1, 2015, and the District is scheduled to terminate December 31, 2044 (including collection of the 2044 increment in calendar year 2045 and any related matters to be concluded in 2045). TIF collections will terminate once the TIF budget has been collected or December 31, 2044, whichever occurs first.

The City’s participation is proposed to be 0% in 2015; 90% from 2016 through 2042; 75% in 2043; and 55% in 2044. The County’s participation is anticipated to be 0% for the first five years and then at least 55% for 20 years (2020 through 2039) or until the District is terminated.

TIF funds will be disbursed annually, subject to the availability of funds, and according to development agreements or securities obligations approved by the City Council. All such agreements and obligations must be consistent with the Final Project Plan and Reinvestment Zone Financing Plan approved by the TIF Board of Directors and the City Council, as prescribed by the Tax Increment Financing Act promulgated in Chapter 311 of the Texas Tax Code.

All payments to the TIF fund will terminate upon the occurrence of any of the following events:

Exhibit B

1. The TIF budget of approximately \$432.5 million (net present value of approximately \$182.9 million in 2014 dollars) has been collected, or December 31, 2044 (including collection of the 2044 increment in calendar year 2045 and any related matters to be concluded in 2045), whichever occurs first.
2. All financial obligations of the TIF fund have been satisfied and the City Council has dissolved the District.
3. The TIF fund has no financial obligations within three years of City Council adoption of the Final Project Plan and Reinvestment Zone Financing Plan, and the City Council has dissolved the District.
4. Private investment of at least \$100 million has not occurred within five years of the adoption of the Final Project Plan and Reinvestment Zone Financing Plan, and the City Council has dissolved the District.

The TIF fund may pay for TIF-eligible expenditures within the District and other expenses permitted by law, including financing costs of the public improvements and administrative costs for the TIF program. Dollars from the TIF fund may pay or reimburse a developer, a developer's assignees, or another entity for legally eligible expenditures duly approved by the City. In general, TIF funds may be applied to expenditures listed in the Final Project Plan and Reinvestment zone Financing Plan as costs of public works, public improvements, programs, or other projects benefitting the zone, plus other costs incidental to those expenditures and obligations.

Development Goals and Objectives

The following development goals address the specific needs of the proposed District:

- Goal 1: To create additional taxable value attributed to new private investment in projects in the Montfort-IH 635 Sub-District totaling approximately \$3.9 billion in total dollars over the 30-year life of the Sub-District.
- Goal 2: To create additional taxable value attributed to new private investment in projects in the Westmoreland-IH 20 Sub-District totaling approximately \$295 million in total dollars over the 30-year life of the Sub-District.
- Goal 3: To attract new higher density private development in the Montfort-IH 635 Sub-District totaling approximately 707,870 square feet of new retail space; 72,991 square feet of renovated movie theater; 3,987,022 square feet of new office space; 957 new hotel rooms; and 7,674 new residential units (including apartments and condominiums).
- Goal 4: To attract new higher density private development in the Westmoreland-IH 20 Sub-District totaling approximately 140,000 square feet of new retail space; 45,000 square feet of movie theater; 70,000 square feet of new office space; 80 new hotel rooms; and 1,620 new residential units (including apartments and townhomes).

Exhibit B

- Goal 5: To encourage the sustainable redevelopment of properties including and around two severely declining shopping malls in a manner in which negative fiscal impacts for the remainder of the City are limited and a walkable development pattern is achieved that is a net benefit to the City from a fiscal, land use, and quality of life standpoint.
- Goal 6: To increase public open space in the District.
- Goal 7: To generate approximately \$432.5 million (net present value of approximately \$182.9 million in 2014 dollars) in TIF fund revenues over the 30-year life of the District.

The following specific objectives set the framework for the planned public improvements within the District:

- Provide funding for the acquisition of land for a central community park (referred to in the adopted Area Plan as “Midtown Commons”) to provide open space, recreational opportunities, and cultural amenities to the Montfort-IH 635 Sub-District while also increasing land values and attracting new residential and office development.
- Direct the Montfort-IH 635 Sub-District’s overall development through the application of design guidelines for public improvements and private development consistent with the regulations set forth in PD 887, as amended.
- Provide funding to build a street and circulation network in the Montfort-IH 635 Sub-District to enhance traffic flow, reduce congestion, provide greater accessibility, and disaggregate the existing super-blocks into a more pedestrian-scaled environment that can redevelop incrementally.
- Improve existing and construct new infrastructure (on-site and off-site) for the District, including roadways, storm water drainage, water distribution/wastewater collection lines, burial of overhead utilities, and unified wayfinding to support redevelopment.
- Improve the pedestrian environment in the District through sidewalk, landscaping, lighting and other related streetscape features.
- Provide funding for an economic development grant program for the District.
- Encourage mixed income housing in and near the District.

Market Feasibility and Planned Development

The predominant land use development pattern in the planned 30-year Mall Area Redevelopment TIF District development program is higher density, walkable, mixed-use development, including a range of housing types, office development, retail

Exhibit B

development, and hotel development. Within five years of the initiation of the District, it is anticipated that development will occur, including approximately 1,106 residential units, 133,350 square feet of retail space, 72,991 square feet of renovated movie theater, and 242,000 square feet of office.

Over the 30-year life of the District, the planned private development program includes:

- up to 9,294 new residential units
- up to 847,870 square feet of new retail space
- up to 72,991 square feet of renovated movie theater space
- up to 45,000 square feet of new movie theater space
- up to 4,057,022 square feet of new office space
- up to 1,037 new hotel rooms

Market analysis suggests that these developments are feasible but would likely not occur or occur to the same extent without the creation and implementation of this District to assist in the funding of project plan improvements in the District.

Exhibit K-1 depicts a conceptual redevelopment plan (as provided by Diversion Capital) for the former Showcase Chevrolet Dealership site, and Exhibit K-2 depicts a conceptual redevelopment plan (as provided by Beck Ventures) for a significant portion of the Valley View Center Mall area in the Montfort-IH 635 Sub-District.

Exhibit K-1 Conceptual Redevelopment Plan (by Diversion Capital)



**Exhibit K-2
Conceptual Redevelopment Plan
(by Beck Ventures)**



TIF District Policy Considerations

City policy for creation of new TIF districts requires that newly created TIF district plans include public objectives, such as a provision for mixed income housing, development of design guidelines that promote the high quality design of structures and infrastructure within the TIF district, utilization of minority- and women-owned businesses in new construction, promotion of jobs for neighborhood residents, and resolution of issues related to the relocation of area residents displaced by new development. These issues are addressed specifically below.

Mixed Income Housing Guidelines. Successful redevelopment efforts support a variety of housing options. Accordingly, twenty percent (20%) of all housing units in projects using direct site-specific TIF funding assistance will be subject to the City's and County's established criteria for mixed income housing. For housing units in projects that do not receive a direct allocation of TIF funding assistance under a TIF development agreement but may indirectly benefit from off-site or Sub-District-wide open space or infrastructure funded by the District, mixed income housing requirements will not apply. Affordable housing units are those which are affordable to a household earning 80% or less of the median family income for the Dallas metropolitan area. Affordable rental rates will be adjusted annually according to the affordable housing schedule produced annually by the City's Housing Department (pursuant to the U.S. Department of Housing and Urban Development). Within two years after designation of the District, the District's Board of Directors will develop a set of mixed income housing guidelines outlining details for the provision of mixed income housing for the District.

A developer may propose alternative methods of meeting the requirements. All proposed alternative methods will be considered on a case-by-case basis and must be approved by both the City and Dallas County. One alternative may be for a developer to propose to provide equivalent affordable housing units within a one (1) mile area outside of the District boundary. Another alternative may be for a developer to propose to provide more than 20% affordable housing units in a project within the District, with the surplus units being counted toward the satisfaction of the 20% requirement on a related project(s) within the District.

New affordable housing within the District may also include senior or tax-credit-financed housing units. Additionally, if an existing tax-credit-financed housing development is demolished and replaced with a new tax-credit-financed housing development (on the same site), the replacement housing units may be considered "new" affordable housing units. In the event that a new tax-credit-financed housing development provides more than 20% affordable housing units in a project, the surplus units may be counted toward the satisfaction of the 20% requirement on an unrelated project(s) within the District. Affordable housing units should not be concentrated and should be dispersed throughout the community.

Urban Design Guidelines. High quality urban design is an objective for the Mall Area Redevelopment TIF District. Design guidelines for new development in the District will be reviewed by the TIF Board of Directors within two years after designation of the District. Development projects using direct site-specific TIF funding assistance will be

Exhibit B

required to comply with the approved guidelines. The City's Peer Review Panel, supported by the Dallas CityDesign Studio, will oversee this process. The expectation is that TIF-funded projects set a standard for future development in the City of Dallas.

The design guidelines for the Montfort-IH 635 Sub-District will, at a minimum, reflect the form-based zoning standards adopted in June 2013 as PD 887 (Valley View-Galleria Area Special Purpose District). PD 887 governs nearly all of the parcels in the Montfort-IH 635 Sub-District.

Business Inclusion and Development (BID) Plan. All TIF-funded projects will follow the City's adopted Business Inclusion and Development Plan. This policy outlines goals for certified Minority- and Women-Owned Business (M/WBE) participation in publicly funded infrastructure projects. The BID Plan goal is 25% for construction of public improvements. The goal for private improvements is negotiated in the development agreement. The process for BID compliance and City oversight will be negotiated with City staff and included in the development agreement for each individual project.

Promotion of Jobs for Neighborhood Residents. TIF applicants must agree to sponsor job fairs or other programs to attract neighborhood residents to any permanent jobs created in the developments within the District.

Existing Resident Displacement. Chapter 311 of the Texas Tax Code requires that displacement of existing residents be minimized. No persons are currently expected to be displaced by redevelopment activity within the Mall Area Redevelopment TIF District. Therefore, relocation policies are inapplicable to this District.

Section 2: Project Plan Improvements

The enumerated Project Plan Improvements include approximately \$432.5 million (net present value of \$182.9 million in 2014 dollars) for the categories listed below. See Exhibit O in Section 3 for the budget of the proposed TIF-funded Project Plan Improvements (“Project Costs”).

Eligible TIF Project Costs for the entire Mall Area Redevelopment TIF District

Administration and Implementation: Administration costs, including reasonable charges for time spent by the municipality’s employees and funding for special studies conducted on behalf of the City of Dallas to assist with implementation within the District, will be eligible for reimbursement as project costs, upon approval by the District’s Board of Directors and in connection with the implementation of the Final Project Plan and Reinvestment Zone Financing Plan. Other TIF-related administrative expenses such as the City’s legal and consulting fees (including but not limited to bond counsel and financial advisor fees), management expenses, meeting expenditures, and equipment are included in this category, including some expenses, such as design and engineering costs for preparing plans for the District, incurred by a property owner or developer in connection with the creation of the TIF. Specifically included in this budget category is the cost to reimburse the City for the funding of the 2012-2013 Valley View-Galleria Area Planning Study. It is estimated that approximately **\$7.68 million (net present value of \$3.25 million in 2014 dollars)** in District funds will be provided for administration and implementation costs within the District.

Eligible TIF Project Costs for the Montfort-IH 635 Sub-District

Infrastructure Improvements: As illustrated in the City’s adopted Streets Plan for the area in Exhibit L, infrastructure improvements are needed to establish an integrated street network to break down the existing super-blocks and create pedestrian-scale parcels for redevelopment. This category includes, but is not limited to, TIF-eligible expenditures for design, engineering, and construction of infrastructure and utility improvements; water and wastewater infrastructure improvements; roadway paving improvements; intersection improvements (including signalization improvements); improvements for medians and parkways; and storm water drainage and management. Utility improvements also include, but are not limited to, the relocation/burial and eligible upgrade of electric, gas, cable television, and telephone/telecommunication infrastructure throughout the District. This category also includes design, engineering, and construction of streetscape improvements, including lighting, sidewalk, bike/pedestrian trail and path improvements; street furnishings; landscaping and irrigation of areas of public access and assembly; wayfinding and signage to improve pedestrian and vehicular circulation and continuity in the District; and other streetscape features related to specific projects.

Exhibit B

It is estimated that approximately **\$161.5 million (net present value of \$68.3 million in 2014 dollars)** in District funds will be provided for the costs of the following infrastructure improvements in the Montfort-IH 635 Sub-District:

- \$35 million (net present value of \$14.8 million in 2014 dollars) in costs for the design and construction of improvements to existing roads (Montfort Drive; Noel Road; Peterson Lane; James Temple Drive) within the Montfort-IH 635 Sub-District as required by the Thoroughfare Plan. The estimated costs include associated grading, paving, and landscape/streetscape. Right-of-way is to be dedicated to the City as platting occurs with redevelopment.
- \$68.5 million (net present value of \$29 million in 2014 dollars) in costs for the design and construction of new roads within the Montfort-IH 635 Sub-District as required by the Thoroughfare Plan and shown on Exhibit L. The estimated costs include associated grading, paving, storm drainage system, intersections, water, wastewater, landscape/streetscape, and gas/power/telecommunications utilities. Right-of-way is to be dedicated to the City as platting occurs with redevelopment.
- \$44.9 million (net present value of \$19 million in 2014 dollars) in costs for the design and construction of new minor streets within the Montfort-IH 635 Sub-District as required by the zoning regulations of PD 887 and shown on Exhibit L. The estimated costs include associated grading, paving, storm drainage system, intersections, water, wastewater, landscape/streetscape, and gas/power/telecommunications utilities. Right-of-way is to be dedicated to the City as platting occurs with redevelopment.
- \$9.5 million (net present value of \$4 million in 2014 dollars) in costs for the design, relocation/burial, and eligible upgrade of existing off-site electric, gas, and telecommunications infrastructure.
- \$1.2 million (net present value of \$0.5 million in 2014 dollars) in costs for the design and replacement/upsizing of existing off-site wastewater lines connecting private parcels to the sewershed #1 discharge point located immediately north of LBJ Freeway along the westbound frontage road just east of Noel Road.
- \$2.4 million (net present value of \$1 million in 2014 dollars) in costs for the design, fabrication, and installation of unified wayfinding to improve pedestrian and vehicular circulation and continuity within the Montfort-IH 635 Sub-District.

TIF funding assistance for infrastructure improvements will be critical to making projects feasible in the Montfort-IH 635 Sub-District. Without an integrated network of new streets (and associated utilities) to disaggregate the existing super-blocks and without the replacement and upsizing of existing off-site wastewater

infrastructure, redevelopment potential of the area is limited. It is also acknowledged that other sources of funding (e.g. grants from other governmental entities; City general obligation bonds) will be considered to supplement TIF funding and/or to help advance the delivery of particular infrastructure improvements.

Grants for Economic Development: State law allows the City to make economic development grants or loans for the public purposes of developing and diversifying the economy and to further implement the Final Project Plan and Reinvestment Zone Financing Plan. Projects receiving such grants or loans: (1) must demonstrate that the development is not financially feasible but for the grant; (2) must be consistent with the goals and objectives of the Final Project Plan and Reinvestment Zone Financing Plan; and (3) are subject to specific project agreements and City Council approval. A grant program for the Montfort-IH 635 Sub-District will be reviewed by the TIF Board of Directors within two years after designation of the District. Development projects requesting economic development grant funds will be required to comply with the approved program.

It is anticipated that a grant program for the Montfort-IH 635 Sub-District will serve as a flexible tool with which to help close funding gaps and push forward projects that might not otherwise succeed. As such, it is anticipated that TIF grant funding may be used to: (1) offset the cost incurred by a private developer for complying with the mixed income housing requirements of the District, (2) offset the financial cost (i.e. interest) incurred by a private developer for providing significant advance funding for a large scale public infrastructure improvement or open space acquisition that benefits multiple parcels in the Montfort-IH 635 Sub-District by making them ready to support new vertical development consistent with the adopted Area Plan, and (3) offset the cost incurred by a private developer for environmental remediation and demolition of an existing structure when in conjunction with the vertical construction of a new structure to replace it.

Approximately **\$118.1 million (net present value of \$50 million in 2014 dollars)** in District funds will be provided to facilitate economic development grants in the Montfort-IH 635 Sub-District.

Set Aside for Land Acquisition for Sub-District-Wide Central Open Space: The long-term success of the Sub-District as a dense, walkable, livable, and sustainable place will depend on a redevelopment pattern organized around a carefully considered urban form anchored by a large centrally located Sub-District-wide public open space (see the City's adopted Open Space Plan in Exhibit M). The central open space feature will be the critical key to creating higher density urban development while also supporting a high quality of life for Sub-District residents, employees, shoppers, and other visitors. Envisioned to serve not only the Sub-District but also the broader community, the central open space feature will range in size from 10-20 acres (ideal size is 15-18 acres). It should be noted that the graphical depiction of the central open space in Exhibit M is conceptual and that the actual size, location, and configuration is subject to change over time as redevelopment occurs and as land is acquired.

Per the adopted Area Plan, considerations for the design of the central open space feature should include the following: street trees and sidewalks along all edges; some large open spaces for passive recreation and events; possible pavilion/concert stage and lawn for special events; environmentally responsible landscape development and potential education opportunities on water recycling and collection from surrounding properties including detention; integrated storm water management elements; Americans with Disabilities Act (ADA) compliance; dog park facilities; playgrounds for children and adults; restaurant or food service venues; a parking strategy for special events including on-street parking; naturalized vegetation in some areas; and a pedestrian bridge across Montfort Drive to facilitate east-west connectivity (if necessary).

It is acknowledged that many desired expenditures associated with the central open space feature are likely beyond the capacity of TIF funding. Nevertheless, TIF funding assistance for land acquisition for the central open space will be critical to making projects feasible in the Montfort-IH 635 Sub-District. Without a large public open space, redevelopment potential of the area is limited. It is estimated that approximately **\$70.9 million (net present value of \$30 million in 2014 dollars)** in District funds will be provided specifically to help cover costs associated with the assembly and acquisition of land for the central open space feature. Although the central open space will ultimately be owned by the City, it is anticipated that other sources of funding (e.g. the additional open space requirement of PD 887; grants from other governmental entities; City general obligation bonds; a public improvement district; private philanthropic contributions) will also be explored to help fund expenditures associated with the acquisition, design, construction, maintenance, operations, and programming of the central open space.

Set Aside for Sub-District-Wide Off-Site Wastewater System Improvement:

Sewershed #1 encompasses most of the Montfort-IH 635 Sub-District, and the discharge point for sewershed #1 is located immediately north of LBJ Freeway along the westbound frontage road just east of Noel Road. In order to provide adequate wastewater capacity for and minimize the disruption of the anticipated redevelopment of the Montfort-IH 635 Sub-District, it will be necessary within the first 2-3 years of the District to replace/upsized the existing off-site wastewater line immediately downstream of sewershed #1 (i.e. from the discharge point southward to a connection point located generally east of the Dallas North Tollway at Harvest Hill Road). Approximately \$5.9 million (net present value of \$2.5 million in 2014 dollars) in District funds will be provided for the costs associated with the design and construction of this replacement line. The estimated costs include the potential acquisition of right-of-way and/or easements that may be needed to accommodate the alignment of this replacement line.

TIF funding assistance for this Sub-District-wide off-site wastewater system improvement will be critical to realizing the anticipated redevelopment in the Montfort-IH 635 Sub-District. Without the replacement and upsizing of this existing off-site wastewater line as required by Dallas Water Utilities, redevelopment

potential of the area is severely limited. It is also acknowledged that other sources of funding (e.g. City revenue bonds) will be considered to help advance the delivery of this Sub-District-wide off-site wastewater system improvement.

Exhibit L
Streets Plan
Montfort-IH 635 Sub-District

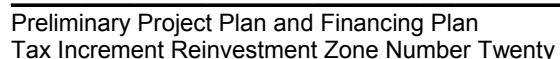
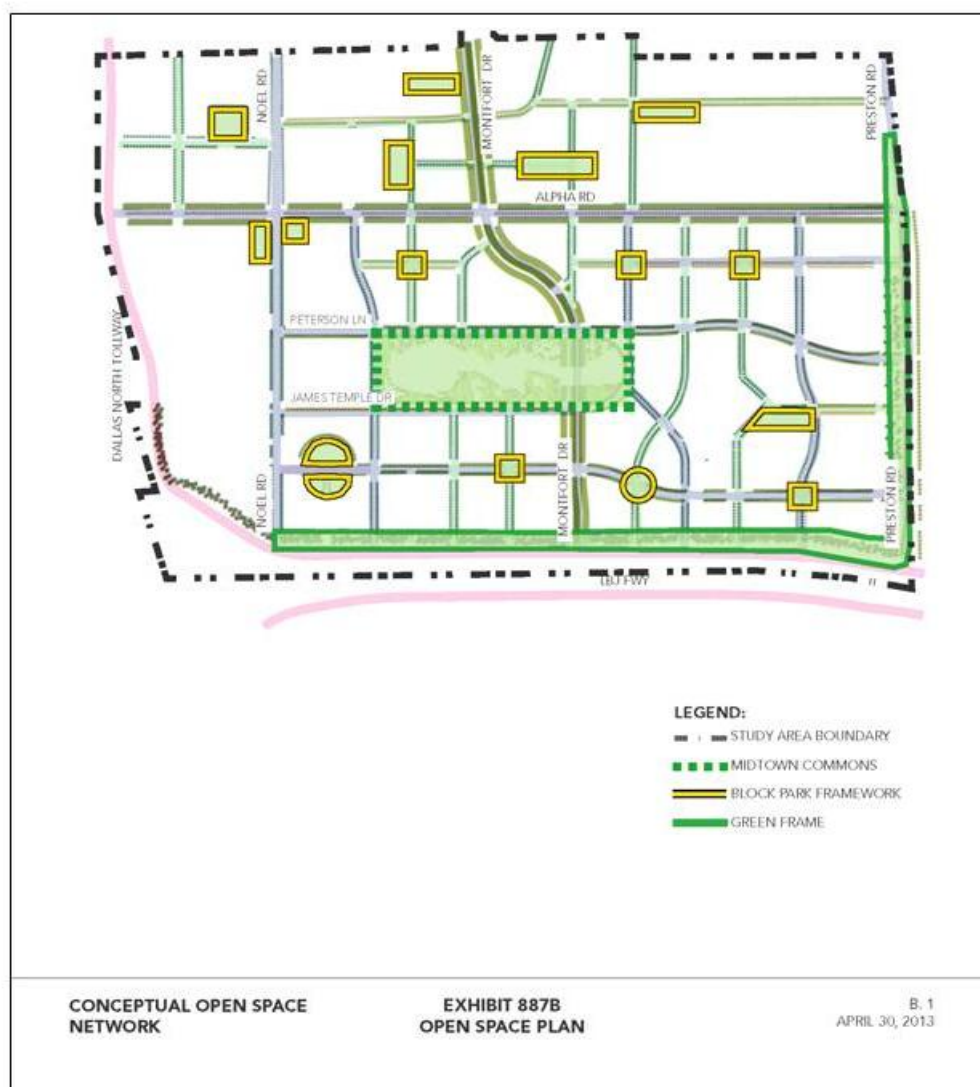


Exhibit M

Open Space Plan

Montfort-IH 635 Sub-District



Eligible TIF Project Costs for the Westmoreland-IH 20 Sub-District

Grants for Economic Development: State law allows the City to make economic development grants or loans for the public purposes of developing and diversifying the economy and to further implement the Final Project Plan and Reinvestment Zone Financing Plan. Projects receiving such grants or loans: (1) must demonstrate that the development is not financially feasible but for the grant; (2) must be consistent with the goals and objectives of the Final Project Plan and Reinvestment Zone Financing Plan; and (3) are subject to specific project agreements and City Council approval. A grant program for the Westmoreland-IH 20 Sub-District will be reviewed by the TIF Board of Directors within two years after designation of the

Exhibit B

District. Development projects requesting economic development grant funds will be required to comply with the approved program.

It is anticipated that a grant program for the Westmoreland-IH 20 Sub-District will serve as a flexible tool with which to jumpstart initial development activity, help to close funding gaps, and push forward catalyst projects that might not otherwise succeed. As such, it is anticipated that TIF grant funding may be used to: (1) offset costs related to the renovation of existing Southwest Center Mall buildings (in-line and/or anchor stores), (2) offset costs related to the retention of existing Southwest Center Mall anchor retailers, (3) offset costs related to the strategic assembly of real property, (4) offset costs related to the active recruitment of potential developers, (5) offset costs related to critical public infrastructure improvements (e.g. public open space; streetscape improvements on existing streets; new streets to break down the existing super blocks into pedestrian-scale developable parcels; unified wayfinding), (6) offset costs related to site access improvements from adjacent freeways, and (7) offset costs related to the creation of additional planning and implementation tools (e.g. Area Plan process; special studies; zoning amendments; Thoroughfare Plan amendments) to further position the Westmoreland-IH 20 Sub-District for redevelopment. Over time, as additional implementation tools are created and as the redevelopment plan for the Southwest Center Mall area comes more into focus, it is anticipated that the Final Project Plan and Reinvestment Zone Financing Plan will be refined and adjusted accordingly.

Approximately **\$68.3 million (net present value of \$28.8 million in 2014 dollars)** in District funds will be provided to facilitate economic development grants in the Westmoreland-IH 20 Sub-District. District funds will come from: (1) the 10% of tax increment set aside annually from the Montfort-IH 635 Sub-District, and (2) the tax increment generated by the Westmoreland-IH 20 Sub-District. It is acknowledged that some desired expenditures of the Westmoreland-IH 20 Sub-District are likely beyond the capacity of TIF funding. Nevertheless, TIF funding assistance will be critical to attracting viable private development partners and making catalyst development projects feasible in the Westmoreland-IH 20 Sub-District. It is also anticipated that the momentum made possible by TIF funding will leverage funds from other public sources (e.g. City bonds, other governmental entities).

Section 3: Financing Plan

TIF Financing Overview

Tax increment financing (“TIF”) is a tool local governments of Texas have used since 1986 to finance public improvements within defined areas that have unique challenges and opportunities for economic development. Public improvements strengthen existing communities and attract investment. The Tax Increment Financing Act is found in Chapter 311 of the Texas Tax Code (the “Act”).

The governing body of a municipality may designate an area as a reinvestment zone if the City Council finds that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future. The additional tax dollars generated by growth of real property value flow to a “tax increment financing fund” (“TIF fund”) for a specified term of years. Money flowing to the TIF fund each year is then disbursed according to the Final Project Plan and Reinvestment Zone Financing Plan approved by the TIF board and the City Council, as prescribed by the Act and the ordinance designating the reinvestment zone. The TIF fund may be used to make grants in furtherance of the development for the District and for public improvements within the reinvestment zone. With the exception of environmental remediation and demolition, historic façade restoration, and funding for a TIF grant/loan program, TIF funds may only be used for public improvements. In general, TIF funds may be applied only to expenditures inside the TIF district boundaries, but the Act allows TIF funds to be applied to expenditures outside of the TIF district for a few specified purposes, including places of public assembly, affordable housing, and public infrastructure.

The exhibit below shows how taxes from real properties in the proposed zone would flow to the participating taxing jurisdictions (City and County) and to the TIF fund, based on the assumptions and projections in this Preliminary Project Plan and Reinvestment Zone Financing Plan.

Exhibit N Real Property Tax Flow with Tax Increment Financing

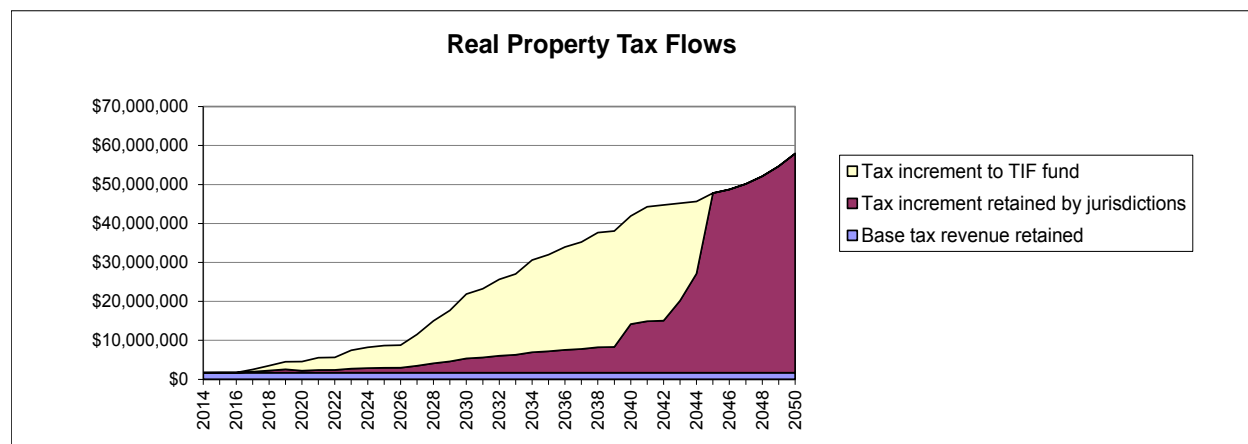


Exhibit B

Inclusion of property in a TIF zone does not change tax rates for the property. Tax rates in a TIF zone are the same as tax rates outside the zone and within the same set of taxing jurisdictions.

Once the public improvements are completed and paid for, the TIF zone is dissolved and the full amount of the taxes collected in the area is retained by the taxing jurisdictions. In effect, the taxing jurisdictions are “investing” future earnings to receive the benefit of higher tax revenues from new development. Additionally, taxing jurisdictions are not restricted from raising their tax rates during the life of the zone.

Project Budget. The Reinvestment Zone Financing Plan provides for incremental financing and projects revenues for the Mall Area Redevelopment TIF District.

Exhibit O

TIF District Project Plan Improvements Budget

<i>Project costs are public improvements and grants paid or reimbursed by TIF.</i>		
<i>Upon approval of the Final Project Plan and Reinvestment Zone Financing Plan, any subsequent changes to the budget will be subject to approval by the TIF board and City Council (pursuant to Section 311.011(e) of the Act).</i>		
(a)	(b)	(c)
Category	Estimated TIF Expenditure (NPV-2014 dollars)*	Estimated TIF Expenditure (Total)**
Montfort-IH 635 Sub-District		
Infrastructure Improvements	\$68,304,842	\$161,458,670
Grants for Economic Development	\$49,990,321	\$118,166,889
Set Aside to Acquire Land for Sub-District-Wide Public Open Space***	\$30,000,000	\$70,913,861
Set Aside for Sub-District-Wide Off-Site Wastewater Improvement	\$2,500,000	\$5,909,488
Set Aside to Share with the Westmoreland-IH 20 Sub-District	\$16,755,018	\$39,605,434
Sub-District Total Project Costs	\$167,550,181	\$396,054,342
Westmoreland-IH 20 Sub-District		
Grants for Economic Development	\$12,147,425	\$28,714,028
Sub-District Total Project Costs	\$12,147,425	\$28,714,028
Administration and Implementation****		
	\$3,250,000	\$7,682,335
Total Project Costs	\$182,947,606	\$432,450,706
<p>* All values discounted to 2014 dollars at 4% annually. Actual expenditure values will depend on timing of project cost incurrence.</p> <p>** All values are estimated expenditures based on annual TIF project costs and debt service schedules. These values depend on timing of projects and will fluctuate.</p> <p>*** Includes land acquisition and associated costs; does not include design, construction, maintenance, or operating/programming costs.</p> <p>**** Admin is estimated at \$100,000 per year, plus \$250,000 cost already incurred for the 2012-2013 Valley View-Galleria Area Planning Study.</p>		

Exhibit B

The project's principal costs in Exhibit O are expressed in column b as if paid in 2014. Funding for most of these expenditures will not be drawn until subsequent years.

Financing Process. A developer will typically apply for and be authorized by the City Council for TIF improvements, then fund and build the improvements. Upon completion and acceptance of the work by the City, the developer will be reimbursed with TIF funds if and when they are available. TIF payments are made based on available increment and other conditions set forth in project development agreements. Previously, public improvements were publicly bid with developers advancing funds for these improvements and earning applicable interest until the advance was repaid by the future cash flows to the TIF fund, if and when funds were available. However, based on legislative changes in 2005, the City may allow for private competitive bidding of TIF public improvements. In most cases, interest is no longer applicable with private bidding, but, in rare cases, a grant in lieu of interest may be considered to offset the financial cost incurred by a developer for providing significant advance funding for a large scale public infrastructure improvement that makes multiple parcels ready for vertical development.

Bonds. The City may negotiate with financial institutions to secure bonds or other obligations, or lines of credit, to aid in the funding of projects within the District, using any financial instrument, subject to City Council approval of the note or credit line or issue bonds or other obligations for eligible TIF expenditures. Any use of TIF bonds is subject to provisions of the City's Financial Management Performance Criteria ("FMPC").

Grants. State law allows a TIF district to consider making direct grants to implement a district's Final Project Plan and Reinvestment Zone Financing Plan. As necessary or convenient to implement this Plan, the District's Board of Directors will provide for a program to make economic development loans or grants from TIF funds in an aggregate amount not to exceed the amount of tax increment produced by the City and paid into the tax increment fund for the District. Projects receiving such loans or grants must be consistent with the goals and objectives of the Mall Area Redevelopment TIF District Final Project Plan and Reinvestment Zone Financing Plan and would be subject to City Council approval of the loan or grant program and the specific project agreements.

Grants In Lieu of Interest. Should a grant in lieu of interest be offered to offset the financial cost incurred by a developer for providing significant advance funding for a large scale public infrastructure improvement or open space acquisition that benefits multiple parcels in the Montfort-IH 635 Sub-District by making them ready to support new vertical development consistent with the adopted Area Plan, the grant may be set at a fixed rate equal to the lesser of five percent or the market rate on the date a development agreement is approved by the City Council for a 15-year payout level debt service and a Baa credit rating using the Municipal Market Data scale, as determined by the City with the assistance of its official financial advisor.

Exhibit B

Increment Allocation Policy Considerations. A TIF Increment Allocation Policy (including priorities for reimbursement and a method of apportioning available increment) will be developed by City staff and recommended for adoption by the Mall Area Redevelopment TIF District Board of Directors within 2 years after designation of the District, generally consistent with the following policy considerations:

Reimbursement obligations of the District will be specifically described in each development agreement.

Annually in the Montfort-IH 635 Sub-District, it is anticipated that, after the increment has been deposited into the TIF fund, the TIF fund will pay or set aside the following: (1) the City's expenses for administering the District, (2) the set aside for use in the Westmoreland-IH 20 Sub-District, (3) the set aside for the acquisition of land for the Montfort-IH 635 Sub-District-wide central open space until such time as all land for the central open space has been acquired or the budget has been reached, (4) the set aside for the Montfort-IH 635 Sub-District-wide off-site wastewater system improvement until such time as all of the costs for this improvement have been paid, and (5) all remaining increment for payments to developers approved for TIF funding assistance from the District and eligible for payment in proportion to their individual increments.

Specifically in the Montfort-IH 635 Sub-District, it is anticipated that the annual increment will be used in the following order of priority:

- (a) Administration: The City's administrative expenses for the District will be paid first in each year of the District.
- (b) Set Aside for the Westmoreland-IH 20 Sub-District: Following payment of administrative expenses, 10% of the remaining increment will be set aside for use in the Westmoreland-IH 20 Sub-District.
- (c) Set Aside for Land Acquisition for Sub-District-Wide Central Open Space: Following payment of administrative expenses, not to exceed 35% of the remaining increment will be set aside for land acquisition for the sub-district-wide central open space (until such time as all land for the central open space has been acquired or the budget for this category as shown in Exhibit O has been reached, whichever occurs sooner). The amount of increment annually set aside for the acquisition of land for the sub-district-wide central open space will be reviewed annually by the TIF board based on updated financial projections and needs of the Montfort-IH 635 Sub-District. Additionally, the expenditure of accumulated funds set aside for the acquisition of sub-district-wide central open space will be reviewed by the TIF board as needed. Since the long-term redevelopment potential of the area will be limited without a large central open space and since TIF funding assistance of land acquisition for the large central open space will be critical to making the Montfort-IH 635 Sub-District a dense, walkable, livable, and sustainable place, it is anticipated that the increment allocation for the acquisition of sub-district-wide central open space may be significantly front-loaded during the first 15-20 years of the District. However, in

Exhibit B

any given year, such set aside shall not exceed 35% of the increment remaining after payment of administrative expenses. Following the acquisition of all land for the central open space, the set aside shall cease and all funds remaining after the payment of administrative expenses, the set aside for the Westmoreland-IH 20 Sub-District, and the set aside for the sub-district-wide off-site wastewater system improvement will be available for payments to developers under TIF development agreements.

- (d) Set Aside for Sub-District-Wide Off-Site Wastewater System Improvement: Following payment of administrative expenses, 15% of the remaining increment will be set aside for the sub-district-wide off-site wastewater improvement (until such time as all of the costs for this improvement have been paid). Since the redevelopment potential of the area will be severely limited without this sub-district-wide off-site wastewater system improvement, the increment allocation for this sub-district-wide off-site wastewater system improvement is likely to be front-loaded during the first 7-10 years of the District. Following the completion of and payment of all eligible costs related to the sub-district-wide off-site wastewater system improvement, the set aside shall cease and all funds remaining after the payment of administrative expenses, the set aside for the Westmoreland-IH 20 Sub-District, and the set aside for land acquisition for the sub-district-wide central open space will be available for payments to developers under TIF development agreements.
- (e) Development Agreements: Following payment of administrative expenses, the set aside for the Westmoreland-IH 20 Sub-District, the set aside for land acquisition for the sub-district-wide central open space, and the set aside for the sub-district-wide off-site wastewater system improvement, all remaining increment will be available for payments to developers under TIF development agreements. Accordingly, since the set aside for the Westmoreland-IH 20 Sub-District will be 10% of the increment remaining after the payment of administrative expenses, since the set aside for land acquisition for the sub-district-wide central open space shall not exceed 35% of the increment remaining after the payment of administrative expenses, and since the set aside for the sub-district-wide off-site wastewater system improvement will be 15% of the increment remaining after the payment of administrative expenses, the increment available for payments to developers under TIF development agreements will be at least 40% of the increment remaining after the payment of administrative expenses and will be paid to developers eligible for payment in proportion to their individual increments. It should be noted that, after cessation of the set aside for the sub-district-wide off-site wastewater system improvement (after the first 7-10 years), the increment available for payments to developers under TIF development agreements will increase to at least 55% of the increment remaining after the payment of administrative expenses.

Specifically in the Westmoreland-IH 20 Sub-District, all of the increment annually collected from the Westmoreland-IH 20 Sub-District will be allocated to the Westmoreland-IH 20 Sub-District.

Exhibit B

Expected Revenues. Exhibit P-1 lists development projects that are anticipated in the Montfort-IH 635 Sub-District, and Exhibit P-2 lists development projects that are anticipated in the Westmoreland-IH 20 Sub-District. The development projects listed in Exhibit P-1 and Exhibit P-2 represent an estimated total of private investments exceeding \$5 billion. Some of the projects may not occur or may be replaced by other potential projects. These schedules represent the best estimate at this time for the District's anticipated development through 2044. The actual velocity, timing, size, volume, uses, values, and other attributes for the listed projects may differ from the provided information.

Unit values supporting appraisal estimates in Exhibit P-1 and Exhibit P-2 are based on observations of values assigned to comparable developments by the Dallas Central Appraisal District (DCAD). Actual construction costs or transactional prices may differ. Because tax increments are measured by DCAD values, these are the relevant measures of value for a TIF project plan and financing plan.

Exhibit P-1 Anticipated Development Montfort-IH 635 Sub-District

TIF Zone Year	Completed During the Single Year Prior to January 1,	Multi-Family Residential (Rental)		Multi-Family Residential (Condo)		Retail	Movie Theater	Office	Hotel		Estimated Appraised Value of New Taxable Real Property
		Units	Square Feet	Units	Square Feet	Square Feet	Square Feet	Square Feet	Rooms	Square Feet	
Base	2014										
1	2015	0	0	0	0	0	0	0	0	0	\$0
2	2016	0	0	0	0	0	0	0	0	0	\$0
3	2017	335	371,850	0	0	133,350	0	0	0	0	\$75,113,250
4	2018	250	277,500	0	0	0	72,991	242,000	0	0	\$86,933,740
5	2019	521	578,310	0	0	0	0	0	0	0	\$86,746,500
6	2020	0	0	0	0	0	0	0	0	0	\$0
7	2021	0	0	0	0	50,000	0	0	273	372,254	\$61,226,830
8	2022	0	0	0	0	50,000	0	0	0	0	\$7,250,000
9	2023	500	555,000	0	0	0	0	350,000	0	0	\$134,000,000
10	2024	305	338,550	0	0	0	0	0	0	0	\$50,782,500
11	2025	0	0	0	0	0	0	0	0	0	\$0
12	2026	0	0	0	0	0	0	0	0	0	\$0
13	2027	400	444,000	200	228,000	100,000	0	350,000	0	0	\$175,375,200
14	2028	962	1,067,820	242	275,880	15,000	0	0	0	0	\$215,013,492
15	2029	0	0	0	0	0	0	908,000	0	0	\$131,660,000
16	2030	636	705,960	0	0	217,520	0	0	684	775,600	\$242,140,400
17	2031	0	0	200	228,000	0	0	0	0	0	\$43,525,200
18	2032	0	0	210	239,400	0	0	552,666	0	0	\$125,838,030
19	2033	300	333,000	0	0	0	0	0	0	0	\$49,950,000
20	2034	600	666,000	0	0	0	0	552,666	0	0	\$180,036,570
21	2035	0	0	274	312,360	0	0	0	0	0	\$59,629,524
22	2036	512	568,320	0	0	0	0	0	0	0	\$85,248,000
23	2037	0	0	227	258,780	0	0	0	0	0	\$49,401,102
24	2038	0	0	0	0	35,500	0	552,666	0	0	\$85,284,070
25	2039	0	0	0	0	35,500	0	0	0	0	\$5,147,500
26	2040	500	555,000	0	0	35,500	0	479,024	0	0	\$157,855,980
27	2041	500	555,000	0	0	35,500	0	0	0	0	\$88,397,500
28	2042	0	0	0	0	0	0	0	0	0	\$0
29	2043	0	0	0	0	0	0	0	0	0	\$0
30	2044	0	0	0	0	0	0	0	0	0	\$0
Totals		6,321	7,016,310	1,353	1,542,420	707,870	72,991	3,987,022	957	1,147,854	\$2,196,555,388

Notes: The anticipated development projects listed above are subject to market conditions and are likely to change over time. Estimated appraised values in this exhibit are expressed in 2014 dollars.

Exhibit P-2

Anticipated Development

Westmoreland-IH 20 Sub-District

TIF Zone Year	Completed During the Single Year Prior to January 1,	Multi-Family Residential (Rental)		Single Family Residential (Townhome)		Retail	Movie Theater	Office	Hotel		Estimated Appraised Value of New Taxable Real Property
		Units	Square Feet	Units	Square Feet	Square Feet	Square Feet	Square Feet	Rooms	Square Feet	
Base	2014										
1	2015	0	0	0	0	0	0	0	0	0	\$0
2	2016	0	0	0	0	0	0	0	0	0	\$0
3	2017	0	0	0	0	0	0	0	0	0	\$0
4	2018	0	0	0	0	0	0	0	0	0	\$0
5	2019	0	0	0	0	0	0	0	0	0	\$0
6	2020	0	0	0	0	0	0	0	0	0	\$0
7	2021	200	220,000	0	0	20,000	0	10,000	0	0	\$19,850,000
8	2022	0	0	0	0	0	0	0	0	0	\$0
9	2023	0	0	0	0	40,000	0	0	0	0	\$3,000,000
10	2024	0	0	0	0	0	45,000	0	0	0	\$4,500,000
11	2025	300	330,000	0	0	0	0	0	0	0	\$26,400,000
12	2026	0	0	15	33,000	0	0	0	0	0	\$2,191,200
13	2027	0	0	15	33,000	0	0	0	80	49,600	\$5,167,200
14	2028	0	0	20	44,000	20,000	0	0	0	0	\$4,421,600
15	2029	300	330,000	30	66,000	0	0	0	0	0	\$30,782,400
16	2030	0	0	20	44,000	0	0	20,000	0	0	\$4,421,600
17	2031	300	330,000	15	33,000	0	0	0	0	0	\$28,591,200
18	2032	0	0	5	11,000	20,000	0	0	0	0	\$2,230,400
19	2033	200	220,000	0	0	0	0	0	0	0	\$17,600,000
20	2034	0	0	0	0	0	0	0	0	0	\$0
21	2035	0	0	0	0	0	0	0	0	0	\$0
22	2036	0	0	0	0	20,000	0	20,000	0	0	\$3,000,000
23	2037	0	0	0	0	0	0	0	0	0	\$0
24	2038	200	220,000	0	0	0	0	0	0	0	\$17,600,000
25	2039	0	0	0	0	0	0	0	0	0	\$0
26	2040	0	0	0	0	20,000	0	0	0	0	\$1,500,000
27	2041	0	0	0	0	0	0	0	0	0	\$0
28	2042	0	0	0	0	0	0	20,000	0	0	\$1,500,000
29	2043	0	0	0	0	0	0	0	0	0	\$0
30	2044	0	0	0	0	0	0	0	0	0	\$0
Totals		1,500	1,650,000	120	264,000	140,000	45,000	70,000	80	49,600	\$172,755,600

Notes: The anticipated development projects listed above are subject to market conditions and are likely to change over time. Estimated appraised values in this exhibit are expressed in 2014 dollars.

Annual Real Property Appraisals to the TIF Fund

Based on the development projects identified in Exhibit P-1 and Exhibit P-2 (and other stated assumptions), Exhibit Q-1 and Exhibit Q-2 forecast real property tax increment projections for the Montfort-IH 635 Sub-District and the Westmoreland-IH 20 Sub-District respectively and show annual percentages and amounts of the real property tax growth increment reinvested each year in the TIF fund. Exhibit Q-3 shows the real property tax increment projections for both sub-districts combined. During the District's 30-year term, cumulative increased property value is expected to reach approximately \$4.2 billion.

Starting with tax year 2016 (Year 2 of the District), a portion of the real property tax collected by the City of Dallas will flow to the TIF fund. This fund will reimburse TIF project costs according to a duly adopted Final Project Plan and Reinvestment Zone

Exhibit B

Financing Plan for the Mall Area Redevelopment TIF District. Annual percentages of collected annual tax increments invested in the TIF fund by the City of Dallas will equal 90% (2016 through 2042); 75% in 2043; and 55% in 2044.

Participation in the District has been discussed with Dallas County. From 2020 (Year 6) through 2039 (Year 25), Dallas County is anticipated to agree to contribute at least 55% of the tax increment generated from County taxes assessed and collected within the District. County participation will require the approval of the County Commissioners Court and final terms of the County's contributions of tax increment shall be set forth in an interlocal participation agreement between the City and County.

Exhibit Q-1 Annual Projection of Tax Increment to the TIF Fund Montfort-IH 635 Sub-District

								Cumulative Revenue to TIF Fund Net Present Value (2014 dollars)
TIF Zone Year	Appraised Value for Jan. 1,	Tax Deposited to TIF Fund by May 1,	% of City Real Property Tax Increment to TIF Fund	From City	% of County Real Property Tax Increment to TIF Fund	From County	Total Revenue to TIF Fund	Annual Discount Rate
Base	2014	2015	0%	\$0	0%	\$0	\$0	\$0
1	2015	2016	0%	\$0	0%	\$0	\$0	\$0
2	2016	2017	90%	\$20,573	0%	\$0	\$20,573	\$18,290
3	2017	2018	90%	\$571,827	0%	\$0	\$571,827	\$507,090
4	2018	2019	90%	\$1,241,207	0%	\$0	\$1,241,207	\$1,527,271
5	2019	2020	90%	\$1,936,294	0%	\$0	\$1,936,294	\$3,057,553
6	2020	2021	90%	\$1,965,892	55%	\$366,443	\$2,332,336	\$4,829,936
7	2021	2022	90%	\$2,486,042	55%	\$463,399	\$2,949,441	\$6,985,064
8	2022	2023	90%	\$2,536,635	55%	\$472,830	\$3,009,465	\$9,099,474
9	2023	2024	90%	\$3,775,477	55%	\$703,750	\$4,479,228	\$12,125,479
10	2024	2025	90%	\$4,261,614	55%	\$794,366	\$5,055,980	\$15,409,748
11	2025	2026	90%	\$4,314,465	55%	\$804,218	\$5,118,684	\$18,606,862
12	2026	2027	90%	\$4,367,846	55%	\$814,168	\$5,182,014	\$21,719,046
13	2027	2028	90%	\$6,216,176	55%	\$1,158,698	\$7,374,873	\$25,977,851
14	2028	2029	90%	\$8,567,948	55%	\$1,597,069	\$10,165,017	\$31,622,124
15	2029	2030	90%	\$10,081,189	55%	\$1,879,138	\$11,960,326	\$38,007,840
16	2030	2031	90%	\$12,924,853	55%	\$2,409,198	\$15,334,051	\$45,879,932
17	2031	2032	90%	\$13,525,267	55%	\$2,521,115	\$16,046,382	\$53,800,877
18	2032	2033	90%	\$15,151,781	55%	\$2,824,298	\$17,976,079	\$62,333,087
19	2033	2034	90%	\$15,885,593	55%	\$2,961,081	\$18,846,674	\$70,934,463
20	2034	2035	90%	\$18,330,331	55%	\$3,416,781	\$21,747,112	\$80,477,827
21	2035	2036	90%	\$19,262,223	55%	\$3,590,486	\$22,852,709	\$90,120,650
22	2036	2037	90%	\$20,578,837	55%	\$3,835,903	\$24,414,740	\$100,026,353
23	2037	2038	90%	\$21,435,719	55%	\$3,995,626	\$25,431,346	\$109,947,667
24	2038	2039	90%	\$22,844,784	55%	\$4,258,277	\$27,103,061	\$120,114,480
25	2039	2040	90%	\$23,101,111	55%	\$4,306,056	\$27,407,167	\$129,999,950
26	2040	2041	90%	\$25,724,005	0%	\$0	\$25,724,005	\$138,921,462
27	2041	2042	90%	\$27,339,081	0%	\$0	\$27,339,081	\$148,038,429
28	2042	2043	90%	\$27,622,707	0%	\$0	\$27,622,707	\$156,895,689
29	2043	2044	75%	\$23,257,641	0%	\$0	\$23,257,641	\$164,066,454
30	2044	2045	55%	\$17,232,415	0%	\$0	\$17,232,415	\$169,175,181
Total				\$356,559,534		\$43,172,900	\$399,732,434	

Exhibit Q-2

Annual Projection of Tax Increment to the TIF Fund Westmoreland-IH 20 Sub-District

								Cumulative
								Revenue to TIF Fund
								Net Present Value
								(2014 dollars)
TIF	Appraised	Tax	% of City		% of County		Total	4.0%
Zone	Value for	Deposited	Real Property		Real Property		Revenue	Annual
Year	Jan. 1,	to TIF Fund	Tax Increment	From City	Tax Increment	From County	to TIF Fund	Discount Rate
Base	2014	2015	0%	\$0	0%	\$0	\$0	\$0
1	2015	2016	0%	\$0	0%	\$0	\$0	\$0
2	2016	2017	90%	\$2,822	0%	\$0	\$2,822	\$2,508
3	2017	2018	90%	\$4,254	0%	\$0	\$4,254	\$6,145
4	2018	2019	90%	\$5,700	0%	\$0	\$5,700	\$10,830
5	2019	2020	90%	\$7,161	0%	\$0	\$7,161	\$16,489
6	2020	2021	90%	\$8,636	55%	\$1,610	\$10,246	\$24,275
7	2021	2022	90%	\$175,834	55%	\$32,776	\$208,610	\$176,704
8	2022	2023	90%	\$178,996	55%	\$33,365	\$212,361	\$325,906
9	2023	2024	90%	\$200,672	55%	\$37,405	\$238,077	\$486,743
10	2024	2025	90%	\$237,770	55%	\$44,320	\$282,090	\$669,983
11	2025	2026	90%	\$493,891	55%	\$92,062	\$585,953	\$1,035,968
12	2026	2027	90%	\$512,757	55%	\$95,578	\$608,335	\$1,401,318
13	2027	2028	90%	\$563,733	55%	\$105,080	\$668,813	\$1,787,541
14	2028	2029	90%	\$608,662	55%	\$113,455	\$722,117	\$2,188,507
15	2029	2030	90%	\$949,969	55%	\$177,075	\$1,127,044	\$2,790,245
16	2030	2031	90%	\$1,001,480	55%	\$186,676	\$1,188,156	\$3,400,212
17	2031	2032	90%	\$1,341,481	55%	\$250,053	\$1,591,534	\$4,185,838
18	2032	2033	90%	\$1,373,042	55%	\$255,936	\$1,628,977	\$4,959,020
19	2033	2034	90%	\$1,598,947	55%	\$298,044	\$1,896,992	\$5,824,782
20	2034	2035	90%	\$1,616,340	55%	\$301,286	\$1,917,627	\$6,666,301
21	2035	2036	90%	\$1,633,908	55%	\$304,561	\$1,938,469	\$7,484,248
22	2036	2037	90%	\$1,681,962	55%	\$313,518	\$1,995,481	\$8,293,867
23	2037	2038	90%	\$1,700,186	55%	\$316,915	\$2,017,101	\$9,080,782
24	2038	2039	90%	\$1,964,081	55%	\$366,105	\$2,330,186	\$9,954,874
25	2039	2040	90%	\$1,985,125	55%	\$370,028	\$2,355,153	\$10,804,352
26	2040	2041	90%	\$2,018,220	0%	\$0	\$2,018,220	\$11,504,304
27	2041	2042	90%	\$2,039,806	0%	\$0	\$2,039,806	\$12,184,534
28	2042	2043	90%	\$2,074,632	0%	\$0	\$2,074,632	\$12,849,767
29	2043	2044	75%	\$1,747,318	0%	\$0	\$1,747,318	\$13,388,498
30	2044	2045	55%	\$1,295,038	0%	\$0	\$1,295,038	\$13,772,425
Total				\$29,022,423		\$3,695,849	\$32,718,272	

Exhibit Q-3

Annual Projection of Tax Increment to the TIF Fund

Sub-Districts Combined

Tax Year	Captured			City of Dallas			Dallas County			TOTAL		CUMULATIVE	
	Appraised Value Montfort-H 635 Sub-District	Captured Westmoreland-H 20 Sub-District	Captured Appraised Value Sub-Districts Combined	City Real Property Tax Increment	% of City Tax Increment to TIF Fund	City Tax Increment to TIF Fund	County Real Property Tax Increment	% of County Tax Increment to TIF Fund	County Tax Increment to TIF Fund	Tax Increment Revenue to TIF Fund (City and County)	Tax Increment Revenue to TIF Fund (City and County)	Cumulative to TIF Fund NPV (2014 dollars)	Tax Increment Revenue to TIF Fund Net Present Value (2014 dollars) 4%
Base 2014	\$0	\$0	\$0	\$0	0%	\$0	\$0	0%	\$0	\$0	\$0	\$0	\$0
1 2015	\$1,426,955	\$165,708	\$1,622,663	\$12,933	0%	\$0	\$3,945	0%	\$0	\$0	\$0	\$0	\$0
2 2016	\$2,465,179	\$363,373	\$2,828,553	\$25,995	90%	\$23,356	\$7,929	0%	\$0	\$23,356	\$23,356	\$0	\$20,798
3 2017	\$79,718,397	\$953,015	\$80,671,412	\$40,090	90%	\$36,081	\$195,238	0%	\$0	\$195,238	\$195,238	\$0	\$173,235
4 2018	\$173,035,713	\$1,758,653	\$1,758,653	\$1,365,452	90%	\$1,246,907	\$422,368	0%	\$0	\$422,368	\$422,368	\$0	\$376,061
5 2019	\$209,835,716	\$2,030,660	\$2,030,660	\$1,538,434	90%	\$1,474,290	\$517,524	0%	\$0	\$517,524	\$517,524	\$0	\$459,142
6 2020	\$246,693,267	\$2,413,334	\$2,413,334	\$1,971,290	90%	\$1,814,290	\$669,87	55%	\$969,050	\$270,690	\$270,690	\$0	\$240,614
7 2021	\$346,693,267	\$2,413,334	\$2,413,334	\$2,967,840	90%	\$2,661,176	\$902,136	55%	\$969,176	\$270,690	\$270,690	\$0	\$240,614
8 2022	\$393,636,548	\$2,413,334	\$2,413,334	\$3,017,988	90%	\$2,716,631	\$8,427,494	55%	\$969,176	\$270,690	\$270,690	\$0	\$240,614
9 2023	\$526,945,658	\$2,413,334	\$2,413,334	\$4,417,149	90%	\$3,976,149	\$11,113,632	55%	\$741,156	\$1,498,594	\$1,498,594	\$0	\$1,312,222
10 2024	\$594,118,749	\$3,147,920	\$627,266,669	\$4,999,315	90%	\$4,499,384	\$14,038,332	55%	\$1,524,885	\$3,043,379	\$3,043,379	\$0	\$2,618,731
11 2025	\$601,466,802	\$68,854,223	\$670,341,115	\$5,342,619	90%	\$4,808,557	\$17,039,638	55%	\$869,280	\$5,704,636	\$5,704,636	\$0	\$5,019,630
12 2026	\$608,928,715	\$71,484,296	\$680,413,011	\$5,422,892	90%	\$4,890,603	\$16,594,193	55%	\$909,746	\$6,790,349	\$6,790,349	\$0	\$6,082,364
13 2027	\$668,607,498	\$78,590,966	\$747,198,464	\$7,533,232	90%	\$6,779,009	\$2,297,777	55%	\$1,263,778	\$8,043,666	\$8,043,666	\$0	\$7,265,392
14 2028	\$1,194,472,054	\$84,854,642	\$1,279,326,696	\$10,196,234	90%	\$9,176,610	\$3,110,443	55%	\$1,710,524	\$9,754,190	\$9,754,190	\$0	\$8,843,666
15 2029	\$1,405,435,491	\$132,438,804	\$1,537,874,295	\$12,256,842	90%	\$11,031,158	\$34,871,101	55%	\$2,056,212	\$11,810,402	\$11,810,402	\$0	\$10,757,191
16 2030	\$1,801,975,528	\$139,617,980	\$1,941,493,509	\$15,473,703	90%	\$13,926,333	\$42,020,507	55%	\$2,595,874	\$14,406,276	\$14,406,276	\$0	\$12,861,402
17 2031	\$1,895,980,176	\$197,018,163	\$2,072,598,329	\$16,518,609	90%	\$14,866,748	\$49,359,152	55%	\$2,771,188	\$17,177,464	\$17,177,464	\$0	\$15,406,276
18 2032	\$2,114,335,353	\$191,418,051	\$2,305,753,404	\$16,390,915	90%	\$16,524,823	\$55,000,425	55%	\$3,080,233	\$20,257,697	\$20,257,697	\$0	\$17,946,072
19 2033	\$2,214,637,303	\$222,911,917	\$2,437,549,219	\$19,427,287	90%	\$17,494,441	\$65,182,520	55%	\$3,259,125	\$23,516,822	\$23,516,822	\$0	\$20,946,072
20 2034	\$2,555,462,356	\$225,336,744	\$2,780,799,100	\$22,162,969	90%	\$19,946,672	\$67,760,123	55%	\$3,718,067	\$27,234,889	\$27,234,889	\$0	\$24,516,822
21 2035	\$2,695,378,925	\$227,765,820	\$2,923,144,744	\$23,217,923	90%	\$20,896,131	\$82,752,755	55%	\$3,895,047	\$31,130,007	\$31,130,007	\$0	\$27,946,072
22 2036	\$2,868,930,228	\$234,485,190	\$3,103,415,418	\$24,734,221	90%	\$22,135,005	\$91,784,548	55%	\$4,148,422	\$35,278,429	\$35,278,429	\$0	\$31,130,007
23 2037	\$2,988,369,675	\$237,025,750	\$3,225,395,425	\$25,706,561	90%	\$23,135,005	\$100,810,361	55%	\$4,312,542	\$39,590,971	\$39,590,971	\$0	\$34,278,429
24 2038	\$3,184,928,791	\$273,815,783	\$3,458,744,574	\$27,565,405	90%	\$24,808,665	\$110,116,583	55%	\$4,624,362	\$44,215,333	\$44,215,333	\$0	\$37,590,245
25 2039	\$3,220,564,698	\$276,749,649	\$3,497,314,347	\$27,873,695	90%	\$25,068,236	\$119,164,918	55%	\$4,676,094	\$48,891,427	\$48,891,427	\$0	\$40,804,303
26 2040	\$3,596,226,890	\$281,363,415	\$3,877,590,305	\$30,824,695	90%	\$27,742,225	\$128,766,381	55%	\$0	\$48,891,427	\$48,891,427	\$0	\$40,804,303
27 2041	\$3,811,387,268	\$284,372,757	\$4,095,760,015	\$32,643,207	90%	\$29,378,687	\$138,963,578	55%	\$0	\$48,891,427	\$48,891,427	\$0	\$40,804,303
28 2042	\$3,850,928,086	\$289,227,913	\$4,140,155,999	\$32,997,043	90%	\$29,697,339	\$148,106,072	55%	\$0	\$48,891,427	\$48,891,427	\$0	\$40,804,303
29 2043	\$3,890,964,322	\$292,315,901	\$4,183,280,222	\$33,339,946	75%	\$25,004,960	\$155,815,568	55%	\$0	\$48,891,427	\$48,891,427	\$0	\$40,804,303
30 2044	\$3,931,199,920	\$295,434,788	\$4,226,634,687	\$33,686,278	55%	\$18,527,453	\$161,308,221	55%	\$0	\$48,891,427	\$48,891,427	\$0	\$40,804,303
Total for Years 1-30				\$447,094,207		\$365,561,958	\$1,336,372,148		\$46,868,748	\$1,383,240,896	\$1,383,240,896		\$1,237,454,952
NPV @ 4%				\$184,840,230		\$161,308,221	\$66,379,749		\$21,639,385	\$185,947,606	\$185,947,606		\$165,457,663

Financial Assumptions

Key factors influencing the financial feasibility study and its conclusions are the following financial assumptions:

Inflation Rate. The annualized percentage change in appraised value of real property (pre-completion of improvements) is 3%. The annualized percentage change in appraised value of real property (post-completion of improvements) is 1%.

Discount Rate. Based on current market rates, net present values of the tax increment were calculated at a discount rate of 4% per annum.

Tax Rate Changes. Although tax rates may increase over the next 25-30 years, the Preliminary Project Plan and Reinvestment Zone Financing Plan conservatively assumes that the current tax rate will remain constant for the life of the District (except to incorporate tax rate changes when known).

Remittance to the TIF Fund. The proposed duration of the District is 30 years; it is scheduled to terminate December 31, 2044. The City of Dallas will participate at a rate of 0% in 2015; 90% from 2016 through 2042; 75% in 2043; and 55% in 2044. Dallas County is anticipated to participate at a rate of 0% from 2015 through 2019 and then at a rate of at least 55% from 2020 through 2039. TIF collections will terminate once the TIF budget has been collected or December 31, 2044, whichever occurs first.

Financial Feasibility

For the Montfort-IH 635 Sub-District, the anticipated private development program, the public improvement program, the general financing strategy, and the financial assumptions are based, in part, on a preliminary assessment prepared by Stein Planning LLC (on behalf of Beck Ventures) and on an analysis by the Office of Economic Development of the City of Dallas (with additional information provided by Diversion Capital Partners LLC, EF Properties LC, Sears Roebuck and Co., and Slosburg/Richdale Group). For the Westmoreland-IH 20 Sub-District, the anticipated private development program, the public improvement program, the general financing strategy, and the financial assumptions are based on a preliminary assessment prepared by the Office of Economic Development of the City of Dallas (based on an Advisory Services Panel Report published by the Urban Land Institute in 2009 entitled "Southwest Center Mall Dallas, Texas"). These assessments are intended to be used as part of the economic feasibility study for the District in accordance with the provisions of Section 311.011 of the Texas Tax Code and are available upon request.

In the Montfort-IH 635 Sub-District, cumulative private development is expected to increase property values from a base year value of \$142.7 million to \$4.074 billion during the 30-year term of the District. Since the TIF fund receives revenue only from the taxable value exceeding the base year, "captured" taxable value accruing to the Montfort-IH 635 Sub-District will be approximately \$3.931 billion. In the Westmoreland-IH 20 Sub-District, cumulative private development is expected to increase property values from a base year value of \$19.6 million to \$315 million during the 30-year term of the District. Since the TIF fund receives revenue only from the taxable value exceeding

Exhibit B

the base year, “captured” taxable value accruing to the Westmoreland-IH 20 Sub-District will be approximately \$295 million.

On a strict “pay-as-you-go” basis, the progress of the public improvements portion of the development program is a direct result of the revenues received. Therefore, if revenues exceed these projections, then the public improvements can be completed ahead of schedule. If revenues do not meet expectations, then the pace of public improvements will be slowed or discontinued altogether based upon the recommendation of the TIF Board of Directors and the approval of the City Council.

Based upon these economic assessments, the Preliminary Project Plan and Reinvestment Zone Financing Plan is feasible.

TIF Project Costs and Debt Service

Pursuant to this Preliminary Project Plan and Reinvestment Zone Financing Plan, balances in the TIF fund will be disbursed to reimburse TIF project costs. The City will not be obligated to reimburse TIF project costs unless there are sufficient dollars in the TIF fund to facilitate reimbursement. Disbursement from the TIF fund shall be executed in a timely fashion and not unreasonably withheld.

Reimbursement of TIF project costs appears to be economically feasible if development, project costs, real property appraisals, tax levies and tax collections occur according to the analyses and assumptions in this plan.

It is anticipated that the reinvestment zone will be designated by the City Council in calendar year 2014, thus making the certified 2014 tax roll (based on January 1, 2014 conditions and adjusted for final valuations) the base value for the zone. The District will terminate at the end of calendar year 2044, upon full collection of the TIF budget, or at such other date as set by the City Council. This length of term enables the City of Dallas and other local taxing jurisdictions to allocate percentages of tax increments to the TIF fund in later years if, in their discretion, further investments are warranted.

The TIF fund may have a residual balance of cash after all its financial obligations have been met. Any residual balance will be refunded to taxing entities participating in the District on a pro rata basis according to their respective contributions.

No bonded indebtedness is currently anticipated for the TIF fund. However, the City may determine at a future date that it would be advantageous to issue obligations backed by a reliable cash flow to the TIF fund and/or other sources, thus reimbursing TIF project costs at an earlier date than otherwise. The City reserves all powers to determine the appropriateness of issuing securities and to approve an issue of securities; however, it has no obligation to issue securities to prepay TIF obligations. Any use of TIF bonds is subject to provisions of the City’s Financial Management Performance Criteria (“FMPC”).

General Financial Policies

General financial policies are governed by the City of Dallas Public/Private Partnership Program that was first approved by the City Council on March 13, 1996. This program provides a framework for development incentives in a variety of areas. Within this framework are the following specific considerations for the Montfort-IH 635 Area TIF District:

- Public improvements will occur at a pace that coincides with private development.
- Private developers must enter into a development agreement with the City if they desire the municipality to share in the costs of infrastructure improvements required for their projects.
- Reimbursement priorities and the method of apportioning available increment will be developed by City staff and adopted by the Mall Area Redevelopment TIF District Board of Directors generally consistent with the policy considerations outlined herein. Reimbursement obligations will be specifically described in each development agreement.
- Each development agreement is unique. Accordingly, the nature and extent of support from public funds may change over time as the District becomes more developed.
- It is possible that the District may issue certificates of obligation or TIF bonds for projects as described earlier in the Preliminary Project Plan and Reinvestment Zone Financing Plan, subject to the approval of the City Council and provisions of the City's Financial Management Performance Criteria ("FMPC").
- If a developer requests funding for infrastructure improvements at a time when sufficient funds are not available in the TIF fund, then improvements may be:
 - Deferred until funds are available
 - Constructed at the sole expense of the developer
 - Constructed at the expense of the developer with the City providing reimbursement as sufficient funds become available or when bonds or other financial obligations have been issued by the City or District (with City Council approval)
- Should project costs that directly benefit the project's developer be paid, such as grants made to a developer as permitted by Chapter 311 of the Texas Tax Code, the City will enact and implement controls sufficient to ensure that any grant funds provided will be used to fulfill the public purposes of developing and diversifying the Mall Area Redevelopment TIF District's economy, eliminating unemployment or underemployment, and

Exhibit B

developing or expanding the District's transportation, business and commercial activity.

- It is acknowledged that some desired expenditures benefitting the entire District are likely to be beyond the capacity of TIF funding. Other sources of funding will be considered to supplement TIF funding and/or to advance the delivery of particular improvements, including but not limited to the following:
 - the additional open space requirement of PD 887
 - bonds (City general obligation and certificates of obligation)
 - public improvement district
 - grants from other governmental entities
 - private philanthropic contributions

The Mall Area Redevelopment TIF District Board of Directors may occasionally recommend amendments to these financial policies which will affect the operations of the District.

Other Financial Benefits

Over the 30-year life of the District, the planned private development program in the Preliminary Project Plan and Reinvestment Zone Financing Plan includes up to 9,294 new residential units, 847,870 square feet of new retail space, 72,991 square feet of renovated movie theater space, 45,000 square feet of new movie theater space, 4,057,022 square feet of new office space, and 1,037 new hotel rooms. Because the City and DART each have a one percent sales tax and the City also has a seven percent hotel occupancy tax (plus an additional two percent for hotels with more than 100 rooms in the Tourism Public Improvement District) and business personal property tax, additional tax revenue will be generated by the District.

Appendix C-1 and Appendix C-2 project the additional City and DART sales tax revenue attributed to the anticipated retail development in the Montfort-IH 635 Sub-District and Westmoreland-IH 20 Sub-District respectively. By 2045, the City and DART will each receive roughly \$74.2 million (net present value of \$31.5 million in 2014 dollars) in incremental sales tax revenue from the District.

Appendix D-1 and Appendix D-2 project the additional City hotel occupancy tax and business personal property tax attributed to the anticipated hotel, retail, and office development in the Montfort-IH 635 Sub-District and Westmoreland-IH 20 Sub-District respectively. By 2045, the City will receive roughly \$173.5 million (net present value of \$71.3 million in 2014 dollars) in incremental hotel occupancy and business personal property taxes from the District.

More than 94% of the District (not including rights-of-way) is located within the Dallas Independent School District (DISD), and less than 6% of the District is located within the Richardson Independent School District (RISD). The DISD and RISD are not expected to participate in the District. Since September 1999, state law governing school funding makes TIF district participation generally unattractive for school districts. Nevertheless, the DISD and RISD will receive incremental real property and business personal

Exhibit B

property taxes from the District. Using only the DISD tax rate, Appendix E-1 and Appendix E-2 project the incremental real property and business personal property tax revenue attributed to the Montfort-IH 635 Sub-District and Westmoreland-IH 20 Sub-District respectively. An estimated \$764.8 million (net present value of \$315.8 million in 2014 dollars) in incremental real property and business personal property tax will flow to the school districts over the 30-year life of the District (nearly all of which will flow to the DISD). All school district tax projections bear risk that new state law may cap the rate of the local property taxes a school district may levy.

Conclusion

Based upon these economic assessments for the Mall Area Redevelopment TIF District, the Preliminary Project Plan and Reinvestment Zone Financing Plan is feasible.

Appendix A-1

2013 DCAD Real Property Accounts

Montfort-IH 635 Sub-District

Dallas Central Appraisal District Account Number	Tax Exempt	Property Address	Appraised Value (Improvements)	Appraised Value (Land)	Appraised Value (Total)	Taxable Value (Total)
0000073107800000		5636 ALPHA RD	\$33,090	\$266,910	\$300,000	\$300,000
00000731078100000		5624 ALPHA RD	\$200,880	\$303,440	\$504,320	\$504,320
00000731074550100		5702 ALPHA RD	\$0	\$631,440	\$631,440	\$631,440
007409000A0080000		5702 ALPHA RD	\$1,070	\$633,930	\$635,000	\$635,000
00000663028000000		5840 ALPHA RD	\$23,650	\$801,350	\$825,000	\$825,000
007014000001A0200		5820 ALPHA RD	\$0	\$3,780	\$3,780	\$3,780
007014000001A0300		5820 ALPHA RD	\$0	\$9,890	\$9,890	\$9,890
007014000001A0000		5820 ALPHA RD	\$949,920	\$850,080	\$1,800,000	\$1,800,000
007014000001A0100		5820 ALPHA RD	\$1,347,650	\$583,880	\$1,931,530	\$1,931,530
00000731074550000		5702 ALPHA RD	\$0	\$1,247,810	\$1,247,810	\$1,247,810
007409000A07A0000		5702 ALPHA RD	\$1,000	\$3,072,870	\$3,073,870	\$3,073,870
00000731077900000		5656 ALPHA RD	\$89,880	\$185,120	\$275,000	\$275,000
00000663033250000		5954 ALPHA RD	\$1,000	\$856,610	\$857,610	\$857,610
00000663033500000		5960 ALPHA RD	\$161,210	\$480,650	\$641,860	\$641,860
00000663370000000		5327 LBJ FWY	\$0	\$15,516,250	\$15,516,250	\$15,516,250
00701600020030000		5544 ALPHA RD	\$89,240	\$335,760	\$425,000	\$425,000
00000731077600000		13138 MONTFORT DR	\$1,140	\$17,500,310	\$17,501,450	\$17,501,450
007409000A01A0000		13364 MONTFORT PL	\$1,189,280	\$1,277,950	\$2,467,230	\$2,467,230
00000663052000000		5507 PETERSON LN	\$0	\$402,930	\$402,930	\$402,930
00000663055000000		5503 PETERSON LN	\$0	\$305,200	\$305,200	\$305,200
00701600020020000		5528 ALPHA RD	\$194,080	\$845,920	\$1,040,000	\$1,040,000
00701600020020100		5518 ALPHA RD	\$268,620	\$1,081,380	\$1,350,000	\$1,350,000
00000663058500000		5575 PETERSON LN	\$125,040	\$849,080	\$974,120	\$974,120
00000663058550000		13443 MONTFORT DR	\$140,210	\$547,120	\$687,330	\$687,330
00000663058700000		13521 MONTFORT DR	\$1,094,050	\$1,400,880	\$2,494,930	\$2,494,930
00000663058750000		13539 MONTFORT DR	\$92,570	\$274,420	\$366,990	\$366,990
00000663058000000		5444 ALPHA RD	\$128,470	\$507,380	\$635,850	\$635,850
00000663255500000		5423 PETERSON LN	\$548,270	\$2,446,330	\$2,994,600	\$2,994,600
00000663255000000	X	5351 PETERSON LN	\$2,051,930	\$2,448,070	\$4,500,000	\$0
00000663345610000		13131 MONTFORT DR	\$59,710	\$9,517,040	\$9,576,750	\$9,576,750
00000663058600000		13447 MONTFORT DR	\$305,140	\$388,540	\$693,680	\$693,680
00000663059020000		13525 MONTFORT DR	\$3,090	\$303,690	\$306,780	\$306,780
00000663059000000		13519 MONTFORT PL	\$1,000	\$395,280	\$396,280	\$396,280
00000663059040000		13500 MONTFORT DR	\$289,640	\$303,000	\$592,640	\$592,640
CONDO00C1165CONDO		5330 PETERSON LN	\$0	\$1,696,560	\$1,696,560	\$1,696,560
00000663033750000		13555 PRESTON RD	\$63,190	\$467,950	\$531,140	\$531,140
00000663033850000		13535 PRESTON RD	\$264,680	\$339,600	\$604,280	\$604,280
00000731077200000		13131 PRESTON RD	\$2,388,390	\$3,624,100	\$6,012,490	\$6,012,490
00000731077310000		13131 PRESTON RD	\$1,872,880	\$11,980,050	\$13,852,930	\$13,852,930
00000731077400000		13131 PRESTON RD	\$2,000	\$27,725,370	\$27,727,370	\$27,727,370
00000731077320000		13131 PRESTON RD	\$313,730	\$805,860	\$1,119,590	\$1,119,590
00000731076500000		13101 PRESTON RD	\$1,000	\$2,762,690	\$2,763,690	\$2,763,690
00000731077500000		13131 PRESTON RD	\$0	\$1,950,680	\$1,950,680	\$1,950,680
00000731077450000		13343 PRESTON RD	\$1,000	\$9,546,960	\$9,547,960	\$9,547,960
00000731077550000		13131 PRESTON RD	\$0	\$1,409,620	\$1,409,620	\$1,409,620
00000663016000000		13439 PRESTON RD	\$1,000	\$3,152,600	\$3,153,600	\$3,153,600
00000663022000000		13439 PRESTON RD	\$0	\$860,460	\$860,460	\$860,460
TOTAL			\$14,298,700	\$132,896,790	\$147,195,490	\$142,695,490

Note: The base value shown here is from the 2013 certified tax roll from DCAD. The base value will be adjusted to reflect the 2014 certified tax roll (as of January 1, 2014) when it becomes available from DCAD in August 2014. The base value may also be revised to reflect litigation or tax roll corrections. Accounts shown are primary accounts and do not show all associated "multi-accounts;" however, values are all-inclusive. Taxable values may vary by taxing jurisdiction due to different exemption levels.

Appendix A-2

2013 DCAD Real Property Accounts Westmoreland-IH 20 Sub-District

Dallas Central Appraisal District Account Number	Tax Exempt	Property Address	Appraised Value (Improvements)	Appraised Value (Land)	Appraised Value (Total)	Taxable Value (Total)
00693200200020000		7220 American Way	\$0	\$139,370	\$139,370	\$139,370
00693200020010000		7227 S. Westmoreland	\$0	\$245,330	\$245,330	\$245,330
00693200020020000		7233 S. Westmoreland	\$0	\$117,840	\$117,840	\$117,840
00000654142000000		7202 S. Westmoreland	\$0	\$644,360	\$644,360	\$644,360
006931000A07A0000		3662 W. Camp Wisdom	\$2,521,550	\$3,582,530	\$6,104,080	\$6,104,080
006931000A02E0000		3550 W. Camp Wisdom	\$5,400	\$1,563,060	\$1,568,460	\$1,568,460
00000654139500000		3450 W. Camp Wisdom	\$3,198,560	\$1,725,110	\$4,923,670	\$4,923,670
006931000A07B0000		7465 Marvin D. Love Fwy	\$1,632,280	\$734,710	\$2,366,990	\$2,366,990
006931000A08A0000		3560 W. Camp Wisdom	\$1,006,890	\$1,493,110	\$2,500,000	\$2,500,000
00000654141800000		7575 Marvin D. Love Fwy	\$0	\$298,940	\$298,940	\$298,940
006931000A07C0000		3200 W. Camp Wisdom	\$0	\$208,360	\$208,360	\$208,360
00000654139000000		3540 W. Camp Wisdom	\$0	\$453,410	\$453,410	\$453,410
TOTAL			\$8,364,680	\$11,206,130	\$19,570,810	\$19,570,810

Note: The base value shown here is from the 2013 certified tax roll from DCAD. The base value will be adjusted to reflect the 2014 certified tax roll (as of January 1, 2014) when it becomes available from DCAD in August 2014. The base value may also be revised to reflect litigation or tax roll corrections. Accounts shown are primary accounts and do not show all associated "multi-accounts;" however, values are all-inclusive. Taxable values may vary by taxing jurisdiction due to different exemption levels.

Appendix B

DCAD Appraisals of Comparable Developments

The purpose of this schedule is to relate actual appraisals for tax purposes and other quantitative measures of comparable development in the metropolitan area. Real property appraisals are for tax year 2013, reflecting values as of January 1, 2013, unless otherwise indicated. Within use types, properties are sorted in descending order of total appraised value per SF of gross floor area. Improvement appraisals include garages, if on the premises. Gross floor area measurements exclude parking garages.

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
Use	Development Identity	Street Address	City	Floor Area	Gross Floor Area	Land SF	Floor	Coverage	Improvements	Land	Total Value	SF GFA	Land SF	Appraisal Year	Build	Stories	Units	Property SF GFA
Mixed use centers																		
residential condos (20)	shopping, theater apartments	3899 McKinney	Dallas	125,988	168,508	0.74			\$11,799,220	\$28,750,000	\$229	\$100						
		3899 McKinney	Dallas	180,082	95,749	1.98			\$18,044,350	\$9,574,650	\$145	\$100						
		3899 McKinney	Dallas	34,468	17,256	2.00			\$776,517	\$6,093,890	\$176	\$45				4	159	20
The Crescent			Dallas	350,134	282,513	1.24			\$30,620,085	\$8,475,390	\$245	\$30	2013	2000				179
			Dallas	1,722,182	433,082	3.98			\$226,891,800	\$43,308,200	\$157	\$100	2013	1883				
			Dallas	951,178	1,029,719				\$253,608,430	\$30,891,570	\$30	\$30						
Galleria	garage	13350 Dallas		0	80,163	0			\$6,411,000	\$2,004,080	\$25	\$30						
		5200 Alpha		0	80,163	0			\$14,791,460	\$14,791,460	\$185	\$25						
		5200 Alpha		0	80,163	0			\$8,041,380	\$8,041,380	\$185	\$25						
Saks (Marshall Field)		13350 Dallas		171,000	0	112,365			\$13,312,820	\$13,312,820	\$79	\$25						
		13375 Noel		253,705	0	112,365			\$5,741,760	\$5,741,760	\$23	\$25						
		13375 Noel		127,639	0	112,365			\$301,006,850	\$35,705,260	\$28	\$29						
Galleria mall and department stores		13155 Noel		573,816	168,612	1.42			\$52,798,580	\$5,056,360	\$8	\$30						
		13255 Noel		493,925	114,595	0			\$3,437,550	\$51,353,420	\$30	\$30						
		13455 Noel		457,985	85,817	0			\$44,871,130	\$2,568,510	\$47	\$30						
Galleria office buildings		13340 Dallas		473,945	120,291	3.94			\$45,622,080	\$3,608,730	\$10	\$30						
		13340 Dallas		473,945	120,291	3.94			\$17,790	\$882,000	\$25	\$25						
		5244 Alpha		2,067	82,842	0.07			\$17,790	\$882,000	\$25	\$25						
Galleria vacant land		5244 Alpha		2,067	82,842	0.07			\$17,790	\$882,000	\$25	\$25						
		5244 Alpha		2,067	82,842	0.07			\$17,790	\$882,000	\$25	\$25						
		5244 Alpha		2,067	82,842	0.07			\$17,790	\$882,000	\$25	\$25						
Legacy Town Center		7240 Dallas Parkway	Dallas	108,337	272,816	0.40			\$43,632,670	\$545,193,130	\$146	\$29	2013					
		5800 Legacy		62,853	140,829	0.45			\$1,394,784	\$4,910,688	\$6	\$18						
		5760 Legacy		106,144	218,236	0.48			\$8,556,199	\$2,112,442	\$170	\$15						
Angelika U.O. Ginger Man		7161 Bishop		30,814	52,969	0.58			\$2,763,481	\$2,616,827	\$239	\$12						
		5700 Legacy		20,509	96,834	0.21			\$3,869,224	\$1,059,379	\$4	\$20						
		7205 Bishop		45,960	75,359	0.61			\$2,901,092	\$1,452,508	\$4	\$15						
Retail stores and theater		7121 Bishop		374,817	857,043	0.44			\$8,809,988	\$1,130,382	\$9	\$16						
		7121 Bishop		341,917	124,808	2.74			\$48,293,768	\$13,784,276	\$61	\$18						
		7120 Dallas		341,917	124,808	2.74			\$2,242,944	\$44,253,264	\$129	\$20						
Doubletree Hotel		8800 Dallas		341,917	124,808	2.74			\$2,242,944	\$44,253,264	\$129	\$20						
		7160 Dallas		159,007	171,278	0.93			\$3,386,404	\$46,338,486	\$136	\$18						
		7160 Dallas		159,007	171,278	0.93			\$3,386,404	\$46,338,486	\$136	\$18						
Office buildings		7008 Bishop		312,933	200,986	1.56			\$9,246,725	\$109,100,000	\$205	\$18						
		5760 Daniel		90,122	32,092	2.81			\$2,411,830	\$32,564,480	\$104	\$12						
		5801 Hansell		36,198	163	1.63			\$5,203,791	\$302,049	\$6	\$25						
7001 Parkwood		4751 Martin		135,304	65,776	2.06			\$5,203,791	\$302,049	\$6	\$25						
		4751 Martin		237,306	121,968	1.95			\$9,209,141	\$1,183,981	\$10	\$18						
		7001 Parkwood		129,573	143,330	0.90			\$17,011,232	\$1,463,616	\$18	\$12						
Multi-family rental dwellings		5700 Scruggs		92,676	66,211	1.40			\$14,562,282	\$16,282,240	\$127	\$15						
		5701 Scruggs		53,638	34,482	1.56			\$9,852,176	\$1,324,224	\$110	\$20						
		5701 Scruggs		98,347	107,419	0.90			\$6,261,427	\$862,053	\$133	\$25						
Legacy Town Center (except Linsford townhomes)		5701 Scruggs		16,526	19,467	0.85			\$10,600,398	\$1,611,284	\$127	\$15						
		5720 Scruggs		1,221,911	930,825	1.31			\$4,666,674	\$2,035,280	\$153	\$25						
		5720 Scruggs		1,221,911	930,825	1.31			\$108,701,592	\$14,311,195	\$123	\$15						
Mockingbird Station		5307 Mockingbird	Dallas	569,374	379,562	1.52			\$300,680,707	\$59,339,550	\$38	\$16	2013					
		5307 Mockingbird	Dallas	569,374	379,562	1.52			\$42,117,490	\$20,882,510	\$63	\$107						
		5307 Mockingbird	Dallas	569,374	379,562	1.52			\$42,117,490	\$20,882,510	\$63	\$107						
apartments, retail, office		15500 Quorum		841,707	384,467	2.31			\$69,508,800	\$4,373,600	\$88	\$12						
		4949 Addison Circle		407,782	224,957	1.81			\$42,092,820	\$2,696,280	\$110	\$12						
		4949 Addison Circle		407,782	224,957	1.81			\$42,092,820	\$2,696,280	\$110	\$12						

Appendix B

DCAD Appraisals of Comparable Developments

(a) Use	(b) Development Identity	(c) Street Address	(d) City	(e) Gross Floor Area	(f) Land SF	(g) Floor Coverage	(h) Improvements	(i) Land	(j) Total Value	(k) Total per SF GFA	(l) Land per SF GFA	(m) Year	(n) Appraisal	(o) Built	(p) Stories	(q) Units	(r) Bus Property	(s) BPP per SF GFA
	apartments	4901 Morris	Adison	156,253	49,353	3.21	\$13,722,460	\$592,240	\$14,314,700	\$90	\$12	1999	2000	1999	4	171		
	apartments	4851 Morris	Adison	97,889	86,037	1.48	\$7,651,430	\$660,370	\$8,311,800	\$85	\$10	2013	2013	2000	4	93		
				1,505,531	704,713	2.14	\$132,975,510	\$8,324,490	\$141,300,000	\$94	\$12	2013	2013	2000	4	1,334		
	apartments	2140 Medical District	Dallas	352,588	316,158	1.12	\$44,676,840	\$6,323,160	\$51,000,000	\$145	\$20	2008	2008	2008	4	398		
	apartments	203 102	Dallas	304,102	203,218	1.50	\$24,983,840	\$4,084,360	\$29,068,200	\$95	\$20	2006	2006	2006	4	278		
	retail	2222 Medical District	Dallas	57,251	35,077	1.63	\$3,988,280	\$701,540	\$3,286,740	\$56	\$20	2008	2008	2008	1			
				361,353	238,295	1.52	\$28,061,920	\$4,765,900	\$32,827,820	\$91	\$20	2013	2013	2008	4	278		
Retail centers																		
	Highland Park Village	4200 Mockingbird	High Park	278,142	423,054	0.24	\$66,440,100	\$43,558,900	\$110,000,000	\$103	\$103	1987	2013	1987				
	HPV parking north of Mockingbird	4200 Mockingbird	High Park	0	100,863	0.53	\$66,440,100	\$0	\$4,924,550	\$49	\$49	2013	2013	1987				
				278,142	523,917	0.53	\$66,440,100	\$43,558,900	\$114,974,550	\$413	\$413	2013	2013	1987				
	NorthPark	8887 N. Central	Dallas	1,713,484	3,345,060	0.51	\$381,786,400	\$200,703,600	\$582,500,000	\$340	\$50	1965	2000	1965	2		\$122,676,249	\$72
	Northpark Land Partners (Mac's)	7901 W. Northwest	Dallas	250,000	151,088	1.65	\$10,716,610	\$9,065,280	\$19,781,890	\$79	\$50	2004	2004	2004	2		\$11,788,360	\$47
	Nordstrom	7901 W. Northwest	Dallas	202,905	130,940	0	\$16,278,030	\$0	\$16,278,030	\$80	\$80	2004	2004	2004	2		\$19,889,200	\$96
	Neiman Marcus	0 Northpark	Dallas	139,940	83,625	1.67	\$13,592,500	\$5,017,500	\$18,600,000	\$133	\$50	1965	1965	1965	2		\$25,933,200	\$185
		8850 Beedeler	Dallas	84,307	87,165	0.74	\$577,570	\$3,922,430	\$4,500,000	\$72	\$45	1973	1973	1973	3		\$179,757,119	\$78
				2,370,636	3,666,938	0.65	\$423,051,110	\$218,708,810	\$641,759,920	\$271	\$50	2013	2013	1987				
	MacArthur Mills shopping center	4000 N. MacArthur	Irving	137,223	572,268	0.24	\$14,277,310	\$5,722,690	\$20,000,000	\$146	\$10	2013	2013	1987				
	Stonebriar Mall dept. stores (5)			884,477	2,475,763	0.36	\$23,389,201	\$24,757,630	\$48,146,831	\$54	\$10	2013	2013	1987				
	Other mall stores inside ring road			1,232,189	2,147,726	0.57	\$214,333,831	\$21,958,340	\$236,292,171	\$192	\$10	2013	2013	1987				
	Stonebriar Mall outside ring road			525,885	3,661,545	0.14	\$45,845,664	\$53,081,095	\$98,926,749	\$188	\$14	2013	2013	1987				
				2,842,511	8,285,034	0.32	\$283,718,786	\$58,797,055	\$342,515,841	\$145	\$12	2013	2013	2000				
				4,485	52,485	0.09	\$67,068	\$970,973	\$1,038,041	\$361	\$18	1999	1999	1999			\$240,135	\$54
	Chase Bank	906 McDermott W.	Allen	135,221	504,826	0.27	\$14,475,163	\$3,533,782	\$18,008,945	\$133	\$7	1999	1999	1999			\$902,563	\$7
	Hobby Lobby, Fed Ex	107 Central N.	Allen	2,607	54,886	0.05	\$419,237	\$987,948	\$1,407,185	\$540	\$18	1999	1999	1999			\$11,788,360	\$47
	Compass Bank	806 McDermott W.	Allen	2,798	35,092	0.08	\$392,341	\$666,748	\$1,059,089	\$378	\$19	1999	1999	1999			\$129,904	\$46
	Jack in the Box	802 McDermott W.	Allen	3,915	56,192	0.07	\$237,611	\$1,180,040	\$1,417,651	\$362	\$21	1999	1999	1999			\$169,886	\$43
	Golden Chick	103 Central N.	Allen	4,683	40,946	0.11	\$506,411	\$777,974	\$1,284,385	\$274	\$19	2000	2000	2000			\$77,148	\$16
	Chipotle Mexican Grill	111 Central N.	Allen	125,370	447,453	0.28	\$5,404,587	\$3,355,898	\$8,760,485	\$70	\$8	1999	1999	1999			\$285,057	\$2
	Stacy's Furniture, etc.	201 Central N.	Allen	2,950	35,589	0.08	\$319,987	\$905,013	\$1,225,000	\$314	\$17	2006	2006	2006			\$108,124	\$37
	Aty's	205 Central N.	Allen	50,523	92,430	0.55	\$3,104,345	\$765,655	\$3,870,000	\$77	\$9	2000	2000	2000			\$166,956	\$26
	Holiday Inn Express	213 Central N.	Allen	7,200	66,054	0.11	\$117,735	\$1,122,918	\$1,240,653	\$175	\$17	2001	2001	2001			\$317,810	\$78
	On the Border	209 Central N.	Allen	4,188	23,435	0.18	\$344,923	\$398,395	\$743,318	\$175	\$17	1999	1999	1999			\$944,509	\$32
	Edwin Watts Golf	908 McDermott W.	Allen	29,258	186,380	0.16	\$3,167,360	\$1,304,660	\$4,472,020	\$153	\$8	1999	1999	1999			\$2,578,148	\$43
	Jason's Deli, misc. retail	914 McDermott W.	Allen	59,964	267,350	0.22	\$3,874,433	\$2,005,125	\$5,879,558	\$98	\$8	2000	2000	2000			\$170,767	\$44
	Tom Thumb	908 McDermott W.	Allen	7,500	29,664	0.25	\$1,167,828	\$548,198	\$1,716,026	\$226	\$17	1999	1999	1999			\$336,953	\$51
	Chik-FIL-A	902 McDermott W.	Allen	3,910	32,247	0.12	\$666,666	\$925,820	\$1,592,486	\$253	\$18	2000	2000	2000			\$365,459	\$9
	SWH	810 McDermott W.	Allen	6,800	52,904	0.12	\$743,917	\$925,820	\$1,669,737	\$253	\$18	2000	2000	2000			\$365,459	\$9
	24-Hour Fitness	510 Waters N.	Allen	38,485	146,017	0.26	\$4,163,647	\$903,096	\$5,066,743	\$130	\$5	2002	2002	2002			\$0	N.A.
	vacant	504 Waters N.	Allen	0	55,452	0.00	\$0	\$304,985	\$304,985	\$5	\$5	2013	2013	2013			\$0	N.A.
				488,669	2,178,403	0.22	\$39,806,339	\$20,781,517	\$60,587,856	\$124	\$10	2013	2013	2013			\$6,920,933	\$14
	McDermott @ Central (NW corner)			753,787	1,267,546	0.59	\$63,477,565	\$7,725,279	\$71,202,844	\$121	\$6	2007	2007	2007			\$6	
	907 Bethany			72,080	186,228	0.39	\$6,718,709	\$1,117,366	\$7,836,075	\$121	\$6	2013	2013	2013			\$6	
	985 Bethany			825,847	1,473,774	0.56	\$69,026,274	\$8,642,645	\$77,668,919	\$119	\$6	2013	2013	2013			\$119	
	Waters Creek at Montgomery Farm																	

Appendix B

DCAD Appraisals of Comparable Developments

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)	
Use	Development Identity	Street Address	City	Gross Floor Area	Land SF	Floor Coverage	Improvements	Land	Total Value	Total per SF GFA	Land SF	Year	Year	Built	Stories	Units	Bus. Personal Property	BPP per SF GFA	
	medical and Chipotle	11613 N. Central	Dallas	61,916	209,038	0.30	\$2,089,900	\$4,180,760	\$6,270,660	\$101	\$20	1979	1979	1979			\$712,870	\$24	
	medical	11617 N. Central		28,400	88,879	0.32	\$1,278,520	\$3,056,100	\$108	\$20	1979	1979	1979				\$1,092,940		
	Boston Market	11717 N. Central		4,240	24,805	0.17	\$373,400	\$496,100	\$869,500	\$205	\$20	1981	1981	1981			\$351,410		
	7-Eleven	7550 Forest		2,016	16,291	0.12	\$304,080	\$488,730	\$792,810	\$393	\$30	1976	1976	1976			\$134,430		
	Schlotzky's	7804 Forest		2,700	13,884	0.19	\$232,170	\$278,680	\$511,650	\$190	\$20	1979	1979	1979			\$70,180		
	Taco Bueno	7940 Forest		2,806	23,640	0.12	\$135,600	\$472,800	\$808,400	\$217	\$20	1979	1979	1979			\$130,650		
	Central Forest Shopping Center total			102,078	376,637	0.27	\$4,413,670	\$7,695,650	\$12,109,320	\$119	\$20	2013	2013	2013			\$2,492,480	\$24	
	Preston Forest Shopping Center	11700 Preston	Dallas	0	364,015	0.00	\$0	\$5,460,230	\$5,460,230	\$15	\$15	2006	2006	2006			\$4,804,290	\$59	
	Whole Foods	11700 Preston		76,040	51,960	1.50	\$6,520,600	\$7,300,000	\$94	\$15	1960	1960	1960				\$953,510	\$11	
		11700 Preston		27,824	27,824	1.00	\$1,957,640	\$2,375,000	\$85	\$15	1961	1961	1961						
	Staples	11700 Preston		88,700	42,200	2.10	\$7,992,000	\$8,325,000	\$94	\$15	1961	1961	1961						
		11700 Preston		29,680	29,280	1.01	\$2,556,800	\$4,392,000	\$2,975,000	\$112	\$15	1960	1960	1960					
		11700 Preston		21,380	21,380	1.00	\$1,972,400	\$4,27,600	\$2,400,000	\$112	\$20	1958	1958	1958					
	Wells Fargo	11730 Preston		3,120	15,655	0.20	\$544,350	\$469,650	\$1,014,000	\$325	\$30	2003	2003	2003			\$204,700	\$66	
	Preston Forest Shopping Center		Dallas	248,744	552,314	0.45	\$21,222,780	\$36,26,440	\$39,849,230	\$120	\$16	2013	2013	2013					
	Willow Bend Mall dept. stores (4)	723,629		731,322	0.89	\$23,881,580	\$8,647,683	\$32,229,263	\$45	\$12									
	Other mall stores	855,870		2,694,450	0.32	\$71,155,496	\$26,844,504	\$98,000,000	\$114	\$10									
	Park Blvd. pad sites	50,628		435,252	0.12	\$7,093,761	\$11,127,991	\$18,221,752	\$360	\$28									
	Willow Bend Mall total		Plano	1,631,127	3,851,024	0.42	\$101,830,837	\$46,620,178	\$148,451,015	\$91	\$12	2013	2013	2013					
	Wheatland Towne Crossing 4	38748 LBU Fwy		103,836	499,328	0.21	\$6,835,280	\$1,497,980	\$8,333,260	\$80	\$3	2011	2011	2011					
	Target	38738 LBU Fwy		134,188	435,731	0.31	\$6,204,850	\$1,307,190	\$7,512,040	\$56	\$3	2007	2007	2007					
	Aldi	8034 Chynalls		16,619	98,428	0.17	\$1,428,640	\$590,570	\$2,019,210	\$122	\$6	2009	2009	2009					
	Wheatland Towne Crossing total		Dallas	254,623	1,033,487	0.25	\$14,468,770	\$3,395,740	\$17,864,510	\$70	\$3	2013	2013	2013					
	Hotels																	\$1,446,817	\$2
	Omni (100% tax-exempt)	555 S. Lamar	Dallas	908,723	250,787	2.50	\$203,887,370	\$13,783,290	\$217,480,660	\$246	\$55	2013	2013	2013	22	1,001			
	Zaza	2332 Leonard	Dallas	102,010	48,352	2.11	\$19,123,490	\$4,351,680	\$23,475,170	\$230	\$90	2001	2001	2001	4	149			
	The Mansion on Turtle Creek	2821 Turtle Creek	Dallas	97,114	157,012	0.62	\$9,526,040	\$12,560,960	\$22,087,000	\$227	\$80	1980	1980	1980	9	142			
	Palomar	5300 N. Central	Dallas	115,018	108,356	1.06	\$14,059,800	\$5,959,560	\$20,019,360	\$174	\$55	1987	1987	1987	9	198			
	Ritz Carlton	2121 McKinney	Dallas	284,513	145,686	1.95	\$23,624,180	\$17,482,320	\$41,106,500	\$144	\$120	2005	2005	2005	8	217			
	Aloft	6853 Dallas	Plano	67,587	116,728	0.58	\$6,824,901	\$2,101,099	\$8,926,000	\$132	\$18	2008	2008	2008	136				
	WHotel	2440 Victory Park	Dallas	294,261	20,086	14.65	\$35,567,630	\$1,305,570	\$36,873,200	\$125	\$65	2013	2013	2013	12	252			
	Embassy Suites	7800 John Q. Harmons	Frisco	309,688	80,686	3.84	\$31,791,210	\$1,208,790	\$33,000,000	\$107	\$15	2013	2013	2013	329			\$172,347	
		4140 N. MacArthur		488,386	1,111,085	0.45	\$38,742,080	\$11,110,850	\$49,852,940	\$100	\$10	1985	1985	1985	9	315			
		4140 N. MacArthur		81,468	484,387	0.17	\$2,088,780	\$4,843,870	\$7,542,650	\$93	\$10	1985	1985	1985	2	94			
	Four Seasons		Irvine	575,872	1,595,472	0.36	\$41,440,870	\$15,954,720	\$57,395,590	\$99	\$10	2013	2013	2013	409				
	Gaylord Texan	1501 Gaylord Trail	Grapevine	2,886,535	2,231,871	1.29	\$258,702,772	\$7,811,898	\$266,514,670	\$92	\$3	2013	2013	2013	1,511			\$1,746,035	\$1
		300 Reunion		940,573	287,200		\$59,312,000	\$10,688,000	\$70,000,000			1978	1978	1978	29	1,122			
		500 S. Stemmons		0	1,310,476		\$0	\$5,241,840	\$5,241,840										
		201 Reunion		0	76,348		\$0	\$3,053,920	\$3,053,920										
		400 S. Stemmons		0	57,974		\$0	\$2,318,960	\$2,318,960										
		311 Reunion		0	16,846		\$0	\$677,840	\$677,840										
		300 Hyatt Regency		0	9,165		\$0	\$366,600	\$366,600										
	Hyatt Regency Hotel		Dallas	940,573	1,738,109	0.54	\$59,312,000	\$22,347,160	\$81,659,160	\$87	\$13	2013	2013	2013	1,122				
	Fairmont Hotel	1717 N. Akard	Dallas	579,037	87,617	6.61	\$40,886,840	\$5,257,020	\$46,143,860	\$90	\$60	2013	2013	1960	24	550			

Appendix B

DCAD Appraisals of Comparable Developments

(a) Use	(b) Development Identity	(c) Street Address	(d) City	(e) City	(f) Gross Floor Area	(g) Land SF	(h) Floor Coverage	(i) Improvements	(j) Land	(k) Total Value	(l) Total SF GFA	(m) Land per Appraisal	(n) Year	(o) Built	(p) Stories	(q) Units	(r) Bus Personal Property	(s) SF GFA
		900 E Lookout			178,900	38,155	4.63	\$11,983,950	\$305,240	\$12,189,190	\$89	\$8						
		900 E Lookout			104,723	19,077	5.79	\$7,723,389	\$171,720	\$7,905,000	\$75	\$10						
		900 E Lookout			30,000	24,897	0.40	\$2,760,384	\$709,919	\$3,500,000	\$117	\$9						
	Marriott Renaissance		Richardson	Richardson	311,323	130,929	2.38	\$22,387,389	\$1,186,381	\$23,574,190	\$76	\$8	2013	2000	12	219		
	Richardson Hotel		Richardson	Richardson	228,184	304,920	0.78	\$15,753,940	\$2,439,360	\$18,193,200	\$76	\$8	2013	1986	18	342		
		221 E Las Colinas			489,905	254,780	1.84	\$29,154,920	\$3,057,120	\$32,212,040	\$69	\$12						
		215 E Las Colinas			5,136	34,834	0.15	\$246,110	\$418,010	\$663,120	\$28	\$12						
	Omni Mandalay		Irvine	Irvine	414,940	289,594	1.64	\$28,400,050	\$3,475,130	\$32,375,160	\$69	\$12	2013	1981	27	421		
		2007 Live Oak			0	43,457		\$2,609,860	\$2,390,140	\$5,000,000								
		2117 Live Oak			1,323,723	99,556		\$82,591,070	\$5,475,590	\$88,058,850								
		443 Olive			232,058	75,388		\$4,354,270	\$4,145,130	\$8,500,000								
		400 Olive			0	7,879		\$64,550	\$64,550	\$64,550								
	Sheraton		Dallas	Dallas	1,615,328	225,258	7.14	\$89,545,800	\$12,105,700	\$101,651,200	\$63	\$54	2013	1987	40	2,958		
	La Quinta Inn & Suites		Allen	Allen	46,108	79,321	0.59	\$2,364,436	\$763,209	\$3,167,845	\$69	\$10	2013	2008	4	80		
	Holiday Inn Express		Allen	Allen	50,523	92,430	0.55	\$3,014,345	\$785,655	\$3,800,000	\$75	\$9	2013	2005	4	78		
	Cinemas																	
	Cinemark Theater		Plano	Plano	100,530	856,825	0.12	\$8,711,306	\$5,355,431	\$14,066,737	\$140	\$6	2013	1988			\$1,512,267	\$15
	Look Cinemas		Addison	Addison	56,161	259,809	0.22	\$2,158,970	\$5,198,180	\$7,353,150	\$131	\$20	2013	2012				
	Cinemark Theater		McKinney	McKinney	55,744	385,201	0.14	\$3,505,914	\$2,664,086	\$6,170,000	\$111	\$7	2013	1984			\$1,489,407	\$27
	Studio Movie Grill		Dallas	Dallas	59,829	222,178	0.27	\$1,478,210	\$4,443,560	\$5,921,770	\$99	\$20	2013	1993			\$1,630,320	\$27
	AMC Mesquite 30		Mesquite	Mesquite	130,891	1,028,451	0.13	\$8,943,100	\$2,056,900	\$11,000,000	\$84	\$2	2013	1987			\$1,047,770	\$8
	Cinemark Theater		Cedar Hill	Cedar Hill	48,228	365,729	0.13	\$3,605,630	\$2,194,370	\$5,800,000	\$125	\$6	2013	2004				
	Office buildings																	
	Knox Park Village		Dallas	Dallas	79,127	87,172	0.91	\$12,988,120	\$3,488,980	\$16,475,000	\$208	\$40	2013	2002	4		\$1,534,810	\$19
	2100 McKinney		Dallas	Dallas	374,854	136,491	2.74	\$51,302,100	\$16,378,920	\$67,681,020	\$181	\$120	2013	1988	13		\$8,348,040	\$22
	Hall Office Park (developed tracts only)		Frisco	Frisco	2,009,089	5,464,122	0.37	\$266,010,978	\$38,919,522	\$304,930,500	\$152	\$7	2013					
	1845 Woodall Rodgers		Dallas	Dallas	185,007	36,190	5.11	\$21,051,200	\$4,342,800	\$25,394,000	\$137	\$120	2013	1984	17		\$2,347,240	\$13
	Chase Tower		Dallas	Dallas	1,253,167	111,993	11.19	\$160,350,810	\$6,159,620	\$166,510,430	\$133	\$55	2013	1985	55		\$26,747,200	\$21
		5201 N. O'Connor			32,897	91,479	0.40	\$6,818,360	\$977,740	\$7,794,000	\$237	\$12		1981	3			
		5205 N. O'Connor			411,692	222,967	1.85	\$2,875,000	\$2,875,000	\$5,750,000	\$133	\$12		1981	14			
		5215 N. O'Connor			735,355	210,408	3.48	\$8,654,100	\$2,550,000	\$9,204,000	\$125	\$12		1981	28			
		5221 N. O'Connor			411,593	157,408	2.61	\$2,841,100	\$1,859,000	\$4,699,000	\$133	\$12		1981	14			
	Williams Center		Irvine	Irvine	1,591,328	872,261	2.37	\$201,329,860	\$8,007,140	\$209,337,000	\$132	\$12	2013					
	Trammell Crow Center		Dallas	Dallas	1,245,324	95,048	13.10	\$152,747,120	\$5,702,980	\$158,450,000	\$127	\$60	2013	1982	54		\$22,650,010	\$18
	Fountain Place		Dallas	Dallas	1,297,418	78,848	16.45	\$113,003,160	\$4,730,980	\$117,734,040	\$91	\$60	2013	1984	60			
		7441 Marvin D Love Fwy		Dallas	30,119	35,952	0.84	\$1,162,630	\$107,960	\$1,270,490	\$42	\$3	2013	1985	3			
		7330 S Westmoreland		Dallas	86,256	286,403	0.23	\$2,356,050	\$659,210	\$3,015,260	\$49	\$3	2013	1978	2			
	Residences, individually owned (condos, townhomes)																	
	Azure condos		Dallas	Dallas	476,640	57,094	8.35	\$120,787,368	\$4,957,056	\$125,744,424	\$264	\$75	2008	2005	31	156		
	2011 Cedar Springs condos		Dallas	Dallas	105,574	42,737	2.47	\$23,095,502	\$4,273,700	\$27,369,202	\$259	\$100	2008	1989	7	44		

(Appraisal and GFA figures are estimates based on all records ending in "5" in DCAD listing at this address.)

(Appraisal and GFA figures are estimates based on all records ending in "3" and "8" in DCAD listing at this address.)

Appendix B

DCAD Appraisals of Comparable Developments

(a) Use	(b) Development Identity	(c) Street Address	(d) City	(e) Gross Floor Area	(f) Land SF	(g) Floor Coverage	(h) Improvements	(i) Land	(j) Total Value	(k) Total per SF GFA	(l) Land per SF GFA	(m) Year	(n) Appraisal Year	(o) Built	(p) Series	(q) Units	(r) Bus. Personal Property	(s) BPP per SF GFA
1989 McKinney condos		1989 McKinney	Dallas	159,718	29,102	5.49	\$33,480,500	\$2,910,200	\$36,390,700	\$228	\$80	2008	2008	2000	12	80		
(Appraisal figures are estimates based on all records ending in "3" and "8" in DCAD listing at this address.)																		
Townhomes at Addison Circle		5002-12 Morris	Addison	15,580	9,946	1.57	\$2,997,230	\$403,240	\$3,400,470	\$218	\$41	2009	2009	1999		6		
Gran Treviso condos		330 E. Las Colinas	Irving	273,716	143,100	1.91	\$54,706,915	\$1,431,000	\$56,137,915	\$205	\$10	2008	2008	2001	17	246		
(Appraisal and GFA figures are estimates based on all records ending in "7" in DCAD listing at this address.)																		
Knox Travis Park condos		4611 Travis	Dallas	102,752	26,898	3.82	\$15,268,244	\$1,210,410	\$16,478,654	\$160	\$45	2008	2008	2000	11	63		
(Appraisal figures are estimates based on all records ending in "1" and "6" in DCAD listing at this address.)																		
Residences, rental	Legacy Townhomes (random sample)		Plano	12,213			\$1,408,235	\$528,750	\$1,937,985	\$159		2011				7		
	Hunters Ridge 2	1538 Biltmore	Irving	2,241	1,823	1.23	\$150,000	\$50,000	\$200,000	\$89	\$27	2013	2013	2007	3	1		
	Coronado Village	1817 Cortez	McKinney	2,211	1,886	1.17	\$157,906	\$42,600	\$200,506	\$91	\$23	2013	2013	2012	3	1		
	Windsor at Trianon	2728 McKinney	Dallas	377,476	94,960	3.88	\$70,827,600	\$6,172,400	\$77,000,000	\$204	\$85	2013	2013	2007	19	375		
	Ashton	2820 McKinney	Dallas	340,538	181,724	1.87	\$54,487,940	\$11,812,080	\$66,300,000	\$195	\$85	2012	2012	2004	4	317		
	Marquis on McKinney	2215 Cedar Springs	Dallas	386,790	96,790	4.00	\$63,443,050	\$6,291,350	\$69,734,400	\$180	\$85	2013	2013	2003	18	267		
	The Mondrian	3324 McKinney	Dallas	141,392	39,814	3.55	\$20,918,600	\$3,561,400	\$24,480,000	\$173	\$89	2012	2012	2002	7	144		
	Arts	3000 Blacklume	Dallas	361,984	123,275	2.94	\$47,135,750	\$8,629,250	\$55,765,000	\$154	\$70	2013	2013	2003	20	218		
	Monterra	2811 Ross	Dallas	215,819	63,858	3.38	\$29,319,200	\$3,512,190	\$32,831,390	\$152	\$55	2013	2013	2008	5	228		
	Hi Line Apartments	301 W Las Colinas	Irving	318,005	286,407	1.11	\$36,563,120	\$3,436,880	\$40,000,000	\$126	\$12	2013	2013	2006	4	282		
Residences, rental	Rovello	1551 Oak Lawn	Dallas	343,080	214,489	1.60	\$41,088,250	\$3,217,340	\$44,315,590	\$129	\$15	2013	2013	2008	4	355		
	Legacy Apartments - North	2910 Allen	Dallas	397,294	132,117	3.01	\$39,262,390	\$8,587,610	\$47,850,000	\$120	\$85	2013	2013	1999	7	290		
	Legacy Apartments - UDR	7560 Bishop	Plano	328,176	295,772	1.11	\$33,050,557	\$2,219,283	\$35,269,860	\$107	\$8	2013	2013	2007				
	Gables Mirabella	7008 Bishop	Plano	312,583	200,866	1.56	\$30,152,650	\$2,411,830	\$32,564,480	\$104	\$12	2013	2013	2005				
	Galatin Urban Center	2800 Cole	Dallas	142,507	80,813	2.34	\$9,434,960	\$4,865,040	\$14,300,000	\$100	\$80	2013	2013	1995	4	127		
		2301 Performance	Richardson	364,788	195,236	1.87	\$33,948,580	\$1,171,420	\$35,020,000	\$96	\$6	2013	2013	2007	4	278		
		1801 N. Greenville	Richardson	404,719	245,678	1.65	\$36,082,280	\$1,965,420	\$38,047,700	\$94	\$8				4	351		
		1851 N. Greenville	Richardson	87,813	86,249	1.13	\$8,592,310	\$689,890	\$9,282,300	\$95	\$8				4	184		
			Richardson	602,332	331,327	1.51	\$44,644,590	\$2,855,410	\$47,500,000	\$94	\$8	2013	2013	2007	4	435		
	Post Eastside																	
Residences, rental	Flori	3900 Vitruvian	Addison	396,827	191,734	2.07	\$42,680,860	\$1,917,340	\$44,578,200	\$112	\$10	2013	2013	2011	12	391		
	Savoye 2	3900 Vitruvian	Addison	334,319	158,889	2.11	\$46,545,290	\$2,380,340	\$50,925,630	\$152	\$15	2013	2013	2010	9 and 6	347		
	Savoye 1	3910 Vitruvian	Addison	445,842	209,872	2.12	\$50,741,920	\$3,148,080	\$53,890,000	\$121	\$15	2013	2013	2008	5 and 7	392		
	Villa Plana	13500 Noel	Dallas	224,093	154,856	1.45	\$31,048,600	\$3,871,400	\$34,920,000	\$156	\$25	2013	2013	2007	5	246		
	Villa Verona	13300 Noel	Dallas	434,228	111,823	3.89	\$33,009,420	\$2,790,580	\$36,200,000	\$93	\$25	2013	2013	1999	4 and 16	273		
	Desoto Town Center	207 E Pleasant Run	Desoto	47,924	45,198	1.06	\$4,184,260	\$248,580	\$4,432,850	\$92	\$6	2013	2013	2008	3	56		
	Flats at Five Mile Creek	423 E Ledbetter	Dallas	136,865	273,034	0.50	\$6,190,070	\$408,550	\$6,598,620	\$48	\$1	2013	2013	2002	3	152		

Appendix C-1

Annual Projection of Sales Tax to the City of Dallas and Dallas Area Rapid Transit from the Montfort-IH 635 Sub- District

Fiscal Year Ended Dec 31	Notes:												City of Dallas												DART																							
	Gross floor areas and timing estimates imported from other schedules. Businesses are assumed operating by July of the previous fiscal year (three months before the indicated fiscal year begins). Estimated sales per square foot are adjusted annually for inflation at Sales tax column approximates tax receipts in the indicated fiscal year. Does not include sales tax from materials used in construction.																																															
	2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041							
	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0	90%	\$0																
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
2017				2021				2022				2027				Fiscal Year of Initial Tax Receipts =				2027				2028				2030				2038				2040				2041								
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Appendix C-2

Annual Projection of Sales Tax to the City of Dallas and Dallas Area Rapid Transit from the Westmoreland-IH 20 Sub-District

Notes:														
Gross floor areas and timing estimates imported from other schedules.														
Businesses are assumed operating by July of the previous fiscal year (three months before the indicated fiscal year begins).														
Estimated sales per square foot are adjusted annually for inflation at:														
Sales tax column approximates tax receipts in the indicated fiscal year.														
Does not include sales tax from materials used in construction.														

Appendix D-1

Annual Projection of Hotel Occupancy Tax and Business Personal Property Tax to the City of Dallas from the Montfort- IH 635 Sub-District

Notes:								
Date of City receipt of Hotel Occupancy Tax may lag date of earning by 3-4 months.								
BPP Tax receipts generally occur 12-13 months after appraisal. Appraisals are for Jan. 1 of the year indicated.								
Commercial development includes retail, office, and hotel projects.								
City tax rate:		0.7970%						
City tax rate is assumed constant. Actual rates will be set annually.								
Inflation rate:		3%						
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)

		City Hotel Occupancy Tax			City BPP Tax			
		Annual						
		Room Receipts			Estimated	Estimated		Cumulative Estimated
		If 2014 ADR =		Estimated	Cumulative	City BPP		City Hotel and BPP Tax
		\$225		City	Square Feet	Tax @	Total	Net Present Value
				Hotel Occupancy	New	\$20	Estimated City	(2014 dollars)
		Guest	Occupancy =	Tax @	Commercial	per SF	Hotel and BPP	Annual Discount Rate @
Year		Rooms	60%	9.00%	Development	Commercial	Tax	4%
Base	2014	0	\$0	\$0	0	\$0	\$0	\$0
1	2015	0	\$0	\$0	0	\$0	\$0	\$0
2	2016	0	\$0	\$0	0	\$0	\$0	\$0
3	2017	0	\$0	\$0	133,350	\$23,227	\$23,227	\$19,855
4	2018	0	\$0	\$0	375,350	\$67,340	\$67,340	\$75,203
5	2019	0	\$0	\$0	375,350	\$69,360	\$69,360	\$130,020
6	2020	0	\$0	\$0	375,350	\$71,441	\$71,441	\$184,309
7	2021	273	\$16,544,355	\$1,488,992	797,604	\$156,364	\$1,645,356	\$1,386,554
8	2022	273	\$17,040,686	\$1,533,662	847,604	\$171,151	\$1,704,813	\$2,584,333
9	2023	273	\$17,551,907	\$1,579,672	1,197,604	\$249,079	\$1,828,750	\$3,819,771
10	2024	273	\$18,078,464	\$1,627,062	1,197,604	\$256,551	\$1,883,613	\$5,043,330
11	2025	273	\$18,620,818	\$1,675,874	1,197,604	\$264,248	\$1,940,121	\$6,255,124
12	2026	273	\$19,179,442	\$1,726,150	1,197,604	\$272,175	\$1,998,325	\$7,455,266
13	2027	273	\$19,754,826	\$1,777,934	1,647,604	\$385,678	\$2,163,612	\$8,704,699
14	2028	273	\$20,347,470	\$1,831,272	1,662,604	\$400,865	\$2,232,137	\$9,944,125
15	2029	273	\$20,957,895	\$1,886,211	2,570,604	\$638,384	\$2,524,594	\$11,292,027
16	2030	957	\$75,671,818	\$6,810,464	3,563,724	\$911,566	\$7,722,029	\$15,256,310
17	2031	957	\$77,941,972	\$7,014,777	3,563,724	\$938,913	\$7,953,690	\$19,182,475
18	2032	957	\$80,280,231	\$7,225,221	4,116,390	\$1,117,056	\$8,342,277	\$23,142,074
19	2033	957	\$82,688,638	\$7,441,977	4,116,390	\$1,150,567	\$8,592,545	\$27,063,599
20	2034	957	\$85,169,297	\$7,665,237	4,669,056	\$1,344,194	\$9,009,431	\$31,017,240
21	2035	957	\$87,724,376	\$7,895,194	4,669,056	\$1,384,520	\$9,279,714	\$34,932,865
22	2036	957	\$90,356,108	\$8,132,050	4,669,056	\$1,426,055	\$9,558,105	\$38,810,840
23	2037	957	\$93,066,791	\$8,376,011	4,669,056	\$1,468,837	\$9,844,848	\$42,651,526
24	2038	957	\$95,858,795	\$8,627,292	5,257,222	\$1,703,484	\$10,330,775	\$46,526,774
25	2039	957	\$98,734,558	\$8,886,110	5,292,722	\$1,766,436	\$10,652,547	\$50,369,033
26	2040	957	\$101,696,595	\$9,152,694	5,807,246	\$1,996,303	\$11,148,996	\$54,235,689
27	2041	957	\$104,747,493	\$9,427,274	5,842,746	\$2,068,761	\$11,496,036	\$58,069,358
28	2042	957	\$107,889,918	\$9,710,093	5,842,746	\$2,130,824	\$11,840,917	\$61,866,165
29	2043	957	\$111,126,615	\$10,001,395	5,842,746	\$2,194,749	\$12,196,144	\$65,626,464
30	2044	957	\$114,460,414	\$10,301,437	5,842,746	\$2,260,591	\$12,562,029	\$69,350,606
Total			\$1,575,489,484	\$141,794,054		\$26,888,719	\$168,682,772	

Appendix D-2

Annual Projection of Hotel Occupancy Tax and Business Personal Property Tax to the City of Dallas from the Westmoreland-IH 20 Sub-District

		<u>Notes:</u>							
		Date of City receipt of Hotel Occupancy Tax may lag date of earning by 3-4 months.							
		BPP Tax receipts generally occur 12-13 months after appraisal. Appraisals are for Jan. 1 of the year indicated.							
		Commercial development includes retail, office, and hotel projects.							
		City tax rate: 0.7970%							
		City tax rate is assumed constant. Actual rates will be set annually.							
		Inflation rate: 3%							
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	
		City Hotel Occupancy Tax			City BPP Tax				
		Annual Room Receipts			Estimated Cumulative		Cumulative Estimated		
		If 2014 ADR = \$80			Estimated City BPP		City Hotel and BPP Tax		
		City Hotel Occupancy Tax @			Estimated City BPP Tax @		Total Estimated City Hotel and BPP Tax		
		Guest Occupancy = 60%			New Commercial Development		Net Present Value (2014 dollars)		
Year		Tax @ 7.00%			per SF Commercial		Annual Discount Rate @ 4%		
Base	2014	0	\$0	\$0	0	\$0	\$0	\$0	\$0
1	2015	0	\$0	\$0	0	\$0	\$0	\$0	\$0
2	2016	0	\$0	\$0	0	\$0	\$0	\$0	\$0
3	2017	0	\$0	\$0	0	\$0	\$0	\$0	\$0
4	2018	0	\$0	\$0	0	\$0	\$0	\$0	\$0
5	2019	0	\$0	\$0	0	\$0	\$0	\$0	\$0
6	2020	0	\$0	\$0	0	\$0	\$0	\$0	\$0
7	2021	0	\$0	\$0	30,000	\$5,881	\$5,881	\$4,297	\$4,297
8	2022	0	\$0	\$0	30,000	\$6,058	\$6,058	\$8,553	\$8,553
9	2023	0	\$0	\$0	70,000	\$14,559	\$14,559	\$18,389	\$18,389
10	2024	0	\$0	\$0	115,000	\$24,635	\$24,635	\$34,391	\$34,391
11	2025	0	\$0	\$0	115,000	\$25,374	\$25,374	\$50,240	\$50,240
12	2026	0	\$0	\$0	115,000	\$26,136	\$26,136	\$65,937	\$65,937
13	2027	80	\$2,058,297	\$144,081	164,600	\$38,530	\$182,611	\$171,390	\$171,390
14	2028	80	\$2,120,046	\$148,403	184,600	\$44,508	\$192,912	\$278,507	\$278,507
15	2029	80	\$2,183,647	\$152,855	184,600	\$45,844	\$198,699	\$384,594	\$384,594
16	2030	80	\$2,249,157	\$157,441	204,600	\$52,335	\$209,776	\$492,287	\$492,287
17	2031	80	\$2,316,631	\$162,164	204,600	\$53,905	\$216,069	\$598,945	\$598,945
18	2032	80	\$2,386,130	\$167,029	224,600	\$60,949	\$227,978	\$707,153	\$707,153
19	2033	80	\$2,457,714	\$172,040	224,600	\$62,778	\$234,818	\$814,321	\$814,321
20	2034	80	\$2,531,446	\$177,201	224,600	\$64,661	\$241,862	\$920,458	\$920,458
21	2035	80	\$2,607,389	\$182,517	224,600	\$66,601	\$249,118	\$1,025,574	\$1,025,574
22	2036	80	\$2,685,611	\$187,993	264,600	\$80,816	\$268,809	\$1,134,637	\$1,134,637
23	2037	80	\$2,766,179	\$193,633	264,600	\$83,240	\$276,873	\$1,242,651	\$1,242,651
24	2038	80	\$2,849,164	\$199,441	264,600	\$85,738	\$285,179	\$1,349,627	\$1,349,627
25	2039	80	\$2,934,639	\$205,425	264,600	\$88,310	\$293,735	\$1,455,574	\$1,455,574
26	2040	80	\$3,022,678	\$211,587	284,600	\$97,834	\$309,422	\$1,562,886	\$1,562,886
27	2041	80	\$3,113,359	\$217,935	284,600	\$100,769	\$318,704	\$1,669,167	\$1,669,167
28	2042	80	\$3,206,759	\$224,473	304,600	\$111,086	\$335,559	\$1,776,765	\$1,776,765
29	2043	80	\$3,302,962	\$231,207	304,600	\$114,419	\$345,626	\$1,883,328	\$1,883,328
30	2044	80	\$3,402,051	\$238,144	304,600	\$117,851	\$355,995	\$1,988,866	\$1,988,866
Total			\$48,193,859	\$3,373,570		\$1,472,817	\$4,846,387		

Appendix E-1

Annual Projection of Real Property Tax and Business Personal Property Tax to the Dallas Independent School District from the Montfort-IH 635 Sub-District

Notes:														
Base value of the TIF fund is from 2013 certified DCAD roll. Estimated values of redevelopment added annually to the TIF fund, in 2014 dollars, are from another schedule.														
Annual inflation or value change rates are long-term average estimates. Actual value adjustments may vary significantly from year to year.														
DISD tax rate is assumed constant. Actual rates will be set annually.														
DISD tax rate: 1.282085%														
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)
TIF Zone	Appraised Value for Year	Property Tax Deposited by Jan. 1	Taxable Value Carried from Previous Year with Inflation @ 3.00%	Taxable Value Completed in Year Prior to Appraisal Date, in 2014 Dollars (from another schedule)	Taxable Value Added This Year with Inflation @ 3.00%	Less Share of 2014 Value with Inflation @ 1.00%	Real Property Tax Less 1.282085%	Total DISD Real Property Tax Less 1.282085%	Captured Appraised Value less base value	Estimated Cumulative Square Feet New Development	Estimated DISD BPP Tax @ \$20 per SF Commercial	Estimated Total DISD Tax	Estimated Total DISD Tax from TIF Zone Retained	Cumulative Estimated Tax from TIF Zone Retained (2014 dollars) Annual Discount Rate @ 4%
Base 2014	2015	2015	2015	2015	2015	2015	2015	2015	2015	2015	2015	2015	2015	2015
1	2016	\$144,122,445	\$144,122,445	\$0	\$144,122,445	\$144,122,445	\$18,295	\$18,295	\$0	0	\$0	\$18,295	\$18,295	\$16,915
2	2017	\$145,563,669	\$145,563,669	\$0	\$145,563,669	\$145,563,669	\$18,625	\$18,625	\$0	0	\$0	\$18,625	\$18,625	\$17,214
3	2018	\$147,019,306	\$147,019,306	\$0	\$147,019,306	\$147,019,306	\$18,959	\$18,959	\$0	0	\$0	\$18,959	\$18,959	\$17,544
4	2019	\$148,484,690	\$148,484,690	\$0	\$148,484,690	\$148,484,690	\$19,293	\$19,293	\$0	0	\$0	\$19,293	\$19,293	\$17,874
5	2020	\$149,950,074	\$149,950,074	\$0	\$149,950,074	\$149,950,074	\$19,627	\$19,627	\$0	0	\$0	\$19,627	\$19,627	\$18,204
6	2021	\$151,415,458	\$151,415,458	\$0	\$151,415,458	\$151,415,458	\$19,961	\$19,961	\$0	0	\$0	\$19,961	\$19,961	\$18,534
7	2022	\$152,880,842	\$152,880,842	\$0	\$152,880,842	\$152,880,842	\$20,295	\$20,295	\$0	0	\$0	\$20,295	\$20,295	\$18,864
8	2023	\$154,346,226	\$154,346,226	\$0	\$154,346,226	\$154,346,226	\$20,629	\$20,629	\$0	0	\$0	\$20,629	\$20,629	\$19,194
9	2024	\$155,811,610	\$155,811,610	\$0	\$155,811,610	\$155,811,610	\$20,963	\$20,963	\$0	0	\$0	\$20,963	\$20,963	\$19,524
10	2025	\$157,276,994	\$157,276,994	\$0	\$157,276,994	\$157,276,994	\$21,297	\$21,297	\$0	0	\$0	\$21,297	\$21,297	\$19,854
11	2026	\$158,742,378	\$158,742,378	\$0	\$158,742,378	\$158,742,378	\$21,631	\$21,631	\$0	0	\$0	\$21,631	\$21,631	\$20,184
12	2027	\$160,207,762	\$160,207,762	\$0	\$160,207,762	\$160,207,762	\$21,965	\$21,965	\$0	0	\$0	\$21,965	\$21,965	\$20,514
13	2028	\$161,673,146	\$161,673,146	\$0	\$161,673,146	\$161,673,146	\$22,299	\$22,299	\$0	0	\$0	\$22,299	\$22,299	\$20,844
14	2029	\$163,138,530	\$163,138,530	\$0	\$163,138,530	\$163,138,530	\$22,633	\$22,633	\$0	0	\$0	\$22,633	\$22,633	\$21,174
15	2030	\$164,603,914	\$164,603,914	\$0	\$164,603,914	\$164,603,914	\$22,967	\$22,967	\$0	0	\$0	\$22,967	\$22,967	\$21,504
16	2031	\$166,069,298	\$166,069,298	\$0	\$166,069,298	\$166,069,298	\$23,301	\$23,301	\$0	0	\$0	\$23,301	\$23,301	\$21,834
17	2032	\$167,534,682	\$167,534,682	\$0	\$167,534,682	\$167,534,682	\$23,635	\$23,635	\$0	0	\$0	\$23,635	\$23,635	\$22,164
18	2033	\$168,999,066	\$168,999,066	\$0	\$168,999,066	\$168,999,066	\$23,969	\$23,969	\$0	0	\$0	\$23,969	\$23,969	\$22,494
19	2034	\$170,464,450	\$170,464,450	\$0	\$170,464,450	\$170,464,450	\$24,303	\$24,303	\$0	0	\$0	\$24,303	\$24,303	\$22,824
20	2035	\$171,929,834	\$171,929,834	\$0	\$171,929,834	\$171,929,834	\$24,637	\$24,637	\$0	0	\$0	\$24,637	\$24,637	\$23,154
21	2036	\$173,395,218	\$173,395,218	\$0	\$173,395,218	\$173,395,218	\$24,971	\$24,971	\$0	0	\$0	\$24,971	\$24,971	\$23,484
22	2037	\$174,860,602	\$174,860,602	\$0	\$174,860,602	\$174,860,602	\$25,305	\$25,305	\$0	0	\$0	\$25,305	\$25,305	\$23,814
23	2038	\$176,325,986	\$176,325,986	\$0	\$176,325,986	\$176,325,986	\$25,639	\$25,639	\$0	0	\$0	\$25,639	\$25,639	\$24,144
24	2039	\$177,791,370	\$177,791,370	\$0	\$177,791,370	\$177,791,370	\$25,973	\$25,973	\$0	0	\$0	\$25,973	\$25,973	\$24,474
25	2040	\$179,256,754	\$179,256,754	\$0	\$179,256,754	\$179,256,754	\$26,307	\$26,307	\$0	0	\$0	\$26,307	\$26,307	\$24,804
26	2041	\$180,722,138	\$180,722,138	\$0	\$180,722,138	\$180,722,138	\$26,641	\$26,641	\$0	0	\$0	\$26,641	\$26,641	\$25,134
27	2042	\$182,187,522	\$182,187,522	\$0	\$182,187,522	\$182,187,522	\$26,975	\$26,975	\$0	0	\$0	\$26,975	\$26,975	\$25,464
28	2043	\$183,652,906	\$183,652,906	\$0	\$183,652,906	\$183,652,906	\$27,309	\$27,309	\$0	0	\$0	\$27,309	\$27,309	\$25,794
29	2044	\$185,118,290	\$185,118,290	\$0	\$185,118,290	\$185,118,290	\$27,643	\$27,643	\$0	0	\$0	\$27,643	\$27,643	\$26,124
30	2045	\$186,583,674	\$186,583,674	\$0	\$186,583,674	\$186,583,674	\$27,977	\$27,977	\$0	0	\$0	\$27,977	\$27,977	\$26,454
Total for years 1-30										\$2,123,217	\$2,123,217	\$2,123,217	\$2,123,217	\$2,123,217

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**MAY 14, 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 May 14, 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

5-9-14

Date



Edward Scott
City Controller

5-9-14

Date

RECEIVED

2014 MAY -9 PM 4: 17

CITY OF DALLAS
COUNCIL CHAMBERS

**ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, MAY 14, 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 - 34

CONSENT ADDENDUM

Items 1 - 6

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 35 - 39
Addendum Items 7 - 10

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 40 - 51

**ADDENDUM
CITY COUNCIL MEETING
MAY 14, 2014
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session

6ES

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Legal briefing regarding contract with River Ranch Educational Charities for the Texas Horse Park.

Personnel (Sec. 551.074 T.O.M.A.)

- Discussion regarding performance evaluation of City Secretary Rosa Rios.
- Discussion regarding performance evaluation of City Auditor Craig Daniel Kinton.

CONSENT ADDENDUM

City Attorney's Office

1. Authorize settlement of the lawsuit styled Danny Cantu, et al. v. Mark Michaels et al., Civil Action No. 3:12-CV-0206-O - Not to exceed \$105,000 - Financing: Current Funds

Economic Development

2. Authorize **(1)** a public hearing to be held on June 25, 2014, to receive comments concerning the application with Texas Department of Housing and Community Affairs (TDHCA) for 4% tax credits in the approximate amount of \$16,944,690 with tax exempt bonds in the approximate amount of \$37 Million to be issued by Housing Options, Inc. (HOI) for the Fairmount Crossing Apartments, a proposed multi-family community comprised of 366 units for families, located at 2741 Hawthorne Avenue, Dallas, Texas 75219; **(2)** the issuance of tax-exempt bonds by Housing Options, Inc. (HOI) an agency created by The Housing Authority of the city of Dallas, Texas in the amount of \$37 Million in Multi-family Housing Mortgage Revenue Bonds Series 2014 to finance the new construction of 366 units for families by Kings Parc I, L. P., referred to as the Fairmount Crossing Apartments; and **(3)** a resolution in support of Texas Department of Housing and Community Affairs award of Low Income Housing Tax Credits for the new construction of the Fairmount Crossing housing development to be located at 2741 Hawthorne Avenue, Dallas, Texas by conducting a Public Hearing pursuant to Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A), Texas Government Code, §2306.67071(b) and 10 TAC§10.204(4)(B) and pursuant to §11.3(A-F) of the 2014 Qualified Allocation Plan (QAP) regarding Housing Deconcentration Factors - Financing: No cost consideration to the City

**ADDENDUM
CITY COUNCIL MEETING
MAY 14, 2014**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Office of Financial Services

3. Authorize **(1)** preliminary adoption of the FY 2014-15 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$24,444,919 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$13,572,496; **(b)** HOME Investment Partnerships Program in the amount of \$4,365,818; **(c)** Housing Opportunities for Persons with AIDS in the amount of \$5,375,659; **(d)** Emergency Solutions Grant in the amount of \$1,130,946; and **(e)** estimated Program Income in the amount of \$1,450,000; **(2)** preliminary adoption of the FY 2013-14 Reprogramming Budget in the amount of \$1,185,650; and **(3)** a public hearing to be held on June 11, 2014 to receive comments on the proposed use of funds - Financing: No cost consideration to the City
4. An ordinance **(1)** denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos); and **(2)** authorizing increased rates to be charged by Atmos, as negotiated pursuant to its January 15, 2014 Dallas Annual Rate Review (DARR) filing - Financing: This action has no cost consideration to the City

Sustainable Development and Construction

5. An ordinance abandoning portions of Imperial Street, an alley and a street easement containing a total of approximately 20,835 square feet of land, located near the intersection of Hatcher and Imperial Streets to Frazier Revitalization Inc., Greater Mt. Calvary Church of God In Christ of Dallas, True Lee Missionary Baptist Church (also known as True Lee Baptist Church) and Frazier HS, LP, the abutting owners, and authorizing the quitclaim - Revenue: \$19,130, plus the \$20 ordinance publication fee

Trinity Watershed Management

6. Authorize a contract with DCI Contracting, Inc., lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation located at 5950 Elam Road, 6300 Great Trinity Forest Way Boulevard, and 811 Pemberton Hill Road - Not to exceed \$2,371,711 - Financing: Stormwater Drainage Management Capital Construction Funds (\$2,000,000) and Company of Trinity Forest Golfers Funds (\$371,711) (to be reimbursed by the Company of Trinity Forest Golfer's, Inc.)

**ADDENDUM
CITY COUNCIL MEETING
MAY 14, 2014**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Attorney's Office

7. An ordinance **(1)** appointing 12 full-time municipal judges and 13 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2016; **(2)** designating an administrative municipal judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2016; and **(3)** establishing the annual salary for the full-time and associate municipal judges and the administrative municipal judge - Financing: This action has no cost consideration to the City

City Secretary's Office

8. A resolution designating absences by Councilmember Carolyn R. Davis as being for "official city business" - Financing: No cost consideration to the City

Trinity Watershed Management

9. Authorize modifications to the Development and Operations Agreement with Equest for the Texas Horse Park to: **(1)** allow for a line of credit for Equest's operating account balance; **(2)** reduce the operating balance from three month average to one month average; and **(3)** strengthen the termination clauses - Financing: No cost consideration to the City

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

10. Authorize **(1)** an amendment to the development agreement with Rudolph Edwards, Linda Edwards, and RLE Properties, LLC (collectively referred to herein as "Rudy's"), previously approved on May 22, 2013, by Resolution No. 13-0916, to **(a)** allow the conveyance of certain parcels of real property located at 3111 and 3115 South Lancaster Road to City Wide Community Development Corporation (CWCDC) rather than to the City for the appraised value of \$548,200; and **(b)** reduce the original \$890,000 grant to Rudy's by \$548,200, being the appraised value of the parcels no longer being conveyed to the City, and requiring Rudy's to refund to the City said \$548,200; and **(2)** an amendment to the existing development loan with CWCDC for the Lancaster/Kiest project by increasing the loan amount by **(a)** \$548,200 to facilitate purchase of the parcels from Rudy's; and **(b)** \$50,000 for environmental, demolition, and other predevelopment costs to prepare the parcels for redevelopment - Total not to exceed \$598,200 - Financing: Lancaster Corridor Redevelopment Funds (\$548,200) and General Obligation Commercial Paper Funds (\$50,000) (Total net cost to the City \$50,000)

**ADDENDUM
CITY COUNCIL MEETING
MAY 14, 2014**

CORRECTION:

Housing/Community Services

39. Authorize a housing development loan in an amount not to exceed \$900,000 with Dallas Area Habitat for Humanity, Inc. (DAHFH), a non-profit developer, for construction of up to thirty affordable single family homes for the Jimmy & Rosalynn Carter project to be located on Exeter, Wilhurt, Landrum, and Custer Streets - Not to exceed \$900,000 - Financing: 2013-14 HOME Investment Partnership Program Grant Funds (\$300,000) and FY 13-14 HOME Program Income #1 (\$600,000)

ADDENDUM DATE May 14, 2014

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
1			N/A	C	ATT	\$105,000.00	NA	NA	Authorize settlement of the lawsuit styled Danny Cantu, et al. v. Mark Michaels et al., Civil Action No. 3:12-CV-0206-O
2			2	C	ECO, HOU	NC	NA	NA	Authorize a public hearing to be held on June 25, 2014, to receive comments concerning the application with Texas Department of Housing and Community Affairs (TDHCA) for 4% tax credits in the approximate amount of \$16,944,690 with tax exempt bonds in the approximate amount of \$37 Million to be issued by Housing Options, Inc. (HOI) for the Fairmount Crossing Apartments, a proposed multi-family community comprised of 366 units for families, located at 2741 Hawthorne Avenue, Dallas, Texas 75219; the issuance of tax-exempt bonds by Housing Options, Inc. (HOI) an agency created by The Housing Authority of the city of Dallas, Texas in the amount of \$37 Million in Multi-family Housing Mortgage Revenue Bonds Series 2014 to finance the new construction of 366 units for families by Kings Parc I, L. P., referred to as the Fairmount Crossing Apartments; and a resolution in support of Texas Department of Housing and Community Affairs award of Low Income Housing Tax Credits for the new construction of the Fairmount Crossing housing development to be located at 2741 Hawthorne Avenue, Dallas, Texas by conducting a Public Hearing pursuant to Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A), Texas Government Code, §2306.67071(b) and 10 TAC §10.204(4)(B) and pursuant to §11.3(A-F) of the 2014 Qualified Allocation Plan (QAP) regarding Housing Deconcentration Factors
3			N/A	C	OFS	NC	NA	NA	Authorize preliminary adoption of the FY 2014-15 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$24,444,919 for the following programs and estimated amounts: Community Development Block Grant in the amount of \$13,572,496; HOME Investment Partnerships Program in the amount of \$4,365,818; Housing Opportunities for Persons with AIDS in the amount of \$5,375,659; Emergency Solutions Grant in the amount of \$1,130,946; and estimated Program Income in the amount of \$1,450,000; preliminary adoption of the FY 2013-14 Reprogramming Budget in the amount of \$1,185,650; and a public hearing to be held on June 11, 2014 to receive comments on the proposed use of funds
4			N/A	C	OFS	NC	NA	NA	An ordinance denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos); and authorizing increased rates to be charged by Atmos, as negotiated pursuant to its January 15, 2014 Dallas Annual Rate Review (DARR) filing
5			7	C	DEV	REV \$19,130	NA	NA	An ordinance abandoning portions of Imperial Street, an alley and a street easement containing a total of approximately 20,835 square feet of land, located near the intersection of Hatcher and Imperial Streets to Frazier Revitalization Inc., Greater Mt. Calvary Church of God In Christ of Dallas, True Lee Missionary Baptist Church (also known as True Lee Baptist Church) and Frazier HS, LP, the abutting owners, and authorizing the quitclaim
6			7, 8	C	TWM, ECO	\$2,000,000.00	0.00%	24.91%	Authorize a contract with DCI Contracting, Inc., lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation located at 5950 Elam Road, 6300 Great Trinity Forest Way Boulevard, and 811 Pemberton Hill Road
7			N/A	I	ATT	NC	NA	NA	An ordinance appointing 12 full-time municipal judges and 13 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2016; designating an administrative municipal judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2016; and establishing the annual salary for the full-time and associate municipal judges and the administrative municipal judge
8			All	I	SEC	NC	NA	NA	A resolution designating absences by Councilmember Carolyn R. Davis as being for "official city business"
9			5	I	TWM	NC	NA	NA	Authorize modifications to the Development and Operations Agreement with Equest for the Texas Horse Park to: allow for a line of credit for Equest's operating account balance; reduce the operating balance from three month average to one month average; and strengthen the termination clauses

ADDENDUM DATE May 14, 2014

ITEM		IND							DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
10			4	I	ECO	\$50,000.00	NA	NA	Authorize an amendment to the development agreement with Rudolph Edwards, Linda Edwards, and RLE Properties, LLC (collectively referred to herein as "Rudy's"), previously approved on May 22, 2013, by Resolution No. 13-0916, to allow the conveyance of certain parcels of real property located at 3111 and 3115 South Lancaster Road to City Wide Community Development Corporation (CWCDC) rather than to the City for the appraised value of \$548,200; and reduce the original \$890,000 grant to Rudy's by \$548,200, being the appraised value of the parcels no longer being conveyed to the City, and requiring Rudy's to refund to the City said \$548,200; and an amendment to the existing development loan with CWCDC for the Lancaster/Kiest project by increasing the loan amount by \$548,200 to facilitate purchase of the parcels from Rudy's; and \$50,000 for environmental, demolition, and other predevelopment costs to prepare the parcels for redevelopment
TOTAL						\$2,050,000.00			

ADDENDUM ITEM # 1

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

CMO: Warren M.S. Ernst, 670-3491

MAPSCO: N/A

SUBJECT

Authorize settlement of the lawsuit styled Danny Cantu, et al. v. Mark Michaels et al., Civil Action No. 3:12-CV-0206-O - Not to exceed \$105,000 - Financing: Current Funds

BACKGROUND

This item is on the addendum because settlement agreement was just reached. The District Court requires settlement approval before a trial date. This lawsuit is set for trial on May 19, 2014.

Danny and Debra Cantu sued Dallas police officers in federal court, alleging that the officers violated Danny Cantu's right to be free from excessive force. The plaintiffs and the officers have reached a settlement, subject to city council approval, that resolves all claims against all parties, including any potential attorney's fees and costs of suit. Plaintiffs are represented by Attorneys Derryberry Zips Wade Lawhorn.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council was briefed in Closed Session on February 19, 2014 and May 7, 2014.

FISCAL INFORMATION

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

\$105,000.00 - Current Funds

May 14, 2014

WHEREAS, plaintiffs filed a lawsuit styled Danny Cantu, et al. v. Mark Michaels et al., Civil Action No. 3:12-CV-0206-O, alleging that the officers violated Danny Cantu's right to be free from excessive force; and,

WHEREAS, the City denies plaintiffs' allegations; and,

WHEREAS, the parties have agreed to a proposed settlement of the case whereby the City will pay the plaintiffs and their attorney the amount of \$105,000.00; and,

WHEREAS, it is in the best interest of the City to settle this case; **Now, Therefore,**

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

Section 1. That settlement of the lawsuit styled Danny Cantu, et al. v. Mark Michaels et al., Civil Action No. 3:12-CV-0206-O, in an amount not to exceed \$105,000.00 is hereby approved.

Section 2. That the City Controller is authorized to pay to Attorneys Derryberry Zips Wade Lawhorn IOLTA Account, the amount of \$105,000.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTORM001.

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

ADDENDUM ITEM # 2

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development
Housing/Community Services

CMO: Ryan S. Evans, 671-9837
Theresa O'Donnell, 671-9195

MAPSCO: 34 Y

SUBJECT

Authorize **(1)** a public hearing to be held on June 25, 2014, to receive comments concerning the application with Texas Department of Housing and Community Affairs (TDHCA) for 4% tax credits in the approximate amount of \$16,944,690 with tax exempt bonds in the approximate amount of \$37 Million to be issued by Housing Options, Inc. (HOI) for the Fairmount Crossing Apartments, a proposed multi-family community comprised of 366 units for families, located at 2741 Hawthorne Avenue, Dallas, Texas 75219; **(2)** the issuance of tax-exempt bonds by Housing Options, Inc. (HOI) an agency created by The Housing Authority of the city of Dallas, Texas in the amount of \$37 Million in Multi-family Housing Mortgage Revenue Bonds Series 2014 to finance the new construction of 366 units for families by Kings Parc I, L. P., referred to as the Fairmount Crossing Apartments; and **(3)** a resolution in support of Texas Department of Housing and Community Affairs award of Low Income Housing Tax Credits for the new construction of the Fairmount Crossing housing development to be located at 2741 Hawthorne Avenue, Dallas, Texas by conducting a Public Hearing pursuant to Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A), Texas Government Code, §2306.67071(b) and 10 TAC§10.204(4)(B) and pursuant to §11.3(A-F) of the 2014 Qualified Allocation Plan (QAP) regarding Housing Deconcentration Factors - Financing: No cost consideration to the City

BACKGROUND

This item was placed on the addendum because staff received the application with attachments on April 25, 2014, due to delays caused by extensive negotiations with the surrounding neighborhoods. The Public Hearing requirement and the July holiday complicates the approval process for the Dallas Housing Authority of the city of Dallas (DHA)'s Fairmount Crossing Apartments.

BACKGROUND (Continued)

The reason the Fairmount Crossing Apartments needs to be on the May 14, 2014, council agenda meeting is they need to have a hearing on June 25, 2014, two days after their 4% tax credit application is due to TDHCA, in order for their project to be considered by TDHCA for its 4% tax credits on September 4, 2014 (TDHCA requires 75 days to review the application prior to the meeting date) to enable the project to close by September 17, 2014.

DHA through Kings Parc I, L.P., will file an application with TDHCA for Low Income Housing Tax Credits (LIHTC) for the Fairmount Crossing Apartments on or before June 23, 2014.

Under the new TDHCA rules in the 2014 Qualified Allocation Plan and Rules (QAP), if the development is located in a municipality that has more than twice the state average of units per capita supported by LIHTC or private activity bonds, the applicant must obtain prior approval of the development from the governing body of the municipality. As provided for in Chapter 10 of the Texas Administrative Code Section 11.3(b), it is expressly acknowledged and confirmed that the city of Dallas could at any time have more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds. The project site could be subject to the greater than 20% HTC Units per Households in Census Tract Rule applicable to projects that are new construction contained in the 2014 Qualified Allocation Plan ("QAP") that will require a waiver of this requirement from city of Dallas. If a project is within one mile of another project financed with tax credits or tax exempt bonds during the past three years that serves the same household, a waiver will be required by the City. The city of Dallas will be asked to confirm that it has voted specifically to allow the new construction of this development and has authorized an allocation of Housing Tax Credits for the Development in the June 25, 2014 resolution, pursuant to §11.3 (2)(A-G) Deconcentration Factors contained in TDHCA's Qualified Allocation Plan.

TDHCA funding for projects in the city of Dallas must now be approved by the City Council following a public hearing by the City pursuant to H.B. 3361, effective September 1, 2013. The resolution must include a written statement of support from the governing body referencing the state rule and authorizing an allocation of LIHTC for the development.

The Fairmount Crossing Apartment project is a proposed multi-family community comprised of 366 units for families to be located at 2741 Hawthorne Avenue, Dallas, Texas. It will provide replacement housing for public housing units demolished as part of DHA's redevelopment of the Cedar Springs Place Addition. The Fairmount Crossing is an integral component of the Dallas Housing Authority redevelopment of the Cedar Springs Place Addition public housing development.

BACKGROUND (Continued)

The Fairmount Crossing Apartments project received a Bond Inducement from Housing Options, Inc. on November 23, 2013. Kings Parc I, L.P., received a \$37 Million allocation from the Texas Bond Review Board on January 23, 2014. The Tax Equity and Fiscal Responsibility (TEFRA) Hearing was held on March 17, 2014. The project owner will be Kings Parc I, L.P., a limited partnership formed for the sole purpose of developing, owning and operating the project for long-term use as low-income housing. The DHA is the initial sole Limited Partner and the General Partner is Hawthorne Street Development, I, Inc., a Texas non-profit corporation whose Board of Directors serves by virtue of their employment by DHA with Williams Manning as the President, Timothy J. Lott as the Vice President and Debbie Quitugua as Secretary/Treasurer.

Because the project is located within the city of Dallas, Section 147 (f) of the Internal Revenue Code requires that in order for the bonds to be tax exempt, the City Council or the applicable elected representative of the city of Dallas, must approve the issuance of the bonds by Housing Options, Inc., after a public hearing. The city of Dallas is not asked to issue bonds. The bonds will not be a debt or liability of the City. The City's name will not appear on the bonds. The approval being requested is only for the purpose of complying with federal law and with regard to tax-exempt debt.

A public hearing in compliance with the Tax Equity and Fiscal Responsibility Act (TEFRA) with respect to the Bonds was held by Housing Options, Inc., on March 17, 2014.

The development will offer a mix of tax credit units for tenants with 99% of the tenants with incomes no more than 60% Area Median Family Income. (Two units will be for management and police.) The proposed bedroom mix is as follows: tax credit units 141 one-bedrooms, 183 two-bedrooms and 42 three-bedrooms with no market rate units.

TDHCA prohibits approval of tax credit projects that are located less than a mile from another tax credit project funded within the previous three years, unless the projects are serving different households, is funded with Hope VI grant, or an exception is approved by City Council.

Approval of this application will enable the Applicant to develop 366 units of affordable housing for families.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City

OWNER

Kings Parc I, L.P.

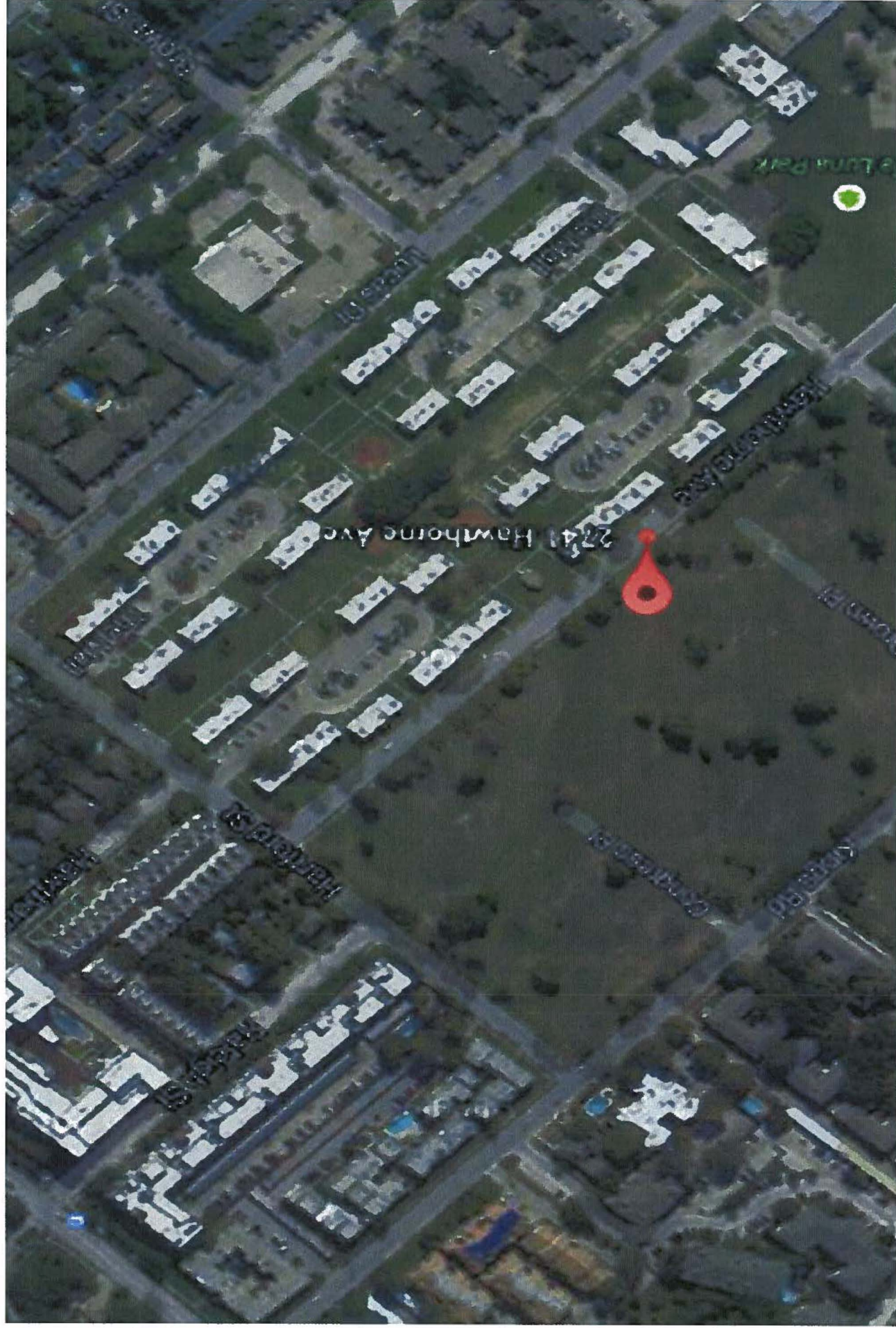
Board of Directors – serving by virtue of their employment by DHA

Williams Manning, President,
Timothy J. Lott, Vice President
Debbie Quitugua, Secretary/Treasurer

MAP

Attached.

Fairmount Crossing Apartments



May 14, 2014

WHEREAS, the Housing Authority of the City of Dallas (DHA) is a body politic and corporate, established in 1938 to, in part, provide housing opportunities for low-income persons; and

WHEREAS, Housing Options, Inc. (the "Issuer") has been organized by the Housing Authority of the City of Dallas, Texas as a public facilities corporation pursuant to Chapter 303, Local Government Code, as amended (the "Act"), and is empowered under the Act to issue its revenue bonds to finance public facilities, including multi-family residential rental units; and

WHEREAS, the Issuer proposes to issue the following bond issue (the "Bonds") to finance the following project:

\$37,000,000 Housing Options, Inc., Multi-family Mortgage Revenue Bonds (Kings Parc I, L.P. Project) Series 2014 to finance 366 residential units to be constructed on the site located at 2741 Hawthorne, Dallas, Texas; and

WHEREAS, section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that the governing body or the chief elected executive official of the governmental unit in which the projects are located approve the issuance of the Bonds after a public hearing following reasonable public notice thereof; and

WHEREAS, the Issuer held a public hearing on March 17, 2014, with respect to the Bonds following publication of reasonable public notice thereof in a newspaper of general circulation within the city of Dallas; and

WHEREAS, it is intended that the Mayor, as the highest elected official of the City of Dallas, shall approve the issuance of the Bonds on behalf of the City of Dallas after the aforementioned hearing; and

WHEREAS, the Fairmount Crossing Apartments project is an integral component of the Dallas Housing Authority's 2014 redevelopment of the demolished Cedar Springs Place Addition development; and

WHEREAS, on January 23, 2014, the Texas Bond Review Board issued a Bond Reservation to Housing Options, Inc., an issuing entity controlled by the Dallas Housing Authority (DHA), for the Fairmount Crossing Project, a proposed 366 unit new development project for families, in the amount of \$37,000,000 carry forward reservation under Section 1372.068, Priority 6 Carryforward Classification; and

WHEREAS, DHA will file a 4% tax credit application with the Texas Department of Housing and Community Affairs (TDHCA) on or before June 23, 2014, pursuant to its 2014 Qualified Allocation Plan (QAP) for the 2014 4% low income housing tax credits (LIHTC); and

May 14, 2014

WHEREAS, under the TDHCA rules in the 2014 Qualified Allocation Plan and Rules (QAP), if the development is located in a municipality that has more than twice the State average of units per capita supported by LIHTC or private activity bonds, the applicant must obtain prior approval of the development from the governing body of the municipality; and

WHEREAS, on April 25, 2014, the Dallas Housing Authority (DHA) submitted its pre-application waiver for: (1) the issuance of tax-exempt bonds by the HOI in an amount not to exceed \$37 Million in Multi-family Housing Mortgage Revenue Bonds Series to finance the new construction of approximately 366 units of multi-family rental housing for families, (2) a resolution in support of the Texas Department of Housing and Community Affairs award of 4% Housing Tax Credits in the approximate amount of \$16,944,690 for the new construction of the Fairmount Crossing Apartments, a proposed multi-family community comprised of 366 units for families, located at 2741 Hawthorne Avenue, Dallas, Texas 75219, Dallas, Texas by providing appropriate waivers pursuant to §11.3 (A-F) of the TDHCA's Qualified Allocation Plan and State of Texas H.B. 3361 which requires that (i) Notice has been provided to the Governing Body in accordance with Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A); (ii) The Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; (iii) The Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Texas Government Code, §2306.67071(b) and 10 TAC§10.204(4)(B); and (iv) After due consideration of the information provided by the Applicant and public comment, the Governing Body does not object to the proposed Application; and

WHEREAS, as a condition for being considered for the award of the 4% tax credits, the Applicant has committed to renting 364 units (99%) to tenants with household incomes capped at 60% or below the area median family income (AMFI) with rents affordable to tenants whose household incomes are 60% or below the AMFI incomes in compliance with the maximum Low Income Housing Tax Credit rents as published by the Texas Department of Housing and Community Affairs; and

May 14, 2014

WHEREAS, in the Qualified Allocation Plan, Sec. 11.3 (A-G) Housing Deconcentration factors (b) Twice the State Average Per Capita. (§2306.6703(a)(4)) If the Development is located in a municipality, or if located completely outside a municipality, a county, that has more than twice the state average of units per capita supported by Housing Tax Credits or private activity bonds at the time the Application Round begins (or for Tax-Exempt Bond Developments at the time the Certificate of Reservation is issued by the Texas Bond Review Board), the Applicant must obtain prior approval of the Development from the City of Dallas, Governing Body of the appropriate municipality or county containing the Development. Since the City of Dallas can exceed the twice the state per average at any time, it has been determined that such approval must include a resolution adopted by the Governing Body of the municipality or county, as applicable, setting forth a written statement of support, referencing Texas Government Code, §2306.6703(a)(4), and authorizing an allocation of Housing Tax Credits for the Development; and the City of Dallas by vote has specifically allowed the construction of the new Development and submits to the Department a resolution referencing this rule; and

WHEREAS, to satisfy H.B. 3361, the City will hold a public hearing on June 25, 2014, and will consider approval of the resolution that certifies that: (i) Notice has been provided to the City of Dallas in accordance with Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A); (ii) The City of Dallas has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; (iii) The City of Dallas held this hearing at which public comment could be made on the proposed Development in accordance with Texas Government Code, §2306.67071(b) and 10 TAC§10.204(4)(B); and (iv) After due consideration of the information provided by the Applicant and public comment, the City of Dallas does not object to the proposed Application; and

WHEREAS, the City of Dallas supports the Fairmount Crossing Apartments redevelopment project and desires to support the development of this housing, subject to certain conditions being met and it is deemed necessary and advisable that this resolution be adopted.

NOW, THEREFORE,

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

Section 1. That the Mayor, upon his satisfaction that the aforementioned hearing has been duly held, is hereby authorized to execute a certificate approving the issuance of the bonds not to exceed \$37 Million by Housing Options, Inc. Multi-family Housing Mortgage Revenue Bonds (Fairmount Crossing Project Series 2014).

May 14, 2014

Section 2. That the City of Dallas approves and supports the new construction of the Fairmount Crossing Apartments development proposed as 366 multi-family housing units comprised of 141 one-bedroom units, 183 two-bedroom units and 42 three-bedroom units for a total of 366 units located at 2741 Hawthorne, Dallas, Texas by Kings Parc I, L.P., and further supports the award of the 4% LIHTC pursuant to §11.3 (A-F) of the 2014 Qualified Allocation Plan (QAP) regarding Housing Deconcentration Factors, subject to the conditions set forth herein.

Section 3. That prior to receiving a conditional City of Dallas building permit required by TDHCA prior to closing on the tax credits, the Project Developer will consult with the City of Dallas Office of Development Services with regard to security related design standards.

Section 4. That in recognition of the City's cooperative relationship with the Dallas Housing Authority in the Cedar Springs Place Addition and neighborhood development, which includes Fairmount Crossing, the City shall waive the annual monitoring review fee in the amount of \$500.

Section 5. That the approval of the City is provided for the purpose of satisfying the conditions and requirements of section 147(f) of the Code and is not to be construed as an undertaking by the City of Dallas. The Bonds shall not constitute a liability, an indebtedness, or obligation of the City of Dallas nor shall any of the assets of the City of Dallas be pledged to the payment of the Bonds. The Bonds shall specifically provide that the Bonds are not a debt of the City of Dallas, Dallas County and the State of Texas and that the City of Dallas, Dallas County and State of Texas are not liable with respect to the Bonds.

Section 6. That the City Manager is authorized to convey a copy of this resolution to the Applicant and the TDHCA with a written statement of support by the City Council referencing by conducting a Public Hearing pursuant to Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A), Texas Government Code, §2306.67071(b) and 10 TAC§10.204(4)(B) and pursuant to §11.3 (A-F) of the 2014 Qualified Allocation Plan (QAP) regarding Housing Deconcentration Factors for compliance with the Texas Department of Housing and Community Affairs (TDHCA) 2014 Qualified Allocation Plan and contingent upon the developer assuming relocation costs, if any, associated with the development costs.

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 resolved.

ADDENDUM ITEM # 3

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize **(1)** preliminary adoption of the FY 2014-15 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$24,444,919 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$13,572,496; **(b)** HOME Investment Partnerships Program in the amount of \$4,365,818; **(c)** Housing Opportunities for Persons with AIDS in the amount of \$5,375,659; **(d)** Emergency Solutions Grant in the amount of \$1,130,946; and **(e)** estimated Program Income in the amount of \$1,450,000; **(2)** preliminary adoption of the FY 2013-14 Reprogramming Budget in the amount of \$1,185,650; and **(3)** a public hearing to be held on June 11, 2014 to receive comments on the proposed use of funds – Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum to allow time for Council consideration of any proposed amendments and a straw vote that was conducted on May 7, 2014 and to meet HUD 30-day comment/review period that is required prior to final adoption.

The Community Development Commission (CDC) and City staff conducted six (6) neighborhood public hearings that provided the public opportunities to participate in identifying needs and to comment on the potential uses of U. S. Department of Housing and Urban Development (HUD) Grant Funds.

Neighborhood public hearings were held as follows:

January 2, 2014 - Dallas City Hall
January 6, 2014 – Martin Luther King, Jr. Community Center
January 6, 2014 – Willie B. Johnson Recreation Center
January 7, 2014 – West Dallas Multipurpose Center
January 9, 2014 - Renner Frankford Library
January 9, 2014 - Tommie Allen Recreation Center

BACKGROUND (Continued)

The Proposed FY 2013-14 Reprogramming Budget was briefed to the City Council on February 5, 2014.

The City Manager's Proposed FY 2014-15 Consolidated Plan Budget was presented to the CDC on March 6, 2014 and the CDC held meetings in March 2014 to review the proposed budget.

On April 3, 2014, the CDC concurred with the City Manager's proposed budget and there were no amendments.

The City Council was briefed on the Proposed FY 2014-15 Consolidated Plan Budget and the CDC's recommendation on April 16, 2014. The City Council conducted a straw vote on the Proposed FY 2014-15 Consolidated Plan Budget on May 7, 2014.

The Federal regulations and the City's Citizen Participation Plan require a public hearing to receive comments. This budget will be made available for public review and comment from May 15, 2014 through June 25, 2014. A public hearing will be held on June 11, 2014. Final adoption is scheduled for June 25, 2014.

This action includes the City Council's preliminary adoption of the FY 2014-15 Consolidated Plan Budget and the FY 2013-14 Reprogramming Budget and authorization to hold the public hearing on June 11, 2014, before the City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 5, 2014, the Proposed FY 2013-14 Reprogramming Budget was briefed to the City Council.

On March 6, 2014, the CDC was briefed on the City Manager's Proposed FY 2014-15 Consolidated Plan Budget. The CDC held meetings in March 2014 to review the proposed budget.

On April 3, 2014, the CDC concurred with the City Manager's proposed budget and there were no amendments.

On April 16, 2014, the City Council was briefed on the Proposed FY 2014-15 Consolidated Plan Budget and the CDC's recommendation.

FISCAL INFORMATION

Proposed FY 2014-15 Consolidated Plan Budget

CDBG:	\$	13,572,496	2014-15 Entitlement
		400,000	Program Income (est.)
		600,000	Program Income – Retained by Sub-Recipient (SDDC)
		<hr/>	
	\$	14,572,496	
HOME:	\$	4,365,818	2014-15 Entitlement
		450,000	Program Income (est.)
		<hr/>	
	\$	4,815,818	
HOPWA:	\$	5,375,659	2014-15 Entitlement
ESG:	\$	1,130,946	2014-15 Entitlement
	\$	25,894,919	Total FY 2014-15 Consolidated Plan Budget

FY 2013-14 Reprogramming Budget:

\$ 1,185,650 Unobligated funds in FY 2012-13 and prior years

May 14, 2014

WHEREAS, the Community Development Commission (CDC) and City staff conducted six (6) neighborhood public hearings during January 2014 that provided the public opportunities to participate in identifying needs and to comment on the potential uses of U. S. Department of Housing and Urban Development (HUD) Grant Funds; and

WHEREAS, on March 6, 2014, the Community Development Commission (CDC) was briefed on the City Manager's proposed FY 2014-15 Consolidated Plan Budget, CDC Committees held meetings in March 2014 to review the proposed budget; and

WHEREAS, on April 3, 2014, the Community Development Commission concurred with the City Manager's proposed budget and there were no amendments; and

WHEREAS, on April 16, 2014, the City Council was briefed on the City Manager's proposed FY 2014-15 Consolidated Plan Budget, FY 2013-14 Reprogramming Budget, and the Community Development Commission's recommendations; The City Council conducted a straw vote on the Proposed FY 2014-15 Consolidated Plan Budget on May 7, 2014; and

WHEREAS, federal regulations require that a public hearing be held on the City's Proposed FY 2014-15 Consolidated Plan Budget and the Proposed FY 2013-14 Reprogramming Budget; and

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

WHEREAS, a summary of the Proposed FY 2014-15 Consolidated Plan Budget and the Proposed FY 2013-14 Reprogramming Budget will be published in the Dallas Morning News on May 15, 2014 to provide an opportunity to submit written comments through June 25, 2014; and

WHEREAS, holding a public hearing on June 11, 2014 satisfies requirements set forth in the City's Citizen Participation Plan; **Now, Therefore,**

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

Section 1. That the preliminary FY 2014-15 Consolidated Plan Budget and FY 2013-14 Reprogramming Budget be adopted per the Attachment A.

Section 2. That a public hearing be held on June 11, 2014 before the Dallas City Council to receive comments on the City's Proposed FY 2014-15 Consolidated Plan Budget and the Proposed FY 2013-14 Reprogramming Budget.

May 14, 2014

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.

**FY 2014-15 CONSOLIDATED PLAN FOR
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Attachment A

Project Name	CD	FY 2013-14 Amended Budget	FY 2014-15 CMO Proposed Budget	CDC Proposed Amendments as of 4/3/2014 +/-	FY 2014-15 Proposed Budget
<u>SOURCE OF FUNDS</u>					
Community Development Block Grant					
Entitlement (grant)		13,921,262	13,572,496		13,572,496
Program Income - Housing Activities		400,000	400,000		400,000
Program Income - Section 108		35,000	0		0
Program Income - Sub-Recipient Retained Program Income (SDDC)		600,000	600,000		600,000
Reprogramming		773,873	1,185,650		1,185,650
		15,730,135	15,758,146	0	15,758,146
Home Investment Partnerships Program					
Entitlement (grant)		4,240,210	4,365,818		4,365,818
Program Income Housing Activities		50,000	450,000		450,000
		4,290,210	4,815,818	0	4,815,818
Emergency Solutions Grant					
Entitlement (grant)		1,050,237	1,130,946	0	1,130,946
Housing Opportunities for Persons with AIDS					
Entitlement (grant)		4,393,520	5,375,659	0	5,375,659
TOTAL SOURCE OF FUNDS		25,464,102	27,080,569	0	27,080,569
<u>USE OF FUNDS</u>					
Community Development Block Grant					
Public Services (15% of CDBG maximum amount allowed)		2,132,610	2,116,372	0	2,116,372
Housing Activities		8,437,137	8,332,659	0	8,332,659
Economic Development Activities		1,240,000	1,240,000	0	1,240,000
Public Improvements		1,049,136	1,274,616	0	1,274,616
Fair Housing (included in 20% of CDBG maximum category)		603,307	627,714	0	627,714
Program Oversight (20% of CDBG maximum amount allowed)		2,267,945	2,166,785	0	2,166,785
		15,730,135	15,758,146	0	15,758,146
HOME Investment Partnerships Program					
HOME Programs		4,290,210	4,815,818	0	4,815,818
Emergency Solutions Grant					
ESG Programs		1,050,237	1,130,946	0	1,130,946
Housing Opportunities for Persons with AIDS					
HOPWA Programs		4,393,520	5,375,659	0	5,375,659
TOTAL USE OF FUNDS		25,464,102	27,080,569	0	27,080,569

*CW=City Wide

**FY 2014-15 CONSOLIDATED PLAN FOR
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Attachment A

Project Name	CD	FY 2013-14 Amended Budget	FY 2014-15 CMO Proposed Budget	CDC Proposed Amendments as of 4/3/2014 +/-	FY 2014-15 Proposed Budget
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)					
CDBG - Public Services					
1 After-School/Summer Program - Provide after school and summer programs for low income youth Monday thru Friday through structured recreational, cultural, social and life skills activities. 24 CDBG funded sites.	CW	530,647	530,647		530,647
2 Child Care Services Program - Provide after school programs, and daycare for special needs children, children who are homeless, and children with disabilities via contracts with non-profit agencies.	CW	189,129	189,129		189,129
3 City Child Care Services - Provide child care subsidies for low and moderate income working parents and teenage parents who are attending school and do not qualify for any other form of public assistance.	CW	291,294	299,697		299,697
Youth Programs Sub-Total		1,011,070	1,019,473	0	1,019,473
4 Clinical Dental Care Program - Provide dental health services to seniors and low-income youth through age of 19 via contract with non-profit agency.	CW	100,000	100,000		100,000
Clinical Health Services Sub-Total		100,000	100,000	0	100,000
5 City Crisis Assistance - Provide rapid response, crisis intervention, and intensive case management to Dallas residents, age 60 and above, who may have mental health problems causing high-risk behaviors. In addition, the program provides assertive and persistent street outreach to the city's chronic, unsheltered, and hard-to-reach homeless populations.	CW	44,824	0		0
6 City Office of Senior Affairs - Enhance the quality of life for older adults by disseminating support services information and providing direct and emergency support services.	CW	158,236	142,379		142,379
7 Senior Services Program - Provide case management and other programs for seniors, as well as investigative support services in both community and institutional settings via contracts with non-profit agencies.	CW	73,049	73,049		73,049
Senior Services Sub-Total		276,109	215,428	0	215,428
8 South Dallas / Fair Park Community Court - Through the community court, offenses to persons and code violations of property are swiftly adjudicated and restitution made by defendants who plead guilty or no contest.	5,7	265,906	287,159		287,159
9 South Oak Cliff Community Court - Through the community court, offenses to persons and code violations of property are swiftly adjudicated and restitution made by defendants who plead guilty or no contest.	4,8	250,523	252,213		252,213

*CW=City Wide

**FY 2014-15 CONSOLIDATED PLAN FOR
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Attachment A

	Project Name	CD	FY 2013-14 Amended Budget	FY 2014-15 CMO Proposed Budget	CDC Proposed Amendments as of 4/3/2014 +/-	FY 2014-15 Proposed Budget
10	West Dallas Community Court - Through the community court, offenses to persons and code violations of property are swiftly adjudicated and restitution made by defendants who plead guilty or no contest.	1,3,6	204,002	217,099		217,099
11	Training and Employment for Adults with Disabilities - Provide development of life skills, vocational training and job placement for adults with disabilities.	CW	25,000	25,000		25,000
	Other Public Services (Non-Youth) Sub-Total		745,431	781,471	0	781,471
	Total CDBG - Public Services		2,132,610	2,116,372	0	2,116,372
	<u>CDBG - Housing Activities</u>					
12	Housing Development Support - Provide service delivery staff to implement the Mortgage Assistance Program and CHDO Program which benefit low income homeowners.	CW	1,052,706	1,052,706		1,052,706
13	Mortgage Assistance Program - Provide no interest, deferred payment loans for down-payment, principal reduction and closing cost assistance up to a maximum of \$20,000.	CW	1,300,000	1,165,856		1,165,856
14	Housing Services Program - Provides CDBG funds to CHDOs for cost in support of HOME-funded activities, such as housing counseling, loan processing, and other services related to assisting potential homebuyers participating or seeking to participate in HOME funded projects.	CW	50,000	50,000		50,000
	Homeownership Opportunities Sub-Total		2,402,706	2,268,562	0	2,268,562
15	Housing Assistance Support - Provide service delivery staff to implement the Major Systems Repair Program and Reconstruction Program, which benefit low income homeowners.	CW	1,939,177	1,945,172		1,945,172
16	Major Systems Repair Program - Provide homeowner assistance with repairs/replacements of two of the following four major systems: heating/air, plumbing/gas, roof and electrical.	CW	1,533,761	1,533,761		1,533,761
17	Minor Plumbing Repair/Replacement Program - Provide leak repairs, low flow toilet and fixture replacement and minor plumbing repair assistance to low income homeowners.	CW	50,000	50,000		50,000
18	Reconstruction Program - Provide deferred loans to low-income homeowners for reconstruction of their existing homes. The reconstruction deferred payment loan is \$103,000 per unit.	CW	937,326	937,326		937,326
19	People Helping People (PHP) Program - Provide for minor exterior repair services to single family homes through volunteers and contract services to lower income, elderly and disabled homeowners.	CW	841,222	871,731		871,731
	Homeowner Repair Sub-Total		5,301,486	5,337,990	0	5,337,990

*CW=City Wide

**FY 2014-15 CONSOLIDATED PLAN FOR
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Attachment A

	Project Name	CD	FY 2013-14 Amended Budget	FY 2014-15 CMO Proposed Budget	CDC Proposed Amendments as of 4/3/2014 +/-	FY 2014-15 Proposed Budget
20	Dedicated SAFE II Expansion Code Inspection - Code Compliance - Provide enhanced code enforcement activities to supplement police investigations where criminal actions hamper or prevent community revitalization.	CW	96,000	96,000		96,000
21	Dedicated SAFE II Expansion Code Inspection - Fire Department - Provide enhanced code enforcement activities to supplement police investigations where criminal actions hamper or prevent community revitalization.	CW	70,538	70,538		70,538
22	Dedicated SAFE II Expansion Code Inspection - Police Department - Provide enhanced code enforcement activities to supplement police investigations where criminal actions hamper or prevent community revitalization.	CW	66,418	51,994		51,994
23	Neighborhood Investment Program - Code Compliance - Provide enhanced code enforcement activities in the targeted neighborhood areas.	1-8	499,989	507,575		507,575
	Other Housing/Neighborhood Revitalization Sub-Total		732,945	726,107	0	726,107
	Total CDBG - Housing Activities		8,437,137	8,332,659	0	8,332,659
<u>CDBG - Economic Development</u>						
24	Business Loan Program (Program Income) - SDDC retains program income generated from revolving business loan program to provide additional loans.	CW	600,000	600,000		600,000
25	Business Assistance Center Program - Provide comprehensive technical assistance and business support services to Low/Moderate income persons interested in developing Micro-Enterprises and those who own Micro-Enterprises.	CW	640,000	640,000	0	640,000
	• BAC #1 -		80,000	80,000		80,000
	• BAC #2 -		80,000	80,000		80,000
	• BAC #3 -		80,000	80,000		80,000
	• BAC #4 -		80,000	80,000		80,000
	• BAC #5 -		80,000	80,000		80,000
	• BAC #6 -		80,000	80,000		80,000
	• BAC #7 -		80,000	80,000		80,000
	• BAC #8 -		80,000	80,000		80,000
	Total CDBG - Economic Development		1,240,000	1,240,000	0	1,240,000
<u>CDBG - Public Improvements</u>						
26	Neighborhood Enhancement Program (NEP) - Provide toolbox of neighborhood improvements to increase aesthetic appeal and compliment community development efforts in Neighborhood Investment and other strategically targeted areas.	1-8	25,000	25,000		25,000

*CW=City Wide

**FY 2014-15 CONSOLIDATED PLAN FOR
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Attachment A

	Project Name	CD	FY 2013-14 Amended Budget	FY 2014-15 CMO Proposed Budget	CDC Proposed Amendments as of 4/3/2014 +/-	FY 2014-15 Proposed Budget
27	Neighborhood Investment Program Infrastructure - Provide infrastructure improvements related to architectural and engineering design in the 5 NIP target areas.	1-8	1,024,136	1,249,616		1,249,616
	Public Improvement Sub-Total		1,049,136	1,274,616	0	1,274,616
	Total CDBG - Public Improvement		1,049,136	1,274,616	0	1,274,616
<u>CDBG - Fair Housing and Planning & Program Oversight</u>						
28	Fair Housing Enforcement - Provide housing discrimination investigations, fair housing education and outreach and citizen referrals.	CW	603,307	627,714		627,714
29	Citizen Participation/CDC Support/HUD Oversight - Office of Financial Services/Community Development Division. Provide coordination of ConPlan budget development, citizen participation, and reporting to HUD as primary City liaison.	CW	757,815	649,774		649,774
30	Housing Contract Administration - Provide comprehensive management, oversight and technical assistance for both external and internal programs receiving grant funds.	CW	428,426	0		0
31	Housing Management Support - Provide funding for Housing management staff support for housing programs.	CW	732,354	1,160,780		1,160,780
32	Economic Development Oversight - Provide contract administration; compliance and oversight of CDBG funded programs.	CW	256,277	258,853		258,853
33	Parks and Recreation Oversight - This position assists the Contract Compliance Manager with the review of all PKR Public Service programs and contracts for compliance with HUD guidelines.	CW	93,073	97,378		97,378
	Total CDBG - Fair Housing and Planning & Program Oversight		2,871,252	2,794,499	0	2,794,499
	TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT		15,730,135	15,758,146	0	15,758,146
<u>HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)</u>						
34	CHDO Development Loans - Development and pre-development loans to nonprofit City-certified CHDOs developing affordable housing for low income households.	CW	1,000,000	1,000,000		1,000,000
35	CHDO Operating Assistance - Provide operational support to assist with the development and management of CHDO projects.	CW	175,000	175,000		175,000
36	HOME Program Administration - Housing department staff administrative costs.	CW	374,021	386,582		386,582
37	Mortgage Assistance Program - Provide no interest, deferred payment loans for down-payment, principal reduction and closing cost assistance up to a maximum of \$20,000.	CW	800,000	957,158		957,158

*CW=City Wide

**FY 2014-15 CONSOLIDATED PLAN FOR
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Attachment A

	Project Name	CD	FY 2013-14 Amended Budget	FY 2014-15 CMO Proposed Budget	CDC Proposed Amendments as of 4/3/2014 +/-	FY 2014-15 Proposed Budget
38	Housing Development Loan Program - Provide private and non-profit organizations with loans/grants for the development of permanent supportive housing and senior housing, including but not limited to pre-development costs, development costs, construction subsidies, relocation costs, demolition costs, acquisition costs, related acquisition costs, rental rehabilitation.	CW	1,621,189	1,977,078		1,977,078
	Home Ownership Opportunities Sub-Total		3,970,210	4,495,818	0	4,495,818
39	Tenant Based Rental Assistance - Provide transitional rental assistance to homeless persons for a minimum of one year while they become stabilized.	CW	270,000	270,000		270,000
40	Tenant Based Rental Assistance (Admin) - Provide comprehensive management, oversight and technical assistance.	CW	50,000	50,000		50,000
	Other Housing Sub-Total		320,000	320,000	0	320,000
	TOTAL HOME INVESTMENT PARTNERSHIP PROGRAM		4,290,210	4,815,818	0	4,815,818
EMERGENCY SOLUTIONS GRANT (HESG)						
41	Contracts - Essential Services - Provide direct services to the homeless to address employment (job placement and training), child care, substance abuse treatment and health prevention services.	CW	57,737	57,737		57,737
42	Contracts - Operations - Provide payment of operational costs for shelters or transitional housing facilities for homeless persons.	CW	92,430	92,430		92,430
43	Homeless Assistance Center - Essential Services - Provide case management services to assist clients in obtaining federal, state and local assistance.	CW	101,696	128,005		128,005
44	Homeless Assistance Center - Operations - Provide payment of utilities and other operating costs for the Homeless Assistance Center.	CW	378,279	378,279		378,279
	Essential Services/Operations Sub-Total		630,142	656,451	0	656,451
45	Homeless Prevention - Financial Assistance - Provide short-term (3 months) and medium-term (4 - 24 months) of rental assistance; rental arrears up to six months; utilities assistance; moving costs, etc. to persons at-risk of homelessness and meet income limits below 30% of the area median income.	CW	33,775	30,000		30,000
46	Homeless Prevention - Housing Relocation and Stabilization - Provide case management, housing search and placement, legal services, credit repair to persons at-risk of homelessness and meet income limits below 30% of area median income.	CW	35,000	30,000		30,000
	Homeless Prevention Sub-Total		68,775	60,000	0	60,000
47	Rapid Re-Housing – Financial Assistance - Provide assistance with application fees, deposits, and rental arrears up to six months for persons who are homeless.	CW	30,000	11,000		11,000

*CW=City Wide

**FY 2014-15 CONSOLIDATED PLAN FOR
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Attachment A

	Project Name	CD	FY 2013-14 Amended Budget	FY 2014-15 CMO Proposed Budget	CDC Proposed Amendments as of 4/3/2014 +/-	FY 2014-15 Proposed Budget
48	Rapid Re-Housing - Housing Relocation & Stabilization - Provide case management, housing search and placement, legal services, credit repair to homeless persons in permanent housing programs.	CW	181,848	253,308		253,308
	Rapid Re-Housing Sub-Total		211,848	264,308	0	264,308
49	HMIS Data Collection - Provide client-level data collection for persons served by the grant, as well as training, generating reports, monitoring and reviewing data quality.	CW	60,704	65,367		65,367
	HMIS Data Collection Sub-Total		60,704	65,367	0	65,367
50	ESG Administration - Monitor and evaluate contracts and other program activities.	CW	78,768	84,820		84,820
	Program Administration Sub-Total		78,768	84,820	0	84,820
	TOTAL EMERGENCY SOLUTIONS GRANT		1,050,237	1,130,946	0	1,130,946
<u>HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)</u>						
51	Emergency/Tenant Based Rental Assistance/Financial Assistance - Provide long-term and transitional rental assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area.	CW	1,700,000	2,000,000		2,000,000
52	Emergency/Tenant Based Rental Assistance/Housing Services - Provide long-term and transitional rental assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area.	CW	440,000	485,000		485,000
53	Housing Facilities Operation - Provide housing operation costs, including lease, maintenance, utilities, insurance and furnishings for facilities that provide assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area.	CW	697,412	810,894		810,894
54	Supportive Services - Provide supportive services, information and referral, and outreach in conjunction with housing assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area, including hospice/respite care for affected children.	CW	1,075,162	1,315,162		1,315,162
55	Housing Information/Resource Identification - Provide Housing Information Services (including housing counseling, housing advocacy, information and referral services, fair housing information, and housing search and assistance) and Resource Identification (including costs to develop housing assistance resources, outreach and relationship-building with landlords, costs involved in creating brochures, web resources, and time to locate and identify affordable housing vacancies).	CW	100,666	124,859		124,859

*CW=City Wide

**FY 2014-15 CONSOLIDATED PLAN FOR
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Attachment A

	Project Name	CD	FY 2013-14 Amended Budget	FY 2014-15 CMO Proposed Budget	CDC Proposed Amendments as of 4/3/2014 +/-	FY 2014-15 Proposed Budget
56	Housing Facilities Rehab/Repair/Acquisition - Provides rehabilitation/repair or acquisition funds for facilities that provide housing to persons with HIV/AIDS and their families who live in the metropolitan area.	CW	0	200,000		200,000
	Other Public Services Sub-Total		4,013,240	4,935,915	0	4,935,915
57	Program Administration/City of Dallas - Provide administrative oversight, evaluation and technical assistance for grant funds and program activities.	CW	131,805	161,269		161,269
58	Program Administration/Project Sponsors - Provide administrative costs for project sponsors in oversight and evaluation of program activities.	CW	248,475	278,475		278,475
	Program Administration Sub-Total		380,280	439,744	0	439,744
	TOTAL HOUSING OPPORTUNITIES FOR PERSONS W/ AIDS		4,393,520	5,375,659	0	5,375,659
	GRAND TOTAL CONSOLIDATED PLAN BUDGET		25,464,102	27,080,569	0	27,080,569

*CW=City Wide

ADDENDUM ITEM # 4

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

An ordinance **(1)** denying rates as requested by Atmos Energy Corp. Mid-Tex Division (Atmos); and **(2)** authorizing increased rates to be charged by Atmos, as negotiated pursuant to its January 15, 2014 Dallas Annual Rate Review (DARR) filing - Financing: This action has no cost consideration to the City

BACKGROUND

This item was placed on the addendum after briefing the Budget, Finance and Audit Committee on May 5, 2014, and after receiving the committee's recommendation regarding this item.

Atmos Energy Corp. provides natural gas utility service in Dallas in accordance with City franchise Ordinance No. 27793 and Title 3, Subtitle A Texas Utilities Code, Gas Utility Regulatory Act (GURA). On June 22, 2011, the City of Dallas approved Atmos' tariff DARR-Dallas Annual Rate Review, which provides a mechanism by which Atmos shall file for an annual review of its rates. On January 15, 2014, Atmos filed its rate increase request under the DARR tariff. In its filing, Atmos requested an increase in annual revenue of \$8.7 million for the City of Dallas. Atmos requested that the new rates become effective June 1, 2014.

On December 11, 2013, the City retained Diversified Utility Consultants, Inc. (DUCI) to assist City staff in reviewing the DARR filing. DUCI has expertise in reviewing gas rate cases and has assisted the City in numerous matters concerning Atmos Energy. After reviewing the rate filing and supplemental information received from Atmos, DUCI determined that the requested rate increase was not justified.

City staff, DUCI, and outside legal counsel met with Atmos on numerous occasions, both in person and by conference call, to negotiate a settlement of the pending rate request. As a result of the negotiations, Atmos has agreed to accept a reduction in the amount of the requested increase. These new rates will result in an annual increase in revenues to Atmos of \$6.3 million for the City of Dallas and reimbursement of the City's expenses in reviewing the filing.

BACKGROUND (Continued)

The rates, as negotiated, are fair and reasonable for the citizens of Dallas and equitable for Atmos.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 11, 2013, City Council authorized a consulting contract with Diversified Utility Consultants by Resolution No. 13-2062.

Briefed to Budget, Finance and Audit Committee on May 5, 2014 and recommended to move forward.

FISCAL INFORMATION

This action has no cost consideration to the City.

May 14, 2014

Ordinance No. _____

WHEREAS, Atmos Energy Corp., Mid-Tex Division ("Atmos") provides natural gas utility service within the City of Dallas in accordance with Ordinance No. 27793; and

WHEREAS, on June 22, 2011, the City of Dallas adopted Ordinance #28281 which established the Dallas Annual Rate Review (DARR) Tariff; and

WHEREAS, Atmos filed for a \$8,747,948 annual increase applicable to Dallas customers on January 15, 2014 pursuant to terms of the Dallas Annual Rate Review (DARR) tariff; and

WHEREAS, Atmos and the City of Dallas have agreed to an annual rate increase of \$6,300,000 to customers within the City of Dallas to settle and resolve the 2014 DARR filing; and

WHEREAS, in the discussion of issues to arrive at the settlement, City Staff and Atmos representatives discussed issues regarding necessary revisions to the original request, treatment of accumulated deferred federal income tax, allocation of corporate expenses (Shared Services Unit) to Mid-Tex Division and treatment and inclusion of Pension and Benefit expense. The City and Atmos ultimately agree that the issues related to those expenses are ultimately resolved as part of the agreed rates without a specific finding on any expense; and

WHEREAS, the tariffs attached to this Ordinance, including tariffs, R-Residential Sales, C-Commercial Sales, I-Industrial Sales and T-Transportation, and rate riders SUR-Depreciation Regulatory Asset Surcharge and WNA-Weather Normalization Adjustment (Dallas) are determined to be fair and reasonable; Now, Therefore,

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

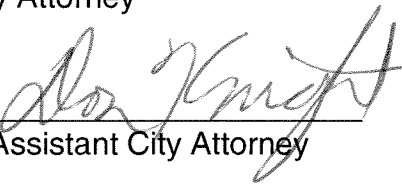
Section 1. That the rate adjustments and tariffs presented in the "Dallas Annual Rate Review Filing Test Year Ended 9-30-13" filed by Atmos Energy Corp. on January 15, 2014, are unreasonable and are therefore denied in all respects.

Section 2. That the tariffs attached hereto, including tariffs, R-Residential Sales, C-Commercial Sales, I-Industrial Sales and T-Transportation, and rate riders SUR-Depreciation Regulatory Asset Surcharge and WNA-Weather Normalization Adjustment (Dallas) are hereby approved effective June 1, 2013.

Section 4. That the City's expenses in reviewing the DARR filing and negotiating the settlement are deemed reasonable and Atmos shall reimburse the City in full for the costs of City's consultants and outside legal counsel.

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

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

By 
Assistant City Attorney

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RRC TARIFF NO:

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	Customers within the City of Dallas	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2014	PAGE:

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$18.50 per month
Commodity Charge – All Ccf	\$ 0.06980 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Franchise Fees are to be assessed solely to customers within municipal limits. This does not apply to Environs Customers.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RRC TARIFF NO:

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	Customers within the City of Dallas	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2014	PAGE

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 37.00 per month
Commodity Charge - All Ccf	\$ 0.06351 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Franchise Fees are to be assessed solely to customers within municipal limits. This does not apply to Environs Customers.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RRC TARIFF NO:

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	Customers within the City of Dallas	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2014	PAGE

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 665.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.1570 per MMBtu
Next 3,500 MMBtu	\$ 0.1142 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0181 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Franchise Fees are to be assessed solely to customers within municipal limits. This does not apply to Environs Customers.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

An Agreement for Gas Service may be required.

Exhibit A

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RRC TARIFF NO:

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	Customers within the City of Dallas	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2014	PAGE

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RRC TARIFF NO:

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	Customers within the City of Dallas	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2014	PAGE

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 665.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.1570 per MMBtu
Next 3,500 MMBtu	\$ 0.1142 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0181 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Franchise Fees are to be assessed solely to customers within municipal limits. This does not apply to Environs Customers.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION****RRC TARIFF NO:**

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	Customers within the City of Dallas	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2014	PAGE

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

Exhibit A

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	SUR-DEPRECIATION REGULATORY ASSET SURCHARGE	
APPLICABLE TO:	Customers within the City of Dallas	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2014	PAGE

DEPRECIATION REGULATORY ASSET SURCHARGE

A. APPLICABILITY

The Depreciation Regulatory Asset (DRA) rate as set forth in Section (B) below is pursuant to Ordinance 28984. This rate shall apply to the following rate schedules of Atmos Mid-Tex in the City of Dallas.

B. DRA RATE

Residential Customers:	\$ 0.10 per month
Commercial Customers:	\$ 0.24 per month
Industrial and Transportation Customers:	\$ 4.80 per month

This rate will be in effect for approximately 24 months until all approved expenses are recovered from the applicable customer classes as documented in Ordinance 28984.

C. OTHER ADJUSTMENTS

Taxes: Plus applicable taxes and fees (including franchise fees) related to above.

D. CONDITIONS

Subject to all applicable laws and orders, and the Company's rules and regulations on file with the regulatory authority.

Exhibit A

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	Customers within the City of Dallas	
EFFECTIVE DATE:	06/01/2014	PAGE

Provisions for Adjustment

The base rate per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The regional weather station is Dallas.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf
- R_i = base rate of temperature sensitive sales for the i^{th} schedule or classification utilized by the Commission in the Relevant Rate Order.
- HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class
- NDD = billing cycle normal heating degree days
- ADD = billing cycle actual heating degree days
- BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j^{th} customer in i^{th} rate schedule is computed as:

$$WNA_i = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j^{th} customer in i^{th} rate schedule.

Exhibit A

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	Customers within the City of Dallas	
EFFECTIVE DATE:	06/01/2014	PAGE

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use Ccf	Heat use Ccf/HDD	Base use Ccf	Heat use Ccf/HDD
Dallas	13.89	.1925	199.88	.8598

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 47S

SUBJECT

An ordinance abandoning portions of Imperial Street, an alley and a street easement containing a total of approximately 20,835 square feet of land, located near the intersection of Hatcher and Imperial Streets to Frazier Revitalization Inc., Greater Mt. Calvary Church of God In Christ of Dallas, True Lee Missionary Baptist Church (also known as True Lee Baptist Church) and Frazier HS, LP, the abutting owners, and authorizing the quitclaim – Revenue: \$19,130, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of portions of Imperial Street, an alley and a street easement to Frazier Revitalization Inc., Greater Mt. Calvary Church of God In Christ of Dallas, True Lee Missionary Baptist Church (also known as True Lee Baptist Church) and Frazier HS, LP, the abutting owners. The abandonment area will be included with the property of the abutting owners for redevelopment for offices, retail space and parking. The abandonment fee is based on Dallas Central Appraisal District values.

Notices were sent to 49 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION /REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: \$19,130, plus the \$20 ordinance publication fee

OWNERS

Frazier Revitalization Inc.

Paul W. Harris, Director

Frazier HS, LP

Paul W. Harris, Director

Greater Mt. Calvary Church of God in Christ of Dallas

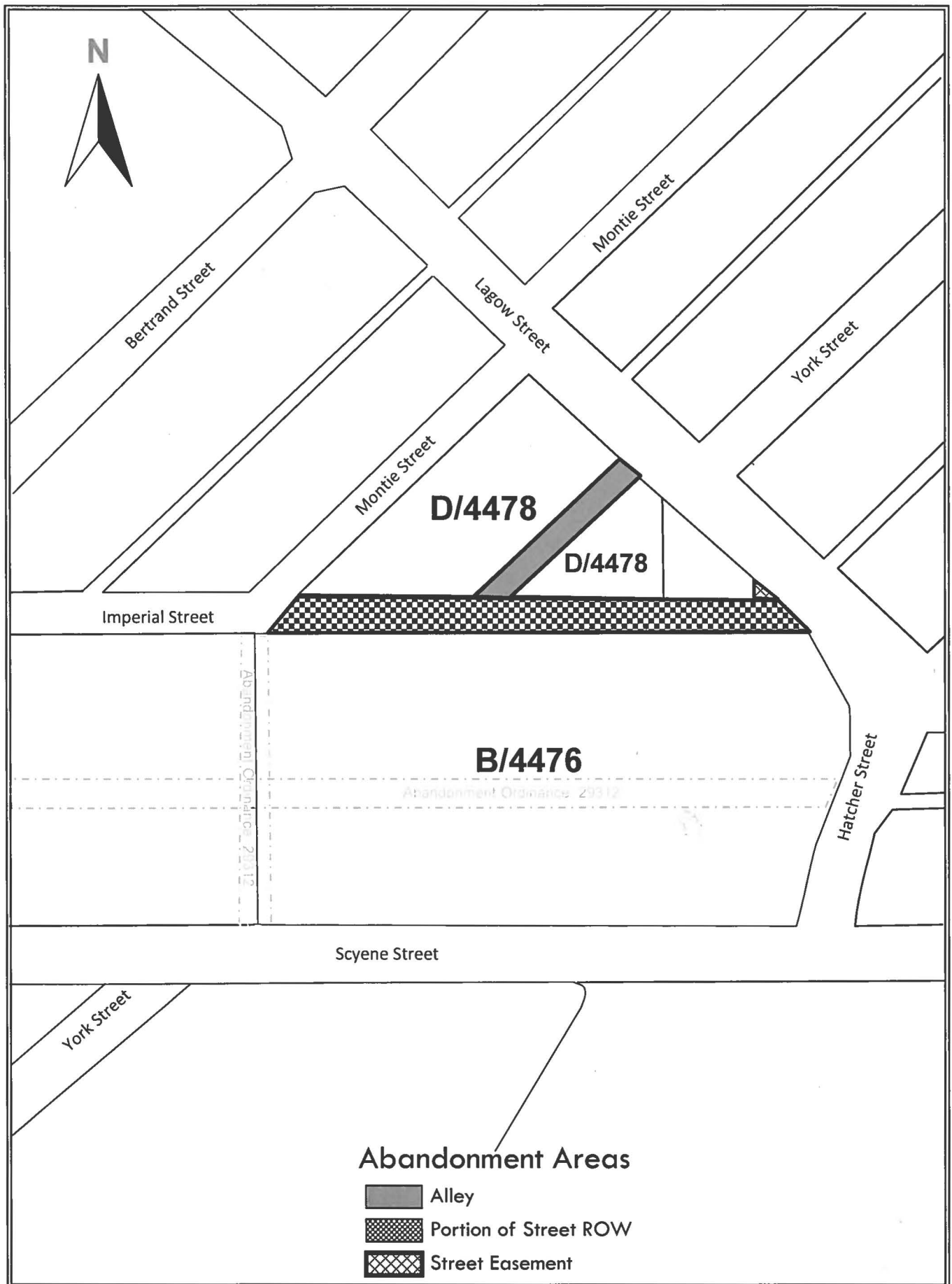
H B. Horn Jr. , Director

True Lee Missionary Baptist Church

Donard R. Parish, Sr., President

MAP

Attached



ORDINANCE NO. _____

An ordinance providing for the abandonment of portions of Imperial Street, alley and street easement, located in and adjacent to City Blocks B/4476 and D/4478 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Frazier Revitalization, Inc., Greater Mt. Calvary Church of God In Christ of God, True Lee Missionary Baptist Church (also known as True Lee Baptist Church), and Frazier HS, LP; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing for an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Frazier Revitalization, Inc., a Texas non profit corporation, and Greater Mt. Calvary Church of God In Christ of God, a Texas non profit corporation, True Lee Missionary Baptist Church (also known as True Lee Baptist Church), a non profit corporation, and Frazier HS, LP, a Texas limited partnership, hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portions of Imperial Street, alley and street easement are not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

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

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

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

SECTION 2. That for and in monetary consideration of the sum of **NINETEEN THOUSAND ONE HUNDRED THIRTY AND NO/100 DOLLARS (\$19,130.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, and 10, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to those certain tracts of land hereinabove described in Exhibit A as follows: unto Frazier Revitalization Inc., all of its right, title and interest in Tracts 1, 3, 4 of Exhibit A; unto Greater Mt. Calvary Church of God In Christ of Dallas, all of its right, title and interest in Tract 2 of Exhibit A; unto True Lee Missionary Baptist Church (also known as True Lee Baptist Church), all of its right, title and interest in Tract 5 of Exhibit A; unto Frazier HS, LP, all of its right, title and interest in Tract 6 of Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

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

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, their successors and assigns, agree to indemnify, defend, release and hold whole and harmless the City of Dallas of, from and against any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the property described in Exhibit A by **GRANTEE**, their successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, their successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, their successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill

Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

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

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

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment areas are located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee.

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

SECTION 12. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M. S. ERNST
City Attorney

DAVID COSSUM
Interim Director of Department of
Sustainable Development and Construction

BY



Assistant City Attorney

BY



for Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

ALLEY ABANDONMENT
SITUATED IN BLOCK D/4478
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)	
Reviewed By:	<u>JZ</u>
Date:	<u>4-21-14</u>
SPRG NO:	<u>2914</u>

BEING a 1,838 square foot (0.042 acre) tract of land situated in the Thomas Lagow Survey, Abstract No. 759, City of Dallas, Dallas County, Texas; and being part of a 15-foot wide alley across Block D/4478, created by Thompson and Swanson Subdivision, an addition to the City of Dallas according to the plat recorded in Volume 2, Page 343 of the Map Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with "KHA" cap found at the intersection of the southwest right-of-way line of Lagow Street (a 60-foot wide right-of-way) and the northwest right-of-way line of said 15-foot wide alley across Block D/4478; said point being in the east corner of the remainder of Lot 5 of said Block D/4478;

THENCE with said southwest right-of-way line of Lagow Street, South 47°47'55" East, a distance of 15.00 feet to a 5/8-inch iron rod with "KHA" cap set at the intersection of said southwest right-of-way line of Lagow Street and the southeast right-of-way line of said 15-foot wide alley across Block D/4478; said point also being in the most north corner of the remainder of Lot 6 of said Block D/4478;

THENCE departing said southwest right-of-way line of Lagow Street, with said southeast right-of-way line of the 15-foot wide alley across Block D/4478 and said northwest line of Lot 6, South 42°34'05" West, a distance of 141.07 feet to a 5/8-inch iron rod with "KHA" cap set at the intersection of said southeast right-of-way line of the 15-foot wide alley across Block D/4478 and the north right-of-way line of Imperial Street (a 40-foot wide right-of-way);

THENCE with said north right-of-way line of Imperial Street, North 88°25'55" West, a distance of 19.88 feet to a 5/8-inch iron rod with "KHA" cap set at the intersection of said north right-of-way line of Imperial Street and said northwest right-of-way line of the 15-foot wide alley across Block D/4478; said point also being the southeast corner of Lot 2 of said Block D/4478;

THENCE with said northwest right-of-way line of the 15-foot wide alley across Block D/4478 and the southeast line of said Lot 2, North 42°34'05" East, a distance of 34.01 feet to a 5/8-inch iron rod with "KHA" cap found at the east corner of said Lot 2 and the south corner of Lot 3 of said Block D/4478;

THENCE departing said northwest right-of-way line of the 15-foot wide alley across Block D/4478, South 47°47'55" East, a distance of 7.50 feet to a 5/8-inch iron rod with "KHA" cap set for corner in the centerline of said 15-foot wide alley across Block D/4478;

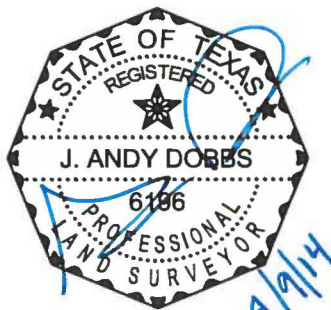
THENCE with said centerline of the 15-foot wide alley across Block D/4478, North 42°34'05" East, a distance of 50.00 feet to a 5/8-inch iron rod with "KHA" cap set for corner;

THENCE departing said centerline of the 15-foot wide alley across Block D/4478, North 47°47'55" West, a distance of 7.50 feet to a 5/8-inch iron rod with "KHA" cap found at the east corner of said Lot 3, at the south corner of Lot 4 of said Block D/4478 and in said northwest right-of-way line of the 15-foot wide alley across Block D/4478;

THENCE with said northwest right-of-way line of the 15-foot wide alley across Block D/4478 and the southeast line of said Lots 4 and 5, North 42°34'05" East, a distance of 70.00 feet to the **POINT OF BEGINNING** and containing 1,838 square feet or 0.042 acres of land.

Bearings based upon the monumented north right of way line of Scyene Road as defined in deeds to the State of Texas as recorded in Volume 76103, Page 656, Volume 75127, Page 1209, Volume 76001, Page 1643, Volume 76001, Page 1647, Volume 76001, Page 1651 and Volume 81034, Page 2687, all of the Deed Records of Dallas County, Texas, said bearing being South 88°30'34" East.

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
andy.dobbs@kimley-horn.com




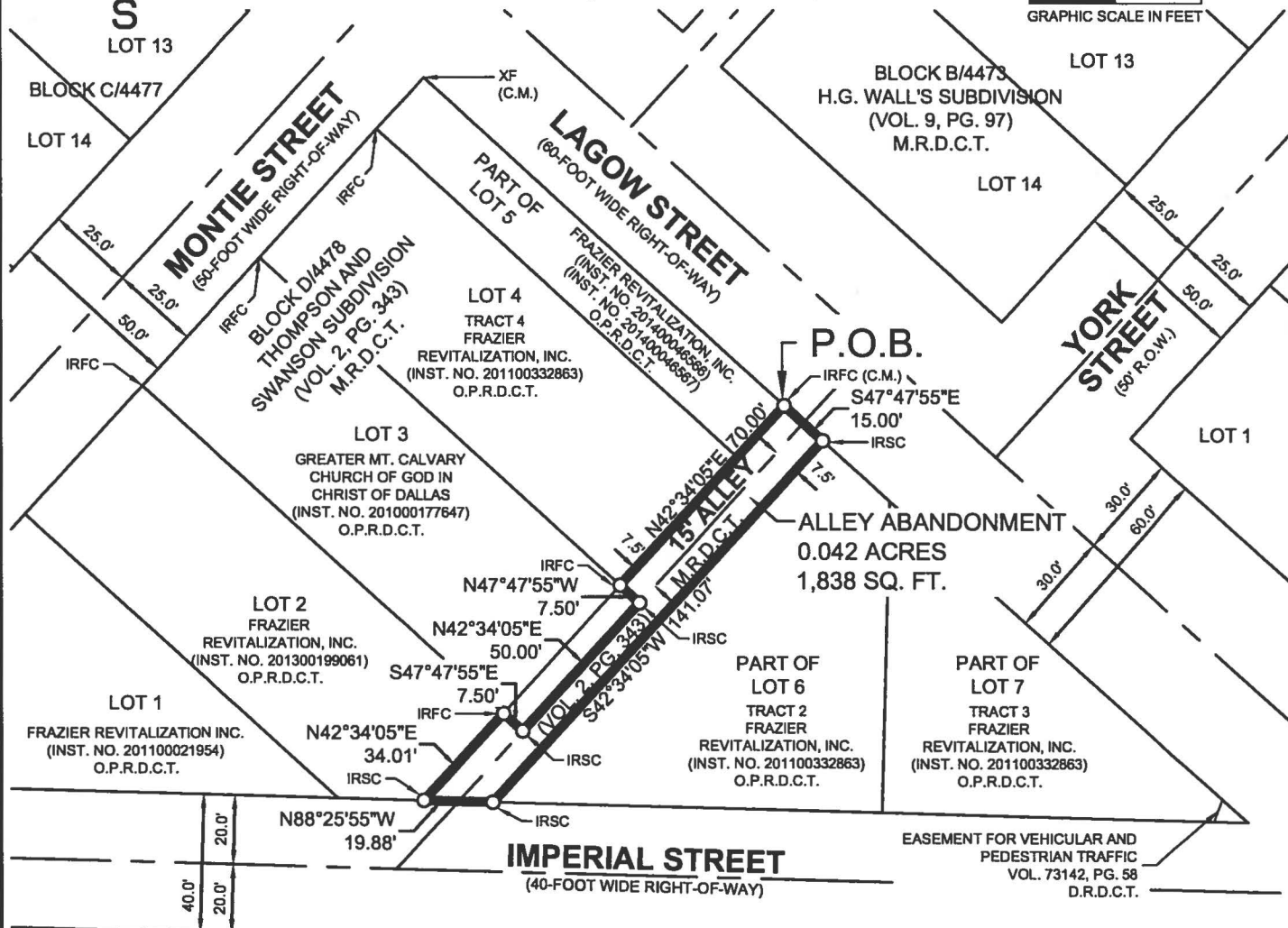
		Kimley-Horn and Associates, Inc.			
12750 Merit Drive, Suite 1000 Dallas, Texas 75251		FIRM # 101155-00	Tel. No. (972) 770-1300 Fax No. (972) 239-3820		
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JAD	DAB	JAN. 2014	061279302	1 OF 2



EXHIBIT A-TRACT 1

ALLEY ABANDONMENT
SITUATED IN BLOCK D/4478
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: JE
Date: 4-21-14
SPRG NO: 2914



LOT 24	LOT 23	LOT 22 BLOCK B/4476 THOMPSON AND SWANSON SUBDIVISION (VOL. 2, PG. 343) M.R.D.C.T.	LOT 21	LOT 20	LOT 19	LOT 18	LOT 17
				TRUE LEE MISSIONARY BAPTIST CHURCH (VOL. 93091, PG. 3966) D.R.D.C.T.		FRAZIER HS, LP (INST. NO. 201100006042) O.P.R.D.C.T.	

LEGEND

P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/ "KHA" CAP FOUND
XF = "X" CUT IN CONCRETE FOUND
C.M.=CONTROLLING MONUMENT
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

NOTES

- Bearings based upon the monumented north right of way line of Scyene Road as defined in deeds to the State of Texas as recorded in Volume 76103, Page 656, Volume 75127, Page 1209, Volume 76001, Page 1643, Volume 76001, Page 1647, Volume 76001, Page 1651 and Volume 81034, Page 2687, all of the Deed Records of Dallas County, Texas, said bearing being South 88°30'34" East.



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and Associates, Inc.**

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Dallas, Texas 75251

FIRM # 101155-00

Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	JAD	DAB	JAN. 2014	061279302	2 OF 2

EXHIBIT A-TRACT 2

ALLEY ABANDONMENT
SITUATED IN BLOCK D/4478
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)

Reviewed By: JL
Date: 4-21-14
SPRG NO: 2913

BEING a 375 square foot (0.009 acre) tract of land situated in the Thomas Lagow Survey, Abstract No. 759, City of Dallas, Dallas County, Texas; and being part of a 15-foot wide alley across Block D/4478, created by Thompson and Swanson Subdivision, an addition to the City of Dallas according to the plat recorded in Volume 2, Page 343 of the Map Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with "KHA" cap found at the east corner of Lot 3 of said Block D/4478, at the south corner of Lot 4 of said Block D/4478 and in the northwest right-of-way line of said 15-foot wide alley across Block D/4478; said point being South 42°34'05" West, a distance of 70.00 feet from a 5/8-inch iron rod with "KHA" cap found at the intersection of the southwest right-of-way line of Lagow Street (a 60-foot wide right-of-way) and said northwest right-of-way line of the 15-foot wide alley across Block D/4478;

THENCE departing said northwest right-of-way line of said 15-foot wide alley across Block D/4478, South 47°47'55" East, a distance of 7.50 feet to a 5/8-inch iron rod with "KHA" cap set for corner in the centerline of said 15-foot wide alley across Block D/4478;

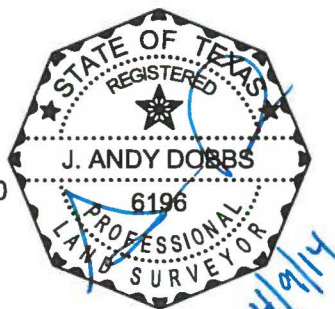
THENCE with said centerline of the 15-foot wide alley across Block D/4478, South 42°34'05" West, a distance of 50.00 feet to a 5/8-inch iron rod with "KHA" cap set for corner;

THENCE departing said centerline of the 15-foot wide alley across Block D/4478, North 47°47'55" West, a distance of 7.50 feet to a 5/8-inch iron rod with "KHA" cap found at the south corner of said Lot 3, at the east corner of Lot 2 of said Block D/4478 and in said northwest right-of-way line of the 15-foot wide alley across Block D/4478;

THENCE with said northwest right-of-way line of the 15-foot wide alley across Block D/4478 and the southeast line of said Lot 3, North 42°34'05" East, a distance of 50.00 feet to the **POINT OF BEGINNING** and containing 375 square feet or 0.009 acres of land.

Bearings based upon the monumented north right of way line of Scyene Road as defined in deeds to the State of Texas as recorded in Volume 76103, Page 656, Volume 75127, Page 1209, Volume 76001, Page 1643, Volume 76001, Page 1647, Volume 76001, Page 1651 and Volume 81034, Page 2687, all of the Deed Records of Dallas County, Texas, said bearing being South 88°30'34" East.

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
andy.dobbs@kimley-horn.com



**Kimley-Horn
and Associates, Inc.**

12750 Merit Drive, Suite 1000
Dallas, Texas 75251

FIRM # 101155-00

Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JAD	DAB	JAN. 2014	061279302	1 OF 2

N EXHIBIT A-TRACT 2

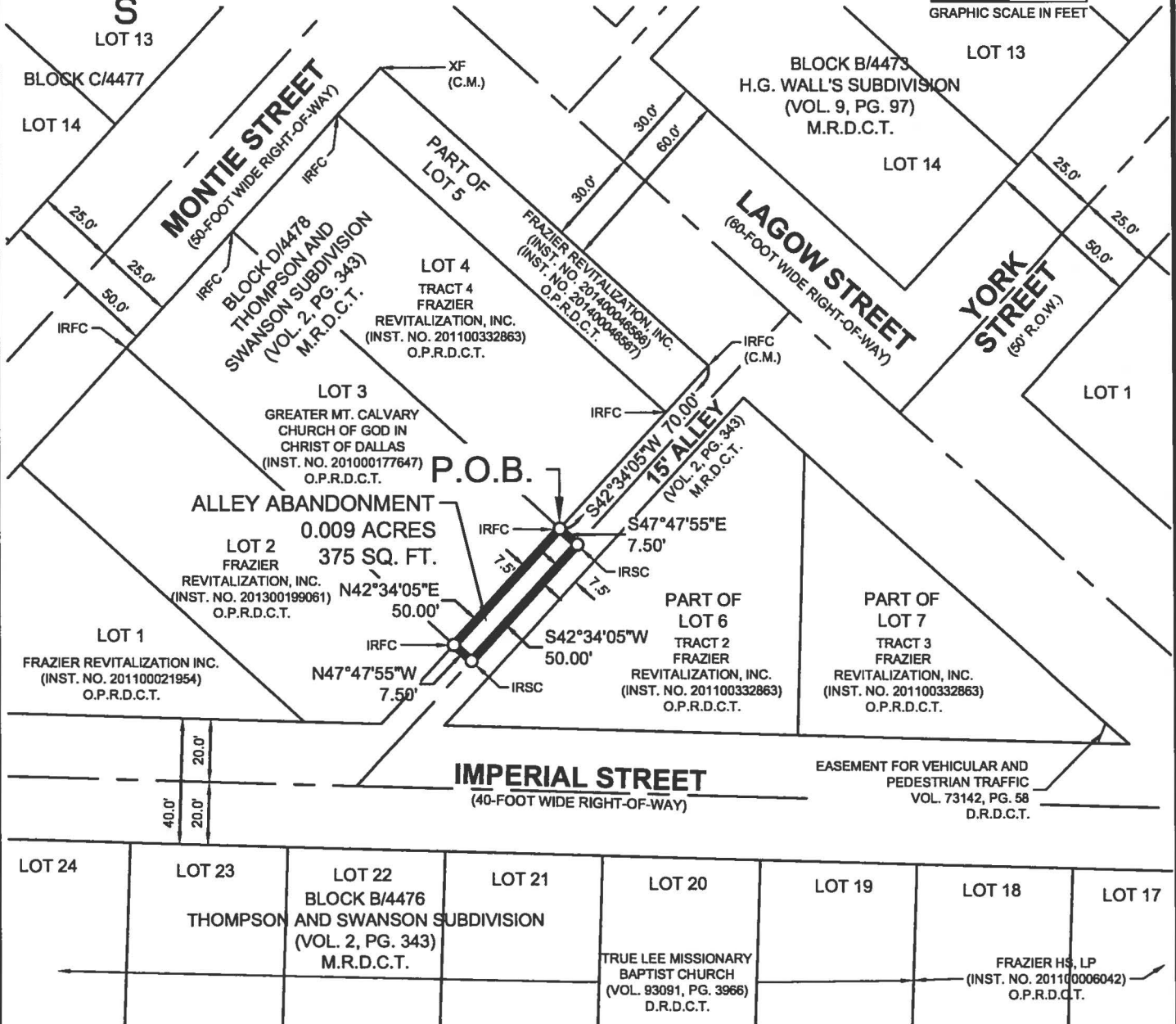
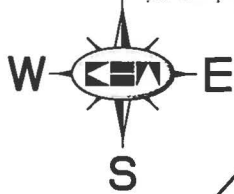
ALLEY ABANDONMENT
SITUATED IN BLOCK D/4478
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)

Reviewed By: JE

Date: 4-21-14

SPRG NO: 2913



LEGEND

P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/ "KHA" CAP FOUND
XF = "X" CUT IN CONCRETE FOUND
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NOTES

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and Associates, Inc.**

12750 Merit Drive, Suite 1000
Dallas, Texas 75251

FIRM # 101155-00

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Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	JAD	DAB	JAN. 2014	061279302	2 OF 2

EXHIBIT A-TRACT 3

STREET EASEMENT ABANDONMENT
PART OF LOT 7, BLOCK D/4478
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>4-21-14</u>
SPRG NO:	<u>2911</u>

BEING a 32 square foot (0.001 acre) tract of land situated in the Thomas Lagow Survey, Abstract No.759, City of Dallas, Dallas County, Texas; and being part of Lot 7, Block D/4478, Thompson and Swanson Subdivision, an addition to the City of Dallas according to the plat recorded in Volume 2, Page 343 of the Map Records of Dallas County, Texas; and being all of an easement to the City of Dallas recorded in Volume 73142, Page 58 of the Deed Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a "X" cut in concrete set at the intersection of the southwest right-of-way line of Lagow Street (a 60-foot wide right-of-way) and the north right-of-way line of Imperial Street (a 40-foot wide right-of-way); said point also being the east corner of the remainder of said Lot 7;

THENCE with said north right-of-way line of Imperial Street, North 88°25'55" West, a distance of 10.00 feet to a 5/8-inch iron rod with "KHA" cap set for corner;

THENCE departing said north right-of-way line of Imperial Street, North 21°38'05" East, a distance of 6.86 feet to a 5/8-inch iron rod with "KHA" cap set for corner in said southwest right-of-way line of Lagow Street;

THENCE with said southwest right-of-way line of Lagow Street, South 48°17'55" East, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 32 square feet or 0.001 acres of land.

Bearings based upon the monumented north right of way line of Scyene Road as defined in deeds to the State of Texas as recorded in Volume 76103, Page 656, Volume 75127, Page 1209, Volume 76001, Page 1643, Volume 76001, Page 1647, Volume 76001, Page 1651 and Volume 81034, Page 2687, all of the Deed Records of Dallas County, Texas, said bearing being South 88°30'34" East.

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
andy.dobbs@kimley-horn.com




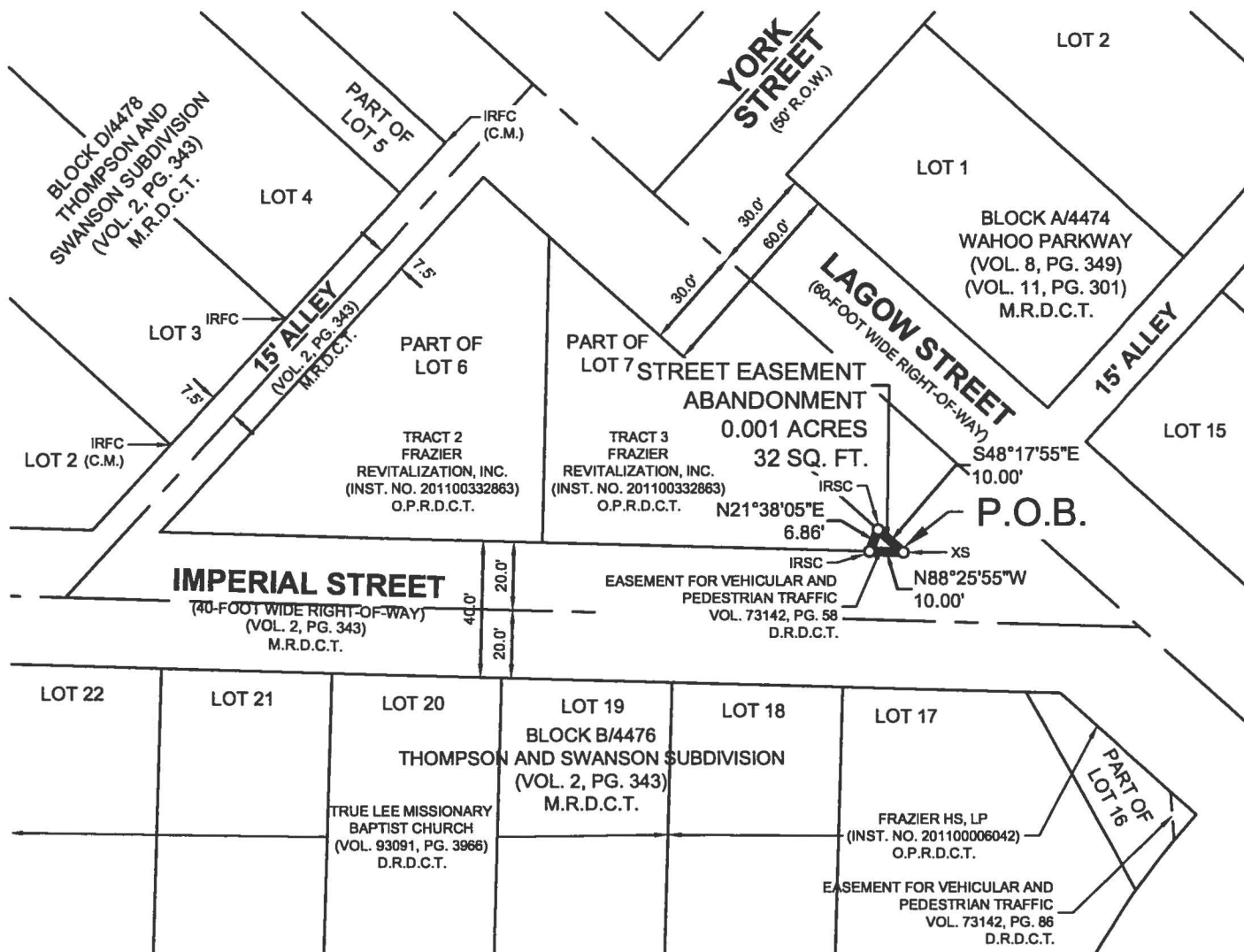
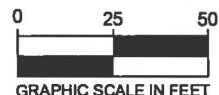
		Kimley-Horn and Associates, Inc.			
12750 Merit Drive, Suite 1000 Dallas, Texas 75251		FIRM # 101155-00	Tel. No. (972) 770-1300 Fax No. (972) 239-3820		
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JAD	DAB	JAN. 2014	061279302	1 OF 2

EXHIBIT A-TRACT 3

STREET EASEMENT ABANDONMENT
PART OF LOT 7, BLOCK D/4478
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS



(For SPRG use only)
Reviewed By: SL
Date: 4-21-14
SPRG NO: 2911



LEGEND

P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/ "KHA" CAP FOUND
XS = "X" CUT IN CONCRETE SET
C.M.=CONTROLLING MONUMENT
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

NOTES

- Bearings based upon the monumented north right of way line of Scyene Road as defined in deeds to the State of Texas as recorded in Volume 76103, Page 656, Volume 75127, Page 1209, Volume 76001, Page 1643, Volume 76001, Page 1647, Volume 76001, Page 1651 and Volume 81034, Page 2687, all of the Deed Records of Dallas County, Texas, said bearing being South 88°30'34" East.



**Kimley-Horn
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Dallas, Texas 75251

FIRM # 101155-00

Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	JAD	DAB	JAN. 2014	061279302	2 OF 2

EXHIBIT A-TRACT 4

STREET ABANDONMENT
PART OF IMPERIAL STREET
SITUATED BETWEEN BLOCKS D/4478 AND B/4476
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)

Reviewed By: JL
Date: 4-18-14
SPRG NO: 2910

BEING a 8,884 square foot (0.204 acre) tract of land situated in the Thomas Lagow Survey, Abstract No. 759, City of Dallas, Dallas County, Texas; and being part of Imperial Street (a 40-foot wide right-of-way), situated between City Blocks D/4478 and B/4476 as created in Thompson and Swanson Subdivision, an addition to the City of Dallas according to the plat recorded in Volume 2, Page 343 of the Map Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a "X" cut in concrete set at the intersection of the southwest right-of-way line of Lagow Street (a 60-foot wide right-of-way) and the north right-of-way line of Imperial Street (a 40-foot wide right-of-way); said point also being the east corner of the remainder of said Lot 7;

THENCE with said southwest right-of-way line of Lagow Street, South 48°17'55" East, a distance of 31.03 feet to a "X" cut in concrete set at the intersection of said southwest right-of-way line of Lagow Street and the centerline of said Imperial Street;

THENCE departing said southwest right-of-way line of Lagow Street, with said centerline of Imperial Street, North 88°25'55" West, a distance of 464.76 feet to a MAG nail set at the intersection of said centerline of Imperial Street and the projection of the southeast right-of-way line of Montie Street (a 50-foot wide right-of-way);

THENCE departing said centerline of Imperial Street, with the projection of said southeast right-of-way line of Montie Street, North 42°34'05" East, a distance of 26.50 feet to the intersection of said southeast right-of-way line of Montie Street and said north right-of-way line of Imperial Street; said point also being the west corner of Lot 1 of said Block D/4478;

THENCE with said north right-of-way line of Imperial Street and the south line of Lots 1, 6 & 7 of said Block D/4478, South 88°25'55" East, a distance of 423.65 feet to the **POINT OF BEGINNING** and containing 8,884 square feet or 0.204 acres of land.

Bearings based upon the monumented north right of way line of Scyene Road as defined in deeds to the State of Texas as recorded in Volume 76103, Page 656, Volume 75127, Page 1209, Volume 76001, Page 1643, Volume 76001, Page 1647, Volume 76001, Page 1651 and Volume 81034, Page 2687, all of the Deed Records of Dallas County, Texas, said bearing being South 88°30'34" East.

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
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**Kimley-Horn
and Associates, Inc.**

12750 Merit Drive, Suite 1000
Dallas, Texas 75251

FIRM # 101155-00

Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
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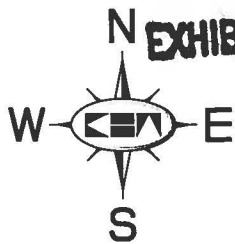
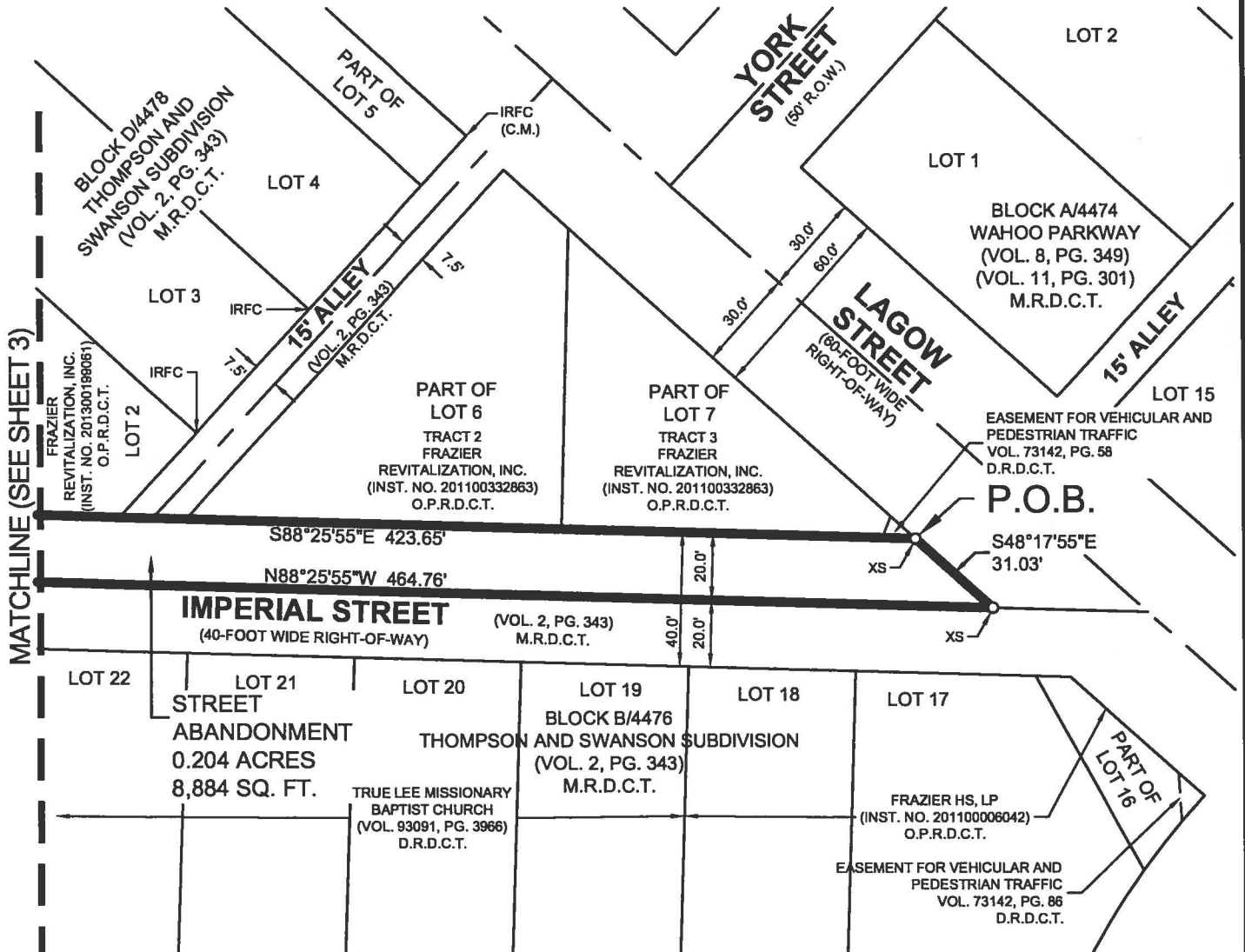


EXHIBIT A-TRACT 4

STREET ABANDONMENT
PART OF IMPERIAL STREET
SITUATED BETWEEN BLOCKS D/4478 AND B/4476
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: SL
Date: 4-18-14
SPRG NO: 2910



LEGEND

P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/"KHA" CAP FOUND
XS = "X" CUT IN CONCRETE SET
C.M.=CONTROLLING MONUMENT
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

NOTES

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**Kimley-Horn
and Associates, Inc.**

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FIRM # 101155-00

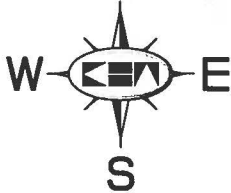
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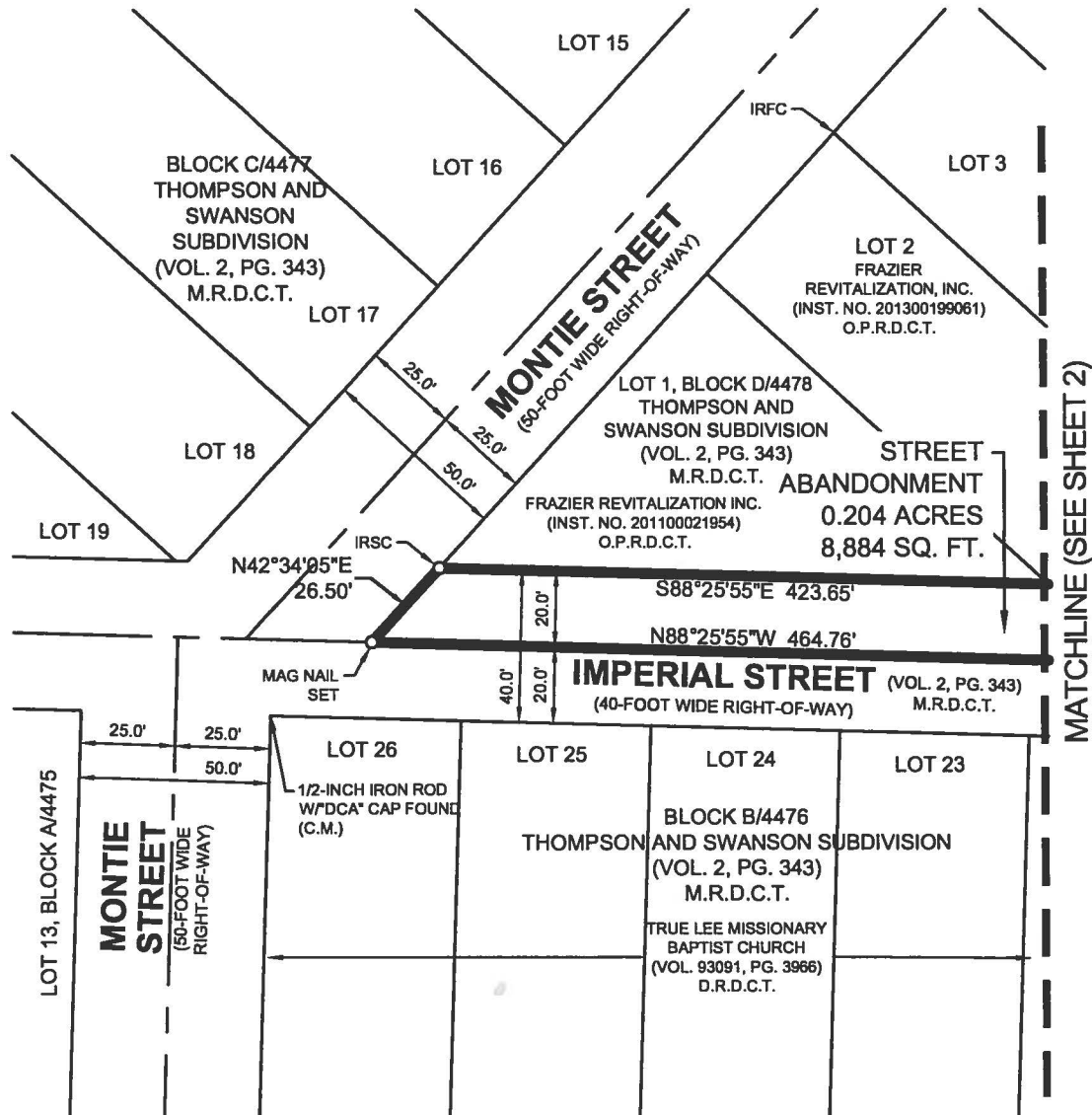
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STREET ABANDONMENT PART OF IMPERIAL STREET

SITUATED BETWEEN BLOCKS D/4478 AND B/4476
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS



(For SPRG use only)
Reviewed By: JL
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EXHIBIT A-TRACT 5

STREET ABANDONMENT
PART OF IMPERIAL STREET
SITUATED BETWEEN BLOCKS D/4478 AND B/4476
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)

Reviewed By: JL
Date: 4-27-14
SPRG NO: 2912

BEING a 7,654 square foot (0.176 acre) tract of land situated in the Thomas Lagow Survey, Abstract No. 759, City of Dallas, Dallas County, Texas; and being part of Imperial Street (a 40-foot wide right-of-way), situated between City Blocks D/4478 and B/4476 as created in Thompson and Swanson Subdivision, an addition to the City of Dallas according to the plat recorded in Volume 2, Page 343 of the Map Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with "KHA" cap set at the intersection of the south right-of-way line of Imperial Street (a 40-foot wide right-of-way) and the projection of the southeast right-of-way line of Montie Street (a 50-foot wide right-of-way); said point also being in the north line of Lot 26 of said Block B/4476; from said point a 1/2-inch iron rod with "DCA" cap found at the intersection of said south right-of-way line of Imperial Street and the west right-of-way line of Montie Street and the northwest corner of said Lot 26 bears North 88°25'55" West, a distance of 8.67 feet;

THENCE with the projection of said southeast right-of-way line of Montie Street, North 42°34'05" East, a distance of 26.50 feet to a MAG nail set at the intersection of said southeast right-of-way line of Montie Street and the centerline of said Imperial Street;

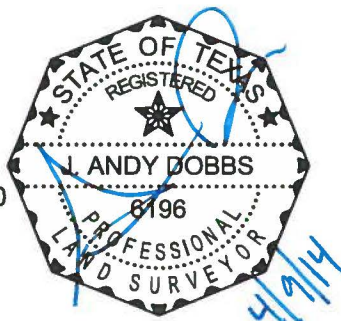
THENCE departing the projection of said southeast right-of-way line of Montie Street, with said centerline of Imperial Street, South 88°25'55" East, a distance of 374.08 feet to a MAG nail set for corner;

THENCE departing said centerline of Imperial Street, South 1°52'25" West, a distance of 20.00 feet to a 5/8-inch iron rod found for corner in said south right-of-way line of Imperial Street; said point being the northwest corner of Lot 18 of said Block B/4476 and the northeast corner of Lot 19 of said Block B/4476;

THENCE with said south right-of-way line of Imperial Street and the north line of Lots 19-26 of said Block B/4476, North 88°25'55" West, a distance of 391.36 feet to the **POINT OF BEGINNING** and containing 7,654 square feet or 0.176 acres of land.

Bearings based upon the monumented north right of way line of Scyene Road as defined in deeds to the State of Texas as recorded in Volume 76103, Page 656, Volume 75127, Page 1209, Volume 76001, Page 1643, Volume 76001, Page 1647, Volume 76001, Page 1651 and Volume 81034, Page 2687, all of the Deed Records of Dallas County, Texas, said bearing being South 88°30'34" East.

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
andy.dobbs@kimley-horn.com



**Kimley-Horn
and Associates, Inc.**

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FIRM # 101155-00

Tel. No. (972) 770-1300
Fax No. (972) 239-3820

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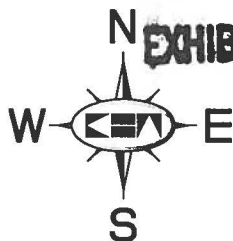
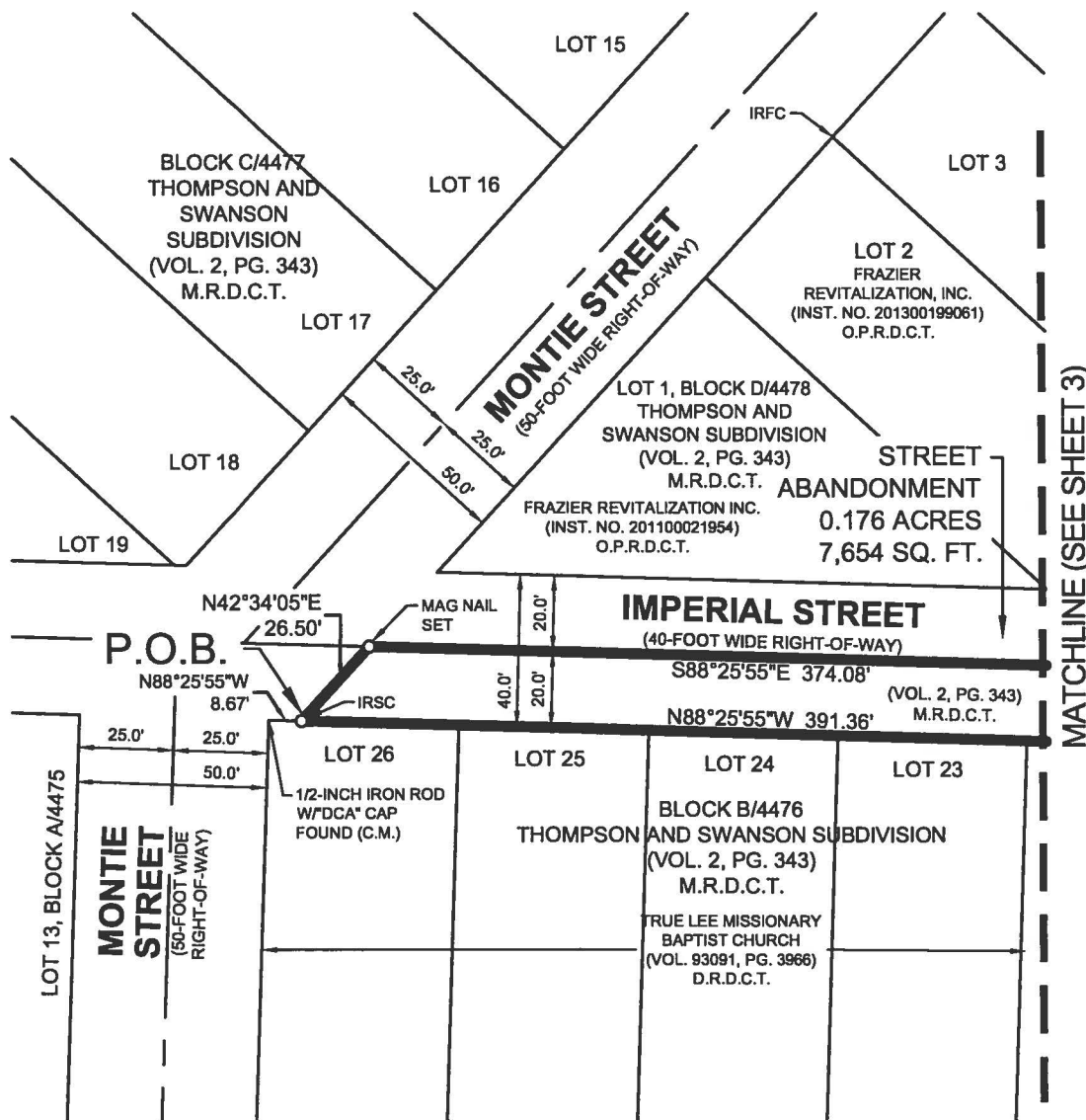


EXHIBIT A-TRACT 5

STREET ABANDONMENT
PART OF IMPERIAL STREET
SITUATED BETWEEN BLOCKS D/4478 AND B/4476
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: JL
Date: 4-21-14
SPRG NO: 2912



LEGEND

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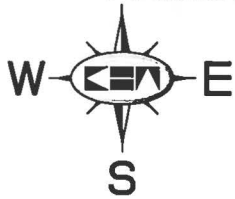
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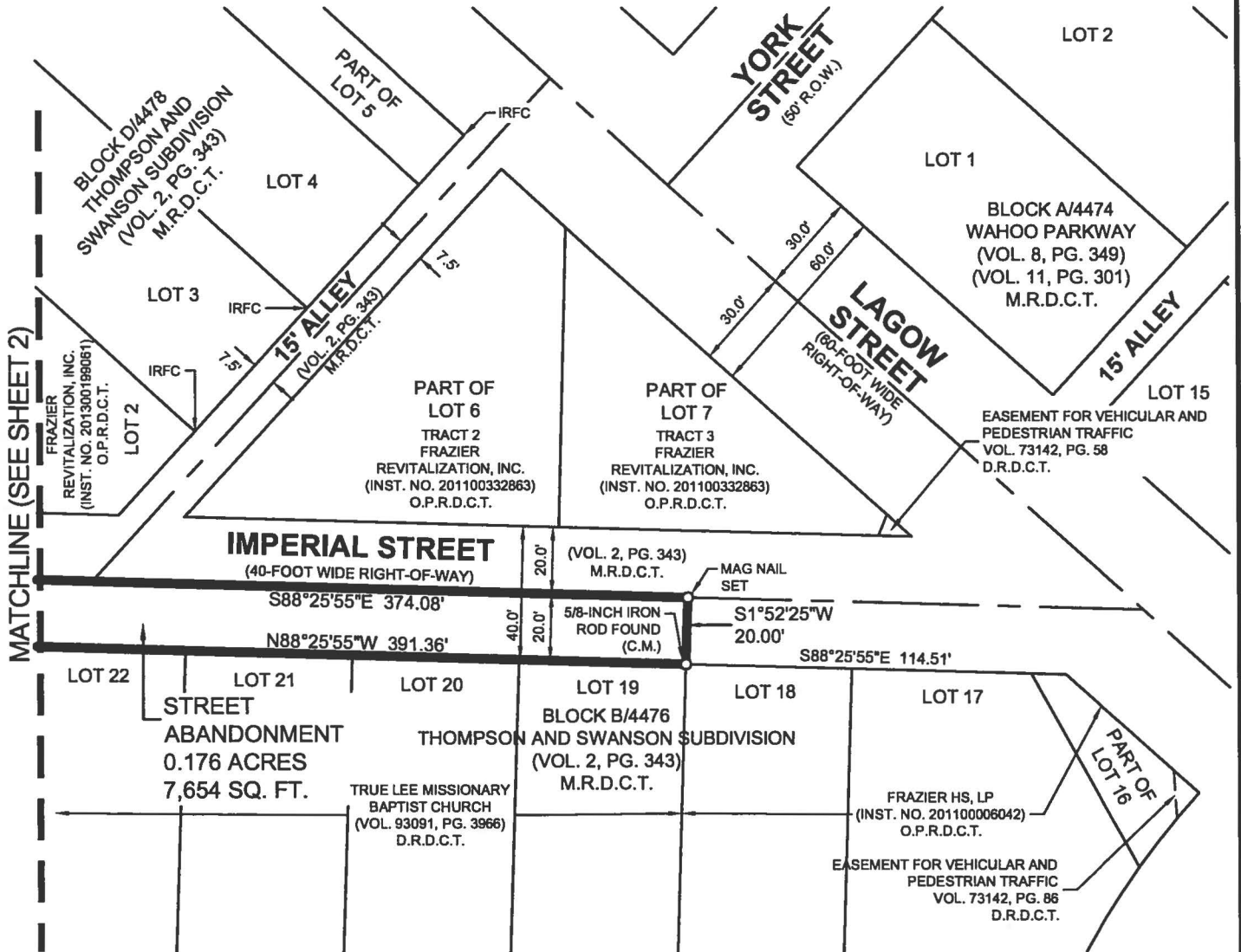
NEXHIBIT A-TRACT 5

STREET ABANDONMENT PART OF IMPERIAL STREET

SITUATED BETWEEN BLOCKS D/4478 AND B/4476
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS



(For SPRG use only)
Reviewed By: JD
Date: 4-21-14
SPRG NO: 2812



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EXHIBIT A-TRACT 6

STREET ABANDONMENT
PART OF IMPERIAL STREET
SITUATED BETWEEN BLOCKS D/4478 AND B/4476
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)

Reviewed By: JL
Date: 4-18-14
SPRG NO: 2909

BEING a 2,052 square foot (0.047 acre) tract of land situated in the Thomas Lagow Survey, Abstract No. 759, City of Dallas, Dallas County, Texas; and being part of Imperial Street (a 40-foot wide right-of-way), situated between City Blocks D/4478 and B/4476 as created in Thompson and Swanson Subdivision, an addition to the City of Dallas according to the plat recorded in Volume 2, Page 343 of the Map Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a "X" cut in concrete set at the intersection of the south right-of-way line of Imperial Street (a 40-foot wide right-of-way) and the southwest right-of-way line of Lagow Street (a 60-foot wide right-of-way);

THENCE with said south right-of-way line of Imperial Street, North 88°25'55" West, a distance of 114.51 feet to a 5/8-inch iron rod found for corner; said point being the northwest corner of Lot 18 of said Block B/4476 and the northeast corner of Lot 19 of said Block B/4476;

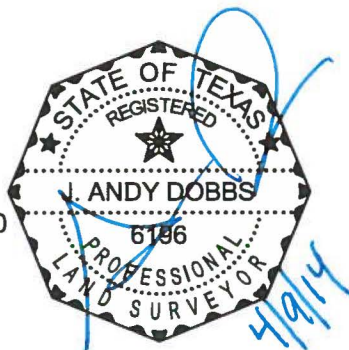
THENCE departing said south right-of-way line of Imperial Street, North 1°52'25" East, a distance of 20.00 feet to a MAG nail set for corner in the centerline of Imperial Street;

THENCE with said centerline of Imperial Street, South 88°25'55" East, a distance of 90.68 feet to a "X" cut in concrete set at the intersection of said centerline of Imperial Street and the projection of said southwest right-of-way line of Lagow Street;

THENCE departing said centerline of Imperial Street, with the projection of said southwest right-of-way line of Lagow Street, South 48°17'55" East, a distance of 31.03 feet to the **POINT OF BEGINNING** and containing 2,052 square feet or 0.047 acres of land.

Bearings based upon the monumented north right of way line of Scyene Road as defined in deeds to the State of Texas as recorded in Volume 76103, Page 656, Volume 75127, Page 1209, Volume 76001, Page 1643, Volume 76001, Page 1647, Volume 76001, Page 1651 and Volume 81034, Page 2687, all of the Deed Records of Dallas County, Texas, said bearing being South 88°30'34" East.

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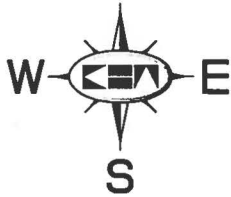
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N/A	JAD	DAB	JAN. 2014	061279302	1 OF 2

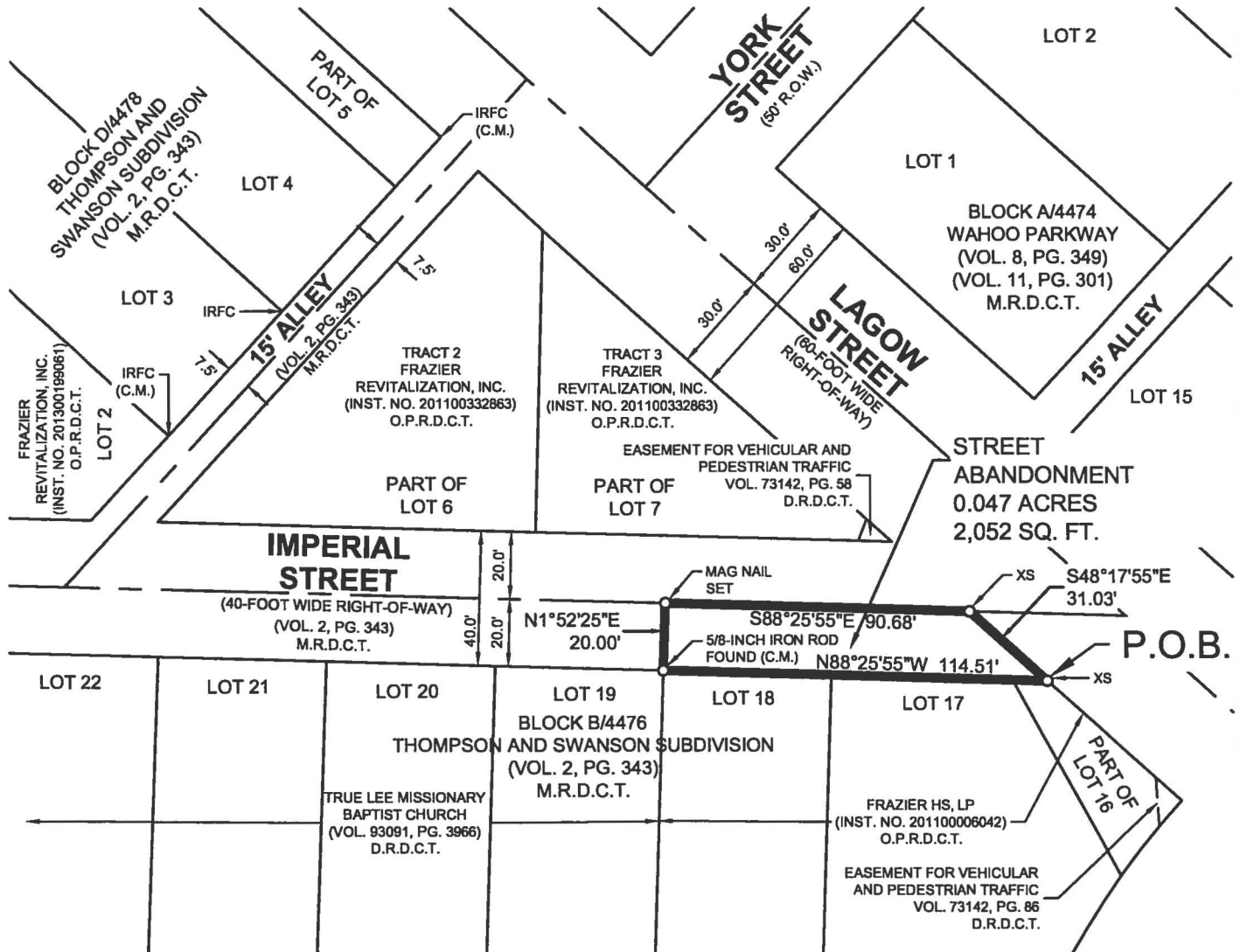
EXHIBIT A-TRACT 6

STREET ABANDONMENT
PART OF IMPERIAL STREET

SITUATED BETWEEN BLOCKS D/4478 AND B/4476
THOMPSON AND SWANSON SUBDIVISION
AND BEING OUT OF THE
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS



(For SPRG use only)
Reviewed By: JL
Date: 4-18-14
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EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 7, 8

DEPARTMENT: Trinity Watershed Management
Office of Economic Development

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 57-P T U X Y & Z, 67-B C & D

SUBJECT

Authorize a contract with DCI Contracting, Inc., lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation located at 5950 Elam Road, 6300 Great Trinity Forest Way Boulevard, and 811 Pemberton Hill Road - Not to exceed \$2,371,711 - Financing: Stormwater Drainage Management Capital Construction Funds (\$2,000,000) and Company of Trinity Forest Golfers Funds (\$371,711) (to be reimbursed by the Company of Trinity Forest Golfer's, Inc.)

BACKGROUND

This item was placed on the addendum to assist with the completion schedule for golf course related improvements. Having this construction contractor, DCI Contracting, Inc., work concurrently with the remediation contractor, L. D. Kemp Excavating, will address stormwater, erosion and vegetative support layer construction issues.

The Elam and South Loop 12 Landfills, also known as Simpkins Landfills, were issued a Municipal Solid Waste (MSW) Permit No. 88 on August 29, 1975, by the Texas State Department of Health. Both landfills are located in the vicinity of Great Trinity Forest Way (also known as Loop 12) and Pemberton Hill Road. The total permitted landfill area is approximately 340 acres; 85 acres for Elam and 255 acres for South Loop.

On May 15, 2013, Council authorized a lease agreement with the nonprofit corporation, Company of Trinity Forest Golfers, Inc. (CTFG) responsible for development, management and operation of a championship golf course. As part of the agreement, the City agreed to pursue certain infrastructure improvements. On April 9, 2014, Council approved a remediation contract with L.D. Kemp Excavating to obtain a permit from the Texas Commission on Environmental Quality (TCEQ). Additionally, Council approved an engineering design contract with Pacheco Koch Consulting for golf course related improvements. The construction contract will be conducted concurrently with the L.D. Kemp Excavating contract.

BACKGROUND (Continued)

Based on prior environmental investigations, remediation efforts are to be made for environmental conditions at the site to be in compliance with regulations by the state regulatory agency, TCEQ. The Elam and South Loop Landfills require additional fill to be placed on top of this remediation area to preserve the existing landfill cap as the remediation work will restore the clay cap to the 2-foot minimum clay cap. Additional fill will ensure that this clay cap within the Simpkins Remediation area is not disturbed or structural integrity damaged due to future golf course related improvements. In addition, structural fill is necessary for the golf course's clubhouse, entrance and parking lot area.

This action will authorize a construction contract with DCI Contracting, Inc. for the additional fill for the Simpkins Remediation area and the structural fill for the golf course's clubhouse, entrance and parking lot area. The Company of Trinity Forest Golfer's, Inc. will reimburse the City in the amount of \$371,711 for the structural fill.

ESTIMATED SCHEDULE OF PROJECT

Began Engineering Design	March 2014
Completed Engineering Design	April 2014
Begin Construction	May 2014
Complete Construction	October 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition of approximately 61 acres from Weir Bros, Partners, L.L.C. on April 28, 2004, by Resolution No. 04-1416.

Authorized settlement in lieu of proceeding further with condemnation for the acquisition of approximately 1,415 acres of land located near the intersection of Loop 12 and Pemberton Hill Road from Metropolitan Sand and Gravel Company, L.L.C. or its successor, and approximately 111 acres of land located near the intersection of Linfield Road and Hull Avenue from Weir Bros. Partners, L.L.C., for the Trinity River Corridor Project on May 28, 2008, by Resolution No. 08-1591.

Authorized a professional services contract with Terracon Consultants, Inc., on October 22, 2008, by Resolution No. 08-2874.

Authorized acquisition of approximately 1,415 acres from Metropolitan Sand & Gravel Co., L.L.C. on February 13, 2008, by Resolution No. 08-0398.

Authorized a lease agreement with the nonprofit corporation, Company of Trinity Forest Golfers, Inc. (CTFG) responsible for development, management and operation of a championship golf course on May 15, 2013, by Resolution No. 13-0776.

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

Authorized Supplemental Agreement No. 1 with Terracon Consultants, Inc., on April 9, 2014, by Resolution No. 14-0629.

Authorized an engineering design contract with Pacheco Koch Consulting on April 9, 2014, by Resolution No. 14-0627.

Authorized a construction contract with L.D. Kemp Excavating, Inc., on April 9, 2014, by Resolution No. 14-0628.

FISCAL INFORMATION

Stormwater Drainage Management Capital Construction Funds - \$2,000,000.00
Company of Trinity Forest Golfers Funds - \$371,711.00

Engineering Design Cost	\$842,290.00
Construction Cost (this action)	<u>\$2,371,711.00</u>

Total Project Cost	\$3,214,001.00
--------------------	----------------

<u>Council District</u>	<u>Amount</u>
7	\$ 806,381.74
8	<u>\$1,565,329.26</u>
Total	\$2,371,711.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

DCI Contracting, Inc.

Hispanic Female	1	Hispanic Male	11
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	1	White Male	11

BID INFORMATION

The following bids with quotes were received and opened on Thursday, May 1, 2014:

*Denotes successful bidder

BID INFORMATION (Continued)

BIDDERS

BID AMOUNT

* DCI Contracting, Inc. 2045 East Highway 380, Suite 100 Decatur, Texas 76234	\$2,371,711.00
Vilhauer Enterprises	\$2,798,692.90
Longhorn Excavators, Inc.	\$3,350,799.60
L.D. Kemp Excavating, Inc.	\$3,463,246.10
FCS Construction	\$3,583,785.65

OWNER

DCI Contracting, Inc.

Greg Sherman, Vice President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with DCI Contracting, Inc., lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation located at 5950 Elam Road, 6300 Great Trinity Forest Way Boulevard, and 811 Pemberton Hill Road - Not to exceed \$2,371,711 - Financing: Stormwater Drainage Management Capital Construction Funds (\$2,000,000) and Company of Trinity Forest Golfers Funds (\$371,711) (to be reimbursed by the Company of Trinity Forest Golfer's, Inc.)

DCI Contracting, Inc. 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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$2,371,711.00	100.00%
TOTAL CONTRACT	\$2,371,711.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

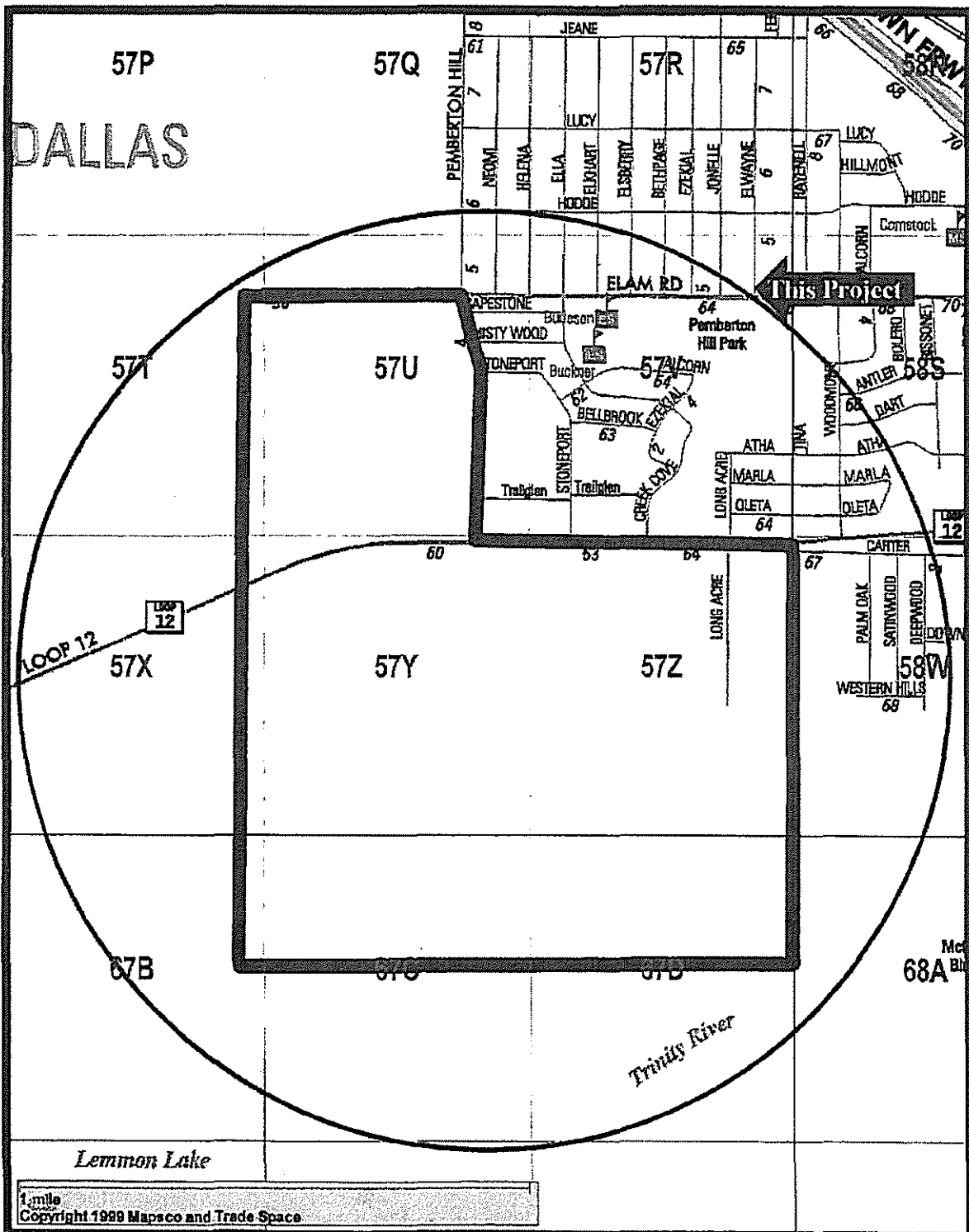
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Champion Fuel Solutions	WFDB57670Y0614	\$493,870.00	20.82%
G. J. Seeding, LLC	WFWB61254N0415	\$77,000.00	3.25%
J.M. Materials, Inc.	WFDB61580Y0515	\$20,000.00	0.84%
Total Minority - Non-local		\$590,870.00	24.91%

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%	\$590,870.00	24.91%
Total	\$0.00	0.00%	\$590,870.00	24.91%

Simpkins Remediation



Mapscos 57-P, T, U, X, Y, Z, and 67-B, C, D

May 14, 2014

WHEREAS, on May 28, 2008, Resolution No. 08-1591 authorized acquisition of approximately 1,415 acres of land located near the intersection of Loop 12 and Pemberton Hill Road from Metropolitan Sand and Gravel Company, L.L.C. or its successor, and approximately 111 acres of land located near the intersection of Linfield Road and Hull Avenue from Weir Bros. Partners, L.L.C., for the Trinity River Corridor Project; and,

WHEREAS, on May 28, 2008, Resolution No. 08-1591 authorized the City Attorney to assume, on behalf of the City, the responsibility for the costs to remediate environmental conditions on the Metropolitan Tract and the Linfield Tract known by the City as of the date the settlement closed, and to waive any right to contribution for those costs from Metropolitan Sand and Gravel Co., L.L.C. and Weir Brothers Partners, L.L.C., including their officers, successors, and assigns; and,

WHEREAS, Terracon Consultants Inc., conducted a Phase I Environmental Site Assessment on August 24, 2005. In addition, Terracon also prepared a Limited Solid Waste Evaluation Report on October 12, 2005, a Limited Site Investigation on January 8, 2008, and a Methane and Landfill Cap Evaluation and Proposed Response Actions on January 30, 2008. Based on the preliminary investigation and findings, Terracon Consultants, Inc. recommends further detailed investigations and assessment, before remedial designs are prepared; and,

WHEREAS, on October 22, 2008, Resolution No. 08-2874 authorized a professional services contract with Terracon Consultants Inc., for such detailed environmental investigation, assessment, remedial designs, and coordination with TCEQ, in an amount not to exceed \$814,464.00, and,

WHEREAS, on May 15, 2013, Resolution No. 13-0776 authorized a lease agreement with the nonprofit corporation, Company of Trinity Forest Golfers, Inc. (CTFG) for development, management and operation of a championship golf course; and,

WHEREAS, on April 9, 2014, Resolution No. 14-0627 authorized an engineering design contract with Pacheco Koch Consulting Engineering, Inc. for the engineering design for improvements associated with Elam Road and Simpkins Remediation in an amount not to exceed \$842,290.00; and,

WHEREAS, on April 9, 2014, Resolution No. 14-0628 authorized a construction contract with L. D. Kemp Excavating, Inc. for the construction of closed landfill improvements for Simpkins Remediation in an amount not to exceed \$2,530,276.20, this being the lowest responsive bid as indicated by the tabulation of bids; and,

May 14, 2014

WHEREAS, on April 9, 2014, Resolution 14-0629 authorized Supplemental Agreement No. 1 to the engineering services contract with Terracon Consulting, Inc. for additional detailed environmental investigation, assessment, remedial designs, and coordination with TCEQ associated with Simpkins Remediation in an amount not to exceed \$273,720.00; increasing the contract from \$814,464.00 to \$1,088,184.00; and,

WHEREAS, bids were received on May 1, 2014, for the construction of closed landfill improvements for Simpkins Remediation, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
DCI Contracting, Inc.	\$2,371,711.00
Vilhauer Enterprises	\$2,798,692.90
Longhorn Excavators, Inc.	\$3,350,799.60
L.D. Kemp Excavating, Inc.	\$3,463,246.10
FCS Construction	\$3,583,785.65

WHEREAS, it is now necessary to enter into a contract with DCI Contracting, Inc. lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation located at 5950 Elam Road, 6300 Great Trinity Forest Way Boulevard, and 811 Pemberton Hill Road in an amount not to exceed \$2,371,711.

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 contract with DCI Contracting, Inc. lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation located at 5950 Elam Road, 6300 Great Trinity Forest Way Boulevard, and 811 Pemberton Hill Road in an amount not to exceed \$2,371,711.

Section 2. That the City Manager is hereby authorized to execute the contract after approval as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to receive and deposit funds in the amount of \$371,711.00 from the Company of Trinity Forest Golfers, Inc. in the Company of Trinity Forest Golfers Fund, Fund 0289, Dept. TWM, Revenue Source 8476, Act. CTFG.

Section 4. That the City Manager is hereby authorized to establish appropriations in the amount of \$371,711.00 in the Company of Trinity Forest Golfers Fund 0289, Dept. TWM, Unit P891, Object 4599.

May 14, 2014

Section 5. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contracts from:

Stormwater Drainage Management Capital Construction Fund
Fund 0063, Department SDM, Unit 4796, Act. SD01
Obj. 4599, Program # PBSWM007, CT SDM4796BM06
Vendor #VS0000052497, in an amount not to exceed \$2,000,000.00

Company of the Trinity Forest Golfers Fund
Fund 0289, Dept. TWM, Unit P891, Act. CTFG
Obj. 4599, Program # PBSWM007, CT TWMP891VH01
Vendor #VS0000052497, in an amount not to exceed \$ 371,711.00

Total Amount not to exceed \$2,371,711.00

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.

ADDENDUM ITEM # 7

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

CMO: Warren M.S. Ernst, 670-3491

MAPSCO: N/A

SUBJECT

An ordinance **(1)** appointing 12 full-time municipal judges and 13 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2016; **(2)** designating an administrative municipal judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2016; and **(3)** establishing the annual salary for the full-time and associate municipal judges and the administrative municipal judge - Financing: This action has no cost consideration to the City

BACKGROUND

State law and the Dallas City Charter provide that the City Council shall appoint, to serve a two-year term, full-time municipal judges and associate (part-time) municipal judges to preside over the City of Dallas municipal court of record and designate an administrative judge.

On April 4, 2014, as required by Sections 13-5.2(d) and (g) of the Dallas City Code, the Judicial Nominating Commission recommended to the City Council Ad Hoc Judicial Nominations Committee 18 nominees for the 12 full-time municipal judge vacancies and 27 nominees for the 18 associate municipal judge vacancies.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 29, 2014, the Ad Hoc Judicial Nominations Committee interviewed the nominees for the full-time municipal judge vacancies and the administrative municipal judge vacancy. The Committee then forwarded its recommended lists of nominees for the full-time municipal judge vacancies, the associate municipal judge vacancies, and the administrative municipal judge vacancy to the City Council. The list of the Ad Hoc Judicial Nominations Committee recommended nominees is attached hereto.

FISCAL INFORMATION

This action has no cost consideration to the City.

Memorandum



CITY OF DALLAS

DATE May 2, 2014

TO Daniel Perez, Chair
Judicial Nominating Commission

SUBJECT Ad Hoc Committee Judicial Nomination Follow Up

On Tuesday, April 29, 2014, the Ad Hoc Judicial Nominations Committee convened and took action as follows:

1. Recommending 18 candidates for 12 Full-time Municipal Judge positions (list attached);
2. Recommending Daniel Solis for Administrative Judge;
3. Recommending 13 candidates for 18 Associate Municipal Judge positions (list attached);
4. Directing the Judicial Nominating Commission to interview, as necessary, and recommend an additional 14 candidates for Associate Municipal Judge positions to the Committee for consideration, prior to the Ad Hoc Committee's next meeting scheduled for June, 2014; and
5. Directing the Commission to interview five (5) specific candidates for associate judge, which are Melodee Armstrong, Nina Bujosa, Roxann Cotroneo, Reina Gonzalez and John P, McCall, Jr., and an additional 9 candidates of the Commission's choice from either the first or second posting for candidates.

On April 23, 2014, the Commission was provided with additional Municipal Judge applicants from the second posting dates: Thursday, April 17, 2014 - Tuesday, April 22, 2014.

Please contact me if you need additional information.

Scott Griggs, Chair
Ad Hoc Judicial Nominations Committee

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, Interim First Assistant City Manager

Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Theresa O'Donnell, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Shawn Williams, Interim Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

DATE May 2, 2014
SUBJECT Ad Hoc Judicial Nominations Committee Follow Up

The Ad Hoc Judicial Nominations Committee Recommendations

Administrative Municipal Judge:

Daniel F. Solis

Full-time Municipal Judges:

Jay E. Robinson
Cheryl D. Williams
Daniel F. Solis
Michael Acuna
Julie Clancy
C. Victor Lander
Preston W. Robinson, Jr.
Kathryn Hoang
Paula M. Rosales Aldana
Demetrius E. Blacklock
Henry Wade
Daniel L. Ryan
William Marple
Lawrence D. Sharp
David W. Barlow
Roland Monteros
Aura L. Pleitez
Sandra H. White

Associate (part-time) Municipal Judges:

Cadoc Tim A. Menchu
E.A. (Elizabeth) Srere
Carl Hays
Kristine S. Primrose
Roland C. Anderson
Daniel E. McDonald, Jr.
Esther A. Grossman
Timoteo F. Gonzalaz
Aura L. Pleitez
Tonya L. Goffney
Marilyn Y. Davis
Tony L. Martin
Michelle Buendia

ORDINANCE NO. _____

An ordinance appointing certain persons as full-time municipal judges and associate (part-time) municipal judges for a two-year term ending May 31, 2016; designating Daniel F. Solis as administrative municipal judge for a two-year term ending May 31, 2016; establishing the annual salaries for the administrative municipal judge, full-time municipal judges, and associate municipal judges; providing restrictions on the practice of law by full-time municipal judges; providing a severability clause; and providing an effective date.

WHEREAS, state law (Chapters 29 and 30, Texas Government Code) and Chapter VII of the Dallas City Charter provide that the municipal court of record be presided over by municipal court judges; and,

WHEREAS, the Dallas City Charter provides that the city council shall appoint the municipal court judges and designate the administrative judge biennially in May of each even-numbered year to serve a two-year term; and,

WHEREAS, as required by Section 13-5.2(d) of the Dallas City Code, on April 4, 2014, the judicial nominating commission recommended to the Ad Hoc Judicial Nominations Committee 18 nominees for 12 full-time municipal judge vacancies and 27 nominees for 18 associate municipal judge vacancies; and,

WHEREAS, as required by Section 13-5.2(g) of the Dallas City Code, on April 4, 2014, the judicial nominating commission recommended to the Ad Hoc Judicial Nominations Committee for its consideration three nominees for the administrative municipal judge vacancy; and,

WHEREAS, on April 29, 2014, the Ad Hoc Judicial Nominations Committee interviewed the nominees for the full-time municipal judge vacancies, and the administrative municipal judge vacancy and forwarded its list of nominees for the administrative, full-time and associate municipal judge vacancies to the city council; and,

WHEREAS, on May 14, 2014, the city council, at its regularly scheduled meeting, considered the full-time and associate municipal judge nominees and the nominees for administrative municipal judge; **Now, Therefore**,

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

Section 1. That the following 12 persons are appointed as full-time municipal judges for the City of Dallas municipal court of record for a two-year term ending May 31, 2016:

Jay E. Robinson	Preston W. Robinson, Jr.
Cheryl D. Williams	Kathryn Hoang
Daniel F. Solis	Paula M. Rosales Aldana
Michael Acuna	Demetrius E. Blacklock
Julie Clancy	Henry Wade
C. Victor Lander	Daniel L. Ryan

Section 2. That the following 13 persons are appointed as associate municipal judges for the City of Dallas municipal court of record for a two-year term ending May 31, 2016:

Cadoc Tim A. Menchu	Tonya L. Goffney
E.A. (Elizabeth) Srere	Marilyn Y. Davis
Carl Hays	Tony L. Martin
Kristine S. Primrose	Michelle Buendia
Roland C. Anderson	
Daniel E. McDonald, Jr.	
Esther A. Grossman	
Timoteo F. Gonzalez	
Aura L. Pleitez	

Section 3. That Daniel F. Solis is hereby designated administrative municipal judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2016.

Section 4. That the salary is \$109,242.00 per year for the administrative municipal judge, \$101,198.73 per year for full-time municipal judges with two or more years of judicial experience, \$90,043.20 per year for full-time municipal judges with less than two years of judicial experience, \$48.65 per hour for associate municipal judges with two or more years of judicial experience, and \$43.29 per hour for associate municipal judges with less than two years of judicial experience, in each case the salary to include such adjustments in salaries and number of paid working days and furlough days as are designated by the City of Dallas as to its salaried non-uniformed employees generally.

Section 5. That a full-time municipal judge for the City of Dallas shall not practice law except as permitted by the authorization of the Dallas City Council. Notwithstanding this prohibition, a judge may act pro se and may, without compensation, give legal advice to and draft or review documents for a member of the judge's family.

Section 6. That it is the intent of the city council that the judicial appointments set forth in this ordinance are severable, and if any appointment is declared invalid by the valid judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining judicial appointments, since the same would have been approved by the city council without the invalid appointment.

Section 7. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

BY _____

Assistant City Attorney

Passed _____

ADDENDUM ITEM # 8

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): All

DEPARTMENT: City Secretary

CMO: Rosa A. Rios, 670-5654

MAPSCO: N/A

SUBJECT

A resolution designating absences by Councilmember Carolyn R. Davis as being for "official city business" - Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum to allow council members a sufficient amount of time to request approval of their outstanding absences (if applicable) as "Official City Business," as the request for approval of absences for "Official City Business" by Councilmember Carolyn R. Davis.

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.

May 14, 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 Carolyn R. Davis participated in event(s) and/or meeting(s), as described in **Exhibit A** attached, which required her 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:

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 Carolyn R. Davis because of her participation in any event(s) and/or meeting(s) will not be counted against her in determining her annual compensation under Chapter III, Section 4 of the Dallas City Charter.

May 14, 2014

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 Carolyn R. Davis in determining her 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 Carolyn R. Davis 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
Carolyn R. Davis	Attended the Community Justice 2014 International Summit	San Francisco, California	04/21/2014	Representing the City of Dallas	Arts, Culture & Libraries Committee	Absent
Carolyn R. Davis	Attended the Community Justice 2014 International Summit	San Francisco, California	04/23/2014	Representing the City of Dallas	City Council Agenda Meeting	Absent

OFFICE OF THE CITY SECRETARY
V:\Attendance\Exhibit A (5-14-14).doc

DALLAS, TEXAS

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 14, 2014
COUNCIL DISTRICT(S): 5
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 57Q

SUBJECT

Authorize modifications to the Development and Operations Agreement with Equest for the Texas Horse Park to: **(1)** allow for a line of credit for Equest's operating account balance; **(2)** reduce the operating balance from three month average to one month average; and **(3)** strengthen the termination clauses - Financing: No cost consideration to the City

BACKGROUND

This action would approve modifications to the development and operations agreement with Equest approved on December 12, 2012, where the City is constructing a facility at the Texas Horse Park and Equest, a non-profit corporation, will operate a therapeutic riding program as more fully described in the agreement between the City of Dallas and Equest. The Texas Horse Park has long been part of the Dallas' Trinity River Project vision. Equest operates in Wylie, Texas, providing therapeutic riding for children and adults with physical, cognitive, emotional and learning disabilities. To operate at the Horse Park, Equest agreed to the following terms as part of the original agreement:

A six-year agreement with five 5-year renewal options with mutual consent subject to City approval.

Equest is responsible for all operating and maintenance costs, including major maintenance and utilities, associated with the facilities and portion of the site that they utilize.

A minimum of 75% of Equest's patrons at the Texas Horse Park location shall be residents of the city of Dallas.

Equest will endeavor to host the Special Olympics and other similar events at the Texas Horse Park site, including charity fund-raising events.

City reserves the right to reserve the event portion (including ancillary components, such as restrooms, visitor center, etc.) of the facility at no charge up to six dates per year, if not previously reserved, on mutually agreed upon terms and conditions.

BACKGROUND (Continued)

The modifications to the Development and Operations Agreement are as follows:

Requested clarification in Section 4.1 to address operating account balances, which clarifies the ability to use a line of credit and reduces number of months from three to one:

"Equest shall maintain a one-month balance equivalent to its one-month average operating costs either; 1) in cash deposited in an insured depository institution within the city limits of Dallas or; 2) through a line of credit; beginning upon City Council award of the construction contract and during the remaining Term of this Agreement."

Requested clarification to Exhibit C (Insurance Requirements) to include a schedule of activities. Insurance cannot be obtained for some items until actual activities begin.

Addition of Section 9.1(f) and 9.1(g) to address default in the event of moral turpitude, which requires conviction. This provides for Equest remedies to personnel issues prior to default:

"(f) conviction or a plea of nolo contendere (no contest) of Equest, or a then-serving member of Equest's Board of Directors, executive officers, or senior management, of any felony criminal statute(s) involving moral turpitude, or the harming of, or the intent to harm, persons or animals;

(g) conviction or a plea of nolo contendere (no contest) of Equest, or a then-serving member of Equest's Board of Directors, executive officers, or senior management, of any misdemeanor criminal statute(s) involving moral turpitude, or the harming of, or the intent to harm, persons or animals provided that Equest does not take immediate and decisive action to 1) remedy the harm caused by the violation; and 2) to take steps to City's (through its Director) reasonable satisfaction to ensure that future misdemeanor violations of a similar nature will not occur; and"

Addition of Section 9.1(h) to address default in the event of accreditation of therapeutic services is not maintained:

"(h) failure of Equest to maintain its status as an "Accredited Center" as determined by the Professional Association of Therapeutic Horsemanship International ("PATH"). Alternatively, should PATH cease offering this accreditation, the failure of Equest to maintain an accreditation, if available, at a level commensurate with the standards set forth in the most current PATH-issued Standards of Certification and Accreditation Manual."

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 7, 2012, City Council was briefed on the Horse Park and Equest Educational Charities.

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

On December 12, 2012, City Council approved Resolution No. 12-3068, authorizing a six-year development and operations agreement, with five five-year renewal options, with Equest, for the Texas Horse Park.

On May 7, 2014, the Transportation and Trinity River Project Committee was briefed on the Texas Horse Park update.

FISCAL INFORMATION

No cost consideration to the City

OWNER

Equest

Patrick J. Bricker, Chief Executive Officer

2012 Equest Board of Directors Executive Committee:

Emily Hargrove, Chairman
Dawn Spalding, Chairman-Elect
Natalie Snyder, Secretary
William J. Seeger, Ph.D., Treasurer
Melissa Cooksey, Chairman-Emeritus
Nekima Booker
Christina Collins
William Earhart
Tom Floyd
Phyllis Glazer
Paulette Hopkins
David Johnson
Terri Kennedy
William Noble
Susan Schwartz
Waverly Smith
Terry Stallcup
Andy Steingasser
Jocelyn White

MAP

Attached

[illegible]

4007

May 14, 2014

WHEREAS, the City is presently undertaking the Trinity River Corridor Project that will provide economic development opportunities along the Trinity River Corridor and the Great Trinity Forest located in Dallas County, Texas, and a component of the Trinity River Corridor Project is the development of an equestrian center, (the “ Texas Horse Park”); and

WHEREAS, \$12 million for the development of the Horse Park was approved in the 2006 Bond election; and

WHEREAS, Equest is a Texas non-profit corporation organized and existing under Texas law for the purpose of empowering, enriching, and educating children and adults with physical, cognitive, emotional, and learning disabilities, primarily through equine-assisted therapy; and

WHEREAS, the City is constructing the Texas Horse Park and the parties desire for Equest to provide therapeutic and other enrichment, educational equine-related services for the citizens of Dallas, particularly children and veterans with physical, cognitive and emotional learning disabilities; and

WHEREAS, Equest will operate its program at its own cost and maintain and manage a portion of the Texas Horse Park as discussed in the Agreement; and

WHEREAS, on December 12, 2012, City Council approved Resolution No. 12-3068, authorizing a six-year development and operations agreement, with five five-year renewal options, with Equest, for the Texas Horse Park.

Now, Therefore,

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

Section 1. That modifications to the development and operations agreement with Equest for the Texas Horse Park to: **(1)** allow for a line of credit for Equest’s operating account balance; **(2)** reduce the operating balance from three month average to one month average; and **(3)** strengthen the termination clauses be approved.

Section 2. That the City Manager be authorized to execute an amendment to the Equest development and operation agreement, reflecting the modifications herein, subject to the terms and conditions, after approval as to form by the City Attorney’s Office.

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 4

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 55X

SUBJECT

Authorize **(1)** an amendment to the development agreement with Rudolph Edwards, Linda Edwards, and RLE Properties, LLC (collectively referred to herein as "Rudy's"), previously approved on May 22, 2013, by Resolution No. 13-0916, to **(a)** allow the conveyance of certain parcels of real property located at 3111 and 3115 South Lancaster Road to City Wide Community Development Corporation (CWCDC) rather than to the City for the appraised value of \$548,200; and **(b)** reduce the original \$890,000 grant to Rudy's by \$548,200, being the appraised value of the parcels no longer being conveyed to the City, and requiring Rudy's to refund to the City said \$548,200; and **(2)** an amendment to the existing development loan with CWCDC for the Lancaster/Kiest project by increasing the loan amount by **(a)** \$548,200 to facilitate purchase of the parcels from Rudy's; and **(b)** \$50,000 for environmental, demolition, and other predevelopment costs to prepare the parcels for redevelopment - Total not to exceed \$598,200 - Financing: Lancaster Corridor Redevelopment Funds (\$548,200) and General Obligation Commercial Paper Funds (\$50,000) (Total net cost to the City \$50,000)

BACKGROUND

This item has been placed on the addendum to allow conveyance of the old Rudy's Chicken Restaurant site to CWCDC and facilitate timely demolition and site preparation without the City having to be in the chain of title.

City Wide Community Development Corporation (CWCDC) proposed to work with the City of Dallas to undertake the Lancaster/Kiest Redevelopment Project which is a part of the Economic Development Plan for the Lancaster Corridor. There are four phases of development with CWCDC on the corner of Lancaster and Kiest including: (1) Rudy's Redevelopment, (2) Retail/Office New Construction, (3) High Density Live/Work affordable housing, and (4) High Density Multi-family affordable housing.

BACKGROUND (Continued)

Phase I of redevelopment, which includes a new building for Rudy's Chicken, located at 3103 South Lancaster, has been completed. Phase II will include new construction of retail/office space on the old site. One of the conditions of Rudy's grant to build the new store was to convey the old restaurant site at 3111 and 3115 S. Lancaster Road to the City for redevelopment. The old site properties have been valued at \$548,200.

This action would (i) allow the conveyance of the old site from Rudy's directly to CWCDC to facilitate the second phase of redevelopment without the City having to come into title of the old site; (ii) reduce the grant to Rudy's and secure repayment by Rudy's to the City of the \$548,200 amount attributable to the old site acquisition; and (iii) increase CWCDC's loan by \$548,200 to facilitate purchase of the old site directly from Rudy's and \$50,000 for demolition, environmental work, and other predevelopment costs to prepare the site for the second phase of redevelopment, for a total loan increase of \$598,200. Simultaneous closings will be required to ensure the overall integrity of the transactions.

The original development agreement required Rudy's to transfer the title to the site of the former restaurant to the City in return for the City's conditional grant for the vertical construction of the new Rudy's establishment. It was envisioned that the old site would be acquired by the City to facilitate further development. The amendments to the agreements with Rudolph Edwards and CWCDC will more efficiently accomplish the transfer and development of the old site.

CWCDC has facilitated the purchase of sixteen improved and unimproved properties for the four phase Lancaster/Kiest redevelopment. To date, they have expended \$978,174 on activities to prepare all four Phases for redevelopment in accordance with the Master Plan for the Lancaster Corridor, particularly covering acquisition, demolition and predevelopment costs. CWDC has also prepared Phase III for the development of forty five permanent supportive housing units.

The terms of the loan with CWCDC, as amended, will remain at 0% interest with a maturity date of December 2016 for full completion. As each phase of redevelopment is completed with a certificate of occupancy, CWCDC will be released from the indebtedness on the note corresponding to the amount of loan proceeds that were advanced and the City of Dallas will release the Deed Restrictions for that parcel. The City of Dallas will allow interim construction financing subordination and other related financing to effectuate construction.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 9, 2006, City Council authorized an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements.

On November 7, 2006, the voters of Dallas approved a \$1.35 billion General Obligation Bond Program of which \$41,495,000 was set aside for the purpose of providing funds for promoting economic development in the Southern area of the city, and promoting economic development in other areas of the city in connection with transit-oriented development.

On December 12, 2007, City Council authorized an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas.

On August 1, 2012, City Council authorized an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2012, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements.

On December 5, 2012, the Housing Committee was briefed on all four phases of the Lancaster/Kiest development.

On December 12, 2012, City Council authorized a development loan in the amount of \$450,000 with City Wide CDC for the Lancaster/Kiest project, by Resolution No. 12-3075.

On April 24, 2013, City Council authorized an amendment to the development loan from \$450,000 to \$600,000 with City Wide CDC for the Lancaster/Kiest project, by Resolution No. 13-0733.

On May 22, 2013, City Council authorized a conditional grant with Rudolph Edwards, Linda Edwards, and RLE Properties, LLC, the owners of Rudy's Chicken, in the amount of \$890,000 for the construction of a commercial building at 3103 S. Lancaster, by Resolution No. 13-0916.

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

On June 26, 2013, City Council authorized an amendment to the development loan from \$600,000 to \$734,500 with City Wide CDC for the Lancaster/Kiest project, by Resolution No. 13-1159.

On August 28, 2013, City Council authorized an amendment to the development loan from \$734,500 to \$978,174 with City Wide CDC for the Lancaster/Kiest project, by Resolution No. 13-1515.

FISCAL INFORMATION

Decreasing the grant funding to Rudy's by \$548,200

Increasing the development loan to City Wide CDC by \$598,200, consisting of:

\$548,200 for acquisition of old site; and

\$50,000 for demolition, etc. - 2012 Bond Program (General Obligation Commercial Paper Funds)

OWNER(S)

City Wide CDC

Sherman Roberts, President

RLE Properties, LLC

Rudolph Edwards and Linda Edwards

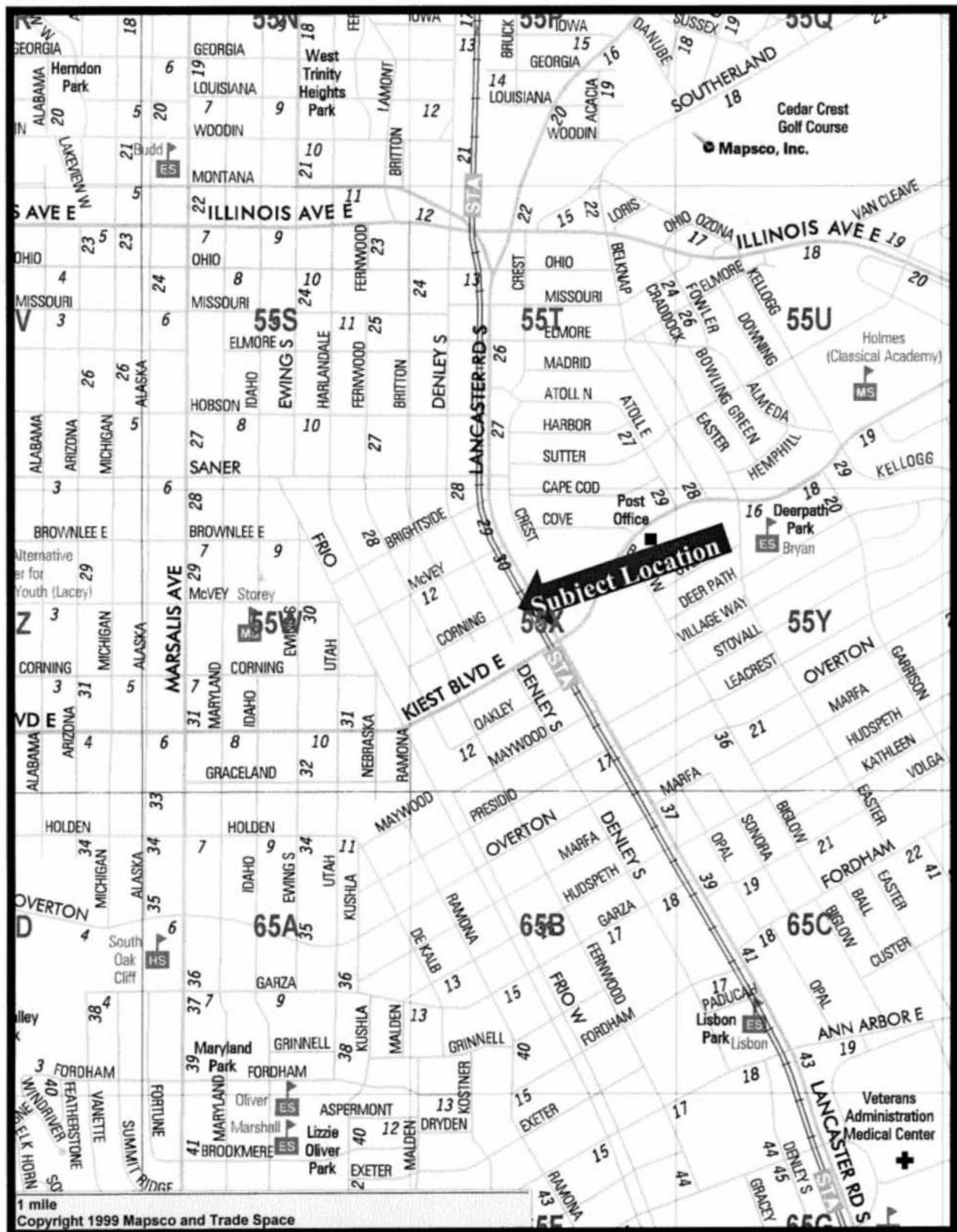
DEVELOPER

City Wide CDC

Sherman Roberts, President

MAP

Attached.



MAPSCO 55X

May 14, 2014

WHEREAS, on August 1, 2012, City Council authorized an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2012, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements; and

WHEREAS, on December 5, 2012, the Housing Committee was briefed on all four phases of the Lancaster/Kiest development; and

WHEREAS, on December 12, 2012, City Council authorized a development loan in the amount of \$450,000 with City Wide CDC for the Lancaster/Kiest project, by Resolution No. 12-3075; and

WHEREAS, on April 24, 2013, City Council authorized an amendment to the development loan from \$450,000 to \$600,000 with City Wide CDC for the Lancaster/Kiest project, by Resolution No. 13-0733; and

WHEREAS, on May 22, 2013, City Council authorized a conditional grant with Rudolph Edwards, Linda Edwards, and RLE Properties, LLC, the owners of Rudy's Chicken, in the amount of \$890,000 for the construction of a commercial building at 3103 S. Lancaster and transfer of the old restaurant site to the City upon completion of the new store, by Resolution No. 13-0916; and

WHEREAS, on June 26, 2013, City Council authorized an amendment to the development loan from \$600,000 to \$734,500 with City Wide CDC for the Lancaster/Kiest project, by Resolution No. 13-1159; and

WHEREAS, on August 28, 2013, City Council authorized an amendment to the development loan from \$734,500 to \$978,174 with City Wide CDC for the Lancaster/Kiest project, by Resolution No. 13-1515; and

WHEREAS, the demolition, environmental remediation, and concrete flatwork involving the old store site will further the redevelopment of the site and the City's goals for redevelopment in the Southern Sector; and

WHEREAS, the City, Rudolph Edwards, Linda Edwards, RLE Properties, LLC, and City Wide CDC desire to amend their respective development agreements and loans to better facilitate development of the old store site as a part of the Lancaster/Kiest redevelopment project.

NOW, THEREFORE,

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

May 14, 2014

Section 1. That the City Manager, upon approval as to form by the City Attorney, is authorized to: (1) amend the development agreement with Rudolph Edwards, Linda Edwards, and RLE Properties, LLC (collectively referred to herein as "Rudy's), to (a) allow the conveyance of those certain parcels at 3111 and 3115 S. Lancaster Road to City Wide Community Development Corporation (CWCDC) and (b) decrease the grant amount by \$548,200 and require Rudy's to refund said amount to the City; and (2) amend the existing development loan with CWCDC for the Lancaster/Kiest project to increase the loan by a total of \$598,200, consisting of (a) \$548,200 to facilitate purchase of the old site parcels from Rudy's, and (b) \$50,000 for environmental, demolition, and other predevelopment costs to prepare the said property for redevelopment.

Section 2. That the stated amendments and transactions hereby authorized be conditioned and contingent on each other, such that Rudy's shall not be relieved of the obligation to convey the old store site to the City unless and until it refunds the \$548,200 of grant funds to the City and CWCDC shall not receive the \$598,200 increase in its development loan unless and until Rudy's has refunded the \$548,200 of grant funds to the City and conveyed the old site to CWCDC, all such transactions being completed by December 31, 2014 and, if necessary, by simultaneous closings.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute subordinations to other interim construction lenders and provide releases of liens upon completion of work and obtaining a Certificate of Occupancy.

Section 4. That all other provisions of the grant agreement with Rudy's and the development loan with CWCDC be and remain in effect, except as may otherwise be necessary to effectuate the amendments herein provided and as are approved as to form by the City Attorney.

Section 5. That the City Controller is hereby authorized to receive and deposit the refund of grant funds from Rudy's, in accordance with the amended terms of the grant agreement, in Fund 2T53, Department ECO, Unit P892, Revenue Source 8488, Activity INFS, in an amount not to exceed \$548,200.

Section 6. That the City Manager is hereby authorized to increase appropriations in Fund 2T53, Department ECO, Unit P892, Object 3015, Activity INFS in an amount not to exceed \$548,200.

May 14, 2014

Section 7. That the City Controller is hereby authorized to increase encumbrance and disburse additional funds to CWCDC in accordance with the terms and conditions of the contracts as follows:

The additional economic development loan amount to City Wide Community Development Corporation Fund 2T53, Department ECO, Unit P892, Object Code 3015, (developers loan), Activity INFS, Encumbrance No. ECOP892H274, Vendor No. VS0000026872, 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 additional amount not to exceed \$548,200.

Section 8. 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 2T53, Department ECO, Unit P892, Revenue Source 847G (credit principal repayment), Activity INFS, Balance Sheet Account 0898 (debit deferred revenue), Balance Sheet Account 033F (credit notes receivable), in an amount up to \$548,200.

Section 9. That the City Controller is hereby authorized to increase encumbrance and disburse funds in accordance with the terms and conditions of the contracts as follows:

City Wide Community Development Corporation Fund 2U53, Department HOU, Unit S803, Object Code 3015, Encumbrance No. CT HOUT808H111, Vendor No. VS0000026872, in an amount not to exceed \$50,000

Section 10. That the City Controller is hereby authorized to set up receivable balance sheet account(033F) and an allowance for uncollectible debt (022D) in Fund 2U53 for the amount of the loan.

Section 11. That nothing in this resolution shall be construed as a binding contract or agreement upon the City, nor will there be any liability or obligation on the City unless and until final contract documents are approved, executed and final closing completed, and any and all obligations of the City are subject to available bond funding.

Section 12. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

REVISED AGENDA ITEM # 25

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 1

DEPARTMENT: Public Works Department
Office of Economic Development

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 54 B

SUBJECT

Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, lowest responsive bidder of three, for construction of the Kessler Theater pedestrian amenities project - Not to exceed \$195,323 – Financing: Regional Toll Revenue II Funds (\$179,200) and Davis Garden TIF District Funds (\$16,123)

BACKGROUND

Bids were received on February 27, 2014 for construction of the Kessler Theater pedestrian amenities project. This action will authorize a construction contract with Gilbert May, Inc. dba Phillips/May Corporation (Phillips May Corporation), as they were the lowest responsive bidder. The Kessler Theater project is funded from the State Highway 161 Subaccount regional toll road revenues (“RTR funds”) in partnership with the North Central Texas Council of Governments (NCTCOG) and the Texas Department of Transportation (TXDOT). The estimated construction cost for the Kessler Theater Pedestrian Amenities project is \$195,323.

~~The \$179,200 in RTR funds was leveraged (including required local match) by approximately \$60,000 of the \$1 million that the Stratford Land Fund III, L.P., deposited into Davis Garden TIF District Tax Increment Fund pursuant to Resolution No. 11-1750 on June 22, 2011, and pursuant to a development agreement with Kessler Theater, LLC as amended, by Resolution No. 13-0209 on January 23, 2013. Design of the project has been commissioned by the Kessler Theater, LLC, utilizing a portion of this TIF funding.~~

BACKGROUND (Continued)

The \$179,200 in RTF funds were leveraged by Davis Garden TIF District funds (design - \$23,599 previously funded; allocation for construction - \$16,123). The TIF funding was available due to a previous development agreement (Resolution No. 11-1750) with Stratford Land Fund III, L.P. ("SLF"), which required SLF to contribute \$1,000,000 to the Davis Garden TIF District to be used for public infrastructure improvements. Using the TIF funds as a match for this grant funding increases the ability for the district to fund needed infrastructure upgrades in the area. There is also a separate development agreement (Resolution No. 13-0209) related to the redevelopment of the Kessler Theater that authorizes other TIF funding related to the building.

The Kessler Theater Pedestrian Amenities project will construct streetscape amenities within public right-of-way outside of the Kessler Theater.

Phillips May has completed 14 projects with City of Dallas, to date:

	<u>PBW</u>	<u>WTR</u>	<u>PKR</u>
Projects On-going	1	0	1
Change Orders	0	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2013
Completed Design	April 2014
Begin Construction	July 2014
Complete Construction	January 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2011, City Council authorized the Third Amendment to the Development Agreement with Stratford Land Fund III, L.P. (formerly INCAP) that included the acceptance of funds in the amount of \$1 million for future TIF infrastructure improvements that benefit the Davis Garden TIF District by Resolution No. 11-1750.

On September 23, 2011, the Davis Garden Board voted to approve funding for a prioritized list of potential streetscape and open space improvements in the District, including an amount not to exceed \$60,000 in matching funds for the Kessler Theater streetscape project, from the \$1 million advanced by Stratford Land Fund III, L.P. and recommended each for approval by City Council.

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

On January 17, 2012, the Economic Development Committee approved the Davis Garden TIF Board's recommendation to utilize Stratford Land Fund III, L.P.'s \$1 million deposit into the Davis Garden TIF District Increment Fund to fund the prioritized list of potential streetscape and open space improvements including an amount not to exceed \$60,000 in matching funds for the Kessler Theater streetscape project.

On January 23, 2013, City Council authorized an amendment to the development agreement with the Kessler Theater, LLC that included a deadline extension for completion of streetscape improvements associated with the RTR funds by Resolution No. 13-0209.

On February 27, 2013, City Council authorized an agreement with the State of Texas and receipt of payment for the Kessler Theater Pedestrian Amenities project by Resolution No. 13-0403.

On May 5, 2014, a memo was submitted to the Economic Development Committee to consider authorizing the construction contract with Gilbert May, Inc. dba Phillips/May Corporation for the Kessler Theater Pedestrian Amenities project.

FISCAL INFORMATION

Regional Toll Revenue II Funds - \$179,200
Davis Garden TIF District Funds - \$16,123

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Gilbert May, Inc. dba Phillips/May Corporation

Hispanic Female	8	Hispanic Male	44
African-American Female	0	African-American Male	4
Other Female	0	Other Male	1
White Female	7	White Male	43

BID INFORMATION

The following bids with quotes were received and opened on February 27, 2014:

*Denotes successful bidder

BID INFORMATION (Continued)**Bidders****Bid Amount**

*Gilbert May, Inc. dba Phillips/May Corporation	\$195,323.00
Texas Standard Construction	\$ 214,138.50
Forward Concept	\$ 326,466.00
Nissi Group	Non-responsive**

**Nissi Group was deemed non-responsive for submitting an incomplete bid.

Original estimate: ECO - \$204,650

OWNER(S)

Gilbert May, Inc. dba Phillips/May Corporation

Gilbert May, President
Gilbert May III, Treasurer

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Gilbert May, Inc. dba Phillips/May Corporation, lowest responsive bidder of three, for construction of the Kessler Theater Pedestrian Amenities project in an amount not to exceed \$195,323 – Financing: Texas Department of Transportation RTR II Funds (\$179,200) and Davis Garden TIF District Funds (\$16,123)

Gilbert May, Inc. dba Phillips/May Corporation a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$159,773.00	81.80%
Total non-local contracts	\$35,550.00	18.20%
TOTAL CONTRACT	\$195,323.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

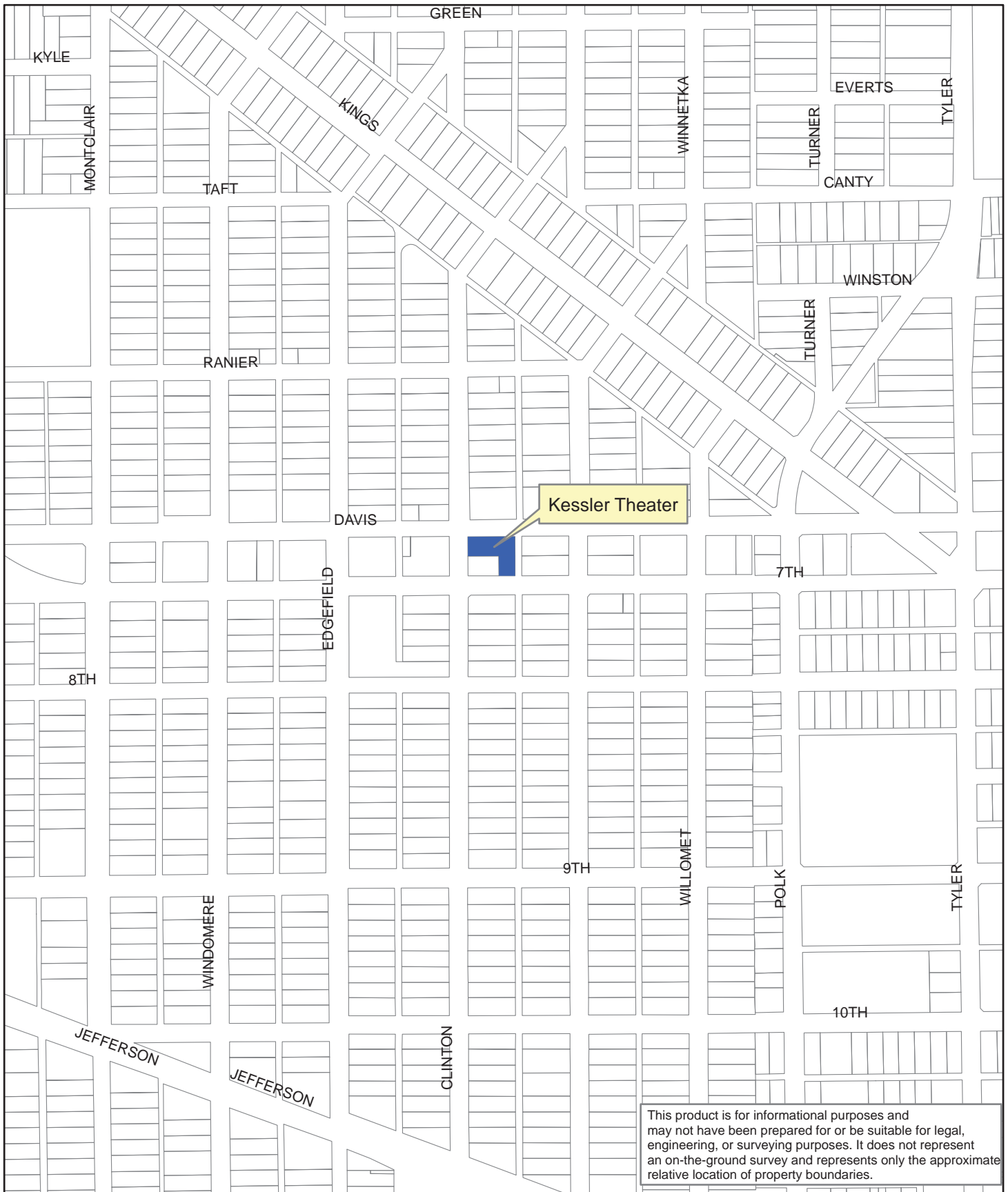
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Chubbs Construction	HFDB57366Y0514	\$23,820.00	14.91%
Gilbert May, Inc. dba Phillips/May Corp.	HMMB59343Y1114	\$73,343.00	45.90%
MB Concrete	HMMB60270N0215	\$62,610.00	39.19%
Total Minority - Local		\$159,773.00	100.00%

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	\$159,773.00	100.00%	\$159,773.00	81.80%
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	\$159,773.00	100.00%	\$159,773.00	81.80%



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Kessler Theater Project Location



Office of Economic Development
January 2013

May 14, 2014

WHEREAS, on September 29, 2011, the RTC selected the Kessler Theater pedestrian amenities project to be funded from the State Highway 161 Subaccount regional toll road revenues ("RTR funds") for the construction of sidewalk enhancements and pedestrian improvements; and

WHEREAS, on June 22, 2011, City Council authorized the Third Amendment to the Development Agreement with Stratford Land Fund III, L.P. (formerly INCAP) that included the acceptance of funds in the amount of \$1 million for future TIF infrastructure improvements that benefit the Davis Garden TIF District by Resolution No. 11-1750; and

WHEREAS, on September 23, 2011, the Davis Garden TIF District Board of Directors voted to approve funding for a prioritized list of potential streetscape and open space improvements in the District, including an amount not to exceed \$60,000 in matching funds for the Kessler Theater streetscape project, from the \$1 million advanced by Stratford Land Fund III, L.P. and recommended each for approval by City Council; and

WHEREAS, on January 17, 2012, the Economic Development Committee approved the Davis Garden TIF District Board of Directors recommendation to utilize Stratford Land Fund III, L.P.'s \$1 million deposit into the Davis Garden TIF District Increment Fund to fund the prioritized list of potential streetscape and open space improvements including an amount not to exceed \$60,000 in matching funds for the Kessler Theater streetscape project; and

WHEREAS, the development agreement with the Kessler Theater, LLC, as amended by Resolution No. 13-0209, included a deadline extension for completion of streetscape improvements associated with the RTR funds; and

WHEREAS, on February 27, 2013, City Council authorized an agreement with the State of Texas and receipt of payment for the Kessler Theater pedestrian amenities project in the amount of \$179,200 by Resolution No. 13-0403; and

WHEREAS, bids were received on February 27, 2014, for the construction of the Kessler Theater pedestrian amenities project, as follows:

<u>Bidders</u>	<u>Bid Amount</u>
Gilbert May, Inc. dba Phillips/May Corporation	\$ 195,323.00
Texas Standard Construction	\$ 214,138.50
Forward Concept	\$ 326,466.00
Nissi Group	Non-responsive

May 14, 2014

WHEREAS, on May 5, 2014, a memo was submitted to the Economic Development Committee to consider authorizing the construction contract with Gilbert May, Inc. dba Phillips/May Corporation for the Kessler Theater pedestrian amenities 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 enter into a contract with Gilbert May, Inc. dba Phillips/May Corporation for the construction of the Kessler Theater pedestrian amenities project in an amount not to exceed \$195,323, this being the lowest responsive bid received as indicated by the tabulation of bids.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contract from:

Regional Toll Revenue II Funds: Fund S260, Department ECO, Unit. P782, Activity INGV, Object Code 4510, Program No. DGTIF0011, CT ECOP782G266-01, Vendor No. VS0000039750, in an amount not to exceed \$179,200; and

Davis Garden TIF District Fund: Fund 0060, Department ECO, Unit. P754, Activity DGTI, Object Code 4510, Program No. DGTIF0011, CT ECOP782G266-02, Vendor No. VS0000039750, in an amount not to exceed \$16,123.

Total in an amount not to exceed \$195,323.

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: May 14, 2014
COUNCIL DISTRICT(S): 4
DEPARTMENT: Housing/Community Services
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 65D

SUBJECT

Authorize a housing development loan in an amount not to exceed \$900,000 with Dallas Area Habitat for Humanity, Inc. (DAHFH), a non-profit developer, for construction of up to thirty affordable single family homes for the Jimmy & Rosalynn Carter project to be located on Exeter, Wilhurt, Landrum, and Custer Streets – Not to exceed \$900,000 - Financing: 2013-14 HOME Investment Partnership Program Grant Funds (\$300,000) and FY 13-14 HOME Program Income #1 (\$600,000)

BACKGROUND

DAHFH has been incorporated as a nonprofit developer in Dallas County since 1986. During this time, they have built over 1,200 homes investing over \$120M and recruited over 12,000 volunteers. They serve a target population of families at or below 60% AMFI.

In February 2014, Dallas Area Habitat for Humanity, Inc. submitted a proposal to the City of Dallas requesting gap financing of \$900,000 for the development of up to 30 single family affordable housing units for low and moderate income families at or below 60% AMFI.

In partnership with Pioneer Natural Resources, DAHFH plans to revitalize the Oak Cliff Gardens-Lisbon Heights Neighborhood, to include land acquisition (including nuisance properties), demolition, new construction, and home repair (Brush of Kindness Program).

The proposed new construction of single family homes will be part of the scheduled nationally recognized Jimmy & Rosalynn Carter build-out in October 2014. The homes will be 3 to 4 bedroom, 1,200 to 1,400 square feet, priced between \$85,000 - \$92,500, and located on Exeter, Wilhurt, Landrum, and Custer Streets.

BACKGROUND (continued)

The FY 2013-14 HOME Investment Partnership Program Funds (HOME) from the Department of Housing and Urban Development (HUD) would be utilized for this project which the City Council appropriated for housing developments such as this. The City of Dallas will provide gap construction financing for the units to be built and sold to eligible low and moderate income families. Habitat will leverage approximately \$3M with City funds to complete this build-out. The construction work will be completed within two years with occupancy within the same year.

City Council approval of this agenda item will authorize the City Manager to execute the loan documents with DAHFH for these HOME Funds, subject to environmental review by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, the City Council approved the City of Dallas Consolidated Plan Budget for FY 2013-14 federal funds which included the HOME Investment Partnership Funds, CHDO Development Loans, by Resolution No. 13-1142.

On April 21, 2014, the Housing Committee was briefed on the Dallas Area Habitat for Humanity, Inc. Jimmy & Rosalynn Carter Work Project.

FISCAL INFORMATION

2013-14 – HOME Investment Partnership Program Grant Funds - \$300,000
FY 13-14 HOME Program Income #1 - \$600,000

OWNERS

Dallas Area Habitat for Humanity, Inc.

William Hall, Chief Executive Officer

DEVELOPER

Dallas Area Habitat for Humanity, Inc.

William Hall, Chief Executive Officer

MAP

Attached

May 14, 2014

WHEREAS, affordable housing for low and moderate income families is a high priority of the City of Dallas; and

WHEREAS, on June 26, 2013, the City Council approved the FY 2013-14 Consolidated Plan Budget which included the HOME Investment Partnership Program, CHDO Development Loan funds, by Resolution No. 13-1142; and

WHEREAS, on April 21, 2014, the Housing Committee was briefed on the Dallas Area Habitat for Humanity, Inc. Jimmy & Rosalynn Carter Work Project for \$900,000; and

WHEREAS, Dallas Area Habitat for Humanity, Inc. proposed to work with the City of Dallas to undertake the development of up to 30 affordable single family units on Exeter and Custer Streets; and

WHEREAS, the City desires for Dallas Area Habitat for Humanity, Inc. to develop affordable single family units for low and moderate income families; **NOW, THEREFORE**,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a housing development loan in an amount not to exceed \$900,000 with Dallas Area Habitat for Humanity, Inc., a certified nonprofit organization, for the development of up to 30 affordable single family homes to be located on Exeter, Wilhurt, Landrum, and Custer Streets.

Section 2. The terms of the loan agreement include:

- (a) Dallas Area Habitat for Humanity, Inc. must execute a deed of trust and a note payable to the City of Dallas for \$900,000 for the loan.
- (b) Dallas Area Habitat for Humanity, Inc. will execute a lien through a Deed of Trust for a 10-year term for the affordable units.
- (c) Dallas Area Habitat for Humanity, Inc. will have two (2) years to fully complete the project.
- (d) Dallas Area Habitat for Humanity, Inc. must build and occupy the affordable units to low and moderate income families with incomes at or below 60% of area median family income.
- (e) Upon completion of each home, Dallas Area Habitat for Humanity, Inc. will be released of a prorated indebtedness and each homebuyer will assume a ten year deed restriction to ensure affordability.
- (f) The City will subordinate its lien and deed of trust to Dallas Area Habitat for Humanity, Inc. financing.

May 14, 2014

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the property upon compliance with the loan terms and deed restrictions.

Section 4. That the City Controller is hereby authorized to disburse funds in accordance with this resolution and the terms and conditions of the loan agreement as follows:
Dallas Area Habitat for Humanity, Inc. Vendor VC0000002756

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>CT</u>	<u>AMOUNT</u>
HM13	HOU	233F	3015	HOU310FG112	\$300,000
13M1	HOU	310F	3015	HOU310FG112	\$600,000

Section 5. That the City Controller is hereby authorized to modify receivable balance sheet account 033F and an allowance for uncollectible debt 022D in funds HM13, 13M1 for the amount of the loan.

Section 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loan, until such time as the loan documents are duly approved by all parties and executed.

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.