

**MAY 13, 2015 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 13, 2015. 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

5-1-15

Date



Jeanne Chipperfield  
Chief Financial Officer

5/1/2015

Date







RECEIVED

2015 MAY -1 PM 4:11

CITY SECRETARY  
DALLAS, TEXAS



# COUNCIL AGENDA

May 13, 2015

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 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 está comprometida a cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

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

## Reglas de Cortesía

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

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

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



**AGENDA  
CITY COUNCIL MEETING  
WEDNESDAY, MAY 13, 2015  
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 - 21

**ITEMS FOR INDIVIDUAL CONSIDERATION**

No earlier  
than 9:15 a.m.

Items 22 - 30

**PUBLIC HEARINGS AND RELATED ACTIONS**

1:00 p.m.

Items 31 - 45

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







**AGENDA**  
**CITY COUNCIL MEETING**  
**MAY 13, 2015**  
**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 22, 2015 City Council Meeting

**CONSENT AGENDA**

**Aviation**

2. Authorize **(1)** the Aviation Department to provide initial funding for maintenance costs for the Routine Annual Maintenance Program (RAMP) in an amount not to exceed \$100,000; **(2)** the Aviation Department to apply for and accept grant funds from the Texas Department of Transportation Aviation Division in an amount not to exceed \$50,000 for eligible costs related to RAMP as part of a 50% conditional grant match agreement; and **(3)** execution of the grant agreement - Total not to exceed \$100,000 - Financing: Aviation Current Funds (\$100,000) (subject to appropriations; to be partially reimbursed with TxDOT Grant Funds) and Texas Department of Transportation Grant Funds (\$50,000)

**Business Development & Procurement Services**

3. Authorize a five-year service contract for janitorial services and floor maintenance at various Aviation locations - Members Building Maintenance, LLC, most advantageous proposer of eleven - Not to exceed \$8,482,584 - Financing: Aviation Current Funds (subject to annual appropriations)



CONSENT AGENDA (Continued)**Business Development & Procurement Services (Continued)****Urban Search and Rescue Equipment**

**Note:** Item Nos. 4 and 5  
must be considered collectively.

4. \* Authorize the purchase of equipment and personal protective gear for the Texas Task Force 2 Urban Search and Rescue team - W. W. Grainger, Inc. in the amount of \$88,587 through the Texas Multiple Award Schedule and Safeware, Inc. in the amount of \$602,766 through the U.S. Communities Government Purchasing Alliance Administrative Agreement - Total not exceed \$691,353 - Financing: 2013-15 Texas Department of Public Safety Grant Funds
5. \* Authorize **(1)** an acquisition contract for the purchase and implementation of a GeoSuite Field Server Kit in the amount of \$123,595; and **(2)** a one-year service contract for maintenance and support of the GeoSuite Field Server Kit for Texas Task Force 2 Urban Search and Rescue Team in the amount of \$21,375 - CTS Consolidated Telecom Services, through the Department of Information Resources, State of Texas Cooperative contract - Total not to exceed \$144,970 - Financing: 2013-15 Texas Department of Public Safety Grant Funds
6. Authorize a three-year master agreement for aggregate materials to be utilized citywide - Q. Roberts Trucking, Inc. in the amount of \$4,636,702, Hanson Aggregates LLC in the amount of \$978,591 and Earth Haulers, Inc. in the amount of \$303,528, lowest responsible bidders of four - Total not to exceed \$5,918,821 - Financing: Current Funds (\$2,267,034), Water Utilities Current Funds (\$3,305,551), Stormwater Drainage Management Current Funds (\$341,536) and Aviation Current Funds (\$4,700)
7. Authorize a three-year master agreement for ferric sulfate to be used in the water purification process - Chemtrade Chemicals US, LLC in the amount of \$19,518,300 and Pencco, Inc. in the amount of \$4,244,400, lowest responsible bidders of three - Total not to exceed \$23,762,700 - Financing: Water Utilities Current Funds

**Office of Financial Services**

8. 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, 2015 Dallas Annual Rate Review (DARR) filing - Financing: No cost consideration to the City
9. Authorize a public hearing to be held on May 27, 2015 to receive comments on the FY 2015-16 Operating, Capital, and Grant/Trust budgets - Financing: No cost consideration to the City



CONSENT AGENDA (Continued)**Park & Recreation**

10. Authorize Supplemental Agreement No. 2 to the construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd. for credit for deleted scope of work at the L.B. Houston Sports Complex located at 11223 Luna Road - Not to exceed (-\$177,294), from \$5,167,941 to \$4,990,647 - Financing: 2003 Bond Funds (-\$21,074) and 2006 Bond Funds (-\$156,220)

**Police**

11. 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 28, 2015 through June 6, 2015 in the amount of \$59,964; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$17,360; and **(3)** execution of the grant agreement - Total not to exceed \$77,324 - Financing: Current Funds (\$17,360) and Texas Department of Transportation Grant Funds (\$59,964)

**Public Works and Transportation****Street Reconstruction Group 12-635**

**Note:** Item Nos. 12 and 13  
must be considered collectively.

12. \* Authorize a contract with Jeske Construction Company, lowest responsible bidder of six, for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Reconstruction Group 12-635 (list attached) - Not to exceed \$3,745,189 - Financing: General Obligation Commercial Paper Funds (\$2,223,482), 2006 Bond Funds (\$603,185), Water Utilities Capital Improvement Funds (\$782,132) and Water Utilities Capital Construction Funds (\$136,390)
13. \* Authorize a professional services contract with Kleinfelder Central, Inc., to provide construction material testing for the Street Reconstruction Group 12-635 project - Not to exceed \$71,861 - Financing: General Obligation Commercial Paper Funds (\$4,035), 2006 Bond Funds (\$28,245) and 2012 Bond Funds (\$39,581)

**Sustainable Development and Construction**

14. Authorize the termination and release of lease back and lease option rights in favor of the City of Dallas as to certain property located near the intersection of Central Expressway and Watkins Street owned by The Housing Authority of the City of Dallas for police office space - Financing: No cost consideration to the City
15. An ordinance granting a revocable license to Crow Family Foundation, Inc. for the use of approximately 120 square feet of land to use and maintain three existing sculptures on a portion of Flora Street, located near its intersection with Olive Street - Revenue: \$5,400 one-time fee, plus the \$20 ordinance publication fee



CONSENT AGENDA (Continued)

**Sustainable Development and Construction (Continued)**

16. An ordinance abandoning a portion of a sanitary sewer easement to 604 Fort Worth Ave Apartments Investors LLC, the abutting owner, containing approximately 5,236 square feet of land, located near the intersection of Fort Worth Avenue and Yorktown Street - Revenue: \$5,400, plus the \$20 ordinance publication fee
17. An ordinance abandoning a portion of a water easement to TC Central Associates, LLC, the abutting owner, containing approximately 10,068 square feet of land, located near the intersection of Central Expressway and Carroll Avenue - Revenue: \$5,400, plus the \$20 ordinance publication fee
18. An ordinance abandoning a portion of a utility easement to Pleasant Grove Shopping Center, Inc., the abutting owner, containing approximately 4,700 square feet of land, located near the intersection of Buckner Boulevard and Grovecrest Drive - Revenue: \$5,400, plus the \$20 ordinance publication fee
19. An ordinance amending Chapter 54, "Dallas Plumbing Code," of the Dallas City Code, as amended, by amending the maximum allowable lead content in pipes, pipe fittings, plumbing fittings and fixtures; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

**Water Utilities**

20. Authorize an engineering contract with Gresham, Smith and Partners to provide engineering services for an evaluation/study and preliminary design related to major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - Not to exceed \$1,498,958 - Financing: Water Utilities Capital Improvement Funds
21. Authorize **(1)** a Standard Utility Agreement with the State of Texas, acting through the Texas Department of Transportation, for water and wastewater main relocations and appurtenance adjustments in Interstate Highway 20 from west of Haymarket Road to U.S. Highway 175 (C.F. Hawn Freeway); and **(2)** the receipt and deposit of funds from the Texas Department of Transportation for reimbursement of design, inspection and project management costs for the project - Revenue: \$88,751

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Secretary's Office**

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



ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)**Trinity Watershed Management**

23. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Andrew Birmingham, of a subsurface easement under approximately 2,134 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$13,760 (\$11,760 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds
24. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Eretz Dallas Properties, LLC, of a subsurface easement under approximately 9,019 square feet of land located on Haskell Avenue near its intersection with Live Oak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$34,165 (\$30,665 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds
25. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from M.I. Gaston Partners, Ltd. and MSC-I, Ltd., of a subsurface easement under approximately 10,702 square feet of land located on Gaston Avenue near its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$34,606 (\$32,106 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

**DESIGNATED PUBLIC SUBSIDY MATTERS****Economic Development****DalParc I-20 Logistics, LLC**

**Note:** Item Nos. 26, 27 and 28 must be considered collectively.

26. \* Authorize a resolution designating approximately 127 acres of property located south of Altamoor Road, north of Telephone Road, west of Van Horn Drive and east of the Lancaster City Limit in Dallas, Texas, as City of Dallas Neighborhood Empowerment Zone No. 2 ("City of Dallas NEZ No. 2"), pursuant to Chapter 378 of the Local Government Code to promote an increase in economic development in the zone, establishing the boundaries of the Neighborhood Empowerment Zone and providing for an effective date - Financing: No cost consideration to the City
27. \* Authorize a real property tax abatement agreement with DalParc I-20 Logistics, LLC located on approximately 44 acres south of Altamoor Road, north of Balmorhea Drive, west of Van Horn Drive and east of the Lancaster City Limit in Dallas, Texas for a speculative industrial/warehouse facility of at least 900,000 square feet in the amount of 90 percent on the value of real property improvements for 10 years in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$17,932; ten-year revenue estimated at \$179,325; (Estimated revenue foregone for a ten-year new business personal property abatement estimated at \$1,613,925)



ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Economic Development** (Continued)

**DalParc I-20 Logistics, LLC**

**Note:** Item Nos. 26, 27 and 28 must be considered collectively.

28. \* Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$312,000 with DalParc I-20 Logistics, LLC related to the construction of a speculative industrial/warehouse facility of at least 900,000 square feet, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$312,000 - Financing: 2012 Bond Funds

**Housing/Community Services**

29. Authorize a conditional grant agreement with Greenleaf Ventures, LLC to pay for a portion of the infrastructure construction costs for a single family development for 50-53 homes in East Dallas located on Chariot Drive - Not to exceed \$450,000 - Financing: 2012 Bond Funds
30. Authorize a conditional grant agreement with Greenleaf Ventures, LLC to pay for a portion of the infrastructure construction costs for a single family development for 116 homes in West Dallas located on Singleton Boulevard - Not to exceed \$1,275,000 - Financing: 2012 Bond Funds

PUBLIC HEARINGS AND RELATED ACTIONS

**Sustainable Development and Construction**

ZONING CASES - CONSENT

31. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1907 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay on the southeast corner of Samuell Boulevard and North Jim Miller Road  
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions  
Recommendation of CPC: Approval for an 18-month period, subject to conditions  
Z134-352(CG)



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

32. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions on the northwest corner of Southern Boulevard and Noel Road  
Recommendation of Staff and CPC: Approval for a ten-year period, subject to a site plan, landscape plan, elevations plan and conditions  
Z145-152(OTH)
33. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 556 along the east line of North Central Expressway, between Lee Street and Normah Street  
Recommendation of Staff and CPC: Approval, subject to a revised development plan and conditions  
Z145-175(AF)
34. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1696 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south side of Elm Street, east of North Crowder Street  
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions  
Z145-176(CG)
35. A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned an IR Industrial Research District on the north line of Joe Field Road, south of Royal Lane, and west of Emerald Street  
Recommendation of Staff and CPC: Approval  
Z145-192(AF)
36. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 954 for a private school and to add a child-care facility on property zoned an R-7.5(A) Single Family District on the north line of Military Parkway, east of South Buckner Boulevard  
Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions  
Recommendation of CPC: Approval for a twenty-five-year period with eligibility for automatic renewals for additional twenty-five-year periods, subject to a revised site plan and conditions  
Z145-193(SM)



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

37. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center on property zoned an R-7.5(A) Single Family District on the southeast corner of Southerland Avenue and Bonnie View Road  
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions  
Recommendation of CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions  
Z123-266(SM)
38. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay along the east line of Kleberg Road, the north line of Carleta Street and the south line of Parkcliff Drive  
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions  
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions  
Z145-105(CG)

DESIGNATED ZONING CASES - INDIVIDUAL

39. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for O-2 Office Subdistrict Uses and MF-2 Multiple-family Subdistrict uses on property zoned an O-2 Office Subdistrict and an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of North Central Expressway and Oliver Street, and the southeast line of McKinney Avenue, south of Oliver Street  
Recommendation of Staff and CPC: Approval, subject to a Tract 1 development plan, Tract 1 landscape plan, Tract 2 development/landscape plan and conditions  
Z145-147(RB)



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

40. A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District with deed restrictions volunteered by the applicant on property zoned a GO(A) General Office District on the northeast corner of East Northwest Highway and North Central Expressway  
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant  
Z145-145(AF)  
Note: This item was considered by the City Council at a public hearing on April 22, 2015, and was taken under advisement until May 13, 2015, with the public hearing open

SPECIAL PROVISION SIGN DISTRICT - UNDER ADVISEMENT - INDIVIDUAL

41. A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict in the Downtown Special Provision Sign District Overlay on property zoned Planned Development District No. 619 with a Pedestrian Overlay in an area generally bounded by Pacific Avenue, North Akard Street, Elm Street, and North Field Street  
Recommendation of Staff and CPC: Approval, subject to conditions  
Special Sign District Advisory Committee: Denial  
SPSD134-005  
Note: This item was considered by the City Council at a public hearing on April 22, 2015, and was taken under advisement until May 13, 2015, with the public hearing open

## THOROUGHFARE PLAN AMENDMENTS

**Planning and Neighborhood Vitality**

42. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of **(1)** Myrtle Street from Elsie Faye Heggins Street to Bexar Street from a four-lane undivided roadway (S-4-U) within 60-feet of right-of-way to a special two-lane undivided (SPCL 2U) roadway with a bicycle facility within 50-feet of right-of-way and 36-feet of pavement; and **(2)** Bexar Street from Myrtle Street to Riverfront Extension from a four-lane undivided roadway (S-4-U) within 60-feet of right-of-way to a special two-lane undivided (SPCL 2U) roadway with a bicycle facility within 50-feet of right-of-way and 36-feet of pavement; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City



PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

## MISCELLANEOUS HEARINGS

**Housing/Community Services**

43. A public hearing to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to East Dallas Community Organization (EDCO), a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: **(1)** quitclaim one unimproved property to EDCO under the HB110 process of the City's Land Transfer Program; and **(2)** release the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$1,000

**Office of Environmental Quality**

44. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Broadstone Farmers Market Property Owner, LLC located near the intersection of South Cesar Chavez Boulevard and East RL Thornton Freeway and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Broadstone Farmers Market Property Owner, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City  
Recommendation of Staff: Approval
45. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Gas Equipment Company, Inc., Precise C Corp., and AN Luxury Imports Ltd. located near the intersection of Forest Lane and Harry Hines Boulevard and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Rochester Gauges, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City  
Recommendation of Staff: Approval



**Street Reconstruction Group 12-635**  
Agenda Item # 12

<b><u>Project</u></b>	<b><u>Limits</u></b>	<b><u>Council District</u></b>
Carthage Lane	Chandler Drive to Buckingham Road	10
Chandler Drive	Carthage Lane to Carthage Lane	10
Dahman Circle	Church Road to End of Pavement	10
Heatherdale Drive	Dove Meadow Drive to Abrams Road	10
Hillcrest Road	Wester Way to McKamy Boulevard	12



May 13, 2015

12

**Tax Foreclosure and Seizure Property Resale**

Agenda Item # 43

<b><u>Parcel No.</u></b>	<b><u>Address</u></b>	<b><u>Non-Profit Organization</u></b>	<b><u>Mapsco</u></b>	<b><u>DCAD Amount</u></b>	<b><u>Sale Amount</u></b>	<b><u>Vac/ Imp</u></b>	<b><u>Zoning</u></b>
1.	4831 Silver	East Dallas Community Organization	47J	\$5,850	\$1,000.00	V	R-5(A)



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 13, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
1			All	V	NA	NA	NA	NA	Approval of Minutes of April 22, 2015 City Council Meeting
2			3	C	AVI	\$100,000.00	NA	NA	Authorize (1) the Aviation Department to provide initial funding for maintenance costs for the Routine Annual Maintenance Program (RAMP) in an amount not to exceed \$100,000; (2) the Aviation Department to apply for and accept grant funds from the Texas Department of Transportation Aviation Division in an amount not to exceed \$50,000 for eligible costs related to RAMP as part of a 50% conditional grant match agreement; and (3) execution of the grant agreement - Total not to exceed \$100,000 - Financing: Aviation Current Funds (\$100,000) (subject to appropriations; to be partially reimbursed with TxDOT Grant Funds) and Texas Department of Transportation Grant Funds (\$50,000)
3			2, 3	C	PBD, AVI	\$8,482,583.16	100.00%	100.00%	Authorize a five-year service contract for janitorial services and floor maintenance at various Aviation locations - Members Building Maintenance, LLC, most advantageous proposer of eleven - Not to exceed \$8,482,584 - Financing: Aviation Current Funds (subject to annual appropriations)
4			All	C	PBD, FIR	GT	NA	NA	Urban Search and Rescue Equipment: Authorize the purchase of equipment and personal protective gear for the Texas Task Force 2 Urban Search and Rescue team - W. W. Grainger, Inc. in the amount of \$88,587 through the Texas Multiple Award Schedule and Safeware, Inc. in the amount of \$602,766 through the U.S. Communities Government Purchasing Alliance Administrative Agreement - Total not exceed \$691,353 - Financing: 2013-15 Texas Department of Public Safety Grant Funds
5			All	C	PBD, FIR	GT	NA	NA	Urban Search and Rescue Equipment: Authorize (1) an acquisition contract for the purchase and implementation of a GeoSuite Field Server Kit in the amount of \$123,595; and (2) a one-year service contract for maintenance and support of the GeoSuite Field Server Kit for Texas Task Force 2 Urban Search and Rescue Team in the amount of \$21,375 - CTS Consolidated Telecom Services, through the Department of Information Resources, State of Texas Cooperative contract - Total not to exceed \$144,970 - Financing: 2013-15 Texas Department of Public Safety Grant Funds
6			All	C	PBD, AVI, PKR, POL, STS, TWM, WTR	\$5,918,820.05	70.03%	90.62%	Authorize a three-year master agreement for aggregate materials to be utilized citywide - Q. Roberts Trucking, Inc. in the amount of \$4,636,702, Hanson Aggregates LLC in the amount of \$978,591 and Earth Haulers, Inc. in the amount of \$303,528, lowest responsible bidders of four - Total not to exceed \$5,918,821 - Financing: Current Funds (\$2,267,034), Water Utilities Current Funds (\$3,305,551), Stormwater Drainage Management Current Funds (\$341,536) and Aviation Current Funds (\$4,700)
7			6, Outside	C	PBD, WTR	\$23,762,700.00	0.00%	2.49%	Authorize a three-year master agreement for ferric sulfate to be used in the water purification process - Chemtrade Chemicals US, LLC in the amount of \$19,518,300 and Pencco, Inc. in the amount of \$4,244,400, lowest responsible bidders of three - Total not to exceed \$23,762,700 - Financing: Water Utilities Current Funds
8			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, 2015 Dallas Annual Rate Review (DARR) filing - Financing: No cost consideration to the City
9			N/A	C	OFS	NC	NA	NA	Authorize a public hearing to be held on May 27, 2015 to receive comments on the FY 2015-16 Operating, Capital, and Grant/Trust budgets - Financing: No cost consideration to the City
10			6	C	PKR	(-177,293.32)	100.00%	29.51%	Authorize Supplemental Agreement No. 2 to the construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd. for credit for deleted scope of work at the L.B. Houston Sports Complex located at 11223 Luna Road - Not to exceed (-\$177,294), from \$5,167,941 to \$4,990,647 - Financing: 2003 Bond Funds (-\$21,074) and 2006 Bond Funds (-\$156,220)
11			All	C	POL	\$17,360.00	NA	NA	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 28, 2015 through June 6, 2015 in the amount of \$59,964; (2) a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$17,360; and (3) execution of the grant agreement - Total not to exceed \$77,324 - Financing: Current Funds (\$17,360) and Texas Department of Transportation Grant Funds (\$59,964)
12			10, 12	C	PBW, WTR	\$3,745,189.00	99.89%	26.89%	Street Reconstruction Group 12-635: Authorize a contract with Jeske Construction Company, lowest responsible bidder of six, for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Reconstruction Group 12-635 - Not to exceed \$3,745,189 - Financing: General Obligation Commercial Paper Funds (\$2,223,482), 2006 Bond Funds (\$603,185), Water Utilities Capital Improvement Funds (\$782,132) and Water Utilities Capital Construction Funds (\$136,390)



# AGENDA DATE May 13, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
13			10, 12	C	PBW, WTR	\$71,860.95	100.00%	25.66%	Street Reconstruction Group 12-635: Authorize a professional services contract with Kleinfelder Central, Inc., to provide construction material testing for the Street Reconstruction Group 12-635 project - Not to exceed \$71,861 - Financing: General Obligation Commercial Paper Funds (\$4,035), 2006 Bond Funds (\$28,245) and 2012 Bond Funds (\$39,581)
14			14	C	DEV, POL	NC	NA	NA	Authorize the termination and release of lease back and lease option rights in favor of the City of Dallas as to certain property located near the intersection of Central Expressway and Watkins Street owned by The Housing Authority of the City of Dallas for police office space - Financing: No cost consideration to the City
15			14	C	DEV	REV \$5,400	NA	NA	An ordinance granting a revocable license to Crow Family Foundation, Inc. for the use of approximately 120 square feet of land to use and maintain three existing sculptures on a portion of Flora Street, located near its intersection with Olive Street - Revenue: \$5,400 one-time fee, plus the \$20 ordinance publication fee
16			6	C	DEV	REV \$5,400	NA	NA	An ordinance abandoning a portion of a sanitary sewer easement to 604 Fort Worth Ave Apartments Investors LLC, the abutting owner, containing approximately 5,236 square feet of land, located near the intersection of Fort Worth Avenue and Yorktown Street - Revenue: \$5,400, plus the \$20 ordinance publication fee
17			2	C	DEV	REV \$5,400	NA	NA	An ordinance abandoning a portion of a water easement to TC Central Associates, LLC, the abutting owner, containing approximately 10,068 square feet of land, located near the intersection of Central Expressway and Carroll Avenue - Revenue: \$5,400, plus the \$20 ordinance publication fee
18			5	C	DEV	REV \$5,400	NA	NA	An ordinance abandoning a portion of a utility easement to Pleasant Grove Shopping Center, Inc., the abutting owner, containing approximately 4,700 square feet of land, located near the intersection of Buckner Boulevard and Grovecrest Drive - Revenue: \$5,400, plus the \$20 ordinance publication fee
19			All	C	DEV	NC	NA	NA	An ordinance amending Chapter 54, "Dallas Plumbing Code," of the Dallas City Code, as amended, by amending the maximum allowable lead content in pipes, pipe fittings, plumbing fittings and fixtures; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City
20			8	C	WTR	\$1,498,958.00	99.00%	26.00%	Authorize an engineering contract with Gresham, Smith and Partners to provide engineering services for an evaluation/study and preliminary design related to major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - Not to exceed \$1,498,958 - Financing: Water Utilities Capital Improvement Funds
21			8	C	WTR	REV \$88,751	NA	NA	Authorize (1) a Standard Utility Agreement with the State of Texas, acting through the Texas Department of Transportation, for water and wastewater main relocations and appurtenance adjustments in Interstate Highway 20 from west of Haymarket Road to U.S. Highway 175 (C.F. Hawn Freeway); and (2) the receipt and deposit of funds from the Texas Department of Transportation for reimbursement of design, inspection and project management costs for the project - Revenue: \$88,751
22			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)
23			14	I	TWM	\$13,760.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Andrew Birmingham, of a subsurface easement under approximately 2,134 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$13,760 (\$11,760 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds
24			2	I	TWM	\$34,165.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Eretz Dallas Properties, LLC, of a subsurface easement under approximately 9,019 square feet of land located on Haskell Avenue near its intersection with Live Oak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$34,165 (\$30,665 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds
25			2	I	TWM	\$34,606.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from M.I. Gaston Partners, Ltd. and MSC-I, Ltd., of a subsurface easement under approximately 10,702 square feet of land located on Gaston Avenue near its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$34,606 (\$32,106 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds



# AGENDA DATE May 13, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
26			8	I	ECO	NC	NA	NA	DalParc I-20 Logistics, LLC: Authorize a resolution designating approximately 127 acres of property located south of Altamoor Road, north of Telephone Road, west of Van Horn Drive and east of the Lancaster City Limit in Dallas, Texas, as City of Dallas Neighborhood Empowerment Zone No. 2 ("City of Dallas NEZ No. 2"), pursuant to Chapter 378 of the Local Government Code to promote an increase in economic development in the zone, establishing the boundaries of the Neighborhood Empowerment Zone and providing for an effective date - Financing: No cost consideration to the City
27			8	I	ECO	NC	NA	NA	DalParc I-20 Logistics, LLC: Authorize a real property tax abatement agreement with DalParc I-20 Logistics, LLC located on approximately 44 acres south of Altamoor Road, north of Balmorhea Drive, west of Van Horn Drive and east of the Lancaster City Limit in Dallas, Texas for a speculative industrial/warehouse facility of at least 900,000 square feet in the amount of 90 percent on the value of real property improvements for 10 years in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$17,932; ten-year revenue estimated at \$179,325; (Estimated revenue foregone for a ten-year new business personal property abatement estimated at \$1,613,925)
28			8	I	ECO	\$312,000.00	NA	NA	DalParc I-20 Logistics, LLC: Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$312,000 with DalParc I-20 Logistics, LLC related to the construction of a speculative industrial/warehouse facility of at least 900,000 square feet, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$312,000 - Financing: 2012 Bond Funds
29			7	I	HOU	\$450,000.00	NA	NA	Authorize a conditional grant agreement with Greenleaf Ventures, LLC to pay for a portion of the infrastructure construction costs for a single family development for 50-53 homes in East Dallas located on Chariot Drive - Not to exceed \$450,000 - Financing: 2012 Bond Funds
30			6	I	HOU	\$1,275,000.00	NA	NA	Authorize a conditional grant agreement with Greenleaf Ventures, LLC to pay for a portion of the infrastructure construction costs for a single family development for 116 homes in West Dallas located on Singleton Boulevard - Not to exceed \$1,275,000 - Financing: 2012 Bond Funds
31			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1907 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay on the southeast corner of Samuell Boulevard and North Jim Miller Road
32			11	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 mini-warehouse use on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions on the northwest corner of Southern Boulevard and Noel Road
33			14	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. 556 along the east line of North Central Expressway, between Lee Street and Normah Street
34			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1696 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south side of Elm Street, east of North Crowds Street
35			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned an IR Industrial Research District on the north line of Joe Field Road, south of Royal Lane, and west of Emerald Street
36			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 954 for a private school and to add a child-care facility on property zoned an R-7.5(A) Single Family District on the north line of Military Parkway, east of South Buckner Boulevard
37			4	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 community service center on property zoned an R-7.5(A) Single Family District on the southeast corner of Southerland Avenue and Bonnie View Road
38			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay along the east line of Kleberg Road, the north line of Carleta Street and the south line of Parkcliff Drive



# AGENDA DATE May 13, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
39			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for O-2 Office Subdistrict Uses and MF-2 Multiple-family Subdistrict uses on property zoned an O-2 Office Subdistrict and an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of North Central Expressway and Oliver Street, and the southeast line of McKinney Avenue, south of Oliver Street
40			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District with deed restrictions volunteered by the applicant on property zoned a GO(A) General Office District on the northeast corner of East Northwest Highway and North Central Expressway
41			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict in the Downtown Special Provision Sign District Overlay on property zoned Planned Development District No. 619 with a Pedestrian Overlay in an area generally bounded by Pacific Avenue, North Akard Street, Elm Street, and North Field Street
42			7	PH	PNV	NC	NA	NA	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of (1) Myrtle Street from Elsie Faye Heggins Street to Bexar Street from a four-lane undivided roadway (S-4-U) within 60-feet of right-of-way to a special two-lane undivided (SPCL 2U) roadway with a bicycle facility within 50-feet of right-of-way and 36-feet of pavement; and (2) Bexar Street from Myrtle Street to Riverfront Extension from a four-lane undivided roadway (S-4-U) within 60-feet of right-of-way to a special two-lane undivided (SPCL 2U) roadway with a bicycle facility within 50-feet of right-of-way and 36-feet of pavement; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City
43			7	PH	HOU	REV \$1,000	NA	NA	A public hearing to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to East Dallas Community Organization (EDCO), a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: (1) quitclaim one unimproved property to EDCO under the HB110 process of the City's Land Transfer Program; and (2) release the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Revenue: \$1,000
44			2	PH	OEQ	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Broadstone Farmers Market Property Owner, LLC located near the intersection of South Cesar Chavez Boulevard and East RL Thornton Freeway and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Broadstone Farmers Market Property Owner, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
45			6	PH	OEQ	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Gas Equipment Company, Inc., Precise C Corp., and AN Luxury Imports Ltd. located near the intersection of Forest Lane and Harry Hines Boulevard and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Rochester Gauges, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

**TOTAL \$45,717,002.16**











## AGENDA ITEM # 2

**KEY FOCUS AREA:** Public Safety  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 3  
**DEPARTMENT:** Aviation  
**CMO:** Ryan S. Evans, 671-9837  
**MAPSCO:** 63L

---

### **SUBJECT**

Authorize **(1)** the Aviation Department to provide initial funding for maintenance costs for the Routine Annual Maintenance Program (RAMP) in an amount not to exceed \$100,000; **(2)** the Aviation Department to apply for and accept grant funds from the Texas Department of Transportation Aviation Division in an amount not to exceed \$50,000 for eligible costs related to RAMP as part of a 50% conditional grant match agreement; and **(3)** execution of the grant agreement - Total not to exceed \$100,000 - Financing: Aviation Current Funds (\$100,000) (subject to appropriations; to be partially reimbursed with TxDOT Grant Funds) and Texas Department of Transportation Grant Funds (\$50,000)

### **BACKGROUND**

The Routine Airport Maintenance Project (RAMP) will enable the Department of Aviation to conduct needed repairs on the airport for annual maintenance. Some of the examples of these programs in the RAMP include the FAA required maintenance/repair/improvements of the air traffic control tower and security camera systems, improvements/maintenance to runway drainage and markings, maintenance/repairs to the runway lighting systems, and installation of bollards for equipment and building protection. The primary objective of the project is:

- Conduct repairs as needed under the Routine Airport Maintenance Program (RAMP) under the guidelines of Texas Department of Transportation (TxDOT).

TxDOT will determine that the repairs are within the scope of eligible projects for the TxDOT Grant for Routine Airport Maintenance Program Funds and will participate in an amount equal to 50% of the eligible project costs, TxDOT reimbursement not to exceed \$50,000.

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

This item has no prior action.



## **FISCAL INFORMATION**

\$100,000 - Aviation Current Funds (subject to annual appropriations; subject to reimbursement of up to \$50,000 from TxDOT)

\$50,000 - Texas Department of Transportation Grant Funds



May 13, 2015

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

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

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

**WHEREAS**, the Texas Department of Transportation (TxDOT) has indicated that routine airport maintenance is a project that is eligible for state funding through their Grant for Routine Airport Maintenance Program (RAMP) and will participate in an amount equal to 50% of the eligible costs, not to exceed \$50,000; and,

**WHEREAS**, it is advantageous for the City of Dallas to apply for and accept reimbursement funds from TxDOT for eligible costs for routine airport maintenance at Dallas Executive Airport; and,

**WHEREAS**, the total maintenance cost estimated to be up to \$100,000 per year, and the City of Dallas will be responsible for the total project costs with a reimbursement by TxDOT of 50% of the total project cost up to and not to exceed \$100,000.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to provide the Aviation Department initial funding for maintenance costs for the Routine Annual Maintenance Program (RAMP) in an amount not to exceed \$100,000; the Aviation Department is hereby authorized to apply for and accept grant funds from the Texas Department of Transportation Aviation Division in an amount not to exceed \$50,000 for eligible costs related to RAMP as part of a 50% conditional grant match agreement; and to execute the grant agreement, subject to the approval of the City Attorney.

**Section 2.** That upon acceptance of annual TxDOT RAMP reimbursement funding by the Chief Financial Officer, funds will be placed in the Aviation Grant Fund S278, Dept. AVI, Unit 1747, Revenue Source 6526.

**Section 3.** That the Chief Financial Officer is hereby authorized to increase appropriations in the Aviation Grant Fund S278, Dept. AVI, Unit 1747, Object Code 3099 for the amount that is approved by TxDOT for reimbursement each fiscal year.



May 13, 2015

**Section 4.** That subject to appropriations, the Chief Financial Officer is hereby authorized to encumber and disburse an amount not to exceed \$100,000 for needed repairs associated with the Routine Airport Maintenance Program (RAMP) from Fund: 0130; Dept: AVI; Unit: 7731; Object: 3099; CT AVITXDOT7731FY15.

**Section 5.** That the Chief Financial Officer is hereby authorized to reimburse Aviation Operating Fund 0130, Dept. AVI, Unit 7731, Object 5011 for the amount that is approved by TxDOT Routine Airport Maintenance Program (RAMP) for annual reimbursement from the Aviation Grant Fund S278, Dept. AVI, Unit 1747, Object 3099 for the amount that is approved by TxDOT for annual reimbursement not to exceed \$50,000 annually.

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

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

**Section 8.** That this 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:** Clean, Healthy Environment

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 2, 3

**DEPARTMENT:** Business Development & Procurement Services  
Aviation

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

**MAPSCO:** 34 K 63 L

---

### SUBJECT

Authorize a five-year service contract for janitorial services and floor maintenance at various Aviation locations – Members Building Maintenance, LLC, most advantageous proposer of eleven - Not to exceed \$8,482,584 - 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 allow for janitorial and floor maintenance services at various Department of Aviation locations including Dallas Love Field and satellite facilities that support the airport.

Dallas Love Field is occupied by city staff and other airport employees with approximately 12 million passengers entering the facility annually. To maintain facility aesthetics and sanitary conditions, constant janitorial and daily floor maintenance services are required. The satellite facilities consist of administrative offices, Snow and Ice Removal Equipment facility, Customs and Border Protection facility, Central Receiving/Sallyport and the FAA tower at Dallas Executive Airport.

The use of environmentally friendly Green Seal certified cleaning products and supplies was a requirement in the specifications. Further, when additional products become certified, the vendor is required to use those products.



## **BACKGROUND (Continued)**

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

- Aviation (2)
- Equipment and Building Services (1)
- Office of Cultural Affairs (2)
- Business Development and Procurement Services (2)\*

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

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

- Experience/Qualifications 30%
- Pricing 30%
- Staffing Plan/Approach 25%
- Business Inclusion & Development Plan 15%

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 599 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 September 12, 2012, City Council authorized a five-year service contract for janitorial service at various Aviation, Trinity Watershed Management and Housing/Community Services locations by Resolution No. 12-2228.

On January 8, 2014, City Council authorized Supplemental Agreement No. 1 for janitorial service for Aviation, Trinity Watershed Management and Housing/Community Services locations by Resolution No. 14-0106.



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

On April 9, 2014, City Council authorized a one-year service contract, with a one-year renewal option, for janitorial services at various Aviation locations by Resolution No. 14-0585.

### **FISCAL INFORMATION**

\$8,482,583.16 - Aviation Current Funds (subject to annual appropriations)

<b><u>Council District</u></b>	<b><u>Amount</u></b>
2	\$8,445,251.16
3	<u>\$ 37,332.00</u>
Total	\$8,482,583.16

### **M/WBE INFORMATION**

146 - Vendors contacted  
141 - No response  
5 - Response (Bid)  
0 - Response (No Bid)  
1 - Successful

599 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**

#### **Members Building Maintenance, LLC**

White Male	21	White Female	16
Black Male	150	Black Female	140
Hispanic Male	210	Hispanic Female	220
Other Male	143	Other Female	84



## **PROPOSAL INFORMATION**

The following bids were received from solicitation number BQZ1503 and were opened on February 12, 2015. This service contract is being awarded to the most advantageous proposer by group.

\*Denotes successful proposer

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>	<b><u>Amount</u></b>
*Members Building Maintenance, LLC	11363 Denton Dr. Suite 127 Dallas, TX 75229	88% 92%	Group1 - \$7,673,690.04 Group 2 - \$808,893.12
Diverse Facility Solutions	614 S. Central Ave. Chicago, IL 60638	78% 63%	Group 1 - \$9,005,386.44 Group 2 - \$3,201,542.14
Oriental Building Services, Inc.	2526 Manana Dr. Suite 208 Dallas, TX 75220	76% 54%	Group 1 - \$7,276,476.00 Group 2 - \$2,877,031.08
American Facility Services, Inc.	1325 Union Hill Industrial Ct. Suite A Alpharetta, GA 30004	77% 57%	Group 1 - \$6,626,610.40 Group 2 - \$2,401,987.00
Ras Services Services, Inc.	9910 Maroe St. Dallas, TX 75220	71% 71%	Group 1 - \$7,137,103.59 Group 2 - \$883,840.50
UBM Enterprise, Inc.	11102 Ables Ln. Dallas, TX 75229	63% 47%	Group 1 - \$7,786,123.80 Group 2 - \$2,906,778.00
Facility Service Group, LLC	8985 S. Eastern Ave. Suite 210 Las Vegas, NV 89123	57% 44%	Group 1 - \$9,099,124.80 Group 2 - \$2,358,872.16
Nomenclature	2020 Gorman St. Dallas, TX 75223	Group 1 - Non-Responsive** Group 2 - No Bid	
Treco Services, Inc.	904 N. Zarzamora St. San Antonio, TX 78207	Group 1 - Non-Responsive** Group 2 - Non-Responsive**	



## **PROPOSAL INFORMATION (Continued)**

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>	<b><u>Amount</u></b>
Corporate Floors, Inc.	14300 Northwest Fwy. Houston, TX 77040	Group 1 - No Bid Group 2 - Non-Responsive**	
Andrews Building Service, Inc.	11503 Reeder Rd. Dallas, TX 75229-2112	Group 1 - Non-Responsible** Group 2 - Non-Responsible**	

\*\*Nomenclature, Treco Services, Inc. and Corporate Floors, Inc. have been deemed non-responsive due to not meeting specifications. Andrews Building Service, Inc. has been deemed non-responsible.

## **OWNER**

### **Members Building Maintenance, LLC**

Odes H. Kim, President  
Harvey Burger, Vice President  
Ann Kim, Secretary



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

**PROJECT:** Authorize a five-year service contract for janitorial services and floor maintenance at various Aviation locations – Members Building Maintenance, LLC, most advantageous proposer of eleven - Not to exceed \$8,482,584 - Financing: Aviation Current Funds (subject to annual appropriations)

Members Building Maintenance, LLC is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

**PROJECT CATEGORY:** Other Services

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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$8,482,583.16	100.00%
Total non-local contracts	\$0.00	0.00%
<b>TOTAL CONTRACT</b>	<b>\$8,482,583.16</b>	<b>100.00%</b>

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

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

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Magic Building Service, Inc.	PFMB62610N0716	\$2,544,774.95	30.00%
Members Building Maintenance, LLC	PMMB6224N0616	\$5,937,808.21	70.00%
<b>Total Minority - Local</b>		<b>\$8,482,583.16</b>	<b>100.00%</b>

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

None

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

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$8,482,583.16	100.00%	\$8,482,583.16	100.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
<b>Total</b>	<b>\$8,482,583.16</b>	<b>100.00%</b>	<b>\$8,482,583.16</b>	<b>100.00%</b>



May 13, 2015

**WHEREAS**, on September 12, 2012, City Council authorized a five-year service contract for janitorial service at various Aviation, Trinity Watershed Management and Housing/Community Services locations by Resolution 12-2228; and,

**WHEREAS**, on January 8, 2014, City Council authorized Supplemental Agreement No. 1 for janitorial service for Aviation, Trinity Watershed Management and Housing/Community Services locations by Resolution No. 14-0106; and,

**WHEREAS**, on April 9, 2014, City Council authorized a one-year service contract, with a one-year renewal option, for janitorial services at various Aviation locations by Resolution No. 14-0585;

**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 Members Building Maintenance, LLC (243814) for janitorial services and floor maintenance at various Aviation locations for a term of five years in an amount not to exceed \$8,482,583.16, 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 Members Building Maintenance, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Members Building Maintenance, LLC under the contract.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$8,482,583.16 (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 ITEMS # 4,5

**KEY FOCUS AREA:** E-Gov

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Business Development & Procurement Services  
Fire

**CMO:** Jeanne Chipperfield, 670-7804  
Eric Campbell, 670-3255

**MAPSCO:** N/A

---

### SUBJECT

#### **Urban Search and Rescue Equipment**

- \* Authorize the purchase of equipment and personal protective gear for the Texas Task Force 2 Urban Search and Rescue team - W. W. Grainger, Inc. in the amount of \$88,587 through the Texas Multiple Award Schedule and Safeware, Inc. in the amount of \$602,766 through the U.S. Communities Government Purchasing Alliance Administrative Agreement - Total not exceed \$691,353 - Financing: 2013-15 Texas Department of Public Safety Grant Funds
- \* Authorize **(1)** an acquisition contract for the purchase and implementation of a GeoSuite Field Server Kit in the amount of \$123,595; and **(2)** a one-year service contract for maintenance and support of the GeoSuite Field Server Kit for Texas Task Force 2 Urban Search and Rescue Team in the amount of \$21,375 - CTS Consolidated Telecom Services, through the Department of Information Resources, State of Texas Cooperative contract - Total not to exceed \$144,970 - Financing: 2013-15 Texas Department of Public Safety Grant Funds

#### **BACKGROUND**

The City of Dallas sponsored Texas Task Force 2 Urban Search and Rescue team is an all hazards search and rescue team that responds to land-based urban search and rescue operations such as major structural collapse. The team provides immediate response with unique equipment and specially trained personnel to urban search and rescue incidents.



## **BACKGROUND (Continued)**

The purchase of Urban Search and Rescue equipment, personal protective gear and satellite tracking and communication technology will allow Texas Task Force 2 to meet Federal Emergency Management Agency equivalent equipment and operational standards established for Urban Search and Rescue programs.

This equipment will allow the team to maintain compatibility and consistency with other State and Federal Urban Search and Rescue resources during disaster responses under the direction of the Texas Division of Emergency Management. This authorization will allow for the purchase of equipment and software such as:

- Hazard proof boots
- Confined space harness
- High pressure lifting air bags
- Generators

The Department of Information Resources, State of Texas Cooperative contract, Texas Multiple Award Schedule (TXMAS) and U.S. Communities Government Purchasing Alliance Administrative Agreements are authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

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

On November 12, 2013, City Council authorized acceptance of a grant from the Texas Department of Public Safety to be used for expenses associated with the purchase of equipment and training of personnel needed to sustain the administrative and operational readiness response capabilities of the Texas Task Force 2 Urban Search and Rescue team for the period September 1, 2013 through August 31, 2015, by Resolution No.13-1925.

## **FISCAL INFORMATION**

\$836,322.46 - 2013-15 Texas Department of Public Safety Grant Funds

## **ETHNIC COMPOSITION**

W. W. Grainger, Inc.

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



## **ETHNIC COMPOSITION (Continued)**

### **Safeware, Inc.**

White Male	42	White Female	25
Black Male	4	Black Female	9
Hispanic Male	1	Hispanic Female	0
Other Male	0	Other Female	1

### **CTS Consolidated Telecom Services**

White Male	50	White Female	10
Black Male	2	Black Female	0
Hispanic Male	16	Hispanic Female	2
Other Male	1	Other Female	0

## **OWNERS**

### **CTS Consolidated Telecom Services**

Pam Faver, President

### **W. W. Grainger, Inc.**

Jim Ryan, President

Court Carruthers, Vice President

### **Safeware, Inc.**

Edward Simons, President

Anne Petrenko, Vice President







May 13, 2015

**WHEREAS**, on November 12, 2013, City Council authorized acceptance of a grant from the Texas Department of Public Safety to be used for expenses associated with the purchase of equipment and training of personnel needed to sustain the administrative and operational readiness response capabilities of the Texas Task Force 2 Urban Search and Rescue team for the period September 1, 2013 through August 31, 2015, by Resolution No.13-1925;

**NOW, THEREFORE,**

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

**Section 1.** That the purchase of equipment and personal protective gear for the Texas Task Force 2 Urban Search and Rescue team is authorized with W. W. Grainger, Inc. (339390) through the Texas Multiple Award Schedule in the amount of \$88,587.36 and Safeware, Inc. (500116) through the U.S. Communities Government Purchasing Alliance Administrative Agreement in the amount of \$602,765.10, in a total amount not exceed \$691,352.46.

**Section 2.** That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for equipment and personal protective gear for the Urban Search and Rescue team. If a formal contract is required for this purchase instead of a purchase order, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

**Section 3.** That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriation in an amount not to exceed \$691,352.46:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>AMOUNT</u>	<u>FY</u>	<u>ENCUMBRANCE</u>
S265	DFD	1509	2231	\$ 84,684.60	2015	PODFD0000119094
S265	DFD	1509	2231	\$ 88,587.36	2015	PODFD0000119093
S265	DFD	1509	4890	\$ 88,833.54	2015	PODFD0000119096
S265	DFD	1509	2890	\$ 339,416.82	2015	PODFD0000119097
S265	DFD	1509	2890	\$ 89,830.14	2015	PODFD0000119095

**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.



May 13, 2015

**WHEREAS**, on November 12, 2013, City Council authorized acceptance of a grant from the Texas Department of Public Safety to be used for expenses associated with the purchase of equipment and training of personnel needed to sustain the administrative and operational readiness response capabilities of the Texas Task Force 2 Urban Search and Rescue team for the period September 1, 2013 through August 31, 2015, by Resolution No.13-1925;

**NOW, THEREFORE,**

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

**Section 1.** That the City Manager is authorized to execute (1) an acquisition contract for the purchase and implementation of a GeoSuite Field Server Kit in the amount of \$123,595.00; and (2) a one-year service contract for maintenance and support of the GeoSuite Field Server Kit for the Texas Task Force 2 Urban Search and Rescue Team in the amount of \$21,375.00, with CTS Consolidated Telecom Services (VS0000028085) through the Department of Information Resources, State of Texas Cooperative contract in a total amount not to exceed \$144,970.00, 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 CTS Consolidated Telecom Services shall be based only on the amount of the services directed to be performed by the City and properly performed by CTS Consolidated Telecom Services under the contract.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriation in an amount not to exceed \$144,970.00:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>AMOUNT</u>	<u>FY</u>	<u>ENCUMBRANCE</u>
S265	DFD	1509	4735	\$ 123,595.00	2015	CTCRDFDHS04801
S265	DFD	1509	4735	\$ 21,375.00	2015	CTCRDFDHS04802

**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:** Clean, Healthy Environment

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Business Development & Procurement Services  
Aviation  
Park & Recreation  
Police  
Street Services  
Trinity Watershed Management  
Water Utilities

**CMO:** Jeanne Chipperfield, 670-7804  
Ryan S. Evans, 671-9837  
Willis Winters, 670-4071  
Eric Campbell, 670-3255  
Mark McDaniel, 670-3256  
Jill A. Jordan, P.E., 670-5299

**MAPSCO:** N/A

---

### SUBJECT

Authorize a three-year master agreement for aggregate materials to be utilized citywide – Q. Roberts Trucking, Inc. in the amount of \$4,636,702, Hanson Aggregates LLC in the amount of \$978,591 and Earth Haulers, Inc. in the amount of \$303,528, lowest responsible bidders of four - Total not to exceed \$5,918,821 - Financing: Current Funds (\$2,267,034), Water Utilities Current Funds (\$3,305,551), Stormwater Drainage Management Current Funds (\$341,536) and Aviation Current Funds (\$4,700)

### BACKGROUND

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

This master agreement allows for the purchase of aggregate materials. This master agreement provides various types of aggregate products that will be used by Street Services, Park and Recreation Department, Water Utilities and Trinity Watershed Management for construction projects, levees, earthen channels, parks and athletic fields.



## **BACKGROUND (Continued)**

Examples of materials available through this master agreement include:

- Sandy loam
- Sand
- Cushion sand
- Pea gravel
- Crushed rock
- Mixed aggregates
- Red ball diamond clay
- Crushed limestone

The aggregate materials available through this agreement are used for ongoing construction and repair projects such as streets, alleys and non-paved roadways. Aggregate material is also used to obtain proper compaction around new pipe installations and back-fill in the construction of new water and wastewater mains. Water Utilities maintains approximately 9,000 miles of water and wastewater mains. Trinity Watershed Management uses the aggregate material to maintain approximately 30 miles of levee, 150 miles of creek and channel and 10,000 acres of floodway. Street Services currently performs over 600 lane miles of street maintenance related repairs and improvements. Park and Recreation will utilize the aggregate materials to improve the quality of parks turf conditions on athletic fields, thereby providing a safe and playable surface. Sandy loam is used to eliminate cracks and depressions in the ground around the Park and Recreation's 122 baseball and softball diamonds and 101 soccer, cricket and rugby fields. Gravel is used around undeveloped parking lots, in construction drainage improvements and areas in most parks throughout the City.

This solicitation was structured in a manner which required bidders to submit a response using group pricing. This bid resulted in a 33% increase over comparable prices for the bids awarded in 2012.

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 797 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 April 11, 2012, City Council authorized a three-year master agreement for aggregate materials to be utilized citywide by Resolution No. 12-1024.

## **FISCAL INFORMATION**

\$2,267,034.30 - Current Funds  
\$3,305,550.25 - Water Utilities Current Funds  
\$ 341,535.50 - Stormwater Drainage Management Current Funds  
\$ 4,700.00 - Aviation Current Funds

## **M/WBE INFORMATION**

241 - Vendors contacted  
240 - No response  
1 - Response (Bid)  
0 - Response (No bid)  
1 - Successful

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

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

## **ETHNIC COMPOSITION**

### **Q. Roberts Trucking, Inc.**

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

### **Hanson Aggregates LLC**

White Male	63	White Female	2
Black Male	0	Black Female	0
Hispanic Male	33	Hispanic Female	0
Other Male	0	Other Female	0



## **ETHNIC COMPOSITION (Continued)**

### **Earth Haulers, Inc.**

White Male	3	White Female	0
Black Male	9	Black Female	2
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

## **BID INFORMATION**

The following bids were received from solicitation number BT1505 and were opened on March 9, 2015. This master agreement is being awarded to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

\*Denotes successful bidders

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount of Bid</u></b>
*Q. Roberts Trucking, Inc.	5787 S. Hampton Rd. Suite 390 Dallas, TX 75232	Multiple Lines
*Hanson Aggregates LLC	300 E. John Carpenter Frwy. Suite 1645 Irving, TX 75062	Multiple Lines
*Earth Haulers, Inc.	11500 Mosier Valley Rd. Fort Worth, TX 76040	Multiple Lines
Martin Marietta Materials	1503 LBJ Frwy. Suite 400 Dallas, TX 75234	Multiple Lines

## **OWNERS**

### **Q. Roberts Trucking, Inc.**

Quincy Robert, President



**OWNERS (Continued)**

**Hanson Aggregates LLC**

Jon Morrish, President  
Philip Holland, Vice President  
Amy Yi, Secretary  
Glenn Heller, Treasurer

**Earth Haulers, Inc.**

Allen M. Tucker, President  
Benny A. Tucker, Vice President



## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a three-year master agreement for aggregate materials to be utilized citywide – Q. Roberts Trucking, Inc. in the amount of \$4,636,702, Hanson Aggregates LLC in the amount of \$978,591 and Earth Haulers, Inc. in the amount of \$303,528, lowest responsible bidders of four - Total not to exceed \$5,918,821 - Financing: Current Funds (\$2,267,034), Water Utilities Current Funds (\$3,305,551), Stormwater Drainage Management Current Funds (\$341,536) and Aviation Current Funds (\$4,700)

Q. Roberts Trucking, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractors. Hanson Aggregates LLC is a local non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractors. Earth Haulers, Inc. is non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractors.

**PROJECT CATEGORY:** Goods

---

### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$4,145,119.23	70.03%
Total non-local contracts	\$1,773,700.82	29.97%
<b>TOTAL CONTRACT</b>	<b>\$5,918,820.05</b>	<b>100.00%</b>

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

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Clemons Trucking	BFDB63399Y1015	\$30,452.00	0.73%
Q. Roberts Trucking, Inc.	BMDB62181Y0615	\$3,802,095.23	91.72%
<b>Total Minority - Local</b>		<b>\$3,832,547.23</b>	<b>92.46%</b>

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

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
D.E.E.R Trucking	BMDB64201Y0216	\$865,058.27	48.77%
Eagle Aggregate	WFDB84070Y416	\$666,018.80	37.55%
<b>Total Minority - Non-local</b>		<b>\$1,531,077.07</b>	<b>86.32%</b>



**TOTAL M/WBE CONTRACT PARTICIPATION**

	<b><u>Local</u></b>	<b><u>Percent</u></b>	<b><u>Local &amp; Non-Local</u></b>	<b><u>Percent</u></b>
African American	\$3,832,547.23	92.46%	\$4,697,605.50	79.37%
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%	\$666,018.80	11.25%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$3,832,547.23	92.46%	\$5,363,624.30	90.62%



May 13, 2015

**WHEREAS**, on April 11, 2012, City Council authorized a three-year master agreement for aggregate materials to be utilized citywide by Resolution No. 12-1024;

**NOW, THEREFORE,**

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

**Section 1.** That a master agreement for the purchase of aggregate materials to be utilized citywide is authorized with Q. Roberts Trucking, Inc. (VC14247) in the amount of \$4,636,701.50, Hanson Aggregates LLC (080747) in the amount of \$978,590.80 and Earth Haulers, Inc. (013071) in the amount of \$303,527.75 for a term of three years in a total amount not to exceed \$5,918,820.05.

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

**Section 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$5,918,820.05.

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



## AGENDA ITEM # 7

**KEY FOCUS AREA:** Clean, Healthy Environment

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 6, Outside City Limits

**DEPARTMENT:** Business Development & Procurement Services  
Water Utilities

**CMO:** Jeanne Chipperfield, 670-7804  
Mark McDaniel, 670-3256

**MAPSCO:** 33C G 2T 50A N S T

---

### SUBJECT

Authorize a three-year master agreement for ferric sulfate to be used in the water purification process - Chemtrade Chemicals US, LLC in the amount of \$19,518,300 and Pencco, Inc. in the amount of \$4,244,400, lowest responsible bidders of three - Total not to exceed \$23,762,700 - Financing: Water Utilities Current Funds

### BACKGROUND

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

This master agreement will provide ferric sulfate used in the water purification process. Ferric sulfate is used in the coagulation stage of the chemical treatment process to remove dirt, algae, bacteria and other in the water as mandated by Texas Commission on Environmental Quality regulatory requirements.

This master agreement will continue to provide National Sanitary Foundation 60 (NSF 60) certified ferric sulfate for use at all three water treatment plants. Water Utilities is responsible for providing clean drinking water to approximately 2.3 million people in Dallas and surrounding communities.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 20.50% increase on comparable unit prices for the bid awarded in 2012.



## **BACKGROUND (Continued)**

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 229 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 14, 2011, City Council authorized an increase in the master agreement for liquid ferric sulfates for the City's water purification treatment plants by Resolution No. 11-3220.

On November 14, 2012, City Council authorized a two-year master agreement for ferric sulfates for the City's three water purification treatment plants by Resolution No. 12-2729.

## **FISCAL INFORMATION**

\$23,762,700.00 - Water Utilities Current Funds

<b><u>Council District</u></b>	<b><u>Amount</u></b>
6	\$ 4,244,400.00
Outside City Limits	<u>\$19,518,300.00</u>
Total	\$23,762,700.00

## **M/WBE INFORMATION**

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

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

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



## **ETHNIC COMPOSITION**

### **Chemtrade Chemicals US, LLC**

White Male	45	White Female	10
Black Male	6	Black Female	2
Hispanic Male	1	Hispanic Female	2
Other Male	2	Other Female	0

### **Pencco, Inc.**

White Male	44	White Female	9
Black Male	8	Black Female	1
Hispanic Male	20	Hispanic Female	2
Other Male	0	Other Female	0

## **BID INFORMATION**

The following bids were received from solicitation number BP1501 and were opened on March 5, 2015. This master agreement is being awarded to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

\*Denotes successful bidders

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount of Bid</u></b>
*Chemtrade Chemicals US, LLC	90 East Halsey Road Parsippany, NJ 07054	Multiple Lines
*Pencco, Inc.	831 Bartlett Road Sealy, TX 77474	Multiple Lines
Altivia Chemicals, LLC	1100 Louisiana Street Suite 4800 Houston, TX 77002	Non-Responsive**

\*\*Altivia Chemicals, LLC was deemed non-responsive due to not meeting specifications.



## **OWNERS**

### **Chemtrade Chemicals US, LLC**

Mark Davis, President  
Dan Dietz, Vice President  
Susan Pare, Secretary  
Rohit Bhardwaj, Treasurer

### **Pencco, Inc.**

Ronald Lee Horne, President  
Aline Horne, Secretary



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

**PROJECT:** Authorize a three-year master agreement for ferric sulfate to be used in the water purification process – Chemtrade Chemicals US, LLC in the amount of \$19,518,300 and Pencco, Inc. in the amount of \$4,244,400, lowest responsible bidders of three - Total not to exceed \$23,762,700 - Financing: Water Utilities Current Funds

Chemtrade Chemicals US, LLC and Pencco, Inc. are non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractors.

**PROJECT CATEGORY:** Goods

---

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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$23,762,700.00	100.00%
<b>TOTAL CONTRACT</b>	<b>\$23,762,700.00</b>	<b>100.00%</b>

### **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>
Ricochet Fuel	WFWB63913Y0117	\$591,138.00	2.49%
<b>Total Minority - Non-local</b>		<b>\$591,138.00</b>	<b>2.49%</b>

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

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$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%	\$591,138.00	2.49%
<b>Total</b>	<b>\$0.00</b>	<b>0.00%</b>	<b>\$591,138.00</b>	<b>2.49%</b>



May 13, 2015

**WHEREAS**, on December 14, 2011, City Council authorized an increase in the master agreement for liquid ferric sulfates for the City's water purification treatment plants by Resolution No. 11-3220; and,

**WHEREAS**, on November 14, 2012, City Council authorized a two-year master agreement for ferric sulfates for the City's three water purification treatment plants by Resolution No. 12-2729;

**NOW, THEREFORE,**

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

**Section 1.** That a master agreement for the purchase of ferric sulfate to be used in the water purification process is authorized with Chemtrade Chemicals US, LLC (053277) in the amount of \$19,518,300.00 and Pencco, Inc. (266895) in the amount of \$4,244,400.00 for a term of three years in a total amount not to exceed \$23,762,700.00.

**Section 2.** That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for ferric sulfate to be used in the water purification process. If a written contract is required or requested for any or all purchases of ferric sulfate to be used in the water purification process under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

**Section 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$23,762,700.00.

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



## AGENDA ITEM # 8

**KEY FOCUS AREA:** E-Gov

**AGENDA DATE:** May 13, 2015

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

**DEPARTMENT:** Office of Financial Services

**CMO:** Jeanne Chipperfield, 670-7804

**MAPSCO:** N/A

---

### **SUBJECT**

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, 2015 Dallas Annual Rate Review (DARR) filing - Financing: No cost consideration to the City

### **BACKGROUND**

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, 2015, Atmos filed its rate increase request under the DARR tariff. In its filing, Atmos requested an increase in annual revenue of \$7.1 million from within the City of Dallas. Atmos requested that the new rates become effective June 1, 2015.

On December 10, 2014, 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 \$4.7 million from within the City of Dallas and reimbursement of the City's expenses in reviewing the filing.

The rates as negotiated, are fair and reasonable for the citizens of Dallas and equitable for Atmos.



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

Resolution No. 14-2104 dated December 10, 2014, authorized a consulting contract with Diversified Utility Consultants.

Briefed to Budget, Finance and Audit Committee on April 20, 2015.

**FISCAL INFORMATION**

No cost consideration to the City.



May 13, 2015

**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 \$7,143,761 annual increase applicable to Dallas customers on January 15, 2015 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 \$4,700,000 to customers within the City of Dallas to settle and resolve the 2015 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**, Atmos and the City of Dallas have agreed that Atmos has fulfilled the requirements contained in Section 4: Accounting Requirements of Ordinance No. 28026, and that any issues concerning the proper treatment of those requirements are resolved; 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 9-30-14" filed by Atmos Energy Corp. on January 15, 2015, 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, 2015.

**Section 3.** 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 4.** 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



<b>RATE SCHEDULE:</b>	<b>R – RESIDENTIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2015</b>	<b>PAGE: 39</b>

**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:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$19.00 per month
Commodity Charge – All Ccf	\$ 0.08651 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.



<b>RATE SCHEDULE:</b>	<b>C – COMMERCIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2015</b>	<b>PAGE 40</b>

**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:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 38.25 per month
Commodity Charge - All Ccf	\$ 0.06778 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.



<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2015</b>	<b>PAGE 41</b>

**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:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 690.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.1735 per MMBtu
Next 3,500 MMBtu	\$ 0.1262 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0200 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.



<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2015</b>	<b>PAGE 42</b>

**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.



<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2015</b>	<b>PAGE 43</b>

**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:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 690.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.1735 per MMBtu
Next 3,500 MMBtu	\$ 0.1262 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0200 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.



<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2015</b>	<b>PAGE 44</b>

**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.



**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>SUR-DEPRECIATION REGULATORY ASSET SURCHARGE</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2014</b>	<b>PAGE 54</b>

**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.



**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>06/01/2015</b>	<b>PAGE 52</b>

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:

$$WNAF_i = R_i \frac{(HSF_i \quad (NDD-ADD) \quad )}{(BL_i \quad + \quad (HSF_i \times ADD) \quad )}$$

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:

$$WNA_j = WNAF_i \times q_{ij}$$

Where  $q_{ij}$  is the relevant sales quantity for the  $j^{th}$  customer in  $i^{th}$  rate schedule.



**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>Customers within the City of Dallas</b>	
<b>EFFECTIVE DATE:</b>	<b>06/01/2015</b>	<b>PAGE 53</b>

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	14.24	.2122	225.05	.9827







**AGENDA ITEM # 9**

**KEY FOCUS AREA:** E-Gov  
**AGENDA DATE:** May 13, 2015  
**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 27, 2015 to receive comments on the FY 2015-16 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 13, 2015

**WHEREAS**, the City Council is committed to providing the citizens of Dallas with the opportunity to speak on the City's FY 2015-16 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 2015-16 Operating, Capital, and Grant / Trust budgets will be held on May 27, 2015 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.



## AGENDA ITEM # 10

**KEY FOCUS AREA:** Culture, Arts and Recreation and Educational Enhancements

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Park & Recreation

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

**MAPSCO:** 21B H M 22E J N

---

### SUBJECT

Authorize Supplemental Agreement No. 2 to the construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd. for credit for deleted scope of work at the L.B. Houston Sports Complex located at 11223 Luna Road - Not to exceed (-\$177,294), from \$5,167,941 to \$4,990,647 - Financing: 2003 Bond Funds (-\$21,074) and 2006 Bond Funds (-\$156,220)

### BACKGROUND

The original contract with Rogers-O'Brien Construction Company, Ltd. was authorized by Council on February 22, 2012, by Resolution No. 12-0558, for a construction manager at risk contract for **(a)** improvements at Elm Fork Gun Range; **(b)** tennis court renovations at L.B. Houston Tennis Center; **(c)** renovation of the L.B. Houston Golf Course including erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, driving range improvements and landscaping; and **(d)** upgrade of the existing golf course clubhouse at Luna Vista Golf Course, in an amount not to exceed \$4,770,259.00.

Supplemental Agreement No. 1, was authorized by Council on June 27, 2012, by Resolution No. 12-1635, for additional scope items for the clubhouse including a new canopy, porch and miscellaneous changes to the golf course for the L.B. Houston Sports Complex, in an amount not to exceed \$397,681.18, making a revised contract amount of \$5,167,940.18.

This action will authorize Supplemental Agreement No. 2 to the construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd., in a deductive amount of (-\$177,293.32), decreasing the contract from \$5,167,940.18 to \$4,990,646.86, for credit for the deletion of paving and utilities at the Elm Fork Gun Range at the L.B. Houston Sports Complex. The credit will be used to fund the scope that was deleted in a future contract award.



## **ESTIMATED SCHEDULE OF PROJECT**

Began Construction            March 2012  
Complete Construction       June 2015

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

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

City Council authorized award of the contract on February 22, 2012, by Resolution No. 12-0558.

The Park and Recreation Board authorized Supplemental Agreement No. 1 on June 7, 2012.

City Council authorized Supplemental Agreement No. 1 on June 27, 2012, by Resolution No. 12-1635.

The Park and Recreation Board authorized Supplemental Agreement No. 2 on April 16, 2015.

## **FISCAL INFORMATION**

2003 Bond Funds - (-\$21,074.00)  
2006 Bond Funds - (-\$156,219.32)

Construction Manager Contract	\$4,770,259.00
Supplemental Agreement No. 1	\$397,681.18
Supplemental Agreement No. 2 (this action)	<u><u>(-\$177,293.32)</u></u>
Total	\$4,990,646.86

## **M/WBE INFORMATION**

See attached.

## **ETHNIC COMPOSITION**

Rogers-O'Brien Construction Company, Ltd.

White Male	158	White Female	19
Black Male	10	Black Female	1
Hispanic Male	81	Hispanic Female	4
Other Male	2	Other Female	1



**OWNER**

**Rogers-O'Brien Construction Company, Ltd.**

Preston McAfee, President  
Justin McAfee, Vice President

**MAP**

Attached



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

**PROJECT:** Authorize Supplemental Agreement No. 2 to the construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd. for credit for deleted scope of work at the L.B. Houston Sports Complex located at 11223 Luna Road - Not to exceed (-\$177,294), from \$5,167,941 to \$4,990,647 - Financing: 2003 Bond Funds (-\$21,074) and 2006 Bond Funds (-\$156,220)

Rogers-O'Brien Construction Company, Ltd. 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	(\$177,293.32)	100.00%
Non-local contracts	\$0.00	0.00%
<b>TOTAL THIS ACTION</b>	<b>(\$177,293.32)</b>	<b>100.00%</b>

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

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

None

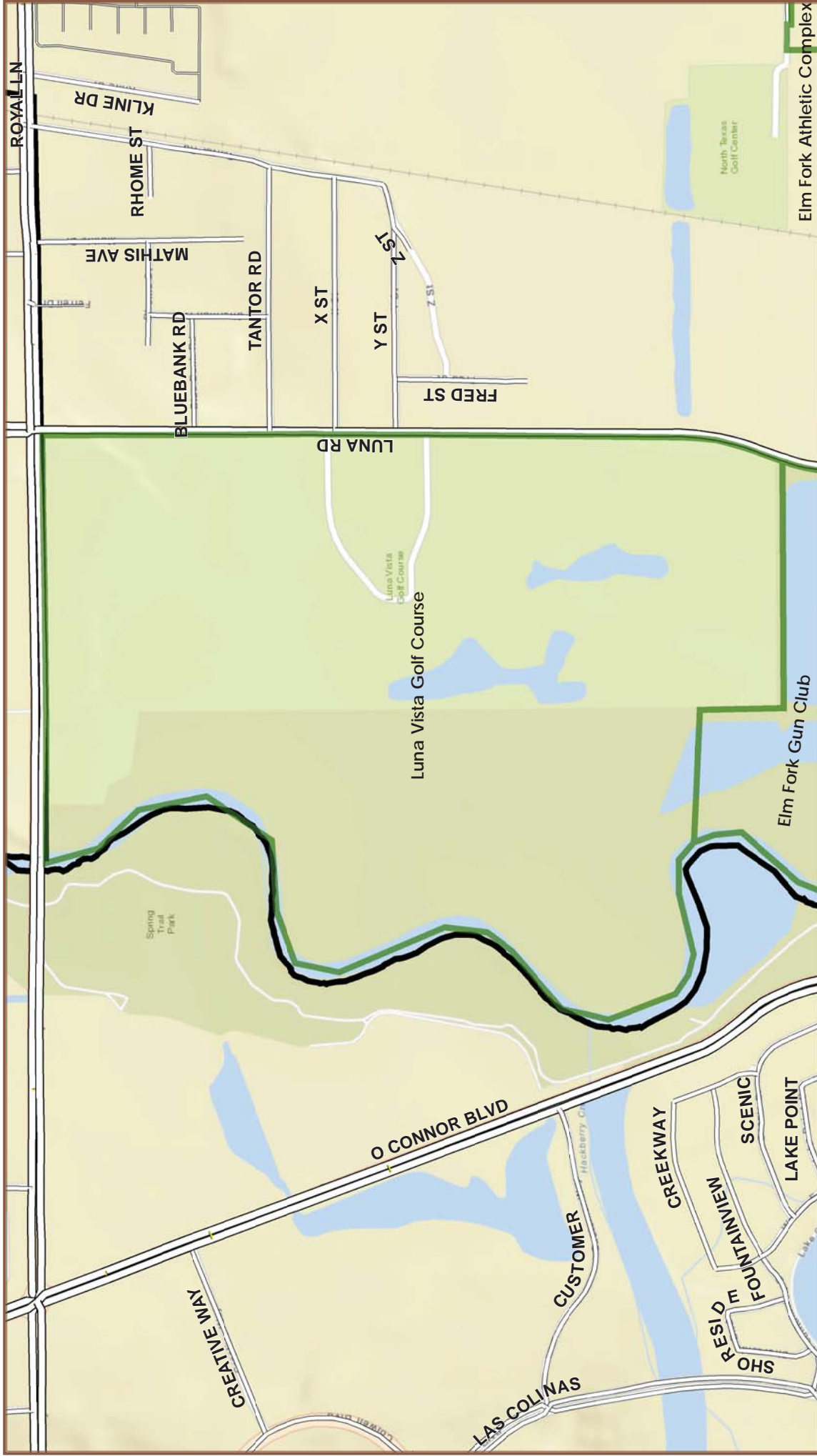
#### **Non-Local Contractors / Sub-Contractors**

None

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

	<b><u>This Action</u></b>		<b><u>Participation to Date</u></b>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$144,667.19	2.90%
Hispanic American	\$0.00	0.00%	\$1,238,225.03	24.81%
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%	\$89,823.00	1.80%
<b>Total</b>	<b>\$0.00</b>	<b>0.00%</b>	<b>\$1,472,715.22</b>	<b>29.51%</b>





# L.B. Houston Sports Complex (11223 Luna Road)

21B H M  
22 E J N

District  
6

April 16, 2015







May 13, 2015

**WHEREAS**, on February 22, 2012, by Resolution No. 12-0558, Rogers-O'Brien Construction Company, Ltd. was awarded a contract for a construction manager at risk contract for **(a)** improvements at Elm Fork Gun Range; **(b)** tennis court renovations at L.B. Houston Tennis Center; **(c)** renovation of the L.B. Houston Golf Course including erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, driving range improvements and landscaping; and **(d)** upgrade of the existing golf course clubhouse at Luna Vista Golf Course, in an amount not to exceed \$4,770,259.00; and

**WHEREAS**, on June 27, 2012, by Resolution No. 12-1635 authorized Supplemental Agreement No. 1 to the construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd. for additional scope items for the clubhouse including a new canopy, porch and miscellaneous changes to the golf course for the L.B. Houston Sports Complex, in an amount not to exceed \$397,681.18, increasing the contract amount from \$4,770,259.00 to \$5,167,940.18; and

**WHEREAS**, this action will authorize Supplemental Agreement No. 2 to the construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd., in a deductive amount of (-\$177,293.32), thereby decreasing the contract amount from \$5,167,940.18 to \$4,990,646.86, for credit for the deletion of paving and utilities at the Elm Fork Gun Range at the L.B. Houston Sports Complex.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to enter in to Supplemental Agreement No. 2 to the construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd. for a credit for the deletion of paving and utilities at the Elm Fork Gun Range at L.B. Houston Sports Complex, in a deductive amount of (-\$177,293.32), decreasing the contract amount from \$5,167,940.18 to \$4,990,646.86.

**SECTION 2.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute Supplemental Agreement No. 2 to the construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd., after approval as to form by the City Attorney.



May 13, 2015

**SECTION 3.** That the Chief Financial Officer is hereby authorized to reduce encumbrances in the amount not to exceed (-\$177,293.32) to Rogers-O'Brien Construction Company, Ltd., as follows:

(2003) Neighborhood Park and Recreation Facilities Funds  
Fund 4R05, Department PKR, Unit K100, Object 4599  
Activity CWPK, Program PK06T046.6, CT-PKR12019310.2  
Commodity 91200, Vendor VS0000051554 (-\$7,905.00)

(2003) Neighborhood Park and Recreation Facilities Funds  
Fund 5R05, Department PKR, Unit K100, Object 4599  
Activity CWPK, Program PK06T046.6, CT-PKR12019310.2  
Commodity 91200, Vendor VS0000051554 (-\$10,319.00)

(2003) Neighborhood Park and Recreation Facilities Funds  
Fund 6R05, Department PKR, Unit K100, Object 4599  
Activity CWPK, Program PK06T046.6, CT-PKR12019310.2 (-\$2,850.00)

(2006) Park and Recreation Facilities Improvement Funds  
Fund 1T00, Department PKR, Unit T046, Object 4599  
Activity CCSS, Program PK06T046.6, CT-PKR12019310.1  
Commodity 91200, Vendor VS0000051554 (-\$86,198.17)

(2006) Park and Recreation Facilities Improvement Funds  
Fund 1T00, Department PKR, Unit P685, Object 4599  
Activity MAPK, Program PKP685, CT-PKR12019310.1  
Commodity 91200, Vendor VS0000051554 (-\$70,021.15)

Total amount not to exceed (-\$177,293.32)

**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 # 11

**KEY FOCUS AREA:** Public Safety

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Police

**CMO:** Eric Campbell, 670-3255

**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 28, 2015 through June 6, 2015 in the amount of \$59,964; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$17,360; and **(3)** execution of the grant agreement - Total not to exceed \$77,324 - Financing: Current Funds (\$17,360) and Texas Department of Transportation Grant Funds (\$59,964)

### BACKGROUND

The Texas Department of Transportation (TXDOT) issued an award notification to the Dallas Police Department on 4/14/2015. This award period has been granted for April 28, 2015 through June 6, 2015. TXDOT requires approval from City Council for acceptance of this grant award before funds can be issued for this program. 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 28, 2015 through June 6, 2015 (enforcement period).

### 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 May 9, 2012, by Resolution No. 12-1267.

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.



**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 14, 2014, by Resolution No. 14-0756.

The Public Safety Committee was briefed on April 27, 2015.

**FISCAL INFORMATION**

\$59,964 - Texas Department of Transportation Grant Funds

\$17,360 - Current Funds







May 13, 2015

**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 28, 2015 through June 6, 2015; and

**WHEREAS**, the "Click It or Ticket" Mobilization Grant will provide \$59,964; and

**WHEREAS**, the City of Dallas contributes pension and FICA costs of \$17,360; 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 is hereby authorized to apply for and accept the "Click It or Ticket" Mobilization Grant, 2015-Dallas-CIOT-00054, from the Texas Department of Transportation through a grant from the National Highway Traffic Safety Administration (CFDA# 20.616, Contract Number 585EGF6469) for the safety belt enforcement initiative for the period April 28, 2015 through June 6, 2015 in an amount not to exceed \$59,964.

**Section 2.** That the Chief Financial Officer is hereby authorized to receive and deposit grant funds into Fund F452, Department DPD, Unit 1748, Revenue Source Code 6506, in an amount not to exceed \$59,964.

**Section 3.** That the City Manager is hereby authorized to establish the appropriation in the Click It or Ticket Mobilization Grant funds in the amount of \$59,964, in Fund F452, Department DPD, Unit 1748 Object Code 3090.

**Section 4.** That the Chief Financial Officer is authorized to reimburse funds in an amount not to exceed \$59,964 from Fund F452, Department DPD, Unit 1748, Object Code 3090 to Fund 0001, Department DPD, Unit 2127, Object Code 5011 after the expenditure of overtime in Fund 0001, Department DPD, Unit 2127, Object Code 1202.

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

**Section 6.** That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.



May 13, 2015

**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 ITEMS # 12,13

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 10, 12

**DEPARTMENT:** Public Works Department  
Water Utilities

**CMO:** Jill A. Jordan, P.E., 670-5299  
Mark McDaniel, 670-3256

**MAPSCO:** 5M R 17R Q 27A L

---

### SUBJECT

#### **Street Reconstruction Group 12-635**

- \* Authorize a contract with Jeske Construction Company, lowest responsible bidder of six, for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Reconstruction Group 12-635 (list attached) - Not to exceed \$3,745,189 - Financing: General Obligation Commercial Paper Funds (\$2,223,482), 2006 Bond Funds (\$603,185), Water Utilities Capital Improvement Funds (\$782,132) and Water Utilities Capital Construction Funds (\$136,390)
- \* Authorize a professional services contract with Kleinfelder Central, Inc., to provide construction material testing for the Street Reconstruction Group 12-635 project - Not to exceed \$71,861 - Financing: General Obligation Commercial Paper Funds (\$4,035), 2006 Bond Funds (\$28,245) and 2012 Bond Funds (\$39,581)

#### **BACKGROUND**

Street Reconstruction Group 12-635 was approved in the 2012 Bond Program. On September 25, 2013, Resolution No. 13-1731 authorized a professional services contract with AECOM Technical Services, Inc. for engineering design services. This action will authorize a construction contract for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Reconstruction Group 12-635 which consists of Carthage Lane, from Chandler Drive to Buckingham Road; Chandler Drive, from Carthage Lane to Carthage Lane; Dahman Circle, from Church Road to end of pavement; Heatherdale Drive, from Dove Meadow Drive to Abrams Road; and a street reconstruction thoroughfare project on Hillcrest Road, from Wester Way to McKamy Boulevard.



## **BACKGROUND** (Continued)

This action will also authorize a professional services contract for the material testing services for Street Reconstruction Group 12-635. Material testing services will be performed during the construction of the Street Reconstruction Group 12-635. These testing services are required to assure that the material utilized during construction is in conformance with the quality required by the project specifications.

Kleinfelder Central, Inc. has successfully performed numerous projects within several previous master agreement contracts for construction material testing services and geo-technical investigations within the City of Dallas for several City Departments.

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

	<b><u>PBW</u></b>	<b><u>WTR</u></b>	<b><u>PKR</u></b>
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	December 2013
Completed Design	December 2014
Begin Construction	April 2015
Complete Construction	April 2016

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

Authorized a professional services contract for engineering design services on September 25, 2013, by Resolution No. 13-1731.



## **FISCAL INFORMATION**

### **Jeske Construction Company**

2006 Bond Funds - \$603,185.00

2012 Bond Program (General Obligation Commercial Paper Funds) - \$2,223,482.00

Water Utilities Capital Improvement Funds - \$782,132.00

Water Utilities Capital Construction Funds - \$136,390.00

Design - PBW	\$ 347,250.90
Design - DWU	\$ 64,170.00
Construction (this action)	
Paving & Drainage - PBW	\$2,826,667.00
Water and Wastewater - DWU	<u>\$ 918,522.00</u>
Total Project Cost	\$4,156,609.90

<b><u>Council District</u></b>	<b><u>Amount</u></b>
10	\$2,722,127.00
12	<u>\$1,023,062.00</u>
Total	\$3,745,189.00

### **Kleinfelder Central, Inc.**

2006 Bond Funds - \$28,245.39

2012 Bond Funds - \$39,580.50

2012 Bond Program (General Obligation Commercial Paper Funds) - \$4,035.06

<b><u>Council District</u></b>	<b><u>Amount</u></b>
10	\$ 15,015.95
12	<u>\$ 56,845.00</u>
Total	\$ 71,860.95

## **M/WBE INFORMATION**

See attached.



## **ETHNIC COMPOSITION**

### **Jeske Construction Company**

Hispanic Female	0	Hispanic Male	16
African-American Female	0	African-American Male	4
Other Female	0	Other Male	0
White Female	1	White Male	5

### **Kleinfelder Central, Inc.**

African-American Female	0	African-American Male	4
Hispanic Female	0	Hispanic Male	5
White Female	12	White Male	25
Other Female	0	Other Male	6

## **BID INFORMATION**

The following bids with quotes were received and opened on January 15, 2015:

\*Denotes successful bidder(s)

### **BIDDERS**

### **BID AMOUNT**

*Jeske Construction Company P. O. Box 59025 Dallas, Texas 75229	\$3,745,189.00
Camino Construction, LP	\$3,908,335.75
SYB Construction Company, Inc.	\$4,278,268.15
Lone Star Civil Construction	\$4,345,760.00
Texas Standard Construction, Ltd.	\$4,428,177.75
FNH Construction LLC	\$4,496,072.50

Original estimate: PBW - \$2,585,431.76  
WTR - \$ 110,545.80

Total \$2,695,977.56



**OWNER(S)**

**Jeske Construction Company**

Steve Jeske, President

**Kleinfelder Central, Inc.**

Aaron Cotton, Jr., Senior Project Manager

**MAP(S)**

Attached.



### Street Reconstruction Group 12-635

<b><u>Project</u></b>	<b><u>Limits</u></b>	<b><u>Council District</u></b>
Carthage Lane	Chandler Drive to Buckingham Road	10
Chandler Drive	Carthage Lane to Carthage Lane	10
Dahman Circle	Church Road to End of Pavement	10
Heatherdale Drive	Dove Meadow Drive to Abrams Road	10
Hillcrest Road	Wester Way to McKamy Boulevard	12



## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a contract with Jeske Construction Company, lowest responsible bidder of six, for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Reconstruction Group 12-635 (list attached) - Not to exceed \$3,745,189 - Financing: General Obligation Commercial Paper Funds (\$2,223,482), 2006 Bond Funds (\$603,185), Water Utilities Capital Improvement Funds (\$782,132) and Water Utilities Capital Construction Funds (\$136,390)

Jeske Construction Company 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	\$3,740,970.00	99.89%
Total non-local contracts	\$4,219.00	0.11%
<b>TOTAL CONTRACT</b>	<b>\$3,745,189.00</b>	<b>100.00%</b>

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

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Logan Trucking Inc.	BMMB63584N1116	\$15,000.00	0.40%
Flow Line Utilities	HMMB64155N0217	\$980,000.00	26.20%
Woe Construction	WFWB2300N0515	\$8,000.00	0.21%
<b>Total Minority - Local</b>		<b>\$1,003,000.00</b>	<b>26.81%</b>

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

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
MMG Building & Const.	WFWB6284N0616	\$2,759.00	65.39%
Buyers Barricades	WFDB61106Y0415	\$1,460.00	34.61%
<b>Total Minority - Non-local</b>		<b>\$4,219.00</b>	<b>100.00%</b>



**TOTAL M/WBE CONTRACT PARTICIPATION**

	<b><u>Local</u></b>	<b><u>Percent</u></b>	<b><u>Local &amp; Non-Local</u></b>	<b><u>Percent</u></b>
African American	\$15,000.00	0.40%	\$15,000.00	0.40%
Hispanic American	\$980,000.00	26.20%	\$980,000.00	26.17%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$8,000.00	0.21%	\$12,219.00	0.33%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$1,003,000.00	26.81%	\$1,007,219.00	26.89%



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

**PROJECT:** Authorize a professional services contract with Kleinfelder Central, Inc., to provide construction material testing for the Street Reconstruction Group 12-635 project - Not to exceed \$71,861 - Financing: General Obligation Commercial Paper Funds (\$4,035), 2006 Bond Funds (\$28,245) and 2012 Bond Funds (\$39,581)

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

**PROJECT CATEGORY:** Architecture & Engineering

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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$71,860.95	100.00%
Total non-local contracts	\$0.00	0.00%
<b>TOTAL CONTRACT</b>	<b>\$71,860.95</b>	<b>100.00%</b>

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

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

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alliance Geotechnical Group	BMDB6394Y0116	\$18,439.52	25.66%
<b>Total Minority - Local</b>		<b>\$18,439.52</b>	<b>25.66%</b>

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

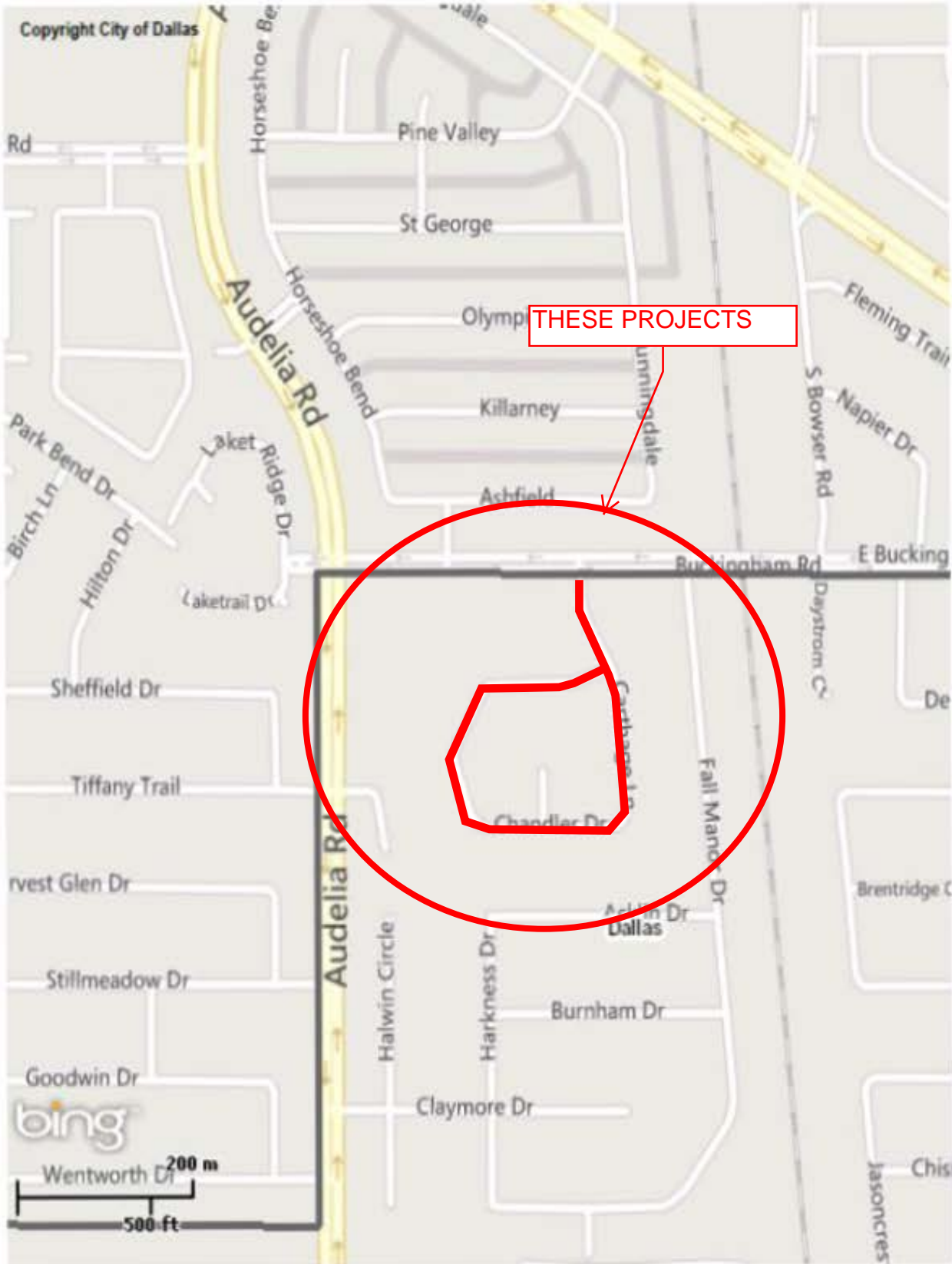
None

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

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$18,439.52	25.66%	\$18,439.52	25.66%
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%
<b>Total</b>	<b>\$18,439.52</b>	<b>25.66%</b>	<b>\$18,439.52</b>	<b>25.66%</b>



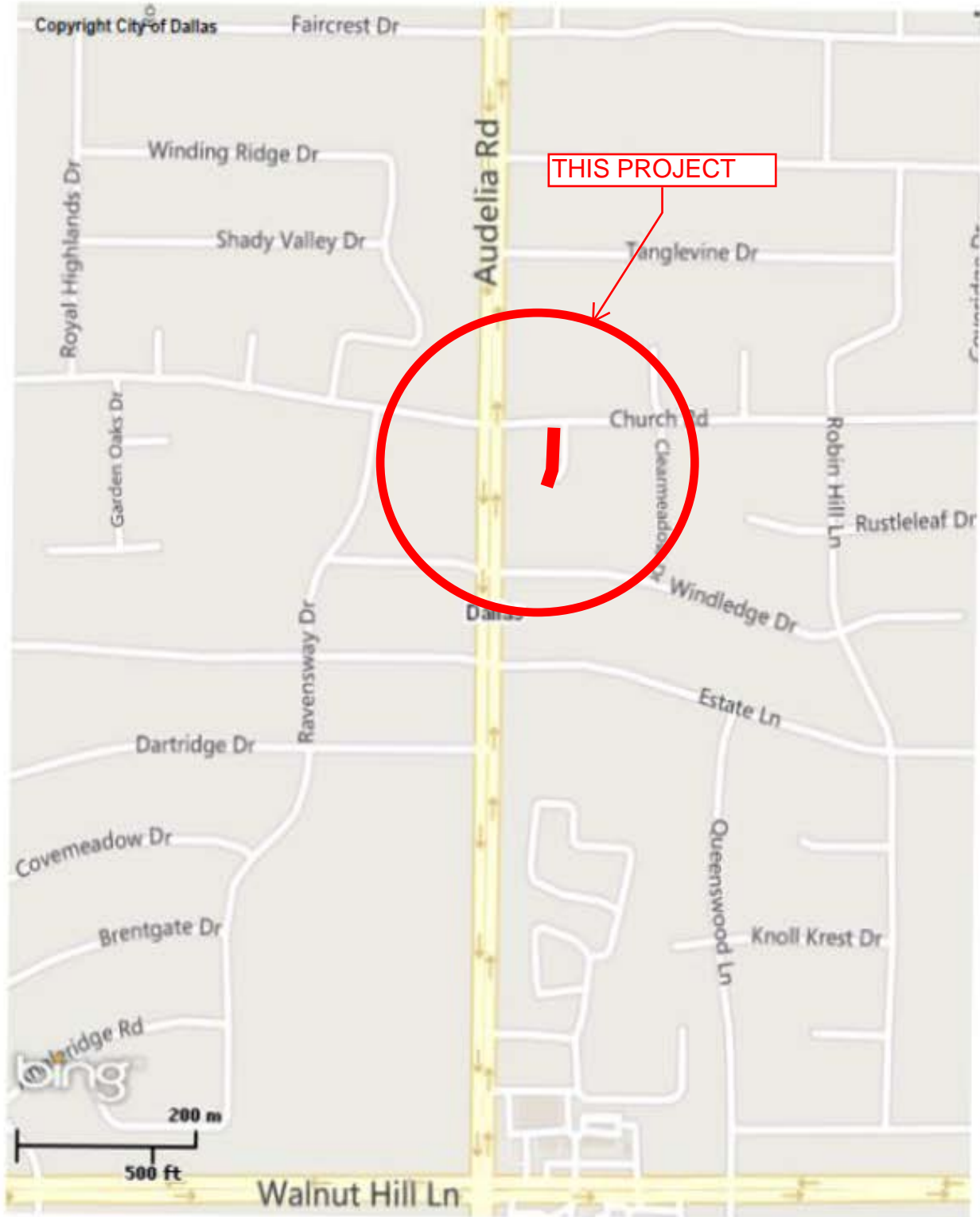
STREET GROUP 12-635  
CHANDLER DRIVE FROM CARTHAGE LANE TO CARTHAGE LANE  
CARTHAGE LANE FROM CHANDLER DRIVE TO BUCKINGHAM ROAD



MAPSCO 17R & 17Q



STREET GROUP 12-635  
DAHMAN CIRCLE FROM CHURCH ROAD TO END OF PAVEMENT

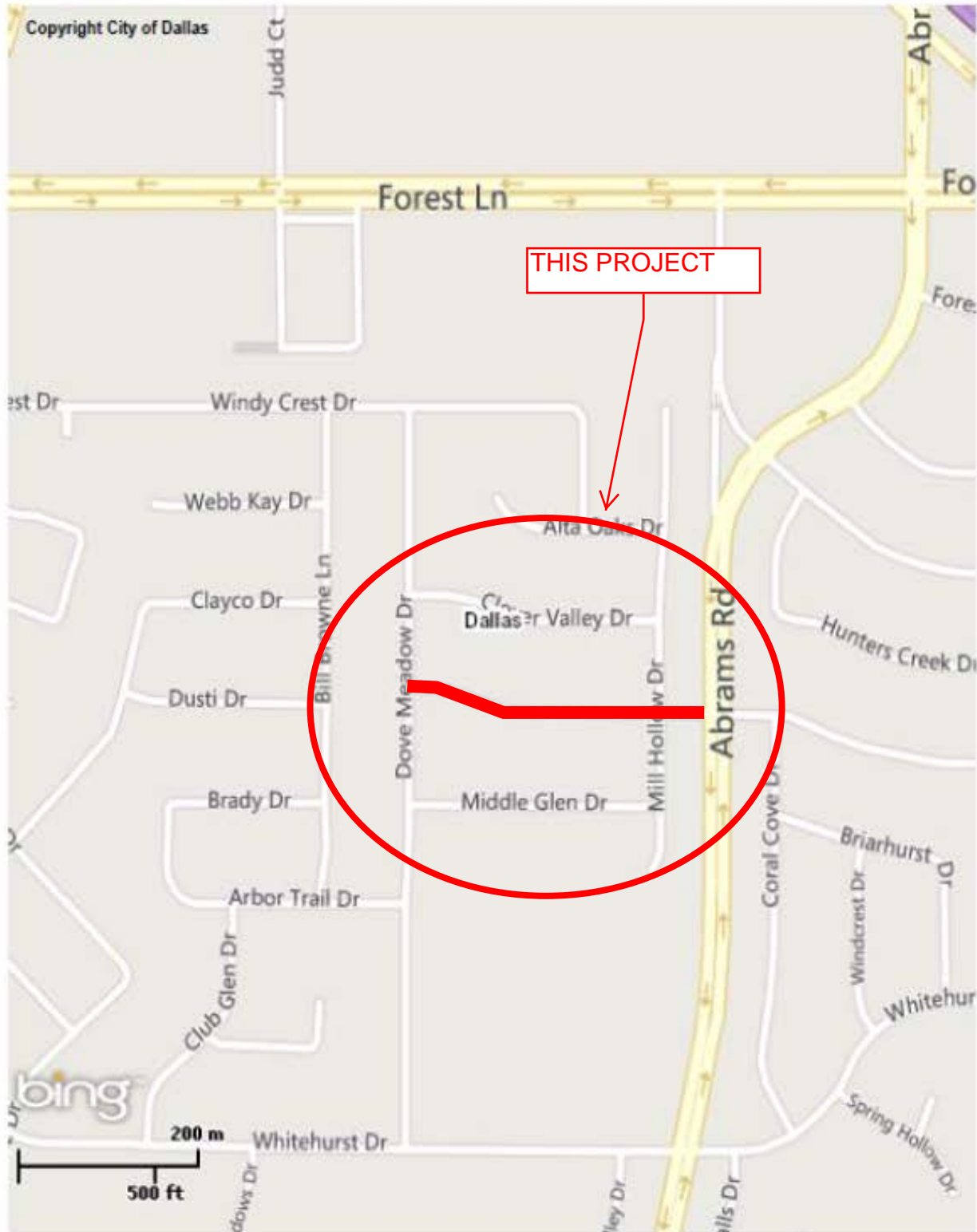


MAPSCO 27L



STREET GOUP 12-635

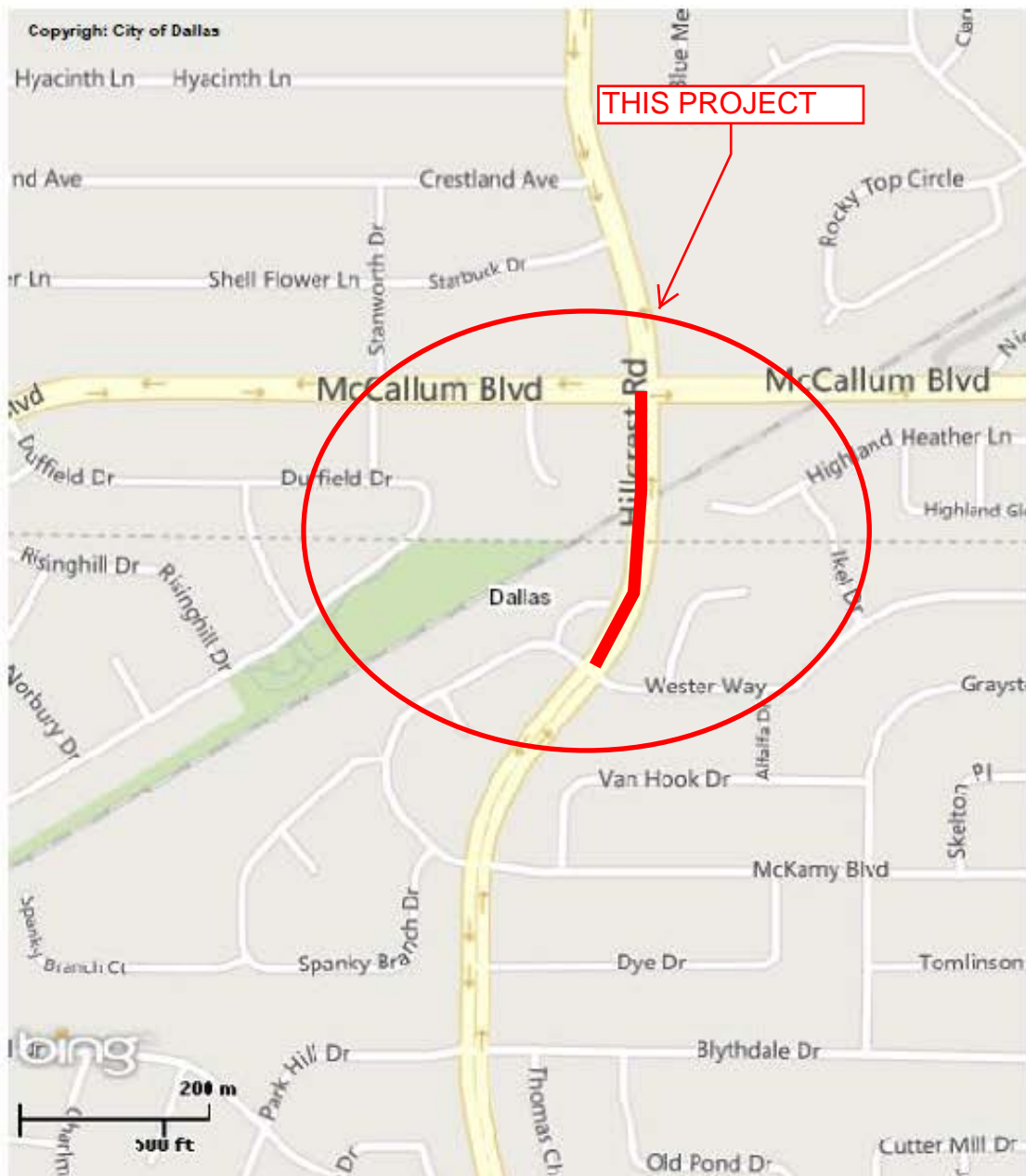
HEATHERDALE DRIVE FROM DOVE MEADOW DRIVE TO ABRAMS ROAD



MAPSCO 27A



STREET GROUP 12-635  
HILLCREST ROAD FROM WESTER WAY TO MCKAMY BOULEVARD



MAPSCO 5M &5R



May 13, 2015

**WHEREAS**, on September 25, 2013, Resolution No. 13-1731 authorized a professional services contract with AECOM Technical Services, Inc. for the engineering design services for Street Reconstruction Group 12-635; and,

**WHEREAS**, bids were received on January 15, 2015, for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Reconstruction Group 12-635, as follows:

<b><u>BIDDERS</u></b>	<b><u>BID AMOUNT</u></b>
Jeske Construction Company	\$3,745,189.00
Camino Construction, LP	\$3,908,335.75
SYB Construction Company, Inc.	\$4,278,268.15
Lone Star Civil Construction	\$4,345,760.00
Texas Standard Construction, Ltd.	\$4,428,177.75
FNH Construction LLC	\$4,496,072.50

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to enter into a contract with Jeske Construction Company for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Reconstruction Group 12-635 in an amount not to exceed \$3,745,189.00, this being the lowest responsible bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

**Section 2.** That the Chief Financial Officer 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 S430, Act. SREC Obj. 4510, Program #PB12S430, CT PBW12S314F1 Vendor #083791, in amount not to exceed	\$ 117,318.00
---	---------------

Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S430, Act. SREC Obj. 4510, Program #PB12S430, CT PBW12S314F1 Vendor #083791, in amount not to exceed	\$ 269,960.00
---	---------------



May 13, 2015

Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S431, Act. SREC Obj. 4510, Program #PB12S431, CT PBW12S314F1 Vendor #083791, in amount not to exceed	\$ 782,256.00
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S432, Act. SREC Obj. 4510, Program #PB12S432, CT PBW12S314F1 Vendor #083791, in amount not to exceed	\$ 149,007.00
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S434, Act. SREC Obj. 4510, Program #PB12S434, CT PBW12S314F1 Vendor #083791, in amount not to exceed	\$ 498,829.00
Street and Transportation Improvements Fund Fund 2T22, Department PBW, Unit S314, Act. SREC Obj. 4510, Program #PB12S314, CT PBW12S314F1 Vendor #083791, in amount not to exceed	\$ 485,867.00
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S314, Act. SREC Obj. 4510, Program #PB12S314, CT PBW12S314F1 Vendor #083791, in amount not to exceed	\$ 523,430.00
Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42 Obj. 4550, Program #715047, CT PBW715047CP Vendor #083791, in amount not to exceed	\$ 381,952.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Obj. 3221, Program #715047X, CT PBW715047EN Vendor #083791, in amount not to exceed	\$ 80,160.00
Wastewater Capital Improvement Fund Fund 3116, Department DWU, Unit PS42 Obj. 4560, Program #715048, CT PBW715048CP Vendor #083791, in amount not to exceed	\$ 400,180.00



May 13, 2015

Wastewater Construction Fund	
Fund 0103, Department DWU, Unit CS42	
Obj. 3222, Program #715048X, CT PBW715048EN	
Vendor #083791, in amount not to exceed	\$ <u>56,230.00</u>
 Total amount not to exceed	 \$3,745,189.00

**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.



May 13, 2015

**WHEREAS**, it is now necessary to authorize a professional services contract with Kleinfelder Central, Inc. to provide construction material testing services for the Street Reconstruction Group 12-635 construction project in the amount of \$71,860.95.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to execute a professional services contract with Kleinfelder Central, Inc. to provide construction material testing services for the Street Reconstruction Group 12-635 construction project in the amount of \$71,860.95, after it has been approved as to form by the City Attorney.

**Section 2.** That the Chief Financial Officer 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 S314, Act. SREC Object 4113, Program #PB12S314, CT PBW12S314G1 Vendor 041746, in an amount not to exceed	\$15,015.95
---	-------------

Street and Transportation Improvements Fund Fund 2T22, Department PBW, Unit S430, Act. SREC Object 4113, Program #PB12S430, CT PBW12S314G1 Vendor 041746, in an amount not to exceed	\$13,229.44
---	-------------

Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S431, Act. SREC Object 4113, Program #PB12S431, CT PBW12S314G1 Vendor 041746, in an amount not to exceed	\$22,331.41
---	-------------

Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S434, Act. SREC Object 4113, Program #PB12S434, CT PBW12S314G1 Vendor 041746, in an amount not to exceed	\$17,249.09
---	-------------



May 13, 2015

Street and Transportation Improvements Fund  
Fund 3U22, Department PBW, Unit S432, Act. SREC  
Object 4113, Program #PB12S432, CT PBW12S314G1  
Vendor 041746, in an amount not to exceed

\$ 4,035.06

Total in an amount not to exceed

\$71,860.95

**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 # 14**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Sustainable Development and Construction  
Police

**CMO:** Ryan S. Evans, 671-9837  
Eric Campbell, 670-3255

**MAPSCO:** 45G

---

**SUBJECT**

Authorize the termination and release of lease back and lease option rights in favor of the City of Dallas as to certain property located near the intersection of Central Expressway and Watkins Street owned by The Housing Authority of the City of Dallas for police office space - Financing: No cost consideration to the City

**BACKGROUND**

On June 25, 2003, the Dallas City Council authorized the sale of certain property located near the intersection of Central Expressway and Watkins Street to The Housing Authority of the City of Dallas (DHA).

As additional consideration for the sale of the property and as a condition precedent to the City's conveyance of the property, DHA agree to a lease back of a portion of the property to the City for police office space and a lease option in favor of the City of Dallas.

Dallas Police Department (DPD) vacated this property in 2010 and it has since been determined that the leased space and the option are no longer needed by DPD and in order to facilitate DHA's future plans for the property, a release of these lease rights is necessary.

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

Authorized Ordinance No. 25329 on June 25, 2003, by Resolution No. 03-1913.

**FISCAL INFORMATION**

No cost consideration to the City



**OWNER**

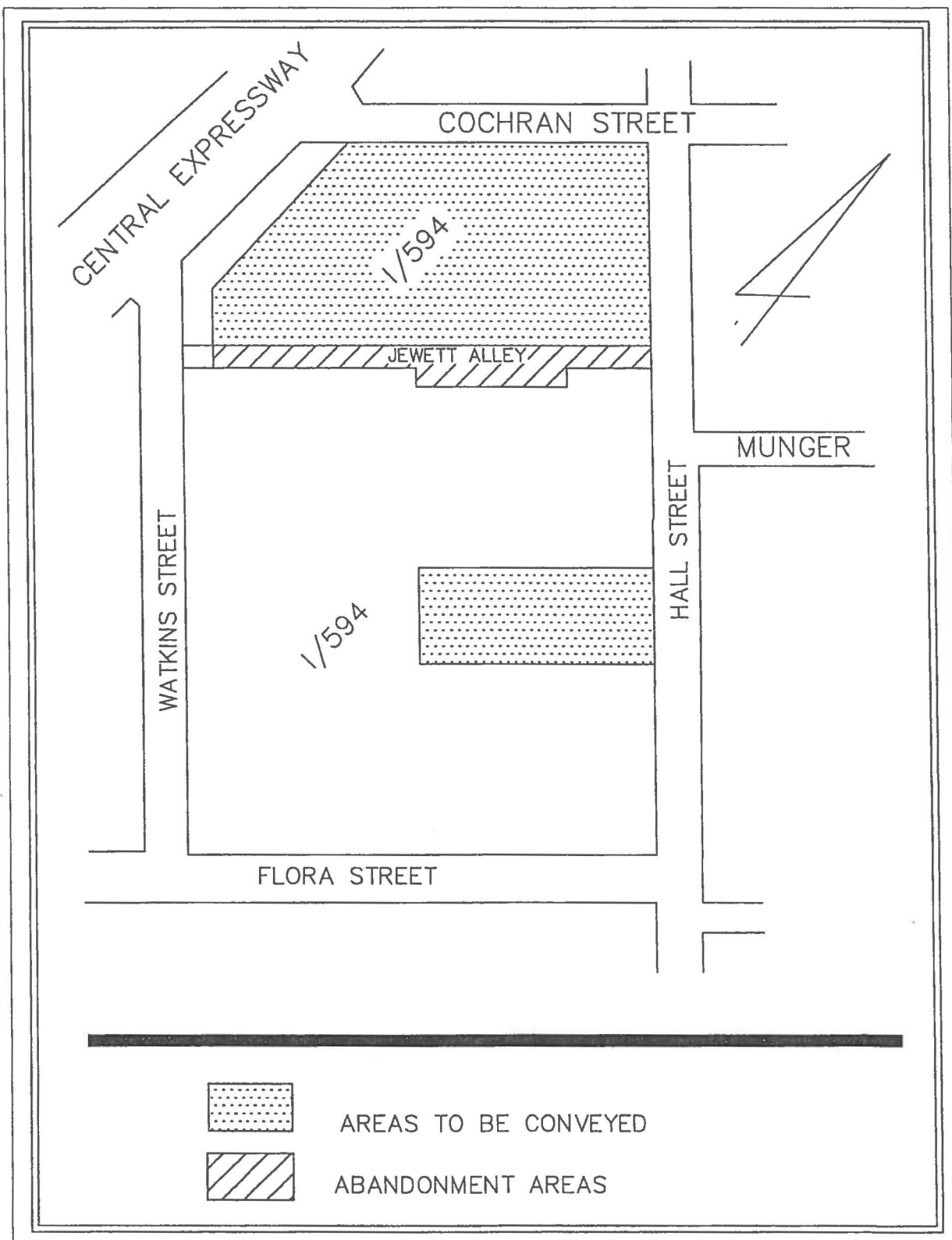
**The Housing Authority of the City of Dallas**

Mary Russ, Chief Executive Officer/President

**MAP**

Attached











May 13, 2015

**WHEREAS**, on June 25, 2003, the City Council of the City of Dallas passed Ordinance No. 25329 (1) authorizing the sale of unneeded tracts of City-owned land; (2) abandoning a portion of alley right-of-way to The Housing Authority of the City of Dallas; and (3) authorizing the conveyance and quitclaim to The Housing Authority of the City of Dallas; and

**WHEREAS**, as additional consideration for the sale of the surplus property and as a condition precedent to the City's conveyance of the property, The Housing Authority was obligated to lease back to the City portions of the property described in Exhibit A, attached hereto and made a part hereof of all purposes, as a site for its storefront office until such time a new building is built for occupancy by the City of Dallas and granted certain lease option rights to the City as provided by the Ordinance; and

**WHEREAS**, the City of Dallas has determined that it no longer needs or desires the storefront property leases; and

**WHEREAS**, the parties desire to terminate and release the lease-related conditions of the Ordinance.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Manager, upon approval as to form by the City Attorney, be and is hereby authorized to terminate and release the condition of a lease back and an option to lease between The Housing Authority of Dallas, a nonprofit corporation and the City of Dallas as provided by Ordinance No. 25329.

**SECTION 2.** That the special terms and conditions of the release are:

- a) The City and The Housing Authority of the City of Dallas to terminate and release any and all lease conditions as provided by Ordinance No. 25329.

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

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

By:   
Assistant City Attorney



## EXHIBIT "A"

### TRACT 1:

BEING all that certain lot, tract or parcel of land situated in the JOHN GRIGSBY SURVEY, A-495, lying in City Block 1/594, including Lot 1, Block 1/594 of HALL STREET-STOREFRONT ADDITION, an Addition to the City of Dallas, Dallas County, Texas, recorded in Volume 93078, Page 2365 of the Map Records of Dallas County, Texas, Jewett Alley, abandoned per City Ordinance 25329, recorded in Volume 2003207, Page 106 of the Deed Records of Dallas County, Texas, and being all of those same tracts of land described in deed to The Housing Authority of the City of Dallas, Texas, recorded in Volume 2000048, Page 4115; Volume 2000052, Page 6751; Volume 2000087, Page 7837; Volume 2001027, Page 3926; Volume 2003207, Page 94; Volume 2003207, Page 100; Volume 2004115, Page 13078; Volume 2004195, Page 7158; Volume 2004195, Page 7162, and Volume 2004195, Page 7166 of the Deed Records of Dallas County, Texas, and said composite tract being more particularly described as follows:

BEGINNING at a cross found at the present intersection of the Southwest R.O.W. line of Hall Street (a 40 foot R.O.W.) "With the Northwest R.O.W. line of Flora Street (a variable width R.O.W.);

THENCE South 44 degrees 59 minutes 09 seconds West, 285.20 feet along the Northwest line of Flora Street to a 1/2 inch iron rod found for corner;

THENCE North 44 degrees 45 minutes 16 seconds West, departing the Northwest line of Flora Street, at 5.00 feet passing the East corner of Lot 2, Block 1/594 of Flora Addition, an addition to the City of Dallas, Texas, recorded in Volume 2002002, Page 39 of the Map Records of Dallas County, Texas, and continuing along the Northeast line of said Lot 2 a total distance of 100.00 feet to a 1/2 inch iron rod found for corner;

THENCE South 44 degrees 59 minutes 09 seconds West, along the Northwest line of said Lot 2, at 65.00 feet passing the West corner of same and continuing for a total distance of 75.00 feet to a 3 inch aluminum disk found for corner in the Northeast R.O.W. line of Watkins Avenue (a variable width R.O.W.);

THENCE North 44 degrees 45 minutes 16 seconds West, 342.46 feet along the Northeast line of Watkins Avenue to a 3/4 inch iron rod set for corner in a Northeasterly line of North Central Expressway (State Highway 75 - a variable width R.O.W.);

THENCE Northerly along the Northeasterly line of North Central Expressway the following:

THENCE North 26 degrees 02 minutes 06 seconds West, 13.88 feet to a 3/4 inch iron rod set for corner;

THENCE North 30 degrees 18 minutes 37 seconds West, 23.16 feet to a txdot monument (broken) found for corner;

THENCE North 01 degree 50 minutes 54 seconds West, 33.93 feet to a txdot monument (broken) found for corner;

THENCE North 25 degrees 49 minutes 46 seconds East, 34.05 feet to a txdot monument found for corner;

THENCE North 34 degrees 06 minutes 00 seconds East, 54.25 feet to a txdot monument (broken) found for corner;

THENCE South 45 degrees 29 minutes 24 seconds West, 109.60 feet to a 3/4 inch iron rod set for corner;

THENCE North 11 degrees 08 minutes 01 second West, 98.99 feet to a txdot monument found for corner;

THENCE North 11 degrees 31 minutes 48 seconds West, 126.48 feet to a txdot monument found for corner in the Southeast R.O.W. line of Cochran Street (a 30 foot R.O.W.);



THENCE North 46 degrees 12 minutes 17 seconds East, 227.46 feet along the Southeast line of Cochran Street to a nail set for corner in the Southwest line of Hall Street;

THENCE South 44 degrees 43 minutes 13 seconds East, 707.96 feet along the Southwest line of Hall Street to the Point of Beginning and containing 233,162.70 square feet or 5.3527 acres of land.

TRACT 2:

BEING a 0.057 acre (2,475 square foot) parcel of land contained within the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas and being part of Block 1/594 of the City of Dallas, Dallas County, Texas, said tract being all of that certain tract of land described in an Agreed Judgment to the State of Texas as recorded in Volume 95049, Page 3420 of the Deed Records of Dallas County, Texas and part of that certain tract of land described in an Agreed Judgment to the State of Texas as recorded in Volume 96150, Page 1586 of the Deed Records of Dallas County, Texas, said 0.057 acre parcel being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the Northeasterly right-of-way line of Watkins Avenue (a variable width right-of-way) at the most Southerly corner of that certain tract of land described in a Special Warranty Deed to The Housing Authority of the City of Dallas, Texas as recorded in Volume 2000048, Page 4115 of the Deed Records of Dallas County, Texas;

THENCE North 46 degrees 19 minutes 51 seconds West, along the Northeasterly right-of-way line of said Watkins Avenue, a distance of 330.37 feet to a 5/8-inch iron rod with yellow plastic cap stamped "Cobb, Fendley & Associates" set for the POINT OF BEGINNING at the most Southerly corner of that certain tract of land described in a Special Warranty Deed to The Housing Authority of the City of Dallas, Texas as recorded in Volume 2001027, Page 3926 of the Deed Records of Dallas County, Texas, said point also being the most Southerly corner of said State of Texas tract (Volume 95049, Page 3420);

1) THENCE North 45 degrees 29 minutes 52 seconds West, along the Southwesterly line of said State of Texas tract passing at a distance of 25.00 feet the most Westerly corner of said State of Texas tract (Volume 95049, Page 3420) and the most Southerly corner of said State of Texas tract (Volume 96150, Page 1586, D.R.D.C.T.) and continuing in all a total distance of 72.85 feet to a P.K. nail with shiner set for corner, said point being the beginning of a Denial of Access Line;

2) THENCE North 13 degrees 14 minutes 24 seconds West, departing the Northerly right-of-way line of said Watkins Avenue and, over, across, and through said State of Texas tract, a distance of 25.54 feet and along the new right-of-way line of U.S. Highway 75 and said Denial of Access Line, to a 5/8-inch iron rod with yellow plastic cap stamped "Cobb, Fendley & Associates" set for corner in the Northwesterly line of said State of Texas tract (Volume 96150, Page 1586), said point also being in the Easterly line of Jewett Alley (abandoned by City Ordinance No. 25329, as recorded in Volume 2003207, Page 106, Deed Records of Dallas County, Texas), said point also being the end of said Denial of Access Line;

3) THENCE North 44 degrees 30 minutes 42 seconds East, along the Northwesterly line of said State of Texas tract and the Southeasterly line of said Jewett Alley, a distance of 108.62 feet to a broken TxDOT Type II Monument found for corner, said point being the most Northerly corner of said State of Texas tract;

4) THENCE South 33 degrees 07 minutes 18 seconds West, departing the Southeasterly line of said Jewett Alley and along the Easterly line of said State of Texas tract, a distance of 54.25 feet to a TxDOT Type II Monument found for corner;

5) THENCE South 24 degrees 51 minutes 04 seconds West, continuing along the Easterly line of said State of Texas tract, a distance of 34.05 feet to a TxDOT Type II Monument (stem only) found for corner;

6) THENCE South 02 degrees 49 minutes 36 seconds East, continuing along the Easterly line of said State of Texas tract, a distance of 33.93 feet to a broken TxDOT Type II Monument found for corner;



7) THENCE South 31 degrees 17 minutes 19 seconds East, continuing along the Easterly line of said State of Texas tract, a distance of 23.16 feet to a TxDOT Type II Monument found for corner, said point being the most easterly Southeast corner of said State of Texas tract (Volume 96150, Page 1586) and the most Northerly corner of said State of Texas tract (Volume 95049, Page 3420);

8) THENCE South 27 degrees 00 minutes 48 seconds East, along the Easterly line of said State of Texas tract, a distance of 26.23 feet to the POINT OF BEGINNING, containing 0.057 acre (2,475 square feet) of land, more or less.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.



## AGENDA ITEM # 15

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 671-9837  
**MAPSCO:** 45K

---

### **SUBJECT**

An ordinance granting a revocable license to Crow Family Foundation, Inc. for the use of approximately 120 square feet of land to use and maintain three existing sculptures on a portion of Flora Street, located near its intersection with Olive Street - Revenue: \$5,400 one-time fee, plus the \$20 ordinance publication fee

### **BACKGROUND**

This item grants a revocable license for the use and maintenance of three existing sculptures on a portion of Flora Street. The use of this area will not impede pedestrian or vehicular traffic.

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

### **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

Authorized Ordinance No. 27967 on August 25, 2010.

### **FISCAL INFORMATION**

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



**OWNER**

**Crow Family Foundation, Inc.**

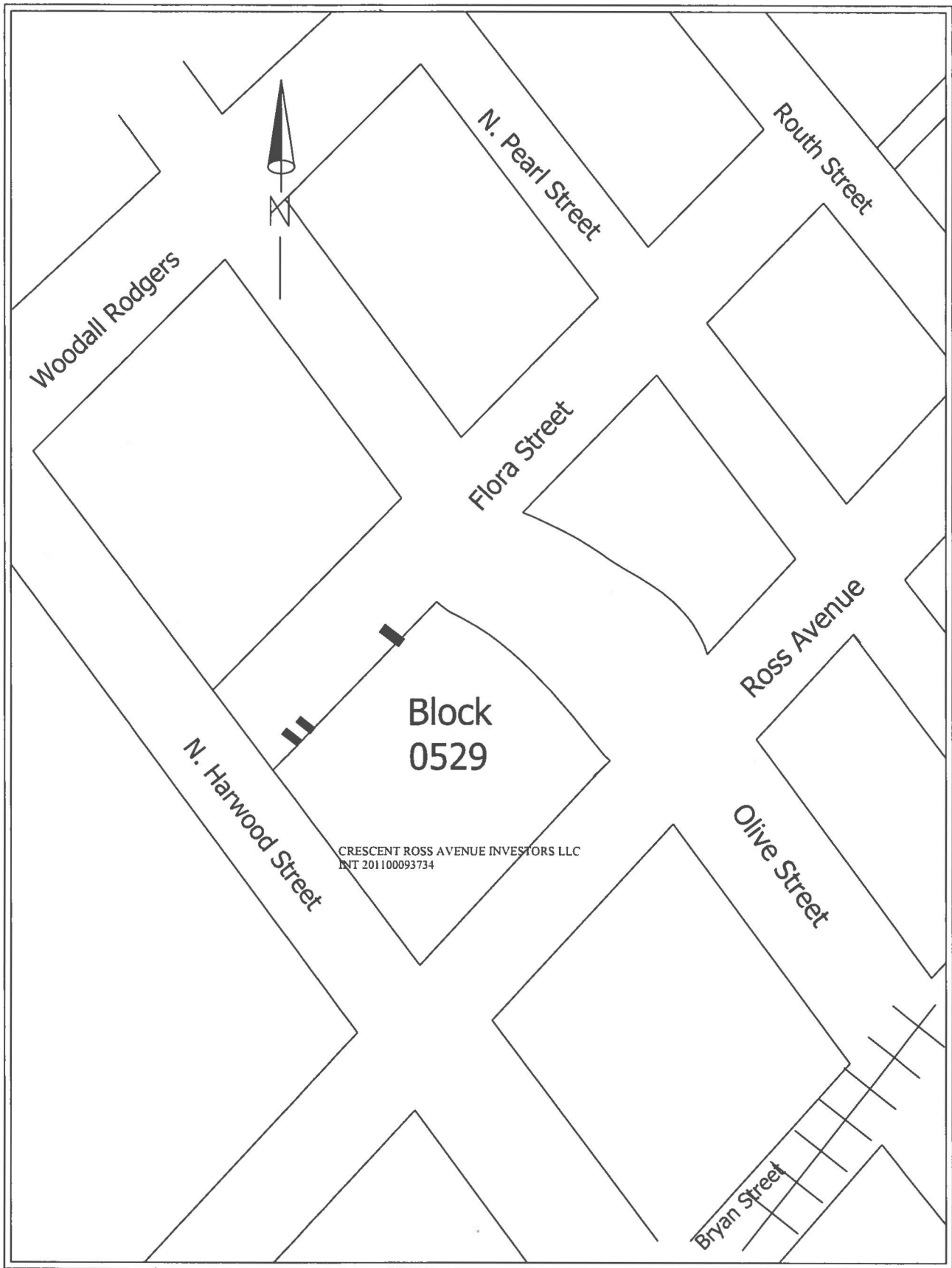
Trammel S. Crow, President

**MAP**

Attached



# MAPSCO 45K



Subject Area ■



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

An ordinance granting a revocable license to Crow Family Foundation, Inc. to occupy, maintain and utilize portions of Flora Street right-of-way located near the intersection of Flora Street and Olive Street adjacent to City Block 529 within the limits hereinafter more fully described, for the purpose of maintaining and using three sculptures; providing for the terms and conditions of this license; providing for the one-time compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

**ooo0ooo**

**WHEREAS**, on August 25, 2010, the City Council of the City of Dallas passed Ordinance No. 27967, thereby granting Crow Family Foundation, Inc. the right and privilege to utilize a portion of Flora Street right-of-way for the maintenance and use of three sculptures; and

**WHEREAS**, the rights granted by said ordinance have expired; and

**WHEREAS**, Crow Family Foundation Inc. has requested renewal of the rights granted by said ordinance; and

**WHEREAS**, the City Council of the City of Dallas is of the opinion that a license should be granted to Crow Family Foundation Inc. to continue to use this public property for said purpose, subject to the conditions hereinafter more fully set out; **NOW, THEREFORE**,

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

**SECTION 1.** That a revocable license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Crow Family Foundation, Inc., a Delaware non-profit Corporation, 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 no more than 12 years to expire on or before February 27, 2027, unless sooner terminated according to other terms and provisions herein contained.

**SECTION 3.** That **GRANTEE** shall pay to the City of Dallas a one-time license fee for the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** for the license herein granted during the term hereof; provided, however, that the payment due hereunder in the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** shall become due and payable upon the final passage of this ordinance and shall be a one-time fee that covers the consideration for the entire license period granted herein in accordance with special fees established by Section 43-115.1 of the Dallas City Code. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated one-time fee within sixty (60) days of the due date, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in Fund 0001, Agency DEV, Unit 1181, Revenue Source 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of \$25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10% 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: maintenance and use of sculptures.

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



**SECTION 6.** That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right to terminate and cancel this license, at will, by resolution duly passed by said Governing Body. 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. In the event of either 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 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 Sustainable Development and Construction.

**SECTION 7.** That the license granted hereby shall not become effective until and unless **GRANTEE** files an 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 designee, may terminate this license.

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



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

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

**SECTION 11.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the fee for the year 2015, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year (1) after its passage.



**SECTION 12.** 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

**DAVID COSSUM**  
Director of Department of Sustainable  
Development and Construction

BY



Assistant Director

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



**LICENSE AGREEMENT  
50 SQUARE FEET IN FLORA STREET  
NORTHWEST OF CITY OF DALLAS BLOCK 529  
SHEET 1 OF 2**

**BEING** a 50 square foot tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas, and being a part of Flora Street (variable width R.O.W.) by City of Dallas Ordinance No. 17596, and being northwest of City of Dallas Block 529, and being more particularly described as follows:

**COMMENCING** at an "X" found (controlling monument) in concrete at the intersection of the northeast line of N. Harwood Street (71 foot R.O.W.) with the southeast line of Flora Street (variable width), thence North 44 degrees 47 minutes 25 seconds East, a distance of 66.25 feet for corner, thence North 45 degrees 12 minutes 35 seconds West, a distance of 12.65 feet for the **PLACE OF BEGINNING**;

**THENCE** North 45 degrees 12 minutes 35 seconds West, a distance of 5.00 feet for corner;

**THENCE** North 44 degrees 47 minutes 25 seconds East, and being parallel with the southeast line of Flora Street, a distance of 10.00 feet for corner;

**THENCE** South 45 degrees 12 minutes 35 seconds East, a distance of 5.00 feet for corner;

**THENCE** South 44 degrees 47 minutes 25 seconds West, and being parallel with the southeast line of Flora Street, a distance of 10.00 feet for the **PLACE OF BEGINNING** and containing 50 square feet or 0.001 acre of land, more or less.

BEARING SOURCE: Deed Vol. 2004228, Pg. 5340, DR/DCT  
REFERENCE BEARING USED: N 44°47'25" E along SE line of Flora Street.

(For SPRG use only)

Reviewed By: DBF  
Date: 10-23-2009  
SPRG NO.: 1790

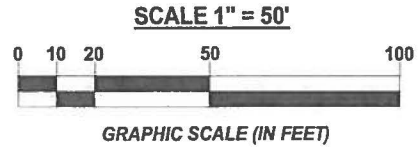


SHEET 1 OF 2

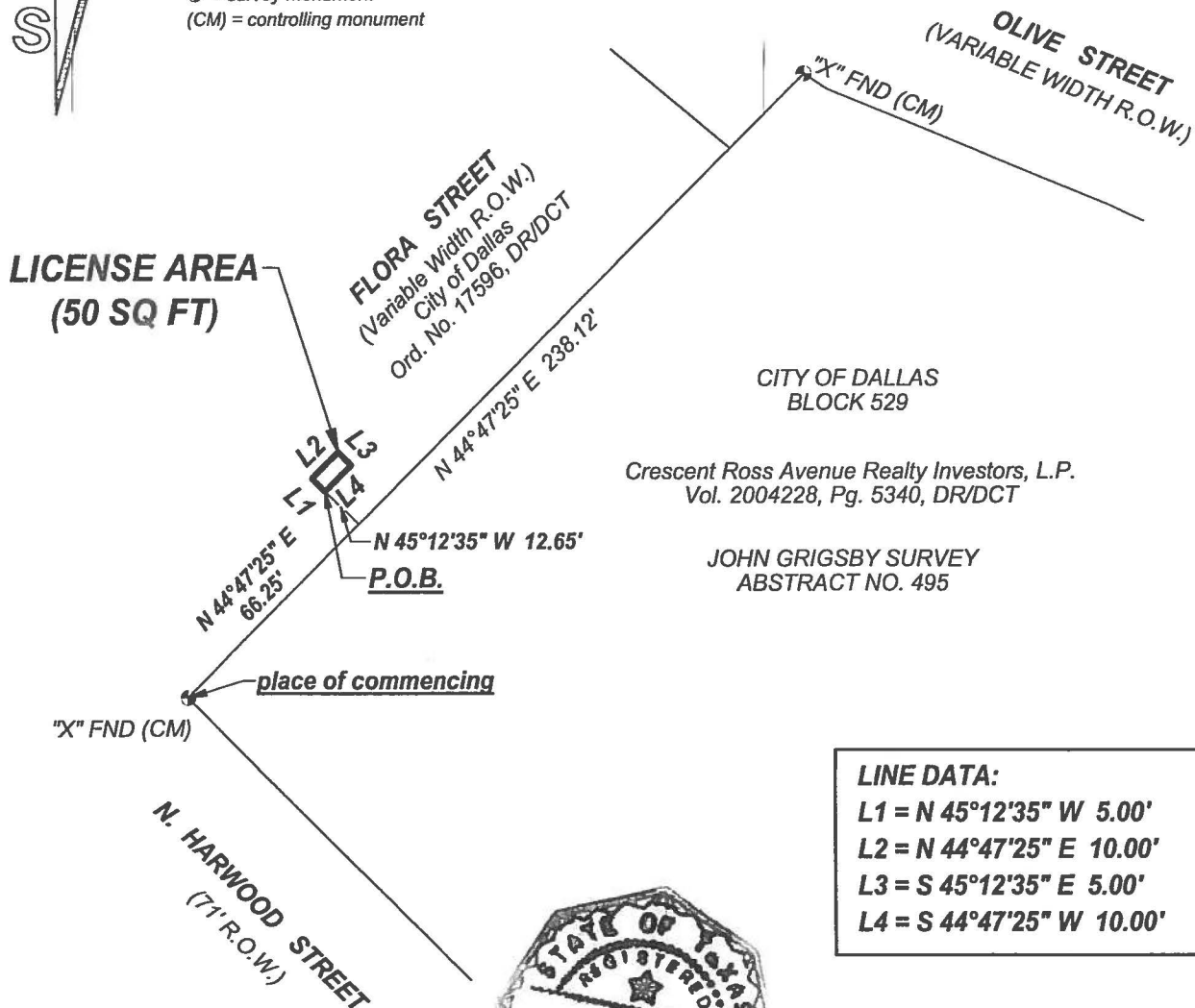
*W R Lee*  
10-12-09



**LICENSE AGREEMENT**  
**50 SQUARE FEET IN FLORA STREET**  
**NORTHWEST OF CITY OF DALLAS BLOCK 529**  
**SHEET 2 OF 2**



**LEGEND:**  
⊕ = survey monument  
(CM) = controlling monument



**LINE DATA:**

L1 = N 45°12'35" W 5.00'  
L2 = N 44°47'25" E 10.00'  
L3 = S 45°12'35" E 5.00'  
L4 = S 44°47'25" W 10.00'



(For SPRG use only)  
Reviewed By: DBF  
Date: 10-23-2009  
SPRG NO.: 1790

*W.R. Lee* 10-12-09

W.R. Lee  
Registered Professional Land Surveyor No. 2038

**NOTES:**

BEARING SOURCE: Deed Vol. 2004228, Pg. 5340, DR/DCT  
REFERENCE BEARING USED: N 44°47'25" E along SE line of Flora Street.

Monuments shown (CM) hereon were used as controlling monuments for purposes of this survey.

**Shields and Lee Surveyors**

1421 Ferndale Avenue  
Dallas, Texas 75224  
Phone (214) 942-8496



Job No. X24317(3)  
09/22/2009;  
REV. 10-12-09  
**Sheet 2 of 2**



**LICENSE AGREEMENT  
PORTION OF FLORA STREET  
NORTHWEST OF BLOCK 529  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**BEING** a 70 square foot (0.002 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas, and being a portion of Flora Street (variable width R.O.W.) by City of Dallas Ordinance No. 17596, and being northwest of City of Dallas Block 529, and being northwest of that certain tract of land conveyed to Crescent Ross Avenue Investors LLC, called Tract 1, by Special Warranty Deed recorded in Instrument No. 201100093734, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

**COMMENCING** at an "X" found (controlling monument) in concrete at the intersection of the southwest line of Olive Street (variable width R.O.W.) and the southeast line of Flora Street, thence South 44 degrees 47 minutes 25 seconds West along the southeast line of Flora Street and the northwest line of said Crescent Ross Avenue Investors tract, a distance of 34.77 feet for corner, thence North 45 degrees 12 minutes 35 seconds West, departing the southeast line of Flora Street and passing through same, a distance of 15.92 feet for the **PLACE OF BEGINNING**;

**THENCE** South 44 degrees 47 minutes 25 seconds West, and being parallel with the southeast line of Flora Street, a distance of 11.67 feet to a "60D" nail set for corner;

**THENCE** North 45 degrees 12 minutes 35 seconds West, a distance of 6.00 feet to a "60D" nail set for corner;

**THENCE** North 44 degrees 47 minutes 25 seconds East, and being parallel with the southeast line of Flora Street, a distance of 11.67 feet to a "60D" nail set for corner;

**THENCE** South 45 degrees 12 minutes 35 seconds East, a distance of 6.00 feet to the **PLACE OF BEGINNING** and containing 70 square feet or 0.002 acre of land, more or less.

BEARING SOURCE: Deed Vol. 2004228, Pg. 5340, OPRDCT  
REFERENCE BEARING USED: S 44°47'25" W along SE line of Flora Street.

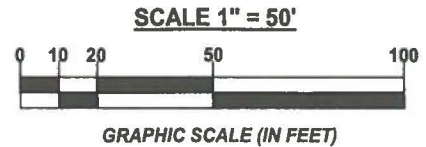


*W R Lee* 8-19-13



**LICENSE AGREEMENT  
PORTION OF FLORA STREET  
NORTHWEST OF BLOCK 529  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**EXHIBIT A**



Lot 1A, Block A/527  
Nasher Sculpture Center  
Inst. No. 2003113, Pg. 101, DRDCT

**70 SQ FT (0.002 ACRE)  
PORTION OF  
FLORA AVENUE  
LICENSE AREA**

**FLORA STREET**  
(Variable Width R.O.W.)  
City of Dallas  
Ord. No. 17596, DRDCT

CITY OF DALLAS  
BLOCK 529

Crescent Ross Avenue Investors LLC  
Inst. No. 20110093734, OPRDCT  
(called Tract 1)

JOHN GRIGSBY SURVEY  
ABSTRACT NO. 495

**LINE DATA:**

**L1 = S 44°47'25" W 11.67'**  
**L2 = N 45°12'35" W 6.00'**  
**L3 = N 44°47'25" E 11.67'**  
**L4 = S 45°12'35" E 6.00'**



*W.R. Lee*      8-19-13  
W.R. Lee  
Registered Professional Land Surveyor No. 2038

**LEGEND:**  
● = survey monument  
FND = found  
"60D" = nail  
(CM) = controlling monument  
R.O.W. = Right of Way  
Inst. No. = Instrument Number  
Vol. = Volume  
Pg. = Page  
DRDCT = Deed Records Dallas County Texas  
OPRDCT = Official Public Records Dallas County Texas

**NOTES:**  
BASIS OF BEARINGS: Deed Vol. 2004228, Pg. 5340, OPRDCT  
REFERENCE BEARING USED: N 44°47'25" E along SE line of Flora Street.

**Shields and Lee Surveyors**

1421 Ferndale Avenue  
Dallas, Texas 75224  
Phone (214) 942-8496



Job No. X26054-3  
February 10, 2012;  
REV. 04-16-2012;  
REV. 05-09-2013;  
REV. 08-14-2013

Sheet 2 of 2

**REVIEWED BY**  
JR 9-11-13  
SPK 2686



**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

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

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



**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

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

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



**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

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

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



**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

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

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



## AGENDA ITEM # 16

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 671-9837  
**MAPSCO:** 44U

---

### **SUBJECT**

An ordinance abandoning a portion of a sanitary sewer easement to 604 Fort Worth Ave Apartments Investors LLC, the abutting owner, containing approximately 5,236 square feet of land, located near the intersection of Fort Worth Avenue and Yorktown Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

### **BACKGROUND**

This item authorizes the abandonment of a portion of a sanitary sewer easement to 604 Fort Worth Ave Apartments Investors LLC, the abutting owner. The area will be included with the property of the abutting owner for a mixed-use development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

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

This item has no prior action.

### **FISCAL INFORMATION**

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

### **OWNER**

#### **604 Fort Worth Ave Apartments Investors LLC**

DCH 108 West Dallas, L.P.

Maple Multi-Family Development, L.L.C.

Kenneth J. Valach, President



**MAP**

Attached





TOPEKA AVENUE

COMMERCE STREET

BEAVER STREET

FORT WORTH AVENUE

EASTUS DRIVE

YORKTOWN STREET

2/6817

2/6817



Abandonment Areas







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

An ordinance providing for the abandonment and relinquishment of a portion of a sanitary sewer easement, located in City Block 2/6817 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to 604 Fort Worth Ave Apartments Investors LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

**ooo0ooo**

**WHEREAS**, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of 604 Fort Worth Ave Apartments Investors LLC, a Delaware limited liability company; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

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

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

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



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

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

**SECTION 4.** That the Chief Financial Officer is 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, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

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

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



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



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

**SECTION 10.** That this ordinance 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**  
Director of Department of Sustainable  
Development and Construction

BY  BY   
Assistant City Attorney Assistant Director

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



## LEGAL DESCRIPTION

EXHIBIT A

## EXHIBIT A

**BEING** a 5,236 square foot tract of land situated in the William Coombs Survey, Abstract No. 290, City of Dallas, Dallas County, Texas and being all of a 20' Sanitary Sewer Easement crossing Lot 9A, Block 2/6817 created by the Final Plat of Dallas Postal Credit Union, an addition to the City of Dallas, Texas according to the plat recorded in Volume 87226, Page 2388, Deed Records of Dallas County, Texas; same being part of the property described as "Tract 1" in Special Warranty Deed to 604 Fort Worth Ave Apartments Investors LLC recorded in Instrument No. 201400284856, Official Public Records of Dallas County, Texas and being more particularly described as follows:

**COMMENCING** at a 5/8" iron rod with "KHA" cap found at the south end of a curving right-of-way corner clip at the intersection of the southeast right-of-way line of Fort Worth Avenue (a 100-foot wide right-of-way) and the north right-of-way line of Yorktown Street (an 80-foot wide right-of-way) and being the southernmost southwest corner of said Lot 9A; from said point a 1/2" iron rod found for reference bears South 53°05' West, a distance of 0.5 feet;

**THENCE** with said north right-of-way line of Yorktown Street and the south line of said Lot 9A, North 89°29'54" East, a distance of 152.21 feet to the **POINT OF BEGINNING**;

**THENCE** departing said north right-of-way line of Yorktown Street and said south line of Lot 9A, North 0°41'04" West, a distance of 253.98 feet to a point for corner in said southeast right-of-way line of Fort Worth Avenue and the west line of said Lot 9A; from said point an "X" cut in concrete found bears South 51°25'04" West, a distance of 34.35 feet;

**THENCE** with said southeast right-of-way line of Fort Worth Avenue and said west line of Lot 9A, North 51°25'04" East, a distance of 25.35 feet to a 1/2" iron rod found at the northwest corner of said Lot 9A and the southwest corner of a tract of land described in General Warranty Gift Deed to Rafter Walker Real Estate III, LLC recorded in Instrument No. 201300157339, Official Public Records of Dallas County, Texas;

**THENCE** departing said southeast right-of-way line of Fort Worth Avenue, South 0°41'04" East, a distance of 269.61 feet to a point for corner in said north right-of-way line of Yorktown Street and said south line of Lot 9A;

**THENCE** with said north right-of-way line of Yorktown Street and said south line of Lot 9A, South 89°29'54" West, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 5,236 square feet or 0.120 acres of land.

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983, (2011). All dimensions shown are ground distances.

(For SPRG use only)

Reviewed By: DBE  
Date: 12-11-2014  
SPRG NO: 3120

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



20' SANITARY SEWER  
EASEMENT ABANDONMENT  
PART OF LOT 9A, BLOCK 2/6817  
DALLAS POSTAL CREDIT UNION  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

**Kimley»Horn**

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	SLJ	JAD	AUG 2014	064145021	1 OF 2

EXHIBIT A

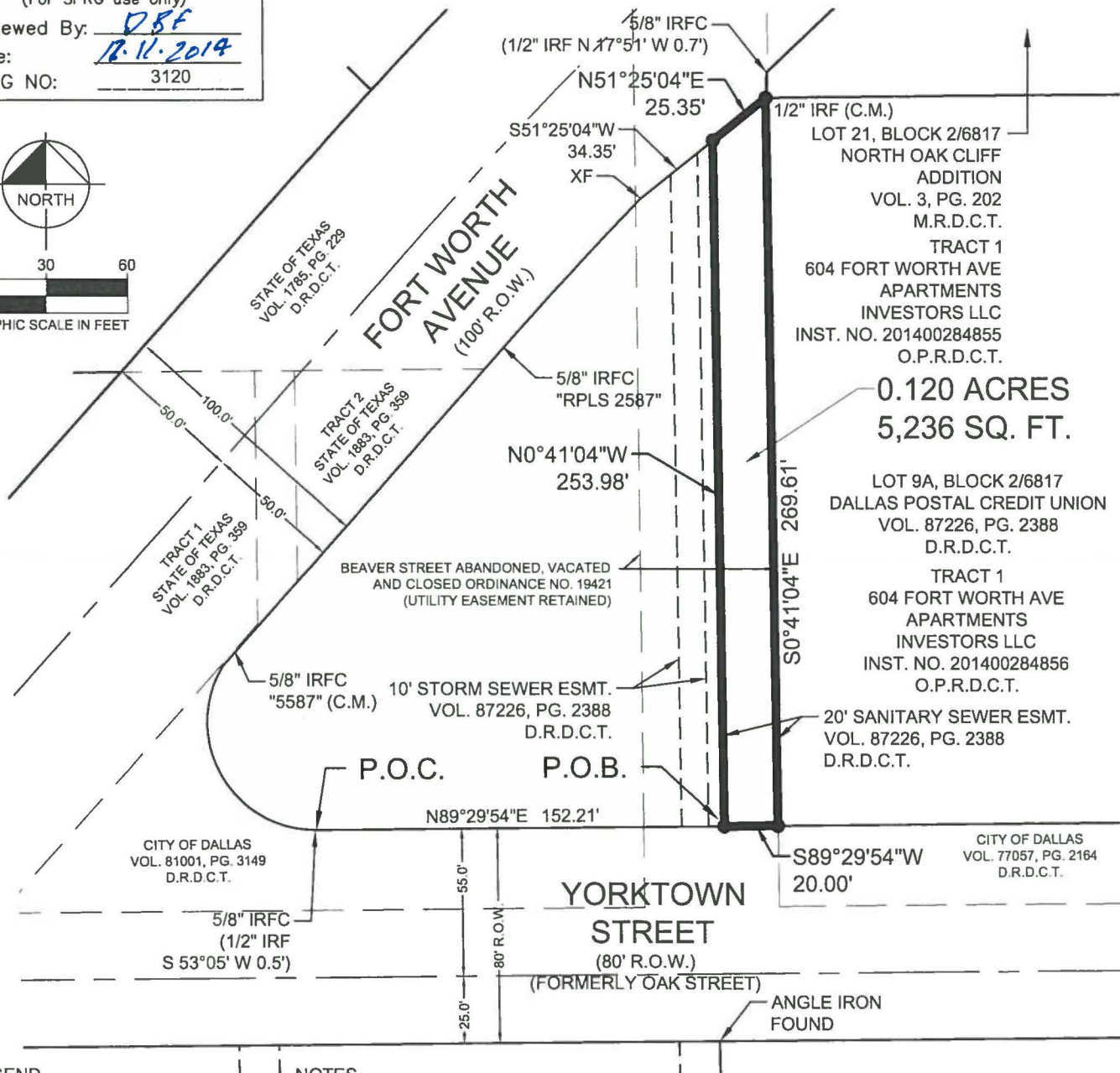
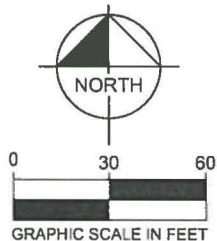


(For SPRG use only)

Reviewed By: DBF

Date: 12.11.2014

SPRG NO: 3120



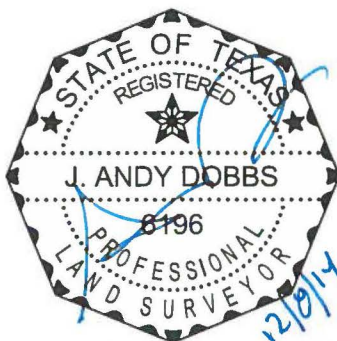
#### LEGEND

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
C.M. = CONTROL MONUMENT  
IRFC = IRON ROD W/CAP FOUND  
IRF = IRON ROD FOUND  
XF = "X" CUT IN CONCRETE FOUND  
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS  
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS  
R.O.W. = RIGHT-OF-WAY

#### NOTES

1. ALL BEARINGS SHOWN ARE BASED ON GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983, (2011). ALL DIMENSIONS SHOWN ARE GROUND DISTANCES.

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



20' SANITARY SEWER  
EASEMENT ABANDONMENT  
PART OF LOT 9A, BLOCK 2/6817  
DALLAS POSTAL CREDIT UNION  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

# Kimley»Horn

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.
1" = 60'	SLJ	JAD	AUG 2014	064145021	2 OF 2



## AGENDA ITEM # 17

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 671-9837  
**MAPSCO:** 35Y

---

### **SUBJECT**

An ordinance abandoning a portion of a water easement to TC Central Associates, LLC, the abutting owner, containing approximately 10,068 square feet of land, located near the intersection of Central Expressway and Carroll Avenue - Revenue: \$5,400, plus the \$20 ordinance publication fee

### **BACKGROUND**

This item authorizes the abandonment of a portion of a water easement to TC Central Associates, LLC, the abutting owner. The area will be included with the property of the abutting owner for the construction of a retail development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

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

This item has no prior action.

### **FISCAL INFORMATION**

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

### **OWNER**

**TC Central Associates, LLC**

TC Central Associates Member, LLC

TCDFW Development , Inc.

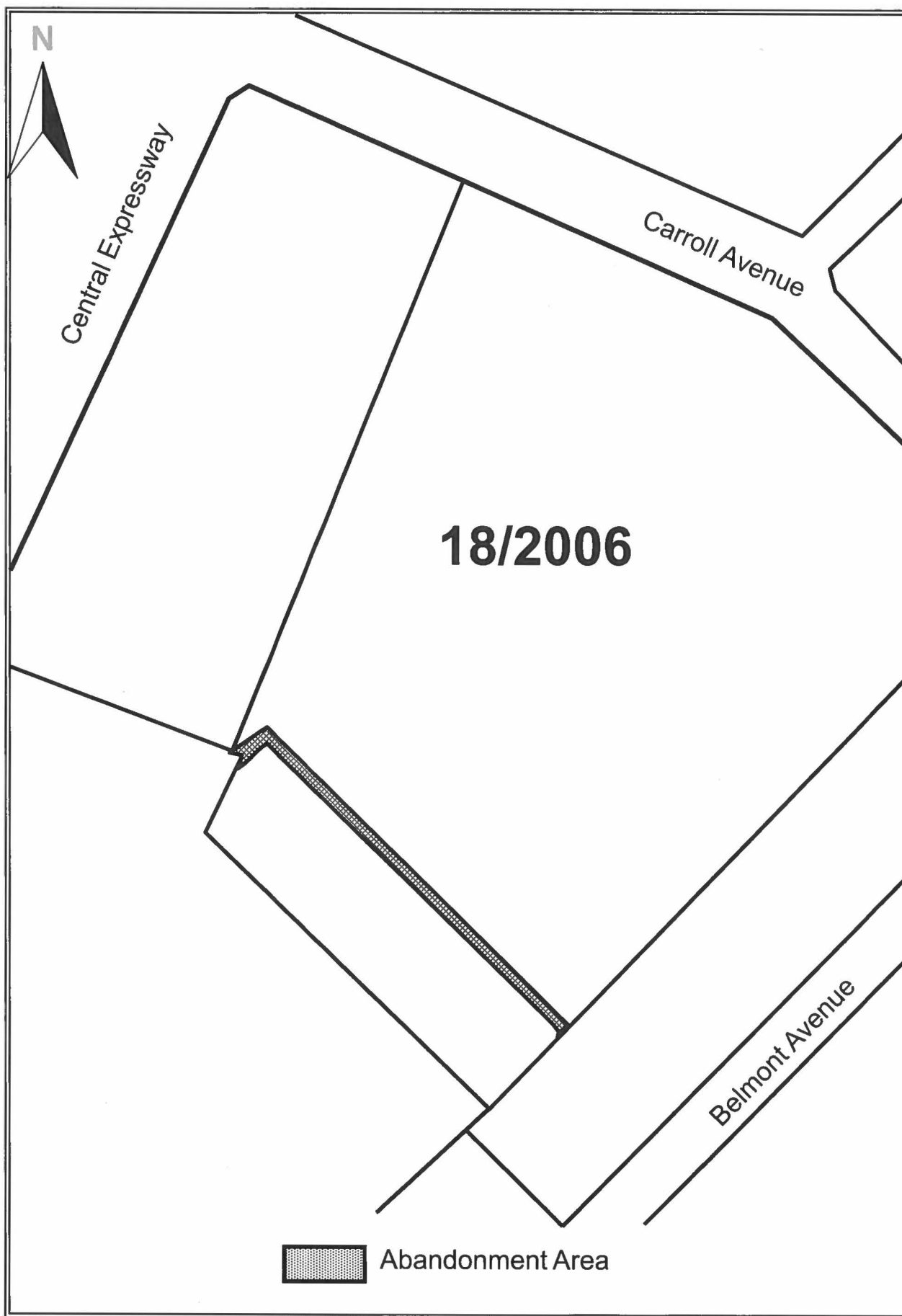
Michael Duffy, Director



**MAP**

Attached







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

An ordinance providing for the abandonment and relinquishment of a portion of a water easement located in City Block 18/2006 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to TC Central Associates, LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

**ooo0ooo**

**WHEREAS**, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of TC Central Associates, LLC, a Delaware limited liability company; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

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

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

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



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

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

**SECTION 4.** That the Chief Financial Officer is 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, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

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

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



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



**SECTION 9.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee.

Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

**SECTION 10.** That this ordinance 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**  
Director of Department of Sustainable  
Development and Construction

BY   
Assistant City Attorney

BY   
Assistant Director

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



**WATER EASEMENT ABANDONMENT**  
PART OF LOTS 1A AND 1B, BLOCK 18/2006  
XEROX BUSINESS SERVICES ADDITION  
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

**EXHIBIT A**

BEING a 10,068 square feet (0.231 of an Acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, situated in Lot 1A and Lot 1B, Block 18/2006 of Xerox Business Services Addition, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas, same also being situated in a called Tract I, conveyed to TC Central Associates, LLC, as evidenced in a Special Warranty Deed, recorded in Instrument No. 201300276945, of the Official Public Records of Dallas County, Texas, and in called Tracts I and II, conveyed to TC Central Associates, LLC, as evidenced in a Quitclaim Deed, recorded in Instrument No. 201300276946, of the Official Public Records of Dallas County, Texas, also being all of a 20-foot wide Water Easement recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas, a portion of a 15-foot wide Water Easement recorded in Volume 87044, Page 1446, of the Deed Records of Dallas County, Texas, and a portion of a 20-foot wide Water Easement recorded in Volume 2002047, Page 255, of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a point on the southeasterly line of said Lot 1B, common to the northwesterly line of a right-of-way dedication for Peak Street according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas, from which an 'X' cut found for the southerly corner of said Lot 1B, common to a re-entrant corner on the northeasterly line of Lot 2A, Block 18/2006 of Xerox Business Services Addition, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, bears South 44°54'56" West, a distance of 116.03 feet;

**THENCE** North 45°27'21" West, departing the northwesterly right-of-way line of Peak Street, crossing said Lot 1B, and passing the common line between said Lot 1B and said Lot 1A, and crossing said Lot 1A, a distance of 454.88 feet to a point for corner;

**THENCE** South 67°53'42" West, continuing across said Lot 1A, a distance of 39.82 feet to a point for corner on the westerly line of said Lot 1A, common to the easterly line of said Lot 2A;

**THENCE** North 23°10'59" East, along the westerly line of said Lot 1A and common easterly line of said Lot 2A, a distance of 12.14 feet to a point for corner at a re-entrant corner on the southwesterly line of said Lot 1A, and a salient corner on the northeasterly line of said Lot 2A;

**THENCE** North 66°53'45" West, along the southwesterly line of said Lot 1A and common northeasterly line of said Lot 2A, a distance of 16.14 feet to a point for corner on the southwesterly line of said Lot 1A and common northeasterly line of said Lot 2A;

**THENCE** North 67°53'42" East, departing the southwesterly line of said Lot 1A and common northeasterly line of said Lot 2A, crossing over said Lot 1A, a distance of 55.72 feet to a point for corner;

**THENCE** South 45°27'21" East, passing the common line between said Lot 1A and said Lot 1B, and crossing said Lot 1B, a distance of 466.90 feet to a point for corner on the southeasterly line of said Lot 1B, and on the northwesterly line of a 20 foot alley, as dedicated by plat recorded in Volume 8, Page 126-128, Map Records of Dallas County, Texas;

**THENCE** South 44°49'52" West, along the southeasterly line of said Lot 1B, and along the northwesterly line of said alley, a distance of 16.25 feet to a point for corner at a re-entrant corner on the southeasterly line of said Lot 1B;

**THENCE** South 45°27'21" East, continuing along the southeasterly line of said Lot 1B, a distance of 1.23 feet to a point for corner on the northwesterly right-of-way line of Peak Street;

**THENCE** South 44°54'56" West, continuing along the southeasterly line of said Lot 1B, and along the northwesterly right-of-way line of Peak Street, a distance of 3.75 feet to the **POINT OF BEGINNING** and containing 10,068 square feet (0.231 of an Acre) of land, more or less.

MICHAEL MARX  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5181  
5750 GENESIS COURT, SUITE 200  
FRISCO, TEXAS 75034  
PH. 972-335-3580  
michael.marx@kimley-horn.com



Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. The bearings listed are Grid values and the distances listed are surface values. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998606167.

(For SPRG use only)

Reviewed By: JD  
Date: 2/18/2015  
SPRG NO: 3188

**Kimley»Horn**

5750 Genesis Court, Suite 200  
Frisco, Texas 75034

FIRM # 10193822

Tel. No. (972) 335-3580  
Fax No. (972) 335-3779

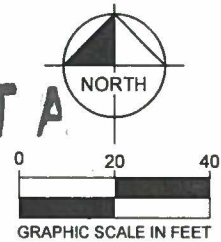
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SG	KHA	12/04/2014	063362327	1 OF 3



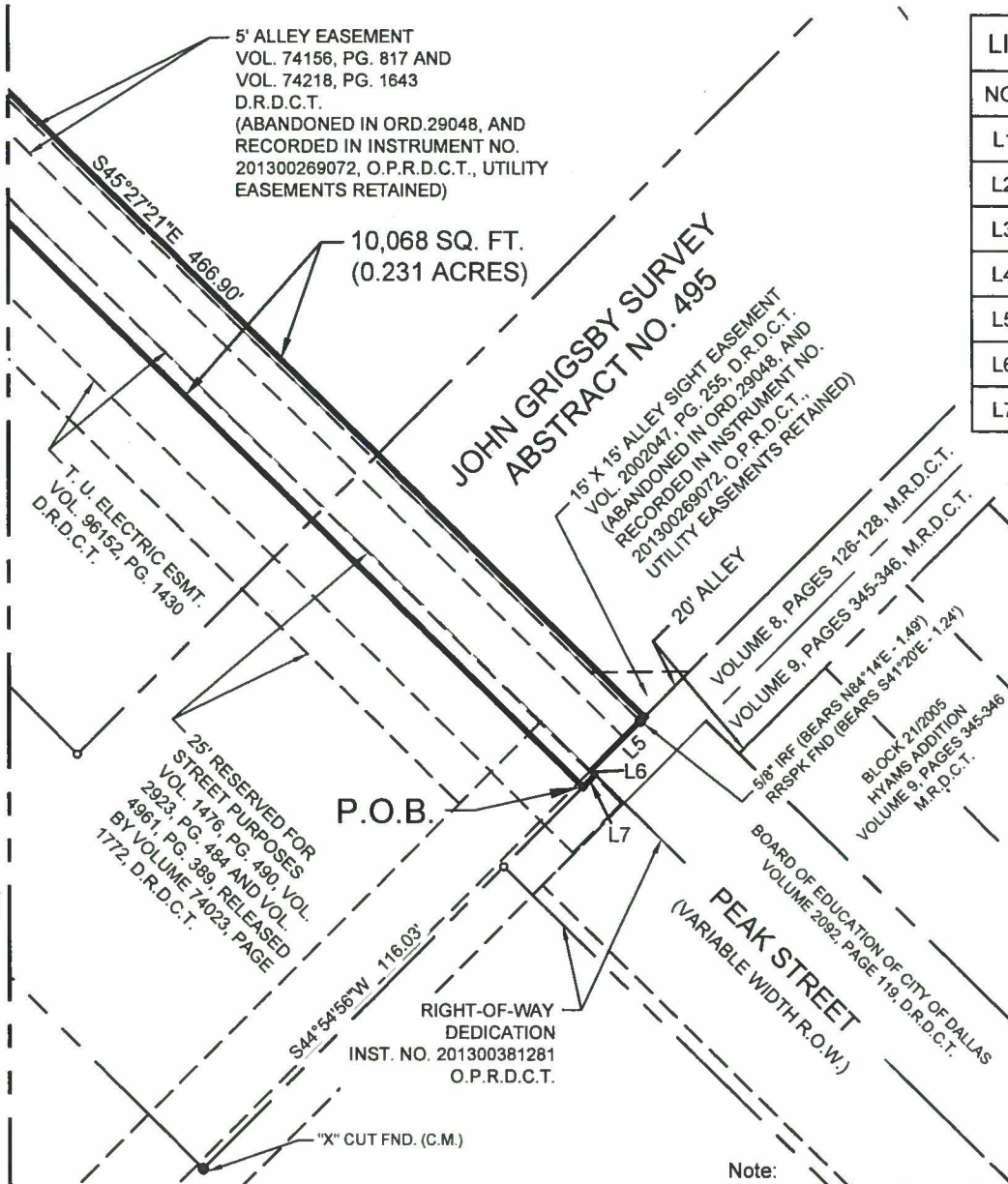
# WATER EASEMENT ABANDONMENT

LOTS 1A AND 1B, BLOCK 18/2006  
XEROX BUSINESS SERVICES ADDITION  
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

## EXHIBIT A



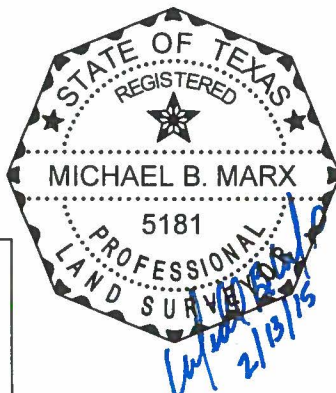
MATCHLINE A



LINE TABLE		
NO.	BEARING	LENGTH
L1	S67°53'42\"W	39.82'
L2	N23°10'59\"E	12.14'
L3	N66°53'45\"W	16.14'
L4	N67°53'42\"E	55.72'
L5	S44°49'52\"W	16.25'
L6	S45°27'21\"E	1.23'
L7	S44°54'56\"W	3.75'

**LEGEND**  
P.O.B. = Point of Beginning  
IRF = Iron rod 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  
FND = Found  
VOL. = Volume  
PG. = Pages  
INST. = Instrument  
M.R.D.C.T. = Map Records of Dallas County, Texas

MICHAEL MARX  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5181  
5750 GENESIS COURT, SUITE 200  
FRISCO, TEXAS 75034  
PH. 972-335-3580  
michael.marx@kimley-horn.com



**Note:**  
Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28\" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. The bearings listed are Grid values and the distances listed are surface values. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998606167.

(For SPRG use only)  
Reviewed By: JD  
Date: 2/18/2015  
SPRG NO: 3188

# Kimley»Horn

5750 Genesis Court, Suite 200  
Frisco, Texas 75034 FIRM # 10193822

Tel. No. (972) 335-3580  
Fax No. (972) 335-3779

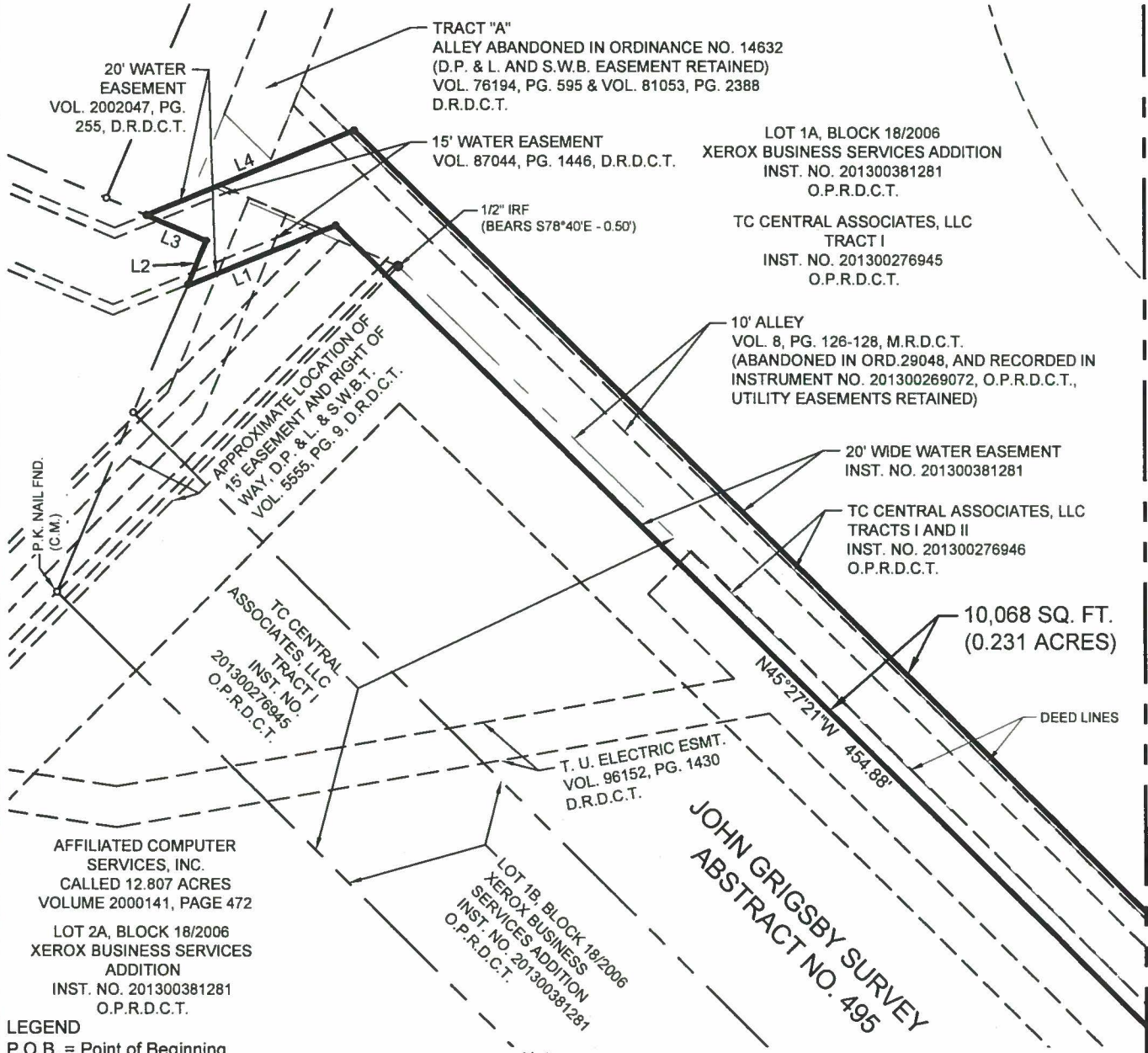
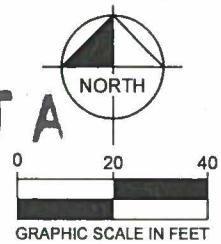
Scale 1" = 40'	Drawn by SG	Checked by KHA	Date 12/04/2014	Project No. 063362327	Sheet No. 2 OF 3
-------------------	----------------	-------------------	--------------------	--------------------------	---------------------



# WATER EASEMENT ABANDONMENT

PART OF LOTS 1A AND 1B, BLOCK 18/2006  
XEROX BUSINESS SERVICES ADDITION  
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

# EXHIBIT A



MATCHLINE A

## LEGEND

P.O.B. = Point of Beginning  
IRF = Iron rod 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  
FND = Found  
VOL. = Volume  
PG. = Page  
INST. = Instrument  
M.R.D.C.T. = Map Records of Dallas County, Texas

## Note:

Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, as determined by GPS observations resulting in a bearing of North 23°09'28" East along the easterly right of way line of Central Expressway adjacent to Xerox Business Services Addition, according to the Final Plat, recorded in Instrument No. 201300381281, of the Official Public Records of Dallas County, Texas. The bearings listed are Grid values and the distances listed are surface values. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998606167.

(For SPRG use only)

Reviewed By: JD  
Date: 2/18/2015  
SPRG NO: 3188

# Kimley»Horn

5750 Genesis Court, Suite 200  
Frisco, Texas 75034

FIRM # 10193822

Tel. No. (972) 335-3580  
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	SG	KHA	12/04/2014	063362327	3 OF 3



## AGENDA ITEM # 18

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 5  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 671-9837  
**MAPSCO:** 58G

---

### **SUBJECT**

An ordinance abandoning a portion of a utility easement to Pleasant Grove Shopping Center, Inc., the abutting owner, containing approximately 4,700 square feet of land, located near the intersection of Buckner Boulevard and Grovecrest Drive - Revenue: \$5,400, plus the \$20 ordinance publication fee

### **BACKGROUND**

This item authorizes the abandonment of a portion of a utility easement to Pleasant Grove Shopping Center, Inc., the abutting owner. The area will be included with the property of the abutting owner to allow improvements and expansion to existing building used as a grocery store. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

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

This item has no prior action.

### **FISCAL INFORMATION**

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

### **OWNER**

**Pleasant Grove Shopping Center, Inc.**

Andrew J. Pal, President



**MAP**

Attached



N



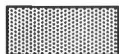
SECO BOULEVARD

**J/6237**

MATTISON DRIVE

BUCKNER BOULEVARD

GROVECREST  
DRIVE



Abandonment area







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

An ordinance providing for the abandonment and relinquishment of a portion of a utility easement located in City Block J/6237 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Pleasant Grove Shopping Center, Inc.; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

**ooo0ooo**

**WHEREAS**, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Pleasant Grove Shopping Center, Inc., a Texas corporation; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

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

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

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



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

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

**SECTION 4.** That the Chief Financial Officer is 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, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

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

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



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

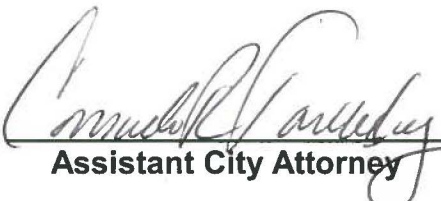



**SECTION 9.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon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

**SECTION 10.** That this ordinance 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**  
Director of Department of Sustainable  
Development and Construction

BY  BY   
Assistant City Attorney Assistant Director

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



# EXHIBIT A

**PARTIAL ABANDONMENT OF A 10' UTILITY EASEMENT  
PLEASANT GROVE SHOPPING CENTER NO.2,  
PART of LOT 1, BLOCK J/6237  
VOLUME 2001118, PAGE 27 D.R.D.C.T., SITUATED IN THE  
RICHARD BURTON SURVEY, ABSTRACT NO 79,  
CITY OF DALLAS, DALLAS COUNTY TEXAS**

BEING a 4700 sq.ft. tract of land situated in the Richard Burton Survey, Abstract No. 79, Dallas County, Texas, being a portion of an Utility Easement as described in Public Utility Easement Dedication by Tract 2, Southeast Shopping Village, Inc., recorded in Volume 3440, Page 436, Deed Records, Dallas County, Texas, and being owned by Pleasant Grove Shopping Center, Inc., as recorded in Volume 392, Page 1185, Deed Records, Dallas County, Texas, and part of Lot 1, Block J/6237, Pleasant Grove Shopping Center No. 2, as recorded in Volume 2001118, Page 27, Deed Records, Dallas County, Texas and being more particularly described as follows:

COMMENCING at a found 5/8 inch iron rod in the west right-of-way line of Buckner Boulevard (a 100.00 foot right-of-way), the southeast corner of said Lot 1, Block J/6237;

THENCE North 00°00'00" West, along the west right-of-way line of said Buckner Boulevard and the east line of said Lot 1, Block J/6237, a distance of 564.74 feet to the POINT OF BEGINNING, and being southeast corner of said Tract 2;

THENCE North 89°51'00" West, departing the west right-of-way line of said Buckner Boulevard and the east line of said Lot 1, Block J/6237, along the south line of said Tract 2, a distance of 470.00 feet;

THENCE North 00°00'00" East, departing the south line of said Tract 2, a distance of 10.00 to the north line of said 10 foot Utility Easement;

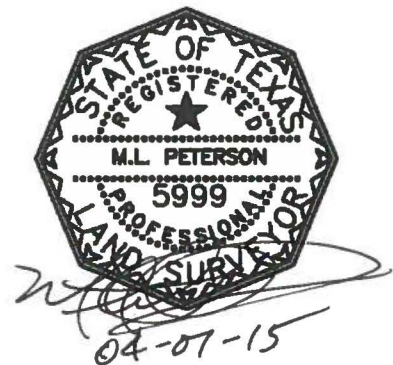
THENCE South 89°51'00" East, along the north line of said Tract 2, a distance of 470.00 feet for point in the west right-of-way line of said Buckner Boulevard and the east line of said Lot 1, Block J/6237;

THENCE South 00°00'00" East, along the west right-of-way line of said Buckner Boulevard and the east line of said Lot 1, Block J/6237, a distance of 10.00 feet to the POINT OF BEGINNING and Containing 4,700 sq. ft. or 0.108 acres of land, more or less.

Basis of Bearing is Final Plat of Pleasant Grove Shopping Center No. 2, Volume 2001118, Page 27, Deed Records, Dallas County, Texas. (East Line – N00°00'00"W)

A survey plat of even date accompanies this description.

REVIEWED BY  
JL 4/5/15  
SPR 3272









**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** N/A

---

**SUBJECT**

An ordinance amending Chapter 54, "Dallas Plumbing Code," of the Dallas City Code, as amended, by amending the maximum allowable lead content in pipes, pipe fittings, plumbing fittings and fixtures; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

**BACKGROUND**

Chapter 54 is the plumbing code for the City of Dallas. This amendment reduces the amount of lead allowed in potable water systems from 8% to 0.25% with respect to wetted surfaces of pipes, pipe fittings, plumbing fittings and fixtures. This amendment follows the Federal Safe Drinking Act that was effective January 2014.

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

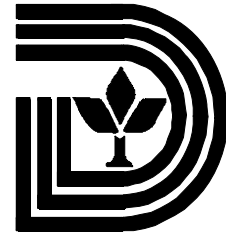
On March 17, 2015, the Building Inspection Advisory, Examining and Appeals Board reviewed the change and recommended them for adoption.

**FISCAL INFORMATION**

No cost consideration to the City.



# Memorandum



CITY OF DALLAS

DATE February 27, 2015

TO Economic Development Committee Members

SUBJECT Chapter 54, "Dallas Plumbing Code"

The Building Inspection Advisory, Examining and Appeals Board on March 17, 2015 unanimously approved an amendment to Chapter 54, "Dallas Plumbing Code" which updates the code to be in compliance with the lead free requirements of the 2014 Federal Safe Drinking Water Act. This amendment will reduce the amount of lead allowed in plumbing systems that are connected to a potable water service.

Copies of the amendment are attached and we will be placing items of an upcoming City Council agenda for consideration for adoption of the amendments. Please let me know if you have any questions.

David Cossum, Director  
Sustainable Development and Construction



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

An ordinance amending Chapter 54, "Dallas Plumbing Code," of the Dallas City Code, as amended; amending the maximum allowable lead content in pipes, pipe fittings, plumbing fittings and fixtures; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Subsection 605.2, "Lead Content of Water Supply Pipe and Fittings," of Section 605, "Materials, Joints and Connections," of Chapter 6, "Water Supply and Distribution," of Chapter 54, "Dallas Plumbing Code," of the Dallas City Code, as amended, is amended by to read as follows:

**"605.2 Lead content of water supply pipe and fittings. On potable water systems, the maximum allowable lead content in pipes, pipe fittings, plumbing fittings and fixtures shall be not more than a weighted average of 0.25 percent with respect to the wetted surfaces of pipes, pipe fitting, plumbing fittings, and fixtures. [Pipe and pipe fittings, including valves and faucets, utilized in the water supply system shall have a maximum of 8 percent lead content.]**

Exceptions:

1. Pipes, pipes fitting, plumbing fittings, fixtures or backflow preventers used only for nonpotable services such as manufacturing, industrial processing, irrigation systems described in Appendix J, or any other non-potable service.
2. Flush valves, fill valves, flushometer valves, tub fillers, shower valves, service saddles or water distribution main gate valves that are 2 inches (50 mm) in diameter or larger."



SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the effective date of this ordinance will be discharged or affected by this ordinance. Prosecutions and suits for such offenses, liabilities, penalties, and forfeitures may be instituted, and causes of action pending on the effective date of this ordinance may proceed, as if the former laws applicable at the time the offense, liability, penalty, or forfeiture was committed or incurred had not been amended, repealed, reenacted, or superseded, and all former laws will continue in effect for these purposes.

SECTION 3. That Chapter 54 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any existing structure, system, development project, or registration that is not required to come into compliance with a requirement of this ordinance will be governed by the requirement as it existed in the former law last applicable to the structure, system, development project, or registration, and all former laws will continue in effect for this purpose.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.



SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with 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 \_\_\_\_\_







**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Water Utilities  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 79 C D

---

**SUBJECT**

Authorize an engineering contract with Gresham, Smith and Partners to provide engineering services for an evaluation/study and preliminary design related to major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - Not to exceed \$1,498,958 - Financing: Water Utilities Capital Improvement Funds

**BACKGROUND**

This action is the first of two planned awards for engineering services associated with major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant. It includes the evaluation and preparation of a design report outlining various alternatives for the recommended improvements. This project was recommended in the 2010 Wastewater Treatment Facilities Strategic Plan.

The improvements will include structural repairs to the clarifiers, aeration basins and flow splitter structures to extend the service life of these processes. Also included is the replacement of various mechanical infrastructure, such as piping, valves and pumps that have reached the end of their useful life. Newer control technologies will also be evaluated to reduce chemical usage and improve operational efficiency at the sulfur dioxide and lime facilities.

The second phase of this project will provide detailed design and construction administration services for the recommended improvements and will be awarded in a subsequent Council action after the full extent of the work is determined.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Study	June 2015
Complete Study	December 2015



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

This item has no prior action.

## **FISCAL INFORMATION**

\$1,498,958.00 - Water Utilities Capital Improvement Funds

## **M/WBE INFORMATION**

See attached.

## **ETHNIC COMPOSITION**

Gresham, Smith and Partners

Hispanic Female	6	Hispanic Male	19
Black Female	11	Black Male	14
Other Female	5	Other Male	16
White Female	210	White Male	378

## **OWNER**

**Gresham, Smith and Partners**

James Bearden, Chief Executive Officer

## **MAP**

Attached



## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize an engineering contract with Gresham, Smith and Partners to provide engineering services for an evaluation/study and preliminary design related to major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - Not to exceed \$1,498,958 - Financing: Water Utilities Capital Improvement Funds

Gresham, Smith and Partners is a local, non-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	\$1,483,968.00	99.00%
Total non-local contracts	\$14,990.00	1.00%
<b>TOTAL CONTRACT</b>	<b>\$1,498,958.00</b>	<b>100.00%</b>

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

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Arredondo, Zepeda & Brunz, LLC	HMDB62209Y0615	\$44,969.00	3.03%
2M Associates, LLC	IMDB62598Y0715	\$149,895.80	10.10%
Gupta & Associates, Inc.	PMDB62419Y0716	\$179,875.00	12.12%
<b>Total Minority - Local</b>		<b>\$374,739.80</b>	<b>25.25%</b>

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

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
The Rios Group, Inc.	HFDB62123Y0615	\$14,990.00	100.00%
<b>Total Minority - Non-local</b>		<b>\$14,990.00</b>	<b>100.00%</b>



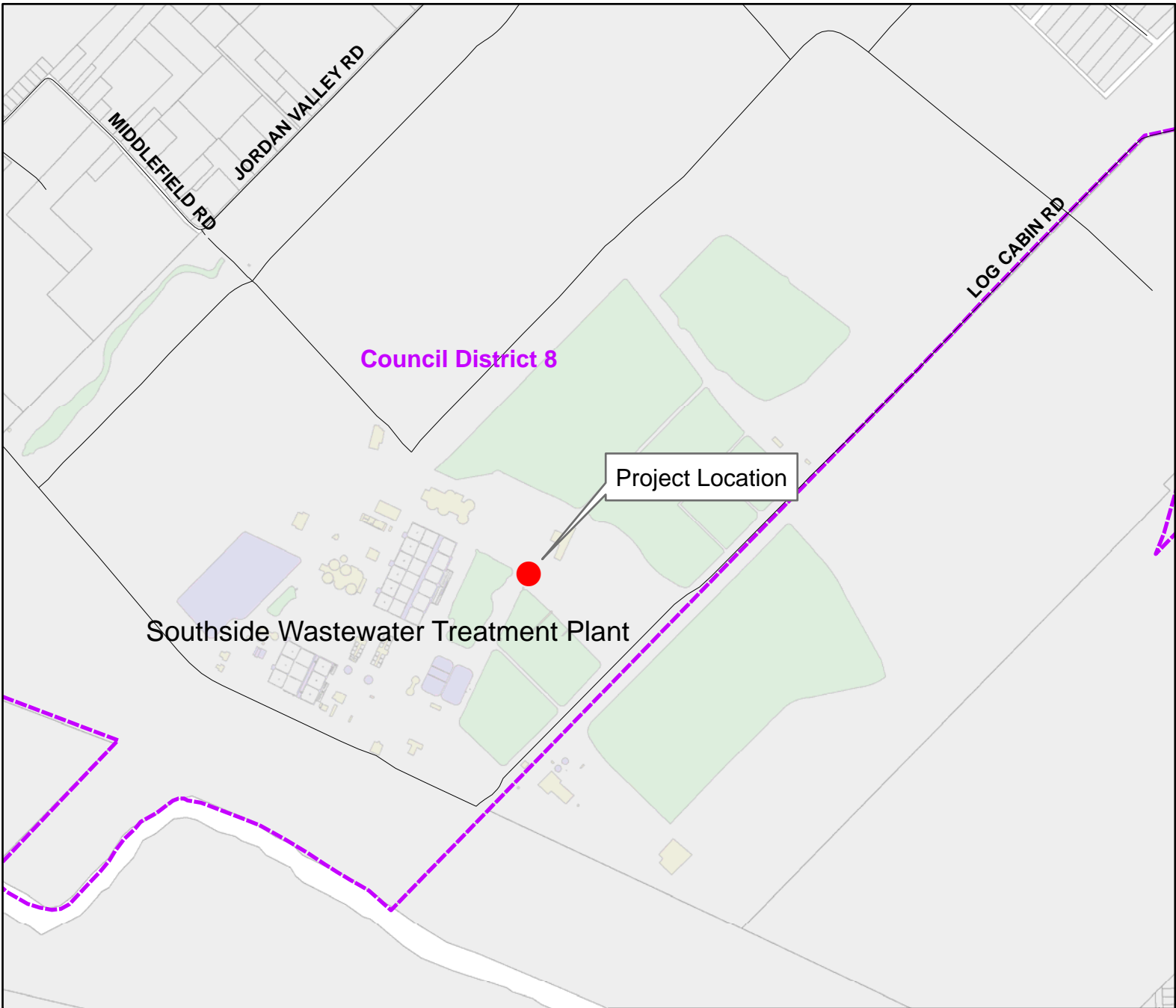
## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

Page 2

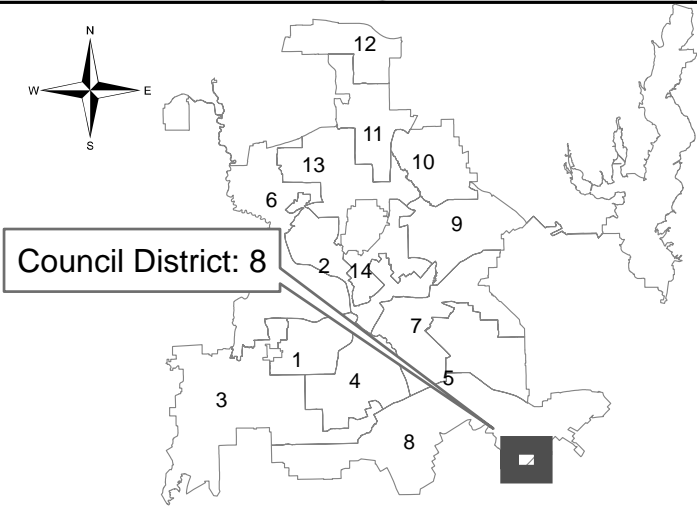
### TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$44,969.00	3.03%	\$59,959.00	4.00%
Asian American	\$329,770.80	22.22%	\$329,770.80	22.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	<u>\$374,739.80</u>	<u>25.25%</u>	<u>\$389,729.80</u>	<u>26.00%</u>





Mapsc0: 79 C D





May 13, 2015

**WHEREAS,** there are miscellaneous improvements required throughout the Southside Wastewater Treatment Plant; and,

**WHEREAS,** engineering services are required for the study, evaluation and preliminary design of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant; and,

**WHEREAS,** Gresham, Smith and Partners, 1400 Nashville City Center, 511 Union Street, Suite 1400, Nashville, Tennessee 37219, 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 Gresham, Smith and Partners in the amount of \$1,498,958.00 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 Gresham, Smith and Partners, to provide engineering services for an evaluation/study and preliminary design for all tasks related to major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant, after having approval of the contract documents by the City Attorney.

**Section 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,498,958.00 from the Water 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>
3116	DWU	PS31	4111	714244	CT-DWU714244CP	503071

Gresham, Smith and Partners - (Contract No. 14-244E) - \$1,498,958.00

**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 13, 2015

**COUNCIL DISTRICT(S):** 8

**DEPARTMENT:** Water Utilities

**CMO:** Mark McDaniel, 670-3256

**MAPSCO:** 69 L M

---

**SUBJECT**

Authorize **(1)** a Standard Utility Agreement with the State of Texas, acting through the Texas Department of Transportation, for water and wastewater main relocations and appurtenance adjustments in Interstate Highway 20 from west of Haymarket Road to U.S. Highway 175 (C.F. Hawn Freeway); and **(2)** the receipt and deposit of funds from the Texas Department of Transportation for reimbursement of design, inspection and project management costs for the project - Revenue: \$88,751

**BACKGROUND**

This action consists of the construction of approximately 650 feet of 8-inch water main, 690 feet of 12-inch water main, 530 feet of 15-inch wastewater main, and routine water and wastewater appurtenance adjustments in conjunction with paving and storm drainage improvements by the Texas Department of Transportation (TxDOT) in Interstate Highway 20 from west of Haymarket Road to U.S. Highway 175 (C.F. Hawn Freeway). TxDOT designed the paving and storm drainage facilities. Dallas Water Utilities (DWU), through a previously awarded engineering contract with DAL-TECH Engineering, Inc., by City Council on January 12, 2011, by Resolution No. 11-0187, designed the water and wastewater main relocations and appurtenance adjustments. TxDOT has agreed to incorporate DWU's water and wastewater main relocations and appurtenance adjustments into their construction contract and administer the project during construction.

Under the Standard Utility Agreement with the State of Texas, acting through TxDOT, TxDOT will reimburse DWU for the engineering design costs to design the water and wastewater main relocations and appurtenance adjustments. Additionally, TxDOT will reimburse DWU for the cost of staff salaries for construction inspection and project management required for this project. TxDOT will be responsible for administering the construction of the water and wastewater main relocations and appurtenance adjustments. TxDOT is scheduled to advertise the construction of the project in June 2015.



## **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction      March 2016  
Complete Construction   October 2016

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

Authorized a professional services contract with DAL-TECH Engineering, Inc. to provide engineering design services for the renewal of water and wastewater mains at 34 locations on January 12, 2011, by Resolution No. 11-0187.

## **FISCAL INFORMATION**

Revenue: \$88,751.00

## **MAP**

Attached











May 13, 2015

**WHEREAS**, the Texas Department of Transportation (TxDOT) has plans to construct paving and drainage improvements in Interstate Highway 20 from west of Haymarket Road to U.S. Highway 175 (C.F. Hawn Freeway); and,

**WHEREAS**, Dallas Water Utilities (DWU) has existing water and wastewater mains in Interstate Highway 20 from west of Haymarket Road to U.S. Highway 175 (C.F. Hawn Freeway) that will require relocation and appurtenance adjustments to facilitate this project; and,

**WHEREAS**, DWU has designed the water and wastewater main relocations and appurtenance adjustments through an existing engineering contract with DAL-TECH Engineering, Inc., which was authorized on January 12, 2011, by Resolution No. 11-0187; and,

**WHEREAS**, TxDOT has agreed to incorporate the relocations and appurtenance adjustments of DWU facilities into their contract in order to avoid delaying the State's construction schedule; and,

**WHEREAS**, TxDOT has submitted an acceptable Standard Utility Agreement that incorporates DWU's relocations and appurtenance adjustments in advance of paving into the State's construction plans; and,

**WHEREAS**, under the Standard Utility Agreement with the State of Texas, acting through TxDOT, DWU will provide construction inspection services and approval of any design changes for the water and wastewater main relocations and appurtenance adjustments; and,

**WHEREAS**, TxDOT has agreed to provide funding for the relocation of all water and wastewater facilities pertaining to this project; and,

**WHEREAS**, TxDOT is responsible for reimbursing DWU for engineering costs; and the cost of staff salaries for construction inspection services and project management; and,

**WHEREAS**, the Standard Utility Agreement will allow the State to proceed with the advertisement, award of the construction contract, and provide contract administration.



May 13, 2015

**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 Standard Utility Agreement with the State of Texas, acting through the Texas Department of Transportation, for construction of water and wastewater main relocations and appurtenance adjustments in Interstate Highway 20 from west of Haymarket Road to U.S. Highway 175 (C.F. Hawn Freeway), after approval of the contract documents by the City Attorney.

**Section 2.** That the Chief Financial Officer is hereby authorized to receive all reimbursements from the Texas Department of Transportation pertaining to costs incurred under this project and deposit funds in an amount not to exceed \$88,751.00 as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>REVENUE SOURCE CODE</u>	<u>AMOUNT</u>
0100	DWU	7120	9906	\$20,835.00

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>REVENUE SOURCE CODE</u>	<u>AMOUNT</u>
0102	DWU	CW40	9906	\$67,916.00

**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 13, 2015

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Trinity Watershed Management

**CMO:** Jill A. Jordan, P.E., 670-5299

**MAPSCO:** 45G

---

**SUBJECT**

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Andrew Birmingham, of a subsurface easement under approximately 2,134 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$13,760 (\$11,760 plus closing costs and title expenses not to exceed \$2,000) – Financing: 2006 Bond Funds

**BACKGROUND**

This item authorizes the acquisition of a subsurface easement located under approximately 2,134 square feet of land from Andrew Birmingham. This property is located on Zenia Drive at its intersection with North Central Expressway and will be used for the Mill Creek/Peaks Branch/ State Thomas Drainage Relief Tunnel Project. The consideration is based on an independent appraisal.

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

This item has no prior action.

**FISCAL INFORMATION**

2006 Bond Funds - \$13,760 (\$11,760 plus closing costs and title expenses not to exceed \$2,000)

**OWNER**

Andrew Birmingham

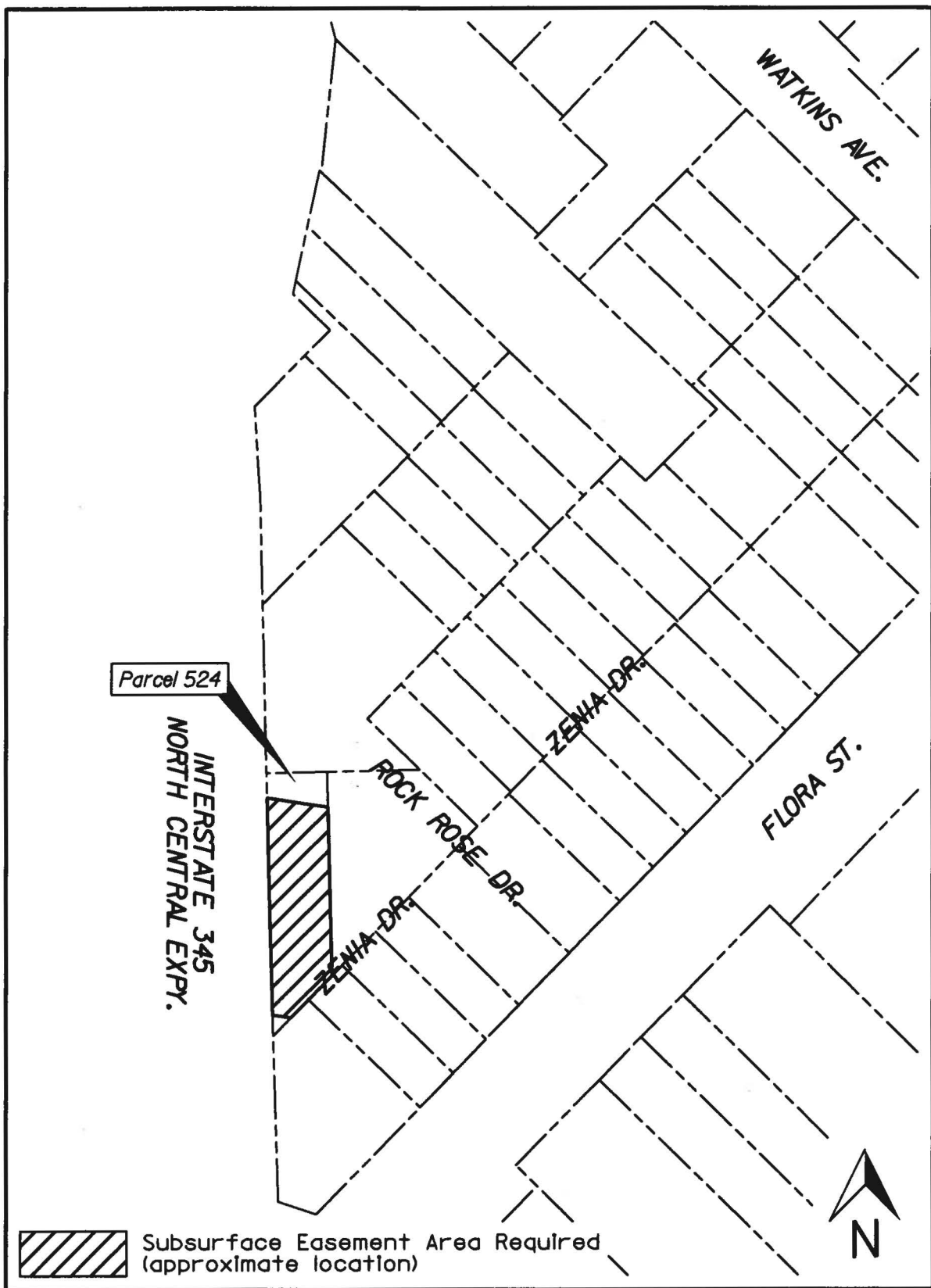
**MAPS**

Attached















May 13, 2015

**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": Located under approximately 2,134 square feet in area, lying between the subsurface elevations of 243 feet and 417 feet (U.S. Survey Feet), inclusive, North American Vertical Datum of 1988, located in Dallas County, Texas, the boundary of which property being 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 Project

"USE": The below ground construction, installation, use, and maintenance of a deep tunnel for storage and transmission of storm drainage.

"PROPERTY INTEREST": Flood Control Tunnel Easement

"OWNER": Andrew Birmingham, 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": \$11,760.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,000.00

"AUTHORIZED AMOUNT": \$13,760.00

**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 13, 2015

**SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of 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 Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525G25, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525G26. 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 the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that 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 proceeding(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 proceedings or 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 13, 2015

**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 deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT 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 Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$2,000.00 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 A 2,134 SQUARE FOOT (0.0490 ACRE)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 524)  
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594  
PART OF LOT 21 OF LOTS 2-34, FLORA STREET TOWNHOMES NO. 1  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM ANDREW BIRMINHAM

Exhibit A

BEING a 2,134 square foot (0.0490 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, in City Block 2/594 of the City of Dallas, Dallas County, Texas, and being part of that tract of land described in General Warranty Deed to Andrew Birminham recorded in Instrument Number 201200203418 of the Official Public Records of Dallas County, Texas, and being part of Lot 21 of Lots 2-34, Block 2/594, Flora Street Townhomes No. 1, an addition to the City of Dallas recorded in Instrument Number 200900306242 of said Official Public Records, and being more particularly described as follows:

(Note: Subsurface easement corners are not monumented.)

BEGINNING at the southeast corner of said Lot 21 having coordinates of N=6976401.9885, E=2493236.7637 and the south corner of Lot 20 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition, from whence an X cut (controlling monument) found for the west corner of Lot 24 and the north corner of Lot 23 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition bears North 44 degrees 12 minutes 57 seconds East 6.19 feet;

THENCE South 44 degrees 12 minutes 57 seconds West, with the southeasterly line of said Lot 21 and the northwesterly line of said Lot 23, at 13.81 feet passing an X cut (controlling monument) found for the west corner of said Lot 23 and north corner of Lot 22 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition and departing said northwesterly line of Lot 23 and with the northwesterly line of said Lot 22 and continuing with said southeasterly line of Lot 21 for a total of 24.39 feet to the point of curvature having coordinates of N=6976384.5136, E=2493219.7608 (not monumented) of a non-tangent circular curve to the right having a central angle of 00 degrees 18 minutes 33 seconds, a radius of 1,445.00 feet, a tangent of 3.90 feet and a chord which bears North 81 degrees 43 minutes 22 seconds West 7.80 feet;

THENCE Westerly, departing said southeasterly line of Lot 21 and said northwesterly line of Lot 22 and across said Lot 21 with said curve to the right, an arc distance of 7.80 feet to the end of said curve having coordinates of N=6976385.6359, E=2493212.0465 (not monumented), said end of curve being on the west line of said Lot 21 and east right-of-way line of North Central Expressway, also known as U.S. Highway 75 and as I.H.( Interstate Highway) Spur 345 (a variable width right-of-way);

THENCE North 01 degree 39 minutes 57 seconds West, with said west line of Lot 21 and said east right-of-way line of said North Central Expressway, 37.66 feet to an angle point in said west line of Lot 21 and said east right-of-way line of North Central Expressway having coordinates of N=6976423.2788, E=2493210.9518 (not monumented);





FIELD NOTES DESCRIBING A 2,134 SQUARE FOOT (0.0490 ACRE)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 524)  
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594  
PART OF LOT 21 OF LOTS 2-34, FLORA STREET TOWNHOMES NO. 1  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM ANDREW BIRMINHAM

Exhibit A

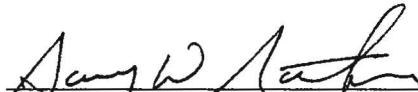
THENCE North 01 degree 17 minutes 20 seconds West, with said west line of Lot 21 and said east right-of-way line of North Central Expressway, 53.78 feet to the point of curvature having coordinates of N=6976477.0402, E=2493209.7422 (not monumented) of a non-tangent circular curve to the left having a central angle of 01 degree 05 minutes 13 seconds, a radius of 1,355.00 feet, a tangent of 12.85 feet and a chord which bears South 81 degrees 26 minutes 54 seconds East 25.71 feet;

THENCE Easterly, departing said west line of Lot 21 and said east right-of-way line of North Central Expressway and across said Lot 21 with said curve to the left, an arc distance of 25.71 feet to the end of said curve having coordinates of N=6976473.2179, E=2493235.1612 (not monumented), said end of curve being on the east line of said Lot 21 and west line of the aforementioned Lot 20;

THENCE South 01 degree 17 minutes 20 seconds East, with said east line of Lot 21 and west line of said Lot 20, 71.26 feet to the POINT OF BEGINNING and containing 2,134 square feet (0.0490 acre) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506

For Nathan D. Maier Consulting Engineers, Inc.

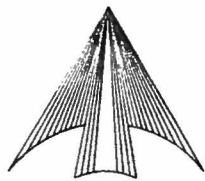
  
Gary W. Matthews  
Registered Professional Land Surveyor  
Texas No. 5534 9.12.2013



FIELD NOTES APPROVED:

PER 11/10/13

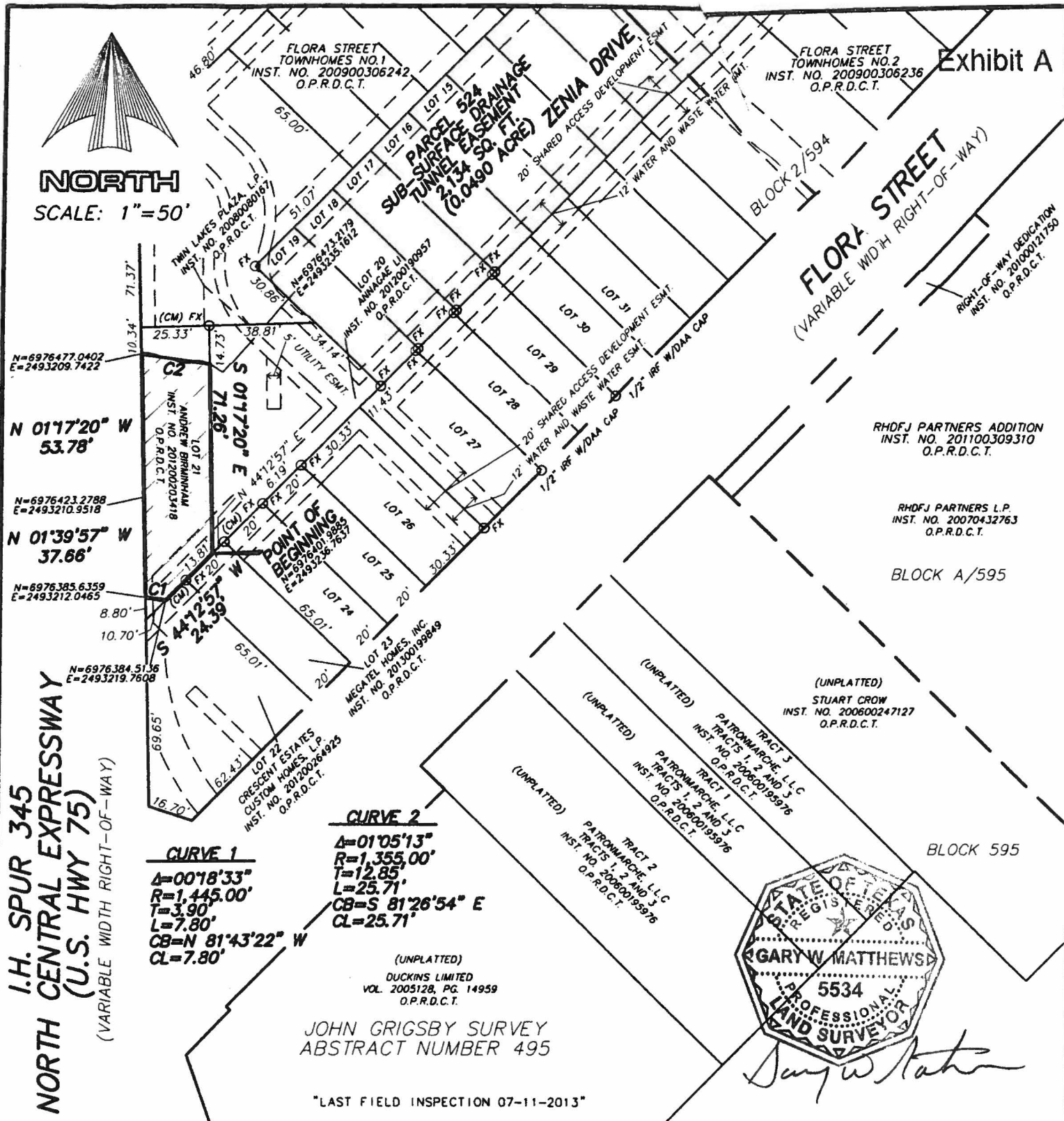




**NORTH**

SCALE: 1"=50'

Exhibit A



I.H. SPUR 345  
NORTH CENTRAL EXPRESSWAY  
(U.S. HWY 75)  
(VARIABLE WIDTH RIGHT-OF-WAY)

**CURVE 1**

$\Delta=00^{\circ}18'33''$   
 $R=1,445.00'$   
 $T=3.90'$   
 $L=7.80'$   
 $CB=N 81^{\circ}43'22'' W$   
 $CL=7.80'$

**CURVE 2**

$\Delta=01^{\circ}05'13''$   
 $R=1,355.00'$   
 $T=12.85'$   
 $L=25.71'$   
 $CB=S 81^{\circ}26'54'' E$   
 $CL=25.71'$

(UNPLATTED)

DUCKINS LIMITED  
VOL. 2005128, PG. 14959  
O.P.R.D.C.T.

JOHN GRIGSBY SURVEY  
ABSTRACT NUMBER 495

"LAST FIELD INSPECTION 07-11-2013"



PAGE 3 OF 3

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

**LEGEND**

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  
INST. NO. INSTRUMENT NUMBER  
VOL., PG. VOLUME, PAGE  
ESMT. EASEMENT  
SQ. FT. SQUARE FEET

--- RIGHT-OF-WAY LINE  
--- EASEMENT LINE  
--- SUBDIVISION LINE  
--- PROPERTY LINE  
--- IRF IRON ROD FOUND  
--- IPF IRON PIPE FOUND  
--- CM CONTROLLING MONUMENT  
--- FPK FOUND PK NAIL  
--- FX FOUND "X"

2,134 SQ. FT. (0.0490 ACRE) SUB-SURFACE DRAINAGE TUNNEL EASEMENT CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 524) TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594, PART OF LOT 21, FLORA STREET TOWNHOMES NO. 1, JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495 CITY OF DALLAS, DALLAS COUNTY, TEXAS FROM ANDREW BIRMINGHAM

NDM

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

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

09/12/2013

PARCEL-524.DWG



**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Trinity Watershed Management

**CMO:** Jill A. Jordan, P.E., 670-5299

**MAPSCO:** 46E

---

**SUBJECT**

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Eretz Dallas Properties, LLC, of a subsurface easement under approximately 9,019 square feet of land located on Haskell Avenue near its intersection with Live Oak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project – Not to exceed \$34,165 (\$30,665 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds

**BACKGROUND**

This item authorizes the acquisition of a subsurface easement located under approximately 9,019 square feet of land from Eretz Dallas Properties, LLC. This property is located on Haskell Avenue near its intersection with Live Oak Street and will be used for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project. The consideration is based on an independent appraisal.

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

This item has no prior action.

**FISCAL INFORMATION**

2006 Bond Funds - \$34,165 (\$30,665 plus closing costs and title expenses not to exceed \$3,500)

**OWNER**

**Eretz Dallas Properties, LLC**

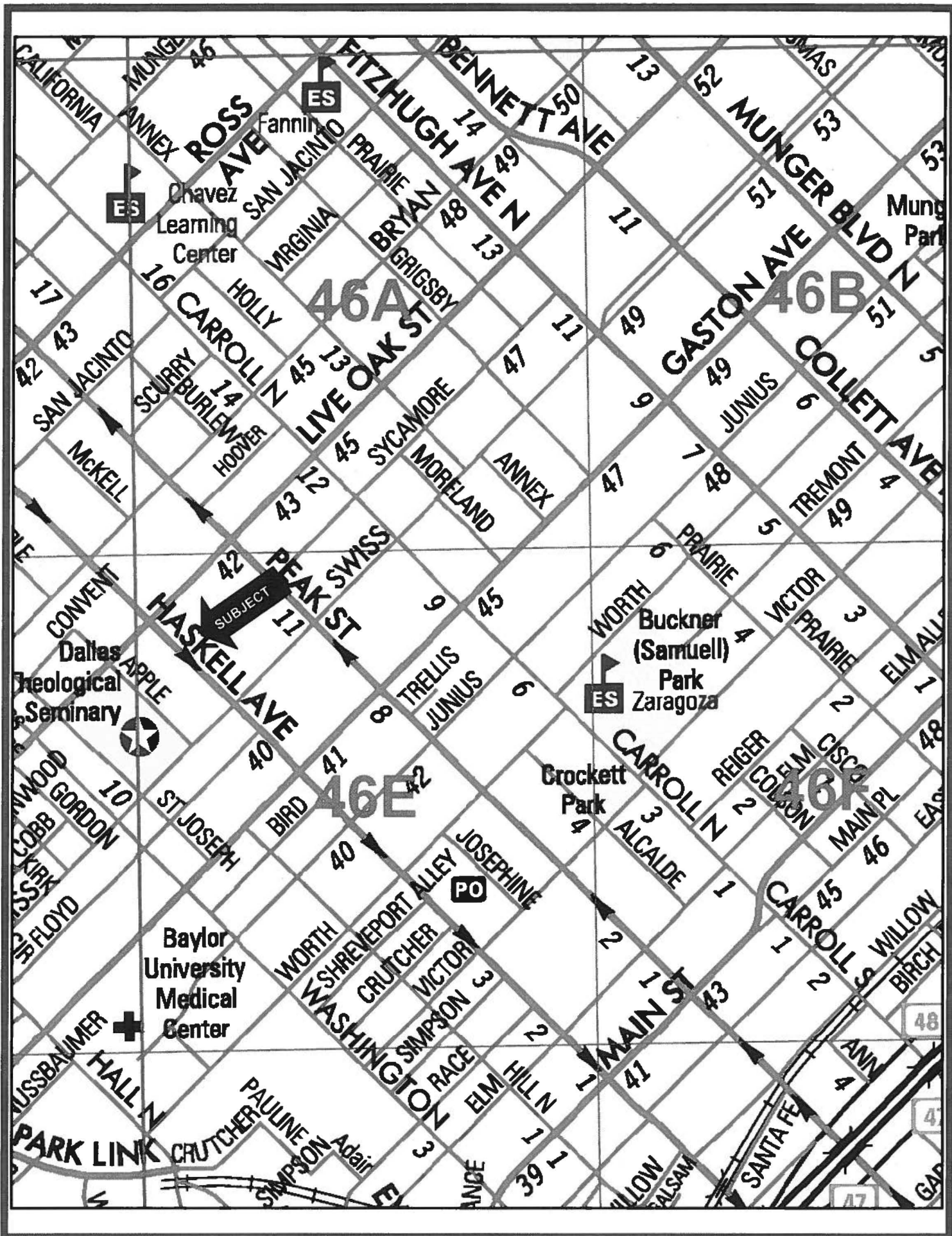
SYTR Real Estate Holdings, LLC, Governing Person  
Shlomo Rechnitz, Governing Person



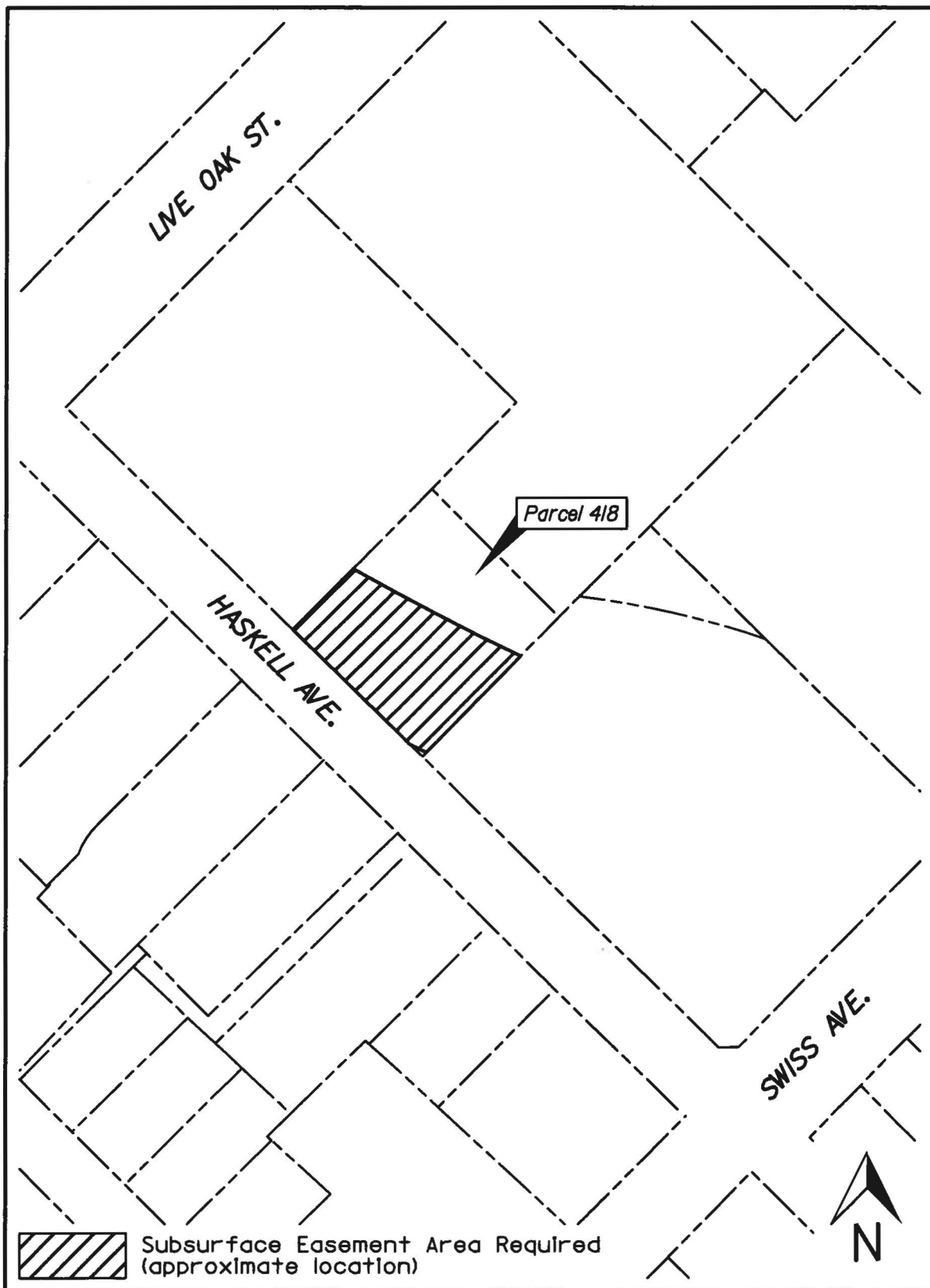
## **MAPS**

Attached











May 13, 2015

**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": Located under approximately 9,019 square feet in area, lying between the subsurface elevations of 219 feet and 393 feet (U.S. Survey Feet), inclusive, North American Vertical Datum of 1988, located in Dallas County, Texas, the boundary of which property being 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 Project

"USE": The below ground construction, installation, use, and maintenance of a deep tunnel for storage and transmission of storm drainage.

"PROPERTY INTEREST": Flood Control Tunnel Easement

"OWNER": Eretz Dallas Properties, LLC, 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": \$30,665.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,500.00

"AUTHORIZED AMOUNT": \$34,165.00

**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 13, 2015

**SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of 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 Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525G50, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525G51. 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 the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that 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 proceeding(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 proceedings or 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 13, 2015

**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 deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT 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 Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$3,500.00 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 0.2070-ACRE (9,019-SQUARE FOOT)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 418)  
PART OF LOT 4, BLOCK 10/740, HASKOAK ADDITION  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM ERETZ DALLAS PROPERTIES, LLC**

**BEING** a 0.2070-acre (9,019-square-foot) tract of land situated in the City of Dallas and the John Grigsby Survey, Abstract Number 495, Dallas County, Texas, and being part of Lot 4, Block 10/740 of Haskoak Addition, an addition to the City of Dallas recorded in Instrument No. 200900020194 of the Official Public Records of Dallas County, Texas, and being part of that certain tract of land conveyed to Eretz Dallas Properties, LLC as evidenced by Special Warranty Deed recorded in Instrument Number 201300368927 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

(NOTE: Subsurface easement corners are not monumented.)

**BEGINNING** at the west corner of said Eretz Dallas Properties, LLC tract, the west corner of said Lot 4, the north corner of a 7.5 foot right-of-way dedication as shown on the plat of said Haskoak Addition and being in the southeast line of that certain tract of land conveyed to Greenville Ross Partners, Ltd. as evidenced by Special Warranty Deed recorded in Volume 2003019, Page 2515 of the Deed Records of Dallas County, Texas, and in the northeast line of Haskell Avenue, a variable width right-of-way, having coordinates of N=6976877.7140, E=2497241.9295 (not monumented);

**THENCE** North 44 degrees 27 minutes 50 seconds East departing the northeast line of Haskell Avenue and southwest line of City Block 10/740 along the northwest line of said Eretz Dallas Properties, LLC tract, the northwest line of said Lot 4 and the southeast line of said Greenville Ross Partners tract a distance of 52.27 feet to the beginning of a non-tangent curve to the left, having coordinates of N=6976915.0124, E=2497278.5364 (not monumented);

**THENCE** departing the northwest line of said Eretz Dallas Properties, LLC tract and said Lot 4 and the southeast line of said Greenville Ross Partners tract, over and across a portion of said Eretz Dallas Properties, LLC tract and said Lot 4, along said curve to the left having a central angle of 03 degrees 53 minutes 35 seconds, a radius of 1955.00 feet, an arc length of 132.83 feet, a chord bearing of South 62 degrees 32 minutes 36 seconds East a distance of 132.81 feet to the southeast line of said Eretz Dallas Properties, LLC tract and the southeast line of said Lot 4, the northwest line of that certain tract of land conveyed to Swiss Avenue Properties, L.P. as evidenced by General Warranty Deed recorded in Volume 2003082, Page 6070 of the Deed Records of Dallas County, Texas, and the northwest line of Lot 2, City Block 10/740 of Swiss Avenue Surgicenter, an addition to the City of Dallas as evidenced by plat recorded in Volume 2003064, Page 135 of the Deed Records of Dallas County, Texas, having coordinates of N=6976853.7860, E=2497396.3686 (not monumented);

**THENCE** South 44 degrees 27 minutes 50 seconds West along the common northwest line of said Swiss Avenue Properties tract, northwest line of said Swiss Avenue Surgicenter addition, and southeast line of said Eretz Dallas Properties, LLC tract and said Lot 4 a distance of 91.34 feet to the south corner of said Eretz Dallas Properties, LLC tract, the south corner of said Lot 4 and the east corner of said 7.5 foot right-of-way dedication, having coordinates of N=6976788.6086, E=2497332.4016 (not monumented) and



FIELD NOTES APPROVED:

2012 2/19/14



**FIELD NOTES DESCRIBING A 0.2070-ACRE (9,019-SQUARE FOOT)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 418)  
PART OF LOT 4, BLOCK 10/740, HASKOAK ADDITION  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM ERETZ DALLAS PROPERTIES, LLC**

from which a 5/8 inch iron rod (controlling monument) found marking the west corner of said Swiss Avenue Surgicenter Addition bears South 44 degrees 27 minutes 50 seconds West, 7.71 feet ;

**THENCE** with the northeast line of said 7.5 foot right-of-way dedication, the southwest line of said Eretz Dallas Properties, LLC tract and the southwest line of said Lot 4, North 45 degrees 26 minutes 10 seconds West, a distance of 127.00 feet to the **POINT OF BEGINNING**;

**CONTAINING** within the metes recited 0.2070 acre (9,019 square feet) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.



FIELD NOTES APPROVED:

292 2/19/14







**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Trinity Watershed Management

**CMO:** Jill A. Jordan, P.E., 670-5299

**MAPSCO:** 46E

---

**SUBJECT**

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from M.I. Gaston Partners, Ltd. and MSC-I, Ltd., of a subsurface easement under approximately 10,702 square feet of land located on Gaston Avenue near its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$34,606 (\$32,106 plus closing costs and title expenses not to exceed \$2,500) – Financing: 2006 Bond Funds

**BACKGROUND**

This item authorizes the acquisition of a subsurface easement located under approximately 10,702 square feet of land from M.I. Gaston Partners, Ltd. and MSC-I, Ltd. This property is located on Gaston Avenue near its intersection with Peak Street and will be used for the Mill Creek/Peaks Branch/ State Thomas Drainage Relief Tunnel Project. The consideration is based on an independent appraisal.

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

This item has no prior action.

**FISCAL INFORMATION**

2006 Bond Funds - \$34,606 (\$32,106 plus closing costs and title expenses not to exceed \$2,500)

**OWNER**

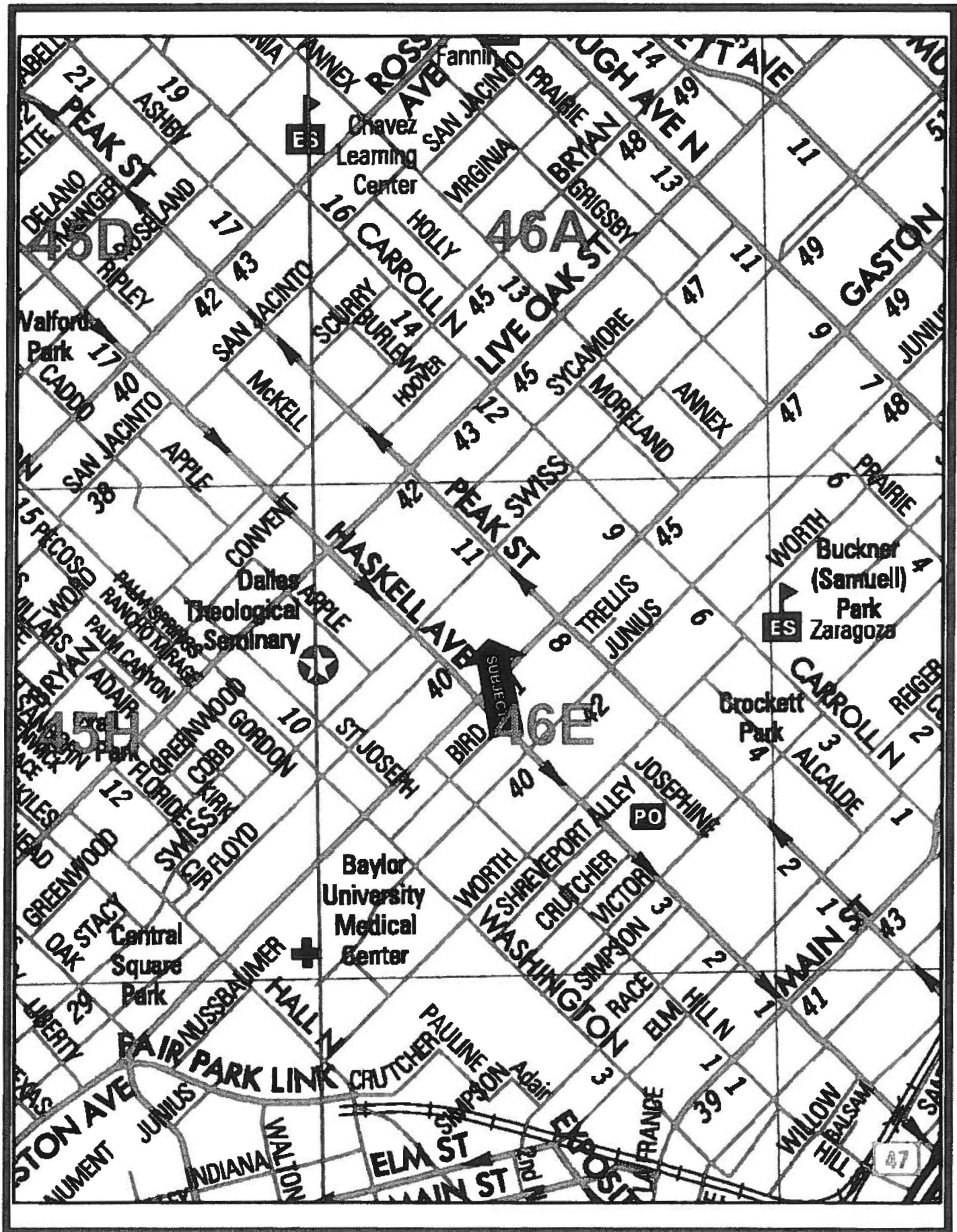
M.I. Gaston Partners, Ltd.  
MSC-I, Ltd.



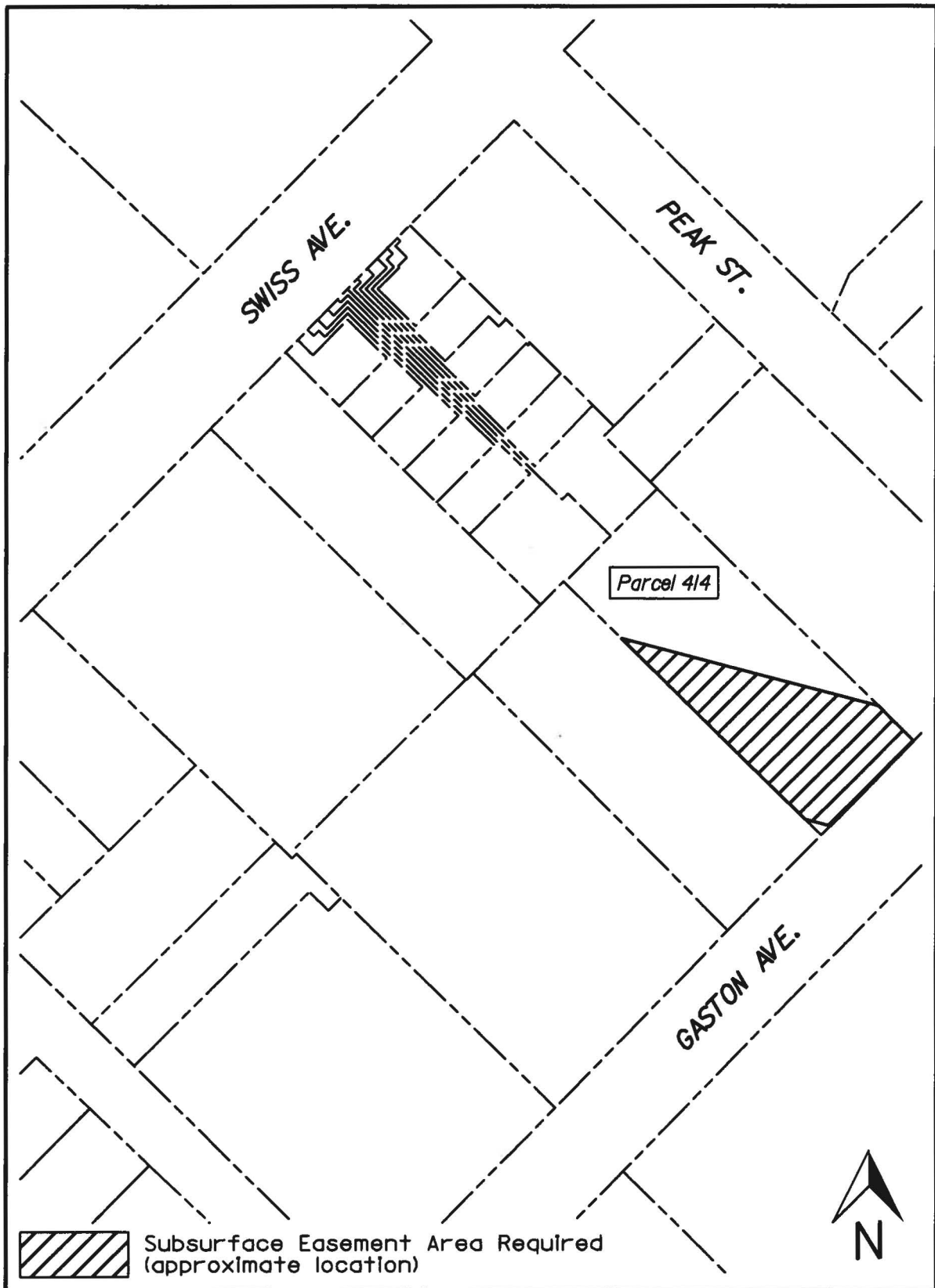
## **MAPS**

Attached











May 13, 2015

**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": Located under approximately 10,702 square feet in area, lying between the subsurface elevations of 214 feet and 391 feet (U.S. Survey Feet), inclusive, North American Vertical Datum of 1988, located in Dallas County, Texas, the boundary of which property being 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 Project

"USE": The below ground construction, installation, use, and maintenance of a deep tunnel for storage and transmission of storm drainage.

"PROPERTY INTEREST": Flood Control Tunnel Easement

"OWNER": M.I. Gaston Partners, Ltd. and MSC-I, Ltd., provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$32,106.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,500.00

"AUTHORIZED AMOUNT": \$34,606.00

**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 13, 2015

**SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of 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 Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525G48, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525G49. 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 the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that 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 proceeding(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 proceedings or 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 13, 2015

**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 deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT 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 Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$2,500.00 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 0.2457-ACRE (10,702-SQUARE-FOOT)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 414)  
PART OF CITY BLOCK 7/767, PEAK'S SUBURBAN ADDITION  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM MSC-I, LTD.**

**EXHIBIT A**

**BEING** a 0.2457-acre (10,702-square-foot) tract of land situated in the City of Dallas and the John Grigsby Survey, Abstract Number 495, Dallas County, Texas, and being part of Block 7 (Official City of Dallas Block Number 7/767) of Peak's Suburban Addition, an addition to the City of Dallas recorded in Volume 45, Page 56 of the Deed Records of Dallas County, Texas, and being part of that certain tract of land conveyed to MSC-I, Ltd. as evidenced by Special Warranty Deed recorded in Volume 2001229, Page 3303 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

(NOTE: Subsurface easement corners are not monumented.)

**BEGINNING** in the northwest line of Gaston Avenue, a 70-foot right-of-way, and the southeast line of City Block 7/767 at the common east corner of said MSC-I tract and the south corner of that certain tract of land conveyed to North Peak Center, LLC as evidenced by Special Warranty Deed recorded in Instrument Number 200900037207 of the Official Public Records of Dallas County, Texas, having coordinates of N=6976551.0466, E=2498339.3488 (not monumented), from which an "X" cut in concrete found bears North 45 degrees 24 minutes 31 seconds West a distance of 0.63 feet;

**THENCE** South 44 degrees 24 minutes 29 seconds West along the common southeast line of said MSC-I tract, the northwest line of Gaston Avenue, and the southeast line of City Block 7/767 a distance of 83.47 feet, having coordinates of N=6976491.4229, E=2498280.9445 (not monumented);

**THENCE** North 75 degrees 10 minutes 00 seconds West departing the common southeast line of said MSC-I tract, the northwest line of Gaston Avenue, and the southeast line of City Block 7/767 over and across said MSC-I tract a distance of 18.27 feet to the southwest line of said MSC-I tract and the northeast line of that certain tract of land conveyed to East West Gaston Partners, LP as evidenced by Special Warranty Deed with Vendor's Lien recorded in Instrument Number 201200355919 of the Official Public Records of Dallas County, Texas, having coordinates of N=6976496.0987, E=2498263.2887 (not monumented), from which an "X" cut in concrete found bears South 45 degrees 30 minutes 20 seconds East a distance of 15.23 feet;

**THENCE** North 45 degrees 30 minutes 20 seconds West along the common southwest line of said MSC-I tract and northeast line of said East West Gaston Partners tract a distance of 181.87 feet, having coordinates N=6976623.5404, E=2498133.5785 (not monumented);

**THENCE** South 75 degrees 10 minutes 00 seconds East departing said common southwest line of said MSC-I tract and northeast line of said East West Gaston Partners tract, over and across, said MSC-I tract a distance of 186.94 feet to the common northeast line of said MSC-I tract and southwest line of said North Peak Center tract, having coordinates N=6976575.6883, E=2498314.2657 (not monumented);

**THENCE** South 45 degrees 30 minutes 31 seconds East along the common northeast line of said MSC-I tract and southwest line of said North Peak Center tract a distance of 35.17 feet to the **POINT OF BEGINNING**;



FIELD NOTES DESCRIBING A 0.2457-ACRE (10,702-SQUARE-FOOT)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 414)  
PART OF CITY BLOCK 7/767, PEAK'S SUBURBAN ADDITION  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM NSC-I, LTD.

EXHIBIT A

CONTAINING within the metes recited 0.2457 acre (10,702 square feet) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

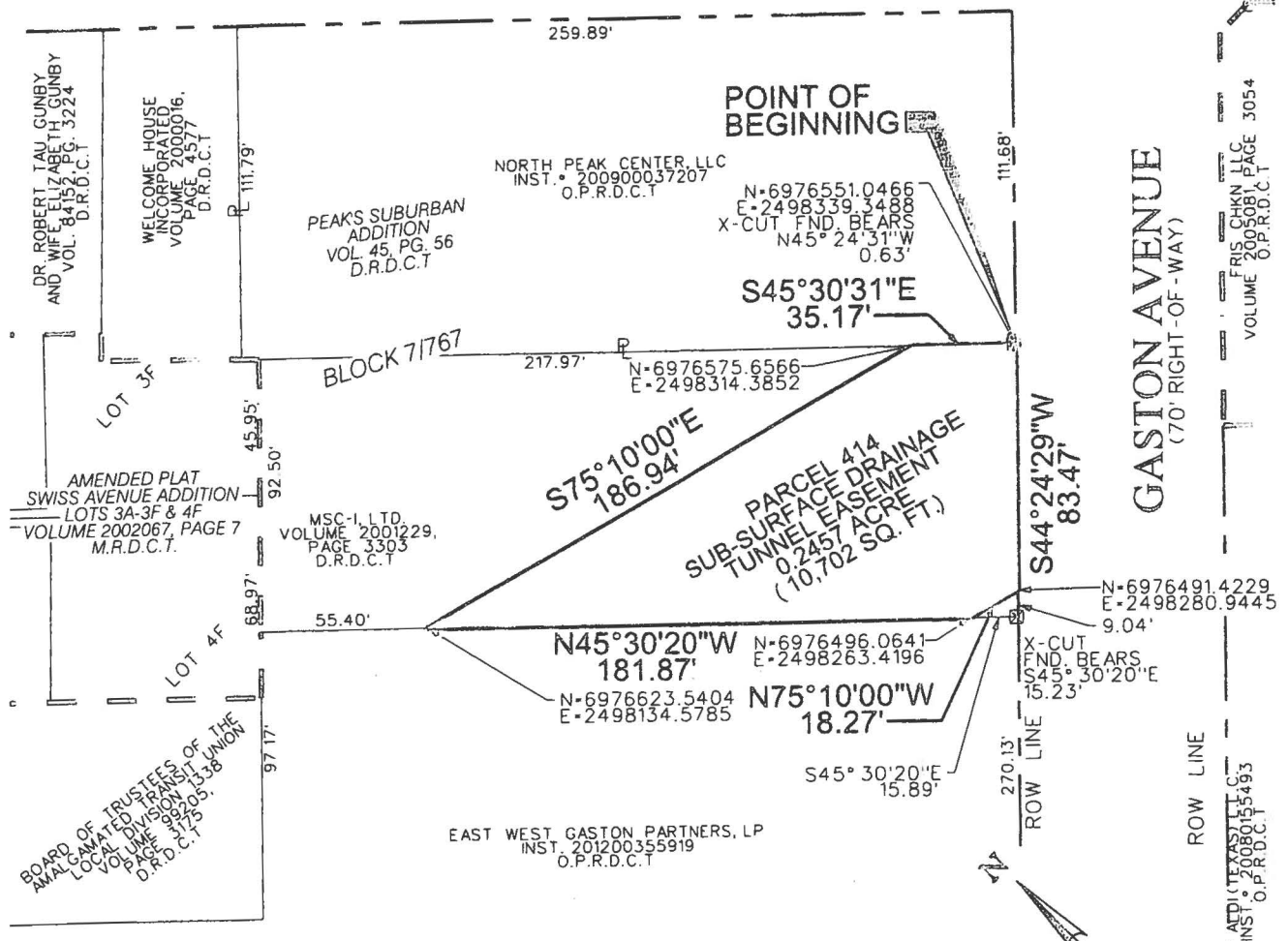


*Ronald W. Walcott* 10/15/13

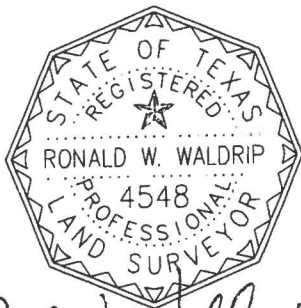


**PEAK STREET**  
(60' RIGHT-OF-WAY)

PK FND



BOARD OF TRUSTEES OF THE  
AMALGAMATED DIVISION LOCAL UNION  
VOLUME 2005081, PAGE 3054  
O.P.R.D.C.T.



*Ronald W. Waldrup*  
10/15/13

**JOHN GRIGSBY SURVEY**  
ABSTRACT NO. 495



**SCALE: 1"=60'**

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

**LEGEND**

- ROW LINE
- P- PROPERTY LINE
- LOT LINE
- SUBDIVISION LINE
- PROP. EASEMENT LINE
- IRON ROD
- X-CUT
- △ MONUMENT

NOTE: SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED

(C.M.) CONTROLLING MONUMENT  
FIR FOUND IRON ROD  
FIP FOUND IRON PIPE  
D.R.D.C.T. DEED RECORDS DALLAS COUNTY TEXAS  
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS

SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 414)  
PART CITY BLOCK 71767 OF  
PEAK'S SUBURBAN ADDITION  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**ARS Engineers, Inc.**  
12801 N. Central Expressway, Suite 1250  
Dallas, Texas 75243  
(214) 739-3152 Fax (214) 739-3169



**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 8

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 76 J K

---

**SUBJECT**

**DalParc I-20 Logistics, LLC**

- \* Authorize a resolution designating approximately 127 acres of property located south of Altamoor Road, north of Telephone Road, west of Van Horn Drive and east of the Lancaster City Limit in Dallas, Texas, as City of Dallas Neighborhood Empowerment Zone No. 2 ("City of Dallas NEZ No. 2"), pursuant to Chapter 378 of the Local Government Code to promote an increase in economic development in the zone, establishing the boundaries of the Neighborhood Empowerment Zone and providing for an effective date - Financing: No cost consideration to the City
- \* Authorize a real property tax abatement agreement with DalParc I-20 Logistics, LLC located on approximately 44 acres south of Altamoor Road, north of Balmorhea Drive, west of Van Horn Drive and east of the Lancaster City Limit in Dallas, Texas for a speculative industrial/warehouse facility of at least 900,000 square feet in the amount of 90 percent on the value of real property improvements for 10 years in accordance with the City's Public/Private Partnership Program – Revenue: First year revenue estimated at \$17,932; ten-year revenue estimated at \$179,325; (Estimated revenue foregone for a ten-year new business personal property abatement estimated at \$1,613,925)
- \* Authorize a Chapter 380 economic development grant agreement in an amount not to exceed \$312,000 with DalParc I-20 Logistics, LLC related to the construction of a speculative industrial/warehouse facility of at least 900,000 square feet, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program – Not to exceed \$312,000 – Financing: 2012 Bond Funds



## **BACKGROUND**

City staff has negotiated with VanTrust Real Estate, LLC regarding construction of a speculative industrial/warehouse facility of at least 900,000 square feet on approximately 44 acres located south of Altamoor, north of Balmorea and east of Dallas Avenue in Dallas, Texas within the current Ridge Logistic Center in South Dallas. VanTrust Real Estate, LLC will develop this project through a single purpose entity called DalParc I-20 Logistics, LLC. The new facility is a first phase of a multi-phase development which will encompass a total of approximately 2.1 million square feet of industrial/warehouse space on approximately 128 acres within the City of Dallas. An additional 31 acres within the City of Lancaster adjacent to this site is considered for another 300,000 square feet of new development.

VanTrust Real Estate, LLC is a full-service real estate development company with a regional focus and national scope. VanTrust Real Estate, LLC is headquartered in Kansas City, Missouri with regional offices in Columbus, Dallas, Houston and Phoenix. The company's real estate assets include office, industrial, multifamily, retail, institutional, governmental, hospitality and recreational.

DalParc I-20 Logistics, LLC requests City Council consideration of 90 percent real property tax abatement for 10 years and an economic development grant in an amount not to exceed \$312,000. Both the real property tax abatement and economic development grant will help secure investment and future job opportunity at this Southern Dallas location by promoting a new industrial/warehouse facility which would be competitive with similar developments in other area cities. DalParc I-20 Logistics, LLC would not commit to the development without the proposed incentives. To receive the proposed incentives, DalParc I-20 Logistics, LLC is required to spend a minimum of \$22,500,000 constructing the 900,000 square foot facility with substantial completion by December 31, 2016. Additionally, DalParc I-20 Logistics, LLC must have at least 75 percent of the facility leased and occupied in order to receive the tax abatement. If the required space is not occupied during a given year within the 10 year tax abatement period commencing January 1, 2017, the abatement is lost for that year.

In order to provide the tax abatement at this location, staff recommends the creation of City of Dallas Neighborhood Empowerment Zone No. 2. Neighborhood Empowerment Zones (NEZs) are designated areas where municipalities can offer economic incentives that promote investment and redevelopment. According to the Texas Local Government Code (Chapter 378), an NEZ must be created for at least one (1) of the following purposes: the creation and rehabilitation of affordable housing (including manufactured housing); economic development opportunities; or an increase in the quality of social services, education, or public safety.



## **BACKGROUND** (Continued)

The forgone revenue from the proposed 90 percent, ten year real property abatement is \$1,613,925. The proposed agreement after incentives are applied is estimated to result in a 10-year net fiscal impact of \$2,457,596. The estimated twenty-year net fiscal impact of the proposed development after incentives is \$8,828,428.

This proposed project conforms to minimum eligibility criteria for the City's Public/Private Partnership Program Guidelines and Criteria as it has a private investment exceeding \$1 million. Staff recommends the proposed incentives be approved.

## **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction	September 2015
Substantial Completion	December 2016

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

This item was presented to the Economic Development Committee on April 20, 2015.

## **FISCAL INFORMATION**

\$312,000 - 2012 Bond Funds

## **OWNER**

**DalParc I-20 Logistics, L.L.C.**

David Harrison, Manager

## **MAP(S)**

Attached.



# City of Dallas Neighborhood Empowerment Zone No.2

Disclaimer: 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.



DALLAS  
ECONOMIC  
DEVELOPMENT

Research & Information Division  
214.670.1685  
dallas-ecodev.org

Created 4.3.2015 - 15-04-02 David Schleg.TCG

## Legend

- Highway
- Arterial

- Local Road
- City of Dallas

Source: City of Dallas, 2015



# DalParc I-20 Logistics Phase I

Disclaimer: 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.



DALLAS  
ECONOMIC  
DEVELOPMENT

Research & Information Division  
214.670.1685  
dallas-ecodev.org

Created 4.3.2015 - 15-04-02 David Schleg.TCG

## Legend

- Highway
- Arterial

- Local Road
- City of Dallas

Source: City of Dallas, 2015



# DalParc I-20 Logistics Phase I

Disclaimer: 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.



DALLAS  
ECONOMIC  
DEVELOPMENT

Research & Information Division  
214.670.1685  
dallas-ecodev.org

Created 4.3.2015 - 15-04-02 David Schleg.TCG

## Legend

- Highway
- Arterial

- Local Road
- City of Dallas

Source: City of Dallas, 2015



May 13, 2015

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

**WHEREAS**, the City wishes to encourage economic development in the Southern Sector of the City of Dallas; and

**WHEREAS**, Title 12 of the Local Government Code, Section 378.002 of the requires that the creation of the City of Dallas Neighborhood Empowerment Zone No. 2 ("City of Dallas NEZ No. 2") promote (1) the creation or rehabilitation of affordable housing in the zone, or (2) an increase in economic development in the zone, or (3) an increase in the quality of social services, education or public safety provided to the residents of the zone; and

**WHEREAS**, the City finds that the creation of City of Dallas NEZ No. 2 will promote an increase in economic development in the zone by promoting job creation, and additional business activity at this southern Dallas location; and

**WHEREAS**, the City finds that the creation of the City of Dallas NEZ No. 2 benefits the public and is for the public purpose of increasing the public health, safety, and welfare of the persons in the municipality; and

**WHEREAS**, the City finds that the creation of the zone satisfies the requirements of Section 312.202 in that the creation of the zone is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the municipality.

**NOW, THEREFORE,**

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

**Section 1.** That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

**Section 2.** That the City of Dallas NEZ No. 2 is hereby created as defined by the **Exhibit A** (Map) and **Exhibit B** (Metes and Bounds).

**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: City of Dallas Neighborhood Empowerment Zone No.2

Disclaimer: 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.



DALLAS  
ECONOMIC  
DEVELOPMENT

Research & Information Division  
214.670.1685  
dallas-ecodev.org

Created 4.3.2015 - 15-04-02 David Schleg.TCG

## Legend

- Highway
- Arterial

- Local Road
- City of Dallas

Source: City of Dallas, 2015



## **Exhibit B**

### **Metes and Bounds**

#### **LEGAL DESCRIPTION**

**BEING** a tract of land situated in the Smith Elkins Survey, Abstract No. 430 and the George Floyd Survey, Abstract No. 463, City of Dallas, Dallas County, Texas; and being all of Lot 1, Block N8300 and all of Lots 1 & 3, Block N8299, Ridge South Dallas Addition, an addition to the City of Dallas according to the plat recorded in Instrument No. 201400098280, Official Public Records of Dallas County, Texas; and being more particularly described as follows:

**BEGINNING** at the north end of a right-of-way corner clip at the intersection of the southwest right-of-way line of Van Horn Drive (a 60-foot wide right-of-way) and the northwest right-of-way line of Telephone Road (a variable width right-of-way);

**THENCE** with said right-of-way corner clip, South 14°41'39" West, a distance of 21.35 feet to the south end of said right-of-way corner clip and in said northwest right-of-way line of Telephone Road;

**THENCE** with said northwest right-of-way line of Telephone Road, the following courses and distances:

South 59°22'12" West, a distance of 220.44 feet to a point for corner;  
South 63°21'07" West, a distance of 543.07 feet to the beginning of a tangent curve to the left having a central angle of 3°54'00", a radius of 2934.79 feet, a chord bearing and distance of South 61°24'07" West, 199.73 feet; In a southwesterly direction, with said curve to the left, an arc distance of 199.76 feet to a point for corner; South 59°27'10" West, a distance of 1165.32 feet to a point for corner; South 60°29'52" West, a distance of 205.87 feet to the south corner of said Ridge South Dallas Addition;

**THENCE** departing said northwest right-of-way line of Telephone Road and with the southwest line of said Ridge South Dallas Addition, the following courses and distances:

North 21°14'39" West, a distance of 2166.56 feet to a point at the beginning of a tangent curve to the left having a central angle of 6°04'00", a radius of 4320.24 feet, a chord bearing and distance of North 24°16'39" West, 457.23 feet; In a northwesterly direction, with said curve to the left, an arc distance of 457.44 feet to a point for corner; North 27°18'38" West, a distance of 1127.06 feet to the west corner of said Ridge South Dallas Addition and being in the southeast right-of-way line of Altamoore Drive (a 60-foot wide right-of-way);

**THENCE** with said southeast right-of-way line of Altamoore Drive, North 60°01'05" East, a distance of 932.38 feet to the north corner of said Ridge South Dallas Addition;

**THENCE** departing said southeasterly right-of-way line of Altamoore Drive and with a northeast line of said Ridge South Dallas Addition, South 29°58'55" East, a distance of 2151.54 feet to point for corner in the southeast right-of-way line of Balmorhea Drive (a 60-foot wide right-of-way);



## **Exhibit B**

### **Metes and Bounds**

**THENCE** with said southeast right-of-way line of Balmorhea Drive, the following courses and distances:

North 83°54'45" East, a distance of 104.82 feet to a point at the beginning of a tangent curve to the left having a central angle of 23°53'40", a radius of 630.00 feet, a chord bearing and distance of North 71°57'55" East, 260.83 feet; In a northeasterly direction, with said curve to the left, an arc distance of 262.73 feet to a point for corner; North 60°01'05" East, a distance of 647.84 feet to the west end of a right-of-way corner clip at the intersection of said southeasterly right-of-way line of Balmorhea Drive and said southwest right-of-way line of Van Horn Drive;

**THENCE** with said right-of-way corner clip, South 74°51'04" East, a distance of 26.93 feet to the beginning of a non-tangent curve to the right having a central angle of 0°44'04", a radius of 969.99 feet, a chord bearing and distance of South 28°14'42" East, 12.43 feet and being in said southwest right-of-way line of Van Horn Drive;

**THENCE** with said southwest right-of-way line of Van Horn Drive, the following courses and distances:

In a southeasterly direction, with said curve to the right, an arc distance of 12.43 feet to a point for corner; South 2T49'07" East, a distance of 737.74 feet to the beginning of a tangent curve to the left having a central angle of 2°09'48", a radius of 1030.00 feet, a chord bearing and distance of South 28°54'01" East, 38.89 feet; In a southeasterly direction, with said curve to the left, an arc distance of 38.89 feet to a point for corner; South 29°58'55" East, a distance of 675.56 feet to the POINT OF BEGINNING and containing 128.13 acres of land.



May 13, 2015

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

**WHEREAS**, on June 25, 2014 by Resolution No. 14-0993, City Council elected to continue its participation in tax abatement and the Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered by the City as required by the Property Redevelopment and Tax Abatement Act, as amended, V.T.C.A. Tax Code, Chapter 312 (the "Act") by Resolution No. 12-1520 as amended; and

**WHEREAS**, on May 13, 2015 the City created the City of Dallas Neighborhood Empowerment Zone No. 2 (City of Dallas NEZ No. 2); and

**WHEREAS**, Title 12 of the Local Government Code, Section 378.002 requires that the creation of City of Dallas NEZ No. 2 promote (1) the creation or rehabilitation of affordable housing in the zone, or (2) an increase in economic development in the zone, or (3) an increase in the quality of social services, education or public safety provided to the residents of the zone; and

**WHEREAS**, the City finds that the creation of the City of Dallas NEZ No. 2 benefits the public and is for the public purpose of increasing economic development; and

**WHEREAS**, the City finds that the City of Dallas NEZ No. 2 satisfies the requirements of Chapter 312.202 of the Property Redevelopment and Tax Abatement Act to permit tax abatements for eligible properties; and

**WHEREAS**, Title 12 of the Local Government Code, Section 378.004 empowers municipalities to enter into agreements abating municipal property taxes on property in the zone subject to the duration limits of Section 312.2004, Tax Code; and

**WHEREAS**, DalParc I-20 Logistics, LLC. proposes to develop a speculative warehouse within City of Dallas NEZ No. 2, thereby promoting economic development, job creation and increased business activity in the zone; and

**WHEREAS**, the City desires to enter into a real property tax abatement agreement with DalParc I-20 Logistics, LLC. for added value to real property located on approximately 44 acres located within City of Dallas NEZ No. 2 as further described by the property Metes and Bounds attached as Exhibit A.

**NOW, THEREFORE,**

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



May 13, 2015

**Section 1.** That the City Manager upon approval as to form by the City Attorney is hereby authorized to execute a real property tax abatement agreement with DalParc I-20 Logistics, LLC. for added value to the real property in accordance with the Act and the City's Public/Private Partnership Guidelines and Criteria.

**Section 2.** That the approval and execution of the tax abatement agreement by the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

**Section 3.** That the real property subject to the tax abatement agreement, depicted on the attached site map **Exhibit A (Map)** is more particularly described by **Exhibit B (Metes and Bounds)**.

**Section 4.** That the tax abatement agreement shall provide, among other provisions, the following:

- (a) The Property subject to tax abatement shall be located entirely within City of Dallas NEZ No. 2, City of Dallas, Texas.
- (b) None of the Property subject to tax abatement is owned or leased by a member of the City Council of the City of Dallas or by a member of the City Plan Commission.
- (c) That the development of the Property will conform to all requirements of the City's zoning ordinance, and that the use of the Property is consistent with the general purpose of encouraging development or redevelopment in the reinvestment zone during the period the tax abatement is in effect.
- (d) The City will provide DalParc I-20 Logistics, LLC a 90 percent abatement of the added value to the real property associated with the development for a period of ten years for real property located within City of Dallas NEZ No. 2 as provided in **Exhibit B (Metes and Bounds)**. The tax abatement will commence on or before January 1, 2017.
- (e) That in order for DalParc I-20 Logistics, LLC to receive the tax abatement during any year of the agreement, it must document that a minimum of 75 percent of the facility is presently occupied by one or more tenants by April 15 of each year of the agreement.



May 13, 2015

**Section 4.** (Continued)

- (f) That the proposed project shall result in at least \$22,500,000 in real property improvements associated with design, engineering and construction (including hard and soft costs) will be substantially completed by December 31, 2016. The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause.
- (g) That a proportionate percentage of the property tax revenue lost as a result of the tax abatement agreement will be recaptured by the City if improvements to real property are not made or DalParc I-20 Logistic LLC is in default of terms as provided by the tax abatement agreement.
- (h) A description of the kind, number, location and costs of all proposed improvements to the Property will be provided to the Office of Economic Development.
- (i) That access to the Property will be provided to allow for the inspection by City inspectors and officials to ensure that the improvements or repairs are made according to the specification and terms of the tax abatement agreement.
- (j) A requirement that the owner of the Property certify annually to the City that the owner is in compliance with each applicable term of the agreement.
- (k) That the Dallas City Council may terminate or modify the agreement if the property owner fails to comply with the agreement.
- (l) That the tax abatement agreement shall be personal to DalParc I-20 Logistics, LLC and shall only be assignable upon written approval of the assignment by the City's Director of the Office of Economic Development.

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



# Exhibit A: DalParc I-20 Logistics, LLC

Disclaimer: 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.



DALLAS  
ECONOMIC  
DEVELOPMENT

Research & Information Division  
214.670.1685  
dallas-ecodev.org

Created 4.3.2015 - 15-04-02 David Schleg.TCG

## Legend

- Highway
- Arterial

- Local Road
- City of Dallas

Source: City of Dallas, 2015



**Exhibit B**  
**Metes and Bounds**

**LEGAL DESCRIPTION**

**44.271 ACRES**

**BEING** a tract of land situated in the Smith Elkins Survey, Abstract No. 430, City of Dallas, Dallas County, Texas; and being all of Lots 1 and 3, Block A/8299, Ridge South Dallas Addition, an addition to the City of Dallas according to the plat recorded in Instrument No. 201400098280, Official Public Records of Dallas County, Texas; and being more particularly described as follows:

**BEGINNING** at the north corner of said Lot 1, the west corner of Lot 2, Block A/8299 of said Ridge South Dallas Addition and in the southeast right-of-way line of Altamoor Drive (a 60-foot wide right-of-way);

**THENCE** with the northeast line of said Lot 1 and the southwest line of said Lot 2, South 29°58'55" East, passing at a distance of 988.97 feet the east corner of said Lot 1 and the north corner of said Lot 3, continuing with said southwest line of Lot 2 and the northeast line of said Lot 3, in all a total distance of 2085.93 feet to south corner of said Lot 2, the east corner of said Lot 3 and being in the northwest right-of-way line of Balmorhea Drive (a 60-foot wide right-of-way);

**THENCE** with the southeast line of said Lot 3 and said northwest right-of-way line of Balmorhea Drive, the following courses and distances:

South 83°54'45" West, a distance of 267.77 feet to the beginning of a tangent curve to the left having a central angle of 23°53'40", a radius of 630.00 feet, a chord bearing and distance of South 71°57'55" West, 260.83 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 262.73 feet to a point for corner;

South 60°01'05" West, a distance of 458.78 feet to the beginning of a tangent curve to the right having a central angle of 10°59'15", a radius of 570.00 feet, a chord bearing and distance of South 65°30'42" West, 109.14 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 109.31 feet to a point for corner;

South 71°00'20" West, a distance of 13.85 feet to the south corner of said Lot 3;

**THENCE** departing said northwest right-of-way line of Balmorhea Drive and with the southwest line of said Lot 3, North 21°14'39" West, a distance of 333.46 feet to a point at the beginning of a tangent curve to the left having a central angle of 6°04'00", a radius of 4320.24 feet, a chord bearing and distance of North 24°16'39" West, 457.23 feet;



**Exhibit B**  
**Metes and Bounds**

**THENCE** in a northwesterly direction, continuing with said southwest line of Lot 3 and with said curve to the left, an arc distance of 457.44 feet to a point for corner;

**THENCE** continuing with said southwest line of Lot 3, North 27°18'38" West, passing at a distance of a distance of 137.01 feet the west corner of said Lot 3 and the south corner of said Lot 1, continuing with the southwest line of said Lot 1, in all a total distance of 1127.06 feet to the west corner of said Lot 1 and being in said southeast right-of-way line of Altamoore Drive;

**THENCE** with said southeast right-of-way line of Altamoore Drive and the northwest line of said Lot 1, North 60°01'05" East, a distance of 932.38 feet to the **POINT OF BEGINNING** and containing 44.271 acres or 1,928,432 square feet of land.



May 13, 2015

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

**WHEREAS**, the City Council on June 25, 2014, pursuant to Resolution No. 14-0993: (1) adopted Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City of Dallas pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code, (the "Act"); and

**WHEREAS**, on June 25, 2014, pursuant to Resolution No. 14-0993, City Council elected to continue its participation in economic development grants pursuant to Chapter 380 of the Texas Local Government Code with its adoption of the Public/Private Partnership Program; and

**WHEREAS**, on November 6, 2012, Dallas voters approved a \$642 million General Obligation Bond Program of which \$55,000,000 in bond funding to promote economic development activities in southern Dallas and promoting economic development in other areas of the City in conjunction with transit-oriented development by providing public infrastructure and funding the City's economic development programs for such areas; and

**WHEREAS**, the City desires to enter into an economic development grant agreement with DalParc I-20 Logistics, a Texas limited liability company, regarding its development of a new industrial/warehouse facility located on approximately 44 acres south of Altamoor Road, north of Balmorhea Drive, west of Van Horn Drive and east of the Lancaster City Limit.

**NOW, THEREFORE,**

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

**Section 1.** That the City Manager is hereby authorized, upon approval as to form by the City Attorney, is hereby authorized to execute a Chapter 380 development grant agreement with DalParc I-20 Logistics, a Texas limited liability company (DalParc I-20 Logistics, LLC), related to its development of a speculative industrial/warehouse facility of at least 900,000 square feet located on approximately 44 acres south of Altamoor Road, north of Balmorhea Drive, west of Van Horn Drive and east of the Lancaster City Limit, as shown by the attached **Exhibit A** (map) and **Exhibit B** (Metes and Bounds).



May 13, 2015

**Section 2.** That the economic development grant agreement with DalParc I-20 Logistics, LLC in an amount not to exceed \$312,000 will be payable upon the substantial completion of a minimum of \$22,500,000 in real property improvements associated with design, engineering and construction (including hard and soft costs) on or before December 31, 2016. The date of substantial completion of the Improvements shall be defined as the date of a temporary certificate of occupancy or “building final” is issued by the City for the shell improvements (or other such evidence as may be issued by the City’s building official to indicate the shell improvements are substantially completed.

**Section 3.** That the Chief Financial Officer is hereby authorized to encumber and disburse funds from: Fund 2U52, Department ECO, Unit S801, Object 3016, Activity ECNR, Encumbrance No. ECOS801G242, Vendor No. VS88111 in an amount not to exceed \$312,000.

**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: DalParc I-20 Logistics, LLC

Disclaimer: 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.



DALLAS  
ECONOMIC  
DEVELOPMENT

Research & Information Division  
214.670.1685  
dallas-ecodev.org

Created 4.3.2015 - 15-04-02 David Schleg.TCG

## Legend

- Highway
- Arterial

- Local Road
- City of Dallas

Source: City of Dallas, 2015



## **Exhibit B Metes and Bounds**

### **LEGAL DESCRIPTION**

#### **44.271 ACRES**

**BEING** a tract of land situated in the Smith Elkins Survey, Abstract No. 430, City of Dallas, Dallas County, Texas; and being all of Lots 1 and 3, Block A/8299, Ridge South Dallas Addition, an addition to the City of Dallas according to the plat recorded in Instrument No. 201400098280, Official Public Records of Dallas County, Texas; and being more particularly described as follows:

**BEGINNING** at the north corner of said Lot 1, the west corner of Lot 2, Block A/8299 of said Ridge South Dallas Addition and in the southeast right-of-way line of Altamoor Drive (a 60-foot wide right-of-way);

**THENCE** with the northeast line of said Lot 1 and the southwest line of said Lot 2, South 29°58'55" East, passing at a distance of 988.97 feet the east corner of said Lot 1 and the north corner of said Lot 3, continuing with said southwest line of Lot 2 and the northeast line of said Lot 3, in all a total distance of 2085.93 feet to south corner of said Lot 2, the east corner of said Lot 3 and being in the northwest right-of-way line of Balmorhea Drive (a 60-foot wide right-of-way);

**THENCE** with the southeast line of said Lot 3 and said northwest right-of-way line of Balmorhea Drive, the following courses and distances:

South 83°54'45" West, a distance of 267.77 feet to the beginning of a tangent curve to the left having a central angle of 23°53'40", a radius of 630.00 feet, a chord bearing and distance of South 71°57'55" West, 260.83 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 262.73 feet to a point for corner;

South 60°01'05" West, a distance of 458.78 feet to the beginning of a tangent curve to the right having a central angle of 10°59'15", a radius of 570.00 feet, a chord bearing and distance of South 65°30'42" West, 109.14 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 109.31 feet to a point for corner;

South 71°00'20" West, a distance of 13.85 feet to the south corner of said Lot 3;

**THENCE** departing said northwest right-of-way line of Balmorhea Drive and with the southwest line of said Lot 3, North 21°14'39" West, a distance of 333.46 feet to a point at the beginning of a tangent curve to the left having a central angle of 6°04'00", a radius of 4320.24 feet, a chord bearing and distance of North 24°16'39" West, 457.23 feet;

**THENCE** in a northwesterly direction, continuing with said southwest line of Lot 3 and with said curve to the left, an arc distance of 457.44 feet to a point for corner;



**Exhibit B**  
**Metes and Bounds**

**THENCE** continuing with said southwest line of Lot 3, North 27°18'38" West, passing at a distance of a distance of 137.01 feet the west corner of said Lot 3 and the south corner of said Lot 1, continuing with the southwest line of said Lot 1, in all a total distance of 1127.06 feet to the west corner of said Lot 1 and being in said southeast right-of-way line of Altamoore Drive;

**THENCE** with said southeast right-of-way line of Altamoore Drive and the northwest line of said Lot 1, North 60°01'05" East, a distance of 932.38 feet to the **POINT OF BEGINNING** and containing 44.271 acres or 1,928,432 square feet of land.

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

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.







## AGENDA ITEM # 29

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 670-3297  
**MAPSCO:** 48L

---

### **SUBJECT**

Authorize a conditional grant agreement with Greenleaf Ventures, LLC to pay for a portion of the infrastructure construction costs for a single family development for 50-53 homes in East Dallas located on Chariot Drive - Not to exceed \$450,000 - Financing: 2012 Bond Funds

### **BACKGROUND**

On February 2, 2015, the City posted a Notice of Funding Availability (NOFA) in the amount of \$4M, of which \$2M was 2012 General Obligation Bond Funds. The NOFA requested proposals from developers to build single family homes in the city limits of Dallas. Victor Toledo, Partner with Greenleaf Ventures, LLC submitted a proposal to the City of Dallas for the development of 50-53 single family lots to be sold to builders.

Since 2002, Greenleaf Ventures, LLC and their affiliates have contributed to the redevelopment in West Dallas by selling 381 new single family lots in Greenleaf I and II. They also developed, own and operate two amusement parks in Allen and Little Elm.

On April 20, 2015, the Housing Committee was briefed on the project and voted to recommend the proposal from Greenleaf Ventures, LLC. The proposal includes a conditional grant of \$450,000 in general obligation bond funds for the remaining construction cost gap. The units will be 3 and 4 bedroom at approximately 1200 to 2800 sq. ft. The developer has obtained private financing with Texas Capital Bank for the balance of the construction costs. A lien will be placed on the property for performance purposes and released on a prorata basis as each City funded lot is built out and sold. A minimum of 27 homes must be sold to homebuyers at or below 140% of Area Median Family Income.

City Council approval of this agenda item will authorize the City Manager to execute the loan documents with Greenleaf Ventures, LLC for these funds, subject to environmental review by the City of Dallas.



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

On April 6, 2015, the Housing Committee received a briefing memo on the Single Family NOFA CHDO project recommendations.

On April 20, 2015, the Housing Committee was briefed on the project and recommended the proposal for City Council consideration.

### **FISCAL INFORMATION**

2012 Bond Funds - \$450,000

#### **OWNER**

**Greenleaf Ventures, LLC**

Victor Toledo  
Kent Casey

#### **DEVELOPER**

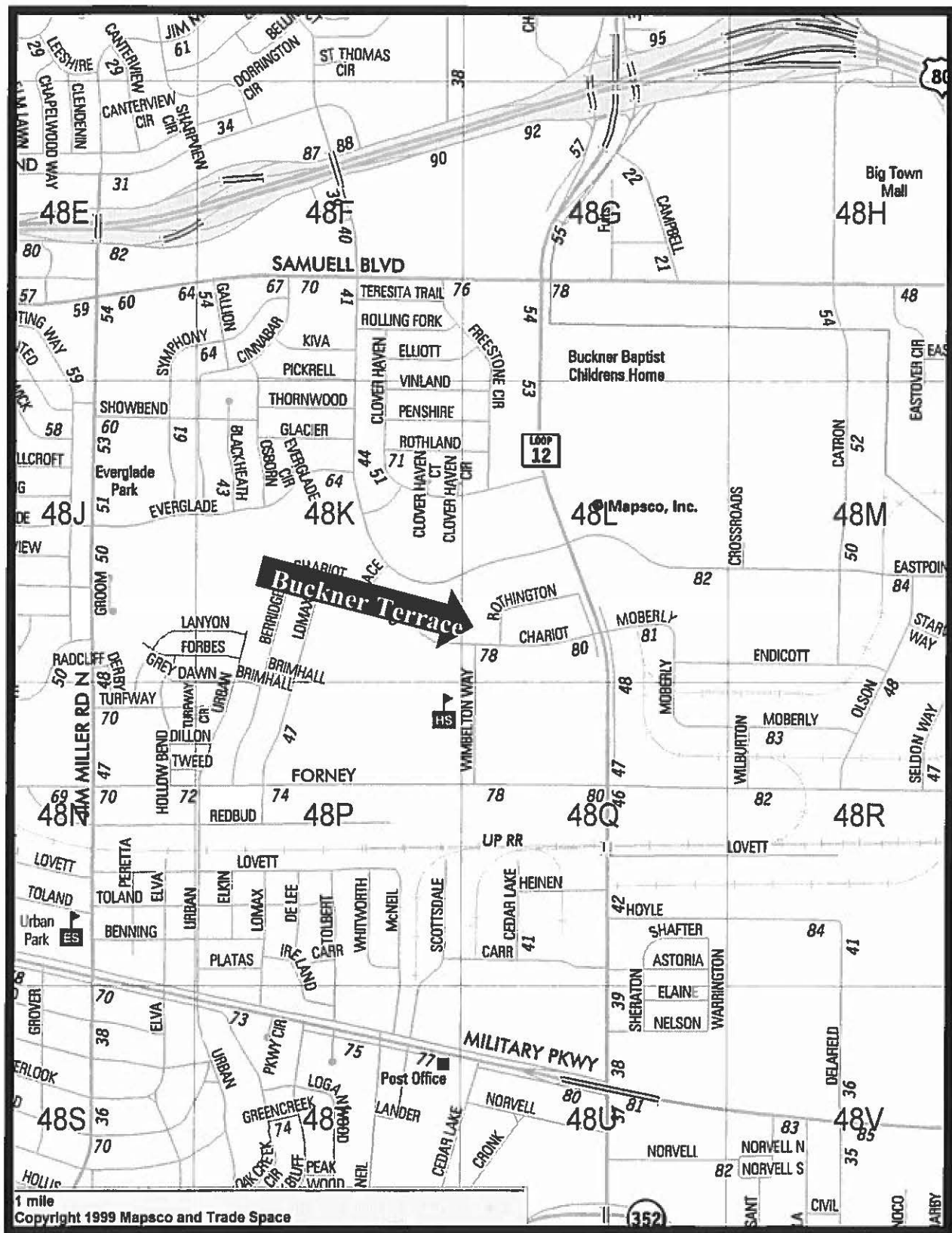
**Greenleaf Ventures, LLC**

Victor Toledo  
Kent Casey

### **MAP**

Attached





MAPSCO 48L







May 13, 2015

**WHEREAS**, affordable housing is a high priority of the City of Dallas; and

**WHEREAS**, on April 6, 2015, the Housing Committee received a briefing memo on the Single Family NOFA CHDO Project recommendations; and

**WHEREAS**, on April 20, 2015, the Housing Committee was briefed on the project and recommended for City Council consideration; and

**WHEREAS**, the City desires for Greenleaf Ventures, LLC to develop 50-53 single family lots to sell to builders for housing opportunities in East Dallas;

**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 conditional grant agreement with Greenleaf Ventures, LLC to pay for a portion of the infrastructure construction costs for a single family development in East Dallas located on Chariot Dr.

**Section 2.** The terms of the conditional grant agreement include:

- (a) Greenleaf Ventures, LLC will execute a performance Deed of Trust and deed restrictions on the property.
- (b) A lien will be placed on the property for performance purposes and released on a prorata basis as each City funded lot is built out and sold. A minimum of 27 homes must be sold to homebuyers at or below 140% AMFI.
- (c) Greenleaf Ventures, LLC will have 2 years to complete the build out of homes.
- (d) The lien will be subordinate to the interim finance lender.
- (e) The City will allow Greenleaf Ventures, LLC to transfer ownership to builders.

**Section 3.** That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution and the terms and conditions of the conditional grant agreement from:

Greenleaf Ventures, LLC Vendor – VS88080

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Obj</u>	<u>Program #</u>	<u>Encumbrance</u>	<u>Amount</u>
2U53	HOU	P955	3016	2U53CHARI	HOUP955G155	\$450,000



May 13, 2015

**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 # 30

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 670-3297  
**MAPSCO:** 43Q

---

### **SUBJECT**

Authorize a conditional grant agreement with Greenleaf Ventures, LLC to pay for a portion of the infrastructure construction costs for a single family development for 116 homes in West Dallas located on Singleton Boulevard - Not to exceed \$1,275,000 - Financing: 2012 Bond Funds

### **BACKGROUND**

On February 2, 2015, the City posted a Notice of Funding Availability (NOFA) asking developers for single family development proposals. Victor Toledo, Partner with Greenleaf Ventures, LLC submitted a proposal to the City of Dallas to develop 116 single family lots to be sold to builders.

Since 2002, Greenleaf Ventures, LLC and their affiliates have contributed to the redevelopment in West Dallas by selling 381 new single family lots in Greenleaf I and II. They also developed, own and operate two amusement parks in Allen and Little Elm.

The proposal includes a conditional grant of \$1,275,000 in general obligation bond funds for the remaining construction cost gap. The units will be 3 and 4 bedroom at approximately 1200 to 2800 sq. ft. The developer has obtained private financing with Texas Capital Bank for the balance of the construction costs. A lien will be placed on the property for performance purposes and released on a prorata basis as each City funded lot is built out and sold. A minimum of 58 homes must be sold to homebuyers at or below 140% Area Median Family Income.

City Council approval of this agenda item will authorize the City Manager to execute the loan documents with Greenleaf Ventures, LLC for these funds, subject to environmental review by the City of Dallas.



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

On April 6, 2015, the Housing Committee received a briefing memo on the Single Family NOFA CHDO project recommendations.

On April 20, 2015, the Housing Committee was briefed on the project and recommended the proposal for City Council consideration.

### **FISCAL INFORMATION**

2012 Bond Funds - \$1,275,000

#### **OWNER**

**Greenleaf Ventures, LLC**

Victor Toledo  
Kent Casey

#### **DEVELOPER**

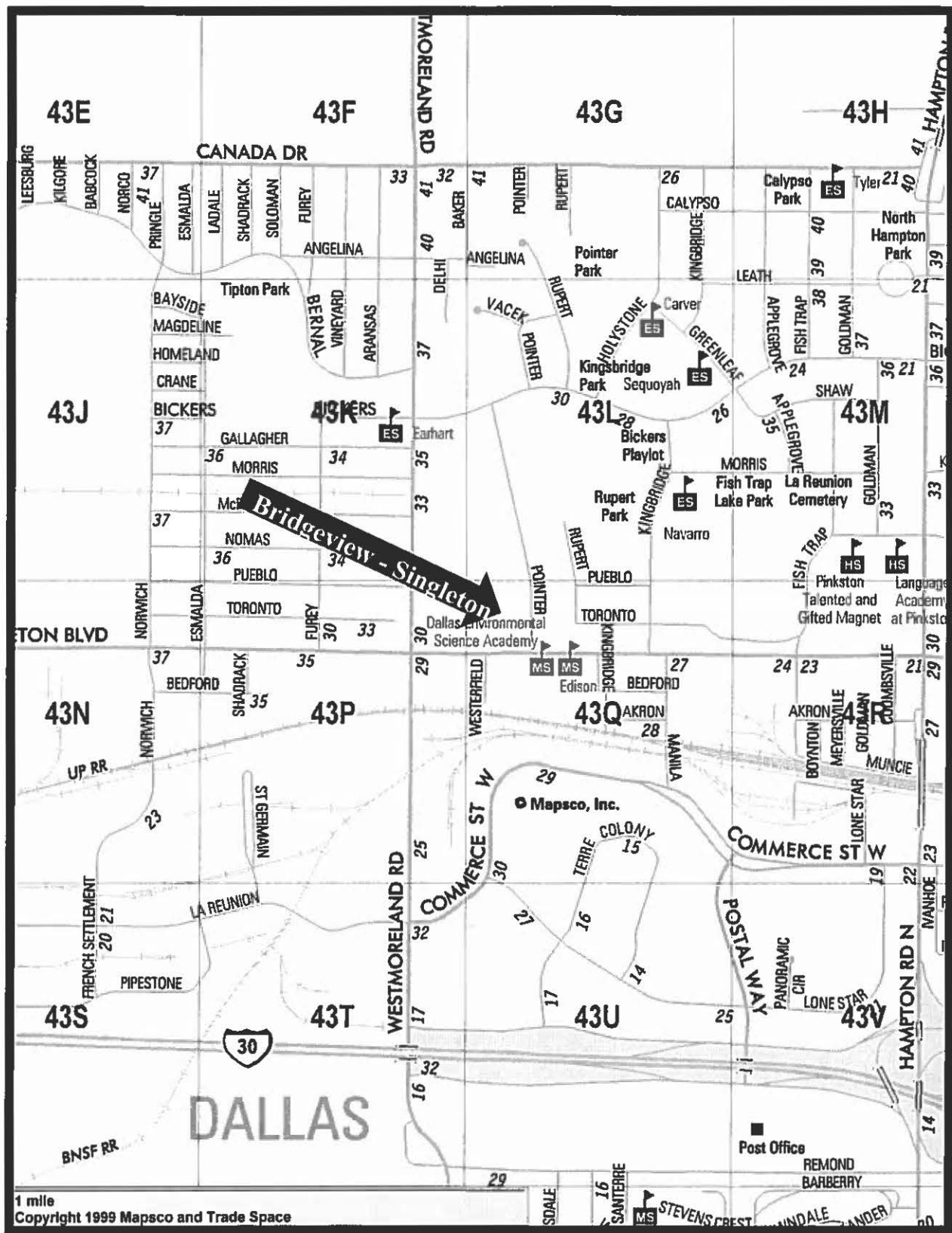
**Greenleaf Ventures, LLC**

Victor Toledo  
Kent Casey

### **MAP**

Attached





**MAPSCO 43Q**







May 13, 2015

**WHEREAS**, on April 6, 2015, the Housing Committee received a briefing memo on the Single Family NOFA CHDO project recommendations.

**WHEREAS**, on April 20, 2015, the Housing Committee was briefed on the project and recommended for City Council consideration; and

**WHEREAS**, affordable housing is a high priority of the City of Dallas; and

**WHEREAS**, the City desires for Greenleaf Ventures, LLC to develop 116 single family lots to sell to builders for housing opportunities in West Dallas;

**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 conditional grant agreement with Greenleaf Ventures, LLC to pay for a portion of the infrastructure construction costs for a single family development in West Dallas located on Singleton Blvd.

**Section 2.** The terms of the conditional grant agreement include:

- (a) Greenleaf Ventures, LLC will execute a performance Deed of Trust and deed restrictions on the property.
- (b) A lien will be placed on the property for performance purposes and released on a prorata basis as each City funded lot is built out and sold. A minimum of 58 homes must be sold to homebuyers at or below 140% AMFI.
- (c) Greenleaf Ventures, LLC will have 2 years to complete the build out of homes.
- (d) The lien will be subordinate to the interim finance lender during development of the lot and homes.
- (e) The City will allow Greenleaf Ventures, LLC to transfer ownership to builders.

**Section 3.** That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution and the terms and conditions of the conditional grant agreement from:

Greenleaf Ventures, LLC Vendor – VS88080

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Obj</u>	<u>Program #</u>	<u>Encumbrance</u>	<u>Amount</u>
2U53	HOU	P956	3016	2U53SINGL	HOUP956G156	\$1,275,000



May 13, 2015

**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 # 31**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 671-9837  
**MAPSCO:** 48 E

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1907 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay on the southeast corner of Samuell Boulevard and North Jim Miller Road

Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions

Recommendation of CPC: Approval for an 18-month period, subject to conditions  
Z134-352(CG)



**FILE NUMBER:** Z134-352(CG)

**DATE FILED:** September 29, 2014

**LOCATION:** Southeast corner of Samuell Boulevard and North Jim Miller Road

**COUNCIL DISTRICT:** 7

**MAPSCO:** 48E

**SIZE OF REQUEST:** ± 0.98 acres

**CENSUS TRACT:** 122.07

**REPRESENTATIVE:** Santos Martinez, Masterplan

**APPLICANT:** CVS Corporation

**OWNER:** Michael Parker

**REQUEST:** An application for the renewal of Specific Use Permit No. 1907 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay.

**SUMMARY:** The applicant proposes to continue the sale of alcoholic beverages for off-premise consumption in conjunction with the existing general merchandise or food store [CVS]. The applicant did not submit the application within the permitted time frame to be eligible for an automatic renewal.

**CPC RECOMMENDATION:** Approval for an 18-month period, subject to conditions.

**STAFF RECOMMENDATION:** Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.



## **GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store is compatible with the surrounding land uses. The sale of alcoholic beverages in conjunction with the main use does not affect compatibility.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing general merchandise or food store, which offers the sale of alcoholic beverages, provides a service to this area of the City and does not appear to negatively impact to the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The proposal does not appear to be a detriment to the public health, safety, or general welfare of the City of Dallas.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the proposed site plan, the request complies all applicable zoning regulations and standards.

## **Zoning History:**

There has been no recent zoning activity in the immediate area relevant to this request.

## **Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>	<b>Proposed ROW</b>
Samuell Boulevard	Principal Arterial	120 ft.	120 ft.
N. Jim Miller Road	Principal Arterial	100 ft.	100 ft.

## **Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.



**Surrounding Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	RR-D-1	Auto related use, restaurant, personal service
<b>South</b>	RR-D	Retail & restaurants
<b>East</b>	RR-D	Retail, vacant parcels & residential
<b>West</b>	RR-D	Retail & residential

**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 is within a Business Center or Corridor.

This Building Block represents major employment or shopping destinations outside of Downtown. Examples include the Galleria area, the North Park Center area, Southwest Center Mall area at I-20 and US Hwy 67 and the Stemmons Corridor. 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. Land uses are typically separated from one another by parking lots, freeways or arterial roads. Streets in these areas emphasize efficient movement of vehicles. Bold lighting and linear landscaping features such as esplanades and tree-lined boulevards can all work to distinguish and identify these areas. Public spaces may be at key entry points and central locations. Gateway landscaping, monuments and other devices will provide visibility from the freeway and guide visitors to destinations. Public transit may play a role in these areas and help create some pockets of transit oriented development. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

**LAND USE****GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

**STAFF ANALYSIS:****Land Use Compatibility:**

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.



The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

### **Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
RR-D-1 Regional retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office

### **Landscaping:**

No new development is proposed; hence, no additional landscaping is required. Any new development on the property will require landscaping per Article X of the Dallas Development Code.

### **Police Report:**

A copy of the police report for period of December 11, 2013 to November 1, 2014, for current SUP renewal period as follows:

Search Records - Offense									
Service #	Offense Date	Complainant	Offense ▲	Block	Dir	Street	Beat	Reporting Area	UCR1
<b><u>0021378-B</u></b>	01/26/2014	@CITY OF DALLAS	OTHER OFFENSES	06004		SAMUELLEBLVD	318	1217	26420
<b><u>0030076-B</u></b>	02/05/2014	*CVS PHARMACY #6966	ROBBERY	06004		SAMUELLEBLVD	318	1217	03211
<b><u>0021370-B</u></b>	01/26/2014	*CVS	THEFT	06004		SAMUELLEBLVD	318	1217	06932
<b><u>0085925-B</u></b>	04/11/2014	*CVS PHARMACY #6966	THEFT	06004		SAMUELLEBLVD	318	1217	06902



<p><b>LIST OF OFFICERS</b> CVS</p>
--

- Thomas Ryan                      Chairman of the Board
- Larry Merio                      President, COO
- Thomas S. Mofatt              Vice President and Assistant Secretary

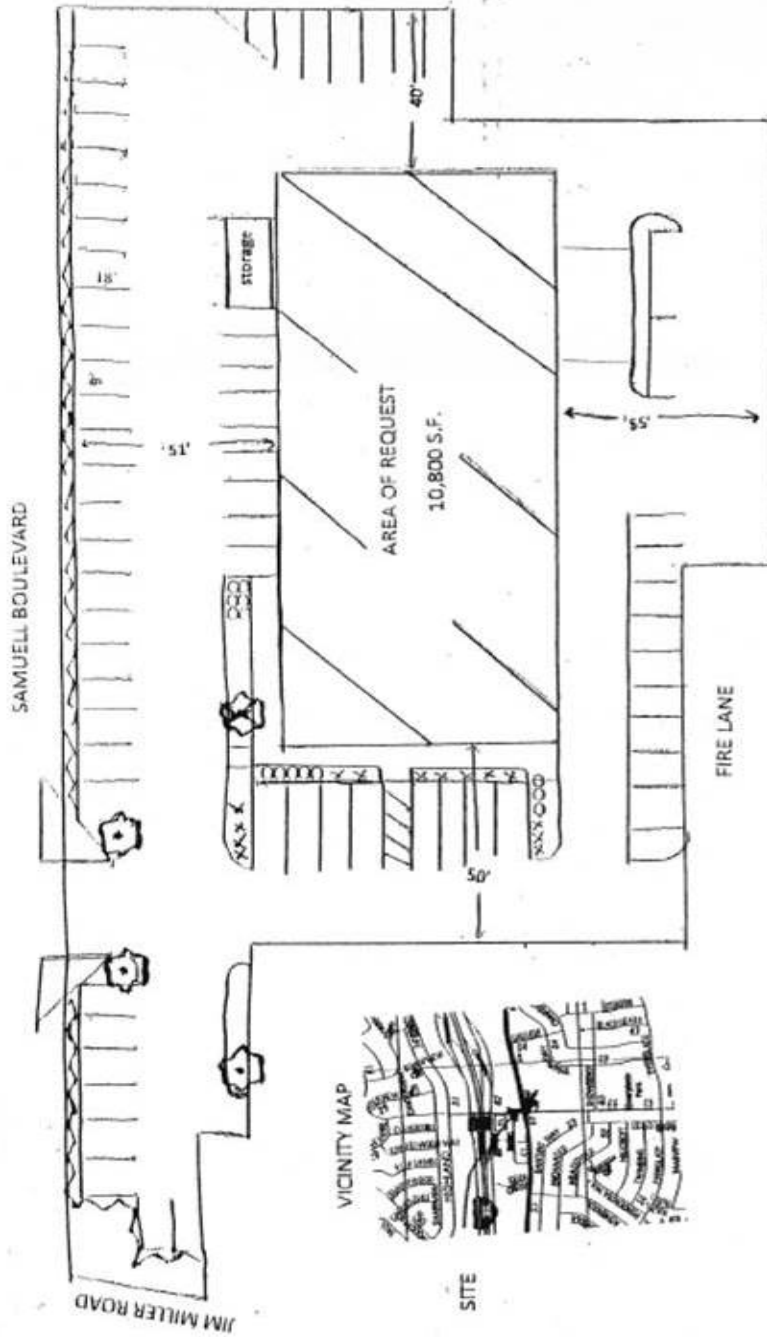


<b>CPC Revised Conditions</b>
-------------------------------

1. **USE:** The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
2. **SITE/LANDSCAPE PLAN:** Use and development of the Property must comply with the attached site/landscape plan.
3. **TIME LIMIT:** This specific use permit expires on \_\_\_\_\_ eighteen-months from passage of this ordinance. ~~December 11, 2014 (two-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).~~
4. **INGRESS/EGRESS:** Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. **PARKING:** Off-street parking must be located as shown on the attached site plan.
6. **DRIVE-THROUGH WINDOW:** A retail use may not use a drive-through window for retail sales of alcoholic beverages.
7. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
8. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



# Existing Site Plan



Site Summary SCALE: 1"=30'

Existing Zoning: RR with D-1 Overlay

Request: SUP for off premise alcohol consumption associated with a general merchandise store greater than 3,500 s.f.

Lot Area: .98 acres

Existing Use: general merchandise store greater than 3,500 s.f.

Existing Building Area: 10,800 s.f.

Required Parking: 54

Provided Parking: 65

- OO EXISTING BUFORD HOLLY SHRUBS
- ~ EXISTING PARKING LOT SCREENING (BUFORD HOLLY)

- EXISTING 6" LIGUSTRUM
- EXISTING 6" SWEETGUM

- XX EXISTING LARGE EVERGREEN SHRUBS



**CPC Action – April 16, 2015**

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1907 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for an 18-month period, subject to conditions, on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay on the southeast corner of Samuell Boulevard and North Jim Miller Road.

Maker: Bagley  
Second: Emmons  
Result: Carried: 12 to 0

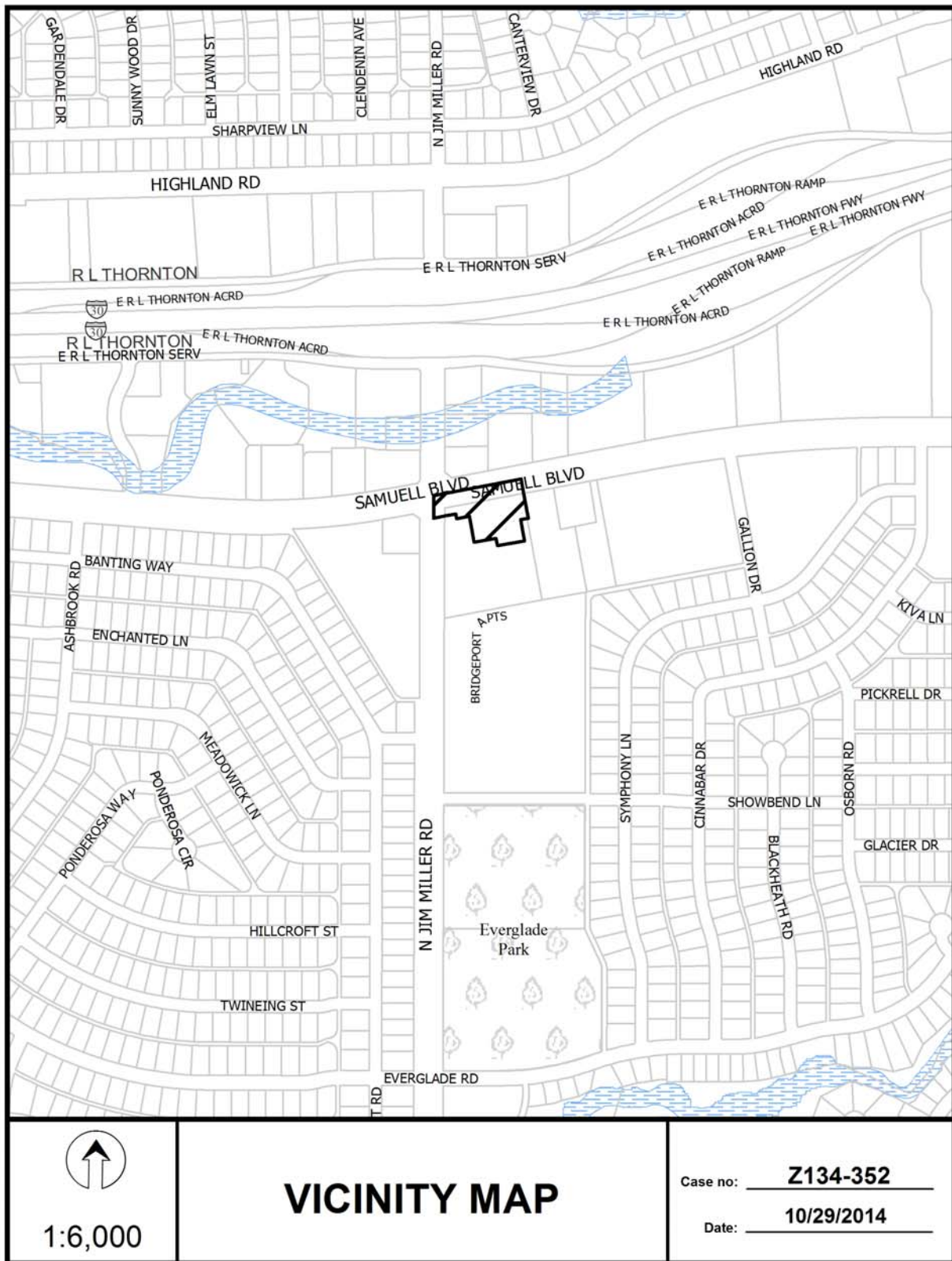
For: 12 - Anglin, Emmons, Rodgers, Shidid,  
Anantasomboon, Bagley, Lavallaisaa, Tarpley,  
Schultz, Murphy, Ridley, Abtahi

Against: 0  
Absent: 3 - Culbreath, Shellene, Peadon  
Vacancy: 0

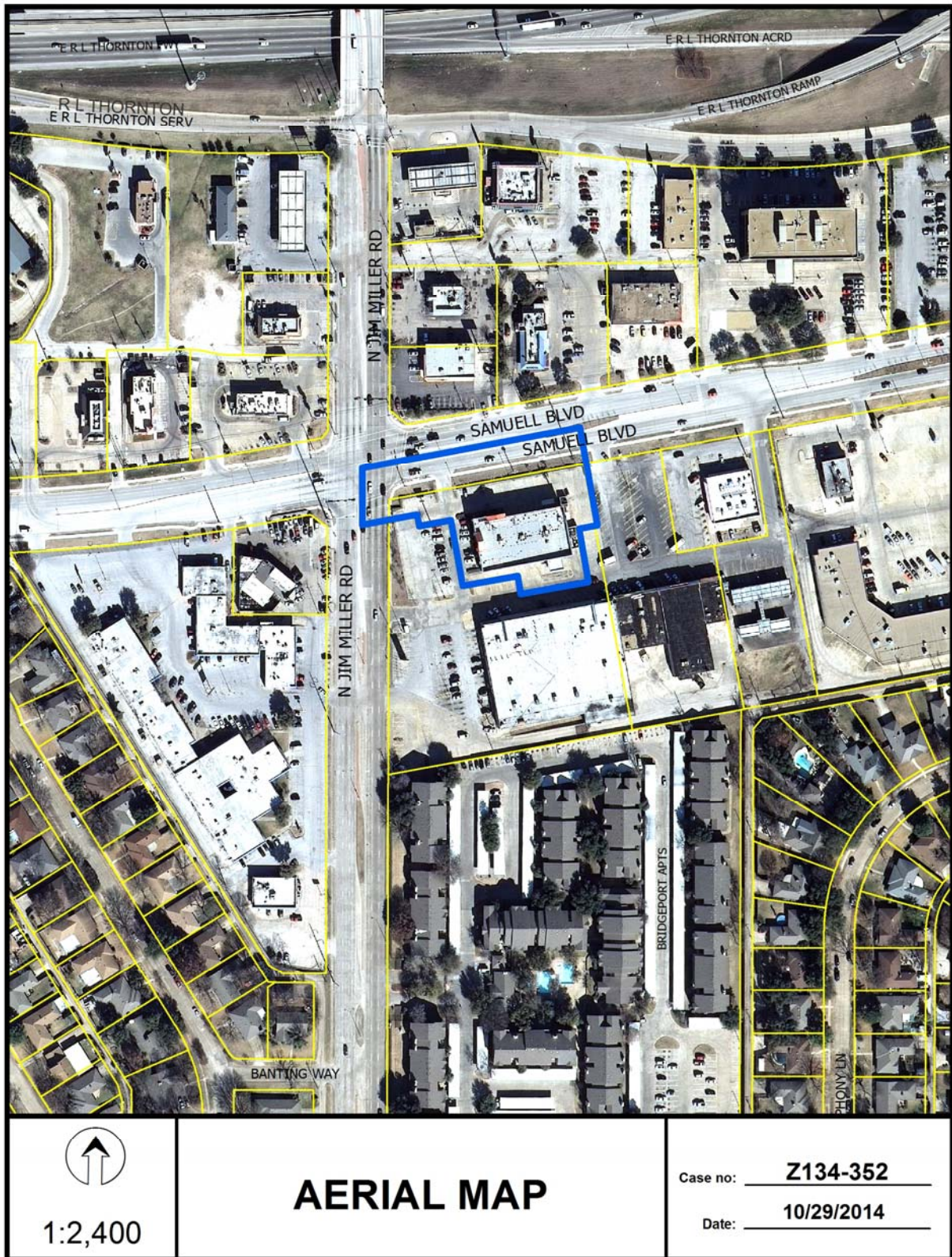
**Notices:** Area: 200 Mailed: 13  
**Replies:** For: 1 Against: 0

**Speakers:** For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202  
Against: None

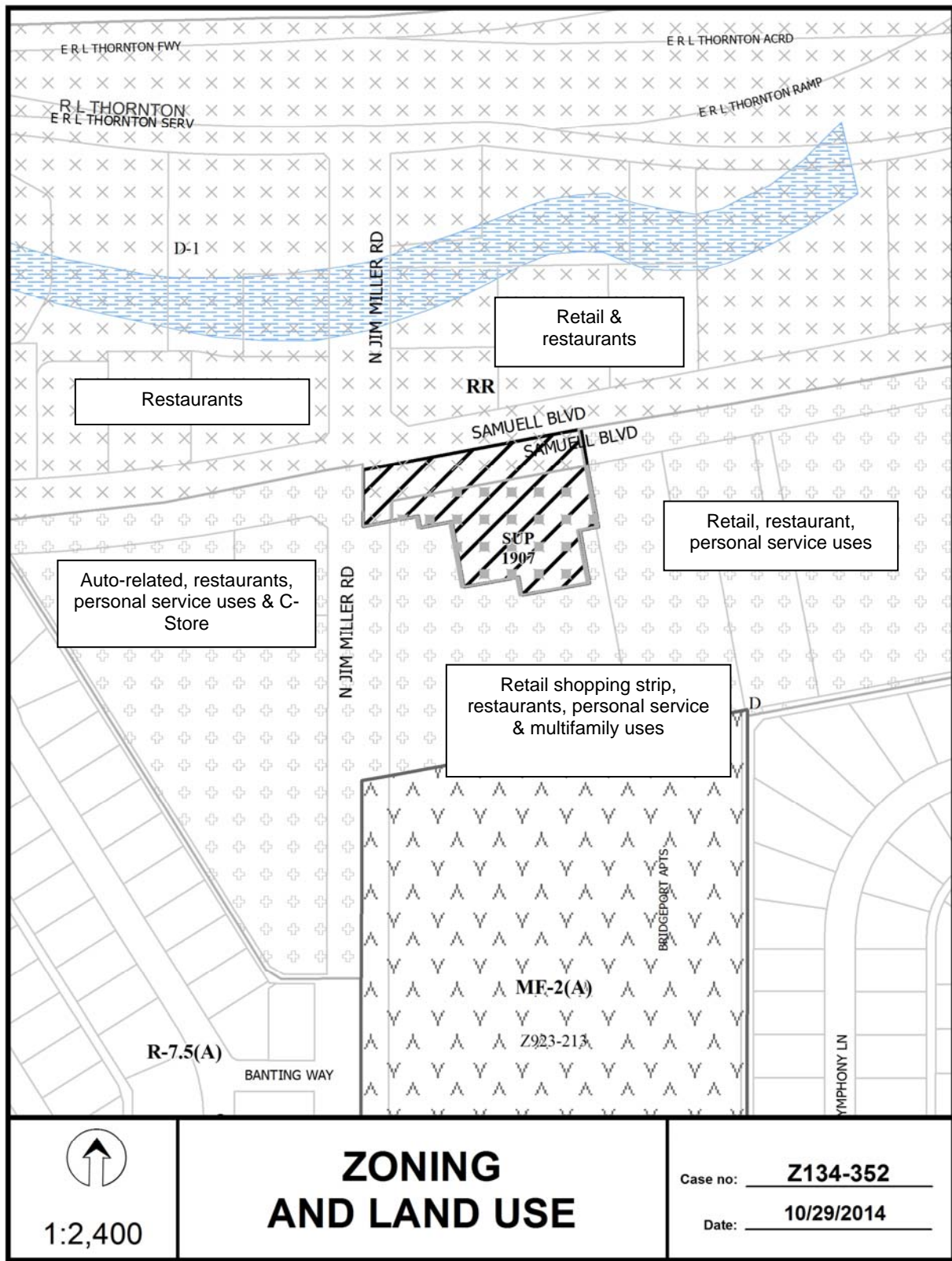






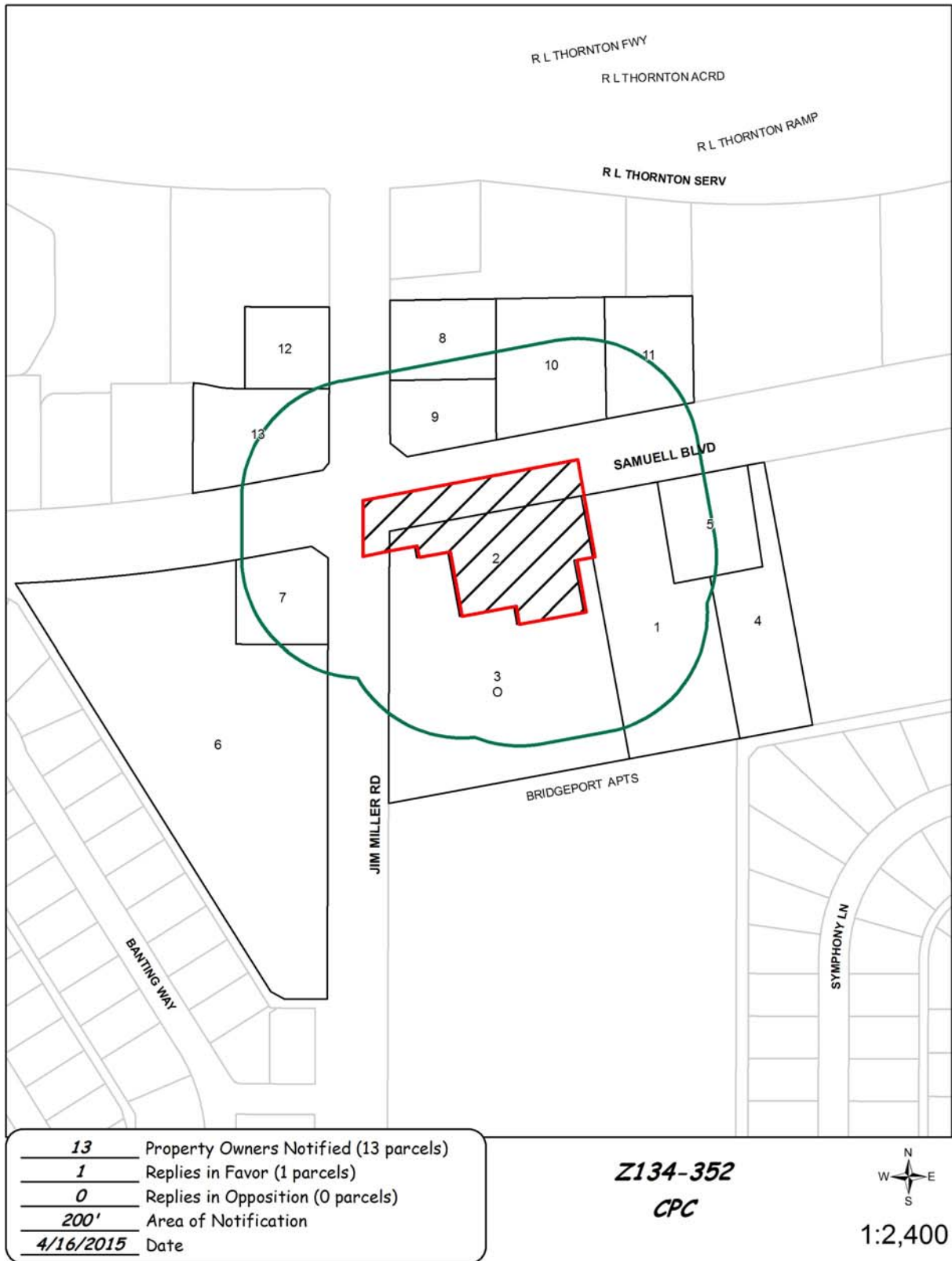








## CPC RESPONSES





04/15/2015

***Reply List of Property Owners******Z134-352******13 Property Owners Notified******1 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	6118 SAMUELL BLVD	BALLAS VICTOR
	2	6004 SAMUELL BLVD	PARKER MICHAEL
O	3	5470 JIM MILLER RD	CFIC LLC
	4	6024 SAMUELL BLVD	DRY WAYNE F
	5	6000 SAMUELL BLVD	CHUNG JOE INKI TR &
	6	5409 JIM MILLER RD	JIM MILLER SHOPPING CENTER LP
	7	5475 JIM MILLER RD	ISSA DAVID
	8	5514 JIM MILLER RD	USRP FUNDING 2001 A LP
	9	5510 JIM MILLER RD	DAY MARIE L
	10	6885 SAMUELL BLVD	FIREBRAND PROPERTIES LP
	11	6155 SAMUELL BLVD	SAMUELL RETAIL LTD
	12	5575 JIM MILLER RD	SIDERIS BASIL K ET AL
	13	5555 JIM MILLER RD	SIDERIS BASIL K ET AL



**AGENDA ITEM # 32**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 11

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 14 M

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions on the northwest corner of Southern Boulevard and Noel Road

Recommendation of Staff and CPC: Approval for a ten-year period, subject to a site plan, landscape plan, elevations plan and conditions  
Z145-152(OTH)



**FILE NUMBER:** Z145-152(OTH)

**DATE FILED:** December 29, 2014

**LOCATION:** Northwest corner of Southern Boulevard and Noel Road

**COUNCIL DISTRICT:** 11

**MAPSCO:** 14M

**SIZE OF REQUEST:** ±1.75 acres

**CENSUS TRACT:** 136.26

---

**APPLICANT:** Cornerstone RPG Storage I, LP

**REPRESENTATIVE:** Robert Reeves

**OWNER:** Southern Galleria Partners, LTD

**REQUEST:** An application for a Specific Use Permit for a mini-warehouse use on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions.

**SUMMARY:** The applicant proposes to build a 121,025 square feet structure with 119,800 square feet for mini-warehouse storage area and 1,225 square feet for office and accessory use. The existing deed restrictions limit the height to 150 feet and the square footage to no more than 575,000 square feet of floor area excluding parking structures.

**CPC RECOMMENDATION:** **Approval** for a ten-year period, subject to a site plan, landscape plan, elevations plan and conditions

**STAFF RECOMMENDATION:** **Approval** for a ten-year period, subject to a site plan, landscape plan, elevations plan and conditions.



**GUIDING CRITERIA FOR RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing building is compatible in scale and character with the surrounding uses as an interim use. However, it may not be the best long-term use as the surrounding area redevelops and this intersection will become more attractive to more active, higher and better uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed mini-warehouse will not negatively impact the adjacent properties. It will provide a service to the multifamily uses located to the east of the property.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed mini-warehouse will not be a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The proposed site plan complies with all the zoning regulations and standards.

**Zoning History:**

There has been one recent zoning change in the area within the last five years:

1. Z123-186 On June 12, 2014, the City Council approved Planned Development District No. 887 to foster the creation of a regional mixed use center, with moderate to high density residential and non-residential uses developed in a pedestrian-, bicycle- and transit-friendly format, supported by an enhanced network of streets and open spaces on property Generally located east of the Dallas North Tollway, south of Southern Boulevard, south of the northern boundary of (Block E) Montfort Place, south of the northern boundary of Woodchase Apartments, south of the northern boundary of Preston View Estates, west of Preston Road, and north of Interstate Highway 635 (LBJ Freeway).



**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Noel Road	Collector	74 feet
Southern Boulevard	Local	Variable width

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

**Land Use:**

	Zoning	Land Use
Site	MU-3(SAH)	Undeveloped
North	GO	Extended stay hotel
East	PD No. 216	Residential
South	PD No. 887	Parking garage, post office
West	MU-3(SAH)	Retail

**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 request site is identified as being within a Business Center or Corridor Building Block on the *forwardDallas! Vision Illustration*, adopted June 2006. This 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. Land uses are typically separated from one another by parking lots, freeways or arterial roads. Streets in these areas emphasize efficient movement of vehicles. Bold lighting and linear landscaping features such as esplanades and tree-lined boulevards can all work to distinguish and identify these areas. Public spaces may be at key entry points and central locations. Gateway landscaping, monuments and other devices will provide visibility from the freeway and guide visitors to destinations. Public transit may play a role in these areas and help create some pockets of transit oriented development. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

The proposed development does not comply with the characteristics of a Business Center or Corridor building block; however, the proposed use will provide a service the existing residential development in the area. Staff considers this type of use as a transitional use in the area and recommends no automatic renewals.

**Land Use Compatibility:**

The ±1.75-acre request site is currently undeveloped and is adjacent to a hotel to the north, and retail strip to the west. Surrounding uses are residential and undeveloped to the east; post office, parking garage and retail to the south; and retail to the west. The applicant submitted elevation plans as part of the SUP requirements and conditions for the development of the mini-warehouse. The applicant will comply with the elevation plans as shown in the attached exhibit. Staff is comfortable with the design standards an elevations proposed by the applicant. Elevations are included as part of the SUP to ensure that the design standards are complied with and compatible with the surrounding development.

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 compatible with the adjacent property and consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards.

**Parking:**

Parking shall be provided in accordance to the Development Code requirements for the use. A mini-warehouse use is required to provide a minimum of six spaces. Such spaces may not be used for outside storage, vehicle storage, or parking for vehicles for rent. The proposed development requires three off-street loading spaces.



**Landscaping:**

Landscaping must be provided in accordance the proposed landscape plan. The applicant is providing a landscape plan to specify landscaping standards on the property.



**CPC ACTION – April 2, 2015**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject a site plan, landscape plan, elevations plan and staff's recommended conditions (as briefed) to allow the project to be reviewed in the future in light of the rapid changes in the area on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions on the northwest corner of Southern Boulevard and Noel Road.

Maker: Anantasomboon  
Second: Shidid  
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Shidid, Anantasomboon,  
Bagley, Lavallaisaa, Tarpley, Shellene,  
Peadon, Murphy, Ridley, Abtahi

Against: 0  
Absent: 3 - Rodgers, Culbreath, Schultz  
Vacancy: 0

**Notices:** Area: 300 Mailed: 32

**Replies:** For: 0 Against: 1

**Speakers:** None



**List of Partners/Principals/Officers**

**Wrc Galleria, LLC**  
**Southern Galleria Partners, LTD**

Officers :

Rod O'Connor – President  
Pat O'Connor – Director  
Sean O'Connor - Manager  
Thomas Kopacsi - Secretary

**Cornerstone RPC Storage I, LP**

Fred Gans – Chief Executive Officer

---



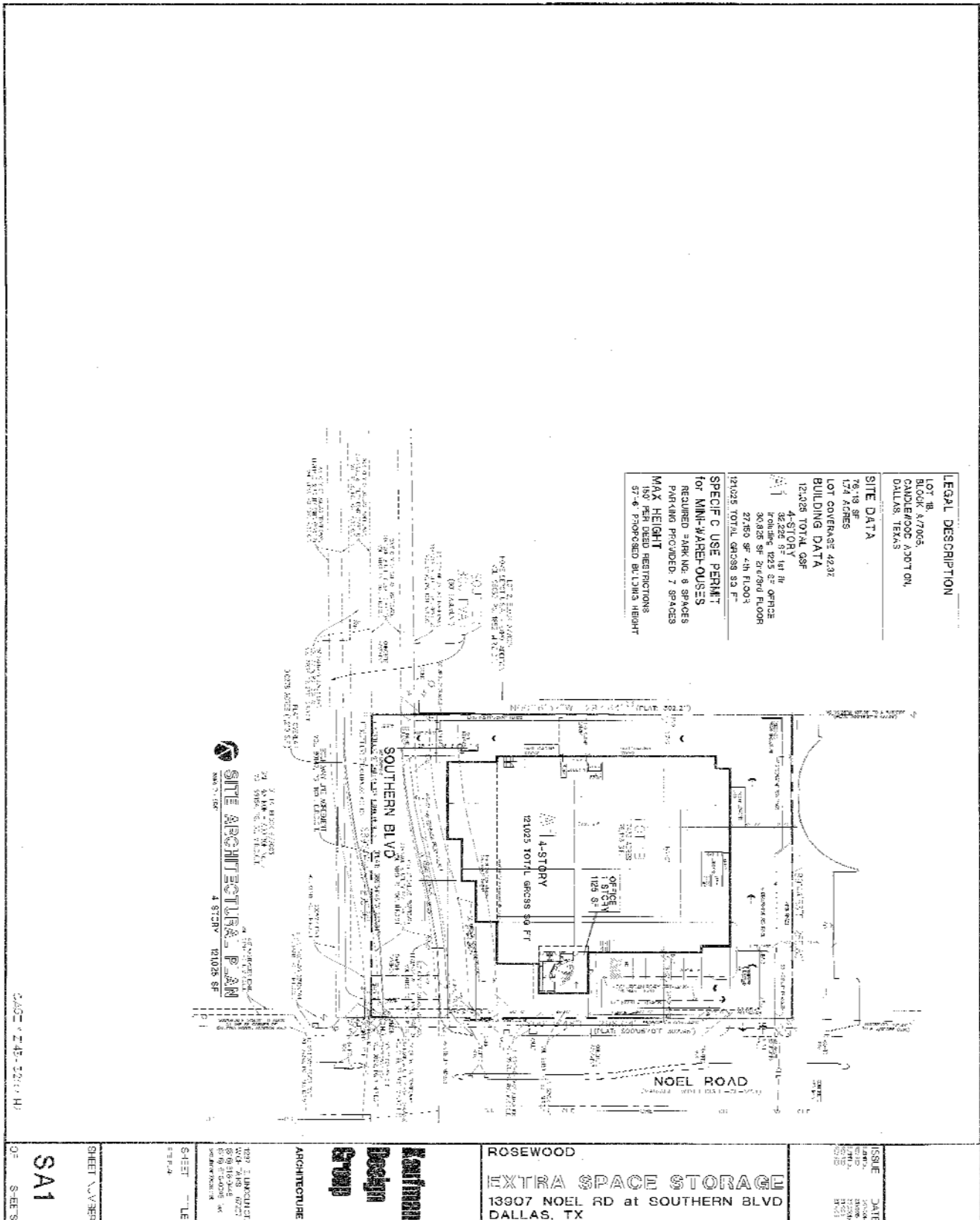
**PROPOSED CPC CONDITIONS  
Z145-152(OTH)**

This Specific Use Permit is granted upon the following conditions:

1. USE: The only use authorized by this specific use permit is a mini-warehouse.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. LANDSCAPE PLAN: Use and development of the Property must comply with the attached landscape plan.
4. ELEVATIONS PLAN: Use and development of the Property must comply with the attached elevations plan.
5. TIME LIMIT: This specific use permit expires on (ten year period).
6. FLOOR AREA: The maximum floor area is 121,025 square feet.
7. HOURS OF OPERATION: The mini-warehouse use may only operate between 8:00 a.m. and 7:00 p.m., Monday through Saturday, and between 9:00 a.m. and 5:00 p.m. on Sunday. Customers may not access storage units outside the hours of operation.
8. OUTSIDE STORAGE: Outside storage of vehicles, equipment, and other materials is prohibited.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

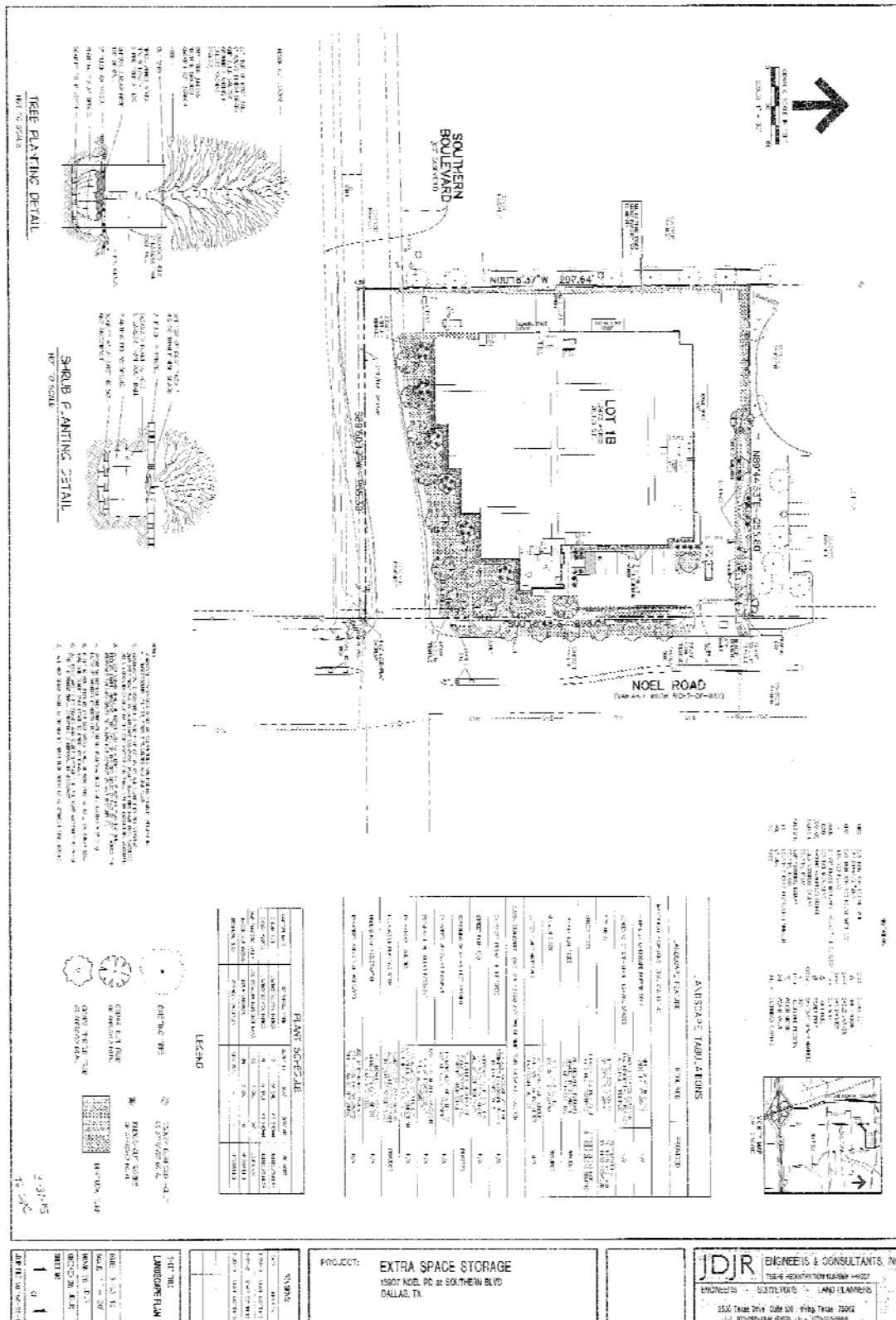


# Proposed Site Plan



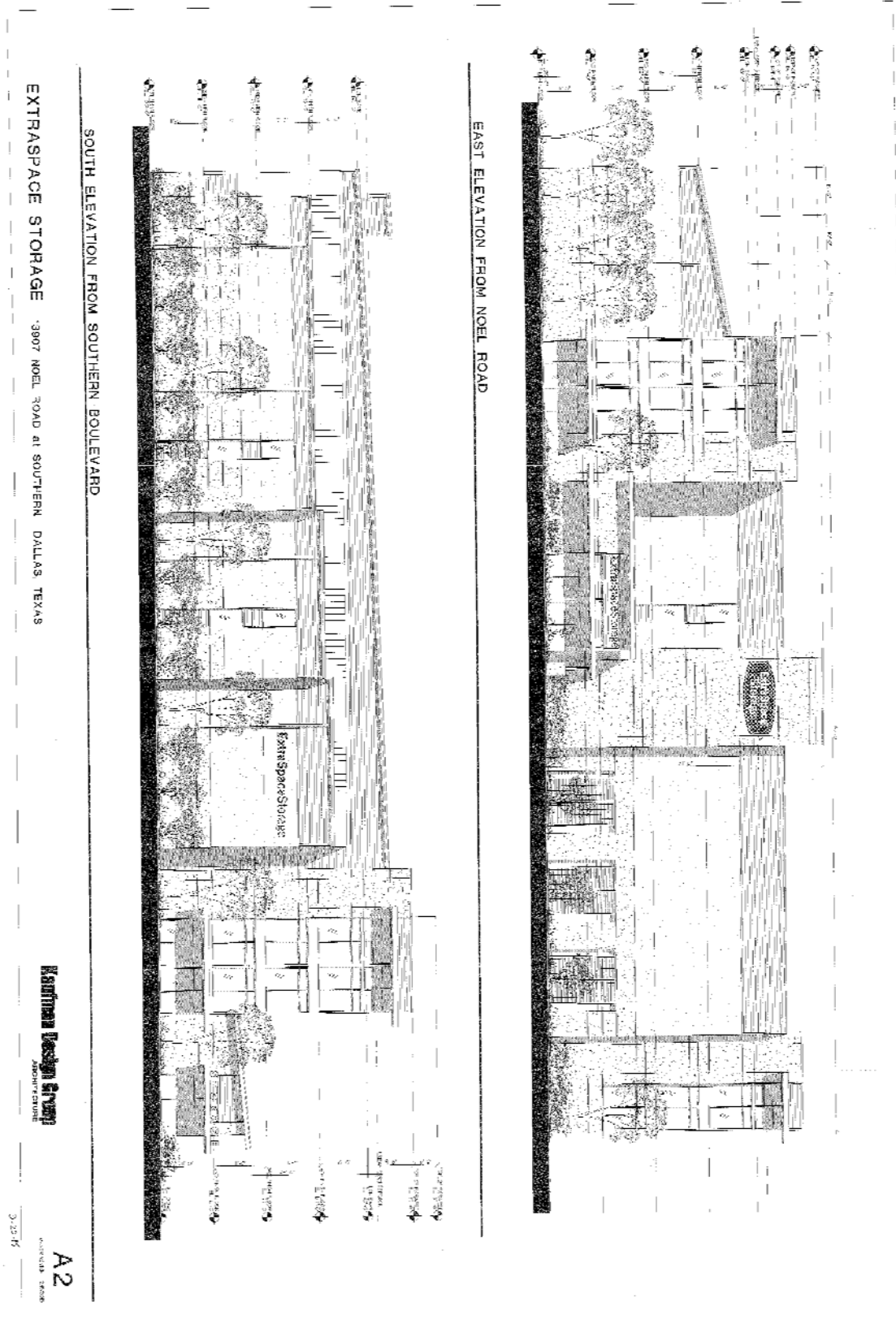


## Proposed Landscape Plan



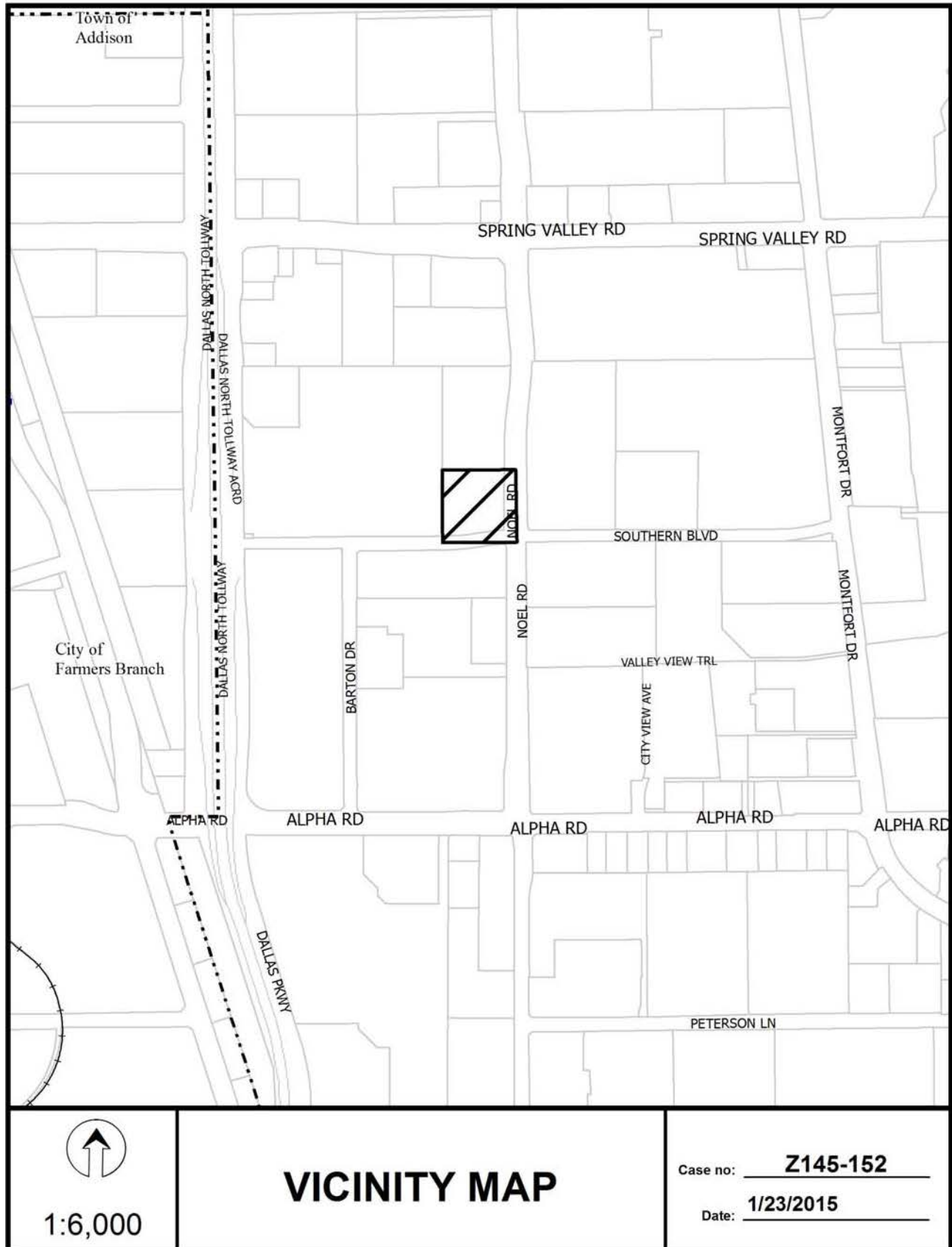


## Proposed Elevations Plan

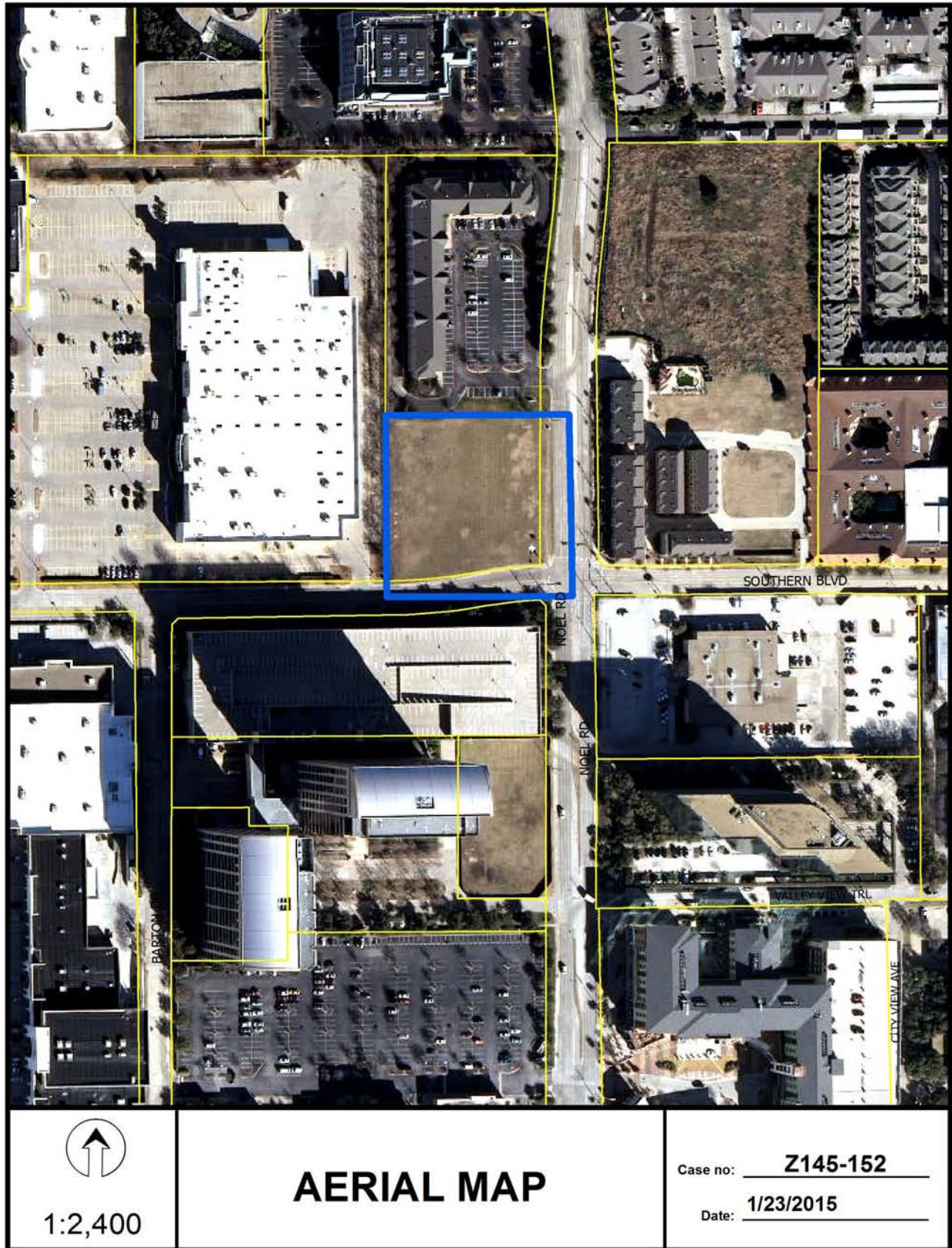




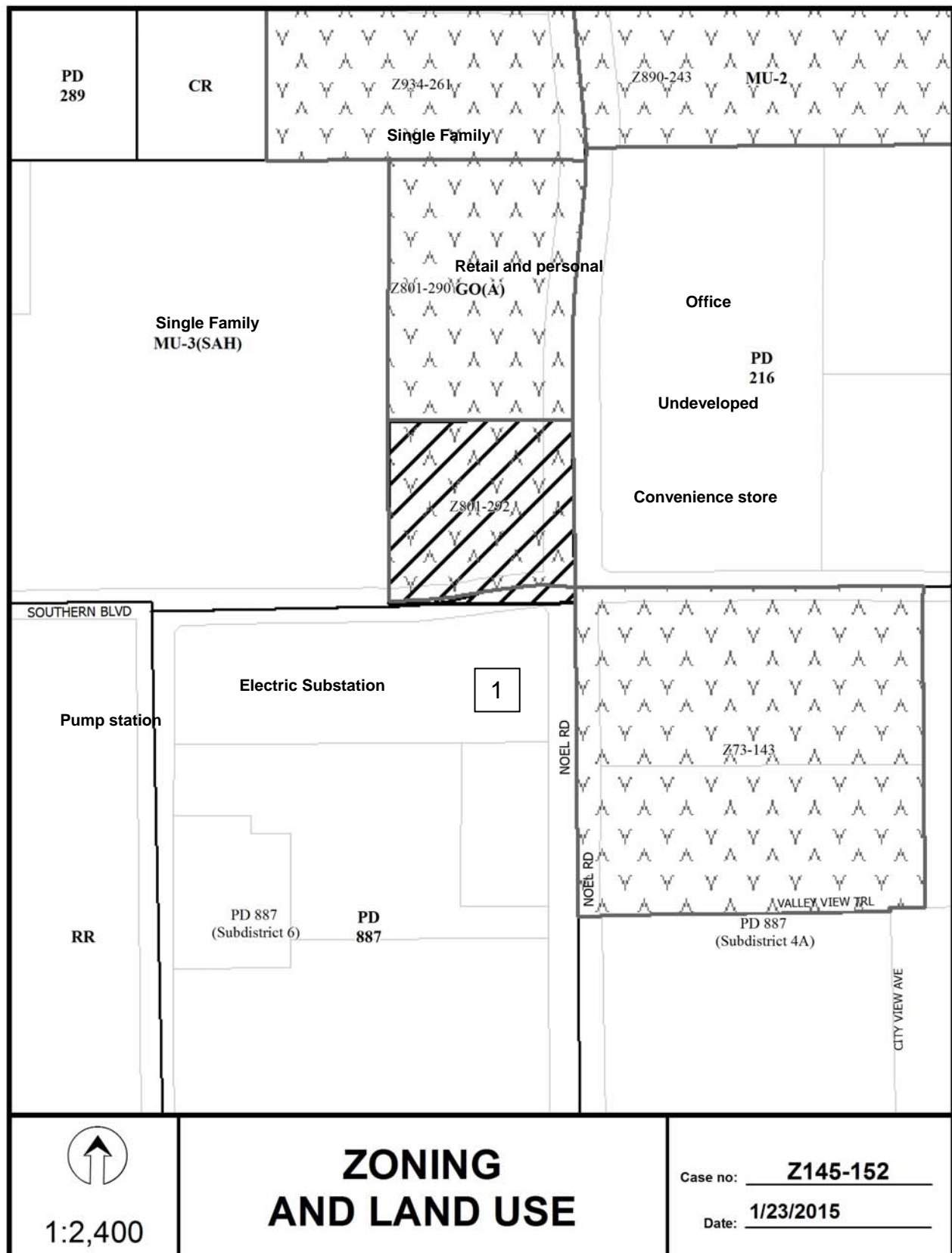
Z145-152 (OTH)













## CPC RESPPONSES





04/01/2015

***Reply List of Property Owners******Z145-152******32 Property Owners Notified******0 Property Owners in Favor******1 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	13907 NOEL RD	SOUTHERN GALLERIA
	2	13651 NOEL RD	GALLERIA HORIZONTAL ASSET LLC
	3	13939 NOEL RD	HPT CW PROPERTIES TRUST
X	4	13760 NOEL RD	ST NOEL LP
	5	13780 NOEL RD	U S POSTAL SERVICE
	6	13737 NOEL RD	IPERS GALLERIA NORTH TOWER I INC
	7	13741 NOEL RD	FSP GALLERIA NORTH LP ETA &
	8	13741 NOEL RD	GALLERIA HORIZONTAL ASSET LLC
	9	13910 DALLAS PKWY	BED BATH & BEYOND INC
	10	13900 NOEL RD	CORREA HERMINIA
	11	13900 NOEL RD	PHAM CHI & NGUYEN AUTUMN
	12	13900 NOEL RD	MULVILL SEAN & IVANA
	13	13900 NOEL RD	SABETI ARMIN & WENDY
	14	13900 NOEL RD	GUERRA KARINA
	15	13900 NOEL RD	CHONG MYONG S
	16	13900 NOEL RD	MALIK IMAD &
	17	13900 NOEL RD	POND ROBERT S
	18	13900 NOEL RD	BEAUSTON WILLIAM
	19	13900 NOEL RD	HILL CHRISTOPHER M
	20	13900 NOEL RD	FLUCHAIRE SILVIA
	21	13900 NOEL RD	CHEN CHENG CHIEH
	22	13900 NOEL RD	ARCHER ANGELA
	23	13900 NOEL RD	HAGHI BEHZAD & YVETTE
	24	13900 NOEL RD	NGO MAI T
	25	13900 NOEL RD	ROBINSON MARIA C
	26	13900 NOEL RD	FLUCHAIRE SYLVIA



Z145-152 (OTH)

04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	13900	NOEL RD	VILLERE MICHAEL PIERRE
28	13900	NOEL RD	SANDOVAL GREGORY ALAN
29	13900	NOEL RD	WYLIE CINDY L
30	13900	NOEL RD	WINSLOW WARREN A III
31	13900	NOEL RD	SU KORBAN C
32	13900	NOEL RD	COLLI JULIANA M



**AGENDA ITEM # 33**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 35 V

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 556 along the east line of North Central Expressway, between Lee Street and Normah Street

Recommendation of Staff and CPC: Approval, subject to a revised development plan and conditions

Z145-175(AF)



**FILE NUMBER:** Z145-175(AF)

**DATE FILED:** January 28, 2015

**LOCATION:** East line of North Central Expressway between Lee Street and Normah Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 35V

**SIZE OF REQUEST:** ±1.06 acres

**CENSUS TRACT:** 9.00

---

**APPLICANT/OWNER:** Caddo Fitzhugh, LP.

**REPRESENTATIVE:** Rob Baldwin, Baldwin Planning

**REQUEST:** An application for an amendment to Planned Development District No. 556.

**SUMMARY:** The purpose of this request is to permit encroachment of the existing masonry wall into the 10-foot landscape buffer along the east side of the property. The site was developed with a 50,779-square-foot office building and a 62,411-square-foot parking structure. There is currently a drainage easement on the property that restricts landscaping to be installed along +/- 115 linear feet of the southeastern portion of the property. In order to mitigate any impact felt on the abutting residential property, a masonry wall was built along the portion that lacks landscaping.

**CPC RECOMMENDATION:** Approval, subject to a revised development plan and conditions

**STAFF RECOMMENDATION:** Approval, subject to a revised development plan and conditions



### **GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – Surrounding uses comprise of residential homes, retail, and offices. The applicant has built a masonry wall on the portion of the property line where the landscape buffer requirement cannot be met. This is done to mitigate any possible negative impact on development located east of the property.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will have no additional impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the Comprehensive Plan.

### **Zoning History:**

#### **File No. Request, Disposition, and Date**

1. **Z145-147** On December 19, 2014, an application for a PD subdistrict with multifamily uses was submitted. No CPC hearing date has been scheduled yet.
2. **Z123-332** On June 25, 2014, City Council approved an application for an amendment to Planned Development District No. 820 for certain Mixed Uses.
3. **Z112-265** On October 23, 2013, City Council approved an application for a Planned Development Subdistrict for GR General Retail subdistrict Uses on property zoned a GR General Retail subdistrict and an O-2 Office Subdistrict, with deed restrictions on the northern portion of the site currently zoned an O-2 Office Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District.
4. **Z112-287** On May 9, 2012, City Council approved an application to terminate deed restrictions on property zoned an RR Regional Retail District on the southeast corner of North Central Expressway and Walnut Hill Lane.

### **Thoroughfares/Streets:**

<b>Thoroughfares/Street</b>	<b>Type</b>	<b>Existing ROW</b>
North Central Expressway	Highway	Variable
Lee Street	Minor Arterial	45'
Normah Street	Minor Arterial	50'



**Traffic:**

The change has no additional impact upon the roadway system than what is already permitted.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD 556	Office
<b>North</b>	D/CR, Community Retail	Office
<b>East</b>	TH-3 (A)	Residential
<b>South</b>	CR	Retail
<b>West</b>	PD 193 O-2	Office

**STAFF ANALYSIS:****Comprehensive Plan:**

The Vision Illustration depicts the request site as within an *Urban Neighborhood* Building Block on the *forwardDallas! Vision Illustration*, adopted June 2006. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. 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 Compatibility:**

The request site is surrounded by office/retail to the north and south. There is residential to the east and North Central Expressway is to the west of the property. All four corners of



the intersection of N. Fitzhugh and North Central Expressway allows for a wide assortment of non-residential uses that include drive-through restaurants, automobile-oriented retail, restaurants, and a school. Old dilapidated, single family structures have been demolished and replaced with cluster housing in the form of attached townhomes with less front and backyard square footage.

The building is occupied by a bank with a drive-through ATM located along the North Central Expressway service road. The hours of operations are 8 am through 5 pm, Monday through Friday. The drive-through ATM lane connects Normah St. to the south and Lee St. to the north.

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
PDD 556	15 ‘	15.6’/14.3’	FAR 1.09	70’	20,000 sq. ft.		MC-1 Multiple Commercial District uses

**Parking:** Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for each use. The applicant is not requesting any concession to this requirement.

**Landscaping:** Prior to the issuance of any building permit, a landscape plan must be approved by the building official that complies with Article X. Planned Development 556 requires a solid screening at least six feet in height and a 10 foot landscape buffer. The applicant requests to amend the development plan to allow for a decorative fence to be installed as a substitution to the landscaping where a conflict with a drainage easement exists.



Z145-175(AF)

**Partners/Principals/Officers:**

Caddo Fitzhugh GP, LLC

Dustin Schillin, Manager  
Tim Slaughter, Manager  
Justin Engler, Manager



**ARTICLE 556.**

**PD 556.**

**SEC. 51P-556.101. LEGISLATIVE HISTORY.**

PD 556 was established by Ordinance No. 23977, passed by the Dallas City Council on August 11, 1999. Ordinance No. 23977 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended.

**SEC. 51P-556.102. PROPERTY LOCATION AND SIZE.**

PD 556 is established on property fronting on the southeast line of North Central Expressway between Lee Street and Normah Street. The size of PD 556 is approximately 1.093 acres.

**SEC. 51P-556.103. DEFINITIONS AND INTERPRETATIONS.**

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all code references are to Chapter 51A.
- (c) This district is considered to be a nonresidential zoning district.

**SEC. 51P-556.104. DEVELOPMENT PLAN.**

Development and use of the Property must comply with the development plan (Exhibit 556A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

**SEC. 51P-556.105. MAIN USES PERMITTED.**

(a) Except as provided in Subsection (b), the uses permitted in this district are all uses permitted in the MC-1 Multiple Commercial District, subject to the same conditions applicable in the MC-1 Multiple Commercial District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the MC-1 Multiple Commercial District by specific use permit (SUP) only is permitted in this planned development district by SUP only; a use subject to development impact review (DIR) in the MC-1 Multiple Commercial District is subject to DIR in this planned development district; etc.

- (b) The following uses are prohibited:
  - Alcoholic beverage establishments.
  - Auto service center.
  - All lodging uses.
  - Labor hall.



- Motor vehicle fueling station.
- Swap or buy shop.

**SEC. 51P-556.106. ACCESSORY USES.**

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

**SEC. 51P-556.107. YARD, LOT, AND SPACE REGULATIONS.**

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

- (a) Front, side, and rear yard.
  - (1) Minimum front, side, and rear yard is as shown on the development plan.
  - (2) Dumpsters must be setback as shown on the development plan.
- (b) Density. No maximum dwelling unit density.
- (c) Floor area. Maximum floor area ratio is 1.09.
- (d) Height. Maximum permitted structure height is 70 feet. The residential proximity slope does not apply to structures constructed on the Property.
- (e) Lot coverage. Maximum lot coverage is 20,000 square feet. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.
- (f) Lot size. No minimum lot size.
- (g) Stories. Maximum number of stories above grade is four, plus a mechanical penthouse.

**SEC. 51P-556.108. OFF-STREET PARKING AND LOADING.**

For all permitted uses, consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

**SEC. 51P-556.109. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.



**SEC. 51P-556.110. EGRESS.**

(a) Egress from the Property to Normah Street is limited to right turn only. Right turn only signage, approved by the director of public works and transportation, must be installed prior to the issuance of a certificate of occupancy.

(b) The design of any driveways must be approved by the director of public works and transportation prior to the issuance of a building permit.

**SEC. 51P-556.111. LANDSCAPING.**

(a) Except as provided in this section. ~~before~~ ~~Prior to~~ the issuance of any building permit, a landscape plan must be approved by the building official that complies with Article X. Solid screening at least six feet in height and a 10 foot landscape buffer must be provided along the eastern property line.

(b) A decorative fence may be provided in easements and as shown on the development plan in the southeast area of the property.

**SEC. 51P-556.112. SIGNS.**

Signs must comply with the provisions for business zoning districts contained in Article VII.

**SEC. 51P-556.113. ADDITIONAL PROVISIONS.**

(a) The entire Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

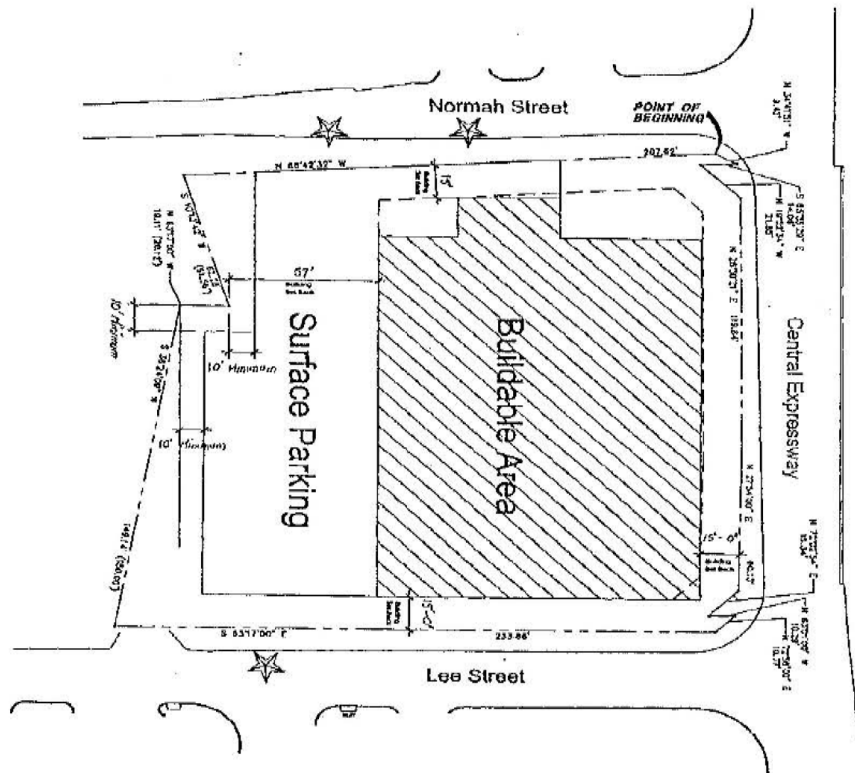
**SEC. 51P-556.114. COMPLIANCE WITH CONDITIONS.**

(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 or a certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.



# Current Development Plan



## DEVELOPMENT PLAN

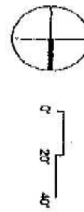
Site Area: 1.093 Acres

Maximum Floor Area Ratio: 1.09

Maximum Coverage: 20,000 sf

Maximum Building Height: 70' / 4 Stories  
(3 floors office / 1 floor parking)  
2 floors below grade parking

★ Ingress/Egress Point



992366  
23977

APPROVED BY  
CITY COUNCIL

AUG 11 1999

*Shirley G. Grogan*  
(City Secretary)

Approved  
City Plan Commission

7-22-99

PLANNED DEVELOPMENT DISTRICT NO. 556  
Z 989-19/10849-C(55)

## BRIGHT OFFICE BUILDING

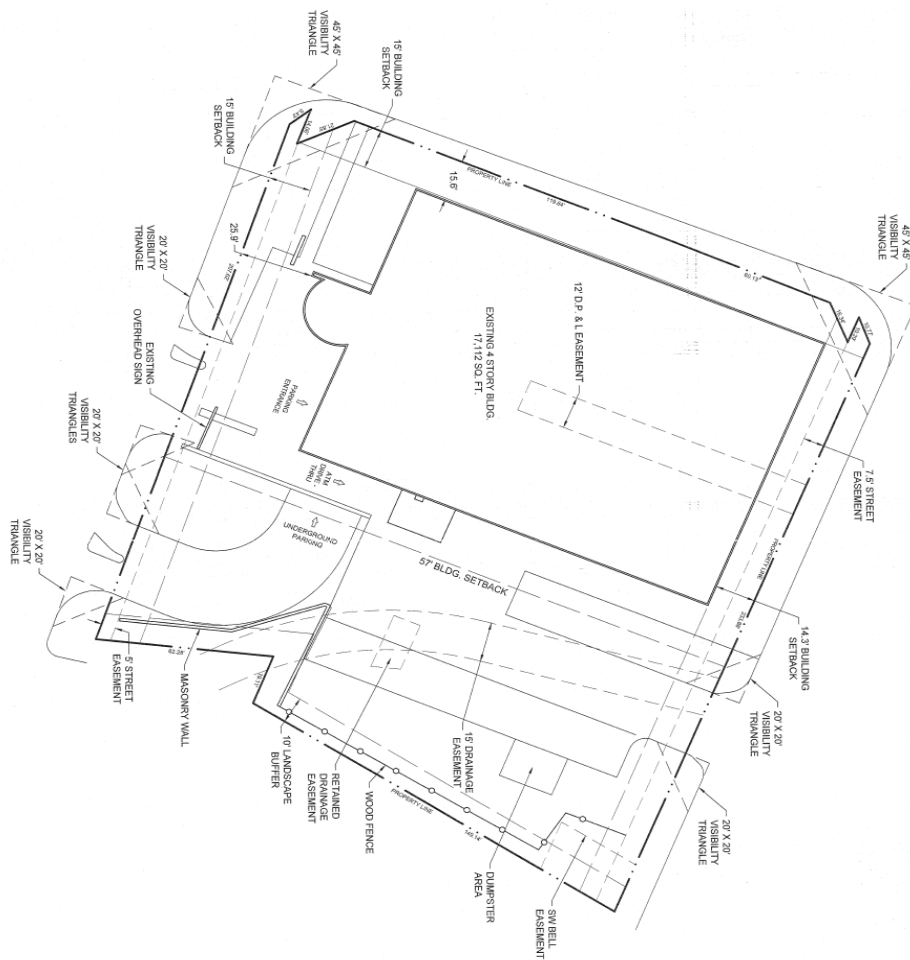
Dallas, Texas

13 May 1999  
PGAL



## Proposed Development Plan

DEVELOP  
SCALE: 1" = 20'-0"

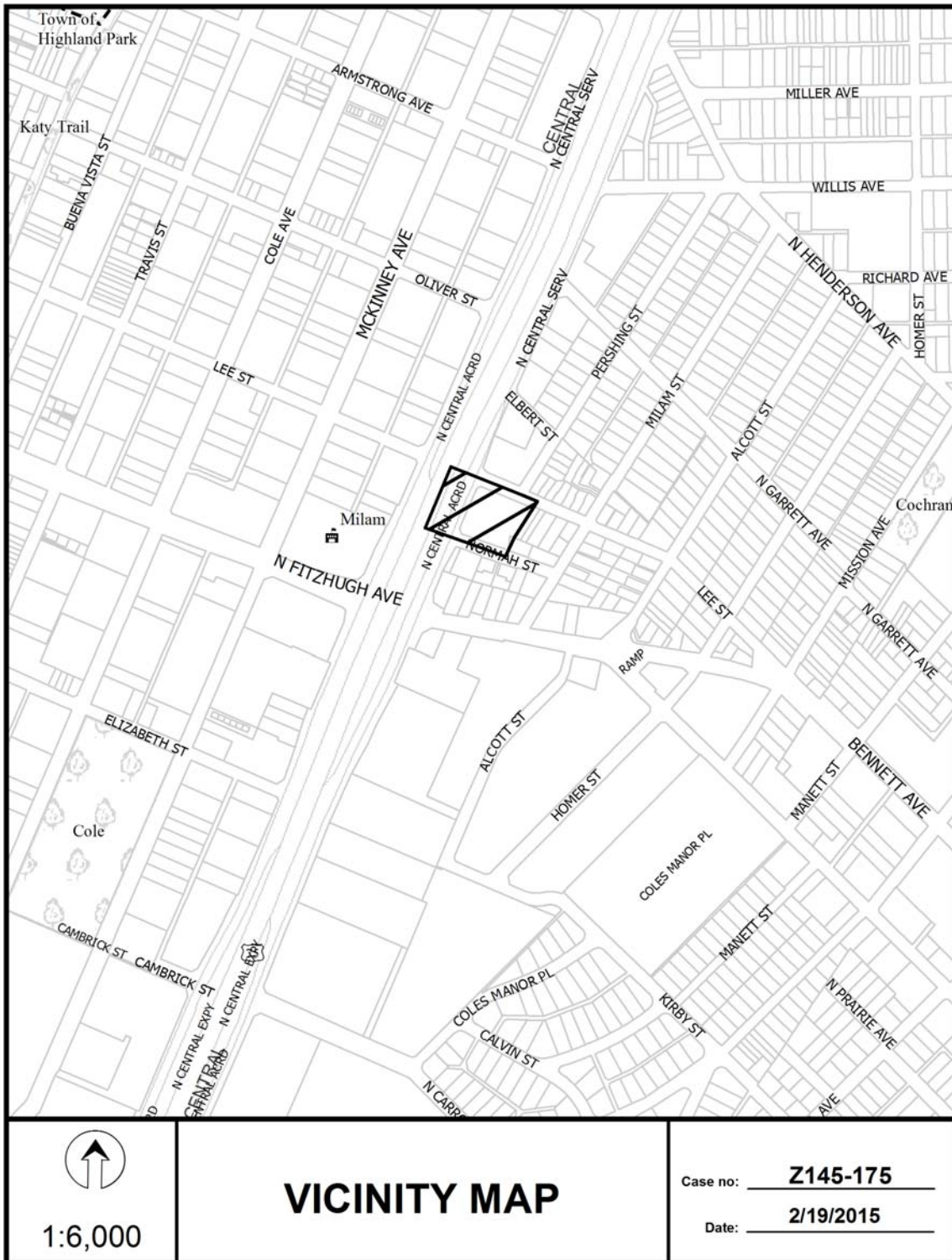


VICINITY MAP

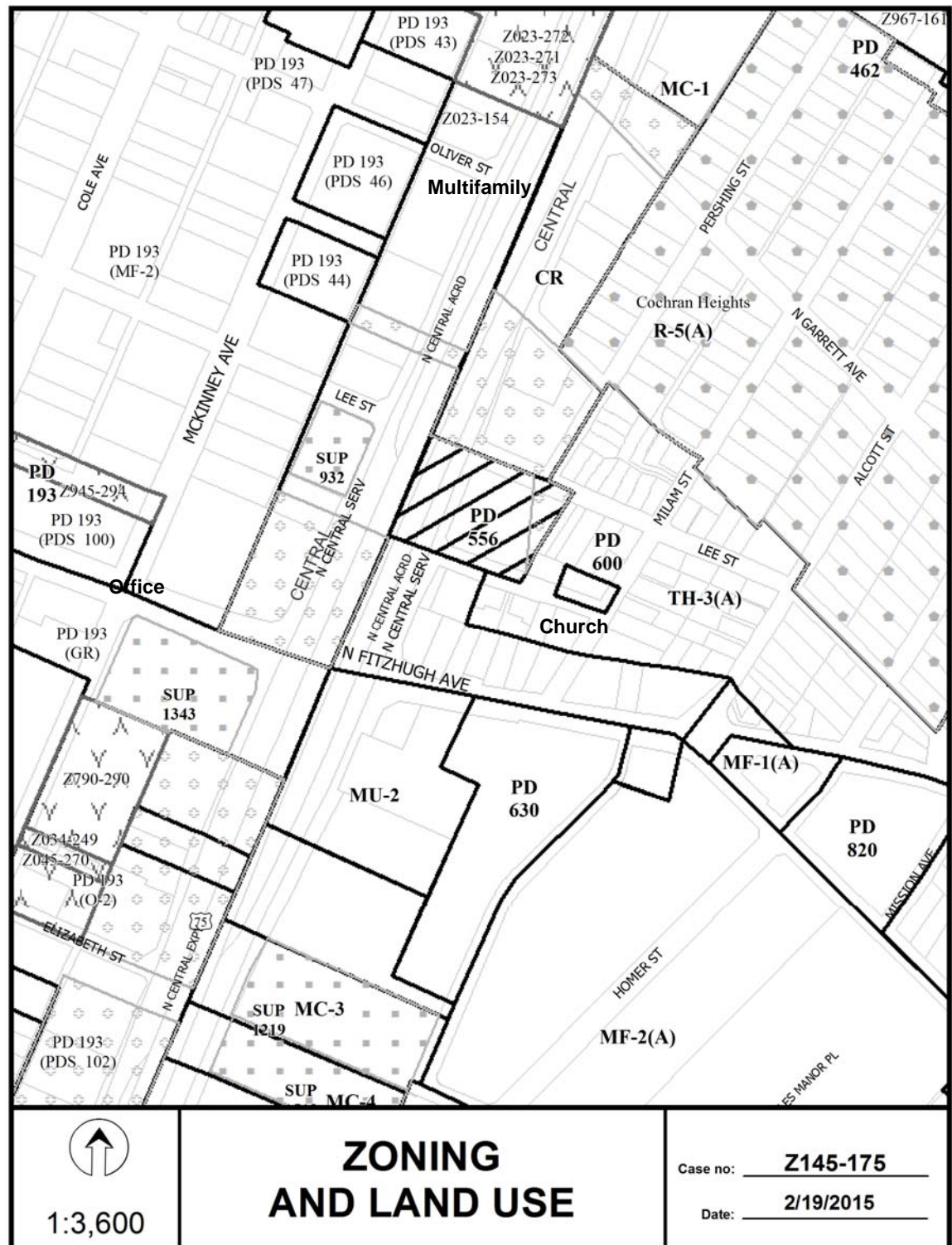
 $\frac{Z}{S}$ 

DEVELOPMENT PLAN  
4228 N. CENTRAL EXPRESSWAY  
SITE AREA: 1.093 AC  
MAX. FLOOR AREA RATIO: 1.09  
MAX. COVERAGE: 20,000 SF  
MAX. BLDG. HT.: 70' / 4 STORIES  
SETBACKS AS SHOWN

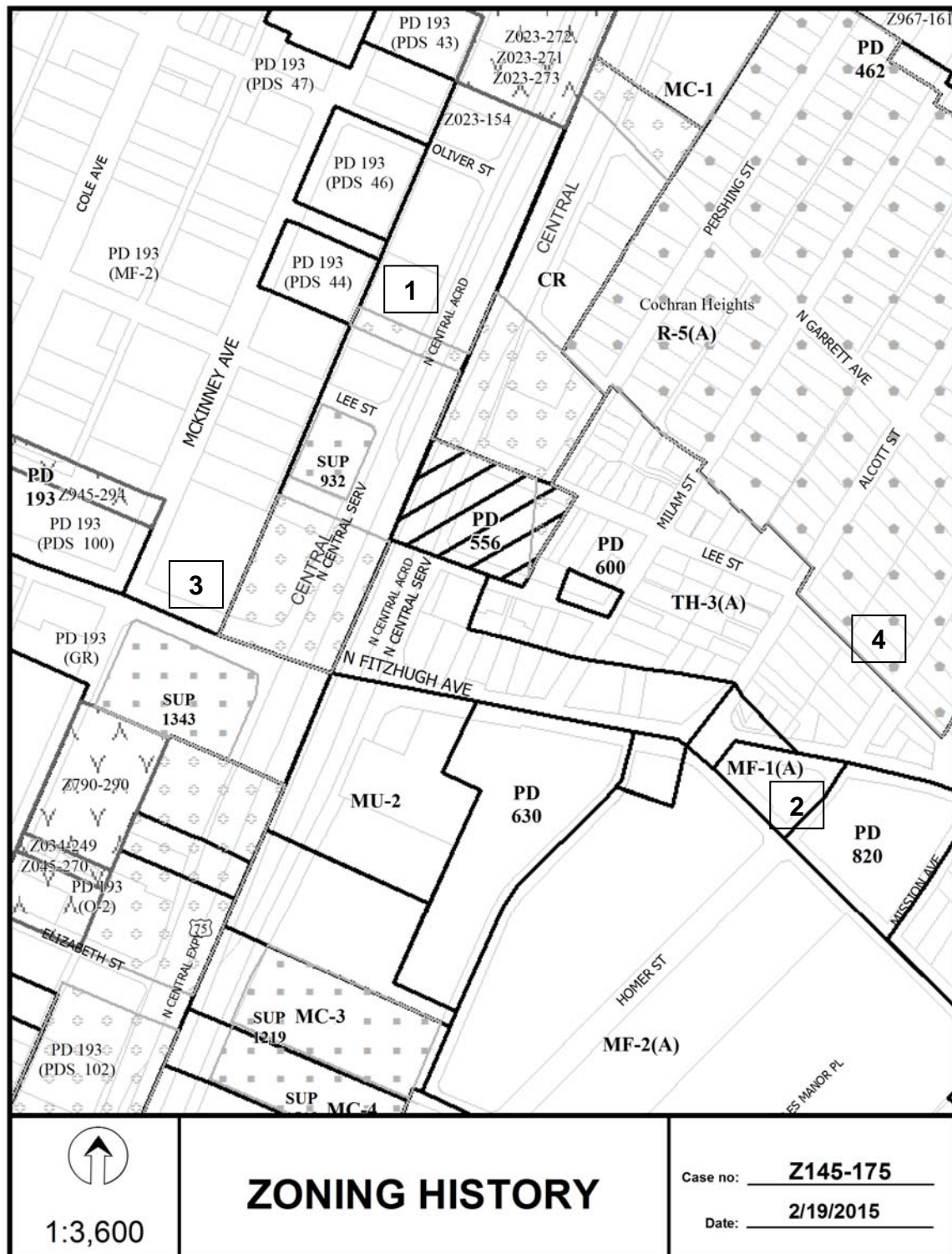




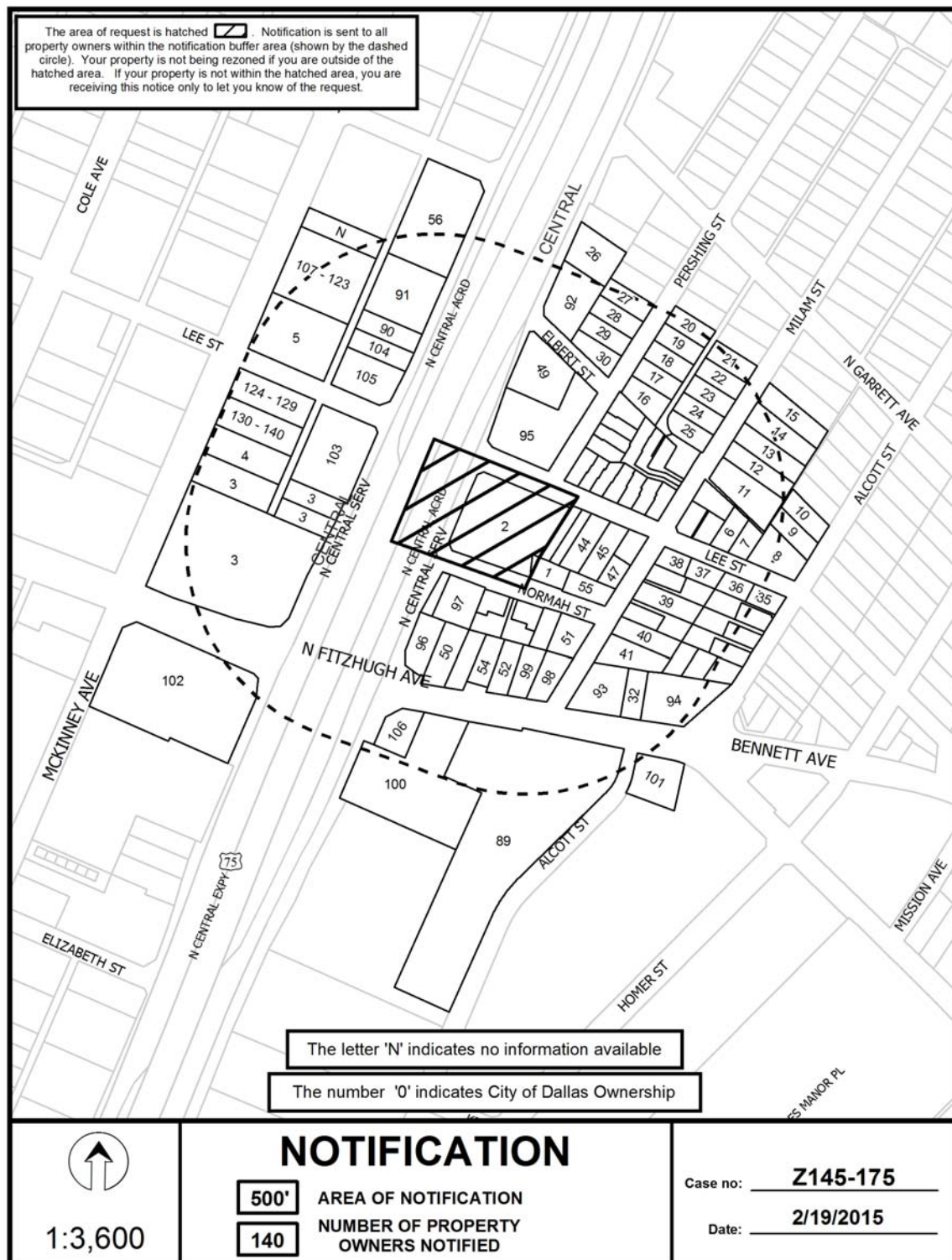














04/01/2015

***Reply List of Property Owners******Z145-175******140 Property Owners Notified******2 Property Owners in Favor******2 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	2914 NORMAH ST	RUSHING CHARTER L &
	2	4228 CENTRAL EXPY	4228 CENTRAL LLC
	3	4200 MCKINNEY AVE	Dallas ISD
	4	4230 MCKINNEY AVE	IVANYI INC
	5	4302 MCKINNEY AVE	AREAC PPTIES INC
	6	2816 LEE ST	MORENO ANGEL
	7	2810 LEE ST	ANGUIANO CIPRIANO JR
	8	5001 ALCOTT ST	HARGROVE DAVID M
	9	5005 ALCOTT ST	STRAVA LIZA
	10	5011 ALCOTT ST	MACEDO ESTEBAN &
	11	5012 MILAM ST	GRANT CATHAL P
	12	5016 MILAM ST	GUSTAFSON SARAH G & ANDY
	13	5020 MILAM ST	ANGUIANO PEDRO
	14	5024 MILAM ST	FOLTZ THERESA M
	15	5028 MILAM ST	JOHANNESSEN W PATRICK &
	16	5020 PERSHING ST	VARGAS ANTONIO JOSE &
	17	5024 PERSHING ST	ROTHENBACH CARMEN S EST OF
	18	5030 PERSHING ST	FEELEY JOSEPH
	19	5034 PERSHING ST	GONZALEZ MARIO
	20	5038 PERSHING ST	TOLOCKO MARK
	21	5033 MILAM ST	HENRY SHAWN M
	22	5029 MILAM ST	HASSETT SHERYL
	23	5025 MILAM ST	APPLE ANNELLE BINFORD
X	24	5021 MILAM ST	PARKER ROGERS D
	25	5017 MILAM ST	WINTERROWD STEPHEN C &
	26	4330 CENTRAL EXPY	KNOBLER DON



04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	5037 PERSHING ST	ANDRADE URIEL
	28	5033 PERSHING ST	GANNON JASMINE PERLIC
	29	5029 PERSHING ST	STOLER SCOTT
	30	5025 PERSHING ST	CLEVELAND RICHARD &
	31	5015 MILAM ST	MOURAD GEORGE
	32	2818 FITZHUGH AVE	JOHNSON PAGE H &
	33	4929 ALCOTT ST	SCHOONOVER DAVID L
	34	4927 ALCOTT ST	WINGARD HELEN M &
	35	4931 ALCOTT ST	COBB G KENT & MARY CRONIN
	36	2807 LEE ST	GRANT NOREEN
	37	4936 MILAM ST	WARDROP DIANE M
	38	4934 MILAM ST	BOWERS CHARLOTTE
	39	4928 MILAM ST	SEDDIGHZADEH CAMERON
	40	4920 MILAM ST	GRANT DEIRDRE E
	41	4912 MILAM ST	JOHNSON PAGE H &
	42	2843 LEE ST	TRIOLA MICHAEL &
	43	2845 LEE ST	WALLER LOGAN
	44	2841 LEE ST	MORRISON STEPHEN &
	45	2837 LEE ST	T56 HOLDINGS
	46	2833 LEE ST	REED JEFFREY N
	47	2835 LEE ST	PATEL TARUN J &
	48	5013 MILAM ST	BANK OF DALLAS
	49	4306 CENTRAL EXPY	HERRIN INVESTMENTS LLC
	50	2922 FITZHUGH AVE	BASS CLARK & WANDA CO TR
	51	2903 NORMAH ST	SATIRIPS RLTY LLC
	52	2909 NORMAH ST	LAM YING KIT
	53	2931 NORMAH ST	JOHNSON PARTNERS LTD
	54	2910 FITZHUGH AVE	NAXON RESOURCES LTD
	55	4927 MILAM ST	SJR MILAM LP
O	56	4343 CENTRAL EXPY	LAGUARDA LOW II LTD
	57	2824 LEE ST	SANTAULARIA JULIENNE M



04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	5008 MILAM ST	CLARK KELLY B & JANET D
	59	2820 LEE ST	GALLARDO JULIO C
	60	2822 LEE ST	HASSAN ALIZAZA
	61	4911 ALCOTT ST	KEEFER ANN TIDMORE
	62	4913 ALCOTT ST	PATEL NIMIT N
	63	4915 ALCOTT ST	DAF REAL ESTATE HOLDING INC
	64	4917 ALCOTT ST	HUDNALL DAVID TYSON
	65	4919 ALCOTT ST	BOEING CARL D
	66	4921 ALCOTT ST	FEGARAS LEONIDAS
	67	4923 ALCOTT ST	GROPPEL DONNA J
	68	4932 MILAM ST	GREENSPAN MICHAEL
	69	4930 MILAM ST	RIST MICHAEL D
	70	4926 MILAM ST	RODRIGUES LAUREN MARIE
	71	2915 NORMAH ST	TUCKER WAYNE E JR &
	72	2917 NORMAH ST	KNOX HENDERSON INVESTMENTS LLC
	73	2921 NORMAH ST	CORSICANA FAMILY RENTALS LLC
	74	2919 NORMAH ST	HIBBS DOUGLAS
	75	2832 LEE ST	ALEMAN ROSA &
	76	2836 LEE ST	STEVENS LINDA B L
	77	2840 LEE ST	MOSS BEVERLY PARKHURST
	78	2844 LEE ST	ERB TIMOTHY ELLETT
	79	2848 LEE ST	KHABIR TONNETTE
	80	2852 LEE ST	MONTAGUE AMI M
	81	2856 LEE ST	ROGERS DONZA J
	82	5012 PERSHING ST	TRIMBLE JUDITH M
	83	5014 PERSHING ST	SCHER JACOB STEVEN
	84	5016 PERSHING ST	MCEACHERN JERRY JR
	85	5018 PERSHING ST	CADY ROBERT M II
	86	5005 MILAM ST	TRUSSELL RICHARD NATHAN &
	87	5007 MILAM ST	DYER JAMES H
	88	5009 MILAM ST	AMAYA JAIME



Z145-175 (AF)

04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	2819 FITZHUGH AVE	WRPV XI VUE FH DALLAS LP
	90	4313 CENTRAL EXPY	ST JOSEPHS HELPERS OF DALLAS TEXAS INC
O	91	4321 CENTRAL EXPY	DESIGN INV GROUP INC
	92	4310 CENTRAL EXPY	CALLEJO WILLIAM F
	93	2818 FITZHUGH AVE	JOHNSON PAGE H &
	94	2802 FITZHUGH AVE	KWIK CHEK REALTY CO
	95	4300 CENTRAL EXPY	TRITON COMMERCIAL PPTIES
	96	4210 CENTRAL EXPY	NAXON RESOURCES LTD
	97	4212 CENTRAL EXPY	JOHNSON PARTNERS LTD
	98	2900 FITZHUGH AVE	SATIRIPS REALTY LLC
	99	2906 FITZHUGH AVE	LAM YING KIT
	100	4150 CENTRAL EXPY	RAJ HOSPITALITY LP
	101	2801 FITZHUGH AVE	FITZHUGH INVESTMENTS INC
	102	4151 CENTRAL EXPY	LORTON CORPORATION THE
	103	4245 CENTRAL EXPY	CADD OAK LAWN LP
	104	4309 CENTRAL EXPY	KNOBLER DONALD G
X	105	4303 CENTRAL EXPY	RANDALL B ISENBERG INV
	106	4164 CENTRAL EXPY	FITZHUGH AT CENTRAL LP
	107	4312 MCKINNEY AVE	TANNEN ANN MOREE
	108	4312 MCKINNEY AVE	HERRMANN ANDREW C & SARAH E
	109	4312 MCKINNEY AVE	GOMEZ MARTIN
	110	4312 MCKINNEY AVE	KANNER OSNAT &
	111	4312 MCKINNEY AVE	GRANOFF JACK
	112	4312 MCKINNEY AVE	HAMILTON SEAN D
	113	4312 MCKINNEY AVE	DVOROSIK GREGORY M
	114	4312 MCKINNEY AVE	BOYLE MARY C
	115	4312 MCKINNEY AVE	SCHLEISS CHRISTOPHER
	116	4312 MCKINNEY AVE	AVSHALUMOV YASHA
	117	4312 MCKINNEY AVE	NATHAN TODD D & KAREN
	118	4312 MCKINNEY AVE	CHOE ZACHIA
	119	4312 MCKINNEY AVE	MORTENSON JAY E



Z145-175 (AF)

04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	4312 MCKINNEY AVE	REYNOLDS LISA M
	121	4312 MCKINNEY AVE	MILLER MARK G
	122	4312 MCKINNEY AVE	WARREN THOMAS D &
	123	4312 MCKINNEY AVE	KELLOGG STEVEN R
	124	4238 MCKINNEY AVE	PATEL NIMESH
	125	4238 MCKINNEY AVE	JADHAVJI ASIF
	126	4238 MCKINNEY AVE	ALSEDEK STEVEN M
	127	4238 MCKINNEY AVE	DALY MARGARET M
	128	4238 MCKINNEY AVE	ALOLABI MOHAMMAD RAGHID
	129	4238 MCKINNEY AVE	AULDS A TREVOR
	130	4232 MCKINNEY AVE	FELL DELAINA
	131	4232 MCKINNEY AVE	YARGER THERESA B & RICHARD
	132	4232 MCKINNEY AVE	RAINS LINDA
	133	4232 MCKINNEY AVE	KENEALY CRYSTAL L
	134	4232 MCKINNEY AVE	SUN PATRICIA
	135	4232 MCKINNEY AVE	CHRISTISON DENISE B
	136	4232 MCKINNEY AVE	ANDREW LORRI J
	137	4232 MCKINNEY AVE	NAVA MARTHA
	138	4232 MCKINNEY AVE	TABAIE JENNIFER
	139	4232 MCKINNEY AVE	SMITH LEESA L
	140	4232 MCKINNEY AVE	HIGHTOWER GREGORY D &



**AGENDA ITEM # 34**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 45 M

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1696 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south side of Elm Street, east of North Crowdus Street

Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions

Z145-176(CG)



ACM: Ryan S. Evans

**FILE NUMBER:** Z145-176(CG) **DATE FILED:** February 2, 2015**LOCATION:** South side of Elm Street, east of North Crowdus Street**COUNCIL DISTRICT:** 2 **MAPSCO:** 45M**SIZE OF REQUEST:**  $\pm$  0.06 acres **CENSUS TRACT:** 204.00

---

**APPLICANT:** Loannis Manettas**REPRESENTATIVE:** Audra Buckley**OWNER:** Westdale Properties America I, LTD**REQUEST:** An application for the renewal of Specific Use Permit No. 1696 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District.**SUMMARY:** The purpose of this request is to continue the operation of a bar, tavern or lounge within the Deep Ellum District [Elm Street Bar]. This specific use permit will expire on May 9, 2015. There are no changes to the existing site plan or conditions.**CPC RECOMMENDATION:** Approval for a three-year period, subject to conditions.**STAFF RECOMMENDATION:** Approval for a three-year period, subject to conditions.



## **GUIDING CRITERIA FOR RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing use is compatible with the adjacent bars, restaurant, and personal service uses. The primary uses in PDD No. 269 consists of mix of alcoholic beverage establishments, restaurant, personal service and office uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use has had neither a positive nor negative contribution to the welfare of adjacent properties. The SUP has conditions that appear to mitigate any potential negative impacts.
3. *Not a detriment to the public health, safety, or general welfare* – It is not foreseen that this use would be a detriment to the public health, safety or general welfare of the community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards.

## **Zoning History:**

There are nine zoning requests within the last five years that are within close proximity to the requested site.

1. Z112-234      The City Council approved SUP No. 1685 for an alcoholic beverage establishment for a bar, lounge or tavern. (Expires 9/12/2017)
2. Z101-371      The City Council approved SUP No. 1974 for an alcoholic beverage establishment for a bar, lounge or tavern. (Expires 8/15/2015)
3. Z123-309      The City Council approved SUP No. 1686 for a body piercing studio and a tattoo studio. (Expires 10/24/2016)
4. Z145-121      The City Council approved SUP No. 1783 for an alcoholic beverage establishment for a bar, lounge or tavern. (Expires 2/11/2020)
5. Z134-224      The City Council approved SUP No. 2122 for an alcoholic beverage establishment for a bar, lounge or tavern. (Expires 10/10/2016)
6. Z123-299      The City Council approved SUP No. 2050 for an alcoholic beverage establishment for a bar, lounge or tavern. (Expires 10/8/2015)



7. Z123-109 The City Council approved SUP No1694 for an alcoholic beverage establishment for a bar, lounge or tavern and an inside commercial amusement limited to a Class A dance hall. (Expires 12/10/2017)
8. Z134-307 The City Council approved SUP No. 1982 for an alcoholic beverage establishment for a bar, lounge or tavern. (Expires 2/11/2020)
9. Z123-206 The City Council approved SUP No. 1707 for a tattoo studio and a body piercing studio. (Expires 6/12/2018)

### **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Elm Street	Local Street	70 ft.	70 ft.
Crowdus Street	Local Street	35 ft.	35 ft.

### **Land Use:**

	Zoning	Land Use
<b>Site</b>	PDD No. 269, Tract A	Bar, lounge or tavern
<b>North</b>	PDD No. 269 Tract A	Retail, Commercial
<b>South</b>	PDD No. 269 Tract A	Retail, Commercial
<b>East</b>	PDD No. 269 Tract A	Retail, Bar, lounge or tavern
<b>West</b>	PDD No. 269 Tract A	Surface parking

### **COMPREHENSIVE PLAN:**

The Comprehensive Plan does not make a specific land use recommendation related to the request; however, the *forwardDallas!* Vision Illustration is comprised of a series of Building Blocks that show general land use patterns. They are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The request site lies within an Urban Mixed-Use Building Block. This Building Block provides for a healthy balance of housing, job, and shopping that permits residents to live, work, shop, and play in the same neighborhood. Wide sidewalks and pedestrian features offer alternative access options to this type of area, thus permitting foot and bike traffic to benefit from the mix of uses.

### **STAFF ANALYSIS:**



**Land Use Compatibility:** The ±2,500 square foot site is located within a one-story multi-tenant mixed use development and is adjacent to a variety of retail and bar, lounge or tavern uses. The request for renewal of SUP No. 1696 for a bar, lounge or tavern will allow the applicant to operate within the existing structure.

Specific Use Permit approvals for the subject use were granted as follows: three year period [12/12/07 to 12/12/2010]; 2) one year [08/10/2011 to 08/10/2012]; and 3) three year period [05/09/2012 to 05/09/2015].

A bar, lounge, or tavern means an establishment principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue from the service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for on-premise consumption.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

**Landscaping:** The request site is located within an existing structure and the landscaping requirements will not be triggered.

**Parking:** Off-street parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A-4.704(b)(4), may not be used to meet the off-street parking requirements. PDD No. 269 gives a credit for the first 2,500 square feet of bar, lounge, or tavern uses when located on the first floor in an original building.

**Dallas Police Report:** Below is the activity for the last five years (2010 – 2015).

DATE	OFFENSE
10/7/2013	MULTIPLE ROBBERY INCIDENT
10/7/2013	MULTIPLE ROBBERY INCIDENT



**CPC Recommended Conditions**

1. USE: The only use authorized by this specific use permit is a bar, lounge, or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on \_\_\_\_\_ (three years) ~~May 9, 2015~~.
4. ~~CERTIFICATE OF OCCUPANCY: The bar, lounge, or tavern must obtain an amended certificate of occupancy from the Building Official by September 10, 2011. All requirements of this specific use permit and Planned Development District No. 269 must be met before the Building Official may issue the amended certificate of occupancy.~~
5. FLOOR AREA: The maximum floor area is 2,500 square feet in the location shown on the attached site plan.
6. HOURS OF OPERATION: The bar, lounge, or tavern may only operate between 6:00 p.m. and 2:00 a.m. (the next day), Monday through Friday, and 11:00 a.m. ~~3:00 p.m.~~ through 2:00 a.m. (the next day), Saturday and Sunday.
7. OFF-STREET PARKING: Off-street parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A-4.704(b)(4), may not be used to meet the off-street parking requirements.
8. OUTSIDE SPEAKERS: Speakers located outside are prohibited.
9. SECURITY: A minimum of one security officer is required on site between the hours of 10:00 p.m. and 2:00 a.m. (the next day), Monday through Sunday.
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas."



**CPC Action – April 2, 2015**

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1696 for an alcoholic beverage establishment limited to a bar, lounge, or tavern for a three-year period, subject to revised conditions on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south side of Elm Street, east of North Crowds Street.

Maker: Ridley  
Second: Shidid  
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Culbreath\*, Shidid,  
Anantasomboon, Bagley, Lavallaisaa, Tarpley,  
Shellene, Schultz, Peadon, Murphy, Ridley,  
Abtahi

Against: 0  
Absent: 1 - Rodgers  
Vacancy: 0

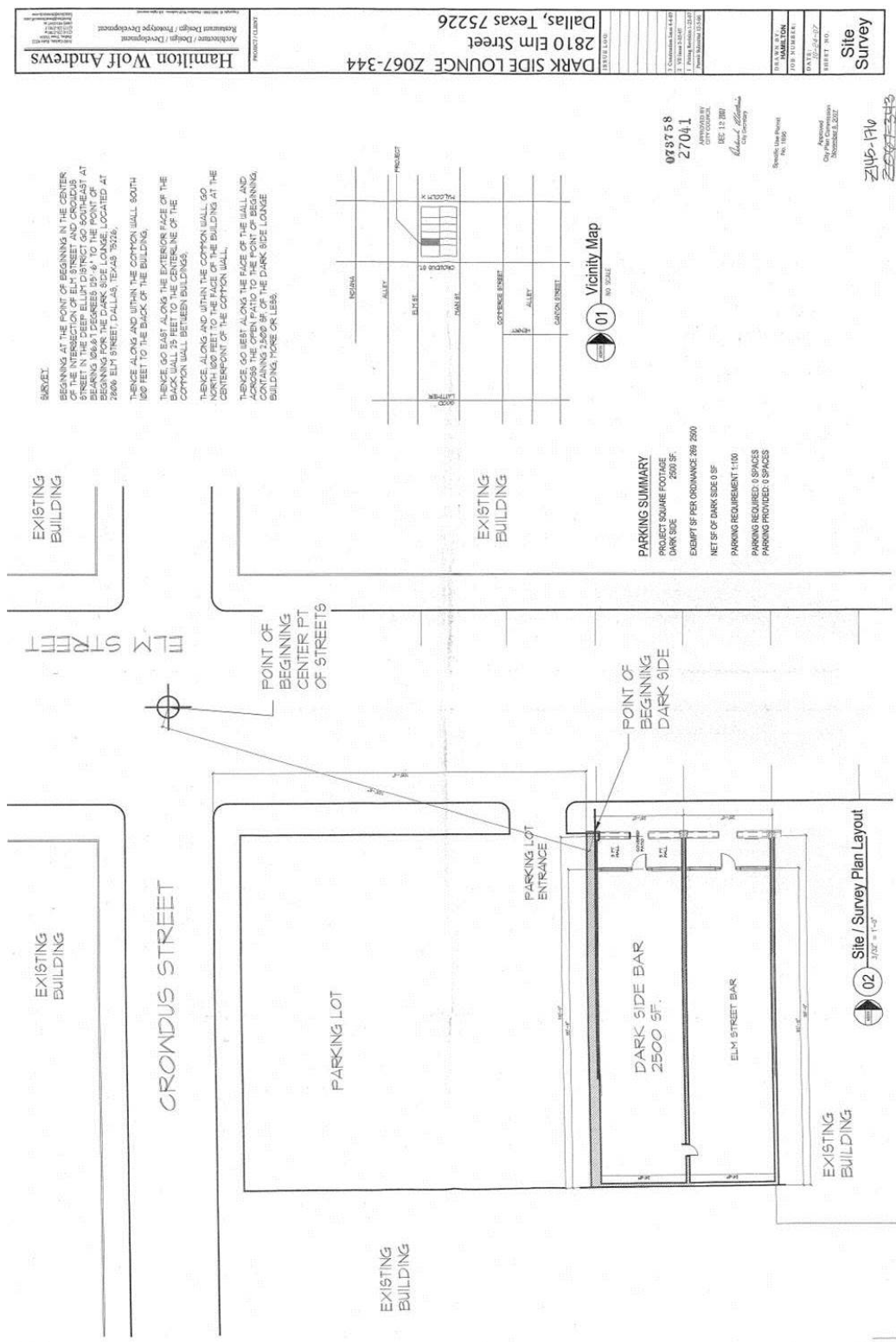
\*out of the room, shown voting in favor

<b>Notices:</b>	Area: 200	Mailed: 17
<b>Replies:</b>	For: 6	Against: 0

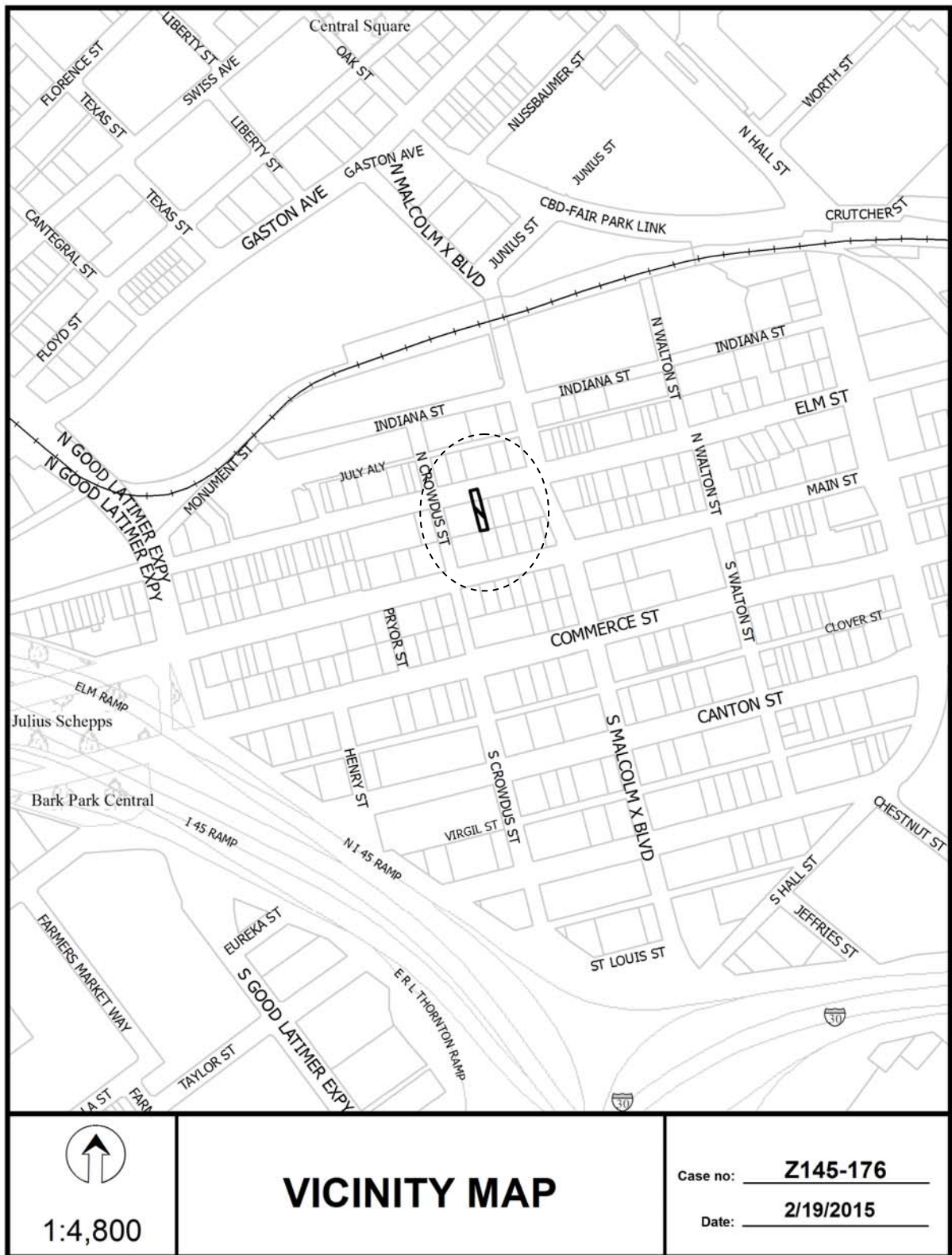
**Speakers:** None



## Existing Site Plan



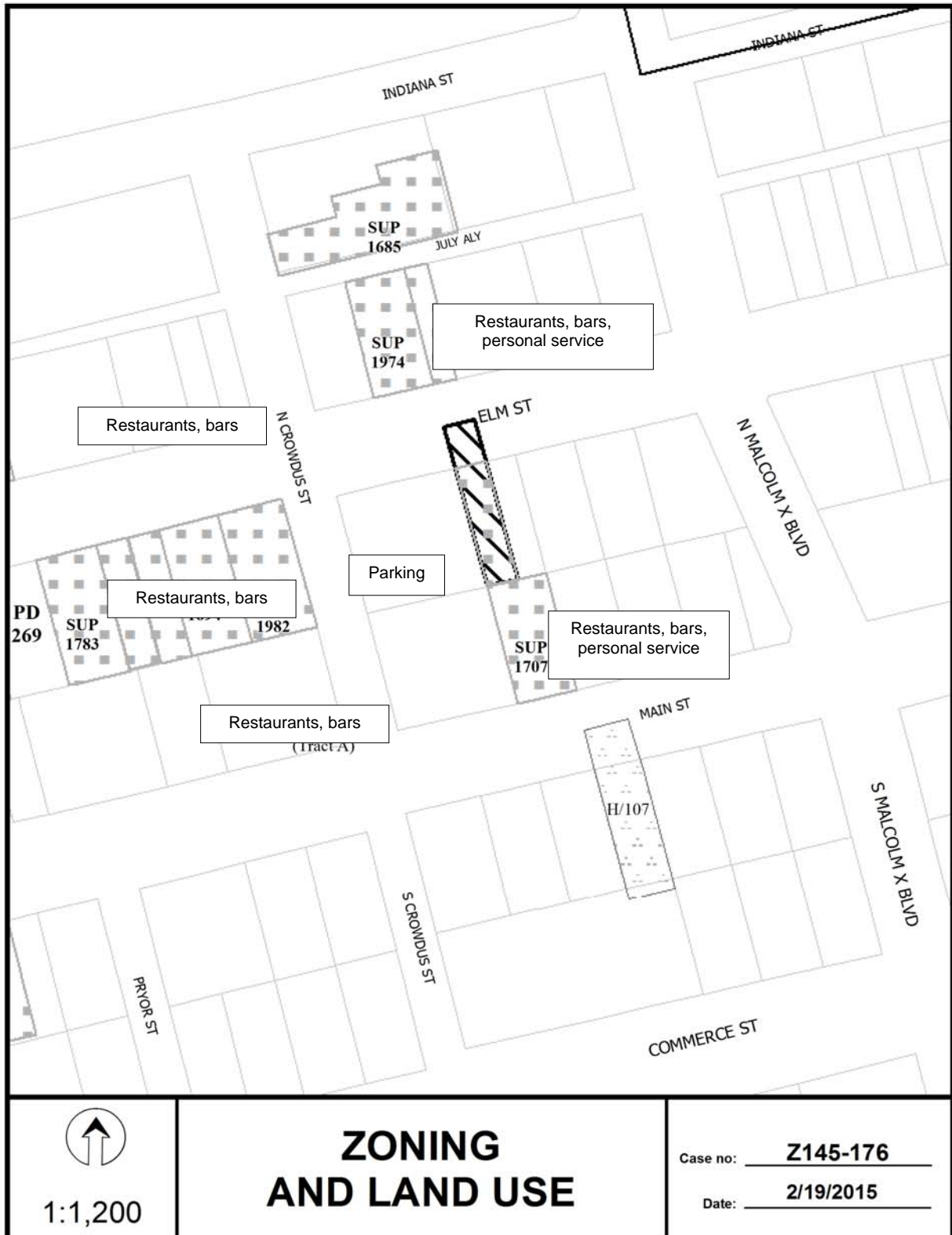




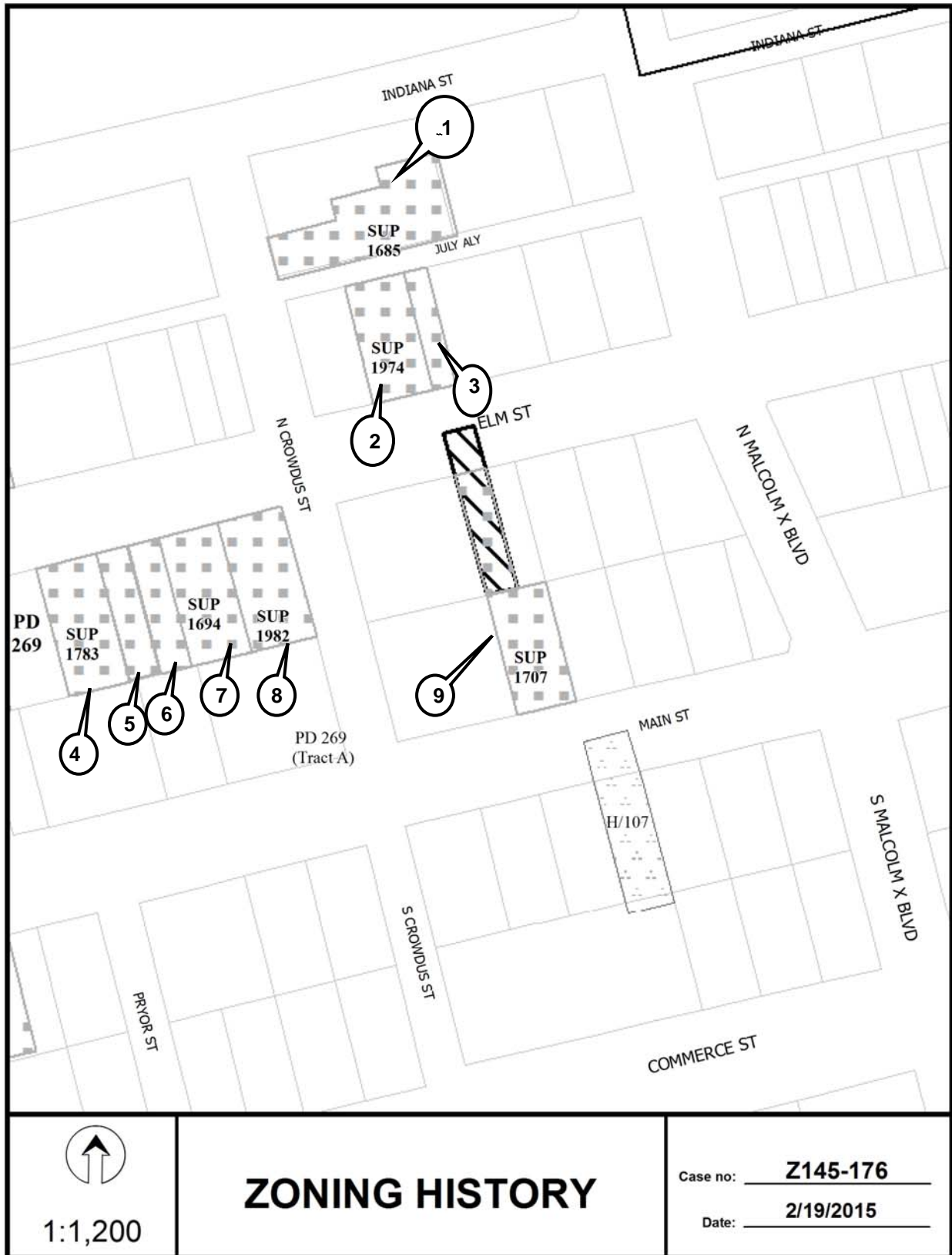






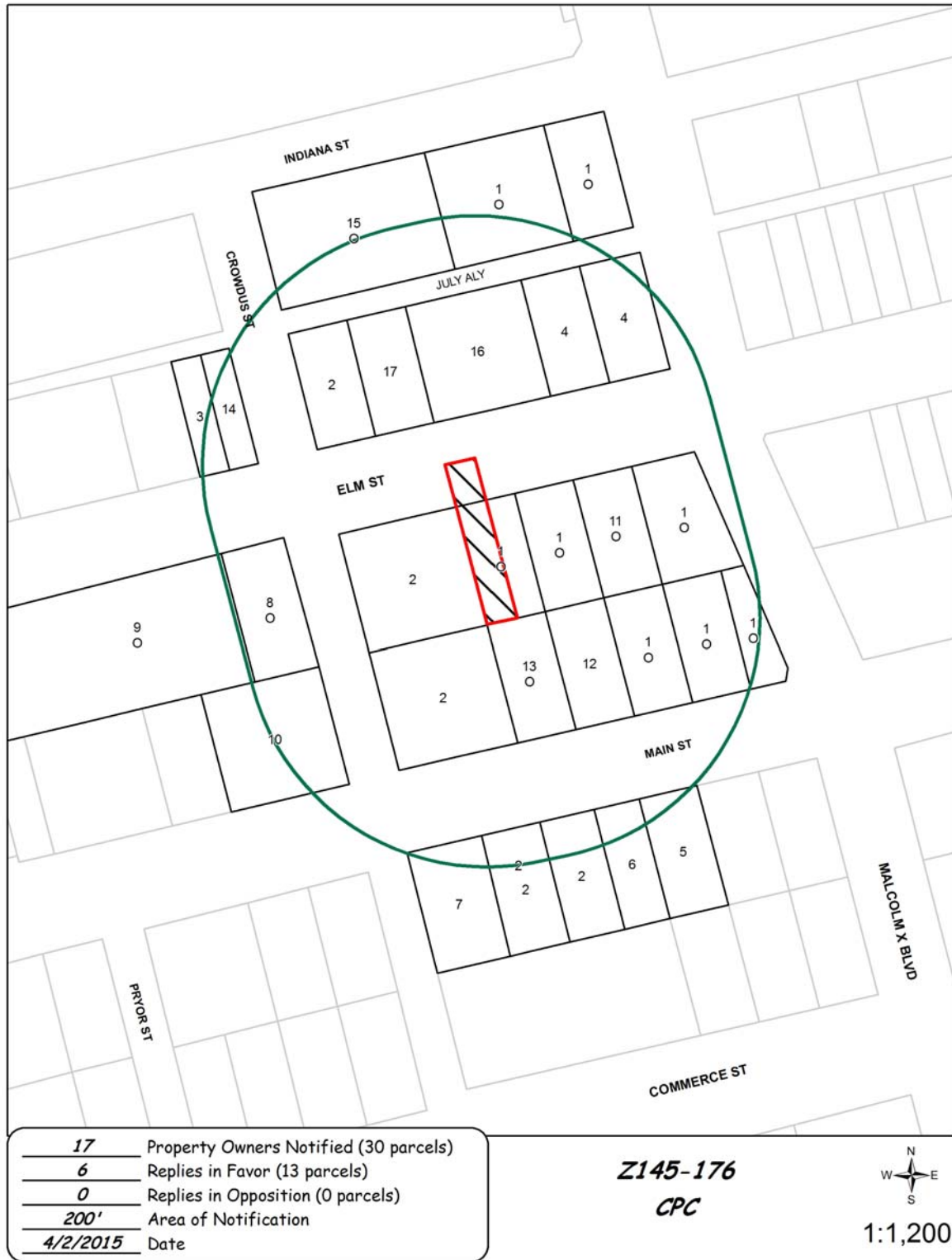








## CPC RESPONSES





04/01/2015

***Reply List of Property Owners******Z145-176******17 Property Owners Notified******6 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	2826 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	2	2810 MAIN ST	42 DEEP ELLUM LP
	3	2721 ELM ST	2723 ELM STREET JV
	4	2819 ELM ST	MCCORMICK ARTHUR SR LFEST
	5	2816 MAIN ST	42 DEEP ELLUM LP
	6	2814 MAIN ST	640 LAND LLC
	7	2800 MAIN ST	CONGRESS STREET NIGHTS
O	8	2724 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
O	9	2720 ELM ST	ELM STREET REALTY LTD
	10	2715 MAIN ST	MAIN PROPERTIES LLC
O	11	2818 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	12	2815 MAIN ST	CASS DON E TR
O	13	2809 MAIN ST	WESTDALE PROPERTIES AMERICA I LTD
	14	2723 ELM ST	2723 ELM STREET JV
O	15	2810 INDIANA BLVD	WESTDALE PROPERTIES AMERICA I LTD
	16	2811 ELM ST	MCCORMICK ARTHUR SR LFEST
	17	2807 ELM ST	BLANTON JEANNE



**AGENDA ITEM # 35**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 22 G

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned an IR Industrial Research District on the north line of Joe Field Road, south of Royal Lane, and west of Emerald Street

Recommendation of Staff and CPC: Approval  
Z145-192(AF)







**FILE NUMBER:** Z145-192(AF)

**DATE FILED:** February 13, 2015

**LOCATION:** North line of Joe Field Road, south of Royal Lane, and west of Emerald Street

**COUNCIL DISTRICT:** 6

**MAPSCO:** 22G

**SIZE OF REQUEST:** Approx. 4.915 acres

**CENSUS TRACT:** 99.00

---

**APPLICANT/OWNER:** Sam Garrett Properties, LLC.

**REPRESENTATIVE:** Michael R. Coker, Michael R. Coker Company

**REQUEST:** An application for a CS Commercial Service District on property zoned an IR Industrial Research District.

**SUMMARY:** The current zoning does not permit a contractor's maintenance yard, thus the request for a CS district. Previously a Dallas County Vehicle and Equipment Maintenance Facility, the site is currently developed with a surface parking, garages, storage building, and a small one-story office building.

**CPC RECOMMENDATION:** Approval

**STAFF RECOMMENDATION:** Approval



**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – Rezoning this property will have no negative impacts on the surrounding industrial uses.
2. *Traffic impact* – The proposed rezoning does not have direct access to a major thoroughfare and will have small impact on the existing street system.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Commercial Corridor/Industrial Building Block for the area.

**Zoning History:**

1. Z123-281 On August 10, 2011 City Council approved Specific Use Permit 1853, for the sale of alcoholic beverages in conjunction with general merchandise or food store 3,500 square feet or less.
2. Z101-390 On August 16, 2012 the City Council approved an application for an IM Industrial Manufacturing District on property zoned an IR Industrial Research District with volunteered deed restrictions.
3. Z101-392 On August 22, 2012 the City Council approved an application for an IM Industrial Manufacturing District on property zoned an IR Industrial Research District with volunteered deed restrictions.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Joe Field Rd	Minor Arterial	60'

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding roadway system.



**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IR	Office and some incidental storage.
<b>North</b>	IR/SUP	Mobile Home Park
<b>East</b>	IR	Industrial Uses: Office/Storage
<b>South</b>	IR	Industrial Uses: Office/Storage
<b>West</b>	IR	Industrial Uses: Office/Storage

**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 depict 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 Site falls at the intersection of two building blocks, Industrial and Commercial Centers/Corridors.

Industrial Areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve



adding public plazas or other “town center” features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

Because the site is located at a nexus location where both building blocks meet, a less intense zoning category that allows for both land uses like CS, Commercial Service district is acceptable.

## URBAN DESIGN ELEMENT

Policy 5.2.2 Promote the character of the city’s significant districts, linkages and areas.

Policy 5.2.4 Enhance retail, industrial and business operations.

### Land Use Compatibility:

This area of the city possesses a large percentage of industrial users that rely on convenient freeway accessibility (IH 35/IH 635/Loop 12). Thus, there is a significant amount of truck traffic is present in the area. The surrounding area consists of industrial uses that are clearly delineated by Interstate 35 to the east and Royal Lane to the north, railroad to the west, and walnut hill to the south. The site itself abuts a small creek that creates a buffer between the site and a retail shopping plaza that fronts Royal Lane. There is a small mobile home park located to the northeast of the property.

The site is surrounded by industrial uses (both inside and outside use classifications) and supporting administrative/office components. There is a variety of different industrial uses and auto service uses scattered through the area. An office use is developed to the east. Further south, there are two contractor’s maintenance yards and even a commercial amusement (outside) use, Malibu Grand Prix (PDD No. 394).

### Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Proposed Zoning							
District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CS - proposed Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office



Proposed Zoning							
District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
			combined				

**Landscaping:**

Currently, no additional landscaping is proposed nor required. It should be noted that any future improvements could trigger Article X requirements, with plans for compliance submitted in conjunction with any building permits.



Z145-192(AF)

**CPC Action – April 16, 2015**

**Z145-192(AF)**

Planner: Aldo Fritz

Motion: It was moved to recommend **approval** of a CS Commercial Service District on property zoned an IR Industrial Research District on the north line of Joe Field Road, south of Royal Lane, and west of Emerald Street.

Maker: Bagley  
Second: Anantasomboon  
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Rodgers, Culbreath, Shidid,  
Anantasomboon, Bagley, Lavallaisaa, Tarpley, Schultz, Murphy, Ridley, Abtahi

Against: 0  
Absent: 2 - Shellene, Peadon  
Vacancy: 0

Notices: Area: 300 Mailed: 52  
Replies: For: 1 Against: 1

Speakers: None

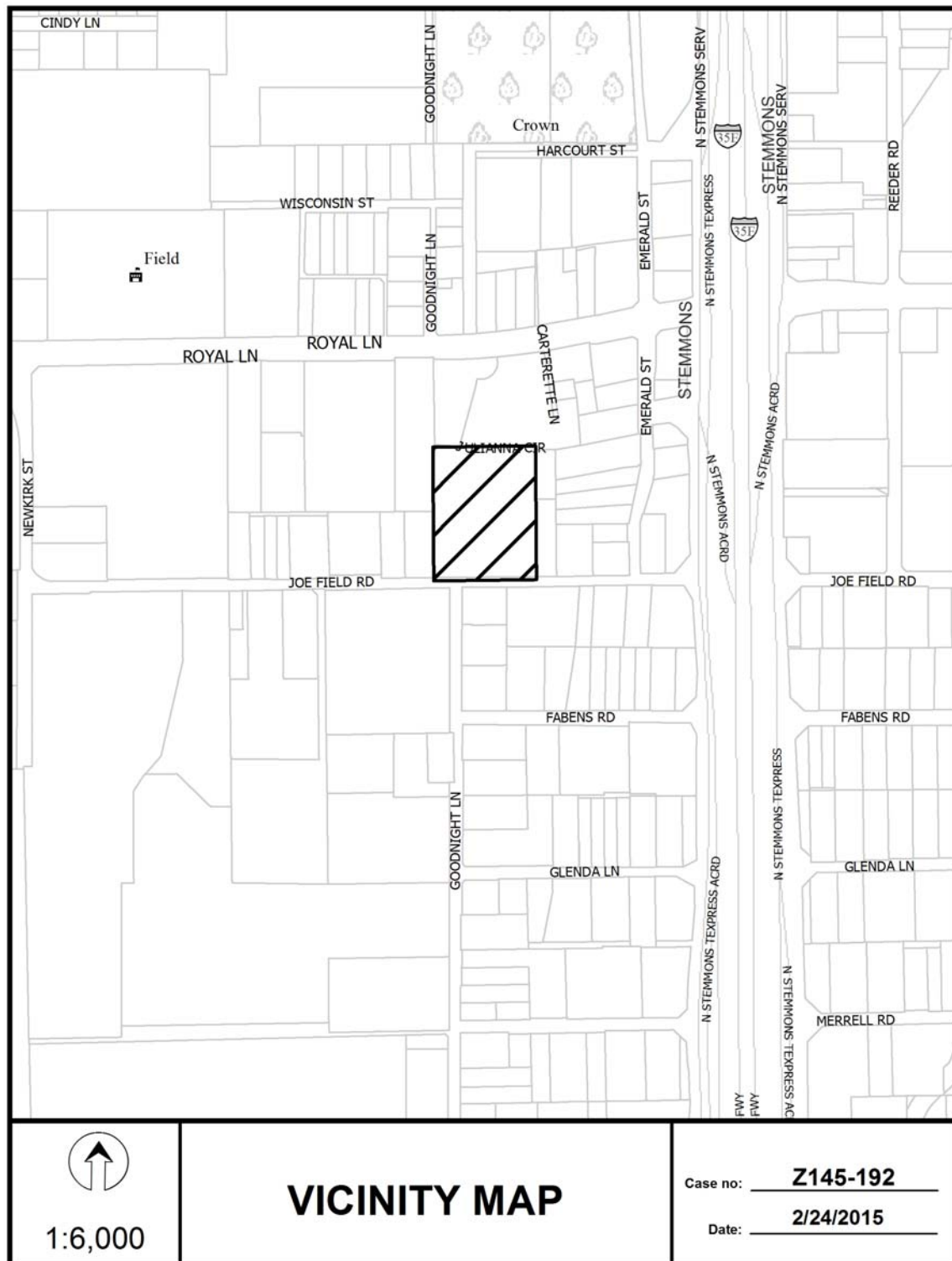


Z145-192(AF)

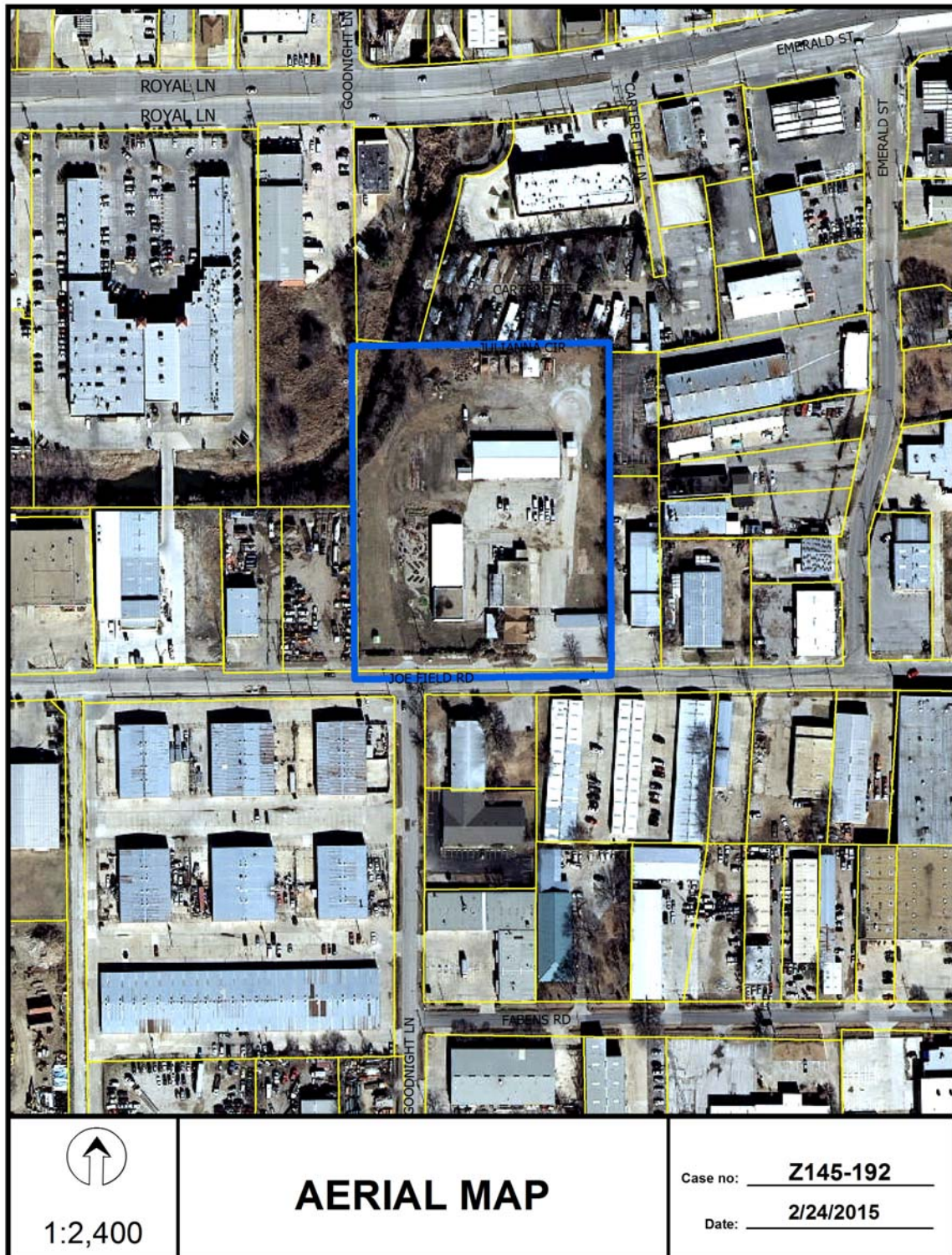
**List of Officers**

Sam Garrett Properties, LLC  
Sam Garrett, Sole Principal

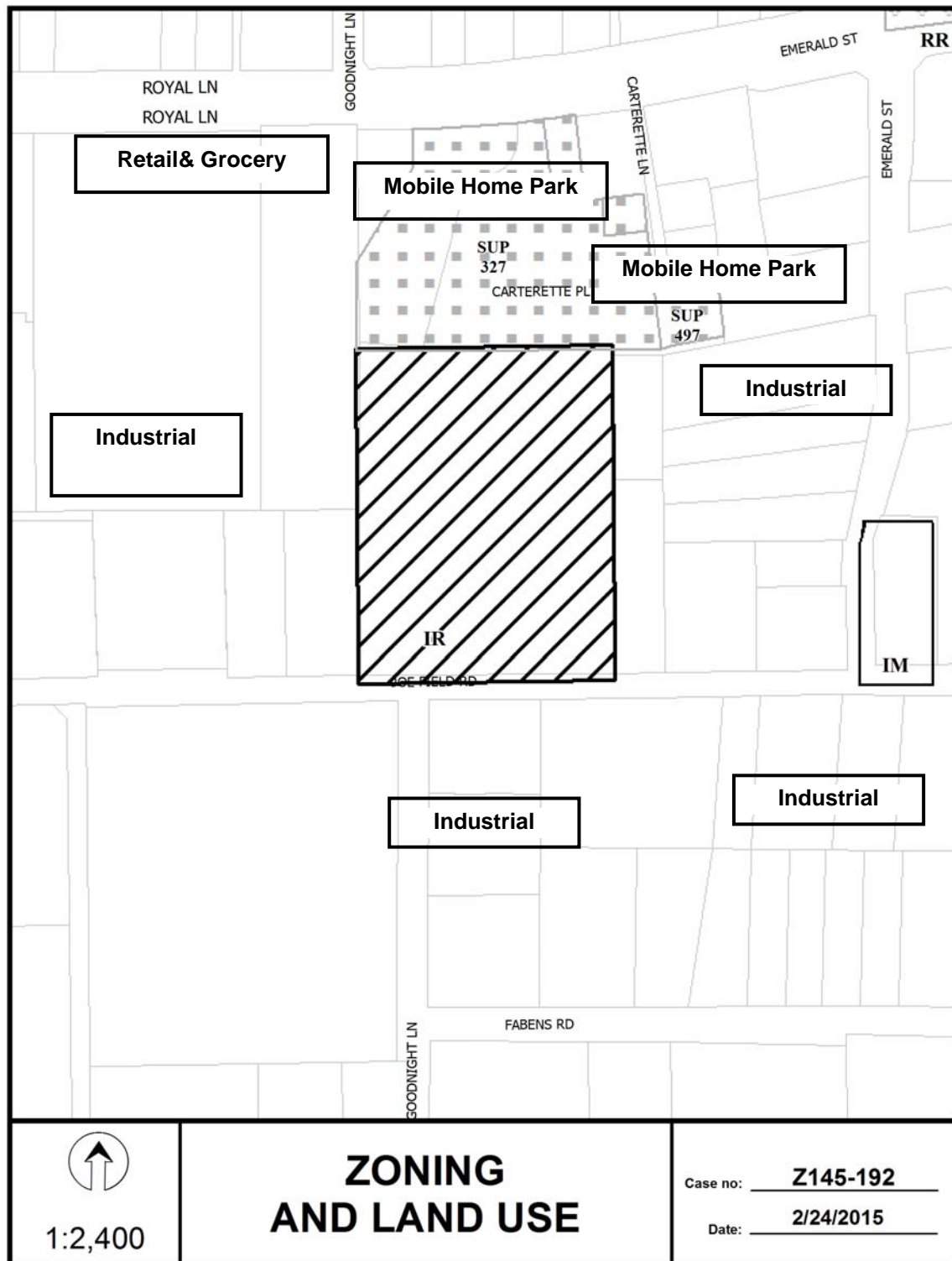




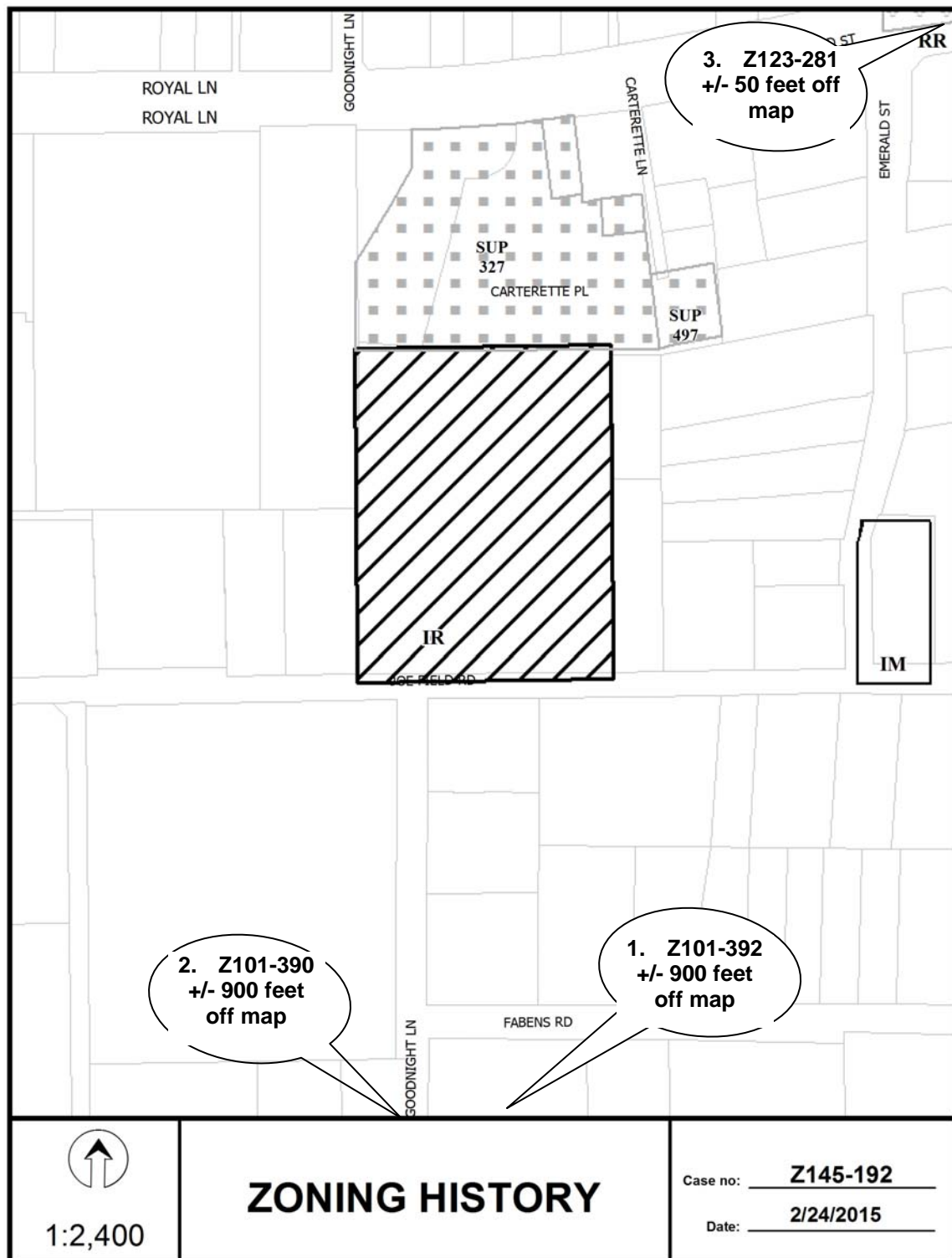














# CPC Response Map





04/15/2015

***Reply List of Property Owners******Z145-192******52 Property Owners Notified******1 Property Owners in Favor 1 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	2265 JOE FIELD RD	ANDERSON DAVID W &
	2	2329 JOE FIELD RD	HOELSHER KATHLEEN CURRAN
	3	11339 EMERALD ST	NASSER INVESTMENTS INC
	4	2254 ROYAL LN	MASTER CLEANING SUPPLY
	5	2311 JOE FIELD RD	DALLAS COUNTY OF
	6	2330 ROYAL LN	EMERALD FIELD LLC
	7	2343 JULIANNA CIR	AMILA DENOBREGA
	8	2325 JULIANNA CIR	LOPEZ EMELINA
	9	2327 JULIANNA CIR	ARTEMIO MATA
	10	2333 JULIANNA CIR	RAMIREZ RAUL
	11	2336 JULIANNA CIR	AGUILAR JUAN
	12	2335 JULIANNA CIR	RODRIGUEZ JOSE
	13	2334 JULIANNA CIR	MEJIA RUBEN
	14	2328 JULIANNA CIR	MATA ARTEMO
	15	2337 JULIANNA CIR	HERNANDEZ JAMES
	16	2329 JULIANNA CIR	RODRIGUEZ SONIA
	17	2331 JULIANNA CIR	KIM SUSAN
	18	2330 JULIANNA CIR	SIM SUN
	19	2324 JULIANNA CIR	OLIVA CHRISTHIAN
	20	2346 JULIANNA CIR	ORTEGA JOSE
	21	2344 JULIANNA CIR	VIELMA MAYRA
	22	2342 JULIANNA CIR	PUERTAS RAFAEL
	23	2341 JULIANNA CIR	IBARRA JOSE
	24	2340 JULIANNA CIR	LOPEZ MIGUEL
	25	2339 JULIANNA CIR	MESKAN ROBERT S JR
	26	2332 JULIANNA CIR	WILLIS GARY D



04/15/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2326 JULIANNA CIR	R ROJAS
	28	2338 JULIANNA CIR	MARTINEZ JESUS
	29	11260 GOODNIGHT LN	EMVU INVESTMENT LLC
	30	2338 JOE FIELD RD	A GONZALEZ INVESTMENTS LTD
	31	2340 ROYAL LN	M H & A J JETPURI FAMILY LTD PS
X	32	2332 ROYAL LN	EMERALD FIELD LLC
	33	2334 ROYAL LN	NASSER INVESTMENTS INC
	34	2237 JOE FIELD RD	DALLAS PACIFIC INV LTD
	35	2331 FABENS RD	2331 FABENS LLC
	36	2323 FABENS RD	2323 FABENS ROAD LLC
	37	2346 JOE FIELD RD	A GONZALEZ INVESTMENTS LTD
	38	11258 GOODNIGHT LN	CTS ENTERPRISES LLC
	39	2318 JOE FIELD RD	BCK PROPERTIES JOINT
	40	11245 GOODNIGHT LN	BCK PROPERTIES JOINT
	41	2257 JOE FIELD RD	ANDERSON DAVID W &
	42	11361 EMERALD ST	THE MARTHA JANE YANCEY TRUST &
	43	11309 EMERALD ST	NEW YORK CO
	44	11333 EMERALD ST	MOUSSA TONY
	45	11333 EMERALD ST	MOUSSA ANTOINE ABOU
	46	11339 EMERALD ST	NASSER INVESTMENTS INC
	47	11333 EMERALD ST	MOUSSA ANTOINE ABOU
	48	11353 EMERALD ST	NASSER INVESTMENTS INC
	49	2333 JOE FIELD RD	CONWAY JIM &
	50	2302 ROYAL LN	CURL FLOOR EQUIPT &
	51	2240 ROYAL LN	DALLAS PACIFIC INVST LTD
	52	11313 EMERALD ST	OCTAGON CONSTRUCTION GROUP LLC



**AGENDA ITEM # 36**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 48 U

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 954 for a private school and to add a child-care facility on property zoned an R-7.5(A) Single Family District on the north line of Military Parkway, east of South Buckner Boulevard

Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions

Recommendation of CPC: Approval for a twenty-five-year period with eligibility for automatic renewals for additional twenty-five-year periods, subject to a revised site plan and conditions

Z145-193(SM)







**FILE NUMBER:** Z145-193(SM)

**DATE FILED:** February 13, 2015

**LOCATION:** North line of Military Parkway, east of South Buckner Boulevard

**COUNCIL DISTRICT:** 7

**MAPSCO:** 48U

**SIZE OF REQUEST:** Approx. 9.82 Acres

**CENSUS TRACT:** 90.00

---

**APPLICANT:** The Roman Catholic Diocese of Dallas

**REPRESENTATIVE:** William S. Dahlstrom, Jackson Walker, LLP

**OWNER:** The Roman Catholic Diocese of Dallas

**REQUEST:** An application to amend Specific Use Permit No. 954 for a private school and to add a child-care facility on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The purpose of this request is to allow for an expansion of the current private school use and add a child-care facility at the present location. The request site is developed with a single-story church and private school that includes a sanctuary, classrooms, gymnasium, playfields, open space, and surface parking areas. The original structure was constructed as a church in the 1950's. SUP 954 was established in 1987 for the current occupant and was granted minor site plan amendment in 1988 to relocate some areas related to a playground.

**CPC RECOMMENDATION:** **Approval** for a twenty-five-year period with eligibility for automatic renewals for additional twenty-five-year periods, subject to a revised site plan and conditions.

**STAFF RECOMMENDATION:** **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions.



**GUIDING CRITERIA FOR RECOMMENATION:**

Staff recommends approval of the request, subject a site plan and conditions, based upon:

1. *Compatibility with surrounding uses and community facilities* – The existing building and proposed expansion are compatible in scale and character with the surrounding retail, recreational, and single-family uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing facilities have not negatively impacted the adjacent properties and provide a valuable service to this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is consistent with those normally found in close proximity to residential uses.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – No variances or special exceptions are requested as part of this use.

**Zoning History:** There has been no recent zoning activity in the immediate area relevant to this request within the last five years.

**Traffic:** The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

Thoroughfares/Street	Type	Existing ROW
Military Parkway	Principal Arterial	100 ft.

**Surrounding Land Uses:**

	Zoning	Land Use
Site	R-7.5(A)	Church with private school
North	R-7.5(A)	Single family
East	PD 827	A private recreation center, club, or area limited to an athletic complex for a public school district
South	CR and MF-2(A)	Electric utilities right-of-way



West	PD 366 (Subarea 6)	Auto service center
------	--------------------	---------------------

## STAFF ANALYSIS:

### **Comprehensive Plan:**

The request site is located within an area considered a Residential Neighborhood area. The request site is consistent with its Vision Building Blocks. The Residential Neighborhood 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.

The request is consistent with the following goals and objectives in the comprehensive plan:

### **Land Use Element**

GOAL 1.1 Align land use and strategies with economic development priorities.

Policy 1.1.2 Focus on Southern Sector development opportunities.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

### **Land Use Compatibility:**

The amendment request proposes to redevelop the surface parking area to the rear and some aging buildings of the private school and child-care facility uses in order to provide for two phases of additions to the north and west of the existing facilities. The lot



currently contains four single family structures on the northern border that front on Nelson Drive that will remain and are not part of the private school use or this application. The private school activities will be conducted to the north of the existing main building and south of the residential structures that front Nelson Drive. The proposed development plan shows 98 feet of physical separation that will contain screening and landscape elements and a reduced surface parking area to separate the proposed new additions of the school to the existing single family properties to the north. The activities of the school also will remain south of the current SUP boundaries and will not extend north into the residential neighborhood. Therefore, the request is compatible with surrounding uses.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

**Parking:** The property is developed with an existing church and private school use and the proposed addition of the child-care facility and expansion of the private school use exceed the minimum parking requirements for the sum of those uses.

**Landscaping:** The site possesses established planting areas associated with the existing improvements. The proposed additions will comply with Article X landscaping regulations of the Dallas Development Code, as amended.



Z145-193(SM)

**CPC Action – April 16, 2015**

**Z145-193(SM)**

Planner: Sarah May

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 954 for a private school and to add a child-care facility for a 25-year period with eligibility for automatic renewals for additional 25-year periods, subject to a revised site plan and conditions on property zoned an R-7.5(A) Single Family District on the north line of Military Parkway, east of South Buckner Boulevard.

Maker: Bagley  
Second: Anantasomboon  
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Rodgers, Culbreath, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Schultz, Murphy, Ridley, Abtahi

Against: 0  
Absent: 2 - Shellene, Peadon  
Vacancy: 0

Notices: Area: 400 Mailed: 67  
Replies: For: 1 Against: 0

Speakers: None



**Partners/Principals/Officers:**

**ST. PHILIP THE APOSTLE  
ROMAN CATHOLIC SCHOOL AND CHURCH**

Roman Catholic Diocese of Dallas (Property Owner/Applicant):

Most Reverend Kevin J. Farrell, Bishop of the Roman Catholic Diocese of Dallas

St. Philip the Apostle Roman Catholic Church and School:

Rev. J. Eduardo Gonzalez, Pastor

Carol Catalano, Business Administrator

Marco Cruz, Deacon

Erica Romero, School Principal



## CPC Recommended Conditions

### SUP No. 954

~~[1. SITE PLAN: Utilization of the Property must comply with the city plan commission approved site plan attached to and made part of this ordinance.~~

~~2. LANDSCAPING: Landscaping must be provided on the Property in compliance with the attached site plan. All landscaping must be installed within 6 months of the issuance of a certificate of occupancy for any use on the Property. All plant materials must be maintained in a healthy, growing condition at all times.~~

~~3. MAXIMUM FLOOR AREA: The maximum permitted floor area, as defined in Chapter 51, Part I of the Dallas Development Code, as amended, for the proposed gymnasium/classroom addition, as shown on the attached site plan, is 17,200 square feet.]~~

~~(1)4. USE: The only use of the Property permitted by this specific use permit is a The only uses authorized by this specific use permit are a private school use and a child-care facility.~~

~~(2) SITE PLAN: Use and development of the Property must comply with the attached site plan.~~

~~(3) TIME LIMIT: This specific use permit is approved for a time period that expires on [twenty-five years after the passage of this ordinance], and is eligible for automatic renewal for additional twenty-five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. In order for automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.).~~

~~5. TEMPORARY CLASSROOM: The existing temporary classroom building must be removed prior to the issuance of a certificate of occupancy for any use in the gymnasium/classroom addition.~~

~~(4) CLASSROOMS: A maximum of 20 classrooms for the private school use and a maximum of 2 classrooms for the child-care facility use are permitted on the Property.~~

~~(5)6. DRIVE: Driveways must be provided for the off-street loading and unloading of children in accordance with the attached site plan.~~

~~(6) DUMPSTERS: A dumpster must be provided in the location shown on the attached site plan.~~



(7) FLOOR AREA: The maximum floor area is 66,794 square feet.

(8) INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

(9) LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.

~~(10)7. PARKING:~~ Parking for the private school use must be provided ~~at the ratio of one and one-half spaces for each elementary classroom. Any classrooms that serve junior high, middle school or senior high school students must provide parking as required in Section 51(A)-4.204(17), Part I of the Dallas Development Code, as amended.~~

~~8. CLASSROOMS:~~ A maximum of 12 classrooms for the private school use are permitted on the Property.

~~(11)9. PAVING:~~ All parking spaces, aisles, maneuvering areas, and drive-way connections to streets or alleys, whether enclosed or unenclosed, must be surfaced to comply with the standards of Chapter 51, Part I of the Dallas Development Code, as amended.

(12) SCREENING: Screening of off-street parking must be provided as shown on the attached site plan.

~~(13)10. SIGNS:~~ All signs on the property must comply with the provisions for non-business zoning districts contained in Chapter 51, Part 1 of the Dallas Development Code, as amended.

~~11. TIME LIMIT:~~ This specific use permit has no expiration date.

(14) TRAFFIC MANAGEMENT PLAN.

(a) In general. The operation of the uses must comply with the traffic management plan (Exhibit B).

(b) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(c) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the Director by November 1, 2017. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the Director by November 1st of each two years thereafter (beginning 2019)..

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different times over a two-week period, and must contain an analysis of the following:



- \_\_\_\_\_ (A) ingress and egress points;
- \_\_\_\_\_ (B) queue lengths;
- \_\_\_\_\_ (C) number and location of personnel assisting with loading and unloading of students;
- \_\_\_\_\_ (D) drop-off and pick-up locations;
- \_\_\_\_\_ (E) drop-off and pick-up hours for each grade level;
- \_\_\_\_\_ (F) hours for each grade level; and
- \_\_\_\_\_ (G) circulation.

\_\_\_\_\_ (3) Within 30 days after submission of a traffic study, the Director shall determine if the current traffic management plan is sufficient.

\_\_\_\_\_ (A) If the Director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

\_\_\_\_\_ (B) If the Director determines that the current traffic management plan results in traffic hazards or traffic congestion, the Director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the Director shall notify the city plan commission.

\_\_\_\_\_ (d) Amendment process.

\_\_\_\_\_ (1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

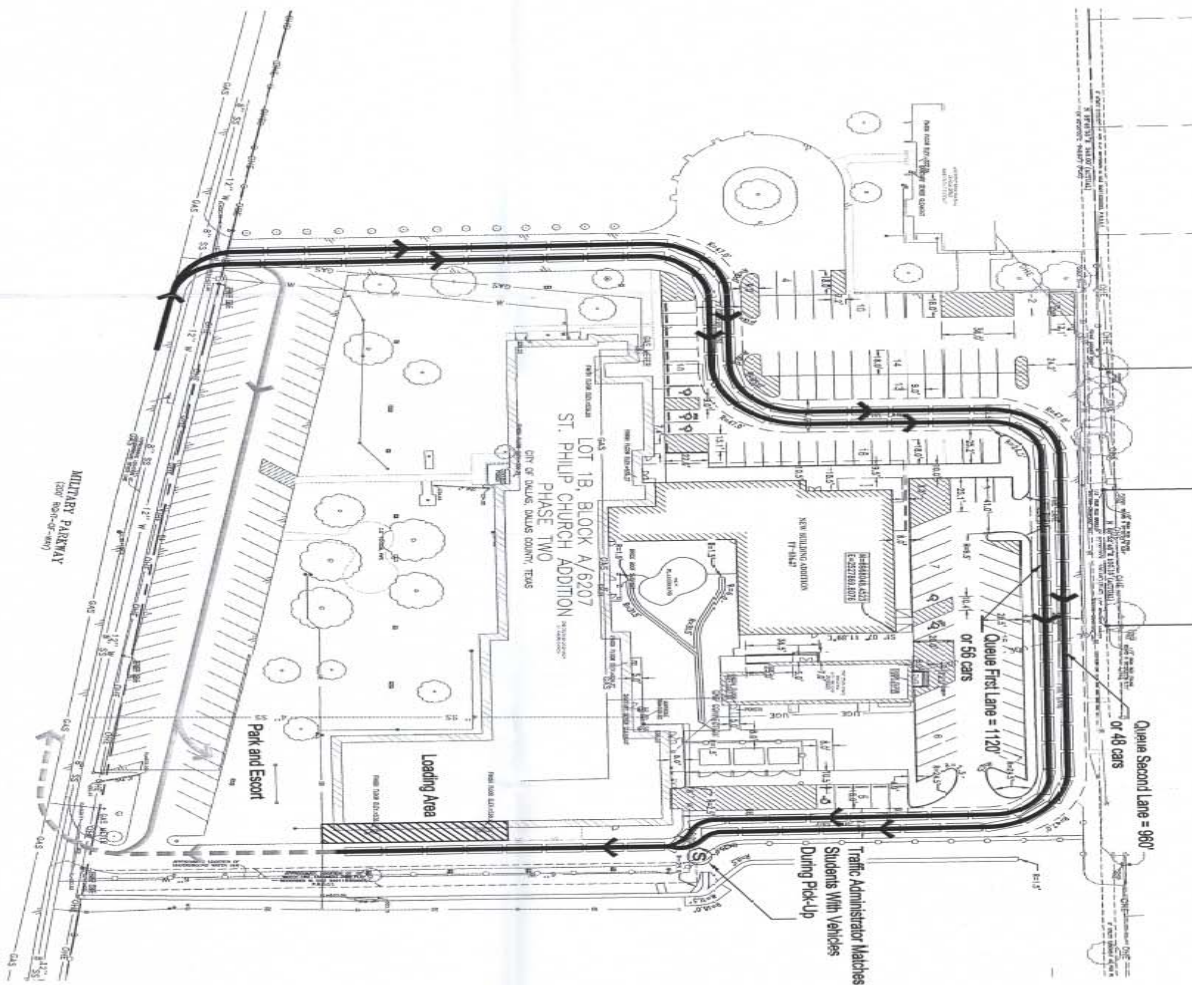
\_\_\_\_\_ (2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

(15) Maintenance: The Property must be properly maintained in a state of good repair and neat appearance.

(16[12]) 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.

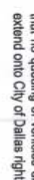
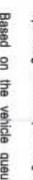
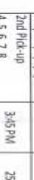
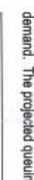
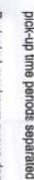
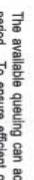
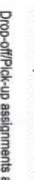
\_\_\_\_\_ ~~Utilization of the Property must comply with the requirements of all other applicable~~





GRAPHIC SCALE  
1" = 40' or 24x35' Plot

**TMAP Legend:**



Queuing Summary - School Buildout Example									
Group	Dismissal Time	Students	Bus / Bike / Parent Pick-up	Maximum Queue	Available Queue	Surplus	Surplus (vehicles)	Surplus (minutes)	Surplus (feet)
1st Pick-up	8:30 A.M.	218	0	218	44 vehicles	104 vehicles	60 vehicles	1,200'	1,200'
2nd Pick-up	3:15 P.M.	218	0	218	887	2087	1,200'	1,200'	1,200'
3rd Pick-up	3:45 P.M.	250	0	250	50 vehicles	104 vehicles	54 vehicles	1,080'	1,080'
4th Pick-up	4:15 P.M.	250	0	250	1,000'	2,080'	1,080'	1,080'	1,080'

In order to ensure that all queuing of vehicles is completely accommodated on school property, school administrative officials should implement the proposed Traffic Management Plan, monitor the operation on a continuing basis, and if any vehicle queuing should begin to occur on public right-of-way, take the necessary action to mitigate it.

Only uniformed police officers should be allowed to direct and control traffic operating within the public right-of-way.

Based on the vehicle queuing analysis conducted and the resulting Traffic Management Plan, Scott A. Johnson, P.E. #92816, certifies that the results indicate that no queuing of vehicles dropping off or picking up students at the school will extend onto City of Dallas rights-of-way as a result of internal queuing constraints.

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY  
SCOTT A. JOHNSON, P.E. #92816, IN TESTIMONY WHEREOF,  
HE HAS HEREBY SET HIS HAND AND SEAL OF OFFICE  
AT DALLAS, TEXAS, THIS 15TH DAY OF MAY, 2018.



Kimley»Horn

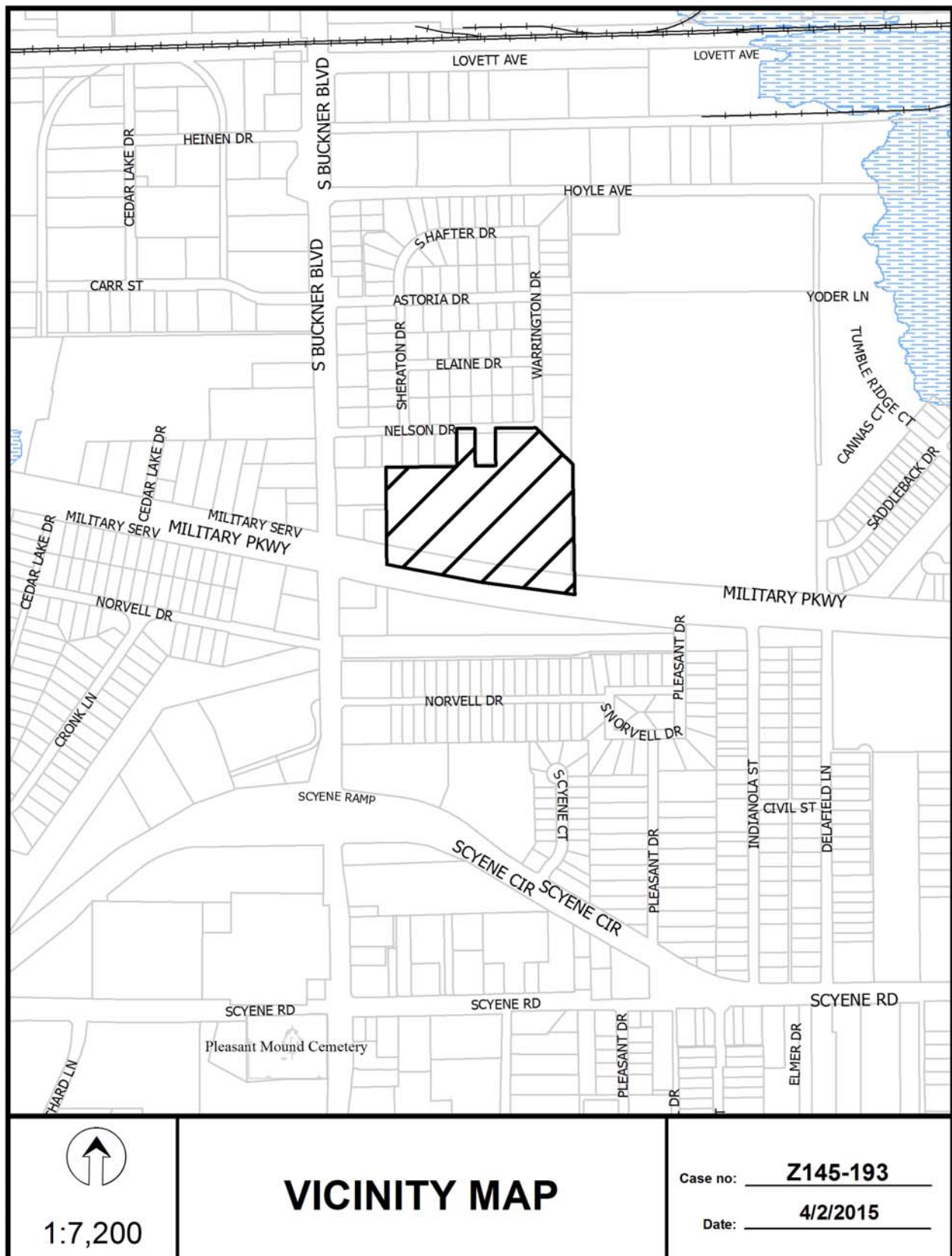
REGISTERED PROFESSIONAL ENGINEER

**Proposed Traffic Management Plan**

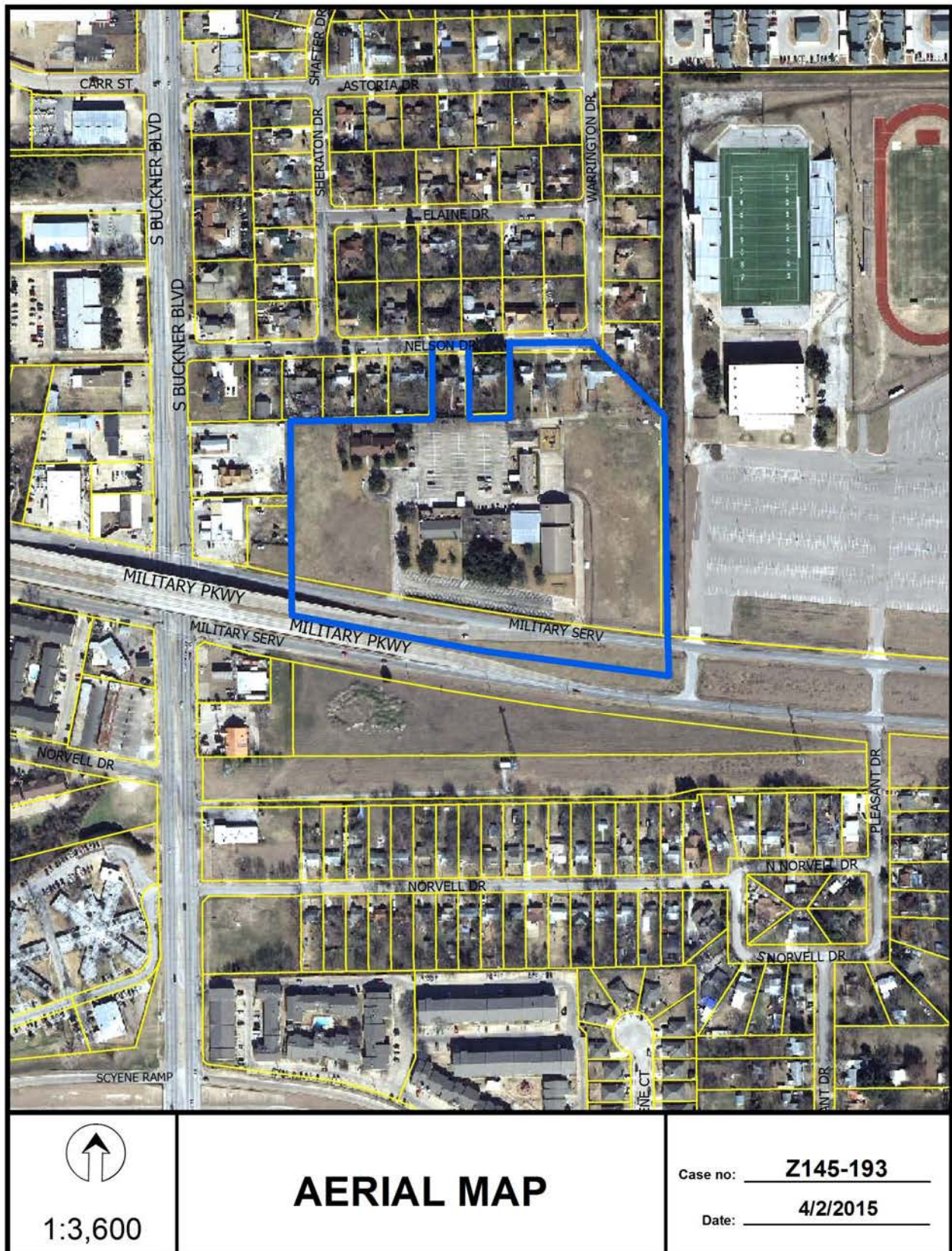




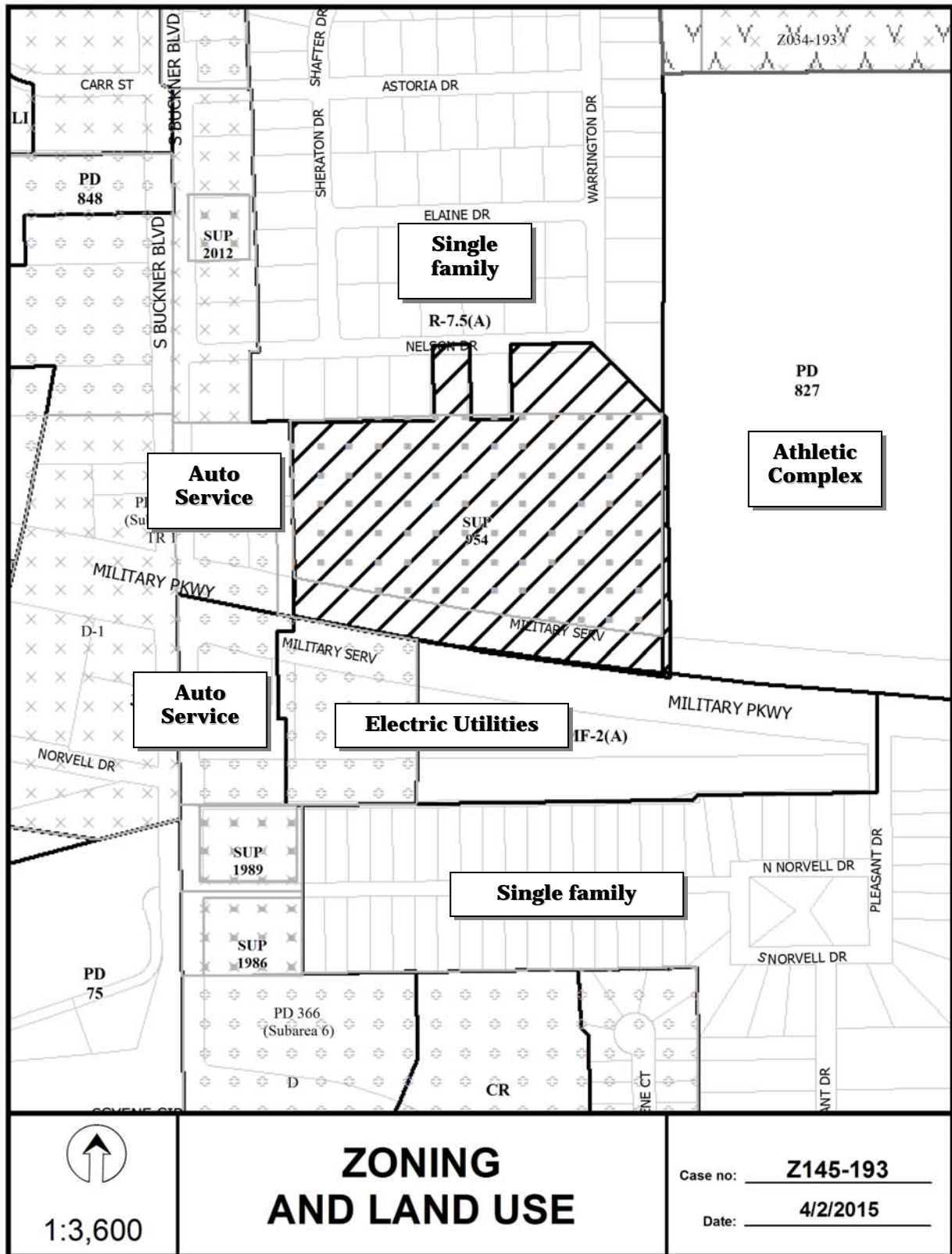






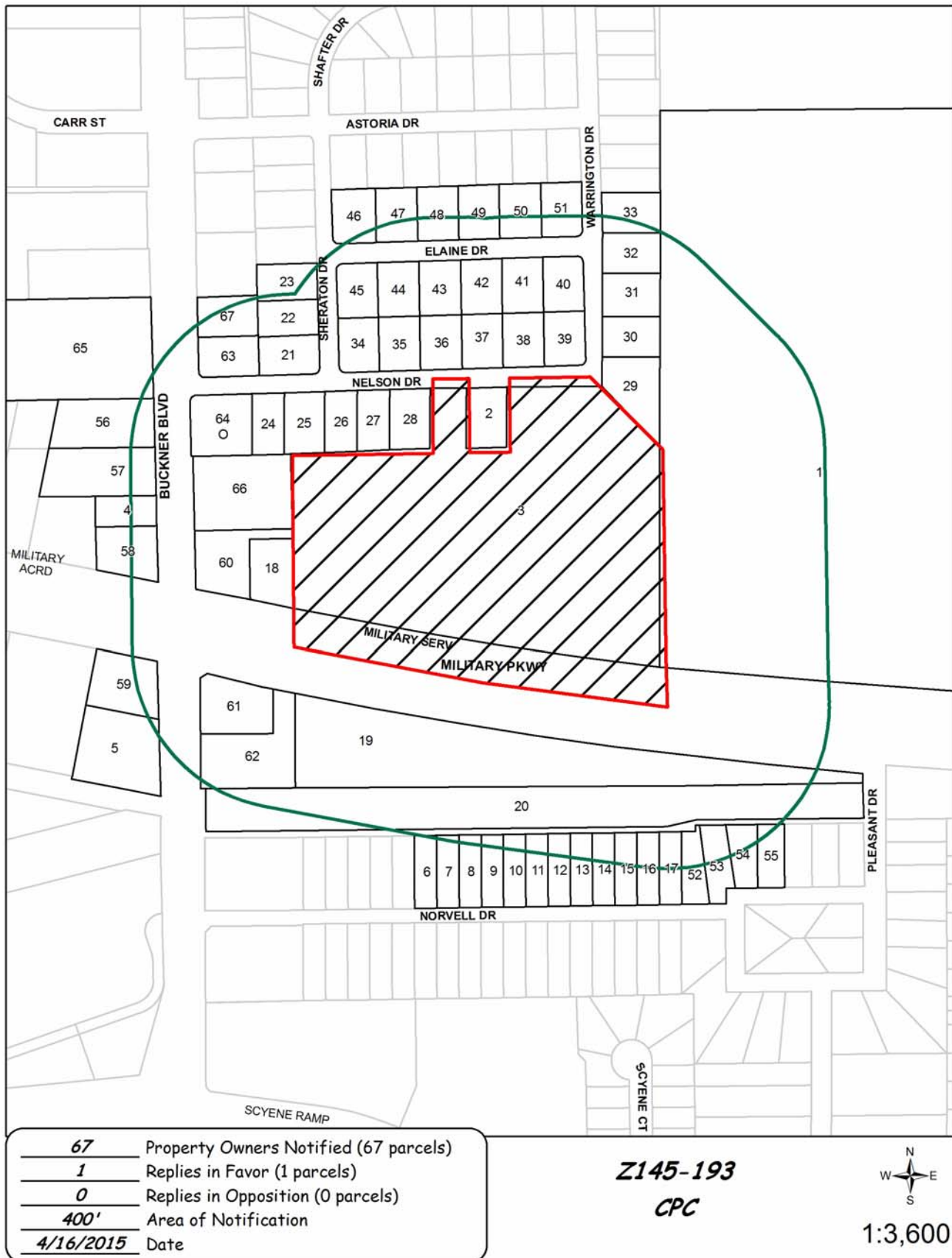








## CPC Response Map





04/15/2015

***Reply List of Property Owners******Z145-193******67 Property Owners Notified******1 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	8233 MILITARY PKWY	Dallas ISD
	2	8160 NELSON DR	CARRIZALES V R & ALICIA
	3	8151 MILITARY PKWY	ROMAN CATH DIOCESE DALLAS
	4	3811 BUCKNER BLVD	ELDRIDGE JAMES C
	5	3625 BUCKNER BLVD	MEZA JESUS
	6	8145 NORVELL DR	KARTSONIS KELLY
	7	8149 NORVELL DR	ZAMBRANO ALEJANDRO &
	8	8155 NORVELL DR	HERNANDEZ SYLVIA L
	9	8159 NORVELL DR	SMITH ETHEL P
	10	8163 NORVELL DR	GUEVARA DIONICIO R
	11	8203 NORVELL DR	VANWINKLE WILLIAM A JR &
	12	8207 NORVELL DR	ROCHA MARCO A EST OF
	13	8211 NORVELL DR	MORRISON REECE A &
	14	8215 NORVELL DR	MOLINAR MARCELO
	15	8219 NORVELL DR	MENDOZA LUIS MARTIN
	16	8223 NORVELL DR	GARCIA J CARLOS & MARIA E
	17	8227 NORVELL DR	GARCIA ELEAZAR
	18	3806 BUCKNER BLVD	BARAKAT MAHMOUND
	19	3608 BUCKNER BLVD	MARES NOEL
	20	3604 BUCKNER BLVD	TEXAS UTILITIES ELEC CO
	21	3907 SHERATON DR	MORAN FRANCISCO &
	22	3915 SHERATON DR	LOPEZ MARIA
	23	3921 SHERATON DR	MARTINEZ JOSE
	24	8116 NELSON DR	DE LEON SAGRARIO
	25	8124 NELSON DR	TREJO JOSE & ROSA
	26	8130 NELSON DR	TREJO MARIA E



04/15/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	8136 NELSON DR	ORTIZ ROBERTO D
	28	8144 NELSON DR	STEPHENS RUBY J
	29	3902 WARRINGTON DR	PERALTA MARIA G &
	30	3910 WARRINGTON DR	RUNNELL JACQUELINE
	31	3920 WARRINGTON DR	AMAYA ROMUALDO
	32	3928 WARRINGTON DR	HERNANDEZ CARLOS O
	33	3936 WARRINGTON DR	EHMANN EDMUND P
	34	8135 NELSON DR	RODRIGUEZ EDUARDO &
	35	8143 NELSON DR	BURNSIDE ROBERT E
	36	8151 NELSON DR	DAMOMMIO PAULA R
	37	8159 NELSON DR	TAYLOR CYNTHIA DENISE
	38	8167 NELSON DR	DEAVILA RUBEN
	39	8175 NELSON DR	MATA RUBEN L & DIANE V
	40	8174 ELAINE DR	BOUILLION MITIZ LEIGH
	41	8166 ELAINE DR	NUNO ISMAEL
	42	8158 ELAINE DR	CERDA BRAULIO
	43	8150 ELAINE DR	BROWN FREDERICK M JR &
	44	8142 ELAINE DR	CERDA DANIEL
	45	8134 ELAINE DR	RAMIREZ OLIVIA
	46	8135 ELAINE DR	LARA CRESENCIA G
	47	8143 ELAINE DR	CALLAWAY JERRY LEE &
	48	8151 ELAINE DR	GARCIA REYES P &
	49	8159 ELAINE DR	GARCIA ELIA M & RAMON L
	50	8167 ELAINE DR	NUNO ISMAEL
	51	8175 ELAINE DR	MARTINEZ LAURO &
	52	8233 NORVELL DR	MADRID SILVIA
	53	8237 NORVELL DR	WILMINGTON TRUST N A
	54	8241 NORVELL DR	RUSSELL PAMELA GRACE
	55	8245 NORVELL DR	LOPEZ LUIS A
	56	3827 BUCKNER BLVD	KING SHIRLEY A
	57	3821 BUCKNER BLVD	ELDRIDGE JAMES C



Z145-193(SM)

04/15/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	3803 BUCKNER BLVD	SAMIR INC
	59	3717 BUCKNER BLVD	ALWAN CORP
	60	3806 BUCKNER BLVD	BARAKAT MAHMOUND
	61	3760 BUCKNER BLVD	OMAR OMAR
	62	3608 BUCKNER BLVD	OSTORGA PEDRO & OLGA
	63	3900 BUCKNER BLVD	PRYOR JOHN T & DONNA M
O	64	3824 BUCKNER BLVD	MECCA APRIL INC
	65	3909 BUCKNER BLVD	WILBERT FUNERAL SERVICES INC
	66	3814 BUCKNER BLVD	OMAR OMAR
	67	3914 BUCKNER BLVD	BAINBRIDGE JEAN



**AGENDA ITEM # 37**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 4

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 55 R

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center on property zoned an R-7.5(A) Single Family District on the southeast corner of Southerland Avenue and Bonnie View Road

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions

Recommendation of CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions

Z123-266(SM)



**FILE NUMBER:** Z123-266(SM)

**DATE FILED:** April 24, 2013

**LOCATION:** Southeast corner of Southerland Avenue and Bonnie View Road

**COUNCIL DISTRICT:** 4

**MAPSCO:** 55R

**SIZE OF REQUEST:** Approx. 2.825 Acres

**CENSUS TRACT:** 88.01

---

**APPLICANT:** Charles McKinney

**REPRESENTATIVE:** Matthew Cragun

**OWNER:** Bonnie Y LLC

**REQUEST:** An application for a Specific Use Permit for a community service center on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The previous Specific Use Permit No. 1342 for a community service center and child-care facility expired. The purpose of this request is for a new Specific Use Permit to allow the community service center only to continue operating at the present location.

**CPC RECOMMENDATION:** Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions

**STAFF RECOMMENDATION:** Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.



## **GUIDING CRITERIA FOR RECOMMENATION:**

Staff recommends approval of the request, subject a site plan and conditions, based upon:

1. *Compatibility with surrounding uses and community facilities* – The request will utilize existing improvements with a physical separation ranging from 70 feet to 80 feet from single-family uses to the south and east and possessing a combination of buffer elements including landscape areas and screening fences. The Cedar Crest Golf Course is located to the south and the property to the north is undeveloped.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed community service center will serve the immediate area with services consistent with those provided by the nearby schools and recreational facilities (i.e., basketball camps, extracurricular activities, community and social programs/events).
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is consistent with those normally found in close proximity to residential uses.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – No variances or special exceptions are requested as part of this use.

## **BACKGROUND INFORMATION:**

- The request site is developed with a single story community service center that includes community rooms, gymnasium, and surface parking area.
- The original structure was constructed as a YMCA in the early 1990s. In 2008, the current occupant was granted an amendment to SUP 1342 for a community service center and built an addition to the basketball gym.
- SUP 1342 automatically terminated June 25, 2013.
- The applicant proposes to continue to operate a community service center on the property.

**Zoning History:** There has been no recent zoning activity in the immediate area relevant to this request.

**Traffic:** The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding roadway system.



**Thoroughfare**

**Designation; Existing & Proposed ROW**

None

N/A

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The request site is located on the edge of an area considered an Urban Neighborhood and near a Residential Neighborhood area. The request site is consistent with its Vision Building Blocks as it provides a transition between the two. The Urban Neighborhood Building Block has pedestrian friendly streets, providing connectivity to schools and other community services. It also aims to have a mix of housing options and easy access to public transit with concentrations of shops and offices along key corridors or at key intersections providing important services and job opportunities within walking distance of residences. Neighborhoods that match this description include the Grand Avenue area in South Dallas, Oak Lawn, Jefferson Boulevard, and the Vickery Meadow area. The Residential Neighborhood 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.

The request is consistent with the following goals and objectives in the comprehensive plan:

**Land Use Element**

GOAL 1.1 Align land use and strategies with economic development priorities.

Policy 1.1.2 Focus on Southern Sector development opportunities.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

GOAL 1.2 Promote desired development.



Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

**Land Use Compatibility:**

The site is surrounded by undeveloped wooded areas, a golf course, and existing low-density single family development. Additionally, the site is approximately 500 feet west of the 100 year Trinity River flood plain.

The various programs associated with the requested use will be provided within the existing improvements. Due to the proximity of the rear yards for the single family uses to the east, staff has recommended specific hours of operation.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

**Parking:** The property is developed with an existing community service center use and parked accordingly. The proposed use will provide for required parking for the community service center (one space per 200 square feet of floor area), 83 spaces required and 83 spaces provided.

**Landscaping:** The site possesses established planting areas associated with the existing improvements. The change of use will not trigger, nor is staff recommending any additional landscaping.



**CPC Action – April 2, 2015**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a community service center for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and staff's recommended conditions on property zoned an R-7.5(A) Single Family District on the southeast corner of Southerland Avenue and Bonnie View Road.

Maker: Culbreath  
Second: Bagley  
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Culbreath, Shidid, Anantasomboon, Bagley,  
Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy,  
Ridley, Abtahi

Against: 0  
Absent: 1 - Rodgers  
Vacancy: 0

**Notices:** Area: 300 Mailed: 17  
**Replies:** For: 1 Against: 0

**Speakers:** None



Z123-266(SM)

**Partners/Principals/Officers:**

Mark Cuban, President

Dawn Knox, Vice President

John Russell, Vice President and Treasurer

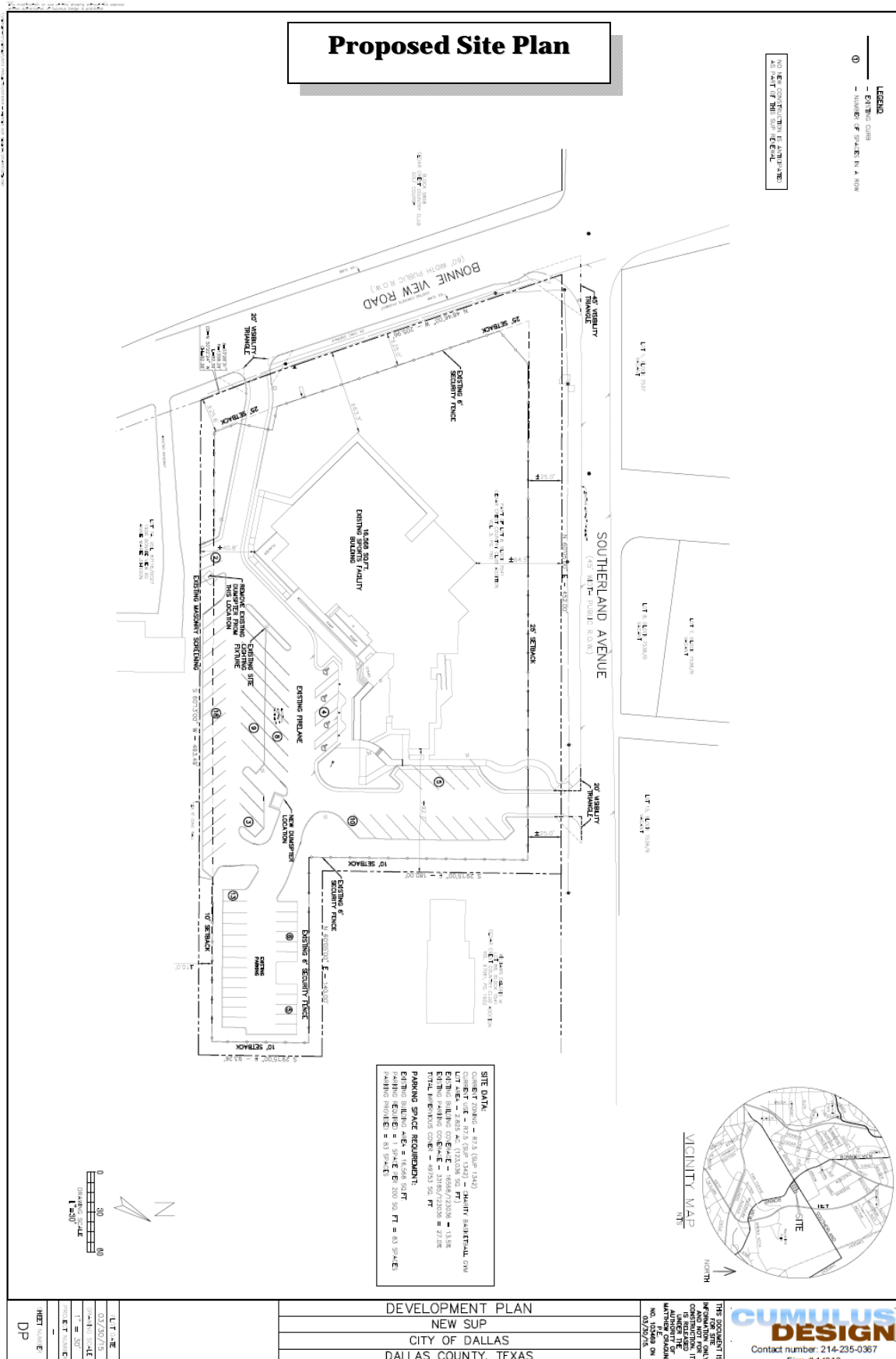
Robert Hart, Secretary



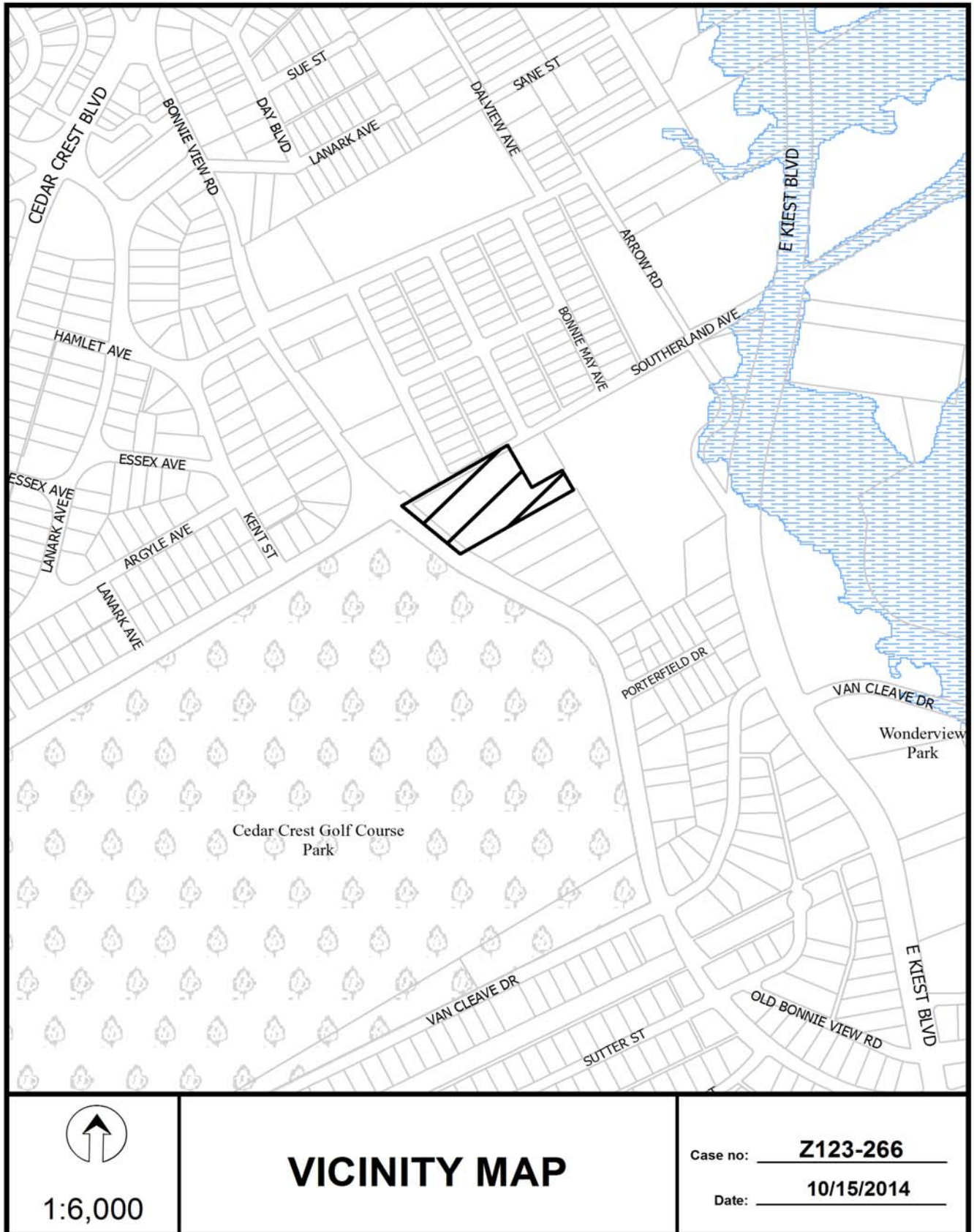
**CPC RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT FOR A  
COMMUNITY SERVICE CENTER**

1. USE: The only use authorized by this specific use permit is a community service center.
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 (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. FLOOR AREA: The maximum floor area is 16,850 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The community service center may only operate between 9:00 a.m. and 10:00 p.m., Monday through Friday, and between 8:00 a.m and 10:00 p.m., Saturday and Sunday.
6. LIGHTING: Exterior lighting must be directed away from adjoining properties.
7. SCREENING: Screening of off-street parking must be provided as shown on the attached site plan.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

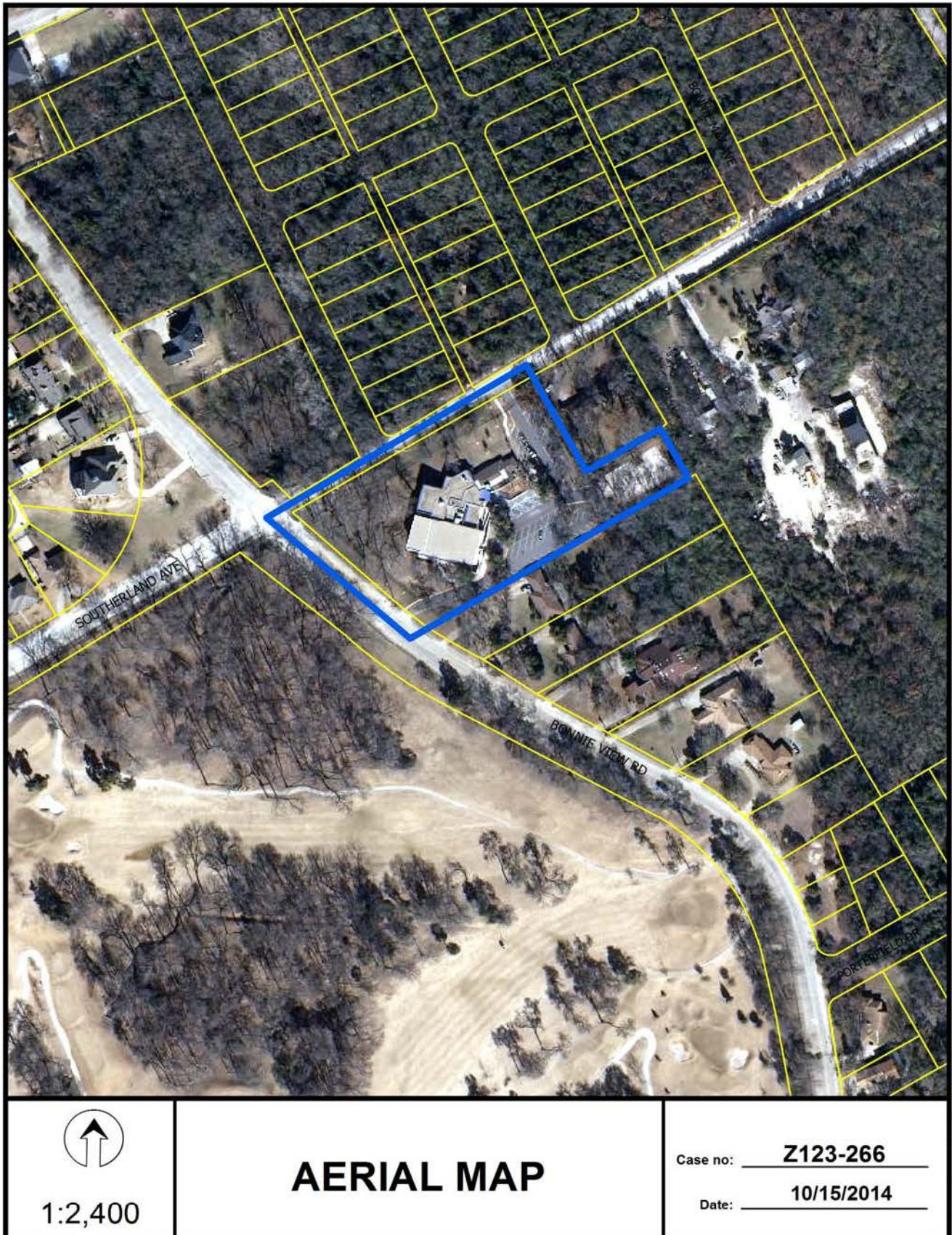




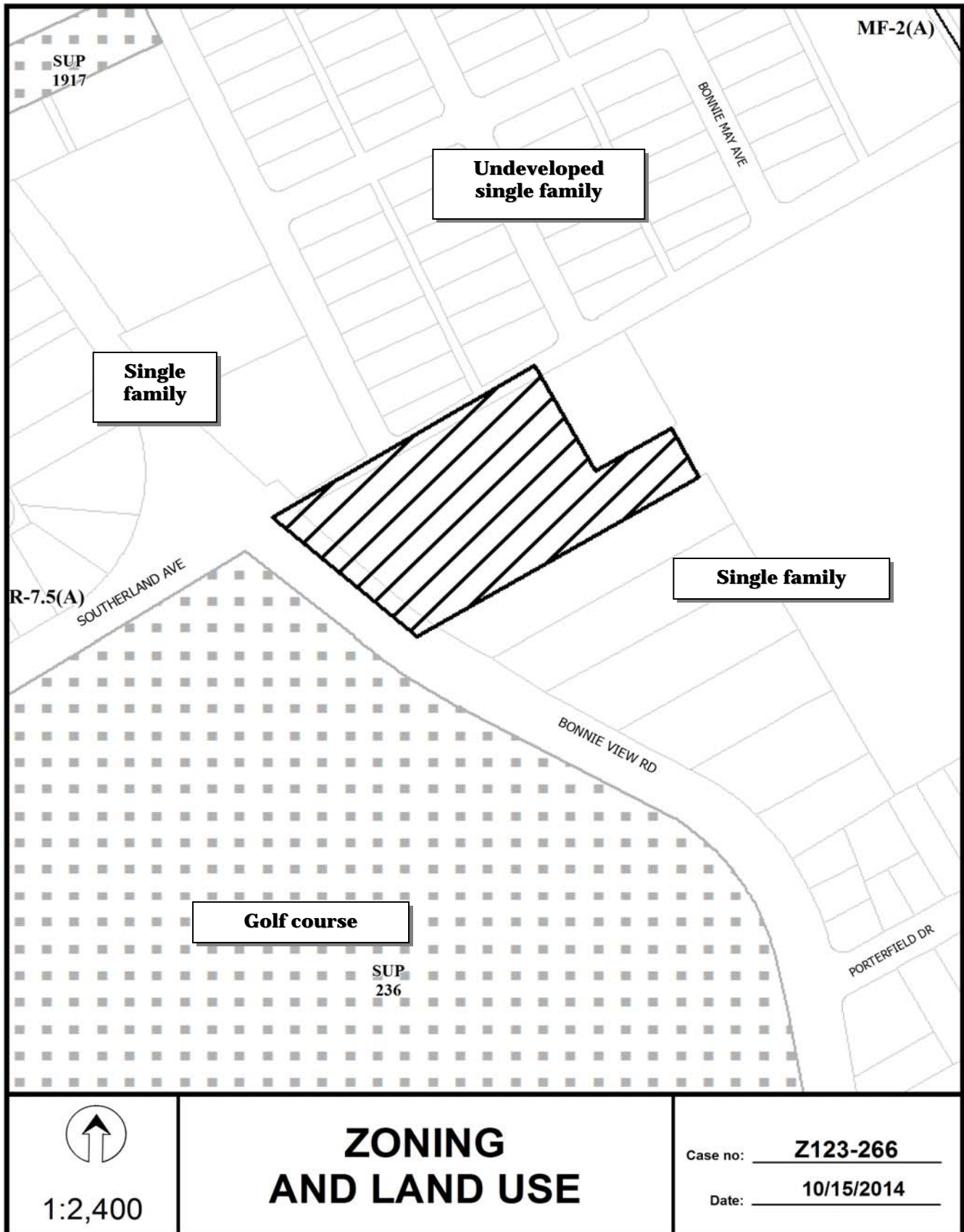


















04/01/2015

***Reply List of Property Owners******Z123-266******17 Property Owners Notified******1 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	1906 BONNIE VIEW RD	JOHNSON ANNIE MARIE
	2	1800 BONNIE VIEW RD	BONNIE Y LLC
	3	1649 BONNIE VIEW RD	MOSBY LARRY E &
	4	1653 BONNIE VIEW RD	HAWKINS PATRICIA
	5	2123 SOUTHERLAND AVE	BAILEY ANNETTE
	6	2115 SOUTHERLAND AVE	HUBBARD HAROLD D
	7	1706 BONNIE VIEW RD	CITY TEMPLE SDA CHURCH
	8	1648 BONNIE VIEW RD	ALKEBULAN CRANSTON &
	9	1704 DEAN ST	CITY TEMPLE COMMUNITY
	10	1720 DEAN ST	CITY TEMPLE COMMUNITY DEV CORP
	11	1721 BONNIE MAY AVE	CITY TEMPLE COMM DEV CORP
	12	2302 SOUTHERLAND AVE	BALLAS VICTOR E
	13	1910 BONNIE VIEW RD	YOUNGER MARGARET
	14	2228 SOUTHERLAND AVE	WILLIAMS DELORIS M
	15	2008 BONNIE VIEW RD	LACY HARLAN R & MELANIE C
	16	2020 BONNIE VIEW RD	SMITH VERDELL
	17	1800 SOUTHERLAND AVE	DALLAS CITY OF



**AGENDA ITEM # 38**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 8

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 69A-U

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay along the east line of Kleberg Road, the north line of Carleta Street and the south line of Parkcliff Drive

Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

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

Z145-105(CG)







ACM: Ryan S. Evans

**FILE NUMBER:** Z145-105(CG) **DATE FILED:** October 10, 2014

**LOCATION:** East line of Kleberg Road, the north line of Carleta Street and the south line of Parkcliff Drive

**COUNCIL DISTRICT:** 8 **MAPSCO:** 69A-U

**SIZE OF REQUEST:** ± 0.459 acres **CENSUS TRACT:** 171.02

---

**APPLICANT/OWNER:** Ci Retail Management, Inc.

**REPRESENTATIVE:** Pamela Craig

**REQUEST:** An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay.

**SUMMARY:** The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing convenience store. The request site is currently developed with a 4,060-square-foot building. No improvements are requested as part of this application. The general merchandise use is permitted by right. The sale of alcoholic beverages on property requires a specific use permit in the D-1 Liquor Control Overlay. Specific Use Permit No. 1930 for the same use was granted at this location on December 14, 2011, for a two-year period. The Specific Use Permit expired and was not renewed and expired on December 14, 2013. The subject site passed inspection and is compliance.

**CPC RECOMMENDATION:** Approval for a two-year period, subject to a site plan and conditions.

**STAFF RECOMMENDATION:** Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.



**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The additional alcohol use within the general merchandise or food store should not impact the surrounding uses negatively from a land use perspective.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – While the proposed use will be another service provided in the neighborhood, it is not foreseen that it will deter or enhance adjacent properties. The proposed SUP, if approved by the CPC and City Council, will have conditions that are associated with the use. An SUP could be revoked, have a reduced time period or not be renewed if the applicant does not comply.
3. *Not a detriment to the public health, safety, or general welfare* – It is not foreseen that this use would be a detriment to the public health, safety or general welfare of the community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – All convenience stores must comply with Chapter 12B. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space. **On March 31, 2015, the applicant was notified that the subject site passed inspection and is in compliance with Chapter 12B.**

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>	<b>Proposed ROW</b>
Kleberg Road	Arterial	60 ft.	60 ft.
Carleta 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 it will not significantly impact the surrounding roadway system.



**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
Site	CR-D-1	General merchandise/food store/motor vehicle fueling station
North	CR-D-1	Personal Service
South	CR-D-1	Retail
East	R-7.5(A)	Undeveloped
West	CR-D-1	Undeveloped/auto

**STAFF ANALYSIS:****Comprehensive Plan:**

The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Residential Neighborhood Block.

This Residential Neighborhood Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

**LAND USE****GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

**Land Use Compatibility:**

The approximately 0.459 acre request site is zoned a CR Community Retail District with a D-1 Liquor Control Overlay and is currently developed with a 4,060 sq. ft. general merchandise or food store and motor vehicle fueling station. The applicant proposes to continue these uses and sell alcohol for off-premise consumption. A Specific Use Permit for the sale of alcoholic beverages is required in the D-1 Liquor Control Overlay.

The surrounding land uses consist of a single family, retail, institutional uses, vacant parcels and commercial use.



The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

### **Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
CR- existing Community Retail	15'	20' adjacent to residential OTHER: No Min.	NA	54'	60%	Proximity Slope Visual Intrusion	Business, community



**Landscaping:** Additional landscaping is not required on the site because no new impervious area is proposed.

**Parking:** The Dallas Development Code requires off-street parking to be provided for a general merchandise use at one space for each 200 square feet of floor area plus two additional spaces for the motor vehicle fueling station use. The existing uses are to remain and require 22 parking spaces as shown on the attached site plan.

**Dallas Police Department:** A copy of a police report of the past 5 years of offences is provided below.

Search Records - Offense									
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1
<u>0027875-B</u>	02/03/2014	*SIDS FOOD MART	BURGLARY	13317		KLEBERGRD	356	4435	0513C
<u>0056273-Y</u>	03/06/2011	SALAZAR, LOLITA	TRAFFIC MOTOR VEHICLE	13317		KLEBERGRD	356	4435	32090
<u>0130609-Y</u>	05/21/2011	DAVIS,TERESA	ASSAULT	13317		KLEBERGRD	356	4435	08422
<u>0140762-Z</u>	05/17/2012	@ROCKWALL COSO	FOUND PROPERTY	13317		KLEBERGRD	356	4435	43030
<u>0160550-A</u>	03/05/2013	*AIR SERV	CRIMINAL MISCHIEF/VANDALISM	13317		KLEBERGRD	356	2230	14081
<u>0169699-Y</u>	06/29/2011	*SID'S FOOD MART	BURGLARY	13317		KLEBERGRD	356	4435	05128
<u>0209623-A</u>	08/16/2013	*SIDS FOOD MART	BURGLARY	13317		KLEBERGRD	356	4435	05128
<u>0224124-Z</u>	09/08/2012	HART,KRYSTLE	THEFT	13317		KLEBERGRD	356	4435	06951
<u>0225603-Z</u>	09/10/2012	*SIDS FOOD MART	BURGLARY	13317		KLEBERGRD	356	4435	05128
<u>0273875-Z</u>	11/03/2012	HARLES,JACKIE	THEFT	13317		KLEBERGRD	356	2230	06953
<u>0285972-A</u>	11/11/2013	@CITY OF DALLAS	FOUND PROPERTY	13317		KLEBERGRD	356	4435	43020
<u>0287406-Y</u>	10/31/2011	*QUICK TRACK	BURGLARY	13317		KLEBERGRD	356	4435	05128



**OWNER OF THE PROPERTY**

Chup Corporation

Officers:

Dipak Kharel, Sole Officer

**TENANTS:**

Ci Retail Management, Inc.

Officers:

Pratima Kharel, Sole Officer



<b>CPC RECOMMENDED CONDITIONS</b>
-----------------------------------

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years).
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 Action – April 2, 2015**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period, subject to a site plan and conditions on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay along the east line of Kleberg Road, the north line of Carleta Street and the south line of Parkcliff Drive.

Maker: Lavallaisaa  
Second: Shellene  
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Culbreath, Shidid,  
Anantasomboon, Bagley, Lavallaisaa, Tarpley,  
Shellene, Schultz, Peadon, Murphy, Ridley,  
Abtahi\*

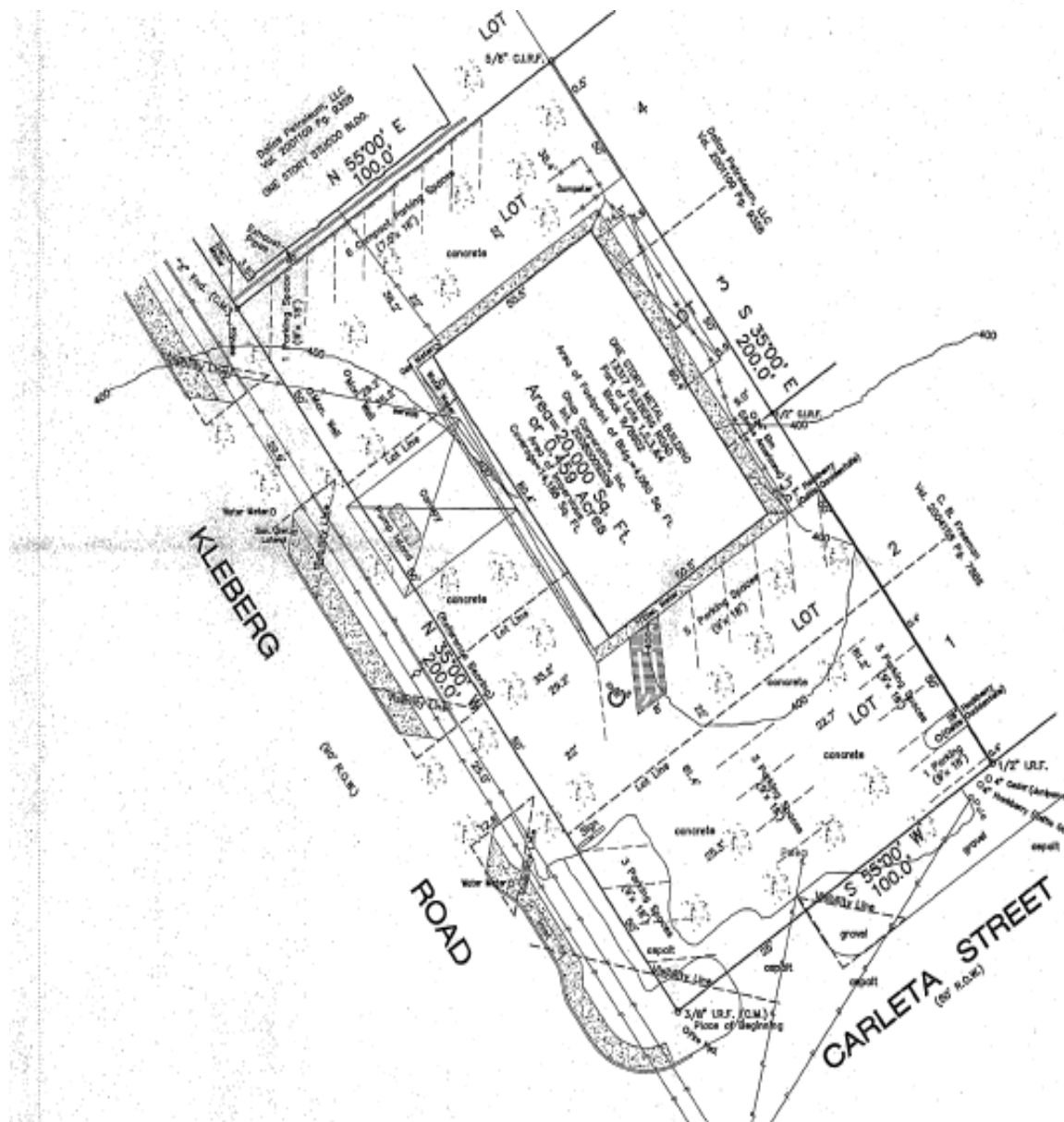
Against: 0  
Absent: 1 - Rodgers  
Vacancy: 0

\*out of the room, shown voting in favor

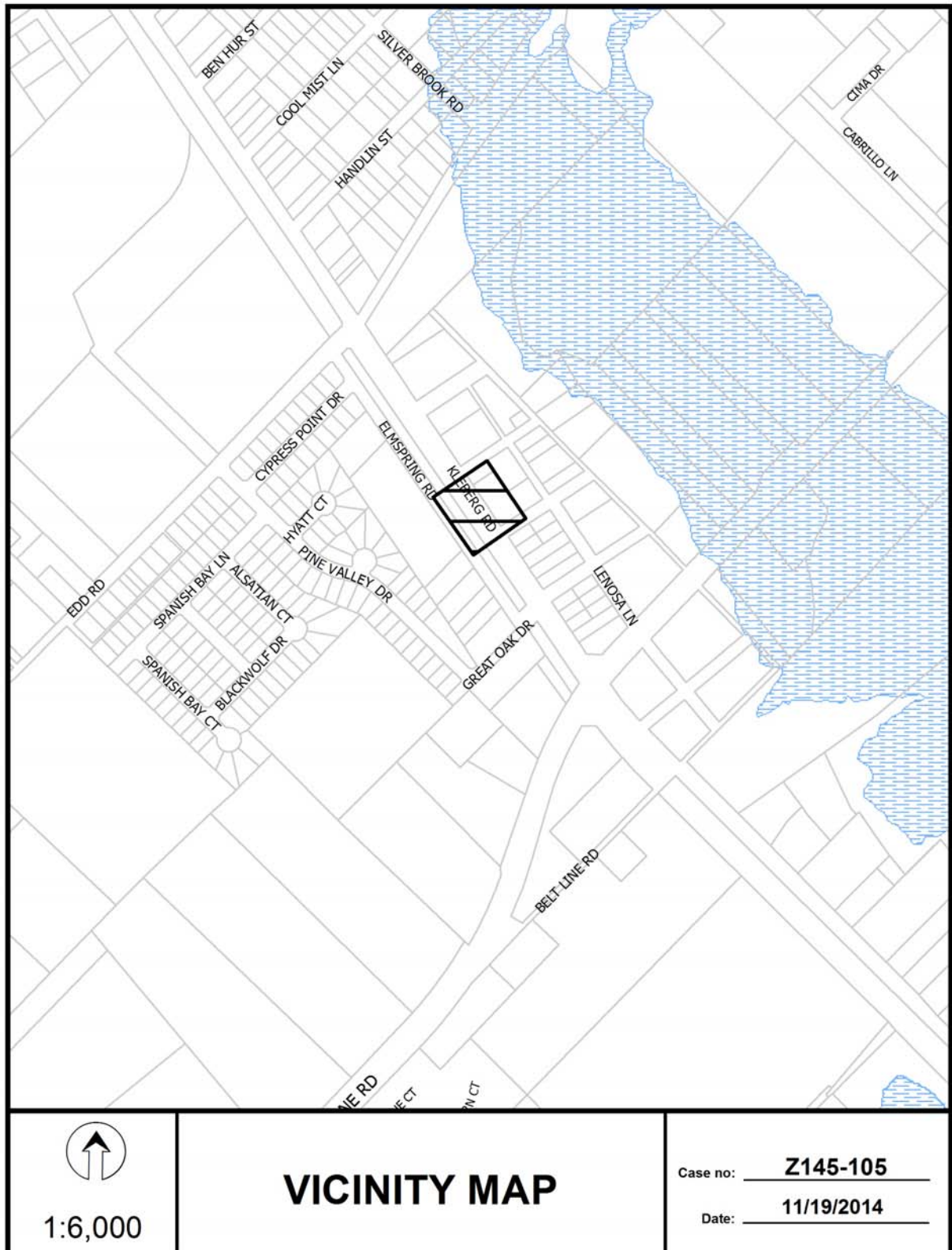
<b>Notices:</b>	Area: 200	Mailed: 22
<b>Replies:</b>	For: 1	Against: 1

**Speakers:** None

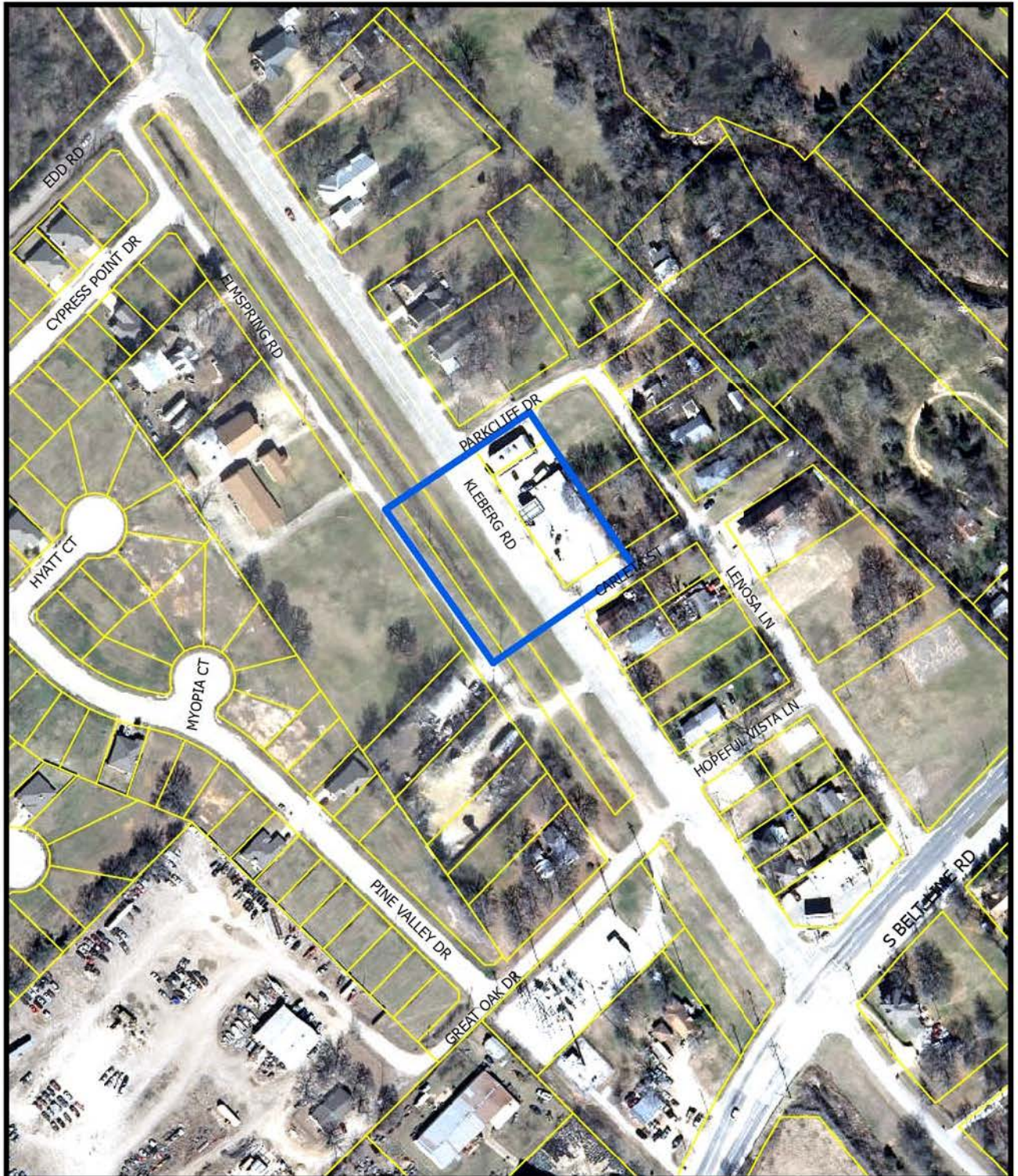












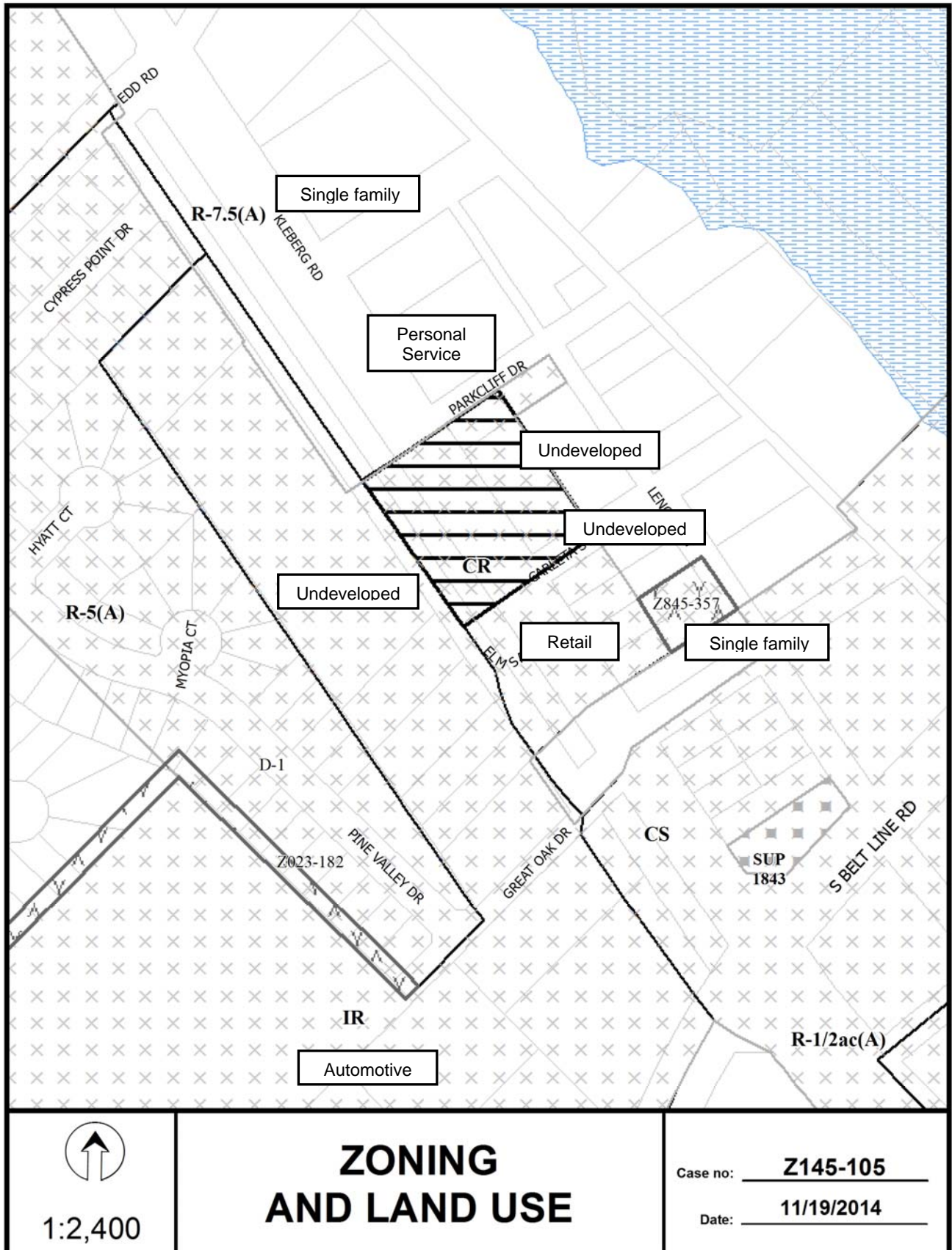
1:2,400

## AERIAL MAP

Case no: **Z145-105**

Date: **11/19/2014**







## CPC RESPONSES





04/01/2015

***Reply List of Property Owners******Z145-105******22 Property Owners Notified******1 Property Owners in Favor******1 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	13317 KLEBERG RD	CHUP CORPORATION INC
	2	13305 KLEBERG RD	DALLAS PETROLEUM LLC
	3	13423 KLEBERG RD	MARTINEZ GUADALUPE &
	4	13422 LENOSA LN	BLANCO ROSA D
	5	2300 CARLETA ST	MARSHALL EOLA
	6	13500 LENOSA LN	Dallas ISD
	7	13429 LENOSA LN	IGLESIA DE CRISTO ON
	8	13328 LENOSA LN	FREEMAN C B
O	9	13329 LENOSA LN	FRITTS DAVID E & TERI C
X	10	13323 LENOSA LN	CRUTCHER GEORGE W JR &
	11	13317 LENOSA LN	AGUILAR ERNESTO
	12	5 LENOSA LN	RIVERA SAMUEL O
	13	13137 KLEBERG RD	RIDGELL BARBARA R
	14	13133 KLEBERG RD	NEGRETE OLEGARIO
	15	2445 PARKCLIFF DR	LAMPHERE SHELLEY G
	16	2445 PARKCLIFF DR	RIDGELL WILLIAM CECIL &
	17	13424 ELMSPRING RD	SALAZAR ROGELIO
	18	13424 ELMSPRING RD	BOREN BILLY C
	19	13418 ELMSPRING RD	SALAZAR ROGELIO &
	20	13248 ELMSPRING RD	FIRST BAPTIST CHURCH OF
	21	13405 KLEBERG RD	FOREMAN ROBERT M
	22	13412 ELMSPRING RD	CASTANEDA ESTEBAN



**AGENDA ITEM # 39**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 35 V

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for O-2 Office Subdistrict Uses and MF-2 Multiple-family Subdistrict uses on property zoned an O-2 Office Subdistrict and an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of North Central Expressway and Oliver Street, and the southeast line of McKinney Avenue, south of Oliver Street

Recommendation of Staff and CPC: Approval, subject to a Tract 1 development plan, Tract 1 landscape plan, Tract 2 development/landscape plan and conditions

Z145-147(RB)



**FILE NUMBER:** Z145-147(RB)

**DATE FILED:** December 19, 2014

**LOCATION:** West corner of North Central Expressway and Oliver Street, and the southeast line of McKinney Avenue, south of Oliver Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 35V

**SIZE OF REQUEST:** Approx. 1.655 Acres

**CENSUS TRACT:** 7.02

---

**APPLICANT:** S.L.C. Development, Inc.

**REPRESENTATIVE:** Karl Crawley

**OWNERS:** See attached

**REQUEST:** An application for a Planned Development Subdistrict for O-2 Office Subdistrict Uses and MF-2 Multiple-family Subdistrict uses on property zoned an O-2 Office Subdistrict and an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

**SUMMARY:** The purpose of the request is to provide for a multiple family use with a private amenity area supporting the residential project with consideration of the following: 1) increase in permitted floor area for residential uses; 2) alternate landscape requirements; and, 3) alternate sign regulations for a residential use.

**CPC RECOMMENDATION:** Approval, subject to a Tract 1 development plan, Tract 1 landscape plan, Tract 2 development/landscape plan, and conditions.

**STAFF RECOMMENDATION:** Approval, subject to a Tract 1 development plan, Tract 1 landscape plan, Tract 2 development/landscape plan, and conditions.

**DESIGNATED ZONING CASE**



**GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval of the request, subject to the attached plans and conditions based upon:

1. *Performance impacts upon surrounding property* – Subject to the design criteria applicable to the western facade, impact on adjacent properties (lighting, noise, odor) is not anticipated.
2. *Traffic impact* – The proposed multiple family development will possess trip generations less than that of the existing office development and will be consistent with those generated by the adjacent multiple family uses along both sides of McKinney Avenue, west of the site.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed single use of the property, while retaining the ability to provide for a mix of uses by retaining the underlying O-2 Subdistrict Uses, is in compliance with the designated Building Block for the area. Additionally, the request as recommended by staff in the attached conditions complies with the Oak Lawn Special Purpose District and Oak Lawn Plan criteria for redevelopment.
4. It should be noted staff supports the vision of the redevelopment, inclusive of the attached design criteria that is sensitive to the western residential adjacency. The use of Tract 2 as a private amenity area will not impact adjacent properties, envisioned to possess minimal vertical construction (1,000 sq. ft. at 20 feet of structure height).

**Zoning History:** There has been no recent zoning activity within the immediate area.

<b><u>Thoroughfare/Street</u></b>	<b><u>Existing &amp; Proposed ROW</u></b>
North Central Expressway	Freeway; Variable width right-of-way
McKinney Avenue	Minor Arterial; 80' & 80' ROW
Oliver Street	Local; 60' ROW

**STAFF ANALYSIS:**

**Area Plans:**

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings



Z145-147(RB)

similar in appearance to non-parking buildings.

- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
- (6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
- (7) To promote landscape/streetscape quality and appearance.

The applicant has worked with staff to achieve closure on the above stated objectives. Nos. 1, 3, 4, and 6 are provided for in the applicant's redevelopment of the property. As No. 7 is generally more applicable to spans of street frontage that have direct exposure to other developments, the true 'frontage' is along the southbound access road for North Central Expressway, where all developments are impacted by TxDOT's ownership of the public right of way. As such, normal streetscapes are limited in their scope. It should be noted that Tract 2 will be limited to private open space (while retaining the underlying MF-2 Subdistrict uses and development standards), which will provide for a reconstructed sidewalk and tract-specific landscaping along the frontage (see attached Tract 2 development and landscape plan). Objective Nos. 2 and 5 are not applicable to the request as this is not considered a retail area (No. 2), while the increase in floor area will permit larger dwelling units while the density is permitted by the existing entitlements (No. 5).

**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.



Z145-147(RB)

**Land Use Compatibility:** The property consists of two tracts: a) Tract 1, possessing approximately 1.4 acres and located at the west corner of Oliver Street and the southbound access road of North Central Expressway, is developed with two office structures and surface parking within the western portion of the tract; and b) Tract 2, possessing approximately 10,000 square feet of land area and located along the McKinney Avenue frontage, is improved with a surface parking area that serves the nonresidential uses to the east.

The applicant is proposing to remove all improvements and redevelop the site with a multiple family use on Tract 1 and a private amenity area on Tract 2. The requested PDS will provide for consideration of the following: 1) increase in permitted floor area for residential uses (Tract 1); 2) alternate landscape requirements; and, 3) alternate sign regulations for a residential use. It should be noted that both tracts will retain their respective existing zoning entitlements (Tract 1; O-2 and Tract 2; MF-2).

The intervening 20 foot-wide alley between the two tracts tends to establish a demarcation between the residential and nonresidential built environment throughout this portion of the city. The area west of the referenced alley is developed with low to medium residential uses (multiple family structures) along both sides of McKinney Avenue, while the area east is developed with office uses along the southbound access road for North Central Expressway, with a mix of nonresidential uses along the northbound access road of the freeway (travel lanes of the freeway are depressed through this section).

Even though the applicant is requesting an increase in floor area on Tract 1 for this residential use (retaining O-2 FAR for nonresidential uses), density is being capped over that permitted by existing zoning. As the applicant is proposing structured parking for the development and efforts to address the above referenced residential adjacency to the west, a design component for the first 36 feet in height is being provided. Specifically, this will ensure the adjacent three story residential uses will have a more pleasing and compatible design façade, restricted to a parking structure, with the residential component above a height in which these respective projects are constructed. As such, the sight lines for the new residential development will extend above the built environment to the west thereby minimizing the visual intrusion afforded by the development.

As a result of this analysis, staff is supportive of the request, subject to the attached plans and conditions.

**Landscaping:** The applicant has worked with the planning staff and arborist to address landscaping that will function with an anticipation of addressing TxDOT's position of requiring an alternative to the streetscape and sidewalk placement along the southbound access road. Additionally, specific landscaping is proposed for the Tract 2 portion of the site.



<b>ZONING/ MAP NO.</b>	<b>O-2 Subdistrict (existing)</b>	<b>Applicant's request</b>	<b>Staff comments (where applicable)</b>
<b>USES</b>	MIX OF USES WITH RESIDENTIAL	TRACT 1-RETAIN O-2 SUBDISTRICT USES; PROVIDE FOR PRIVATE AMENITY AREA; TRACT 2-MF-2 AND PRIVATE AMENITY AREA	TRACT 2-NORMAL REQUIREMENT FOR A MINOR AM. NOT REQ. AS LONG AS REQUESTED AMENDMENT WOULD BE CONSIDERED UNDER DIRECTOR PROVISION
<b>F/S/R SETBACKS</b>	20'/10'/25' (RES)	TRACT 1-23' OLIVER; 15' NORTH CENTRAL; 10' SIDE (US 75); 15' WEST P/L	N/A
<b>DENSITY</b>	~450 DWELLING UNITS (ASSUMES 50%/50% 1 BR/2 BR UNITS)	310 DU'S	N/A
<b>FLOOR AREA</b>	~244,000 SF (ASSUMES 100% RESIDENTIAL)	415,000 SF (RESIDENTIAL) TRACT 1; 1,000 SF TRACT 2	N/A
<b>HEIGHT</b>	240'	230' NORTH CENTRAL TRACT; 20'-MCKINNEY TRACT	N/A
<b>LOT COVERAGE</b>	75%	TRACT 1-75% TRACT 2-60%	TRACT 1 DP-70% TRACT 2 DLP-10%
<b>LANDSCAPE</b>	PDD 193	PDD 193 WITH: ALT. STREET TREE ALONG NORTH CENTRAL TRACT; SPECIFIC PLANTINGS FOR MCKINNEY TRACT	N/A
<b>OFF-STREET PARKING</b>	PER USE-PDD 193	PER USE-PDD 193; NONE REQUIRED FOR PRIVATE AMENITY AREA	N/A
<b>SIDEWALKS</b>	4'-RESIDENTIAL 6'-NONRESIDENTIAL	FINAL PLACEMENT FOR NORTH CENTRAL TRACT PER TXDOT; MCKINNEY AVE-4'	N/A
<b>DESIGN CRITERIA</b>	N/A	TRACT 1-WEST FAÇADE FOR FIRST 36 FEET	N/A
<b>SIGNAGE</b>	BUSINESS REGS	NON-BUSINESS PLUS SPECIAL ATTACHED SIGNS; ALLOW TRACT 2 MONUMENT SIGN (NON- PREMISE)	TRACT 2 SIGN LIMITED TO TRACT 1 PROJECT NAME



**CPC ACTION – April 2, 2015**

**Motion:** It was moved to recommend **approval** of a Planned Development Subdistrict for O-2 Office Subdistrict and MF-2 Multiple-family Subdistrict uses, subject to a Tract 1 development plan, Tract 1 landscape plan, Tract 2 development/landscape plan and conditions on property zoned an O-2 Office Subdistrict and an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of North Central Expressway and Oliver Street, and the southeast line of McKinney Avenue, south of Oliver Street.

Maker: Ridley  
Second: Murphy  
Result: Carried: 14 to 0

For: 14 - Anglin\*, Emmons, Rodgers, Culbreath, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0  
Absent: 1 - Schultz  
Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 500 Mailed: 285  
**Replies:** For: 2 Against: 2

**Speakers:** For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202  
Anthony Page, 3210 Carlisle St., Dallas, TX, 75204  
Charles West, 4312 McKinney Ave., Dallas, TX, 75205  
Against: None



**4333 N Central Expressway and Tract 2 (McKinney Avenue)**  
**Lot 8A, Block D/1526 and a tract of land in Block D/1526**

LaGuarda Low II, Ltd.  
4333 N Central Expressway  
Dallas, TX 75205

**4321 N Central Expressway**  
**Lots 5-7, Block D/1526**

Design Investment Group, Inc.  
3831 Turtle Creek Blvd., Apt 11E  
Dallas, TX 75219

**SLC Development, Ltd.**  
Tim Downey, CEO  
Brian Sewell, President  
Ken Howell, CFO  
Michael McNally, VP of Multi-Family Development



**CPC RECOMMENDED CONDITIONS**

**“ARTICLE**

**PD**

**“Division S-\_\_\_\_. PD Subdistrict \_\_\_\_.**

**SEC. S-\_\_\_\_.101. LEGISLATIVE HISTORY.**

Planned Development Subdistrict \_\_\_\_ was established by Ordinance No. \_\_\_\_\_ passed by the Dallas City Council on \_\_\_\_\_, 2015.

**SEC. S-\_\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD 193 Subdistrict \_\_\_\_ is established on property located at the west corner of North Central Expressway and Oliver Street, and southeast line of McKinney Avenue, South of Oliver Street. The size of PD 193 Subdistrict \_\_\_\_ is approximately 1.655 acres.

**SEC. S-\_\_\_\_.103. CREATION OF TRACTS.**

This subdistrict is divided into Tract 1 and Tract 2 as shown on the \_\_\_\_\_ (Exhibit S- )

**SEC. S-\_\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls. In this division:

(b) In this division:

(1) TRACT 2 ATTACHED SIGN means any sign attached to, applied on, or supported by the exterior structural framing of a wall or fence enclosing the improvements on Tract 2.

(2) SUBDISTRICT means a subdistrict of PD No. 193.

(3) BLADE SIGN means sign projecting perpendicularly from a main building facade, visible from both sides, (and made of rigid or soft fabric materials).



Z145-147(RB)

(4) **MONUMENT SIGN** means detached premise sign applied directly onto a grade-level support structure (instead of a pole support) with no separation between the sign and the ground, or mounted on a fence or masonry wall.

(5) **PRIVATE OPEN SPACE** means an area that is open to all occupants of the building and is unobstructed to the sky but structures that are not fully enclosed such as colonnades, pergolas, and gazebos, and a maximum of 1,000 square feet of floor area are allowed.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(e) This Subdistrict is considered to be a noresidential zoning district.

#### **SEC. S-\_\_\_\_.104. EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit S\_\_\_\_A: Tract 1 development plan.

(2) Exhibit S\_\_\_\_B: Tract 2 development and landscape plan.

(3) Exhibit S\_\_\_\_C: Tract 1 landscape plan.

#### **SEC. S-\_\_\_\_.105. DEVELOPMENT PLAN.**

(a) For Tract 1, development and use of the Property must comply with the development plan (Exhibit S-\_\_\_\_).

(b) For Tract 2, development and use of the Property must comply with the development and landscape plan (Exhibit S-\_\_\_\_).

(c) If there is a conflict between the text of this division and the development plan, the text of this division controls.

(d) For a temporary construction or sales/leasing office related to a residential use on Tract A, no development plan is required, and the provisions of Section 51-4.702 regarding the submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

#### **SEC. S-\_\_\_\_.106. MINOR AMENDMENT TO DEVELOPMENT PLAN.**

(a) In general. Except as provided in this section, amendments to a development plan must comply with Section 51A-4.702(h) of the Dallas Development Code, as amended.

(b) Tract 2. For private open space, any amendment to the improvements identified on the Tract 2 development and landscape plan may be approved by the



Z145-147(RB)

Director as outlined in Section 51A-4.702(h)(2)(A), except that 51A-4.702(h)(2)(A)(ii)(aa) does not apply.

**SEC. S-\_\_\_.107. MAIN USES PERMITTED.**

(a) Tract 1. The only main uses permitted in Tract 1 of this Subdistrict are those main uses permitted in the O-2 Office Subdistrict, subject to the same conditions applicable in the O-2 Subdistrict, as set out in Part I of this article. For example, a use permitted in the O-2 Subdistrict only by specific use permit (SUP) is permitted in this Subdistrict only by SUP; a use subject to development impact review (DIR) in the O-2 Subdistrict is subject to DIR in this Subdistrict; etc.

(b) Tract 2.

(1) Except as provided in this subsection, the only main uses permitted in Tract 2 of this Subdistrict are those main uses permitted in the MF-2 Multiple Family Subdistrict, subject to the same conditions applicable in the MF-2 Multiple Family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-2 Multiple Family Subdistrict only by specific use permit (SUP) is permitted in this Subdistrict only by SUP; a use subject to development impact review (DIR) in the MF-2 Multiple Family Subdistrict is subject to DIR in this Subdistrict; etc.

(2) Private open space is a permitted use.

**SEC. S-\_\_\_.108. ACCESSORY USES.**

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Part I of this article. For more information regarding accessory uses, consult PD 193.

(b) In this subdistrict, the following accessory uses are not permitted:

- Private stable.
- Amateur communication tower.
- Open storage.
- Temporary construction or sales/leasing office *[Tract 2, only]*

**SEC. S-\_\_\_.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 Part I of this article. In the event of a conflict between this section and Part I of this article, this section controls.)

(a) Tract 1. Except as provided in this section, the yard, lot, and space regulations for the O-2 Office Subdistrict apply.

(1) Multiple family.

(A) Front yard.



(i) Except as provided in this paragraph, minimum setback on Oliver Street is 23 feet. Attached signs may project into the required setback a maximum of two feet, subject to a minimum clearance of 20 feet above grade.

(ii) Except as provided in this paragraph, minimum setback on North Central Expressway is 15 feet. Attached signs may project into the required setback a maximum of two feet, subject to a minimum clearance of 15 feet above grade.

(B) Side yard.

(i) Minimum setback along the western Property line is 15 feet.

(ii) Minimum setback along the southern Property line is ten feet.

(C) Density. Maximum number of dwelling units is 310.

(D) Height. Except as shown on the Tract 1 development plan, maximum structure height is 230 feet.

(E) Lot coverage. Maximum lot coverage is 75 percent.

(F) Floor area. Maximum floor area is 415,000 square feet.

(b) Tract 2. Except as provided in this section, the yard, lot, and space regulations for the MF-2 Multiple Family Subdistrict apply.

(1) Private open space.

(2) Front yard.

(A) Minimum setback on McKinney is 10 feet.

(B) Fences greater than four feet in height are permitted in the front yard.

(3) Side yard.

(A) Minimum setback along the northern Property line is five feet.

(B) Minimum setback along the southern Property line is five feet.

(4) Rear yard. Minimum setback is ten feet.

(5) Height. Maximum structure height is 20 feet.



- (6) Lot coverage. Maximum lot coverage is ten percent.
- (7) Floor area. Maximum floor area is 1,000 square feet.

**SEC. S-\_\_\_.110. OFF-STREET PARKING AND LOADING.**

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) Private open space. No off-street parking is required.

**SEC S-\_\_\_.111. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI

**SEC. S-\_\_\_.112. LANDSCAPING.**

(a) For Tract 1, landscaping must be provided as shown on the attached Tract 1 landscape plan.

(b) For Tract 2, landscaping must be provided as shown on the attached Tract 2 development and landscape plan.

(c) Plant materials must be maintained in a healthy, growing condition.

**SEC. S-\_\_\_ 113. DESIGN STANDARDS FOR PARKING STRUCTURES.**

(a) Purpose. Continuous facades on above ground parking structures often have negative impacts on community aesthetics, pedestrian circulation, and the scale and rhythm of streetscapes. The design standards in this section are intended to mitigate the negative impact of monotonous, blank, or inactive facades, while allowing creativity, flexibility, and variety in design.

(b) Parking structures.

(1) Except as provided in this subsection, all aboveground parking structures must comply with Section 51P-193.127(a).

(2) The north, east, and south parking structure facades must include at least one of the following materials covering a minimum of 40 percent of each facade: heavy gauge metal screen, pre-cast concrete panels, laminated glass, photovoltaic panels, or other elements.

(3) Above ground parking structures must have a solid wall or panel on each level with a minimum height of 36 inches to block light spillage from headlights.



Z145-147(RB)

(4) Parking structures over one story that front on a public right-of-way must have the following additional design standards on the facade facing the public right-of-way:

(A) Each story must be differentiated horizontally to minimize the vertical plane of the parking structure facade using changes in wall materials, garage screening materials, or offsets or projections from the face of the adjacent story by a minimum of six inches.

(B) The horizontal plane of the facade wall of each parking structure story may not exceed 60 feet without a change in material, color, offset, or projections.

(C) Any parking garage facade facing the alley right-of-way along the western boundary of Tract I must have screening covering at least 60 percent of any openings above 36 inches in height above each level. The screening may allow ventilation but must reduce light spillage. The requirement for 60 percent coverage of the area between the height of 36 inches and the next floor level is limited to the first 36 feet of height. Any parking structure above 36 feet facing the west boundary must have a coverage of at least 40 percent of the openings between 36 inches and the next floor level.

## **SEC. S-\_\_\_.114.**

## **SIGNS.**

(a) Tract 1.

(1) In general. Except as provided in this subsection, signs must comply with the provisions for business zoning districts in Article VII.

(2) One monument sign is permitted with a maximum height of five feet and a maximum effective area of 75 square feet, and located as shown on the Tract 1 development plan.

(3) One blade sign is permitted along the eastern facade with a maximum effective area of 75 square feet, located no higher than 40 feet above grade.

(4) One attached sign is permitted along the eastern facade with a maximum effective area of 75 square feet, located no lower than 200 feet above grade.

(5) One attached sign is permitted along the Oliver Street frontage with a maximum effective area of 75 square feet.

(b) Tract 2.

(1) In general. Except as provided in this subsection, signs must comply with the provisions for non-business zoning districts in Article VII.

(2) Multiple family.

(A) For a multiple family use developed on Tract 1, one Tract 2 attached sign is permitted along the McKinney Avenue frontage, with a maximum height of four feet and a maximum effective area of 50 square feet.



Z145-147(RB)

(B) Illumination of the sign is prohibited.

(C) The sign is limited to identifying a multiple family use developed on Tract 1.

(D) For purposes of this section, Tract 1 and Tract 2 are considered as one lot only when Tract 1 is developed with a multiple family use.

**SEC. S-\_\_\_.115. ADDITIONAL PROVISIONS.**

(a) General maintenance. The Property must be properly maintained in a state of good repair and neat appearance.

(b) Compliance with all other laws. Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Compliance with Part I. Except as otherwise provided in this division, development and use of the Property must comply with Part I of this article.

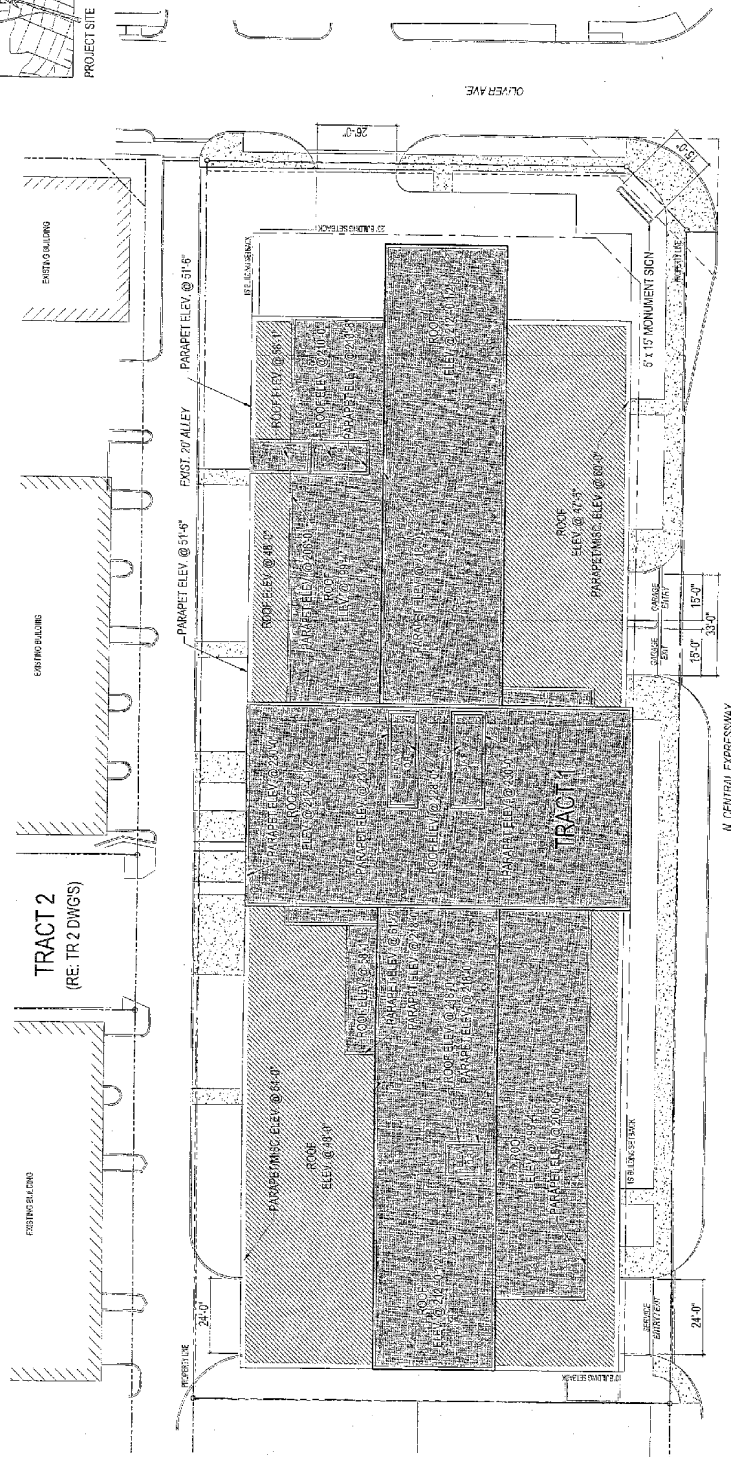
**SEC. S-\_\_\_.116. PAVING.**

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. S-\_\_\_.117. COMPLIANCE WITH CONDITIONS.**

The building official shall not issue a building permit or a certificate of occupancy for a use in this Subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.





TRACT #	---	MULTIPLE FAMILY
USE		415,000 SF
FLOOR AREA		230
MAX HEIGHT		310 DWELLING UNITS
DENSITY		165 SPACES (1 PER UNIT)
PARKING PER PD 15A		70%
LOT COVERAGE		

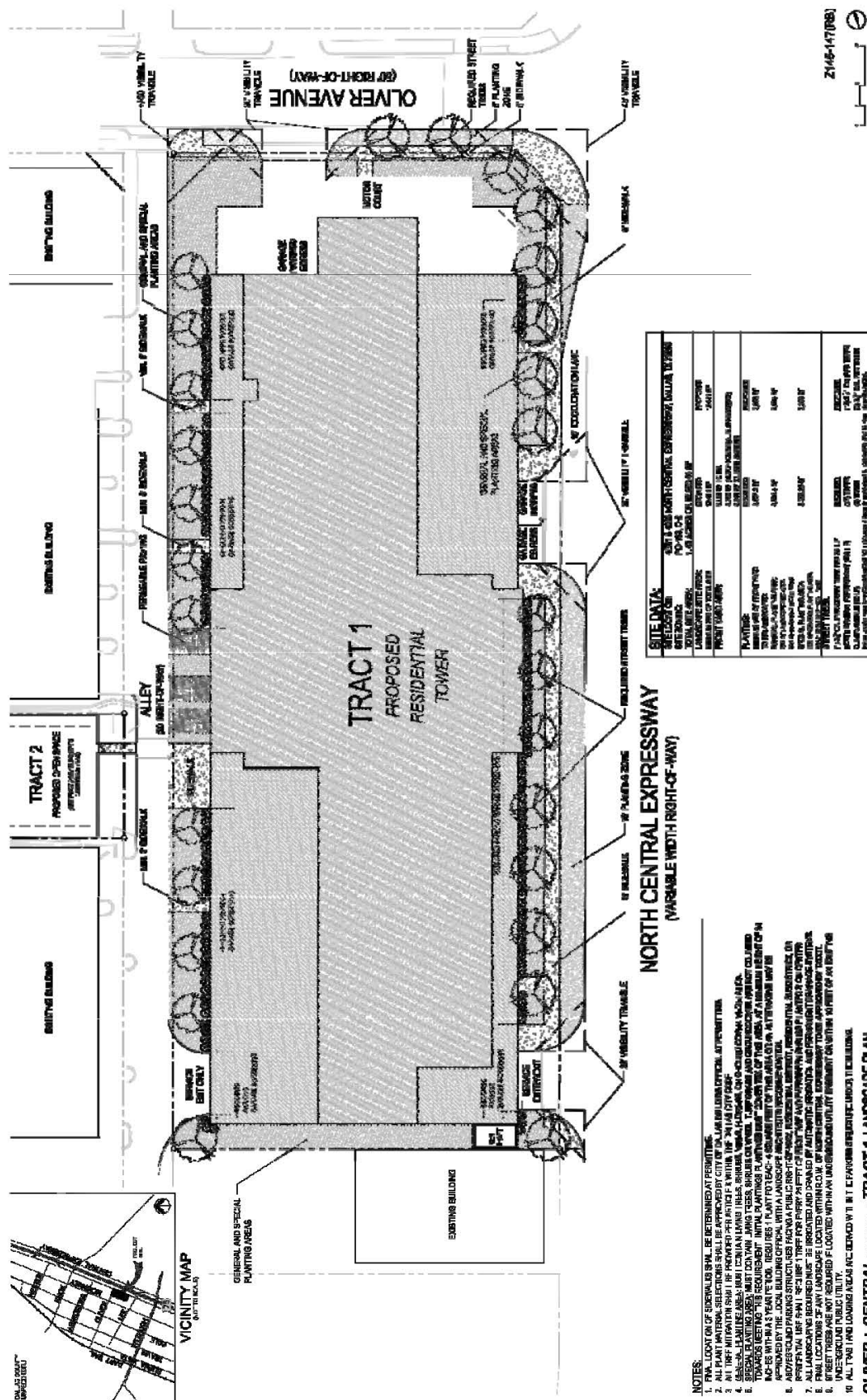
Z145-147(RB)



OLIVER + CENTRAL DALLAS, TX • TRACT 3, DEVELOPMENT PLAN

**SOUTHERN LAND  
COMPANY**







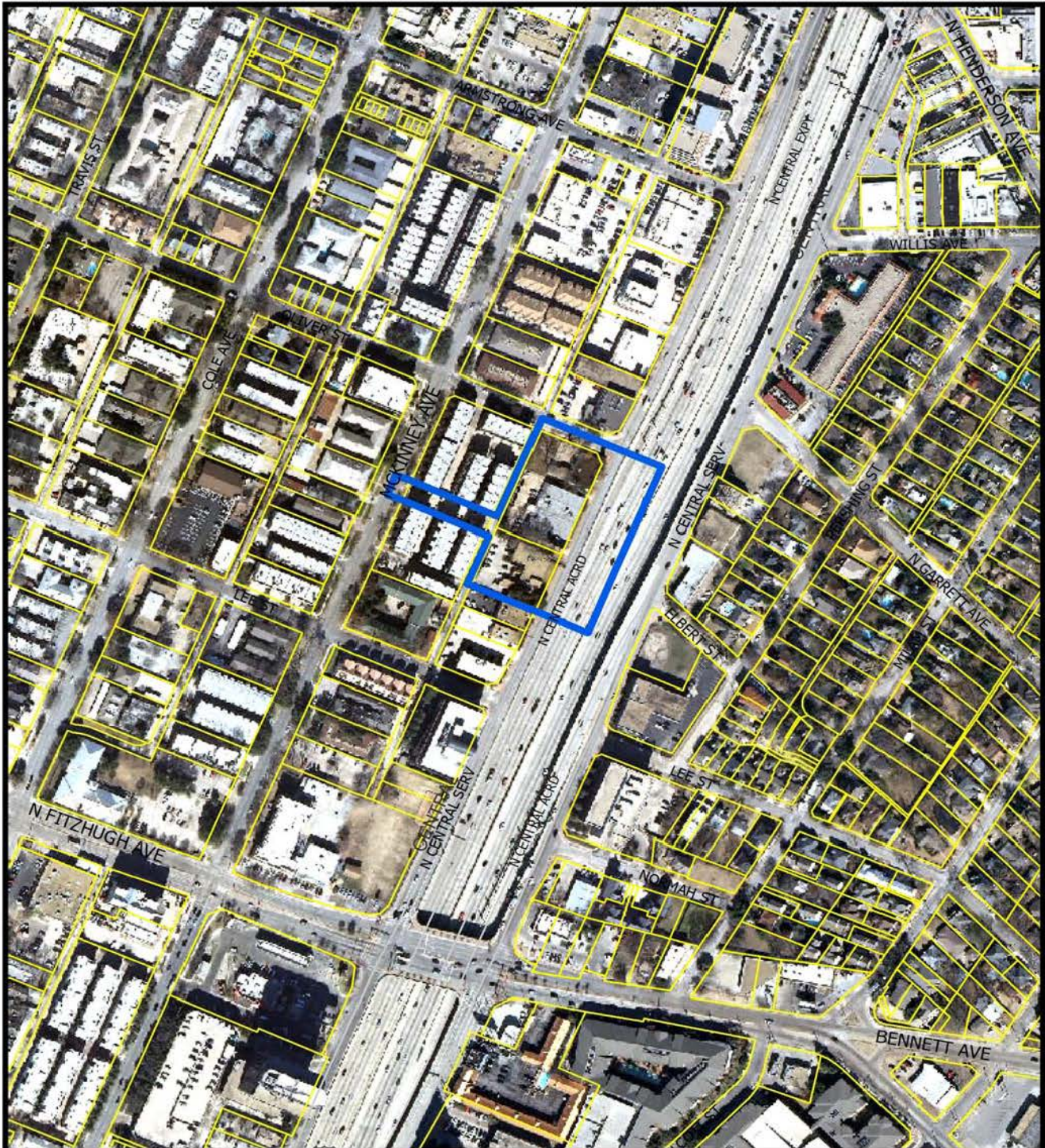




Z145-147(RB)







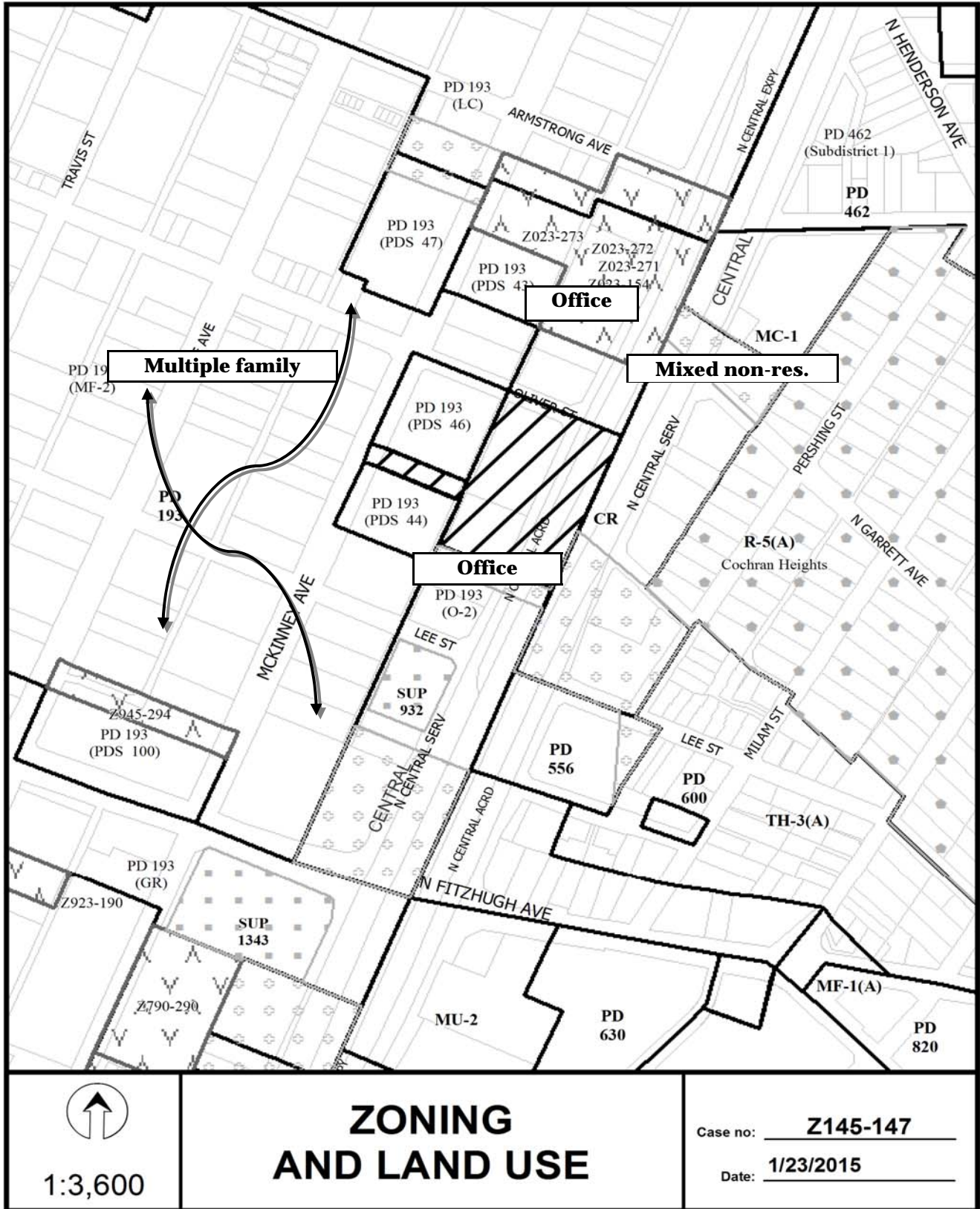
1:3,600

## AERIAL MAP

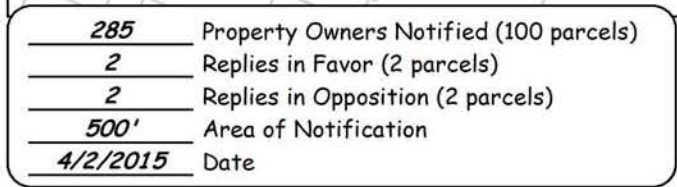
Case no:     **Z145-147**    

Date: 1/23/2015









21



04/01/2015

***Reply List of Property Owners******Z145-147******285 Property Owners Notified******2 Property Owners in Favor******2 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	4343 CENTRAL EXPY	LAGUARDA LOW II LTD
O	2	4321 CENTRAL EXPY	DESIGN INV GROUP INC
	3	3121 LEE ST	FULKS KENT ET UX VICKI
	4	4246 COLE AVE	HILTON ARMS LC
	5	4229 CENTRAL EXPY	Dallas ISD
	6	4230 MCKINNEY AVE	IVANYI INC
	7	4302 MCKINNEY AVE	AREAC PPTIES INC
	8	4319 MCKINNEY AVE	MARINO BEATRICE M TR
	9	4323 MCKINNEY AVE	4323 MCKINNEY PROPERTIES
	10	4329 MCKINNEY AVE	TELESIS PROPERTIES I LTD
	11	3119 OLIVER ST	PERRYMILLER DAVIDSON A
	12	4346 COLE AVE	FALCONE A W FAMILY THE
	13	4326 COLE AVE	MRJ PPTY LP
	14	4322 COLE AVE	MALT INVESTMENTS INC
	15	4405 MCKINNEY AVE	KNOBLER DONALD G
	16	4408 COLE AVE	IPENEMA INVESTMENTS LTD
	17	4440 CENTRAL EXPY	BRE LQ TX PPTIES LP
	18	5102 PERSHING ST	ZARAZAGA CARLOS E &
	19	5106 PERSHING ST	HANRAHAN ROBERT &
	20	5103 PERSHING ST	BARNES JARRAD W
	21	5107 PERSHING ST	RT PERSHING SERIES LLC
	22	5111 PERSHING ST	MATTINGLY THOMAS U
	23	5115 PERSHING ST	GILBERT JESS
	24	5119 PERSHING ST	DRENNAN VICKY
	25	5020 PERSHING ST	VARGAS ANTONIO JOSE &
	26	5024 PERSHING ST	ROTHENBACH CARMEN S EST OF



04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	5030 PERSHING ST	FEELEY JOSEPH
	28	5034 PERSHING ST	GONZALEZ MARIO
	29	5038 PERSHING ST	TOLOCKO MARK
	30	5040 PERSHING ST	RAINS J KYLE
X	31	5044 PERSHING ST	5044 PERSHING LLC
	32	5048 PERSHING ST	SALOMON OREN
	33	4330 CENTRAL EXPY	KNOBLER DON
	34	5053 PERSHING ST	SCAMMEL LEE
	35	5049 PERSHING ST	OBRIEN PATRICK
	36	5045 PERSHING ST	ANDRADE GUILLERMO &
	37	5041 PERSHING ST	CHHUTANI SHEILA
	38	5037 PERSHING ST	ANDRADE URIEL
	39	5033 PERSHING ST	GANNON JASMINE PERLIC
	40	5029 PERSHING ST	STOLER SCOTT
	41	5025 PERSHING ST	CLEVELAND RICHARD &
	42	2843 LEE ST	TRIOLA MICHAEL &
	43	2845 LEE ST	WALLER LOGAN
	44	2841 LEE ST	MORRISON STEPHEN &
	45	4306 CENTRAL EXPY	HERRIN INVESTMENTS LLC
	46	3113 OLIVER ST	RODRIGUEZ EDUARDO
	47	4342 COLE AVE	BENDA HEIDI JO
	48	4344 COLE AVE	NORTH STAR TEXAS INTERESTS LTD
	49	3132 OLIVER ST	WUERTZ TROY D
	50	3128 OLIVER ST	PRESCOTT JOY A
	51	3124 OLIVER ST	HALL VINCENT VINELL JR
	52	3120 OLIVER ST	FERRIS CAROL JANE
	53	3116 OLIVER ST	THOELE STACEY ANN
	54	2840 LEE ST	MOSS BEVERLY PARKHURST
	55	2844 LEE ST	ERB TIMOTHY ELLETT
	56	2848 LEE ST	KHABIR TONNETTE
	57	2852 LEE ST	MONTAGUE AMI M



04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	2856 LEE ST	ROGERS DONZA J
	59	5012 PERSHING ST	TRIMBLE JUDITH M
	60	5014 PERSHING ST	SCHER JACOB STEVEN
	61	5016 PERSHING ST	MCEACHERN JERRY JR
	62	5018 PERSHING ST	CADY ROBERT M II
	63	5005 MILAM ST	TRUSSELL RICHARD NATHAN &
	64	5007 MILAM ST	DYER JAMES H
	65	4313 CENTRAL EXPY	ST JOSEPHS HELPERS OF DALLAS TEXAS INC
	66	4300 COLE AVE	TRINITY CHURCH
	67	4403 CENTRAL EXPY	DUWEST 4403 CENTRAL LP
	68	4411 CENTRAL EXPY	LUNA ROBERT E
	69	4400 CENTRAL EXPY	LA QUINTA INNS INC
	70	4340 CENTRAL EXPY	MANNING JACK
	71	4310 CENTRAL EXPY	CALLEJO WILLIAM F
	72	4350 CENTRAL EXPY	KIKER KIMBERLY
	73	4350 CENTRAL EXPY	RISINGER VICKIE HALL
	74	4350 CENTRAL EXPY	HALL WILLIAM K III
	75	4300 CENTRAL EXPY	TRITON COMMERCIAL PPTIES
	76	4245 CENTRAL EXPY	CADD OAK LAWN LP
	77	4309 CENTRAL EXPY	KNOBLER DONALD G
X	78	4303 CENTRAL EXPY	RANDALL B ISENBERG INV
	79	4415 CENTRAL EXPY	KNOX PROMENADE LLC
	80	4425 CENTRAL EXPY	KNOX PROMENADE LLC
	81	4447 CENTRAL EXPY	KNOX PROMENADE LLC
	82	4438 MCKINNEY AVE	KNOX PROMENADE LLC
	83	4228 CENTRAL EXPY	4228 CENTRAL LLC
	84	4307 MCKINNEY AVE	ARBONA JORGE
	85	4307 MCKINNEY AVE	HAGHAYEGHI MEHRDAD &
	86	4307 MCKINNEY AVE	DONSKEY SUZANNE W
	87	4307 MCKINNEY AVE	DUNCAN NOLAN S
	88	4307 MCKINNEY AVE	DEALANO TOMMY EDWARD



04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4307	MCKINNEY AVE	WATSON ANNA KATHERINE
90	4307	MCKINNEY AVE	ESCAMILLA CESAR
91	4307	MCKINNEY AVE	ROGERS LESLIE D
92	4307	MCKINNEY AVE	SIBLEY JORDAN MATTHEW
93	4307	MCKINNEY AVE	BLOUNT GERALD S
94	4307	MCKINNEY AVE	
95	4307	MCKINNEY AVE	CHANNABASAPPA NANDINI
96	4307	MCKINNEY AVE	CLAUNCH JASON & SHELLY A
97	4307	MCKINNEY AVE	ZIDE JACOB
98	4330	MCKINNEY AVE	HWANG JENNY HSIU TSENG
99	4330	MCKINNEY AVE	COX SAMANTHA
101	4330	MCKINNEY AVE	MOHIUDDIN IMRAN & NAVEED MARIAM
102	4330	MCKINNEY AVE	KORDSMEIER ERIC C & CARLYN H
103	4330	MCKINNEY AVE	HUMPHREY RYAN &
105	4330	MCKINNEY AVE	VILLANUEVA MARCELINO P &
106	4330	MCKINNEY AVE	CARSON JOSHUA L
107	4330	MCKINNEY AVE	MATHEWS JOHN M
108	4330	MCKINNEY AVE	MARTIN DANIEL ADAMS
111	4330	MCKINNEY AVE	ARMSTRONG REBECCA
112	4330	MCKINNEY AVE	KNOX HANSON
116	4330	MCKINNEY AVE	SALE WILLIAM M IV
117	4330	MCKINNEY AVE	WILKERSON KATHLEEN M
118	4330	MCKINNEY AVE	CARR KAREN DIANE &
119	4330	MCKINNEY AVE	WHITE ANDREW R
121	4330	MCKINNEY AVE	BROWN MICHAEL A & ANITA J
122	4312	MCKINNEY AVE	TANNEN ANN MOREE
123	4312	MCKINNEY AVE	HERRMANN ANDREW C & SARAH E
124	4312	MCKINNEY AVE	GOMEZ MARTIN
125	4312	MCKINNEY AVE	KANNER OSNAT &



04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
126	4312	MCKINNEY AVE	GRANOFF JACK
127	4312	MCKINNEY AVE	HAMILTON SEAN D
128	4312	MCKINNEY AVE	DVOROCSIK GREGORY M
129	4312	MCKINNEY AVE	BOYLE MARY C
130	4312	MCKINNEY AVE	SCHLEISS CHRISTOPHER
131	4312	MCKINNEY AVE	AVSHALUMOV YASHA
132	4312	MCKINNEY AVE	NATHAN TODD D & KAREN
133	4312	MCKINNEY AVE	CHOE ZACHIA
134	4312	MCKINNEY AVE	MORTENSON JAY E
135	4312	MCKINNEY AVE	REYNOLDS LISA M
136	4312	MCKINNEY AVE	MILLER MARK G
137	4312	MCKINNEY AVE	WARREN THOMAS D &
139	4225	MCKINNEY AVE	CHEEK RICHARD HEATH
140	4225	MCKINNEY AVE	HEBARD RICHARD
141	4225	MCKINNEY AVE	H BLAKE LTD
142	4225	MCKINNEY AVE	KAUSHIK LIVING TRUST
143	4225	MCKINNEY AVE	JASIN PAUL N
144	4225	MCKINNEY AVE	SPYHALSKI CRAIG A
145	4225	MCKINNEY AVE	TAYLOR PAUL W
146	4225	MCKINNEY AVE	SALIM STEPHEN M
147	4225	MCKINNEY AVE	CAMPUZANO SUSANA
148	4225	MCKINNEY AVE	HARRISON DAVID C
149	4225	MCKINNEY AVE	HAMPTON ROBERT E &
150	4225	MCKINNEY AVE	CARSON JAY
151	4225	MCKINNEY AVE	WILHITE MOLLY K
152	4225	MCKINNEY AVE	MU AUSTIN
153	4225	MCKINNEY AVE	MADDUX DAVID G &
154	4225	MCKINNEY AVE	ALLEN JAMES RONALD
155	4225	MCKINNEY AVE	BOUGAEVA OLGA
156	4320	COLE AVE	DAHLBERG SARAH E



04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
157	4320	COLE AVE	HASANUDDIN ANDI
158	4320	COLE AVE	KASZYNSKI ERIN & JOHN H
159	4320	COLE AVE	GARNER KERI LEE
160	4320	COLE AVE	ANGOBALDO SONIA S
161	4330	COLE AVE	CANSON CHRIS
162	4330	COLE AVE	ALPHA JEMK LLC
163	4330	COLE AVE	TUNNELL FORREST & JONI
164	4330	COLE AVE	HELLAND MARNA
165	4330	COLE AVE	LOWDER ROXANNE
166	4330	COLE AVE	CORCORAN THOMAS K &
167	4330	COLE AVE	HENDERSON GIBBS CALLAHAN
168	4330	COLE AVE	AUSTIN JO LYNN &
169	4330	COLE AVE	HUTCHENS CARROLL
170	4330	COLE AVE	MURPHY THERESA R
171	4411	MCKINNEY AVE	CAMERON WARIC S
172	4411	MCKINNEY AVE	BALL KATHERINE M
173	4411	MCKINNEY AVE	FAGLEY TRACY BROOK
174	4411	MCKINNEY AVE	LONGIN JENNIFER S
175	4411	MCKINNEY AVE	SCARBOROUGH ASHLEY
176	4411	MCKINNEY AVE	HUNTER LAUREN M
177	4411	MCKINNEY AVE	JONES ADAM S
178	4411	MCKINNEY AVE	RIORDAN BLAKE A
179	4411	MCKINNEY AVE	DEMOSS CAREY R
180	4411	MCKINNEY AVE	KOOL KELSEY
181	4411	MCKINNEY AVE	CARVER GENE M & ANNA M
182	4411	MCKINNEY AVE	BACHMANN ERICA J
183	4411	MCKINNEY AVE	GEMINDER BRAD K
184	4411	MCKINNEY AVE	CHANG ANDY C
185	4411	MCKINNEY AVE	KIME STEVEN A
186	4411	MCKINNEY AVE	SALE T JORDAN



04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
187	4411	MCKINNEY AVE	RELTON ANITA JOYCE
188	4411	MCKINNEY AVE	PETERSON ERICA MARIE &
189	4411	MCKINNEY AVE	LEININGER PETER J &
190	4411	MCKINNEY AVE	MOORE STUART &
191	4411	MCKINNEY AVE	JACOBS DEREK R
192	4411	MCKINNEY AVE	TRYON MARK A
193	4411	MCKINNEY AVE	CHENG YI SHING LISA
194	4411	MCKINNEY AVE	RONDEAU JACQUES A
195	4411	MCKINNEY AVE	WYNNE REBECCA J
196	4411	MCKINNEY AVE	SHARP ALI & STEVEN
197	4411	MCKINNEY AVE	RIVERA FRANK J
198	4411	MCKINNEY AVE	RAMSEY ROBERT BLAKE
199	4411	MCKINNEY AVE	LAU NATHANIEL W
200	4411	MCKINNEY AVE	SPOONER MEGAN ELISE
201	4411	MCKINNEY AVE	SURGALSKI JENNIFER
202	4411	MCKINNEY AVE	DEVRIES WILLEM H &
203	4411	MCKINNEY AVE	MITCHELL LAURA
204	4411	MCKINNEY AVE	MONTES YVONNE R
205	4411	MCKINNEY AVE	GRAHN LAURA C
206	4411	MCKINNEY AVE	HARRIS HAL
207	4411	MCKINNEY AVE	KANGUDE SHANTANU
208	4411	MCKINNEY AVE	EDGAR RANDALL L
209	4411	MCKINNEY AVE	LIPSCOMB STEPHEN
210	4412	MCKINNEY AVE	MAGNANI MARIA BEATRICE
211	4412	MCKINNEY AVE	MATYE JOHN K
212	4412	MCKINNEY AVE	FOXMAN BRADLEY R
213	4412	MCKINNEY AVE	FERGUSON BEN E
214	4412	MCKINNEY AVE	CELLA GRAINNE
215	4412	MCKINNEY AVE	TUBBS STEPHANIE A
216	4412	MCKINNEY AVE	AVSHALUMOV ASIF



04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	217	4412 MCKINNEY AVE	JONES WARREN KEITH & SUSAN
	218	4412 MCKINNEY AVE	DAVILA ROBERT J
	219	4412 MCKINNEY AVE	RHODES LESTER C
	220	4412 MCKINNEY AVE	KENNEDY MICHAEL E & JOY A
	221	4412 MCKINNEY AVE	HAZELWOOD JEFFREY C &
	222	4412 MCKINNEY AVE	SPRADLIN BOBBY C &
	223	4412 MCKINNEY AVE	SMITH TERRY C
	224	4412 MCKINNEY AVE	QUALLS MELANIE
	225	4412 MCKINNEY AVE	BRANDT GREGORY
	226	4238 MCKINNEY AVE	PATEL NIMESH
	227	4238 MCKINNEY AVE	JADHAVJI ASIF
	228	4238 MCKINNEY AVE	ALSEDEK STEVEN M
	229	4238 MCKINNEY AVE	DALY MARGARET M
	230	4238 MCKINNEY AVE	ALOLABI MOHAMMAD RAGHID
	231	4238 MCKINNEY AVE	AULDS A TREVOR
	232	4232 MCKINNEY AVE	FELL DELAINA
	233	4232 MCKINNEY AVE	YARGER THERESA B & RICHARD
	234	4232 MCKINNEY AVE	RAINS LINDA
	235	4232 MCKINNEY AVE	KENEALY CRYSTAL L
	236	4232 MCKINNEY AVE	SUN PATRICIA
	237	4232 MCKINNEY AVE	CHRISTISON DENISE B
	238	4232 MCKINNEY AVE	ANDREW LORRI J
	239	4232 MCKINNEY AVE	NAVA MARTHA
	240	4232 MCKINNEY AVE	TABAIE JENNIFER
	241	4232 MCKINNEY AVE	SMITH LEESA L
	242	4232 MCKINNEY AVE	HIGHTOWER GREGORY D &
	243	4301 MCKINNEY AVE	BIVENS MATTHEW BRIAN
	244	4301 MCKINNEY AVE	JACKSON KENNETH & LUCIANA JACKSON
	245	4301 MCKINNEY AVE	FARAH NABEEL W
	246	4301 MCKINNEY AVE	HAMPTON ROBERT & MARILYN
	247	4301 MCKINNEY AVE	MCCLAIN DENNIS



04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
248	4301	MCKINNEY AVE	BRIZIUS CHARLES A JR
249	4343	MCKINNEY AVE	COOK GLEN E & ROOKE SUSAN
250	4343	MCKINNEY AVE	NESS DANIEL A
251	4343	MCKINNEY AVE	ELROD MEREDITH
252	4343	MCKINNEY AVE	MOODY DONALD ROBERT
253	4343	MCKINNEY AVE	DELACRUZ MICHAEL J
254	4343	MCKINNEY AVE	DAVIS JAMES H
255	4343	MCKINNEY AVE	PICKENPACK CORNELIA REVOCABLE TRUST
256	4343	MCKINNEY AVE	BRADLEY CATHERINE
257	4343	MCKINNEY AVE	HACKMEYER JEFFREY W
258	4343	MCKINNEY AVE	LOWERY OLIVIA JURHEE LIFE EST
259	4343	MCKINNEY AVE	GOLDFARB BRETT
260	4343	MCKINNEY AVE	ERNST RUTH ANN
261	4343	MCKINNEY AVE	SULENTIC ELLIE
262	4343	MCKINNEY AVE	SHROPSHIRE CHARLENE
263	3110	OLIVER ST	LEWIS THOMAS E & RHODA J
264	3110	OLIVER ST	STAPP CLAY R
265	3110	OLIVER ST	NEDERI FARA
266	4239	MCKINNEY AVE	LAM PHAT VAN
267	4239	MCKINNEY AVE	APELT CAROL ANNE
268	4239	MCKINNEY AVE	LAM PHAT VAN
269	4239	MCKINNEY AVE	SNOW JIM EDD &
270	4239	MCKINNEY AVE	KNOBLER DONALD
271	4239	MCKINNEY AVE	KNOBLER DONALD R
272	4239	MCKINNEY AVE	BROWN THOMAS L & JULIE A
273	4239	MCKINNEY AVE	NELSON JANE A
274	4239	MCKINNEY AVE	GOGGANS MARGIE LEIGH
275	4239	MCKINNEY AVE	PEDERSEN FRED C
276	4239	MCKINNEY AVE	JOHNSON BRUCE A & NANCY
277	4239	MCKINNEY AVE	GABLE LEITA ANNE



04/01/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	278	4239 MCKINNEY AVE	SHELTON BEN
	279	4239 MCKINNEY AVE	MCELROY HOWARD WYNNE
	280	4239 MCKINNEY AVE	CARR BARBARA A
	281	4239 MCKINNEY AVE	LISA ALBERTO
	282	4239 MCKINNEY AVE	COGGINS ROBERT E
	283	4239 MCKINNEY AVE	SHELTON BENNY M
	284	4239 MCKINNEY AVE	CHIOK MILAGROS CHANG &
	285	4239 MCKINNEY AVE	CULBERTSON DAVID E
	A1	4330 MCKINNEY AVE	PENNACHETTI DAVID
	A2	4330 MCKINNEY AVE	GRIMM LARA KIRSTIN
	A3	4330 MCKINNEY AVE	BEAULNE DANIEL B
	A4	4330 MCKINNEY AVE	MAYS THEODORE
	A5	4330 MCKINNEY AVE	ALDRIDGE KEVIN & NADINE
	A6	4330 MCKINNEY AVE	YAZBECK PAUL J
	A7	4330 MCKINNEY AVE	JOHNSON AMBER L
	A8	4330 MCKINNEY AVE	SO CALVIN & WANG MONICA
	A9	4312 MCKINNEY AVE	KELLOGG STEVEN R



**AGENDA ITEM # 40**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 13

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 26 T

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District with deed restrictions volunteered by the applicant on property zoned a GO(A) General Office District on the northeast corner of East Northwest Highway and North Central Expressway

Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant

Z145-145(AF)

Note: This item was considered by the City Council at a public hearing on April 22, 2015, and was taken under advisement until May 13, 2015, with the public hearing open



**FILE NUMBER:** Z145-145(AF)

**DATE FILED:** December 17, 2014

**LOCATION:** Northeast corner of East Northwest Highway and North Central  
Expressway

**COUNCIL DISTRICT:** 13

**MAPSCO:** 26-T

**SIZE OF REQUEST:** Approx. 7.029 acres

**CENSUS TRACT:** 78.22

---

**REPRESENTATIVE:** Karl Crawley, Masterplan

**APPLICANT:** 8750 NCE Dallas, LLC

**OWNER:** 8750 NCE Dallas, LLC

**REQUEST:** An application for an MU-3 Mixed Use District with deed restrictions volunteered by the applicant on property zoned a GO(A) General Office District.

**SUMMARY:** It is the intention of the applicant to integrate a mix of uses like retail and restaurant that can further compliment the office space that is already on site. The development standards in GO(A) and MU-3 are similar. However, they differ in terms of the land uses permitted. The subject site encompasses a hotel and two office towers (Campbell Centre). It is the applicant's intention to develop the surface parking lot with uses that can further compliment the uses that are currently on site and across the street. In the immediate future, residential uses are not anticipated; however, MU-3 would permit residential uses if the owner chose to incorporate them. MU-3(SAH) Mixed Use Affordable Housing zoning is to the north.

**CPC RECOMMENDATION:** Approval with deed restrictions volunteered by the applicant.

**STAFF RECOMMENDATION:** Approval with deed restrictions volunteered by the applicant.

**DESIGNATED ZONING CASE**



## **GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The site is located less than half a mile away from the Park Lane Multi-Modal Dart Station. Across the street on the north side is a mixed use development with a grocery store, office, apartments, restaurants, and retail. On the site, two office buildings and a hotel are located with a large surface parking abutting the Dart Rail, and running along Greenville Avenue. The location itself allows the opportunity to build a development that can continue the mixes of uses and compliment the uses that are currently present at that intersection on the north side.
2. *Traffic impact* – Staff has reviewed the request and has determined that the surrounding roadway system can accommodate the additional trips.
3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the *forwardDallas!* Comprehensive Plan for the Area. In addition, the Vickery Meadow TIF District and PID are located less than half a mile away, which creates calls for the redevelopment of the area just north of the subject site.

### **Zoning History:**

1. Z134-110 On June 25, 2010, City Council approved a Planned Development District, subject to a subdistrict map and conditions, approved termination of Specific Use Permit No. 416 and Specific Use Permit No.1272, and approved the termination of deed restrictions
2. Z134-273 On November 12, 2014, City Council approved a Specific Use Permit for a private school on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions.

### **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Northwest Highway	Major Arterial	80'
North Central Expressway	Highway	300'



**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	GO(A)	Office
<b>North</b>	MU-3(SAH);SUP 2120	Grocery, Retail, Office, Residential
<b>East</b>	PD 488	Government
<b>South</b>	PD 595, R-5(A)	Trinity Levy
<b>West</b>	RR	Retail (North Park Mall)

**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 depict 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 request site is located in an area Urban Mixed-Use Building Block which 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.

Urban mixed-use districts will incorporate housing, jobs and commercial activity in strategic locations throughout the city. These areas will be linked to the rest of the city by means of the transit system and will be designed to encourage pedestrian mobility.



## **URBAN DESIGN ELEMENT**

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

### **GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

### **GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

Policy 5.2.4 Enhance retail, industrial and business operations.

## **Area Plans:**

The subject site is located less than half-mile away from the boundaries of two major areas the City has focused major efforts in and has created a framework for development along with a funding mechanism to pay for major infrastructure improvements and catalysts for economic development. These two major plans are the Vickery Meadow TIF District Project Plan and the Vickery Meadow Public Improvement District (VMPID).

The Vickery Meadow TIF District Project Plan provides a long term program to replace and upgrade the infrastructure and encourage redevelopment of underutilized property in the Vickery Meadow TIF District. This program is intended to encourage private development and public infrastructure improvements thereby the economics of redeveloping the Vickery Meadow TIF District.

Vickery Meadow Public Improvement District (VMPID) was established in 1993 and was renewed thrice in 1998, 2003 and 2008. The Vickery Meadow area consists of approximately 110 businesses, 11,929 multi-family units and 5 DISD schools. Vickery Meadow Management Corporation manages the PID. The general nature of the service and improvements provided by the PID are to enhance security and public safety, maintenance, economic development activities, special event and other services and activities approved by the Dallas City Council.

## **Land Use Compatibility:**

Currently, the undeveloped surface parking lot serves as a void or disconnection with the development on the north side. The request site is underutilized and isolated nestled between the Dart train tracks, Northwest Highway, and Central Expressway. The surface parking serves to be a void disconnecting the site from mixed use development to the north. Development is occurring all around the site, and it has an opportunity to obtain better cohesion with the surrounding developments through the implementation of restaurants and retail.



**Development Standards:**

Existing Zoning							
District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
GO(A)\ General Office	15'	20' adjacent to residential OTHER: No Min.	4.0 FAR	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual intrusion	Office; lodging; retail and personal service uses as limited uses

Proposed Zoning							
District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
MU-3	15'	20' adjacent to residential OTHER: No Min.	3.2 base 4.0 max + bonus for residential	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual intrusion	Office; retail and personal service; lodging; residential; trade center

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

**Landscaping:**

The landscape requirements of Article X will be triggered if impervious surface is added to the site.



**CPC Action – March 19, 2015:**

**Motion:** It was moved to recommend **approval** of an MU-3 Mixed Use District with deed restrictions volunteered by the applicant, except to allow multi-family as a mixed use development on property zoned a GO(A) General Office District on the northeast corner of East Northwest Highway and North Central Expressway.

Maker: Murphy

Second: Abtahi

Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Culbreath\*, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0

Absent: 1 - Schultz

Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 400 Mailed: 23

**Replies:** For: 0 Against: 0

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Against: None



**List of Officers**

Nce Dallas LLC

John R. Wooten, Vice President

Directors

Susan A. Alafano

Lawrence V. Burkett, Jr.

Daniel J. Fitzgerald

Kenneth L. Hargreaves

Isadore Jermyn

Gary E. Wendlandt

Officers

Alan M. Connor, President

Allan B. Bixby, Treasurer

Thomas J. Finnegan, Jr.



**CORNERSTONE REAL ESTATE ADVISERS LLC****Officer List***Effective November 10, 2014*

<b><u>OFFICER</u></b>	<b><u>TITLE</u></b>
David J. Reilly	Chief Executive Officer
Scott D. Brown	President
Thomas G. Dudeck	Chief of Investment Strategy
C.J. Karbowicz	Chief Operating Officer, General Counsel and Secretary
Robert F. Little	Chief Investment Officer – Finance
Robert E. Mahoney	Chief Financial Officer
Lisa A. Howat	Chief Technology Officer
Andrew C. Williams	Chief Investment Officer - Equity
Robert J. Batenhorst	Managing Director
Graham J. Bond	Managing Director
David Colangelo	Managing Director
Michael Domaingue	Managing Director
R. Bruce Gadd	Managing Director
Michael H. Gately	Managing Director
James A. Henderson	Managing Director
John Kennedy	Managing Director
Timothy P. Kenny	Managing Director
R. Jay Molleur	Managing Director
James J. O'Shaughnessy	Managing Director
Scott Piccone	Managing Director
Anthony J. Pierson	Chief Risk Officer & Managing Director – Portfolio Management
Achim G. Seifert	Managing Director
Lydia L. Shen	Managing Director
Steven P. Wallace	Managing Director
Scott C. Westphal	Managing Director
David D. Wharmby	Managing Director
Michael E. Zammitti	Managing Director
Thomas Zatko	Managing Director
Robert K. Giffin	Senior Vice President



<u>OFFICER</u>	<u>TITLE</u>
Linda Houston	Senior Vice President
David Romano	Senior Vice President
Robert M. Whitney	Senior Vice President
Patrick Kendall	Senior Director
William E. Bartol	Chief Compliance Officer
Christopher Kelly Kinnon	Vice President, Associate General Counsel and Assistant Secretary
John J. Phillips	Vice President, Associate General Counsel and Assistant Secretary
John R. Wooton	Vice President, Associate General Counsel and Assistant Secretary
John E. Bonini	Vice President, Senior Counsel and Assistant Secretary
Lawrence J. Boudreau	Vice President, Senior Counsel and Assistant Secretary
William J. Jordan	Vice President, Senior Counsel and Assistant Secretary
Roberta L. Sailing	Vice President, Senior Counsel and Assistant Secretary
Pamela Schmidt Boneham	Portfolio Manager
Joanne Denver	Portfolio Manager
Dean A. Dulchinos	Portfolio Manager
Terri A. Herubin	Portfolio Manager
Steven Jacobs	Portfolio Manager
Janet Morrison	Portfolio Manager
Diane Norton	Portfolio Manager
Deborah P. Schwartz	Portfolio Manager
Denise R. Stake	Portfolio Manager
William Towill	Portfolio Manager
Bruce E. Anderson	Vice President
Christian Andersson	Vice President
Brian Baker	Vice President
Christopher Berry	Vice President
Robert A. Biddleman	Vice President
Kevin J. Bittner	Vice President
Christopher Black	Vice President
Alan Blais	Vice President
Robert J. Broderick	Vice President



<u>OFFICER</u>	<u>TITLE</u>
Tyler R. Brown	Vice President
Christopher Cassella	Vice President
Peter Cerrato	Vice President
James Clayton	Vice President
Thomas R. Cross	Vice President
Timothy S. Deane	Vice President
Penny Christy	Vice President
Ryan M. Crossley	Vice President
John Deary	Vice President
Celia Dondes	Vice President
Justin Epps	Vice President
Scott L. Ferguson	Vice President
Thomas G. Fleming	Vice President
Mark Freeman	Vice President
James J. Gallagher, Jr.	Vice President
Peter N. Gensheimer	Vice President
John Bryant Gerber	Vice President
Lisa R. Glass	Vice President
John A. Gorham	Vice President
Stephen H. Gould	Vice President
Benjamin Green	Vice President
William Gustafson	Vice President
Charles A. Hagedorn	Vice President
Kelly C. Hayes	Vice President
George Helf	Vice President
Joseph Iadarola	Vice President
James Johnng	Vice President
Martin P. Kane	Vice President
Rico Kanthatham	Vice President
Lisa B. Katz	Vice President
Mark Knapp	Vice President
John Kolb	Vice President
Jim Lagasse	Vice President
Judy Linton	Vice President
John Lonski	Vice President
Michael T. Marron	Vice President
Ben Matanga	Vice President
Pamela McKoin	Vice President
Mark Meier	Vice President



<u>OFFICER</u>	<u>TITLE</u>
Kevin Miller	Vice President
Stephen J. Murray	Vice President
James Nascimento	Vice President
Nicole Pecoulas	Vice President
Donald Phelan	Vice President
Kevin Ryan	Vice President
Craig Sabadosa	Vice President
Daniel J. Sheline	Vice President
Anthony Soldi	Vice President
Jerome J. Speltz	Vice President
Scott Spurlock	Vice President
John R. Taillie	Vice President
Frank S. Throop	Vice President
Stuart J. Turner	Vice President
Elena M. Walsh	Vice President
Jason T. Winans	Vice President
Victor Woolridge	Vice President
Carolyn Y. Zolty	Vice President
Michael Adomelis	Assistant Vice President
Jennifer D. Avery	Assistant Vice President
Da-Gon Chen	Assistant Vice President
Howard H. Chung	Assistant Vice President
Nicholas Cioffi	Assistant Vice President
Richard Davis	Assistant Vice President
Richard B. Deemer	Assistant Vice President
Brenda L. Desrosiers	Assistant Vice President
Chance Hyde	Assistant Vice President
Alden Johnson	Assistant Vice President
Martin Lilienthal	Assistant Vice President
Ryan Ma	Assistant Vice President
Ellen McDonald	Assistant Vice President
Brett McLeod	Assistant Vice President
John F. Long	Assistant Vice President
Stephen Panos	Assistant Vice President
Jen Pearl	Assistant Vice President
Justin Preftakes	Assistant Vice President
Timothy Reardon	Assistant Vice President



<u>OFFICER</u>	<u>TITLE</u>
Helen S. Shallow	Assistant Vice President
Veronica V. Soriano	Assistant Vice President
Nicole Stephenson	Assistant Vice President
Rene St. Marie	Assistant Vice President
Judy Strong	Assistant Vice President
Gregory J. Wentworth	Assistant Vice President
Bradley White	Assistant Vice President
Todd Picken	Treasurer
Bruce C. Frisbie	Assistant Treasurer



***Proposed Deed Restrictions***

**DEED RESTRICTIONS**

THE STATE OF TEXAS )  
 ) KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF \_\_\_\_\_ )

I.

The undersigned, 8750 NCE DALLAS LLC , a Delaware limited liability company ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the William Jenkins Survey, Abstract No. 702, City Block B/5456 , City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Northpark Central – VEF II, L.P. , by deed dated February 25, 2011 , and recorded in Instrument No. 201100050834, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

Lot 1, Block B/5456

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

(a) The following main uses are not permitted:

- Custom business services
- Labor hall
- Tool or equipment rental
- Convalescent and nursing home
- Foster home
- Halfway house
- Duplex
- Group residential facility
- Residential hotel
- Retirement housing
- General merchandise or food store greater than 3500 sf
- General merchandise or food store greater than 100,000 sf
- Household equipment and appliance repair
- Liquor store



- Mortuary, funeral home or commercial wedding chapel
- Motor vehicle fueling station
- Restaurant with drive-in or drive-through service

The following main use is only permitted as part of a mixed use project (See Section 51A-4.125 of the Dallas Development Code):

- Multi-family

### III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

### IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

### V.

These restrictions are not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

### VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in



equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

**The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with the provisions of this document.**

VIII.

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

X.

The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

XI.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

XII.



Z145-145(AF)

The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.



EXHIBIT A

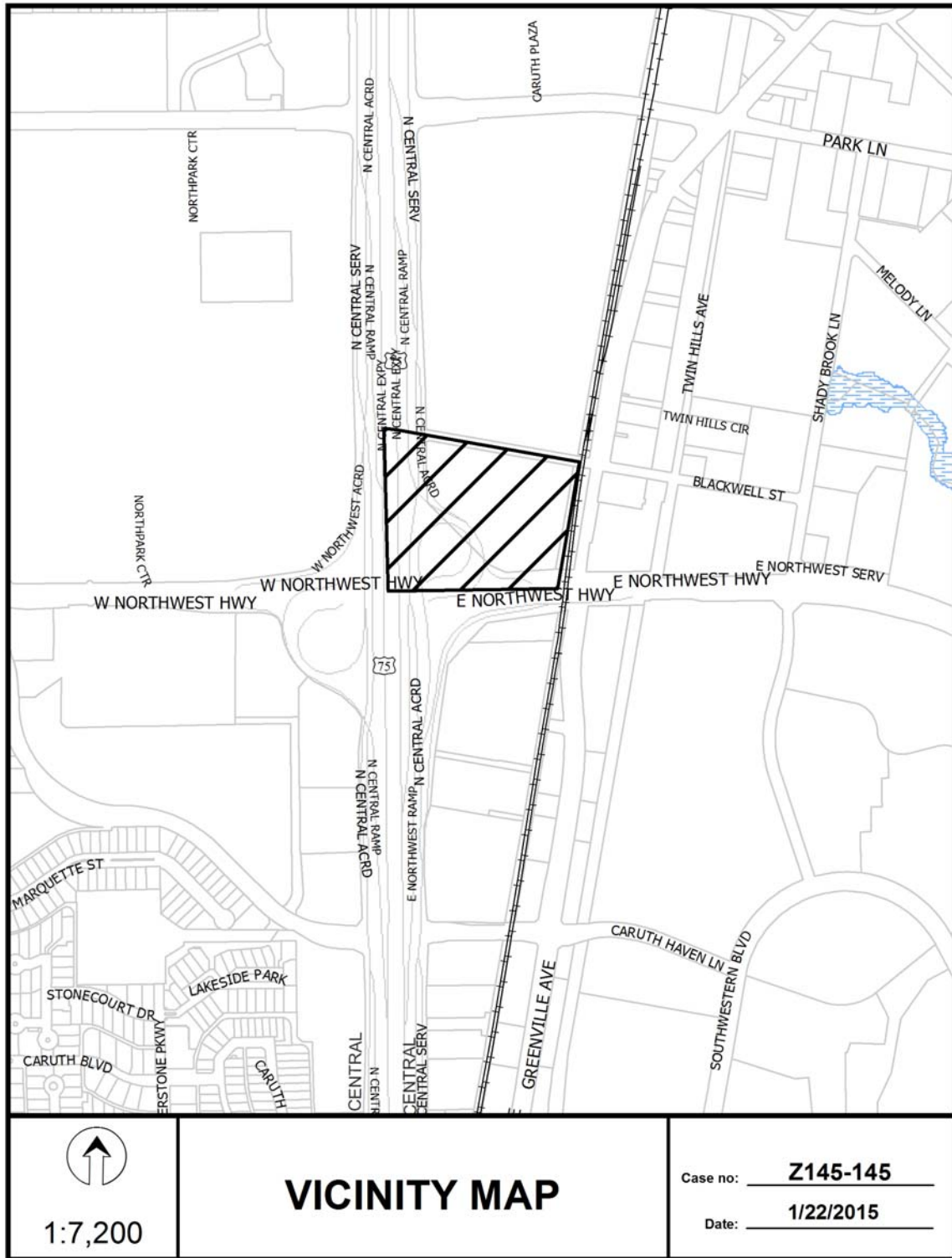
(a) The following main uses are not permitted:

- Custom business services
- Labor hall
- Tool or equipment rental
- Convalescent and nursing home
- Foster home
- Halfway house
- Duplex
- Group residential facility
- Residential hotel
- Retirement housing
- General merchandise or food store greater than 3500 sf
- General merchandise or food store greater than 100,000 sf
- Household equipment and appliance repair
- Liquor store
- Mortuary, funeral home or commercial wedding chapel
- Motor vehicle fueling station
- Restaurant with drive-in or drive-through service

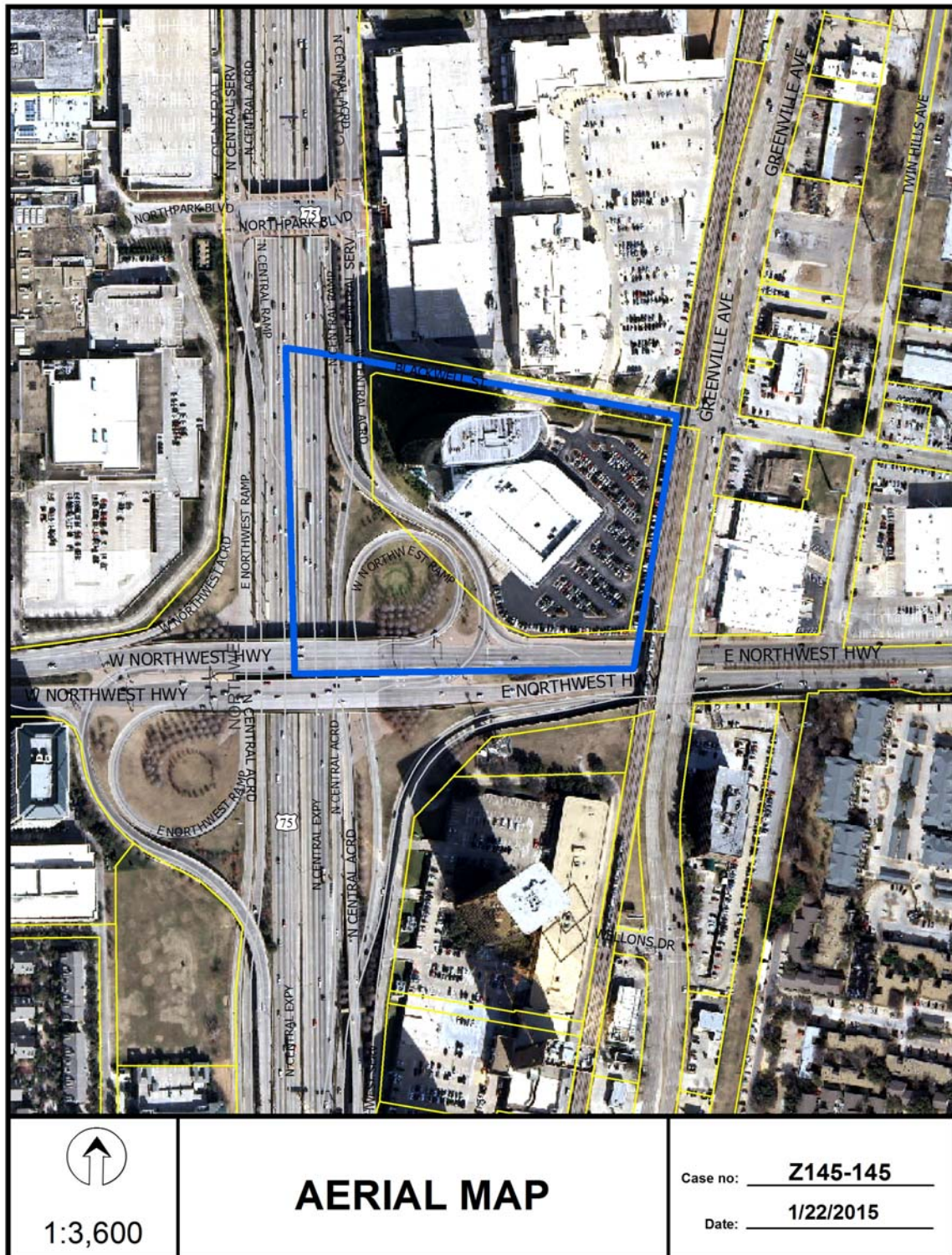
The following main use is only permitted as part of a Mixed Use Project:

- Multi-family

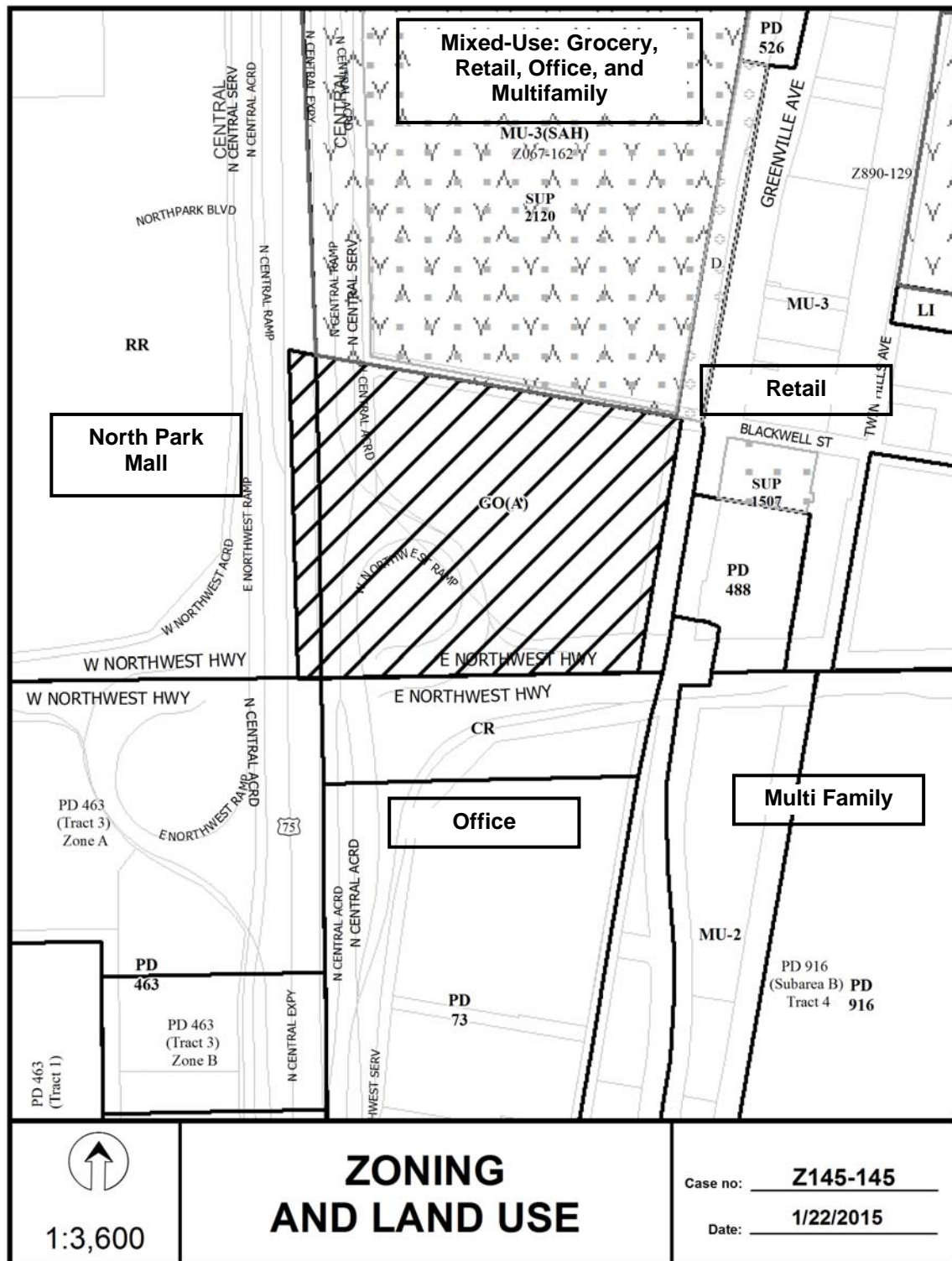




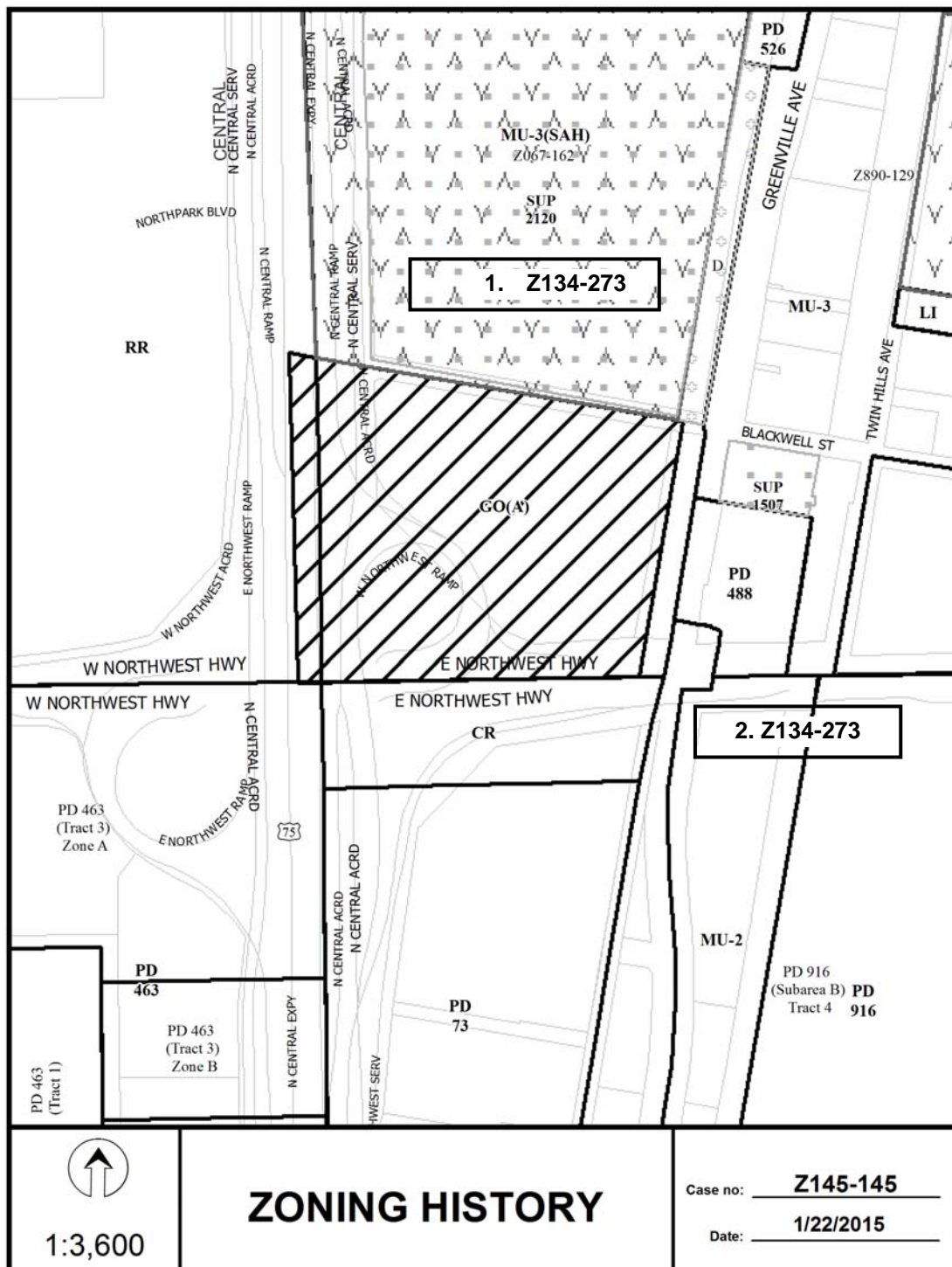




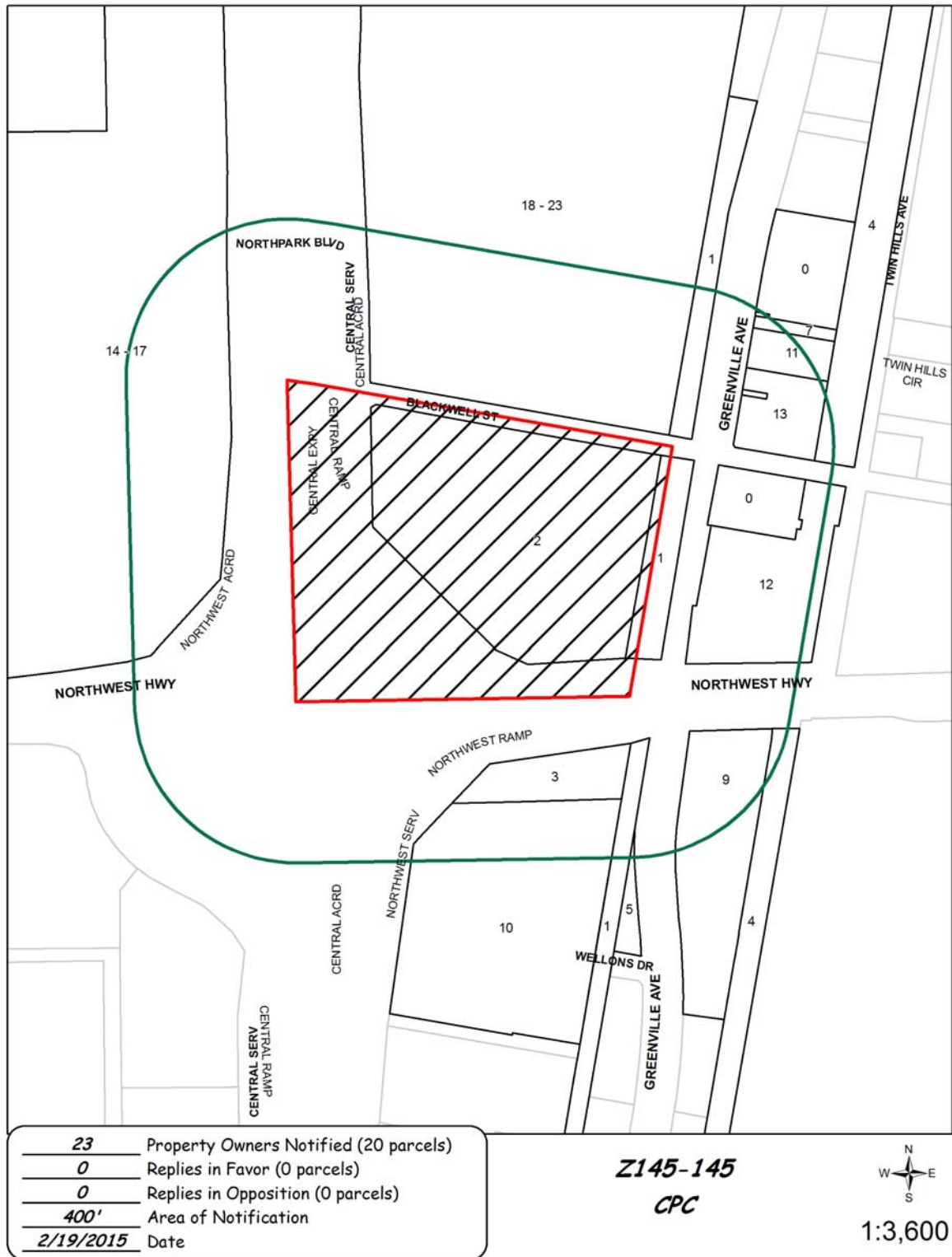














03/18/2015

***Reply List of Property Owners******Z145-145******23 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	401	BUCKNER BLVD	DART
2	8750	CENTRAL EXPY	8750 NCE DALLAS LLC
3	5600	NORTHWEST HWY	RODDIMEYER III LLC
4	5700	NORTHWEST HWY	TEXAS UTILITIES ELEC CO
5	6501	GREENVILLE AVE	SPOTLIGHT PROPERTIES CORP
6	6790	GREENVILLE AVE	6778-6790 GREENVILLE AVE
7	6778	GREENVILLE AVE	6778-6790 GREENVILLE AVE
8	6750	GREENVILLE AVE	ELLER MEDIA COMPANY
9	6500	GREENVILLE AVE	PEG OFFICE LLC
10	8350	CENTRAL EXPY	CAMPBELL CENTRE LTD PS
11	6770	GREENVILLE AVE	MIEGEL INVESTMENTS LLC
12	5701	NORTHWEST HWY	EXTRA SPACE PPTIES FORTY THREE LLC
13	6750	GREENVILLE AVE	ARMSTRONG GUADALUPE LP
14	8850	BOEDEKER ST	NORTHPARK NATIONAL BANK
15	0	NORTHPARK	NEIMAN MARCUS CO LESSEE
16	8687	CENTRAL EXPY	NORTHPARK LAND PARTNERS
17	7901	NORTHWEST HWY	NORDSTROM
18	8176	PARK LN	NORTHWOOD PL A LP
19	8166	PARK LN	NORTHWOOD PL HOLDINGS LLC
20	8130	PARK LN	NORTHWOOD PL E LP
21	8100	PARK LN	NORTHWOOD PL G LP
22	8130	PARK LN	NORTHWOOD PL HOLDINGS LLC
23	8066	PARK LN	DNCX PARK LANE LP



**AGENDA ITEM # 41**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 45 K

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict in the Downtown Special Provision Sign District Overlay on property zoned Planned Development District No. 619 with a Pedestrian Overlay in an area generally bounded by Pacific Avenue, North Akard Street, Elm Street, and North Field Street

Recommendation of Staff and CPC: Approval, subject to conditions

Special Sign District Advisory Committee: Denial

SPSD134-005

Note: This item was considered by the City Council at a public hearing on April 22, 2015, and was taken under advisement until May 13, 2015, with the public hearing open







**FILE NUMBER:** SPSPD134-005

**DATE INITIATED:** September 15, 2014

**LOCATION:** Generally bounded by Pacific Avenue, North Akard Street, Elm Street, and North Field Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 45-K

**SIZE OF REQUEST:** ±1.8 acres

**CENSUS TRACT:** 31.01

---

**APPLICANT:** Olympic 1401 Elm Associates, LLC

**REPRESENTATIVES:** Tommy Mann and Laura Hoffman, Winstead PC

**OWNER:** Olympic 1401 Elm Associates, LLC

**REQUEST:** An application for the creation of a new subdistrict in the Downtown Special Provision Sign District Overlay on property zoned Planned Development District No. 619 with a Pedestrian Overlay.

**SUMMARY:** The purpose of this request is to create a new subdistrict to allow façade integrated signs and district identification signs. The applicant plans to redevelop a 53-story, 1.3 million-square foot building with the proposed signage an integral part.

**CPC RECOMMENDATION:** Approval, subject to conditions

**STAFF RECOMMENDATION:** Approval, subject to conditions

**SSDAC RECOMMENDATION:** Denial



**BACKGROUND:**

- Over a three-month period, discussions were held at the SSDAC with the applicant and representatives to consider their proposed request. On January 13, 2015, SSDAC recommended to deny the request.
- The podium of the building has marble on its exterior. The applicant has stated that the marble slabs are failing and need to be replaced. The applicant investigated various options and which to pursue replacing the marble with a framework that will hold the proposed façade integrated signs.

**STAFF ANALYSIS:**

The applicant is proposing to retain the allowed signs in the lower and upper levels with restrictions on total effective area. The major change requested is to allow supergraphics and videoboards in the middle level area in addition to the current regulations for each in the Downtown SPSP.

The total effective area for all attached signs is as follows:

- 7,500 square feet in the lower level sign area (less than 36 feet above grade)
- 30,000 square feet in the middle level sign area (36 feet to 100 feet above grade)
- 6,500 square feet in the upper level sign area (36 feet or less from the top of the building)

The total sign area proposed in the middle level sign area is 30,000 square feet. Approximately 64% of the effective area is proposed for non-premise signs, 31% would be premise signs, 5% would be related to events or activities in downtown or images of artwork or historic buildings, and an additional 5% would targeted downtown events and activities at all times.

The current regulations in the Downtown SPSP are shown in the table below. Supergraphics and videoboards are limited within the Downtown SPSP to a specific number. The proposal for the new subdistrict would allow approximately 19,000 additional square feet for these types of signs by right.



<b>Non-Premise Signage</b>
<p>Supergraphics are allowed in the Downtown SPSP</p> <ul style="list-style-type: none"> <li>▪ 22 Central Business District (CBD) locations allowed</li> <li>▪ Allowed on blank wall face/plane (no fenestration) and must cover 60 percent of face</li> <li>▪ Minimum effective area of 2,500 s/f</li> <li>▪ Maximum of 2 per building</li> <li>▪ Building occupancy requirement of 75 percent of street level and 50 percent of building (may be waived for one year for a building being redeveloped)</li> <li>▪ Change – Many not display the same message for more than 4 months in a 12 month period</li> <li>▪ May not have more than 9 permitted or pending locations</li> <li>▪ Sunsets 7/31/2019</li> <li>▪ Fees - \$5000 location permit application, \$0.10 /s.f. face change</li> </ul>
<b>Attached Non-Premise Videoboards</b>
<ul style="list-style-type: none"> <li>▪ 15 allowed</li> <li>▪ 1 per blockface</li> <li>▪ Minimum of 100 s/f, maximum of 150 s/f</li> <li>▪ Building occupancy requirement of 75 percent of street level and 50 percent of building (may be waived for one year for a building being redeveloped)</li> <li>▪ Message must be displayed a minimum of 8 seconds</li> <li>▪ Streaming only allowed when a special events permit is in effect</li> <li>▪ SUP required</li> </ul>



**CPC ACTION – March 19, 2015**

**Motion:** It was moved to recommend **approval** of the creation of a new subdistrict in the Downtown Special Provision Sign District Overlay, subject to staff's recommended conditions with the following modifications: 1) Adopt applicant's request for 19,100 sq. ft. for non-premise signage with a condition that no more than 50 percent of the non-premise signage be digital, 2) No digital on the Akard Street façade, and 3) Non-premise signs be limited to a period of display no longer than 12 consecutive months on property zoned Planned Development District No. 619 with a Pedestrian Overlay in an area generally bounded by Pacific Avenue, North Akard Street, Elm Street, and North Field Street.

Maker: Ridley  
Second: Abtahi  
Result: Carried: 9 to 3

For: 9 - Anglin, Emmons, Rodgers, Culbreath, Shidid,  
Lavallaisaa, Tarpley, Ridley, Abtahi

Against: 3 - Bagley, Murphy, Peadon  
Absent: 3 - Anantasomboon, Shellene, Schultz  
Vacancy: 0

**Notices:** Area: 200 Mailed: 94  
**Replies:** For: 1 Against: 0

**Speakers:** For: Tommy Mann, 500 Winstead Bldg., Dallas, TX, 75201  
Aimee Sanborn, 502 Bondstone Dr., Dallas, TX, 75218  
Stephen Shepherd, 1505 Elm St., Dallas, TX, 75201  
Bill McKnight, 1505 Elm St., Dallas, TX, 75201  
Jack Gosnell, 3445 Haynie Ave., Dallas, TX, 75205  
John Crawford, 901 Main St., Dallas, TX, 75202  
Against: None



**SSDAC ACTION:**

(January 13, 2015 – draft minutes pending approval)

**Motion:** It was moved to **deny** the request to create a new subdistrict in the Downtown Special Provision Sign District.

Maker: Peadon  
Second: Van Dermark

Result: Carried: 3 to 1

For: 3 – Gomez, Van Dermark, Peadon  
Against: 1 – Bauer  
Absent: 1 – Phiffer  
Conflict: 0

**\*Speaker(s) and Attendees:**

1. \*Tommy Mann (Winstead)
2. \*Aimee Sandberg (MAA Architects)
3. \*Steve Shepherd (Downtown Residents Council)
4. \*Scott Reynolds (Reynolds Outdoor)
5. Jim Wood (Downtown Dallas, Inc.)
6. Jonathan Diamond (VCR)
7. Bryan Dorsey (Olympic 1401 Elm)
8. Jack Gosnell (VCR)
9. John Crawford



**OFFICERS AND DIRECTORS**

Owner:      **Olympic 1401 Elm Associates, LLC**

Manager: Olympic 1401 Elm Holding, LLC

- Manager: Olympic BDRC 1401 Elm Owners, LLC

- Manager: Olympic 1401 Property Management, LLC

- Managing Member: Seth G. Weinstein



**CPC Recommended Conditions**

**SEC. 51A-7.932. AKARD STATION SUBDISTRICT.**

(a) Purpose. Non-premise signs in the Akard Station Subdistrict are intended to be creative and artful and not strictly a representation of an advertised product. It is the intent of this provision to:

(A) create an aesthetically pleasing environment that promotes an atmosphere of vitality appropriate for a place where thousands of citizens gather for living, working, commuting, entertainment, and celebration;

(B) encourage the use of signs that are innovative, colorful, and entertaining, and that bring a distinctive character to the subdistrict and attract people to downtown;

(C) identify and promote Akard Station as a vibrant centerpiece of ingress and egress in the heart of the central business district;

(D) encourage signs with a style, orientation, and location that take into consideration the high number of pedestrians and commuters expected within this district;

(E) communicate clear directions to and through the subdistrict; and

(F) promote the economic success of businesses within the subdistrict.

(b) Except as provided in this section, signs must comply with the provisions for the Retail Subdistrict of the Downtown Special Provision Sign District contained in Division 51A-7.900. (Ord. Nos. 24606; 24925; 28346)

(c) Definitions. In this section:

(1) **FAÇADE-INTEGRATED SIGNAGE** means signage that is part of a skin system for a portion of a building façade with no fenestration that does not project more than 12 inches from the building façade and with a mechanism of attachment that is visually concealed from abutting public rights-of-way.

(2) **DIGITAL VIDEOBOARD SIGN** means a flat screen that is capable of displaying moving images similar to television images, by light-emitting diode or other similar technology.

(3) **DISTRICT IDENTIFICATION SIGN** means a sign in the Akard Station Subdistrict identifying a building within the subdistrict.



(4) LOWER LEVEL SIGN AREA means the portion of a building façade less than 36 feet above average grade.

(5) MIDDLE LEVEL SIGN AREA means the portion of a building façade that is between the lower level sign area and the upper level sign area not to exceed 100 feet above average grade.

(6) UPPER LEVEL SIGN AREA means the portion of a building façade 36 feet or less from the top of a building.

(7) TRANSLUCENT VINYL means material transmitting light but causing sufficient diffusion to prevent perception of distinct images.

(d) Special provisions for all signs.

(1) The maximum effective area of all signs combined on a premise is 10 percent of the total area of all building facades.

(2) Permits for all premise and non-premise signs in the Akard Station Subdistrict shall be subject to the director procedure in Section 51A-7.505(4).

(3) Premise signs with a minimum of 75 percent non-textual graphic content and located behind a window, within the lower level sign area, and visible from a public right-of-way are not included in the calculation of effective area of signage within the lower level sign area.

(4) Attached window or glass door signs. Signs attached to a window or glass door exceeding 15 percent of the area of that window or glass door or to be located within the upper two-thirds of that window or glass door if the proposed signs should not eliminate visibility into, or out from, the premise.

(1) A sign authorized by this paragraph:

(i) must be made of translucent vinyl or a similar material with at least a 65/35 perforation pattern (a maximum of 65 percent of the area is closed, a minimum of 35 percent of the area is open); and

(ii) may only have images; any text or characters on the sign are limited to 15 percent of the window area and are only permitted in the lower one-third of the window.

(5) There is no maximum size for any individual sign and no maximum number of individual signs, except as otherwise limited by maximum amounts of effective area allowed in this subdistrict.



(e) Special provisions for attached signs.

(1) The total effective area for all attached signs may not exceed:

- (A) 7,500 square feet in the lower level sign area;
- (B) 30,000 square feet in the middle level sign area; and
- (C) 6,500 square feet in the upper level sign area.

(f) Special provisions for middle level signs.

(1) A minimum 1,400 square foot sign must display messages related to events and activities in downtown at all times.

(2) In addition to (1) above, a minimum of 1,500 square feet of the effective area of façade-integrated signage must display:

- (A) messages related to events and activities in downtown, or
- (B) images of artworks, historically significant buildings and events in the City of Dallas, and other displays intended to enhance the visual appearance of a building façade.

(3) A minimum of 1,800 square feet of the effective area of façade-integrated signage must be devoted to district identification. District identification may be included within or as a portion of any sign.

(4) Façade integrated signs may only be located in the middle level sign area.

(5) Static non-premise and digital videoboard signs must be façade-integrated signage.

(6) Digital videoboards may only be located in the middle level sign area.

(g) Non-premise signs.

(1) Non-premise signs are only allowed if attached to a building containing at least 1,000,000 square feet of floor area and constructed prior to 1970.

(2) Maximum total of non-premise signage is 19,100 square feet.

(a) No more than 50 percent of the non-premise signage may be digital.

(b) Digital signs are prohibited on the Akard Street façade



(3) The portion of a non-premise façade-integrated sign not devoted to district identification must be one large visual display with a minimum of 80 percent non-textual graphic content (no more than 20 percent text).

(4) Non-premise signs may not use numbers to advertise exact prices or price ranges of products.

(5) A maximum of six signs may display non-premise messages at one time.

(6) No more than two non-premise messages may be displayed on a façade at one time.

(7) The same non-premise sign may not be displayed for a period longer than 12 consecutive months.

(8) Façade-integrated signs may be digital signs or static signs with a light source that is not directly visible.

(9) Effective area of messages.

(A) Minimum effective area of a non-premise message is 3,000 square feet. A message that wraps a building corner is considered one message.

(B) A maximum of one non-premise sign may be less than 3,900 square feet.

(10) The effective area of text is calculated as the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word. The effective area of district identification is calculated in the same manner.

(h) Operational Requirements for Digital Videoboard Signs.

(1) Content.

(A) Non-premise district activity videoboard signs must display district activity or messages related to events and activities in downtown for a minimum of twelve minutes of every operational hour.

(B) Premise digital videoboard signs must display premise messages at all times.

(2) Display.

(1) All videoboard signs:

(A) must contain a default mechanism that freezes the image in one position in case of a malfunction;



(B) must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:

(i) the ambient light level measured in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then

(ii) the dimming level, multiplied by .0039 equals the brightness level; then

(iii) the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed sign brightness, measured in nits. For example:

$$\begin{array}{rcl}
 32768 & = & \text{ambient light in luxes} \\
 \div 256 & & \\
 128 & = & \text{dimming level} \\
 \times .0039 & & \\
 .4992 & = & \text{brightness level} \\
 \times 9000 & = & \text{(maximum brightness of the example sign)} \\
 4492.8 & = & \text{allowed brightness in nits;}
 \end{array}$$

(C) must be turned off between 1:00 a.m. and 7:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday; and

(D) may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.

(2) Non-premise district activity videoboard signs:

(A) must have a full color display able to display a minimum of 281 trillion color shades; and

(B) must be able to display a high quality image with a minimum resolution equivalent to the following table:

Non-Premise District Activity Videoboard Sign Resolution Chart

Size of LED Panel	Maximum Pixel Size
100 s/f to 125 s/f	16 mm
Greater than 126 s/f	19 mm

(3) Light intensity. Before the issuance of a videoboard sign permit, the applicant shall provide written certification from the sign manufacturer that:



(1) the light intensity has been factory programmed to comply with the maximum brightness and dimming standards in the table in Subparagraph (a)(1)(B); and

(2) the light intensity is protected from end-user manipulation by password-protected software, or other method satisfactory to the building official.

(4) Change of message. Except as provided in this section, changes of message must comply with the following:

(1) Each message must be displayed for a minimum of eight seconds.

(2) Changes of message must be accomplished within two seconds.

(3) Changes of message must occur simultaneously on the entire sign face.

(4) No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.

(5) Streaming information. If a special events permit has been issued for district activities, streaming video and audio is permitted, except that ticker tape streaming is permitted at all times when the videoboard sign is operating. Ticker tape streaming must be located within the bottom 10 percent of the effective area.

(6) Malfunction. Videoboard sign operators must respond to a malfunction or safety issue within one hour after notification.

(i) HBA signs prohibited. No sign may be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102.



ILLUSTRATIONS OF PROPOSED SIGNAGE



THE OLYMPIC



THE OLYMPIC



ILLUSTRATIONS OF PROPOSED SIGNAGE

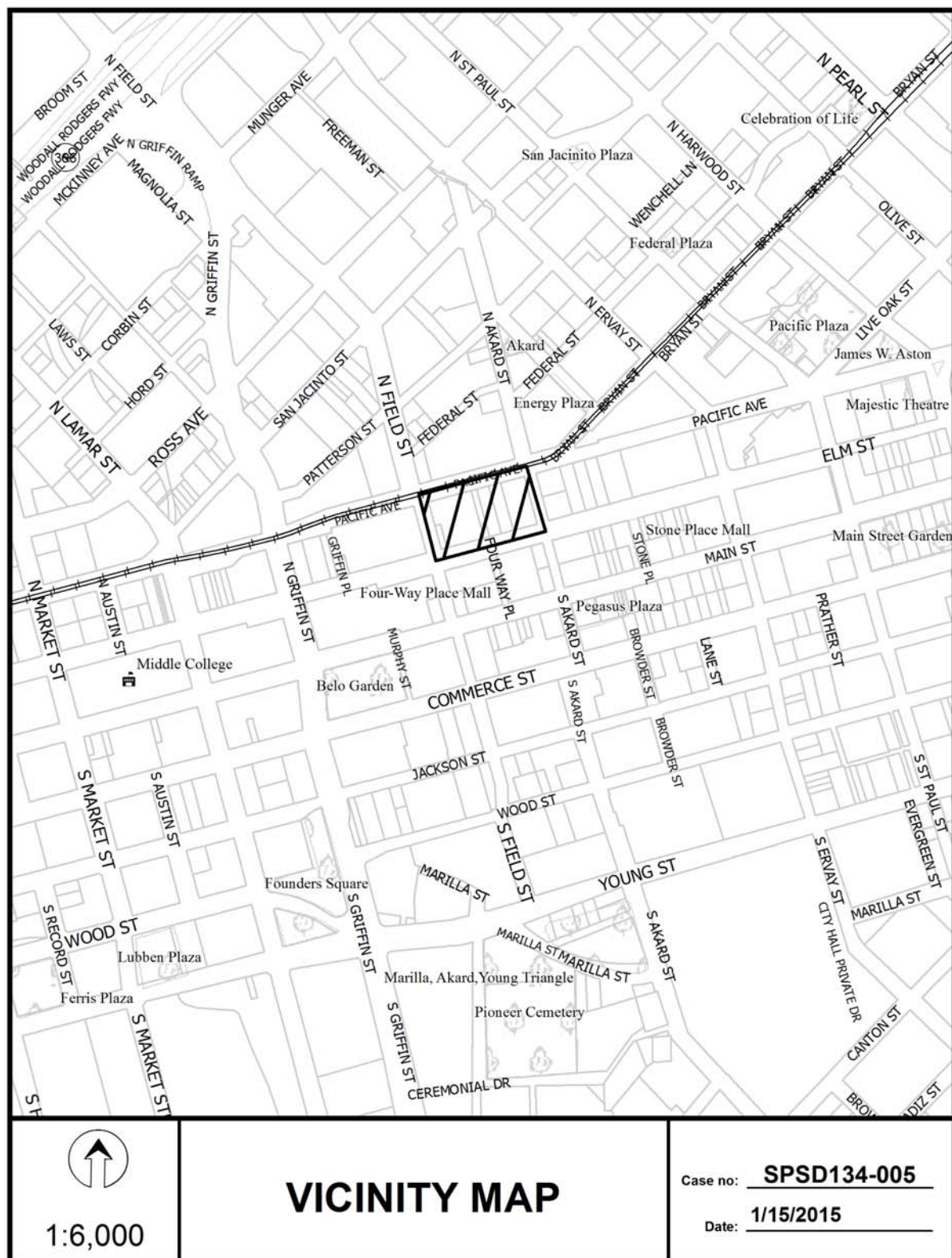


THE OLYMPIC

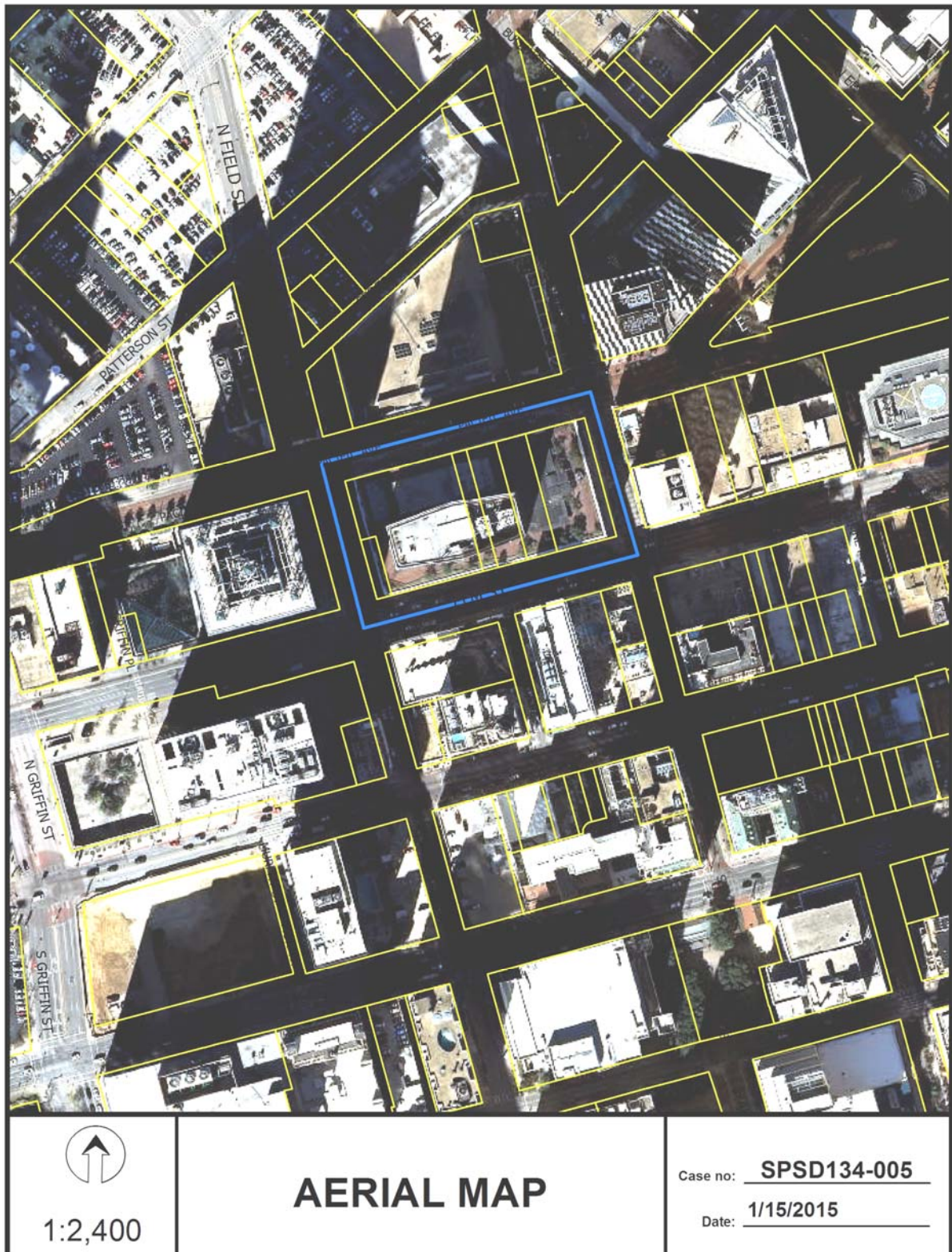


THE OLYMPIC

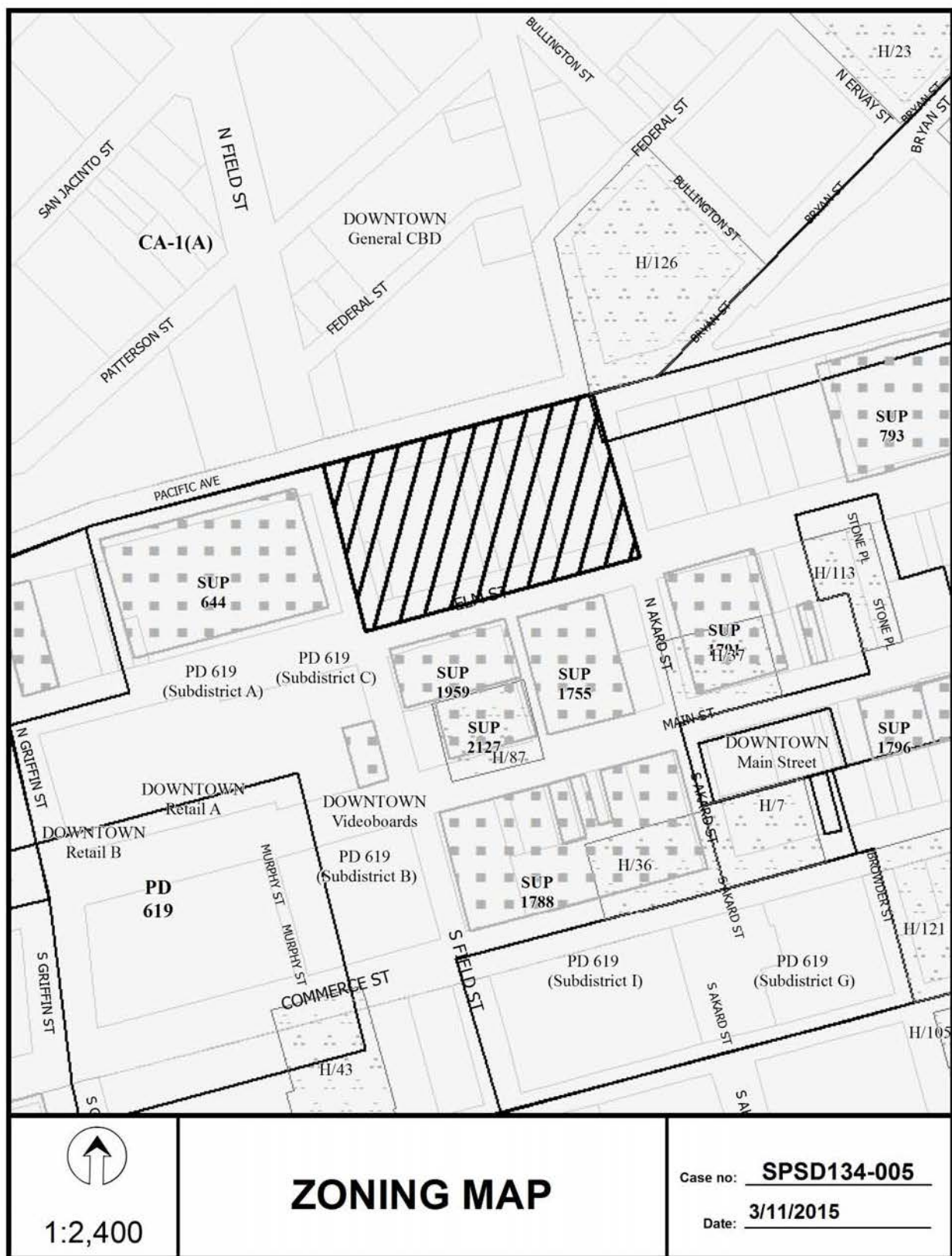






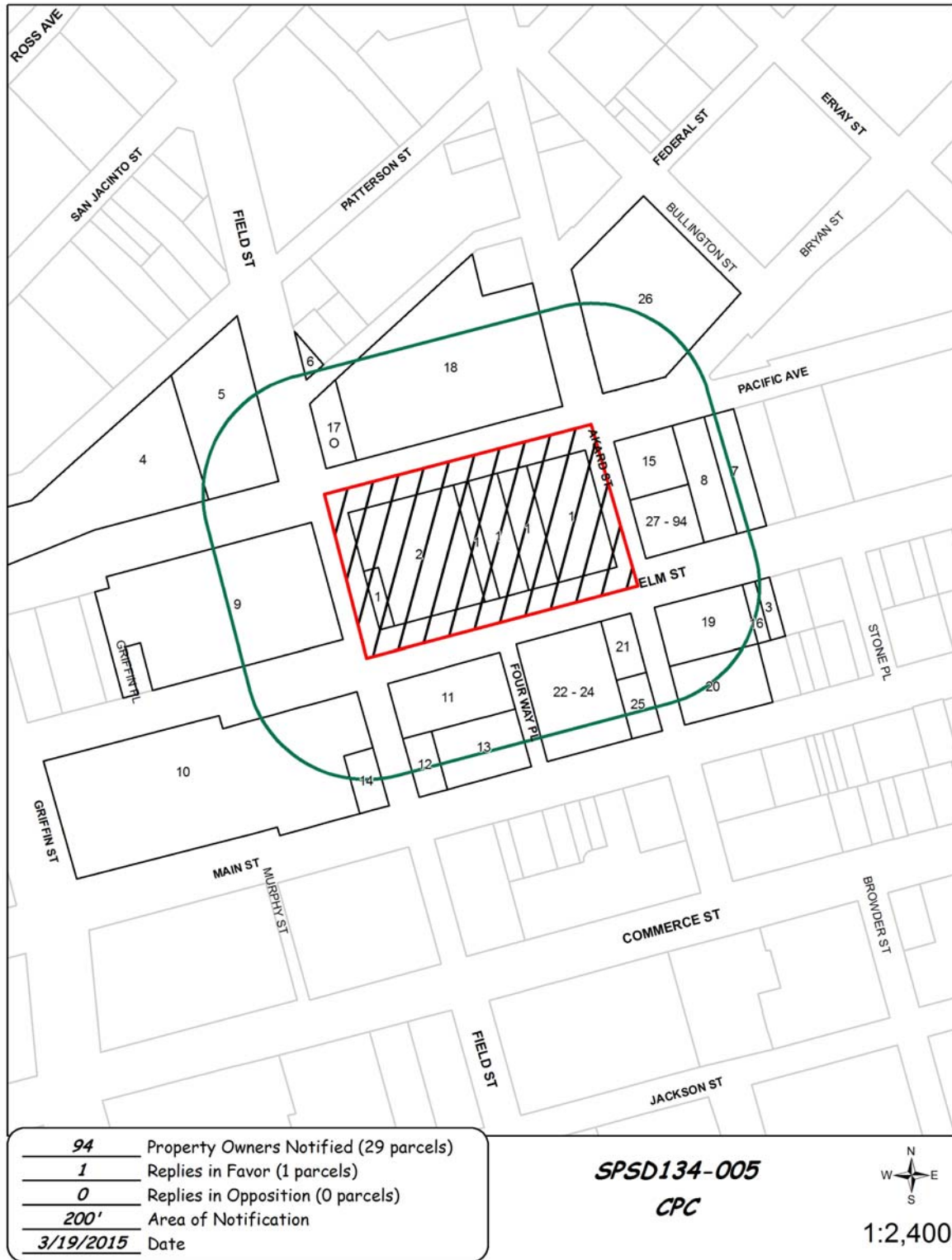








## CPC RESPONSES





03/18/2015

***Reply List of Property Owners******SPSD134-005******94 Property Owners Notified******1 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	1403 ELM ST	OLYMPIC 1401 ELM ASSOCIATES LLC
	2	1401 ELM ST	OLYMPIC 1401 ELM ASSOCIATES LLC
	3	1514 ELM ST	RREAF HOLDINGS MID ELM LLC
	4	1100 PATTERSON AVE	CHAVEZ LAND INCOME
	5	1201 PACIFIC AVE	BINYAN GARAGE LLC
	6	1311 FEDERAL ST	MORGAN W B & JACK S
	7	1511 ELM ST	PE TOWER GARAGE HOLDINGS LP
	8	1511 ELM ST	PE TOWER GARAGE HOLDINGS LP
	9	1201 ELM ST	BINYAN REALTY LP
	10	1201 MAIN ST	ONE MAIN PLACE LLC
	11	1302 ELM ST	1309 MAIN STREET APARTMENTS LLC
	12	1301 MAIN ST	NAYEB FAMILY LP
	13	1309 MAIN ST	1309 MAIN STREET APARTMENTS LLC
	14	1217 MAIN ST	FWS GROUP DALLAS LLC
	15	208 AKARD ST	MZEIN HOLDINGS LP
	16	1512 ELM ST	RREAF HOLDINGS MID ELM LLC
O	17	1307 PACIFIC AVE	J & D MERRIMAN LTD
	18	1401 PACIFIC AVE	DALLAS AREA RAPID TRANSIT
	19	1502 ELM ST	BVF-II KIRBY LIMITED PARTNERSHIP
	20	1509 MAIN ST	BVF-II KIRBY LIMITED PARTNERSHIP
	21	1414 ELM ST	ELM 1414 PPTIES, LTD
	22	1407 MAIN ST	DLD PROPERTIES
	23	1407 MAIN ST	DRED PROPERTIES LTD
	24	1407 MAIN ST	DCAR PROPERTIES LTD
	25	1415 MAIN ST	GS RENAISSANCE LTD PS
	26	318 AKARD ST	WLK MOSAIC OWNER LP



03/18/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	1505 ELM ST	CHRISTIAN LARRY &
	28	1505 ELM ST	DUCOTEY WARREN 2002 TR
	29	1505 ELM ST	JOBE REAGAN V
	30	1505 ELM ST	KEY SEAN
	31	1505 ELM ST	BUTLER KELLY A LIVING TRUST
	32	1505 ELM ST	DELEON JOSE & ALMA FLORES
	33	1505 ELM ST	NORRIS SONJA
	34	1505 ELM ST	WONG ERIK JEFFREY
	35	1505 ELM ST	LANGAN PATRICK
	36	1505 ELM ST	LEAVERTON KEVIN O
	37	1505 ELM ST	MENDEZPEREZ JAIME & FANNY
	38	1505 ELM ST	SCHMIDT MICHAEL
	39	1505 ELM ST	HARTLINEDIAZ PATRICIA
	41	1505 ELM ST	BECKMAN JAMIE W
	42	1505 ELM ST	SYMPHONY PROPERTIES LLC
	43	1505 ELM ST	HIRSCHHEIMER JOSHUA DAVID
	44	1505 ELM ST	KILANOWSKI KATHLEEN
	45	1505 ELM ST	EDMONDSON ROY M
	46	1505 ELM ST	HAGGARD SCOTT JR
	47	1505 ELM ST	ALLIANT PROPERTIES LLC SERIES D
	48	1505 ELM ST	PIGG CHRISTINE
	49	1505 ELM ST	BUSBY MELINDA Z
	50	1505 ELM ST	BASSAMPOUR FATEMAH &
	51	1505 ELM ST	IKER GREGORY MARK
	52	1505 ELM ST	SONNETT JOHN
	53	1505 ELM ST	BRAIR GHASSAN B
	54	1505 ELM ST	MAGAN NAVIN
	55	1505 ELM ST	MENDENHALL MYLES E & KATHERINE M
	56	1505 ELM ST	STEVENS KATHERINE A
	57	1505 ELM ST	POTTER BRITON J III &
	58	1505 ELM ST	MUNK FLORENCE



03/18/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	59	1505 ELM ST	SCHMIDT MICHAEL L
	60	1505 ELM ST	SINGER ARTURO
	61	1505 ELM ST	JONES REBECCA J
	62	1505 ELM ST	YELLOTT JAY D
	63	1505 ELM ST	SCHWARTZ DEBORAH
	64	1505 ELM ST	RICHARD C WERNON
	65	1505 ELM ST	KEDRON LUCEA SUZAN
	66	1505 ELM ST	ANTERHAUS ROBERT H &
	67	1505 ELM ST	MUNOZ ROLANDO & DONNA W
	69	1505 ELM ST	DILENA R J
	70	1505 ELM ST	L & M PROPERTY MGMT LLC
	71	1505 ELM ST	HOLLOWAY MICHAEL S &
	72	1505 ELM ST	FRAZEE STEVEN K
	73	1505 ELM ST	DANE EUGENE
	74	1505 ELM ST	LARA JOHN COOPER
	75	1505 ELM ST	MCLAIN WILLIAM T &
	76	1505 ELM ST	MITTELSTET STEPHEN K
	77	1505 ELM ST	ABENDSCHEIN FREDERICK
	78	1505 ELM ST	ROBERTSON RON & DONNA
	79	1505 ELM ST	EDWARDS GARY DON & JANIE FAY
	80	1505 ELM ST	COLLETT BRIAN J TR LIFE EST & CHERYL TR LI
	81	1505 ELM ST	NIENDORFF CARL A IV
	82	1505 ELM ST	HALL MICHAEL D
	83	1505 ELM ST	PATTERSON J R JR & BILLIE JO PUD
	84	1505 ELM ST	HARVEY BARBARA ANN & EDWARD BRUCE
	85	1505 ELM ST	AKIN LARRY D & CAROL D
	86	1505 ELM ST	SPIEGEL ROSS ADAM
	87	1505 ELM ST	BOLDEN PAUL &
	88	1505 ELM ST	ROBERTS FINES OLIVER
	89	1505 ELM ST	STANLEY ROGER &
	90	1505 ELM ST	DUNNAHOO WILLIAM MICHAEL & PATRICIA DUNNAH



03/18/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	91	1505 ELM ST	SCARLET PEGASUS GROUP LP
	92	1505 ELM ST	WILSON ADDISON G IV
	93	1505 ELM ST	SCRIPPS FREDERIC SCOTT
	94	1505 ELM ST	BLUE STAR MORTGAGE INC
	A1	1505 ELM ST	BREWER STEPHEN D &
	A2	1505 ELM ST	MCKNIGHT BILLY REA



**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Planning and Neighborhood Vitality

**CMO:** A. C. Gonzalez, 670-3297

**MAPSCO:** 56C G L

---

**SUBJECT**

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of **(1)** Myrtle Street from Elsie Faye Heggins Street to Bexar Street from a four-lane undivided roadway (S-4-U) within 60-feet of right-of-way to a special two-lane undivided (SPCL 2U) roadway with a bicycle facility within 50-feet of right-of-way and 36-feet of pavement; and **(2)** Bexar Street from Myrtle Street to Riverfront Extension from a four-lane undivided roadway (S-4-U) within 60-feet of right-of-way to a special two-lane undivided (SPCL 2U) roadway with a bicycle facility within 50-feet of right-of-way and 36-feet of pavement; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

**BACKGROUND**

Public Works and the Planning and Neighborhood Vitality Departments together have requested amendments to the Thoroughfare Plan to change the operational characteristics of Myrtle/Bexar Street between Elsie Faye Heggins Street and Riverfront Extension in an effort to change the character and revitalize the South Dallas community. The objective of the amendment is to facilitate efficient circulation while creating a pedestrian friendly streetscape that creates a safer pedestrian experience. The roadway will be changed from a four-lane undivided roadway within 60-feet of right-of-way to a two-lane undivided roadway with bicycle facilities and some parking amenities.

Public Works has designed and is constructing a roadway that promotes the Trail Connection Master Plan and provides access to adjacent land uses, specifically the Texas Buckeye and William Blair Jr. Trails. Staff has worked with stakeholders in the community to establish a sustainable street design that meets the needs of existing property owners, proposed developments and enhances bicycle and pedestrian accommodations.



## **BACKGROUND (continued)**

The new design creates a multi-modal street system that will facilitate walking, bicycling, as well as automobile use. The design provides an enhanced bicycle facility in both directions and sufficient sidewalks while maintaining adequate capacity for automobiles.

Staff recommends approval of the amendment to the Thoroughfare Plan to change the dimensional classification of **(1)** Myrtle Street from Elsie Faye Heggins Street to Bexar Street from a four-lane undivided roadway (S-4-U) within 60-feet of right-of-way to a special two-lane undivided (SPCL 2U) roadway with a bicycle facility within 50-feet of right-of-way and 36-feet of pavement; and **(2)** Bexar Street from Myrtle Street to Riverfront Extension from a four-lane undivided roadway (S-4-U) within 60-feet of right-of-way to a special two-lane undivided (SPCL 2U) roadway with a bicycle facility within 50-feet of right-of-way and 36-feet of pavement.

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

The City Plan Commission Transportation Committee acted on this item on February 19, 2015, and followed staff recommendation of approval.

The City Plan Commission acted on this item on March 5, 2015, and followed staff recommendation of approval.

## **FISCAL INFORMATION**

No cost consideration to the City

## **MAP**

Attached



# Myrtle Street

Elsie Faye Heggins to Bexar Street

# Bexar Street

Myrtle Street to Riverfront Extension

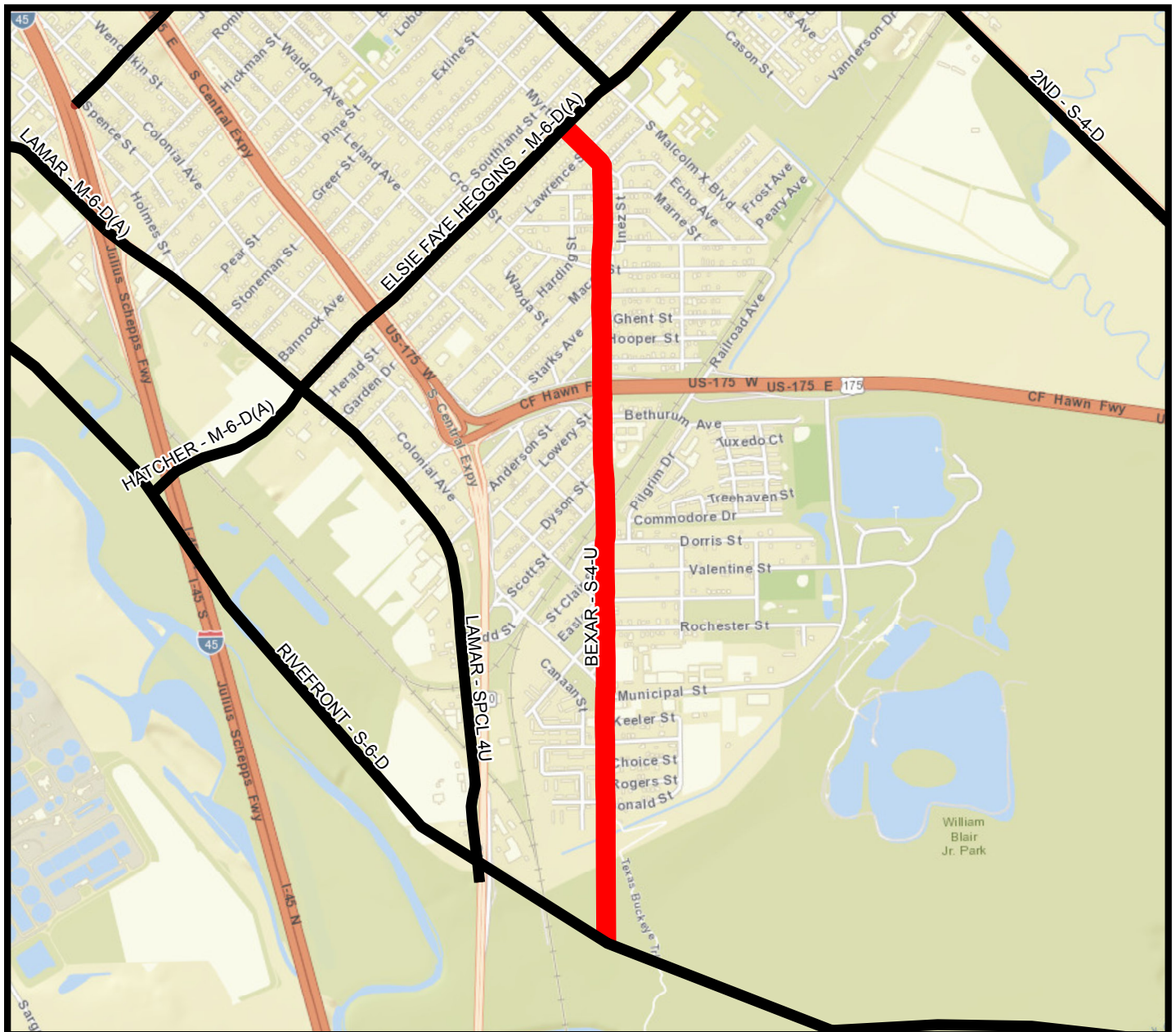
Council District 7

MAPSCO: 56C,G,L



LOCATOR MAP

## Thoroughfare Plan Amendment Map









## AGENDA ITEM # 43

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Housing/Community Services

**CMO:** A. C. Gonzalez, 670-3297

**MAPSCO:** 47J

---

### **SUBJECT**

A public hearing to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to East Dallas Community Organization (EDCO), a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: **(1)** quitclaim one unimproved property to EDCO under the HB110 process of the City's Land Transfer Program; and **(2)** release the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$1,000

### **BACKGROUND**

The HB110 process of the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions.

Property eligible for the HB110 process of the City's Land Transfer Program must be sold by quitclaim deed and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit's receipt of the quitclaim deed. The quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code. Per the Code, the sales price of each property is \$1,000 for up to 7,500 square feet of land plus \$0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records. Prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public.



## **BACKGROUND (continued)**

East Dallas Community Organization (EDCO) submitted a proposal to construct one (1) single-family home with the home containing approximately 1,350 square feet on the one unimproved HB110 process-eligible, Land Transfer Program property, identified on Exhibit A, attached to the resolution, for purchase by a low to moderate income homebuyer at a proposed sales price of \$105,000 - \$110,000 with construction to begin in June 2015.

This item calls for a public hearing to allow the public an opportunity to comment on the proposed sale of the one unimproved property to EDCO and, at the close of the public hearing, authorizes the sale of the property to EDCO by quitclaim deed and the release of the City's non-tax liens included in the foreclosure judgment and the post-judgment non-tax liens, if any.

In conformance with the Code, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing was placed on the property, notification of the public hearing was mailed to property owners within 200 feet of the property, and notice of the public hearing was published in the Dallas Morning News.

## **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

On April 08, 2015, City Council authorized a public hearing to receive comments on the proposed sale by quitclaim deed of one unimproved property acquired by the taxing jurisdictions from the Sheriff to EDCO, by Resolution No. 15-0658.

## **FISCAL INFORMATION**

Revenue - \$1,000

## **OWNER**

**East Dallas Community Organization**

Gerald Carlton, President

## **MAP**

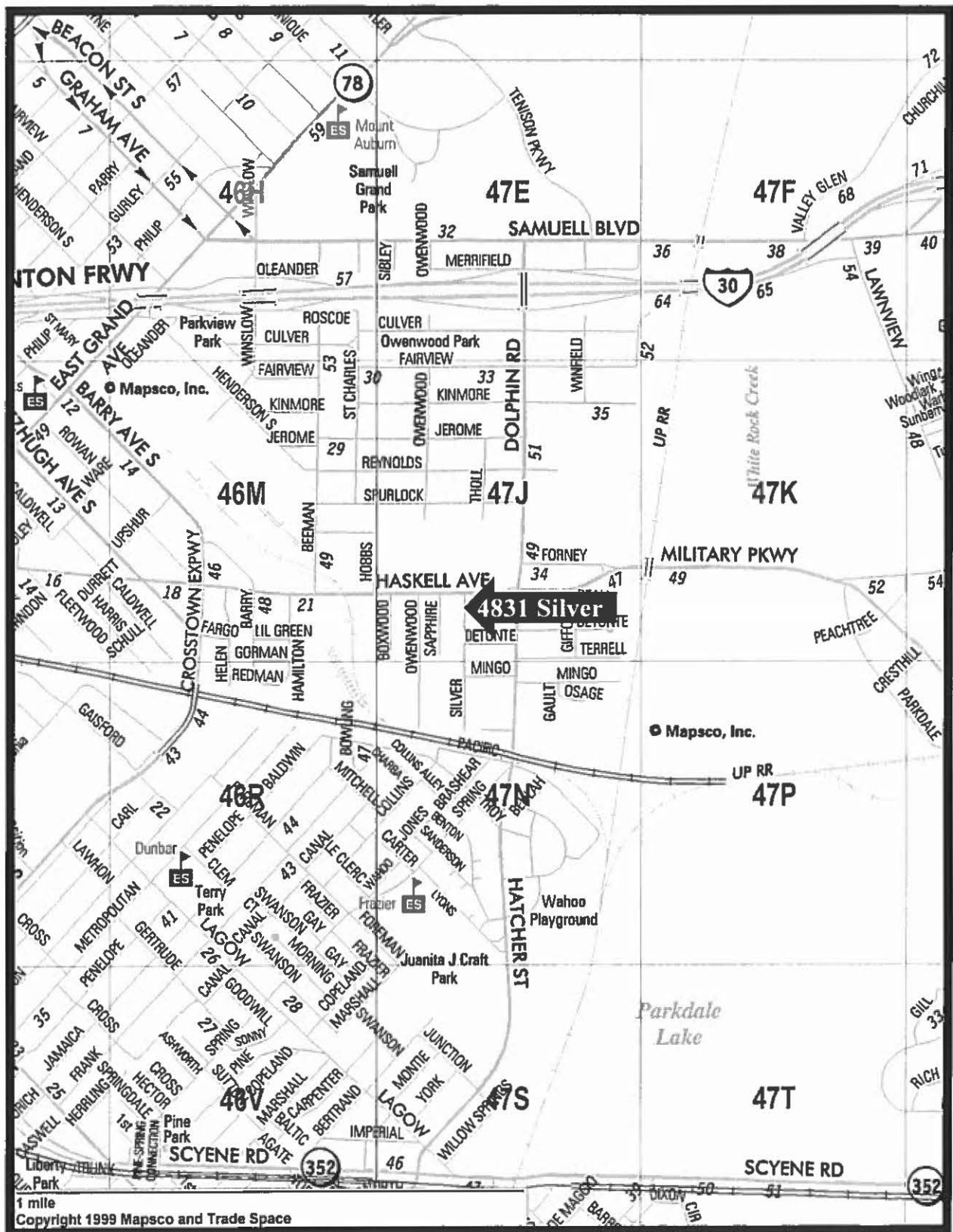
Attached



### Tax Foreclosure and Seizure Property Resale

<b><u>Parcel No.</u></b>	<b><u>Address</u></b>	<b><u>Non-Profit Organization</u></b>	<b><u>Mapsco</u></b>	<b><u>DCAD Amount</u></b>	<b><u>Sale Amount</u></b>	<b><u>Vac/ Imp</u></b>	<b><u>Zoning</u></b>
1.	4831 Silver	East Dallas Community Organization	47J	\$5,850	\$1,000.00	V	R-5(A)





MAPSCO 47J



May 13, 2015

**WHEREAS,** the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions; and

**WHEREAS,** property eligible for the HB110 process of the City's Land Transfer Program must be sold by quitclaim deed and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit's receipt of the quitclaim deed; and

**WHEREAS,** the quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code; and

**WHEREAS,** per the Code, the sales price of each property is \$1,000 for up to 7,500 square feet of land plus \$0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records; and

**WHEREAS,** prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public; and

**WHEREAS,** East Dallas Community Organization (EDCO) submitted a proposal to construct one (1) single-family home with the home containing approximately 1,350 square feet on one unimproved HB110 process-eligible, Land Transfer Program property, identified on Exhibit A, attached hereto and made a part hereof (hereinafter the "property"), for purchase by a low to moderate income homebuyer at a proposed sales price of \$105,000 - \$110,000, with construction to begin in June 2015; and

**WHEREAS,** at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing was placed on the property, notification of the public hearing was mailed to property owners within 200 feet of the property, and notice of the public hearing was published in the Dallas Morning News; and

**NOW, THEREFORE,**

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



May 13, 2015

**Section 1.** That upon receipt of the requisite monetary consideration from East Dallas Community Organization (EDCO) (hereinafter the “non-profit organization”) and the approval of the governing bodies of the other affected taxing jurisdictions, the City Manager is hereby authorized to execute a quitclaim deed, approved as to form by the City Attorney and attested by the City Secretary, quitclaiming the property, acquired by the taxing authorities from the Sheriff, to the non-profit organization, subject to the conditions contained in this resolution.

**Section 2.** That the City Manager is hereby authorized to execute instruments, approved as to form by the City Attorney, releasing the City’s non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any, on the property.

**Section 3.** That the non-profit organization’s proposal for the development of affordable housing on the property, described in Exhibit A, is hereby approved.

**Section 4.** That the quitclaim deed shall contain:

(a) A copy or summary of the proposal from the non-profit organization for the property and a requirement that the property be developed by the non-profit organization in accordance with the proposal, including the timetable specified in the proposal.

(b) A possibility of reverter with right of re-entry if the director determines that the non-profit organization:

(i) has failed to take possession of the property within ninety calendar days after receiving the quitclaim deed;

(ii) has failed to complete construction of affordable housing on the property within three years after receiving the quitclaim deed or by the end of any extended development period approved by the City Council in accordance with Section 2-26.6(c) of the Code;

(iii) is not developing the property in compliance with the timetable specified in the non-profit organization’s proposal;

(iv) is unable to develop the land in compliance with its proposal because a request for a zoning change has been denied;

(v) has incurred a lien on the property because of violations of the Code or other City ordinances within three years after receiving the quitclaim deed; and



May 13, 2015

(vi) has sold, conveyed, or transferred the property without the consent of the City and the other affected taxing jurisdictions within three years after receiving the quitclaim deed.

(c) Deed restrictions requiring the purchaser to:

(i) restrict the sale and resale of owner-occupied property to low-income individuals or families for five years after the date the deed from the non-profit organization to the initial homebuyer is filed in the real property records of the county in which the property is located;

(ii) require the non-profit organization to develop all proposed housing units on the property in accordance with the Code and all applicable City ordinances and state and federal laws within three years after receiving the quitclaim deed or by the end of any extended development period approved by the City Council in accordance with Section 2-26.6(c) of the Code, and to obtain inspections and approval of the housing units by the City before initial occupancy; and

(iii) require any low-income individual or family who purchases a housing unit on a property to maintain the housing unit in accordance with the Code and all applicable City ordinances and state and federal laws for a period of five years after the date the deed from the non-profit organization to the initial homebuyer is filed in the real property records of the county in which the property is located.

(d) An indemnification by the non-profit organization of the City and other affected taxing jurisdictions.

(e) A statement and acknowledgment that the property is quitclaimed subject to all redemption rights provided by state law.

(f) The non-profit organization's representation and agreement that it did not purchase the property on behalf of a "prohibited person" and will not sell or lease the property to a "prohibited person" for five years from the date of the quitclaim deed. A "prohibited person" is any party who was named as a defendant in the legal proceedings where the City obtained a final judgment for delinquent taxes and an order to foreclose its tax lien on the property or person in the judgment or seizure tax warrant, or the Sheriff's deed as the owner of the property, authorized seized and ordered sold for delinquent taxes and any municipal health and safety liens.



May 13, 2015

**Section 5.** That the City Manager is authorized to execute instruments, approved as to form by the City Attorney, releasing the City's possibility of reverter with right of re-entry and terminating the deed restrictions to the property upon compliance with all terms and conditions of Section 2-26 of the Code and the quitclaim deed, including the deed restrictions and the proposal.

**Section 6.** That the non-profit organization shall be responsible for the pro-rata taxes assessed on the property from the date of closing for the remaining part of the then-current calendar year. The property shall be placed back on the tax rolls effective as of the date of execution of the quitclaim deed.

**Section 7.** That any procedures required by Section 2-24 of the Code that are not required by state law are hereby waived with respect to conveyance of the property.

**Section 8.** That the monetary consideration received from the non-profit organization shall be distributed pursuant to the Section 34.06 of the Texas Tax Code.

**Section 9.** That any and all proceeds for the City's sale of the property to the non-profit organization be deposited to General Fund 0001, Agency DEV, Balance Sheet Account 0519.

**Section 10.** That upon receipt of the monetary consideration from the non-profit organization, the Chief Financial Officer is authorized to disburse proceeds of the sale of the property in accordance Section 34.06 of the Texas Tax Code, which calculations for disbursement shall be provided by the Director of Sustainable Development and Construction, to the City of Dallas Land Based Receivables, the Dallas County District Clerk and the Dallas County Tax Office from the account specified in Section 9 above.

**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.



**TAX-FORECLOSED (TF) AND/OR SEIZURE WARRANT (SW) PROPERTY RESALE**

**May 13, 2015**

PARCEL NO.	STREET ADDRESS/ LEGAL DESCRIPTION	TF/SW	VACANT/ IMPROVED	INSTRUMENT NUMBER	QUALIFIED NON-PROFIT PURCHASER	HOMEOWNER RENTAL LEASE PURCHASE	NUMBER OF DWELLING UNITS	SALE AMOUNT
1	4831 Silver Lot 6, White Rock Heights 2 Addition, Block A/2622	TF	V	201000282277	East Dallas Community Organization	Homeowner	1	\$1,000.00
							TOTAL	\$1,000.00







**KEY FOCUS AREA:** Clean, Healthy Environment

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Office Of Environmental Quality

**CMO:** Jill A. Jordan, P.E., 670-5299

**MAPSCO:** 45 Q R

---

**SUBJECT**

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Broadstone Farmers Market Property Owner, LLC located near the intersection of South Cesar Chavez Boulevard and East RL Thornton Freeway and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Broadstone Farmers Market Property Owner, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

**BACKGROUND**

Based on information provided by the Applicant, the designated property is underlain by a perched groundwater bearing unit that is encountered at depths between 40 to 45 feet below ground surface (bgs) within terrace deposits immediately above the Austin Chalk limestone occurring at a depth of approximately 45 to 55 feet bgs. The Austin Chalk is considered a regional aquitard and is composed primarily of light gray limestone chalk and marl, and has an estimated thickness of 100 feet in the area. The Austin Chalk is underlain by a second regional aquitard, the Eagle Ford Shale, which has an estimated thickness of 300 feet in the area. The direction of groundwater flow beneath the designated property is predominantly towards the southwest. A portion of the groundwater has been affected by tetrachloroethene (PCE), trichloroethene (TCE), and cis-1,2-dichloroethene (cis-1,2-DCE) at concentrations above the groundwater ingestion standards. The probable onsite sources of these chemicals are from a former trucking maintenance facility that historically operated on the southwestern tract, a former plastics manufacturer that historically operated on the central tract, and a former onsite gas station/maintenance facility that historically operated on the northeastern tract of the property.



## **BACKGROUND (Continued)**

The designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in October 2014. The site is designated as VCP No. 2702.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting is scheduled to be held on May 7, 2015 to receive comments and concerns. Notices of the meeting were sent to 949 property owners within 2,500 feet of the property and 76 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of South Cesar Chavez Boulevard and East RL Thornton Freeway, including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently, the designated property is occupied by Suburban Plants, Riley's Ready Pac, and a parking lot. The anticipated future use is redevelopment for multifamily residential use.

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

This item has no prior action.

## **FISCAL INFORMATION**

No cost consideration to the City

## **OWNER**

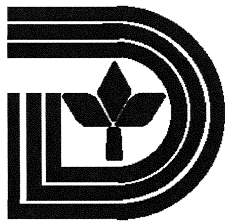
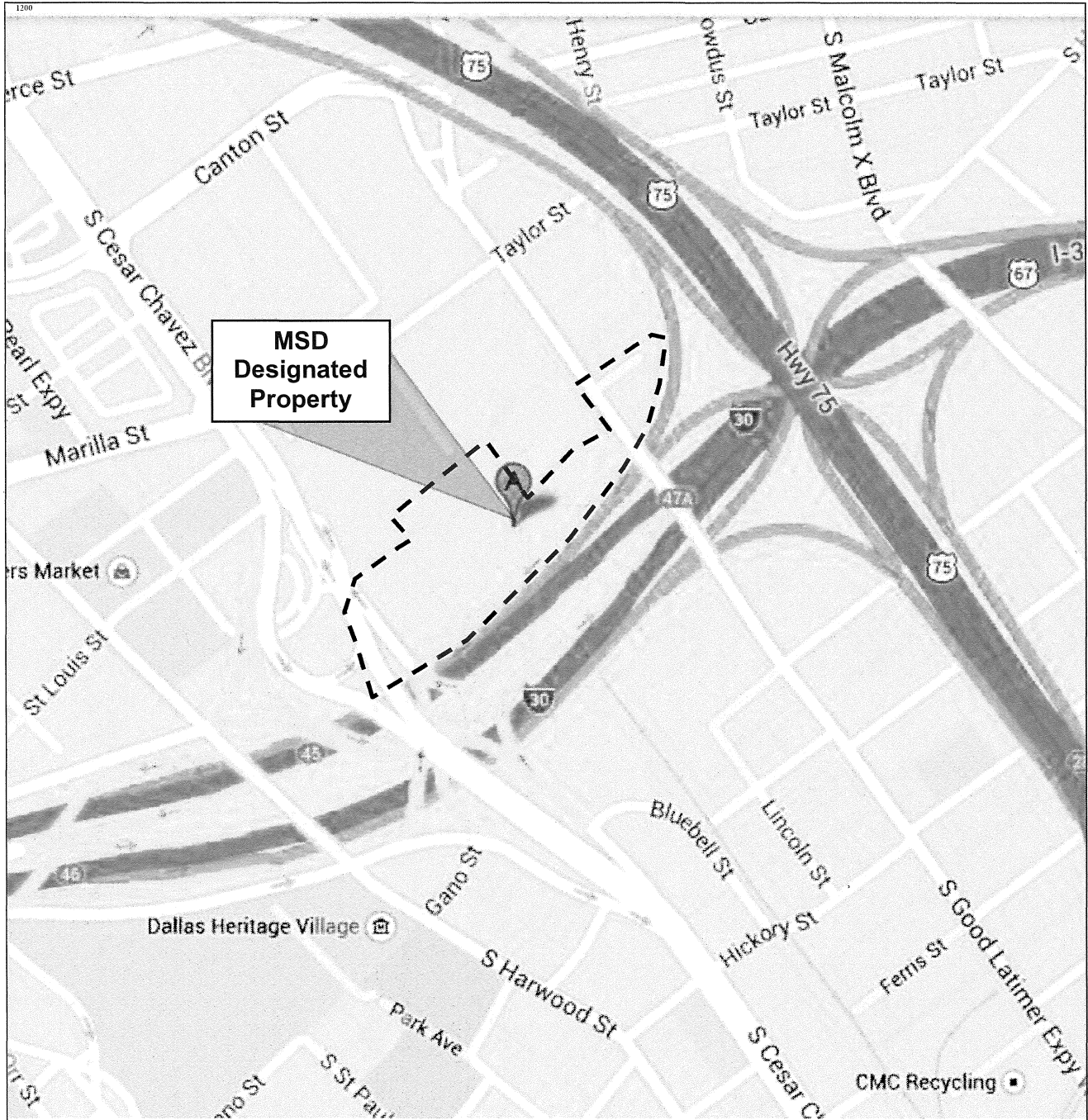
### **Broadstone Farmers Market Property Owner, LLC**

Broadstone Farmers Market, LLC, Governing Person  
Broadstone Farmers Market Alliance, LLC, Governing Person  
Nicholas J Chapman, Governing Person

## **MAP**

Attached





CITY OF DALLAS



**Municipal Setting Designation**  
 Designated Property Boundary Map  
 MSD Log OEQ0047  
 Applicant – Broadstone Farmers  
 Market Property Owner, LLC  
 1200 and 1204 S. Cesar Chavez Blvd. &  
 802 and 835 S. Good Latimer Expwy  
 Dallas, TX 75226







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

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 1200 and 1204 Cesar Chavez Boulevard and 802 and 835 Good Latimer Expressway and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, “Municipal Setting Designations,” of Chapter 361, “Solid Waste Disposal Act,” of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, “Municipal Setting Designation Ordinance,” of Article VI, “Environmental Performance Standards,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and



(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, 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 municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the “designated property” means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, “designated groundwater” means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

- (1) Human consumption or drinking.
- (2) Showering or bathing.
- (3) Cooking.
- (4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

- (1) The potable use of the designated groundwater from beneath the designated property is prohibited.



- (2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.
- (3) The portion of the designated property assigned Voluntary Cleanup Program (“VCP”) No. 2702 must receive a certificate of completion from the Texas Commission on Environmental Quality by no later than May 13, 2017.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

- (1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than May 13, 2017. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

- (1) allow additional time to address the non-ingestion protective concentration level exceedence zone;



- (2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;
- (3) recommend to the city council that this municipal setting designation ordinance be repealed;
- (4) request additional information or documentation from the applicant; or
- (5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy



of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed \$2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.



SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation 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 \_\_\_\_\_



## LEGAL DESCRIPTION

BEING 9.638 acres of land located in the JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, City of Dallas, Dallas County, Texas. Said 9.638 acres of land being comprised of all of the tract of land designated as Tract 1, and all of the tract of land designated as Tract 2, in the deed to Broadstone Farmers Market Property Owner, LLC, recorded in County Clerk's File No. 201400280269, of the Official Public Records of Dallas County, Texas, and portions of Paris Street, South Good-Latimer Expressway, and South Cesar Chavez Boulevard (Central Expressway-Preston Road) all public right-of-ways. Said 9.638 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the Southwest right-of-way line of S. Good-Latimer Expressway (a 100 foot wide public right-of-way), and also lying in the Northeast boundary line of the tract of land conveyed to 717 S. Good Latimer, LTD., by the deed recorded in Volume 2004024, Page 9353, of the Deed Records of Dallas County, Texas, and said POINT OF BEGINNING being located N 36° 50' 46" W 176.51 feet, from the East corner of said 717 S. Good Latimer, LTD. Tract, and said POINT OF BEGINNING also being located at the East corner of Lot 17, Block 36, Revised Map of Railroad Addition, to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 4, Page 350, of the Map Records of Dallas County, Texas:

THENCE N 53° 09' 09" E 340.00 feet, crossing said S. Good-Latimer Expressway, and running along the Northwest right-of-way line of Paris Street and the Southeast boundary line of Block 43, of aforesaid Revised Map of Railroad Addition, and the Southeast boundary line of the tract of land conveyed to Junie C. Janzen, Trustee, for the Junie C. Janzen Trust, by the deed recorded in Volume 200516, Page 960, of the Deed Records of Dallas County, Texas, to a point at the intersection of the West right-of-way line of East R.L. Thornton Freeway (Interstate Highway No. 30);

THENCE along the West right-of-way line of said East R.L. Thornton Freeway (Interstate Highway No. 30), as follows:

1. S 02° 39' 39" E 97.29 feet, to a point at the North corner of the aforesaid Tract 2, to Broadstone Farmers Market Property Owner, LLC;
2. S 03° 56' 09" W 80.01 feet, along the East boundary line of said Tract 2, to a point;
3. S 30° 24' 17" W 165.95 feet, continuing along the East boundary line of said Tract 2, to Broadstone Farmers Market Property Owner, LLC, to a point at the South corner of said Tract 2, lying in the original Northeast right-of-way line of said South Good-Latimer Expressway (an 80 foot wide right-of-way originally);
4. S 08° 22' 09" W 104.97 feet, crossing said South Good-Latimer Expressway, to a point in the Southwest right-of-way line of said South Good-Latimer Expressway and the Northeast boundary line of Block 35, of aforesaid Revised Map of Railroad Addition, also being the Northeast corner of the aforesaid Tract of land designated as Tract 1, in the deed to Broadstone Farmers Market Property Owner, LLC, recorded in County Clerk's File No. 201400280269, of the Official Public Records of Dallas County, Texas;
5. S 38° 50' 19" W 362.01 feet, along the East boundary line of said Tract 1, to a point;
6. S 43° 28' 22" W 304.29 feet, continuing along the East boundary line of said Tract 1, to a point;
7. N 39° 07' 40" W 3.02 feet, continuing along the East boundary line of said Tract 1, to a point;



8. S 50° 12' 37" W 499.59 feet, continuing along the East boundary line of said Tract 1, and continuing across South Cesar Chavez Boulevard, to a point;

THENCE N 39° 47' 23" W 200.01 feet, to a point at the Southeast corner of a tract of land conveyed to FM Futsal, LTD., by the deed recorded in County Clerk's File No. 201300190269, of the Official Public Records of Dallas County, Texas;

THENCE along the Northeast boundary line of said FM Futsal, LTD., and the Southwest right-of-way line of aforesaid South Cesar Chavez Boulevard, as follows:

1. N 10° 11' 11" W 159.84 feet, to a point;

2. N 32° 25' 25" W 26.46 feet, to a point;

THENCE N 52° 05' 04" E 335.35 feet, crossing said South Cesar Chavez Boulevard and then running along the Northwest boundary line of the aforesaid tract of land designated as Tract 1, in the deed to Broadstone Farmers Market Property Owner, LLC, recorded in County Clerk's File No. 201400280269, to a point;

THENCE N 36° 42' 00" W 93.74 feet, along the Southwest boundary line of said Tract 1, to a point at the West corner of said Tract 1;

THENCE N 53° 11' 13" E 425.07 feet, along the Northwest boundary line of said Tract 1, to Broadstone Farmers Market Property Owner, LLC, to a point at the most Westerly North corner of said Tract 1, lying in the Southwest boundary line of the aforesaid tract of land conveyed to 717 S. Good Latimer, LTD.;

THENCE S 36° 51' 45" E 230.91 feet, along the Northeast boundary line of the aforesaid tract of land designated as Tract 1, to Broadstone Farmers Market Property Owner, LLC, recorded in County Clerk's File No. 201400280269, of the Official Public Records of Dallas County, Texas, and the Southwest boundary line of said 717 S. Good Latimer, LTD. Tract, to a point at the South corner of said 717 S. Good-Latimer, LTD. Tract;

THENCE along the Southeast boundary line of said 717 S. Good Latimer, LTD. Tract and the Northwest boundary line of the aforesaid tract of land designated as Tract 1, in the deed to Broadstone Farmers Market Property Owner, LLC, recorded in County Clerk's File No. 201400280269, of the Official Public Records of Dallas County, Texas, as follows:

1. NORTHEASTERLY 127.08 feet, along a curve to the Right, having a radius of 283.82 feet, a central angle of 25° 39' 14", and a chord bearing N 40° 17' 37" E 126.02 feet, to a point at the end of said curve;

2. N 53° 07' 12" E 197.24 feet, to a point at the East corner of the aforesaid tract of land conveyed to 717 S. Good-Latimer, LTD.;

THENCE N 36° 50' 46" W 176.51 feet, along the Southwest right-of-way line of aforesaid South Good-Latimer Expressway and the Northeast boundary line of the aforesaid tract of land conveyed to 717 S. Good Latimer, LTD., to the POINT OF BEGINNING containing 9.638 acres of land.

**This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.**

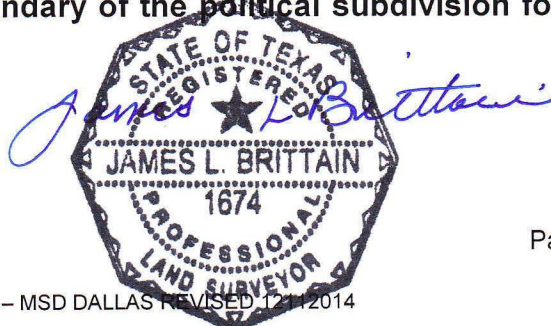
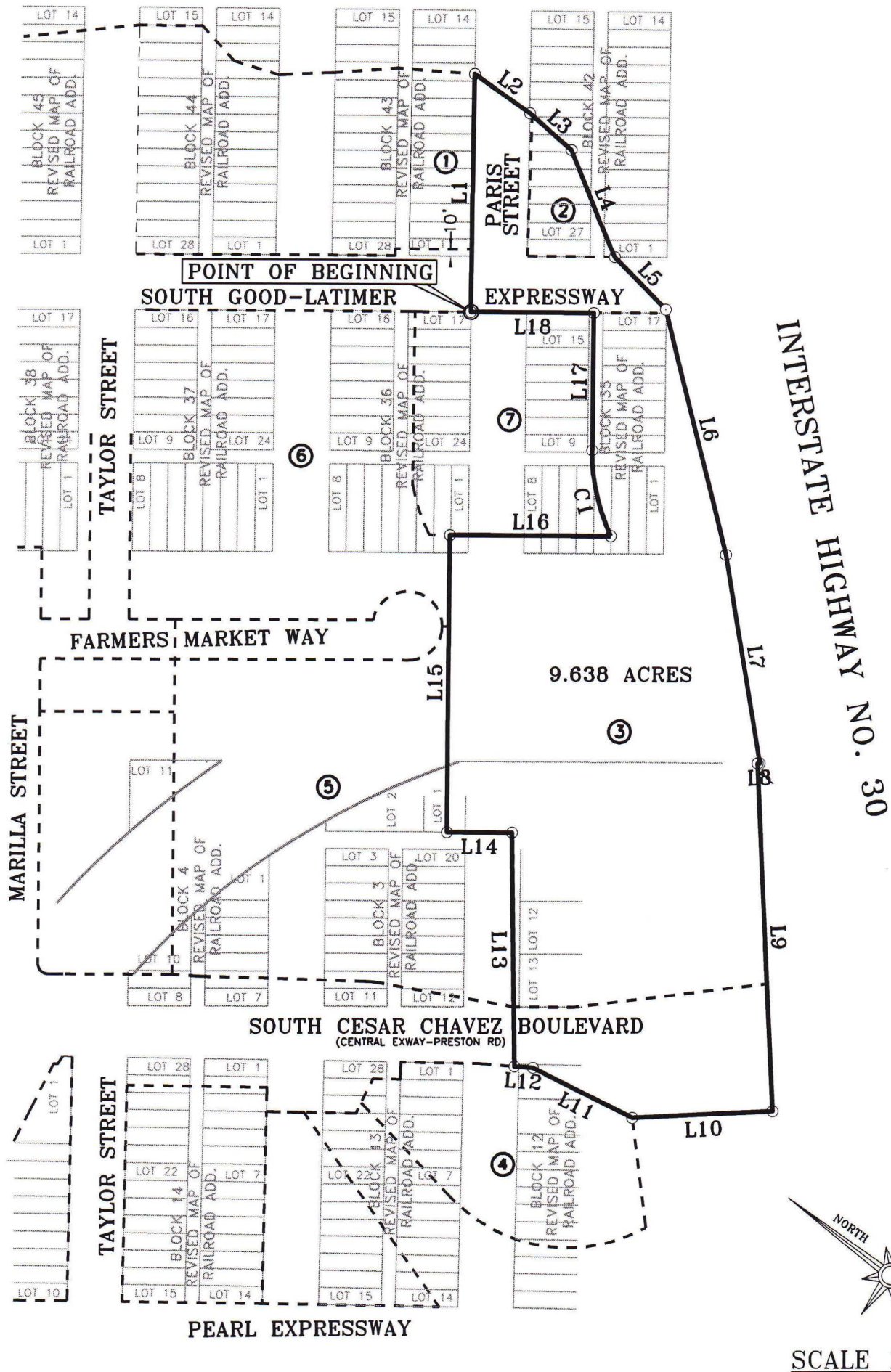




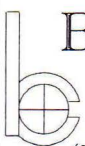
EXHIBIT "B"  
U.S. HIGHWAY No. 75

NOTE: REVISED MAP OF  
RAILROAD ADDITION,  
VOLUME 4, PAGE 350,  
M.R.D.C.T.



DALLAS COUNTY, TEXAS  
DALLAS FARMERS MARKET DISTRICT

PAGE 3 OF 4



**BRITTAIN & CRAWFORD**

LAND SURVEYING &  
TOPOGRAPHIC MAPPING

(817) 926-0211 - METRO (817) 429-5112  
FAX No. (817) 926-9347  
P.O. BOX 11374 • 3908 SOUTH FREEWAY  
FORT WORTH, TEXAS 76110  
EMAIL: admin@brittain-crawford.com

PREPARED OCTOBER 22, 2014

**MSD EXHIBIT MAP**  
OF  
**9.638 ACRES OF LAND**  
LOCATED IN  
**THE JOHN GRIGSBY SURVEY,**  
**ABSTRACT No. 495,**  
**DALLAS, DALLAS COUNTY, TEXAS**

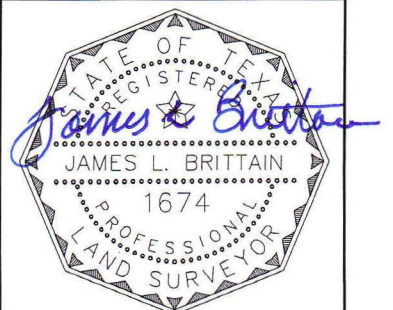




EXHIBIT "B"

OWNERSHIP TABLE

①  
JUNIE C. JANZEN, TRUSTEE FOR  
THE JUNIE C. JANZEN TRUST  
VOLUME 2005176, PAGE 960,  
D.R.D.C.T.

②  
BROADSTONE FARMERS MARKET  
PROPERTY OWNER, LLC  
DOC.# 201400280269  
O.P.R.D.C.T. - TRACT 2

③  
BROADSTONE FARMERS MARKET  
PROPERTY OWNER, LLC  
DOC.# 201400280269  
O.P.R.D.C.T. - TRACT 1

④  
FM FUTSAL, LTD.  
DOC.#201300190269  
O.P.R.D.C.T.

⑤  
WDF-3 WOOD FARMERS MARKET  
OWNER, LLC  
DOC.# 201400090565  
O.P.R.D.C.T.

⑥  
WDF-3 WOOD FARMERS  
MARKET OWNER, LLC  
DOC.# 201400090565  
O.P.R.D.C.T.

⑦  
717 S. GOOD LATIMER, LTD.  
VOLUME 2004024, PAGE  
9353, D.R.D.C.T.

LINE TABLE

Course	Bearing	Distance
L1	N 53°09'09" E	340.00'
L2	S 02°39'39" E	97.29'
L3	S 03°56'09" W	80.01'
L4	S 30°24'17" W	165.95'
L5	S 08°22'09" W	104.97'
L6	S 38°50'18" W	362.01'
L7	S 43°28'22" W	304.29'
L8	N 39°07'40" W	3.02'
L9	S 50°12'37" W	499.59'
L10	N 39°47'23" W	200.01'
L11	N 10°11'11" W	159.84'
L12	N 32°25'25" W	26.46'
L13	N 52°05'04" E	335.35'
L14	N 36°42'00" W	93.74'
L15	N 53°11'13" E	425.07'
L16	S 36°51'45" E	230.91'
L17	N 53°07'12" E	197.24'
L18	N 36°50'46" W	176.51'

CURVE TABLE

Curve	Radius	Length	Delta	Chord	Chord Bear.
C1	283.82'	127.08'	25°39'14"	126.02'	N 40°17'37" E

DALLAS COUNTY, TEXAS  
DALLAS FARMERS MARKET DISTRICT

PAGE 4 OF 4

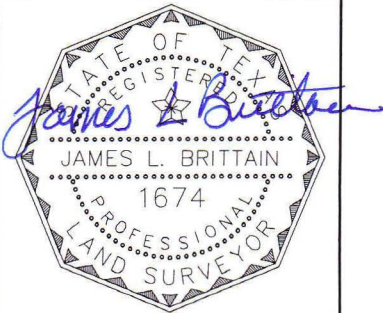


**BRITTAIN & CRAWFORD**  
LAND SURVEYING &  
TOPOGRAPHIC MAPPING

(817) 926-0211 - METRO (817) 429-5112  
FAX No. (817) 926-9347  
P.O. BOX 11374 • 3908 SOUTH FREEWAY  
FORT WORTH, TEXAS 76110  
EMAIL: admin@brittain-crawford.com

PREPARED OCTOBER 22, 2014

**MSD EXHIBIT MAP**  
**OF**  
**9.638 ACRES OF LAND**  
**LOCATED IN**  
**THE JOHN GRIGSBY SURVEY,**  
**ABSTRACT No. 495,**  
**DALLAS, DALLAS COUNTY, TEXAS**





**KEY FOCUS AREA:** Clean, Healthy Environment

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Office Of Environmental Quality

**CMO:** Jill A. Jordan, P.E., 670-5299

**MAPSCO:** 22 D

---

**SUBJECT**

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Gas Equipment Company, Inc., Precise C Corp., and AN Luxury Imports Ltd. located near the intersection of Forest Lane and Harry Hines Boulevard and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Rochester Gauges, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

**BACKGROUND**

Based on information provided by the Applicant, the designated property is underlain by shallow groundwater that is encountered at depths ranging from approximately 8 to 14 feet below ground surface (bgs) and is within local fluvial terrace deposits that extend to the top of the Eagle Ford Shale confining unit which is encountered at an average depth of 23 feet bgs. The Eagle Ford Shale is approximately 260 feet thick in the area and is widely regarded as a regional aquitard that is composed of impermeable beds of dark gray shale and marl. The direction of groundwater flow beneath the designated property is generally towards the south-southwest. Portions of this groundwater have been affected by chlorinated volatile organic compounds (cVOCs) including tetrachlorethylene (PCE), trichloroethylene (TCE), cis-1,2-dichloroethylene (cis-1,2-DCE), vinyl chloride (VC), and 1,1-dichloroethylene (1,1-DCE); and petroleum related chemicals including benzene, methyl tert-butyl ether (MTBE), and total petroleum hydrocarbons (TPH) at concentrations above groundwater ingestion standards. The probable onsite sources of cVOCs are from historical activities including paint booth operations, two vapor degreasers, and waste management/chemical storage areas associated with the fabrication facility located in the central and southern portion of the designated property.



## **BACKGROUND (Continued)**

A probable offsite source of cVOCs is from an unknown historical release located east and upgradient of the property. The probable historical onsite source for petroleum related chemicals is from a former underground storage tank system located on the southeastern portion of the designated property which was removed in 1988 and/or from an unknown offsite historical release. To minimize/prevent releases from current operations onsite, best management practices have been developed and are employed.

A portion of the designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in October 2011 and designated as VCP No. 2443.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting is scheduled to be held on May 4, 2015 to receive comments and concerns. Notices of the meeting were sent to 289 property owners within 2,500 feet of the property and 86 private well owners within 5 miles of the property. The City of Farmers Branch is a municipality located within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Forest Lane and Harry Hines Boulevard, including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently, a portion of the designated property is occupied by a fabrication facility, light vehicle service businesses, and a car rental business. The anticipated future use is expected to remain the same. The remaining portions of the designated property are currently vacant and were formerly occupied by automobile sales and service areas. The anticipated future use of this portion of the designated property is not known at this time; however, the property is currently for sale.

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

This item has no prior action.

## **FISCAL INFORMATION**

No cost consideration to the City



## **OWNERS**

### **Gas Equipment Company, Inc.**

C. Kevin La Due, Vice President

### **Precise C Corp.**

C. Kevin La Due, Vice President

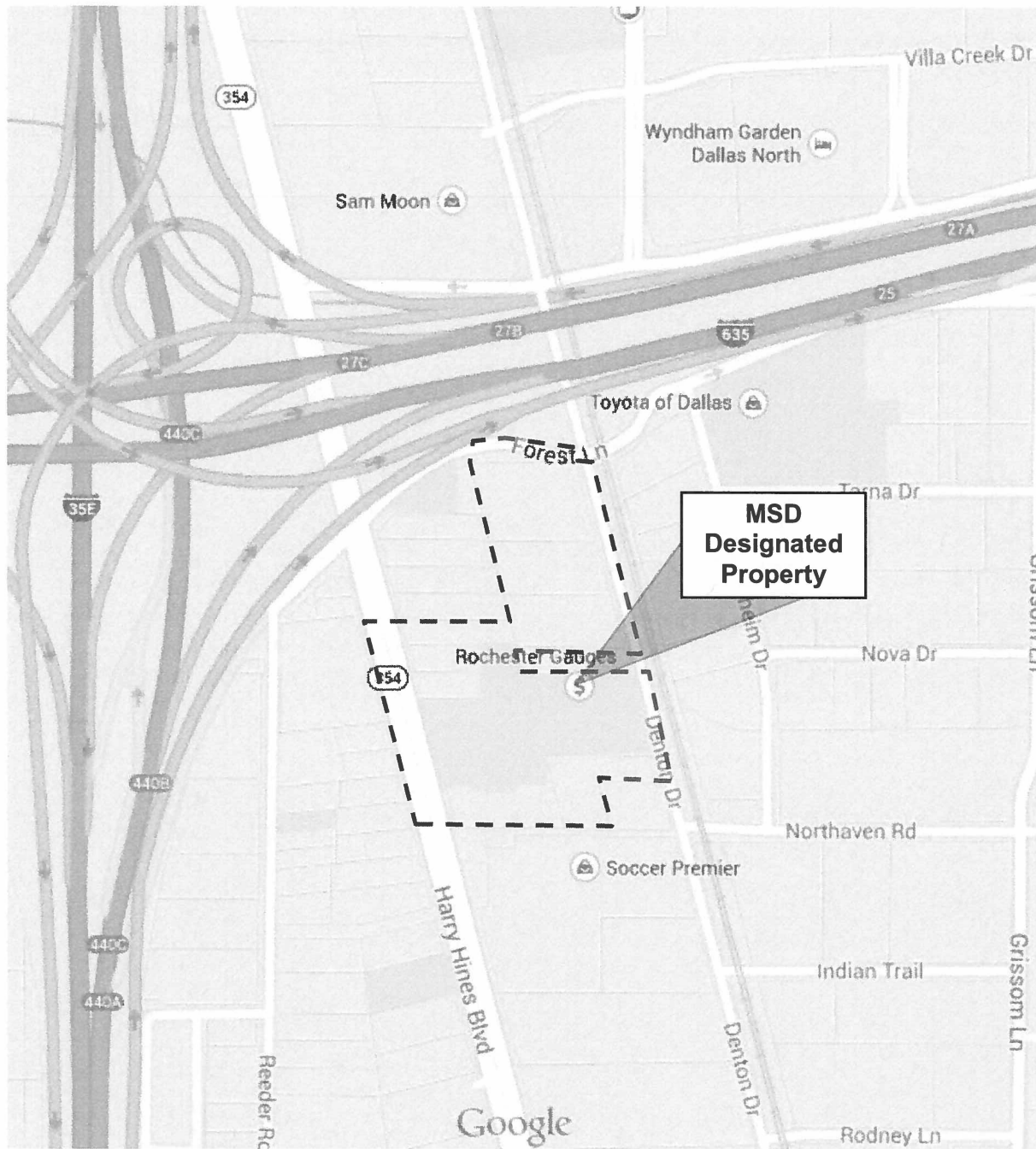
### **AN Luxury Imports Ltd.**

AN Luxury Imports GP, LLC, General Partner  
David Casto, President

## **MAP**

Attached





CITY OF DALLAS



**Municipal Setting Designation**  
 Designated Property Boundary Map  
 MSD Log OEQ0030  
 Applicant – Rochester Gauges, Inc.  
 11616 Harry Hines Boulevard  
 and Surrounding Properties  
 Dallas, TX 75229



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

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 11602, 11616, 11634, 11642, and 11650 Harry Hines Boulevard, 11613, 11621, 11625, 11637, 11661, and 11663 Denton Drive, and 2536 Forest Lane and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, “Municipal Setting Designations,” of Chapter 361, “Solid Waste Disposal Act,” of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, “Municipal Setting Designation Ordinance,” of Article VI, “Environmental Performance Standards,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

- (1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;
- (2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;
- (3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying



drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, 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 municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the “designated property” means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, “designated groundwater” means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

- (1) Human consumption or drinking.
- (2) Showering or bathing.
- (3) Cooking.
- (4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:



- (1) The potable use of the designated groundwater from beneath the designated property is prohibited.
- (2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.
- (3) The portion of the designated property assigned Voluntary Cleanup Program (“VCP”) No. 2443 must receive a certificate of completion from the Texas Commission on Environmental Quality by no later than May 13, 2017.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

- (1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedance zone originating from sources on the designated property or migrating from the designated property no later than May 13, 2017. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:



- (1) allow additional time to address the non-ingestion protective concentration level exceedence zone;
- (2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;
- (3) recommend to the city council that this municipal setting designation ordinance be repealed;
- (4) request additional information or documentation from the applicant; or
- (5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.



SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.



SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed \$2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation 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**

Page 1 of 3

**22.797 Acres**

**J. B. Shade Survey, Abstract No. 1390**

**Wm. Sprowls Survey, Abstract No. 1289**

**City Block No. 6568**

**City of Dallas**

**Dallas County, Texas**

BEING 22.797 acres of land situated in the City of Dallas, in the J. B. Shade Survey, Abstract No. 1390 and the Wm. Sprowls Survey, Abstract No. 1289 of Dallas County, Texas and being: all of Lots 44, 45, 46, 47, 48, 49, 53, 54 and 55, Block 6568 of DENTON ROAD ESTATES, an addition to the City of Dallas, according to the plat thereof recorded in Volume 6, Page 173, Map Records, Dallas County, Texas (M.R.D.C.T.), as described in a deed to Gas Equipment Company, recorded in Volume 87029, Page 863, Deed Records, Dallas County, Texas (D.R.D.C.T.); all of Lot 52 and part of Lot 51, Block 6568 of said DENTON ROAD ESTATES, as described in a deed to GAS Equipment Company, recorded in Volume 89185, Page 3209, D.R.D.C.T.; all of lot 50, Block 6568 of said DENTON ROAD ESTATES, as described in a deed to Precise C Corp., recorded in Volume 97209, Page 1750, D.R.D.C.T. and all of Lots 57, 58, 59, 60, 61, 62 and 63, Block 6568 of said DENTON ROAD ESTATES, as described in a deed to An Luxury Imports, Ltd., recorded in Instrument No. 200409200102, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.) and said 22.796 acres of land being more particularly described by metes & bounds as follows:

BEGINNING at a 1/2 inch iron rod, topped with a plastic cap, stamped "Precise", found on the East right-of-way line of Harry Hines Boulevard (164' wide R.O.W. at this point) for the Northwest corner of the above described Lot 44, Block 6568 and same being the Southwest corner of Lot 43, Block 6568 as described in a deed to Howard E. Carr, Jr., recorded in Instrument No. 201200039426, O.P.R.D.C.T.;

THENCE: North 89 deg. 47 min. 59 sec. East, along the common line of said Lots 43 and 44, a distance of 396.11 feet to the Northeast corner of said Lot 44 and same being the common corner of said Lots 43, 57 and 58, Block 6568;

THENCE: North 14 deg. 32 min. 00 sec. West, along the West line of the above described Lots 58, 59, 60, 61, 62 and 63 and the East line of Lots 43, 42, 41, 40, 39 and 38 of Block 6568, at 585.00 feet, passing the Northwest corner of said Lot 63 and the South right-of-way line of Forest Lane (variable width R.O.W. at this point) and continuing on across said Forest Lane for a total distance of 651.55 feet to a point for corner on the North right-of-way line of said Forest Lane, the South right-of-way line of L.B.J. Freeway (I-635) and same being the original South line of City Block 6572;

THENCE: North 89 deg. 47 min. 34 sec. East, along the common line of said Forest Lane and L.B.J. Freeway, at 396.10 feet, passing the original Southeast corner of said Block 6572 at the West right-of-way line of Denton Drive (80' wide R.O.W. at this point) and continuing on across said Denton Drive for a total distance of 478.67 feet to a point for the original Southwest corner of City Block 6569, on the East right-of-way line of said Denton Drive and same being the West right-of-way line of the Dallas Area Rapid Transit (DART) Railway as described in a deed recorded in Volume 90177, Page 4219, D.R.D.C.T.;

THENCE: South 14 deg. 32 min. 00 sec. East (Reference Bearing), across said Forest Lane with the West line of said DART Railway, at 51.60 feet, crossing the South right-of-way line of said Forest Lane and continuing along the common line of said Denton Drive and DART Railway for a total distance of 751.62 feet to a point for corner;

THENCE: South 89 deg. 47 min. 59 sec. West, departing from the common line of said Denton Drive and DART Railway, across said Denton Drive, at 82.57 feet, passing the West right-of-way line of said Denton Drive at the Southeast corner of the above described Lot 57, Block 6568 and same being the Northeast corner of Lot 56, Block 6568 as described in a deed to Larry Keith Chatham, recorded in Volume 98230, Page 3198, D.R.D.C.T. and continuing on along the common line of said Lot 56 and Lot 57, for a total distance of 478.68 feet to the common corner of said Lots 57, 56, 44 and 45, Block 6568;

THENCE: South 14 deg. 32 min. 00 sec. East, along the common line of said Lot 45 and Lot 56, a distance of 100.00 feet to the common corner of said Lots 45, 46, 55 and 56, Block 6568;

GIS Approved



THENCE: North 89 deg. 47 min. 59 sec. East, along the common line of said Lot 55 and Lot 56, at 396.11 feet passing the Northeast corner of said Lot 55 and the Southeast corner of said Lot 56 on the West right-of-way line of said Denton Drive and continuing on across said Denton Drive for a total distance of 478.68 feet to a point for corner on the East right-of-way line of said Denton Drive and the West right-of-way line of said DART Railway;

THENCE: South 14 deg. 32 min. 00 sec. East, along the common line of said Denton Drive and DART Railway, a distance of 400.00 feet to a point for corner;

THENCE: South 89 deg. 47 min. 59 sec. West, departing from the common line of said Denton Drive and DART Railway, across said Denton Drive, at 82.57 feet, passing the West right-of-way line of said Denton Drive at the Southeast corner of the above described Lot 52, Block 6568 and same being the Northeast corner of Lot 51, Block 6568 as described in a deed to REZ Enterprises, Inc., recorded in Instrument No. 200900123110, O.P.R.D.C.T. and continuing along the common line of said Lot 52 and Lot 51 for a total distance of 308.35 feet to the Northwest corner of said REZ Enterprises tract and same being an inside ell corner for the above described tract of land conveyed by deed to Gas Equipment Company, recorded in Volume 89185, Page 3209, D.R.D.C.T.;

THENCE: South 14 deg. 21 min. 35 sec. East, along the common line of said Gas Equipment Company and REZ Enterprises tracts, at 158.29 feet, passing the Southerly Southeast corner of said Gas Equipment Company tract and the Southwest corner of said REZ Enterprises tract, on the North line of a 25' wide Reservation for Road as per the above described plat recorded in Volume 6, Page 173, M.R.D.C.T. and continuing across said road reservation for a total distance of 184.10 feet to a point for corner on the South line of said 25' road reservation;

THENCE: North 89 deg. 59 min. 00 sec. West, along the South line of said 25' road reservation, at 566.42 feet, passing the East right-of-way line of the above described Harry Hines Boulevard and continuing across said Harry Hines Boulevard for a total distance of 735.85 feet to a point for corner on the West right-of-way line of said Harry Hines Boulevard and the East line of City Block 6567;

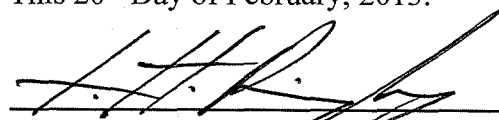
THENCE: North 14 deg. 32 min. 00 sec. West, along the common line of said Harry Hines Boulevard and Block 6567, a distance of 781.37 feet to a point for corner;

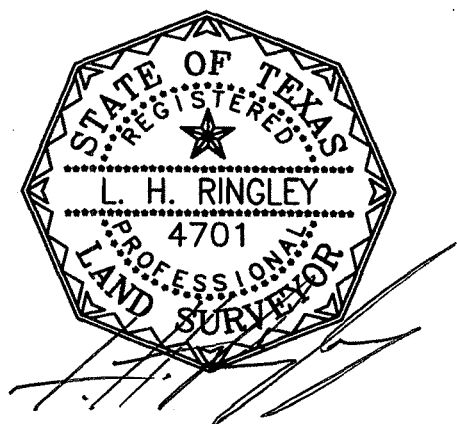
THENCE: North 89 deg. 47 min. 59 sec. East, across said Harry Hines Boulevard, a distance of 169.27 feet to the POINT OF BEGINNING and containing 993,014 square feet or 22.797 acres of land.

Note:

1. The Reference Bearing for the above prepared metes & bounds description is South 14 deg. 32 min. 00 sec. East along the West right-of-way line of Denton Drive as described in the Dedication of the Plat, Denton Road Estates, recorded in Volume 6, Page 173, Map Records of Dallas County, Texas.
2. This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.
3. A drawing exhibit of equal date, accompanies this metes & bounds description

Prepared Under My Hand and Seal,  
This 20<sup>th</sup> Day of February, 2013.

  
Lawrence H. Ringley, R.P.L.S.  
State of Texas, No. 4701



Prepared By:

RINGLEY & ASSOCIATES, INC.  
701 S. Tennessee Street  
McKinney, Texas 75069  
972-542-1266





Scale: 1"=200'

BLOCK 6572

L. B. J. FRWY. I. H. NO. 635  
(Variable Width R.O.W.)

SUBJECT PROPERTY:

LOTS 44-49, & 53-55:  
Gas Equipment Company, Inc.  
Vol. 87029, Pg. 863-D.R.D.C.T.

LOT 52 & WEST HALF OF LOT 51  
Gas Equipment Company, Inc.  
Vol. 89185, Pg. 3209-D.R.D.C.T.

LOT 50:  
Precise C Corp.  
Vol. 97209, Pg. 01750-D.R.D.C.T.

LOTS 57-60:  
Luxury Imports, Ltd.  
Vol. 2004092 Pg. 0102-D.R.D.C.T.

LOTS 61-63:  
Luxury Imports, Ltd.  
Inst. No. 200503522700-O.P.R.D.C.T.

2508 Forest Lane, LLC  
Inst. No. 201200055977  
O.P.R.D.C.T.

FOREST LANE  
(Variable Width R.O.W.)

HARRY HINES BOULEVARD  
(164' R.O.W.)

POINT OF  
BEGINNING  
1/2" IRF w/ Cap  
PRECISE

L1 N 89°47'59" E - 396.11'  
(Reference Bearing)

Chang Hong, LTD. PS  
Inst. No. 201100164854  
O.P.R.D.C.T.

McElreath Family  
Limited Partnership  
Vol. 95082, Pg. 2464  
D.R.D.C.T.

McElreath Family  
Limited Partnership  
Vol. 95082, Pg. 2464  
D.R.D.C.T.

Howard E. Carr Jr.  
Inst. No. 201200039426  
O.P.R.D.C.T.

J. B. SHADE SURVEY  
A-1390

DENTON DRIVE  
(60' R.O.W.)

S 89°47'59" W - 478.68'

Larry Keith Chatham  
Vol. 98230, Pg. 3198  
D.R.D.C.T.

N 89°47'59" E - 478.68'

DENTON ROAD ESTATES  
Vol. 6, Pg. 173  
M.R.D.C.T.

22.797 Acres

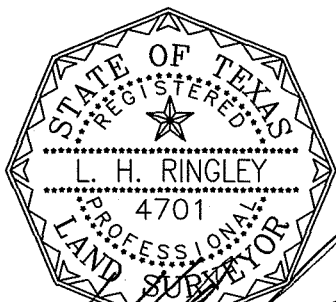
J. B. Shade Survey, Abst.-1390  
W. M. Sprowls Survey, Abst.-1289

W. M. SPROWLS SURVEY  
A-1289

25.0'  
RESERVATION  
FOR ROAD AS  
PER PLAT

BLOCK 6572

A metes & bounds description  
of equal date accompanies this  
drawing exhibit.



LINE	BEARING	DISTANCE
L1	N 00°15'02" W	169.27'
L2	S 14°32'00" E	100.00'
L3	S 14°21'35" E	184.10'

REFERENCE BEARING:

The Basis of Bearings for this Exhibit is South 14 deg. 32 min. 00 sec.  
East, along the West right-of-way line of Denton Drive as described in  
the Dedication of the Plat, Denton Road Estates, recorded in Volume 6,  
Page 173 of the Map Records of Dallas County, Texas.

#### CERTIFICATION

I, Lawrence H. Ringley, Registered Professional Land Surveyor in  
and for the State of Texas, hereby certify that this document  
was prepared under 22 TAC 663.21, does not necessarily reflect  
all the results of an on the ground survey, and is not to be  
used to convey or establish interests in real property except  
those rights and interests implied or established by the creation  
or reconfiguration of the boundary of the political subdivision  
for which it was prepared this 20th Day of February, 2013.

LAWRENCE H. RINGLEY, R.P.L.S. No. 4701

#### EXHIBIT A

PAGE 3 OF 3

22.797 ACRES  
Part of Block 6568  
DENTON ROAD ESTATES  
J.B. Shade Survey, A-1390  
Wm. Sprowls Survey, A-1289  
City of Dallas  
Dallas County, Texas



RINGLEY & ASSOCIATES, INC.

SURVEYING - MAPPING - PLANNING  
701 S. Tennessee - McKinney, Texas 75069  
(972) 542-1266

Drawn by	Date	Scale
Mark Kach	02/20/13	1"=200'
Job	Title	Sheet
13009	13009-EX.DWG	3 of 3







**MAY 13, 2015 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 13, 2015. 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

5.8.15

Date



Jeanne Chipperfield  
Chief Financial Officer

5.8.15

Date







RECEIVED

2015 MAY -8 PM 4: 34

CITY CLERK  
DALLAS, TEXAS

**ADDENDUM  
CITY COUNCIL MEETING  
WEDNESDAY, MAY 13, 2015  
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 - 21

**CONSENT ADDENDUM**

Items 1 - 6

**ITEMS FOR INDIVIDUAL CONSIDERATION**

No earlier  
than 9:15 a.m.

Items 22 - 30  
Addendum Items 7 - 12

**PUBLIC HEARINGS AND RELATED ACTIONS**

1:00 p.m.

Items 31 - 45







**ADDENDUM  
CITY COUNCIL MEETING  
MAY 13, 2015  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TEXAS 75201  
9:00 A. M.**

ADDITIONS:

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- George Earl Pogue v. City of Dallas, et al. Civil Action No. 3:13-CV-4702-B
- Legal issues regarding Chapter 9C, "Carryout Bags," of the Dallas City Code and Hilex Poiy Co., et al. v. City of Dallas, Texas, Cause No. DC-15-04967
- Joe Wesson v. City of Dallas, Texas and Jesus Martinez, Civil Action No. 3:14-CV-4325-L

CONSENT ADDENDUM

**Economic Development**

1. Authorize the cancellation of secured promissory notes and the execution of release of liens on properties held as collateral for repaid loans made by the South Dallas/Fair Park Trust Fund to **(1)** Richard Knight dba "the MLK/175 Gateway Project" (Knight), in the amount of \$92,800; **(2)** Charles Senteio, dba Namamai Services, LLC, (Senteio), in the amount of \$50,000; and **(3)** Ephraim and Helen Oladiran dba Freedom Beauty and Fashions (Oladiran) in the amount of \$26,684 - Financing: No cost consideration to the City

**Police**

2. Authorize **(1)** Supplemental Agreement No. 2 for renewal of the Interlocal Agreement (ILA) with Dallas County Schools (DCS) to administer and enforce the School Bus Stop Arm Enforcement Program for the period June 25, 2015 through May 22, 2062; and **(2)** disbursement of funds from the joint escrow account for certain DCS expenses associated with the operation of the school crossing guard program - Financing: No cost consideration to the City

**Sustainable Development and Construction**

3. An ordinance abandoning a portion of an alley to CVS Pharmacy, Inc., the abutting owner, containing approximately 3,392 square feet of land, located near the intersection of Amelia Street and Maple Avenue - Revenue: \$72,000, plus the \$20 ordinance publication fee



**ADDENDUM  
CITY COUNCIL MEETING  
MAY 13, 2015**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Sustainable Development and Construction** (Continued)

4. An ordinance granting an amendment to and an expansion of Planned Development District No. 468, the Oak Cliff Special Purpose District, with deed restrictions on a portion, Specific Use Permit No. 10 for a nursing home, Specific Use Permit No. 1032 for a utility or government installation, Specific Use Permit No. 1623 for a financial institution with a drive-in window, Specific Use Permit No. 1679 for a financial institution with a drive-in window, H/84 Lake Cliff Historic District, and H/71 Betterton House Historic District; Planned Development District No. 160 with Specific Use Permit No. 2079 for a child-care facility; Planned Development District No. 340; Planned Development District No. 364; Planned Development District No. 830; an R-5(A) Single Family District; an R-7.5(A) Single Family District; a TH-2(A) Townhouse District; a CH Clustered Housing District; an MF-2(A) Multifamily District; a CR Community Retail District with deed restrictions; an IR Industrial Research District; a CS Commercial Service District with deed restriction; an LO-1 Office District with deed restrictions; an RR Regional Retail District; an MU-1 Mixed-Use District with deed restrictions; an MU-2 Mixed-Use District; and a P(A) Parking District generally bounded by Interstate 30 to the north, the east levee of the Trinity River to the northeast, Interstate 35 to the east, Marsalis Street to the west, Eighth Street and Seventh Street to the south, Zang Boulevard to the west, Davis Street to the south, Elsbeth Street to the west, Neches Street to the south, Madison Street to the west, between blocks BLK M/3363 LOT 1& 2 to the south, between blocks BLK M/3363 TR 23-A and 24 to the south, Bishop Avenue to the west, Colorado Boulevard to the north, both sides of Beckley Avenue to the west including property facing Interstate 30 service road - Financing: No cost consideration to the City

**Trinity Watershed Management**

5. Authorize settlement in lieu of proceeding with condemnation of a subsurface easement under approximately 9,440 square feet of land from Kambiz Khadivi located on Junius Street at its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$15,860 (\$14,160 plus closing costs and title expenses not to exceed \$1,700); an increase of \$4,720 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds
6. A resolution authorizing the conveyance of an easement and right-of-way containing approximately 12,778 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City-owned land located on Great Trinity Forest Way near its intersection with Long Acre Lane – Revenue: \$1,000



**ADDENDUM  
CITY COUNCIL MEETING  
MAY 13, 2015**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

**Business Development & Procurement Services**

7. Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 54 and 55 for bid BM1422 for a three-year master agreement for the purchase of pumps and parts - Austin Pump & Supply Company and Master Pumps & Equipment - Financing: This action has no cost consideration to the City

**City Secretary's Office**

8. A resolution designating absences by Mayor Michael Rawlings, Councilmember Scott Griggs, Councilmember Adam Medrano, Councilmember Carolyn Davis, Councilmember Lee Kleinman, Councilmember Sandy Greyson, and Councilmember Philip Kingston as being for "Official City Business" - Financing: No cost consideration to the City

**Trinity Watershed Management**

9. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Kayla M. Heath and Christopher A. Geno, of a subsurface easement under approximately 182 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$2,710 (\$910 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds
10. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Michael James Hudson and Robert Hudson, of a subsurface easement under approximately 634 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$5,170 (\$3,170 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds
11. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Rosedale Apartments, LLC, of a subsurface easement under approximately 4,944 square feet of land located on Ross Avenue at its intersection with Hall Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$24,382 (\$21,882 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds



**ADDENDUM  
CITY COUNCIL MEETING  
MAY 13, 2015**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

**Trinity Watershed Management** (Continued)

12. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Stuart Crow, of a subsurface easement under approximately 3,140 square feet of land located on Flora Street near its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$12,690 (\$10,990 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds

CORRECTION:

**Sustainable Development and Construction**

40. A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District ~~with~~ and a resolution accepting deed restrictions volunteered by the applicant on property zoned a GO(A) General Office District on the northeast corner of East Northwest Highway and North Central Expressway  
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant  
Z145-145(AF)  
Note: This item was considered by the City Council at a public hearing on April 22, 2015, and was taken under advisement until May 13, 2015, with the public hearing open



## ADDENDUM DATE May 13, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
1			7	C	ECO	NC	NA	NA	Authorize the cancellation of secured promissory notes and the execution of release of liens on properties held as collateral for repaid loans made by the South Dallas/Fair Park Trust Fund to (1) Richard Knight dba "the MLK/175 Gateway Project" (Knight), in the amount of \$92,800; (2) Charles Senteio, dba Namamai Services, LLC, (Senteio), in the amount of \$50,000; and (3) Ephraim and Helen Oladiran dba Freedom Beauty and Fashions (Oladiran) in the amount of \$26,684 - Financing: No cost consideration to the City
2			All	C	POL	NC	NA	NA	Authorize (1) Supplemental Agreement No. 2 for renewal of the Interlocal Agreement (ILA) with Dallas County Schools (DCS) to administer and enforce the School Bus Stop Arm Enforcement Program for the period June 25, 2015 through May 22, 2062; and (2) disbursement of funds from the joint escrow account for certain DCS expenses associated with the operation of the school crossing guard program - Financing: No cost consideration to the City
3			2	C	DEV	REV \$72,000	NA	NA	An ordinance abandoning a portion of an alley to CVS Pharmacy, Inc., the abutting owner, containing approximately 3,392 square feet of land, located near the intersection of Amelia Street and Maple Avenue - Revenue: \$72,000, plus the \$20 ordinance publication fee
4			1	C	DEV	NC	NA	NA	An ordinance granting an amendment to and an expansion of Planned Development District No. 468, the Oak Cliff Special Purpose District, with deed restrictions on a portion, Specific Use Permit No. 10 for a nursing home, Specific Use Permit No. 1032 for a utility or government installation, Specific Use Permit No. 1623 for a financial institution with a drive-in window, Specific Use Permit No. 1679 for a financial institution with a drive-in window, H/84 Lake Cliff Historic District, and H/71 Betterton House Historic District; Planned Development District No. 160 with Specific Use Permit No. 2079 for a child-care facility; Planned Development District No. 340; Planned Development District No. 364; Planned Development District No. 830; an R-5(A) Single Family District; an R-7.5(A) Single Family District; a TH-2(A) Townhouse District; a CH Clustered Housing District; an MF-2(A) Multifamily District; a CR Community Retail District with deed restrictions; an IR Industrial Research District; a CS Commercial Service District with deed restriction; an LO-1 Office District with deed restrictions; an RR Regional Retail District; an MU-1 Mixed-Use District with deed restrictions; an MU-2 Mixed-Use District; and a P(A) Parking District generally bounded by Interstate 30 to the north, the east levee of the Trinity River to the northeast, Interstate 35 to the east, Marsalis Street to the west, Eighth Street and Seventh Street to the south, Zang Boulevard to the west, Davis Street to the south, Elsbeth Street to the west, Neches Street to the south, Madison Street to the west, between blocks BLK M/3363 LOT 1 & 2 to the south, between blocks BLK M/3363 TR 23-A and 24 to the south, Bishop Avenue to the west, Colorado Boulevard to the north, both sides of Beckley Avenue to the west including property facing Interstate 30 service road - Financing: No cost consideration to the City
5			2	C	TWM	\$15,860.00	NA	NA	Authorize settlement in lieu of proceeding with condemnation of a subsurface easement under approximately 9,440 square feet of land from Kambiz Khadivi located on Junius Street at its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$15,860 (\$14,160 plus closing costs and title expenses not to exceed \$1,700); an increase of \$4,720 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds
6			7	C	TWM	REV \$1,000	NA	NA	A resolution authorizing the conveyance of an easement and right-of-way containing approximately 12,778 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City-owned land located on Great Trinity Forest Way near its intersection with Long Acre Lane - Revenue: \$1,000
7			All	I	PBD	NC	NA	NA	Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 54 and 55 for bid BM1422 for a three-year master agreement for the purchase of pumps and parts - Austin Pump & Supply Company and Master Pumps & Equipment - Financing: This action has no cost consideration to the City
8			All	I	SEC	NC	NA	NA	A resolution designating absences by Mayor Michael Rawlings, Councilmember Scott Griggs, Councilmember Adam Medrano, Councilmember Carolyn Davis, Councilmember Lee Kleinman, Councilmember Sandy Greyson, and Councilmember Philip Kingston as being for "Official City Business" - Financing: No cost consideration to the City



# ADDENDUM DATE May 13, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
9			14	I	TWM	\$2,710.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Kayla M. Heath and Christopher A. Geno, of a subsurface easement under approximately 182 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$2,710 (\$910 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds
10			14	I	TWM	\$5,170.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Michael James Hudson and Robert Hudson, of a subsurface easement under approximately 634 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$5,170 (\$3,170 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds
11			14	I	TWM	\$24,382.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Rosedale Apartments, LLC, of a subsurface easement under approximately 4,944 square feet of land located on Ross Avenue at its intersection with Hall Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$24,382 (\$21,882 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds
12			14	I	TWM	\$12,690.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Stuart Crow, of a subsurface easement under approximately 3,140 square feet of land located on Flora Street near its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$12,690 (\$10,990 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds

**TOTAL            \$60,812.00**



## ADDENDUM ITEM # 1

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 671-9837  
**MAPSCO:** 27 N

---

### SUBJECT

Authorize the cancellation of secured promissory notes and the execution of release of liens on properties held as collateral for repaid loans made by the South Dallas/Fair Park Trust Fund to **(1)** Richard Knight dba “the MLK/175 Gateway Project” (Knight), in the amount of \$92,800; **(2)** Charles Senteio, dba Namamai Services, LLC, (Senteio), in the amount of \$50,000; and **(3)** Ephraim and Helen Oladiran dba Freedom Beauty and Fashions (Oladiran) in the amount of \$26,684 - Financing: No cost consideration to the City

### BACKGROUND

This item is being placed on the addendum because the Borrowers have repaid their loans and are requesting Lien releases.

The South Dallas/Fair Park Trust Fund assists neighborhoods in defined census tracts in the South Dallas/Fair Park community through business assistance and community and economic development. Assistance is provided in the form of loans to businesses and grants to community based nonprofit organizations and neighborhood groups and associations.

The South Dallas/Fair Park Trust Fund serves residents and businesses in the following 13 census tracts: 25, 27.01, 27.02, 28, 29, 34, 35, 36, 37, 38, 39.01, 39.02 and 40.

On March 13, 2010, Knight received a special economic development loan from the South Dallas/Fair Park Trust Fund in the amount of \$92,800. The purpose of the loan was to provide operating capital for the rehabilitation of the facility located at 2321 Martin Luther King Boulevard, Dallas, Texas 75215 and to lease same to another auto repair, auto service related business. The loan was specifically used to purchase and/or install carpets, electrical system, exterior fence, flooring, paint, roof repair, texturing, tile, an HVAC system, lighting, cabinets, doors and store front windows.



## **BACKGROUND** (Continued)

The loan was collateralized by a promissory note and a lien on real property located at 2321 Martin Luther King Boulevard, Dallas, Texas 75215. The loan was paid in full by check dated April 7, 2015.

On May 5, 2010, Senteio received a business loan from the South Dallas/Fair Park Trust Fund in the amount of \$50,000. The purpose of the loan was to provide working capital to meet the operating expenses of a home health care business, create a “proof of concept” arrangement with health care business clients and hire two additional health care workers.

The loan was collateralized by a promissory note and a lien on real property located at 121 Hanover Street, Grand Prairie, Texas 75052. The loan was paid in full by check dated March 30, 2015.

On July 2, 2010, Oladiran received a loan from the South Dallas/Fair Park Trust Fund in the amount of \$26,684. The purpose of the loan was to purchase new equipment, expand inventory to include women’s and children’s clothing and to make leasehold improvements.

The loan was collateralized by a promissory note and a lien on real properties located at 436 Whitley, Cedar Hill, Texas 75104 and 2423 - 2<sup>nd</sup> Avenue, Dallas, Texas 75210. The loan was paid in full by check dated November 5, 2014.

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

On February 10, 2010, City Council authorized loans recommended by the South Dallas/Fair Park Trust Fund Advisory Board, to Knight in the amount of \$92,800, Senteio in the amount of \$50,000 and Oladiran in the amount of \$26,684, by Resolution No. 10-0503.

## **FISCAL INFORMATION**

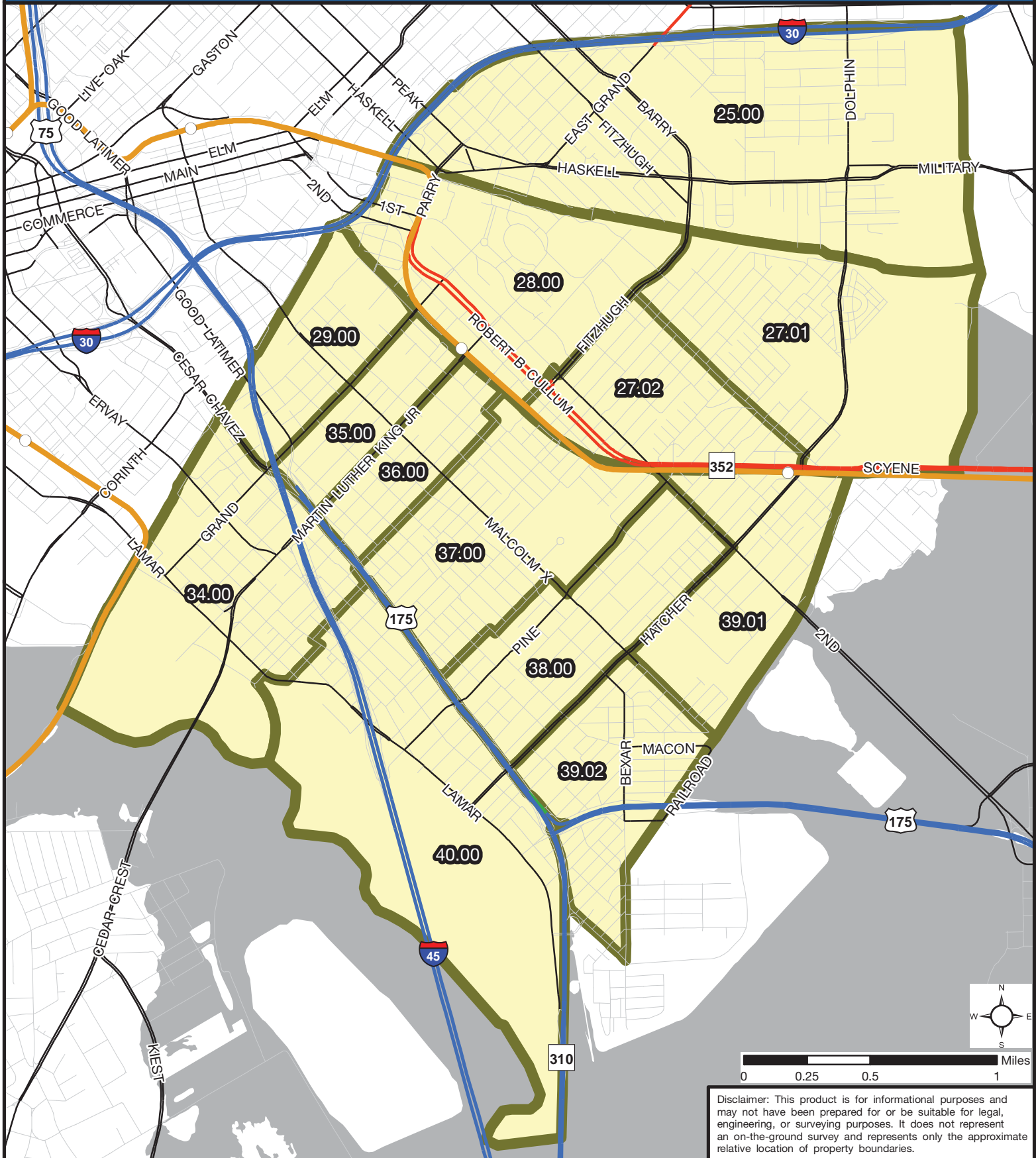
No cost consideration to the City

## **MAP**

Attached.



# South Dallas / Fair Park Trust Fund Eligible Area



Disclaimer: 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.

**DALLAS  
ECONOMIC  
DEVELOPMENT**

Research & Information Division  
214.670.1685  
dallas-ecodev.org

Created 8.6.2012 - SDFP\_TrustFund.TCG

## Legend

South Dallas / Fair Park Trust Fund Eligible Census Tract

Rail Station

DART Light Rail

Source: City of Dallas, 2012

Freeway

Highway

Arterial

Local Road

Flood Plain







May 13, 2015

**WHEREAS**, on December 8, 2009, the South Dallas/Fair Park Trust Fund (SD/FPTF) Advisory Board recommended a special economic development loan in the amount of \$92,800 to Richard Knight dba the “MLK/175 Gateway Project” (“Knight”); and

**WHEREAS**, the Knight loan was secured by a lien placed by the City on a certain tract of real property located at 2321 Martin Luther King Jr., Boulevard, Dallas, Texas (“the Knight Property”); and

**WHEREAS**, on December 8, 2009, the SD/FPTF Advisory Board recommended a business loan in the amount of \$50,000 to Charles Senteio dba “Namamai Services LLC” (“Senteio”); and

**WHEREAS**, the Senteio loan was secured by a lien placed by the City on a certain tract of real property located at 121 Hanover St., Grand Prairie, Texas (“the Senteio Property”); and

**WHEREAS**, on December 8, 2009, the SD/FPTF Advisory Board recommended a business loan in the amount of \$26,684 to Ephraim and Helen Oladiran dba “Freedom Beauty and Fashions” (“Freedom”); and

**WHEREAS**, the Oladiran loan was secured by a lien placed by the City on two (2) certain tracts of real property located at 436 Whitley, Cedar Hill, Texas and at 2423 - 2<sup>nd</sup> Avenue, Dallas, Texas , respectively, (the “Freedom Properties”); and

**WHEREAS**, on February 10, 2010, City Council authorized a Special Economic Development Loan Agreement and two Commercial Loan Agreements to enhance the quality of life for the residents in the South Dallas/Fair Park Trust Fund target area to provide funding as follows: (1) Richard Knight d/b/a the MLK/175 Gateway Project in an amount not to exceed \$92,800; (2) Freedom Fashions in an amount not to exceed \$50,000; and (3) Namamai Services, LLC in an amount not to exceed \$50,000 – Total not to exceed \$192,800, by Resolution No. 10-0503; and

**WHEREAS**, Knight has repaid his SD/FPTF loan in full on April 7, 2015, and now requests that the City release the lien on the Knight Property; and

**WHEREAS**, Senteio has repaid his SD/FPTF loan in full on March 30, 2015, and now request that the City release the lien on the Senteio Property; and

**WHEREAS**, Oladiran have repaid their SD/FPTF loan in full on November 5, 2014, and now requests that the City release the lien on the Oladiran Properties; and

**WHEREAS**, City Council authorization is required to release a lien on real property (Dallas City Code, Section 2-11.1-2-11.2).



May 13, 2015

**NOW, THEREFORE,**

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

**Section 1.** That the City Manager upon approval as to form by the City Attorney, is hereby authorized to cancel the secured promissory notes to (1) Richard Knight dba the "MLK/175 Gateway Project" (Knight); (2) Charles Senteio dba "Namamai Services, LLC" (Senteio); and (3) Ephraim and Helen Oladiran dba "Freedom Beauty and Fashions" (Oladiran) and to execute release of lien documents on real properties located at 2321 Martin Luther King Jr., Boulevard, Dallas, Texas, 121 Hanover Street, Grand Prairie, Texas, 436 Whitley, Cedar Hill, Texas and 2423 - 2<sup>nd</sup> Avenue, Dallas, Texas; respectively.

**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:** Public Safety

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Police

**CMO:** Eric Campbell, 670-3255

**MAPSCO:** N/A

---

**SUBJECT**

Authorize **(1)** Supplemental Agreement No. 2 for renewal of the Interlocal Agreement (ILA) with Dallas County Schools (DCS) to administer and enforce the School Bus Stop Arm Enforcement Program for the period June 25, 2015 through May 22, 2062; and **(2)** disbursement of funds from the joint escrow account for certain DCS expenses associated with the operation of the school crossing guard program - Financing: No cost consideration to the City

**BACKGROUND**

This item was placed on the addendum to allow for both City Council and Dallas County Schools approval prior to the expiration of the existing agreement.

After briefings from Dallas County Schools (DCS) on the growing number of incidents of motorists unlawfully passing stopped school buses and the high potential for injury or death to students and the public, on May 23, 2012, City Council adopted Ordinance No. 28654 which created a civil offense and civil penalty for unlawfully passing a stopped school bus with its stop arm extended and red lights flashing.

Concurrently, in a student safety partnership with Dallas County Schools (DCS), City Council authorized execution of (2) two ILA's. The first ILA authorized DCS to administer and enforce the School Bus Stop Arm Program. The existing ILA expires on June 24, 2015, and both parties desire to renew this student safety partnership.

Under the Interlocal Agreement for the School Bus Stop Arm Enforcement Program, DCS is responsible for monitoring and recording passing traffic when a stop arm is deployed on the bus. DCS hired peace officers to review the videos and determine whether violations have occurred and issue citations for violations that carry a \$300 civil fine. In addition, DCS is responsible for all collection efforts on school bus stop arm citations. The City is responsible for handling any hearings or appeals for adjudication of school bus stop arm violations, whether administratively or in Municipal Court.



## **BACKGROUND (continued)**

The second ILA transferred the responsibility, management, and expense of the school crossing guard program from the City to DCS beginning in August 2012. The transition of the school crossing guard program to DCS has been a successful and valuable component of the student safety partnership.

To offset program deficits from management of the school crossing guards, certain expenses associated with the operation of the school crossing guard program can be funded by the joint escrow account. In no event, however, shall the balance of the account fall below \$250,000.

The term of the ILA for the School Bus Stop Arm Enforcement Program is being extended to coincide and synchronize with the termination date of the ILA for the School Crossing Guard Program to maintain the longevity of the student safety partnership.

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

Authorized Interlocal Agreements with Dallas County Schools (DCS) on May 23, 2012, by Resolution No. 12-1388.

Adopted Ordinance No. 28654 on May, 23, 2012.

On May 11, 2015, the Public Safety Committee was briefed via memorandum.

## **FISCAL INFORMATION**

No cost consideration to the City

All expenses associated with the School Bus Stop Arm Enforcement Program and the School Crossing Guards are paid by Dallas County Schools.



May 13, 2015

**WHEREAS**, Dallas County Schools and the City of Dallas, Texas are each political subdivisions of the State of Texas; and

**WHEREAS**, on May 23, 2012, the City Council passed Ordinance No. 28654, which amended Chapter 28 of the Dallas City Code to create a civil offense and a civil penalty for unlawfully passing a stopped school bus with its stop arm extended and red lights flashing, with certain defenses and presumptions, and to provide for photographic enforcement and administrative adjudication of school bus stop arm violations (The School Bus Stop Arm Enforcement Program); and

**WHEREAS**, Dallas County Schools owns and operates school buses in the City and has installed video equipment on those school buses in order to capture potential violations of Ordinance No. 28654; and

**WHEREAS**, it was determined on May 23, 2012, to be in the best interest of the citizens of Dallas for the City and Dallas County Schools to enter into agreements for the enforcement and administration of the School Bus Stop Arm Enforcement Program and for Dallas County Schools to assume responsibility of the School Crossing Guard Program by Resolution No. 12-1388; and

**WHEREAS**, the City and Dallas County Schools wish to extend the term of the Stop Arm Camera Program and provide for the release of funds from the escrow account under certain circumstances.

**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 renewal of the Interlocal Agreement (ILA) with Dallas County Schools (DCS) to administer and enforce the Stop Arm Camera Program, for the period of June 25, 2015 through May 22, 2062.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds from the escrow account for certain expenses associated with the operation of the School Crossing Guard Program as long as a minimum of \$250,000 is maintained in the account at all times.

**Section 3.** That the City Manager is hereby authorized to execute the supplemental agreements after it has been approved as to form by the City Attorney.

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







## **ADDENDUM ITEM # 3**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 671-9837  
**MAPSCO:** 34U

---

### **SUBJECT**

An ordinance abandoning a portion of an alley to CVS Pharmacy, Inc., the abutting owner, containing approximately 3,392 square feet of land, located near the intersection of Amelia Street and Maple Avenue - Revenue: \$72,000, plus the \$20 ordinance publication fee

### **BACKGROUND**

This item is on the addendum because the City Attorney's Office required additional time to review the documents. This item authorizes the abandonment of a portion of an alley to CVS Pharmacy, Inc., the abutting owner. The area will be included with the property of the abutting owner for office development.

The abandonment fee is based on an independent appraisal.

Notices were sent to 25 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: \$72,000, plus the \$20 ordinance publication fee

### **OWNER**

**CVS Pharmacy, Inc.**

Helena B. Foulkes, President



**MAP**

Attached





AMELIA STREET

MAPLE SPRING BOULEVARD

2/2320

MAPLE AVENUE



Abandonment Areas







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

An ordinance providing for the abandonment of a portion of an alley located in City Block 2/2320 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to CVS Pharmacy, Inc.; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

**ooo0ooo**

**WHEREAS**, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of CVS Pharmacy, Inc., a Rhode Island corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of alley is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

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

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

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

**SECTION 2.** That for and in monetary consideration of the sum of **SEVENTY-TWO THOUSAND AND NO/100 DOLLARS (\$72,000.00)** paid by **GRANTEE**, and the further consideration described in Section 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 the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

**SECTION 4.** That the Chief Financial Officer is 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**, its heir successors and assigns.

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



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



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

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

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



**SECTION 12.** That this 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**  
Director of Department of Sustainable  
Development and Construction

BY   
Assistant City Attorney

BY   
Assistant Director

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



# ALLEY ABANDONMENT

MOXLEY'S ADDITION, DALLAS CITY BLOCK 2/2320  
C. GRIGSBY SURVEY, ABSTRACT NO. 532  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

## EXHIBIT A

BEING a 3,392 square foot tract of land situated in the C. GRIGSBY SURVEY, ABSTRACT NO. 532, in the City of Dallas, Dallas, County, Texas, and being all of a 15-foot alley in City of Dallas Block 2/2320, being all of a 15-foot alley as described in warranty deed recorded in Volume 2316, Page 591, Deed Records, Dallas County, Texas and all of a 15-foot alley as described in warranty deed recorded in Volume 2588, Page 260, Deed Records, Dallas County, Texas, and being a portion of Lots 1, 2, 3 and 4 of Moxley's Addition, an addition to the City of Dallas, Dallas County, Texas according to the Plat thereof recorded in Volume 4, Page 95, Map Records, Dallas County, Texas, and also being part of Tracts 1, 4A, and 4B as described in special warranty deed to Huckabee Partnership, Ltd., recorded in Volume 2004095, Page 4481, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch with red plastic cap stamped "W.A.I." found for corner on the Northwest line of the remainder of Lot 1, said 1/2-inch with red plastic cap stamped "W.A.I." found being the Southwest corner of said 15-foot alley recorded in Volume 2588, Page 260, Deed Records, Dallas County, Texas, said 1/2-inch with red plastic cap stamped "W.A.I." found being on the Southeast right-of-way of Amelia Street, a 50-foot right-of-way, said 1/2-inch with red plastic cap stamped "W.A.I." found being North 45 deg 11 min 42 sec East, a distance of 78.25 feet from the Northeast end of a radial corner clip at the intersection of the Northeast right-of-way of Maple Avenue, a variable width right-of-way with the Southeast right-of-way of said Amelia Street;

THENCE North 45 deg 11 min 42 sec East, along the Southeasterly right-of-way of said Amelia Street and said 15-foot alley recorded in Volume 2588, Page 260, Deed Records, Dallas County, Texas, a distance of 17.82 feet to a 1/2-inch iron rod found for the Southwest corner of Lot 6;

THENCE South 75 deg 08 min 07 sec East, departing the Southeasterly right-of-way of said Amelia Street, along the Northeast line of said 15-foot alley recorded in Volume 2316, Page 591, Deed Records, Dallas County, Texas, and said 15-foot alley recorded in Volume 2588, Page 260, Deed Records, Dallas County, Texas, and along the Southwest line of Lots 5 and 6, of said Moxley's Addition, a distance of 217.17 feet to a 1/2-inch with red plastic cap stamped "W.A.I." found for the Southeast corner of said Lot 5 and the Northeast corner of said 15-foot alley recorded in Volume 2316, Page 591, Deed Records, Dallas County, Texas, said 1/2-inch with red plastic cap stamped "W.A.I." found being on the Northwest right-of-way of Maple Springs Boulevard, a 50-foot right-of-way;

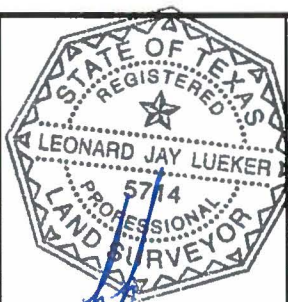
THENCE South 22 deg 26 min 42 sec West, along the Northwest right-of-way of said Maple Springs Boulevard and the Southeast line of said 15-foot alley recorded in Volume 2316, Page 591, a distance of 15.51 feet to a 3/4-inch iron rod found for corner;

THENCE North 75 deg 08 min 07 sec West, departing the Northwest right-of-way of said Maple Springs Boulevard, along the Southwest line of said 15-foot alley recorded in Volume 2316, Page 591, and Volume 2588, Page 260, along the remainder of said Lots 1, 2, 3, and 4, a distance of 224.12 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 0.078 acres or 3,392 square feet of land, more or less.

Basis of bearings is the global positioning system (Texas State Plane Coordinate System, Texas North Central Zone [4202], North American Datum OF 1983 [1986]), measurement of N 75°08'07" W taken along the northeast line of the 15' alley as recorded in Volume 2588, Page 260 and Volume 2316, Page 591, Deed Records, Dallas County, Texas, during an on-the-ground survey performed the 9th day of July, 2014. No specific bearings are recited on the plat or alley documents.

	<b>Winkelmann &amp; Associates, Inc.</b>
	CONSULTING CIVIL ENGINEERS ■ SURVEYORS
8750 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75230	(972) 490-7090 (972) 490-7099 FAX
Texas Engineers Registration No. 89 Firm Registration/License No. 10086600 Expires 12-31-13 COPYRIGHT © 2013, Winkelmann & Associates, Inc.	
Scale: N/A	
Date: 07.25.14	
Dwg. File: 70938-ALLEY-ABAND	
Project No.: 70938.00	



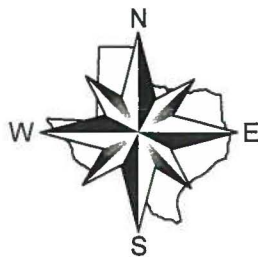
(For SPRG use only)  
Reviewed by: JL  
Date: 3-16-15  
SPRG No. 3199

**SHEET**  
**1**  
**OF**  
**2**



# ALLEY ABANDONMENT

MOXLEY'S ADDITION, DALLAS CITY BLOCK 2/2320  
C. GRIGSBY SURVEY, ABSTRACT NO. 532  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

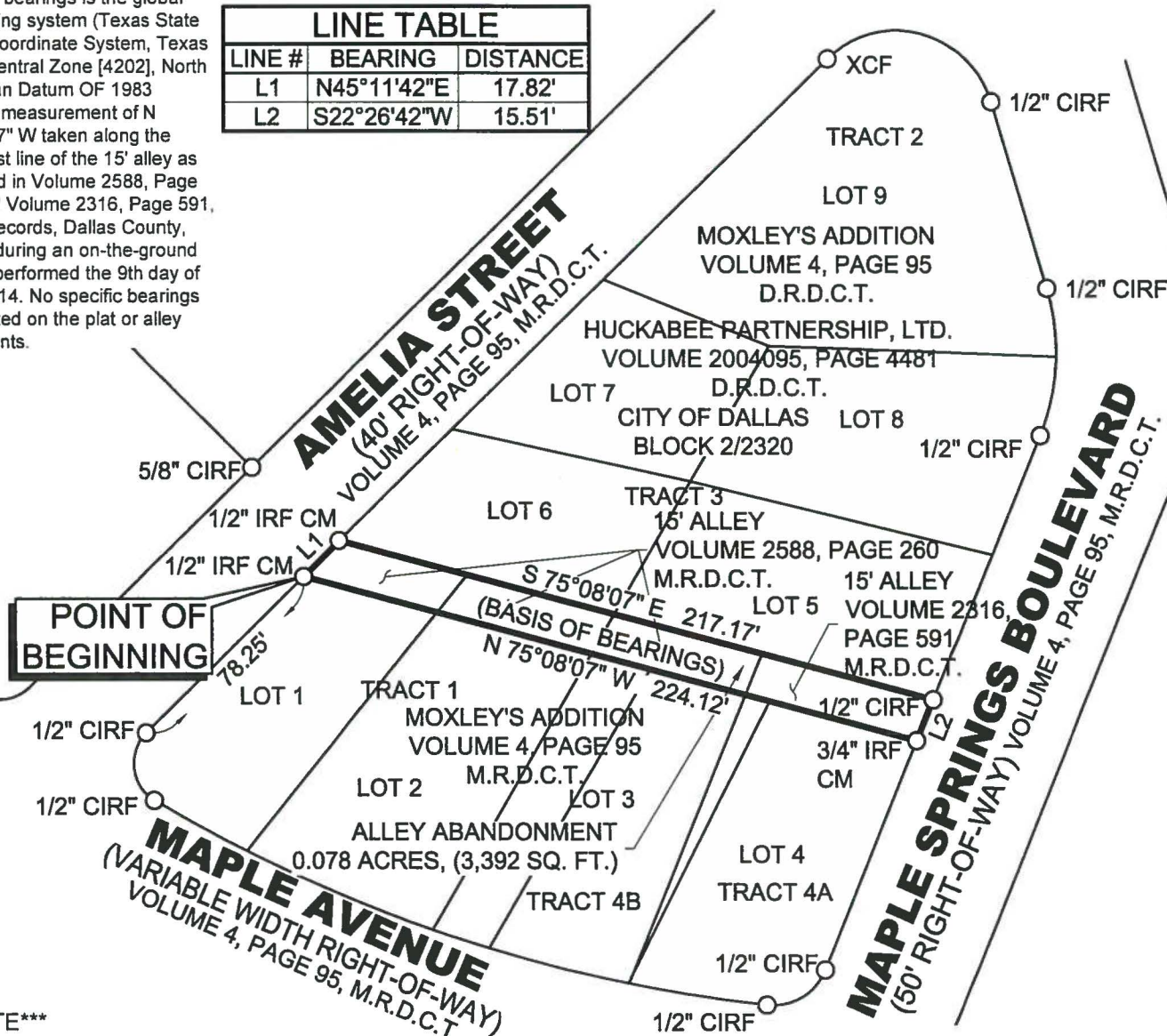


0' 30' 60'  
Scale 1"=60'

Basis of bearings is the global positioning system (Texas State Plane Coordinate System, Texas North Central Zone [4202], North American Datum OF 1983 [1986]), measurement of N 75°08'07" W taken along the northeast line of the 15' alley as recorded in Volume 2588, Page 260 and Volume 2316, Page 591, Deed Records, Dallas County, Texas, during an on-the-ground survey performed the 9th day of July, 2014. No specific bearings are recited on the plat or alley documents.

**LEGEND**  
IRF IRON ROD FOUND  
1/2" CIRF 1/2" IRON ROD FOUND W/ RED PLASTIC CAP STAMPED "W.A.I." FOUND FOR CORNER  
D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS  
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS  
M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS  
SQ. FT. SQUARE FEET

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N45°11'42"E	17.82'
L2	S22°26'42"W	15.51'



\*\*\*NOTE\*\*\*

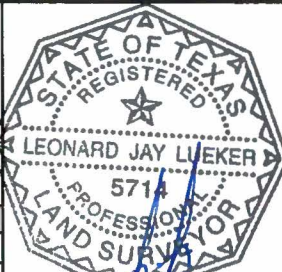
HUCKABEE PARTNERSHIP, LTD. OWNS ALL OF LOTS 1-9, BLOCK 2/2320, MOXLEY'S ADDITION (TRACTS 1, 2, 3, 4A, & 4B), RECORDED IN VOLUME 2004095, PAGE 4481, D.R.D.C.T.



**Winkelmann  
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
8750 HILLCREST PLAZA DRIVE, SUITE 325 (872) 480-7090  
DALLAS, TEXAS 75230 (872) 480-7099 FAX  
Texas Engineers Registration No. 89  
Firm Registration/icense No. 10086600 Expires 12-31-14  
COPYRIGHT © 2014, Winkelmann & Associates, Inc.

Scale: 1" = 60'  
Date: 07.25.14  
Dwg. File: 70938-ALLEY-ABAND  
Project No.: 70938.00



(For SPRG use only)  
Reviewed by: JL  
Date: 3-16-15  
SPRG No. 3199

**SHEET  
2  
OF  
2**

3/10/15



# 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 13, 2015

**COUNCIL DISTRICT(S):** 1

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 6-K; 6-L; 7-K; 7-L

---

**SUBJECT**

An ordinance granting an amendment to and an expansion of Planned Development District No. 468, the Oak Cliff Special Purpose District, with deed restrictions on a portion, Specific Use Permit No. 10 for a nursing home, Specific Use Permit No. 1032 for a utility or government installation, Specific Use Permit No. 1623 for a financial institution with a drive-in window, Specific Use Permit No. 1679 for a financial institution with a drive-in window, H/84 Lake Cliff Historic District, and H/71 Betterton House Historic District; Planned Development District No. 160 with Specific Use Permit No. 2079 for a child-care facility; Planned Development District No. 340; Planned Development District No. 364; Planned Development District No. 830; an R-5(A) Single Family District; an R-7.5(A) Single Family District; a TH-2(A) Townhouse District; a CH Clustered Housing District; an MF-2(A) Multifamily District; a CR Community Retail District with deed restrictions; an IR Industrial Research District; a CS Commercial Service District with deed restriction; an LO-1 Office District with deed restrictions; an RR Regional Retail District; an MU-1 Mixed-Use District with deed restrictions; an MU-2 Mixed-Use District; and a P(A) Parking District generally bounded by Interstate 30 to the north, the east levee of the Trinity River to the northeast, Interstate 35 to the east, Marsalis Street to the west, Eighth Street and Seventh Street to the south, Zang Boulevard to the west, Davis Street to the south, Elsbeth Street to the west, Neches Street to the south, Madison Street to the west, between blocks BLK M/3363 LOT 1& 2 to the south, between blocks BLK M/3363 TR 23-A and 24 to the south, Bishop Avenue to the west, Colorado Boulevard to the north, both sides of Beckley Avenue to the west including property facing Interstate 30 service road - Financing: No cost consideration to the City

**BACKGROUND**

This item is on the addendum and is moved forward by Council direction.

The City Council, on April 16, 2015, approved an amendment to and expansion of Planned Development District No. 468 on property generally bounded by Interstate 30 to the north, the east levee of the Trinity River to the northeast, Interstate 35 to the east,



## **BACKGROUND** (Continued)

Marsalis Street to the west, Eighth Street and Seventh Street to the south, Zang Boulevard to the west, Davis Street to the south, Elsbeth Street to the west, Neches Street to the south, Madison Street to the west, between blocks BLK M/3363 LOT 1& 2 to the south, between blocks BLK M/3363 TR 23-A and 24 to the south, Bishop Avenue to the west, Colorado Boulevard to the north, both sides of Beckley Avenue to the west including property facing Interstate 30 service road and asked that the ordinance and exhibits be brought back at a later date.

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

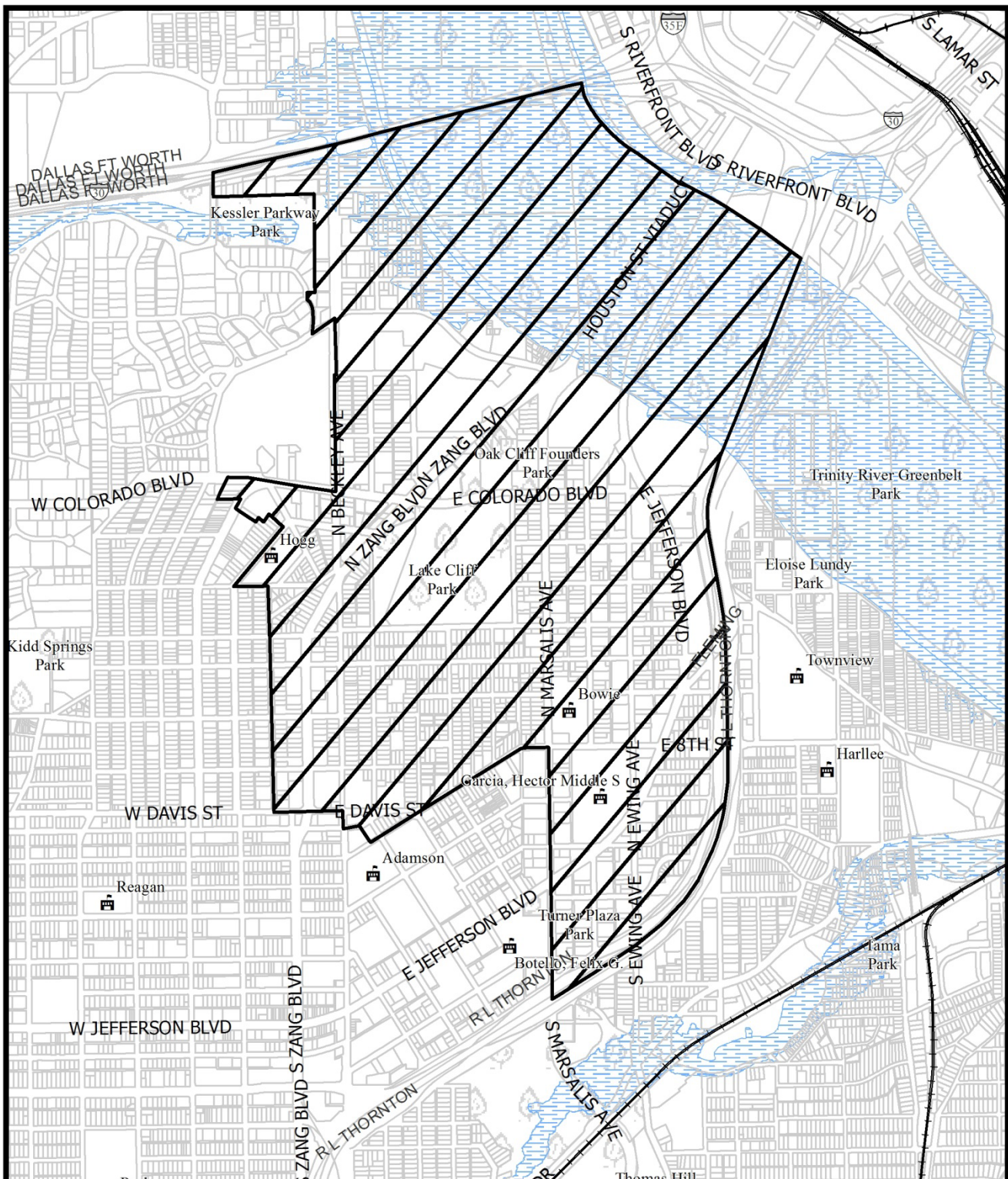
On November 20, 2014, the City Plan Commission recommended approval of an amendment to and expansion of Planned Development District No. 468 on property generally bounded by Interstate 30 to the north, the east levee of the Trinity River to the northeast, Interstate 35 to the east, Marsalis Street to the west, Eighth Street and Seventh Street to the south, Zang Boulevard to the west, Davis Street to the south, Elsbeth Street to the west, Neches Street to the south, Madison Street to the west, between blocks BLK M/3363 LOT 1& 2 to the south, between blocks BLK M/3363 TR 23-A and 24 to the south, Bishop Avenue to the west, Colorado Boulevard to the north, both sides of Beckley Avenue to the west including property facing Interstate 30 service road.

On April 16, 2015, the City Council approved an amendment to and expansion of Planned Development District No. 468 on property generally bounded by Interstate 30 to the north, the east levee of the Trinity River to the northeast, Interstate 35 to the east, Marsalis Street to the west, Eighth Street and Seventh Street to the south, Zang Boulevard to the west, Davis Street to the south, Elsbeth Street to the west, Neches Street to the south, Madison Street to the west, between blocks BLK M/3363 LOT 1& 2 to the south, between blocks BLK M/3363 TR 23-A and 24 to the south, Bishop Avenue to the west, Colorado Boulevard to the north, both sides of Beckley Avenue to the west including property facing Interstate 30 service road and asked that the ordinance and exhibits be brought back at a later date.

## **FISCAL INFORMATION**

No cost consideration to the City.





1:16,800

## VICINITY MAP

Case no: **Z067-203**

Date: **9/2/2014**







**FILE NUMBER:** Z067-203(VM)**DATE INITIATED:** March 15, 2007

**LOCATION:** Generally bounded by Interstate 30 to the north, the east levee of the Trinity River to the northeast, Interstate 35 to the east, Marsalis Street to the west, Eighth Street and Seventh Street to the south, Zang Boulevard to the west, Davis Street to the south, Elsbeth Street to the west, Neches Street to the south, Madison Street to the west, between blocks BLK M/3363 LOT 1& 2 to the south, between blocks BLK M/3363 TR 23-A and 24 to the south, Bishop Avenue to the west, Colorado Boulevard to the north, both sides of Beckley Avenue to the west including property facing Interstate 30 service road.

**COUNCIL DISTRICT:** 1**MAPSCO:** 6-K, 6-L, 7-K, 7-L**SIZE OF REQUEST:** ± 850 acres **CENSUS TRACTS:** 20.00, 42.01, 47.44, 48.00

**REQUEST:** A City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 468, the Oak Cliff Special Purpose District, with deed restrictions on a portion, Specific Use Permit No. 10 for a nursing home, Specific Use Permit No. 1032 for a utility or government installation, Specific Use Permit No. 1623 for a financial institution with a drive-in window, Specific Use Permit No. 1679 for a financial institution with a drive-in window, H/84 Lake Cliff Historic District, and H/71 Betterton House Historic District; Planned Development District No. 160 with Specific Use Permit No. 2079 for a child-care facility; Planned Development District No. 340; Planned Development District No. 364; Planned Development District No. 830; an R-5(A) Single Family District; an R-7.5(A) Single Family District; a TH-2(A) Townhouse District; a CH Clustered Housing District; an MF-2(A) Multifamily District; a CR Community Retail District with deed restrictions; an IR Industrial Research District; a CS Commercial Service District with deed restriction; an LO-1 Office District with deed restrictions; an RR Regional Retail District; an MU-1 Mixed-Use District with deed restrictions; an MU-2 Mixed-Use District; and a P(A) Parking District. Consideration will be given to appropriate zoning including use, development standards, parking, landscaping, sign, and other appropriate regulations, with retention of the H/84 Lake Cliff Historic District and H/71 Betterton House Historic District, including the termination of deed restrictions DR Z812-227, DR Z834-399, and DR Z867-185.

**SUMMARY:** A Form-Based Code District is being proposed to foster the creation of a regional mixed use center, with moderate to high density residential and non-residential uses developed in a pedestrian-, bicycle- and transit-friendly format, supported by an enhanced network of streets and open spaces.

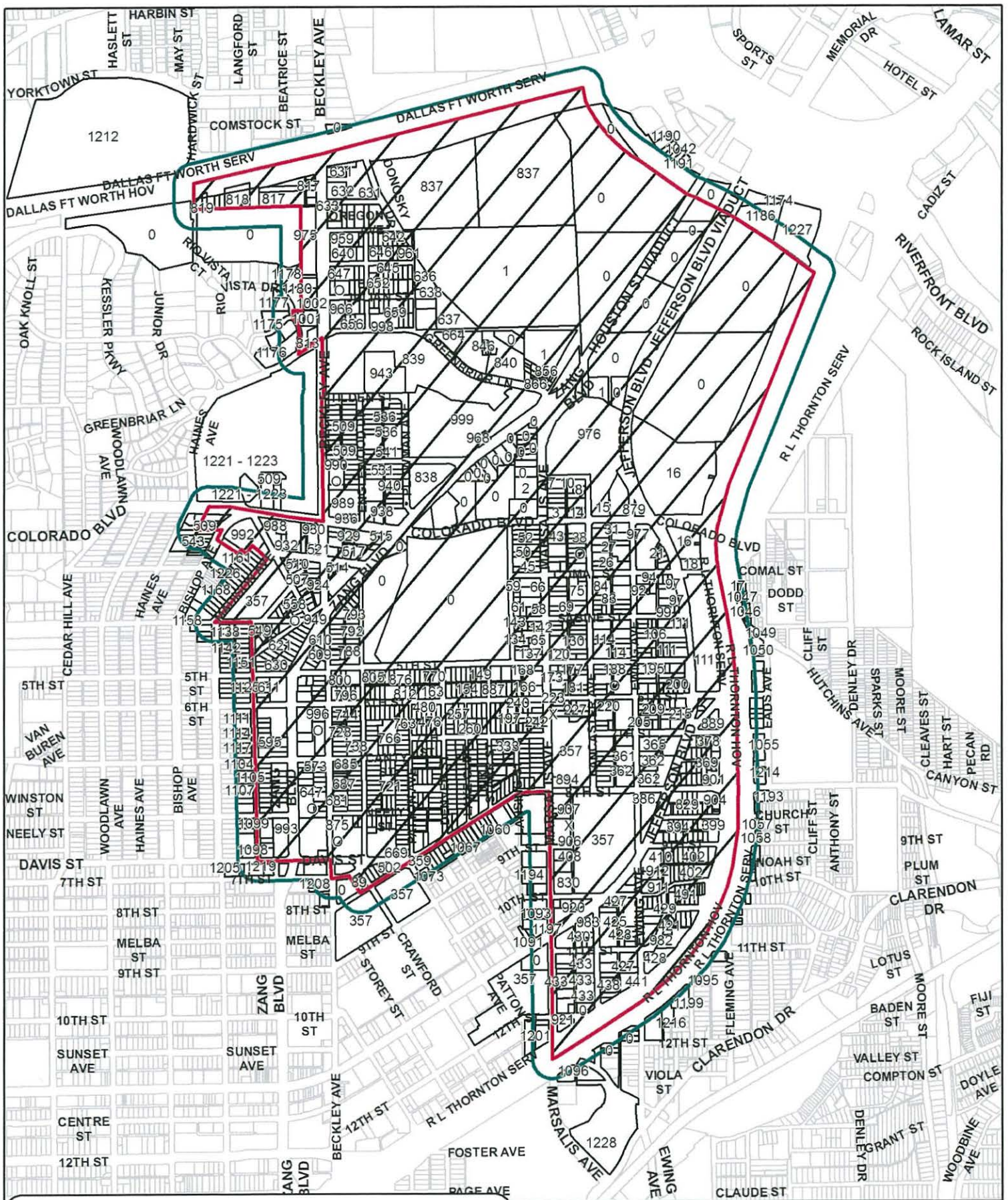
**CPC RECOMMENDATION:** Approval of amendments to and expansion of Planned Development District No. 468, subject to a yard, lot, space chart; a parking chart; and a street hierarchy plan and approval of the termination of deed restrictions Z812-227, Z834-399, and Z867-185 with retention of H/84 Lake Cliff Historic District and H/71 Betterton House Historic District, Specific Use Permit Nos. 10, 1032, 1623, 1679, and deed restrictions Z034-301, Z801-168, Z890-182, Z923-112, Z923-183, Z945-113 and no change of zoning on: 1) a portion of Tract 1C within Planned Development District No. 160 on the east side of Elsbeth Avenue between Neely Street and 5<sup>th</sup> Street; 2) a portion of Subdistrict 6 within Planned Development District No. 830 on the northeast corner of Davis Street and Elsbeth Avenue; and 3) Planned Development District No. 340



**STAFF RECOMMENDATION:** Approval of amendments to and expansion of Planned Development District No. 468, subject to a street hierarchy plan and approval of the termination of deed restrictions Z812-227, Z834-399, and Z867-185 with retention of Historic Overlay District No. 84 Lake Cliff, Historic Overlay District No. 71 Betterton House, Specific Use Permit Nos. 10, 1032, 1623, and 1679, and existing deed restrictions Z034-301, Z801-168, Z890-182, Z923-112, Z923-183, Z945-113 and no change of zoning on: 1) a portion of Tract 1C within Planned Development District No. 160 on the east side of Elsbeth Avenue between Neely Street and 5<sup>th</sup> Street; 2) an R-5(A) Single Family District on the east side of Elsbeth Avenue between 5<sup>th</sup> Street and Neches Street; 3) a portion of Subdistrict 6 within Planned Development District No. 830 on the northeast corner of Davis Street and Elsbeth Avenue; 4) a CR Community Retail District and an MF-2(A) Multifamily District south of Davis Street between Beckley Avenue and Patton Avenue; and 5) Planned Development District No. 340.

## **DESIGNATED ZONING CASE**





**1228** Property Owners Notified (1499 parcels)

**43** Replies in Favor (64 parcels)

**36** Replies in Opposition (40 parcels)

**200'** Area of Notification

**4/22/2015** Date **3/25/2015** Under Advisement

**Z067-203**

**CC**



1:15,600







04/21/2015

## ***Reply List of Property Owners***

***Z067-203***

***1228 Property Owners Notified***

***43 Property Owners in Favor***

***36 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	1100 LANCASTER AVE	CITY & COUNTY LEVEE
	2	929 MARSALIS AVE	FOUNDERS SQUARE APARTMENTS LLC
	3	900 MARSALIS AVE	RISING TIDE LTD PS
	4	908 MARSALIS AVE	BAKER ALBERT L JR &
X	5	914 MARSALIS AVE	MALONE TONY L
	6	922 MARSALIS AVE	CARTER CRAIG HARLAN &
	7	926 MARSALIS AVE	WIDMER LEE ANN
	8	917 LANCASTER AVE	WEISFELD HERSCHEL A
	9	925 LANCASTER AVE	WEISFELD HERSHCEL A
	10	618 ADDISON ST	WEISFELD HERSCHEL ALAN
	11	913 LANCASTER AVE	SMITH ROBERT
	12	911 LANCASTER AVE	PRESTON DIGBY M &
	13	619 COLORADO BLVD	DILBECK AUDRY & DELLA MARLENE
	14	901 LANCASTER AVE	MCKNIGHT MARY L
	15	701 COLORADO BLVD	SOUTHERN FOODS GROUP LP
	16	909 COLORADO BLVD	BELTLINE TRINITY GATEWAY
	17	100 R L THORNTON FWY	GRTP LTD
	18	1400 JEFFERSON BLVD	FIRST GLENDORA PARTNERS LTD
	19	1421 JEFFERSON BLVD	TRINITY BASIN PREPARATORY
	20	1413 JEFFERSON BLVD	HOOD WARREN W
	21	1417 JEFFERSON BLVD	TRINITY BASIN PREPARATORY
	22	1411 JEFFERSON BLVD	ALLEGHENY DALLAS INV
	23	1401 JEFFERSON BLVD	GARCIA CATALINA E
	24	800 LANCASTER AVE	FAIM ECONOMIC DEVELOPMENT CORP
	25	804 LANCASTER AVE	804 N LANCASTER AVENUE LLC
	26	810 LANCASTER AVE	AMG/TPRF II GENEVA SUBSIDIARY 3



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	816 LANCASTER AVE	BETJO MANAGEMENT LLC
	28	822 LANCASTER AVE	CHANG HENRY
	29	830 LANCASTER AVE	WOOD MICHELE
	30	836 LANCASTER AVE	PRESTON DIGBY &
	31	833 EWING AVE	CAMSTAM LP
	32	825 EWING AVE	PARK HIL PROPERTY LLC
	33	819 EWING AVE	MUSIYKO KONSTANTIN
	34	824 MARSALIS AVE	MAYS GREGORY T &
	35	817 LANCASTER AVE	HALL PATRICIA A
	36	812 MARSALIS AVE	ROBINSON RONALD R
X	37	800 MARSALIS AVE	DRAKEMONT JOINT VENTURE
O	38	821 LANCASTER AVE	SUPPORTIVE HOUSING INC
O	39	834 MARSALIS AVE	HILLCREST HOUSE
O	40	609 COMAL ST	WIGGINS MARTIN &
	41	801 LANCASTER AVE	PETERS RICHARD D
	42	815 LANCASTER AVE	HALL PATRICIA
	43	830 MARSALIS AVE	HAUPERS ERIC
	44	809 LANCASTER AVE	SCOTTSDALE TE PROPERTIES LLC
	45	801 MARSALIS AVE	SALA LARRY J
	46	807 MARSALIS AVE	MARTINEK MARK
	47	811 MARSALIS AVE	JAMISON MARIANNE &
	48	819 MARSALIS AVE	TRI-DESERT INVESTMENTS INC
	49	820 BLAYLOCK DR	RATLIFF STEVEN
	50	816 BLAYLOCK DR	HEMBRY LISA
	51	825 MARSALIS AVE	B J TRUCKING &
	52	829 MARSALIS AVE	REYNA KARON DEA BROW &
	53	839 MARSALIS AVE	WEISFELD HERSCHEL A
	54	834 BLAYLOCK DR	HHRCD LLC
	55	832 BLAYLOCK DR	SAINT JOSEPHS TEXAS ENTERPRISES LLC
	56	808 BLAYLOCK DR	RIVERA GROUP
	57	800 BLAYLOCK DR	RIVERA GROUP LLC



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	705 MARSALIS AVE	RADKE JONATHAN WILLIAM &
	59	716 BLAYLOCK DR	HEYLAND EDWARD A
	60	704 BLAYLOCK DR	HERNANDEZ MENDY L
	61	708 BLAYLOCK DR	THOMAS BRIAN M
O	62	714 BLAYLOCK DR	DAVIS ORVILL G &
	63	507 SABINE ST	ARAMBULA INOCENCIO &
	64	707 MARSALIS AVE	WOOD MICHELE S
	65	715 MARSALIS AVE	RAVKIND WILLIAM M
	66	723 MARSALIS AVE	LSM 723 MARSALIS LP
	67	731 LANCASTER AVE	GARZON JACQUELINE L
	68	727 LANCASTER AVE	GARZON JACQUELINE
	69	704 MARSALIS AVE	ESPINOZA MARIA ELENA
	70	700 MARSALIS AVE	SIMS TROY A & SHAKEELA BROOK
	71	708 MARSALIS AVE	WOOD SHAUN D &
	72	714 MARSALIS AVE	LOPEZ DAVID
	73	718 MARSALIS AVE	CASTILLO GERRARDO G
X	74	722 MARSALIS AVE	EL PATO JOINT VENTURE
	75	715 LANCASTER AVE	707 715 LANCASTER LLC
	76	707 LANCASTER AVE	707 715 LANCASTER LLC
	77	701 LANCASTER AVE	CHAVARRIA CRUZ T
	78	700 LANCASTER AVE	CRYSTAL PICON
	79	713 SABINE ST	GARCIA ZENOVIO JR
	80	707 SABINE ST	VERGARA ROBERTO
	81	706 LANCASTER AVE	FATINO FERNANDO
	82	708 LANCASTER AVE	PATINO FERNANDO
	83	712 LANCASTER AVE	LOZANO MARIA LUISA & ERENDIRA BERNICE
	84	720 LANCASTER AVE	SUPPORTIVE HOUSING INC
	85	731 EWING AVE	SUPPORTIVE HOUSING INC
	86	1 EWING AVE	ENSERCH CORP
	87	709 EWING AVE	RODRIGUEZ RAUL & CECILIA
	88	719 SABINE ST	TRIPLE VVV LLC



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	707 EWING AVE	SALA GARRY W
	90	706 EWING AVE	AMG TPRF II GENEVA SUBSID 4 LP
	91	812 COMAL ST	TEAMES JUDY KAY
	92	716 EWING AVE	CARSON JANICE P
	93	720 EWING AVE	SALA LARRY J
	94	724 EWING AVE	LEE YUNG JA
	95	824 COMAL ST	MCCORMICK BONNIE C
	96	820 COMAL ST	OLIVER JOHN M
	97	1305 JEFFERSON BLVD	ADIA PARTNERSHIP LLC
	98	823 SABINE ST	AVERY CHARLES E
	99	817 SABINE ST	VARGAS FEDERICO &
	100	825 SABINE ST	FAT TIGER INVESTMENTS LLC
	101	829 SABINE ST	MONTOYA JOSE GUADALUPE &
	102	604 EWING AVE	REYNOLDS ROBERT
	103	600 EWING AVE	OBREGON BERTHA G
	104	610 EWING AVE	VALERO JESSE III & DIANE
	105	620 EWING AVE	ARGUINZONI GILBERT &
	106	618 EWING AVE	RENDON MARY B
	107	812 SABINE ST	MURILLO ERIKA
	108	624 EWING AVE	ARMENDARIZ MARTIN G &
	109	808 SABINE ST	MORIEL BENITO & EDITH
	110	628 EWING AVE	MARQUEZ ENRIQUE
	111	816 SABINE ST	DALLAS AREA RAPID TRANSIT
	112	1215 JEFFERSON BLVD	DALLAS AREA RAPID TRANSIT
	113	602 LANCASTER AVE	SALDIVAR FAMILY LTD PS
	114	612 LANCASTER AVE	AMG/ TPRF II GENEVA SUBSIDIARY I LP
O	115	618 LANCASTER AVE	BRIGGEMAN SUSAN
	116	624 LANCASTER AVE	DELUGE HOLDINGS LLC
	117	625 EWING AVE	VEASLEY JAMES
	118	619 EWING AVE	RPL PROPERTIES LLC
	119	613 EWING AVE	RODRIGUEZ NORA



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	600 MARSALIS AVE	P & V INC
	121	606 MARSALIS AVE	AMG/TPRF II GENEVA SUBSIDIARY 2 LP
	122	622 MARSALIS AVE	ELAM EDNA EST OF
	123	626 MARSALIS AVE	KENNEDY LISA
	124	630 MARSALIS AVE	MARTINEZ PEDRO JOE &
	125	614 SABINE ST	HAYNES DELBERT K &
	126	616 SABINE ST	RAMOS GILBERTO VASQUEZ
	127	627 LANCASTER AVE	HISLAND CORP
	128	623 LANCASTER AVE	REALESTATE R US INC
X	129	623 LANCASTER AVE	MECCA APRIL INC
	130	609 LANCASTER AVE	AMG/TPRF II GENEVA SUBSIDIARY 2 LP
	131	609 LANCASTER AVE	BATTS DOUGLAS R
	132	619 5TH ST	FISHER BRANDY
X	133	612 BLAYLOCK DR	SANDBERG LEIF A
	134	616 BLAYLOCK DR	DIETERT DALE M &
	135	622 BLAYLOCK DR	SMITH BOB W & LINDA J
	136	606 BLAYLOCK DR	GORDON EVA M & LESLIE W HALL
	137	611 MARSALIS AVE	OLIVER JOHN
	138	601 MARSALIS AVE	RISING TIDE LTD PS
	139	615 MARSALIS AVE	AHOURAMAZDA LLC
	140	629 MARSALIS AVE	JASSO JUANA HERMELINDA &
	141	626 BLAYLOCK DR	LOPEZ DAVID A
	142	625 MARSALIS AVE	SIXTOS ROCIO
	143	630 BLAYLOCK DR	GARCIA MARIA ELBA
	144	506 SABINE ST	SEFCIK MRS ROBERT
	145	400 5TH ST	PRATT EMRON E & ANNIE H
	146	406 5TH ST	PRICE JOHN WILEY
	147	410 5TH ST	PENA ALFREDO & ASHLEY C
	148	414 5TH ST	RODRIGUEZ SANJUANITA EST OF
	149	418 5TH ST	CAMACHO JUAN
	150	430 5TH ST	REYES JESUS



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	431 6TH ST	THORNTON JENNIFER
	152	427 6TH ST	ZANUDIO MELISSA YANEZ &
	153	425 6TH ST	RAMOS JOHN C & CONNIE F
	154	423 6TH ST	VIERA JOAQUIN
	155	419 6TH ST	DAVILA JUAN M LIFE ESTATE
	156	415 6TH ST	TORRES LUIS ARMANDO
	157	411 6TH ST	FLORES ROSE
	158	401 6TH ST	WARD JAMES A &
	159	500 5TH ST	DUBOVE FERNANDO
	160	510 5TH ST	PRICE JOHN W
	161	519 6TH ST	DELASANCHA ANDRES
	162	515 6TH ST	GOMEZ GRACIELA
	163	511 6TH ST	BIRNBAUM ENTERPRISES LLC
	164	507 6TH ST	CRUZ LEONARDO &
X	165	501 MARSALIS AVE	STONERIDGE JOINT VENTURE
	166	531 6TH ST	GUDELMAN DEBORAH L
	167	515 MARSALIS AVE	OAK RIDGE JOINT VENTURE
	168	528 5TH ST	JOHNSON CHRISTINA
	169	523 MARSALIS AVE	CRUZ MARTHA E
	170	500 MARSALIS AVE	SANDOVAL HERMINIA
	171	611 6TH ST	CARBALLO OLIVIA
	172	504 MARSALIS AVE	MARSALIS FAMILY TRUST
	173	514 MARSALIS AVE	YOCOM GALE
	174	612 5TH ST	CHILDS HAROLD K
	175	602 5TH ST	RAMIREZ GERMAN A & IRMA
	176	517 LANCASTER AVE	ALKEBULAN CHRISTIE E
	177	618 5TH ST	SOWELLS EDDY
	178	523 LANCASTER AVE	TORRES LORENZA
	179	511 LANCASTER AVE	FAZ ISMAEL
O	180	501 LANCASTER AVE	KAVANAUGH CECIL L
	181	507 LANCASTER AVE	KARIKAL GEORGE J



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	711 6TH ST	FLORES JOSE LUIS &
	183	506 LANCASTER AVE	WILLIAMS GREGORY A
	184	500 LANCASTER AVE	SEGOVIANO JUAN M &
	185	512 LANCASTER AVE	HICKORY CREEK RETAIL LP
O	186	520 LANCASTER AVE	ALCANTARA JULIA
	187	518 LANCASTER AVE	ARRONA LUCIO &
O	188	501 EWING AVE	JA CONSTRUCTION SERVICES
	189	1101 JEFFERSON BLVD	MARCER INVESTMENTS LLC
	190	500 EWING AVE	AGUINAGA GLORIANA GUADALUPE
	191	500 EWING AVE	PEDROZA SALVADOR
	192	508 EWING AVE	PEDROZA SALVADOR ET AL
	193	512 EWING AVE	GRANOFF ALVIN ROY
	194	518 EWING AVE	HUNTER WILLIAM
	195	812 5TH ST	EDDIN ALDARAGMI SALAH
	196	826 5TH ST	GAMBER MONTY
	197	820 5TH ST	MAY JOSE FRANCISCO
	198	1109 JEFFERSON BLVD	MARCER INV LLC
	199	817 6TH ST	JDJM CAPTIAL INVESTMENT LLC
	200	831 6TH ST	MARCER INVESTMENTS LLC TR
	201	821 6TH ST	LIRA MANUEL &
	202	400 FLEMING PL	MEAZELL M GEAN
O	203	1010 JEFFERSON BLVD	SWILLING JOHN T & MARY L
	204	402 EWING AVE	SALINAS LEOBARDO &
	205	406 EWING AVE	SALINAS ANTONIO
	206	817 7TH ST	RODRIGUEZ ROBERTO &
	207	408 EWING AVE	SALINAS ANTONIO &
	208	414 EWING AVE	SALINAS OLGA &
	209	814 6TH ST	JDJM CAPITAL INVESTMENTS LLC
	210	420 EWING AVE	GONZALEZ JESUS S
	211	418 EWING AVE	ESTRELLA JUAN M
	212	816 6TH ST	BARTOLO VICTOR &



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	213	820 6TH ST	VILLARREAL MONICO
	214	1021 JEFFERSON BLVD	CHRISTIAN CHAPEL
	215	1013 JEFFERSON BLVD	CAMPBELL HORACE G
	216	828 6TH ST	HERNANDEZ JAIME & MARIA E
	217	800 7TH ST	KARLEN AUTO CO INC
	218	400 LANCASTER AVE	ZUNIGA ANGELICA M & MARTIN
	219	704 6TH ST	418-422 LANCASTER LLC
	220	418 LANCASTER AVE	418-422 LANCASTER LLC
	221	405 EWING AVE	TUCKER BRIAN &
	222	412 MARSALIS AVE	CHERBONAY AT MARSALIS
X	223	418 MARSALIS AVE	REFUGIO RIZO VASQUEZ
O	224	422 MARSALIS AVE	LIME HOLDINGS LLC
	225	612 6TH ST	RAMIREZ AGRIPINA
	226	417 LANCASTER AVE	PAREDES CATALINA LEIJA EST OF
	227	616 6TH ST	LACIO ROBERT &
	228	413 LANCASTER AVE	FLORES BILLY MOISES
	229	501 7TH ST	RODRIQUEZ ERNESTO V &
	230	505 7TH ST	NUNEZ ARTURO
	231	500 6TH ST	GARZA ROBERT & BRENDA
	232	506 6TH ST	CRUZ LUIS GERARDO
	233	509 7TH ST	LOPEZ JOSE G & ESTER
	234	511 LANSING ST	ONE EVEN FLOW LLC
	235	510 6TH ST	MOXLEY CECELIA K
	236	516 6TH ST	WILLIAMS SAMUEL L &
	237	532 6TH ST	PORTAL 7 LLC
	238	419 MARSALIS AVE	ARRELLANO MARIA LUCILA
	239	528 6TH ST	NANEZ BENITO M &
	240	524 6TH ST	CASTILLO JUAN S & MARIA E
	241	415 MARSALIS AVE	ALONSO JUAN ANTONIO &
	242	411 MARSALIS AVE	SALAZAR JOE A
	243	516 LANSING ST	CASTILLO JUAN &



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	244	514 LANSING ST	CASTILLO JUAN &
X	245	407 MARSALIS AVE	OLIVO ALBERTO &
	246	401 MARSALIS AVE	PERALTA PASCUALA J
	247	525 7TH ST	LEAL RUBEN JR & MARTA
	248	521 7TH ST	LEAL JOEL JOAQUIN & LETICIA
	249	531 7TH ST	GALVAN JOSE G & MARY JANE
	250	506 DENVER ST	FLORES BILLY MOISES
	251	409 7TH ST	CHAVEZ LORA A
	252	510 DENVER ST	HERNANDEZ J PASCUAL &
	253	502 DENVER ST	FLORES JOSE &
O	254	404 6TH ST	MCELROY JOSEPH III &
O	255	512 DENVER ST	WISTERIA HILLS 4 LLC
O	256	408 6TH ST	WISTERIA HILLS 11 LLC
	257	412 6TH ST	GARZA ROBERT P & BRENDA A
	258	415 7TH ST	AGUILLON JOSE L &
	259	510 LAKE CLIFF DR	HENDERSON MARLAND M
	260	421 7TH ST	GALVAN LORENZA
	261	425 7TH ST	ESTRADA NORBERTO &
O	262	420 6TH ST	WISTERIA HILLS 10 LLC
	263	422 6TH ST	CARRION BENJAMIN III &
	264	432 6TH ST	GOMEZ EDUARDO & OLGA E
	265	428 6TH ST	MOLINA BENITO
	266	433 7TH ST	HERNANDEZ VERONICA
	267	429 7TH ST	SALINAS CANDELARIO
	268	333 STARR ST	SIERRA JOSE AMPARO
	269	401 8TH ST	MACIAS EDGAR ALEXANDER
	270	407 8TH ST	MACIAS EDGAR A
X	271	313 LAKE CLIFF DR	PANIAGUA MARTIN
	272	327 STARR ST	CEJA OCTAVIANO
	273	413 8TH ST	GRANT KIM
	274	324 DENVER ST	GASPAR PASTOR A



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	275	314 DENVER ST	JASSO MARIA CLARA &
	276	340 LAKE CLIFF DR	GOMEZ ALMA
X	277	317 LAKE CLIFF DR	LEAL FEDERICO M
	278	321 LAKE CLIFF DR	PEREZ PAUL & FIDELFA
	279	326 DENVER ST	SILVAS MARIA L
	280	316 DENVER ST	AVALOS JOSIFINA F D
	281	328 DENVER ST	AVALOS JOSEFINA
	282	329 LAKE CLIFF DR	ORTIZ ERLINDA ESTATE OF
	283	325 LAKE CLIFF DR	MAGNA RAUL
	284	336 LAKE CLIFF DR	RODRIGUEZ CAROLYN EST OF
	285	330 DENVER ST	ORTA J G
	286	402 DENVER ST	FLORES RUBEN G
	287	403 LAKE CLIFF DR	SANCHEZ FELIBERTO
	288	407 LAKE CLIFF DR	HERNANDEZ IRMA ROJAS
X	289	400 DENVER ST	ORTA JOSE
	290	412 DENVER ST	RECINOS SANTOS & IMELDA
	291	415 LAKE CLIFF DR	AMADOR MARIA DE LOURDES
	292	411 LAKE CLIFF DR	MENDOZA MERCEDES
	293	421 LAKE CLIFF DR	TREVINO MARIA ESTELLA
	294	424 DENVER ST	MEDINA MARIA LIF EST
	295	422 DENVER ST	MEDRANO DANIEL &
	296	419 LAKE CLIFF DR	DIOSDADO ERMELINDA & JUAN
	297	430 DENVER ST	HERRIG ANDREW
	298	434 DENVER ST	MCCORKLE LELA
	299	435 LAKE CLIFF DR	BARRERA JOSE &
	300	426 DENVER ST	PEREZ RODOLFO M
	301	429 LAKE CLIFF DR	BONILLA HERLINDA AGUIRRE
	302	431 LAKE CLIFF DR	BARRERA ALFREDO & BARRERA
	303	410 LAKE CLIFF DR	CORONA JULIA
	304	406 LAKE CLIFF DR	GOMEZ BRIGGET CHAVEZ
	305	416 7TH ST	PRADO FELIPA DEJESUS



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	306	408 LAKE CLIFF DR	GARCIA PETE
	307	420 7TH ST	PINONES MARY
	308	419 STARR ST	RODRIQUEZ HERLINDA
	309	403 STARR ST	CHAVEZ LORA A
	310	405 STARR ST	MARQUEZ FELIX &
	311	409 STARR ST	ROMERO JOSE ASCENCION &
	312	326 LAKE CLIFF DR	JIMENZ ENRIQUE ROBERTO
	313	321 STARR ST	QUARLES AUBREY
	314	319 STARR ST	BRYANT ELIZABETH
	315	330 LAKE CLIFF DR	ANGUIANO JOE T & HELEN R
	316	314 LAKE CLIFF DR	JUDKINS DAVID PAUL SR &
	317	318 LAKE CLIFF DR	SANCHEZ RUBI &
	318	431 8TH ST	FLORES ARMANDO
	319	315 STARR ST	MARTINEZ RAMON
	320	317 STARR ST	MORALES JORGE D &
	321	501 8TH ST	FRANCO TINA M
	322	312 STARR ST	RILEY CHRISTINE
	323	509 8TH ST	GOMEZ RUTH
	324	505 8TH ST	GOMEZ JUAN &
	325	316 STARR ST	DIAZ CRISPIN & ROSA M
	326	308 STARR ST	BALDERAS MARTIN R
	327	513 8TH ST	DORSEY MRS M E
	328	517 8TH ST	SALINAS ELIDA
	329	521 8TH ST	ALVAREZ JORGE
	330	410 STARR ST	ESQUIVEL RAFAEL
	331	508 7TH ST	RECIO JESUS & GRACIELA
	332	500 7TH ST	PARRA ROLANDO
	333	415 LANSING ST	ROSS DON L &
	334	411 LANSING ST	OLGUIN JAIME O
	335	407 LANSING ST	BARAJAS ADELAIDA
	336	403 LANSING ST	NARVAEZ JUAN MANUEL



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	337	317 LANSING ST	VEGA JUAN
	338	525 8TH ST	LEAL ELVIRA TRUSTEE FOR
	339	525 8TH ST	LEAL FAMILY PARTNERSHIP
	340	529 8TH ST	DALLAS TORTILLAS INC
	341	310 LANSING ST	LEAL RUBEN R
	342	315 MARSALIS AVE	LEAL FAMILY PARTNERSHIP
	343	316 LANSING ST	MEDINA MIGUEL & SACORRO
	344	400 LANSING ST	DURAN FELIPE
	345	317 MARSALIS AVE	SALINAS ELIDA ETAL
	346	323 MARSALIS AVE	MORENO CESAREO & MARIA
X	347	339 MARSALIS AVE	MARTINEZ MARGARET &
	348	335 MARSALIS AVE	KNOX WILLIAM T
	349	331 MARSALIS AVE	ALVARADO LIDIA LEIJA
	350	327 MARSALIS AVE	TENIENTE LEONELA
	351	418 LANSING ST	FLORES BILL
	352	414 LANSING ST	HERRERA BENJAMIN N &
	353	408 LANSING ST	RAMIREZ MARIE E
	354	406 LANSING ST	HUERTA ENRIQUE &
	355	302 LANCASTER AVE	FERNANDEZ GUSTAVO
	356	312 LANCASTER AVE	GARCIA ZENOBIO JR
	357	324 LANCASTER AVE	Dallas ISD
	358	326 LANCASTER AVE	HERNANDEZ DAVID E
	359	336 LANCASTER AVE	J&M 401K LLC
	360	722 7TH ST	MARCER INVESTMENTS
	361	321 EWING AVE	AYZ GROUP INC
	362	315 EWING AVE	TRINITY BASIN PREPARATORY INC
	363	301 EWING AVE	TRINITY BASIN PREPARATORY INC
	364	326 EWING AVE	BANDA RAUL & EPIFANIA
	365	330 EWING AVE	WOOD CORA ANN
X	366	921 8TH ST	PATEL RAJNIKANT L
	367	910 JEFFERSON BLVD	MORRISON JAY II



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	368	909 8TH ST	MORRISON JAY II
	369	924 DALE ST	MARTINEZ RAUL & LETICIA
	370	911 8TH ST	ABDOLLAHIDEMENEH MORTAZA
	371	912 DALE ST	ABDOLLANIDEMENEH MORTAZA
	372	908 DALE ST	QUEME EASTER MARISELVA
	373	904 DALE ST	MORRISON JAY R
	374	913 DALE ST	LOUETTAS PLACE LLC
O	375	917 DALE ST	LOUETTA'S PLACE LLC
	376	921 DALE ST	MCLAIN MARGARET A
	377	925 DALE ST	MCCRARY HOLDINGS I LLC
	378	914 7TH ST	MCLAIN JESSE C &
	379	908 7TH ST	GALINDO SERVANDO
	380	904 7TH ST	KARLEN GEORGE F
	381	842 JEFFERSON BLVD	MAGHAIDA BLANCA A &
	382	912 8TH ST	MARTINEZ ELSA C
	383	920 8TH ST	RATH MARY L
	384	935 CHURCH ST	MORA GUADALUPE
	385	939 CHURCH ST	MORA & ASSOCIATES
	386	931 CHURCH ST	RIOS PROPERTIES LLC
	387	927 CHURCH ST	DD MCDONALD
	388	915 CHURCH ST	BRAVO ALFREDO & BERTHA
	389	911 CHURCH ST	CEDILLO MARIA
	390	905 CHURCH ST	VILLEGAS VENANCIO
	391	901 CHURCH ST	VILLEGAS VENANCIO
	392	904 CHURCH ST	VALDIVIA MARIANO
	393	906 CHURCH ST	TOLOCKO MARK
	394	908 CHURCH ST	GRIMES D W
	395	912 CHURCH ST	GRIMES DAVID & RHONDA
	396	926 CHURCH ST	CALIXTO ARACELY
	397	920 CHURCH ST	MACIAS JUAN I & PATRICIA
	398	930 CHURCH ST	MASTERS KETAN & KUSUM



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	399	465 R L THORNTON FWY	MASTERS KETAN & KUSUM
	400	909 9TH ST	GALARZA JOSE
	401	911 9TH ST	GALARZA MARTHA
	402	1018 SABINE ST	MARQUEZ EFRAIN
	403	905 9TH ST	CERVANTES DAVID & BLANCA
	404	817 9TH ST	LOPEZ SIMON C
	405	811 9TH ST	KING SHAUNTAI H
	406	815 9TH ST	GUSTAVO QUEME LUES
	407	226 MARSALIS AVE	REEVES GEORGE M ET AL
	408	134 MARSALIS AVE	VILLAFRANCO JOSE B &
	409	108 EWING AVE	LONGORIA LOUIS A
	410	806 9TH ST	LONGORIA LOUIS A
	411	810 9TH ST	EMMETT SAM
	412	822 9TH ST	EMMETT JOSEPHINE
	413	837 10TH ST	MONZURES ERASMO
	414	835 10TH ST	LOVE DELLA CARTER
	415	825 10TH ST	HERNANDEZ ISAAC
	416	821 10TH ST	LEWIS DWIGHT E
	417	817 10TH ST	DAL CO RACING PIDGEON
	418	824 BETTERTON CIR	LES TAYLOR PONTIAC INC
	419	828 BETTERTON CIR	MYRICK HORACE C JR &
	420	820 BETTERTON CIR	ROBINSON PATRICIA A &
	421	816 BETTERTON CIR	WRIGHT FLOYD
	422	900 BETTERTON CIR	TAYLOR LES PONTIAC
	423	830 BETTERTON CIR	MYRICK HORACE JR &
	424	902 BETTERTON CIR	TAYLOR LES PONTIAC INC
	425	128 LANCASTER AVE	TAYLOR PONTIAC INC
	426	108 LANCASTER AVE	LES TAYLOR PONTIAC INC
	427	702 10TH ST	GOODE BARBARA ANN
	428	129 EWING AVE	TAYLOR LES PONTIAC INC
	429	133 EWING AVE	TAYLOR LES PONTIAC INC



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	430	129 LANCASTER AVE	TORRES MIGUEL A
	431	617 11TH ST	TAYLOR BARBARA ANN
X	432	246 MARSALIS AVE	FOUNTAIN VILLA JV
	433	220 MARSALIS AVE	SECKER BETTY 1
	434	206 MARSALIS AVE	RUBIO REYNA
	435	212 MARSALIS AVE	BUENO MARIA AUDELIA
X	436	202 MARSALIS AVE	VIRGINIA JV
	437	237 LANCASTER AVE	JOSEPH GEORGE K
	438	232 LANCASTER AVE	AZTEC APT
	439	208 LANCASTER AVE	RISPOLI ANTHONY M
	440	213 EWING AVE	LAFUENTE LUPE
	441	223 EWING AVE	MONARCH HOSPITALITY INC
	442	311 8TH ST	GONZALEZ JOSE E & EMMA
	443	321 8TH ST	JMTT&Z LLC
	444	330 PATTON AVE	TORRES EFRAIN &
	445	334 PATTON AVE	MENDOZA IRENE
	446	311 DENVER ST	ZAMORA JONNY
	447	313 DENVER ST	YOUNG JUSTIN
	448	338 PATTON AVE	REYES ISIDRO G &
	449	300 STEINMAN AVE	DELGADO JUAN & MARIA
	450	304 STEINMAN AVE	SILVA RUBEN
X	451	308 STEINMAN AVE	CANDIDO ENCARNACION
X	452	321 DENVER ST	LOPEZ RODOLFO &
	453	333 DENVER ST	LOPEZ SERGIO A
	454	319 DENVER ST	GARCIA HECTOR & MARIA
	455	303 STEINMAN AVE	GOMEZ EDUARDO & OLGA
	456	410 PATTON AVE	RANGEL ISIDRO &
	457	305 STEINMAN AVE	DELGADILLO EDUARDA EST OF
	458	307 STEINMAN AVE	GARCIA RAFAEL R
	459	313 STEINMAN AVE	GARCIA RAFAEL RAMIREZ
	460	407 DENVER ST	SOLORZANO ZEFERINO



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	461	411 DENVER ST	CARBAJAL VELIA
	462	405 DENVER ST	DELEON SEVERO
X	463	414 PATTON AVE	SILVA JOSE L
	464	424 PATTON AVE	MACHADO MARCO A &
	465	415 DENVER ST	ARAIZA JUAN J & ROSA M
	466	425 DENVER ST	SILVA YOLANDA
	467	302 7TH ST	MENDOZA JUANA SILVA &
	468	306 7TH ST	SILVA JOSE L
	469	310 7TH ST	LARA ALFONSO S LIFE EST &
	470	314 7TH ST	SALAS ARMANDO & MARIA
	471	316 7TH ST	CAPISTRAN ADRIANA &
	472	320 7TH ST	LOPEZ ROGER II ET AL
	473	303 7TH ST	VELAZQUEZ MARIA M
	474	307 7TH ST	HERNANDEZ FRANCISCO &
X	475	311 7TH ST	NINO LUIS &
	476	315 7TH ST	MENDOZA JUANA
	477	317 7TH ST	BARRERA LAEL
	478	302 6TH ST	RAMOS OSCAR LIF EST
	479	306 6TH ST	AGUILAR FERMIN
	480	310 6TH ST	FLOYD WILLIAM R LIFE ESTATE
	481	320 6TH ST	CHAVEZ SULEMA CARDENAS &
	482	324 6TH ST	GONZALEZ MIGUEL &
O	483	800 10TH ST	MATTHEWS WILLIAM ANDREW
	484	116 EWING AVE	TAYLOR LES PONTIAC INC
	485	811 BETTERTON CIR	TAYLOR LES PONITAC INC
	486	814 10TH ST	JOHNSON GLENN ETAL
	487	824 10TH ST	GONZALEZ TERESA
	488	831 BETTERTON CIR	MARQUEZ EFRAIN
	489	830 10TH ST	GONZALEZ MARIA
	490	845 BETTERTON CIR	IGBOKWE OBI E
	491	904 10TH ST	CRANFORD EVIES O &



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	492	903 BETTERTON CIR	WEATHERALL T W
	493	907 BETTERTON CIR	TAYLOR LES PONTIAC
	494	908 10TH ST	ROGERS BILLY JOE
	495	916 10TH ST	HERREROS MARY HELEN
	496	916 10TH ST	CASTELAN ALEX
	497	912 10TH ST	WADE DORA
	498	201 8TH ST	GOMEZ JOHN M &
	499	207 8TH ST	GOMEZ JOHN MARTIN
	500	215 8TH ST	RUIZ RAMON & BERTHA A
	501	211 8TH ST	TORRES MARIA
	502	217 8TH ST	GOMEZ MICHAEL J
	503	1112 BALLARD AVE	ANNIS BETTY JEAN SHORES LIFE ESTATE
	504	1116 BALLARD AVE	GRIFFIN CLINT
	505	1118 BALLARD AVE	BECKLEY PROPERTIES LTD
X	506	1124 BALLARD AVE	WALDEN PAUL &
	507	1126 BALLARD AVE	COLECIO JUAN ANTONIO &
X	508	1132 BALLARD AVE	MCFADDEN SHARON A &
	509	1136 BALLARD AVE	METHODIST HOSPITALS OF DALLAS
	510	1212 MADISON AVE	MOJICA MARIA
X	511	1129 BECKLEY AVE	GREENHOUSE CLYDE
	512	1127 BECKLEY AVE	MTX NOOR REAL ESTATE LLC
	513	1300 MADISON AVE	122S HAMPTON LLC
	514	1304 MADISON AVE	CASTILLO SIMON III
	515	222 COLORADO BLVD	TEXAS WAGGONER CORPORATION &
	516	1211 ZANG BLVD	OUELETTE JARRETT
	517	1215 ZANG BLVD	OUELETTE JARRETT
	518	1202 BECKLEY AVE	TRITON BECKLEY LLC
	519	1309 MADISON AVE	MARTINEZ BROS INV
	520	1218 BECKLEY AVE	MARTINEZ BRO INV
	521	1211 BECKLEY AVE	BECKLEY PLACE PARTNERS LP
	522	1205 MADISON AVE	KECHEJIAN TRUST



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	523	116 OAKENWALD ST	BARR JOHN H TRUSTEE
X	524	1339 ENGLEWOOD DR	KESSLER WOMERNS GROUP LLC
	525	1333 ENGLEWOOD DR	BARR MARY CHRISTIAN TRUST
	526	1329 ENGLEWOOD DR	BARR BURT JR
	527	1325 ENGLEWOOD DR	BARR JOHN H
	528	1307 ENGLEWOOD DR	AMIRGHOLIZADEH KARIM
	529	1334 ENGLEWOOD DR	BARR JOHN ETAL
	530	1336 ENGLEWOOD DR	BARR JOHN HOLMAN II TR
	531	1338 ENGLEWOOD DR	BARR JOHN HOLMAN II TR
O	532	1341 PLOWMAN AVE	GENA WEST LLC
	533	1339 PLOWMAN AVE	S & N PARTNERS
	534	1321 PLOWMAN AVE	WASHBURN RAY TRUSTEE
	535	1402 ENGLEWOOD DR	DEAN PATRICK J
	536	1406 ENGLEWOOD DR	METHODIST HOSPITALS OF DALLAS
	537	1426 ENGLEWOOD DR	BUCKOVAN ROBERT SCOTT
	538	1430 ENGLEWOOD DR	BUCKOVAN COPE CYNTHIA JEAN
	539	1438 ENGLEWOOD DR	DIAZ MARY G
	540	1431 PLOWMAN AVE	METHODIST HOSPITALS OF DALLAS
	541	1405 PLOWMAN AVE	PLOWMAN AVE PPTIES LLC
	542	1400 BECKLEY AVE	METHODIST HOSPITALS OF DALLAS
	543	1424 BECKLEY AVE	METHODIST HOSPITALS OF DALLAS
	544	1403 ENGLEWOOD DR	METHODIST HOSPITALS OF DALLAS
	545	1047 ELDORADO AVE	MORENO MARIO
	546	1031 ELDORADO AVE	MONTANI MARIA CLAUDIA
	547	1027 ELDORADO AVE	ARMSTRONG DAVID
	548	1019 ELDORADO AVE	SKINNER DANIEL M
	549	1032 ELVBETH ST	GRANADOS ANDRES &
	550	1035 ELDORADO AVE	MENDOZA JUAN
	551	124 NECHES ST	MONRIAL JOSE F &
	552	1037 ELDORADO AVE	ALARDIN PEDRO G EST OF
	553	130 NECHES ST	RICO JOSE LUNA &



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	554	1123 BALLARD AVE	WALDEN LAWRENCE PAUL &
	555	1119 BALLARD AVE	CASTILLO GONZALO
	556	1115 BALLARD AVE	WORSHAM JAMES B &
O	557	1111 BALLARD AVE	WISTERIA HILLS 2 LLC
O	558	1105 BALLARD AVE	WISTERIA HILLS 14 LLC
	559	1118 ELSBETH ST	SALDIVAR FAMILY I LIMITED PARTNERSHIP
	560	1114 ELSBETH ST	MENDOZA JUAN H
	561	111 NECHES ST	BURGESS CARMELEITA C
	562	121 NECHES ST	CARDENAS ARIK B & AMELIA J
	563	1110 ELSBETH ST	SANDOVAL RODRIGO & MARIA
	564	1104 ELSBETH ST	NEYRA FERNANDO
	565	1171 MADISON AVE	KECHEJIAN TRUST
	566	600 ELSBETH ST	ALIGN LP
	567	610 ELSBETH ST	FLORES JUAN &
	568	630 ELSBETH ST	BALLAS VICTOR E BALLAS LLC
	569	635 ZANG PL	BISHOP 1910 PARTNERS LTD
O	570	612 ZANG BLVD	DALLAS COUNTY SCHOOL
O	571	601 BECKLEY AVE	DALLAS COUNTY SCHOOL TRUS
O	572	718 ZANG BLVD	DALLAS COUNTY SCHOOLS
	573	737 BECKLEY AVE	BUSTAMANTE ANTONIO &
	574	735 BECKLEY AVE	HODGES RAMONA G
	575	727 BECKLEY AVE	LOPEZ ISRAEL
	576	733 BECKLEY AVE	LOPEZ ISRAEL
	577	719 BECKLEY AVE	TONGRA LP
	578	723 BECKLEY AVE	YBARRA MARY MAGDALENA
	579	707 BECKLEY AVE	GOMEZ RAY
	580	700 ELSBETH ST	FUENTES VIRGINIA PEREZ
	581	708 ELSBETH ST	SIROOSIAN RAMIN
	582	712 ELSBETH ST	3M 707 ZANG LLC
	583	716 ELSBETH ST	LEE MARIE E
	584	720 ELSBETH ST	AFA DEVELOPMENT LLC



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	585	732 ELSBETH ST	PENA JESUS H &
	586	726 ELSBETH ST	GAUCIN ROGER
	587	734 ELSBETH ST	CASTILLO GERARDO
O	588	736 ELSBETH ST	WHITEAKER BETTYE M
	589	733 ZANG BLVD	PENA JESUS H & IRMA
	590	727 ZANG BLVD	CHERNOCK CHRISTIAN
	591	723 ZANG BLVD	GOMEZ CELIA O
	592	719 ZANG BLVD	BANCO POPULAR NORTH AMERICA
	593	715 ZANG BLVD	3M 707 ZANG LLC
	594	810 ELSBETH ST	COUCH KEDRIC
	595	814 ELSBETH ST	LOPEZ BENITO JR
X	596	818 ELSBETH ST	ELAINE S GORENSTEIN
	597	820 ELSBETH ST	TOVAR MARTIN
	598	828 ELSBETH ST	TUCKER MICHAEL BRITT &
	599	835 ZANG BLVD	GEMSK LLC
	600	813 ZANG BLVD	ARELLANO MIGUEL
	601	839 BECKLEY AVE	VINES DAN
	602	908 ZANG BLVD	SALAZAR JOSE
	603	912 ZANG BLVD	VALPARAISO HOLDINGS LLC
	604	917 BECKLEY AVE	SALDIVAR FAMILY I LTD PS
	605	909 BECKLEY AVE	BREETE LLC
	606	907 BECKLEY AVE	DELGADILLO JOSE LUIS
	607	903 BECKLEY AVE	TORRES LUIS & MARIA G
	608	1006 ZANG BLVD	GARCIA MAGDALENA &
	609	1018 ZANG BLVD	NABUA PROPERTY HOLDINGS
	610	1030 ZANG BLVD	KSD LLC
	611	900 ELSBETH ST	GRACE PRESBYTERY INC
	612	918 ELSBETH ST	WHISENANT LAUREL K
	613	901 ZANG BLVD	GRACE PRESBYTERY INC
	614	1039 ZANG BLVD	MALLEY JOSEPH H & MARY L
	615	1019 ZANG BLVD	DALAL KARIM & RAYAN DALAL



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	616	1020 ELDORADO AVE	MENDOZA OSCAR
	617	1007 ZANG BLVD	BKN REALTY LLC
	618	1006 ELSBETH ST	CROW BRENDA ANN
	619	1011 ZANG BLVD	ZANG CRYSTAL HILL LLC
	620	1015 ZANG BLVD	AVERITE CHRISTOPHER J
	621	1024 ELDORADO AVE	CORTEZ NATIVIDAD
	622	1000 ELSBETH ST	HERRERA RUBEN D
	623	143 5TH ST	ALATORRE DANIEL &
	624	1035 ZANG BLVD	VICTOR BALLAS & VA CAPITAL
	625	147 5TH ST	GALVAN ALFREDO GONZALEZ &
	626	1003 ZANG BLVD	FISCAL GABRIEL AND MARIA DE LA LUZ FISCAL
	627	1022 ELDORADO AVE	BARRIENTOS EMILIO A &
	628	1016 ELDORADO AVE	CALZADA ANTONIO
	629	1010 ELSBETH ST	DREILING COURTNEY
	630	139 5TH ST	AMADOR JUAN
	631	414 R L THORNTON FWY	County of Dallas
	632	2008 BECKLEY AVE	DEALEY LTD
	633	1916 BECKLEY AVE	REID JON ROY
	634	119 OREGON AVE	TRINITY FLOOR CO INC
	635	125 OREGON AVE	123 E OREGON JV
	636	1720 PLOWMAN AVE	HOLLEMAN BILLIE C
	637	317 DEALEY ST	TEXAS UTILITIES ELEC CO
	638	1620 PLOWMAN AVE	BANKS BRYAN F
	639	126 OREGON AVE	OREGON AVE PROPERTIES LLC
	640	101 MORGAN AVE	NEW MT GILEAD BAPTIST CH
	641	1805 SPANN ST	STEARNS KENNETH & NAOMI R
	642	1813 PLOWMAN AVE	MCKEMIE M JEAN
	643	218 OREGON AVE	IRA PLUS SOUTHWEST LLC
O	644	214 OREGON AVE	WANG GLOBALNET
	645	206 OREGON AVE	TRINITY HARDWOOD DISTRIBUTORS INC
	646	1802 SPANN ST	SUNDOWN PROPERTIES LLC



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	647	1710 BECKLEY AVE	DALLAS COUNTY SCHOOLS
	648	127 JULIAN ST	HOLLEMAN CONSTRUCTION
	649	1707 SPANN ST	TOBIAS MANUEL S
	650	234 MORGAN AVE	PEREZ GUILLERMO &
	651	230 MORGAN AVE	PARK PETER
	652	208 MORGAN AVE	STEARNS KENNETH L
	653	213 JULIAN ST	CORONADO PIOQUINTO &
	654	221 JULIAN ST	CORONADO PIOQINTO &
	655	132 JULIAN ST	DARYL RICHARDSON GOURMET CATERING INC
	656	115 GREENBRIAR LN	MIMS JACK A &
	657	123 GREENBRIAR LN	RICHARDSON DARYL GOURMET CATERING INC
	658	1619 PLOWMAN AVE	STEARNS NAOMI RUTH
	659	214 JULIAN ST	LOCHRIDGE JOHN O JR
	660	210 JULIAN ST	LOCHRIDGE HOLDINGS CORP
	661	200 JULIAN ST	RICHARDSON GERALD R
	662	231 GREENBRIAR LN	HUNT ROBERT W
	663	235 GREENBRIAR LN	HUNT ROBERT
	664	323 GREENBRIAR LN	ATA APARTMENTS LTD
	665	202 NEELY ST	CASIAS MARIA DE CARMEN VILLA &
	666	632 BECKLEY AVE	PEREZ MAXIMO JR & PETRA
	667	204 NEELY ST	CUEVAS MAGDALENA A
	668	116 NEELY ST	PRADO MINERVA
	669	303 PATTON AVE	CUADROS APOLONIO
	670	309 PATTON AVE	QUINTERO MARIA
	671	120 NEELY ST	AGUIRRE ANDRES &
	672	311 PATTON AVE	NARRO LORENZO A & ROSA M
	673	317 PATTON AVE	MONDRAGON ROGELIO
	674	321 PATTON AVE	NARRO CAMERINA V
	675	325 PATTON AVE	ALONSO RUBEN & MARIA DEL
	676	329 PATTON AVE	ZUNIGA JUAN
	677	205 DAVIS ST	CFS 1 LTD



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
678	333	PATTON AVE	MATA FRAYNOE & EVELIA
679	335	PATTON AVE	TAMAYO MARIA REYNA
680	620	CRAWFORD ST	DOMINGUEZ MARIA G &
681	710	BECKLEY AVE	MARTINEZ SILVERIO SR
682	716	BECKLEY AVE	CALDERON JORGE A
683	732	BECKLEY AVE	MONTOYA BLANCA E L
684	714	BECKLEY AVE	YBARRA MAGDALENA
685	736	BECKLEY AVE	FIRA MARIA DEL CARMEN
686	702	BECKLEY AVE	MARTINEZ BENJAMIN
687	720	BECKLEY AVE	ORTIZ JESUS & MARIA
688	728	BECKLEY AVE	RAMIREZ BENJAMIN &
689	730	BECKLEY AVE	DIODATI MONICA CHIARA
690	341	PATTON AVE	JASSO CESILIA
691	343	PATTON AVE	GONZALEZ VICENTE R &
692	345	PATTON AVE	DIAZ MARCELINO
693	347	PATTON AVE	REYES RICARDO
694	401	PATTON AVE	HERNANDEZ TEODORO ETAL
695	405	PATTON AVE	PEREZ RICARDO M & PETRA
696	411	PATTON AVE	GIL JO JESUS G & SILVIA
697	413	PATTON AVE	PUENTE JANET &
698	417	PATTON AVE	SALINAS ELIDA &
699	421	PATTON AVE	CARRANZA BENIGNO
700	701	CRAWFORD ST	ARECHAR FRANCISCO &
701	707	CRAWFORD ST	GARCIA JORGE & LIDIA
702	711	CRAWFORD ST	JASSO JUANA H &
703	715	CRAWFORD ST	CHAVEZ ROMEO
704	719	CRAWFORD ST	LOPEZ JUAN C
705	723	CRAWFORD ST	TORRES OLGA M
706	727	CRAWFORD ST	TORRES JOSE G EST OF
707	731	CRAWFORD ST	GOEN ERIK D
708	735	CRAWFORD ST	DIAZ MARIA TERESA



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
709	739	CRAWFORD ST	DIAZ ELENO NINO &
710	700	CRAWFORD ST	CENDEJAS VICENTE A
711	706	CRAWFORD ST	ROJAS HUMBERTO CARLOS &
712	710	CRAWFORD ST	MUNIZ MIGUEL & MARIA D C
713	714	CRAWFORD ST	JUAREZ MARIO
714	718	CRAWFORD ST	VALVERDE PABLO
715	722	CRAWFORD ST	JUAREZ MARIO & EDILIA A
716	728	CRAWFORD ST	FLORES MAURILIO &
717	730	CRAWFORD ST	ORTIZ JESUS &
718	734	CRAWFORD ST	HERNANDEZ PEDRO & FELIPA
719	738	CRAWFORD ST	CARRIZALES EDWARD
720	212	CANTY ST	IBARRA MANUEL GONZALEZ &
721	211	NEELY ST	ABONZA SUSANO &
722	218	CANTY ST	HERRERA HUMBERTO
723	220	CANTY ST	RAMIREZ FELIPE &
724	215	NEELY ST	GONZALEZ JUAN & MARIBEL
725	219	NEELY ST	MAGDALENO RAMIRO & MARIA
726	223	NEELY ST	LOPEZ ENRIQUE P &
727	838	BECKLEY AVE	WILSON ZAMORA INVESTMENTS
728	818	BECKLEY AVE	PEDRO STEPHANIE
729	812	BECKLEY AVE	TORRES MARTIN
730	800	BECKLEY AVE	SOLORZANO JUAN E &
731	808	BECKLEY AVE	SAUCEDO NICOLAS & MARIA
732	832	BECKLEY AVE	BAEZA LORENA
733	828	BECKLEY AVE	JOINER FAITH RENEE
734	820	BECKLEY AVE	GARCIA RAFAEL QUEVEDO &
735	824	BECKLEY AVE	CHRISTENSEN JANELLE M
736	826	BECKLEY AVE	BOBO LINDA
737	804	BECKLEY AVE	TIDEY CRAIG
738	809	CRAWFORD ST	MENDEZ MANUEL
739	811	CRAWFORD ST	ESTRADA FEDERICO &



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	740	817 CRAWFORD ST	MOONEY MICHAEL
	741	823 CRAWFORD ST	MOONEY RICHARD LEE
	742	825 CRAWFORD ST	ROMIG RANDALL ROBERT
	743	829 CRAWFORD ST	COLLIE LUIS R
	744	112 6TH ST	RAMOS TONY M &
	745	835 CRAWFORD ST	ADAME MARIA
	746	230 6TH ST	TORRES MARIA &
	747	228 6TH ST	CASTRO PEDRO & LINA
	748	226 6TH ST	LUEVANO MATTHEW A
	749	222 6TH ST	CYMMION TERRINGTON G
	750	216 6TH ST	SANCHEZ JUAN JOSE
O	751	212 6TH ST	GENA NORTH LLC
	752	824 CRAWFORD ST	VASQUEZ MARIA Z CADENA
	753	820 CRAWFORD ST	COUCH KEDRIC &
	754	816 CRAWFORD ST	JONES ELIZABETH M
	755	812 CRAWFORD ST	COUCH KEDRIC & PAT COUCH
	756	800 CRAWFORD ST	CHUPA JAMES EDWARD &
	757	213 CANTY ST	MILLER GENE BELL
	758	215 CANTY ST	MEEHAN RYAN
	759	427 PATTON AVE	BELMONTE JOSE O &
	760	431 PATTON AVE	TORRES JOSE JAIME & TORRES SILVIA
X	761	435 PATTON AVE	TORRES BONIFACIO & AURORA
	762	439 PATTON AVE	ORTIZ MOSES &
	763	511 PATTON AVE	TOVAR VALENTIN
	764	503 PATTON AVE	FRANCO TINA MARIE
	765	507 PATTON AVE	VILLEGAS SYLVESTRE
	766	213 CANTY ST	MILLER GENE BELL
	767	313 6TH ST	VARELA CRUZ LIFE ESTATE
	768	303 6TH ST	VARELA CRUZ LIFE EST
	769	305 6TH ST	VANIAN MARY TRUSTEE
	770	320 5TH ST	CLAXTON JAMES D



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	771	323 6TH ST	RODRIGUEZ MARY
	772	302 5TH ST	MAY SHARON K
O	773	307 6TH ST	WISTERIA HILLS 9 LLC
	774	222 5TH ST	LEON ROBERT
	775	306 5TH ST	GARRISON JEFFERY &
	776	310 5TH ST	CASTRO JOHN J
	777	1122 ZANG BLVD	FORD KAYCE L & NEAL P &
	778	1118 ZANG BLVD	SPILLERS ALLEN & DONNA
	779	1102 ZANG BLVD	WALIA & SONS REAL ESTATE INC
	780	1032 BECKLEY AVE	PARKER LEON
	781	1028 BECKLEY AVE	WHATLEY KATRINA L &
	782	1022 BECKLEY AVE	SCHULTZ MEREDITH
	783	1018 BECKLEY AVE	GRANADO RALPH & DEBRA
	784	1014 BECKLEY AVE	GONZALEZ MARIA &
	785	1006 BECKLEY AVE	COFER WILLIE R
O	786	1002 BECKLEY AVE	WISTERIA HILLS 5 LLC
	787	1010 BECKLEY AVE	SPERLING MERCEDES &
	788	1001 CRAWFORD ST	STOFOROPOULOS EUTHYMOS
	789	1159 MADISON AVE	FOUNTAIN VILLA INC
	790	1019 CRAWFORD ST	GONZALEZ MACARIO &
	791	1023 CRAWFORD ST	RAMIREZ MIGUEL & EVANGELI
	792	1027 CRAWFORD ST	EQUITY GATEWAY P1 LLC
	793	1103 CRAWFORD ST	SCHROEDER MARTIN C &
	794	123 6TH ST	GUFFEY TYLER H
	795	119 6TH ST	VICTOR PPTIES LLC
	796	113 6TH ST	SEGOVIA RAFAEL
	797	111 6TH ST	GASPER PASTOR & MARIA
	798	103 6TH ST	BAEZA IGNACIO & MARIA
	799	102 5TH ST	PARR DAVID ROBERT
	800	106 5TH ST	MURPHY CHRISTOPHER W
O	801	108 5TH ST	WISTERIA HILLS 6 LLC



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	802	218 5TH ST	LLOYD JOSHUA
	803	214 5TH ST	ARELLANO MARTHA
	804	210 5TH ST	DANTZLER HAL S
	805	204 5TH ST	LUGO ELPIDIO &
	806	202 5TH ST	SHEETS CLAY C III
	807	205 6TH ST	SAVALA SANTOS R EST OF
O	808	209 6TH ST	WISTERIA HILLS 8 LLC
	809	215 6TH ST	ZRUBEK HENRY J
	810	223 6TH ST	BIRNBAUM ENTERPRISES LLC
	811	233 6TH ST	BERLIN APRIL
	812	237 6TH ST	SAUCEDO RUBEN C
	813	1605 BECKLEY AVE	AUSBROOKE LLC
	814	1620 HANDLEY DR	KAVANAGH PETER
O	815	115 GREENBRIAR LN	DSGN ASSOCIATES INC
	816	1717 BECKLEY AVE	BG BROOKVIEW PARTNERS LTD
	817	2001 BECKLEY AVE	LONE STAR CONSOLIDATED
	818	202 TURNPIKE AVE	TERRY ROY HICKS
	819	244 TURNPIKE AVE	AGUIRRE ALBERT T
	820	240 TURNPIKE AVE	RICE ROBERT RAY
	821	234 TURNPIKE AVE	MAGEORS & RICE PHOTO
	822	228 TURNPIKE AVE	MASSEY DAVID
	823	517 7TH ST	CARBAJAL JOSE J &LETICIA
	824	407 STARR ST	VALENZUELA ROSA
	825	320 STARR ST	CASTILLO PABLO
	826	400 STARR ST	NIETO RODOLFO ESTATE OF
	827	406 STARR ST	PINEDA FRANCISCO
	828	457 R L THORNTON FWY	PRESCOTT INTERESTS BILLBOARDS LTD
	829	923 CHURCH ST	YANGTZE RIVER REALTY LLC
	830	108 MARSALIS AVE	MALCHI JOHN E & CONNIE S
	831	906 BETTERTON CIR	PERRY CO THE
	832	115 EWING AVE	SHELTER MINISTRIES OF



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	833	324 PATTON AVE	GUTIERREZ VICTOR
	834	612 ELSBETH ST	BRIONES MARIA & ADOLFO
	835	820 ZANG BLVD	NORTH ZANG DEV LTD
	836	835 BECKLEY AVE	BECKLEY PROFESSIONALS INC
	837	99 IH 30	DALLAS CITY & COUNTY
	838	1335 ZANG BLVD	ZANG TRIANGLE LLC
	839	1520 BECKLEY AVE	KESSLER PEAK LTD PS
	840	381 GREENBRIAR LN	RAWLINS HALL LLC
	841	381 GREENBRIAR LN	DATLA UMA &
	842	381 GREENBRIAR LN	AGRAWAL SURESH C
	843	381 GREENBRIAR LN	GITOMER JASA JAY
	844	381 GREENBRIAR LN	GREGORY JOSEPH R &
	845	381 GREENBRIAR LN	CHITWOOD JENNIFER N
	846	381 GREENBRIAR LN	TAYLOR KEITH
	847	381 GREENBRIAR LN	GRAFF TROY JAMES
	848	401 TRINITY RIVER CIR	HAWKES ELLIOTT W &
X	849	409 TRINITY RIVER CIR	MASHBURN JAY H &
	850	413 TRINITY RIVER CIR	RAINES DON JR & ELIZABETH
	851	415 TRINITY RIVER CIR	ROBINSON JOE A &
	852	419 TRINITY RIVER CIR	BERG ROCKLAND A
	853	423 TRINITY RIVER CIR	BUTTS BROTHERS PROPERTIES LLC
	854	425 TRINITY RIVER CIR	KOSTECKI NICOLE L
	855	427 TRINITY RIVER CIR	MORENO LORENZO
	856	429 TRINITY RIVER CIR	DIFRONZO RALPH
	857	431 TRINITY RIVER CIR	CHEUNG BRIAN D
	858	433 TRINITY RIVER CIR	CONOVALOFF TANYA JO &
	859	435 TRINITY RIVER CIR	KAZANAS DEAN S &
	860	437 TRINITY RIVER CIR	BRAKEY BUD ARVIN JR
	861	441 TRINITY RIVER CIR	WGMA LAKESIDE LP
	862	445 TRINITY RIVER CIR	MEYER PHILIPP W &
	863	432 TRINITY RIVER CIR	Taxpayer at



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	864	446 TRINITY RIVER CIR	JACKSON STEVEN FRANCIS &
	865	443 GREENBRIAR LN	PHAM DANH
	866	439 GREENBRIAR LN	WATKINS MICHAEL &
	867	402 TRINITY RIVER CIR	BLANCHARD AIMEE NOELLE
	868	406 TRINITY RIVER CIR	WALLACE LESLEIGH
	869	426 TRINITY RIVER CIR	VOSS BENJAMIN
	870	408 TRINITY RIVER CIR	BROWN MANDISA P
	871	208 NEELY ST	BAUTISTA MANUEL
	872	212 NEELEY ST	RUIZ VERONICA Y
	873	216 NEELEY ST	RUIZ VERONICA YOUNG
	874	220 NEELY ST	MENDOZA MARIA ROSA
O	875	111 DAVIS ST	DALLAS COUNTY SCHOOL
	876	230 5TH ST	OBD INVESTMENTS LLC
	877	200 TURNPIKE AVE	TERRY ROY H
	878	11111 PLOWMAN AVE	OAK CLIFF GATEWAY-DALLAS TIF 930
	879	904 EWING AVE	DOMINGUEZ INVESTMENTS LTD
	880	837 LANCASTER AVE	MOHAMAD SHAHID
	881	808 MARSALIS AVE	FLORES MARIA D
	882	808 MARSALIS AVE	FLORES MARIA D
	883	817 MARSALIS AVE	WATERS ROBERT L
	884	835 MARSALIS AVE	WEISFELD HERSCHEL
	885	520 5TH ST	BARNARD BEVERLY A
	886	521 6TH ST	CENTENO MERCEDES
	887	503 6TH ST	GARCIA MARIA ELENA
	888	1113 JEFFERSON BLVD	MARCER INV LLC
	889	911 7TH ST	NOVA INVESTMENTS
	890	317 R L THORNTON FWY	NOVA INVESTMENT
O	891	411 FLEMING PL	SWILLING JOHN T & MARY L
	892	1009 JEFFERSON BLVD	CAMPBELL HORACE G
	893	1001 JEFFERSON BLVD	KARLE GEORGE FRANK
	894	306 MARSALIS AVE	SOUTHLAND CORP 12292



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	895	302 LANCASTER AVE	FERNANDEZ GUSTAVO
	896	312 LANCASTER AVE	GARCIA ZENOBIO JR
	897	919 JEFFERSON BLVD	TRINITY BASIN PREPARATORY INC
	898	945 JEFFERSON BLVD	KARLEN AUTO COMP INC
	899	910 JEFFERSON BLVD	MORRISON JAY II
	900	920 7TH ST	MCLAIN JESSE C &
	901	929 8TH ST	MARTINEZ RAUL & LETICIA
	902	910 JEFFERSON BLVD	MORRISON JAY II
	903	932 JEFFERSON BLVD	MORRISON JAY R
	904	930 8TH ST	RIOS PROPERTIES LLC
	905	819 JEFFERSON BLVD	RIOS PROPERTIES LLC
	906	200 MARSALIS AVE	REEVES GEORGE M ET AL
X	907	222 MARSALIS AVE	REEVES GEORGE M ET AL
	908	232 MARSALIS AVE	REEVES GEORGE M ET AL
	909	124 MARSALIS AVE	BALLAS VICTOR
	910	732 JEFFERSON BLVD	RIOS PROPERTIES LLC
	911	102 EWING AVE	LONGORIA LOUIS A
	912	108 EWING AVE	PUENTE DANIEL JAMES
O	913	525 R L THORNTON FWY	CHUNG TAI Y & SOON E
	914	719 11TH ST	TAYLOR PONTIAC INC
	915	133 LANCASTER AVE	GOODE BARBARA ANN
	916	133 LANCASTER AVE	TAYLOR PONTIAC
	917	611 JEFFERSON BLVD	BALLAS VICTOR
	918	610 10TH ST	BALLAS VICTOR
	919	600 10TH ST	BALLAS VICTOR
	920	620 10TH ST	BALLAS VICTOR
	921	300 MARSALIS AVE	Z B EAGLE PARTNERS LTD
O	922	1201 ELDORADO AVE	WISTERIA HILLS I LLC
X	923	1106 BALLARD AVE	MONTGOMERY AUDREY LEE ANN
	924	1115 BECKLEY AVE	BECKLEY PPTIES LTD
	925	1111 BECKLEY AVE	BECKLEY PPTIES LTD



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	926	1101 BECKLEY AVE	BECKLEY PPTIES LTD
	927	1201 ZANG BLVD	BRADEN EUGENE N &
	928	1317 MADISON AVE	NEWMAN WILLIAM E JR
	929	120 COLORADO BLVD	MARTINEZ BROS INV
	930	1211 BECKLEY AVE	BECKLEY PLACE PARTNERS LP
	931	1221 BECKLEY AVE	DEJONG VLADI &
	932	221 COLORADO BLVD	METHODIST HOSPITALS OF DALLAS
	933	200 COLORADO BLVD	KECHEJIAN TRUST
O	934	1322 BECKLEY AVE	JONES VICKI D
	935	123 COLORADO BLVD	AMIR KARIM
	936	115 COLORADO BLVD	AMIR KARIM
	937	211 COLORADO BLVD	BARR MARY CHRISTIAN TRUST
	938	203 COLORADO BLVD	MARY CHRISTIAN BARR TRUST
	939	1345 PLOWMAN AVE	COLLIE LUIS R
	940	1333 PLOWMAN AVE	S & N PARTNERS
	941	1327 PLOWMAN AVE	SANCHEZ DINO &
	942	1323 PLOWMAN AVE	RKCBJF LLC
	943	265 TILDEN ST	METHODIST HOSPITALS OF DALLAS
	944	1218 BISHOP AVE	AXXIS ENTERPRISES
	945	707 ZANG BLVD	HERSH KAPLAN RAY
	946	707 ZANG BLVD	HERSH BERNARD J ETAL
O	947	801 ZANG BLVD	BECKLEY PROPERTIES LTD
	948	900 ZANG BLVD	READ JOHN H II &
	949	1045 ZANG BLVD	MALLEY JOSEPH H &
	950	1033 ZANG BLVD	BALLAS VICTOR E LLC &
	951	1029 ZANG BLVD	VICTOR BALLAS & VA CAPITAL
	952	1912 BECKLEY AVE	REID JON ROY
	953	1902 BECKLEY AVE	TRINITY FLOOR COMPANY
	954	1902 BECKLEY AVE	SUNDOWN ASSOCIATES
	955	129 OREGON AVE	GVIRTZ JOE H
	956	211 OREGON AVE	TRINITY HARDWOOD DISTRIBUTORS INC



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
957	123	OREGON AVE	123 E OREGON JV
958	301	GREENBRIAR LN	BANKS BRYAN F
959	110	OREGON AVE	FIRST AMENDED AND RESTATED REV MGMT TRUST
960	210	OREGON AVE	WANG GLOBALNET
961	235	MORGAN AVE	MCKEMIE M JEAN
962	123	JULIAN ST	HOLLEMAN CONST CO
963	209	JULIAN ST	STEARNS KENNETH L
964	114	JULIAN ST	DARYL RICHARDSON GOURMET CATERING INC
965	1616	BECKLEY AVE	STEWARD MICHAEL
966	1620	BECKLEY AVE	STEWARD MICHAEL LEE
967	227	GREENBRIAR LN	AMERICAN WAY INC
968	1407	ZANG BLVD	THE RANKIN CORPORATION
969	316	5TH ST	PETERSON JAY
970	1126	ZANG BLVD	MAY JOSE FRANCISCO
971	1112	ZANG BLVD	ELEVEN12 PROPERTIES LLC
972	1026	BECKLEY AVE	HALL PATRICIA A
973	107	6TH ST	GUAJARDO LEO II
974	122	5TH ST	WHITLOCK NEILL DAVIDSON
975	1909	BECKLEY AVE	BURDINE INDUSTRIES INC
976	1114	LANCASTER AVE	SOUTHERN FOODS GROUP LP
977	808	EWING AVE	TRINITY BASIN PREPARATORY
978	309	MARSALIS AVE	LEAL ELVIRA TRUSTEE OF
979	457	R L THORNTON FWY	MORA GUADALUPE
980	720	JEFFERSON BLVD	LOPEZ ISRAEL
981	545	R L THORNTON FWY	ELLIOTT DUPREE & EARLENE
982	553	R L THORNTON FWY	TAYLOR LES PONTIAC INC
983	620	JEFFERSON BLVD	TORRES MIGUEL A
984	610	JEFFERSON BLVD	TNS INVESTMENTS LTD
985	150	DAVIS ST	GARNER BRIAN S
986	1133	ZANG BLVD	ZANG/MADISON PARTNERS LP
987	126	COLORADO BLVD	HEBREE REVOCABLE LIVING TRUST



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	988	214 COLORADO BLVD	KECHIJIAN TRUST
	989	1306 BECKLEY AVE	CTA ASSOCIATES LP
O	990	1330 BECKLEY AVE	KESSLER WOMENS GROUP LLC
	991	225 COLORADO BLVD	SOUTHLAND CORP
	992	1222 BISHOP AVE	BISHOP COLORADO RETAIL PLAZA
	993	235 DAVIS ST	SRI REAL ESTATE PROPERTIES
	994	810 ZANG BLVD	AHA GROUP LP
	995	830 ZANG BLVD	JT REALTY INC
O	996	815 BECKLEY AVE	SHERRY IRWIN H & DALIA D TRUST NO 1
	997	1026 ZANG BLVD	MILLER DONALD W. & DONNA
	998	209 GREENBRIAR LN	LOCHRIDGE J O
	999	1401 ZANG BLVD	FOUNDERS PEAK LTD PS
	1000	1300 ZANG BLVD	GRAND BANK OF TEXAS
	1001	1619 BECKLEY AVE	AUSBROOKE LLC
	1002	1703 BECKLEY AVE	BG BROOKVIEW PARTNERS LTD
	1003	711 BECKLEY AVE	BECKLEY LLC
	1004	711 BECKLEY AVE	ROBINSON DARIN A
	1005	824 BLAYLOCK DR	KZ2
	1006	824 BLAYLOCK DR	RILEY HANNAH KATE
	1007	329 COLORADO BLVD	ARROW CREEK LLC
	1008	329 COLORADO BLVD	BALLAS VICTOR
	1009	329 COLORADO BLVD	BALLAS VICTOR
	1010	329 COLORADO BLVD	DJA REAL ESTATE LLC
	1011	329 COLORADO BLVD	ROCKWELL JOHN J
	1012	329 COLORADO BLVD	VA CAPITAL LLC &
	1013	329 COLORADO BLVD	HUBBARD DAVID
	1014	329 COLORADO BLVD	NUTTER CASSINDRA C &
	1015	329 COLORADO BLVD	GONDA JOHN C III & MARY M
	1016	329 COLORADO BLVD	AUGUSTINE ROGER B
	1017	329 COLORADO BLVD	WATERS LISA WHITEHEAD
	1018	329 COLORADO BLVD	SHOTZMAN DARREL S



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1019	329 COLORADO BLVD	STOUT TIMOTHY JAMES
	1020	329 COLORADO BLVD	LEPESKA ALLYN &
	1021	329 COLORADO BLVD	PUGH JETHRO JR
	1022	329 COLORADO BLVD	ROLONG NELSON A
	1023	329 COLORADO BLVD	WILLER ERIC
	1024	329 COLORADO BLVD	CASTLOO STANLEY LEE
	1025	329 COLORADO BLVD	LEPESKA ALLYN & ELLEN FITZSIMMONS
	1026	329 COLORADO BLVD	SEXTON RANDALL C
	1027	329 COLORADO BLVD	HENDON MARK D
	1028	329 COLORADO BLVD	GROSSMAN LEO M & GEORGIA A
	1029	329 COLORADO BLVD	NYANZI SUSAN A
	1030	329 COLORADO BLVD	CORNETTE MARVIN F
	1031	329 COLORADO BLVD	DAVIS JOHN M JR
	1032	329 COLORADO BLVD	BREN AARON &
	1033	329 COLORADO BLVD	CHASE HOME FINANCE LLC
	1034	329 COLORADO BLVD	BALLAS VICTOR E LLC
	1035	329 COLORADO BLVD	DAVIS LEVI & LORETTA
	1036	329 COLORADO BLVD	GONZALEZ CARLOS
	1037	312 PATTON AVE	BUILDERS OF HOPE CDC
	1038	312 PATTON AVE	AVILA JENNY CARRILLO
	1039	312 PATTON AVE	BUILDERS OF HOPE CDC
	1040	527 RIVERFRONT BLVD	LITFAM INVESTMENTS LC
	1041	531 RIVERFRONT BLVD	CHARALAMBOPOULOS FAY
	1042	535 RIVERFRONT BLVD	PRESCOTT INTERESTS LTD
	1043	270 R L THORNTON FWY	STATE OF TEXAS
	1044	1019 DODD ST	HOLMAN ETHEL
	1045	1019 SABINE ST	HAYES DIANNA
	1046	1015 SABINE ST	GOLDEN GATE ADULT REHABILITATION MINISTRY INC
	1047	1016 DODD ST	MARTINEZ MARIO
	1048	1012 DODD ST	PROCTOR JOHN & PROCTOR CHRISTINE
	1049	1008 HUTCHINS AVE	DALLAS TRANSIT SYSTEM

THE



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1050	1030 RED OAK ST	SKYVIEW DEVELOPMENT LLC
	1051	1020 SABINE ST	DAVIS LUCY
	1052	523 EADS AVE	SKYVIEW DEVELOPMENT LLC
	1053	409 EADS AVE	KUNOFSKY MORRIS &
	1054	413 EADS AVE	WISNER TWAMEEKA
	1055	1008 7TH ST	DALLAS COUNTY PUBLIC
	1056	1023 CHURCH ST	SLIDER L G JR ETAL &
	1057	1024 CHURCH ST	COKELEY MAURICE
	1058	1023 9TH ST	GUTEN DONALD ESTATE
	1059	230 STARR ST	AHOURAMAZDA LLC
	1060	510 8TH ST	PONDEROSA 8TH LLC
	1061	520 8TH ST	BLESSED SACRAMENT PARISH
	1062	201 MARSALIS AVE	ROMAN CATH DIOCESE DALLAS
	1063	220 DENVER ST	MONROY MARINA
	1064	406 8TH ST	HOME AGAIN INC
	1065	400 8TH ST	CARVAJAL RICARDO & MARIA M
	1066	404 8TH ST	GARCIA MARGARITA
	1067	216 DENVER ST	FLORES DAMIANA J &
	1068	412 8TH ST	ORTEGA ELENA
	1069	408 8TH ST	ORTEGA ELENA
	1070	430 8TH ST	GOMEZ MARCOS MARIA
	1071	426 8TH ST	MUNOZ CATALINA PADILLA
	1072	221 STARR ST	CARRANZA JESUS G & MARIA
	1073	220 PATTON AVE	ROSALES MARGARITA &
	1074	312 8TH ST	MARTINEZ GABRIEL V
	1075	320 8TH ST	320 E 8TH ST LAND TRUST
	1076	316 8TH ST	GOMEZ MARIA EST OF
	1077	217 DENVER ST	CISNEROS SOCORRO LOPEZ
	1078	225 DENVER ST	SANCHEZ JOE
	1079	328 8TH ST	GARCIA CLYDE D & MARIE
	1080	324 8TH ST	GARCIA MARIA



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1081	527 10TH ST	MACIAS ROBERTO &
	1082	1022 9TH ST	MANNING BROS BARNETT LTD
	1083	1020 9TH ST	MANNING BROTHERS BARNETT LTD INC
	1084	1021 10TH ST	COMMON GROUND COMM ECO
	1085	514 R L THORNTON FWY	GRANT CURTIS SR
	1086	508 R L THORNTON FWY	PATRICK REALTY CORP
	1087	510 R L THORNTON FWY	GOLDEN GATE BAPTIST CHURC
	1088	1008 BETTERTON CIR	BELL LEOLA
	1089	208 FLEMING AVE	MARQUEZ FROILAN
	1090	210 FLEMING AVE	LIRA ISMAEL & ROSARIO
	1091	535 JEFFERSON BLVD	VAZQUEZ HOLDINGS GROUP LP
	1092	510 10TH ST	OAK CLIFF UNITED
	1093	115 MARSALIS AVE	OAK CLIFF UNITED METHODST
	1094	117 MARSALIS AVE	OAK CLIFF UNITED METH CH
	1095	320 UPTON ST	MCDONALD BETTY S
	1096	400 MARSALIS AVE	TEXAS STATE OF
	1097	1015 BETTERTON CIR	WOODERT ROBERT
	1098	228 DAVIS ST	WEST DAVIS INVESTMENTS LLC
	1099	629 ELSBETH ST	EVERLAST CONSTRUCTION LLC
	1100	212 NEELY ST	1122 HOLDINGS LLC
	1101	627 ELSBETH ST	ACQUISTO MICHAEL F
	1102	621 ELSBETH ST	MENA JUAN BARRERA
	1103	615 ELSBETH ST	MATRIX PARTNERS LP
	1104	210 CANTY ST	MACIAS JESUS & IRMA V
	1105	727 ELSBETH ST	MARTINEZ JOSE SANTOS &
	1106	733 ELSBETH ST	MACIAS EDGAR A
	1107	719 ELSBETH ST	ACQUISTO AMY F
	1108	713 ELSBETH ST	FLORES DORA
	1109	709 ELSBETH ST	CANALES ROBERTO M &
O	1110	701 ELSBETH ST	701 ELSBETH LLC
	1111	833 ELSBETH ST	TAYLOR EVELYN S LIVING TRUST &



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1112	839 ELSBETH ST	PRINCE MICHAEL
X	1113	825 ELSBETH ST	RICHINS RANDALL K
	1114	819 ELSBETH ST	MARTIN JEREMY &
X	1115	815 ELSBETH ST	ROPPOLO MATTHEW J
	1116	813 ELSBETH ST	CERVANTES CECILIA H
	1117	809 ELSBETH ST	A & E HOUSING LLC
	1118	805 ELSBETH ST	MARTINEZ AGUSTIN
	1119	801 ELSBETH ST	CLIMER NICHOLAS I &
	1120	904 MADISON AVE	FLORES RAMON
	1121	908 MADISON AVE	NOEL EMANUEAL B
	1122	912 MADISON AVE	BELTRAN MARY A
	1123	918 MADISON AVE	MOTA CONSUELO
	1124	917 ELSBETH ST	BROWN CYNTHIA R
	1125	913 ELSBETH ST	TORRES EDGAR ALFREDO
	1126	909 ELSBETH ST	PEREZ VICENTE
	1127	907 ELSBETH ST	HERNANDEZ BELEN I
	1128	901 ELSBETH ST	MATA RENE R
	1129	314 NECHES ST	HERNANDEZ FRANCISCO
	1130	1037 MADISON AVE	CHIBLI EMILIO
	1131	1031 MADISON AVE	ROGERS LINDSEY
	1132	1029 MADISON AVE	CHIBLI EMILIO & ANA
	1133	1002 MADISON AVE	MONROY AMANDO
	1134	1006 MADISON AVE	MARTINEZ JOSE JUAN &
	1135	1010 MADISON AVE	ESCALANTE JOSE JESUS &
	1136	1012 MADISON AVE	HERNANDEZ SUZANNE
	1137	1016 MADISON AVE	RANGEL JOSE DE LA LUZ
	1138	1034 MADISON AVE	TOBAR SALVADOR
O	1139	1036 MADISON AVE	JONISO LLC
	1140	212 NECHES ST	CORDOSO ERNESTO
	1141	1041 ELSBETH ST	OJEDA ISAIAS &
	1142	1020 MADISON AVE	VALADEZ BENITA



04/21/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1143	1037 ELSBETH ST	CARDOSO PRUDENCIO
	1144	1024 MADISON AVE	HOPKINS ALAN
X	1145	1033 ELSBETH ST	DAVILA PEDRO R &
	1146	1027 ELSBETH ST	JIMENEZ MARIA
	1147	1021 ELSBETH ST	DAVILA JOSE R
	1148	1028 MADISON AVE	DIAZ CARMEN D
	1149	1023 ELSBETH ST	ALMAZAN BENITA DEL CARMEN
	1150	1013 ELSBETH ST	TIJERINA JOSE M & SILVIA DELGADO
	1151	1011 ELSBETH ST	SALDIVAR RAUL
	1152	1007 ELSBETH ST	MENDOZA JUANA NAOMI
	1153	1003 ELSBETH ST	LIMON PAULA
	1154	1212 HAINES AVE	MATYASTIK PAUL J
X	1155	1234 HAINES AVE	PROHASKA THOMAS M & JILL M
	1156	330 COLORADO BLVD	HUGHES WENDY L
	1157	328 COLORADO BLVD	ANDROSOV TATIANA
	1158	1102 BISHOP AVE	ALBA MERCEDES
	1159	1114 BISHOP AVE	DEVPROP 1 LLC
	1160	1167 MADISON AVE	DELEON SERGIO & OLGA A
	1161	1155 MADISON AVE	LOMAS HOMAR C &
	1162	1151 MADISON AVE	RIVERA ELOINA R
	1163	1147 MADISON AVE	GARY ROLLIN F &
	1164	1141 MADISON AVE	OCHOA RENE & DEBORAH
	1165	1139 MADISON AVE	ALANIZ MARIA DEL R
	1166	1135 MADISON AVE	JC LEASING LLP
	1167	1131 MADISON AVE	NAVARRO ADAN &
	1168	1125 MADISON AVE	OCHOA RENE A &
	1169	1119 MADISON AVE	LOPEZ PEDRO & BEATRIZ
	1170	1115 MADISON AVE	TORRES JUAN M &
	1171	1111 MADISON AVE	OCHOA JUAN S & MARTHA C
	1172	1107 MADISON AVE	VILLEGAS MARY ISABEL
	1173	1101 MADISON AVE	ARELLANO JULIO NAVA &



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1174	130 JEFFERSON BLVD	DALLAS COUNTY FLOOD
	1175	1640 HANDLEY DR	MALLINSON LUKE W &
	1176	141 GREENBRIAR DR	SCOTT KACEY & JAKE B
	1177	1611 RIO VISTA DR	CHERNOCK CHRISTIAN S
	1178	1616 RIO VISTA DR	DANIEL LYNSEY
X	1179	1612 RIO VISTA DR	TRAYLOR GARY L &
	1180	1606 RIO VISTA DR	ALEXANDER BRIAN & BICK SARAH
	1181	418 8TH ST	WINN ELISE LIFE ESTATE EST OF
	1182	422 8TH ST	ROCHA ANTONIO
	1183	1215 BISHOP AVE	SMITH RODDIE ROBERT
	1184	1211 BISHOP AVE	PALCHIK DIANA
	1185	1163 MADISON AVE	ARELLANO JULIO &
	1186	701 RIVERFRONT BLVD	INDUSTRIAL GOLD RUSH LTD
X	1187	1639 HANDLEY DR	TUCKER TOBY & REBECCA
O	1188	1629 HANDLEY DR	HOMAN KATHERINE LIFE ESTATE
X	1189	133 GREENBRIAR LN	JOHNSTON JOHN & PATRICIA
	1190	525 RIVERFRONT BLVD	LITFAM INVESTMENTS LC
	1191	543 RIVERFRONT BLVD	MITCHELL YARA L
	1192	330 R L THORNTON FWY	KIRBYS KREATIVE LEARNING
	1193	1010 8TH ST	GONZALEZ GERARD S
	1194	111 MARSALIS AVE	MACIAS ROBERTO &
	1195	101 MARSALIS AVE	CAHUA ROSA E
	1196	105 MARSALIS AVE	MACIAS JESUS & IRMA
	1197	549 JEFFERSON BLVD	OAK CLIFF UNITED METHODST
	1198	632 R L THORNTON FWY	ARCHLAND PROPERTY II LP
	1199	628 R L THORNTON FWY	MIDBELT PROPERTIES LP
	1200	301 MARSALIS AVE	ROBERTOS LAVADERIA LLC
	1201	309 MARSALIS AVE	ALLAN REBECA
	1202	138 DAVIS ST	DALLAS CITY OF
	1203	510 ZANG BLVD	BANJO VENTURES LTD
	1204	108 DAVIS ST	LA ESTRELLA DE CUELLAR INC



<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1205	238	DAVIS ST	VICTOR PROPERTIES LLC
1206	218	DAVIS ST	ENGLISH FAMILY LTD PS
1207	105	8TH ST	WILSON ED
1208	421	BECKLEY AVE	1260 WEST SPRING
1209	411	BECKLEY AVE	1260 WEST SPRING
1210	114	7TH ST	RUIZ MANUEL SNS
1211	1122	BISHOP AVE	WILLIAMS DEBRA C M K
1212	2121	HARDWICK ST	U S POSTAL SERVICE
1213	320	R L THORNTON FWY	SKYVIEW DEVELOPMENT LLC
1214	424	R L THORNTON FWY	VICTRON STORES LP
1215	542	9TH ST	HARRIS CLAYTON SCHULZ INC
1216	630	R L THORNTON FWY	POP HOLDINGS LP
1217	602	R L THORNTON FWY	ATLAS FINANCIAL SERVICE LLC
1218	721	R L THORNTON FWY	TRIBOX REAL ESTATE LLC
1219	204	DAVIS ST	204 WD LTD
1220	202	DAVIS ST	AJEDL LLC
1221	1441	BECKLEY AVE	PAVILION PROPERTIES
1222	1401	STEMMONS AVE	PAVILLION PROP
1223	1441	BECKLEY AVE	METHODIST HOSPITALS OF DALLAS
1224	221	COLORADO BLVD	METHODIST HOSPITALS OF DALLAS
1225	1213	BISHOP AVE	ARCHER PHILLIP D
1226	1150	BISHOP AVE	OAK CLIFF LAND DEV CO
1227	801	RIVERFRONT BLVD	INDUSTRIAL GOLD RUSH LTD
1228	621	CLARENDON DR	DALLAS CITY OF



CITY COUNCIL HEARING DATE

APRIL 22, 2015



# REPLY FORM

CASE NO:

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

5 00000248833000000  
MALONE TONY L  
914 N MARSALIS AVE  
DALLAS, TEXAS 75203-1120

For information contact Donna Moorman  
At (214) 670-4130 or  
donna.moorman@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

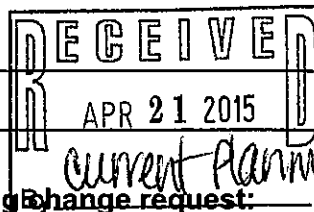
- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: \_\_\_\_\_



## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments:

The sign restriction is not what it is  
we in other of the city. Limiting as  
apparent sign to go down is idiotic!!!  
who doesn't for my block who the city has!!!!

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

4-17-2015 9:55 AM

Date and Time (both must be provided)

Signature (and Title if applicable)

For other Area  
City

Date and Time (both must be provided)



APRIL 22, 2015



# REPLY FORM

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

37 00000249178000000  
DRAKEMONT JOINT VENTURE  
PO BOX 851025  
RICHARDSON, TEXAS 75085-1025

For information contact Donna Moorman

At (214) 670-4130 or

donna.moorman@dallascityhall.com

Si desea información en español, favor de llamar a Olga Torres Holyoak al teléfono (214) 670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☐ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☒ President/Vice President  
☒ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: 800 N. MARSALES

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support ☒ Opposed

Comments: to work rates

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

Signature (and Title if applicable)

Date and Time (both must be provided)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

APRIL 22, 2015


**REPLY  
FORM**

CASE NO:

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

61 00000249286000000  
THOMAS BRIAN M  
708 BLAYLOCK DR  
DALLAS, TEXAS 75203-1340

For information contact Donna Moorman

At (214) 670-4130 or

donna.moorman@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

**STEP 1 I am authorized to sign this form because I am... (Check only one box.)**
**Individual**

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

**Business/Organization**

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

**Condominium**

- ☐ Governing body\*  
☐ Individual owner\*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

**STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.**

Street Address: \_\_\_\_\_

**STEP 3 Indicate your support or opposition to the proposed zoning change request:**
☒ **Support**
☐ **Opposed**

Comments: Pass ~~this~~ this sucker already! We are overwhelmingly  
in favor of this.

**STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.**

Signature (and Title if applicable)

Signature (and Title if applicable)

By \_\_\_\_\_

Date and Time (both must be provided)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

APRIL 22, 2015



# REPLY FORM

CASE NO:

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

74 00000249328000000  
EL PATO JOINT VENTURE  
PO BOX 861025  
RICHARDSON, TEXAS 75085-0000

For information contact Donna Moorman

At (214) 670-4130 or

donna.moorman@dallascityhall.com

Si desea información en español, favor de llamar a Olga Torres Holyoak al teléfono (214) 670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☒ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address:

722 N WAASAKIS

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments:

WE HAVE enough regular

the existing zoning is OK

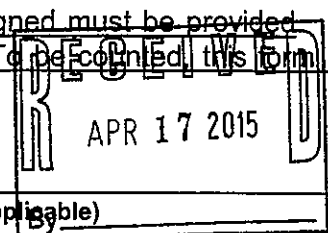
## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

*[Signature]*  
4/14/15

Date and Time (both must be provided)

Signature (and Title if applicable)



Date and Time (both must be provided)



APRIL 22, 2015



# REPLY FORM

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

129 00000250039000100  
MECCA APRIL INC  
PO BOX 851025  
RICHARDSON, TEXAS 75085-1025

For information contact Donna Moorman

At (214) 670-4130 or

donna.moorman@dallascityhall.com

Si desea información en español, favor de llamar a Olga Torres Holyoak al teléfono (214) 670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☐ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☒ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: 615-621 N LANCASHIRE  
Dallas TX

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support ☒ Opposed

Comments: this would keep me from building  
a new project

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

Nora 5/17/15

Signature (and Title if applicable)

Presley

Date and Time (both must be provided)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

APRIL 22, 2015



# REPLY FORM

CASE NO:

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

133 00000250060000000  
SANDBERG LEIF A  
612 BLAYLOCK DR  
DALLAS, TEXAS 75203-1338

For information contact Donna Moorman

At (214) 670-4130 or

donna.moorman@dallascityhall.com

Si desea información en español, favor de llamar a Olga Torres Holyoak al teléfono (214) 670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: \_\_\_\_\_

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: DO NOT INCREASE RESIDENTIAL DENSITY  
WITHIN HISTORIC DISTRICT BOUNDARY.  
(NO GARAGE APARTMENTS)

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

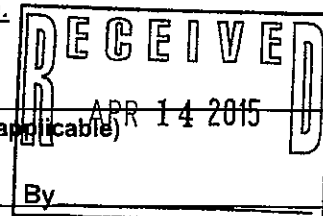
Signature (and Title if applicable)

4/13/15 6:53 PM.

Date and Time (both must be provided)

Signature (and Title if applicable)

Date and Time (both must be provided)





CITY COUNCIL HEARING DATE

APRIL 22, 2015



# REPLY FORM

CASE NO:

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

165 00000250177000000  
STONERIDGE JOINT VENTURE  
PO BOX 851025  
RICHARDSON, TEXAS 75085-1025

For information contact Donna Moorman

At (214) 670-4130 or

donna.moorman@dallascityhall.com

Si desea información en español, favor de llamar a Olga Torres Holyoak al teléfono (214) 670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☐ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☒ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: 501 N. Meadows  
Dallas Tx

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support ☒ Opposed

Comments: To much regulations  
existing zoning is ok

## STEP 4 Sign below. For this form to be valid, the **date and time** you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

Donna Moorman  
4/17/15

Date and Time (both must be provided)

Signature (and Title if applicable)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

APRIL 22, 2015



# REPLY FORM

CASE NO:

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

366 00000251068000000  
PATEL RAJNIKANT L  
2642 BLACK BEAR DR  
NEW BRAUNFELS, TEXAS 78132-4179

For information contact Donna Moorman  
At (214) 670-4130 or  
donna.moorman@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because i am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: 921 E. 8<sup>TH</sup> STREET  
DALLAS, TX 75203

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: Been there 30 years

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Rajnikant Patel OWNER

Signature (and Title if applicable)

Signature (and Title if applicable)

April 16, 2015, 11 AM

Date and Time (both must be provided)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

**APRIL 22, 2015**

# REPLY FORM

CASE NO:

**Z067-203 (VM)**

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

432 00000252973000000  
FOUNTAIN VILLA JV  
PO BOX 851025  
RICHARDSON, TEXAS 75085-1025

For information contact Donna Moorman

At (214) 670-4130 or

donna.moorman@dallascityhall.com

Si desea información en español, favor de llamar a Olga Torres Holyoak al teléfono (214) 670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☐ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☒ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address:

220 & 242 S Marshall  
Dallas TX

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐

Support

☒

Opposed

Comments:

We don't need more regulations

## STEP 4 Sign below. For this form to be valid, the **date and time** you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

*[Signature]*  
Nora 4/17/15

Signature (and Title if applicable)

Date and Time (both must be provided)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

APRIL 22, 2015



# REPLY FORM

CASE NO:

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

436 00000252991000000  
VIRGINIA JV  
PO BOX 851025  
RICHARDSON, TEXAS 75085-1025

For information contact Donna Moorman

At (214) 670-4130 or

donna.moorman@dallascityhall.com

Si desea información en español, favor de llamar a Olga Torres Holyoak al teléfono (214) 670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☐ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☒ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address:

202 S MARSHALL ST

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments:

To much regulation  
already laws are ok

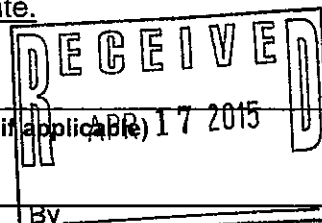
## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

*[Signature]*  
4/14/15

Date and Time (both must be provided)

Signature (and Title if applicable)



Date and Time (both must be provided)



APRIL 22, 2015



CITY OF DALLAS

# REPLY FORM

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

596 00000265255000000  
ELAINE S GORENSTEIN  
LESTER E LLANTZ  
818 ELSBETH ST  
DALLAS, TEXAS 75208-4224

For information contact Donna Moorman

At (214) 670-4130 or

donna.moorman@dallascityhall.com

Si desea información en español, favor de llamar a Olga Torres Holyoak al teléfono (214) 670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: \_\_\_\_\_

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: Parking is ~~not~~ inadequate as stated in the proposal. Building heights are too high in residential areas. Residential parking should not be counted. No restaurants or bars.

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Elaine Lantz (Gorenstein)

Signature (and Title if applicable)

4/16/15

Date and Time (both must be provided)

Lester Eugene Lantz

Signature (and Title if applicable)

9:30 AM

4/16/15

Date and Time (both must be provided)

9:31 AM



CITY COUNCIL HEARING DATE

APRIL 22, 2015



CITY OF DALLAS

# REPLY FORM

CASE NO:

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

1113 00000263263000000  
RICHINS RANDALL K  
825 ELSEBETH ST  
DALLAS, TEXAS 75208-4225

For information contact Donna Moorman

At (214) 670-4130 or

donna.moorman@dallascityhall.com

Si desea información en español, favor de llamar a Olga Torres Holyoak al teléfono (214) 670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: \_\_\_\_\_

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: I AM OPPOSED TO THE PROPOSED CHANGES TO THE AREAS ALONG  
ELSEBETH, ELDORADO, BALLARD & HADISON WHICH ARE CURRENTLY R-5 AND R-75.  
I AM VERY OPPOSED TO CHANGING THE "SUBDISTRICT" TO MIXED USE.

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

4-17-2015 1:45 PM

Date and Time (both must be provided)

Signature (and Title if applicable)

Date and Time (both must be provided)



APRIL 22, 2015



# REPLY FORM

CASE NO:

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

1179 00000332605000000  
TRAYLOR GARY L &  
JANET TRAYLOR  
1612 RIO VISTA DR  
DALLAS, TEXAS 75208-2338

For information contact Donna Moorman  
At (214) 670-4130 or  
donna.moorman@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

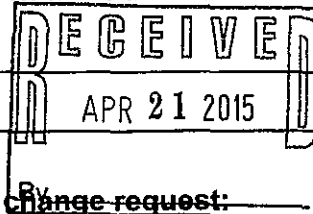
- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: 1612 Rio Vista Drive  
Dallas, TX 75208



## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☒ Support

☐ Opposed

Comments: We are supporting the Ordinance revised with Councilmember Griggs on April 16, 2015 and published online April 17, 2015.

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

4/18/15 11:00 am

Date and Time (both must be provided)

Signature (and Title if applicable)

4-18-15 11:15 A.M.

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

APRIL 22, 2015



# REPLY FORM

CASE NO:

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

1188 003779000B01E0000  
HOMAN KATHERINE LIFE ESTATE  
1629 HANDLEY DR  
DALLAS, TEXAS 75208-2335

For information contact Donna Moorman  
At (214) 670-4130 or  
donna.moorman@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☐ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: \_\_\_\_\_

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☒ **Support**

☐ **Opposed**

Comments: This is in favor of the ordinance revised with CM Griggs on April 16, 2015 and published online April 17, 2015

## STEP 4 Sign below. For this form to be valid, the **date and time** you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Katherine Homan

Signature (and Title if applicable)

4/18/15 9:00 AM

Date and Time (both must be provided)

Signature (and Title if applicable)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

**FEBRUARY 25, 2015****REPLY  
FORM**

CASE NO:

**Z067-203 (VM)** ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

37 00000249178000000  
DRAKEMONT JOINT VENTURE  
PO BOX 851025  
RICHARDSON, TEXAS 75085-1025

For information contact Valerie Miller  
At (214) 671-5724 or  
valerie.miller1@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

**STEP 1** I am authorized to sign this form because I am... (Check only one box.)**Individual**

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

**Business/Organization**

- ☒ President/Vice President  
☐ General Partner  
☐ Attorney in fact

**Condominium**

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

**STEP 2** List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address:

700 N MARSALES

**STEP 3** Indicate your support or opposition to the proposed zoning change request:☐ **Support**☒ **Opposed**

Comments:

this change is a  
mess

**STEP 4** Sign below. For this form to be valid, the **date and time** you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

*[Signature]*  
Neon 2/17/15

Date and Time (both must be provided)

Signature (and Title if applicable)

**RECEIVED**  
FEB 20 2015  
By *[Signature]*

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

**FEBRUARY 25, 2015****REPLY  
FORM**

CASE NO:

**Z067-203 (VM)** ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

129 00000250039000100  
MECCA APRIL INC  
PO BOX 851025  
RICHARDSON, TEXAS 75085-1025

For information contact Valerie Miller

At (214) 671-5724 or

valerie.miller1@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

**STEP 1** I am authorized to sign this form because I am... (Check only one box.)**Individual**

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

**Business/Organization**

- ☒ President/Vice President  
☐ General Partner  
☐ Attorney in fact

**Condominium**

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

**STEP 2** List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

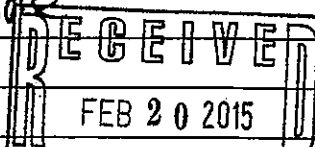
Street Address:

517-21 CRANFORD

**STEP 3** Indicate your support or opposition to the proposed zoning change request:☐ Support☒ Opposed

Comments:

We don't need more  
regulation



**STEP 4** Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

*John*  
*John*

Signature (and Title if applicable)

*2/17/15*

Date and Time (both must be provided)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

FEBRUARY 25, 2015



CITY OF DALLAS

# REPLY FORM

CASE NO:

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

165 00000250177000000  
STONERIDGE JOINT VENTURE  
PO BOX 851025  
RICHARDSON, TEXAS 75085-1025

For information contact Valerie Miller  
At (214) 671-5724 or  
valerie.miller@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☒ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address:

501 N MARSALIS

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments:

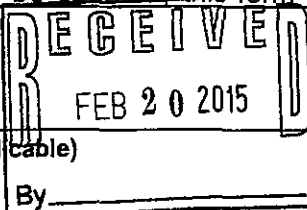
We need to leave existing  
alone

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

*[Signature]*  
2/17/15

Signature (and Title if applicable)



By

Date and Time (both must be provided)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

FEBRUARY 25, 2015



CITY OF DALLAS

# REPLY FORM

CASE NO:

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

432 00000252973000000

FOUNTAIN VILLA JV

PO BOX 851025

RICHARDSON, TEXAS 75085-1025

For information contact Valerie Miller

At (214) 671-5724 or

valerie.miller1@dallascityhall.com

Si desea información en español, favor de llamar a Olga Torres Holyoak al teléfono (214) 670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☐ Property owner  
☒ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☒ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address:

2289 242 &amp; S. MARSHALL

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments:

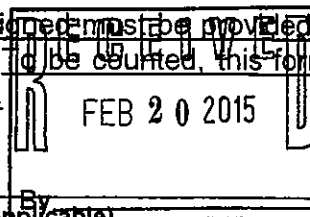
THIS IS TERRIBLE  
 WOULD MAKE DOING THINGS MUCH  
 HARDER

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

*[Signature]*  
 Noon 2/17/15

Signature (and Title if applicable)



Date and Time (both must be provided)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

**FEBRUARY 25, 2015**

CITY OF DALLAS

**REPLY  
FORM**

CASE NO:

**Z067-203 (VM)** ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

436 00000252991000000  
VIRGINIA JV  
PO BOX 851025  
RICHARDSON, TEXAS 75085-1025

For information contact Valerie Miller

At (214) 671-5724 or

valerie.miller1@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

**STEP 1** I am authorized to sign this form because I am... (Check only one box.)**Individual**

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

**Business/Organization**

- ☒ President/Vice President  
☐ General Partner  
☐ Attorney in fact

**Condominium**

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

**STEP 2** List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

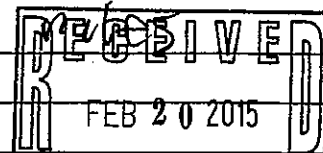
Street Address: 202 S MARSHALLS

**STEP 3** Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: We do not need more



**STEP 4** Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

Signature (and Title if applicable)

Date and Time (both must be provided)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

FEBRUARY 25, 2015



CITY OF DALLAS

# REPLY FORM

CASE NO:

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

506 00000263569000000  
WALDEN PAUL &  
SHARON A MCFADDEN  
1124 BALLARD AVE  
DALLAS, TEXAS 75208-4107

For information contact Valerie Miller

At (214) 671-5724 or

valerie.miller1@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

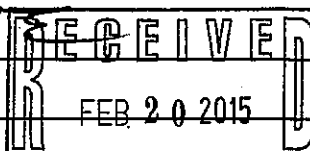
\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address:

1132 BALLARD AVE



## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: NO RTN on East Side of BALLARD. The once  
considered WR-3 SUB B makes more sense & is  
less harmful than RTN which is SERIOUS  
BACK-ZONING -

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

Signature (and Title if applicable)

Date and Time (both must be provided)

Date and Time (both must be provided)



FEBRUARY 25, 2015



# REPLY FORM

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

508 00000263575000000  
MCFADDEN SHARON A &  
LAWRENCE PAUL WALDEN  
1124 BALLARD AVE  
DALLAS, TEXAS 75208-4107

For information contact Valerie Miller

At (214) 671-5724 or

valerie.miller1@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

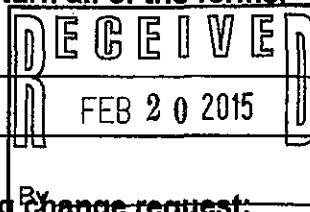
- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: \_\_\_\_\_



## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: NO RTN on East Side of BALLARD. The once  
considered WR-3 SUB B makes more sense  
+ is less harmful than RTN which is serious  
BACK-30 WINS

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

Signature (and Title if applicable)

Date and Time (both must be provided)

Date and Time (both must be provided)



FEBRUARY 25, 2015

REPLY  
FORM

CASE NO:

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

554 00000264745000000  
WALDEN LAWRENCE PAUL &  
SHARON ANN MCFADDEN  
1124 BALLARD AVE  
DALLAS, TEXAS 75208-4107

For information contact Valerie Miller  
At (214) 671-5724 or  
valerie.miller1@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

**STEP 1** I am authorized to sign this form because I am... (Check only one box.)**Individual**

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

**Business/Organization**

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

**Condominium**

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

**STEP 2** List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: 1123 BALLARD AVE

**STEP 3** Indicate your support or opposition to the proposed zoning change request:

☐ Support ☒ Opposed

Comments: NO RTN East Side of BALLARD AVE. The once  
considered WR-3! SUB B makes more sense  
RTN is serious BACK-ZONING & harmful  
to property owners & immediate area

**STEP 4** Sign below. For this form to be valid, the **date and time** you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

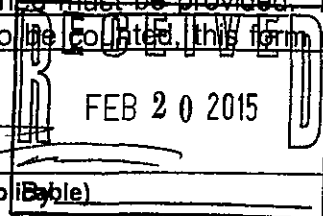
2/17/15 6:00 pm

Date and Time (both must be provided)

Signature (and Title if applicable)

2-17-15 6:00 pm

Date and Time (both must be provided)





FEBRUARY 25, 2015

REPLY  
FORM

CASE NO:

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

907 00000251659000000  
REEVES GEORGE M ET AL  
2601 N CARROLL AVE  
DALLAS, TEXAS 75204-3009

For information contact Valerie Miller

At (214) 671-5724 or  
valerie.miller@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

**STEP 1** I am authorized to sign this form because I am... (Check only one box.)**Individual**

- ☐ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

**Business/Organization**

- ☐ President/Vice President  
☒ General Partner  
☐ Attorney in fact

**Condominium**

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

**STEP 2** List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

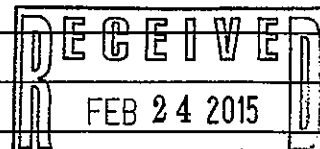
Street Address: 200, 222, 226, + 232 N. Marsalis, 609, 611 North St, 612 Eighth

**STEP 3** Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: Not clear on the full impact

**STEP 4** Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

Signature (and Title if applicable)

Date and Time (both must be provided)

Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

FEBRUARY 25, 2015



# REPLY FORM

CASE NO:

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

923 00000263557000000  
MONTGOMERY AUDREY LEE ANN  
1108 BALLARD AVE  
DALLAS, TEXAS 75208-4107

For information contact Valerie Miller

At (214) 671-5724 or

valerie.miller1@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address:

1108 & 1106 BALLARD AVE

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments:

NO RTN EAST SIDE OF BALLARD AVE

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

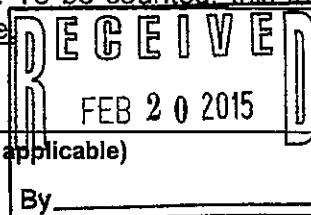
Signature (and Title if applicable)

Audrey Montgomery

Signature (and Title if applicable)

Feb. 18, 2015 8:00 PM

Date and Time (both must be provided)



Date and Time (both must be provided)



CITY COUNCIL HEARING DATE

**FEBRUARY 25, 2015****REPLY  
FORM**

CASE NO:

**Z067-203 (VM)**

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

1113 00000263263000000  
 RICHINS RANDALL K  
 825 ELSBETH ST  
 DALLAS, TEXAS 75208-4225

For information contact Valerie Miller

At (214) 671-5724 or

valerie.miller1@dallascityhall.com

Si desea información en español, favor de  
 llamar a Olga Torres Holyoak al teléfono (214)  
 670-4525.

**STEP 1** I am authorized to sign this form because I am... (Check only one box.)**Individual**

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

**Business/Organization**

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

**Condominium**

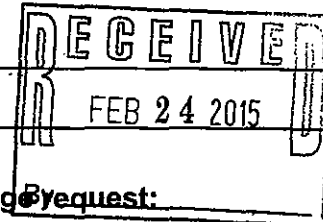
- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

**STEP 2** List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: \_\_\_\_\_

**STEP 3** Indicate your support or opposition to the proposed zoning change request:☐**Support**☒**Opposed**

Comments: WE OPPOSE ANY CHANGE TO THE RESIDENTIAL SINGLE-FAMILY  
ZONING ON ELSBETH. WE ALSO OPPOSE ANY ZONING ALLOWING  
RESTAURANTS OR BARS ALONG WEST LANE BETWEEN BECKLEY AND DAVIS.

**STEP 4** Sign below. For this form to be valid, the **date and time** you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

Signature (and Title if applicable)

2-18-2015 2:40 PM CSR

Date and Time (both must be provided)

Date and Time (both must be provided)



25 DE FEBRERO, 2015



CITY OF DALLAS

REPLY  
FORM

CASE NO:

Z067-203 (VM)

Esta notificación se le ha enviado porque su propiedad o propiedades están en el área o cerca del área en donde han sido una petición para un cambio de zona. Como dueño de propiedad, usted puede estar a favor o en contra de esta petición. Para que su voto cuente, esta forma debe ser recibida antes de las doce del día anterior al día de la junta pública del Consejo de la Ciudad.

Solo el original de esta forma o una respuesta escrita que cumpla con los requisitos del Código de Desarrollo de la Ciudad de Dallas, Sección 51A-4.701 puede ser usado. Fotocopias y facsímiles de esta forma no serán aceptadas.

1145

Para mas información contacte a Olga  
Torres Holyoak al teléfono (214) 670-4525  
o [olga.torholy@dallascityhall.com](mailto:olga.torholy@dallascityhall.com).

**STEP 1** Yo estoy autorizado(a) a firmar esta forma porque yo soy... (Marque sólo un cuadro.)**Individual**

- ☐ Dueño(a) de Propiedad  
☐ Autorizado por poder de abogado  
☐ Representando la mayoría de los  
Propietarios

**Negocio/Organización**

- ☐ Presidente/Vicepresidente  
☐ Socio General  
☐ Abogado Responsable

**Condominios**

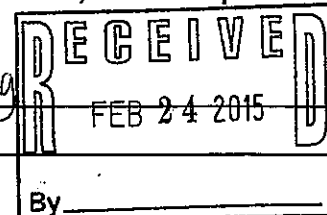
- ☐ Administrador\*  
☐ Propietario Único \*\*

Yo estoy autorizado(a) a firmar como representante de la asociación de dueños de la propiedad y de acuerdo a las  
reglas del conjunto residencial.

Si usted es dueño de un condominio debe incluir una copia del documento legal que le autoriza como propietario individual  
separadamente del grupo administrativo de los condominios.

**STEP 2** Indique la dirección (o direcciones) de su propiedad si es diferente de la dirección en la etiqueta arriba.  
(No indique un buzón de correo por favor). Si usted es dueño de varias propiedades; devuelva por favor todos  
los impresos.

Dirección: We already have enough problems with parking  
as it is, having more businesses it gets worse

**STEP 3** Indique si esta a favor o en contra de la petición de cambio de zona:☐ A Favor☒ En Contra

Comentarios:

LLA TENEMOS SUFICIENTES PROBLEMAS CON EL ESTACIONAMIENTO  
ASI COMO ESTAMOS CON MAS NEGOSIOS PIOR SE PONE

**STEP 4** Firma abajo: Para que esta forma sea valida, la fecha y la hora en que usted firmó debe ser incluida. Doble la  
forma como se indica en el reverso de esta hoja y envíela por correo o entréguela personalmente. Para que su voto  
sea contado, esta forma debe ser recibida antes de las doce del día, el día anterior a la junta publica del Consejo de la  
Ciudad.

Pedro A. Davila 2-17-2015-5:40 P.M. DUEÑO

Firma (y título si es aplica)

Firma (y título si es aplica)

Herminia M. DAVILA 2-17-2015-5:40 P.M. DUEÑA

Fecha y hora (debe proveer las dos)

Fecha y hora (debe proveer las dos)



FEBRUARY 25, 2015



CITY OF DALLAS

# REPLY FORM

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

1187 003779000B01D0000  
TUCKER TOBY & REBECCA  
1639 HANDLEY DR  
DALLAS, TEXAS 75208-2335

For information contact Valerie Miller

At (214) 671-5724 or

valerie.miller@dallascityhall.com

Si desea información en español, favor de llamar a Olga Torres Holyoak al teléfono (214) 670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

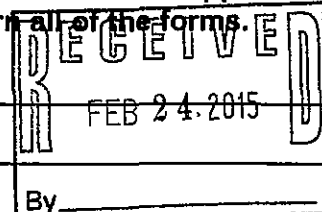
- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: 1639 Handley Dr



## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: Many objectionable provisions including 20 story Heights across Beckley extending to the Trinity levees

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

Toby Tucker-owner  
2/18/15 3:38pm CST

Date and Time (both must be provided)

Signature (and Title if applicable)

[Signature]  
2/18/15 3:38pm CST

Date and Time (both must be provided)



FEBRUARY 25, 2015



# REPLY FORM

Z067-203 (VM)

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

1189 0037790B0001B0000  
JOHNSTON JOHN & PATRICIA  
133 W GREENBRIAR LN  
DALLAS, TEXAS 75208-2303

For information contact Valerie Miller

At (214) 671-5724 or  
valerie.miller1@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

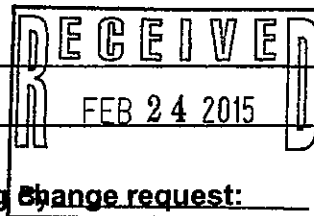
- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: \_\_\_\_\_



## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: Plan Commission's recommendations allow 20-story  
buildings between Beckley & Trinity River.

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before the City Council hearing date.

Signature (and Title if applicable)

Signature (and Title if applicable)

2/20/2015 12:25 PM

2-20-15 @ 12:25 pm

Date and Time (both must be provided)

Date and Time (both must be provided)



CITY PLAN COMMISSION HEARING DATE  
July 24, 2014

August 7, 2014



## REPLY FORM

CASE NO:

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

597 1000026509000000  
BISHOP 1910 PARTNERS LTD  
1310 MANUFACTURING ST STE 101  
DALLAS, TEXAS 752076508

RECEIVED JUL 14 2014

For information contact Valerie Miller at  
(214) 671-5724 or  
valerie.miller@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

### STEP 1 I am authorized to sign this form because I am... (Check only one box.)

#### Individual

- ☐ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

#### Business/Organization

- ☐ President/Vice President  
☒ General Partner  
☐ Attorney in fact

#### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

### STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: 635 N. Zang Dallas, TX 75208

### STEP 3 Indicate your support or opposition to the proposed zoning change request:

☒ Support

☐ Opposed

Comments:

Steering Committee Recommendation

RECEIVED BY

### STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.

Signature (and Title if applicable)

Date and Time (both must be provided)

Signature (and Title if applicable)

Date and Time (both must be provided)



CITY PLAN COMMISSION HEARING DATE

July 24, 2014

August 7, 2014



CITY OF DALLAS

# REPLY FORM

CASE NO:

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

155 0000250105000000  
PENA ALFREDO & ASHLEY C  
410 E 5TH ST  
DALLAS, TEXAS 752031316

For information contact Valerie Miller at  
(214) 671-5724 or  
valerie.miller@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: \_\_\_\_\_

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: We cannot support changes which do not more closely resemble the recommendations of the steering committee.

RECEIVED BY  
JUL 25 REC'D

**STEP 4** Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.

Signature (and Title if applicable)

12:33 pm 07/22/2014

Date and Time (both must be provided)

Signature (and Title if applicable)

7-22-14 1:17 PM  
Date and Time (both must be provided)



CITY PLAN COMMISSION HEARING DATE  
July 24, 2014

August 7, 2014



## REPLY FORM

CASE NO:

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

384 0000251068000000  
PATEL RAJNIKANT L  
2642 BLACK BEAR DR  
NEW BRAUNFELS, TEXAS 781324179

For information contact Valerie Miller at  
(214) 671-5724 or  
valerie.miller@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

### STEP 1 I am authorized to sign this form because I am... (Check only one box.)

#### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

#### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

#### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

### STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: 921 E. 8<sup>TH</sup> STREET  
DALLAS TX 75203

### STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: Been business. For 30 Years  
and depend on it

JUL 28 REC'D

### STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.

Rajnikant Patel

Signature (and Title if applicable)

July 22, 2014, 12:05pm

Date and Time (both must be provided)

Signature (and Title if applicable)

Date and Time (both must be provided)



CITY PLAN COMMISSION HEARING DATE  
July 24, 2014

August 7, 2014



# REPLY FORM

CASE NO:

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

577 10000263947000000  
BUCKOVAN COPE CYNTHIA JEAN  
1430 ENGLEWOOD RD  
DALLAS, TEXAS 752031217

For information contact Valerie Miller at  
(214) 671-5724 or  
valerie.miller@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: \_\_\_\_\_

Current Planning

JUL 31 REC'D

## STEP 3 Indicate your support or opposition to the proposed zoning change request:



Support



Opposed

Comments:

I OPPOSE WMU-20 - I DO NOT  
WANT 20 STORY BUILDINGS IN MY  
NEIGHBORHOOD - MAX 3

**STEP 4 Sign below.** For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.

Signature (and Title if applicable)

Cynthia Jean Buckovan Cope  
July 30 2014 10:00 PM

Signature (and Title if applicable)

Date and Time (both must be provided)

Date and Time (both must be provided)



CITY PLAN COMMISSION HEARING DATE

July 24, 2014

August 7, 2014



CITY OF DALLAS

# REPLY FORM

CASE NO:

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

626 10000265255000000  
ELAINE S GORENSTEIN  
LESTER E LLANTZ  
818 ELSBETH ST  
DALLAS, TEXAS 752084224

For information contact Valerie Miller at  
(214) 671-5724 or  
valerie.miller@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner\*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

RECEIVED BY

Street Address: \_\_\_\_\_

AUG 06 REC'D

Current Planning

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Comments: Okay to keeping zoning as is on Elsbeth  
Not okay with changes on 2ang. no restaurants bars  
parking requirements need to be increased  
not decreased

## STEP 4 Sign below. For this form to be valid, the date and time you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.

*Elaine S Gorenstein*

Signature (and Title if applicable)

Aug 5 @ 12 noon  
2014

Date and Time (both must be provided)

*Lester Eugene Lantz*

Signature (and Title if applicable)

Aug 5 @ 12 noon  
2014

Date and Time (both must be provided)



CITY PLAN COMMISSION HEARING DATE

July 24, 2014

August 7, 2014



CITY OF DALLAS

# REPLY FORM

CASE NO:

Z067-203 (VM) ✓

This notice has been sent to you because your property (or properties) is in or near the area of a proposed zoning change. As a property owner, you can support or oppose this request. To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.

Only the original of this reply form or a written reply that complies with Dallas Development Code Section 51A-4.701 may be used. Faxes or photocopies of this reply form will not be accepted.

1082 10000263263000000  
RICHINS RANDALL K  
825 ELSBETH ST  
DALLAS, TEXAS 752084225

For information contact Valerie Miller at  
(214) 671-5724 or  
valerie.miller@dallascityhall.com

Si desea información en español, favor de  
llamar a Olga Torres Holyoak al teléfono (214)  
670-4525.

## STEP 1 I am authorized to sign this form because I am... (Check only one box.)

### Individual

- ☒ Property owner  
☐ Authorized by a power of attorney  
☐ Representing a majority of property owners

### Business/Organization

- ☐ President/Vice President  
☐ General Partner  
☐ Attorney in fact

### Condominium

- ☐ Governing body\*  
☐ Individual owner \*\*

\* I am authorized to sign by the governing body of the condominium in accordance with its bylaws.

\*\* A condominium unit owner must enclose a copy of the legal document that gives the individual owner the right to act separately from the governing body.

## STEP 2 List the street address(es) of your property if different than the address on the label above. (Do not list a P.O. Box.) If you own multiple properties under different appraisal district account names, you may receive multiple forms; please return all of the forms.

Street Address: \_\_\_\_\_

## STEP 3 Indicate your support or opposition to the proposed zoning change request:

☐ Support

☒ Opposed

Current Planning

Comments: THE PROPOSED ZONING FOR THE WEST SIDE OF ZANG FROM 5<sup>TH</sup> TO DAVIS  
PROVIDES ZERO TRANSITION BUFFER PROTECTION FOR OUR NEIGHBORHOOD  
AND WOULD ALLOW RESTAURANTS & BARS WITH INSUFFICIENT PARKING REQUIREMENTS  
DON'T TURN US INTO LOWER GREENVILLE!!!

**STEP 4 Sign below.** For this form to be valid, the **date and time** you signed must be provided. Fold the form as indicated on the reverse side and return it by mail or hand delivery. **To be counted, this form must be received before noon on the business day before either the City Plan Commission hearing date or the City Council hearing date.**

Signature (and Title if applicable)

8-4-2014 1:00 PM

Date and Time (both must be provided)

Signature (and Title if applicable)

Date and Time (both must be provided)



## **ADDENDUM ITEM # 5**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 46E

---

### **SUBJECT**

Authorize settlement in lieu of proceeding with condemnation of a subsurface easement under approximately 9,440 square feet of land from Kambiz Khadivi located on Junius Street at its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project – Not to exceed \$15,860 (\$14,160 plus closing costs and title expenses not to exceed \$1,700); an increase of \$4,720 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

### **BACKGROUND**

This item is on the addendum to expedite the acquisition process in order to meet the project schedule.

This item authorizes a settlement for the acquisition of a subsurface easement located under approximately 9,440 square feet of land from Kambiz Khadivi for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project. This settlement will allow acquisition of the property without proceeding with condemnation proceedings.

The original authorizing resolution authorized an offer amount of \$9,440. That amount is being increased to \$14,160 plus closing costs and title expenses not to exceed \$1,700.

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

On February 11, 2015, City Council approved Resolution No. 15-0287.

### **FISCAL INFORMATION**

2006 Bond Funds - \$15,860 (\$14,160 plus closing costs and title expenses not to exceed \$1,700)



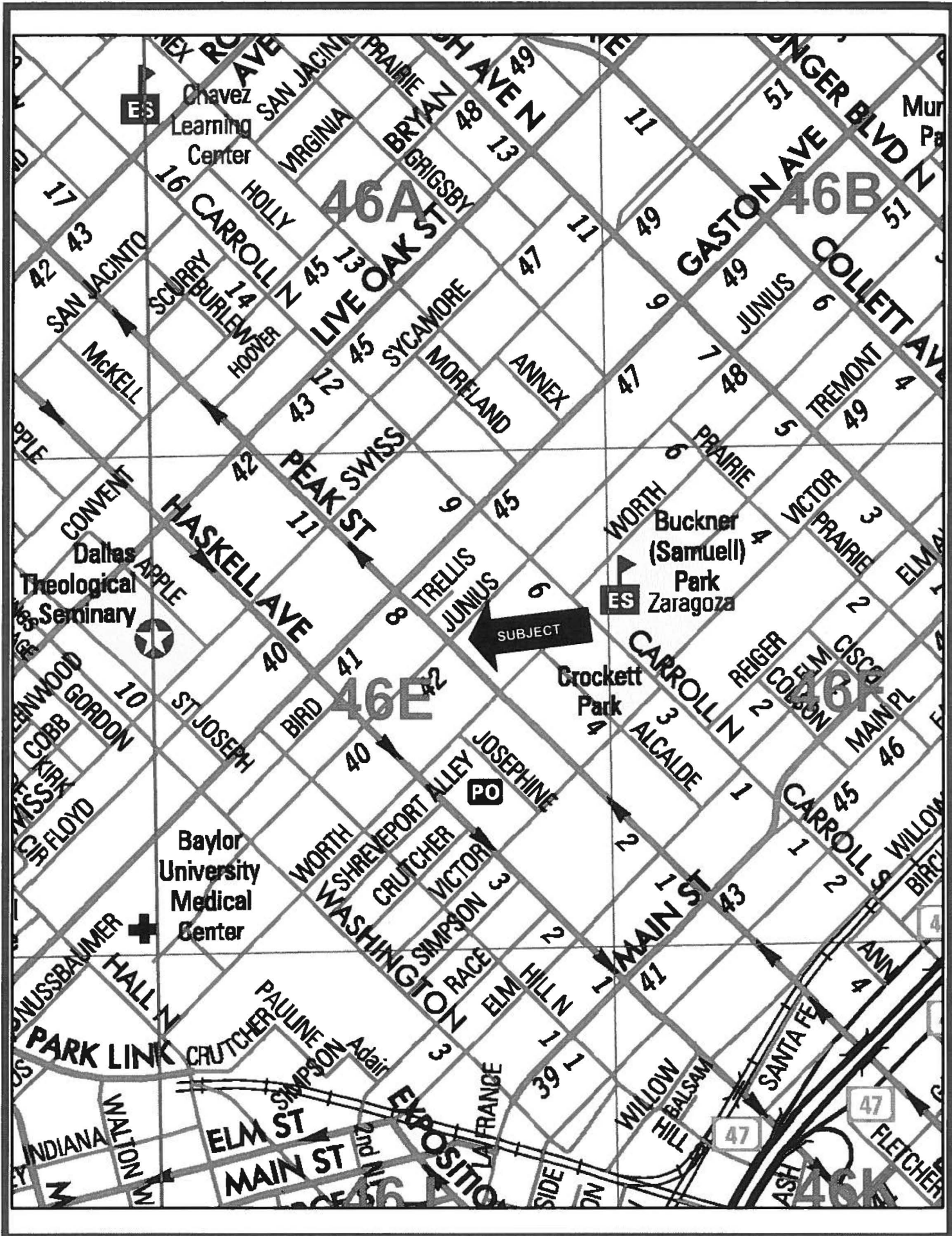
**OWNER**

Kambiz Khadivi

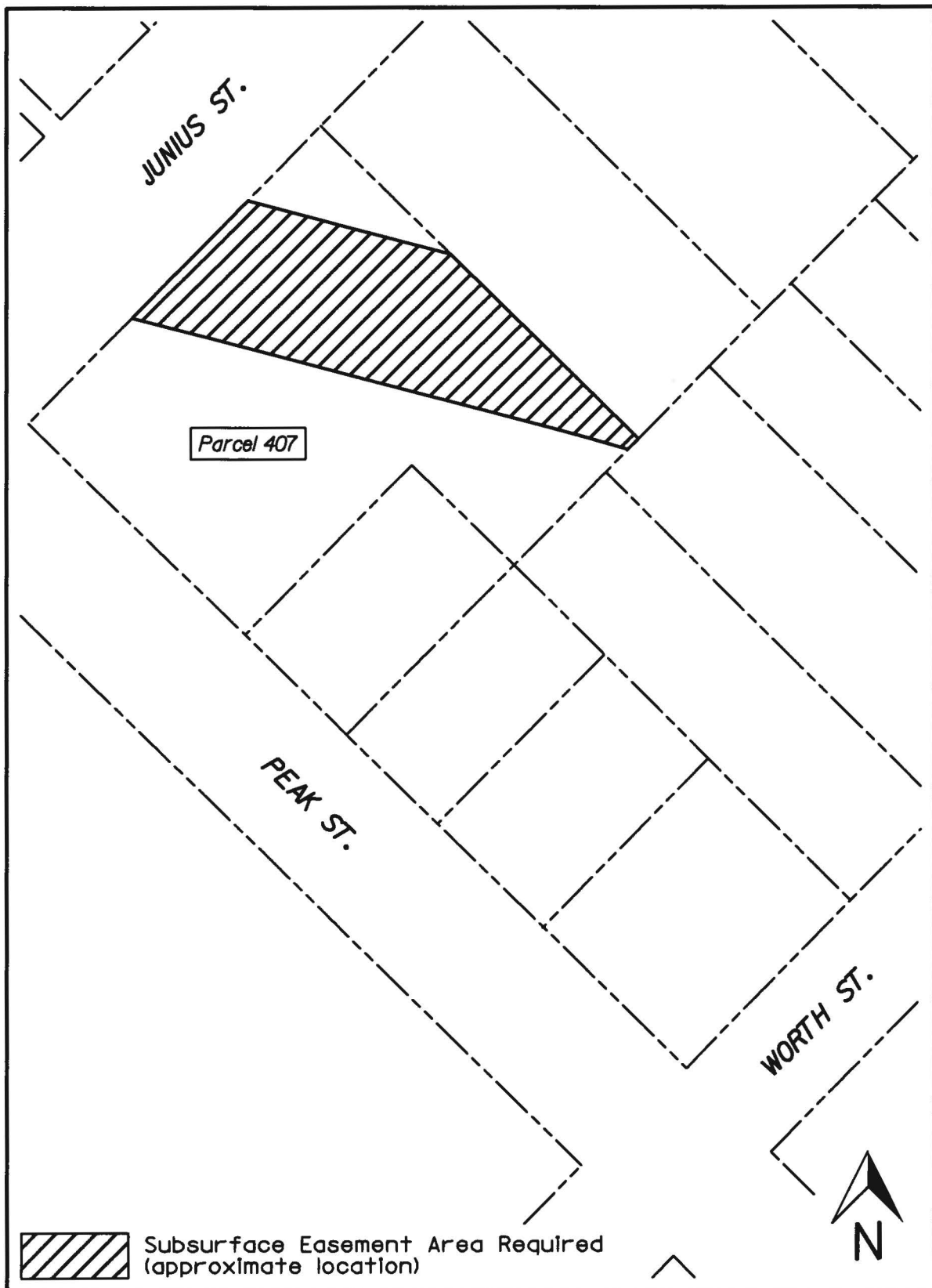
**MAPS**

Attached











May 13, 2015

**A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR AN AMOUNT HIGHER THAN THE FIRST RESOLUTION OFFER 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 OFFER 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.

“CLOSING COSTS AND TITLE EXPENSES”: Not to exceed \$1,700.00.

“FIRST RESOLUTION”: Resolution No. 15-0287 approved by the Dallas City Council on February 11, 2015.

“FIRST RESOLUTION OFFER AMOUNT”: \$9,440.00.

“OWNER”: Kambiz Khadivi, provided, however, that the term “OWNER” as used in this resolution means all persons having an ownership interest in the PROPERTY, regardless of whether those persons are actually named herein.

“PROJECT”: Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

“PROPERTY”: Located under approximately 9,440 square feet in area, lying between the subsurface elevations of 210 feet and 385 feet (U.S. Survey Feet), inclusive, North American Vertical Datum of 1988, located in Dallas County, Texas, the boundary of which property being more particularly described in “Exhibit A”, attached hereto and made a part hereof for all purposes.

“PROPERTY INTEREST”: Flood Control Tunnel Easement.



May 13, 2015

“REVISED AUTHORIZED AMOUNT”: \$15,860.00.

“SETTLEMENT AMOUNT”: \$14,160.00.

“USE”: The below ground construction, installation, use and maintenance of a deep tunnel for the storage and transmission of stormwater drainage.

**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 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 the Chief Financial Officer is authorized to draw checks for the SETTLEMENT AMOUNT, payable out of 2006 Bond Funds: Fund No. 1T23, Dept. TWM, Unit T525, Activity SDRS, Object 4210, Program No. PB06T525 Encumbrance No. CT-PBW06T525E2, and CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 1T23, Dept. TWM, Unit T525, Activity SDRS, Object 4230, Program No. PB06T525 Encumbrance No. CT-PBW06T525E3.

**SECTION 4.** That the payment referenced in Section 3 shall be delivered to a title insurance company after evidence of satisfactory title has been provided to and approved by the City Attorney.

**SECTION 5.** The SETTLEMENT AMOUNT - \$14,160.00 and the CLOSING COSTS AND TITLE EXPENSES - \$1,700.00 together shall not exceed the REVISED AUTHORIZED AMOUNT - \$15,860.00.

**SECTION 6.** That the CITY is to have possession and/or use, as applicable, of the PROPERTY at closing.

**SECTION 7.** That 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.



May 13, 2015

**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: \_\_\_\_\_

  
**Assistant City Attorney**



**FIELD NOTES DESCRIBING 0.2167 ACRE (9,440 SQ. FEET)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 407)  
PART OF LOT 1, CITY BLOCK 4/792  
JUNIUS APARTMENTS, AN ADDITION TO THE CITY OF DALLAS  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
DALLAS COUNTY, TEXAS  
FROM KAMBIZ KHADIVI**

**EXHIBIT A**

**BEING** a 0.2167 acre (9,440-square-foot) tract of land situated in the John Grigsby Survey, Abstract Number 495, and being part of Lot 1, City Block 4/792 of said Junius Apartments, an addition to the City of Dallas recorded in Volume 87229, Page 1421 of the Deed Records of Dallas County, Texas and being part of that certain tract of land conveyed to Kambiz Khadivi as evidenced by General Warranty Deed with Vendor's Lien recorded in Volume 97247, Page 879 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

(NOTE: Subsurface easement corners are not monumented.)

**BEGINNING** in the northwest line of that certain tract of land conveyed to Robert Granado and wife, Vicki Anderson Granado as evidenced by General Warranty Deed with Vendor's Lien recorded in Volume 2005159, Page 9798 of the Official Public Records of Dallas County, Texas, for the south corner of that certain tract of land conveyed to Common Ground Community Economic Development Corporation as evidenced by Special Warranty Deed recorded in Volume 90175, Page 3506 of the Deed Records of Dallas County, Texas, and the east corner of Lot 1, City Block 4/792 of said Junius Apartments, having coordinates of N=6976296.4988, E=2499094.4384 (not monumented);

**THENCE** South 44 degrees 35 minutes 29 seconds West along the common northwest line of said Granado tract and the southeast line of Lot 1, City Block 4/792 of said Junius Apartments a distance of 6.34 feet to the beginning of a non-tangent curve to the left, having coordinates N=6976291.9845, E=2499089.9881 (not monumented);

**THENCE** over and across Lot 1, City Block 4/792 of said Junius Apartments along said curve to the left having a central angle of 01 degree 47 minutes 23 seconds, a radius of 1370.00 feet, an arc length of 42.79 feet, a chord bearing North 74 degrees 16 minutes 19 seconds West a distance of 42.79 feet to a point of tangency, having coordinates of N=6976303.5823, E=2499048.8054 (not monumented);

**THENCE** North 75 degrees 10 minutes 00 seconds West continuing over and across Lot 1, City Block 4/792 of said Junius Apartments a distance of 172.56 feet to the southeast line of Junius Street, an 80-foot right-of-way, and the northwest line of Lot 1, City Block 4/792 of said Junius Apartments, having coordinates of N=6976347.7532, E=2498882.0184 (not monumented);

**THENCE** North 44 degrees 24 minutes 29 seconds East along the southeast line of Junius Street, and the northwest line of Lot 1, City Block 4/792 of said Junius Apartments a distance of 68.99 feet, having coordinates of N=6976397.0299, E=2498930.2874 (not monumented);

**THENCE** South 75 degrees 10 minutes 00 seconds East departing the southeast line of Junius Street and the northwest line of Lot 1, City Block 4/792 of said Junius Apartments a distance of 88.34 feet to the northeast line of Lot 1, City Block 4/792 of said Junius Apartments having coordinates of N=6976374.4172, E=2499015.6719 (not monumented);





**FIELD NOTES DESCRIBING 0.2167 ACRE (9,440 SQ. FEET)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 407)  
PART OF LOT 1, CITY BLOCK 4/792  
JUNIUS APARTMENTS, AN ADDITION TO THE CITY OF DALLAS  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
DALLAS COUNTY, TEXAS  
FROM KAMBIZ KHADIVI**

**EXHIBIT A**

**THENCE** South 45 degrees 18 minutes 37 seconds East along the northeast line of Lot 1, City Block 4/792 of said Junius Apartments a distance of 110.81 feet to the **POINT OF BEGINNING**;

**CONTAINING** within the metes recited 0.2167 acre (9,440 square feet) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

I, Dustin Davison, a Registered Professional Land Surveyor, in the State of Texas, Hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.



Dustin Davison, R.P.L.S.  
Texas Registration No. 6451

11/5/14

ARS Engineers, Inc.  
12801 N. Central Expressway  
Suite 1250  
Dallas, Texas 75243  
Ph. 214-739-3152





# EXHIBIT A

HECTOR VENTURA  
INST. NO. 201100331039  
O.P.R.D.C.T.

JUNIUS STREET  
(80' RIGHT-OF-WAY)

JOHN GRIGSBY SURVEY  
ABSTRACT NO. 495

PEAK'S SUBURBAN  
ADDITION  
VOL. 45, PG. 56  
D.R.D.C.T.

BLOCK 4/792 RATH-HANN HO  
VOLUME 96234, PAGE 527  
D.R.D.C.T.

COMMON GROUND COMMUNITY ECONOMIC  
DEVELOPMENT CORPORATION  
VOLUME 90175, PAGE 3506  
D.R.D.C.T.

RICHARD A. SELTZER AND  
BARBARA BROCK SELTZER  
VOLUME 81029, PAGE 2029  
D.R.D.C.T.

ROBERT GRAYADO AND WIFE,  
VICKY ANDERSON GRAYADO  
VOLUME 2005159,  
PAGE 9198  
O.P.R.D.C.T.

THEO P. BEASLEY, J.W. TIMMINS,  
TRUSTEES OF THE SCOTTSBURGH  
CHRISTIAN CHURCH, DALLAS  
VOLUME 4882, PAGE 275  
D.R.D.C.T.

THEO P. BEASLEY, J.W. TIMMINS,  
AND K. V. LIPSCOMB,  
TRUSTEES OF EAST DALLAS  
CHRISTIAN CHURCH  
VOLUME 4882, PAGE 273  
D.R.D.C.T.

POINT OF  
BEGINNING

N=6976296.4988  
E=2499094.4384

S44°35'29"W  
6.34'

N=6976291.9845  
E=2499089.9881

S45°18'37"E 110.81'

N=6976374.4172  
E=2499015.6719

43.98'

76.83'

S75°10'00"E 88.34'

N=6976397.0299  
E=2498930.2874

PARCEL 407  
SUB-SURFACE DRAINAGE  
TUNNEL EASEMENT  
0.2167 ACRE  
(9,440 SQ. FT.)

N=6976303.5823  
E=2499048.8054

Δ = 01°47'23" (LT)

R = 1,370.00'

L = 42.79'

CL = 42.79'

CB = N74°16'19"W

N75°10'00"W 172.56'

JUNIUS APARTMENTS  
ADDITION  
VOL. 87229, PG. 1421  
D.R.D.C.T.

N=6976347.7532  
E=2498882.0184

KAMBIZ KHADIVI  
VOLUME 97247, PAGE 879  
D.R.D.C.T.

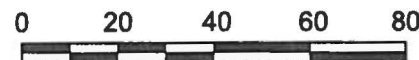
EAST DALLAS CHRISTIAN CHURCH  
VOLUME 365, PAGE 521  
D.R.D.C.T.



BLOCK 4/792

127.08'  
ROW LINE

PEAK STREET  
(60' RIGHT-OF-WAY)



SCALE: 1"=40'

Basis of Bearing is the State Plane  
Coordinate System, Texas North  
Central Zone (4202), North American  
Datum of 1983. All coordinates are  
state plane on grid. All distances are  
surface distances. Surface Adjustment  
Scale Factor: 1.0001365060.

SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 407)  
PART OF CITY BLOCK 4/792, PEAK'S SUBURBAN ADDITION  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**ARS Engineers, Inc.**  
12801 N. Central Expressway, Suite 1250  
Dallas, Texas 75243  
Surv. Firm No. 10131800  
(214) 739-3152 Fax (214) 739-3198

## LEGEND

--- P ---  
ROW LINE  
--- P ---  
PROPERTY LINE  
--- L ---  
LOT LINE  
--- S ---  
SUBDIVISION LINE  
--- E ---  
PROP. EASEMENT LINE  
--- R ---  
IRON ROD  
--- X ---  
X-CUT  
--- A ---  
MONUMENT

(C.M.) CONTROLLING MONUMENT  
FIR FOUND IRON ROD  
FIP FOUND IRON PIPE  
D.R.D.C.T. DEED RECORDS DALLAS  
COUNTY TEXAS  
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS  
DALLAS COUNTY TEXAS

NOTE: SUBSURFACE EASEMENT CORNERS  
ARE NOT MONUMENTED



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 57Z

---

**SUBJECT**

A resolution authorizing the conveyance of an easement and right-of-way containing approximately 12,778 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City-owned land located on Great Trinity Forest Way near its intersection with Long Acre Lane – Revenue: \$1,000

**BACKGROUND**

This item is on the addendum to expedite the conveyance of the easement and right-of-way in order to provide electric service for the new pump station currently being installed.

This item authorizes the conveyance of an easement and right-of-way to Oncor Electric Delivery Company, LLC, located on Great Trinity Forest Way near its intersection with Long Acre Lane. This easement and right-of-way will allow for the construction, use and maintenance of power lines and electric facilities to service the new pump station for the Trinity Forest Golf Course.

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

This item has no prior action.

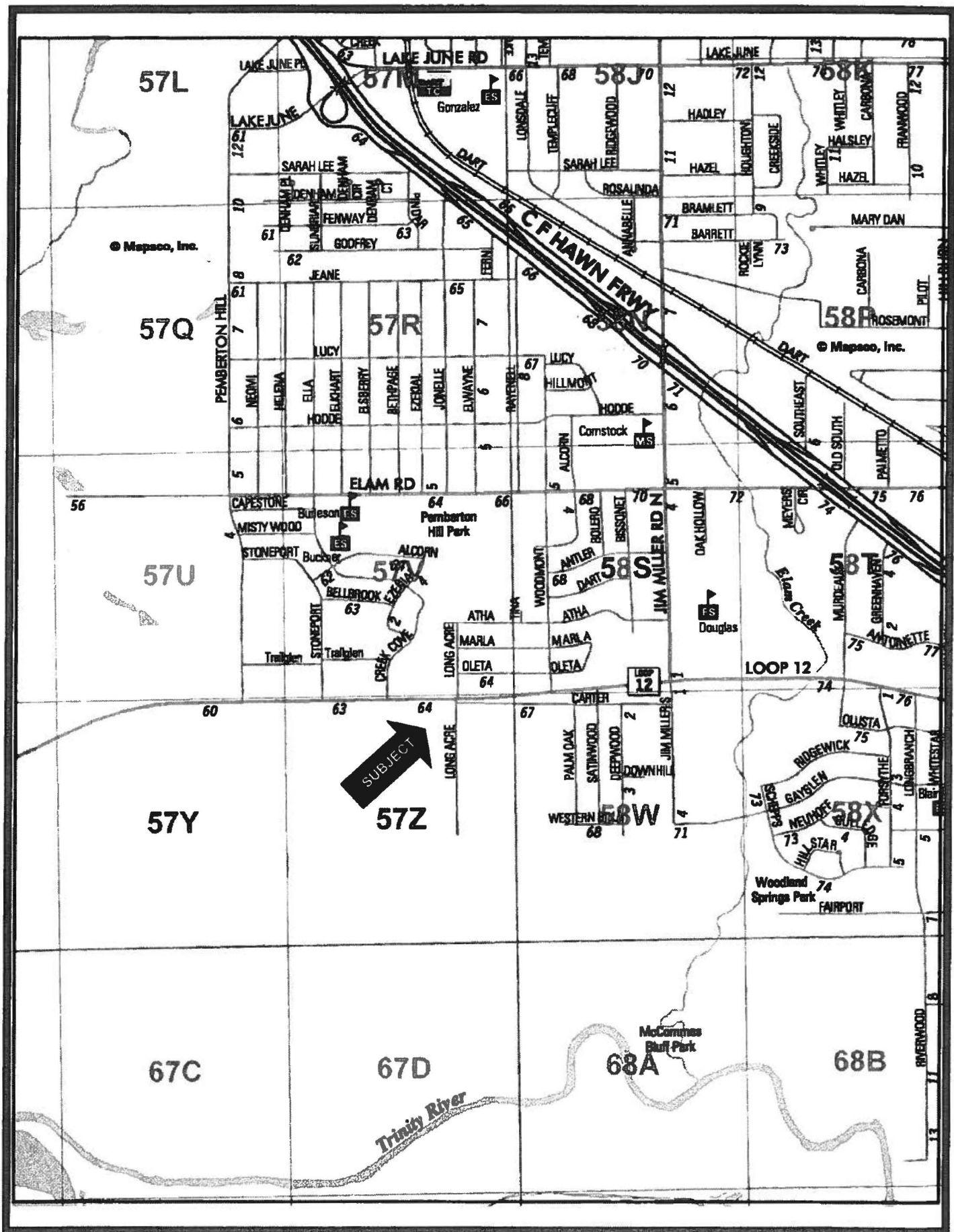
**FISCAL INFORMATION**

Revenue: \$1,000

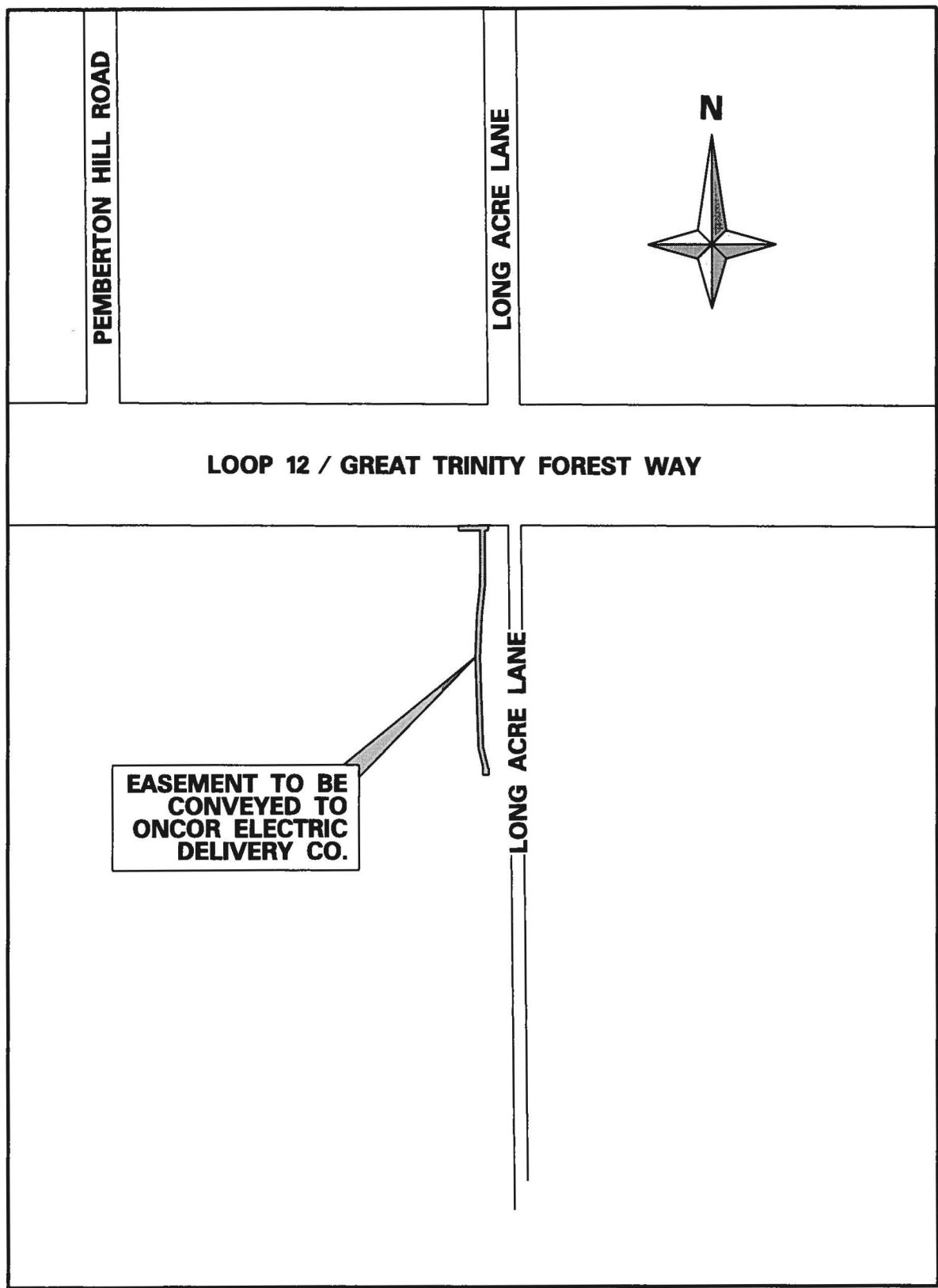
**MAPS**

Attached











May 13, 2015

**WHEREAS**, the City of Dallas owns certain land being part of Block A/6258, Dallas, Dallas County, Texas, which is currently being developed for use as the Trinity Forest Golf Course, and being part of the property conveyed to the City of Dallas by deed recorded in Instruments Numbered 20080250125 and 20080250127, Official Real Property Records of Dallas County, Texas; and

**WHEREAS**, Oncor Electric Delivery Company, LLC has requested an Easement and Right-of-Way containing approximately 12,778 square feet of land, being more fully described in Exhibit A, attached hereto and incorporated herein for all purposes (the Easement); for the construction, maintenance and use of electric facilities; and

**WHEREAS**, the property is currently leased to The Company of Trinity Forest Golfers, Inc., a Texas nonprofit corporation; and

**WHEREAS**, pursuant to said Lease Agreement, Section 7.08. Zoning and Platting; Permits and Other Approvals, the Lessee is required to bear the cost for any necessary easements; and

**WHEREAS**, the City of Dallas needs and desires said utility service to the Trinity Forest Golf Course and will be benefitted by the granting of said Easement and Right-of-Way.

**Now, Therefore,**

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

**SECTION 1.** That upon receipt of **ONE THOUSAND AND 00/100 (\$1,000.00) DOLLARS** from The Company of Trinity Forest Golfers, Inc., the City Manager or his designee is authorized to execute and deliver to Oncor Electric Delivery Company, LLC, an Easement and Right-of-Way to be attested by the City Secretary upon approval as to form by the City Attorney, for the construction, maintenance and use of electric facilities to service the City's facilities, including the Trinity Forest Golf Course, as to approximately 12,778 square feet of land described in Exhibit A.

**SECTION 2.** That the proceeds shall be deposited into the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction. Real Estate Division shall be reimbursed for administrative costs incurred (Fund 0001, Department DEV, Unit 1183, Object 5011). Any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8118.



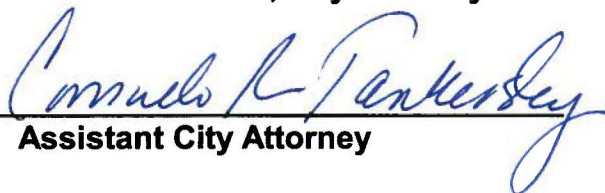
May 13, 2015

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

**APPROVED AS TO FORM:**

**WARREN M. S. ERNST, City Attorney**

**BY:**

  
**Assistant City Attorney**



## Exhibit A

**BOUNDARY DESCRIPTION  
OF A 12,778 SQUARE FOOT (0.293 ACRE)  
ELECTRICAL SERVICE EASEMENT IN BLOCK A/6258  
TO BE CONVEYED TO THE ONCOR ELECTRIC DELIVERY COMPANY**

Being a 12,778 Square Foot, or 0.293 Acre tract of unplatted land (platting currently in progress, as stated below) being situated in the City of Dallas, Dallas County, Texas, and lying in the Gideon Pemberton Survey, Abstract No. 1155, lying in City of Dallas Block A/6258, Lot 1, and being part of the property conveyed to the City of Dallas by deed recorded in Instruments Numbered 20080250125 and 20080250127 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

**BEGINNING** at a 60-D Nail with washer marked "CITY OF DALLAS" (hereinafter referred to as "COD Nail w/Washer") set on the South Right-of-Way line of State Highway Loop 12 / Great Trinity Forest Way (a Variable Width Right-of-Way) at the common North corner between City Blocks A/6258 and E/6263, and the common North corner between the Trinity River Audubon Addition (preliminary) and the Trinity Championship Golf Course Addition, Installment No. 1 (preliminary), from which a PK Nail set in the top of a Railroad Tie Fence Post (Controlling Monument) found at the Northeast corner of a tract of land conveyed to North Benson, Inc., as recorded in Volume 2003065, Page 5458 of the Deed Records of Dallas County, Texas, and on the said South line of Loop 12, bears South 89°38'26" East a distance of 935.94 feet:

**THENCE** South 00°44'48" East, departing the last said South line of Loop 12 and with the common line between said Audubon and Championship Golf Course Additions, a distance of 14.94 feet to a COD Nail w/Washer set at an outside corner of the herein described tract of land:

**THENCE** South 89°10'39" West, departing the common line between said Audubon and Championship Golf Course Additions, over and across a portion of said Championship Golf Course Addition a distance of 11.15 feet:

**THENCE** continuing over and across a portion of said Championship Golf Course Addition the following courses and distances:

**South** 00°06'08" East a distance of 166.71 feet to a COD Nail w/Washer:

**South** 05°48'26" West a distance of 97.21 feet to a COD Nail w/Washer:

**South** 02°23'24" West a distance of 126.12 feet to a COD Nail w/Washer:

**South** 01°55'29" East a distance of 276.62 feet to a COD Nail w/Washer:



**BOUNDARY DESCRIPTION  
OF A 12,778 SQUARE FOOT (0.293 ACRE)  
ELECTRICAL SERVICE EASEMENT IN BLOCK A/6258  
TO BE CONVEYED TO THE ONCOR ELECTRIC DELIVERY COMPANY**

**South 13°25'58" East a distance of 66.28 feet to a COD Nail w/Washer:**

**North 89°15'12" East a distance of 2.31 feet to a COD Nail w/Washer:**

**South 00°44'48" East a distance of 20.00 feet to a COD Nail w/Washer:**

**South 89°15'12" West a distance of 20.00 feet to a COD Nail w/Washer:**

**North 00°44'48" West a distance of 20.00 feet to a COD Nail w/Washer:**

**North 89°15'12" East a distance of 2.31 feet to a COD Nail w/Washer:**

**North 13°25'58" West a distance of 64.42 feet to a COD Nail w/Washer:**

**North 01°55'29" West a distance of 278.70 feet: to a COD Nail w/Washer:**

**North 02°23'24" East a distance of 127.14 feet to a COD Nail w/Washer:**

**North 05°48'26" East a distance of 96.88 feet to a COD Nail w/Washer:**

**North 00°06'08" West a distance of 165.75 feet to a COD Nail w/Washer:**

**THENCE South 89°10'39" West, continuing over and across a portion of said Championship Golf Course Addition, and being at all times 15.00 feet measured perpendicularly from and parallel with the above referenced South line of Loop 12, for a distance of 66.02 feet to a COD Nail w/Washer:**

**THENCE North 00°49'21" West, continuing over and across a portion of said Championship Golf Course Addition a distance of 15.00 feet to a COD Nail w/Washer set at the intersection with the said South line of Loop 12:**

**THENCE North 89°10'39" East with the said South line of Loop 12 a distance of 89.49 feet to a COD Nail w/Washer set at an angle point in said Right-of-Way line:**

**THENCE South 89°38'26" East, continuing with the said South line of Loop 12 a distance of 2.71 feet to the POINT OF BEGINNING, containing 12,778 Square Feet, or 0.293 Acres of land.**



**BOUNDARY DESCRIPTION  
OF A 12,778 SQUARE FOOT (0.293 ACRE)  
ELECTRICAL SERVICE EASEMENT IN BLOCK A/6258  
TO BE CONVEYED TO THE ONCOR ELECTRIC DELIVERY COMPANY**

**BASIS OF BEARINGS:** Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

*Scott Holt*  
*5/1/2015*





**LOOP 12 /  
GREAT TRINITY FOREST WAY**  
(Variable Width Right-of-Way)

Highway Right-of-Way=  
Addition Boundary

SEE DETAIL  
SHEET 4 OF 4

12,778 Square Foot  
(0.293 Acre) Electrical  
Service Easement  
To Be Conveyed

60' Sanitary Sewer Esm't.

**LOT 1  
BLOCK  
A6258**

City of Dallas  
Int. No. 20080250125  
&  
Int. No. 20080250127

**TRINITY CHAMPIONSHIP  
GOLF COURSE ADDITION**  
Installment No. 1  
(Preliminary)

**GIDEON PEMBERTON  
SURVEY  
ABSTRACT NO. 1155**

⊗ Indicates 60-D Nail w/Washer  
Marked "CITY OF DALLAS"

**POINT OF  
BEGINNING**

City of Dallas  
Instr. #201200287032

City of Dallas  
Instr. #201200145747

935.94', S 89°38'26" E



RR Tie Fence Corner  
Controlling Monument

**NORTH BENSON, INC.**  
Vol. 2003065, Pg. 5458

97.21'  
S 05°48'26" W

126.12'  
S 02°23'24" W

**LOT 1  
BLOCK  
F6263**

276.62'  
S 01°55'29" E

278.70'  
N 01°55'29" W

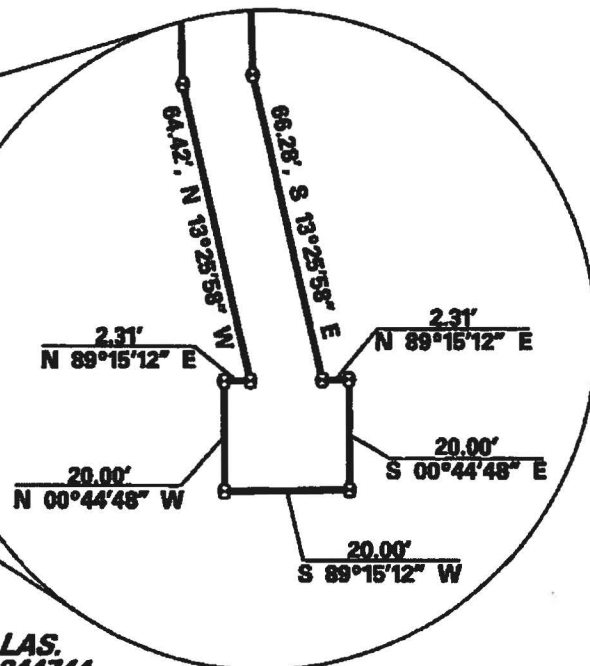
Abstract Boundary

Addition & Block Boundary

**CITY OF DALLAS.**  
Int. No. 200600244744

"SOUTH LONGACRE LANE"  
Vol. 60, Pg. 1331  
20' Easement to the City of  
Dallas for Street Purposes

**GEORGE  
MARKHAM  
SURVEY  
ABSTRACT 980**



**LOT 1  
BLOCK  
E6263**

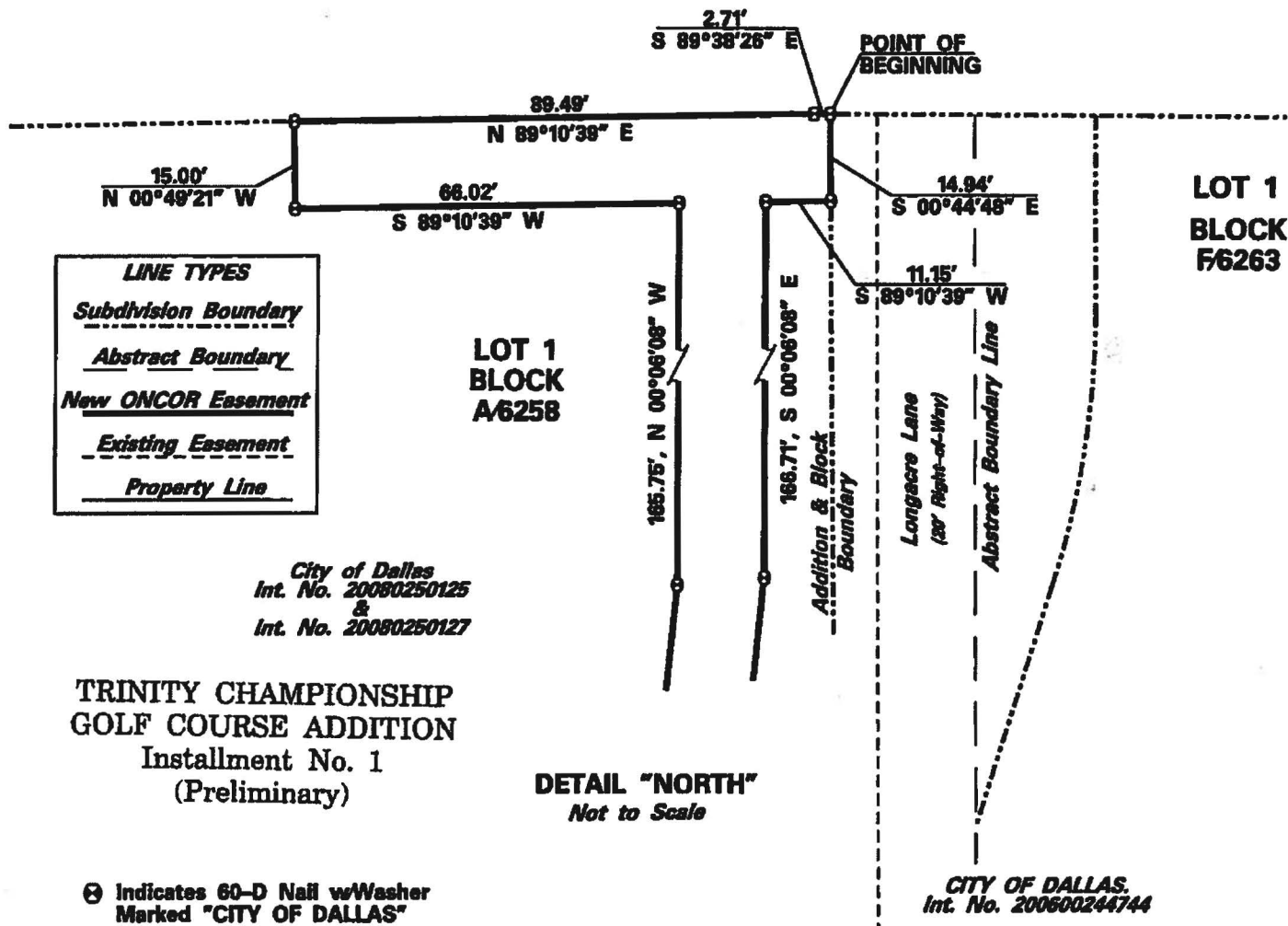
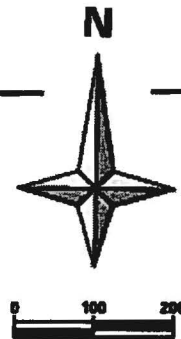
**TRINITY RIVER  
AUDUBON  
ADDITION  
(Preliminary)**

Page 4 of 5

 <b>TRINITY CHAMPIONSHIP GOLF COURSE ELECTRICAL SERVICE EASEMENT</b>			
To: <b>ONCOR Electric Delivery Company</b>			
DEPARTMENT OF PUBLIC WORKS			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPERNAME	DESIGN FILE NAME	SCALE	DATE
S. Holt	12080250125/12080250127/12080250125/12080250127/12080250125/12080250127	As Noted	3-30-2015
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
B. Peck	S. Holt	Plat	S123-079



**LOOP 12 /  
GREAT TRINITY FOREST WAY**  
*(Variable Width Right-of-Way)*



⊗ Indicates 60-D Nail w/Washer  
Marked "CITY OF DALLAS"

1. Bearings and Coordinates are State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983. Distances are Surface Projection using a Scale Factor of 1.000136506.
2. East Line of Longacre Lane is Abstract/Survey Boundary

Page 5 of 5

 <b>TRINITY CHAMPIONSHIP GOLF COURSE ELECTRICAL SERVICE EASEMENT</b>			
<b>To: ONCOR Electric Delivery Company</b>			
<b>DEPARTMENT OF PUBLIC WORKS</b>			
<b>SURVEY DIVISION CITY OF DALLAS, TEXAS</b>			
<b>OPERNAME</b>	<b>DESIGN FILE NAME</b>	<b>SCALE</b>	<b>DATE</b>
S. Holt	\\SERVER\SURVEY\Holt\Longacre's Project\ONCOR Easement.dwg	As Noted	3-10-2015
<b>PARTY CHIEF</b>	<b>CALCULATIONS</b>	<b>FOLDER</b>	<b>FILE NO.</b>
B. Peck	S. Holt	Plat	S123-079



## ADDENDUM ITEM # 7

**KEY FOCUS AREA:** E-Gov

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Business Development & Procurement Services

**CMO:** Jeanne Chipperfield, 670-7804

**MAPSCO:** N/A

---

### **SUBJECT**

Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 54 and 55 for bid BM1422 for a three-year master agreement for the purchase of pumps and parts - Austin Pump & Supply Company and Master Pumps & Equipment - Financing: This action has no cost consideration to the City

### **BACKGROUND**

This item was placed on the addendum to break tie bids received from solicitation BM1422 for the purchase of pumps and parts conducted by Business Development and Procurement Services. The council agenda for award recommendation is scheduled for May 27, 2015 and in order to meet this date the results of the tie bids must be selected prior to award.

This action is not intended to make an award, but to execute the casting of lots to identify a vendor for each of the lines for which the City has received identical bids. This process is being executed in accordance with Texas Local Government Code, Section 271.901. This section of the Texas local Government Code states, in part:

- The municipality must select identical bids by the casting of lots
- The casting of lots must be in the presence of the governing body of the municipality
- If one of the bidders submitting an identical bid is a resident of the municipality, the municipality must select that bidder

This particular solicitation resulted in identical bids from vendors located outside the city limits.

Once the vendor(s) are selected for each line by a casting of lots, a recommendation will be presented to Council for award on May 27, 2015.



## **BID INFORMATION**

The following bids were received from solicitation number BM1422 and were opened on December 4, 2014.

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Tie Bid Lines</u></b>
Austin Pump & Supply Company	4308 Murray Ave. Haltom City, TX 76117	Lines 54, 55
Master Pumps & Equipment	805 Port America Pl. #100 Grapevine, TX 76051	Lines 54, 55

## **OWNERS**

### **Austin Pump & Supply Company**

Tom Sterzing, President  
Ryan Arnette, Vice President

### **Master Pumps & Equipment**

Don Moilan Jr., President  
Kevin Figge, Secretary



**KEY FOCUS AREA:** E-Gov

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** City Secretary

**CMO:** Rosa Rios, 670-3738

**MAPSCO:** N/A

---

**SUBJECT**

A resolution designating absences by Mayor Michael Rawlings, Councilmember Scott Griggs, Councilmember Adam Medrano, Councilmember Carolyn Davis, Councilmember Lee Kleinman, Councilmember Sandy Greyson, and Councilmember Philip Kingston as being for "Official City Business" - Financing: No cost consideration to the City

**BACKGROUND**

This item is on the addendum to allow council members additional time to request approval of their outstanding absences (if applicable) as "Official City Business."

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 13, 2015

**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) referenced 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**, Mayor Michael Rawlings, Councilmember Scott Griggs, Councilmember Adam Medrano, Councilmember Carolyn R. Davis, Councilmember Lee Kleinman, Councilmember Sandy Greyson and Councilmember Philip Kingston participated in event(s) and/or meeting(s), as described in **Exhibit A** attached, which required them to miss all or part of one or more city council meeting(s) or committee meeting(s) on the date(s) noted; **Now, Therefore,**

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



May 13, 2015

**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 Mayor Michael Rawlings, Councilmember Scott Griggs, Councilmember Adam Medrano, Councilmember Carolyn R. Davis, Councilmember Lee Kleinman, Councilmember Sandy Greyson and Councilmember Philip Kingston because of their participation in any event(s) and/or meeting(s) will not be counted against them in determining their annual compensation under Chapter III, Section 4 of the Dallas City Charter.

**SECTION 2.** That, in accordance with Section 4.11(a) of the City Council Rules of Procedure, the City Secretary shall maintain a record of the absence on official city business so that such absence will not count against Mayor Michael Rawlings, Councilmember Scott Griggs, Councilmember Adam Medrano, Councilmember Carolyn R. Davis, Councilmember Lee Kleinman, Councilmember Sandy Greyson and Councilmember Philip Kingston in determining their 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 Mayor Michael Rawlings, Councilmember Scott Griggs, Councilmember Adam Medrano, Councilmember Carolyn R. Davis, Councilmember Lee Kleinman, Councilmember Sandy Greyson and Councilmember Philip Kingston as described in Exhibit A, was for "official city business," and no further city council action or approval of those minutes is required.

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



EXHIBIT A  
CITY COUNCIL MEMBER(S)  
REQUEST ABSENCE AS OFFICIAL CITY BUSINESS

COUNCILMEMBER	PURPOSE/TRIP/EVENT	LOCATION	DATE	MEETING(S) MISSED	ABSENCE TYPE
<b>Michael Rawlings</b>	Attended a hosted event by President Obama recognizing individuals actively involved in the Ebola response.	Washington, D.C.	2/11/2015	City Council Meeting	Absent
<b>Michael Rawlings</b>	Attended the U.S. Infrastructure Investment Summit.	Washington, D.C.	3/25/2015	City Council Meeting	Absent
<b>Scott Griggs</b>	Worked on official city business related to the Oak Cliff Gateway Zoning case.	Dallas, TX	4/6/2015	Economic Development Committee	Absent more than 50%
<b>Adam Medrano</b>	Attended the City Year National Leadership Summit.	Washington, D.C.	4/27/2015	Public Safety Committee	Absent more than 50%
<b>Carolyn Davis</b>	Attended the Crew Dallas Luncheon as a panelist introduced by State Representative Eric Johnson.	Dallas, TX	4/15/2015	City Council Briefing	Absent more than 50%
<b>Lee Kleinman</b>	Attended the Street Car ribbon cutting.	Dallas, TX	4/13/2015	Quality of Life and Environment Committee	Absent more than 50%
<b>Lee Kleinman</b>	Conducted several conference calls with constituents.	Dallas, TX	4/15/2015	City Council Briefing	Absent more than 50%
<b>Sandy Greyson</b>	Worked on city response to H.B. 2440 (the UBER Legislation).	Dallas, TX	4/27/2015	Transportation and Trinity River Project Committee	Absent more than 50%
<b>Philip Kingston</b>	Worked on parks related matters.	Dallas, TX	4/20/2015	Housing Committee	Absent







**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 45G

---

**SUBJECT**

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Kayla M. Heath and Christopher A. Geno, of a subsurface easement under approximately 182 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$2,710 (\$910 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds

**BACKGROUND**

This item is on the addendum to expedite the acquisition process in order to meet the project schedule.

This item authorizes the acquisition of a subsurface easement located under approximately 182 square feet of land from Kayla M. Heath and Christopher A. Geno. This property is located on Zenia Drive at its intersection with North Central Expressway and will be used for the Mill Creek/Peaks Branch/ State Thomas Drainage Relief Tunnel Project. The consideration is based on an independent appraisal.

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

This item has no prior action.

**FISCAL INFORMATION**

2006 Bond Funds - \$2,710 (\$910 plus closing costs and title expenses not to exceed \$1,800)

**OWNERS**

Kayla M. Heath

Christopher A. Geno



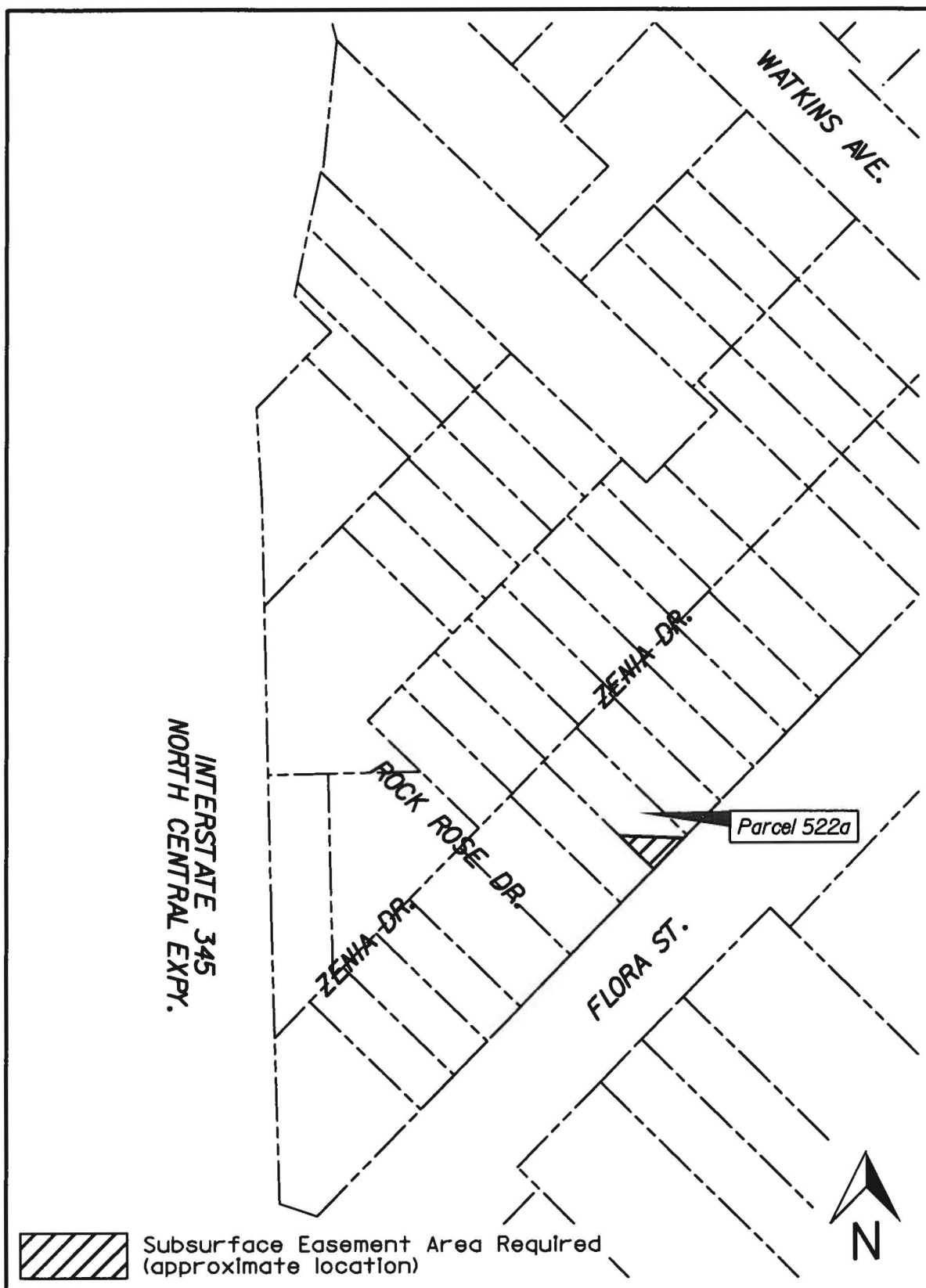
## **MAPS**

Attached











May 13, 2015

**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": Located under approximately 182 square feet in area, lying between the subsurface elevations of 242 feet and 416 feet (U.S. Survey Feet), inclusive, North American Vertical Datum of 1988, located in Dallas County, Texas, the boundary of which property being 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 Project

"USE": The below ground construction, installation, use, and maintenance of a deep tunnel for storage and transmission of storm drainage.

"PROPERTY INTEREST": Flood Control Tunnel Easement

"OWNER": Kayla M. Heath and Christopher A. Geno, 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": \$910.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,800.00

"AUTHORIZED AMOUNT": \$2,710.00

**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 13, 2015

**SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of 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 Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525G52, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525G53. 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 the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that 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 proceeding(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 proceedings or 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 13, 2015

**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 deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT 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 Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$1,800.00 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 182 SQUARE FOOT (0.0042 ACRE)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 522a)  
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594  
PART OF LOT 29, LOTS 2-34, FLORA STREET TOWNHOMES NO. 1  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM MEGATEL HOMES II, LLC

**EXHIBIT A**

BEING a 182 square foot (0.0042 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, in City Block 2/594 of the City of Dallas, Dallas County, Texas, and being part of that tract of land described in Special Warranty Deed With Vendor's Lien to Megatel Homes II, LLC recorded in Instrument Number 201300274631 of the Official Public Records of Dallas County, Texas, and being part of Lot 29 of Lots 2-34, Flora Street Townhomes No. 1, an addition to the City of Dallas recorded in Instrument Number 200900306242 of said Official Public Records, and being more particularly described as follows:

(Note: Subsurface easement corners are not monumented.)

COMMENCING at a 1/2 inch iron rod with cap stamped "DAA" (controlling monument) found on the northwest right-of-way line of Flora Street (a variable width right-of-way, 46.4 feet wide at this point) as dedicated by the plat of said Lots 2-34, Flora Street Townhomes No. 1, for the east corner of said Lot 29 and south corner of Lot 30 of said Lots 2-34, Flora Street Townhomes No. 1;

THENCE South 44 degrees 12 minutes 57 seconds West, with the southeasterly line of said Lot 29 and said northwest right-of-way line of Flora Street, 1.84 feet to the POINT OF BEGINNING having coordinates of N=6976460.5807, E=2493384.4626 (not monumented);

THENCE South 44 degrees 12 minutes 57 seconds West, with said northwest right-of-way line of Flora Street and the southeasterly line of said Lot 29, 18.16 feet to the south corner of said Lot 29 having coordinates of N=6976447.5650, E=2493371.7984 (not monumented) and the east corner of Lot 28 of said Lots 2-34, Flora Street Townhomes No. 1;

THENCE North 45 degrees 47 minutes 03 seconds West, departing said northwest right-of-way line of Flora Street and said southeasterly line of said Lot 29, and with the southwesterly line of said Lot 29 and northeasterly line of said Lot 28, 20.19 feet to the point of curvature having coordinates of N=6976461.6432, E=2493357.3295 (not monumented) of a non-tangent circular curve to the left having a central angle of 01 degree 08 minutes 54 seconds, a radius of 1,355.00 feet, a tangent of 13.58 feet and a chord which bears South 87 degrees 45 minutes 27 seconds East 27.16 feet, from whence an X cut (controlling monument) found for the west corner of said Lot 29 and north corner of said Lot 28 bears North 45 degrees 47 minutes 03 seconds West 44.82 feet;





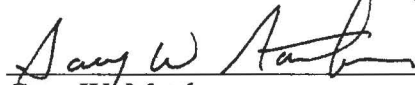
FIELD NOTES DESCRIBING A 182 SQUARE FOOT (0.0042 ACRE)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 522a)  
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594  
PART OF LOT 29, LOTS 2-34, FLORA STREET TOWNHOMES NO. 1  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM MEGATEL HOMES II, LLC

**EXHIBIT A**

THENCE Easterly, departing said southwesterly line of Lot 29 and said northeasterly line of Lot 28 and across said Lot 29 with said curve to the left, an arc distance of 27.16 feet to the POINT OF BEGINNING and containing 182 square feet (0.0042 acre) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506

For Nathan D. Maier Consulting Engineers, Inc.



Gary W. Matthews

Registered Professional Land Surveyor

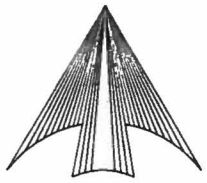
Texas No. 5534 9.12.2013



FIELD NOTES APPROVED:

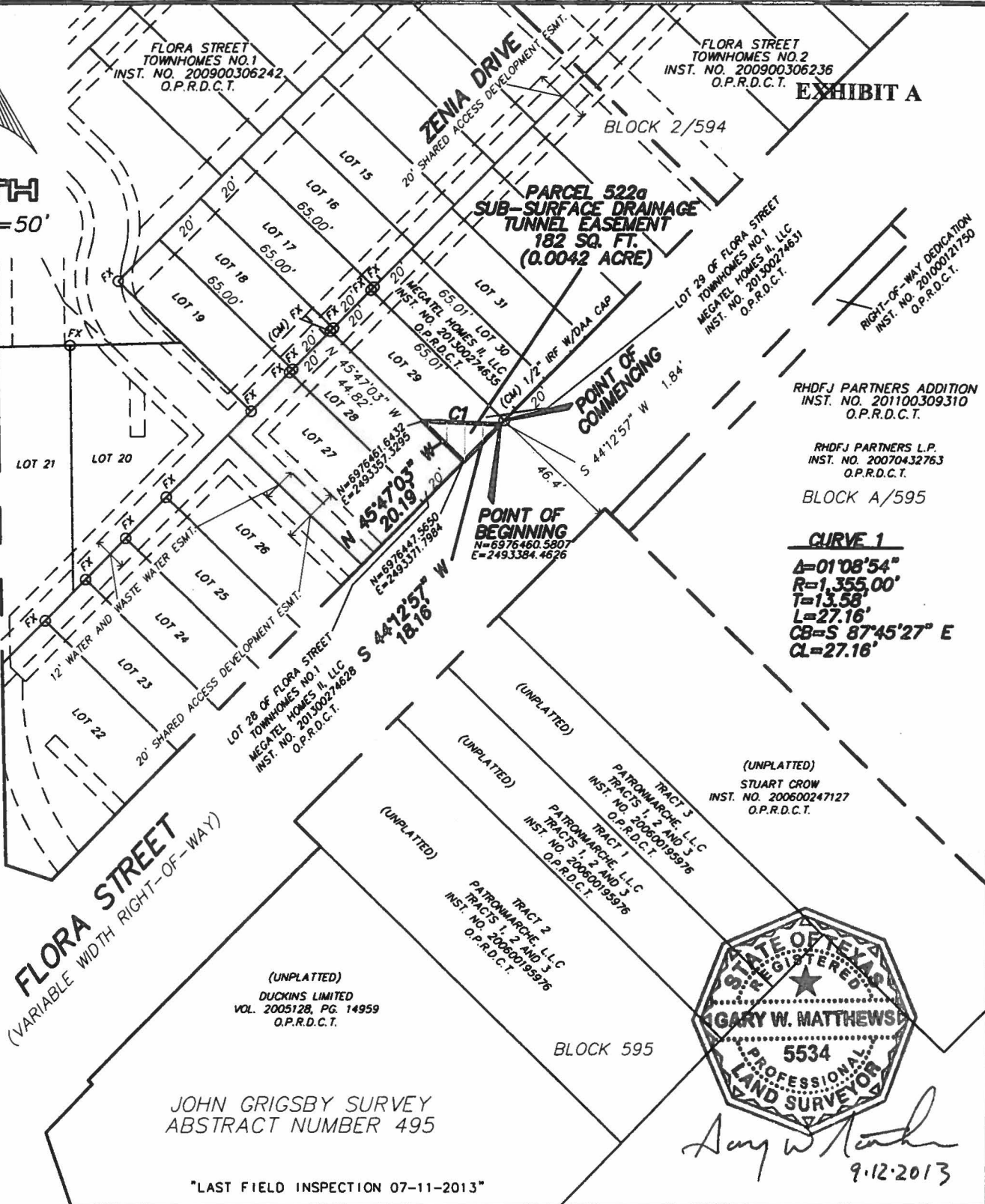
DER 11/20/18





**NORTH**  
SCALE: 1"=50'

I.H. SPUR 345  
NORTH CENTRAL EXPRESSWAY  
(U.S. HWY 75)  
(VARIABLE WIDTH RIGHT-OF-WAY)



NOTE: SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

### LEGEND

D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS	---	RIGHT-OF-WAY LINE
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS	---	EASEMENT LINE
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS	---	SUBDIVISION LINE
INST. NO.	INSTRUMENT NUMBER	---	PROPERTY LINE
VOL., PG.	VOLUME, PAGE	IRF	IRON ROD FOUND
ESMT.	EASEMENT	IPF	IRON PIPE FOUND
SQ. FT.	SQUARE FEET	CM	CONTROLLING MONUMENT
		FPK	FOUND PK NAIL
		FX	FOUND "X"

182 SQ. FT. (0.0042 ACRE) SUB-SURFACE DRAINAGE TUNNEL EASEMENT, CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 522a) TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594, PART OF LOT 29, FLORA STREET TOWNHOMES NO. 1, JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495 CITY OF DALLAS, DALLAS COUNTY, TEXAS FROM MEGATEL HOMES II, LLC

NDM

NATHAN D. MAIER  
CONSULTING ENGINEERS, INC.  
TBPE FIRM REG. NO. F-356  
TBPLS FIRM REG. NO. 100189-00  
Two Northpark / 8080 Park Lane / Suite 600  
Dallas, Texas 75231 / (214) 739-4741

09/12/2013

PARCEL-522A.DWG



*Gary W. Matthews*  
9.12.2013



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 45G

---

**SUBJECT**

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Michael James Hudson and Robert Hudson, of a subsurface easement under approximately 634 square feet of land located on Zenia Drive at its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$5,170 (\$3,170 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

**BACKGROUND**

This item is on the addendum to expedite the acquisition process in order to meet the project schedule.

This item authorizes the acquisition of a subsurface easement located under approximately 634 square feet of land from Michael James Hudson and Robert Hudson. This property is located on Zenia Drive at its intersection with North Central Expressway and will be used for the Mill Creek/Peaks Branch/ State Thomas Drainage Relief Tunnel Project. The consideration is based on an independent appraisal.

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

This item has no prior action.

**FISCAL INFORMATION**

2006 Bond Funds - \$5,170 (\$3,170 plus closing costs and title expenses not to exceed \$2,000)



## **OWNERS**

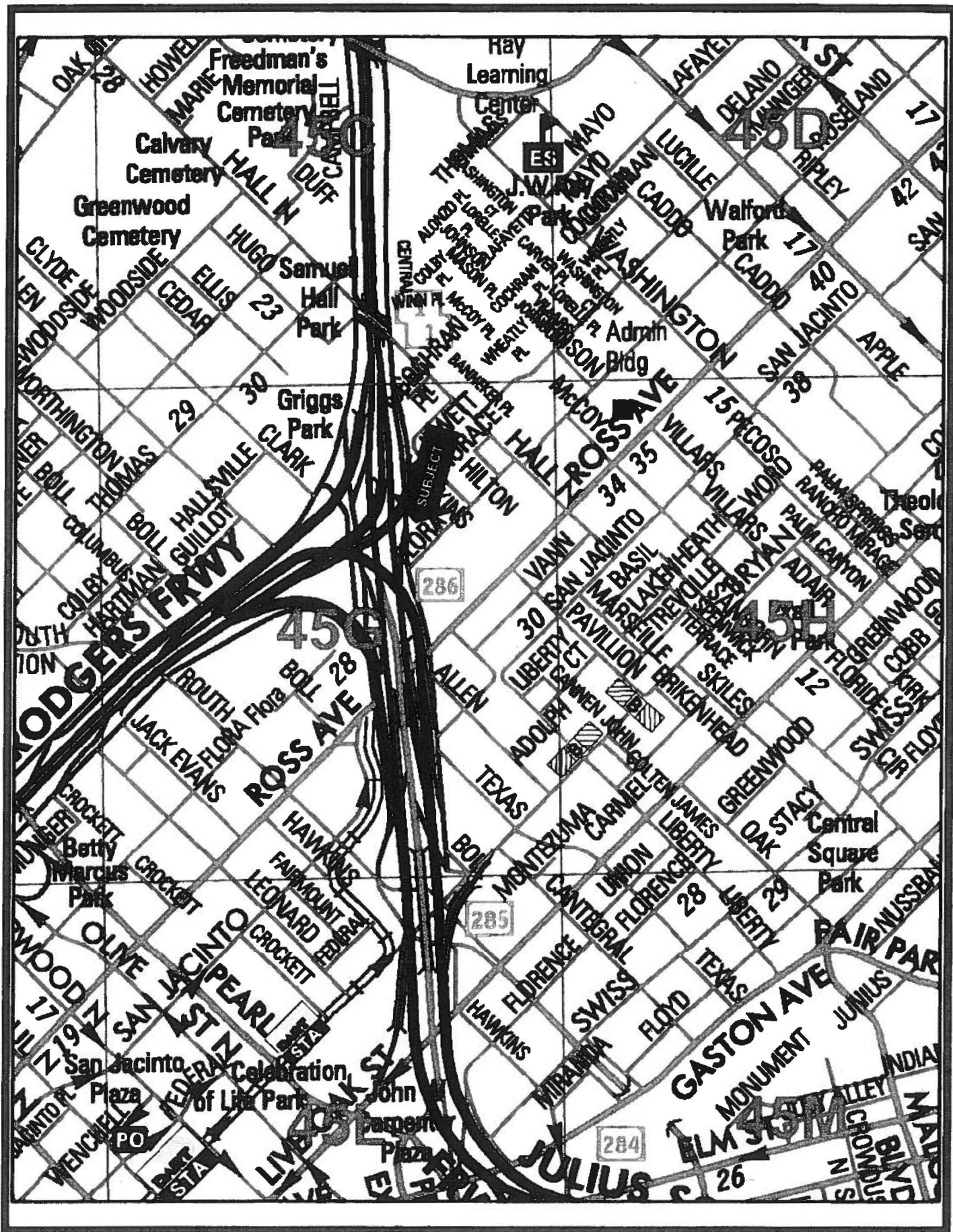
Michael James Hudson

Robert Hudson

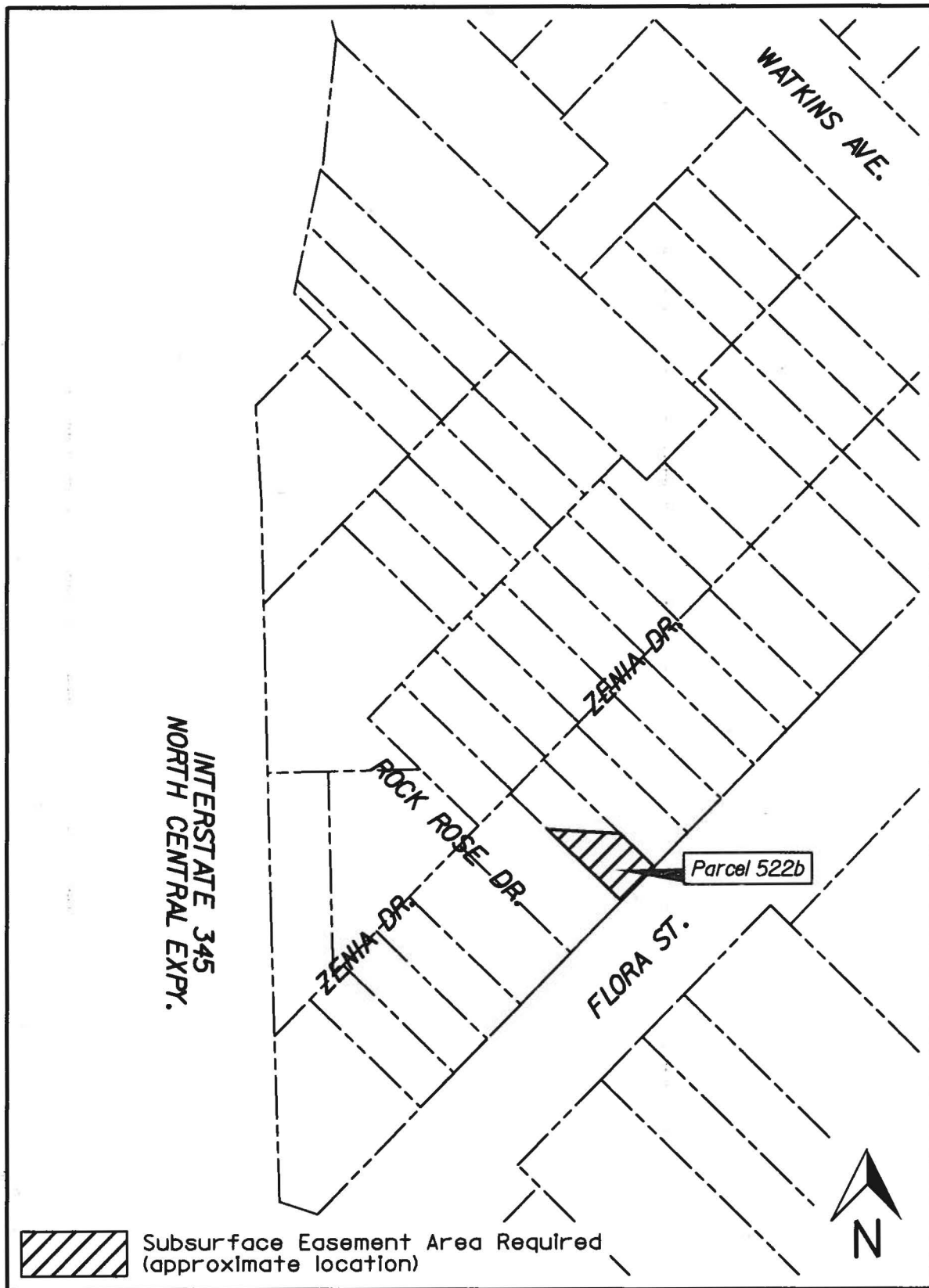
## **MAPS**

Attached











May 13, 2015

**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": Located under approximately 634 square feet in area, lying between the subsurface elevations of 242 feet and 416 feet (U.S. Survey Feet), inclusive, North American Vertical Datum of 1988, located in Dallas County, Texas, the boundary of which property being 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 Project

"USE": The below ground construction, installation, use, and maintenance of a deep tunnel for storage and transmission of storm drainage.

"PROPERTY INTEREST": Flood Control Tunnel Easement

"OWNER": Michael James Hudson and Robert Hudson, 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": \$3,170.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,000.00

"AUTHORIZED AMOUNT": \$5,170.00

**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 13, 2015

**SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of 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 Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525G54, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525G55. 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 the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that 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 proceeding(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 proceedings or 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 13, 2015

**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 deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT 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 Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$2,000.00 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 A 634 SQUARE FOOT (0.0146 ACRE)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 522b) **EXHIBIT A**  
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594  
PART OF LOT 28 OF LOTS 2-34, FLORA STREET TOWNHOMES NO. 1  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM MEGATEL HOMES II, LLC

BEING a 634 square foot (0.0146 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, in City Block 2/594 of the City of Dallas, Dallas County, Texas, and being part of that tract of land described in Special Warranty Deed With Vendor's Lien to Megatel Homes II, LLC recorded in Instrument Number 201300274628 of the Official Public Records of Dallas County, Texas, and being part of Lot 28 of Lots 2-34, Block 2/594, Flora Street Townhomes No. 1, an addition to the City of Dallas recorded in Instrument Number 200900306242 of said Official Public Records, and being more particularly described as follows:

(Note: Subsurface easement corners not monumented are so noted hereon.)

BEGINNING on the northwest right-of-way line of Flora Street (a variable width right-of-way) as dedicated by the plat of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 at the east corner of said Lot 28 having coordinates of N=6976447.5650, E=2493371.7984 (not monumented) and the south corner of Lot 29 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition;

THENCE South 44 degrees 12 minutes 57 seconds West, with the southeasterly line of said Lot 28 and said northwest right-of-way line of Flora Street, 20.00 feet to a 1/2 inch iron rod with cap stamped "DAA" (controlling monument) having coordinates of N=6976433.2327, E=2493357.8530 found for the south corner of said Lot 28 and east corner of Lot 27 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition;

THENCE North 45 degrees 47 minutes 03 seconds West, departing said northwesterly right-of-way line of Flora Street and said southeasterly line of Lot 28, and with the southwesterly line of said Lot 28 and northeasterly line of said Lot 27, 43.40 feet to the point of curvature having coordinates of N=6976463.4943, E=2493326.7515 (not monumented) of a non-tangent circular curve to the left having a central angle of 01 degree 17 minutes 44 seconds, a radius of 1,355.00 feet, a tangent of 15.32 feet and a chord which bears South 86 degrees 32 minutes 08 seconds East 30.64 feet, from whence an X cut found (controlling monument) for the west corner of said Lot 28 and north corner of said Lot 27 bears North 45 degrees 47 minutes 03 seconds West 21.61 feet;

THENCE Easterly, departing said southwesterly line of Lot 28 and said northeasterly line of Lot 27 and over said Lot 28 with said curve to the left, an arc distance of 30.64 feet to the end of said curve having coordinates of N=6976461.6432, E=2493357.3295, said end of curve being on said northeasterly line of Lot 28 and said southwesterly line of Lot 29;



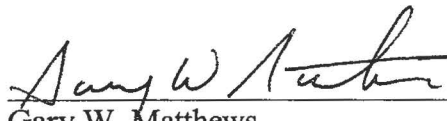


FIELD NOTES DESCRIBING A 634 SQUARE FOOT (0.0146 ACRE)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 522b) **EXHIBIT A**  
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594  
PART OF LOT 28 OF LOTS 2-34, FLORA STREET TOWNHOMES NO. 1  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM MEGATEL HOMES II, LLC

THENCE South 45 degrees 47 minutes 03 seconds East, with said northeasterly line of Lot 28 and said southwesterly line of Lot 29, 20.19 feet to the POINT OF BEGINNING and containing 634 square feet (0.0146 acre) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506

For Nathan D. Maier Consulting Engineers, Inc.

  
\_\_\_\_\_  
Gary W. Matthews  
Registered Professional Land Surveyor  
Texas No. 5534 9.12.2013







**I.H. SPUR 345  
NORTH CENTRAL EXPRESSWAY  
(U.S. HWY 75)**  
(VARIABLE WIDTH RIGHT-OF-WAY)

(VARIABLE WIDTH RIGHT-OF-WAY)

**FLORA STREET**  
(VARIABLE WIDTH RIGHT-OF-WAY)

FLORA STREET  
TOWNHOMES NO.1  
INST. NO. 200900306242  
O.P.R.D.C.T.

FLORA STREET  
TOWNHOMES NO.2  
INST. NO. 200900306236  
O.P.R.D.C.T.

**EXHIBIT A**

BLOCK 2/594

RIGHT-OF-WAY DEDICATION  
INST. NO. 201000121750  
O.P.R.D.C.T.

RHDFJ PARTNERS ADDITION  
INST. NO. 201100309310  
O.P.R.D.C.T.

RHDFJ PARTNERS L.P.  
INST. NO. 20070432763  
OPROCT

BLOCK A/595

CURVE 1

$A=01^{\circ}17'44''$   
 $R=1.355,00'$   
 $T=15.32'$   
 $L=30.64'$   
 $CB=S\ 86^{\circ}32'08''\ E$   
 $CL=30.64'$

**PARCEL 522b  
SUB-SURFACE DRAINAGE  
TUNNEL EASEMENT  
634 SQ. FT.  
(0.0146 ACRE)**

(UNPLATTED)  
STUART CROW  
INST. NO. 200600247127  
O.P.R.D.C.T.

TRACT 3  
PATRONMARCHÉ, L.L.C.  
TRACTS 1, 2 AND 3  
INST. NO. 200600195976  
O.P.R.D.C.I.

TRACT 1  
PATRONMARCHÉ, L.L.C.  
TRACTS 1, 2 AND 3  
INST. NO. 200600195976  
O.P.R.D.C.I.

TRACT 2  
PATRONMARCHÉ, L.L.C.  
TRACTS 1, 2 AND 3  
INST. NO. 200600195976  
O.P.R.D.C.T.

(UNPLATTED)  
DUCKINS LIMITED  
VOL. 2005128, PG. 14959  
O.P.R.D.C.T.

BLOCK 595

JOHN GRIGSBY SURVEY  
ABSTRACT NUMBER 495

"LAST FIELD INSPECTION 07-11-2013"

PAGE 3 OF 3

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

634 SQ. FT. (0.0146 ACRE) SUB-SURFACE DRAINAGE  
TUNNEL EASEMENT, CITY OF DALLAS DRAWING  
NO. 423R-54 (PARCEL 522b) TO BE ACQUIRED IN CITY OF  
DALLAS BLOCK 2/594, PART OF LOT 28, FLORA STREET  
TOWNHOMES NO. 1, JOHN GRIGSBY SURVEY, ABSTRACT  
NUMBER 495 CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM MEGATEL HOMES II, LLC

NDM

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

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

09/12/2013

PARCEL-522B.DWG

### LEGEND

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
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
ESMT.	EASEMENT
SQ. FT.	SQUARE FEET

---	RIGHT-OF-WAY LINE
---	EASEMENT LINE
---	SUBDIVISION LINE
⌒	PROPERTY LINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
CM	CONTROLLING MONUMENT
FPK	FOUND PK NAIL
FX	FOUND "X"



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** May 13, 2015  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 45H

---

**SUBJECT**

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Rosedale Apartments, LLC, of a subsurface easement under approximately 4,944 square feet of land located on Ross Avenue at its intersection with Hall Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$24,382 (\$21,882 plus closing costs and title expenses not to exceed \$2,500) – Financing: 2006 Bond Funds

**BACKGROUND**

This item is on the addendum to expedite the acquisition process in order to meet the project schedule.

This item authorizes the acquisition of a subsurface easement located under approximately 4,944 square feet of land from Rosedale Apartments, LLC. This property is located on Ross Avenue at its intersection with Hall Street and will be used for the Mill Creek/Peaks Branch/ State Thomas Drainage Relief Tunnel Project. The consideration is based on an independent appraisal.

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

This item has no prior action.

**FISCAL INFORMATION**

2006 Bond Funds - \$24,382 (\$21,882 plus closing costs and title expenses not to exceed \$2,500)

**OWNER**

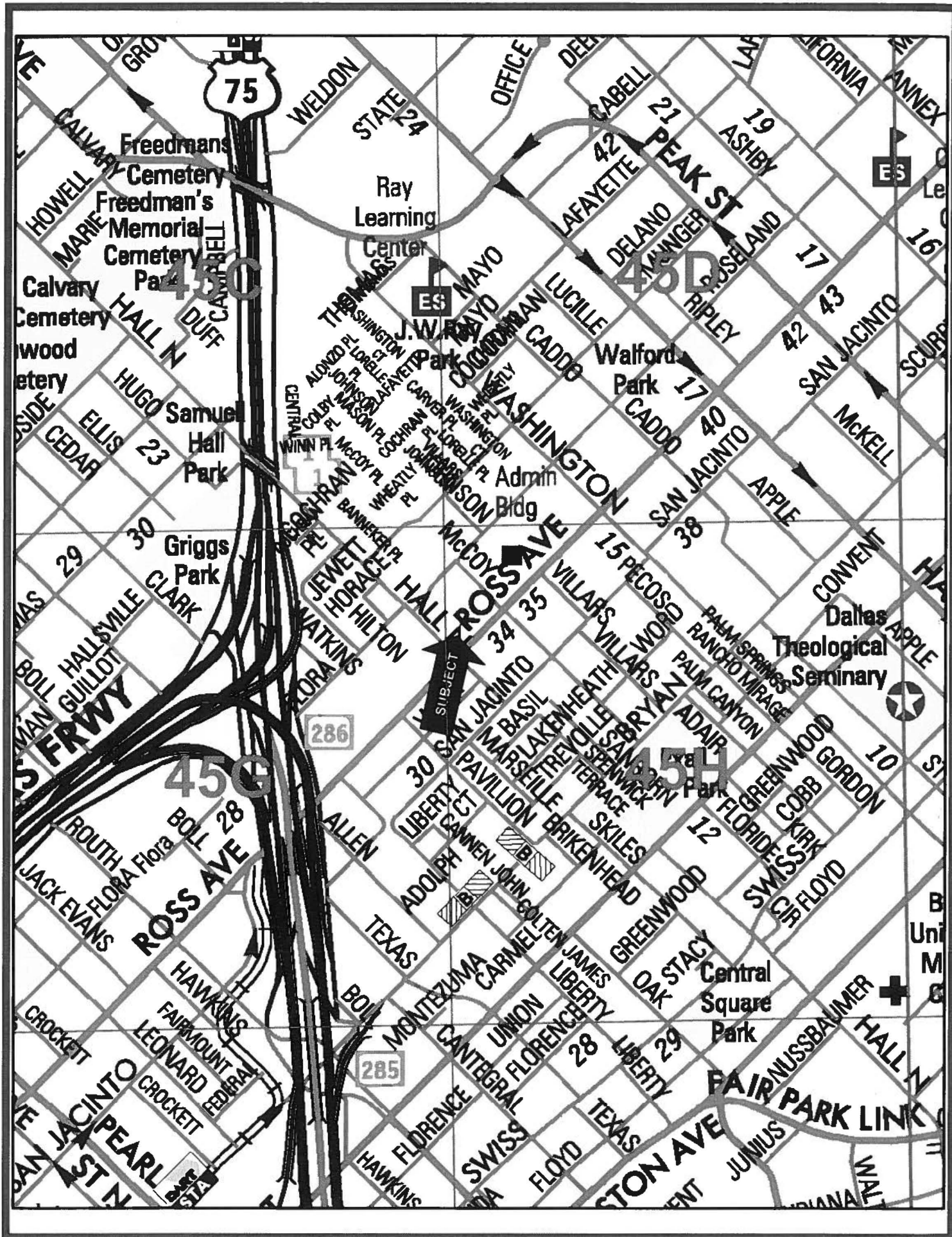
Rosedale Apartments, LLC



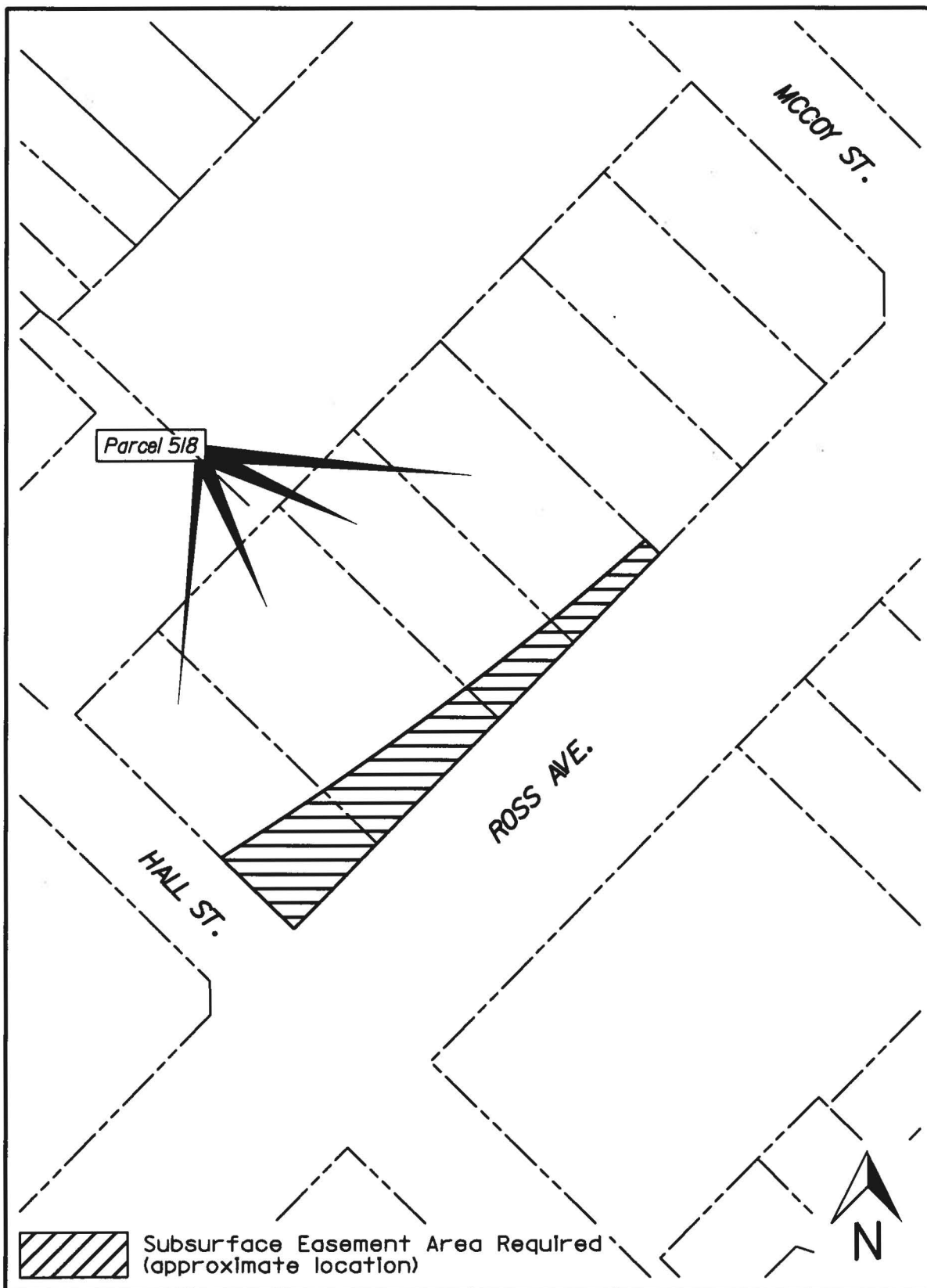
## **MAPS**

Attached











May 13, 2015

**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": Located under approximately 4,944 square feet in area, lying between the subsurface elevations of 237 feet and 412 feet (U.S. Survey Feet), inclusive, North American Vertical Datum of 1988, located in Dallas County, Texas, the boundary of which property being 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 Project

"USE": The below ground construction, installation, use, and maintenance of a deep tunnel for storage and transmission of storm drainage.

"PROPERTY INTEREST": Flood Control Tunnel Easement

"OWNER": Rosedale Apartments, LLC, 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": \$21,882.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,500.00

"AUTHORIZED AMOUNT": \$24,382.00

**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 13, 2015

**SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of 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 Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525G60, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525G61. 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 the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that 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 proceeding(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 proceedings or 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 13, 2015

**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 deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT 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 Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$2,500.00 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 4,944 SQUARE FOOT (0.1135 ACRE)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 518)  
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 596  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM TOMAINO PROPERTIES, L.P.

**EXHIBIT A**

BEING a 4,944 square foot (0.1135 acre) tract of land (unplatted) situated in the John Grigsby Survey, Abstract No. 495, in Block 596 (Official City of Dallas Block number) of the City of Dallas, Dallas County, Texas, and being part of Burton's Addition, an addition to the City of Dallas according to the map thereof recorded in Volume 70, Page 260 of the Deed Records of Dallas County, Texas, and being parts of those tracts of land described as Tract 9A, Tract 13, Tract 28 and Tract 29 (all unplatted) in Special Warranty Deed to Tomaino Properties, L.P. recorded in Instrument Number 200600227192 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

(Note: Subsurface easement corners are not monumented.)

BEGINNING at the east corner of said Tract 29 having coordinates of N=6976795.2627, E=2494328.9653 (not monumented) and south corner of that tract of land (unplatted) described in Executor's Special Warranty Deed to Charles Macon Warlick recorded in Instrument Number 20080150920 of said Official Public Records, from whence a PK nail found for the east corner of said Charles Macon Warlick tract and the south corner of Ross-McCoy Addition, an addition to the City of Dallas recorded in Instrument Number 201200060574 of the Official Public Records of Dallas County, Texas, bears North 44 degrees 12 minutes 50 seconds East, 51.51 feet (deed called 50.00 feet);

THENCE South 44 degrees 12 minutes 50 seconds West, with said northwest right-of-way line of Ross Avenue and the southeasterly line of said Tracts 29, 28, 13 and 9A, at 52.00 feet passing a 1/2 inch iron rod found for the south corner of Tract 29 and east corner of Tract 28 (controlling monument), and continuing with said northwest right-of-way line of Ross Avenue and said southeasterly line of said Tracts 29, 28, 13 and 9A, at a cumulative distance of 97.00 feet passing a 1 inch pipe found for the south corner of Tract 28 and north corner of Tract 13 (controlling monument), and continuing with said northwest right-of-way line of Ross Avenue and said southeasterly line of said Tracts 29, 28, 13 and 9A for a total of 218.80 feet to the south corner of said Tract 9A having coordinates of N=6976638.4615, E=2494176.4088 (not monumented), same being the intersection of said northwest right-of-way line of Ross Avenue with the northeast right-of-way line of Hall Street (a 40 foot wide right-of-way);

THENCE North 45 degrees 38 minutes 50 seconds West, departing said northwest right-of-way line of Ross Avenue with said northeast right-of-way line of Hall Street and southwest line of said Tract 9A, 42.78 feet to the point of curvature having coordinates of N=6976668.3666, E=2494145.8203 (not monumented) of a non-tangent circular curve to the left having a central angle of 09 degrees 22 minutes 05 seconds, a radius of 1,355.00 feet, a tangent of 111.02 feet and a chord which bears North 53 degrees 07 minutes 03 seconds East, 221.30 feet;



FIELD NOTES APPROVED:

7-12 4/20/13



FIELD NOTES DESCRIBING A 4,944 SQUARE FOOT (0.1135 ACRE)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 518)  
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 596  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM TOMAINO PROPERTIES, L.P.

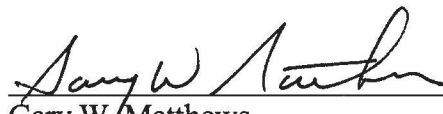
**EXHIBIT A**

THENCE Northeasterly, departing said northwest right-of-way line of Ross Avenue and said northeast right-of-way line of Hall Street, and across said Tracts 9A, 13, 28 and 29 with said curve to the left for an arc distance of 221.55 feet to the end of said curve having coordinates of N=6976801.1675, E=2494322.8073 (not monumented), said end of curve being on the northeast line of said Tract 29;

THENCE South 45 degrees 00 minutes 50 seconds East, with said northeasterly line of Tract 29, 8.53 feet to the POINT OF BEGINNING and containing 4,944 square feet (0.1135 acre) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506

For Nathan D. Maier Consulting Engineers, Inc.

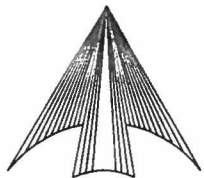
  
\_\_\_\_\_  
Gary W. Matthews  
Registered Professional Land Surveyor  
Texas No. 5534      9.12.2013



FIELD NOTES APPROVED:

DEK 11/20/13





**NORTH**  
SCALE: 1"=50'

JOHN GRIGSBY SURVEY  
ABSTRACT NUMBER 495

ASKE GIRMA  
VOL. 99098, PG. 5623  
D.R.D.C.T.

CHARLES MACON WARLICK  
INST. NO. 20080150920  
O.P.R.D.C.T.

ROSS-MCCOY ADDITION  
EXTRACTED 20060574  
O.P.R.D.C.T.

R&F INVESTMENTS II, LTD.  
CALLED 6,450 SQ. FT.  
INST. NO. 201100133586  
O.P.R.D.C.T.

TRACT 9B  
TOMAINO PROPERTIES, L.P.  
INST. NO. 200600227192  
O.P.R.D.C.T.

TRACT 13

TRACT 28

BURTON'S ADDITION  
VOL. 70, PG. 260  
D.R.D.C.T.

TOMAINO PROPERTIES, L.P.  
INST. NO. 200600227192  
O.P.R.D.C.T.

$\Delta=09^{\circ}22'05''$   
 $R=1,355.00'$   
 $T=111.02'$   
 $L=221.55'$   
 $CB=N 53^{\circ}07'03'' E$   
 $CL=221.30'$

BLOCK 596

POINT OF  
BEGINNING  
N=6976795.2627  
E=2494328.9653

PARCEL 518  
SUB-SURFACE DRAINAGE  
TUNNEL EASEMENT  
4,944 SQ. FT.  
(0.1135 ACRE)

(UNPLATTED)  
JULIO HERNANDEZ  
VOL. 98207, PG. 4719  
D.R.D.C.T.

(UNPLATTED)  
ROSE BARSHOP RESIDUARY TRUST  
VOL. 88150, PG. 4397  
D.R.D.C.T.

RHOFJ PARTNERS ADDITION  
INST. NO. 201100309310  
O.P.R.D.C.T.

ROSS AVENUE  
(80' RIGHT-OF-WAY)



"LAST FIELD INSPECTION 07-11-2013"

NOTE: SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

**LEGEND**

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  
INST. NO. INSTRUMENT NUMBER  
VOL., PG. VOLUME, PAGE  
ESMT. EASEMENT  
SQ. FT. SQUARE FEET

--- RIGHT-OF-WAY LINE  
--- EASEMENT LINE  
--- SUBDIVISION LINE  
--- PROPERTY LINE  
--- IRF IRON ROD FOUND  
--- IPF IRON PIPE FOUND  
--- CM CONTROLLING MONUMENT  
--- FPK FOUND PK NAIL  
--- FX FOUND "X"

PAGE 3 OF 3

4,944 SQ. FT. (0.1135 ACRE) SUB-SURFACE DRAINAGE  
TUNNEL EASEMENT CITY OF DALLAS DRAWING  
NO. 423R-54 (PARCEL 518) TO BE ACQUIRED IN CITY OF  
DALLAS BLOCK 596, JOHN GRIGSBY SURVEY,  
ABSTRACT NUMBER 495 CITY OF DALLAS,  
DALLAS COUNTY, TEXAS. FROM TOMAINO PROPERTIES, L.P.

NDM

NATHAN D. MAIER  
CONSULTING ENGINEERS, INC.  
TBPE FIRM REG. NO. F-356  
TBPLS FIRM REG. NO. 100189-00  
Two Northpark / 8080 Park Lane / Suite 600  
Dallas, Texas 75231 / (214) 739-4741

09/12/2013

PARCEL-518.DWG



**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Trinity Watershed Management

**CMO:** Mark McDaniel, 670-3256

**MAPSCO:** 45G

---

**SUBJECT**

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Stuart Crow, of a subsurface easement under approximately 3,140 square feet of land located on Flora Street near its intersection with North Central Expressway for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project – Not to exceed \$12,690 (\$10,990 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds

**BACKGROUND**

This item is on the addendum to expedite the acquisition process in order to meet the project schedule.

This item authorizes the acquisition of a subsurface easement located under approximately 3,140 square feet of land from Stuart Crow. This property is located on Flora Street near its intersection with North Central Expressway and will be used for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project. The consideration is based on an independent appraisal.

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

This item has no prior action.

**FISCAL INFORMATION**

2006 Bond Funds - \$12,690 (\$10,990 plus closing costs and title expenses not to exceed \$1,700)

**OWNER**

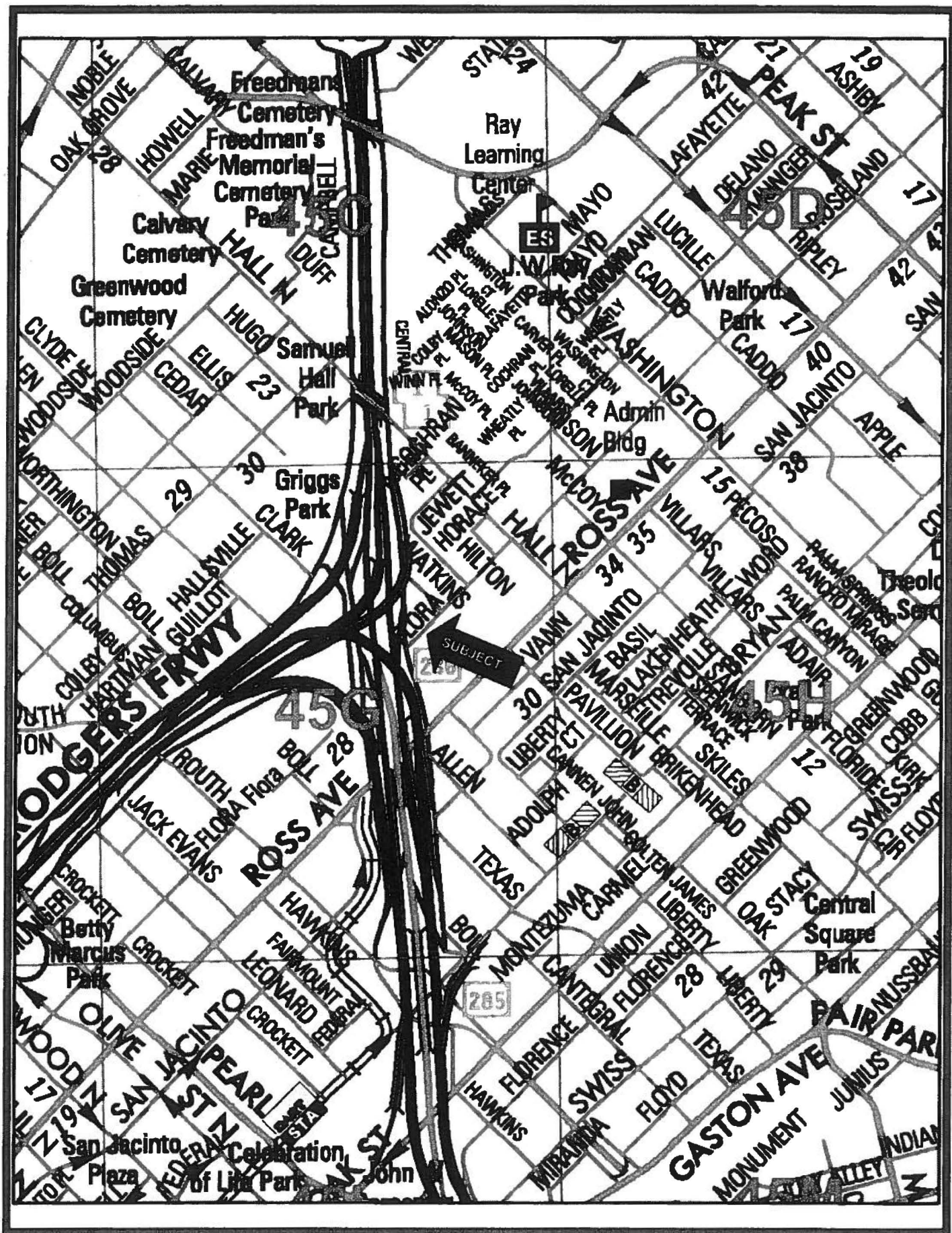
Stuart Crow



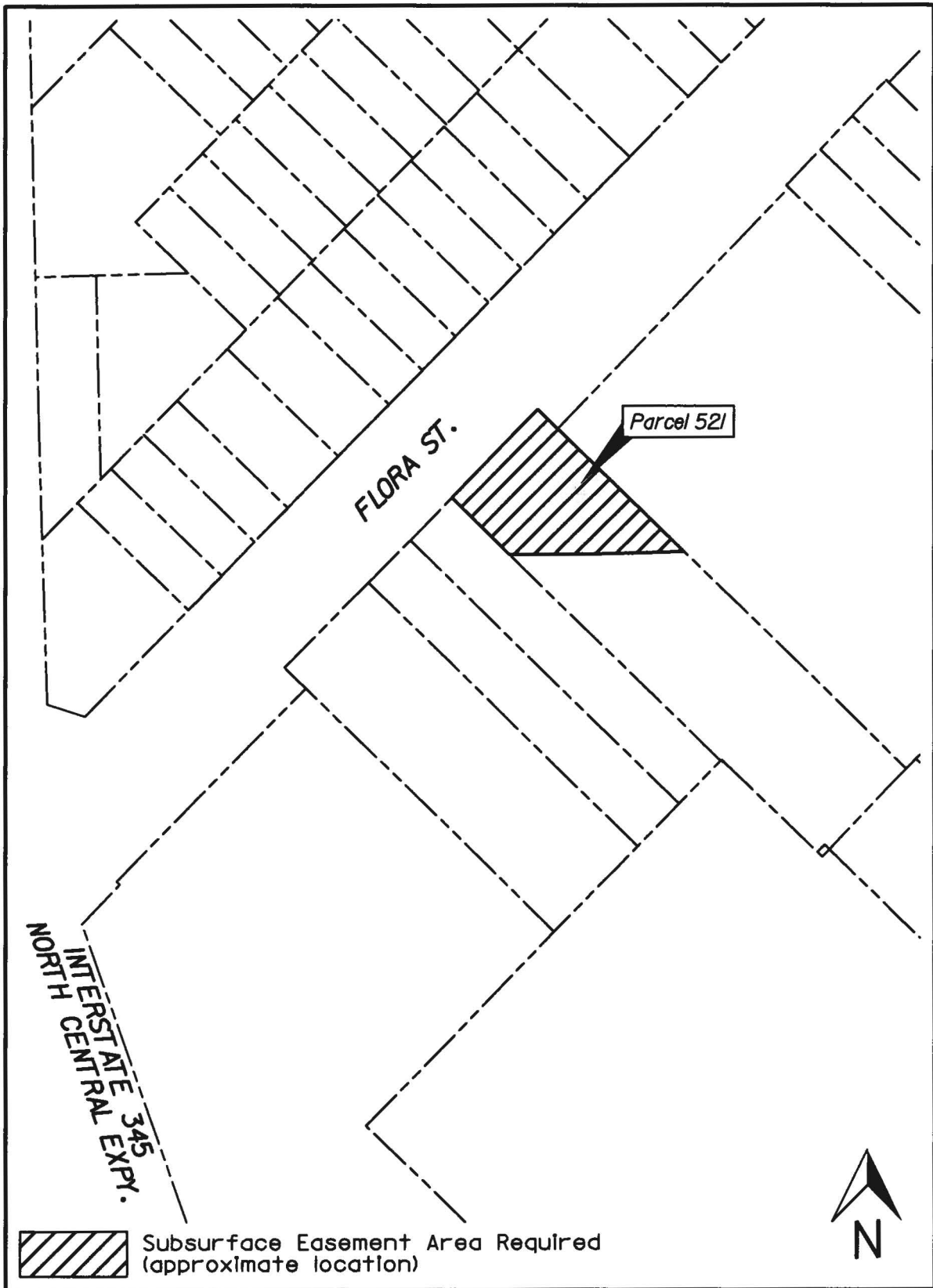
## **MAPS**

Attached











May 13, 2015

**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": Located under approximately 3,140 square feet in area, lying between the subsurface elevations of 242 feet and 416 feet (U.S. Survey Feet), inclusive, North American Vertical Datum of 1988, located in Dallas County, Texas, the boundary of which property being 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 Project

"USE": The below ground construction, installation, use, and maintenance of a deep tunnel for storage and transmission of storm drainage.

"PROPERTY INTEREST": Flood Control Tunnel Easement

"OWNER": Stuart Crow, 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": \$10,990.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,700.00

"AUTHORIZED AMOUNT": \$12,690.00

**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 13, 2015

**SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of 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 Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525G62, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 1T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525G63. 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 the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that 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 proceeding(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 proceedings or 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 13, 2015

**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 deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT 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 Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$1,700.00 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**



## Exhibit A

FIELD NOTES DESCRIBING A 3,140 SQUARE FOOT (0.0721 ACRE)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 521)  
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 595  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM STUART CROW

BEING a 3,140 square foot (0.0721 acre) tract of land (unplatted) situated in the John Grigsby Survey, Abstract No. 495, in City Block 595 of the City of Dallas, Dallas County, Texas, and being part of that called 0.2544 acre tract of land described in General Warranty Deed to Stuart Crow recorded in Instrument Number 200600247127 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

(Note: Subsurface easement corners are not monumented.)

BEGINNING on the southeast right-of-way line of Flora Street (a variable width right-of-way, 46.4 feet wide at this point) at the most northerly corner of said called 0.2544 acre tract having coordinates of N=6976430.6662, E=2493421.2572, from whence a 1/2 inch iron rod with cap stamped "SPIARS" bears South 41 degrees 11 minutes 20 seconds East 2.79 feet;

THENCE South 45 degrees 30 minutes 06 seconds East, with the northeasterly line of said called 0.2544 acre tract, same being the right-of-way line of Flora Street, at 2.96 feet passing the most westerly corner of that tract of land described as Street Right-of-Way Dedication in Correction Warranty Deed recorded in Instrument Number 201000121750 of said Official Public Records, and continuing with said northeasterly line of said called 0.2544 acre tract and with the southwesterly line of said Street Right-of-Way Dedication and the right-of-way line of Flora Street, at a cumulative distance of 11.73 feet passing the most southerly corner of said Street Right-of-Way Dedication, same being the most westerly corner of Lot 2, Block A/595, RHDFJ Partners Addition, an addition to the City of Dallas recorded in Instrument Number 201100309310 of said Official Public Records, and departing said southwesterly line of said Street Right-of-Way Dedication and said right-of-way line of Flora Street and continuing with said northeasterly line of said called 0.2544 acre tract and with said southwesterly line of said Lot 2, Block A/595, RHDFJ Partners Addition for a total distance of 85.64 feet to the point of curvature having coordinates of N=6976371.1745, E=2493481.6791 (not monumented) of a non-tangent circular curve to the right having a central angle of 02 degrees 54 minutes 22 seconds, a radius of 1,445.00 feet, a tangent of 36.65 feet and a chord which bears South 89 degrees 09 minutes 40 seconds West 73.28 feet;

THENCE Southwesterly, departing said northeasterly line of said called 0.2544 acre tract and said southwesterly line of Lot 2, Block A/595, RHDFJ Partners Addition, and across said called 0.2544 acre tract with said curve to the right for an arc distance of 73.29 feet to the end of said curve having coordinates of N=6976370.1019, E=2493408.4144 (not monumented), said end of curve being on the southwesterly line of said called 0.2544 acre tract and northeasterly line of that called 3,958 square foot tract of land described as Tract 3 in Special Warranty Deed (with Vendor's Lien) to Patronmarche, L.L.C. recorded in Instrument Number 200600195976 of said Official Public Records;





FIELD NOTES DESCRIBING A 3,140 SQUARE FOOT (0.0721 ACRE)  
SUB-SURFACE DRAINAGE TUNNEL EASEMENT  
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 521)  
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 595  
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FROM STUART CROW

THENCE North 45 degrees 28 minutes 07 seconds West, with said southwesterly line of said called 0.2544 acre tract and said northeasterly line of Tract 3, 34.00 feet to the most westerly corner of said called 0.2544 acre tract having coordinates of N=6976393.8745, E=2493384.7535 (not monumented) and northerly corner of said Tract 3, said corner being on said southeast right-of-way line of Flora Street, from whence a 1/2 inch iron rod found (controlling monument) for the most westerly corner of that tract of land described as Tract 2 in said Special Warranty Deed with Vendor's Lien to Patronmarche, L.L.C.;

THENCE North 44 degrees 21 minutes 01 second East, departing said southwesterly line of said called 0.2544 acre tract and said northeasterly line of Tract 3, and with said southeast right-of-way line of Flora Street and said northwesterly line of said 0.2544 acre tract, 52.10 feet to the POINT OF BEGINNING and containing 3,140 square feet (0.0721 acres) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506

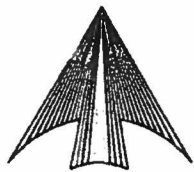
For Nathan D. Maier Consulting Engineers, Inc.



Gary W. Matthews  
Registered Professional Land Surveyor  
Texas No. 5534 9.12.2013







**NORTH**

SCALE: 1"=50'

I.H. SPUR 345  
NORTH CENTRAL EXPRESSWAY  
(U.S. HWY 75)  
(VARIABLE WIDTH RIGHT-OF-WAY)



9-12-2013

FLORA STREET  
TOWNHOMES NO.2  
INST. NO. 200900306236  
O.P.R.D.C.T.

BLOCK 2/594

STREET RIGHT-OF-WAY DEDICATION  
INST. NO. 20100021750  
O.P.R.D.C.T.

LOT 2  
BLOCK A/595

RHDFJ PARTNERS ADDITION  
INST. NO. 201100309310  
O.P.R.D.C.T.

RHDFJ PARTNERS L.P.  
CALLED 0.6382 ACRE  
INST. NO. 20070432783  
O.P.R.D.C.T.

PARCEL 521  
SUB-SURFACE DRAINAGE  
TUNNEL EASEMENT  
3,140 SQ. FT.  
(0.0721 ACRE)

N=6976371.1745  
E=2493481.6791

$\Delta=02^{\circ}54'22''$   
 $R=1,445.00'$   
 $T=38.65'$   
 $L=73.29'$   
 $CB=S 89^{\circ}09'40'' W$   
 $CL=73.28'$

(UNPLATTED)  
STUART CROW  
CALLED 0.2544 ACRE  
INST. NO. 200600247127  
O.P.R.D.C.T.

BLOCK 595

FLORA STREET  
(VARIABLE WIDTH RIGHT-OF-WAY)

JOHN GRIGSBY SURVEY  
ABSTRACT NUMBER 495

"LAST FIELD INSPECTION 07-11-2013"

NOTE: SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

**LEGEND**

D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS	---	RIGHT-OF-WAY LINE
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS	---	EASEMENT LINE
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS	---	SUBDIVISION LINE
INST. NO.	INSTRUMENT NUMBER	---	PROPERTY LINE
VOL., PG.	VOLUME, PAGE	IRF	IRON ROD FOUND
ESMT.	EASEMENT	IPF	IRON PIPE FOUND
SQ. FT.	SQUARE FEET	CM	CONTROLLING MONUMENT
		FPK	FOUND PK NAIL
		FX	FOUND "X"

PAGE 3 OF 3

3,140 SQ. FT. (0.0721 ACRE) SUB-SURFACE DRAINAGE TUNNEL EASEMENT CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 521) TO BE ACQUIRED IN CITY OF DALLAS BLOCK 595, JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495 CITY OF DALLAS, DALLAS COUNTY, TEXAS. FROM STUART CROW



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

Two Northpark / 8080 Park Lane / Suite 600  
Dallas, Texas 75221 / (214) 798-6741

09/12/2013

PARCEL-521.DWG



**REVISED AGENDA ITEM # 40**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** May 13, 2015

**COUNCIL DISTRICT(S):** 13

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 26 T

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District ~~with~~and a resolution accepting deed restrictions volunteered by the applicant on property zoned a GO(A) General Office District on the northeast corner of East Northwest Highway and North Central Expressway  
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant

Z145-145(AF)

Note: This item was considered by the City Council at a public hearing on April 22, 2015, and was taken under advisement until May 13, 2015, with the public hearing open



**FILE NUMBER:** Z145-145(AF)

**DATE FILED:** December 17, 2014

**LOCATION:** Northeast corner of East Northwest Highway and North Central  
Expressway

**COUNCIL DISTRICT:** 13

**MAPSCO:** 26-T

**SIZE OF REQUEST:** Approx. 7.029 acres

**CENSUS TRACT:** 78.22

---

**REPRESENTATIVE:** Karl Crawley, Masterplan

**APPLICANT:** 8750 NCE Dallas, LLC

**OWNER:** 8750 NCE Dallas, LLC

**REQUEST:** An application for an MU-3 Mixed Use District with deed restrictions volunteered by the applicant on property zoned a GO(A) General Office District.

**SUMMARY:** It is the intention of the applicant to integrate a mix of uses like retail and restaurant that can further compliment the office space that is already on site. The development standards in GO(A) and MU-3 are similar. However, they differ in terms of the land uses permitted. The subject site encompasses a hotel and two office towers (Campbell Centre). It is the applicant's intention to develop the surface parking lot with uses that can further compliment the uses that are currently on site and across the street. In the immediate future, residential uses are not anticipated; however, MU-3 would permit residential uses if the owner chose to incorporate them. MU-3(SAH) Mixed Use Affordable Housing zoning is to the north.

**CPC RECOMMENDATION:** **Approval** with deed restrictions volunteered by the applicant.

**STAFF RECOMMENDATION:** **Approval** with deed restrictions volunteered by the applicant.

**DESIGNATED ZONING CASE**



## **GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The site is located less than half a mile away from the Park Lane Multi-Modal Dart Station. Across the street on the north side is a mixed use development with a grocery store, office, apartments, restaurants, and retail. On the site, two office buildings and a hotel are located with a large surface parking abutting the Dart Rail, and running along Greenville Avenue. The location itself allows the opportunity to build a development that can continue the mixes of uses and compliment the uses that are currently present at that intersection on the north side.
2. *Traffic impact* – Staff has reviewed the request and has determined that the surrounding roadway system can accommodate the additional trips.
3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the *forwardDallas!* Comprehensive Plan for the Area. In addition, the Vickery Meadow TIF District and PID are located less than half a mile away, which creates calls for the redevelopment of the area just north of the subject site.

### **Zoning History:**

1. Z134-110 On June 25, 2010, City Council approved a Planned Development District, subject to a subdistrict map and conditions, approved termination of Specific Use Permit No. 416 and Specific Use Permit No.1272, and approved the termination of deed restrictions
2. Z134-273 On November 12, 2014, City Council approved a Specific Use Permit for a private school on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions.

### **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Northwest Highway	Major Arterial	80'
North Central Expressway	Highway	300'



**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	GO(A)	Office
<b>North</b>	MU-3(SAH);SUP 2120	Grocery, Retail, Office, Residential
<b>East</b>	PD 488	Government
<b>South</b>	PD 595, R-5(A)	Trinity Levy
<b>West</b>	RR	Retail (North Park Mall)

**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 depict 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 request site is located in an area Urban Mixed-Use Building Block which 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.

Urban mixed-use districts will incorporate housing, jobs and commercial activity in strategic locations throughout the city. These areas will be linked to the rest of the city by means of the transit system and will be designed to encourage pedestrian mobility.



## **URBAN DESIGN ELEMENT**

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

### **GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

### **GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

Policy 5.2.4 Enhance retail, industrial and business operations.

## **Area Plans:**

The subject site is located less than half-mile away from the boundaries of two major areas the City has focused major efforts in and has created a framework for development along with a funding mechanism to pay for major infrastructure improvements and catalysts for economic development. These two major plans are the Vickery Meadow TIF District Project Plan and the Vickery Meadow Public Improvement District (VMPID).

The Vickery Meadow TIF District Project Plan provides a long term program to replace and upgrade the infrastructure and encourage redevelopment of underutilized property in the Vickery Meadow TIF District. This program is intended to encourage private development and public infrastructure improvements thereby the economics of redeveloping the Vickery Meadow TIF District.

Vickery Meadow Public Improvement District (VMPID) was established in 1993 and was renewed thrice in 1998, 2003 and 2008. The Vickery Meadow area consists of approximately 110 businesses, 11,929 multi-family units and 5 DISD schools. Vickery Meadow Management Corporation manages the PID. The general nature of the service and improvements provided by the PID are to enhance security and public safety, maintenance, economic development activities, special event and other services and activities approved by the Dallas City Council.

## **Land Use Compatibility:**

Currently, the undeveloped surface parking lot serves as a void or disconnection with the development on the north side. The request site is underutilized and isolated nestled between the Dart train tracks, Northwest Highway, and Central Expressway. The surface parking serves to be a void disconnecting the site from mixed use development to the north. Development is occurring all around the site, and it has an opportunity to obtain better cohesion with the surrounding developments through the implementation of restaurants and retail.



**Development Standards:**

Existing Zoning							
District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
GO(A)\ General Office	15'	20' adjacent to residential OTHER: No Min.	4.0 FAR	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual intrusion	Office; lodging; retail and personal service uses as limited uses

Proposed Zoning							
District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
MU-3	15'	20' adjacent to residential OTHER: No Min.	3.2 base 4.0 max + bonus for residential	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual intrusion	Office; retail and personal service; lodging; residential; trade center

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

**Landscaping:**

The landscape requirements of Article X will be triggered if impervious surface is added to the site.



**CPC Action – March 19, 2015:**

**Motion:** It was moved to recommend **approval** of an MU-3 Mixed Use District with deed restrictions volunteered by the applicant, except to allow multi-family as a mixed use development on property zoned a GO(A) General Office District on the northeast corner of East Northwest Highway and North Central Expressway.

Maker: Murphy

Second: Abtahi

Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Culbreath\*, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 0

Absent: 1 - Schultz

Vacancy: 0

\*out of the room, shown voting in favor

**Notices:** Area: 400 Mailed: 23

**Replies:** For: 0 Against: 0

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202  
Against: None



**List of Officers**

Nce Dallas LLC

John R. Wooten, Vice President

Directors

Susan A. Alafano

Lawrence V. Burkett, Jr.

Daniel J. Fitzgerald

Kenneth L. Hargreaves

Isadore Jermyn

Gary E. Wendlandt

Officers

Alan M. Connor, President

Allan B. Bixby, Treasurer

Thomas J. Finnegan, Jr.



**CORNERSTONE REAL ESTATE ADVISERS LLC****Officer List***Effective November 10, 2014*

<b><u>OFFICER</u></b>	<b><u>TITLE</u></b>
David J. Reilly	Chief Executive Officer
Scott D. Brown	President
Thomas G. Dudeck	Chief of Investment Strategy
C.J. Karbowicz	Chief Operating Officer, General Counsel and Secretary
Robert F. Little	Chief Investment Officer – Finance
Robert E. Mahoney	Chief Financial Officer
Lisa A. Howat	Chief Technology Officer
Andrew C. Williams	Chief Investment Officer - Equity
Robert J. Batenhorst	Managing Director
Graham J. Bond	Managing Director
David Colangelo	Managing Director
Michael Domaingue	Managing Director
R. Bruce Gadd	Managing Director
Michael H. Gately	Managing Director
James A. Henderson	Managing Director
John Kennedy	Managing Director
Timothy P. Kenny	Managing Director
R. Jay Molleur	Managing Director
James J. O'Shaughnessy	Managing Director
Scott Piccone	Managing Director
Anthony J. Pierson	Chief Risk Officer & Managing Director – Portfolio Management
Achim G. Seifert	Managing Director
Lydia L. Shen	Managing Director
Steven P. Wallace	Managing Director
Scott C. Westphal	Managing Director
David D. Wharmby	Managing Director
Michael E. Zammitti	Managing Director
Thomas Zatko	Managing Director
Robert K. Giffin	Senior Vice President



<u>OFFICER</u>	<u>TITLE</u>
Linda Houston	Senior Vice President
David Romano	Senior Vice President
Robert M. Whitney	Senior Vice President
Patrick Kendall	Senior Director
William E. Bartol	Chief Compliance Officer
Christopher Kelly Kinnon	Vice President, Associate General Counsel and Assistant Secretary
John J. Phillips	Vice President, Associate General Counsel and Assistant Secretary
John R. Wooton	Vice President, Associate General Counsel and Assistant Secretary
John E. Bonini	Vice President, Senior Counsel and Assistant Secretary
Lawrence J. Boudreau	Vice President, Senior Counsel and Assistant Secretary
William J. Jordan	Vice President, Senior Counsel and Assistant Secretary
Roberta L. Sailing	Vice President, Senior Counsel and Assistant Secretary
Pamela Schmidt Boneham	Portfolio Manager
Joanne Denver	Portfolio Manager
Dean A. Dulchinos	Portfolio Manager
Terri A. Herubin	Portfolio Manager
Steven Jacobs	Portfolio Manager
Janet Morrison	Portfolio Manager
Diane Norton	Portfolio Manager
Deborah P. Schwartz	Portfolio Manager
Denise R. Stake	Portfolio Manager
William Towill	Portfolio Manager
Bruce E. Anderson	Vice President
Christian Andersson	Vice President
Brian Baker	Vice President
Christopher Berry	Vice President
Robert A. Biddleman	Vice President
Kevin J. Bittner	Vice President
Christopher Black	Vice President
Alan Blais	Vice President
Robert J. Broderick	Vice President



<u>OFFICER</u>	<u>TITLE</u>
Tyler R. Brown	Vice President
Christopher Cassella	Vice President
Peter Cerrato	Vice President
James Clayton	Vice President
Thomas R. Cross	Vice President
Timothy S. Deane	Vice President
Penny Christy	Vice President
Ryan M. Crossley	Vice President
John Deary	Vice President
Celia Dondes	Vice President
Justin Epps	Vice President
Scott L. Ferguson	Vice President
Thomas G. Fleming	Vice President
Mark Freeman	Vice President
James J. Gallagher, Jr.	Vice President
Peter N. Gensheimer	Vice President
John Bryant Gerber	Vice President
Lisa R. Glass	Vice President
John A. Gorham	Vice President
Stephen H. Gould	Vice President
Benjamin Green	Vice President
William Gustafson	Vice President
Charles A. Hagedorn	Vice President
Kelly C. Hayes	Vice President
George Helf	Vice President
Joseph Iadarola	Vice President
James Johnng	Vice President
Martin P. Kane	Vice President
Rico Kanthatham	Vice President
Lisa B. Katz	Vice President
Mark Knapp	Vice President
John Kolb	Vice President
Jim Lagasse	Vice President
Judy Linton	Vice President
John Lonski	Vice President
Michael T. Marron	Vice President
Ben Matanga	Vice President
Pamela McKoin	Vice President
Mark Meier	Vice President



<u>OFFICER</u>	<u>TITLE</u>
Kevin Miller	Vice President
Stephen J. Murray	Vice President
James Nascimento	Vice President
Nicole Pecoulas	Vice President
Donald Phelan	Vice President
Kevin Ryan	Vice President
Craig Sabadosa	Vice President
Daniel J. Sheline	Vice President
Anthony Soldi	Vice President
Jerome J. Speltz	Vice President
Scott Spurlock	Vice President
John R. Taillie	Vice President
Frank S. Throop	Vice President
Stuart J. Turner	Vice President
Elena M. Walsh	Vice President
Jason T. Winans	Vice President
Victor Woolridge	Vice President
Carolyn Y. Zolty	Vice President
Michael Adomelis	Assistant Vice President
Jennifer D. Avery	Assistant Vice President
Da-Gon Chen	Assistant Vice President
Howard H. Chung	Assistant Vice President
Nicholas Cioffi	Assistant Vice President
Richard Davis	Assistant Vice President
Richard B. Deemer	Assistant Vice President
Brenda L. Desrosiers	Assistant Vice President
Chance Hyde	Assistant Vice President
Alden Johnson	Assistant Vice President
Martin Lilienthal	Assistant Vice President
Ryan Ma	Assistant Vice President
Ellen McDonald	Assistant Vice President
Brett McLeod	Assistant Vice President
John F. Long	Assistant Vice President
Stephen Panos	Assistant Vice President
Jen Pearl	Assistant Vice President
Justin Preftakes	Assistant Vice President
Timothy Reardon	Assistant Vice President



<u>OFFICER</u>	<u>TITLE</u>
Helen S. Shallow	Assistant Vice President
Veronica V. Soriano	Assistant Vice President
Nicole Stephenson	Assistant Vice President
Rene St. Marie	Assistant Vice President
Judy Strong	Assistant Vice President
Gregory J. Wentworth	Assistant Vice President
Bradley White	Assistant Vice President
Todd Picken	Treasurer
Bruce C. Frisbie	Assistant Treasurer



***Proposed Deed Restrictions***

**DEED RESTRICTIONS**

THE STATE OF TEXAS )  
 ) KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF \_\_\_\_\_ )

I.

The undersigned, 8750 NCE DALLAS LLC , a Delaware limited liability company ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the William Jenkins Survey, Abstract No. 702, City Block B/5456 , City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Northpark Central – VEF II, L.P. , by deed dated February 25, 2011 , and recorded in Instrument No. 201100050834, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

Lot 1, Block B/5456

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

(a) The following main uses are not permitted:

- Custom business services
- Labor hall
- Tool or equipment rental
- Convalescent and nursing home
- Foster home
- Halfway house
- Duplex
- Group residential facility
- Residential hotel
- Retirement housing
- General merchandise or food store greater than 3500 sf
- General merchandise or food store greater than 100,000 sf
- Household equipment and appliance repair
- Liquor store



- Mortuary, funeral home or commercial wedding chapel
- Motor vehicle fueling station
- Restaurant with drive-in or drive-through service

The following main use is only permitted as part of a mixed use project (See Section 51A-4.125 of the Dallas Development Code):

- Multi-family

### III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

### IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

### V.

These restrictions are not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

### VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in



equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

**The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with the provisions of this document.**

VIII.

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

X.

The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

XI.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

XII.



Z145-145(AF)

The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.



EXHIBIT A

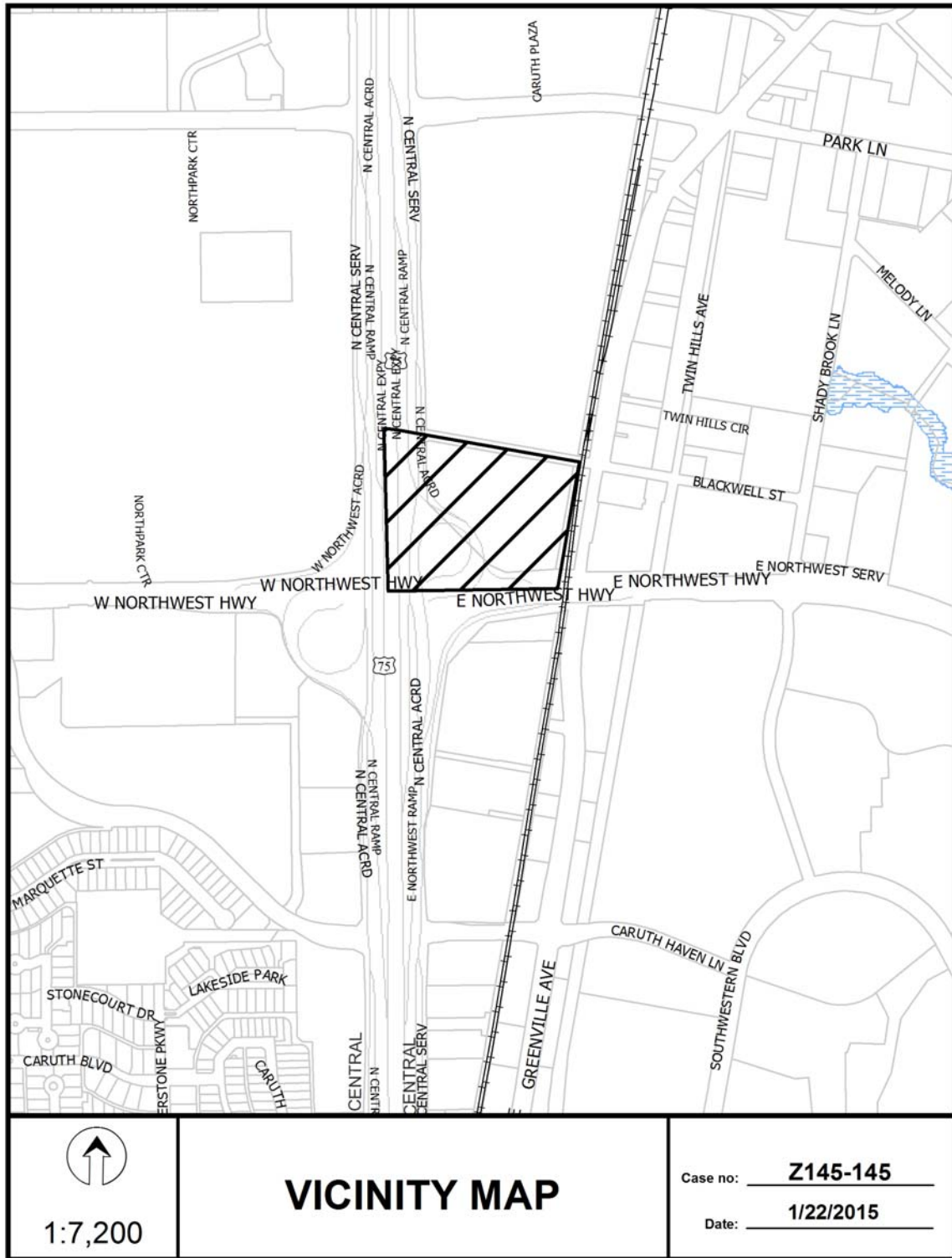
(a) The following main uses are not permitted:

- Custom business services
- Labor hall
- Tool or equipment rental
- Convalescent and nursing home
- Foster home
- Halfway house
- Duplex
- Group residential facility
- Residential hotel
- Retirement housing
- General merchandise or food store greater than 3500 sf
- General merchandise or food store greater than 100,000 sf
- Household equipment and appliance repair
- Liquor store
- Mortuary, funeral home or commercial wedding chapel
- Motor vehicle fueling station
- Restaurant with drive-in or drive-through service

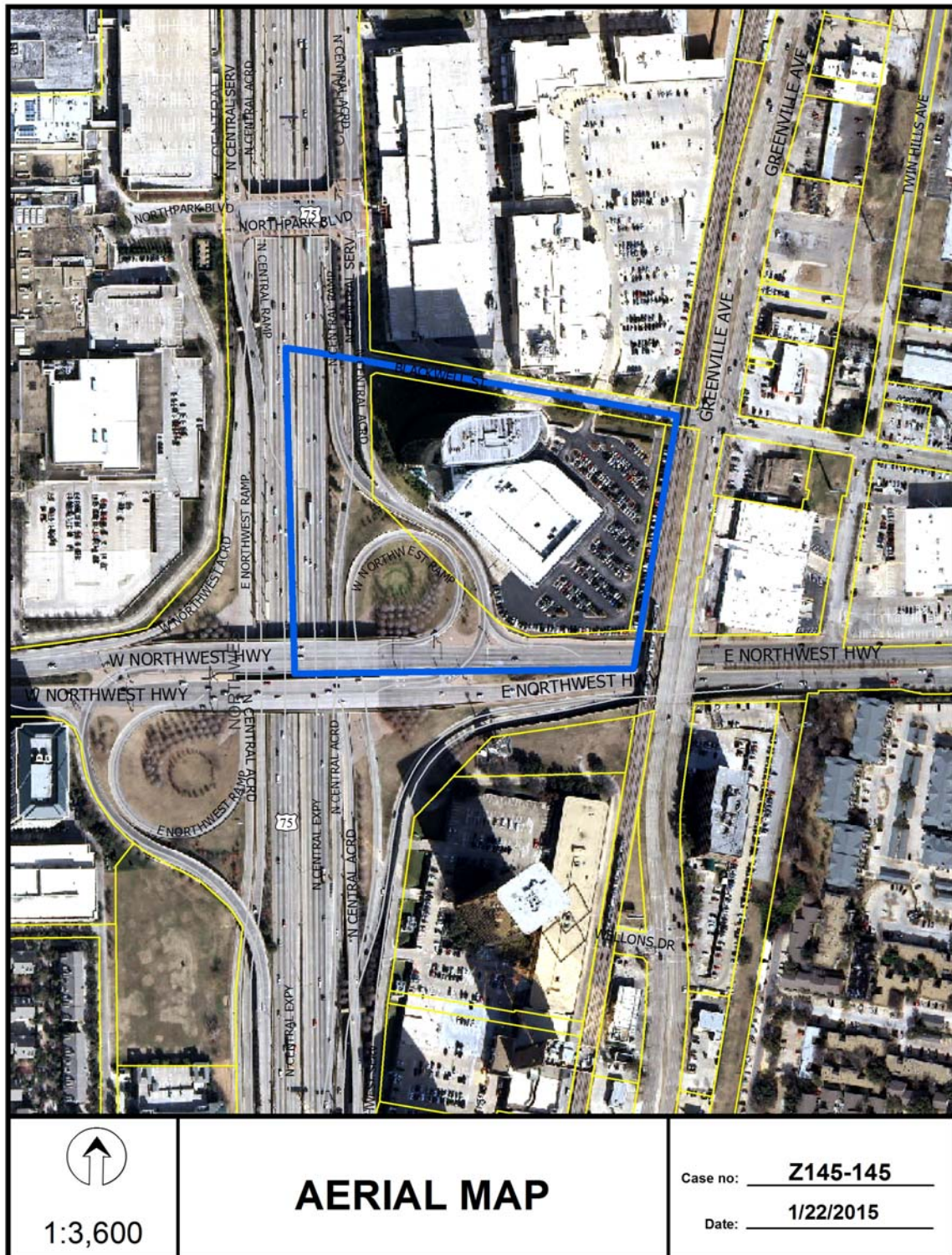
The following main use is only permitted as part of a Mixed Use Project:

- Multi-family

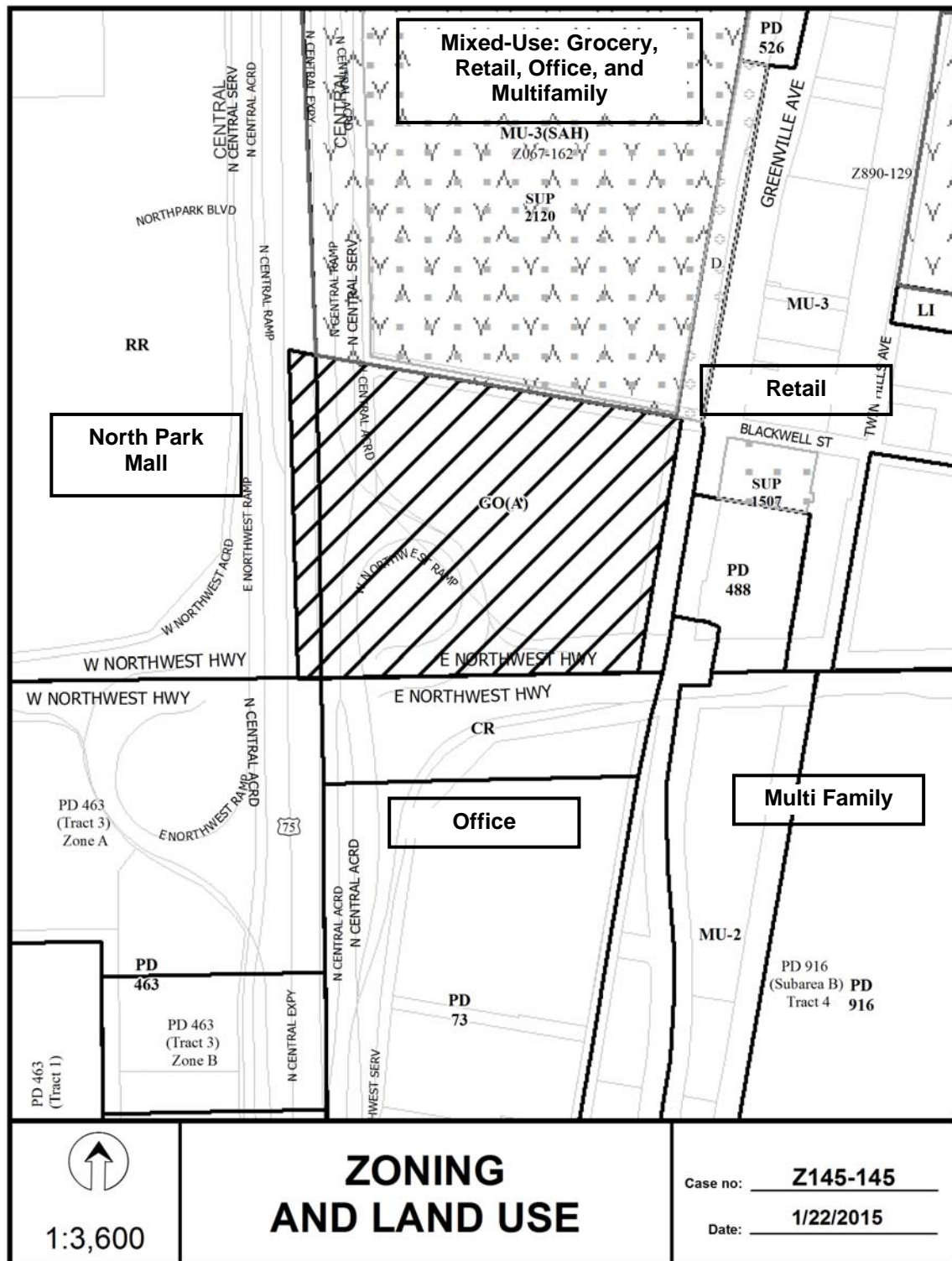




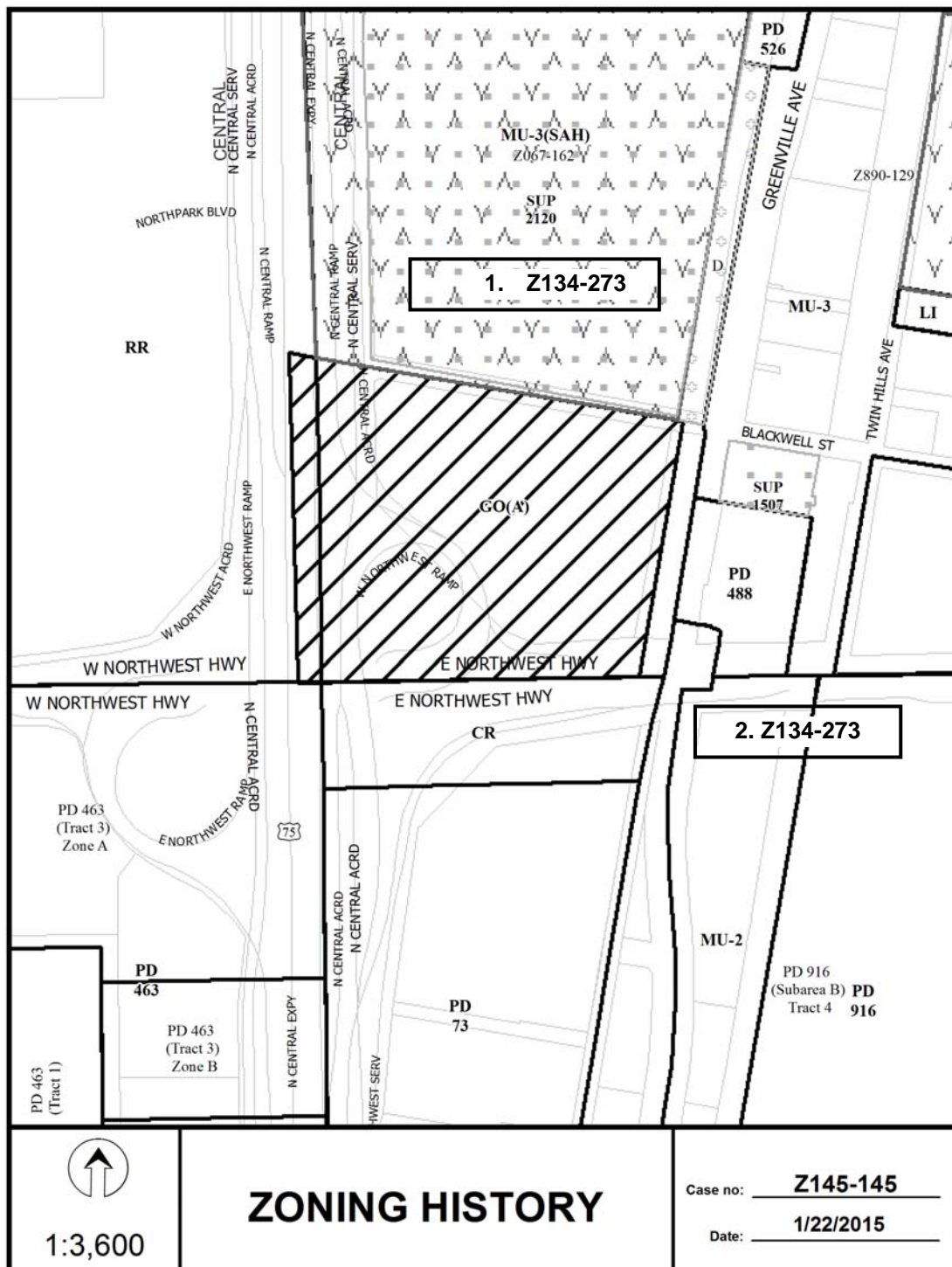




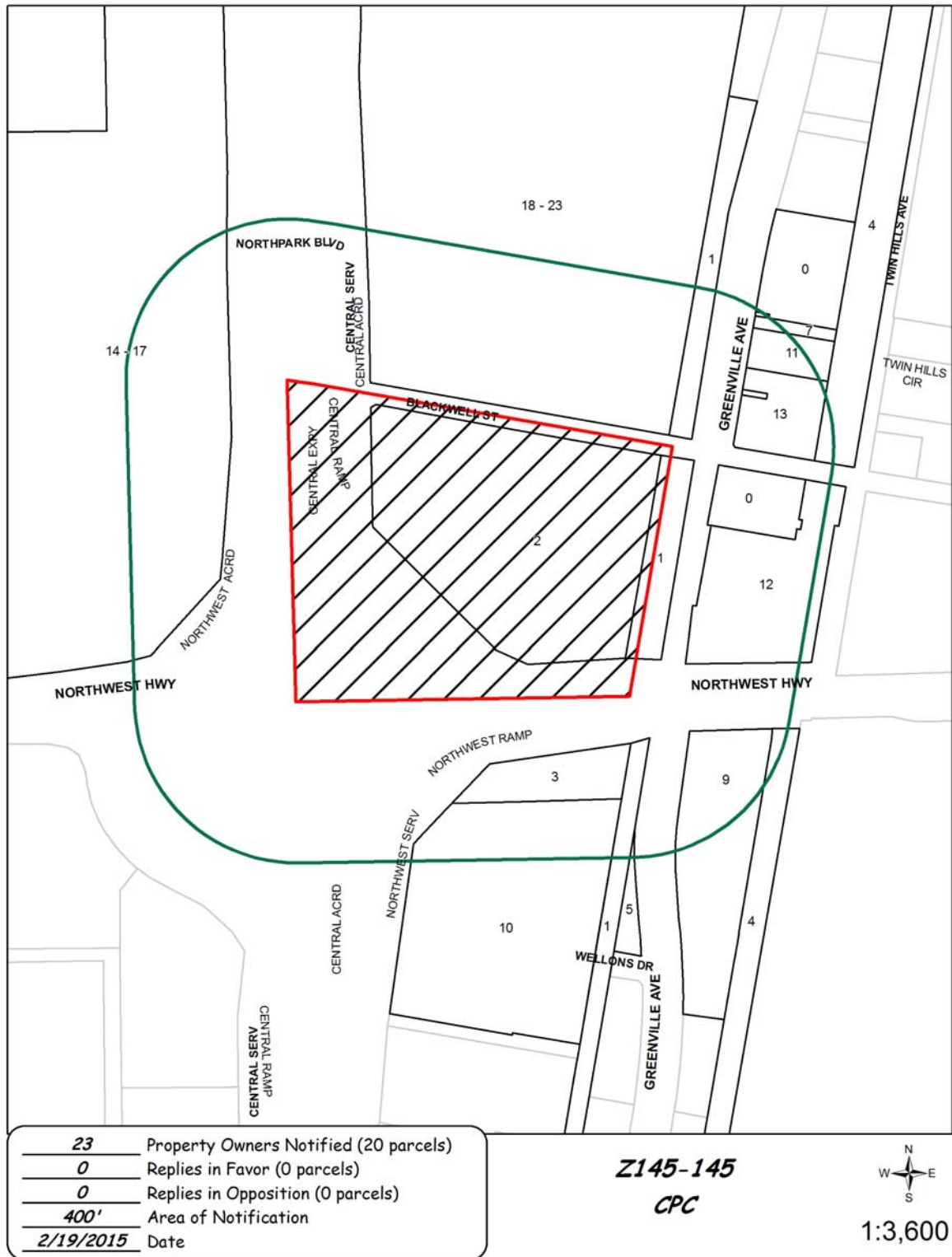














03/18/2015

***Reply List of Property Owners******Z145-145******23 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	401	BUCKNER BLVD	DART
2	8750	CENTRAL EXPY	8750 NCE DALLAS LLC
3	5600	NORTHWEST HWY	RODDIMEYER III LLC
4	5700	NORTHWEST HWY	TEXAS UTILITIES ELEC CO
5	6501	GREENVILLE AVE	SPOTLIGHT PROPERTIES CORP
6	6790	GREENVILLE AVE	6778-6790 GREENVILLE AVE
7	6778	GREENVILLE AVE	6778-6790 GREENVILLE AVE
8	6750	GREENVILLE AVE	ELLER MEDIA COMPANY
9	6500	GREENVILLE AVE	PEG OFFICE LLC
10	8350	CENTRAL EXPY	CAMPBELL CENTRE LTD PS
11	6770	GREENVILLE AVE	MIEGEL INVESTMENTS LLC
12	5701	NORTHWEST HWY	EXTRA SPACE PPTIES FORTY THREE LLC
13	6750	GREENVILLE AVE	ARMSTRONG GUADALUPE LP
14	8850	BOEDEKER ST	NORTHPARK NATIONAL BANK
15	0	NORTHPARK	NEIMAN MARCUS CO LESSEE
16	8687	CENTRAL EXPY	NORTHPARK LAND PARTNERS
17	7901	NORTHWEST HWY	NORDSTROM
18	8176	PARK LN	NORTHWOOD PL A LP
19	8166	PARK LN	NORTHWOOD PL HOLDINGS LLC
20	8130	PARK LN	NORTHWOOD PL E LP
21	8100	PARK LN	NORTHWOOD PL G LP
22	8130	PARK LN	NORTHWOOD PL HOLDINGS LLC
23	8066	PARK LN	DNCX PARK LANE LP